

1 the hospital. They have to put him on the big oxygen
2 tent, and, you know, give him some medication for
3 approximately two, three hours, and then he's usually
4 fine.

5 Q Have you been --

6 A But then sometimes it -- it's a touchy
7 situation at times with him.

8 Q Have you been required to take him to the
9 hospital at any time in the last 12 months?

10 A Not to the hospital, to the doctor. I
11 think just once in the past 12 months, so he has
12 improved a lot. It appears that as he gets older he
13 is outgrowing it, but I'm just praying that that's the
14 case, because he's 14 years of age, he'll be 15 next
15 month, and it has been a rough 15 years with him.

16 Q Now, do you intend at any time in the
17 foreseeable future to reside in a location other than
18 your parents' house?

19 A Yes.

20 Q And what your plans there?

21 A Well, hopefully, if everything goes well
22 with the station, I hope to eventually come back to
23 the States, come back to the Maryland/D.C. area, for
24 the sake of my son's health, because he has been at
25 Children's Hospital many times and -- here in

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1 Washington, and I would feel comfortable with him
2 here.

3 Now, if we -- one way or the other, I have
4 no problem going back and forth if I have to. I have
5 no problem leaving someone competent once everything
6 is taken care of with the station. If that is the
7 case, leaving someone competent to handle things until
8 I can get back. That has never been a problem.

9 Q Well, in your current absence from the
10 stations, who is in charge now?

11 A Alva Clarke.

12 Q And now how many times have you had to
13 travel off the Virgin Islands in the last 12 months?

14 A In the past 12 months, just once.

15 Q From about when to about when?

16 A The only time was -- well, it's more than
17 12 months -- last January when I came up for the
18 deposition. That was the last time I left.

19 Q Who was in charge of the radio stations at
20 that point?

21 A Alva Clarke.

22 Q Do you receive any monetary compensation
23 for work performed on behalf of Family Broadcasting,
24 Inc.?

25 A No, I do not. My service is volunteer.

1 Q Was there ever a time that you received
2 monetary compensation for work performed on behalf of
3 Family Broadcasting, -Inc.?

4 A In the beginning when I first went home.

5 Q In other words, that 1990 to 1992 period?

6 A Yes.

7 Q But not since.

8 A No.

9 Q What are the current sources of your
10 income right now?

11 A My husband.

12 Q Who pays for your daily expenses in the
13 Virgin Islands?

14 A Daily expenses as far as food and --

15 Q Food, gasoline, cell phone, computer,
16 whatever it is that --

17 A Well, I have an ancient computer that is
18 paid for. But as far as everything else, my husband
19 usually covers that. And there are times when my
20 mother -- I don't know if -- it's difficult to
21 describe the way parents are in the islands. They are
22 totally different than parents up here.

23 In the islands, the parents are the type
24 if they can help you and they're in a position to help
25 you, they help you. No questions asked. And I

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1 usually don't ask for assistance, but my mother has
2 taken on the task of taking care of my son.

3 And I don't have a -- it bothers me at
4 times, because that's not what I'm accustomed to.
5 When I was up here, I'm on my own, I work, I did
6 everything myself. But it's totally different at
7 home. I'm not asking for the assistance, but I get
8 the -- they give it to you, and they take offense if
9 you refuse it. It's tantamount to an insult.

10 Q Well, for example, with respect to your
11 food -- not that you personally eat a lot, but, you
12 know, you do have --

13 A Well, what --

14 Q -- food needs, your children have food
15 needs --

16 A My mother cooks for everyone. She -- I
17 have not cooked in 14 years, since I moved back to the
18 islands. My mother is at home, she is retired, so she
19 takes care of cooking. And it's not just for me and
20 my kids. My brothers and their kids, you know, they
21 would stop by. My mother always has food. She makes
22 everyone sit down. You eat and then you can go home.

23 Q My mother-in-law was like that.

24 A Yes, and it's difficult. And then
25 eventually the children prefer to taste grandma's food

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1 than to eat yours. But my children are old enough
2 now, you know, they -- they have their little summer
3 jobs. They save their money, and then they buy
4 whatever they want to eat.

5 JUDGE SIPPEL: How many children do you
6 have?

7 THE WITNESS: I have three children.

8 JUDGE SIPPEL: Three children. And
9 what's --

10 THE WITNESS: 23, 17, and 14.

11 JUDGE SIPPEL: And the one that is sick
12 is?

13 THE WITNESS: 14. That's my baby.

14 JUDGE SIPPEL: And the condition is
15 asthma, did you say?

16 THE WITNESS: Severe asthmatic, and he
17 also has hypertension. He has been on medication for
18 hypertension from 10 years of age.

19 BY MR. SHOOK:

20 Q So he's on prescription medication?

21 A Yes, he is.

22 Q Who pays for those?

23 A Both of us.

24 Q Both -- both --

25 A That my parents --

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1 Q "Both" meaning whom?

2 A Oh, my parents get that.

3 Q So your parents --

4 A They cover that cost.

5 Q Your parents and yourself?

6 A Well, I had a discussion with my parents,
7 and they told me, well, since I am sacrificing -- and
8 those are my mother's words -- sacrificing for the
9 sake of the station, she felt that that was the least
10 they could do to help me.

11 Besides, I was originally supposed to stay
12 in the house next door. But since they had so much
13 room in that one, and my son is always sick, and more
14 than likely I would have to be running up the hill to
15 them for help with him, they suggested that I just
16 stay there, since there's enough room there. So
17 that's how I ended up in their home.

18 Q Now, does anybody occupy 82 Anna's Hope?

19 A That was rented out to the government, but
20 it's currently empty. And there is someone who is
21 supposed to rent it within the next month or two.

22 Q Now, who paid for your travel expenses to
23 attend this hearing?

24 A My brother did.

25 JUDGE SIPPEL: Which brother?

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1 THE WITNESS: Oh, I'm sorry. Gerard, II,
2 the one in St. Croix.

3 JUDGE SIPPEL: Pardon?

4 THE WITNESS: Gerard, II. Gerard James,
5 II.

6 JUDGE SIPPEL: Oh.

7 THE WITNESS: I'm sorry.

8 BY MR. SHOOK:

9 Q Does anybody in your immediate family --
10 and that would be your parents, your siblings, or your
11 children, yourself -- receive any monetary
12 compensation for work performed on behalf of Family
13 Broadcasting?

14 A No, sir.

15 Q Now, in the last 24 months -- so in the
16 last two years -- in a typical week, how many hours
17 are you physically at the radio stations?

18 A Up until November, I am accustomed to be
19 at the station anywhere from -- it varies. It can
20 vary from eight hours a day, sometimes I've been there
21 as late as 1:00 in the morning. When everyone else is
22 gone -- and many times when I leave and then I come
23 back, they don't know that I'm in the office in the
24 back.

25 And that is my way of checking up on them

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1 also, because I've had too many things going out the
2 door. We do have two entrances to the front of the
3 building, and the announcers go in the other door.
4 The office door is the lower door. And many times
5 when I come back -- a prime example, you know, there
6 is a sign up absolutely no eating at the board, or,
7 you know, in the control room. I've walked in and
8 there's a big meal spread there, and people are
9 eating. Not just the announcer, other friends are in
10 there.

11 So I've had to deal with things like that.
12 So that's why many times they don't know that I'm
13 there, but I do come back and forth and go in the
14 back, and then eventually make an appearance.

15 Q Now, typically, when you're at the radio
16 stations, who else is there with you, if anybody?

17 A In the past, approximately the past year,
18 year and a half, I have a cousin -- Vernon James -- he
19 is out on disability, and he isn't working, so he
20 usually goes with me to keep me company, especially if
21 I'm going to be there late at night.

22 But as I started to say, since November I
23 have been to the station. I was sick in November, so
24 between November and the end of last month I have not
25 been to the station as often. I've been working more

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1 from home, because of my illness. But I went back to
2 the station the beginning of March.

3 Q And what-illness did you have?

4 A Well, I have severe migraine headaches,
5 and I was literally off of my feet for three weeks in
6 the month of November. And they've given me every
7 medication possible; nothing works. And that's
8 another problem my son has also. Well, all three of
9 my children suffer with migraine headaches.

10 But for some reason -- I don't know if it
11 is the stress, the tension, or, you know, trying to
12 deal with so many things and trying to get things
13 going. Eventually, it just knocked me off of my feet.
14 So I was gradually, you know, taking my time, coming
15 back, and I started working from home for most of
16 January and February, and then -- I would go to the
17 station, but I wouldn't stay as long as I was
18 accustomed to.

19 And then I would go -- at least I would go
20 up there maybe twice, three times a day, you know,
21 just for maybe an hour, two hours. And then if
22 anything -- they know to call me at home, or they've
23 had people who call up there for me call me at home.
24 I don't have a problem with that.

25 Q Now, other than the period where you were

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1 affected with the migraine headaches, this period from
2 November until relatively recently, since your return
3 as general manager of the stations in July of 1998,
4 have the number of hours that you are physically at
5 the radio stations in a typical week changed?

6 A Since I went back in July?

7 Q Of 1998.

8 A '98. Up until I -- no, they have not
9 changed. As a matter of fact, my second daughter who
10 was in St. Croix, well, she just graduated from high
11 school last June. She accused me of not spending time
12 with her and her brother, because I'm always at the
13 station. So that was a problem I had to deal with.

14 Q Does your father still maintain a law
15 practice?

16 A Yes, he does.

17 Q Do you provide any assistance to your
18 father in regards to that law practice?

19 A I used to. At times if he has a lot of
20 work and he needs some research done, I'll give him a
21 hand with that. But that's the extent of it. But he
22 hasn't -- not in the past -- not in the past year,
23 that I can recall.

24 Q Has the nature of his practice changed in
25 the last year?

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1 A No. I think he's attempting to retire, so
2 he is taking fewer and fewer cases, and he is trying
3 to wrap up those that he currently has.

4 JUDGE SIPPEL: And what's his age?

5 THE WITNESS: My father is -- what year
6 are we in? 2004. Oh, my goodness, my father is 20 --
7 20? I'm sorry -- 70 -- 78 years of age. He'll be 79
8 this year, December 8th.

9 BY MR. SHOOK:

10 Q So you would say that at this point it has
11 been close to a year since you provided any assistance
12 to him with respect to his law practice?

13 A Yes, sir.

14 Q Now, have you ever prepared a budget for
15 Family Broadcasting, Inc.?

16 A I have.

17 Q And what is the period of the most recent
18 budget that you have prepared?

19 A The most recent one that I have been
20 working on, that I have not completed, was when I got
21 sick in November I was working on the budget for this
22 year. And since I went --

23 Q Had you prepared a budget before then?

24 A I usually prepare a budget. I set out
25 what our expenses are, try to approximate what it

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1 would -- what electrical expenses will be for the
2 year, payroll expenses, and different things like
3 that, set it out so that I can see approximately how
4 much we will have to make. And I try to figure that
5 out on a monthly basis.

6 Although we have come -- we have fallen
7 short of that -- that projection, because the payroll
8 alone takes a -- for the most part, that takes up most
9 of what comes in. And then whatever is left I try to
10 show good faith by giving everyone a little piece, as
11 opposed to not giving them anything.

12 Q When you say that, are you referring to a
13 little bonus of some kind or --

14 A Oh, no. I'm not -- no. No, sir.

15 Q I just didn't understand what you --

16 A No, I'm talking about our expenses,
17 accounts payable.

18 Q All right.

19 A I try to at least show good faith by
20 paying a little something to everyone that we owe.
21 And then as funds are generated, and there are a few
22 dollars extra, I can give them a little more, as
23 opposed to not giving them anything. I try to show
24 them that at least I'm trying, and hopefully, you
25 know, I'll be able to end up with a zero balance for

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1 them one day.

2 Q Okay. I mean, I just -- you were
3 referring to Family's creditors.

4 A Yes. Yes, sir.

5 Q Okay. And you had indicated that you're
6 in the process of preparing a budget for what period
7 of time? What period are you --

8 A It will cover the year, this year.

9 Q Oh, for 2004?

10 A Yes. I have -- I have an estimate. But
11 as far as actually sitting down and putting the final
12 thing together, that's -- I was in the process of
13 doing that. I have an idea what I want -- what I
14 would love to make this year, which I have set a
15 figure. Based on what -- expenses and everything, I
16 have set a figure of \$100,000, which the way
17 conditions are going in St. Croix I'll be lucky if I
18 get -- I may be able to make \$100,000, but it's not --
19 that's pushing it.

20 JUDGE SIPPEL: Well, is that -- I mean, is
21 that gross income --

22 THE WITNESS: Gross.

23 JUDGE SIPPEL: -- from advertisements?

24 THE WITNESS: Gross income. Yes, sir.

25 JUDGE SIPPEL: That's what your target is.

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1 THE WITNESS: Yes, sir.

2 JUDGE SIPPEL: How far along are you in
3 that?

4 THE WITNESS: Maybe -- I think we've made
5 approximately, I would say, \$20-, \$25,000, maybe just
6 a little more. But most of that has already been paid
7 out.

8 JUDGE SIPPEL: Since the first of January?

9 THE WITNESS: Since January.

10 JUDGE SIPPEL: How does that compare with
11 last year at this time?

12 THE WITNESS: It's a lot better than last
13 year. Things seem to be improving on St. Croix. And
14 when the economy improves, then it looks good for me.
15 But when things start going down --

16 BY MR. SHOOK:

17 Q Did you go through a similar process in --
18 for 2003 that you had prepared a 12-month budget
19 for --

20 A Yes. Well, I said -- I said what I
21 considered a target. It was a little budget, but a
22 target figure that we had to make in order to make
23 ends meet. But since I have been back up there, we
24 have fallen below every time because of economic
25 conditions. And that's why my parents have stepped in

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1 and put their funds to help.

2 Q Would you be able to tell us what the
3 current assets and liabilities of Family Broadcasting
4 are at this point? Again, not -- not necessarily, you
5 know, specific dollar-for-dollar figure, but just to
6 give us some idea of what the Family Broadcasting,
7 Inc. financial situation is.

8 A Well, I just paid out most of what we had,
9 so we're almost -- we're down to approximately maybe
10 \$500, \$1,000 that's left after I paid out everything.

11 Q Now, in terms of the physical assets that
12 the station actually has, if you can give us a brief
13 description of what the station has -- or stations
14 have.

15 A Okay. They have -- we have an AM
16 transmitter, there's a -- the AM transmitter, we have
17 an FM exciter, we have an FM -- a little FM
18 transmitter. We have -- I don't have a list with me,
19 but I did make a list of all the equipment that we do
20 have in there.

21 We have an AM board. We also have an FM
22 board. The FM board is not connected. We have the
23 transmitters, the receivers. We have the emergency
24 alert system, which is a two-section unit. We have a
25 satellite dish that we receive the BBC -- BBC News.

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1 We have another dish that we receive the USA Network
2 News. We also have receivers for both satellite
3 dishes.

4 We have two computers at the station.
5 However, since we are located close to the sea, the
6 sea blast has affected the computer, so now I'm down
7 to one. And I have had to change computers up there.
8 Since I got back to the station, I've had to change
9 computers approximately three times. But I've been
10 told that even if you cover the computers the sea
11 blast still gets -- it affects the internal operation,
12 and so I have to keep changing it, which is an
13 expense.

14 I've been able to trade out the last two
15 that I have, but now -- those are for the office. I
16 have two computers, one for the production room, one
17 for the control room -- one for producing the spots,
18 one for playback on air.

19 I also have in the production room --
20 well, let me back up. In the control room, I also
21 have two speakers that are fixed to the walls. I have
22 -- besides the main microphone I have four guest
23 microphones. I have a shure mixer that runs the four
24 microphones for the guests. I have a cassette deck
25 recorder, dual cassette deck recorder, for our talk

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