

NO. 2922

1

2 IN THE INTEREST OF) IN THE DISTRICT COURT

3)

4 TERESA JEFFS,) SCHLEICHER COUNTY, TEXAS

5)

6 A CHILD) 51ST JUDICIAL DISTRICT

7 -----

8 ORAL AND VIDEOTAPED DEPOSITION OF

9 FREDERICK MERRIL JESSOP

10 JANUARY 23RD, 2009

11 -----

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16 ORAL AND VIDEOTAPED DEPOSITION OF FREDERICK MERRIL

17 JESSOP, produced as a witness at the instance of the

18 Attorney Ad Litem for Teresa Jeffs, and duly sworn, was

19 taken in the above-styled and numbered cause on JANUARY

20 23RD, 2009, from 9:33 a.m. to 4:12 p.m., before Jeffrey

21 M. Steele, CSR in and for the State of Texas, reported

22 by machine shorthand, at the Schleicher County

23 Courthouse, Courthouse Square, City of Eldorado, County

24 of Schleicher, State of Texas, pursuant to the Texas

25 Rules of Civil Procedure.

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18 ALSO PRESENT:
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 MS. ANNETTE JEFFS
 20 MS. CONNIE GALLWAIN, CASA/GAL
 MS. DEBRA BROWN, CASA
 21 MS. MELODYE McCARTY, CPS
 MR. JAMES DEEL, Videographer

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P R O C E E D I N G S

1
2 MS. MALONIS: Natalie Malonis, Attorney Ad
3 Litem for Teresa Jeffs.

4 MR. DAVIS: Jonathan Davis, Attorney for
5 Joseph Jeffs.

6 MR. ARCHER: Brandon Archer, Attorney for
7 Joseph Jeffs.

8 MS. MONTFORD: Mindy Montford, Attorney for
9 Annette Jeffs.

10 MS. HENNINGTON: Amy Hennington, Attorney
11 for Merril Jessop.

12 MS. SURRATT: Michele Surratt, Attorney for
13 the Department.

14 MR. WOODRUFF: Trevor Woodruff, Attorney
15 for the Department.

16 MS. MALONIS: Let's make -- we've got other
17 introductions.

18 MS. BASKERVILLE: Angela Baskerville,
19 co-counsel with Natalie Malonis.

20 MS. MALONIS: And let's just include on the
21 record that we've got Connie Gallwain and Debra Brown
22 from Children's Advocacy Center, Tom Green County,
23 present in the deposition as well.

24 [Exhibit 1 marked and attached.]
25

1 FREDERICK MERRIL JESSOP,

2 Having been first duly sworn, testified as follows:

3 EXAMINATION

4 BY MS. MALONIS

5 Q. Okay. Good morning.

6 A. Good morning.

7 Q. Would you go ahead and state your name for
8 the -- on the record.

9 A. Frederick Merrill Jessop.

10 Q. Okay. I'm going to hand you what I've marked
11 as Exhibit 1. Are you here today under subpoena and a
12 notice of deposition?

13 A. Yes, as I understand it.

14 Q. Have you seen that document or a copy of that
15 document that I handed you or were the contents of it
16 communicated by your counsel?

17 A. I haven't seen this, I don't think.

18 MS. HENNINGTON: This is what was handed to
19 you in court.

20 A. Oh, yes.

21 Q. (BY MS. MALONIS) Okay. And that's how you
22 knew that you were supposed to be here?

23 A. Uh-huh, that's correct.

24 Q. All right. How would you prefer that I address
25 you?

1 A. Merrill is fine.

2 Q. Merrill, okay. Do you go by Merrill?

3 A. Uh-huh.

4 Q. Okay. And what is your address, Merrill?

5 A. 22 East 100 South, YFZ Ranch, Alvarado, Texas.

6 Q. Okay. And how long have you lived there?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is going to invoke his right to assert the
9 privilege against self-incrimination pursuant to the
10 Fifth Amendment of the United States Constitution and
11 applicable to the states by the 14th Amendment,
12 U.S. Constitution as guaranteed by the Texas
13 Constitution, Article 1, Section 10.

14 MS. MALONIS: Okay. And in the future if
15 you want to assert the same privilege I don't mind if
16 you just say, he's standing on the Fifth or something
17 shorter than that, and --

18 MS. HENNINGTON: If all other parties agree
19 that would be fine.

20 MS. MALONIS: Okay.

21 MR. DAVIS: Sure.

22 MR. WOODRUFF: No objection from the
23 Department.

24 MS. MALONIS: Okay. And so he's not -- he
25 will not identify how long he's lived at this residence

1 on the Fifth Amendment grounds?

2 MS. HENNINGTON: That is correct.

3 MS. MALONIS: Okay. At this point I think
4 we need to call the Court and get a ruling on this, so
5 let's go off the record.

6 (Break taken from 9:36 a.m. to 10:06 a.m.)

7 Q. (BY MS. MALONIS) Okay. This address that you
8 gave, 22 East 100 South, how long has that been the
9 designation for that particular residence?

10 MS. HENNINGTON: Again, upon advice of his
11 counsel my client is invoking his rights to the Fifth
12 Amendment, U.S. Constitution.

13 Q. (BY MS. MALONIS) Okay. What is the street
14 that that residence is on?

15 A. 100 East.

16 Q. Okay. 100 East is the street name?

17 A. Uh-huh.

18 Q. And 22 is the -- is the building number or
19 designation of --

20 A. Correct.

21 Q. Okay. And is this -- is this what has been
22 referred to as -- well, you said, the YFZ Ranch, what's
23 the -- do you know the Zip Code there?

24 A. Let me look.

25 Q. If you don't that's okay.

1 A. I've got it here. 76936.

2 Q. Okay. And is this address that you gave me, is
3 that a particular residence on the YFZ Ranch that was --
4 that was subject of a law enforcement investigation
5 since April of this year?

6 A. As I understand it.

7 MS. MALONIS: Can you not tell the
8 witness -- I mean answer for the witness, okay?

9 MS. HENNINGTON: Okay.

10 Q. (BY MS. MALONIS) All right. So that -- okay.
11 Were you -- did you live at this residence at that time,
12 when law enforcement entered the property in April?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert the privilege
15 against self-incrimination.

16 Q. (BY MS. MALONIS) Okay. Did you live at the
17 location known as the YFZ Ranch in April of 2007, or
18 2008? I'm sorry.

19 MS. HENNINGTON: Upon the advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination.

22 Q. (BY MS. MALONIS) Okay. Can you tell me all of
23 the -- all of your residences where you've lived in over
24 the last four years.

25 MS. HENNINGTON: Upon the advice of counsel

1 my client is invoking the right to assert the privilege
2 against self-incrimination pursuant to the Fifth
3 Amendment.

4 Q. (BY MS. MALONIS) In the last four years have
5 you lived in any state other than Texas?

6 MS. HENNINGTON: Upon the advice of
7 client -- of counsel my client is invoking his right to
8 assert the privilege against self-incrimination pursuant
9 to the Fifth Amendment.

10 MS. MALONIS: Okay. And on these, I mean
11 can I take it that you are instructing your witness not
12 to answer?

13 MS. HENNINGTON: I am asserting on his
14 behalf his privilege to not answer based on the right to
15 self-incrimination.

16 Q. (BY MS. MALONIS) Okay. And are you following
17 the advice of your counsel and choosing not to answer
18 based on your Fifth Amendment right against
19 incrimination?

20 A. Yes.

21 Q. Okay. And I didn't go through this at the
22 beginning, but if you don't understand a question if you
23 will just go ahead and tell me that you don't understand
24 it. If you do answer I'm going to assume that you have
25 understood. And when you answer, instead of saying

1 uh-huh or -- you know, you need to say yes or no so that
2 the Court Reporter can get that down.

3 Have you at any time lived in Utah, in the
4 State of Utah?

5 MS. HENNINGTON: Upon the advice of counsel
6 my client is invoking his right to assert the privilege
7 against self-incrimination pursuant to the Fifth
8 Amendment.

9 Q. (BY MS. MALONIS) Okay. Are you the same
10 Frederick Merril Jessop who is the bishop of the group
11 called -- known as the FLDS?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his right to assert the privilege
14 against self-incrimination pursuant to the Fifth
15 Amendment.

16 Q. (BY MS. MALONIS) Okay. And on all these
17 questions when your counsel has invoked this privilege
18 are you following in the advice of your counsel and
19 choosing not to answer?

20 A. Yes.

21 Q. Okay. Please list all adults who you have
22 lived with in the last four years?

23 MS. HENNINGTON: Upon the advice of counsel
24 my client is invoking his right to assert the privilege
25 against self-incrimination pursuant to the Fifth

1 Amendment.

2 Q. (BY MS. MALONIS) Are you following the advice
3 of your counsel?

4 A. Yes.

5 Q. Okay. How many children do you have?

6 MS. HENNINGTON: Upon the advice of counsel
7 my client is invoking his right to assert the privilege
8 against self-incrimination pursuant to the Fifth
9 Amendment.

10 Q. (BY MS. MALONIS) Are you following advice of
11 your counsel?

12 A. Yes.

13 Q. Do you have children?

14 (Attorney-client conference.)

15 A. Yes.

16 MS. MALONIS: Okay. Can we not confer with
17 the witness in the -- I mean if we need to go off the
18 record, but in the middle of a question when a question
19 is pending it's not proper to confer with the witness.

20 MS. HENNINGTON: He's entitled to have a
21 quick conference with his attorney. If you want me to
22 ask for a recess every single time I will.

23 MS. MALONIS: Not when a question is
24 pending, no. And no, he's not entitled to confer with
25 counsel when a question is pending.

1 MS. HENNINGTON: I think under the Rules
2 he's entitled to a quick conference.

3 MS. MALONIS: Okay. I'm pretty sure he's
4 not. I mean it's not like the Grand Jury. I mean if
5 you want to, each question I'll pause for you to, you
6 know, instruct him not to answer if you want. If your
7 counsel doesn't say anything then --

8 MS. HENNINGTON: Okay.

9 MS. MALONIS: I mean however you want to do
10 it, but -- okay. Can you read back the last question
11 and answer please.

12 (Requested portion was read.)

13 Q. (BY MS. MALONIS) Okay. And did you answer?

14 THE REPORTER: Yes.

15 Q. (BY MS. MALONIS) You answered yes?

16 A. Yes.

17 Q. Okay. Do you have any children under the age
18 of 18?

19 MS. HENNINGTON: Upon the advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination pursuant to the Fifth
22 Amendment.

23 Q. (BY MS. MALONIS) Are you going to answer the
24 question?

25 A. No.

1 Q. Do you have any daughters?

2 MS. HENNINGTON: Upon the advice of counsel
3 my client is invoking his right to assert the privilege
4 against self-incrimination pursuant to the Fifth
5 Amendment to the United States.

6 MR. DAVIS: Can we go back to the idea of
7 just saying, I plead the Fifth, or he pleads the Fifth?
8 Just make it go faster.

9 MS. MALONIS: Okay.

10 MR. DAVIS: We all understand what that
11 means.

12 MS. MALONIS: And can we have him invoke
13 the privilege or an instruction not to answer because --

14 MS. HENNINGTON: I think I can answer; to
15 preserve his right to a privilege I can answer that for
16 him, so I will say, you know, my client is, you know,
17 whatever you want to agree so that we're all
18 understanding he's invoking his right to his -- for a
19 privilege.

20 MS. MALONIS: Okay.

21 MR. DAVIS: I mean just, like, plead the
22 Fifth and then whoever's going to plead it obviously, I
23 plead the Fifth, okay? And let's not go through the
24 whole reading of the constitution.

25 Q. (BY MS. MALONIS) Okay. And I'm going to

1 assume when she says that I'm going to assume that you
2 are not going to answer, is that okay, so that I don't
3 ask it every time?

4 A. Correct.

5 MS. MALONIS: Is that okay with you?

6 MS. HENNINGTON: That's fine with me.

7 Q. (BY MS. MALONIS) Okay. How are you employed?

8 MS. HENNINGTON: My client is pleading the
9 Fifth Amendment.

10 Q. (BY MS. MALONIS) Are you employed?

11 MS. HENNINGTON: My client is pleading the
12 Fifth Amendment.

13 Q. (BY MS. MALONIS) Do you have a source of
14 income?

15 MS. HENNINGTON: My client is pleading the
16 Fifth Amendment.

17 Q. (BY MS. MALONIS) Okay. Do you own any assets?

18 MS. HENNINGTON: My client is pleading the
19 Fifth Amendment.

20 Q. (BY MS. MALONIS) Okay. Do you have any
21 personal debt?

22 MS. HENNINGTON: My client is pleading the
23 Fifth Amendment.

24 Q. (BY MS. MALONIS) Are you a member of the FLDS
25 religious association?

1 MS. HENNINGTON: My client is pleading the
2 Fifth Amendment.

3 Q. (BY MS. MALONIS) Do have a religious
4 association?

5 MS. HENNINGTON: My client is pleading the
6 Fifth Amendment.

7 Q. (BY MS. MALONIS) Do you worship a higher
8 power?

9 MS. HENNINGTON: My client is pleading the
10 Fifth Amendment.

11 Q. (BY MS. MALONIS) Are you familiar with a
12 person by the name of Warren Jeffs?

13 MS. HENNINGTON: My client is pleading the
14 Fifth Amendment.

15 Q. (BY MS. MALONIS) Are you familiar with the
16 organization of the FLDS association?

17 MS. HENNINGTON: My client is pleading the
18 Fifth Amendment.

19 MS. MALONIS: Okay. Let's take a break and
20 go off the record. I think we've got enough questions
21 for the Judge.

22 (Break taken from 10:15 a.m. to 10:21 a.m.)

23 MS. MALONIS: Okay. Your Honor, we're
24 taking the video and oral deposition of Frederick Merril
25 Jessop in Schleicher County, and at this point several

1 questions -- I've asked several questions of the witness
2 and his counsel on his behalf has asserted a 5th
3 Amendment protection against incrimination and I'm
4 asking the Court to compel him to answer the questions.
5 And at this point I'm going to have the Court Reporter
6 read back question by question for rulings.

7 THE COURT (By Telephone): Okay.

8 MS. MALONIS: Okay.

9 THE REPORTER: Okay. The first question
10 is: And how long have you lived there.

11 MS. MALONIS: He had given his address and
12 I asked how long he had lived at that address.

13 THE COURT: Ms. Hennington?

14 MS. HENNINGTON: Yes, Your Honor.

15 THE COURT: Tell me why that's a 5th
16 Amendment privilege please.

17 MS. HENNINGTON: Yes, Your Honor. First
18 off, can you hear me okay?

19 THE COURT: Yes, ma'am.

20 MS. HENNINGTON: Okay. Thank you, Your
21 Honor. Your Honor, my client is invoking his
22 amendment -- 5th amendment right to self-incrimination
23 because my client, one, is under indictment for an
24 offense which one of the elements of the offense is
25 where anything -- where the offense occurred; secondly,

1 the state -- Attorney General's Office for the State of
2 Texas has indicated there is still ongoing
3 investigations involving -- potentially involving my
4 client; third, there is a federal investigation ongoing
5 that is we -- under the Mann Act, as well as RICO, where
6 people may be at is an issue, and therefore I think any
7 answer to that question would reasonably put my client
8 of concern of self-incrimination.

9 THE COURT: Why isn't that right,
10 Mrs. Malonis?

11 MS. MALONIS: Because where you live
12 doesn't mean that you committed any particular act at
13 that location, and as you'll -- as you'll see as we go
14 on to more questions it becomes even more remote than
15 that. The witness will not answer which states he's
16 lived in in the last four years. You know, and I
17 understand there's a venue and jurisdiction, I wouldn't
18 say that's -- okay.

19 I'm sorry, Judge, the Videographer needed
20 something.

21 You know, that's not -- where he -- where
22 he lives is not an element of any crime, where an
23 offense takes place, you know, is something that has to
24 be proved as a threshold, but not where he lives.

25 THE COURT: All right. I'll tell you what,

1 why don't we go through and let's -- I'd like to hear
2 several of your questions and then I may make a global
3 ruling, all right?

4 MS. MALONIS: Yes, ma'am.

5 THE COURT: Number two?

6 THE REPORTER: This address that you gave,
7 22 East 100 South, how long has that been the
8 designation for that particular residence. Can you hear
9 me?

10 THE COURT: Uh-huh.

11 THE REPORTER: Okay.

12 MS. MALONIS: Okay. Keep going, I guess
13 until the Judge --

14 THE COURT: Ms. Hennington, how is the
15 designation of an address a 5th Amendment privilege?

16 MS. HENNINGTON: Your Honor, my client
17 stated where he is living at this time, but based on the
18 investigations that are ongoing involving RICO,
19 investigations involving under the Mann Act, I think
20 any -- it's reasonable for him to be concerned about
21 admitting to any place where he may be residing.

22 THE COURT: Oh, I didn't hear that as being
23 an admission of where you -- where he was residing, it
24 was a question of how long has this been -- this
25 residence has been designated under this address, right?

1 MS. MALONIS: Correct.

2 MS. HENNINGTON: That's correct, Your
3 Honor. But with the ongoing investigations any
4 admission as to how long he had been at that one
5 location --

6 THE COURT: Wait. Wait, wait, wait, was
7 that the question? I thought the question is wherever
8 you are right now is how -- how long has it been called
9 this -- this name or this address.

10 MS. HENNINGTON: I'm sorry, Your --

11 MS. MALONIS: Correct.

12 MS. HENNINGTON: I'm sorry, Your Honor.
13 This is Amy again. You are correct, she's asking how
14 long has he designated that residence. Your Honor, the
15 search warrant put out by the federal judge asked for
16 documents and are investigative documents that address
17 any business or any activities of Mr. Jessop, and I
18 think admitting to where he's been designating as any
19 kind of residence could put him in reasonable fear of
20 incrimination, and therefore we're invoking that
21 privilege.

22 THE COURT: Okay. I just want to make
23 sure, maybe I misunderstood the question and wrote it
24 down wrong. I thought the question was how long had
25 this address been designated as whatever the number was.

1 MS. MALONIS: That is correct.

2 MS. HENNINGTON: I thought the question --

3 THE COURT: Not how long have you lived
4 there.

5 MS. HENNINGTON: Your Honor --

6 THE COURT: If he knows how long has it
7 been called the Blue Bird house, I mean isn't that in
8 essence what you asked him, Mrs. Malonis?

9 MS. MALONIS: Yes, Your Honor, that is.

10 MS. HENNINGTON: Your Honor, may I ask the
11 question be read once more back into the record?

12 THE COURT: Okay.

13 THE REPORTER: This address that you gave,
14 22 East 100 South, how long has that been the
15 designation for this particular residence.

16 THE COURT: See, that's asking how long has
17 it been designated as a residence, not as his residence.

18 MS. HENNINGTON: Okay.

19 THE COURT: So that one seems to be -- I
20 don't see any 5th Amendment privilege with that. The
21 Court would instruct your client that he should answer
22 that.

23 MS. HENNINGTON: Yes, Your Honor. Do you
24 wish him to answer that at this time or do you want --

25 THE COURT: Yes, ma'am.

1 THE WITNESS: If I understand the question,
2 I do not know.

3 THE COURT: Okay. Next question.

4 THE REPORTER: Did you live at this
5 residence at the time when law enforcement entered the
6 property in April.

7 THE COURT: All right. State your reason
8 that that's objectionable.

9 MS. HENNINGTON: Your Honor, I believe that
10 answering that question is -- puts him in a reasonable
11 fear that it could -- answering that question could be
12 incriminating against him based on the current
13 indictment, as well as the ongoing and criminal
14 investigations at the state and federal level.

15 THE COURT: Why is that not a reasonable
16 assumption, Ms. Malonis?

17 MS. MALONIS: Well, I haven't heard a
18 reason that it would be. I mean that he's in reasonable
19 fear of what?

20 MS. HENNINGTON: The ongoing
21 investigations. He's under investigation for criminal
22 activity.

23 MS. MALONIS: And how is saying where he
24 lived on in April of '08, I mean what is the imminent --
25 you know, what is the danger, the real --

1 MS. HENNINGTON: Your Honor, if I may
2 answer Ms. Malonis' question, to me, when you look at
3 the Mann Act, the RICO Act, any of those offenses, any
4 of the criminal offenses that are a potential in the
5 state investigation, it clearly puts him at risk for
6 self-incrimination.

7 MS. MALONIS: How? What -- is that a link
8 to what crime?

9 MS. HENNINGTON: I think that you need to
10 look at the criminal statute, Ms. Malonis, to answer
11 that. I mean, Judge, I'm sorry, I don't mean to be -- I
12 mean there are plenty of offenses that -- and elements
13 that have raised out and could be incriminating.

14 MS. MALONIS: Your Honor, if I could give
15 you some law. You know, once I have -- once I have
16 raised the issue after she's -- he's invoked the
17 privilege it is her burden to -- you know, to show that
18 there is a link in a chain of evidence needed to
19 prosecute a particular crime and that there's a
20 reasonable -- a reasonable cause for him to be in fear
21 of incrimination from a direct answer.

22 It can't be vague and remote, and the 5th
23 Amendment privilege does not attach just because a
24 witness says it does. I have not heard any particular
25 offense other than just a vague, there's an

1 investigation going on, which I mean I guess that would
2 apply to anybody who's given a deposition.

3 THE COURT: But Mrs. Malonis, because of
4 how we construe the 5th Amendment the Court's
5 understanding of the law is, is if the -- in a civil
6 case when a client or a witness claims a 5th Amendment
7 privilege the Trier of Fact is entitled to make a more
8 or less negative inference from making that assertion,
9 unlike in a criminal case.

10 MS. MALONIS: That is correct, but this is
11 a non-party so we can't make a negative inference
12 against the parties in this case based on his 5th
13 Amendment assertion, so I don't think that that analysis
14 really holds up because he's a non-party.

15 THE COURT: Well, I don't know exactly
16 where -- where you're trying to go with these questions.
17 I mean I can come up with some ideas, but --

18 MS. MALONIS: I mean I can give you -- I
19 can tell you if you --

20 THE COURT: Well, let me just -- let's
21 just -- let's just keep it kind of maybe in the
22 theoretical vein.

23 MS. MALONIS: Okay.

24 THE COURT: If -- you've called this
25 individual to testify and want his testimony because you

1 believe his information can shed light on your premise
2 that your child should not be returned to the care of
3 her parents, correct?

4 MS. MALONIS: Not exactly, Your Honor. I
5 think this witness has information about the way that
6 the financial structure's set up and how my client and
7 her family, their needs are taken care of, their living
8 expenses, you know, how much control and choice they
9 have over their own destinies. He's got information as
10 an authority figure in the church over the structure of
11 the church and -- and that kind of thing.

12 And I'm not going -- I'm not going to say
13 that that's -- that he's got information that's going to
14 say my client should not be returned to her parents, but
15 he does have information that's relevant to how this
16 family can support themselves.

17 THE COURT: Okay. So --

18 MS. MALONIS: Which goes to the safety of
19 the child.

20 THE COURT: So how is this particular
21 question tailored to give you that information?

22 MS. MALONIS: Well, this is a predicate
23 question leading to others and if you -- I mean at this
24 point if you want to continue on with the other
25 questions that might be appropriate so that you can kind

1 of see a pattern and where it fits in.

2 THE COURT: Okay. All right. Is that all
3 right with you, Ms. Hennington?

4 MS. HENNINGTON: Yes, Your Honor, whatever
5 you prefer.

6 THE COURT: All right. Let's hear the
7 questions please.

8 MS. MALONIS: Okay.

9 THE REPORTER: Next question: Did you live
10 at the location known as YFZ Ranch in April of 2007 or
11 2008.

12 You want the next question?

13 MS. MALONIS: Okay. Just keep going, yes.

14 THE COURT: No, no, wait. I have to kind
15 of make some notes here, so --

16 THE REPORTER: Okay. Tell me when.

17 THE COURT: -- tell your Videographer I'm
18 slow. All right. That fifth question now.

19 THE REPORTER: Can you tell me all of your
20 residences where you've lived in over the last four
21 years.

22 In the last four years have you lived in
23 any state other than Texas.

24 THE COURT: Hang on.

25 THE REPORTER: Okay. I've got some banter

1 back and forth here, one second. Are you ready?

2 THE COURT: Yes.

3 THE REPORTER: Have you at any time lived
4 in Utah, in the State of Utah?

5 THE COURT: Any time.

6 THE REPORTER: Yes, ma'am. Have you at any
7 time lived in Utah, in the State of Utah.

8 THE COURT: All right.

9 THE REPORTER: Are you the same Frederick
10 Merril Jessop who is the bishop of the group called --
11 known as the FLDS.

12 THE COURT: Okay.

13 THE REPORTER: Hold on. Please list all
14 adults who have lived -- who you have lived with in the
15 past four years.

16 THE COURT: Okay.

17 THE REPORTER: How many children do you
18 have.

19 THE COURT: Okay.

20 THE REPORTER: One second. Do you have any
21 children under the age of 18.

22 Do you have any daughters.

23 THE COURT: Okay.

24 THE REPORTER: How are you employed.

25 Are you employed.

1 Do you have a source of income.

2 Do you own any assets.

3 Do you have any personal debt.

4 THE COURT: Okay, hang on. All right.

5 THE REPORTER: Are you a member of the FLDS
6 religious association.

7 Do you have a religious association.

8 Do you worship a higher power.

9 Are you ready?

10 THE COURT: Just a second.

11 THE REPORTER: Okay. Two more.

12 THE COURT: Okay.

13 THE REPORTER: Are you familiar with a
14 person by the name of Warren Jeffs.

15 And are you familiar with the organization
16 of the FLDS association. That's the last question.

17 THE COURT: So, Ms. Hennington, it's your
18 position that in answering any of these questions
19 subjects your client to possible criminal prosecution?

20 MS. HENNINGTON: Your Honor, it is, on the
21 questions that she's asked so far and what she is trying
22 to tie him down to a specific place or financial records
23 would subject him to reasonable fear that he would
24 incriminate himself because we know that the United
25 States Attorney has -- had requested and obtained a

1 search warrant specifically listing my client and any of
2 his financial records pertaining to a various and sundry
3 businesses and other peoples, other adult people.

4 The question as to who all adults have ever
5 lived in his house is clearly to me a risk of
6 self-incrimination. Where he's lived, which state --

7 THE COURT: Wait.

8 MS. HENNINGTON: I'm sorry, Your Honor.

9 THE COURT: Other adults that have lived in
10 his house is a risk of criminal liability?

11 MS. HENNINGTON: Under the -- what is
12 listed in the search warrants by the state that was
13 signed by the -- under the state judge, as well as in
14 the federal search warrant, Your Honor, I mean, you
15 know, more than one person, a couple of people getting
16 together doing something could subject him to an
17 organized crime, RICO. Allegations, I mean the
18 investigation of the Mann Act of the minors, where he
19 lived, what state; all of that is potential
20 incrimination.

21 THE COURT: Okay.

22 MS. MALONIS: Well, Your Honor, are you
23 ready for me to respond?

24 THE COURT: Yes, I am.

25 MS. MALONIS: Okay. Now, I mean I would

1 agree with that if the questions were specific about a
2 specific act that had occurred at a specific time, you
3 know, at a specific location; they're not. I mean
4 asking what states he's lived in, is he employed, does
5 he have a source of income, you know, I mean maybe
6 questions that those might lead to at some point, that
7 might be something that would be protected, but not at
8 this point. I mean she's anticipating where I'm going
9 rather than dealing with this -- with the particular
10 question, you know?

11 And if you want some law, I mean I've got
12 some case law here that -- and this -- you know, this
13 would apply to invoking the privilege in a civil or a
14 criminal proceeding.

15 THE COURT: Okay.

16 MS. MALONIS: You know, identifying
17 associations if there is an allegation or a real fear of
18 a conspiracy, I can understand that. However, just
19 identifying who you know, who you've lived with, what
20 states you've lived in, you know, I've not heard
21 anything from Ms. Hennington that -- about any
22 particular offense that that -- that he's -- that the
23 witness is reasonably in fear of incriminating himself,
24 and it is her burden.

25 THE COURT: Right.

1 MS. MALONIS: And of course the -- you
2 know, the Court has the -- you know, it's the Court's
3 call about whether it's a reasonable fear of
4 incrimination, and most of these questions I don't see
5 how answering do you know the person named Warren Jeffs,
6 do you know him, I mean I don't see how that can -- I
7 mean can it lead to other questions that I might ask
8 that might be? Yeah, but that particular question is
9 not.

10 MS. HENNINGTON: Your Honor?

11 THE COURT: Ma'am?

12 MS. HENNINGTON: This is Amy again. May I
13 respond or --

14 THE COURT: Well, you know, would you just
15 let her go through and then I'll give you another
16 chance, but let's let her make her position known to the
17 Court please.

18 MS. HENNINGTON: Thank you, Judge.

19 MS. MALONIS: Okay. And I'm just going to
20 go through some case law. This is Hoffman v U.S., the
21 cite is 341 U.S. 479, that the witness has to furnish a
22 link in the chain of, you know, what is -- what has to
23 be proved, okay? And it cannot be so remote that
24 it's -- that it's vague and unreasonable, that a
25 reasonable person by answering that question directly

1 would be incriminating themselves, that would actually
2 lead to incrimination.

3 The witness cannot -- is not excused from
4 answering simply because he declares that he would
5 incriminate himself. In other words, just him saying so
6 does not itself establish the hazard of incrimination;
7 that is the Court's call, whether the silence is
8 justified.

9 It's, you know, once the privilege is
10 invoked and a challenge is made it's the witness has the
11 burden to establish to the Court that -- you know, that
12 he has to tell you enough that will give you reason to
13 determine, you know, is there -- is it a likely -- is it
14 likely to be incriminating or is it not, you know,
15 without actually giving the testimony that he's trying
16 to protect.

17 THE COURT: Okay.

18 MS. MALONIS: EMSPAK v U.S., the cite is
19 349 U.S. 190. There's got -- I mean at least by a
20 hypothetical there's got to be an example of how a
21 direct answer to a question would lead to prosecution --
22 you know, that would lead to prosecution of a particular
23 crime, you know, without giving the testimony that is
24 trying to be protected. Okay. And it's got -- you
25 know, it's got to be a real fear, it's going got to be

1 something that actually could be prosecuted.

2 In other words, obviously if there's an --
3 there's agreement of immunity even though it might be an
4 offense, it's if there's not a real fear that it's going
5 to be a prosecution; obviously that doesn't apply in
6 this case, but just by way of example.

7 Ohio versus Reiner; 532 U.S. 17 is a 2001
8 Supreme Court case. Again, says the witness' assertion
9 by itself does not establish that there's a risk of
10 incrimination, danger of a imaginary and unsubstantial
11 character is not enough. Let's see, Fifth Circuit case.
12 Let's see, just to sum this up; the case is Wright
13 versus CIR, and the cite is 752 Fed 2nd 105.9.

14 To sum it up, the holding in this case is
15 that if the incriminating nature of the questions is not
16 readily apparent than he's got to give enough
17 information to make it readily apparent to the Court,
18 and if not then there's no -- then there's no -- there's
19 no privilege. I think -- I think that makes my point.
20 I've got some Texas state cases as well, but they -- the
21 holdings are similar.

22 THE COURT: Ms. Hennington, do you have any
23 cases indicating or supporting your theory?

24 MS. HENNINGTON: Yes, Your Honor, and
25 actually it's cases that quote many of the cases that

1 Ms. Malonis mentioned.

2 THE COURT: All right.

3 MS. HENNINGTON: The two in Texas, I think
4 that is -- one is an ex parte butler, and the cite to
5 that, Your Honor, is 522 Southwest 2nd 196, and in that
6 it discusses the Hoffman case which -- and I don't
7 disagree that me asserting it is -- you just blaring
8 that, I do have to show you some reasons why, which I
9 think the fact that -- you know, I think I've done that
10 and it goes forward, the analysis that the Court uses.

11 The other one is a DPS versus Denton, and
12 one thing I do disagree with Ms. Malonis, I don't think
13 that it's -- self-incrimination, it's a reasonable fear
14 that what he's going to say is incriminating that could
15 lead to prosecution or just incriminating himself. With
16 my client being under indictment already then that means
17 we're also subject to the state's notice of -- under
18 Rule 404(b) and 37.07, the state hasn't provided me any
19 specific things yet, but I think it's reasonable that
20 this as a deposition, as a sworn statement could be used
21 by the state in answering and proving up any 404(b) or
22 37.07 in its current indictment.

23 So I think -- I think the one thing is
24 the -- that I'm disagreeing with Ms. Malonis as she
25 stated the summaries of these cases is yes, the burden

1 is on me and I think with the search warrants, the
2 indictment, I mean it -- and the elements, the risk, and
3 I do have the federal search warrant, Judge, that
4 clearly is stating my client and what they are looking
5 for, as well as the search warrant signed -- that were
6 under the state and the items they're looking for
7 that -- I think he's at least --

8 THE COURT: Can you fax me the federal
9 search warrant please?

10 MS. HENNINGTON: Yes, Your Honor.

11 MS. MALONIS: Judge, I want to give you one
12 more case too when Ms. Hennington is finished.

13 THE COURT: Let her finish. Are you
14 finished, Amy?

15 MS. HENNINGTON: Your Honor, may I get a
16 fax number? Is it to the Court admin or --

17 THE COURT: Yeah, it's 658-8046.

18 MS. HENNINGTON: Yes, Your Honor, 46. One
19 of the other attorneys has offered to fax it so we can
20 continue.

21 THE COURT: Okay.

22 MS. HENNINGTON: Thank you, Michele.

23 And so when I -- when I read the cases as
24 far as hypotheticals, I think that's up to you if you
25 want me to go into a hypothetical I'll be glad to, but I

1 think that's really something that when I read the case
2 it's really up to you how if you're looking for that or
3 if -- if the evidence of the search warrants, the
4 indictment, and those potential risks are sufficient for
5 you, Your Honor. Thank you.

6 THE COURT: Well, it's kind of -- remember
7 I asked hypothetically?

8 MS. HENNINGTON: Okay. Your Honor,
9 hypothetically the questions designed to ask where you
10 may have been living, where are you living -- have you
11 ever lived in Utah, how long have you been in -- where
12 is your residence in Texas, under the Mann Act which is
13 the -- one of the allegations under that would be
14 transportation of minors across state lines.

15 My client admits to living in Utah or in
16 Texas or anywhere else he's been living then that's a
17 reasonable fear that he could be incriminating himself
18 under that. Admitting to who else may have been living
19 in his home under the 404(b) or 37.07 is a reasonable
20 fear that he is subjecting himself to
21 self-incrimination.

22 THE COURT: Okay. Ms. Malonis, give me
23 your other case please.

24 MS. MALONIS: Okay. This is Warford v
25 Beard, B-E-A-R-D, 653 Southwest 2nd 908 out of Amarillo,

1 and in this particular case the Court -- you know, the
2 Fifth Amendment was invoked and it was -- there was --
3 it was invoked on the basis of the witness did not want
4 to disclose associations with certain people because of
5 a fear of being prosecuted on a conspiracy charge, and
6 Texas has a very broad conspiracy statute.

7 And the Court -- and so some of that was
8 protected, he didn't have to go into the level of his
9 associations, but the Court did find that he -- that
10 other questions such as family background, prior places
11 of residence, Social Security number, bank accounts,
12 presence in and contacts within a particular state, and
13 his ability to identify documents and so forth that were
14 offered at the deposition, those were too remote; they
15 were not on their face the kinds of questions that would
16 by themselves incriminate the witness, and so the
17 witness was compelled to answer those questions, and
18 those are exactly the kinds that -- of questions that
19 I'm asking so far, they're primarily questions of
20 identity.

21 THE COURT: All right, ladies. I'm going
22 to read a few of these cases and a couple of other cases
23 that I had looked at. Am I to assume that you have more
24 questions that you would like to ask that maybe we
25 should go through the process of asking some more of

1 those questions so that I can maybe make some sort of
2 decision with regards to those additional ones?

3 MS. MALONIS: I mean I -- we can do it
4 however you'd like. I can kind of give you some
5 categories, you know, and I don't know if you want to
6 make some more global rulings, but what -- what I plan
7 to ask depends on how you rule on those questions. I
8 mean if we can't get answers to those questions there's
9 not a lot I can ask. If he's not going to tell me his
10 position in the church or -- you know.

11 THE COURT: Okay, that's fair enough.

12 MS. MALONIS: Okay.

13 THE COURT: All right. Why don't you-all
14 go drink a cup of coffee and I'll call you back.

15 MS. MALONIS: Okay. Thank you.

16 THE COURT: Thank you-all.

17 (Break taken from 10:50 a.m. to 11:33 a.m.)

18 THE COURT: Okay. I think procedurally the
19 best way to do this is; Mrs. Malonis, I will need you,
20 as much as a waste of time as you think this may be, to
21 go through, ask the witness every question that you want
22 to have asked.

23 Ms. Hennington, your client will have to
24 decide which ones he wants to claim a right of
25 self-incrimination on. I need you to state on the

1 record for each question why you think that's
2 applicable.

3 If there are any questions that your client
4 has not answered after this process has been gone
5 through I will ask you-all to come here and we will have
6 a formal court hearing on it. I think it's -- because
7 my understanding is Ms. Malonis was asked at some point
8 in time if the Court ruled that some of these questions
9 were answerable she would probably ask the Court to hold
10 the witnesses in contempt for failure to answer; is that
11 correct, Ms. Malonis?

12 MS. MALONIS: Correct, if he continued to
13 not answer, yes.

14 THE COURT: All right. So that we have the
15 record in a state that can be properly preserved for
16 review I think that we need to have you go through and
17 ask all your questions, have him exercise his decision,
18 I will set aside -- we could set Monday aside or we
19 could set -- Monday has actually got some stuff. If I
20 set aside, like, next Wednesday could you-all come back
21 out and we could go through it and have a hearing in my
22 courtroom and let the Court rule on these questions at
23 that time?

24 MS. MALONIS: Judge, really Monday is going
25 to be the last day I'll probably be able to do it

1 because I'm having surgery next Wednesday.

2 THE COURT: Oh, my goodness. All right,
3 Monday is the last day that you can do it, all right.
4 All right. Let's see what's going on Monday.

5 MS. MALONIS: We're scheduled for Willie
6 Jessop's deposition, but I mean we can delay that or,
7 you know, start a little late.

8 THE COURT: Is Mr. Willie Jessop available?
9 I'm assuming there will be similar issues.

10 MS. MALONIS: Well, that's -- yeah, there
11 may be.

12 THE COURT: I'm trying to get my calendar
13 to come up on my computer.

14 MS. MALONIS: Although Willie Jessop's not
15 under indictment or --

16 THE COURT: Yeah. And Ms. Hennington, do
17 you represent Willie Jessop?

18 MS. HENNINGTON: Your Honor, I have at this
19 point, but I'm still scheduled for trial Monday and I'm
20 trying to find him another lawyer because of the
21 scheduling because we want to make him available, so I'm
22 still working all that out. I have -- if my client
23 pleads today with my other partner then I'm going to --
24 so the answer is yes, maybe because I'm trying to make
25 sure he's available and I'm not a problem for that

1 deposition -- or my schedule, not me.

2 THE COURT: Okay. Well, I've got court in
3 Coke and in Sterling, but I know that the Sterling will
4 be over pretty quickly or I can probably get somebody to
5 handle that one for me, so I guess the answer is I will
6 see you-all Monday afternoon.

7 MS. MALONIS: Okay.

8 THE COURT: Will you do that?

9 MS. HENNINGTON: Yes, Your Honor.

10 MS. MALONIS: What time would you like to
11 see us?

12 THE COURT: What time would work for you?
13 That way you will have been able to start the process
14 with Mr. Willie Jessop and maybe we can kind of
15 accelerate the Court ruling on those at that time.

16 MS. MALONIS: Right.

17 THE COURT: I mean maybe you won't -- maybe
18 he won't be a problem.

19 MS. MALONIS: Well, and I don't anticipate
20 having the same number of questions for him either. I
21 don't think he has the same amount of information so
22 that one will probably conclude earlier, so what time
23 can you see us?

24 THE COURT: Well, I know I'm set in
25 Sterling at 2:00 o'clock. Let's just -- let's make it

1 2:00 o'clock here and I'll get my Sterling County stuff
2 juggled, okay?

3 MS. MALONIS: So at 2:00 o'clock in
4 San Angelo?

5 THE COURT: San Angelo, yes, ma'am.

6 MS. MALONIS: Okay.

7 THE COURT: All right?

8 MS. MALONIS: All right, thank you.

9 THE COURT: Thank you you-all very much.

10 MS. MALONIS: Bye-bye.

11 THE COURT: Good luck both of you, bye-bye.

12 MS. MALONIS: Thanks. Okay. Did you get
13 that? Oh, you're not -- you weren't? You were? All
14 right. It's -- it is 20 till 12:00, given that, can
15 we -- let's -- I need to regroup a little bit, why don't
16 we go ahead and take a lunch break for 45 minutes; is
17 that --

18 MS. HENNINGTON: Any expectation how many
19 more questions you'll have so I'll know?

20 MS. MALONIS: Oh, well, I -- I mean -- but
21 they're going to go quickly if we're not getting the
22 answers to them, so I mean I can probably run through
23 them pretty fast.

24 MS. HENNINGTON: Okay.

25 MR. DAVIS: Be back at 12:30?

1 MS. HENNINGTON: Well, I don't have to
2 travel, so ...

3 MS. MONTFORD: I would object, just -- I'm
4 sorry everybody but we just took a hour break. Can we
5 not do a little bit more?

6 MS. MALONIS: We can. Yeah, we can, but I
7 need to -- I mean I need to -- you know, I'm going to
8 have to conduct this a little bit differently, but I
9 can --

10 MS. MONTFORD: The thing is we're all
11 seated.

12 MS. MALONIS: Yeah.

13 MS. MONTFORD: Can we just do a little bit
14 more and --

15 MS. MALONIS: Yeah, that's fine, sure.

16 MS. MONTFORD: -- get a little bit farther?

17 MS. MALONIS: Okay. And we're on the
18 record, right?

19 THE VIDEOGRAPHER: Yes.

20 Q. (BY MS. MALONIS) Okay. Mr. Jessop, do you
21 have a son named Raymond Jessop?

22 A. Yes.

23 Q. Okay. How old is he?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination.

2 Q. (BY MS. MALONIS) Okay. And are you going to
3 take the advice of counsel and not answer it?

4 A. Yes.

5 MS. MALONIS: And what is your basis for
6 the privilege?

7 MS. HENNINGTON: My basis for that is that
8 I'm invoking it for my client for self-incrimination
9 privilege based on the fact that Mr. Raymond Jessop, I
10 believe is under -- I believe he is under indictment and
11 either -- and I'm not particularly sure of all the facts
12 of his case, and there is a concern that implicating any
13 kind of relationship by my client with Mr. Jessop is --
14 could cause him to be incriminating himself.

15 MS. MALONIS: Could cause -- could cause
16 your client to incriminate himself or could cause him to
17 incriminate his son?

18 MS. HENNINGTON: I think any association --
19 okay. I think I have to state the reasons why, which is
20 I believe --

21 MS. MALONIS: Okay. I wasn't clear. What?

22 MS. HENNINGTON: The reasons why we're
23 asserting is we believe that there is a reasonable fear
24 that answering that question would incriminate him based
25 on the ongoing state and criminal investigations.

1 MR. DAVIS: Who is the him you're referring
2 to?

3 MS. HENNINGTON: Well, Merrill Jessop would
4 be incriminated by answering that question based on the
5 fact that there are ongoing criminal investigations at
6 the state and federal level.

7 MS. MALONIS: Okay. Is there -- can you
8 state the offense that he fears incrimination on without
9 giving the testimony?

10 MS. HENNINGTON: I think there are in
11 hypothetical situations in answer to your question
12 that -- that it could incriminate him under any of the
13 federal offenses that are under RICO, Mann Act, any of
14 the potential other federal things that may or may not
15 be under investigation that the U.S. attorney hasn't
16 indicated, there are state offenses that are particular
17 potential implications.

18 MS. MALONIS: Okay. I mean do you have
19 something in mind?

20 MS. HENNINGTON: I don't have to state
21 that -- I'm not -- I don't know that I need to state
22 every single offense under the code of criminal
23 procedure to answer that question. What I've done is
24 I've stated there are ongoing investigations at the
25 state and federal level. There are search warrants.

1 There are investigations that are a criminal nature.
2 He's under indictment. 404(b), 37.07 under the state
3 law, the rules that implicate him in his -- in his
4 indicted case and I don't know that I have to go into
5 any further what I think might be potential risk.

6 Q. (BY MS. MALONIS) Okay. Are you currently
7 under indictment?

8 A. Yes.

9 Q. In Schleicher County or -- I guess it's --

10 A. Schleicher County.

11 MS. MALONIS: Okay. I'm going to hand you,
12 I'm going to mark this as Exhibit 2.

13 [Exhibit 2 marked and attached.]

14 Q. (BY MS. MALONIS) Does that appear to be a copy
15 of your indictment?

16 MS. HENNINGTON: It has been modified, but
17 yes.

18 MS. MALONIS: Amy, I want the witness to
19 answer.

20 MS. HENNINGTON: Okay. I'm sorry. Sorry,
21 you're right, and that was -- he can answer. I'm sorry,
22 that one was bad on me.

23 A. I don't understand your question.

24 Q. (BY MS. MALONIS) Have you seen that before?

25 A. No, I don't think so.

1 Q. You have not, okay. May I -- may I take it
2 back from you.

3 A. (Tenders)

4 Q. What is the charge that you're currently under
5 indictment for? Is it -- is the charge conducting a
6 ceremony prohibited by law under the Texas Family Code;
7 is that your understanding?

8 A. What's my attorney say?

9 Q. Do you know what you're under indictment for?
10 Have the charges been explained to you?

11 A. Yes, I think so.

12 Q. And I'm not asking you for an admission or
13 anything. Just what, what you're being charged with.

14 A. I think so.

15 Q. Okay. And is it conducting a ceremony
16 prohibited by law; is that the charge?

17 MS. HENNINGTON: Yes.

18 Q. (BY MS. MALONIS) Not have you done that, but
19 is that the charge, is that what they're accusing you
20 of?

21 A. Is that the allegation?

22 Q. Is that what they're accusing you of?

23 A. I think so.

24 Q. Okay. Are you currently under indictment for
25 any other charges?

1 A. No.

2 Q. Okay, all right. Is your son, Raymond, married
3 to a young lady by the name of Teresa Jeffs?

4 MS. HENNINGTON: Upon the advice of counsel
5 my client is invoking his right to privilege against
6 self-incrimination pursuant to the Fifth Amendment.
7 He's exerting that privilege based on the ongoing
8 criminal investigations at the state and federal level
9 and under the fact that he's currently under indictment
10 and at risk for 404(b) notices as well as 37.07.

11 Q. (BY MS. MALONIS) Okay. Does your indictment
12 that we just talked about, does that have -- does that
13 relate to Raymond Jessop at all?

14 A. Yes.

15 Q. It does, okay. Does it relate to any of your
16 other children?

17 A. No.

18 Q. Okay. Did you conduct a marriage ceremony of
19 Raymond Jessop?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination pursuant to the Fifth
23 Amendment, the basis for exerting that privilege is the
24 ongoing criminal investigations continued by the state
25 attorney in Texas, as well as U.S. attorney, as well as

1 the fact that he's under indictment and the 404(b) and
2 37.07 Acts.

3 Q. (BY MS. MALONIS) Okay. Did you witness the
4 marriage of Raymond Jessop and Teresa Jeffs?

5 MS. HENNINGTON: Upon the advice of counsel
6 my client is invoking his right to --

7 MR. DAVIS: Why don't you just say the
8 Fifth Amendment and let's go.

9 MS. MALONIS: And the reason.

10 MS. HENNINGTON: If -- if the parties want
11 to agree because --

12 MR. DAVIS: We have agreed. Let's go.

13 MS. MALONIS: I agree to that just so you
14 can say, Fifth Amendment.

15 MS. HENNINGTON: And the reason?

16 MS. MALONIS: And the reason, yeah.

17 MS. HENNINGTON: Okay. Well, that was
18 before the Judge made this new ruling, so client is
19 inserting the Fifth Amendment privilege and it's based
20 on the continuing investigations of the state and
21 federal, as well as his current indictment.

22 Q. (BY MS. MALONIS) Do you know where Raymond
23 Jessop lives currently?

24 A. I do not.

25 Q. Does he -- do you know if he lives at the --

1 has he lived -- do you know if he's lived at the YFZ
2 Ranch in the last two years?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client --

5 MR. DAVIS: Just say Fifth Amendment.

6 MS. HENNINGTON: I'm sorry, the Fifth
7 Amendment. I'm sorry, Jon. I'll --

8 MR. DAVIS: Okay. Yeah, you --

9 MS. HENNINGTON: I'm trying to work out
10 with you guys, too. Fifth Amendment is being exerted
11 and it's based on the ongoing criminal investigations
12 and the fact that he's currently under indictment and
13 the rules that apply due to that.

14 Q. (BY MS. MALONIS) Okay. Do you know Teresa
15 Jeffs?

16 MS. HENNINGTON: Upon the advice of
17 pleading the Fifth Amendment, ongoing investigations at
18 the state and federal level, and the fact that he's
19 currently under indictment.

20 Q. (BY MS. MALONIS) Okay. Do you have a daughter
21 named Merriane?

22 MS. HENNINGTON: Pleading Fifth; the basis
23 for it is the same ongoing investigations at the state
24 and federal level, current indictment that's pending in
25 Schleicher County.

1 Q. (BY MS. MALONIS) Okay. Does this indictment
2 that we talked about relate to Merrienne in any way?

3 MS. HENNINGTON: Upon the advice of counsel
4 he's invoking his right to privilege on that as well.

5 MS. MALONIS: For the same reasons?

6 MS. HENNINGTON: The same reasons, yeah.

7 MS. MALONIS: Okay.

8 MS. HENNINGTON: Do you want me just to
9 say, same reasons?

10 MS. MALONIS: You can say, same reasons.

11 MS. HENNINGTON: Is that sufficient for
12 everybody else?

13 MS. MALONIS: Unless there's --

14 MR. DAVIS: Well, I guess the question's
15 going to be whether you think it's sufficient to present
16 the Court with enough information to make a
17 determination of whether that information is, in fact,
18 privileged.

19 MS. HENNINGTON: I do.

20 Q. (BY MS. MALONIS) And that's up to you, okay.

21 Have Teresa Jeffs and Raymond Jessop had a
22 child together?

23 MS. HENNINGTON: Upon -- upon the advice of
24 counsel he's exerting his Fifth Amendment; the basis is
25 that there is potential state investigation still

1 ongoing, as well as criminal investigations under the
2 Mann Act out of the U.S. Attorney's Office.

3 Q. (BY MS. MALONIS) Okay. Are you taking the
4 advice of your counsel and choosing not to answer that
5 question?

6 A. Yes.

7 Q. Is that on the basis that it might incriminate
8 you; is that your understanding? I just want to make
9 sure you're agreeing that you're not answering because
10 you fear that it might incriminate you?

11 A. Yes.

12 Q. Okay. Do you know how old Teresa is?

13 MS. HENNINGTON: Upon advice of counsel my
14 client is pleading the Fifth; the basis for that is
15 criminal investigations that have been indicated by the
16 Texas Attorney General and they're ongoing subject to
17 search warrants from April of '08, as well as ongoing
18 investigations by the federal U.S. Attorney.

19 MR. DAVIS: You know, we might be able to
20 make it go faster if you just say, same objection, same
21 objection, same objection.

22 MS. MALONIS: Plead the Fifth, same
23 reasons.

24 MR. DAVIS: Yeah, if you want to -- if you
25 want to elicit that please feel free to do so, but I

1 think we'd just go faster if you just say, same
2 objection.

3 MS. MALONIS: Unless there's something
4 different. And that's fine with me.

5 MS. MONTFORD: No objection.

6 MR. WOODRUFF: No objection.

7 MS. SURRATT: We don't have a problem with
8 that.

9 Q. (BY MS. MALONIS) Okay. Is Warren Jeffs the
10 prophet of the group known as FLDS?

11 MS. HENNINGTON: Let's see, we're going to
12 exert our privilege.

13 MS. MALONIS: Just say, same objection.

14 MS. HENNINGTON: Wait a second. Actually
15 I --

16 MS. MALONIS: There might be something
17 different this time?

18 MR. DAVIS: You needn't add to it.

19 MS. HENNINGTON: Fifth Amendment, same
20 reasons. I also want to object that Ms. Malonis is
21 leading, to the form of the question as leading.

22 MS. MALONIS: Objection to the form of the
23 question on the basis that it's leading? Okay. Can you
24 answer the question -- oh, you're asserting privilege?

25 MS. HENNINGTON: Asserting privilege,

1 objecting to the form.

2 Q. (BY MS. MALONIS) Okay. What does the term
3 prophet mean within the FLDS religious association?

4 MS. HENNINGTON: My client is invoking the
5 Fifth Amendment, same reasons.

6 Q. (BY MS. MALONIS) Okay. Do you have an
7 understanding of what the prophet is, what that term
8 means?

9 MS. HENNINGTON: My client is invoking his
10 Fifth Amendment privileges and the basis for that is,
11 again, the same reasons.

12 Q. (BY MS. MALONIS) Okay. What is a key holder
13 within the FLDS religious association?

14 MS. HENNINGTON: My client is invoking his
15 right -- I'm sorry -- the Fifth Amendment; the basis is,
16 again, the same that I've already explained.

17 Q. Okay. Do you know if records were kept by
18 Warren Jeff?

19 MS. HENNINGTON: My client is invoking his
20 Fifth Amendments; the basis is, again, the same.

21 [Exhibit 3 marked and attached.]

22 Q. (BY MS. MALONIS) Okay. I'm going to hand you
23 what's been marked as Exhibit 3 and ask you to -- I'm
24 not going to ask you to read it, but if you'll just look
25 through it just for identification purposes and tell me

1 if you recognize what that is.

2 And the record can reflect that it's -- the
3 cover page is titled, Private Priesthood Record of
4 President Warren S. Jeffs Record, January 2007 through
5 January -- June 6, 2007, archived June 29th, 2007, and
6 it's several -- I mean maybe 80 pages.

7 MS. HENNINGTON: And is the -- and could
8 the Court Reporter repeat the question please.

9 (Requested portion was read.)

10 Q. (BY MS. MALONIS) Do you recognize what that
11 is?

12 A. I do not.

13 Q. Okay. Thank you. Do you -- does that appear
14 to be a priesthood records from the FLDS that would be
15 within your knowledge?

16 MS. HENNINGTON: Objection to form as to
17 speculation.

18 Q. (BY MS. MALONIS) Okay. I asked -- I
19 previously asked if records were kept and he took the
20 Fifth, and I'm making an inference that records are
21 kept. So based on that inference does that appear to be
22 the kind of records that were kept?

23 MS. HENNINGTON: And again, Ms. Malonis,
24 I'm going to object to the question as speculation.
25 He's already said he doesn't know what these are, so for

1 him to answer would be just pure speculation, so
2 objection to form as to speculation.

3 Q. (BY MS. MALONIS) Okay. Can you answer the
4 question?

5 A. No, I've never seen it.

6 Q. Okay. I understand that. The question was:
7 Do those appear to be the kinds of records that are kept
8 within the FLDS? And I -- your objection is noted.

9 A. I've never -- I've never seen any like it.

10 Q. So is the answer to the question, no, those
11 appear to not be records, the kind of records that are
12 kept?

13 MS. HENNINGTON: Objection to form. The
14 client has already answered it, answered your question.
15 He doesn't know.

16 Q. (BY MS. MALONIS) Okay. Well, I need
17 clarification because I don't think he answered it.

18 Are you saying you don't know or those
19 are -- those do not appear to be records that are kept
20 within FLDS?

21 A. I've just never seen anything like it.

22 Q. Okay. Have you ever kept any records --

23 A. No.

24 Q. -- within the FLDS?

25 Okay. Is your daughter, Merrienne, married

1 to Warren Jeffs?

2 MS. HENNINGTON: Upon the advice of counsel
3 the client is invoking the Fifth; the basis is the
4 ongoing investigation and the fact that he state and
5 he's under indictment.

6 Q. (BY MS. MALONIS) Okay. When making an
7 inference that she is married or hypothetically that
8 she's married to Warren Jeffs, did she upon the
9 happening of that event move into Warren Jeffs' home?

10 MS. HENNINGTON: Upon the advice of client
11 my counsel is invoking his right to Fifth Amendment, the
12 basis of the same; he's under indictment, state and
13 federal investigations.

14 Q. (BY MS. MALONIS) Okay. Do you have a daughter
15 named Naomie?

16 A. Yes.

17 Q. Okay. Was she at any time married to Warren
18 Jeffs?

19 MS. HENNINGTON: Upon the advice of counsel
20 my client's pleading the Fifth Amendment, ongoing
21 investigations, federal and state.

22 Q. (BY MS. MALONIS) Okay. Do you know what state
23 Naomie lives in?

24 A. I do not.

25 Q. When was the last time you had -- you saw her

1 face-to-face?

2 A. I don't know the date, but probably a month
3 ago.

4 Q. A month ago?

5 A. Uh-huh.

6 Q. Okay. Where did that take place?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is invoking the Fifth Amendment; the basis is
9 the fact that there's a pending indictment, there are
10 ongoing investigations, criminal and state.

11 Q. (BY MS. MALONIS) Okay. Was it in the State of
12 Texas that you saw Naomie approximately a month ago?

13 A. No.

14 Q. It was not. Was it in the State of Arizona
15 that you saw Naomie approximate a month ago?

16 MS. HENNINGTON: Objection to form as to
17 leading. And then my client is also asserting his
18 privilege under the Fifth Amendment; the basis is the
19 investigations that are ongoing that are federal.

20 Q. (BY MS. MALONIS) Okay. Does your daughter,
21 Merrienne, have a child?

22 MS. HENNINGTON: Objection to form as to
23 leading.

24 Again, my client is also exerting his
25 privilege under self -- Fifth Amendment, the basis is

1 in -- particularly an indictment that is pending here in
2 Schleicher County, as well as state and federal
3 investigations.

4 Q. (BY MS. MALONIS) Are you aware of whether or
5 not your daughter, Merrienne, has engaged in a sexual
6 relationship with Warren Jeffs?

7 MS. HENNINGTON: My client is invoking his
8 privilege under the Fifth Amendment; the basis being the
9 same as the others.

10 Q. (BY MS. MALONIS) What is the meaning of
11 heavenly wife?

12 MS. HENNINGTON: My client, based on advice
13 of counsel, invoking the Fifth Amendment; current
14 investigations in a current indictment.

15 MS. SURRETT: I'm sorry, Natalie. The
16 meaning of what?

17 Q. (BY MS. MALONIS) Heavenly wife.

18 What is the meaning of comfort wife?

19 MS. HENNINGTON: My client is, based on the
20 advice of counsel, invoking the Fifth Amendment; the
21 basis is the ongoing state investigations and the
22 current indictment in Schleicher County.

23 Q. (BY MS. MALONIS) Have any marriages taken
24 place within the FLDS group that you're aware of since
25 Warren Jeffs has been in prison in Texas? I'll limit it

1 to the Texas group.

2 MS. HENNINGTON: Could you say the question
3 one more time.

4 Q. (BY MS. MALONIS) Yes. Since Warren Jeffs has
5 been in prison have any marriages taken place within the
6 FLDS group in Texas?

7 MS. HENNINGTON: I'd like a quick recess to
8 address that with my client. Give me two minutes to
9 step out.

10 MS. MALONIS: Okay. I don't have any
11 problem with that.

12 (Lunch taken from 11:57 a.m. to 1:17 p.m.)

13 (Ms. Annette Jeffs has entered the room.)

14 MS. MALONIS: Okay. And could you -- I
15 think there was a -- I don't know if there was a
16 question pending or -- oh, yeah, I think there was.
17 Could you read that back.

18 (Requested portion was read.)

19 MS. HENNINGTON: Upon the advice of counsel
20 my client will invoke his self-incrimination under the
21 Fifth Amendment, the basis for that is the continual
22 investigation by the State of Texas and the federal
23 authorities, U.S. Attorney's Office, to allegations that
24 have occurred at the YFZ Ranch.

25 Q. (BY MS. MALONIS) Okay. Who among the FLDS has

1 the authority to conduct a marriage ceremony or a
2 sealing, however it's referred to within the group?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his privileges in
5 self-incrimination, the Fifth Amendment, the basis for
6 my assertion of the privilege is the ongoing
7 investigations of state and federal, and the fact that
8 he's currently under indictment for allegedly performing
9 a ceremony.

10 Q. (BY MS. MALONIS) Okay. Do you have the
11 authority to conduct marriages within the FLDS group?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his Fifth Amendment rights,
14 privilege from self-incrimination. He is currently
15 under indictment for criminal charge and there's ongoing
16 investigations under the federal laws and as well as the
17 State of Texas laws.

18 Q. (BY MS. MALONIS) Okay. Since we were here
19 this morning Ms. Annette Jeffs has joined us. Do you
20 know Annette?

21 A. Yes.

22 Q. How do you know Annette?

23 MS. HENNINGTON: Upon advice of counsel my
24 client is invoking his Fifth Amendment rights privilege,
25 self-incrimination. The basis is the ongoing

1 investigation of all people and places and things under
2 the search warrants in the YFZ Ranch; federal and state.

3 Q. (BY MS. MALONIS) How long have you known
4 Annette Jeffs?

5 MS. HENNINGTON: Upon advice of counsel my
6 client is invoking his right to assert the privilege
7 against self-incrimination pursuant to the constitution,
8 ongoing investigations, pursuant to search warrants at
9 the YFZ Ranch.

10 Q. (BY MS. MALONIS) Do you know Annette Jeffs to
11 be the mother, the biological mother of Teresa Jeffs?

12 MS. HENNINGTON: Objection; form as to
13 leading. Also exerting our privileges to -- right to
14 not self-incriminate, ongoing investigations pursuant to
15 search warrants by the federal authorities and state as
16 to persons and places and things at the YFZ Ranch.

17 Q. (BY MS. MALONIS) I'm just going to take this
18 opportunity and every once in awhile just to confirm
19 that when your counsel makes that objection on your
20 behalf, you -- are you subscribing to what she is
21 stating, that you're not going to answer those questions
22 because you fear that it's going to incriminate you?

23 A. That is correct.

24 [Exhibit 4 marked and attached.]

25 Q. (BY MS. MALONIS) Okay. I'm going to hand you

1 what I've just marked as Exhibit Number 4 and ask if you
2 have seen that before.

3 A. I don't recall.

4 Q. Okay. You don't recognize it?

5 A. I don't.

6 Q. Okay. And I'm just going to read that it is a
7 pleading in a case styled, State of Utah, Plaintiff,
8 versus Warren Steed Jeffs, Defendant, Criminal Number
9 061500526, Memorandum in Support of Motion in Limine
10 Regarding Statements of Defendant, and I'm going to hand
11 this back to you and I'm going to turn to Attachment 1
12 of this document and ask you to look through -- you
13 don't need to read it word-for-word, but just look
14 through it, and ask you to -- if you have been -- if you
15 have been made aware of the substance of the
16 conversation that's transcribed there.

17 MS. HENNINGTON: At this time I can tell
18 you my client doesn't have his glasses if you want him
19 to actually read this.

20 MS. MALONIS: Yeah, go ahead and read it
21 into the record, that's fine.

22 MS. HENNINGTON: If you want to take the
23 time to do that.

24 MS. MALONIS: Or I can -- I'll -- since
25 you -- I'll do that, or I'll read portions of it and ask

1 you if you have been made aware of this conversation.

2 And this purports to be an attachment to
3 the pleading I just referenced. This attachment is
4 titled, Washington County Sheriff's Office Unofficial
5 Transcription; Subject: Warren Jeffs visit with Nephi
6 Jeffs on 01-25-2007. And it appears to be a
7 transcription of a conversation.

8 MS. HENNINGTON: And I don't know if there
9 are other parties here that need to -- does anybody need
10 to see that?

11 MS. MALONIS: Yeah, let me pass it around
12 if anybody else wants it.

13 MS. MONTFORD: It has not been identified
14 though, correct?

15 MS. MALONIS: It has not been identified by
16 him. He does not recognize it.

17 MS. MONTFORD: Okay.

18 Q. (BY MS. MALONIS) While they're looking at that
19 let me ask -- let me just ask a couple of questions that
20 are related. What is the meaning of an ordinance?

21 MS. HENNINGTON: On the advice of counsel
22 my client is invoking his privilege against
23 self-incrimination. There is federal investigations
24 involving search warrants from the YFZ and it's
25 pertaining to records, multitude of records that were

1 seized by the State of Texas and the federal authorities
2 that are still under criminal investigation.

3 Q. (BY MS. MALONIS) Okay. Generally speaking,
4 without telling me specifically what an ordinance is, is
5 an ordinance -- does it have to do with the workings
6 of -- is it a religious ceremony or event?

7 MS. HENNINGTON: Objection as to form as to
8 leading. And again, my client will exert his privilege
9 against self-incrimination pursuant to the United States
10 and state constitutions; the basis is, again, the search
11 warrants and the ongoing and criminal investigations
12 from the State of Texas, as well as the U.S. Attorney's
13 Office through their agencies, and to allegations
14 involving anything to do with the YFZ Ranch or any of
15 the people that live there on the ranch.

16 Q. (BY MS. MALONIS) Okay. And I understand your
17 Fifth Amendment assertion, but I don't know that I'm not
18 entitled to ask leading questions, not that it matters
19 because you're not going to answer anyway, but --

20 Okay. Is baptism an ordinance?

21 MS. HENNINGTON: Upon the advice of counsel
22 my client is asserting his privilege against
23 self-incrimination and --

24 Q. (BY MS. MALONIS) Let me -- before you finish
25 let me clarify the question and be more specific. Is

1 baptism an ordinance within the FLDS religious
2 association?

3 MS. HENNINGTON: Upon advice of counsel my
4 client is invoking his right to assert his privilege,
5 the Fifth Amendment privilege; the basis is the ongoing
6 investigation by the state and to -- on search warrants
7 that they executed in April of '08.

8 Q. (BY MS. MALONIS) Is marriage an ordinance
9 within the FLDS religious association?

10 MS. HENNINGTON: Upon advice of client --
11 my -- upon advice of counsel --

12 MR. DAVIS: Why don't you just say plead
13 the Fifth, you're wasting time. Unless you're going to
14 add something just say, plead the Fifth, same objection.

15 MS. HENNINGTON: I understand that,
16 Mr. Davis, but I don't know how much the Judge is going
17 to want to hear now because she said to make all of it
18 now or if she's going to want to hear about it --

19 MR. DAVIS: I'm saying if you're going to
20 change it some, fine, change it, add to it, but all
21 you're doing is repeating the same thing. Just say,
22 same objection, Fifth Amendment, everybody knows what
23 you're talking about.

24 MS. HENNINGTON: Okay. Well, again, my
25 client is invoking his right to exert his privilege, the

1 basis is of the ongoing state and federal
2 investigations.

3 MS. MALONIS: Okay.

4 MS. HENNINGTON: And --

5 MS. MALONIS: I'm sorry.

6 MS. HENNINGTON: And the indictment.

7 [Exhibit 5 marked and attached.]

8 Q. (BY MS. MALONIS) Okay. While they're
9 examining Exhibit 4 I'm going to hand you Exhibit 5 and
10 ask if you recognize that to be what appears to be a
11 marriage record that's kept by the FLDS religious
12 association?

13 MS. HENNINGTON: Upon advice of counsel my
14 client is asserting his privilege under the Fifth
15 Amendment, the basis was the indictments currently
16 pending in Schleicher County and the ongoing
17 investigation, state and federal.

18 MS. MALONIS: Can I ask that the witness
19 actually look at the document before you assert the
20 privilege?

21 MS. HENNINGTON: It's right here.

22 MS. MALONIS: Right.

23 MS. HENNINGTON: He can look at it, I
24 mean --

25 MS. MALONIS: But he didn't.

1 MS. HENNINGTON: Okay.

2 Q. (BY MS. MALONIS) Okay. And if the record will
3 reflect that this is a document titled, Marriage Record.
4 It lists husband Raymond Merrill Jessop; wife, Teresa
5 Jeffs, and it recites, Marriage performed by President
6 Warren S. Jeffs as mouth. It recites Duration as Time
7 and Eternity. It recites Date as July 27th, 2006. It
8 recites the Location as the Home of President Warren S.
9 Jeffs at R17, and it recites Witnesses as Wendell
10 Nielsen and Merrill Jessop.

11 What is your understanding of what R17
12 means?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert privilege of
15 self-incrimination, ongoing investigations by state and
16 federal and the pending indictment in Schleicher County.

17 Q. (BY MS. MALONIS) Were you present at the ranch
18 on July 27, 2006?

19 MS. HENNINGTON: Upon the advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination pursuant to the Fifth
22 Amendment; the basis for my exertion for my client is
23 that there are ongoing investigations, state and
24 federal.

25 Q. (BY MS. MALONIS) Okay. And back to Deposition

1 Exhibit Number 4, and turning to Attachment 1. Do you
2 know who Nephi Jeffs is?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is exerting his right to exert the privilege
5 of self-incrimination based on the Fifth Amendment; the
6 basis is the federal and state investigations.

7 Q. (BY MS. MALONIS) Okay. Have you ever visited
8 Warren Jeffs since he's been in prison?

9 You can -- if your attorney doesn't assert
10 a privilege you need to go ahead and answer the
11 question.

12 A. Yes.

13 Q. Okay. What was the purpose of that visit?

14 MS. HENNINGTON: Upon the advice of client
15 my client is invoking his right to assert his privilege
16 against self-incrimination pursuant to the constitution.
17 There are federal investigations that are pending.

18 Q. (BY MS. MALONIS) When was the last time you
19 visited him?

20 MS. HENNINGTON: Go ahead and answer.

21 A. About one month ago. I don't have the date.

22 Q. (BY MS. MALONIS) About a month ago?

23 A. Uh-huh.

24 Q. Okay. Did -- when you visited him
25 approximately a month ago did Warren Jeffs give you any

1 instructions about how to conduct business among the
2 FLDS religious association?

3 MS. HENNINGTON: I'm going to object to the
4 form of the question as too general and it calls for
5 some kind of a narrative answer.

6 But I'm also exerting on behalf of my
7 client the right to assert the privilege against
8 self-incrimination. The basis is the ongoing
9 investigations pursuant to search warrants, state and
10 federal level.

11 Q. (BY MS. MALONIS) Okay. If you will try to
12 find that.

13 Approximately how many times have you
14 visited Warren Jeffs since he's been incarcerated?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination pursuant to the constitution,
18 and that is based on the fact that there are ongoing
19 federal investigations.

20 Q. (BY MS. MALONIS) Who is William E. Jessop?

21 MS. HENNINGTON: Upon the advice of counsel
22 my client is invoking his right to assert the privilege
23 against self-incrimination pursuant to the constitution;
24 the basis for this is the ongoing federal and state
25 investigations, of criminal investigations.

1 Q. (BY MS. MALONIS) Do you know William E.
2 Jessop?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination pursuant to the Fifth
6 Amendment, and the basis of that is the ongoing criminal
7 and -- state and federal criminal investigations.

8 MS. MALONIS: And while we're looking for
9 the quote in the pleading I'm just going to move on to
10 something else.

11 [Exhibit 6 marked and attached.]

12 Q. (BY MS. MALONIS) I'm handing you several pages
13 which I've marked as Exhibit Number 6, and ask if you
14 can identify that as being a copy of something you've
15 seen before?

16 MS. HENNINGTON: Upon the advice of counsel
17 my client is invoking his rights to assert the privilege
18 against self-incrimination pursuant to the constitution;
19 the basis for my exertion is the fact that there is
20 ongoing investigation, criminal investigations at the
21 federal and state level pursuant to search warrants here
22 in Schleicher County.

23 Q. (BY MS. MALONIS) Okay. Are you not going to
24 identify that or are you not going to answer?

25 MS. HENNINGTON: My client is exerting his

1 right not to answer that pursuant to a privilege.

2 Q. (BY MS. MALONIS) Okay. Can you just state for
3 the record that you're not going to answer it?

4 A. Do I say no?

5 Q. You can say you're not going to answer it based
6 on advice of your counsel. I just -- every once in a
7 while I need to make sure that that's coming from you
8 and not just your counsel. So you are not going to
9 answer that question?

10 A. No.

11 Q. Okay. What is your -- let me identify this
12 further.

13 A. Oh, excuse me.

14 Q. For the record this is several pages, the first
15 page at the top says, Father's Family Information Sheet,
16 Bishop's Record, and there's some handwriting, and it
17 looks like each page thereafter -- well, not each page.
18 Several pages thereafter have the same -- bear the same
19 heading, and then a few pages in the back have some
20 typewritten names and numbers and so forth.

21 Okay. Are you familiar with an entity
22 called YFZ Land, LLC?

23 MS. HENNINGTON: Upon the advice of counsel
24 my client is invoking his right to assert the privilege
25 against self-incrimination pursuant to constitution; the

1 basis for that is the ongoing criminal investigation
2 from the state and federal authorities -- authorities,
3 sorry.

4 Q. (BY MS. MALONIS) Do you have an understanding
5 of whether Texas corporations are registered publicly in
6 Texas, do you know?

7 MS. HENNINGTON: Would you state the
8 question again.

9 Q. (BY MS. MALONIS) Do you have an understanding
10 of whether Texas corporations are registered publicly or
11 are of public record?

12 A. They are, yes.

13 Q. Okay. Have you ever registered a corporation
14 in Texas?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination pursuant to the constitution;
18 basis, the ongoing criminal investigations from the
19 federal and state authorities.

20 Q. (BY MS. MALONIS) Okay. I would like the
21 witness to explain how answering a question about
22 something that's public record can incriminate him.

23 MS. HENNINGTON: Ms. Malonis, I don't think
24 he has to answer that, and so my advice to my counsel,
25 and he is going to answer it this way; is that he's

1 invoking his right to assert the privilege against
2 self-incrimination pursuant to that question.

3 Additionally, we would object to the form
4 of the question as just purely harassment on your part
5 to ask that question of my client.

6 MS. MALONIS: To ask if he's familiar with
7 this corporation?

8 MS. HENNINGTON: No, your question was
9 asking him to explain how not answering that question or
10 how answering that question --

11 MS. MALONIS: Well, I'm -- for the purposes
12 of the record I'm interested in what -- what possible
13 criminal liability could attach from answering a
14 question that -- when the information is of public
15 record.

16 MS. HENNINGTON: I think there are
17 potential --

18 MS. MALONIS: I'm asking your witness.

19 MS. HENNINGTON: Okay.

20 Q. (BY MS. MALONIS) What is your fear of
21 incrimination answering a question about a corporation
22 that is registered publicly?

23 MS. HENNINGTON: Upon the advice of counsel
24 my client is invoking his right to assert the privilege
25 against self-incrimination pursuant to the constitution

1 of state and federal. There are ongoing criminal
2 investigations, including federal investigations and
3 state investigations.

4 Q. (BY MS. MALONIS) Okay. Are you a member of
5 the YFZ Land, LLC?

6 MS. HENNINGTON: Upon the advice of counsel
7 my client is asserting the privilege against
8 self-incrimination pursuant to the Fifth Amendment of
9 the United States Constitution, as well as the state
10 constitution. The basis for that is the ongoing
11 criminal investigations by the state, the authorities,
12 and the federal authorities.

13 (Mr. Pierce-Jones has entered the room)

14 Q. (BY MS. MALONIS) Are you familiar with a
15 mailing address of P.O. Box 715, Eldorado, Texas 76936?

16 MS. HENNINGTON: Upon advice of counsel my
17 client is invoking his right to assert the privilege
18 against self-incrimination pursuant to the constitution
19 of the United States and the State of Texas; the basis
20 is the ongoing criminal investigations from the U.S.
21 Attorney's Office, as well as the State of Texas
22 Attorney General's Office.

23 [Exhibit 8 marked and attached.]

24 Q. (BY MS. MALONIS) Okay. I'm going to hand you
25 what I marked as Exhibit 8, and ask if you are familiar

1 with any of the information contained on those pages.

2 MS. HENNINGTON: Based on the advice of
3 counsel my client is invoking his right to assert the
4 privilege against self-incrimination pursuant to the
5 constitution and the state, Texas, as well as the
6 federal constitution; the basis is the ongoing
7 investigations by the State of Texas as well as the
8 federal authority through the U.S. Attorney's Office.

9 Ms. Malonis, would you like this back?

10 Q. (BY MS. MALONIS) Not yet.

11 Are you familiar with a company called
12 JeffsBusiness.com LTD?

13 MS. HENNINGTON: Upon advice of counsel my
14 client is invoking his right to assert the privilege
15 against self-incrimination pursuant to the Fifth
16 Amendment of the United States Constitution, as well as
17 the State of Texas Constitution; the basis for the
18 exertion of this privilege is the federal and state
19 search warrants and the ongoing -- that have been issued
20 relating to matters here in Schleicher County back in
21 April of 2008, the ongoing investigations that have
22 resulted from those search warrants.

23 MR. DAVIS: And you're saying he can't even
24 testify whether he is familiar, in a sense has any
25 knowledge of that; is that correct?

1 MS. HENNINGTON: That is correct.

2 MS. MALONIS: All right. Give me just a
3 moment. And for the record Deposition Exhibit Number 8
4 is a report from TaxNet USA related to Schleicher County
5 Property Information that lists owner name, YFZ Land,
6 LLC, and a mailing address of P.O. Box 715, Eldorado,
7 Texas 76936, and there are several pages relating to
8 several parcels of property all having the same P.O. Box
9 Number.

10 [Exhibit 9 marked and attached.]

11 Q. (BY MS. MALONIS) I'm going to hand you
12 Number 9 and ask if you can verify any of the
13 information contained on that.

14 A. Excuse me, I can't read it.

15 MS. HENNINGTON: Okay. I'd like to go off
16 the record so I could read this out loud to him.

17 MR. DAVIS: Are his glasses outside or
18 where are the glasses?

19 MS. HENNINGTON: At his house. I didn't
20 know she was going to continue showing documents, so --
21 this one says, TaxNet USA.

22 MS. MALONIS: Let's go off the record for a
23 minute because I got to find something.

24 (Discussion off the record.)

25 [Exhibit 7 marked and attached.]

1 Q. (BY MS. MALONIS) Okay. I've just marked
2 Exhibit Number 7, and we're going out of order, but --
3 and I'm going to hand it to the witness, and it -- the
4 title of it is Officers and Directors, YFZ Land, LLC,
5 Taxable Entity Search Results. And it lists members
6 David S. Allred, Joseph Steed, Merril Jessop, and
7 Raymond Jessop, and I'm handing you that and asking you
8 if you can verify or deny any of the information
9 contained on that page?

10 MS. HENNINGTON: Upon the advice of counsel
11 my client is invoking his right to assert the privilege
12 against self-incrimination.

13 Ms. Malonis has read this document so he
14 knows what it is, and at this time we'll invoke -- exert
15 our privilege against self-incrimination pursuant to the
16 constitution; the basis for that is the ongoing federal
17 investigation out of the U.S. Attorney's Office.

18 Q. (BY MS. MALONIS) Okay. Mr. Jessop, if I were
19 to represent to you that this is a report from a public
20 filing can you answer whether the Merril Jessop listed
21 here is you?

22 MS. HENNINGTON: Upon the advice of counsel
23 my client is invoking his right to assert the privilege
24 against self-incrimination pursuant to state and federal
25 constitutions; the basis for that exertion is, again,

1 the ongoing criminal investigation out of the
2 U.S. Attorney's Office.

3 Q. (BY MS. MALONIS) Okay. And we had gone off
4 the record just after the entry of Number 9 and I think
5 there was a question pending. Did you want to -- can
6 you verify or deny any of the information on that
7 exhibit?

8 MS. HENNINGTON: Upon the advice of counsel
9 my client is invoking his right to assert the privilege
10 against self-incrimination pursuant to the state and
11 federal constitutions, and again, the basis on that is
12 the ongoing criminal investigations from the state and
13 federal authorities.

14 Q. (BY MS. MALONIS) Okay. Do you know what is
15 located at the mailing address 218 West Mandalay,
16 San Antonio, Texas 78212?

17 MS. HENNINGTON: Upon the advice of counsel
18 my client is invoking his right to assert the privilege
19 against self-incrimination pursuant to the Constitution
20 of the United States and the State of Texas; the basis
21 of that is the ongoing state and federal criminal
22 investigations.

23 Q. (BY MS. MALONIS) Okay. Do you know what's
24 located at 1723 McKinley Avenue in San Antonio?

25 MS. HENNINGTON: Based upon advice of

1 counsel my client is invoking his right to assert the
2 privilege against self-incrimination pursuant to the
3 constitution of the state and the U.S. Constitution; the
4 basis of that is the ongoing criminal investigations of
5 the state and federal authorities.

6 Q. (BY MS. MALONIS) Okay. Are you familiar with
7 an entity referred to as the UEP or the United Effort
8 Plan?

9 MS. HENNINGTON: Based upon advice of
10 counsel my client is going to assert his right, his
11 privilege against self-incrimination pursuant to the
12 state and federal constitution; the basis for my
13 exertion of that privilege is the ongoing criminal
14 investigations from the federal and state authorities.

15 Q. (BY MS. MALONIS) Do you know a Clay Jessop?

16 MS. HENNINGTON: Upon the advice of counsel
17 my client is going to invoke his right to assert the
18 privilege against self-incrimination pursuant to the
19 Constitution of United States and the State of Texas;
20 the basis for my exertion of that privilege is the fact
21 that there are ongoing criminal investigations at the
22 federal level as well as the state level.

23 MS. MALONIS: And it's your assertion that
24 stating whether or not he knows a person by that name
25 could incriminate him?

1 MS. HENNINGTON: Is that a question to
2 Mr. Jessop or to me?

3 MS. MALONIS: To you on your instruction
4 not to answer.

5 MS. HENNINGTON: And the basis for my
6 exerting that privilege, the answer is yes, I believe
7 that there is reasonable fear that answering that
8 question could put a person in reasonable fear that he's
9 in -- self-incriminating himself.

10 MS. MALONIS: Okay. Not a person, but him?

11 MS. HENNINGTON: Him; Mr. Jessop.

12 MS. MALONIS: Okay. Just so I understand.

13 All right.

14 [Exhibit 10 marked and attached.]

15 Q. (BY MS. MALONIS) And I'm going to hand you
16 what I've marked as Deposition Exhibit 10 which is a
17 franchise tax certificate of account status for Jessop
18 Land Services, LLC, and ask if you can verify or deny
19 any of the information contained on that?

20 MS. HENNINGTON: Ms. Malonis has called it
21 a franchise tax certification, and for the record since
22 he doesn't have his glasses --

23 MS. MALONIS: Okay.

24 MS. HENNINGTON: -- I'm going to say what
25 the entity is; Jessop Land Services. Okay. That's what

1 it's about.

2 MS. MALONIS: And it lists an individual,
3 Clay Jessop.

4 MS. HENNINGTON: Oh, it -- sorry. Okay.
5 Based upon the advice of his counsel Mr. Jessop is
6 invoking his right to assert the privilege against
7 self-incrimination, that's based on the federal and
8 criminal -- criminal investigations.

9 Q. (BY MS. MALONIS) Are you familiar with an
10 entity called Tonto Investments, Inc.?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination pursuant to the Fifth
14 Amendment of the United States, as well as the Texas
15 Constitution, and that's based on an ongoing criminal
16 investigation out of the federal -- out of the
17 U.S. Attorney's Office.

18 Q. (BY MS. MALONIS) Have you ever been employed
19 by or associated with as a director or member or manager
20 of an entity called Tonto Investments?

21 MS. HENNINGTON: Upon the advice of counsel
22 my client is again invoking his right to assert the
23 privilege against self-incrimination pursuant to the
24 state and federal constitution; the basis for that
25 exertion is that there are ongoing criminal

1 investigations at the federal and state level.

2 Q. (BY MS. MALONIS) Okay. Do you know if your
3 son, Raymond Jessop, has ever been associated as an
4 employee, member, director, officer, or manager of an
5 entity called Tonto Investments?

6 MS. HENNINGTON: Upon the advice upon
7 counsel my client is invoking his right to assert the
8 privilege against self-incrimination pursuant to the
9 constitution of the United States and the State of
10 Texas; the basis is the ongoing criminal investigation
11 from the U.S. Attorney's Office.

12 [Exhibit 11 marked and attached.]

13 Q. (BY MS. MALONIS) Okay. And I'm going to hand
14 you what I've marked as Exhibit 11, and this is a
15 franchise tax certificate for account status of Tonto
16 Investments, Inc. which lists Connie S. Smart as the
17 registered agent, and it lists Connie S. Smart and
18 Donald R. Smart as the directors. And I'm going to ask
19 if you can verify or deny the accuracy of any
20 information contained on that document.

21 MS. HENNINGTON: The document states the
22 name of and investor and the person's name on -- is this
23 one exhibit, Ms. Malonis?

24 MS. MALONIS: It is. I'm making it one
25 exhibit.

1 MS. HENNINGTON: Okay. And the entity
2 information is Tonto Investments and the person is
3 Connie S. Smart as a registered agent.

4 Based upon advice of counsel my client is
5 invoking his right to assert the privilege against
6 self-incrimination pursuant to the state and federal
7 constitution; the basis for my exertion of that
8 privilege is the fact that there is an ongoing criminal
9 investigation at the federal and state level, of the
10 U.S. Attorney's Office and the Attorney General's
11 Office.

12 MR. DAVIS: Are you exerting it or are you
13 asserting it?

14 MS. HENNINGTON: Asserting it.

15 MR. DAVIS: Okay. I just want to make
16 sure.

17 Q. (BY MS. MALONIS) Mr. Jessop, have you ever
18 worked as a construction contractor?

19 MS. HENNINGTON: Based on the advice of
20 counsel my client is invoking his right to assert the
21 privilege against self-incrimination pursuant to the
22 state and federal constitution.

23 Q. (BY MS. MALONIS) Okay. Can you tell me what
24 kinds of jobs you've had since you've been an adult.

25 MS. HENNINGTON: And again, based on the

1 ongoing investigations of the state and federal
2 authorities my client is invoking his right to assert
3 the privilege against self-incrimination pursuant to the
4 state and federal authorities --

5 [Exhibit 12 marked and attached.]

6 Q. (BY MS. MALONIS) Okay. I'm going to hand
7 you --

8 MS. HENNINGTON: -- the constitution. I'm
9 sorry.

10 Q. (BY MS. MALONIS) I'm not even listening. I'm
11 going to hand you Exhibit 12, and it's a note that's
12 addressed, Dear Brother Merrill, and ask you -- and if
13 you can't read that, if your counsel can read it to you,
14 ask you if you recognize that.

15 MS. HENNINGTON: This is -- I'd like to
16 tell him what it is off the record and not read it into
17 the record.

18 MS. MALONIS: Okay.

19 (Discussion off the record.)

20 MS. HENNINGTON: Would the Court Reporter
21 read the last question into the record.

22 (The requested portion was read.)

23 MS. HENNINGTON: Okay. Merrill, I've now
24 read this document and my advice is to invoke your right
25 to assert your privilege against self-incrimination

1 pursuant to the state and U.S. Constitution.

2 Additionally -- oh, I'm sorry that's the --
3 to the question.

4 Q. (BY MS. MALONIS) Okay. Is that addressed
5 to -- are you Brother Merrill? Is that addressed to you?

6 MS. HENNINGTON: Upon the advice of counsel
7 my client is invoking his right to assert the privilege
8 against self-incrimination pursuant to the state and
9 federal constitution; the basis is that there are
10 ongoing criminal investigations, state and federal.

11 Q. (BY MS. MALONIS) Okay. Was that -- is that a
12 note from Warren Jeffs to you?

13 MS. HENNINGTON: Upon advice of counsel my
14 client is invoking his right to privilege against
15 self-incrimination pursuant to the Fifth Amendment of
16 the United States as well as the Texas State
17 Constitution; the basis for that is the fact that there
18 are criminal investigations pending and ongoing at the
19 federal and state level.

20 Q. (BY MS. MALONIS) Okay. I am going to turn --
21 I'll take that.

22 A. (Tenders)

23 Q. Thank you. Okay. Now I'm going to turn back
24 to Exhibit Number 4 which was the pleading from
25 Washington County with Attachment A, and we had said

1 invoking his right to assert the privilege against
2 self-incrimination pursuant to the state and federal
3 constitution; the basis for his asserting that privilege
4 is the fact of the ongoing criminal investigations,
5 state and federal level.

6 Q. (BY MS. MALONIS) Upon becoming aware of -- of
7 that conversation did you take any action?

8 MS. HENNINGTON: Objection to the form of
9 the question; it assumes facts that -- that aren't in
10 evidence. And my client would be invoking his right to
11 assert the privilege against self-incrimination pursuant
12 to the Fifth Amendment of the Constitution of the United
13 States, as well as the constitution of the -- the Texas
14 Constitution; the basis for assertion of this privilege
15 against self-incrimination is the ongoing criminal
16 investigations.

17 Q. (BY MS. MALONIS) Okay. What does it mean for
18 Warren Jeffs' family to come under your direction?

19 MS. HENNINGTON: Upon my advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination, it's pursuant to the state
22 and federal constitution; the basis for asserting this
23 right is the fact that there are ongoing criminal and
24 federal criminal investigations at the federal and state
25 level.

1 Q. (BY MS. MALONIS) Are you not going to answer
2 that question?

3 A. No.

4 Q. Okay. And is the reason for that because of a
5 fear of self-incrimination?

6 A. Yes.

7 Q. Okay. In that same document, a few pages back,
8 continuing with the transcription, and it appears to be
9 a conversation between Naomie and Warren and Merrill.
10 The words attributed to Warren read, The Lord showed me
11 recently though I've been in the key position, I am not
12 the key holder since Father's passing. I was covered
13 with immorality with a sister and a daughter when I was
14 younger and he's shown me and detected me to myself. I
15 haven't held priesthood since I was twenty. Did you
16 take part in that conversation?

17 MS. HENNINGTON: Did you take part of what?

18 Q. (BY MS. MALONIS) Were you part of that
19 conversation? The transcription lists Naomie, Warren,
20 and Merrill.

21 MS. HENNINGTON: Okay. Upon the advice of
22 counsel my client is asserting his right to the
23 privilege against self-incrimination under the federal
24 and state constitution; the basis, there are ongoing
25 criminal investigations that are at the federal level,

1 as well as the State of Texas.

2 Q. (BY MS. MALONIS) Did you visit Warren Jeffs
3 while he was incarcerated on January 24th, 2007?

4 MS. HENNINGTON: Objection as to form; it's
5 already been asked and answered.

6 MS. MALONIS: If he visited on that date?
7 I don't believe I did ask that, I'm sorry.

8 MS. HENNINGTON: I believe the record will
9 reflect that you asked him if he could --

10 MR. DAVIS: I don't believe it's a valid
11 objection anyway.

12 MS. MALONIS: And I don't think it's --
13 okay. If he could refresh my memory what he answered
14 because I don't remember asking that, that if he visited
15 Warren Jeffs on January 24th, 2007.

16 MS. HENNINGTON: The question had asked if
17 you remember when you had visited him, and he said he
18 didn't remember.

19 MS. MALONIS: He didn't remember how many
20 times.

21 MS. HENNINGTON: Uh-huh.

22 Q. (BY MS. MALONIS) Do you remember having
23 visited Warren Jeffs on January 24th, 2007?

24 MS. HENNINGTON: Ms. Warren, as I assert an
25 objection, I'm just making my objection as to form.

1 Q. (BY MS. MALONIS) Okay. And you can go ahead
2 and answer the question.

3 MS. HENNINGTON: And upon the advice of
4 counsel my client is invoking his right to assert the
5 privilege against self-incrimination pursuant to the
6 state and federal constitution; the basis for asserting
7 that privilege is that there are ongoing criminal
8 investigations at both the state and federal level.

9 Q. (BY MS. MALONIS) Have you and your daughter,
10 Naomie, ever been together to visit Warren while he was
11 incarcerated?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his right to assert the privilege
14 against self-incrimination pursuant to the Fifth
15 Amendment of the United States, as well as State of
16 Texas Constitution, Article 1; the basis is the ongoing
17 criminal investigation at the federal and state level.

18 MS. MALONIS: And I would like the record
19 to reflect that after I asked the question there was a
20 long pause wherein the witness did not answer and
21 counsel did not make an objection until --

22 MS. HENNINGTON: And if you'd like I can
23 ask for a recess every time you ask a question, but I am
24 trying to think through your questions before I answer
25 or advise my client what would be the appropriate action

1 to take, whichever you prefer, I'm just trying to keep
2 it going.

3 Q. (BY MS. MALONIS) I don't have a preference. I
4 just want the record to be accurate.

5 What is a second counselor?

6 MS. HENNINGTON: Upon advice of counsel my
7 client is invoking his right to assert the privilege
8 against self-incrimination pursuant to the state and
9 federal constitution; the basis for us asserting that
10 privilege is that there are ongoing criminal
11 investigations at the federal and state level.

12 Q. (BY MS. MALONIS) I'm handing you Exhibit
13 Number 4 again, and there is some handwriting on this
14 page, do you recognize that handwriting?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination pursuant to the federal and
18 state constitution; the basis for the assertion of that
19 privilege is the fact that there are ongoing criminal
20 and state investigations.

21 [Exhibit 13 marked and attached.]

22 Q. (BY MS. MALONIS) Okay. I'm going to hand you
23 Deposition Exhibit 13, which is two pages of
24 handwriting, and ask if you recognize the handwriting
25 that's in cursive.

1 MS. HENNINGTON: Can you see it like that?

2 THE WITNESS: Yeah.

3 MS. HENNINGTON: Okay. Okay. Upon the
4 advice of counsel my client is invoking his right to
5 assert the privilege against self-incrimination pursuant
6 to the federal and state constitution; basis is the fact
7 that that is the ongoing criminal investigation at the
8 federal and state level.

9 Q. (BY MS. MALONIS) Okay. Is that your
10 handwriting?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination pursuant to the Constitution
14 of the United States and the State of Texas; the basis
15 for that is the ongoing criminal investigations at the
16 federal and state level.

17 MS. MALONIS: Okay. I want to go off the
18 record for just a few minutes. I've got to get some
19 other exhibits together and marked and then we'll
20 resume.

21 MS. HENNINGTON: Okay.

22 (Break taken from 2:02 p.m. to 2:16 p.m.)

23 MS. MALONIS: Okay. I'm going to mark
24 we're on Number 14, right?

25 [Exhibit 14 marked and attached.]

1 Q. (BY MS. MALONIS) This is Number 14 and
2 there's -- I have put a sticky on a page and since you
3 don't have your glasses I'll just -- I'm just going to
4 read this paragraph, okay?

5 MS. MONTFORD: Ms. Malonis, I'm sorry, but
6 as a party I do want to be able to see what you're about
7 to read.

8 MS. MALONIS: Sure.

9 MS. MONTFORD: And also, I may have an
10 objection if we're reading from this, an objection to
11 form as to assuming facts not in evidence.

12 MS. MALONIS: Well, he doesn't have his
13 glasses.

14 MS. MONTFORD: I know, but I think the
15 proper way, we may have to go off the record, but is to
16 confer with him and let him go through with his attorney
17 and not read it into the record.

18 MS. MALONIS: Okay. I mean you can object
19 to form, sure.

20 MS. MONTFORD: Okay. I'd object to the
21 form of the question in that it assumes facts in
22 evidence. I think the proper way when the witness has
23 not brought his glasses is to let his attorney read it
24 to him in confidence and then answer whether he
25 identifies it or not.

1 MS. MALONIS: Okay. Well, I haven't asked
2 the question yet, but --

3 MS. MONTFORD: I believe you said you were
4 about to read from it.

5 MS. MALONIS: Yes.

6 MS. MONTFORD: So I'm objecting to that
7 point.

8 MS. MALONIS: Okay. How would you like to
9 handle this, Amy?

10 MS. HENNINGTON: With Mr. Jessop not having
11 his glasses, if we want to make sure that he knows what
12 it is I think the best part is to take a -- any of your
13 documents, take a brief recess and allow me to read that
14 to him.

15 MS. MALONIS: Okay. I don't mind you doing
16 that on that one.

17 MS. HENNINGTON: And I would suggest if
18 there's multiple ones, just in the effort to make this
19 more timely, if you want to go ahead -- and if they're
20 marked and paper-clipped I can take them and we can go
21 look at them all at once and you can come back
22 individually.

23 MS. MALONIS: Okay. Let's -- let me --
24 yeah, let's go off the record and give me a few minutes
25 to see if I can get some together that I was going --

1 that I would ask questions on, and you're certainly
2 welcome to read them to him.

3 MS. HENNINGTON: Okay. But I want to --
4 are we off?

5 MS. MALONIS: You can go off the record
6 now.

7 THE VIDEOGRAPHER: The time is 2:18 p.m.
8 and we're off the record.

9 (Discussion off the record.)

10 MS. MALONIS: Let's do this on the record,
11 but not the video.

12 Exhibit 15 is Budget Estimates Short Creek
13 Stake, one page.

14 Exhibit 16 is Dictation on Thursday, July
15 27, 2006; two pages typed.

16 Exhibit 17 is several pages starting --
17 it's says 56 on the bottom, and the first page is
18 titled, Reports from 56, and let me see if there's
19 something specific. And attached to it on page three is
20 an instrument called -- are you getting this down?
21 Declaration of Trust of the United Order Trust of Texas,
22 in which appears to be several pages, which appears to
23 be nine pages, and then three pages after that.

24 Exhibit 18 is several pages; the first page
25 is titled, Amended and Restated Declaration of Trust of

1 the United Effort Plan Trust, and that portion is seven
2 pages, and it's followed by what appears to be a draft
3 of an instrument, it is four pages and titled,
4 Declaration of Trust of the United Order Trust of Texas.

5 Exhibit 19 is several typed pages. At the
6 top it says, Thursday, December 5th, 1996, and then the
7 title appears to be Sam Barlow: Thoughts regarding a
8 special assignment, and that's it for now.

9 (Break taken from 2:24 p.m. to 2:58 p.m.)

10 [Exhibits 15 through 25 marked and attached.]

11 THE VIDEOGRAPHER: The time is 2:58 p.m.
12 We're back on the record.

13 MS. MALONIS: Mr. Jessop, I'll hand you
14 what's marked as 14, and we started talking about this
15 before we went off the record, and there's a sticky on
16 one of the last pages and some highlighting, and I
17 assume your counsel went over it with you or read it to
18 you.

19 Do you want to remind him what that's about
20 so I can ask him a question if y'all don't want that
21 read into the record?

22 MS. HENNINGTON: Okay. Thank you,
23 Ms. Malonis.

24 Q. (BY MS. MALONIS) Okay. Based on -- based on
25 the reading of this I wanted to ask you, is: Are all

1 aspects of members of the FLDS religious association,
2 are there any aspects of members' lives that are not
3 governed by the religious leader?

4 MS. HENNINGTON: I'm going to object to the
5 form of the question as just too general. And then my
6 client is invoking his right to assert the privilege
7 against self-incrimination pursuant to the constitution.

8 Q. (BY MS. MALONIS) Okay. And based on the same
9 document, are the members' expenses and payment of debts
10 and so forth determined by the religious leaders?

11 MS. HENNINGTON: Objection to form as it's
12 ambiguous and too general. Additionally, my client is
13 invoking his right to the Fifth Amendment privileges.

14 Q. (BY MS. MALONIS) Okay. I'll restate the
15 question since it was ambiguous. Do the religious
16 leaders of the FLDS religious association determine what
17 gets purchased for individual members of the
18 association?

19 MS. HENNINGTON: Upon counsel advice my
20 client is invoking his Fifth Amendment rights; basis is
21 the ongoing criminal investigations.

22 Q. (BY MS. MALONIS) Okay. And based on this same
23 document, do the FLDS religious leaders determine what
24 individual members can wear?

25 MS. HENNINGTON: Okay. Upon advice of

1 my -- of counsel my client is invoking his right to
2 assert the privilege against self-incrimination, and the
3 basis are the ongoing criminal investigations.

4 Q. (BY MS. MALONIS) Okay. Mr. Jessop, are you
5 okay?

6 A. Yeah.

7 Q. Okay. Are you hearing my questions?

8 A. Yes.

9 MS. MALONIS: Okay.

10 MS. HENNINGTON: It's getting hot in here.

11 Q. (BY MS. MALONIS) Are you awake?

12 A. A little sleepy, but I'm all right.

13 Q. Okay, just checking. All right. And based on
14 this same document, do the religious leaders of the FLDS
15 religious association determine what individual members
16 can and cannot eat?

17 MS. HENNINGTON: Upon advice of counsel my
18 client is invoking his right to assert the privilege
19 against self-incrimination; the basis are the ongoing
20 criminal investigations.

21 Q. (BY MS. MALONIS) Okay. And based on the same
22 document, do the FLDS religious leaders determine what
23 vocations the individual members of the organization
24 have?

25 MS. HENNINGTON: My client is invoking his

1 privilege under the Fifth Amendment; basis are the
2 ongoing criminal investigations.

3 Q. (BY MS. MALONIS) Okay. And based on the same
4 document, do the FLDS religious leaders determine where
5 individual members of the association can live?

6 MS. HENNINGTON: My client is invoking the
7 Fifth Amendment right against self-incrimination; the
8 basis is the criminal investigations.

9 Q. (BY MS. MALONIS) Okay. And based on the same
10 document, do the FLDS religious leaders determine the --
11 who individual members can associate with?

12 MS. HENNINGTON: Based on advice of counsel
13 my client is invoking his Fifth Amendment right based on
14 the criminal -- ongoing criminal investigations.

15 Q. (BY MS. MALONIS) Okay. And based on the same
16 document, do the FLDS religious leaders determine who
17 can be married to whom among the individual members?

18 MS. HENNINGTON: Based on the advice of
19 counsel my client is invoking his right to assert the
20 privilege of self-incrimination; the basis is the
21 ongoing criminal investigation.

22 Q. (BY MS. MALONIS) How many residential
23 structures are there at the -- at the location known as
24 the YFZ Ranch?

25 MS. HENNINGTON: Based upon the advice of

1 counsel my client is invoking his right to assert the
2 privilege of self-incrimination based on the ongoing
3 criminal investigation.

4 Q. (BY MS. MALONIS) Okay. What is the
5 consequence if a -- if a male member of the FLDS loses
6 his priesthood?

7 MS. HENNINGTON: Based on the advice of
8 counsel my client is invoking his right under the
9 Constitution of the United States and the State of
10 Texas; basis for self-incrimination -- sorry -- basis,
11 ongoing criminal investigation.

12 Q. (BY MS. MALONIS) Okay. If a particular family
13 who are members of the FLDS organization in Texas reside
14 outside of the ranch may they remain in good standing
15 within the religious association?

16 MS. HENNINGTON: Upon the advice of counsel
17 my client is invoking his right to assert the privilege
18 against self-incrimination; the basis for that is the
19 ongoing criminal investigation -- investigations.

20 Q. (BY MS. MALONIS) Okay. Would a teenage boy or
21 girl member of the FLDS association in Texas have the
22 independent ability to determine whether they go to
23 college?

24 MS. HENNINGTON: Based upon the advice of
25 counsel my client is invoking his right to assert the

1 privilege of self-incrimination; the basis for that
2 assertion is the ongoing criminal investigations.

3 Q. (BY MS. MALONIS) Are there any members
4 currently within the FLDS Texas association who are
5 attending college or graduate school?

6 MS. HENNINGTON: Objection as to form, as
7 too general. And my client is asserting his privilege
8 against self-incrimination.

9 Q. (BY MS. MALONIS) Okay. Let me restate. Are
10 there any -- are there currently any FLDS members who
11 are enrolled in college, currently enrolled?

12 MS. HENNINGTON: Upon advice of counsel the
13 client -- my client is invoking his right to assert the
14 privilege against self-incrimination.

15 Q. (BY MS. MALONIS) Are there currently any FLDS
16 members in Texas who are enrolled in a graduate program
17 beyond college?

18 MS. HENNINGTON: Upon the advice of counsel
19 my client is invoking his right to assert the privilege
20 against self-incrimination based on the ongoing criminal
21 investigation.

22 Q. (BY MS. MALONIS) What is your highest level of
23 education?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination based on the ongoing criminal
2 investigation.

3 Q. (BY MS. MALONIS) Do you have a high school
4 degree?

5 MS. HENNINGTON: Based upon the advice of
6 counsel my client is invoking his right to assert the
7 privilege against self-incrimination based on the
8 ongoing criminal investigations.

9 Q. (BY MS. MALONIS) Okay. Are you familiar with
10 the finances of running the ranch and its constituent
11 residences and buildings and operations?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his right to assert the privilege
14 against self-incrimination, and the basis for that is
15 the ongoing criminal investigation.

16 Q. (BY MS. MALONIS) What does Short Creek Stake
17 mean?

18 MS. HENNINGTON: Upon the advice of counsel
19 my client is invoking the right to assert the privilege
20 against self-incrimination; the basis of that is the
21 ongoing criminal investigations.

22 Q. (BY MS. MALONIS) Okay. I'm going to hand you
23 what is marked as 15, entitled, Budget Estimate Short
24 Creek Stake, and ask you to review that information.

25 MS. HENNINGTON: This was previously handed

1 to us, Ms. Malonis.

2 MS. MALONIS: Oh, it was?

3 MS. HENNINGTON: I reviewed it with my
4 client.

5 Q. (BY MS. MALONIS) Okay. And based on your
6 review with your counsel can you verify or deny any of
7 the information contained on this sheet?

8 MS. HENNINGTON: Upon the advice of counsel
9 my client is invoking his right to assert the privilege
10 against self-incrimination; the basis of that assertion
11 is the ongoing criminal investigation -- investigations.

12 Q. (BY MS. MALONIS) Okay. Are you aware whether
13 or not there are still tithes being collected and
14 utilized towards the operations of the YFZ Ranch?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination, and the basis of that is the
18 ongoing criminal investigations.

19 Q. (BY MS. MALONIS) Is there any construction
20 ongoing at the ranch?

21 MS. HENNINGTON: Upon the advice of counsel
22 my client is invoking his right to assert the privilege
23 against self-incrimination, and the basis of that is the
24 ongoing criminal investigations.

25 Q. (BY MS. MALONIS) Are you associated with a

1 company called Johnny Beagley Construction?

2 MS. HENNINGTON: Upon the advice of counsel
3 my client is invoking his right to assert the privilege
4 against self-incrimination, and the basis of that is the
5 ongoing criminal investigations.

6 Q. (BY MS. MALONIS) Do you have a bank account in
7 Texas?

8 MS. HENNINGTON: Upon the advice of counsel
9 my client is invoking his right to assert the privilege
10 against self-incrimination, and the basis of that is the
11 ongoing criminal investigations.

12 Q. (BY MS. MALONIS) Are you associated with a
13 company called Reliance Electric?

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is invoking his right to assert the privilege
16 against self-incrimination; the basis of that is the
17 ongoing criminal investigations.

18 Q. (BY MS. MALONIS) Have you paid Ms. Hennington?

19 MS. HENNINGTON: Object as to form, that's
20 just a harassing question, I mean, Ms. Malonis.

21 Q. (BY MS. MALONIS) Okay. Can you answer the
22 question?

23 MS. HENNINGTON: Ms. Malonis, he's not a
24 party to this so he's not -- I'm instructing my client
25 not to answer that.

1 MS. MALONIS: On what basis are you
2 instructing your client not to answer?

3 MS. HENNINGTON: Client-attorney privilege.
4 He's not a party to this case.

5 Q. (BY MS. MALONIS) I understand. Have you paid
6 any attorneys a retainer in the last six months in
7 connection with any investigations into activities at
8 the YFZ Ranch?

9 MS. HENNINGTON: It's attorney -- my client
10 is instructed not to answer that; it's attorney-client
11 privilege information.

12 Q. (BY MS. MALONIS) Okay. Have you made any
13 payments out of a bank account within the last six
14 months?

15 MS. HENNINGTON: Upon my advice my client
16 is invoking his right to assert the privilege against
17 self-incrimination, and that is -- the basis of that is
18 the ongoing criminal investigations.

19 Q. (BY MS. MALONIS) Okay. Do you have check
20 writing authority on any bank accounts?

21 MS. HENNINGTON: Upon the advice of counsel
22 my client is invoking the right to assert the privilege
23 against self-incrimination; the basis of that is the
24 ongoing criminal investigations.

25 Q. (BY MS. MALONIS) Do you drive an automobile?

1 MS. HENNINGTON: Upon the advice of counsel
2 my client is invoking his right to assert the privilege
3 against self-incrimination, and the basis of that is the
4 ongoing criminal investigations.

5 MS. MALONIS: Okay. Can you state
6 specifically what offense he might be in fear -- or let
7 the witness state what he is afraid of being
8 incriminated by answering directly whether he drives an
9 automobile.

10 MS. HENNINGTON: Ms. Malonis, what --

11 THE WITNESS: Probably because I can't see.

12 MS. HENNINGTON: You don't want to drive
13 because you can't see.

14 Q. (BY MS. MALONIS) And If you don't you can say
15 you don't, and I don't know how that can be
16 incriminating.

17 Do you know who makes the payments for
18 Ms. Annette Jeffs' house payments?

19 MS. MONTFORD: I'm going to object to the
20 form of that question.

21 Q. (BY MS. MALONIS) Okay. Can you go ahead and
22 answer?

23 MS. HENNINGTON: Upon the advice of his
24 counsel my client is invoking his right to assert the
25 privilege against -- against self-incrimination. There

1 are ongoing criminal investigations in this case.

2 Q. (BY MS. MALONIS) Do you have anything to do
3 with the payment of Ms. Jeffs' expenses?

4 MS. MONTFORD: Again I'm going to object to
5 the form of the question.

6 Q. (BY MS. MALONIS) Can you go ahead and answer?

7 MS. HENNINGTON: I'm going to object to the
8 form of the question as well; it's just asked for
9 harassment and argumentative, facts not in dispute are
10 in evidence here.

11 Additionally, my client will be asserting
12 the privilege against self-incrimination pursuant to the
13 constitution. There's ongoing criminal investigations
14 here is the basis.

15 Q. (BY MS. MALONIS) Okay. Do you know if
16 Ms. Jeffs has a job?

17 MS. HENNINGTON: Upon the advice of counsel
18 my client is invoking his right to assert the privilege
19 against self-incrimination. There are ongoing -- the
20 basis is there are ongoing criminal investigations that
21 are pending right now.

22 Q. (BY MS. MALONIS) Okay. And just to clarify,
23 when I say, Ms. Jeffs, I'm talking about Ms. Annette
24 Jeffs who is sitting at the table.

25 Do you know if -- do you have any awareness

1 of whether Ms. Annette Jeffs has any access to financial
2 resources outside of the control of the religious
3 leaders of the FLDS?

4 MS. MONTFORD: I object to form.

5 MS. MALONIS: Can I ask you to state the
6 grounds on which --

7 MS. MONTFORD: It's vague, it's over broad,
8 and it calls for speculation.

9 Q. (BY MS. MALONIS) Okay. It's a yes or no; I'm
10 asking if you're aware.

11 MS. MONTFORD: And I still object.

12 Q. (BY MS. MALONIS) Okay. You can answer the
13 question.

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is asserting his privilege against
16 self-incrimination, and the basis of that is the
17 continual ongoing criminal investigations.

18 Q. (BY MS. MALONIS) Do you have frequent contact
19 with Ms. Jeffs?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination; the basis is the fact that
23 there are ongoing criminal investigations.

24 Q. (BY MS. MALONIS) Do you know where Ms. Annette
25 Jeffs and her children live, what city?

1 MS. HENNINGTON: What city?

2 Q. (BY MS. MALONIS) Uh-huh. Do you know what
3 city they live?

4 MS. HENNINGTON: You can answer.

5 A. If I had my cities straight it's New Braunfels.

6 Q. (BY MS. MALONIS) Okay. Have you ever been to
7 that residence?

8 MS. HENNINGTON: Upon the advice of counsel
9 my client is invoking his right to assert the privilege
10 against self-incrimination, and the basis of that is
11 ongoing criminal investigations.

12 Q. (BY MS. MALONIS) Did you personally have
13 anything to do with securing that residence for her and
14 her family to live in?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination, and the basis of that is the
18 ongoing criminal investigations.

19 Q. (BY MS. MALONIS) Do you personally have the
20 ability to ask Ms. Jeffs and her family to vacate that
21 resident?

22 MS. HENNINGTON: Upon the advice of counsel
23 my client is invoking his right to assert the privilege
24 against self-incrimination, and the basis for that is
25 the ongoing criminal investigations.

1 Q. (BY MS. MALONIS) If Teresa Jeffs decides not
2 to return to the ranch will she remain a member in good
3 standing of the FLDS?

4 MS. HENNINGTON: Objection to form; it's
5 speculative. Additionally, my client will be invoking
6 his right to assert the privilege against
7 self-incrimination; the basis is the ongoing criminal
8 investigations.

9 Q. (BY MS. MALONIS) Okay. Is there anybody other
10 than Warren Jeffs who has the ability to conduct a
11 marriage ceremony within the FLDS?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his right to assert the privilege
14 against self-incrimination; the basis for that is the
15 ongoing criminal investigations.

16 Q. (BY MS. MALONIS) Is there any mechanism --
17 well, strike that. Is there any way for another person
18 to assume the position of prophet of the FLDS while
19 Warren Jeffs is still living?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination; the basis of that is the all
23 ongoing criminal investigations.

24 Q. (BY MS. MALONIS) Okay. If your son, Raymond
25 Jessop, is convicted and is -- and serves jail time will

1 Teresa Jeffs be entitled to a release from her marriage
2 to him?

3 MS. HENNINGTON: Upon advice from counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination, and the basis of that is the
6 ongoing criminal investigations.

7 Q. (BY MS. MALONIS) Okay. Is Teresa Jeffs still
8 married to Raymond Jessop?

9 MS. HENNINGTON: Upon the advice of counsel
10 my client is invoking his right to assert the privilege
11 against self-incrimination, and the basis of that is the
12 ongoing criminal investigations.

13 Q. (BY MS. MALONIS) Has Raymond Jessop ever been
14 excluded from the FLDS branch and living there?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination, and the basis of that is the
18 ongoing criminal investigations.

19 Q. (BY MS. MALONIS) Is Raymond Jessop a member in
20 good standing of the FLDS religious association?

21 MS. HENNINGTON: Upon the advice of counsel
22 my client is invoking his right to assert the privilege
23 against self-incrimination, and the basis for that is
24 the ongoing criminal investigations.

25 Q. (BY MS. MALONIS) Does Raymond Jessop hold

1 priesthood?

2 MS. HENNINGTON: Upon the advice of counsel
3 my client is invoking his right to assert the privilege
4 against self-incrimination, and the basis of that is the
5 ongoing criminal investigations.

6 Q. (BY MS. MALONIS) Was Raymond Jessop ever your
7 first counselor?

8 MS. HENNINGTON: Upon the advice of counsel
9 my client is invoking his right to assert the privilege
10 against self-incrimination, and the basis of that is the
11 ongoing criminal investigations.

12 Q. (BY MS. MALONIS) Is Raymond Jessop still your
13 first counselor?

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is invoking his right to assert the privilege
16 against self-incrimination, and the basis of that is the
17 ongoing criminal investigations.

18 Q. (BY MS. MALONIS) In the last four years have
19 you resided in Mancos, Colorado?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination, and the basis of that is the
23 ongoing criminal investigations.

24 Q. (BY MS. MALONIS) I'm going to refer back to
25 Deposition Exhibit Number 6, and I will note that there

1 are references in here to a residence location as either
2 Elsewhere or House of Hiding, can you tell me what your
3 understanding of what House of Hiding means?

4 MS. HENNINGTON: Objection as to form, that
5 that exhibit, I think, is in dispute. Additionally,
6 the -- my client, based on my advice, will be invoking
7 his right to assert the privilege against
8 self-incrimination; the basis is ongoing criminal
9 investigations.

10 Q. (BY MS. MALONIS) Have you ever been in charge
11 of a house of hiding?

12 MS. HENNINGTON: Based upon advice of
13 counsel my client is invoking his right to assert the
14 privilege against self-incrimination; the basis are
15 ongoing criminal investigations.

16 Q. (BY MS. MALONIS) Okay. I've just handed you
17 Exhibit 18. Can you identify that?

18 MS. HENNINGTON: Based on the advice of
19 counsel my client is invoking his right to assert the
20 privilege against self-incrimination; the basis for that
21 is the ongoing criminal investigations.

22 Q. (BY MS. MALONIS) Okay. Have you ever heard of
23 the United Effort Plan Trust?

24 MS. HENNINGTON: Based on the advice of
25 counsel my client is invoking his right to assert the

1 privilege against self-incrimination; the basis for that
2 is the ongoing criminal investigations.

3 Q. (BY MS. MALONIS) Are you a member of the
4 Beneficiary class of the United Effort Plan Trust?

5 MS. HENNINGTON: Upon the advice of counsel
6 my client is invoking his right to assert the privilege
7 against self-incrimination pursuant to the constitution;
8 the basis for that is the ongoing criminal
9 investigations that are federal and state.

10 Q. (BY MS. MALONIS) Okay. Do you know if
11 Ms. Annette Jeffs is part of the Beneficiary class of
12 the United Effort Plan Trust?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert against
15 self-incrimination; the basis for that is the continued
16 ongoing criminal investigations.

17 Q. (BY MS. MALONIS) Within the last month have
18 you travelled to St. George, Utah to meet with any
19 representative of the Attorney General's Office of Utah?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination; he's also invoking his right
23 of attorney-client privilege, that, and the other is
24 that the objection to the form of the question; it's not
25 an issue -- it's not a -- it's not a fact that's in

1 dispute or assumes facts that's in dispute.

2 MS. MALONIS: I didn't understand your
3 objection.

4 MS. HENNINGTON: Objection to form.

5 MS. MALONIS: Thank you. And on what
6 grounds are you objecting to form?

7 MS. HENNINGTON: That it's assuming facts
8 that are in dispute are not in evidence.

9 Q. (BY MS. MALONIS) Okay, all right. Have you
10 travelled out of the State of Texas with Wendell Nielsen
11 in the last month?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his right to assert the privilege
14 against self-incrimination; the basis of that is ongoing
15 criminal investigations.

16 Q. (BY MS. MALONIS) Does your -- do your bond
17 conditions prohibit you from traveling outside of Texas?

18 MS. HENNINGTON: You can answer.

19 A. No.

20 Q. (BY MS. MALONIS) Okay. Are there any
21 conditions to your bond?

22 A. No.

23 MS. MALONIS: Okay.

24 MS. HENNINGTON: And for the record,
25 Ms. Malonis, my client, there are -- the Judge has set

1 some conditions, like, you know -- I mean they're
2 standard, but --

3 MS. MALONIS: I understand, but not travel,
4 okay.

5 MS. HENNINGTON: He's said, no, so he
6 clarified that on the record.

7 Q. (BY MS. MALONIS) Okay, all right. The
8 document I just showed you, towards the end -- towards
9 the back is what appears to me to be a draft of a
10 declaration of trust, it's called, Declaration of Trust
11 of the United Order Trust of Texas, and did you review
12 that with your counsel?

13 MS. HENNINGTON: This is one of the
14 documents we reviewed in the room.

15 A. Yes, ma'am.

16 Q. (BY MS. MALONIS) Okay. Are you familiar
17 with -- well, let me see that back so I can refer to it.

18 At any time has a trust been formed to hold
19 real or personal property of the FLDS within Texas?

20 MS. HENNINGTON: Based on the ongoing
21 criminal investigations my client will be asserting his
22 privilege against self-incrimination.

23 Q. (BY MS. MALONIS) Do you know if this draft was
24 ever executed and made a trust instrument?

25 MS. HENNINGTON: Upon the advice of counsel

1 my client is invoking his right to assert the privilege
2 against self-incrimination; the basis of that assertion
3 is the ongoing criminal investigations.

4 Q. (BY MS. MALONIS) Who's Isaac S. Jeffs?

5 MS. HENNINGTON: Objection to form; it's
6 vague.

7 Q. (BY MS. MALONIS) Do you know Isaac S. Jeffs?

8 MS. HENNINGTON: Upon the advice of
9 client -- I mean counsel, my client is invoking his
10 right to assert the privilege against
11 self-incrimination; the basis of that is the ongoing
12 criminal investigations.

13 Q. (BY MS. MALONIS) Is your son, Raymond Jessop,
14 to your knowledge, a trustee of any trust in Texas?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination, and the basis of that is the
18 ongoing criminal investigations.

19 Q. (BY MS. MALONIS) Do you know a person by the
20 name of Sam Barlow?

21 MS. HENNINGTON: Upon the advice of counsel
22 my client is invoking his right to assert the privilege
23 against self-incrimination, and the basis of that is the
24 ongoing investigations; criminal investigations.

25 MS. MALONIS: Okay. I'm going to hand you

1 19, and that's one of the documents that you and your
2 counsel were reviewing.

3 MS. HENNINGTON: Okay. Here you go,
4 Ms. Malonis.

5 Q. (BY MS. MALONIS) Okay. Were you a member of
6 the FLDS religious association on December 5th, 1996?

7 MS. HENNINGTON: On the advice of counsel
8 my client is invoking his right to assert the privilege
9 against self-incrimination, and the basis is the ongoing
10 criminal investigations.

11 Q. (BY MS. MALONIS) And based on this document
12 I'm going to ask you: Are you aware of -- are you aware
13 of a practice where men or women would use water to shut
14 a child up when it cried, holding a child underwater or
15 dunking them to stop the crying?

16 MS. HENNINGTON: Based on the advice of
17 counsel my client is invoking his right to assert the
18 privilege against self-incrimination, and the basis of
19 that assertion is the continued ongoing criminal
20 investigations.

21 Q. (BY MS. MALONIS) Okay. Are you -- based on
22 this document, are you aware of any member of the FLDS
23 religious association having tied persons to chairs or
24 trees or other kinds of physical restraints as a joke?

25 MS. HENNINGTON: On the advice of counsel

1 my client is invoking his right to assert the privilege
2 against self-incrimination; the basis of that is the
3 continued ongoing criminal investigations.

4 Q. (BY MS. MALONIS) Are you -- based again on
5 this document, are you aware of any member of the FLDS
6 association using needles in a bed to pierce the skin
7 and surprise someone?

8 MS. HENNINGTON: Upon the advice of counsel
9 my client is invoking his right to assert the privilege
10 against self-incrimination; the basis of that is the
11 continual ongoing criminal investigations.

12 Q. (BY MS. MALONIS) Okay. And again, based on
13 this document, are you aware of a pattern of hitting
14 children on the head as a way of parental control?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination, and the basis is the ongoing
18 criminal investigations.

19 Q. (BY MS. MALONIS) And based on this document
20 are you aware of a practice of any adults in the FLDS
21 association encouraging their older children to
22 physically harm their younger children as a basis of
23 punishment?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination, and the basis of that is the
2 continued ongoing criminal investigations.

3 Q. (BY MS. MALONIS) Okay. Are you -- based on
4 this document are you aware of any adult members of the
5 FLDS using -- withholding food as a basis of punishment
6 for their children?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is invoking his right to assert the privilege
9 against self-incrimination, and the basis of that is the
10 ongoing criminal investigations.

11 Q. (BY MS. MALONIS) Okay. And based on this
12 document are you aware of any adult members of the FLDS
13 force-feeding their children as a method of punishment?

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is invoking his right to assert the privilege
16 against self-incrimination; the basis of that is the
17 ongoing criminal investigations.

18 Q. (BY MS. MALONIS) Is Sam Barlow or was Sam
19 Barlow a member of law enforcement, to your knowledge?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination; the basis of that is the
23 continued ongoing criminal investigations.

24 Q. (BY MS. MALONIS) Okay. All of those things
25 that I just went over with you based on this document,

1 have you ever engaged in any of those practices with
2 your children?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination, and the basis of that is the
6 continued ongoing criminal investigations.

7 Q. (BY MS. MALONIS) Okay. And all of those
8 things that I mentioned from that document, are any of
9 those practices taught or encouraged within the FLDS
10 organization?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination; the basis of that is the
14 continued ongoing criminal investigations.

15 MS. MALONIS: Okay. I'm going to hand you
16 Exhibit 20, and this is the deposition of Warren Jeffs,
17 dated November 10th, 2000, and I believe you went over
18 that with your counsel, if you want to look at it again.

19 MS. HENNINGTON: Yes, this is the
20 deposition.

21 THE WITNESS: Uh-huh.

22 MS. HENNINGTON: Okay. Here you go,
23 Ms. Malonis.

24 Q. (BY MS. MALONIS) Thank you. And based on this
25 document, what's contained in this document I'll ask

1 you: Does -- can the prophet delegate any of his
2 authority to perform ordinances within the FLDS?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination, and the basis of that is the
6 ongoing criminal investigations.

7 Q. (BY MS. MALONIS) Okay. And based on this
8 document I want to ask you: What does it mean to be --
9 to be handled?

10 MS. HENNINGTON: I'm sorry, could you
11 repeat that.

12 Q. (BY MS. MALONIS) What does it mean to be
13 handled?

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is invoking his right to assert the privilege
16 against self-incrimination; the basis of that is the
17 ongoing criminal investigation.

18 Q. (BY MS. MALONIS) And based on this document
19 has there been a practice within the FLDS of separating
20 families -- strike that. Has there been a practice --
21 has Warren Jeffs specifically practiced dividing
22 families, separating mothers and children from fathers?

23 MS. HENNINGTON: Upon the advice of counsel
24 my client is invoking his right to assert the privilege
25 against self-incrimination; the basis of that is the

1 ongoing criminal investigations.

2 Q. (BY MS. MALONIS) Okay. And on this document,
3 page 52, if you will look at that, and there are --
4 there are some handwritten notes and then at the bottom
5 there's a signature. Can you identify that handwriting?
6 Do you recognize it?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is invoking his right to assert the privilege
9 against self-incrimination, and the basis of that is the
10 ongoing criminal investigations.

11 Q. (BY MS. MALONIS) Okay. And on that same page
12 there is a line and a typed -- and it's typewritten,
13 Warren Jeffs, Deponent, and then there's a signature
14 above it that appears to say, Warren S. Jeffs. Do you
15 recognize that signature?

16 MS. HENNINGTON: Upon the advice of counsel
17 my client is invoking his right to assert the privilege
18 against self-incrimination; the basis of that is the
19 ongoing criminal investigations.

20 MS. MALONIS: Okay. And I'll hand you
21 what's been marked 21 that you went over with counsel.

22 MS. HENNINGTON: These are dictations.
23 Okay. Here you go, Ms. Malonis.

24 Q. (BY MS. MALONIS) Thank you. All right. Do
25 you know a person by the name of Susanna Barlow?

1 MS. HENNINGTON: Upon the advice of counsel
2 my client is invoking his right to assert the privilege
3 against self-incrimination; the basis of that is the
4 ongoing criminal investigations.

5 Q. (BY MS. MALONIS) Okay. Do you know a person
6 by the name of David Jeffs?

7 MS. HENNINGTON: On the advice of counsel
8 my client is invoking his right to assert the privilege
9 against self-incrimination, and the basis of that is the
10 ongoing criminal investigations.

11 Q. (BY MS. MALONIS) Do you have a son named David
12 Jeffs?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert the privilege
15 against self-incrimination, and the basis of that is the
16 ongoing criminal investigations.

17 Q. (BY MS. MALONIS) If the prophet places a woman
18 with a man to be sealed and that woman does not want
19 that relationship does she have the authority to say no?

20 MS. HENNINGTON: Is that the question?

21 Q. (BY MS. MALONIS) That's my question if you
22 understood -- did you understand my question?

23 A. Uh-huh.

24 MS. MALONIS: Okay.

25 MS. HENNINGTON: Upon the advice of counsel

1 my client is invoking his right to assert the privilege
2 against self-incrimination, and the basis of that is the
3 ongoing continual -- continued ongoing criminal
4 investigations.

5 Q. (BY MS. MALONIS) Okay. Under that same
6 hypothetical, if that woman does say no what are the
7 consequences to the woman?

8 MS. HENNINGTON: Upon the advice of counsel
9 my client is invoking his right to assert the privilege
10 against self-incrimination, and the basis of that is the
11 ongoing criminal investigations.

12 Q. (BY MS. MALONIS) Okay. Do you know a person
13 by the name of Jim Allred?

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is invoking his right to assert the privilege
16 against self-incrimination; the basis of that is the
17 ongoing criminal investigations.

18 Q. (BY MS. MALONIS) Do you know if Susanna Barlow
19 is married to Jim Allred?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination, and the basis of that is the
23 ongoing criminal investigations.

24 Q. (BY MS. MALONIS) If a woman desires to be
25 released from her marriage how does -- how would she go

1 about doing that?

2 MS. HENNINGTON: Upon the advice of counsel
3 my client is invoking his right to assert the privilege
4 against self-incrimination, and the basis of that is the
5 ongoing criminal investigations.

6 Q. (BY MS. MALONIS) Has any property owned by the
7 UEP trust been liquidated to purchase assets for the YFZ
8 Ranch?

9 MS. HENNINGTON: Upon the advice of counsel
10 my client is invoking his right to assert the privilege
11 against self-incrimination; the basis of that is the
12 ongoing criminal investigations.

13 Q. (BY MS. MALONIS) When you were recently in
14 Utah who did you meet with?

15 MS. HENNINGTON: Based upon the advice of
16 counsel my client is invoking -- asserting his privilege
17 against self-incrimination; the basis of -- of that is
18 the ongoing criminal investigations.

19 Q. (BY MS. MALONIS) Okay. Are you participating
20 in negotiations of a settlement of UEP trust litigation?

21 MS. HENNINGTON: On the advice of counsel
22 my client is invoking his right to assert the privilege
23 against self-incrimination; the basis of that is the
24 ongoing investigation -- investigations.

25 Q. (BY MS. MALONIS) Okay. Give me just a minute.

1 We don't have to go off the record, but give me a
2 minute.

3 Do you have a son named Ernest?

4 MS. HENNINGTON: Upon the advice of counsel
5 my client is invoking his right to assert the privilege
6 against self-incrimination, and the basis of that is the
7 continued ongoing criminal investigations.

8 Q. (BY MS. MALONIS) Was Ernest Jessop the bishop
9 of the Texas group before you became bishop?

10 MS. HENNINGTON: Objection to form;
11 compound.

12 Q. (BY MS. MALONIS) Okay, I'll restate it. Was
13 Ernest Jessop ever the bishop of the Texas FLDS group?

14 MS. HENNINGTON: Upon the -- I advise
15 counsel my client is invoking his right to assert the
16 privilege against self-incrimination; the basis of that
17 is the ongoing criminal investigations.

18 Q. (BY MS. MALONIS) Do you know David Allred?

19 MS. HENNINGTON: Objection; form. I think
20 you already asked him if he knew him.

21 MS. MALONIS: I asked if he knew Jim
22 Allred.

23 MS. HENNINGTON: Oh, I'm sorry.

24 MS. MALONIS: That's okay.

25 MS. HENNINGTON: My apologies, Ms. Malonis.

1 Q. (BY MS. MALONIS) No problem. Do you know
2 David Allred?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination; the basis of that is the
6 ongoing criminal investigation.

7 Q. (BY MS. MALONIS) Where is R 23 located?

8 MS. HENNINGTON: Upon the advice of counsel
9 my client is invoking his right to assert the privilege
10 against self-incrimination, and the basis of that is the
11 ongoing criminal investigation.

12 Q. (BY MS. MALONIS) Are you familiar with a
13 company called United Land Company?

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is invoking his right to assert the privilege
16 against self-incrimination, and the basis of that is the
17 ongoing criminal investigations.

18 Q. (BY MS. MALONIS) What is your relationship to
19 a person named Lyle Jeffs?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination, and the basis of that is the
23 ongoing continued criminal investigations.

24 Q. (BY MS. MALONIS) Were you involved in the
25 negotiation or sale of any land referred to as the Apple

1 Valley land?

2 MS. HENNINGTON: Upon the advice of counsel
3 my client is invoking his right to assert the privilege
4 against self-incrimination; the basis of that is the
5 ongoing criminal investigations.

6 Q. (BY MS. MALONIS) Is Roy Jeffs your -- let's
7 see, strike that. Okay. On page 191 there is a
8 reference of a transfer of \$40,000 from -- wire transfer
9 from bank to bank, do you have any understanding of
10 how -- of what banks are being referred to?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination, and the basis is the ongoing
14 criminal investigations.

15 Q. (BY MS. MALONIS) Do you have an understanding
16 of the meaning of the phrase, all consuming fire from
17 heaven?

18 MS. HENNINGTON: Upon the advice of counsel
19 my client is invoking his right to assert the privilege
20 against self-incrimination; the basis of that is the
21 ongoing criminal investigations.

22 Q. (BY MS. MALONIS) How many of your daughters
23 have been married or sealed to Warren Jeffs?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination; the basis of that is the
2 ongoing criminal investigations.

3 Q. (BY MS. MALONIS) How many of your daughters
4 have been -- I'm sorry. How many of your -- that was
5 the question I just asked. How many of Warren Jeffs'
6 daughters have been married or sealed to your sons?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is invoking his right to assert the privilege
9 against self-incrimination; the basis of that is the
10 ongoing criminal investigations.

11 MS. MALONIS: Okay. Exhibit 22, which is
12 another one that you and your counsel reviewed.

13 MS. HENNINGTON: Here you go, Ms. Malonis.

14 Q. (BY MS. MALONIS) Do you know if Warren Jeffs
15 was in the habit of dictating his daily activities?

16 MS. HENNINGTON: Upon the advice of counsel
17 my client is invoking the right to assert the privilege
18 against self-incrimination, and the basis is the ongoing
19 criminal investigations.

20 Q. (BY MS. MALONIS) Have you heard your daughter,
21 Naomie, be referred to as a scribe?

22 MS. HENNINGTON: Upon the advice of counsel
23 my client is invoking his right to assert the privilege
24 against self-incrimination, and the basis of that is the
25 ongoing and criminal investigations.

1 Q. (BY MS. MALONIS) Is there any property at the
2 YFZ Ranch that is owned by the UEP trust?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination, and the basis of that is the
6 ongoing criminal investigations.

7 Q. (BY MS. MALONIS) Have you ever had a default
8 judgment entered against you?

9 MS. HENNINGTON: Upon the advice of counsel
10 my client is invoking his right to assert the privilege
11 against self-incrimination; the basis is the ongoing
12 criminal investigations.

13 Q. (BY MS. MALONIS) Have you ever been advised by
14 Warren Jeffs to allow a default judgement to be entered
15 against you?

16 MS. HENNINGTON: Upon the advice of counsel
17 my client is invoking his right to assert the privilege
18 against self-incrimination; the basis is the ongoing
19 criminal investigations.

20 Q. (BY MS. MALONIS) Who pays the utility bills at
21 the YFZ Ranch?

22 MS. HENNINGTON: Upon the advice of counsel
23 my client is invoking his right to assert the privilege
24 against self-incrimination, and the basis of that is the
25 ongoing criminal investigation.

1 MS. MALONIS: I'm going to give you
2 Exhibit 23.

3 MS. HENNINGTON: Is there a reference to
4 any specific page?

5 MS. MALONIS: I think there is one page
6 towards the end, but if you'll let me see it I'll tell
7 you.

8 MS. HENNINGTON: (Tenders)

9 Q. (BY MS. MALONIS) Page 413. And I'll ask you:
10 Have you ever been instructed by Warren Jeffs to
11 research how to get assets from the UEP trust to an
12 entity in Texas on behalf of the Texas group?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert the privilege
15 against self-incrimination, and the basis of that is the
16 ongoing criminal investigation.

17 Would you like this back?

18 MS. MALONIS: Yeah.

19 MS. HENNINGTON: There you go.

20 Q. (BY MS. MALONIS) Okay. And I'll hand you
21 Number 24, and what's the date of that? Okay. And
22 this, for the record, recites -- it's a typewritten
23 pages entitled, Lesson Given by President Warren S.
24 Jeffs During a Visit with Family and Friends, Mohave
25 County Jail in Kingman, Arizona at 11:35 a.m., Sunday,

1 March 23rd, 2008.

2 Were you in contact with Warren Jeffs in
3 March of 2008?

4 MS. HENNINGTON: Upon the advice of counsel
5 my client is invoking his right to assert the privilege
6 against self-incrimination; the basis is the ongoing
7 criminal investigations.

8 Q. (BY MS. MALONIS) And if this date is correct
9 is it your understanding that this was just shortly
10 before law enforcement entered the ranch in -- which
11 began their investigation?

12 MS. HENNINGTON: If the March -- the date
13 on that is March -- March something?

14 Q. (BY MS. MALONIS) March 23rd. Do you recall
15 the date that the investigation began when law
16 enforcement first came on the ranch, do you remember the
17 date?

18 MS. HENNINGTON: You can answer.

19 A. It was probably -- I don't know the day.

20 Q. (BY MS. MALONIS) Was it in April, April of
21 2008?

22 A. It had to be.

23 Q. Okay. Were you present at the ranch when law
24 enforcement arrived --

25 MS. HENNINGTON: Upon the -- I'm sorry.

1 Q. (BY MS. MALONIS) -- to serve their search
2 warrant?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination, and that's based on the
6 ongoing criminal investigations.

7 Q. (BY MS. MALONIS) Okay. When law enforcement
8 arrived did you identify yourself as the leader or
9 contact person to accept the search warrant on behalf of
10 the ranch property?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination, and the basis is the ongoing
14 criminal investigations.

15 Q. (BY MS. MALONIS) Okay. Do you know Willie
16 Jessop?

17 MS. HENNINGTON: Objection to form. I
18 think you've asked and answered it, but moving
19 forward --

20 MS. MALONIS: Okay.

21 MS. HENNINGTON: -- my client is invoking
22 his right to assert the privilege against
23 self-incrimination.

24 Q. (BY MS. MALONIS) Okay. And when I say, Willie
25 Jessop, I'm speaking of William R. Jessop who is on the

1 media at times. Does he have your authority to speak on
2 behalf of you?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination, it's based on the fact there
6 are ongoing criminal investigations.

7 Q. (BY MS. MALONIS) When Willie Jessop refers to
8 him as spokesman of the FLDS do you know who he is
9 spokesman for, do you have an understanding of what he
10 means?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination; the basis of that is the
14 ongoing criminal investigations.

15 Q. (BY MS. MALONIS) Have you ever given him
16 authority to speak on your behalf?

17 MS. HENNINGTON: Upon the advice of counsel
18 my client is invoking his right to assert the privilege
19 against self-incrimination; the basis of that is the
20 ongoing criminal investigations.

21 Q. (BY MS. MALONIS) Do you know if any adult
22 member of the FLDS has specifically given Willie Jessop
23 authority to speak on their behalf?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination; the basis of that is the
2 ongoing criminal investigations.

3 Q. (BY MS. MALONIS) Who within the FLDS has --
4 would have the authority to appoint a spokesman for the
5 group?

6 MS. HENNINGTON: Upon the advice of counsel
7 my client is invoking his right to assert the privilege
8 against self-incrimination; the basis of that is the
9 ongoing criminal investigations.

10 MS. MALONIS: Okay. And I'll hand you 25.

11 MS. HENNINGTON: Let me see that. Okay.

12 MS. MALONIS: And that's just another stack
13 of dictations from other dates.

14 MS. HENNINGTON: Okay. Thank you,
15 Ms. Malonis.

16 Q. (BY MS. MALONIS) All right. Having looked at
17 these with your counsel do these appear to be the kinds
18 of records that are kept within the FLDS organization?

19 MS. HENNINGTON: Upon the advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination; the basis of that is the
22 ongoing criminal investigation.

23 Q. (BY MS. MALONIS) Okay. On the top of this
24 first page it's dated Sunday, April 29th, 2007, Letter
25 Brother Wendell Nielsen and Brother Merrill Jessop, is it

1 your understanding that you are the Merrill Jessop to
2 whom this is addressed?

3 MS. HENNINGTON: Upon the advice of counsel
4 my client is invoking his right to assert the privilege
5 against self-incrimination; the basis of that is the
6 ongoing criminal investigation.

7 Q. (BY MS. MALONIS) Is -- do you know if Teresa
8 Jeffs is a member of the Beneficiary class of the UEP
9 trust? I'm not sure if I asked that, but I didn't think
10 I did.

11 MS. HENNINGTON: I don't think you had.

12 MS. MALONIS: Okay.

13 MS. MONTFORD: Objection; asked and
14 answered.

15 MS. MALONIS: Okay. Did I?

16 MS. MONTFORD: To the form. I believe you
17 did.

18 Q. (BY MS. MALONIS) Would you remind me of your
19 answer because I didn't think I asked about Teresa.

20 MS. HENNINGTON: And the question is?

21 Q. (BY MS. MALONIS) Okay, yes. The question is:
22 Do you know if Teresa Jeffs is a member of the
23 Beneficiary class of the UEP trust?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination, and the basis of that is the
2 ongoing criminal investigation.

3 Q. (BY MS. MALONIS) Okay. And do you know if
4 Teresa Jeffs is a member of a beneficiary class of any
5 trust in Texas associated with the FLDS group?

6 MS. HENNINGTON: Upon the advice of counsel
7 my client is invoking his right to assert the privilege
8 against self-incrimination, and the basis of that is the
9 ongoing criminal investigations.

10 Q. (BY MS. MALONIS) Okay. Do you know of any
11 source of income or funds to which Teresa Jeffs is
12 entitled?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert the privilege
15 against self-incrimination, and the basis of that is the
16 ongoing criminal investigations.

17 Q. (BY MS. MALONIS) Okay. Do you know if anyone
18 within the FLDS group who has access to funds would
19 expend funds on Teresa's behalf for education? Did you
20 understand my question? Probably not.

21 MS. HENNINGTON: I'm sorry, I did not.

22 Q. (BY MS. MALONIS) Okay. Is there anyone within
23 the FLDS group who can authorize the expenditure of
24 funds for Teresa Jeffs towards education?

25 MS. HENNINGTON: Upon the advice of counsel

1 my client is invoking his right to assert the privilege
2 against self-incrimination, and the basis of that is the
3 ongoing criminal investigations.

4 MS. MALONIS: Okay. Do you have questions
5 to ask?

6 MR. DAVIS: Uh-huh.

7 MS. MALONIS: Okay. I'm going to pass the
8 witness right now. I don't want to completely rest in
9 case something else comes up, but I'm going to pass.

10 MS. HENNINGTON: Just for timekeeping
11 purposes, how much time has elapsed on the deposition,
12 obviously minus the --

13 MS. MALONIS: On the actual questions and
14 answers?

15 THE VIDEOGRAPHER: I'm not sure on actual
16 questions and answers, but your on-the-record time's
17 about three hours, just under.

18 MS. HENNINGTON: Okay. Just under three
19 hours on the record, okay. Thank you.

20 MS. MALONIS: Let me clarify, does that
21 include the time with the Judge too; is that total
22 record time? Okay, all right, and I'm going to pass the
23 witness to Jon.

24 MR. DAVIS: I thought I'd throw out a few
25 softballs so you can get a few hits.

1 MS. MALONIS: Go ahead.

2 EXAMINATION

3 BY MR. DAVIS

4 Q. Mr. Jessop, would you state your date of birth
5 please.

6 A. December 27, 1935.

7 Q. I'm sorry, I didn't hear you.

8 A. December 27, 1935.

9 Q. And where were you born?

10 A. Salt Lake City.

11 Q. And did you go to elementary school?

12 A. Yes.

13 Q. Where did you go to elementary school?

14 A. Short Creek, Arizona.

15 Q. And did you go to high school?

16 A. Did not.

17 Q. Okay. Did you finish through, what, seventh or
18 eight grade, something like that?

19 A. Eighth grade.

20 Q. What did you do when you left school?

21 MS. HENNINGTON: Upon the advice of counsel
22 my client is invoking his right to assert the privilege
23 against self-incrimination; it's based on the ongoing
24 criminal investigations.

25 Q. (BY MR. DAVIS) Did you go to work when you

1 left school?

2 MS. HENNINGTON: Upon the advice of counsel
3 my client is invoking his right to assert the privilege
4 against self-incrimination, and the basis is the ongoing
5 criminal investigations.

6 Q. (BY MR. DAVIS) Are you related to Warren
7 Jeffs?

8 MS. HENNINGTON: Upon the advice of client
9 my -- counsel my client is invoking the right to assert
10 the privilege against self-incrimination, and the basis
11 is the ongoing criminal investigations.

12 Q. (BY MR. DAVIS) Is your daughter, Naomie,
13 married to Warren Jeffs?

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is invoking his right to assert the privilege
16 against self-incrimination, and the basis is the ongoing
17 criminal investigations.

18 Q. (BY MR. DAVIS) Is your daughter, Merrienne,
19 married to Warren Jeffs?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination, and the basis of that is the
23 ongoing criminal investigations.

24 Q. (BY MR. DAVIS) Do you know how Warren Jeffs
25 provides support for your daughters financially?

1 MS. HENNINGTON: Upon the advice of counsel
2 my client is invoking his right to assert the privilege
3 against self-incrimination, and the basis of that is the
4 ongoing criminal investigations.

5 Q. (BY MR. DAVIS) Do you know who assigns housing
6 to the residents at YFZ?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is invoking his right to assert the privilege
9 against criminal -- of self-incrimination, and the basis
10 of that is the ongoing criminal investigation.

11 Q. (BY MR. DAVIS) Does the FLDS provide support
12 for Annette Jeffs and her children?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert the privilege
15 against self-incrimination, and the basis of that is the
16 ongoing criminal investigations.

17 Q. (BY MR. DAVIS) Do you provide support
18 financially for Annette Jeffs or her children?

19 MS. HENNINGTON: Upon the advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination, and the basis of that is the
22 ongoing criminal investigations.

23 Q. (BY MR. DAVIS) Are you aware of any sources of
24 financial support for Annette Jeffs and her children?

25 MS. HENNINGTON: Upon the advice of counsel

1 my client is invoking his right to assert the privilege
2 against self-incrimination, and the basis of that is the
3 ongoing criminal investigations.

4 Q. (BY MR. DAVIS) Has Annette Jeffs ever asked
5 you for support financially for her children or for
6 herself?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is invoking his right to assert the privilege
9 against self-incrimination, and the basis of that is the
10 ongoing criminal investigations.

11 Q. (BY MR. DAVIS) Does Warren Jeffs have any real
12 property interests of which you are aware?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert the privilege
15 against self-incrimination, and the basis of that is the
16 ongoing criminal investigations.

17 Q. (BY MR. DAVIS) Does Warren Jeffs have any
18 interest in any businesses of which you are aware?

19 MS. HENNINGTON: Upon the advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination, and the basis of that is the
22 ongoing criminal investigations.

23 Q. (BY MR. DAVIS) Are you aware of any financial
24 support that Warren Jeffs might have provided to his
25 wife, Annette, and her children since the time he was

1 incarcerated?

2 MS. MONTFORD: Object to form.

3 MR. DAVIS: Specifically?

4 MS. MONTFORD: Assumes facts -- it's --
5 hold on, I lost my train of thought. It's vague and
6 over broad and speculation as to Warren.

7 MS. MALONIS: And I didn't understand it.

8 Q. (BY MR. DAVIS) Are you aware of any financial
9 support that Warren Jeffs would have provided to Annette
10 Jeffs and her children since the time of his
11 incarceration?

12 MS. MONTFORD: And again, I restate my
13 objection as speculative, calls for speculation.

14 MS. HENNINGTON: Upon the advice of counsel
15 my client is invoking his right to assert the privilege
16 against self-incrimination, and the basis of that is the
17 ongoing criminal investigations.

18 Q. (BY MR. DAVIS) Are you aware of whether Warren
19 Jeffs has access to any bank accounts?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination, and the basis of that is the
23 ongoing criminal investigations.

24 Q. (BY MR. DAVIS) Are you aware of whether
25 Annette Jeffs has any access to any bank accounts?

1 MS. HENNINGTON: Upon the advice of counsel
2 my client is invoking his right to assert the privilege
3 against self-incrimination, and the basis of that is the
4 ongoing criminal investigations.

5 Q. (BY MR. DAVIS) Are you aware of any incident
6 occurring in the last five years of any individual
7 within the FLDS community withholding intentionally
8 medical care for another member of the FLDS community?

9 MS. HENNINGTON: Upon the advice of counsel
10 my client is invoking his right to assert the privilege
11 against self-incrimination, and the basis of that is the
12 ongoing criminal investigations.

13 Q. (BY MR. DAVIS) Is there a grocery store at the
14 YFZ Ranch?

15 MS. HENNINGTON: Answer that.

16 A. There is a storehouse.

17 Q. (BY MR. DAVIS) How is that -- how does a
18 purchaser go to acquire groceries there? Do they pay
19 for it in money or how do they pay for it?

20 MS. HENNINGTON: Upon the advice of counsel
21 my client is invoking his right to assert the privilege
22 against self-incrimination, and the basis for that is
23 the ongoing criminal investigations.

24 Q. (BY MR. DAVIS) Who has access to use that
25 store -- storehouse?

1 MS. HENNINGTON: Upon the advice of counsel
2 my client is invoking his right to assert the privilege
3 against self-incrimination because of the ongoing
4 criminal investigations.

5 Q. (BY MR. DAVIS) Can Annette Jeffs access that
6 storehouse to obtain groceries?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is invoking his right to assert the privilege
9 against self-incrimination pursuant to the -- anyway,
10 based on criminal investigations. Sorry, Jon.

11 Q. (BY MR. DAVIS) That's all right.

12 Who finances the storehouse?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert the privilege
15 against self-incrimination, and the basis for that is
16 the ongoing criminal investigations.

17 Q. (BY MR. DAVIS) Is there a school at the
18 YFZ Ranch?

19 MS. HENNINGTON: Upon the advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination, and the basis for that is
22 the ongoing criminal investigations.

23 Q. (BY MR. DAVIS) Who oversees the school at the
24 YFZ Ranch?

25 MS. HENNINGTON: Upon the advice of counsel

1 my client is invoking his right to assert the privilege
2 against self-incrimination, and the basis of that is the
3 ongoing criminal investigations.

4 Q. (BY MR. DAVIS) Who selects the teachers for
5 the school at the YFZ Ranch?

6 MS. HENNINGTON: Upon the advice of counsel
7 my client is invoking his right to assert the privilege
8 against self-incrimination; the basis of that is the
9 ongoing criminal investigations.

10 Q. (BY MR. DAVIS) How are the teachers at the
11 school at the YFZ Ranch selected?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his right to assert the privilege
14 against self-incrimination, and the basis for that is
15 the ongoing criminal investigations.

16 Q. (BY MR. DAVIS) How many teachers are teaching
17 at that school?

18 MS. HENNINGTON: Upon the advice of counsel
19 my client is invoking his right to assert the privilege
20 against self-incrimination, and the basis of that is the
21 ongoing criminal investigations.

22 Q. (BY MR. DAVIS) Are there any teachers at that
23 school who are not members of the FLDS?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination, and the basis for that is
2 the ongoing criminal investigations.

3 Q. (BY MR. DAVIS) What is the source of the
4 curriculum of the school at the YFZ Ranch?

5 MS. HENNINGTON: Upon the advice of counsel
6 my client is invoking his right to assert the privilege
7 against self-incrimination, and the basis of that is the
8 ongoing criminal investigations.

9 Q. (BY MR. DAVIS) When is the school at the
10 YFZ Ranch in session?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination, and the basis of that is the
14 ongoing criminal investigations.

15 Q. (BY MR. DAVIS) How many hours are the children
16 in school each day?

17 MS. HENNINGTON: Upon the advice of counsel
18 my client is invoking his right to assert the privilege
19 against self-incrimination, and the basis of that is the
20 ongoing criminal investigations.

21 Q. (BY MR. DAVIS) What courses are taught at that
22 school?

23 MS. HENNINGTON: Upon the advice of counsel
24 my client is invoking his right to assert the privilege
25 against self-incrimination, and the basis of that is the

1 ongoing criminal investigations.

2 Q. (BY MR. DAVIS) Have the children attending
3 that school been tested by standardized achievement
4 tests?

5 MS. HENNINGTON: Upon the advice of counsel
6 my client is invoking his right to assert the privilege
7 against self-incrimination, and the basis of that is the
8 ongoing criminal investigations.

9 Q. (BY MR. DAVIS) Do you know if Joseph Jeffs,
10 the child of Barbara and Warren Jeffs, is a benefit of
11 the UEP -- a beneficiary of the UEP?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his right to assert the privilege
14 against self-incrimination; the basis of that is the
15 ongoing criminal investigations.

16 Q. (BY MR. DAVIS) Do you know of any source of
17 financial support for Joseph Jeffs?

18 MS. HENNINGTON: Upon the advice of counsel
19 my client is invoking his right to assert the privilege
20 against self-incrimination, and the basis of that is the
21 ongoing criminal investigations.

22 Q. (BY MR. DAVIS) Returning to the school at YFZ;
23 how many teachers at that school have a college
24 education?

25 MS. HENNINGTON: Upon the advice of counsel

1 my client is invoking his right to assert the privilege
2 against self-incrimination, and the basis of that is the
3 ongoing criminal investigations.

4 Q. (BY MR. DAVIS) What is the age of the youngest
5 teacher at that school?

6 MS. HENNINGTON: Upon the advice of counsel
7 my client is invoking his right to assert the privilege
8 against self-incrimination, and the basis of that is the
9 ongoing criminal investigations.

10 Q. (BY MR. DAVIS) What is the annual budget for
11 the school?

12 MS. HENNINGTON: Upon the advice of counsel
13 my client is invoking his right to assert the privilege
14 against self-incrimination, and the basis of that is the
15 ongoing criminal investigations.

16 Q. (BY MR. DAVIS) How many of the male children
17 of that school were in the 2007 high school graduating
18 class?

19 MS. HENNINGTON: I'm sorry, would you say
20 that one more time just for clarity?

21 Q. (BY MR. DAVIS) Sure. How many of the male
22 children of that school were there in the 2007 high
23 school graduating class?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination; the basis of that is the
2 ongoing criminal investigations.

3 Q. (BY MR. DAVIS) What percentage of the male
4 children in that school complete high school?

5 MS. HENNINGTON: Upon the advice of counsel
6 my client is invoking his right to assert the privilege
7 against self-incrimination, and the basis of that is the
8 ongoing criminal investigations.

9 Q. (BY MR. DAVIS) When did Annette Jeffs first
10 arrive at YFZ to live?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination, and the basis is the ongoing
14 criminal investigations.

15 Q. (BY MR. DAVIS) What is the address of the
16 house that Annette Jeffs occupied during her residency
17 at the YFZ Ranch?

18 MS. HENNINGTON: Upon the advice of counsel
19 my client is invoking his right to assert the privilege
20 against self-incrimination, and the basis of that is the
21 ongoing criminal investigations.

22 Q. (BY MR. DAVIS) Who lived with her at that
23 address?

24 MS. HENNINGTON: Upon the advice of counsel
25 my client is invoking his right to assert the privilege

1 against self-incrimination, and the basis of that is the
2 ongoing criminal investigations.

3 Q. (BY MR. DAVIS) Where was Annette Jeffs living
4 at the time of the April 15, 2008 raid?

5 MS. HENNINGTON: Upon the advice of counsel
6 my client is invoking his right to assert the privilege
7 against self-incrimination, and the basis of that is the
8 ongoing criminal investigations.

9 Q. (BY MR. DAVIS) Where was Annette Jeffs living
10 in July 2007?

11 MS. HENNINGTON: Upon the advice of counsel
12 my client is invoking his right to assert the privilege
13 against self-incrimination, and the basis of that is the
14 ongoing criminal investigations.

15 Q. (BY MR. DAVIS) Where was Annette Jeffs living
16 in July 2006?

17 MS. HENNINGTON: Upon the advice of counsel
18 my client is invoking his right to assert the privilege
19 against self-incrimination, and the basis of that is the
20 ongoing criminal investigations.

21 Q. (BY MR. DAVIS) With whom was Annette living in
22 July 2006?

23 MS. HENNINGTON: Upon the advice of counsel
24 my client is invoking his right to assert the privilege
25 against self-incrimination, and the basis of that is the

1 ongoing criminal investigations.

2 MR. DAVIS: Pass the witness.

3 MR. WOODRUFF: Let's take a five minute
4 break. We likely won't have any questions. We just
5 want to confer for a minute.

6 MS. MALONIS: And I do have just a couple
7 of follow-ups.

8 MR. WOODRUFF: Let's go off the record.

9 MS. MALONIS: Okay.

10 MS. HENNINGTON: Off the record.

11 (Break taken from 4:03 p.m. to 4:06 p.m.)

12 MR. WOODRUFF: The Department doesn't have
13 any questions for this witness at this time.

14 RE-EXAMINATION

15 BY MS. MALONIS

16 Q. Thank you, Trevor. Okay. Just a couple of
17 follow-ups. Is your daughter, Merrienne, currently
18 involved in a CPS custody case?

19 MS. HENNINGTON: Upon the advice of counsel
20 my client is invoking his right to assert the privilege
21 against self-incrimination; the basis is the ongoing
22 criminal -- I mean self-incrimination based on the
23 ongoing criminal investigations.

24 Q. (BY MS. MALONIS) Okay. When was your last
25 contact with your daughter, Merrienne?

1 MS. HENNINGTON: Upon the advice of counsel
2 my client is invoking his right to assert the privilege
3 against self-incrimination, and the basis of that is the
4 ongoing criminal investigations.

5 Q. (BY MS. MALONIS) Would you like to talk to
6 Merrienne?

7 MS. HENNINGTON: Upon the advice of counsel
8 my client is invoking his right to assert the privilege
9 against self-incrimination based on the ongoing criminal
10 investigations.

11 Q. (BY MS. MALONIS) Would you like to see
12 Merrienne?

13 MS. HENNINGTON: Upon the advice of counsel
14 my client is invoking his right to assert the privilege
15 against self-incrimination based on the ongoing criminal
16 investigations.

17 Q. (BY MS. MALONIS) Have you been personally
18 served with citation in a CPS case involving Merrienne?

19 MS. HENNINGTON: Ms. Malonis, I don't know
20 that he would understand.

21 Q. (BY MS. MALONIS) Okay. Have you been --

22 MS. HENNINGTON: And I can tell you, in
23 another case he has been served with some documents.

24 Q. (BY MS. MALONIS) Okay, all right. Have you
25 ever -- have you personally ever added money to Warren

1 Jeffs' commissary?

2 MS. HENNINGTON: Upon the advice of counsel
3 my client is invoking his right to assert the privilege
4 against self-incrimination, and the basis of that is the
5 ongoing criminal investigations.

6 Q. (BY MS. MALONIS) Okay. Are you aware that --
7 that Ms. Annette Jeffs has designated you as a witness
8 in one of the custody cases?

9 MS. HENNINGTON: If I may, Ms. Malonis, my
10 client can --

11 Q. (BY MS. MALONIS) Well, let me rephrase it.
12 Has Annette Jeffs spoken to you about testifying on her
13 behalf or on her children's behalf in one of the custody
14 cases?

15 MS. HENNINGTON: Upon the advice of counsel
16 my client is invoking his right to assert the privilege
17 against self-incrimination; the basis of that is the
18 criminal investigations.

19 Q. (BY MS. MALONIS) Okay. Are you aware that
20 you're listed as a witness in some discovery documents
21 in any of the CPS cases? I mean I don't -- this isn't a
22 trick question or --

23 MS. HENNINGTON: And I don't -- I'm sorry,
24 the reason I was interrupting is I'm not sure I actually
25 told him that I was told he was a witness.

1 MS. MALONIS: And that's fine, if he
2 doesn't know that that -- I mean I just wanted to know
3 if he was aware of it.

4 MS. HENNINGTON: Okay. That's -- you can
5 answer.

6 A. I'm not aware.

7 Q. (BY MS. MALONIS) Okay. You haven't had a
8 discussion about testifying?

9 A. (Nods)

10 Q. Okay. So somebody's talked to you about what
11 facts you would testify about?

12 A. No.

13 MS. MALONIS: Okay.

14 MS. MONTFORD: Before we move on I'm going
15 to object, maybe untimely, but I'm going to go ahead and
16 object that it assumes facts in evidence.

17 MS. MALONIS: Okay.

18 MS. MONTFORD: If would be real untimely if
19 I waited the whole day.

20 Q. (BY MS. MALONIS) Okay. And I just want to
21 clarify that on all the instructions from your counsel
22 that you are -- that you are choosing not to testify
23 because you are afraid that if you answer directly it
24 would result in or it would subject you to criminal
25 liability?

1 MS. HENNINGTON: I think it -- the
2 liability is not -- as you were saying prosecution
3 earlier, so I don't know that that's --

4 MS. MALONIS: Okay.

5 MS. HENNINGTON: So I'm going to object to
6 form because I think that's misleading as to what the
7 objection is.

8 Q. (BY MS. MALONIS) Okay. Let me restate it;
9 when your counsel has made -- has invoked the Fifth
10 Amendment privilege on your behalf, I just want to
11 clarify that that is -- that on all of those questions
12 it is your choice not to answer those because of a --
13 because of a fear of incriminating yourself?

14 A. It's my choice to follow the counsel's
15 direction.

16 Q. Okay. Are you -- is it because you fear
17 incriminating yourself?

18 MS. HENNINGTON: Objection to form. I
19 don't understand your question.

20 Q. (BY MS. MALONIS) Okay, okay. A fear of --
21 okay. Well, do you not understand my question or you
22 just don't know how to answer it?

23 MS. HENNINGTON: How about if I make a --
24 let me make a better objection. Objection is to form,
25 to vague.

1 Q. (BY MS. MALONIS) Okay. I understand you're
2 following your -- the advice of counsel. What I want to
3 know, is that on each of those questions is your choice
4 not to answer because your answer could incriminate you?

5 A. On the advice of counsel I would answer yes.

6 MS. MALONIS: Okay. And I'll object to
7 nonresponsive.

8 Q. (BY MS. MALONIS) I'm asking is that --

9 MS. HENNINGTON: Ms. Malonis, I'm sorry I
10 interrupted you.

11 MS. MALONIS: Well, if there's a fear of
12 incrimination it has to be subjective on his part,
13 not -- I mean I know he doesn't have to understand the
14 law, but -- and maybe that's what he's saying; based on
15 the law as you've explained it to him?

16 MS. HENNINGTON: Yeah, and that's what I
17 understood is that upon advice of counsel he believes
18 there is that risk.

19 Q. (BY MS. MALONIS) Okay. Is that correct, based
20 on her explanation of the law to you, you don't want to
21 answer those questions because it might incriminate you?

22 A. As I understand it, yes.

23 MS. MALONIS: Okay. That's all I have.

24 MR. WOODRUFF: Nothing here.

25 (The deposition was concluded at this time.)

CHANGES AND SIGNATURE

FREDERICK MERRIL JESSOP JANUARY 23RD, 2009

PAGE LINE CHANGE REASON

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I, FREDERICK MERRIL JESSOP, have read the

1 NO. 2922

2 IN THE INTEREST OF) IN THE DISTRICT COURT
)
 3 TERESA JEFFS,) SCHLEICHER COUNTY, TEXAS
)
 4 A CHILD) 51ST JUDICIAL DISTRICT

5 REPORTER'S CERTIFICATION

6 DEPOSITION OF FREDERICK MERRIL JESSOP

7 JANUARY 23RD, 2009

8 I, Jeffrey M. Steele, Certified Shorthand Reporter
 9 in and for the State of Texas, hereby certify to the
 10 following:

11 That the witness, FREDERICK MERRIL JESSOP, was duly
 12 sworn by the officer and that the transcript of the oral
 13 deposition is a true record of the testimony given by
 14 the witness;

15 That the deposition transcript was submitted on
 16 _____ to the witness or to the
 17 attorney for the witness for examination, signature and
 18 return to me by _____;

19 That the amount of time used by each party at the
 20 deposition is as follows:

21 MS. AMY HENNINGTON - 00 HOURS, 00 MINUTES,
 MS. NATALIE E. MALONIS - 2 HOURS, 14 MINUTES,
 22 MR. JONATHAN R. DAVIS - 08 MINUTES,
 MS. MINDY MONTFORD - 00 HOURS, 00 MINUTES,
 23 MR. TREVOR A. WOODRUFF - 00 HOURS, 00 MINUTES.

24 That pursuant to information given to the
 25 deposition officer at the time said testimony was taken,

1 the following includes counsel for all parties of
2 record:

3 MS. AMY HENNINGTON, Attorney for the Witness;
4 MS. NATALIE E. MALONIS, Attorney Ad Litem for
5 Teresa Jeffs;

6 MR. JONATHAN R. DAVIS, Attorney for Joseph Jeffs;
7 MS. MINDY MONTFORD, Attorney for Annette Jeffs;
8 MR. TREVOR A. WOODRUFF, Texas Department of Family
9 and Protective Services.

10 I further certify that I am neither counsel for,
11 related to, nor employed by any of the parties or
12 attorneys in the action in which this proceeding was
13 taken, and further that I am not financially or
14 otherwise interested in the outcome of the action.

15 Further certification requirements pursuant to Rule
16 203 of TRCP will be certified to after they have
17 occurred.

18 Certified to by me this ____ of January, 2009.

19 _____
20 Jeffrey M. Steele, Texas CSR 6190
21 Firm Certificate #345
22 2929 Carlisle Street, Suite 150
23 Dallas, Texas 75204
24 214.954.0352
25 CSR Expiration Date: 12/31/09

1 FURTHER CERTIFICATION UNDER RULE 203 TRCP

2 The original deposition was/was not returned to the
3 deposition officer on _____;

4 If returned, the attached Changes and Signature
5 page contains any changes and the reasons therefor;

6 If returned, the original deposition was delivered
7 to Ms. Natalie E. Malonis, Custodial Attorney;

8 That \$_____ is the deposition officer's
9 charges to the Attorney Ad Litem for Teresa Jeffs for
10 preparing the original deposition transcript and any
11 copies of exhibits;

12 That the deposition was delivered in accordance
13 with Rule 203.3, and that a copy of this certificate was
14 served on all parties shown herein on and filed with the
15 Clerk.

16 Certified to by me this _____ day of
17 _____, 2009.

18
19
20 _____

21 Jeffrey M. Steele, Texas CSR 6190

22 Firm Certificate #345

23 2929 Carlisle Street, Suite 150

24 Dallas, Texas 75204

25 214.954.0352

CSR Expiration Date: 12/31/09