	Page 1708
1.	IN THE UNITED STATES DISTRICT COURT
2	NORTHERN DISTRICT OF ILLINOIS
3	EASTERN DIVISION
4	
	RIDGE CHRYSLER JEEP LLC, d/b/a)
5	MARQUETTE CHRYSLER JEEP, et al.,)
	Plaintiffs,)
6	vs.) 03 C 760
	DAIMLER CHRYSLER SERVICES NORTH)
7	AMERICA, LLC,)
	Defendant/Counterclaim Plaintiff)
8	vs.)
	RIDGE CHRYSLER PLYMOUTH, LLC, d/b/a)
9	MARQUETTE CHRYSLER JEEP, SALES,)
	INC., d/b/a DODGE OF MIDLOTHIAN,)
10	GERALD W. GORMAN, and ELIZABETH A.)
	GORMAN,)
11	
12	The continued deposition of GERALD GORMAN,
13	called for examination pursuant to the Rules of
14	Civil Procedure for the United States District
15	Courts pertaining to the taking of depositions,
16	taken before Shelly S. Rubas, a notary public
17	within and for the County of Cook and State of
18	Illinois, at 190 South LaSalle, Chicago, Illinois,
19	on the 7th day of October, 2004, at the hour of
20	9:30 o'clock a.m. EXHIBIT
21	sadda 2
22	s
23	Reported by: Shelly S. Rubas, CSR
24	License No.: 084-004298 09:08:05

	Page 1709		Page 1711
1 2	APPEARANCES:	1 2	APPEARANCES (Continued):
3	HAGENS BERMAN, LLP, by	3	
4	MR. CHRISTOPHER A. O'HARA	4	DAIMLER CHRYSLER SERVICES NORTH AMERICA,
5	1301 Fifth Avenue, Suite 2900	5	LLC, by
6	Seattle, Washington 98101	6	MR. MATTHEW E. ROY
7	(206) 623-7292	7	27777 Inkster Road
8	Representing dealerships in the Ridge	8	Farmington Hills, Michigan 48334-5326
9	case and plaintiffs in the Coburn	9	(248) 427-2566
10	case;	10 11	Representing Daimler Chrysler.
12		12	
13	THE WEXLER FIRM, by	13	
14	MR. EDWARD ANTHONY WALLACE	14	ALSO PRESENT: Mr. Theriot
15	One North LaSalle Street, Suite 2000	15	Shawn Temple
16	Chicago, Illinois 60602	16	
17	(312) 346-2222	17	
18	Representing the class plaintiffs in	18	
19	the Coburn case;	19	
20		20	
21 22		21 22	
22		22	
24		24	
1	Page 1710	1	Page 2
1 2	APPEARANCES (Continued):		WITNESS EXAMINATION GERALD GORMAN
3		3	By Mr. Bay 1,715 EXHIBITS
4	JAMES J. ROCHE & ASSOCIATES, by	4	Gorman Exhibit No. 69 1,715 70 1,722
5	MR. JAMES J. ROCHE	5	70 1,725 72 1,731
6	642 North Dearborn Street	6	24 (previously marked) 1,735 73 1,777
7	Chicago, Illinois 60610	7	74 1,779 75 1,791
8	(312) 335-0044	8	76 1,799 77 1,803
9 10	Representing plaintiffs;	9 10	78 1,806 79 1,807 80 1,809
11		11	81 1,812 82 1,814
12	THOMPSON COBURN, LLP, by	12	83 1,817 84 1,821
13	MR. WILLIAM BAY	13	22 (previously marked) 1,822 85 1,827
14	MR. JEFFREY FINK	14	86 1,835 87 1,838 88 1,842
15	One US Bank Plaza	15	89 1,862 90 1,877
16	St. Louis, Missouri 63101	16	91 1,879 92 1,882
17 18	(314) 552-6000 Performance Defendants	17	93 1,886 94 1,888
10	Representing Defendants;	18 19	95 1,691 96 1,912 97 1,920
20		20	98 1,928 99 1,940
21		21	100 1,943 101 1,959
22		22	102 1,971 103 1,986
23		23	104 1,994 105 2,003 106 2,009
24		24	106 2,009 107 2,023

2 (Pages 1709 to 2)

			
	Page 1713	1	Page 1715 MR. TEMPLE: Of course. 10:03:13
1	(Whereupon, the witness was		MR. FEMPLE: Of Course. 10.03.13 MR. BAY: Mr. Gorman?
2	duly sworn.) 10:01:23	2 3	THE WITNESS: Yes, sir.
3	MR. BAY: We are prepared to go forward in the 10:01:24	4	GERALD GORMAN,
4	deposition and the lawyers have had some 10:01:27		called as a witness herein, having been first duly
5	discussions out in the hallway because Mr. Gorman's 10:01:28	5	
6	company wants to have an additional corporate 10:01:33	6	sworn, was examined and testified as follows:
7	representative in addition to himself which is 10:01:36	7	EXAMINATION
8	Mr. Shawn Temple. It's our position that's not 10:01:37	8	BY MR. BAY:
9	appropriate, it's improper. It hasn't been done by 10:01:40	9	Q. You are still under oath today?
10	our side and it hasn't been done in the deposition 10:01:42	10	A. Yes, sir.
11	earlier taken of Mr. Strickland Mr. Gorman. 10:01:44	11	Q. I want to continue on with the deposition 10:03:15
12	The what we are prepared to do, having 10:01:51	12	in the dealer case which we took for about a 10:03:18
13	discussed it with counsel, just to get the thing 10:01:54	13	day-and-a-half or whatever the hours were some time 10:03:20
14	going so we don't have to go to Judge Keys about 10:01:56	14	ago as you recall I think in June, July? 10:03:23
15	another item, is to go ahead and allow Mr. Temple 10:02:00	15	A. Yes, sir. 10:03:26
16	to be here for the next hour. If we find the 10:02:03	16	Q. In connection with your purchase of 10:03:26
17	attorneys have said that if we find Mr. Gorman 10:02:07	17	Suburban Dodge, did you do an application to 10:03:28
18	looking over to Mr. Temple or there is motioning or 10:02:10	18	Chrysler Motors? 10:03:31
19	gesturing or things like that, that that's going to 10:02:13	19	A. Yes, sir. 10:03:32
20	stop. 10:02:16	20	(Whereupon, Gorman Deposition
21	We are agreeing without prejudice to our 10:02:16	21	Exhibit No. 69 was marked for
22	right to make an objection timely to Judge Keys. 10:02:18	22	identification.) 10:04:07
23	And in addition, Mr. O'Hara is going to represent 10:02:21	23	BY MR. BAY: 10:04:07
24	that Mr. Temple is not going to talk to Mr. Gorman 10:02:23	24	Q. Mr. Gorman, let me hand you what's been 10:04:07
┣		<u> </u>	Dece 1716
1	Page 1714 during the breaks except to say hi or how are you 10:02:28	1	Page 1716 marked as Exhibit 69 and ask you if you can tell me 10:04:08
2	doing, but no questions or discussions about any of 10:02:31	2	what that is. 10:04:10
3	the substantive facts. I think that is the right 10:02:32	3	A. It's the application for Suburban Dodge. 10:04:12
4	way to proceed, and I think Mr. O'Hara is going to 10:02:35	4	Q. This is an application that you filled 10:04:14
5	represent that. 10:02:37	5	out? 10:04:15
	Under those circumstances, we are prepared 10:02:37	6	A. Yes, sir. 10:04:15
6		7	Q. This is your handwriting on each of the 10:04:16
7	to go forward. 10:02:39 MR. O'HARA: That's fine. I would just state 10:02:40	8	four pages? 10:04:18
8	·····	9	A. Yes, sir. 10:04:19
9	for the record that it's our position that we don't 10:02:43 think that there is anything wrong with having 10:02:45	10	Q. You signed it on February 12th, 1990? 10:04:19
10	Mr. Temple here as a corporate representative 10:02:47	11	A. Yes, sir. 10:04:22
11	despite the fact that Mr. Gorman is here and he is 10:02:50	12	Q. As part of the signing, I assume that you 10:04:23
12	the owner.	13	have read it and answered these questions fully and 10:04:27
13	That being said, I understand your 10:02:55	14	completely? 10:04:29
14	concerns and we are willing to play under the 10:02:56	15	A. Yes, sir. 10:04:30
	ground rules we just discussed, that you just 10:02:59	16	Q. And that's why on Page 4 in the middle of 10:04:30
16 17	stated. 10:03:02	17	the paragraph, it says for the purpose of securing 10:04:32
1	MR. BAY: And you are going to represent that	17	credit and other considerations, the undersigned 10:04:37
18		19	furnishes the above information which fully and 10:04:40
19		20	truthfully sets forth my personal financial 10:04:42
20		20	condition, education, and business background? Is 10:04:46
21	case? 10:03:07	22	that right, sir? 10:04:51
22	MR. O'HARA: That is correct. 10:03:08 MR. BAY: And that is acceptable to you, 10:03:10	22	A. What am I supposed to read, number four? 10:04:55
23	·····	23	Q. I was looking at Page 4 which is SD 10:04:57
24	Mr. Temple? 10:03:12	⁴⁷	CIT MUSTOONING BET USO I MINOR IN ON TOTO HOM
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3 (Pages 1713 to 1716)

			De 1063
1	Page 1861 capital, they knew then we put in the 1.9 million. 12:41:02	1	Page 1863 which was on October, November, 2001, something in 13:51:15
2	So they really weren't concerned about it. Okay? 12:41:02	2	that range? 13:51:17
3	O. Yeah. I'm 12:41:02	3	A. Right. 13:51:18
4	A. Let's take a break here. I am getting 12:41:02	4	Q. What I have handed you here is Exhibit 13:51:19
5	confused and I want to go to lunch. 12:41:04	5	89 which is documents from your dealership, May 13:51:22
6	MR. O'HARA: Can you finish this up quickly? 12:41:08	6	2002 bank information and particularly on Page 13:51:28
7	MR. BAY: I just wanted to kind of I want to 12:41:11		M-437266 13:51:35
8	move to strike the answer as not responsive. 12:41:14	8	A. Okay. 13:51:37
9	BY MR. BAY:	9	Q through M-437278, the Dodge of 13:51:37
10	Q. But let me get back. I just wanted to 12:41:17	10	Midlothian May 2002 operating accounts 13:51:41
11	know I thought you said you had a conversation with 12:41:18	11	reconciliation. 13:51:44
12	someone in which you said I'm going to give some 12:41:21	12	Agree? 13:51:46
13	money to my wife's political campaign out of these 12:41:24	13	A. Yes, sir. 13:51:46
14	proceeds. I just want to follow that piece. I 12:41:28	14	Q. And I am looking at Page M-437266. 13:51:48
15	know we had other questions, but if I could just 12:41:31	15	A. Okay. 13:51:53
16	follow that one to ground here. 12:41:31	16	Q. You've seen documents like this before? 13:51:53
17	A. I told you that I had a conversation where 12:41:33	17	A. Yes. 13:51:55
18	they knew that my wife was running for office and 12:41:35	18	Q. This is what Kathy Mannheim and Judy 13:51:56
19	that some of the money I had gotten was going to go 12:41:37	19	Gilmartin work with? 13:52:00
20	to her campaign. 12:41:39	20	A. Right. 13:52:02
21	Q. They didn't say anything one way or the 12:41:41	21	Q. They use this to reconcile what is on the 13:52:03
22	other in response to that? 12:41:43	22	bank statement with what's on the company books? 13:52:06
23	A. No. 12:41:44	23	A. Correct. 13:52:09
24	Q. You took their silence as approval? 12:41:44	24	Q. As I understand it, as I am looking down 13:52:10
	Page 1862		Page 1864
1	A. Correct. 12:41:47	1	on the entry on Page M-437266, there is listed 13:52:12
2	Q. But just so we are clear, you specifically 12:41:47		
		2	under the adjustments, the EFT from Falcon 13:52:16
3	told Falcon that you were going to take some of the 12:41:50	2 3	under the adjustments, the EFT from Falcon13:52:16Financial to Manufacturer's Bank, correct?13:52:20
3	told Falcon that you were going to take some of the 12:41:50proceeds of this loan and use them as a12:41:54		
1		3	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24
4	proceeds of this loan and use them as a 12:41:54	3 4	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23
4	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57	3 4 5	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29
4 5 6	proceeds of this loan and use them as a12:41:54contribution from your dealership to your wife's12:41:57political campaign?12:42:00	3 4 5 6	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30
4 5 6 7	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05	3 4 5 6 7	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30
4 5 6 7 8 9 10	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05 MR. BAY: Do you want to take a break for a 12:42:08	3 4 5 6 7 8 9 10	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30It's not carried on the books. That's why13:52:32
4 5 6 7 8 9 10 11	proceeds of this loan and use them as a12:41:54contribution from your dealership to your wife's12:41:57political campaign? $12:42:00$ A. Correct. $12:42:03$ Q. But you didn't tell them the amount? $12:42:03$ A. Correct. $12:42:05$ MR. BAY: Do you want to take a break for a $12:42:08$ couple of minutes? $12:42:10$	3 4 5 6 7 8 9 10 11	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30It's not carried on the books. That's why13:52:32on this item. It's a reconciliation item. It's13:52:34
4 5 6 7 8 9 10 11 12	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? $12:42:00$ A. Correct. $12:42:02$ Q. But you didn't tell them the amount? $12:42:03$ A. Correct. $12:42:05$ MR. BAY: Do you want to take a break for a 12:42:08 couple of minutes? $12:42:10$ THE WITNESS: I'd like to go to lunch.	3 4 5 6 7 8 9 10 11 12	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30It's not carried on the books. That's why13:52:32on this item. It's a reconciliation item. It's13:52:34deposited in the bank account?13:52:38
4 5 6 7 8 9 10 11 12 13	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05 MR. BAY: Do you want to take a break for a 12:42:08 couple of minutes? 12:42:10 THE WITNESS: I'd like to go to lunch. (Whereupon, lunch recess taken.) 13:14:40	3 4 5 6 7 8 9 10 11 12 13	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30It's not carried on the books. That's why13:52:32on this item. It's a reconciliation item. It's13:52:34deposited in the bank account?13:52:38A. Not being an accountant, I don't13:52:40
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4 5 6 7 8 9 10 11 12 13 14 15	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05 MR. BAY: Do you want to take a break for a 12:42:08 couple of minutes? 12:42:10 THE WITNESS: I'd like to go to lunch. (Whereupon, lunch recess taken.) 13:14:40 (Whereupon, Gorman Deposition Exhibit No. 89 was marked for	3 4 5 6 7 8 9 10 11 12 13 14 15	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30It's not carried on the books. That's why13:52:32on this item. It's a reconciliation item. It's13:52:34deposited in the bank account?13:52:38A. Not being an accountant, I don't13:52:40understand this. But yes, it was deposited and13:52:42yes, it's still here.13:52:46
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4 5 6 7 8 9 10 11 12 13 14 15 16 17	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05 MR. BAY: Do you want to take a break for a 12:42:08 couple of minutes? 12:42:10 THE WITNESS: I'd like to go to lunch. (Whereupon, lunch recess taken.) 13:14:40 (Whereupon, Gorman Deposition Exhibit No. 89 was marked for identification.) 13:50:55	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30It's not carried on the books. That's why13:52:32on this item. It's a reconciliation item. It's13:52:34deposited in the bank account?13:52:38A. Not being an accountant, I don't13:52:40understand this. But yes, it was deposited and13:52:42yes, it's still here.13:52:46Q. And that's why it's and just like you13:52:49told me, the 1.98 number, it's 1.9, it's almost13:52:49
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05 MR. BAY: Do you want to take a break for a 12:42:08 couple of minutes? 12:42:10 THE WITNESS: I'd like to go to lunch. (Whereupon, lunch recess taken.) 13:14:40 (Whereupon, Gorman Deposition Exhibit No. 89 was marked for identification.) 13:50:55 BY MR. BAY: 13:50:57 Q. Mr. Gorman, what I wanted to do was take 13:50:57	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30Q. I'm sorry. Strike that.13:52:32on this item. It's a reconciliation item. It's13:52:34deposited in the bank account?13:52:38A. Not being an accountant, I don't13:52:40understand this. But yes, it was deposited and13:52:42yes, it's still here.13:52:46Q. And that's why it's and just like you13:52:49told me, the 1.98 number, it's 1.9, it's almost13:52:492 million just as you told me?13:52:53
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05 MR. BAY: Do you want to take a break for a 12:42:08 couple of minutes? 12:42:10 THE WITNESS: I'd like to go to lunch. (Whereupon, lunch recess taken.) 13:14:40 (Whereupon, Gorman Deposition Exhibit No. 89 was marked for identification.) 13:50:56 BY MR. BAY: 13:50:57 Q. Mr. Gorman, what I wanted to do was take 13:50:57 up where we left off. 13:51:01	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30Q. I'm sorry. Strike that.13:52:32on this item. It's a reconciliation item. It's13:52:32on this item. It's a reconciliation item. It's13:52:34deposited in the bank account?13:52:38A. Not being an accountant, I don't13:52:40understand this. But yes, it was deposited and13:52:42yes, it's still here.13:52:46Q. And that's why it's and just like you13:52:49told me, the 1.98 number, it's 1.9, it's almost13:52:53A. Right.13:52:55
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05 MR. BAY: Do you want to take a break for a 12:42:08 couple of minutes? 12:42:10 THE WITNESS: I'd like to go to lunch. (Whereupon, lunch recess taken.) 13:14:40 (Whereupon, Gorman Deposition Exhibit No. 89 was marked for identification.) 13:50:56 BY MR. BAY: 13:50:57 Q. Mr. Gorman, what I wanted to do was take 13:50:57 up where we left off. 13:51:01 You indicated that the \$1.9 million, 13:51:03 instead of 1 million, 1.9 million was deposited 13:51:06 into Sales Inc.? 13:51:10 A. Approximately. 13:51:12	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30It's not carried on the books. That's why13:52:32on this item. It's a reconciliation item. It's13:52:34deposited in the bank account?13:52:38A. Not being an accountant, I don't13:52:40understand this. But yes, it was deposited and13:52:42yes, it's still here.13:52:46Q. And that's why it's and just like you13:52:49told me, the 1.98 number, it's 1.9, it's almost13:52:53A. Right.13:52:55Q. And it was deposited sometime back in13:52:56Manufacturer's Bank I'm sorry. It was deposited 13:52:57in manufacturer's Bank sometime in the fall of13:53:022001 after the Falcon loan closed?13:53:03
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	proceeds of this loan and use them as a 12:41:54 contribution from your dealership to your wife's 12:41:57 political campaign? 12:42:00 A. Correct. 12:42:02 Q. But you didn't tell them the amount? 12:42:03 A. Correct. 12:42:05 MR. BAY: Do you want to take a break for a 12:42:08 couple of minutes? 12:42:10 THE WITNESS: I'd like to go to lunch. (Whereupon, lunch recess taken.) 13:14:40 (Whereupon, Gorman Deposition Exhibit No. 89 was marked for identification.) 13:50:56 BY MR. BAY: 13:50:57 Q. Mr. Gorman, what I wanted to do was take 13:50:57 up where we left off. 13:51:01 You indicated that the \$1.9 million, 13:51:03 instead of 1 million, 1.9 million was deposited 13:51:06 into Sales Inc.? 13:51:10	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Financial to Manufacturer's Bank, correct?13:52:20A. Yes, sir.13:52:23Q. It's still being carried on the books in13:52:24May of 2002, but it was deposited sometime before13:52:26that?13:52:29A. Yes, sir.13:52:30Q. I'm sorry. Strike that.13:52:30Q. I'm sorry. Strike that.13:52:32on this item. It's a reconciliation item. It's13:52:34deposited in the bank account?13:52:38A. Not being an accountant, I don't13:52:40understand this. But yes, it was deposited and13:52:42yes, it's still here.13:52:46Q. And that's why it's and just like you13:52:49told me, the 1.98 number, it's 1.9, it's almost13:52:492 million just as you told me?13:52:55Q. And it was deposited sometime back in13:52:55Q. And it was deposited sometime back in13:52:57in manufacturer's Bank I'm sorry. It was deposited 13:52:57in manufacturer's Bank sometime in the fall of13:53:02

40 (Pages 1861 to 1864)

	Page 1865	<u> </u>	Page 1867
1	Q. And what's happening here is that it 13:53:06	1.	bank account 13:55:08
2	hasn't been booked yet on the company books which 13:53:08	2	A. Right. 13:55:09
3	is why it's on this reconciliation? 13:53:10	3	Q but not yet accounted for in the 13:55:09
4	A. Correct. 13:53:13	4	company books. 13:55:11
5	Q. Do you know why and you may not. Do 13:53:13	5	A. Correct. 13:55:12
6	you know why it hasn't been put on the books of the 13:53:15	6	Q. And this one looked like money taken out 13:55:12
7	company yet? 13:53:19	7	of the bank account, but not yet accounted for in 13:55:14
8	A. To the best of my recollection, it had 13:53:20	8	the company books. 13:55:17
9	something to do with the accountants and how they 13:53:22	9	A. I know where your question but I don't 13:55:21
10	had to make entries for it. 13:53:25	10	know if that's what that is. 13:55:24
11	Q. The Mulcahy firm? 13:53:28	11	Q. Do you know what not booked in the 13:55:26
12	A. Yes, sir, right. 13:53:33	12	company's books means? 13:55:28
13	Q. And then right underneath this, it's	13	A. No, sir. 13:55:31
14	there's an entry wire transfers and checks 13:53:35	14	Q. That is just something you would rely on 13:55:31
15	Manufacturer's Bank not booked at 5/31/02, correct? 13:53:37	15	Shawn Temple, Judy Gilmartin, or Kathy Mannheim to 13:55:33
16	A. Yes, sir, 13:53:42	16	tell you or the accountants? 13:55:37
17	Q. And that's in an amount very much similar 13:53:42	17	A. Right, more the accountants. 13:55:39
18	to the amount that was deposited from Falcon 13:53:46	18	Q. Now, if you could turn to the next page of 13:55:42
19	Financial. They are just 7 grand apart it looks 13:53:49	19	this document which is M-437267. At the top, there 13:55:43
20	like. 13:53:53	20	is something called adjustments to books. 13:55:49
21	A. You are talking about the 1.981 and then 13:53:58	21	Do you see that? 13:55:51
22	the 1.988?	22	A. Right. 13:55:52
23	Q. Right. I think one of them is a 13:54:04	23	Q. Do you know whose handwriting this is by 13:55:52
24	\$1.981 million deposit 13:54:04	24	the way? 13:55:55
			·
	Page 1866		Page 1868
1	A. Right.	1	A. I think it's Judy's. 13:55:56
2	Q to Manufacturer's Bank. 13:54:07	2	Q. And that would be appropriate as far as 13:55:58
3	A. Right.	3	you understand from her job description to do 13:56:00
4	Q. And then this next item is wire transfers 13:54:09	4	something like this? 13:56:03
5	and checks that are not booked that is a 13:54:11	5	A. Yes, sir. 13:56:04
6	1.988 negative or was taken out of the bank 13:54:14	6	Q. And then on line 11 of this document, it 13:56:04
7	account, but isn't on the books yet, right? 13:54:17	7	says checks and wire transfer dollars Manufacture's 13:56:07
8	A. I don't know what that means, but 13:54:25	8	Bank 5/31/02. 13:56:13
9	1.988 was not taken out like that, so if that is 13:54:28	9	Do you see that particular line? 13:56:15
10	your question 13:54:34	10	A. Right. 13:56:17
11	Q. I was just trying to get that the entry 13:54:37		Q. And it says 1.98828832? 13:56:17
12	was there. 13:54:40	12	A. Correct. 13:56:21
13	A. Right, yes. 13:54:40	13	Q. Which is the same line as the page before, 13:56:21
14		14	correct? 13:56:24 A. Yes, sir. 13:56:25
	Q. First of all, we know the entry is there, 13:54:41		
15	correct? 13:54:43	15	-
15 16	correct? 13:54:43 A. Correct. 13:54:44	16	Q. And this would appear to be the detail of 13:56:26
15 16 17	correct? 13:54:43 A. Correct. 13:54:44 Q. And then it reflects items that total 13:54:44	16 17	Q. And this would appear to be the detail of 13:56:26 what is encompassed in the 1.988 million, correct? 13:56:30
15 16 17 18	correct?13:54:43A. Correct.13:54:44Q. And then it reflects items that total13:54:441.988 million that have been taken out of the bank13:54:56	16 17 18	 Q. And this would appear to be the detail of 13:56:26 what is encompassed in the 1.988 million, correct? 13:56:30 A. Again, not knowing accounting, I don't 13:56:38
15 16 17 18 19	correct?13:54:43A. Correct.13:54:44Q. And then it reflects items that total13:54:441.988 million that have been taken out of the bank13:54:56account, but aren't yet accounted for in the13:54:56	16 17 18 19	 Q. And this would appear to be the detail of 13:56:26 what is encompassed in the 1.988 million, correct? 13:56:30 A. Again, not knowing accounting, I don't 13:56:38 know if it is or it isn't. It would be something 13:56:41
15 16 17 18 19 20	correct?13:54:43A. Correct.13:54:44Q. And then it reflects items that total13:54:441.988 million that have been taken out of the bank13:54:56account, but aren't yet accounted for in the13:54:56company books?13:54:56	16 17 18 19 20	 Q. And this would appear to be the detail of 13:56:26 what is encompassed in the 1.988 million, correct? 13:56:30 A. Again, not knowing accounting, I don't 13:56:38 know if it is or it isn't. It would be something 13:56:41 that they would have to explain, but this does look 13:56:44
15 16 17 18 19 20 21	correct?13:54:43A. Correct.13:54:44Q. And then it reflects items that total13:54:441.988 million that have been taken out of the bank13:54:56account, but aren't yet accounted for in the13:54:56company books?13:54:56A. I don't know if that is what that means.13:54:57	16 17 18 19 20 21	Q. And this would appear to be the detail of 13:56:26 what is encompassed in the 1.988 million, correct? 13:56:30 A. Again, not knowing accounting, I don't 13:56:38 know if it is or it isn't. It would be something 13:56:41 that they would have to explain, but this does look 13:56:44 like there's for some accounting, right. 13:56:50
15 16 17 18 19 20 21 22	correct? $13:54:43$ A. Correct. $13:54:44$ Q. And then it reflects items that total $13:54:44$ 1.988 million that have been taken out of the bank $13:54:56$ account, but aren't yet accounted for in the $13:54:56$ company books? $13:54:56$ A. I don't know if that is what that means. $13:54:57$ Q. Because it looked like there was a reverse $13:54:59$	16 17 18 19 20 21 22	 Q. And this would appear to be the detail of 13:56:26 what is encompassed in the 1.988 million, correct? 13:56:30 A. Again, not knowing accounting, I don't 13:56:38 know if it is or it isn't. It would be something 13:56:41 that they would have to explain, but this does look 13:56:44 like there's for some accounting, right. 13:56:50 Q. Either Judy Gilmartin or Mulcahy could 13:56:54
15 16 17 18 19 20 21 22 23	correct? $13:54:43$ A. Correct. $13:54:44$ Q. And then it reflects items that total $13:54:44$ 1.988 million that have been taken out of the bank $13:54:56$ account, but aren't yet accounted for in the $13:54:56$ company books? $13:54:56$ A. I don't know if that is what that means. $13:54:57$ Q. Because it looked like there was a reverse $13:54:59$ item. It looked like it was the mirror image of $13:55:00$	16 17 18 19 20 21 22 23	Q. And this would appear to be the detail of 13:56:26what is encompassed in the 1.988 million, correct? 13:56:30A. Again, not knowing accounting, I don't13:56:38know if it is or it isn't. It would be something13:56:41that they would have to explain, but this does look 13:56:44like there's for some accounting, right.13:56:50Q. Elther Judy Gilmartin or Mulcahy could13:56:58
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			Dec. 1971
11	Page 1869 Q. But at least it looks like the detail of 13:57:03	1	Page 1871 A. I believe Manufacture's Bank. 13:58:46
2	the 1.988 is I mean, I was looking at the 13:57:05	2	O. And that would have been in the full 13:58:49
3	numbers kind of adding them up. That is what it 13:57:08	3	amount of the 232,000? 13:58:51
4	looks like? 13:57:09	4	A. I think I actually mortgaged it for 13:58:52
5	A. Right. 13:57:11	5	300 and put that back in. 13:58:54
6	Q. And I was just going to try to make sure I 13:57:11	6	Q. So somewhere else we could see an entry 13:58:56
7	understood some of these entries. And if you don't 13:57:13	7	A. Yeah, I can get that for you. 13:58:59
8	know, I understand. Let me just run through them. 13:57:15	8	Q that would show okay. But let me 13:59:00
9	The entries from 2001 start November 13:57:17	9	somewhere else we'd see an entry 13:59:00
10	5th, '01, \$15,000 to SPT. 13:57:22	10	A. Right.
11	Do you know who that is or what that is? 13:57:28	11	Q showing a deposit of \$300,000 after 13:59:03
12	A. No, sir. 13:57:29	12	this date? 13:59:04
13	Q. That wouldn't be Shawn Temple? 13:57:30	13	A. Yes, sir. 13:59:05
14	A. I don't know if that would be Shawn or 13:57:33	14	Q. Into the company's accounts? 13:59:06
15	not. 13:57:35	15	A. Yes, sir. 13:59:08
16	Q. Then 11/20/1 MCJ 300,000. Is that 13:57:35	16	Q. The next entry December 3rd, '01, says 13:59:08
17	Marquette Chrysler Plymouth? 13:57:41	17	MCJ. At least it looks like it does to me. Does 13:59:11
18	A. If that says MCJ, I would say that 13:57:44	18	it to you? 13:59:15
19	probably it is, but on mine it's hard to read, 13:57:48	19	A. Yes, sir. 13:59:16
20	Bill. It's almost blacked out. 13:57:51	20	Q. And that is a transfer to Marquette 13:59:16
21	Q. It's not easy to read. I acknowledge 13:57:54	21	Chrysler Plymouth, Chrysler Jeep? 13:59:18
22	that.	22	A. Right. 13:59:20
23	A. If it says MCJ, it probably stands for 13:57:56	23	Q. And then the next entry December 13:59:21
24	Marquette Chrysler Jeep, yes, sir. 13:57:58	24	26th, '01, it says to ERV Florida 13:59:23
	D		Page 1872
1	Page 1870 Q. The next one is November 27th, '01, and 13:58:01	1	150,000? 13:59:29
2	says GG DR memo with the word lot. And that 13:58:02	-	
		2	A. Yes, sir, 13:59:29
	-	2	
3	says first of all, that is what it says, right? 13:58:08		
3	says first of all, that is what it says, right? 13:58:08 A. Right, correct. 13:58:09	3	Q. Is that the condominium down payment you 13:59:30
3 4	says first of all, that is what it says, right? 13:58:08 A. Right, correct. 13:58:09	3 4	Q. Is that the condominium down payment you 13:59:30 told me about? 13:59:32
3 4 5	says first of all, that is what it says, right?13:58:08A. Right, correct.13:58:09Q. And then it has 232,000 and some odd13:58:10	3 4 5	Q. Is that the condominium down payment you13:59:30told me about?13:59:32A. Right. Yes, sir. I would assume that is, 13:59:33
3 4 5 6	says first of all, that is what it says, right?13:58:08A. Right, correct.13:58:09Q. And then it has 232,000 and some odd13:58:10dollars in that line?13:58:12	3 4 5 6	Q. Is that the condominium down payment you13:59:30told me about?13:59:32A. Right. Yes, sir. I would assume that is,13:59:33yes, sir.13:59:35
3 4 5 6 7	says first of all, that is what it says, right? 13:58:08 A. Right, correct. 13:58:09 Q. And then it has 232,000 and some odd 13:58:10 dollars in that line? 13:58:12 A. Correct. 13:58:13	3 4 5 6 7	Q. Is that the condominium down payment you13:59:30told me about?13:59:32A. Right. Yes, sir. I would assume that is,13:59:33yes, sir.13:59:35Q. And then December 7th, '01, I see KZ and13:59:35
3 4 5 6 7 8	says first of all, that is what it says, right? 13:58:08 A. Right, correct. 13:58:09 Q. And then it has 232,000 and some odd 13:58:10 dollars in that line? 13:58:12 A. Correct. 13:58:13 Q. Does that mean anything to you? 13:58:14	3 4 5 6 7 8	Q. Is that the condominium down payment you 13:59:30 told me about? 13:59:32 A. Right. Yes, sir. I would assume that is, 13:59:33 yes, sir. 13:59:35 Q. And then December 7th, '01, I see KZ and 13:59:35 LJ 23,500. 13:59:40 Do you know what that is? 13:59:43 A. No, sir. 13:59:44
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	says first of all, that is what it says, right? 13:58:08 A. Right, correct. 13:58:09 Q. And then it has 232,000 and some odd 13:58:10 dollars in that line? 13:58:12 A. Correct. 13:58:13 Q. Does that mean anything to you? 13:58:14 A. Yeah. That was a lot I bought and then 13:58:15 right after that, I put a mortgage on it and put 13:58:18 the money back in the company. 13:58:21 Q. When you say a lot, you mean like a piece 13:58:23 of property? 13:58:25 A. Right, right. 13:58:25 Q. So then where was that piece of property? 13:58:27 A. In Orland. 13:58:29 Q. So you bought did it have a house on it 13:58:31 or was it a vacant lot? 13:58:33 A. Vacant. 13:58:34 Q. And so you bought a piece of vacant 13:58:37 A. Mortgaged it and put the money right back 13:58:39	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Is that the condominium down payment you 13:59:30 told me about? 13:59:32 A. Right, Yes, sir. I would assume that is, 13:59:33 yes, sir. 13:59:35 Q. And then December 7th, '01, I see KZ and 13:59:35 L) 23,500. 13:59:40 Do you know what that is? 13:59:43 A. No, sir. 13:59:44 Q. Do you know who Kevin Zarimba (phonetic) 13:59:44 is? 13:59:47 A. Yes, sir. 13:59:48 Q. Who is Kevin Zarimba? 13:59:48 A. He's a neighbor of mine. He's a 13:59:59 contractor. 13:59:59 Q. And did he do some work to require you to 13:59:59 pay him? 13:59:59 A. I don't recall if he did or didn't. I 13:59:59 in. He works on houses. 14:00:00 Q. Would this be a personal item or a company 14:00:01
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	says first of all, that is what it says, right? $13:58:08$ A. Right, correct. $13:58:09$ Q. And then it has $232,000$ and some odd $13:58:10$ dollars in that line? $13:58:12$ A. Correct. $13:58:13$ Q. Does that mean anything to you? $13:58:14$ A. Yeah. That was a lot I bought and then $13:58:15$ right after that, I put a mortgage on it and put $13:58:18$ the money back in the company. $13:58:21$ Q. When you say a lot, you mean like a piece $13:58:23$ of property? $13:58:25$ A. Right, right. $13:58:25$ Q. So then where was that piece of property? $13:58:27$ A. In Orland. $13:58:29$ Q. So you bought did it have a house on it $13:58:31$ or was it a vacant lot? $13:58:33$ A. Vacant. $13:58:34$ Q. And so you bought a piece of vacant $13:58:34$ property for 232,000 and then mortgaged it? $13:58:37$	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. Is that the condominium down payment you 13:59:30 told me about? 13:59:32 A. Right. Yes, sir. I would assume that is, 13:59:33 yes, sir. 13:59:35 Q. And then December 7th, '01, I see KZ and 13:59:35 L) 23,500. 13:59:40 Do you know what that is? 13:59:43 A. No, sir. 13:59:44 Q. Do you know who Kevin Zarimba (phonetic) 13:59:44 is? 13:59:47 A. Yes, sir. 13:59:48 Q. Who is Kevin Zarimba? 13:59:48 A. He's a neighbor of mine. He's a 13:59:59 contractor. 13:59:59 Q. And did he do some work to require you to 13:59:59 pay him? 13:59:59 A. I don't recall if he did or didn't. I 13:59:59 in. He works on houses. 14:00:00

42 (Pages 1869 to 1872)

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1	Page 1873 Q. Then December 14th, 2001 and the LG, is 14:00:08	1	Page 1875 A. Yes, sir. 14:01:55
2	that Liz Gorman or is that somebody else? 14:00:11	2	Q. There are a variety of BNY entries here. 14:01:56
3	A. That would probably be Liz Gorman. 14:00:13	3	Do you see those? 14:02:00
4	Q. What was the payment to Liz Gorman? 14:00:17	4	A. Yes, sir. 14:02:02
5	A. It says \$10,000. 14:00:20	5	Q. What is BNY? 14:02:03
6	Q. Do you know what it was for? Is that some 14:00:22	6	A. That's Falcon. 14:02:05
7	salary she earns, is it a bonus, or is it a 14:00:25	7	Q. So there are six payments to Falcon of 14:02:06
8	political contribution? I am just trying to if 14:00:28	8	105,000 -
9	you know. 14:00:32	9	A. Yes.
10	A. I don't know if I don't think it would 14:00:33	10	Q \$424.50 each? 14:02:07
11	be a political contribution because her campaign 14:00:34	11	A. Yes, sir. 14:02:12
12	wasn't really up and gearing at that time. 14:00:37	12	Q. And that I assume is why Ms. Gilmartin has 14:02:12
13	Q. So as you sit here today, you are just not 14:00:39	13	written over on the side 105,000, 424.50 times six 14:02:16
14	sure what that is? 14:00:43	14	equals January through May '02 to June '02? 14:02:20
15	A. No, sir. 14:00:44	15	A. Yes, sir. 14:02:22
16	Q. Then the December 14th, 2001, shows SP and 14:00:44	16	Q. There are two entries I see here with no 14:02:27
17	JK in separate amounts. 14:00:47	17	info received, January 18th and February 22nd. 14:02:29
18	Do you know what that is? 14:00:53	18	Do you know what those are? 14:02:33
19	A. It could be, and, again, I'm not sure if 14:00:56	19	A. No, sir. 14:02:35
20	it is, but it could be Steve Phillipos and John 14:01:00	20	Q. And then I see a Gorman Good Government 14:02:36
21	Kaye. 14:01:04	21	February 7th, '02, for \$50,000 14:02:40
22	Q. Would that be Christmas bonuses, something 14:01:04	22	A. That would be I'm sorry. I know you 14:02:44
23	like that? Do you something like that to your key 14:01:06	23	didn't stop asking a question. 14:02:47
24	people? 14:01:08	24	Q. That's okay. 14:02:48
	Page 1874		Page 1876
1	A. Yes, sir. 14:01:09	1	Just do you see that entry? 14:02:48
2	Q. Do you think that's what it is? 14:01:09	2	A. Yes. 14:02:50
3	A. It could be. I don't want to say for	3	Q. Is that the political campaign of your 14:02:50
4	sure, but I might have given it to them ahead of 14:01:12	4	spouse? 14:02:55
5	time so they'd have it, but I don't want to say for 14:01:14	5	A. Yes. 14:02:56
6	sure that's what it is, but it could be Steve 14:01:16	6	Q. Is that also true of the entries March 14:02:56
7	Phillipos and John Kaye, yes, sir. 14:01:19	7	4th, '02, for 15,000 and March 8th, '02, for 14:02:58
8	Q. And it looks like those payments in 14:01:21	8	125,000? 14:03:02
9	December I'm sorry in 2001 total 14:01:23	9	A. Yes, sir. 14:03:04
10	938,827.57 at least according to what 14:01:24	10	Q. And April 22nd, '02, for 40,000? 14:03:04
11	Ms. Gilmartin has written? 14:01:30	11	A. Yes, sir. 14:03:09
		12	Q. So all of those entries were contributions 14:03:10
12	A. Yes, sir. 14:01:32		7
13	Q. Then there's entries in January '02. The 14:01:32	13	I'm sorry. 14:03:21
13 14	Q. Then there's entries in January '02. The 14:01:32first one is to Malinson Law Office for14:01:34	13 14	Were they loans or contributions? 14:03:22
13 14 15	Q. Then there's entries in January '02. The 14:01:32first one is to Malinson Law Office for14:01:3496,000.14:01:39	13 14 15	Were they loans or contributions? 14:03:22 A. Loans. 14:03:24
13 14 15 16	Q.Then there's entries in January '02.The14:01:32first one is to Malinson Law Office for14:01:3496,000.14:01:39Do you see that?14:01:40	13 14 15 16	Were they loans or contributions?14:03:22A. Loans.14:03:24Q. So they were loans by the company Sales,14:03:25
13 14 15 16 17	Q. Then there's entries in January '02. The 14:01:32first one is to Malinson Law Office for14:01:3496,000.14:01:39Do you see that?14:01:40A. Yes, sir. I don't know what14:01:41	13 14 15 16 17	Were they loans or contributions?14:03:22A. Loans.14:03:24Q. So they were loans by the company Sales,14:03:25Inc., to your wife's political campaign which was14:03:27
13 14 15 16 17 18	Q. Then there's entries in January '02. The 14:01:32 first one is to Malinson Law Office for 14:01:34 96,000. 14:01:39 Do you see that? 14:01:40 A. Yes, sir. I don't know what 14:01:41 Q. What is that about? 14:01:41	13 14 15 16 17 18	Were they loans or contributions?14:03:22A. Loans.14:03:24Q. So they were loans by the company Sales,14:03:25Inc., to your wife's political campaign which was14:03:27called Gorman Good Government?14:03:31
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13 14 15 16 17 18 19 20 21	Q. Then there's entries in January '02. The 14:01:32first one is to Malinson Law Office for14:01:3496,000.14:01:39Do you see that?14:01:40A. Yes, sir. I don't know what14:01:41Q. What is that about?14:01:41A. I don't know.14:01:42Q. Are those lawyers that you've ever either14:01:43you or your companies have ever retained for14:01:46	13 14 15 16 17 18 19 20 21	Were they loans or contributions?14:03:22A.Loans.14:03:24Q.So they were loans by the company Sales,14:03:25Inc., to your wife's political campaign which was14:03:27called Gorman Good Government?14:03:31A.Correct.14:03:34Are we done with this?14:03:35Q.Yeah.
13 14 15 16 17 18 19 20 21 22	Q. Then there's entries in January '02. The 14:01:32first one is to Malinson Law Office for14:01:3496,000.14:01:39Do you see that?14:01:40A. Yes, sir. I don't know what14:01:41Q. What is that about?14:01:41A. I don't know.14:01:42Q. Are those lawyers that you've ever either14:01:43you or your companies have ever retained for14:01:46anything?14:01:49	13 14 15 16 17 18 19 20 21 22	Were they loans or contributions?14:03:22A.Loans.14:03:24Q.So they were loans by the company Sales,14:03:25Inc., to your wife's political campaign which was14:03:27called Gorman Good Government?14:03:31A.Correct.14:03:34Are we done with this?14:03:35Q.Yeah.And at some point in time then at some14:03:45
13 14 15 16 17 18 19 20 21 22 23	Q. Then there's entries in January '02. The 14:01:32first one is to Malinson Law Office for14:01:3496,000.14:01:39Do you see that?14:01:40A. Yes, sir. I don't know what14:01:41Q. What is that about?14:01:41A. I don't know.14:01:42Q. Are those lawyers that you've ever either14:01:43you or your companies have ever retained for14:01:46anything?14:01:49A. No, I don't think we have retained them.14:01:50	13 14 15 16 17 18 19 20 21 22 23	Were they loans or contributions? 14:03:22 A. Loans. 14:03:24 Q. So they were loans by the company Sales, 14:03:25 Inc., to your wife's political campaign which was 14:03:27 called Gorman Good Government? 14:03:31 A. Correct. 14:03:34 Are we done with this? 14:03:35 Q. Yeah. And at some point in time then at some 14:03:45 point later than this, these disbursements out of 14:03:46
13 14 15 16 17 18 19 20 21 22	Q. Then there's entries in January '02. The 14:01:32first one is to Malinson Law Office for14:01:3496,000.14:01:39Do you see that?14:01:40A. Yes, sir. I don't know what14:01:41Q. What is that about?14:01:41A. I don't know.14:01:42Q. Are those lawyers that you've ever either14:01:43you or your companies have ever retained for14:01:46anything?14:01:49	13 14 15 16 17 18 19 20 21 22	Were they loans or contributions?14:03:22A.Loans.14:03:24Q.So they were loans by the company Sales,14:03:25Inc., to your wife's political campaign which was14:03:27called Gorman Good Government?14:03:31A.Correct.14:03:34Are we done with this?14:03:35Q.Yeah.And at some point in time then at some14:03:45

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1 ·	IN THE UNITED STATES DISTRICT COURT	
2	NORTHERN DISTRICT OF ILLINOIS	
3	EASTERN DIVISION	
4		
	RIDGE CHRYSLER JEEP LLC, d/b/a)	
5	MARQUETTE CHRYSLER JEEP, et al.,)	
	Plaintiffs,)	
6	vs.) 03 C 760	
	DAIMLER CHRYSLER SERVICES NORTH)	
7	AMERICA, LLC,)	
	Defendant/Counterclaim Plaintiff)	
8	vs.)	
	RIDGE CHRYSLER PLYMOUTH, LLC, d/b/a)	
9	MARQUETTE CHRYSLER JEEP, SALES,)	
	INC., d/b/a DODGE OF MIDLOTHIAN,)	
10	GERALD W. GORMAN, and ELIZABETH A.)	
	GORMAN,)	
11		
12	The continued deposition of GERALD GORMAN,	
13	called for examination pursuant to the Rules of	
14	Civil Procedure for the United States District	
15	Courts pertaining to the taking of depositions,	
16	taken before Shelly S. Rubas, a notary public	
17	within and for the County of Cook and State of	
18	Illinois, at 190 South LaSalle, Chicago, Illinois,	
19	on the 8th day of October, 2004, at the hour of	
20	9:30 o'clock a.m.	
21		
22		
23	Reported by: Shelly S. Rubas, CSR	
24	License No.: 084-004298	09

09:08:05

	Page 2071		Page 2073
1	APPEARANCES:	1	APPEARANCES (Continued):
2		2	
3	HAGENS BERMAN, LLP, by	3	
4	MR. CHRISTOPHER A. O'HARA	4	
5	1301 Fifth Avenue, Suite 2900	5	
6	Seattle, Washington 98101	6 7	MR. MATTHEW E. ROY 27777 Inkster Road
7 8	(206) 623-7292 Representing dealerships in the Ridge	8	Farmington Hills, Michigan 48334-5326
9	case and plaintiffs in the Coburn	9	(248) 427-2566
10	case;	10	
11		11	
12		12	
13	THE WEXLER FIRM, by	13	
14	MR. EDWARD ANTHONY WALLACE	14	Mr. Shawn Temple
15	One North LaSalle Street, Suite 2000	15	
16	Chicago, Illinois 60602	16	
17	(312) 346-2222	17	
18	Representing the class plaintiffs in	18	
19	the Coburn case;	19	
20		20	
21		21	
22		22	
23 24		23 24	
24		24	
	Page 2072		Page 2074
1	APPEARANCES (Continued):		INDEX WITNESS EXAMINATION
2			GERALD GORMAN By Mr. Bay 2,075
3	JAMES J. ROCHE & ASSOCIATES, by	3 4	EXHIBITS
4	MR. JAMES J. ROCHE	5	Number Identified Gorman Exhibit No.
5	642 North Dearborn Street	6	109 2,075 110 2,082
7	Chicago, Illinois 60610 (312) 335-0044	7	111 2,085 112 2,086
8	Representing plaintiffs;	8	113 2,087 114 2,090
9		9	115 2,092 116 2,094
10		10	117 2,098 118 2,102
11	THOMPSON COBURN, LLP, by	11	119 2,109 120 2,133
12	MR. WILLIAM BAY	12	121 2,213 122 2,216
13	MR. JEFFREY FINK	13	123 2,224 124 2,234
14	One US Bank Plaza	14	125 2,301 126 2,312
15	St. Louis, Missouri 63101	15	127 2,316 128 2,317
16	(314) 552-6000	16	129 2,320 130 2,326
17	Representing Defendants;	17	131 2,332 132 2,334
18 19		18	133 2,338 134 2,345
20		19	135 2,347 136 2,359
21		20	137 2,362 138 2,366
22		21	139 2,371 140 2,394
23		22	140A 2,396
24		23 24	
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1(Whereupon, the witness was 21that Sales was in default of certain obligations, 09:46:402duly swom.)09:44:073A. Yes, sir.09:46:433MR. BAY: We, for the record, still object to09:44:073A. Yes, sir.09:46:444having Mr. Temple here, but I assume that you want09:44:104Q. And at this point, Chrysler Financial was09:46:455to have him here pursuant to the same agreement and 09:44:135asking strike that.09:46:496based on the same representations you are making on 09:44:176Chrysler Financial was demanding that09:46:517behalf of Mr. Temple and Mr. Gorman?09:44:248correct?09:46:589(Whereupon, Gorman Deposition9A. Yes, sir.09:46:59010Exhibit No. 109 was marked for10Q. And also provide an accurate consolidated 09:47:0111identification.)11financial statement?09:47:0412GERALD GORMAN,12A. Yes, sir.09:47:0413called as a witness herein, having been first duly13Q. And was an accurate consolidated financial 09:47:0414Statement ever provided as requested in this09:47:1015EXMINATION10Q. Was \$2.1 million in the form of a true09:47:1616Mr. BAY:09:45:270A. I don't believe it was.09:47:2617Q. Net setter from Mr. Buckley to Sales, 09:45:3321needed was not put in, but there?09:47				
2 duly swom.) 09:44:07 2 correct? 09:46:43 3 MR. BAY: We, Temple here, but same that you wart 09:44:10 5 bake fint here pursuant to the same agreement and 09:44:13 5 baked of Mr. Temple and Mr. Semane Tay ou wart 09:44:10 5 baked of Mr. Temple and Mr. Goman? 09:44:24 6 Oursplet Financial was demanding that 09:46:51 7 behaf of Mr. Temple and Mr. Semane agreement and 09:44:20 7 there to an additional investment of \$2.1 million, 09:46:53 8 MR. OtHAR4: Correct. 09:44:24 8 correct? 09:46:51 10 Exhibit No. 109 was marked for 10 Q. And also provide an accurate consolidated 09:47:01 11 identification.1 11 financial statement? 09:47:10 13 called as a witness herein, having been first duly 13 Q. And was an accurate consolidated loan put into 09:47:02 14 statement ever provided as requested in this 09:47:12 15 EXMINATION 10 Q. Mad set there for the consol of the company of 09:45:28 16 A. I don't believe it was. 09:47:14 Q. Wad set there more put in: 09:47:35	1	Page 2075 (Whereupon, the witness was	1	Page 2077 that Sales was in default of certain obligations. 09:46:40
3 MR. BAY: We, for the record, still object to 09:44:07 4 A. Yes, sir. 09:46:47 4 having hr. Temple here, but I assume that you want 09:44:10 5 A. Yes, sir. 09:46:49 6 besed on the same representations you are making on 09:44:120 5 asking hr. 09:46:45 7 behalf of Mr. Temple hand Mr. Gorman? 09:44:20 6 based on the same representations you are making on 09:44:12 9 (Whereupon, Gorman Deposition 9 4. Yes, sir. 09:46:53 9 (Whereupon, Gorman Deposition 9 A. Yes, sir. 09:47:01 11 identification.) 11 financial 09:47:04 12 A. Yes, sir. 09:47:04 12 GERALD GORMAM, 12 A. Yes, sir. 09:47:04 13 attement ever provide as requested in this 09:47:16 14 statement ever provide as requested base put how with the site of a first duy 14 statement ever provide as requested in this 09:47:16 15 EXMINATION 09:45:19 17 Q. Mad was an accurate consolidated financial 09:47:02 16 M. Reav			-	- .
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6 based on the same representations you are making on 99:44:17 7 The head of Mr. Temple and Mr. Gorman 7 09:44:20 7 There be an additional investment of 21.1 million, 09:45:31 9 MR. O'HAR: Correct. 09:44:21 7 There be an additional investment of 21.1 million, 09:45:33 10 Exhibit No. 109 was marked for 10 Q. And also provide an accurate consolidated 09:47:01 11 Identification.) 11 Internation.0 11 12 GERALD GORMAN, 12 Q. Yes, sir. 09:47:04 13 caled as a witnesh herin, hwing been first duy 13 Q. And was an accurate consolidated financial 09:47:06 14 swom, was examined and testified as follows: 14 3.1 don't believe it was. 09:47:12 15 EXMINATION 16 A. I don't believe it was. 09:47:25 16 B MR. BAY: 09:45:32 10 Q. Was \$2.1 million in the 1 form of a true 09:47:25 17 Q. Mr. Gorman, let me hand you what's been 09:45:22 10 A. To's a letter from Mr. Buckley to Sales, 09:45:32 20 A. Te's a letter from Mr. Buckley to Sales, 09:45:32 21 A. Te's a le				
7 behalf of Mr. Temple and Mr. Gorman? 09:44:20 7 there be an additional investment of \$2.1 million, 09:46:53 8 MR. O'HARA: Correct. 09:44:24 8 correct? 09:46:59 10 Exhibit No. 109 was marked for 10 Q. And also provide an accurate consolidated 09:47:01 11 identification.) 11 financial statement? 09:47:04 12 GERALD GORMAN, 12 A. Yes, sir. 09:47:04 13 called as a withress herein, having been first duly 13 Q. And was an accurate consolidated 09:47:06 14 sworn, was examined and testified as follows: 14 statement ever provided as requested in this 09:47:04 15 EXAMINATION 15 EXAMINATION 16 A. I don't believe R was: 09:47:12 16 marked as Ehibit 10: and ask your fi know - can 09:45:22 10 A. It's a letter from Mr. Buckley to Sales, 09:45:28 20 A. Tit's a bootfinated loan put into 09:47:75 11 item what that is. 09:47:53 22 Q. That'was the 92:5,000 was put in? 09:47:35 23 president of the company? <t< td=""><td></td><td></td><td>-</td><td></td></t<>			-	
8 MR. O'HARA: Correct. 99:44:24 8 correct? 99:45:58 9 (Whereupon, Gorman Deposition 9 A. Yes, sir. 09:45:59 10 Exhibit No. 19 wass marked for 10 Q. And also provide an accurate consolidated financial 09:47:01 11 identification.) 11 financial statement? 09:47:04 12 GERALD GORMAN, 12 A. Yes, sir. 09:47:04 13 called as a witness herein, having been first duly 13 Q. And was an accurate consolidated financial 09:47:04 14 sworn, was examined and testified as follows: 14 A. Ves, sir. 09:47:12 15 EXAMINATION 15 tettire, with that is. 09:45:27 18 marked as Exhibit 109 and ask you l'how - can 09:45:28 10 conpany as a result of his letter? 09:47:28 19 tettire wait that is. 09:45:32 20 A. It's a letter from Mr. Buckley to Sales, 09:45:32 21 N. Teat was the 92:500 was put in? 09:47:42 2 Q. A tetter you received personality and as 09:45:32 22 Q. A tean, and subsequent money after th	_		1	, -
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22 to you? 09:46:34 22 First Suburban Bancorp? 09:48:34 23 A. Yes, sir. 09:46:35 23 A. I bought some stock in the company 09:48:35		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
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	Page 2299	۱.	Page 2301
1	club bill. 14:45:06		made on behalf of Mr. Temple? 14:52:22
2	Again, is that a personal item 14:45:06	2	A. I don't know. 14:52:25
3	attributable to you and your spouse or is it a 14:45:09	3	Q. They should have, correct? 14:52:26
4	company expense? 14:45:12	4	A. I don't know. That would be I don't 14:52:28
5	A. To me and my spouse. 14:45:13	5	know. 14:52:30
6	Q. Lake Effect Marina? 14:45:15	6	Q. Did your business withhold taxes on all 14:52:31
7	A. Me and my spouse. 14:45:17	7	the payments that were made on Mr. Temple's behalf? 14:52:34
8	Q. The MEPIA Gorman property insurance in 14:45:20	8	A. I don't know. 14:52:38
9	Michigan? 14:45:25	9	Q. Again, that is something they should have, 14:52:38
10	A. Me and my spouse. 14:45:26	10	shouldn't they? 14:52:40
11	Q. The Orland Open MRI? 14:45:28	11	A. I don't know. I am not an accountant. 14:52:41
12	A. Me and my spouse. 14:45:31	12	Q. You have been a business owner for 14:52:43
13	Q. University of Chicago? 14:45:35	13	14 years. I would assume you know you withhold 14:52:44
14	A. Me and my spouse. 14:45:38	14	taxes and pay payroll taxes on compensation paid to 14:52:48
15	Q. Verizon North, Gorman Michigan phone? 14:45:43	15	your employees. 14:52:51
16	A. Me and my spouse. 14:45:45	16	A. I know you do payroll taxes. I don't know 14:52:52
17	Q. And the last one to Shawn Temple, again, a 14:45:48	17	the other part of what you are talking about. You 14:52:54
18	\$1,683, you don't know what that is as you sit here 14:45:51	18	would have to talk you know, I don't know. 14:52:57
19	today? 14:45:55	19	(Whereupon, Gorman Deposition
20	A. No, sir. 14:45:56	20	Exhibit No. 125 was marked for
21	Q. Go to October. The first entry is Barry 14:46:02	21	identification.) 14:53:33
22	Landscaping. 14:46:07	22	BY MR. BAY: 14:53:33
23	Is that one attributable to you and your 14:46:07	23	Q. Mr. Gorman, let me hand you Exhibit 14:53:34
24	spouse personally or to the company? 14:46:10	24	125 and ask you if you can tell me what that is. 14:53:37
	Page 2300		Page 2302
1	Page 2300 A. Myself and my spouse. 14:46:12	1	Page 2302 A. It's a form D2 for the Gorman Good 14:53:40
1 2		1 2	
	A. Myself and my spouse. 14:46:12	_	A. It's a form D2 for the Gorman Good 14:53:40
2	A. Myself and my spouse.14:46:12Q. The November statement. There is only one 14:46:30	2	A. It's a form D2 for the Gorman Good14:53:40Government Group.14:53:43
2 3	A. Myself and my spouse.14:46:12Q. The November statement. There is only one 14:46:30new one I see there which is towards the bottom of 14:46:32	2 3	A. It's a form D2 for the Gorman Good14:53:40Government Group.14:53:43Q. This is the one that was as of or filed14:53:44
2 3 4	A. Myself and my spouse.14:46:12Q. The November statement. There is only one14:46:30new one I see there which is towards the bottom of14:46:32November, tax collector Gordon Hammer or Hamer14:46:35	2 3 4	A. It's a form D2 for the Gorman Good14:53:40Government Group.14:53:43Q. This is the one that was as of or filed14:53:44March 12, 2003, correct?14:53:45
2 3 4 5	A. Myself and my spouse.14:46:12Q. The November statement. There is only one14:46:30new one I see there which is towards the bottom of14:46:32November, tax collector Gordon Hammer or Hamer14:46:35(phonetic) Real Estate tax.14:46:42	2 3 4 5	A. It's a form D2 for the Gorman Good 14:53:40 Government Group. 14:53:43 Q. This is the one that was as of or filed 14:53:44 March 12, 2003, correct? 14:53:45 A. Yes. 14:53:51
2 3 4 5 6	A. Myself and my spouse.14:46:12Q. The November statement. There is only one14:46:30new one I see there which is towards the bottom of14:46:32November, tax collector Gordon Hammer or Hamer14:46:35(phonetic) Real Estate tax.14:46:42Do you see that, sir?14:46:43	2 3 4 5 6	A. It's a form D2 for the Gorman Good 14:53:40 Government Group. 14:53:43 Q. This is the one that was as of or filed 14:53:44 March 12, 2003, correct? 14:53:45 A. Yes. 14:53:51 Q. So that was after the lawsuit was filed, 14:53:53
2 3 4 5 6 7	A. Myself and my spouse.14:46:12Q. The November statement. There is only one 14:46:30new one I see there which is towards the bottom of 14:46:32November, tax collector Gordon Hammer or Hamer14:46:35(phonetic) Real Estate tax.14:46:42Do you see that, sir?14:46:43A. Yes, that's got to be some tax bill on14:46:45	2 3 4 5 6 7	A. It's a form D2 for the Gorman Good14:53:40Government Group.14:53:43Q. This is the one that was as of or filed14:53:44March 12, 2003, correct?14:53:45A. Yes.14:53:51Q. So that was after the lawsuit was filed,14:53:53correct?14:53:55
2 3 4 5 6 7 8	A. Myself and my spouse.14:46:12Q. The November statement. There is only one 14:46:30new one I see there which is towards the bottom of 14:46:32November, tax collector Gordon Hammer or Hamer14:46:35(phonetic) Real Estate tax.14:46:42Do you see that, sir?14:46:43A. Yes, that's got to be some tax bill on14:46:45some property we own.14:46:48	2 3 4 5 6 7 8	A. It's a form D2 for the Gorman Good 14:53:40 Government Group. 14:53:43 Q. This is the one that was as of or filed 14:53:44 March 12, 2003, correct? 14:53:45 A. Yes. 14:53:51 Q. So that was after the lawsuit was filed, 14:53:53 correct? 14:53:55 A. Correct. 14:53:56
2 3 4 5 6 7 8 9	A. Myself and my spouse.14:46:12Q. The November statement. There is only one14:46:30new one I see there which is towards the bottom of14:46:32November, tax collector Gordon Hammer or Hamer14:46:35(phonetic) Real Estate tax.14:46:42Do you see that, sir?14:46:43A. Yes, that's got to be some tax bill on14:46:45some property we own.14:46:48Q. So that is a personal item?14:46:50	2 3 4 5 6 7 8 9	A. It's a form D2 for the Gorman Good $14:53:40$ Government Group. $14:53:43$ Q. This is the one that was as of or filed $14:53:44$ March 12, 2003, correct? $14:53:45$ A. Yes. $14:53:51$ Q. So that was after the lawsuit was filed, $14:53:53$ correct? $14:53:55$ A. Correct. $14:53:56$ Q. I would ask you to turn towards the back. $14:53:56$
2 3 4 5 6 7 8 9 10	A.Myself and my spouse.14:46:12Q.The November statement. There is only one14:46:30new one I see there which is towards the bottom of14:46:32November, tax collector Gordon Hammer or Hamer14:46:35(phonetic) Real Estate tax.14:46:42Do you see that, sir?14:46:43A.Yes, that's got to be some tax bill on14:46:45some property we own.14:46:48Q.So that is a personal item?14:46:50A.Right.14:46:51	2 3 4 5 6 7 8 9 10	A. It's a form D2 for the Gorman Good $14:53:40$ Government Group. $14:53:43$ Q. This is the one that was as of or filed $14:53:44$ March 12, 2003, correct? $14:53:45$ A. Yes. $14:53:51$ Q. So that was after the lawsuit was filed, $14:53:53$ correct? $14:53:55$ A. Correct. $14:53:56$ Q. I would ask you to turn towards the back. $14:53:56$ I think that is the second to last page, CF-58889. $14:54:00$
2 3 4 5 6 7 8 9 10 11	 A. Myself and my spouse. 14:46:12 Q. The November statement. There is only one 14:46:30 new one I see there which is towards the bottom of 14:46:32 November, tax collector Gordon Hammer or Hamer 14:46:35 (phonetic) Real Estate tax. 14:46:42 Do you see that, sir? 14:46:43 A. Yes, that's got to be some tax bill on 14:46:45 some property we own. 14:46:48 Q. So that is a personal item? 14:46:50 A. Right. 14:46:51 Q. So all of these personal items, if your 14:46:52 	2 3 4 5 6 7 8 9 10 11	A. It's a form D2 for the Gorman Good $14:53:40$ Government Group. $14:53:43$ Q. This is the one that was as of $-$ or filed $14:53:44$ March 12, 2003, correct? $14:53:45$ A. Yes. $14:53:51$ Q. So that was after the lawsuit was filed, $14:53:53$ correct? $14:53:55$ A. Correct. $14:53:56$ Q. I would ask you to turn towards the back. $14:53:56$ I think that is the second to last page, CF-58889. $14:54:00$ Do you see that, sir? $14:54:07$
2 3 4 5 6 7 8 9 10 11 12	A. Myself and my spouse.14:46:12Q. The November statement. There is only one14:46:30new one I see there which is towards the bottom of14:46:32November, tax collector Gordon Hammer or Hamer14:46:35(phonetic) Real Estate tax.14:46:42Do you see that, sir?14:46:43A. Yes, that's got to be some tax bill on14:46:45some property we own.14:46:48Q. So that is a personal item?14:46:50A. Right.14:46:51Q. So all of these personal items, if your14:46:52accountants were here, all of these items that14:46:54	2 3 4 5 6 7 8 9 10 11 12	A. It's a form D2 for the Gorman Good 14:53:40 Government Group. 14:53:43 Q. This is the one that was as of or filed 14:53:44 March 12, 2003, correct? 14:53:45 A. Yes. 14:53:51 Q. So that was after the lawsuit was filed, 14:53:53 correct? 14:53:55 A. Correct. 14:53:56 Q. I would ask you to turn towards the back. 14:53:56 I think that is the second to last page, CF-58889. 14:54:00 Do you see that, sir? 14:54:11
2 3 4 5 6 7 8 9 10 11 12 13	A.Myself and my spouse.14:46:12Q.The November statement. There is only one14:46:30new one I see there which is towards the bottom of14:46:32November, tax collector Gordon Hammer or Hamer14:46:35(phonetic) Real Estate tax.14:46:42Do you see that, sir?14:46:43A.Yes, that's got to be some tax bill on14:46:45some property we own.14:46:48Q.So that is a personal item?14:46:50A.Right.14:46:51Q.So all of these personal items, if your14:46:52accountants were here, all of these items that14:46:54appear on Exhibit 124, which you've told me about,14:46:57	2 3 4 5 6 7 8 9 10 11 12 13	A. It's a form D2 for the Gorman Good $14:53:40$ Government Group. $14:53:43$ Q. This is the one that was as of or filed $14:53:43$ March 12, 2003, correct? $14:53:45$ A. Yes. $14:53:51$ Q. So that was after the lawsuit was filed, $14:53:53$ correct? $14:53:55$ A. Correct. $14:53:56$ Q. I would ask you to turn towards the back. $14:53:56$ I think that is the second to last page, CF-58889. $14:54:00$ Do you see that, sir? $14:54:11$ Q. Does this set out \$395,000 in loans from $14:54:12$
2 3 4 5 6 7 8 9 10 11 12 13 14	 A. Myself and my spouse. 14:46:12 Q. The November statement. There is only one 14:46:30 new one I see there which is towards the bottom of 14:46:32 November, tax collector Gordon Hammer or Hamer 14:46:35 (phonetic) Real Estate tax. 14:46:42 Do you see that, sir? 14:46:43 A. Yes, that's got to be some tax bill on 14:46:45 some property we own. 14:46:48 Q. So that is a personal item? 14:46:51 Q. So all of these personal items, if your 14:46:52 accountants were here, all of these items that 14:46:54 appear on Exhibit 124, which you've told me about, 14:46:59 	2 3 4 5 6 7 8 9 10 11 12 13 14	A. It's a form D2 for the Gorman Good 14:53:40 Government Group. 14:53:43 Q. This is the one that was as of or filed 14:53:44 March 12, 2003, correct? 14:53:45 A. Yes. 14:53:51 Q. So that was after the lawsuit was filed, 14:53:53 correct? 14:53:55 A. Correct. 14:53:56 Q. I would ask you to turn towards the back. 14:53:56 I think that is the second to last page, CF-58889. 14:54:00 Do you see that, sir? 14:54:07 A. Yes, sir. 14:54:11 Q. Does this set out \$395,000 in loans from 14:54:12 Sales, Inc., and Dodge of Midlothian to the Gorman 14:54:18
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A. Myself and my spouse. 14:46:12 Q. The November statement. There is only one 14:46:30 new one I see there which is towards the bottom of 14:46:32 November, tax collector Gordon Hammer or Hamer 14:46:35 (phonetic) Real Estate tax. 14:46:42 Do you see that, sir? 14:46:43 A. Yes, that's got to be some tax bill on 14:46:45 some property we own. 14:46:50 A. Right. 14:46:51 Q. So all of these personal items, if your 14:46:52 accountants were here, all of these items that 14:46:54 appear on Exhibit 124, which you've told me about, 14:46:59 would tell your accountants, Mr. Mulcahy, these are 14:47:02 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. It's a form D2 for the Gorman Good14:53:40Government Group.14:53:43Q. This is the one that was as of or filed14:53:44March 12, 2003, correct?14:53:45A. Yes.14:53:51Q. So that was after the lawsuit was filed,14:53:53correct?14:53:55A. Correct.14:53:56Q. I would ask you to turn towards the back.14:53:56I think that is the second to last page, CF-58889.14:54:00Do you see that, sir?14:54:07A. Yes, sir.14:54:11Q. Does this set out \$395,000 in loans from14:54:12Sales, Inc., and Dodge of Midlothian to the Gorman14:54:18Good Government Group?14:54:21
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. Myself and my spouse. 14:46:12 Q. The November statement. There is only one 14:46:30 new one I see there which is towards the bottom of 14:46:32 November, tax collector Gordon Hammer or Hamer 14:46:35 (phonetic) Real Estate tax. 14:46:42 Do you see that, sir? 14:46:43 A. Yes, that's got to be some tax bill on 14:46:45 some property we own. 14:46:50 A. Right. 14:46:51 Q. So all of these personal items, if your 14:46:52 accountants were here, all of these items that 14:46:54 appear on Exhibit 124, which you've told me about, 14:46:59 would tell your accountants, Mr. Mulcahy, these are 14:47:02 personal items not chargeable to the company, 14:47:04 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. It's a form D2 for the Gorman Good 14:53:40 Government Group. 14:53:43 Q. This is the one that was as of or filed 14:53:44 March 12, 2003, correct? 14:53:45 A. Yes. 14:53:51 Q. So that was after the lawsuit was filed, 14:53:53 correct? 14:53:55 A. Correct. 14:53:56 Q. I would ask you to turn towards the back. 14:53:56 I think that is the second to last page, CF-58889. 14:54:00 Do you see that, sir? 14:54:11 Q. Does this set out \$395,000 in loans from 14:54:12 Sales, Inc., and Dodge of Midlothian to the Gorman 14:54:21 A. Does this what? 14:54:23
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. Myself and my spouse.14:46:12Q. The November statement. There is only one 14:46:30new one I see there which is towards the bottom of 14:46:32November, tax collector Gordon Hammer or Hamer14:46:32(phonetic) Real Estate tax.14:46:42Do you see that, sir?14:46:43A. Yes, that's got to be some tax bill on14:46:45some property we own.14:46:48Q. So that is a personal item?14:46:50A. Right.14:46:51Q. So all of these personal items, if your14:46:52accountants were here, all of these items that14:46:51or any other place they appear on the records, you14:46:59would tell your accountants, Mr. Mulcahy, these are14:47:02personal items not chargeable to the company,14:47:04please fix the records in that regard, correct?14:47:07	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. It's a form D2 for the Gorman Good 14:53:40 Government Group. 14:53:43 Q. This is the one that was as of or filed 14:53:43 Q. This is the one that was as of or filed 14:53:44 March 12, 2003, correct? 14:53:45 A. Yes. 14:53:51 Q. So that was after the lawsuit was filed, 14:53:53 correct? 14:53:55 A. Correct. 14:53:56 Q. I would ask you to turn towards the back. 14:53:56 I think that is the second to last page, CF-58889. 14:54:00 Do you see that, sir? 14:54:11 Q. Does this set out \$395,000 in loans from 14:54:12 Sales, Inc., and Dodge of Midlothian to the Gorman 14:54:18 Good Government Group? 14:54:23 Q. Does this set out loans in the amount of 14:54:26
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A. Myself and my spouse. 14:46:12 Q. The November statement. There is only one 14:46:30 new one I see there which is towards the bottom of 14:46:32 November, tax collector Gordon Hammer or Hamer 14:46:35 (phonetic) Real Estate tax. 14:46:42 Do you see that, sir? 14:46:43 A. Yes, that's got to be some tax bill on 14:46:45 some property we own. 14:46:48 Q. So that is a personal item? 14:46:51 Q. So all of these personal items, if your 14:46:52 accountants were here, all of these items that 14:46:54 appear on Exhibit 124, which you've told me about, 14:46:59 would tell your accountants, Mr. Mulcahy, these are 14:47:02 personal items not chargeable to the company, 14:47:04 please fix the records in that regard, correct? 14:47:07 A. Correct. 14:47:09 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. It's a form D2 for the Gorman Good 14:53:40 Government Group. 14:53:43 Q. This is the one that was as of or filed 14:53:43 Q. This is the one that was as of or filed 14:53:44 March 12, 2003, correct? 14:53:45 A. Yes. 14:53:51 Q. So that was after the lawsuit was filed, 14:53:53 correct? 14:53:55 A. Correct. 14:53:56 Q. I would ask you to turn towards the back. 14:53:56 I think that is the second to last page, CF-58889. 14:54:00 Do you see that, sir? 14:54:11 Q. Does this set out \$395,000 in loans from 14:54:12 Sales, Inc., and Dodge of Midlothian to the Gorman 14:54:18 Good Government Group? 14:54:23 Q. Does this set out loans in the amount of 14:54:26 \$395,000 that were made by Sales, Inc., and Dodge 14:54:29
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59 (Pages 2299 to 2302)

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1	Page 2303 correct? 14:54:43	1	Page 2305 telling me that the Gorman Good Government Group 14:56:42
2	A. Yes. 14:54:43	2	did not repay the dealership, correct? 14:56:44
3	Q. Have they been have they been repaid? 14:54:44	3	A. Correct. They haven't repaid anybody. 14:56:47
4	A. No. 14:54:49	4	Q. And as I understand it, you are now saying 14:56:50
5	Q. I thought earlier you told me something 14:54:53	5	that the loans are not from the dealership, they 14:56:53
6	had happened with regard to these. Let me go back. 14:54:56	6	are from you? 14:56:56
7	The Gorman For Good Government Group has 14:55:01	7	A. Correct. 14:56:56
8	never repaid these loans to Dodge of Midlothian or 14:55:03	8	Q. And how did did you acquire the loans, 14:56:57
9	to Sales, Inc., correct? 14:55:07	9	the right to payback, you personally as opposed to 14:57:02
10	A. No. The loans are still outstanding. 14:55:08	10	the company? 14:57:05
11	Q. That is what I meant, the loans are still 14:55:12	11	A. Because it was money I got from Falcon 14:57:06
12	outstanding. In other words, the Gorman Good 14:55:14	12	that I borrowed, that Gorman Family Holdings 14:57:08
13	Government Group still owes \$395,000 to Dodge of 14:55:17	13	borrowed from Falcon. It was my money. 14:57:11
14	Midlothian or Sales, Inc., correct? 14:55:21	14	Q. Was there I thought originally the 14:57:16
15	A. No. Actually, it owes it to me. It was 14:55:23	15	Falcon money, the 1.9 million was placed into the 14:57:19
16	my money. 14:55:32	16	dealership? 14:57:23
17	Q. How does it owe it to you since the 14:55:32	17	A. It was put into Sales, Inc., but it was 14:57:24
18	statement says it was a loan from the company? 14:55:32	18	never lent to Sales, Inc. 14:57:26
19	A. Because it's been amended I believe 14:55:32	19	Q. Well, wasn't one of the purposes of the 14:57:29
20	because the money came out of the store which was 14:55:35	20	loan to provide working capital for Sales, Inc., 14:57:32
21	my money from Falcon. 14:55:38	21	according to the Falcon documents? 14:57:35
22	Q. So did you pay the store \$395,000? 14:55:40	22	A. If that is one of the purposes of it, 14:57:37
23	A. No. Falcon gave me the money that I put 14:55:42	23	but that is one of the purposes, but according 14:57:40
24	in, so we rearranged it that the money was owed to 14:55:46	24	to Ralph Miller and Vernon Schwartz, we were 14:57:43
	Page 2304		Page 2306
1	Page 2304 me. 14:55:50	1	Page 2306 allowed to take money out of it ourselves. The 14:57:47
1		1 2	
	me. 14:55:50		allowed to take money out of it ourselves. The 14:57:47
2	me. 14:55:50 Q. Could you explain that for me, how it was 14:55:51	2	allowed to take money out of it ourselves. The 14:57:47 money was actually lent to Gorman Family Holdings, 14:57:49
2 3	me.14:55:50Q. Could you explain that for me, how it was14:55:51rearranged after March of 2003?14:55:53	2 3	allowed to take money out of it ourselves. The 14:57:47 money was actually lent to Gorman Family Holdings, 14:57:49 not to Sales, Inc. 14:57:53
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	me.14:55:50Q. Could you explain that for me, how it was14:55:51rearranged after March of 2003?14:55:53A. You just go in and you make changes in the14:55:57 there is a way to go about it. I don't know how14:56:02you do it, but it's been done.14:56:05Q. Well, to begin with, and I don't want to14:56:07dig all these out because I kind of skipped over14:56:09this because I thought we agreed on that, but the14:56:11business, Sales, Inc., had written checks to the14:56:15Gorman Good Government Group, correct?14:56:26Q. In the amount of \$395,000, several checks,14:56:21right?14:56:24A. Correct.14:56:24Q. And it's accurately reported on this14:56:25Exhibit 125, correct?14:56:29Q. As of March 2003?14:56:30A. Correct.14:56:32Q. And I can get all the checks out, but I14:56:34	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	allowed to take money out of it ourselves. The 14:57:47 money was actually lent to Gorman Family Holdings, 14:57:49 not to Sales, Inc. 14:57:53 Q. I think I understand that from reading the 14:57:54 documents, but there were only very circumscribed 14:57:56 purposes for the cash, weren't there, sir? Didn't 14:58:00 we talk about that yesterday? A. Yeah, we talked about it yesterday and you 14:58:03 asked me who told me, you know, that I could take 14:58:04 the money out personally, and I remembered that I 14:58:07 spoke to both Vernon Schwartz and Ralph Miller. 14:58:09 And I could take that money out as long as I met 14:58:12 their ratios. So the money technically should have 14:58:16 never even went into the Sales, Inc., account. It 14:58:29 should have went into a separate account for Gorman 14:58:22 Family Holdings. 14:58:25 Q. And your testimony was that the people 14:58:26 from Falcon, Vernon and Ralph, specifically agreed 14:58:32 give to your wife's political campaign? 14:58:38

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1	Page 2307		Page 2309
2		2	
3		3	
4		4	
5		5	purposes we wanted as long as we stayed within our 15:00:45
6		6	guidelines, and we could use it for personal 15:00:49
7	,	7	reasons. That is why we ended up with the 15:00:52
8	A. I don't know if they were specifically 14:59:05	8	additional money. We were free to do what we 15:00:54
9	aware of the campaign. Ralph told us we can do 14:59:06	9	wanted to do with it. 15:00:57
10	whatever we want with the money as long as we met 14:59:09	10	Q. Your company was never within their 15:00:58
11		11	guidelines. 15:01:00
12	Q. And I really don't I am not trying to 14:59:14	12	A. Pardon me? 15:01:02
13	argue. I just want to know whether they knew the 14:59:15	13	Q. Your company was never within the 15:01:02
14	money was going to your wife's political campaign 14:59:17	14	guidelines, were they? 15:01:03
15	or they didn't. 14:59:20	15	A. Was in the beginning. They came in and 15:01:05
16	Tell me one way or the other. 14:59:21	16	did a Deloitte and Touche check. 15:01:08
17	A. I don't know specifically if they knew or 14:59:22	17	Q. Weren't you almost immediately out of 15:01:12
18	not, but they knew that we I could do whatever I 14:59:24	18	compliance with their covenants? 15:01:15
19	want with the money personally as long as I met the 14:59:26	19	A. I don't know if we are or we weren't. 15:01:17
20	requirements. 14:59:29	20	Q. I thought we went through that letter and 15:01:20
21	Q. Well, weren't there specific limited 14:59:29	21	did that yesterday? 15:01:22
22	purposes? I thought the limited purposes we talked 14:59:32	22	A. Was that for '01? 15:01:23
23	about were that it was used to buy the real estate 14:59:34	23	Q. Well, the payment was in November of 15:01:25
24	for \$4 million, correct? 14:59:38	24	'01, correct? And the money was still sitting in 15:01:26
			·
	Page 2308		Page 2310
1	A. Right. 14:59:39	1	Midlothian's account in May of 2002 because you and 15:01:30
2	Q. A million dollars for working capital for 14:59:40	2	I looked at that, correct? 15:01:33
3	Sales, Inc.? 14:59:42	3	A. Right. 15:01:35
4	A. Right. 14:59:43	4	
5			Q. And by that time, you were already out of 15:01:36
1	Q. And \$4 million to retire the LaSalle and 14:59:44	5	Q. And by that time, you were already out of 15:01:36 compliance with their covenants, weren't you, sir? 15:01:38
6	Q. And \$4 million to retire the LaSalle and 14:59:44 Manufacturer's Bank debt? 14:59:47		
		5	compliance with their covenants, weren't you, sir? 15:01:38
6	Manufacturer's Bank debt? 14:59:47 A. Right. 14:59:49 Q. Well, \$5 million. \$5 million to make a 14:59:49	5 6	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43
6 7 8 9	Manufacturer's Bank debt? 14:59:47 A. Right. 14:59:49 Q. Well, \$5 million. \$5 million to make a 14:59:49 total of 10, right? 14:59:53	5 6 7	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43 that is questions you got to ask to the accountants 15:01:44
6 7 8 9 10	Manufacturer's Bank debt? 14:59:47 A. Right. 14:59:49 Q. Well, \$5 million. \$5 million to make a 14:59:53 14:59:53 A. Yes. But even if you take that number 14:59:56	5 6 7 8	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43 that is questions you got to ask to the accountants 15:01:44 because there wasn't a problem right away with the 15:01:47
6 7 8 9 10 11	Manufacturer's Bank debt? 14:59:47 A. Right. 14:59:49 Q. Well, \$5 million. \$5 million to make a 14:59:49 total of 10, right? 14:59:53 A. Yes. But even if you take that number 14:59:56 Q. Then it was I'm sorry.	5 6 7 8 9	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43 that is questions you got to ask to the accountants 15:01:44 because there wasn't a problem right away with the 15:01:47 account. 15:01:50
6 7 8 9 10 11 12	Manufacturer's Bank debt?14:59:47A. Right.14:59:49Q. Well, \$5 million. \$5 million to make a14:59:49total of 10, right?14:59:53A. Yes. But even if you take that number14:59:56Q. Then it was I'm sorry.Then it turned out that the payoff amount15:00:01	5 6 7 8 9 10	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43 that is questions you got to ask to the accountants 15:01:44 because there wasn't a problem right away with the 15:01:47 account. 15:01:50 Q. Well, I guess I'm I think I understand 15:01:51
6 7 8 9 10 11 12 13	Manufacturer's Bank debt?14:59:47A. Right.14:59:49Q. Well, \$5 million. \$5 million to make a14:59:49total of 10, right?14:59:53A. Yes. But even if you take that number14:59:56Q. Then it was I'm sorry.Then it turned out that the payoff amount15:00:01for Manufacturer's and LaSalle was less than15:00:04	5 6 7 8 9 10 11	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43 that is questions you got to ask to the accountants 15:01:44 because there wasn't a problem right away with the 15:01:47 account. 15:01:50 Q. Well, I guess I'm I think I understand 15:01:51 what you are telling me, but the \$1.9 million was 15:01:55
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6 7 8 9 10 11 12 13 14 15	Manufacturer's Bank debt?14:59:47A. Right.14:59:49Q. Well, \$5 million. \$5 million to make a14:59:49total of 10, right?14:59:53A. Yes. But even if you take that number14:59:56Q. Then it was I'm sorry.14:50:01Then it turned out that the payoff amount15:00:01for Manufacturer's and LaSalle was less than15:00:04\$5 million, correct?15:00:15A. Correct.15:00:15	5 6 7 8 9 10 11 12 13	compliance with their covenants, weren't you, sir?15:01:38A. I don't know what time it was. I mean, 15:01:43that is questions you got to ask to the accountants 15:01:44because there wasn't a problem right away with the 15:01:47account.15:01:50Q. Well, I guess I'm I think I understand 15:01:51what you are telling me, but the \$1.9 million was 15:01:55supposed to go to strike that.15:02:02There was no purpose listed in the15:02:05
6 7 8 9 10 11 12 13 14 15 16	Manufacturer's Bank debt? 14:59:47 A. Right. 14:59:49 Q. Well, \$5 million. \$5 million to make a 14:59:49 total of 10, right? 14:59:53 A. Yes. But even if you take that number 14:59:56 Q. Then it was I'm sorry. 14:50:01 for Manufacturer's and LaSalle was less than 15:00:01 \$5 million, correct? 15:00:15 A. Correct. 15:00:15 Q. So there was \$1.9 million? 15:00:15	5 6 7 8 9 10 11 12 13 14	compliance with their covenants, weren't you, sir? 15:01:38A. I don't know what time it was. I mean, 15:01:43that is questions you got to ask to the accountants 15:01:44because there wasn't a problem right away with the 15:01:47account.15:01:50Q. Well, I guess I'm I think I understand 15:01:51what you are telling me, but the \$1.9 million was 15:01:55supposed to go to strike that.15:02:02There was no purpose listed in the 15:02:05documents that they were loaning money personally 15:02:07
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Manufacturer's Bank debt? $14:59:47$ A. Right. $14:59:49$ Q. Well, \$5 million. \$5 million to make a 14:59:49total of 10, right? $14:59:53$ A. Yes. But even if you take that number 14:59:56Q. Then it was I'm sorry.Then it turned out that the payoff amount 15:00:01for Manufacturer's and LaSalle was less than15:00:15A. Correct.15:00:15Q. So there was \$1.9 million?15:00:15Q. And the \$1.9 million, as I thought you15:00:15total contributed to Midlothian; is15:00:15A. No. If that is what I told you, that's15:00:16	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43 that is questions you got to ask to the accountants 15:01:44 because there wasn't a problem right away with the 15:01:47 account. 15:01:50 Q. Well, I guess I'm I think I understand 15:01:51 what you are telling me, but the \$1.9 million was 15:01:55 supposed to go to strike that. 15:02:02 There was no purpose listed in the 15:02:05 documents that they were loaning money personally 15:02:07 to you, were they? 15:02:10 A. I don't believe so, but I can tell you 15:02:12 what they told us. 15:02:14 Q. It was a prohibited purpose actually. It 15:02:15 was a prohibited purpose to use the money. We can 15:02:18 dig out the documents. 15:02:21 A. You know what, Mr. Bay? You don't see 15:02:22
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Manufacturer's Bank debt? $14:59:47$ A. Right. $14:59:49$ Q. Well, \$5 million. \$5 million to make a 14:59:49total of 10, right? $14:59:53$ A. Yes. But even if you take that number $14:59:56$ Q. Then it was I'm sorry.Then it turned out that the payoff amount 15:00:01for Manufacturer's and LaSalle was less than $15:00:15$ A. Correct. $15:00:15$ Q. So there was \$1.9 million? $15:00:15$ A. Correct. $15:00:15$ Q. And the \$1.9 million, as I thought you $15:00:15$ told me, was then contributed to Midlothian; is $15:00:15$ that right? $15:00:16$ A. No. If that is what I told you, that's $15:00:19$	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43 that is questions you got to ask to the accountants 15:01:44 because there wasn't a problem right away with the 15:01:47 account. 15:01:50 Q. Well, I guess I'm I think I understand 15:01:51 what you are telling me, but the \$1.9 million was 15:01:55 supposed to go to strike that. 15:02:02 There was no purpose listed in the 15:02:05 documents that they were loaning money personally 15:02:07 to you, were they? 15:02:10 A. I don't believe so, but I can tell you 15:02:12 what they told us. 15:02:14 Q. It was a prohibited purpose actually. It 15:02:15 was a prohibited purpose to use the money. We can 15:02:18 dig out the documents. 15:02:21 A. You know what, Mr. Bay? You don't see 15:02:22 them suing me, do you, like you are? They knew 15:02:24
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6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Manufacturer's Bank debt? $14:59:47$ A. Right. $14:59:49$ Q. Well, \$5 million. \$5 million to make a 14:59:49total of 10, right? $14:59:53$ A. Yes. But even if you take that number $14:59:56$ Q. Then it was I'm sorry.Then it turned out that the payoff amount 15:00:01for Manufacturer's and LaSalle was less than $15:00:15$ A. Correct. $15:00:15$ Q. So there was \$1.9 million? $15:00:15$ A. Correct. $15:00:15$ Q. And the \$1.9 million, as I thought you $15:00:15$ told me, was then contributed to Midlothian; is $15:00:15$ that right? $15:00:16$ A. No. If that is what I told you, that's $15:00:19$	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	compliance with their covenants, weren't you, sir? 15:01:38 A. I don't know what time it was. I mean, 15:01:43 that is questions you got to ask to the accountants 15:01:44 because there wasn't a problem right away with the 15:01:47 account. 15:01:50 Q. Well, I guess I'm I think I understand 15:01:51 what you are telling me, but the \$1.9 million was 15:01:55 supposed to go to strike that. 15:02:02 There was no purpose listed in the 15:02:05 documents that they were loaning money personally 15:02:07 to you, were they? 15:02:10 A. I don't believe so, but I can tell you 15:02:12 what they told us. 15:02:14 Q. It was a prohibited purpose actually. It 15:02:15 was a prohibited purpose to use the money. We can 15:02:18 dig out the documents. 15:02:21 A. You know what, Mr. Bay? You don't see 15:02:22 them suing me, do you, like you are? They knew 15:02:24

	Page 2311 my money, came from them, was Gorman Family 15:02:32	1	Page 2313 the Gorman Family Holdings would pay the debt to 15:05:38
	Holdings. Let's not make an issue here about what 15:02:32	2	Falcon? 15:05:42
2	-	3	A, I don't I didn't understand all the 15:05:45
3	is prohibited, what isn't. They knew. Now, if 15:02:38	-	*
4	they have a problem with it like you, they will sue 15:02:40	4	intricacies of this loan. Shawn handled this loan 15:05:49
5	me, but they have chosen not to. They have chosen 15:02:42	5	and worked it out with Falcon. So if that is what 15:05:53
6	to work with us. So I don't know what to tell you. 15:02:45	6	you are telling me it is, then that is what it is. 15:05:56
7	My money to do what I want with. They 15:02:47	7	Q. I am just showing you a document that was 15:05:58
8	knew it. There is no surprises here. They had 15:02:50	8	produced by your lawyer, Mr. Roche, and asking you 15:06:00
9	people come in. They knew everything that was 15:02:53	9	questions about it. 15:06:11
10	going on. So if you are trying to make a case for 15:02:56	10	A. And I have not had time to read the 15:06:11
11	Falcon saying I am a bad person, let them do it in 15:02:59	11	document or get familiar with it. 15:06:11
12	all due respect. 15:03:04	12	Q. I am happy to take a break and have you 15:06:11
13	Thank you. 15:03:06	13	read the document, but I think it's a guarantee by 15:06:11
14	Q. Anything else you want to say? 15:03:08	14	Sales, Inc., of the indebtedness of Gorman Family 15:06:15
15	A. No. 15:03:09	15	Holdings to Falcon. 15:06:20
16	Q. You seem very agitated at this point. 15:03:10	16	Let's go off the record I guess. 15:06:27
17	A. Well, I am, Bill, because you are trying 15:03:12	17	A. It says in the back, guarantor Sales d/b/a 15:06:29
18	to twist everything. I tell you something and you 15:03:14	18	Dodge of Midlothian. 15:06:34
19	don't want to hear what I have to tell you. 15:03:16	19	Q. So can we agree, sir, that document 15:06:45
20	Falcon money was sent to Gorman Family 15:03:18	20	Exhibit 126 is the guarantee by Sales, Inc., of the 15:06:47
21	Holdings. It was deposited in that bank it should 15:03:22	21	indebtedness of Gorman Family Holdings to Falcon 15:06:51
22	have been. It was my money to do what I wanted to 15:03:24	22	Financial? 15:06:55
23	do with it. 15:03:26	23	A. Is the guarantor, correct. 15:06:56
24	Q. Because I thought Midlothian guaranteed 15:03:30	24	Q. And it's your testimony that on Exhibit 15:07:08
	Page 2312		
			Page 2314
1	that loan, Sales Inc., guaranteed that loan? 15:03:32	1	Page 2314 125, that the money owed by the Gorman For Good 15:07:12
1 2	•	1	
	that loan, Sales Inc., guaranteed that loan? 15:03:32		125, that the money owed by the Gorman For Good 15:07:12
2	that loan, Sales Inc., guaranteed that loan?15:03:32A. I'd have to look at that. I don't know15:03:36Sales, Inc., guaranteed that loan. I think that15:03:38	2	125, that the money owed by the Gorman For Good15:07:12Government Group is now owed to you personally, not15:07:20
2 3	that loan, Sales Inc., guaranteed that loan?15:03:32A. I'd have to look at that. I don't know15:03:36Sales, Inc., guaranteed that loan. I think that15:03:38loan I think they guaranteed the lease, but the15:03:41	2 3	125, that the money owed by the Gorman For Good15:07:12Government Group is now owed to you personally, not15:07:20to Dodge of Midlothian?15:07:23
2 3 4	that loan, Sales Inc., guaranteed that loan?15:03:32A. I'd have to look at that. I don't know15:03:36Sales, Inc., guaranteed that loan. I think that15:03:38loan I think they guaranteed the lease, but the15:03:41loan was meant to Gorman they have a real weird15:03:43	2 3 4	125, that the money owed by the Gorman For Good15:07:12Government Group is now owed to you personally, not15:07:20to Dodge of Midlothian?15:07:23A. Correct.15:07:24
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2 3 4 5 6 7	that loan, Sales Inc., guaranteed that loan? 15:03:32 A. I'd have to look at that. I don't know 15:03:36 Sales, Inc., guaranteed that loan. I think that 15:03:38 loan I think they guaranteed the lease, but the 15:03:41 loan was meant to Gorman they have a real weird 15:03:43 way of doing their loan. It's a real Shawn 15:03:46 would be much more better at explaining this whole 15:03:52	2 3 4 5 6 7	125, that the money owed by the Gorman For Good15:07:12Government Group is now owed to you personally, not15:07:20to Dodge of Midlothian?15:07:23A. Correct.15:07:24Q. Is there any documentation or pieces of15:07:25paper that evidence that, sir?15:07:27A. Not that I know of.15:07:31
2 3 4 5 6 7 8	that loan, Sales Inc., guaranteed that loan?15:03:32A. I'd have to look at that. I don't know15:03:36Sales, Inc., guaranteed that loan. I think that15:03:38loan I think they guaranteed the lease, but the15:03:41loan was meant to Gorman they have a real weird15:03:43way of doing their loan. It's a real Shawn15:03:46would be much more better at explaining this whole15:03:52Falcon deal than I would be.15:03:55	2 3 4 5 6 7 8	125, that the money owed by the Gorman For Good15:07:12Government Group is now owed to you personally, not15:07:20to Dodge of Midlothian?15:07:23A. Correct.15:07:24Q. Is there any documentation or pieces of15:07:25paper that evidence that, sir?15:07:27A. Not that I know of.15:07:31Q. And did you do some oral agreement with15:07:35somebody to do it this way?15:07:37A. No.15:07:41
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2 3 4 5 6 7 8 9 10 11	that loan, Sales Inc., guaranteed that loan? 15:03:32 A. I'd have to look at that. I don't know 15:03:36 Sales, Inc., guaranteed that loan. I think that 15:03:38 loan I think they guaranteed the lease, but the 15:03:41 loan was meant to Gorman they have a real weird 15:03:43 way of doing their loan. It's a real Shawn 15:03:46 would be much more better at explaining this whole 15:03:52 Falcon deal than I would be. 15:03:55 (Whereupon, Gorman Deposition Exhibit No. 126 was marked for identification.) 15:04:29	2 3 4 5 6 7 8 9 10 11	125, that the money owed by the Gorman For Good15:07:12Government Group is now owed to you personally, not15:07:20to Dodge of Midlothian?15:07:23A. Correct.15:07:24Q. Is there any documentation or pieces of15:07:25paper that evidence that, sir?15:07:27A. Not that I know of.15:07:31Q. And did you do some oral agreement with15:07:35somebody to do it this way?15:07:37A. No.15:07:41Q. You just did it because Midlothian is your15:07:43
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