

1                   IN THE CIRCUIT COURT OF  
2                   JEFFERSON COUNTY, ALABAMA  
3                   BIRMINGHAM DIVISION

4  
5  
6  
7       CIVIL ACTION NO.:   CV-2012-0209

8  
9       WILLIAM B. CASHION, and WESTERN STEEL,  
10                   INC.,  
                                  Plaintiffs,

11       v.

12       STEVEN MARK HAYDEN, ANGELA RAE HAYDEN,  
13       ANGELA RAE HAYDEN, as trustee for the  
14       William B. Cashion Nevada Spendthrift  
15       Trust, FRANKIE CASHION, and FRANKIE  
                                  CASHION, as trustee for the Cashion  
                                  Family Nevada Spendthrift Trust,  
                                  Defendants.

16  
17  
18               VIDEOTAPED DEPOSITION TESTIMONY OF:

19                               FRANKIE CASHION

20                               December 6, 2012

21                               \*CONFIDENTIAL\*

22

23

## 1                   S T I P U L A T I O N S

2                   IT IS STIPULATED AND AGREED  
3 by and between the parties through their  
4 respective counsel that the deposition of  
5 FRANKIE CASHION may be taken before Lane  
6 C. Butler, a Court Reporter and Notary  
7 Public for the State at Large, at the law  
8 offices of Maynard, Cooper & Gale, 2400  
9 Regions/Harbert Plaza, 1901 Sixth Avenue  
10 North, Birmingham, Alabama, on the 6th  
11 day of December, 2012, commencing at  
12 approximately 9:45 a.m.

13                   IT IS FURTHER STIPULATED  
14 AND AGREED that it shall not be necessary  
15 for any objections to be made by counsel  
16 to any questions except as to form or  
17 leading questions and that counsel for  
18 the parties may make objections and  
19 assign grounds at the time of trial or at  
20 the time said deposition is offered in  
21 evidence, or prior thereto.

22                   In accordance with Rule 5(d)  
23 of the Alabama Rules of Civil Procedure,

1 as amended, effective May 15, 1988, I,  
2 Lane C. Butler, am hereby delivering to  
3 James L. Goyer, III, Esq., the original  
4 transcript of the oral testimony taken  
5 the 6th day of December, 2012.

6 Please be advised that this is  
7 the same and not retained by the Court  
8 Reporter, nor filed with the Court.

9  
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18  
19  
20  
21  
22  
23

1                                   A P P E A R A N C E S

2

3       FOR THE PLAINTIFFS:

4

5       James L. Goyer, III, Esq.

6       MAYNARD, COOPER & GALE

7       2400 Regions/Harbert Plaza

8       1901 Sixth Avenue North

9       Birmingham, Alabama 35203

10

11

12       FOR THE DEFENDANTS:

13

14       Austin Burdick, Esq.

15       SCOZZARO, BURDICK & SMITH

16       1020 Ninth Avenue Southwest

17       Bessemer, Alabama 35022

18

19

20       ALSO PRESENT:

21       William Cashion

22       Kai Irwin, videographer

23       Mark Hayden

## 1 I N D E X

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5 Mr. Burdick 184

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7 Mr. Goyer 301

8

9

10

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1 I, Lane C. Butler, a Court  
2 Reporter and Notary Public, State of  
3 Alabama at Large, acting as Notary,  
4 certify that on this date, pursuant to  
5 the Alabama Rules of Civil Procedure and  
6 the foregoing stipulation of counsel,  
7 there came before me at the law offices  
8 of Maynard, Cooper & Gale, 2400  
9 Regions/Harbert Plaza, 1901 Sixth Avenue  
10 North, Birmingham, Alabama, commencing at  
11 approximately 9:45 a.m., on the 6th day  
12 of December, 2012, FRANKIE CASHION,  
13 witness in the above cause, for oral  
14 examination, whereupon the following  
15 proceedings were had:

16

17 THE VIDEOGRAPHER: This is Tape  
18 1 in the deposition of Frankie Cashion in  
19 the matter of William Cashion and Western  
20 Steel v. Steven Hayden, Angela Hayden,  
21 and Frankie Cashion, Case Number  
22 CV-2012-0209 in the Circuit Court of  
23 Jefferson County, Alabama. We're on the

1 record at 9:43 on Thursday, December 6th,  
2 2012. The deposition is taking place at  
3 Maynard, Cooper & Gale in Birmingham,  
4 Alabama. My name is Kai Irwin, for  
5 Freedom Court Reporting.

6 Would counsel please identify  
7 yourselves and state whom you represent.

8 MR. GOYER: This is Jim Goyer.  
9 I represent William Cashion and Western  
10 Steel.

11 MR. BURDICK: My name is Austin  
12 Burdick. I represent Steven Mark Hayden  
13 and Angela Rae Hayden as an individual  
14 and Angela Rae Hayden as trustee.

15 MR. GOYER: Ms. Cashion, I  
16 understand you're here today, you don't  
17 have a lawyer with you; is that right?

18 THE WITNESS: That's correct.

19 MR. GOYER: Okay. And you have  
20 been dismissed from this case; correct.

21 THE WITNESS: Correct.

22 THE VIDEOGRAPHER: Would the  
23 reporter please swear in the witness.

1 MR. BURDICK: I was going to  
2 say, did you want her sworn in before you  
3 --

4 MR. GOYER: Yeah, I'm sorry.

5 MR. BURDICK: -- ask her these  
6 questions? Okay.

7 MR. GOYER: Let her swear you in  
8 first.

9  
10 FRANKIE CASHION,  
11 being first duly sworn,  
12 was examined and testified as follows:

13  
14 THE COURT REPORTER: Usual  
15 stipulations?

16 MR. BURDICK: That's fine with  
17 me.

18  
19 EXAMINATION BY MR. GOYER:

20 Q. You have the right to read and  
21 sign the deposition if you want to. It's  
22 up to you.

23 A. What do you mean, read to sign

1 -- read -- sign the deposition?

2 Q. Read and sign it. When she  
3 finishes the transcript, she can send it  
4 to you. You'll have thirty days to  
5 review it for any corrections or typos or  
6 anything like that. It's up to you. You  
7 don't have to. I mean, it's your choice.

8 A. And that would be good, that  
9 would be.

10 Q. Okay.

11 A. Because I am not represented by  
12 counsel because I thought I would not  
13 have to do a deposition.

14 Q. Okay. As I asked you before you  
15 were sworn in, you have been dismissed  
16 from the case; correct?

17 A. Right.

18 Q. Okay. Have you ever had your  
19 deposition taken before?

20 A. No.

21 Q. All right. You're under oath.  
22 This is a video deposition. We'll be  
23 taking breaks. If you want to take a

1 break at any time, just let me know and  
2 we'll stop. If I ask a question and it's  
3 unclear, please let me know and I'll try  
4 rephrase it. If you don't say that  
5 you -- if you don't stop me, I'll assume  
6 you do understand a question. Fair  
7 enough?

8 A. Uh-huh. Yes.

9 Q. Now, one thing, you need to say  
10 verbal "yes" or "no," because if you say  
11 "uh-huh" or "huh-uh" --

12 A. Yes.

13 Q. -- the court reporter is typing  
14 everything down, and it gets ambiguous  
15 about what your answer is. And we don't  
16 want that. We want to be clear about  
17 what your testimony is.

18 A. Okay.

19 Q. Where do you live, Ms. Cashion?

20 A. 12621 Tannehill Parkway,  
21 McCalla, Alabama 35111.

22 Q. What county is that in?

23 A. Tuscaloosa.

1 Q. Can you give me a summary of  
2 your -- where you were born and raised,  
3 your education, and so forth?

4 A. Born and raised in Birmingham,  
5 Alabama, Fairfield Highlands I grew up.  
6 Finished high school at Hueytown High  
7 School. A resident of Birmingham,  
8 Alabama, all my life, mostly.

9 Q. I'm not doing this to insult  
10 you, but what year were you born?

11 A. 1949.

12 Q. Okay. Did you go -- go to any  
13 school after -- did you graduate from  
14 Hueytown High School?

15 A. Yes.

16 Q. Did you go to any school after  
17 that?

18 A. No.

19 Q. Tell me about, did you ever  
20 go -- have any work, jobs as you were  
21 growing up or after high school?

22 A. Yeah. Yes. After high school,  
23 I worked at Social Security, Internal

1 Revenue, then became self-employed.

2 Q. Can you tell me about what years  
3 you were at each one of those?

4 A. Around '70, 1970, '71. And I --  
5 I'm not absolutely sure, but an estimate.

6 Q. 1970 you went to work for Social  
7 Security?

8 A. Estimated.

9 Q. And how long did you work for  
10 Social Security?

11 A. I think two years, two to three  
12 years. It's been a long time ago.

13 Q. Sure.

14 A. 40-something years ago.

15 Q. What did you do at Social  
16 Security?

17 A. I was in award typing.

18 Q. Okay. Did you do that the whole  
19 time you were there?

20 A. Uh-huh. Yes, sir.

21 Q. Thank you. And did you go from  
22 Social Security to the Internal Revenue  
23 Service?

1           A.     Internal Revenue Service to  
2     Social Security.   Internal Revenue, was  
3     employed first.

4           Q.     Okay.

5           A.     For a year, and then went to  
6     Social Security.

7           Q.     So based on what you've told me,  
8     I assume you went to Internal Revenue  
9     Service around 1969?

10          A.     Probably, yes, estimate.

11          Q.     And what was your job at the  
12     Internal Revenue Service?

13          A.     Printing checks.

14          Q.     What was your reason for leaving  
15     and going to Social Security?

16          A.     Well, they hired me at Social  
17     Security, so I just transferred over.

18          Q.     Was it a pay raise?

19          A.     I don't recall.   It was just a  
20     more stable job, you know.

21          Q.     Okay.   And you left Social  
22     Security in 1972 or '73, approximately?

23          A.     Estimated, yes.

1 Q. And what was your reason for  
2 leaving Social Security?

3 A. Pregnant.

4 Q. Okay. Who was your husband at  
5 that time?

6 A. Terry Weathers.

7 Q. Was that your first marriage?

8 A. Yes.

9 Q. What year were y'all married?

10 A. '68, 1968.

11 Q. And how many children did you  
12 have?

13 A. Two.

14 Q. What were their names?

15 A. Terry Lee Weathers, Jr., and  
16 Kerry Wayne Weathers.

17 Q. How do you spell Kerry?

18 A. K-E-R-R-Y.

19 Q. Where do those -- where do your  
20 children live now?

21 A. My one son living is Terry  
22 Weathers, Jr., and he lives in McCalla.

23 Q. And that's Jefferson County?

1           A.     Tuscaloosa County.

2           Q.     Tuscaloosa, I'm sorry.  Do you  
3     have any relatives of blood or marriage  
4     that live in Jefferson County?

5           A.     Yes.  My sister, Terry Adams.  
6     My mother, Gwenda Shope.

7           Q.     How do you spell that?

8           A.     S-H-O-P-E.

9           Q.     And her first name is?

10          A.     Gwenda, G-W-E-N-D-A.

11          Q.     How old is she?

12          A.     Eighty-three.

13          Q.     And how old is your sister,  
14     Terry?

15          A.     She's 53, I think.  No, she's  
16     55.

17          Q.     All right.  Is she married?

18          A.     No.

19          Q.     Does she have any children  
20     living in Jefferson County that are over  
21     the age of --

22          A.     She has one son, Nicholas Moore.

23          Q.     How old is he?  Do you know?

1 A. I estimate 38, 39.

2 Q. Do you know what his wife -- is  
3 he married?

4 A. No.

5 Q. Okay. All right. Other than  
6 your sister, your mother, and I guess  
7 your nephew, Nicholas, anybody else who  
8 lives in Jefferson County, that you know?

9 A. No.

10 Q. Okay.

11 A. Not that I recall. I haven't --  
12 I'm sorry, but there is an aunt and  
13 uncle, Thurman Shope and Lenevee Shope,  
14 and they live in Bessemer. It's  
15 Jefferson County.

16 Q. How do you spell Lenevee?

17 A. L-E-N-E-V-E-E. Double E, I  
18 believe.

19 Q. How old are they?

20 A. Oh, he's about -- now he's about  
21 89.

22 Q. Okay. And Lenevee Shope, how  
23 old is she?

1           A.     She may be a little younger.

2     And I cannot be accurate on that.  I can  
3     tell you I do not know.

4           Q.     Okay.

5           A.     And that would be the right  
6     answer instead of estimating.  Answer  
7     would be, I don't know.

8           Q.     All right.  Anybody else you can  
9     recall that's related to you by blood or  
10    marriage in Jefferson County?

11          A.     My father, who's dead in a  
12    grave, he's in Jefferson County.

13          Q.     I understand.

14          A.     Other than that, that's all.

15          Q.     Okay.  All right.  You said that  
16    you left Social Security, I guess, when  
17    you got pregnant.

18          A.     Right.

19          Q.     And you mentioned you were  
20    self-employed.  What years were you  
21    self-employed?

22          A.     Oh, goodness.  I can't give you  
23    the exact date.

1 Q. Your best judgment.

2 A. Probably around '75. 1975 is an  
3 estimate.

4 Q. How long were you self-employed?

5 A. Oh, many years. Many years.  
6 Around 20-something years altogether,  
7 self-employed.

8 Q. Okay. And what were you doing  
9 in your self-employment?

10 A. I was a vacuum cleaner salesman  
11 and had a store in Jefferson County that  
12 did repair and sales and supplies.

13 Q. What was the name of your store?

14 A. It was Kirby West.

15 Q. Were you the owner?

16 A. I was the owner.

17 Q. And you ran that store for about  
18 twenty years off and on?

19 A. Not just Kirby. Then I  
20 transferred over to a FilterQueen --  
21 FilterQueen of Bibb County, went into  
22 Bibb County. And then I opened up  
23 Frankie's Fashion Floors at the same

1 time. I got into the carpet business as  
2 well as the vacuum business.

3 Q. Okay.

4 A. Those were earned  
5 distributorships.

6 Q. All right. So you worked from  
7 1975 to about 1995, twenty years?

8 A. Except for the time I was  
9 married twelve years to Bill Chadwick.

10 Q. Okay.

11 A. And then I was not employed  
12 there. So I can't recall the exact  
13 dates.

14 Q. Any other jobs you had other  
15 than what you've already told me?

16 A. Frankie's Fashion Floors. No.  
17 Just sales and carpet.

18 Q. Okay. All right. So you were  
19 married to Terry Weathers first from  
20 1968. I take it y'all got divorced?

21 A. We divorced when our son was  
22 killed by a car, hit by a car and killed.

23 Q. What year was that?

1 A. He was killed in '75, I think.

2 Q. And that would have been which  
3 -- that was Kerry Wayne Weathers?

4 A. He was born in '72, and he was  
5 killed -- and he was killed in '77.

6 Q. So he was five years old?

7 A. Uh-huh. He was five years old.

8 Q. So, is that when you got  
9 divorced, '77?

10 A. Yes.

11 Q. Who divorced whom?

12 A. I divorced him.

13 Q. Okay. Was he driving the car?

14 A. No. He was hunting when the --  
15 and I was working. And this was at a job  
16 site that I was doing contracts for a  
17 job. And the little boys went out to  
18 play and did not have permission, and  
19 they were riding bikes in the street.  
20 And a lady came on the wrong side of the  
21 road and hit my son.

22 Q. I'm sorry. Okay. So, when did  
23 you marry Bill Chadwick? What year was

1 that?

2 A. I don't recall. It was a year  
3 after, so I think around '78.

4 Q. So he was your second husband?

5 A. Yes, Bill Chadwick was my second  
6 husband. We divorced -- '77, it might  
7 have been '79.

8 Q. When you married?

9 A. Yes. Because we were -- we  
10 lived together a year after my son was  
11 killed in '77. That would be '78. And  
12 then I probably married Bill right at --  
13 I think right at Christmastime of '78 or  
14 seventy- -- '78 or '79, if you want to be  
15 exact, one or the other.

16 Q. All right. And you said you  
17 were married to him --

18 A. -- twelve years.

19 Q. Okay. So that would have been  
20 roughly about 1990 you got divorced?

21 A. Yeah.

22 Q. What was your reason for getting  
23 divorced from Mr. Chadwick?

1           A.     Well, the man had been in a cult  
2     for years, in Scientology, and had not  
3     processed out, and he still received  
4     literature.  And when he -- we had his  
5     12-year-old daughter, who had been  
6     assaulted and molested by her stepfather.  
7     We had custody of her.  And then when --  
8     we slept on the living room floor  
9     together, we never slept in the bed,  
10    because we didn't have heat and we didn't  
11    have air, we had a wood-burner.  And we  
12    slept in wool blankets, coats, and  
13    hats -- it's a phenomenal story -- for a  
14    long time.

15           Q.     This is you and your husband?

16           A.     Yes.  So when my husband told my  
17    -- his daughter, she's 12, and she was  
18    crying and upset and emotional, he said  
19    probably a warlock was trying to have sex  
20    with her.  And then we made plans to  
21    leave.  So now you got the sad, sad  
22    story.

23           Q.     So you left with the daughter?

1           A.     I left with the daughter.

2           Q.     Okay.  And did you go to work at  
3     that point?  Or how --

4           A.     I had been working.  I had gone  
5     back into sales, selling carpet and  
6     selling vacuums, and I had gone back.

7           Q.     Okay.

8           A.     And I had planned for two years  
9     to leave.  I had already started building  
10    a house and had it almost -- almost  
11    three-fourths finished, and he never even  
12    knew about it.

13          Q.     Okay.

14          A.     I was paying for the house along  
15    with working and taking his daughter, had  
16    worked, and by this time when we left,  
17    she was fifteen.  And we had worked and  
18    got her a car and got it -- the payments  
19    paid up a year in advance and -- and  
20    trying to instill some security and some  
21    mental stability with this child, who was  
22    very unstable from her past.  And when we  
23    left, I took her with me.

1 Q. What's her name?

2 A. Rachel Chadwick.

3 Q. Where does she live?

4 A. She lives in Clanton. We keep  
5 in touch.

6 Q. How old is she?

7 A. Oh, goodness, I don't recall how  
8 old Rachel is. She's probably 40 or 38,  
9 somewhere, 38, 39, 40 right now.

10 Q. Okay.

11 A. She has five children.

12 Q. All right. Were there any other  
13 children living in that house?

14 A. No.

15 Q. All right. So you got divorced  
16 from Bill Chadwick in 19- -- let me see,  
17 in 1990. When's the next time you got  
18 married?

19 A. Probably, I want to say '91,  
20 '92.

21 Q. And who did you marry?

22 A. Married Charlie Sneed.

23 Q. Is that S-N-E-A-D?

1           A.     S-N-E-E-D.

2           Q.     Okay.  And where were y'all  
3     living when you got married?

4           A.     In my house.

5           Q.     Is that the house you live in  
6     now?

7           A.     No.  The one previous I had  
8     built.

9           Q.     Okay.  You built -- did you  
10    build both houses?

11          A.     Uh-huh.

12          Q.     That's a yes?

13          A.     Yes.

14          Q.     Okay.  All right.  So, how long  
15    were you married to Charlie Sneed?

16          A.     Twelve years.  No, eighteen, I'm  
17    sorry.  Eighteen years.

18          Q.     And what happened at the end of  
19    eighteen years?

20          A.     He left.

21          Q.     He just -- he didn't get a  
22    divorce, he just left?

23          A.     No.  He filed for a divorce, and

1 he wanted half my business and half of my  
2 property. But he had signed a nuptial  
3 agreement before we married, and he  
4 wasn't in the business before we married,  
5 and he had his own business, which was a  
6 Kirby vacuum store. We both were two  
7 different distributors.

8 Q. Okay. You said he -- you and he  
9 had signed a prenuptial agreement?

10 A. Yes.

11 Q. Okay. And that divorce, was  
12 that matter handled in court in Jefferson  
13 County or Tuscaloosa?

14 A. Yes. It was Jefferson County.

15 Q. Okay. All right. So if that  
16 was eighteen years, that puts it about  
17 2010; is that right?

18 A. Yes. I would -- two thousand --  
19 no. William and I married in 2009.

20 Q. Well, you said you got married  
21 to Mr. Sneed about '91 or '92?

22 A. So you can just subtract a  
23 couple of years, then, because I'm not

1 exact on the date as to exactly when we  
2 got married.

3 Q. All right.

4 A. So if you backtrack three and a  
5 half years that I was married to William  
6 then go back a year past that, and then  
7 there you'll land on the right --

8 Q. Okay.

9 A. -- year. I'm just not --

10 Q. So there was a year between the  
11 time you divorced, you got divorced from  
12 Mr. Sneed and you married William  
13 Cashion, it was about a year?

14 A. It was a year, yeah. William  
15 and I dated a year, and then we married.

16 Q. What year did you and  
17 Mr. Cashion get married?

18 A. It was 2008 or '09. Three  
19 really nice years.

20 Q. And I understand you and  
21 Mr. Cashion are divorced now?

22 A. Yes.

23 Q. When did you get divorced?

1           A.     I think it was final in July.

2           Q.     Okay.  Have you ever filed  
3 bankruptcy?

4           A.     Yes.

5           Q.     How many times?

6           A.     Oh, ten years ago and then ten  
7 years ago.  Twice.

8           Q.     Do you know, were those filed in  
9 Tuscaloosa County, Jefferson County?

10          A.     Jefferson County.

11          Q.     Okay.  Now there are different  
12 types of bankruptcy, and I know you're  
13 not a lawyer.  I'm just going to  
14 mention -- Chapter 7 bankruptcy is  
15 probably the most common.  That's where  
16 you just do a complete liquidation, and  
17 there's a trustee appointed.  Is that  
18 what they were?

19          A.     Yes.  It was personal.

20          Q.     Personal?

21          A.     It was my business.

22          Q.     Personal?

23          A.     Yeah.

1 Q. Your business was not a  
2 corporation, was it?

3 A. S.

4 Q. It was?

5 A. (Witness nods head.)

6 Q. Which business was that?

7 A. That was Frankie's Fashion  
8 Floors.

9 Q. Now, is that the one twenty  
10 years ago, or is that the one --

11 A. No, I did not file in a  
12 business.

13 Q. Okay.

14 A. It was personal.

15 Q. So the first one was personal,  
16 first bankruptcy was personal?

17 A. Both.

18 Q. They were -- okay. Let me go  
19 over that and make sure I understand it.  
20 You said you filed two bankruptcies. The  
21 first one was twenty years ago. Let's  
22 talk about that one first.

23 A. Right.

1 Q. Where was that filed?

2 A. Jefferson County.

3 Q. Okay. And what kind of  
4 bankruptcy was that?

5 A. It was debt, personal debt,  
6 medical bills.

7 Q. Was it in your name only, or was  
8 it --

9 A. Yes.

10 Q. Okay. And what was your name at  
11 that point?

12 A. It was Sneed.

13 Q. Okay.

14 A. Well, no. Chadwick, I think.

15 Q. Okay.

16 A. Because we were married eighteen  
17 years and I filed again ten years ago, or  
18 I think it was 2000.

19 Q. Around 2000?

20 A. Uh-huh.

21 Q. That's a yes?

22 A. Yes.

23 Q. And that was filed in Jefferson

1 County also?

2 A. Yes.

3 Q. And was that -- what was your  
4 name at that point?

5 A. Sneed.

6 Q. Okay. Did you file it on behalf  
7 of yourself personally and your company  
8 or just yourself?

9 A. Just myself.

10 Q. Okay. You think that was a  
11 Chapter 7 liquidation, or do you know?

12 A. Uh-huh.

13 Q. Okay. That's a yes?

14 A. Yes.

15 Q. All right. So other than those  
16 two, have you ever filed bankruptcy?

17 A. No.

18 Q. I'm going to show you what we've  
19 marked as Plaintiff's Exhibit 1 to your  
20 deposition and 2. Plaintiff's Exhibit 1  
21 is a deposition notice that we sent to  
22 you in the mail. Did you get this?

23 (Plaintiff's Exhibit 1A and 2A were

1 marked for identification and are  
2 attached.)

3 A. I did. But after I was  
4 released, I threw everything away.

5 Q. Okay.

6 A. So I don't have any.

7 Q. You don't have any documents?

8 A. No. I thought I was through.  
9 Divorced and through.

10 Q. Okay.

11 A. Released and no deposition or  
12 nothing, and now here I am back.

13 Q. Okay. And if you'll look at  
14 Exhibit 2, we served a subpoena on you.  
15 Did you get that? This one that was sent  
16 to you in the mail?

17 A. Oh, yes.

18 Q. And your testimony today here  
19 under oath is you don't have any of the  
20 documents that we've asked for?

21 A. I've got -- I've got -- I've got  
22 some.

23 Q. Let me see what you've got,

1 please, ma'am.

2 A. Can you hand me that right  
3 there? Wait a minute. I'll get it.

4 Q. You might want to take that  
5 microphone off before you get up. It  
6 will jerk you back.

7 A. Okay. Then I can get it. Let's  
8 see. The 911 tape is in my computer, and  
9 I don't know how to get it out, so I  
10 brought the computer.

11 Q. Okay.

12 A. Here you go.

13 Q. Can I keep these, or do you need  
14 these back?

15 A. That's the only copies I got.  
16 That's -- whatever you want.

17 Q. All right. Tell you what, when  
18 we take a break, I'll get them copied.

19 A. Okay.

20 MR. BURDICK: Can I take a look  
21 at them, too? I'll give them right back  
22 to you. I want to see generally what  
23 they are.

1           A.     There you go.  The prenuptial  
2 agreement.

3           Q.     Yeah.

4           A.     And that.  That's it.

5                   MR. BURDICK:  Thanks.

6           Q.     Now, you know -- do you know  
7 what this lawsuit is about that we're  
8 here about today?

9           A.     Yes.

10          Q.     What's your understanding?

11          A.     My understanding is, is that  
12 William is trying to retract his trust  
13 and -- and put back the trust as if it  
14 did not exist, in totally his control.

15          Q.     And when you said "the trust,"  
16 there's -- my understanding is there were  
17 two purported trusts that were set up in  
18 Nevada, one called the Nevada William  
19 Cashion Spendthrift Trust and the other  
20 the Nevada William Cashion Family Trust.

21          A.     Right.

22          Q.     Are those the trusts you're  
23 talking about?

1 A. Right.

2 Q. Were you part of the process of  
3 those trusts being set up?

4 A. I didn't know until January all  
5 the stipulations was going on. Then in  
6 January, I came to realize what was  
7 coming about, with full information.

8 Q. You say January. What year --

9 A. I think it's in January last  
10 year, 2011. It was 2011.

11 Q. So your first knowledge about  
12 these Nevada trusts --

13 A. Right.

14 Q. -- was in January 2011?

15 A. Right.

16 Q. You sure?

17 A. Last year.

18 Q. Now, we're still in 2012.

19 A. Right.

20 Q. Okay.

21 A. It was 2011.

22 Q. You're certain of that?

23 A. Yes.

1 Q. Now, how did you become aware of  
2 those -- of this trust process that this  
3 lawsuit is about?

4 A. Mark Hayden -- Dr. Mark Hayden  
5 and I sat down and went over, gathered  
6 information.

7 Q. This was in January 2011?

8 A. Yes.

9 Q. All right. Who contacted whom  
10 first? Did you contact Dr. Hayden or did  
11 he contact you?

12 A. He contacted me.

13 Q. And when was that?

14 A. In 2011 as to the trust.

15 Q. Did he contact you by telephone  
16 or in person?

17 A. Both. Just wanted to sit down  
18 and talk. And it could be 2012, I'm  
19 sorry. I'm sorry, I was wrong. It was  
20 2012. Because we -- it was this past  
21 year. We went through all this hell from  
22 January 2012 on. So I was wrong. We  
23 celebrated William's birthday January --

1 it was after his birthday, which was  
2 January the 7th. So it was in 2012. So  
3 I was wrong. I'm a year --

4 Q. Okay. All right. So we're  
5 still in 2012.

6 A. Yes.

7 Q. This is December of 2012.

8 A. Yes.

9 Q. So it was this year?

10 A. This year.

11 Q. Okay. Do you remember exactly  
12 when in January you had -- Dr. Hayden  
13 first contacted you about --

14 A. It was around the first of --  
15 right at the first of January, to -- for  
16 us to sit down and talk. I don't have  
17 the specific day.

18 Q. And what -- did he call you  
19 first and say, "I want to come by and  
20 visit you," or what?

21 A. No. He had some information  
22 that we needed to discuss, so I went to  
23 his house, and we sat down and started

1 going over some things that he had become  
2 aware of, which several things I had  
3 already been aware of.

4 Q. Now, you say you went to his  
5 house because he had some information you  
6 wanted to discuss. How did you learn  
7 that he had that information?

8 A. How did he learn?

9 Q. How did you learn that  
10 Dr. Hayden had this information that you  
11 wanted to discuss with him?

12 A. I don't know how. He just had  
13 information -- no, he called and he said,  
14 "I've got some things that we need to  
15 discuss, and can you come down and let's  
16 just talk about some things, some  
17 business matters?" And I said yes, I  
18 would.

19 Q. Did he elaborate on what that --  
20 what information he had?

21 A. No. He didn't give me all the  
22 information.

23 Q. Did he give you any of it over

1 the phone?

2 A. No. Not -- not -- not much.

3 Q. Tell me everything you remember  
4 about that conversation, the best you  
5 can.

6 A. Well, I just went to his house,  
7 and we sat down, and he --

8 Q. No. I'm talking about before  
9 you got there, he calls you up and says,  
10 "I've got some information I think we  
11 need to discuss." What else do you  
12 remember about that conversation on the  
13 phone?

14 A. It was -- other than it was very  
15 important.

16 Q. Okay. Did he tell you what it  
17 related to?

18 A. It related to 10:16 Mining, Argo  
19 Mills, and to some important information  
20 that I was shocked to find out.

21 Q. Like what?

22 A. (Indicating.) I had already had  
23 two years prior a discussion with Sandy

1 Wadsworth, Dina, his wife, and his son,  
2 which ended up into a really big fuss.  
3 Though it was none of my business, I was  
4 asked to carry Dina shopping while they  
5 had a big business meeting. This is two  
6 years prior to that. Which worried me  
7 about William.

8 Q. All right. You've handed me a  
9 sheet. Looks like this is a Xerox of a  
10 document. It's smaller than normal;  
11 right?

12 A. It is.

13 Q. I've marked this as Plaintiff's  
14 Exhibit 3. Would you tell me what this  
15 document is, as best you understand it?  
16 (Plaintiff's Exhibit 3A was marked for  
17 identification and is attached.)

18 A. Well, it says resolution of  
19 board of directors, so I guess the board  
20 of directors got together and -- at Davey  
21 Allison Boulevard on behalf of 10:16  
22 Mining Corporation in accordance with the  
23 articles of incorporation/association, at

1     which were present Malcolm S. Wadsworth,  
2     president, William B. Cashion, director,  
3     and Malcolm S. Wadsworth, IV, vice  
4     president, his son, and Douglas Roy Pugh,  
5     director.

6             "It was resolved that Malcolm S.  
7     Wadsworth III, with" -- I think that's  
8     "46317965 USA, be granted full signatory  
9     authority, to negotiate the final details  
10    and thereafter, execute and enter into a  
11    Contract for a Private Transaction, for  
12    our beneficially owned cash funds and/or  
13    asset(s) representing more than 35% of  
14    the total value thereof, where said 35%  
15    of The Roeser Mineral Lease represents a  
16    value in the approximate amount of \$17.5  
17    billion. For transactions to invest the  
18    asset in private placement trade  
19    platforms, this authority is hereby  
20    limited to a maximum value of five  
21    billion dollar" -- "five billion United  
22    States dollars.

23             "Additionally, Malcolm S.

1 Wadsworth III is empowered to open and  
2 manage bank accounts, sign on and  
3 authorize credit line agreements, enter  
4 into fee agreements as necessary, to make  
5 selections as to which program or  
6 programs will best suit the investment of  
7 these assets and company's requirements."

8 William, at this business  
9 meeting that I went, if you want me to  
10 elaborate on it, two years prior to this  
11 was at William's office.

12 Q. Let me just stop you here. You  
13 don't know this, but Judge Vance in this  
14 court has entered an order granting our  
15 motion for protective order regarding  
16 10:16 Mining, so I'm going to ask Lane  
17 that any testimony in the record in  
18 connection with Plaintiff's Exhibit 3,  
19 and Exhibit 3, also be placed under seal.

20 A. Okay. Well, I didn't know that.  
21 I was just reading. That's why I -- I  
22 decided, because I didn't want William  
23 suffering the consequences for a bad

1 mistake, because they had already took  
2 several thousand, I think 435 or 345,  
3 somewhere in that figure, and in three  
4 months they were back asking for more  
5 money. And William was excited, so I  
6 went to take Dina shopping. And when  
7 Dina and I went shopping, I asked, well,  
8 Dina, we were talking about --

9 MR. BURDICK: Hold on. I'm  
10 sorry to interrupt. Before you get into  
11 the shopping, I'm okay with any reference  
12 to internal corporate documents of 10:16  
13 being protected under seal as directed by  
14 the judge. But if she has any personal  
15 knowledge about things that are not --  
16 any mere mention of 10:16, you know,  
17 because I don't -- I mean, you can  
18 clarify this with testimony from her, but  
19 I don't think she was ever an officer or  
20 ever worked with 10:16 or was ever an  
21 investor or anything like that, and so  
22 any knowledge that she would have would  
23 be public knowledge and something that's

1 not subject to being under seal anyway.

2 MR. GOYER: Well --

3 MR. BURDICK: Except for the  
4 documents. I'm sure if she's got some  
5 documents. I haven't looked at that one,  
6 but that sounds like an internal  
7 document, that sounds like an internal  
8 document to me.

9 MR. GOYER: I hear what you're  
10 saying -- hang on. You got a lawyer,  
11 Dr. Hayden. Let's see what happens. I'm  
12 not agreeing with you or disagreeing.  
13 I'm going to wait and see. We haven't  
14 gotten to the point about what her role  
15 was within 10:16. She just handed me the  
16 document out of the blue and then --

17 MR. BURDICK: Yeah. I just  
18 wanted -- I just wanted to make sure  
19 that, you know, you voiced your  
20 objection, and I just wanted to voice  
21 mine. We may not be able to resolve it  
22 until after the whole thing is over,  
23 until we hear what she really says.

1 Q. (By Mr. Goyer) How did you get a  
2 copy of this document we marked as  
3 Exhibit 3?

4 A. Dr. Mark Hayden showed that to  
5 me.

6 Q. When you went and met with him  
7 in January of 2012?

8 A. Yes, in January. And this was  
9 the worry. Because two years before this  
10 I had asked Malcolm Wadsworth to produce  
11 receipts for expenditures for the past  
12 three months, because he had given him  
13 about \$435,000 and had no -- no  
14 accountability. And I just, being in  
15 business, because I never bought a piece  
16 of goods that I didn't receive a receipt,  
17 and they had no documentation of any  
18 receipts of anything, and they were back  
19 asking for more money. I just said,  
20 well, I love my husband, I have nothing  
21 to profit from this, this has nothing to  
22 do with me other than I want my husband  
23 taken advantage of. And I said, all I

1 ask, as a businessman, do you have  
2 receipts for expenditures for the past  
3 three months? Then remove the question  
4 mark and go ahead and ask for more money.  
5 That's his money, and he can do whatever  
6 he wants to with it. But I'm just  
7 asking, just good business sense, do you  
8 have receipts for 400-something thousand  
9 dollars, three months it's gone, and  
10 William and I went to the property, and  
11 there was nothing done on the property  
12 for \$435,000.

13 Q. Ms. Cashion, I move to strike  
14 that testimony as unresponsive. My  
15 question to you was, you got this  
16 document from Mark Hayden?

17 A. Yes.

18 Q. That's all I asked you.

19 A. Uh-huh.

20 Q. And when did you get it from  
21 him?

22 A. In January.

23 Q. Of 2012?

1 A. 2012.

2 Q. When you went to his house?

3 A. No.

4 Q. Was it at another time?

5 A. It was at a -- it was -- I don't  
6 recall exactly when he gave that to me,  
7 if you want to know. I don't recall  
8 exactly, but it was in January.

9 Q. Did he tell you how he got it,  
10 how -- Dr. Hayden, did he tell you how he  
11 got this document?

12 A. He didn't tell me how he got it.  
13 But I -- after it was all over with, we  
14 knew that he had documents from William's  
15 office. But I didn't know how. Because  
16 he was his -- well, he -- he knew just  
17 about everything about it because they  
18 were in business together in the same  
19 business. So Mark did -- he knew a lot  
20 about the business.

21 Q. Okay.

22 A. Because he had invested with  
23 him. I know he would give money to

1 William for stock in business, from what  
2 I understand.

3 Q. All right. Did he show you any  
4 other documents about this --

5 A. No.

6 Q. -- company?

7 A. Huh-uh.

8 Q. That's a no?

9 A. That's a no.

10 Q. Okay. All right. So he called  
11 you up in the first part of January 2012,  
12 said, "I've got some information I want  
13 to discuss with you." And have you told  
14 me everything you recall about that  
15 telephone call?

16 A. Yes.

17 Q. All right. And you agreed to  
18 come to his house?

19 A. Yes.

20 Q. In Elmore County?

21 A. Uh-huh.

22 Q. That's a yes?

23 A. Yes.

1 Q. And when was that?

2 A. I don't recall the date.

3 Q. Was it in January of 2012?

4 A. Yes, it was in January.

5 Q. Okay. Who was there when you  
6 got there?

7 A. Just him and his wife.

8 Q. And her name is Angela Hayden?

9 A. Angela.

10 Q. Did you take anything with you  
11 to the meeting?

12 A. No. We were all scared about  
13 William and decisions that had been made.  
14 We were scared about Malcolm Wadsworth  
15 being a crook, criminal, and a thief,  
16 which that's the way I feel he is. Now,  
17 he may be prosecuted in time for that.  
18 But Diane Easterling, who they rented the  
19 office from, was a very good friend of  
20 mine, and Jimmy Easterling. They knew  
21 about Malcolm and his father long before  
22 probably William did. They've known him  
23 for many years, so.

1 Q. All right. You met at Mark  
2 Hayden's house with his wife, Angela  
3 Hayden, in the first part of January.  
4 Tell me what you recall about -- that  
5 happened at that meeting. Who said what?

6 A. Well, I found out that Mark had  
7 my nuptial agreement before we had ever  
8 written it up. He had a copy of it,  
9 signed and everything. And so when I  
10 went to my attorney to get together to do  
11 a nuptial agreement, there was no  
12 discussion, there was no addition, there  
13 was no deviating from that. Come to  
14 know, unknown to me, it had already been  
15 drawn up and given to Mark Hayden before  
16 we ever got before my attorney to do  
17 anything.

18 Q. Is that what Mark Hayden told  
19 you?

20 A. Yes. Because he had it.

21 Q. He had it?

22 A. He had a copy of it.

23 Q. And what did he say?

1           A.     He had had it before we ever  
2     married, so before we ever went to my  
3     attorney.

4           Q.     Okay. Did he tell you -- what  
5     else did he say about that agreement?

6           A.     That's all, that -- that was the  
7     beginning right there of the  
8     conversation.

9           Q.     And what was your reaction to  
10    that statement?

11          A.     I said, well, no wonder my  
12    attorney didn't have anything to add or  
13    take away or do, is because of -- there  
14    was already nailed in.

15          Q.     Is that what Dr. Hayden told  
16    you? It was already -- there was no room  
17    for negotiation?

18          A.     There was no room for  
19    negotiation.

20          Q.     Did Dr. Hayden tell you that?

21          A.     No.

22          Q.     He just said, "I've had this  
23    since before you" --

1           A.     Before we went before my  
2 attorneys.

3           Q.     And did --

4           A.     So the nuptial agreement was  
5 already formed before we got to my  
6 attorney to form the nuptial agreement  
7 between our two attorneys.

8           Q.     Okay.

9           A.     Which let me know then that that  
10 was not on the up and up.

11          Q.     All right.  Let's mark this as  
12 Plaintiff's Exhibit 4.

13          (Pleading's Exhibit 4A was marked for  
14 identification and is attached.)

15          A.     But it was agreed there.  That's  
16 -- whatever's on the nuptial agreement,  
17 that we would be responsible for each  
18 other's bills and we would keep each  
19 other's property in case of a divorce and  
20 that at his death he would have a million  
21 dollars for my secured livelihood.

22          Q.     Okay.  Right now I'm just asking  
23 you about what I've marked as Exhibit 4,

1 purports to be a copy of the antenuptial  
2 agreement that you're talking about dated  
3 the 22nd day of October, 2008. Can you  
4 identify that document?

5 A. Yes.

6 Q. Is that what it is?

7 A. That is it.

8 Q. Okay. And you brought that with  
9 you today?

10 A. Yes, I did.

11 Q. And this handwriting on the top,  
12 what is that? Is that your handwriting?

13 A. Yes.

14 Q. Tell me what that represents.

15 A. It says both Social Security  
16 numbers on both accounts, yours -- it's  
17 just a note that I wrote.

18 Q. Is that somebody's Social  
19 Security number?

20 A. No.

21 Q. What is that?

22 A. That is --

23 Q. Somebody's telephone number?

1 A. Yeah.

2 Q. Whose number is that?

3 A. I don't recall.

4 Q. That's not Dr. Hayden's?

5 A. Yeah, I don't know.

6 Q. 334 is south Alabama, isn't it?

7 A. Yeah. And it could be. And I  
8 wrote that -- I wrote that down to call  
9 him back because of him having a copy of  
10 my nuptial agreement before I did, so  
11 then I wrote his number down there.

12 Q. The "him" you're talking about  
13 is Dr. Hayden?

14 A. Yeah, Mark. Yeah, Mark Hayden,  
15 Dr. Mark Hayden.

16 Q. So you wrote those --

17 A. So I could call him and get  
18 information more from him about that,  
19 because I was disturbed that this was  
20 written up before I ever got to my  
21 attorney.

22 Q. Did you -- is it -- the copy  
23 that I've marked as Exhibit 4 that looks

1     like it has been folded up, is this the  
2     copy he gave you or one you had just  
3     anyway?

4           A.     No, this is mine.

5           Q.     All right. All right. What  
6     else happened at this first meeting where  
7     you went to his house, Dr. Hayden's  
8     house?

9           A.     Well, finding out that the  
10    assays were not valid on the gold mine  
11    and William knew that he -- thought or  
12    said he had had the biggest gold find  
13    ever and that -- and I kept talking to  
14    him for the past two years about this,  
15    and he said that he just had faith that  
16    the gold was there.

17          Q.     Dr. Hayden told you at this  
18    meeting at his house that the assays, I  
19    think the mineral assays were not  
20    accurate?

21          A.     Was not accurate.

22          Q.     All right. And you didn't  
23    independently --

1           A.     And that William was being  
2     deceived.

3           Q.     You didn't independently verify  
4     that the assays were not accurate, did  
5     you?

6           A.     I couldn't read you an assay if  
7     I had to.

8           Q.     So you relied on what Dr. Hayden  
9     told you?

10          A.     Right.

11          Q.     Okay.  What else did he tell  
12     you?

13          A.     That he was going to sue  
14     Wadsworth and get his money back  
15     because --

16          Q.     Get whose money back?

17          A.     His money back.

18          Q.     Mark Hayden's money?

19          A.     Mark had a big investment in it,  
20     too, and he had tried to convince William  
21     that the gold was not there.

22          Q.     He told you this in January of  
23     2012?  Is that right?

1           A.    No.  I had known this for a  
2  while.  That information I had known for  
3  two years.  I mean, not two years, but in  
4  that period of two years.

5           Q.    And I want to be clear with your  
6  testimony.  You said that Dr. Hayden told  
7  you he was going to sue the Wadsworths  
8  and get his money back.  Was that at this  
9  meeting when you went to his house in  
10 January 2012 that he said that or not?

11          A.    I don't think that was in the  
12 discussion of that at that time.  I don't  
13 recall.

14          Q.    You don't recall when he said  
15 that to you?

16          A.    I don't recall what all he said  
17 that time.  I was upset and nervous, and  
18 I can't tell you exactly when and what  
19 and where he told.  So, I mean, I'm being  
20 honest with you.

21          Q.    I understand.  That's what I  
22 want you to be.

23          A.    I do not have that good of a

1 recall and a memory of the exact  
2 conversation on the exact date that  
3 happened a year or two years ago.

4 Q. Okay. All right. Well, do you  
5 remember anything else that in your best  
6 judgment y'all talked about at this  
7 meeting when you went to his house in  
8 January 2012? Anything else you recall?

9 A. I don't recall any other  
10 talking.

11 Q. Did y'all reach any  
12 understanding or agreement about what you  
13 were going to do about this?

14 A. Well, on that agreement, it  
15 was -- on that conversation, the  
16 discussion was that what if I had the  
17 power to undo the nuptial agreement  
18 that -- that had been formed, and I felt  
19 wrongfully, before my attorney ever got  
20 to it, already prepaid -- prepared before  
21 my attorney -- got before my attorney.  
22 Not that I would have changed anything.  
23 It's just the fact of not even having

1 discussion of anything.

2 Q. Now, whose idea was it or who  
3 came up with the idea that you might be  
4 able to undo that prior agreement? Was  
5 that your idea, or was that Dr. Hayden's?

6 A. No, that was Mark -- Mark --  
7 Mark's idea. There is a -- I don't even  
8 know what it's called. It's called what?

9 Q. There's a postnuptial agreement?

10 A. Postnuptial, yeah.

11 Q. All right. We're going to get  
12 to that. Okay. Did he use that term  
13 with you?

14 A. Yes.

15 Q. That you could enter into a  
16 postnuptial agreement?

17 A. Right.

18 Q. And perhaps be in better shape  
19 than you were from the antenuptial  
20 agreement?

21 A. No, it wouldn't be better shape,  
22 but it would be some -- some form of  
23 income probably, because at this point in

1 time, William and I two years prior to  
2 this had had a conversation. Do you want  
3 to hear the conversation we had with  
4 Frances in the car with us that -- do you  
5 want me to tell you why --

6 Q. Who is Frances?

7 A. It's his sister.

8 Q. Okay. Two years earlier you had  
9 a conversation?

10 A. In the car about the gold mine.

11 Q. And this is the gold mine in  
12 Chilton County?

13 A. Right.

14 Q. Okay.

15 A. Do you want to hear it?

16 Q. Sure.

17 A. Riding in the car back from --

18 MR. GOYER: Now, this is all  
19 under seal.

20 Q. Go ahead.

21 A. Riding in the car --

22 MR. BURDICK: I object to it  
23 being under seal, but go ahead.

1           A.     Well, this is just what he said.  
2     I said -- we had left Barry's house, new  
3     house.  And all along before William and  
4     I married, he had said that we would  
5     build us a house and I could sell my  
6     house and put it into a savings account  
7     toward my retirement.  That's what we had  
8     planned on doing.  Okay.  We had had  
9     plans and the procedures of the house  
10    plans being drawn up and trying to put  
11    them on a sketch, and we were looking at  
12    property, and we had decided where we  
13    were going to build our house together.  
14    And this was in -- and then this would be  
15    our house.

16                 Then in the car, he said -- I  
17    said:  "Well, William, what about our  
18    house that we're going to build?  We've  
19    been married six months, and we haven't  
20    decided on a house plan, or, you know,  
21    we've got to decide -- have the property  
22    surveyed and all."  And he said:  "I'm  
23    not going to build a house.  I'm not

1 building anything." So I said okay, all  
2 right. Well, that's fine. I've got a  
3 beautiful home. My house is paid for.  
4 He lives in my house. Fine. Really and  
5 truly, I love where I live. It wasn't  
6 the fact of having a nice, nice home. It  
7 was a fact of just following through with  
8 the words that he said before we married.  
9 First commitment.

10 Secondly, he said. "I'm taking  
11 everything I've got and I'm putting it in  
12 the gold mine." The gold investment. I  
13 said okay. Now, then, we're not going to  
14 build a house, first commitment. This is  
15 what I said. I said, "Secondly, you  
16 assured me that you would put a million  
17 dollars in a trust or in a savings  
18 account for me." And I said, "Is that  
19 commitment gone, too?" He said: "No.  
20 I'll put that in a savings account now  
21 and let it start drawing interest." I  
22 said -- January, this was January two  
23 years prior to this, in '10. I said

1     okay.   January -- because then we married  
2     in '09, January the 10th, he said, "I'll  
3     put it in a trust" -- I mean, in a  
4     savings account, and it can draw  
5     interest.

6           Q.     You're talking about January  
7     2010?

8           A.     Yes.

9           Q.     Okay.

10          A.     Okay.  I said:  "Okay.  If  
11     you'll do that, and then I'll be assured  
12     that -- I don't care, vest everything you  
13     got, I don't care, but you had me before  
14     you had 10:16 Mining.  So therefore, your  
15     obligation is to me first over that  
16     because I'm your wife and I depend on you  
17     for a livelihood."  He said, "Okay, I  
18     will."  I said:  "That's fine.  We will  
19     wash the house, and if you'll follow  
20     through with that commitment, that's fine  
21     with me.  We'll go on, live in my house  
22     and go on," which my house is very nice,  
23     and he -- I took my showroom and made it

1 into a master suite for William. And he  
2 did remodel, he built two closets, paid  
3 for a shower and a wall for the bathroom  
4 and put new fans in. But I had the  
5 heating and air, the floor, everything.  
6 We just had to add closets to put his  
7 clothes and him an extra bath. So we did  
8 that, and he paid for that.

9           And -- but then it rocked on.  
10 Six months later I asked him again. I  
11 said, "Well, William, have you put my  
12 money in a trust," because he was all  
13 excited over this gold mine, going to  
14 take everything he had and put it in the  
15 gold mine. Well, no, he hadn't. Well,  
16 we sit down and we had an argument then,  
17 because -- then he agreed -- he left  
18 angry. I said, "The only way we can  
19 discuss this is to sit down and have a  
20 discussion." He says, "I'm not good at  
21 discussing business, I just make  
22 decisions." I said, "Well, this is a  
23 decision about me and your family."

1           So he said, "Well, I will  
2 call" -- he left for a while and came  
3 back in about thirty minutes and left me  
4 a letter, said, "Well, I'll call Gerald  
5 Colvin and tell him to draw up a trust  
6 for \$5 million dollars for his -- one for  
7 each one of his children and one for me  
8 and he would make a trust. I said,  
9 "Okay, I appreciate that, I appreciate  
10 you doing that. And then I don't care,  
11 you know, what you do, but your family  
12 and I, you had an obligation, you said  
13 you would do this, and, okay, I'm taking  
14 you as a man of your word."

15           This is July. Well, then I  
16 called Colvin just to back up, to make  
17 sure that he did. He said, yes, William  
18 made a phone call, he's got my nuptial  
19 agreement, he had to have that for it, I  
20 don't know why. I said okay. And I  
21 said, "Has he" -- "Have you started it?"  
22 He said: "No. He told me to wait till  
23 November because he wanted to get a

1 return on the gold mine before he put in  
2 a trust for me and his family. I said  
3 okay.

4 I waited to until November.  
5 November I called. I said, "Gerald, has  
6 William followed through like he said, in  
7 November to put the trusts up for me and  
8 his children?" Well, no, he said he was  
9 going to wait to January. I said, "Okay,  
10 I'll call you back in January."

11 Q. January of when? 2011 now?

12 A. Yes. So I call Gerald in  
13 January. He said no, he has put it off  
14 for the time being. I said: "Okay.  
15 Well, I want my nuptial agreement." I  
16 said, "You put it in the mail. It's not  
17 going to happen. You put it in the  
18 mail."

19 Okay. Well, he never did.

20 Q. You didn't have a copy of it?

21 A. No, I didn't. He had my only  
22 copy. So I drove up there and got it in  
23 July of -- I kept calling him and asking

1 him to deliver it, and he never would.  
2 Well, he had it in his bag, he didn't  
3 have it in the office, and he wasn't in  
4 the office. Just one excuse after  
5 another. I said, I don't understand, I  
6 told his secretary, why he can't take it  
7 out of his satchel and put it in the  
8 mail, because there is not going to be no  
9 trust money.

10 Q. You're talking about Gerald  
11 Colvin now?

12 A. Gerald Colvin.

13 Q. Okay.

14 A. So he can testify to that.

15 Q. So you got a copy of your  
16 antenuptial agreement back in July of  
17 2011?

18 A. Yes.

19 Q. You understand, don't you,  
20 Ms. Cashion, in conversations and  
21 discussions between husband and wife,  
22 people can change their minds over time?

23 A. I see that totally.

1 Q. Okay.

2 A. Yeah. Because your wife is one  
3 person that you can lie to and get away  
4 with it.

5 Q. Have you ever lied to  
6 Mr. Cashion?

7 A. Not that I recall.

8 Q. Did you tell Mr. Cashion that  
9 you had had this conversation with  
10 Dr. Hayden where he called you and then  
11 you went to Dr. Hayden's house? Did you  
12 tell him about that?

13 A. He didn't ask me.

14 Q. You didn't volunteer it, either,  
15 did you?

16 A. Absolutely not.

17 Q. Okay.

18 A. Should I?

19 Q. Well, that's what this case is  
20 about, I guess.

21 A. Well, really, well, he never did  
22 confide in anybody to have the trust  
23 drawn up either, did he?

1 Q. So you wanted to get back at  
2 him? Is that what you're saying?

3 A. No, I didn't want to get back at  
4 him. Basically, I wanted to protect him,  
5 because I knew that he could go to prison  
6 for this (indicating).

7 Q. And you're pointing at Exhibit  
8 3?

9 A. Uh-huh. That's what I was very  
10 fearful for.

11 Q. All right. What else happened  
12 at this meeting at Dr. Hayden's house in  
13 early January 2012, that you recall?

14 A. That's it.

15 Q. Did y'all --

16 A. Just that he had the power to  
17 undo.

18 Q. Who did? Dr. Hayden?

19 A. Yes. Because he had the power  
20 of attorney, that he could undo a nuptial  
21 agreement.

22 Q. Did he say, "I want you to  
23 participate in this process, and we can

1 undo your prenuptial agreement"?

2 A. He didn't say that, no. He just  
3 let me know that he had the power to.

4 Q. Did he ask for your  
5 participation or agreement or what?

6 A. No. He said just read it. Just  
7 read it.

8 Q. Read what?

9 A. The -- the -- what -- he had the  
10 power with the postnup, reviewed a  
11 postnup, reviewed, you know, the  
12 discussion of the power that he had to  
13 undo a post -- a nuptial.

14 Q. You read the power -- power of  
15 attorney with him?

16 A. Yes.

17 Q. And had -- did he already have a  
18 postnuptial agreement drafted?

19 A. I don't recall at that time.

20 Q. Now, he has testified that he  
21 sat down with you and went over your  
22 prenuptial agreement --

23 A. Yes.

1 Q. -- and this postnuptial  
2 agreement line by line.

3 A. We sat there on the couch, and  
4 we went over it. I read it, and then he  
5 read it.

6 Q. Let me show you what we  
7 previously marked --

8 A. Okay.

9 Q. -- as Exhibit 5 to your  
10 deposition.

11 A. Okay. Yeah.

12 Q. Is that the postnup that you  
13 looked at?

14 A. Yes, it is. Well, let me read  
15 it. Yeah, postnup agreement. Yes, this  
16 is it.

17 Q. So he --

18 A. I don't know if we did this at  
19 that day or not, if you want to know the  
20 truth, or it was done another day. I  
21 think -- I'm just not sure, because I  
22 went back -- back to -- again. But it  
23 could have -- I don't -- I don't have --

1 I tell you what, I was so upset. First  
2 of all, my granddaughter had just tried  
3 to commit suicide. I had gone through a  
4 horrendous thing with that. I was  
5 fortunate enough to not have to bury my  
6 granddaughter. This was in November,  
7 right at December. I was so emo- -- I  
8 also have a terminally ill mother. I  
9 have a mentally dysfunctional sister.  
10 And I am diversified out in many ways.  
11 So I may not be absolutely 100 percent  
12 accurate on everything because I was  
13 diversified in so many --

14 Q. I understand.

15 A. -- stressful situations.

16 Q. Well, let me -- if you'll look  
17 at the --

18 A. I just buried my dad.

19 Q. Do you recognize this document?

20 A. Yes, I do.

21 Q. This is the postnuptial  
22 agreement you were referring to?

23 A. Yes.

1 Q. And if you look at the first  
2 line of this document it says, "This  
3 agreement, made and entered into" --

4 A. -- January '12.

5 Q. -- "this 3 day of January 2012"?

6 A. Yes.

7 Q. And then if you look at the back  
8 of the document, it's signed by a notary  
9 public, Ann Culver Morgan, on January 3,  
10 2012. Does that refresh your  
11 recollection that that's when y'all  
12 signed this?

13 A. Yeah.

14 Q. Okay.

15 A. I guess I would say.

16 Q. And this was at that first time  
17 you met with Dr. Hayden and Angela Hayden  
18 at his house?

19 A. Let's see. What day is this?

20 Q. January the 3rd.

21 A. Yes, I think so, yes.

22 Q. Okay. And your testimony is  
23 that at that meeting Dr. Hayden sat down

1 with you?

2 A. Yes, we did.

3 Q. And you went over your  
4 antenuptial agreement that was signed at  
5 the time you got married back in '08, and  
6 you compared it line for line with the  
7 postnuptial agreement?

8 A. No. I didn't have them side by  
9 side.

10 Q. You didn't?

11 A. No. I didn't bring that with  
12 me.

13 Q. Okay.

14 A. I had that (indicating).

15 Q. All right. Now, did Dr. Hayden  
16 draft this completely on his own, or did  
17 you give him some ideas about it, or how  
18 did this happen?

19 A. No. He drafted it.

20 Q. He just came up with it and  
21 presented it to you?

22 A. Uh-huh.

23 Q. That's a yes?

1 A. Yes.

2 Q. And he suggested that you sign  
3 it?

4 A. Yes.

5 Q. And you signed it --

6 A. Well, he didn't suggest that I  
7 sign it. He left it up to me to sign it.

8 Q. You didn't compare this document  
9 with your prior antenuptial agreement  
10 when you signed it?

11 A. Well, to begin with, the million  
12 dollars that William was going to set  
13 aside for me in a trust was never going  
14 to follow through anyway.

15 Q. You mean was never going to  
16 happen?

17 A. Words out of his own mouth.

18 Q. Was never going to happen?

19 A. Never going to happen.

20 Q. All right. So you decided the  
21 antenuptial agreement --

22 A. I knew that.

23 Q. -- you couldn't rely on? Is

1 that what you're saying?

2 A. I could not rely on that because  
3 William had told me himself.

4 Q. Well, that's a written contract.

5 A. Yeah.

6 Q. You understand that, don't you?

7 A. Well, so what?

8 Q. Okay. Did you ever show this  
9 antenuptial agreement to a lawyer?

10 A. Yeah. My lawyer sat down with  
11 it, yeah. It was my lawyer and his  
12 lawyer.

13 Q. Who was your lawyer?

14 A. Neil Clay.

15 Q. Where is he located?

16 A. In Bessemer.

17 Q. Okay. That was before you  
18 signed it, Neil Clay looked it over?

19 A. Uh-huh.

20 Q. Now, don't tell me what you  
21 talked about.

22 A. Well, we formed it that day.

23 Q. The day you got married?

1           A.    No.  The day we sat down with  
2   Neil Clay and his attorney, we formed the  
3   nuptial agreement.

4           Q.    Okay.

5           A.    But it had already been formed  
6   and given to Mark Hayden before we ever  
7   sat down with my attorney, because  
8   William is smart.

9           Q.    Did you -- did you sign this  
10   antenuptial agreement on the 22nd day of  
11   October, 2008?

12          A.    Yes.

13          Q.    Okay.

14          A.    I guess I did.  Did I?  Does it  
15   have my signature on what day?  Yes, I  
16   did.

17          Q.    Okay.  You signed it as Frankie  
18   Sneed; right?

19          A.    Uh-huh.

20          Q.    That's a yes?

21          A.    Yes.

22          Q.    And let's see.  I think I saw --  
23   yeah, Neil Clay, your attorney, signed it

1 as well.

2 A. Yeah, Neil Clay is my attorney.

3 Q. Okay. Did you ever go back to  
4 Neil Clay or any other attorney afterward  
5 concerning whether or not this trust was  
6 going to be set up?

7 A. No. Neil Clay wasn't going to  
8 set it up. It was Gerald Colvin that was  
9 going to set it up.

10 Q. Okay. Well, what was your  
11 understanding of the terms of this  
12 postnuptial agreement, which was  
13 previously marked as Exhibit 5?

14 A. I think I have -- I don't know.  
15 I don't want to answer. That I just --

16 Q. I can tell you there has been  
17 some testimony that you were -- this  
18 agreement provides for you \$150,000 a  
19 year off the top out of these trusts that  
20 were being set up.

21 A. From what I understand, it  
22 wasn't for me. It would be for William  
23 and I.

1 Q. Okay.

2 A. Not me.

3 Q. Let me show you Exhibit 4. I'm  
4 sorry, Paragraph 4 --

5 A. Uh-huh. Cashion --

6 Q. -- of previously marked Exhibit  
7 5. "William will assign to Frankie the  
8 first \$150,000 of income he receives each  
9 year from the William B. Cashion Trust or  
10 Cashion Family Trust."

11 Did I read that correctly?

12 A. Yes, you read it correctly.

13 Q. And that says will assign to you  
14 alone, does it not?

15 A. Yes.

16 Q. Is there anything in that  
17 section that says that it's for the  
18 benefit of you and William?

19 A. No. But that was my  
20 understanding. But I resigned from the  
21 trust not long after this. I think  
22 February, somewhere in the middle of  
23 February I resigned from the trust.

1 Q. From the two Nevada trusts you  
2 did?

3 A. Both, yeah.

4 Q. And why did you do that?

5 A. Well, I just didn't want any  
6 part of it, really. I had my -- I had  
7 enough emotional stress that I didn't  
8 want to go through this anymore. So I  
9 sent a resignation letter from the  
10 trusts, both trusts to Mark Hayden to let  
11 him know that I was resigning from the  
12 this and I just didn't want any more to  
13 do with it. And.

14 Q. Had you filed a divorce action  
15 by that time?

16 A. No.

17 Q. Okay.

18 A. No. I was hoping that we  
19 wouldn't be pushed to that. I was pushed  
20 to that. I didn't want a divorce.

21 Q. Okay. But you filed it; right?

22 A. I didn't have no choice. It was  
23 that, drop the lawsuit against me, and a

1 settlement. And I signed them back to  
2 back right here in the office. I didn't  
3 want a divorce. Never did want a  
4 divorce.

5 Q. Okay.

6 MR. GOYER: All right. Why  
7 don't we take a break. We've been going  
8 over an hour.

9 THE VIDEOGRAPHER: We're off the  
10 record at 10:47. This is the end of Tape  
11 1.

12 (Break taken.)

13 THE VIDEOGRAPHER: We're back on  
14 the record at 11:14.

15 Q. (By Mr. Goyer) Ms. Cashion,  
16 we're talking about you went to Elmore  
17 County to meet with Dr. Hayden and his  
18 wife, Angela, to discuss these matters.

19 A. Postnup, I guess, is when that  
20 was revealed, I think.

21 Q. Did he -- when Dr. Hayden called  
22 you up and said he wanted to talk with  
23 you and meet with you, did he mention the

1 fact that he had drafted a postnuptial  
2 agreement?

3 A. He didn't at the time on the  
4 telephone.

5 Q. Okay. He just said -- well,  
6 what do you recall about that, what he  
7 said?

8 A. Well, we knew that Wadsworth was  
9 taking quite a bit of money and -- and  
10 that was, you know, part of the  
11 discussion, was the worry of William  
12 being defrauded.

13 Q. All right.

14 A. So much from him. That was the  
15 biggest discussion. And that protecting  
16 William and what, you know, maybe Mark's  
17 plans was trying to see what he could do  
18 to get Wadsworth not scamming so much.  
19 You know, that's about pretty much.

20 Q. All right.

21 A. Protecting William is what --

22 Q. When you got there for this  
23 meeting -- and I think we've established

1     you signed this --

2           A.     Yeah.

3           Q.     -- postnup on January the 3rd,  
4     2012; is that right?

5           A.     Yeah.

6           Q.     Okay.

7           A.     Yeah, January.

8           Q.     Do you remember signing any  
9     other documents or reviewing any other  
10    documents?

11          A.     I don't recall.

12          Q.     Let me show you what we've  
13    marked as Plaintiff's Exhibit 3  
14    previously --

15          A.     Okay.

16          Q.     -- to a prior deposition.

17                 MR. GOYER:   And, Lane, just for  
18    the record, if we need -- I know we've  
19    got another Plaintiff's Exhibit 3.  Mark  
20    the one that I did today as 3A so we  
21    won't have any confusion.  What we're  
22    trying to do is use --

23                 MR. BURDICK:  You want me to

1 just put an "A" on it for you?

2 MR. GOYER: Yes, that will be  
3 fine. We're trying to use deposition  
4 exhibits that have previously been marked  
5 and not remark them.

6 THE COURT REPORTER: Well, and  
7 I'll put her name on the exhibit stickers  
8 as well.

9 DR. HAYDEN: Why don't you use  
10 -- can you use "F" for Frankie?

11 MR. GOYER: That's what she's  
12 going to do.

13 MR. BURDICK: She's going to put  
14 "Frankie" on it.

15 Q. (By Mr. Goyer) Have you -- this  
16 purported -- this has been previously  
17 identified as the William B. Cashion  
18 Nevada Spendthrift Trust. And you see  
19 this trust -- this first line says it was  
20 formed on the 28th day of July 2011?

21 A. Uh-huh.

22 Q. Is that a yes?

23 A. Yes.

1 Q. Have you ever seen this document  
2 before?

3 A. I don't recall seeing it. I  
4 probably have, but I don't recall  
5 exactly.

6 Q. Okay. Did you have anything to  
7 do with drafting this document?

8 A. No.

9 Q. Did Dr. Hayden tell you that he  
10 had set up this William B. Cashion Nevada  
11 Spendthrift Trust?

12 A. I don't think at that time he  
13 had told me all that had gone about. I  
14 don't recall. It was just that -- that  
15 he was the power of attorney and had the  
16 power to do a postnup and, you know, the  
17 seriousness of things.

18 Q. Let me -- I have made -- I think  
19 that Plaintiff's Exhibit 3 is actually a  
20 composite exhibit and it has both the  
21 William B. Cashion Nevada Spendthrift  
22 Trust and the William B. Cashion Family  
23 Nevada Spendthrift Trust, so I'm just

1 going to combine those.

2 A. Okay.

3 Q. Let me see if I can find a clip,  
4 and we'll put a clip on them.

5 MR. GOYER: Lane, if they come  
6 apart, if you would put them back  
7 together. This is the way they were  
8 presented, I think, originally.

9 Q. Had you -- have you seen either  
10 document? There's two trust agreements.

11 A. Oh.

12 Q. The William B. Cashion Family  
13 Nevada Spendthrift Trust, which says it  
14 was formed the 1st day of August, 2011.

15 A. I didn't see this that day.

16 Q. All right.

17 A. That I recall.

18 Q. Either one? There's two  
19 documents.

20 A. Yeah, I see.

21 Q. You don't recall seeing either  
22 one?

23 A. I don't recall that. Basically,

1 we were talking about this.

2 Q. The postnuptial agreement?

3 A. Uh-huh.

4 Q. Do you recall ever seeing these  
5 two?

6 A. Yes. Yes. Well, yes. But I  
7 didn't read it explicitly.

8 Q. Did Dr. Hayden tell you what  
9 these documents were about, to your  
10 knowledge?

11 A. Yes. It was to protect  
12 William's assets.

13 Q. Okay. Did you agree with that?

14 A. Well, he had said he was going  
15 to take everything he had to put in it.  
16 Do you want me to tell you the rest of  
17 the conversation?

18 Q. Well, right now, did you agree  
19 with Dr. Hayden that it was a good idea  
20 to set up these Nevada spendthrift  
21 trusts? That's the only question I'm  
22 asking you.

23 A. I don't think I made a comment.

1 Q. Okay. So it was Dr. Hayden --

2 A. Good or bad or wrong or right.

3 Q. All right.

4 A. Do you want me to tell you the  
5 rest of the conversation?

6 Q. Not this moment.

7 A. Okay. Like I say, I'm not an  
8 attorney, and I'm not really good at  
9 understanding legalities of law.

10 Q. All right. I'm going to go  
11 through a number of these documents that  
12 we put in evidence at earlier depositions  
13 and see if you recognize them. This has  
14 been previously marked as Plaintiff's  
15 Exhibit 15, entitled "Transfer of  
16 Property from William B. Cashion to  
17 William B. Cashion Trust." Have you ever  
18 seen this document before? It's dated  
19 October 27th, 2011.

20 A. I think so. See what it is.

21 Q. It's signed by Steven Mark  
22 Hayden as attorney in fact for William B.  
23 Cashion and also as --

1           A.     Spendthrift Trust?

2           Q.     -- trustee; right?  When did you  
3 see this document?

4           A.     I couldn't tell you.

5           Q.     Was it at this first meeting  
6 when you met at his house?

7           A.     No, it wasn't.

8           Q.     Okay.  Let me show you what I've  
9 marked previously, or has been previously  
10 introduced as Plaintiff's Exhibit 17.  
11 This says "Release Of All Claims."  Looks  
12 like it was signed by Steven Mark Hayden  
13 on December 15th, 2011.  Have you ever  
14 seen -- and it's got "Compromise  
15 Settlement" attached to it.

16                    Have you ever seen this  
17 document?

18           A.     Yes.

19           Q.     When did you see this, please,  
20 ma'am?

21           A.     I don't recall exactly when.  
22 But I -- there are so many documents  
23 that.

1 Q. Ms. Hay- -- Ms. Cashion, what  
2 kind of relationship did you have with  
3 Dr. Hayden?

4 A. Highly regarded and respect for  
5 him because he had been William's doctor  
6 and he -- he had an influence in me  
7 making a decision to marry William, too,  
8 because of -- he just loved William so,  
9 he would do anything for him. He took  
10 care of William. I had no -- no inkling  
11 that he would do any harm to William at  
12 all but good because he cared for William  
13 so diligently.

14 Q. You still believe that?

15 A. I feel that he had William's  
16 best interest and protection for William  
17 because, considering Sandy Wadsworth's  
18 reputation and William's reputation, I  
19 think William was being deceived and  
20 taken. Now, if you can prove me wrong, I  
21 would be glad to say, "Oh, I was wrong."  
22 But I was worried about William. I  
23 wouldn't receive anything from any of

1 this, 10:16 Mining or anything, other  
2 than I was scared that William, like he  
3 said, they had had him sign a  
4 confidential contract, so he was never to  
5 speak to me again about it, he was never  
6 to speak to Will- -- Mark about it or  
7 anyone. So they had him isolated where  
8 he could only relate with Sandy and him  
9 on information and they could continue.  
10 And there was no results other than him  
11 keep getting them money and needing more  
12 money, but he was getting nothing in  
13 return, so.

14 Q. Ms. Cashion, I want to remind  
15 you that the judge has entered a order in  
16 this case granting our protective order  
17 regarding 10:16 Mining, and there is not  
18 supposed to be any discussion about that.

19 A. Why is it so secret?

20 Q. Well, there's --

21 A. I mean -- I mean, if it's --

22 Q. There is a written agreement  
23 that Dr. Hayden has signed and William

1 has signed and others have signed to keep  
2 it confidential.

3 A. Okay. Well, he just told -- he  
4 just told me that he had him sign a  
5 contract. And then when William would  
6 kind of verbally --

7 Q. Hang on a second. Hang on a  
8 second. What I'm telling you is, all of  
9 this testimony you're giving about 10:16  
10 Mining and Wadsworth --

11 A. That was my concern.

12 Q. -- is -- okay, I understand  
13 that.

14 A. My only concern.

15 Q. Listen carefully to me,  
16 carefully to me about this. You need to  
17 treat all of this information  
18 confidentially. And when the court  
19 reporter sends you this transcript, it's  
20 under seal, so you need to keep it  
21 confidential.

22 A. Okay.

23 Q. If you want to take it to a

1 lawyer that represents you, you can do  
2 that, but you cannot share it with other  
3 people --

4 A. Okay.

5 Q. -- other than your lawyer.  
6 Okay?

7 A. Okay. Well, I understand that,  
8 because he was under a confidential  
9 contract and he couldn't share any  
10 information about it, too.

11 Q. Okay. All right. So.

12 A. Well, then, that's the whole  
13 purpose of this, is trying to protect  
14 William and his assets.

15 Q. Have you met with Dr. Hayden or  
16 his lawyer since this lawsuit was filed?

17 A. I went by the office. I never  
18 went in the office. And his attorney was  
19 not there, that I recall, and I just  
20 left.

21 Q. Which attorney? Do you know?

22 THE WITNESS: I think it was  
23 you, wasn't it?

1 MR. BURDICK: Uh-huh.

2 Q. Mr. Burdick?

3 A. Yeah.

4 THE WITNESS: And then you  
5 called and said I had been in the office,  
6 but that he was sorry that he missed it.

7 A. And I -- I don't know if it --  
8 what it was -- I think it was to -- I  
9 don't know what I went there for, other  
10 than I think maybe to give him -- I  
11 didn't give him anything.

12 THE WITNESS: I didn't leave  
13 anything, did I?

14 A. I don't know. I just -- I just  
15 -- I don't recall why, what purpose I  
16 went by, other than to --

17 THE WITNESS: I think you were  
18 going to give me some information or --

19 A. I don't remember.

20 Q. So, did you meet with  
21 Mr. Burdick or not?

22 A. No.

23 Q. Did you ever talk with him on

1 the phone?

2 A. Yeah, I talked to him on the  
3 telephone.

4 Q. How long did you talk with him?

5 A. Very short. It was -- it was  
6 information about the FBI agent that come  
7 by my house. And I called William and  
8 asked him, "William, why is this FBI  
9 agent knocking on my door?" I was  
10 scared. Two men come to my back door and  
11 left a card. I didn't answer the door.  
12 So when I got the card, I was scared. So  
13 I called William and asked him, "Why is  
14 this FBI agent at my door?" He said,  
15 "Open the door and let them in and find  
16 out what you did wrong." I said, "Okay,  
17 I will."

18 So I called the man, and he came  
19 back, the two agents came back and came  
20 in. And they said they wanted to know if  
21 I had disclosed a sum of money in an  
22 envelope to Judge Vance. I said: "No.  
23 I don't have any money to give to Judge

1 Vance. And why would I do something like  
2 that? That is against the law." And he  
3 said yes. He said, "Well, they had an  
4 undisclosed amount of money to Judge  
5 Vance from a Western Steel envelope," and  
6 they just kind of asked and snickered.  
7 And I said, "Well, somebody from Western  
8 Steel must have done it, because I don't  
9 have a Western Steel envelope."

10 And he asked me if Mark Hayden  
11 would have been -- would give money to  
12 the judge, and I said no, I don't think  
13 so. And he said, well, they knew who  
14 did, but that -- but they just wanted to  
15 know if I, or I knew, if I did it or I  
16 knew anyone that did it. And I said no.  
17 And I said, "Well," I said, "if you  
18 consider William doing it," I said, "will  
19 you please consider his age, would you  
20 please consider the situation that it is,  
21 and I can understand how it might would  
22 come out, but please consider that."

23 Q. My question, though, is your

1 conversation with Mr. Burdick, not with  
2 the FBI agents.

3 A. Yeah.

4 Q. Then let's get back to that.

5 A. Okay.

6 Q. When did you talk to  
7 Mr. Burdick?

8 A. Recently. And I told him that  
9 information.

10 Q. How long was your conversation  
11 with Mr. Burdick?

12 A. Wasn't over five minutes. They  
13 were just wanting to know the man's name,  
14 and I couldn't find his card. I have his  
15 card put up somewhere, but I don't locate  
16 the --

17 Q. So, did you call Mr. Burdick, or  
18 did he call you?

19 A. He called -- Mark called me and  
20 asked me if I would talk to his attorney  
21 if he called me. And I said, well, yeah,  
22 let him call me, and he called me.

23 Q. Okay. And that was -- how long

1 ago was that?

2 A. That was yesterday, I think.

3 Q. Okay.

4 A. Or day before yesterday.

5 Q. And how long did y'all talk?

6 A. Not long. I just told him I  
7 didn't know the man's name and I didn't  
8 know -- I would try to find the card, the  
9 information, but it should be -- I mean,  
10 it should be known. I don't know the  
11 man's -- I've got his card.

12 Q. You're talking about the FBI  
13 agent?

14 A. The FBI agent's name.

15 Q. Okay. Is that the only thing  
16 y'all talked about?

17 A. Yes, that's the only thing we  
18 talked about.

19 Q. Okay. You didn't talk about  
20 what your testimony was going to be  
21 today?

22 A. No.

23 Q. Okay.

1           A.     They can't -- they can't -- I  
2     mean, how would they know? They don't  
3     know what questions you're going to ask  
4     me.

5           Q.     Okay. And is that the only time  
6     you've ever talked with Mr. Burdick, to  
7     your knowledge?

8           A.     Oh, gosh. Several months ago, I  
9     think when Mark first hired him, that I  
10    talked to him. And it was just -- and I  
11    don't recall any information, because  
12    there wasn't any information I could give  
13    him.

14          Q.     How long did that conversation  
15    last?

16          A.     What, less than five minutes.

17          Q.     And you don't remember what it  
18    was about?

19          A.     No, I don't.

20          Q.     So you had two phone  
21    conversations with Mr. Burdick?

22          A.     Uh-huh.

23          Q.     That's a yes?

1 A. Yes.

2 Q. Have you ever -- any other phone  
3 conversations?

4 A. No.

5 Q. Have you talked --

6 A. That I recall, no.

7 Q. Have you talked to Mark Hayden  
8 since this lawsuit was filed?

9 A. Rarely and seldom.

10 Q. Okay. Which ones -- all right.  
11 We'll get into that in a second.

12 A. Maybe once a month, not even  
13 once a month. I am -- I feel -- I've  
14 been very angry. I feel like that what  
15 was done is right, that it was in  
16 William's best interest to protect him.  
17 If he was going to invest everything that  
18 he had. The conversation was, that  
19 William and I had was I asked him if  
20 something happened to him, he did not  
21 come home today, what would I have to  
22 live on tomorrow. He had told me that I  
23 would continue receiving a check from

1 Western Steel for income over and above  
2 my trust, which never was provided for.  
3 And I said, well, then I said, "No," I  
4 said, "that's what you said." He said,  
5 "No, I don't know who will own Western  
6 Steel when I die, so there will be no one  
7 receiving a check from Western Steel if  
8 something happens to me." I said:  
9 "Okay. I just want to know where I am  
10 financially. You haven't made a trust.  
11 Now I'm not going to receive a check from  
12 Western Steel. And it's you I depend on  
13 totally to live." I said, "What am I to  
14 expect if something happens to you?" And  
15 he said, "Well, you can draw half of my  
16 Social Security, and you can rent part of  
17 your house out for income to help you  
18 live."

19 Q. Will you look back at Exhibit  
20 17, please, ma'am?

21 A. Okay. That -- I mean, that's --  
22 that was our conversation.

23 Q. Look at the last page of that

1 document.

2 A. Okay.

3 Q. Last two pages.

4 A. Gene Calhoun, president of  
5 Western Steel? That one and.

6 Q. Yes, ma'am. The first -- okay.  
7 The next to last page says --

8 A. Okay.

9 Q. -- "Certified Resolutions of  
10 Western Steel," it's dated January 29th,  
11 2012.

12 "Resolved, the debt and judgment  
13 owed by Jason Spinks shall be assigned  
14 granted and conveyed to William B.  
15 Cashion Nevada Spendthrift Trust," and  
16 it's signed by Steven Mark Hayden,  
17 director; Angela Rae Hayden, director;  
18 and Frankie S. Cashion, director?

19 A. Yes. That's my signature.

20 Q. Is that your signature?

21 A. Yes, it is.

22 Q. And then it's signed by Frankie  
23 S. Cashion as secretary. Is that your

1 signature?

2 A. Yeah. Then Gene Calhoun,  
3 president.

4 Q. Okay. And then the next page,  
5 if you flip, you signed as Frankie  
6 Cashion, trustee for William B. Cashion  
7 Nevada Spendthrift Trust; right?

8 A. Right.

9 Q. And did you hold all those  
10 positions at that point in time, to your  
11 knowledge?

12 A. Well, at that point in time to  
13 about the 25th of February, then I wrote  
14 a letter of resignation.

15 Q. Do you have a copy of that  
16 letter with you?

17 A. I don't.

18 Q. All right.

19 A. I mailed it to Mark.

20 THE WITNESS: Do you have a copy  
21 of that? You should have.

22 Q. He can't really answer.

23 A. Okay. Well, anyway, I mailed it

1 to him, and I didn't make a copy.

2 Q. Well, is it true that as of the  
3 date you signed this document, which  
4 appears to be January 29th, 2012, you  
5 were signing as a director of Western  
6 Steel? Correct?

7 A. Yes. I guess -- that's correct.

8 Q. And then you signed as secretary  
9 of Western Steel?

10 A. Yes, that's correct.

11 Q. And then you signed as trustee  
12 for the William B. Cashion Nevada  
13 Spendthrift Trust?

14 A. Yes.

15 Q. Okay.

16 A. But then I resigned.

17 Q. Did you have anything to do with  
18 this compromise settlement that's  
19 attached to that Exhibit 17?

20 A. No.

21 Q. Who drafted that document, to  
22 your knowledge?

23 A. Mark Hayden. Dr. Mark Hayden.

1 Q. Okay. All right. Let me show  
2 you what we marked as Exhibit 22,  
3 previously marked as Plaintiff's Exhibit  
4 22.

5 A. Okay.

6 Q. This purports to be a meeting of  
7 stockholders of Western Steel on January  
8 22nd, 2012. Do you see that?

9 A. Yes.

10 Q. Does that have your signature on  
11 it at the bottom --

12 A. Yes.

13 Q. -- as trustee for the William B.  
14 Cashion Nevada --

15 A. Yes.

16 Q. -- Spendthrift Trust?

17 A. Yes.

18 Q. If you look and see where it  
19 says, "It is resolved unanimously," that  
20 first time, it says, "It is resolved  
21 unanimously that the corporation, Western  
22 Steel, Inc., will record in its records  
23 that the William B. Cashion Nevada

1 Spendthrift Trust is owner of all stock  
2 of Western Steel, Inc."

3 Did I read that correctly?

4 A. Yes, you did.

5 Q. Okay. Now, who drafted this  
6 document, to your knowledge?

7 A. Dr. Mark Hayden.

8 Q. And he asked you to sign it?

9 A. Uh-huh.

10 Q. That's a yes?

11 A. Yes.

12 Q. Let me show you what I've  
13 previously marked as Exhibit 23 to your  
14 deposition -- I'm sorry, previously  
15 marked as Plaintiff's Exhibit 23 to a  
16 prior deposition. This has been  
17 identified as a certificate of stock of  
18 Western Steel, Incorporated. Is that  
19 your signature as Frankie Cashion and  
20 then as corporate secretary of Western  
21 Steel?

22 A. Yes.

23 Q. Then down at the bottom you sign

1 as trustee for William Cashion?

2 A. Uh-huh.

3 Q. Nevada Spendthrift Trust?

4 A. Uh-huh.

5 Q. Is that a yes?

6 A. Yes. Then I resigned in  
7 February.

8 Q. Okay. We're going to get there.

9 Let me show you what has  
10 previously been marked as Plaintiff's  
11 Exhibit 15. This says, "I Gene Calhoun  
12 President of Western Steel agree to serve  
13 as president of Western Steel for next  
14 twelve months and to fully support and  
15 abide by the resolutions of stockholders  
16 meeting of Jan 22 2012 and the Compromise  
17 Settlement of A-11-653097-C."

18 Is that your signature at the  
19 bottom as trustee for William B. Cashion  
20 Nevada Spendthrift?

21 A. Yes.

22 Q. Do you recall this -- the  
23 circumstances that led to this document

1 being signed?

2 A. You want to elaborate on that?

3 Q. Yes, ma'am. Do you remember  
4 meeting with Mr. Calhoun and going over  
5 the Compromise Settlement and the  
6 resolution of the stockholders meeting of  
7 January 22?

8 A. Yes.

9 Q. Tell me what you recall about  
10 that meeting.

11 A. Well, I think we were in Gene's  
12 home at that time and going over the  
13 things. And he was in great concern for  
14 the welfare of the company. And he said  
15 himself that he knew something had to be  
16 done to protect the company and the  
17 stock. That's words out of his own  
18 mouth. And he took paperwork, I think  
19 the power of attorney, to his attorney,  
20 and William's attorney and him went over  
21 it for two or three days.

22 Q. Who drafted this document that  
23 we're looking at, Plaintiff's Exhibit 15,

1 to your knowledge?

2 A. I think Mark Hayden, Dr. Mark  
3 Hayden.

4 Q. Okay. And did he ask you to  
5 sign it, Dr. Hayden?

6 A. I -- I don't recall if he asked  
7 me to sign it. He just put it there, and  
8 I signed it.

9 Q. Okay.

10 A. Him and Gene.

11 Q. Do you recall any other  
12 discussions about this document?

13 A. No. I just sat and listened.

14 Q. Okay. Let me show you --

15 MR. GOYER: I've only got one  
16 copy of this one, Austin.

17 Q. -- what has previously -- wait a  
18 minute -- has been marked as Plaintiff's  
19 Exhibit 23. Is that your signature?

20 A. Yes, it is.

21 Q. What is that document entitled?

22 A. "Certificate of Stock of Western  
23 Steel Incorporated."

1 Q. Okay. Has it got a date on it?

2 A. Yeah. "This certificate" --

3 "that William B. Cashion Nevada

4 Spendthrift Trust is sole owner of all

5 outstanding stock of Western Steel Inc."

6 Frankie Cashion, corporate secretary.

7 "By signing below the undersigned agree

8 to transfer of all stock to the William

9 B. Cashion Trust and authorize the

10 secretary to record" -- signed to -- who

11 can sign for William, be transferred into

12 William Cashion Trust.

13 Q. Okay. Let me see that, what you

14 were just looking at, please.

15 A. (Witness complies.)

16 Q. Okay. Let me show you what has

17 previously been marked as Plaintiff's

18 Exhibit 25. It seems to be a similar

19 document.

20 A. William B. Cashion Nevada

21 Spendthrift Trust is sole owner of shares

22 of outstanding --

23 Q. Is that your signature --

1 A. Yeah.

2 Q. -- as secretary of Western  
3 Steel --

4 A. Yes.

5 Q. -- on this document? Okay.

6 MR. GOYER: I'm having a hard  
7 time moving these documents and keeping  
8 this microphone on. Sorry.

9 Q. Let me show you what we've  
10 marked as Exhibit -- has been previously  
11 marked as Plaintiff's Exhibit 16. This  
12 certified resolutions of Western Steel  
13 dated January the 29th, 2012. Is that --

14 A. Yeah. Against Jason Spinks  
15 shall be assigned to --

16 THE COURT REPORTER: I can't  
17 hear you. I'm sorry.

18 THE WITNESS: Okay. Do you want  
19 me to read it?

20 THE COURT REPORTER: You don't  
21 have to, but.

22 THE WITNESS: Okay.

23 Q. (By Mr. Goyer) No. Do you

1 recognize this document?

2 A. Yes.

3 Q. Is that your signature as a  
4 director?

5 A. Yes.

6 Q. And your signature as secretary?

7 A. Secretary, yes. And then I  
8 resigned.

9 Okay.

10 Q. Let me show you what has  
11 previously been marked as Plaintiff's  
12 Exhibit 6. This purports to be a  
13 certificate of Western Steel Inc. dated  
14 January 29th, 2012. Did you sign this  
15 document as a director and as secretary?

16 A. Yes.

17 Q. Did y'all meet on the 29th? Do  
18 you recall that?

19 A. Yes.

20 Q. Okay. And that's when all these  
21 documents were signed?

22 A. Uh-huh.

23 Q. That's a yes?

1 A. Yes.

2 Q. Where did that meeting happen?

3 (Witness reviews document.)

4 A. In Gene's house, I think.

5 Q. Who drafted this document that's  
6 marked as Plaintiff's Exhibit 1?

7 A. Mark, Dr. Mark Hayden.

8 Q. Okay. Do you recall any  
9 discussions about this document?

10 A. No.

11 Q. Did he -- did Dr. Hayden just  
12 hand you a stack of documents and say you  
13 need to sign these, or what happened?

14 A. Well, I did. I read them and  
15 then I signed them. But I don't  
16 understand totally everything in detail.

17 Q. Okay.

18 A. But -- Gene Calhoun, they  
19 understand more than I do.

20 Q. You weren't represented by a  
21 lawyer when all -- when you were signing  
22 all these things, were you?

23 A. No.

1 Q. Let me show you what has  
2 previously been marked as Plaintiff's  
3 Exhibit 1. This is more certified  
4 resolutions of Western Steel. Did you  
5 sign this -- also dated the 29th of  
6 January. Did you sign this as director  
7 and secretary of Western Steel?

8 A. Yes.

9 Q. Okay. Look at that second  
10 "Resolved" paragraph. It's the third  
11 paragraph on the page.

12 "Resolved, William B. Cashion  
13 has no rights to stock, records, assets,  
14 property, the financial funds or bank  
15 accounts of Western Steel Inc."

16 Is that what that says?

17 A. Yes.

18 Q. Now, Ms. Cashion --

19 (Witness reviews document.)

20 A. Are you reading the same thing  
21 I'm reading?

22 Q. See the third paragraph where it  
23 says --

1 MR. BURDICK: I think he's  
2 looking at Exhibit 6, if that helps,  
3 instead of Exhibit 1. Yeah.

4 A. Oh, okay.

5 MR. BURDICK: One was the last  
6 one you gave her, so.

7 A. Okay. So Gene Calhoun,  
8 secretary, authorize William B. Cashion.

9 Q. See that -- the paragraph, it's  
10 the third paragraph on the page, it's the  
11 second "Resolved" clause. It says,  
12 "Resolved, William B. Cashion has no  
13 rights to stock, records, assets,  
14 property, financial funds or bank  
15 accounts of Western Steel Inc." Did I  
16 read that correctly?

17 A. You read it correctly.

18 Q. Now, Ms. Cashion, you recognize  
19 that this -- we live in the United States  
20 of America; right?

21 A. Right.

22 Q. And it's a free country; right?

23 A. Right.

1 Q. And people own property; right?

2 A. Right.

3 Q. And they're entitled to do with  
4 their property as they see fit; right?

5 A. Right.

6 Q. Okay. Did it ever occur to you  
7 that you should talk to William Cashion  
8 about all these steps you and Mark Hayden  
9 were taking and talk to him about it?

10 A. No.

11 Q. You were his wife at that time;  
12 right?

13 A. Right.

14 Q. Did you feel more loyalty to  
15 Mark Hayden and --

16 A. No.

17 Q. -- Angela Hedden -- Hayden?

18 A. No. What I felt more right was,  
19 is that I felt like William would be  
20 prosecuted for a crime and that led me --  
21 I didn't have a choice. I -- I was  
22 hoping it wouldn't lead to a divorce, but  
23 either way, it was a no-win situation.

1 Q. So the plan that you --

2 A. That -- that was -- that was the  
3 whole culprit of the whole thing.

4 Q. The plan that you and Dr. Hayden  
5 and Angela Hayden came up with was you  
6 were going to take --

7 A. Not plan, me, that Dr. Hayden  
8 and I planned out. I didn't plan all  
9 this. I followed through and felt like  
10 it was right.

11 Q. Who came up with the plan?

12 A. I did not -- I did not create  
13 this.

14 Q. Who came up with this plan?

15 A. Dr. Mark Hayden.

16 Q. Okay. Did he talk you into  
17 going along with it or not?

18 A. Well, when I found out this last  
19 thing that was going to happen, it wasn't  
20 very hard. Because if this goes through,  
21 William would be in such deep trouble.  
22 Now, either that is fiction or it's fact  
23 (indicating).

1 Q. You're talking about Exhibit 3A?

2 A. Yes.

3 Q. Let me show you what has  
4 previously been marked as Exhibit 28.

5 Now, this is a composite exhibit, it's  
6 got a number of documents in it. The  
7 first one is an assignment of property.  
8 Let me see if I can find it.

9 (Witness reviews document.)

10 Q. Look at the second page of this  
11 document. It says "Certified Resolutions  
12 of Western Steel." This may be a  
13 duplicate. That's your signature down  
14 there as director and as --

15 A. Right.

16 Q. -- as secretary? All right. Go  
17 over two pages from that, and it says,  
18 "Bylaws of Western Steel," and it says  
19 adopted February 7th, 2012. Is that your  
20 signature at the bottom of that page as  
21 Frankie S. Cashion --

22 A. Yes.

23 Q. -- secretary and cotrustee?

1 A. Yes.

2 Q. Did y'all have a meeting on  
3 February 7th, 2012, that you recall?

4 A. Must have, because I signed it  
5 here.

6 Q. Do you remember that meeting?

7 A. Yes. I don't recall it -- I  
8 don't recall totally.

9 Q. Where was the meeting?

10 A. Let's see. I don't recall.

11 Q. Who drafted these bylaws, to  
12 your knowledge?

13 A. Dr. Hayden.

14 Q. All right. Go over to the next  
15 page. It says "Certification of Trust"  
16 at the top. And then the page after that  
17 has got what appears to be your signature  
18 as one of the trustees?

19 A. Yes.

20 Q. Is that your signature?

21 A. Oh, which page are you on?

22 Q. It's the next to last page.

23 A. Okay. Yes.

1 Q. And it says the signatures below  
2 are all currently acting trustees this  
3 day, and it's dated the 7th day of  
4 February, 2012?

5 A. Right.

6 Q. Okay. Who prepared this  
7 document?

8 A. Dr. Hayden. Then I resigned.

9 Q. Do you remember what day you  
10 resigned?

11 A. It was the middle of February.  
12 I want to say around the 25th or later.  
13 It was right in the middle of February,  
14 toward the end of February. About two  
15 weeks after this come about.

16 MR. GOYER: All right. What's  
17 the next one? I'm going to make this 5A.  
18 And you're going to -- let me see. I'm  
19 going to put "FC" on it.

20 Q. Let me show you what I've marked  
21 as Exhibit 5A to your deposition,  
22 Ms. Cashion. This purports to be an  
23 e-mail chain. It's got several e-mails.

1 The first one looks like it's from  
2 Darlene Calhoun, dated Monday, January  
3 30th, 2012, at 12:12 p.m. And it says  
4 subject, "Letter to Bank." You see that  
5 down at the bottom?

6 (Plaintiff's Exhibit 5A was marked for  
7 identification and is attached.)

8 A. Yeah.

9 Q. Now, what -- who is Darlene  
10 Calhoun?

11 A. That is Gene Calhoun, the  
12 president's, wife.

13 Q. Okay.

14 A. Who has known William, what, 22,  
15 25 years. They both have been close to  
16 William.

17 Q. All right. Look at the second  
18 page of this e-mail. It purports to be a  
19 document to Steven Mark Hayden, power of  
20 attorney, and then it says to RBC Bank,  
21 to Merchants Commercial Bank, and then it  
22 looks like it's got your signature down  
23 there dated January 30th, 2012. Is that

1 your signature?

2 A. Yes.

3 Q. And it says you're signing as  
4 wife of William B. Cashion, trustee of  
5 William B. Cashion Trust, director of  
6 Western Steel Inc., and secretary of  
7 Western Steel Inc.

8 Did I read that correctly?

9 A. Let's see. Yes, that's the  
10 name -- where are you reading?

11 Q. Right underneath where your  
12 signature is. You signed --

13 A. -- Frankie Cashion, wife of --  
14 uh-huh.

15 Q. Wife of William B. Cashion?

16 A. Director, Western Steel.

17 Q. Trustee of William B. Cashion  
18 Trust; correct?

19 A. Yes.

20 Q. Director of Western Steel Inc.?

21 A. Yes.

22 Q. And then secretary of Western  
23 Steel Inc.?

1 A. Yes.

2 Q. Did you hold all those positions  
3 at that time, January 30th, 2012, to your  
4 knowledge?

5 A. Yes. But I don't think I really  
6 read that.

7 Q. Who drafted this document?

8 A. Dr. Hayden.

9 Q. Did he tell you why he was  
10 asking you to sign it?

11 A. Yes. Because William was fixing  
12 to spend -- from what I understand, give  
13 everything he owned to Wadsworth on 10:16  
14 Mining. That's what William said,  
15 anyway.

16 Q. And did you read this document  
17 before you signed it?

18 A. Partly. Not completely.

19 Q. All right. The first line says,  
20 "I am in full support of the Compromise  
21 Settlement."

22 A. Yeah.

23 Q. Is that true? Were you?

1           A.     I was.

2           Q.     And then it says, "This  
3 includes" -- "RBC," "This includes  
4 freezing Western Properties LLC and all  
5 credit cards of William B. Cashion." Did  
6 you read that part?

7           A.     It requests that personal bank  
8 accounts of William B. Cashion be frozen  
9 at RBC Bank. Western Properties LLC.

10          Q.     You see the fourth line, "RBC"  
11 --

12          A.     Right.

13          Q.     -- it says, "RBC," in all caps,  
14 "This includes freezing Western  
15 Properties LLC and all credit cards of  
16 William B. Cashion." Did I read that  
17 right?

18          A.     You read it right. All right.  
19 And I signed it.

20          Q.     Did you -- did Dr. Hayden tell  
21 you he was going to send this letter to  
22 RBC Bank?

23          A.     I believe so. I don't recall

1 him saying that.

2 Q. Did he tell -- did Dr. Hayden  
3 tell you he was going to ask RBC to  
4 freeze all the personal accounts of  
5 William B. Cashion and credit cards of  
6 William B. Cashion?

7 A. I don't recall. He might have  
8 said that, but I don't recall him saying  
9 that.

10 Q. Look at this e-mail.

11 A. Okay. Where is the e-mail.

12 Q. Page 1. It's the page --

13 A. Page 1?

14 Q. Yes, ma'am.

15 A. Okay. "I have sent a affidavit  
16 to you by email as conclusive proof  
17 according to Alabama law that the Power  
18 of Attorney is still" -- yes.

19 Q. And then he says, "At 3pm today  
20 RBC is ordered by power of attorney to  
21 freeze the personal accounts of William  
22 B. Cashion and the credit cards of  
23 William B. Cashion."

1           A.     Yeah.  And I went -- we went to  
2     the bank.

3           Q.     Who?

4           A.     But I don't know what day --  
5     what day -- I think --

6           Q.     This is dated --

7           A.     -- January the 30th.

8           Q.     Yes, ma'am.

9           A.     On a Monday.

10          Q.     2012.

11          A.     Okay.

12          Q.     Did you go with Dr. Hayden to  
13     RBC Bank to deliver this document?

14          A.     I believe I did.

15          Q.     Okay.

16          A.     Was this the Monday we went to  
17     the -- I think it was on Monday, wasn't  
18     it?  It was that same day.  Yeah.  Now I  
19     recall.

20          Q.     Okay.

21                   MR. CASHION:  I believe Monday  
22     was the 31st and Sunday was the 30th.

23                   THE WITNESS:  Okay.

1 Q. All right. So your recollection  
2 is that you and Dr. Hayden went to RBC  
3 Bank and delivered this e-mail and this  
4 letter from you. Is that your -- what  
5 you're saying?

6 A. Yes.

7 Q. Okay. Who did you speak with at  
8 RBC Bank?

9 A. The president, I mean of the  
10 bank, I think.

11 Q. Where -- can you tell me where  
12 this --

13 A. He just gave -- gave the  
14 paperwork, and -- and then he ran it  
15 through his corporate office.

16 Q. And do you remember who that  
17 was?

18 A. I can't remember his name.

19 Q. Where was this particular branch  
20 of RBC Bank located?

21 A. Hueytown.

22 Q. Hueytown, okay. Did the  
23 president of the bank make any comment to

1 you and Dr. Hayden about --

2 A. He would have to run it through  
3 the corporate office.

4 Q. Anything else you recall about  
5 that?

6 A. Which they came back and  
7 approved it because of the power of  
8 attorney, I guess.

9 Q. They froze his accounts, is that  
10 what you're saying?

11 A. I think they did.

12 Q. How long did that remain in  
13 effect, to your knowledge?

14 A. Not long. I don't know not  
15 long.

16 Q. All right. I'm going to show  
17 you a document we've marked as "FC," for  
18 Frankie Cashion, Plaintiff's Exhibit 6A,  
19 that's got a Bates stamp number on it of  
20 WBC000524. This purports to be an e-mail  
21 from Mark Hayden to Darlene Calhoun dated  
22 January 31st, 2012. And then there's one  
23 below that that's dated February 5th,

1 2012. And it's --

2 (Plaintiff's Exhibit 6A was marked for  
3 identification and is attached.)

4 A. Where are you? Okay.

5 Q. There's two e-mails on this --

6 A. Okay.

7 Q. The first one --

8 A. January the 31st.

9 Q. Yes, ma'am. And then there's  
10 one below that, February the 5th.

11 A. February the 5th.

12 Q. That's the one I want to ask  
13 you. Have you seen either of these  
14 e-mails before, to your knowledge?

15 A. No.

16 Q. All right. The one I want to  
17 ask you about is the February 5, 2012,  
18 e-mail at 5:03 p.m. to Darlene Calhoun.

19 A. Okay.

20 Q. And gene@westernsteelinc.com,  
21 was that Gene Calhoun?

22 A. Uh-huh. Well, see, I don't  
23 receive e-mail.

1 Q. Okay. You've never seen this  
2 document before?

3 (Witness reviews document.)

4 A. I probably have, but I -- I  
5 mean, I don't -- at that point in time, I  
6 did not receive e-mail.

7 Q. Okay.

8 A. My computer was not functional.

9 Q. Now, you let me -- did you agree  
10 to sign payroll checks for Western Steel  
11 on this date, February 5, 2012?

12 A. Did I sign it?

13 Q. Did you agree to. I'm not  
14 asking you if you did. Just did you  
15 agree to do that?

16 A. I don't recall.

17 Q. Do you recall signing any  
18 payroll checks?

19 A. No.

20 Q. Did you say --

21 A. I wouldn't have.

22 Q. Did you say you met with Austin  
23 Burdick yesterday or you talked to him?

1           A.    No.  I just talked to him on the  
2    phone to get -- and gave him the  
3    information or -- trying to -- he asked  
4    if I knew the man's name that knocked on  
5    my door.  And I told him I did not know  
6    his name, but I had his card and I would  
7    try to find his card and bring it today.

8           Q.    All right.

9           A.    I probably threw it away, too.

10          Q.    Threw the card away?

11          A.    Because I can't find it.  I  
12    threw everything else away.

13          Q.    Let me show you what I've marked  
14    as FC 7A to your deposition.  Has a Bates  
15    stamp 1 -- WBC000428.

16          A.    Uh-huh.

17          Q.    Looks to be some resolutions.  
18    This says --

19    (Plaintiff's Exhibit 7A was marked for  
20    identification and is attached.)

21          A.    Yes.

22          Q.    Let's read that first paragraph.

23          A.    Okay.

1           Q.     "This 31 Day of January 2012 the  
2 following resolutions are sworn as true  
3 as attested by the signatures attached.  
4 Whereas, Frankie S. Cashion and Steven  
5 Mark Hayden were threatened by gun  
6 yesterday by former owner, Whereas Steven  
7 Mark Hayden shall apply for restraining  
8 order, Whereas Frankie has applied for  
9 protective order from William B.  
10 Cashion."

11                   Did I read that correctly?

12           A.     Yes.

13           Q.     What is that talking about?

14           A.     An episode that happened in a  
15 restaurant.

16           Q.     Was that at Ruby Tuesday's?

17           A.     Right.

18           Q.     Tell me what happened.

19           A.     Well, it was Mark was releasing  
20 the information to William. And I knew  
21 that it would be awful.

22           Q.     The information about setting up  
23 these Nevada --

1 A. Right.

2 Q. -- spendthrift trusts?

3 A. Right.

4 Q. He was --

5 A. Right.

6 Q. Were you there?

7 A. I came in later.

8 Q. Okay.

9 A. And he had shoved me down in a  
10 booth.

11 Q. Who had?

12 A. William. He had -- he asked me  
13 if I was a part of this, and I did tell  
14 him yes. I said, "Just sit down and  
15 listen to what Mark has to say." And I  
16 knew he was upset. So he shoved me down.  
17 When we sat down, I said, "Well, just  
18 listen to see what he's got to say and  
19 see what's happening." And then he  
20 jumped up and asked -- oh, gosh -- the  
21 investigator, Sam, for a gun. And I  
22 said, "William, you don't need a gun." I  
23 said, "You don't need to shoot nobody."

1 He said, "I need to defend myself." And  
2 I knew he was awfully upset.

3 Q. You knew he was going to be  
4 upset when y'all told him?

5 A. Absolutely. I knew that.

6 Q. Would you be upset if somebody  
7 had taken all your property away?

8 A. Well, not taken it away, put it  
9 in a trust for him, protected it. It  
10 wasn't -- nobody took anything away.

11 Q. Do you feel like you can make  
12 your own decisions about your property?

13 A. Unless I started wasting. I  
14 would hope somebody would --

15 Q. How would you feel if somebody  
16 --

17 A. -- save what I've got.

18 Q. -- came up to you, if William  
19 said that he and Mark Hayden had decided  
20 to put your house that you owned, that  
21 you paid for, in a trust and they would  
22 take care of you. Would you be upset or  
23 not?

1           A.     No, I would not.

2                   MR. BURDICK:   I object to the  
3 form.

4           A.     I would say -- if I had made  
5 some really bad decisions, I'd say yeah,  
6 I'm not, you know, I mean, when I -- if I  
7 had said I had lost everything that I  
8 had, I would be thankful. Now, that's  
9 just me.

10          Q.     You haven't given anybody power  
11 over your property, have you?

12          A.     I was thinking. Yeah, I've made  
13 my son power of attorney over my  
14 property. Well, I take that back. I've  
15 made every member of my family. My son,  
16 my -- and my grandchildren.

17          Q.     Have any of them set up a Nevada  
18 spendthrift trust?

19          A.     Oh, no.

20          Q.     Okay.

21          A.     No. If they took everything and  
22 used it for my best interest, I would  
23 think that would be fine.

1 Q. Do you feel like that you know  
2 what's in your best interest at this  
3 point in time?

4 A. Yes. But I haven't lost or  
5 invested in --

6 Q. Well, you know --

7 A. -- lost everything.

8 Q. Aren't we in this country  
9 entitled to make investments that are  
10 good --

11 A. And I think --

12 Q. -- and some that are bad?

13 A. And that's fine, he can do  
14 whatever he wants to with his property.  
15 But he should have made preparations for  
16 his family and then -- you know. And I'm  
17 saying, for me, like he had said he  
18 would.

19 Q. So you got -- you got involved  
20 in this because you didn't think he had  
21 done right by you and he --

22 A. Didn't think he had done right?  
23 He never did follow through, or intend

1 to.

2 Q. He never set up the trust for a  
3 million dollars?

4 A. Never did.

5 Q. But you do have a prenuptial  
6 agreement; right?

7 A. No. That's probably not worth  
8 two cents. I haven't got --

9 Q. Has anybody told you it's not  
10 worth two cents?

11 A. Well, not when he said he was  
12 going to invest everything he had, he  
13 could give me a promissory note. That's  
14 about what it was.

15 Q. Let me show you what we've  
16 previously marked as Exhibit --  
17 Plaintiff's Exhibit 9. This is --

18 (Witness reviews document.)

19 Q. This was an e-mail, the first  
20 one was from WBC Trust to Tom Bolt?

21 A. I don't -- I've never seen this.

22 Q. Okay. You ever heard of her  
23 Merchants Commercial?

1 A. Yes.

2 Q. Merchants -- I'm sorry,  
3 Merchants Communion [sic] Bank?

4 A. Commercial Bank?

5 Q. Commercial. Have you ever heard  
6 of Merchants Commercial Bank?

7 A. Uh-huh.

8 Q. What was -- what was William's  
9 involvement in that bank, to your  
10 knowledge?

11 A. I don't really understand  
12 totally. I know that -- I think he was  
13 director and president of the directors,  
14 but I don't understand totally.

15 Q. Did you and Dr. Hayden and  
16 Angela Hayden as part of your trust plan  
17 discuss what to do about William  
18 Cashion's ownership in that bank?

19 A. I don't recall. I don't think  
20 so.

21 Q. And you don't recognize that  
22 document?

23 A. No, I don't recognize this.

1 Do you want this back?

2 Q. No. Just keep it all right  
3 there, if you don't mind.

4 Let me show you what has  
5 previously been marked as Plaintiff's  
6 Exhibit 4. It's entitled "Certification  
7 Of Trust." This may be a duplicate. If  
8 so, I apologize.

9 MR. BURDICK: I think it was  
10 attached to an earlier exhibit, kind of a  
11 composite thing, 28 or something, if I  
12 remember right.

13 Q. Look at the second page. Is  
14 that your signature as acting trustee,  
15 dated the 7th day of February of 2012?

16 A. Yes.

17 Q. Okay. And this refers to "the  
18 William B. Cashion NST Trust [a Nevada  
19 Spendthrift trust]." Correct?

20 A. Right.

21 Q. Okay. Let me show you what I've  
22 marked as FC -- Plaintiff's Exhibit FC 8A  
23 to your deposition. This purports to be

1 an affidavit signed by you on February  
2 11th, 2012. Do you recognize your  
3 signatures at the bottom?

4 (Plaintiff's Exhibit 8A was marked for  
5 identification and is attached.)

6 A. Yes.

7 Q. And it's addressed to Honorable  
8 Joanna Kirshner, K-I-R-S-H-N-E-R, Judge  
9 of District Court? You see that up at  
10 the top?

11 A. I do.

12 Q. Now, who drafted this document?

13 A. I would say Dr. Mark Hayden.

14 Q. Okay. Did you read this before  
15 you signed it?

16 (Witness reviews document.)

17 A. I'm sure I did.

18 Q. This says --

19 (Witness reviews document.)

20 A. Yes.

21 Q. All right. Look --

22 A. This is --

23 Q. -- about a third of the way

1 down.

2 A. Uh-huh.

3 Q. Right after it says, "I demand I  
4 be given notice," the next sentence says,  
5 "I have resigned from being a trustee of  
6 the William B. Cashion trust because I  
7 want to avoid appearance of conflict of  
8 interest."

9 Did I read that correctly?

10 A. "Control or interest of Argo  
11 mills or 10:16 Mining and be included as  
12 a party to litigation."

13 Q. All right. Now, what -- I'm  
14 asking now about that sentence, "I have  
15 resigned from being a trustee of the  
16 William B. Cashion trust because I want  
17 to avoid appearance of conflict of  
18 interest."

19 A. Right. Now, where are you at on  
20 this? You've got the outline.

21 Q. Yes, ma'am. It's right here.

22 A. Okay.

23 Q. See?

1 A. Okay. Now I see.

2 Q. Look at that sentence.

3 A. "I have resigned as being a  
4 trustee of William B. Cashion trust  
5 because I want to avoid conflict of  
6 interest."

7 Q. Okay.

8 A. "The websites belong to me" --

9 Q. That's all you've got to read.

10 A. Okay.

11 Q. Now, what conflict of interest  
12 were you concerned about?

13 A. Well, it was going through all  
14 the stress and the heartache and the pain  
15 that we were going through that I did not  
16 want to participate in anymore.

17 Q. So you were basically washing  
18 your hands of the whole trust plan. Is  
19 that what you're saying?

20 A. Right.

21 Q. Did you ask Dr. Hayden to draft  
22 this document, or did he come up with it  
23 on his own?

1           A.     Well, I wrote him a letter of  
2     resignation.

3           Q.     Do you have a copy of that  
4     letter?

5           A.     I don't.

6           Q.     Do you know what happened to  
7     this document? Was it actually sent to  
8     the district court, Clark County, Nevada,  
9     or not?

10          A.     I don't know.

11          Q.     Okay.

12          A.     I'm sure it was.

13          Q.     Well, did you send it?

14          A.     I don't know. No, I didn't.

15          Q.     Did Mark Hayden tell you that he  
16     sent it?

17          A.     I don't recall. But.

18          Q.     All right. Let's --

19          A.     It's one of many things.

20                 MR. GOYER: Let's go off the  
21     record a second.

22                 THE VIDEOGRAPHER: We're off the  
23     record at 12:11.

1 (Break taken.)

2 THE VIDEOGRAPHER: We're back on  
3 the record at 12:56.

4 Q. (By Mr. Goyer) Ms. Cashion,  
5 we've taken a break for lunch. And how  
6 long can you stay today?

7 A. 3:00.

8 Q. Okay.

9 A. Is about as soon as I can stay.

10 Q. You were talking about a meeting  
11 that you attended at the Ruby Tuesday's  
12 in Bessemer.

13 A. Uh-huh.

14 Q. And that was around January 30,  
15 31st?

16 A. Yes.

17 Q. Was it the 30th of January?

18 A. 30th, I believe, or 31st. 30th,  
19 I believe. I'm not clear.

20 Q. All right. Tell me how that  
21 meeting came to be, as far as you know.

22 A. Well, William and Mark had  
23 planned to meet, and my understanding was

1 Mark had his files and was going to give  
2 them to William, is my understanding, and  
3 they were going to have a discussion and  
4 talk things over. So -- and they did.  
5 Then it got violent, and --  
6 understandable violent. But I knew that  
7 it would -- I was scared about two weeks  
8 prior before it was going to come about,  
9 and I removed the firearms out of the  
10 house because I was scared William might  
11 would shoot somebody.

12 Q. All right. How did you know  
13 that there was going to be a meeting at  
14 Ruby Tuesday's on January 30th or 31st?

15 A. Well, I didn't know the exact  
16 day, but I just knew there was plans for  
17 Mark to get with William, my  
18 understanding.

19 Q. How did you gain that  
20 understanding? Did Mark Hayden tell you?

21 A. Yeah. Then William too.  
22 William said that he was going to meet  
23 Mark.

1 Q. Did you know what was going to  
2 happen at the meeting?

3 A. Yes, I did.

4 Q. And what was that going to be?

5 A. Well, I thought it would be the  
6 transfer of records at that time and the  
7 understanding that he would be told what  
8 had happened.

9 Q. And what had happened?

10 A. Well, all this (indicating).

11 Q. All these documents had been  
12 signed and the Nevada trusts had been set  
13 up; right?

14 A. Yes. That's what he would be  
15 told.

16 Q. And as far as you knew, all his  
17 assets had been transferred. Is that  
18 your understanding?

19 A. I think so. That was my  
20 understanding.

21 Q. Now, whose idea was it for you  
22 to come to the meeting?

23 A. Nobody. I just wanted to be

1     there because I was scared. I was scared  
2     for both of them, really.

3           Q.     All right. So --

4           A.     I was just trying to -- I was  
5     there for both of them, because I was --  
6     knew that William was going to be upset  
7     and I thought William might would kill  
8     Mark. A lot of people are scared of  
9     William.

10          Q.     Anybody scared of Mark?

11          A.     No.

12          Q.     He's a sweetheart?

13          A.     Well, no. I don't think that  
14     he -- I think William is -- his  
15     temperament and physical ability. You  
16     don't know how strong William is.

17          Q.     He's 83 years old; right?

18          A.     Well, you still don't know how  
19     strong he is.

20          Q.     Now, were you there at the  
21     beginning of the meeting or not?

22          A.     No, I wasn't.

23          Q.     So when you showed up, Mark and

1 -- Mark Hayden and William are already  
2 sitting in a booth?

3 A. Right.

4 Q. What was going on when you  
5 showed up?

6 A. They were just talking.

7 Q. All right. So you walked up to  
8 the table?

9 A. Yeah.

10 Q. And what happened?

11 A. I sat down.

12 Q. Did William get up when you  
13 walked up?

14 A. No. I sat on the outside. And  
15 then William wanted out. He was through,  
16 he was very upset. And then I said:  
17 "Well, just sit down and talk to Mark.  
18 Just sit down and talk to him." So he  
19 agreed to sit down and talk to Mark. But  
20 I know they were fussing and battling  
21 over the records.

22 Q. Was William surprised when you  
23 walked up?

1           A.     I think -- I don't know if he  
2     was or not.

3           Q.     Did he know you had been part of  
4     it at that point?

5           A.     I don't think so.

6           Q.     So --

7           A.     Because he asked me and I said:  
8     "Yes, I am a part of it.  And sit down  
9     and let's talk about why."

10          Q.     All right.  Didn't you -- didn't  
11     William get up and you slid over against  
12     the wall and then he got back?  That's  
13     when he pushed you against the wall?

14          A.     Yes.  He was angry.

15          Q.     Okay.  Did he hurt you?

16          A.     No.

17          Q.     Okay.

18          A.     He didn't hurt me.  He scared me  
19     more than anything.

20          Q.     Did William have a gun?

21          A.     No.  But he asked Sam Robinson  
22     for his gun.

23          Q.     All right.  Now, let me make

1     sure about that, because my understanding  
2     is that Dr. Hayden asked Sam Robinson if  
3     he had a gun.

4           A.     No.     William asked Sam Robinson  
5     if he had a gun, and Sam said, "No, I  
6     don't have a gun."     And I said, "William,  
7     you don't need a gun."     He turned to me  
8     and he said, "I may" -- "I" -- "I need  
9     defend myself."

10          Q.     Didn't William say, "I ought to  
11     shoot both of you"?

12          A.     I didn't hear that.

13          Q.     You don't remember him saying  
14     that?

15          A.     Uh-huh.

16          Q.     You keep saying that he was  
17     understandably upset.     Why do you say he  
18     was --

19          A.     Because anybody in his position  
20     would be understandably upset.

21          Q.     Why is that?

22          A.     Because his -- his assets had  
23     been put in a William Cashion trust.

1 Q. Without his knowledge or  
2 consent; right?

3 A. That's right. And I knew he  
4 would be upset, and I knew he would be  
5 violent, and I was very fearful.

6 Q. All right. Did he hit anybody?

7 A. No.

8 Q. Okay. Did anybody hit him?

9 A. No.

10 Q. Did anybody pull a gun?

11 A. No. There wasn't a gun  
12 available.

13 Q. Okay. Let me show you --

14 A. I think being frightened and  
15 jumping to conclusions and scared the  
16 whole time brought about irrational  
17 behavior in my behalf.

18 Q. On your behalf?

19 A. Yes.

20 Q. Meaning you wouldn't have signed  
21 all these papers if you had been thinking  
22 straight?

23 A. I would not have filed a

1     restraining order, I would not have filed  
2     a --

3           Q.     -- divorce action?

4           A.     I didn't want to do that. I was  
5     forced to do that.

6           Q.     All right. Well, what --

7           A.     I never wanted a divorce.

8           Q.     I interrupted you. You wouldn't  
9     have filed a restraining action. What  
10    else?

11          A.     And a warrant for his arrest if  
12    I hadn't have been so scared.

13          Q.     Okay.

14          A.     Because he shoved me down. And  
15    Sam put his hand out and said, "Don't do  
16    that, William, don't do that."

17          Q.     Now, he didn't shove you on the  
18    floor, he pushed you to the wall in the  
19    --

20          A.     He pushed me into the booth, and  
21    I fell into the booth.

22          Q.     Was he sitting beside you at  
23    that point --

1 A. No.

2 Q. -- or was he standing?

3 A. No. I would -- I fell. He  
4 pushed me, and I fell into the booth.

5 Q. And what did he do? Does he --  
6 did he sit down beside you, or did he --

7 A. Then he sat down beside me.

8 Q. Okay. And y'all -- how long did  
9 y'all continue to talk?

10 A. Not over -- I don't think over  
11 five minutes.

12 Q. And who left first?

13 A. I jumped up and left because he  
14 was -- William got up and asked Sam for a  
15 gun. And when Sam -- he asked Sam for a  
16 gun, I went ahead and got in my car and  
17 left because I figured at that time he  
18 would be coming home and he would be mad  
19 and he would be violent.

20 Q. Did he come home?

21 A. He turned to me, he said, "I'm  
22 leaving you." He said, "And you're not  
23 going to get a thing." That's what he

1     said.

2           Q.     Did he come --

3           A.     And he told me he was leaving  
4     me.

5           Q.     Did he come home?

6           A.     He come home and he got his  
7     things, and he left.

8           Q.     Okay. Has he ever been back to  
9     your house since?

10          A.     Yes. He came back and got all  
11     of his other stuff.

12          Q.     Did you tell him he could do  
13     that?

14          A.     Yes. He could come get anything  
15     he wanted. But I had his gold in another  
16     safe. I had it -- put all -- transferred  
17     all of his other stuff in a safe. And I  
18     -- and I did that thinking that he'd  
19     comeback home for his gold before he  
20     would come back home for me. I really  
21     did. I wanted him back home.

22          Q.     You went into his safe and took  
23     everything out; right?

1           A.     I took his gold out and put it  
2     in another safe.

3           Q.     Okay.  Have you given that back  
4     to him since then?

5           A.     Yes.

6           Q.     Did -- did you tell Mark Hayden  
7     you were taking everything out of  
8     William's safe?

9           A.     I didn't tell Mark at that time,  
10    I didn't.

11          Q.     Did you tell him later?

12          A.     Yeah.  And he said, "Give him  
13    his gold back."  And I said:  "Well, I  
14    think he'll come home for his gold.  He  
15    won't come home for me."

16          Q.     How much was it?

17          A.     I don't know.

18          Q.     You don't know?

19          A.     I have no idea.

20          Q.     Let me show you what has  
21    previously been marked as Exhibit --  
22    Plaintiff's Exhibit 4.  This appears to  
23    be or purports to be an affidavit.  When

1     you signed --

2             (Witness reviews document.)

3             Q.     Now, I can't really tell the  
4     date because the stamp is unreadable.  
5     Let me see if there's a date on here. Do  
6     you recognize --

7             A.     Yes. And this was the thing,  
8     because if -- if he -- if people are not  
9     going to give an account for what they've  
10    already spent in a very short period of  
11    time and they come back and wanted about  
12    \$15 million more, why would -- you know,  
13    that's irrational.

14            Q.     Well, why did you -- who drafted  
15    this document?

16            A.     I think Mark did.

17            Q.     Mark Hayden? Do you remember  
18    when you signed it?

19            A.     I don't remember.

20            Q.     Do you know why?

21            A.     I was worried about William and  
22    his -- and his assets. I really was.

23            Q.     Well, what was -- what was the

1 intent of signing this? Were y'all going  
2 to use this document in some way?

3 A. Huh?

4 Q. What were you going to do with  
5 this document? Do you know?

6 A. This document here?

7 Q. Yes, ma'am, this affidavit  
8 that's marked Plaintiff's Exhibit 4. Was  
9 it going to be filed in court somewhere,  
10 or what was the purpose of it?

11 A. It was just a written statement  
12 of the -- I didn't think -- I didn't know  
13 where it was going to be filed at.

14 Q. All right. So --

15 A. But this is just really -- and  
16 -- and I'm not the only one. People --  
17 Jimmy Easterling, he's --

18 Q. I'm trying to get you out of  
19 here by 3:00, so --

20 A. Okay, okay.

21 MR. CASHION: Yeah, we need to  
22 get out of here.

23 Q. But whose idea was it to draft

1 -- for you to sign this document? Was it  
2 your idea, Mark Hayden's idea, or someone  
3 else's idea?

4 A. Well, this is just a written  
5 statement. I didn't draw this up.

6 Q. Okay. Mr. Hayden, did  
7 Mr. Hayden draw it up?

8 A. I would say so. But he -- and  
9 it was true, you know.

10 Q. All right. And --

11 A. This is the problem for the past  
12 two years ago, was Wadsworth taking  
13 William.

14 Q. Okay. I understand. Did  
15 Dr. Hayden tell you what he was going to  
16 do with this document after you signed  
17 it?

18 A. Well, not that I know of.

19 Q. Okay. Did you do anything with  
20 it?

21 A. We did form a website, I know  
22 that.

23 Q. Okay.

1           A.     Now, this wasn't put on totally  
2     the website.  The Compromise Settlement  
3     and all that was not put on it.

4           Q.     Some of the language --

5           A.     And I didn't -- and -- and that  
6     was not a planned thing.  That was  
7     something that was put up after I was  
8     arrested on false charges.

9           Q.     All right.  We're going to get  
10    to that in a second.  Are you saying some  
11    of the information in this affidavit was  
12    put on a website?

13          A.     Let's see.

14                   (Witness reviews document.)

15          A.     I don't know if it was formed  
16    like this.  I don't have it in front of  
17    me, so I couldn't tell you.

18          Q.     Whose website was it?

19          A.     It was going to be my website.

20          Q.     Okay.  Who set up the website?

21          A.     A gentleman in -- oh, I forget  
22    his name.  I don't recall.

23          Q.     Who asked him to set it up?

1 A. Let's see. Mark.

2 Q. And who determined what  
3 information was put on the website?

4 A. Mark.

5 Q. And do you remember what some of  
6 that information was?

7 A. Not exactly. I don't have it --

8 Q. Was it similar --

9 A. -- in front of me.

10 Q. -- to this affidavit?

11 A. Yeah, it had some information on  
12 it.

13 Q. And what -- what's your best  
14 recollection about what that information  
15 was?

16 A. Was that -- I can -- I don't  
17 have it. Do you have a copy of it?

18 Q. I don't have it right this  
19 second.

20 A. Well, I don't have it with me.

21 Q. Do you have any memory of what  
22 was -- what the information was?

23 A. Just something along the line

1     that he had been deceived of several  
2     million dollars and -- I can't put it  
3     word for word, so I might as well not  
4     even answer.

5           Q.     What was the purp- --

6           A.     What we need is to pull it up  
7     and show it to you.

8           Q.     Is it still out there?

9           A.     No. No. We've pulled it off.

10          Q.     Who made the decision to pull it  
11     off?

12          A.     I did.

13          Q.     Okay. And when did that happen?

14          A.     I don't recall.

15          Q.     Do you know how long this  
16     information was up on the website?

17          A.     I think four days.

18          Q.     Okay. And what was the reason  
19     for putting it up on the website?

20          A.     Because of the false information  
21     that was filed in the police report and  
22     reported in the newspaper and on  
23     alabama.com of me being arrested. And

1 the police officer asked William, "Do you  
2 want me to arrest her?" And the next  
3 thing I know, they arrested me, so  
4 evidently, he said yes.

5 Q. All right. Let me show you --

6 A. I had audiotaped the whole  
7 interrogation of the police department.

8 Q. I'm going to mark this as  
9 Plaintiff's Exhibit 9. I guess it will  
10 be FC A -- FC 9A.

11 (Plaintiff's Exhibit 9A was marked for  
12 identification and is attached.)

13 A. Let me see. Oh, yeah. Randy  
14 Christian, who was not even there, who  
15 took a handwritten report to the  
16 newspaper.

17 Q. Hang on a second. You're  
18 jumping ahead of me. This purports to be  
19 a copy of the press release from the  
20 Jefferson County Sheriff's Office. Have  
21 you seen this document before?

22 A. Yes.

23 Q. Okay. And it's entitled, "False

1 report of hostage situation results in  
2 arrest of Bessemer woman."

3 A. Right.

4 Q. Did you get arrested?

5 A. I did.

6 Q. Tell me what happened.

7 A. They said that I filed a false  
8 police report.

9 Q. Okay.

10 A. And in filing a false police  
11 report, you have to have the intent to  
12 defraud the police department with false  
13 information.

14 Q. Okay.

15 A. That was a lie. That -- that  
16 would have made it legal for them to  
17 arrest me.

18 Q. All right.

19 A. They did not arrest me because  
20 it was not a false police report. And I  
21 did not say that he was holding people at  
22 gunpoint. I did not say any of that.  
23 That was a complete lie.

1 Q. All right. Hang on a second?

2 A. I also received \$1,000 and an  
3 apology from Birmingham News for the  
4 reported misinformation.

5 Q. All right. Let's slow down a  
6 second. This says -- the date of this  
7 press release is February 2nd, 2012. And  
8 it says, "About 9:30 yesterday," that  
9 would have been February 1st, 2012. Is  
10 that when you made a call to the  
11 sheriff's department?

12 A. I made a call and asked for  
13 assistance to walk in the door.

14 Q. Where were you at the time you  
15 made the call?

16 A. I was right at the front of the  
17 building.

18 Q. Which building?

19 A. Western Steel. I was talking to  
20 her as I pulled up.

21 Q. Okay. You were in your car?

22 A. Uh-huh.

23 Q. That's a yes?

1 A. Yes.

2 Q. Was anybody in the car with you?

3 A. No.

4 Q. Were you talking to anybody?

5 A. I was talking to the lady at  
6 911.

7 Q. Was Dr. Hayden present at any  
8 time during this period?

9 A. Not with me.

10 Q. Was he on the scene at any  
11 point?

12 A. Not at the time.

13 Q. Whose idea was it for you to  
14 make this 911 call? Was that your idea?

15 A. It was my idea.

16 Q. Okay. All right. I have a copy  
17 of that I'm going to play here, and I'm  
18 hoping everybody can hear it. It lasts  
19 about twelve or fourteen minutes, so.

20 A. Yeah, she kept me on the phone,  
21 and I went in, I said, "Well, you know,  
22 they don't have to come."

23 MR. GOYER: Austin, this was

1 attached to al.com, one of the articles  
2 that came out on the Internet. It's a  
3 tape.

4 MR. BURDICK: Okay. I don't  
5 think I've heard it before.

6 MR. GOYER: All right. Well,  
7 you're about to hear it, if I can make  
8 this work.

9 MR. BURDICK: Yeah. I  
10 understand that.

11 (Audio recording played.)

12 Q. Now, I want you to tell me if  
13 this is your voice. Okay?

14 I've got to back it up. I've  
15 got to back it up. I'm going to try to  
16 start it over. All right. Let me try it  
17 again.

18 MR. BURDICK: Do you want it  
19 retyped in the transcript, or do you want  
20 her to note that it was played?

21 MR. GOYER: I don't know if she  
22 can type it. It's pretty fast.

23 MR. BURDICK: Okay.

1 MR. GOYER: I'm having a hard  
2 time making this thing work. I knew this  
3 was going to happen. I apologize.

4 THE COURT REPORTER: You want to  
5 go off the record?

6 MR. GOYER: Yeah, go off the  
7 record just a second.

8 THE VIDEOGRAPHER: Going off the  
9 record at 1:13.

10 (Break taken.)

11 THE VIDEOGRAPHER: Back on the  
12 record at 1:15.

13 A. Whoever written -- had written  
14 the report that the suspect inside the  
15 business --

16 (Audio recording played.)

17 MR. GOYER: Let me see if I can  
18 get to the start of it.

19 THE WITNESS: And I never said  
20 this. Somebody wrote this in. I just  
21 wanted assistance to walk in and make  
22 sure that I would be safe, really.

23 MR. GOYER: All right. We're

1 still on the record?

2 THE COURT REPORTER: Yes.

3 MR. GOYER: Okay.

4 (Audio recording played.)

5 THE WITNESS: Whoever did this  
6 was lying.

7 MR. GOYER: All right. Listen  
8 carefully, Ms. Cashion.

9 (Audio recording played.)

10 THE WITNESS: I didn't work  
11 there. I didn't. I was scared.

12 I did not work there.

13 So irrational.

14 (End of audio playback.)

15 Q. (By Mr. Goyer) Okay. That's it.  
16 Was that your voice on the tape?

17 A. Yes.

18 Q. Okay. Now, I heard somebody  
19 towards the end of the tape say, "Have  
20 you read the compromise settlement," and  
21 it sounded like Dr. Mark Hayden. Was he  
22 there?

23 A. Yeah.

1 Q. Was he --

2 A. Yes.

3 Q. Was he in the car with you?

4 A. No.

5 Q. Now, how did -- when did he get  
6 there?

7 A. After me.

8 Q. All right. Did you tell him you  
9 were going to make this call to the 911?

10 A. Yes.

11 Q. Okay. And what did he say?

12 A. He thought it would be the right  
13 thing to do.

14 Q. Okay. So at what point in this  
15 conversation that you had with the  
16 deputy's office on 911 did Dr. Hayden  
17 show up?

18 A. He had showed up, he was there  
19 when they came.

20 Q. Okay. So he was there basically  
21 from the time you started the call, or  
22 not?

23 A. No, he wasn't with me when I

1 started the call, that I recall. But  
2 he -- he, you know, he was right there at  
3 the business.

4 Q. Okay. He was -- all right. He  
5 knew you were about to make the call?

6 A. Right.

7 Q. Okay. Was William Cashion there  
8 at any time during this period?

9 A. No. I didn't know that, though  
10 I thought he was. I drove by, I thought,  
11 earlier and saw him.

12 Q. Now, let me show you a copy of a  
13 -- this was on alabama.com. Let me see  
14 if I've got -- we're going to mark this  
15 as Plaintiff's FC 10A. This purports to  
16 be a copy of an alabama.com news report  
17 dated April 10, 2012.

18 Now, this article indicates that  
19 "Ms. Senior Alabama 2011 pleaded guilty  
20 today to a misdemeanor charge in a  
21 Bessemer courtroom stemming from a false  
22 police report of a hostage situation at  
23 her estranged husband's business.

1 "Frankie Cashion, 62, pleaded  
2 guilty to obstructing government  
3 operations. Jefferson County District  
4 Judge Eric Francher" -- "Fancher Sr.  
5 imposed a \$500 fine, court records show."

6 Is that what happened?  
7 (Plaintiff's Exhibit 10A was marked for  
8 identification and is attached.)

9 A. I don't know what interfering  
10 with governmental affairs is. Do you?

11 Q. Did you plead guilty to a  
12 misdemeanor?

13 A. No, I did not plead guilty to  
14 it. That's what they said. I did not  
15 plead guilty to anything. They dropped  
16 one charge and would not drop the other.

17 Q. And so, what --

18 A. I never did plead guilty to it  
19 -- to it at all.

20 Q. Were you arrested?

21 A. I was arrested and filed for  
22 interfering with governmental affairs and  
23 filing a false police report. Then they

1     came back and said, "Well, she shouldn't  
2     have been arrested at all," the police  
3     officer said that. Then he said, well,  
4     they would drop -- go ahead and drop the  
5     filing of a false police report because  
6     of the 911 tape, but they wouldn't drop  
7     the other.

8           Q.     What was the other charge?

9           A.     Interfering with governmental  
10     affairs. I don't know what that is and  
11     why or what it means.

12          Q.     Did you plead guilty to  
13     interfering to governmental affairs?

14          A.     No, I did not plead guilty.  
15     They said I did, but I never pled guilty  
16     to anything.

17          Q.     What was the --

18          A.     I had an attorney. And because  
19     they wouldn't drop the charge, that's  
20     what I was charged with and fined to pay.

21          Q.     Did you pay a fine?

22          A.     Paid a fine of \$500.

23          Q.     Okay. And who was your

1 attorney?

2 A. Jim Holloman.

3 Q. How do you spell his last name?

4 A. H-O-L-L-O-M-A-N. And then he  
5 had a -- oh, I forget his name, in  
6 Bessemer that was working on it. And he  
7 said he could not get them to drop the  
8 charge of interfering with governmental  
9 affairs. And he's the one that said I  
10 pled guilty to that.

11 Q. Who is he?

12 A. Oh, let me see. His name is --  
13 one of the -- he's the one that said  
14 that, not me. Let me see if I can find  
15 it. It's on the tip of my tongue. I  
16 can't. I can't think of his name right  
17 now.

18 Q. Okay.

19 A. But he's the one that said that  
20 I pled guilty to interfering with  
21 governmental affairs. I never pled  
22 guilty to nothing.

23 Q. You're talking about a reporter,

1 a deputy, or what?

2 A. It was -- he's a -- an -- not an  
3 investigator, but something else in  
4 Bessemer, and he worked with Jim  
5 Holloman.

6 Q. Oh, he was -- he worked with Jim  
7 Holloman, your attorney?

8 A. Yes.

9 Q. You're saying he said the wrong  
10 thing?

11 A. He said the wrong thing. He  
12 said that I pled guilty. What it was is  
13 they had two charges and they said they  
14 wouldn't drop both of them but they would  
15 drop the interfering with gov- -- I mean,  
16 the filing a false police report.

17 Q. Now, this --

18 A. And then the attorney said I  
19 should have never arrested her. But they  
20 held that one. And that's so I wouldn't  
21 sue them for.

22 Q. So, what was the fine for, the  
23 best you understand it?

1           A.     Interfering with governmental  
2     affair.

3           Q.     Now, this says obstructing  
4     governmental operations.

5           A.     Okay.

6           Q.     I'm looking at Exhibit 9A.  Does  
7     that sound what it --

8           A.     Yeah.

9           Q.     Okay.

10          A.     Is there -- I don't understand  
11     that.  Just making the call, period?  I  
12     guess that's what it was.  I guess.  I  
13     never did understand what that meant.  
14     But I paid the fine of \$500, and that was  
15     it.

16          Q.     Now, why did you make this --  
17     this call, all of -- the things that you  
18     reported in this 911 call were not true,  
19     were they?

20          A.     I was scared of William.

21          Q.     Well, first off, just tell me  
22     this.  What you said on this tape was not  
23     true, was it?  He was not there with a

1 sawed-off shotgun.

2 A. No, he was not.

3 Q. Okay. And why did you make  
4 those statements?

5 A. I did not make the statements  
6 those are written in here. They were  
7 lies. I did not make the statement.

8 Q. Why did you make the statements  
9 that we just listened to on the tape that  
10 you say were untrue?

11 A. No. Repeat that again. Why did  
12 I make the statements that was untrue on  
13 the tape?

14 Q. Yes, ma'am. We listened to the  
15 tape --

16 A. Okay.

17 Q. -- and you said those were not  
18 true. Why did you tell those untruths?

19 A. Okay. Review the untruths again  
20 so I can remember them.

21 Q. Well, I can play the tape back.  
22 I mean, it's fifteen minutes long. You  
23 said, "My husband, William Cashion, is on

1 the premises, he's got a sawed-off  
2 shotgun, he's going to shoot somebody."

3 A. Well, that's what I -- I thought  
4 he was, because I knew he had a sawed- --  
5 Gene Calhoun had tried to get his gun a  
6 week -- for a whole week from under his  
7 desk because he was scared to death of  
8 him, too. He knew that William had a  
9 violent temper, and at this point in time  
10 he felt like that he would be dangerous.  
11 And that's the president of the company.  
12 And I had seen the gun before, too. And  
13 I knew that -- I was scared that in this  
14 situation that he would be violent.

15 Q. Was this before or after y'all  
16 met at Ruby Tuesday's?

17 A. After.

18 Q. Okay. Was it the next morning?

19 A. Two days later.

20 Q. Two days later. And you and  
21 Mark Hayden decided it was a good idea  
22 for you to make this 911 call?

23 A. I -- yes.

1 Q. Okay. Now, during this whole  
2 time period that you and Mark Hayden and  
3 Angela Hayden were putting together this  
4 plan to create these trusts, why did you  
5 not tell your husband about them?

6 A. Why did I not tell him?

7 Q. Yes, ma'am.

8 A. Well, why should I tell him? I  
9 knew he would -- I knew what would  
10 happen.

11 Q. You knew he would object to it?

12 A. Of course he would.

13 Q. And why is that?

14 A. Well, because his assets would  
15 be protected and he was trying to  
16 liquidate his assets.

17 Q. So you thought --

18 A. Give them to -- I don't care  
19 where he put it. If could have put it  
20 anywhere but -- and it wasn't none of my  
21 business, but to put it anywhere but to  
22 give it to Sandy Wadsworth, and you know  
23 the whole story about that.

1 Q. So you and Mark Hayden decided  
2 that y'all could make better decisions  
3 about his assets than William could; is  
4 that right?

5 A. Not me so much making decisions.  
6 It was the right thing to do, I thought  
7 at the time.

8 Q. But y'all made that decision;  
9 right?

10 A. Yes.

11 Q. And you didn't tell your husband  
12 about it?

13 A. No, I did not. And back to the  
14 point of selling the stock on the stock  
15 market, that's back to the biggest  
16 reason. Because he would have been in  
17 really big trouble if he had, or did.

18 Q. When did you first learn that  
19 you were the director and secretary of  
20 Western Steel?

21 A. I don't recall.

22 Q. Was it in January?

23 A. January or February.

1 Q. Of 2012?

2 A. Yes.

3 Q. Did you know anything about this  
4 plan?

5 A. Before January? No.

6 Q. Okay. Have you ever served or  
7 had any prior experience as a corporate  
8 officer or director?

9 A. No.

10 Q. You ever served as a trustee of  
11 a spendthrift trust before?

12 A. No.

13 Q. Did you -- have you taken any  
14 payments, did you take any payments from  
15 Western Steel while you were serving as  
16 director or secretary?

17 A. Just the weekly paycheck that I  
18 had for the past three years.

19 Q. Same paycheck you had all the  
20 time?

21 A. Right.

22 Q. Do you know what -- what  
23 actions, if any, Mark Hayden took as the

1 president of Western Steel while he was  
2 serving in that capacity?

3 A. Not exactly, no.

4 Q. Now, whose idea was it to take  
5 all the contents of William's safe out  
6 and put it in another safe?

7 A. Me.

8 Q. Did you tell Mark Hayden you  
9 were doing that?

10 A. No.

11 Q. Did you tell him after you did  
12 it?

13 A. Yeah.

14 Q. And what happened? What did he  
15 say?

16 A. Well, I just wanted William to  
17 come back home. But I figured he would  
18 come back home for his gold.

19 Q. And what did Mark Hayden say?  
20 Did he say fine or good idea or bad idea?

21 A. He didn't say. He said, "Just  
22 give him his gold." And I said, "Well,  
23 he won't come back home if I give him his

1 gold."

2 Q. All right. Did you ever tell  
3 William that you had taken everything out  
4 of his safe?

5 A. No.

6 Q. When did you move the money from  
7 the RBC Bank to your personal account in  
8 Wetumpka?

9 A. It was in January.

10 Q. And you've returned that money?

11 A. No. It was paid as -- now a  
12 settlement in our divorce.

13 Q. Okay.

14 MR. GOYER: Okay. No further  
15 questions for this witness. Well, let me  
16 talk to my man here.

17 All right. I'm going to reserve  
18 the right to come back after you get  
19 through. But why don't we take a short  
20 break, and then you can -- you can have  
21 at it.

22 THE VIDEOGRAPHER: We're off the  
23 record at 1:42.

1 (Testimony taken off video record.)

2 THE WITNESS: Well, I think -- I  
3 tell you what I'm going to do. I'm going  
4 to let him depose me, and then I'm going  
5 to my mother.

6 MR. GOYER: Okay. Let me just  
7 ask her one question.

8 THE VIDEOGRAPHER: We're on the  
9 record at 1:49.

10 Q. (By Mr. Goyer) Are you on  
11 medication today of any kind?

12 A. No.

13 Q. Is there any reason you can't  
14 give true and accurate testimony?

15 A. No.

16 MR. GOYER: Okay. Your witness.

17

18 EXAMINATION BY MR. BURDICK:

19 Q. The exhibit that was marked  
20 today, that 3A. It should be in that  
21 pile.

22 A. 3A?

23 Q. I think it was 3A. It was that

1 little half-page typed-looking thing.

2 A. Oh, this right here.

3 Q. Okay.

4 A. Yeah.

5 Q. You indicated that you found  
6 that to be disturbing when you saw it.  
7 What's -- what's disturbing about that?

8 A. Well, I knew that he had spent  
9 several million and had received nothing  
10 in return. And then to resolve the  
11 selling stock on the stock market for  
12 five billion when he hasn't got in  
13 anywhere near that to sell put him in  
14 severe jeopardy. Either way, if this is  
15 valid and then he is prosecuted for this,  
16 I've lost my husband. If I make a stand  
17 to protect him and his assets, I still  
18 lost my husband. There was a no-win  
19 situation wherever I went. So better  
20 that he's doing well and not in prison  
21 for this, though I lost my husband.  
22 That's it.

23 Q. Okay.

1           A.     This was the straw right here.

2           Q.     So you felt like that -- and you  
3     correct me if I'm wrong.  You felt like  
4     that represented a criminal act?

5           A.     I do.

6           MR. GOYER:  Object to the form.

7           A.     And if that is in error, if that  
8     is wrong, if that isn't valid, if that's  
9     false, if that's not -- well, then, I've  
10    made a grave mistake.  But if it is valid  
11    and it is right and he has done this,  
12    well, then, if it could stop any kind of  
13    repercussions of that, then yes, I lost  
14    my husband, but yes, at least he's alive  
15    and well and here.

16          Q.     Okay.  So you felt like you were  
17    either going to lose him to prison or  
18    just lose him to hurt feelings?

19          A.     That's right.

20          MR. GOYER:  Object to the form.

21          Q.     Now, I think that document talks  
22    about a \$5 billion trading platform.

23          MR. BURDICK:  Can I see that

1 real fast to see when it was executed?

2 A. Is that not legit?

3 Q. Well, that's my question. Do  
4 you know whether or not there were \$5  
5 billion worth of assets that -- that  
6 could be represented for that trading  
7 platform?

8 A. I didn't know that there was  
9 any.

10 Q. Why do you say you didn't know  
11 that there was any?

12 A. Because he was going to use the  
13 funds coming out of that, out of his  
14 10:16 Mining to set up a trust for me and  
15 his children, and he kept putting it off  
16 because he hadn't received anything from  
17 it. So I don't know if he still has or  
18 hasn't or what. But I, you know, still,  
19 to sell something that you don't have on  
20 a stock market platform would be illegal,  
21 I would think. Unless I -- if not, I  
22 want to sell something that I don't have  
23 so I can make a lot of money.

1 Q. Okay.

2 MR. GOYER: I move to strike.

3 A. If it's not illegal.

4 MR. GOYER: I move to strike her  
5 answer as nonresponsive.

6 MR. BURDICK: I think it was  
7 responsive.

8 MR. GOYER: She's not qualified  
9 to determine what's legal and not legal.

10 A. No, I'm not an attorney, but I  
11 can understand that if I don't have  
12 something, if I had Wal-Mart empty and  
13 I'm going to sell -- sell stock in  
14 Wal-Mart with the stock that's in  
15 Wal-Mart but it's empty, just to get  
16 money to sell to people, get their money  
17 for something I don't have.

18 Q. Yeah.

19 A. I would think that would be  
20 illegal.

21 Q. Yes.

22 MR. GOYER: Do you know if any  
23 stock was sold?

1 THE WITNESS: I --

2 MR. BURDICK: It's not your turn  
3 to ask questions. You're cheating. Come  
4 on, now.

5 THE WITNESS: It could have  
6 been.

7 MR. GOYER: You just don't know?

8 THE WITNESS: I don't know for  
9 sure, but I think so.

10 MR. BURDICK: Now, I tried so  
11 hard to behave earlier today.

12 THE WITNESS: I know that there  
13 was someone coming from Chicago down to  
14 invest a billion dollars and William was  
15 real excited.

16 MR. BURDICK: You've got to  
17 admit, I have behaved so much better  
18 today than I did last time.

19 MR. GOYER: Austin, let me just  
20 say this. You know we've already had a  
21 hearing on 10:16 Mining, and we got a  
22 ruling from the Court. She brought this  
23 document today. I did not inject it into

1 the case, she did. And I'm going to be  
2 -- I want you to be careful about going  
3 down this road in light of what has  
4 already happened.

5 MR. BURDICK: I understand. But  
6 we've got to --

7 THE WITNESS: That's why I --

8 MR. BURDICK: We've got to  
9 address the claims that were in the case,  
10 and the claims in the case do involve  
11 10:16 to the extent that they've been  
12 interjected by the plaintiff in this  
13 case.

14 MR. GOYER: And you've already  
15 made that argument to the Court, and the  
16 Court granted our motion for protective  
17 order, and I --

18 THE WITNESS: Why is it  
19 protected?

20 MR. GOYER: -- caution you about  
21 going down this road. We didn't put this  
22 into evidence. She brought it with her.

23 THE WITNESS: Why is it so

1 protected if it's not true?

2 Q. (By Mr. Burdick) But anyway --

3 A. I don't understand. But anyway,  
4 that's it.

5 Q. I'm going to ask you about your  
6 personal and family dealings and the  
7 things that went on in your household,  
8 because you don't know any -- do you know  
9 anything about 10:16? Were you ever an  
10 officer in 10:16?

11 A. No. I just had an argument with  
12 Wadsworth and Dina overspending William's  
13 money that he gave him and not giving him  
14 any receipts for his money he spent. And  
15 it was just a small amount of, what,  
16 \$400,000 or whatever, and she blew up and  
17 got all upset because I asked her for  
18 receipts to give to William for the money  
19 that she had spent.

20 I said, "Well, who wrote the  
21 check?" She says, "Well, I did." I  
22 said, "Oh, then, since you wrote the  
23 check, then you have a receipt." She

1     said, "Oh, the accountant has the  
2     receipt." I said: "All we got to do is  
3     call the accountant and let them fax over  
4     the copies of the receipts, there won't  
5     be no problem, and then it's William's  
6     business, you know. He can go ahead and  
7     give you whatever he wants." But, I  
8     mean, I -- and it's none of my business.  
9     I just said that I've been in business  
10    and always had receipts for anything I  
11    bought, and you spend \$400,000 and  
12    something and you have no receipts? It  
13    just seems to me that that's not  
14    providing things honest.

15           MR. GOYER: I move to strike as  
16    nonresponsive.

17           MR. BURDICK: Well, I think it  
18    is responsive as to what her involvement  
19    was with 10:16, if any.

20           A. I was his wife, and I was at a  
21    business meeting, and this is the  
22    conversation that his wife and I had.  
23    And then Sandy closed the books, he says,

1 "Well, I'll just go somewhere else and  
2 get an investment and close it." And  
3 William and I go home, and I knew we was  
4 going to have an argument. I said,  
5 "Well, you can't put two women off and  
6 expect not a cat fight." Sometimes it  
7 happens and sometimes it don't. But I  
8 said, "I just asked her." And he said:  
9 "Well, you know, things providentially  
10 happen. Maybe it's the best thing that  
11 happened, and maybe I should not invest  
12 in this." I said: "Well, that's your  
13 decision, but he needs to give you  
14 receipts for what money he has already  
15 spent of your money. It's not his money,  
16 it's your money."

17 Q. All right.

18 A. That's all I said.

19 Q. Was any money spent from your  
20 joint checking account that you're aware  
21 of to go to pay for this gold mine?

22 A. Argo Mills, 10:16 Mining, I  
23 never received any cancelled checks, but

1 I got worried about income tax and stuff,  
2 so I got copies of the past year's income  
3 tax, and I went and got bank statements  
4 that my name was on, and I was going give  
5 them to my accountant. And yes, that's  
6 where I found several checks for \$250,000  
7 wrote to Argo Mills. Argo Mills is a lot  
8 -- I mean, out of our joint checking  
9 account. Would I be responsible for a  
10 fraudulent scam or anything with Argo  
11 Mills with my name on it? Maybe, maybe  
12 not.

13 Q. Okay. Let me ask you this. Did  
14 you and your husband ever go up to north  
15 Alabama to look at any mining operations  
16 up there?

17 A. We went, and I think the  
18 missionary went one Sunday or one  
19 afternoon, I don't know what day of the  
20 month, went, because he had planned on  
21 giving the proceeds from the gold mine  
22 into a preacher teaching ministry, his  
23 charity -- his own charity.

1 Q. Preach the Gospel?

2 A. Preach the Gospel. And so we  
3 went up there. And there was a mine up  
4 there that had a light bulb in it. And  
5 we talked to the owner. We waited till  
6 he got home and talked to the owner. But  
7 he had leased that property out. And  
8 those people were selling stock on the  
9 stock market, and they told us that he  
10 says there's no gold in this gold mine.  
11 And he said, "It was my dad's, it was my  
12 property now," he said, "and they're  
13 selling stock, and," he said, "they're  
14 going to get caught and they're going to  
15 go to prison for it." He said: "But  
16 there's no gold out there, and they say  
17 there is, and they're selling stock, and  
18 what do you see out there? You see a  
19 light bulb. They're not doing anything."

20 Q. Okay.

21 A. But anyway, we left, and that  
22 was -- I don't know how long they'll be  
23 successful doing that, but that was one

1 effort.

2 And then we went out to Montana  
3 in -- on a gold thing. And I thought we  
4 was going snow skiing.

5 Q. Did you meet a Mr. Helms out in  
6 Montana?

7 A. Yeah.

8 Q. Okay.

9 A. You would have thought that he  
10 walked on water like Sandy Wadsworth  
11 saying he could walk on water.

12 Q. Sandy said he could walk on  
13 water?

14 A. Yeah.

15 Q. Do you believe that's true?

16 A. Well, no. He fired somebody  
17 because they didn't believe it. But yes,  
18 he really thought he could walk on water.

19 Q. Do you know if William believes  
20 Sandy can walk on water?

21 MR. GOYER: Object to the form.  
22 Calls for speculation, conjecture.

23 A. No, I don't think he can walk on

1 water, but I know he said that he wanted  
2 to see what -- Sandy wealthy, he wanted  
3 to see that man wealthy. That's all I --  
4 I said, well, okay.

5 Q. Okay. So --

6 A. I guess he felt sorry for him.  
7 I don't know.

8 Q. My question is for a time  
9 context. Did -- you'll notice that this  
10 3A is dated 3/10/2011. Was it before  
11 that time when you and Mr. Cashion went  
12 up to north Alabama and were introduced  
13 to this fraudulent mine up there?

14 MR. GOYER: Object to the form.

15 A. Yes, it was. It was before.

16 Q. So William knew about that  
17 fraudulent mine scheme before --

18 A. Right.

19 Q. -- this happened?

20 A. Right.

21 Q. Okay.

22 A. And from what I understand, that  
23 seems to be the biggest scam just about

1 ever, is people scamming people on gold.

2 Q. Well, tell me about this Montana  
3 adventure. What happened -- what  
4 happened up in Montana?

5 A. Well, we got -- we went up  
6 there, and this man had a building, and  
7 they were supposed to be mining gold out  
8 of this building, melting it down and all  
9 that. And Helms, I think, was his name.  
10 Oh, just he could have been a movie star.  
11 I mean, he awed everybody, and he just --  
12 he could just about walk around with a  
13 stick and find gold.

14 Q. Could he really find gold?

15 A. Well, that's what he said.

16 Q. Oh, okay.

17 A. And he had -- they were melting  
18 bars down. They told William they would  
19 give him a bar, that they guaranteed it  
20 would have more precious metals than what  
21 it had. But I never will forget, we come  
22 home and he had it tested. He sent it  
23 off because -- and had it tested. But I

1 think he'd paid him a lot of money for  
2 the bar.

3 Q. Do you know how much he paid for  
4 that bar?

5 A. Do I have to say it?

6 Q. If you know it.

7 A. I think he paid \$24,000 for it.

8 Q. Okay.

9 A. Or either \$24,000 to go into the  
10 building to see the works and get a bar  
11 free or something like that. But we paid  
12 -- he paid a lot of money.

13 Q. Okay.

14 A. But anyway, he shipped a lot of  
15 dirt home. They gave him a bunch of  
16 dirt, so we shipped dirt home. And then  
17 --

18 Q. How much did he pay to ship --  
19 did he ship dirt home from Montana to --

20 A. Boxes of dirt.

21 Q. -- back here to Alabama?

22 A. Yeah, yeah.

23 Q. What did he do with the dirt

1 once it got here?

2 A. I don't know.

3 Q. Do you know how much he paid to  
4 ship dirt --

5 A. No.

6 Q. -- shipped across the country?

7 A. No. We sat in the car.

8 Q. Well, let me ask you this. You  
9 said that bar, that \$24,000 bar was  
10 tested somewhere?

11 A. Yes. And he got it back, and it  
12 said it was worth \$35 in copper.

13 Q. \$35?

14 A. And he didn't believe it. I  
15 mean, he -- now, I don't blame him. I  
16 would be upset, too.

17 Q. Well, let me ask you this. If  
18 Mr. Cashion offered to sell me that bar  
19 for \$100,000, would that be a wise  
20 investment for me?

21 MR. GOYER: Object to the form.

22 Calls for speculation --

23 A. No.

1 MR. GOYER: -- conjecture.

2 A. If you're stupid and you  
3 believed it.

4 Q. Okay.

5 A. Yes. But if you had an assay  
6 test proving that it wasn't, you would be  
7 insane.

8 Q. Okay. Because it's worth \$35?

9 A. Right.

10 Q. Do you feel like that was a good  
11 investment, to pay \$24,000 for \$35 worth  
12 of metal?

13 A. Well, I didn't know no better  
14 until he got the -- the documentation  
15 back. I thought it was great, you know.  
16 The man told him, he said, "Take it to  
17 your bank and put it in the safe, that's  
18 where I'd keep it," you know, is in a  
19 safe. I mean, it's not like it's in  
20 dollars or -- I mean, it's heavy, you  
21 know.

22 Q. Uh-huh.

23 A. And, but I don't know how he was

1 going to cash it.

2 Q. Do you know what it was actually

3 --

4 A. Or if he would ever cash it in.

5 I don't know.

6 Q. I assume, if it was worth \$35,  
7 that it wasn't made out of gold. Do you  
8 know what it was made out of?

9 A. It had some copper in it.

10 MR. GOYER: Object to the form,  
11 no foundation.

12 A. It told what percentage it was  
13 in the --

14 Q. In the test results?

15 A. Uh-huh. It was copper, more  
16 copper.

17 Q. But William knew that it was  
18 worth \$35?

19 A. Finally, he did, when he got the  
20 test back. It was hard to believe, you  
21 know, because he had been -- he had been  
22 taken.

23 Q. Okay. But he found that out

1 well before this case ever started?

2 A. Yeah.

3 Q. Well before --

4 A. Yes.

5 Q. -- the trust and that kind of  
6 stuff?

7 A. These were just an adventure.

8 Q. Okay. Did Mr. Helms try to sell  
9 or peddle his ability in -- abilities in  
10 alchemy while you were there?

11 MR. GOYER: Object to the form.

12 A. What is alchemy?

13 Q. Claiming that he could change  
14 base metals into gold.

15 A. Yeah. You would think that he  
16 was supernatural.

17 Q. Okay. Did he make the claim  
18 that he could do that while you were  
19 there?

20 A. Yes.

21 Q. Did he make that claim to  
22 Mr. Cashion?

23 A. Well, we were sitting at the

1 dinner table, and he was just talking up  
2 a storm. And if you really were  
3 listening to him, he was a believable  
4 character. I don't think -- I don't  
5 think everybody at the table believed  
6 him, but he was -- he was the star of the  
7 show.

8 Q. Okay.

9 A. He -- I think the people that he  
10 was staying with at the time might have  
11 believed him.

12 Q. Okay. Did -- did William make  
13 any kind of financial investment or  
14 contribution with regard to these alchemy  
15 claims?

16 A. I don't know.

17 Q. You don't know? Did you discuss  
18 this alchemy or this changing one metal  
19 into another metal with -- with William  
20 later?

21 A. Huh-uh. No.

22 Q. Okay. Now, correct me if I'm  
23 wrong, I think you said that William made

1 repeated promises to you that he was  
2 going to create a trust for your benefit?

3 A. Right.

4 Q. I think -- did you say he made  
5 those promise before you were married?

6 A. Yes, he did, of course, in our  
7 nuptial agreement. But when we didn't go  
8 through with building the house, and then  
9 I started thinking, well, you know,  
10 really and truly, my security lies on  
11 William and the trust that he's going to  
12 leave for me. So that's why I said:  
13 "You're not going to build a house,  
14 that's well and good, we got my house.  
15 But you know what I'm depending on is you  
16 to take care of me when you're not here."  
17 And so that's when he said, "Well, I'm  
18 not going to build a house, but I'll put  
19 you a million dollars in a trust and let  
20 it start drawing interest."

21 Q. Okay.

22 A. I said okay.

23 Q. Did -- did he make repeated

1 promises to you or repeatedly tell you  
2 that it was his wish to create a trust  
3 for your benefit and a trust for the  
4 benefit of his children?

5 A. Yes.

6 Q. That that was his intent?

7 A. That was his intent. And so I  
8 didn't think nothing of it, I just  
9 believed what he said.

10 Q. Okay.

11 A. You know. And then he said he  
12 would do it immediately. I had asked him  
13 when, because that was another question.  
14 I said, "Well, when are you going to do  
15 this?" He says, "I'll do it now." He  
16 said, "I'll go ahead and do it now." And  
17 that was in January.

18 Q. Did he ever just come clean and  
19 say, "I don't have any intent  
20 whatsoever" --

21 A. Yes, he did.

22 Q. -- "to help you or the  
23 children"?

1           A.     Yes, he did. I went to his  
2 office in January, last January, and this  
3 is after I had taken the money out, and I  
4 told him. I went and I said: "William,  
5 you're going to find you have \$100,000  
6 missing out of our joint checking  
7 account. And I'm going to tell you why I  
8 took it. I took it and I put it in a  
9 savings account, and I would like  
10 \$900,000 more to go with it -- with it in  
11 a savings account, like you had committed  
12 to do. Since it's been two years and you  
13 haven't done it, I did this, and I expect  
14 \$900,000 more to go with it." I said,  
15 "Furthermore on this, tell me why you did  
16 not follow through with your commitment."

17                     And he said he needed my  
18 inheritance to fund his business. I  
19 said: "Okay. Let me tell you this.  
20 You're telling me that your business is  
21 more important than me and your  
22 commitments and your promises is more  
23 important. So the reason you can't put

1 one million in a trust for me like you  
2 said two years ago," and two years had  
3 gone by and he hadn't, "is because you  
4 needed it for business." I said, "Well,  
5 then, that means you're not a man of your  
6 word and that you've told me a lie."

7 And, but before this  
8 conversation, I had pinned him down and  
9 said, "William, if you don't come home  
10 today, what -- how -- what do I need to  
11 live -- what will I know that I'll live  
12 on tomorrow?" Because I was very  
13 insecure. I've never depended on a man  
14 for an income until I married William.  
15 And his words was, "You will never have a  
16 financial worry when we marry." I said:  
17 "Okay, but I've never depended on anybody  
18 but you, and I'm going to depend on you  
19 for my security. And I'm going to close  
20 my store because" -- and I mean, it was  
21 semi-successful, but it put a roof over  
22 my head and food in my mouth and clothes  
23 on my back. And so I did.

1           And we had -- we really had a  
2       really good life. And then it has just  
3       come down to why he did not. And I guess  
4       the more that I ask, the more determined  
5       he was not to and that he needed the  
6       money for his business, and I knew he was  
7       giving it to Wadsworth. He was making  
8       Wadsworth wealthy, because that's what he  
9       wanted, but he couldn't commit to me and  
10      follow through with the commitment for my  
11      livelihood.

12       Q.     You said that you -- I think  
13      earlier there were some questions about  
14      you taking gold out of one safe that  
15      belonged to William --

16       A.     There was.

17       Q.     -- and putting it into your own  
18      safe?

19       A.     Right.

20       Q.     Was that gold like gold coins,  
21      or was that gold out of a mine or  
22      something?

23       A.     It was gold coins and -- coins

1 mostly.

2 Q. Okay. Did any gold ever come  
3 into your house or precious metals come  
4 into your house from any mining project?

5 A. No. No. These were --

6 Q. That William was involved in?

7 A. Just coins and bullion and  
8 jewelry and, you know. No, it wasn't,  
9 you know, from a mine.

10 Q. Okay.

11 A. It was all in coins.

12 Q. So you never saw anything come  
13 in from a mine into your house?

14 A. No. Huh-uh.

15 Q. Did you ever see any money paid  
16 into your joint account from any kind of  
17 mining project?

18 A. No. I didn't -- no, that -- no,  
19 I didn't see. It was always going out.

20 Q. Okay.

21 A. Which is his money, he did --  
22 that's what he did.

23 Q. But you did see money going out?

1           A.     Oh, yeah. Yeah. Later, I mean,  
2     you know, later I did, and I didn't  
3     realize -- I just, you know, wished it  
4     had been successful and he got a return  
5     on it. That's all. Not for my benefit.  
6     I mean, I just think that he needed to  
7     get a return on his investment.

8           Q.     Okay. Let me ask you this. In  
9     your opinion, were your husband's  
10    decisions to -- Mr. Cashion's decisions  
11    to invest in any of the mining projects  
12    in Alabama, were they lucid, prudent,  
13    wise, well thought out?

14                  MR. GOYER: Hang on a second.  
15    Object to the form, calls for  
16    speculation, conjecture, no foundation.

17                  THE WITNESS: What does that  
18    mean?

19           Q.     You can still answer.

20                  MR. GOYER: Are you qualified to  
21    -- are you a doctor?

22                  MR. BURDICK: I think the rules  
23    of evidence allow her to answer as to --

1 THE WITNESS: Am I a doctor?

2 MR. BURDICK: -- somebody's  
3 physical or mental impairment at the time  
4 she was there.

5 THE WITNESS: Just about, in  
6 natural remedies I am.

7 MR. GOYER: You don't have an  
8 M.D. degree; right?

9 THE WITNESS: No, I do not.

10 MR. GOYER: And you're not a  
11 mental health professional?

12 MR. BURDICK: All right. Let's  
13 -- let's stop your questioning and let's  
14 get back to mine. You can object.  
15 That's fine and all.

16 Q. (By Mr. Burdick) Okay. Let me  
17 ask the question again. When your  
18 husband was making decisions to invest in  
19 -- in mines that were located in Alabama,  
20 were those decisions lucid, prudent, well  
21 thought out, wise decisions?

22 MR. GOYER: Object to the form.  
23 Calls for speculation, conjecture, no

1 foundation.

2 Q. You can answer.

3 A. It was all on what Sandy  
4 Wadsworth said. Sandy Wadsworth had  
5 William convinced that he had the biggest  
6 gold find ever.

7 Q. Does that mean it wasn't based  
8 on any actual tangible evidence?

9 A. No, there's wasn't anything --  
10 MR. GOYER: Object to the form,  
11 no foundation.

12 A. There wasn't anything that I saw  
13 that was tangible other than checks  
14 written to Argo Mills and 10:16 Mining.

15 Q. Let me ask this.

16 A. But no return that I saw.

17 Q. Were those decisions to invest  
18 in any of these mines in Alabama lucid,  
19 prudent, or wise?

20 A. No.

21 MR. GOYER: Object to the form.  
22 Calls for speculation, conjecture, no  
23 foundation.

1           Ms. Cashion, before -- if you  
2 would just pause and let me have an  
3 opportunity to object before you answer,  
4 I would appreciate it.

5           THE WITNESS: Okay.

6           MR. BURDICK: Which we've got  
7 the usual stipulations, so most of these  
8 objections aren't necessary.

9           A. Can I say something? Jimmy  
10 Easterling, who lives in Clanton, in  
11 Jemison and Thorsby, he owns Clanton  
12 nearly, and he's about as well off as  
13 William, is very informative. And like  
14 he said, he knew there was no gold down  
15 there, he knew Malcolm Wadsworth, he knew  
16 Sandy, and they had property that Sandy's  
17 dad had bought from Jimmy before  
18 proclaiming gold and was using the same  
19 scam passed down to son to whatever. And  
20 he knew it. But the father could not pay  
21 for the property that he had -- he was  
22 trying to purchase from Jimmy Easterling,  
23 so they repossessed the property. So

1     they know Sandy and his dad very well and  
2     the type of -- and they said that they  
3     could have told William long ago there  
4     was no gold down there and the kind of  
5     person that Sandy was. But they didn't  
6     figure it was any of their business to  
7     tell him because William was so sure that  
8     there was gold there. And Jimmy said,  
9     "Well, I can assure you that if there had  
10    been, I would have bought it long before  
11    you would have."

12         Q.     Okay.

13         A.     And they live there.

14         Q.     Let me ask you this.

15                 MR. GOYER: Let me move to  
16     strike all that about Jimmy Easterling as  
17     unresponsive. You can go ahead.

18         Q.     In the document that's labeled  
19     FC 8A, or 8A FC, I can't remember how --

20         A.     FC what? 8A?

21         Q.     8A.

22         A.     Okay.

23         Q.     And I think earlier this was

1 identified as an affidavit by you; is  
2 that correct?

3 A. Uh-huh.

4 Q. Now, in the middle kind of about  
5 here, there's -- you read earlier there  
6 was a sentence in dark --

7 A. "I demand" --

8 Q. -- "I demand." Okay. Skip down  
9 two sentences after that, and it reads:  
10 "The websites belong to me personally and  
11 are registered to me and are paid  
12 with" --

13 A. -- "my personal check."

14 Q. -- "my personal check. The  
15 websites are helping me rebuild my  
16 reputation after William did everything  
17 he did to destroy my reputation. There  
18 is nothing untrue on website."

19 A. Right.

20 Q. "On website." Is that correct?

21 A. Yes.

22 MR. GOYER: Object to the form.

23 Q. It's factually correct, not just

1 that I read it correctly?

2 A. Right.

3 Q. Okay. All right. Now, on 9A,  
4 which I think you have right there on  
5 top.

6 A. Yeah.

7 Q. Can you identify for me what is  
8 factually incorrect with regard to that  
9 report?

10 MR. GOYER: Is that the  
11 sheriff's report?

12 MR. BURDICK: Yeah.

13 MR. GOYER: Press release?

14 MR. BURDICK: Yeah.

15 A. Possible hostage situation.

16 Q. Did you ever say on the  
17 telephone that there was a hostage  
18 situation?

19 A. I never said hostage.

20 Q. Well, did you understand or  
21 believe at the time that you made that  
22 call that William was inside the  
23 building?

1 MR. GOYER: Object to the form.

2 A. Yes, I thought he was.

3 Q. Okay. And did you know or  
4 believe that William possessed a gun  
5 inside that building?

6 A. I did.

7 MR. GOYER: Object to the form.

8 Q. All right.

9 A. I'd seen it.

10 Q. Had you ever seen a hook hanging  
11 from underneath --

12 A. Yes.

13 Q. -- Mr. Cashion's desk?

14 A. That's where he had a gun.

15 Q. Okay. He had a gun hanging from  
16 that hook?

17 A. Yeah.

18 Q. What kind of gun did he have  
19 hanging from that hook?

20 A. It was a shotgun.

21 Q. Okay. So your references to a  
22 sawed-off shotgun in that call --

23 A. Right.

1 Q. -- are references to that gun  
2 that you knew was in the building?

3 A. Right.

4 MR. GOYER: Object to the form.

5 Q. All right. You had seen that  
6 gun in the building before?

7 A. Yes.

8 Q. Were you aware that anybody --  
9 whether or not anybody had taken that gun  
10 out of the building --

11 A. No.

12 Q. -- before your call?

13 A. No.

14 Q. Okay. It says, "During the  
15 investigation it was determined that  
16 Frankie Cashion knew her statements were  
17 false." Did you know any statement that  
18 you made was false?

19 MR. GOYER: Object to the form.

20 A. No.

21 Q. Okay. So if there was no gun in  
22 the building, that was just -- you were  
23 just --

1           A.     Right.

2           Q.     -- mistaken?

3           A.     Right.  And we had already had a  
4     confrontation on a Monday, which I  
5     understood where William was and I  
6     understood that he was dangerous.  I  
7     would feel that way, and to a point, I  
8     wouldn't have blamed him one bit.  You  
9     know.  And I guess that's why I was so  
10    scared, because I knew, you know.  Not  
11    taking -- I didn't see taking things from  
12    him, I saw putting it in a protected  
13    place where he wouldn't be stolen from.

14          Q.     Okay.  Let me ask you this, kind  
15    of changing gears completely.  Gene  
16    Calhoun, who is Gene Calhoun?

17          A.     He's the president of Western  
18    Steel.

19          Q.     Was he the president when you  
20    became involved with Western Steel as a  
21    director?

22          A.     Yes.

23          Q.     All right.  Did he tender his

1 resignation to you?

2 A. Yes. I was there when he did.  
3 He signed his resignation as president  
4 because he just wanted to just relieve  
5 himself of the responsibility and just  
6 sign the checks of the company, because  
7 he was -- first of all, he was scared,  
8 too. He was very scared. And he owes --  
9 and when he knew when William come to the  
10 confrontation of this, that he would --  
11 he would be dangerous, and he tried to  
12 move the gun himself, he said.

13 Q. Okay. So he was scared because  
14 of the gun; is that what you're saying?

15 MR. GOYER: Object to the form.

16 A. He was scared of William.

17 MR. GOYER: Calls for  
18 speculation and conjecture.

19 Q. Did he ever tell you he was  
20 scared?

21 A. Yes.

22 Q. Okay. Did Gene carry a gun when  
23 he was out there at Western Steel? Do

1     you know?

2           A.     I don't know.

3           Q.     Okay.

4           A.     I think -- I don't know.

5           Q.     Let me ask you this.  After Gene  
6     tendered his resignation to you, did  
7     Western Steel -- when you were a part of  
8     Western Steel -- I don't know, are you  
9     still a part of Western Steel?

10          A.     I thought I had resigned.  I  
11     don't think -- I don't know.

12          Q.     Okay.  Well, if you are or  
13     aren't, are you aware of any steps that  
14     were taken to reinstate Gene Calhoun as  
15     president of Western Steel?

16                 MR. GOYER:  By whom?  Anybody?

17                 MR. BURDICK:  By anybody.  If  
18     she's aware of it.

19          A.     Well, I think he still carried  
20     the title as president.

21          Q.     Okay.

22          A.     Even after he resigned.

23          Q.     Okay.  But he resigned and he

1 wasn't president?

2 A. Right.

3 Q. You understood that?

4 A. That's what he said, yeah, and  
5 he signed the paper for that.

6 Q. Okay.

7 A. Because he just was just trying  
8 to.

9 Q. Did you ever sign any documents  
10 reinstating Gene Calhoun --

11 A. No.

12 Q. -- as president --

13 A. No.

14 Q. -- of Western Steel?

15 To your knowledge, did any other  
16 director or officer sign any documents  
17 reinstating Gene Calhoun as president?

18 A. I don't know. No.

19 MR. GOYER: You said: "I don't  
20 know. No." Which one is it?

21 THE WITNESS: No.

22 Q. All right. So any -- after --  
23 on the date that he tendered his

1 resignation, is it your understanding  
2 that from that time forward his duties  
3 were to sign payroll checks but he was no  
4 longer president?

5 A. Correct. Yes.

6 Q. Okay. So --

7 A. He didn't want to be president.

8 Q. Okay. Have you seen any  
9 documents today that timewise were signed  
10 afterwards which showed Gene Calhoun as  
11 president?

12 A. No.

13 Q. After his resignation?

14 A. No.

15 Q. Okay.

16 A. I haven't seen anything.

17 Q. So in any event, so far as you  
18 know, he's not the president and he  
19 hasn't ever been the president again  
20 since the date that he signed his  
21 resignation?

22 A. Well, that was my understanding.

23 Q. Okay.

1           A.     You know.  Then the stay come  
2     from -- the freeze from the judge and,  
3     you know.  And I resigned middle of  
4     February.  I didn't want anything to do  
5     with it anymore.  I did this thinking I  
6     was saving William, and end up ruining my  
7     life and his.

8           MR. BURDICK:  All right.  Let me  
9     go through my notes a little bit.  A lot  
10    of stuff I get to skip because we've  
11    already covered it.

12          THE VIDEOGRAPHER:  There's about  
13    five minutes on the tape, if you want to  
14    change.

15          MR. GOYER:  Why don't we take a  
16    short break.  And you can change the tape  
17    and everybody can run to the rest room  
18    and see if we can get some air.

19          THE VIDEOGRAPHER:  Off the  
20    record at 2:22.

21                           (Break taken.)

22          THE VIDEOGRAPHER:  We're back on  
23    the record at 2:25.

1 Q. (By Mr. Burdick) All right. So  
2 William Cashion kept a safe at your  
3 residence; correct?

4 A. Yeah.

5 Q. Do you know if he kept cash in  
6 that safe?

7 A. Yes, at times.

8 Q. Okay. Did the Jefferson County  
9 sheriff ever come visit you at your home,  
10 Mike Hale?

11 A. Yeah.

12 Q. Do you know if his campaign was  
13 ever contributed to by William Cashion?

14 A. I don't know. He come to my  
15 house at 6:00, and I -- I had an  
16 appointment to go somewhere. I wanted to  
17 stay and meet him, but I think I went --  
18 I don't know, I don't remember what night  
19 it was, but I think I had somewhere I had  
20 to go, but it probably was to see my  
21 mother, somewhere in there, or it was  
22 some appointment I had. I didn't get to  
23 be there to meet him.

1 Q. Did -- did Mr. Cashion have a  
2 habit of conducting cash transactions  
3 with the cash in his safe?

4 A. I couldn't tell you. I don't  
5 know.

6 Q. Okay.

7 A. What he conducted with.

8 Q. Okay. Let me ask you this.  
9 Your father passed away; correct?

10 A. Right.

11 Q. I think you mentioned that  
12 earlier. When he --

13 A. Right. It's been three years.  
14 With William's help, it's been a tough  
15 three years, with one passing away, one  
16 ill, and a mental disabled sister.

17 Q. Okay.

18 A. Yes.

19 Q. When your father passed away,  
20 how many heirs did he have?

21 A. Just two.

22 Q. And who were they?

23 A. Me -- my sister and I.

1 Q. Okay. Did he leave behind any  
2 vehicles when he passed away?

3 A. Well, yes.

4 Q. Any vehicles that weren't  
5 running?

6 A. Yeah. There was two.

7 Q. Okay. What happened to those  
8 vehicles that weren't running?

9 A. Well, one come up missing, and  
10 William carried it to be melted down  
11 without asking. And my sister got real  
12 upset and my nephew did because it was a  
13 van that I learned to drive and it was --  
14 it was to be left to -- to my nephew.  
15 And -- and it come up missing. And  
16 William had carried it to melt it down  
17 without asking.

18 Q. Okay. Whatever happened --

19 A. Then we had a big argument  
20 there.

21 Q. Okay. Whatever happened to the  
22 money that was received from melting that  
23 vehicle down?

1 A. Well, he gave me half of it.

2 Q. How much was half?

3 A. \$200.

4 Q. Okay. Are you aware of William  
5 ever purchasing vehicles from a used car  
6 lot and having them melted down?

7 MR. GOYER: Object to the form.

8 A. From Gene Calhoun, the  
9 conversation that he said.

10 Q. So Gene Calhoun was aware of  
11 Mr. Cashion --

12 A. Right.

13 Q. -- buying vehicles --

14 A. Just over conversation --

15 Q. -- and melting them --

16 A. -- of what he said, yeah.

17 MR. GOYER: Object to the form,  
18 calls for speculation, conjecture.

19 Q. Do you know how much Mr. Cashion  
20 was paying for those vehicles each?

21 A. I thought he said \$2,000 apiece  
22 or something.

23 Q. Okay. So he was paying two --

1 was he using his own personal money to  
2 buy that or Western Steel money?

3 A. Western Steel, from what Gene  
4 said.

5 Q. Okay. So he would buy a car for  
6 \$2,000 and melt it down. How much money  
7 did he get for a melted-down car?

8 MR. GOYER: Object to the form,  
9 no foundation.

10 A. \$500.

11 Q. \$500 cash?

12 A. (Witness nods head.)

13 Q. Okay.

14 A. That's what he said.

15 Q. Do you know if that cash ever  
16 went back to Western Steel or did  
17 Mr. Cashion keep it?

18 A. Well, Gene said it was costing  
19 the company.

20 Q. Okay. Well, that makes sense.  
21 I mean, you put --

22 A. Yeah, it's costing the company.  
23 And I don't -- didn't think that he was

1 putting it back in the company. He was  
2 keeping the money.

3 Q. He was keeping the money? Okay.

4 A. And Gene was upset. I just  
5 heard him say that.

6 Q. Let me ask you this. During the  
7 time that you were married, did your  
8 husband control and run day-to-day  
9 operations at Western Steel or did  
10 somebody else do that?

11 A. Well, he was there every day.  
12 But he -- it ran fine whether he was  
13 there or not. He had good leadership  
14 there where he could leave for long  
15 periods of time.

16 Q. Okay.

17 A. And it -- it ran well, so it  
18 didn't depend on whether he was there or  
19 not.

20 Q. Okay. So day-to-day decisions  
21 could be made whether he was there or  
22 not?

23 A. Right.

1           MR. GOYER: Object to the form.  
2       Calls for speculation, conjecture, no  
3       foundation.

4           Q. Let me ask you this. Did your  
5       husband ever go and purchase heavy  
6       equipment or other expensive items at  
7       auctions while -- with Western Steel  
8       money?

9           A. Yes.

10          Q. Okay. Did he only purchase pro-  
11       -- you know, heavy equipment that was  
12       needed by Western Steel, or did he  
13       purchase equipment that he resold?

14          A. Well --

15           MR. GOYER: Object to the form,  
16       no foundation.

17          A. Okay. You can ask Gene Calhoun  
18       that. Because he -- he said yes, he did,  
19       and he would turn around and sell it at a  
20       loss instead of a gain. This was one of  
21       the concerns of Gene, is investing -- and  
22       then this is at his house with his  
23       conversation. This was one of the things

1 that he was concerned about, is investing  
2 in heavy equipment and selling it soon  
3 after at a loss, which means it was a  
4 loss to the company.

5 MR. GOYER: You're saying this  
6 is something Gene Calhoun was concerned  
7 about?

8 THE WITNESS: Yes. So you can  
9 prosecute him like you're doing me.

10 Q. I hope you don't feel like I'm  
11 prosecuting you.

12 A. All I can do is tell you in the  
13 conversation, and he'll tell you himself,  
14 I guess, if you have him in a deposition.

15 Q. Well, do -- do you know, when  
16 those items were resold, that heavy  
17 equipment that you referenced earlier,  
18 when it was resold, whether or not the  
19 cash went back to Western Steel or  
20 whether the cash stayed with Mr. Cashion?

21 MR. GOYER: Object to the form.

22 A. I have no idea. I couldn't tell  
23 you.

1 Q. You're not sure? Okay.

2 THE WITNESS: Is this ever going  
3 to go to court trial?

4 Q. Pretty strong possibility.

5 MR. GOYER: July 1st.

6 THE WITNESS: Can you deduct me  
7 away?

8 MR. GOYER: I can't answer that  
9 question.

10 Q. (By Mr. Burdick) Let me ask you  
11 this. Did the Wadsworths ever leave and  
12 go to Mexico?

13 A. Yes.

14 Q. For an extended period of time?

15 A. Yes.

16 Q. Have they ever come back, as far  
17 as you know?

18 A. Not that I know of. I know  
19 William was hunting them and couldn't  
20 find them.

21 Q. About how long was he hunting  
22 them? Just a day or two or?

23 A. There were several months, I

1 would say a couple or maybe three, that  
2 he couldn't make contact and he didn't  
3 know where he was. And he was -- I -- I  
4 saw the disturbing -- disturbance that he  
5 had.

6 Q. Uh-huh.

7 A. And I talked to Diane, and she  
8 said that they had been gone for about  
9 three months and the office was closed.  
10 But of course, William, I'm sure, paid  
11 the rent. As long as the rent was paid,  
12 they didn't care. But they hadn't been  
13 there for a while.

14 Q. Okay.

15 A. So we found them in Mexico. And  
16 from what I understand, there's a mine in  
17 Mexico that he asked him to send him some  
18 money and come on down to Mexico. There  
19 was a mine that was already producing  
20 gold down there and that the mine here  
21 that he had in Jemison was, I guess, not  
22 producing, I don't know.

23 Q. Okay.

1           A.     So they moved to another  
2     location.

3           Q.     Did you or your husband ever  
4     invest in this Mexican mine?

5           A.     I don't know.

6           Q.     Okay.

7           A.     It's up to him.  I don't know  
8     what -- if he did or didn't.

9           Q.     When Gene Calhoun was -- when he  
10    resigned as president, who became  
11    president at that point?

12          A.     Mark.

13          Q.     All right.  Are you aware of any  
14    compensation that Mark ever got for his  
15    services as president of Western Steel?

16          A.     None.  And nobody expected  
17    anybody to get any really compensation,  
18    you know.

19                   MR. GOYER:  Move to strike.  
20    Everything about "nobody expected,"  
21    thereafter, is unresponsive.

22                   THE WITNESS:  Well.

23          Q.     Did --

1 A. Nobody had the -- you know.

2 Q. Did -- did Dr. Hayden or -- or  
3 Angela Hayden ever receive any  
4 compensation for -- from Western Steel?

5 A. No, not that I know of.

6 Q. Okay. Other than what you were  
7 receiving before all this started, did  
8 you receive anything additional --

9 A. Oh, no.

10 Q. -- from Western Steel?

11 A. No.

12 Q. Okay.

13 MR. GOYER: Ms. Cashion, if  
14 you'll just pause when he's asking  
15 questions, don't interrupt him, and let  
16 him finish his question, then you answer,  
17 she can transcribe it. Otherwise, it's  
18 going to be disjointed --

19 THE WITNESS: Okay.

20 MR. GOYER: -- and nobody can  
21 understand anybody.

22 THE WITNESS: Okay.

23 MR. GOYER: So just take your

1 time and let him finish, and I can also  
2 object if I think I -- it's appropriate.

3 THE WITNESS: Okay.

4 Q. (By Mr. Burdick) Did -- did  
5 William ever have a 4,000-ounce bar of  
6 platinum in your home, in a safe in your  
7 home?

8 A. I don't know.

9 Q. No? Did he tell his children --

10 A. Well --

11 Q. -- or anybody --

12 A. Well --

13 Q. -- that he had this big platinum  
14 bar?

15 A. Well, he has said that, but I  
16 didn't know for sure that he did or had  
17 it, you know. He had -- had made  
18 accusations, or comments that way.

19 Because Cathy, his daughter, was  
20 questioning me about his gold bars and  
21 platinum bars. And I told her that I  
22 didn't know anything about them. She  
23 says, "You don't know anything about

1 Dad's gold bars and his platinum bars?"

2 I said, "No, I don't know anything about  
3 that." She says, "Well" -- you know, she  
4 was just wanting to know where they were  
5 and -- and if I knew anything about them,  
6 you know.

7 Q. Okay. Did -- did William ever  
8 discuss with you his role in a  
9 gubernatorial debate between Governor  
10 Patterson and Folsom? Did he ever  
11 discuss that with you?

12 A. Yes. Just in a conversation  
13 that was kind of funny.

14 Q. Okay. What did he tell you  
15 about his role in that, in that debate?

16 A. It was -- it was comical, just  
17 like -- I wish I didn't have to say this.  
18 I really don't want to talk about this,  
19 because it was kind of a comical thing.  
20 That in conversation, just like he is  
21 funny and he says things about -- I don't  
22 know the -- he never said anything about  
23 the results of it, but about Patterson

1 being elected and Folsom being a drunk  
2 and that -- their debate on TV and that  
3 him being intoxicated before he went on  
4 TV and that resulted in him losing the  
5 governorship.

6 Q. Folsom?

7 A. Folsom.

8 Q. Let me ask you this. Did  
9 Mr. Cashion ever tell you that he  
10 contributed \$12,500 as a campaign  
11 contribution to Patterson?

12 MR. GOYER: Object.

13 Q. That helped him get on that --  
14 in -- into that debate on TV?

15 MR. GOYER: Object to the form.  
16 You can answer.

17 THE WITNESS: I can?

18 A. It was a -- paid for the TV  
19 program. I didn't know it was a campaign  
20 contribution as it was for the time on TV  
21 for the debate.

22 Q. But he did tell you that he paid  
23 \$12,500 for that?

1 A. Yes.

2 MR. GOYER: Object to the form.

3 Q. Did he ever tell you that he  
4 arranged for Folsom to be drunk ahead of  
5 time --

6 MR. GOYER: Object to the form.

7 A. -- with his friends?

8 Q. Yes.

9 A. Yes. But that wasn't hard to do  
10 because he did that on a regular basis.

11 Q. That may be true. I wasn't  
12 around back then. That may be true.

13 A. I don't know. Also, about  
14 him -- no, I don't want to go there.

15 Q. Let me ask you this.

16 A. No, let's just --

17 Q. Did -- did Mr. Cashion ever tell  
18 you that as a result of all this, he was  
19 able to acquire the -- the contracts to  
20 build bridges in the state of Alabama?

21 MR. GOYER: Object to the form.

22 A. I don't -- I don't recall all  
23 the conversation to that.

1 Q. So you don't know anything about  
2 bridge-building contracts, never heard of  
3 that?

4 A. I'm not familiar with all the  
5 benefits that came from that, if there  
6 was. I'm not really -- you know.

7 Q. Well, do you know if William  
8 Cashion built bridges for the State of  
9 Alabama --

10 A. Yes, because he --

11 Q. -- while --

12 A. Yeah, he told me, because he had  
13 never built bridges before.

14 Q. He had never built them before  
15 Patterson's administration?

16 A. Right. And he was telling me  
17 how he took a job that he didn't know how  
18 to do and through his -- and accomplished  
19 that.

20 Q. Okay.

21 A. And it was quite an  
22 accomplishment, because you take somebody  
23 that had never done that before and then

1 was able to do all that.

2 Q. Did he ever tell you he acquired  
3 equipment from the State of Alabama to  
4 accomplish that work?

5 MR. GOYER: Object to the form.

6 A. I don't recall that.

7 Q. Okay. You don't know if he  
8 acquired a crane or any other equipment  
9 from the State of Alabama?

10 MR. GOYER: Object to the form.

11 A. Just hearsay.

12 Q. Did you hearsay that from him?  
13 Did you hear it from him?

14 MR. GOYER: Object to the form.

15 A. There's a -- I don't recall. I  
16 just don't. I don't want to answer that.

17 Q. You don't want to answer it?

18 A. You know. Yeah, I was his wife,  
19 I was real close, and we laughed about a  
20 lot of things. And the things that was  
21 laughed about that was funny is not so  
22 funny anymore, you know.

23 Q. But you were aware of all the --

1 the equipment?

2 MR. GOYER: Object to the form.

3 A. I don't know what all it took to  
4 do the bridges, but he was able to do it  
5 and do a good job and -- and become very  
6 successful. William is really good at  
7 venturing into things he never had done  
8 before and be successful. And this --  
9 this gold was supposed to be the biggest  
10 thing he ever done in his life.

11 Q. Do you know -- speaking of him  
12 venturing into things he had never done  
13 before, do you know if he ever invested  
14 any of Western Steel's money in  
15 purchasing an airplane manufacturing  
16 plant in Texas?

17 A. Yeah. He had said that he had  
18 bought a -- some kind of Boeing factory  
19 in Texas.

20 Q. Uh-huh. Well, did he --

21 A. I don't know.

22 Q. -- make any money off of that  
23 airplane factory?

1           MR. GOYER: Object to the form,  
2 no foundation.

3           A. Well, I -- I tell you what, he  
4 didn't tell me that. I think -- well, he  
5 -- there was a company in Texas. But no,  
6 it was Gene Calhoun that told me that,  
7 that he had gone and drove to Texas and  
8 bought some kind of factory and come back  
9 and had not -- and then held a board  
10 meeting and then said, "Well, what do you  
11 think about this adventure," because he  
12 was good at making impossible things  
13 happen. And they said -- he said he  
14 didn't think it was a good idea. And  
15 then he said, "Well, I've already  
16 purchased the company." So he looked at  
17 it as it was something that the company,  
18 that Western Steel didn't need and it --  
19 but, I mean, he -- that's what he did. I  
20 mean, adventures.

21           Q. Isn't it true that Western Steel  
22 lost \$50,000 a month --

23           MR. GOYER: Object to the form.

1 Q. -- on that deal?

2 MR. GOYER: No foundation.

3 A. Well, that's what Gene said.

4 Q. Okay. Do you have any reason to  
5 believe that Gene wasn't telling you the  
6 truth?

7 MR. GOYER: Object to the form.  
8 Calls for speculation and conjecture.

9 A. Well, he was president of the  
10 company. This was some of the concerns  
11 that Gene had for Western Steel.

12 Q. Gene had some concerns about  
13 William's leadership?

14 A. That's -- that's what -- well,  
15 he just had --

16 MR. GOYER: Object to the form.

17 A. -- concern about the  
18 expenditures of money, of the company's  
19 money.

20 Q. Management of company funds?

21 A. Right.

22 Q. Let me ask you this.

23 A. So, I mean, you need ask Gene

1 these questions, too.

2 Q. I will. I will.

3 A. Okay.

4 Q. Also, are you aware that William  
5 Cashion was carrying around Western Steel  
6 checks that were signed and blank in his  
7 vehicle?

8 A. Well, I found five checks and  
9 carried them and gave them to Gene,  
10 because his truck was not locked and he  
11 was riding around with checks. I didn't  
12 look to see all that was in it. I just  
13 found the five checks. Because Gene had  
14 asked me, he said there's checks missing  
15 that he's got that somebody could get and  
16 write. I said okay, I'll just look in  
17 his truck and see if I can find it. And  
18 I found them, and I carried them and gave  
19 them to Gene.

20 Q. These missing checks, were they  
21 blank signed checks?

22 MR. GOYER: Object to the form.

23 A. They were blank checks.

1 Q. Were they signed?

2 A. I don't know. I didn't look to  
3 see if they were signed.

4 Q. Okay. Was Gene relieved to get  
5 them back?

6 A. Yes, he was.

7 MR. GOYER: Object to the form.  
8 Calls for speculation and conjecture.

9 Q. Did he appear to be relieved?

10 A. Yes. He was very relieved.

11 Q. Okay. Did you have something to  
12 add? I don't --

13 A. Well, it's just --

14 Q. -- want to cut you off.

15 A. It's just his truck was  
16 unlocked. You just don't leave things  
17 like that with your truck unlocked.

18 Q. Okay. How long was this going  
19 on?

20 A. I don't know. It was just a  
21 worry, and Gene was looking for checks,  
22 and -- and I said, well, I'll look and  
23 see. And they were in his truck, and I

1 gave them to Gene, and we can start all  
2 over again with the checks.

3 Q. These vehicles that were reduced  
4 to scrap or melted down, were they  
5 reduced to scrap on Western Steel's  
6 property?

7 A. I don't know.

8 Q. You don't know if they were sent  
9 off somewhere else to be melted down or  
10 if they were melted there?

11 A. I have no idea.

12 Q. Okay.

13 A. I don't know.

14 Q. Did Gene Calhoun ever express  
15 any concern to you about Alabama scrap  
16 laws and anything being melted down on  
17 the property?

18 MR. GOYER: Object to the form.

19 A. Yes.

20 Q. He did?

21 A. This was one of his concerns. I  
22 don't know. I just -- I don't know the  
23 laws.

1 Q. Okay. Well, I don't -- I don't  
2 pretend -- I'm not going to lecture  
3 anybody on law today. But things were  
4 being melted down on their plant and he  
5 was concerned about it.

6 A. Yeah.

7 Q. Is that true?

8 MR. GOYER: Object to the form.

9 A. Yeah.

10 Q. I'm sorry?

11 A. Yes. I mean, they did that  
12 often.

13 Q. William, or everybody at the  
14 plant did?

15 A. Well, I mean, anything that you  
16 could come across that could be melted.  
17 The forks on my forklifts were melted  
18 down.

19 Q. Was that done with your  
20 permission?

21 A. I don't recall giving permission  
22 to melt my forks, take my forks and get  
23 them melted down. But they're -- they're

1     gone.

2           Q.     Did you get any money for your  
3     forks?

4           A.     Well, no.

5           Q.     What happened to that money?

6           A.     Well, I don't think he could  
7     have got much.    But they're gone.

8           Q.     But it didn't come to you?

9           A.     No.

10          Q.     Do you know who got your forks  
11     and melted them down?

12          A.     Well, the only person that could  
13     get them would be William.    I mean,  
14     there's nobody else that would come in  
15     and get forks and melt those things down.

16          Q.     Okay.

17          A.     But that would be a basket, or  
18     anything with metal.    And I didn't use  
19     them but once in a year.

20          Q.     Yeah.    Did Gene ever express any  
21     concern to you about what effect it would  
22     have on their business contracts if the  
23     company violated scrap laws?

1 MR. GOYER: Object to the form.

2 A. No.

3 Q. He never spoke to you about  
4 that?

5 A. Huh-uh. He didn't talk business  
6 to me, other than the comments that he  
7 made and the concerns. He just said the  
8 concern that he had was for the company,  
9 because that's what he worked for, was  
10 the concern for the company. That's all  
11 he said.

12 MR. BURDICK: Sorry. I get to  
13 skip a bunch of my notes here because you  
14 covered so much, Counselor. I'm not  
15 trying to waste time here, I'm trying to  
16 save it.

17 Q. All right.

18 MR. GOYER: Let me just say for  
19 the record, it's ten until 3:00. I don't  
20 know if you're still planning on leaving  
21 at 3:00, but that's where we are.

22 Q. If you need to leave at 3:00,  
23 then, I mean, we can cut things off and I

1 can finish up, and then he can come in  
2 and do the rest of his questions, because  
3 I'm sure he's going to have questions.  
4 And we'll be back, anyway.

5 A. We got to come back and do this  
6 again? I don't want to come back and do  
7 this again.

8 MR. GOYER: Well, we may go past  
9 3:00, then.

10 THE WITNESS: Because I'm not --  
11 I mean, I've got nothing to gain. I've  
12 done lost. I got nothing to win in this.  
13 I don't want to come back.

14 Q. All right.

15 A. And I don't think anybody wants  
16 to pay attorneys to come back and pick up  
17 for me where we've left off.

18 Q. I understand. But if it's any  
19 -- if it's any consolation, I would be  
20 done if I went first.

21 Let me show you what I guess  
22 we'll mark as Number 1.

23 (Defendant's Exhibit 1A was marked for

1 identification and is attached.)

2 A. Okay. This is my letter.

3 Q. Can you identify that for us?

4 (Witness reviews document.)

5 MR. GOYER: Is this Defendant's  
6 Exhibit 1?

7 MR. BURDICK: Yes, sir.

8 A. As poorly as it is misspelled  
9 and everything, that just -- I was just  
10 in a terrible --

11 Q. Is that -- is that written by --  
12 in your hand?

13 A. Yes.

14 Q. You wrote that?

15 A. Yes.

16 MR. GOYER: Austin, let me say  
17 for the record, this document doesn't  
18 have any Bates stamp number on it. I  
19 don't think it has been produced. I  
20 could be wrong. But if it hasn't been  
21 produced, we're going to object. There's  
22 been at least two court orders entered  
23 providing Dr. Hayden to produce all

1 documents relating to this matter.

2 MR. BURDICK: Okay.

3 THE WITNESS: Well, you can just  
4 ask me on the stand did I write a letter  
5 of resignation, and I will tell you yes.

6 Q. Did you resign on February 15th,  
7 2012?

8 A. Yes. I knew it was between the  
9 15th and the 20th.

10 Q. All right. After the time that  
11 you resigned --

12 A. Yeah, February the 15th.

13 Q. -- did you undertake any action  
14 with regard to the trust?

15 A. No.

16 Q. Any action with regard to  
17 Western Steel?

18 A. No.

19 Q. Any actions with regard to  
20 Mr. Cashion's assets --

21 A. No.

22 Q. -- or the assets of the trust?

23 A. No.

1 Q. Okay. Is it true that -- well,  
2 it's been reported that when William  
3 Cashion is on the plant, that frequently  
4 they didn't want his help on certain  
5 issues and that they would ask him to do  
6 certain thing like pick up the trash on  
7 the property and just kind of stay out of  
8 the way?

9 MR. GOYER: Object to the form,  
10 no foundation.

11 A. I don't know about that.

12 Q. Let me ask you this. To your  
13 knowledge, did Dr. Hayden or Angela  
14 Hayden as trustees or as individuals or  
15 in any capacity do anything to your  
16 knowledge to harm William Cashion?

17 MR. GOYER: Object to the form.  
18 Calls for a legal conclusion. You can  
19 answer.

20 A. No. And I didn't either.

21 MR. GOYER: Move to strike as  
22 unresponsive.

23 Q. Did you ever do anything to harm

1 William Cashion or his assets?

2 MR. GOYER: Object to the form.

3 A. No.

4 Q. In any capacity?

5 MR. GOYER: Same objection.

6 A. No.

7 Q. Let me ask you this. If William  
8 Cashion -- from your understanding of the  
9 -- of how Western Steel is run, if  
10 William Cashion never set foot again on  
11 Western Steel property, would that  
12 company be able to function as good as it  
13 does today?

14 MR. GOYER: Object to the form,  
15 no foundation. Calls for speculation and  
16 conjecture.

17 A. From William's words himself, he  
18 said it run better when he wasn't there  
19 than it was when he was there. Because  
20 he went to the islands and lived for four  
21 years and his business ran perfectly.  
22 But that's because he has such good  
23 employees. They're skilled, and they

1 handle everything.

2 Q. Okay. So it's pretty  
3 self-sustaining at this point?

4 A. Yes.

5 MR. GOYER: Same objection.

6 A. So he can do all the other  
7 things that he does. He has so many  
8 things to take care of. He don't even  
9 have to worry about Western Steel.

10 Right people in the right place.

11 Q. You went over several documents  
12 with -- with counsel today and talked  
13 about meetings that took place, and I  
14 think you said that there were meetings  
15 that even took place at Gene Calhoun's  
16 residence? Is that correct?

17 A. Yes.

18 Q. Did his wife play any role in  
19 any of these meetings? Darlene, that is?

20 A. She was there the whole time.

21 Q. Okay. Do you know if she  
22 performed any other duties or efforts,  
23 such as going and getting records and

1 things like that?

2 A. She -- she did. She worked to  
3 get transcripts of real estate, because  
4 she's in real estate. And she said --  
5 all she said is this had to be done, this  
6 had to be done, it just had to be done.  
7 And I don't know. She knows more than I  
8 know.

9 Q. Okay. Did --

10 MR. GOYER: I move to strike  
11 everything beginning with "all she said"  
12 as unresponsive.

13 A. Just ask her.

14 Q. All right. And of course, you  
15 earlier testified that you were present  
16 for these meetings that are reflected in  
17 these documents.

18 A. Right.

19 Q. When you were at these meetings,  
20 these documents reflect that the power of  
21 attorney was shown to Gene Calhoun. Do  
22 you remember that?

23 A. Yes.

1 Q. Did Gene Calhoun at any time  
2 take any issue with the power of  
3 attorney?

4 A. And he carried the paperwork to  
5 his attorney.

6 Q. Okay.

7 A. I know that. And his attorney  
8 for three days studied it.

9 Q. Okay. And what was the --

10 A. And said that --

11 Q. -- result of that?

12 A. -- it was complete -- everything  
13 was legal. And, you know, he said --

14 MR. GOYER: He said that to you?

15 THE WITNESS: Yes. That it was  
16 legal. His attorney --

17 MR. GOYER: Gene's attorney said  
18 that to you?

19 THE WITNESS: No. Gene said his  
20 attorney said that everything was legit.

21 You can do -- let Gene testify for his  
22 own self.

23 MR. GOYER: That's a good idea.

1 Q. (By Mr. Burdick) You've seen  
2 that document, the power of attorney?

3 A. I have read over it.

4 Q. Okay.

5 A. Yeah.

6 Q. Now, to your recollection, does  
7 that document give Dr. Hayden authority  
8 to act as power of attorney for William  
9 Cashion?

10 MR. GOYER: Object to the form,  
11 no foundation. She's not an attorney.

12 Q. You can answer.

13 A. I read it, and yes, it gave him  
14 the authority of power of attorney.

15 Q. Okay. And does that document  
16 consent to --

17 A. Well --

18 Q. -- the establishment of a trust  
19 or --

20 MR. GOYER: Same --

21 Q. -- investments?

22 A. Yeah, investments --

23 MR. GOYER: Object to the form,

1 no foundation.

2 Q. Is that a yes?

3 A. Yes. That was drawn up between  
4 William and Mark. I think this  
5 organization drew it up.

6 Q. Who -- who drew it up?

7 A. Cooper and -- what is it?

8 Q. Maynard -- Maynard, Cooper &  
9 Gale?

10 A. Maynard, Cooper & Gale, yeah.

11 Q. Okay. So they're the authors of  
12 that document, to your knowledge?

13 A. Yeah. So they would have to  
14 have it.

15 Q. So as far as you know, that's a  
16 valid document?

17 A. Uh-huh.

18 MR. GOYER: Object to the form,  
19 no foundation.

20 A. That's the first thing Mark gave  
21 to me to read.

22 Q. Okay. On that initial meeting  
23 in early January --

1 A. Uh-huh.

2 Q. -- that you were talking about

3 --

4 A. Uh-huh.

5 MR. GOYER: That's a yes or --

6 Q. -- several hours ago?

7 MR. GOYER: -- yes --

8 THE WITNESS: Yes.

9 MR. GOYER: -- or no?

10 Q. Several hours ago?

11 A. Yes.

12 Q. Do you know anything about

13 Western Properties LLC?

14 A. Jason Spinks runs the Western  
15 Properties, and William invests -- it's  
16 an investment that William makes, which I  
17 think is a wise investment. Jason Spinks  
18 is not one of my favorite people, by no  
19 means.

20 Q. Did Jason Spinks ever borrow any  
21 money from Western Steel?

22 A. Yes. Made a loan from Western  
23 Steel for a \$1.250 million.

1 Q. Okay. And who authorized that  
2 loan?

3 A. William.

4 Q. Okay. Do you know if Mr. Spinks  
5 has ever paid back that loan?

6 A. He has not.

7 Q. Okay.

8 A. Or any interest on it. But  
9 that's -- that's --

10 Q. Do you know if that was ever  
11 reduced to a judgment?

12 A. I have no idea.

13 Q. Okay.

14 A. I don't think so.

15 Q. But so far as you know, all that  
16 money is still owed?

17 A. (Witness nods head.)

18 MR. GOYER: Object to the form,  
19 no foundation.

20 Q. And who is that money owed to?

21 A. Western Steel.

22 Q. Okay.

23 A. That's a good loan, no payback

1 and no interest.

2 MR. GOYER: Move to strike,  
3 unresponsive.

4 Q. Now, who are the owners of  
5 Western Properties? Or do you know?

6 A. William and -- William.

7 Q. Okay. Is William the sole owner  
8 of Western Properties?

9 A. I think they have a contract  
10 between him and Jason Spinks on Western  
11 Properties. I -- I don't understand --

12 Q. Have you ever seen that  
13 contract?

14 A. I think I might have read it,  
15 but I don't recall what all's in it.  
16 It's just that it gives Jason Spinks  
17 complete authority, from what I  
18 understand, to sell and liquidate and  
19 invest, and I don't think he's near as  
20 smart as William.

21 Q. Does William make a lot of loans  
22 with Western Steel's money?

23 A. I don't know.

1 Q. Are you aware of any other loans  
2 other than the one -- the \$1.25 million  
3 that was given to Mr. Spinks and not paid  
4 back?

5 MR. GOYER: Object to the form.

6 A. No, I don't -- I'm not aware.  
7 His granddaughter said something about he  
8 had made a loan and now --

9 Q. Whose granddaughter?

10 A. Gina. I had talked to her, and  
11 she said that --

12 Q. Gina -- Gina is whose  
13 granddaughter?

14 A. William's granddaughter. And  
15 her husband is cousin to Jason Spinks.  
16 And they were working on the farm helping  
17 Jason Spinks with the deer. And from  
18 what I understand, Jason Spinks had made  
19 another loan -- yeah, with William, and  
20 he used his deer as collateral.

21 Q. Okay.

22 A. So I don't know about that.

23 That's all I know. That's just what she

1 said.

2 Q. Do --

3 A. I had -- didn't you say that if  
4 -- did I know any other loan or  
5 information that -- so that's why I had  
6 to answer that?

7 Q. Yes, ma'am. Did Mr. Cashion  
8 ever lose things, that you can recall?  
9 Items like keys, maybe his wallet while  
10 he was out at Western Steel one day?

11 A. Yeah, he did lose his wallet,  
12 and he found it. Or somebody turned it  
13 in or something.

14 Q. Is that something that happened  
15 on occasion?

16 A. I don't recall often, you know.  
17 Thank goodness he found it, he got it. I  
18 think somebody turned it in. It fell out  
19 or something, of his pocket. Because he  
20 carries a lot of cash with him.

21 Q. When all the stock that was  
22 held -- let me ask you this. Did anybody  
23 hold stock -- before all these

1 transactions and things that are  
2 represented by the documents, did anybody  
3 else hold stock in Western Steel other  
4 than William Cashion?

5 A. I don't think so.

6 Q. Okay.

7 A. I don't know.

8 Q. And is it your understanding  
9 that all of William Cashion's stock was  
10 transferred to the trust?

11 A. My understanding would be yes.

12 MR. GOYER: Talking about the  
13 Nevada spendthrift trust?

14 MR. BURDICK: Yeah.

15 A. Yeah, I guess. The stock of  
16 Western too, from my understanding.

17 Q. To your knowledge, who received  
18 benefits from the trust? Who was the  
19 beneficiary of that trust?

20 A. William Cashion.

21 Q. Okay. Were you a beneficiary of  
22 that trust?

23 A. No.

1 MR. GOYER: Object.

2 Q. Was Dr. Hayden a beneficiary of  
3 that trust?

4 A. No.

5 Q. Was Angela Hayden a beneficiary  
6 of that trust?

7 A. No.

8 Q. Anybody that you know of other  
9 than Mr. William B. Cashion?

10 A. No.

11 Q. Now, you referenced earlier that  
12 we had spoken on the phone about an FBI  
13 investigator visiting your house. You  
14 weren't represented by counsel at that  
15 time, were you?

16 A. No.

17 Q. Okay. And you told me that?

18 A. (Witness nods head.)

19 Q. How many FBI agents came out to  
20 your house?

21 A. Two.

22 Q. Okay. And one of them left a  
23 card?

1 A. Uh-huh.

2 Q. Did the other one leave a card  
3 or just the one?

4 A. Just the one.

5 Q. Okay. Did they indicate to you  
6 that they believed that William Cashion  
7 had sent that money?

8 MR. GOYER: Object to the form.

9 A. Yes.

10 Q. Okay. Did they indicate to you  
11 that they had closed their investigation?

12 MR. GOYER: Object to the form.

13 A. Yes.

14 Q. Okay. And is that when you  
15 asked them to be aware of his age?

16 A. Right. If they would take  
17 consideration and the stress that he was  
18 under and what he was going through, that  
19 -- to please consider that as an  
20 irrational action, if that was their  
21 conclusion.

22 Q. Okay. Do you think that that  
23 was a wise thing to do, to send money to

1 the judge?

2 MR. GOYER: Object to the form,  
3 calls for speculation and --

4 A. No.

5 MR. GOYER: -- conjecture, and  
6 no foundation.

7 A. Is it illegal?

8 Q. I don't have --

9 A. I don't know.

10 Q. -- to answer questions today.

11 A. If it isn't, I want to pay this  
12 judge so I won't have to.

13 Q. So you won't have to come to  
14 court?

15 A. That's right.

16 Q. Pay him so you can stay at the  
17 house.

18 A. If it's not too much.

19 Q. I know a lot of lawyers that  
20 would be happy to pay some extra money to  
21 stay at the house.

22 A. Yeah, that's what I want to do.

23 Q. These things are somewhat

1 stressful.

2 A. Well, I wrote a letter to a  
3 judge on behalf of my mother, and boy,  
4 did I get reprimanded.

5 Q. Yeah.

6 A. So I know for a fact you do not  
7 make contact with a judge personally on  
8 any way, form, or fashion on a case. And  
9 it was not my case, it was my mother's  
10 case. So I learned from experience that  
11 was not good.

12 Q. Do you know if this money that  
13 was sent to the judge, do you know if it  
14 was accompanied by anything else or was  
15 it just money?

16 A. Well, it --

17 MR. GOYER: Object to the form,  
18 no foundation.

19 A. -- had a -- a note in it the  
20 investigator, the man from the F- -- he  
21 said that it had a letter with it or a  
22 note that to -- I don't know exactly how  
23 it went, but to ask him to be in favor of

1 William Cashion's case.

2 Q. Okay.

3 A. And he didn't tell me how much.  
4 He just said it was an enclosed amount of  
5 money, it was a Western Steel envelope,  
6 and they were just tracing -- doing the  
7 paper trail.

8 Q. Let me ask you this. Based on  
9 your experience and -- well, would you  
10 say that you know William Cashion fairly  
11 well?

12 A. Yes.

13 Q. Okay. Do you believe that  
14 William Cashion sent that money?

15 MR. GOYER: Object to the form.  
16 Calls for speculation and conjecture, no  
17 foundation.

18 Q. Go ahead and answer.

19 A. I would say I don't know of  
20 anybody else that would, but I understand  
21 the logic behind it. I don't think  
22 anybody else would put their self in  
23 jeopardy of the consequences.

1 Q. Did you send that money?

2 A. No. And that's what they were  
3 asking. They were tracing through the  
4 relatives. And none of the relatives  
5 have very much money.

6 Q. Yeah. Do you believe any of his  
7 relatives sent that money?

8 A. No.

9 MR. GOYER: Object to the form.  
10 Calls for speculation.

11 Q. Do you believe Dr. Hayden or any  
12 other party to this suit sent the money?

13 A. They asked me if it was  
14 Dr. Hayden, and I told them definitely  
15 no.

16 Q. Okay. Why do you say definitely  
17 no?

18 A. Because it would not be to  
19 anybody's benefit but William. And I  
20 think that it was an irrational action  
21 because I think it was out of  
22 desperation. He was looking for any kind  
23 of help that he possibly can get. And I

1 think that just like me, being very  
2 irrational and jumping to -- scared  
3 probably far more than I should have been  
4 scared and doing the things that I did, I  
5 look back and see how I was very  
6 irrational. Panicky, crazy.

7 MR. GOYER: Move to strike as  
8 unresponsive. Speculation and  
9 conjecture.

10 A. Based on emotions, behavior on  
11 emotions.

12 MR. GOYER: Same objection.  
13 Same motion.

14 Q. Did the agents, when they came  
15 to your house, these FBI agents, did they  
16 represent to you that they were acting in  
17 their official capacity as  
18 representatives of the federal  
19 government?

20 A. Federal Bureau of Investigation,  
21 yes. And they told me that Judge Vance  
22 had turned the money and the note in to  
23 them and they were investigating. That's

1     what they told me.

2           Q.     Is it okay if I ask you to  
3     continue to look for that card for that  
4     investigator?

5           A.     I will.  I've got it put up  
6     somewhere.

7           Q.     Did they take notes while they  
8     were there?  Did they write down in a  
9     notepad regarding their interview with  
10    you?

11          A.     No.  He had a book with him, but  
12    he didn't -- he just asked questions and  
13    -- and -- basically, like William said, I  
14    called William, and he said, "Well, open  
15    the door, let them in, and see what  
16    you've done wrong."  So I said, "Okay, I  
17    will."  So I called him on his cell  
18    phone, and they came in the door, and  
19    that -- I mean, I can't run far.  You  
20    know, they already know where I live.

21          Q.     Yeah.  Yeah.

22          A.     And so I had to find out what  
23    they wanted.  And that was what they

1     wanted.  They wanted to know if I sent  
2     money on William Cashion's behalf to rule  
3     in his favor.  And I said no.

4           Q.     All right.  When Western  
5     Properties -- not Western Properties.  Is  
6     that what it's called, Western  
7     Properties?  Western Properties LLC?  
8     When that LLC was formed, were you aware  
9     that -- that the formation documents were  
10    drafted by Mr. Spinks?

11           A.     Yes.

12           Q.     Did Mr. Cashion ever have those  
13    document reviewed by an attorney?

14                   MR. GOYER:  Object to the form,  
15    no foundation.

16           A.     He said that he saved \$500 by  
17    not having an attorney draw it up, and he  
18    was proud to save \$500 because Jason  
19    Spinks drew them up.  So that was his  
20    comment.

21           Q.     Okay.  Is it your understanding  
22    that Jason Spinks gets the company if  
23    Mr. Cashion passes away?

1           MR. GOYER: Object to the form,  
2 no foundation.

3           A. That's what I thought, from what  
4 my understanding.

5           Q. Okay.

6           A. I hope I'm wrong.

7           Q. Do you know what Western  
8 Properties is worth, how much they have  
9 in holdings as far as real property?

10          A. No.

11          Q. Do you have any -- any notion of  
12 that at all, even a ballpark number?

13          A. Well, there's a lot of money  
14 that has gone through the joint checking  
15 account, which William put the money in  
16 for the joint checking account, had my  
17 name on it, that has gone through to  
18 Western Properties LLC, you know. So,  
19 you know, I think he should have had a  
20 business account instead of a personal  
21 joint account to do all of his business.

22          Q. Okay. So --

23          A. Instead of doing business out of

1 a joint personal account, a joint  
2 checking account --

3 Q. Okay.

4 A. -- instead of a business  
5 account, and just had a personal account  
6 for he and I, instead of doing business  
7 out of this joint account.

8 MR. GOYER: I move to strike  
9 that answer as unresponsive.

10 A. I mean, if I was audited, and  
11 what I was told, if I did business out of  
12 my personal account, buying business, you  
13 know, material, then the government would  
14 look at it badly.

15 MR. GOYER: Move to --

16 A. That's what my accountant told  
17 me.

18 MR. GOYER: Move to strike as --

19 A. I needed a business account and  
20 a personal account.

21 MR. GOYER: Move to strike as  
22 nonresponsive.

23 Q. If I understand correctly, your

1 personal account, your personal joint  
2 account with Mr. Cashion was used to  
3 pay --

4 A. -- business.

5 Q. -- all the expenses and debts of  
6 Western Properties?

7 A. Right.

8 MR. GOYER: Same objection, no  
9 foundation.

10 A. I've got cancelled checks. Yes.  
11 He needed just a -- I'm sure he does have  
12 a business account.

13 Q. Let me ask you --

14 MR. GOYER: You said you  
15 destroyed all your records. Are you now  
16 saying you've got some checks?

17 THE WITNESS: This is records.  
18 These are cancelled -- these are bank  
19 statements that I got from income tax,  
20 that I signed on income tax papers.

21 MR. GOYER: Well, I would ask  
22 you to produce copies of those. You're  
23 under a subpoena to bring them here

1 today. You've testified about them, and  
2 I'd asked you to produce them.

3 THE WITNESS: So that -- so  
4 you're talking about bank statements.  
5 You didn't say bank statements, you said  
6 documents, and I don't call bank  
7 statements --

8 Q. (By Mr. Burdick) Let me ask you  
9 this.

10 THE WITNESS: -- legal documents  
11 that I sign.

12 Q. These -- these bank statements  
13 that you're talking --

14 THE WITNESS: And I didn't sign  
15 any checks of these, anyway.

16 Q. These bank statements that  
17 you're talking about, they're from your  
18 joint account with Mr. Cashion?

19 A. (Witness nods head.)

20 Q. So Mr. Cashion had equal access  
21 to those records?

22 A. Well, sure. Yeah.

23 Q. Okay.

1           A.     Yeah, he -- he had them.    In  
2     fact, he had the cancelled checks.    I  
3     mean, he carried them.

4           Q.     Okay.

5           A.     I didn't have them.

6           Q.     So he has got those records  
7     already, or access --

8           A.     Yes, he has already got them.

9           Q.     -- to them?    Okay.

10          A.     All you got to do is pull his  
11     cancelled checks and you'll have them.    I  
12     mean, he has them.

13                   MR. GOYER:    Do you have them?

14                   THE WITNESS:   I went -- no.    I  
15     went to the bank, and I asked them to  
16     print off the bank statements for the  
17     month, and I was going to give them to my  
18     accountant, because I had signed on joint  
19     income tax papers with us and I wanted  
20     her to have an accounting of what I have  
21     signed, because I knew there was -- I was  
22     fearful that there was problems with the  
23     IRS, and I knew they were.

1 MR. GOYER: So you're saying  
2 now --

3 THE WITNESS: I didn't want to  
4 be --

5 MR. BURDICK: Counsel, this is  
6 going to take forever --

7 THE WITNESS: I didn't want to  
8 be --

9 MR. BURDICK: -- if you're going  
10 to ask her all the questions during my  
11 time.

12 THE WITNESS: -- responsible in  
13 a divorce of income tax evasion, because,  
14 I mean, I had enough problems already  
15 with income tax as it is.

16 MR. GOYER: I'm just -- so we  
17 don't have to come back, do you have  
18 check, cancelled checks from the joint  
19 account or just bank statements?

20 THE WITNESS: Bank -- just  
21 copies of bank statements.

22 MR. GOYER: Okay.

23 THE WITNESS: Okay. And he's

1 got them, too. I'll bring them.

2 MR. GOYER: Thank you.

3 THE WITNESS: Okay. And -- and  
4 William can bring them, too. I mean,  
5 he's got the originals.

6 MR. GOYER: I know. But we're  
7 asking you to.

8 THE WITNESS: Or his accountant  
9 has got. Because his accountant, you  
10 know, gave me the tax papers.

11 MR. GOYER: Let's let Austin  
12 continue his examination. I don't want  
13 to have to bring you back down here if I  
14 don't have to, and I know you don't want  
15 to come. So that's why I'm trying to get  
16 this straight.

17 THE WITNESS: Yeah. Yeah. He  
18 already -- he has the originals. They  
19 didn't come to our house or anything.  
20 They were just his -- his originals and.

21 Q. (By Mr. Burdick) Let me ask you  
22 this. Going back to the whole Mr. Helms  
23 Montana thing, when Mr. Cashion found out

1 that he paid \$24,000 for a piece of  
2 copper, did he ever contact Mr. Helms  
3 back and say, "Hey, give me my money  
4 back, you ripped me off"?

5 A. I don't know if he did or he  
6 didn't.

7 Q. Okay.

8 A. I just know he was upset, he  
9 didn't believe it. He just didn't  
10 believe the assay test. He believed that  
11 Helms was right and the assay, the -- the  
12 documentation was wrong. That's what I  
13 understood. Now, past that I don't know  
14 if he did anything or not.

15 Q. At any point did Mr. Cashion  
16 ever promise to limit his investments in  
17 Alabama gold mines to \$2 million a year  
18 or less?

19 A. Yes. He signed a -- a contract  
20 to be frugal in the investment of the  
21 gold mine because of -- they were wanting  
22 so much money so quick. And so slow  
23 would be better, instead of massive

1 amounts of money. \$2 million is a lot of  
2 money, but to limit yourself to \$2  
3 million a year, I thought, you know,  
4 that's pretty good.

5 Q. Did he break that promise?

6 A. Yes.

7 Q. Did he just lack the  
8 self-discipline?

9 MR. GOYER: Object to the form.

10 A. I don't know.

11 MR. GOYER: Calls for  
12 speculation and conjecture, no  
13 foundation.

14 A. He just did what he wanted to do  
15 when he wanted to do it.

16 Q. Okay.

17 A. I mean, he's William Cashion.  
18 It's his -- it's his money.

19 Q. All right.

20 A. I sure wasn't going to get it.

21 Q. Now, going to your -- back to  
22 this arrest and everything. You  
23 mentioned earlier that you received a

1 check from a news outlet. What was that  
2 for?

3 A. And I had the lady that had  
4 written the article, she came over to me  
5 and apologized for the -- the article,  
6 and I received a check for \$1,000.

7 Q. Okay. What news outlet was that  
8 from?

9 A. Birmingham News.

10 Q. Okay. So they retracted?

11 A. They didn't retract. They  
12 didn't put a retraction in. They just  
13 gave me a verbal apology and a check.

14 Q. Okay. Did they make you sign  
15 anything?

16 A. No.

17 Q. Okay. Did you lose your crown  
18 --

19 A. No.

20 Q. -- with Senior -- Ms. Senior  
21 Alabama?

22 A. Senior Alabama? No.

23 Q. Okay. Was this arrest, was that

1 brought to the attention of the  
2 Ms. Senior Alabama committee?

3 A. Yes, it was. It was brought  
4 before the board.

5 Q. All right. And what decision  
6 did they come to?

7 A. That they would back me in this  
8 and do everything they could to help me,  
9 you know, in any way they could. Because  
10 they knew it was a divorce battle and  
11 they knew somewhat of how it all come  
12 about. And they called the national  
13 board, and the board directed them to  
14 stand behind me 100 percent. So there  
15 was no change. But William himself had  
16 called the board.

17 Q. Okay. He called the board.  
18 What did he tell the board?

19 A. He called the head of the board  
20 to ask if they were going to allow me to  
21 keep my crown -- Karen Guice -- with me  
22 being prosecuted. And they -- I don't  
23 know what the conversation consisted of,

1 but the board decided that they would not  
2 do anything and that everything would  
3 stay as it is. And they called  
4 nationals, and nationals said to stand  
5 behind me any way that I could -- they  
6 could 100 percent.

7 Q. Okay. Now, if the trust had not  
8 been established, would William have  
9 dumped all of his money into mines --  
10 mining schemes in Alabama?

11 MR. GOYER: Object to the form.  
12 Calls for speculation and conjecture.

13 Q. Did he ever tell you whether he  
14 was going to do that?

15 A. William told me that he was  
16 going to invest everything he had in the  
17 gold mine.

18 Q. Okay.

19 A. And that was the reason, I  
20 guess, he was not going to set a trust up  
21 for me and his family.

22 Q. And I think you testified  
23 earlier that you weren't aware of any

1 return that William had received on any  
2 --

3 A. I don't know --

4 Q. -- mining project --

5 MR. GOYER: Object to the form.

6 A. -- of any return that he  
7 received.

8 Q. Okay. Are you aware how much  
9 money he put into the mines?

10 MR. GOYER: Object to the form,  
11 no foundation. Calls for speculation and  
12 conjecture.

13 A. Millions.

14 Q. Millions of dollars?

15 A. But he told other people that.  
16 I'm not the other one he talked to. That  
17 was his main conversation with friends.  
18 And they were concerned, too, because,  
19 you know.

20 Q. Did he ever invite anybody else  
21 to invest with him in the mines?

22 A. I don't know if he did or not.  
23 He could have. I don't know.

1 Q. Okay.

2 A. Personally, I wish that it would  
3 just work out and he would just triple  
4 his money. I mean, that would --

5 Q. Do you see that as a --

6 A. -- be great.

7 Q. Do you see that as a  
8 possibility?

9 MR. GOYER: Object to the  
10 form --

11 A. No.

12 MR. GOYER: -- no foundation.  
13 Calls for speculation.

14 A. Well, it's just cost and  
15 accounts receivable, how much you spend  
16 out and how much you've got in return,  
17 and that ought to tell you. I mean, he  
18 knows himself whether he has received  
19 more than he has invested in. That's his  
20 business, you know.

21 Q. Let me -- let me ask you this.  
22 You were self-employed for 20-something  
23 years; right?

1 A. Right.

2 Q. So you made business decisions  
3 on a --

4 A. Right.

5 Q. -- regular basis.

6 A. Right.

7 Q. To your mind, is it a wise  
8 business decision to invest over \$6  
9 million and get only \$10 back on your  
10 return?

11 MR. GOYER: Object to the form.

12 A. No.

13 Q. That's a -- that's a bad --

14 MR. GOYER: -- in evidence.

15 Q. -- business decision?

16 MR. GOYER: Fails to assume  
17 other facts in evidence. Calls for  
18 speculation and conjecture.

19 Q. Okay. Can you imagine any other  
20 set of facts that added to what I just  
21 told you would make that a wise decision?

22 MR. GOYER: Object to the form.

23 A. No.

1           MR. GOYER: Calls for  
2 speculation and conjecture.

3           A. No. If I had not received more  
4 money than I lost in the many a time I  
5 thought about quitting, if there was not  
6 a -- more profit than loss, I would have  
7 never stayed in the flooring business,  
8 because there's definitely a lot of loss.  
9 But there was more profit than loss, so I  
10 thought it was feasible to stay in the  
11 business.

12          Q. Okay.

13          A. Anybody would. Lose more money  
14 than you make, you can't stay there.  
15 Unless you're somebody that has an  
16 unlimited amount of funds. Then you can.

17          Q. Let me ask you this. With  
18 regard to William's investments in any  
19 mining project, was he being duped?

20           MR. GOYER: Object to the form.  
21 Calls for speculation and conjecture. No  
22 foundation.

23          A. Yes. Because if they could not

1 from the beginning give receipts for  
2 expenditures for \$400,000, to me, that  
3 right there lets you know that there is a  
4 problem.

5 Q. Are you aware of any criminal  
6 activity going on with regard to the  
7 mining projects in Alabama?

8 MR. GOYER: Object to the form,  
9 no foundation. Calls for speculation and  
10 conjecture.

11 A. I think so, yes. I'm somewhat  
12 aware.

13 Q. What are you aware of?

14 A. Well, I might have received a  
15 phone call, and I just have not made  
16 contact, but I am scared that  
17 investigators are going to be contacting  
18 me in regards to stock market laws. And  
19 I have not made contact.

20 Q. But you've received a call?

21 A. I think I have, from Montgomery  
22 or something. I don't want to -- I don't  
23 want to elaborate on it because I'm not

1 for sure, but I'm aware that there might  
2 be some problem coming in to -- what you  
3 fear the most --

4 Q. Are you aware --

5 A. -- is what you fear.

6 Q. Are you aware of William  
7 participating in any of these criminal  
8 activities that you're concerned about?

9 MR. GOYER: Object to the form,  
10 no foundation. Calls for speculation and  
11 conjecture.

12 A. Only that paper right there  
13 (indicating).

14 Q. Okay.

15 A. That paper right there is what I  
16 fear more than anything.

17 MR. GOYER: You're talking about  
18 Plaintiff's --

19 THE WITNESS: That right there.

20 MR. GOYER: -- Exhibit 3A?

21 THE WITNESS: Yeah. That I fear  
22 more than anything, is the consequences  
23 of that right there.

1 Q. (By Mr. Burdick) All right. Do  
2 you think you need be a law enforcement  
3 officer or a lawyer to realize that that  
4 represents a criminal problem?

5 A. No.

6 MR. GOYER: Object to the form,  
7 no foundation.

8 A. No.

9 MR. GOYER: Calls for  
10 speculation and conjecture.

11 A. I know with common sense that  
12 you can't sell something you don't have.

13 Q. Does that look like the same  
14 scheme y'all saw up in north Alabama?

15 MR. GOYER: Object to the form.

16 A. Yeah.

17 Q. It's the same fraud being --

18 MR. GOYER: Same objection.

19 Q. -- perpetrated?

20 A. (Witness nods head.)

21 Q. Answer out loud.

22 A. Yes.

23 Q. Did William sign 3A? Did

1 William Cashion sign that Exhibit 3A?

2 A. Yes.

3 Q. Is that really his signature?

4 A. Yes.

5 Q. Can you identify it? You've  
6 seen his signature before?

7 A. Yes.

8 Q. On January 31st of this year, if  
9 William had been in his right mind, would  
10 he have shoved you down?

11 MR. GOYER: Object to the form.

12 A. No. If he had been rational.  
13 But he was all upset and -- and -- and  
14 was not. And I can understand. I  
15 understand. But still, it's the  
16 irrational emotions that brought so much  
17 fear of -- and that's why I removed the  
18 guns, because he had -- I -- I was scared  
19 that something bad would happen. So I  
20 removed the guns out of the house in a  
21 secure place because I knew this was  
22 coming.

23 Q. When did you remove the guns?

1           A.     Through January, about the  
2     second week of January.

3           Q.     Prior to that, had William ever  
4     threatened you with a gun?

5           A.     No.    No.

6           Q.     Or threatened to kill you or  
7     anything like that?

8           A.     No.    I mean, I don't blame him  
9     now.

10          Q.     Was -- was he in his -- was he  
11     in his right mind when he asked for a gun  
12     on the 31st?

13                   MR. GOYER:   Object to the form.  
14     Calls for speculation --

15          A.     He was --

16                   MR. GOYER:   -- and conjecture.

17          A.     He was very upset.

18                   MR. GOYER:   No foundation.

19          A.     Yes, he was very upset.

20          Q.     So he was in his right mind?

21                   MR. GOYER:   Object to the form.

22     Calls for speculation and conjecture.   No  
23     foundation.

1 A. Angry.

2 Q. He was angry?

3 A. Angry.

4 Q. Was that a prudent thing to do

5 --

6 A. Explosive angry.

7 Q. -- to ask for a gun?

8 MR. GOYER: Object to --

9 A. No. It was very irrational to  
10 ask for a gun, because there's things  
11 worse than what had happened.

12 Q. Again, it was your understanding  
13 that the \$150,000 that you were going to  
14 receive was for -- not only for your  
15 maintenance but for William's  
16 maintenance?

17 A. That's what I would understand.  
18 That was my understanding, for us, for  
19 both of us.

20 Q. All right. Did you ever --

21 A. And I signed off on the -- a  
22 nuptial agreement of a million dollars,  
23 and my understanding that that would be

1 for William and I. And I resigned from  
2 the trust.

3 MR. GOYER: We've been going for  
4 over an hour. It's now 3:30. Are you  
5 going to stay until we finish?

6 THE WITNESS: (Witness nods  
7 head.)

8 MR. GOYER: Okay. Why don't we  
9 take a short break?

10 MR. BURDICK: Okay, let's take a  
11 short break?

12 THE VIDEOGRAPHER: We're off the  
13 record at 3:30.

14 (Break taken.)

15 THE VIDEOGRAPHER: We're back on  
16 the record at 3:37.

17 Q. (By Mr. Burdick) All these  
18 documents over here that you executed for  
19 the creation of the trust, the actions of  
20 the trust, did you do that in the best  
21 interest of William Cashion?

22 MR. GOYER: Object to the form.

23 A. Yes. Not to my best interest,

1 really.

2 Q. Because you didn't receive any  
3 benefit?

4 A. No.

5 MR. GOYER: Object to the form.

6 MR. BURDICK: I'll pass the  
7 witness, Counsel.

8 MR. GOYER: Okay.

9

10 REEXAMINATION BY MR. GOYER:

11 Q. Let's see if we can wrap this  
12 up.

13 A. I don't believe you can. You  
14 had four hours, they've had an hour and a  
15 half. I don't think you can.

16 Q. Well, I tell you what, if you  
17 will listen very carefully and just  
18 answer my questions, we'll get out of  
19 here.

20 Now, you talked some about going  
21 to Montana and meeting with Mr. Helms and  
22 getting some assay test results back. Do  
23 you remember?

1           A.     They came through the mail to my  
2 house.

3           Q.     Did you look at them?

4           A.     No.

5           Q.     Okay.  You've never seen them?

6           A.     I saw the look on William's face  
7 when he received it, and he said that it  
8 was valued at I think \$35, his bar, and  
9 he didn't believe it.  And then he had a  
10 hard time getting his bar back, and he  
11 was going to file a lawsuit against the  
12 people that had it -- had done the assay  
13 on it because they weren't returning his  
14 bar back to him.

15          Q.     Here's my question, though.  Did  
16 you look yourself at the assay?

17          A.     I did not look at the assay  
18 test.  I just listened to my husband.

19          Q.     All right.  And you testified at  
20 some point William said to you, "I need  
21 your inheritance for my business"?

22          A.     Yes.

23          Q.     When did he say that?

1           A.     I went to his office, and I told  
2     him that I had taken \$100,000 out of our  
3     joint checking account.    Because he --  
4     and the reason why I did is because he  
5     had not gone through with the trust for  
6     two years like he said he would.   And I  
7     asked him why.   He said, "The reason I  
8     did not make your trust is because I  
9     needed that money for business."   And  
10    then I said, "Well, then, you never  
11    intended to make a trust for me and you  
12    never intended to provide for me."

13           Q.     So you took \$100,000 out of the  
14    joint checking account.

15           A.     Yes.

16           Q.     And what did you do with it?

17           A.     I put it in a savings account.

18           Q.     Now, that sounds like a lot of  
19    money to me.   Do you that's --

20           A.     Well, it is.   You think \$7  
21    million ain't, though, buddy?

22           Q.     Let me ask you this.   You don't  
23    remember when that happened?

1 A. This was in January.

2 Q. Of 2012?

3 A. Yeah. Toward the middle of  
4 January.

5 Q. Same time you were --

6 A. About two weeks before we had  
7 the confrontation.

8 Q. All right.

9 A. Yeah.

10 Q. Had you talked with Mark Hayden  
11 at that point? Yes, you had, because  
12 you --

13 A. Yes, I had. I had --

14 Q. You had signed the postnuptial  
15 agreement --

16 A. Yeah.

17 Q. -- January 3rd.

18 A. Yeah.

19 Q. Right?

20 A. Uh-huh.

21 Q. Okay. Whose idea was it for you  
22 to take \$100,000 out of the joint  
23 checking account? Was that your idea,

1 Mark Hayden's idea, or someone else's  
2 idea?

3 A. Mark advised me to do that  
4 because I was going to have attorney's  
5 fees through this.

6 Q. Okay.

7 A. And I would need money to live  
8 on, because if William did stop my check  
9 and all this come, that would be a safety  
10 precaution. But -- that's -- well,  
11 that's answer enough.

12 Q. And where did you put the money?

13 A. In a savings account, an RBC  
14 account.

15 Q. Okay. Now, are you sure it was  
16 \$100,000, not \$120,000?

17 A. It was \$114,000, I think.

18 Q. Could it have been a hundred --

19 A. Specific --

20 Q. Could have been a hundred and  
21 twenty?

22 A. It could have been.

23 Q. Okay.

1           A.     If William says so, I'm sure  
2     he's accurate.  But I took a hundred and  
3     fourteen, I think is what it was.

4           Q.     And the concerns that you talked  
5     to -- you mentioned about that Gene  
6     Calhoun had, those were all concerns that  
7     Gene Calhoun talked to you about?

8           A.     We were all in the room together  
9     at his house, and he was talking to  
10    everyone there.  There was also an  
11    attorney that day with us when we were  
12    there; Mark, I, an attorney, Angie, and  
13    then Gene's wife.

14          Q.     Who was the attorney?

15          A.     I don't recall his name.

16          Q.     My question, though, is, the  
17    concerns that Gene had, the basis for  
18    your knowledge about that is what he told  
19    you; is that correct?

20          A.     He told us.

21          Q.     Okay.  The people in that room?

22          A.     Not me specifically.

23          Q.     Okay.

1 A. Us.

2 Q. But you didn't make an  
3 independent determination about those  
4 concerns, did you?

5 A. No. I didn't make any comment  
6 at all.

7 Q. Okay.

8 A. I was listening. You just need  
9 to depose him.

10 Q. Now, the money that the FBI  
11 agents were talking about, did they show  
12 you the envelope?

13 A. No.

14 Q. You've never seen the envelope?

15 A. (Witness shakes head.)

16 Q. That's a no?

17 A. That's a no.

18 Q. Have you seen a note that you  
19 testified about that was in the envelope?

20 A. No. Just what he said.

21 Q. Okay. Do you know how much  
22 money was in the envelope?

23 A. He did not say how much.

1 Q. So your -- the only source of  
2 your knowledge about that event --

3 A. -- was through the investigator.

4 Q. The FBI --

5 A. Yes.

6 Q. -- agent. Okay.

7 A. Yeah.

8 Q. Now, your divorce was filed -- I  
9 can show it to you, but I'll represent to  
10 you was filed 7/31/2012. Do you agree  
11 with that?

12 A. It was filed? Okay.

13 Q. July 31st, 2012.

14 A. I thought we signed the papers  
15 in March. So July was when it was final?

16 Q. Filed.

17 A. Oh, filed. Okay. Well.

18 Q. There's a couple of things that  
19 went on. I'm talking about the divorce  
20 now. I'm not talking about this lawsuit.

21 A. Okay. Okay. I'm trying to  
22 think when it was. Okay. I was thinking  
23 I signed the papers here in March with

1 the settlement. I did, on a --

2 Q. Mediation statement?

3 A. -- notebook. Yeah.

4 Q. Okay. But do you agree that  
5 your divorce was filed in July of 2012?

6 A. Yes.

7 Q. Okay. Now, do you know who  
8 Bernie Madoff is?

9 A. (Witness shakes head.)

10 Q. He was a famous investment  
11 advisor up in New York that went to  
12 prison for 112 years and --

13 A. Yeah, now I recall.

14 Q. -- stole \$9 billion from people,  
15 or more. You know who I'm talking about?

16 A. Yeah. I don't know the details  
17 of it.

18 Q. Do people get duped all the time  
19 in scams?

20 A. I'm sure they do.

21 Q. Okay. And does that mean that  
22 they don't -- they're not entitled to  
23 hold their own property?

1           A.     Well, if you steal from  
2     somebody, are you entitled to keep the  
3     property that you buy from the money you  
4     steal?

5           Q.     No.    I'm saying --

6           A.     Is that what you're saying?

7           Q.     I saying, if you get duped by  
8     somebody, does that mean you have to give  
9     up all control over your property?

10          A.     Depends on how you got your  
11     property, I would think.

12          Q.     You know a lot of people get  
13     taken advantage of in schemes?

14          A.     Yeah, they do.   And then they go  
15     and buy big cars and everything, so --

16          Q.     I'm not talking about the one  
17     that --

18          A.     With other people's money.

19          Q.     -- doing -- I'm not talking  
20     about the one that does the scam.   I'm  
21     talking about the victims who have been  
22     duped or scammed.   Does that happen a  
23     lot, to your knowledge?

1 A. I don't know.

2 Q. You don't know?

3 A. I'm not -- I'm sure it does.

4 You hear it on the radio, don't you?

5 Q. Okay.

6 A. On the news.

7 Q. You think that means somebody  
8 ought to take all their money away from  
9 them if they get duped?

10 MR. BURDICK: Object to the  
11 form, speculation.

12 A. Who's taking what away?

13 Q. The person who is scammed.

14 A. Well, you're saying I took  
15 William's money away.

16 Q. Yes. And --

17 MR. BURDICK: Object to the  
18 form.

19 A. It's his funds in a joint  
20 checking account, which I could have took  
21 -- if he would had passed, he told me to  
22 go and get all the money out. And then  
23 he told me to write checks, "Go ahead and

1 write your check and pay" -- I had some  
2 taxes I had to pay, and -- and it was  
3 fixed where if my joint -- my account was  
4 not -- was -- didn't have enough money in  
5 it, it went on into our joint checking  
6 account to cover my check.

7 Q. Did William Cashion tell you to  
8 transfer all his stock in Western Steel  
9 to Nevada trust?

10 A. No, he did not. And I didn't do  
11 it all by myself.

12 Q. But you were part of it, weren't  
13 you?

14 A. I signed for it.

15 Q. Okay.

16 MR. GOYER: No further  
17 questions.

18 MR. BURDICK: I think I'm done.

19 THE WITNESS: Okay. Am I  
20 through? Can I go home now?

21 THE VIDEOGRAPHER: Off the  
22 record at 3:46.

23 (Testimony continued off video record.)

1 Q. (By Mr. Goyer) All right.

2 Ms. Cashion, you've handed me -- are  
3 these the only checks you've got with  
4 you?

5 A. Yeah.

6 Q. All right. You've handed me two  
7 pages of Xeroxed checks that we've marked  
8 as FC 11A and FC 12A. Can you tell me  
9 what these are?

10 (Plaintiff's Exhibit 11A and 12A were  
11 marked for identification and are  
12 attached.)

13 A. Well, it says William Cashion,  
14 Frankie Cashion, 12621 Tannehill Parkway,  
15 Lot 2, McCalla, which is my address, Argo  
16 Mills, \$250,000.

17 Q. No, you don't have to tell me  
18 about every check.

19 A. Oh, okay.

20 Q. I mean, what do these represent?  
21 Are these checks from your --

22 A. These are checks -- -

23 Q. -- joint account?

1           A.     Yeah, our joint account, to Argo  
2     Mills, which is Sandy Wadsworth.  There's  
3     one, two, three, and they were all made  
4     out in October the 20th, October the  
5     21st, along with Dish and.

6           Q.     Well, they're different dates.  
7     I mean --

8           A.     Yeah, they're right --

9           Q.     And when did you get these --

10          A.     October?

11          Q.     -- documents?  When did you get  
12     these copies?

13          A.     The bank gave them to me.

14          Q.     When was that?

15          A.     In January, somewhere in  
16     January, when I --

17          Q.     Of 2012?

18          A.     Yeah.

19          Q.     Whose idea was it for you to get  
20     these checks?

21          A.     Well, it was my idea, because I  
22     was worried about what -- filing tax --  
23     joint tax returns and I was worried about

1 if something happened and we divorced, if  
2 I was going be liable for income tax,  
3 that might be a problem. I just was  
4 worried.

5 Q. All right. Now, there's more  
6 checks on here than -- like there's one  
7 check on here to Frankie Cashion for  
8 \$800?

9 A. Uh-huh. He gives that to me for  
10 groceries every month.

11 Q. There's a check here to Central  
12 Electric Alabama Co-op?

13 A. Yeah.

14 Q. Friends of Herman Cain?

15 A. He wrote all the checks. I  
16 didn't write checks out of the checking  
17 account, he did.

18 Q. Was the purpose of the joint  
19 checking account to take care of your  
20 overdrafts?

21 A. It helped, yes. And --

22 Q. And you had your own checking  
23 account, though; right?

1           A.     Yeah, I had my own checking  
2     account.  Then it was that, and then it  
3     was to be left, what was in there, if  
4     something happened to William, it would  
5     be there for me to live on and the  
6     children --

7           Q.     Ready cash?

8           A.     Yeah, ready cash.

9           Q.     And ultimately, you got the  
10    money that you moved out of that account,  
11    you got to keep, didn't you?

12          A.     Yes.  In a settlement.

13          Q.     Okay.

14          A.     Our financial settlement.

15          Q.     All right.  What's Dish,  
16    D-I-S-H?

17          A.     That's our -- our TV.  You got  
18    Dish or Direct?

19          Q.     All right.  So we've got more  
20    checks on here than Argo Mills, is my  
21    point.

22          A.     Well, that's true, because it  
23    was a joint checking.  He paid our

1 personal bills out of it as well as his  
2 investment there.

3 Q. All right. Those are the only  
4 checks you've got; right?

5 A. Uh-huh.

6 Q. Okay. Thank you. We're done.

7

8

END OF DEPOSITION

9

(3:50 p.m.)

10

11

12

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23

1 C E R T I F I C A T E

2 STATE OF ALABAMA )

3 COUNTY OF JEFFERSON )

4 I hereby certify that the above  
5 and foregoing proceeding was taken down  
6 by me by stenographic means, and that the  
7 content herein was produced in transcript  
8 form by computer aid under my  
9 supervision, and that the foregoing  
10 represents, to the best of my ability, a  
11 true and correct transcript of the  
12 proceedings occurring on said date at  
13 said time.

14 I further certify that I am  
15 neither of counsel nor of kin to the  
16 parties to the action; nor am I in  
17 anywise interested in the result of said  
18 case.

19 /s/ Lane C. Butler

20 LANE C. BUTLER, RPR, CRR, CCR

21 CCR# 418 -- Expires 9/30/13

22 Commissioner, State of Alabama

23 My Commission Expires: 2/11/13

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