

# EXHIBIT A1

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01:14:35 18 in bed.  
01:14:36 19 Q. After you were laying in bed, is that when  
01:14:41 20 you received the call from someone from the  
01:14:44 21 hotel about Stephanie's accident?  
01:14:45 22 A. I'm sorry, what?  
01:14:46 23 Q. I'll ask it this way: How soon after you  
01:14:52 24 were laying in bed did you receive the call  
01:14:55 25 from the front desk about Stephanie's  
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01:14:57 1 accident that we talked about earlier?  
01:14:58 2 A. Maybe five, ten minutes.  
01:15:01 3 Q. Okay. And before you went to see Stephanie  
01:15:11 4 at the accident site, did you change?  
01:15:14 5 A. No.  
01:15:14 6 Q. And Stephanie -- strike that.  
01:15:16 7 Did Stephanie change before she went  
01:15:20 8 outside to have her cigarette?  
01:15:24 9 A. I'm not sure.  
01:15:28 10 Q. Okay. What do you recall her wearing as she  
01:15:37 11 walked out of the room?  
01:15:38 12 A. When she left the room to go smoke a  
01:15:40 13 cigarette?  
01:15:41 14 Q. Yes, please.  
01:15:42 15 A. She was in shorts and a T-shirt.  
01:15:43 16 Q. Okay. Same tan shorts and white T-shirt we  
01:15:47 17 talked about before?

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01:15:48 18 A. Yes.  
01:15:48 19 Q. What was she wearing on her feet?  
01:15:49 20 A. The flip-flops.  
01:15:51 21 Q. And you know that for certain?  
01:15:52 22 A. She had them on her feet all day.  
01:16:55 23 (Pause.)  
01:16:56 24 Q. Did Ms. Hofer talk to you about this case  
01:17:06 25 before she filed the complaint?  
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01:17:07 1 A. Not that I can remember.  
01:17:08 2 Q. Did you speak to Ms. Minchhoff's office  
01:17:14 3 before Stephanie and her husband filed the  
01:17:17 4 complaint?  
01:17:18 5 A. No.  
01:17:21 6 (Discussion off the record.)  
01:17:33 7 Q. Did Ms. Hofer ask you to assist in  
01:17:45 8 responding to discovery requests in this  
01:17:48 9 case?  
01:17:52 10 A. I'm not sure what you mean by that.  
01:17:54 11 Q. Well, did Ms. Hofer ask you to provide her  
01:17:56 12 with your recollections of the trip at any  
01:17:59 13 point after September 2005?  
01:18:00 14 A. After September of 2005?  
01:18:02 15 Q. Yes.  
01:18:03 16 A. I'm not sure.  
01:18:07 17 Q. Okay. Did Ms. Hofer ask you at any point to  
01:18:09 18 provide her with your recollections at any

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01:18:13 19 point after the accident?  
01:18:15 20 A. Yes.  
01:18:15 21 Q. Okay. And when was that?  
01:18:17 22 A. I'm not sure of an exact time.  
01:18:27 23 Q. At any point after the accident in Jamaica  
01:18:37 24 did Mr. Hofer ask you to provide your  
01:18:43 25 recollections of what happened on the trip  
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01:18:47 1 to Jamaica?  
01:18:50 2 A. Say that one more time, please.  
01:18:54 3 MR. REITH: Can you repeat that  
01:18:55 4 back.  
01:18:55 5 (Record read.)  
01:19:04 6 A. No.  
01:19:14 7 Q. Have any of Ms. Hofer's attorneys asked you  
01:19:16 8 to provide them with any information  
01:19:18 9 concerning the trip to Jamaica?  
01:19:19 10 A. No.  
01:19:20 11 Q. Have any of Ms. Hofer's attorneys asked you  
01:19:29 12 to provide them with documents concerning  
01:19:31 13 the trip to Jamaica?  
01:19:32 14 A. No.  
01:19:32 15 Q. Don't worry, these (indicating) are the ones  
01:19:58 16 I don't need.  
01:20:06 17 Did Ms. Hofer ever present to you a  
01:20:09 18 document entitled "Request for Admissions"

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- 01:20:12 19 and ask you to help her answer them?
- 01:20:14 20 A. No.
- 01:20:16 21 Q. Did Ms. Hofer ever present you with a
- 01:20:22 22 document entitled "Interrogatories" and ask
- 01:20:25 23 you to help her answer them?
- 01:20:27 24 A. No.
- 01:20:29 25 Q. Did Ms. Hofer ask -- ever present to you a  
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- 01:20:31 1 document entitled "Request for Production of
- 01:20:34 2 Documents" and ask you to assist her in
- 01:20:37 3 providing documents?
- 01:20:38 4 A. No.
- 01:20:38 5 Q. Have any of Ms. Hofer's attorneys ever
- 01:20:48 6 provided you with a document entitled
- 01:20:50 7 "Request for Admissions" and asked you to
- 01:20:55 8 provide answers for them?
- 01:20:56 9 A. No.
- 01:20:56 10 Q. Have any of Ms. Hofer's attorneys provided
- 01:20:58 11 you with a document entitled
- 01:21:00 12 "Interrogatories" and asked you to provide
- 01:21:02 13 answers for them?
- 01:21:03 14 A. No.
- 01:21:03 15 Q. Have any of Ms. Hofer's attorneys provided
- 01:21:06 16 you a document entitled "Request for the
- 01:21:08 17 Production of Documents" and asked you to
- 01:21:10 18 provide documents --
- 01:21:13 19 A. No.

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01:21:13 20 Q. -- in connection with them? No? Is that a  
01:21:16 21 no?  
01:21:16 22 A. No.  
01:21:18 23 Q. Before Ms. Hofer and Mr. Hofer filed a  
01:21:37 24 complaint, which was September 2005, did Ms.  
01:21:40 25 Hofer let you know that she was going to be  
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01:21:41 1 suing Expedia, Inc.?  
01:21:44 2 A. Before 2005, before September --  
01:21:48 3 Q. Yeah.  
01:21:48 4 A. -- of 2005?  
01:21:50 5 She had talked about the possibility  
01:21:52 6 of filing a lawsuit, but I didn't know if  
01:21:54 7 there was anything definite or not.  
01:21:56 8 Q. What did she say about filing a lawsuit?  
01:21:58 9 A. She had just mentioned that she was  
01:22:01 10 considering it.  
01:22:01 11 Q. Did she say who she was considering suing?  
01:22:07 12 A. I don't believe so.  
01:22:09 13 Q. So she didn't say, "I'm considering suing  
01:22:14 14 Turtle Beach"?  
01:22:15 15 MS. MINCHOFF: Objection.  
01:22:15 16 A. I don't really remember at this point what  
01:22:18 17 the exact conversation was.  
01:22:19 18 Q. Do you recall around the time that you had  
01:22:22 19 this conversation?

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01:22:23 20 A. I have no idea.  
01:22:25 21 Q. All right. So you can't pinpoint a month  
01:22:27 22 for me?  
01:22:27 23 A. No.  
01:22:27 24 Q. Do you know if it was after September 2005,  
01:22:33 25 though?  
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01:22:33 1 A. I have no idea.  
01:22:36 2 Q. Okay. During that conversation that Ms.  
01:22:41 3 Hofer talked about the possibility of a  
01:22:42 4 lawsuit, did she ask for your opinion about  
01:22:45 5 bringing a lawsuit?  
01:22:46 6 A. Not that I remember, no.  
01:22:48 7 Q. At any point had Ms. Hofer asked for your  
01:22:51 8 cooperation in prosecuting this lawsuit  
01:22:54 9 against Expedia, Inc.?  
01:22:55 10 A. What do you mean by asking for my  
01:22:56 11 cooperation?  
01:22:57 12 Q. Has she asked you to provide her documents?  
01:23:02 13 A. No.  
01:23:03 14 Q. I thought she asked you to provide her  
01:23:06 15 documents and you provided her the itinerary  
01:23:08 16 and the copy of the receipts from the money  
01:23:11 17 that you put out on vacation.  
01:23:13 18 MS. MINCHOFF: Objection.  
01:23:14 19 A. She did ask me for that, but she did not say  
01:23:18 20 that it's for a lawsuit.

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01:23:19 21 Q. Okay.

01:23:20 22 A. I had no idea what it was for. Like I said

01:23:24 23 before, I had assumed it was to tally, you

01:23:26 24 know, what we had spent down there so she

01:23:29 25 could pay me back.

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01:23:30 1 Q. Okay. Did she ask if you would appear on

01:23:35 2 her behalf as a witness at trial should this

01:23:37 3 case get to trial?

01:23:42 4 A. I'm not sure if she specifically asked me

01:23:45 5 that or not.

01:23:46 6 Q. Okay. Has she generally asked you that?

01:23:48 7 A. Yes.

01:23:49 8 MS. MINCHOFF: Objection.

01:23:49 9 Q. Okay. What did she say?

01:23:51 10 A. I don't remember specifically.

01:23:53 11 Q. Well, what did -- what do you remember

01:23:56 12 generally?

01:23:56 13 A. There was a conversation, and she mentioned

01:23:59 14 that, you know, I might have to be called in

01:24:03 15 to say what I remembered.

01:24:05 16 Q. When was that conversation?

01:24:06 17 A. I don't remember.

01:24:09 18 Q. Okay. Was her attorney present at the time

01:24:11 19 that you had that conversation?

01:24:12 20 A. No.



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01:24:12 21 Q. Has anybody from her attorney's office asked

01:24:18 22 you to cooperate as a witness in this case?

01:24:21 23 A. Specifically asked me to cooperate as a

01:24:24 24 witness?

01:24:24 25 Q. Yes.

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01:24:25 1 A. No.

01:24:26 2 Q. Did Ms. Hofer tell you how much she is suing

01:24:33 3 Expedia, Inc. for?

01:24:33 4 A. No.

01:24:33 5 Q. Did Ms. Hofer ever discuss with you how much

01:24:38 6 she intended on suing anybody for in

01:24:40 7 connection with the Jamaica vacation?

01:24:42 8 A. No.

01:24:42 9 Q. Did she ever discuss with you what she hopes

01:24:56 10 to get out of this lawsuit by way of

01:24:59 11 recovery financially?

01:24:59 12 A. No.

01:25:00 13 Q. Did she ever make any overtures to you that

01:25:03 14 you would be able to share in any sort of

01:25:05 15 windfall as a result of this litigation?

01:25:06 16 A. No.

01:25:56 17 MR. REITH: I presently have

01:25:58 18 nothing further for the witness.

01:26:00 19 MS. MINCHOFF: Scott, before we

01:26:01 20 start, how long do you think you're going to

01:26:03 21 have?

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01:26:04 22 MR. FERINGA: I don't know.  
01:26:04 23 MS. MINCHOFF: All right. I didn't  
01:26:05 24 know if you just had a few questions  
01:26:07 25 after -- if you thought about that.  
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01:26:11 1 MR. FERINGA: I don't know.  
01:26:13 2 MS. MINCHOFF: Okay. Go ahead.  
01:26:13 3  
01:26:13 4 CROSS EXAMINATION  
01:26:13 5  
01:26:13 6 BY MR. FERINGA:  
01:26:15 7 Q. Hi. We were introduced off the record. My  
01:26:17 8 name is Scott Feringa. I represent The Gap.  
01:26:20 9 I'm going to follow up on some questions  
01:26:22 10 that Mr. Reith has asked, and if I am in any  
01:26:26 11 way unclear, please let me know. I'll be  
01:26:29 12 more than happy to rephrase the question,  
01:26:31 13 all right?  
01:26:31 14 A. Okay.  
01:26:32 15 Q. In 2004 how would you characterize your  
01:26:35 16 relationship with Mrs. Hofer?  
01:26:38 17 MS. MINCHOFF: Objection.  
01:26:38 18 A. What do you mean, how would I characterize  
01:26:41 19 it?  
01:26:41 20 Q. How would you characterize it? Were you  
01:26:43 21 acquaintances? Were you friends? Were you