

UNITED STATES

V.

RAPOWER-3 LLC

Case No. 2:15-CV-00828-DN-EJF



AMANDA REINKEN

March 29, 2018

ADVANCED REPORTING SOLUTIONS

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Amanda Reinken
March 29, 2018

1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 DISTRICT OF UTAH, CENTRAL DIVISION
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4

5
6 UNITED STATES OF AMERICA,
7 Plaintiff,

8 V.

Case No:
2:15-CV-00828-DN-EJF

9 RAPOWER-3, LLC, INTERNATIONAL
10 AUTOMATED SYSTEMS, INC.,
11 LTBI, LLC, R. GREGORY
12 SHEPARD, NELDON JOHNSON,
13 and ROGER FREEBORN,
14 Defendant.

15
16 DEPOSITION OF AMANDA REINKEN

17 TAKEN: March 29, 2018

18 9:00 a.m. to 10:08 a.m.

19 LOCATION: NELSON, SNUFFER, DAHLE & POULSEN
20 10885 South State Street
21 Sandy, Utah 84070

22 Reported by: DONNA M. WARD, CSR, RPR
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APPEARANCES

FOR THE PLAINTIFF: UNITED STATES DEPARTMENT OF JUSTICE
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FOR THE DEFENDANT: NELSON, SNUFFER, DAHLE & POULSEN
BY: JOSHUA D. EGAN, ESQ.
10885 South State Street
Sandy, Utah 84070
Tel: 801-576-1400
Email: Joshua.egan@me.com

ALSO PRESENT: JOANNA PEREZ

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WITNESS: Amanda Reinken

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EXHIBITS:

No new exhibits marked.

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1 PROCEEDINGS

2 Thereupon,

3 AMANDA REINKEN

4 was duly sworn, was examined and
5 testified as follows:

6 EXAMINATION

7 BY MR. EGAN:

8 Q. First off, my name is Josh Egan. I'm one of
9 the attorneys for the defendants in this matter.

10 Could we begin by you stating your full name
11 for the record?

12 A. Amanda Reinken, last name R-e-i-n-k-e-n.

13 Q. And do you mind if I call you Amanda?

14 A. That is fine.

15 Q. Okay. Great. Amanda, have you been deposed
16 before?

17 A. I have not.

18 Q. Okay, so let's go over some ground rules. As
19 you see, we have a court reporter, so it's important that
20 we both take turns talking, that we don't talk over one
21 another so that the record is clear. Also, I'm going to
22 be asking you several questions today, and if my question
23 is unclear, I'd ask you that you ask for clarification.
24 I'm happy to reword my question in a way that's
25 comprehensible.

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1 In the event though that you do not ask for
2 clarification, I'm going to assume that your answer is
3 responsive to my question, so it's really important that
4 we're on the same page of understanding. Does that make
5 sense?

6 A. Yes.

7 Q. Great. Also it's important, if there is a
8 question pending, I would ask that that question be
9 answered before we take a break.

10 So the other important thing is to remain
11 verbal. Right now you're shaking your head, which is
12 fine.

13 A. Uh-huh.

14 Q. Because I'm not asking you a question, but
15 that doesn't show up on the record, so if I do ask a yes
16 or no question and that elicits that type of an answer,
17 we need a verbal yes or no, and that also includes
18 avoiding as much as possible uh-huh, huh-uh, you know,
19 the more ambiguous yes and nos.

20 A. Okay.

21 Q. So I'll try to help you out with that because
22 it's just sort of -- it's unnatural for us to talk that
23 way.

24 All right, now, are you under the influence
25 of any type of medication, drugs that would prevent you

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1 from testifying truthfully today?

2 A. No.

3 Q. Okay, and you understand that by taking the
4 oath that you've taken today that you swear that you are
5 going to tell the truth and be completely truthful with
6 your answers?

7 A. Yes.

8 Q. Okay. All right, let's start with your
9 education. Amanda, did you go to college?

10 A. I did.

11 Q. Where did you go to college?

12 A. I went to Hood College, Frederick, Maryland.

13 Q. Did you obtain a degree?

14 A. I did.

15 Q. Which degree?

16 A. I have a bachelor of the arts in political
17 science.

18 Q. Bachelor of arts political science. Any
19 other degrees?

20 A. Yes, I have a master's in criminology and
21 criminal justice.

22 Q. And where did you obtain that degree?

23 A. The University of Maryland, Eastern Shore.

24 Q. All right, any other degrees?

25 A. Yes, I have a juris doctorate from the

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1 University of Baltimore.

2 Q. And when did you obtain your JD from the
3 University of Baltimore?

4 A. In 2014.

5 Q. And when you obtained that JD, did you have
6 any particular focus in an area of law?

7 A. No.

8 Q. Okay, so, upon graduation in 2014, did you
9 become employed?

10 A. I did. I started working before I graduated.

11 Q. Okay. You did. Where did you start working
12 at?

13 A. I was a paralegal contractor at the US
14 Attorney's Office in Baltimore, Maryland District.

15 MS. HINES: Real quick, Amanda, make sure and
16 let him finish the question --

17 THE WITNESS: Okay.

18 MS. HINES: -- before you respond.

19 THE WITNESS: Sorry.

20 MR. EGAN: Thank you, Counsel.

21 Q. And when did you begin that contract
22 paralegal work?

23 A. 2014.

24 Q. 2014. Okay, so are you currently a
25 contractor?

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1 A. No, I'm a federal employee.

2 Q. Federal employee. When did that begin?

3 A. December of 2016 and that's with a different
4 office, so I'm with the tax division now.

5 Q. Okay. Now, when you became a -- now, what is
6 your job title that you've obtained when you became a
7 federal employee in December 2016 --

8 A. I'm --

9 Q. -- with the tax division?

10 A. Sorry. I'm a paralegal specialist.

11 Q. And what does a paralegal specialist entail,
12 if you were to give someone a brief job description of
13 what it is you do?

14 A. Basically I assist the attorneys in whatever
15 they request. I shepardize. I help draft documents. I
16 review records, help with discovery, like interrogatories
17 and things like that. I attend trials and assist in that
18 manner.

19 Q. Okay. Do you have any professional licenses?

20 A. I am barred in Maryland.

21 Q. Okay. What year did you take the bar?

22 A. 20 -- it was I think 2015.

23 Q. Okay. Okay, so as a paralegal specialist, do
24 you undergo any specific training from your employer?

25 A. I have gone through training.

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1 Q. Okay, and what kind of training is that?

2 A. Lexis Nexis, Westlaw and then I've gone to
3 several Excel classes.

4 Q. Several Excell classes?

5 A. Yes.

6 Q. Have you done any training specific to tax
7 law?

8 A. No.

9 Q. Anything specific to tax preparation?

10 A. No.

11 Q. Any training specific to forensic accounting?

12 A. No.

13 Q. So, based on your answer, it seems to me your
14 training is focused mainly on legal research with Lexis
15 Nexis. Is there any other specific training that --

16 A. Not that I can think of.

17 Q. Okay, and do you currently maintain the same
18 title, paralegal specialist?

19 A. I do.

20 Q. And it's with the same office that you became
21 a federal employee in December of 2016?

22 A. Yes.

23 Q. Okay. Okay, so aside from bar licensure in
24 the State of Maryland, do you have any other professional
25 licensing?

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1 A. No.

2 Q. Do you have any professional certifications?

3 A. No.

4 Q. No. Are you currently a member in good
5 standing with the Maryland --

6 A. I am.

7 Q. -- Bar? Again, I know you're anticipating
8 the question, but I'd ask that you wait for me to finish.
9 Thank you. Okay.

10 MS. HINES: Counsel, while we're at a pause,
11 is this a good time for me to make my appearance?

12 MR. EGAN: Oh, of course, it is.

13 MS. HINES: Erin R. Hines, with the United
14 States Department of Justice, Tax Division, on behalf of
15 the United States.

16 BY MR. EGAN:

17 Q. See, you're not the only one getting ahead of
18 themselves. I'm guilty of that as well. I apologize for
19 not allowing that earlier.

20 So you understand that you're here today to
21 provide testimony by way of deposition regarding the
22 exhibits that you will be providing summary testimony for
23 in the upcoming trial, United States V RaPower-3 and
24 against others? Is that your understanding?

25 A. Yes.

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1 Q. Okay, and I understand that you are not
2 testifying as a fact witness but only testifying solely
3 as a summary witness. Is that your understanding?

4 A. Yes.

5 Q. Now, can you tell me what you understand the
6 meaning of a summary witness is?

7 A. That is --

8 MS. HINES: Objection. Calls for legal
9 conclusion.

10 BY MR. EGAN:

11 Q. You can go ahead and answer.

12 A. Okay. That I just summarized documents that
13 we had.

14 Q. Okay. Now, when did you first learn you were
15 going to be a summary witness in this case?

16 A. More recently.

17 Q. Can you be more specific?

18 A. Several months ago.

19 Q. Several months ago?

20 A. Yeah.

21 Q. Can you hazard a guess on a specific month?

22 A. Probably within the last three to six months.

23 Q. Okay, and how were you advised or how were
24 you informed rather that you were going to be a witness,
25 a summary witness in this case?

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1 A. I was just told that I needed to leave
2 certain dates open to travel.

3 Q. And who told you that?

4 A. Ms. Hines.

5 Q. So you were made aware that you had to leave
6 dates open to travel, and you assumed from that
7 information, that you were going to be a witness?

8 A. Well, they told us that so we could be a
9 witness.

10 Q. And you said they. Did someone other than
11 Ms. Hines also tell you that information?

12 A. Well, the other attorneys in the case.

13 Q. Okay. That would be Ms. Gallagher and --

14 A. And Chris Moran, yes.

15 Q. Now, Amanda, are you familiar with how the
16 exhibits that you are going to be summarizing are
17 numbered in this case?

18 A. I do not know their numbers.

19 Q. Okay. All right, that's fair. Okay, so what
20 I'd like to do now is I want to go through each exhibit
21 and ask you specific questions about them. One thing I'd
22 ask you though, if I don't have an exhibit or don't show
23 you an exhibit that you intend -- that at trial, you
24 actually intend to summarize, so if I've left something
25 out, if you could do your best to let me know, well, I've

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1 seen the exhibits you've provided but I think I'm also
2 going to be testifying about another exhibit that I've
3 summarized. So just keep that in the back of your mind
4 as we go through these. If we get to the end and you
5 think that there is still something, another exhibit out
6 there that I haven't identified, I'd appreciate that,
7 because you're in a much better place of knowing what
8 your summary is going to be than me. Is that fair?

9 A. Yes.

10 Q. Okay. Thank you. Let's start by providing
11 what has been marked as Exhibit 734. I'll give you a
12 chance to review that.

13 A. You're good.

14 Q. Do you recognize this exhibit?

15 A. I do.

16 Q. All right, and this exhibit, the very top, it
17 says combined gross receipts 2008-2016; is that correct?

18 A. Yes.

19 Q. Okay. Now, I'd like to start with the
20 understanding of what your definition is of gross
21 receipts.

22 A. Deposits or credits that were on the account.
23 We did not include transfers or any like wages or
24 anything like that that came from other sources of
25 income.

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1 Q. Okay, so just deposits and --

2 A. Deposits, ACH transfers, ACH first. These
3 are the description lines that were on the bank accounts.
4 Some of them we included interest. On the individuals,
5 we included their -- any IRS tax returns.

6 Q. We'll get more specific --

7 A. Okay.

8 Q. -- as we look at the individual.

9 A. Okay.

10 Q. So, in short, gross receipts are defined as?

11 A. Any wire transfers, any deposits, ACH first
12 transfers, ACH transfers and then I believe interest.

13 Q. You mentioned that there are some information
14 on tax returns or tax information and we'll get to those
15 later as --

16 A. Okay.

17 Q. -- as we go through those individual
18 exhibits. Because, again, it looks like 734 is a summary
19 of summaries. Is that a fair characterization?

20 A. Yeah.

21 Q. Is that a yes?

22 A. Yes.

23 Q. Okay. Thanks. Let's come back to 734 in a
24 moment. For now, I want to give you what has been marked
25 as 735.

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1 A. Can I clarify real quick?

2 Q. Yes, you may.

3 A. Because this is gross receipts, this is going
4 to include anything from the IRS because the individuals
5 are included --

6 Q. Okay.

7 A. -- in these numbers.

8 Q. All right, okay. All right, do you recognize
9 this exhibit that's before you now?

10 A. I do.

11 Q. And is this the gross receipts from 2009 to
12 2016 of RaPower-3, LLC?

13 A. It is.

14 Q. And this definition of -- the definition of
15 gross receipts that you gave for me in the previous
16 exhibit, is that the same definition you give to this
17 exhibit, the use of the term gross receipts?

18 A. It is.

19 Q. All right, did you personally create this
20 exhibit?

21 A. I did.

22 Q. All right, and what type of information did
23 you review to come up with the content of this exhibit?

24 A. I looked at bank records.

25 Q. And which bank records did you review?

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1 A. I don't remember specific accounts for each
2 entity. I just remember general like what banks that we
3 received records from. Wells Fargo, Bank of American
4 Fork, Zions Bank were like three that are sticking out of
5 my head at the moment.

6 Q. So, as you sit here today, you don't recall
7 exactly which bank records are associated with RaPower?

8 A. Correct.

9 Q. But you personally reviewed all the bank
10 records that were -- that basically are the foundation
11 for this exhibit?

12 A. Correct.

13 Q. Is that correct?

14 A. Yes.

15 Q. Did anybody else assist you in reviewing that
16 information to create this exhibit?

17 A. No.

18 Q. All right, so you didn't have any staff or
19 anybody else assist you?

20 A. No.

21 Q. So you were solely responsible for the
22 information that is shown in this exhibit in terms of
23 preparation?

24 A. Yes.

25 Q. Okay. Do you recall the date that you

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1 received the information that is the foundation of this
2 exhibit?

3 A. I'd say it was roughly June of 2017. It
4 applies for all these, all the charts.

5 Q. Okay, so all of the gross receipts that are
6 represented in the exhibits that we're going to show you
7 today --

8 A. Yeah.

9 Q. -- the earliest you received the information,
10 the bank statements --

11 A. Correct.

12 Q. -- was July of 2017?

13 A. June of '17.

14 Q. Excuse me, June of '17. Thank you for that
15 clarification. Now, I want to step back for just a
16 minute and ask you, as a paralegal specialist, when you
17 are doing work like this, do you keep track of the time
18 it takes you to do specific tasks?

19 A. So generally we keep track of just how many
20 hours we worked a case, but I don't know the exact total.

21 Q. I see. It's not -- that's fine, but you
22 do -- okay, so the amount of time that you spend on a
23 case, but do you know, are you able to dissect that
24 amount of time into task specific?

25 A. No.

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1 Q. Are there any other cases that you work on
2 besides this one?

3 A. Yes.

4 Q. How many cases?

5 A. A lot.

6 Q. A lot is less than 100? More than 100?

7 A. I honestly don't know.

8 Q. Okay.

9 A. Because my docket moves very quickly.

10 Q. No, I hear you. I hear you. That's fair.

11 Okay. All right, and who is the individual
12 or individuals that provided you with the information
13 necessary to complete this, this exhibit?

14 A. Ms. Hines.

15 Q. Were you given any instruction on what to do
16 when you were given that material?

17 A. She just asked me to input the information
18 into an Excel spreadsheet.

19 Q. Okay. In the information that you reviewed
20 on RaPower-3, LLC, you mentioned earlier that that gross
21 receipt included a number of sources, deposits, ACH
22 transfers, interests. Was there anything else specific
23 to RaPower that goes into gross receipts?

24 A. Well, we also include wire transfers in all
25 the accounts, any type of wire transfer.

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1 Q. Okay. Is there anything else unique to
2 RaPower in terms of coming up with gross receipts?

3 A. No, there wasn't anything unique.

4 Q. Now, you said you created Excel spreadsheets
5 to assist you in summarizing this material; correct?

6 A. Correct.

7 Q. All right, do you know whether or not those
8 Excel spreadsheets have been produced in this case?

9 A. I do not know.

10 Q. Do you still have those Excel spreadsheets
11 somewhere on a database?

12 A. Yes.

13 Q. Do they specifically identify the income of
14 RaPower-3, LLC?

15 A. I'm not sure if income is the best way to
16 quantify it.

17 Q. I'm sorry. Does it -- if I were to look at
18 that spreadsheet of RaPower-3, LLC, would it be -- is
19 it -- excuse me. Is there an individual Excel
20 spreadsheet for each of these exhibits?

21 A. No, we input all of them and then we use
22 filters.

23 Q. Okay.

24 A. Excuse me, I've inputted all of them rather
25 than we.

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1 Q. Aside from bank records, was there any other
2 materials used to come up with the numbers in Exhibit
3 735?

4 A. No, sir.

5 Q. What was the earliest date that you completed
6 that spreadsheet that you've talked about?

7 A. I want to say like inputting all the
8 information probably October.

9 Q. That's October 2017; correct?

10 A. Yes.

11 Q. So, once this information is put into the
12 Excell spreadsheet, how -- from that point, how difficult
13 is it to see what the gross receipts are for RaPower-3,
14 LLC?

15 A. So what I did was use the pivot table feature
16 and narrowed it by account order and then included the
17 information we already talked about, like deposits, ACH
18 transfers, I included those to narrow it by each
19 individual for each chart.

20 Q. I see, and to do that for each chart, how
21 much time are we talking?

22 A. Maybe several hours.

23 Q. Several hours?

24 A. Yeah.

25 Q. Okay, so the Excel spreadsheet is done in

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1 October 2017, and from there, it's just a matter of
2 several hours to organize the information in a way that
3 shows you what the gross receipts are for the individual
4 entities or individuals; is that correct?

5 A. Correct.

6 Q. All right, and do you believe that -- well,
7 when did you do that? When did you sort the information
8 in the manner you described?

9 A. I don't think until November of 2017.

10 Q. And were you asked, in October 2017, from any
11 of the attorneys in this matter for a status of where
12 you're at with compiling this information?

13 A. I had updated Erin when I was finished with
14 the compiling.

15 Q. I see. So you were just updating but no one
16 was following up with you with your progress. Is that --
17 is that fair to say?

18 A. I mean, I let them know when I had finished
19 inputting, so they had notice of that.

20 Q. Okay. Great.

21 A. But they hadn't requested these charts until
22 later.

23 Q. But the information to create the charts was
24 ready and available in October of 2017? Is that a yes?

25 A. Yes.

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1 Q. All right, I have handed you what has been
2 marked as Plaintiff's 736. Do you recognize this
3 document?

4 A. I do.

5 Q. And this exhibit purports to summarize the
6 gross receipts of R. Gregory Shepard from years 2008 to
7 2016; is that right?

8 A. It does.

9 Q. And, again, we're saying gross receipts, you
10 reviewed bank records in that applicable period of
11 time --

12 A. Yes.

13 Q. -- to come up with this number?

14 A. Yes.

15 Q. Did you also review any tax returns related
16 to R. Gregory Shepard at this time?

17 A. I did not.

18 Q. All right, just so the record is clear, the
19 information that you used to come up with these numbers,
20 that was available as early as June 2017; correct?

21 A. That was just the bank records.

22 Q. Just the bank records?

23 A. Yes.

24 Q. Was there any information used to create this
25 table other than bank records?

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1 A. No.

2 Q. And this is off the -- the Excel spreadsheet
3 that you mentioned earlier contains the information that
4 you used to create this summary; is that --

5 A. It does, yeah.

6 Q. -- correct?

7 A. Sorry, I'm cutting you off again.

8 Q. No, that's fine. All right, I'm handing you
9 what has been marked as Plaintiff's 737 and do you
10 recognize this document?

11 A. I do.

12 Q. And was this information also put into that
13 spreadsheet -- well, excuse me. Is the -- did you review
14 bank records, the bank records you obtained in June 2017,
15 to create this document?

16 A. Yes.

17 Q. That information that you derived from the
18 bank records in 2017 went into an Excel spreadsheet?

19 A. It did, yes.

20 Q. That same Excel spreadsheet we've been
21 talking about this morning?

22 A. Yes.

23 Q. Okay, and as it relates to this exhibit,
24 again, did you receive any assistance from anyone else in
25 creating this exhibit?

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1 A. I did not.

2 Q. And is that fair to say for all the exhibits
3 that purports to summarize the gross receipts of all
4 entities and individuals in this case?

5 A. Correct, I did not receive assistance.

6 Q. Let's take a look at what has been marked as
7 Plaintiff's Exhibit 738. Do you recognize this exhibit
8 as well?

9 A. I do.

10 Q. Okay, and as the title says, it's
11 International Automated Systems gross receipts 2008 to
12 2016. Sorry, for clarity for the reporter, that is
13 International Automated Systems, again, Plaintiff's
14 Exhibit 738.

15 And, Amanda, you also prepared this exhibit?

16 A. I did.

17 Q. And you intend to provide summary testimony
18 of this exhibit at the upcoming trial; correct?

19 A. Yes.

20 Q. Now, when you reviewed the -- the bank
21 statements for this particular exhibit, the exhibit
22 International Automated Systems, was it clear from the
23 bank statements that you reviewed whether or not monies
24 was being transferred from RaPower-3, LLC's bank account
25 to the bank account associated with International

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1 Automated Systems?

2 A. I didn't narrow by transfer, so I'm not sure.

3 Q. Okay, so it's fair to say that you just
4 summarized the -- all the transfers, all the deposits and
5 everything, but didn't pay attention to where they were
6 transferring from --

7 A. Correct.

8 Q. -- is that fair? Okay. That's correct.

9 And, again, it was just you that worked on
10 this exhibit in creating that -- that Excel spreadsheet?

11 A. Yes.

12 Q. Pardon my redundancy. Just to make sure that
13 we're clear on every exhibit.

14 A. That's fine.

15 Q. I'm not trying to be difficult. All right,
16 so I'd like to now hand you what has been marked as
17 Exhibit 739. Do you recognize this exhibit, Amanda?

18 A. I do.

19 Q. As it states up top, this is the gross
20 receipts summarized from 2010 to 2016 from Solco I, LLC.

21 A. Yes.

22 Q. And, again, you are the only individual that
23 participated in the preparation of this exhibit?

24 A. That is correct.

25 Q. And you were solely responsible and the sole

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1 person who reviewed all of the data from the bank records
2 that's summarized in this exhibit; correct?

3 A. That is correct.

4 Q. And as you testified earlier, the information
5 that you summarized from the bank records that were
6 provided in June 2017, were that Excel spreadsheet that
7 was completed by November -- excuse me, October 2017;
8 correct?

9 A. It was.

10 Q. And that's for this exhibit as well?

11 A. Yes.

12 Q. Do you recall the date that you actually
13 completed this particular exhibit?

14 A. I do not, no.

15 Q. Okay. Was it within the last 60 days?

16 A. I say possibly earliest would be November or
17 December.

18 Q. Earliest would be November or December?

19 A. Yes.

20 Q. But the latest would be?

21 A. I think it's somewhere in those two months,
22 sorry.

23 Q. So you believe that this -- this exhibit
24 also -- well, let me ask the question to the previous
25 exhibits that I've showed you. Do you believe that those

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1 were also completed sometime within November-December of
2 2017?

3 A. Yes.

4 Q. Okay. Is it fair to say all the summary
5 exhibits that you are going to provide testimony, summary
6 testimony of at the upcoming trial, those exhibits were
7 prepared as early as November-December 2017?

8 A. I'm not sure about other exhibits.

9 Q. Okay, so --

10 A. We'd have to go -- because some of them are
11 print screens and I'm not sure of the specific dates.

12 Q. We'll go one by one.

13 A. Okay.

14 Q. I'm just trying to save us time.

15 A. That's okay.

16 Q. Now, other than the bank records that were
17 provided to you in June of 2017, were there any other
18 records that you used to come up with the numbers that
19 are summarized in Plaintiff's Exhibit 739?

20 A. I do not know.

21 Q. Okay. I'm handing you what's been marked as
22 Plaintiff's Exhibit 741 but it's Bates numbered PLEX
23 00740. I had a brief conversation with counsel off the
24 record prior to this deposition. We believe that this
25 exhibit is actually misnumbered for the record. 741, it

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1 should be numbered 740.

2 A. Okay.

3 Q. All right, but be that as it may, do you
4 recognize this exhibit?

5 A. I do.

6 Q. And what -- whose gross receipts is this --
7 does this exhibit purport to summarize?

8 A. XSun Energy, LLC.

9 Q. Okay, and the -- the information that you
10 used to summarize -- well, to provide a summary of this
11 exhibit, was that the information you received in June
12 2017?

13 A. Yes.

14 Q. And the Excel spreadsheet that was completed
15 in October 2017 is where you were able to summarize this
16 information from?

17 A. Yes.

18 Q. Okay, and you believe that this particular
19 exhibit was finished some time in November or December of
20 last year?

21 A. Yes.

22 Q. Moving on to another Plaintiff's Exhibit 741.
23 This one is Bates numbered PLEX 00741. And, Amanda, what
24 entity's gross receipts does this exhibit purport to
25 summarize?

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1 A. Cobblestone Center.

2 Q. And it shows gross receipts from 2013 to
3 2016; is that correct?

4 A. Correct.

5 Q. Okay, so I'm going to ask you why these
6 years? Why not years earlier than 2013?

7 A. Those were just the records we had.

8 Q. Okay, and the information that you used to
9 put together this summary that was the same information
10 that was put into that Excel spreadsheet in 20 -- that
11 was finished in October of 2017?

12 A. Can you repeat that?

13 Q. Yes. So the information that you used to
14 provide this summary, that information was derived from
15 the Excel spreadsheet that you completed in October of
16 2017; correct?

17 A. Yes.

18 Q. All right, and you believe that this
19 particular exhibit was created sometime in November or
20 December of 2017?

21 A. As the best that my memory serves, yes.

22 Q. And, again, you're the sole person
23 responsible for the preparation review of all the
24 materials that went into creating this summary?

25 A. Yes.

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1 Q. All right, now let's jump back to Plaintiff's
2 Exhibit 734, that summary of summaries. So we've now
3 reviewed Plaintiff's Exhibit 735 through 741, and now
4 we're looking at Exhibit 734. Can you just walk -- can
5 you tell me exactly how you organized the information in
6 this table in terms of, you know, how you came up with
7 this?

8 A. I just added up all the totals for all of
9 these.

10 Q. Okay, so -- so, if I go through Exhibit 735
11 through 741 and add them all together, this is the
12 arithmetic of that result?

13 A. Yes.

14 Q. Okay, and there aren't any other summaries
15 out there whose numbers would go into this?

16 A. No.

17 Q. Okay, and do you know when you completed this
18 particular exhibit?

19 A. I mean, I believe it was around the same time
20 as all the other ones.

21 Q. So around the same time would be
22 November-December 2017?

23 A. Correct.

24 Q. Okay, and are you familiar with the legal
25 definition of attorney work product?

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1 A. I am.

2 Q. You are. And would you characterize Exhibit
3 734 through 741 as attorney work product?

4 A. I -- that's --

5 MS. HINES: Objection. Calls for a legal
6 conclusion.

7 THE WITNESS: I don't think I can answer
8 that.

9 BY MR. EGAN:

10 Q. Oh, so you don't think you can answer it
11 because you don't understand the question?

12 A. I just -- I don't know if it's considered
13 product or not.

14 Q. Okay. That's fair. If you don't know if
15 it's considered product or not, that's a fair answer.

16 Look at my notes before I decide to move on.
17 I asked -- I asked this question for one of the exhibits
18 but I want to make sure that it relates to all the
19 exhibits. So Exhibits 735 through 741 all summarize
20 individuals' or entities' gross receipts; correct?

21 A. Correct.

22 Q. All right, and -- and the source of that
23 information, the source of the summary were the bank
24 records; right?

25 A. Correct.

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1 Q. And when you reviewed the bank records to
2 come up with these gross receipts for all the exhibits,
3 did you pay attention to where the money was coming from
4 or just the fact that the money was coming in?

5 A. I just looked at the statement itself. I
6 didn't look at checks or any deposits. I wasn't asked to
7 do that.

8 Q. Okay. All right, let's move to Plaintiff's
9 Exhibit 742A. Now, I want to represent to you that this
10 was -- it's actually -- the actual exhibit is 150 pages,
11 so what I had done is just printed the first and last
12 page of the exhibit. Now, I understand that -- well,
13 first off, do you recognize what this, this exhibit, is,
14 or this partial exhibit is?

15 A. I do.

16 Q. All right, and you recognize that it's not
17 the full exhibit, it's just the first and last page of
18 it?

19 A. Yes.

20 Q. All right, so let's start with the source
21 material. What -- what information did you rely on to
22 create Exhibit 742A?

23 A. A PDF that we received. That Erin Hines gave
24 me.

25 Q. Okay, and when was that PDF that Erin Hines

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1 gave you given to you?

2 A. It was very recent. I don't remember the
3 exact. Maybe January or February. I'm not sure. It
4 could have been March too. I don't remember.

5 Q. Okay, so January, February, March of?

6 A. 2018.

7 Q. 2018, but the information that you used to
8 put together this table was not provided to you in 2017?

9 A. I don't believe so, no.

10 Q. Okay. Now, just so we're clear, there is
11 also an Exhibit 742B. I'll give that to you right now as
12 well, and it's very similar in terms of the information,
13 but it summarizes lens production, if you will, on a
14 different date. So I just want to make sure we're not
15 confusing the two. So, when you gave me answers earlier
16 about what went into your preparation of 742A, we're not
17 confusing that with preparation of 742B?

18 A. Correct. I did both of these in the same
19 week or two.

20 Q. Okay. Great. Thanks. And who gave you the
21 instructions to put the -- these -- these lens -- well,
22 excuse me, these particular exhibits together?

23 A. Erin Hines.

24 Q. And what was that instruction?

25 A. Basically she just wanted me to come up with

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1 a quantity, so I converted this to an Excel document and
2 then auto summed the total of the quantity.

3 Q. Okay, so you used a PDF provided to you to --
4 and, excuse me, let's be specific which one we're talking
5 about. 742A, you testified earlier that the source of
6 this information is a PDF that was given to you by Ms.
7 Hines sometime this year?

8 A. Correct.

9 Q. And within a week, you turned around and put
10 this in an Excel spreadsheet and produced this summary;
11 is that correct?

12 A. Correct.

13 Q. Now, so -- so there exists somewhere in your
14 system the Excel spreadsheet that you used to create
15 this, this table; correct?

16 A. Yes.

17 Q. And do you know whether or not that's been
18 produced?

19 A. I have no idea.

20 Q. Now, what information did you look at from
21 the PDF to come up with these -- to come up with this
22 number -- excuse me, this information?

23 A. I just converted the PDF to Excel and auto
24 summed the quantity column.

25 Q. Okay, so, all right.

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1 A. I told the Adobe to convert to Excel.

2 Q. I understand the process. So what -- what
3 you did not do is, and I don't fault you for not doing
4 this, because it would've taken forever, but you did not
5 input individually the -- the information by hand, you
6 relied on Excel to interpret the information, put it into
7 its tables, and then from there summarize --

8 A. Correct.

9 Q. -- is that correct? Okay, so this is not you
10 individually going through and putting names and lens and
11 serial numbers, this is you're relying on the trans --
12 the converting software?

13 A. Correct. I did double check like random ones
14 just to make sure that they were right.

15 Q. And how -- how many random ones did you
16 double check?

17 A. I don't know.

18 Q. All right, but this took you about -- how
19 much time do you think you spent putting together 742A?

20 A. I don't know. There were a lot of like
21 random, weird columns that got screwed up in the
22 conversion, so I had to like move them.

23 Q. Okay.

24 A. There'd be like blank columns in the wrong
25 spots, so I had to delete them.

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1 Q. All right, so you -- so you testified earlier
2 that you, to make sure that the conversion was accurate,
3 you randomly selected I guess rows to see if it conformed
4 with the source material?

5 A. Correct.

6 Q. Is that a fair characterization of your
7 quality control?

8 A. Yes.

9 Q. Okay, but you did not go through line by line
10 comparing the source material to what Excel produced, did
11 you not?

12 A. I did not.

13 Q. All right.

14 A. Can I clarify something?

15 Q. Oh, please.

16 A. So I actually put this into Word first and
17 used their system because it was cleaner than going
18 straight to Excel, so I had it converted to Word and then
19 had it converted to Excel.

20 Q. Okay.

21 A. I copied and pasted it from Word into an
22 Excel document.

23 Q. I see. So to get it from -- so you get -- I
24 understand the process.

25 A. Yeah.

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1 Q. I'm just trying to formulate a question that
2 makes sense. So you received the material in PDF format
3 from Ms. Hines; correct?

4 A. Yes.

5 Q. Okay, and when you received the PDF, is it
6 the type of PDF that's a scanned PDF or is it -- or is it
7 the type of PDF that the -- that could be like optically
8 recognized? Are you familiar --

9 A. It was readable.

10 Q. -- with what I'm asking? It was readable.
11 Okay, so you take it from that format into Word, and then
12 from Word, it's transferred into Excel?

13 A. Yes.

14 Q. Do you still have the Word raw data?

15 A. I don't know.

16 Q. Okay.

17 A. I don't know if I saved that or not. There's
18 a possibility somewhere.

19 Q. Okay. Okay, and do you know whether or not
20 the Word document that you used to put together this
21 table was disclosed?

22 A. I highly -- I honestly don't know.

23 Q. Okay, and you're not even sure if it's saved
24 somewhere?

25 A. Right.

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1 Q. Because you're just using it as a path
2 through?

3 A. Right.

4 Q. A passthrough rather.

5 A. Correct.

6 Q. Okay. All right, in the table that you've
7 put together, this summary table, 742A, does not have any
8 data related to whether or not these individuals -- well,
9 the amount any of these individuals paid for the lens
10 that are summarized here; correct?

11 A. It does not. The original document didn't
12 have that either.

13 Q. Okay. All right, let's go to 742B. Similar
14 questions. There may be some overlap here. And, again,
15 to clarify, you created both of these exhibits, 742A and
16 B, with -- at the same time and it took about a week's
17 time from start to finish?

18 A. I don't know how long it took from start to
19 finish to be honest with you. I wouldn't quantify as a
20 week. I know I gave it to them within a week or two.

21 Q. I see.

22 A. I don't know that it took me that long.

23 Q. Right. Right. Right. Because you have a
24 huge docket and this isn't your only --

25 A. Correct.

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1 Q. -- only assignment. I hear you.
2 Okay, and, again, that was some time in early
3 2018?

4 A. Yes.

5 Q. All right, and the process you've described
6 for putting together 742A, does that also apply to 742B,
7 specifically you received a PDF from Ms. Hines, copied
8 and pasted that to Word, and then from Word, exported it
9 to Excel and then asked it to populate the -- populate by
10 columns information?

11 A. Yeah. I just auto summed the quantity data.

12 Q. Auto summed the quantity. Did you perform
13 the same, a similar quality control on 742B as you did on
14 742A?

15 A. I did and I randomly checked them to make
16 sure that they lined up with the right person and the
17 right serial numbers to the original I was given.

18 Q. Okay, but to be clear, you didn't go line by
19 line through all 166 pages of 742B to make sure that the
20 source material matched this material; correct?

21 A. Correct.

22 Q. So we both said correct at the same time. So
23 just so the record is clear, the witness answered correct
24 to the question.

25 All right, and similar question that I asked

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1 after reviewing the previous exhibits, based on your
2 understanding of attorney work product, does Exhibit 742A
3 and 742B qualify as attorney work product?

4 A. I don't --

5 MS. HINES: Objection. Calls for a legal
6 conclusion.

7 BY MR. EGAN:

8 Q. You may answer.

9 A. I don't know.

10 Q. All right, this next exhibit I'm presenting
11 to you is Plaintiff's Exhibit 750. Now, is this an
12 exhibit that you're familiar with?

13 A. It is, except ours is in color.

14 Q. But other than the difference in color, is
15 the exhibit identical?

16 A. It is.

17 Q. Okay, and were you responsible for preparing
18 this exhibit?

19 A. I was.

20 Q. You intend to provide summary testimony to
21 this exhibit's admissibility at the upcoming trial?

22 A. As far as I know, yes.

23 Q. All right, so let's walk through this. Gross
24 receipts, the definition of gross receipts, does that
25 change in Exhibit 750 from the definition you gave me as

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1 it relates to gross receipts from Exhibit 734 to 741?

2 A. It does not.

3 Q. All right, so it's the same. We're talking
4 gross receipts in the same -- in the same manner we
5 have --

6 A. Correct.

7 Q. -- throughout this morning? Okay.

8 One that we haven't defined though is harm to
9 the treasury. And were you -- are you the person that
10 came up with this, this terminology, harm to the treasury
11 as it relates to this document?

12 A. No, Erin Hines asked me to use that.

13 Q. Okay, but what is your understanding of this
14 term harm to the treasury?

15 A. I'm not sure.

16 Q. Okay. Okay, so walk me through how you came
17 up with the numbers that are shown on the first page of
18 750 for year 2008.

19 A. Well, we have to go back and start with '13
20 and '16, because those numbers did not come from me.

21 Q. Okay.

22 A. Ms. Perez came up with those numbers.
23 They're from her chart.

24 Q. All right, so the numbers where? Yeah, walk
25 me through that.

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1 A. 2013 to 2016 under harm to treasury.

2 Q. Okay, so you were not responsible for the
3 numbers that are summarized from 2013 to 2016 in the
4 column that says harm to the treasury; is that correct?

5 A. Correct.

6 Q. But the gross receipts column, you're
7 responsible for all that information; correct?

8 A. Correct.

9 Q. All right, now, the information in the harm
10 to treasury column from 2008 to 2012, are you responsible
11 for coming up with that information?

12 A. I am, yes.

13 Q. All right, but you're not -- but you can't
14 today provide me with a definition of what harm to
15 treasury is; is that right?

16 A. I was just asked to come up with the numbers
17 and how to come up with them.

18 Q. Okay, and how were you asked to come up with
19 those numbers?

20 A. I determined the ratio by each year for '13
21 to '16, so I divided column gross receipts by harm to
22 treasury and came out with ratio and then I averaged the
23 ratios and came up with 2.16, I believe that's what it
24 was, and then multiplied gross receipts by that amount to
25 come up with the harm.

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1 Q. Okay, so let's -- let's break that down,
2 because, you know, this is something common to a lot of
3 lawyers, they say like I became a lawyer because I can't
4 do math, so that's not true to everyone, but certainly is
5 for me. Let's go through, just as an exercise, how that
6 works out, so it makes sense to -- to everybody in this
7 room. In 2008, let's just walk through the math on how
8 we did that, if we could, but very slowly so we can
9 follow your reasoning.

10 A. Well, all the math from 2008 to 2012 are --
11 or, yeah, in 2012, I -- I applied the same number.

12 Q. Okay.

13 A. So it's going to apply to all of them.

14 Q. Perfect, so that's fine. So let's just do
15 one row then.

16 A. Okay.

17 Q. Let's do 2008. Walk me through how that --
18 how those numbers relate.

19 A. Let's go back to '13 and '16 first.

20 Q. Okay.

21 A. Because that's where I came up with that
22 number.

23 Q. Okay, so that's why you want to start there.
24 Got it.

25 A. Correct.

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1 Q. So let's do that, 2016.

2 A. So I divided the 9,000 whatever by the 385,
3 so to get a ratio.

4 Q. To be clear though, it's nine million, not
5 9,000.

6 A. Yeah, you know what I mean.

7 Q. Correct.

8 A. What it says on Line 2013 under gross
9 receipts.

10 Q. Okay, so you -- first off, you take the gross
11 receipts.

12 A. Correct.

13 Q. Which is 9,519,244.88 and you divide that by?

14 A. The number listed next to it under harm to
15 treasury.

16 Q. Okay.

17 A. So 3,851.687.00.

18 Q. Okay, so, if you divide 9,519,244.88 by
19 3,851,687, the result of that calculation is 2.471.

20 A. My calculator doesn't have enough numbers.

21 Can I have the cell phone?

22 MS. HINES: Mr. Egan, is that okay if she
23 uses the cell phone?

24 MR. EGAN: Well, of course.

25 THE WITNESS: For a calculator.

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1 BY MR. EGAN:

2 Q. Please. Please.

3 A. What was your number you came up with?

4 Q. I have 2.471.

5 A. Yeah.

6 Q. Okay, and then it goes on from there?

7 A. Yeah.

8 Q. All right, okay, so that's the first step of
9 this.

10 A. Do you have a pen so I can write this?

11 Q. Of course. All right, so the first step is
12 we take the gross receipts and then we divide -- that's
13 divided by the harm of the treasury?

14 A. Correct.

15 Q. And when we did that for Line 2013, we came
16 up with 2.471?

17 A. Correct.

18 Q. All right, okay, so walk me through the next
19 step.

20 A. So I did the same thing for 2014.

21 Q. Okay, and, of course, it's going to come up
22 with a different number --

23 A. Yes.

24 Q. -- because we're working with different
25 numbers.

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1 A. Yes.

2 Q. All right. Okay. All right, so where do we
3 go from here in terms of what we're trying to accomplish
4 with this?

5 A. So basically I did it for all of these and I
6 came up with a total and then I averaged it.

7 Q. Okay.

8 A. So I divided by the number of years and came
9 up with 2.16 I believe.

10 Q. Okay.

11 A. And then I multiplied that by the lines up
12 here.

13 Q. I see. Okay, so, to be clear, so I
14 understand what you're doing, so from 2013 through 2016,
15 you went row by row and you divided the gross receipts by
16 the harm of treasury in their respective columns?

17 A. Correct.

18 Q. You then came up with four separate numbers?

19 A. Correct.

20 Q. You added those together and divided by four?

21 A. Correct.

22 Q. And that came -- that allows you to come up
23 with an average of those four years?

24 A. Right.

25 Q. You then took that average and you multiplied

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1 that -- so the same numbers applied to 2008 to 2012 and
2 that number is the average from 2013 to 2016. Am I
3 following your methodology?

4 A. Correct.

5 Q. Okay. All right, so, again, the same number,
6 the same multiple, that was the average in 2013 to 2016
7 was multiplied to gross receipts in 2008, gross receipts
8 in 2009 and so on and so forth and that's how you got the
9 harm to the treasury from 2008 to 2012. Is that an
10 accurate understanding of your methodology?

11 A. So is there any way I can see this chart in
12 color?

13 Q. I think we could.

14 A. Sorry. I'm want to make sure I'm not
15 screwing that up for years because mine were in red and
16 hers were in green.

17 Q. Okay. I don't know if we'll have the same
18 color coding that's produced that you used to prepare but
19 we'll take a look.

20 A. Sorry.

21 Q. It's all right.

22 A. I just want to make sure they're addressing
23 the correct years.

24 Q. Well, I can say that she summarizes -- she
25 summarizes 2013 to 2016 in her exhibit.

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1 A. Okay. Then we're fine.

2 Q. We're fine. Okay.

3 A. Thank you.

4 Q. You're welcome. And that would be Exhibit
5 752 but we'll get there.

6 Okay, so, again, to be clear, because I don't
7 think we got an answer to my last question because of the
8 confusion of who prepared what here, but if we take
9 the -- the number that is the average that results for
10 doing what we did from 2013 to 2016, we get that average
11 number, you then carry that number up and multiply that
12 number by gross receipts in 2008, 2009, 2010 and 2011 and
13 2012 and that is how you came up with that harm to the
14 treasury; is that correct?

15 A. I believe so.

16 Q. Okay.

17 A. I'd have to go back and look at my formulas
18 that I input.

19 Q. It's fine. Now that I know how you got the
20 number you've used to get the harm to the treasury, I can
21 probably reverse engineer the math.

22 A. Okay.

23 Q. It will take time to do that. Thank you for
24 providing how we got there.

25 Okay, so let's now look at the second page of

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1 750. All right, so, as I'm looking at Page 750,
2 Plaintiff's exhibit -- excuse me, Page 2 of Plaintiff's
3 Exhibit 750, the information here looks identical to the
4 first page with one exception, there appears to be a new
5 column, which is labeled harm to treasury plus interest.
6 Okay.

7 A. Correct.

8 Q. So walk me through how you came up with the
9 harm to treasury plus interest number.

10 A. So I went on the IRS's website and determined
11 what the average was for all these years of the interest
12 rate they used and I came up with 3.75 percent and I
13 input their card information into the future values
14 formula in Excel. It's FV -- FV is the Excel function.

15 Q. So what type of information does the FV Excel
16 function require in order to spit out a number?

17 A. Rate, term, the original amount, which is
18 this here, and were there any payments that were made I
19 believe.

20 Q. Okay. All right, and when you inputted that
21 into Excel, the harm to treasury -- excuse me, the harm
22 to treasury plus interest, this -- a number resulted from
23 that?

24 A. Yeah.

25 Q. So it's fair to say that the harm to the

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1 treasury plus interest is the sum or, excuse me, is the
2 result of the input of information in the FV Excel
3 function?

4 A. Correct.

5 Q. All right, and does that Excel spreadsheet
6 still exist today?

7 A. I believe so.

8 Q. Okay, and do you know whether or not that has
9 been produced in this matter?

10 A. I do not know.

11 Q. So just so we're clear, at no point in time
12 were you given any clarification or definition or
13 guidance of what is meant by this term harm to the
14 treasury?

15 A. I was not. I was just asked to do these
16 calculations.

17 Q. Okay, so, if I were to ask what's harm to the
18 treasury, you'd just be giving me a speculative answer
19 because you don't know?

20 A. Correct.

21 Q. Then I won't ask you. That would not be
22 helpful. All right, when did you -- well, do you recall
23 when you created this Exhibit 750?

24 A. It was recent, maybe January-February.

25 Q. Okay, but this year?

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1 A. Yeah.

2 Q. January and February of 2018. So are you
3 familiar with the information that your colleague relied
4 on to come up with harm to the treasury?

5 A. I am not.

6 Q. So you didn't personally review any of the
7 information that she used to come up with that number?

8 A. I did not.

9 Q. Are you familiar with the process that she
10 used to come up with that number?

11 A. No.

12 Q. Do you recall the earliest date you were
13 provided with the information that was needed to put this
14 table together?

15 A. It was really recent, maybe January or
16 February.

17 Q. Okay.

18 A. It could have been March to be honest with
19 you.

20 Q. Similar question to the question I asked
21 earlier. Are you familiar with what is -- what is
22 legally -- attorney work product. Do you consider, based
23 on your understanding of what attorney work product is,
24 Plaintiff's Exhibit 750 properly classified as attorney
25 work product?

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1 MS. HINES: Objection. Calls for a legal
2 conclusion.

3 THE WITNESS: I don't know.

4 BY MR. EGAN:

5 Q. Let me go to my notes. Okay. Another
6 question on Exhibit 750. Did you coordinate with Ms.
7 Perez in putting together the information necessary to
8 come up with Exhibit 750?

9 A. No, Erin provided me with the information.

10 Q. Okay. You never made a phone call, send an
11 E-mail to Ms. Perez saying, hey, how do these numbers
12 work?

13 A. Nope.

14 Q. Okay. I don't have any further questions.

15 A. Thank you.

16 EXAMINATION

17 BY MS. HINES:

18 Q. Ms. Reinken, I just want to clarify on
19 Plaintiff's Exhibit 737, this is Neldon Johnson gross
20 receipts, the chart you created; correct?

21 A. Correct.

22 Q. And the title says gross receipts 2008
23 through 2016.

24 A. Correct.

25 Q. Why does the table not include any

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1 information with respect to 2013?

2 A. In 2013 the only deposits he had in his
3 accounts that we have records for was for First Security
4 and we didn't include that because it's wages from
5 outside source.

6 Q. Okay, so, for all of the exhibits, 734
7 through 741, include gross receipts, the charts you
8 created, how, if at all, did you account for transfers in
9 the charts that you created?

10 A. I didn't include transfers in what was
11 calculated.

12 Q. And when I say transfers in quotes --

13 A. Except for the ACH.

14 Q. How did you at all recognize that it was a
15 transfer from the bank records that you reviewed?

16 A. Whatever the description line said. It would
17 say transfer and then wherever it came from or an account
18 number, so when I inputted it into Excel, that was what I
19 used and that's sorted in the pivot tables.

20 Q. Those are not included at all in the chart
21 734 through 741?

22 A. Correct, unless it was an ACH transfer or a
23 wire transfer.

24 Q. Okay. I have no further questions.

25 MR. EGAN: No clarification. Thank you.

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(Whereupon the deposition concluded at 10:08 a.m.)

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1 Case: United States of America V RaPower-3
Case No.: 2:15-cv-00828-DN-EJF
2 Deposition Date: March 29, 2018
Reporter: Donna Ward, RPR, CSR

3 WITNESS CERTIFICATE

4 State of Utah)
5 ss.
6 County of Salt Lake)

7 I, AMANDA REINKEN, HEREBY DECLARE: That I am the
witness referred to in the foregoing testimony; that I
8 have read the transcript and know the contents thereof;
that with these corrections I have noted this transcript
truly and accurately reflects my testimony.

9 PAGE-LINE	CHANGE/CORRECTION	REASON
10	_____	_____
11	_____	_____
12	_____	_____
13	_____	_____
14	_____	_____
15	_____	_____
16	_____	_____
17	_____	_____
18	_____	_____

19 _____ No corrections were made.

21 _____
22 AMANDA REINKEN

23 SUBSCRIBED and SWORN to before me on this _____ day of
_____, 2018.

24 _____
25 Notary Public

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1 STATE OF UTAH)
2)
3 COUNTY OF UTAH)
4

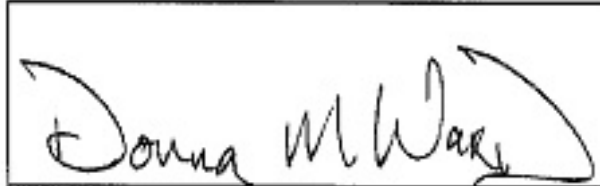
5 I, DONNA M. WARD, a Certified Shorthand Reporter,
6 Registered Professional Reporter, certify:

7 That the deposition of AMANDA REINKEN was taken
8 before me pursuant to Notice at the time and place
therein set forth, at which time the witness was by me
duly sworn to testify the truth.

9 That the testimony of the witness and all
10 objections made and all proceedings had at the time of
the examination were recorded stenographically by me and
11 were thereafter transcribed. And I hereby certify that
the foregoing deposition transcript is a full, true, and
12 correct record of my stenographic notes so taken.

13 I further certify that I am neither counsel for or
related to any party to said action nor in anywise
14 interested in the outcome thereof.

15 IN WITNESS WHEREOF, I have hereunto subscribed my
hand and affixed my official seal this 29th day of March,
16 2018.



17
18
19 DONNA M. WARD, CSR, RPR
20 Certified Shorthand Reporter
Registered Professional Reporter
21
22
23
24
25

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