cooperating sources wished to speak with Agent Nichols?

A. I mean, I'm telling you what I remember versus the report.

Q. Okay. Well, who was the person that was willing to deliver it or speak with?

A. Michael Hobbs.

Q. Hobbs?

A. Yes.

Q. Had you discussed that with Mr. Hobbs?

A. Yes.

Q. And then did-- during that phone conversation, did Mr. Nichols or Agent Nichols arrange with you to meet that person that was going to cooperate and the meeting set for January the 5th?

A. I mean, that's what it says. I don't remember that specifically.

Q. You don't remember that?

A. But I believe the report is correct.


A. Yeah, I mean, this-- this-- this isn't the-- the report's not the way that my memory is on this.
Q. Well, tell us what your memory is.
A. Well, my memory is that Michael Hobbs was always going to be the one that was delivering this.
Q. Well, did-- on January the 5th, 2001, did Nichols meet with you and the potential cooperating source as is indicated in Paragraph 8?
A. I don't remember this. I mean, I see it, but I don't remember it. I'm sorry.
Q. All right. Let's move on then. On Friday, January 12th, did you have another conversation with Agent Nichols?
A. Yes.
Q. And do you recall that?
A. Yes.
Q. And that was a-- a phone call, was it not?
A. Yes.
Q. And what did you advise Agent Nichols?
A. Basically I said I want to get rid of this ET as fast as possible.
Q. Did you say you wanted to get rid of it, you personally?
A. Basically I said it was time-- yeah, I said it was time that it get-- that it was removed from
Q. Didn't you tell Agent Nichols that the unidentified person wished to provide information as to the location of the suspected ET?

A. That's what it says.

Q. All right. And didn't you advise Agent Nichols that that person had told you that he felt it was too risky to have the suspected ET at a place where it could be stolen or sold?

A. That's true.

Q. All right. And that was on January the 12th. Correct?

A. Yes.

Q. And then on January the 15th of 2001, did you have another phone conversation with Agent Nichols?

A. Yes.

Q. And what did you tell Agent Nichols on January the 15th?

A. Basically I told him that it was in St. Louis and it was going to be moved via airplane, even though it doesn't say that here, to Las Vegas and then it would be moved to Oakland via airplane so that it could be moved as fast as
Q. You indicated, did you not, to Agent Nichols that the unidentified person and a second person had been maintaining surveillance on the location where the ET was stored?

A. Yes.

Q. And--

A. I don't remember saying that, but I remember saying that it was secured.

Q. You don't-- wouldn't quarrel with the report, would you?

A. No, I'm just saying I don't remember saying that.

Q. All right. And you also told Agent Nichols that both individuals had determined that it was still there. Correct?

A. That's true.

Q. And you then indicated to Agent Nichols, did you not, that these two unidentified people would secure the ET and bring it to Agent Nichols?

A. Correct.

Q. And who were the two unidentified persons that you told Nichols-- who were you referring to when you told Nichols that two unidentified
people would bring it to him?

A. Mike Hobbs, and I didn't know who I was going to be able to use as the other person because I was worried about this package not being able to be delivered. This-- I was very nervous about the delivery of this. Because if this disappeared, this was going to create huge problems.

Q. At the request of Agent Nichols, you then agreed that the meeting for the delivery of the ET would occur in either Las Vegas, Nevada, or somewhere near Oakland, California. Correct?

A. Oakland, California, is what I said.

Q. Okay. Las Vegas--

A. I said Las Vegas, Nevada would be the transfer spot.

Q. Then that was on January the 15th. Correct?

A. Yes.

Q. And then on January 16th, did you contact Agent Nichols again?

A. Yes.

Q. And what did you tell him on that occasion?

A. That the person that was moving it was unwilling to do it because they had a fear of being arrested, which was true.
Q. And who was that?
A. Mike Hobbs was unwilling to do it, he didn't have immunity. And we were getting legal advice that I was the only one that had production immunity. And not only that, this had to be controlled out of Main Justice, Washington, D.C., for reasons that the lawyers had determined.

Q. Did you then speak with Agent Nichols on the evening of January the 18th, 2001?
A. That's what it says.

Q. All right. You don't dispute it, do you?
A. No.

Q. And then during that conversation, did you advise Nichols that you had rescheduled the meeting with the unidentified source for January 22nd, 2001?
A. Yes.

Q. And did you meet with Agent Nichols or was there a meeting with Agent Nichols on January the 18th?
A. No.

Q. And then, Mr. Skinner, on January 22nd, did you meet-- of 2001, did you meet with Nichols?
A. Yes.
Q. And what happened on that occasion?
A. I walked right into a federal building with a huge trunk and no one said a word to me, and I took it up to the floor and handed it over to Agent Nichols.

Q. And what was in the trunk?
A. I wasn't quite for sure, but it turned out to be 24 cans. I was-- I was a little off on the number, but it turned out to be the right number.

Q. And Agent Nichols then interrogated you, debriefed you about that, did he not?
A. Yes.

Q. And at that time you admitted to him that you had been the person in control of the ET the entire time, didn't you?
A. Correct.

Q. That's the first time that you told him between October 31st of 2000 and January 22nd of 2001, that's the first time that you told him you had withheld 24 cans of ET or ergocristine, whatever it was?
A. Correct.

Q. And all-- up until that time, you had attempted to mislead him about who had it and where it
was. Right?

A. That's correct.

Q. And at that time during that debriefing, you stated, did you not, to Agent Nichols that you had no more ET in your possession?

A. That's correct.

Q. And that wasn't true, was it?

A. That's correct.

Q. Then at some point later, Mr. Skinner, did Agent Nichols indicate to you that the Government questioned whether or not you had been truthful when you told him that you didn't have any more ET?

A. Yeah, I think maybe Arthur did, not Karl.

Q. Arthur Hubbard?

A. Yes, I think.

Q. But somebody indicated to you, "Hey, we-- we still don't think you've come clean"?

A. No, they said this is becoming a bigger and bigger problem.

Q. All right. And as a result of that, they scheduled a meeting with you on February the 21st, 2001.

A. Can I see that report?

Q. Yeah.
A. Thank you. Yeah, the dates seem to be correct.

Q. And I'm going to hand you what is--

A. Do you want that back?

Q. -- a report that has the date prepared on it of 2-21, 2001. Again, it's signed by Karl Nichols and the date of his signature in this instance is March the 19th. It's a three-page report and it bears Bates stamps No. 3721, 3722 and 3733 (sic). That's one of the two, but there's two sets of Bates stamps on it.

MR. HOUGH: Judge, may we approach?

THE COURT: Yes you may.

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

MR. HOUGH: Judge, the report that he's showing the witness is the report of the meeting in February of '01 relative to a polygraph examination. This Court has previously ruled all of that is inadmissible. And we would ask the Court to reaffirm its prior rulings that counsel not elicit any evidence direct, indirect, intentionally or by mistake or accident in any way relative to polygraph examinations in this matter.
MR. BENNETT: Judge, I'm not going to say anything about a polygraph examination. I know what the Court's ruling is and I will abide by it, but I gave that report to him to refresh his recollection. As the Court will recall, the question was, "Did you meet with them? Did they express some concern and did you meet with them?" All I'm going to ask him was what occurred at that meeting without-- and I'm not asking him with regard to the polygraph. The report's indication of what occurred at that meeting is he turned over two more cans of ET and there was no polygraph administered.

MR. HOUGH: Well, Judge, that can be asked without showing this witness the report. Showing the witness the report with the word "polygraph" all the way throughout it is intended and designed to do nothing more than to intimidate and harass this witness.

MR. BENNETT: Judge, I'm not trying to--

MR. HOUGH: If counsel-- if counsel wants to ask, "You met at a separate date, they questioned whether or not there was any more ET
and you produced two more cans," you can do that without showing him the report, which has got "polygraph" stamped all over it.

MR. HALEY: I would note that the witness asked to see the report.

MR. BENNETT: That's my point.

MR. HALEY: That's how he got it.

MR. HOUGH: Well, our position is that the witness referring to the report and any questions relative to the issue of the polygraph is inadmissible.

MR. BENNETT: Judge, I will represent to the Court as an officer of the Court I'm not going to ask him about the polygraph. I'm not asking and I don't intend to expect him to say--

THE COURT: I'm going to overrule your objection and he asked for the report and you can go ahead, but don't-- just stay away from that.

MR. HOUGH: Judge, our concern is is that if he asks an open question, "What happened that day?" The truthful answer implicates the polygraph.

MR. BENNETT: Well, Judge, I'm not
going to ask the open question. If Mr. Hough
wants to go up and whisper in the witness' ear
and tell him not to say anything about the
polygraph, that's fine with me.

THE COURT: Why don't you do that.

MR. HOUGH: Judge, how about if I
write a note and the court reporter hands it to
him so that-- my concern is that I walk over
there and say something to the witness in front
of the jury and the jury thinks we're hiding
something.

THE COURT: Well, write him a note
and have somebody hand it to him.

MR. HOUGH: Can I have a-- Judge,
here is the note that I would propose that the
court reporter hand to Mr. Skinner.

THE COURT: That's fine, show it to
Mark and--

MR. HOUGH: Did you see it?

MR. BENNETT: (Nods head up and
down).

MR. RORK: (Nods head up and down).

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

THE WITNESS: I understand, Your

Honor. Thank you.

Q. (BY MR. BENNETT) All right, Mr. Skinner, I-- I

think you asked to see the report for the

purpose of refreshing your recollection as to

the date; is that correct?

A. Yes.

Q. And did you meet with Agent Nichols and

possibly someone else on February 21st?

A. Yes. It was-- my lawyer was present, Agent

Nichols was present, just myself in the lobby

of the hotel. And in an upper room, there were

many, many DEA agents that had flown in from

different regions--

Q. All right.

A. -- and Washington, D.C.

Q. All right. And where was that meeting?

A. At a hotel outside of the Kansas City airport

area.

Q. Okay. And on that occasion, what occurred with

regards to any other ET or the turnover of any

other ET?

A. There was two cans of ET that Michael Hobbs had

left that was overflow that you couldn't put in
the trunk that was in a doll case. And I
turned them over to Agent Nichols in front of
my lawyer. Against my lawyer's wishes.

Q. And that was after you had previously told
Nichols that there wasn't any more?

A. That's true.

Q. Okay. And then subsequent-- at any time
subsequent to that turnover of those two cans
of ET, did Agent Nichols or anyone else on
behalf of the Government indicate to you that
they still had concerns about whether or not
you had been totally truthful with them?

A. Yes. Do you want the report back?

Q. Oh, yeah. Mr. Skinner, was that all of the ET
that you had, ET or ergocristine, the 13 cans,
13 plus cans, the 24 cans and the two cans?

A. If that adds up to 39 and a fractional can.

Q. And a part.

A. Yes.

Q. And that's all there was; is that correct?

A. That's all there was.

Q. All right. Mr. Skinner, do you have-- not at
this time, but at any time during the years

A. Hold on a second, okay.
Q. '98.
A. Okay.

Q. Did you have any bank accounts in any names other than yourself, other than your true name, Gordon Todd Skinner?
A. I don't believe so, no.

Q. Okay. Did you have any money in any accounts off-shore in your name?
A. No.

Q. Did you have any--
A. Wait a minute, wait a minute. I have an account that sits in the DDR, which became Germany, this was when it was East Germany, where I was forced into doing an obligatory exchange from when I was 18 years old. I couldn't leave the country without leaving the money there, it was about $12.

Q. Other than that, do you have any money in your name or any other name in any off-shore accounts during that period of time that I've asked you about?
A. No.

Q. Now, you told us early on in your testimony about some aliases that you had used. Do you remember that testimony?
A. Yes, I do.

Q. And I believe that you told us that you used the aliases James Young, Charles Fletcher, Gerald Terrance Finnigan?

A. Gerard.

Q. I'm sorry?

A. Gerard Terrance Finnigan.

Q. Gerard Terrance Finnigan. And P.C. Carroll.

A. Patrick Charles Carroll.

Q. And in the course of that examination, you said there might be others, but you couldn't remember. I mean, you told us about Gordon Todd Rothe and Todd Rothe, but you said there might be some others and you couldn't remember for sure. Are there others that you used?

A. I can't remember them. I seem to remember there being a couple of-- a couple others left, and they're probably obvious and they're sitting in a report and I just don't remember them, I'm sorry.

Q. All right. And then on page-- in that testimony, you indicated that-- that, "The names were used so that no one would know who I was and when I was doing anything illegal or anything that I didn't want to be traced."
What illegal things were you doing when you used the name James Young?

A. Well, that was used more as a joke. So I wasn't doing anything illegal with James Young. James Young is the name of a Rolls Royce aluminum coach builder, and it was done as a joke for a friend.

Q. What were you doing illegal when you used the name Charles Fletcher?

A. Trafficking in marijuana.

Q. And when were you trafficking in marijuana?

A. Let's see, '86, '87, '88.

Q. And where were you trafficking-- trafficking in marijuana?

MR. HOUGH: Judge, we'll object.

This is marijuana trafficking '86 through '88, it's remote in time and it has no impeachment value and is subject to a prior orders of the Court.

MR. BENNETT: Well, Judge, I think it goes to the man's--

MR. HOUGH: Judge, it's res judicata.

You've already ruled on this issue.

THE COURT: Well, it's very, very remote, I'm going to sustain the objection.
Q. (BY MR. BENNETT) What-- other than that, what did you use the name Charles Fletcher for?
A. To drive around on a-- I actually had a license.
Q. Anything illegal?
A. Nothing that I remember.
Q. What were you doing illegal when you used the name Gerard Finnigan?
A. The same thing. And also, I don't know if it was illegal, but that's the-- when I had a vessel, that was the name that I piloted the vessel under.
Q. Is that the vessel that was the subject of this seizure?
A. Subject to-- it wasn't a seizure, it was an agreed-upon relinquishing of it.
Q. All right. Was that vessel used in any illegal activity?
A. Not one bit of illegal activity.
Q. What were you engaging in that was illegal when you used the alias P.C. Carroll?
A. It would be-- I don't think-- it could have been used when I was trafficking marijuana, but mainly it was around the ship situation.
Q. Anything else?
A. Not that I remember.

Q. Did you use the name Todd Rothe at any time with regards to anything that was illegal?

A. No, because I didn't know I was going to marry my wife at that time.

Q. Now, you also in your answer said doing anything illegal or anything that you didn't want to be traced and to move through areas without the Government or anyone being able to follow you. Is that during the same period of time that you're talking about?

A. Yes.

Q. Okay. You told us in your cross-- or in your direct examination, and maybe it was Mr. Rork's cross, that the metal building, I think you call it the Lester building.

A. The square one?

Q. The-- the--

A. The one with the--

Q. The metal one. Not the Quonset hut.

A. Okay. Good, okay. The Lester.

Q. Okay. I think you told us that that was built with drug proceeds or paid for with drug proceeds; is that right?

A. Let's say 90 percent of the money was drug
proceeds.

Q. How much did the building cost?
A. I think it was 40,000, 38,000, I can't remember the exact amount. Between 37,000 and 41,000.

Q. But-- go ahead. I'm--
A. I'm finished.

Q. Okay. But about 90 percent or 35, 36, $37,000?
A. And if it turns out that it was less than that, don't get upset. I mean, it could have been with 80 percent drug money. I'm doing the best.

Q. Mr. Skinner, I'm not going to get upset with you. I just want to know the facts.
A. Okay. I'm ball-parking it here.

Q. Agreed it's a ball-park figure.
A. I actually seem to remember that the initial payment may have been like 7,000 or something, and that was legitimate money. I can't remember. But the employees took care of this.

Q. Now, did you tell us on your-- during your examination that you used your attorney, Tom Haney, to launder money?
A. This is more of a joke-- kind of a joke. It turns out that he was involved, but he didn't know it.
Q. Okay.

A. And it was just a small amount of money of $500. I had to buy a marker back and he went over and went to another thing and got the $500. It was like a 40 or $60,000 marker. He had no clue what he was doing.

Q. All right.

A. I made that clear then and I've made that clear the whole way through.

Q. All right. You just used him or took advantage of him?

A. No. He was standing behind me and we were wanting to go to dinner and I said, you know, in order for me to buy this marker, someone has got to go get it. And I handed him some $100 bills and he went and got the chips and I bought the marker back.

Q. And it was totally innocent on his part?

A. He had no clue, he was totally-- didn't even-- and I doubt he even knows to this day what happened.

Q. You told us about the two Bank of America checks that were forged checks and you indicated that you did some of the forgery.

A. Yes.
Q. What-- what-- how did you go about forging these two checks?
A. There's--

MR. HOUGH: Judge, we'll object.
That's irrelevant and it's collateral.

MR. BENNETT: Judge, it's-- was asked on direct examination.

MR. HOUGH: He was not asked how he forged the checks, because that's irrelevant.
That he forged them is relevant, and that's been asked and answered.

THE COURT: Well, I'm going to allow you to go ahead.

Q. (BY MR. BENNETT) Just tell us, and I don't want a long story. Just tell me what you did in the participation of the forging of these checks.
A. Okay. First of all, we got bank paper stock and I ordered that through a paper supply company and then we scanned in real Bank of America checks that were for lesser amounts. And then I had the block type for the Federal Reserve reading machines for the electronic clearance. And we would go in and I would change the bottom of the checks. And then
anything that needed to be changed on the front of the check would be done. And there are two ways, one way to do it was to do it completely automated, which made a less quality check. The better quality check was to do it through multiple steps to where you would use a typewriter that had a special font, Selectric III, where you would use a special font ball. And then we would actually stamp the numbers up on the top that would say official check or cashier's check, and those numbers would coincide with the block letter-- the letter-- Federal Reserve numbers.

Q. Were these cashier's checks?
A. The problem is that during this period the word official check, cashier's check and money order all became interchangeable--

Q. Interchangeable.
A. -- within the banking industry, so all-- we're going to stipulate to all of the above.

Q. Okay. It was one of those anyway?
A. Correct. I mean, it was-- every month they were changing the rules on how these things looked.

Q. How much-- what was the amounts of the two
checks?

A. I've said between 176,000 and let's say 190 something thousand.

Q. Okay.

A. And then 150,000.

Q. Three of them?

A. No.

Q. Or the one was between 176 and 190?

A. And 190.

Q. And the other one was 150?

A. Yes.

Q. All right. In answer to one question that I think I asked and-- and that somebody else asked, you indicated you could care less about the rules of your pretrial release. What did you mean by that?

A. As long as I didn't trigger anything, I had bigger problems to deal with, and that was the most important thing. I didn't want to offend the Court, I didn't want to get caught doing anything wrong, but I had bigger issues that I had to deal with.

Q. That was more important to you than the fact that it was an order of the Court?

A. Under the circumstances that I was in, I needed
to try to balance out. This whole thing has been a balancing act for me.

Q. All right. But answer-- would you just answer my question.

A. It cannot be answered with a yes or no.

Q. Well, it was a Court order, wasn't it?

A. Yes.

Q. Okay. And you could care less about it given the overall situation?

A. The word "care less," I had to balance within the system.

Q. Well, you used the term you could care less about it, did you not?

A. I probably in error used that word and now wish I hadn't have.

MR. BENNETT: Judge, I think I'm within 30 minutes of being through, but I-- and I know it's a little early, but I would like to look through some notes that I've got in a transcript and then I think I can close this up pretty quickly.

THE COURT: All right. Ladies and gentlemen, let's recess now for 15 minutes and then we'll come back. Mr. Bailiff.

(THEREUPON, a recess was had).
MR. BENNETT: Judge, could we
approach the bench?

THE COURT: Yes, you can.

(THEREUPON, the following
proceedings were held at the bench).

MR. BENNETT: Judge, I'm pretty close
to being finished, but what I wanted to check
with the Court before I proceed was with regard
to the Court's ruling about punishment. And
what-- what I'm proposing to do is ask Mr.
Skinner what his understanding was of any
potential sentence would be if-- or what the
parameters might be if he didn't work out this
deal, if he didn't get the immunity. And
it's-- it's, in effect, "What did you get in
return for the--" I mean, immunity, I know he
said that, but, "What did you get or what was
your understanding of what you were getting in
return for your cooperation or your testimony?"
And I-- I'm not sure where-- I heard what the
Court said, but I-- I don't think it was
really--

THE COURT: Yeah.

MR. BENNETT: -- quite in that
context.
MR. HOUGH: Judge, our position is consistent with what we've previously said, that that is inappropriate, for one. For two, under Rule 403, prejudice substantially outweighs any probative value whatsoever. The witness has testified ad nauseam about all of the various crimes that he would have been immunized from.

The only reason to throw this in front of the jury certainly at this point at the end of the cross examination, as it is now proffered, is to leave the impression of, "Oh, poor pitiful defendants, they're facing life imprisonment." Under 403, this should be barred.

MR. BENNETT: Well, Judge--

MR. RORK: And may I just say, Judge, on behalf of Mr. Pickard, again, I think the benefits of what he derived is not he's going to have-- (reporter interruption). He's not going to have to serve any time and he's so knowledgeable of the laws and the 21 U.S.C.s and the 18 U.S.C.s. I mean, he's aware that he's not going to have to serve any time.

MR. BENNETT: Well, Judge, I-- I
just-- I-- I just would reiterate what I've said previously, I guess, that I think it goes directly to this man's credibility. He's sat up here now and has testified that he's a liar and that he lies to benefit himself and he lies to stay out of jail and he-- he would do anything to avoid jail. And-- and it would be our position that he's subject to this questioning. I'm not going to go into it in any great detail other than to ask him something to the effect, "What was your understanding, if you have one, of what the potential sentence was if you were-- if you didn't work this deal out and you were charged and convicted."

MR. HOUGH: Judge, let's be realistic and look down the road. Where this would put us, if you allow it, is the closing argument of both Defendants, "Mr. Skinner said he was facing life imprisonment. He said he was a member of this conspiracy. Do not sentence these Defendants to life imprisonment."

MR. BENNETT: Well, I'm not going--

MR. HOUGH: That is exactly where this is going, whether directly or by
MR. BENNETT: I'm certainly not going to make that argument and--

MR. RORK: And, Judge, I just need to add one more thing. Judge, the other thing that you also got to consider is, I have a total of - and I may be wrong - but 23 assertions by Mr. Skinner of crimes of Mr. Pickard that you ruled the Government was not supposed to go into, which in his responses-- I recognize they have little control over him.

But again, Judge, it shows his knowledge of how to manipulate the system. And this isn't in retribution or in fairness, but it's, again, a balancing factor for the Court to consider his knowledge, his know-how. And we have Mountain View, we have passport fraud, we have labs, we have-- I mean, we have an ungodly amount of assertions that he's made, clearly indicating he knows what he was doing and he knows what he bargained for and he knows what he's getting. That's the only purpose we would want it, not because I'm going to argue Mr. Pickard is going to do life with the sentence. I'm going to argue Mr. Skinner's knowledge.
You can order us not to say that in closing, I'm not worried about that.

MR. HOUGH: Judge, he can still make those arguments without the Court allowing a violation of Rule 403.

THE COURT: Well, the problem is, how do you do what you want to do with Skinner to show what he was getting and so-- without violating the idea to put in front of the jury what these men are going to get? That's the only problem I see. I think we think that as far as Skinner is concerned, putting it in, I don't--

MR. RORK: Yes.

THE COURT: Isn't that what your--

MR. HALEY: That's what I've found.

THE COURT: And I think that's--

that's what our research has found.

MR. BENNETT: And, this-- or this is-- this same issue was-- came up in Mr. Henderson's case and I was-- and my position was determined to be correct, but I-- I know that's not-- I didn't mean to suggest that's somehow binding in this case, but it's the same--
MR. HOUGH: Judge-- I'm sorry.

MR. BENNETT: -- situation.

MR. HOUGH: If you look at what he has stated, he wants to show the jury the benefit of the bargain Skinner got. If that is indeed sincerely the purpose of the inquiry, it has been accomplished by the laundry list of crimes Skinner admitted on cross examination by both Mr. Bennett and Mr. Rork that he was now immunized from. And I've got the list down there. There's about 14 different crimes.

THE COURT: Well, difficult question. If you had some way you could ask the question without disrupting the law on-- on the other side, because there are a number of cases that-- that do what you want to do with someone who's been given a bargain.

MR. BENNETT: Well, Judge, I-- I just-- my-- my proposal, at least what I'm playing with in my head is to just ask him, "What was your understanding of the potential consequences or penalty, whatever, of-- of your activity if-- if you had not worked-- had not bargained this out."

THE COURT: Well, I believe I'm going
to let you do that, because I think that's--

but don't take it any further.

MR. BENNETT: No, I won't.

THE COURT: All right.

(THEREUPON, the bench conference was
concluded and the following proceedings
were held).

THE COURT: All right, I believe you
can bring them in, bring the jury in.

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

THE COURT: All right. We're all
present. You may proceed.

Q. (BY MR. BENNETT) Mr. Skinner, at the time you
were negotiating your immunity in this case,
what was your understanding of the potential
penalty in this matter if you didn't work out
an immunity agreement?

A. Well, Mr. Haney never told me about the
potential problem and it made no difference if
immunity agreement couldn't be done, because I
was under the impression a murder had been
committed and the system had to end. It made
no difference what deal the Government gave me.
Q. All right. Is what you're saying you had no understanding or no opinion as to what the potential penalty was?

A. No, I'm saying--

MR. HOUGH: Objection, Judge, it's been asked and answered.

THE COURT: Well--

MR. BENNETT: I just want to make sure I understand his answer, Judge.

A. I told you my lawyer never advised me.

MR. BENNETT: All right. That's all I have, Judge, release the witness.

THE COURT: Go ahead.

MR. BENNETT: Let me-- not release the witness, Judge. I do want him to remain available for the remainder of this trial, please.

THE COURT: All right.

MR. RORK: And, Judge, I would just indicate that Mr. Hough has reflected we could contact him and he would make arrangements to get Mr. Skinner to reappear.

MR. HOUGH: That's right, Judge.

There will be a nominal fee. (Laughter).

REDIRECT EXAMINATION
BY MR. HOUGH:

Q. Mr. Skinner, Mr. Rork asked you about the acquisition of laboratory equipment and chemicals during your 1990 self-research on psychedelic drugs. Do you recall that?

A. Yes.

Q. Was this the same lab equipment and chemicals that were found at Wamego in October, November, of the year 2000?

A. No.

Q. What happened to that lab equipment and chemicals?

A. Of what year?

Q. During the '90s self-research that you described.

A. We-- we didn't use lab equipment during the '90s.

Q. Okay. Did you ever own any of the types of equipment and chemicals that were found in this LSD lab by the DEA?

A. I had some beakers and stuff when I was between 15 and 20, and flasks and some, you know, automatic stirring heat plates and such, but I didn't have the advanced kind of equipment that was in there, no.
Q. What became of that equipment?
A. Gave it away to friends and-- long gone. I mean--
Q. You talked about-- strike that. None of those items wound up in this LSD lab that you were holding for the Defendants?
A. That's correct.
Q. You described on cross examination by Mr. Rork what you called research into entheogens and psychedelic drugs. Do you recall that?
A. Yes.
Q. Now, to research would connote PhDs, MDs, at Pfizer labs, Bayer, in a sterile environment. Is that what you're referring to?
A. No. I'm talking about where we would simply have a small scale and we would figure out from what we did in the kitchen from a natural plant or from a synthetic substance, we would then sit around in a living room or nature and we would observe the effects. This wasn't any sort of formal research like that.
Q. So two or three maybe people using drugs--
A. Maybe as many as--
Q. -- one or two watching --

MR. RORK: Excuse me, Your Honor. I
would ask that he not ask leading and
suggestive questions. He can ask him--

MR. BENNETT: We would join.

MR. HOUGH: Judge, this is redirect
following up on the cross and we're trying to
speed this process along, if we could have some
latitude.

THE COURT: Well, go ahead, but try
to make them so that he's giving the answer.

MR. HOUGH: Thank you. Was that-- is
that question okay, Judge?

THE COURT: Yes.

MR. HOUGH: Would you please read the
question?

(THEREUPON, the following
questions and answer was read back by
the reporter:

"Q. So two or three maybe people using
drugs--"

"A. Maybe as many as--"

"Q. -- one or two watching--")

A. It could be up to six to eight people could
have been using it.

Q. (BY MR. HOUGH) And that was--
A. But it was more common to have a smaller group
than larger group.

Q. And one or two people watching, taking notes?
A. Or just making sure everything was all right.

Q. All right. You were asked by Mr. Rork on cross examination about synthesizing DMT. Do you recall that?
A. Yes.

Q. Is that as complicated a process as manufacturing LSD?
A. No comparison. LSD is much more complicated to synthesize.

Q. When did this DMT manufacturing occur?
A. I think I was 17 years old when I finally got a true DMT crystallization that fit the bill of sale that was right.

Q. And how old are you now?
A. 38.

Q. So 21 years ago?
A. Yeah. I had been trying and maybe some of it had been successful, but I wasn't for sure from 13, but I-- I nailed it when I was 17.

Q. And the equipment that you used to do that, was any of that found in this laboratory?
A. No.

Q. You discussed your entheogen use during your
cross examination by Mr. Rork. Do you recall that?

A. Yes.

Q. This entheogen use, did you ever discuss this with Mr. Pickard?

A. Yes.

Q. To your knowledge, did Mr. Pickard use entheogens as well?

A. Occasionally.

Q. Did you ever discuss with or in the presence of Mr. Apperson your entheogen use?

A. Yes.

Q. And to your knowledge, did Mr. Apperson ever use entheogens as well?

A. Yes.

Q. Were either or both of Mr. Apperson and Pickard members of this same entheogen community?

A. Tangentially, yes.

Q. You were asked about your LSD usage specifically by both Mr. Rork and by Mr. Bennett. Do you recall that?

A. Yes.

Q. To your knowledge, did Mr. Apperson ever use LSD?

A. Yes.
Q. And to your knowledge, did Mr. Pickard ever use LSD as well?

A. Yes.

Q. You were asked about the period October 31st through November 4th of 2000 and your being at the Wamego site. Do you recall that?

A. What was it, the 4th of November?

Q. Yes.

A. Okay. Yeah.

Q. And you stated on cross examination by Mr. Rork and Mr. Bennett that law enforcement were coming and going from the Wamego site at all hours of the night and day. Do you recall that?

A. Yes.

Q. During that period of time, did you have access to the Lester building where the lab was while law enforcement were in and out between October 31st and November 4th?

A. No.

Q. Did you make any attempt to go in there during that period of time--

A. No.

Q. -- without law enforcement assistance?

A. Even with law enforcement assistance, no.
Q. And you were asked on cross examination about those green military boxes that were in the Lester building. Do you recall that?

A. Yes.

Q. Is it possible for one man alone to get the lid off and open one of those boxes?

A. The word possible is yes. Is it likely, no.

Q. Why?

A. They have a very tight seal. They were made to drop out of the back of military planes and parachute down and take the impact for supplies in war applications. So they're very heavy-duty and they have air pressure release and they have these incredibly difficult mechanisms to get them opened.

Q. You were asked on cross examination about cameras and their locations at the base, the surveillance cameras at Wamego.

A. Yes.

Q. And how effective were those cameras, to your knowledge, in low light, such as at night?

A. Not very effective.

Q. And to your knowledge, did the camera system work at night when the agents were there?

A. I don't know. I seem to remember there was a
major failure in it.

Q. You were asked about the chemicals used to make DMT being left behind at the Wamego site by the DEA. Do you recall that?

A. Yes.

Q. Were those chemicals-- where were those chemicals immediately prior to being at the Wamego site?

A. Atlas F in Ellsworth.

Q. And can you describe for us the history of those chemicals?

A. Okay. I would like just a second to reconstruct it. Okay. The first person's name that is clear is Ganga White had been asking everyone for a large amount of higher quality DMT. Ganga White was the former head of the un-- UDV, and the one that had been handed the subpoena by Customs, then eventually was put before a grand jury.

He asked for and had been asking for two years for a synthesis of DMT that was high quality. He also was on the-- the reason he was needing DMT was he was making synthetic ayahuasca that was liquid and not telling people that it was synthetic. He had had a
major failure in obtaining it because just days before the Nicky lab got busted, Nick Sam's land got busted in Vancouver, Mr. White was supposed to take a couple kilograms of DMT. And that blew up and we all talked about that at the Stinson house when Leonard and the large group people for the ethnobotany group got together.

Ganga then, with an unknown behind him, who had obtained a lot of the chemicals or some part of the chemicals or a formula, I don't know what, contacted Alfred because Alfred knew a man named Peter Rabbit. Peter Rabbit is a long-term-- that's not his real name, but it's his code name, I don't know his real name. He's an associate of both Joel Kramer, Alfred and I don't think he knows Ganga. And Peter Rabbit could synthesize it.

So the entire amount of stuff was sent to Alfred, plus Alfred then obtained whatever chemicals were missing, which I believe was indole or something like that, or he got the wrong form of indole or showed up with a load, whatever, I'm just doing this from memory. So he had to get another indole source. Peter
Rabbit's wife said, "No way, you're not synthesizing it. You pushed your luck too much."

So the entire amount was turned over to the Santa Fe LSD lab, to William Leonard Pickard. And Leonard messed around and didn't bother to make the DMT forever, and this was putting incredible pressure on the community because we had made promises and the whole bit. And eventually Ganga gave up. And that's the reason, I was told, not directly by Ganga--

Q. By who?

A. Kramer indicated to me that there was-- the $80,000 transaction was to go into the market and finance a complete synthesis of the DMT. At the same time there was so much pressure that-- Ganga got the $80,000 and I mean the same four-day period that he got the 80,000 from me at the Stinson house that I stole from Leonard's box of money that had little hearts on the $100 bills that came from Petaluma Al, I was instructed that I needed to come up with a small amount of DMT just to satisfy Alfred. And I believe I bought five ounces, approximately, and I paid $2,000 an ounce of
what would be considered low quality DMT. And that had to go as just an immediate down payment to Alfred. That was then transported to Albuquerque then Santa Fe. And in Santa Fe at Las Campanas in one of the things, both Leonard, Clyde and myself fluffed up this low quality DMT so that -- fluffing it up, it was-- it had an oil-- a lower chemical vernacular, it had oil trapped in it. And we put it in a coffee grinder that was already in the casita and then we put it in a darker brown bottle and capped it off.

And-- and then as I understand it, it was given to Alfred and Alfred accepted it and he realized that was the beginning of the production of the DMT.

Q. And then how did that get from Santa Fe to the Atlas F?

A. The DMT was given to Alfred. The stuff that had been sitting around forever was in the truck that Clyde Apperson drove to-- that was-- that was rented in his name that he drove from Santa Fe to the Atlas F site. And I remember seeing these items being unloaded, because they were different. They were in a different tub.
And I remember specifically remember them being unloaded. And then they ended up going from there, when they packed the entire lab down, to the atlas-- the Atlas E facility in Wamego.

Q. Okay. Both Mr. Bennett and Mr. Rork asked you about the counterfeit cashier’s check, stealing checks and monies from Mr. Pickard. Do you recall that?

A. Yeah.

Q. What was the source of monies?

A. It was illegal drug proceeds from the sale of LSD.

Q. You were asked by Mr. Bennett about your possessory interest in that Atlas F site near Carneiro, Kansas, and that it began when the keys were transferred over to you by Mr. Schwartz. Do you recall that?

A. Yes.

Q. At what point did that interest in you having those keys end?

A. When I handed them over to Clyde and Leonard, and especially when I was banned from the state due to my problems with being indicted for the problems at the casino--

Q. Banned by whom?
A. -- here. By both Clyde and Leonard.

Q. Regarding the Wamego site, when did you acquire it in relationship to first meeting Mr. Pickard?

A. I acquired it in '96, before I met him.

Q. And when did you meet Mr. Apperson in relationship to meeting Mr. Pickard?

A. Later.

Q. In November of the year 2000, did you transfer your possessory interest in that Lester building at Wamego to Mr. Apperson and Mr. Pickard?

A. Yes, because there was only one key. And when I handed that key - which was on the tape - over to him, the interest that I had and control of that building was ceased.

Q. You were asked by both Mr. Rork and Mr. Bennett about your prior work as a confidential informant in Miami, Florida. Do you recall that?

A. Yes.

Q. Was the target of that investigation a fellow member of the entheogen community?

A. No.

Q. You were asked questions on cross examination...
about the locations of the ET on both October
the 27th and October the-- or 31st of the year
2000. Do you recall that?
A. Yes.

Q. How was it that you knew, sir, that there
should be 40 cans of ET?
A. There were four boxes and Clyde Apperson told
me that there were ten per box. And he told me
that 20 kilos was coming in and Pickard told me
there was 20 kilos. And it was just a
tide-over, it was just a Band-Aid. And it was
one of the things that happened at the Ritz
Carlton that he's a little bit upset with. He
was looking for a larger shipment, but that was
the best he could get as a Band-Aid to continue
operations. Even though this is a huge amount
by other people's standards, it was a Band-Aid
by our standards.

Q. During cross examination, you admitted freely
that you lied to the judge in Seattle,
Washington. Do you recall that?
A. Yes.

Q. And you admitted that you lied to the judge
about the bond conditions to conceal this LSD
lab. Do you recall that?
A. I don't know if I lied to the judge, I just
signed a paper. The judge didn't say do you
have-- I never was asked that question or-- you
know, yes, I mean I lied by signature.
Q. Okay. Have you lied to us, this Judge, this
Court?
A. Not even a little bit.
Q. And--
A. No to answer the question.
Q. And based upon all of the questions that you
were asked on cross examination during the last
several days, anything about that change the
comments that we heard on the tapes by Mr.
Apperson and Mr. Pickard that this was their
lab and this was their ET?
A. No. How could I have done that? How could I
have changed the voices?
MR. HOUGH: Thank you.
MR. RORK: Well, Judge, excuse me. I
would object to the reference of the question.
The jury could decide what they said, not what
Mr. Hough said.
MR. HOUGH: The objection is not
timely, Judge.
MR. RORK: Well, I was standing up.
THE COURT: Well--

MR. HOUGH: I have no further questions.

THE COURT: All right.

MR. RORK: I have a few, Your Honor.

THE COURT: Get lined out there, however you want to.

RECROSS EXAMINATION

BY MR. RORK:

Q. Mr. Skinner, when Mr. Hough asked you if you recall that you had indicated that in Washington you had lied to the judge, just a few minutes ago. Do you recall that?

A. Yes, I do.

Q. And, in fact, what happened was you appeared at a closed proceeding where there were--for a juvenile hearing and you were in a courtroom seated in a half-moon circle carrying a--a metal briefcase, seated next to a lawyer on your left, and there was a young lady on your right, the sister of the girl for the detention hearing. The judge was sitting up there like Judge Rogers is, and he called the proceedings together to indicate this is a hearing to determine the custody and status of this young
girl who had arrived. And this is on June 2nd, 2002. Do you recall that?

A. If you say that's the date, I will accept it.

Q. And the judge has indicated this girl was picked up the night before--

MR. HOUGH: Well, Judge, we'll object to this. This is beyond the scope and it's irrelevant. It's also 608(b) matters.

MR. RORK: Judge, I'm just asking him about what he's saying to the judge when he's sitting there looking him in the eye, like he's been sitting here looking at the jury in the eye.

THE COURT: Well, I'm just hoping that we will limit our--

MR. RORK: Yes.

THE COURT: -- our redirect--

MR. RORK: I've got five--

THE COURT: -- and recross to what-- what we've covered.

MR. RORK: I will, Judge, five minutes.

THE COURT: All right. Go ahead.

Q. (BY MR. RORK) And the judge indicated that this girl had been picked up for distributing MDMA.
Do you recall that?

A. Yes.

Q. And in regards to whether or not she was to be detained, he inquired of you and specifically asked you, as you sat at this table, he said, "Mr. Gordon T. Skinner, are you a doctor?" Do you recall that?

A. Yes. I don't know if he asked me if I was a doctor.

Q. But he--

A. I-- I at least represented myself as a doctor, but I wasn't under sworn oath.

Q. Have you seen the video?

A. Yes.

Q. And then you indicated to him that you were a doctor and he asked for credentials, and you handed to your attorney who handed it to the prosecutor who handed to the judge credentials that represented you were a doctor. Do you recall that?

A. Yes.

Q. And you sat there and looked at that judge in this courtroom and represented to him facts that you wanted him to consider in relation to what should happen to this young lady, did you
not?
A. Yes.
Q. And you sat here in this courtroom the last several days telling this jury items you want them to believe, have you not?
A. Yes.
Q. And with respect to these chemicals that were found in these green military boxes on-- excuse me, that weren't found in these green military boxes on October 31, 2000, do you recall it was when you were sitting with Mr. Sorrell, Mr. Hanzlik and Mr. Nichols on February 22, 2001, and when you were being inquired as to all of these 24 cans of ET that had just been brought in, you indicate, oh, by the way, you know these green military containers that were in the Lester building, you did not seize at the time of the search this DMT lab and all the chemicals I asked you about previously. Do you recall that's when you first told them about it?
A. No, that's not the case at all.
Q. So if there's a report from Mr. Nichols, Sorrell and Mr. Hanzlik dated February 22, 2001--
A. I would like to see the report.
Q. Okay. I will give it to you.
A. You have a tendency to change words.
Q. I will be glad to show it to you, sir. And I'll hand you the first paragraph, and that's what I want you to look at. And I'm going to stand by you.
A. Why?
Q. Here's the first paragraph. And it's a report which says Hanzlik and Sorrell were there, and it's by Mr. Nichols and it's dated February 22, 2001, does it not?
A. Yep.
Q. The first paragraph says, "The CS stated--"
MR. HOUGH: Judge, we'll object to counsel reading the report.
Q. (BY MR. RORK) Well, read what it says.
MR. HOUGH: Or the witness reading the report into the record. This report could only be used to refresh the witness' recollection. If it does, fine. If not, fine.
Q. (BY MR. RORK) Okay. Have you read it?
A. This-- hold just a second. If you hand me something, wait. Okay. I've read it.
Q. All right.
A. I would like to keep it if you're going to ask me questions or I would like to have you make a copy of it if you're going to ask me questions off of it.

Q. I'm going to ask you one question and that is, does that report not reflect that on February 22nd, 2001, you tell Sorrell, Hanzlik and Nichols that they forgot the chemicals and did not find and did not know that these chemicals we've discussed were in the green military boxes?

A. I'm sorry, I disagree with that. That they knew-- I don't know if Ralph and Roger, but the DEA definitely knew that there were chemicals left behind, and there was a struggle over it and I complained bitterly that they were not removed on the day that I left post the processing of this lab.

Q. And that's your recollection?

A. Oh, I-- it's not my recollection, I'm 100 percent positive.

Q. And so you pointed out this lab to them then on October 31, 2000, or any day thereafter and said, "Hey, this is the lab and the chemicals to make DMT, make sure you take them"?
A. No, this is-- this is once the situation of
when-- after Leonard had been arrested, I was
saying get these chemicals out of there. And
there's more than one DEA agent that knows that
I was saying it. You know, I don't really get
this stuff. There was a struggle to have me
moved out of there by different agencies.

Q. Well, they should all be paraded in here and
say that then, shouldn't they?

A. If you want to do that, that's your business,
not mine.

Q. And this date of February 22, 2001, was the
second occasion, a month after you had brought
in 24 cans of ET and forgot to tell them about,
and now had brought in the additional two cans.
Right?

A. I don't know that.

Q. About that time period, would you agree?

A. If you say it, I will agree. If you'll show me
the reports, then I will agree with you.

Q. And Mr. Hough indicated on redirect that they--
you've said that after October 31, 2000, you
had no further access to that Lester building;
is that correct?

A. October 31st year 2000.
Q. Absolutely.
A. Okay. And then be very specific with your question.

Q. And you were just asked about nine-and-a-half minutes ago that on October 31, 2000, thereafter you had no access to that Lester building without any law enforcement officers being there. Do you recall that question?

MR. HOUGH: Judge, we'll object.
That misstates the question. It was between October the 31st and November the 4th.

MR. RORK: Judge, I said after October 31st. I will limit it to-- just to November 4th, if that will please the Government.

MR. HOUGH: That would be within the scope, Judge.

THE COURT: Well--

Q. (BY MR. RORK) From October 31st to November 4th of 2000, you've indicated you had no further access to the Lester building without law enforcement. Correct?

A. That's correct. It was a contaminated site, it was-- no one was allowed in there without a blue suit on.
Q. And, gee, that's just where they happened to find these-- some of these cans of ET that had been placed there by you, hidden elsewhere prior to October 31st. Correct?

A. I don't believe that's the case at all, sir.

Q. And with respect to the October 31st date, 2000, that's a date you first told--

A. Go ahead. October what?


A. Okay.

Q. When they're doing the search.

A. Okay.

Q. That's the date you produced all these 39 cans of ET--

A. No.

Q. -- and showed them you had them?

A. No.

Q. And this $80,000 that you're talking about, as you made notes to write out responses to Mr. Hough's questions just a few minutes ago, is this the same $80,000 that the White Lotus Foundation has a judgment and lien pending against you, that they're attempting to seize that Porsche you have transferred title to?

A. No.
Q. Different 80,000?
A. No. They have a judgment, but they're not attempting to do anything.
Q. And I'm sure they went to-- walked in some court in New York and said, "Hey, give us an $80,000 judgment for drug money," I'm sure they did that, did they not?
A. They went into Pottawatomie and they were very fearful of doing this. And their first lawyer withdrew because the first lawyer told Thomas D. Haney--

MR. RORK: Well, Judge, I would object to--
A. No, no, you asked me a question. I'm allowed to finish it.

MR. RORK: I'm sorry, Judge. If he's going to answer hearsay and that person is going to be here, that's fine.

MR. HOUGH: Well, Judge, the witness is entitled to answer the question propounded. Counsel may not like that answer.

MR. RORK: Judge, I would love the answer.

MR. HOUGH: It's out there.

MR. RORK: Judge, I would love the
answer entirely if the person who said it is going to be here and can be asked questions in front of the jury. That's my objection.

MR. HOUGH: Well, then, Judge, counsel should not propound questions the answer to which cannot be given.

MR. RORK: And, Judge, you know this witness will give any question and make any answers he wants to fit into the compartment anyway.

THE COURT: Well, let's go on to something else and-- there are many other witnesses going to come here and decide all of these things that people are arguing over.

Q. (BY MR. RORK) And all we have to base today at this moment - is to weigh the fact as you've indicated you lied to the judge in Seattle, you lied by your signature with respect to the bond of pretrial release and all the other lies - that your testimony over the last several days is the truth is your word; is that correct?

A. Yes.

MR. RORK: Thank you, sir. Judge, I have no further questions.

THE COURT: Mr. Bennett.
MR. BENNETT: Judge, in the spirit of limiting the cross examination-- or the redirect or recross, I have no questions.

THE COURT: Thank you.

MR. HOUGH: Judge, I have--

THE COURT: You're a gentleman and a scholar.

MR. HOUGH: I have one question limited to Mr. Rork's questions, Judge.

REDIRECT EXAMINATION

BY MR. HOUGH:

Q. Sir, Mr. Rork asked you about a DMT lab referenced in that February 22 report. Was it-- was there a laboratory or was it just some chemicals for DMT.

A. It was just chemicals.

Q. Was it all the chemicals to manufacture?

A. No.

MR. HOUGH: Thank you.

MR. RORK: Well, Judge, that was two questions, but I'm just going to look at the report real quick.

RECROSS EXAMINATION

BY MR. RORK:

Q. Mr. Skinner, what the report said was that the
officers did not remove several bottles of chemicals that could be used to manufacture DMT. Correct?

MR. HOUGH: Well, Judge, we'll object to what the report says. The report can only be used to refresh the witness' recollection.

Q. (BY MR. RORK) The items that you said were in the lab, Mr. Skinner, were items that you told the agents that could be used to make DMT; is that correct?

A. Yes.

MR. RORK: Thank you. That's all, Judge.

THE COURT: All right. If there's nothing further, you may step down.

MR. BENNETT: Judge, the only thing with regard to him, and I just want to make sure, I would like him to remain available throughout the remainder of this, if-- we may want to call him back.

THE COURT: Well, he certainly doesn't need to stay here.

MR. BENNETT: No, I--

MR. HOUGH: If Mr. Bennett is wanting to pay for his motel, Judge, he can stay.
MR. BENNETT: I just want him available, that's all I'm asking, Judge. So if we want him, we can get him.

MR. HOUGH: My understanding is that he's under subpoena by the defense, Judge, so that should not be a problem.

THE COURT: All right. You may-- you may step aside.

THE WITNESS: Thank you.

MR. HOUGH: Your Honor, frankly, given how cross examination had gone, we did not anticipate finishing this early. Our next witness is not available until in the morning. May we recess an hour early today, please?

THE COURT: Yes, let's-- that will be agreeable. I'm sure the jury will have no objection. Ladies and gentlemen, let's now recess and adjourn until 9:30 in the morning. We'll see you at that time. Mr. Bailiff.
UNITED STATES OF AMERICA )
) ss:
DISTRICT OF KANSAS )

CERTIFICATE

I, KELLI STEWART, Certified Shorthand Reporter in and for the State of Kansas, do hereby certify that I was present at and reported in machine shorthand the proceedings had the 12th day of February, 2003, in the above-mentioned court; that the foregoing transcript is a true, correct, and complete transcript of the requested proceedings.

I further certify that I am not attorney for, nor employed by, nor related to any of the parties or attorneys in this action, nor financially interested in the action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Topeka, Kansas, this 3rd day of March, 2003.

KELLI STEWART
Certified Shorthand Reporter

NORA LYON & ASSOCIATES, INC.
1515 S.W. Topeka Blvd., Topeka, KS 66612
Phone: (785) 232-2545 FAX: (785) 232-2720