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1 State of Ohio,) SS:

2 County of Cuyahoga.)

3 - - -

4 IN THE COURT OF COMMON PLEAS

5 - - -

6 ALAN DAVIS, et al.,)

7 Plaintiffs,)

8 v.)

9 STATE OF OHIO,)

10 Defendant.)

Case No. 312322
Judge Ronald Suster

11 - - -

12 THE DEPOSITION OF PHYLLIS A. MORETTI

13 MONDAY, DECEMBER 27, 1999

14 - - -

15 The deposition of PHYLLIS A. MORETTI, a witness, called
16 for examination by the Plaintiffs, under the Ohio Rules
17 of Civil Procedure, taken before me, Cynthia A.

18 Sullivan, Registered Professional Reporter and Notary

19 Public in and for the State of Ohio, pursuant to

20 notice, at the offices of Friedman & Gilbert, 1700

21 Standard Building, 1370 Ontario Street, Cleveland,

22 Ohio, commencing at 1:00 p.m., the day and date above

23 set forth.

24 - - -

25

1 APPEARANCES:

2

3 On behalf of the Plaintiffs:

4 TERRY H. GILBERT, ESQ.
Friedman & Gilbert
5 1700 Standard Building
1370 Ontario Street
6 Cleveland, Ohio 44113
(216) 241-1430

7

8 On behalf of the Defendant:

9 DEAN BOLAND, ESQ.
Cuyahoga County Prosecutor's Office
10 The Justice Center, Courts Tower
1200 Ontario Street
11 Cleveland, Ohio 44113
(216) 443-7800

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1	INDEX	
2		PAGES
3	CROSS-EXAMINATION BY	
4	MR. GILBERT	4
5	- - -	
6	PLAINTIFF'S EXHIBITS MARKED	
7	1	25
8		
9	- - -	
10	OBJECTIONS BY	
11	MR. BOLAND	40
12		
13	- - -	
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 PHYLLIS A. MORETTI

2 a witness, called for examination by the Plaintiffs,
3 under the Rules, having been first duly sworn, as
4 hereinafter certified, deposed and said as follows:

5 CROSS-EXAMINATION

6 BY MR. GILBERT:

7 Q. Good afternoon, Mrs. Moretti. My name is
8 Terry Gilbert. I represent the estate of Dr. Sheppard
9 in the civil lawsuit against the State of Ohio. I'm
10 going to ask you some questions about your knowledge of
11 aspects of this case, okay?

12 A. Okay.

13 Q. And you have to answer the questions audibly so
14 the court reporter can take down your answers; in other
15 words, a nod or a movement of the head won't do.

16 A. Okay.

17 Q. If it's a yes or no, you have to answer yes or
18 no.

19 A. All right.

20 Q. So the first question I'm going to ask you is to
21 state your name for the record.

22 A. Phyllis A. Moretti.

23 Q. How do you spell your last name?

24 A. M-O-R-E-T-T-I.

25 Q. Where do you currently reside?

- 1 A. 2503 Maxim Lane, Columbus, Ohio, 43235.
- 2 Q. How do you spell Maxim?
- 3 A. M-A-X-I-M.
- 4 Q. Who do you live there with?
- 5 A. I live by myself.
- 6 Q. Are you divorced, single, widowed?
- 7 A. A widow.
- 8 Q. What was your husband's name?
- 9 A. Ralph D. Moretti.
- 10 Q. When did he pass?
- 11 A. 1974.
- 12 Q. Do you have any children?
- 13 A. Yes, I do.
- 14 Q. How many children do you have?
- 15 A. I have three. I've got this note so I don't
- 16 forget.
- 17 Q. What are you looking at there?
- 18 A. I want to make sure I get their birth dates
- 19 right.
- 20 Q. Are they all adults?
- 21 A. Yes.
- 22 Q. Are any of them in law enforcement?
- 23 A. No.
- 24 Q. What do they do, your children?
- 25 A. My oldest is a girl, and she is a medical center

1 worker for a school board in Wellington, Florida. My
2 oldest son you -- do you want my daughter's name?
3 Q. Yes.
4 A. Orlean N. Buckingham.
5 Q. Who else?
6 A. I have a son named Ralph D. Moretti, and he is a
7 casino executive in Las Vegas. My youngest is Felice
8 J. Moretti, and he works for the State of Ohio. He
9 works for the Safety of State Highways.
10 Q. Highway Safety?
11 A. Yes, I guess that's it.
12 Q. Are you employed right now?
13 A. Yes, I am.
14 Q. Where is that?
15 A. I'm employed at -- I'll give you a card. That
16 might make it easier for you. I'm a nail technician.
17 Do you want this?
18 MR. BOLAND: Off the record.
19 (Thereupon, there was a discussion
20 off the record.)
21 BY MR. GILBERT:
22 Q. So you work for Vis-a-Vis?
23 A. Yes, I am nail tech.
24 Q. How long have you been doing that?
25 A. For a year and a half.

- 1 Q. Before that where did you work?
- 2 A. I didn't work.
- 3 Q. When was the last time you worked before
- 4 Vis-a-Vis?
- 5 A. Well, I've been with them about six months. I
- 6 worked at another shop for a year prior to that. I
- 7 just went back and got my license because I let my
- 8 other license lapse, so I went back to school to become
- 9 just a nail tech.
- 10 Q. Before you worked as a nail tech. what other jobs
- 11 had you had over the years?
- 12 A. I worked for Anheuser Busch for about five years.
- 13 Q. When was that approximately?
- 14 A. It was in the '70s, late '70's after my husband
- 15 passed away.
- 16 Q. Is there anywhere else you have worked?
- 17 A. Not that I can think of.
- 18 Q. The only two places of employment that you can
- 19 recall working at were Anheuser Busch and Vis-a-Vis; is
- 20 that correct?
- 21 A. Yes.
- 22 Q. How old are you, Mrs. Moretti?
- 23 A. 69; I was born in 1930, July 6th.
- 24 Q. How did you support yourself during the years
- 25 that you didn't work?

1 A. Well, when my husband died I got money for the
2 children, and we did have some -- my parents left me
3 some rental property. I had an income.

4 Q. What kind of rental property, houses or --

5 A. Storerooms, a couple of houses.

6 Q. Now, your name appears on the witness list for
7 the State of Ohio in this case. Did you know that?

8 A. I think I did.

9 Q. How did it come about that you became in touch
10 with any representatives from the prosecutor's office?

11 A. Well, when I saw that the Sheppards were suing
12 the State of Ohio, I knew I had this (indicating), of
13 course, and I contacted a gentleman I've known all my
14 life, a Mr. Van Gundy, Frank Van Gundy.

15 Q. That's two words?

16 A. I think so.

17 Q. Who is Frank Van Gundy?

18 A. He is a friend of mine, but he works in the
19 courts in Columbus, Ohio. I knew that, so I called him
20 up for advice since the State was getting sued. And he
21 thought that I should come forth with this information,
22 so we went to see O'Ryan in the prosecutor's in
23 Columbus.

24 Is that his name?

25 MR. BOLAND: I don't recall.

1 BY MR. GILBERT:

2 Q. You have to answer the questions.

3 A. I can't remember that man's name.

4 Q. You went to see a prosecutor in Columbus?

5 A. Right.

6 Q. Do you remember when this was that you made the

7 call to Frank?

8 A. No, I don't know exactly the date. No, I

9 couldn't tell you. After we had heard about all this,

10 the lawsuit, that's when I called him and asked him

11 about it. I couldn't give you the date.

12 Q. When did you meet with the prosecutor in

13 Columbus, Ohio?

14 A. I think it was O'Brien, Ron O'Brien. I believe

15 that's his name. I'm not real sure.

16 Q. All right. What happened when you met with

17 Mr. Ron O'Brien?

18 A. Well, Mr. Van Gundy and I went in. I told him

19 what I had. I showed him the book and some pictures.

20 He forwarded them on here to the prosecutor here, I

21 guess.

22 Q. Did you get contacted from somebody up here? Did

23 somebody call you from up here?

24 A. Yes. I can't remember who.

25 Q. What happened next?

1 A. Then I came down here for an interview.

2 Q. You came here?

3 A. Yes, I did.

4 Q. Do you remember when that was?

5 A. Don't remember.

6 Q. Was it within the last year?

7 A. I think so.

8 Q. 1999?

9 A. Either that or the latter part of '98.

10 Q. Do you remember who you spoke to?

11 A. I remember O'Reilly. I don't remember who the

12 prosecutor was at that time.

13 Q. Riley?

14 A. Mr. Riley. He was one of the --

15 Q. An investigator?

16 A. I think so.

17 Q. So you remember him. Who else was there?

18 A. I don't know.

19 Q. Did you give a statement?

20 A. Yes.

21 Q. Was it in writing, or was it --

22 A. Verbally.

23 Q. Verbally. Did you sign anything?

24 A. Yes, I did. I signed something about, oh,

25 possibly a couple of months ago. Either Mr. Riley or

1 O'Reilly, I don't know his last name exactly, he came
2 to Columbus, and I gave him a statement on how the book
3 was signed.

4 Q. Okay. You looked it over and you signed it?

5 A. Yes.

6 Q. So that was the second time you met with
7 Mr. Riley?

8 A. It was only twice I met with him.

9 Q. You don't remember who the prosecutor was?

10 A. No, I don't.

11 Q. Was it David Zimmerman?

12 A. That sounds familiar. It could be. It was
13 before the election, if that puts a time on it for you.
14 I talked to so many of them that I don't remember.

15 Q. Where did Frank Van Gundy work?

16 A. He worked for the court in Columbus, Ohio. I
17 don't know who he worked for or anything. I don't know
18 that much.

19 Q. Do you know where he lives?

20 A. Yes.

21 Q. Do you have his phone number?

22 A. Not with me, but I have it at home.

23 Q. All right. So that's how this thing came about
24 in terms of you having contact with the prosecutors; is
25 that right?

- 1 A. Yes.
- 2 Q. Let's go back to this whole thing with the book,
3 all right? Tell me the circumstances that gave rise to
4 your obtaining this book.
- 5 A. Well, I had a beauty salon, and one of my
6 hairdresser's customers was going with Sam Sheppard, so
7 Sam Sheppard used to come in the beauty shop
8 approximately every two weeks. He came in with her,
9 and he would sit at the front and I was at the desk.
- 10 Q. What was the name of the beauty shop?
- 11 A. The Fairmore.
- 12 Q. When did you open that shop?
- 13 A. It was in the '60's.
- 14 Q. Where was it located?
- 15 A. James and Broad. I don't have the address. One
16 corner was Howard Johnson's which is no longer there,
17 and I was the building right beside it.
- 18 Q. Did you own this by yourself, or did you have a
19 partner?
- 20 A. By myself.
- 21 Q. How many years was it in existence?
- 22 A. Oh, maybe two or three years. I don't remember.
- 23 Q. Why did it close?
- 24 A. I thought I was neglecting the children, so I
25 came home.

1 Q. Who was the employee that you had that was
2 involved with Mr. Sheppard?

3 A. You mean the one he brought in? My hairdresser
4 did Sam Sheppard's girlfriend's hair.

5 Q. Who was your hairdresser?

6 A. His name was I think Larry Thomas or Thompson,
7 and I don't know where he's at, but not in Columbus
8 anymore.

9 Q. He had a customer that was involved with
10 Dr. Sheppard?

11 A. Yes.

12 Q. What is her name?

13 A. Now, I'm not real sure about that. Her first
14 name was Sharon. Either her last name, from what I can
15 remember, was either Walthers or Walters.

16 Q. What was the other name?

17 A. Walthers.

18 Q. Or Walters?

19 A. I think that was her last name.

20 Q. She would come in with Sam?

21 A. Yes.

22 Q. To have her hair done?

23 A. Yes.

24 Q. Did you know Sharon Walters or Walthers?

25 A. No, just as a customer.

- 1 Q. Did you know what the relationship between
2 Dr. Sheppard and this Sharon was?
- 3 A. I assumed they were boyfriend and girlfriend.
4 Yeah, in fact, they may have been living together. I'm
5 not sure about that either.
- 6 Q. They came in how often?
- 7 A. About every two weeks.
- 8 Q. Did you talk to him when he came in?
- 9 A. Yes. He sat up there at the front desk with me
10 at the waiting area.
- 11 Q. What did you talk to him about?
- 12 A. Oh, goodness, I don't know, a lot of things. I
13 can't remember.
- 14 Q. Did you know who he was?
- 15 A. Yes.
- 16 Q. How did you know that?
- 17 A. Because my hairdresser told me who he was.
- 18 Q. You knew this was Dr. Sheppard --
- 19 A. Yes.
- 20 Q. -- from the case?
- 21 A. Yes.
- 22 Q. So continue on with how this thing developed with
23 the book and all that.
- 24 A. The signing of the book, you mean?
- 25 Q. You were telling me the story about how you met

1 Dr. Sheppard.

2 A. All right. He came in and sat up front, so of
3 course all the women at the beauty shop were really
4 excited about Sam being there because everyone knew Sam
5 Sheppard because he was right there in Columbus. He
6 had a lot of publicity. You know, he was in the Ohio
7 State Pen.

8 So I said to him, Sam, if you want to bring some
9 books or have some books, sit here, and if you would
10 sign your autograph, they would buy them. He said, no.
11 He said, Phyllis, that wouldn't do me any good because
12 I do not receive any royalties from the book. I said,
13 oh, okay. He said, but if you have a book, I'd be more
14 than glad to sign it. I said, yes, I have a
15 paperback.

16 Well, I kept forgetting to bring it in because I
17 really wasn't an autograph seeker, and different times
18 he'd say, did you bring the book in, and I'd say, no, I
19 forgot. So the night of the party I brought the book.
20 He said, don't forget to bring the book.

21 Q. Tell me about the party.

22 A. Well, we called it a bleaching party.

23 Q. A what?

24 A. Bleaching party. All of us women that had their
25 hair bleached, we all came down on that night to get

1 our hair bleached.

2 Q. Do you remember when that party was?

3 A. Yes.

4 Q. When was it?

5 A. Well, the date is on that bottle there. It was
6 the 4th. It was '69. I know the date is on the
7 bottle.

8 Q. You don't know from your own recollection?

9 A. No. I don't remember. That has been 30 years
10 ago. Is it April 8th? Whatever is written on the
11 bottle.

12 Q. I'm showing you the bottle.

13 A. Maybe you can read it better. Yeah, the 04-08 of
14 '69.

15 Q. Tell me, who is that, whose signature is below
16 there?

17 A. That's Sam Sheppard wrote that.

18 Q. Right here?

19 A. He wrote it all.

20 Q. What does that say?

21 A. Well, it looks like a Z-O-E Schwartz, ex-con. I
22 can't see any better than that.

23 Q. Are you sure it's not Schmaltz?

24 A. (Indicating).

25 Q. Tell me how that signature got on there.

- 1 A. He wrote it there.
- 2 Q. Did he say anything when he wrote that?
- 3 A. I don't know. I was busy with other things. I
- 4 don't remember.
- 5 Q. Did you see him write that?
- 6 A. I can't say I did. I don't think so.
- 7 Q. Tell me how this bottle got there.
- 8 A. Oh, my sister had sent me a fruit basket, and the
- 9 bottle was in it.
- 10 Q. Was it full of champagne that night?
- 11 A. It was closed. Yes, it was a new bottle.
- 12 Q. We'll get into that in a minute.
- 13 You had a bleaching party, right?
- 14 A. Yes.
- 15 Q. Who was there?
- 16 A. Well, a lot of people. I don't remember all
- 17 their names. I was there, Pauline was there, the
- 18 hairdresser was there, Sharon was there, some other
- 19 customers.
- 20 Q. Who is Colleen?
- 21 A. Colleen was George Strickland's daughter, and she
- 22 also worked for me. She was a hairdresser that was
- 23 supposed to be his last wife.
- 24 Q. Now, you knew Colleen to be supposedly his last
- 25 wife?

1 A. Yes.

2 Q. Was that later on that she supposedly got married
3 to Sam?

4 A. That's what I understood, but that's what the
5 newspaper said.

6 Q. Did you know that Colleen and Dr. Sheppard were
7 involved in a relationship?

8 A. At that time they were not involved. He was
9 going with Sharon. It was later on.

10 Q. Who else was there. There are pictures here.
11 Can you identify the people in the pictures?

12 A. Yes. Where did you want me to start?

13 Q. This is worthless.

14 MR. BOLAND: You want to mark
15 that as an exhibit for the record?

16 MR. GILBERT: No, I mean this
17 (indicating).

18 BY MR. GILBERT:

19 Q. I'm showing you the champagne bottle that you
20 brought with you with photographs pasted on there.

21 Can you tell me who the pictures are?

22 A. That's Sam, and that's me. Let me get up here.
23 This is Sharon, his girlfriend, and that's Sam. That's
24 George Strickland (indicating).

25 Q. George Strickland has a blue shirt on, right?

- 1 A. Yes.
- 2 Q. And he's holding the champagne bottle?
- 3 A. Yes.
- 4 Q. Is Colleen the blond with glasses?
- 5 A. Down here (indicating)?
- 6 Q. Right, here (indicating).
- 7 A. No, that's Sharon, his girlfriend.
- 8 Q. Sharon has the glasses on?
- 9 A. Right.
- 10 Q. Where is Colleen?
- 11 A. You want to jump around and look at them or
- 12 across the bottom?
- 13 Q. Whatever you want to do.
- 14 A. Whatever is easier. That's George, and that's
- 15 Sam. They are acting like they are wrestling. And
- 16 that girl there just passed away. She was a customer.
- 17 Her name was Beverly. That's me. That's me and
- 18 George. There is me again. Now, over here is Sam.
- 19 That was my hairdresser that brought Sharon in. That's
- 20 Colleen. She worked for me as a hairdresser. And
- 21 that's her dad, George. There is George, Sam, Colleen
- 22 and myself. That's Betty Strickland, George's wife
- 23 (indicating).
- 24 Q. Who is wearing the red polka dots?
- 25 A. Right. I don't know who that is. I can't think

1 of it. That's me. And over here at the desk, that was
2 Sharon, Sam's girlfriend, and there is Sam and that's
3 me. That's Strickland, and that's Sam (indicating).

4 Q. Okay. How did you know the Stricklands?

5 A. When I bought the beauty salon, Colleen was there
6 employed, so she came with the shop.

7 Q. Did you know her father and mother?

8 A. Prior?

9 Q. Yes.

10 A. No. I knew of Strickland, of him being a
11 wrestler.

12 Q. Did you become friends with him?

13 A. Yes.

14 Q. Did you know what kind of work Mr. Strickland was
15 in?

16 A. I don't know if he was working at that time. I
17 guess he was a promoter of wrestling. I'm not real
18 sure.

19 Q. Tell me what happened at that party.

20 A. What do you mean, what happened?

21 Q. What happened, how did you get this book?

22 A. I don't understand your question. How did I get
23 the book?

24 Q. How did you get the signature on the book?

25 A. All right. When he came in the shop, he and

1 Sharon came in together, his girlfriend. I said, here
2 is the book, Sam. So he took the book and Sharon was
3 standing beside him and he signed it.

4 I didn't bother to look in it or anything. I
5 just let it lay there at the desk, on top of the desk.
6 It was there all evening.

7 Q. So it was when he came in or later on in the
8 evening?

9 A. When he came in, he and Sharon came in.

10 Q. You handed him the book?

11 A. Yes.

12 Q. Did you watch him sign it?

13 A. Yes.

14 Q. Did you watch what he was writing?

15 A. I couldn't see. I was on the other side of the
16 desk.

17 Q. There was a desk?

18 A. Right here (indicating). There is a desk right
19 here. That's the desk (indicating).

20 Q. That's where you walk into the beauty shop?

21 A. Yes.

22 Q. You were behind the desk?

23 A. When he signed the book, yes.

24 Q. He was or you were?

25 A. I was behind the desk. They were on the outside

1 of the desk, there, in front of it (indicating).

2 Q. You didn't pay attention when he wrote in the
3 book?

4 A. No, I did not. I had no idea what he was
5 writing, no.

6 Q. Did he keep the book or give it right back to
7 you?

8 A. I don't know if he laid it on top of the desk or
9 handed it to me, but it stayed there on top of the
10 desk.

11 Q. Did you see him leaf through the pages, or did
12 you see him sign one time?

13 A. I couldn't tell you. I don't remember.

14 Q. Now, was your husband there?

15 A. No.

16 Q. Where was your husband that night?

17 A. My husband worked for the railroad. He was on
18 the road.

19 Q. How long was Sam there that night?

20 A. I don't remember.

21 Q. Was this a party?

22 A. We called it a bleaching party. Yeah, we had
23 food.

24 Q. Was there drinking going on there?

25 A. Just the champagne. That was it. You are not

- 1 allowed alcohol in the shop.
- 2 Q. But you had champagne?
- 3 A. It was sent to me.
- 4 Q. It was not open for business at the time?
- 5 A. It was after hours. We had a few customers
- 6 there, yes.
- 7 Q. Were you drinking champagne?
- 8 A. I had a glass.
- 9 Q. Was Sam drinking?
- 10 A. I think he had a glass. Everyone had a glass.
- 11 In fact, I think he has got a glass in his hand there.
- 12 Q. That's right.
- 13 So you're saying at this time he and Colleen had
- 14 not become romantically involved; is that correct?
- 15 A. At that time, no. Not to my knowledge they
- 16 weren't, no.
- 17 Q. Was it subsequently that you learned that he
- 18 became involved with her?
- 19 A. It was later on because she no longer -- she
- 20 quit. She left the shop. That's when the Stricklands
- 21 and them got together.
- 22 Q. When was it that you looked at the book to see
- 23 what he had signed?
- 24 A. I brought it home that night.
- 25 Q. What did you notice when you opened the book?

- 1 A. I saw the yes.
- 2 Q. What was your reaction to that?
- 3 A. Mu husband happened not to be home that evening.
- 4 He came in and I showed him and he was very upset. And
- 5 he said, put it away and forget it. I don't want to
- 6 get involved.
- 7 Q. What did you do?
- 8 A. I did exactly what he said.
- 9 Q. Did you tell anybody about that?
- 10 A. I did tell a few people, yes. I can't remember
- 11 everyone I told, but I did tell a few people, yes.
- 12 Q. Do you remember anybody you told?
- 13 A. I told my sister.
- 14 Q. Who is that?
- 15 A. May Diana. Her last name is Diana.
- 16 Q. Did you tell anyone else?
- 17 A. I can't remember. My aunt, I told her. I don't
- 18 know when I told her, either.
- 19 Q. Did you ever talk to Sam about this?
- 20 A. No, I did not.
- 21 Q. Did you ever make an effort to talk to Sam about
- 22 that?
- 23 A. No.
- 24 Q. Did you ever talk to Colleen about it?
- 25 A. No.

1 Q. Did you ever talk to George Strickland about it?

2 A. No.

3 Q. Or Betty?

4 A. Betty found out in later years. I don't know

5 when I told her, but she did know about it.

6 Q. What was her reaction?

7 A. Nothing.

8 Q. What did you take this to mean?

9 MR. GILBERT: Let's mark this

10 as Exhibit 1.

11 (Thereupon, Plaintiffs' Exhibit 1 to

12 the deposition of PHYLLIS A. MORETTI was

13 marked for identification.)

14 BY MR. GILBERT:

15 Q. I'm showing you Exhibit 1. This is a photocopy

16 of some of the pages from the book; is that right?

17 Take a look through there.

18 A. M-hm, yes.

19 Q. I want you to look at the page where it says to

20 Phyllis.

21 A. Yes.

22 Q. What does that say?

23 A. It says to me, to Phyllis. I believe that says

24 our best wishes. That's what I thought that said.

25 That's because Sharon was there with him.

1 Does that say our? He scribbles pretty well, and
2 I couldn't tell you. That's what I thought it said.

3 Q. And our to you would mean who?

4 A. He and his girlfriend.

5 Q. And what else does it say there?

6 A. Sam H. Sheppard. Does that say Dr. Sam? I
7 think, but I can't read his writing.

8 Q. Looking over here where it says the handwritten
9 yes, what did that mean to you?

10 A. Well, I was really surprised to see it.

11 Q. Why were you surprised?

12 A. Well, to me it meant he admitted he did
13 something.

14 Q. Admitted he did what?

15 A. Well, just what it says. He killed his wife. I
16 knew what the book was about.

17 Q. Did you read the book?

18 A. Yes. My paperback, yes.

19 Q. What was the book about?

20 A. Oh, goodness, it has been years since I read it,
21 about when he was in the penitentiary, I guess. The
22 book -- I don't know. I did read it. I don't remember
23 everything that's in the book.

24 Q. Did you know that he had been tried and
25 acquitted?

1 A. Oh, yes, because I lived in Columbus and it was
2 very well publicized and there was a lot of
3 controversy. One day you thought he did it; the next
4 day you didn't think so. There was so much publicity.

5 Q. Did you have an opinion before that?

6 A. Every other day we had different opinions as
7 things came out. One day you thought he didn't; the
8 next day you thought he did because it was written up
9 so much. Every day there was something.

10 Q. That was during the trial. I'm talking about
11 when he would come into the beauty shop, at that time.

12 A. At that time I had kind of formed the opinion
13 that I thought he did.

14 Q. You thought he was guilty?

15 A. Yes.

16 Q. But you had no problem in him coming into your
17 shop?

18 A. Well, it was a public place. I couldn't do
19 anything about it.

20 Q. And you had no problem hugging him even though
21 you thought he was a murderer? There is a picture here
22 of you and him hugging.

23 A. Right.

24 Q. It didn't bother you?

25 A. I was much younger then. Things didn't bother me

1 then like they do now.

2 Q. But you have no idea whether he was serious,
3 whether he was joking or really what he meant when he
4 put the word yes?

5 A. I have no way of knowing because we did not
6 discuss it.

7 Q. Let me ask you this, where did the book remain
8 after this?

9 A. Part of the time it was in the safety deposit
10 box, and I think after my husband passed away I had it
11 at home.

12 Q. Did it ever leave -- go ahead.

13 A. Did it ever leave my possession, no.

14 Q. How many people did you show it to? Let's say in
15 the '70s, the 1970s.

16 A. I really didn't show it to a lot of people. I
17 kept it and put it in the library and forgot it.

18 Q. Did you ever take it and show it to anybody else?

19 A. I don't remember.

20 Q. Did you ever have any conversations with
21 Dr. Sheppard's son, Sam Reese?

22 A. I did not. I met him when he came to the
23 Stricklands' after Sam was buried. I was at the house,
24 and he was there. He was just a kid. I can remember
25 him playing the guitar. That was all. I was

- 1 introduced to him, and he was a kid.
- 2 Q. Was this at the time of the funeral?
- 3 A. This was after the funeral because he didn't make
4 it to the funeral. I think he was out of the country,
5 he was, so I don't think he was there.
- 6 Q. What were you doing at the Stricklands'?
- 7 A. Betty had asked me if I wanted anything that
8 George had, and I said no. But while I was there --
- 9 Q. This was when George died?
- 10 A. No, this was after Sam passed away.
- 11 Q. Betty asked you if you wanted anything of
12 George's?
- 13 A. Of Sam's.
- 14 Q. Of Sam's. You said George.
- 15 A. I'm sorry. That was a mistake.
- 16 Q. Why would you want anything from Sam?
- 17 A. I don't know. She just asked me, and so I took
18 some medical books because I always liked books.
- 19 Q. And those were medical books that belonged to
20 Sam?
- 21 A. Yes.
- 22 Q. Was there anything else that you took or that you
23 got?
- 24 A. No.
- 25 Q. Did you talk to Sam Reese Sheppard, the son?

- 1 A. I was introduced to him, but he wasn't interested
2 in me. He was just a kid sitting there playing a
3 guitar.
- 4 Q. Did you ever call him on the phone?
- 5 A. Did I?
- 6 Q. Yes.
- 7 A. No.
- 8 Q. Did you ever try to write a book about this?
- 9 A. I did not. My aunt did.
- 10 Q. What is your aunt's name?
- 11 A. I got all this down here for you. Valentina
12 Panzoni, P-A-N-Z-O-N-I.
- 13 Q. Is she alive today?
- 14 A. Yes.
- 15 Q. Where is she at?
- 16 A. She's at 408 Southwest Horseshoe Bay, Port St.
17 Lucie, Florida.
- 18 Q. Do you have a phone number for her?
- 19 A. Not with me. I do at home. I'd be more than
20 glad to give it to you.
- 21 Q. Does she ever go by the name of Valentine?
- 22 A. I don't know.
- 23 Q. Are you aware of whether or not she called the
24 son of Dr. Sheppard?
- 25 A. Yes. She did mention that to me.

- 1 Q. Tell me what she said to you about that.
- 2 A. She said she called him up and said that she
3 invited him over or something similar to that. She
4 wanted to talk to him, but he never responded.
- 5 Q. Tell me about her efforts to write a book about
6 this.
- 7 A. What do you mean, her efforts?
- 8 Q. What did she do? She was going to write a book
9 about the Sheppard case?
- 10 A. Yes.
- 11 Q. Based on what?
- 12 A. Well, based on this information and newspaper
13 clippings. I had sent her some. I don't know where
14 else she had got her information.
- 15 Q. You were not part of this at all?
- 16 A. Yes. I gave her this information, and I did send
17 newspaper clippings.
- 18 Q. Were you going to help her with the book?
- 19 A. I did help her.
- 20 Q. Were you going to make some money off of that?
- 21 A. Yes. If they got it published, I would have.
- 22 Q. Did she ever write anything, was anything ever
23 typed up?
- 24 A. I'm sure there was, yes.
- 25 Q. Did you ever see it?

1 A. I saw a transcript once. She had sent it. I was
2 in Detroit at the time, but I didn't get to read it all
3 because they hurried up and sent it on in and
4 registered it.

5 Q. There was a manuscript?

6 A. M-hm.

7 Q. Yes?

8 A. Yes, I'm sorry.

9 Q. Where is that manuscript? Do you have a copy?

10 A. I don't think so. I lost them because I moved in
11 the meantime. They have it.

12 Q. Who is they?

13 A. My aunt and this other lady with her. I was
14 going to give you her name, too.

15 Q. What is her name?

16 A. Here (indicating). I think it would be easier if
17 you read it off.

18 Q. Elaina Piccinini. She's your aunt as well?

19 A. No.

20 Q. Who is Ms. Piccinini?

21 A. A friend of my aunt's.

22 Q. And Valentina Panzoni is your aunt?

23 A. By marriage.

24 Q. How is she specifically related to you?

25 A. She married my mother's brother.

1 Q. Elaina and Valentina live together?
2 A. Yes.
3 Q. In Port St. Lucie, Florida?
4 A. Yes. To my knowledge they do. It's the same
5 address.
6 Q. Who was going to get credit for this book if it
7 was published? What was the agreement?
8 A. I don't know if we all were going to get credit
9 or what. I don't know. I didn't understand that part.
10 Q. It was your book, right? It was your book?
11 A. Well, it would be all of ours.
12 What do you mean, my book?
13 Q. That was your book, right?
14 A. This one here (indicating)?
15 MR. BOLAND: What book are
16 you referring to so we're clear for the
17 record?
18 MR. GILBERT: Endure and
19 Conquer.
20 BY MR. GILBERT:
21 Q. That was your book?
22 A. Yes.
23 Q. You were going to allow your book to be used in
24 the marketing of a separate book on the Sheppard case;
25 is that correct?

- 1 A. This here part, yes.
- 2 Q. And you were going to be a coauthor of that book?
- 3 A. I don't know if that's what you call it. I don't
- 4 know what the title would be.
- 5 Q. If the book made money, you were going to get
- 6 part of it; is that right?
- 7 A. Yes.
- 8 Q. Who else was involved in that effort?
- 9 A. I know of no one else.
- 10 You mean in the book or what? I didn't
- 11 understand your question.
- 12 Q. In the book that was being attempted to be sold
- 13 to a publisher, who else was going to get credit for
- 14 that book besides yourself, Elaina and Valentina?
- 15 A. No one that I know of.
- 16 Q. Just the three of you?
- 17 A. As far as I know, yes.
- 18 Q. So the three of you talked about going public
- 19 with this in the form of a book; is that correct?
- 20 A. Yes.
- 21 Q. In order to make some money?
- 22 A. Yes.
- 23 Q. Because you thought you had a valuable commodity
- 24 here, right?
- 25 A. Well, she knew about the book, and she approached

1 me. I didn't really want to get into anything because
2 my husband told me to stay out. Many years ago when my
3 brother passed away, over ten years ago, she came to
4 Columbus and said that she would like to and Elaina
5 would like to write a book. I said, okay.

6 Q. Were you aware that Valentina called Sam Reese?

7 Do you know who Sam Reese Sheppard is?

8 A. The son, yes.

9 Q. We'll call him Sam Reese, okay?

10 A. All right.

11 Q. Did you know that Valentina called Sam Reese and
12 told him that she had a confession?

13 A. I knew she tried to call him. I didn't know if
14 she spoke to him or not. I knew she spoke to someone.
15 I do not know who she spoke to.

16 Q. Do you know that Valentina called and left a
17 message with him asking him to write a chapter in the
18 book?

19 A. Something to that order. She told me she did
20 call him and wanted to meet with him. Exactly what was
21 said, I don't know.

22 Q. Do you know where a copy of that is besides that
23 manuscript, besides with the people in Florida? Is
24 there one up here in Cleveland?

25 A. I have no idea.

1 Q. Did you provide anything to the prosecutor's
2 office other than the photographs and the copy of your
3 book?

4 A. I did not, no.

5 Q. Did you ever meet with a reporter of the Plain
6 Dealer named James McCarty?

7 A. Yes.

8 Q. When was that?

9 A. That was when my aunt and Elaina came down here.
10 I don't remember the date. It must be close to a year
11 ago.

12 Q. You came up to Cleveland?

13 A. Yes, we did.

14 Q. Where did you meet them? They came to Columbus
15 first?

16 A. My aunt, yes. They came to pick me up.

17 Q. Were they visiting you in Columbus?

18 A. They didn't stay with me. Yes, they did come to
19 visit me, and they brought me here to Cleveland with
20 them.

21 Q. How did it come about that you came up to
22 Cleveland?

23 A. She said she had an appointment with this here
24 gentleman, the newspaper man, and I came with her.

25 Q. What was the purpose for this meeting?

1 A. They wanted to get some publicity and get the
2 book published. I don't know.

3 Q. The three of you went to Cleveland?

4 A. Yes.

5 Q. Did you meet with Mr. McCarty?

6 A. Yes.

7 Q. What happened there?

8 A. Well, we were in the conference room. I don't
9 know if there was questions. Whatever it was, we just
10 couldn't seem to follow through with it, so we left and
11 that was it.

12 Q. He wasn't interested in doing the story?

13 A. I'm not sure what the problem was.

14 Q. What is it that you wanted him to do?

15 A. I didn't want him to do anything. The other two
16 wanted him to do something.

17 Q. What did they want him to do?

18 A. I have no idea. You'll have to ask them. I
19 don't know.

20 Q. So you're saying basically the efforts to get the
21 book published regarding this so-called confession, to
22 get publicity about that so-called confession was
23 basically an idea of your aunt and her girlfriend?

24 A. They were the ones that were doing all the work.
25 I wasn't doing any of it.

1 Q. Are you distancing yourself from that? Are you
2 removing yourself?

3 A. I'm here and they are over there. They took care
4 of that end. I supplied the information to them. They
5 are the writers, not me.

6 Q. Did you have any correspondence with them?

7 A. Yes.

8 Q. What kind of correspondence?

9 A. Well, I talked to her I think it was a week or
10 two weeks ago. At the holidays she sends me things; I
11 send her things.

12 Q. About the Sheppard case, any correspondence?

13 A. About the Sheppard case, I haven't talked to her
14 about it since this came up.

15 Q. Do you know if she ever had any interest by any
16 publishers to publish this book?

17 A. I don't know.

18 Q. Did you read the manuscript?

19 A. Parts of it.

20 Q. What does the manuscript talk about? What is the
21 book about from your understanding?

22 A. Well, the information I gave her was I sent the
23 newspaper clippings. We talked about -- what was the
24 other wife's name -- and I told her about how we met
25 Sam and how I got the autograph of the book. And, like

- 1 I said, I sent a lot of clippings.
- 2 Q. But do you know what the book was going to say if
- 3 anything?
- 4 A. Well, I imagine whatever came out of the
- 5 newspaper clippings and what I told her.
- 6 Q. What did you tell her?
- 7 A. Basically what I told you about how it happened
- 8 and about Betty.
- 9 Q. What about Betty?
- 10 A. How I met her and George, and she met Betty.
- 11 Q. What was so interesting about that?
- 12 A. Well, she talked to Betty Strickland, and
- 13 whatever Betty told her about the case or whatever she
- 14 knew.
- 15 Q. I see. So your aunt talked to Betty?
- 16 A. Yes.
- 17 Q. Do you know what Betty told her?
- 18 A. No. I don't remember, no.
- 19 Q. Is Betty still alive?
- 20 A. As far as I know she is. She was a couple of
- 21 years ago.
- 22 Q. Do you remember what the book said about those
- 23 conversations between your aunt and Betty?
- 24 A. No.
- 25 Q. Did Betty have anything to say about the Sheppard

1 case, about the murder of Marilyn Sheppard?

2 A. I don't know.

3 Q. How can I get a copy of that manuscript?

4 A. I suppose if you would write to my aunt, contact

5 her.

6 Q. Do you know whether Sam, could you tell whether

7 or not he was intoxicated that night?

8 A. I have no idea.

9 Do you mean before he got there?

10 Q. Yes, before he got there.

11 MR. BOLAND: I'm going to

12 object. That's speculation.

13 You can answer, though.

14 A. I don't know.

15 Q. Had you ever seen him drink before?

16 A. No.

17 Q. Was he always nice to you?

18 A. Yes, very nice.

19 Q. Do you have any reason why he would confess to

20 you?

21 A. That I don't have the slightest idea.

22 Q. Did you ever go see him wrestle?

23 A. Yes.

24 Q. Where was that?

25 A. Chillicothe.

- 1 Q. Who did you go with?
- 2 A. My sister, she has passed away, and my children
3 and myself.
- 4 Q. How many times did you see him wrestle?
- 5 A. Just the one time.
- 6 Q. Do you remember what he called himself?
- 7 A. No. George was with him.
- 8 Q. When did you meet George and Betty?
- 9 A. When I bought the shop. I met them through
10 Colleen.
- 11 Q. You had the shop how long before this party?
- 12 A. Before the party?
- 13 Q. Yes.
- 14 A. I imagine a year or two years. Two years, I
15 would say roughly. I don't know exactly.
- 16 Q. Did you ever see Dr. Sheppard outside of the shop
17 other than the time you went to see him wrestle?
- 18 A. I went to their home.
- 19 Q. When was that?
- 20 A. When Armstrong went on the moon. My son and I
21 went.
- 22 Q. To watch the moonwalk?
- 23 A. Yes.
- 24 Q. Was Sam there?
- 25 A. Yes.

- 1 Q. Who else was there?
- 2 A. Colleen, George, Betty. If there were other
3 guests, I don't remember. I was there.
- 4 Q. When was this, after the party?
- 5 A. I don't remember. Whenever the moonwalk was,
6 whenever that was.
- 7 Q. It was after the party, right?
- 8 A. Yes.
- 9 Q. So even though you had that so-called confession
10 from Dr. Sheppard, you still socialized with him; is
11 that right?
- 12 A. I was invited, and I went.
- 13 Q. Okay. Did you mention anything to Colleen
14 Sheppard or Colleen Strickland about that book?
- 15 A. No.
- 16 Q. Where else did you see Dr. Sheppard besides the
17 moonwalk party?
- 18 A. I don't think I saw him. I can't remember ever
19 seeing him after that. I went to Betty's house. They
20 traveled on the road after that. I'm trying to think,
21 because I think then I was there after Sam died. I
22 can't recall.
- 23 Q. Did you see him before he died?
- 24 A. Did I see Sam before he died?
- 25 Q. Yes.

1 A. Well, when I was at their house. I can't
2 remember if there was any other times or not. There
3 might have been one more time. I don't remember.

4 Q. Did you notice whether or not he was showing any
5 indication of being ill?

6 A. He looked very healthy.

7 Q. He looked healthy to you?

8 A. He was a big, robust person just like those
9 pictures.

10 Q. So you never were told or heard anything about
11 him being ill?

12 A. No.

13 Q. It was a surprise to you when he passed away?

14 A. Yes, because I didn't know he was ill. I don't
15 know if he was ill, I mean.

16 Q. Other than going to see McCarty, the guy from the
17 Plain Dealer, with your aunt and her friend from
18 Florida, did you go with them anywhere else to try to
19 get publicity on this whole thing?

20 A. I was not with them, but they did call -- I was
21 trying to think of her name -- Colleen. She was a news
22 coverer. I think she was on Fox at the time. She is
23 on Channel 4 now. She had an interview with me.

24 Q. Tell me about this interview. When was that?

25 A. I was by myself. I can't remember. It has been

1 about a year ago, I think, at least a year.

2 One question I remember she asked, but I can't
3 remember the rest of them. It was short. Did I think
4 Sam did it, and I said I thought he was capable of it.

5 Q. Why did you say that?

6 A. Well, the incident at the wrestling match.

7 Q. What happened at the wrestling match?

8 A. Well, he was going to have this wrestling match
9 in Chillicothe. Like I told you, my husband didn't
10 want me to go, and I went anyhow with my family, the
11 children and so forth.

12 We were sitting in the front, and Sam had this
13 other wrestler down, and the guy was getting red in the
14 face and so forth. I thought it was all -- that
15 wrestling was just a game. Then George came and tried
16 to pull Sam off of, I think his name was Fatso, the
17 other wrestler, and then a couple other guys came and
18 was trying to pull Sam off of him.

19 I still kind of thought, oh, gee, this is all an
20 act. But then when I saw the ambulance come in the
21 auditorium I got scared, so I took the children and we
22 left. I said, now, don't say anything to your dad,
23 because we had a terrible argument prior to that
24 because he didn't want me to go. So the next morning
25 when he came home he said, well, how did things go?

1 Just fine, I lied to him.

2 Then he opened the newspaper we had, what do they
3 call it, it was the Citizen Journal at that time, and
4 the whole front page said Sam tries to kill Fatso. I
5 think those were the words. He had used that hold
6 where they put the two fingers under the tongue and the
7 thumb up there, and I think it could be very lethal. I
8 think Fatso was in the hospital a week or so, and I
9 think it was touch or go there.

10 That really scared me, and I said to my husband,
11 you're right. I mean, I had no business going.

12 Q. You said that to your husband?

13 A. Well, because my husband didn't want me to go.

14 Q. So that made you believe that Sam was capable of
15 committing --

16 A. That was so realistic. I was right there.

17 Q. Had you ever been to a wrestling match before?

18 A. I may have when I was a young girl. I can't
19 remember. I always thought it was just a lot of fun
20 and games. I never took them seriously.

21 Q. So you were on Fox in Columbus or up in
22 Cleveland?

23 A. Columbus.

24 Q. And that was about a year ago?

25 A. I think it was a year ago. I don't remember her

1 name. I think it was Colleen something. I can't
2 remember her name. I can find that out for you. If
3 there is anything you need to know, I can go back and
4 research it.

5 Q. What is your phone number?

6 A. Area code 614-457-6396.

7 Q. Did you own any other businesses besides that
8 beauty shop?

9 A. No. Oh, when I was younger I had another beauty
10 shop years ago. Is that what you mean?

11 Q. Whatever.

12 A. You're going way back there now. I had a shop
13 when I was 19 years old.

14 Q. Let me ask you this, were you on the radio or any
15 other TV programs other than the one on Fox?

16 A. No.

17 Q. So the only time you ever appeared on TV was
18 about a year ago; is that right?

19 A. Yes.

20 Q. That was in Columbus?

21 A. Yes.

22 Q. Now, you met with the prosecutor's, with
23 Mr. Boland today or Mr. Mason?

24 A. Mr. Mason is sick.

25 Q. Had you met with him before?

1 A. No. I spoke to him on the telephone.

2 Q. Is there anything else that you have talked about
3 with them that you haven't mentioned today?

4 A. Talked to who?

5 Q. Either Mr. Riley and Mr. Mason or anybody from
6 the prosecutor's office about Sam?

7 A. Not that I can remember.

8 Q. Did you tell them about the wrestling incident?

9 A. I don't know.

10 Q. Have you made any money out of this at all so
11 far?

12 A. No, not to my knowledge I haven't.

13 Q. Do you know whether Elaina and Valentina are
14 still attempting to get a book deal on this matter?

15 A. I suppose they are. I don't know. You'll have
16 to ask them.

17 Q. Now, who took the pictures that are on that
18 bottle?

19 A. Somebody at the party. I don't know.

20 Q. You don't know?

21 A. (Indicating).

22 Q. How did you get the pictures?

23 A. I don't even remember. The camera was there.
24 Probably it was left. I don't know. It could have
25 been my camera. I don't remember.

- 1 Q. How did you get the prints, the pictures?
- 2 A. We must have had a camera there, and it was
3 probably left there for me.
- 4 Q. What was left there for you?
- 5 A. The film.
- 6 Q. You took the film in and had it developed?
- 7 A. I think so.
- 8 Q. Why did you put these photographs on the
9 champagne bottle?
- 10 A. Oh, well, you know, I think at the time everyone
11 was doing some type of work like that. I don't know if
12 my kids did it or what. I don't remember.
- 13 Q. Were there any other pictures that are not here
14 that you have?
- 15 A. Not that I know of. If there is any more, my
16 aunt would have them.
- 17 Q. How did the pictures get on to the copy? Did you
18 give this bottle to the prosecutor's?
- 19 A. No. I had some pictures like that, whatever is
20 here.
- 21 Q. You had copies of them; is that right?
- 22 A. Yes.
- 23 Q. Where are those copies?
- 24 A. I have them.
- 25 Q. Where, at home?

- 1 A. Yes. These pictures right here, the same ones
2 that was on the bottle.
- 3 Q. Same ones?
- 4 A. Well, it looks like it to me. They aren't very
5 good pictures, are they?
- 6 Q. Okay. And you don't know what Joe or Zoe Smaltz,
7 ex-con, is?
- 8 A. Sam wrote that.
- 9 Q. You didn't see him write that?
- 10 A. I don't remember.
- 11 Q. How do you know he wrote that?
- 12 A. He had the bottle at the time, but I didn't see
13 him write that.
- 14 Q. What was he doing with the bottle?
- 15 A. He was opening the bottle, and I think he
16 scribbled on it before either he or George opened it.
17 I don't remember.
- 18 Q. You never in all these years tried to find out
19 what that was all about, that signature, Joe Schmaltz,
20 ex-con?
- 21 A. Where would I look?
- 22 Q. You didn't bother to ask him?
- 23 A. I didn't see him much after the party.
- 24 Q. He didn't come in?
- 25 A. Well, he and Colleen got together after that with

- 1 the Stricklands.
- 2 Q. And this Sharon, did you know her well?
- 3 A. Just as a customer.
- 4 Q. Do you know where she is?
- 5 A. No.
- 6 Q. Did you ever notice anything strange about Sam's
- 7 behavior that night?
- 8 A. You mean being drunk or something?
- 9 Q. Yes.
- 10 A. No.
- 11 Q. Other than this wrestling incident, did you ever
- 12 notice anything about his behavior?
- 13 A. I don't know what you mean.
- 14 Q. You said he looked like he could kill at the
- 15 wrestling.
- 16 A. Yeah.
- 17 Q. Had you noticed anything unusual or anything
- 18 violent about him other than that wrestling match?
- 19 A. I can't remember.
- 20 Q. Was he always courteous to you?
- 21 A. Yes.
- 22 Q. Did he treat Sharon in your presence
- 23 appropriately?
- 24 A. Yes.
- 25 Q. When he was with Colleen, did he treat her okay?

1 A. I wasn't with him very much when he was with
2 Colleen because they were traveling on the road
3 wrestling.

4 MR. GILBERT: Okay. I have
5 no further questions. Thank you for
6 coming up.

7 MR. BOLAND: Mrs. Moretti,
8 you have the right to have a copy of this
9 deposition, a transcript of this
10 deposition sent to you for your review to
11 see if there are any typographical errors
12 on it before it is submitted as part of
13 the official record, or you can waive that
14 right and just rely on the fact that this
15 court reporter here has taken everything
16 down without any errors on it. That's
17 your choice.

18 THE WITNESS: I wouldn't mind
19 having a copy, but I don't think she has
20 made any mistakes.

21 MR. BOLAND: We can get you a
22 copy of it after it's submitted. Do you
23 want to waive your right to read it ahead
24 of time and check for errors prior to it
25 becoming a part of the record? It doesn't

1 matter.

2 THE WITNESS: I'd like to
3 have one.

4 MR. BOLAND: You'd like to
5 review it ahead of time to make sure there
6 are no errors?

7 THE WITNESS: Yes.

8 MR. BOLAND: Mrs. Moretti, I
9 ask you in interests of this trial date
10 being 36 days away, as soon as you get
11 that, look it over as quickly as possible
12 and let us know if there are any errors.

13 THE WITNESS: Yes.

14 - - -

15 (DEPOSITION CONCLUDED.)

16

17

18

19

20 _____
PHYLLIS MORETTI

DATE

21

22 - - -

23

24

25

1 State of Ohio,) CERTIFICATE

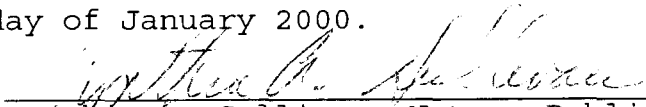
2 County of Cuyahoga.) SS:

3 I, Cynthia A. Sullivan, Notary Public and
4 Registered Professional Reporter within and for the
5 State of Ohio, duly commissioned and qualified, do
6 hereby certify that the within-named witness, PHYLLIS
7 A. MORETTI, was by me first duly sworn to tell the
8 truth, the whole truth and nothing but the truth in the
9 cause aforesaid; that the testimony then given by her
10 was reduced to stenotype in the presence of said
11 witness, and afterwards transcribed by me through the
12 process of computer-aided transcription, and that the
13 foregoing is a true and correct transcript of the
14 testimony so given by her as aforesaid.

15 I do further certify that this deposition was
16 taken at the time and place in the foregoing caption
17 specified.

18 I do further certify that I am not a relative,
19 employee or attorney of either party, or otherwise
20 interested in the event of this action.

21 IN WITNESS WHEREOF, I have hereunto set my hand
22 and affixed my seal of office at Cleveland, Ohio, on
23 this 4th day of January 2000.

24 
Cynthia A. Sullivan, Notary Public and RPR
25 in and for the State of Ohio.
My Commission expires October 6, 2001.

LAWYER'S NOTES

Page	Line	
P.M Pg. 4	25A	Delete "center", replace with "social".
P.M 6	23	Insert "a" between "am" and "nail"
P.M 7	8	Insert "just" after "school" and before "to"
P.M 7	9	delete "just"
P.M 8	18	Add "had" before "works" and after "he". Change "works" to "worked" (Should read "had worked"
P.M 8	22	Insert "office" between "procuritor's" and "in" (Should read "prosecutor's office"
P.M 15	9	Delete both commas. Insert semi-colon after "here"
P.M 16	17	Delete "that's"
P.M 19	17	Insert "go straight" before "across"
P.M 20	5	Insert "employed" and a comma before "there"
P.M 20	6	Delete "employed"
P.M 21	7	Insert "there" before "when" and after "was" (Should read "It was there when he came in later...")
P.M 21	7	Delete "or"
P.M 24	1	Insert quotes around "yes"
P.M 24	3	Change "Mu" to "My"
P.M 25	24	Capitalize "Our" and insert quotes around "Our Best Wishes"
P.M 29	8	Delete "George"; replace with "Sam"
P.M 30	12	Replace "Panzoni" with "Panzone" PANZONE
P.M 40	4	Delete "if"
P.M 49	2	Delete "was"; replace with "are"