

EXHIBIT 'A' (PART 2)

**RESPONSE TO DEFENDANT'S MOTION TO DISSOLVE
PRELIMINARY INJUNCTION
2:06-CV-01072**

EXHIBIT "A" (PART 2)

JAMIE MILES GOLD

Page 126

1 MR. ESCHWEILER: Asked and answered.
 2 //
 3 BY MR. CANNON:
 4 Q. Prior to -- well, strike that.
 5 Prior to the time that you prevailed in the main
 6 event in the World Series of Poker that was held at the
 7 Rio, have you ever put down more than \$5,000 of your own
 8 money to enter a tournament?
 9 A. Yes.
 10 Q. Can you tell me when it was you did that? What
 11 tournament it was, please?
 12 A. It was not that long before that one. At the
 13 Mandalay Bay, it was called the World Poker Tour, Mandalay
 14 Bay, something for 10,000 -- it cost me 11,000, I believe,
 15 10,000 plus.
 16 Q. Do you still have the receipt for that?
 17 A. I would hope I do. I would hope my accountant
 18 does.
 19 Q. Other than that, prior to you winning the main
 20 event, have you ever put down more than \$5,000 of your own
 21 money to enter a tournament?
 22 A. No. I was just starting to play at tournaments
 23 that big. That was my first time playing the main event.
 24 Q. Now, you characterized the agreement that you
 25 had with Crispin as a promise that you made to him?

Page 127

1 A. It wasn't an agreement, it was a promise.
 2 Q. And at the time that you made that promise to
 3 him, as you say, the tournament hadn't started, correct?
 4 A. Yes.
 5 Q. So all you were promising is an expectation in a
 6 future development. Would that be true?
 7 MR. ESCHWEILER: Object to the form.
 8 THE WITNESS: I don't understand the question.
 9 BY MR. CANNON:
 10 Q. Well, you were saying that you were going to
 11 split money with him after taxes and after expenses at the
 12 time you made the promise, right?
 13 A. Yes.
 14 Q. Now, in the poker tournaments that you've been
 15 involved with, when somebody makes someone else a promise
 16 in the poker world, which you're apart of, do they
 17 normally keep those promises?
 18 MR. ESCHWEILER: Object to the form.
 19 THE WITNESS: From what I know, people usually
 20 steal other people from what I know. Most people are not
 21 as generous, looking back on it.
 22 BY MR. CANNON:
 23 Q. Well, looking back on it, at least at this
 24 point, you haven't been too generous with this gentleman,
 25 have you?

Page 128

1 A. I always intended on keeping my promise until he
 2 acted the way that he did.
 3 Q. And keeping your promise, the way that poker
 4 players do, meaning they're going to split the pot with
 5 him or give him a piece of the pot?
 6 MR. ESCHWEILER: Object to the form.
 7 THE WITNESS: You know, I can't speak for other
 8 poker professionals.
 9 BY MR. CANNON:
 10 Q. You've never had a situation where someone
 11 promised you something, and then followed through on the
 12 promise?
 13 A. You're asking me if I've ever had a promise made
 14 to me something, and then followed through on it?
 15 Q. Yes, in the poker world?
 16 A. In the poker world.
 17 Q. Have you ever been backed or staked?
 18 A. Yes, I have.
 19 Q. Did you follow through and pay off if you
 20 succeed in getting any money out of that?
 21 A. Yes.
 22 Q. Have you ever had a situation where you staked
 23 someone else?
 24 A. I probably have. I can't remember specifically
 25 who, but I probably have maybe once or twice.

Page 129

1 Q. And in that agreement, did they pay off.
 2 A. I don't think anyone won anything. I don't
 3 remember anyone winning anything from me.
 4 Q. In your mind, is there a difference between a
 5 promise made and a promise made where there is no stake
 6 involved?
 7 MR. ESCHWEILER: Object to the form, calls for a
 8 legal conclusion.
 9 BY MR. CANNON:
 10 Q. Go ahead.
 11 A. I don't know how to make that call. I'm not
 12 sure.
 13 Q. Okay. Well, let's take it one at a time.
 14 Is there a difference -- when you make somebody
 15 a promise, is there a difference, in your mind, in
 16 conjunction with somebody staking you to a tournament or
 17 just make a promise, as you say, to Crispin. Were you
 18 required to follow through on both promises equally?
 19 MR. ESCHWEILER: Object to the form. Same
 20 objection.
 21 BY MR. CANNON:
 22 Q. Go ahead.
 23 A. You're asking me -- I'm just clarifying the
 24 question.
 25 Q. Uh-huh.

JAMIE MILES GOLD

Page 130

1 A. You're asking me if someone makes a promise or
 2 someone has a situation where they are backing them, are
 3 they required to pay them?
 4 Q. I'll live with that. Answer that question.
 5 A. It's the right thing to do.
 6 Q. What about if somebody makes a promise and is
 7 not backing, and they say, I'll tell you what, if I win
 8 this tournament, I'm going to give you \$10,000.
 9 A. Then it's up to them if they want to give it to
 10 them or not.
 11 Q. So there is a difference, in your mind, when you
 12 make a promise without putting up a take. Is that true?
 13 A. Yes.
 14 Q. So when you give somebody a promise in a poker
 15 contest, such as you made here, you don't follow through?
 16 MR. ESCHWEILER: Object to the form, calls for a
 17 legal conclusion.
 18 THE WITNESS: I always planned on keeping my
 19 promise to him until he acted the way that he did.
 20 MR. ESCHWEILER: Off the record.
 21 (Whereupon a brief break was taken.)
 22 MR. CANNON: Back on.
 23 BY MR. CANNON:
 24 Q. During the time frame that you claimed that you
 25 were being harassed by Crispin and his wife, did you ever

Page 131

1 send them a text message to stop harassing you?
 2 A. I don't know, but I know that I sent them a
 3 voice mail to stop.
 4 Q. To stop harassing you?
 5 A. To stop. To leave me alone, to let me focused.
 6 Q. Did you ever send them a text message requesting
 7 that they stop harassing you?
 8 A. I don't know. I'm not a big text message guy.
 9 Q. Do you know the text messages are kept by the
 10 phone company?
 11 A. I hope so.
 12 Q. Okay. Let me say this: You made a promise to
 13 Crispin, right?
 14 A. Right.
 15 Q. And you then did not go forward on that promise,
 16 right?
 17 A. I chose not to keep my promise, yes.
 18 Q. So in essence, you lied to him?
 19 MR. ESCHWEILER: Object to the form.
 20 THE WITNESS: No, not at all. He lied to me.
 21 BY MR. CANNON:
 22 Q. How is it that you promise to do something, and
 23 then you change your mind unilaterally, how is it that
 24 that's not lying?
 25 MR. ESCHWEILER: Object to form.

Page 132

1 THE WITNESS: Because based on someone's
 2 actions, if you planned on doing something for someone,
 3 and then they turned on you. He caused me to change my
 4 mind.
 5 BY MR. CANNON:
 6 Q. And the way he turned on you, according to you,
 7 is suing you and through him and his wife spreading lies
 8 about you?
 9 A. Not exactly. I told, it was based on the
 10 lawsuit, his lying to me, and making me look bad publicly.
 11 Q. And harassing you?
 12 A. That wasn't the cause.
 13 Q. Okay.
 14 A. You said that.
 15 Q. So the fact that he was harassing you for that
 16 entire period of time played no part in your decision not
 17 to go forward with your promise; is that correct?
 18 A. I didn't say that.
 19 Q. So the fact that him showing his true colors had
 20 nothing to do with you going forward on your promise?
 21 A. It may have had something to do with it.
 22 Q. Well, in fact, sir, you've already testified
 23 under oath. Isn't that what you say in your affidavit?
 24 A. Okay.
 25 MR. CANNON: I don't have anything further.

Page 133

1 MR. ESCHWEILER: No questions.
 2 MR. WEINBERG: No question.
 3 MR. CANNON: No question.
 4 MR. ESCHWEILER: We'll read and sign, send it to
 5 my office.
 6 MR. CANNON: We want it all.
 7 MR. ESCHWEILER: Copy and a rough draft.
 8 MR. CANNON: Email out a rough draft to Richard.
 9 (Whereupon the deposition was concluded at 2:45 p.m.)
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JAMIE MILES GOLD

Page 134

1 CERTIFICATE OF DEPONENT
 2 PAGE LINE CHANGE
 3 _____
 4 _____
 5 _____
 6 _____
 7 _____
 8 _____
 9 _____
 10 _____
 11 _____
 12 _____
 13 _____
 14 _____
 15 *****
 16 I, JAMIE MILES GOLD, deponent herein, do hereby
 17 certify and declare under penalty of perjury the within
 18 and foregoing transcription to be my deposition in said
 19 action; that I have read, corrected and do hereby affix
 20 my signature to said deposition.
 21 _____
 22 JAMIE MILES GOLD
 23 Deponent
 24 Subscribed and sworn to before me this
 25 _____
 day of _____,

 NOTARY PUBLIC

Page 135

1 REPORTER'S CERTIFICATE
 2
 3 STATE OF NEVADA)
) ss
 4 COUNTY OF CLARK)
 5 I, Elizabeth A. Shea, a duly commissioned
 6 Notary Public, Clark County, State of Nevada, do hereby
 7 certify: That I reported the deposition of
 8 JAMIE MILES GOLD, commencing on Thursday, November 30,
 9 2006, at 2:35 p.m.
 10 That prior to being deposed, the witness was
 11 duly sworn by me to testify to the truth. That I
 12 thereafter transcribed my said shorthand notes into
 13 typewriting and that the typewritten transcript is a
 14 complete, true, and accurate transcription of my said
 15 shorthand notes, and a request was made to review the
 16 transcript.
 17 I further certify that I am not a relative or
 18 employee of counsel of any of the parties, nor a relative
 19 or employee of the parties involved in said action, nor a
 20 person financially interested in the action.
 21 IN WITNESS WHEREOF, I have set my hand in my
 22 office in the County of Clark, State of Nevada, this
 23 3rd day of December, 2006.
 24 _____
 25 ELIZABETH A. SHEA, CCR NO. 814

JAMIE MILES GOLD

November 30, 2006

Page 136

A				
Abell 76:6,9,12 77:8 106:22	20:3,9 25:10 29:12 33:9,13 60:22 78:10,19 103:19,22 115:20 116:19 132:23	74:5 78:2 84:2 95:25 96:23 99:19 100:21 113:18 125:14 129:10,22	42:13,15 54:23 56:12 73:22 anytime 24:20 29:13 63:10 102:11 114:15	53:25 60:8 62:22 67:12 76:3 79:23 90:12 93:8 113:22 125:13 126:1
able 41:24 42:7,16 53:23 54:9 90:10 105:8	116:19 132:23	aid 91:17	102:11 114:15	asking 4:23 5:24 15:10 18:11 27:10 45:3 51:18 53:15 62:13,15,16,19 74:3 109:8 122:2 128:13 129:23 130:1
absolutely 4:18	affix 134:17	aired 10:13	anyway 58:4	assets 74:11
account 71:23,24 71:25 73:16,18,20 73:22,25 75:11,22	afford 43:9,10,13 45:5	al 2:14	apart 127:16	associated 7:12 84:14
accountant 14:18 15:3,12,13 126:17	agent 23:22,23 24:14 25:3 88:21 89:2 121:1,5,12 121:22 122:6,8,17	Albany 119:20	apologize 13:10 56:24 90:25 122:4	assume 5:25 22:6 22:17
accountants 38:14 38:15 104:12	agents 121:13,16 122:13	Allen 2:21,21	apparently 43:22 45:3	assuming 25:12 32:15
accounts 76:2	agent's 24:15	alleviate 97:21	Appearances 2:4	attached 18:25
accuracy 5:10	ago 58:18 78:14	allow 6:13,14 118:16	appreciate 58:5 105:19 110:7	attempt 6:14 47:22
accurate 135:14	agree 48:13,16 71:5 71:12 92:17 104:22,25 123:23	amateur 12:12,14 12:16,21 114:8,9	approach 32:18 52:17,17,23	attempting 30:7 52:5
acknowledge 20:2	agreed 29:18 37:5 68:5,13,21 81:15 81:23 82:2,16,21 84:8 115:16 116:7 117:2 118:21	America 10:10 72:7	approached 30:6 45:3 53:3	attend 119:19
acted 128:2 130:19	agreed 29:18 37:5 68:5,13,21 81:15 81:23 82:2,16,21 84:8 115:16 116:7 117:2 118:21	amount 69:17 80:13 98:23 99:4	approaching 30:16 31:1,20	attention 79:19
action 134:17 135:19,20	agreement 3:10 25:7,9,13,14,17 25:23 26:8,16,16 29:18 31:4 32:9 32:19,25 33:6,15 33:21 49:5,15,23 50:8,9,10 52:1,7 56:4,9,10,13 66:9 66:10,13,22,25 68:3 81:19 88:22 93:13 99:10 100:6 105:5 111:19,24 119:8 126:24 127:1 129:1	and/or 15:23 19:24 32:23 33:22 34:2 35:1 40:24 41:2 43:1 56:23 106:9 115:10	appropriate 6:10 61:18 71:20 92:2	attest 5:10
actions 132:2	agreements 25:22 69:21 99:14,25	Angeles 15:16,17	approximately 8:14,19,20 13:6 55:17 87:14 107:2 121:8	attorney 27:8 102:18 106:22 108:17 120:14
actively 10:24	ahead 9:2,9 11:8 17:22 18:5 21:24 31:8 35:7 38:6,13 44:24 52:11,22 58:9 61:4 67:6	Annual 16:20	April 13:21 14:5 16:12	attorneys 20:7,17 20:18 27:12 104:12 116:24 123:7
actors 122:10,12		answer 4:25 5:6,14 5:19,24 6:1,10,13 6:15 12:17 23:24 24:25 26:11,20 27:7,11 32:3 38:8 42:12 45:1 61:4 62:14,19 63:7 95:25 103:15 104:21 105:6 110:8 130:4	argue 92:5	attorney/client 103:15 104:2,4 105:4,15
actual 98:23		answered 23:25 34:4 35:5 44:25 115:8 125:13 126:1	arguing 68:8	audibly 6:9
Adam 56:23 57:3		answers 4:23 5:9 109:24	arms 6:8	August 11:22,23 12:4,21 13:5,12 13:18 16:9 17:17 17:25 21:21 25:24 55:24 60:12,15,22 62:23 81:9 89:17 96:6 97:5,9 98:16 99:14 102:4 114:17
addition 21:16 68:13 76:23 87:13 119:12		anticipation 19:25	arrangement 100:24	
additional 76:20 113:13		anybody 38:3	Arsenio 36:12,14	
address 15:23 72:22 73:11 76:7 76:9 123:20			Ashley 123:17	
addressed 125:23			aside 10:22 15:10 20:22	
adjusted 37:15			asked 4:24 5:6,9,24 6:10 16:6 20:20 23:20,25 35:5,9 37:11 40:5 44:12 48:23 49:1,1,4 50:15,17 52:5,13	
admitted 27:1				
advice 102:18 103:20 104:7 106:4 110:21				
advise 90:1,13				
advised 103:5,10 121:15				
affect 88:14				
affidavit 18:24				

November 30, 2006

JAMIE MILES GOLD

Page 137

<p>available 46:10 Avenue 2:12 avoid 125:12,16,23 avoiding 124:14 125:10 aware 31:9,12,15 33:1 34:15,18,21 a-u-p-s-k-y 123:19 a.m 2:2 4:2</p> <hr/> <p style="text-align: center;">B</p> <p>b 49:11 BA 120:1 bachelor 119:24 back 16:6 23:21,23 28:15,17 30:25 46:2 47:4,21 54:18,20 55:1 56:17 58:14 65:23 68:1 78:9 86:21 93:22 94:7 95:1 99:15 100:5 111:15 127:21,23 130:22 backed 36:11,16 128:17 backers 36:12,13 101:25 background 91:18 119:15 121:18,20 backing 130:2,7 backtrack 65:22 bad 61:24 66:3 88:1 94:11,22 132:10 ball-breaker 27:25 Balsbaugh 24:16 bank 76:3 96:5 97:1,14 102:23 106:12 based 62:15 91:9 102:18 103:15 106:3 132:1,9 basically 17:7 102:5 121:18</p>	<p>basis 10:14 Bay 126:13,14 beginning 28:1 65:20 behalf 9:14 20:17 23:23 24:3 27:6 30:18 32:18 34:1 35:9 47:14,20,22 47:23 53:25 55:11 89:12 121:11 122:12 believe 7:7 8:10,18 8:23 14:2,7,18 15:4,4,12 23:8,20 23:21,22 25:11 31:3 32:21 34:14 34:23 35:12 36:2 36:6 37:11 38:7 38:14,20 39:12 40:3,9 43:17,20 47:6 50:6 51:24 51:25 54:22 55:22 60:14 63:17 66:5 72:17 73:23 74:24 75:3,10,14 76:2 77:12,19 80:2 81:10 82:24 84:9 86:9 89:8 93:24 94:25 96:1 97:12 99:24 106:14 107:4 111:17 118:19 119:7 120:2,9 121:7 126:14 believed 32:14,22 believes 97:15,15 98:2 benefit 33:14 best 5:20 22:19 32:12 betrayed 93:11 better 81:4,5 84:16 87:15 Beverly 2:23 96:6 97:1,14 102:23</p>	<p>106:13 big 90:4 99:1 126:23 131:8 blank 15:21 73:4 76:8 Bodog 30:3,22 31:3 31:22 32:9,18,22 33:11,22 34:2,8 34:16 35:1 44:2 44:13,16,17,19 45:4,7,12,14,25 47:14,23 48:23 49:15,20 50:1,11 51:4 52:5 53:16 53:24,25 54:11 55:1,4,7,16 56:5 62:10,25 79:24 82:3 84:8 88:21 90:17,25 91:5,9 91:16,25 Bodog's 44:5 55:11 Bodog-Riptown 49:24 Bodog/Riptown 43:3 64:9 bodyguards 79:21 80:19,21 83:11 84:8 bonded 40:20 booklet 5:8,10,11 bottles 40:18 Bouchard 122:21 bought 92:3 Boulevard 2:22 brand 9:19 break 28:5,13,14 28:18 56:16 93:19 93:21,24 94:5 123:1 130:21 Brian 24:16 brief 56:16 58:13 67:25 68:7 93:21 104:18 105:12 123:1 130:21 briefly 39:22</p>	<p>bring 77:22 bringing 44:14 brings 78:3 92:6 99:12 broadcast 57:16 63:3 broke 94:6 broker 72:9 brokerage 71:25 72:1,2,4 75:21 brought 36:14 54:3 120:19 125:9 Bruce 1:4 2:5 Bryant 114:6 bulk 12:11 72:6 77:8 burden 110:17 business 7:10 25:22 31:10 61:18 72:16 119:22 120:2 121:18,20 122:12 businesses 25:21 buy 54:24 buy-in 33:17 Buzznation 6:25 7:6,13,19,22,24 7:25 8:4,22 9:5,14 10:2,23 120:10,22 121:9 BYRNE 2:18 B-o-u-c-h-a-r-d 122:23</p> <hr/> <p style="text-align: center;">C</p> <p>C 72:15 cake 77:7 95:14 100:9 102:23 calculate 113:20 calculations 111:10 California 2:23 15:16,18 74:18 123:22 call 4:20 21:2 27:12 30:10 54:2 56:20 72:24,25 73:13</p>	<p>102:24 109:12 118:3 129:11 called 4:6 10:12 20:12,14 72:4 78:23 79:8,9 98:21 99:2 122:18 122:20 126:13 calling 61:5 71:9 85:8,12 88:8 calls 41:16 47:15 49:3 85:1 86:1,4,6 86:7 87:6 94:4 109:13 129:7 130:16 camel's 94:7 Cannon 2:11,11 3:4 4:11 8:23 9:1 11:7 16:5 17:14 17:21 18:4 19:1,4 19:8,11 21:23 22:11 24:6 26:21 26:24 27:4,7,14 27:19,21 28:8,10 28:15,16,22,23 29:23,24 31:7 35:6 38:1,5,12 41:5,9 44:8,23 47:17 48:11,22 49:19 50:4 51:3 51:13 52:3,10,21 56:17,18 57:14,22 58:3,6,9,12,15 59:2,6,12,15,20 59:22 60:1,21 61:3 62:6 63:8 64:3,17 65:6,13 66:15 67:2,5,15 67:24 68:1,19,22 70:9 72:8 73:8,19 76:10 77:21 78:1 81:1 83:2 84:1,19 84:21 85:24 87:21 89:4,23 93:22,23 95:24 96:24 97:20 98:7,13 99:18</p>
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JAMIE MILES GOLD

November 30, 2006
Page 138

100:4,20 103:2,4
103:18 104:17,24
105:11,13,24
106:5,6 108:24
109:25 112:1
113:11,16,17
114:3 115:24
116:2,3 117:17,22
122:25 123:3,10
123:15,25 124:3
125:17 126:3
127:9,22 128:9
129:9,21 130:22
130:23 131:21
132:5,25 133:3,6
133:8
capacity 7:16
card 11:3,5,11,17
11:21,25 12:9,14
12:21 18:13 72:20
cards 12:19,24
114:12
care 69:6,14 77:13
career 121:15,17
careful 83:17
carefully 22:2,6
carries 5:2
carry 18:1
case 1:6 5:14,16
37:6 68:8,12
100:24
cash 40:22 41:1,7
Casino 13:15
Casinos 18:15
categorically 26:7
26:15
cause 132:12
caused 31:3 83:10
86:8 87:24 94:20
132:3
causing 60:24
caution 5:13
CCR 1:25 135:25
celebrities 33:23
34:1,9,17 35:3

43:4 44:4,16,18
45:8,12,17 46:4
47:13,23 48:24
50:15,18 51:5,6
51:19 52:2,6,18
53:2,4,23 54:19
56:5 61:22 62:9,9
62:24 90:19,20
91:3,20 121:17
celebrity 44:5
46:19 47:22,24
48:3,5 50:16
51:19 52:18 54:2
55:10,11 61:23
62:25 64:10 91:3
91:17
certain 4:18 18:25
44:4 50:19 80:13
certainly 22:12
48:12 50:22 57:23
68:6 80:15 90:7
106:11
CERTIFICATE
134:1 135:1
Certified 2:2
certify 134:16
135:7,17
cetera 94:4,4
Championship
16:21
Chan 30:24 32:1,5
32:8,15,18,24
33:4,10 91:19
chance 19:12 22:22
60:5 98:25 108:22
Chandan 72:13
change 5:12,14
54:19 87:24
131:23 132:3
134:2
changed 11:24
116:6
characterized
85:25 126:24
charged 110:3,6

check 54:12,14
Chesnoff 2:6,6,9
68:13 84:15,18
96:17,20 103:1
Chestnut 48:2
50:20 55:10
Cheyenne 2:12
Chin 124:5,9
chip 83:20,24
chopping 98:21
99:2
chose 131:17
Chris 89:5,7,14
claim 95:20 101:3
claimed 130:24
clarification 26:24
clarify 26:23 34:20
clarifying 129:23
Clark 135:4,6,22
class 111:11
classes 120:5,8
121:19
clear 27:17 34:5
69:23
clearer 110:8
client 28:2 57:16
104:1,3
clients 121:11
close 47:11 84:7,10
closely 21:21
closer 48:16
clothing 33:16 50:1
50:12
Coastline 123:21
codified 29:19
collect 97:23 100:9
collected 101:11
collecting 16:13
collectively 82:4
college 119:16,19
colors 60:16 86:1,5
86:9 132:19
come 13:11 39:3
50:10 54:18 67:8
72:18 81:23 83:8

94:10 108:11
112:16 114:19
124:10
comes 54:8
coming 16:16 52:25
86:21 112:22
commenced 29:3
commencement
45:10
commencing 135:8
comment 5:16
comments 27:5
commissioned
135:5
commit 46:11
communicate
72:22
communication
104:1
communications
119:22,22 120:2
community 88:2
companies 122:15
company 6:24,25
7:11 8:16 9:14
10:12 30:7 89:9
120:11,19 121:24
122:2,16,20
131:10
complete 135:14
completed 10:7
comply 58:1
concentration
60:24
concepts 31:2
125:9
concerned 90:14
91:11
concerning 6:19
41:2,15 51:18
57:2,3 68:4 89:15
109:5 110:11
124:19
concluded 133:9
conclusion 108:22

129:8 130:17
conduct 87:13
conducting 27:9
conference 57:19
conferred 81:11
confidential 72:3
123:24
confirm 62:16
confirmed 118:5
confused 117:21
conjunction 51:6
129:16
connection 106:8
consequence 77:23
78:4,6 100:17
consequences 90:2
100:10 101:5
105:18,19 108:18
109:15 124:19
125:10
consider 11:17,20
12:8,20 32:12
88:10 94:16 114:5
considered 88:6
considering 18:16
constantly 61:6
consult 29:11
contact 24:17 25:4
88:21 89:1 106:7
contained 25:9
33:21
containing 22:14
24:2,7 64:24
contents 68:12
contest 105:7
130:15
context 70:23
continue 85:17
contract 33:23
44:18 47:4
contracted 10:19
contracts 46:23
64:18,24 120:15
121:11,13
contrary 42:13

November 30, 2006

JAMIE MILES GOLD

Page 139

115:21	67:3,13 70:3,12	21:14 35:11 39:20	dates 65:19	degree 119:23,25
conversation 36:16	73:25 76:18,21	40:1,23 41:2,15	David 2:6 84:15	deliver 46:13,14
40:8 41:14 42:20	79:11 80:21 81:9	42:20 43:1,11	Dax 46:15,16,21	delivered 46:16
42:20 43:1,6 50:6	81:17,21,25 82:6	44:3 45:3,9 50:25	48:8 55:3,15 64:9	demanding 87:1
71:17,19 79:13,15	82:18,22 86:2	51:4 52:15,17	day 22:10 25:17	demonstrated 86:5
104:3,8,11 107:23	87:2 88:9 90:2	54:8,18 55:6,15	26:7 27:13,15	demonstrating
108:3,9 109:4,10	92:8 93:6 94:17	56:2 60:10,23	39:10,11,12 41:11	86:1,9
109:18 110:9	99:16 100:1,11	61:14,21,25 62:8	41:13,13 42:21,24	denoting 23:6
115:1 124:4,8	101:13 103:13	62:23 63:15,23	55:22 71:10 81:11	denying 62:10,12
conversations	105:16 106:2	64:8 67:11 69:5,9	85:4,10,20 87:14	depends 9:6
41:10 42:23 45:10	111:22 112:3	69:10,11 70:3,6	87:14 89:25 92:5	deponent 134:1,16
69:11 89:15 91:24	114:13,17 115:1	70:11,14 71:3,21	95:16 96:9,10,11	134:20
104:16 108:12	116:8,11 119:3,10	83:9 84:11 85:12	97:6 98:8,11	deposed 135:10
109:9,11 110:10	122:6 127:3	86:1,8,22 88:22	134:23 135:23	deposition 1:17 2:1
115:5 123:7	132:17	89:1,15,19 90:1	days 61:8 80:15	4:14,21,22 6:5
124:18,21	corrected 117:19	92:11 93:12 94:1	89:17 92:19 95:13	15:21,22 19:25
copied 47:6	134:17	100:15 101:17,20	deadline 41:20 42:1	27:9 58:21 105:1
copies 23:20	correctly 21:12	102:7 103:7	deal 79:10 87:22	133:9 134:17,18
copy 24:1,18,20	cost 111:7,18	107:16 108:4	89:12,13,15 91:20	135:7
25:1,4 47:2 58:4	126:14	109:6,15 110:2,18	120:16,16,20	derive 11:15
59:20 64:19,23	costs 113:2	110:22 111:20	dealers 79:6 81:16	deriving 12:11
88:22 97:10 133:7	counsel 26:19,22	112:6 115:16	81:18 116:8	describe 9:12 20:13
COREY 2:15	68:5,10,14 103:18	117:25 118:4,11	118:23 119:3,9	20:24
corporation 7:6,8	105:24 106:4	124:24 125:11	dealing 27:18 56:22	described 10:23
9:18 10:20 74:2,8	113:11 135:18	126:25 129:17	deals 120:11,18	deserve 93:14
74:10,11,14,15,20	counsel's 33:14	130:25 131:13	122:12	118:19
74:22 75:2,5,7	country 102:10	Crispin's 35:9	dealt 121:15	designation 8:8
CORPORATIO...	112:17	47:20	December 135:23	Desruisseaux 2:12
1:8	County 135:4,6,22	critically 114:13	decided 87:10	detailed 21:1
correct 8:14,20	couple 6:5 40:18	current 68:4	93:25 94:15 98:8	development 127:6
9:22 11:4 13:2	43:4	custom 22:1 35:1	98:12 102:17	difference 93:2
14:12,21,24 20:4	course 47:12 57:13	customary 37:19	104:3	129:4,14,15
21:14 22:18 24:8	57:15 60:19 86:4	119:2	decision 91:15 92:7	130:11
25:15 26:12 29:20	court 1:1 2:2 5:4	cuts 102:1	132:16	different 7:16 69:8
30:17 31:13,17,24	6:6,11 19:19	C-o-a-s-t-l-i-n-e	Declaration 3:8	90:12
32:16 33:7,18,24	20:15 58:24 68:10	123:21	declare 134:16	dime 38:3 67:17
34:10 35:15 37:2	72:14 73:3,14	D	declaring 22:4	dinner 39:15,16,25
38:10,19 39:4	courtesy 26:25 59:3	D 3:1	deduct 112:8	40:6,10,17,22
40:8 42:1,9 43:16	95:21 97:16	date 14:8,9 23:6,10	deducted 115:18	direct 27:6
43:24 44:20 45:2	Courtroom 5:1	25:13,18 26:15,16	deduction 69:4	directing 27:10
45:5 46:12,15	cover 113:7,15	46:23 47:7 64:22	defendants 1:10	directly 23:3
48:18 49:6 55:7	covered 111:2	64:25 65:3,4,8,9	2:14 58:19 68:5	disclose 123:6
55:21,24 63:19	crap 105:2	66:18 67:17 97:10	define 12:16	discovery 57:13,15
64:10,14 65:2,11	create 9:21,24	dated 25:24 58:17	definition 11:16	59:13
65:18 66:4,7,23	crispin 1:4 2:5 21:7		17:9	discuss 39:25 81:18

JAMIE MILES GOLD

November 30, 2006

Page 140

83:6 107:24	106:12 107:8	employed 6:21,23	59:1,4,9,21,23	57:3,22 63:24
109:14 124:5,13	108:1,16,19,23	employee 135:18	60:18 61:2 62:4	65:11,18 98:16
124:18	109:23 110:6,14	135:19	63:6 64:1,15 65:5	105:7 106:8 107:9
discussed 64:13	110:19,23,24	employment	65:12 66:12,24	126:6,20,23
82:15 84:11	111:1 114:20	122:10	67:4,14,22 68:21	events 33:17 36:1
109:19	115:13 116:21,23	endeavor 12:12	70:4 72:2 73:17	47:13 53:5
discussing 84:5	118:4,6,8,14,19	ended 69:2 80:16	77:18,24 80:22	eventually 23:22
95:6 118:2 124:12	118:20 125:19	entail 122:11,11	82:23 83:25 85:22	46:20
discussion 43:2	draft 133:7,8	enter 31:4 36:20	87:17 89:3,20	everybody 57:5
58:13 67:25 82:11	drank 40:18	56:4,8 68:14	93:16 95:23 96:14	86:11 101:3
104:18 105:12	drawing 120:15	126:8,21	96:16,19,23 97:18	exact 14:8 65:19
108:2 109:5	dream 53:10	entered 15:1 40:22	98:4,10 99:17	80:12 81:22 82:14
discussions 41:2	Drive 123:21	49:23	100:2,19 103:14	99:3 115:5,6
disputing 119:8	dropped 46:20	entertainment	103:21 104:6,11	118:7
Dissolve 3:9	due 38:7,9 51:25	25:21 31:10 61:17	104:15,19 106:3	exactly 8:15 37:16
DISTRICT 1:1,2	91:16	106:21 120:5	108:20 109:20	40:19 46:3 53:25
dividing 109:6	duly 4:6 135:5,11	entire 102:22	111:23 113:9,14	80:8 82:7 85:5,16
division 7:5,16,17		132:16	114:2 115:23	90:15,21 92:16
8:3,4,22,24 9:4	E	entitled 27:1 78:15	117:15 123:6,23	115:10 125:20
10:3	E 3:1	entity 7:19 34:12	125:13 126:1	132:9
divisions 7:4	earlier 64:20 65:24	envisioned 103:11	127:7,18 128:6	EXAMINATION
document 19:5,7	88:25	equally 129:18	129:7,19 130:16	3:3 4:10
19:14,17,20,21,23	early 49:22	Eric 36:12,15,18	130:20 131:19,25	examined 4:8
20:22 21:9,20,20	earnings 14:15	39:3 65:23,24	133:1,4,7	example 9:16
21:21 22:5,14,17	edited 10:17	66:6,9,22 67:3,16	especially 27:9	exchange 33:17
22:18,23 23:1,9	editing 10:15	68:25 69:6,17,20	41:19	43:3 44:4 45:16
23:17 24:7 25:4	education 119:15	69:24 70:7,24,25	ESQ 2:6,8,11,15,18	49:25 50:12 53:22
26:4 29:2,9 58:2	120:7	71:19 76:23 77:1	2:21	62:8
documentation	effect 91:6 100:6	77:3,5 79:7 82:12	essence 131:18	execute 47:4
112:6	effectively 118:10	82:15,17,20,22,25	Essentially 4:22	executed 28:19
documents 19:23	effort 92:3	83:4,6,7,7 102:6	establish 74:10	29:2 116:4
20:10,23 21:16,17	either 5:14 18:1	116:7,7	established 74:11	execution 25:12
58:7 74:25 75:19	30:22 37:6 41:2	ESCHWEILER	74:13 75:21,25	Exhibit 19:2,8,9,12
doing 5:3 30:13	42:20 43:4 46:10	2:15 8:21 11:6	estimate 38:24	24:2,18,22 25:8
45:19,21 46:1	53:19 57:2 72:17	17:12,19 18:3	et 2:14 94:4,4	25:13 28:20 29:19
56:19 57:1 85:6,9	76:14 104:25	21:22 22:8 24:4	evening 40:23	31:5 32:9,20 33:6
85:11 105:18	105:9 125:8	26:22 28:9,21	87:14	58:10 78:10 88:23
111:9 132:2	Elizabeth 1:25 2:2	29:21 31:6 35:5	event 12:3,10,22	EXHIBITS 3:6
dollar 77:7 102:22	135:5,25	37:22 38:4,11	13:4 16:8 17:18	exist 104:5
dollars 13:23 38:18	else's 73:22	41:4 44:7,21	29:3 36:5 39:7	existed 34:15,19
38:18,25 69:15	em 13:17,19 16:17	47:15 48:9,19	40:15,17 41:3,4	101:15
75:1,2 82:12,18	email 47:2,7 64:18	49:17 50:2 51:2	41:15,25 42:16	expectation 127:5
82:19 86:20,22	64:24 65:3,8	51:11,23 52:8,20	43:3 45:11,16	expense 112:21
87:7 95:19 96:5	89:25 90:9 133:8	56:15 57:11,18	47:12 49:6,25	115:18
97:14 101:1,22,24	emailing 89:24	58:1,5,8,14,16	50:11 53:11 56:6	expenses 37:19

November 30, 2006

JAMIE MILES GOLD

Page 141

66:21 69:3,25 70:21 71:13,16 77:4 79:4,5,14,17 87:3 111:1,16,21 112:7,12,18 113:13,15,18,20 113:21 114:21 117:1 118:1,16 124:25 127:11 experience 122:14 explain 4:17 98:23 explained 33:1 94:25 explaining 86:19 explanation 5:25 expressed 42:6 eye 94:22 123:12	111:10 117:6,8,10 117:13 Filiially 6:11 filled 101:2 final 60:25,25 71:10 91:15 99:10 financial 43:23 financially 135:20 financing 9:18,21 find 44:2 45:4 fine 24:12 finish 6:13,14 42:9 42:17 49:17 finished 10:4,16 finishes 13:18 first 4:6 9:7 10:4 13:11,17 23:9 27:3 30:25 35:11 35:14 38:18 39:19 39:24 50:6 51:14 51:20 52:5,19 56:2 85:4,10,17 87:14 93:4 99:1 101:17,19 106:7 106:23,24 107:7 107:11,14,19 108:2 109:1 111:11 112:10 117:18 122:20 123:14 126:23 five 38:24 56:15 95:13 109:2 Five-minute 28:12 fly 111:11 focused 41:7 83:13 88:19 112:20 131:5 focusing 41:18 follow 93:14 128:19 129:18 130:15 followed 128:11,14 following 40:23 41:13,14 85:6 follows 4:8	foregoing 134:17 form 11:6 17:12,19 18:3 21:22 22:8 31:6 37:22 38:11 44:7,21 47:15 48:9,19 50:2 51:2 51:23 52:8,20 62:4 64:1,15 65:5 66:12,24 67:4,14 70:4 77:18,24 80:22 82:23 83:25 85:22 87:17 89:3 89:20 93:16 95:23 96:14,16,18 97:18 98:4,10 99:17 100:2,19 101:3,6 101:7,12,15,16,21 102:7,9 103:6,10 108:3,20 109:20 111:23 113:9 114:2 127:7,18 128:6 129:7,19 130:16 131:19,25 format 107:12 former 120:23 forms 102:3,4,6 forward 47:4 87:10 131:15 132:17,20 forwarding 120:17 found 60:16 93:7 97:7 107:20 123:4 123:8,14 foundation 105:3 113:10 founded 7:24 founding 7:18,21 four 36:6,8,8 113:24 121:6 Fourth 2:1,7,9 frame 11:5 17:16 84:25 85:2 87:5 88:12 130:24 franchise 121:12 Francis 31:9,12,15 33:1,3,5 45:23,25	47:3 49:12 82:2 89:24 90:8 118:22 free 29:11,16 34:9 34:13,16 35:2 45:15 49:25 55:16 91:2 frequent 10:13 friend 36:15,23 79:7 88:3,6,10 92:20 94:13,23 95:18 96:2 97:13 97:22 friendly 60:11,12 friends 40:20 84:5 84:10 87:19 92:22 111:6 friendship 32:13 fruition 50:10 full 110:17 124:14 125:24 function 5:5 funds 68:20 72:5 95:13 further 68:10 132:25 135:17 future 127:6	girlfriend 123:11 girlfriend's 123:16 give 5:7 9:16 29:18 45:15 53:24 54:1 55:16 58:3 59:7 66:9 68:4,25 69:14,17 70:3,8 70:11 71:15 72:2 73:13 77:1,2,4 78:24 81:24 82:12 82:17 83:9 92:14 92:18 95:20 101:23 110:23,25 113:6 115:6 119:24 128:5 130:8,9,14 given 4:20 14:16 17:9 36:20 54:15 66:17 67:17 75:5 75:7 89:11 103:19 giving 59:3 60:7 80:21 go 9:2,9 11:8 17:22 18:5 20:19,20 21:24 28:17 30:25 31:8 35:7 38:6,13 44:2,24 45:4 47:21 48:23 52:11 52:22 55:6 58:9 58:14 61:4,13 65:23 67:6,22 74:5 78:2,9 84:2 85:15 87:10 94:25 95:3,25 96:23 99:19 100:21 113:18 118:22 119:17 125:14 129:10,22 131:15 132:17 goal 53:12 going 4:17 5:25 16:6 27:9 29:12 29:12 36:24 37:6 42:4 49:24 53:20 58:3 62:15 69:14
F				
facet 55:7 68:8 fact 5:16 22:4,16 25:22 30:12 42:6 64:12 86:17 88:8 94:19,19 96:9 110:1 132:15,19 132:22 familiar 101:6 family 35:14 111:5 114:22 far 31:20 66:8 80:16 91:11 112:9 favor 49:1 feel 29:11,16 felt 61:24 69:16 87:19 90:13 93:10 93:12,13 fifth 16:16 figure 69:19 80:19 92:15 95:7 100:10 figured 77:3 file 68:9 93:9 filed 15:5 20:17 68:15 92:19,23,24 93:9 95:10 97:9 107:16,17,18,21				
G				

JAMIE MILES GOLD

November 30, 2006

Page 142

76:4 79:10 81:23 81:24 82:5,19 83:3,7,8,8,9 84:4 85:15 92:14 95:18 96:12 97:1,2,13 101:23 103:14 104:20 105:2,14 106:19 108:11 110:23,25 112:7 117:9 118:22,23 119:9,9 120:22 127:10 128:4 130:8 132:20 Gold 1:7,17 2:1,14 3:2,8,12 4:5,13,14 18:18 23:14 68:3 73:20 91:16 104:16 134:16,19 135:8 Gold's 68:14 gonna 27:20 good 13:9 36:23 55:16 59:21 61:14 63:15 90:13 goodness 44:1 goods 61:18 Gormley 2:12 gotten 65:4 graduated 119:23 120:6,6 121:7 grand 118:23 granted 46:18 granting 32:24 great 59:1 greedy 86:24 88:4 116:18 Green 16:17 Greenfield 7:23 8:1 guaranteed 54:5 80:12,13 guess 49:9 51:10,11 52:12 63:13 70:10 75:24 85:6 guessing 20:15 106:25 109:2	guide 29:14 guy 27:15,18 63:16 131:8 guys 27:22 28:2 105:7 <hr/> H <hr/> half 8:17 38:24 71:6,7,12,13,15 79:1,2,10,13,16 82:8 83:7 87:2 94:17 108:5 114:20 hammered 76:14 hand 19:20 23:3 39:22 135:21 handed 19:19 20:19 handle 7:10 75:12 75:15 76:3 77:3 92:15 120:20 handles 72:6 handling 73:10 handwriting 23:10 happen 4:18 happened 16:25 51:20 81:5 103:25 116:10 120:18 happening 14:5 happens 99:23 harassed 61:10 130:25 harassing 60:17,23 61:5 63:18 85:12 85:25 94:4 131:1 131:4,7 132:11,15 harassment 85:1 hard 48:10 Harder 122:18 head 7:4,15,17 8:7 8:9,21,24 9:4,13 10:3 24:23 49:9 87:8 heads 6:7 hear 80:5	heard 11:10 51:15 84:7 hearing 54:13 heart 44:2 57:17 held 8:10 35:25 41:11 58:13 67:25 104:18 105:12 110:14 126:6 hello 39:23 help 44:12 75:17 90:10,16,22 92:3 122:15 helped 32:8 90:19 helpful 49:3 61:21 61:22 62:23,24 90:22 helping 75:14 hey 90:9 hidden 74:6 high 119:16,17,18 higher 48:7 Hills 2:23 96:6 97:1 97:14 102:23 106:13 hire 83:11 hired 79:20 hiring 80:20 history 69:21 hit 115:13 hobby 12:12 hold 13:17,19 16:17 51:14 104:11 116:4 120:22 Hollywood 16:23 home 123:12,13,20 honestly 5:20 20:19 honor 89:19 93:13 94:1,16 98:8 hope 126:17,17 131:11 hopefully 5:23 Hotel 29:3 36:3 39:16 40:17,22 Hottest 10:10	house 72:1,5 Howard 2:16,19 huge 72:6 Hughes 2:16,19 7:23 8:1 Humphreys 15:14 15:15,23 hurt 83:18,19,23 husband 39:8 43:22 Hustler 13:15 18:15 h-a-n-d-a-n 72:15 <hr/> I <hr/> idea 8:15 26:5 41:17 47:9,11 91:8 112:12,15 ideas 30:5 40:1 identification 19:3 19:10 58:11 identify 23:1 image 52:23 53:7 imagine 25:16 100:3 immediate 41:17 immediately 47:4 84:9 107:3 implications 92:16 95:8 107:25 109:12 important 5:18 42:4 85:16 114:13 inaccuracy 22:14 inaccurate 22:13 91:10 include 69:4 91:15 inclusive 1:8,9 income 11:15 12:11 14:11 incorporated 74:17 incurred 111:16 independent 20:9 INDEX 3:6 indicate 36:11	45:14 90:17 indicated 12:25 45:9 53:17,19,22 54:11 60:23 indicates 23:10 individual 1:4,7 individually 108:5 109:6 individuals 1:8 34:17 information 15:2,7 16:1 68:6,11 73:5 initial 66:9 initially 7:24 initiated 93:5 injunction 3:9 93:1 installments 37:12 instruct 103:14 instructed 27:18 103:22 intend 68:9 89:18 intended 78:24 128:1 intention 63:17 interest 40:13 97:15 98:3 interested 135:20 internet 99:5 interview 3:12 56:19 57:1,5,7 interviews 56:24 60:10 introduced 39:22 investing 72:11,12 invitational 18:18 involved 9:13 34:7 46:25 47:6,20 52:14 55:10,13 74:2 81:16 84:18 101:11 127:15 129:6 135:19 involvement 36:24 irrelevant 59:2 IRS 101:2 124:23 125:3
---	---	--	---	---

November 30, 2006

JAMIE MILES GOLD

Page 143

<p>Israel 103:8,10,18 103:25 104:20 105:16,21 106:7 107:11,15 115:1 115:11 123:10 124:4,8,12,22</p> <p>Israel's 110:13 issue 90:4 115:25 issued 91:10 issues 107:5 108:10 108:14 124:6 125:7</p> <hr/> <p style="text-align: center;">J</p> <p>Jamie 1:7,17 2:1,14 3:2,8,12 4:5,13 18:18 23:14 26:20 73:20 91:16 105:6 134:16,19 135:8</p> <p>Jeff 7:23</p> <p>Jersey 72:17 119:18</p> <p>Jewels 21:14 35:15 39:6 40:24 41:2 42:21 43:1 56:2 93:12</p> <p>job 10:22 27:11 40:5 122:9</p> <p>jobs 121:23</p> <p>Johnny 30:24 32:1 91:19</p> <p>Johnson 56:23 57:2 60:8 62:23</p> <p>joint 83:5</p> <p>Judge 63:13</p> <p>judgment 27:12</p> <p>July 23:7,11 25:14 25:24 26:3,3,8 28:20,24 29:9 34:2,25 35:17,19 39:6,19 47:7 50:13,14 51:9,16 51:20 52:2 53:6 64:6,13,19 65:14 65:15,17,17,21,21</p>	<p>85:11</p> <p>jumped 81:6</p> <p>June 49:13,14,23 50:7</p> <hr/> <p style="text-align: center;">K</p> <p>Karen 15:14</p> <p>keep 14:7,10,25 59:18 127:17 131:17</p> <p>keeping 89:22 92:22 128:1,3 130:18</p> <p>keeps 27:16</p> <p>kept 131:9</p> <p>kind 18:24 60:10 61:9 69:21 75:15</p> <p>King's 16:11,12</p> <p>knew 31:9,12 42:3 43:15 44:17 45:6 59:9 78:5 86:12 97:15</p> <p>know 7:9 16:24,24 17:4,5 18:8,13,14 20:12,24 23:19,21 24:23,24 25:20 26:10 27:16 29:7 35:8 36:7,8,14,22 40:4,12,20 46:23 46:25 48:10 49:2 49:16 50:17,18 53:2 61:16,24 65:19 67:7 69:15 73:17,18 74:13 75:9,9,12 76:3 79:7,24 80:2,5,11 82:14 83:12,20 85:5,14 86:3,11 86:19 88:2 89:5 89:14,16 90:9 91:8 94:12 95:3 95:10,15,15 97:6 98:5,11 101:15,16 102:24 105:20,21 106:17 107:17,18</p>	<p>108:10,11,14 110:20,22 111:9 111:13 112:19,23 119:24 124:7,16 125:15 127:19,20 128:7 129:11 131:2,2,8,9</p> <p>knowledge 20:9 22:19 74:12 75:4 75:8 116:25</p> <p>Kobe 114:6</p> <p>K-1 124:13,16</p> <hr/> <p style="text-align: center;">L</p> <p>lack 87:15</p> <p>large 13:22 81:4</p> <p>Las 1:18 2:1,7,10 2:13,17,20 4:1 27:24</p> <p>late 25:24 26:2 49:13,14,22 50:7</p> <p>law 2:21 27:19 120:5</p> <p>lawsuit 92:24,25,25 93:9 97:9 107:16 107:18,21 117:6 117:10,13 132:10</p> <p>lawyer 5:15 76:5 89:25 90:9 103:1 103:5 120:17</p> <p>lawyers 4:24 75:11 75:14 121:16</p> <p>lawyer's 76:2</p> <p>laying 105:3</p> <p>lead 119:7</p> <p>leader 81:4 83:20 83:24</p> <p>leading 114:16</p> <p>learn 121:20</p> <p>leave 73:4 76:8 77:13,15 102:10 119:2 131:5</p> <p>left 5:5 15:21 21:5 21:6,13 78:23 79:9 81:16 98:24</p>	<p>legal 93:5 95:10 129:8 130:17</p> <p>legally 121:13</p> <p>legendary 32:11</p> <p>legitimate 84:6</p> <p>Les 76:6 106:22</p> <p>letter 124:22 125:1 125:2</p> <p>let's 9:7 10:24 28:9 28:17 58:14 87:22 98:24 103:9 107:1 129:13</p> <p>level 13:13 17:23 50:19,20 54:1,15 54:23</p> <p>Lew 122:18</p> <p>Leyser 1:4 2:5 21:14 24:18 25:4 47:14 78:16,23 79:9 81:11,19 82:16</p> <p>Leyser's 104:12</p> <p>liable 110:14</p> <p>lie 92:13 94:24</p> <p>lied 88:1 92:7,10 94:6,20 131:18,20</p> <p>lies 132:7</p> <p>life 12:19,21</p> <p>Lillard 46:6,14,16 46:17,24 47:3 48:8,16 54:25 55:3,15 64:9</p> <p>line 59:19 60:2 119:4 134:2</p> <p>list 14:20,23</p> <p>listen 27:15 49:2 63:6</p> <p>listened 21:10</p> <p>listing 14:15</p> <p>litigate 105:8</p> <p>litigation 57:17</p> <p>live 72:16 130:4</p> <p>lives 123:12</p> <p>LLP 2:15,18</p> <p>load 105:3</p>	<p>located 15:15</p> <p>location 15:17 68:20</p> <p>logically 83:18</p> <p>long 7:12 69:21 126:12</p> <p>long-time 106:21</p> <p>look 19:5,12 22:22 29:12,14 55:2 59:20 63:15 78:11 84:22 88:1 94:11 94:22 95:16 99:5 115:23 132:10</p> <p>looked 21:9 81:3</p> <p>looking 29:21 44:16,17 45:7,12 50:18 51:5 52:24 53:2 57:12 106:18 127:21,23</p> <p>looks 58:19</p> <p>Los 15:16,17</p> <p>lose 60:24</p> <p>lost 14:24,24</p> <p>lot 25:5 40:12 41:16</p> <p>love 88:17</p> <p>loved 88:12</p> <p>lump 76:12</p> <p>lying 131:24 132:10</p> <p>L-i-l-a-r-d 46:14</p> <hr/> <p style="text-align: center;">M</p> <p>M 2:15</p> <p>Magazine 18:13</p> <p>magazines 18:21</p> <p>mail 21:13 71:20 78:23 79:9,16 131:3</p> <p>main 12:3,10,22 29:3 36:9 40:15 40:16 41:4,18,25 42:8,16 43:3 45:11,16 49:6,25 53:11 56:5 57:3 63:24 65:11,17</p>
---	---	--	---	--

JAMIE MILES GOLD

November 30, 2006

Page 144

98:16 106:8 107:9 126:5,19,23 maintain 98:1 major 119:21 making 27:12 84:15 94:11 104:7 132:10 Malibu 123:22 man 61:9 67:17 73:9 96:12 103:20 manager 121:3,9 121:10,14 122:19 Mandalay 126:13 126:13 Manning 122:18 March 16:17 mark 7:23 19:1,8 58:9 118:3 marked 19:2,9 22:21 24:2 25:8 28:19 31:4 32:9 32:19 33:6,15 44:19 58:10 88:23 market 9:19 34:18 marketing 9:25 massive 83:20,24 master/student 91:18 material 58:18 materials 19:24 31:21 57:19 math 66:3 matriculated 120:6 matter 26:25 28:10 42:5,11 Matthew 44:15,15 46:6,7,8,12,12,14 46:16 48:8,12,13 54:9,9,25 55:2,3 55:15 64:9 McConaughy 44:15 46:8,12 48:12,17 50:22 53:18 54:9 55:2 mean 6:6 14:7	16:12 24:9 28:21 34:20 39:1 70:22 84:3 91:7 92:25 94:3 98:5 104:25 107:8 119:5 121:24 125:15 meaning 128:4 means 11:14 75:11 96:18 124:14 mechanism 125:9 125:10 media 23:18 24:3 33:17 Medius 10:12 meet 35:11,19 39:8 72:18 106:23 meeting 35:23 39:6 39:14 members 7:21 111:5 memorizing 114:12 memory 17:9 29:8 mentee 32:16 mention 102:11 mentioned 24:14 36:15 52:24 53:21 77:10 mentioning 53:13 mentor 32:16 mentor/mentee 32:13 message 21:4,5,13 79:10 88:13 131:1 131:6,8 messages 85:1 86:8 87:5 88:16,18 131:9 messaging 85:13 88:9 met 35:14,17,22 36:7,7,10 39:20 40:4 56:2 89:8 106:24 107:5,6 109:1 middle 65:21	Mike 56:23 57:2 Miles 1:7,17 2:1,14 3:2 4:5,13 74:16 75:5 134:16,19 135:8 million 38:18,18,24 57:7 66:4,4,16,19 67:19 68:5,7,23 69:15 71:22 73:10 75:1,1 77:7 82:12 82:17,19 86:20,22 87:7 95:19 96:5 97:14 100:14,14 100:14 101:1,22 101:23 102:22 106:12 107:8 108:1,16,18,23 109:23 110:4,6,14 110:18,23,24,25 113:12 114:20,20 115:13 116:17,18 116:20,23 118:4,6 118:8,13,19,20 119:5,7 125:19,24 mind 12:13,15 38:10 48:7 50:10 80:20 85:9 87:24 97:22 98:3 100:23 129:4,15 130:11 131:23 132:4 mine 36:23 88:3 minus 66:21 69:25 70:2 71:7 78:25 79:2,14,17,17 82:20 83:1 minute 46:21,22 78:14 93:20 113:23 116:2,2 117:11 122:25 minutes 56:15 mischaracterizes 17:20 52:9 70:5 modified 66:10,17 Mom 10:10 moment 97:7	Monday 58:23 money 13:7 14:21 14:24 16:8 17:10 17:25 18:2 36:12 37:12,14,20 38:21 39:4 43:21 53:14 67:9,12,16 72:6 73:10 74:6,7 75:1 75:4,9,12,13,15 75:16,22 76:1,12 76:15,16,23 77:1 77:3,5,6,13,22 78:3,7 80:13,14 80:17 81:22,24 82:15,22 83:1,3,6 83:7,8 86:10 88:7 90:2 92:15 95:16 96:11 97:1,24 98:1 99:1,1,6,21 100:9 101:12 102:10,22 107:7,8 109:15 110:2,11 110:16 113:25 115:17,17 116:7,8 119:8 124:14,24 126:8,21 127:11 128:20 monies 36:20 month 35:12,13 49:9,10,12 106:25 months 35:13 42:2 morning 4:18 71:10 Morris 48:2 Motion 3:9 move 74:25 75:1 movie 48:6 number 76:9 Mutual 72:5 <hr/> N N 3:1 123:19 name 4:12 6:25 8:4 10:9 20:24 23:14 24:15 35:24 56:23	72:13 73:16,20,22 74:15 84:14 89:25 94:20 103:2 122:22 123:16,18 124:9,11 names 44:15 46:3 53:21 Nancy 123:19 national 16:20 61:13 nature 81:12 83:15 Naupsky 123:19 near 99:4 necessarily 48:20 62:5 97:19 need 28:7 41:17 42:8 113:7 needed 40:5 92:15 negated 100:17 negotiate 32:8 89:12 121:11,13 negotiated 120:11 Nevada 1:2,18 2:1 2:3,7,10,13,17,20 4:1 98:2 135:3,6 135:22 never 29:1 34:8 42:6,12,15 54:5 56:10 63:3,9 66:19 69:18 71:15 71:18 72:18 94:23 96:2,4,25 101:9 101:12,13 102:6 110:22,23 111:24 120:6,6 124:9 128:10 new 7:10 72:17,17 89:25 119:18 night 40:17,21 71:10 nods 6:7 normally 127:17 Notary 134:25 135:6 notes 135:12,15
---	---	--	--	--

JAMIE MILES GOLD

November 30, 2006

Page 145

notice 5:4	occasions 18:22	119:15 121:2,10	paragraph 23:11	32:11 45:15 46:10
notoriety 18:1	88:12	121:22 122:24	25:9 29:15,21,25	57:6 58:6 74:4
November 1:19 2:2	occupation 10:24	129:13 131:12	33:14,16,20 78:12	76:3 80:14,16
4:1 8:14 58:17	11:2	132:13,24	84:22 119:1	83:13 84:6,7,7,10
108:15 135:8	occurred 16:21	Olson 2:11	Paramus 119:18	86:19 90:13,15
no-limit 13:17,19	53:5 85:1 116:12	once 19:6 49:1 85:5	paraphrasing	98:24 99:2 101:17
16:17 36:5 39:7	October 16:21,25	93:7 111:10	63:12	102:19 106:17,18
number 15:24	116:4	128:25	parents 73:13	111:12,17 112:5
70:20 72:25 73:24	odds 114:12	ones 18:20	parities 4:20	112:12,16,22
<hr/>	offer 29:18 34:16	ongoing 24:21	Park 16:23	114:5,10 120:11
O	34:21	opinion 27:22	Parkway 2:16,19	127:19,20,20
oath 4:25 5:1 15:6	offered 33:5 61:23	110:13	part 13:10 40:7	percent 36:18 37:2
22:2,5 26:15	62:10,25 90:15,22	opportunity 19:6	94:6,8,9 132:16	37:16,16,18,18
28:19 62:8 132:23	offering 35:2 45:8	opposed 15:3	participate 33:16	65:24 66:4,10,17
object 17:12 18:3	61:25	option 101:20	53:18 54:10	66:20 68:25 69:2
21:22 22:8 31:6	offhand 15:20	102:12	participated 17:11	69:18,20,24 70:8
37:22 38:11 44:7	office 72:18 79:9	order 33:23 34:12	17:25	70:11 71:1,3,12
44:21 47:15 48:9	133:5 135:22	43:23 56:5 82:17	particular 15:17	78:15,24
48:19 50:2 51:2	officers 74:22	88:22 114:11	20:22 21:20 25:7	percentage 69:16
51:23 52:8,20	Offices 2:21	organization	41:21 55:7 57:16	101:4
58:18 61:2 62:4	official 8:16	121:17	72:9 116:19	period 11:20 29:13
64:1,15 65:5	Oh 36:1 48:4 51:7	originally 71:4	parties 135:18,19	114:16 121:2,4
66:12,24 67:4,14	57:6 59:22 78:8	75:10 116:5	partners 7:10,18	122:1 132:16
70:4 77:18,24	84:19 121:24	overall 121:16	7:25 42:3 73:12	perjury 134:16
80:22 82:23 83:25	Okada 39:17	owe 86:22	120:19	permission 89:11
85:22 87:17 89:3	okay 6:16 7:8 8:3	owed 86:10 87:6	partnership 124:13	Perry 44:15 46:7
93:16 95:23 96:14	11:10,16,23 13:17	97:16	124:16	46:12 48:13,18
96:16,17 97:18	15:6 18:12 20:16	owning 101:4	passes 45:15	50:22 53:18 54:9
98:4,10 99:17	22:1,25 23:16	OOO 4:3	PATRICK 2:18	person 84:14 90:8
100:2,19 109:20	28:10 31:24 32:15	<hr/>	pay 30:12 37:4,8,11	103:12 107:12
111:23 113:9	35:11,24 43:21	P	38:15 81:20 82:21	108:4 109:1
127:7,18 128:6	44:9,24 47:21	page 3:3,7 19:16	84:9 94:16 100:16	120:10,13 135:20
129:7,19 130:16	50:8 55:1,14	22:17,25 23:9	101:4 102:10,12	personal 27:22
131:19,25	56:12 57:1,6,8	25:12 59:13,16,19	103:12 111:15	116:25
objection 11:6	58:15 59:19 60:4	60:2 78:12 84:22	116:7,7 117:1	personally 15:7
17:19 38:4 60:18	60:5 62:14 66:16	115:24 134:2	118:1,8 128:19	47:24
89:20 96:21	68:23 70:10,14,17	paid 10:21 37:5,20	129:1 130:3	phone 21:2 41:16
108:20 114:2	79:2,19 82:9	38:3,9 39:2 79:24	paying 39:2 83:6	85:1,25 86:3,6,7
129:20	84:19,24,25 86:16	83:4 110:2,18	108:5 109:7,16	87:6 94:4 107:4,5
objective 28:6	86:21 87:22 96:9	117:2	110:12,22 124:14	108:25 117:5
41:18	103:9 105:21	paper 21:1 62:17	125:18,24	131:10
obligations 5:2	106:5 107:1	papers 20:15	penalties 5:3	phrase 90:24
obtaining 43:2	109:13 112:2	paperwork 14:14	penalty 134:16	physically 106:23
obviously 59:9 79:7	113:4 114:15	14:19,20 18:25	pending 28:4	piece 21:1 82:9
88:3	117:10,23 119:6	20:4,6 116:23	people 7:25 9:5	118:22 128:5

JAMIE MILES GOLD

November 30, 2006

Page 146

pitching 30:4	123:18 126:11	possibly 54:16 80:5	prize 76:15 99:6	86:13 87:11,15,25
place 13:17 98:25	plus 78:5 126:15	114:18	probably 52:1	89:19,22 92:23
99:1	Podcast 3:11	post-graduate	101:7 109:3 117:8	93:14 94:1,16
placed 17:5,10	point 5:14 41:23	120:4	121:6,7 128:24,25	98:9 111:25 112:2
placing 17:3 18:2	60:11 61:7 63:23	pot 128:4,5	problem 28:5	112:4 126:25
Plaintiff 1:5 2:5	64:8 65:10,12	potential 101:20	104:24 116:5	127:1,2,12,15
Plaintiff's 3:7 19:1	76:18,21 79:20	102:14 125:10	123:25	128:1,3,12,13
19:2,9 22:22 24:2	80:3 90:5 98:2	potentially 100:22	problems 102:14	129:5,5,15,17
24:18,22 25:8,13	99:12 111:2	practice 34:15 35:2	procedure 103:11	130:1,6,12,14,19
28:20 44:19 58:10	127:24	practices 34:19	proceedings 93:5,9	131:12,15,17,22
plan 9:25 69:6,8	points 6:5	practicing 27:19	proceeds 83:5	132:17,20
111:17	poker 3:11 12:1,3	preexisting 30:2,21	111:21	promised 36:18
planned 89:21	12:22 13:2,4	31:21	process 4:17 5:7	37:2 65:25 66:16
92:22 130:18	14:11,15,16 16:8	Preliminary 3:9	6:6,6,17 39:2	66:19,19 67:13
132:2	16:21 17:8,17,18	prepare 5:7	procure 50:15 56:4	69:5,18,20 70:3,6
plate 51:5	18:17 29:2,20	prepared 112:19	procurement 45:16	70:15 128:11
play 35:3 41:24	30:20 31:11,13,16	present 5:15 10:25	51:19	promises 69:22
42:7,15,16 44:4	32:5,11,12,14	11:18 40:24	procuring 47:13	100:15 127:17
45:12,17 46:11	33:18 35:17,20,21	presented 44:14	122:10	129:18
47:23 48:1,24	35:25 36:2 40:13	presently 6:21	produce 30:11 58:2	promising 127:5
49:1,20 50:16,19	40:13,14 41:25	president 7:3	produced 10:2,11	properly 38:16
51:5,19 52:1,6,13	42:7,21 44:13	press 91:5,8,10	10:12 43:4 57:13	proposal 110:11
52:18 53:11,13,14	45:11 56:20 81:7	pressy 42:8	57:14	protect 68:20 81:5
53:24 55:21	81:8 88:2 89:10	pretty 85:10 115:14	producing 44:4	protection 74:11
126:22	89:11 91:16 99:13	prevailed 126:5	production 6:24	proved 46:10
played 14:16 36:6,8	101:10 106:9	previous 12:17	7:5 8:6,8,9 30:7	provide 9:15,15
43:15 55:22 65:20	107:9 114:7,8,9	previously 64:13	40:1 41:21 42:9	15:23 18:24 76:9
114:16 132:16	114:11,16 126:6	principle 49:15	42:17 120:21	111:14 112:5
player 11:3,5,11,17	126:13 127:14,16	printed 99:4	professional 11:4	provided 16:1
11:21,25 12:9,14	128:3,8,15,16	printing 23:3,13	11:10,17,21,24	49:24 73:5
12:21 14:15 17:8	130:14	prior 13:12,18 16:8	12:8 17:8,17	provision 116:19
17:17 18:13 31:11	Porter 89:5,14	21:20 29:20 30:21	26:25 31:10 32:5	public 94:11,21,22
32:5,11,12,14	Porter's 89:7	33:11 34:2 36:20	99:13 114:6,11	134:25 135:6
35:3 114:11	portion 37:5,8	39:25 44:18 45:10	professionally 28:7	publicist 121:16
players 99:11 128:4	portions 68:17	57:6 75:22 76:11	professionals 128:8	publicity 88:2
playing 12:19,24	position 8:10,13,24	77:8 107:15 119:8	program 56:20	publicly 132:10
13:1 14:10 25:5	78:20 84:17 104:1	120:22 126:4,5,19	57:16 61:13 63:9	pull 103:21
31:13 41:7 42:10	positions 120:23	135:10	prohibited 100:23	purpose 19:25
49:6 50:11 99:15	possession 15:3	private 123:12	project 9:12	purposes 14:11
114:12 126:23	23:17 58:19 67:20	124:22 125:1,2,2	projects 9:6	105:1
please 4:12 5:22	77:22	privilege 103:15,19	promise 36:25 64:2	pursuant 82:12
8:5 10:9 11:14	possible 10:15 17:2	104:2,4 105:4,15	64:4 66:14 67:3	100:15
15:24 19:7 29:15	17:4 29:10 81:23	106:1	68:25 69:9,23	pursued 10:24
72:1,14 78:12	90:3 102:20	privileged 104:10	70:11,14 71:3,4,4	put 25:18 26:3 33:9
84:23 122:22	110:15	104:13 105:8	79:12 82:13 86:12	41:21 75:10 81:19

November 30, 2006

JAMIE MILES GOLD

Page 147

82:16 99:21 103:18 113:25 115:20 126:7,20 putting 130:12 p.m 133:9 135:9	Rawlings 2:11 reached 68:2 read 22:24 27:3 59:11,22 60:5 91:13 133:4 134:17 reading 18:21 59:18 78:18 91:21 real 39:24 96:21 realize 105:18 realized 116:16 really 24:24 25:20 47:19 90:13 112:23 reason 5:18,22 29:17 33:5 63:22 87:10 93:18 94:15 100:8,13 reasons 90:18 91:1 93:25 94:2,14 recall 14:5 24:5,7 24:11,11,25 25:2 25:3,5 26:21 39:10,23 40:12 41:6,10,13 47:10 61:15 114:21,25 115:4 124:20,21 125:8 receipt 126:16 receipts 14:25 receive 78:3 received 57:20 58:23 64:18,19 receiving 64:23 recognize 19:14 recollection 104:8 recommendations 124:5 record 28:12 58:12 58:13,14,16,22,24 67:22,25 103:3,24 104:17,18,19 105:11 130:20 recording 21:10 records 113:5	recounting 104:7 104:15,16 reduced 100:1 referring 43:11 93:6 reflect 103:24 refuse 116:15 refused 22:13 116:14,20 117:1 refusing 118:10 regard 32:19 47:13 50:11 68:3 81:12 87:24 108:18 124:6,23 regardless 57:25 reimburse 111:12 relationship 30:1,2 30:24,25 31:3,21 31:25 32:7,14,23 33:4,11 44:13 53:20 61:17 62:1 89:7 90:8 91:19 relationships 30:21 49:2 relative 43:2 108:3 135:17,18 relax 95:7 release 68:11 91:5 91:10 releases 91:8 relied 32:23 67:7 remember 13:20,25 16:7,11,15,16,20 17:1,3 18:7,20,21 20:3,16 21:25 22:10 24:19 26:13 26:14,18 27:17 29:4,5 35:21,23 35:24 36:1,4,16 39:14,15 40:3,14 40:16,19,21 41:18 42:19,25 43:5,7 43:17,20 44:14 49:8 52:24 53:10 53:12,15 55:19,23	'56:19,21,22,25 57:1 60:7,9 64:23 64:25 66:1 75:18 78:11,17 79:24 80:6 81:22 82:7 82:14 83:12,14 84:3,4,13,20 85:5 85:16 87:8 88:15 88:16,18,24 89:1 90:3,11,15 91:7 91:21,24 92:1 95:5,15 96:10,15 97:3 99:3 102:5,8 102:15 107:3,13 108:7,8,12,17,21 109:5,9,12,21 110:10 115:10 118:25 119:13 123:8 124:10 125:4,5,6,20,22 125:25 128:24 129:3 remind 118:21,23 remotely 85:6 renaming 18:17 renege 87:15 repayment 36:20 36:22 repeatedly 53:15 60:24 71:9 rephrase 5:22 rephrased 45:1 reported 1:25 135:7 reporter 2:2 5:4 6:7 6:11 19:20 58:24 72:14 73:3,14 REPORTER'S 135:1 representatives 74:9 represented 115:17 request 80:4,9 93:1 111:14 135:15 requested 53:9	80:18 95:13 96:4 96:11 102:21 106:11 requesting 24:18 25:4 47:3 124:22 131:6 required 33:16,22 129:18 130:3 reservations 41:24 respect 51:25 respected 100:16 respectful 117:15 respective 102:13 109:6 respond 6:9 response 27:14 68:6 responsibilities 122:9 responsibility 97:22,23 120:20 responsible 101:1 109:23 110:17 responsive 6:1 restaurant 39:17 result 18:21 retaining 91:20 review 5:9,11 15:22 19:24 21:17,21 22:2 135:15 reviewed 20:11,23 21:12,19 22:6 reviewing 19:6 20:4 Richard 2:8 133:8 right 4:20 5:12,16 9:8 10:1,18,21,22 16:14,19 17:7,24 18:10,23 20:10 21:19 25:18 26:2 27:23 29:7 30:12 31:19 36:4 38:17 39:1 40:25 42:13 42:19 44:5,10,11 46:9,13 48:23
Q				
question 5:6,19,22 5:24 6:1,2,10,13 6:15 12:18 13:9 16:6 23:25 24:4 24:25 26:11,20,23 26:23 27:11,16,17 28:3,4,17,18 34:5 34:6,20 38:8 42:12,14 44:25 45:2 47:18 58:6 59:12 60:8 61:2,4 62:14,20,21,22 63:6 90:24 96:22 101:14 105:8 109:24 110:7 112:25 115:8 122:8 124:17 127:8 129:24 130:4 133:2,3 questioned 105:22 questions 4:23,23 4:25 5:9 6:19 57:23 68:7 104:20 104:21 105:1,6,9 133:1 question-by-ques... 104:23 quick 122:25 quoted 57:17				
R				
radio 30:4 61:13,19 ramifications 124:13,23 ran 55:23 range 37:9 rare 33:2 rarely 99:25				

JAMIE MILES GOLD

November 30, 2006

Page 148

51:9 54:21 55:9 57:9 63:1,14,21 64:23 65:22 69:17 76:11,22 78:9,14 78:18,19,22 79:21 80:16,17 82:10 86:14 87:11 88:13 88:23 89:8 94:7 95:19 96:25 98:14 98:18 99:23 100:9 102:1 104:9 107:19 111:5 114:7 115:11,15 116:5,16 117:10 117:12 119:1 127:12 130:5 131:13,14,16 Rio 29:3 36:2 39:7 39:14 40:23 42:22 57:4 75:2,23 77:8 77:15 95:12 96:5 100:9 102:23 106:12 126:7 Riptown 23:18 24:3 29:17 30:3 30:22 31:3,22 32:10,23 33:11,22 34:2,8,16 ROE 1:8 room 27:21 rough 133:7,8 Rounders 3:11 56:20 Royalty 89:10,11 Rule 57:18 58:2 rules 27:3 59:5 ruling 124:22 125:2 125:2 rumor 86:16 rumors 86:10,21 87:6 88:8 95:2 run 6:24 7:2 8:3 113:18	safe 81:4 sales 33:11 salesman 30:6,10 30:17,17 Sam 106:19 Samuel 103:8 sat 100:6 satellite 53:13 saw 101:19 119:1 saying 25:25 26:7 27:16 30:9,23 31:19 49:11,14,22 52:25 56:8 60:13 63:12 70:10 75:23 88:16 91:4,12 92:20 101:9 114:23,24 116:10 116:14,21 117:21 127:10 says 54:8 62:12,16 62:17 63:11 103:22 116:20 119:4 scales 98:3,6 schedule 42:8 Schonfeld 2:6,8,9 28:12 57:20 58:22 59:7 68:16 93:19 103:17,24 104:9 104:14,22 105:5 124:1 school 119:16,17 119:18 script 23:6 seal 68:10,15 seat 34:9,13,21 35:2 43:2,8 44:3 44:12 45:5 46:21 49:25 53:1,14,24 54:1,10 55:16 56:5 62:2,10,25 90:18 91:2 seated 5:5 seats 34:16 45:8,15 46:18	second 16:12 27:5 65:22 67:23 109:4 secure 33:22 53:18 54:9 90:19 secured 34:1 48:2 64:8 securing 32:19 52:18 61:22 62:24 security 73:24 see 91:5 92:1 103:22 104:6,24 116:1,23 seen 19:21 23:16 24:1 91:7,14 101:9,12 Seif 118:3 sell 30:7 send 106:12 131:1 131:6 133:4 sense 83:18 sent 23:19,20 47:2 65:9 88:13,18 90:7,9 131:2 separate 88:11 separated 110:2 September 107:1 series 4:22 10:5,9 12:1,3,9,22 13:4 16:8 17:18 18:17 29:2 33:18 36:2 37:24 38:2 41:3 41:25 42:7,16 44:13 45:11,16 53:11 91:16 106:8 107:9 126:6 seriously 81:7 serve 123:13 service 58:25 services 9:14,16 set 22:5 55:13 120:19 135:21 setting 91:17 settled 37:6 shake 39:22 shakes 6:7	share 100:16 102:13 112:8 115:16 shared 40:13 shares 108:5 Shea 1:25 2:2 135:5 135:25 Shepard 46:15,16 46:21,24 48:8,17 55:3,15 64:9 shooting 10:16 short 42:12 shorthand 135:12 135:15 shortly 102:21,24 show 3:11 9:20,25 22:21 41:17 56:20 61:19 62:17 101:8 112:6 showed 20:1 88:3 showing 132:19 shows 10:1 side 4:19 7:10 27:12 91:19 101:3 120:21,21 Sidney 74:16 75:5 sign 15:22 22:1,13 23:20 25:17,22 74:25 75:19 133:4 signature 19:16 22:16 23:1,2,4 24:3,8 134:18 signed 22:7 23:18 25:14,23 26:2,7 26:15 33:10 46:24 50:8 signing 21:20 29:9 44:18 simple 115:14 simply 35:1 100:13 sir 4:12 5:13 6:3,21 9:2 11:2,8 18:5,7 19:5 22:1,23 28:18 50:5 51:14 51:25 56:19 60:7	60:22 61:4,20 62:3,14,19 63:7 64:4 66:1 67:1,20 70:22 74:5 78:10 87:9 93:24 96:7 96:15 97:19,21 110:21 113:19 116:15 119:15 121:5 123:4 132:22 sit 20:9 26:25 27:15 29:8 105:2 112:11 113:1 sitting 26:6 62:7 situation 45:7 128:10,22 130:2 skill 29:20 31:16 skills 30:20 small 99:1 Snell 2:15,18 social 73:24 sold 10:11 solicit 48:24 solicitor 30:16 somebody 15:10 54:24 76:12 80:21 81:6 83:17,22,23 88:25 90:7,7 100:5 127:15 129:14,16 130:6 130:14 someone's 132:1 someplace 77:7 sorry 15:19 28:22 29:23 32:4 41:5 49:18 74:5 78:18 80:7 81:4 122:2 sounds 14:8 16:14 16:19 40:25 76:22 82:10 92:2 South 2:1,7,9 space 15:21 73:4 speak 27:6 107:11 128:7 speaking 6:12
S				

JAMIE MILES GOLD

November 30, 2006

Page 149

30:19 40:14,16 57:17 82:25 97:4 97:6,7,11 102:8 specific 53:1 103:9 109:8 118:18 specifically 16:19 17:1,4 60:9 75:18 101:22 102:8 109:9 118:11 119:14 125:4,8,20 125:22 128:24 specifics 108:21 114:25 115:5 spell 72:14 122:22 spend 105:2 spent 39:4,24 spite 88:7 110:1,5 split 63:24 69:15 70:7,15,21,22,25 71:2 81:25 82:1 83:4 98:22 99:16 100:13 101:25 110:12,16 111:20 119:9 124:15 125:11 127:11 128:4 splitting 70:24 109:15 124:24 spoke 40:19 104:1 115:11,13 118:4 spoken 40:4,14 69:10 102:19 107:4,4,14,20 sponsored 43:2 sponsorship 89:13 spreading 86:10 87:6 88:8 132:7 ss 135:3 stake 129:5 staked 128:17,22 stakes 99:21 staking 129:16 standard 119:25 stands 105:15 star 48:6 54:15	stars 13:20 18:9,11 start 6:13 7:16 12:14 28:8 43:18 64:5 85:7,9 92:12 started 8:13,20,21 8:23 10:4 49:13 54:21,22 55:18,20 56:3 65:11,17 71:5 85:6,18 122:20 127:3 starting 27:23 59:13 61:15 126:22 starts 60:2 state 2:3 4:12 28:18 104:19 119:20 135:3,6,22 statement 60:7 91:14,21,25 119:6 statements 22:5 STATES 1:1 station 10:13 status 48:7 stay 9:7 steal 127:20 stipulates 68:11 stipulating 106:1 stipulation 68:3,14 68:18 stockholder 7:8 74:19 stop 59:24 131:1,3 131:4,5,7 stopped 97:6,7 111:9 113:22 story 18:14 Street 2:1,7,9 stressed 42:10 stricken 105:9,10 strike 16:15 49:20 52:15 63:22 78:21 126:4 striking 120:16 122:12 Stripes 18:9	Strips 13:21 18:11 struck 49:5 studios 122:12 Subscribed 134:22 subsequent 39:11 51:8 53:6 89:17 subsequently 39:8 40:22 46:9 54:18 substance 115:7,10 succeed 128:20 successful 91:18 sue 94:23 sued 88:1 92:7,18 93:8 94:5,19 97:8 112:9 113:23 114:19 116:17 123:5 sues 4:19 98:1 suffer 102:13 sufficient 80:20 suing 94:11 116:22 132:7 suit 92:19,23 107:17 111:10 Suite 2:16,19,22 sum 69:1 76:12 80:20,24 81:22 83:3 summer 10:25 11:18,19 sums 109:6 superstar 54:2 superstars 46:4 supplied 34:8 supply 15:10 34:17 support 3:8 103:25 111:6 supposed 59:4 96:20 sure 7:9,11 8:15 11:9 12:23 14:8 15:25 20:1 22:9 23:19,23 25:20 33:8,12 34:5 35:19 36:7 41:8	42:24 45:7 48:20 51:7,12 64:16,21 65:8,21 67:24 68:15 69:13 72:5 73:15 75:18 86:11 106:10 109:17 112:19 113:20 119:14 122:23 129:12 Swartz 56:23 57:3 sworn 4:6 134:22 135:11 S.A 23:18 24:3 <hr/> T <hr/> table 43:18 60:25 tactic 58:21 take 4:20 5:1,5 6:7 6:11 9:18 19:5 29:14 37:14 47:12 56:15 69:6 75:9 77:13 84:16 93:19 95:7 98:25 102:9 116:20 120:8 122:25 129:13 130:12 taken 2:1 4:15 5:1 28:14 37:19 38:17 42:2 56:16 69:13 76:15 77:6 93:21 113:6 118:6,8,16 121:19 123:1 130:21 talent 121:1,3,4,9 121:10,12,14,22 122:5,8,13,17,19 talk 28:2 30:15 40:1,5,10 45:23 54:4,5,6 86:11 108:25 talked 40:6,12 52:15 65:24 79:6 106:15 108:17 115:7 118:11 125:21	talking 29:15 49:13 62:2 78:14 84:7 92:20 93:10,25 95:9 106:17 108:14 109:11 117:9,12 120:15 120:16 125:6 tax 14:11 77:23 78:3,6 90:1 92:16 95:8 100:10,17 101:4 102:14,18 103:1,5 107:25 108:10,14,17,18 109:11,14 110:17 124:6,13,14,19,23 125:7,10 taxed 108:23 taxes 15:4 37:14,19 37:20 38:3,7,9,9 38:16 66:21 69:2 70:1,18,19,21 71:8,13,15 77:4 77:13,20 78:25 79:3,11,17 82:20 82:22 83:1 87:2 94:17 100:16 101:1 102:10,13 103:12 108:5 109:7,16,23 110:2 110:4,6,13,14,18 111:1,21 115:14 124:25 125:18,24 127:11 team 44:5 45:12,17 46:19 47:24 48:1 48:24 50:16 51:20 52:6,18 55:11 61:23 62:9,25 64:10 90:20,23 91:3,16,17 telephone 15:24 41:14 42:20,23,25 72:25 76:9 107:12 107:15 109:13 television 6:24 8:6
--	--	--	--	--

JAMIE MILES GOLD

November 30, 2006

Page 150

8:8,9 9:4,13,20,25 10:1,3 30:4 31:2 31:20 40:2 41:17 120:21 tell 5:2,22 8:4 13:5 19:6 43:13 47:19 50:25 51:2,4 56:12 58:22 80:12 91:1,13 92:13 95:5,12 96:12 102:7 109:19 111:9,18 117:4 118:3 120:18 123:4 126:10 130:7 telling 20:14 53:10 86:18 88:5,12 90:9 95:7,21 97:16 102:15 108:16 117:9 temporary 92:25 ten 109:2 term 11:4,10,13,25 30:17 124:18 testified 4:8 132:22 testify 4:7 135:11 testimony 5:12 8:25 17:10,15,20 20:8 52:9 56:1,7 61:7,11 62:7 63:21 65:1 70:5 78:17 91:9 96:4,7 text 85:1,13 86:7 87:5 88:9,13,16 88:18 131:1,6,8,9 texting 85:7 thank 23:24 58:8 thick 20:15 thing 5:17 28:2 33:2,10 102:9 115:10 130:5 things 6:8 27:24,25 32:24 60:10 61:14 61:20 77:4 81:12 87:9 94:10 100:11	114:12 think 8:24 13:9,22 16:6 21:18 23:24 27:23 30:10 31:23 31:25 34:4 39:13 39:21,21 40:18 49:12 54:10 57:14 57:22 59:2,12 75:6,20,24 76:6 76:22 80:11 82:7 85:15 95:17 97:16 103:2,7 107:10 109:21,22,24 112:21,25 113:14 114:1 119:24 123:14 129:2 thinking 112:23 113:23 thinks 61:18 third 25:9 98:25 thought 12:23 32:8 33:4 44:25 45:1 86:24,25 95:19 100:17 105:5 thousand 13:23 threat 84:16 threats 80:6 81:3 83:10,15,22 84:6 84:15 three 36:8 58:17,20 89:17 98:24 113:24 121:6 three-year 122:1 Thursday 1:19 2:2 4:1 135:8 time 5:11 6:12 10:2 10:6,25 11:5,18 11:20 14:3 15:22 17:7,16 19:20 24:21 29:13 33:10 37:13 39:19,24,24 41:11 45:20 49:4 51:14,20 52:19 55:9,12,14,14 56:1,2,3 57:6	60:15 61:7 63:4 73:14 76:24 77:2 78:20,23 79:8 80:9,12,18 81:15 82:2,11 83:14 84:4,5,25 85:2,17 87:5 88:6,12 92:15 93:4,5 94:3 95:7 96:21 101:19 102:25 105:3 106:15,24 107:6,7 107:15,19 109:10 111:19 112:20 113:3 116:16 118:3 121:2,4,9 126:5,23 127:2,12 129:13 130:24 132:16 timeline 40:3 times 18:19 43:14 43:22 101:11 108:25 timing 50:17 115:25 tip 81:16,20,23,25 82:1,2,5 116:8 119:2 tipped 119:10 tipping 79:6 81:18 tips 81:12 98:3,6 111:4,5 title 8:7 today 5:17 15:6 28:18 29:8 58:23 61:8 78:20 91:9 113:1 told 25:3 29:1,5 33:3 42:13 43:22 44:16 45:25 50:9 53:9 54:15,20 55:4,15 62:22 63:23 64:20,21,22 66:3 70:7,20,25 71:7,14 83:10,23 88:11,21,25 92:14	94:3 95:9 96:25 97:3 101:17,20,23 102:19 103:20 109:22 110:1,4,5 111:4 113:11,22 115:3,4,9 116:24 117:3,25 118:13 132:9 top 23:11 49:9 59:16 69:7,14 87:8 topic 40:7 108:8 total 37:18 82:9 Tour 126:13 tournament 13:21 14:21,23 16:7,11 16:12,17,21 17:1 17:11 18:18 24:21 24:23 25:6 29:20 30:21 31:16 34:6 34:7,9,13,18 35:2 35:13,17,20,21,25 36:10,19 37:1,21 37:23 38:2 40:11 40:11 41:15,25 42:21 43:15 45:11 46:11 49:10,20 53:16,24 54:21,22 55:17,20,23 56:3 62:3 63:1,24 64:5 65:10,15 74:8 77:2 79:20 80:15 81:7,9,17 83:13 83:19 85:3,20 86:4 87:18,20,23 88:7,19,20 89:9 89:12,18 90:18 91:2,18 98:15,18 99:3,16 106:16,18 116:12 126:8,11 126:21 127:3 129:16 130:8 tournaments 12:5 12:8 13:1,6,11 14:25 17:6,16,24	18:16 35:4 36:13 36:21 65:16 101:10 113:25 126:22 127:14 track 14:10 traditionally 25:21 transcribed 59:10 135:12 transcript 3:11 57:12,12,15,21,25 58:16 59:3 68:17 135:13,16 transcription 5:8 21:13 134:17 135:14 transfer 75:19 76:25 77:8 95:18 96:5 97:13 transferred 74:7 95:14,14 102:22 107:7 treat 94:12 96:2 treated 96:2 trial 5:15 trophies 18:15 true 14:17 22:18 36:15 60:16 61:6 61:21 65:7 81:13 86:1,5,9,17,20 91:11 115:2 127:6 130:12 132:19 135:14 truly 43:20 84:12 trust 75:10 111:17 trusted 7:9 84:5 trusting 74:4 truth 4:7,7,8 5:2 135:11 truthfully 105:6 try 29:14 47:21,24 53:20 84:16 117:24 123:13 trying 9:19 28:1 43:7,8 55:10 60:9 61:9 71:5 92:21
---	--	--	--	---

JAMIE MILES GOLD

November 30, 2006

Page 151

120:12 123:8 Tuesday 58:24 turn 6:14 22:25 79:19 turned 61:21 132:3 132:6 turning 23:9 turns 95:8 TV 10:4,9 30:7 42:17 twice 128:25 two 8:17 35:13 41:19 42:2,3,4 46:3,10 53:23 60:19 61:8 80:2,3 80:4,15 83:4 94:1 99:2 110:12 114:4 120:9 125:9 two-year 114:16 type 31:2 32:7,13 34:8 95:10 typed 21:9,11 types 6:8 114:12 typewriting 135:13 typewritten 135:13 typical 9:12,16 typically 9:24	88:5 92:17 93:2 96:17 99:8,9 113:24 125:22 127:8 understandable 5:23 understanding 11:13 33:15,21 34:25 37:17 45:19 45:21 48:25 66:20 68:2 81:8 105:14 105:24 117:20 122:5 understood 5:25 27:16 55:4 82:25 116:22 118:9 unilaterally 131:23 UNITED 1:1 University 119:20 upcoming 40:11 41:3,15 UPS 58:23 upset 87:9 use 40:1 58:18 68:6 68:9 85:23 90:1 103:6 108:3 usually 127:19 utilize 68:16 72:10 utilized 121:18 utilizing 103:10	voice 21:4,5,13 71:20 78:23 79:9 79:16 131:3 voted 27:23 vouchers 111:15 vs 1:6	112:23 123:13 124:17 127:1 132:12 way 5:12 12:17 26:6 27:3,24,24 30:11 38:17 44:3 45:6 47:21 52:25 59:18 83:21 84:3 86:18 91:4,12 92:1,3 94:12 96:2 99:5 101:18 103:7 110:16 111:15 117:23 120:17 125:18,23 128:2,3 130:19 132:6 wear 33:16 wearing 49:25 50:12 week 54:22 55:17 56:3 61:10 63:19 weekly 18:16 weeks 41:19 42:2,5 58:17,20 60:20 Weinberg 2:21,21 26:19 27:2,5,8,20 28:6 59:11 76:8 117:18 133:2 went 23:21,22 30:15 34:6 46:2 55:1 76:3,6 95:3 119:16 weren't 41:21 46:19 55:16 65:10 65:16 West 2:12 we'll 27:5 28:11 73:3 79:8 92:21 104:21 105:8 133:4 we're 7:10 9:6 10:15 29:12,15 33:14 59:3 62:15 68:23 108:15 we've 22:21 25:7 31:4 32:9,19	33:15 37:15 44:19 77:20 88:22 91:15 103:2 whatsoever 68:12 whereabouts 68:4 WHEREOF 135:21 wherewithal 43:23 wife 21:8 35:15 43:15 51:1,4 92:11 95:6 130:25 132:7 willing 44:2 45:15 46:5 51:15,17,18 54:1,3,5,6,24 Wilmer 2:15,18 Wilshire 2:22 win 14:10 15:1 57:2 57:3 106:19 108:16 130:7 wine 40:19 winner 100:25 winners 98:22 winning 13:8,20 16:11,15,16,18 18:2,14 126:19 129:3 winnings 36:19 63:24 65:25 70:15 70:21 77:7 78:24 79:2 82:17 99:16 106:9 wins 29:20 30:21 31:16 wire 75:19,20 76:1 77:8 96:5 97:1 wired 76:12 95:12 95:14 96:11 witness 3:2 4:6 17:13 22:9 24:5 37:23 41:6 44:22 48:10,20 49:18 50:3 51:12,24 59:14,24 60:19 62:5 63:7 64:2,16
U	V			
UCLA 120:5,8 121:19,21 Uh-huh 32:2 59:17 78:13 118:12 129:25 ultimately 33:5 unaware 91:19 uncustomary 99:13 99:22 underneath 23:13 understand 4:19 5:19,21 6:3,17 11:25 21:12 26:14 29:11,17 31:15 33:13 42:14 46:9 47:18 52:4 73:9	Vanguard 72:4,5,6 75:22 various 124:13 Vegas 1:18 2:1,7,10 2:13,17,20 4:1 27:24 107:7 113:2 ventures 40:2 verbal 6:6 Verbally 49:7 verbatim 5:8 videos 120:12 violating 68:17 visa 47:14	wait 37:6 116:2,2 117:11 waive 103:19 104:4 104:25 105:15 106:1 waived 103:16,17 104:2,25 waiver 106:3 Walt 27:19 28:21 29:22 57:11 93:19 WALTER 2:11 want 5:13 27:15,18 29:14 54:2 57:7 57:23 59:20 68:20 83:18,23 94:25 97:10 98:23,25 101:8 102:24 103:21 111:6 116:17 117:23 118:19 119:2 123:6 130:9 133:6 wanted 20:20 36:23 53:13 61:14 69:13 90:14 92:17 100:10 101:22 102:9,16 103:7 111:12 116:17 118:4,5,5,13 119:7 wanting 82:12 wants 57:5 wasn't 12:11 45:2 46:25 47:6,10,20 64:21 70:20 71:20 75:15 79:15 83:3 84:11 86:16 87:18 90:5 107:3 112:19		

JAMIE MILES GOLD

November 30, 2006

Page 152

66:13,25 70:6 72:4 73:18 77:19 80:23 82:24 84:20 85:23 87:18 89:21 93:17 96:15 97:19 98:5,11 100:3 103:15 108:21 109:21 111:24 115:25 117:16,20 123:8,11 125:15 127:8,19 128:7 130:18 131:20 132:1 135:10,21 won 12:1,4,7,9,22 13:1,5,6,7,7,11,24 14:1,21 16:8 17:10,15,25 18:17 18:19 37:21 57:7 61:9 67:9,12 69:24 70:12 74:8 80:9 81:6,8 85:20 86:23 87:15 88:7 89:18 97:24 98:14 98:23 99:7 101:11 106:15,25 107:9 114:17 116:11,11 129:2 word 87:15 words 33:3 60:2 84:15 85:23 87:1 118:7 work 9:5 42:8 46:5 92:21,21 105:4 120:4 121:24 122:16 worked 120:18 122:2 working 8:16 9:6 38:15 122:15 works 106:21 work-for-hire 9:11 world 12:1,3,9,22 13:4 16:8 17:18 18:17 29:2 32:12 33:18 36:2 37:23	38:2 41:3,25 42:7 42:16 44:13 45:11 45:15 53:11 81:7 81:8 91:16 99:14 106:8 107:9 126:6 126:13 127:16 128:15,16 worried 24:9 worry 92:20 wouldn't 25:17 33:9 37:17 48:13 85:23 89:16 90:10 95:17 97:16 103:12 117:23 118:7 writing 100:1 written 18:14 19:24 26:16 100:6 wrong 31:24 101:7 114:4 WSOP 39:7 43:3 Wynn 39:16,17 40:17,22 <hr/> X X 3:1 <hr/> Y yeah 9:9 13:14 14:18 18:21 22:24 37:15 40:9 46:2 48:4 49:12 51:12 55:12,22 59:13,23 60:14 61:15 63:20 78:8 82:1 84:3 85:14 92:9 94:22 94:22,23 101:21 113:2,16 115:15 117:10 121:20,25 122:14 124:1 year 7:14 8:11,17 8:18,19 14:16 53:12 60:3 77:20 years 8:18 27:19 113:25 114:5	120:3 121:6 yesterday 19:22,24 27:3 York 72:17 89:25 young 122:14 <hr/> Z Z 2:6 <hr/> \$ \$1,290 17:3 \$1,600 16:18 \$10,000 33:17 130:8 \$100 66:11 \$100,000 37:10 66:6 \$12 113:12 \$18,400 16:13 \$20,000 76:20 113:7 \$200,000 37:10,11 39:2 \$25,000 76:18 82:9 \$30,000 112:14 \$45,000 113:19 \$5,000 36:5 39:7 42:21 126:7,20 \$5.5 68:5 73:10 \$50,000 81:20,20 82:5 118:22 \$500,000 39:3 82:16,21 \$54,225 13:24 <hr/> 1 1 1:8,9 3:8 13:8 19:1,2,12 28:20 78:10 1st 85:11 1.2 66:4,16,19 10 1:8,9 13:16 17:5 17:15,25 36:18 37:2,16,16,17,18 65:24 66:3,9,16	66:20 68:25 69:2 69:18,20,24 70:8 71:1 10,000 126:14,15 10:35 2:2 4:2 100 39:1 56:24 66:6 66:17 1000 2:16,19 11 12:4 13:18 11th 11:22,23 12:21 13:5,12 55:24 81:9 107:1 11,000 126:14 12 38:18 57:7 66:4 77:7 95:19 96:5 97:14 100:14,14 101:1 102:22 106:12 107:8 108:1,16,18,23 109:23 110:3,6,14 114:20,20 115:13 125:19,24 13 23:7 28:20 13th 23:11 25:14 25:24 26:3,8 28:24 47:7 50:13 50:14 51:9,16,21 52:2 53:6 60:12 60:15,22 61:8 62:23 64:13,19 65:14,15,17 14 78:12 14th 89:17 15 120:3 15th 16:17 150 37:9 17 84:22 18th 25:24 96:6 97:4,11 102:4 18,000 123:21 19 3:8,10 121:7 1991 121:7,8 122:6 1994 122:6 <hr/> 2	23:10 19:8,9 22:22 24:2,18,22 25:8 25:13 28:21,22,24 29:19 31:5 32:9 32:20 33:6,16 44:19 78:12 84:22 88:23 2:06-CV-01072(... 1:6 2:35 135:9 2:45 133:9 20 9:10 113:7 20,000 78:5 113:12 200 56:24 66:18 200,000 66:11 2005 8:14,20 10:25 11:18,19 13:21 14:6 16:22,25 121:8 2006 1:19 2:2 4:1 11:22 12:4,22 13:5,12,18 16:9 16:13,17 17:17 18:1 21:21 23:7 25:14,24 26:3,3,8 28:20,24 29:9 34:2,25 49:14,23 53:6 58:17 60:22 64:6,13,19 65:14 65:15,17 81:9 96:6 97:10 98:16 99:14 102:4 107:1 114:17 116:4 135:9,23 21st 97:9 23rd 13:21 25 27:19 113:7 25,000 78:5 26 57:18 58:2 115:24 27 60:25 119:1,4 28th 29:9 55:20,24 <hr/> 3 3 3:11 29:21,25
--	---	---	--	--

JAMIE MILES GOLD

November 30, 2006

Page 153

58:10	87:7 100:14		
3rd 58:17 135:23	101:22,23 110:18		
30 1:19 2:2 4:1 60:2	110:23,24,25		
111:5 112:12	116:17,18,20,23		
135:8	118:4,6,8,13,19		
30th 21:21 108:15	118:20 119:5,7		
31st 26:3 43:19	600 2:22		
55:21 64:6 65:17			
116:4	<u>7</u>		
32 59:19	7th 16:12		
34 59:13,16			
36 59:19	<u>8</u>		
3800 2:16,19	8th 17:5		
	800 80:14,16		
<u>4</u>	814 1:25 135:25		
43:4 33:14	89101 2:1,7,10		
4th 35:17,19 39:6	89120 2:13		
39:19	89169 2:17,20		
40 83:12			
45,000 77:14,23	<u>9</u>		
	9th 16:20		
<u>5</u>	90/10 71:2		
59:10 13:15 17:5	90212 2:23		
18:15 33:20	90265 123:22		
5th 17:5	94 121:8,8		
5.5 67:19 68:7,23	9454 2:22		
71:22 75:1	9950 2:12		
50 70:11 71:3,12			
78:15,24 82:9			
118:23			
50-something			
13:23			
50/50 70:19 81:25			
110:12			
520 2:1,7,9			
54,000 18:9 98:18			
99:4			
5754 101:8,12			
103:11 108:3			
5764 101:2			
58 3:11			
<u>6</u>			
6 13:15 18:15 38:18			
75:1 86:20,22			