

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - LAW DIVISION

SUZANNE E. MALEC MCKENNA,  
as Executor and Personal  
Representative of the  
Estate of MICHAEL R. MALEC  
MCKENNA, deceased, et al.,

Plaintiffs,

No. 2015 L 012124  
Consolidated with  
2016 L 000159  
2016 L 000160  
2016 L 000161

vs.

ALLIED BARTON SECURITY  
SERVICES, et al.,

Defendants.

P.M. TRIAL SESSION

TRANSCRIPT OF PROCEEDINGS at the  
trial of the above-entitled cause before THE  
HONORABLE JOAN E. POWELL, Judge of said Court,  
in Room 2506 of the Richard J. Daley Center,  
Chicago, Illinois, on December 11th, 2017, at  
the hour of 1:41 p.m.

REPORTED BY: DERALYN GORDON

CSR, CRR LICENSE NO.: 084-003957

Page 1

1	
2	<b>APPEARANCES:</b>
3	
4	<b>POWER, ROGERS &amp; SMITH, P.C., by</b>
5	<b>MR. LARRY R. ROGERS, JR.</b>
6	<b>MR. JOSEPH A. POWER, JR.</b>
7	<b>MR. JAMES POWER</b>
8	70 West Madison Street, Suite 5500
9	Chicago, Illinois 60602-4212
10	(312) 236-9381
11	joepower@prslaw.com
12	jamespower@prslaw.com
13	lrogersjr@prslaw.com
14	
15	Representing the Plaintiffs
16	McKenna, Hoover, Leib;
17	
18	<b>TOMASIK KOTIN KASSERMAN, LLC, by</b>
19	<b>MR. DANIEL M. KOTIN</b>
20	10 South LaSalle Street, Suite 2920
21	Chicago, Illinois 60603
22	(312) 605-8800
23	dan@tkklawfirm.com
24	
	Representing the Plaintiff Goodson;
	<b>PATTON &amp; RYAN, LLC</b>
	<b>MR. JOHN W. PATTON, JR.</b>
	<b>MR. PAUL D. MOTZ</b>
	<b>MR. DAVID F. RYAN</b>
	<b>MS. KATHRYN R. VAUGHN</b>
	330 North Wabash Avenue, Suite 3800
	Chicago, Illinois 60611
	jryan@pattonryan.com
	pmotz@pattonryan.com
	dryan@pattonryan.com
	kvaughn@pattonryan.com
	Representing the Defendant
	AlliedBarton Security Services.
	Page 2

1	<b>INDEX</b>
2	
3	<b>CLOSING ARGUMENT</b>
4	<b>PAGE</b>
5	<b>By Mr. Patton: 21</b>
6	
7	<b>REBUTTAL CLOSING ARGUMENT</b>
8	
9	<b>By Mr. Joseph Power: 91</b>
10	<b>By Mr. Rogers: 111</b>
11	<b>By Mr. Kotin: 115</b>
12	
13	<b>READING OF JURY INSTRUCTIONS 116</b>
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
	Page 4

1	<b>ALSO PRESENT:</b>
2	<b>Nicole DeBartolo, Court Reporter</b>
3	<b>Ben Stanson, Videotechnician</b>
4	<b>Steven Grant, Videotechnician</b>
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
	Page 3

1	(Whereupon the following
2	proceedings were had outside
3	the hearing and presence of the
4	jury.)
5	<b>THE COURT:</b> We'll ask the
6	court reporter what time we started. I was
7	going by this clock, that's the thing.
8	<b>MR. MOTZ:</b> With regard -- the easy
9	thing is the issues -- there's two items on the
10	issues instructions that, according to my notes
11	and Mr. Esposito's notes, I heard O --
12	<b>THE COURT:</b> Juror. Juror, sorry.
13	Two jurors.
14	(Brief pause.)
15	<b>MR. MOTZ:</b> It's O and S were not
16	given. This is the easy issue, Your Honor.
17	<b>THE COURT:</b> Okay.
18	<b>MR. ROGERS:</b> They were here.
19	<b>MR. MOTZ:</b> Our recollection, they
20	were both duplicative of other functions.
21	(Discussion held off the
22	record.)
23	<b>THE COURT:</b> It's O and S. Defense
24	is objecting to them saying they were
	Page 5

1 duplicative.  
 2 MR. MOTZ: And that's our  
 3 recollection from the conference.  
 4 THE COURT: And I've ruled on it  
 5 prior. Okay.  
 6 MR. ROGERS: Page 264 of the  
 7 transcript.  
 8 THE COURT: Okay.  
 9 MR. ROGERS: I say "I'll accept his  
 10 friendly amendment to remove the reference," but  
 11 it should say "failing to implement office  
 12 policies and procedures and/or post orders" --  
 13 I'm sorry, "post orders and" (inaudible).  
 14 THE REPORTER: I can't hear Your  
 15 Honor.  
 16 THE COURT: I know. Let's step  
 17 over here.  
 18 MR. MOTZ: So you're talking about  
 19 S in the transcript, right?  
 20 MR. ROGERS: This is the S, yes.  
 21 So we specifically discussed it, and Your Honor,  
 22 as you may recall, cut out our reference to the  
 23 post order -- it violated the post orders and so  
 24 forth.

Page 6

1 So this one was specifically  
 2 asked -- talking about was it amended by --  
 3 friendly amendment by Mr. Esposito in terms of  
 4 the language.  
 5 And it is included, as indicated by  
 6 the Court, you might also remind --  
 7 MR. MOTZ: What about O?  
 8 MR. ROGERS: It used to say --  
 9 MR. MOTZ: Well, you just talked  
 10 about S. I'll withdraw my question on S.  
 11 MR. ROGERS: Okay.  
 12 MR. MOTZ: Tell me about O.  
 13 MR. ROGERS: O -- by the way, the  
 14 lettering is -- it's changed because we deleted  
 15 some earlier, so the letters are different.  
 16 THE COURT: Okay.  
 17 MR. ROGERS: Do you remember this,  
 18 Your Honor, "failing to take any steps to stall,  
 19 distract or delay"?  
 20 They argued that it was  
 21 duplicative, but it was -- but you indicated  
 22 that they did not -- that there was evidence  
 23 that he didn't do anything to stall, distract,  
 24 or delay Jackson from exiting the premises --

Page 7

1 MR. MOTZ: That's why M and N here,  
 2 it's the exact same stuff.  
 3 MR. ROGERS: Yeah, but we're not  
 4 rearguing. The issue is whether --  
 5 MR. MOTZ: I believe -- my  
 6 recollection is that it was stricken because of  
 7 the two immediately before it.  
 8 THE COURT: Which is letters M and  
 9 N.  
 10 Counsel, I don't remember the  
 11 discussion on this.  
 12 MR. ROGERS: Well, at this  
 13 juncture, I mean --  
 14 THE COURT: I know. Failing to  
 15 restrain. It sounds like it's duplicative, but  
 16 I'm looking at M especially, "providing access  
 17 to the" -- "accessing the premises above the  
 18 third floor."  
 19 MR. ROGERS: It's not duplicative,  
 20 because, as you might recall, our argument is  
 21 you have to do something -- remember, we talked  
 22 about Mr. Power saying you have to faint. You  
 23 can faint, you can do something, you have to  
 24 stall them, you have to do something to distract

Page 8

1 or delay them. None of the other ones talk  
 2 about that at all.  
 3 THE COURT: I wish I could remember  
 4 what we talked about. I do remember that coming  
 5 out in -- during the trial.  
 6 MR. ROGERS: And none of the other  
 7 suballegations talk about that.  
 8 THE COURT: Deal with stall,  
 9 distract or delay, even though the others deal  
 10 with failing to restrain and allowing -- I'm  
 11 going to keep that in over your objection.  
 12 MR. MOTZ: The other issue is  
 13 during counsel's, specifically Mr. Rogers'  
 14 argument during his close, we believe that now  
 15 that he has established, includes with they,  
 16 Jackson as the criminal cause, which is not how  
 17 the law is. And eventually an objection was  
 18 made and sustained, but based on counsel's  
 19 argument trying to say, you know, the  
 20 criminal -- is the criminal, it doesn't have any  
 21 import in here.  
 22 The 60-01 instructions, as  
 23 tendered, now must be offered, because of  
 24 counsel's argument. Counsel has opened the

Page 9

1 door --  
2 THE COURT: Juror. Juror.  
3 I heard that, and it caught my  
4 attention. My problem with putting in those  
5 instructions is I don't want the jury to spend  
6 one minute more than just reading through them  
7 trying to figure out if Jackson is guilty of  
8 this -- do you see what I mean?  
9 MR. MOTZ: And they won't do that.  
10 THE COURT: I'm afraid of that,  
11 yes.  
12 MR. MOTZ: The way that they're  
13 read, you know, it's to add evidence of  
14 potential negligence. They've all taken great  
15 notes in this case. We've seen them write them  
16 down every day, especially when the experts and  
17 police officers have been testifying. Every  
18 single one of them said here are the felonies  
19 that they committed the kidnapping, the hostage  
20 taking; you know, now counsel has opened the  
21 door inappropriately by his argument trying to  
22 separate liability --  
23 THE COURT: Yes, I know that. I  
24 know --

Page 10

1 (Simultaneous speaking.)  
2 MR. MOTZ: He didn't have to do it.  
3 The way he did it is inappropriate, Your Honor.  
4 Now the jury needs to be instructed that --  
5 THE COURT: What am I going to  
6 instruct them on? It's a whole different  
7 standard on criminal.  
8 MR. MOTZ: No. The way that 60-01  
9 is worded in the second part is, "if you violate  
10 a statute" -- and there is -- it's not beyond a  
11 reasonable doubt. It's admitted by all of the  
12 parties that he committed crimes.  
13 MR. ROGERS: No.  
14 MR. MOTZ: There is no -- the  
15 testimony is unequivocal. No one is quibbling  
16 with the criminal allegations --  
17 MR. ROGERS: It can't be argued.  
18 MR. MOTZ: Well, when you make an  
19 inappropriate argument, this is what happens.  
20 THE COURT: Did I sustain it? Did  
21 I strike it?  
22 MR. MOTZ: You struck a portion of  
23 it, but the argument -- he still made the  
24 argument. He asked to rephrase it, and he made

Page 11

1 the same argument.  
2 MR. ROGERS: No, I didn't.  
3 MR. MOTZ: So now --  
4 THE COURT: Wait a minute.  
5 MR. MOTZ: -- the 60-01  
6 instruction, it's not about bringing the  
7 criminal standard in. It's about evidence of  
8 Mr. Jackson's negligence.  
9 Since we have a contribution claim,  
10 counsel has tried to neuter that argument by  
11 saying that doesn't apply here.  
12 But that is exactly why you give  
13 the 60-01 instruction on our counterclaim. Our  
14 counterclaim has been prejudiced by counsel's  
15 argument. The only cure is giving a 60-01.  
16 THE COURT: Now, this is the  
17 situation:  
18 You mentioned criminal. I  
19 understand why you did it. Mr. Power mentioned  
20 beyond a reasonable doubt. And it just -- I  
21 just feel like I'm opening up a can of worms.  
22 I understand defense's point that  
23 now it sounds like that was eons ago, and he  
24 stated that he got shot and it's not a criminal

Page 12

1 and you only had to deal with civil, and they've  
2 got a contribution claim so...  
3 MR. ROGERS: I argued the  
4 contribution claim --  
5 THE COURT: Yes, I know.  
6 MR. ROGERS: -- and I did not  
7 reference any particular statutes whatsoever.  
8 THE COURT: I know.  
9 MR. ROGERS: He's trying to get  
10 specific statutes in, and he's calling criminal  
11 statutes the equivalent of negligence. So  
12 what -- to follow his argument, I can't address  
13 it at all.  
14 MR. MOTZ: That's not how 60-01 is  
15 worded, Your Honor.  
16 MR. ROGERS: It absolutely is. If  
17 you look at the other 60-01, it says they can  
18 consider that as negligence --  
19 THE COURT: Counsel, I'm still  
20 really concerned that the jury is going to be  
21 bogged down on this. They already know that --  
22 MR. MOTZ: We have the burden of  
23 proof --  
24 THE COURT: Yes.

Page 13

1 MR. MOTZ: -- on our counterclaim.  
2 Our counterclaim is about Joe Jackson.  
3 Counsel is attempting to argue the  
4 counterclaim. It doesn't, you know, impact  
5 whether or not -- his case whatsoever. At least  
6 that's what he keeps telling everyone.  
7 So here counsel's argument has  
8 negatively prejudiced us --  
9 THE COURT: I know. You told me.  
10 MR. MOTZ: -- on our counterclaim,  
11 because he has inaccurately stated the law.  
12 MR. ROGERS: First of all, I  
13 disagree. He objected, I guess. You sustained  
14 the objection. I don't even know what you're  
15 talking about.  
16 THE COURT: I said you may re-ask  
17 it, and I don't remember.  
18 Counsel is claiming when you  
19 re-asked it, you did a very similar statement.  
20 MR. ROGERS: No, I disagree.  
21 Otherwise, they would have objected. They have  
22 never been hesitant to object, Your Honor.  
23 MR. MOTZ: Counsel knows he messed  
24 up, and he knows it's --

Page 14

1 MR. ROGERS: No, I haven't.  
2 THE COURT: It's kind of no harm to  
3 put them in there, except that I didn't want the  
4 jury to labor over whether --  
5 MR. MOTZ: There is no harm.  
6 There's no harm whatsoever.  
7 MR. ROGERS: Because he's talking  
8 about criminal statutes. There was no evidence  
9 of it, Your Honor, and he's trying to equate the  
10 violent statutes, as best as you can consider  
11 that. The jury instruction book says you only  
12 use those that are relevant to a standard of  
13 care. He has no evidence of that, none  
14 whatsoever. In terms of the issues --  
15 THE COURT: What is this?  
16 MR. ROGERS: This is the verdict  
17 form. We identified a couple of missed errors.  
18 One was loss of society --  
19 MR. MOTZ: We are not done with it.  
20 THE COURT: I understand.  
21 MR. ROGERS: One is loss of  
22 society, it didn't include sexual relations, so  
23 I told counsel we added loss of society and  
24 sexual relations for McKenna and --

Page 15

1 MR. MOTZ: I think loss of society  
2 covers it, so we'd object.  
3 THE COURT: Is this the correct  
4 one?  
5 MR. ROGERS: This is corrected.  
6 THE COURT: Okay.  
7 MR. ROGERS: And we also didn't  
8 have a line for the lost earnings that was in  
9 evidence --  
10 MR. MOTZ: That I don't have an  
11 objection to.  
12 But I do have an objection --  
13 THE COURT: We still have this  
14 other thing.  
15 MR. MOTZ: -- to loss of sexual  
16 relations, because, in our opinion, in terms of  
17 loss of society is encompassed -- encompasses  
18 the loss of sexual relations. It does not need  
19 to be in there. All the ones they've tendered  
20 have never had it, so we would object.  
21 MR. ROGERS: The reason that it's  
22 in there --  
23 THE COURT: I'll keep it in there.  
24 MR. ROGERS: No. I want to say

Page 16

1 this.  
2 THE COURT: Okay.  
3 MR. ROGERS: We specified for the  
4 widow because loss of society is for all of --  
5 THE COURT: I get it, counsel.  
6 The jury is going to get bogged  
7 down on this.  
8 MR. ROGERS: They won't get bogged  
9 down unless -- incomplete statute --  
10 THE COURT: Well, but they --  
11 MR. ROGERS: I looked at the  
12 complete one to know it's --  
13 THE COURT: Counsel quoted me  
14 something this morning that case law supports --  
15 MR. MOTZ: You can paraphrase.  
16 MR. ROGERS: No, no. That's not  
17 what we did.  
18 MR. MOTZ: We put in the relevant  
19 language. We did not paraphrase, or have any  
20 battle on that whatsoever.  
21 MR. ROGERS: Why are we arguing?  
22 We're supposed to reordering the  
23 instructions.  
24 THE COURT: I know.

Page 17

1 MR. MOTZ: That would be the last  
2 instructions to give, so this is --  
3 MR. ROGERS: We've had no jury  
4 instruction conference --  
5 THE COURT: I did those two things.  
6 MR. ROGERS: That was something you  
7 ruled on --  
8 MR. MOTZ: I think that's easy to  
9 print off, and we can include it.  
10 MR. ROGERS: No. No, we have  
11 absolutely --  
12 THE COURT: Do you know what? I'm  
13 going to include it.  
14 MR. MOTZ: Okay.  
15 MR. ROGERS: Your Honor.  
16 THE COURT: Counsel, I'm sorry.  
17 (Discussion held off the  
18 record.)  
19 MR. ROGERS: Your Honor, I mean,  
20 this is not a criminal case.  
21 THE COURT: I understand that.  
22 MR. ROGERS: What led you to  
23 reverse your position?  
24 THE COURT: Because of the way that

Page 18

1 it -- because of the argument.  
2 MR. ROGERS: The argument did not  
3 mention one 60-01 instruction, not one. Not  
4 one.  
5 I have the duty to argue the  
6 counterclaim issue, an absolute duty. So  
7 because I argued the counterclaim, now you're  
8 allowing him to introduce 60-01s that are  
9 abbreviated, not complete, have no bearing or  
10 relevance on negligence.  
11 THE COURT: This jury is deciding  
12 on a negligence case, not a criminal case, I  
13 know, but regarding the liability, you can't --  
14 you can distance the criminality so far that it  
15 looks like it took it off the plate.  
16 MR. ROGERS: I didn't argue -- so  
17 how do 60-01s change that? I didn't argue  
18 anything about 60-01s.  
19 I am supposed to argue the  
20 counterclaim, and I did argue the counterclaim.  
21 I didn't do that improperly. I absolutely did  
22 not do it improperly.  
23 Everyone in the case said Jackson  
24 had committed criminal actions. Everybody in

Page 19

1 the case. I said those are criminal actions. I  
2 argued it's not the last or nearest. That was  
3 the only proper argument. Nothing improper  
4 about it. And it does not open any door to a  
5 60-01 instruction about murder, kidnapping, use  
6 of a weapon, all of those things. How does that  
7 possibly open the door to that?  
8 THE COURT: Counsel, I'm sorry.  
9 I'm sticking with my ruling.  
10 MR. ROGERS: You're sticking with  
11 which ruling?  
12 THE COURT: Don't do that. I just  
13 made a ruling.  
14 Listen, when I get the jury  
15 instructions, I want you all to read them  
16 silently while I'm reading them just to make  
17 sure I don't misspeak or there's not a typo.  
18 MR. ROGERS: We've barely had a  
19 chance to reorder them, because he's rearguing  
20 motions.  
21 MR. JOSEPH POWER: There was a  
22 mistake in the sexual relations.  
23 THE COURT: I got that. Yes, we  
24 edited that.

Page 20

1 (Whereupon the following  
2 proceedings were had in the  
3 hearing and presence of the  
4 jury.)  
5 THE DEPUTY: Please rise for the  
6 jury.  
7 Court is back in session. Please  
8 be seated and quiet.  
9 THE COURT: Okay. You heard from  
10 the plaintiffs this morning, and now you're  
11 going to hear from the defense.  
12 Mr. Patton?  
13 MR. PATTON: Thank you, Your Honor.  
14 If it please the Court, counsel, Robert.  
15 DEFENDANTS' CLOSING ARGUMENT  
16 MR. PATTON: Ladies and gentlemen  
17 of the jury, good afternoon.  
18 This is my one chance to give a  
19 closing statement. You will hear again from the  
20 plaintiffs' attorneys. They have the burden of  
21 proof, and they're going to be given time to  
22 come back up there and argue some more.  
23 But, on behalf of AlliedBarton and  
24 Robert and all of our folks, we thank you for

Page 21

1 your kind attention. This trial has been quite  
 2 involved. There's been a lot of evidence. And  
 3 it looked to us that you were all paying  
 4 attention pretty well, taking a lot of notes.  
 5 We look forward to your fair deliberations in  
 6 this case.  
 7 We don't agree on much in this  
 8 case; I think that was probably obvious to you  
 9 throughout the testimony.  
 10 I think probably our most  
 11 significant disagreement is how Joe Jackson has  
 12 been redefined in this case by the plaintiffs,  
 13 redefined in terms of it's as if he didn't do a  
 14 thing. It's as if he didn't plot this as he  
 15 did, he didn't plan this as he did. He knew  
 16 where he was going, brought all kind of weapons  
 17 with him.  
 18 He was suicidal. He went there to  
 19 die and take as many people as possible, and for  
 20 some reason the plaintiffs feel like he  
 21 shouldn't get a percentage of fault at all.  
 22 They talked about our founding  
 23 fathers, and how we have a right to a jury.  
 24 Well, I can assure you, they would bristle to

Page 22

1 sit in this courtroom and hear this well-crafted  
 2 misdirection of this case to minimize, if not  
 3 rule out of -- the events of Joe Jackson.  
 4 If this is truly a search for  
 5 justice, then justice requires that you assess  
 6 Joe Jackson his fair share of the fault, which I  
 7 believe the evidence shows is 100 percent for  
 8 what happened.  
 9 I think that Robert is still  
 10 wondering how this could have happened. And  
 11 10 years later, 11 years later, we have a  
 12 misapplying, misleading, and misrepresenting the  
 13 evidence.  
 14 Robert wants to understand why all  
 15 of the investigation that took place at the time  
 16 of these murders, all of it, the only people  
 17 blaming him are the plaintiffs' attorneys and  
 18 two hired experts they brought in.  
 19 MR. ROGERS: Objection, Your Honor.  
 20 THE COURT: Overruled.  
 21 MR. PATTON: How is that possible?  
 22 How is that possible after all of this time,  
 23 after all of this time? The lawyers and the  
 24 hired guns they brought in.

Page 23

1 MR. ROGERS: Objection, Your Honor,  
 2 we have a motion in limine.  
 3 THE COURT: "Hired guns," okay.  
 4 Sustained, counsel.  
 5 MR. PATTON: Why isn't it important  
 6 that the person who should be the most  
 7 trustworthy witness in this case, because he  
 8 certainly was the most heroic person in this  
 9 case, Greg Jenkins, the Director of Security for  
 10 the building, why isn't he important in this  
 11 dialogue about where the fault belongs?  
 12 This is the man, if you remember,  
 13 one of the last witnesses in this case. You  
 14 didn't hear them criticizing him; how could  
 15 they?  
 16 He went up there on the 38th floor,  
 17 he saw Mr. McKenna on the ground, a bullet hole  
 18 to his head, and he tried to break those doors  
 19 down.  
 20 And, ultimately, Sidney Chambers  
 21 came up, another hero, broke those doors open.  
 22 They went in, they got Robert, they got other  
 23 attorneys, and in exchange for their efforts,  
 24 Jackson fires shots at them.

Page 24

1 Isn't Jenkins somebody that has  
 2 credibility in this case? Because he came in  
 3 here and told you he did his investigation,  
 4 which included looking at the surveillance  
 5 video.  
 6 Let's remember who Jenkins is. He  
 7 is the owner's rep. He is the managing  
 8 company's representative to keep an eye on  
 9 AlliedBarton, to interact with us weekly, daily,  
 10 when he sees us.  
 11 He wanted to know how did this  
 12 happen. He interviewed Chambers. Chambers  
 13 never told him that he saw Jackson earlier that  
 14 day. Chambers told him on the day of the  
 15 shooting the first time he saw Jackson was on  
 16 the third floor.  
 17 Jackson prepares -- Chambers  
 18 prepares a report that day, never mentions  
 19 seeing Jackson earlier that day. In that  
 20 report, the first time he says he saw Jackson on  
 21 the third floor.  
 22 So what should be the evidence  
 23 that's important in this case? What the lawyers  
 24 are telling you? What the experts they brought

Page 25

1 in are telling you? Or maybe somebody like  
2 Jenkins, a guy that went up there to rescue  
3 people, shots being fired, unarmed, and he tells  
4 you I did my investigation, I watched all of  
5 that surveillance, and we're going to see some  
6 more today. He watched the surveillance, not  
7 10 years, 11 years later being interpreted from  
8 attorneys that have had 10 or 11 years to  
9 confuse you. He saw it back then.  
10 He had to make decisions; right?  
11 He had to figure out what went wrong. And he  
12 came in here, and he told you Robert Brown did  
13 everything he was supposed to do under their  
14 expectations of AlliedBarton. Same comments for  
15 Sidney Chambers.  
16 Now, which one of these four  
17 lawyers changed what Jenkins had to say? Now,  
18 you saw some of them try to mess with his  
19 testimony, and you saw how he responded back.  
20 One of the few witnesses in this case that said  
21 don't be showing me things or telling me things  
22 that aren't true. That aren't true.  
23 And you would think Jenkins would  
24 be the person that, if he felt we did something

Page 26

1 wrong, because he cares for his tenants, you  
2 don't think he would have done something back  
3 then?  
4 You don't think he would have  
5 written a report back then criticizing Robert,  
6 criticizing Sidney after seeing the tape?  
7 I told you in my opening statements  
8 the most important evidence in this case is that  
9 surveillance tape. It can't be changed. It  
10 can't be spun. It can't be misinterpreted. It  
11 is what it is. Yet, you've heard it  
12 misinterpreted. In fact, you just heard it  
13 misinterpreted a moment ago.  
14 Mr. Rogers got up here and told you  
15 that surveillance tape shows Sidney Chambers  
16 following Robert Brown and Jackson watching them  
17 go through the turnstiles and over to an  
18 elevator.  
19 Would you play that tape, please?  
20 Take a look and see if you see  
21 Chambers seeing all of this happening.  
22 (Whereupon a video was played  
23 with no sound.)  
24 THE COURT: This is pretty dark.

Page 27

1 Do you want to turn down the lights?  
2 MR. PATTON: Do you want to turn  
3 them down?  
4 So this is Chambers you see up in  
5 the upper corner here coming over and being with  
6 Jackson and Robert Brown.  
7 Here's another view right down  
8 here, and this is probably the segment you  
9 should watch.  
10 Now, they're all walking away --  
11 this is still pretty dark -- and we pick them up  
12 here. And he's already gone down the escalator,  
13 and Robert Brown and Jackson haven't even got to  
14 the turnstiles yet.  
15 Let's talk about another  
16 misinterpretation of the surveillance tape. And  
17 these are important when you're evaluating the  
18 representations being made by the attorneys, the  
19 credibility of what you're being told.  
20 What's another whopper you just  
21 heard earlier today? Jackson -- they showed you  
22 a clip of Jackson that they represented to all  
23 of you was him earlier in the day.  
24 Now, we kind of covered that a

Page 28

1 little bit with the witnesses, but let me  
2 refresh your memory about that.  
3 The only video, the only  
4 surveillance tape you're ever going to see of  
5 Joe Jackson coming into 500 West Madison is at  
6 about 10 to 3:00. See, our cameras capture all  
7 of the entrances. Our cameras capture all of  
8 the floors. You can't say somebody was here and  
9 did this at this time, and it won't be captured  
10 on the surveillance tape.  
11 So we've had 11 years to study that  
12 tape, 11 years to find Joe Jackson. To find  
13 Joe Jackson.  
14 We found him. And I showed you the  
15 video of him. We've got some snapshots. Let's  
16 play those snapshots.  
17 (Whereupon a video was  
18 played with no sound.)  
19 MR. PATTON: Here is Joe coming  
20 into our doors for the first time.  
21 Does this look like the fake  
22 Jackson they were showing you earlier?  
23 Let's go the clip with the clock,  
24 please.

Page 29



1 And he's on a mission. He goes  
2 right to the escalators, comes right up. What  
3 time is that? What time is that? It's 5 to  
4 3:00.  
5 If he was in the building, as they  
6 maintain, you're going to see him coming through  
7 our doors. He wasn't stealth. You're never  
8 going to see it. You're never going to see it,  
9 where he came in earlier, because he didn't.  
10 He came in right around the time we  
11 said he did, which means, by the way, that  
12 Mr. Chambers never saw him earlier that day on  
13 the first floor, the video would have shown  
14 that, on the second floor, the video would have  
15 shown that, with Chambers somewhere eyeballing  
16 him, as they maintain. You aren't going to see  
17 Chambers in any of those, because it didn't  
18 happen.  
19 You think when they're talking  
20 about the evidence in the case, why are they  
21 doing that? Why are they doing that?  
22 When is the first time, by the way,  
23 they showed you the fake Jackson? When is the  
24 first time? We were cross-examining their

Page 30

1 experts; right? We were halfway into the gates,  
2 Hauri and Dr. Kennedy. Do you remember that?  
3 None of them, none of them, came in here with  
4 opinions that they found Joe Jackson earlier  
5 that day, none of them after 11 years.  
6 Surely, as they made this such an  
7 important issue, surely you think they would  
8 have given that tape to Hauri, Dr. Kennedy,  
9 along with the tape where he's coming into our  
10 building that morning. They didn't, because it  
11 doesn't exist.  
12 And they didn't give their experts  
13 any tape of Jackson, any tape of Jackson,  
14 showing him on the first floor, on the second  
15 floor, as they maintain.  
16 When is the first time they did it?  
17 And also a little while ago.  
18 But you remember we had Hauri on,  
19 Mr. Hauri, the former Captain in the Waukegan  
20 police force, one of their experts. And he was  
21 kept overnight. We didn't -- we didn't finish  
22 him. I think it was a Tuesday or a Wednesday.  
23 We didn't finish him.  
24 So then he comes on. And I

Page 31

1 cross-examined him. You don't see Mr. Jackson?  
2 You've had all this time? You're relying upon  
3 Chambers' deposition saying he saw him earlier  
4 in the day, and you're relying upon that to  
5 criticize my client. That's what you're doing,  
6 sir, aren't you?  
7 Yes, I am.  
8 Well, where's the video? Where do  
9 you see him coming into our building? Where do  
10 you see him anywhere in our building?  
11 I don't. I don't.  
12 The next day he comes in, and for  
13 the first time the plaintiffs show him a clip of  
14 the alleged Joe Jackson. And, by the way,  
15 that's the individual that you saw -- they only  
16 played a part of it -- where he continues to  
17 walk and gets in line to a cell phone company.  
18 I'll bet the last thing on Joe's  
19 mind that day was to spend some time shopping on  
20 the shopping floor. That wasn't Joe Jackson.  
21 But, magically, Hauri said -- the  
22 first time he's seeing it, and he says well, it  
23 might be him.  
24 Then I cross-examined him. He said

Page 32

1 I never said that was him, I'm seeing this for  
2 the first time.  
3 And I ask is that fair? Is that  
4 pursuing justice when you do something like  
5 that?  
6 He wasn't there, and they're never  
7 going to show you any video, any surveillance,  
8 to show you he was there. But that's what I  
9 mean in this case.  
10 They've had 11 years to come up and  
11 misinterpret and misrepresent the facts. Well,  
12 maybe Jenkins ought to be the guy. He doesn't  
13 have a stake in the outcome of the case. You  
14 don't see NACA or MB Realty at a chair at the  
15 table with us. We don't work for 500 West  
16 Madison anymore. They renewed the  
17 contract years later with somebody else.  
18 What's his motive? What's his  
19 stake? The guy that's a hero. The guy that did  
20 an investigation at that time before the  
21 lawsuit, before all of this stuff, coming up  
22 with Jackson somewhere else in the building.  
23 Before all of that he did his own investigation  
24 as Director of Security.

Page 33

9 (Pages 30 to 33)

1 What about Tenton? What about  
2 Detective Tenton? We heard from him earlier in  
3 the case to talk about him hearing the screaming  
4 of Mr. McKenna. That's the limited purpose they  
5 put him on the stand, to talk about the  
6 screaming of Mr. McKenna, which we know  
7 absolutely did not happen.  
8 They brought him on. He heard  
9 screaming. Of course, that was either  
10 Mr. Danzig or Murphy, but what was the point of  
11 bringing him on, on an issue that, you know, we  
12 put Dr. Raphael on, and she gives you the  
13 graphic, the graphic explanation of what the  
14 bullet did to Mr. McKenna, and he could not be  
15 screaming. He could not have conscious pain and  
16 suffering. It went right through the cranium,  
17 the central nervous system. But they put that  
18 evidence on that has absolutely no truth in this  
19 case.  
20 Then they try to cross-examine her.  
21 Wikipedia? She's relying upon learned  
22 treatises? She fought back. She fought back  
23 when they tried to misrepresent her record of  
24 who she testifies for. You saw how tough she

Page 34

1 was; a lot like Jenkins.  
2 If you're going to ask me  
3 questions, ask me something that's actually  
4 relevant in this case, and I'll answer them.  
5 So what about Joe Jackson? You're  
6 probably not going to hear much about him again  
7 when they get their chance for rebuttal.  
8 But you're getting jury  
9 instructions from Her Honor that are having you  
10 assess the percentage to him. Evaluate that.  
11 And how can they look you in the  
12 eye, this individual that spent years raging  
13 over feeling that McKenna screwed him, years, to  
14 the point where he plans this.  
15 He's got the sledgehammer; you've  
16 heard evidence about that. It probably would  
17 have broken through the glass and the doors if  
18 the doors weren't locked. He didn't know the  
19 doors were broken, and they couldn't have been  
20 locked. Duct tape? He chained the door. Do  
21 you think this was going to be about one person?  
22 A hunting knife? A .38 with a lot of bullets,  
23 and he doesn't get a percentage in this case?  
24 A person that was willing to shoot

Page 35

1 at everybody in his way. He shot at the Chicago  
2 PD. He shot at Tenton. And they want to tell  
3 you he was just there to kill a lawyer.  
4 Well, he shot at Jenkins. He shot  
5 at Chambers. He shot at Robert. And do you  
6 remember they spent all that time during the  
7 trial trying to deny that Robert was shot at? I  
8 don't remember them questioning Jenkins when he  
9 said we were all shot at.  
10 A constant effort, ladies and  
11 gentlemen, in this case to put Robert in a bad  
12 light, a constant, never-ending effort to malign  
13 Robert. Is that justice?  
14 So Joe Jackson, I mean, I could  
15 probably go on for an hour on the savagery he  
16 demonstrated up on that floor, premeditated,  
17 planned, up and down the hallways. Are you a  
18 lawyer? Boom. Taking hostages.  
19 Mr. McKenna, he's not screaming,  
20 but he's having, what do you call it, that death  
21 sound, the death gurgle.  
22 Jackson is so vicious he takes out  
23 a hunting knife and goes to stab him, but  
24 managed to be persuaded out of it by Danzig.

Page 36

1 That person doesn't deserve percentages in this  
2 case?  
3 What's another myth that they've  
4 been floating in this case about Joe Jackson?  
5 He could be talked out of it. All we had to do  
6 was walk up to him on the third floor, May I  
7 help you, sir? Are you lost? Oh, well, here's  
8 the exit. This is how you leave. They just got  
9 up here and told you that he could be talked out  
10 of this suicidal, homicidal mission that he was  
11 on. Is that really believable?  
12 That's why we brought in Sergeant  
13 Rhein, the last witness in the case, Sergeant  
14 Rhein to tell you he didn't take just one shot  
15 from SWAT. He took two. I had to shoot him  
16 again, because, even though he had a bullet  
17 right through his face, he was still raising his  
18 gun up, pointing it at Danzig, pointing it at  
19 me, pointing it at my partner.  
20 Is this a person that you could  
21 have talked out of killing people on the third  
22 floor? Does that sound like a person you could  
23 reason with, you could say nice things to him?  
24 Because that's our post orders. We

Page 37

1 have to smile when we talk to people, talk to  
2 tenants, talk to guests. We have to smile. We  
3 have to stand up straight, and we can never  
4 argue. It always has to be nice language.  
5 Would that have worked on Joe Jackson?  
6 And so when they'd gone through all  
7 of these ideas, I should say, of how Joe Jackson  
8 should have been dealt with when he first came  
9 into our building, they've gone over them again.  
10 You'll probably hear them again in rebuttal, the  
11 6-foot rule, search the package, inquire if  
12 you're lost, all of these things, do you think  
13 that would have worked with Joe Jackson after he  
14 told Robert kill him? Do you want to go home to  
15 your family tonight? Don't be a hero. Are  
16 those the words of somebody that you could be  
17 reasoning -- that you could reason with?  
18 And so what they keep telling you  
19 is, you know, that was Robert's opportunity to  
20 restrain him, maybe Sidney's too. Of course,  
21 his hand was on the .38. It's on the trigger.  
22 You don't think Joe would have  
23 taken exception to that? And what's interesting  
24 about that is that was Mr. Hauri's view. Attack

Page 38

1 him down on the third floor, attack him on the  
2 third floor, get after him.  
3 And I asked him well, what do you  
4 think would happen, Mr. Hauri? What do you  
5 think would happen?  
6 He says well, you get a 50/50  
7 chance Robert gets killed, Chambers gets killed,  
8 he starts shooting all those people in the  
9 lobby. That's their expert's testimony to you.  
10 100 percent chance a wrestling match would  
11 break out. That's their expert's sworn  
12 testimony to you.  
13 So picture that on the third floor,  
14 wrestling with the gun with Joe Jackson, we  
15 know, and Robert, and Sidney, and all of those  
16 unsuspecting folks have got a 50/50 chance of  
17 being killed.  
18 Remember, I didn't ask them now, do  
19 you write that in the post orders at AON? No, I  
20 don't put that in there.  
21 So let's go with that for a minute.  
22 Let's say that we had all of those people down  
23 there in the lobby when this happened. And we  
24 say we've got good news, and we've got bad news

Page 39

1 for you.  
2 Well, what's the good news? The  
3 good news is a guy like Robert, and a guy like  
4 Sidney are going to attack Mr. Jackson and try  
5 to take his gun away, which, by the way, was in  
6 a manila envelope, and, by the way, they never  
7 did say how they would do it, do you go with the  
8 right hand first, left hand first, do you kick  
9 him? They lacked all of those details.  
10 They said you should get after him  
11 right there on the third floor. Then you say  
12 well, that's the good news. What's the bad  
13 news?  
14 Well, the bad news is there's this  
15 expert named Hauri, and he wants the post orders  
16 to say but when you do, you're going to have a  
17 50 percent chance of getting shot. What do you  
18 think the reaction of all of those people would  
19 have been? They have families. They have kids.  
20 What do you think their answer would be?  
21 Or we'll give them the alternative.  
22 Robert is going to stay calm. He's not going to  
23 panic. He's not going to run. He's not going  
24 to start crying. He's not going to start

Page 40

1 begging for his life. He's going to take him  
2 away from all of you, the immediate threat.  
3 What do you think the vote would be  
4 of all of those people down there on the third  
5 floor? Which way do you think they'd vote, the  
6 50/50 one or get this suicidal, homicidal maniac  
7 away from us and see if the situation can  
8 change. What do you think they'd do? Because  
9 their lives count, by the way. Their lives  
10 count too. Robert's life counts. Chambers'  
11 life counts.  
12 Now let's do it the other way.  
13 Let's say that the Joe Jackson we know is now up  
14 on the 38th floor, because I showed you a  
15 post order. This building is so safe the  
16 post order says if somebody doesn't look  
17 dangerous, they can walk right through the  
18 turnstiles, which would be violating the rules,  
19 the access code, but they could walk right  
20 through.  
21 And the post orders say do not  
22 chase, do not chase, let him go, report. Report  
23 that that just happened. Of course, apparently,  
24 Jackson didn't know that, but he could have gone

Page 41

1 right through.

2 Now, let's say he did, and he gets

3 up to the 38th floor. Now let's say Robert is

4 up there. Robert knows he's got a gun. He's

5 threatening to kill him. And Robert turns to

6 the folks up there on the 38th floor and says

7 give me your choice:

8 I'll wrestle the gun away in front

9 of all of you -- of course I've got a 50/50

10 chance I'm going to be shot and killed and

11 you're going to be shot and killed -- or I can

12 get this threat away from all of you. What do

13 you think their vote would be up there?

14 That's why this choice they're

15 saying Robert and Sidney should have made down

16 there is absolutely disrespectful of the folks

17 on the third floor, disrespectful of anybody

18 that could have been shot that day. That's why

19 the post orders all say do not try to take a gun

20 away, because they're not trained to do that.

21 And let's say Robert and Sidney

22 made the choice to do that that day, and,

23 according to Hauri, it went with the bad

24 50 percent. They're killed and other people are

Page 42

1 killed in the lobby, because Jackson wanted to

2 make sure nobody stood in his way to make it up

3 to the 38th floor. Let's say they're killed.

4 Wouldn't we still be in this room,

5 except we'd have the loved ones of those down

6 there on the third floor, and they'd be arguing

7 you're violating our post orders by trying to

8 take the gun away. These are the choices that

9 they're giving you, and those choices make

10 absolutely no sense.

11 Where is the talk from these

12 individuals that Robert was taken as a hostage?

13 No one disagrees with that. Jake has looked at

14 the surveillance tape, taken a hostage, all of

15 the experts, Mr. MacGeoy, our expert, Mr. Hauri,

16 Dr. Kennedy all agree Robert was taken a hostage

17 that day.

18 Where do you hear discussion about

19 what it means to be taken as a hostage and be

20 threatened and you're going to be killed? Where

21 is that discussion in this case?

22 They act as if it's the movies.

23 Somebody comes up, threatens to kill you, has a

24 gun on you, and it's no big deal.

Page 43

1 I think one of the more interesting

2 points of this trial is when counsel was

3 berating Robert. Robert was trying to answer

4 but I had a gun on me, I had a gun on me.

5 And Robert turned to counsel and

6 says what would you have done with that gun on

7 you? You didn't get an answer. You didn't get

8 an answer, because we all know that if a gun is

9 put on you, you comply. You comply.

10 And in this particular case Robert

11 kept his calm. I don't know how many people

12 confronted by Joe Jackson would have kept their

13 calm, wouldn't have panicked under the

14 situation. And he took Joe away from the

15 immediate threat which was on the third floor.

16 And then what happened? He gets in

17 the elevator. It's called deescalation; right?

18 It's not escalation. Deescalation.

19 Robert asked the man with the gun

20 pointed at him what's this all about? What's

21 this all about? And Jackson tells him the guy

22 upstairs owes me \$1,000. That's not in dispute.

23 So now let's evaluate. A security

24 guard exercising ordinary care -- that's the

Page 44

1 standard you're going to be judging Robert and

2 Sidney by, by the way. The jury instruction

3 says "ordinary care." You didn't hear that very

4 often in those speeches earlier. Ordinary care.

5 What would a security guard with a

6 gun pointed at him -- excuse me, a gun pointed

7 at him do when he's told I want to go upstairs

8 and get \$1,000 from lawyers? What would

9 ordinary care -- what should he have done and

10 exercised with ordinary care?

11 Well, he's got choices; right?

12 It's \$1,000. This guy is calm. Do you

13 remember? In all of the descriptions, you see

14 him on the surveillance film. Jackson is calm

15 the whole time. Tenton described him as calm

16 and methodical, which really made it freaky.

17 But he's confronted by a guy that's

18 real calm, not screaming, hollering, going

19 crazy. I want \$1,000 from a lawyer. A lawyer

20 owes me \$1,000. What should he have done there?

21 Escalate the situation? Try to take him on in

22 the elevator and get killed?

23 And, of course, now you've got

24 Jackson free to roam the building. No longer

Page 45

1 can a security guard observe and wait for an  
2 opportunity to report.  
3 He gets him up there. He's being  
4 calm. They go inside. He's being calm. Robert  
5 reasonably, reasonably, believed that this  
6 situation was going to go away for \$1,000. Of  
7 course, no one knew Joe Jackson.  
8 Was he supposed to take him out in  
9 the hallway for \$1,000? According to  
10 Mr. Hauri -- do you remember his testimony --  
11 now they're up on the 31st floor before they  
12 make the exchange to go up the remaining seven  
13 flights? Hauri says you should have run.  
14 That's his opinion to you. At that point Robert  
15 should have run.  
16 As we sit in this courtroom and you  
17 hear all of these disparaging things said about  
18 Robert, I'll bet he thinks maybe he should have  
19 just run.  
20 But, of course, if he did, we'd  
21 still be back in this courtroom, and all of  
22 these post orders, and you should have done  
23 this, and you should have done that.  
24 But Robert didn't run. He didn't

Page 46

1 cry. He didn't beg for his life, because he had  
2 a reasonable belief, even though he had a gun,  
3 the guy wasn't -- Jackson wasn't acting crazy.  
4 Real calm. It's 1,000 bucks. We'll get the  
5 money, I'll escort him back out of the building,  
6 get him on the street, call CPD. That was his  
7 plan. And that was a guard in similar  
8 circumstances showing ordinary care.  
9 Then, of course, we all know all  
10 hell broke loose, and Jackson could not be  
11 stopped.  
12 You heard Tenton come in here  
13 earlier. I got him down off the stand to show  
14 you everything he did. Tenton is a hero.  
15 There's a few heroes in this case  
16 that you haven't been hearing about. He comes  
17 up there. He knows shots have been fired;  
18 that's the call. He doesn't know anything about  
19 it, but he sneaks in the back way.  
20 Do you remember what his testimony  
21 was? This is the Joe Jackson that plaintiffs  
22 say Robert could have taken down, could have  
23 persuaded.  
24 Tenton goes in that back way, he

Page 47

1 can't hear a thing. It's eerily quiet. And he  
2 told you he was so afraid for himself with a  
3 bulletproof vest on and a big gun.  
4 What did he tell you he did? He  
5 turned around and left. He turned around and  
6 left, went back out the door, because he was  
7 afraid for his life.  
8 Tenton's life counts. Robert's  
9 life counts. Everybody that day in that suite,  
10 down there in the third floor, up in the  
11 elevator, everybody's life counted that day.  
12 So he comes back around -- this is  
13 Tenton -- and he sees his partner, Nelson. And  
14 they go and peek down that hallway, the hallway  
15 that goes right through the glass doors of the  
16 38th floor.  
17 He told you what he saw. He sees  
18 McKenna down, he sees Danzig, and he sees  
19 Jackson standing there with a gun.  
20 And what did Tenton try and do? He  
21 tried to talk to Joe Jackson. He tried to talk  
22 to him. Put your gun down.  
23 Do you remember what Joe Jackson  
24 did at that moment? This is the guy that they

Page 48

1 say could have been persuaded to leave our  
2 building on the third floor.  
3 As soon as he sees Tenton, he grabs  
4 Goodson, takes him around the corner and kills  
5 him right on the spot right in front of Tenton.  
6 Is that a person that Robert could have  
7 persuaded or Sidney could have persuaded  
8 downstairs?  
9 Then he comes back. Jackson is  
10 sitting there right in the lobby. And a hero, a  
11 hero, now Detective Tenton, turns to his partner  
12 and says as soon as he reloads, as soon as he  
13 takes his gun down, pulls that chamber out and  
14 starts to reload, let's rush him. Let's rush  
15 him. And that's exactly what he did. Except  
16 Joe was too fast on the draw. He got that gun  
17 back up and fired right at Detective Tenton as  
18 Detective Tenton fired about five rounds at him.  
19 They all missed. Each one tried to kill each  
20 other. That's Joe Jackson. Unstoppable,  
21 fearless. You're not going to dissuade me. I'm  
22 going to kill you.  
23 And then Tenton is now stuck on the  
24 side of the door that's chained. He's stuck

Page 49

1 there now. He's got nowhere to go. And what  
2 did he tell you? He spent 40 minutes there  
3 right around the corner trying to talk to  
4 Danzig, trying to talk to Joe Jackson, trying to  
5 work things out. Is that -- Joe Jackson, was he  
6 able to be persuaded now?  
7 He kept telling him I'm going to  
8 kill Danzig. He pulls the hunting knife out.  
9 Jackson tells Tenton okay. I'll make a deal.  
10 You're right, they're right. We can negotiate.  
11 We can negotiate. Here's how I'll let you out  
12 of the situation. I'll let Danzig go, you come  
13 in and shoot me right between my eyes. That's  
14 Joe Jackson. Is that the person on the third  
15 floor that could be persuaded to leave?  
16 And all of the experts agreed, by  
17 the way, he came there to die. That's not in  
18 dispute. Tenton told you that, "murder by  
19 suicide."  
20 And they want you to believe a few  
21 kind words to Joe on the third floor, and he  
22 would have said oh, you're right, I'll leave and  
23 come back another day. Those people on the  
24 third floor, their lives count too.

Page 50

1 So that's Joe Jackson, unstoppable,  
2 murderous, suicidal, vicious. I could keep  
3 going. And he doesn't get a percentage in this  
4 case? I wonder why that is. I wonder why that  
5 is.  
6 Let me cover a couple of other  
7 topics here so that the representations being  
8 made have a little balance.  
9 500 West Madison, it sounds like  
10 they're suggesting this is some dangerous,  
11 high-risk place, and AlliedBarton should have  
12 seen that coming and done something about it.  
13 Yeah, well, that wasn't the evidence in this  
14 case. And you should be looking at this case  
15 from the evidence.  
16 The evidence in this case is  
17 20 years, 20 years before this, all those  
18 20 years, never violence on that third floor or  
19 above. Never.  
20 Even Dr. Kennedy agreed this  
21 incident was not foreseeable to AlliedBarton,  
22 but they keep throwing these workplace post  
23 orders at you and everything else.  
24 I don't remember hearing,

Page 51

1 for example, that the Woods firm, Mr. McKenna,  
2 Ms. Leib, ever felt that Jackson was a danger,  
3 was a candidate for workplace violence. No one  
4 told the building about Jackson. This was a  
5 very safe building.  
6 And who was in the best position,  
7 the best position to determine the level of  
8 security services they wanted? Well, wouldn't  
9 it be the building? The owners? NACA?  
10 Wouldn't it be MB Realty? Wouldn't it be  
11 Jenkins?  
12 Because you heard they've had many  
13 security companies provide services at their  
14 building before us, before us, and I don't think  
15 anyone is here disputing that they were the ones  
16 that dictated the level of services. We were  
17 just a vendor that provides security services.  
18 You want armed guards? We'll give  
19 you armed guards. You want a quasi militia? We  
20 can probably arrange that for you. What do you  
21 want? Oh, you want the same service of every  
22 other security service company that had been  
23 there before us? We can do that.  
24 You don't want us armed? We're not

Page 52

1 armed. You want us wearing nice suits? We'll  
2 wear nice suits. You want to go over these post  
3 orders and have a hands-off policy? We'll keep  
4 our hands off people.  
5 You want what everybody else did?  
6 We'll give you that. You want a duress code?  
7 That seems to be a big one in this case, duress  
8 code. It sounds good, doesn't it?  
9 Which one do we use, though? Which  
10 one do we use? I just heard from counsel  
11 Dr. Kennedy -- you guys remember Dr. Kennedy --  
12 the representation I heard is he spent his whole  
13 life going over the duress codes. Okay. Sure.  
14 I'll go with that.  
15 Do you remember when I asked him?  
16 All right, do you think a duress code would have  
17 worked? Which one? Give me a name. Tell me  
18 something.  
19 Well, I don't know. I don't know  
20 what duress code AlliedBarton should have used.  
21 I'm just saying they should have used one.  
22 NORA, I asked him about that. Does  
23 Sidney look like a NORA? Dr. Strong? Code 10?  
24 What do you think Joe Jackson would have been

Page 53

1 thinking about that, by the way? What do you  
2 think you would have been thinking about that?  
3 He tells Robert get rid of him. Okay. Sidney  
4 comes over. Is there a problem? No. NORA.  
5 No. Code 10. I could go on and on and on.  
6 Nonsense. There isn't any code that would have  
7 worked with Joe's gun pointed at Robert.  
8 And, by the way, all of the experts  
9 agree no one was using codes back then. No one.  
10 That was the standard. No one used those kind  
11 of duress codes, but they think we should have.  
12 Is it because it sounds -- it  
13 sounds interesting to put blame on us? Or would  
14 it have worked because surely NACA and MB  
15 Realty, if they felt they wanted guards with a  
16 gun on them, coming up with some sort of code  
17 language, they would have asked us to.  
18 I don't know which one would have  
19 worked, though. I'm still waiting to hear which  
20 one would work instead of just a blanket claim  
21 we should have had one.  
22 What else have they said about  
23 Robert? You're going to get this issues  
24 instruction here, and it's got, I don't know,

Page 54

1 maybe 20 of them. He should have had 6 feet as  
2 the gun is on him. Oh, excuse me. You told me  
3 you'd kill me, but, before you do, can I get  
4 6 feet between us?  
5 He should have searched his  
6 package. Now, they're not saying before, before  
7 his hand was in the package. They're not saying  
8 that, because the video shows that it was just a  
9 flat envelope, flat manila envelope. It wasn't  
10 until he put his hand in there -- and I -- I've  
11 got to talk about that too.  
12 So search the package they're  
13 claiming is when Jackson has his hand on the .38  
14 in the manila envelope. Okay. I wonder how  
15 that would have worked out. Don't be a hero,  
16 you'll go home to your family tonight. Everyone  
17 agrees, everyone agrees in this case, a clear  
18 threat to kill.  
19 And then Robert says to him can I  
20 search your package, please? It looks  
21 suspicious. Robert's life matters.  
22 Don't leave your post. That's  
23 another one. Don't leave your post. They're  
24 saying he shouldn't have left his post after he

Page 55

1 was taken hostage. What should his response be?  
2 I'm sorry, sir. I know you've  
3 threatened to kill me. I know you want to take  
4 me up to the 38th floor, but that would be  
5 violating the rules. Can I just stay here? Can  
6 I just hang out here?  
7 Or Robert, you violated the pass.  
8 He needed a pass. Okay. He threatened to kill  
9 me. Why don't you take me up to the 38th floor.  
10 I can't do it before you get your pass. What do  
11 you think Jackson's response to that would have  
12 been?  
13 All of these things, I went through  
14 all of these things with their experts, and they  
15 agreed well, it certainly could have happened  
16 that Joe might have just killed Robert right  
17 then and there, and Chambers, assuming he was in  
18 the vicinity.  
19 These are all -- they like to use  
20 the word "red herrings." I call them  
21 distractors, distracting you from what the  
22 reality of the situation would have been.  
23 He shouldn't have double swiped him  
24 through the turnstiles, shouldn't have done

Page 56

1 that. You should have told -- this is what  
2 they're claiming.  
3 You should have stopped Jackson and  
4 said I can't let you through. You're violating  
5 the rules. I know you say you're going to kill  
6 me, but my rules count more than my life.  
7 Do you think that was a reasonable  
8 reaction? Do you think that's ordinary care on  
9 a person that's a hostage, to start going over  
10 post orders with a guy that turns out to be a  
11 suicidal, homicidal maniac? Do you think he  
12 would have taken kindly to that? Do you think  
13 that might have escalated the situation down  
14 there with all of those people around? You bet.  
15 Another one I heard is, you know,  
16 even though he's forcing you to go through the  
17 turnstile to the mid-rise, you should have taken  
18 him to a different set of elevators.  
19 Of course, that kind of contradicts  
20 their position that you should have delayed him  
21 longer, had he taken him to the express elevator  
22 to the 38th floor. That took time off the  
23 clock.  
24 And you heard Robert tell you in

Page 57

1 the elevator, in the elevator, he's being  
2 contacted by the fellow security guards. They  
3 knew he was missing right off the bat. They  
4 were paying attention that day; they just didn't  
5 know what was going on. They didn't know he was  
6 a hostage.  
7 So let's stay on that for a minute,  
8 the third-floor conduct on the part of Robert.  
9 In addition to all of these that clearly would  
10 have escalated the situation and put everybody's  
11 lives at risk, another one is somehow he should  
12 have been caught.  
13 Well, of course, that's the role.  
14 We don't fight. We don't disarm. The services  
15 contracted for, we observe and we report to the  
16 police. That's a valid -- that's a valid one to  
17 talk about.  
18 Well, first of all, where was the  
19 opportunity to call the police? You know, it's  
20 as if, when I hear these arguments, we're in  
21 slow motion. We're like in a Scorsese movie.  
22 Everything is slow.  
23 That's not what it was on the  
24 videotape. Well, let's slow it down. Let's go

Page 58

1 in slow motion. How long did it take for  
2 Detective Tenton to get to the building? Do you  
3 remember that? I thought that was an important  
4 question to ask.  
5 You might want to -- you might be  
6 interested in a time line, since they're  
7 claiming somehow the calvary could have come and  
8 stopped this from happening.  
9 Remember, it's hostage, turnstile,  
10 elevator straight to the 31st floor, elevator  
11 straight to the 38th floor. We're talking about  
12 seconds. Seconds.  
13 And you heard McKenna, right?  
14 Quickly, as soon as he got in there? You heard  
15 about Jackson and Robert, how quickly they got  
16 Mr. McKenna?  
17 Do you really believe the Chicago  
18 police could have got there in time to do  
19 anything?  
20 And, by the way, what would be the  
21 report to them? I think the claim is Chambers  
22 saw him being suspicious on the third floor.  
23 Instead of going down, his actions -- I'm  
24 telling you his actions speak louder than his

Page 59

1 words.  
2 I believe the claim is -- and it's  
3 a little confusing -- that it's Chambers that  
4 should have gone to the Control Room and alerted  
5 the police. All right. Let's go with that.  
6 What was he going to tell them?  
7 You know, I'm concerned about one of my security  
8 guards. A guy's acting suspicious? Chambers  
9 certainly didn't know he had a gun.  
10 And so you call that out to the  
11 Chicago police department. You know, we've got  
12 a concerned, suspicious person, how quickly do  
13 you think they would have come over on that  
14 information versus how quickly Tenton came when  
15 the report to him was shots fired? Or might  
16 they have responded hey, you know, look -- check  
17 into it, keep us posted.  
18 But even if somehow they  
19 interpreted suspicious person and the calvary  
20 comes in, the time line doesn't work. It's  
21 never going to work. It's never going to work.  
22 It didn't work for Tenton; he told you that.  
23 And he told you, in probably one of  
24 the most candid things I've ever heard, he told

Page 60

1 you, you know, I wasn't trained to take on  
2 Joe Jackson. I wasn't trained to disarm him.  
3 The last couple of questions in  
4 your notes, I thought that might be important  
5 for you to hear.  
6 Detective, tell them what you were  
7 thinking of Joe Jackson after exchanging gunfire  
8 when you felt you had the drop on him and you  
9 quickly reloaded and fired right back at him.  
10 And, by the way, you may have  
11 caught it, but Tenton's too solid of a guy to  
12 have told you, but remember he said to Nelson,  
13 as soon as he's reloading, we both go. What did  
14 Nelson do? He didn't move. He stayed back.  
15 And that's not criticism. That shows you how  
16 dangerous Joe Jackson was, the guy they wanted  
17 us to talk into leaving our building.  
18 So Tenton told you when I asked him  
19 why SWAT? You're there. He looked you in the  
20 eye and said we are not trained to take a gun  
21 away; that's SWAT, and that's 40 more minutes.  
22 So when you hear about how all of  
23 these possibilities could have happened if  
24 Chambers had called the police, the math is

Page 61



1 never going to work. Jackson was up there, and  
2 he was not going to be stopped.  
3 So the experts agree this wasn't  
4 foreseeable. The experts agree under the  
5 contract, under Illinois law, unarmed security  
6 guards get zero training for hand-to-hand  
7 combat, taking guns away, wrestling somebody  
8 with a gun, because they don't want them doing  
9 that without that training. That's a good way  
10 to get a lot of people shot, including yourself.  
11 Illinois law doesn't provide for  
12 that training. NACA/MB didn't want that  
13 training. That's Jenkins telling you that. And  
14 we don't have that training. We're there to  
15 detect, deter, observe, and report.  
16 It's the Chicago police department  
17 that, when we talk about saving lives, that's  
18 how we do it. We report these things are  
19 happening. We don't try to take the gun away  
20 from you.  
21 They have tried to create this  
22 image that your title is security guard, and  
23 you're there to take on people with guns.  
24 That's not the evidence. That's never going to

Page 62

1 be the evidence. And you saw all of our post  
2 orders that say no, you're not supposed to do  
3 that. That's how you get killed, and that's how  
4 you jeopardize others.  
5 And I'll say it again. Robert's  
6 life matters. And you heard him tell you about  
7 what he experienced. And he's not here for your  
8 sympathy. He's not asking for anything but you  
9 being fair to him.  
10 But you've heard what he went  
11 through, witness after witness, how inconsolable  
12 he was, Jenkins telling you they cried together.  
13 They act as if having a gun pointed  
14 at you, seeing somebody killed right in front of  
15 you, hearing a guy going down the hallway  
16 killing people, the screams, that somehow a  
17 security guard that under Illinois law is not a  
18 police officer, has no powers of arrest, and has  
19 to be told under Illinois law, under Illinois  
20 law told you are a private citizen. Just in  
21 case you think you have some additional powers,  
22 you don't. You call the Chicago Police  
23 Department. You don't fight. You don't bring  
24 your own weapons. You're unarmed.

Page 63

1 And that's the guy, Sidney, they're  
2 trying to convince you should have been playing  
3 Rambo down there on the third floor. That's not  
4 the law. That's not the custom and practice.  
5 I mean, think about it. Think  
6 about who the plaintiffs are in this case for  
7 liability. They want damages. They have the  
8 burden of proof. I'll bet you they'll be  
9 telling you that shortly. They have the burden  
10 of proof. They have to produce the evidence.  
11 Well, surely there's got to be  
12 somebody that owns that building, somebody that  
13 works for MB Realty, if we did something wrong,  
14 would come in and say you know, this is an utter  
15 disaster, a true tragedy. Robert and Sid should  
16 have done more. Well, I'm still waiting for  
17 these people to come in here, but they're not,  
18 because we did nothing wrong.  
19 Now, I know they've got  
20 Sidney Chambers. We've heard. They just played  
21 a clip of him earlier. And this is one of those  
22 kind of catch-22 situations. There is no doubt  
23 Sidney Chambers was a hero that day, just like  
24 Jenkins. He saved people.

Page 64

1 But I want you to think about that  
2 person, that Sidney Chambers. And I want you to  
3 think about what Jenkins said about him, that he  
4 was a great guy, great at training, ready to go,  
5 great security guard. Of course, Jenkins said  
6 that about Robert as well.  
7 But let's say that's the true  
8 Sidney Chambers, the hero willing to be shot to  
9 get up there and break through that door.  
10 Is it believable that he would have  
11 walked away from Robert and Jackson on the third  
12 floor? Is that really believable?  
13 That Sidney Chambers, that he would  
14 have felt, he saw him earlier, looked like one  
15 of his childhood puppets, he was suspicious.  
16 That they even played a tape -- or  
17 he said he felt threatened, he felt threatened  
18 by Jackson on the third floor. Is it that  
19 Sidney Chambers? The one I told you you judge  
20 on his actions? Is it just a coincidence he got  
21 demoted, then he got fired?  
22 And all of this information they're  
23 playing you from his deposition is when he had  
24 been fired. Wasn't working for us.

Page 65

1 Which Sidney Chambers do you want  
2 to believe in? All I can tell you is that's why  
3 I told you the surveillance tape is the best  
4 evidence in this case. You're never going to  
5 see Sidney and Jackson at any other time other  
6 than on the third floor. Never.  
7 And when you see interaction with  
8 Chambers and Robert and Jackson, there wasn't  
9 anything suspicious looking. And let's say  
10 there was. Robert told him, as he was forced to  
11 do by Jackson, there's no problem here. And you  
12 see Chambers walk behind him and then go on the  
13 rest of his rounds.  
14 Those are the actions of a person  
15 that wasn't thinking Jackson was threatening at  
16 that time, suspicious at that time. That's not  
17 Sidney Chambers. Sidney Chambers, if he felt  
18 that, they would have never walked another foot.  
19 Of course, what was he supposed to  
20 do then? Do you know what? I think this is  
21 suspicious, sir. Tell me a little bit more  
22 about -- boom, shot.  
23 Well, now we have two hostages.  
24 There might have been that. But Sidney wasn't

Page 66

1 going to talk Jackson out of anything that he  
2 had planned for a long, long time.  
3 We have damages being sought in  
4 this case. I can tell you that defense lawyers  
5 tend to be reluctant to talk about damages,  
6 because you know when they get their last bite  
7 at the apple, they're going to say something  
8 like well, a defense attorney wouldn't be  
9 talking about damages if he felt that he had no  
10 liability.  
11 Well, I have a duty to my clients  
12 to address all of the issues in this case. And  
13 I don't have much to say about the damages,  
14 other than this:  
15 You heard Scarborough and Linke,  
16 the two economists that squared off. Linke  
17 90 percent of his time is for plaintiffs.  
18 Scarborough pointed out he doesn't follow proper  
19 methodology in doing his present cash value  
20 calculations.  
21 In the one case with Mr. McKenna,  
22 there's not that much difference because there  
23 wasn't that much income to argue over. And in  
24 Mr. Hoover's case there's a lot of income to

Page 67

1 argue over, and Mr. Scarborough's numbers were  
2 about 65 percent of what Mr. Linke's were.  
3 In terms of all of the non --  
4 that's what we call these -- noneconomic  
5 damages, absolutely experienced by all. Their  
6 testimony coming from that stand was compelling;  
7 that's why we didn't ask any questions.  
8 Obviously, Mr. McKenna, Mr. Hoover,  
9 Ms. Leib, all of the things that they testified  
10 to, you know, that their families testified to,  
11 you know, were heartfelt.  
12 But I'm just wondering here  
13 whatever happened to the value of a dollar?  
14 Throwing out millions and millions and millions  
15 of dollars. Whatever happened to the value of a  
16 dollar?  
17 When I think of how hard people  
18 work every day to make their income, the  
19 sacrifices all of us make to pay our expenses,  
20 fix the car, to try to set -- we spend a  
21 lifetime to try to set some money aside to  
22 retire on, the worries we have. That's the  
23 value of money, not millions and millions of  
24 dollars. That has -- those claims have about as

Page 68

1 much credibility as the fake Joe Jackson or as  
2 much credibility as Joe doesn't have any  
3 responsibility in this case, it's all Robert.  
4 I want you to think about that. If  
5 you get to damages, you'll get an instruction.  
6 There's no liability. There's no cause to think  
7 about damages considered at all. And we believe  
8 we've done nothing wrong. We've kept the  
9 standard of care, the ordinary care that guards  
10 exercised that day.  
11 But I do think we need to be fair  
12 and just. And, of course, I do this at great  
13 risk whenever I suggest the next half hour or so  
14 they get to speak, they're going to be jumping  
15 up and down, screaming, hollering, probably  
16 calling me names, everything.  
17 But we respect the value of a  
18 dollar. I think every one of those  
19 beneficiaries, give them a range of \$750,000,  
20 a million and a quarter, adjust them up and  
21 down, depending on how much time they spent with  
22 their loved ones. That's probably what's fair  
23 and just.  
24 The jury instructions themselves,

Page 69

1 you've heard a little bit about it. We have a  
 2 case against Joe Jackson that Her Honor is going  
 3 to ask you to assess percentages. And we have a  
 4 whole bunch of them here to talk about what you  
 5 ought to be considering when it comes to  
 6 Joe Jackson.

7 For example, does he have fault for  
 8 resisting and obstructing and shooting at a  
 9 police officer, shooting and killing  
 10 Mr. McKenna, Mr. Hoover, shooting Ms. Leib?

11 Does he have responsibility for  
 12 taking -- kidnapping Robert, taking him hostage,  
 13 terrorizing -- terrorizing everybody up on that  
 14 floor. Doesn't that eschew fault? All of this  
 15 with a plan, that he wasn't giving up, that he  
 16 wasn't going to be talked out of it.

17 Proximate cause will tell you what  
 18 it means, that the natural and ordinary course  
 19 of events produced the decedents' and the  
 20 plaintiffs' injuries. That's Joe Jackson.  
 21 Doesn't his criminal behavior exceed Robert if  
 22 he didn't show ordinary care?

23 How can you possibly assess a  
 24 percentage to Robert or AlliedBarton or Sidney

Page 70

1 when you see what this monster did from the  
 2 third floor on?

3 And they haven't sued him. How can  
 4 they ask you for justice if they don't say he  
 5 deserves something?

6 And I mentioned ordinary care.  
 7 Ordinary care, this is the instruction you're  
 8 going to get. It means the care a reasonably  
 9 careful person would use under the circumstances  
 10 similar to those shown by the evidence.

11 The law does not say how a  
 12 reasonably careful person would act under those  
 13 circumstances; that is for you to decide.

14 Robert made a decision to take that  
 15 threat off the third floor. He didn't know  
 16 where it was going, but he knew he was in a  
 17 crowded area.

18 And he wasn't going to check the  
 19 passage and say, you know, you've got to get a  
 20 pass first. He was protecting everybody around  
 21 him. As I've said, their lives matter too.

22 This was not foreseeable. Robert  
 23 addressed the immediate threat; get him away  
 24 from people, talk to him.

Page 71

1 Now, they've said a lot of  
 2 derogatory things about Robert, particularly up  
 3 on the third -- on the 38th floor.

4 And I would suggest to you you  
 5 ought to consider that in terms of what's the  
 6 point? Why are you maligning Robert on the 38th  
 7 floor?

8 Why don't you talk about the fact  
 9 that, when he got up there, he tried to talk  
 10 Jackson into leaving a message when Ms. Leib  
 11 kept telling Jackson you're not going to see  
 12 Mr. McKenna, he's in a meeting.

13 Why are they maligning Robert when  
 14 all this goes down? Jackson takes off down the  
 15 hallway going left, and Robert goes right and  
 16 warns people. They're challenging that,  
 17 I guess.

18 Except we produced a witness, one  
 19 of the gentlemen up in that suite, and he told  
 20 you Robert was knocking on my door. Does that  
 21 sound like a person that wasn't trying to help  
 22 up there?

23 You didn't hear Robert go hide in  
 24 an office, lock the door. You didn't hear

Page 72

1 Robert go running to hide under a desk, cry for  
 2 help, beg for his life.

3 What you heard was Robert trying to  
 4 warn people, and then he's back in the lobby.  
 5 And he told you because McKenna was there,  
 6 Danzig was there. I don't know what he was  
 7 planning on doing. He didn't run. He didn't  
 8 run. But they want to malign him, because that  
 9 takes your attention away from Jackson.

10 He stayed there -- Jackson is  
 11 running around killing. He comes back, and he  
 12 fires at Robert and Jenkins and Chambers. This  
 13 is real life. This isn't a movie.

14 And for that Robert couldn't go  
 15 back to work for months and never has been back  
 16 to 500 West Madison. He's gotten help for his  
 17 mental issues. He told you on the stand I spent  
 18 11 years trying to forget this. So did Jenkins,  
 19 not by coincidence, I've been trying to forget  
 20 this, as they're trying to ask him all of these  
 21 questions, and he wants to see the paper. It's  
 22 called trauma. It's not the movies.

23 No one really understands what it  
 24 means to be taken a hostage and threatened to be

Page 73

1 killed. I don't care how macho you are, 6'2,"  
2 they keep saying, Sidney Chambers 6'4'."  
3 There's a lot of tough guys in this  
4 town, the toughest guys in this town, that are  
5 lying dead on the street because a gun won.  
6 Have no mistake. Jackson was there  
7 to kill, and he wasn't just thinking lawyers.  
8 Tenton would tell you otherwise. Goodson would  
9 tell you otherwise. Leib would tell you  
10 otherwise. Robert, Greg Jenkins,  
11 Sidney Chambers would tell you otherwise. He  
12 was on a mission to kill anybody and everybody  
13 that was in his way.  
14 And, as I said before, that's why  
15 it took two bullets to take him out by SWAT. He  
16 just wanted to kill and kill and kill until the  
17 people that could only stop him, Chicago SWAT,  
18 took him out.  
19 So I'm sure I missed something  
20 here, but I tried to cover all of the areas  
21 important for your consideration. I guess  
22 training would be the last thing.  
23 Maligning Robert. I guess I wasn't  
24 done talking about that. I mean, how dare they

Page 74

1 question the fact that he didn't have a GED.  
2 How dare they?  
3 He had 10 years as a security guard  
4 when this incident happened, 10 years. And I  
5 went through all of the companies, National  
6 Canine, he's out there on the Red Line at night  
7 as a security guard, and others that Mr. Power  
8 and his experts said those are all companies --  
9 they're companies that he came to work for  
10 before he came to AlliedBarton. Do you think he  
11 should have had a high school degree?  
12 He flunked an exam. We heard that  
13 one again. He flunked an exam. Really? That  
14 was an MSO, which Jenkins told you Peter Moreau,  
15 our ex-Account Manager, all our witnesses don't  
16 work for us. Those are the kind of credible  
17 witnesses you out to listen to. They don't have  
18 a stake in this case like a paid expert.  
19 We told you the MSOs is what  
20 distinguishes AlliedBarton among all other  
21 security companies. We double the requirement  
22 by Illinois law, not 8 hours a year, 16. And  
23 the MSOs are our creation to make our security  
24 guards better. But it's voluntary. And you

Page 75

1 want them to tell you he had flunked a voluntary  
2 examination that he never had to take in the  
3 first place and judge him on that? Is that  
4 seeking justice?  
5 Couple more just came to mind here.  
6 Do you remember that whole display?  
7 When you think about credibility,  
8 what they're saying against us. Do you remember  
9 the bloody envelope? I'm not going to put the  
10 gloves on and bring it back in front of you, but  
11 do you remember that whole big deal?  
12 You know, Mr. Brown, Mr. Brown,  
13 where's the writing on this? Where's the  
14 writing? He's like I don't know. I'm trying to  
15 forget this. I'm trying to forget this, sir.  
16 Well, where is it? It's not on there.  
17 And do you remember they went in  
18 front of you? Look. Look. One of you said  
19 turn it around. Look, look, it's not there.  
20 It's not there because it wasn't written on this  
21 envelope. They had the tape. They had the  
22 surveillance tape. Let's put that clip up.  
23 That's it right there.  
24 They spent all of this time trying

Page 76

1 to make Robert look bad by saying where is it,  
2 sir? It's not here. You're making it up is  
3 what they're trying to tell you.  
4 But they have the same surveillance  
5 tape we had. That wasn't the manila envelope;  
6 it was a white note.  
7 Do we have it when he's presenting  
8 it? He's showing him the white note, not the  
9 manila envelope.  
10 But they did that to make Robert  
11 look bad when they knew it wasn't the yellow  
12 folder, manila envelope, that was shown to  
13 Robert by Jackson. It was a white note that's  
14 gone. Is that searching for justice when they  
15 know that whole demonstration was phony boloney?  
16 Or how about grilling Robert about  
17 the suspicious package; right? Do you remember  
18 this thing?  
19 I said counsel, take your hand out  
20 of there for a minute. Is that how a gun is  
21 held?  
22 Questioning Robert about a  
23 suspicious package hoping to get him to say  
24 things. And he kept saying I don't remember,

Page 77

1 show me the videotape.  
2 Then you see the videotape, and  
3 this envelope was never with fingers stretched  
4 out like this. Trickery. Trickery to malign  
5 Robert.  
6 Do you remember the group hug when  
7 the three lawyers got down here in the well?  
8 Robert says I don't remember how much space was  
9 between us. They had the tape. They had the  
10 surveillance tape. They knew exactly the  
11 positions that Jackson, Robert, and Sidney were  
12 in. They knew exactly.  
13 And Robert kept saying I don't  
14 remember, show me the video. And they show him  
15 a camera angle that's blurry, and it looks like  
16 everybody's together.  
17 And then I got up there and showed  
18 him the correct one. And there's not a group  
19 hug. There's no sticking the package up in his  
20 ribs. Is that searching for justice? Are they  
21 really wanting to get at the truth?  
22 Why didn't they ever say to Robert  
23 you did this, tell us why. Tell us why you did  
24 it. They weren't interested in the whys.

Page 78

1 They're just talking about no  
2 high school degree, flunking an exam, shots  
3 weren't fired at you, trying to play the 911  
4 tape. All of these things, is that really the  
5 path to determine whether Robert exercised  
6 ordinary care or is that to make him look so bad  
7 to all of you you'll forget Joe Jackson? You're  
8 smarter than that.  
9 And I could go on and on. Another  
10 one just came to my head when they had  
11 Mr. Moreau on the stand talking about Robert's  
12 training. Do you remember?  
13 Robert, even though Jenkins said he  
14 was trained, they're going after Moreau. They  
15 pulled out one of his employment records, and it  
16 shows in November he didn't attend one of the  
17 training sessions in December, but he had up  
18 until July of 2006. Do you remember that?  
19 They're telling you that he didn't do his  
20 training.  
21 Then I come back with the other  
22 document in his employment file that showed he  
23 had already 11 hours that they didn't show you,  
24 and then the other courses that he took, Moreau

Page 79

1 told you those are at the minimum 4 hours each,  
2 maybe 5. Robert exceeded his training that  
3 year.  
4 And do you remember the best that  
5 they could do about that after that discovery  
6 which they probably should have known about?  
7 Then the rest of the question is what did you  
8 do? You didn't do a quarterly. You didn't do a  
9 quarterly. He exceeded AlliedBarton's  
10 requirements, Robert, but you should have done a  
11 quarterly. Does snow on the ground make a  
12 difference in a properly trained security  
13 officer?  
14 So just think about all of these  
15 things. There's a lot of them. I'm not going  
16 to go through all of them. There's a lot of  
17 them. And compare that then to the truth from  
18 Greg Jenkins, his story, because you're not  
19 going to hear anybody else, other than the hired  
20 experts come in here and criticize AlliedBarton.  
21 You're not.  
22 So they get their second bite at  
23 the apple. And I wish I could get up and  
24 address everything they're about to say. That's

Page 80

1 not the rules. They've got the burden of proof.  
2 But you've got an awful lot of  
3 notes, and you've got an awful lot of memories  
4 about what you saw happen in this courtroom.  
5 And you'll be able to decide whether or not  
6 they're here to seek justice or they're here to  
7 seek something else.  
8 Thank you, and we look forward to  
9 you bringing justice to this case.  
10 THE COURT: Thank you, counsel.  
11 Counsel is right. Plaintiffs start  
12 and they get the last word. Do you all need a  
13 quick break? You do? Okay. Let's take  
14 several minutes.  
15 (Whereupon the following  
16 proceedings were had outside  
17 the hearing and presence of the  
18 jury.)  
19 THE COURT: Okay. What do we have?  
20 MR. JOSEPH POWER: Your Honor, I  
21 know you did not allow us in our initial  
22 argument to use the 911 tapes.  
23 THE COURT: Yes.  
24 MR. JOSEPH POWER: I think counsel

Page 81

1 argued it repeatedly about the shots being fired  
2 at Chambers and at Brown and at Jenkins, and  
3 they're heroes.  
4 There are no shots that are on that  
5 911 tape. That's why we played it before. And  
6 I think it's proper rebuttal, and I should be  
7 allowed to play that tape.  
8 That segment, not only the first  
9 part that shows you can hear the sound of  
10 shooting from the lobby, but then after they  
11 pulled the door down, where Ms. Murphy mentions  
12 they're pulling the door apart, there's no shots  
13 fired for a minute and a half after that. I  
14 request the Court that I be able to play that.  
15 MR. PATTON: And we, obviously,  
16 object to that.  
17 My argument was -- and you heard  
18 him argue when they had Robert Brown on the  
19 stand -- that he didn't have shots fired at him.  
20 That was their position when they were trying to  
21 malign my client.  
22 Of course, Mr. Jenkins came in and  
23 said we were all there when the shot or shots  
24 were fired at us --

Page 82

1 MR. ROGERS: That's not what he  
2 said.  
3 MR. PATTON: And what they tried to  
4 insinuate with the 911 tape, which they never  
5 tied up with Robert, by the way. They played  
6 it. And then when he came back the next day,  
7 they never asked him about the 911 tape. I  
8 probably should have moved to strike the 911  
9 tape as it applies to Robert, because they never  
10 tied it up. But certainly they made that  
11 argument. And that's fair game for me to say  
12 they made that argument.  
13 It doesn't mean they get to play  
14 the 911 tape. It doesn't mean I get to play the  
15 tape by Sidney Chambers where he says he was  
16 shot at in his deposition, nor do I get to play  
17 the deposition testimony of Brown where he says  
18 he was shot at, nor do I get to play the  
19 deposition testimony of Mr. Jenkins where he  
20 said he was shot at. We absolutely object to  
21 this.  
22 THE COURT: Counsel, I made the  
23 ruling that you could play 5 minutes. And I let  
24 part of it play so it wouldn't be so traumatic

Page 83

1 for the jury to hear it again, and you abided by  
2 that, and you played the segment that didn't  
3 have the shots.  
4 Mr. Jenkins did testify -- I wish I  
5 could put my finger to it -- but he did testify  
6 that they guided -- whether he was pulled,  
7 followed, whatever, Brown out through that door  
8 opening, that we guided Brown out, we guided him  
9 out, we made sure he did not leave our general  
10 area --  
11 (Discussion held off the  
12 record.)  
13 THE COURT: Counsel, I'm sorry.  
14 I'm not going to play it again.  
15 MR. JOSEPH POWER: You're not  
16 allowing me to play the fact that they weren't  
17 shot at?  
18 THE COURT: You can make that --  
19 you played it -- you chose the one you played.  
20 And I remember turning to you at  
21 the time and said are you sure you want to put  
22 it on now? Just because I -- remember I said  
23 that to you?  
24 MR. JOSEPH POWER: I understand

Page 84

1 that, but that's in evidence.  
2 But in arguing you can use evidence  
3 to argue to the jury.  
4 THE COURT: Yes, but not this  
5 evidence. This was --  
6 MR. JOSEPH POWER: This directly  
7 contradicts his argument.  
8 THE COURT: Counsel, then you have  
9 to say that, but you can't play the tape. I'm  
10 sorry.  
11 MR. JOSEPH POWER: Well, I'm going  
12 to -- in open court, since they objected, I've  
13 got to offer to play it, and then you're going  
14 to deal with --  
15 MR. PATTON: No, no, Judge. He  
16 doesn't have to make the offer in front of the  
17 jury. He did that earlier, by the way.  
18 THE COURT: We're also doing it  
19 right now too.  
20 MR. PATTON: And we agree this  
21 preserves the issue.  
22 THE COURT: Guys, I'm not going to  
23 run over it one more time. This is what I feel  
24 like is happening.

Page 85

1 MR. ROGERS: With regard to the  
2 60-01s, we were not able to argue during our  
3 closing arguments about any 60-01 instructions  
4 at all, because you had ruled that they would  
5 not be admissible.  
6 And then on the break after our  
7 closing arguments, counsel reraised the issue,  
8 and you indicated you would reentertain it and  
9 possibly allow them.  
10 We are clearly prejudiced in not  
11 being able to argue jury instructions based upon  
12 the Court telling us that they would not be  
13 given. We have not gone into those. That is  
14 prejudicial to us, and they should not be  
15 allowed.  
16 THE COURT: It was kind of a  
17 toss-up -- it was -- I was on the fence either  
18 way last night when we were considering it.  
19 And then I -- my feeling was it  
20 would confuse the jury and make them think that  
21 they had to make a determination with a  
22 different standard of proof. That was my reason  
23 for not -- not allowing it.  
24 And then when I heard, and

Page 86

1 rightfully so, I'm not criticizing you at all,  
2 Mr. Rogers, you were talking about the  
3 contribution, that counterclaim, third party,  
4 and talk about Jackson, and talk about his  
5 criminal behavior, even though you rephrased it.  
6 When I sustained the objection, I  
7 don't know the exact word at this point, guys --  
8 it's not just because of this. I almost let it  
9 in in the beginning. And it was my decision  
10 that it might be a little too much to put on the  
11 jury to have to think and consider that. I  
12 didn't want them to get sidetracked.  
13 MR. ROGERS: In reliance upon that,  
14 though, you're ruling not to put that in. I  
15 take care to pay attention to the instructions  
16 the Court tells me they're going to issue, and I  
17 argue those. I did not argue any 60-01  
18 instructions on reliance on the Court's  
19 ruling --  
20 MR. PATTON: Larry --  
21 MR. ROGERS: I'm not done.  
22 MR. PATTON: I'm helping you here.  
23 I have no objection. I agree with  
24 his position.

Page 87

1 THE COURT: Okay. Okay.  
2 MR. PATTON: It wasn't the Court's  
3 fault. It's the way it came about.  
4 If he wants to argue it in his  
5 rebuttal -- have we agreed on a time?  
6 MR. MOTZ: Twenty-seven minutes.  
7 THE COURT: Twenty-seven minutes?  
8 MR. PATTON: I thought it was 18.  
9 THE COURT: Well, every group had  
10 different --  
11 MR. MOTZ: It was 18 with the  
12 sidebar, 22 without -- yeah, without the sidebar  
13 is how much time they had left.  
14 THE COURT: Okay.  
15 MR. MOTZ: I had all of the  
16 calculations per the clock so...  
17 THE COURT: I didn't time the  
18 sidebar. I took an estimate. I also was using  
19 the clock in the courtroom, which seems a little  
20 different than some of the other clocks.  
21 Is that what you all were using?  
22 MR. KOTIN: Your Honor, I used the  
23 clock in the courtroom, and I had 29 minutes.  
24 THE COURT: I had 29 minutes.

Page 88

1 MR. KOTIN: But I didn't take out  
2 the sidebars.  
3 MR. JOSEPH POWER: And we had  
4 27 minutes.  
5 THE COURT: I had 29 minutes by the  
6 clock in the courtroom. I thought it was  
7 27 minutes by the sidebar.  
8 And we agreed, when I was  
9 announcing it, and everybody had a different  
10 amount, that I was going to go to the  
11 37 minutes.  
12 MR. MOTZ: Let's instruct tonight.  
13 Let's get it done.  
14 THE COURT: Do you have it all for  
15 me in the order that I need?  
16 MR. MOTZ: I'm waiting for Larry  
17 to --  
18 MR. ROGERS: You're not waiting on  
19 me.  
20 MR. JOSEPH POWER: What time are we  
21 going to go back, Your Honor? It's quarter to.  
22 THE COURT: I was going to go right  
23 back in.  
24 MR. JOSEPH POWER: Well, I've got

Page 89

1 to go to the washroom.  
 2 THE COURT: Okay.  
 3 MR. PATTON: Just hold on, Joe. Do  
 4 we have a problem with them leaving at 5:00 and  
 5 you being -- you may be 75 percent --  
 6 MR. JOSEPH POWER: No. She should  
 7 finish the instructions.  
 8 MR. PATTON: I agree. What I'm  
 9 saying is I think you need to let this jury know  
 10 you may run over a little bit, you know, so  
 11 they're not looking at the clock.  
 12 THE COURT: Do you know what? I  
 13 think we can still do this.  
 14 MR. KOTIN: Let's go.  
 15 THE COURT: I think we can do it.  
 16 Take a few minutes to go to the washroom. I  
 17 won't start without anybody.  
 18 (Recess taken from 3:34 PM to  
 19 3:55 PM.)  
 20 THE COURT: Folks, one of our  
 21 jurors has to leave right at 5:00. Once  
 22 Mr. Rogers comes in, we'll get started.  
 23 (Discussion held off the  
 24 record.)

Page 90

1 contract, additional personnel.  
 2 If we go to the second contract,  
 3 2018, under "Additional Personnel," then you go  
 4 to the second page. It was increased to eight.  
 5 And you might remember when we had  
 6 that little segment in Contract 1, if we go back  
 7 to it, where they talked about they were  
 8 supposed to have two people on the third floor.  
 9 Then we have enhanced security, enhanced duty,  
 10 because they had a duty now to provide for the  
 11 safety. They took on an added duty. And in  
 12 this particular contract, they were supposed to  
 13 have two full-time people on the third floor.  
 14 Now, they took that out of the  
 15 second contract in terms of that issue. They  
 16 took that out, but that didn't mean that they  
 17 were able to cut things back.  
 18 And you might recall Mr. Jenkins,  
 19 when I asked him about that, he said I was not  
 20 part of any dealings in respect to not having  
 21 two guards on the third floor during  
 22 working hours, Monday through Friday. He was  
 23 not part of it. And he said that in his  
 24 deposition. And I reminded him of that, and he

Page 92

1 (Whereupon the following  
 2 proceedings were had in the  
 3 hearing and presence of the  
 4 jury.)  
 5 THE DEPUTY: Court's back in  
 6 session. Please be seated and quiet.  
 7 THE COURT: Okay. So we just told  
 8 you the plaintiffs get the last word. It's  
 9 called a rebuttal.  
 10 Mr. Power?  
 11 PLAINTIFFS' McKENNA, HOOVER AND LIEB  
 12 REBUTTAL CLOSING ARGUMENT  
 13 MR. JOSEPH POWER: Thank you,  
 14 Your Honor.  
 15 All of the time is even. We don't  
 16 have any more time. They're allotted the same  
 17 amount of time as us. We'll just offer a  
 18 rebuttal.  
 19 When they talk about who was in a  
 20 good position to decide Security, they said it's  
 21 the building. Well, AlliedBarton is the  
 22 security specialist.  
 23 And, if we go to the first contract  
 24 on 1019, we have six standby people in the first

Page 91

1 agreed.  
 2 Now, if we go back to timing on  
 3 this, if we go to Exhibit 140, if we look at the  
 4 time clock, Steve -- and counsel pointed this  
 5 out earlier in the trial -- we've got -- it's  
 6 approximately 5 to 3:00.  
 7 And then if we go up to the time on  
 8 the turnstile, so that's 5 to 3:00. Going  
 9 through the turnstile we have 3:01. Where is  
 10 that shown? Oh, 3:02:36.  
 11 When they go through, what time is  
 12 it when they go through?  
 13 MR. GRANT: It says 6 minutes,  
 14 6 minutes later.  
 15 MR. JOSEPH POWER: Okay. So  
 16 6 minutes later from the time. So go back to  
 17 the clock again. Thirty-five seconds. You see  
 18 46 seconds, this is their timer, showing them  
 19 going up the escalator. We see 5 to 3:00.  
 20 So then we have on their time  
 21 clock, we have 6:48 now. So 6:48 they're going  
 22 through the turnstile and put the time on it --  
 23 the first call to the 911, put the time on. And  
 24 you should look at your notes on this. 3:12:51

Page 93



1 is the time the call went in to 911.  
2 So they have 11 minutes and 40  
3 seconds from the time that they go through the  
4 turnstiles until the time of the 911 call,  
5 plenty of time for Mr. Chambers to call for a  
6 lockdown to stop the elevators.  
7 As Mr. Jenkins said, we could  
8 recall the elevators and stop them, not only  
9 from 3, but also from 31. So they had almost  
10 12 minutes to do something from the time  
11 Mr. Jackson and Mr. Brown entered through the  
12 turnstiles.  
13 Now, you remember when -- you want  
14 to talk about representations, remember when  
15 counsel with our expert, Hauri, Mr. Hauri said  
16 Mr. Brown, who knew none of the post orders, he  
17 knew none of the lessons, he knew really  
18 nothing, he was so poorly trained. That's why  
19 he talked about 50/50, because of how poorly  
20 trained Brown was.  
21 And counsel represented to  
22 Mr. Hauri at his deposition, he had worked there  
23 for 4 years. He said oh, I didn't realize.  
24 That's why the excuse, why in his deposition he

Page 94

1 didn't know anything.  
2 It turned out on redirect, if  
3 you'll recall, at the time of his deposition, he  
4 was still working for AlliedBarton.  
5 Now, wouldn't you think after all  
6 of these years and what happened here, now he's  
7 questioned about not knowing anything, he would  
8 have learned something? He still hadn't learned  
9 anything at the time of his deposition. At the  
10 time of trial he still doesn't even know the  
11 proper distance to keep from a potentially  
12 aggressive person. So that's the evidence.  
13 And, counselor, he can do whatever  
14 he wants. But I think you'll recall we had to  
15 refresh Mr. Brown's memory about where we were  
16 positioned. And then, when he refreshed his  
17 memory, he was the one that positioned us. He  
18 said no, it was bulkier.  
19 Mr. Brown, didn't you tell me to  
20 make it bulkier? He said I did. Didn't you  
21 tell me he was almost hugging you? I did.  
22 Wouldn't that look suspicious to  
23 somebody like Mr. Chambers? Well, it looked  
24 suspicious to me. That was Mr. Brown. That

Page 95

1 wasn't me, that was Mr. Brown.  
2 Now, counsel says no one was using  
3 duress codes around this time. That's absurd.  
4 That was one of his comments in closing. That's  
5 absurd.  
6 Now, if we go to 5-325, that's why  
7 during the trial I asked -- it's interesting.  
8 Did Mr. Jackson ever read the AlliedBarton  
9 materials. I asked Mr. Brown, why is that?  
10 Right on their materials "Don't be a hero."  
11 Now, why is Mr. Jackson repeating  
12 something that's in their materials all the  
13 time? Think about it. How did Mr. Jackson come  
14 up with stuff right out of their materials?  
15 That was all the defense. They were already  
16 preparing for their defense in this case, "Don't  
17 be a hero."  
18 Well, what we wanted them to do was  
19 protect people. That's what they were supposed  
20 to do. That's what they agreed to do.  
21 They said they didn't ask for  
22 sympathy for Mr. Brown. It's kind of sad that  
23 he calls up Mr. Jenkins as the epitome of  
24 whatever, and he's saying he feels so sorry for

Page 96

1 Mr. Brown, he's so sorry.  
2 Not one time, not one time did one  
3 of their witnesses say we feel sorry for the  
4 families, we feel sorry for the victims. It's  
5 about Mr. Brown.  
6 MR. PATTON: Objection, motion in  
7 limine, move to strike that comment.  
8 THE COURT: Was it granted on  
9 motion in limine, counsel?  
10 MR. PATTON: Move to strike the  
11 comment.  
12 THE COURT: I'm going to strike --  
13 MR. JOSEPH POWER: What comment?  
14 It's been about Mr. Brown.  
15 MR. PATTON: No. I said expressing  
16 sympathy.  
17 THE COURT: Sympathy.  
18 MR. PATTON: Yeah.  
19 MR. JOSEPH POWER: No, no. What is  
20 this about in terms of all this psychological  
21 treatment that they're claiming he has? How is  
22 that relevant in this case?  
23 THE COURT: I don't know. I don't  
24 know --

Page 97

1 MR. JOSEPH POWER: That's what  
2 counsel was arguing in his case about Mr. Brown.  
3 MR. PATTON: I object to counsel  
4 arguing with the Court.  
5 MR. JOSEPH POWER: Your Honor, I  
6 don't understand what's being sustained. He  
7 argued this.  
8 THE COURT: No, no, what's being  
9 sustained is the statement that -- if you go  
10 back -- I don't want to say it in front of the  
11 jury. Nobody expressed sympathy to the family.  
12 MR. JOSEPH POWER: Okay.  
13 I'm just saying it's all about  
14 Mr. Brown. That's what counsel is saying. It's  
15 an appeal of sympathy.  
16 You all agreed when you were sworn  
17 as jurors to not base your verdict on sympathy,  
18 whether that's for the plaintiff or whether  
19 that's for Mr. Brown.  
20 This isn't about Mr. Brown. This  
21 is about AlliedBarton and how poorly trained  
22 Mr. Brown was. And that's the truth. How could  
23 anybody disagree with that? Admittedly.  
24 Defendant. He didn't know his

Page 98

1 lessons, he flunked the test on the applicable  
2 stuff. There was no remediation.  
3 They violated our contract. They  
4 violated our contract when they were supposed to  
5 train them, test them, and they did none of  
6 that.  
7 Now, you may recall when they say  
8 about these shots being fired. We played with  
9 Mr. -- their expert, Mr. MacGeoy.  
10 At the end, before he retired for  
11 the night, I asked to play, and you may recall,  
12 after Ms. Murphy said on the 911 tape they're  
13 breaking the doors down, I played the tape for  
14 well over a minute. There were no signs of  
15 shots being fired. You may recall that. There  
16 are no shots fired on that tape.  
17 And I went through with Mr. MacGeoy  
18 when the shots were fired. And at each time  
19 that he recorded them, he even had it mixed up.  
20 He had Mr. Hoover being shot second. It wasn't.  
21 Mr. Hoover was third.  
22 But until later on, when Mr. Tenton  
23 arrived, we have around 10 minutes or so, we  
24 have Mr. Goodson. Between the time Mr. Hoover

Page 99

1 was shot and Mr. Goodson was shot, there was no  
2 shooting going on. And that would have been the  
3 time 4:30, 5:00, the doors were coming off,  
4 they're trying to pull the doors off. There was  
5 no shooting at all on the 911 tape. So that's  
6 all we're saying. That's the evidence.  
7 In fact, if you look at  
8 Mr. Jenkins, Mr. Jenkins said he didn't see  
9 Mr. Jackson. He heard a shot, and he saw some  
10 plaster coming off the wall.  
11 But he never testified that he saw  
12 Mr. Jackson coming at him shooting, as counsel  
13 represented in his argument. Totally untrue.  
14 The evidence doesn't bear it out on the 911  
15 tape, nor does Mr. Jenkins back him up on that.  
16 He says he heard a shot. And, if  
17 he did, Mr. Jenkins didn't hear a shot. It  
18 could be explained if it came from someplace  
19 other than the lobby that you wouldn't hear it  
20 on the tape so...  
21 But Mr. Jackson wasn't in the lobby  
22 shooting these guys.  
23 Mr. Brown who -- or should have  
24 known that there were two ladies underneath the

Page 100

1 desk on 911 in making -- on that conversation,  
2 and no one helped -- helped them at all. In  
3 fact, at certain points in time, you might  
4 recall Ms. Murphy thought she was a goner.  
5 Now, he says that Robert's  
6 immediate issue on the third floor was to get  
7 Jackson away from people.  
8 I'm not going to show that tape  
9 again, but Jackson took him over to the  
10 mid-rise. We don't see the red Xs any more, but  
11 there were 14 or 15 red Xs that he took him over  
12 to rather than taking him over to the high-rise  
13 where there were no people there.  
14 And he could have done something.  
15 I said to Mr. Brown he could have fainted. He's  
16 smart. It's true. You could faint. You could  
17 tell him -- I said, ad he didn't talk about  
18 that.  
19 Our expert talked about that,  
20 Mr. Hauri. You just say I can't swipe you  
21 through, you need your own pass, my pass won't  
22 work for you, the alarms will go off. Talk to  
23 him. Delay it. Don't try to convince Chambers  
24 that everything is fine.

Page 101

1 And Chambers should have gone, put  
2 it on lockdown, immediate lockdown, or put the  
3 escalators on hold, recall the escalators. That  
4 could have been done in less than 2 minutes,  
5 less than 2 minutes.  
6 So your decision here today is  
7 going to be whether it's accessible for security  
8 officers to not read their lessons, not follow  
9 their contract, abandon their post, not follow  
10 through, not question people early on.  
11 We're not talking about, you know,  
12 early on. You're there. You have a presence.  
13 You're deterring. That's the major point this  
14 whole time. And when they talk about  
15 Mr. Jackson, he's been around there. We saw  
16 that tape.  
17 But Mr. Patton in opening said the  
18 way we can distinguish Jackson is he's got the  
19 envelope. And that's true.  
20 You've got 100,000 people coming in  
21 there every day. They've produced nothing.  
22 We've whipped through hundreds of hours of tape  
23 and hundreds of thousands of people, and we can  
24 say he's not there.

Page 102

1 You know, if he's not carrying an  
2 envelope, and he's coming in with 20,000 people,  
3 it's hard to pick up. We're corroborating what  
4 they're testifying about under oath.  
5 This is their agent. He's not  
6 here. We're taking their agent's sworn  
7 testimony under oath.  
8 I don't know if he's as incompetent  
9 as they suggest; maybe why they fired him.  
10 Maybe he was. We don't know that.  
11 Now, Mr. Jenkins said he's great.  
12 He says everybody is great. They work together.  
13 Of course. He's an expert. He's been  
14 designated an expert by them. So it's  
15 predictable.  
16 I don't know. It's very strange.  
17 We're not vouching for Mr. Chambers'  
18 capabilities. In a very short time, he was  
19 moved up to Supervisor, he was up in this  
20 position.  
21 He was Account Manager. He wasn't  
22 paid as an Account Manager, and he didn't become  
23 an Account Manager after the fact, as we know.  
24 It's very strange, other than we

Page 103

1 are trying to bolster Mr. Chambers' credibility  
2 by showing this man, as he said, was probably  
3 around there earlier.  
4 Why would he make that up? Why  
5 would he swear to testimony that is adverse to  
6 him when he's under oath? It makes no sense.  
7 We're not vouching for his  
8 capabilities. They vouched for his capabilities  
9 when they put him in there.  
10 Was he incompetent? Yes. Should  
11 they have fired him? They probably never should  
12 have hired him. And they did fire him. They  
13 fired him because they said he abandoned his  
14 post.  
15 Well, he abandoned his post here as  
16 well, and three people died, and one person was  
17 seriously injured as a result of the abandonment  
18 of his post, a similar issue to be sure.  
19 Now, in respect to Robert, Robert  
20 made himself to be a victim. At the end of the  
21 day, they put Robert in a bad position by not  
22 properly training him, not properly testing him;  
23 that the contract required.  
24 And by the time Mr. -- Detective

Page 104

1 Tenton arrived, three people were already gone.  
2 He didn't get up there for about 12 minutes.  
3 Things had escalated well beyond control.  
4 If you're going to control these  
5 things, as they teach, you have to do it  
6 initially in the beginning, and, nine times out  
7 of ten, it will work.  
8 If the people on the third floor  
9 mattered, why didn't Mr. Brown take him to the  
10 left, rather than to the right?  
11 Now, in respect to the damages,  
12 they knew what this case was about. You were  
13 sworn in as jurors. We said they were  
14 negligent, and you'll see the instructions about  
15 all of the negligence we claim. We have to  
16 prove one or more.  
17 Would you, based on the law and the  
18 evidence, be able to return a verdict for  
19 many millions of dollars, and each of you said  
20 you would. And they just said we didn't do  
21 anything wrong. We didn't do anything wrong.  
22 Now, they want to come in and just  
23 throw something out, which doesn't follow the  
24 instructions in this case, regarding the type of

Page 105

1 relationships, regarding the type of  
2 relationships they had between each of the  
3 parties. That will be for you to determine.  
4 But, as I said, Michael McKenna had  
5 23.1 more years with his family, with Matthew,  
6 with Warren, with Amber, with Suzanne, with  
7 Jonah.  
8 Put up number 63A-007. That was  
9 taken by Warren, the website.  
10 Pick out 63C-004. That's with his  
11 older -- with his older sons, Matthew and  
12 Warren.  
13 And 63C-006, I'm not going to go  
14 through all of these. That's with family  
15 visiting.  
16 I'm not going to revisit. You've  
17 seen the evidence. You've seen what type of man  
18 Michael Malec McKenna was. You heard about the  
19 trips, the skiing, the fishing for smelt, all of  
20 those things you heard. With your composite  
21 memories, think of all of the things he did, not  
22 only for them, but for his community, for  
23 everybody. You are to judge the McKenna  
24 relationship.

Page 106

1 And I said you'll be instructed on  
2 the law because of the nature of the wrongful  
3 death case in the McKenna case. Based on the  
4 fact that he left a wife and four children, the  
5 law presumes some substantial pecuniary loss.  
6 It should not be for counsel, after  
7 he's had numerous misrepresentations throughout  
8 this whole trial, to now stand and suggest a  
9 figure that cheapens his life, that cheapens  
10 Michael's life, because you are to judge the  
11 relationship that Michael Malec McKenna had with  
12 Matthew, Warren, Amber, Jonah and his wife, the  
13 marital relationship that exists between Suzanne  
14 and Michael. And you're going to put a value on  
15 that life. It should not be the cheap value  
16 that counsel suggests, in particular as to the  
17 loss of society, the loss of the love, the  
18 affection that was shared between these five  
19 family members. The Court will divide it up,  
20 but, ladies and gentlemen, I suggest to you that  
21 the numbers that I talk about, from 28 to  
22 \$30 million for the loss of society, or the  
23 other areas I've already discussed, it all  
24 depends on Officer Tenton's testimony --

Page 107

1 (Discussion held off the  
2 record.)  
3 MR. JOSEPH POWER: But I believe  
4 our numbers are fair and reasonable. And I  
5 thought about it because of "target." He says  
6 everybody was a target. That's what he claims.  
7 Everybody was a target. That's what Mr. Patton  
8 offered.  
9 Officer Tenton said no, there  
10 weren't targets there. There's one target, and  
11 there were other targets for lawyers. He said  
12 he could have killed Mr. Danzig, but he didn't.  
13 He wasn't a target. He was targeting lawyers.  
14 And they want to talk about their  
15 evidence? They said they brought a witness in  
16 to say Robert was helping people, knocking on  
17 their doors? No.  
18 They used their expert to look at  
19 the police report of a lawyer named Paul Odell.  
20 You may recall this came up through one of their  
21 experts. Paul Odell saw a black gentleman in a  
22 gray suit, which we assumed was Mr. Brown,  
23 knocking on a lawyer's door.  
24 And Mr. Odell testified at his

Page 108

1 deposition that he heard someone telling a  
2 lawyer -- knocking on the door, asking him if  
3 he's a lawyer.  
4 Then this guy came, a black  
5 gentleman in a gray suit, came and knocked on my  
6 door. And he said are you a lawyer? And he  
7 said I am. What should we do? And he said he  
8 didn't remember what he responded, and he just  
9 left.  
10 Paul Odell knew what to do. He  
11 knew that Michael had been shot. So that was  
12 the actual testimony.  
13 No one came in here to say Robert  
14 Brown was a hero. Robert Brown was running the  
15 other way. Mr. Jackson came to the left, where  
16 the exit was, and Robert ran to the right. He  
17 couldn't find an exit, he came back, and he was  
18 frozen. That's the evidence in the case.  
19 And I was getting to the point of  
20 why didn't Mr. Jackson kill Michael McKenna?  
21 That was his target. He killed other people.  
22 And he kept threatening saying I'm going to kill  
23 him, I'm going to kill him, and he didn't. He  
24 did ultimately, but during that whole period of

Page 109

1 time, he didn't kill him.  
 2 And I thought and thought why  
 3 didn't he do it? Why didn't he do it? And I  
 4 thought do you know why he didn't do it? As sad  
 5 as it is, you enjoyed watching him suffer.  
 6 That's all I could conclude from the whole  
 7 thing, that that must be the reason why he  
 8 couldn't -- he didn't do it.  
 9 Now, at the end of the day, they  
 10 want to talk about Mr. Jackson. Mr. Jackson, he  
 11 was psychologically deranged, insane, I don't  
 12 know. He behaved as an insane person. Insanity  
 13 is a defense. It's a condition. Whether he's  
 14 assigned some fault by you, I don't know.  
 15 I think they are the main problem,  
 16 because they were supposed to prevent the  
 17 Jacksons of the world from getting up beyond the  
 18 third floor.  
 19 So whatever percentage, I think it  
 20 should be 10, 10 percent, because it's 9 out of  
 21 10, 20 percent Mr. Jackson, but don't let him  
 22 get off the hook by claiming oh, it was all  
 23 Jackson. It's all Jackson's fault. It isn't  
 24 all Jackson's fault; it is their fault as well.

Page 110

1 It is their fault primarily because they're  
 2 supposed to be trained security officers, and  
 3 they didn't do their job from the beginning to  
 4 end.  
 5 And just since James is not here, I  
 6 think it's insulting that they didn't even talk  
 7 about Ruth Leib and give a number. The numbers  
 8 that they gave were insulting to us, but they  
 9 don't even address Ruth at all. So that's my  
 10 comment for James and Ruth Leib.  
 11 MR. PATTON: Objection as to time.  
 12 THE COURT: I'm showing that I've  
 13 got about 4 and a half to 5 minutes, counsel.  
 14 PLAINTIFF HOOVER REBUTTAL CLOSING ARGUMENT  
 15 MR. ROGERS: Can you put up 65-003?  
 16 This is a picture of Louise Hoover  
 17 and her husband. She is the woman who lives  
 18 every day without Mr. Hoover. And I just wanted  
 19 to touch upon a few things that counsel  
 20 mentioned, and then I will take my seat.  
 21 You will receive an instruction  
 22 from the Court, I believe, that tells you how to  
 23 evaluate the credibility of witnesses.  
 24 One of the things the Court, I

Page 111

1 believe, will instruct you is that in evaluating  
 2 the credibility of a witness, you may consider  
 3 that with the sensibility and opportunity to  
 4 observe memory, manner, interest, bias,  
 5 qualifications, experience, and previous  
 6 inconsistent statements.  
 7 So when you saw video of prior  
 8 depositions where the opposite answers, and  
 9 different answers were given to the same  
 10 questions, those are inconsistent statements  
 11 that you're supposed to weigh in evaluating the  
 12 credibility of witnesses.  
 13 When you hear evidence that  
 14 describes the close-knit nature of the  
 15 real estate rental market and the security  
 16 companies, and how people go from one company to  
 17 another and work from MB Real Estate to Allied  
 18 to Titan, those are -- that's relevant evidence  
 19 to the biases.  
 20 And, when you hear about people  
 21 like Mr. Jenkins, who came in here and fought  
 22 tooth and nail with Mr. Power about simple  
 23 things, simple things, you have to weigh his  
 24 interest and bias in the -- when you consider

Page 112

1 his credibility.  
 2 He told you -- and I asked him --  
 3 did you go up to the suite afterwards? And he  
 4 said he did. And he said he saw bodies in the  
 5 suite.  
 6 And the only person he expressed  
 7 any concern for and sympathy for was Robert  
 8 Brown. That's the only person he expressed  
 9 sympathy and concern for.  
 10 MR. PATTON: I object to that,  
 11 Judge.  
 12 MR. ROGERS: I'll withdraw that.  
 13 That's the only person --  
 14 MR. PATTON: Can I ask the jury to  
 15 disregard that comment?  
 16 THE COURT: I'll unring that bell  
 17 with regard to the last statement.  
 18 MR. ROGERS: He made it a point to  
 19 tell you that he cried with Robert Brown. He  
 20 made it a point to tell you about his  
 21 relationship with Robert Brown, and that's all  
 22 he expressed to you.  
 23 Three people died, one person shot  
 24 and seriously injured, he wanted to talk to you

Page 113

1 about Robert Brown.  
 2 With respect to the credibility of  
 3 witnesses, you heard from three experts from the  
 4 defense; Dr. Raphael they flew in from  
 5 California to render one opinion, and that  
 6 related to the absence of conscious pain and  
 7 suffering. They paid her \$30,000. \$30,000 to  
 8 fly in from California.  
 9 You heard from Mr. MacGeoy, you  
 10 heard from Dr. Scarborough.  
 11 Dr. Scarborough thought Ms. Murphy  
 12 was one of the spouses of Mr. McKenna or  
 13 Mr. Hoover. He didn't even know she was the  
 14 secretary. That matters, ladies and gentlemen.  
 15 That matters, what they put before you.  
 16 You heard from Mr. MacGeoy; paid  
 17 him \$42,000, and he couldn't tell you a detail  
 18 to save his life about this case.  
 19 Thank you for your time. We will  
 20 be awaiting your verdict.  
 21 MR. KOTIN: Sixty seconds,  
 22 Your Honor. Okay?  
 23 THE COURT: Okay.  
 24 MR. KOTIN: Hold me to this.

Page 114

1 That's why we don't talk about percentages of  
 2 fault to him.  
 3 I'll stop. Thank you very much.  
 4 THE COURT: Thank you, counsel.  
 5 Ladies and gentlemen, at this point  
 6 I'm required to read to you the jury  
 7 instructions on the law. I'm not going to  
 8 speed-read them. I know I've got a juror that  
 9 has to leave at 5:00. I respect that. I'm  
 10 working toward that.  
 11 If I can't finish, I'll finish them  
 12 in the morning, but I think I can do that  
 13 without speed reading. You'll get a copy of  
 14 these -- don't worry. Some of them only have  
 15 one line on them. You'll get a copy of these  
 16 back in the jury room for your deliberations.  
 17 You don't have to sit and memorize them.  
 18 JURY INSTRUCTIONS  
 19 THE COURT: Now that the evidence  
 20 has concluded, I will instruct you as to the law  
 21 and your duties. The law regarding this case is  
 22 contained within the instructions I will give to  
 23 you.  
 24 You must consider the Court's

Page 116

1 PLAINTIFF GOODSON REBUTTAL CLOSING ARGUMENT  
 2 MR. KOTIN: Mr. Patton told you  
 3 that the video doesn't lie.  
 4 Do you know what else doesn't lie?  
 5 The contract. The contract that AlliedBarton  
 6 entered into to protect the lives of the people  
 7 in the building, that doesn't lie.  
 8 Do scenario training, folks. Teach  
 9 your security officers what to do and how to  
 10 react, when somebody shows up with a gun. Is  
 11 that such a crazy idea? Teach them, their  
 12 security officers, to protect lives. Excuse me  
 13 for yelling.  
 14 Mr. Patton said why aren't we  
 15 talking about percentages for Joseph Jackson.  
 16 Because Joseph Jackson was the danger that  
 17 AlliedBarton was hired to protect against.  
 18 When Mr. Rogers gave you the  
 19 example of an umbrella that collapses and you  
 20 get rained on, you don't blame the rain that you  
 21 got wet. The umbrella was there to protect you  
 22 from the rain.  
 23 AlliedBarton was there to protect  
 24 you from Joseph Jackson. He was the danger.

Page 115

1 instructions as a whole, not picking out some  
 2 instructions and disregarding others.  
 3 It is your duty to resolve this  
 4 case by determining the facts based on the  
 5 evidence and following the law given in the  
 6 instructions.  
 7 Your verdict must not be based upon  
 8 speculation, prejudice or sympathy. Each party,  
 9 whether a corporation or an individual, should  
 10 receive your same fair consideration.  
 11 My rulings, my remarks or  
 12 instructions do not indicate any opinion as to  
 13 the facts. You will decide what facts have been  
 14 proven.  
 15 Facts may be proven by evidence or  
 16 reasonable inferences drawn from the evidence.  
 17 Evidence consists of the testimony of witnesses  
 18 and the exhibits admitted by the Court. You  
 19 should consider all of the evidence, without  
 20 regard to which party produced it.  
 21 You may use common sense gained  
 22 from your experiences in life in evaluating what  
 23 you see and hear during the trial.  
 24 You are the only judges of the

Page 117

1 credibility of the witnesses. You will decide  
 2 the weight to be given to the testimony of each  
 3 of them.

4 In evaluating the credibility of a  
 5 witness, you may consider that witness' ability  
 6 and opportunity to observe, their memory,  
 7 manner, their interest, bias, qualifications,  
 8 experience, and any previous inconsistent  
 9 statement or act by the witness concerning an  
 10 issue important to the case.

11 You should not do any independent  
 12 research -- any independent investigation or  
 13 research on any subject relating to the case.

14 What you may have seen or heard  
 15 outside the courtroom is not evidence. This  
 16 includes any press, radio or television  
 17 programs. It also includes any information  
 18 available on the Internet. Such programs,  
 19 reports, and information are not evidence, and  
 20 your verdict must not be influenced in any way  
 21 by such material.

22 For example, you must not use the  
 23 Internet, including Google, Wikipedia, Facebook,  
 24 LinkedIn, Instagram, or any other sources that

Page 118

1 you might use every day to search for any  
 2 information about the case, or the law which  
 3 applies to the case, or the people involved in  
 4 the case, including the parties, witnesses,  
 5 lawyers and Judge.

6 You must not provide any  
 7 information about the case to anyone by any  
 8 means at all, and this includes posting  
 9 information about the case or your thoughts  
 10 about it on any device or Internet site,  
 11 including blogs, chatrooms or any social  
 12 networking website, such as Twitter, Facebook,  
 13 Instagram, or any other means.

14 You cannot use any electronic  
 15 devices or services to communicate about this  
 16 case, and this includes cell phones,  
 17 smartphones, laptops, the Internet, and any  
 18 other tools of technology. The use of any such  
 19 devices or services in connection with your  
 20 duties is prohibited.

21 The reason for these instructions  
 22 is that your verdict must be based only on the  
 23 evidence presented in this courtroom and the law  
 24 I will provide to you in my instructions. It

Page 119

1 would be unfair to the parties, and a violation  
 2 of your oath, to base your decision on  
 3 information outside this courtroom.

4 You should feel free to remind each  
 5 other that your verdict should be based only on  
 6 the evidence admitted in court and that you  
 7 cannot use information from my other sources.

8 If you become aware of any  
 9 violation of these instructions, it is your  
 10 legal duty to report this to me immediately.

11 Disobeying these instructions could  
 12 cause a mistrial, meaning all of our efforts  
 13 have been wasted, and we have to start all over  
 14 again with a new trial. If you violate these  
 15 instructions, you could be found in contempt of  
 16 court.

17 An opening statement is what an  
 18 attorney expects the evidence will be. A  
 19 closing argument is given at the conclusion of  
 20 the case and is a summary of what the attorney  
 21 contends the evidence has shown.

22 If any statement or argument of an  
 23 attorney is not supported by the law or the  
 24 evidence, you should disregard that statement or

Page 120

1 argument.

2 The testimony of several witnesses  
 3 was presented by videotape and the reading of  
 4 testimony. You should give this testimony the  
 5 same consideration you would give it had the  
 6 witness personally appeared in court.

7 A fact or a group of facts may,  
 8 based on logic and common sense, lead you to a  
 9 conclusion as to other facts. This is known as  
 10 circumstantial evidence.

11 A fact may be proved by  
 12 circumstantial evidence. For example, if you're  
 13 in a building, and a person enters who is wet  
 14 and is holding an umbrella, you might conclude  
 15 that it's raining outside. Circumstantial  
 16 evidence is entitled to the same consideration  
 17 as any other type of evidence.

18 You have heard a witness give  
 19 opinions about matters requiring special  
 20 knowledge or skill. You should judge this  
 21 testimony in the same way you judge the  
 22 testimony from any other witness.

23 The fact that said person has given  
 24 an opinion does not mean that you are required

Page 121

1 to accept it. Give the testimony whatever  
 2 weight you think it deserves, considering the  
 3 reasons given for the opinion, the witness'  
 4 qualifications, and all of the other evidence in  
 5 the case.  
 6 When I use the word negligence in  
 7 these instructions, I mean the failure to do  
 8 something which a reasonably careful person  
 9 would do, or the doing of something which a  
 10 reasonably careful person would not under  
 11 circumstances similar to those shown by the  
 12 evidence.  
 13 The law does not say how a  
 14 reasonably careful person would act under those  
 15 circumstances. That is for you to decide.  
 16 When I use the words ordinary care,  
 17 I mean the care a reasonably careful person  
 18 would use under circumstances similar to those  
 19 shown by the evidence.  
 20 The law does not say how a  
 21 reasonably careful person would act under those  
 22 circumstances. That is for you to decide.  
 23 An attorney is allowed, if the  
 24 witness agrees, to talk to a witness to learn

Page 122

1 what testimony will be given. Such an interview  
 2 by itself does not affect the credibility of the  
 3 witness.  
 4 It was the duty of the defendants  
 5 before and at the time of the occurrence to use  
 6 ordinary care for the safety of Michael Malec  
 7 McKenna, Allen J. Hoover, Paul Goodson, and Ruth  
 8 Zak Leib. This means that it was the duty of  
 9 defendants to be free from negligence.  
 10 More than one person may be to  
 11 blame for causing an injury. If you decide that  
 12 the defendant was negligent and that their  
 13 negligence was a proximate cause of injury to  
 14 the plaintiff, it is not a defense that some  
 15 third person who is not a party to the suit may  
 16 also have been to blame.  
 17 However, if you decide that the  
 18 sole proximate cause of injury to the plaintiffs  
 19 was the conduct of some person other than the  
 20 defendants, then your verdict should be for the  
 21 defendants.  
 22 When I use the expression proximate  
 23 cause, I mean a cause that, in the natural or  
 24 ordinary course of events, produced the

Page 123

1 decedents' and the plaintiffs' injuries. It  
 2 need not be the only cause, nor the last or  
 3 nearest cause. It is sufficient if it combines  
 4 with another cause resulting in injury.  
 5 When I say a party has the burden  
 6 of proof on any proposition or use the  
 7 expression if you find or if you decide, I mean  
 8 you must be persuaded, considering all of the  
 9 evidence in the case, that the proposition on  
 10 which he has the burden of proof is more  
 11 probably true than not true.  
 12 The plaintiffs have the burden of  
 13 proving each of the following propositions:  
 14 First, that the defendants acted or  
 15 failed to act in one of the ways claimed by the  
 16 plaintiffs as stated to you in these  
 17 instructions, and in so acting or failing to  
 18 act, the defendants were negligent.  
 19 Second, that Michael Malec McKenna,  
 20 Allen J. Hoover, and Paul Goodson were killed,  
 21 and Ruth Zak Leib was injured.  
 22 Third, that the negligence of the  
 23 defendants was a proximate cause of death and  
 24 injury.

Page 124

1 You are to consider these  
 2 propositions as to each defendant separately.  
 3 If you find from your consideration of all of  
 4 the evidence that each of these propositions has  
 5 been proved as to any one or more of the  
 6 defendants, then your verdict should be for the  
 7 plaintiffs and against those defendants.  
 8 On the other hand, if you find from  
 9 your consideration of all of the evidence that  
 10 any of these propositions has not been proved as  
 11 to one or more of the defendants, then your  
 12 verdict should be for those defendants. I'm  
 13 trying.  
 14 The plaintiffs, the Estate of  
 15 Michael Malec McKenna, Deceased, the Estate of  
 16 Allen J. Hoover, Deceased, the Estate of Paul  
 17 Goodson, Deceased, and Ruth Zak Leib's  
 18 complaints consist of wrongful death and  
 19 negligence counts.  
 20 The issues to be decided by you  
 21 under the wrongful death and negligence counts  
 22 of the complaint are as follows:  
 23 The plaintiffs, the Estate of  
 24 Michael Malec McKenna, Deceased, the Estate of

Page 125



1 Allen J. Hoover, Deceased, the Estate of Paul  
 2 Goodson, Deceased, and Ruth Zak Leib, claimed  
 3 that they were injured and sustained damage, and  
 4 that the defendants, AlliedBarton Security  
 5 Services, LLC, individually, and/or by and  
 6 through its employee and agent, Robert Brown,  
 7 and/or by and through its employee and agent  
 8 Sidney Chambers, and each of them, was negligent  
 9 in one or more of the following respects:  
 10 A, failing to ensure the safety of  
 11 all persons on the property, including Michael  
 12 Malec McKenna, Allen J. Hoover, Paul Goodson and  
 13 Ruth Leib, in violation of the security  
 14 contract.  
 15 Or, B, failing to provide adequate  
 16 security personnel and services for the  
 17 protection of life and safety of persons,  
 18 including Michael Malec McKenna, Allen J.  
 19 Hoover, Paul Goodson, and failing to protect  
 20 Ruth Leib from injury, in violation of the  
 21 security contract.  
 22 Or, C, failing to inspect the  
 23 incoming bags and packages of Joseph Jackson.  
 24 Or, D, failing to deny entry --

Page 126

1 entry above the third floor of the 500 West  
 2 Madison Street building to Joe Jackson, an  
 3 individual possessing a weapon.  
 4 Or, E, failing to timely recall the  
 5 elevators.  
 6 Or, F, failing to create duress  
 7 codes in an AlliedBarton active control post  
 8 order to alert fellow personnel of a risk of  
 9 harm to security personnel and/or others.  
 10 Or, G, failing to train security  
 11 personnel on the use of duress codes to alert  
 12 fellow personnel of a risk of harm to security  
 13 personnel and/or others.  
 14 Or, H, failing to use the existing  
 15 duress code, Code 10, in the AlliedBarton post  
 16 orders to alert fellow AlliedBarton personnel of  
 17 the risk of harm to Robert Brown and/or others.  
 18 Or, I, failing to take reasonable  
 19 steps to warn persons in the building, including  
 20 those on the 38th floor, to a person who posed a  
 21 risk of harm and gained access to the building.  
 22 Or, J, failing to recognize, and/or  
 23 adequately respond to a suspicious person,  
 24 and/or a suspicious activity.

Page 127

1 Or, K, failing to recognize,  
 2 inspect and/or adequately respond to a  
 3 suspicious package or envelope that was uneven,  
 4 bulky and/or lopsided and to inspect it.  
 5 Or, L, failing to prohibit  
 6 trespassing.  
 7 Or, M, failing to restrain Joseph  
 8 Jackson when he posed a risk of harm to others  
 9 in the building.  
 10 Or, N, providing Joseph Jackson  
 11 access to the interior spaces and floors above  
 12 the third floor by Robert Brown using his  
 13 security pass to provide Joseph Jackson entry  
 14 through the turnstiles.  
 15 Or, O, failing to take any steps to  
 16 stall, distract or delay Joseph Jackson from  
 17 accessing the premises above the third floor.  
 18 Or, P, Robert Brown abandoning his  
 19 post.  
 20 Or, Q, failing to recognize that  
 21 Robert Brown was under duress and at risk of  
 22 harm, and to timely respond.  
 23 Or, R, failing to provide adequate  
 24 training on the provision of security services.

Page 128

1 Or, S, failing to implement  
 2 adequate policies, procedures, post orders, and  
 3 scenario training to provide the security  
 4 services it contracted to provide.  
 5 The plaintiffs, the Estate of  
 6 Michael Malec McKenna, Deceased, the Estate of  
 7 Allen J. Hoover, Deceased, the Estate of Paul  
 8 Goodson, Deceased, and Ruth Zak Leib further  
 9 claim one or more of the foregoing was the  
 10 proximate cause of the decedents' death and Ruth  
 11 Leib's injuries.  
 12 The defendants, AlliedBarton  
 13 Security Services, LLC, and Robert Brown deny  
 14 that they did any of the things claimed by the  
 15 plaintiffs. They deny that they were negligent  
 16 in doing any of the things claimed by the  
 17 plaintiffs and deny that any claimed act or  
 18 omission on the defendants' part was a proximate  
 19 cause of the plaintiffs' claimed injuries.  
 20 The defendant, Sidney Chambers,  
 21 does not admit or deny that he did any of the  
 22 things claimed by the plaintiffs.  
 23 The defendant, AlliedBarton  
 24 Security Services, LLC, by and through Robert

Page 129

1 Brown, further deny that the Estate of Michael  
 2 Malec McKenna, Deceased, the Estate of Allen  
 3 J. Hoover, Deceased, the Estate of Paul Goodson,  
 4 Deceased, and Ruth Zak Leib, were injured or  
 5 sustained damages to the extent claimed.  
 6 If you decide for the plaintiffs on  
 7 the question of liability, you must then fix the  
 8 amount of money which will reasonably and fairly  
 9 compensate Ruth Leib for any of the following  
 10 elements of damages proved by the evidence to  
 11 have resulted from the wrongful conduct of the  
 12 defendants, taking into consideration the  
 13 nature, extent, and duration of the injury, loss  
 14 of a normal life experience, and reasonably  
 15 certain to be experienced in the future, the  
 16 pain and suffering experience, and reasonably  
 17 certain to be experienced in the future, the  
 18 emotional distress experienced, and reasonably  
 19 certain to be experienced in the future, the  
 20 value of earnings and benefits lost, and the  
 21 present cash value of the earnings and benefits  
 22 reasonably certain to be lost in the future.  
 23 Whether any of these elements of  
 24 damages has been proved by the evidence is for

Page 130

1 next-of-kin, the law recognizes a presumption  
 2 that the lineal next-of-kin have sustained some  
 3 substantial pecuniary loss by reason of the  
 4 death.  
 5 The weight to be given this  
 6 presumption is for you to decide from the  
 7 evidence in the case.  
 8 In determining pecuniary loss, you  
 9 may consider what the evidence shows concerning  
 10 the following:  
 11 One, what money, benefits, goods  
 12 and services the Decedent customarily  
 13 contributed in the past.  
 14 Two, what money, benefits, goods  
 15 and services the Decedent was likely to have  
 16 contributed in the future.  
 17 Three, decedent's personal  
 18 expenses.  
 19 Four, what instruction and moral  
 20 training the Decedent might reasonably have been  
 21 expected to give his child, had he lived.  
 22 Five, his age.  
 23 Six, his sex.  
 24 Seven, his health.

Page 132

1 you to determine.  
 2 When I use the expression loss of a  
 3 normal life, I mean the temporary or permanent  
 4 inability to enjoy life. This includes the  
 5 person's inability to pursue the pleasurable  
 6 aspects of life.  
 7 If you decide for Ruth Leib on the  
 8 question of liability, you may not deny or limit  
 9 her right to damages resulting from this  
 10 occurrence, because of any injury resulting from  
 11 an aggregation of a preexisting condition, or a  
 12 preexisting condition which rendered her more  
 13 susceptible to injury.  
 14 If you decide for the plaintiff on  
 15 the question of liability, you must then fix the  
 16 amount of money which will reasonably and fairly  
 17 compensate the lineal next-of-kin of the  
 18 Decedent, Allen J. Hoover, for the pecuniary  
 19 loss proved by the evidence to have resulted to  
 20 the lineal next-of-kin of the Decedent.  
 21 Pecuniary loss may include loss of  
 22 money, benefits, goods, services, and society  
 23 and sexual relations.  
 24 Where a decedent leaves lineal

Page 131

1 Eight, his habits of industry,  
 2 sobriety, and thrift.  
 3 Nine, his occupational abilities.  
 4 Ten, the relationship between Allen  
 5 E. Hoover and Annette Haring and Allen  
 6 J. Hoover.  
 7 Eleven, the marital relationship  
 8 that existed between Louise Hoover and Allen  
 9 J. Hoover.  
 10 If you decide for the plaintiff on  
 11 the question of liability, you must then fix the  
 12 amount of money which will reasonably and fairly  
 13 compensate the lineal next-of-kin of the  
 14 Decedent, Michael Malec McKenna, for the  
 15 pecuniary loss proved by the evidence to have  
 16 resulted to the lineal next-of-kin of the  
 17 Decedent.  
 18 Pecuniary loss may include loss of  
 19 money, benefits, goods, services, and society,  
 20 and sexual relations.  
 21 Where a decedent leaves lineal  
 22 next-of-kin, the law recognizes a presumption  
 23 that the lineal next-of-kin have suffered some  
 24 substantial pecuniary loss by reason of the

Page 133

1 death.

2 The weight to be given this

3 presumption is for you to decide from the

4 evidence in this case.

5 In determining pecuniary loss, you

6 may consider what the evidence shows concerning

7 the following:

8 What money, benefits, goods, and

9 services the Decedent customarily contributed in

10 the past.

11 Two, what money, benefits, goods,

12 and services the Decedent was likely to have

13 contributed in the future.

14 Three, decedent's personal

15 expenses.

16 Four, what instruction, moral

17 training, and superintendence of education the

18 Decedent might have expected to give his child,

19 had he lived.

20 Five, his age.

21 Six, his sex.

22 Seven, his health.

23 Eight, his habits of industry,

24 sobriety and thrift.

Page 134

1 concerning the following:

2 What benefits, goods and services

3 the Decedent customarily contributed in the

4 past.

5 Two, what benefits, goods and

6 services the Decedent was likely to have

7 contributed in the future.

8 Three, his age.

9 Four, his sex.

10 Five, his health.

11 Six, his physical and mental

12 characteristics.

13 Seven, his habits of industry,

14 sobriety, and thrift.

15 Eight, his occupational abilities.

16 Nine, the relationship between

17 Howard Goodson, Roger Goodson, and John Goodson,

18 and Paul Goodson.

19 Whether the pecuniary loss has been

20 proved by the evidence is for you to determine.

21 In determining pecuniary loss, you

22 may not consider the following:

23 One, the pain and suffering of the

24 Decedent.

Page 136

1 Nine, his occupational abilities.

2 Then, the relationship between

3 Matthew McKenna, Warren McKenna, Amber Burnett,

4 Jonah McKenna, and Michael Malec McKenna.

5 Eleven, the marital relationship

6 that exists between Suzanne Malec McKenna and

7 Michael Malec McKenna.

8 I don't know how much more I can do

9 to get you out of here by 5:00. I'm just to go

10 until 5:00.

11 Are you okay if we leave by 5:00?

12 Okay.

13 If you decide on the plaintiff on

14 the question of liability, you must then fix the

15 amount of money which will reasonably and fairly

16 compensate the collateral next-of-kin of the

17 Decedent Paul Goodson for the pecuniary loss

18 proved by the evidence to have resulted to the

19 collateral next-of-kin from the death of the

20 Decedent.

21 Pecuniary loss may include loss of

22 benefits, goods, services and society.

23 In determining the pecuniary loss,

24 you may consider what the evidence shows

Page 135

1 Two, the grief or sorrow of the

2 next-of-kin.

3 Or, three, the poverty or wealth of

4 the next-of-kin.

5 The plaintiff, Louise Hoover,

6 brings this action in the capacity by reason of

7 her being the executor of the Estate of Allen

8 J. Hoover, Deceased.

9 She represents herself, Louise

10 Hoover, Allen E. Hoover, and Annette Haring, the

11 widow and next-of-kin of the Deceased and --

12 okay. I'm sorry. Let me read that again.

13 She represents herself, Louise

14 Hoover, Allen E. Hoover, and Annette Haring.

15 She's the widow and the next-of-kin of the

16 Deceased and the Estate of the Deceased. They

17 are the real parties of interest in this

18 lawsuit, and, in that sense, are the real

19 plaintiffs whose damages you are to determine if

20 you decide for the Executor of the Estate of

21 Allen J. Hoover.

22 The plaintiff, Suzanne Malec

23 McKenna, brings this action in a representative

24 capacity by reason of her being Executor of the

Page 137

1 Estate of Michael Malec McKenna, Deceased.  
2 She represents herself, Suzanne  
3 Malec McKenna, Matthew McKenna, Warren McKenna,  
4 Amber Burnett, and Jonah McKenna.  
5 The widow and next-of-kin of the  
6 Deceased, and the Estate of the Deceased, they  
7 are the real parties in this lawsuit, and the  
8 damages you'll determine if you decide for the  
9 Executor of the Estate of Michael Malec McKenna.  
10 The plaintiff brings this action in  
11 his capacity as being the Executor of the Estate  
12 of Paul Goodson, deceased.  
13 He represents the Estate of John  
14 Goodson, Howard Goodson, and the Estate of the  
15 Deceased. They are the real parties in  
16 interests in this lawsuit, and, in that sense,  
17 are the real plaintiffs of the damages you are  
18 to determine if you decide for the Executor of  
19 the Estate of Paul Goodson.  
20 If you decide for the plaintiff  
21 Louise Hoover, as the Executor of the Estate of  
22 Allen J. Hoover, deceased, on the question of  
23 liability, you must then fix the amount of money  
24 which will reasonably and fairly compensate the

Page 138

1 Estate for any of the following elements of  
2 damages proved by the evidence to have resulted  
3 from the negligence of the defendants from the  
4 period during the time of decedent's injuries  
5 until the time of his death, taking into  
6 consideration the nature, extent, and duration  
7 of the injury:  
8 Loss of a normal life experience,  
9 the pain and suffering experienced as a result  
10 of the injuries, the emotional distress  
11 experienced.  
12 Whether any of these elements of  
13 damages has been proved by the evidence is for  
14 you to determine.  
15 If you decide for the plaintiff,  
16 Suzanne Malec McKenna, as Executor of the Estate  
17 of Michael Malec McKenna, Deceased, on the  
18 question of liability, you must then fix the  
19 amount of money which will reasonably and fairly  
20 compensate the Estate for any of the following  
21 elements of damages proved by the evidence to  
22 have resulted from the negligence of the  
23 defendants during the period of time -- during  
24 the period between the time of the decedent's

Page 139

1 injuries and the time of his death, taking into  
2 consideration the nature, extent, and duration  
3 of the injury:  
4 Loss of a normal life experienced,  
5 the pain and suffering experienced as a result  
6 of the injuries, the emotional distress  
7 experienced; whether any of these elements of  
8 damages has been proved by the evidence is for  
9 you to determine.  
10 If you decide for the plaintiff  
11 Teiji Abe, as the Executor of the Estate of Paul  
12 Goodson, Deceased, on the question of liability,  
13 you must then fix the amount of money which will  
14 reasonably and fairly compensate the Estate for  
15 any of the following elements of damages proved  
16 by the evidence to have resulted from the  
17 negligence of the defendant during the period  
18 between the time of the decedent's injuries and  
19 the time of his death, taking into consideration  
20 the nature, extent, and duration of the injury:  
21 Loss of a normal life experienced,  
22 the pain and suffering experienced as a result  
23 of the injuries, the emotional distress  
24 experienced. Whether any of these elements of

Page 140

1 damages has been proved by the evidence is for  
2 you to determine.  
3 When I use the term society in  
4 these instructions, I mean the neutral benefits  
5 that each family member receives from the  
6 other's continued existence, including love,  
7 affection, care, attention, companionship,  
8 comfort, guidance, and protection.  
9 I think that's all I can get you  
10 and let you go at 5:00. I need -- I know you're  
11 in a bind. We'll have to meet again tomorrow  
12 morning at 9:30, and I will read these, and then  
13 you will deliberate. Okay?  
14 Thank you, folks.  
15 THE DEPUTY: All rise for the jury.  
16 THE COURT: Just remember, even  
17 though you've heard all of the evidence, you  
18 still can't talk about the facts of this case  
19 with anybody yet.  
20 (At 4:58 p.m. the trial was  
21 adjourned to December 12, 2017,  
22 at 9:30 a.m.)  
23  
24

Page 141

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

CERTIFICATE

OF

CERTIFIED SHORTHAND REPORTER

I, DERALYN GORDON, a Certified  
Shorthand Reporter of the State of Illinois, and  
Notary Public in County of Cook, do hereby  
certify that I reported in shorthand the  
proceedings had at the hearing aforesaid, and  
that the foregoing is a true, complete and  
correct transcript of the proceedings of said  
hearing as appears from my stenographic notes so  
taken and transcribed under my personal  
direction.

IN WITNESS WHEREOF, I do hereunto  
set my hand at Chicago, Illinois, this 12th day  
of December, 2017.

DERALYN GORDON, CSR, CRR  
License No. 084-003957

<b>A</b>				
<b>a.m</b> 141:22	59:23,24 65:20	85:20 87:23	<b>amount</b> 89:10	82:1 98:7
<b>abandon</b> 102:9	66:14	90:8	91:17 130:8	<b>arguing</b> 17:21
<b>abandoned</b>	<b>active</b> 127:7	<b>agreed</b> 50:16	131:16 133:12	43:6 85:2 98:2,4
104:13,15	<b>activity</b> 127:24	51:20 56:15	135:15 138:23	<b>argument</b> 4:3,7
<b>abandoning</b>	<b>actual</b> 109:12	88:5 89:8 93:1	139:19 140:13	8:20 9:14,19,24
128:18	<b>ad</b> 101:17	96:20 98:16	<b>and/or</b> 6:12 126:5	10:21 11:19,23
<b>abandonment</b>	<b>add</b> 10:13	<b>agrees</b> 55:17,17	126:7 127:9,13	11:24 12:1,10,15
104:17	<b>added</b> 15:23	122:24	127:17,22,24	13:12 14:7 19:1
<b>abbreviated</b> 19:9	92:11	<b>al</b> 1:4,8	128:2,4	19:2 20:3 21:15
<b>Abe</b> 140:11	<b>addition</b> 58:9	<b>alarms</b> 101:22	<b>angle</b> 78:15	81:22 82:17
<b>abided</b> 84:1	<b>additional</b> 63:21	<b>alert</b> 127:8,11,16	<b>Annette</b> 133:5	83:11,12 85:7
<b>abilities</b> 133:3	92:1,3	<b>alerted</b> 60:4	137:10,14	91:12 100:13
135:1 136:15	<b>address</b> 13:12	<b>allegations</b> 11:16	<b>announcing</b> 89:9	111:14 115:1
<b>ability</b> 118:5	67:12 80:24	<b>alleged</b> 32:14	<b>answer</b> 35:4 40:20	120:19,22 121:1
<b>able</b> 50:6 81:5	111:9	<b>Allen</b> 123:7	44:3,7,8	<b>arguments</b> 58:20
82:14 86:2,11	<b>addressed</b> 71:23	124:20 125:16	<b>answers</b> 112:8,9	86:3,7
92:17 105:18	<b>adequate</b> 126:15	126:1,12,18	<b>anybody</b> 42:17	<b>armed</b> 52:18,19
<b>above-entitled</b>	128:23 129:2	129:7 130:2	74:12 80:19	52:24 53:1
1:15	<b>adequately</b>	131:18 133:4,5,8	90:17 98:23	<b>arrange</b> 52:20
<b>absence</b> 114:6	127:23 128:2	137:7,10,14,21	141:19	<b>arrest</b> 63:18
<b>absolute</b> 19:6	<b>adjourned</b> 141:21	138:22	<b>anymore</b> 33:16	<b>arrived</b> 99:23
<b>absolutely</b> 13:16	<b>adjust</b> 69:20	<b>Allied</b> 1:7 112:17	<b>AON</b> 39:19	105:1
18:11 19:21	<b>admissible</b> 86:5	<b>AlliedBarton</b> 2:23	<b>apart</b> 82:12	<b>aside</b> 68:21
34:7,18 42:16	<b>admit</b> 129:21	21:23 25:9	<b>apparently</b> 41:23	<b>asked</b> 7:2 11:24
43:10 68:5	<b>admitted</b> 11:11	26:14 51:11,21	<b>appeal</b> 98:15	39:3 44:19
83:20	117:18 120:6	53:20 70:24	<b>APPEARANCES</b>	53:15,22 54:17
<b>absurd</b> 96:3,5	<b>Admittedly</b> 98:23	75:10,20 80:20	2:2	61:18 83:7
<b>accept</b> 6:9 122:1	<b>adverse</b> 104:5	91:21 95:4 96:8	<b>appeared</b> 121:6	92:19 96:7,9
<b>access</b> 8:16 41:19	<b>affect</b> 123:2	98:21 115:5,17	<b>appears</b> 142:12	99:11 113:2
127:21 128:11	<b>affection</b> 107:18	115:23 126:4	<b>apple</b> 67:7 80:23	<b>asking</b> 63:8 109:2
<b>accessible</b> 102:7	141:7	127:7,15,16	<b>applicable</b> 99:1	<b>aspects</b> 131:6
<b>accessing</b> 8:17	<b>aforesaid</b> 142:9	129:12,23	<b>applies</b> 83:9 119:3	<b>assess</b> 23:5 35:10
128:17	<b>afraid</b> 10:10 48:2	<b>AlliedBarton's</b>	<b>apply</b> 12:11	70:3,23
<b>Account</b> 103:21	48:7	80:9	<b>approximately</b>	<b>assigned</b> 110:14
103:22,23	<b>afternoon</b> 21:17	<b>allotted</b> 91:16	93:6	<b>assumed</b> 108:22
<b>act</b> 43:22 63:13	<b>age</b> 132:22 134:20	<b>allow</b> 81:21 86:9	<b>area</b> 71:17 84:10	<b>assuming</b> 56:17
71:12 118:9	136:8	<b>allowed</b> 82:7	<b>areas</b> 74:20	<b>assure</b> 22:24
122:14,21	<b>agent</b> 103:5 126:6	86:15 122:23	107:23	<b>attack</b> 38:24 39:1
124:15,18	126:7	<b>allowing</b> 9:10 19:8	<b>argue</b> 14:3 19:5	40:4
129:17	<b>agent's</b> 103:6	84:16 86:23	19:16,17,19,20	<b>attempting</b> 14:3
<b>acted</b> 124:14	<b>aggregation</b>	<b>alternative</b> 40:21	21:22 38:4	<b>attend</b> 79:16
<b>acting</b> 47:3 60:8	131:11	<b>Amber</b> 106:6	67:23 68:1	<b>attention</b> 10:4
124:17	<b>aggressive</b> 95:12	107:12 135:3	82:18 85:3 86:2	22:1,4 58:4 73:9
<b>action</b> 137:6,23	<b>ago</b> 12:23 27:13	138:4	86:11 87:17,17	87:15 141:7
138:10	31:17	<b>amended</b> 7:2	88:4	<b>attorney</b> 67:8
<b>actions</b> 19:24 20:1	<b>agree</b> 22:7 43:16	<b>amendment</b> 6:10	<b>argued</b> 7:20 11:17	120:18,20,23
	54:9 62:3,4	7:3	13:3 19:7 20:2	122:23

<b>attorneys</b> 21:20 23:17 24:23 26:8 28:18	<b>behavior</b> 70:21 87:5	<b>bloody</b> 76:9	52:4,5,9,14 59:2 61:17 64:12 91:21 115:7 121:13 127:2,19 127:21 128:9	<b>capacity</b> 137:6,24 138:11
<b>available</b> 118:18	<b>belief</b> 47:2	<b>blurry</b> 78:15		<b>Captain</b> 31:19
<b>Avenue</b> 2:19	<b>believable</b> 37:11 65:10,12	<b>bodies</b> 113:4		<b>capture</b> 29:6,7
<b>awaiting</b> 114:20	<b>believe</b> 8:5 9:14 23:7 50:20 59:17 60:2 66:2 69:7 108:3 111:22 112:1	<b>bogged</b> 13:21 17:6 17:8	<b>boloney</b> 77:15	<b>captured</b> 29:9
<b>aware</b> 120:8	<b>believed</b> 46:5	<b>bolster</b> 104:1	<b>book</b> 15:11	<b>car</b> 68:20
<b>awful</b> 81:2,3	<b>bell</b> 113:16	<b>boom</b> 36:18 66:22	<b>break</b> 24:18 39:11 65:9 81:13 86:6	<b>care</b> 15:13 44:24 45:3,4,9,10 47:8 57:8 69:9,9 70:22 71:6,7,8 74:1 79:6 87:15 122:16,17 123:6 141:7
<hr/> <b>B</b> <hr/>	<b>belongs</b> 24:11	<b>breaking</b> 99:13	<b>bulletproof</b> 48:3	<b>careful</b> 71:9,12 122:8,10,14,17 122:21
<b>B</b> 126:15	<b>Ben</b> 3:2	<b>Brief</b> 5:14	<b>bullets</b> 35:22 74:15	<b>cares</b> 27:1
<b>back</b> 21:7,22 26:9 26:19 27:2,5 34:22,22 46:21 47:5,19,24 48:6 48:12 49:9,17 50:23 54:9 61:9 61:14 73:4,11,15 73:15 76:10 79:21 83:6 89:21,23 91:5 92:6,17 93:2,16 98:10 100:15 109:17 116:16	<b>beneficiaries</b> 69:19	<b>bring</b> 63:23 76:10	<b>bunch</b> 70:4	<b>carrying</b> 103:1
<b>bad</b> 36:11 39:24 40:12,14 42:23 77:1,11 79:6 104:21	<b>benefits</b> 130:20,21 131:22 132:11 132:14 133:19 134:8,11 135:22 136:2,5 141:4	<b>bringing</b> 12:6 34:11 81:9	<b>burden</b> 13:22 21:20 64:8,9 81:1 124:5,10,12	<b>case</b> 10:15 14:5 17:14 18:20 19:12,12,23 20:1 22:6,8,12 23:2 24:7,9,13 25:2 25:23 26:20 27:8 30:20 33:9 33:13 34:3,19 35:4,23 36:11 37:2,4,13 43:21 44:10 47:15 51:4,14,14,16 53:7 55:17 63:21 64:6 66:4 67:4,12,21,24 69:3 70:2 75:18 81:9 96:16 97:22 98:2 105:12,24 107:3 107:3 109:18 114:18 116:21 117:4 118:10,13 119:2,3,4,7,9,16 120:20 122:5 124:9 132:7 134:4 141:18
<b>bags</b> 126:23	<b>berating</b> 44:3	<b>brings</b> 137:6,23 138:10	<b>Burnett</b> 135:3 138:4	<b>cash</b> 67:19 130:21
<b>balance</b> 51:8	<b>best</b> 15:10 52:6,7 66:3 80:4	<b>bristle</b> 22:24	<hr/> <b>C</b> <hr/>	<b>catch-22</b> 64:22
<b>barely</b> 20:18	<b>bet</b> 32:18 46:18 57:14 64:8	<b>broke</b> 24:21 47:10	<b>C</b> 126:22	<b>caught</b> 10:3 58:12
<b>BARTON</b> 1:7	<b>better</b> 75:24	<b>broken</b> 35:17,19	<b>calculations</b> 67:20 88:16	
<b>base</b> 98:17 120:2	<b>beyond</b> 11:10 12:20 105:3 110:17	<b>brought</b> 22:16 23:18,24 25:24 34:8 37:12 108:15	<b>California</b> 114:5,8	
<b>based</b> 9:18 86:11 105:17 107:3 117:4,7 119:22 120:5 121:8	<b>bias</b> 112:4,24 118:7	<b>Brown</b> 26:12 27:16 28:6,13 76:12,12 82:2,18 83:17 84:7,8 94:11,16,20 95:19,24 96:1,9 96:22 97:1,5,14 98:2,14,19,20,22 100:23 101:15 105:9 108:22 109:14,14 113:8 113:19,21 114:1 126:6 127:17 128:12,18,21 129:13 130:1	<b>call</b> 36:20 47:6,18 56:20 58:19 60:10 63:22 68:4 93:23 94:1 94:4,5	
<b>bat</b> 58:3	<b>biases</b> 112:19	<b>broken's</b> 95:15	<b>called</b> 44:17 61:24 73:22 91:9	
<b>battle</b> 17:20	<b>big</b> 43:24 48:3 53:7 76:11	<b>bucks</b> 47:4	<b>calling</b> 13:10 69:16	
<b>bear</b> 100:14	<b>bind</b> 141:11	<b>building</b> 24:10 30:5 31:10 32:9 32:10 33:22 38:9 41:15 45:24 47:5 49:2	<b>calls</b> 96:23	
<b>bearing</b> 19:9	<b>bit</b> 29:1 66:21 70:1 90:10		<b>calm</b> 40:22 44:11 44:13 45:12,14 45:15,18 46:4,4 47:4	
<b>beg</b> 47:1 73:2	<b>bite</b> 67:6 80:22		<b>calvary</b> 59:7 60:19	
<b>begging</b> 41:1	<b>black</b> 108:21 109:4		<b>camera</b> 78:15	
<b>beginning</b> 87:9 105:6 111:3	<b>blame</b> 54:13 115:20 123:11 123:16		<b>cameras</b> 29:6,7	
<b>behalf</b> 21:23	<b>blaming</b> 23:17		<b>candid</b> 60:24	
<b>behaved</b> 110:12	<b>blanket</b> 54:20		<b>candidate</b> 52:3	
	<b>blogs</b> 119:11		<b>Canine</b> 75:6	
			<b>capabilities</b> 103:18 104:8,8	

61:11 <b>cause</b> 1:15 9:16 69:6 70:17 120:12 123:13 123:18,23,23 124:2,3,4,23 129:10,19 <b>causing</b> 123:11 <b>cell</b> 32:17 119:16 <b>Center</b> 1:17 <b>central</b> 34:17 <b>certain</b> 101:3 130:15,17,19,22 <b>certainly</b> 24:8 56:15 60:9 83:10 <b>CERTIFICATE</b> 142:1 <b>Certified</b> 142:3,5 <b>certify</b> 142:8 <b>chained</b> 35:20 49:24 <b>chair</b> 33:14 <b>challenging</b> 72:16 <b>chamber</b> 49:13 <b>Chambers</b> 24:20 25:12,12,14,17 26:15 27:15,21 28:4 30:12,15,17 36:5 39:7 56:17 59:21 60:3,8 61:24 64:20,23 65:2,8,13,19 66:1,8,12,17,17 73:12 74:2,11 82:2 83:15 94:5 95:23 101:23 102:1 126:8 129:20 <b>Chambers'</b> 32:3 41:10 103:17 104:1 <b>chance</b> 20:19 21:18 35:7 39:7 39:10,16 40:17 42:10 <b>change</b> 19:17 41:8	<b>changed</b> 7:14 26:17 27:9 <b>characteristics</b> 136:12 <b>chase</b> 41:22,22 <b>chatrooms</b> 119:11 <b>cheap</b> 107:15 <b>cheapens</b> 107:9,9 <b>check</b> 60:16 71:18 <b>Chicago</b> 1:18 2:6 2:13,20 36:1 59:17 60:11 62:16 63:22 74:17 142:16 <b>child</b> 132:21 134:18 <b>childhood</b> 65:15 <b>children</b> 107:4 <b>choice</b> 42:7,14,22 <b>choices</b> 43:8,9 45:11 <b>chose</b> 84:19 <b>CIRCUIT</b> 1:1 <b>circumstances</b> 47:8 71:9,13 122:11,15,18,22 <b>circumstantial</b> 121:10,12,15 <b>citizen</b> 63:20 <b>civil</b> 13:1 <b>claim</b> 12:9 13:2,4 54:20 59:21 60:2 105:15 129:9 <b>claimed</b> 124:15 126:2 129:14,16 129:17,19,22 130:5 <b>claiming</b> 14:18 55:13 57:2 59:7 97:21 110:22 <b>claims</b> 68:24 108:6 <b>clear</b> 55:17 <b>clearly</b> 58:9 86:10 <b>client</b> 32:5 82:21 <b>clients</b> 67:11	<b>clip</b> 28:22 29:23 32:13 64:21 76:22 <b>clock</b> 5:7 29:23 57:23 88:16,19 88:23 89:6 90:11 93:4,17,21 <b>clocks</b> 88:20 <b>close</b> 9:14 <b>close-knit</b> 112:14 <b>closing</b> 4:3,7 21:15,19 86:3,7 91:12 96:4 111:14 115:1 120:19 <b>code</b> 41:19 53:6,8 53:16,20,23 54:5 54:6,16 127:15 127:15 <b>codes</b> 53:13 54:9 54:11 96:3 127:7,11 <b>coincidence</b> 65:20 73:19 <b>collapses</b> 115:19 <b>collateral</b> 135:16 135:19 <b>combat</b> 62:7 <b>combines</b> 124:3 <b>come</b> 21:22 33:10 47:12 50:12,23 59:7 60:13 64:14,17 79:21 80:20 96:13 105:22 <b>comes</b> 30:2 31:24 32:12 43:23 47:16 48:12 49:9 54:4 60:20 70:5 73:11 90:22 <b>comfort</b> 141:8 <b>coming</b> 9:4 28:5 29:5,19 30:6 31:9 32:9 33:21 51:12 54:16 68:6 100:3,10,12	102:20 103:2 <b>comment</b> 97:7,11 97:13 111:10 113:15 <b>comments</b> 26:14 96:4 <b>committed</b> 10:19 11:12 19:24 <b>common</b> 117:21 121:8 <b>communicate</b> 119:15 <b>community</b> 106:22 <b>companies</b> 52:13 75:5,8,9,21 112:16 <b>companionship</b> 141:7 <b>company</b> 32:17 52:22 112:16 <b>company's</b> 25:8 <b>compare</b> 80:17 <b>compelling</b> 68:6 <b>compensate</b> 130:9 131:17 133:13 135:16 138:24 139:20 140:14 <b>complaint</b> 125:22 <b>complaints</b> 125:18 <b>complete</b> 17:12 19:9 142:10 <b>comply</b> 44:9,9 <b>composite</b> 106:20 <b>concern</b> 113:7,9 <b>concerned</b> 13:20 60:7,12 <b>concerning</b> 118:9 132:9 134:6 136:1 <b>conclude</b> 110:6 121:14 <b>concluded</b> 116:20 <b>conclusion</b> 120:19 121:9 <b>condition</b> 110:13	131:11,12 <b>conduct</b> 58:8 123:19 130:11 <b>conference</b> 6:3 18:4 <b>confronted</b> 44:12 45:17 <b>confuse</b> 26:9 86:20 <b>confusing</b> 60:3 <b>connection</b> 119:19 <b>conscious</b> 34:15 114:6 <b>consider</b> 13:18 15:10 72:5 87:11 112:2,24 116:24 117:19 118:5 125:1 132:9 134:6 135:24 136:22 <b>consideration</b> 74:21 117:10 121:5,16 125:3,9 130:12 139:6 140:2,19 <b>considered</b> 69:7 <b>considering</b> 70:5 86:18 122:2 124:8 <b>consist</b> 125:18 <b>consists</b> 117:17 <b>Consolidated</b> 1:4 <b>constant</b> 36:10,12 <b>contacted</b> 58:2 <b>contained</b> 116:22 <b>contempt</b> 120:15 <b>contends</b> 120:21 <b>continued</b> 141:6 <b>continues</b> 32:16 <b>contract</b> 33:17 62:5 91:23 92:1 92:2,6,12,15 99:3,4 102:9 104:23 115:5,5 126:14,21 <b>contracted</b> 58:15 129:4
--	--	---	---	---



<b>contradicts</b> 57:19 85:7	19:20,20 87:3	<b>Court's</b> 87:18 88:2 91:5 116:24	<b>cry</b> 47:1 73:1 <b>crying</b> 40:24 <b>CSR</b> 1:24 142:20	111:18 119:1 142:16
<b>contributed</b> 132:13,16 134:9 134:13 136:3,7	<b>counts</b> 41:10,11 48:8,9 125:19,21	<b>courtroom</b> 23:1 46:16,21 81:4 88:19,23 89:6 118:15 119:23 120:3	<b>cure</b> 12:15 <b>custom</b> 64:4 <b>customarily</b> 132:12 134:9 136:3	<b>dead</b> 74:5
<b>contribution</b> 12:9 13:2,4 87:3	<b>County</b> 1:1,1 142:7	<b>covered</b> 28:24	<b>cut</b> 6:22 92:17	<b>deal</b> 9:8,9 13:1 43:24 50:9 76:11 85:14
<b>control</b> 60:4 105:3 105:4 127:7	<b>couple</b> 15:17 51:6 61:3 76:5	<b>covers</b> 16:2	<b>D</b>	<b>dealings</b> 92:20
<b>conversation</b> 101:1	<b>course</b> 34:9 38:20 41:23 42:9 45:23 46:7,20 47:9 57:19	<b>CPD</b> 47:6	<b>D 2:18</b> 126:24	<b>dealt</b> 38:8
<b>convince</b> 64:2 101:23	58:13 65:5 66:19 69:12 70:18 82:22 103:13 123:24	<b>cranium</b> 34:16	<b>daily</b> 25:9	<b>death</b> 36:20,21 107:3 124:23 125:18,21
<b>Cook</b> 1:1 142:7	<b>courses</b> 79:24	<b>crazy</b> 45:19 47:3 115:11	<b>Daley</b> 1:17	129:10 132:4 134:1 135:19 139:5 140:1,19
<b>copy</b> 116:13,15	<b>court</b> 1:1,16 3:1 5:5,6,12,17,23 6:4,8,16 7:6,16 8:8,14 9:3,8 10:2,10,23 11:5 11:20 12:4,16 13:5,8,19,24 14:9,16 15:2,15 15:20 16:3,6,13 16:23 17:2,5,10 17:13,24 18:5,12 18:16,21,24 19:11 20:8,12,23 21:7,9,14 23:20 24:3 27:24 81:10,19,23 82:14 83:22 84:13,18 85:4,8 85:12,18,22 86:12,16 87:16 88:1,7,9,14,17 88:24 89:5,14,22 90:2,12,15,20 91:7 97:8,12,17 97:23 98:4,8 107:19 111:12 111:22,24 113:16 114:23 116:4,19 117:18 120:6,16 121:6 141:16	<b>create</b> 62:21 127:6	<b>damage</b> 126:3	<b>DeBartolo</b> 3:1
<b>corner</b> 28:5 49:4 50:3		<b>creation</b> 75:23	<b>damages</b> 64:7 67:3,5,9,13 68:5 69:5,7 105:11 130:5,10,24 131:9 137:19 138:8,17 139:2 139:13,21 140:8 140:15 141:1	<b>deceased</b> 1:4 125:15,16,17,24 126:1,2 129:6,7 129:8 130:2,3,4 137:8,11,16,16 138:1,6,6,12,15 138:22 139:17 140:12
<b>corporation</b> 117:9		<b>credibility</b> 25:2 28:19 69:1,2 76:7 104:1 111:23 112:2,12 113:1 114:2 118:1,4 123:2	<b>dan@tkklawfir...</b> 2:14	<b>decendent</b> 131:18 131:20,24 132:12,15,20 133:14,17,21 134:9,12,18 135:17,20 136:3 136:6,24
<b>correct</b> 16:3 78:18 142:11		<b>crimes</b> 11:12	<b>danger</b> 52:2 115:16,24	137:8,11,16,16 138:1,6,6,12,15 138:22 139:17 140:12
<b>corrected</b> 16:5		<b>criminal</b> 9:16,20 9:20 11:7,16 12:7,18,24 13:10 15:8 18:20 19:12,24 20:1 70:21 87:5	<b>dangerous</b> 41:17 51:10 61:16	139:5 140:1,19
<b>corroborating</b> 103:3		<b>criminality</b> 19:14	<b>DANIEL</b> 2:12	<b>DeBartolo</b> 3:1
<b>counsel</b> 8:10 9:24 10:20 12:10 13:19 14:3,18,23 15:23 17:5,13 18:16 20:8 21:14 24:4 44:2 44:5 53:10 77:19 81:10,11 81:24 83:22 84:13 85:8 86:7 93:4 94:15,21 96:2 97:9 98:2,3 98:14 100:12 107:6,16 111:13 111:19 116:4		<b>criticism</b> 61:15	<b>Danzig</b> 34:10 36:24 37:18 48:18 50:4,8,12 73:6 108:12	<b>decendent's</b> 132:17 134:14 139:4,24 140:18
<b>counsel's</b> 9:13,18 9:24 12:14 14:7		<b>criticize</b> 32:5 80:20	<b>dare</b> 74:24 75:2	<b>decedents'</b> 70:19 124:1 129:10
<b>counselor</b> 95:13		<b>criticizing</b> 24:14 27:5,6 87:1	<b>dark</b> 27:24 28:11	<b>December</b> 1:18 79:17 141:21 142:17
<b>count</b> 41:9,10 50:24 57:6		<b>cross-examine</b> 34:20	<b>DAVID</b> 2:18	142:17
<b>counted</b> 48:11		<b>cross-examined</b> 32:1,24	<b>day</b> 10:16 25:14 25:14,18,19 28:23 30:12 31:5 32:4,12,19 42:18,22 43:17 48:9,11 50:23 58:4 64:23 68:18 69:10 83:6 102:21 104:21 110:9	<b>decide</b> 71:13 81:5 91:20 117:13 118:1 122:15,22 123:11,17 124:7 130:6 131:7,14 132:6 133:10 134:3 135:13 137:20 138:8,18 138:20 139:15
<b>counterclaim</b> 12:13,14 14:1,2 14:4,10 19:6,7		<b>cross-examining</b> 30:24		
		<b>crowded</b> 71:17		
		<b>CRR</b> 1:24 142:20		

140:10 <b>decided</b> 125:20 <b>deciding</b> 19:11 <b>decision</b> 71:14 87:9 102:6 120:2 <b>decisions</b> 26:10 <b>deescalation</b> 44:17,18 <b>defendant</b> 2:23 98:24 123:12 125:2 129:20,23 140:17 <b>defendants</b> 1:9 123:4,9,20,21 124:14,18,23 125:6,7,11,12 126:4 129:12 130:12 139:3,23 <b>defendants'</b> 21:15 129:18 <b>defense</b> 5:23 21:11 67:4,8 96:15,16 110:13 114:4 123:14 <b>defense's</b> 12:22 <b>degree</b> 75:11 79:2 <b>delay</b> 7:19,24 9:1 9:9 101:23 128:16 <b>delayed</b> 57:20 <b>deleted</b> 7:14 <b>deliberate</b> 141:13 <b>deliberations</b> 22:5 116:16 <b>demonstrated</b> 36:16 <b>demonstration</b> 77:15 <b>demoted</b> 65:21 <b>deny</b> 36:7 126:24 129:13,15,17,21 130:1 131:8 <b>department</b> 1:1 60:11 62:16 63:23 <b>depending</b> 69:21	<b>depends</b> 107:24 <b>deposition</b> 32:3 65:23 83:16,17 83:19 92:24 94:22,24 95:3,9 109:1 <b>depositions</b> 112:8 <b>DEPUTY</b> 21:5 91:5 141:15 <b>DERALYN</b> 1:23 142:5,20 <b>deranged</b> 110:11 <b>derogatory</b> 72:2 <b>described</b> 45:15 <b>describes</b> 112:14 <b>descriptions</b> 45:13 <b>deserve</b> 37:1 <b>deserves</b> 71:5 122:2 <b>designated</b> 103:14 <b>desk</b> 73:1 101:1 <b>detail</b> 114:17 <b>details</b> 40:9 <b>detect</b> 62:15 <b>Detective</b> 34:2 49:11,17,18 59:2 61:6 104:24 <b>deter</b> 62:15 <b>determination</b> 86:21 <b>determine</b> 52:7 79:5 106:3 131:1 136:20 137:19 138:8,18 139:14 140:9 141:2 <b>determining</b> 117:4 132:8 134:5 135:23 136:21 <b>deterring</b> 102:13 <b>device</b> 119:10 <b>devices</b> 119:15,19 <b>dialogue</b> 24:11 <b>dictated</b> 52:16 <b>die</b> 22:19 50:17	<b>died</b> 104:16 113:23 <b>difference</b> 67:22 80:12 <b>different</b> 7:15 11:6 57:18 86:22 88:10,20 89:9 112:9 <b>direction</b> 142:14 <b>directly</b> 85:6 <b>Director</b> 24:9 33:24 <b>disagree</b> 14:13,20 98:23 <b>disagreement</b> 22:11 <b>disagrees</b> 43:13 <b>disarm</b> 58:14 61:2 <b>disaster</b> 64:15 <b>discovery</b> 80:5 <b>discussed</b> 6:21 107:23 <b>discussion</b> 5:21 8:11 18:17 43:18,21 84:11 90:23 108:1 <b>Disobeying</b> 120:11 <b>disparaging</b> 46:17 <b>display</b> 76:6 <b>dispute</b> 44:22 50:18 <b>disputing</b> 52:15 <b>disregard</b> 113:15 120:24 <b>disregarding</b> 117:2 <b>disrespectful</b> 42:16,17 <b>dissuade</b> 49:21 <b>distance</b> 19:14 95:11 <b>distinguish</b> 102:18 <b>distinguishes</b> 75:20 <b>distract</b> 7:19,23	8:24 9:9 128:16 <b>distracting</b> 56:21 <b>distractors</b> 56:21 <b>distress</b> 130:18 139:10 140:6,23 <b>divide</b> 107:19 <b>DIVISION</b> 1:1 <b>document</b> 79:22 <b>doing</b> 30:21,21 32:5 62:8 67:19 73:7 85:18 122:9 129:16 <b>dollar</b> 68:13,16 69:18 <b>dollars</b> 68:15,24 105:19 <b>door</b> 10:1,21 20:4 20:7 35:20 48:6 49:24 65:9 72:20,24 82:11 82:12 84:7 108:23 109:2,6 <b>doors</b> 24:18,21 29:20 30:7 35:17,18,19 48:15 99:13 100:3,4 108:17 <b>double</b> 56:23 75:21 <b>doubt</b> 11:11 12:20 64:22 <b>downstairs</b> 49:8 <b>Dr</b> 31:2,8 34:12 43:16 51:20 53:11,11,23 114:4,10,11 <b>draw</b> 49:16 <b>drawn</b> 117:16 <b>drop</b> 61:8 <b>dryan@pattonr...</b> 2:21 <b>Duct</b> 35:20 <b>duplicative</b> 5:20 6:1 7:21 8:15,19 <b>duration</b> 130:13 139:6 140:2,20 <b>duress</b> 53:6,7,13	53:16,20 54:11 96:3 127:6,11,15 128:21 <b>duties</b> 116:21 119:20 <b>duty</b> 19:5,6 67:11 92:9,10,11 117:3 120:10 123:4,8 <hr/> <b>E</b> <b>E</b> 1:2,16 127:4 133:5 137:10,14 <b>earlier</b> 7:15 25:13 25:19 28:21,23 29:22 30:9,12 31:4 32:3 34:2 45:4 47:13 64:21 65:14 85:17 93:5 104:3 <b>early</b> 102:10,12 <b>earnings</b> 16:8 130:20,21 <b>easy</b> 5:8,16 18:8 <b>economists</b> 67:16 <b>edited</b> 20:24 <b>education</b> 134:17 <b>eerily</b> 48:1 <b>effort</b> 36:10,12 <b>efforts</b> 24:23 120:12 <b>eight</b> 92:4 133:1 134:23 136:15 <b>either</b> 34:9 86:17 <b>electronic</b> 119:14 <b>elements</b> 130:10 130:23 139:1,12 139:21 140:7,15 140:24 <b>elevator</b> 27:18 44:17 45:22 48:11 57:21 58:1,1 59:10,10 <b>elevators</b> 57:18 94:6,8 127:5 <b>Eleven</b> 133:7 135:5
--	---	---	--	---

<b>emotional</b> 130:18 139:10 140:6,23	125:15,16,23,24 126:1 129:5,6,7 130:1,2,3 137:7 137:16,20 138:1 138:6,9,11,13,14 138:19,21 139:1 139:16,20 140:11,14	124:9 125:4,9 130:10,24 131:19 132:7,9 133:15 134:4,6 135:18,24 136:20 139:2,13 139:21 140:8,16 141:1,17	134:18 <b>expects</b> 120:18 <b>expenses</b> 68:19 132:18 134:15 <b>experience</b> 112:5 118:8 130:14,16 139:8 <b>experienced</b> 63:7 68:5 130:15,17 130:18,19 139:9 139:11 140:4,5,7 140:21,22,24	<b>fact</b> 27:12 72:8 75:1 84:16 100:7 101:3 103:23 107:4 121:7,11,23 <b>facts</b> 33:11 117:4 117:13,13,15 121:7,9 141:18 <b>failed</b> 124:15 <b>failing</b> 6:11 7:18 8:14 9:10 124:17 126:10 126:15,19,22,24 127:4,6,10,14,18 127:22 128:1,5,7 128:15,20,23 129:1 <b>failure</b> 122:7 <b>faint</b> 8:22,23 101:16 <b>fainted</b> 101:15 <b>fair</b> 22:5 23:6 33:3 63:9 69:11,22 83:11 108:4 117:10 <b>fairly</b> 130:8 131:16 133:12 135:15 138:24 139:19 140:14 <b>fake</b> 29:21 30:23 69:1 <b>families</b> 40:19 68:10 97:4 <b>family</b> 38:15 55:16 98:11 106:5,14 107:19 141:5 <b>far</b> 19:14 <b>fast</b> 49:16 <b>fathers</b> 22:23 <b>fault</b> 22:21 23:6 24:11 70:7,14 88:3 110:14,23 110:24,24 111:1 116:2 <b>fearless</b> 49:21 <b>feel</b> 12:21 22:20
<b>employee</b> 126:6,7 <b>employment</b> 79:15,22 <b>encompassed</b> 16:17 <b>encompasses</b> 16:17 <b>enhanced</b> 92:9,9 <b>enjoy</b> 131:4 <b>enjoyed</b> 110:5 <b>ensure</b> 126:10 <b>entered</b> 94:11 115:6 <b>enters</b> 121:13 <b>entitled</b> 121:16 <b>entrances</b> 29:7 <b>entry</b> 126:24 127:1 128:13 <b>envelope</b> 40:6 55:9,9,14 76:9 76:21 77:5,9,12 78:3 102:19 103:2 128:3 <b>eons</b> 12:23 <b>epitome</b> 96:23 <b>equate</b> 15:9 <b>equivalent</b> 13:11 <b>errors</b> 15:17 <b>Escalate</b> 45:21 <b>escalated</b> 57:13 58:10 105:3 <b>escalation</b> 44:18 <b>escalator</b> 28:12 93:19 <b>escalators</b> 30:2 102:3,3 <b>eschew</b> 70:14 <b>escort</b> 47:5 <b>especially</b> 8:16 10:16 <b>Esposito</b> 7:3 <b>Esposito's</b> 5:11 <b>established</b> 9:15 <b>estate</b> 1:4 112:15 112:17 125:14	<b>estimate</b> 88:18 <b>et</b> 1:4,8 <b>evaluate</b> 35:10 44:23 111:23 <b>evaluating</b> 28:17 112:1,11 117:22 118:4 <b>events</b> 23:3 70:19 123:24 <b>eventually</b> 9:17 <b>everybody</b> 19:24 36:1 48:9 53:5 70:13 71:20 74:12 89:9 103:12 106:23 108:6,7 <b>everybody's</b> 48:11 58:10 78:16 <b>evidence</b> 7:22 10:13 12:7 15:8 15:13 16:9 22:2 23:7,13 25:22 27:8 30:20 34:18 35:16 51:13,15,16 62:24 63:1 64:10 66:4 71:10 85:1,2,5 95:12 100:6,14 105:18 106:17 108:15 109:18 112:13,18 116:19 117:5,15 117:16,17,19 118:15,19 119:23 120:6,18 120:21,24 121:10,12,16,17 122:4,12,19	<b>ex-Account</b> 75:15 <b>exact</b> 8:2 87:7 <b>exactly</b> 12:12 49:15 78:10,12 <b>exam</b> 75:12,13 79:2 <b>examination</b> 76:2 <b>example</b> 52:1 70:7 115:19 118:22 121:12 <b>exceed</b> 70:21 <b>exceeded</b> 80:2,9 <b>exception</b> 38:23 <b>exchange</b> 24:23 46:12 <b>exchanging</b> 61:7 <b>excuse</b> 45:6 55:2 94:24 115:12 <b>executor</b> 1:3 137:7,20,24 138:9,11,18,21 139:16 140:11 <b>exercised</b> 45:10 69:10 79:5 <b>exercising</b> 44:24 <b>Exhibit</b> 93:3 <b>exhibits</b> 117:18 <b>exist</b> 31:11 <b>existed</b> 133:8 <b>existence</b> 141:6 <b>existing</b> 127:14 <b>exists</b> 107:13 135:6 <b>exit</b> 37:8 109:16 109:17 <b>exiting</b> 7:24 <b>expectations</b> 26:14 <b>expected</b> 132:21	<b>Facebook</b> 118:23 119:12	<hr/> <b>F</b> <hr/> <b>F</b> 2:18 127:6 <b>face</b> 37:17 <b>Facebook</b> 118:23 119:12

85:23 97:3,4 120:4 <b>feeling</b> 35:13 86:19 <b>feels</b> 96:24 <b>feet</b> 55:1,4 <b>fellow</b> 58:2 127:8 127:12,16 <b>felonies</b> 10:18 <b>felt</b> 26:24 52:2 54:15 61:8 65:14,17,17 66:17 67:9 <b>fence</b> 86:17 <b>fight</b> 58:14 63:23 <b>figure</b> 10:7 26:11 107:9 <b>file</b> 79:22 <b>film</b> 45:14 <b>find</b> 29:12,12 109:17 124:7 125:3,8 <b>fine</b> 101:24 <b>finger</b> 84:5 <b>fingers</b> 78:3 <b>finish</b> 31:21,23 90:7 116:11,11 <b>fire</b> 104:12 <b>fired</b> 26:3 47:17 49:17,18 60:15 61:9 65:21,24 79:3 82:1,13,19 82:24 99:8,15,16 99:18 103:9 104:11,13 <b>fires</b> 24:24 73:12 <b>firm</b> 52:1 <b>first</b> 14:12 25:15 25:20 29:20 30:13,22,24 31:14,16 32:13 32:22 33:2 38:8 40:8,8 58:18 71:20 76:3 82:8 91:23,24 93:23 124:14 <b>fishing</b> 106:19	<b>five</b> 49:18 107:18 132:22 134:20 136:10 <b>fix</b> 68:20 130:7 131:15 133:11 135:14 138:23 139:18 140:13 <b>flat</b> 55:9,9 <b>flew</b> 114:4 <b>flights</b> 46:13 <b>floating</b> 37:4 <b>floor</b> 8:18 24:16 25:16,21 30:13 30:14 31:14,15 32:20 36:16 37:6,22 39:1,2 39:13 40:11 41:5,14 42:3,6 42:17 43:3,6 44:15 46:11 48:10,16 49:2 50:15,21,24 51:18 56:4,9 57:22 59:10,11 59:22 64:3 65:12,18 66:6 70:14 71:2,15 72:3,7 92:8,13 92:21 101:6 105:8 110:18 127:1,20 128:12 128:17 <b>floors</b> 29:8 128:11 <b>flunked</b> 75:12,13 76:1 99:1 <b>flunking</b> 79:2 <b>fly</b> 114:8 <b>folder</b> 77:12 <b>folks</b> 21:24 39:16 42:6,16 90:20 115:8 141:14 <b>follow</b> 13:12 67:18 102:8,9 105:23 <b>followed</b> 84:7 <b>following</b> 5:1 21:1 27:16 81:15 91:1 117:5	124:13 126:9 130:9 132:10 134:7 136:1,22 139:1,20 140:15 <b>follows</b> 125:22 <b>foot</b> 66:18 <b>force</b> 31:20 <b>forced</b> 66:10 <b>forcing</b> 57:16 <b>foregoing</b> 129:9 142:10 <b>foreseeable</b> 51:21 62:4 71:22 <b>forget</b> 73:18,19 76:15,15 79:7 <b>form</b> 15:17 <b>former</b> 31:19 <b>forth</b> 6:24 <b>forward</b> 22:5 81:8 <b>fought</b> 34:22,22 112:21 <b>found</b> 29:14 31:4 120:15 <b>founding</b> 22:22 <b>four</b> 26:16 107:4 132:19 134:16 136:9 <b>freaky</b> 45:16 <b>free</b> 45:24 120:4 123:9 <b>Friday</b> 92:22 <b>friendly</b> 6:10 7:3 <b>front</b> 42:8 49:5 63:14 76:10,18 85:16 98:10 <b>frozen</b> 109:18 <b>full-time</b> 92:13 <b>functions</b> 5:20 <b>further</b> 129:8 130:1 <b>future</b> 130:15,17 130:19,22 132:16 134:13 136:7	<b>gained</b> 117:21 127:21 <b>game</b> 83:11 <b>gates</b> 31:1 <b>GED</b> 75:1 <b>general</b> 84:9 <b>gentleman</b> 108:21 109:5 <b>gentlemen</b> 21:16 36:11 72:19 107:20 114:14 116:5 <b>getting</b> 35:8 40:17 109:19 110:17 <b>give</b> 12:12 18:2 21:18 31:12 40:21 42:7 52:18 53:6,17 69:19 111:7 116:22 121:4,5 121:18 122:1 132:21 134:18 <b>given</b> 5:16 21:21 31:8 86:13 112:9 117:5 118:2 120:19 121:23 122:3 123:1 132:5 134:2 <b>gives</b> 34:12 <b>giving</b> 12:15 43:9 70:15 <b>glass</b> 35:17 48:15 <b>gloves</b> 76:10 <b>go</b> 27:17 29:23 36:15 38:14 39:21 40:7 41:22 45:7 46:4 46:6,12 48:14 50:1,12 53:2,14 54:5 55:16 57:16 58:24 60:5 61:13 65:4 66:12 72:23 73:1,14 79:9 80:16 89:10,21 89:22 90:1,14,16	91:23 92:2,3,6 93:2,3,7,11,12 93:16 94:3 96:6 98:9 101:22 106:13 112:16 113:3 135:9 141:10 <b>goes</b> 30:1 36:23 47:24 48:15 72:14,15 <b>going</b> 5:7 9:11 11:5 13:20 17:6 18:13 21:11,21 22:16 26:5 29:4 30:6,8,8,16 33:7 35:2,6,21 40:4 40:16,22,22,23 40:23,24 41:1 42:10,11 43:20 45:1,18 46:6 49:21,22 50:7 51:3 53:13 54:23 57:5,9 58:5 59:23 60:6 60:21,21 62:1,2 62:24 63:15 66:4 67:1,7 69:14 70:2,16 71:8,16,18 72:11 72:15 76:9 79:14 80:15,19 84:14 85:11,13 85:22 87:16 89:10,21,22 93:8 93:19,21 97:12 100:2 101:8 102:7 105:4 106:13,16 107:14 109:22 109:23 116:7 <b>goner</b> 101:4 <b>good</b> 21:17 39:24 40:2,3,12 53:8 62:9 91:20 <b>goods</b> 131:22 132:11,14 133:19 134:8,11
--	---	--	---	--

**G****G** 127:10

135:22 136:2,5	43:8,24 44:4,4,6	39:23 41:23	114:3,9,10,16	13:15 14:22
<b>Goodson</b> 2:15	44:8,19 45:6,6	44:16 56:15	118:14 121:18	15:9 18:15,19
49:4 74:8 99:24	47:2 48:3,19,22	61:23 68:13,15	141:17	21:13 23:19
100:1 115:1	49:13,16 54:7,16	75:4 95:6	<b>hearing</b> 5:3 21:3	24:1 35:9 70:2
123:7 124:20	55:2 60:9 61:20	<b>happening</b> 27:21	34:3 47:16	81:20 88:22
125:17 126:2,12	62:8,19 63:13	59:8 62:19	51:24 63:15	89:21 91:14
126:19 129:8	74:5 77:20	85:24	81:17 91:3	98:5 114:22
130:3 135:17	115:10	<b>happens</b> 11:19	142:9,12	<b>HONORABLE</b>
136:17,17,17,18	<b>gunfire</b> 61:7	<b>hard</b> 68:17 103:3	<b>heartfelt</b> 68:11	1:16
138:12,14,14,19	<b>guns</b> 23:24 24:3	<b>Haring</b> 133:5	<b>held</b> 5:21 18:17	<b>hook</b> 110:22
140:12	62:7,23	137:10,14	77:21 84:11	<b>Hoover</b> 2:10 68:8
<b>Google</b> 118:23	<b>gurgle</b> 36:21	<b>harm</b> 15:2,5,6	90:23 108:1	70:10 91:11
<b>GORDON</b> 1:23	<b>guy</b> 26:2 33:12,19	127:9,12,17,21	<b>hell</b> 47:10	99:20,21,24
142:5,20	33:19 40:3,3	128:8,22	<b>help</b> 37:7 72:21	111:14,16,18
<b>gotten</b> 73:16	44:21 45:12,17	<b>Hauri</b> 31:2,8,18	73:2,16	114:13 123:7
<b>grabs</b> 49:3	47:3 48:24	31:19 32:21	<b>helped</b> 101:2,2	124:20 125:16
<b>Grant</b> 3:2 93:13	57:10 61:11,16	39:4 40:15	<b>helping</b> 87:22	126:1,12,19
<b>granted</b> 97:8	63:15 64:1 65:4	42:23 43:15	108:16	129:7 130:3
<b>graphic</b> 34:13,13	109:4	46:10,13 94:15	<b>hereunto</b> 142:15	131:18 133:5,6,8
<b>gray</b> 108:22 109:5	<b>guy's</b> 60:8	94:15,22 101:20	<b>hero</b> 24:21 33:19	133:9 137:5,8,10
<b>great</b> 10:14 65:4,4	<b>guys</b> 53:11 74:3,4	<b>Hauri's</b> 38:24	38:15 47:14	137:10,14,14,21
65:5 69:12	85:22 87:7	<b>head</b> 24:18 79:10	49:10,11 55:15	138:21,22
103:11,12	100:22	<b>health</b> 132:24	64:23 65:8	<b>Hoover's</b> 67:24
<b>Greg</b> 24:9 74:10		134:22 136:10	96:10,17 109:14	<b>hoping</b> 77:23
80:18	<b>H</b>	<b>hear</b> 6:14 21:11	<b>heroes</b> 47:15 82:3	<b>hostage</b> 10:19
<b>grief</b> 137:1	<b>H</b> 127:14	21:19 23:1	<b>heroic</b> 24:8	43:12,14,16,19
<b>grilling</b> 77:16	<b>habits</b> 133:1	24:14 35:6	<b>herrings</b> 56:20	56:1 57:9 58:6
<b>ground</b> 24:17	134:23 136:13	38:10 43:18	<b>hesitant</b> 14:22	59:9 70:12
80:11	<b>half</b> 69:13 82:13	45:3 46:17 48:1	<b>hey</b> 60:16	73:24
<b>group</b> 78:6,18	111:13	54:19 58:20	<b>hide</b> 72:23 73:1	<b>hostages</b> 36:18
88:9 121:7	<b>halfway</b> 31:1	61:5,22 72:23,24	<b>high</b> 75:11 79:2	66:23
<b>guard</b> 44:24 45:5	<b>hallway</b> 46:9	80:19 82:9 84:1	<b>high-rise</b> 101:12	<b>hour</b> 1:19 36:15
46:1 47:7 62:22	48:14,14 63:15	100:17,19	<b>high-risk</b> 51:11	69:13
63:17 65:5 75:3	72:15	112:13,20	<b>hired</b> 23:18,24	<b>hours</b> 75:22 79:23
75:7	<b>hallways</b> 36:17	117:23	24:3 80:19	80:1 92:22
<b>guards</b> 52:18,19	<b>hand</b> 38:21 40:8,8	<b>heard</b> 5:11 10:3	104:12 115:17	102:22
54:15 58:2 60:8	55:7,10,13 77:19	21:9 27:11,12	<b>hold</b> 90:3 102:3	<b>Howard</b> 136:17
62:6 69:9 75:24	125:8 142:16	28:21 34:2,8	114:24	138:14
92:21	<b>hand-to-hand</b>	35:16 47:12	<b>holding</b> 121:14	<b>hug</b> 78:6,19
<b>guess</b> 14:13 72:17	62:6	52:12 53:10,12	<b>hole</b> 24:17	<b>hugging</b> 95:21
74:21,23	<b>hands</b> 53:4	57:15,24 59:13	<b>hollering</b> 45:18	<b>hundreds</b> 102:22
<b>guests</b> 38:2	<b>hands-off</b> 53:3	59:14 60:24	69:15	102:23
<b>guidance</b> 141:8	<b>hang</b> 56:6	63:6,10 64:20	<b>home</b> 38:14 55:16	<b>hunting</b> 35:22
<b>guided</b> 84:6,8,8	<b>happen</b> 25:12	67:15 70:1 73:3	<b>homicidal</b> 37:10	36:23 50:8
<b>guilty</b> 10:7	30:18 34:7 39:4	75:12 82:17	41:6 57:11	<b>husband</b> 111:17
<b>gun</b> 37:18 39:14	39:5 81:4	86:24 100:9,16	<b>Honor</b> 5:16 6:15	
40:5 42:4,8,19	<b>happened</b> 23:8,10	106:18,20 109:1	6:21 7:18 11:3	<b>I</b>

<b>idea</b> 115:11	68:18	<b>insinuate</b> 83:4	<b>investigation</b>	62:1 65:11,18
<b>ideas</b> 38:7	<b>incoming</b> 126:23	<b>inspect</b> 126:22	23:15 25:3 26:4	66:5,8,11,15
<b>identified</b> 15:17	<b>incompetent</b>	128:2,4	33:20,23 118:12	67:1 69:1 70:2,6
<b>Illinois</b> 1:1,18 2:6	103:8 104:10	<b>Instagram</b> 118:24	<b>involved</b> 22:2	70:20 72:10,11
2:13,20 62:5,11	<b>incomplete</b> 17:9	119:13	119:3	72:14 73:9,10
63:17,19,19	<b>inconsistent</b> 112:6	<b>instruct</b> 11:6	<b>issue</b> 5:16 8:4 9:12	74:6 77:13
75:22 142:6,16	112:10 118:8	89:12 112:1	19:6 31:7 34:11	78:11 79:7 87:4
<b>image</b> 62:22	<b>inconsolable</b>	116:20	85:21 86:7	94:11 96:8,11,13
<b>immediate</b> 41:2	63:11	<b>instructed</b> 11:4	87:16 92:15	100:9,12,21
44:15 71:23	<b>increased</b> 92:4	107:1	101:6 104:18	101:7,9 102:15
101:6 102:2	<b>independent</b>	<b>instruction</b> 12:6	118:10	102:18 109:15
<b>immediately</b> 8:7	118:11,12	12:13 15:11	<b>issues</b> 5:9,10	109:20 110:10
120:10	<b>INDEX</b> 4:1	18:4 19:3 20:5	15:14 54:23	110:10,21,23
<b>impact</b> 14:4	<b>indicate</b> 117:12	45:2 54:24 69:5	67:12 73:17	115:15,16,24
<b>implement</b> 6:11	<b>indicated</b> 7:5,21	71:7 111:21	125:20	126:23 127:2
129:1	86:8	132:19 134:16	<b>items</b> 5:9	128:8,10,13,16
<b>import</b> 9:21	<b>individual</b> 32:15	<b>instructions</b> 4:13		<b>Jackson's</b> 12:8
<b>important</b> 24:5,10	35:12 117:9	5:10 9:22 10:5	<b>J</b>	56:11 110:23,24
25:23 27:8	127:3	17:23 18:2	<b>J</b> 1:17 123:7	<b>Jacksons</b> 110:17
28:17 31:7 59:3	<b>individually</b> 126:5	20:15 35:9	124:20 125:16	<b>Jake</b> 43:13
61:4 74:21	<b>individuals</b> 43:12	69:24 86:3,11	126:1,12,18	<b>James</b> 2:5 111:5
118:10	<b>industry</b> 133:1	87:15,18 90:7	127:22 129:7	111:10
<b>improper</b> 20:3	134:23 136:13	105:14,24 116:7	130:3 131:18	<b>jamespower@p...</b>
<b>improperly</b> 19:21	<b>inferences</b> 117:16	116:18,22 117:1	133:6,9 137:8,21	2:8
19:22	<b>influenced</b> 118:20	117:2,6,12	138:22	<b>Jenkins</b> 24:9 25:1
<b>inability</b> 131:4,5	<b>information</b> 60:14	119:21,24 120:9	<b>Jackson</b> 7:24 9:16	25:6 26:2,17,23
<b>inaccurately</b>	65:22 118:17,19	120:11,15 122:7	10:7 14:2 19:23	33:12 35:1 36:4
14:11	119:2,7,9 120:3	124:17 141:4	22:11 23:3,6	36:8 52:11
<b>inappropriate</b>	120:7	<b>insulting</b> 111:6,8	24:24 25:13,15	62:13 63:12
11:3,19	<b>initial</b> 81:21	<b>interact</b> 25:9	25:17,19,20	64:24 65:3,5
<b>inappropriately</b>	<b>initially</b> 105:6	<b>interaction</b> 66:7	27:16 28:6,13,21	73:12,18 74:10
10:21	<b>injured</b> 104:17	<b>interest</b> 112:4,24	28:22 29:5,12,13	75:14 79:13
<b>inaudible</b> 6:13	113:24 124:21	118:7 137:17	29:22 30:23	80:18 82:2,22
<b>incident</b> 51:21	126:3 130:4	<b>interested</b> 59:6	31:4,13,13 32:1	83:19 84:4
75:4	<b>injuries</b> 70:20	78:24	32:14,20 33:22	92:18 94:7
<b>include</b> 15:22	124:1 129:11,19	<b>interesting</b> 38:23	35:5 36:14,22	96:23 100:8,8,15
18:9,13 131:21	139:4,10 140:1,6	44:1 54:13 96:7	37:4 38:5,7,13	100:17 103:11
133:18 135:21	140:18,23	<b>interests</b> 138:16	39:14 40:4	112:21
<b>included</b> 7:5 25:4	<b>injury</b> 123:11,13	<b>interior</b> 128:11	41:13,24 43:1	<b>jeopardize</b> 63:4
<b>includes</b> 9:15	123:18 124:4,24	<b>Internet</b> 118:18	44:12,21 45:14	<b>JOAN</b> 1:16
118:16,17 119:8	126:20 130:13	118:23 119:10	45:24 46:7 47:3	<b>job</b> 111:3
119:16 131:4	131:10,13 139:7	119:17	47:10,21 48:19	<b>Joe</b> 14:2 22:11
<b>including</b> 62:10	140:3,20	<b>interpreted</b> 26:7	48:21,23 49:9,20	23:3,6 29:5,12
118:23 119:4,11	<b>inquire</b> 38:11	60:19	50:4,5,9,14 51:1	29:13,19 31:4
126:11,18	<b>insane</b> 110:11,12	<b>interview</b> 123:1	52:2,4 53:24	32:14,20 35:5
127:19 141:6	<b>Insanity</b> 110:12	<b>interviewed</b> 25:12	55:13 57:3	36:14 37:4 38:5
<b>income</b> 67:23,24	<b>inside</b> 46:4	<b>introduce</b> 19:8	59:15 61:2,7,16	38:7,13,22 39:14

41:13 44:12,14 46:7 47:21 48:21,23 49:16 49:20 50:4,5,14 50:21 51:1 53:24 56:16 61:2,7,16 69:1,2 70:2,6,20 79:7 90:3 127:2 <b>Joe's</b> 32:18 54:7 <b>joepower@prsl...</b> 2:7 <b>John</b> 2:17 136:17 138:13 <b>Jonah</b> 106:7 107:12 135:4 138:4 <b>Joseph</b> 2:5 4:9 20:21 81:20,24 84:15,24 85:6,11 89:3,20,24 90:6 91:13 93:15 97:13,19 98:1,5 98:12 108:3 115:15,16,24 126:23 128:7,10 128:13,16 <b>JR</b> 2:4,5,17 <b>jryan@pattonr...</b> 2:20 <b>judge</b> 1:16 65:19 76:3 85:15 106:23 107:10 113:11 119:5 121:20,21 <b>judges</b> 117:24 <b>judging</b> 45:1 <b>July</b> 79:18 <b>jumping</b> 69:14 <b>juncture</b> 8:13 <b>juror</b> 5:12,12 10:2 10:2 116:8 <b>jurors</b> 5:13 90:21 98:17 105:13 <b>jury</b> 4:13 5:4 10:5 11:4 13:20 15:4 15:11 17:6 18:3	19:11 20:14 21:4,6,17 22:23 35:8 45:2 69:24 81:18 84:1 85:3 85:17 86:11,20 87:11 90:9 91:4 98:11 113:14 116:6,16,18 141:15 <b>justice</b> 23:5,5 33:4 36:13 71:4 76:4 77:14 78:20 81:6,9 <hr/> <b>K</b> <hr/> <b>K</b> 128:1 <b>KASSERMAN</b> 2:12 <b>KATHRYN</b> 2:19 <b>keep</b> 9:11 16:23 25:8 38:18 51:2 51:22 53:3 60:17 74:2 95:11 <b>keeps</b> 14:6 <b>Kennedy</b> 31:2,8 43:16 51:20 53:11,11 <b>kept</b> 31:21 44:11 44:12 50:7 69:8 72:11 77:24 78:13 109:22 <b>kick</b> 40:8 <b>kidnapping</b> 10:19 20:5 70:12 <b>kids</b> 40:19 <b>kill</b> 36:3 38:14 42:5 43:23 49:19,22 50:8 55:3,18 56:3,8 57:5 74:7,12,16 74:16,16 109:20 109:22,23 110:1 <b>killed</b> 39:7,7,17 42:10,11,24 43:1 43:3,20 45:22 56:16 63:3,14	74:1 108:12 109:21 124:20 <b>killing</b> 37:21 63:16 70:9 73:11 <b>kills</b> 49:4 <b>kind</b> 15:2 22:1,16 28:24 50:21 54:10 57:19 64:22 75:16 86:16 96:22 <b>kindly</b> 57:12 <b>knew</b> 22:15 46:7 58:3 71:16 77:11 78:10,12 94:16,17,17 105:12 109:10 109:11 <b>knife</b> 35:22 36:23 50:8 <b>knocked</b> 109:5 <b>knocking</b> 72:20 108:16,23 109:2 <b>know</b> 6:16 8:14 9:19 10:13,20,23 10:24 13:5,8,21 14:4,9,14 17:12 17:24 18:12 19:13 25:11 34:6,11 35:18 38:19 39:15 41:13,24 44:8,11 47:9,18 53:19,19 54:18,24 56:2,3 57:5,15 58:5,5 58:19 60:7,9,11 60:16 61:1 64:14,19 66:20 67:6 68:10,11 71:15,19 73:6 76:12,14 77:15 81:21 87:7 90:9 90:10,12 95:1,10 97:23,24 98:24 102:11 103:1,8 103:10,16,23 110:4,12,14	114:13 115:4 116:8 135:8 141:10 <b>knowing</b> 95:7 <b>knowledge</b> 121:20 <b>known</b> 80:6 100:24 121:9 <b>knows</b> 14:23,24 42:4 47:17 <b>Kotin</b> 2:12,12 4:11 88:22 89:1 90:14 114:21,24 115:2 <b>kvaughn@patt...</b> 2:22 <hr/> <b>L</b> <hr/> <b>L</b> 1:4,5,5,6 128:5 <b>labor</b> 15:4 <b>lacked</b> 40:9 <b>ladies</b> 21:16 36:10 100:24 107:20 114:14 116:5 <b>language</b> 7:4 17:19 38:4 54:17 <b>laptops</b> 119:17 <b>Larry</b> 2:4 87:20 89:16 <b>LaSalle</b> 2:13 <b>law</b> 1:1 9:17 14:11 17:14 62:5,11 63:17,19,20 64:4 71:11 75:22 105:17 107:2,5 116:7,20,21 117:5 119:2,23 120:23 122:13 122:20 132:1 133:22 <b>lawsuit</b> 33:21 137:18 138:7,16 <b>lawyer</b> 36:3,18 45:19,19 108:19 109:2,3,6 <b>lawyer's</b> 108:23 <b>lawyers</b> 23:23	25:23 26:17 45:8 67:4 74:7 78:7 108:11,13 119:5 <b>lead</b> 121:8 <b>learn</b> 122:24 <b>learned</b> 34:21 95:8,8 <b>leave</b> 37:8 49:1 50:15,22 55:22 55:23 84:9 90:21 116:9 135:11 <b>leaves</b> 131:24 133:21 <b>leaving</b> 61:17 72:10 90:4 <b>led</b> 18:22 <b>left</b> 40:8 48:5,6 55:24 72:15 88:13 105:10 107:4 109:9,15 <b>legal</b> 120:10 <b>Leib</b> 2:10 52:2 68:9 70:10 72:10 74:9 111:7,10 123:8 124:21 126:2,13 126:20 129:8 130:4,9 131:7 <b>Leib's</b> 125:17 129:11 <b>lessons</b> 94:17 99:1 102:8 <b>let's</b> 6:16 25:6 28:15 29:15,23 39:21,22 41:12 41:13 42:2,3,21 43:3 44:23 49:14,14 58:7,24 58:24 60:5 65:7 66:9 76:22 81:13 89:12,13 90:14 <b>lettering</b> 7:14 <b>letters</b> 7:15 8:8 <b>level</b> 52:7,16
--	---	--	--	--

<b>liability</b> 10:22 19:13 64:7 67:10 69:6 130:7 131:8,15 133:11 135:14 138:23 139:18 140:12	<b>LLC</b> 2:12,17 126:5 129:13,24	72:1 74:3 80:15 80:16 81:2,3	<b>maniac</b> 41:6 57:11	74:24 83:13,14 92:16 121:24 122:7,17 123:23 124:7 131:3 141:4
<b>License</b> 1:24 142:21	<b>lobby</b> 39:9,23 43:1 49:10 73:4 82:10 100:19,21	<b>louder</b> 59:24	<b>manila</b> 40:6 55:9 55:14 77:5,9,12	<b>meaning</b> 120:12
<b>lie</b> 115:3,4,7	<b>lock</b> 72:24	<b>Louise</b> 111:16 133:8 137:5,9,13 138:21	<b>manner</b> 112:4 118:7	<b>means</b> 30:11 43:19 70:18 71:8 73:24 119:8,13 123:8
<b>LIEB</b> 91:11	<b>lockdown</b> 94:6 102:2,2	<b>love</b> 107:17 141:6	<b>marital</b> 107:13 133:7 135:5	<b>meet</b> 141:11
<b>life</b> 41:1,10,11 47:1 48:7,8,9,11 53:13 55:21 57:6 63:6 73:2 73:13 107:9,10 107:15 114:18 117:22 126:17 130:14 131:3,4,6 139:8 140:4,21	<b>locked</b> 35:18,20	<b>loved</b> 43:5 69:22	<b>market</b> 112:15	<b>meeting</b> 72:12
<b>lifetime</b> 68:21	<b>logic</b> 121:8	<b>Irogersjr@prsla...</b> 2:8	<b>match</b> 39:10	<b>member</b> 141:5
<b>light</b> 36:12	<b>long</b> 59:1 67:2,2	<b>lying</b> 74:5	<b>material</b> 118:21	<b>members</b> 107:19
<b>lights</b> 28:1	<b>longer</b> 45:24 57:21	<hr/> <b>M</b> <hr/>	<b>materials</b> 96:9,10 96:12,14	<b>memories</b> 81:3 106:21
<b>limine</b> 24:2 97:7,9	<b>look</b> 13:17 22:5 27:20 29:21 35:11 41:16 53:23 60:16 76:18,18,19,19 77:1,11 79:6 81:8 93:3,24 95:22 100:7 108:18	<b>M</b> 2:12 8:1,8,16 128:7	<b>math</b> 61:24	<b>memorize</b> 116:17
<b>limit</b> 131:8	<b>looked</b> 17:11 22:3 43:13 61:19 65:14 95:23	<b>MacGeoy</b> 43:15 99:9,17 114:9,16	<b>matter</b> 71:21	<b>memory</b> 29:2 95:15,17 112:4 118:6
<b>limited</b> 34:4	<b>looking</b> 8:16 25:4 51:14 66:9 90:11	<b>macho</b> 74:1	<b>mattered</b> 105:9	<b>mental</b> 73:17 136:11
<b>line</b> 16:8 32:17 59:6 60:20 75:6 116:15	<b>looks</b> 19:15 55:20 78:15	<b>Madison</b> 2:6 29:5 33:16 51:9 73:16 127:2	<b>matters</b> 55:21 63:6 114:14,15 121:19	<b>mentioned</b> 12:18 12:19 71:6 111:20
<b>lineal</b> 131:17,20 131:24 132:2 133:13,16,21,23	<b>loose</b> 47:10	<b>magically</b> 32:21	<b>Matthew</b> 106:5,11 107:12 135:3 138:3	<b>mentions</b> 25:18 82:11
<b>Linke</b> 67:15,16	<b>lopsided</b> 128:4	<b>main</b> 110:15	<b>MB</b> 33:14 52:10 54:14 64:13 112:17	<b>mess</b> 26:18
<b>Linke's</b> 68:2	<b>loss</b> 15:18,21,23 16:1,15,17,18 17:4 107:5,17,17 107:22 130:13 131:2,19,21,21 132:3,8 133:15 133:18,18,24 134:5 135:17,21 135:21,23 136:19,21 139:8 140:4,21	<b>maintain</b> 30:6,16 31:15	<b>McKENNA</b> 1:2,4 2:10 15:24 24:17 34:4,6,14 35:13 36:19 48:18 52:1 59:13,16 67:21 68:8 70:10 72:12 73:5 91:11 106:4,18 106:23 107:3,11 109:20 114:12 123:7 124:19 125:15,24 126:12,18 129:6 130:2 133:14 135:3,3,4,4,6,7 137:23 138:1,3,3 138:3,4,9 139:16 139:17	<b>message</b> 72:10
<b>LinkedIn</b> 118:24	<b>lost</b> 16:8 37:7 38:12 130:20,22	<b>major</b> 102:13	<b>making</b> 77:2 101:1	<b>messed</b> 14:23
<b>listen</b> 20:14 75:17	<b>lot</b> 22:2,4 35:1,22 62:10 67:24	<b>making</b> 77:2 101:1	<b>Malec</b> 1:2,4 106:18 107:11 123:6 124:19 125:15,24 126:12,18 129:6 130:2 133:14 135:4,6,7 137:22 138:1,3,9 139:16 139:17	<b>methodical</b> 45:16
<b>little</b> 29:1 31:17 51:8 60:3 66:21 70:1 87:10 88:19 90:10 92:6		<b>maligned</b> 72:6,13 74:23	<b>malicious</b> 36:12 73:8 78:4 82:21	<b>methodology</b> 67:19
<b>lived</b> 132:21 134:19		<b>man</b> 24:12 44:19 104:2 106:17	<b>managing</b> 72:6,13 74:23	<b>Michael</b> 1:4 106:4 106:18 107:11 107:14 109:11 109:20 123:6 124:19 125:15 125:24 126:11 126:18 129:6 130:1 133:14 135:4,7 138:1,9 139:17
<b>lives</b> 41:9,9 50:24 58:11 62:17 71:21 111:17 115:6,12		<b>managed</b> 36:24	<b>managing</b> 72:6,13 74:23	<b>Michael's</b> 107:10
		<b>Manager</b> 75:15 103:21,22,23	<b>mean</b> 8:13 10:8 18:19 33:9 36:14 64:5	<b>mid-rise</b> 57:17 101:10



<b>militia</b> 52:19	<b>mixed</b> 99:19	<b>murderous</b> 51:2	119:12	<b>November</b> 79:16
<b>million</b> 69:20	<b>moment</b> 27:13	<b>murders</b> 23:16	<b>neuter</b> 12:10	<b>number</b> 106:8
107:22	48:24	<b>Murphy</b> 34:10	<b>neutral</b> 141:4	111:7
<b>millions</b> 68:14,14	<b>Monday</b> 92:22	82:11 99:12	<b>never</b> 14:22 16:20	<b>numbers</b> 68:1
68:14,23,23	<b>money</b> 47:5 68:21	101:4 114:11	25:13,18 30:7,8	107:21 108:4
105:19	68:23 130:8	<b>myth</b> 37:3	30:12 33:1,6	111:7
<b>mind</b> 32:19 76:5	131:16,22		38:3 40:6 51:18	<b>numerous</b> 107:7
<b>minimize</b> 23:2	132:11,14	<hr/> <b>N</b> <hr/>	51:19 60:21,21	
<b>minimum</b> 80:1	133:12,19 134:8	<b>N</b> 8:1,9 128:10	62:1,24 66:4,6	<hr/> <b>O</b> <hr/>
<b>minute</b> 10:6 12:4	134:11 135:15	<b>NACA</b> 33:14 52:9	66:18 73:15	<b>O</b> 5:11,15,23 7:7
39:21 58:7	138:23 139:19	54:14	76:2 78:3 83:4,7	7:12,13 128:15
77:20 82:13	140:13	<b>NACA/MB</b> 62:12	83:9 100:11	<b>oath</b> 103:4,7
99:14	<b>monster</b> 71:1	<b>nail</b> 112:22	104:11	104:6 120:2
<b>minutes</b> 50:2	<b>months</b> 73:15	<b>name</b> 53:17	<b>never-ending</b>	<b>object</b> 14:22 16:2
61:21 81:14	<b>moral</b> 132:19	<b>named</b> 40:15	36:12	16:20 82:16
83:23 88:6,7,23	134:16	108:19	<b>new</b> 120:14	83:20 98:3
88:24 89:4,5,7	<b>Moreau</b> 75:14	<b>names</b> 69:16	<b>news</b> 39:24,24	113:10
89:11 90:16	79:11,14,24	<b>National</b> 75:5	40:2,3,12,13,14	<b>objected</b> 14:13,21
93:13,14,16 94:2	<b>morning</b> 17:14	<b>natural</b> 70:18	<b>next-of-kin</b>	85:12
94:10 99:23	21:10 31:10	123:23	131:17,20 132:1	<b>objecting</b> 5:24
102:4,5 105:2	116:12 141:12	<b>nature</b> 107:2	132:2 133:13,16	<b>objection</b> 9:11,17
111:13	<b>motion</b> 24:2 58:21	112:14 130:13	133:22,23	14:14 16:11,12
<b>misapplying</b>	59:1 97:6,9	139:6 140:2,20	135:16,19 137:2	23:19 24:1 87:6
23:12	<b>motions</b> 20:20	<b>nearest</b> 20:2 124:3	137:4,11,15	87:23 97:6
<b>misdirection</b> 23:2	<b>motive</b> 33:18	<b>need</b> 16:18 69:11	138:5	111:11
<b>misinterpret</b>	<b>MOTZ</b> 2:18 5:8	81:12 89:15	<b>nice</b> 37:23 38:4	<b>observe</b> 46:1
33:11	5:15,19 6:2,18	90:9 101:21	53:1,2	58:15 62:15
<b>misinterpretation</b>	7:7,9,12 8:1,5	124:2 141:10	<b>Nicole</b> 3:1	112:4 118:6
28:16	9:12 10:9,12	<b>needed</b> 56:8	<b>night</b> 75:6 86:18	<b>obstructing</b> 70:8
<b>misinterpreted</b>	11:2,8,14,18,22	<b>needs</b> 11:4	99:11	<b>obvious</b> 22:8
27:10,12,13	12:3,5 13:14,22	<b>negatively</b> 14:8	<b>nine</b> 105:6 133:3	<b>obviously</b> 68:8
<b>misleading</b> 23:12	14:1,10,23 15:5	<b>negligence</b> 10:14	135:1 136:16	82:15
<b>misrepresent</b>	15:19 16:1,10,15	12:8 13:11,18	<b>non</b> 68:3	<b>occupational</b>
33:11 34:23	17:15,18 18:1,8	19:10,12 105:15	<b>noneconomic</b> 68:4	133:3 135:1
<b>misrepresentati...</b>	18:14 88:6,11,15	122:6 123:9,13	<b>Nonsense</b> 54:6	136:15
107:7	89:12,16	124:22 125:19	<b>NORA</b> 53:22,23	<b>occurrence</b> 123:5
<b>misrepresenting</b>	<b>move</b> 61:14 97:7	125:21 139:3,22	54:4	131:10
23:12	97:10	140:17	<b>normal</b> 130:14	<b>Odell</b> 108:19,21
<b>missed</b> 15:17	<b>moved</b> 83:8	<b>negligent</b> 105:14	131:3 139:8	108:24 109:10
49:19 74:19	103:19	123:12 124:18	140:4,21	<b>offer</b> 85:13,16
<b>missing</b> 58:3	<b>movie</b> 58:21 73:13	126:8 129:15	<b>North</b> 2:19	91:17
<b>mission</b> 30:1	<b>movies</b> 43:22	125:21 139:3,22	<b>Notary</b> 142:7	<b>offered</b> 9:23 108:8
37:10 74:12	73:22	140:17	<b>note</b> 77:6,8,13	<b>office</b> 6:11 72:24
<b>misspeak</b> 20:17	<b>MSO</b> 75:14	<b>negotiate</b> 50:10	<b>notes</b> 5:10,11	<b>officer</b> 63:18 70:9
<b>mistake</b> 20:22	<b>MSOs</b> 75:19,23	50:11	10:15 22:4 61:4	80:13 107:24
74:6	<b>murder</b> 20:5	<b>Nelson</b> 48:13	81:3 93:24	108:9
<b>mistrial</b> 120:12	50:18	61:12,14	142:12	<b>officers</b> 10:17
		<b>nervous</b> 34:17		
		<b>networking</b>		

102:8 111:2 115:9,12 <b>oh</b> 37:7 50:22 52:21 55:2 93:10 94:23 110:22 <b>okay</b> 5:17 6:5,8 7:11,16 16:6 17:2 18:14 21:9 24:3 50:9 53:13 54:3 55:14 56:8 81:13,19 88:1,1 88:14 90:2 91:7 93:15 98:12 114:22,23 135:11,12 137:12 141:13 <b>older</b> 106:11,11 <b>omission</b> 129:18 <b>Once</b> 90:21 <b>ones</b> 9:1 16:19 43:5 52:15 69:22 <b>open</b> 20:4,7 24:21 85:12 <b>opened</b> 9:24 10:20 <b>opening</b> 12:21 27:7 84:8 102:17 120:17 <b>opinion</b> 16:16 46:14 114:5 117:12 121:24 122:3 <b>opinions</b> 31:4 121:19 <b>opportunity</b> 38:19 46:2 58:19 112:3 118:6 <b>opposite</b> 112:8 <b>order</b> 6:23 41:15 41:16 89:15 127:8 <b>orders</b> 6:12,13,23 37:24 39:19 40:15 41:21 42:19 43:7 46:22 51:23	53:3 57:10 63:2 94:16 127:16 129:2 <b>ordinary</b> 44:24 45:3,4,9,10 47:8 57:8 69:9 70:18 70:22 71:6,7 79:6 122:16 123:6,24 <b>other's</b> 141:6 <b>ought</b> 33:12 70:5 72:5 <b>outcome</b> 33:13 <b>outside</b> 5:2 81:16 118:15 120:3 121:15 <b>overnight</b> 31:21 <b>Overruled</b> 23:20 <b>owes</b> 44:22 45:20 <b>owner's</b> 25:7 <b>owners</b> 52:9 <b>owns</b> 64:12 <hr/> <b>P</b> <hr/> <b>P</b> 128:18 <b>P.C</b> 2:4 <b>p.m</b> 1:11,19 141:20 <b>package</b> 38:11 55:6,7,12,20 77:17,23 78:19 128:3 <b>packages</b> 126:23 <b>page</b> 4:4 6:6 92:4 <b>paid</b> 75:18 103:22 114:7,16 <b>pain</b> 34:15 114:6 130:16 136:23 139:9 140:5,22 <b>panic</b> 40:23 <b>panicked</b> 44:13 <b>paper</b> 73:21 <b>paraphrase</b> 17:15 17:19 <b>part</b> 11:9 32:16 58:8 82:9 83:24 92:20,23 129:18	<b>particular</b> 13:7 44:10 92:12 107:16 <b>particularly</b> 72:2 <b>parties</b> 11:12 106:3 119:4 120:1 137:17 138:7,15 <b>partner</b> 37:19 48:13 49:11 <b>party</b> 87:3 117:8 117:20 123:15 124:5 <b>pass</b> 56:7,8,10 71:20 101:21,21 128:13 <b>passage</b> 71:19 <b>path</b> 79:5 <b>Patton</b> 2:17,17 4:5 21:12,13,16 23:21 24:5 28:2 29:19 82:15 83:3 85:15,20 87:20,22 88:2,8 90:3,8 97:6,10 97:15,18 98:3 102:17 108:7 111:11 113:10 113:14 115:2,14 <b>Paul</b> 2:18 108:19 108:21 109:10 123:7 124:20 125:16 126:1,12 126:19 129:7 130:3 135:17 136:18 138:12 138:19 140:11 <b>pause</b> 5:14 <b>pay</b> 68:19 87:15 <b>paying</b> 22:3 58:4 <b>PD</b> 36:2 <b>pecuniary</b> 107:5 131:18,21 132:3 132:8 133:15,18 133:24 134:5 135:17,21,23 136:19,21	<b>peek</b> 48:14 <b>people</b> 22:19 23:16 26:3 37:21 38:1 39:8 39:22 40:18 41:4 42:24 44:11 50:23 53:4 57:14 62:10,23 63:16 64:17,24 68:17 71:24 72:16 73:4 74:17 91:24 92:8,13 96:19 101:7,13 102:10,20,23 103:2 104:16 105:1,8 108:16 109:21 112:16 112:20 113:23 115:6 119:3 <b>percent</b> 23:7 39:10 40:17 42:24 67:17 68:2 90:5 110:20,21 <b>percentage</b> 22:21 35:10,23 51:3 70:24 110:19 <b>percentages</b> 37:1 70:3 115:15 116:1 <b>period</b> 109:24 139:4,23,24 140:17 <b>permanent</b> 131:3 <b>person</b> 24:6,8 26:24 35:21,24 37:1,20,22 49:6 50:14 57:9 60:12,19 65:2 66:14 71:9,12 72:21 95:12 104:16 110:12 113:6,8,13,23 121:13,23 122:8 122:10,14,17,21 123:10,15,19	127:20,23 <b>person's</b> 131:5 <b>personal</b> 1:3 132:17 134:14 142:13 <b>personally</b> 121:6 <b>personnel</b> 92:1,3 126:16 127:8,9 127:11,12,13,16 <b>persons</b> 126:11,17 127:19 <b>persuaded</b> 36:24 47:23 49:1,7,7 50:6,15 124:8 <b>Peter</b> 75:14 <b>phone</b> 32:17 <b>phones</b> 119:16 <b>phony</b> 77:15 <b>physical</b> 136:11 <b>pick</b> 28:11 103:3 106:10 <b>picking</b> 117:1 <b>picture</b> 39:13 111:16 <b>place</b> 23:15 51:11 76:3 <b>plaintiff</b> 2:15 98:18 111:14 115:1 123:14 131:14 133:10 135:13 137:5,22 138:10,20 139:15 140:10 <b>plaintiffs</b> 1:5 2:9 21:10 22:12,20 32:13 47:21 64:6 67:17 81:11 91:8 123:18 124:12 124:16 125:7,14 125:23 129:5,15 129:17,22 130:6 137:19 138:17 <b>plaintiffs'</b> 21:20 23:17 70:20 91:11 124:1 129:19
--	---	---	---	---



80:11	20:16 116:13	101:4 102:3	97:22 112:18	<b>reported</b> 1:23
<b>quasi</b> 52:19	121:3	108:20 127:4	<b>reliance</b> 87:13,18	142:8
<b>question</b> 7:10	<b>ready</b> 65:4	<b>receive</b> 111:21	<b>reload</b> 49:14	<b>reporter</b> 3:1 5:6
59:4 75:1 80:7	<b>real</b> 45:18 47:4	117:10	<b>reloaded</b> 61:9	6:14 142:3,6
102:10 130:7	73:13 112:15,17	<b>receives</b> 141:5	<b>reloading</b> 61:13	<b>reports</b> 118:19
131:8,15 133:11	137:17,18 138:7	<b>Recess</b> 90:18	<b>reloads</b> 49:12	<b>representation</b>
135:14 138:22	138:15,17	<b>recognize</b> 127:22	<b>reluctant</b> 67:5	53:12
139:18 140:12	<b>reality</b> 56:22	128:1,20	<b>relying</b> 32:2,4	<b>representations</b>
<b>questioned</b> 95:7	<b>realize</b> 94:23	<b>recognizes</b> 132:1	34:21	28:18 51:7
<b>questioning</b> 36:8	<b>really</b> 37:11 45:16	133:22	<b>remaining</b> 46:12	94:14
77:22	59:17 65:12	<b>recollection</b> 5:19	<b>remarks</b> 117:11	<b>representative</b> 1:3
<b>questions</b> 35:3	73:23 75:13	6:3 8:6	<b>remediation</b> 99:2	25:8 137:23
61:3 68:7 73:21	78:21 79:4	<b>record</b> 5:22 18:18	<b>remember</b> 7:17	<b>represented</b> 28:22
112:10	94:17	34:23 84:12	8:10,21 9:3,4	94:21 100:13
<b>quibbling</b> 11:15	<b>Realty</b> 33:14	90:24 108:2	14:17 24:12	<b>Representing</b> 2:9
<b>quick</b> 81:13	52:10 54:15	<b>recorded</b> 99:19	25:6 31:2,18	2:15,23
<b>quickly</b> 59:14,15	64:13	<b>records</b> 79:15	36:6,8 39:18	<b>represents</b> 137:9
60:12,14 61:9	<b>realy</b> 13:20	<b>red</b> 56:20 75:6	45:13 46:10	137:13 138:2,13
<b>quiet</b> 21:8 48:1	<b>rearguing</b> 8:4	101:10,11	47:20 48:23	<b>request</b> 82:14
91:6	20:19	<b>redefined</b> 22:12	51:24 53:11,15	<b>required</b> 104:23
<b>quite</b> 22:1	<b>reason</b> 16:21	22:13	59:3,9 61:12	116:6 121:24
<b>quoted</b> 17:13	22:20 37:23	<b>redirect</b> 95:2	76:6,8,11,17	<b>requirement</b>
	38:17 86:22	<b>reentertain</b> 86:8	77:17,24 78:6,8	75:21
	110:7 119:21	<b>reference</b> 6:10,22	78:14 79:12,18	<b>requirements</b>
	132:3 133:24	13:7	80:4 84:20,22	80:10
	137:6,24	<b>refresh</b> 29:2 95:15	92:5 94:13,14	<b>requires</b> 23:5
<b>R</b>	<b>reasonable</b> 11:11	<b>refreshed</b> 95:16	109:8 141:16	<b>requiring</b> 121:19
<b>R</b> 1:4 2:4,19	12:20 47:2 57:7	<b>regard</b> 5:8 86:1	<b>remind</b> 7:6 120:4	<b>reraised</b> 86:7
128:23	108:4 117:16	113:17 117:20	<b>reminded</b> 92:24	<b>rescue</b> 26:2
<b>radio</b> 118:16	127:18	<b>regarding</b> 19:13	<b>remove</b> 6:10	<b>research</b> 118:12
<b>raging</b> 35:12	<b>reasonably</b> 46:5,5	105:24 106:1	<b>render</b> 114:5	118:13
<b>rain</b> 115:20,22	71:8,12 122:8,10	116:21	<b>rendered</b> 131:12	<b>resisting</b> 70:8
<b>rained</b> 115:20	122:14,17,21	<b>related</b> 114:6	<b>renewed</b> 33:16	<b>resolve</b> 117:3
<b>raining</b> 121:15	130:8,14,16,18	<b>relating</b> 118:13	<b>rental</b> 112:15	<b>respect</b> 69:17
<b>raising</b> 37:17	130:22 131:16	<b>relations</b> 15:22,24	<b>reorder</b> 20:19	92:20 104:19
<b>Rambo</b> 64:3	132:20 133:12	16:16,18 20:22	<b>reordering</b> 17:22	105:11 114:2
<b>ran</b> 109:16	135:15 138:24	131:23 133:20	<b>rep</b> 25:7	116:9
<b>range</b> 69:19	139:19 140:14	<b>relationship</b>	<b>repeatedly</b> 82:1	<b>respects</b> 126:9
<b>Raphael</b> 34:12	<b>reasoning</b> 38:17	106:24 107:11	<b>repeating</b> 96:11	<b>respond</b> 127:23
114:4	<b>reasons</b> 122:3	107:13 113:21	<b>rephrase</b> 11:24	128:2,22
<b>re-ask</b> 14:16	<b>rebuttal</b> 4:7 35:7	133:4,7 135:2,5	<b>rephrased</b> 87:5	<b>responded</b> 26:19
<b>re-asked</b> 14:19	38:10 82:6 88:5	136:16	<b>report</b> 25:18,20	60:16 109:8
<b>react</b> 115:10	91:9,12,18	<b>relationships</b>	<b>report</b> 25:18,20	<b>response</b> 56:1,11
<b>reaction</b> 40:18	111:14 115:1	106:1,2	27:5 41:22,22	<b>responsibility</b>
57:8	<b>recall</b> 6:22 8:20	<b>relevance</b> 19:10	46:2 58:15	69:3 70:11
<b>read</b> 10:13 20:15	92:18 94:8 95:3	<b>relevant</b> 15:12	59:21 60:15	<b>rest</b> 66:13 80:7
96:8 102:8	95:14 99:7,11,15	17:18 35:4	62:15,18 108:19	<b>restrain</b> 8:15 9:10
116:6 137:12			120:10	
141:12				
<b>reading</b> 4:13 10:6				

38:20 128:7	39:7,15 40:3,22	90:22 111:15	48:17 59:22	<b>seconds</b> 59:12,12
<b>result</b> 104:17	42:3,4,5,15,21	113:12,18	63:1 65:14 81:4	93:17,18 94:3
139:9 140:5,22	43:12,16 44:3,3	115:18	100:9,11 102:15	114:21
<b>resulted</b> 130:11	44:5,10,19 45:1	<b>Rogers'</b> 9:13	108:21 112:7	<b>secretary</b> 114:14
131:19 133:16	46:4,14,18,24	<b>role</b> 58:13	113:4	<b>security</b> 1:7 2:23
135:18 139:2,22	47:22 49:6 54:3	<b>room</b> 1:17 43:4	<b>saying</b> 5:24 8:22	24:9 33:24
140:16	54:7,23 55:19	60:4 116:16	12:11 32:3	44:23 45:5 46:1
<b>resulting</b> 124:4	56:7,16 57:24	<b>rounds</b> 49:18	42:15 53:21	52:8,13,17,22
131:9,10	58:8 59:15	66:13	55:6,7,24 74:2	58:2 60:7 62:5
<b>retire</b> 68:22	64:15 65:6,11	<b>rule</b> 23:3 38:11	76:8 77:1,24	62:22 63:17
<b>retired</b> 99:10	66:8,10 69:3	<b>ruled</b> 6:4 18:7	78:13 90:9	65:5 75:3,7,21
<b>return</b> 105:18	70:12,21,24	86:4	96:24 98:13,14	75:23 80:12
<b>reverse</b> 18:23	71:14,22 72:2,6	<b>rules</b> 41:18 56:5	100:6 109:22	91:20,22 92:9
<b>revisit</b> 106:16	72:13,15,20,23	57:5,6 81:1	<b>says</b> 13:17 15:11	102:7 111:2
<b>Rhein</b> 37:13,14	73:1,3,12,14	<b>ruling</b> 20:9,11,13	25:20 32:22	112:15 115:9,12
<b>ribs</b> 78:20	74:10,23 77:1,10	83:23 87:14,19	39:6 41:16 42:6	126:4,13,16,21
<b>Richard</b> 1:17	77:13,16,22 78:5	<b>ruulings</b> 117:11	44:6 45:3 46:13	127:9,10,12
<b>rid</b> 54:3	78:8,11,13,22	<b>run</b> 40:23 46:13	49:12 55:19	128:13,24 129:3
<b>right</b> 6:19 22:23	79:5,13 80:2,10	46:15,19,24 73:7	78:8 83:15,17	129:13,24
26:10 28:7 30:2	82:18 83:5,9	73:8 85:23	93:13 96:2	<b>see</b> 10:8 26:5
30:2,10 31:1	104:19,19,21	90:10	100:16 101:5	27:20,20 28:4
34:16 37:17	108:16 109:13	<b>running</b> 73:1,11	103:12 108:5	29:4,6 30:6,8,8
40:8,11 41:17,19	109:14,16 113:7	109:14	<b>Scarborough</b>	30:16 32:1,9,10
42:1 44:17	113:19,21 114:1	<b>rush</b> 49:14,14	67:15,18 114:10	33:14 41:7
45:11 48:15	126:6 127:17	<b>Ruth</b> 111:7,9,10	114:11	45:13 66:5,7,12
49:5,5,10,17	128:12,18,21	123:7 124:21	<b>Scarborough's</b>	71:1 72:11
50:3,10,10,13,22	129:13,24	125:17 126:2,13	68:1	73:21 78:2
53:16 56:16	<b>Robert's</b> 38:19	126:20 129:8,10	<b>scenario</b> 115:8	93:17,19 100:8
58:3 59:13 60:5	41:10 48:8	130:4,9 131:7	129:3	101:10 105:14
61:9 63:14	55:21 63:5	<b>RYAN</b> 2:17,18	<b>school</b> 75:11 79:2	117:23
72:15 76:23	79:11 101:5		<b>Scorsese</b> 58:21	<b>seeing</b> 25:19 27:6
77:17 81:11	<b>Roger</b> 136:17	<b>S</b>	<b>screaming</b> 34:3,6	27:21 32:22
85:19 89:22	<b>Rogers</b> 2:4,4 4:10	<b>S</b> 5:15,23 6:19,20	34:9,15 36:19	33:1 63:14
90:21 96:10,14	5:18 6:6,9,20	7:10,10 129:1	45:18 69:15	<b>seek</b> 81:6,7
105:10 109:16	7:8,11,13,17 8:3	<b>sacrifices</b> 68:19	<b>screams</b> 63:16	<b>seeking</b> 76:4
131:9	8:12,19 9:6	<b>sad</b> 96:22 110:4	<b>screwed</b> 35:13	<b>seen</b> 10:15 51:12
<b>rightfully</b> 87:1	11:13,17 12:2	<b>safe</b> 41:15 52:5	<b>search</b> 23:4 38:11	106:17,17
<b>rise</b> 21:5 141:15	13:3,6,9,16	<b>safety</b> 92:11 123:6	55:12,20 119:1	118:14
<b>risk</b> 58:11 69:13	14:12,20 15:1,7	126:10,17	<b>searched</b> 55:5	<b>sees</b> 25:10 48:13
127:8,12,17,21	15:16,21 16:5,7	<b>savagery</b> 36:15	<b>searching</b> 77:14	48:17,18,18 49:3
128:8,21	16:21,24 17:3,8	<b>save</b> 114:18	78:20	<b>segment</b> 28:8 82:8
<b>roam</b> 45:24	17:11,16,21 18:3	<b>saved</b> 64:24	<b>seat</b> 111:20	84:2 92:6
<b>Robert</b> 21:14,24	18:6,10,15,19,22	<b>saving</b> 62:17	<b>seated</b> 21:8 91:6	<b>sense</b> 43:10 104:6
23:9,14 24:22	19:2,16 20:10,18	<b>saw</b> 24:17 25:13	<b>second</b> 11:9 30:14	117:21 121:8
26:12 27:5,16	23:19 24:1	25:15,20 26:9,18	31:14 80:22	137:18 138:16
28:6,13 36:5,7	27:14 83:1 86:1	26:19 30:12	92:2,4,15 99:20	<b>sensibility</b> 112:3
36:11,13 38:14	87:2,13,21 89:18	32:3,15 34:24	124:19	<b>separate</b> 10:22

<b>separately</b> 125:2	83:16,18,20	<b>Sidney's</b> 38:20	<b>society</b> 15:18,22	<b>speed-read</b> 116:8
<b>Sergeant</b> 37:12,13	84:17 99:20	<b>significant</b> 22:11	15:23 16:1,17	<b>spend</b> 10:5 32:19
<b>seriously</b> 104:17	100:1,1,9,16,17	<b>signs</b> 99:14	17:4 107:17,22	68:20
113:24	109:11 113:23	<b>silently</b> 20:16	131:22 133:19	<b>spent</b> 35:12 36:6
<b>service</b> 52:21,22	<b>shots</b> 24:24 26:3	<b>similar</b> 14:19 47:7	135:22 141:3	50:2 53:12
<b>services</b> 1:8 2:23	47:17 60:15	71:10 104:18	<b>sole</b> 123:18	69:21 73:17
52:8,13,16,17	79:2 82:1,4,12	122:11,18	<b>solid</b> 61:11	76:24
58:14 119:15,19	82:19,23 84:3	<b>simple</b> 112:22,23	<b>somebody</b> 25:1	<b>spot</b> 49:5
126:5,16 128:24	99:8,15,16,18	<b>Simultaneous</b>	26:1 29:8 33:17	<b>spouses</b> 114:12
129:4,13,24	<b>show</b> 32:13 33:7,8	11:1	38:16 41:16	<b>spun</b> 27:10
131:22 132:12	47:13 70:22	<b>single</b> 10:18	43:23 62:7	<b>squared</b> 67:16
132:15 133:19	78:1,14,14 79:23	<b>sir</b> 32:6 37:7 56:2	63:14 64:12,12	<b>stab</b> 36:23
134:9,12 135:22	101:8	66:21 76:15	95:23 115:10	<b>stake</b> 33:13,19
136:2,6	<b>showed</b> 28:21	77:2	<b>someplace</b> 100:18	75:18
<b>session</b> 1:11 21:7	29:14 30:23	<b>sit</b> 23:1 46:16	<b>sons</b> 106:11	<b>stall</b> 7:18,23 8:24
91:6	41:14 78:17	116:17	<b>soon</b> 49:3,12,12	9:8 128:16
<b>sessions</b> 79:17	79:22	<b>site</b> 119:10	59:14 61:13	<b>stand</b> 34:5 38:3
<b>set</b> 57:18 68:20,21	<b>showing</b> 26:21	<b>sitting</b> 49:10	<b>sorrow</b> 137:1	47:13 68:6
142:16	29:22 31:14	<b>situation</b> 12:17	<b>sorry</b> 5:12 6:13	73:17 79:11
<b>seven</b> 46:12	47:8 77:8 93:18	41:7 44:14	18:16 20:8 56:2	82:19 107:8
132:24 134:22	104:2 111:12	45:21 46:6	84:13 85:10	<b>standard</b> 11:7
136:13	<b>shown</b> 30:13,15	50:12 56:22	96:24 97:1,3,4	12:7 15:12 45:1
<b>sex</b> 132:23 134:21	71:10 77:12	57:13 58:10	137:12	54:10 69:9
136:9	93:10 120:21	<b>situations</b> 64:22	<b>sort</b> 54:16	86:22
<b>sexual</b> 15:22,24	122:11,19	<b>six</b> 91:24 132:23	<b>sought</b> 67:3	<b>standby</b> 91:24
16:15,18 20:22	<b>shows</b> 23:7 27:15	134:21 136:11	<b>sound</b> 27:23 29:18	<b>standing</b> 48:19
131:23 133:20	55:8 61:15	<b>Sixty</b> 114:21	36:21 37:22	<b>Stanson</b> 3:2
<b>share</b> 23:6	79:16 82:9	<b>skiing</b> 106:19	72:21 82:9	<b>start</b> 40:24,24
<b>shared</b> 107:18	115:10 132:9	<b>skill</b> 121:20	<b>sounds</b> 8:15 12:23	57:9 81:11
<b>shoot</b> 35:24 37:15	134:6 135:24	<b>sledgehammer</b>	51:9 53:8 54:12	90:17 120:13
50:13	<b>Sid</b> 64:15	35:15	54:13	<b>started</b> 5:6 90:22
<b>shooting</b> 25:15	<b>side</b> 49:24	<b>slow</b> 58:21,22,24	<b>sources</b> 118:24	<b>starts</b> 39:8 49:14
39:8 70:8,9,10	<b>sidebar</b> 88:12,12	59:1	120:7	<b>State</b> 142:6
82:10 100:2,5,12	88:18 89:7	<b>smart</b> 101:16	<b>South</b> 2:13	<b>stated</b> 12:24 14:11
100:22	<b>sidebars</b> 89:2	<b>smarter</b> 79:8	<b>space</b> 78:8	124:16
<b>shopping</b> 32:19	<b>sidetracked</b> 87:12	<b>smartphones</b>	<b>spaces</b> 128:11	<b>statement</b> 14:19
32:20	<b>Sidney</b> 24:20	119:17	<b>speak</b> 59:24 69:14	21:19 98:9
<b>short</b> 103:18	26:15 27:6,15	<b>smelt</b> 106:19	<b>speaking</b> 11:1	113:17 118:9
<b>shorthand</b> 142:3	39:15 40:4	<b>smile</b> 38:1,2	<b>special</b> 121:19	120:17,22,24
142:6,8	42:15,21 45:2	<b>SMITH</b> 2:4	<b>specialist</b> 91:22	<b>statements</b> 27:7
<b>shortly</b> 64:9	49:7 53:23 54:3	<b>snapshots</b> 29:15	<b>specific</b> 13:10	112:6,10
<b>shot</b> 12:24 36:1,2	64:1,20,23 65:2	29:16	<b>specifically</b> 6:21	<b>statute</b> 11:10 17:9
36:4,4,5,7,9	65:8,13,19 66:1	<b>sneaks</b> 47:19	7:1 9:13	<b>statutes</b> 13:7,10
37:14 40:17	66:5,17,17,24	<b>snow</b> 80:11	<b>specified</b> 17:3	13:11 15:8,10
42:10,11,18	70:24 74:2,11	<b>sobriety</b> 133:2	<b>speculation</b> 117:8	<b>stay</b> 40:22 56:5
62:10 65:8	78:11 83:15	134:24 136:14	<b>speeches</b> 45:4	58:7
66:22 82:23	126:8 129:20	<b>social</b> 119:11	<b>speed</b> 116:13	<b>stayed</b> 61:14

73:10	<b>suggesting</b> 51:10	98:6,9 126:3	58:17 61:17	53:17 57:24
<b>stealth</b> 30:7	<b>suggests</b> 107:16	130:5 132:2	62:17 67:1,5	60:6 61:6 63:6
<b>stenographic</b>	<b>suicidal</b> 22:18	<b>Suzanne</b> 1:2	70:4 71:24 72:8	66:2,21 67:4
142:12	37:10 41:6 51:2	106:6 107:13	72:9 87:4,4	70:17 74:8,9,9
<b>step</b> 6:16	57:11	135:6 137:22	91:19 94:14	74:11 76:1 77:3
<b>steps</b> 7:18 127:19	<b>suicide</b> 50:19	138:2 139:16	101:17,22	78:23,23 95:19
128:15	<b>suit</b> 108:22 109:5	<b>SWAT</b> 37:15	102:14 107:21	95:21 101:17
<b>Steve</b> 93:4	123:15	61:19,21 74:15	108:14 110:10	113:19,20
<b>Steven</b> 3:2	<b>suite</b> 2:6,13,19	74:17	111:6 113:24	114:17
<b>sticking</b> 20:9,10	48:9 72:19	<b>swear</b> 104:5	116:1 122:24	<b>telling</b> 14:6 25:24
78:19	113:3,5	<b>swipe</b> 101:20	141:18	26:1,21 38:18
<b>stood</b> 43:2	<b>suits</b> 53:1,2	<b>swiped</b> 56:23	<b>talked</b> 7:9 8:21	50:7 59:24
<b>stop</b> 74:17 94:6,8	<b>summary</b> 120:20	<b>sworn</b> 39:11 98:16	9:4 22:22 37:5,9	62:13 63:12
116:3	<b>superintendence</b>	103:6 105:13	37:21 70:16	64:9 72:11
<b>stopped</b> 47:11	134:17	<b>sympathy</b> 63:8	92:7 94:19	79:19 86:12
57:3 59:8 62:2	<b>Supervisor</b> 103:19	96:22 97:16,17	101:19	109:1
<b>story</b> 80:18	<b>supported</b> 120:23	98:11,15,17	<b>talking</b> 6:18 7:2	<b>tells</b> 26:3 44:21
<b>straight</b> 38:3	<b>supports</b> 17:14	113:7,9 117:8	14:15 15:7	50:9 54:3 87:16
59:10,11	<b>supposed</b> 17:22	<b>system</b> 34:17	30:19 59:11	111:22
<b>strange</b> 103:16,24	19:19 26:13		67:9 74:24 79:1	<b>temporary</b> 131:3
<b>street</b> 2:6,13 47:6	46:8 63:2 66:19	<b>T</b>	79:11 87:2	<b>ten</b> 105:7 133:4
74:5 127:2	92:8,12 96:19	<b>table</b> 33:15	102:11 115:15	<b>tenants</b> 27:1 38:2
<b>stretched</b> 78:3	99:4 110:16	<b>take</b> 7:18 22:19	<b>tape</b> 27:6,9,15,19	<b>tend</b> 67:5
<b>stricken</b> 8:6	111:2 112:11	27:20 37:14	28:16 29:4,10,12	<b>tendered</b> 9:23
<b>strike</b> 11:21 83:8	<b>sure</b> 20:17 43:2	40:5 41:1 42:19	31:8,9,13,13	16:19
97:7,10,12	53:13 74:19	43:8 45:21 46:8	35:20 43:14	<b>Tenton</b> 34:1,2
<b>Strong</b> 53:23	84:9,21 104:18	56:3,9 59:1 61:1	65:16 66:3	36:2 45:15
<b>struck</b> 11:22	<b>surely</b> 31:6,7	61:20 62:19,23	76:21,22 77:5	47:12,14,24
<b>stuck</b> 49:23,24	54:14 64:11	71:14 74:15	78:9,10 79:4	48:13,20 49:3,5
<b>study</b> 29:11	<b>surveillance</b> 25:4	76:2 77:19	82:5,7 83:4,7,9	49:11,17,18,23
<b>stuff</b> 8:2 33:21	26:5,6 27:9,15	81:13 87:15	83:14,15 85:9	50:9,18 59:2
96:14 99:2	28:16 29:4,10	89:1 90:16	99:12,13,16	60:14,22 61:18
<b>suballegations</b> 9:7	33:7 43:14	105:9 111:20	100:5,15,20	74:8 99:22
<b>subject</b> 118:13	45:14 66:3	127:18 128:15	101:8 102:16,22	105:1 108:9
<b>substantial</b> 107:5	76:22 77:4	<b>taken</b> 10:14 38:23	<b>tapes</b> 81:22	<b>Tenton's</b> 48:8
132:3 133:24	78:10	43:12,14,16,19	<b>target</b> 108:5,6,7	61:11 107:24
<b>sued</b> 71:3	<b>susceptible</b>	47:22 56:1	108:10,13	<b>term</b> 141:3
<b>suffer</b> 110:5	131:13	57:12,17,21	109:21	<b>terms</b> 7:3 15:14
<b>suffered</b> 133:23	<b>suspicious</b> 55:21	73:24 90:18	<b>targeting</b> 108:13	16:16 22:13
<b>suffering</b> 34:16	59:22 60:8,12,19	106:9 142:13	<b>targets</b> 108:10,11	68:3 72:5 92:15
114:7 130:16	65:15 66:9,16,21	<b>takes</b> 36:22 49:4	<b>teach</b> 105:5 115:8	97:20
136:23 139:9	77:17,23 95:22	49:13 72:14	115:11	<b>terrorizing</b> 70:13
140:5,22	95:24 127:23,24	73:9	<b>technology</b> 119:18	70:13
<b>sufficient</b> 124:3	128:3	<b>talk</b> 9:1,7 28:15	<b>Teiji</b> 140:11	<b>test</b> 99:1,5
<b>suggest</b> 69:13	<b>sustain</b> 11:20	34:3,5 38:1,1,2	<b>television</b> 118:16	<b>testified</b> 68:9,10
72:4 103:9	<b>sustained</b> 9:18	43:11 48:21,21	<b>tell</b> 7:12 36:2	100:11 108:24
107:8,20	14:13 24:4 87:6	50:3,4 55:11	37:14 48:4 50:2	<b>testifies</b> 34:24

<b>testify</b> 84:4,5	60:13 63:21	<b>threatens</b> 43:23	25:3,13,14 26:12	<b>trial</b> 1:11,15 9:5
<b>testifying</b> 10:17	64:5,5 65:1,3	<b>three</b> 78:7 104:16	27:7,14 28:19	22:1 36:7 44:2
103:4	66:20 68:17	105:1 113:23	37:9 38:14 45:7	93:5 95:10 96:7
<b>testimony</b> 11:15	69:4,6,11,18	114:3 132:17	48:2,17 50:18	107:8 117:23
22:9 26:19 39:9	75:10 76:7	134:14 136:8	52:4 55:2 57:1	120:14 141:20
39:12 46:10	80:14 81:24	137:3	60:22,23,24	<b>Trickery</b> 78:4,4
47:20 68:6	82:6 86:20	<b>thrift</b> 133:2	61:12,18 63:19	<b>tried</b> 12:10 24:18
83:17,19 103:7	87:11 90:9,13,15	134:24 136:14	63:20 65:19	34:23 48:21,21
104:5 107:24	95:5,14 96:13	<b>throw</b> 105:23	66:3,10 72:19	49:19 62:21
109:12 117:17	106:21 110:15	<b>throwing</b> 51:22	73:5,17 75:14,19	72:9 74:20 83:3
118:2 121:2,4,4	110:19 111:6	68:14	80:1 91:7 113:2	<b>trigger</b> 38:21
121:21,22 122:1	116:12 122:2	<b>tied</b> 83:5,10	115:2	<b>trips</b> 106:19
123:1	141:9	<b>time</b> 5:6 21:21	<b>TOMASIK</b> 2:12	<b>true</b> 26:22,22
<b>testing</b> 104:22	<b>thinking</b> 54:1,2	23:15,22,23	<b>tomorrow</b> 141:11	64:15 65:7
<b>thank</b> 21:13,24	61:7 66:15 74:7	25:15,20 29:9,20	<b>tonight</b> 38:15	101:16 102:19
81:8,10 91:13	<b>thinks</b> 46:18	30:3,3,10,22,24	55:16 89:12	124:11,11
114:19 116:3,4	<b>third</b> 8:18 25:16	31:16 32:2,13,19	<b>tools</b> 119:18	142:10
141:14	25:21 37:6,21	32:22 33:2,20	<b>tooth</b> 112:22	<b>truly</b> 23:4
<b>they'd</b> 38:6 41:5,8	39:1,2,13 40:11	36:6 45:15	<b>topics</b> 51:7	<b>trustworthy</b> 24:7
43:6	41:4 42:17 43:6	57:22 59:6,18	<b>toss-up</b> 86:17	<b>truth</b> 34:18 78:21
<b>thing</b> 5:7,9 16:14	44:15 48:10	60:20 66:5,16,16	<b>Totally</b> 100:13	80:17 98:22
22:14 32:18	49:2 50:14,21,24	67:2,17 69:21	<b>touch</b> 111:19	<b>try</b> 26:18 34:20
48:1 74:22	51:18 59:22	76:24 84:21	<b>tough</b> 34:24 74:3	40:4 42:19
77:18 110:7	64:3 65:11,18	85:23 88:5,13,17	<b>toughest</b> 74:4	45:21 48:20
<b>things</b> 18:5 20:6	66:6 71:2,15	89:20 91:15,16	<b>town</b> 74:4,4	62:19 68:20,21
26:21,21 37:23	72:3 87:3 92:8	91:17 93:4,7,11	<b>tragedy</b> 64:15	101:23
38:12 46:17	92:13,21 99:21	93:16,20,22,23	<b>train</b> 99:5 127:10	<b>trying</b> 9:19 10:7
50:5 56:13,14	101:6 105:8	94:1,3,4,5,10	<b>trained</b> 42:20	10:21 13:9 15:9
60:24 62:18	110:18 123:15	95:3,9,10 96:3	61:1,2,20 79:14	36:7 43:7 44:3
68:9 72:2 77:24	124:22 127:1	96:13 97:2,2	80:12 94:18,20	50:3,4,4 64:2
79:4 80:15	128:12,17	99:18,24 100:3	98:21 111:2	72:21 73:3,18,19
92:17 105:3,5	<b>third-floor</b> 58:8	101:3 102:14	<b>training</b> 62:6,9,12	73:20 76:14,15
106:20,21	<b>Thirty-five</b> 93:17	103:18 104:24	62:13,14 65:4	76:24 77:3 79:3
111:19,24	<b>thought</b> 59:3 61:4	110:1 111:11	74:22 79:12,17	82:20 100:4
112:23,23	88:8 89:6 101:4	114:19 123:5	79:20 80:2	104:1 125:13
129:14,16,22	108:5 110:2,2,4	139:4,5,23,24	104:22 115:8	<b>Tuesday</b> 31:22
<b>think</b> 16:1 18:8	114:11	140:1,18,19	128:24 129:3	<b>turn</b> 28:1,2 76:19
22:8,10 23:9	<b>thoughts</b> 119:9	<b>timely</b> 127:4	132:20 134:17	<b>turned</b> 44:5 48:5
26:23 27:2,4	<b>thousands</b> 102:23	128:22	<b>transcribed</b>	48:5 95:2
30:19 31:7,22	<b>threat</b> 41:2 42:12	<b>timer</b> 93:18	142:13	<b>turning</b> 84:20
35:21 38:12,22	44:15 55:18	<b>times</b> 105:6	<b>transcript</b> 1:14	<b>turns</b> 42:5 49:11
39:4,5 40:18,20	71:15,23	<b>timing</b> 93:2	6:7,19 142:11	57:10
41:3,5,8 42:13	<b>threatened</b> 43:20	<b>Titan</b> 112:18	<b>trauma</b> 73:22	<b>turnstile</b> 57:17
44:1 52:14	56:3,8 65:17,17	<b>title</b> 62:22	<b>traumatic</b> 83:24	59:9 93:8,9,22
53:16,24 54:2,11	73:24	<b>today</b> 26:6 28:21	<b>treatises</b> 34:22	<b>turnstiles</b> 27:17
56:11 57:7,8,11	<b>threatening</b> 42:5	102:6	<b>treatment</b> 97:21	28:14 41:18
57:12 59:21	66:15 109:22	<b>told</b> 14:9 15:23	<b>trespassing</b> 128:6	56:24 94:4,12



128:14	117:21 118:22	52:3	<b>warns</b> 72:16	<b>we've</b> 10:15 18:3
<b>Twenty-seven</b>	119:1,14,18	<b>violent</b> 15:10	<b>Warren</b> 106:6,9	20:18 29:11,15
88:6,7	120:7 122:6,16	<b>visiting</b> 106:15	106:12 107:12	39:24,24 60:11
<b>Twitter</b> 119:12	122:18 123:5,22	<b>voluntary</b> 75:24	135:3 138:3	64:20 69:8,8
<b>two</b> 5:9,13 8:7	124:6 127:11,14	76:1	<b>washroom</b> 90:1	93:5 102:22
18:5 23:18	131:2 141:3	<b>vote</b> 41:3,5 42:13	90:16	<b>wealth</b> 137:3
37:15 66:23	<b>utter</b> 64:14	<b>vouched</b> 104:8	<b>wasn't</b> 30:7 32:20	<b>weapon</b> 20:6
67:16 74:15		<b>vouching</b> 103:17	33:6 47:3,3	127:3
92:8,13,21	<b>V</b>	104:7	51:13 55:9 61:1	<b>weapons</b> 22:16
100:24 132:14	<b>valid</b> 58:16,16	<b>vs</b> 1:6	61:2 62:3 65:24	63:24
134:11 136:5	<b>value</b> 67:19 68:13	<b>W</b>	66:8,15,24 67:23	<b>wear</b> 53:2
137:1	68:15,23 69:17	<b>W</b> 2:17	70:15,16 71:18	<b>wearing</b> 53:1
<b>type</b> 105:24 106:1	107:14,15	<b>Wabash</b> 2:19	72:21 74:7,23	<b>website</b> 106:9
106:17 121:17	130:20,21	<b>wait</b> 12:4 46:1	76:20 77:5,11	119:12
<b>typo</b> 20:17	<b>VAUGHN</b> 2:19	<b>waiting</b> 54:19	88:2 96:1 99:20	<b>Wednesday</b> 31:22
<b>U</b>	<b>vendor</b> 52:17	64:16 89:16,18	100:21 103:21	<b>weekly</b> 25:9
<b>ultimately</b> 24:20	<b>verdict</b> 15:16	<b>walk</b> 32:17 37:6	108:13	<b>weigh</b> 112:11,23
109:24	98:17 105:18	41:17,19 66:12	<b>wasted</b> 120:13	<b>weight</b> 118:2
<b>umbrella</b> 115:19	114:20 117:7	<b>walked</b> 65:11	<b>watch</b> 28:9	122:2 132:5
115:21 121:14	118:20 119:22	66:18	<b>watched</b> 26:4,6	134:2
<b>unarmed</b> 26:3	120:5 123:20	<b>walking</b> 28:10	<b>watching</b> 27:16	<b>well-crafted</b> 23:1
62:5 63:24	125:6,12	<b>wall</b> 100:10	110:5	<b>went</b> 22:18 24:16
<b>underneath</b>	<b>versus</b> 60:14	<b>want</b> 10:5 15:3	<b>Waukegan</b> 31:19	24:22 26:2,11
100:24	<b>vest</b> 48:3	16:24 20:15	<b>way</b> 7:13 10:12	34:16 42:23
<b>understand</b> 12:19	<b>vicinity</b> 56:18	28:1,2 36:2	11:3,8 18:24	48:6 56:13
12:22 15:20	<b>vicious</b> 36:22 51:2	38:14 45:7,19	30:11,22 32:14	63:10 75:5
18:21 23:14	<b>victim</b> 104:20	50:20 52:18,19	36:1 40:5,6 41:5	76:17 94:1
84:24 98:6	<b>victims</b> 97:4	52:21,21,24 53:1	41:9,12 43:2	99:17
<b>understands</b>	<b>video</b> 25:5 27:22	53:2,5,6 56:3	45:2 47:19,24	<b>weren't</b> 35:18
73:23	29:3,15,17 30:13	59:5 62:8,12	50:17 54:1,8	78:24 79:3
<b>unequivocal</b>	30:14 32:8 33:7	64:7 65:1,2 66:1	59:20 61:10	84:16 108:10
11:15	55:8 78:14	69:4 73:8 76:1	62:9 74:13 83:5	<b>West</b> 2:6 29:5
<b>uneven</b> 128:3	112:7 115:3	84:21 87:12	85:17 86:18	33:15 51:9
<b>unfair</b> 120:1	<b>videotape</b> 58:24	94:13 98:10	88:3 102:18	73:16 127:1
<b>unring</b> 113:16	78:1,2 121:3	105:22 108:14	109:15 118:20	<b>wet</b> 115:21 121:13
<b>unstoppable</b>	<b>Videotechnician</b>	110:10	121:21	<b>whatsoever</b> 13:7
49:20 51:1	3:2,2	<b>wanted</b> 25:11	<b>ways</b> 124:15	14:5 15:6,14
<b>unsuspecting</b>	<b>view</b> 28:7 38:24	43:1 52:8 54:15	<b>we'll</b> 5:5 40:21	17:20
39:16	<b>violate</b> 11:9	61:16 74:16	47:4 52:18 53:1	<b>WHEREOF</b>
<b>untrue</b> 100:13	120:14	96:18 111:18	53:3,6 90:22	142:15
<b>upper</b> 28:5	<b>violated</b> 6:23 56:7	113:24	91:17 141:11	<b>whipped</b> 102:22
<b>upstairs</b> 44:22	99:3,4	<b>wanting</b> 78:21	<b>we're</b> 8:3 17:22	<b>white</b> 77:6,8,13
45:7	<b>violating</b> 41:18	<b>wants</b> 23:14 40:15	26:5 52:24	<b>whopper</b> 28:20
<b>use</b> 15:12 20:5	43:7 56:5 57:4	73:21 88:4	58:20,21 59:11	<b>whys</b> 78:24
53:9,10 56:19	<b>violation</b> 120:1,9	95:14	62:14 85:18	<b>widow</b> 17:4
71:9 81:22 85:2	126:13,20	<b>warn</b> 73:4 127:19	100:6 102:11	137:11,15 138:5
	<b>violence</b> 51:18		103:3,6,17 104:7	<b>wife</b> 107:4,12

<b>Wikipedia</b> 34:21 118:23	92:22 95:4 116:10	129:8 130:4	<b>2015</b> 1:4	<b>42,000</b> 114:17
<b>willing</b> 35:24 65:8	<b>workplace</b> 51:22	<b>zero</b> 62:6	<b>2016</b> 1:5,5,6	<b>46</b> 93:18
<b>wish</b> 9:3 80:23 84:4	52:3	<hr/> <b>0</b> <hr/>	<b>2017</b> 1:18 141:21 142:17	<hr/> <b>5</b> <hr/>
<b>withdraw</b> 7:10 113:12	<b>works</b> 64:13	<b>000159</b> 1:5	<b>2018</b> 92:3	<b>5</b> 30:3 80:2 83:23 93:6,8,19 111:13
<b>witness</b> 24:7 37:13 63:11,11 72:18 108:15 112:2 118:5,9 121:6,18,22 122:24,24 123:3 142:15	<b>world</b> 110:17	<b>000160</b> 1:5	<b>21</b> 4:5	<b>5-325</b> 96:6
<b>witness'</b> 118:5 122:3	<b>worms</b> 12:21	<b>000161</b> 1:6	<b>22</b> 88:12	<b>5:00</b> 90:4,21 100:3 116:9 135:9,10,11 141:10
<b>witnesses</b> 24:13 26:20 29:1 75:15,17 97:3 111:23 112:12 114:3 117:17 118:1 119:4 121:2	<b>worries</b> 68:22	<b>012124</b> 1:4	<b>23.1</b> 106:5	<b>50</b> 40:17 42:24
<b>woman</b> 111:17	<b>worry</b> 116:14	<b>084-003957</b> 1:24 142:21	<b>236-9381</b> 2:7	<b>50/50</b> 39:6,16 41:6 42:9 94:19
<b>won</b> 74:5	<b>wouldn't</b> 43:4 44:13 52:8,10,10 67:8 83:24 95:5 95:22 100:19	<hr/> <b>1</b> <hr/>	<b>2506</b> 1:17	<b>500</b> 29:5 33:15 51:9 73:16 127:1
<b>wonder</b> 51:4,4 55:14	<b>wrestle</b> 42:8	<b>1</b> 92:6	<b>264</b> 6:6	<b>5500</b> 2:6
<b>wondering</b> 23:10 68:12	<b>wrestling</b> 39:10 39:14 62:7	<b>1,000</b> 44:22 45:8 45:12,19,20 46:6 46:9 47:4	<b>27</b> 89:4,7	<hr/> <b>6</b> <hr/>
<b>Woods</b> 52:1	<b>write</b> 10:15 39:19	<b>1:41</b> 1:19	<b>28</b> 107:21	<b>6</b> 55:1,4 93:13,14 93:16
<b>word</b> 56:20 81:12 87:7 91:8 122:6	<b>writing</b> 76:13,14	<b>10</b> 2:13 23:11 26:7 26:8 29:6 53:23 54:5 75:3,4 99:23 110:20,20 110:21 127:15	<b>29</b> 88:23,24 89:5	<b>6'2</b> 74:1
<b>worded</b> 11:9 13:15	<b>written</b> 27:5 76:20	<b>100</b> 23:7 39:10	<b>2920</b> 2:13	<b>6'4'</b> 74:2
<b>words</b> 38:16 50:21 60:1 122:16	<b>wrong</b> 26:11 27:1 64:13,18 69:8 105:21,21	<b>100,000</b> 102:20	<hr/> <b>3</b> <hr/>	<b>6-foot</b> 38:11
<b>work</b> 33:15 50:5 54:20 60:20,21 60:21,22 62:1 68:18 73:15 75:9,16 101:22 103:12 105:7 112:17	<b>wrongful</b> 107:2 125:18,21 130:11	<b>1019</b> 91:24	<b>3</b> 94:9	<b>6:48</b> 93:21,21
<b>worked</b> 38:5,13 53:17 54:7,14,19 55:15 94:22	<hr/> <b>X</b> <hr/>	<b>11</b> 23:11 26:7,8 29:11,12 31:5 33:10 73:18 79:23 94:2	<b>3:00</b> 29:6 30:4 93:6,8,19	<b>60-01</b> 9:22 11:8 12:5,13,15 13:14 13:17 19:3 20:5 86:3 87:17
<b>working</b> 65:24	<b>Xs</b> 101:10,11	<b>111</b> 4:10	<b>3:01</b> 93:9	<b>60-01s</b> 19:8,17,18 86:2
	<hr/> <b>Y</b> <hr/>	<b>115</b> 4:11	<b>3:02:36</b> 93:10	<b>605-8800</b> 2:14
	<b>yeah</b> 8:3 51:13 88:12 97:18	<b>116</b> 4:13	<b>3:12:51</b> 93:24	<b>60602-4212</b> 2:6
	<b>year</b> 75:22 80:3	<b>11th</b> 1:18	<b>3:34</b> 90:18	<b>60603</b> 2:13
	<b>years</b> 23:11,11 26:7,7,8 29:11 29:12 31:5 33:10,17 35:12 35:13 51:17,17 51:18 73:18 75:3,4 94:23 95:6 106:5	<b>12</b> 94:10 105:2 141:21	<b>3:55</b> 90:19	<b>60611</b> 2:20
	<b>yelling</b> 115:13	<b>12th</b> 142:16	<b>30</b> 107:22	<b>63A-007</b> 106:8
	<b>yellow</b> 77:11	<b>14</b> 101:11	<b>30,000</b> 114:7,7	<b>63C-004</b> 106:10
	<hr/> <b>Z</b> <hr/>	<b>140</b> 93:3	<b>31</b> 94:9	<b>63C-006</b> 106:13
	<b>Zak</b> 123:8 124:21 125:17 126:2	<b>15</b> 101:11	<b>312</b> 2:7,14	<b>65</b> 68:2
		<b>16</b> 75:22	<b>31st</b> 46:11 59:10	<b>65-003</b> 111:15
		<b>18</b> 88:8,11	<b>330</b> 2:19	<hr/> <b>7</b> <hr/>
		<hr/> <b>2</b> <hr/>	<b>37</b> 89:11	<b>70</b> 2:6
		<b>2</b> 102:4,5	<b>38</b> 35:22 38:21 55:13	<b>75</b> 90:5
		<b>20</b> 51:17,17,18 55:1 110:21	<b>3800</b> 2:19	<b>750,000</b> 69:19
		<b>20,000</b> 103:2	<b>38th</b> 24:16 41:14 42:3,6 43:3 48:16 56:4,9 57:22 59:11 72:3,6 127:20	<hr/> <b>8</b> <hr/>
		<b>2006</b> 79:18	<hr/> <b>4</b> <hr/>	
			<b>4</b> 80:1 94:23 111:13	
			<b>4:30</b> 100:3	
			<b>4:58</b> 141:20	
			<b>40</b> 50:2 61:21 94:2	

875:22

---

**9**

---

9110:20

9:30 141:12,22

9067:17

914:9

91179:3 81:22

82:5 83:4,7,8,14

93:23 94:1,4

99:12 100:5,14

101:1