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IN THE SUPREME COURT OF NEVADA

YOAV EGOSI,

Appellant,

vs.

PATRICIA EGOSI,

Respondent.

Case. No.: 76144

Dist. Ct.

Case. No.: D-16-540174-D

APPELLANT'S APPENDIX
VOLUME 4 of 10

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On Appeal from the Eighth Judicial District Court – Family Division

County of Clark, State of Nevada

Case No. D-16-540174-D

The Honorable Bryce C. Duckworth, District Court Judge

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1 A Yes.

2 Q And was that one trip? How often was that?

3 A I think I saw them maybe three times that year.

4 Q Okay. Was that in Las Vegas or somewhere else?

5 A In Las Vegas.

6 Q How many -- and have you continued to take drugs in

7 2008 through the present date?

8 A I have.

9 Q And has your drug taking affected your memory?

10 A No.

11 Q You don't think so? When did you come to Las Vegas

12 to meet with the lawyers?

13 A I met with Samantha on Monday.

14 Q On Monday. Okay. And where do you live?

15 A Where do I live?

16 Q Yes, ma'am.

17 A In Atlanta.

18 Q And what's the address, please?

19 A 5200 Peachtree Road, Unit 3109.

20 Q And how long have you lived there?

21 A I think I signed the lease in 2000 -- well, it ends

22 this year and it was a two year lease, so --

23 Q And I think you said on direct examination that you

24 are a stripper for -- for work?

1 A No.

2 Q What do you do for work now?

3 A I do internet marketing.

4 Q And is it X-rated marketing?

5 A No.

6 Q Okay. And when was the last time you saw Patricia

7 Egosi?

8 A This morning.

9 Q Well, before this trip today, when was the last

10 previous time you saw her?

11 A When I last saw both of them, in Vegas.

12 Q In 2014?

13 A Yes.

14 Q And you haven't seen her since 2014?

15 A Oh, I'm sorry. She came to Atlanta. I saw her

16 then.

17 Q And that was in August of 2015?

18 A No, this was last year.

19 Q Okay. 2016 you saw her in Atlanta?

20 A Yes.

21 Q Do you remember when?

22 A Yeah, I think September-ish.

23 Q In addition to your drug history in the last 10

24 years, have you also been arrested for DUI?

1 A Yes.

2 Q And what was the disposition of that crime -- that
3 arrest?

4 A Well, I was arrested in -- I think it was 2006 for a
5 DUI and I think the -- I think it was dismissed 2009.

6 Q I am not an expert on this, Ma'am. Is it in fact
7 true you are under drugs right now, under the influence of
8 drugs as you sit here right now?

9 A No.

10 Q Did you write a letter to -- made on behalf of
11 Patricia Egosi?

12 A Did I write what?

13 Q Did you write a letter on behalf of Patricia Egosi
14 in 2011? Exhibit U, please.

15 A I'm not sure.

16 Q Let me show you Exhibit U.

17 A Okay.

18 Q And ask you if you can identify this letter.

19 A Okay.

20 Q Under our marked exhibit.

21 A Yes, I did.

22 Q And you wrote that letter in 2011?

23 A I'm not sure when I wrote this.

24 Q Would you look at the second page and see if you can

1 find your --

2 A Ah, okay.

3 Q -- notarized --

4 A Yes.

5 Q -- statement?

6 A Yes.

7 Q What's the date, ma'am?

8 A It says September 29th, 2011.

9 Q What was the purpose that you wrote that letter for?

10 A It was something to do with Nedson (ph).

11 Q Isn't it true that it had something to do with
12 Patricia Egosi's application for a green card from United
13 States Government?

14 A Well, I'm not sure anymore if it was her or Nedson.

15 MR. JIMMERSON: Okay. Move for its admission Your
16 Honor of Exhibit U.

17 THE COURT: Any objection to the admission of
18 Exhibit U?

19 MS. MENTZEL: No, Your Honor.

20 THE COURT: Exhibit U is admitted into the record.

21 (DEFENDANT'S EXHIBIT U ADMITTED)

22 BY MR. JIMMERSON:

23 Q And you spoke to -- you knew that Mr. Egosi was
24 applying for a green card and you asked to include in your

1 letter Patricia's fluency in English, isn't that right?

2 MS. MENTZEL: Objection, misstates testimony

3 THE COURT: Over --

4 BY MR. JIMMERSON:

5 Q Answer the question.

6 THE COURT: Overruled.

7 Q Did -- weren't you asked to set forth in your letter
8 one of the elements of the letter, one of the contents to be
9 -- to state your understanding of Patricia's fluency in
10 English?

11 A Honestly, I don't remember what all was asked of me
12 to do, but if I included that in the letter, then it was
13 probably they asked me to discuss it.

14 Q Do you attribute your poor memory to your consistent
15 drug use over the last 10 years?

16 A No, I attribute it to being six years ago.

17 MR. JIMMERSON: Your Honor, I would like to read
18 paragraph 3 in its entirety. Joe owns a telecommunications
19 company and after knowing him for some time, he shared with me
20 details about what exactly he does. Occasionally, he has
21 asked me to help edit marketing pieces for his company.
22 Although neither Joe nor Patricia speaks English as their
23 native language. They are both quite fluent by now, each
24 having multiple years of practice and study. Yet because I

1 grew up in America, I have been able to offer some small
2 instruction to their mastery of the English grammar. I think
3 because all three of us are multi-cultural and multilingual,
4 it makes it easier for us to all understand and learn from
5 each other. I am amazed at Patricia's linguistics. I believe
6 she can communicate in nine languages. Her heavy Portuguese
7 accent is some -- is a sort of magnetism and a joy for us.
8 Joe and I mimic her mispronunciations to her chagrin, but it's
9 all done through love, end of quote.

10 Thank you, Judge. I have no further questions of
11 this witness.

12 THE COURT: Redirect?

13 REDIRECT EXAMINATION

14 BY MS. MENTZEL:

15 Q And this was in September of 2011, approximately two
16 years after you met the parties, correct?

17 A Yes.

18 MS. MENTZEL: I have no further questions.

19 THE COURT: Okay. You may step down.

20 THE WITNESS: Thank you.

21 (WITNESS EXCUSED)

22 THE COURT: Your next witness?

23 MS. MENTZEL: Sorry. It's a mess around -- Your
24 Honor, I'd like to call David Plotkin.

1 THE COURT: David --

2 MS. MENTZEL: Plotkin.

3 THE COURT: Plotkin.

4 (WITNESS SUMMONED)

5 THE COURT: Please remain standing and raise your
6 right hand to be sworn.

7 THE CLERK: You do solemnly swear the testimony
8 you're about to give in this action shall be the truth, the
9 whole truth, and nothing but the truth, so help you God?

10 MR. PLOTKIN: Yes, I do.

11 THE COURT: You may be seated. Counsel, you may
12 proceed.

13 THE WITNESS: Thank you.

14 DAVID PLOTKIN

15 called as a witness on behalf of the Plaintiff, having been
16 first duly sworn, did testify upon his oath as follows on:

17 DIRECT EXAMINATION

18 BY MS. MENTZEL:

19 Q Please state your name for the record.

20 A David Plotkin.

21 Q And will you --

22 THE COURT: Can you --

23 Q -- spell your last name for me, please?

24 THE COURT: Thank you.

1 A Sure. Plotkin Is P-l-o-t-k-i-n.
2 Q Please state your current address?
3 A 2491 Meridian Avenue, Miami Beach, Florida 33140.
4 Q Do you know Plaintiff Patricia Egosi?
5 A Yes, I do.
6 Q And have you ever met Defendant Yoav Egosi?
7 A Yes, I have.
8 Q And what year did you meet Patricia?
9 A I met Patricia the first time in 1999.
10 Q And where did you meet her?
11 A I met her in a strip club named The Dollhouse --
12 Q Dollhouse?
13 A -- in Sunny Isles, Florida.
14 Q And what was Patricia doing there?
15 A She was a stripper, dancing.
16 Q And so you met Patricia in 1999. And when you met
17 her in 1999 --
18 MR. JIMMERSON: Objection, the question is leading
19 already.
20 BY MS. MENTZEL:
21 Q How many times per week would you say her met her --
22 or when you saw her?
23 A Well, I would -- this -- this was a place I would go
24 to a lot, so I didn't know at the time really, but I found out

1 later. When she was in town, I would see her two or three
2 times a week whenever I was there for about -- I guess about a
3 year and a half.

4 Q A year and a half. And when you met her, could
5 Patricia speak English?

6 A No, not -- maybe hello.

7 Q Maybe hello. Could --

8 A Yeah.

9 Q -- she speak any other words?

10 A If -- if she did, it was like mimicking or -- you
11 know, nodding her head, things like that, you know, answering
12 questions, simple like how are you, she might say okay, you
13 know, things like that. And it was very little English.

14 Q So how did you communicate with her then?

15 A I really didn't back then. We really hardly talked
16 at all but to say hello. Again, when you see somebody two or
17 three nights in a row, there's a familiarity that might come
18 from sitting with her and, you know, when you ask -- when she
19 asked -- she knew I was coming from work because maybe she's
20 -- like I mentioned it the day before, so today I came from
21 work and she would say -- she would look at me and -- and say
22 how -- how is your day. I -- I can't even recreate her exact
23 words, because it wasn't a proper sentence. But again, after
24 a couple of times of speaking with her, I became more familiar

1 with the way she communicated, I guess is what --

2 Q Let's move forward.

3 A Okay.

4 Q Okay.

5 A Sure.

6 Q We're at 1999.

7 A Sorry.

8 Q Let's move forward to 2006. Did you know Patricia

9 in 2006?

10 A Actually, in 2006, yes.

11 Q Okay. And what was your relationship with -- like

12 with Patricia in 2006?

13 A In 2006, we had -- well, in -- can I backup one -- I

14 don't want to misspeak, because we -- we actually met -- we

15 reunited a little before that.

16 Q Okay.

17 A But in 2006, we were already involved in a more --

18 you know, in -- in a relationship I would say.

19 Q When did you reunite?

20 A In 2005.

21 Q Okay. So there was a --

22 A February of 2005.

23 Q There was a period of time you guys didn't really

24 see each other? Is that what I'm understanding?

1 A A good five years.

2 Q Okay.

3 A I didn't know.

4 Q So you reunited in 2005. How did you reunite in
5 2005?

6 A I was in a -- a strip club named Solid Gold which
7 later became -- called Dean's Gold in North Miami Beach,
8 Florida. And actually, she came up -- Patricia came up to me
9 and said hello, and actually, I was a little surprised because
10 again, I hadn't seen her in so many years. And that's how we
11 met -- met again or reunited again.

12 Q Let's do a scale on one to 10. Okay.

13 A Okay.

14 Q In -- in 2005, 10 being absolutely fluent and one
15 being you can't speak a lick of English.

16 A Okay.

17 Q Where would Patricia lay on that range in your
18 experience?

19 A In 2005? Maybe a -- a two, maybe a little more.

20 Q Okay.

21 A I mean, she -- she spoke a little better in 2005 in
22 that a simple sentence, a casual conversation could be
23 understood, but it still took time to have any sort of
24 discussion about anything other than, you know, what do you

1 want to drink or how -- how are you.

2 Q What would you rate on a scale of one to 10 her
3 English in 2006?

4 A Again, a small degree better, maybe from -- from
5 repetition and practice of -- of saying the same things.
6 Also, by then we had already been together whenever she was in
7 town a few times. And so again, that familiar -- familiarity,
8 excuse me, familiarity of speaking to the same person, it
9 wasn't so much that she spoke better more than I understood
10 better if that makes any sense. I -- I don't know how to
11 describe it. I -- I -- when you're talking to somebody
12 especially face-to-face, you get to understand facial
13 expressions and, you know, other things other than the actual
14 word. So -- and -- and because we had multiple -- many
15 conversations, when she might have said something, I could
16 fill in -- you know, she missing or word or saying the wrong
17 word, I -- I understood though what she was trying to say.

18 Q And she would go back and forth to Brazil, correct?

19 A Yes.

20 Q Okay. Did you guys write to each other?

21 A We did. We used a chat program. We used also
22 emails. That would be how we wrote to each other.

23 Q And how was her -- on a scale of one to 10, how
24 would you describe her level of writing in the English

1 language?

2 A It's -- and when you were in chat, it was poor
3 because that was let's say considered like live talking
4 because you're like chatting back and forth.

5 Q I noticed that -- I used to -- I joked with her
6 because I noticed in an email it might be a little better
7 certain words. I didn't know -- but I figured out she was
8 using a translator for an individual word, but when you use a
9 translator, it never really comes out the way -- I mean, a --
10 a mechanical translator, not a person.

11 I also think I remember her telling me that someone
12 would help her --

13 MR. JIMMERSON: Objection, Judge. This is beyond
14 the -- the question being asked. I move to strike.

15 THE COURT: It's becoming a narrative, so sustained.

16 THE WITNESS: Okay.

17 BY MS. MENTZEL:

18 Q There -- there was a -- there was a period of time
19 you and Patricia didn't see each -- each other, is that
20 correct?

21 A You mean after this point?

22 Q Yes, after this -- after 2006.

23 A In Dec -- after December 2006 there was a number of
24 years, yes.

1 Q Okay. And do you know why you and Patricia were no
2 longer seeing each other?

3 A Well, yes. She met Joe and -- and left me and I
4 sort of was heartbroken. So that would be the reason why.

5 Q There was a time you reunited, isn't there?

6 A I bumped into the two of them -- or I should say I
7 saw them at a -- at the same club in 2009.

8 Q In 2009. And in 2009, did you meet Joe?

9 A I met Joe on -- on the third time that I saw them at
10 the club. The first time only Patricia came over to say
11 hello. I sent over a drink to the two of them saying
12 basically no hard feelings, I'm happy for the two of them, and
13 actually Joe came up to to shake my hand and call me a
14 gentleman, which I, you know, returned back to him the shake
15 and he thanked me for taking good care of Patricia before, you
16 know, he met her.

17 Q And in 2009, that scale of one to 10, what would you
18 rate Patricia how she spoke, her English language at that
19 time?

20 A Not much better. It's -- again, we were inside of a
21 club at this point. I didn't see her or them I should saw
22 outside the club. So all she was saying was -- the first time
23 was apologizing for -- she felt bad for -- for, you know, for
24 hurting me let's say.

1 Q And I'm -- and I'm --
2 A And --
3 Q -- asking you to listen to my question.
4 A Okay. Sorry.
5 Q On a scale of one to 10 --
6 A Oh.
7 Q -- what would you have rated her English at that
8 time?
9 A If I'm -- I'm going in the same ticks, I would say
10 up to a three, maybe. Again, it was -- it was three sentences
11 spoken -- very, very hard to understand -- you know, very hard
12 to gauge it. It wouldn't be much -- it wouldn't be much of a
13 conversation other than, you know, cordiality.
14 MS. MENTZEL: I have no further questions, Your
15 Honor.
16 THE COURT: Any cross examination, Counsel?
17 MR. JIMMERSON: I do, briefly.
18 CROSS EXAMINATION
19 BY MR. JIMMERSON:
20 Q And since 2009 you have reacquainted yourself with
21 Patricia since then, isn't that true?
22 A Yes.
23 Q Okay. And tell the Court when you reacquainted
24 yourself with Patricia since 2009.

1 A In 2010 we became friends on Facebook and we would
2 -- I don't know, reacquainted -- communicate by, you know,
3 listen -- looking at each other's pictures and commenting. We
4 have a lot of mutual friends on Facebook.

5 Q Did Patricia tell you that her husband did not want
6 you or -- or physically around her, that is to say so that you
7 would have another intimate relationship with her? Did
8 Patricia tell you that?

9 A No.

10 Q Okay. So have you seen her in the year -- or have
11 you seen her in the year 2017 this year?

12 A Before last -- before in the last -- yes, the answer
13 is yes.

14 Q Okay. When did you see her?

15 A I don't know the date. The calendar would be last
16 Thursday when I flew into town.

17 Q You were intimate with her in 2017 this year,
18 correct?

19 A No, I was not intimate with her.

20 Q So I'm showing you Exhibit W.

21 A Sure.

22 Q This is Exhibit W, proposed, YEG011969. Did you
23 have that exchange by email or chat in March of 2017?

24 A Yes.

1 Q And when you referenced that you were looking
2 forward to having a midnight snack, was that referring to the
3 act of cunnilingus?

4 A Excuse me?

5 Q Were you talking about having sex with her that
6 evening?

7 A No.

8 Q Okay.

9 MR. JIMMERSON: Your Honor, move the admission of
10 Exhibit W into evidence.

11 THE COURT: Any objection to the admission of
12 Exhibit W?

13 MS. MENTZEL: No objection.

14 THE COURT: Exhibit W is admitted into the record.

15 (DEFENDANT'S EXHIBIT W ADMITTED)

16 BY MR. JIMMERSON:

17 Q In addition to that, you also bought Patricia a
18 telephone in January of this year, isn't that true?

19 A No, I didn't buy her a telephone, no.

20 Q Okay. So when she testified in her deposition two
21 weeks ago that you bought her a telephone, that's not
22 accurate. So tell me about your relationship with her having
23 a phone that attributes to you, Mr. Plotkin.

24 A Okay. I -- I owned a phone already. I gave her the

1 phone the use until she could afford to get her own. I had a
2 phone through T-Mobile that was -- how do I say this. I was
3 paying every month and if I would have cancelled the phone
4 line, I would have had to pay for the -- the retail of the
5 phone. So I had a phone not being used, so that's what I sent
6 her.

7 Q So the phone that you sent her is pink in color,
8 correct?

9 A Yes.

10 Q So you owned a pink phone --

11 A Rose colored --

12 Q -- for yourself?

13 A -- if I remember correctly. It's rose.

14 MR. JIMMERSON: Exhibit L, please.

15 Q And you have also sent Patricia money, haven't you?

16 A Yes, I have.

17 Q And that -- that began when? When was the first
18 time you had sent her money?

19 A The first time I sent her money?

20 Q Yes.

21 A Would be -- not knowing the exact dates, I would say
22 in 2005.

23 Q Okay. And you continued to send it for years
24 afterwards, didn't you?

1 A I sent it in 2005, 2006, and then not again until
2 September of 2016.

3 Q So you don't remember sending more money in January
4 of 2007?

5 A January 2000 -- well, I'm sorry. Just -- maybe a
6 week after December 2006 I could have maybe, yes.

7 Q All right. And you would send her \$3,000 at a time,
8 wouldn't you?

9 A How much?

10 Q \$3,000.

11 A No.

12 Q Okay. I'm going to show you a series of transfers
13 where you paid her money \$3,000 starting in January of 2007.
14 Can you identify those documents?

15 A I'm reading a document that says \$300 year -- sir.

16 Q That's 300, isn't that --

17 A Yeah, there's a decimal point. It's 300.

18 Q Did you send it --

19 A There's no comma there.

20 Q I'll -- I'll go through those amounts. Did you
21 send --

22 A Yes.

23 Q -- \$300 on January of 2007, January 9th of 2007?

24 A I can't see the -- the thing before the nine, but if

1 you're telling me that's a -- a one, then yes -- yes.

2 Q And these were gifts, sir?

3 A I'm sorry?

4 Q These were gifts to her?

5 A At that time, yes.

6 Q You're not going to claim that you were loaning her

7 money, are you?

8 A At that time, no.

9 Q Okay. Have you loaned her any money at any time?

10 A Yes, I have.

11 Q When was that?

12 A In 2016.

13 Q How much money have you given her that you've gifted

14 between 2005 to the present date?

15 A \$600.

16 Q And I'm showing you the balance of Exhibit L

17 proposed. Did you also send these additional monies to her?

18 A No.

19 Q So you did send her that -- that you're not

20 responsible for the second page of monies being sent or the

21 third page?

22 A No.

23 Q All right.

24 A I can't read the third page too clearly.

1 Q It's not what -- it's not -- it -- it's true. It's
2 very hard to read.

3 A I can't read it, but I can tell you that no.

4 Q All right. Thank you.

5 MR. JIMMERSON: Your Honor, I move for the admission
6 of the first page of Exhibit L into evidence.

7 THE COURT: Any objection to the admission of the
8 first page of Exhibit L

9 MS. MENTZEL: No -- no objection, Your Honor.

10 THE COURT: Exhibit L is admitted, the first page.

11 (DEFENDANT'S EXHIBIT L, PAGE 1 ADMITTED)

12 BY MR. JIMMERSON:

13 Q And when you would meet her between 1999 and 2006,
14 you paid her for sex, correct?

15 A No.

16 Q So you had sex but it wasn't for compensation?

17 A In 1999 and 2000 as I stated it was -- I didn't even
18 have her phone number, so we didn't have any relationship.

19 Q Okay.

20 A In 2005 and 2006 when she was visiting from Brazil,
21 yes, we had sex.

22 Q And she charged you for that, isn't that right?

23 A No, she did not.

24 Q You paid her cash dollars, isn't that true?

1 A No, that's not true.

2 Q Did you know she was working every time she came

3 from Brazil to American between 1998 and 2006 as a prostitute?

4 A No, I did not.

5 Q And you paid her no money.

6 A I paid her no money for sex, yes.

7 Q Okay. Thank you, sir.

8 MR. JIMMERSON: I have nothing else. Appreciate it,

9 sir.

10 THE COURT: Redirect?

11 MS. MENTZEL: Nothing, Your Honor.

12 THE COURT: All right. You may step down. Thank

13 you.

14 THE WITNESS: Okay. Thank you. Thank you.

15 (WITNESS EXCUSED)

16 THE COURT: Your next witness?

17 MS. MENTZEL: I would like to call Patricia Egosi to

18 the stand, Your Honor.

19 (WITNESS SUMMONED)

20 THE COURT: Please remain standing and raise your

21 right hand to be sworn.

22 THE CLERK: You do solemnly swear the testimony

23 you're about to give in this action shall be the truth, the

24 whole truth, and nothing but the truth, so help you God?

1 MS. EGOSI: Yes.

2 MS. MENTZEL: And Your Honor, I know --

3 THE COURT: You may be seated.

4 MS. MENTZEL: -- we -- I know we just went through

5 swearing in. If you might mind, could I take a quick restroom

6 break, five minutes, Your Honor?

7 THE COURT: That's fine.

8 MS. MENTZEL: Okay. Thank you.

9 THE COURT: All right. We're going to take a -- a

10 short break.

11 (COURT RECESSED AT 14:18 AND RESUMED AT 14:25)

12 THE CLERK: Okay. We're back on the record.

13 THE COURT: Please be seated. We are back on the

14 record in the Egosi matter. And you did swear in the witness,

15 right? All right. I'll remind you you're under oath.

16 PATRICIA EGOSI

17 called as a witness on her own behalf, having been first duly

18 sworn, did testify upon his oath as follows on:

19 DIRECT EXAMINATION

20 BY MS. MENTZEL:

21 Q All right. Patricia, I'm going to skip over a few

22 question, because I know opposing Counsel went over with you

23 some -- some stuff yesterday, okay?

24 A Okay.

1 Q Okay. Where are you originally from?
2 A Brazil.
3 Q And how long have you lived in the United States?
4 A 10 years.
5 Q Okay. And when did you first come to live in the
6 United States?
7 A On January 11, 2007.
8 Q Okay. And have you lived in any other countries
9 besides Brazil in the United States?
10 A No.
11 Q What languages do you speak?
12 A Portuguese and English and some Spanish.
13 Q And some Spanish. Okay. And before actually moving
14 to the United States in 2007, there were times you came here
15 before, correct?
16 A Exactly.
17 Q And why did you come here before?
18 A For work.
19 Q For work. And what type of work did you do?
20 A I was a stripper.
21 Q Okay. And did you also do some prostitution?
22 A Yes.
23 Q Okay. And when did you meet Joe?
24 A In No -- November 26, 2006.

1 Q Okay. And where did you meet him?
2 A In the strip club where I usually work.
3 Q Okay. And were you a resident of the U.S. at that
4 time?
5 A No.
6 Q Can you describe your encounter when you first met
7 Joe? Did he come to you? Did you come to him?
8 A I approached him, yeah.
9 Q You approached him.
10 A Yeah.
11 Q And what did you do when you approached him?
12 A Act sexy.
13 Q Huh?
14 A Act sexy and beautiful and tried to fish him.
15 Q Okay. And how did you act sexy and beautiful? Did
16 you say things? Did you --
17 A Yeah, I said things, yeah. I --
18 Q What did you say?
19 A Hi, how are you, you want a dance.
20 Q And -- and did you get into a deep discussion with
21 him that night?
22 A No.
23 Q And did you and Joe keep in contact after the first
24 time you met him?

1 A The first time, no.

2 Q Okay. And how many times did you meet Joe before

3 you kept contact with him for longer than a night?

4 A One time only.

5 Q So an -- an additional time besides the first time?

6 A From the time that I met him for the first time I

7 don't have contact with him with -- at all until the second

8 time he came to the club and he look for me.

9 Q Okay. Was anyone else with Joe at the club?

10 A Yes. The first time he had his girlfriend and a

11 group of friends that have some kind of birthday party of

12 there in the VIP area.

13 Q Okay. And then did you and Joe and his girlfriend

14 start to have a relationship outside of the club?

15 A After the second time.

16 Q And what kind of a relationship was that?

17 A A sexual relationship.

18 Q Okay. And you eventually had to go back to Brazil,

19 right?

20 A Yes.

21 Q Okay. And did you and Joe communicate after Brazil

22 -- or I -- strike that. Did you and Joe communicate after you

23 returned to Brazil?

24 A Yes.

1 Q Okay. And how did you communicate?

2 A At that time he used MSN chat.

3 Q Okay.

4 A And we also exchanged some emails and two or three
5 times I call him.

6 Q Okay. Could you read or write English at that
7 point?

8 A No.

9 Q So how did you communicate with him then via email
10 and MSN chat?

11 A Oh, it was so fun, because in the MSN chat, you
12 know, that we have emotions, you know, you can send different
13 kind of -- what do you call it again, pictures that can move
14 and sometime speak. And most of the time I send him like
15 sexual kind emotions with him. And I also use Google
16 Translator. It was very hard for me because at that time I
17 didn't know how to copy and paste, so I had to go from one
18 window to the other to read English this so I could also write
19 the English to this window and then go back and type. And
20 like -- took me like forever to talk to him via MXN -- MSN.
21 But email, I had the Google Translator help also.

22 Q And then you returned to the United States. And who
23 did you live with?

24 A With him and his girlfriend.

1 Q His girlfriend. And how long before you became his
2 girlfriend?

3 A I think a few weeks later.

4 Q Okay.

5 A No more than one month's.

6 Q Okay. And when Yes. outburst came back to the
7 United States in 2007, did you go back to stripping?

8 A Before his girlfriend left the house, yes, I work
9 for like at least 15, 20 days, I guess.

10 Q Okay. And then when you became his girlfriend, did
11 you continue stripping?

12 A No.

13 Q Why not?

14 A Because he asked me to stop.

15 Q Okay. And so he asked you to stop. So how did you
16 get money to live?

17 A I have money that I made from those days that I
18 worked before I became his girlfriend. And eventually the
19 money finished and they -- he was the one that provided
20 everything for me.

21 Q And how long would you say -- how much money would
22 you say you had from that 15, 20 days of service?

23 A Between 15, \$20,000.

24 Q And do you recall how long that lasted you?

1 A At least to the time I went back to Brazil --
2 Q Okay.
3 A -- with him for the first time.
4 Q And what was that -- what's that time frame? When
5 did you go back to him -- with him to Brazil the first time?
6 A If I'm not wrong, we went to Brazil around June
7 2007.
8 Q Okay. So it lasted you at least until you went to
9 Brazil?
10 A Yeah.
11 Q Okay. When did you start working for Joe?
12 A Around March or -- March or April 2007.
13 Q Okay. And what did Joe tell you your job will be?
14 A He gave me the portability departments, but I did
15 all the things. I did customer return. I did shipping, I
16 cleaned the offices. Yeah, I think that that was all.
17 Q Did Joe pay you?
18 A He only gave me one check. It was in the amount of
19 a thousand five hundred dollars, I guess, and when he gave --
20 like he -- his mother gave to him to give to me and I saw how
21 upset she was when he -- she gave the check to him. When he
22 gave check to me, I asked him why she was upset and he said
23 that she was upset because he pay me more than he was supposed
24 to pay for any other employee.

1 So I feel bad and I said like you know, you don't
2 have to give me anymore checks since your family is upset
3 about that. You take care of me.

4 Q Okay. And in this office, where was the office Hawk
5 Communications located?

6 A It was close to the airport.

7 Q Okay. And was it in a house? Was it in an office
8 building?

9 A No, it was kind of warehouse.

10 Q A warehouse. And --

11 A Yeah.

12 Q -- how -- how many rooms were in this warehouse?

13 A Wow, it was big.

14 Q Okay. And was it all filled with Hawk
15 Communications?

16 A What do you mean?

17 Q Were there other businesses in this warehouses?

18 A We have another business in the same building --

19 Q Okay.

20 A -- but the warehouse was only his --

21 Q Okay.

22 A -- business.

23 Q And how many rooms did you do work in?

24 A Work was only two rooms, Joe's office and the -- the

1 office close to his there was shipping office and all the
2 (indiscernible) returns.

3 Q Okay. And who else worked in those two rooms with
4 you?

5 A Like in -- on the back area it was him, his father,
6 his mother, and me.

7 Q Okay. So in -- in that one room, it was you, his --
8 his mother --

9 A No, like his dad --

10 Q -- and his father and you.

11 A -- he's -- his dad have his own office.

12 Q Okay.

13 A His mother have also his -- her own office all the
14 way to the back of the warehouse. And I was with Joe inside
15 of his office. And also the other room that was close to his
16 office, so it was the shipping room.

17 Q Okay. Portability, what does that mean?

18 A Moving numbers from existing providers to a new
19 provider.

20 Q Okay. And you also testified you would take some
21 payments yesterday, right?

22 A Yeah, but this was like a few months later when I
23 guess he stopped trusting on deal with customer's credit card.

24 Q What time are your -- frame are you talking about a

1 few months ago?

2 A I can't really remember, but it was a few months
3 later.

4 Q Did you ever write checks for the business? Did you
5 ever see any ledgers with numbers for the business?

6 A When we moved to Atlanta, Georgia, I saw like some
7 credit cards I think made for Hawk Communications. I saw also
8 some credit card statement from his personal like account, I
9 guess.

10 Q And did you ever see numbers for checking accounts?

11 A No.

12 Q Did you ever see --

13 MR. JIMMERSON: Excuse me, I'm just going to object
14 to the question being leading, Judge. She's suggesting the
15 answer by the question.

16 THE COURT: Overruled.

17 BY MS. MENTZEL:

18 Q So in portability, what did you exactly do?

19 MR. JIMMERSON: Object to the question. You asked
20 and answered.

21 THE COURT: It has been. And in fact, I think even
22 yesterday it was --

23 MS. MENTZEL: Okay.

24 THE COURT: -- discussed. It's the transfer of

1 numbers from one carrier to the other. So sustained.

2 BY MS. MENTZEL:

3 Q Can you look at Exhibit 8 for me, please, in our

4 book?

5 A That's this one?

6 Q That's the little one, yeah. And you -- you realize

7 we've got a whole bunch of books, right? We got a whole bunch

8 of books from Joe with emails and stuff like that --

9 A Uh-huh (affirmative).

10 Q -- and they're from you, correct?

11 A Yeah.

12 Q Okay. And I want you to look at the first page.

13 A Okay.

14 Q And it says from Patricia Acosta. Are you Patricia

15 Acosta?

16 A Yeah, when I worked for his business, I -- even

17 after marriage I used my single name because he never wants --

18 nobody knows that I was married to him.

19 Q Okay. And do you -- were you the only person who

20 had access to this email address that --

21 A No.

22 Q -- it says from, no?

23 A No.

24 Q Who -- who else had access to this email address?

1 A I'm sure he had and maybe his dad have.
2 Q Okay. Do you know of anyone else?
3 A Maybe his mother --
4 MR. JIMMERSON: Objection.
5 A -- because they all -- they -- the controller of the
6 whole company.
7 MR. JIMMERSON: Move to strike the testimony as
8 calling for speculation as there's no foundation. She used
9 maybe. Maybe is the --
10 THE COURT: Sustained.
11 MR. JIMMERSON: -- last two answers.
12 BY MS. MENTZEL:
13 Q And I want you to look through these emails.
14 A Uh-huh (affirmative).
15 Q And tell me if anything about these emails sticks
16 out to you.
17 A Any what -- say it again, please?
18 Q Look through these emails. Let's go to Bate --
19 let's do Bate 1225.
20 A Okay.
21 Q It's the second email. Right. Do you know if you
22 sent this email?
23 A I don't remember. Unh-unh (negative).
24 Q You don't remember? Okay.

1 A It was a long time ago.

2 Q And how about the next email. Do you know -- do you
3 know if you sent this email?

4 MR. JIMMERSON: Counsel, could you just help us with
5 the Bates stamp, please?

6 MS. MENTZEL: I'm sorry. The next Bates stamp is
7 1227.

8 MR. JIMMERSON: Thank you so much.

9 A What is -- what is the question then?

10 Q Do you know if you sent this email?

11 A I don't remember.

12 Q Now when you signed your emails, did you ever signed
13 them Joy Phone Billing (ph)?

14 A There was ones of the email that was signed for me.

15 Q I'm sorry, please say again?

16 A There was ones of the email that Joe Egosi signed
17 for me was the email that I used on the -- in the beginning.

18 Q Okay. Well, we're looking at 1227. It says thank
19 you, Joy Phone Billing. Did you ever sign a signature that
20 said Joy Phone Billing?

21 A I don't remember.

22 Q Okay. Let's go to Exhibit 9. Do you recognize
23 these emails? I want you to look them closely. Do you
24 recognize them?

1 A Yes.

2 Q Okay. And why do you recognize them?

3 A Because one's a portability templates that I use it
4 to answer customers.

5 Q What do you mean by templates?

6 A When I start work for Joy Phone, I did not write and
7 read English. And yeah, (indiscernible) goes and Joy goes --
8 prepare like a lot of templates for me to answer customers,
9 like talk to them, like at least month to prepare everything
10 because every time there come a new question. They went and
11 prepared the template for the answer.

12 Q And who is they?

13 A Joe and his mother.

14 MS. MENTZEL: I move to admit Exhibit 9.

15 MR. JIMMERSON: No objection.

16 THE COURT: Exhibit 9 is admitted into --

17 MR. JIMMERSON: We --

18 THE COURT: -- the record.

19 (PLAINTIFF'S EXHIBIT 9 ADMITTED)

20 MR. JIMMERSON: We would ask the Court now to move
21 to admit Exhibit 8 as well.

22 THE COURT: Counsel, it's your examination. It's up
23 to you.

24 MS. MENTZEL: I'm going to object to 8 at this point

1 because we haven't even laid authenticity. She can't even
2 remember if any of those are hers.

3 THE COURT: Okay.

4 MR. JIMMERSON: She said -- okay. Judge, she said
5 that she was Joy Phone Billing.

6 THE COURT: Well, it's Plaintiff's examination, so
7 it's --

8 MR. JIMMERSON: Thank you, Judge.

9 THE COURT: -- up to her whether or not she's going
10 to offer it.

11 MR. JIMMERSON: Thank you. They're not going to
12 introduce their own marked exhibits.

13 BY MS. MENTZEL:

14 Q And will you go to Exhibit 10 for me, please?

15 A Yeah.

16 Q Okay. And have you seen these documents before?

17 A Yeah.

18 Q And can you tell me what you recall of these
19 documents?

20 A This was templates.

21 Q Those are templates. And what are --

22 A Uh-huh (affirmative).

23 Q -- these templates for?

24 A For portability.

1 Q For portability.

2 A Yeah.

3 Q Do you know who these were written by?

4 MR. JIMMERSON: Judge, I would just like to have

5 some foundation. We have them dated in 2007, so they're

6 certainly relevant for the Court's consideration, but I -- as

7 opposed to leading the witness, I'd like to have her say yes,

8 I recognize these documents, I remember I --

9 THE COURT: Sustained.

10 MR. JIMMERSON: -- sent it or I didn't sent it.

11 THE COURT: Sustained.

12 BY MS. MENTZEL:

13 Q The first page, 1259, the Bates stamp at the bottom.

14 A Yeah.

15 Q Okay. Can you tell me the date that that was

16 written on?

17 A May 8, 2007.

18 Q Okay. And who was it written from?

19 A From Billing1.

20 Q Okay. And did you ever use that email address?

21 A Yes.

22 Q Okay. And you recognize this document.

23 A Yes.

24 Q And what do you recognize it to be?

1 A This was one of my templates.

2 Q Okay. And do you know if you actually wrote this or
3 not?

4 A No, it was prepared by (indiscernible) and Joe.

5 Q Let me ask the question differently. Do you know if
6 you wrote this specific email or not?

7 A I copy and paste.

8 Q You copy and paste. And what about the next one,
9 1260?

10 MR. JIMMERSON: Can we have a date, please, Counsel?

11 MS. MENTZEL: Yes, but I'm sorry, I was giving you
12 Bates stamps. 1260.

13 Q Can you tell me what date that was sent on?

14 A May 9, 2007.

15 Q May 9, 2007. And do you recognize this email?

16 A Yeah.

17 Q And can you tell me what it is?

18 A It was also another template.

19 Q Okay. And can you look at the next -- the next
20 page, 1261? Can you tell me the date on that?

21 A May 9, 2007.

22 Q And do you recognize this email?

23 A Yeah.

24 Q And what do you recognize that as?

```
1 | A    It was a template.
```

2 Q Okay. I want you to go through -- and there's one
3 more in here, 12762. Do you rec -- can you tell me what date
4 that email was sent on?

5 A May 1, 2007.

6 Q And do you recognize this email?

7 A Yeah.

8 Q Why do you recognize it?

```
9      A      It was another template.
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10 MS. MENTZEL: I move to admit Exhibit 10.

11 MR. JIMMERSON: No objection, Judge.

12 THE COURT: Exhibit 10 is admitted.

13 (PLAINTIFF'S EXHIBIT 10 ADMITTED)

14 BY MS. MENTZEL:

15 Q Will you go to Exhibit 11 for me, please?

16 A Yeah.

17 Q 1263, can you tell me the date that email was sent?

18 A May 4, 2007.

19 Q And do you recognize this email?

20 | A Yes.

21 Q And can you tell me what it is?

22 A It was a template.

23 Q Okay. I want you to look at every email in this
24 after and tell me if it says the exact same thing except for a

1 change in number.

2 A Uh-huh (affirmative).

3 Q It says the exact same thing?

4 A Yeah.

5 Q And you believe this is another template.

6 A Uh-huh (affirmative).

7 MS. MENTZEL: I move to admit Exhibit 11.

8 MR. JIMMERSON: Can you read to me the four pages --

9 four pages of 11?

10 MS. MENTZEL: One, two, three, four, yes.

11 MR. JIMMERSON: And can I just have some voir dire.

12 VOIR DIRE EXAMINATION

13 BY MR. JIMMERSON:

14 Q Where did you get these documents? The doc -- the

15 documents we've been talking about today, where did you get

16 them?

17 A Where I get the documents?

18 Q Yeah, where did you physically get these documents?

19 Yes, ma'am.

20 A They have the documents.

21 Q Okay. So you didn't provide it to them.

22 A I guess was my husband that provide that provide to

23 you guys, right?

24 Q Okay. So they came from my -- my client's

1 production of all the 9,500 records.

2 A I -- I'm not sure. I guess so. Right.

3 Q But you didn't even -- you -- did you assemble these
4 as you grouped these together or did they do it, your lawyers?

5 A My attorney did it.

6 MR. JIMMERSON: I have No further questions, Judge.

7 THE COURT: Okay. Any objection?

8 MR. JIMMERSON: I have no objection to the admission
9 of Exhibit 11.

10 THE COURT: Exhibit 11 is admitted.

11 (PLAINTIFF'S EXHIBIT 11 ADMITTED)

12 DIRECT EXAMINATION CONTINUED

13 BY MS. MENTZEL:

14 Q Was there a marriage proposal between you and Joe?

15 A No.

16 Q Well, how did you and Joe decide to get married?

17 A The first time we talk about marriage when he took
18 me to the first time to Las Vegas on Valentine's Day of 2007
19 and we was high on ecstasy on drugs after hours and we talk
20 about sex because, you know, X does make you love everybody.
21 So it was first time we talk about sex or sex -- no, sorry,
22 marriage. But after then we talk about marriage a few times
23 until we decided to be married.

24 Q Did --

1 MR. JIMMERSON: Now --

2 Q Did Joe --

3 MR. JIMMERSON: -- move to strike the answer as

4 being non-responsive and --

5 THE COURT: Sustained.

6 BY MS. MENTZEL:

7 Q Did -- did Joe -- strike that. You signed a

8 prenuptial agreement, correct?

9 A Yes.

10 Q Okay. And who brought up the idea of that

11 prenuptial agreement?

12 A My husband.

13 Q Okay. And how -- what did he tell you?

14 A When we decides to come to marry, he came with the

15 paper, he handed to me asked to read. And I said what is that

16 and he said it's prenup agreement. This -- and asking him

17 what is a prenup agreement and he explained to me that prenup

18 agreement was something that protect whatever we have before

19 marriage.

20 Q And were you in the understanding it would protect

21 what you have before marriage as well?

22 A Excuse me?

23 Q Were you in the understanding that it would protect

24 what you have before marriage as well?

1 A Yeah.

2 Q Okay. Why aren't there any assets or debts of yours

3 listed to the prenuptial agreement then?

4 A I'm not sure.

5 Q Did you two discuss any terms of the prenuptial

6 agreement?

7 A No.

8 Q Do you know who drafted it?

9 A No.

10 Q Do you know when it was drafted?

11 A Unh-unh (negative). No.

12 Q Were you present when it was drafted?

13 A No.

14 Q Do you know if anybody else was there when it was

15 drafted?

16 A No. Actually, can I --

17 Q When did you sign the prenuptial agreement?

18 A When?

19 Q Yes.

20 A The prenup said August 13.

21 Q Okay. And to your knowledge before the date you

22 signed it, have you ever seen that exact document?

23 A Can you please ask again?

24 Q Before August 13, 2008, had you ever seen that exact

1 document?

2 A Twice.

3 Q You had seen that exact document twice.

4 A It was not exactly, because I saw the papers that he
5 handled to me, but since I don't know like read English, I --
6 I was -- I'm not sure was the same one.

7 Q And so you did testify to the fact that you had some
8 other documents before --

9 A Yeah.

10 Q -- right? That he said were a prenuptial agreement,
11 right?

12 MR. JIMMERSON: Judge, I got to object. It's
13 leading and it's about --

14 THE COURT: Sustained.

15 MR. JIMMERSON: -- a central part of this case.

16 THE COURT: Sustained.

17 BY MS. MENTZEL:

18 Q You've seen other ver -- you have seen other
19 prenuptial agreements before, correct?

20 A Before when?

21 Q Before August 13th.

22 A I see -- yeah.

23 Q Okay.

24 A Some pages that he handed to me.

1 Q Okay. He handed the document to you.
2 A Yeah.
3 Q Okay. Did you keep the document afterwards?
4 A No.
5 Q Okay. What happened to the document afterwards?
6 A Since I don't know how to read, I give him back and
7 ask him to find somebody to read this to me.
8 Q Okay.
9 MR. JIMMERSON: Oh, my God. Now it's going to be --
10 let's go.
11 Q And you met somebody to read for you. Who was this
12 person?
13 A It was the girlfriend of the ones of his best friend
14 in Miami.
15 Q Okay. And where did you meet her?
16 A I read before like to read the prenup you said?
17 Q Yes.
18 A I meet her in her house.
19 Q All right. Who was with you?
20 A Joe was with me and then her boyfriend at the time
21 was also with us.
22 Q How did you physically get to her house?
23 A Oh, Joe drive. I -- I never drive in my life.
24 Q So you don't have a driver's license?

1 A No.

2 Q Okay. And you didn't have one at that time?

3 A No.

4 Q Okay. And you met her, Bea (ph). Did you ever sign
5 any documents for Bea?

6 A No.

7 Q Did Bea -- what was your understanding what was
8 Bea's position at that time?

9 A As far I know, she was kind of assistant on some law
10 office.

11 Q And did you know Bea's full name?

12 A No.

13 Q When did you discover Bea's full name?

14 A On my deposition.

15 Q On your deposition?

16 A Yeah.

17 Q Did Bea translate the document for you
18 line-for-line?

19 A No.

20 Q Did she explain to you paragraph by --

21 MR. JIMMERSON: Objection, Your Honor.

22 Q -- paragraph?

23 MR. JIMMERSON: I would like to have no leading
24 questions, please.

1 BY MS. MENTZEL:

2 Q How did she explain the document to you?

3 A She read for herself and then she flip over the time
4 and say like ain't America woman going to sign a document like
5 this. You should not marry him.

6 Q Did she tell you anything else?

7 A Oh, she said like after the -- I have baby the
8 document is going to be invalid.

9 Q Okay. So do you believe the document is invalid?

10 A Excuse me, what is the question again?

11 MS. MENTZEL: I'll strike that, Your Honor.

12 Q So you were with Bea and did you sign that document
13 right then?

14 A No.

15 Q Okay. After meeting with Bea, what happened to the
16 document?

17 A We went back home because it was late at night.

18 Q Did you keep the document with you?

19 MR. JIMMERSON: Objection, Your Honor.

20 A No.

21 MR. JIMMERSON: Move to strike the answer as being
22 non-responsive to the question.

23 THE COURT: Sustained.

24 BY MS. MENTZEL:

1 Q Did you keep the document with you?
2 A No.
3 Q Where did the document go then?
4 A My husband -- my husband had.
5 Q Okay. Did you have a copy of the document?
6 A No.
7 Q Okay. Okay. So when you finally signed -- strike
8 that. How did you know the prenuptial agreement you signed is
9 the same prenuptial agreement that you were given to Bea --
10 that was given to Bea?
11 A I don't know.
12 Q Did you have an attorney with you on August 13,
13 2006?
14 A No.
15 Q Did you have a translator with you on August 13,
16 2006?
17 A No.
18 Q That original document that was given to Bea, was
19 there a list of assets attached to it?
20 A I don't remember, because I -- I didn't read the
21 document.
22 MR. JIMMERSON: Your Honor, I don't want to educate
23 my learned opponent, but I move to strike the testimony where
24 she's saying 2006, August of 2006.

1 MS. MENTZEL: I apologize. August 2008.
2 THE COURT: Sustained.
3 MS. MENTZEL: Or I -- I did I say August 2006?
4 MR. JIMMERSON: You did.
5 THE COURT: Okay.
6 MR. JIMMERSON: Two times.
7 MS. MENTZEL: I'll beat you later. Was there I --
8 and I apologize. I'm not sure if I requested that.
9 Q Was there a translator present when you signed the
10 document?
11 A No.
12 Q Okay. After you signed the prenuptial agreement,
13 did you receive a copy?
14 A No.
15 Q How many copies were there?
16 A When I sign?
17 Q Yeah. How many copies of the document was there?
18 A I don't remember.
19 Q Okay. So did you personally walk away with a copy
20 of the document?
21 A No.
22 Q Okay. I want you to turn to Exhibit UU and it's
23 Defendant's exhibit.
24 MS. MENTZEL: I don't know if you guys have an extra

1 copy of it. We only have one copy.

2 MR. JIMMERSON: The answer is I always come prepared
3 and I do have --

4 MS. MENTZEL: I know you do.

5 MR. JIMMERSON: -- a copy.

6 MS. MENTZEL: Well, actually, Kristine I'm sure has
7 a copy.

8 MR. JIMMERSON: Well, that's right. That's right.
9 I'm taking her credit.

10 MS. McFARLING: What do you have it on currently?

11 MS. MENTZEL: Exhibit UU. It's right there. It's
12 in here, right here.

13 MS. McFARLING: Did you --

14 MS. MENTZEL: What? Oh, no. It wasn't that one. I
15 apologize. It is not UU. Where is it? I need to -- the
16 Court's indulgence for a moment, Your Honor.

17 THE COURT: All right.

18 MS. MENTZEL: It is Exhibit Triple A. I apologize.
19 It's Exhibit Triple A.

20 MR. JIMMERSON: What exhibit number, please?

21 MS. MENTZEL: Triple A. Do you guys have another
22 copy of it? We only have one copy.

23 MR. JIMMERSON: I -- I'll look.

24 MS. MENTZEL: You know, for the witness.

1 MR. JIMMERSON: Go ahead. Go ahead. Let me show
2 you the document. I know I have the document, just an
3 original.

4 MS. MENTZEL: This one.

5 MR. JIMMERSON: One. Thank you.

6 MS. MENTZEL: Well, I'm wondering if you have a copy
7 for the witness stand.

8 MR. JIMMERSON: All right.

9 MS. MENTZEL: Because I only have one copy.

10 MR. JIMMERSON: I will try to find it. I think it
11 was on 19.

12 MS. MENTZEL: Yeah. No, I'll go ahead and just give
13 her mine then. May I approach, Your Honor?

14 THE COURT: Yes, you may.

15 MR. JIMMERSON: No, Counsel. It's -- it's out of
16 the book.

17 MS. MENTZEL: That's all right. I -- I'll just give
18 her my copy, yeah.

19 Q And this document was made yesterday. Can you tell
20 me what email this document was sent from?

21 A jegosi@gmail.com.

22 Q Okay. And whose email address is that?

23 A It's my husband's email.

24 Q Okay. Did you -- now this is an email to who?

1 A Goodman, I guess Bea.
2 Q Goodman Bea?
3 A Yeah.
4 Q Okay. Did you write this email?
5 A No.
6 Q Okay. Did you have Joe's password to his email?
7 A Never had.
8 Q Okay. Did you have access to Joe's email?
9 A Never had.
10 Q Okay. Did you ever write any emails from Joe's
11 email?
12 A No.
13 Q Okay. Did you have your own personal email address?
14 A Yes.
15 Q Okay. Can you look through Exhibit 14 for me pretty
16 please, Patricia? May I represent this is your prenuptial
17 agreement. It's already been admitted into evidence. Are --
18 are your assets listed anywhere here?
19 A No, it's not.
20 Q Okay. Did you have assets at that time?
21 A Yes.
22 Q And what did you have?
23 A I have jewelry and 50 percent of house in Brazil in
24 Rio de Janeiro.

1 Q And -- and did you ever ask Joe to list your assets
2 on here?

3 A When he prepared this, I was not there. I even know
4 that you have website to fill up a form to have a preup
5 agreement. I thought --

6 Q Were you -- were you --

7 MR. JIMMERSON: Move to strike the answer as being
8 non-responsive, Judge.

9 THE COURT: Sustained.

10 BY MS. MENTZEL:

11 Q Were you aware your assets were not listed on here?

12 A Excuse me?

13 Q Were you aware your assets were not listed on here?

14 A No.

15 Q And to your knowledge, did Joe have any additional
16 assets that were not listed on this?

17 A Yeah, I guess he had the bank account.

18 Q Okay. Did you know how much was in that bank
19 account?

20 A No.

21 Q Do you know how many bank accounts there were?

22 A No.

23 Q Okay. Were you ever told how much were in any bank
24 accounts?

1 A No.

2 Q Now with this list of assets, do you recall the
3 first time you saw this?

4 A Excuse me, can you ask again?

5 Q This -- it's Bates Stamp 347.

6 A Yes.

7 Q And there's a list of assets there, right?

8 A Okay. Yeah.

9 Q Do you know when you first saw this?

10 A When I first saw that?

11 Q Yes.

12 A Not a long time ago.

13 Q Okay. And did Joe ever tell you the value of his
14 businesses there -- on here, Hawk Communications and Hawk
15 Volume P?

16 A No.

17 Q Okay. Now you heard testimony about Mr. Guligan
18 (ph) I believe it was yesterday, correct?

19 A Yeah.

20 Q Okay. How many times did you me -- meet Mr.
21 Guligan?

22 A I don't met him many times, but it was a few times
23 on his residence for dinners and social meet.

24 Q Did you ever talk business with Mr. Guligan?

1 A No.

2 Q Did you act as a translator for Mr. Guligan?

3 A No, because Mr. Guligan speak fluent Hebrew.

4 Q Hebrew. Does Joe speak Hebrew?

5 A Yes.

6 Q Okay. So when they spoke, what language did they

7 speak in?

8 A In Hebrew.

9 Q Okay. And did you draft any legal documents for

10 them?

11 A Never.

12 Q Okay. Do you know who drafted any of the

13 documentation for him?

14 A I have no idea.

15 Q Now 2007, 2008. Eventually you -- you say that you

16 ran out of money about June, right?

17 A Yeah.

18 Q Okay.

19 MR. JIMMERSON: Of -- of what year, please?

20 Q Of -- of 2007 I believe --

21 A '7.

22 Q -- you ran out of money.

23 A Yeah.

24 Q Okay. Who paid your bills after that?

1 A My husband.
2 Q Okay. Who paid for you to live?
3 A Joe.
4 Q Okay. How did you pay for your hair to get done?
5 A He always went with me to the hair salon with me to
6 get it done and he pay.
7 Q How did you pay for grocery shopping?
8 A He -- funny, because I never did groceries. Still,
9 I left the house.
10 Q Okay. And were you aware of the finances of the
11 home in 2007?
12 A Sure not.
13 Q Were you aware of the finances of the home in 2008?
14 A No.
15 Q Did you have a debit card in 2007 from Joe?
16 A No.
17 Q Did you have a credit card in 2007 or 2008?
18 A No.
19 Q And what was your role? What was your position in
20 the household then? I know you worked 40 hours a week, but
21 what else did you do?
22 A I was the house -- the time I don't know what kind
23 of word you're going to use for that, but I took care of the
24 house, I took care of him, I took care of him, I took care of

1 everything.

2 Q Did you do -- take care of any finances?

3 A No.

4 Q Did you write any checks?

5 A No.

6 Q Did you pay any bills?

7 A No.

8 Q Did you -- you didn't -- did you pay for your own

9 nails?

10 A No.

11 Q Did you pay for your own shoes?

12 A No.

13 Q Okay. Did you have any money to go out and do what

14 you wanted?

15 A No.

16 MS. MENTZEL: I have no further questions, Your

17 Honor.

18 THE COURT: Any cross examination?

19 MR. JIMMERSON: Just a few.

20 CROSS EXAMINATION

21 BY MR. JIMMERSON:

22 Q At the time that you signed the prenuptial agreement

23 on August 8 -- August 13 of 2008, you had a -- contrary to

24 what you just said, you had a checking account in Brazil with

1 your former lover Ms. Silva, correct?

2 A Correct.

3 Q So when you just told there was no checking account,
4 you just told something that wasn't true, isn't that right?

5 A When I came back to the United States --

6 MR. JIMMERSON: Thank you.

7 A Can I -- can I answer your question?

8 Q How much money did you have in cash that you said
9 ran out by June of 2007?

10 A How -- say again, please?

11 Q How much money did you have in cash in January of
12 2007 when you said ran out by June?

13 A Between 50 -- 10,000s, --

14 Q Or 20,000.

15 A -- 20,000, yeah.

16 Q So you spent \$20,000 in five months, six months?

17 A Yeah, because I have my bills in Brazil. I have my
18 son's school. I have -- I have some bills for my house, but I
19 have like apartment in Copacabana and I have my house in
20 another location. Yeah.

21 Q Let me show you Exhibit L-1.

22 MR. JIMMERSON: Now this is Pages 2 through 6 Your
23 Honor of Exhibit L, if you recall. We marked the first page
24 of Exhibit L of Mr. Plotkin. These are the successive pages

1 in the same exhibit of the L-1 to the end beginning with Bate
2 Stamp Number 928 and ending Bates Stamp Number 952. Do you --

3 MS. MENTZEL: 952, I don't have that. I have 928
4 and 929.

5 MR. JIMMERSON: Okay. Then that's fine. I'll just
6 use those two. 928 and 929. Thank you.

7 Q Are these copies of the money that you sent to
8 Brazil 2007?

9 A I cannot see much in here. What is this?

10 Q You sent money to Brazil, isn't that right, in
11 January of 2007?

12 A Yeah, but I don't see -- I don't see my name in
13 here. I don't see --

14 Q Do you recall sending these thousands of dollars,
15 these amounts? Just look at the top of the page. I see the
16 date. What's the date I circled there for you?

17 MS. MENTZEL: I don't see what --

18 A I see a date, but what is my name?

19 Q Just tell me the date.

20 A Okay, but this is not my document since it's not my
21 name here.

22 Q I don't have the time to quarrel with you. Would
23 you read the date into the record?

24 A What is this, April 3? It's April 3 the first one.

1 Q Okay. It's June of 2007. It was 2007. Did you
2 send 2500 to Brazil?

3 A I don't remember.

4 Q Did you send \$2,000 to Brazil?

5 A How you can tell this is mine if it's not my name
6 there?

7 Q Okay. How did you send the money to Brazil, ma'am?

8 A I don't remember. It was some kind --

9 Q Did you send hundred dollars bills in an envelope or
10 did it send it through money orders?

11 A I sent --

12 Q Please.

13 A -- through money order.

14 Q Thank you. Now you do remember. And what was the
15 -- where was -- what bank was your girlfriend and your joint
16 account?

17 A Itau.

18 Q Now you authorized monies to be transferred, Exhibit
19 UU. This is a letter that you caused to be written, is that
20 right?

21 A What is the question again?

22 Q Did you cause that letter to be written?

23 A If it is my signature, yes.

24 MR. JIMMERSON: Okay. Move the admission of the

1 first page of Exhibit UU.

2 THE WITNESS: Okay.

3 THE COURT: Any objection to the admission of the
4 first page of Exhibit UU?

5 MS. MENTZEL: My only objection is I can't read it,
6 but I mean, it's in another language.

7 MR. JIMMERSON: It's in Portuguese and it's signed
8 by your client. No, that's not an objection to its
9 admissibility.

10 THE COURT: Any evidentiary basis to exclude?

11 MS. MENTZEL: No, none, Your Honor.

12 THE COURT: Exhibit -- the first page to Exhibit UU
13 is admitted.

14 (DEFENDANT'S EXHIBIT UU, PAGE 1 ADMITTED)

15 MR. JIMMERSON: Thank you.

16 BY MR. JIMMERSON:

17 Q And you transferred -- you listed the bank account
18 that was to be transferred to from and to, correct?

19 A Okay, but I have a question about this document.
20 What does this document come from and how you guys found this
21 document?

22 Q Okay.

23 A Is it an email? Is it a letter? What it is?

24 Q It's an authorization by you to transfer money into

1 your --
2 A How --
3 Q -- girlfriend's account.
4 A How I send this authorization? How you get this, by
5 email, by letter, by what?
6 Q Thank you.
7 A I'm asking.
8 THE COURT: Okay. You -- ma'am.
9 MS. MENTZEL: Objection.
10 THE COURT: It's not your opportunity to ask
11 questions.
12 THE WITNESS: Oh.
13 Q The second page --
14 MS. MENTZEL: I'm going to --
15 Q -- of that is.
16 MS. MENTZEL: -- object to the authentication of it.
17 I mean, it -- she's saying that that was her signature, but
18 she --
19 THE COURT: It's already --
20 MS. MENTZEL: I don't know if she's --
21 THE COURT: It's already been admitted.
22 BY MR. JIMMERSON:
23 Q The four -- the page next to it, the page below it,
24 Exhibit UU --

1 A Yes.

2 Q -- is a copy of credit cards that you possessed,
3 correct?

4 A This is not a credit card. This is a ATM card.

5 Q What are the -- okay, fair. You -- you would have
6 to have a bank account to have an ATM card, would you agree?

7 A Exactly.

8 Q Okay. So you had a bank account. And what -- so
9 let's just look at what is the top blue card?

10 A My CPF.

11 Q And what is the gray card with the red in the
12 middle?

13 A It is my ATM card.

14 Q Okay. What is the third card?

15 A My I.D.

16 Q Okay. And what's the fourth?

17 A The back of my I.D.

18 Q Okay. And you had this -- this account in 2007,
19 2008, isn't that right?

20 A Yes.

21 MR. JIMMERSON: Move for its admission of the second
22 page of Exhibit UU.

23 THE COURT: And how many pages is Exhibit UU?

24 MR. JIMMERSON: Two.

1 MS. BREWER: Two.
2 MR. JIMMERSON: Two.
3 THE COURT: Oh. Any -- any objection to the --
4 MS. MENTZEL: No objection --
5 THE COURT: -- second page?
6 MS. MENTZEL: -- Your Honor.
7 THE COURT: So Exhibit UU is admitted in total.
8 (DEFENDANT'S EXHIBIT UU, PAGE 2 ADMITTED)
9 BY MR. JIMMERSON:
10 Q Now you remember you said your name was -- returning
11 to the first two pages of Exhibit L. Your girlfriend was
12 Sandra Silva, correct?
13 A Yes.
14 Q Do you see her name right there, Sandra Silva?
15 A It's not -- it's not clear.
16 Q Do you see S-i-l-v-a, ma'am?
17 A Silva, yes, but the rest of the name is not -- it's
18 not clear.
19 Q Thank you. And do you see your name on the second
20 page, Patricia Acosta?
21 MS. MENTZEL: I'm sorry, what -- what Bates stamp
22 are you looking at?
23 MR. JIMMERSON: I'm looking at L and it's Bates
24 Stamp Number -- I believe it's -- let me see that. Bates

1 Number 928. Do you see it, right?

2 MS. MENTZEL: I'm --

3 MR. JIMMERSON: Her name is right there on the

4 previous one.

5 MS. MENTZEL: I can't see.

6 MR. JIMMERSON: You see Silva.

7 MS. MENTZEL: The -- mine's not readable. I don't

8 see a name.

9 THE WITNESS: Yeah, I don't see either.

10 Q On the second page you don't see your name Patricia,

11 Silva, heaven -- and highlight in yellow right there?

12 A I see Acosta, but the rest of it is not clear.

13 MR. JIMMERSON: Judge, I want to read -- if -- if it

14 hasn't been already admitted, I want to reintroduce Exhibit L

15 and L1.

16 MS. MENTZEL: I'll object as the --

17 MR. JIMMERSON: The Court is looking at it. He --

18 he can certainly make out the names of -- of Sandra Silva and

19 Patricia Acosta.

20 THE COURT: Any objection, Counsel?

21 MS. MENTZEL: I'll object to the authenticity. It's

22 not clear. I can't -- I can't see.

23 THE COURT: The objection's sustained.

24 MR. JIMMERSON: Thank you, Judge.

1 BY MR. JIMMERSON:

2 Q Exhibit Q. Do you remember filling out this
3 document for your immigration, status of your green card?

4 A What is the question again?

5 Q Did you fill out an application in 2008 to obtain
6 your green card?

7 A No, because my husband was in charge of those
8 documents.

9 Q I asked you the question yesterday and you said yes,
10 you did file documents to get your green card.

11 A What is that again, sir?

12 Q Did you file documents to get your green card?

13 A I file? File is not the same thing of a fill up.

14 Q All right. So are you telling me that your husband
15 filled out this card -- this -- this form?

16 A Yes.

17 Q Okay.

18 A He did.

19 Q And that's your excuse for why you said you had
20 never committed prostitution (indiscernible)?

21 A What is the question? What is the question?

22 Q I've asked you -- and so when you -- when the X is
23 put next to no to the question have you ever committed
24 prostitution, are you saying he filled it up?

1 A Yeah, he even make jokes about that.

2 MR. JIMMERSON: Move for the admission of Exhibit Q,

3 Your Honor.

4 THE COURT: Any objection to the admission of

5 Exhibit Q?

6 MS. MENTZEL: No objection, Your Honor.

7 THE COURT: Exhibit Q is admitted.

8 (DEFENDANT'S EXHIBIT Q ADMITTED)

9 BY MR. JIMMERSON:

10 Q And your fluency in English certainly exist today,

11 would you agree?

12 A Excuse me, sir?

13 Q You are fluent in English today, would you agree?

14 A I still not consider myself fluent.

15 Q Yeah, but you don't need a translator.

16 A No, I don't.

17 Q Okay. And you haven't asked for a translator in --

18 A I --

19 Q -- today's proceedings.

20 A I do.

21 Q And you didn't ask for a translator yesterday.

22 A Yeah, I did like a few -- like a few weeks ago.

23 Q And was that because you wanted to try to act like

24 you didn't understand the language?

1 A No, sir. Because I still don't understand the legal
2 words.

3 Q Okay. Has any legal words been asked of you in this
4 two days of trial?

5 A No, but when you read like a -- lawyer's document,
6 it's a lot of legal words that I do not understand these
7 still.

8 Q All right. Now I just have a few more question.
9 When you were having a relationship with Mr. Plotkin, he came
10 here to trial, when you weren't having sex with him, how did
11 you communicate with him?

12 A What is the question again?

13 Q When you were not intimate with him, how did you
14 communicate with him?

15 A When I was not have sex with him?

16 Q I used the word intimate. Yes, ma'am.

17 A I speak with him in English, bad -- bad kind of
18 English.

19 Q All right. And you indicated in earlier testimony
20 in -- in response to opposing question by Ms. Mentzel that you
21 didn't know how to cut and paste, do you recall that?

22 A Uh-huh (affirmative). I'm sorry, he took my
23 attention. Can you repeat, please?

24 Q Yes, ma'am. Do you recall testifying that in 2007

1 you didn't know how to cut and paste?

2 A Yes.

3 Q And so --

4 A 2007, I'm sorry about that, 2006.

5 Q Okay. And so you would write out the words in

6 English and then --

7 A Yes.

8 Q -- you would place them into the translator --

9 A Yes.

10 Q -- is that -- okay. You certainly could have done

11 that in August of 2008 when you signed the prenuptial

12 agreement, didn't you?

13 A Excuse me?

14 Q You certainly could have done the very same thing in

15 June -- June of 2008 when you received the first draft of the

16 prenuptial.

17 MS. MENTZEL: Objection, asked and answered. It was

18 asked yesterday as well.

19 THE COURT: Overruled.

20 BY MR. JIMMERSON:

21 Q Couldn't have you handwritten out the words and just

22 plug them into --

23 A Yeah --

24 Q -- the translator?

1 A -- but I never thought about that.

2 Q Okay. And did you -- couldn't you have done that in
3 August of 2008 as well when you signed the prenuptial?

4 A Can you please repeat the question?

5 Q You could write out the words and if you were
6 concerned about the words or the meaning, you could have
7 handwrite them and put them in the translator.

8 A Yeah, but I never thought about that.

9 Q Did Joe ever ask -- excuse me. Did you ever ask Joe
10 as to the value of any of the assets that he listed?

11 A No.

12 Q Okay. And why is it that you're not interested in
13 knowing?

14 A Because I was not interested.

15 Q Thank you. And showing you Exhibit 000, this is the
16 tax return of 2008. You signed the tax return for 2008 with
17 her husband, is that right?

18 A Yes.

19 MR. JIMMERSON: Move for the admission of Exhibit
20 000, Your Honor.

21 THE COURT: Any objection to the admission of --

22 MS. MENTZEL: I'm --

23 THE COURT: -- Exhibit 000?

24 MS. MENTZEL: -- trying to find it.

1 MS. BREWER: Oh, I've got it here for you.
2 MS. McFARLING: We've never seen this.
3 MS. MENTZEL: I've never seen this exhibit.
4 MS. BREWER: It was produced on Monday.
5 MS. MENTZEL: It was produced the day before
6 trial --
7 THE CLERK: I don't have it.
8 MS. MENTZEL: -- which I don't have it --
9 THE COURT: You don't have it.
10 MS. McFARLING: We still don't know what --
11 MS. MENTZEL: I don't --
12 MS. McFARLING: -- it is.
13 MS. MENTZEL: And I still have it in exhibit book.
14 THE COURT: And we don't have it. Ours starts --
15 stops at NNN.
16 BY MR. JIMMERSON:
17 Q And do you recall that you -- when you signed the
18 tax return, you noticed that the business lost a hundred and
19 fifty-five thousand dollars that year?
20 A Whatever my husband put in front of me, I signed.
21 Q Okay. So you can read the English language, right?
22 You can read those numbers?
23 A I never get the actual numbers.
24 Q But -- but my question is can you read those

1 numbers?

2 A Yes, I can read.

3 Q And negative a hundred and fifty-five thousand four
4 hundred and ninety-three dollars for 2008?

5 A But I never pay attention when I sign.

6 Q And when you didn't ask Mr. Egosi about any bank
7 account that he may have had, it's because you know they had
8 very limited funds, isn't that true?

9 A I -- I cannot hear you.

10 Q I said and you didn't ask any information about the
11 few bank accounts that Mr. Egosi had in 2008.

12 A You kept asking him?

13 Q You didn't ask him anything about it, right?

14 A No, I did not, sir.

15 Q And you know that he had limited funds because as
16 you testified yesterday, he was losing money in his business.

17 A Yeah, what he told me.

18 Q Since you don't need a translator and you're
19 speaking as we observe you, how did you learn English so
20 quickly between 2008 and 2011 that allowed Ms. Rawley to write
21 that you were fluent in English?

22 A I learned a lot of things for love. My position was
23 to help my husband as a wife.

24 Q Okay. And in helping your husband, you helped him

1 in his business as we discussed, right?

2 A Uh-huh (affirmative).

3 Q Okay. And you helped write out all those thousands
4 and emails and tickets, right?

5 A Excuse me, say again?

6 Q And you helped write out and respond to those 9,5000
7 tickets made?

8 A I -- I don't understand your question.

9 Q I'll ask this question. Did you have anything to do
10 with the organizing of these exhibits? They're in the
11 Plaintiff trial exhibits.

12 A I don't think so.

13 Q Okay. You marked as Exhibit 8. Do -- can you
14 recognize what Exhibit 8 is? These are a group of --

15 A This is the same one of them?

16 Q Yeah, it's the same as yours. Yes, ma'am. Can you
17 go to Exhibit 8? Go ahead and look through the exhibit,
18 please. Now who did the highlighted in yellow?

19 A I assumed it was my attorney.

20 Q Can you identify the first page of Exhibit 8?

21 A Which page, Page 5?

22 MR. JIMMERSON: I just had to object about
23 highlighting in yellow.

24 MS. MENTZEL: Yeah, I didn't know there was in

1 there.

2 MS. McFARLING: In our book?

3 MS. MENTZEL: Yeah.

4 Q My question to you is do you recognize the first
5 page of the document?

6 A It's the email, right?

7 Q Yeah, is it written from you or to you?

8 A I don't remember who -- it probably it was me, you
9 know, Billingl.

10 Q Okay. And it's a letter to you, correct, Patricia,
11 in the middle of the page from Mr. Q.B., right?

12 A Yeah.

13 Q All right. And -- and the next page more emails --

14 A Uh-huh (affirmative).

15 Q -- from and to you, right?

16 A Uh-huh (affirmative).

17 MR. JIMMERSON: Your Honor, I'd like to move the
18 admission of Exhibit 8 into evidence.

19 THE COURT: Any objection to the admission of
20 Exhibit 8?

21 MS. MENTZEL: No objection, Your Honor.

22 THE COURT: Exhibit 8 is admitted.

23 (PLAINTIFF'S EXHIBIT 8 ADMITTED)

24 BY MR. JIMMERSON:

1 Q Exhibit -- and it's 10, 11, both in evidence, I
2 believe? Let me show you Exhibit 12, Billing1 to EddieAngel
3 -- Angela at hotmail. Do you see that?

4 A I see 12, is that --

5 Q Yeah. Yes, ma'am.

6 A Okay.

7 Q All right. And these are more emails that you
8 wrote?

9 A Yeah, it was templates.

10 MR. JIMMERSON: Okay. Move for the admission of
11 Exhibit 12, Your Honor.

12 THE COURT: Any objection?

13 MS. MENTZEL: No objection, Your Honor.

14 THE COURT: Exhibit 12 is admitted.

15 (PLAINTIFF'S EXHIBIT 12 ADMITTED)

16 BY MR. JIMMERSON:

17 Q Now you said you used a template. That --

18 A Yeah.

19 Q -- means that the company had given you some
20 suggested wordings to paint upon what was going on, right?

21 A I cannot hear what you -- say again?

22 Q I said the template means that there was some
23 suggested wording to be included in the message, right?

24 A I don't understand what you're trying to say.