

1 Sumpter probably wrote that signature as well, correct?

2 A That is correct.

3 Q Now, for those three signatures, ma'am, Melissa
4 Sumpter, Norma Sumpter, and Jennifer Hill, what is the
5 degree of certainty that you apportion to those findings?

6 A It's a probable based on looking at these poor
7 photocopies.

8 Q And you recognize that photocopies aren't as good
9 as having originals, correct?

10 A That's correct.

11 Q And you've also had an opportunity now,
12 apparently, and I've not had a chance to look at this letter
13 to you dated January 29, 2001.

14 JUDGE STEINBERG: I don't have a copy of the stuff
15 that Lawrence handed out.

16 MR. ROMNEY: Okay.

17 JUDGE STEINBERG: And if you need -- in light of
18 this development, if you need time to go off the record and
19 formulate your examination, I'll give you as much time as
20 you need.

21 MR. ROMNEY: I understand.

22 JUDGE STEINBERG: So don't feel you have to do it
23 all now.

24 MR. ROMNEY: I understand that, Your Honor, and
25 I appreciate it and I'll try to move as expeditiously as

1 possible.

2 Frankly, I don't think that these findings are any
3 different than those that our expert was prepared to testify
4 about.

5 JUDGE STEINBERG: I did kind of notice that.

6 MR. ROMNEY: You kind of caught the body language
7 there?

8 JUDGE STEINBERG: Well, it was -- well, I'm not
9 going to say.

10 Okay. Now, you're referring to the January 29,
11 2001 letter?

12 MR. ROMNEY: Yes, sir.

13 JUDGE STEINBERG: And I guess to make this record
14 clear so that we don't have any -- I would certainly cede to
15 Ms. Lancaster if she wants to mark these as EB documents, or
16 I'll be happy to mark them as RB/PB documents, it really
17 doesn't matter to me, Your Honor. As long as we get them on
18 the record.

19 JUDGE STEINBERG: It's up to Ms. Lancaster.
20 I mean, they are going to be identified and then we'll see
21 what happens after they're identified. I don't care who
22 does it.

23 Do you want to do it, Ms. Lancaster, or do you
24 want to --

25 MS. LANCASTER: It doesn't make any difference,

1 Your Honor. He's got the floor now. He can mark them as
2 his, if he wants.

3 MR. ROMNEY: I have already marked some stuff for
4 my witness with my next numbers.

5 JUDGE STEINBERG: Okay. We'll make them Judge's
6 exhibits. I've got one, I can have --

7 MR. ROMNEY: Fine.

8 JUDGE STEINBERG: I only usually have one, so now
9 this can be a special hearing, we can have more than one.

10 We will take, I guess, the January 29, 2001
11 letter --

12 THE WITNESS: Which I no longer have a copy of.

13 MS. LANCASTER: January 29th?

14 JUDGE STEINBERG: Yes.

15 (Pause.)

16 JUDGE STEINBERG: It's a January 29, 2001 letter
17 to Ms. Bolsover from Ms. Lancaster and the exhibit is a
18 total of nine pages and that will be marked Judge's Exhibit
19 No. 2.

20 (The document referred to was
21 marked for identification as
22 Judge's Exhibit No. 2.)

23 JUDGE STEINBERG: And then a March 5, 2001, we'll
24 call it a report, from Ms. Bolsover and it is two pages in
25 length and that will be marked for identification as Judge's

1 Exhibit No. 3.

2 (The document referred to was
3 marked for identification as
4 Judge's Exhibit No. 3.)

5 JUDGE STEINBERG: Maybe I can handle numbers if
6 they are under 10. I seem to have trouble with the 70s.

7 That was a joke. You were supposed to laugh.

8 Thank you.

9 MR. ROMNEY: Let the record reflect humor,
10 Your Honor.

11 JUDGE STEINBERG: Thank you.

12 Okay. Now they are marked.

13 BY MR. ROMNEY:

14 Q Ms. Bolsover, do you have in front of you what has
15 been marked Judge's Exhibit No. 2?

16 A The January 29th -- what are we looking at?

17 Q The January 29, 2001 letter.

18 A Yes.

19 Q And what is that?

20 A It is the normal course of business handwriting
21 that was submitted.

22 Q This was submitted to you by whom, ma'am?

23 A Ms. Lancaster.

24 Q And there follows many pages there of documents.
25 Were you given actual original documents to look at with

1 these people's signatures?

2 A Some were original and some were not.

3 Q Some were photocopies?

4 A Yes, but most of them were original.

5 Q And due only to the fact that I have only seen
6 this document for about ten minutes now, if you will excuse
7 me, let me be a little obtuse, perhaps.

8 The first page where it says Jim Sumpter, those
9 were all documents that were given to you and you understood
10 those to bear handwriting of Jim Sumpter?

11 A That's correct.

12 JUDGE STEINBERG: Genuine handwriting.

13 BY MR. ROMNEY:

14 Q Genuine handwriting of Jim Sumpter?

15 A Yes.

16 Q And on page 3, it says Norma Sumpter.

17 A Yes.

18 Q And you understood all those documents that follow
19 that to be genuine handwriting of Norma Sumpter?

20 A That's correct.

21 Q And on page 6, you were given documents of Melissa
22 Sumpter that you understood to be genuine handwriting for
23 Melissa Sumpter?

24 A That's correct.

25 Q And then on page 6 as well, continuing on, you

1 were given handwriting to substantiate or that you
2 identified as being genuine handwriting of Jennifer Hill?

3 A That's correct.

4 Q Page 8, you were given handwriting that was
5 represented to you to represent original handwriting of
6 Carolyn Lutz?

7 A Correct.

8 Q And did you use those documents, ma'am, that are
9 reflected on Judge's Exhibit No. 2 in preparing your second
10 report dated March 5, 2001, which has been received for
11 identification as Judge's Exhibit No. 3?

12 A That along with the other ones that I had
13 received, yes.

14 MR. ROMNEY: Your Honor, I would move admission of
15 Judge's Exhibit No. 2.

16 JUDGE STEINBERG: Any objection?

17 MS. LANCASTER: No, sir.

18 JUDGE STEINBERG: Exhibit 2 is received. Judge's
19 Exhibit 2.

20 (The document referred to,
21 previously identified as
22 Judge's Exhibit No. 2, was
23 received in evidence.)

24 MR. PEDIGO: Your Honor, one of the things we do
25 need to do following this exam is identification of the

1 questioned documents 9 through 16. All I have, I believe,
2 is a list that goes up to Q-8.

3 MR. ROMNEY: That's what I have as well,
4 Your Honor. I was just getting ready to ask that.

5 MS. LANCASTER: Well, as I said, Your Honor,
6 I just got this. I have not had the time to prepare, what
7 I had done before.

8 MR. PEDIGO: As a matter of voir dire, I'm not
9 accusing her of not having done it ahead of time, but to
10 follow this, if we could have the expert witness here just
11 tell us and I'll handwrite on EB-76 and update it, I just
12 need to be able to follow this, so we have a scorecard.

13 JUDGE STEINBERG: Okay. Well, we can -- or if you
14 like, that could be done --

15 Well, how many documents are you talking about?

16 MR. PEDIGO: According to her report, it's Q-9
17 through Q-16, is the highest number.

18 JUDGE STEINBERG: Okay.

19 MS. LANCASTER: Wait a minute. I might --

20 JUDGE STEINBERG: This is the second report.

21 MS. LANCASTER: I do have that, Your Honor. It
22 seems like I was working on that last night. I do have
23 that. I'm sorry.

24 MR. KNOWLES-KELLETT: We didn't have the report,
25 but --

1 MS. LANCASTER: We didn't have the report and we
2 had to check -- there was a duplicate number, so we had to
3 change a duplicate number, but I did do that. I'm sorry.

4 Here is one for you.

5 JUDGE STEINBERG: Thank you.

6 MS. LANCASTER: I'm sorry.

7 (Pause.)

8 JUDGE STEINBERG: Does that take care of the
9 problem?

10 MR. PEDIGO: Yes, Your Honor.

11 JUDGE STEINBERG: Okay. So I think the best way
12 to do this is to include this in Exhibit 76.

13 MR. PEDIGO: Yes, Your Honor.

14 JUDGE STEINBERG: So the identification or the
15 index of questioned documents Q-9 through Q-16, that will be
16 page 2 of EB Exhibit 76 and 76 will obviously become a
17 two-page exhibit.

18 Any objection to the receipt of page 2?

19 MR. ROMNEY: Of?

20 JUDGE STEINBERG: Of 76. Subject to check.

21 MR. ROMNEY: No, sir. Not with that caveat.

22 JUDGE STEINBERG: Okay. Yes. Obviously, if there
23 is something incorrect, we can correct it later.

24 (Pause.)

25 BY MR. ROMNEY:

1 Q Ms. Bolsover, do you have now in front of you what
2 has been added as the second page to Exhibit No. 76?

3 A Yes.

4 Q And would you tell us, please, what those are?

5 A This is a list of Q-9 through Q-16, the questioned
6 documents that were submitted to me in late February.

7 Q Going back to your second report, Judge's Exhibit
8 No. 3, the first finding that you have listed there is
9 Ronald Brasher probably wrote the date appearing on Exhibit
10 Q-9. I think we have already covered these, but we have
11 talked about Norma Sumpter, Melissa Sumpter, and Jennifer
12 Hill probably wrote the questioned names appearing on those
13 June 22, 1996 applications that we have already gone over.
14 Is that correct?

15 A Yes. That's correct.

16 JUDGE STEINBERG: I have a question about those
17 conclusions which might be appropriate to put here.

18 MR. ROMNEY: Certainly.

19 JUDGE STEINBERG: When you were examining Q-13,
20 Q-12 and Q-11, did you see any evidence that those
21 signatures were traced from other signatures?

22 THE WITNESS: The photocopies were so poor --
23 there was nothing there to suggest that, but, again, the
24 photocopies were so poor, I really couldn't see.

25 JUDGE STEINBERG: Okay. But there was nothing

1 there in your expert opinion that would have suggested that.

2 THE WITNESS: No.

3 MR. ROMNEY: Would it have suggested what,
4 Your Honor? I'm sorry.

5 JUDGE STEINBERG: That the signatures were traced.

6 MR. ROMNEY: Okay.

7 BY MR. ROMNEY:

8 Q And then turning to page 2 of Judge's Exhibit
9 No. 3, your March 5, 2001 report, ma'am?

10 A Yes.

11 (Pause.)

12 JUDGE STEINBERG: Off the record. JUDGE

13 STEINBERG:

14 (A brief recess was taken.)

15 JUDGE STEINBERG: Back on the record.

16 BY MR. ROMNEY:

17 Q Exhibits Q-10, Q-14 and Q-15, ma'am, those were
18 all from the same document?

19 A That's my understanding, yes.

20 Q And that was what has been identified previously
21 as RB/PB Exhibit No. 2?

22 A Yes.

23 Q And that was the durable power of attorney?

24 A Yes.

25 Q When did you receive that document, ma'am, do you

1 remember?

2 A February 29th.

3 Q Okay. And your conclusion is that O.C. Brasher --
4 I'm sorry?

5 A I just said February 29th -- there wasn't one.

6 JUDGE STEINBERG: Not this year.

7 BY MR. ROMNEY:

8 Q March 1st?

9 A I'm just so cold. Probably.

10 JUDGE STEINBERG: Do you want to get a coat or
11 something?

12 THE WITNESS: No, no. Actually, I don't have one.
13 It's my hands that are cold. That's okay.

14 JUDGE STEINBERG: I have gloves in my office.

15 THE WITNESS: That's okay.

16 BY MR. ROMNEY:

17 Q The first conclusion that you have written on the
18 top of your Judge's Exhibit No. 3 is that Oscar Colquitt
19 Brasher probably wrote his signature as it appears in the
20 durable power of attorney.

21 A That's correct.

22 Q And a high degree of probability? What's your
23 degree?

24 A It's probable.

25 Q Okay. And you state the qualified conclusions,

1 i.e., probably wrote it, is necessitated by the submission
2 of machine copies of the questioned exhibits. Xerox copies
3 are not as good as originals, right?

4 A That's correct.

5 Q That's just basic document examination.

6 A Yes.

7 Q Thank you. On the second page of your exhibit,
8 Judge's Exhibit No. 3, did you make that correction there,
9 where it says Exhibit Q-16? Is that --

10 A Yes.

11 Q What did it originally say?

12 A It said 8, but because we already had an 8, we
13 made it 16.

14 Q Okay. And that document you understand to be
15 handwriting on a radio license for Ruth Bearden issues
16 9/25/96?

17 A Correct.

18 Q And were you aware that Ronald Brasher has already
19 admitted that he signed that?

20 A No.

21 Q And then the next opinion there is that based on
22 the specimens, O.C. Brasher can be neither identified nor
23 eliminated as the writer of the initials appearing next to
24 the dates on Exhibits Q-14 and Q-15. Is that also that
25 power of attorney we're talking about?

1 A Yes.

2 Q RB/PB Exhibit No. 2?

3 A Yes.

4 Q Those were initials by signatures?

5 A Let me explain something. I didn't have any
6 initials to compare, his writing of his initials.

7 Q Did you have any other original or admittedly
8 genuine documents with Oscar Colquitt Brasher?

9 A Yes.

10 Q What did you have?

11 A Where is it --

12 MS. LANCASTER: May I help her?

13 MR. ROMNEY: Certainly. Please.

14 MS. LANCASTER: There were checks.

15 THE WITNESS: Right. I had two copies of checks.

16 MR. ROMNEY: Okay.

17 MS. LANCASTER: They're on the list. It says
18 original checks, I believe.

19 THE WITNESS: Copies of checks signed by O.C.
20 Brasher. They were photocopies.

21 BY MR. ROMNEY:

22 Q Okay. Exhibits Q-11 and Q-12. Would you explain
23 the next finding, ma'am? The examination of Exhibits Q-11
24 and Q-12

25 Would you explain your finding, the next finding,

1 ma'am? The examination of questioned Exhibits Q-11 and
2 Q-12.

3 A I was asked to compare the signature on K-8-38
4 with the signature on Q-11 to determine whether it was in
5 fact the same signature, that it had been cut and pasted or
6 somehow placed on that document. And I was asked to do the
7 same thing with Q-12 as reflected in K-7-17. And what
8 I said is that it did not reveal a basis to conclude that
9 the K signatures were placed, i.e., cut or pasted, on the
10 questioned exhibits.

11 Q Could you help us out and tell us, please, what
12 K-8-38 is?

13 JUDGE STEINBERG: It's on page 8 of Judge's
14 Exhibit 2.

15 THE WITNESS: The signature of Jennifer Hill on a
16 letter dated November 29, 1997.

17 JUDGE STEINBERG: Oh, I see. There's an 8-38-37.

18 THE WITNESS: No.

19 MR. PEDIGO: And 7-17 is missing, too.

20 MR. ROMNEY: I don't see an 8-38, Your Honor, on
21 page 8.

22 THE WITNESS: Ont he request that was sent to me
23 on February 27th, actually, I received it on February 28th,
24 along with Q-9 through 16, I received additional known
25 documents. That was K-10-2 and K-7-17 and K-8-38.

1 BY MR. ROMNEY:

2 Q Can you point to us, ma'am, somewhere where it
3 says what K-8-38 is, please?

4 A I don't know if we have anything that says that.

5 JUDGE STEINBERG: I think Ms. Bolsover is reading
6 from something we don't have.

7 Is that correct?

8 THE WITNESS: I guess --

9 JUDGE STEINBERG: Ms. Lancaster, why don't you go
10 up and check, please?

11 THE WITNESS: This request has listed these
12 things.

13 (Pause.)

14 JUDGE STEINBERG: Off the record, please.

15 (A brief recess was taken.)

16 JUDGE STEINBERG: Back on the record.

17 BY MR. ROMNEY:

18 Q Ms. Bolsover, would you turn to Exhibit 53 in the
19 book of exhibits up there, please?

20 A Okay.

21 Q Is Exhibit 53, ma'am, what you have identified in
22 your second opinion letter, Judge's Exhibit No. 3, as
23 document K-7-17?

24 A It appears to be, yes.

25 Q And would you turn to Exhibit 56, please?

1 A Is Exhibit 56 what you have identified in your
2 second report, Judge's Exhibit No. 3 as document K-8-38?

3 A Yes, it appears to be.

4 Q And then your conclusion, ma'am, on this paragraph
5 of your report, Judge's Exhibit No. 3, would you tell us
6 what that is now, then?

7 A I compared the signature on Q-11 with the
8 signature on K-8-38 and the signature on Q-12 with the
9 signature on K-7-17 and found that there was no basis to
10 conclude that those K signatures were used to cut and paste
11 onto the questioned documents, Q-11 and Q-12.

12 Q If I could ask you using your exhibit numbers so
13 that we have a record, please. Maybe you could help me on
14 this. Are you saying in your expert opinion that there is
15 no basis to conclude that the signature on Exhibit No. 56,
16 which is Jennifer Hill's, there is no evidence to conclude
17 that it was cut and pasted over onto Exhibit 19, page 208,
18 which is the June 22, 1996 FCC Form 600 application?

19 A That's correct.

20 Q And then likewise, is it your expert opinion that
21 there is no basis to conclude that the signature of Melissa
22 Sumpter found on Exhibit No. 53 was cut and pasted over onto
23 Exhibit 19, page 216, Melissa Sumpter's signature on the
24 6/22/96 application?

25 A That's correct.

1 Q The next finding that you have made, the dates
2 6/22/96 appearing on the lower right hand corner of Exhibits
3 Q-11 and Q-13, are machine copies of a single handwritten
4 entry. What does that mean?

5 A It means that the date, 6/22/96 was written on
6 something, either one of those documents, and then
7 photocopied or in some way placed onto the other. Or it may
8 have been written on a third document all together and
9 placed on both of those documents. I can't say. But it is
10 the same handwritten entry.

11 Q That is the Jennifer Hill June 22, 1996
12 application and the Norma Sumpter application, page 200?

13 A That's correct.

14 Q So it's your opinion that those are the same
15 machine generated copy?

16 A The date portion of that is the same. They can be
17 superimposed one on top of the other, they are a single
18 handwritten entry.

19 Q But those two entries are different than the date
20 on 2/16?

21 A Yes.

22 Q Exhibit 19?

23 A Yes.

24 Q And how is it that you make that determination,
25 that those two signatures are the same?

1 A I superimposed them.

2 JUDGE STEINBERG: You mean the dates.

3 MR. ROMNEY: The dates. I'm sorry. The dates.

4 THE WITNESS: I first compared them and then
5 I superimposed them.

6 BY MR. ROMNEY:

7 Q It is not possible in your opinion that one person
8 wrote both dates on different documents?

9 A No.

10 Q Were you asked, ma'am, to try to identify the
11 author of signatures on 6/18/96 applications?

12 JUDGE STEINBERG: Let's find out which knows they
13 were.

14 Can Ms. Lancaster help?

15 MS. LANCASTER: Yes. Sure. Those are the --
16 you're talking about Norma, Melissa and Jennifer's
17 signatures on the original applications?

18 MR. ROMNEY: Yes.

19 MS. LANCASTER: I believe her first report
20 addresses that.

21 BY MR. ROMNEY:

22 Q I'll refer you back to your first report, Exhibit
23 No. 75, and to the list of questioned documents, Exhibit
24 No. 76. Were you specifically asked to try to identify the
25 author of the 6/18/96 signatures on behalf of Jim Sumpter,

1 Norma Sumpter, Melissa Sumpter and Jennifer Hill which you
2 have identified in your Exhibit 76 as Q-4, 5, 6, and 7?

3 A Yes.

4 Q Were you able to do that?

5 A No.

6 Q Were you able to eliminate Ronald Brasher as the
7 author of those documents?

8 A No.

9 Q Were you able to eliminate Patricia Brasher as the
10 author of those documents?

11 A No.

12 Q Were you asked to try to do that?

13 A No. I was asked to see if I could identify anyone
14 as having written those signatures and I could not identify
15 or eliminate anybody.

16 JUDGE STEINBERG: On those documents, were you
17 able to make a determination -- by those documents, I'm
18 talking about Q-4, 5, 6, and 7. Were you able to determine
19 whether they were in fact genuine signatures of Jim Sumpter,
20 Norma Sumpter, Melissa Sumpter, and Jennifer Hill?

21 THE WITNESS: Yes, they were not.

22 JUDGE STEINBERG: Okay. So for each of those
23 documents, if the signature says Jim Sumpter, your
24 determination was that on Q-4, that Jim Sumpter, that was
25 not his genuine signature?

1 THE WITNESS: Correct.

2 JUDGE STEINBERG: On Q-5, you were able to
3 determine that the signature on that document was not the
4 genuine signature of Norma Sumpter.

5 THE WITNESS: Correct.

6 JUDGE STEINBERG: On Q-6, did you determine that
7 the signature appearing on Q-6 was not the genuine signature
8 of Melissa Sumpter?

9 THE WITNESS: Correct.

10 JUDGE STEINBERG: And Q-7, were you able to
11 determine that the signature appearing on Q-7 was not the
12 genuine signature of Jennifer Hill?

13 THE WITNESS: Correct.

14 BY MR. ROMNEY:

15 Q Ms. Bolsover, were you specifically asked to try
16 to eliminate individuals as the authors of those 6/18/96
17 signatures?

18 A No. Well, let me see -- do you want to read what
19 the request was? Compare the handwriting, basically, and
20 I compare and I either identify -- very rarely eliminate
21 someone, but I could not identify or eliminate anybody as
22 having written these, although they are not -- these do not
23 appear to be the genuine signatures of those people that we
24 just went through. They all appear -- 5, 6, and 7 all
25 appear to have been written by one person.

1 Q They do not appear to have been written by Ronald
2 Brasher, do they?

3 A Well, I can't eliminate him as having written
4 them.

5 Q But you can't include him.

6 A No, I can't include anybody.

7 Q Okay. So the same question and answer would be
8 for Patricia Brasher.

9 A Correct.

10 Q After you received the additional documents, these
11 original documents that were set forth in the January 29,
12 2001 letter which has been marked as Judge's Exhibit No. 2,
13 did you use all of those documents to go back in to make a
14 determination of elimination of signatures on 6/18/96
15 documents?

16 A Yes. I had them basically all at the same time
17 and I used those documents along with the original documents
18 that I had received to make my determination.

19 Q That didn't change anything in your first report?

20 A No. That was part of my first report.

21 MR. ROMNEY: Pass the witness, Your Honor.

22 CROSS-EXAMINATION

23 MR. PEDIGO:

24 Q Good morning, Ms. Bolsover. Myself and Ronnie
25 Wilson represent Diane and Dave Brasher. I just have a

1 couple of questions.

2 You've testified on 75 different occasions.

3 Is that correct?

4 A Yes.

5 Q And that's approximately 75. And that's been
6 sworn testimony? Is that correct?

7 A That's correct.

8 Q That doesn't include any depositions. Is that
9 right?

10 A That's correct.

11 Q Is that because the nature of your work is law
12 enforcement related?

13 A I work for a law enforcement agency, yes.

14 Q Right. And depositions and the discovery process
15 is not part of the law enforcement or criminal procedure.
16 Is that correct?

17 MS. LANCASTER: Objection, Your Honor. First of
18 all, I believe that's inaccurate and I'm not sure she's
19 qualified to know what all the discovery procedures are.
20 That's more or less a legal question. She's not a lawyer.

21 JUDGE STEINBERG: Sustained.

22 BY MR. PEDIGO:

23 Q So the nature of your testimony, just so you
24 understand where this is coming from, you answered a
25 question from the judge that with regard to the June 22,

1 1996 signatures, those were documents Q-11, 12 and 13, in
2 your professional opinion, they were not traced. Do you
3 recall that testimony?

4 A I said I can't tell whether they were traced.

5 Q You can't tell? All right. But part of your
6 training is if a document had been traced, there are signs
7 for that and you would have been able to find those.
8 Is that correct?

9 A Well, I was looking at very poor photocopies and
10 any evidence of that may be masked in the photocopying.
11 I don't know.

12 Q But as it stands right now, you didn't see any
13 evidence of that.

14 A No.

15 Q And if you had, you would have given a different
16 opinion, correct?

17 A Correct.

18 Q And so part of your duties as a law enforcement
19 forensic document examiner, it's also to help detect
20 forgeries. Is that correct?

21 A I'm not sure what you mean by that.

22 Q Well, when you look at a document that is a
23 questioned document, not only are you looking for traced
24 signatures, you might be looking for a forged signature.
25 Is that correct?

1 A A signature written by someone else? Yes.

2 Q And that's part of your training, to attempt to
3 identify forged signatures as well. Is that correct?

4 A I think you have a meaning of forged signature
5 that I'm not sure that I know.

6 Q Okay. Let me just ask it this way. We'll use me
7 in this hypothetical. I'm using the trace signature, if
8 I get, let's say your signature, the known signature, and
9 I put it under a document and trace over it. You understand
10 that as a traced signature?

11 A Yes. Correct.

12 Q And then a forged signature might be where I see
13 your signature and I practice writing it out and then
14 I author your signature on a document.

15 A Yes. Okay.

16 Q Do you understand the distinction there?

17 A Mm-hmm.

18 Q In your opinion, you look for both of those kinds
19 of authored signatures or problem signatures. Is that
20 right?

21 A Yes.

22 Q Okay. So not only did you not find evidence that
23 any signatures were traced, you also didn't find any
24 evidence where someone had attempted to forge any
25 signatures.

1 A Simulate is the word I would use.

2 Q Simulate. Okay.

3 A That's why I kept -- simulate, no. Not of those
4 signatures no.

5 Q And now we're using the term rouge nations again.
6 You might be able to use forgery again, too.

7 MS. LANCASTER: May I ask again which signatures
8 are you referring that you are asking about?

9 MR. PEDIGO: Yes. Q-11, Q-12 and Q-13.

10 MS. LANCASTER: Okay.

11 JUDGE STEINBERG: Which are Exhibit 19, pages
12 200 --

13 MR. PEDIGO: 208 and 216, not necessarily in that
14 order.

15 BY MR. PEDIGO:

16 Q And so with your job of trying to detect
17 forgeries, do you come into contact with forged signatures
18 that have --

19 JUDGE STEINBERG: Simulated signatures.

20 BY MR. PEDIGO:

21 Q Simulated signatures that are the work of
22 professional simulators?

23 A Fortunately, I have not run into too many of them.

24 Q You haven't run into too many?

25 A I have seen papers on signatures that have been

1 done by professional simulators. Yes.

2 MR. ROMNEY: Is that a real term, simulators?

3 THE WITNESS: That's what they're doing.

4 BY MR. PEDIGO:

5 Q But nonetheless, in all seriousness, part of your
6 training is to even detect the work of professionals.

7 Is that correct?

8 A Yes. We hope that we can detect that it is not
9 the genuine signature of the person that it is purporting to
10 be.

11 Q Okay. And that same training was part of the
12 analysis that you used here to form your professional
13 opinion that with respect to Q-11, 12 and 13, these are not
14 simulated signatures.

15 A Correct.

16 Q On your March 5th report, which I believe is
17 Judge's Exhibit 3, could you look at that, please?

18 A Okay.

19 Q It's dated March 5th. Could you tell me the
20 practice at your office for signing these documents?
21 Particularly, page 2 has your stamped signature. Is that
22 correct?

23 A Yes. I sign an original document and then I stamp
24 three others. One I keep in my case jacket, one is kept in
25 a file and two are sent to whomever requested them.

1 Q Okay. And is your original signature and the
2 three stamped signatures, are all of those signatures placed
3 on copies of the document at the date that's indicated on
4 the front page?

5 A It may not be that date, depending on what I'm
6 doing. It may come back to me and it may not be until the
7 next day or whenever, depending -- if it was typed late in
8 the day, I might not get it until the next day or later.

9 Q Okay. Well, in this particular case, March 5th,
10 accept my representation that was last Monday. When did
11 this document get prepared?

12 A I was not in the office on Monday, so probably not
13 until Tuesday or Wednesday.

14 Q Okay. And you did understand that there was a
15 hearing going on that this pertained to. Is that correct?

16 A That's correct.

17 Q Okay. In fact, if you look at the second problem
18 there, what did you understand the source of that problem to
19 be?

20 A You mean why was it asked?

21 Q Yes.

22 A In that letter request, it said that there was
23 some allegation concerning it.

24 Q Okay. And when you say "that letter" you mean a
25 letter from Ms. Lancaster that was dated --