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# Transcript of Michael R. White

**Date:** December 1, 2021

**Case:** Boshea -v- Compass Marketing, Inc.

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Transcript of Michael R. White  
Conducted on December 1, 2021

<p style="text-align: center;">1</p> <p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF MARYLAND 3 (Northern Division) 4 -----x 5 DAVID J. BOSHEA, : 6 Plaintiff, : 7 v. : Case No. 8 COMPASS MARKETING, : 1:21-CV-00309-ELH 9 INC., : 10 Defendant. : 11 -----x 12 13 Videotape Deposition of MICHAEL R. WHITE 14 Conducted Virtually 15 Wednesday, December 1, 2021 16 10:04 a.m. 17 18 19 20 Job No.: 415984 21 Pages: 1 - 328 22 Reported By: Cynthia A. Whyte</p>	<p style="text-align: center;">3</p> <p>1 A P P E A R A N C E S 2 3 ON BEHALF OF PLAINTIFF: 4 GREGORY J. JORDAN, ESQUIRE 5 JORDAN &amp; ZITO, LLC 6 350 North Clark Street 7 Suite 400 8 Chicago, Illinois 60654 9 (312) 489-8174 10 11 ON BEHALF OF DEFENDANT: 12 STEPHEN B. STERN, ESQUIRE 13 HEATHER K. YEUNG, ESQUIRE 14 KAGAN STERN MARINELLO &amp; BEARD, LLC 15 238 West Street 16 Annapolis, Maryland 21401 17 (410) 216-7900 18 19 20 21 22</p>
<p style="text-align: center;">2</p> <p>1 Videotape Deposition of MICHAEL R. WHITE, conducted 2 virtually: 3 4 5 6 7 8 9 10 11 12 Pursuant to notice, before Cynthia A. Whyte, Notary 13 Public in and for the State of Maryland. 14 15 16 17 18 19 20 21 22</p>	<p style="text-align: center;">4</p> <p>1 A P P E A R A N C E S C O N T I N U E D 2 3 ON BEHALF OF NONPARTY/DEPONENT MICHAEL R. WHITE: 4 JUSTIN A. REDD, ESQUIRE 5 KRAMON &amp; GRAHAM, PA 6 One South Street 7 Suite 2600 8 Baltimore, Maryland 21202 9 (410) 752-6030 10 11 ALSO PRESENT: 12 DAVID BOSHEA 13 RONALD BATEMAN, Compass Marketing, Inc. 14 CHARLIE BOWMAN, Videographer 15 JACOB FADEN, AV Technician 16 17 18 19 20 21 22</p>

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10	12
1 PROCEEDINGS 2 VIDEO TECHNICIAN: We are on the record 3 on December 1, 2021, at 11 -- at 10:04 a.m. 4 eastern time for the remote video deposition of 5 Michael White in the matter of Boshea V Compass 6 Marketing, Inc., in the United States District 7 Court for the District of Maryland, Northern 8 Division. 9 My name is Charlie Bowman. I'm a 10 videographer on behalf of Planet Depos. All 11 present will be noted on the stenographic record. 12 The court reporter is Cindy Whyte, who will now 13 swear in the witness. 14 MICHAEL R. WHITE 15 Having been duly sworn, testified as follows: 16 BY MR. STERN: 17 Q All right. Can you please state your 18 name for the record. 19 A Michael White. 20 Q All right. Thank you, Mr. White. 21 MR. STERN: And before we get started, 22 I'd like each of the parties that are on this call	1 I'm here by myself, no videos, no intention to 2 video, nothing. 3 MR. STERN: Any phone connection? 4 MR. BOSHEA: No -- no phone connection, 5 Stephen, no. 6 MR. STERN: Thank you. 7 MR. BOSHEA: You're welcome. 8 MR. REDD: This is Justin Redd 9 representing Mr. White. We're the only ones in 10 the room and this -- the Zoom is our only phone 11 connection. 12 MR. STERN: All right. Thank you. 13 BY MR. STERN: 14 Q All right. Mr. White, have you ever been 15 deposed before? 16 A I have. 17 Q How many times have you been deposed? 18 A I don't know. 19 Q In what context were you deposed? 20 A Several different contexts. 21 Q At one point in your career were you a 22 State police officer?

<p style="text-align: right;">13</p> <p>1     <b>A I was.</b></p> <p>2     Q   And were you deposed in your capacity as</p> <p>3 a State police officer?</p> <p>4     <b>A I was.</b></p> <p>5     Q   Were those all criminal proceedings?</p> <p>6     <b>A No.</b></p> <p>7     Q   They were civil proceedings?</p> <p>8     <b>A Yes.</b></p> <p>9     Q   How many civil proceedings?</p> <p>10    <b>A I don't know.</b></p> <p>11    Q   How many years did you serve as a State</p> <p>12 police officer?</p> <p>13    <b>A Approximately 29 years.</b></p> <p>14    Q   Are you currently serving as a State</p> <p>15 police officer?</p> <p>16    <b>A I am not.</b></p> <p>17    Q   When did you stop serving as a State</p> <p>18 police officer?</p> <p>19    <b>A Approximately October of 2006.</b></p> <p>20    Q   And, well, I guess we got a little bit</p> <p>21 into some of the question and answer here. Let me</p> <p>22 back up for a moment before we continue.</p>	<p style="text-align: right;">15</p> <p>1 will assume you understand the question.</p> <p>2 Understood?</p> <p>3     <b>A No.</b></p> <p>4     Q   I'm sorry?</p> <p>5     <b>A No, I don't.</b></p> <p>6     Q   So if you don't understand a question,</p> <p>7 I'm asking you to please ask me to clarify it;</p> <p>8 otherwise, I'll assume that you understand the</p> <p>9 question. Do you understand that?</p> <p>10    <b>A No.</b></p> <p>11    Q   What is not clear about my statement?</p> <p>12    <b>A I don't understand it.</b></p> <p>13    Q   Okay. If I make -- if I ask a question</p> <p>14 that you don't understand, please ask me to</p> <p>15 clarify the question. Do you understand that?</p> <p>16    <b>A I understand your question.</b></p> <p>17    Q   I will assume you understand the</p> <p>18 questions I've asked unless if you ask me to</p> <p>19 clarify. Do you understand that?</p> <p>20    <b>A I understand your statement, yes.</b></p> <p>21    Q   Thank you.</p> <p>22        Lastly, is there anything that you</p>
<p style="text-align: right;">14</p> <p>1            Since you are familiar with the</p> <p>2 deposition process, I still think it would be</p> <p>3 appropriate for me to just go over a little</p> <p>4 overview of what today will be like. As you can</p> <p>5 tell, I'm going to be asking you a bunch of</p> <p>6 questions and you need to give verbal answers. Do</p> <p>7 you understand that?</p> <p>8     <b>A I do.</b></p> <p>9     Q   And while in any conversation people do</p> <p>10 have a tendency to interrupt one another, we need</p> <p>11 to each do our best to not -- to avoid that. So I</p> <p>12 will do my best to wait for you to finish</p> <p>13 answering your -- the answer -- answering the</p> <p>14 question and please do the best you can to let me</p> <p>15 finish asking my question. Understood?</p> <p>16    <b>A Yes, sir.</b></p> <p>17    Q   If you need to take a break, please let</p> <p>18 me know and I will try to honor that request in a</p> <p>19 timely manner. Understood?</p> <p>20    <b>A Thank you. Thank you.</b></p> <p>21    Q   Also, if there is a question that is not</p> <p>22 clear, please ask me to clarify it; otherwise, I</p>	<p style="text-align: right;">16</p> <p>1 consumed today that would inhibit you from</p> <p>2 testifying truthfully under oath?</p> <p>3     <b>A Not that I'm aware of.</b></p> <p>4     Q   Okay. You said you stopped being a State</p> <p>5 police officer in 2006?</p> <p>6     <b>A No, sir. I said approximately October of</b></p> <p>7 <b>2006 I was no longer a State trooper.</b></p> <p>8     Q   Okay. Have you had any other occupations</p> <p>9 since then?</p> <p>10    <b>A Yes.</b></p> <p>11    Q   What else have you -- what have you done</p> <p>12 for a living since 2006?</p> <p>13    <b>A I have worked or owned part of Compass</b></p> <p>14 <b>Marketing and I have worked for the citizens of</b></p> <p>15 <b>the State of Maryland.</b></p> <p>16    Q   In what capacity do you work for the</p> <p>17 citizens of the State of Maryland?</p> <p>18    <b>A I'm a judge in the Orphans Court.</b></p> <p>19    Q   Orphans Court of which county?</p> <p>20    <b>A The State court, but I operate in St.</b></p> <p>21 <b>Mary's County.</b></p> <p>22    Q   When did you become a judge in Orphans</p>

<p>17</p> <p>1 Court in St. Mary's County? 2 <b>A I was appointed in December of 2014.</b> 3 Q Is that a full-time job? 4 <b>A I would need you to define what full time</b> 5 <b>means before I'm able to answer that question.</b> 6 Q 30 or more hours a week. 7 <b>A No.</b> 8 Q Approximately how many hours a week do 9 you serve as an Orphans Court judge? 10 <b>A Approximately 16 hours a week.</b> 11 Q Has that been for the duration of your 12 time as an Orphans Court judge? 13 <b>A That's an approximation and an average.</b> 14 <b>It changes week to week.</b> 15 Q I understand that it's not a precise 16 number. I'm just saying is that approximately 17 what the amount of time commitment has been 18 since -- for your duration as an Orphans Court 19 judge? 20 <b>A Approximately.</b> 21 Q You said you've owned Compass Marketing. 22 When did you become an owner of Compass Marketing?</p>	<p>19</p> <p>1 <b>A I have continuously held stock in that</b> 2 <b>company.</b> 3 Q From when you first became a shareholder? 4 <b>A Correct.</b> 5 Q Have you at any point sold or transferred 6 any of your shares in Compass Marketing since you 7 first obtained shares in Compass Marketing? 8 <b>A Not that I'm aware of.</b> 9 Q Would someone have the ability to 10 transfer or sell those shares for you? 11 <b>A I don't know.</b> 12 Q Have you authorized anyone to sell or 13 transfer shares of Compass Marketing for you? 14 <b>A I don't know.</b> 15 Q You don't know whether you've authorized 16 anyone to do that? 17 <b>A I do not.</b> 18 Q Does anyone handle your financial 19 transactions other than you? 20 <b>A Yes.</b> 21 Q Who handles financial transactions for 22 you other than yourself?</p>
<p>18</p> <p>1 <b>A I don't know.</b> 2 Q Was it prior to becoming an Orphans Court 3 judge? 4 <b>A Yes, it was.</b> 5 Q Is there anything that would help you 6 refresh your recollection as to when you became an 7 owner of Compass Marketing? 8 <b>A I don't know.</b> 9 Q Have you owned any other companies that 10 are not publicly held -- publicly traded -- I'm 11 sorry; let me rephrase the question. 12 Have you owned any other nonpublicly 13 traded companies other than Compass Marketing in 14 the last ten years? 15 <b>A Yes.</b> 16 Q What other companies? 17 <b>A Woodville Pines, LLC.</b> 18 Q Any other companies besides that one? 19 <b>A Not that I can recall.</b> 20 Q And when you first became an owner of 21 Compass Marketing, have you continuously owned 22 that company since then?</p>	<p>20</p> <p>1 MR. REDD: Objection. Stephen, I don't 2 know if you want the witness to leave the room for 3 this. I'll make it quick. But we're getting -- 4 you know, background is one thing, but we're 5 getting already far afield of the topics that I 6 think are at issue in this case, so if we're going 7 to move on from this it should be all right, but 8 can we get to what we're here for, please. 9 MR. STERN: We will be circling back to 10 this, but I'm just following up on answers that 11 Mr. White has given. 12 Q So who else handles your financial 13 transactions besides you? 14 <b>A I have a banker and I have a financial</b> 15 <b>adviser. As far as I can remember, that's it.</b> 16 Q Have you authorized them to make any 17 transactions on behalf of Compass Marketing or 18 your shares in Compass Marketing? 19 <b>A Not that I'm aware of.</b> 20 Q Now, you understand you've been 21 identified as a witness with information relevant 22 to the facts of this case that's being brought by</p>

<p style="text-align: right;">21</p> <p>1 Mr. David Boshea against Compass Marketing; 2 correct? 3 <b>A I do not understand that, no.</b> 4 Q You don't understand that, okay. 5 Have you been in communication with David 6 Boshea about this lawsuit that he's brought 7 against Compass Marketing? 8 <b>A Yes, I have.</b> 9 Q When did you first talk to David Boshea 10 about the lawsuit that he's filed against Compass 11 Marketing? 12 <b>A I don't remember.</b> 13 Q Do you remember whether it was before or 14 after the lawsuit was filed? 15 <b>A I don't remember.</b> 16 Q Do you remember having any conversations, 17 telephone conversations, with Mr. Boshea about 18 this lawsuit prior to January 1, 2021? 19 <b>A I don't remember.</b> 20 Q Do you remember having any text messages 21 with Mr. Boshea about this lawsuit prior to 22 January 1, 2021?</p>	<p style="text-align: right;">23</p> <p>1 Q And why were you communicating with Mr. 2 Boshea's attorney about this lawsuit? 3 <b>A Mr. Boshea's attorney called me and asked</b> 4 <b>me about it.</b> 5 Q The first time you spoke with Mr. 6 Boshea's attorney was at -- was it at his 7 initiative? 8 <b>A Yes.</b> 9 Q Prior to that did Mr. Boshea talk to you 10 and ask you to help him with his lawsuit against 11 Compass Marketing? 12 <b>A Not that I remember, no.</b> 13 Q Why did you talk with Mr. Boshea's 14 attorney about this lawsuit? 15 MR. REDD: Objection; form. 16 You can answer. 17 <b>A Can you ask that question again, please?</b> 18 Q Why did you talk about this lawsuit with 19 Mr. Boshea's attorney? 20 <b>A Because Mr. Boshea's attorney called me.</b> 21 Q As an owner of Compass Marketing, do you 22 think it's wise to be talking to litigants who are</p>
<p style="text-align: right;">22</p> <p>1 <b>A I don't remember.</b> 2 Q What about any e-mail communications? 3 MR. REDD: Objection; form. 4 Q Have you had any e-mail communications 5 with Mr. Boshea about this lawsuit prior to 6 2020 -- January 1, 2021? 7 <b>A Not that I remember.</b> 8 Q Have you had any telephone communications 9 with Mr. Boshea's attorney prior -- about this 10 lawsuit prior to January 1, 2021? 11 <b>A I don't remember.</b> 12 Q Have you had any text messages with Mr. 13 Boshea's attorney about this lawsuit prior to 14 January 1, 2021? 15 <b>A I don't remember.</b> 16 Q What about any e-mail messages with Mr. 17 Boshea's attorney prior to January 1, 2021? 18 <b>A I don't remember.</b> 19 Q Let's go forward. Have you had any 20 communications with Mr. Boshea's attorney since 21 January 1, 2021, about this lawsuit? 22 <b>A Yes.</b></p>	<p style="text-align: right;">24</p> <p>1 suing your company where they're -- 2 MR. JORDAN: Objection; calls for an 3 opinion that I don't think is relevant to the 4 lawsuit. 5 MR. REDD: I join in an objection to 6 form. 7 Q Mr. White? 8 <b>A Please repeat your question.</b> 9 Q As an owner of Compass Marketing, do you 10 think it is wise to be talking to the attorney of 11 a litigant who is suing your company? 12 MR. JORDAN: Same objection. 13 MR. REDD: Same objection. 14 You can answer. 15 <b>A I don't know.</b> 16 Q What do you mean you don't know? 17 <b>A I don't know.</b> 18 Q You have no opinion as to whether or not 19 it's a good idea to be talking to someone who's -- 20 or their attorney who's suing your company? 21 MR. JORDAN: Objection; asked and 22 answered.</p>

<p style="text-align: right;">25</p> <p>1 MR. REDD: Objection; calls for an 2 opinion. Object to the form. 3 Go ahead. 4 <b>A Can you please reask your question?</b> 5 MR. STERN: Can the court reporter 6 read -- read back my question, please. 7 (The pending question was read.) 8 <b>A I do not have an opinion in that area,</b> 9 <b>no.</b> 10 Q Do you want to see Mr. Boshea win this 11 lawsuit? 12 MR. JORDAN: Objection; relevance. 13 <b>A I want to see Mr. Boshea treated fairly</b> 14 <b>as an employee of Compass Marketing.</b> 15 Q Can you please answer my question? 16 MR. REDD: Objection. The question was 17 answered. 18 Q Please answer my question. 19 MR. REDD: Form. Same objection. 20 You can answer. 21 <b>A Please repeat your question, Mr. Stern.</b> 22 Q Do you want to see Mr. Boshea win this</p>	<p style="text-align: right;">27</p> <p>1 MR. JORDAN: I join in that objection. 2 <b>A I want to see Mr. Boshea treated fairly</b> 3 <b>as an employee of Compass Marketing.</b> 4 Q Well, he is not an employee of Compass 5 Marketing, is he? 6 <b>A I don't know.</b> 7 Q So I'm going back to my question: Do you 8 want to see Mr. Boshea prevail in this litigation 9 against Compass Marketing? 10 MR. REDD: Objection. You stated that 11 you're going back to the question, which is the 12 same question that's been asked a number of times 13 now and answered a number of times. At some point 14 we're going to get into continuing to do so is -- 15 MR. STERN: Justin, you know full well 16 this goes to motive. 17 MR. REDD: -- improper and I'm -- 18 THE COURT REPORTER: I'm sorry; if you're 19 both talking at the same time, I can't hear you 20 both. 21 MR. STERN: Justin, you know full well 22 this goes to motive and credibility, all matters</p>
<p style="text-align: right;">26</p> <p>1 litigation? 2 MR. JORDAN: Objection; asked and 3 answered. 4 <b>A I think that's an opinion question and I</b> 5 <b>don't have an opinion in that area.</b> 6 Q It's not an opinion question. I'm 7 asking: Are you -- do you want to see Mr. Boshea 8 hold your company liable to him? 9 MR. JORDAN: Objection; asked and 10 answered. 11 MR. REDD: Objection; asked and answered. 12 <b>A I think I answered that, Mr. Stern.</b> 13 Q No, you didn't. Please answer the 14 question. It's yes or no. 15 <b>A Yes, I have answered the question.</b> 16 Q Do you want Mr. Boshea to hold your 17 company liable for this -- the matters that he's 18 alleging in this lawsuit? 19 MR. REDD: Objection. This question has 20 been repeatedly asked. 21 You can answer the question. 22 (Indecipherable).</p>	<p style="text-align: right;">28</p> <p>1 that are appropriate to be asking in this 2 deposition. 3 Q So, Mr. White, I will ask again: Do you 4 want to see Mr. Boshea prevail in this litigation 5 against Compass Marketing? 6 MR. REDD: Objection; asked and answered. 7 He answered. He said he wanted to see Mr. Boshea 8 treated fairly as an employee and he didn't have 9 an opinion about who won the lawsuit. He said 10 that several times. 11 MR. JORDAN: I join in that objection. 12 Q Mr. White? 13 <b>A I wish to see Mr. Boshea treated fairly</b> 14 <b>as an employee of Compass Marketing.</b> 15 Q He's not an employee of Compass Marketing 16 right now, is he? 17 MR. JORDAN: Objection; asked and 18 answered. 19 <b>A I don't know.</b> 20 Q Are you helping Mr. Boshea with this 21 litigation against Compass Marketing? 22 MR. JORDAN: Objection; vague.</p>



<p style="text-align: right;">29</p> <p>1 MR. REDD: Object to form.</p> <p>2 <b>A I would ask you to please define helping.</b></p> <p>3 Q Have you provided him with any assistance</p> <p>4 in connection with this lawsuit against Compass</p> <p>5 Marketing?</p> <p>6 MR. REDD: Objection to the form and the</p> <p>7 characterization of "assistance."</p> <p>8 Go ahead.</p> <p>9 <b>A None that I'm aware of.</b></p> <p>10 Q Okay. Let's go to some of the documents</p> <p>11 you produced in this case. So you're here</p> <p>12 pursuant to a subpoena; correct?</p> <p>13 <b>A That's my understanding.</b></p> <p>14 Q And that subpoena asked you to sit for a</p> <p>15 deposition?</p> <p>16 <b>A That's my understanding.</b></p> <p>17 Q And that subpoena also asked you to</p> <p>18 produce documents; correct?</p> <p>19 <b>A That's my understanding.</b></p> <p>20 Q And one of the documents, well, that you</p> <p>21 were sub -- you were given two subpoenas, one that</p> <p>22 specifically related only to certain documents;</p>	<p style="text-align: right;">31</p> <p>1 from us from -- on behalf of Michael White in his</p> <p>2 document production --</p> <p>3 MR. STERN: We have the pdf; we don't</p> <p>4 have the native format.</p> <p>5 MR. REDD: -- November the 19th. Hold</p> <p>6 on.</p> <p>7 MR. STERN: We have the pdf --</p> <p>8 MR. REDD: Let me finish. Can I finish?</p> <p>9 MR. STERN: -- not the native format.</p> <p>10 MR. REDD: Let me finish. Let me finish.</p> <p>11 Your office does have the native format</p> <p>12 e-mail from Michael White in response to the</p> <p>13 subpoena on Michael White. Your office has the</p> <p>14 same native format e-mail as produced by Daniel</p> <p>15 White by his counsel, Daniel White as the sender</p> <p>16 and Michael White as the recipient. We are</p> <p>17 talking about May 22, 2007, and the e-mails were</p> <p>18 downloaded --</p> <p>19 MR. STERN: Well, then I'd ask you to</p> <p>20 resend the document in native format --</p> <p>21 MR. REDD: Hold on. Hold on. Let me</p> <p>22 finish. Let me finish.</p>
<p style="text-align: right;">30</p> <p>1 correct?</p> <p>2 <b>A I believe so.</b></p> <p>3 Q Do you plan to produce the e-mail thread</p> <p>4 in native format that includes an e-mail dated May</p> <p>5 22, 2007, or that purports to be an e-mail that is</p> <p>6 dated May 22, 2007?</p> <p>7 MR. REDD: Objection. Again, if you want</p> <p>8 the witness to step out --</p> <p>9 THE COURT REPORTER: I'm sorry, Mr. Redd;</p> <p>10 I can't hear you.</p> <p>11 MR. REDD: Stephen, if you want the</p> <p>12 witness to step out for this, you can -- I'll ask</p> <p>13 him to, or if you're fine with me just telling you</p> <p>14 on the record. What's your preference?</p> <p>15 MR. STERN: Go ahead and state your --</p> <p>16 whatever it is you want about that document. We</p> <p>17 have not received the native format yet. We've</p> <p>18 asked for it.</p> <p>19 MR. REDD: It was produced with the pdf.</p> <p>20 There is a placeholder for the native in the pdf.</p> <p>21 The native was produced at the same time and it</p> <p>22 was downloaded by your office. So you have it</p>	<p style="text-align: right;">32</p> <p>1 MR. STERN: -- because we do not have it.</p> <p>2 MR. BOSHEA: If I can --</p> <p>3 MR. REDD: The native format e-mail was</p> <p>4 downloaded by --</p> <p>5 MR. JORDAN: One at a time. One at a</p> <p>6 time.</p> <p>7 MR. REDD: -- your office. They've been</p> <p>8 downloaded by your office on November --</p> <p>9 THE COURT REPORTER: Mr. Redd, can you</p> <p>10 start over. I didn't hear the beginning of what</p> <p>11 you said.</p> <p>12 MR. BOSHEA: Yeah, Mr. Stern has got to</p> <p>13 stop interrupting.</p> <p>14 MR. JORDAN: You know what, David? Would</p> <p>15 you turn off your damn mic.</p> <p>16 MR. REDD: The native format e-mail that</p> <p>17 was requested in the second subpoena from Compass</p> <p>18 Marketing to Michael White was produced on</p> <p>19 November 18, 2021, by my office to Mr. Stern's</p> <p>20 office and Mr. Stern's office downloaded the</p> <p>21 native format e-mail that he's asking about.</p> <p>22 MR. STERN: What we have is a placeholder</p>

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1 that's been downloaded. We've asked that it be  
2 sent in -- on a flash drive. We have not received  
3 that.  
4 MR. REDD: Well, it was already  
5 downloaded by your office. No one asked me to  
6 send it in any other format and you already have  
7 it.  
8 MR. STERN: All right. Then we will  
9 address that separately.  
10 BY MR. STERN:  
11 Q I'd like to show you some text messages  
12 that you've produced in this lawsuit, Mr. White.  
13 MR. STERN: We're going to start with, I  
14 guess -- Heather, I don't know, are you going to  
15 pull them -- are they all in one or are you going  
16 to pull them up one at a time?  
17 Heather? How is it easier to do that?  
18 MS. YEUNG: Can you give me the Bates  
19 number?  
20 MR. STERN: I'm going to start with Bates  
21 No. MRW000003 and then we're going to go for  
22 several pages, like through 15.

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1 Q Okay. Mr. White, do you see what's going  
2 to be marked as Exhibit 1?  
3 (White Deposition Exhibit 1 marked for  
4 identification and is attached to the transcript.)  
5 A I do.  
6 Q Is this one page of several that you've  
7 produced of text messages in this lawsuit?  
8 A I don't know.  
9 Q Take a look at it. Does this remind you  
10 of a text message that you produced when you sent  
11 them -- is it a text message that you produced?  
12 MR. REDD: Objection. Sorry; did you ask  
13 if it reminds?  
14 Q Take a look at the exhibit. Is this a  
15 text message that you produced in this litigation?  
16 MR. REDD: If you need to look at more of  
17 it to tell...  
18 A I don't -- I don't know.  
19 MS. YEUNG: Just so all counsel know, as  
20 I'm putting these on the screen, I'm also  
21 e-mailing them to counsel so that you may pull it  
22 up on your own computer if you'd like.

35

1 MR. REDD: Thank you.  
2 Q Did you send this text message or did you  
3 receive this text message on December 26 at 3:38  
4 p.m.?  
5 A I don't know.  
6 Q Do you know why your attorney produced  
7 this in this litigation?  
8 A I -- I don't know why my attorney did  
9 something, no.  
10 Q Did you hand this doc -- this text  
11 message to your attorney to produce in this  
12 litigation?  
13 A I did not.  
14 MR. REDD: Objection. He said he doesn't  
15 know what this is.  
16 Q Did you deliver this to your attorney to  
17 produce in this litigation?  
18 MR. REDD: Same objection.  
19 Answer.  
20 A I don't know if I produced a text message  
21 you have on the screen to my attorney.  
22 Q Scrolling down a little bit further on to

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1 Page '4, it says: "What is your email hoping you  
2 have the email or even better signed or initialed  
3 offer. Same with the non compete and non  
4 disclosure which shows money I'm owed. Thx,  
5 Mike."  
6 Did you receive that or send that text  
7 message?  
8 A I do not know.  
9 Q Do you know how we got ahold of it?  
10 A I do not know.  
11 MR. STERN: Scroll down to the next one  
12 dated December 28, 11:06 p.m.  
13 Thank you.  
14 Q I'm reading in the middle of the text  
15 message: "I think it is Golf25. I think he sent  
16 it to my old house to me. You learn a lot about  
17 people when things get tough you know what I mean.  
18 I will land on my feet. Thank you!!!!!" I think  
19 I got it. "I think it is Golf25. I think he sent  
20 it to my old house computer. I have the offer  
21 letter with my separation program clearly spelled  
22 out and I have the non disclosure/non compete

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1 contract but my lawyer wants the e-mail that sent  
2 them to me. Attorney says it all black and white  
3 Dan spoke with him too. I hate this stuff so much  
4 ugggg."  
5 Did you receive that text message?  
6 **A I don't know.**  
7 Q Do you know how -- did you deliver this  
8 text message to your attorney to produce in this  
9 litigation?  
10 MR. REDD: Objection. He said he didn't  
11 know.  
12 You can answer.  
13 **A Can you ask your question again, please?**  
14 Q Did you deliver this text message to your  
15 attorney to produce in this litigation?  
16 **A I don't know.**  
17 Q Scrolling down to Page '6, Friday, August  
18 13, at 7:23 p.m.: "Thx bro. Hey send those  
19 emails when you can! Say hi to tommy."  
20 Did you produce this text message in this  
21 litigation?  
22 MR. REDD: This is Justin Redd. Can you

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1 scroll back up? You might have skipped one side  
2 of the message that might help the witness orient  
3 himself to this document.  
4 Q There's a text message that's showing up  
5 in blue and it's in color: "Hey buddy. Looks  
6 like lots of snow coming your way. Prolly cover  
7 up the golf course!!!! Be safe, buddy," and  
8 that's dated January 29, 11:36 a.m.  
9 Did you send that text message --  
10 **A I don't know.**  
11 Q -- or receive that text message?  
12 **A I don't know.**  
13 Q Message below on August 13, 7:23 p.m.  
14 Did you send or receive that text message: "Hey  
15 send those emails when you can"?  
16 **A I don't know.**  
17 Q Scrolling down to Page '7, Friday,  
18 September 24, at 11:37 p.m.: "U good, bro? Did  
19 Greg talk with you today. We closing I think he  
20 is excited nervous! I think he is excited  
21 nervous! I know u get it."  
22 Is that a text message that you received

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1 or sent to Mr. Boshea?  
2 **A I do not know.**  
3 Q Do you know if you produced it in this  
4 litigation?  
5 **A I don't know if I produced what you have**  
6 **on the screen. No, I do not know.**  
7 Q Scrolling to the next one.  
8 MR. REDD: Stephen, this is Justin. If  
9 you make a representation that this is what was  
10 produced, Mr. White may be able to identify it.  
11 MR. STERN: They're the ones with the  
12 initials MRW on them. You're his attorney.  
13 MR. REDD: Okay. Well, Mr. White  
14 obviously didn't put in a Bates number on his  
15 documents; my office did. So I'm trying to make  
16 this go smoothly for everybody.  
17 Q Next on September 25 at 4:42 a.m. this is  
18 a text message: "All good on my end buddy. You  
19 doing OK? I talked to Greg Wednesday. What's he  
20 doing to punch them in the eye. LOL?"  
21 Is that a text message that you sent or  
22 received to Mr. Boshea?

40

1 **A I don't know.**  
2 Q Did you -- do you recall speaking with  
3 Greg Jordan in or about September 2021?  
4 **A I can't remember that, no.**  
5 Q Do you remember speaking with Greg Jordan  
6 in or about September 2020 -- 2020?  
7 **A No.**  
8 Q Do you remember Mr. Boshea asking you to  
9 speak with Mr. Jordan in or about September of  
10 2021 or 2020?  
11 **A I do not remember that.**  
12 Q Do you remember encouraging Mr. Boshea to  
13 punch them in the eye, "them" being whom?  
14 MR. REDD: Objection; form, compound.  
15 **A Can you please ask your question again?**  
16 Q Do you remember encouraging Mr. Boshea to  
17 punch them in the eye?  
18 MR. REDD: Objection to form.  
19 **A I do not remember encouraging Mr. Boshea**  
20 **to punch anyone in the eye.**  
21 Q And you don't know whether or not this is  
22 a text message you sent or received?

41

**1 A I do not know that the photograph you**  
**2 have up on the screen is something I sent or**  
**3 received.**  
4 Q Scrolling down, in response to that, the  
5 very next text message on September 25 at 12:22  
6 p.m.: "Thx Mike! Get the email from Dan re our  
7 reply. Ok? Thx buddy ur a great friend."  
8 Is that a text message you sent or  
9 received from Mr. Boshea?  
**10 A I do not know.**  
11 Q Next: "I know the answer but do you have  
12 my contract in file?"  
13 Did you send or receive that text  
14 message?  
**15 A I do not know.**  
16 Q Has Mr. Boshea asked you to gather any  
17 documents to help him in this litigation?  
18 MR. REDD: Objection; form.  
**19 A Yes, he has.**  
20 Q What documents has Mr. Boshea asked you  
21 to get for him in connection with this litigation?  
**22 A I believe he asked for his severance**

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**1 agreement document and I believe he asked for**  
**2 signature verifications of John White.**  
3 Q Did you represent to him that you can get  
4 signatures of John White and did you rep -- yes or  
5 no?  
6 MR. REDD: Objection to form.  
7 **A Can you ask the question again, please?**  
8 Q Did you represent to Mr. Boshea that you  
9 could get samples of John White's signature for  
10 him?  
**11 A I don't --**  
12 MR. REDD: Objection to form.  
**13 A I don't believe so, no.**  
14 Q Did you represent to Mr. Boshea that you  
15 can get his separation agreement?  
**16 A I don't --**  
17 MR. JORDAN: Objection to the form of the  
18 question.  
19 THE COURT REPORTER: I'm sorry, Mr.  
20 White; if you answered, I didn't hear it.  
**21 A Can you ask your question again, please,**  
**22 Mr. Stern?**

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1 Q Did you represent to Mr. Boshea that you  
2 can get him a copy of any contract he entered into  
3 with Compass Marketing?  
4 MR. JORDAN: Same objection.  
**5 A I do not remember doing that, no.**  
6 Q Did you attempt to get a copy of any  
7 contract he entered into with Compass Marketing?  
**8 A I don't believe so.**  
9 Q Do you know why he was asking you to get  
10 a copy of his contract?  
**11 A I don't know why he was asking --**  
12 MR. JORDAN: Objection to the  
13 characterization -- mischaracterization of the  
14 e-mail -- of the text.  
15 Q Mr. White?  
**16 A Please -- please ask your question again.**  
17 MR. STERN: Can you repeat the question,  
18 court reporter.  
19 (The pending question was read.)  
**20 A I do not know why he was asking that.**  
21 Q Did you have a discussion with Mr. Boshea  
22 as to any -- anything related to getting a copy of

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1 his contract?  
2 MR. REDD: Objection to form.  
**3 A Yes.**  
4 Q What did you discuss with Mr. Boshea?  
5 MR. REDD: Objection; form.  
**6 A I -- I would ask you to pinpoint the time**  
**7 when you are referring to. I've talked to Mr.**  
**8 Boshea for 30 years.**  
9 Q Any time since December of 2020.  
10 MR. JORDAN: Objection; form.  
**11 A I have discussed with Mr. Boshea his**  
**12 request for my knowledge about his separation**  
**13 agreement.**  
14 Q And what did you tell him about your  
15 knowledge of his separation agreement?  
**16 A I believe I told him that I had no**  
**17 knowledge of it.**  
18 Q Did you tell him that you had no  
19 knowledge of it before or after he made the  
20 request for a copy of the contract?  
**21 A I don't remember.**  
22 Q Next page, September 25, 9:18 p.m., the

45

1 text reads: "Just read email. I always thought  
2 this will settle the day before Bernie has to  
3 raise his right hand. Maybe Marty too."  
4 Did you send that text message to Mr.  
5 Boshea?  
6 **A I don't know.**  
7 Q Looking at it now, does it refresh your  
8 recollection? Do you remember sending that  
9 message to Mr. Boshea?  
10 **A Looking at what you have on the screen, I**  
11 **do not know if I sent or received that.**  
12 Q Do you know who the reference to Bernie  
13 is in this text message?  
14 **A I do not know if I sent or received that**  
15 **text message.**  
16 Q That's not my question. My question is,  
17 do you know who the reference to Bernie is in this  
18 text message?  
19 **A I would be guessing.**  
20 Q Do you know who the reference to Marty  
21 is?  
22 **A Again, I would be guessing.**

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1 Q So based -- if you're guessing, that  
2 means you did not send this text message; is that  
3 correct?  
4 MR. REDD: Objection to form.  
5 **A That is not correct.**  
6 Q So you did send this text message?  
7 MR. REDD: Objection; form.  
8 **A I do not know.**  
9 Q Do you remember referring to anyone by  
10 the name Bernie who is not named Bernie?  
11 **A I do.**  
12 Q Who have you referred to as Bernie who is  
13 not named Bernie?  
14 **A John White.**  
15 Q Why do you refer to him as Bernie?  
16 **A That's a name that I recognize to be**  
17 **associated with John White.**  
18 Q Why is that name associated with John  
19 White?  
20 **A I believe it is referring to another**  
21 **Bernie named Bernie Madoff. And John White and**  
22 **Bernie Madoff have some similar issues and I**

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1 **believe that that is why I would associate the**  
2 **name Bernie with John White.**  
3 Q Were you the one that came up with the  
4 idea to call -- to refer to Mr. White, your  
5 brother, John White, as Bernie?  
6 **A I don't know.**  
7 Q Do you know who came up with the idea to  
8 refer to John White as Bernie?  
9 **A I do not know.**  
10 Q Do you know who the reference to Marty is  
11 in that text message?  
12 **A Again, I would be guessing.**  
13 Q Who would you guess the reference to  
14 Marty is?  
15 MR. REDD: Objection.  
16 **A I'm not going to guess, Mr. Stern. I**  
17 **don't know.**  
18 Q Have you referred to anyone as Marty who  
19 was not named Marty?  
20 **A Not that I know of.**  
21 Q Turning to the next page, MRW0000010, at  
22 the very top there, September 29 at 9:21 a.m.:

48

1 "Hi Mike. Did Lawrence tell you he remembered my  
2 agreement?" Is that a text message that you  
3 received?  
4 **A I don't know, Mr. Stern.**  
5 Q Do you know who the reference to Lawrence  
6 is?  
7 **A I would be guessing and I don't know.**  
8 Q Who would you guess that the reference to  
9 Lawrence is?  
10 **A I'm not going to make a guess, Mr. Stern.**  
11 **I don't know.**  
12 Q I'm asking you to guess. Who is it that  
13 the reference to Lawrence is that you believe --  
14 let me rephrase it.  
15 Who do you believe the reference to  
16 Lawrence is?  
17 MR. REDD: Objection. I believe one of  
18 your ground rules was don't guess. Form of the  
19 question.  
20 MR. STERN: I'm asking who he thinks the  
21 reference to Lawrence is.  
22 **A I don't know.**

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1 Q Scrolling ahead to MRW0000013, at the  
2 very top --  
3 MR. STERN: Scroll up a little bit to the  
4 top.  
5 Q -- what is this a text message of?  
6 **A It looks like it's a text message with**  
7 **some information about an address and a legal**  
8 **description, a land value, physical address, a**  
9 **city, an owner address, a parcel ID, a legal**  
10 **description, a land value.**  
11 Q Did you send that text message?  
12 **A I don't know.**  
13 Q So you don't know whether any of these  
14 text messages are yours?  
15 MR. REDD: Objection; form.  
16 **A I do not know that the items you have put**  
17 **on this screen -- I don't know what they are.**  
18 Q Scrolling ahead to MRW0000019.  
19 MR. STERN: Is this all part of the same  
20 exhibit or do we have to identify it as a new  
21 exhibit, Heather?  
22 MS. YEUNG: A separate pdf. So this

50

1 would be Exhibit 2.  
2 MR. STERN: All right. So this will be  
3 referred to as Exhibit 2.  
4 Can you scroll up to the top, please.  
5 (White Deposition Exhibit 2 marked for  
6 identification and is attached to the transcript.)  
7 Q Is this a text message that you produced  
8 in this litigation?  
9 **A I don't know.**  
10 Q Do you recall receiving this text message  
11 from David Boshea on March 16 at 2020 -- let me  
12 rephrase.  
13 Do you recall receiving this text message  
14 from David Boshea on March 16, 2020, at 2:55 p.m.?  
15 **A I do not.**  
16 Q Do you see at the very top there is a  
17 reference to DB and DW. Do you know who that is?  
18 **A I do not.**  
19 MR. STERN: Can you scroll down a little  
20 bit.  
21 Q Seeing that there is a name Dan White on  
22 there, "Who said what to who?" with a bunch of

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1 smiley faces, does that refresh your recollection  
2 as to having received this text message at any  
3 point in time?  
4 **A It does not.**  
5 MR. STERN: Scroll to the next page, on  
6 Page '20.  
7 Q Is this a text message that you produced  
8 in this litigation as one coming from Mr. Boshea  
9 dated October 23, 2020, at 5:44 p.m.?  
10 **A I don't know.**  
11 Q Scrolling ahead to Page '25, on September  
12 16 at 3:08 p.m. there is a text message from what  
13 appears to be David Boshea: "Hi. Remember to  
14 send those agreements to Greg. Thx."  
15 Is that a text message that Mr. Boshea  
16 sent to you?  
17 **A I don't know.**  
18 Q Scrolling ahead to Page '29, text message  
19 dated July 21, 10:36 a.m., it says: "This is Greg  
20 Jordan and I represent Dave Boshea in a lawsuit  
21 against Compass Marketing. Will you attend the  
22 deposition for which you were subpoenaed? I need

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1 to make travel reservations."  
2 Is that a text message you received from  
3 Mr. Jordan?  
4 **A I don't know.**  
5 Q Do you recall seeing that, talking to  
6 Mr. Jordan about your deposition?  
7 **A I think you just asked me two questions.**  
8 **Would you mind asking me one question at a time.**  
9 Q Does looking at this text message remind  
10 you of talking to Mr. Jordan at any point about  
11 your deposition?  
12 **A I remember talking to Mr. Jordan, but**  
13 **I -- this item you have up on the screen does not**  
14 **cause me to remember more or less.**  
15 Q What did you discuss with Mr. Jordan  
16 about your deposition?  
17 MR. JORDAN: Objection; mischaracterizes  
18 his testimony.  
19 **A Please ask your question again.**  
20 Q What did you discuss with Mr. Jordan?  
21 **A Can you give me a time frame when you're**  
22 **asking?**

<p style="text-align: right;">53</p> <p>1 Q Any conversation you've had with 2 Mr. Jordan, please describe it. 3 MR. REDD: Objection to form. 4 <b>A I have had a discussion with Mr. Jordan</b> 5 <b>about Dave Boshea's severance package, I have had</b> 6 <b>a discussion with Mr. Jordan about sample</b> 7 <b>signatures of John White, I have had a discussion</b> 8 <b>with Mr. Jordan about a 2007 e-mail, and I have</b> 9 <b>had discussion with Mr. Jordan about my deposition</b> 10 <b>scheduled -- I don't remember the exact date of</b> 11 <b>the deposition.</b> 12 Q What did you discuss with Mr. Jordan 13 about Mr. Boshea's severance package? 14 <b>A I apologized to Mr. Jordan because I</b> 15 <b>originally believed I had no information about</b> 16 <b>David Boshea's severance package. And I had</b> 17 <b>recently learned that I may have had some</b> 18 <b>information about it and told him, explained to</b> 19 <b>him, the reasons that I had originally told him I</b> 20 <b>had no knowledge of it.</b> 21 Q Why did you tell him that you originally 22 had no knowledge of it?</p>	<p style="text-align: right;">55</p> <p>1 (indiscernible) -- 2 (Talking over) 3 MR. STERN: You know that's not a basis 4 for him not to answer. That is he has to reveal 5 facts; he can't reveal communications. 6 (Talking over) 7 MR. REDD: I'm not instructing him not to 8 answer. I asked him to answer. 9 THE COURT REPORTER: I can't hear you if 10 you are both talking at the same time. 11 MR. REDD: I -- I did not instruct him 12 not to answer. I expressly asked him to answer 13 the question subject to what I just said. 14 Go ahead. 15 <b>A Please repeat your question, Mr. Stern.</b> 16 Q What knowledge do you have, if any, about 17 Mr. Boshea's alleged severance package? 18 MR. REDD: Same objection and 19 instruction. 20 <b>A I have knowledge that one may have</b> 21 <b>existed in 2007.</b> 22 Q But you're not certain that it existed in</p>
<p style="text-align: right;">54</p> <p>1 <b>A Because I originally had no knowledge of</b> 2 <b>it.</b> 3 Q Today do you have any knowledge of his 4 severance package? 5 MR. REDD: Objection to the extent it 6 could call for any type of delving into 7 attorney/client communications, obviously, but 8 beyond that we'll not get into that. 9 You can answer. 10 THE COURT REPORTER: Sorry; I didn't hear 11 the end, Mr. Redd. 12 MR. REDD: That subject to not getting 13 into attorney/client communications, the witness 14 may answer. 15 MR. STERN: I didn't ask him to talk 16 about any communications with you. I asked him 17 what does he know about Mr. Boshea's severance 18 package. 19 MR. REDD: I know you didn't, and I 20 didn't say your question was improper. But to the 21 extent that it could be -- any knowledge could be 22 based on attorney/client communications</p>	<p style="text-align: right;">56</p> <p>1 2007? 2 MR. REDD: Object to the form. 3 Go ahead. 4 <b>A I am not.</b> 5 MR. STERN: I want to go to a new exhibit 6 Bates-numbered MRW0000030 through 0 -- through 7 '31. 8 (White Deposition Exhibit 3 marked for 9 identification and is attached to the transcript.) 10 Q Do you recognize this document? 11 <b>A No.</b> 12 Q Excuse me? 13 <b>A I do not recognize it, no.</b> 14 Q Is your e-mail address 15 michaelrwhite@comcast.net? 16 <b>A That is my personal e-mail address, yes.</b> 17 Q And at the very top there is -- it 18 says -- this e-mail, the most recent in this 19 string, says from michaelrwhite@comcast.net to 20 Gregory Jordan and it's dated September 28, 2021, 21 at 11:27 a.m. Do you see that? 22 <b>A I see that it says that, yes.</b></p>

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1 Q Did you send an e-mail to Mr. Jordan  
2 dated on or about September 28, 2021?  
3 **A I don't know.**  
4 Q Below that is an e-mail in this string  
5 from Daniel White to -- it says  
6 danieljwhite@msn.com. Is that your brother  
7 Daniel's personal e-mail address?  
8 **A I believe that that is his personal  
9 e-mail address.**  
10 Q And that e-mail is dated May 22, 2007, at  
11 2:08 a.m. Do you see that?  
12 **A That's what it says on the document  
13 you're producing, yes.**  
14 Q Do you recall receiving that e-mail from  
15 Daniel White?  
16 **A No.**  
17 Q Do you deny forwarding an e-mail to Greg  
18 Jordan on September 28, 2021?  
19 **A I do not.**  
20 Q You don't deny doing that?  
21 **A Please ask your question again.**  
22 Q I want to make sure. Do you deny sending

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1 an e-mail to Greg -- let me ask it differently.  
2 Do you deny sending this e-mail to  
3 Mr. Jordan on September 28, 2021?  
4 **A The document you have produced and put up  
5 on the screen, I do not know if I sent that or if  
6 I received it.**  
7 Q What would help you determine whether you  
8 sent it or received it?  
9 **A I don't know.**  
10 Q So I'm going to ask you, do you deny  
11 sending Mr. Jordan an e-mail of any kind about Mr.  
12 Boshea's alleged employment agreement?  
13 **A I do not deny.**  
14 Q So how would we be able to identify an  
15 e-mail that you did send to him related to Mr.  
16 Boshea's alleged employment agreement?  
17 **A I don't know actually. I don't know.**  
18 Q Earlier when you'd said conversations you  
19 had with Mr. Jordan, one of those conversations  
20 you said referred to an e-mail from May of 2007.  
21 Do you remember discussing that?  
22 **A I -- I -- yes. I remember answering a**

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1 **question of yours and referring to an e-mail in  
2 2007.**  
3 Q Scroll down a little bit further on this  
4 e-mail thread. Do you see this alleged e-mail  
5 dated May 22, 2007? It is from  
6 jwhite@compassmarketinginc.com to  
7 golf4me36@aol.com. Do you see that?  
8 **A I see what you have produced on the  
9 screen, yes.**  
10 Q Is that the e-mail you were referring to  
11 when you discussed an e-mail with Mr. Jordan from  
12 May 20, 2007?  
13 **A I don't know.**  
14 Q Well, what would help refresh your  
15 recollection about the e-mail that you were  
16 discussing with Mr. Jordan?  
17 MR. REDD: Objection to the form.  
18 **A I don't know.**  
19 MR. JORDAN: Stephen?  
20 MR. STERN: Yes?  
21 MR. JORDAN: Would it be helpful if -- if  
22 I asked a couple questions to try to identify

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1 the -- the document.  
2 MR. STERN: Nope.  
3 MR. JORDAN: Okay.  
4 MR. STERN: If he wants to disclaim  
5 knowledge, that's his business.  
6 MR. JORDAN: Okay.  
7 Q Mr. White, did you provide your attorney  
8 with a copy of an e-mail that you sent to  
9 Mr. Jordan on or about September 28, 2021?  
10 **A I believe that I did, yes.**  
11 Q Does this look like the e-mail that you  
12 sent to your attorney dated September 28, 2021?  
13 **A I don't know.**  
14 Q Did you discuss with Daniel White the  
15 e-mail on this thread that's dated May 22, 2007,  
16 at 2:08 a.m.?  
17 MR. REDD: Objection to form and lack of  
18 a time frame.  
19 **A Please repeat your question, Mr. Stern.**  
20 MR. STERN: Can you scroll up to the May  
21 22, 2007, at 2:08 a.m. e-mail.  
22 Q Did you discuss the e-mail that is from



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1 Daniel White to Michael White dated May 22, 2007,  
2 at 2:08 a.m.?

3 MR. REDD: Objection to form.

4 MR. JORDAN: Objection; vague as to with  
5 whom he discussed it, if anyone.

6 **A I discussed an e-mail with Daniel White**  
7 **from 2007. I don't know if I discussed what you**  
8 **have up on the screen.**

9 Q What e-mail from 2007 did you discuss  
10 with Daniel?

11 **A An e-mail that he had sent me in 2007.**

12 Q Was it an e-mail relating to Mr. Boshea  
13 that you discussed with Daniel White?

14 MR. REDD: Same objection as to the time  
15 frame. We're talking about the discussion versus  
16 the e-mail.

17 **A Please repeat your question, Mr. Stern.**

18 Q The e-mail that you discussed with Daniel  
19 White from 2007, did it concern David Boshea?

20 MR. REDD: Same objection about the time  
21 frames.

22 **A It concerned David Boshea's severance**

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1 **agreement.**

2 Q What did you discuss with Daniel White  
3 concerning David Boshea's severance agreement?

4 **A I discussed that he had sent me an e-mail**  
5 **in 2007 and that he had recently found it and**  
6 **asked if I had a copy of it.**

7 Q What did you tell him when you asked --  
8 when he asked you if you had a copy of it?

9 MR. REDD: Same objection about the time  
10 frame of the discussion.

11 **A I told him I would look for it.**

12 Q Why were you discussing David Boshea's  
13 severance agreement with Daniel?

14 MR. REDD: Objection; same objection.

15 **A Because Daniel called me and began a**  
16 **discussion about it.**

17 Q What did he call you and discuss -- and  
18 began a discussion about? Please describe that  
19 conversation.

20 MR. REDD: Same objection.

21 **A The discussion circled around the fact he**  
22 **had found an e-mail from 2007, that he had sent me**

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1 **that e-mail and wanted to know if I had it.**

2 Q Did he discuss anything else about that  
3 e-mail or that severance agreement?

4 **A Not that I remember.**

5 Q How many times did you discuss that  
6 e-mail or severance agreement with Daniel?

7 **A When?**

8 MR. REDD: Objection to form.

9 Q I said how many times.

10 MR. REDD: Go ahead.

11 **A I don't know how many times.**

12 Q The discussion you're referring to now,  
13 was that sometime in September of this year?

14 **A I do not know for sure.**

15 Q Why did you send a copy of that -- did  
16 you end up sending a copy of that e-mail and  
17 severance agreement to -- to Mr. Jordan?

18 **A I did.**

19 Q Why did you do that?

20 **A I believe because he asked me to.**

21 Q Is it your practice to send documents to  
22 the attorneys of litigants who are suing your

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1 company?

2 MR. REDD: Objection; form,  
3 argumentative.

4 **A Can you repeat the question?**

5 MR. STERN: Ms. Court Reporter, can you  
6 repeat that for me, please.

7 (The pending question was read.)

8 **A I don't think I've ever done it before.**  
9 **I don't believe.**

10 Q Do you think it's a good idea to send  
11 copies of documents to the attorneys of litigants  
12 who are suing your company?

13 MR. REDD: Objection; argumentative.

14 **A I don't know.**

15 Q Do you think it helps or hurts your  
16 business?

17 MR. REDD: Objection.

18 MR. JORDAN: Objection; vague.

19 **A Don't know.**

20 Q Is it your desire to help David Boshea in  
21 his litigation against Compass Marketing?

22 MR. REDD: Objection; asked and answered

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1 several times.  
2 Go ahead.  
3 **A I believe David Boshea should be treated**  
4 **fairly as an employee of Compass Marketing.**  
5 Q That's not my question. Is it your  
6 desire to help Mr. Boshea in his litigation  
7 against Compass Marketing?  
8 MR. REDD: Objection; same objection.  
9 **A My answer is I believe that David Boshea**  
10 **should be treated fairly as an employee.**  
11 MR. STERN: Okay. Can we scroll -- new  
12 exhibit. It's MRW0000060.  
13 THE COURT REPORTER: Mr. Stern, this is  
14 Cindy. Are we going to mark those last e-mails as  
15 Exhibit 3?  
16 MR. STERN: Yeah, that last e-mail thread  
17 is going to be Exhibit 3. I'm going to ask you to  
18 keep --  
19 THE COURT REPORTER: And this new one  
20 will be Exhibit 4?  
21 MR. STERN: Yes. I'm going to ask you to  
22 keep track of the exhibit numbers so you can label

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1 them correctly when you circulate the transcript  
2 and the exhibits later.  
3 THE COURT REPORTER: Okay.  
4 MR. REDD: I think we've got a hand  
5 raised on Heather Yeung's screen.  
6 MR. STERN: Okay.  
7 MR. JORDAN: I think that's Heather.  
8 (White Deposition Exhibit 4 marked for  
9 identification and is attached to the transcript.)  
10 Q I'm showing you what's been marked as  
11 Exhibit 4. It is Bates-labeled MRW0000060. It is  
12 an e-mail from michaelrwhite@comcast.net to  
13 gjordan@jz-llc.com dated August 29, 2021, at 6:52  
14 p.m.; Subject: White Eagle; Attachments: Boshea  
15 White Eagle use e-mail.pdf and Boshea White Eagle  
16 increase Email.pdf.  
17 Do you see that, Mr. White?  
18 **A I see what you have up on the screen,**  
19 **yes, sir.**  
20 Q Did you send this e-mail to Mr. Jordan?  
21 **A I don't know.**  
22 Q It says: "Mr. Jordan, hope this is

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1 helpful, Mike." Is that your e-mail address? Did  
2 you send that to him?  
3 MR. REDD: Objection; compound.  
4 **A Please ask your questions one at a time,**  
5 **Mr. Stern.**  
6 Q Did you send that e-mail to Mr. Jordan?  
7 **A I don't know.**  
8 Q Why don't you know? What would you need  
9 to look at to know whether or not you sent this  
10 e-mail to him?  
11 MR. REDD: Objection to form.  
12 **A I don't know.**  
13 Q Do you recall saying to Mr. Jordan or  
14 writing to Mr. Jordan that you hope -- that you  
15 hope this information is helpful?  
16 **A I remember speaking to Mr. Jordan about**  
17 **information that I hoped was helpful to him.**  
18 Q Why did you want to provide information  
19 that was helpful to Mr. Jordan?  
20 MR. REDD: Objection to form.  
21 **A Probably because he asked me to.**  
22 Q Do you always provide information to

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1 people that ask you to provide -- to share it with  
2 them?  
3 MR. JORDAN: Objection; asked and  
4 answered.  
5 **A Do you have a time frame on that? I'm 62**  
6 **years old.**  
7 Q Just generally speaking, is it your  
8 practice to provide information to anyone who asks  
9 you to provide it?  
10 MR. REDD: Objection; form.  
11 **A It is my practice to provide information**  
12 **to people who ask for information and I believe it**  
13 **to be appropriate.**  
14 Q Do you think it's appropriate to be  
15 providing information to Mr. Jordan in connection  
16 with the lawsuit that David Boshea is filing  
17 against -- has filed against Compass Marketing?  
18 MR. REDD: Objection to form.  
19 **A Don't know.**  
20 Q Well, was it your desire to help  
21 Mr. Jordan in connection with the lawsuit that  
22 David Boshea has filed against Compass Marketing?

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1 MR. REDD: Objection; asked and answered.  
2 It's the same question. We're in double digits of  
3 asking the question now. Please move on and stop  
4 continuing to ask the same question.  
5 Q Mr. White?  
6 A **I don't know.**  
7 Q Why do you want to provide helpful  
8 information to Mr. Boshea or his attorney in  
9 connection with this litigation?  
10 MR. REDD: Objection; mischaracterizes  
11 prior testimony. Objection to form.  
12 A **Don't know.**  
13 MR. STERN: We are going to go to a new  
14 exhibit.  
15 (White Deposition Exhibit 5 marked for  
16 identification and is attached to the transcript.)  
17 MR. STERN: It is MRW0000061. And hold  
18 on a second. I think there's -- it appears that  
19 the documents that were attached are -- go through  
20 Bates-labeled '66.  
21 Q Do you see this e-mail from Mr. Boshea to  
22 michaelwhite@compass -- @comcast.net dated

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1 December 20 (sic), 2020, at 11:41 p.m.? It says:  
2 "Mike, please see attached. I also have hard copy  
3 of the non compete/non disclosure. Thx buddy."  
4 Do you remember seeing this e-mail?  
5 A **What is on the screen I think is dated**  
6 **December 28; but I do not remember this particular**  
7 **document.**  
8 Q Do you know why Mr. Boshea sent this to  
9 you?  
10 A **I do not know.**  
11 Q Do you remember what was attached to this  
12 e-mail?  
13 A **I -- I do not remember that I received**  
14 **this e-mail. And if there was something attached**  
15 **to it, I don't remember there being anything**  
16 **attached to it.**  
17 Q Do you know why this document was  
18 produced by your counsel in this litigation?  
19 A **I don't know why my counsel produced**  
20 **something, no.**  
21 Q Do you recall providing this document to  
22 your counsel to be produced in this litigation?

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1 A **The document you have on the screen, I do**  
2 **not recall producing that.**  
3 Q We're going to scroll through each of the  
4 attachments and see if this refreshes your  
5 recollection. The first one on '62, do you recall  
6 seeing this as an attachment to an e-mail from Mr.  
7 Boshea?  
8 A **I -- I don't remember this, no.**  
9 Q What about on '63, those handwritten  
10 notes; have you seen this -- have you seen these  
11 before?  
12 A **I may have seen something similar to this**  
13 **before.**  
14 Q When did you see it?  
15 A **I don't remember.**  
16 Q Did you have a discussion with Mr. Boshea  
17 about some event that occurred in or about  
18 September 16, 2015, regarding salary reductions?  
19 A **Try that question again, please, Mr.**  
20 **Stern.**  
21 Q Do you recall having a discussion with  
22 Mr. Boshea about an event that occurred on or

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1 about September 16, 2015, regarding salary  
2 reductions?  
3 A **I do not.**  
4 Q On Page '64 do you recall receiving this  
5 e-mail from Mr. Boshea?  
6 A **I -- I don't recall receiving what you**  
7 **have up on the screen, no, sir.**  
8 Q Do you know why your -- it was produced  
9 by your attorney in this case?  
10 A **I don't know why my attorney produced it.**  
11 Q Do you recall providing this to your  
12 attorney to produce in this litigation?  
13 A **I don't recall providing what you have up**  
14 **on the screen to my attorney.**  
15 Q Let's go to Page '65 and '66. Do you  
16 recall providing this to your attorney to provide  
17 in this litigation?  
18 A **What you have produced on the screen, I**  
19 **do not recall producing that to my attorney.**  
20 Q When you qualify your answer by saying  
21 what you produced on the screen, are you trying to  
22 say the electronic image or are you talking about

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1 a copy of the document or is there no distinction?  
2 **A I believe I said it – I believe I said**  
3 **exactly what I meant.**  
4 Q What did you mean? Are you saying the  
5 actual electronic image that we're looking at or a  
6 copy of the document?  
7 **A I'm referring to the image that's on the**  
8 **screen in front of me.**  
9 Q So each of the documents that we've gone  
10 through so far today you said you had no  
11 recollection of producing the document or the  
12 image that is on the screen, that answer would  
13 change if we say you recall producing printout  
14 copies of these documents to your attorney; is  
15 that correct?  
16 **A You just asked two questions, Mr. Stern.**  
17 **Would you mind asking them one at a time?**  
18 Q Do you recall producing printout copies  
19 of the documents we've gone through so far in this  
20 litigation -- in this deposition today?  
21 MR. REDD: Objection to form.  
22 Q Let me reask it. Do you recall providing

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1 printout copies of the e-mails and text messages  
2 we've gone through so far in this deposition today  
3 and providing those to your attorney to produce in  
4 this litigation?  
5 **A I remember producing documents to my**  
6 **attorney. I do not remember that the items you**  
7 **were putting up on the screen are those documents**  
8 **or not.**  
9 MR. STERN: I would like to go to Page --  
10 or Bates label MRW0000069.  
11 (White Deposition Exhibit 6 marked for  
12 identification and is attached to the transcript.)  
13 MR. REDD: Is this Exhibit 6 now?  
14 MR. STERN: Whatever number we're up to.  
15 I'll leave that to the court -- is it 6, Madam  
16 Court Reporter?  
17 THE COURT REPORTER: It is.  
18 MR. STERN: Thank you.  
19 MR. REDD: This is a new thing. Okay.  
20 Thanks.  
21 MR. STERN: Can you scroll down to the  
22 bottom, please. Please scroll down a little bit.

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1 Can you scroll down a little bit?  
2 MS. YEUNG: Can you hear me? That's the  
3 entire document. If you want more than --  
4 MR. STERN: That's the -- okay.  
5 MS. YEUNG: Do you want more than just  
6 Page '69?  
7 MR. STERN: Oh, that's right, it's  
8 printed a little bit awkwardly.  
9 Q All right. Do you recall sending an  
10 e-mail to Mr. Jordan with a copy to Daniel White  
11 on September 19, 2021?  
12 **A I remember sending a document to**  
13 **Mr. Stern -- or e-mail to Mr. Jordan. I do not**  
14 **remember the date.**  
15 Q Do you remember what was attached to this  
16 document or this e-mail?  
17 **A Which e-mail?**  
18 Q The e-mail on September 19, 2021. There  
19 is no subject line. There is no text to the  
20 e-mail. It's just an e-mail -- it just says  
21 e-mail from you to Greg Jordan, Cc: Daniel White.  
22 Do you remember what was attached to that?

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1 **A I can -- I know what was attached to an**  
2 **e-mail I sent to Mr. Jordan at some point.**  
3 Q So you --  
4 **A But I don't know the date, the date of**  
5 **the -- of the e-mail.**  
6 Q So you only recall sending one e-mail to  
7 Mr. Jordan with an attachment; is that correct?  
8 **A No, that's not correct.**  
9 Q So how many e-mails have you sent to  
10 Mr. Jordan with attachments to them?  
11 **A I don't know.**  
12 Q What were some -- can you identify as  
13 many attachments as you can recall that you sent  
14 to Mr. Jordan?  
15 MR. REDD: Objection to form.  
16 **A I sent Mr. Jordan an attachment which I**  
17 **believed was Mr. Boshea's severance agreement, I**  
18 **sent Mr. Jordan an attachment that contains**  
19 **signature pages with John White's signature on**  
20 **them, and I sent Mr. Jordan an e-mail with**  
21 **complete -- complete documents with John White's**  
22 **signature on them.**

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1 Q The agreement that you said you thought  
2 was Mr. Boshea's severance agreement, why did you  
3 believe it was the severance agreement if you had  
4 no knowledge that it existed in 2007?  
5 MR. REDD: Objection to form.  
6 **A Please ask your question again.**  
7 MR. STERN: Can you please repeat the  
8 question, Madam Court Reporter.  
9 (The pending question was read.)  
10 **A Because I sent it in 2021.**  
11 Q The document that you sent in 2021, was  
12 it an executed copy of the agreement?  
13 **A I don't believe so.**  
14 Q Have you at any point in time confirmed  
15 that Mr. Boshea does have a severance agreement  
16 with Compass Marketing?  
17 **A I have never confirmed that, no.**  
18 Q So you don't know whether he has --  
19 whether he has actually entered into a severance  
20 agreement or not; is that fair to say?  
21 **A I do --**  
22 MR. REDD: Objection to form.

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1 Go ahead.  
2 **A I do not know if he has entered into a**  
3 **severance agreement.**  
4 Q Do you know whether he has entered into  
5 any agreement that includes any provision of  
6 severance to him?  
7 **A I do not know.**  
8 MR. STERN: I would like to now turn to a  
9 new exhibit Bates-labeled DJW000021.  
10 (White Deposition Exhibit 7 marked for  
11 identification and is attached to the transcript.)  
12 MR. STERN: That extends to '20 -- '22.  
13 Scroll down a little bit.  
14 Q We'll just -- actually we'll start with  
15 the -- the original e-mail in this thread is from  
16 you to Greg Jordan on September 16, 2021, at 11:24  
17 p.m. Do you see that?  
18 **A I see that it says that, yes.**  
19 Q Do you recall sending this e-mail to  
20 Mr. Jordan?  
21 **A I do not.**  
22 Q Do you deny sending this e-mail to

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1 Mr. Jordan?  
2 **A I do not.**  
3 Q Scrolling up a little bit, do you see  
4 Mr. Jordan responded, saying: "Do you have any  
5 severance agreements to which Compass is a party?"  
6 It's dated September 17, 2021, at 12:32 p.m. It's  
7 a copy to -- with a Cc: Copy to Daniel White. Do  
8 you see that?  
9 **A I see that it says that, yes.**  
10 Q Did you end up sending any severance  
11 agreements to Mr. Jordan?  
12 **A None that I'm aware of, no.**  
13 Q Do you know why he asked you to send any  
14 severance agreements?  
15 **A I do not know why he asked me to**  
16 **send if -- if in fact he did.**  
17 Q Did you have access to any Compass  
18 Marketing severance agreement in September of  
19 2021?  
20 **A Not that I know of.**  
21 Q And the top e-mail from Daniel White to  
22 Greg Jordan and you dated September 17, 2021, at

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1 2:27 p.m., do you see that?  
2 **A I see that it says that, yes. It's sent**  
3 **to my e-mail address.**  
4 Q And it purports to attach a standard  
5 agreement?  
6 THE COURT REPORTER: I'm sorry; I didn't  
7 hear the end of your answer, sir, or the question.  
8 **A I see that --**  
9 THE COURT REPORTER: I heard you say "I  
10 see that it says that, yes," but I thought you  
11 said something after that.  
12 THE WITNESS: I believe that I said I see  
13 that it was sent to my e-mail address.  
14 THE COURT REPORTER: Thank you.  
15 Q Do you deny receiving this e-mail?  
16 **A I do not.**  
17 Q This e-mail purports to attach a standard  
18 agreement and side/secret agreement to sell  
19 Mitchell 2,193 shares of Tagnetics stock. Do you  
20 know how Daniel White was able to access those  
21 agreements in September of 2021?  
22 **A I do not.**

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1 Q Is there a reason why you did not produce  
2 a copy of this e-mail in your document production?  
3 A **I -- I produced everything I had that I**  
4 **thought was related to -- to this suit.**  
5 Q So have you had communications with Greg  
6 Jordan that were not related to this lawsuit?  
7 A **I have.**  
8 Q When did those discussions occur?  
9 A **I don't know.**  
10 Q Were they after the filing of the  
11 lawsuit?  
12 A **I believe so, yes.**  
13 Q When did you first get to know who  
14 Mr. Jordan is?  
15 A **I -- I believe when he called me is the**  
16 **first time I talked with him.**  
17 Q What are the discussions you've had with  
18 Mr. Jordan that are not related to this lawsuit?  
19 A **We discussed my position on the -- the**  
20 **Orphans Court, discussed my granddaughter, I think**  
21 **we discussed my years of being a State trooper.**  
22 **That's all I can remember.**

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1 MR. STERN: I'd like to go to a new  
2 Exhibit, DJW000030 through '39.  
3 (White Deposition Exhibit 8 marked for  
4 identification and is attached to the transcript.)  
5 Q It is an e-mail dated September 17, 2021,  
6 from michaelwhite@comcast.net to Gregory Jordan  
7 with a Cc: Copy to Daniel White. Do you see that?  
8 A **I see that that's what it says, yes.**  
9 Q And the e-mail reads: "Mr. Jorden,  
10 Attached are some samples of John White's  
11 signature. There are a couple more contained in  
12 the exhibits of my filed response yesterday.  
13 Mike."  
14 Did you send that e-mail to Mr. Jordan?  
15 A **I don't know.**  
16 Q You earlier testified that you sent  
17 Mr. Jordan some signature samples of John White.  
18 Is this the e-mail in which you sent those  
19 signature samples?  
20 A **I don't know.**  
21 Q Are you denying that you sent this e-mail  
22 to Mr. Jordan?

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1 A **I am not.**  
2 MR. STERN: All right. Let's scroll to  
3 the first page after, '31, which is part of this.  
4 Q Is this one of the signature samples that  
5 you sent to Mr. Jordan from John White?  
6 A **I don't know.**  
7 Q Are you denying sending this signature  
8 sample to Mr. Jordan?  
9 A **I am not.**  
10 Q How did you access this document?  
11 A **I don't know that I accessed it.**  
12 Q How did you have a copy of it to send to  
13 Mr. Jordan?  
14 A **I -- I don't know.**  
15 Q Are you denying sending this attachment  
16 to Mr. Jordan?  
17 A **I am not.**  
18 Q Do you have access to canceled or void --  
19 I'm sorry; do you have -- it says "VOID" on this.  
20 Do you have access to Tagnetics' checks from 2014?  
21 A **I don't know.**  
22 Q I want to be clear. You don't know

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1 whether you can access Tagnetics' checks from  
2 2014?  
3 A **That's not the question you asked me.**  
4 Q All right. Let me ask it then.  
5 A **To answer your question, no, I cannot**  
6 **access Tagnetics' checks from 2014.**  
7 Q So then you deny sending this attachment  
8 to Mr. Jordan; is that correct?  
9 MR. REDD: Objection to form;  
10 mischaracterizes prior testimony.  
11 A **No, I do not deny that.**  
12 Q Then how would you go about providing a  
13 copy of a Tagnetics' check from 2014 to  
14 Mr. Jordan?  
15 A **I don't know that I did.**  
16 Q What were the samples of John White's  
17 signature that you sent to Mr. Jordan?  
18 A **I believe they were signature pages on**  
19 **noncompete agreements with employees of Compass**  
20 **Marketing.**  
21 Q So these documents that Daniel White  
22 produced, which you did not produce, were not

<p style="text-align: right;">85</p> <p>1 actually attached to this e-mail? 2 MR. REDD: Objection to form. 3 <b>A I don't know.</b> 4 Q Did you send Mr. Jordan any Tagnetics' 5 checks as sample signatures for John White? 6 <b>A I don't know.</b> 7 Q How would you find out what you sent to 8 Mr. Jordan as signature samples for John White? 9 <b>A I don't know.</b> 10 Q Would they still be in your e-mail 11 account? 12 <b>A I don't know that they were ever in my</b> 13 <b>e-mail account.</b> 14 Q So how did you transmit signature 15 samples -- 16 <b>A I don't know.</b> 17 Q -- to Mr. Jordan of John White? 18 <b>A Try your question again, please.</b> 19 Q How did you send signature samples of 20 John White to Mr. Jordan? 21 <b>A I e-mailed them to him.</b> 22 Q So would they be in your e-mail account</p>	<p style="text-align: right;">87</p> <p>1 MR. REDD: Objection to asking 2 contentions of a nonparty. 3 Go ahead. 4 <b>A That is not my contention.</b> 5 Q So who sent this e-mail from 6 michaelrwhite@comcast.net to Gregory Jordan with a 7 Cc: Copy to Daniel White on September 17, 2021, at 8 12:24 a.m.? 9 <b>A I don't know that it was sent; and if it</b> 10 <b>was, I don't remember sending it.</b> 11 Q I'd like to skip to a new exhibit, 12 DJW00 -- 13 MR. REDD: I'd like to take a break, 14 Steve. Sorry to interrupt. I'd like a break 15 soon. 16 MR. STERN: Well, since we've got to 17 break in 20 minutes for Greg, can we wait until 18 then or? 19 MR. REDD: Yes. I didn't realize that 20 was coming up. That's fine. 21 MR. STERN: Is that all right, Justin? 22 MR. REDD: Yes, thank you.</p>
<p style="text-align: right;">86</p> <p>1 to determine what you actually sent copies of to 2 Mr. Jordan to reflect John White's signature 3 samples? 4 <b>A I don't know.</b> 5 Q Do you -- did you delete all the e-mails 6 you sent to Mr. Jordan? 7 <b>A I did not.</b> 8 Q Did you delete any e-mails that you sent 9 to Mr. Jordan? 10 <b>A Not that I'm aware of.</b> 11 Q So you would be able to confirm what you 12 sent to Mr. Jordan by looking at your e-mail 13 account? 14 <b>A I don't know.</b> 15 Q Does anyone else operate or access your 16 e-mail account other than you? 17 <b>A Not that I'm aware of.</b> 18 Q Is it your contention -- 19 MR. STERN: Scroll back up, please, to 20 the e-mail. 21 Q -- that someone sent this e-mail other 22 than you?</p>	<p style="text-align: right;">88</p> <p>1 MR. STERN: All right. 2 MR. REDD: I didn't realize that was 3 scheduled. 4 MR. STERN: DJW000719, it's three zeros, 5 through '720. 6 (White Deposition Exhibit 9 marked for 7 identification and is attached to the transcript.) 8 MS. YEUNG: '719 through '720 you said? 9 MR. STERN: Yes. Heather, it's also 10 Document 71-9 in one of the filings in this Court. 11 71-9 and 71-10 are the next two that I'd like to 12 pull up. 13 MS. YEUNG: I will be ready with that. 14 MR. STERN: I could always go back to 15 those and go to another. 16 MS. YEUNG: '719 to '720. 17 Q All right. Mr. White, do you see this 18 e-mail that was produced by Daniel White in this 19 litigation, DJW000719 through 000720? Do you see 20 that? 21 <b>A I see a partial e-mail, what looks like a</b> 22 <b>partial e-mail, up on the screen.</b></p>

<p style="text-align: right;">89</p> <p>1 MR. STERN: Heather, why don't you scroll 2 through it. 3 Q The original e-mail in this thread is 4 from you, Michael R. White, dated May 23, 2019 -- 5 no, it's not; I'm sorry. It's not. 6 It is from Julia Flood -- I'm sorry -- 7 dated May 23, 2019, and it is sent to Todd 8 Mitchell, John White, Chris Feiss, Kevin Nemetz, 9 Jesse Williams, Jerry Cain, and David Boshea. Do 10 you see that? 11 A I see it's sent to a tmitchell, jwhite, a 12 cfeiss, knemetz, jwilliams, jcain, and dboshea. 13 Q So you were not a recipient of this 14 e-mail; correct? 15 A I don't know. 16 Q Do you know how you obtained a copy of 17 this e-mail? 18 A I don't know that I did receive a copy of 19 that e-mail. 20 Q Well, the next thing on the thread above 21 it is from Michael White, it says 22 mwhite@compassmarketinginc.com, to</p>	<p style="text-align: right;">91</p> <p>1 Q Yes? In what capacity were you employed 2 by the company? 3 A As an owner. 4 Q And what job duties were you performing 5 for the company on May 23, 2019? 6 A I am an owner of Compass Marketing. 7 Those were -- that is what I was doing. 8 Q What did you do on behalf of Compass 9 Marketing as an owner in May of 2019? 10 MR. REDD: Objection to form. 11 A I owned it. 12 Q Did you do anything else on behalf of it 13 other than own it? 14 MR. REDD: Objection to form. 15 You can answer. 16 A I owned it, Mr. Stern. 17 Q And is -- were you helping in any 18 capacity with sales? 19 A I didn't hear your question. Try it 20 again. 21 Q Were you helping in any capacity with 22 sales?</p>
<p style="text-align: right;">90</p> <p>1 michaelwhite@comcast.net dated May 23, 2019, at 2 1:25 p.m. Do you see that? 3 A I see that's what it says, yes. 4 Q Were you employed by Compass Marketing on 5 May 23, 2019? 6 MR. REDD: Objection; form. 7 A Yes. 8 Q What were you -- what was -- in what 9 capacity were you employed by Compass Marketing on 10 May 23, 2019? 11 A Owner. 12 Q So as an owner you're automatically 13 considered an employee of the company? 14 MR. REDD: Objection; form. 15 A Please ask your question again. 16 Q As an owner you consider yourself an 17 employee of the company as well? 18 A I consider myself to be an owner of the 19 company. 20 Q So were you employed by Compass Marketing 21 on May 23, 2019? 22 A Yes.</p>	<p style="text-align: right;">92</p> <p>1 A I owned Compass Marketing. 2 Q Were you helping in any capacity with 3 sales? 4 A I owned Compass Marketing, Mr. Stern. 5 Q That's not my question. 6 A That's my answer. 7 Q Were you helping with the management of 8 the company in May 2019? 9 A I owned Compass Marketing. 10 Q And my question is, were you helping with 11 the management of the company in May of 2019? 12 A My answer is I owned Compass Marketing in 13 May of 2019. 14 Q Is there a reason why you forwarded this 15 e-mail to Daniel White on or about May 23, 2019, 16 at 1:33 p.m.? 17 A I don't know that I forwarded it to 18 Daniel White at (indiscernible). 19 (Talking over.) 20 Q Is there a reason why you forwarded it 21 from compassmarketinginc.com to 22 michaelwhite@comcast.net on May 23 at 1:25 p.m.</p>



<p style="text-align: right;">93</p> <p>1 in 2019?</p> <p>2 <b>A I don't know that I did.</b></p> <p>3 Q Are you denying that you did?</p> <p>4 <b>A I am not.</b></p> <p>5 Q Did you have access to your</p> <p>6 compassmarketinginc.com e-mail address in May</p> <p>7 2019?</p> <p>8 <b>A I did.</b></p> <p>9 Q On what basis were you accessing your</p> <p>10 compassmarketinginc.com e-mail address in May of</p> <p>11 2019?</p> <p>12 MR. REDD: Objection to form.</p> <p>13 <b>A I don't know that I was.</b></p> <p>14 Q Do you know how this e-mail then got</p> <p>15 forwarded from Compass Marketing, Inc., to</p> <p>16 comcast.net from you?</p> <p>17 <b>A I don't remember.</b></p> <p>18 Q When was the last time you accessed your</p> <p>19 compassmarketinginc.com e-mail address?</p> <p>20 <b>A Can you define access?</b></p> <p>21 Q When was the last time you went in and</p> <p>22 reviewed any e-mails from the</p>	<p style="text-align: right;">95</p> <p>1 <b>A I don't know.</b></p> <p>2 Q And when you access the</p> <p>3 mwhite@compassmarketinginc.com account, did you</p> <p>4 access the e-mail accounts of anyone else with a</p> <p>5 compassmarketinginc.com URL or e-mail address?</p> <p>6 <b>A No.</b></p> <p>7 Q Why did you log into the</p> <p>8 compassmarketinginc.com e-mail account?</p> <p>9 <b>A Don't know.</b></p> <p>10 Q What is the login and password for the</p> <p>11 compassmarketinginc.com e-mail address?</p> <p>12 <b>A I don't know.</b></p> <p>13 MR. REDD: Objection.</p> <p>14 Q You just said you accessed it and logged</p> <p>15 in. So please identify what the login information</p> <p>16 is for the m -- so you can access the</p> <p>17 mwhite@compassmarketinginc.com e-mail address?</p> <p>18 MR. REDD: Objection. And if you want</p> <p>19 Mr. White to step out while we discuss this, you</p> <p>20 may want him to, so we can ask --</p> <p>21 MR. STERN: Yes, you can step out for</p> <p>22 this one.</p>
<p style="text-align: right;">94</p> <p>1 mwhite@compassmarketinginc.com?</p> <p>2 <b>A I reviewed e-mails from Mike --</b></p> <p>3 <b>mwhite@compassmarketinginc.com when I produced my</b></p> <p>4 <b>discovery to my attorney.</b></p> <p>5 Q And when you reviewed those, were those</p> <p>6 sitting in electronically the</p> <p>7 compassmarketinginc.com account?</p> <p>8 <b>A No.</b></p> <p>9 Q So you were only reviewing printouts?</p> <p>10 <b>A No.</b></p> <p>11 MR. REDD: Objection to form.</p> <p>12 Q So when was the last time you actually</p> <p>13 went into the account and looked at the e-mails in</p> <p>14 digital form in the mwhite@compassmarketinginc.com</p> <p>15 account?</p> <p>16 <b>A I don't know.</b></p> <p>17 Q Was it before -- was it -- have you</p> <p>18 accessed -- let me ask you this: Have you logged</p> <p>19 into the mwhite@compassmarketinginc.com account</p> <p>20 since January 1 of 2021?</p> <p>21 <b>A Yes.</b></p> <p>22 Q How often?</p>	<p style="text-align: right;">96</p> <p>1 MR. REDD: Okay.</p> <p>2 Go ahead. Step out of the room.</p> <p>3 (Mr. White left the room.)</p> <p>4 VIDEO TECHNICIAN: Is this still on the</p> <p>5 record?</p> <p>6 MR. STERN: Yes.</p> <p>7 VIDEO TECHNICIAN: Okay.</p> <p>8 MR. REDD: Yes. So in this lawsuit David</p> <p>9 Boshea versus Compass Marketing --</p> <p>10 MR. JORDAN: Hey, who's talking right</p> <p>11 now?</p> <p>12 MR. REDD: This is Justin Redd.</p> <p>13 MR. JORDAN: Oh, okay.</p> <p>14 MR. REDD: -- (continuing) what is the --</p> <p>15 what is the proffer as to how Mr. White's login</p> <p>16 and password (indiscernible) --</p> <p>17 MR. JORDAN: Are we supposed to be</p> <p>18 hearing you, Justin?</p> <p>19 THE COURT REPORTER: I'm sorry; I didn't</p> <p>20 hear the end there, Mr. Redd.</p> <p>21 MR. STERN: Justin, can you speak a</p> <p>22 little bit louder? It's very faint in hearing</p>

<p style="text-align: right;">97</p> <p>1 you.</p> <p>2 MR. REDD: What's the proffer for why</p> <p>3 this -- the question you are asking is</p> <p>4 discoverable in this case? It seems to me that</p> <p>5 this is calculated to try to get information that</p> <p>6 Compass Marketing may want to use in other</p> <p>7 proceedings, other investigations, other lawsuits.</p> <p>8 It has nothing to do with David Boshea's case.</p> <p>9 I sat back and let, you know, questioning</p> <p>10 go and to give leeway here, but at some point it</p> <p>11 has nothing to do with this lawsuit, with this</p> <p>12 third-party witness. I don't think this is a</p> <p>13 proper question and I don't think the witness</p> <p>14 should have to answer it.</p> <p>15 MR. STERN: This document was produced by</p> <p>16 another third-party witness in this litigation. I</p> <p>17 want to know how Michael White accessed it and I</p> <p>18 want to know why he is accessing Compass Marketing</p> <p>19 e-mails after his employment with the company</p> <p>20 terminated and after he was removed from the board</p> <p>21 of directors. It goes to motive, it goes to his</p> <p>22 level of dishonesty, which -- and credibility is</p>	<p style="text-align: right;">99</p> <p>1 mentioned, it plainly is trying to be used for</p> <p>2 other litigations or other investigations. It's</p> <p>3 not in -- whether someone produced this document</p> <p>4 in this case, someone else did, this doesn't have</p> <p>5 any relation to Mr. Boshea's employment,</p> <p>6 severance, compensation, what he's owed or not.</p> <p>7 And those type of allegations, including the</p> <p>8 disputed ownership of the company, is outside the</p> <p>9 scope of any of the Court's orders, outside the</p> <p>10 scope of the proper -- proper discovery, and this</p> <p>11 question specifically about a login and password</p> <p>12 is not a proper question. So as to --</p> <p>13 MR. STERN: Mr. Redd --</p> <p>14 MR. REDD: -- from the topics and the</p> <p>15 credibility or any of that information, the login</p> <p>16 and password is not a proper question so he is not</p> <p>17 answering.</p> <p>18 MR. STERN: Mr. -- Mr. Redd, I did not</p> <p>19 ask for his personal login information to his --</p> <p>20 to his comcast.net account. I would agree with</p> <p>21 you that that's not something I can ask. I'm</p> <p>22 asking about his compassmarketinginc.com access.</p>
<p style="text-align: right;">98</p> <p>1 always relevant in any aspect of litigation.</p> <p>2 Because part of Compass Marketing's theory is this</p> <p>3 is a concoction between him and Daniel White in</p> <p>4 collaboration with Mr. Boshea to create a false</p> <p>5 narrative about a severance agreement that never</p> <p>6 existed. And if he is accessing documents and</p> <p>7 accounts long after he's gone, that shows motive,</p> <p>8 opportunity, and an incentive to do so.</p> <p>9 MR. REDD: Okay. Two things: The --</p> <p>10 whether -- whether those types of inquiries are</p> <p>11 proper or not, putting that aside, someone's</p> <p>12 personal login and password I don't think is</p> <p>13 discoverable. And all this --</p> <p>14 MR. STERN: Justin, to that point, I'm</p> <p>15 not asking for his personal login information --</p> <p>16 MR. REDD: Hold on, hold on, hold on.</p> <p>17 We've got to go one at a time here.</p> <p>18 MR. STERN: -- I'm asking for company</p> <p>19 information, and I'm a company representative as</p> <p>20 its counsel.</p> <p>21 MR. REDD: We've got to go one at a time.</p> <p>22 The second thing is those things that you</p>	<p style="text-align: right;">100</p> <p>1 Two very different things. So...</p> <p>2 MR. REDD: They are. Go ahead.</p> <p>3 MR. STERN: I'd like to get that</p> <p>4 information. If you're going to instruct him not</p> <p>5 to answer, you can do that. There will be plenty</p> <p>6 of things that we are going to take up with the</p> <p>7 Court with his evasiveness and other problems with</p> <p>8 his answers today. And some of the objections you</p> <p>9 noted, we will be getting into some of that</p> <p>10 because it goes to credibility and you know it.</p> <p>11 So let's get him back on the record.</p> <p>12 We've got a few more minutes before Greg's got to</p> <p>13 take a break. I want to be respectful of Greg's</p> <p>14 hearing.</p> <p>15 MR. REDD: That's fine. Well, yeah, he's</p> <p>16 going to get an instruction not to answer. I</p> <p>17 understand your -- the distinction you're trying</p> <p>18 to draw between the personal e-mail and the</p> <p>19 Compass Marketing e-mail, but I think all of the</p> <p>20 reasons I stated still apply to the Compass</p> <p>21 Marketing e-mail for Mr. White. And so for</p> <p>22 purposes of allowing me to make a 30(b) motion</p>

<p style="text-align: right;">101</p> <p>1 when we get the transcript, he will be instructed 2 not to answer. 3 MR. STERN: All right. Well, then let's 4 get that instruction on the record and then we'll 5 take a break. 6 (Mr. White entered the room.) 7 BY MR. STERN: 8 Q All right. We're back on. Well, we've 9 been on the record the whole time. 10 So, Mr. White, my question to you is what 11 is your compassmarketinginc.com password and 12 access information? 13 MR. REDD: Objection. On behalf of the 14 witness we intend to move under Rule 30(b) of the 15 Federal Rules of Civil Procedure. 16 So I instruct you not to answer. 17 MR. STERN: All right. We obviously do 18 not accept that objection as being appropriate. 19 We will take that up with the Court. 20 In recognition of Mr. Jordan's request 21 that we take a break at noon, I've got on my East 22 Coast time on my clock it's 11:56. Why don't we</p>	<p style="text-align: right;">103</p> <p>1 record at 11:57 a.m. 2 (A recess was taken.) 3 VIDEO TECHNICIAN: The time is 12:32 p.m. 4 We are on the record. 5 MR. STERN: All right. We're resumed. 6 And I'd like to go through each of the attorneys 7 and parties as we did at the outset of the 8 deposition, representing and confirming, I should 9 say, that there is no one else in the room or 10 connected electronically, whether it be through 11 phone or video, listening in or accessing this 12 deposition live. 13 So this is Stephen Stern, counsel for 14 Compass Marketing, Inc. I'm in my office and I'm 15 accompanied by a company representative, Ronald 16 Bateman, and I have no -- he is not on the video, 17 but he's here in my office with me. And I have no 18 phone or other video connection to this 19 deposition. 20 MR. JORDAN: All right. Gregory 21 Jordan -- 22 THE WITNESS: Michael White and --</p>
<p style="text-align: right;">102</p> <p>1 take a break. 2 I guess a quick question to everyone 3 involved: Since it is kind of the lunch hour, do 4 we want to take a lunch break and resume more than 5 the 15 minutes or so that you needed for the 6 hearing, Greg? 7 MR. JORDAN: I don't -- I don't need any 8 more than 15 minutes, but it's totally up to the 9 rest -- the witness and you. 10 MR. STERN: Mr. White? 11 MR. REDD: Why don't we come back at 12 12:30, unless Greg's hearing is literally going to 13 be minutes in length. 14 MR. JORDAN: It will be less than that. 15 12:30 is fine. 16 MR. STERN: 12:30 is fine with me as 17 well. Everyone is to resume then at 12:30. Thank 18 you. 19 MR. JORDAN: Okay. I'm going to just 20 turn off my video and my microphone and otherwise 21 stay on the Zoom. 22 VIDEO TECHNICIAN: Okay. We are off the</p>	<p style="text-align: right;">104</p> <p>1 MR. JORDAN: -- for David Boshea. I make 2 the same representation. 3 THE WITNESS: Michael White and his 4 counsel, Justin Redd, are here, just the two of 5 us. No one else is listening in. Same 6 representation as you and Steve. 7 MR. STERN: And, Heather, why don't you 8 just quickly confirm. 9 MS. YEUNG: Heather Yeung is back. I'm 10 in my office alone, nothing recording. 11 MR. STERN: Thank you. 12 I'd like to go -- Madam Court Reporter, 13 what exhibit number are we up to? 14 THE COURT REPORTER: The next one will be 15 10. 16 MR. STERN: All right. Let's go to 17 Exhibit 10. 18 Heather, it is Document '33 that's been 19 filed in this litigation. 20 BY MR. STERN: 21 Q And while Heather is looking for that, 22 Mr. White, just a fun clarification. Is this the</p>

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1 first time you and I have met?  
2 **A I believe so.**  
3 Q I'm showing you what's been -- what's  
4 going to be Exhibit 10.  
5 (White Deposition Exhibit 10 marked for  
6 identification and is attached to the transcript.)  
7 Q It is Document 33 that has been filed in  
8 this litigation.  
9 MR. STERN: If you can scroll down,  
10 Heather.  
11 Q It says: "MICHAEL R WHITE'S OBJECTION TO  
12 COMPASS MARKETING, INC.'S SUBPOENA DUCES TECUM,  
13 MICHAEL R WHITE'S OBJECTION TO SUBPOENA TO TESTIFY  
14 AT DEPOSITION, MICHAEL R WHITE'S MOTION TO QUASH  
15 SUBPOENAS DUCES TECUM," AND "MICHAEL R WHITE'S  
16 REQUESTS FOR A HEARING BEFORE THIS HONORABLE  
17 COURT."  
18 Is this the document that you filed in  
19 this -- is this a document that you filed in this  
20 litigation?  
21 MR. REDD: Objection. This is not --  
22 this is -- this motion, just know it's been filed,

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1 has been ruled on by the Court --  
2 THE COURT REPORTER: I'm sorry, Mr. Redd;  
3 I can't hear you.  
4 MR. REDD: This motion that everyone  
5 knows has been filed on the docket and has been  
6 ruled on by the Court does not pertain to the  
7 scope of the deposition as to Mr. Boshea's claims.  
8 Q Mr. White, is this the document that you  
9 filed?  
10 **A It -- it appears to be. I don't know**  
11 **that it is actually the document or not, but it**  
12 **appears to be.**  
13 MR. STERN: Heather, can you scroll down  
14 to the signature line?  
15 Q Is that your signature?  
16 MR. STERN: Heather, you've got to roll  
17 up -- scroll up one.  
18 **A It appears to be my signature, but I**  
19 **don't know that it is.**  
20 Q Do you recall filing a motion in this  
21 lawsuit?  
22 **A I do.**

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1 Q Did you authorize anyone to sign your  
2 name other than yourself when filing that motion?  
3 I'm sorry?  
4 **A No.**  
5 Q Do you want to take a moment to read  
6 through this document to confirm that this is the  
7 material you filed?  
8 **A No.**  
9 Q Do you deny filing this document in this  
10 litigation?  
11 **A No.**  
12 Q And attached to this motion were several  
13 exhibits; correct?  
14 **A I believe so.**  
15 Q I'd like to turn to Exhibit 3, which is  
16 marked Document No. 33-1.  
17 MR. JORDAN: Is this a new exhibit,  
18 Stephen?  
19 MR. STERN: Heather -- yeah, good  
20 question. Thank you, Greg.  
21 MR. JORDAN: Because I only have -- I  
22 don't have -- I don't have the exhibits with the

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1 other one that you sent and I don't want to create  
2 a bad record.  
3 MR. STERN: No. I agree with you.  
4 MS. YEUNG: This will be Exhibit 11.  
5 MR. STERN: Okay. So each of the  
6 attachments to -- any attachment that we refer to  
7 I guess will be a separate exhibit. Is that  
8 correct, Heather?  
9 MS. YEUNG: Yes.  
10 MR. STERN: All right. So this will be  
11 Exhibit 11 for the deposition and this is Exhibit  
12 3 to the motion that Michael White filed.  
13 (White Deposition Exhibit 11 marked for  
14 identification and is attached to the transcript.)  
15 Q Mr. White, do you see this document?  
16 **A I -- I see part of it, yes.**  
17 Q Is this the affidavit that you filed in  
18 this litigation?  
19 **A It appears to be.**  
20 Q And when you filed -- and when you signed  
21 this affidavit --  
22 MR. STERN: Can you scroll down, Heather.

<p>109</p> <p>1 Q -- you signed under the penalty of 2 perjury? 3 <b>A I signed an affidavit under penalty of 4 perjury, yes.</b> 5 Q Okay. Let's scroll up to Paragraph No. 6 25. I mean No. 5; I'm sorry. No. 5. You wrote: 7 "I am a 25% shareholder of my company, Compass 8 Marketing, Incorporated." Is that a true 9 statement? 10 MR. REDD: Objection. We're getting into 11 areas -- do you want him to leave before I put 12 this on the record, my objection? 13 MR. STERN: All right. You can have 14 him -- yeah, that's fine. We'll have Mr. White 15 leave for a moment. 16 MR. REDD: It's up to you, Stephen. 17 MR. STERN: Mr. White, can you please 18 leave for a moment? 19 MR. REDD: Go ahead. 20 (Mr. White left the room.) 21 MR. REDD: All right. I was waiting to 22 see where you were going to go with getting into</p>	<p>111</p> <p>1 under oath that are false, this is one of them, 2 and I'm going to examine him on it. 3 MR. REDD: Whether credibility is 4 relevant or not -- 5 MR. STERN: You can instruct him not to 6 answer, that's going to be your business. You 7 can -- if you instruct him not to answer, we'll 8 certainly take it up with the Court. But the 9 bottom line is it goes to motive, it goes to 10 credibility, it goes to an issue that he opened 11 the door, and on. This is all appropriate 12 questioning and you know it. I'm not going to 13 back away from this issue. If you want to 14 instruct him not to answer, that's your business. 15 We'll be taking it up with the Court. 16 MR. REDD: Okay. Well, I'll tell you my 17 basis and then we'll go from there. Your 18 characterization of me knowing it or not I 19 disagree with. I disagree that the mere fact that 20 credibility is always relevant allows unlimited 21 questioning in a deposition, especially after a 22 Court has ordered certain things. And I know we</p>
<p>110</p> <p>1 this motion and affidavit or any of the exhibits. 2 But this -- this appears to me to have nothing to 3 do with Mr. Boshea's claims, Mr. Boshea's 4 compensation, whether he's owed, what he's saying 5 he's owed in this case or not. 6 The Court ruled on what was the proper 7 scope of inquiry, what the proper scope of 8 documents was, and this isn't part of it. This is 9 against the scope of the Court's order on this 10 motion as to what is and is not relevant and 11 discoverable -- discoverable in the case. 12 MR. STERN: All right. Justin, first of 13 all, the Court did not rule on what the scope of 14 relevance is in this case. 15 Secondly, it is your client that opened 16 the door by making this an issue in his affidavit 17 that he filed in this case. 18 Thirdly, you know full well that 19 impeachment is always relevant and anyone can be 20 cross-examined or their credibility can be 21 challenged and it's always relevant. And it is 22 our contention that he's made several statements</p>	<p>112</p> <p>1 disagree on the scope, but one of my reasons is 2 attempting to enforce the Court's order. 3 MR. STERN: Can you tell me where the 4 Court's order -- 5 MR. REDD: Your characterization of -- 6 wait, wait. I'm not finished. Your 7 characterization of credibility as allowing 8 certain questioning would swallow any -- any type 9 of proper scope of a deposition with or without a 10 Court order or the scope of discovery. And we 11 think that these types of questions are being 12 asked for an improper purpose which is used in 13 other litigations and investigations, that there 14 are several of those ongoing. 15 And Compass itself, if we're getting into 16 the parties' filings on this motion for the 17 Court's order, said they're only seeking narrowly 18 tailored documents to the issues relevant to this 19 litigation; that these allegations by Michael 20 White have no relevance to the issues before this 21 Court, and on and on. And there lists a litany of 22 topics that were raised but that Compass said have</p>

<p style="text-align: right;">113</p> <p>1 nothing to do with this case. 2 And I disagree that there is any opening 3 the door. And if there was, the Court closed it 4 by agreeing with you, as Compass, in arguing what 5 is and is not relevant in the scope of discovery. 6 So we can only conclude that it's not for use in 7 this case, the questions are being asked to 8 intimidate, to harass, it's improper. 9 MR. STERN: You can take that up with the 10 Court. You have someone who is purporting to be a 11 25 percent shareholder in this lit -- of the 12 company that's being sued who's communicating 13 extensively with the plaintiff and its counsel. 14 And, also, it goes to his credibility as to 15 whether or not he's even telling the truth. And 16 obviously it goes to the motive as to why would an 17 owner be collaborating so much with an owner -- 18 with a litigant against the company he claims to 19 own. 20 MR. REDD: And when you said "this 21 litigation," were you meaning the Virginia case or 22 Boshea versus Compass Marketing in this Court?</p>	<p style="text-align: right;">115</p> <p>1 MR. REDD: Understand. I'll get -- I'll 2 get the witness. 3 (Mr. White entered the room.) 4 MR. STERN: So, Madam Court Reporter, 5 there was a lot of discussion there. Can you go 6 back to the last question I asked. 7 (The pending question was read.) 8 Q Mr. White? 9 <b>A That is a true statement.</b> 10 MR. STERN: Can we pull up, Heather -- 11 pull that down for a moment and we will circle 12 back to that momentarily. Heather, it's the loan 13 application. 14 I think this is Exhibit 12? 15 THE COURT REPORTER: That's correct. 16 (White Exhibit 12 marked for 17 identification and is attached to the transcript.) 18 Q So, Mr. White, I'm showing you what's 19 been marked as Exhibit 12. This is a PPP loan 20 borrower application form for a company known as 21 Woodville Pines, LLC. Do you see that? 22 <b>A I see what's on the screen, yes, sir.</b></p>
<p style="text-align: right;">114</p> <p>1 MR. STERN: Boshea versus Compass 2 Marketing. Is there other litigation that I'm not 3 aware of? 4 MR. REDD: I don't know what litigation 5 you are and are not aware of. 6 MR. STERN: Fair question -- fair 7 comment. 8 MR. JORDAN: I believe you know that 9 Compass and other individuals involved in the case 10 are involved in other litigations. 11 MR. STERN: I know there was a litigation 12 that was dismissed back in April. 13 MR. JORDAN: I think we are getting a 14 little off point now with the back-and-forth. 15 MR. REDD: I think our positions are 16 stated. We're -- we're not going to come to an 17 agreement here it seems, you know, so... 18 MR. STERN: Well, it's going to be up to 19 you whether you instruct him not to answer. We're 20 not accepting a nonanswer as acceptable. We'll 21 certainly be raising it with the Court if you 22 instruct him not to answer the question.</p>	<p style="text-align: right;">116</p> <p>1 Q Did you fill out a PPP loan application 2 for Woodville Pines, LLC? 3 MR. REDD: I object for the reasons 4 that -- stated on the record when the witness was 5 out of the room. 6 To enforce the Court's order and the 7 other reasons I said, I instruct you not to 8 answer. 9 MR. STERN: Justin, are you instructing 10 him not to answer that question? 11 MR. REDD: Yes. 12 MR. STERN: All right. We'll certainly 13 take that up with the Court. Are you instructing 14 him not to answer any questions about this 15 document? 16 MR. REDD: Without knowing what you're 17 going to ask, I don't want to foreclose anything 18 that might be proper, but I -- I don't see any way 19 that this document, which Compass has called fully 20 unrelated to the claims in this case and has 21 nothing to do with this lawsuit, is within the 22 scope of the Court's order or otherwise proper</p>

<p style="text-align: right;">117</p> <p>1 under Rule 45 and Rule 26. 2 MR. STERN: Well, let's scroll down to 3 the bottom on Page 2. 4 Q Is that your signature, Mr. White? 5 MR. REDD: Objection for the reasons 6 stated on the record while the witness was out of 7 the room. 8 I instruct you not to answer. 9 Q Did you fill out a PPP loan application 10 for Woodville Pines in April of 2020? 11 MR. REDD: Same instruction. 12 Q Did you sign a PPP loan application on 13 behalf of Woodville Pines on April 25, 2020? 14 MR. REDD: Same instruction. 15 What does this have to do with David 16 Boshea at all? 17 MR. STERN: As I mentioned earlier, it 18 goes to credibility. 19 Q Did the PPP loan application that you 20 signed -- 21 MR. REDD: I don't think that's -- 22 MR. STERN: Sorry?</p>	<p style="text-align: right;">119</p> <p>1 3571 by imprisonment of not more than five years 2 and/or a fine of up to \$250,000; under 15 USC 645 3 by imprisonment of not more than two years and/or 4 a fine of not more than \$5,000; and, if submitted 5 to a federally insured institution, under 18 USC 6 1014 by imprisonment of not more than thirty years 7 and/or a fine of not more than \$1,000,000"? 8 MR. REDD: Objection. 9 Same instruction. 10 And the words on -- 11 MR. STERN: And -- 12 MR. REDD: -- the form, the form speaks 13 for itself. It's up to you what you want to do 14 with the time we have, Stephen, but it's not going 15 to be read into the record to purport to be Mr. 16 White's testimony on this, which is, for the 17 reasons I've said, not proper to ask in this 18 deposition. 19 MR. STERN: Well, I'm ask -- I 20 understand. I'm asking the questions. 21 Heather, you can scroll up to the prior 22 page.</p>
<p style="text-align: right;">118</p> <p>1 THE COURT REPORTER: I'm sorry; I didn't 2 hear you, Mr. Redd. 3 MR. REDD: I apologize for interrupting. 4 I don't think that's a sufficient basis. 5 Q Mr. White, did the PPP loan application 6 that you signed on behalf of Woodville Pines, LLC, 7 did you sign that under the penalty of perjury? 8 MR. REDD: Objection. 9 Instruct you not to answer for the 10 reasons previously stated. 11 Q When you filled out a PPP loan 12 application on behalf of Woodville Pines, before 13 you signed it, did you initial that you 14 "...further certify that the information provided 15 in this application and the information provided 16 in all supporting documents and forms is true and 17 accurate in all material respects"? 18 Did you further certify that "I 19 understand that knowingly making a false statement 20 to obtain a guaranteed loan from SBA is punishable 21 under the law, including under 18 USC Section 1001 22 and Section" 137 -- 1 -- I'm sorry -- "Section</p>	<p style="text-align: right;">120</p> <p>1 Q Mr. White, in the PPP loan application 2 that you submitted on behalf of Woodville Pines, 3 LLC, did you check the box no in response to the 4 question: "Is the Applicant or any owner of the 5 Applicant an owner of any other business, or have 6 common management with any other business? If 7 yes, list all such businesses and describe the 8 relationship on a separate sheet identified as 9 addendum A"? 10 MR. REDD: Objection. 11 Same instruction. 12 Q All right. We'll move on from that 13 document. 14 Going back to your motion filed in this 15 case, I would like to turn to Exhibit No. 4. 16 THE COURT REPORTER: And this will be 17 Exhibit 13. 18 MR. STERN: Thank you for the 19 clarification. Exhibit 13, for purposes of this 20 deposition, and Exhibit 4 to Mr. White's motion. 21 (White Deposition Exhibit 13 marked for 22 identification and is attached to the transcript.)</p>

<p>121</p> <p>1 Q Mr. White, did you attach to your motion 2 as Exhibit 4, Stock Certificate No. 5 for 150 3 shares, issuing those shares to you, Michael 4 Robert White, with the stock certificate issued on 5 June, looks like 11, 2001.</p> <p>6 <b>A I -- I attached a copy of the stock 7 certificate to my filing, yes.</b></p> <p>8 Q And is that Daniel White's signature on 9 the bottom of that stock certificate?</p> <p>10 <b>A I don't know.</b></p> <p>11 Q Did you attend the shareholder meeting on 12 or about June 11, 2001, in which these shares were 13 issued to you?</p> <p>14 <b>A I did not.</b></p> <p>15 Q Did you observe Daniel White sign this 16 stock certificate issuing 150 shares to you?</p> <p>17 <b>A I did not.</b></p> <p>18 Q Did you also attach to Exhibit No. 4, 19 which is Exhibit 13 for this deposition, Stock 20 Certificate No. 4, which is the next page of this 21 exhibit -- 22 MR. STERN: Heather.</p>	<p>123</p> <p>1 for 150 shares to Daniel Joseph White on June 11, 2 2001. Do you see that?</p> <p>3 MR. REDD: Objection. 4 You can answer.</p> <p>5 <b>A I see what you have on the screen, yes.</b></p> <p>6 Q Did you attach that to your motion as 7 part of Exhibit No. 4 to your motion?</p> <p>8 <b>A I attached a copy of a stock certificate 9 issued to Daniel Joseph White to my filing.</b></p> <p>10 Q Is this a true and accurate copy of the 11 Stock Certificate No. 5 -- 6?</p> <p>12 <b>A I don't know.</b></p> <p>13 Q Do you deny that it is a true and 14 accurate copy of Stock Certificate No. 6?</p> <p>15 <b>A I do not.</b></p> <p>16 Q Since I didn't ask this question before 17 with respect to Stock Certificate No. 5, do you 18 deny it is a true and accurate copy of Stock 19 Certificate No. 5 that you attached to your 20 motion?</p> <p>21 <b>A I do not.</b></p> <p>22 Q Are these the only stock certificates</p>
<p>122</p> <p>1 Q -- for 300 shares issued to John David 2 White on June 11, 2001?</p> <p>3 MR. REDD: Objection. Again, we are 4 getting far afield of what this has to do with Mr. 5 Boshea's case. Mr. White's testified to his 6 ownership in Compass Marketing. 7 You can answer, but I'm noting that this 8 is also outside the scope of what is at issue in 9 this case and appears to be seeking information 10 for use not in this proceeding, but in other 11 proceedings.</p> <p>12 Q Mr. White, did you attach Exhibit -- 13 Stock Certificate No. 4 for 300 shares issued to 14 John David White on June 11, 2001?</p> <p>15 <b>A I attached a copy of a certificate issued 16 to John White to my filing.</b></p> <p>17 Q Do you deny that this stock certificate 18 is a true and accurate copy of Stock Certificate 19 No. 4?</p> <p>20 <b>A I do not.</b></p> <p>21 Q And then scrolling a little bit further 22 on this exhibit is Stock Certificate No. 6 issued</p>	<p>124</p> <p>1 issued for Compass Marketing, Inc.?</p> <p>2 MR. REDD: Objection. Not asking about 3 stock certificates, if any -- Do you want him to 4 leave for this part? Sorry; I forgot to ask. 5 Stephen?</p> <p>6 MR. STERN: Are you going to do a 7 speaking objection? Then he can leave, that's 8 fine.</p> <p>9 (Mr. White left the room.)</p> <p>10 MR. REDD: It sounded to me like you're 11 going to be asking about stock certificates, if 12 any, that were other than what he's been -- what 13 has been attached to something that was filed in 14 this case. If that is where you're going, then my 15 objection that I stated the last time Mr. White 16 left the room is going to apply, or I'm going to 17 make it. You disagree that it applies, obviously.</p> <p>18 MR. STERN: All right. Can you repeat 19 that last part? Please say that again.</p> <p>20 MR. REDD: Is that where you're going 21 with this, you're going to ask about something 22 that may or may not exist that is other than what</p>



<p style="text-align: right;">125</p> <p>1 was attached to the Court filing? 2 MR. STERN: Yes. I'm going to be asking 3 about minutes of a special shareholder meeting, 4 minutes of a special meeting of the board of 5 directors, resolution of the board of directors. 6 If you're going to instruct him not to answer 7 questions about those documents, we can -- we can 8 streamline this and then we'll take it up with the 9 Court or I could go through it and keep asking him 10 questions one by one and you can tell him not to 11 answer. 12 MR. REDD: And this is -- this is -- 13 you're asking about documents or meetings that 14 happened in 2001; is that correct? 15 MR. STERN: Correct. This goes to his 16 credibility. It shows that he's lied under oath. 17 MR. REDD: What -- what besides that is 18 the connection to Boshea or Boshea's claims or the 19 defense in the case? 20 MR. STERN: As I've mentioned, 21 credibility is always relevant. And part of his 22 misrepresentation about his ownership interest</p>	<p style="text-align: right;">127</p> <p>1 connection to the claims in the case -- 2 MR. STERN: I just -- 3 MR. REDD: -- Boshea's claims? 4 MR. STERN: Credibility is always 5 relevant. You have an owner who is assisting 6 with -- someone who claims to be an owner who is 7 assisting with litigation against the company he 8 owns. It goes to motive, it goes to credibility. 9 I'm not going to repeat it. You have your choice 10 as to whether you want to instruct him not to 11 answer. 12 I appreciate that you've asked -- 13 MR. REDD: (Indiscernible - talking 14 over). 15 MR. STERN: -- him to step out of the 16 room, but let's -- let's move on with this and you 17 tell me how you're going to handle it. One way or 18 the other we're bringing this to the Court's 19 attention, unless you let him answer these 20 questions. 21 MR. REDD: Yep, I understand that. And 22 I'm just trying to give you an opportunity to</p>
<p style="text-align: right;">126</p> <p>1 goes to his motive to collaborate and cooperate 2 with a party suing the company that he claims to 3 own. It shows motive and more. 4 MR. REDD: Okay. 5 MR. STERN: He has sent many documents to 6 Mr. Boshea in connection with this litigation. 7 While he's denied helping him -- he certainly says 8 that in some of the e-mails, he denied even any 9 knowledge of -- any knowledge of. Why would he be 10 covering that up. 11 MR. REDD: I disagree with any 12 characterization of anything as a coverup. And I 13 still don't see how actions or meetings or 14 documents from 2001 show any kind of motive. 15 You're saying he's planning to pay Mr. Boshea 16 not -- something that he's not owed back in 2001? 17 (Talking over) 18 MR. STERN: I hear you, Justin, and I -- 19 I'm sorry; I didn't -- I didn't realize you were 20 not done. 21 MR. REDD: We're going -- we're treading 22 the same ground. But my question was what is the</p>	<p style="text-align: right;">128</p> <p>1 present any connection besides the bare fact of 2 credibility and motive to the scope of this 3 Court's order, the scope of the claims in this 4 case. 5 MR. STERN: As I mentioned before, he 6 opened the door. The people that opened the door 7 about the ownership in this case are Michael 8 White, Daniel White, and David Boshea. It has not 9 been an issue that has been identified or 10 introduced by Compass Marketing at any point. All 11 three of those individuals have brought it to the 12 Court's attention in this case. That's opening 13 the door. As I mentioned -- 14 MR. JORDAN: I -- I strenuously disagree 15 that -- with that statement. 16 MR. STERN: Third, I said -- and then 17 also, as I mentioned, if he's -- he's lied under 18 oath, then I get the opportunity to cross-examine 19 him about that. 20 MR. REDD: Okay. 21 MR. STERN: You've already instructed him 22 not to answer. I've got documents that can</p>

<p style="text-align: right;">129</p> <p>1 further illustrate that the statement he's made is 2 untrue. We don't need to -- we're going to argue 3 this before the Court so I don't see this -- any 4 more value in you and I debating this on -- on 5 this deposition. 6 MR. REDD: Well, I just wanted to make 7 sure before -- before -- you know, I don't take an 8 instruction lightly like this. I want to make 9 sure that there's nothing that I'm missing that's 10 different than the reasons that you stated. And I 11 think we're at the point where our positions are 12 staked out and we disagree -- 13 MR. STERN: I'm not saying in my brief 14 I'm not going to -- maybe, you know -- I won't 15 elaborate further, but you've got the gist of it. 16 I've got ample case law already lined up that 17 shows this is appropriate -- perfectly 18 appropriate. It's from the Court that we're in. 19 You'll all be having an opportunity to respond to 20 it when we file it with our brief and cite to it. 21 MR. REDD: Okay. If you've got it 22 already ready, send it over to me and -- and --</p>	<p style="text-align: right;">131</p> <p>1 not the question that you asked. 2 (Talking over) 3 MR. STERN: Understood. I'm just trying 4 to streamline this. 5 MR. REDD: Well, I'm not going to 6 streamline it at the expense of being clear about 7 what I am and not -- and not saying. 8 MR. STERN: So do I have to introduce 9 each document? 10 MR. REDD: No, I don't think so. But I 11 don't -- I'm not going to just agree to your 12 characterization of contradiction with anything 13 just to streamline anything. 14 MR. STERN: Fair enough. I understand -- 15 MR. REDD: (Indiscernible - talking 16 over.) 17 MR. STERN: -- that you're not 18 acknowledging my characterization. 19 MR. REDD: Yeah, I don't think you would 20 expect me to. 21 MR. STERN: I -- I agree with that. All 22 right.</p>
<p style="text-align: right;">130</p> <p>1 MR. STERN: No, I haven't drafted it yet. 2 I've got the case law already researched. 3 MR. REDD: Okay. If you want to send the 4 cases and you think that it will change my mind, 5 I'm -- I'll read it. But I -- I -- I disagree 6 with your position for the reasons we both stated 7 and we can move on. But I'm -- I'm leaving the 8 opportunity if you want to resolve it without 9 opening the Court -- involving the Court. If you 10 think that what you have is that clear and I'm 11 missing something, I will read it if you send it 12 to me. 13 All right. I will go get the witness. 14 (Mr. White entered the room.) 15 MR. STERN: Back on the -- we're back 16 with Mr. White in the room. 17 Justin, just for clarification, are you 18 instructing your client not to answer any 19 questions where corporate documents contradict the 20 assertion that he's made in his affidavit? 21 MR. REDD: I disagree with the 22 characterization of that question. I -- that was</p>	<p style="text-align: right;">132</p> <p>1 MR. REDD: We're chuckling here. 2 MR. STERN: All right. So -- 3 MR. REDD: So I'm with you on 4 streamlining it as long as you do it in -- in the 5 proper way. 6 MR. STERN: All right. So I just want to 7 be clear. I have a series of corporate documents 8 that I contend contradict Mr. White's sworn 9 affidavit and shows his statement under oath is 10 not correct and it's not true. And rather than 11 going through each of those documents, you're 12 instructing him not to answer questions related to 13 those documents? 14 MR. REDD: Right; for the reasons that I 15 stated in the last colloquy that we had when the 16 witness was out of the room. The documents from 17 2001 and related meetings that you were getting 18 ready to ask about -- 19 MR. STERN: Okay. 20 MR. REDD: -- are outside the scope of 21 the Court's order, Rule 30(c), or the proper 22 questions for the reasons that I stated.</p>

<p style="text-align: right;">133</p> <p>1 Obviously also pursuant to Rule 30(d) and Rules 2 45, 26(g), I instruct him not to answer that 3 series of questions. 4 MR. STERN: We'll address that with the 5 Court. 6 Then going on to a new document, I'd like 7 to show -- Heather, can you pull up Exhibit 5 to 8 the motion. 9 THE COURT REPORTER: And this will be 10 Exhibit 14. 11 (White Deposition Exhibit 14 marked for 12 identification and is attached to the transcript.) 13 Q Mr. White, I'm showing you what is 14 Exhibit 5 to the motion that you filed. It is -- 15 MR. STERN: Madam Court Reporter, what 16 exhibit number are we talking about? 17 THE COURT REPORTER: Exhibit 14. 18 Q -- Exhibit 14 for purposes of this 19 deposition. 20 MR. STERN: Heather, can you scroll down 21 a little more or show more of the document on the 22 screen.</p>	<p style="text-align: right;">135</p> <p>1 THE COURT REPORTER: Sorry, Mr. Redd; did 2 you object there? 3 MR. REDD: Objection to form. 4 THE COURT REPORTER: Thank you. 5 MR. REDD: You can answer. 6 <b>A I don't know.</b> 7 Q Are you disputing that this is an 8 accurate copy of Exhibit 5 to your motion? 9 <b>A I am not.</b> 10 Q So it's two e-mails, one is from Stephen 11 Stern, me, to John White, dated January 24, 2020, 12 12:24 p.m. And beneath it is an e-mail from me to 13 someone named Erin Pulice, with a Cc: Copy to 14 Jason Bender. How did you get a copy of this 15 e-mail? 16 MR. REDD: Objection for the reasons I 17 previously stated and for the additional reason 18 that Compass took the position that none of the 19 allegations against the undersigned counsel are 20 related to the instant lawsuit in any way, and the 21 Court agreed with Compass in ruling on the motion 22 to quash --</p>
<p style="text-align: right;">134</p> <p>1 Q Mr. White, is this a copy of the e-mail 2 that you submitted as Exhibit 5 to your motion? 3 <b>A It appears similar to the e-mail I -- I</b> 4 <b>filed.</b> 5 Q Are you saying that the e-mail that you 6 filed is different than what's showing on the 7 screen? 8 <b>A I am not.</b> 9 Q Is this a true and accurate copy of 10 Exhibit 5 to your motion? 11 MR. REDD: Objection to the -- to the 12 extent that you're using that in a legal sense. 13 It sounds like a legal term to me. To the extent 14 it's asking for a legal conclusion I object. 15 Subject to that, you can answer. 16 <b>A Please ask your question again,</b> 17 <b>Mr. Stern.</b> 18 Q Is this an accurate copy of the document 19 that you submitted as Exhibit 5 to your motion? 20 <b>A I don't know.</b> 21 Q How would you know? 22 MR. REDD: Objection --</p>	<p style="text-align: right;">136</p> <p>1 MR. STERN: Mr. White, can you step out 2 of the -- out of the room for a moment. Mr. 3 White, can you -- 4 THE COURT REPORTER: I'm sorry. I'm 5 sorry, Mr. Redd; I can't hear you. 6 MR. STERN: Mr. White, can you step out 7 of the room for a moment. 8 MR. REDD: Okay. 9 (Mr. White left the room.) 10 MR. STERN: Justin, I appreciate to this 11 point you have been consistent in making your 12 speaking objections with Mr. White out of the 13 room. I would appreciate it if you could continue 14 to do that. 15 Justin? 16 MR. REDD: Yes. 17 MR. STERN: I -- if you are going to make 18 a speaking objection, I want -- I want Mr. White 19 removed from the room and I also want to respond 20 to that, to your objection about it not being 21 relevant. This is highly relevant -- 22 MR. JORDAN: I was just saying what I</p>

<p style="text-align: right;">137</p> <p>1 said before so I didn't ask him to leave. But, 2 yes, I will. 3 MR. STERN: He was no longer an employee 4 at the time. This is a different e-mail address 5 from compassmarketinginc.com. This shows -- this 6 is a perfectly appropriate question because it 7 shows acts of sabotage against the company, which 8 further shows the motive and the reasons why he's 9 assisting Mr. Boshea in what Compass Marketing 10 contends is a sham lawsuit with a sham agreement 11 that doesn't exist. And the fact that he's 12 accessing documents that he has no right to access 13 shows part of that motive and the intent to do 14 harm to the company. Are you instructing him not 15 to answer questions as it relates to this 16 document? 17 MR. REDD: Yes. 18 MR. STERN: Okay. 19 MR. REDD: For the reasons I stated. 20 MR. STERN: Can you get him back in then? 21 (Mr. White entered the room.) 22 Q So I will not belabor the point asking</p>	<p style="text-align: right;">139</p> <p>1 Q Okay. Go back to the top of the e-mail 2 thread, the very top -- 3 MR. STERN: Can you scroll up a little 4 bit higher, just a little bit. 5 All right. 6 Q -- it's an e-mail from me to John White 7 with a copy to Nena Willingham. You're not a 8 recipient to this e-mail, are you? 9 MR. REDD: Objection; same objection as 10 we discussed. 11 Same instruction. 12 Q Do you see in the upper right-hand corner 13 it says "John 14 White 15 MR. REDD: Same objection. 16 Same instruction. 17 MR. STERN: Are you going to instruct him 18 to answer why -- not to answer why it says John 19 White at the very top in the upper right-hand 20 corner. 21 MR. REDD: Unless there's something I'm 22 missing, I'm going to instruct the witness not to</p>
<p style="text-align: right;">138</p> <p>1 you a series of questions that are not going to be 2 answered. Mr. White, your counsel has advised me 3 that he is going to instruct you not to answer any 4 questions as it relates to this document. We'll 5 move on from it then. We'll take that up with the 6 Court. 7 MR. STERN: I'd like to turn to Exhibit 8 No. 9 to your motion. 9 (White Deposition Exhibit 15 marked for 10 identification and is attached to the transcript.) 11 THE COURT REPORTER: And this will be 12 marked Exhibit 15. 13 Q Mr. White, showing you what has been 14 marked as Exhibit 15 for the purposes of this 15 deposition, it is Exhibit 9 that you attached to 16 your motion. Do you remember attaching this 17 document to your motion? 18 <b>A I remember attaching a similar document 19 to my motion; yes.</b> 20 Q Do you deny attaching this e-mail thread 21 to your motion? 22 <b>A I do not.</b></p>	<p style="text-align: right;">140</p> <p>1 answer any questions further about this document. 2 MR. STERN: Okay. We'll take that up 3 with the Court. 4 I want to turn to -- Heather, can you 5 pull up Exhibit -- Document No. 49 that was filed. 6 (White Deposition Exhibit 16 marked for 7 identification and is attached to the transcript.) 8 THE COURT REPORTER: This will be Exhibit 9 16. 10 MR. STERN: Thank you, Madam Court 11 Reporter. 12 Q Mr. White, is this a copy of the reply 13 brief that you filed in connection with the motion 14 to quash the subpoena that was issued to you? 15 <b>A I only see the top part, but it looks 16 similar to a motion that I filed.</b> 17 Q Is that your signature? 18 <b>A I -- it appears it might be my signature, 19 but I don't know.</b> 20 Q Do you remember signing the reply brief 21 that you filed in this litigation? 22 <b>A I remember signing a reply; yes.</b></p>

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1 Q Does that resemble the signature that you  
2 put on the document when you filed it?  
3 **A I don't know.**  
4 Q Do you deny this is the reply brief you  
5 filed in connect -- in this litigation?  
6 **A I do not.**  
7 MR. STERN: I would like to turn to  
8 Exhibit 2 -- I'm sorry -- Exhibit 3 of that reply  
9 brief.  
10 Why don't you minimize it for a second,  
11 Heather. I want to ask some questions before  
12 getting into that specific document.  
13 THE COURT REPORTER: And this will be  
14 Exhibit 17.  
15 MR. STERN: All right. When we pull it  
16 up, it will be Exhibit 17. Thank you.  
17 (White Deposition Exhibit 17 marked for  
18 identification and is attached to the transcript.)  
19 Q Mr. White --  
20 **A Yes, sir.**  
21 Q -- have you and Dan White planned a  
22 severance scheme before to extract money from the

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1 company that was not properly owed to anyone?  
2 MR. JORDAN: Objection. That's a  
3 confusing question that sounds a little bit like  
4 have you stopped beating your wife.  
5 Q Michael?  
6 MR. REDD: And I also object.  
7 **A Can you ask your question again, please,**  
8 **Mr. Stern?**  
9 Q Have you ever planned with Daniel White  
10 to create a false severance arrangement to extract  
11 money from the company when the severance was not  
12 actually owed to a current or former employee of  
13 the company?  
14 MR. REDD: Object to the form. Object to  
15 the argumentative nature.  
16 You can answer.  
17 **A No.**  
18 MR. STERN: I'd like to pull up Exhibit 3  
19 to your reply.  
20 Q Is this an accurate copy of the Exhibit 3  
21 that you attached to your reply brief?  
22 MR. STERN: Heather, why don't we

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1 scroll -- I'm just looking at the e-mail with the  
2 two attachments.  
3 **A It appears similar to documents I have**  
4 **seen before. I don't remember if I attached it to**  
5 **my filing or not, but I have no reason to doubt**  
6 **that I did.**  
7 Q Do you know why John White's name is at  
8 the top of this document in the upper right-hand  
9 corner?  
10 MR. REDD: Objection; same objection from  
11 the last break.  
12 Same instruction.  
13 Do you want me to -- do you want me to  
14 ask Mr. White to leave for a second, Steve?  
15 MR. STERN: No. You're -- are you  
16 instructing him not to answer?  
17 MR. REDD: Correct. And unless there's  
18 going to be a different basis for anything that's  
19 attached to the reply that we didn't discuss with  
20 regard to the motion itself and those attachments,  
21 the reasons and the instructions are going to be  
22 the same.

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1 MR. STERN: Well, I'm going to ask him  
2 questions as relates to the substance of this  
3 document.  
4 Q Mr. White, do you see that there's an  
5 e-mail in the string that you attached to your  
6 reply brief dated October 15, 2015, to Daniel --  
7 from Daniel White. I'm -- were you a recipient to  
8 that e-mail?  
9 MR. REDD: Objection; same objection.  
10 Same instruction.  
11 Q That e-mail refers to a severance to  
12 Mr. DiPaula and Mr. Miller. Do you see that?  
13 MR. REDD: Same objection; Rule 30(c)(2).  
14 Same instruction.  
15 Q Did Compass Marketing have a severance  
16 agreement with Chip DiPaula and Patrick Miller?  
17 MR. REDD: Same objection.  
18 Same instruction.  
19 Outside the scope of the Court's order,  
20 among other reasons I've stated.  
21 Q Why did you attach this e-mail and the  
22 two checks that follow to your reply brief?

<p style="text-align: right;">145</p> <p>1 MR. REDD: Same objection. 2 Same instruction. 3 Q How did you access this e-mail and the 4 two checks that are attached? 5 MR. REDD: Same objection. 6 Same instruction. 7 Q Where did you obtain a copy of this 8 e-mail and the two checks that are attached? 9 MR. REDD: Same objection. 10 Same instruction. 11 MR. JORDAN: Just -- just for the record, 12 Stephen, if -- if you wish to file a motion to 13 compel Mr. White to answer with regard to this 14 e-mail and this matter, I'll join your motion. 15 MR. STERN: You're going to join or -- 16 MR. JORDAN: Join, yeah. I would like 17 Mr. White to answer. 18 MR. STERN: Thank you. 19 I don't know when I'll be filing, but 20 obviously I will be circling back to that. 21 MR. JORDAN: That portion. I'm not 22 saying on any other portion, but that portion.</p>	<p style="text-align: right;">147</p> <p>1 have been circulated to third parties that are 2 harmful to Compass Marketing's business. 3 MR. REDD: I understand that that's in 4 the counterclaim, yeah. 5 MR. STERN: And a series of these 6 anonymous mailings have all come from a certain 7 P.O. box. I'm asking Michael White if he knows 8 anything about that P.O. box. Are you going to 9 instruct him not to answer? 10 MR. REDD: No. I just didn't know what 11 the -- what the question basis was going to be. 12 That came out of the blue to me so that's why I 13 asked him to step out of the room. No, I will not 14 be. I will not be instructing him not to answer. 15 He will answer the questions. 16 (Mr. White entered the room.) 17 MR. STERN: All right. Madam Court 18 Reporter, can you read back my question, please. 19 (The pending question was read.) 20 <b>A I am aware of it from a filing you made</b> 21 <b>in the Virginia case, the Virginia civil case.</b> 22 Q Independent of that filing in the</p>
<p style="text-align: right;">146</p> <p>1 MR. STERN: Understood. 2 Heather, why don't we pull that down for 3 a moment. 4 Q And I'm going to ask Mr. White, are you 5 familiar with a P.O. Box 639 located in St. 6 Helena, South Carolina, ZIP code 29920? 7 MR. REDD: Objection. I'd like to -- I'd 8 like the witness to step out again. 9 (Mr. White left the room.) 10 MR. STERN: Is he out of the room, 11 Justin? 12 MR. REDD: He's out. Is this the same -- 13 the same basis for asking questions about where 14 you're going next? 15 MR. STERN: You realize there is a 16 counterclaim filed and a cross -- and a 17 third-party Complaint filed in this case; correct? 18 Justin? 19 MR. REDD: What's the -- what's the 20 connection to this case? 21 MR. STERN: Compass Marketing has filed 22 its own claim related to anonymous mailings that</p>	<p style="text-align: right;">148</p> <p>1 Virginia litigation, do you have any knowledge of 2 who owns or uses that P.O. box? 3 <b>A Independent of your filing, no.</b> 4 Q Have you ever mailed anything to any 5 person or company with a return address with that 6 P.O. box? 7 <b>A Not that I'm aware of.</b> 8 Q Not that you're aware of. 9 Would you know whether you've 10 instructed -- or whether you put something in the 11 mail with that certain return address? 12 <b>A I am not aware of ever using that return</b> 13 <b>address.</b> 14 Q Have you ever instructed anyone to put 15 something in the mail related to Compass Marketing 16 with that return address on the envelope? 17 <b>A I have not.</b> 18 Q Do you know someone by the name of Chip 19 Ewing? 20 MR. REDD: Say the name again; sorry. 21 MR. STERN: Chip Ewing, as in E-W -- like 22 as in Patrick Ewing, E-W-I-N-G.</p>

<p>149</p> <p>1 MR. REDD: That doesn't give context for 2 me to understand the spelling. Thanks. Sorry; I 3 didn't mean to talk over you. 4 <b>A I am aware of somebody who carries a</b> 5 <b>nickname of Chip Ewing.</b> 6 Q What's Chip Ewing's name that's not -- 7 well, what's his name if that's not -- if that's 8 his nickname? 9 <b>A I'm not sure.</b> 10 Q Do you know a Chip Ewing going by any 11 other name? 12 <b>A I -- the Chip Ewing that I know has a</b> 13 <b>formal name. I am not positive of what it is.</b> 14 Q Well, what's the formal name that you 15 know of? 16 <b>A Detective Ewing.</b> 17 Q And did you work with Detective Ewing for 18 a period of time? 19 <b>A I did.</b> 20 Q From when to when did you work with 21 Detective Ewing? 22 <b>A I don't remember the exact dates. I</b></p>	<p>151</p> <p>1 Ewing in 2021, did you talk at all about Compass 2 Marketing? 3 <b>A Yes.</b> 4 Q What did you discuss with Detective Ewing 5 related to Compass Marketing? 6 <b>A I discussed that you had filed paperwork</b> 7 <b>and made accusations against him in a civil court</b> 8 <b>in Virginia.</b> 9 Q Did you have that discussion with him in 10 2021 or 2020? 11 <b>A I believe it was 2021.</b> 12 Q Did you have any discussions with 13 Mr. Ewing during 2020 related to Compass 14 Marketing? 15 <b>A I don't remember doing that, no.</b> 16 Q Did you have any discussions with 17 Mr. Ewing in 2019 related to Compass Marketing? 18 <b>A I don't remember doing that.</b> 19 Q Did you have any discussions with 20 Mr. Ewing in 2019 related to a company known as 21 Tagnetics, Inc.? 22 MR. REDD: Objection. I'm just trying to</p>
<p>150</p> <p>1 <b>would have to guess.</b> 2 Q Approximately when? 3 <b>A Approximately 2000 -- I take that back.</b> 4 <b>Approximately 1998 to approximately 2000 I</b> 5 <b>would -- and that is a guess.</b> 6 Q Have you been in touch with Detective 7 Ewing since 2000? 8 <b>A I have.</b> 9 Q When was the last time you communicated 10 with Detective Ewing? 11 <b>A I would have to guess my answer on that</b> 12 <b>one.</b> 13 Q Have you communicated with Detective 14 Ewing in the year 2021? 15 <b>A I have.</b> 16 Q How many times? 17 <b>A I don't know. I would have to guess.</b> 18 Q Would it be more than five? 19 <b>A Maybe.</b> 20 Q More than ten? 21 <b>A Probably not.</b> 22 Q When you communicated with Detective</p>	<p>152</p> <p>1 see where you're going with this, Stephen. But if 2 you want him to step out of the room again, we can 3 have a discussion. 4 MR. STERN: All right. Have him step out 5 of the room. 6 (Mr. White left the room.) 7 MR. REDD: This is coming around to 8 Compass' counterclaim or Boshea? 9 MR. STERN: There's been a series of 10 anonymous mailings. Compass Marketing is a 11 partial owner of a company known as Tagnetics, 12 Inc., so I'm asking about that. 13 MR. REDD: Okay. But Tagnetics, Inc., 14 was one of the areas of inquiry that Compass said 15 had nothing to do with this case; right? 16 MR. STERN: I didn't say it had nothing 17 to do with this case. 18 MR. REDD: I'm failing to see how this is 19 different from the previous areas that I've stated 20 the reasons why they're outside the scope of 21 proper questioning. 22 MR. STERN: Are you instructing him not</p>

<p>153</p> <p>1 to answer?</p> <p>2 MR. REDD: There's a difference</p> <p>3 between -- there's a difference bet -- well, I'm</p> <p>4 asking if there's a difference that I'm not</p> <p>5 picking up on between where this set of questions</p> <p>6 falls in the scope or whether it's the same as</p> <p>7 prior and if there's something that --</p> <p>8 MR. STERN: So the anonymous mailings</p> <p>9 conflate Compass Marketing and Tagnetics.</p> <p>10 MR. REDD: Yeah. Yeah, and Tagnetics</p> <p>11 (indiscernible).</p> <p>12 (Talking over)</p> <p>13 MR. JORDAN: What is that -- what's the</p> <p>14 relevance of anonymous mailings?</p> <p>15 MR. REDD: It's --</p> <p>16 MR. JORDAN: Hold on, Justin. What's the</p> <p>17 relevance of --</p> <p>18 MR. REDD: Go ahead.</p> <p>19 MR. JORDAN: -- anonymous mailings to</p> <p>20 Tagnetics to David Boshea and the lawsuit.</p> <p>21 MR. STERN: You saw our counterclaim and</p> <p>22 our third-party --</p>	<p>155</p> <p>1 I hardly said anything today. Please don't</p> <p>2 include me in that. I have -- I have been brief</p> <p>3 in my objections, but the fact that you're --</p> <p>4 you're exploring some claim against Michael White</p> <p>5 presumably, who is not a party to the litigation,</p> <p>6 with not a connection of any of this to David</p> <p>7 Boshea is not relevant and I -- that's my</p> <p>8 objection.</p> <p>9 MR. STERN: Justin, are you instructing</p> <p>10 him not to answer?</p> <p>11 MR. REDD: Subject to finishing this</p> <p>12 discussion out, we'll see. But, you know, the</p> <p>13 reason that I've asked him to step out a couple</p> <p>14 times when it's clear that something is or isn't</p> <p>15 in the scope of the order, I'm trying to let</p> <p>16 things go and do it quickly, but here it was</p> <p>17 unclear to me. I wanted to clarify it because if</p> <p>18 this does have connections that Greg is saying are</p> <p>19 lacking and I'm -- I agree with Greg on, then I</p> <p>20 want the witness to answer and I don't want to</p> <p>21 stand in the way of a proper line of inquiry.</p> <p>22 But in addition to what Greg --</p>
<p>154</p> <p>1 MR. JORDAN: Well, I did -- I did see</p> <p>2 your counterclaim. It doesn't have anything to do</p> <p>3 with Tagnetics. There's two things: There's a</p> <p>4 realtor and an appraiser and there is White Eagle</p> <p>5 Country Club dues. And I don't know -- that</p> <p>6 doesn't have anything to do with Tagnetics.</p> <p>7 MR. STERN: If Mr. White is part and</p> <p>8 parcel of these anonymous mailings as it relates</p> <p>9 to other companies that are a part -- any of the</p> <p>10 anonymous mailings that is aimed to hurt Compass</p> <p>11 Marketing, that is relevant, it shows to motive.</p> <p>12 MR. JORDAN: No, it --</p> <p>13 MR. STERN: It shows motive.</p> <p>14 MR. JORDAN: It doesn't show motive.</p> <p>15 MR. STERN: It does.</p> <p>16 MR. JORDAN: For what?</p> <p>17 MR. STERN: We're not going to make</p> <p>18 this -- you guys are killing a lot of the time</p> <p>19 here.</p> <p>20 MR. JORDAN: I -- I've hardly said --</p> <p>21 MR. STERN: I don't get more time --</p> <p>22 MR. JORDAN: Hold on. Hold on, Stephen.</p>	<p>156</p> <p>1 MR. STERN: Look, I appreciate you asking</p> <p>2 him to leave.</p> <p>3 MR. REDD: -- in addition to what Greg</p> <p>4 just said, Compass Marketing said in UCF 42</p> <p>5 anything -- many categories about Tagnetics have</p> <p>6 nothing to do with the instant lawsuit. It might</p> <p>7 have something to do with other lawsuits or</p> <p>8 investigations that are going on in your mind, but</p> <p>9 that does not make it a proper line of questioning</p> <p>10 in this deposition. All right? You stated --</p> <p>11 MR. STERN: It goes to his motive if he's</p> <p>12 participated in this.</p> <p>13 MR. JORDAN: Motive for what?</p> <p>14 MR. STERN: It goes to accountability.</p> <p>15 MR. REDD: Okay. Anything but --</p> <p>16 MR. JORDAN: No, no. That's -- that's</p> <p>17 too far afield.</p> <p>18 MR. STERN: It goes to the motive as far</p> <p>19 as this. With the anonymous mailings it goes to</p> <p>20 credibility. He's lying about the anonymous</p> <p>21 mailings.</p> <p>22 MR. REDD: Okay. So disagree that there</p>



<p style="text-align: right;">157</p> <p>1 has been lying of any kind. And your suspicion 2 about the anonymous mailings and -- and the 3 counterclaims still does not connect anything 4 about Tagnetics to this case. And, you know, if 5 there's a different basis that you haven't stated, 6 I want to listen to it, but I'm not hearing 7 anything different than the basis that I said 8 earlier and gave a proper instruction not to 9 answer. So failing anything new from you, 10 Stephen, it's going to be the same objection and 11 the same instruction. So I'll get him back. 12 MR. STERN: Fine. 13 (Mr. White entered the room.) 14 BY MR. STERN: 15 Q Mr. White, your attorney has instructed 16 you not to answer any questions as it relates to 17 anonymous mailings related to a company known as 18 Tagnetics. I'll go back to the questions. We 19 don't accept that objection as being -- 20 instruction as being proper; nevertheless, for the 21 purposes of continuing this going forward I'll 22 circle back to questions.</p>	<p style="text-align: right;">159</p> <p>1 different questions into your summary of what I 2 was objecting to and instructing him not to 3 answer. So I don't want to purport to correct it 4 for you or say what I think it was, but there was 5 a difference in my understanding. 6 MR. STERN: I will agree to disagree. 7 And let me get back to my questioning. 8 Q Other than the conversation in 2021 with 9 Mr. Ewing where you informed him about the filing 10 that was made in Virginia litigation, did you have 11 any other discussions with Mr. Ewing related to 12 Compass Marketing? 13 A <b>I don't believe so, no.</b> 14 Q Where does Mr. Ewing live? 15 A <b>I don't know.</b> 16 Q When was the last time you saw Mr. Ewing? 17 A <b>July 4, 2021.</b> 18 Q Where did you see him? 19 A <b>At my residence.</b> 20 Q Do you know what state Mr. Ewing lives 21 in? 22 A <b>I know what state he tells me he lives</b></p>
<p style="text-align: right;">158</p> <p>1 Other than the conversation you had in 2 2021 -- 3 MR. REDD: Hold on one second. Hold on; 4 sorry. I don't think your characterization of 5 what I was objecting to is completely accurate in 6 what you just said. You said a lot in that 7 sentence. I want to streamline it, too, but not 8 at the expense of being precise and correct. 9 MR. STERN: All right. What did I 10 misstate? 11 MR. REDD: The questions -- the questions 12 that I -- as I -- do you want him to step out 13 again? 14 MR. STERN: No. That's fine. 15 MR. REDD: Okay. Your questions, as I 16 understood them, one, you didn't -- I believe you 17 asked at the beginning whether Mr. White was 18 involved in any anonymous mailings, and he said 19 no. And then we're getting into things about 20 Tagnetics that -- that I did not -- one, did not 21 see the connection to anonymous mailings; but, 22 two, if you're just -- you're lumping in a lot of</p>	<p style="text-align: right;">160</p> <p>1 <b>in.</b> 2 Q What state does he tell you he lives in? 3 A <b>South Carolina.</b> 4 Q Do you ever send any mail to Mr. Ewing? 5 A <b>No.</b> 6 Q Do you know whether he uses a street 7 address or a P.O. box for his mail? 8 A <b>I do not.</b> 9 Q Do you know what city in South Carolina 10 Mr. Ewing says he lives in? 11 A <b>I do not.</b> 12 Q Do you know if at any point in time 13 Mr. Ewing has communicated to you that he says he 14 resides in St. Helena, South Carolina? 15 A <b>I do not remember that, no.</b> 16 MR. STERN: All right. Why don't we take 17 a short break, about ten minutes. 18 MR. JORDAN: Okay. 19 MR. STERN: All right. 20 VIDEO TECHNICIAN: The time is 1:39 p.m. 21 We're off the record. 22 (A recess was taken.)</p>

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1 VIDEO TECHNICIAN: We are on the record  
2 at 1:51 p.m.  
3 BY MR. STERN:  
4 Q I would like to show you a new document.  
5 It's an e-mail from you to John White dated  
6 November 24, 2018, is the most recent in that  
7 string.  
8 MS. YEUNG: Stephen, can you hear me?  
9 MR. STERN: Now I can. Hello?  
10 MS. YEUNG: I need another clue as to  
11 what document you want me to pull up.  
12 MR. STERN: It's the e-mail -- I'll step  
13 in really briefly.  
14 MS. YEUNG: Does it have a Bates number?  
15 MR. STERN: No, it does -- oh, yeah.  
16 495; I'm sorry. DJW'495. I didn't realize it was  
17 a Bates number. It's kind of blocked out a little  
18 bit.  
19 MS. YEUNG: Give me just a minute to pull  
20 it up. Apologies.  
21 MR. STERN: Is it going to take you a few  
22 minutes to get these ready?

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1 MS. YEUNG: No.  
2 MR. STERN: Why don't we go off the  
3 record until the -- this document is ready.  
4 MS. YEUNG: I've got it now.  
5 THE COURT REPORTER: And this will be  
6 Exhibit 18.  
7 MR. STERN: Thank you, Madam Court  
8 Reporter.  
9 (White Deposition Exhibit 18 marked for  
10 identification and is attached to the transcript.)  
11 Q I'm showing you -- Mr. White, I'm showing  
12 you what's been marked as Exhibit No. 18. The  
13 most recent e-mail in this thread is from you to  
14 John White and Daniel White dated November 24,  
15 2018, at 9:04 a.m. and it has a Cc: Copy to  
16 Compass@compassmarketinginc.com. Do you see that?  
17 A I see what's on your screen, yes.  
18 Q Did you send that e-mail?  
19 A I sent an e-mail similar to it.  
20 Q What is different about this e-mail from  
21 the one you sent?  
22 A I don't know.

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1 Q Why don't you take a moment to read  
2 through it?  
3 MR. JORDAN: Are you e-mailing these  
4 documents to Justin so he can look at them in that  
5 fashion? I know I'm getting them.  
6 MS. YEUNG: I am.  
7 MR. JORDAN: To the extent that would  
8 help things, Justin, if you want to look at it on  
9 your computer and show Mr. White.  
10 MR. REDD: Thanks. I've got them on the  
11 screen here and it -- and I'm receiving Heather's  
12 e-mails, thank you.  
13 MR. JORDAN: Okay.  
14 A Do you want me to review below what it --  
15 below "Regards Mike"?  
16 Q Yes. There is another e-mail. The first  
17 e-mail in the string is dated November 23, 2018,  
18 at 12:24 p.m. and it is from John White to you  
19 with a copy, Cc: Copy, to John White.  
20 In the original e-mail in the string he's  
21 advising you that your employment is being  
22 terminated; is that correct?

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1 A That's what the words say, yes.  
2 Q Have you performed any job duties for  
3 Compass Marketing since November 23, 2018?  
4 MR. REDD: Objection; asked and answered.  
5 You can answer.  
6 A Yes. Yes, I have.  
7 Q What duties have you performed for  
8 Compass Marketing since November 23, 2018?  
9 A I have been an owner of Compass Marketing  
10 since that date. On that particular date I -- or  
11 after that particular date I performed several  
12 payrolls, I submitted several reports, I've paid  
13 several bills, I put together several desks, fixed  
14 several chairs.  
15 Q When did you stop doing payroll?  
16 A When I was locked out of the payroll  
17 system I believe was somewhere around May of 2019.  
18 Q Did you write any checks to yourself  
19 after your -- you were notified that your  
20 employment was being terminated?  
21 A I don't know if I wrote checks to myself,  
22 but I didn't stop doing anything after November 23

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1 **that I was normally doing.**  
2 Q Did you write checks to Daniel White  
3 after November 23, 2018?  
4 **A I don't know.**  
5 Q Did you have John White's consent to  
6 perform any of these duties that you performed  
7 after November 23, 2018?  
8 MR. JORDAN: Objection; foundation.  
9 **A I don't know if I had John White's**  
10 **consent and I don't know if I needed John White's**  
11 **consent, so the answer to your question would be**  
12 **no.**  
13 Q Are you aware that there was a meeting in  
14 February of 2019 where you were voted off the  
15 board of directors of Compass Marketing?  
16 MR. JORDAN: Objection; compound.  
17 Q Mr. White?  
18 MR. REDD: He answered.  
19 Q I couldn't hear it.  
20 MR. REDD: He answered.  
21 If you'd repeat it.  
22 THE COURT REPORTER: Oh, I didn't hear it

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1 either.  
2 **A Can you repeat the question, please?**  
3 Q Are you aware that there was a board  
4 meeting -- I'm sorry -- a shareholders meeting in  
5 February 2019 where you were voted off the board  
6 of directors of Compass Marketing?  
7 MR. JORDAN: Same objection.  
8 **A No. No.**  
9 Q You're not aware that that meeting took  
10 place?  
11 **A I am not.**  
12 Q In the e-mail at the very top of this  
13 string, I'm going to direct you to the one, two,  
14 three, four lines from the bottom all the way on  
15 the right. It starts: "John, if you wish to  
16 destroy this company, you will be doing it through  
17 me, not around me or with me."  
18 Was that a threat?  
19 MR. REDD: Objection; form.  
20 **A No.**  
21 Q Your e-mail continues: "You should put  
22 on your big boy pants. You will need them."

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1 Was that intended to be a threat to John  
2 White?  
3 MR. REDD: Objection; form.  
4 **A No.**  
5 Q What did you mean when you said in your  
6 e-mail that "...you will be doing it through me,  
7 not around me or with me" and that "You should put  
8 on your big boy pants. You will need them." What  
9 did you mean by those sentences?  
10 **A I meant that he would have to destroy the**  
11 **company without my help.**  
12 Q Do you want to see the company destroyed?  
13 **A No.**  
14 Q Do you want to see the company dissolved?  
15 **A On November 24, 2018?**  
16 Q No, at present. Do you want to see  
17 Compass Marketing --  
18 **A Presently --**  
19 Q -- dissolved?  
20 MR. REDD: Objection. Again, it's far  
21 outside the scope of this case.  
22 MR. STERN: It goes to motive.

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1 MR. REDD: Mainly he's being asked for an  
2 improper purpose for use in separate litigation  
3 and separate investigations.  
4 MR. STERN: This is a simple question as  
5 to -- it goes to his motive.  
6 MR. REDD: When are you going to ask  
7 about Mr. Boshea's -- whether Mr. Boshea's  
8 entitled to severance or not that is at issue  
9 here?  
10 MR. STERN: Are you instructing him not  
11 to answer?  
12 MR. REDD: No. But I -- I'm saying that  
13 this line of questioning is not going towards  
14 anything that is relevant to this case. Relevance  
15 is standard.  
16 You can answer, but we're going to get to  
17 a point where there might have to be another  
18 instruction. I hope we don't.  
19 Go ahead.  
20 **A Please repeat your question, Mr. Stern.**  
21 Q As of today do you want to see Compass  
22 Marketing dissolve?

<p style="text-align: right;">169</p> <p>1 <b>A As of today I have filed a joint motion</b> 2 <b>to dissolve Compass Marketing.</b> 3 Q Why do you want to see Compass Marketing 4 dissolved? 5 <b>A Compass Marketing has become a criminal</b> 6 <b>enterprise and I am attached to Compass Marketing</b> 7 <b>and I want to detach myself from Compass</b> 8 <b>Marketing.</b> 9 Q Have you wanted Compass Marketing to be 10 dissolved since the termination of your 11 employment? 12 <b>A No.</b> 13 Q Have you wanted to extract money -- 14 <b>A I have never --</b> 15 Q -- from Compass Marketing that you did 16 not earn either before or after your employment 17 with Compass Marketing ended? 18 MR. REDD: Objection. We're getting into 19 the territory of harassment, intimidation, 20 improper purpose. These questions are not proper; 21 they have nothing to do with this case. 22 You can answer.</p>	<p style="text-align: right;">171</p> <p>1 Objection to this being far afield of the proper 2 scope of this case related to David Boshea's 3 lawsuit or any counterclaims against David Boshea 4 or anyone else. 5 You can answer. 6 <b>A No.</b> 7 Q Have you helped any person other than 8 yourself to receive money from Compass Marketing 9 that they did not earn? 10 MR. JORDAN: Objection to relevance. 11 Objection to vagueness. 12 MR. REDD: Same objection for me. 13 THE COURT REPORTER: I'm sorry; was that 14 you, Mr. Redd? 15 MR. REDD: Same objection by Justin Redd. 16 THE COURT REPORTER: Thanks. 17 MR. REDD: You may answer. 18 <b>A No.</b> 19 Q Okay. I'd like to show you another 20 e-mail. 21 MR. STERN: This one, Heather, is dated 22 August 21, 2017, at 9:32 p.m.</p>
<p style="text-align: right;">170</p> <p>1 <b>A Please repeat your question.</b> 2 MR. STERN: Could you repeat the 3 question, Madam Court Reporter. 4 (The pending question was read.) 5 MR. JORDAN: Objection; asked and 6 answered. 7 <b>A I don't understand that question. It</b> 8 <b>sounds like there's about three questions in</b> 9 <b>there.</b> 10 Q Well, prior to your employment with 11 Compass Marketing ending, did you take any money 12 from the company that you did not earn? 13 <b>A My employment with Compass Marketing has</b> 14 <b>not ended.</b> 15 MR. JORDAN: Objection to relevance 16 anyway. 17 Q Any time prior to today have you taken 18 any money from Compass Marketing that you did not 19 earn? 20 MR. JORDAN: Objection to relevance. 21 MR. REDD: Objection to asking the same 22 question repeatedly. Objection to form.</p>	<p style="text-align: right;">172</p> <p>1 Madam Court Reporter, what exhibit number 2 is this? 3 THE COURT REPORTER: This is Exhibit 19. 4 (White Deposition Exhibit 19 marked for 5 identification and is attached to the transcript.) 6 Q I'm showing you what's been marked as -- 7 will be or is marked as Exhibit 19. This is an 8 e-mail from Daniel White to you dated August 21, 9 2017, at 9:32 p.m. In the upper right-hand corner 10 it has your e-mail address on it. Do you see 11 that? 12 <b>A I see what you have on the screen, yes.</b> 13 THE WITNESS: Can you also scroll down to 14 the bottom so -- 15 MR. JORDAN: Objection to relevance of 16 anything having to do with this. No relevance at 17 all to this lawsuit. 18 Q Mr. White, why is your name printed in 19 the upper right-hand corner? 20 MR. REDD: Objection to form. 21 MR. JORDAN: Objection to relevance. He 22 was an employee at the time. What's the point of</p>

173	1 this? 2 Q Mr. White? 3 MR. REDD: I agree with Mr. Jordan's 4 objection. 5 You can answer for now. 6 A I don't know. 7 Q Did you print this e-mail? Is that why 8 it shows your name at the top right corner? 9 MR. JORDAN: Objection to relevance. 10 A I don't know. 11 Q In the e-mail the first -- the text of 12 the e-mail from Daniel White to you says: "Just 13 while it is in front of me, and the TAG boys are 14 robbing us blind..." It says "Emily Patricia 15 White" and it gives a bunch of information, 16 including bank information. Who is Emily Patricia 17 White? 18 MR. JORDAN: Objection; relevance. 19 MR. REDD: Objection. Yeah, objection. 20 This is -- unless I'm missing something, goes to a 21 similar line of questioning that I didn't hear any 22 different justification for as before, so my	175	1 MR. STERN: Can you please repeat it, 2 Madam Court Reporter. 3 (The pending question was read.) 4 A No. 5 Q Have you ever fabricated any loan 6 arrangement between you and Compass Marketing? 7 MR. JORDAN: Objection; relevance. 8 MR. REDD: Objection. This question is 9 being asked in bad faith. They're unreasonably 10 annoying and oppressive. They're for an improper 11 purpose. 12 Go ahead and answer. 13 A Can you please give me a definition of 14 fabricate? 15 Q A loan that is not real or authentic. 16 MR. JORDAN: Objection; confusing. I 17 don't understand what that means. 18 MR. REDD: The answer was no. 19 MR. STERN: I didn't hear that from Mr. 20 White. 21 MR. REDD: He said it. 22 Q Can you repeat the answer then, Mr.
174	1 earlier objections stand as to this document, and 2 I instruct the witness not to answer on the basis 3 of Rule 30(c)(2). 4 Q Have you at any point discussed with 5 Daniel White a BS loan? 6 MR. JORDAN: Objection to relevance. 7 MR. REDD: Same objection. 8 Same instruction. 9 Q Do you know whether Daniel White has any 10 loans that are not real loans to or from Compass 11 Marketing? 12 MR. JORDAN: Objection to vague, 13 unintelligible, and relevance. 14 MR. REDD: Same objection. 15 Same instruction. 16 Q Have you ever planned with Daniel White 17 to fabricate a loan arrangement between him and 18 the company? 19 MR. JORDAN: Objection to relevance. 20 MR. REDD: Same instruction. You can 21 answer that question if you can. 22 A Can you repeat the question?	176	1 White? 2 A No. 3 Q Do you know what BS loan Daniel White is 4 referring to in this e-mail? 5 MR. JORDAN: Objection to relevance. 6 MR. REDD: Objection. Objection to the 7 characterization and objection to the assumptions 8 implicit in the question. 9 In addition to the reasons I stated on 10 the record earlier, I instruct you not to answer. 11 This is clearly beyond the scope of 12 permitted discovery. 13 MR. STERN: Again, it goes to motive, 14 credibility. 15 MR. JORDAN: I dispute that 16 characterization. 17 MR. REDD: Those reasons are not 18 sufficient for -- for any of these lines of 19 questioning. 20 MR. STERN: Like I said, Justin, we'll be 21 taking that up with the Court. 22 Q I'd like to show you a check. It's dated

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1 December 1, 2015.  
2 MR. STERN: I guess this is Exhibit No.  
3 20.  
4 THE COURT REPORTER: That's correct.  
5 (White Deposition Exhibit 20 marked for  
6 identification and is attached to the transcript.)  
7 Q This is Check No. 09376 from Compass  
8 Marketing, Inc., paid to the order of Daniel J.  
9 White in the amount of \$65,000. The memo says  
10 "Final Payments to James DiPaula and Patrick  
11 Miller."  
12 Is that your signature on the check?  
13 **A Don't know.**  
14 Q Do you recall writing this check and  
15 signing it to be payable to Daniel White?  
16 **A No.**  
17 Q Do you deny signing this check that was  
18 made payable to Daniel White?  
19 **A No.**  
20 Q Do you know what the purpose of this  
21 check was for?  
22 **A No.**

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1 Q Do you know why the amount of \$65,000 is  
2 on that check?  
3 **A No.**  
4 MR. REDD: I object to this entire line  
5 of questioning about this check. It says it's to  
6 James DiPaula. His -- any of his compensation was  
7 ruled to be not discoverable in the case.  
8 MR. STERN: Like we said, we're going to  
9 be filing a motion about that and it sounds like  
10 Mr. Jordan is going to be joining in part of it.  
11 All right. Next up I would like to --  
12 Heather, why don't we pull up the signature card  
13 on the bank.  
14 Q So I'm showing what has been marked as  
15 Exhibit No. 21.  
16 (White Deposition Exhibit 21 marked for  
17 identification and is attached to the transcript.)  
18 Q Do you recognize this document?  
19 **A I do not.**  
20 Q Did you open a bank account in Compass  
21 Marketing's name with a bank known as County First  
22 Bank on or about December 1, 2008?

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1 MR. REDD: Objection to relevance to  
2 anything to do with Boshea versus Compass  
3 Marketing in this case.  
4 You can answer.  
5 **A I opened a bank account. I don't  
6 remember what date it was.**  
7 Q Is that your signature on this document?  
8 **A I don't know.**  
9 Q When you opened the bank account with  
10 County First Bank, did you list -- what address  
11 did you list as Compass Marketing's address?  
12 **A I don't know.**  
13 Q Does this document indicate Compass  
14 Marketing's address as 39650 Hiawatha Circle in  
15 Mechanicsville, Maryland?  
16 **A It does.**  
17 Q Is that your home address?  
18 **A It is.**  
19 Q Why would Compass Marketing open a bank  
20 account with your home address listed as the  
21 business' address?  
22 MR. REDD: Same objections.

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1 You can answer.  
2 **A All of our bank accounts were opened with  
3 that address.**  
4 Q Every single bank account was opened with  
5 that address?  
6 **A Correct.**  
7 Q Why did the bank accounts go to your home  
8 address rather than the company's address?  
9 **A Because that's the address on the form.**  
10 Q Why was that address put on the form?  
11 **A That's the address that --**  
12 MR. JORDAN: Objection to relevance.  
13 **A That's the address we --**  
14 MR. REDD: Go ahead, yes. I object to  
15 relevance, but go ahead.  
16 **A That's the address we put on all our bank  
17 forms and all our payroll forms and all our 401K  
18 forms. And most of our government forms had that  
19 address on them.**  
20 Q All right.  
21 MR. STERN: Let's switch back to the last  
22 exhibit for a moment.

<p>181</p> <p>1 Q Is that the Hiawatha address you're 2 referring to that's on every form? 3 MR. REDD: Objection to the form of the 4 question -- 5 MR. STERN: Fair enough. Let me rephrase 6 the question. 7 MR. REDD: Same time frame. 8 THE COURT REPORTER: I'm sorry, Mr. Redd; 9 can you -- can you repeat that? 10 MR. REDD: I object to the form because 11 the questions implicitly refer to the same time 12 frame, which is not -- not what's being fought 13 about. 14 Q Is the address listed on this check the 15 Hiawatha Circle address that you just identified? 16 <b>A The check that you're producing on the 17 screen, it is not.</b> 18 Q Is this from a Compass Marketing checking 19 account? 20 <b>A The form you have on the screen appears 21 to be a check from Compass Marketing checking 22 account.</b></p>	<p>183</p> <p>1 address is listed on this check for Compass 2 Marketing? 3 MR. REDD: Objection to lack of 4 connection to this case. 5 You can answer. 6 <b>A Please repeat your question.</b> 7 Q Do you know why this check has identified 8 Compass Marketing's address as 222 Severn Avenue, 9 Suite 200, Annapolis, Maryland 21403? 10 MR. REDD: Same objection. 11 Go ahead. 12 <b>A That's the address that was printed on 13 the check when it was printed.</b> 14 Q Is that a mistake by the bank? 15 MR. REDD: Objection; form. 16 MR. JORDAN: Objection; foundation, that 17 the bank printed the check. 18 Q Do you deny writing this check? 19 <b>A No.</b> 20 Q Do you -- is that not a correct address 21 that's listed on the check? 22 MR. REDD: Same objection.</p>
<p>182</p> <p>1 Q So did Compass Marketing open a checking 2 account with the Manufacturers &amp; Traders Trust 3 Company where the address listed was in Annapolis 4 rather than Mechanicsville, Maryland? 5 <b>A No.</b> 6 MR. REDD: I'll object to lack of any 7 connection to this case. 8 You can answer. 9 <b>A No.</b> 10 Q So this is not a real Compass Marketing 11 check? 12 MR. JORDAN: Objection. You're 13 mischaracterizing his testimony. 14 MR. REDD: Go ahead. 15 <b>A Please repeat your question.</b> 16 Q Is this not a real Compass Marketing 17 check? 18 MR. REDD: Objection to form. 19 <b>A It appears to be a Compass Marketing 20 check.</b> 21 Q Do you know why then the 222 Severn 22 Avenue, Suite 200, Annapolis, Maryland 21403</p>	<p>184</p> <p>1 Go ahead. 2 <b>A The address that is printed on there --</b> 3 MR. JORDAN: Asked and answered also. 4 <b>A The address printed on that check is 222 5 Severn Avenue, Suite 200, Annapolis, Maryland 6 21403.</b> 7 Q How do you reconcile that address being 8 listed on the check with what you just said, all 9 the forms you have with banks listed the Hiawatha 10 address? 11 MR. JORDAN: Objection; that's not -- 12 that's a mischaracterization of the testimony. He 13 was talking about bank cards, not all bank forms. 14 MR. STERN: His testimony said all bank 15 forms. Thank you. 16 THE COURT REPORTER: I'm sorry, Mr. Redd 17 or Mr. White; did you say something? 18 MR. REDD: The same objection as 19 Mr. Jordan and to the form of the question. 20 Q Go ahead, Mr. White. 21 <b>A Please repeat your question, Mr. Stern.</b> 22 MR. STERN: Can you repeat -- can you</p>

<p>185</p> <p>1 read back my question. 2 (The pending question was read.) 3 <b>A The check that you produced on the screen</b> 4 <b>is not the form for creating the bank account.</b> 5 Q How do -- do you know why the check would 6 list this address then? 7 <b>A Because that's what's printed on the</b> 8 <b>check.</b> 9 Q Why would that address be printed on the 10 check? 11 <b>A Because somebody printed it -- that</b> 12 <b>address on the check.</b> 13 Q Wouldn't someone from the bank have to 14 put that address into some account information 15 that was provided to it? 16 MR. REDD: Objection to form. 17 <b>A I don't --</b> 18 MR. JORDAN: Objection for speculation. 19 <b>A I don't believe so.</b> 20 Q Going back to the bank form that's -- 21, 21 was it? -- the only signatures that appear on this 22 document are yours and Daniel White's; correct?</p>	<p>187</p> <p>1 Go ahead. 2 <b>A I don't know.</b> 3 Q Did John White receive any distributions 4 or payments from this bank account? 5 MR. REDD: Objection -- 6 MR. JORDAN: Objection; calls for 7 speculation. 8 MR. REDD: Sorry, Mr. Jordan. 9 Steve, can I just have a continuing 10 objection to this line of questioning? I'm not 11 instructing him not to answer at this time, but I 12 don't want to just keep jumping in unnecessarily. 13 So... 14 MR. STERN: I appreciate it. While I'll 15 acknowledge you have a continuing objection, I 16 don't acknowledge the merits of the objection, I 17 disagree with the merits. But for the purposes of 18 trying to simplify this process, I'll acknowledge 19 that you've got one on the record. 20 MR. JORDAN: Stephen, can I have a 21 continuing objection to the relevance of this line 22 of questioning?</p>
<p>186</p> <p>1 <b>A I don't know.</b> 2 Q Why did you not include John White's name 3 on this signature card? 4 MR. REDD: Objection; no connection to 5 this case. We're going around in circles with 6 questions that have nothing to do with Boshea 7 versus Compass Marketing in the District of 8 Maryland, United States District Court for the 9 District of Maryland. Where are we going with 10 this? 11 Go ahead and answer. 12 <b>A Please repeat your question, Mr. Stern.</b> 13 Q Why was John White's signature not 14 included on the signature card for this bank 15 account? 16 MR. REDD: Same objection. 17 <b>A I -- I don't know.</b> 18 Q Did John White know about this bank 19 account? 20 MR. JORDAN: Objection; calls for 21 speculation. 22 MR. REDD: Objection; same objection.</p>	<p>188</p> <p>1 MR. STERN: Likewise I'll acknowledge 2 that you've got one. I don't agree with the 3 merits of it and dispute that. But for purposes 4 of preserving the record, you've got your 5 continuing objection noted. 6 Q Mr. White? 7 <b>A Please repeat your question, Mr. Stern.</b> 8 MR. STERN: Can you read it back, Madam 9 Court Reporter. 10 (The pending question was read.) 11 <b>A I don't know.</b> 12 Q Who would know that information? 13 <b>A That would be a guess on my part.</b> 14 Q Were you and David White the only ones 15 who were authorized to write checks from this bank 16 account? 17 <b>A I don't think so, no.</b> 18 Q Who else had authority to write checks 19 from that bank account? 20 <b>A I believe John White had authority to</b> 21 <b>write checks from this account. I believe he had</b> 22 <b>a different signature card.</b></p>



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1 Q Why would John White have a different  
2 signature card for this bank account?  
3 A **I believe John White signed his card at a  
4 different time than Daniel and I signed our card.**  
5 Q What was the purpose of this bank  
6 account?  
7 A **To take care of checks for Compass  
8 Marketing.**  
9 Q Was this the operating account for  
10 Compass Marketing?  
11 A **It was one of the operating accounts.**  
12 Q How many operating accounts did Compass  
13 Marketing have at this time?  
14 A **I believe three.**  
15 Q Which banks were they with?  
16 A **I believe M&T Bank; this bank I think is  
17 Colony or Colonial First; and I think a bank that  
18 was originally called Orange Bank purchased by  
19 Capital One.**  
20 Q And were those the three operating  
21 accounts that -- maintained by Compass Marketing  
22 until November 2018?

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1 A **I -- I don't believe that any of the  
2 three ceased existence in 2018.**  
3 Q That wasn't my question. Were those the  
4 three operating accounts for Compass Marketing all  
5 the way through to November 2018?  
6 A **No.**  
7 Q So Compass Marketing had more or less  
8 operating accounts between December 1, 2008, and  
9 November 2018?  
10 A **I don't believe they had more, no.**  
11 MR. REDD: To the extent my continuing  
12 objection doesn't already cover it, object to the  
13 form.  
14 Q So did any of these three that you  
15 mentioned terminate before November 2018?  
16 A **Not to my knowledge, no.**  
17 Q I would like to show you another  
18 signature card. This one is also with County  
19 First Bank to have opened the account on June 13,  
20 2009, and it only lists your signature on the  
21 signature card. Do you see that?  
22 A **I see the form you have on the screen,**

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1 **yes.**  
2 Q Is that your signature?  
3 A **I don't know. I have no reason to  
4 believe it is not, but I don't know.**  
5 (White Deposition Exhibit 22 marked for  
6 identification and is attached to the transcript.)  
7 Q Did you open this bank account with  
8 County First Bank?  
9 A **I'm not sure that that is a bank account.**  
10 Q What -- then what would this account be?  
11 A **I believe it is --**  
12 MR. REDD: Can you scroll back up.  
13 Sorry; we're -- we're looking at the bottom.  
14 A **I believe it is a deposit account to hold  
15 the security for the bond for our rental in  
16 Annapolis, Maryland, our -- our rental lease.**  
17 Q And how long was this account open for?  
18 A **I don't know.**  
19 Q Did anyone have the authority to operate  
20 this account or take action regarding this account  
21 other than you?  
22 A **I don't know.**

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1 Q Did you authorize anyone to take any  
2 action in connection with this bank account other  
3 than yourself?  
4 A **Can you define authorize for me?**  
5 Q Who did you give permission to take any  
6 action with respect to this bank account other  
7 than yourself?  
8 MR. JORDAN: I'm confused by that  
9 question so I object.  
10 A **I would ask you to explain the question a  
11 little more, Mr. Stern. I don't -- I don't  
12 understand what you're asking.**  
13 Q Who did you give permission to to take  
14 action with respect to this bank account?  
15 MR. JORDAN: Objection to foundation.  
16 A **I didn't give anyone formal approval or  
17 disapproval for using this -- this deposit  
18 account.**  
19 Q It says here: "Number of signatures  
20 required for withdrawal 1," and it lists your  
21 signature.  
22 A **Is that a question?**

<p style="text-align: right;">193</p> <p>1 Q Does that help refresh your recollection 2 as to whether or not anyone could -- can take 3 action with respect to this bank account other 4 than you? 5 <b>A No.</b> 6 Q Do you -- is there anyone that could take 7 action with respect to this bank account other 8 than you? 9 <b>A I don't know.</b> 10 Q Do you recall giving anyone permission to 11 take action with respect to this bank account 12 other than you? 13 <b>A I don't recall giving a formal 14 authorization for anything with this account.</b> 15 Q Do you recall giving anyone informal 16 permission to take action with respect to this 17 bank account? 18 <b>A I do not.</b> 19 Q Did any money from this bank account go 20 to anyone other than you? 21 <b>A I don't believe any of the money from 22 this account went to me, but I don't know if it</b></p>	<p style="text-align: right;">195</p> <p>1 MS. YEUNG: Do you want the 2019 list? 2 MR. STERN: Yes. The one that ends with 3 February 12, 2019. 4 THE COURT REPORTER: And this will be 5 Exhibit 23. 6 MR. STERN: Not that one. It's a list of 7 transactions. We'll go back to this one 8 afterwards. 9 MS. YEUNG: Sorry. 10 (White Deposition Exhibit 23 marked for 11 identification and is attached to the transcript.) 12 Q In the upper left-hand corner do you see 13 the account number that we were just looking at? 14 The only signature -- the only signature on the 15 account was yours. 16 Going down to the very bottom, it shows 17 that the account was closed on February 12, 2019. 18 MR. JORDAN: I don't see that, Stephen. 19 MR. STERN: Now it should be visible to 20 everyone. 21 Q And it shows a withdrawal of \$53,158.18. 22 Where did that money go?</p>
<p style="text-align: right;">194</p> <p>1 <b>went to anyone else.</b> 2 MR. REDD: And just so it's clear, my 3 continuing objection still applies to all these 4 questions that are being asked. 5 THE COURT REPORTER: I'm sorry, Mr. Redd; 6 I can't hear you. 7 MR. REDD: My continuing objection 8 applies to all the questions that are being asked 9 about this document. 10 MR. JORDAN: I -- I believe mine are as 11 well, Stephen; is -- is that correct? I mean, we 12 have that agreement. 13 MR. STERN: I'm acknowledging each of you 14 have a standing objection. 15 MR. JORDAN: Right. I will say that if I 16 could -- if I could object to relevance twice, 17 particularly after we're looking at a certificate 18 deposit account, I would, but I already have a 19 continuing objection. 20 Q I'm going to show you a new exhibit. 21 It's a list of transactions related to the last 22 account we were just looking at.</p>	<p style="text-align: right;">196</p> <p>1 MR. JORDAN: And can I continue to have 2 my continuing objection as to this exhibit just to 3 make sure? 4 MR. STERN: Again, I'll acknowledge that 5 you've got an objection or you made an objection; 6 not that there's merit to it. 7 MR. REDD: Same objection for me. Same 8 as if I -- 9 MR. STERN: Likewise. 10 MR. REDD: Stephen, thank you. 11 <b>A I don't know where those funds went.</b> 12 Q Why was the account closed on February 13 12, 2019? 14 MR. JORDAN: Objection. The document is 15 the best evidence of its terms and it states why 16 it was closed. 17 <b>A I don't know.</b> 18 Q All right. I want to show you a series 19 of checks. 20 (White Deposition Exhibit 24 marked for 21 identification and is attached to the transcript.) 22 MR. STERN: This will be Exhibit -- what</p>

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1 is it -- 24? 25?  
2 MR. REDD: 24.  
3 MR. JORDAN: It's 24.  
4 THE COURT REPORTER: Exhibit 24.  
5 Q In particular -- so this is a bunch of  
6 checks that purport to be from a Compass Marketing  
7 account with the address listed on the checking  
8 account as 222 Severn Avenue, Building 14, Suite  
9 200, Annapolis, Maryland 21403.  
10 In particular I'm going to direct your  
11 attention to Check No. 1160. Same date as the  
12 closing of that other account, February 12, 2019,  
13 shows a check made payable to the order of Michael  
14 R. White to the amount -- in the amount of  
15 \$200,000. This is from County First Bank in  
16 Waldorf, Maryland. Is that your signature on that  
17 check?  
18 **A I don't know.**  
19 MR. JORDAN: And can I have -- do we  
20 still have a continuing objection to this line?  
21 MR. STERN: Yes. Acknowledged that the  
22 objection has been made; not the merit of it.

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1 MR. REDD: This is Justin Redd. I'm  
2 assuming that it's continuing until we stop it, if  
3 that's okay.  
4 MR. STERN: I will agree to that as well.  
5 MR. JORDAN: Do you agree to that with  
6 me, Stephen?  
7 MR. STERN: Likewise.  
8 MR. JORDAN: Thank you.  
9 Q Mr. White, is that your signature?  
10 **A I don't know.**  
11 Q Did you write a check to yourself for the  
12 amount of -- in the amount of \$200,000 on February  
13 12, 2019?  
14 **A I don't know.**  
15 Q On the back of the check it shows an  
16 endorsement dated February 14, 2019. Is that your  
17 signature endorsing the check?  
18 **A Don't know.**  
19 Q Did you -- why would you have -- why  
20 would there be a check to you in the amount of  
21 \$200,000 dated February 12, 2019?  
22 **A I don't know.**

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1 Q Did John White and/or Dan White approve  
2 this check to be written to you?  
3 **A I don't know.**  
4 Q What about the check to the left of it,  
5 Check No. 1165, made payable to American Express  
6 in the amount of \$6,258.23 -- 26 cents dated  
7 February 13, 2019. Do you see that?  
8 **A I see it on the screen, yes.**  
9 Q Was that check written after you were  
10 locked out -- was that check written after you  
11 claim you were locked out of Compass Marketing?  
12 **A I don't know.**  
13 Q Do you remember what date you claim you  
14 were locked out of Compass Marketing?  
15 **A There was not a specific date. I was**  
16 **locked out of different things on different days.**  
17 Q What about the check above it, Check No.  
18 1180 for \$20,000 made payable to you, signed by  
19 you; did you write that check?  
20 **A Don't know.**  
21 Q Is that your signature?  
22 **A Don't know.**

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1 Q That check, you don't remember writing or  
2 cashing the check dated July 10, 2019, in the  
3 amount of \$20,000?  
4 **A Repeat the question, please.**  
5 MR. STERN: Someone's got -- has got  
6 something on where I keep hearing a loud  
7 reverberation.  
8 THE COURT REPORTER: I'm hearing it also.  
9 MR. JORDAN: I don't know what it is. I  
10 haven't turned anything on or off since we  
11 started.  
12 VIDEO TECHNICIAN: I think it could be  
13 coming from the phone line that the witness is on.  
14 I'm not positive.  
15 MR. STERN: Okay. Hopefully that's  
16 not -- hopefully it will stop because we haven't  
17 had that issue up until now.  
18 Can you repeat my question, Madam Court  
19 Reporter.  
20 (The pending question was read.)  
21 **A I don't know if that is a check that I**  
22 **wrote or not.**

201	<p>1 Q In the memo it says LTC. Does that help 2 you remember what it might be related to? 3 <b>A I know what LTC means.</b> 4 Q What does LTC mean? 5 <b>A Loan to company.</b> 6 Q Are you -- so would this be a check that 7 you claim was a payment back from the company for 8 a loan you made to the company? 9 <b>A I don't know.</b> 10 Q Do you recall writing the checks to 11 American Express in May of 2019? 12 <b>A I recall writing checks to American</b> 13 <b>Express, but I don't remember the dates.</b> 14 Q Why would you write checks to American 15 Express? 16 <b>A To pay the bills.</b> 17 Q Was this check, No. 1165, the American 18 Express bill for which credit card or credit 19 cards? 20 <b>A I don't know.</b> 21 Q Did you have your own American Express 22 credit card?</p>	203	<p>1 MR. STERN: Heather, you can take that 2 exhibit down. Thank you. 3 Q Did your wife work for Compass Marketing 4 at any point in time? 5 MR. REDD: (Indiscernible). 6 MR. JORDAN: I don't need to restate my 7 continuing objection; right? 8 MR. STERN: It's fine. I'll acknowledge 9 that the objection is made; not that it's merited. 10 And, Justin, I will go ahead and offer 11 that up to you, too. 12 MR. REDD: This is Justin. I was asking 13 whether we were going to be in a similar line of 14 questioning or whether we were moving to something 15 else. 16 MR. STERN: So I'm just asking... 17 Q The question is, Mr. White, did your wife 18 work for Compass Marketing at any point in time? 19 <b>A Yes.</b> 20 Q When did she start working for Compass 21 Marketing? 22 <b>A About 1998.</b></p>
202	<p>1 MR. JORDAN: Objection; time frame. 2 Q In May 2019. 3 <b>A I had an American Express credit card in</b> 4 <b>May of 2019, yes.</b> 5 Q Was it for the company or you personally 6 or both? 7 <b>A I had an American Express card as the</b> 8 <b>owner of Compass Marketing in the name of Compass</b> 9 <b>Marketing.</b> 10 Q And so that credit card was supposed to 11 be used for business purposes? 12 <b>A I -- I don't know.</b> 13 Q Why would you have a credit card in 14 Compass Marketing's name for -- why would you have 15 a credit card in Compass Marketing's name? 16 <b>A Because I was an owner of Compass</b> 17 <b>Marketing and I paid a lot of bills with the</b> 18 <b>American Express card.</b> 19 Q Was that credit card used only for 20 Compass Marketing purposes? 21 <b>A Probably not, but I don't know for sure.</b> 22 Q Did --</p>	204	<p>1 Q And when -- is she still working for 2 Compass Marketing? 3 <b>A She has never been terminated.</b> 4 Q Is she still working for Compass 5 Marketing? 6 <b>A She's never been terminated.</b> 7 Q That's not my question. 8 <b>A That's my answer.</b> 9 Q Has she resigned from Compass Marketing? 10 <b>A I don't know.</b> 11 Q Was she issued a Compass Marketing e-mail 12 address? 13 <b>A Yes.</b> 14 Q What duties did she perform for Compass 15 Marketing? 16 MR. JORDAN: Stephen, can you indicate in 17 some small fashion what this has to do with David 18 Boshea and his lawsuit? Because even if -- 19 MR. STERN: Those two -- 20 MR. JORDAN: Even if you're trying to 21 show bias or -- or motivation or whatever, at some 22 point the Court will cut you off. And so, you</p>

<p style="text-align: right;">205</p> <p>1 know, tell me other than -- other than your 2 motivation ideal, what is the -- what does this 3 have to do with David Boshea for the price of tea 4 in China? 5 MR. STERN: Mr. White, will you step out 6 of the room for a moment, please. 7 VIDEO TECHNICIAN: As he does, if Heather 8 could mute her microphone. It's possibly hers. 9 (Mr. White left the room.) 10 MR. REDD: For the record, I agree with 11 Greg. I'm trying to let you explore areas that, 12 you know, the Court clearly hasn't foreclosed, 13 but, yeah, there's no connection. The continuing 14 objection still stands. I -- you're not 15 acknowledging that you agree with it, of course, 16 but, yeah, we'll... 17 MR. STERN: So Compass Marketing contends 18 there's been a pattern of practiced behavior by 19 Mr. Michael White and Dan White to find different 20 avenues to extract money from this company to 21 themselves and to other individuals that was not 22 properly earned or owed, including to their wives.</p>	<p style="text-align: right;">207</p> <p>1 can't link that, that something that happened ten 2 years later has anything to do with what happened 3 in 2007. And, I mean, I don't even buy it -- 4 MR. STERN: According to Mr. White -- 5 MR. JORDAN: -- because you already had 6 John Adams, who had a -- had a severance agreement 7 at the same time as David Boshea. So -- 8 MR. STERN: According to Mr. White, it's 9 -- 10 MR. JORDAN: -- I don't understand the 11 relevance of this at all. It is too far from the 12 events in question to have anything to do with 13 what happened with David Boshea, even assuming 14 your assumption is somehow in 2007 they created 15 this document with David Boshea, ten years later 16 they hired, wrongfully hired, Michael White's 17 wife. Big deal. I don't care and the Court 18 doesn't care. You're not going to be able to make 19 that connection. 20 MR. STERN: I disagree with you. 21 Can we bring Mr. White back in? 22 MR. REDD: Yeah, for the record, I agree</p>
<p style="text-align: right;">206</p> <p>1 And it would be part and parcel of the same 2 pattern and practice and misconduct as they are 3 trying to do the same here to Mr. Boshea, where 4 they're trying to help him come up with a false 5 and fraudulent severance agreement that doesn't 6 exist to try to extract money from the company in 7 their effort to do harm to the company. 8 That's -- 9 MR. JORDAN: That's irrelevant. 10 MR. STERN: -- my relevance argument, and 11 if you want to take it up with the Court, you can. 12 That's the basis and reason for my questions. Mr. 13 White's wife was never properly authorized to work 14 for the company. It's my understanding she never 15 actually performed any duties for the company. 16 MR. JORDAN: Even -- even if that were 17 true and even if Daniel White and Michael White 18 decided to put Michael White's wife on the 19 payroll, that has nothing to do with David Boshea 20 and his severance agreement. 21 MR. STERN: Well, I'm going to move -- 22 MR. JORDAN: It's not -- you can't -- you</p>	<p style="text-align: right;">208</p> <p>1 with and join in what Mr. Jordan said. Let the 2 questions go about background and who worked at 3 the company. And that's -- it seems okay even if 4 it's not really relevant, but this is clearly to 5 try to gain some kind of information to support an 6 unwarranted suspicion for use in other proceedings 7 besides this when there's no connection to this 8 case whatsoever. So I'll listen to the next 9 questions you have, but that's my position. 10 (Mr. White entered the room.) 11 BY MR. STERN: 12 Q Mr. White, what job duties did your wife 13 perform for the company? 14 MR. JORDAN: I have my continuing 15 objection so I'm not going to object. I'm not 16 going to restart a new objection. 17 MR. STERN: Thank you. 18 <b>A She performed administrative duties for</b> 19 <b>me and several other jobs.</b> 20 Q Did she perform those duties in the 21 company's office in Annapolis, Maryland? 22 <b>A No.</b></p>

<p style="text-align: right;">209</p> <p>1 Q Did she report to anyone other than you?</p> <p>2 A <b>No.</b></p> <p>3 Q Did Daniel White's wife work for the</p> <p>4 company as well?</p> <p>5 A <b>I didn't hear your -- your question.</b></p> <p>6 Q Did Daniel White's wife work for the</p> <p>7 company as well?</p> <p>8 A <b>Yes.</b></p> <p>9 Q From when until when?</p> <p>10 A <b>Don't know.</b></p> <p>11 Q What duties did she perform for the</p> <p>12 company?</p> <p>13 A <b>An administrative duty assigned by Daniel</b></p> <p>14 <b>White.</b></p> <p>15 Q Did you inform John White about your wife</p> <p>16 performing duties for the company?</p> <p>17 A <b>No.</b></p> <p>18 Q Do you know whether John White was</p> <p>19 advised that Daniel White's wife was performing</p> <p>20 duties for the company?</p> <p>21 A <b>I do not know.</b></p> <p>22 Q How much did your wife make on an</p>	<p style="text-align: right;">211</p> <p>1 Q In 2015 who was the person responsible</p> <p>2 for processing payroll?</p> <p>3 A <b>I was.</b></p> <p>4 Q In 2014 who was the person responsible</p> <p>5 for processing payroll?</p> <p>6 A <b>I was.</b></p> <p>7 Q 2013?</p> <p>8 A <b>I believe I was.</b></p> <p>9 Q What about 2012; who was the person</p> <p>10 responsible for processing payroll?</p> <p>11 A <b>I believe I was.</b></p> <p>12 Q In 2011 who was the person responsible</p> <p>13 for processing payroll?</p> <p>14 A <b>I believe I was.</b></p> <p>15 Q 2010?</p> <p>16 A <b>I believe I was.</b></p> <p>17 Q What about from 2005 to 2009?</p> <p>18 A <b>I believe I was.</b></p> <p>19 Q What about prior to 2005?</p> <p>20 A <b>I don't know for sure.</b></p> <p>21 Q Okay. So did you continue to process</p> <p>22 payroll in 2019?</p>
<p style="text-align: right;">210</p> <p>1 annualized basis for the administrative duties she</p> <p>2 was performing?</p> <p>3 A <b>Don't know.</b></p> <p>4 Q Do you know whether it was more or less</p> <p>5 than a hundred thousand dollars?</p> <p>6 A <b>Don't know.</b></p> <p>7 Q Who's the person that was responsible for</p> <p>8 processing payroll for the company up until</p> <p>9 November 2018?</p> <p>10 A <b>What's the starting date?</b></p> <p>11 Q Let's go each year. In 2018 who was the</p> <p>12 person responsible for processing payroll?</p> <p>13 A <b>I was.</b></p> <p>14 Q In 2017 who was the person responsible</p> <p>15 for processing payroll?</p> <p>16 A <b>I was.</b></p> <p>17 Q In 2016 who was the person responsible</p> <p>18 for processing payroll?</p> <p>19 A <b>I was.</b></p> <p>20 Q In 2015 who was the person responsible</p> <p>21 for processing payroll?</p> <p>22 A <b>I was.</b></p>	<p style="text-align: right;">212</p> <p>1 A <b>Part of it.</b></p> <p>2 Q How much was Debra paid in 2019?</p> <p>3 A <b>Don't know.</b></p> <p>4 Q I want to show you some other documents.</p> <p>5 MR. STERN: Heather, this is going to be</p> <p>6 the Virginia annual report filings. We're going</p> <p>7 to start back with 2000 and -- let's do the</p> <p>8 Virginia filing dated February 29, 2008.</p> <p>9 MR. JORDAN: Can I have the continuing</p> <p>10 objection to the relevance of the registered agent</p> <p>11 filings, Stephen?</p> <p>12 MR. STERN: These are not registered</p> <p>13 agent filings.</p> <p>14 MR. JORDAN: What are they?</p> <p>15 MR. STERN: These are State Corporation</p> <p>16 Commission filings.</p> <p>17 MR. JORDAN: Okay. Can I have a</p> <p>18 continuing objection to the State Commission</p> <p>19 registration filings?</p> <p>20 MR. STERN: I'll acknowledge you've made</p> <p>21 an objection. I will not agree that it's merited.</p> <p>22 MR. JORDAN: And the objection is</p>

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1 relevance, just to be clear on the record.  
2 MR. STERN: Understood.  
3 What exhibit number are we up to, Madam  
4 Court Reporter?  
5 MR. REDD: And a continuing objection for  
6 the reasons I previously stated. Sorry.  
7 MR. STERN: Thank you. I will  
8 acknowledge the same thing for Mr. Redd.  
9 THE COURT REPORTER: And this will be  
10 Exhibit 25.  
11 MS. YEUNG: 25, yes.  
12 (White Deposition Exhibit 25 marked for  
13 identification and is attached to the transcript.)  
14 Q Mr. White, I'm showing you what's been  
15 marked as -- or will be marked as Exhibit 25.  
16 It's a Virginia Commonwealth State Corporation  
17 Commission filing dated -- well, it says due date  
18 2/29/2008. It looks like it's signed on January  
19 15, 2008. Is that your signature?  
20 **A I don't know.**  
21 Q Does that look like your signature?  
22 **A It appears to be my signature.**

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1 Q Were you the person responsible for  
2 filling out these State Corporation Commission  
3 filings in 2008?  
4 **A I don't know if I was responsible for**  
5 **doing it, but I did it.**  
6 Q Okay. So you did file this form with the  
7 State of Virginia -- I'm sorry -- the Commonwealth  
8 of Virginia in 2008; correct?  
9 **A I filed a form similar to this one in**  
10 **2008.**  
11 Q What is different between this form that  
12 you're looking at right now and the one that you  
13 filed in 2008?  
14 **A Don't know.**  
15 Q Does this form list 222 Severn Avenue,  
16 Building 14, Suite 200, Annapolis, Maryland 21403  
17 as the company's address?  
18 **A No. I think it -- I think it lists it as**  
19 **19 612 Third Street, Suite 200, I believe.**  
20 Q Isn't that crossed off and handwritten in  
21 as 222 Severn Avenue?  
22 **A It is crossed off --**

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1 MR. JORDAN: Is Heather going to be  
2 sharing this document with us by e-mail?  
3 MR. STERN: Yes.  
4 MS. YEUNG: Yes. I'm sorry; I need to  
5 extract it from this particular pdf and can't do  
6 it while we're viewing it.  
7 **A There is a section where that address is**  
8 **crossed out and 222 Severn Avenue is written in,**  
9 **yes.**  
10 Q And next to that -- and that's listed  
11 where the -- and where it's crossed off, that's  
12 under John White's name and to the right of that  
13 is a separate box where it lists your name, title  
14 VP of operations, and it lists the same 222 Severn  
15 Avenue, Building -- Suite 200, Annapolis, Maryland  
16 address; correct?  
17 **A That's what it says, yes.**  
18 Q Why does this document list this  
19 Annapolis, Maryland, address as the company's  
20 address, but the bank cards we looked at list your  
21 home address as the company's address?  
22 **A I -- I don't know why they're different**

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1 **other than that the address we used for this form**  
2 **and the Mechanicsville address is the form -- is**  
3 **the address we use for bank records and 401K and**  
4 **payroll.**  
5 Q John White was aware that you were using  
6 your home address for bank rec -- bank accounts,  
7 401K, and those other accounts that you  
8 identified?  
9 MR. REDD: Objection to form to the  
10 extent --  
11 MR. JORDAN: Objection; calls for  
12 speculation.  
13 THE COURT REPORTER: I'm sorry; I didn't  
14 hear anybody other than Mr. Jordan.  
15 MR. REDD: My objection is also to the  
16 form of the question to the extent that the  
17 continuing objection did not already cover that.  
18 Go ahead.  
19 **A I don't know what John White knew or**  
20 **didn't know.**  
21 Q Did you typically list the Annapolis,  
22 Maryland, address on these Virginia State

<p style="text-align: right;">217</p> <p>1 Corporation Commission filings? 2 MR. REDD: Objection to form again. 3 <b>A I -- I believe so, but I don't know for</b> 4 <b>sure.</b> 5 MR. STERN: Why don't we go with -- why 6 don't we show a different one dated -- due date 7 February 27, 2009, signed 12/29/08. 8 MR. JORDAN: Stephen, when there's a good 9 time to break, it might be a good idea because 10 we're at the -- getting on top of an hour and 11 we've been going for a while. 12 MR. STERN: Fair enough. Why don't we -- 13 why don't we take a short break. I'm -- why don't 14 we go off the record now and we'll -- we'll resume 15 in ten minutes. 16 MR. JORDAN: Okay. 17 VIDEO TECHNICIAN: The time is 2:59 p.m. 18 We are off the record. 19 (A recess was taken.) 20 (White Deposition Exhibit 26 marked for 21 identification and is attached to the transcript.) 22 VIDEO TECHNICIAN: We are on the record</p>	<p style="text-align: right;">219</p> <p>1 a continuing objection on this line, don't we, 2 Stephen? 3 MR. STERN: Yes. Just -- 4 MR. JORDAN: And I don't expect that 5 you're accepting my objection, just -- it's just 6 noted on the record. 7 MR. STERN: Understood. Thank you. I 8 just -- when I acknowledge, I just want to be 9 clear what I'm acknowledging, that's all. Thank 10 you. 11 BY MR. STERN: 12 Q Mr. White, did you submit this -- 13 <b>A Yes, sir.</b> 14 Q -- report to the State Corporation 15 Commission on behalf of Compass Marketing? 16 <b>A I don't know. I have no reason to</b> 17 <b>believe I didn't, but I don't know.</b> 18 Q Is that your signature at the bottom of 19 the document? 20 <b>A Don't know.</b> 21 Q Does it look like your signature? 22 <b>A It appears to be my signature.</b></p>
<p style="text-align: right;">218</p> <p>1 at 3:12 p.m. 2 MR. STERN: Oh, I'm sorry; we're back on 3 now? 4 VIDEO TECHNICIAN: Yes. 5 MR. STERN: All right. I think when we 6 last left off, we were going to be referring to a 7 new exhibit. It was Exhibit 26, Madam Court 8 Reporter, I think it is? 9 THE COURT REPORTER: Correct. 10 MR. STERN: The State Corporation 11 Commission filing due 2/27/09, signed 12/29/08. 12 MR. REDD: I restate my continuing 13 objection. 14 MR. JORDAN: Is this Exhibit 26? 15 THE COURT REPORTER: It is. 16 MR. REDD: I restate the continuing 17 objection. 18 BY MR. STERN: 19 Q Mr. White -- 20 MR. STERN: I acknowledge that you have 21 made the objection; not the merit of it. 22 MR. JORDAN: I -- we have -- already have</p>	<p style="text-align: right;">220</p> <p>1 Q And this document is dated 12/29/08 and 2 it lists the Compass Marketing address as 222 3 Severn Avenue, Building 14, Suite 200, Annapolis, 4 Maryland 21403? 5 <b>A It does.</b> 6 Q But that's not the address that was 7 listed on those signature cards? 8 <b>A Which signature cards?</b> 9 Q The signature cards of the County First 10 Bank that we referred to earlier. 11 <b>A I don't think that's the same address,</b> 12 <b>no.</b> 13 Q All right. 14 MR. STERN: Now let's go to the filing 15 dated May 6, 2020. 16 Q Did you submit this report to the 17 Virginia State Corporation Commission? 18 <b>A I -- I don't know. I have no reason to</b> 19 <b>doubt it, but I don't know.</b> 20 (White Deposition Exhibit 27 marked for 21 identification and is attached to the transcript.) 22 MR. STERN: Can you scroll to the bottom,</p>



<p style="text-align: right;">221</p> <p>1 Heather.</p> <p>2 Q Does it reflect your name as the one at</p> <p>3 the bottom having submitted it?</p> <p>4 <b>A It reflects my name as the printed name,</b></p> <p>5 <b>the signature name, and the title.</b></p> <p>6 Q And dated May 6, 2020?</p> <p>7 <b>A Yes, yes, May 6, 2020.</b></p> <p>8 Q And it lists the principal address of the</p> <p>9 company at 222 Severn Avenue, Suite 200,</p> <p>10 Annapolis, Maryland 21403?</p> <p>11 <b>A It does.</b></p> <p>12 Q And did you submit this form to the State</p> <p>13 Corporation Commission?</p> <p>14 <b>A I don't know.</b></p> <p>15 Q Do you deny submitting this form to the</p> <p>16 State Corporation Commission?</p> <p>17 <b>A I do not.</b></p> <p>18 Q Why were you submitting a form on behalf</p> <p>19 of the company in May 2020?</p> <p>20 MR. REDD: Objection in addition to the</p> <p>21 continuing objection; form.</p> <p>22 <b>A I don't know that I did.</b></p>	<p style="text-align: right;">223</p> <p>1 MS. YEUNG: Do you have another one you</p> <p>2 would like to put up?</p> <p>3 MR. STERN: Yeah, the one that's -- oh,</p> <p>4 I'm sorry; May -- February 14, 2021.</p> <p>5 (White Deposition Exhibit 28 marked for</p> <p>6 identification and is attached to the transcript.)</p> <p>7 Q This is in similar form. And this one</p> <p>8 appears to have been submitted by your brother</p> <p>9 Daniel White. Do you see his name at the bottom</p> <p>10 there?</p> <p>11 <b>A The printed name on the bottom is Daniel</b></p> <p>12 <b>Joseph White, the signature line is Daniel Joseph</b></p> <p>13 <b>White, and the title is owner.</b></p> <p>14 Q And then it lists the company address as</p> <p>15 your home address?</p> <p>16 <b>A It does.</b></p> <p>17 Q In the section "Title," "Director,"</p> <p>18 "Name," "Address," is that section accurate?</p> <p>19 <b>A It only lists two names, but of what it</b></p> <p>20 <b>lists I think is accurate.</b></p> <p>21 Q So as of February 14, 2021, you</p> <p>22 acknowledge that you and Daniel were no longer</p>
<p style="text-align: right;">222</p> <p>1 Q You're not denying that you did either?</p> <p>2 <b>A I am not.</b></p> <p>3 Q Do you know who else would have submitted</p> <p>4 this form on behalf of the company other than you?</p> <p>5 <b>A I do not.</b></p> <p>6 Q In the section it's a blue high -- it's</p> <p>7 about two-thirds of the way down you see a section</p> <p>8 that says "Title," "Director," "Name," "Address"?</p> <p>9 <b>A I do.</b></p> <p>10 Q Is that section accurate?</p> <p>11 <b>A I don't think it is a hundred percent</b></p> <p>12 <b>accurate, no.</b></p> <p>13 Q What's inaccurate about this document?</p> <p>14 <b>A It appears to me not to list John David</b></p> <p>15 <b>White as an owner.</b></p> <p>16 Q But as of May 6, 2020, John David White</p> <p>17 was an owner of Compass Marketing?</p> <p>18 <b>A To the best of my knowledge.</b></p> <p>19 Q All right.</p> <p>20 MR. STERN: And then take that one down.</p> <p>21 I think we're up to -- the next one will be 28?</p> <p>22 THE COURT REPORTER: That's correct.</p>	<p style="text-align: right;">224</p> <p>1 directors of the company?</p> <p>2 <b>A I'm not acknowledging that, no. I'm</b></p> <p>3 <b>reading that form that you put up on the screen.</b></p> <p>4 Q Well, what was it -- what's inaccurate</p> <p>5 about that section?</p> <p>6 <b>A It contains two -- two -- two members of</b></p> <p>7 <b>the ownership group of Compass Marketing and I</b></p> <p>8 <b>believe there are three.</b></p> <p>9 Q And who do you believe is the third owner</p> <p>10 that's not listed there?</p> <p>11 <b>A I believe it's John White.</b></p> <p>12 Q Besides the omission of John White, is</p> <p>13 there anything else that's inaccurate about this</p> <p>14 document?</p> <p>15 MR. REDD: Object to form.</p> <p>16 <b>A The entire document or?</b></p> <p>17 MR. REDD: Yeah.</p> <p>18 <b>A Are you asking about the entire document</b></p> <p>19 <b>or that section we've just been discussing?</b></p> <p>20 Q Let's focus on that section for the</p> <p>21 moment.</p> <p>22 <b>A The section that has a bar across it,</b></p>

<p style="text-align: right;">225</p> <p>1 "Title," "Director," "Name," "Address," as far as 2 I can tell, that is accurate. As far as I can 3 tell. 4 Q Okay. And in that section -- 5 A Except -- except, like I said, I believe 6 there are three owners of Compass Marketing, John 7 White being the third, and his name is not listed 8 in that block. 9 Q Okay. As far as the company's mailing 10 address up there, is that an accurate listing of 11 the company's mailing address, Mechanicsville, 12 Maryland? 13 A I believe that's one of their mailing 14 addresses, yes. 15 Q It says principal address; correct? 16 A Did you say does it say principal 17 address? 18 Q Yeah, it lists the principal address as 19 Mechanicsville; is that correct? 20 A I can't read the part where it says 21 principal and -- and I don't think we have a 22 principal address. But it does list the</p>	<p style="text-align: right;">227</p> <p>1 Payments to mwhite@compassmarketinginc.com dated 2 November 2, 2020, at 11:31 a.m.? 3 A I see the item you have up on the screen, 4 yes. 5 Q And in there it says "Google Workspace" 6 -- 7 MR. REDD: I'm going to insert the 8 continuing objection again. Sorry to interrupt. 9 Continuing objection still. 10 Q It says: "Google Workspace. Your 11 financial institution declined payment from your 12 MasterCard" ending in "5362 associated with the 13 Google Workspace account for 14 compassmarketinginc.com on Nov 2, 2020." Have you 15 -- 16 A Ask the question again, please. 17 Q Have you been paying to maintain the 18 compassmarketinginc.com e-mail address? 19 A No. 20 Q Have you been receiving the e-mail -- the 21 e-mails to this e-mail account to maintain the 22 compassmarketinginc.com account?</p>
<p style="text-align: right;">226</p> <p>1 Mechanicsville, Maryland, address. 2 Q So how do you decide what to identify as 3 the principal address if there isn't one? 4 A I don't. 5 Q And so you maintain as of -- what's the 6 date of this? -- May -- or February 2021 one of 7 the principal addresses of the company was your 8 Mechanicsville address? 9 A One of the addresses of Compass Marketing 10 was the Mechanicsville address. 11 Q This says "Principal Office Address." 12 A I -- I can't read what kind of address it 13 is; however, I am not saying that one address is a 14 principal above the other two. But Mechanicsville 15 address is one of the addresses of Compass 16 Marketing. 17 Q All right. Then I want to go to a new -- 18 I want to go to an e-mail dated November 2, 2020. 19 MS. YEUNG: Just give me one moment. 20 (White Deposition Exhibit 29 marked for 21 identification and is attached to the transcript.) 22 Q Do you see this e-mail from Google</p>	<p style="text-align: right;">228</p> <p>1 A No. 2 Q Do you know who has been receiving 3 e-mails to maintain the compassmarketinginc.com 4 account? 5 A No. 6 Q Do you have a son named George? 7 A I do. 8 Q Do you know if George has been paying to 9 maintain the compassmarketinginc.com e-mail 10 account? 11 A Not that I'm aware of. 12 Q Do you know -- do you have a MasterCard 13 credit card with the last four digits ending in 14 5362? 15 A I don't know. 16 Q Does George have a credit card, 17 MasterCard credit card, with the last four digits 18 ending in 5362? 19 A I don't know. 20 Q Have you asked George to maintain the 21 compassmarketinginc.com e-mail account? 22 A No.</p>

<p style="text-align: right;">229</p> <p>1 Q Have you asked him to pay any bills for 2 the compassmarketinginc.com e-mail account? 3 <b>A No.</b> 4 Q Prior to today have you seen this e-mail 5 that's now up on the screen that's Exhibit -- 6 MR. STERN: I forgot the number. Is it 7 29? 8 THE COURT REPORTER: 29. 9 <b>A I don't think I have seen this e-mail. I</b> 10 <b>don't think so.</b> 11 Q Is George able to access e-mails to your 12 mwhite@compassmarketinginc.com e-mail account? 13 MR. REDD: Object to form. 14 You can answer. 15 <b>A Not that I'm aware of.</b> 16 MR. JORDAN: Objection; speculation. 17 THE COURT REPORTER: I'm sorry, Mr. 18 White; did you answer? 19 THE WITNESS: I did. Not that I'm aware 20 of; sorry. 21 THE COURT REPORTER: Thank you. 22 Q All right.</p>	<p style="text-align: right;">231</p> <p>1 All right. At this time I have no 2 further questions today. But in light of the 3 number of subjects that were not able to be 4 addressed, this deposition remains open. In light 5 of the number of e-mails that we've received 6 without all the documents being attached and other 7 e-mails that were not produced, this deposition 8 remains open to be addressed further by the Court, 9 as we believe we have not received all the e-mails 10 or other documents that are subject to the 11 subpoenas that were served on Mr. White. 12 With that, I remember -- I know 13 Mr. Jordan said that he had some questions. I'll 14 turn it over to him at this time. 15 MR. JORDAN: Okay. Thank you, Stephen. 16 MR. REDD: One second before I -- 17 MR. JORDAN: Give me just one second. 18 MR. REDD: Do you want to take a quick 19 break to get yourself ready? 20 MR. JORDAN: Do you guys need to take a 21 break before we switch? Justin? 22 MR. REDD: I don't need a break per se,</p>
<p style="text-align: right;">230</p> <p>1 MR. STERN: Let's go to another e-mail 2 dated January 1, 2021. This is also an e-mail 3 from Google Payments to 4 mwhite@compassmarketinginc.com. 5 Q Did you receive this e-mail? 6 <b>A I do not believe so, no.</b> 7 Q Prior to today have you seen this e-mail? 8 <b>A I don't think so, no.</b> 9 MR. STERN: Then let me just clarify. 10 This will be Exhibit I guess 30 for the 11 deposition. 12 THE COURT REPORTER: Correct. 13 (White Deposition Exhibit 30 marked for 14 identification and is attached to the transcript.) 15 Q Did you pay the invoice that's noted on 16 this e-mail? 17 <b>A I don't think so, no.</b> 18 Q Do you know who paid the invoice noted on 19 this e-mail? 20 <b>A I do not.</b> 21 MR. STERN: Just give me one -- I'm going 22 to -- hold on one second.</p>	<p style="text-align: right;">232</p> <p>1 but I just want to see if we can make any progress 2 on any of several issues that either are out there 3 from before that were mentioned today or that -- 4 that we're going to still have a disagreement 5 about. So if this is a good time to do it or 6 after Greg goes, either way, since we're all 7 sitting here talking to each other and it's been 8 difficult to have a conversation where we could 9 resolve some of this stuff possibly beforehand, I 10 would like to -- for the lawyers at least to stay 11 on. We don't have to stay on the record, but 12 since we're all here, I want to do that at some 13 point. 14 MR. STERN: I think it would be good if 15 the lawyers have a conversation afterwards. 16 MR. REDD: Okay. 17 MR. STERN: And I -- I welcome that and I 18 appreciate you making the request, Justin. 19 MR. REDD: Thanks. 20 MR. JORDAN: Okay. Give me a second. 21 Let me save this last e-mail so I don't forget. 22 BY MR. JORDAN:</p>

<p style="text-align: right;">233</p> <p>1 Q Okay. All right. Mr. White, or Michael, 2 what I want to do is -- give me just a second. 3 I'm going to pull up a file here. 4 MR. JORDAN: Can the court reporter give 5 me access to put something up on the screen? I 6 don't know whether I have that access at this 7 moment. 8 THE COURT REPORTER: The tech can help 9 you with that, Mr. Jordan. 10 MR. JORDAN: Terrific. 11 MS. YEUNG: I am pretty sure you do. It 12 should be at the bottom in the middle. It's the 13 green button that said "Share Screen." You can 14 see all of our faces. 15 MR. JORDAN: Okay. Give me -- it looks 16 like I'm going to have to -- the problem is that 17 if I bring up the last e-mail, I have to -- 18 MS. YEUNG: Then you'll choose which 19 screen you want to share. 20 AV TECHNICIAN: Mr. -- 21 MS. YEUNG: (Indiscernible). 22 AV TECHNICIAN: Mr. Jordan, I made you --</p>	<p style="text-align: right;">235</p> <p>1 eliminate that. I didn't plan on this so give me 2 just a second. 3 All right. Let's see if we can do this 4 now. 5 BY MR. JORDAN: 6 Q Okay. Do you see the e-mail that is up 7 on the screen here that says -- it says Michael 8 White to Gregory Jordan. Is that up on the screen 9 there, Mr. White? 10 <b>A It is.</b> 11 Q Okay. Now, I will represent to you that 12 this is an e-mail that I received from you on June 13 28, 2021, at 11:27 a.m. And this is -- this is an 14 e-mail that is forwarded, and then below that on 15 the -- the -- the e-mail is an e-mail, it says, 16 let's see, from Daniel White to Mike White -- to 17 Mike, and then it has an e-mail address. And then 18 underneath that is jwhite, Golf4me36@aol.com: 19 Your agreement is attached. Not signed off by our 20 G.C., but should ne -- "ne" is a typo -- tomorrow. 21 Do you -- now that you see the original 22 e-mail here, do you recognize this e-mail?</p>
<p style="text-align: right;">234</p> <p>1 MR. JORDAN: I have to close a couple 2 files in order to be able to bring up -- 3 AV TECHNICIAN: Mr. Jordan, I made you 4 cohost just so you know. 5 MR. JORDAN: All right. Thank you very 6 much. But I still need to close a couple files 7 because I have -- there have been 30 exhibits and 8 there are a bunch of things on my computer and I 9 don't do a good job of -- of choosing the tab 10 switch if there are too many files open. So give 11 me just -- okay. There we go. 12 MR. BOSHEA: Hey, Greg? 13 MR. JORDAN: Hey what? 14 MR. BOSHEA: Hey, who is all on right 15 now? 16 MR. JORDAN: Everybody is on, David. You 17 can turn your microphone off. That's fine. 18 MR. BOSHEA: Okay. All right. Thank 19 you. 20 MR. JORDAN: Okay. What I've tried to do 21 here is -- give me a second. It looks like I have 22 the background here and I want to see if I can</p>	<p style="text-align: right;">236</p> <p>1 <b>A It -- it looks similar to an e-mail that</b> 2 <b>I sent you, but I don't know that's the actual</b> 3 <b>one.</b> 4 Q Okay. 5 <b>A I have no reason to --</b> 6 Q I will -- I will represent to you that I 7 have not -- 8 THE COURT REPORTER: I'm sorry. I'm 9 sorry, Mr. White; I didn't hear the end of what 10 you said. 11 MR. JORDAN: Sorry about that. 12 <b>A I have no reason to believe that it's</b> 13 <b>not.</b> 14 Q Okay. I will represent to you that I 15 have not altered this e-mail in any fashion. But 16 with -- with that understanding, is -- can you 17 confirm that this is the e-mail that you sent to 18 me on June 28, 2021, at 11:27 a.m.? 19 MR. REDD: Object to form. I think you 20 got the date wrong, Greg. 21 MR. JORDAN: I'm sorry; on September 28, 22 2021, at 11:27 a.m.</p>

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1 Q Can you confirm --

2 **A I can confirm that -- I can confirm that**

3 **I sent an e-mail very similar to that to you, and**

4 **I have no reason to believe that that is not the**

5 **e-mail.**

6 Q Okay. Now, the first thing I want to

7 know is I think we've established previously but I

8 just want to make sure, you maintain an e-mail

9 address of michaelwhite@comcast.net; is that

10 correct?

11 **A I do.**

12 Q Okay. And you've indicated you know who

13 Daniel White is. It's your brother. Are -- are

14 you -- have you received e-mails from Daniel White

15 from danieljwhite@msn.com?

16 **A Yes, I have.**

17 Q Okay. And as far as you know, Daniel

18 White maintained danieljwhite@msn.com in the month

19 of May of 2007; is that correct?

20 **A As far as I know. I can't confirm that,**

21 **but I have no reason to doubt it.**

22 Q Okay. All right. And then there is a --

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1 there is -- below that there is an e-mail

2 addressed jwhite@compassmarketinginc.com. Do you

3 recognize that address?

4 **A I do.**

5 Q And whose address is that?

6 **A I believe that is the address for John**

7 **White.**

8 Q Okay. And John White being the -- one of

9 the owners of Compass Marketing?

10 **A Correct.**

11 Q And do you recall that John White

12 maintained that e-mail address in May of 2007?

13 **A I believe he did.**

14 Q Okay. And then there's an e-mail address

15 Golf4me36@aol.com. Do you recognize that e-mail

16 address?

17 **A I -- I believe that I do. I have seen it**

18 **in the past. I believe I recognize it.**

19 Q And is that David Boshea's e-mail address

20 or someone else's?

21 **A I believe that it is David Boshea's**

22 **e-mail address.**

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1 Q Okay. And then the -- there is an

2 e-mail, it has some language in it, and it bears a

3 date of Tuesday, 22 May 2007, 1:24:33 on it. And

4 so that was an e-mail that purports to be sent on

5 May 22, 2007, at 1:24 in the morning; is that

6 correct?

7 **A That's what it says, yes.**

8 Q Okay. And then the e-mail was eventually

9 sent to you and there was -- it appears there's an

10 attachment on the e-mail that I received. Was --

11 was the attachment on the e-mail that Daniel White

12 sent to you on May 22, 2007, at 2:08 a.m.?

13 **A I believe there was. There wasn't an**

14 **attachment attached to it when I found it in 2021.**

15 Q Okay. And did -- do you know how to

16 manipulate e-mails so that you can change

17 attachments?

18 **A I do not.**

19 Q Okay. Let's see if this works here.

20 Okay. Now, I'm going to open up this e-mail

21 attachment here. And do you see it says:

22 "COMPASS MARKETING, INC, AGREEMENT RELATING TO

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1 EMPLOYMENT AND POST-EMPLOYMENT COMPETITION"? Do

2 you see that?

3 MR. REDD: Greg, I believe you're going

4 to have to slide it over to the same monitor.

5 MR. JORDAN: Okay. I wasn't sure whether

6 it opened or not.

7 MR. REDD: Share the different windows.

8 It's not showing up.

9 MR. JORDAN: That's fine. Okay.

10 Q Okay. Here is a document. I opened up

11 the attachment to that e-mail, I will represent

12 that to you.

13 MR. JORDAN: So this would be -- the

14 first one would be Exhibit 31 and this would be

15 Exhibit 31A. And I will mark these and send these

16 to the court reporter.

17 (White Deposition Exhibits 31 and 31A

18 marked for identification and are attached to the

19 transcript.)

20 Q And this is -- this is a document

21 "COMPASS MARKETING, INC, AGREEMENT RELATING TO

22 EMPLOYMENT AND POST-EMPLOYMENT COMPETITION." Do

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1 you see that?

2 **A I do.**

3 Q Okay. And if you look at the bottom

4 here, it indicates it's a six-page document. Do

5 you see that?

6 **A I can't see the bottom.**

7 Q On the very bottom left-hand corner of

8 the screen, at least on my screen.

9 Let me try that. Let me try it a

10 different way. I guess I should have practiced.

11 Okay. Do you see the document again?

12 **A I do.**

13 Q Okay. Do you -- I'm not sure if you can

14 see on your screen or not that it is -- it says

15 "Page 1 of 6" on the bottom left-hand corner. Can

16 you see that?

17 **A I can see that, yes.**

18 Q And on the first paragraph of the

19 document, can you just read that into the record

20 if you can?

21 **A "This Agreement is between...David John**

22 **Boshea, residing at 4839 Clearwater LN.**

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1 Naperville, IL. 60564 ('Employee') and COMPASS

2 MARKETING, INC. ('COMPASS'), having a place of

3 business at 612 Third Street, Annapolis."

4 Q Okay. It -- in 2000 -- or was there a

5 time when Compass Marketing had a place of

6 business at 612 Third Street, Annapolis?

7 **A Yes.**

8 Q When was that?

9 **A I believe the ending date was in 2007.**

10 **I'm not real sure of the beginning date.**

11 Q That's fine. And then just going down

12 through the document, there is a -- there is a

13 paragraph in this document -- let me see if I can

14 find it here -- all right, "ARTICLE 6. SEVERANCE."

15 Do you see that on the screen?

16 **A I do.**

17 Q Okay.

18 MR. STERN: I just want to quickly object

19 to this whole line of questioning. He said

20 earlier he has no idea whether or not Mr. Boshea

21 had met an employment agreement with severance as

22 of 2000 -- from 2007. The document speaks for

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1 itself. It will be just a standing objection.

2 MR. JORDAN: Okay. Thank you.

3 Q So -- so this -- this document has an

4 "ARTICLE 6, SEVERANCE"; is that right?

5 **A Yes, it does.**

6 Q Okay. And it -- it relates to -- it

7 explains the terms in there of the severance that

8 would have been provided to Mr. Boshea under this

9 albeit unsigned agreement; is that correct?

10 **A It appears to be that way, yes.**

11 Q Okay. And then at the bottom of the

12 document we note that it is -- has signature areas

13 but it's not signed; is that correct?

14 MR. REDD: Object to the form.

15 Go ahead.

16 **A I believe so, yes. It appears that way,**

17 **yes.**

18 Q Okay. All right. Now, I don't know

19 whether this is going to work or not so let's see.

20 Tell me what you see on the screen now.

21 **A I see "Info," "Employment Agreement -**

22 **Boshea - Final," and then it looks like some**

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1 **options: "Read only," "Comparable Mode," "Protect**

2 **Document."**

3 Q Okay. All right. I want to do this

4 again to make sure you understand what I'm doing.

5 See where that cursor is on File here?

6 **A Yeah.**

7 Q And then I go to "Info" -- there -- go

8 fourth item down, "Info," and I click that. So

9 this is the information and it says -- what does

10 it say in blue up on top here?

11 **A "Employment Agreement - Boshea - Final."**

12 Q Okay. And then going over here to the

13 properties of the document, okay, do you see

14 it's -- it has the size of the file; the pages,

15 there are six pages; words; total editing time;

16 title. What does it say for title?

17 **A "Adams Employment Agreement."**

18 Q Okay. And then it has related dates. Do

19 you see where it says "Last Modified"?

20 **A I do.**

21 Q Okay. And when was this document last

22 modified?

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1 A The date next to "Last Modified" is  
2 5/22/2007, 1-22 a.m.  
3 Q And when was it created?  
4 A The date next to "Created" is May 22,  
5 2007. The time is 1:20 a.m.  
6 Q Okay. And it says "Last Printed"?  
7 A The date next to "Last Printed" is  
8 1/9/2007 and the time is 6:14 p.m.  
9 Q Okay. And then it says "Author." And it  
10 says last modified by whom?  
11 A It says "Last Modified." There's a --  
12 there's a purple circle with a J in it and then  
13 the name of John next to it.  
14 Q Okay. Was there -- was there a John who  
15 was employed by Compass who would have been  
16 involved in at least editing documents in May of  
17 2007?  
18 A I don't know if he did, but there was a  
19 John --  
20 Q No, no. Was there -- I didn't ask -- I  
21 just said generally. Was there a John employed by  
22 Compass Marketing who would have been involved in

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1 editing documents?  
2 A Yes.  
3 Q And who would that John be?  
4 A One of the owners, John White.  
5 Q Okay. Can you think of anyone else who  
6 would be editing documents for Compass Marketing  
7 in 2007 who went by the name of John?  
8 A I -- I can't think of any -- any other  
9 employee with the first name John in 2007 --  
10 Q Okay.  
11 A -- right off the top of my head, no.  
12 THE COURT REPORTER: I'm sorry; did you  
13 say right off the top of your head.  
14 THE WITNESS: That's correct.  
15 MR. JORDAN: Sorry for interrupting.  
16 Q And -- and do you know how to change  
17 the -- the -- the modification dates in a Word  
18 document?  
19 A No.  
20 Q Do you know if it's even possible?  
21 A I don't know.  
22 Q Do you know how to change the created

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1 date on a Word document?  
2 A No.  
3 Q Do you know if it's even possible?  
4 A I don't know.  
5 Q And do you know that -- how to change the  
6 last printed date on a Word document?  
7 A I do not know how to do that.  
8 Q Okay. And do you know if it's even  
9 possible?  
10 A That I don't know either.  
11 Q Okay. I closed it and there is the  
12 document. And I will bring this down a little bit  
13 here. Do you see where it says the title of the  
14 agreement, of the document, is "Employment  
15 Agreement - Boshea - Final"?  
16 A I do see that, yes.  
17 Q And do you -- do you recall that that's  
18 the same name as on the info page here?  
19 A Yes, I see that, yes.  
20 Q Okay. Terrific. And so that was the  
21 document that -- was that the document that you  
22 forwarded to me in -- in the e-mail, Exhibit 31?

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1 A I -- I don't know for sure. I -- I  
2 forwarded you a very similar document. I  
3 forwarded a document that was attached to the --  
4 to the e-mail, but I don't know if it was that  
5 document.  
6 Q Okay. Do you have any reason to believe  
7 it wasn't that document?  
8 A No, I do not.  
9 Q Okay, terrific.  
10 Okay. Now, here is another document you  
11 were unsure about before, and I'll represent to  
12 you that I have not altered or changed this  
13 e-mail. Do you recall sending me an e-mail on  
14 August 29, 2021, at 6:52 p.m.?  
15 A I recall sending you an e-mail. I do not  
16 recall the date and the time.  
17 Q Okay. Sometime in late August of 2021 do  
18 you recall sending me an e-mail?  
19 A I -- I remember sending you a couple of  
20 e-mails generally in that time frame, but I don't  
21 remember a specific date or time.  
22 Q Okay. That's fine. What I'm going to do

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1 is I'm going to have to go out and come back in,  
2 but I'm -- see where I'm clicking on this to open  
3 up the Boshea White Eagle use e-mail there. And  
4 then I'm going to go to that because I don't think  
5 it works to just open up an e-mail. It would be  
6 nice if it did, but that's not how life works.  
7       Okay. So there is -- there is a document  
8 here. It's a -- it is -- it's a two-page document  
9 you will see here. And it starts -- on the top it  
10 says "John White  
11 Columbia Country Club." Do you see that?  
**12 A I do see that, yes.**  
13       Q Okay. And then can you read the  
14 document? And let me know when you are finished  
15 reading it and then -- and tell me that I need to  
16 move down because it is two pages and you only  
17 read one.  
18       THE COURT REPORTER: Mr. Jordan, are we  
19 marking this?  
20       MR. JORDAN: This is -- yes. This is  
21 Exhibit 32 and this is 32A. The first one was 32  
22 and the second one was 32A.

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1       THE COURT REPORTER: Okay.  
2       MR. JORDAN: I believe, yeah. Yeah.  
3       (White Deposition Exhibit 32, previously  
4 marked Exhibit 3, and Exhibit 32A marked for  
5 identification and attached to the transcript.)  
**6 A Okay. Mr. Jordan, I have read down to**  
**7 "May 16, 2012," if you can bring it up a little**  
**8 bit.**  
9       Q Okay. Can you continue reading?  
**10 A Yes, yes. I'm reading it now.**  
11       Q That's fine. We're in no hurry.  
**12 A All right. I have read down to "Ed**  
**13 Quinn."**  
14       Q Okay.  
**15 A I have read to "We are looking to have**  
16 everybody fly in (8 people)."  
17       Q Okay.  
**18 A All right. I have read down to "Thanks,**  
**19 John."**  
20       Q Okay. And that's the entire e-mail;  
21 right?  
**22 A As far as I know.**

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1       Q Okay. All right. Now, in the -- in the  
2 e-mail, in the midst of it, on May 16, 2012, at  
3 11:06 a.m. John White, John --  
4 jwhite@compassmarketinginc.com, wrote: "Guys,  
5 this is getting a little nuts.  
6       "I need to check with Ralph and alert  
7 that Caves is booked with a tournament. I also  
8 need to see if we can do golf the 2nd day 12th  
9 instead.  
10       "Another back up plan" is "considering  
11 will be to fly to Chicago and have a meeting at  
12 White Eagle or at our attorney Mitch's place, and  
13 include store visits for the advisory board  
14 members.  
15       "I will advise after speaking to Ralph."  
16       Do you see that? And it's signed "John."  
**17 A I do, yes.**  
18       Q Okay. Now, when it says "meeting at  
19 White Eagle," do you have any knowledge as to what  
20 White Eagle was that he was referring to?  
**21 A I know there is a White Eagle Golf**  
**22 Course. I can't say that that's what he was**

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**1 referring to, but I do know the existence of a**  
**2 White Eagle Golf Course.**  
3       Q And how is it that you know the existence  
4 of White Eagle Golf Course?  
**5 A Well, I -- I have paid the bill for White**  
**6 Eagle Golf Course, I have signed the contract for**  
**7 the -- for the membership at White Eagle Golf**  
**8 Course, and I have paid several expense account**  
**9 invoices for the White Eagle Golf Course.**  
10       Q Okay. And do you know in whose name or  
11 what's name the White Eagle Golf Course member --  
12 Golf Club membership was maintained?  
**13 A To the best of my knowledge it was**  
**14 maintained in two names, to the best of my**  
**15 knowledge. One was David Boshea and one was**  
**16 Compass Marketing, Inc.**  
17       Q Okay. And when you paid I think you said  
18 dues and other expenses relating to White Eagle,  
19 did you pay that out of your personal pocket or  
20 out of Compass Marketing?  
**21 A Out of Compass Marketing.**  
22       Q Okay. And did you pay any of the dues --



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1 did Compass Marketing either pay or reimburse any  
2 of David Boshea's dues or expenses related to his  
3 membership at White Eagle Golf Club?  
4 **A Yes, they did.**  
5 Q Okay. Do you know whether those dues and  
6 other expenses were authorized to be paid to David  
7 Boshea by Compass Marketing?  
8 **A I really don't know what the process**  
9 **would be to authorize or not authorize payments**  
10 **for those, but I do know that -- that we paid**  
11 **them.**  
12 Q Okay. Was that a part of his -- his  
13 original compensation package with Compass  
14 Marketing, do you recall?  
15 **A I -- I -- that I don't know.**  
16 Q Okay. So when you paid these dues for --  
17 for David Boshea, who was aware if -- who do you  
18 recall being aware that Compass Marketing was  
19 paying the dues and other expenses for David  
20 Boshea?  
21 MR. REDD: Objection to form.  
22 You can answer.

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1 **A To the best of my knowledge John White**  
2 **knew, Daniel White knew, I knew, Mr. Marty**  
3 **Monserez knew, Mr. Kevin Nemetz knew. There's one**  
4 **more employee that unfortunately his name is**  
5 **slipping my mind at this particular minute, but he**  
6 **also submitted bills and invoices to Compass**  
7 **Marketing to be paid from expenses at White Eagle.**  
8 Q Okay. And what's your basis for saying  
9 that John White knew that -- that these dues and  
10 expenses were being paid?  
11 **A I -- I had discussions with John White**  
12 **about it and I received e-mails from John White**  
13 **about it.**  
14 Q Okay. And how long did that go on that  
15 these dues and expenses were paid on behalf of  
16 David Boshea?  
17 **A As far as I knew, they went up to May of**  
18 **2019. I don't know if they went past that or not.**  
19 Q And when would they have started?  
20 **A I'm not sure. I'm sorry; I'm not sure.**  
21 Q Is there any reason to believe they  
22 didn't start when -- at the time that Mr. Boshea

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1 joined Compass Marketing?  
2 **A I have no reason to --**  
3 MR. REDD: Object to form.  
4 Go ahead.  
5 **A I have no reason to -- to believe that,**  
6 **no.**  
7 Q Okay. And what was your title at -- when  
8 you were -- you know, in 2007 through May of 2019,  
9 or I'd say '18, what was your title at Compass  
10 Marketing?  
11 **A I was an owner of Compass Marketing and I**  
12 **had an informal title of operation -- or vice**  
13 **president of operations.**  
14 Q Okay. And in your role as vice president  
15 of operations, what did you do?  
16 **A I handled what would be classified, I**  
17 **guess, as the administrative side of keeping the**  
18 **company running.**  
19 Q Okay. And what, if any, involvement did  
20 you have with the human resources function during  
21 that period?  
22 **A I guess for -- for what -- for what there**

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1 **was of our company with some help, I was the human**  
2 **resources --**  
3 Q Okay.  
4 **A -- section.**  
5 Q Now, with regard to the payments that  
6 were made on David Boshea's behalf for dues and  
7 expenses at White Eagle Country Club, do you know  
8 whether Compass Marketing deducted -- reported  
9 those as income to -- on Mr. Boshea -- well, let  
10 me back up.  
11 Mr. Boshea, was he a W-2 employee at  
12 Compass Marketing?  
13 **A Yes, he was.**  
14 Q Okay. Do you know whether Compass  
15 Marketing reported the amounts that were paid for  
16 David Boshea's dues as income as a part of his  
17 compensation, his W-2 compensation?  
18 **A Yes, they were.**  
19 Q Okay. And was that for the entire period  
20 that you were -- that we discussed previously,  
21 2007 to May of 2018 at least?  
22 **A It was definitely through May of '18.**

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**1 Probably around -- I started in 2007 probably, but**  
**2 it was definitely through May of 2018.**  
3 Q Okay. Okay. And do you know whether  
4 John White was aware that this was part of David  
5 Boshea's W-2 compensation?  
**6 A That I don't know.**  
7 Q Okay. Okay. Now, what I want to do is  
8 open up as Exhibit 32B the other attachment to the  
9 e-mail that I represented you sent to me. Okay?  
10 (White Deposition Exhibit 32B marked for  
11 identification and is attached to the transcript.)  
12 Q And what I want you to do is -- this is a  
13 document that shows on the top -- it has a date,  
14 7/29/21, John White  
15 It's a forward. And the top e-mail is John White  
16 with that address to Mike White with  
17 mwhite@compassmarketinginc and bearing a date of  
18 Friday, May 25, 2012, at 7:43 a.m.?  
19 And what I want you to do is read this  
20 document and let me know -- it's a two-page  
21 document, and let me know when you're finished  
22 reading it.

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**1 A I have read down to "Sent from my**  
**2 iPhone."**  
3 Q Okay.  
**4 A Okay. I read down to "Sent from my**  
**5 iPhone" again.**  
6 Q Okay. And then just going to the bottom  
7 there is nothing further other than just some --  
8 some Google mail information.  
9 All right. The second page, which is an  
10 e-mail that says Dave Boshea and then  
11 dboshea@compassmarketinginc.com, do you recognize  
12 that e-mail address?  
**13 A I do.**  
14 Q Whose e-mail address is that?  
**15 A I believe it is David Boshea's e-mail**  
**16 address.**  
17 Q Okay. And so David Boshea sent an e-mail  
18 to you and to John White on May 24, 2012, at 12:51  
19 a.m.; is that correct?  
**20 A I believe he did, yeah.**  
21 Q Did you guys ever sleep? It seems like a  
22 lot of late-night e-mails here. You don't have to

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1 answer that.  
**2 A We spent a lot of late nights working on**  
**3 it, yes.**  
4 Q It says: "Mike, Hey, bro. White eagle  
5 raised monthly fee to \$750. Thx, Dave. Sent from  
6 my iPhone."  
7 Do you recall receiving that e-mail?  
**8 A I do recall receiving an e-mail very**  
**9 similar to that; yes.**  
10 Q Okay. Do you have any reason to believe  
11 you didn't receive this exact e-mail?  
**12 A No, I don't.**  
13 Q Okay. Do you have any understanding or  
14 knowledge -- I'm sorry; let me just back up.  
15 Do you know whether David Boshea -- why  
16 David Boshea would be letting you know and John  
17 White know that White Eagle raised the monthly fee  
18 to \$750.  
**19 A I believe I know why.**  
20 Q What is the reason?  
**21 A The fee was \$700 a month. I was dividing**  
**22 that between his two paychecks and paying him \$350**

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**1 a month through payroll. And I believe he was**  
**2 letting me know that the fee had gone up, I assume**  
**3 to have me increase that \$350 fee --**  
4 Q Okay.  
**5 A -- through payroll.**  
6 Q And did Compass increase the payroll  
7 payment to Mr. Boshea to reflect the increase of  
8 monthly fees to \$750?  
**9 A Not to my knowledge.**  
10 Q Okay. And the e-mail above that, it  
11 looks like the same e-mail is repeated again, and  
12 then there is -- there's a -- do you recall  
13 getting an e-mail from John White to you on May  
14 25, 2012, at 7:43 a.m. where he said: "I saw it  
15 as he copied me too. Just ignore"?  
**16 A I remember getting one very similar to**  
**17 that; yes.**  
18 Q Okay. So -- so John White decided not to  
19 increase the payment to David White to reflect  
20 the -- is it correct to say that John White  
21 decided not to increase the payment to David  
22 Boshea to reflect the increase in White Eagle

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1 dues?

2 **A I don't know what John White wanted to**  
3 **do. I only know he sent me an e-mail very similar**  
4 **to that one.**

5 Q Okay. And did you -- did you ever hear  
6 from John White at any time in which he questions  
7 Compass Marketing's payment of the \$700 for the  
8 monthly dues at White Eagle?

9 **A None that I can recall, no.**

10 Q Okay. But you indicated that he was --  
11 and just confirm. You indicated previously he was  
12 aware that Compass Marketing was paying \$700 a  
13 month for -- as part of David Boshea's  
14 compensation for the White Eagle dues; is that  
15 correct?

16 **A I believe he was aware, yes.**

17 Q Okay. Now, you indicated previously  
18 that -- I think you said I -- you never  
19 transferred any of your shares in Compass  
20 Marketing. And -- and then we saw a document  
21 where it appeared to me that -- and maybe I'm  
22 wrong -- that Daniel White somehow received shares

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1 in Compass Marketing. Are you sure that you never  
2 transferred any of your shares in Compass  
3 Marketing to anyone?

4 MR. STERN: Greg, Greg, I'm curious. How  
5 is it you're objecting to my questions about share  
6 ownership, but you're asking questions about share  
7 ownership? That seems entirely inconsistent and  
8 shows that it's relevant to this case. So thank  
9 you very much.

10 MR. JORDAN: Okay.

11 MR. REDD: This is Justin. I --

12 Q Do you recall whether you ever  
13 transferred any shares -- I just want to make sure  
14 we have a good record.

15 THE COURT REPORTER: I'm sorry. I'm  
16 sorry. I think Mr. Redd's talking, but I can't  
17 hear him.

18 MR. JORDAN: Go ahead, Justin.

19 MR. REDD: I was going to, one, object to  
20 Greg's questioning about this; two, put on the  
21 record that I disagree that the fact that Greg  
22 asked that question proves that any other

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1 questions before were not objectionable for  
2 reasons previously stated. So with that I forget  
3 what the question was exactly, but go ahead.

4 **A Could you repeat the question, please,**  
5 **Mr. Jordan?**

6 Q I said were you correct when you said  
7 previously that you never transferred any of your  
8 shares?

9 MR. REDD: Asked and answered; objection.

10 **A I have never transferred any of my**  
11 **shares.**

12 Q You never transferred any of your shares  
13 to Dan -- to Daniel White or -- is that correct?

14 MR. REDD: Objection; asked and answered.

15 **A That is correct. That's correct.**

16 Q Oh, okay.

17 MR. JORDAN: Now I understand. I had  
18 it -- I had it confused. In fact, I agree with  
19 Stephen, I withdraw the questions.

20 Q So I want to make sure that I understand  
21 things. You and I -- do you -- do you recall  
22 having a conversation with me in -- on or about

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1 July 31, 2020?

2 **A I remember having a conversation with**  
3 **you. I don't remember the date; sorry.**

4 Q Okay. Do you remember having a  
5 conversation sometime in late 20 -- July of  
6 2021 -- I'm sorry; 2021, not 2020. Excuse me.  
7 Let's start again.

8 Do you recall having a conversation with  
9 me in late July 2021?

10 **A I remember having a couple of**  
11 **conversations with you. I remember them probably**  
12 **being in the third quarter of 2021, but that**  
13 **probably is as close as I can get to the -- to the**  
14 **time.**

15 Q Okay. Do you recall telling me that  
16 there were at least four people, including David  
17 Boshea, who had severance agreements?

18 **A I do remember telling you that, yeah.**

19 Q Okay. And -- and the -- do you recall  
20 who the other people were that you recalled?

21 **A I do.**

22 Q Who were they?

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1 A Mr. John Adams, David Boshea, Mr. Marty  
2 Monserez, and Mr. Al Ewing.  
3 Q All right. Did you also mention John  
4 Mancini?  
5 A I may have. I don't --  
6 Q Okay.  
7 A I don't remember specifically, but I may  
8 have.  
9 Q Do you recall that at some point John  
10 Mancini wanted to make sure that his severance  
11 agreement was in his personnel file?  
12 A I remember an employee wanting to make  
13 sure it was in his personnel file, but I do not  
14 remember it being John Mancini.  
15 Q Okay. Who do you remember it being?  
16 A Mr. John Adams.  
17 Q Okay. And then at that point did you  
18 place Mr. Adams, Mr. Ewing, Mr. Mancini, and David  
19 Boshea's severance agreements in their personnel  
20 files?  
21 A Not all at once, but over a period of  
22 time I did; yes.

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1 Q Okay. And approximately when was this  
2 that you placed the agreement in David Boshea's  
3 personnel file?  
4 A Somewhere during 2015.  
5 Q Okay. Give me just a second. All right.  
6 Now, I have up on the board a document, a six-page  
7 document.  
8 MR. JORDAN: This is Exhibit 33.  
9 (White Deposition Exhibit 33, previously  
10 marked as Exhibit 31A, is attached to the  
11 transcript.)  
12 Q And it is a Compass Marketing agreement  
13 relating to employment and post-employment  
14 competition. Do you see that?  
15 A I do, yes.  
16 Q Okay. And what I want you to do is just  
17 kind of review the document -- or would you rather  
18 me e-mail this to Mr. Redd and you review it on  
19 his computer and let me know when you're ready?  
20 Would that be easier?  
21 MR. REDD: It's easier if we just scroll  
22 through it on the screen, Greg.

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1 MR. JORDAN: Okay. That's fine.  
2 Whichever way you want to do it. Okay.  
3 Q So just do me a favor, read the document  
4 and let me know when I need to move my cursor.  
5 A Absolutely.  
6 Okay. I've read down to "...concerning  
7 any of the above, or any past, current or future  
8 business..."  
9 Q Okay.  
10 A Okay. I read down to "...Employee  
11 acknowledges belongs to COMPASS."  
12 MR. REDD: This is the same -- sorry to  
13 jump in. This is Justin. This is the same  
14 version that was attached to the Complaint and  
15 that was attached to the second subpoena from  
16 Compass. He can just flip through the hard copy,  
17 if that will make it easier. It's up to you.  
18 MR. JORDAN: It is the same document that  
19 was attached to the Complaint. And I just --  
20 Q Michael, you can -- you can -- I will  
21 tell you it's the same document. If you want to  
22 read the whole document or if you want to just say

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1 that you've looked at the Complaint and that you  
2 -- and that you would know what this document  
3 would be, but I'm representing it's the same  
4 document, we can dispense with that. But I don't  
5 want to shortcut your ability to read the document  
6 to confirm. You tell me.  
7 MR. REDD: Take the time you need.  
8 A Mr. Jordan, I don't think either reading  
9 it or not reading it I can identify it.  
10 Q Okay. So you're telling me you're not  
11 sure whether this is the document that you placed  
12 in David Boshea's file or not?  
13 A I cannot tell you that, no.  
14 Q Okay. That's fine.  
15 And then on the -- on Page 506 there are  
16 a couple signatures, and I have a question for you  
17 with regard to -- to John White's signature. Do  
18 you know whether -- do you have any knowledge as  
19 to any efforts by John White to disguise his  
20 signature?  
21 MR. STERN: Objection to form.  
22 A Can you identify for me or define for me

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1 **disguise?**  
2 Q Well, for instance, you know, where he  
3 might sign with the wrong hand, sign in an awkward  
4 position, to try to make his signature be somewhat  
5 inconsistent.  
6 MR. STERN: Objection to form.  
7 **A I have seen him sign his name with his**  
8 **left hand before.**  
9 Q Okay. I'm sorry. I apologize; I'm  
10 left-handed so I think that people who sign with  
11 the right hand are odd.  
12 Is he right-handed or left-handed?  
13 **A To the best of my knowledge he's**  
14 **right-handed.**  
15 Q Okay. And you've known him pretty much  
16 all of your life or all your life?  
17 **A I've known him all his life.**  
18 Q Okay. That's fine. I didn't know which  
19 one was younger.  
20 And is there anything else he would do  
21 other than signing with his left hand to kind of  
22 make his signature different that you know of?

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1 MR. STERN: Objection to form;  
2 foundation.  
3 (Ms. Yeung left the room.)  
4 MR. JORDAN: I think he can only speak to  
5 his own knowledge, Stephen.  
6 **A I don't have any knowledge of other acts**  
7 **he performed with his signature.**  
8 Q Okay.  
9 **A It would be unusual.**  
10 Q What would be unusual?  
11 **A It would not be unusual.**  
12 Q Okay. He never wrote standing on one leg  
13 or anything?  
14 MR. STERN: Object to the form.  
15 **A I never -- I never saw him -- I never saw**  
16 **him do that. I only saw him write his signature**  
17 **with his left hand.**  
18 Q Okay. How many times did you see him do  
19 that?  
20 **A Four or five would be an estimate.**  
21 Q We took the deposition of John Adams in  
22 the case and John Adams produced a contract

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1 that -- that he signed, but that it wasn't  
2 countersigned by John White or anybody else from  
3 Compass Marketing. So do you know whether Compass  
4 Marketing recognized John Adams as having a  
5 severance agreement -- or an employment agreement,  
6 rather, with Compass Marketing?  
7 MR. STERN: Objection to form.  
8 **A I don't know. I'm not sure.**  
9 Q He was the fellow I thought that you put  
10 his employment agreement in his file; is that  
11 right?  
12 **A That is correct. But I don't -- I don't**  
13 **know who Compass Marketing is when you ask the**  
14 **question and I don't know what it would mean to**  
15 **say they recognized it.**  
16 Q Okay. Did you consider that John Adams  
17 had a valid employment agreement with Compass  
18 Marketing while you were employed by -- or, you  
19 know, in the role of -- unofficial role of  
20 director of operations?  
21 MR. STERN: Objection to form,  
22 foundation, legal conclusion, a whole bunch of

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1 others. He has no authority to speak on behalf of  
2 the company.  
3 **A I knew of John's agreement in 2015. I**  
4 **learned of it. I don't know whether it was**  
5 **legitimate or valid or binding. I -- I don't**  
6 **know.**  
7 Q Okay. Did you -- did you discuss John  
8 Adams' agreement with anybody at Compass before  
9 you placed it in his file?  
10 **A Not before; after.**  
11 Q With whom did you speak regarding John  
12 Adams' agreement after you placed it in his file?  
13 **A Daniel White.**  
14 Q Okay. And what did -- when did this  
15 conversation occur approximately?  
16 **A I would estimate in the next couple of**  
17 **days, but I don't know for sure.**  
18 Q Okay. What did you say to Daniel White  
19 and what did he say to you?  
20 MR. STERN: Objection to form.  
21 Q And I'm referring to the conversation  
22 that you identified as having with Daniel White

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1 shortly after you placed the John Adams document  
2 in the file. What did you say to Daniel White and  
3 what did he say to you with regard to John Adams'  
4 agreement?  
5 MR. STERN: Objection to form.  
6 MR. JORDAN: I have no idea what you're  
7 talking about.  
8 **A I believe I told him about the -- the**  
9 **agreement and asked him if he knew anything about**  
10 **it.**  
11 Q And what did he say to you?  
12 **A He said he didn't know about the**  
13 **agreement.**  
14 Q Okay. Did you have any -- and did you  
15 speak with anyone else with regard to John Adams'  
16 agreement at any time?  
17 **A I don't think so, no.**  
18 Q Okay.  
19 MR. REDD: Can we take a two-minute  
20 break?  
21 MR. JORDAN: Sure, sure. It would be  
22 fabulous.

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1 VIDEO TECHNICIAN: We are off the record  
2 at 4:24 p.m.  
3 (A recess was taken.)  
4 VIDEO TECHNICIAN: We are on the record  
5 at 4:28 p.m.  
6 MR. JORDAN: How long have we been,  
7 Charlie? I don't want to burn up all the time.  
8 VIDEO TECHNICIAN: Five hours and 20  
9 minutes.  
10 MR. JORDAN: Okay. Terrific.  
11 MR. STERN: I just want to -- that's  
12 total time, not just the time I was asking  
13 questions.  
14 VIDEO TECHNICIAN: That is total.  
15 MR. JORDAN: Okay. Right, yeah. Okay.  
16 BY MR. JORDAN:  
17 Q So, Michael, there was some fellow that  
18 Mr. Stern talked to you about named Ewing. Do you  
19 recall that?  
20 **A I do.**  
21 Q Just edify me, who was -- who was the  
22 fellow that he referred to? What was his first

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1 name or moniker?  
2 **A He was a -- a --**  
3 Q No. What was just his name, just his  
4 name.  
5 **A Detective Ewing.**  
6 Q All right. Detective Ewing. All right.  
7 Do you have any reason to believe that  
8 David Boshea had ever met with Detective Ewing?  
9 **A I have no reason to believe that.**  
10 Q Okay. Do you have any reason to believe  
11 that David Boshea ever spoke with Detective Ewing?  
12 **A I have no reason to believe that.**  
13 Q Okay. Do you have any reason to believe  
14 that David Boshea ever corresponded by e-mail,  
15 letter, or FedEx or other form with David Boshea?  
16 **A I have no reason to believe that, no.**  
17 Q Do you have any reason to believe that  
18 Detective Ewing ever corresponded to David Boshea,  
19 whether by e-mail, letter, package, or anything  
20 else?  
21 **A I have no reason to believe that he**  
22 **corresponded with David Boshea, no.**

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1 Q Okay. Do you have any idea who are any  
2 realtors that Compass Marketing would have ever  
3 spoken with for any purpose?  
4 **A I do not.**  
5 Q Okay. Do you have any reason to believe  
6 that David Boshea has any knowledge of any  
7 realtors that Compass Marketing has ever  
8 communicated with?  
9 **A I have no reason to believe that.**  
10 Q Okay. Do you know any -- do you know any  
11 architects with whom Compass Marketing has ever  
12 communicated?  
13 **A I knew of an architect back in 2007 when**  
14 **we built out our office. I don't remember his**  
15 **name and I don't think I've had any contact with**  
16 **him since 2007.**  
17 Q Okay. Do you know whether David Boshea  
18 ever communicated with that architect?  
19 **A I have no reason to believe he did, no.**  
20 Q Do you have any knowledge of David Boshea  
21 communicating with any architect who might have  
22 had any communications with Compass Marketing?

<p style="text-align: right;">277</p> <p>1 <b>A I do not, no.</b></p> <p>2 Q Do you know of any conversations that</p> <p>3 David Boshea would have had with any architect</p> <p>4 that communicated with Compass Marketing?</p> <p>5 <b>A No, I don't.</b></p> <p>6 Q Do you know whether David Boshea ever</p> <p>7 delivered any communications, whether e-mails,</p> <p>8 letters, packages, or anything else to any</p> <p>9 architect retained by Compass Marketing -- or, I'm</p> <p>10 sorry, who had any business dealings of any kind</p> <p>11 with Compass Marketing?</p> <p>12 <b>A I have no reason to believe that.</b></p> <p>13 Q Do you know whether any architect ever</p> <p>14 sent any communications written, whether e-mails,</p> <p>15 letters, packages, or anything else, to David</p> <p>16 Boshea?</p> <p>17 <b>A I have no reason to believe that.</b></p> <p>18 Q Okay. Do you -- do you have any idea how</p> <p>19 many realtors there are in Annapolis, Maryland?</p> <p>20 <b>A I do not.</b></p> <p>21 Q Is there anyone known as some sort of</p> <p>22 special realtor that -- that people have to hire</p>	<p style="text-align: right;">279</p> <p>1 today do you know of any monies that were -- hold</p> <p>2 on just a second. Give me just a second. I can</p> <p>3 pull up the counterclaim, make sure I have the</p> <p>4 right wording.</p> <p>5 Do you know of any facts that would</p> <p>6 support the allegation that unbeknownst to Compass</p> <p>7 Marketing's CEO and majority owner, Boshea</p> <p>8 regularly received additional, quote, off-payroll</p> <p>9 payments, end quote, and biweekly increments of</p> <p>10 \$350 totaling approximately \$51,800 which Boshea</p> <p>11 was not entitled to receive?</p> <p>12 Do you know any facts --</p> <p>13 <b>A No.</b></p> <p>14 Q -- that would support that allegation?</p> <p>15 <b>A No.</b></p> <p>16 Q Do you know whether David Boshea received</p> <p>17 biweekly increments of \$350 from Compass</p> <p>18 Marketing?</p> <p>19 <b>A I do know.</b></p> <p>20 Q And why did David Boshea receive biweekly</p> <p>21 increments of \$350?</p> <p>22 <b>A Compass Marketing had decided to pay his</b></p>
<p style="text-align: right;">278</p> <p>1 because they're so good at their job that they can</p> <p>2 obtain space for someone that -- that other</p> <p>3 realtors cannot obtain?</p> <p>4 MR. REDD: Objection. Greg, I mean, I</p> <p>5 get what you're -- where you're going, but can we</p> <p>6 move on, please?</p> <p>7 MR. JORDAN: I had a hard time hearing</p> <p>8 that, Justin; sorry.</p> <p>9 MR. REDD: I guess I get where you're</p> <p>10 going, but I'm objecting because you're -- it's</p> <p>11 going on pretty long. Can we just move on from</p> <p>12 the realtor topic?</p> <p>13 MR. JORDAN: Okay. Okay. That's fine.</p> <p>14 So I won't ask the same question with regard to</p> <p>15 that special architect either.</p> <p>16 Q Do you know of any amounts that -- of</p> <p>17 compensation -- I'm sorry; strike that.</p> <p>18 Do you know of any monies that were paid</p> <p>19 to David Boshea that were not authorized to be</p> <p>20 paid by John White?</p> <p>21 MR. STERN: Objection; form, foundation.</p> <p>22 Q I'm sorry. At any time from 2007 to</p>	<p style="text-align: right;">280</p> <p>1 <b>membership monthly dues and to comply with all IRS</b></p> <p>2 <b>regulations, they had to be sent through payroll.</b></p> <p>3 <b>So we took his \$700-a-month membership dues,</b></p> <p>4 <b>divided it in two pieces, and ran \$350 through</b></p> <p>5 <b>payroll.</b></p> <p>6 Q Okay. And the allegation that starts:</p> <p>7 Unbeknownst to Compass Marketing's CEO and</p> <p>8 majority owner. Do you have any idea who Compass</p> <p>9 could be referring to as the Compass CEO?</p> <p>10 MR. REDD: Objection to form.</p> <p>11 You can answer.</p> <p>12 <b>A I believe I know who they're referring</b></p> <p>13 <b>to.</b></p> <p>14 Q Right. I'm not asking you to agree or</p> <p>15 disagree. I'm asking if you know who they're</p> <p>16 referring to there.</p> <p>17 <b>A I believe I know who they're referring</b></p> <p>18 <b>to. I don't know.</b></p> <p>19 Q Okay. Who do you believe they're</p> <p>20 referring to?</p> <p>21 <b>A John White.</b></p> <p>22 Q Okay. And just to make sure, I'm sure</p>

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1 that you can -- your counsel and Mr. Stern can  
2 object to asked and answered, but you have  
3 knowledge that -- can you confirm that you have  
4 knowledge that John White knew Compass was making  
5 biweekly increments of \$350 to David Boshea to  
6 reimburse him for his White Eagle dues? Can you  
7 confirm that?  
8 MR. STERN: Objection; form, foundation.  
9 MR. REDD: Did you sustain your own  
10 objection, Greg?  
11 MR. JORDAN: I'm sorry?  
12 MR. REDD: Objection; asked and answered.  
13 But go ahead.  
14 **A I can confirm he knew that Compass**  
15 **Marketing was paying David Boshea's membership**  
16 **fee.**  
17 Q Okay.  
18 **A I cannot confirm he knew how.**  
19 Q Okay.  
20 MR. JORDAN: Okay. I will pass the  
21 witness.  
22 MR. STERN: I have a few brief

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1 follow-ups. Greg, you, when you introduced  
2 your exhibits, they were not circulated, so I'll  
3 ask you to do me a courtesy and --  
4 MR. JORDAN: I absolutely will, but I  
5 don't have anybody hanging out here in the condo  
6 at Marco Island to assist me. So...  
7 MR. STERN: No, I understand. You can  
8 pull up the one where -- I think it was the -- I  
9 think it's 32, the e-mail that Michael sent to you  
10 in August, there were two PDFs attached.  
11 MR. JORDAN: Okay. Are you referring to  
12 the White Eagle e-mail?  
13 MR. STERN: Yes, yes. Thank you.  
14 MR. JORDAN: Okay. I just want to make  
15 sure. I have to go back because I inadvertently  
16 just closed it, but give me just a second. What I  
17 did was save that into a file so that I could  
18 bring it up.  
19 MR. REDD: I object. Was this previously  
20 an exhibit that Compass marked and asked Mr. White  
21 about earlier in the deposition?  
22 MR. STERN: No. It was something that

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1 Mr. Jordan asked about.  
2 MR. REDD: Okay. I thought you had asked  
3 about this particular e-mail before.  
4 MR. STERN: If I did, I don't remember.  
5 MR. JORDAN: I think you did, but...  
6 MR. STERN: Well, I want to make sure  
7 that we're -- if I did, I still want to be clear  
8 we're talking about the one that he was answering  
9 questions for.  
10 MR. JORDAN: Okay. I'm going to bring it  
11 up. I just sent it to Justin and to you and  
12 afterwards I will send it up -- I will send it to  
13 the court reporter as well.  
14 MR. STERN: Thank you.  
15 MR. JORDAN: Do you see it on the screen  
16 there?  
17 MR. STERN: Yes. Can you -- the left  
18 pdf, please, I think that's the one that I wanted  
19 to talk about.  
20 MR. JORDAN: This one here, White Eagle  
21 use e-mail?  
22 MR. STERN: Yes.

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1 MR. JORDAN: So this is 32A.  
2 MR. REDD: I'm pretty sure that Compass  
3 already asked Mr. White questions about this  
4 e-mail and so I object to further questions about  
5 it.  
6 But go ahead.  
7 MR. STERN: Can you open it up, please?  
8 MR. JORDAN: Sure.  
9 MR. STERN: It's not showing on the  
10 screen.  
11 MR. JORDAN: I keep forgetting just  
12 because I can see it on the screen, that you can't  
13 see it on the screen.  
14 Can you see it now?  
15 MR. STERN: Thank you, yes.  
16 MR. JORDAN: Sorry about that.  
17 BY MR. STERN:  
18 Q So, Mr. White, when you were testifying  
19 in response to Mr. Jordan's questions, you had  
20 sent this as an attachment to the e-mail that he  
21 referenced and was the exhibit, are you a  
22 recipient of any of the e-mails in this string



<p style="text-align: right;">285</p> <p>1 that's 32A?</p> <p>2 <b>A I -- I don't know.</b></p> <p>3 Q Were you a recipient to the most recent</p> <p>4 e-mail in the string from John White to David</p> <p>5 Boshea dated May, looks like 15th or 16th, 2012,</p> <p>6 at 4:56 p.m.?</p> <p>7 <b>A The part that I see up on the screen does</b></p> <p>8 <b>not have my name in it.</b></p> <p>9 Q So how did you come to access this e-mail</p> <p>10 thread to forward to Mr. Jordan?</p> <p>11 <b>A I've had a number of e-mails about White</b></p> <p>12 <b>Eagle, and I believe I -- I think I printed them</b></p> <p>13 <b>out for Mr. Jordan.</b></p> <p>14 Q How did you print out this e-mail for</p> <p>15 Mr. Jordan?</p> <p>16 <b>A I hit the Print button.</b></p> <p>17 Q Did you print it on July 29, 2021?</p> <p>18 <b>A I don't know.</b></p> <p>19 Q Do you see the upper left-hand corner</p> <p>20 there is a date 7/29/2021?</p> <p>21 <b>A I do.</b></p> <p>22 Q Does that help refresh your recollection</p>	<p style="text-align: right;">287</p> <p>1 <b>A No.</b></p> <p>2 Q So how do you know that these e-mails</p> <p>3 transpired between John and David Boshea if you</p> <p>4 were not the recipient of them?</p> <p>5 MR. JORDAN: Objection; that misstates</p> <p>6 his testimony.</p> <p>7 <b>A I don't know.</b></p> <p>8 Q Were you a Bcc recipient of this e-mail</p> <p>9 at the top of the thread?</p> <p>10 <b>A I don't know.</b></p> <p>11 Q So how did you go about accessing it to</p> <p>12 print it out and send it to Mr. Jordan?</p> <p>13 <b>A I had it in a file and I hit Print.</b></p> <p>14 Q Which file did you have it in?</p> <p>15 <b>A In a file I kept that dealt with White</b></p> <p>16 <b>Eagle.</b></p> <p>17 Q Was this file in your personal e-mail</p> <p>18 account?</p> <p>19 <b>A No.</b></p> <p>20 Q Is it a file that's in the</p> <p>21 compassmarketinginc.com e-mail account?</p> <p>22 <b>A The one I printed is not; no.</b></p>
<p style="text-align: right;">286</p> <p>1 as to when you printed it?</p> <p>2 <b>A No.</b></p> <p>3 Q How did you -- how did you -- how were</p> <p>4 you able to print the e-mail if you were not a</p> <p>5 recipient of this e-mail?</p> <p>6 MR. JORDAN: Objection; assumes a fact</p> <p>7 not in evidence.</p> <p>8 <b>A I -- I don't know that I wasn't a</b></p> <p>9 <b>recipient of the e-mail. I know I had it and I</b></p> <p>10 <b>printed it.</b></p> <p>11 Q In the upper right corner it shows John</p> <p>12 White's e-mail address, John -- it says "John</p> <p>13 White" and "jwhite@compassmarketinginc.com."</p> <p>14 Do you see that?</p> <p>15 <b>A I do.</b></p> <p>16 Q When you printed this e-mail, were you</p> <p>17 presenting it under John White's access -- under</p> <p>18 John White's account?</p> <p>19 <b>A No.</b></p> <p>20 Q Are you able to access John White's</p> <p>21 e-mails as a system administrator for the</p> <p>22 compassmarketinginc.com e-mails?</p>	<p style="text-align: right;">288</p> <p>1 Q So which account did you have it in that</p> <p>2 you were able -- I'm sorry. Which file did you</p> <p>3 have it in that you were able to print this e-mail</p> <p>4 to send to Mr. Jordan?</p> <p>5 <b>A In my file dealing with White Eagle.</b></p> <p>6 Q Where did -- do you keep the files</p> <p>7 dealing with White Eagle.</p> <p>8 <b>A It's currently held in a -- in an Outlook</b></p> <p>9 <b>file -- not Outlook; OneDrive file.</b></p> <p>10 Q OneDrive. Is that a OneDrive file that's</p> <p>11 managed or under the name of</p> <p>12 compassmarketinginc.com?</p> <p>13 <b>A No.</b></p> <p>14 Q Who is -- who are the administrators for</p> <p>15 this file that you are able to store and access</p> <p>16 this e-mail?</p> <p>17 <b>A I am.</b></p> <p>18 Q Are you the sole administrator of the</p> <p>19 account?</p> <p>20 <b>A Sole owner of the account. I don't know</b></p> <p>21 <b>if I'd be classified as administrator, but sole</b></p> <p>22 <b>owner of the account.</b></p>

<p style="text-align: right;">289</p> <p>1 Q And what's the name of the account?</p> <p>2 A <b>Michael White 1, I believe.</b></p> <p>3 Q And is it a compassmarketinginc.com URL?</p> <p>4 A <b>No.</b></p> <p>5 Q And I'm going to ask you again because</p> <p>6 you did not answer the question. How were you</p> <p>7 able to get this e-mail into that account?</p> <p>8 MR. REDD: Objection; asked and answered.</p> <p>9 MR. JORDAN: I join that objection.</p> <p>10 A <b>I had it in my account in a file dealing</b></p> <p>11 <b>with White Eagle. I printed it and I sent it to</b></p> <p>12 <b>Mr. Jordan.</b></p> <p>13 Q How did you get it into your account?</p> <p>14 A <b>I don't know.</b></p> <p>15 Q When did you first get it into your</p> <p>16 account?</p> <p>17 A <b>Don't know.</b></p> <p>18 Q Are you able to access e-mails for</p> <p>19 jwhite@compassmarketinginc.com?</p> <p>20 A <b>No.</b></p> <p>21 Q Have you ever accessed e-mails for</p> <p>22 jwhite@compassmarketinginc.com?</p>	<p style="text-align: right;">291</p> <p>1 2021?</p> <p>2 A <b>Don't know.</b></p> <p>3 Q What is the account password and access</p> <p>4 information that you used to access</p> <p>5 compassmarketinginc.com e-mails?</p> <p>6 MR. REDD: Objection --</p> <p>7 MR. JORDAN: Objection to the relevance</p> <p>8 of all of this.</p> <p>9 MR. REDD: -- to form, relevance, and for</p> <p>10 the reasons --</p> <p>11 MR. JORDAN: We're so far afield at this</p> <p>12 point.</p> <p>13 MR. REDD: -- for the reasons stated</p> <p>14 earlier when there was a question about login</p> <p>15 information for some account. I don't know if</p> <p>16 it's the same one you're referring to or not, but</p> <p>17 it's improper.</p> <p>18 MR. STERN: Justin and Mr. -- Mr. Redd</p> <p>19 and Mr. Jordan, Mr. Jordan asked extensive</p> <p>20 questions about this e-mail. There is nowhere on</p> <p>21 here that it indicates that Mr. White was the</p> <p>22 recipient of it. He just says I -- it was in my</p>
<p style="text-align: right;">290</p> <p>1 MR. JORDAN: Objection to the use of the</p> <p>2 word "access." I don't even know what that means.</p> <p>3 A <b>Do you mind explaining what -- what you</b></p> <p>4 <b>mean by access. I have -- I did have access to</b></p> <p>5 <b>all the Compass Marketing e-mails as the</b></p> <p>6 <b>administrator of Compass Marketing. I do not have</b></p> <p>7 <b>that now.</b></p> <p>8 Q When did your access as the administrator</p> <p>9 for the compassmarketinginc.com e-mails end?</p> <p>10 A <b>Don't know.</b></p> <p>11 Q Did you have access to</p> <p>12 compassmarketinginc.com e-mails as of July 2021?</p> <p>13 A <b>I don't know.</b></p> <p>14 Q Did you have access to</p> <p>15 compassmarketing.com e-mails in August of 2021?</p> <p>16 A <b>I don't know.</b></p> <p>17 Q Did you have access to</p> <p>18 compassmarketinginc.com e-mails in September of</p> <p>19 2021?</p> <p>20 A <b>Don't know.</b></p> <p>21 Q Did you have access to</p> <p>22 compassmarketinginc.com e-mails in October of</p>	<p style="text-align: right;">292</p> <p>1 folder and he doesn't know how it got there. I'm</p> <p>2 trying to find out how it got there.</p> <p>3 MR. REDD: Well, we're not giving his</p> <p>4 login and password to any account of Michael</p> <p>5 White's.</p> <p>6 MR. STERN: He didn't say it was Michael</p> <p>7 White's.</p> <p>8 MR. REDD: I think the question that</p> <p>9 you've asked (indiscernible).</p> <p>10 (Talking over)</p> <p>11 MR. STERN: He said it was for Compass</p> <p>12 Marketing, Inc., all e-mails.</p> <p>13 MR. JORDAN: I think you're misstating</p> <p>14 what he said.</p> <p>15 MR. STERN: I am not misstating what he</p> <p>16 said. The record will speak for itself.</p> <p>17 MR. JORDAN: What he said was he had it</p> <p>18 at one time. He didn't say that he has it.</p> <p>19 MR. STERN: So I'm trying to find out</p> <p>20 when he had it himself -- when he had it and</p> <p>21 what -- what was the access information that he</p> <p>22 used when he had it.</p>

<p style="text-align: right;">293</p> <p>1 MR. JORDAN: You've already asked all 2 those questions. 3 Q So when you were accessing 4 compassmarketinginc.com e-mails, what information 5 were you using to do that? 6 MR. REDD: Objection to the extent that 7 it's asking for login and password. That is 8 improper. If it's something else, you need to 9 rephrase. 10 MR. STERN: Are you instructing him not 11 to answer? 12 MR. REDD: I'm instructing him not to 13 answer login and password information, all the 14 questions up until that point, unless it was form, 15 which I don't remember, I did object. 16 Q During the time that you were able to 17 serve as the administrator for the 18 compassmarketinginc.com e-mails, could you pull up 19 anyone's e-mail that had a compassmarketinginc.com 20 URL and send an e-mail on their behalf. 21 <b>A You asked me two questions. Can you ask</b> 22 <b>them one at a time?</b></p>	<p style="text-align: right;">295</p> <p>1 MR. JORDAN: Objection; compound. 2 MR. REDD: Objection for me. 3 Go ahead. 4 <b>A No.</b> 5 Q Were you able to pull up during the time 6 that you were the system administrator for 7 compassmarketinginc.com e-mails and view e-mails 8 that you were not a recipient of? 9 <b>A No.</b> 10 Q Then please explain what you were able to 11 see in compassmarketinginc.com e-mails when you 12 were the system administrator. 13 MR. REDD: Objection. We're -- we're 14 again getting far afield of Boshea versus Compass 15 Marketing case that we're here for this deposition 16 for. 17 You can answer. 18 <b>A During the time I was administrator to</b> 19 <b>compassmarketinginc.com's account, domain, I could</b> 20 <b>pull up and review all e-mails in the</b> 21 <b>compassmarketinginc domain.</b> 22 Q Were you able to print all e-mails with</p>
<p style="text-align: right;">294</p> <p>1 Q When you had -- when you said -- whenever 2 it was that you had access as the system 3 administrator to compassmarketinginc.com e-mails, 4 were you able to pull up anyone's account that 5 ended in compassmarketinginc.com and send an 6 e-mail on their behalf? 7 MR. JORDAN: Objection; calls for 8 speculation. 9 MR. REDD: Objection. And, in addition, 10 objection to the lack of a clear time frame, 11 what's being asked, objection. 12 MR. STERN: I asked for a clear time 13 frame. 14 MR. REDD: It assumes that the extent -- 15 objection to the extent it assumes that what is 16 being asked occurred. 17 With that, you can answer. 18 <b>A Again, Mr. Stern, you asked me two</b> 19 <b>questions. Can you ask them one at a time?</b> 20 MR. STERN: Please read back my question, 21 Madam Court Reporter. 22 (The pending question was read.)</p>	<p style="text-align: right;">296</p> <p>1 the compassmarketinginc.com domain while you were 2 the system administrator? 3 <b>A I believe I would have been, but I don't</b> 4 <b>know for sure.</b> 5 Q Were you able to send e-mails with -- for 6 anyone who had a compassmarketinginc.com URL 7 during the time that you were the system 8 administrator? 9 MR. REDD: Object to the form. I don't 10 believe we set forth the time frame of what that 11 is when you're asking, Stephen. 12 MR. STERN: I think I said it's the time 13 he was assistant administrator. 14 MR. REDD: The time as an assistant 15 administrator, I'm unclear as to what time frame 16 we're talking about, the years. 17 MR. STERN: I said while he was a system 18 administrator, period. 19 MR. REDD: Same form objection then. 20 Go ahead. 21 <b>A Can you repeat your question, Mr. Stern?</b> 22 Q Were you able to send e-mails under</p>

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1 anyone's name that had a compassmarketinginc.com  
2 e-mail address during the time that you were the  
3 system administrator for compassmarketinginc.com?  
4 **A No.**  
5 Q What were you able to do besides access  
6 the e-mails and print them during the time that  
7 you were the system administrator for  
8 compassmarketinginc.com?  
9 MR. REDD: Object to form.  
10 Go ahead.  
11 **A I was also able to review them.**  
12 Q So you could review anyone's inbox, sent  
13 box, and deleted box; is that correct?  
14 **A I don't think I would have been able to**  
15 **review their deleted box, but I could review**  
16 **incoming and outgoing.**  
17 Q Could you review incoming and outgoing in  
18 real time?  
19 **A I don't believe so, no.**  
20 Q When you reviewed the incoming e-mails --  
21 I'm sorry -- the outgoing e-mails, were you able  
22 to -- let me rephrase the question.

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1 During the time that you were the system  
2 administrator for the compassmarketinginc.com  
3 domain, could you create an e-mail for anyone that  
4 had a compassmarketinginc.com URL?  
5 **A No.**  
6 Q So you were able only to review their  
7 inbox folders and sent box folders?  
8 **A I stated that I don't think I was able to**  
9 **review deleted folders, but I could review any of**  
10 **the other boxes, I believe.**  
11 Q During the time that you were the  
12 compassmarketinginc.com system administrator, did  
13 you review John White's compassmarketinginc.com  
14 e-mails without his knowledge?  
15 MR. JORDAN: Objection; and compound.  
16 MR. REDD: Objection to form.  
17 **A I -- I don't believe I ever reviewed John**  
18 **White's e-mails without his knowledge, no.**  
19 Q Did you ever review any  
20 compassmarketinginc.com e-mails of any Compass  
21 Marketing employee without their knowledge?  
22 **A I don't know if I ever did it without**

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1 **their knowledge.**  
2 Q Did you ever access John White's  
3 compassmarketinginc.com e-mails and specifically  
4 tell him about it?  
5 **A I accessed his e-mails at his request a**  
6 **few times.**  
7 Q Are the only times that you accessed John  
8 White's e-mails the times that he specifically  
9 asked you to access them?  
10 **A Do you have a time frame?**  
11 MR. REDD: Object to the extent --  
12 (Talking over)  
13 Q Are the only times you've ever accessed  
14 John White's e-mails those times that he  
15 specifically authorized you to do that?  
16 MR. REDD: Objection to the extent that  
17 it's not precisely what the previous answer was.  
18 But go ahead.  
19 **A I -- I don't need authorization to review**  
20 **e-mails. I have never received John White's**  
21 **authorization to review e-mails.**  
22 Q Why don't you need authorization from

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1 John White to review his e-mails?  
2 MR. JORDAN: Objection; time frame.  
3 MR. REDD: Objection to form.  
4 **A Because I did not --**  
5 Q Let me rephrase. Why did you not need  
6 John White's authorization to review his e-mails?  
7 **A Because I do not need his authorization**  
8 **to review e-mails.**  
9 Q Why not?  
10 MR. REDD: Objection to form.  
11 **A Because it is not a requirement.**  
12 Q Why is it not a requirement?  
13 **A Because it's not a requirement.**  
14 Q Why is it not a requirement?  
15 MR. REDD: Objection; asked and answered.  
16 **A Because it is not a requirement.**  
17 Q And I'm asking why it's not a  
18 requirement.  
19 **A My answer is still the same, because it**  
20 **is not a requirement.**  
21 Q Do you -- when was the last time you  
22 accessed John White's e-mails?

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1     **A I don't know.**  
2     **Q** Have you accessed John White's e-mails  
3 since January 1, 2021?  
4     MR. REDD: Objection to form again.  
5     MR. JORDAN: Objection to the word  
6 "access." We have an e-mail here that's in front  
7 of us we have access to.  
8     MR. STERN: Let me ask the question  
9 differently.  
10    **Q** Did you log on as the system  
11 administrator for Compass Marketing, Inc., and  
12 access John White's e-mail since January 1, 2021?  
13    MR. JORDAN: Objection; asked and  
14 answered.  
15    MR. REDD: And objection again since the  
16 beginning events that happened after the beginning  
17 of this lawsuit have been stated by the Court to  
18 be not at issue with regard to the subpoena and  
19 with regard to this deposition of the third party,  
20 not connected to the Boshea claims -- do you want  
21 Mr. White to step out?  
22    **Q** Mr. White?

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1     MR. STERN: Are you instructing him not  
2 to answer?  
3     **A I'm sorry; I didn't hear your question,**  
4 **sir.**  
5     MR. STERN: Justin, are you instructing  
6 him not to answer?  
7     MR. REDD: Well, that might depend on --  
8     MR. STERN: My question stands.  
9     MR. REDD: Okay. Because I'm going to  
10 ask --  
11    MR. STERN: He spoke extensively about an  
12 e-mail here.  
13    MR. JORDAN: Yeah, Stephen, it's not  
14 going to work if Justin starts talking and you  
15 start cutting him off.  
16    MR. REDD: My first question was would  
17 you like Mr. White to leave the room or just me  
18 tell you what I'm going to tell you?  
19    MR. STERN: Just go ahead and tell me.  
20    MR. REDD: Okay. I was going to ask you  
21 again if there's any connection between what  
22 you're asking and the claims about Mr. Boshea's

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1 compensation or what he's owed or not that is at  
2 issue in the case and that is the proper scope of  
3 this --  
4     MR. STERN: And we've have already been  
5 through this. We're repeating ourselves now.  
6 Your client spoke extensively about this document  
7 that's up on the screen, but yet he's unable to  
8 identify how he got it.  
9     MR. JORDAN: That is completely false,  
10 Stephen.  
11    MR. STERN: He said he printed it.  
12    MR. JORDAN: You can't misstate the  
13 testimony.  
14    MR. STERN: Now I'm asking him how he did  
15 access it.  
16    MR. JORDAN: He had it in his OneDrive  
17 account, we all know that.  
18    MR. STERN: Yeah. How did it get there?  
19 And my question is has he reviewed John White's --  
20 has he logged in as the system administrator since  
21 January 1, 2021, to review John White's e-mails.  
22    MR. JORDAN: And he's already answered

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1 that question.  
2     MR. STERN: No, he hasn't.  
3     MR. JORDAN: Yes, he has. You asked him  
4 that question like ten minutes ago and he answered  
5 it. You may not have liked the answer, but he did  
6 answer it. You only have seven hours. We're kind  
7 of butting up on that.  
8     **Q** Go ahead, Mr. White.  
9     MR. REDD: I believe Mr. Jordan is  
10 correct that the question has already been  
11 answered. My question is, was there any  
12 connection besides what you've already stated,  
13 Mr. Stern, why --  
14    MR. STERN: No, that's my question.  
15    MR. REDD: -- this is discoverable in  
16 this case.  
17    THE COURT REPORTER: I'm sorry, Mr. Redd,  
18 I'm sorry, Mr. Redd; I can't hear you.  
19    MR. REDD: I wanted to know whether  
20 there's any basis besides what Mr. Stern said for  
21 why this line of questioning is proper. He said  
22 that we would be just repeating ourselves, which

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1 means --  
2 MR. STERN: I've given you my  
3 explanation. That's it. Nothing's different.  
4 That's it. I want to understand what he's been  
5 doing and how he's been able to get this.  
6 MR. REDD: That was what I wanted to know  
7 about this line of questioning, whether there was  
8 anything additional or different, and you're  
9 saying no. I believe the question has been asked  
10 and answered.  
11 But go ahead.  
12 **A Can you ask your question again, please,**  
13 **Mr. Stern?**  
14 Q Have you logged on as the system  
15 administrator for compassmarketinginc.com since  
16 January 1, 2021, and accessed John White's  
17 e-mails?  
18 MR. JORDAN: Objection; asked and  
19 answered and relevance.  
20 MR. REDD: Same objection.  
21 **A No.**  
22 Q Have you logged on as the administrator

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1 of compassmarketinginc.com between January 1,  
2 2020, and December 31, 2020, and accessed John  
3 White's e-mails?  
4 MR. JORDAN: Objection; relevance.  
5 MR. REDD: Same objection for me and to  
6 form.  
7 **A No.**  
8 MR. STERN: One second.  
9 Q Was George -- George White also  
10 administrator of the compassmarketinginc.com URL?  
11 MR. REDD: Objection to form.  
12 Go ahead.  
13 **A Yes.**  
14 MR. JORDAN: Objection to relevance.  
15 Q I couldn't hear you, Mr. White.  
16 **A Yes, he was.**  
17 Q Is he still an administrator for the  
18 compassmarketinginc.com URL?  
19 **A Not as far as I know.**  
20 Q When did his -- when was he no longer --  
21 as of when was he no longer -- let me reask it.  
22 As of when did he no longer have access

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1 as the assistant administrator for the  
2 compassmarketinginc.com URL?  
3 **A To the best of my knowledge May of 2019.**  
4 MR. STERN: All right. No further  
5 questions at this time.  
6 All the statements I made earlier in the  
7 deposition about the reason why this deposition  
8 remains open still stand.  
9 BY MR. JORDAN:  
10 Q Okay. Just real quick question, or a  
11 couple questions, Mr. White. Have you ever  
12 received a blank copy of an e-mail?  
13 **A Yes.**  
14 Q Okay. If you receive a blank copy of an  
15 e-mail, when you receive it, do you see that --  
16 your name on the recipient page on the e-mail, if  
17 you know?  
18 **A Can you ask that again, please?**  
19 Q If you are blind-copied, would you see  
20 your own name as a recipient of the e-mail?  
21 **A I don't think so, but I don't know.**  
22 Q Okay. Have you ever received a blank

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1 copy of a Compass Marketing e-mail?  
2 **A Yes.**  
3 Q Okay. Do you have any reason to believe  
4 you didn't receive a blank copy of the e-mail that  
5 Mr. Stern just put up on the screen?  
6 MR. REDD: Objection to the form and the  
7 assumption in the question.  
8 Go ahead.  
9 **A I don't have any reason to believe I -- I**  
10 **didn't receive it one way or the other.**  
11 Q Okay. That's fine.  
12 MR. JORDAN: I don't have any further  
13 questions.  
14 MR. REDD: Okay.  
15 VIDEO TECHNICIAN: Are we all set?  
16 MR. REDD: No. I'm not going to ask Mr.  
17 White any questions. I would like to put a couple  
18 of things on the record. It might be appropriate  
19 for him to step out of the room, but I -- and I  
20 don't want the deposition to go off the record  
21 yet.  
22 If you want to step and I'll let you know

<p style="text-align: right;">309</p> <p>1 when you can come back in. 2 (Mr. White left the room.) 3 VIDEO TECHNICIAN: Just to clarify, you 4 want this on the video portion as well? 5 MR. REDD: No, no video, but on the 6 transcript, please. 7 VIDEO TECHNICIAN: Okay. So should I 8 close out the video now? 9 MR. REDD: No, not yet, because I want to 10 give the opportunity for additional testimony on 11 some areas that may -- may be at issue that if we 12 can resolve right now, then we should, and there's 13 no reason to come back for certain things. There 14 may be other categories that we're not going to 15 get an agreement on and they're -- we're not going 16 to go forward until further proceedings, but there 17 are a few things -- 18 VIDEO TECHNICIAN: Okay. Just so you 19 know, you're in my screen now so I'm recording 20 you. 21 MR. REDD: Okay. I thought we were going 22 off the video record for now, but we can -- we're</p>	<p style="text-align: right;">311</p> <p>1 representation in a filing related to whether that 2 document was produced or not. So I do want to 3 address that. We can take that up later. But for 4 today's purposes you have the native e-mail that 5 Mr. White received on May 22, 2007, as produced on 6 November 18, 2021, by my office; correct? 7 MR. STERN: Just to be clear, there 8 should be two native e-mails, the one that he sent 9 to Mr. Jordan and the one that he received from 10 Daniel White. 11 MR. REDD: Okay. So the one that was -- 12 that was sent to Mr. Jordan, that's the one that 13 Mr. Jordan used as an exhibit out of -- I guess 14 out of Mr. Jordan's inbox. But that is the native 15 e-mail that would also have been in Mr. White's 16 sent mail. So it's already been produced by a 17 party. 18 MR. JORDAN: I've already produced it. 19 MR. REDD: Right. So -- 20 MR. JORDAN: Stephen, you have that from 21 me. In fact, you have it again today. 22 MR. REDD: We marked it as a deposition</p>
<p style="text-align: right;">310</p> <p>1 going to turn it back on when the witness comes 2 back. 3 VIDEO TECHNICIAN: All right. So we are 4 going off -- I got it. Understood. 5 MR. REDD: All right. 6 VIDEO TECHNICIAN: We are off the video 7 record at 5:11 p.m. 8 MR. REDD: So there's going to be an 9 opportunity for additional testimony if we can 10 come to some agreements. And I will say, just so 11 I don't forget, I object to keeping the deposition 12 open and the witness will read and sign just so I 13 don't forget that when we're actually at the end. 14 The May 22, 2007, e-mail that was Page 15 No. 1 in our document production, Mr. Stern and I 16 had a discussion briefly about that and whether 17 that was produced or not. Have you confirmed with 18 your office that you have that in native format? 19 MR. STERN: I have been informed that we 20 do have it so my -- I was mistaken on that. 21 MR. REDD: Okay. I appreciate that. And 22 there was -- I sent you an e-mail about a</p>	<p style="text-align: right;">312</p> <p>1 exhibit. 2 MR. STERN: You just forwarded it to me. 3 MR. REDD: That was a deposition exhibit. 4 MR. JORDAN: No. I sent it when I got it 5 in September. 6 MR. STERN: I know. That was just a 7 forwarding e-mail. You just forwarded it to me. 8 MR. JORDAN: No. 9 MR. REDD: No, no, no. 10 MR. JORDAN: I uploaded it -- I uploaded 11 it into the documents that you guys asked for 12 and -- 13 MR. STERN: I've not seen that. 14 MR. JORDAN: -- I sent it again today. 15 MR. STERN: Then I'll have to look at 16 that because I -- the only copy that I got from 17 you is the one you forwarded. And if I'm 18 mistaken, then I'll clarify that and get back to 19 you. The only one that I've seen is the one that 20 you forwarded. 21 MR. REDD: These sound like honest 22 mistakes or misunderstandings about which -- which</p>

<p style="text-align: right;">313</p> <p>1 native e-mail we are talking about. But because 2 I'm hearing that there is a dispute about what 3 e-mail and attachment was or was not produced, I 4 just want to be clear. Both of those native 5 e-mails have been produced in this case. One was 6 already previously produced by party. There is no 7 reason for a third party to produce it again. The 8 original e-mail that Mr. White was Bcc'd on -- 9 MR. STERN: Well, there's not -- 10 MR. REDD: -- other parties have now. 11 MR. STERN: Whoa, whoa, whoa, whoa, whoa. 12 There's -- no one's ever testified that he was 13 Bcc'd on that. 14 MR. REDD: My fault. My fault. That was 15 forwarded to him on the 2007 e-mail. Okay? So if 16 there are any questions about that document or the 17 attachment to it or the metadata of it that was 18 produced, it's available to be asked about right 19 now. He can come back if there are further 20 questions. I went through everything on the 21 forwarded version of it in 2021. We're not going 22 to come back on the record even if we're back for</p>	<p style="text-align: right;">315</p> <p>1 with an e-mail forwarded to you. I forwarded it 2 to you on January -- on September 28 and I think 3 it said something like Michael White sent this 4 e-mail to me. 5 MR. STERN: You did. You did do that. 6 I'm acknowledging that. 7 MR. JORDAN: Right. 8 MR. STERN: But I'm saying that to me is 9 not production. All right. I think you and I -- 10 MR. JORDAN: I thought Daniel -- I could 11 be wrong. I thought Daniel sent his native -- 12 MR. STERN: Greg, I was not -- I was not 13 accusing you of misrepresenting anything. 14 MR. JORDAN: Okay. 15 MR. STERN: I wanted to put it on the 16 record. 17 MR. JORDAN: Somebody, I thought it was 18 Daniel, produced his -- his e-mail -- 19 MR. STERN: He did not produce the -- 20 MR. JORDAN: -- in native. 21 MR. STERN: He produced only the -- he 22 did not produce the original e-mail in that thread</p>
<p style="text-align: right;">314</p> <p>1 other reasons about things that could have been 2 asked about today, including that e-mail that 3 was -- that we acknowledge was produced and 4 received by all the parties and any others. 5 MR. STERN: I just want to make sure I 6 understand what you're saying, Justin, that you 7 produced in native format the May 22, 2007, e-mail 8 that Michael White received; correct? 9 MR. REDD: Correct. 10 MR. STERN: You did not produce in native 11 format the e-mail that he forwarded in September 12 of 2021; correct? 13 MR. REDD: Michael White did not produce 14 that, but that same e-mail was produced in native 15 format on behalf of Mr. Boshea by Mr. Jordan. 16 MR. STERN: And I'm -- and, Greg, I'm 17 going to have to -- the only one that I know of 18 that we've got is the one you forwarded to me. 19 When I say "forwarded," like literally pressing 20 forward, putting my name -- 21 MR. JORDAN: And trust me, I have no 22 reason to put my license at risk to screw around</p>	<p style="text-align: right;">316</p> <p>1 in native format. He produced the one that he 2 forwarded to Michael in native format. If you 3 remember when he testified, he said he doesn't 4 know the whereabouts of the original e-mail in 5 that thread. 6 MR. REDD: As it relates to Michael 7 White, we have the first native format e-mail that 8 Michael White received on the basis -- 9 MR. STERN: As I said, I've been 10 corrected. You sent that. I've -- I've been -- I 11 was advised during one of the breaks that we got 12 that. So... 13 MR. REDD: Okay. So I'm not hoping that 14 you ask more questions about it, but this is the 15 opportunity to do so if -- if there ever is going 16 to be one. 17 MR. STERN: I will not at this time. 18 MR. REDD: Okay. And it's not going to 19 be at any other time either in a deposition. 20 MR. JORDAN: Understood. 21 MR. REDD: And if there are other -- 22 other areas that could have been asked about today</p>



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1 or can be asked about if Mr. White comes back in,  
2 that we haven't gotten to them, we're not -- even  
3 if we go back for other reasons, which I disagree  
4 that we should, but now is the time to exhaust  
5 those proper area inquiries. We're not going to  
6 start back at the beginning even if we come back  
7 for some limited purpose again, which I don't  
8 think is warranted.

9 MR. STERN: I'm not really sure what your  
10 statement was there other than I realize you're  
11 objecting to coming back. I'm hearing the  
12 objection. I'm not -- I'm not -- I'm not  
13 conceding that that is correct or appropriate.

14 MR. JORDAN: What he's saying is if you  
15 have something that you're not certifying in the  
16 motion to the Court, ask it today. If you don't  
17 ask it today --

18 MR. STERN: I didn't certify it in the  
19 transcript.

20 MR. JORDAN: -- you're not going to ask  
21 it tomorrow.

22 MR. STERN: I mean, whoa, whoa, whoa.

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1 There was a lot of stuff that he didn't answer.  
2 I'm not going question by question, subject by  
3 subject. There was a ton of material that he was  
4 evasive on. There was a lot of material that you  
5 instructed him not to answer on. And all of that  
6 is stuff that I'm going to have to review when I  
7 see the transcript to raise it with the Court.

8 MR. REDD: Yeah. And the only reason  
9 there were so many instructions was there were so  
10 many topics that were very far afield of the case.  
11 And we -- our positions are noted. But I'm  
12 just -- the sheer number of them, there was a  
13 reason for it.

14 And any other -- you mentioned earlier  
15 the -- the -- there were e-mails and attachments  
16 that you hadn't received. Is that the -- we  
17 talked about the one that you're referring to and  
18 that's it?

19 MR. STERN: No. There's several of them  
20 because there are several that we received from  
21 Daniel White that Michael White didn't produce.  
22 There were several that Michael White produced

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1 where there were not attachments. So I have not  
2 gone through them one by one, but that's why I was  
3 trying to get confirmation during the deposition,  
4 what was attached to this. He says I don't know.  
5 Well, then we're going to get clarification. If  
6 he can't authenticate it, then we're going to have  
7 to go back and get that straightened out with the  
8 Court. I asked that several times. You heard him  
9 answer it that way.

10 MR. REDD: Well, the documents were  
11 produced about two weeks ago. There's no  
12 follow-up about missing attachments. There's no  
13 follow-up about that. The time to meet and confer  
14 on -- on that was before this deposition. We --  
15 Mr. Jordan and I tried to call you a bunch of  
16 times about issues in this case. That wasn't  
17 raised. And I object to that being a basis to  
18 come back or to produce more documents.

19 And if it's already been produced by a  
20 party, there is no basis to burden a third party  
21 to re-go back and go through and duplicate those  
22 efforts. The burdens on a nonparty and the

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1 availability of the evidence in another format  
2 that's already been produced as relevant to the  
3 burden, I think he has met his document production  
4 obligations.

5 MR. STERN: We'll have to agree to  
6 disagree on that.

7 MR. REDD: All right. So with that, any  
8 more questions for Mr. White?

9 MR. STERN: Not at this time --

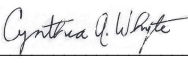
10 MR. JORDAN: We do not.

11 MR. STERN: -- subject to my statements  
12 before.

13 MR. REDD: I guess one last thing before  
14 we go off the record. I guess it makes sense to  
15 just do it before we close up. There is a --  
16 there's a motion -- a mention of a potential  
17 motion to compel. Can you remind me exactly what  
18 you two -- both were talking about joining in a  
19 motion to compel about?

20 MR. JORDAN: It had to do with Chip  
21 DiPaula's severance agreements and payments of  
22 Chip DiPaula's severance agreements.

<p style="text-align: right;">321</p> <p>1 MR. REDD: Okay. And that's the -- all 2 right. 3 MR. JORDAN: Severance payments. 4 MR. REDD: I'm recalling that Judge 5 Copperthite's order stated that those were not 6 relevant and discoverable. 7 MR. JORDAN: And I'll review -- I'll 8 review Judge Copperthite's order before I make a 9 final decision. How about that? I think you may 10 be right on that. 11 MR. REDD: Page 52. 12 MR. JORDAN: Yeah, I think you -- I think 13 you may be correct on that. 14 MR. REDD: Employment agreements between 15 you and Compass Marketing returned to DiPaula, 16 severance agreement between you and Compass 17 Marketing about DiPaula, all documents that refer, 18 reflect, or relate to any severance payments or 19 other post-employment payments you received from 20 or on behalf of Compass Marketing, all -- the 21 motion to quash was granted as to all of those 22 issues. Mr. DiPaula's motion was granted in full.</p>	<p style="text-align: right;">323</p> <p>1 That's District of Maryland. 2 MR. JORDAN: Anything else? 3 MR. STERN: 2020 U.S. District Court -- 4 MR. REDD: Can you have someone in your 5 office e-mail the cites? I'm having trouble -- 6 MR. JORDAN: Yeah, that probably -- that 7 probably makes more sense. 8 MR. STERN: That's fine. 9 MR. JORDAN: Yeah. 10 MR. REDD: I appreciate it. You're a 11 fast talker, Steve. It's hard to write. 12 MR. STERN: I'm originally from New York. 13 I have that and I'm proud of that. I haven't lost 14 that part of my heritage. 15 MR. REDD: All right. I've tried to 16 address everything we could address today. Is 17 there anything else? 18 MR. STERN: I think that is all. Well, 19 we -- you want to try to do a quick call? The 20 other thing that I know we have to circle back on 21 I guess while the three of us are on the line 22 right now, we don't have to be --</p>
<p style="text-align: right;">322</p> <p>1 I don't know why -- 2 MR. JORDAN: Again, again -- 3 MR. REDD: Because his name is mentioned 4 in an e-mail wouldn't make it, you know, relevant 5 through Mr. White. 6 MR. JORDAN: Again, Justin, I think 7 you're correct. 8 MR. STERN: I'll be happy to illustrate 9 it in the brief to the Court. 10 MR. REDD: Yeah, that reminds me. You 11 said you have a pile of cases that show that I'm 12 wrong. I've offered to look over those and, you 13 know, I guess you're not going to be giving 14 anything away. Just send me the citations, I'll 15 read them if you want me to. 16 MR. STERN: 199 F.R.D 553. 17 MR. REDD: Hold on. What's the name of 18 the case? 19 MR. STERN: Behler, B-E-H-L-E-R, V. 20 Hamlin. 21 MR. JORDAN: Is it 553? 22 MR. STERN: 5 -- yeah, 199 F.R.D 553.</p>	<p style="text-align: right;">324</p> <p>1 MR. REDD: Well, we can be off the record 2 for Michael White's -- 3 MR. STERN: We can be off the record. 4 MR. REDD: -- deposition; right? 5 MR. STERN: Yeah, why don't we be off the 6 record for this. 7 THE COURT REPORTER: Okay. 8 MR. JORDAN: Before we go off -- wait. 9 Before we go off the record, how much time have we 10 expended on the deposition? 11 MR. STERN: All this time is not 12 attributed to me. 13 MR. JORDAN: All this time is -- this is 14 Michael White's deposition. All of this time is 15 attributed to you and me. 16 MR. STERN: No, it's not. You can't be 17 asking questions -- 18 MR. JORDAN: Absolutely I can. You get 19 seven hours to -- 20 MR. STERN: Not for me. 21 MR. JORDAN: The witness does not have to 22 sit for more than seven hours. Okay? And if</p>

<p style="text-align: right;">325</p> <p>1 you -- if you call the witness, then it's your 2 seven hours. 3 MR. STERN: Well, when you consider all 4 the objections -- 5 MR. JORDAN: Anyway, Charlie, how much 6 time have we expended -- 7 VIDEO TECHNICIAN: I have 6.03 on the 8 video portion that was going to 5:11. 9 MR. JORDAN: So you've got about five 10 hours left, Stephen. 11 MR. STERN: We'll address that with the 12 Court as well. 13 MR. REDD: I'm sure the videographer will 14 be happy to give you each a breakdown of how long 15 both were questioning. I'm not getting into that. 16 Okay. Anything else? 17 MR. STERN: We're off the record. 18 (A discussion was held off the record). 19 VIDEO TECHNICIAN: The time is 5:27 p.m. 20 We're on the record. 21 The time is 5:27 p.m. This concludes 22 today's deposition. We are off the record.</p>	<p style="text-align: right;">327</p> <p>1 ACKNOWLEDGEMENT OF DEPONENT 2 I, MICHAEL R. WHITE, do hereby acknowledge that I 3 have read and examined the foregoing testimony and 4 the same is a true, correct and complete 5 transcription of the testimony given by me and any 6 corrections appear on the attached Errata Sheet 7 signed by me. 8 9 10 _____ 11 (DATE) (SIGNATURE) 12 13 14 15 16 17 18 19 20 21 22</p>
<p style="text-align: right;">326</p> <p>1 MR. STERN: As far as the specific order, 2 we are going to want video, we are going to want 3 the transcript in electronic searchable format 4 where we can get a printout, mini and full, with 5 the exhibits attached. I will get back to you on 6 timing probably tomorrow. 7 MR. JORDAN: We will take a copy of the 8 transcript only in electric form only. 9 AV TECHNICIAN: And Mr. Redd? 10 MR. REDD: I will get the same order that 11 Mr. Stern is getting, please. 12 AV TECHNICIAN: All right. 13 (Off the record at 5:31 p.m.) 14 15 16 17 18 19 20 21 22</p>	<p style="text-align: right;">328</p> <p>1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC 2 I, Cynthia A. Whyte, the officer before whom 3 the foregoing deposition was taken, do hereby 4 certify that the foregoing transcript is a true 5 and correct record of the testimony given; that 6 said testimony was taken by me stenographically 7 and thereafter reduced to typewriting under my 8 supervision; that reading and signing was 9 requested; and that I am neither counsel for, 10 related to, nor employed by any of the parties to 11 this case and have no interest, financial or 12 otherwise, in its outcome. 13 IN WITNESS WHEREOF, I have hereunto set 14 my hand and affixed my notarial seal this 9th day 15 of December, 2021. 16 My commission expires: 17 October 30, 2022 18  19 _____ 20 CYNTHIA A. WHYTE 21 NOTARY PUBLIC IN AND FOR THE 22 STATE OF MARYLAND</p>

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