

EXHIBIT A

2021 Transcript of *Disc 11*

**Interview with Mower
May 20, 2008**

**For the State: Delahunty, Carriger
With Mower: Bailey, Ross**

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VIDEO INTERVIEW OF LESLIE DEEANN MOWER, BART BAILEY,
AND JAMI ROSS
May 20, 2008

State of Utah v. Eugene Chris Wright
Case No. 081400519

Present at Interview:
Vaun Delahunty
Male Speaker

Official Transcript of Interview
Reed Jackson Watkins
Court-Certified Transcription
206.624.3005

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May 20, 2008

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MALE SPEAKER: Go ahead and sit down.

5

MOWER: Thank you.

6

MALE SPEAKER: I think we're having Vaun here.

7

MOWER: That's one thing I really want to do is meet your

8

father.

9

BAILEY: He's worth the effort.

10

MOWER: Oh, he is worth the effort.

11

MALE SPEAKER: One more coming.

12

BAILEY: Okay. You're going to make me --

13

MALE SPEAKER: Need another chair? Or --

14

BAILEY: -- sit between the ladies?

15

MOWER: Oh, absolutely.

16

BAILEY: I can do it. I got --

17

MOWER: But he will be uncomfortable.

18

BAILEY: -- a smile on my face.

19

MOWER: Yeah, right.

20

BAILEY: (Inaudible) but I don't know.

21

DELAHUNTY: Hello. My name's Vaun Delahunty. I work at

22

the district attorney's office.

23

BAILEY: Okay. I'm Bart Bailey.

24

DELAHUNTY: Pleasure to meet you.

25

BAILEY: This is Dee Mower.

1 MOWER: Hi. How are you?

2 DELAHUNTY: Hello, Dee. How are you?

3 MOWER: (Inaudible) hanging in there. Thank you.

4 BAILEY: This is Jami Ross.

5 ROSS: Nice to meet you.

6 DELAHUNTY: Pleasure to meet you. Vaun Delahunty.

7 MOWER: Now, is it Vaun?

8 DELAHUNTY: Vaun.

9 MOWER: I love that. Is it V-O-N, or V-A-U-G-H-N?

10 DELAHUNTY: You can blame my parents. V-A-U-N.

11 MOWER: V-A-U-N, all right. I love it.

12 BAILEY: You're the first I've known as V-A-U-N.

13 MOWER: Yeah.

14 ROSS: Except for the last name. I knew some Vauns.

15 Their last name was spelled that way.

16 MOWER: Really? Their last name?

17 ROSS: Uh-huh.

18 MOWER: I don't want to just, like, jump into everything,

19 but I just have to.

20 I have wanted to talk to you so many times, and just -- I

21 just think you guys really did a good job.

22 And I wasn't very happy when we come out there. And I --

23 I'm sorry. I -- I just -- it was funny. I just forgot.

24 But then it all came back, and I just (inaudible) kicked

25 myself around the block several times.

1 I just -- but I -- I'm really glad to see the way things
2 have gone. I'm really glad that there is a few things.
3 He's got a very excellent attorney. And I worried about
4 that.

5 MALE SPEAKER: That's why we're here to talk to you, see
6 if there's anything you can even strengthen our case with.

7 MOWER: Boy, I'd love to if I could. If there is anything
8 I can do to strengthen your case, I would love it.

9 You know, you probably don't know this, but while my
10 family was sitting there, he kept turning around and looking
11 at my family, and he was so smug, and he was so smug until
12 they talked about the casing.

13 I just know they're going to try and pull something on
14 that like, how many casings were there? Wasn't there one
15 more? Couldn't you have -- I don't know. I think we -- I
16 think we -- I -- from what I understand being in prison,
17 that they said this is how many casings they found at the --
18 at the scene.

19 And I really think that they're going to try to pull that
20 that wasn't the casing that was in that gun. I just hope
21 you guys are prepared for that.

22 MALE SPEAKER: We're prepared for --

23 MOWER: Good, good, good.

24 BAILEY: He -- he didn't look worried at all until Dean
25 Carriger testified, and then he got a real concerned look on

1 his face. And he ended up (inaudible) look when he left the
2 room.

3 MALE SPEAKER: It's a pretty strong case, and we've got a
4 lot of information.

5 The preliminary hearing is only a small amount of the case
6 just to bind it over --

7 MOWER: Exactly.

8 MALE SPEAKER: -- and stuff. There's other -- a lot more
9 details to our case than --

10 MOWER: I'm hoping so.

11 MALE SPEAKER: -- just those aspects.

12 MOWER: I'm hoping so. I just -- I really am excited
13 about the eyewitness, and I also feel bad about him. I --
14 is he just scared to death?

15 MALE SPEAKER: A little. But...

16 DELAHUNTY: Understandably nervous. But he's -- he's very
17 intelligent.

18 MALE SPEAKER: Yes, he is.

19 MOWER: Is he?

20 DELAHUNTY: Very capable.

21 ROSS: He's very adamant.

22 DELAHUNTY: Yes. He's a very good witness.

23 MALE SPEAKER: Better than most.

24 MOWER: Do you know -- this is -- this is such a small
25 world -- that he went there to meet my mother's brother's

1 wife's child, or something like that, or whatever. And --

2 MALE SPEAKER: Who did?

3 MOWER: Your witness.

4 MALE SPEAKER: So what's his name?

5 MOWER: I don't know. My sister has all that information.
6 She called him. He's the one that ran to the window like
7 this. But he wasn't the eyewitness.

8 But the -- the witness that was sitting there was in there
9 to meet a distant -- well, it's through marriage relation to
10 my aunt -- to Steve -- Steven (inaudible).

11 DELAHUNTY: Is his name Chris Jenson (phonetic)?

12 MOWER: I don't know. My sister would know. I mean,
13 she's the one that told me about it. And -- and she's the
14 one that said that -- that the guy -- the witness was going
15 in to meet Aunt Gloria's sister's son, or something like
16 that. And I thought, wow.

17 And Steve and Gloria live in Tempe, Arizona. But they did
18 live here for a long, long time before they moved to Tempe.
19 And I thought, this is such a small world.

20 So my sister, Toni, did call this other gentleman, and his
21 wife said he took it so hard. He said she -- you can't even
22 discuss it with him. Don't even talk to him about it.

23 Do you know who this guy is? And have you been able to
24 talk to him about it? Did Toni ever share anything with
25 you?

1 MALE SPEAKER: Well, we know the people that were in the
2 restaurant. We've interviewed all of them.

3 MOWER: Okay. And -- and the -- and the guy that -- that
4 he was going in to meet, apparently that's the guy --

5 MALE SPEAKER: Okay. And that's --

6 MOWER: -- that's a distant relative.

7 MALE SPEAKER: That's something we'll have to find out.

8 MOWER: That's -- you know, that -- yeah. I wish I had
9 all the information with me. Just sitting here talking
10 about that again, it just comes to memory.

11 I think I've got selective blocking in my brain from time
12 to time.

13 But Toni -- do you remember that, Jami? Can you shed
14 some --

15 ROSS: Yeah. I don't remember his --

16 MOWER: Tell me what you know.

17 ROSS: -- name, though. Just that he was going to meet
18 him for an interview.

19 MOWER: And who -- and who was the guy?

20 ROSS: It was Gloria's nephew or something. I'm not -- I
21 don't --

22 MOWER: Okay. And he's the one that -- that Toni, your
23 mom --

24 ROSS: Uh-huh.

25 MOWER: -- called?

1 ROSS: Uh-huh. Because he wanted to talk to her. When he
2 found out it was your husband, then he wanted to talk to mom
3 about it.

4 MOWER: Oh, he wanted (inaudible).

5 ROSS: Because he was so upset about it.

6 MOWER: Oh, okay.

7 ROSS: (Inaudible).

8 MOWER: See, and I'm not even sure about that.

9 So what happened on that? Did he ever talk to her?

10 ROSS: Yeah. Mom talked to him, uh-huh.

11 BAILEY: He's also talked to the police.

12 MALE SPEAKER: Yeah.

13 ROSS: Yeah.

14 BAILEY: Some chance that he's going to have some specific
15 questions for you.

16 MOWER: Okay.

17 MALE SPEAKER: Yeah. Let's -- when we were back -- talked
18 to you last year --

19 MOWER: Yes.

20 MALE SPEAKER: -- in California, we talked to you about
21 some phone calls, and kind of all stemming around who Ken
22 was meeting that day.

23 And can you help fill us in what Ken was really working
24 on, or doing? And with a lot of these meetings as far as
25 gathering information to, I guess help with some of the

1 litigations?

2 I mean, we asked you specifically, you know, that day you
3 knew who Ken was meeting, or you assumed you knew who he was
4 meeting from that phone call transcript we had read to you.
5 When Ken said he was meeting my friend, you said, oh, good.

6 MOWER: Oh, good.

7 MALE SPEAKER: And you kind of went into it.

8 MOWER: Yes. I remember.

9 MALE SPEAKER: Since that time and, I guess, you know,
10 with -- now that you're out -- out of jail and had some
11 time, have you been able to think of any other information
12 related to that?

13 MOWER: Mr. Kerrigan (phonetic), I know who Ken was
14 meeting. I know who he was meeting. And it -- and it --
15 it -- I will not do one thing, because he owes me
16 specifically a lot of money on that loan of about 1.6
17 million. And I will not even talk to this man or do
18 anything until this whole thing is over, because I think
19 he's involved. I do.

20 Ken Dolezsar did not pick up a phone book and go down and
21 say, oh, this Wright guy, I -- I think I'm going to call
22 him.

23 He was from Canada. He didn't have friends. And that's
24 why when I said to you, who do you think could have done
25 this?

1 I said to your detective, it was either Tom Mower, who
2 hated Ken's guts. This was my ex-husband. How could he
3 have done it from prison? I don't know.

4 And then the other one was David Novak. That was the guy
5 that I really believe probably had something to do with it.

6 And then my third was -- was David Simpson.

7 MALE SPEAKER: Okay. Well --

8 MOWER: And David Simpson's a good guy. But...

9 MALE SPEAKER: That's your opinion.

10 BAILEY: Yeah.

11 MOWER: But I really believe that there's something more
12 to this. And I don't think David Simpson did anything to --
13 to harm Ken, but I do think David Simpson is one of the
14 reasons why Ken's dead.

15 BAILEY: Do you have -- I'm sure you do. But do you still
16 have the transcript of that phone call?

17 MALE SPEAKER: I do.

18 BAILEY: And is there some -- I, frankly, don't remember
19 the detail.

20 But did Ken say that he was going to meet with his friend
21 for breakfast, or did he say he's simply going to meet with
22 his friend the following morning or the next day?

23 And the reason I'm asking is, I've had a few years of
24 experience with Ken, and it wasn't unlike him at all to do
25 his business stuff all in the same day.

1 So, you know, he goes, does his coaching and his running
2 his errands up and down from the ranch and whatever on -- on
3 Sundays, and on other days he's out visiting with his
4 brokers and his lawyers and whatever else.

5 And so he -- he would line up appointments, like, every
6 hour. And you always wanted to try and catch him early in
7 the day when he was going north, as opposed to late in the
8 day when he's coming south, because he was more punctual in
9 the early day going north as opposed to coming the other
10 direction if somebody had held him up or -- or something.

11 And -- and the thought that occurred to me -- and, again,
12 I don't remember the -- the words of the call specifically.
13 But he could have been intending to meet two or three people
14 the next morning at different times. As long as he was
15 coming to Salt Lake, you know, call and -- and I think his
16 other two appointments with whoever else it was he was
17 intending to visit.

18 So I -- I have not thought that simply because he was
19 having breakfast with Mr. Wright or whoever, that that would
20 necessarily exclude him from having another meeting or two
21 or three already intended to (inaudible) with Mr. Novak or
22 whoever else he would be meeting up there. And maybe he
23 just didn't get that far.

24 And the fact that he had maybe more than one meeting
25 scheduled, maybe it was the second meeting that was causing

1 him trouble, so they sent the bad guy over to -- to shoot
2 him before -- I -- I don't know.

3 DELAHUNTY: Did anyone call later saying, gee, Ken missed
4 his appointment with me?

5 BAILEY: Well, Ken -- Ken missed his appointment with me
6 two days prior, which was, frankly, unusual for him to do
7 that.

8 It wasn't unusual for him to call and say, I'm going to be
9 five or ten minutes late; or I'm at American Fork, and I'll
10 be there in 15 minutes or something. It was unusual for him
11 just to stand you up altogether.

12 And he -- he'd called and talked to me on Thursday or
13 Friday, and asked if he could stop by the office Tuesday
14 afternoon. Then he just didn't. So I called and left a
15 voice mail message, is my memory.

16 MALE SPEAKER: Yeah. Well, I know he had another meeting
17 that morning set up and stuff unrelated. No issue --

18 BAILEY: Okay.

19 MALE SPEAKER: -- type of an appointment. Because we do
20 have a call from that person. So totally unrelated to any
21 of the issue that occurred.

22 MOWER: I -- this is a summation. Hindsight's always
23 20/20. And as I've gotten home, and as I've learned a lot
24 of things about what was going on in Ken's businesses and
25 stuff like that, I think that he had -- had done some

1 investments, and that he wanted me to be proud of him, and
2 he wanted to show me that he could really do some good
3 stuff. He's always been really good in real estate.

4 And when he came in that Tuesday before the Thursday he
5 was shot, and he kicked the -- the garbage can and said,
6 everybody lies to me, nobody tells me the truth, everybody
7 lies to me, that's not Ken. He was so mild-mannered.

8 And it literally scared LaDonna (phonetic), my assistant.
9 And then he -- she rolled over to be Ken's assistant while I
10 was in prison.

11 And for him to be that upset -- and finally LaDonna turns
12 to him and says, me? Have I lied to you?

13 And he goes, no, not you, LaDonna.

14 And I think that what was happening is some of these --
15 these land businesses or whatever businesses was going on
16 were not -- we weren't doing very good on them apparently.

17 And I've thought since then, maybe he was out maybe trying
18 to work a deal to -- to maybe make things right. I don't
19 know. But that just keeps coming in my mind why he would be
20 dealing with a hard money lender.

21 And who would have ever introduced him to him? My
22 thoughts roll back to David Novak.

23 In that phone conversation, I promise you, he would have
24 said, no, not that friend.

25 But I hadn't talked to him about David Novak, because

1 every time I did, he'd get upset. And he would say, look,
2 I've -- I've got some people.

3 Well, it ended up being every time he told me anything,
4 everything he had ever said to me that he denied was David
5 Novak, was David Novak in fact.

6 Because after all these months I finally stopped getting
7 on his case about having anything to do with Novak. And
8 calm, cool, and collected several weeks out before Ken died,
9 I said to him, I'm really glad that David Novak is really
10 helping you with this situation.

11 I -- I was in the process of bifurcation with my
12 ex-husband, and Ken was doing a lot of the legwork, anything
13 that he could. And he was looking to find out all the
14 things that -- that Tom had deceived us on, and had found
15 out many things, properties that he bought in New Zealand,
16 properties that he bought in Wyoming.

17 And all this was money long before he had just taken it
18 out of the company, which I don't have.

19 And so all these things were coming to light, and Ken was
20 finding out all these things. And so that's kind of what he
21 was working on that I knew he was working on for me.

22 But I know that David Novak had him doing other things.
23 And I -- and I -- and I know that all that he came to me
24 about Tom, and Darick, and everything that was going on that
25 way, David Novak was feeding him.

1 And I've talked to my son, Darick, and very little since
2 I've been home, and -- and I -- I made this comment to him.
3 I said, it's too bad that your father said that I would
4 never make it in prison, that prison would absolutely
5 destroy me.

6 And he said, dad never said that. David Novak said that,
7 mom.

8 And I -- I didn't discuss anything else with him. I
9 just -- I just needed to -- to hear that.

10 So I know David Novak was playing between Tom and -- and
11 me, my children, myself, Ken, and Tom Senior. But I never
12 liked him, and I wouldn't meet with him.

13 I -- I met him that one time in the board room with all
14 the attorneys around, and he said, yeah, we could get you a
15 commutation, da, da, da, da, da, da.

16 And I -- and my attorneys were kind of going, no. But
17 then he said such a good, you know, bunch of stuff, that we
18 went ahead and hired him for that.

19 And, but I wouldn't talk to him anymore. I made Ken
20 always talk to David Novak.

21 And I believe it was David Novak that said, for a million
22 dollars, you can get her out of prison, and you just have to
23 go down to Las Vegas and meet these people.

24 And Ken did. He went down to Las Vegas.

25 And I said, don't do this.

1 And he -- he went down to Las Vegas. Because I called
2 him, and I said, where are you? I could hear all kinds of
3 things.

4 He said, I'm in Las Vegas. He said, you don't remember
5 that deal?

6 And I went, ooh.

7 He says, no, it looks really good.

8 And I thought, oh, my gosh, these are scammers. And I --
9 it was awful. Anyway, so I called him the next night, and
10 sure enough, he was leaving Las Vegas. And he said -- I
11 said to him, so how did it go?

12 And he goes, I checked them out, and they didn't check
13 out.

14 I know David Novak did this. I know he's the one that set
15 Ken up. Ken didn't know anybody. And David Novak was
16 feeding him a line, and he got Ken hook, line, and sinker.
17 I know it.

18 And the whole time he was telling Ken that he hated Tom,
19 and Tom wrote him this horrible letter, and that if anything
20 ever happened to him, that this letter is in a strongbox at
21 a bank, and on and on and on.

22 And I think Ken -- Ken bought it. He really believed that
23 David Novak wasn't having anything to do with Tom, or Tommy,
24 or Darick, or any of them. But he was the whole time.

25 There's something wrong there, Mr. Kerrigan. There's just

1 something wrong there.

2 And when Ken said to me -- because now I know, now we know
3 what's going on, now I know that -- that it's David Novak
4 that's really helping Ken, because now Ken has finally
5 admitted it to me, and I'm just soft pedaling. I'm just not
6 saying anything to not irritate him or make him think, oh, I
7 shouldn't have told her or anything.

8 Because he would never tell me how he was getting all this
9 information about Tom, and all these things that were going
10 on, and everything that was going on in the prison.

11 I knew it was him. So then when I finally mentioned his
12 name and said -- and I said, oh, I'm so glad that David
13 Novak's really been able to help you a lot, and that's when
14 he didn't deny it. He didn't say, what do you mean?

15 So the next time he had come, then he would say "my
16 friend." But we both knew he was talking about David Novak.
17 But I wanted to make sure that he was talking about David
18 Novak, because when Ken come to me, he was very disturbed.

19 The last two times he came to me to -- into the prison, he
20 was very disturbed that everything that was happening with
21 me, David Novak was doing for Tom, and that he was now
22 talking to Tommy and Darick, and there was all kinds of
23 things, and Ken had just found this out. He had just found
24 this out, and he was disturbed by it.

25 Now, for Ken to be disturbed, you don't see any -- you

1 just don't see any expression. I mean, Ken just -- he's
2 just this kind of guy. He doesn't -- but, so for him to
3 walk in and start kicking garbage cans on that Tuesday, and
4 he had been with me on that Monday.

5 MALE SPEAKER: Which Tuesday -- that's the Tuesday then --

6 MOWER: Before he was killed. So that would have been the
7 15th, 14th -- that would have been on the 13th. But on the
8 12th he was with me.

9 MALE SPEAKER: Okay.

10 MOWER: Because it was a holiday. It was a -- and so he
11 was with me for three days.

12 And I -- I just know that that was who Ken was talking
13 about, because I threw in the fact, oh, well, you know,
14 just -- oh, good, I'm glad. Hey, ask him about -- while
15 you -- you got him, ask him about Tom and Darick.

16 And I know that he would have said, oh, not that friend.
17 Someone else. He didn't. He didn't.

18 MALE SPEAKER: He made a comment to you kind of following
19 that, that he was going to mention some names and see where
20 it took him.

21 Do you know what he would have been referring to?

22 MOWER: (Inaudible) just what I remember about that
23 conversation is when you showed me, and then it all came
24 back to me. And then the one thing was that he had a lot of
25 information about Tom, and it wasn't good.

1 DELAHUNTY: Did he mention which names?

2 BAILEY: I'm sorry. What?

3 DELAHUNTY: Did he mention which names that he was going
4 to ask questions about?

5 BAILEY: No.

6 MOWER: I don't know.

7 MALE SPEAKER: He was just going to push the issue and see
8 where it took him?

9 MOWER: Push the issue and see where it took him. And was
10 he talking about the friend? I can't even --

11 MALE SPEAKER: Let me go grab the transcript real quick.

12 MOWER: Please do. Yeah. I don't know. (Inaudible) kind
13 of comes back when I can see what's going on.

14 BAILEY: She mentioned earlier (inaudible) bifurcation.

15 Dee divorced Tom Mower in July of 2000, and it was a
16 stipulated and bifurcated divorce, meaning we'll get this
17 couple divorced now; but because there's a sizable estate,
18 it's going to take us a little while to figure out values
19 and things, and so we bifurcate the valuation portion to --
20 separately so we can come back to court again after we've
21 got back some figures and numbers, and let the court
22 determine those values and make allocations.

23 That to this day has yet never happened, and
24 notwithstanding the fact that they were divorced nearly
25 eight years ago.

1 We went through a patient period of time waiting for
2 people at Neways to get us information, and we came to the
3 understanding that they weren't giving us anything because
4 Tom was directing them not to.

5 So we went through a period of about 14 months filing
6 subpoenas and things trying to get access to books and
7 records.

8 In the meantime, Mr. Mower came under investigation for
9 tax fraud, and he had some FDA problems, and that was why
10 in-house counsel was keeping us from getting information.

11 So finally, all the way up to September 30 of 2002, we get
12 a court order allowing us to get access to those books and
13 records, and they were delivered to my office a couple days
14 later.

15 And I called her, and I said that you've been told you're
16 not a tax target, but I'm telling you you have been. And
17 she was indicted, like, 10 or 11 weeks later. And because
18 of those things, that has always been in play.

19 So fast forward another three or four years. She has been
20 convicted. She's been sentenced. And we retained the
21 services of a really smart guy who we should have hired to
22 begin with, a Jim Bruton, former director of the tax
23 division with the Department of Justice, who informed us
24 that, if we could find some way for her to be cooperative
25 with the government, and help them in their investigation,

1 they could shorten her sentence.

2 So we launched into a little investigation, because we
3 knew Tom had done some other things. I mean, we didn't know
4 the detail. Frankly, we didn't have any way to prove it two
5 or three years earlier. But we hired some people, went out
6 and helped us with the investigation. We came up with some
7 information. The government already had it.

8 So then we learned some more stuff. And the more stuff
9 involved Tom, Tommy, and Darick, Tommy and Darick being her
10 sons. And we were in the middle of that investigation. In
11 fact, we had already brought two former IRS special agents
12 to our office. They had already conducted a couple
13 interviews. We had three or four more interviews set up for
14 them. And they were just scheduled to come out to Utah
15 to -- to help us with that.

16 Ken got killed, and we just put a stop on all of it,
17 because we couldn't tell if that was somebody trying to send
18 us a message if they -- if that was what it was, we got the
19 message. And we just stopped the investigation.

20 But there's millions of dollars involved here of
21 unreported income, enough that could have put Tom Mower --
22 certainly a concern enough that could have put her sons,
23 Tommy and Darick, in concern.

24 And -- and Ken would have been aware of all this, because
25 Ken's the guy that's paying the attorneys to do the

1 investigation. And he would have come and have sat in on a
2 couple, two or three of our meetings. He certainly knew the
3 people we were talking about by name and address.

4 And so if -- a couple months prior to this, of Ken getting
5 killed, we've heard through Ken some rumors about Tom in
6 prison, that he's having some problems, he's been engaged in
7 doing business, and been put in the SHU for that, or just
8 whatever these little rumors were.

9 And we didn't have any way to verify any of that, but it
10 seemed to be coming through Ken's sources that he was never
11 willing to share with the attorneys.

12 So as I'm hearing her talk about Mr. Novak being a friend,
13 the attorneys told Ken, stay away from David Novak. He's a
14 con man. He is a con man. That's just what he is. He's --
15 he's going to tell you what you want to hear to get your
16 money.

17 And since you had your initial questioning, we've -- you
18 came, and then we visited with her accountant, Doug Fike, in
19 his office. And then Doug did a little looking, and then we
20 found out that Ken had given Mr. Novak what really totals up
21 to be now just I think \$25,000 short of 2 million bucks, and
22 the preponderance of that came less than 30 days after she'd
23 entered prison.

24 When we got another promissory note showing a loan for
25 about a million, six, we can't confirm, but for all we know,

1 Mr. Novak got 3.6 million.

2 But Ken would have been aware of the fact we were trying
3 to do some investigations, that he would have been aware of
4 the fact that he was trying to find this information. We
5 now think Mr. Novak was just planning. Here's some stories
6 about Tom. He's probably telling Tom's camp, here's some
7 stories about Dave, for all we know.

8 MOWER: (Inaudible).

9 MALE SPEAKER: Okay. So kind of divert back a little
10 bit --

11 BAILEY: Sorry.

12 MALE SPEAKER: -- with this. No, no. You're fine. With
13 this transcript that I got, I kind of -- when it started
14 out, well, I mean, you guys talked about a lot of different
15 things in the phone call. But I've been into it.

16 Ken said that, I'm actually meeting with my friend
17 tomorrow at 7:00 a.m. Go figure that out.

18 And you said, Ooh, I love it.

19 Ken said, 7:00 a.m. in the morning, so I have to get up.

20 You told Ken, Talk about Darick and Tommy as well, because
21 evidently they've been talking to him.

22 Ken said, Okay. Well, I will at 7:00 a.m. So.

23 And then you said, See what they have to say.

24 Ken responded, Okay, I will. I'll try to broaden the
25 stroke and try to include a lot more of the people, and see

1 what happens.

2 You just said, Okay.

3 Ken said, So 7:00 a.m. tomorrow morning. He said again --
4 repeated 7:00, and tomorrow.

5 (End of video part 1; beginning of video part 2)

6 BAILEY: Said 7:00 five times?

7 ROSS: That's kind of weird.

8 MALE SPEAKER: About every other sentence, 7:00. But
9 broaden this --

10 MOWER: And you know what I remember? What I remember is
11 early morning meeting, an early morning meeting. And then
12 along with that, I remember him saying, LaDonna was worried
13 about me being able to get up that early, and she wanted to
14 know if she could call me, or something like that. Is that
15 in there?

16 MALE SPEAKER: Not specifically in this phone call, or not
17 that I remember. You know, it -- long, long phone call.

18 MOWER: It was. And so --

19 MALE SPEAKER: So I'd have to go back through the
20 specifics.

21 But the main -- the biggest sentence on here is where he
22 said, I'll try to broaden the stroke and try to include a
23 lot more of the people, and see what happens.

24 Do you know who or what he would be talking about?

25 MOWER: I don't. I -- I -- I know it was Tom and Darick.

1 Because I was really shocked.

2 He has -- he had just basically told me a couple weeks
3 before that that Tom, and Tommy, and Darick were actually
4 involved with David Novak, and that David Novak had
5 continued to do business with him after he said that he
6 hadn't, and that -- these things.

7 But I played it down. I had to play it down. I didn't
8 dare say anything about David Novak at the time, even though
9 I was thinking, oh, no.

10 And so when he said he was meeting with his friend, and
11 when he said friend, because he would never say a name on
12 the phone, would even say Mo for Tom, that's when I asked
13 him, I want -- wanted to know if he would just find out more
14 about Darick and Tommy.

15 And the minute he said, yes, I will, I -- I knew it was
16 David Novak. I knew for a fact it was. That's who we were
17 talking about on the phone.

18 And when he says broaden it, and -- and see if I can do --
19 get more people, I don't know. I -- I don't know what that
20 would be alluding to. I probably was just listening to him.
21 But I -- I don't know what that means.

22 BAILEY: This -- this was the Wednesday night before the
23 Thursday morning?

24 MALE SPEAKER: Yeah.

25 BAILEY: Or was it Wednesday afternoon?

1 MALE SPEAKER: This was at -- this was at 4:45 in the
2 evening.

3 BAILEY: So late in the afternoon.

4 MALE SPEAKER: Yeah.

5 BAILEY: That's our time, or -- or their time?

6 MALE SPEAKER: That would be -- I'd have to look back.

7 MOWER: Probably --

8 MALE SPEAKER: If it was California or our time.

9 MOWER: Yeah. Probably California (inaudible).

10 MALE SPEAKER: I don't know which way we transcribed it to
11 be.

12 MOWER: Because I'm the one that's calling him.

13 MALE SPEAKER: So it would most likely be California time.

14 MOWER: Yeah.

15 MALE SPEAKER: It should be about 5:45 Utah time.

16 MOWER: There's no way for him to call me at, like -- you
17 know, I have to call him.

18 I don't know he -- who he would have been talking about.

19 I don't know. I wish I could shed some light on it.

20 Would you just repeat that one more time?

21 MALE SPEAKER: Let's see here. He said, Okay.

22 Well, you said, See what they have to say.

23 He said, Okay. I will. I'll try to broaden the stroke
24 and try to include a lot more of the people, and see what
25 happens.

1 MOWER: On that initial meeting, see what they say. I'm
2 in a conversation, and I -- who would he have been talking
3 about? If it was Tommy, Darick, more people. Maybe Cheris.
4 I don't know. I -- I don't -- I can't think of -- I just
5 remember that when I said Tommy and Darick, I knew he was
6 meeting with David Novak.

7 Because he would have said right then and there, no, it's
8 another friend, or no, that's not the person I'm meeting
9 with, or some other guy.

10 Because Ken really didn't meet with anybody else other
11 than David Novak. Because it all came around, but he'd tell
12 me this, or that, or the other. The whole perspective of
13 the whole pile of pieces of the pie, it ended up being David
14 Novak. Everything that he brought to me and everything that
15 he told me was about David Novak.

16 But I didn't know it for sure for a long, long time. And
17 I just barely found out. And so -- that he was even having
18 anything to do with David Novak.

19 BAILEY: There's two more things the attorneys were
20 concerned about during this period of time.

21 I don't know if I had mentioned to you, but you're aware
22 of the fact that (inaudible) Tom sold Neways. They did that
23 in November of two-thousand --

24 MOWER: Six.

25 BAILEY: -- six. In May or so of 2007, Neways sued Tom,

1 Tommy, and Darick. And their new business is Sisel and
2 SupraNaturals. SupraNaturals is the manufacturing end, and
3 Sisel was (inaudible) marketing entity.

4 And there was a couple thrusts on that lawsuit. One was,
5 you have stolen all of our trade secrets, and our formulas,
6 and our stuff, and give us our secrets back (inaudible) our
7 lists of distributors and what a role that is. And the
8 other thing was that you've been intending to compete with
9 us illegally for some period of time.

10 That suit is still ongoing. It's been a very nasty suit
11 to this point, and we've gone great lengths to try to stay
12 out of it and struck some resolution of our own with Neways
13 just to make sure it doesn't come our direction.

14 But back last fall, that was very much in play. And
15 anything that we could learn about what was going on in that
16 suit to help us stay out of that suit, we were keenly
17 interested in.

18 So if there were two or three players who had been working
19 with Tom, or Tommy and Darick, either before the sale or
20 after the sale, who are now defecting from that camp -- and
21 there have been a couple -- we would have been very
22 interested in knowing who they were, and why they were
23 defecting, or what their story could have been.

24 And then similarly, as I told you that we had our little
25 tax investigation thing going on of our own, there were also

1 two or three players that had -- either had some affiliation
2 with Tom back when the tax problem occurred, or had had some
3 defection from Tom's camp within the year prior to -- to the
4 day we're talking about.

5 And we would have been really anxious to talk to those
6 people, if they could have told us about destroying records,
7 if they could have told us about moving documents around, or
8 transporting cash, or just any of the numerous ways that we
9 now believe Tom embezzled money out of Neways.

10 Tim would have been aware of all that, because we would
11 have had him (inaudible) strategy sessions. Here's --
12 here's what we're trying to do. Yeah, we're trying, as
13 attorneys, do three or four things here. We filed motion to
14 a different courts and things to get these different
15 remedies out there.

16 But in the meantime, we're focusing on this other thing as
17 well.

18 And I don't know that's what he's talking about. But
19 he -- I talked with him every week. He would have been
20 aware of -- of just -- when she mentions Cheris, Cheris
21 you're aware is Darick's wife. They were separated for the
22 whole duration of the time that she was sentenced clear up
23 until the time that she's gotten out.

24 But it was Cheris who had some information that she'd
25 found in Darick's things that informed us about a couple of

1 schemes that -- that again, Tom, Tommy, and Darick had been
2 involved with. And -- and it just really had a huge impact
3 on our estate resolution with regard to our divorce being
4 finalized if we could get access to that information.

5 So I don't know. But -- but I can make up my own list of
6 ten names that if he'd found out anything about those
7 people, I'd certainly wanted to know about it.

8 MALE SPEAKER: Okay.

9 MOWER: He was -- he was doing a lot of things. He was
10 working on that before I went to prison. That is what I
11 found out.

12 I mean, Cheris gave us all that information. And so he
13 was going, you know, several different ways.

14 We had -- it was all there, papers, documents, everything.
15 And, but you never know. You've got to follow it up.

16 And Ken was working on other things. But when he said
17 that meeting, I just knew it was -- it was David Novak. And
18 that's why I asked him to talk about Tommy and Darick.

19 I just have to keep going back on that, on this other that
20 you're saying, you know, that could have been -- could have
21 been -- I don't know.

22 MALE SPEAKER: Did Ken use prepaid phones, that you know
23 of?

24 MOWER: Huh-uh. Not that I know of. He had his cell
25 phone, and he had our house phone. And he wouldn't need a

1 prepaid phone.

2 Oh, unless he went into Canada. He had just been to
3 Canada. He -- I think he was in Canada the -- the week
4 before (inaudible).

5 MALE SPEAKER: Why would he use a prepaid phone up in
6 Canada?

7 MOWER: Maybe because his cell phone wouldn't work?

8 BAILEY: Would he --

9 MOWER: What does a pre --

10 BAILEY: Would he have considered --

11 ROSS: A card (inaudible).

12 BAILEY: Getting prepaid phones for his kids?

13 MALE SPEAKER: To-go phones, you know, that you can just
14 buy a phone, put minutes on it, use them up.

15 MOWER: Oh, oh, yes. Ken had told me that he bought his
16 son for his birthday a phone -- a cell phone like his --
17 like he had done his daughter.

18 And he had bought his daughter a cell phone, and she loved
19 it. She could call him anytime, and he wouldn't have to go
20 through their house and, you know, go through their mom or
21 anything. But then the mom took it and destroyed it,
22 because she didn't like her calling Ken all the time.

23 And so, but now Kurtis was of age. And he told me on the
24 phone -- see, you're bringing all this back up.

25 When he was in Canada, I called him, and he could answer

1 the phone, so it did work in Canada. And he said, I'm
2 trying to see my kids. I've got Dana something, and I want
3 to give Kurtis a cell phone. If I give Kurtis a cell phone,
4 maybe he'll be able to call me.

5 And I said, Maureen destroyed Dana's. What makes you --
6 what makes you think that he won't destroy Kurtis's -- she
7 won't destroy Kurtis's?

8 MALE SPEAKER: How about in his business dealings, or
9 things in gathering information for the various
10 investigations and lawsuits, did he utilize prepaid phones
11 with people he contacted and communicated with?

12 MOWER: Not that I know of.

13 The only thing Ken ever did that really upset me -- and he
14 wouldn't tell me how he found out this information, but I
15 know again it was David Novak -- is that trip to Las Vegas.

16 And -- and that just makes me sick when I think about
17 that. I mean, I just -- he really went off the deep end
18 there. I know he was very upset that I was in prison, and I
19 know he knew I was there unjustly, and I know that it really
20 hurt his heart.

21 But that was wild to me, that he would ever talk to
22 anybody, and go to Las Vegas and try to do those things.

23 DELAHUNTY: When did Ken go to Las Vegas?

24 MOWER: I can't even remember. I think it was, like, it
25 was, like -- I went end of March. So that would have been

1 April or May of last year.

2 DELAHUNTY: Excuse me.

3 MOWER: No. You're fine.

4 DELAHUNTY: April or May?

5 MOWER: Yeah.

6 BAILEY: We could find that out.

7 DELAHUNTY: 2007?

8 MOWER: Yeah.

9 BAILEY: We could find that out because we -- pretty sure
10 who books most of his tickets.

11 MOWER: Yeah. We have a -- we have a -- a travel agent.
12 And we never went anywhere that our travel agent didn't, you
13 know, do our traveling.

14 MALE SPEAKER: Did he ever talk to you about how the
15 people in Las Vegas were going to get you out of prison?

16 MOWER: He didn't. He said that they are some very
17 powerful people, that \$4 million, especially under the guise
18 that I -- I went to prison unfortunately, and I shouldn't
19 have been, that they are the type of people that will listen
20 to them; and with that kind of money, they could go in
21 and -- and do all this other stuff.

22 And I'm telling him, Ken, that's a scam.

23 But he would not tell me David Novak was behind it. And I
24 really don't know -- I cannot get up and swear that David
25 Novak was even behind this. But I believe he was, because

1 Ken wouldn't know -- well, you know, you never know. I just
2 think David Novak was behind this.

3 But he did go, and he said it was good the first day. And
4 then when I called him, I was just sick that he was there.
5 And so I -- when I called the next night, he goes, no, it
6 didn't work out. They didn't pan out. I checked them out.
7 They didn't pan out, and I'm on my way home.

8 BAILEY: Well, when you're sick that he's there, you
9 didn't know that Ken had already given Novak 2 million
10 bucks.

11 MOWER: No, I didn't.

12 BAILEY: You didn't know that until after Ken was killed.

13 MOWER: I know.

14 BAILEY: And the attorney came and said, guess what?

15 MOWER: Yes. But --

16 BAILEY: Detective Carriger's got our account and looking
17 at stuff, and guess what we found.

18 MOWER: Well, I didn't have any idea. I mean, he told me
19 it would cost a million dollars.

20 And I said, Ken, I mean, because I -- I met with a lot of
21 women in there, and they all got scammed. Everybody was
22 always going to get them out of prison. A lot of women in
23 there lost a lot of money.

24 MALE SPEAKER: That's all I can think of right at the
25 moment. Just getting -- see if you had any more clarity

1 or --

2 MOWER: (Inaudible).

3 MALE SPEAKER: -- thoughts about that phone call, or, you
4 know, anything you think about that meeting.

5 I know there's -- there's, like, dozens of different
6 motivations that a dozen different people may have. But...

7 MOWER: I don't understand -- what I don't understand is
8 why -- Ken did not know this man that he met with. I just
9 know he didn't. Because he came disguised. It had to have
10 been the first meeting with him.

11 But if he was meeting with this man, why did he allude to
12 me that he was meeting with David Novak? Why didn't he just
13 tell me he wasn't? Why didn't he just say, oh, it's not
14 that friend?

15 ROSS: Well, and then that day before, LaDonna heard him
16 say, when he got the call, oh, Robert, oh, Robert, yes, I've
17 been anxious to meet with you. I've been waiting to meet
18 with you. Like it would have -- was going to be a first
19 visit with whoever that was.

20 DELAHUNTY: Did Ken ever have any conversations with you
21 that he used the name Chris or Eugene? Did he ever mention
22 meeting him?

23 MOWER: No.

24 BAILEY: Not to the attorneys. There's eight of us, and
25 no. No. We've all discussed (inaudible).

1 MALE SPEAKER: And I know he was out there loaning some
2 money, obviously, that you weren't aware of.

3 But what about, could he have been either loaning out
4 money to individual to do hard-money loans, or would he be
5 obtaining a hard-money loan? Investing in anything?

6 MOWER: You know, I have thought about this. And this is
7 just a thought. And this is what I first said when I --
8 when I sat down.

9 I -- I really believe that Ken got really messed up on
10 some land deals that I went ahead and said, okay, I'll do
11 this. Because I was promised in one year and one day
12 that -- because if you go the year and the day, then you
13 don't have to pay as, you know, hard taxes. Capital gains
14 are a little more lenient if it's over a year. And that I
15 would be receiving not only my money, but again that much
16 money, that I would be receiving what I had paid in and then
17 again.

18 And I -- I really think, now that I'm out, and I've found
19 out all these things that was going on, and the things that
20 we thought were going to be good went south, and I really
21 think that Ken got over his head, and thinking we've got
22 this real estate guy that was really a good friend of his,
23 that was that David Simpson, and I really think that -- that
24 Ken kind of got in a little over his head. And I think that
25 he was worried about it. He was worried about me coming

1 home and just going, whoa, what's just happened?

2 And that's -- I just think that, if he ever met somebody
3 that was going to give him a 30-day, 60-day, 90-day, you
4 know, 120-day, or something like that turnover on his money,
5 I think Ken would look at that to protect me.

6 And this is why David Simpson, as far as I'm concerned,
7 may not pulled -- have pulled the trigger, but I think David
8 Simpson is one of the reasons that Ken got into the
9 situation that he got in. That's my own thoughts.

10 MALE SPEAKER: What about investing several million
11 dollars just at a 12 percent interest or return unsecured?

12 MOWER: I don't think Ken would ever do that. He was too
13 strong.

14 BAILEY: Is this Ken putting money with someone else, or
15 Ken borrowing money from someone else?

16 MALE SPEAKER: No. Ken loaning it out.

17 MOWER: Right. No.

18 MALE SPEAKER: At 12 percent.

19 BAILEY: It's entirely possible --

20 MOWER: No, it isn't.

21 BAILEY: -- that someone would be approaching him to try
22 to do that.

23 MOWER: Well, yeah. But he wouldn't do that.

24 BAILEY: I mean, just everybody in the world seemed to
25 think that someone rich has nothing better to do than to

1 give them their money for all kinds of -- of acts.

2 But -- but to think that Ken was out trying to lend the
3 money, first of all, he didn't have access to that much cash
4 without liquidating securities.

5 Now, we -- we had three brokerage houses, and we started
6 out with 47 million in each account.

7 At the Merrill Lynch account we had a line of credit that
8 we could borrow against, because it's a very nominal
9 interest rate to borrow against, and that ceiling on that
10 line of credit was 25 million.

11 At Smith Barney we did not have a line of credit, but Ken
12 opened one up the 31st or something right around about then,
13 31st of July, and it was a ceiling on how much he could
14 borrow there without Dee's signature, just whatever their
15 rules are. And that ceiling would have been somewhere in
16 the range of 9 to 10 million. He borrowed about 6, and then
17 he borrowed a little more in September to run that line up
18 to about 9.

19 The third brokerage house, because they bank separately --
20 they don't have their own in-house bank -- we couldn't set
21 up a line of credit without Dee changing the structure of
22 that arrangement. That -- that institution would
23 acknowledge Ken's power of attorney. They wanted her to
24 change to make him the trustee of her trust as opposed to
25 (inaudible) sign her capacity with a power of attorney.

1 So Ken had authority in each of those brokerage houses to
2 liquidate securities. I mean, he could have gone and sold
3 the whole dang thing.

4 But what he couldn't do was go out and borrow more money
5 to turn around and lend more money. He didn't have 10 or 12
6 million cash in an account to -- to lend.

7 That being said, it's possible that he could have
8 structured some arrangement to pledge her collateral with a
9 different bank, for instance, saying, you know, I'm -- I'm
10 the person who can sign to pledge these securities as
11 collateral for some loan.

12 So if it was conceivable that when you're searching there,
13 that if Mr. Wright was trying to figure out some way to
14 borrow money from Ken at 20 percent, and Ken thought he
15 could borrow it from a bank at 6 and take the difference,
16 that's -- that's a conceivable thought.

17 But I can't really imagine Ken doing that, because his
18 primary thing was to protect the fisk (phonetic).

19 And when she's saying that they got in a little over what
20 he thought, he trusted a lot in a guy named David Simpson,
21 who's a realtor right downtown Springville, a guy who grew
22 up in this community, went to Springville High School, and
23 has never had any formal education since, who owns his own
24 brokerage firm, but pretends to be the associate broker.
25 He's got his brother in there as a broker.

1 Somewhere in 2004 or '5, Mr. Simpson has gotten Ken to use
2 some of Dee's money to invest in a thing over in Hawaii,
3 then some more money, then some more money. She's now into
4 that Hawaii thing about 7 million, and should have been
5 about a one-year turnaround. They haven't even broken
6 ground on it yet.

7 Then he got Dee to invest some money in something that we
8 refer to as the preserve, yet it's 206 acres right on the
9 Mapleton bench. And she put in a little money, 300, and
10 another 400, and there's a check for 4 million something,
11 4.3 I think it is.

12 But the thing that what's all come to light since Ken got
13 killed, and since Mr. Simpson wouldn't give us any stuff,
14 and since we had to go dig this out, is that in the December
15 before she's sent to prison, Mr. Simpson works out a deal
16 that if she'll simply give him \$6.8 million, he can finish
17 developing this preserve. Now, she's already invested about
18 7 million prior to this.

19 And there's a little further inducement. If you'll just
20 let me have that 6.8, I'll sell you this 31 acres in North
21 Springville for -- it's worth 3.3 million. I'll sell it to
22 you for a million and a half.

23 So somewhere the first week in December we write checks,
24 and Mr. Simpson picks up 6.8 million, he picks up another
25 million and a half, and he signs a -- three promissory

1 notes. One is for 6.8 million from the preserve to her
2 entity. We call it LD3. That note is secured by a trust
3 deed on the property.

4 Then there's a second note for the exact, same amount,
5 same terms, but it's from David Simpson and his son, Nathan,
6 to her personally.

7 Our view, as lawyers, is that is supposed to be the
8 hundred percent return guarantee. This is David and Nathan
9 saying we won't take any money until you get your hundred
10 percent first.

11 And there's a third note for 3.3 million. Bears no
12 interest. It's an 18-month note. But it's dated the exact,
13 same day as the other two.

14 What we now know that we didn't know then was, within less
15 than a month of Simpson picking up that money, the first
16 thing he did was cash the checks by deposit.

17 The second thing he did was he did not record her trust
18 deed. He went from wherever he was in Springville to a
19 private bank up here in Salt Lake called Magnet Bank.
20 They're somewhere out near Knudsen's Corner. And borrowed
21 12,780,000 or some approximate of that number to pay off a
22 hard-money lender in Pocatello called Clark Financial.

23 And his statement, when we confronted him with this, well,
24 of course I didn't record the trust deed. If I had, we'd
25 never have been able to borrow the money from Magnet Bank.

1 Magnet Bank wasn't that big a bank. They're just a little
2 private bank. They had to go out of state to find someone
3 else to help them with half the money.

4 So there's already a trust deed on the property for this
5 Clark Financial up in Pocatello. That loan's been extended.
6 It was a six-month loan. It was extended for an additional
7 six months.

8 Ken has stepped in to guarantee the extension of that
9 loan. And Ken's aware of the fact that she's now put up
10 nearly another 7 million bucks again in this 206 acres.
11 Should be a very worthy project right there in Utah County.

12 And lo and behold, Ken has signed the loan agreement, he
13 signed the promissory note, and he signed the trust deed to
14 Magnet Bank in his capacity as a manager of this entity that
15 owns this preserve.

16 We don't think Ken was aware of the fact that her trust
17 deed hadn't been recorded. It's just counterintuitive to
18 imagine that. We think he may have just discovered that a
19 couple days before he got killed.

20 MOWER: Because we knew that we owned the land. We knew
21 we did. At least 50 percent of the land. We didn't own
22 anything. (Inaudible).

23 BAILEY: The -- the trends actually would have been about
24 150 acres, plus the purchase of more. When I said she'd
25 already put in 7, she put in one check for 4.3, three-three

1 of that was supposed to go to actually buy ground. She was
2 supposed to own that ground, and then be joint venturing
3 with the fact they owned this other ground.

4 In fact, what they've done is taken her money. They've
5 spent her money, and then made her an owner, a member of
6 this limited liability company. So, in fact, she had
7 nothing to foreclose on.

8 Then Simpson didn't use the money for what it's supposed
9 to be. This last check that he took for the 6.8, it's not a
10 month or five weeks end of this thing. He takes 1.1
11 million, goes over and invests it in some (inaudible), and
12 he takes the money and goes another direction and does some
13 things. The entire 6.8 is done in three months. Now,
14 the --

15 MOWER: And I have nothing.

16 BAILEY: When -- when Ken gets killed on the 15th, you
17 guys have come to visit him -- or visit him -- visit his
18 office on the -- it was the following Tuesday, because
19 that's -- that's where I met you, actually.

20 And Simpson had just ridden to Dee's home with me. I had
21 stopped by Bishop Washburn's office down on 9th Street in
22 Springville to pick up a binder of Ken's little blog. It
23 was communications of the -- he was hoping the bishop was
24 going to go over and visit her, and thought reading that
25 would help. And the bishop thought maybe this is evidence

1 to give back.

2 Simpson was already at the bishop's office, and he rode up
3 there with me. He rode back to his car with Jami. And on
4 the way back, he tried to get you to agree to let him --

5 ROSS: Well, (inaudible) took me to some bank that he said
6 was one of his offices, and rolled out some blueprints for
7 the spa, for the Reynolds Building, and wanted me to just
8 sign an okay on it just so they can start on the plumbing.

9 And I was just so thrown back that here we are not even --
10 Ken's not even in the ground yet, you know, and this was his
11 best friend, and he's taking me into this building, wanting
12 me to sign -- to put my initials on it to get the plumbing
13 started in this building.

14 And I thought that was so odd.

15 BAILEY: The best friend was already overdrawn on the
16 preserve account. He took a hundred thousand dollar check
17 out of the R.D. Reynolds account, which is this old building
18 downtown that Ken bought -- Simpson got Ken to buy.

19 But he needed money in the preserve, and he had access to
20 sign on all these accounts. He just took a hundred thousand
21 before Ken's funeral because he needed money on this other
22 thing to clear.

23 We now know that within about a week and a half of that,
24 he put a \$2 million trust deed on his house. We have since
25 come back and bought out the loan at Magnet Bank, because it

1 was the only way we could protect the -- the initial 14, 15
2 million that she's put into this thing.

3 MOWER: Well, it put the -- he -- Magnet Bank wouldn't do
4 anything if they didn't own the land. So they owned all the
5 land. I owned nothing.

6 So in order to secure my first 12 million, I had to buy
7 that. And that was all done while I was in prison. I mean,
8 they came to me and said, what do you want to do?

9 And I said buy out -- buy out the loan.

10 BAILEY: But we never would have -- and I'll just tell
11 you, as a group of attorneys, I mean, and even Ken's
12 accountant (inaudible), we never would have thought of Ken
13 dealing with hard-money lenders.

14 (End of part 2)

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