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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS
TOPEKA, KANSAS

FILED
U.S. DISTRICT COURT
DISTRICT OF KANSAS
2003 MAR 13 P 1:07

UNITED STATES OF AMERICA,)
----- Plaintiff,)
)
vs.) Case No.
) 00-40104-01/02
WILLIAM L. PICKARD and)
CLYDE APPERSON,)
----- Defendants.)

VOLUME IX TRANSCRIPT OF THE TESTIMONY
OF GORDON TODD SKINNER
HAD DURING JURY TRIAL
BEFORE
HONORABLE RICHARD D. ROGERS
and a jury of 12
on
February 11, 2003

APPEARANCES:

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Topeka, Kansas 66612

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DISTRICT OF KANSAS

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BY _____ DEPUTY
AT TOPEKA, KS.

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| DEFENDANT PICKARD EX. NO.: | OFFERED | ADMITTED |
|----------------------------|---------|----------|
| P-25 | 1344 | 1344 |
| P-26 and P-27 | 1345 | 1345 |
| P-28, P-29 and P-30 | 1354 | 1354 |
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| P-32 and P-33 | 1411 | ---- |

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1 (THEREUPON, the following
2 proceedings were held outside of the
3 presence of the jury).

4 THE COURT: All right. Mr. Rork, did
5 you have something you wanted to talk to the
6 Court about?

7 MR. RORK: Judge, I would ask that
8 the Court reconsider its previous exclusion of
9 Mr. Skinner's work as an informant in the New
10 Jersey case. And in doing so, I would indicate
11 to the Court that I would not inquire reference
12 to the fact that the case was dismissed. I
13 would not inquire reference the fact as to
14 whatever the New Jersey appellate court
15 believed concerning the credibility. I simply
16 want to establish his habit and custom that,
17 one-- I would ask the question, one, in
18 addition to an informant in Miami, were you
19 also not an informant in New Jersey during this
20 time period. Two, as an informant in New
21 Jersey, did you not also record telephone
22 conversations similar to what you did in this
23 case, period.

24 And so with those two questions in that
25 regard would be the nature and purpose for

1 making inquiry and not making any allusion or
2 any reference to the credibility issue. And I
3 wasn't for sure, I don't think I stated that
4 before to the Court. And I know the Court
5 previously had ruled on the prejudicial value
6 outweighed the probative value. And I was
7 inquiring whether with the limitations I've
8 indicated for Questions 1 and 2, the Court
9 would authorize that as introduction as habit
10 and custom.

11 THE COURT: Mr. Hough.

12 MR. HOUGH: Judge, we would ask that
13 the Court reaffirm its prior orders. And as
14 far as offering it for habit and custom, what
15 someone does at the direction of someone else
16 in this case and in New Jersey at the direction
17 of an agent can hardly be considered habit and
18 custom of the individual. Maybe habit and
19 custom of agents investigating matters, but
20 certainly not habit and custom of Mr. Skinner.

21 So for the reasons the Court has
22 previously ruled, we would ask that the Court
23 reaffirm its prior order.

24 THE COURT: Well, the Court is going
25 to reaffirm. I-- I've spoken on that several

1 times, and I believe I'm going to stay with
2 that same-- same ruling. So that will be the
3 order of the court on that.

4 MR. BENNETT: Judge?

5 THE COURT: Yes.

6 MR. BENNETT: Can I just-- I have
7 inquired the same malady that Mr. Hough had
8 yesterday, and I may be asking the Court for a
9 recess at some point other than the usual time.

10 THE COURT: Just let me know.

11 MR. BENNETT: All right.

12 THE COURT: Just wave at me and
13 we'll-- all right. I believe we're ready then
14 to bring in the jury and start with the-- with
15 the case. Mr. Skinner, you can retake the
16 stand.

17 (THEREUPON, the following
18 proceedings were held in the presence of
19 the jury).

20 THE COURT: All right, you may be
21 seated and we'll proceed.

22 MR. RORK: Thank you, Your Honor.

23
24 GORDON TODD SKINNER,
25 called as a witness on behalf of the

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Government, having been previously sworn, and testified as follows:

CROSS EXAMINATION

BY MR. RORK:

(Continued)

Q. Mr. Skinner, I believe on-- yesterday we were at the time period of October 27, 2000 and you were at the base with the law enforcement officers who you've named and indicated were present on that location until sometime later on in November, 2000. And you had indicated that the Liebert room was a room in the missile silo that was where this ET had been stored, what were 13 cans that were later removed from there and placed somewhere else on the property. Do you recall who asked you to remove those and where to place them?

A. No.

Q. Do you recall when in relation to October 27 those cans were removed from the ceiling and then placed wherever they were seized on October 31st during the search warrant?

A. Before the search warrant.

Q. Before the search warrant. Do you know how soon, like the day before or how soon?

1 A. No.

2 Q. Had you been asked by anybody to place those--
3 well, number one, that agents didn't know they
4 were up there in the ceiling tiles because you
5 never disclosed that to them. Correct?

6 A. Correct.

7 Q. And was there any indication that you were to
8 take those items and then have-- you had showed
9 them a can on the walk-through October 27,
10 2000, and I think you indicated that can was
11 somewhat different from the other cans?

12 A. No, it was-- had been opened and was mostly
13 empty.

14 Q. But then it was the same type of can as far as
15 structure and the like?

16 A. Identical on structure.

17 Q. And then do you recall on the day of the search
18 warrant, October 31, 2000, when agents
19 recovered 13 cans similar to the one you had
20 shown them before and asked you if there was
21 any more on the premises or in your control?

22 A. I don't remember the number, and I assume your
23 date is correct, but it was after they had
24 started opening up the lab when they had the
25 proper suits.

1 Q. And do you recall indicating to anybody at that
2 time where those cans had been prior to the
3 location they found with the suits on?

4 A. No.

5 Q. There was some cans that were found I believe
6 on the search warrant October 31, 2000 behind
7 the refrigerator or something. Do you recall
8 that?

9 A. That's correct.

10 Q. And do you remember how many number of cans
11 those were?

12 A. No, I don't.

13 Q. Do you know if those cans were included in the
14 count of the cans that were found in another
15 building?

16 A. I-- I don't know what reports say, because I've
17 not read them.

18 Q. Do you know how those cans came to be behind
19 the refrigerator as opposed to up in the
20 ceiling in the Liebert room?

21 A. I moved them from the ceiling above the Liebert
22 room to behind the refrigerator.

23 Q. And for what purpose and at whose direction?

24 A. No one gave me the direction. I was
25 accumulating the chemicals that were involved

1 in this, and I was putting them in the correct
2 areas.

3 Q. And what do you mean correct areas?

4 A. There was an area where we had to hide a
5 refrigerator, and I can show it on the
6 blueprints, and it-- the refrigerator was there
7 full of chemicals that needed to be
8 refrigerated for the operation. It was a deep
9 freeze, as I remember, and it was below the
10 grate hidden in a bathroom. And the ET cans
11 were placed in that area?

12 Q. By you?

13 A. By myself.

14 Q. Sometime after October 27, 2000 in the
15 walk-through and sometime before the search
16 warrant on October 31?

17 A. No, no.

18 Q. When?

19 A. I don't know.

20 Q. There is on the board a copy of a blueprint; is
21 that correct?

22 A. Yes.

23 Q. And is that a littler copy that you have in
24 front of you or is that different?

25 A. Completely different.

1 Q. If I mark this big thing up here-- if I mark
2 this big thing up here, P-23?

3 MS. HILL: 24, I believe.

4 MR. BENNETT: Isn't it 25?

5 MS. HILL: I think it's 25.

6 Q. (BY MR. RORK) What-- can you describe for us
7 what that is, P-25. I mean, just initially
8 before you get up and point to stuff, what is
9 it?

10 A. This is a before as-built blueprint done by
11 Becktel Corporation under a subcontract from
12 General Dynamics for the Department of the Air
13 Force of an Atlas E, subclass D through F. And
14 the particular site we're talking about is an
15 Atlas E, and it was the D in the ring around
16 the forbes of nine. And this is the-- what
17 would be the considered missile bay area of the
18 complex versus the living quarters or launch
19 control area. The blueprint below it has that
20 one.

21 Q. So the P-25, the front page is in the launch
22 area. What locations or rooms are in that
23 exhibit that's been discussed here during your
24 testimony?

25 A. The one--

1 Q. Can you go over there and go ahead and point--

2 MR. RORK: Well, first, Judge, I
3 would just ask to admit P-25, the top page
4 being the missile launch and the back page
5 being the living quarters.

6 MR. HOUGH: No objection.

7 THE COURT: All right. You may
8 proceed.

9 A. This is the one room that Mr. Rork was asking
10 about, this is Graham's living room. I will
11 stand over here so you guys can see it. This
12 is the bathroom. That was a pit, used as-- a
13 bathroom was built above it. This is where the
14 freezer was and the cans of the ET were. And
15 just so you'll know, this is the road coming
16 down inside of it. This is called the missile
17 bay. This is the large room that was open.
18 And this is control-- this was motor control
19 areas of the Liebert, not to be confused with
20 the Liebert room. And I'm just going to try to
21 give a basic idea of what this is so you can
22 understand a little better.

23 Q. Would the-- one of the two pieces of paper that
24 you handed me, would that have a better
25 description of the inside rooms?

1 A. This one would be an overview, so put that one
2 up. Because this one on the other side, that's
3 a three-dimensional that was created. Put this
4 one up and I can describe the top of the first
5 better.

6 MR. RORK: Your Honor, I will offer
7 at this time P-26 and P-27, which are copies of
8 diagrams of the inside of the items Mr. Skinner
9 will testify to.

10 MR. HOUGH: No objection.

11 THE COURT: All right. That will be
12 admitted.

13 Q. (BY MR. RORK) Mr. Skinner, I'm going to put on
14 this-- I guess I've got it-- is it turned
15 around if I put it sideways?

16 MS. HILL: It's exactly the way
17 you've got it. So it's showing at the side
18 angle that you've got it.

19 Q. (BY MR. RORK) Is the area that we need to
20 focus on for you to testify that area there
21 I've made bigger?

22 A. Yes.

23 Q. Okay. On P-26, can you indicate in there by
24 numbered rooms the locations of the living-- is
25 this-- does this include the living quarters,

1 also?

2 A. No, the other one would be including the living
3 quarters. They're two different-- they're
4 connected by a 110-foot tunnel.

5 Q. So does P-26 correspond to the front of P-25?

6 A. Basically, yes.

7 Q. All right. Will you describe on there the
8 location of the Liebert room where the ET was
9 in the ceiling?

10 A. That's-- that's the one that's behind this and
11 the one that's there.

12 Q. Okay. What's on this one then?

13 A. Okay. This is the one-- to quickly answer.
14 This is the room that's Graham's room. And
15 this is the area where the chemicals were.
16 Sorry, this thing is off for some reason. If
17 you go back a little further with that circle,
18 that's where the bathroom was, where there was
19 a deep freezer in there and the ET cans were
20 at.

21 Q. Does this also depict the room where you
22 indicated you had the safe in a storage area?

23 A. Yes, that would be-- do you want me to show
24 where it's at?

25 Q. Please.

1 A. I'm having problems with this, where I'm
2 hitting it is not where it's at, so I'm going
3 to guess. There, it worked. Right there,
4 starting there is the safe. And over in this
5 corner, I've got to guess again, there, it's
6 working now, I'm able to get it by coming off a
7 quarter of an inch. That area is where there
8 were two secured areas in that room. And there
9 was another safe that was bolted to the floor,
10 I believe, that was back in this area, a small
11 safe.

12 Q. And when you've described those three areas and
13 that round circle, is that all in the same room
14 or different rooms?

15 A. No, that's one room. And it's-- it's-- it's
16 this room right here, which is still the same
17 as when the military had it. There's no-- not
18 been one change at all, same metal, everything.

19 Q. And is there anything else depicted in P-26
20 that relates to the areas you've testified to?

21 A. Well, we've talked about-- you asked me to show
22 the tunnel going out to the-- just the-- what
23 we would call the people tunnel for exiting.
24 That's that tunnel there. This is the entrance
25 to that. And this is the entrance that goes

1 down the long tunnel to the next display you're
2 going to show.

3 Q. Is there in this P-26 the area that would be
4 where the spring operation had been set up?

5 A. Yes. Spring machines would have been-- I've
6 got to get this right as far as getting it to
7 do it. There we go, better. It would have
8 been going along that area, and then they would
9 have been going along this area. And then this
10 is where the wire was kept (indicating).

11 Q. What would the wire--

12 A. Wire for making springs. And then tools and
13 such would be kept over here. And then the
14 battery tunnel would be what would have floated
15 the entire operation so the robotics wouldn't
16 crash.

17 Q. Let me put on there now, then, if you will go
18 ahead and take that item off, what's been
19 admitted and marked as P-27. And what does
20 that more or less depict and can you show on
21 the diagram?

22 A. Do you want me to take this diagram off?

23 Q. If it corresponds to the second one, yes.

24 A. This is a little more dense, so we may want to
25 get it closer to the jury or--

1 Q. Describe, if you would, on the-- first I
2 believe on this P-27, what rooms are depicted
3 in there?

4 A. Okay. This is a three-dimensional isometric
5 version, so you just have to bear with me.
6 This is the Liebert room where the ET was
7 originally stored above the ceiling. This is
8 the living quarters area. This is a monitor
9 room here.

10 Q. Where the-- what's been shown photographs of
11 different TVs or monitors?

12 A. Correct. This is a restroom, kitchen. This
13 was a conference room.

14 Q. And what's the larger room with the four
15 pillars in it?

16 A. This was originally generators. The generators
17 aren't in there because I didn't-- when I had
18 the 3-D isometric, I didn't need to show those
19 generator pads, I was trying to show structural
20 stuff to what we needed to do.

21 Q. And the entrance it shows kind of down in the
22 bottom in the middle of the screen, is that--

23 A. Can you point so I can know what you're talking
24 about.

25 Q. (Indicating). Would that be the entrance that

1 goes to the ramp that then leads to another
2 area?

3 A. Yes, this is the hallway that goes down the
4 tunnel. This is a blast and then another blast
5 in case the missile blew up, not from a nuclear
6 explosion, but from an RP-1 and oxygen
7 interaction.

8 Q. When you were talking-- do you know which of
9 those rooms you've just depicted there, which
10 one of those rooms had microphones placed in
11 there so you could be heard by the agents?

12 A. I-- I have no idea where microphones were
13 placed. I can only say it from hearsay.

14 Q. And what would that be?

15 A. There were none.

16 Q. Where-- is this the area where the-- at one
17 point in time you say you locked yourself into
18 the room?

19 A. This room here that I'm going to put an "X"
20 across, that's the room.

21 Q. And that would be the room where you indicated
22 you locked yourself in. Correct?

23 A. That's correct.

24 Q. And that would be the room where on the tape
25 when it's being played you're talking very

1 loud?

2 A. That's correct. Because in this room here, I
3 had taken a phone off the hook. Even though
4 these look like small areas, these are great--
5 these are very vast spaces that we're looking
6 at.

7 Q. And does one of these rooms represent the room
8 where Graham was living?

9 A. No.

10 Q. And the room that you took-- where you say you
11 had taken the phone off the hook, was the bed
12 not removed from there?

13 A. The-- the bed was removed-- the bed had been
14 removed from here.

15 Q. So there was no bed in that room. And there
16 was no bed in this other room?

17 A. Which other room?

18 Q. Where you put the "X" and say you took the
19 phone off the hook.

20 A. That's a very-- that had a large Liebert unit,
21 you couldn't have put a bed. But there was a
22 bed in this room.

23 Q. At what time period?

24 A. During this time.

25 Q. What-- what does it need to correspond to with

1 the second page of P-25 on the board there?

2 A. Okay. This is the Liebert room. This is the
3 room where the confrontation took place, this
4 is the area where the monitors were. This is
5 just the restroom, kitchen. And this is the
6 tunnel that goes down to the other blueprint
7 that I showed you before.

8 Q. Thank you, if you would have a seat, please.
9 I'm going to hand you now what's been marked
10 P-28 and P-29 and P-30, which are photographs
11 taken by law enforcement and duplicates
12 provided to me. Can you tell me starting with
13 P-28 what's depicted-- what room is depicted in
14 that photograph with respect to P-27, if
15 anything?

16 A. P-27, hold on a second.

17 Q. P-27 is the one on the monitor.

18 A. Not-- not one of these three pictures has
19 anything to do with P-27.

20 Q. None of them do?

21 A. No.

22 Q. Okay. So--

23 A. If you'll go back to the previous one.

24 Q. If I go back to P-26-- first of all, are P--
25 the P-27-- or 28, 29 and 30 accurately depict

1 whatever is depicted in there? I mean, does it
2 show what it purports to show?

3 A. I mean, yeah, I mean, it would be better if we
4 had the big blueprint up, but that's all right.
5 I mean roughly, yes.

6 Q. What does P-28 depict?

7 A. P-28 is the-- is this room, if you were-- they
8 can't see it, so it's this room.

9 Q. I'm going to put it on the monitor in a minute.

10 A. I understand, but I want to make sure. If you
11 took the picture from the doorway-- well,
12 that's wonderful. If you took the picture from
13 the doorway and stood there and took the
14 photograph, that's what you would have.

15 Q. And what room is it called-- is it--

16 A. I'm sorry. I'm sorry, that's wrong. If you
17 took the picture from here, this is what you
18 would have.

19 Q. Is it called a certain type room or anything in
20 the-- in the base?

21 A. It was a locks transfer control butterfly valve
22 room.

23 Q. What is P-29?

24 A. P-29 is a photograph if you were standing
25 approximately right here and you took it of

1 this area here. And it just shows the slanted
2 door.

3 Q. And that area there that you've circled is
4 where you previously indicated was Gunnar's
5 room or Graham's room?

6 A. Graham's room.

7 Q. And what is P-30?

8 A. P-30 is if you took a photograph from
9 approximately right here and shot it back this
10 away.

11 Q. And what room or area of that structure would
12 that depict?

13 A. Do you want me to draw it on here?

14 Q. Just what do you call it?

15 A. Well, one was the electrical transfer and the
16 RF control transfer. It was-- it was a
17 transformer room and an electrical distribution
18 area.

19 MR. RORK: Your Honor, at this time I
20 would move for introduction of P-28, 29 and 30.

21 MR. HOUGH: To the extent that
22 they're relevant, we have no objection.

23 THE COURT: All right, they'll be
24 admitted.

25 Q. (BY MR. RORK) And I'm placing on here what's

1 now been admitted as P-30. And would that be
2 the one that more or less is the living area of
3 Graham Kendall?

4 A. No.

5 Q. Was somebody living in that area?

6 A. No.

7 Q. Let me put in what's marked as P-29. And that
8 room, was that used for-- was that the room
9 that had the bar on it that was closed that had
10 records in it?

11 A. This was Graham's living area.

12 Q. P-29?

13 A. Yes.

14 Q. And the room that's depicted looking into
15 Graham's living area, what was that room
16 referred to as?

17 A. Do you mean-- that was the locks transfer
18 butterfly control valve room.

19 Q. But in relation to the use of the base, what
20 did you use that room for?

21 A. Graham's sleeping area and valuable items.

22 Q. And would that have been the room that was
23 locked with a bar on it at times when you
24 weren't present?

25 A. Correct-- no, when Graham wasn't present.

1 Q. When Graham wasn't present. And the bar isn't
2 depicted in P-29, but on the outside of the
3 door, is the bar on the other side that we
4 can't see it or is it on the side of the door
5 that's behind it?

6 A. I can't-- the bar is not there at all, I can't
7 see where the bar is. It's possible this is
8 the bar. But I mean, it's such a bad photo, I
9 can't tell.

10 Q. Do you recall yesterday you indicated that I
11 had asked you and inquired about the time you
12 were in Chicago with Skinner Industries, Inc.,
13 is the company that you said Mr. Pickard had
14 been some documents as representative of that
15 company. Correct?

16 A. I believe that's the case, I remember saying
17 that and I believe that-- him being given a
18 name tag and business card with Skinner
19 Industries, Inc., on it.

20 Q. And do you recall when I indicated to you that
21 also that was the time when you said Mr. Peden
22 had arrived there with the firearms?

23 A. During-- he arrived at a much shorter period of
24 time than the whole time that we were there,
25 yes.

- 1 Q. But during that same period of time?
- 2 A. Correct.
- 3 Q. And then I asked you about this ET occurrence
- 4 that you testified to previously, and you had
- 5 indicated that was at a different occasion in
- 6 Chicago, other than this business trip. Do you
- 7 recall that?
- 8 A. No, that's not the case.
- 9 Q. All right. So do you recall indicating
- 10 yesterday that the ET occurrence occurred at a
- 11 different time in Chicago than this occasion in
- 12 Chicago?
- 13 A. Again, that's not the case. There's--
- 14 Q. What, is there two different trips to Chicago?
- 15 A. No.
- 16 Q. When you indicated yesterday that the Chicago
- 17 event involving the ET incident as you've
- 18 described it was at a later date, when was that
- 19 in relation to this business trip?
- 20 A. I will describe again. On this business trip,
- 21 Leonard met with the ET man in the Ritz Carlton
- 22 to negotiate a purchase, a front of ET. Then
- 23 at another time, the ET showed up, and this was
- 24 via Leonard's mouth to me, and he called an 800
- 25 number to see if it needed to be picked up.

1 Q. I understand that.

2 A. That's what I'm trying to do is I'm trying to
3 delineate there's two different situations
4 here.

5 Q. And I understand there's two different
6 situations. But when I was asking you
7 questions yesterday about when it was you had
8 observed what you have testified was this ET
9 occurrence, I believe you--

10 A. Which ET occurrence?

11 Q. The ET occurrence in Chicago.

12 A. Do you mean the meeting that Mr. Pickard had
13 with the ET man?

14 Q. I'm talking about the testimony you gave
15 concerning what you observed and testified to
16 were negotiations in Chicago.

17 A. Very good. Now I understand.

18 Q. And when you testified yesterday regarding the
19 negotiations in Chicago with the ET individual,
20 I believe you indicated that happened at a
21 later time other than the business trip.

22 A. No, that happened at the same time. It
23 happened at different times within that
24 business trip.

25 Q. I understand. And-- but there was a Krystal

1 Cole, C-O-L-E, that was present during that
2 period of time, was there not?

3 A. She flew in to Chicago with us.

4 Q. And who was she in relation to you?

5 A. My girlfriend.

6 Q. When you were at the base on November 4, 2000,
7 that was the date I believe you indicated that
8 Mr. Pickard arrived there in whatever vehicle
9 he initially came in. Correct?

10 A. I mean, if-- it sounds approximately like the
11 correct date. I mean--

12 Q. And prior to his arrival there, we listened to
13 some recorded telephone conversations?

14 A. Yes.

15 Q. And between October 31 and the search warrant
16 and November 4, 2000, had you remained
17 continuously at the missile base?

18 A. No, I mean, we-- I could have gone to have
19 eaten or gone to Dyer's or something like that
20 in Wamego, I don't remember.

21 Q. But--

22 A. In general, I was basically at the missile
23 base.

24 Q. And you've indicated that you had been up on
25 October 31st, 2000, when they did this

1 walk-through-- excuse me, search warrant
2 execution for about five days; is that correct?

3 A. No. At some point there's a period where
4 basically none of us slept for about five days,
5 other than an hour or two each day, if we got
6 that.

7 Q. And do you recall if that point was before or
8 after the search warrant?

9 A. You know, it-- maybe they overlapped.

10 Q. And-- but for sure, are you for sure that from
11 October 31, 2000 until when Leonard arrived on
12 November 4, 2000, you or law enforcement
13 officers were always at the base?

14 A. No, the law enforcement officers came and went.
15 I mean, different-- there was a large team of
16 them. Some of them would come and some of them
17 would go, they didn't all just sit there.

18 Q. I understand that. But at no time from the
19 execution of the search warrant until Leonard
20 arrived was anyone not present at the base,
21 being either you or some law enforcement?

22 A. I-- I mean, I don't remember anyone-- a time
23 where there was a vacancy of people. I mean,
24 I-- I don't know.

25 Q. Graham Kendall had been residing at the missile

1 base in the room you've depicted on one of
2 these previous exhibits, and he was asked to
3 move out during this period of time in late
4 October, was he not?

5 A. That's correct.

6 Q. And do you recall whether it was before the
7 walk-through on October 27, 2000 or after?

8 A. I'm not exact about this, so if I turn out to
9 be wrong, it's the best I can do. I think it
10 was after.

11 Q. And do you recall what he was told with respect
12 to the reasons he needed to move his belongings
13 out of the location?

14 A. There were a couple reasons. First, that
15 buyers were coming to look at the place. And,
16 second of all, there was going to be
17 environmental tests and he had to leave because
18 the environmental tests would create health
19 problems for him, so we had to basically
20 evacuate the base.

21 Q. And did he then move from that location to the
22 915 Ash residence or somewhere else?

23 A. No, I-- I believe he went to a hotel or--
24 and/or to stay with someone else.

25 Q. And do you recall who assisted him in taking

1 his belongings out of there?

2 A. Yes, it was a man named Tom.

3 Q. Somebody that had worked for you before?

4 A. No, he had never worked for me before. I think
5 he just volunteered, he needed money and he was
6 a Kansas person.

7 Q. A local resident of Wamego?

8 A. No, he was a local resident of the
9 Topeka/Wamego general area.

10 Q. When you were reconstructing the military
11 containers for what has been testified to as 30
12 to 32 green military boxes on the floor October
13 31, 2000 when Sorrell and other people entered
14 with their suits on, those had all been placed
15 there by you?

16 A. Yes. I was the only one that could operate the
17 forklift, did a poor job.

18 Q. During the period of time you were operating
19 the forklift, were there law enforcement
20 officers present in location?

21 A. Yes.

22 Q. Inside the building with you?

23 A. Yes, inside and outside in case of an accident.

24 Q. And did they ask you at the time you were doing
25 this for you to wear any protective suits?

1 A. No.

2 Q. And the period of time that you were in there
3 moving these items around, sometime before
4 October 31, 2000, would it have been more than
5 an hour or two?

6 A. That I moved these green military boxes around?

7 Q. Yes.

8 A. It was many, many, many hours. The protective
9 suits I was not allowed to wear because you
10 have to go through a training class. It would
11 have been a-- some sort of a regulation
12 violation or a legal violation.

13 Q. But again, while you were in there and you were
14 moving these military boxes around for whatever
15 lengthy period of time it took you to do so,
16 you did not wear any protective suit?

17 A. No.

18 Q. And did the officers that were in and out
19 during this same period of time wear any
20 protective suits?

21 A. As long as the green containers were not open,
22 they wore no protective suits.

23 Q. And when you would remove the boxes and that
24 would-- later ended up to be these 32 green
25 military boxes, how-- how was it decided from

1 which area in all of the lined up green boxes
2 to select one or the other?

3 A. It had been arranged to where if you started
4 from the back of the Lester building, meaning
5 the northernmost wall, that as you would go--
6 keep coming back, those would only be lab
7 equipment, chemicals and trash.

8 Q. I'm going to show you what's been-- and I think
9 this is just-- is that very clear on your
10 monitor?

11 A. No, it's-- but it's probably doable. It's as
12 clear as it's going to get. I can identify it.

13 Q. On P-1, there's-- on that picture depicted, and
14 I-- it shows 11-18 in the corner, so we have no
15 reason to believe it wasn't taken November
16 18th. But of those green boxes that are
17 depicted on the wall, those are ones that were
18 remaining that were not selected by you to be
19 opened for any reason. Correct?

20 A. I don't know that. I wasn't there.

21 Q. But do those green boxes appear to be in the
22 same location they were on October when you
23 were taking them down in the time period before
24 the search warrant, October 31, 2000?

25 A. This room looks completely different than when

1 I arranged it for them, so I have no knowledge.
2 I mean, I could only guess for you.

3 Q. Well, I understand. But if you look at that
4 picture, Mr. Skinner, can't you tell whether or
5 not those boxes, the green military boxes
6 against the wall appear to be against the wall
7 like they were when you were moving them around
8 before October 31st?

9 A. Well, I don't remember these being there. So
10 I'm-- I don't know what they did.

11 Q. Okay. With respect to this photograph, does
12 that show like the middle of the Lester
13 building or one of the ends of the Lester
14 building or do you know?

15 A. I can't tell. I can try and guess, it looks
16 like it's certainly not the end of the Lester
17 building, the north-- northern end.

18 Q. The Lester building was how long?

19 A. Exactly 100 feet long, 40 feet wide because it
20 was the exact same footprint as the Quonset hut
21 building.

22 Q. And were the green military boxes similar to
23 those in this exhibit stacked on that wall from
24 beginning to end?

25 A. From going back here all the way going this

1 way, yes.

2 Q. So the whole length of one side of the Lester
3 building had green military boxes?

4 A. Yes. This would be the eastern wall. If I--
5 if-- unless somebody has really changed
6 everything around. I wasn't there.

7 Q. So with respect to the location of the green
8 military boxes that are in P-1, they stretched
9 from one end of the Lester building to the
10 other end of the Lester building prior to
11 October 31st, 2000?

12 A. Yes, minus the-- on the south side, there was a
13 door that came in and there had to be a space
14 that allowed for entrance. And then on the
15 north side there had to be enough space so a
16 forklift could maneuver around.

17 Q. And that's fine.

18 A. All right.

19 Q. And from that location, then, is where you've
20 indicated you then used the forklift to go
21 around and select these-- what ended up to be
22 31 or 32 green military boxes that were placed
23 on the ground for law enforcement for the
24 October 31 search. Correct?

25 A. Right. Actually what I did was I just started

1 bringing them down like this. In other words,
2 I would pick the top one and I would lay them
3 down on the floor and then I would move to the
4 next one. I'm not saying that those three
5 lines represent that, I'm saying theoretically
6 it-- if this was the northern part of the back,
7 that's what I would have down.

8 Q. And before you started doing that to bring them
9 down, had you made any outside marking on the
10 green military boxes to assist you in
11 determining which ones had what in it?

12 A. Actually, Mike Hobbs and Gunnar Guinan, one of
13 the two, had made some sort of markings.

14 Q. And did they relate to you what those markings
15 were to assist you in helping you bring down
16 the ones you wanted?

17 A. Yes.

18 Q. And Mike Hobbs and Gunnar Guinan--

19 A. Guinan.

20 Q. -- were not there at that point in time.
21 Correct?

22 A. No.

23 Q. And did you not, in fact, show law enforcement
24 before you pulled one down and say, "Here's a
25 marking similar to what they said, I will pull

1 this one down," or something like that?

2 A. I don't know. Maybe I said that, I don't know.

3 Q. But there was some conversation between you and
4 the officers as you were pulling the boxes out?

5 A. Yes. Usually about what a poor forklift driver
6 I was.

7 Q. And in order to get the top box off with the
8 forklift, I mean, you can only take one box at
9 a time?

10 A. Absolutely.

11 Q. And if you had designated, for instance, in
12 what's shown in this picture where the arrow
13 came up, it appears to be there like, what,
14 five or six high or do you know?

15 A. I believe that they were five high.

16 Q. And if you wanted a box out of the middle of
17 the five high that had this marking on it that
18 you would show law enforcement, you would
19 remove boxes one at a time until you arrived at
20 the box you wanted?

21 A. Yeah. You had to start at the top and keep
22 removing them down. That's the only way you
23 could get them out.

24 Q. And would you then just take those boxes that
25 you would start at the top, for instance, and

1 set them on the ground until you arrived at the
2 box you had designated had the symbol on it?

3 A. I mean, I seem to remember that being the case.

4 Q. And then were the boxes that you set down,
5 other than the ones that you identified had
6 this marking on them, were they opened and
7 shown to law enforcement in that time period?

8 A. I have no idea.

9 Q. Well, did you open or do anything as you were
10 the one operating the forklift?

11 A. I-- the best of my memory is I was not allowed
12 to open anything up.

13 Q. And then when you had obtained a designated
14 box-- what was the marking on the box?

15 A. It would say-- it would just have some sort of
16 a symbol, and I don't remember, one of them had
17 an actual name on it. It sounded like Delgada
18 or something, meaning the possession that came
19 from the Delgada house in Santa Fe.

20 Q. Now, prior to this point in time of you
21 physically moving these around on the forklift,
22 did you not go out there into this location and
23 acquire some military box that had a chemical
24 from Native Scents that you had told law
25 enforcement was there?

1 to determine that?

2 A. I don't know that-- I'm trying to remember if
3 before the search warrant I was told to start
4 arranging these or it was after the search
5 warrant. I just don't know.

6 Q. Whenever you were told to start arranging
7 these, what were you told to do?

8 A. To try and put them to where forklifts could
9 move down to arrange them and to put them in
10 some sort of order, because it was very hard to
11 get the lids off. And they needed space and
12 they described that their situation is in order
13 to open these up, they would have suits on and
14 they would be working in teams and that they
15 would have to open these up in a special way
16 and they needed a place to put the lid and be
17 able to identify what was in there.

18 Q. And do you recall whether or not you were on or
19 around the property at the time they went in
20 there with the suits and did whatever they did
21 at that point in time?

22 A. In the sneak and peek warrant, I was in-- in
23 case there was a problem, I was left in the
24 underground facility.

25 Q. After they concluded whatever it was they did

1 and what you've described as the sneak and peek
2 warrant, which was October 31, 2000, did you
3 then go back into that location and move the
4 boxes and rearrange them before Mr. Pickard
5 arrived later on that month, the month of
6 November?

7 A. I don't know.

8 Q. Well, do you recall after they were done with
9 the suits and the activities they had then,
10 were the boxes just left in the same locations
11 or rearranged again?

12 A. I -- I think they were just left in the-- I
13 don't know, I think they were left in the same
14 location, I don't know.

15 Q. You don't recall yourself doing anything more
16 in that Lester building with movements then?

17 A. To the best of my memory, I don't recall.

18 Q. When-- and again, I don't know, is that-- mine
19 is real blurry, is yours?

20 A. It's pretty blurry, it's looks like the way the
21 light is hitting it or something.

22 Q. I have on there what is marked as 6,
23 Government's Exhibit No. 6. Do you-- it's a
24 smaller version of 6-A, do you agree?

25 A. Yes.

1 Q. And in there, the Lester building, there is--
2 can you make-- I have a-- well, that arrow that
3 I put on the Lester building, that would be the
4 end of the Lester building where the forklift
5 goes in and out?

6 A. No. This would be the north side. And because
7 there's dirt there, you couldn't take a
8 forklift out there. The forklift goes out on
9 this side.

10 Q. Now, is there not-- and can you take your pen--
11 well, I can take mine. Is there not on this
12 exhibit where I've put that green thing there,
13 at that location at the bottom of it a camera
14 for purposes of viewing that area from inside
15 the control room?

16 A. No.

17 Q. You don't recall any type of camera being in
18 that location installed there during your
19 surveillance equipment that was put up?

20 A. Not that worked.

21 Q. So there was one there?

22 A. I'm not for sure. We had so many problems with
23 that surveillance equipment. If there was a
24 camera that worked there, I didn't know about
25 it.

1 Q. Do you recall whether there was the camera
2 placed there for the purpose of viewing what
3 was in that location?

4 A. No, I don't recall that.

5 Q. You're not saying that there wasn't one there?

6 A. I don't know.

7 Q. Can you depict on the photograph, No. 6, what
8 areas that were shown up in cameras that were
9 shown inside the-- that could be seen from
10 inside the missile base?

11 A. Can I kill the arrows you have?

12 Q. Sure. You might draw the circle around the
13 area, and just in general?

14 A. Okay. There was a pole, and you can't see it,
15 but that's basically where the pole was at.
16 And there was a tremendous amount of cameras
17 that were environmentally controlled. And they
18 had pan and zoom and full features, and there
19 were multiple ones. And hold a second. Right
20 here was another area where there was a pan and
21 zoom camera. I think it was a singular pan and
22 zoom camera. This one here that I pointed to
23 on-- right there was a-- had multiple stacks of
24 cameras. And they could be panned and zoomed
25 for doing 360-degree views of anything that was

1 going on above ground.

2 There are-- there's a permanent fixed
3 camera that was just looking at the door-- I
4 missed it. It's on the other side of that
5 cement wall there that was looking at that door
6 there. Well, I'm not doing real well. Looking
7 at that door right there, it was fixed. There
8 was a camera somewhere up here that was a
9 multiple camera that could look at the entire
10 facility. And then there's-- somewhere over
11 here was a camera, and I don't remember where,
12 that was able to look at things over there.
13 And if I've missed some cameras-- oh, yes, and
14 there was a camera on this control box right
15 here that could see anyone coming into the
16 facility that punched the code, and you could
17 see immediately who it was. There may be more
18 cameras if-- can you shield it? Yeah, good.
19 You did it perfectly, whatever you did before.

20 There were cameras in this building here.
21 Do you see that little building here? Let's go
22 down, let's go the other way. Yeah. That
23 building right there, there were some cameras
24 to look at the generators and to look at the
25 electrical transfer things, they had sensors

1 that went off in case someone entered that.
2 And then there were also sensors on hatches, to
3 see if anyone messed with command of the
4 facility through escape hatches, motion
5 detectors and such.

6 Q. Now, the cameras where you have the arrows
7 that-- down towards the middle of the picture
8 you say that were zoomed, do you mean they
9 could--

10 A. Can you kind of point?

11 Q. Well, I can't point. I've got both hands on
12 this thing?

13 A. Okay. Yeah. Sorry. Can you turn into an
14 octopus?

15 MS. HILL: I'll hold this.

16 Q. (BY MR. RORK) In the area here?

17 A. Sorry about that.

18 Q. Now, there's four arrows there.

19 A. Let's kill the arrows and then I will put--
20 this-- oh, that's beautiful. Okay. There's a
21 little post with the--

22 Q. And can you kind of draw out in arrows the
23 areas that could be depicted, that the cameras
24 could zoom around in 360 degrees, what do you
25 mean?

1 A. (Indicating).

2 Q. And those--

3 A. There was also a fixed camera on that that I
4 believe looked this way. And so that-a-way
5 someone could pan and zoom something to see if
6 there was some activity. And-- and then there
7 was-- there was-- so that you could have up on
8 your 16-camera screen, you could see what was
9 going on and better resolution.

10 Q. And I'm just going to ask you again, I'm not
11 going to hand you the picture. You don't
12 recall about where the bottom left of where
13 that arrow is a camera being placed there for
14 viewing purposes. Correct?

15 A. No.

16 Q. Let me hand you so that you can see it close up
17 Government's Exhibit No. 6. And in that area
18 where I've depicted an arrow, there's a little
19 white thing in the-- in that location.

20 A. You're talking about the-- right up at the top
21 or are you talking about this?

22 Q. Yes, sir.

23 A. I believe that was a light.

24 Q. And could-- could it also be a fixture covering
25 a camera?

- 1 A. I don't think that was the case. I had asked
2 for a camera back there and I don't remember it
3 being given to me. We ran out of number of--
4 we would have had to put another multi-plexor
5 on there to have done it. I wanted a lot more
6 cameras and it was just-- we hit the maximum
7 limit.
- 8 Q. And wasn't there also a camera some location
9 where if people were at the gate to drive in,
10 they would walk up, they could be seen?
- 11 A. That's what I was saying, the key punch pad.
- 12 Q. Yes.
- 13 A. A hidden camera in it to where we could see
14 immediately anybody who was key punching or
15 drove a vehicle in.
- 16 Q. And that would be at the location that was like
17 a quarter mile down the road?
- 18 A. No. No. If you'll put your picture back up, I
19 will show you.
- 20 Q. So there's two different gates to get in there,
21 then?
- 22 A. Right. The lower gate had no automation to it
23 and we had no control, and it would have been
24 too expensive to have ran. I'm going to try
25 and hit this right. This is the gate that

1 opens up automatically. Well, I blew it. This
2 is the gate that opens up. I got it. And then
3 somewhere, you can't see it very well - I'm
4 going to try and hit it. I almost hit it - is
5 where there was a key punch. And if you
6 remember in the taped recordings I would say
7 the code is 1616.

8 Q. Pound 16, pound 16?

9 A. Yeah, pound 1616. There was a hidden camera
10 that was both infrared and fluoro-visual. The
11 reason it was infrared was so that you could
12 see at night. And when someone would start to
13 hit that, it would immediately show up on
14 another series of sequencing of monitors.
15 There were-- one monitor was fixed all the time
16 with cameras, and then there was sequencing
17 monitors to show motion and activity.

18 Q. And in that control room that you've described
19 and indicated was inside of that location, did
20 it also not have recording capabilities so
21 recordings could be made of what was depicted?

22 A. Yes, it was-- there was some recording
23 capabilities and there was some voice control
24 and there was an Agia-- Agia system that
25 controlled temperature, humidity remotely and

1 you could theoretically log on to the outside
2 and view anything digitally. I never did it.
3 I think I called in a few times to see what the
4 temperature was at any given room or the
5 humidity.

6 Q. What was the sound capability from-- just from
7 outside somewhere and not inside?

8 A. Just the little speaker, in case it was an
9 unknown person that showed up at the key punch.
10 They would-- you could talk back and forth to
11 find out who it was and visually identify them.

12 Q. And when you were then talking at one point in
13 time on one of the recordings November 5th or
14 November 6th, was there-- do you recall that
15 there was recordings on three days at that time
16 or two days?

17 A. I can't-- I can't recall.

18 Q. At one of the times when you were talking on
19 the recordings in the car with the Nicholsons,
20 you said there was Brett and Sue Nicholson were
21 at the property?

22 A. Cheryl.

23 Q. Brett and Cheryl?

24 A. Yes.

25 Q. Didn't Brett and Cheryl Nicholson live on a

1 house just right adjacent to the missile base?

2 A. No.

3 Q. That was their parents' house?

4 A. No.

5 Q. You don't recall any Brett or Cheryl or their
6 mom and dad living right there on property

7 close to the missile base?

8 A. No.

9 Q. At any time period?

10 A. No, they-- at one time post all of this when
11 there was so much breaking in going on and
12 vandalism, they went there and occupied the
13 place until they could get control of-- and
14 we're talking long after November of 2000, they
15 moved physically to the place to get better
16 control of it due to vandalism and destruction.

17 Q. You're talking about on the missile base
18 itself?

19 A. Yes.

20 Q. But not one of the houses that surrounds it?

21 A. No. The-- they-- they didn't even live in
22 Wamego.

23 Q. When you showed that area that was depicted on
24 the tape as where the gate was and where the
25 pound thing was, would that have been a

1 location where you had conversations with Mr.
2 Pickard that were recorded by your body pack?

3 A. I mean, we could have walked out there for
4 seconds, but I don't remember that.

5 Q. Well, do you recall a point in time when after
6 you would leave the inside the building and--

7 A. Which building?

8 Q. I don't know, I'm getting to the end of the
9 question.

10 A. Sorry.

11 Q. It's when you leave the building and you're
12 talking to Brett and telling him to go back and
13 have Cheryl go down in the kitchen to do
14 something and you were outside. Do you recall
15 where that area was that--

16 A. If you will put the picture back up, I can show
17 you the area to the best of my memory. I mean,
18 I believe-- I believe that the forklift got
19 stuck here, and I-- I told Clyde to make sure,
20 because he kept asking if he had the code, I
21 said go punch the code, because not only was
22 there a box here-- wonderful.

23 Q. Box for the code do you mean?

24 A. Yeah, just give it there. There was a box over
25 on this side, too. It was along the road. And

1 that allowed you to open the-- if you were
2 inside, you had to have a way of getting out.

3 Q. So it had to be punched not only to enter but
4 to exit?

5 A. That's correct.

6 Q. Now, when the recordings are made at the base,
7 at any time they're made at the base, let's
8 just go to the time where you were inside the
9 living quarters and saying-- talking very loud.

10 A. Yes.

11 Q. Who had the capacity to operate that recorder
12 and turn it on and off?

13 A. What recorder?

14 Q. That you were wearing on your person.

15 A. I had the capacity.

16 Q. And how did that take place, what did you have
17 to physically do?

18 A. I had to-- let's see. I had to take off this
19 tape that ripped my hair of my leg off, and
20 then I had to take off an Ace bandage and then
21 there was another plastic bag that it slipped
22 down into.

23 Q. No, I mean to turn it on and off to record or
24 not record.

25 A. I'm telling you what I had to do to turn it on

1 and off. I had to get the whole thing off
2 because it's a complicated device.

3 Q. So when it was put on you, it began running and
4 it would last for how long?

5 A. Well, I was told two hours.

6 Q. And there's-- on one tape there's an indication
7 where there is a change in tape or you say
8 you're making a change in tape. Do you recall
9 that?

10 A. Yes.

11 Q. And how could there be a recording done when
12 you're changing the tape and you have the tape
13 out and then you're talking to either the
14 agents or Brett Nicholson about the recording
15 being changed and now have the tape out and
16 changing it, what was recording at that point
17 in time?

18 A. I-- I have-- first of all, it's recording until
19 the-- the minute that I actually would stop it
20 and pop the thing out. I made a mistake based
21 upon a conversation with the agents. We were
22 off on the time and we thought that the tape
23 had quit running, it turns out it continued
24 running, so it was only the brief few seconds
25 that the tape popped open and I put the new

1 tape or I flipped it over and put it in there.
2 I don't know I flipped these other. No, I
3 think each of these were unique tapes, and I
4 had to put spare tapes in there. So it would
5 have been just seconds that the recording would
6 stop.

7 Q. So if there's any recording going on during the
8 period of time you're changing the tape, that
9 would have to come from a source other than the
10 tape you were wearing?

11 A. Yeah, but I've never heard any transcripts like
12 that.

13 Q. Do you know whether or not the recordings where
14 these mikes were for you to say "hey, mom" or
15 "call me" or something, wherever those were,
16 that they had the capacity to record, also?

17 A. I guess. I have no knowledge. Nobody has told
18 me anything about it.

19 Q. I want to direct your attention to this point
20 in time when-- do you recall after Leonard is
21 arrested, the next day, did you then-- and
22 Clyde was arrested the night of his arrest, did
23 you then leave the missile base or continue
24 occupying it for a period of time?

25 A. I have said this before and I'll say it again,

1 upon Leonard running and them losing control of
2 him because he had escaped, at that point they
3 came back and immediately said, "You must leave
4 the base."

5 Q. I understand you wanted to say the answer you
6 wanted to give. But I mean, did you ever go
7 back to the missile base from that point in
8 time?

9 A. Yes.

10 Q. And how soon after that date did you then
11 return to the missile base and when?

12 A. Once Leonard had been apprehended.

13 Q. And did you then occupy the missile base for a
14 period of time before you then exited it?

15 A. Yes.

16 Q. How long?

17 A. Three days, four days, I don't know.

18 Q. And do you know whether or not during that
19 three days or four days that law enforcement
20 continued to be about the premises?

21 A. Actually, two days may be better.

22 Q. Whatever days.

23 A. Yeah. Yes, law enforcement was heavily present
24 at this point. They had a permanent mobile RV
25 on the physical facility and they had something

1 not far away to monitor it in case someone came
2 to bother the situation.

3 Q. And you were aware during the period of time
4 sometime in either late October or early
5 November that a camper with various monitoring
6 equipment had been placed on the Fish and Game
7 guy's property next door to your base?

8 A. I only remotely knew that. I knew it was
9 somewhere around.

10 Q. And you were also told that that facility had
11 the capability of being hooked into your
12 control room and your monitors there?

13 A. No, I wasn't told that.

14 Q. Were you told that it had the capability to do
15 some video observation with this item they
16 placed on a telephone pole that looked like an
17 amp and then to record things on your property?

18 A. No, I wasn't told that.

19 Q. After you left within a couple of days, no
20 matter how long it was, did you then ever go
21 back in any period of time to reoccupy the
22 base, to live there?

23 A. To this day, never. I don't believe I've spent
24 a night there since.

25 Q. Do you know when it was after November 7th,

1 2001, let's say that photograph was November
2 18, 2001 (sic) and I believe Sorrell testified
3 that around November 20 or November 21, 2000,
4 agents had completed their work and left the
5 property. Would you-- would that be consistent
6 with your understanding?

7 A. Well, yeah, I believe so. I mean--

8 Q. Did you ever then after the agents had, quote,
9 left the property, have Graham Kendall move
10 back there to reside there or anybody else?

11 A. No, I don't-- other than when the Nicholsons
12 resided there when there was a vandalism
13 problem.

14 Q. When did you then go next back there after the
15 law enforcement left this location and remove
16 any or all of the green military boxes that
17 remained?

18 A. I never removed anything from the facility.

19 Q. Now, do you recall on-- on or about February
20 22, 2001 visiting with Agent Sorrell, Nichols
21 and Hanzlik concerning various history of the
22 other ET and advising them that when the agents
23 went through on the sneak and peek October 31,
24 2000, that they failed to obtain and find in
25 the green military boxes some chemicals that

1 could be used to make DMT?

2 A. Yes. I don't know if it was Agent Sorrell and
3 Hanzlik, but it was definitely some DEA agent,
4 yes.

5 Q. And assume there's a report that says it was
6 Agent Sorrell and Hanzlik.

7 A. Well, if you could show me that, then it would
8 make it easier. The assumption gets more
9 complicated.

10 Q. I will ask you a question. Assume that a
11 report does say Sorrell, Nichols and Hanzlik
12 was there, you wouldn't disagree?

13 A. No, not at all.

14 Q. And this was February 22, 2001, a few months
15 after November of 2000. Correct?

16 A. Correct.

17 Q. And can you tell us where you had had this DMT
18 chemicals and equipment removed from the base
19 and taken to in that period of time?

20 A. No. I can show you where they were left at the
21 base.

22 Q. You're indicating that they were left at the
23 base?

24 A. Yes.

25 Q. And so when you're telling the agent this on

1 February 22, 2001, can you tell me, to your
2 knowledge, did they go back there then and
3 obtain these DMT-making chemicals and equipment
4 from the base?

5 A. I have no knowledge of-- if they did or didn't.

6 Q. And--

7 A. I was told-- I could tell you by hearsay. But
8 beyond that, I can't tell you because I don't
9 know.

10 Q. Do you recall several items in bottles that
11 were there and chemicals to make DMT were 1,
12 O-X-A-L-Y chloride?

13 A. Oxaly chloride, yes.

14 Q. And how many bottles of oxaly chloride were
15 there, do you know?

16 A. No.

17 Q. There was also something called
18 tetrahydrofuran, which is known as THF; is that
19 correct?

20 A. You're basically saying it correct, yes.

21 Q. And there's something I-N-D-O-L-E?

22 A. Indole.

23 Q. And where was the-- how much quantity of the
24 THF was there, do you know?

25 A. I believe it was a five-gallon drum.

1 Q. And how much quality-- quantity of the Indole
2 was there?

3 A. I have no idea.

4 Q. And DMT again is what?

5 A. Dimethyltryptamine is one of its names. It
6 does have some more ancient names, but DMT is
7 dimethyltryptamine in its commonly referred to
8 vernacular or nomenclature.

9 Q. And it's one of the items that you had used in
10 your sacraments and that you were capable of
11 producing yourself. Correct?

12 A. That's correct.

13 Q. Do you recall in-- in November-- excuse me. Do
14 you recall in August or September of 2000 being
15 at the missile base and then contacted by
16 individuals advising you that the shipment of
17 MDMA from Portugal to you and some people of
18 you had been intercepted?

19 A. I have no clue what you're talking about. I've
20 never received a phone call from anyone in
21 Portugal in my life. I've never been to
22 Portugal. And I know no one that has been to
23 Portugal in my life. And what you're talking
24 about is from Mars. I have no clue what you're
25 talking about.

1 Q. So take off the Portugal part then as the phone
2 call. Did you have a phone call indicating
3 that MDMA that was on its way to you had been
4 seized?

5 A. Sorry, I've never heard this story in my life.
6 No to your question.

7 Q. In August or September of 2000, did you not
8 have in-- in working capability the four land
9 lines that were different phone numbers to the
10 Wamego base?

11 A. There could have been more than four land
12 lines, I just can't remember, because they
13 would fluctuate from as few as two to as many
14 as 12.

15 Q. And do you recall in this time period in 2000
16 that you ran up a phone bill of \$80,000 to
17 Sprint for long distance purposes?

18 A. I've never heard this in my life, but it's--
19 anything is possible.

20 MR. RORK: Your Honor, if I would--
21 would you like to take a morning break at this
22 time and I can conclude?

23 THE COURT: All right. Ladies and
24 gentlemen, let's recess for about 15 minutes.
25 We'll call you when we need you. Mr. Bailiff.

1 (THEREUPON, a recess was had).

2 THE COURT: All right. You may
3 continue.

4 MR. RORK: Thank you, Your Honor.

5 Q. (BY MR. RORK) Mr. Skinner, do you recall when
6 you were first visiting with the agents out in
7 Sacramento, whenever that was in October of
8 2000, you told them that you had the names of
9 four LSD chemists. Do you recall that?

10 A. No, I don't recall that.

11 Q. Do you recall giving them the name of somebody
12 named Mark that lived in another country that
13 you thought was an LSD chemist?

14 A. Yes.

15 Q. And that was Mark who?

16 A. Don't know the last name.

17 Q. What was the name of another chemist that you
18 had given them besides Leonard?

19 A. Jonathan Ott.

20 Q. And do you recall, also, when you talked to the
21 agents at that point in time in October that
22 you gave them the name of an MDMA-- you talked
23 about an MDMA network that you could assist
24 them in uncovering or exploiting or whatever?

25 A. What time was this?

1 Q. When you were talking to the agents in October
2 of 2000.

3 A. No, I think I spoke to them about the fact that
4 they had an MDMA-- I just gave them-- had no
5 information. It turns out they were already
6 working on it and had basically dismantled it
7 or was in the process of dismantling it.

8 Q. Do you know if when you were initially talking
9 to the agents back in October of 2000, you gave
10 them the name of Tansis Kanculis? T-A-N-S-I-S
11 is the first name. K-A-N-C-U-L-I-S is the
12 second name.

13 A. I don't remember this.

14 Q. Do you know a Tansis Kanculis?

15 A. I don't know-- I've never heard this name
16 before. It's a strange name.

17 Q. Do you recall when in-- excuse me, do you
18 recall in August of 2000 Krystal Cole, you were
19 still in contact with her, were you not?

20 A. Yes.

21 Q. And do you recall in August of 2000 receiving
22 telephone calls from her that the DEA had
23 intercepted some MDA-- MDMA that was coming to
24 her. Do you recall that?

25 A. I don't know about the month, I remember a call

1 about some sort of a package being intercepted
2 or potentially being intercepted from Poland or
3 Germany.

4 Q. And this was-- this was before you had-- this
5 call that you had received was before you had
6 entered your plea in this case; is that
7 correct?

8 A. I don't know. I believe so.

9 Q. And for purposes of entering a plea, we're
10 talking the August 25, 2000 date?

11 A. We need to verify that I had no knowledge nor
12 did she if it was really MDMA or not.

13 Q. Did you have anything to do with, in 1999 or
14 2000, providing information to law enforcement
15 concerning an Oklahoma City methamphetamine
16 manufacturing?

17 A. No.

18 Q. Was it soon after you received this phone call
19 from Krystal Cole reference something that you
20 weren't sure-- for sure was MDMA that you then
21 contacted law enforcement reference Mr.

22 Pickard?

23 A. No.

24 Q. You had talked about Warren Buffet and some
25 information with respect to Mr. Pickard and his

1 efforts to obtain a grant from that foundation.

2 Do you recall?

3 A. Yes.

4 Q. Do you recall indicating to Mr. Pickard that
5 you had a personal relationship with Warren
6 Buffet himself?

7 A. Yes.

8 Q. And do you recall indicating to Mr. Pickard
9 that you derived somewhere from of 250,000 to
10 \$2 million annually for work on Buffet's
11 reinsurance firm?

12 A. 225,000 per quarter, yes.

13 Q. And do you recall indicating to Mr. Pickard
14 that you had known Mr. Buffet from your early
15 years and you had done, quote, black bag jobs
16 for him?

17 A. No.

18 Q. Do you recall telling Mr. Pickard that you
19 occasionally met-- met with Buffet aboard his
20 corporate jet?

21 A. Yes.

22 Q. Do you recall indicating to Mr. Pickard that
23 Buffet had asked you to arrange the transfer of
24 \$1 billion in an anonymous Swiss account and
25 paid you \$5 million to do so?

1 A. Yes.

2 Q. Do you recall in this time period your
3 association with Mr. Pickard, and maybe in 2000
4 more specifically, taking Mr. Pickard to a
5 30-room mansion in Hillsborough, California,
6 and have him wait outside while you conferred
7 with who you said was Mr. Buffet and his
8 associates?

9 A. Yes.

10 Q. Do you recall this same time period around
11 2000, I believe, indicating that Mr. Buffet had
12 approved Pickard's proposal for a conference at
13 the Kennedy School of Government at Harvard for
14 money laundering?

15 A. No.

16 Q. Do you recall telling Mr. Pickard that Mike
17 Barr and David Cross were the Buffet staff
18 members that were handling Mr. Pickard's grant
19 application?

20 A. Yes.

21 Q. Did you provide contact addresses to Mr.
22 Pickard for the Buffet trust?

23 A. I believe so.

24 Q. Did you give Mr. Pickard Susie Buffet's phone
25 number in case of emergencies and advised him

1 not to call her otherwise?

2 A. No. I don't remember that. I was-- no.

3 Q. Did you indicate to Mr. Pickard that you had
4 confirmation of Mr. Buffet's approval of this
5 grant, and it had been sent to you by FedEx,
6 and you gave Mr. Pickard a FedEx tracking
7 number?

8 A. No.

9 Q. Do you recall telling Mr. Pickard that you
10 personally knew Henry Kravas, K-R-A-V-A-S, a
11 billionaire financier?

12 A. Yes.

13 Q. And do you recall telling Mr. Pickard that
14 Warren Buffet was concerned with the cocaine
15 problem of Mr. Kravas and had asked you and
16 Pickard to help in that regard?

17 A. No.

18 Q. Did you recall discussing at length with Mr.
19 Pickard methods of how you would-- how you
20 wanted to treat and were going to treat Mr.
21 Kravas with his cocaine problem?

22 A. Not that I was going to treat, but that there
23 would be ways of who he could go to to get
24 treatment.

25 Q. And do you recall indicating to Mr. Pickard

1 that Mr. Kravas' addiction would cause legal
2 problems because Kravas knew about the hidden
3 billion dollars in Switzerland?

4 A. No.

5 Q. Do you recall during this period of time with
6 Mr. Pickard in 2000 or 1999 making frequent
7 arrangements for Mr. Pickard to meet with Mr.
8 Buffet or agents of Mr. Buffet's in various
9 cities, including Las Vegas?

10 A. No, I don't recall that.

11 Q. Do you recall telling Mr. Pickard that Jack
12 Conally, C-O-N-A-L-L-Y, of the Mabee Foundation
13 would be interested in this grant, if Mr.
14 Buffet was not?

15 A. I said that we could approach the co-chairman
16 of the board of the Mabee Foundation and
17 request this.

18 Q. And did you eventually receive at Gardner
19 Springs a fax of the Harvard conference
20 proposal in July or August of 2000?

21 A. Yes, I did.

22 Q. Let me hand you what's been marked as P-31,
23 which is-- has a cover sheet attachment that,
24 "Confidential, Todd, and Katherine McGreeney,
25 does that--

1 A. I don't see the McGreeney, I see Katherine.

2 Q. I'm getting to that. Todd and Katherine. Does
3 that refer to Katherine McGreeney, your mother?

4 A. Yes, it does.

5 Q. And P-31, the fax and the attachments, appear
6 to be the grant application for Warren Buffet
7 that Mr. Pickard had prepared and sent to you?

8 A. Without reading it in detail, it looks
9 approximately correct. I'm sorry, I will put
10 the paperclip back on for you. There you go.

11 Q. Thank you.

12 MR. RORK: Your Honor, I would move
13 at this time for admission of P-31, the grant
14 application that Mr. Pickard sent to Mr.
15 Skinner in July and August as he's testified
16 to. It's numbered--

17 (THEREUPON, defense counsel confer).

18 MR. HOUGH: Judge, it would be our
19 position that this is irrelevant.

20 THE COURT: Why don't the attorneys
21 come up here and let me look at it just a
22 minute and we'll see what it looks like.

23 (THEREUPON, the following
24 proceedings were held at the bench and
25 outside of the hearing of the jury).

1 THE COURT: Tell me what this is now
2 and--

3 MR. RORK: Judge, this is a grant
4 application that Mr. Pickard sent to Mr.
5 Skinner in late July of 2000 in the amount of
6 400 and some thousand dollars, I believe. And
7 it was the grant application that Mr. Skinner
8 testified that he had been-- provided Mr.
9 Pickard a \$300,000 counterfeit check or bogus
10 check or something to-- to I believe indicate
11 was part of the funds. It's also an
12 application where Mr. Pickard went to various
13 locations, including Las Vegas, New Mexico and
14 Oklahoma at Mr. Pickard's-- Mr. Skinner's
15 indication, like he testified, to get this.
16 And more specifically, it deals with money
17 laundering. And it's a document that Mr.
18 Pickard (sic) gave to the Government on October
19 17, 2000, or on one of those occasions.

20 MR. HOUGH: Judge, it's a collateral
21 matter and it's irrelevant.

22 MR. RORK: Judge, our purpose has to
23 do with Mr. Pickard. This is a document
24 regarding money laundering in a conference, and
25 funds given to him by Mr. Skinner were advances

1 that were to be paid back to Mr. Skinner by Mr.
2 Pickard when the grant came through. And it
3 was Mr. Pickard's reliance on this grant that
4 had him travel with Mr. Skinner to various
5 locations during applicable times in the
6 conspiracy. And Mr. Pickard will testify about
7 that, as has Mr. Skinner.

8 THE COURT: Did the grant ever come
9 through?

10 MR. HOUGH: No. It was all a ruse,
11 as Skinner testified on direct. It-- counsel's
12 proffer assumes facts not in evidence and it
13 won't be in evidence unless and until Defendant
14 Pickard testifies. At that point in time, it
15 may be appropriate to reoffer it. At this
16 point, there's an absence of foundation and
17 it's irrelevant and it's collateral.

18 THE COURT: I-- how does it tie
19 into-- into the situation we have--

20 MR. RORK: Yes, Judge.

21 THE COURT: -- at the missile base?

22 MR. RORK: Judge, if you will notice
23 on the top it's faxed July 28th, 2000. And
24 it's-- at the very top.

25 MR. HOUGH: 12th.

1 MR. RORK: July 12th, 2000. And it
2 ties into the period of time from Mr. Pickard
3 in obtaining money and travel. And more
4 importantly, it's documents of Mr. Pickard's
5 that he had sent to Mr. Skinner that were given
6 by Mr. Skinner to law enforcement to prove he
7 knew Leonard and that he had something to do
8 with Leonard and had traveled with Leonard.

9 Mr. Skinner's testified that the-- a lot
10 of these travels had to deal with drugs. And
11 Mr. Pickard's understanding is that these
12 travels had to do with this grant application
13 and would be paid back when the grant was put
14 through. So it deals with what weight the jury
15 should give to allegations Mr. Skinner says,
16 and he's acknowledged receiving it, and his
17 mother, what weight to give to Mr. Skinner's
18 allegations that these trips involved in his
19 testimony were for, quote, drug purposes versus
20 Warren Buffet purposes. That's the weight that
21 we offer it.

22 The contents, if-- if you want to reserve
23 accepting it now, just that it's a document
24 itself that he was faxed and he received,
25 that's fine. We can get into the contents

1 later by Mr. Pickard, but it will relate to his
2 testimony, yes, and he's admitted that he
3 received it at Gardner Industries.

4 MR. HOUGH: That document does not
5 show travel by anyone anywhere. All that is is
6 a proposal regarding the matter Mr. Skinner
7 testified was just a ruse and a practical joke
8 he played on Pickard to begin with. It's a
9 collateral matter. It's irrelevant.

10 MR. BENNETT: Judge, if I-- may I--

11 THE COURT: Sure.

12 MR. BENNETT: -- pipe in here? At
13 least it's my understanding, and I may be
14 incorrect, it's my understanding that part of
15 Mr. Pickard's defense is his research and his--
16 and his preparation of papers such as this and
17 that-- that that in effect is-- was involved in
18 the-- and part of what led up to the incident
19 that resulted in the seizure of this lab.

20 And it tangentially affects our defense
21 in that Mr. Apperson's alleged to have been
22 involved with Mr. Pickard in money laundering
23 and drug possession and manufacture, and it-- I
24 would respectfully submit to the Court that
25 whether this is bogus or not is-- is up to the

1 jury to decide, but it certainly lends
2 legitimacy or arguably lends legitimacy to Mr.
3 Pickard's defense and ultimately to our
4 defense.

5 MR. HOUGH: Judge, that would be true
6 only after Mr. Pickard were to testify in the
7 manner that's been represented. Until then,
8 there won't be foundation for this collateral
9 matter to become even relevant.

10 MR. RORK: Judge, all I would say in
11 the end is Mr. Skinner testified about it
12 extensively and it goes to show that this is
13 what he's been testifying about extensively on
14 direct and cross.

15 THE COURT: Who did you say testified
16 about it?

17 MR. RORK: Mr. Skinner testified
18 about this.

19 MR. HOUGH: What Skinner testified to
20 on direct was it was a ruse, essentially a
21 practical joke he played on Pickard about being
22 able to obtain funding through Warren Buffet
23 for a situation that Pickard wanted to create
24 that would in some manner create a facade of
25 legitimacy to-- and it went hand in glove with

1 Skinner's testimony about Pickard obtaining
2 phone numbers for Government people and e-mails
3 for Government people, making phone calls and
4 sending e-mails to Government officials. If he
5 were ever caught, that he would have the
6 ability then to appear or claim that he had
7 been in contact with Government officials
8 contextually. That was Skinner's testimony.

9 But to offer this as a legitimate
10 document in the form and fashion that counsel
11 have related, there must be some type of
12 foundation in the form of testimony from
13 presumably a defendant or a defense witness to
14 establish that there was some expectation of
15 legitimacy, otherwise it remains a collateral
16 matter.

17 MR. RORK: And, Judge, I was offering
18 it for that purpose, to show this was the
19 Warren Buffet thing Mr. Skinner had been
20 talking about and that he says was a ruse.
21 Again, I was almost going to be done by noon
22 now. But I don't care, whatever the Court
23 rules on that.

24 MR. BENNETT: Judge, if I might just
25 throw in one more comment. As I understand it,

1 this was seized from-- or was provided, not
2 seized, but was provided to the DEA agents by
3 Mr. Skinner to prove, in effect, his legitimacy
4 and that he could provide certain information
5 and that he was reliable in some way. And
6 this, as I understand it, was one of the
7 documents that was provided to establish his
8 credibility. And he-- if it was used to
9 establish his credibility and-- and that he
10 then turned it over-- or he turned it over to
11 the DEA to do that, then we would suggest that
12 it-- it should be-- it's relevant to this
13 lawsuit. Now, how much weight the jury gives
14 to it is open for debate, but--

15 THE COURT: Has-- has any Government
16 agent testified about this at all?

17 MR. HOUGH: No, Judge. If you'll
18 look at the back at the proposed list of names,
19 Mr. Pickard has even put-- added Vladimir
20 Putin, who is now President of Russia. It's--
21 the document itself, if you look at it, Judge,
22 here's a list of proposed speakers back there,
23 the last three or four pages, proposed
24 speakers, No. 1 is Vladimir Putin.

25 MR. RORK: And, Judge, Mr. Sorrell

1 testified it was some of the documents seized
2 and dealt with--

3 MR. HOUGH: It wasn't seized.

4 MR. RORK: Oh, I don't know. Again,
5 we would just-- it goes to the weight, not
6 the--

7 THE COURT: Yeah, I will-- I will
8 take this under advisement. And we'll-- we'll
9 look at it more.

10 MR. BENNETT: Judge, while we're up
11 here, just to make a record because I think
12 there's a decision of the Court hanging out
13 there. And that the last-- when we were up
14 here yesterday, I-- I have-- I've renewed my
15 motion for severance and the Court indicated
16 that you were going to rule on that. And I'm
17 here and I assume that it's been overruled,
18 but--

19 THE COURT: I'm going to overrule
20 that.

21 MR. BENNETT: Well, I just thought we
22 ought to get it on the record.

23 THE COURT: Thank you. All right.
24 Let's continue and we'll-- we'll look at that.
25 We will take this under advisement.

1 (THEREUPON, the bench conference
2 was concluded and the following
3 proceedings were held within the
4 hearing of the jury).

5 Q. (BY MR. RORK) Mr. Skinner, let me hand you
6 what's been marked as P-32 and P-33. And do
7 these documents represent or depict items that
8 were purchased by you that are the subject of
9 the charges pending in Pottawatomie County
10 District Court?

11 A. That's an indeterminate question.

12 Q. Do they appear to be the same items that you
13 purchased for several hundred thousand dollars
14 that are now the subject of the criminal
15 charges pending in Pott County?

16 A. I will respond. It's a nonsensical question,
17 it's compounded.

18 Q. Do they appear to be speakers?

19 A. No.

20 Q. Item number--

21 A. One appears to be speakers and one appears to
22 be cables.

23 Q. And does P-32 appear to be the speakers that
24 are the subject of the controversy in
25 Pottawatomie County court?

1 A. Yes, they do.

2 Q. And does P-33 appear to be the cables that are
3 in-- subject of the charges pending in
4 Pottawatomie County District Court?

5 A. No, they do not.

6 Q. Have you looked inside at all of them?

7 A. I haven't looked at all of them, but I will
8 again say no, they do not.

9 MR. RORK: Your Honor, I would move
10 for admission of P-32-- excuse me.

11 Q. (BY MR. RORK) And those speakers, the value of
12 the speakers and cables in issue is around
13 \$130,000; is that correct?

14 A. I've seen so many different values on this that
15 I can't tell you anything because they keep
16 changing by all parties involved. So I can't
17 answer that question.

18 Q. What did you understand was the cost when you
19 had purchased them?

20 A. \$54,000.

21 Q. Apiece or total?

22 A. Total for the speakers.

23 MR. RORK: Your Honor, I would move
24 for admission of P-32 and P-33.

25 MR. HOUGH: Judge, this would be

1 extrinsic evidence that pursuant to Rule 608
2 would be inappropriate.

3 MR. RORK: I would leave it to your
4 ruling, Judge.

5 THE COURT: This is extrinsic
6 evidence and I will not allow it.

7 Q. (BY MR. RORK) Do you recall when you were--
8 initially had a warrant sent out for you on the
9 Pottawatomie County theft charges, it couldn't
10 be served because the Social Security number
11 you had provided and the name was what matched
12 to your father versus yourself to the Sheriff
13 Riat?

14 A. I have no idea what you're talking about.

15 Q. Do you recall ever giving law enforcement in
16 Pottawatomie County the name of your father and
17 his Social Security number for any purpose?

18 A. Never.

19 Q. With respect to the charge of these speakers
20 and their theft, weren't you aware in about
21 August and July of 2000 that you were going to
22 be charged with theft of those speakers and a
23 warrant was going to be issued at the missile
24 base?

25 A. Absolutely not. There's no data to even

1 remotely support your claim.

2 Q. And you appeared before the agents in
3 Washington, D.C., and then you went to
4 Sacramento and provided documents, do you
5 recall you indicated there was over 100 type of
6 documents that had been provided to them?

7 A. I remember saying that.

8 Q. Would a pile similar to this be approximately
9 the number of documents you provided?

10 A. I have no idea.

11 Q. Who took those documents to California, was it
12 you or someone else?

13 A. Myself.

14 Q. And do you recall how big a pile the documents
15 was that you took to California?

16 A. Well, there were books and there were pictures
17 and there are things, so it's not something
18 that can easily be redacted or reduced through
19 some sort of reasoning like that.

20 Q. Well, I understand. But with respect to the
21 paperwork, paper documents of Leonard Pickard
22 to prove you knew him, there were hundreds of
23 pages of documents. Correct?

24 A. I said more than 100 items.

25 Q. And in those items you had read and reviewed

1 prior to October 17, 2000, you found documents
2 that referred to Leonard's assistance to
3 Government officials and the DEA and other
4 agencies, did you not?

5 A. I saw documents that said that he had done
6 this. Whether the assistance really occurred,
7 I do not know.

8 Q. And you were concerned at that point in time
9 that Leonard was going to turn you in for your
10 MDMA laboratory equipment and operation, were
11 you not?

12 A. Not at all. Why would I be concerned? I had
13 no MDMA laboratory equipment or anything.

14 Q. And that's the same no MDMA laboratory
15 equipment or anything you didn't have that you
16 told the agents in April-- in February 22nd,
17 2001 they missed in the green military boxes
18 when they did the search?

19 A. Sorry, you're in a fictional imaginary universe
20 right now.

21 Q. So you don't recall them telling agents on
22 February 22nd, 2001 that when they were going
23 through the missile base October 31, 2000 or
24 anytime thereafter that they, quote, missed the
25 MDMA chemicals and laboratory equipment we just

1 went over earlier day?

2 A. I'm 100 percent positive. And if it's in the
3 report, show it to me.

4 Q. This would refer to the chemicals you
5 previously testified were oxalyl chloride and
6 tetrahydrofuran, indole, do you recall that
7 testimony earlier today?

8 A. Yes, I do.

9 Q. And the testimony that those items could be
10 used to make MDMA, do you recall that
11 testimony?

12 A. No, I don't recall that testimony.

13 Q. Do you recall that testimony that those were
14 the items that were not found by the agents
15 when they were there on October 31, 2000 or
16 after?

17 A. No, I do not recall those were not the items
18 that were not found by the agents. No to that
19 question.

20 Q. And when I'm talking about MDMA, if I
21 substitute the word DMT, do you recall those
22 were the chemicals we're talking about?

23 A. Yes. One has a completely different reg than
24 the other one. They're in two entirely
25 different families.

1 Q. And so if I reversed all the questions I just
2 asked you about MDMA and inserted DMT, your
3 answer would be yes?

4 A. No, it wouldn't. You're going to have to ask
5 each of those questions in step fashion. I'm
6 not going to say yes to the Macarlov (phonetic)
7 series tailored question system.

8 Q. When you used this off-shore boat in the time
9 period of 1998, it was purported to be used on
10 the Gulf of Mexico only to haul oil. Correct?

11 A. I have-- it's a nonsensical question once again
12 that you're asking me.

13 Q. We're talking about the-- the boat where a
14 judgment was entered against you.

15 A. You're off about ten years on this story.

16 Q. 1988?

17 A. You said 1998 is what I heard.

18 Q. Well, let's go to 1988.

19 A. I will give you that one.

20 Q. In that time period, 1988, this boat that was
21 used for hauling off-shore oil was limited to
22 the Gulf of New Mexico-- or Gulf of Mexico.
23 Correct?

24 A. It was coast wise, but the Coast Guard had made
25 an exception on this. I had upgraded and got

1 Coast Guard upgrade to go oceans.

2 Q. And with respect--

3 A. Took-- took months to get it done.

4 Q. And that was with respect to the judgment
5 entered against you and all the various aliases
6 we previously went over?

7 A. Not all of them, but some of the various
8 aliases.

9 Q. Some of them. And that was also the period of
10 time that you indicated that you had assisted
11 the DEA in Miami, Florida, for the same time
12 period of 1989 to 1991?

13 A. No, you're-- ask clear questions on this.
14 You're-- you're playing a muddle game right
15 now.

16 Q. You don't disagree that the judgment entered
17 against you for this boat was on February 15,
18 1991?

19 A. The judgment was much later than that.

20 MR. HOUGH: Judge, I object, asked
21 and answered.

22 MR. RORK: Judge, he's the one that
23 asked me to rephrase the question.

24 MR. HOUGH: It was asked and answered
25 last week.

1 THE COURT: Okay. I-- I will sustain
2 the objection.

3 Q. (BY MR. RORK) After the boat incident, do you
4 recall on July 17, 1999 in your bankruptcy
5 proceeding where you've indicated in your
6 direct testimony there's been some question
7 arising since that occurred about fraud.

8 A. What date are you saying to me? July 17th?

9 Q. Do you recall--

10 A. Just tell me the date you just gave me.

11 Q. Let me finish the question, Mr. Skinner. Do
12 you recall on direct testimony when Mr. Hough
13 asked you-- when we began your questioning
14 about whether or not you had ever had any
15 default judgment or fraud alleged against you
16 surrounding your bankruptcy in 1992. Do you
17 recall that question?

18 A. Okay. Now you've got the right-- the right
19 year, okay. Now, you're asking did I recall
20 any fraud or allegation being made to me? No.

21 Q. I haven't finished the question.

22 A. Finish the question, sorry.

23 Q. Do you recall when Mr. Hough was asking you
24 questions regarding the bankruptcy and whether
25 or not you had heard any allegations of fraud

1 surrounding that bankruptcy, you responding,
2 "Not at the time, but recently or here
3 shortly-- lately I've heard such allegations."
4 Do you recall that answer on that question?

5 A. That's correct.

6 Q. I would now direct your attention to-- do you
7 recall in-- July 17th, 1992 an order in the
8 bankruptcy for the Northern District of
9 Oklahoma being entered against you surrounding
10 the fraud judgment of 1.5-- excuse me, let me
11 get the correct amount. Surrounding the
12 fraud-- jury fraud judgment entered against you
13 as Gordon T. Skinner and on behalf of Skinner
14 Investments, Incorporated, and Gardner
15 Industries, Inc, in the amount of actual
16 damages and punitive damages totalling
17 \$1,150,950.50 being entered of record?

18 A. Sounds approximately correct.

19 Q. And that complaint declared-- judgment claimed
20 nondischargeable in your bankruptcy was one of
21 the reasons you had the Wamego Land Trust
22 purchased in that regard versus in your own
23 name; is that correct?

24 A. No. We're going to get real explicit. I've
25 been through this so many times with so many

1 people.

2 Q. Your answer was no. That's fine, Mr. Skinner.
3 You can explain it when Mr. Hough asks you
4 questions.

5 MR. HOUGH: Judge, we'll object and
6 ask that the witness be allowed to answer the
7 question.

8 MR. RORK: Judge, he was going to
9 repeat it-- an answer I believe as to what his
10 prior testimony was, and I figured it could
11 stand as to what it was.

12 THE COURT: Well, are you through
13 with him now or are you--

14 MR. RORK: I'm through with that
15 question. I'm almost done, Judge.

16 MR. HOUGH: Judge, we would ask the
17 witness be allowed to answer the question.

18 THE COURT: Yes, you can answer the
19 question.

20 MR. RORK: All right.

21 A. Especially now from retrospect, what I had
22 predicted ended up occurring. So the proof is
23 in the pudding that I was correct. When you
24 buy a formerly-used defense site referred to as
25 FUDS, you always have the risk of contamination

1 problems. Under the laws enacted by Congress
2 concerning CIRCLA, there is basically an
3 unlimited liability there and there's something
4 called the chain of ownership on record. And
5 anyone-- no one in their right mind would buy,
6 that was educated and knew the laws of CIRCLA,
7 would buy something that was a formerly-used
8 defense site because it is a negative net worth
9 and can blow back and you have to figure out
10 ways to contain these items, i.e., Mr. Schwartz
11 used a corporation and may not even have been
12 on the corporation, so it couldn't blow back to
13 him.

14 I used and Gardner used a trust, and then
15 we did arm's length transactions. It ended up
16 at some point it-- it went into a positive net
17 worth, but then it turned into a massive
18 negative net worth and no one knows what
19 legally to do with it as the trichloroethylene
20 that was dumped by the U.S. Air Force that was
21 used daily to wash down the missiles was dumped
22 out into the ground which went to the water
23 table and now is blooming throughout the water
24 table in Wamego. And each person has to defend
25 themselves if you were in chain of ownership.

1 And that's a minimum of \$25,000 to get an
2 Environmental Protection Agency type lawyer,
3 someone who knows how to get around CIRCLA,
4 you're talking a minimum of 25,000 to pass the
5 buck to the previous owner to pass the buck to
6 the previous owner to pass the buck until
7 eventually you get back far enough that the
8 Corps of Engineers or the Air Force, depending
9 upon the situation of the base, picks up the
10 bill.

11 But to give a simpler example; if you
12 owned a piece of land on a corner of-- and you
13 just bought it, anyone in here, on a street
14 corner. Under CIRCLA, you did it in good
15 faith, you bought it for a parking lot. It
16 turns out 70 years ago it was a gas station, it
17 leaked fuel into the ground, it contaminated
18 the area around there. You are the responsible
19 party for cleaning that up, even though you
20 were not the person that caused that under
21 CIRCLA.

22 Now, the problem becomes if you cannot
23 find someone with deep pockets that was
24 responsible in that chain of title, you pick up
25 the entire cost and you find yourself in

1 bankruptcy rapidly. That is the answer. I
2 have explained this so many times.

3 Q. (BY MR. RORK) And you don't recall telling
4 Agent Nichols in October, early October, 2000,
5 when you were becoming a cooperating agent and
6 when they were trying to determine what rights
7 of ownership or access you had in this missile
8 base, that the reason you didn't have it in
9 your name was because you wanted to avoid--
10 avoid enforcement of judgments and having any
11 assets seized?

12 A. There may have been a conversation about that,
13 but it would have been better that I was
14 standing behind it than anyone with deep
15 pockets, because I had the Teflon and no one
16 else did. So it was better that it was my--
17 and in the chain of control, there would be
18 some arm's length violation that would have
19 occurred. So if it came back, it would have
20 come back to me. I would be the one that would
21 have taken the hit.

22 Q. And if the asset had been in your name when you
23 purchased this missile base, it could have been
24 seized by any of your creditors who were still
25 looking for you.

1 A. Oh, and they are having a lot of fun with it
2 right now because they did it.

3 Q. And, in fact, doesn't Mr. Malone, the
4 individual who you owe money for the speakers,
5 and Mr. Good, the individual that has the
6 judgment for the boat, aren't they now the
7 owners of the missile base?

8 A. Well, they were the owners twice, which means
9 they are now exposed to CIRCLA twice because
10 Mr. Pickard, while he was sitting in
11 Leavenworth, fraudulently signed something
12 against this-- the judgment of this Honorable
13 Judge, and a court in Pottawatomie disagreed
14 and cut the locks off of the base when the
15 Wamego Land Trust had true ownership and we
16 occupied it. And they fraudulently took
17 possession of the base, and the sheriff's
18 department then said for our people to be
19 removed. And if they went back on it, they
20 would be trespassing.

21 And this has been an issue of something
22 that the courts have now been embarrassed in
23 Pottawatomie, that they were duped by Mr.
24 Malone, Mr. Good and Mr. Pickard.

25 Q. And you're talking about the order Judge

1 Klinginsmith entered of record transferring
2 title based upon Mr. Pickard?

3 A. That's right. That's right.

4 Q. And there's been no order setting that aside,
5 has there?

6 A. No, there's been a lot of concern about the
7 legal exposure they have on that.

8 Q. And I will show you--

9 MR. RORK: Judge, if it would-- I
10 would ask for--

11 THE COURT: Yes, I'm ready to recess.
12 Ladies and gentlemen, let's recess for lunch.
13 We'll come back at 1:30 and-- and hear further
14 testimony. Mr. Bailiff.

15 (THEREUPON, a luncheon recess was had).

16 THE COURT: All right. We're all
17 present. You may continue.

18 MR. RORK: Thank you, Your Honor.

19 Q. (BY MR. RORK) Do you recall indicating that
20 around March of 2000 you had given Mr. Pickard
21 \$300,000 in bad checks in order to see if you
22 could then create some havoc in the banking
23 system?

24 A. I think it had been more than 300,000.

25 Q. How much do you think it would have been?

1 A. Something like 340, but I'm doing this
2 approximately. And I may be wrong, it could be
3 300,000.

4 Q. And that's fine as far as the amount. Was it
5 more than one check or two checks?

6 A. It was two checks.

7 Q. And--

8 A. I don't know that I gave them both to him in
9 March, but around that time.

10 Q. And around that time period, the checks were
11 purported to be from who?

12 A. One was from the Land Trust, I believe, or
13 Graham Logan Kendall, and one was from-- I
14 don't know the other one.

15 Q. And the purpose that you were giving those to
16 Mr. Pickard in order to-- as in your words,
17 create havoc in the banking industry was what?

18 A. What do you mean?

19 Q. I was wanting to know what you meant by
20 creating havoc in the banking business.

21 A. When it hit off-shore, it would be an
22 identification mark of where a large amount of
23 money had been parked off-shore.

24 Q. And you were aware that Leonard was going to
25 put those into one of these accounts he was

1 setting up through his program he was working
2 on?

3 A. Through the-- where he testifies on the video
4 about these off-shore things and having arm's
5 length transactions. Do you remember that?

6 Q. Yes, absolutely.

7 A. Yeah. And so that no one would know who
8 controlled the money so that it-- he could
9 use-- the illegal funds could be, therefore,
10 put there and also to connect to the ET man.
11 But he also in conjunction with these
12 fraudulent checks told me-- you know, later he
13 said-- not on those, but on another one. He
14 said, you know, "When you were born, I was
15 doing this stuff and got arrested twice in 1964
16 or '65 for this kind of activity."

17 Q. And this type of activity that-- which you just
18 self-related is banking-type activity for which
19 the civil judgment of 1.5 million was entered
20 against you for exchanges in foreign currency;
21 is that correct?

22 A. No fraud like that occurred. It was a much
23 more complicated thing. And in my opinion, no
24 fraud was committed by me.

25 Q. But the jury found fraud in their verdict, did

1 they not?

2 A. A very complicated thing they called wire
3 fraud, and I would like to explain it since you
4 brought it up.

5 Q. Let me go to the \$300,000 checks.

6 A. Am I allowed to finish?

7 Q. Mr. Hough can ask you questions. The \$300,000
8 check that you gave to Mr. Pickard.

9 A. Approximately 300,000.

10 Q. Approximately 300,000. You gave to him
11 representing those to be real?

12 A. That's true.

13 Q. And were you not aware in March of 2000 or
14 thereabouts that if those checks came through
15 the system and caused problems, the Secret
16 Service would investigate the activity?

17 A. No, I would figure it would be the comptroller
18 of the currency, the FBI. The Secret Service
19 wasn't given charge over even bonds until
20 recently, the last six months. So it would not
21 be something that would be under the standard
22 charter of the Secret Service. Because it's
23 international, I don't know what kind of
24 regulation would have been done.

25 Q. And was it in about July or August in this time

1 period when you-- as you've testified you were
2 considering what you should do about turning
3 things over to the Government, that Mr. Pickard
4 became aware that these checks that you had
5 given him were now, in fact, bogus?

6 A. Not according to his own diary, he puts in it
7 in October.

8 Q. In October of 2000?

9 A. That's right.

10 Q. So of which--

11 A. That's by his own words. I have no idea to
12 know what's true or false.

13 Q. Exactly. And this would be a diary that you're
14 referring to, would be some of those documents
15 that you had control over that you obtained and
16 then presented to the law enforcement?

17 A. Sorry. They were seized, according to what I
18 have been able to-- from his hotel and his
19 vehicle. They were his own personal computer
20 of which I didn't even have the passport to get
21 into. They were his own unique diary in his
22 own words, and I had no control or ability to
23 manipulate it.

24 Q. And when did you see those, Mr. Skinner?

25 A. The first time I ever saw them was in a hotel

1 room at the airport when Agent Nichols showed
2 me the shocking report called the Snowman.

3 Q. That you've referred to as Snowman?

4 A. I'm referred to as a snowman because I don't do
5 well with heat, temperature. And it was a
6 rather negative document about me which Leonard
7 in a very cold way of calculating all things
8 around him sums up from his education at
9 Kennedy School, which he was using his training
10 as being basically spook training to analyze
11 the reality of negatives and positive of all
12 people around him. And the snowman document
13 shows just that, that he was balancing and
14 summing up in a very-- a very interesting
15 manner about how he could use people and
16 balance all operations in a usury manner.

17 Q. And this would be the computer of his that you
18 kept in January for several weeks in 2000; is
19 that correct?

20 A. Sorry, I didn't keep it in January.

21 Q. Would this be--

22 A. Again, I don't think you listened to what I'm
23 saying.

24 Q. I'm sorry, Mr. Skinner. I will ask the
25 questions.

1 A. No, you haven't let me finish. Either-- allow
2 me to finish the question. It's the computer
3 that was seized either in his hotel room or in
4 his vehicle by Agent Karl Nichols. It was
5 updated up to one day or two days before he was
6 arrested.

7 Q. And let me go back to that, Mr. Skinner, as you
8 smile in your response. Do not computers have
9 little things you put in them called like disks
10 or other items that generate information that
11 make them operate?

12 A. Well, I mean, you know, that's an
13 oversimplified way, but yes.

14 Q. And is it not a fact that in January of 2000 or
15 February of 2000, you had control of some of
16 Mr. Pickard's computers and could have removed
17 disks and read or reviewed items that would
18 have been on the disks?

19 A. Not with the way he encrypted and had
20 passwords. The Government still can't get
21 through a lot of his encryption, they've got
22 PGP problems and they don't even know how to
23 bust through a lot of his stuff. And there's
24 an enormous amount of evidence that would be
25 very interesting if it could be released, if

1 they could figure out the way to PGP,
2 unencrypt.

3 Q. And from October of 2000 when you tell the
4 Government that you have access to three
5 computers of Mr. Pickard until whenever you had
6 inquired those, you could have done anything
7 with those computers that your little heart
8 wanted to, could you not have?

9 A. No, I'm not that good at monitoring and
10 inscripting (sic). My education in computer
11 technology goes back to the Dark Ages where we
12 didn't have these beautiful front end operating
13 systems.

14 Q. And during this period of time that these
15 records of Mr. Pickard's that you have and take
16 some of them on October 17, 2000 to the agents
17 in Sacramento. Do you recall that?

18 A. Say this again.

19 Q. Do you recall taking some documents--

20 A. Yes.

21 Q. -- of Mr. Pickard's on October 17th, 2000?

22 A. Yes.

23 Q. Do you recall then again later on in October,
24 like around October 29, 2000, giving the
25 Government officials, Nichols and others, more

1 documents that you had of Mr. Pickard's?

2 A. I mean, if there's a record that says that-- I
3 mean, you've been so bad on dates, I'm
4 unwilling to say yes until I'm shown some
5 information.

6 Q. Well, I-- I understand Mr. Hough can show you
7 what he wants to. But do you recall you did in
8 Sacramento give Mr. Nichols some documents?

9 A. That's true.

10 Q. And then do you recall October 29, 2000 at the
11 base, when you were there with Mr. Nichols and
12 others, providing more documents from wherever
13 you obtained them to give to Mr. Nichols?

14 A. I don't recall that.

15 Q. So if the record does reflect that on October
16 29, 2000 you gave documents of checks and
17 travel records of Mr. Pickard to Agent Nichols,
18 where would you have gotten those from?

19 A. From my own records and such.

20 Q. Where would your own records and such have been
21 at?

22 A. They would have been in California, at the base
23 in different buildings, and those would have
24 been the main areas they would have been in.

25 Q. And those would have been documents and stuff

1 that you had in California or at the base or
2 whatever that you could have easily gone and
3 placed in these military containers on your
4 property, before the agents arrived two days
5 late, and put them anywhere you wanted to.

6 Correct?

7 A. You know, I'm having a hard time remembering
8 giving these kind of documents to Agent
9 Nichols, so I would like to read the report.

10 Q. The question--

11 MR. RORK: Could I ask you to read
12 the question back, please, ma'am?

13 (THEREUPON, the following
14 question was read back by the reporter:
15 "Q. And those would have been documents
16 and stuff that you had in California or
17 at the base or whatever that you could
18 have easily gone and placed in these
19 military containers on your property,
20 before the agents arrived two days late,
21 and put them anywhere you wanted to.
22 Correct?").

23 A. Nonsensical question because the premise is
24 that these documents were given to Agent
25 Nichols on October 29th. So you're going to

1 have to rephrase it, because I'm not getting
2 it.

3 Q. (BY MR. RORK) Assume, as we've indicated three
4 questions prior, that documents were given to
5 Agent Nichols on October 29th, 2000, from you--

6 A. That were what type of documents?

7 Q. Purporting to be travel records, hotel receipts
8 and personal documents of Mr. Pickard, okay?

9 A. Okay. We'll assume that. That's assumption
10 one.

11 Q. Assumption one.

12 A. Okay.

13 Q. Now, if those were given to the agents at the
14 base in Wamego--

15 A. Uh-huh.

16 Q. -- those documents could have come from
17 anywhere that you had access to prior to the
18 agents being on the base October 29, 2000 and
19 placed in those military containers at your
20 leisure, could they not have been?

21 A. Yes.

22 Q. But you wouldn't do something like that, would
23 you?

24 A. No, why would I want to do something like that?

25 Q. And when you were trying to show to these