

People v. Dinius
Transcript of Interview of Russell Perdock
May 7, 2009

Participants:

- John Flynn
- Craig Woodworth
- Russell Perdock

Key:

“Q” precedes questions asked or remarks made by Mr. Flynn or Mr. Woodworth.
“Perdock” precedes answers given or remarks made by Mr. Perdock.

Q: I think so. What’d he say?

Perdock: As I said, I’ve um been dealing this for three years, so I put that together. I went back over it and reviewed it last night. It’s a time-line based on like phone records and, um, depo that I gave. I thought that might answer your questions and save some time. And I’ve got supporting documents to show where I got some of the numbers from.

Q: Ok, perfect. *[Pause]* Do you have any copy of this?

Perdock: That’s your copy. Along with these. *[Pause]* It’s a tour permit that we have to get every time we do a function with scouting that authorizes the ... from the district counsel—

Q: Ok, oh. Is that like insurance, and—

Perdock: It covers the insurance, and identifies risk factors and um I wanted to use that, it has a couple of websites that I um downloaded the information from regarding BAC and the time I had the beer at the pizza place, to the time I left the pizza place, um those would be just little extras I found I might talk about later but I didn’t know if you wanted to. . .

Q: That’s— this is all stUMf you’re going to have to talk to um, with John Langan

about.

Perdock: That's fine. Those are my phone records that were provided to Mr. Haltom two days before he was awarded his um court order to get them. That was done through the civil process and through my attorney. They were initially denied because I didn't want to give him all my family's phone numbers, um, because frankly I didn't want them hassled by his investigator. But after some prodding by the attorneys I went ahead and did it and I had to provide that time-line. I also have the original document that that record was created from. Those are my medical records that I think you may already have from my treatment at the hospital, and it shows the well — hold on — it shows the admission time and date and it shows my discharge time and date —

Q: Right.

Perdock: — Which seems to be an issue with Mr. Haltom.

Q: Yeah, I don't know why. I mean, the only thing I'm aware of with a problem with a date would be the date on the blood draw.

Perdock: That supports that the date on the blood draw was correct. It was *[inaudible]* on the wrong date.

Q: Yeah, ok.

Perdock: And Haltom also has my medical record as far as the civil case.

Q: Ok, I, I follow you all the way up to 6:50. Um, and this 6:50 you're saying that you're pulling this from uh, your — your cell phone records.

Perdock: I — I'm trying to — John, I really wasn't paying too much attention at the time. I mean I was there with, I think we had five boys coming over to stay the night with my son that night. Um, all of them were eleven. I'm just thinking of —

Q: That would have been fun. You're brave.

Perdock: I'm thinking of um, when I called Donna to figure out where she was and what time she'd be home, um, so I'm just using that cell phone record as when I was getting home. We'd had a stabbing that, that day or so before and Morshed was in investigations then, and that is where I started the phone record that I gave to Haltom.

Q: Ok. And the next entry you have after that is uh, 9:20. So you have two hours and thirty minutes, uh —

Perdock: Really? Maybe it didn't copy — maybe — two through — 'cause I, I thought that was a three-page document.

Q: So maybe I do need to make, have you make a copy.

Perdock: Ok. There, there's page two. Sorry.

Q: That's alright. I'll make a copy. Thank you

Perdock: And these are originals if you wanted to authenticate it. . .

Q: No.

Perdock: Well — a fax.

Q: No. Again, all this would be uh, with uh, Mr. Hopkins and uh, Mr. Langan. So, they uh, I don't know when John's going to talk to you. It's a little bit unique, the situation, because although you're law enforcement, you're not a law enforcement here. You're, you're a civilian, so —

Perdock: And I think that's part of my frustration is where I see myself as a victim in this, I'm now feeling as though I'm a suspect.

Q: Well, we, we want to get things clarified so that uh—

Perdock: That's fine.

Q: — they're clear and everything's above board.

Perdock: Yeah. Sorry about that.

Q: That's alright.

Perdock: Hopefully that will fill in the gaps.

Q: Ok. *[Pause.]* I uh, went over your testimony in both the civil, the civil deposition and in the criminal case and what I've come across which is now different than, than what you've given me here is I have you up at uh 6:00 o'clock, uh, and you said uh, you had your usual breakfast cereal, oatmeal, that's fine. Uh, you were prepped for the hike with the Webelos, the Bears, uh Cub

Scouts. Uh, I think you said you bought some stuff at Rite Aid, which is where you met—

Perdock: Right.

Q: For the uh, for the hike. And you go on the hike, uh, 3.5 miles on Redbud Trail. And then you, uh, go on to say uh, you returned to Rite Aid at about 2:30, and here you, you're uh, you're home, you're actually at home uh, and you're testifying you say you're at home about 3, half hour's not—

Perdock: Yeah.

Q: All time is approximate anyway. It's pretty obvious. And then—

Perdock: And John, to answer your question, I didn't look at my cell phone records when I'd done the deposition. I was just going off the top of my head.

Q: Did you look at cell phone records when you did — for the criminal case?

Perdock: I had already prepared the cell phone records so I think I might have been a little bit more — but I didn't have this time-line prepared fully, I was — anyway —

Q: And then you're home at about three, um, and you talk about um prep — you were going to go do the prep for the uh the party at uh — Lower Lake Pizza Parlor.

Perdock: Right.

Q: So, here it is 4:30 so, that makes sense 'cause you got to uh, do a little bit. So, you, you go on to say that uh, five you're at the pizza party for your son's birthday. You drink half a Coors Light, uh, which you said was about eight ounces. But in, I guess it was an eight-ounce glass, and you drank about half, four-ounces. Um, one of my questions was where's Donna? But Donna apparently was there at the pizza parlor.

Perdock: Donna and her parents were both there.

Q: Ok, but that, that wasn't clear in either of the testimonies, it was like you were there by yourself with some other parents, so — so Donna was there?

Perdock: Correct. And the parents were coming in, dropping their kids off and —

Q: Right, that was clear. And the part about Donna not being there — that was the

question —

Perdock: She'd actually gotten there ahead of me.

Q: And then your testimony goes on to say that at 6:00, uh, 6:00 you're home uh, cleaning the boat until uh, 9:30.

Perdock: That was an error.

Q: And then in your civil deposition you said you were home cleaning the boat until about 8.

Perdock: Right.

Q: And, here you're — you're saying now that you're home — you're not on your way home 'til 6:50 and, and that's when you uh, you call Donna.

Perdock: Right. I think that was one of things I added to the time-line, when I was going back through and I saw phone records, John.

Q: Yeah 'cause it says you were over at the party and you went home at 6, uh, so now you're home at 7 —

Perdock: Right.

Q: And uh, in your testimony you say you cleaned the boat until 7:30 and the other one you say —

Perdock: I think I said about 8 —

Q: Ok —

Perdock: I'm sure I wasn't looking at my watch.

Q: Ok, and then, um, when you finish at 7:30, in your criminal testimony, you say um, you tie the boat up uh at the subdivision dock and then from there, uh, is the question, what do you do from 7:30 on?

Perdock: Right.

Q: And, because then the next thing you do is about 8:50, uh, you uh, get uh, your friend uh, Jim Walker and his daughter.

Perdock: Right.

Q: So —

Perdock: And that's what made me think that I was probably cleaning the boat a little longer than I had originally thought when I gave that testimony.

Q: Ok, so now you're — you clean the boat until about 8 —

Perdock: *[Inaudible.]*

Q: — Around 8, that's when you take it to the boat — to the cove to launch it?

Perdock: I think we're arguing about what, 20 minutes, half an hour, anyway — I, I really wasn't paying attention, John.

Q: It was actually about an hour and twenty minutes, which is one of the questions.

Perdock: Let's go over it again please.

Q: Ok. You tell me.

Perdock: I don't know, I'm asking what the discrepancy is, 'cause again, when I gave the deposition I hadn't really paid attention to my time-lines because—

Q: In your criminal testimony — in the criminal trial, you are cleaning the boat uh, until 7:30.

Perdock: Ok.

Q: And you tie the boat up, you launch it — tie it up to the dock in the subdivision, and then about 8:50, an hour and twenty minutes later, you hook up with Jim Walker and his daughter, to go for a boat ride. You ride over, take about 5 minutes to get over to Konocti, you drive through, you see Craig Scoval's boat. Um, I guess it was a boat he just got, you showed it to Jim, you now you're shooting over to uh, uh, Richmond Park, uh, your gas gauge —

Perdock: Cruising.

Q: Well — cruising — Uh, over to uh, Richmond Park and you uh, uh, you've left, uh, Konocti. Then you — your, your civil testimony says, which was before this, says you were cleaning the boat 'til about 8, uh, then pulled the boat over and launched it about 8:30 and then, you uh, uh, hook up with Walker and his

daughter and you go over to uh, Konocti, and now, the third one is it's 7:00, you get the boys out of the car, you uncover the boat to clean it up for a morning ride, now at 8:00, you've launched it at the docks, uh, tie it up. At 8:30 you decide to go for a short ride, 8:40, uh, is when you uh, hook up with the Walkers, uh 8:50, you're uh, you're on your way to Konocti, uh, 9:00 you leave Konocti and uh, you're coming home and it says 9:07 you collide with a vehicle, uh, as on the record, it's 9:10, no big deal.

Perdock: Yeah, I'm figuring it took me three minutes to make the call.

Q: What I'm trying to determine is the correct time-line. We have three — now we have three time-lines.

Perdock: Let me explain.

Q: Ok.

Perdock: I'm called to go to the deposition with twelve attorneys and their assistants down here in Lakeport, Main Street. Um, I really didn't have anything to reference. I hadn't created a time-line, I hadn't looked at my cell phone records. I gave the best testimony that I could.

Q: Ok.

Perdock: Prior to testifying in the criminal case, I reviewed my portion of the statements from the criminal report, what I had given Dennis Ostini, I also went back over the notes that I had made — or, I'm sorry, the comments that I had made in the deposition, um, sorry I made a mistake in my criminal testimony, I think that was off. But I think also if you look at the deposition, which you obviously hve, you will see that I even had an hour error on when I got to the pizza place. Then I corrected myself.

Q: From 6 to 5.

Perdock: And so what I'm thinking John, is that I did the same thing, you know I'm sorry, I do get nervous still on the stand. Um, I was in the driveway of my house, cleaning my boat 'cause that's where it was parked. Um, and then I took it down to the boat ramp and launched it. I wasn't looking at my watch. I, I really did not pay any attention to the time, at all.

Q: Ok.

Perdock: Um, but I, I do want to try to give you as accurate of a record — a record as I

could, that's why I sat down and kind of went back over things last night, knowing about our meeting today, simply to try to save us all some time and to give as accurate a record as I could.

Q: When did you prepare this document?

Perdock: I've started it since this thing started. What I had done, John —

Q: Well let me, let me change it, when did you complete this document?

Perdock: Last night.

Q: Ok, can you tell me what, what you completed last night for *[inaudible]*?

Perdock: Probably about half of it. I couldn't tell you — this is what I've done. I can't talk to anybody about this, by direction of the sheriff, and one of the things that I try to do to vent is I type.

Q: Ok.

Perdock: Ok. And go over the things when I've seen something that I know is absolutely not correct in the news. Um, I vent about that. And this is kind of what I've taken and complied it. Um, but I cleaned it up last night so it would just be more of a time-line for you, than my venting.

Q: What — I guess what I'm confused on Russ, is this is being completed just over three years after the accident.

Perdock: Right.

Q: Why is this accurate now, and your testimony's not accurate?

Perdock: I suppose the answer to that would be it took a year to determine whether I was even going to a suspect in this case, or whether you going to file on Dinius or Weber. Then another year passes before I give a deposition. And frankly, John, I had nothing to really go back on. I wasn't paying attention to my phone records. I didn't know that my phone records would even be an issue. So what I did last night was, I re — I went over my deposition, too. And I went over the statements that I had given to Dennis that night of the collision and what I tried to do for you was— 'cause I know there's discrepancies in the deposition and that's what I was trying to offer answers to, because I assumed having done some investigative work in the past this would be what you'd want to be talking about. I didn't — I, I suppose my answer would best be I didn't thoroughly prepare for my testimony in

the criminal case, to this level, or in the deposition. I, I mean for specific times, to the minute.

Q: These times that you are now providing, do you have doc — do you have supporting documents for these times or are these —

Perdock: That's what I told you when I got here.

Q: And that's going to be your phone records.

Perdock: Primarily my phone records, 'cause what I'm looking at, John, is and—

Q: These records here?

Perdock: Yes, sir.

Q: Ok.

Perdock: 'Cause I have a hard copy of that.

Q: Ok.

Perdock: The actual Edge Wireless bill. And I felt that those —

Q: Is this the actual bill, or is this something else?

Perdock: No, that's a creation that I made to provide to Mr. Haltom as part of the civil and criminal process.

Q: Ok. Let me be Devil's Advocate here.

Perdock: Go Ahead.

Q: If — this is something you've prepared?

Perdock: Yes.

Q: Do you have documents to support what you've prepared?

Perdock: I just said I have the bill if you'd like to see it.

Q: Oh, that's what I wanted to make sure.

Perdock: What Mr. Haltom asked in his request of my attorneys was, explain what the calls were.

Q: Ok.

Perdock: That is obviously not on the bill

Q: Ok, good. Good.

Perdock: Ok, I hope I answered your question.

Q: You did, you did. The uh, the other issue over your time-line is witnesses have come forward, uh, through names that have been provided uh, that saw you, they claim, at Konocti Harbor the day of the accident. Off your boat, there. Were you there that day?

Perdock: No.

Q: Do you uh, and this is critical Russ, I want to make sure I have it clear. At no time after your hike or before your hike or before the birthday party or after the birthday party or before you washed the boat or after you washed the boat, you never went to Konocti Harbor Resort and Spa.

Perdock: No. I never stepped foot on Konocti property that day.

Q: How about Richmond Park?

Perdock: Never stepped foot on the property that day.

Q: Do you know a guy named John Jansen?

Perdock: No.

Q: Ok. John Jansen uh, uh, I interviewed the other day uh, he was one of the names I was given, and he claims that he saw you at Konocti Harbor uh, around 6:00 o'clock at night. He uh, he picked you out of a photo line-up; he described your boat uh, generally in color and uh, he has you uh, at the bar with a, uh, a, a beverage, doesn't know what it is, uh, but he saw you there and he also saw you out around the Tenderfoot.

Perdock: Ok.

Q: Having said that, do you have any recollection of being at Konocti Harbor Resort

and Spa?

Perdock: He's lying John, I was not at Konocti Harbor.

Q: Ok.

Perdock: My suggestion would be, um, around 6:00 he says he saw me there?

Q: Between 6 and 8.

Perdock: Ok, um, the uh, witnesses I might recommend you talk to would be Craig Scoval.

Q: Ok.

Perdock: His boat was tied at the dock there.

Q: Right.

Perdock: I don't think we look alike, but I've been told we've been confused before.

Q: Ok.

Perdock: Um, and my ex-wife was with me at the house at those times, or at the pizza parlor with my in-laws.

Q: She was with you when you were uh, cleaning the boat and everything?

Perdock: Yeah.

Q: Ok.

Perdock: She was in the house, I was in the driveway.

Q: There's also uh, two other people who put you at uh, Konocti Harbor that night.

Perdock: Yeah.

Q: And uh, uh, they're security personnel who know you personally.

Perdock: I'm sorry, I wasn't there.

Q: Are they lying?

Perdock: Yes, and I don't know why. I can tell you that my face has been on the newspaper several times, as well as photos of my boat.

Q: These, these are people that uh, um, you know personally, or would personally know you. It — It's not somebody that, it, it's just 'cause they saw your picture on the uh, uh, the pap — the paper, it's not that type of people.

Perdock: Just a suggestion.

Q: Where — uh, who's Craig Scoval?

Perdock: Craig Scoval is the uh, guy who lives across the street from my mother —

Q: Ok.

Perdock: — in the in-cove. Um, he's the guy that I gave my keys to pick up the truck, bring the trailer and load the boat on the trailer for Dennis to put into evidence that night. He's the guy whose boat I saw at the dock at Konocti when Jim and I went up — pulled up the dock and then left.

Q: How did he get from Konocti to where you were? Did you call him?

Perdock: He was on his boat.

Q: Ok.

Perdock: He had gone home. A — you know, I don't know. I don't want to answer incorrectly. Somehow he ended up at the scene, asked if there was anything he could do. And realizing that I would need to get my trailer over there for Dennis to use, I asked him to bring it over for me. Which he did. Russell Jonas was with him, and I believe Dexter Surpa. They were with him at Konocti Harbor.

Q: Dexter Surpa and who?

Perdock: Russell Jonas.

Q: Ok, Dex senior or junior Dexter?

Perdock: Junior, yeah. And they helped Craig to secure the boat, get on the trailer and get it to the marine facility. I don't know if, they might have even been with Craig at Konocti. I don't know.

Q: Who might have been?

Perdock: Dex--

Q: Derek and Russ? Or Dexter and Russ?

Perdock: Dexter and Russ.

Q: Any idea why these security officers, uh, personnel would say uh, say that you were there?

Perdock: No.

Q: One says that you were at the Tenderfoot Bar, and the other one said that you came up, shook his hand, said hello and —

Perdock: A very good friend of mine is uh, Star Card sponsor, *[inaudible]* and I do go to concerts um, he shares tickets with me, um, and I have been at Konocti, many times.

Q: Right, sure.

Perdock: So I don't know if they have the day confused or something like that. Um, I've heard the gamut of rumors, um. *[Phone rings.]* I'm sorry. Um, and I have some speculation, but anyway. People have said that they saw my boat out on the lake, acting, you know, driving crazy that day. It isn't true. It was on the trailer, and I was with Dave Minor, he's a chiropractor in Lower Lake and Bill Nowellin, he's the owner of Jewel Resort in Clear Lake, those are the two leaders that were with me on the hike. Uh —

Q: Well, the — the — there's — I don't think there's any question that, that uh, you were uh, on a hike. I don't think there's any that you were at uh, Lower Lake Pizza Company. Like I said, the question comes in for the time after that.

Perdock: Ok.

Q: Because I guess you're only five minutes from Konocti? Based on what you said in your statements?

Perdock: Yeah. I mean, full out yeah I could probably get there in five minutes in that boat.

Q: Yeah, so. Uh, Yoshi is uh, probably the one you heard the rumors about because he's the one who said that uh, you guys were pacing each other and he — then he blew your doors off and then you guys had a conversation out on the water and that would have been uh, around uh, eight-ish.

Perdock: Um, I bought the boat because it has a deep V and it rides in rough water well. A friend of mine had one without these decorative stripes on it. Um, I've never raced anybody in that boat. I — let me rephrase that — um, Roger Smith wanted to pace his, uh, one of the rain boats and we were comparing speeds but I, I don't remember in that boat ever meeting with anybody or talking about a race that I had with him out on the water.

Q: I don't know that I'd categorize that as a race. I — you guys were pacing each other and you know —

Perdock: Not true.

Q: Even though he picked you out from a photo line-up?

Perdock: I'm sorry.

Q: Ok.

Perdock: I don't know how to address that — that um accusation. It's not true.

Q: This is something that the defense is going to have a heyday with in, in court, that's why it was important for you to come in today and it all has to be discovered by tomorrow morning when uh, Mr. Haltom shows up for court.

Perdock: It's not true. And unfortunately, um, even though I've been asking for some of these folks to be contacted, um, through the Sheriff and trying to get some support as to my statements and where I was, um, I don't know that that's happened.

Q: Who did you ask to uh, in the Sheriff's office, to conduct this investigation?

Perdock: The Sheriff directed me that I could only talk to him.

Q: So it was all through uh, Rod?

Perdock: Yes.

Q: Ok. Anybody other than Dexter and Russ and Craig that we might need to talk to?

Perdock: Well as far as my locations?

Q: Donna obviously.

Q: Donna yeah.

Perdock: Yeah, Donna, probably Tom Harpin, her father. Um —

Q: Why Tom?

Perdock: He was there.

Q: Oh at *[inaudible]*?

Perdock: Mm-hmm.

Q: Ok. That — that's not an issue. I don't think that's an issue at all.

Perdock: Um—

Q: Where's Donna at now, or living.

Perdock: She lives with Tom — [REDACTED] And she's working in Calistoga, might be staying through the week in Calistoga I don't know where.

Q: Do you have a cell phone number for her?

Perdock: If it's still turned on, [REDACTED] — can't remember if it's [REDACTED]

Q: That's what it is — or [REDACTED]

Perdock: I think it's the first. I don't call her very often.

Q: Understandable. Ok. One thing, just to make sure. You picked up the Walkers and where was Craig Scoval's boat tied up that you pointed it out to them? Was that at Konocti Harbor Inn? *[No audible response.]* Ok, so you were by there, did, did you tie it to the docks? *[No audible response.]* You just, just rode through? *[No audible response.]* Ok, that was — I wasn't sure if you had tied it to the dock —

Perdock: Never stepped foot on the dock.

Q: And the same thing at Richmond Park, went through or —

Perdock: Didn't even get close to Richmond Park.

: Um, where — where — when did the Walkers get off your boat?

Perdock: Um, when we hit Bayshore and they got in the ambulance to go to Sutter Lakeside.

Q: Ok, so they were with you at the time of the collision – impact?

Perdock: Mmm-hmm.

Q: Ok. You *[inaudible]*.

Perdock: Not much.

Q: Exactly. Ok. Those answer my questions. Do you have any questions?

Perdock: About a thousand.

Q: Anybody else — well the names that you have requested be contacted to verify your whereabouts, that you told Rod about, um —

Perdock: I didn't share any of those names with Rod.

Q: Ok, what names — what names did you share that we should talk to?

Perdock: Well, when Rick was here —

Q: Mm-hmm.

Perdock: Um, I was auth — approved to talk with Rick about this case.

Q: Right.

Perdock: So I met with him at our office and I went over my concerns as I read them.

Q: Mm-hmm.

Perdock: Um, anyway, and concerns I had with what I felt was missing in the investigation.

Q: Mm-hmm.

Perdock: And I've shared this with John. My concern that there's no record of wind and weather, and we're talking about a sailboat.

John: Mm-hmm.

Perdock: I think is a big hole.

Q: Ok.

Perdock: I talked to John about, um, I think we had a con- conversation about concerns.

Q: Mm-hmm.

Perdock: About my concerns that I'm hopeful that there's a time-line that's been created for Mr. Dinius and Mr. Weber as you've asked of me for this particular day, because in the depositions that they gave, it seemed that they were drinking throughout most of the day.

Q: Mm-hmm

Perdock: Um, I gave Rick a um, a copy of the private investigator report that was conducted for the insurance part of the investigation.

Q: Mm-hmm

Perdock: And he had interviewed several people — um, I'm sorry not several, probably two or three that had been at Richmond Park, um, that evening and during the, the dinner portion of it. Two of them were the owners of Richmond Park. Um, and I thought they had some interesting information to share. Um, I don't know whether they actually witnessed them, Weber and Dinius, drinking, um, but I think, circumstantially, the information I thought was, was compelling. And unfortunately, because of my position in this investigation in the case, I can't go talk to 'em, you know. I can't clarify those things, and unless you guys see that there's some value to it.

Q: Mm-hmm.

Perdock: It's not going to get done at this point.

Q: Ok.

Perdock: Um, but um, both Dan and Donna Streckfus know me. And I, you know, John I'm sorry, there is two people that you should probably talk to.

Q: Ok.

Perdock: Because they would be able to tell you I was not at Richmond Park that day.

Q: I, I didn't say you — you were, I asked if you were.

Perdock: Oh, I thought that was — I thought someone said that they had seen me at Richmond Park.

Q: No.

Perdock: Oh, ok. 'Cause they would be able to say that I wasn't.

Q: My questions are — Anything else?

Perdock: No.

Q: Ok, thank you for coming in. I appreciate it. I'll get this written up today and that uh, so they can have it all for tomorrow morning. They are back in court tomorrow morning.

Perdock: You know John there actually is — you ready?

Q: Mm-hmm.

Perdock: In part of the civil process, um witnesses have come forward and my civil attorney for the insurance company shared with me some of the statements that have been made by others. I think one of them actually was, was Donna about my driving and things like that. Um —

Q: Was who?

Perdock: Donna.

Q: Oh.

Perdock: My ex-wife. Um, one of the fellas who had given statements was the fella who owns Down Under Boats. I forget his name. I had gone to him because Roger Smith recommended him when I was told that the boat would need to be repaired and I need to get estimates for the boat.

Q: Oh I saw —

Perdock: For my insurance —

Q: I saw, I saw that guy's name — is that when you went out to the uh, uh, you went out to do an estimate on the boat, you met him out there?

Perdock: No.

Q: A different guy that — that you met out there? 'Cause you met somebody out where the boat was housed —

Perdock: No, I didn't. That's what I'm trying to share with you. I went to his business. I told him that I'd been involved in a collision, and my insurance company wanted to have someone give an estimate on the boat. My version of the story is, I gave him the phone number to Boat Barn, told him to ask for Sgt. Dennis Ostini to set up an appointment of when he might be able to go and view the boat. He did that.

Q: Ok.

Perdock: I was not present and —

Q: Ok.

Perdock: Since the collision, I have not touched that boat.

Q: Ok.

Perdock: Ok. Did you want any —

Q: No.

Perdock: Ok.

Q: That, um, should go to uh, John Langan when uh, he would be — it has nothing to do with, uh, my portion of the investigation. But, anything else?

Perdock: No.

Q: Alrighty. Thank you for coming in. I appreciate it.

Perdock: Sure, John.

Q: If you're going to provide those copies, go ahead and provide them, we'll take them and um — *[inaudible]* I think we should have.

Perdock: If you want them Woody, I would love for you to have them.

Q: I'll take them. Um, and one of the things I will ask is if you have the — if you have with you today the original um, cell phone.

Perdock: I do.

Q: I'd like to make a copy of that.

Perdock: Hopefully I can find it. *[Pause]* Here's a copy of it.

Q: Ok.

Perdock: And I know that the original's in here.

Q: I'll make a copy. You want a copy? You don't want a copy of a copy. Well if, if you've got the original, I'll take a copy of the original.

Perdock: Sure.

Q: If not, this will suffice.

Perdock: Um, that was when he's um, trying to subpoena duces tecum to get my records from Edge Wireless.

Q: Ok.

Perdock: That's where that came from.

[Pause]

Q: We'll just make a copy of this. If you can find that, just retain that. *[Pause.]* I know how it is, when you're — when you want to find something, you'll never find it.

Perdock: That's why I'm trying to calm down. *[Pause.]* I am sorry — oh — original letter from Edge Wireless with my records.

Q: Ok.

Perdock: You might want to just look at that and might want to see they're the same.

Q: We'll just *[inaudible]* and then we're *[inaudible.]* Kind of hard to take a copy like that. I notice there's some notation down on the side here, handwritten.

Perdock: That was when I was first told by Mike Friehl that he would want to know what the conversations were about.

Q: Ok.

Perdock: And I was just.

Q: Looks like that's your handwriting.

Perdock: That's my handwriting.

Q: Ok. That will work.

[Pause.]

Perdock: Can I ask you for a favor?

Q: Sure.

Perdock: Have John go over the depositions of the other witnesses as carefully as he did mine.

Q: Will do.

[Pause.]

Q: Ok. There's the original right here. Here you go. Already went over those? Those are his notations as to what the phone calls were regarding. *[Inaudible]* question.

Perdock: Again, it has been going on forever, *[interruption]* and I honestly didn't think I'd have to give up my phone records.

Q: Yeah.

Perdock: But I made those notes.

Q: Cool. Not a problem. Thank you very much.

Perdock: Yeah.

[Background talking.]