

In The Matter Of:
PETER S. DAVIS vs
CLARK HILL, PLC

JUDITH E. SIEGFORD
April 16, 2019

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Min-U-Script® with Word Index

1 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

2 IN AND FOR THE COUNTY OF MARICOPA

3

4 PETER S. DAVIS, as Receiver of) No. CV2017-013832
DenSco Investment Corporation,)
5 an Arizona corporation,)

6 Plaintiff,)

7 vs.)

8 CLARK HILL, PLC, a Michigan)
limited liability company; DAVID)
9 G. BEAUCHAMP and JANE DOE)
BEAUCHAMP, husband and wife,)

10 Defendants.)

11 _____)

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15 DEPOSITION OF JUDITH E. SIEGFORD

16 Yuma, Arizona
17 April 16, 2019

18

19

20 YUMA COURT REPORTERS, LLC
21 301 South 2nd Avenue, Suite 3
Yuma, Arizona 85364
22 928.782.7591

23 By: MICHELE E. BALMER, RPR
Arizona CR No. 50489
California CSR No. 14005

24 Prepared for:

25 ELECTRONIC TRANSCRIPT

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9	NO.	DESCRIPTION	MARKED	ID'd
10	Exhibit 885	Proof of Claim (CH_REC_DEP_0002537-2573)	19	19
11	Exhibit 886	DenSCO Investment Corporation Subscription Agreement (CH_EstateSDT_0066028) (6 pages)	28	28
12	Exhibit 887	Email from Denny Chittick dated 8/31/2012 (CH_EstateSDT_0004676)	39	38

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1 DEPOSITION OF JUDITH E. SIEGFORD, was taken on
 2 April 16, 2019, commencing at 9:45 a.m. at the offices of
 3 YUMA COURT REPORTERS, LLC, 301 South 2nd Avenue, Suite 3,
 4 Yuma, Arizona, before MICHELE E. BALMER, Certified
 5 Reporter No. 50489 for the State of Arizona.

6

7 APPEARANCES:

8 For Plaintiffs:

9 OSBORN MALEDON
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 10 2929 North Central Avenue, Suite 2100
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 11 ccampbell@omlaw.com
 (Appeared via videoconference)

12

13 For Defendants:

14 COPPERSMITH BROCKELMAN, PLC
 By: Ms. Vidula U. Patki
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 (Appeared via videoconference)

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1 JUDITH E. SIEGFORD,
2 called as a witness herein, having been first duly sworn
3 by the Certified Reporter to speak the truth and nothing
4 but the truth, was examined and testified as follows:

5

6

EXAMINATION

7

8 Q. (BY MS. PATKI) Hi, Ms. Siegford. I know that we
9 just met briefly off the record, but, now that we're on
10 the record, can you state your full name and date of
11 birth.

12 A. My full name is Judith E. Siegford. My birthday
13 is 9/16/47.

14 Q. Okay. Have you ever given a deposition before?

15 A. No.

16 Q. And how would you like me to refer to you? Would
17 you like me to call you "Ms. Siegford"? "Judy"?
18 "Judith"?

19 A. Judy.

20 Q. Judy. Okay. I'm just going to go over some
21 ground rules, Judy, since you have never given a
22 deposition before.

23 My hope is that we have a conversation here
24 today. You're here because, based on some documents we've
25 reviewed and communications and what we know about this

1 case, we believe that you may have known Denny fairly
2 well. That said, because you are under oath, there are
3 some things that we need to be cognizant of.

4 The first is that because Michele, the court
5 reporter, is taking down everything we say, it's really
6 important that we don't talk over one another. So if you
7 can allow me to finish a question before you answer, and I
8 will do my best to allow you to finish your answer before
9 I ask you any follow-up questions.

10 Along those same lines, if you can give clear
11 answers in the sense that say "yes" or "no" if a question
12 calls for it rather than a "huh-uh" or "uh-huh," because
13 that's kind of hard for Michele to figure out what that
14 actually means.

15 And also, to the extent that you can actually
16 give a verbal answer rather than, you know, nodding your
17 head or shaking it, even though I can see you, Michele,
18 obviously, can't write that down.

19 If you don't understand a question, please just
20 ask me to repeat myself. I may ask a bad or unclear
21 question, and I'm happy to rephrase it. But along those
22 same lines, if you answer a question, I'm going to assume
23 that you understood it. Is that fair?

24 A. Yes.

25 Q. Okay. Great.

1 You may hear Mr. Campbell here, if I ask a
2 question, you may hear him object. Just allow him to say
3 what he needs to say, but then you can go ahead and answer
4 the question.

5 And just to be clear, you are not represented by
6 counsel in this deposition today; is that correct?

7 A. You mean -- counsel? Do you mean the --

8 Q. An attorney.

9 A. No.

10 Q. If at any point you feel that you need to take a
11 break, just let me know. I don't anticipate that we'll be
12 here too long, but I try to break every hour. If you need
13 a break for any reason before that, just go ahead and let
14 me know. The only thing that I will ask is that if
15 there's a question pending, I'll ask you to answer the
16 question before we take a break.

17 A. Okay.

18 Q. Okay. So you're being deposed here in a lawsuit
19 titled "Peter S. Davis versus Clark Hill," pending in
20 Maricopa County Superior Court here in Phoenix.

21 Do you have any understanding as to what this
22 lawsuit is about?

23 A. Well, my understanding is that the attorney, they
24 filed a suit because they feel that he misrepresented
25 Denny.

1 Q. Okay. And what were the circumstances that lead
2 you to develop this understanding? Did you talk to
3 anyone? Read anything?

4 A. Just what I've read on the Internet.

5 Q. And when you say "on the Internet," do you mean
6 the DenSco website that the receiver is updating?

7 A. Yes.

8 Q. Okay. Do you go to that website frequently?

9 A. No.

10 Q. Okay. Just so I get to know you a little better,
11 can you tell me where you currently reside?

12 A. I reside in Hayden, Idaho.

13 Q. Okay. And how long have you lived there?

14 A. Actually, less than a year.

15 Q. Where did you live before that?

16 A. We lived 17 years on the lake, but we had to sell
17 our lake place when all this happened.

18 Q. Okay. And on the lake, I assume you mean Coeur
19 d'Alene?

20 A. Yes.

21 Q. Okay. And prior to living in Coeur d'Alene,
22 where did you live?

23 A. I've lived in Coeur d'Alene for probably
24 40 years. We lived on acreage in Rathdrum before.

25 Q. Okay. Can you walk me through your educational

1 background starting from high school.

2 A. Basically, I just graduated from high school. I
3 took college credits in accounting, but I got married and
4 then I was a working spouse. My husband graduated, but I
5 did not.

6 Q. Okay. And what kind of work were you in?

7 A. I worked in the dental field.

8 Q. Okay. And specifically what did you do?

9 A. I did it all, actually. I started as -- my boss
10 sent me to school, and I was an assistant. I was a
11 hygienist assistant, then I assisted in surgeries, and
12 then I eventually became the office manager.

13 Q. And how long were you in the dental field?

14 A. About probably 17 years.

15 Q. And this was all in Idaho?

16 A. Yes.

17 Q. So as I mentioned, we're deposing you because we
18 believe that you may have known Denny Chittick fairly
19 well.

20 Can you tell me when you first met Denny Chittick
21 or came to know of him?

22 A. He was in junior high. He was one of my son's
23 best friends, and I've known him all that time.

24 Q. So is it safe to say, then, you knew his parents?

25 A. Yes. We're friends with his parents.

1 Q. Okay. And how did you meet Denny's parents?

2 A. Probably through Denny. It's been so long, I
3 don't remember, but that's what I would say.

4 Q. Okay. So your recollection, as best as you can
5 remember, is that your son was classmates and friends with
6 Denny and just through that network you met his parents?

7 A. Yeah. Through sports, sitting with them and
8 stuff, yeah.

9 Q. You said that your son was best friends with
10 Denny. Did Denny spend a lot of time at your house
11 growing up?

12 A. Quite a bit, yes.

13 Q. And what was Denny like as -- I guess he wasn't
14 really a child at that point, but as a high schooler?

15 A. Denny was always very nice. Had good manners.
16 He was funny. We always had good times.

17 Q. Okay. Did Denny have a lot of other friends in
18 high school?

19 A. Well, Denny graduated a year sooner than the rest
20 of them, and then he went off to Phoenix. So, you know,
21 he had friends, yeah, when he was in Coeur d'Alene.

22 Q. So when you say he graduated sooner, does that
23 mean that he graduated high school one year early?

24 A. I think it was a year early.

25 Q. Okay. So is it safe to say that you thought he

1 was smart?

2 A. Oh, he was very smart.

3 Q. Okay. Was Denny close to his parents?

4 A. Yes.

5 Q. Was the Chittick family generally close?

6 A. The family is very close.

7 Q. Okay. And how many children are in the -- or how
8 many siblings did Denny have?

9 A. He had three. Yeah, there were four children,
10 three sisters. Denny was the oldest.

11 Q. Denny was the oldest?

12 A. Yes. No. Charla is the oldest. Denny is
13 second. Okay. There's Charla, Shawna, Quilene. Their
14 names are hard.

15 Q. And so is it your understanding that Charla is
16 the oldest and then Denny was the second oldest?

17 A. Uh-huh.

18 Q. From what you know of Denny, did Denny seem
19 closer to one sibling or another?

20 A. Him and Shawna were very close.

21 Q. Okay. And when you say they were close, were
22 they close from the time they were children, or is this
23 something that you -- or is it something that developed as
24 they became adults?

25 A. I think Denny was close to all of his sisters.

1 He had different names that he gave them and the
2 relationship was different. Shawna was more the
3 businessperson. She was a more serious person, so I think
4 that's why she went on to help Denny. That's what I
5 think.

6 Q. And when you say "went on to help Denny," can you
7 elaborate on that?

8 A. Well, I think she helped keep his books.

9 Q. Okay. And when you say "help keep Denny's
10 books," do you mean she helped Denny keep DenSco's books?

11 A. You know, I'm not really sure, but that was
12 always my assumption that she was helping Denny, yes, but
13 I do not know to what degree or anything.

14 Q. Okay. And do you remember how you came to
15 believe that Shawna was helping him with his books?

16 A. Boy, I -- she kind of -- I thought she was kind
17 of his right-hand gal because she -- when he had his
18 parties, she was always the one that organized it.
19 Ranasha did when they were married, somewhat, but they
20 always did it together.

21 And I just think she was on his payroll, but then
22 that's just me thinking. I do not know for a fact if she
23 was or not.

24 Q. Okay. And when you say Shawna organized parties,
25 are you referring to the annual DenSco parties that Denny

1 had in Idaho?

2 A. Yes.

3 Q. Okay. Going back to Denny's family, did you ever
4 hear or observe any marital stress between Denny's
5 parents?

6 A. No.

7 Q. Okay. Did you ever hear of or observe of any
8 physical altercations between any members of the Chittick
9 family?

10 MR. CAMPBELL: Let me interpose an objection at
11 this point. You know, we've been lenient in allowing
12 personal questions to be asked of witnesses because, for
13 some reason, we thought maybe it was relevant to the
14 psychological report. Now that the psychological report
15 has been produced, I don't understand the purpose of these
16 questions at all unless you're just trying to harass
17 someone.

18 But I realize I can't instruct the witness not to
19 answer, but we're going to object to the line of
20 questioning with respect to personal --

21 THE WITNESS: Can I say I refuse to answer?

22 MR. CAMPBELL: No, no, no. I cannot instruct you
23 to do that.

24 THE WITNESS: Okay.

25 MR. CAMPBELL: I'm just making an objection for

1 the court. But I think under Rule 403, this is really, at
2 this point in the litigation, a needless waste of time.

3 MS. PATKI: Okay.

4 MR. CAMPBELL: But when I object to form, I'll
5 incorporate that so I don't have to repeat it.

6 Q. (BY MS. PATKI) Okay. Do you need me to repeat
7 the question?

8 A. Yes.

9 Q. Okay. Did you ever hear of or observe of any
10 physical altercations between family members within the
11 Chittick family?

12 A. Never.

13 MR. CAMPBELL: Object to form.

14 Q. (BY MS. PATKI) Okay. How many members of the
15 Chittick family currently live in Idaho?

16 A. Just Shawna.

17 Q. Okay. Do you still keep in touch with any
18 members of the Chittick family?

19 A. I do the parents.

20 Q. And how frequently would you say you communicate
21 with Denny's parents?

22 A. Well, now that they've moved, I see them in the
23 summer, and I might talk to them on the phone once or
24 twice.

25 Q. Once or twice a year?

1 A. As far as seeing them or talking to them?

2 Q. Talking to them. I'm sorry.

3 A. I would say two or three times a year.

4 Q. Okay. Have you seen them or spoken to them since
5 Denny's death?

6 A. Oh, yes.

7 Q. And when you say they've moved back, do you mean
8 that they've moved from Arizona back to Idaho?

9 A. No. They moved to Oregon.

10 Q. Okay. But if I understood you, they still visit
11 Idaho in the summer?

12 A. They have a daughter in Idaho, so of course they
13 do.

14 Q. Okay. Now, you had mentioned that Denny moved to
15 Phoenix when he was around 18; is that correct?

16 A. I would say yes.

17 Q. Do you know why he moved to Phoenix?

18 A. I think the opportunities were there and that's
19 where he wanted to go to college.

20 Q. But you stayed in contact with Denny once he had
21 moved to Arizona; is that correct?

22 A. Yes. More so my son than myself.

23 Q. Okay. And your son's name is?

24 A. We call him "GE."

25 Q. And is that short for --

1 A. Gary Edward.

2 Q. And I believe was Gary also an investor in
3 DenSco?

4 A. Yes.

5 Q. Okay.

6 A. Please call him "GE."

7 Q. Okay. I will do my best. If I accidentally call
8 him "Gary," just let me know.

9 A. Because my husband's name is Gary.

10 Q. Okay. I see.

11 How frequently would you say you either saw Denny
12 or spoke to him once he had relocated to Arizona?

13 A. Well, let's see. I don't know if I would say
14 once or twice a year. You know, when he came to visit, he
15 would come up to the lake place and we would pull him
16 waterskiing, and we visited him in Phoenix. But, you
17 know, it wasn't real frequent. A couple times a year.

18 Q. Okay. And so I believe you had mentioned -- you
19 had discussed how many times you saw Denny.

20 Outside of the times he either came up to Idaho
21 or you visited him in Phoenix, did you speak to him on the
22 phone? Did you e-mail with him regularly?

23 A. Not regularly. We e-mailed sometimes and
24 sometimes we talked on the phone.

25 Q. Okay. And when you either talked with him on the

1 phone or e-mailed with him, was this related to your role
2 as an investor in DenSco or were these social
3 conversations?

4 A. I think they were more to do with the investment,
5 and then we would interact socially, too.

6 Q. Okay. So is it fair to say that prior to
7 becoming an investor in DenSco you didn't really talk or
8 e-mail with Denny specifically?

9 A. No. Mostly it was through his parents.

10 Q. Okay. You had mentioned that you attended these
11 annual DenSco meetings that Denny had. We understand that
12 Denny had annual DenSco meetings both in Idaho and in
13 Arizona. Did you attend meetings at both locations?

14 A. Sometimes.

15 Q. You did. Okay. And so did you know the other
16 investors at these meetings?

17 A. No, not the ones in Arizona. The ones in Idaho,
18 it was a small group, and we all kind of knew each other,
19 yeah.

20 Q. And did you know one another through DenSco, or
21 did you know these other investors before you became an
22 investor?

23 A. Let's see. Some of them I learned and met them
24 through DenSco. Some of them, because we've lived there
25 so long and we're friends of the Chitticks, we had met

1 them through them.

2 Q. And can you tell me who these other investors
3 were who were friends with the Chitticks?

4 A. Oh, geez. What's their names? The one that was
5 next door, I can't think of their names now. I don't
6 know. I can see them, but I can't think of their names.

7 I did not socially except when they would come to
8 visit the Chitticks we might have went out to dinner or
9 something with them, but I can't think of their names.

10 Q. Okay. Based on your observations, did it appear
11 to you that Denny was close with or closer with certain
12 investors in DenSco?

13 A. I think, yeah, because a lot of them were his
14 friends. And so, like, in Phoenix, there was some of them
15 that were -- you know, he had worked with a lot of years,
16 and so of course.

17 Q. But you don't know the names of who these people
18 may have been?

19 A. No, I can't think of names. I'm not good at
20 names.

21 Q. That's okay.

22 So you had talked to me about what Denny was like
23 as a child. Based on your relationship with him prior to
24 his death, how would you have described Denny to a
25 stranger?

1 MR. CAMPBELL: Objection. Form, foundation.

2 You can answer.

3 Q. (BY MS. PATKI) You can answer.

4 A. I don't know. I don't know if I ever observed a
5 stranger with him.

6 Q. No, no. I mean if a stranger was to ask you
7 "What is Denny like?" how would you have responded to that
8 question prior to his death?

9 A. Well, in the early years -- I mean, I loved Denny
10 like a son, and I'm very shocked over all this. I hate
11 having all these feelings come up again, but it's -- I
12 just think he was a good kid. I don't think he intended
13 to do what he did. I just think he took the low road when
14 things got tough.

15 Q. And when you say you're shocked over all this,
16 can you elaborate on what you mean by that?

17 MR. CAMPBELL: Objection. Form.

18 Q. (BY MS. PATKI) You can answer.

19 A. Because I -- he was -- I always thought he was
20 honest. And I told Denny, I said, "Denny, I'm investing
21 in you." You know, I would never do this to anybody else,
22 so...

23 Q. Okay. So let's go to your involvement in DenSco.
24 Do you remember when you first became an investor in
25 DenSco?

1 A. Yes.

2 Q. What year was that?

3 A. Oh, I don't know. I just -- Carlene and I, we
4 were on the same bowling team, and she said something
5 about it. And I had some money, so -- but that was a long
6 time ago. I don't know when.

7 Q. And Carlene is Denny's mother?

8 A. Yes.

9 MS. PATKI: Okay. So the court reporter has a
10 packet of exhibits, and they're tabbed, so I'll refer to
11 them and she will mark an exhibit and then hand it to you.

12 Michele, if you can pull out Exhibit A and mark
13 that, And I believe we said the next number was 885.

14 ([Exhibit 885](#) was marked for identification.)

15 Q. (BY MS. PATKI) This is the proof of claim that
16 you filed with the receiver. Does this look familiar to
17 you?

18 A. Well, I guess, yeah, it's my writing.

19 Q. Okay. And you'll see at the bottom -- I know
20 that there are a fair number of pages in this stapled
21 packet. If you look at the bottom, right-hand corner,
22 there's a number and that's a page number. So I may refer
23 you to various page numbers to direct you to the right
24 page.

25 A. Okay.

1 Q. If you go to -- give me one second to find it.

2 If you go to the Page No. -- and you can ignore
3 all the prefixes -- 0002567. And it's towards the back of
4 the packet.

5 A. Okay. I got it.

6 Q. So if you go to that page, on the left-hand side,
7 we see that there's an investment history in DenSco.

8 A. Now, say that again.

9 Q. On the left-hand side of the page, you see how it
10 says "Current Investment Balance"?

11 A. Oh, right there.

12 Q. 514,000.

13 A. Yes.

14 Q. And then right below that it says "Investment
15 History."

16 A. Correct.

17 Q. And you see that there's an investment of \$80,000
18 and the date is December 30, 2002. Do you see that?

19 A. Yes. So that must have been when I started.

20 Q. Okay. That's what I wanted to -- does that seem
21 correct now that you're looking at this page?

22 A. Yeah, I would say that's probably right.

23 Q. Okay. Great. So you had mentioned that you were
24 on a bowling team with Carlene, and Carlene mentioned
25 DenSco, and you had the money.

1 Do you remember any additional details about why
2 you chose to invest with DenSco in 2002?

3 A. Because I believed in Denny, and it was a good
4 deal, so I had no qualms about investing with Denny.

5 Q. Okay. And I know this seems repetitive, but I
6 want to try to understand. You keep saying that you
7 believed in Denny. What do you mean when you say you
8 believed in Denny?

9 A. I believed that Denny was smart. I believed that
10 he was honest, and I think he was honest up until the very
11 last couple of years. And I had faith in him. Like I
12 said, he was like a son to me.

13 Q. Right. And so after 2002, it appears as if you
14 made, I think, seven investments, if this investment
15 history is correct. Do you remember the circumstances
16 that caused you to make each of those subsequent
17 investments in DenSco?

18 A. Now, say that question again, please.

19 Q. So do you remember why you made each subsequent
20 investment in DenSco? So you invest in 2002, and then you
21 made another investment -- you made another two
22 investments -- or -- yeah, two investments pretty soon
23 thereafter. You made another investment on January 16,
24 2003, and then a third, January 17, 2003, each of which
25 were \$120,000. It's a pretty sizable amount.

1 Do you remember why it is you made the
2 investments in DenSco that you did?

3 A. Yes. My husband and I were self-employed, so
4 this was our way of creating a retirement at a good
5 investment where we had some income.

6 Q. Okay. Prior to investing in 2002, did you
7 understand what DenSco did?

8 A. Yes.

9 Q. And what was your understanding of the business
10 that DenSco was engaged in?

11 A. Denny lent money to -- I don't know if you would
12 call them builders or what, and they would turn over
13 houses, and then they didn't have to go through the bank,
14 and then they would pay him back.

15 Q. Did you understand that there was a risk
16 associated with your investment?

17 A. Yes.

18 Q. And what did you understand the risk to be?

19 A. Well, there's always a risk whenever you invest
20 in anything, and I felt that my risk was less because it
21 was Denny. Boy, was I wrong.

22 Q. So you had -- you said that you understood that
23 there was risk but that the risk was less because Denny
24 was the one who you invested the money with.

25 Did you have any understanding of how Denny

1 protected the money that you invested with DenSco?

2 A. How he protected it? By keeping it moving, I
3 suppose. By lending it out and keeping getting the
4 interest and everything.

5 Q. Okay. Do you remember Denny ever telling you
6 that the money that you invested -- or strike that. That
7 was a bad question.

8 So the money that you invested with DenSco, that
9 money was then lent out to flippers or people who bought
10 homes?

11 A. Correct.

12 Q. Did Denny ever tell you that the loans that he
13 made to those borrowers or flippers were protected by
14 first position deeds of trust?

15 A. That was the way it was supposed to be, and
16 that's what the articles said or whatever it was called.
17 It was to be protected by having the first, yes.

18 Q. Right. And when you say "article," are you
19 talking about a document called the confidential private
20 offering memorandum?

21 A. Yeah, it could be.

22 Q. Okay. And we'll refer to that in a little bit,
23 but my question specifically is, prior to investing, do
24 you remember Denny either specifically telling you that or
25 you reviewing that in the private offering memorandum?

1 A. Okay. You need to repeat that. Do I remember
2 what?

3 Q. Yeah, that was a long question. Let me ask it
4 this way.

5 Before you invested in DenSco, did you ever
6 receive a copy of the private offering memorandum?

7 A. No. I got it when we did this first amount of
8 money. That was when he presented it to us.

9 Q. Okay. And when you --

10 A. That I remember.

11 Q. When you made your first investment and you got
12 the private offering memorandum, do you remember reviewing
13 it at that point?

14 A. Yes, and we talked about it with Denny. He went
15 over that.

16 Q. Do you remember specifically in that conversation
17 what aspect of the private offering memorandum he went
18 over?

19 A. No. That's just too long ago.

20 Q. Okay.

21 A. But there were times when -- you know, like
22 sometimes we would stay at his house, and we would talk
23 about it, you know, about his business and what it was
24 doing and, you know, things like that, but...

25 Q. So as you sit here today, you don't remember any

1 one or any two things that are in the private offering
2 memorandum that you thought were important for your
3 investment?

4 MR. CAMPBELL: Object to form.

5 THE WITNESS: Well, it was all important, I felt.

6 Q. (BY MS. PATKI) Okay. Let's walk through one of
7 these investments that you made.

8 Still looking at Exhibit A of this packet and
9 still looking at the same page, Page 2567, this \$80,000
10 investment that you made in 2002. Was there a general
11 obligation amount that accompanied this investment?

12 A. I'm not sure what you mean.

13 Q. So if you flip in the same packet to -- let's go
14 to Page No. 2549.

15 A. Okay.

16 Q. This is titled "DenSco Investment Corporation,
17 General Obligation Note."

18 A. Okay.

19 Q. And you see "Gary Siegford," your name underneath
20 that, and then there's a principal amount.

21 A. Correct.

22 Q. And, as we understand it, this amount corresponds
23 to an investment that somebody made in DenSco.

24 So the way we understand it -- and you can
25 correct me if I'm wrong -- is if you made an \$80,000

1 investment in 2002, you would have gotten a general
2 obligation note like this that said the investment amount
3 is \$80,000, there's a date of issue, and a maturity date.

4 A. Right.

5 Q. Does that seem right?

6 A. Yes.

7 Q. Okay. So we haven't found a general obligation
8 note that corresponds with the \$80,000 investment. That
9 doesn't mean that it doesn't exist. We just haven't --

10 A. Well, are these the ones that I made the copies
11 for and sent to the receiver?

12 Q. That's what I understand, yes.

13 A. Okay. So maybe I didn't -- you know, I either
14 didn't -- couldn't find one or what. You know, if it got
15 renewed, maybe I got rid of it. I don't know.

16 Q. Yeah, no. That's fine. I don't want to put
17 words in your mouth. I just wanted to explain kind of
18 what I understood the situation to be.

19 So going back to that \$80,000 investment that you
20 made in 2002, based on these other obligation notes I've
21 seen, would it be fair to say that that initial investment
22 that you made in 2002 matured in five years in 2007?

23 A. Well, according to this, it matured in 10 years.

24 Q. And when you say -- are you looking at --

25 A. I'm looking at 2561. It says "Date, '02" and

1 "Maturity, '12."

2 Q. Right. Okay. Let's not look specifically at
3 that investment. Let me ask a broader question.

4 When you made an investment in DenSco, did you
5 ever roll that investment back over into DenSco when that
6 investment matured?

7 A. Yes.

8 Q. Okay. So when that investment matured, did you
9 have to sign new investment paperwork to roll that
10 investment over?

11 A. Generally, he made out a new one of these when it
12 matured, and then it would be the new amount, yeah.

13 Q. And by "he," just so the record is clear for the
14 court reporter, you're referring to the general obligation
15 note?

16 A. I guess if that's what it's called, yeah. Okay.

17 Q. Okay. So when it came time to execute a new
18 general obligation note, is that a process that Denny
19 initiated?

20 A. Yes. Whenever he would come, a lot of times in
21 the summer, then he would come over and we would take care
22 of it.

23 Q. And so if he wasn't up in Idaho during the
24 summer, would he e-mail you and say, "Hey, your investment
25 is about to mature. We need to sign some new documents"?

1 A. I think so. Yeah, that seems to me that that's
2 the way it went.

3 Q. And do you remember that whenever you would sign
4 a new general obligation note that you would also sign a
5 corresponding subscription agreement with that note?

6 A. I don't know what that was. A prescription -- or
7 subscription? What?

8 MS. PATKI: Subscription.

9 Okay. So if you want to refer to, Michele,
10 Exhibit B or Tab B. Let's mark this as 886.

11 ([Exhibit 886](#) was marked for identification.)

12 THE WITNESS: Okay. This is what we got.

13 Q. (BY MS. PATKI) Yeah. This is a subscription
14 agreement. Does this look familiar to you?

15 A. Yes.

16 Q. Okay. Great.

17 So going back to my previous question, whenever
18 you rolled an investment over and you signed a new
19 obligation note, did you also execute one of these
20 subscription agreements?

21 A. Yes.

22 Q. Okay. And we see that the first line of this
23 specific subscription agreement says "The undersigned
24 investor has received and reviewed the Confidential
25 Private Offering Memorandum dated July 1, 2009."

1 Do you see that?

2 A. Uh-huh. Yes.

3 Q. When you signed a new subscription agreement or,
4 let's say, even this specific one, this one that you
5 signed on September 20, 2011, did you actually review the
6 POM before signing the subscription agreement?

7 A. Well, we would have read it. I would have looked
8 at it. But are you saying did I talk to Denny about it?

9 Q. No. My question is prior to signing -- so I
10 understand that you reviewed the confidential private
11 offering memorandum when you first became an investor in
12 DenSco.

13 After you made that initial investment in DenSco,
14 did you ever review the POM thereafter for any reason?

15 A. I don't recall.

16 Q. Okay. That's fair.

17 Do you know how often you were supposed to
18 receive a POM as an investor?

19 A. Well, the POM is which one now?

20 MS. PATKI: Good question. Let's just refer to
21 it since we're talking about it.

22 Michele, this has already been marked as an
23 exhibit. It's Exhibit 557.

24 THE WITNESS: Okay.

25 Q. (BY MS. PATKI) So when I say "POM," this is what

1 I've been referring to, the confidential private offering
2 memorandum. Does that look familiar to you?

3 A. Well, I'm thinking that I only received this one
4 time. Was I supposed to be getting it every time?

5 Q. Well, we understand that it was Denny's practice
6 that he updated this every two years.

7 A. I think by law maybe he had to, because a lot of
8 this -- that's what I'm thinking.

9 Q. Okay. But from your recollection, are you saying
10 that you only received this document once?

11 A. That is what I would recall. I just -- yeah, I
12 don't remember getting one of these every time.

13 Q. Okay. Give me one second. I've gotten all my
14 exhibits mixed it up.

15 A. Huh. Interesting.

16 Q. Judy, let's -- you became an investor in DenSco
17 in 2002, which was, obviously, prior to the great
18 recession of 2008. Do you remember, during the great
19 recession, did Denny manage to keep DenSco profitable?

20 MR. CAMPBELL: Object to form.

21 THE WITNESS: I wouldn't have any way to know if
22 it was profitable or not.

23 Q. (BY MS. PATKI) But you don't -- do you remember
24 your investment continuing to make money for you through
25 the '08, '09, '10 period?

1 A. We thought we were doing fine even through all of
2 it because that is what we were told.

3 Q. Okay. And during that -- and I'm talking just
4 about the great recession of '08, '09, and '10.

5 A. Uh-huh.

6 Q. Do you remember Denny talking to investors about
7 how he was keeping the company afloat or how he was
8 continuing to make your investments work for you?

9 A. At the parties, the dinners, we all would talk
10 about the company, and, yes, that is what he would tell
11 us.

12 Q. And what did he tell you specifically that you
13 remember?

14 A. I cannot specifically, but he would go kind of
15 through, you know, that he was keeping the money moving
16 and that -- you know, he used to send us a quarterly
17 letter that told us about what was going on, how many
18 properties he had, and all that kind of stuff. So that's
19 about all I can...

20 Q. So do you remember or did you ever hear of Denny
21 approaching investors for advice on DenSco-related
22 business?

23 A. No.

24 Q. Okay. And you mentioned that you talked -- that
25 Denny would talk about DenSco business at these annual

1 meetings or whenever he saw you.

2 In your communications with Denny prior to his
3 death, did you find Denny to be forthright and open in
4 discussing DenSco business?

5 A. Forthright but not honest. My son, for example,
6 he had lunch with him about four days before he committed
7 suicide and took -- I don't know if it was \$20,000 or
8 \$50,000, and he was supposed to be his best friend. So,
9 you know, he changed.

10 Q. Right. Did Denny ever mention any problem with
11 DenSco's business or the loans that he was making?

12 A. Never.

13 Q. Based on your relationship with Denny while he
14 was alive, do you believe that money was important to
15 Denny?

16 MR. CAMPBELL: Object to form.

17 Q. (BY MS. PATKI) You can answer.

18 A. Money has always been important to Denny.

19 Q. And why do you say that?

20 A. Well, when he was a young kid, he used to make a
21 loan to his sister and charge her interest. And I think
22 his whole life was about making money, and he always was
23 successful. But I think that was his downfall because,
24 when he realized he was in trouble, he wasn't able to cope
25 and he took the low road, and that's what I think.

1 Q. Did Denny ever discuss his views about money with
2 you?

3 A. No.

4 Q. Did Denny ever share with you or did you ever
5 hear of him talking to anyone else his philosophy on
6 making and spending money?

7 A. No. He was kind of grooming my grandson, and he
8 would give him books and, you know, like that. But, no, I
9 didn't get involved in that stuff.

10 Q. What do you mean by Denny was grooming your
11 grandson?

12 A. Well, they would visit each other, and my
13 grandsons looked up to Denny. And I have one grandson
14 that is extremely smart, and Denny would give him some
15 books, and he would read them and, you know, just try to
16 learn.

17 Q. And were these books related to financial matters
18 or business matters?

19 A. Yes, investing.

20 Q. Okay. Would you like to take a break?

21 A. I'm fine.

22 How about you, Michele?

23 COURT REPORTER: I'm okay.

24 Q. (BY MS. PATKI) All right. Prior to Denny's
25 death -- or strike that.

1 Let's just ask this more generally. Do you know
2 who Yomtov Scott Menaged is?

3 A. Well, I've learned since his death who he is,
4 but, no, I did not know of him.

5 Q. Okay. So Denny never -- prior to his death,
6 Denny never mentioned Mr. Menaged to you?

7 A. No, never, not even to my son.

8 Q. Okay. Did he ever mention the loan that he was
9 making to Mr. Menaged?

10 A. No.

11 Q. Did Denny ever mention to you that some of the
12 loans that he was making were to borrowers who were on a
13 show called "Property Wars"?

14 A. Never.

15 Q. Based on what you know about Denny, do you think
16 celebrity and fame was important to Denny?

17 MR. CAMPBELL: Object to form.

18 THE WITNESS: No.

19 Q. (BY MS. PATKI) Okay. Do you know if any other
20 investors ever met Mr. Menaged prior to Denny's death?

21 A. I do not know of any.

22 MR. CAMPBELL: Objection.

23 Q. (BY MS. PATKI) When did you first learn about
24 Denny's suicide?

25 A. His mom called me.

1 Q. Okay. And what was your reaction to the news?

2 A. Shocked.

3 Q. And why were you shocked?

4 A. Because Denny had two loves, one was his business
5 and one was his children. And that he would do that to
6 his children, it was shocking.

7 Q. Okay. Do you know if, prior to his death, Denny
8 was seeing any sort of therapist or psychologist?

9 A. No.

10 Q. Do you know if, prior to his death, Denny was
11 struggling with any sort of mental or emotional issues?

12 A. Not that I know of.

13 Q. Okay. After Denny's death, do you recall
14 receiving any communication from an attorney named David
15 Beauchamp?

16 A. Well, I don't remember if we received anything
17 from him. I don't know.

18 MS. PATKI: Okay. Michele, if you can hand to
19 Judy Exhibit 608, 609, 611, and 612, please.

20 Q. (BY MS. PATKI) And if you look -- I understand
21 that these e-mails are fairly long, but, for example, if
22 you look at Exhibit 608, and the number is on the top
23 right of the first page. You'll see at the bottom of that
24 page there's the number DIC0010333.

25 In that long "To" e-mail chain, the very last

1 e-mail addresses that we see are gsiegford@msn.com. Do
2 you see that?

3 A. That's my son.

4 Q. Okay. Let me see if I can find your e-mail
5 address.

6 Okay. If you go to the next page, the
7 DIC0010334, your e-mail address, jgsiegford@yahoo.com, is
8 on the fourth line. Do you see that?

9 A. Well, one, two, three, four. Okay. I see it.

10 Q. And you see your e-mail address?

11 A. Yes, it is.

12 Q. Okay. So we see that this is an e-mail sent by
13 David Beauchamp on Wednesday, August 3rd, to you and the
14 other investors of DenSco.

15 And then the other exhibits that were handed to
16 you, 609, 611, and 612, are also e-mails that David sent
17 to DenSco investors.

18 A. When he sent them, did he put "DenSco investors"?
19 Because if I don't recognize a name, I don't open it. And
20 I wouldn't recognize "Beauchamp."

21 But I just don't remember any of this, but that
22 doesn't mean it didn't happen.

23 Q. Well, the subject line of this specific e-mail is
24 "E-Mail to Investors of DenSco Investment Corporation."

25 A. Okay.

1 Q. So I guess my question is, is now that you're
2 kind of looking at these, as you sit here today, do you
3 recall receiving and reading these e-mails?

4 A. You know, when I was just reading this about -- I
5 just don't remember them. No, I don't. I don't know why.

6 Q. Okay. So do you have any sort of understanding
7 about how many e-mails Mr. Beauchamp might have sent to
8 you as an investor of DenSco?

9 A. None whatsoever.

10 Q. As you sit here today, do you have any thoughts
11 or impressions of Mr. Beauchamp?

12 A. None.

13 MR. CAMPBELL: Object to form.

14 Q. (BY MS. PATKI) None. Okay.

15 Following Denny's death, immediately following
16 Denny's death, did you ever talk to Shawna, Denny's
17 sister?

18 A. No. Only to Carlene.

19 Q. And since Denny's death, have you discussed
20 Denny's death with any members of the Chittick family?

21 A. His parents.

22 Q. And have they expressed any thoughts or opinions
23 about how Denny could have gotten to a place where he
24 believed suicide was the only option?

25 MR. CAMPBELL: Object to form.

1 THE WITNESS: No. I think the hard part is that
2 his dad is a psychologist and that he never -- he didn't
3 have a clue. Denny showed no signs of anything.

4 Q. (BY MS. PATKI) Did you ever meet Denny's wife
5 Ranasha?

6 A. Yes.

7 Q. How many times would you say you met her?

8 A. Every summer and when we would go visit in the
9 winter, I would see them, so a couple times.

10 Q. And what were your impressions of Ranasha?

11 A. I liked Ranasha.

12 Q. And how would you describe Ranasha to a stranger?

13 A. I think Ranasha was really easygoing.

14 Q. Now, were you aware that Denny and Ranasha
15 ultimately divorced?

16 A. Yes.

17 Q. Do you remember the year that they divorced?

18 A. No, I don't.

19 Q. And if I told you that they divorced in 2012,
20 would you have any reason to think that that's not
21 correct?

22 A. You know, years mean not much to me, and so I
23 don't pay any attention, so I don't know when it was.

24 MS. PATKI: Okay. So, Michele, if you'll please
25 hand Judy exhibit Tab G, And this is 887.

1 (Exhibit 887 was marked for identification.)

2 Q. (BY MS. PATKI) Judy, this appears to be the
3 monthly statement that you received as an investor of
4 DenSco. If you see the subject line, it says "DenSco
5 Statement August."

6 A. Okay. I was reading it. I'm sorry.

7 Q. That's fine.

8 And if you read the e-mail, you see that the
9 second line is "By the time you read this, sadly I will be
10 signing my divorce papers."

11 Now that you've read this e-mail, do you recall
12 if this e-mail was the first time you heard about Denny's
13 divorce?

14 A. No. I don't even remember reading this e-mail.
15 But because I was close to Carlene, I heard from Carlene,
16 so way before.

17 Q. Okay.

18 A. I don't know, no. I knew he was getting a
19 divorce.

20 Q. I'm sorry. I didn't mean to cut you off. What
21 were you saying?

22 A. I said, I had heard that, you know, through his
23 parents that he was getting a divorce, but I don't
24 remember ever reading this.

25 Q. Okay. And do you remember Carlene sharing with

1 you any of the reasons why Denny was getting divorced?

2 A. No. I just think Shana wanted to be single.

3 Q. And when you say "Shana" do you mean Ranasha?

4 A. Or Ranasha, yeah.

5 Q. Did you ever talk to Denny about his divorce?

6 A. No.

7 Q. Okay. Did you observe any changes in Denny's
8 demeanor following the divorce?

9 A. No, I didn't notice any.

10 Q. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

16 MS. PATKI: Okay. Give me one second.

17 Those are all the questions I have, so I'm just
18 going to turn the computer so you can actually see Colin
19 while he asks you his questions.

20 MR. CAMPBELL: I have about 10 or 15 minutes'
21 worth of questions. Does anyone on your side over there
22 need to take a five-minute break before we continue?

23 THE WITNESS: I'm fine.

24 MR. CAMPBELL: How about the reporter? Are you
25 good?

1 COURT REPORTER: I'm good also, but thank you for
2 asking.

3

4

EXAMINATION

5

6 Q. (BY MR. CAMPBELL) Judy, my name is Colin
7 Campbell. I'm an attorney representing the receiver in a
8 lawsuit against Clark Hill.

9

A. Uh-huh.

10 Q. And I just have some follow-up questions for you.
11 So we just met by video, and I don't know a lot
12 about you. Where were you born and raised?

13

A. I was born and raised in Missoula, Montana.

14

15 Q. Montana. And did you grow up and attend school
there in Montana?

16

A. In what?

17

18 Q. Did you grow up in Montana and attend high school
in Montana?

19

A. Yes.

20

21 Q. And then what year did you graduate from high
school?

22

A. 1965.

23

24 Q. All right. That's the same year as my older
sister, so I know we're in the same generation.

25

After high school, did you stay in Missoula or

1 did you move for work?

2 A. No. My husband graduated from the University of
3 Montana and then, after he graduated, he got a job and we
4 moved to Spokane, Washington.

5 Q. Okay. So what year did you move to Spokane?

6 A. There again, it's the year. The only thing I can
7 go by is my son -- let's see. He was born -- probably
8 about maybe '76.

9 Q. All right. And Gary, your husband, what sort of
10 work did he do after he graduated from the University of
11 Montana?

12 A. He worked for a chemical company for a couple
13 years, and then we bought a business in Coeur d'Alene,
14 Idaho.

15 Q. Okay. So Coeur d'Alene, Idaho, isn't too far
16 from Spokane, if I recall.

17 A. Like, 30 minutes, yeah. But we moved back to
18 Missoula, then we moved to Coeur d'Alene.

19 Q. Okay. And then you lived in Coeur d'Alene, as I
20 understand it, for quite a long time until you moved to
21 Hayden, Idaho; right?

22 A. Well, actually, we have never really lived in
23 Coeur d'Alene. We lived in Hayden and raised our kids.

24 Q. All right.

25 A. They went to Coeur D'Alene High School.

1 Q. Okay. I've only been to Coeur d'Alene once. Is
2 Hayden next to Coeur d'Alene or a few miles away?

3 A. It's a little bit north, a little bit north of
4 Coeur d'Alene. It's all kind of the same. You don't know
5 when you're in one and when you're in the other.

6 Q. Okay. It's beautiful country up there, but it's
7 cold, if I recall, in the winter.

8 A. Yes, it is.

9 Q. So today you're in Yuma, Arizona?

10 A. Correct.

11 Q. Okay. And do you come and winter in Yuma, or why
12 are you in Yuma?

13 A. We winter in Yuma.

14 Q. And that's a lovely area too.

15 A. Yeah.

16 Q. So I take it, at some point, you and your husband
17 completely retired from work; right?

18 A. Well, we sold our business and we retired. And
19 then now, to supplement our income, we both work at the
20 golf course in Yuma.

21 Q. There in Yuma?

22 A. Yeah.

23 Q. So I gathered from what you told me that -- let
24 me rephrase this.

25 You know, people our age try to create a nest egg

1 for their retirement.

2 A. Yes.

3 Q. Was the money you put with Denny your husband and
4 your nest egg?

5 A. Yes, totally. We've lost our retirement.

6 Q. And you lost all of it; right?

7 A. Yes.

8 Q. And that's had an impact on how you were thinking
9 you were going to spend your retirement years; correct?

10 A. Yes, it has, because we're too old to recoup it.

11 MS. PATKI: Objection. Form.

12 Q. (BY MR. CAMPBELL) And you've had to continue
13 working, where you can, to have money to get by. True?

14 A. Yes.

15 MS. PATKI: Objection. Form.

16 Q. (BY MR. CAMPBELL) Now, let me just see what --

17 A. Plus, we had to sell our nice home that we had on
18 Coeur d'Alene Lake.

19 Q. Okay. So I take it, at one time, you had your
20 home in Hayden and then you had another home on the lake
21 in Coeur d'Alene?

22 A. No. We sold our place in Hayden and we bought a
23 place on Coeur D'Alene Lake, and then we have a home here
24 in Yuma.

25 Q. Okay. So when you sold your place on Coeur

1 D'Alene Lake, do you have anyplace now up in Coeur d'Alene
2 or Hayden?

3 A. In Hayden. We bought a place in Hayden right by
4 our son, yeah.

5 Q. Okay. Now, with respect to the investments you
6 had in DenSco, you don't know anything about the law firm
7 Clark Hill and the work they did for Mr. Beauchamp. True?

8 A. Mr. Beauchamp?

9 Q. Excuse me. Let me rephrase it.

10 You don't know anything about Clark Hill, the law
11 firm where Mr. David Beauchamp worked. Is that true?

12 A. No, I don't know anything about him.

13 Q. All right. And you don't know anything about
14 what Clark Hill's involvement was with respect to the work
15 they did for DenSco. Is that true?

16 A. No, I do not know.

17 Q. If at any time you had been told that Denny
18 Chittick had been defrauded by Mr. Menaged, would you have
19 continued to invest in DenSco?

20 MS. PATKI: Objection. Form.

21 THE WITNESS: I would have found out more about
22 it and, no, I wouldn't have.

23 Q. (BY MR. CAMPBELL) Right. Okay.

24 Now, when you say you live next to your son in
25 Hayden, that's GE?

1 A. No. My youngest son, not GE.

2 Q. What's the name of your youngest?

3 A. My other son is Ted.

4 MR. CAMPBELL: Ted. Okay. Thank you.

5 Judy, actually, I don't think I have any other
6 questions for you.

7 Do you have any to follow up?

8 MS. PATKI: I do not.

9 MR. CAMPBELL: Okay. Judy, you have the right to
10 read and sign your deposition. The court reporter will
11 transcribe it, and then she'll send it to you, or she'll
12 send it to --

13 You can do a letter and then you'll forward it?

14 MS. PATKI: Yeah.

15 MR. CAMPBELL: And then you have the right to
16 read it and, if there's anything you need to correct like
17 misspellings or she misheard you, you can correct it.

18 And that's your right. We can't tell you whether
19 you should exercise it or not. But do you want to read
20 and sign your deposition?

21 THE WITNESS: Do I want to? I guess --

22 MR. CAMPBELL: Well, you have the right to do so
23 if you want.

24 THE WITNESS: I would assume that -- maybe I
25 shouldn't assume anymore, huh? Maybe I should read it.

1 MR. CAMPBELL: Okay. Well, they'll make
2 arrangements to send it to you. It won't take too long to
3 read it and if you have any corrections.

4 THE WITNESS: Okay.

5 MR. CAMPBELL: And we appreciate you making
6 yourself available today.

7 THE WITNESS: All right. Thank you.

8 MS. PATKI: Thank you.

9 (The deposition concluded at 10:57 a.m.)

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JUDITH E. SIEGFORD

1 CERTIFICATE OF CERTIFIED REPORTER

2

3 BE IT KNOWN that the foregoing deposition of
4 JUDITH E. SIEGFORD was taken before me, MICHELE E. BALMER,
5 Certified Reporter No. 50489 for the State of Arizona, and
6 Certified Shorthand Reporter No. 14005 for the State of
7 California, and by virtue thereof authorized to administer
8 an oath; that the witness before testifying was duly sworn
9 by me; that the questions propounded by counsel and the
10 answers of the witness thereto were taken down by me in
11 shorthand and thereafter transcribed into typewriting
12 under my direction; that the foregoing pages contain a
13 full, true, and accurate transcript of all proceedings and
14 testimony had, all to the best of my skill and ability;
15 and that I have acted in compliance with all applicable
16 rules and statutes;

17 A review of the transcript by the witness was
18 requested;

19 I FURTHER CERTIFY that I am not related to nor
20 employed by any of the parties hereto and have no interest
21 in the outcome thereof.

22 DATED at Yuma, Arizona, this 26th day of
23 April, 2019.

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MICHELE E. BALMER, RPR
Arizona CR No. 50489
California CSR No. 14005

31 YUMA COURT REPORTERS, LLC, certifies that it has
32 complied with the ethical obligations set forth in ACJA
33 7-206 (J) (1) (g) (1) through (6).

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YUMA COURT REPORTERS, LLC
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	12:11	43:2	11:16;22:21	chain (1) 35:25
\$	Along (2) 5:10,21	B	break (6) 6:11,12,13,16; 33:20;40:22	changed (1) 32:9
\$120,000 (1) 21:25	altercations (2) 12:8;13:10	back (9) 12:3;14:7,8;20:3; 22:14;26:19;27:5; 28:17;42:17	briefly (1) 4:9	changes (1) 40:7
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