

IN THE CIRCUIT COURT OF THE
TWELFTH JUDICIAL CIRCUIT IN AND
FOR SARASOTA COUNTY, FLORIDA

CASE NO.: 2022 CA 1128 SC

JOSEPH PETITO and NICHOLE
SCHMIDT,

Plaintiffs,

vs.

CHRISTOPHER LAUNDRIE, ROBERTA
LAUNDRIE, and STEVEN BERTOLINO,

Defendants.

**DEFENDANT STEVEN BERTOLINO'S NOTICE OF
FILING DEPOSITION OF DEFENDANT ROBERTA LAUNDRIE**

COMES NOW, this Defendant, STEVEN BERTOLINO, through counsel, pursuant to the Florida Rules of Civil Procedure, and hereby gives notice of filing the transcript of the October 11, 2023 deposition of Defendant ROBERTA LAUNDRIE in support of Defendant Steven Bertolino's Motion for Summary Judgment, filed on February 12, 2024. This Notice is given in accordance with Florida Rule of Civil Procedure 1.510(c). The transcript is also filed for use at trial and any other purposes as provided for by the Florida Rules of Civil Procedure.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 12, 2024, the foregoing was electronically filed with the Court, which will give electronic notice to: **Patrick J. Reilly, Esquire** at eservice@snyderandreilly.com, pat@snyderandreilly.com, valerie@snyderandreilly.com [counsel for Plaintiffs]; and **Ryan L. Gilbert, Esquire** at ryan@ryangilbertlaw.com, office@ryangilbertlaw.com [counsel for Christopher and Roberta Landrie].

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2 OF THE STATE OF FLORIDA IN AND FOR SARASOTA COUNTY

3 CASE NO. 2022 CA 001128 SC

4 JOSEPH PETITO and
5 NICHOLE SCHMIDT,

6 Plaintiffs,

7 vs.

8 CHRISTOPHER LAUNDRIE and
9 ROBERTA LAUNDRIE,
10 Defendants.

11
12
13 DEPOSITION OF ROBERTA LAUNDRIE

14
15
16 TAKEN BY: COUNSEL FOR PLAINTIFFS HEREIN
17 DATE: Wednesday, October 11, 2023
18 TIME: 9:09 - 11:52 a.m.
19 PLACE: Roberts Reporting, Inc.
20 871 Venetia Bay Boulevard
21 Suite 202
22 Venice, Florida

23 BEFORE: AMY E. ROBERTS
24 Registered Professional Reporter
25 Registered Merit Reporter
Notary Public
State of Florida at Large

1 Deposition of: ROBERTA LAUNDRIE

2
3 I N D E X

4 Examination	Page
5 Direct, by Mr. Reilly	4
6	
7 Certificate of Oath	121
8 Deposition Certificate	122
9 Read & Sign Instructions	123
10 Errata Sheet	125

11
12
13 E X H I B I T S

14 Number	Description	Marked
15 Plaintiffs' 1	AT&T Phone Records for 631-579-3557	40
16 Plaintiffs' 2	(Unmarked)	
17 Plaintiffs' 3	Bertolino Statement Dated 09-14-21	82
18 Plaintiffs' 4	Stafford Letter to Mr. and Mrs. Laundrie Dated 09-15-21	94
19 Plaintiffs' 5	Tweet from Jossie Carbonare WPBF25 Dated 09-19-21	96
20 Plaintiffs' 6	Handwritten Note to Brian Laundrie from Roberta Laundrie	100
21 Plaintiffs' 7	Affidavit of Roberta Laundrie	115
22 Plaintiffs' 8	Email from Roberta Laundrie Dated 08/29/21 to Brian Laundrie	

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Appearing on Behalf of Steven Bertolino

ALSO PRESENT: Joseph Petito
Nichole Schmidt
via Zoom Videoconference
Christopher Laundrie
Steven Bertolino

1 THEREUPON,
2 ROBERTA LAUNDRIE
3 was adduced as the deponent herein and, being
4 personally known to the Notary, was then duly sworn
5 on oath and was questioned and stated as follows:

6 THE WITNESS: Yes.

7 DIRECT EXAMINATION

8 BY MR. REILLY:

9 Q. Good morning, Mrs. Laundrie.

10 A. Good morning.

11 Q. Would you state your name for the record,
12 please?

13 A. Roberta Laundrie.

14 Q. Mrs. Laundrie, you've sat through your
15 husband's deposition yesterday and I have taken your
16 deposition in the past and I gave instructions then
17 and I gave instructions to your husband yesterday.
18 Do you need me to repeat those?

19 A. No.

20 Q. Okay. What is your address?

21 A. [REDACTED], North Port.

22 Q. Have you ever been known by any other
23 names other than Roberta Laundrie?

24 A. My maiden name, Roberta Vinci.

25 Q. What is it?

5

1 A. Roberta Vinci, V-I-N-C-I.
2 Q. What is your date of birth?
3 A. [REDACTED]/66.
4 Q. How old are you currently?
5 A. 58.
6 Q. You're currently married to Christopher
7 Laundrie?
8 A. Yes.
9 Q. Did he have the year right? Or he didn't
10 remember the year. What's the date of your marriage?
11 A. July 11th, 1986.
12 Q. What is your current telephone number?
13 A. [REDACTED]-6520.
14 Q. In the past five years have you had any
15 other telephone numbers?
16 A. Yes.
17 Q. What are they?
18 A. [REDACTED]-3557. I'm actually not quite sure
19 how long I had that number, but I had that.
20 Q. Any other numbers?
21 A. Not that I can recall.
22 Q. How about [REDACTED]-6105?
23 A. Yeah, I think that was another cell phone
24 number I had. I don't remember when. It does ring a
25 bell.

6

1 MR. GILBERT: Mr. Reilly, would you repeat
2 that number that you just --
3 MR. REILLY: Sure.
4 MR. GILBERT: -- blurted out? [REDACTED].
5 MR. REILLY: [REDACTED]-6105.
6 Q. (BY MR. REILLY) And you said that was a
7 prior cell phone number of yours?
8 A. I believe so.
9 Q. Okay. And I have three numbers for Brian.
10 [REDACTED]-1787. Do you recognize that number?
11 A. I recognize it, but it's not Brian's.
12 Q. How about [REDACTED]-3557?
13 A. That's not -- that was my old number.
14 Q. And what about [REDACTED]-1783?
15 A. Yes. I believe that was Brian's.
16 Q. And he also had a [REDACTED] number, correct?
17 A. I believe so.
18 Q. Do you know what that was?
19 A. No.
20 Q. When he returned from out west on
21 September 1st at some point after that did you and he
22 go to get another phone number?
23 A. Yes.
24 Q. When was that?
25 A. I don't remember the date, but it was, I

7

1 believe, the first week he returned home.
2 Q. Why did he need a new phone?
3 A. He didn't say.
4 Q. Okay. Do you know what happened to his
5 old phone?
6 A. No, I don't.
7 Q. Do you know what kind of phone he had
8 previously?
9 A. No, I don't.
10 Q. Did he ever own a tablet of any kind?
11 A. I don't believe so.
12 Q. Are you currently employed?
13 A. No.
14 Q. When is the last time you were employed?
15 A. I retired in 2020, December.
16 Q. From where?
17 A. Suffolk County.
18 Q. What did you do for Suffolk County?
19 A. I worked in the Office of Water Resources.
20 Q. What did you do there?
21 A. Secretary.
22 Q. For how long?
23 A. 15 years.
24 Q. Did you ever have any involvement in C&R
25 Specialty Services, Inc.?

8

1 A. Yes.
2 Q. What was your involvement in that?
3 A. Same kind of thing. Secretary, paperwork.
4 Q. How about Juice Fountain, Inc.?
5 A. No.
6 Q. Do you know Mr. Bertolino?
7 A. Yes.
8 Q. And how do you know him?
9 A. We're friends from Bayport, Long Island.
10 Q. How long have you known him?
11 A. Over 30 years.
12 Q. When you say you're friends, how close
13 friends was your family with his family?
14 A. Oh, I believe we were close. Our children
15 played and we spent time together socially.
16 Q. Prior to 2021 did Mr. Bertolino ever
17 represent you in anything?
18 A. Yes.
19 Q. What did he represent you in?
20 A. The sale and purchase of a couple of
21 homes, a few homes we bought.
22 Q. Do you recall if you ever signed a fee
23 agreement with Mr. Bertolino?
24 A. A fee agreement? I'm not sure if it was a
25 fee agreement, but I don't know.

9

1 Q. Other than the sale and purchase of homes,
2 did he represent you in any other capacity?
3 A. I believe he did our wills. I think
4 that's all I can remember.
5 Q. And were you -- your husband testified
6 yesterday about some investment properties. Were you
7 involved with investment properties with
8 Mr. Bertolino?
9 A. Yes. My husband was.
10 Q. You were not?
11 A. So I guess -- I don't think I was on
12 any -- involved in that.
13 Q. What's your understanding of that
14 investment relationship?
15 A. I believe that Steven bought and sold
16 homes, and my husband would invest money and, when
17 they fixed the home and sold it, my husband would get
18 his money back with interest or whatever they made on
19 the sale of the house. Something like that.
20 Q. Okay.
21 A. That's my best understanding of it.
22 Q. What was Brian's birthday?
23 A. [REDACTED] '97.
24 Q. I think yesterday your husband said '98,
25 so that was incorrect?

10

1 A. I don't know what he said, but I think it
2 was incorrect, but I know it's '97.
3 Q. Okay. Prior to Gabby did he have any
4 girlfriends?
5 A. Not that I was aware of.
6 Q. So he never brought anyone home?
7 A. No. Just lots of friends, but I can't
8 name a specific person that he introduced as his
9 girlfriend.
10 Q. Did he ever have any issues at school?
11 A. No.
12 Q. Okay. Never got in any trouble at school?
13 A. No.
14 Q. Ever in any fights that you're aware of?
15 A. No.
16 Q. Did he have anger issues?
17 A. No.
18 Q. Did he have a temper?
19 A. No.
20 Q. Describe him, if you would, for me,
21 please, for the five years prior to 2021. Tell me
22 about him.
23 A. He's a very sweet boy; kind, considerate,
24 loving. He loved his nephews. He loved his sister.
25 He loved us. He was -- he had a lot of friends that

11

1 he was friendly with. He was a good boy, hard
2 worker, and I could go on and on. He was wonderful.
3 Q. Was he ever fired from any job he had?
4 A. Not that I know of.
5 Q. Did you ever hear anyone suggest that he
6 was physically abusive in any way?
7 A. Not at all.
8 Q. When did you first meet Gabby Petito?
9 A. She came to our apartment in Medford in, I
10 guess, the fall of -- late summer or fall of 2019.
11 Q. 2019?
12 A. I believe so. It's hard for me to --
13 yeah, because we moved here in 2020, so -- it could
14 have been '20. I'm not sure.
15 Q. What was the address in Medford?
16 A. It was the [REDACTED] but I
17 don't have the exact address, but that's the
18 apartment complex. [REDACTED]
19 Q. What were the circumstances of Gabby
20 coming to your home at that time?
21 A. I just remembered Brian brought her over
22 one day and we met her and he introduced her as
23 "Gabrielle." I don't remember if he said the word
24 "girlfriend," but he introduced her and she -- we met
25 her, and then a week or so later we all went out to

12

1 dinner and just kind of slowly got to know her.
2 Q. What was your understanding of their
3 relationship at that time?
4 A. I just assumed it was his girlfriend.
5 Q. Did he ever announce to you that she was
6 his girlfriend?
7 A. No, not officially, but I just -- you
8 know, bringing her around and hanging around, I just
9 assumed it was his girlfriend.
10 Q. So this was in the fall of 2019. When did
11 you move to Florida?
12 A. December of 2020.
13 Q. And you --
14 A. So, you know -- I'm sorry -- it could have
15 been 2020 I met her. I'm sorry. I don't remember.
16 Q. How soon after you met Gabby did you move
17 to Florida?
18 A. Gosh.
19 Q. Was it three to six months or was it a
20 year and three to six months?
21 A. I guess a year, yeah, because there was
22 COVID. COVID was two thousand and --
23 Q. '20, beginning of '20.
24 A. Beginning of '20. So, yes. So it was a
25 year. So we must have met her in '19.

13

1 Q. Okay.

2 A. Yeah, so it was a year.

3 Q. And over the period of time from the first

4 time you met her in the summer or fall of 2019 until

5 you moved to Florida in 2020 how often would you see

6 her?

7 A. Oh, we came to visit once or twice. Once

8 or twice.

9 Q. When you say "came to visit," are you

10 talking about there came a time when they moved to

11 Florida?

12 A. Yes. During COVID they were living in

13 Florida and we visited. My daughter lives there, so

14 we visited my daughter; we visited my son. We took a

15 little beach vacation.

16 Q. Do you know when they moved to Florida?

17 A. When Brian and Gabrielle moved to Florida?

18 It was around December of 2020. I would say it was

19 December.

20 Q. Well, you moved there in December of 2020.

21 A. Goodness gracious. And they were already

22 living there, but I thought you said COVID was

23 2000.

24 Q. COVID was early -- March or so of 2020.

25 A. And so when COVID hit they'd just started

14

1 to -- they were just living together for a few

2 months.

3 Q. Where?

4 A. We bought them -- well, we bought

5 ourselves a little investment condo and they moved

6 into it here in North Port. So what was the question

7 now?

8 Q. When did they move to Florida?

9 A. Just before COVID began. I'd say a few

10 months before COVID. COVID began in March?

11 Q. I believe so.

12 A. Yeah, so I think around December or

13 January of that year.

14 Q. What's the address of the place they were

15 living?

16 A. That was [REDACTED].

17 Q. [REDACTED] what?

18 A. [REDACTED].

19 Q. Is that Boulevard?

20 A. I don't know.

21 Q. That's in North Port?

22 A. Yes.

23 Q. And that's property you and your husband

24 had just purchased?

25 A. Yes.

15

1 Q. How long did they live there?

2 A. About a year.

3 Q. Prior to the time that they moved to

4 Florida how often would you see Gabby?

5 A. Prior to moving to Florida? Just a

6 handful of times.

7 Q. What was your impression of Gabby?

8 A. Very sweet.

9 Q. Okay. How would you -- just as you've

10 described Brian, how would you describe Gabby?

11 A. Describe her? Sweet, cheerful, friendly,

12 warm, affectionate, kind, thoughtful. Just a really

13 nice girl.

14 Q. What was your relationship with her during

15 that period of time?

16 A. Very friendly. We -- you know, we'd laugh

17 and joke and talk, and I think we really liked each

18 other.

19 Q. What did you observe about the

20 relationship between Brian and Gabby?

21 A. I thought they were very sweet together,

22 very playful together. They enjoyed each other and I

23 thought it was a nice, good relationship.

24 Q. Did your relationship with Gabby ever

25 change over time?

16

1 A. No. Well, it got -- we got closer as we

2 knew each other longer and longer.

3 Q. I'm sorry. Say that again.

4 A. As we knew each other longer and longer we

5 grew closer and we really cared for each other. I

6 cared for her. I believe she cared for me, too. She

7 always said so.

8 Q. Did you love her?

9 A. Yes.

10 Q. Were you jealous of her relationship with

11 Brian?

12 A. No.

13 Q. Do you recall an incident in which you

14 threw a pie or a cake away?

15 A. I didn't remember it until you mentioned

16 it yesterday, and I didn't throw the pie away. It

17 was silly and I -- my feelings got hurt over a

18 comment on the pie and I -- I did apologize to

19 Gabrielle because I think I -- my feelings were hurt

20 and I was sulky and -- but I thought it was all

21 forgotten and we were fine after that, but, you know,

22 I was a little sulky that night.

23 And the next day everything was fine and I

24 apologized, and she was fine with it, and I

25 thought -- I'd forgotten all about it until it came

17

1 up yesterday and I felt really bad, but I thought
2 it was -- I really thought nothing of it and I
3 thought she thought nothing of it, too.
4 Q. Well, what was the comment that was
5 upsetting to you?
6 A. I don't remember if it was a comment so
7 much. It was -- I had made dinner and I had made
8 this pie and I was excited about my pie and to
9 present on the table. My mother was visiting and
10 I think I was just exhausted from all the people in
11 the house, and when I put the pie down I think there
12 was a comment. I think there was just a little
13 ruckus at the table where it's so silly, but nobody
14 made a nice comment. I guess it was lack of a
15 comment. Nobody said, "Oh, nice pie."
16 And I know that's so silly and I regret it, but
17 I got annoyed, and I don't know why I got annoyed at
18 kind of everybody and a little bit at Gabrielle, and
19 it was silly and I was -- I felt bad. I don't even
20 remember it. I vaguely remember it. I just remember
21 it was a pie and I was embarrassed, but I didn't
22 throw out the pie. We ate the pie, but it was
23 just -- I don't know. I behaved not nicely and I
24 apologized to Gabrielle. She was very nice about it
25 and we were fine after that.

18

1 Q. And what was it about Gabrielle that
2 annoyed you?
3 A. It was nothing specific that annoyed me
4 about Gabrielle. We lived together and there were
5 little things. I'm sure I annoyed her, too, but,
6 like anything, even when I spend time with my
7 daughter, who I love -- but nothing big. Nothing,
8 you know. Normal, everyday things. But I think we
9 had a -- overall had a wonderful relationship and
10 she -- I felt she loved me. I loved her and I felt
11 very bad about the pie coming up.
12 Q. So they moved to the property in North
13 Port, the [REDACTED] or whatever Boulevard
14 property it is and lived there about a year?
15 A. Yes.
16 Q. And why did they leave that apartment?
17 A. Well, we were letting them live there for
18 free, but it was supposed to be a rental property and
19 the -- well, we bought it -- we purchased it to rent
20 out, but the condo association said you can't rent it
21 out for a year. I don't know. That was their rule.
22 So we said, all right, rather than it stay empty for
23 a year, Brian and Gabrielle can live in it. And so
24 after the year passed Brian said, "Well, you guys
25 probably want to rent it out now."

19

1 And we said, "No. Stay there. That's fine."
2 He said, "No," you know, "we don't want to stay
3 there if you guys want to rent it out."
4 And then he wanted to live with us, too. He
5 thought it would be nice, and nice for Gabrielle to
6 live with us, and then we ended up selling the condo.
7 Q. And then they moved to [REDACTED] with you?
8 A. Yes.
9 Q. How long were they at [REDACTED] ?
10 A. From about January until May.
11 Q. Of 2021?
12 A. Yes.
13 Q. And they lived there full-time?
14 A. Yes.
15 Q. Did you ever see any disagreements or
16 arguments between the two of them?
17 A. No.
18 Q. Did you ever see anything about their
19 relationship that concerned you?
20 A. No.
21 Q. When did they get engaged?
22 A. They had gone on a little trip, and I
23 remember it was on the trip that he gave her a ring,
24 and I don't remember the date.
25 Q. Do you have a -- was it some time between

20

1 January and May of 2021?
2 A. No, because I was -- I believe I was in
3 New York still when they told me over the phone, so
4 it was before that.
5 Q. So it was prior to January of 2021?
6 A. Yes.
7 Q. You said they took a trip. Where did they
8 go?
9 A. I don't remember.
10 Q. How long were they gone?
11 A. I don't remember.
12 Q. Did you speak with them during that trip?
13 A. No. Usually when he was -- if people are
14 on vacation or a trip, I never bother people when
15 they're away, so.
16 Q. Well, I guess, was this an extended trip,
17 like a month or more, or was it just a few weeks?
18 A. I cannot remember the trip. I just
19 remember him -- I remember they were away when they
20 got engaged. That's all I can remember.
21 Q. When you found out that they were engaged
22 what was your reaction?
23 A. I thought it was very sweet and I was
24 happy for them.
25 Q. Did you have any concerns about them

21

1 getting engaged at a young age?
2 A. No, because they were just well suited,
3 and I was married at a young age and -- I don't know.
4 Q. What do you mean they were "well suited"?
5 A. I don't know. They got along so well.
6 They both liked art and drawing and -- I don't know.
7 They just seemed like a good pair.
8 Q. What would you observe, when they lived
9 with you, the two of them doing together? What kinds
10 of things did they do?
11 A. I don't know. Just regular stuff.
12 Occasionally they'd go off on a hike or they'd go
13 shopping, go grab something to eat. They'd go for
14 walks at night.
15 Q. Prior to the time that Brian brought Gabby
16 to your house in 2019 what was your relationship like
17 with Brian?
18 A. Prior to? Wonderful. We were very close.
19 Good relationship.
20 Q. Did you do things together?
21 A. Yes.
22 Q. What did you do together?
23 A. Everything. Go to the store, go for
24 hikes, go on vacation, watch TV.
25 Q. Did your relationship with Brian change

22

1 after he started dating Gabby?
2 A. No, I don't think it changed.
3 Q. Did you still continue to do all those
4 things together?
5 A. Well, by then he was living in Florida, so
6 I -- and I was in New York, so we would just talk on
7 the phone now and then and visit.
8 Q. How often, when he lived in Florida while
9 you were in New York, would you speak with him?
10 A. I can't say. Just every once in a while.
11 Q. Well, was it every week?
12 A. No.
13 Q. Every two weeks?
14 A. It was random. I mean, we could talk one
15 day and the following day and then not talk for two
16 weeks. It was just random.
17 Q. Did he ever tell you during that period of
18 time about any issues he and Gabby were having?
19 A. No.
20 Q. How about when you lived together? Did he
21 tell you about any issues they were having?
22 A. No.
23 Q. In 2021 did you become aware that they
24 were going to take a trip?
25 A. Yes.

23

1 Q. How did you become aware of that?
2 A. Oh, about a little less than a week before
3 they were leaving we discovered that they were --
4 they had moved stuff into storage, and then they were
5 fixing up their van, and we sort of put two and two
6 together and we said we think they're going away.
7 Q. How did you discover they were moving
8 things into storage?
9 A. I think Chris found a receipt, and then
10 I think they finally -- I think we asked them about
11 the receipt, and they said, yeah, they moved stuff
12 into storage.
13 Q. Did they say why they moved it into
14 storage?
15 A. No.
16 Q. How much stuff did they move into storage?
17 A. Well, everything because eventually at
18 some point I looked in the room and there was
19 nothing. Nothing was left.
20 Q. Well, what kind of -- are you talking
21 about furniture? Clothing? What are you talking
22 about?
23 A. Well, everything. They had a
24 two-bedroom -- they had a bedroom. It was a
25 three-bedroom house, so they had two of the bedrooms,

24

1 and one was their bedroom and the other was like a
2 couch with a TV and they used it as a living room,
3 and a bathroom. So they had their own side. So I
4 don't know if it was after they left or right before
5 they left; there was nothing in any of the rooms.
6 Just the couch and TV.
7 Q. Did they --
8 A. Personal belongings, everything was gone.
9 Q. Were you surprised that they'd moved
10 stuff?
11 A. Well, I already knew about the storage
12 unit and we saw them working on the van, so, no, I
13 wasn't surprised.
14 Q. But do you know why they decided to move
15 it into storage as opposed to just leaving it at the
16 house?
17 A. No, and that's why I had asked my son --
18 after they were on the trip I suggested to him, "Why
19 don't you just store it here? I don't know why
20 you're paying a storage unit." That was my idea. I
21 said, "Why are you paying for a storage unit? We
22 have an empty room." Everything -- we could -- you
23 know, it was the size of a storage unit, the bedroom.
24 We could pile up the boxes in there. But he didn't
25 want to inconvenience us. And we said we don't mind.

25

1 It's just an extra room.
 2 Q. And you said that they were fixing up the
 3 van. What did they do?
 4 A. Well, Brian was converting it into like a
 5 camper van.
 6 Q. Do you know where they got the van?
 7 A. No.
 8 Q. Do you know whose name the van was titled
 9 in?
 10 A. Yes.
 11 Q. Whose name?
 12 A. Gabrielle.
 13 Q. When did you learn that?
 14 A. I guess I saw the title. I saw the title.
 15 I don't remember.
 16 Q. When did you see it?
 17 A. Don't remember --
 18 Q. Before --
 19 A. -- oh, but I knew pretty early on.
 20 Q. Before they left?
 21 A. Yes, yes.
 22 Q. Okay. Did you discuss the trip with them,
 23 where they were going, how long they were going to be
 24 gone, things of that nature?
 25 A. No, I didn't discuss it with them

26

1 directly, but Chris had told me that they were -- no,
 2 I did. I remember Gabrielle telling me, too. Her
 3 brother was graduating and she was going to go --
 4 they were going to camp their way down. I don't
 5 remember who told me, whether it was Brian, Chris or
 6 Gabby, but they were going to camp their way down.
 7 But I do remember Gabrielle telling me her brother
 8 was graduating. She wanted to go to her brother's
 9 graduation.
 10 Q. At this time did your husband have a
 11 closer relationship with Brian than you?
 12 A. I would say we were both close with Brian.
 13 Q. Was it your understanding that they were
 14 only traveling up to New York?
 15 A. At the time, yes.
 16 Q. When did you learn that they were going
 17 out west?
 18 A. When they didn't come back for a while.
 19 My daughter had seen a post. I don't know if it was
 20 Snapchat. I don't know what thing they used. And
 21 she took a screenshot of it and sent it to me and she
 22 said, "Oh, look, they're out west."
 23 Q. Do you know where they were at that point?
 24 A. No.
 25 Q. Do you know how long after they had left

27

1 your home in Florida that it was discovered they were
 2 out west?
 3 A. No. Sometime over that summer.
 4 Q. Was it a month?
 5 A. Maybe a month.
 6 Q. Before they left did they give you any
 7 indication if they were planning on returning to
 8 Florida?
 9 A. No, no indication either way. I didn't
 10 know.
 11 Q. Okay. You weren't concerned about that?
 12 A. Well, not concerned. They're adults and,
 13 you know, that's their life and I wasn't concerned.
 14 Q. And if I asked you this, I apologize. How
 15 soon after they left -- tell me, when did they leave
 16 Florida? Do you know?
 17 A. Yes. I remember it was early in June,
 18 like the 1st or 2nd. Very early in June.
 19 Q. Of 2021?
 20 A. Yes.
 21 Q. And when you discovered that they were out
 22 west, how soon after -- strike that.
 23 When you learned that they were out west, how
 24 long was that after they'd left your home?
 25 A. I'm not positive, but I would say a month.

28

1 That's just an approximate.
 2 Q. Did you speak with Brian during that month
 3 period?
 4 A. No, I don't think I spoke with Brian all
 5 summer, but I could be wrong. We might have spoken
 6 quickly or texted. I can't recall.
 7 Q. Was it unusual for you to go for such a
 8 long period of time without speaking with him?
 9 A. No. The last time he took a trip we
 10 didn't speak until he got back.
 11 Q. Do you know if your husband spoke with him
 12 during that month interval?
 13 A. I recall that they had -- he called for
 14 Father's Day, I believe.
 15 Q. After you learned from your daughter that
 16 they were out west, did you call Brian and say hey,
 17 where are you going? What are you doing?
 18 A. I can't recall. I probably did, but I
 19 can't say for certain. I'm sure I must have called
 20 or texted, and I can't remember if he called or
 21 texted back. I just don't remember.
 22 Q. And you don't know what the purpose of
 23 their trip out west was?
 24 A. At the time I didn't know for sure. I
 25 just assumed they were out west again because they

29

1 had done it once before. They had taken a
 2 cross-country road trip, so I said, oh, I guess
 3 they're taking another road -- country trip.
 4 Q. The one that they took before, I think
 5 that's the one you told me about in 2020. Yes?
 6 A. Yes.
 7 Q. Do you know where they went on that trip?
 8 A. I remember they showed us pictures and I
 9 know it was out west, but I don't remember.
 10 Q. Your husband mentioned Oregon yesterday.
 11 Do you know if they went out to Oregon on that first
 12 trip?
 13 A. Yeah, I remember. I heard him say that,
 14 too, and it did ring a bell. I was like, oh, yeah,
 15 Oregon. I remember hearing something about Oregon.
 16 Q. And do you know why they went to Oregon?
 17 A. I thought Gabrielle said she had a
 18 relative or that they stopped by on a relative or a
 19 friend of her mother's. I don't really remember.
 20 Q. Did you ever, prior to August of 2021,
 21 express any concern to Brian or Gabby about the trip?
 22 A. The first trip?
 23 Q. No. The second trip.
 24 A. Did I express concern?
 25 Q. I'll rephrase the question. With regard

30

1 to the 2021 trip, prior to August 24th of 2021 did
 2 you express any concerns to Brian or Gabby about the
 3 trip?
 4 A. I think right before Brian left I was kind
 5 of disappointed because I was like -- another trip?
 6 I thought, you know, you guys were going to live here
 7 and save your money and get a house and -- but he was
 8 like it's not going to be that much because we're
 9 going to stay in the van. And that was my only
 10 concern. I thought they were -- I thought he wanted
 11 to save money for a house. I was a little
 12 disappointed, but he was like it's not going to cost
 13 that much and we have the van, so it's -- there's a
 14 lot of free camping out there, and I just felt better
 15 about it. That was my only concern.
 16 Q. When you said "before" they left, do you
 17 mean before they left your home in early June of
 18 2021?
 19 A. Well, that's right. I guess I did have an
 20 idea that he would be going longer than the
 21 graduation. I think I suspected he was going longer
 22 than the graduation, although he didn't come right
 23 out and say it. Because he was fixing up the van, I
 24 had a feeling. First I thought he was fixing up the
 25 van just to do weekend trips, but between the storage

31

1 and fixing up the van, I thought he was going for
 2 longer. And right before he left I just thought he
 3 was going for another trip like he did before and it
 4 might be long, but I didn't know for sure. It's
 5 foggy. I'm sorry. My -- that time is just two years
 6 ago and it's a little foggy and I'm having trouble
 7 with my -- but I think that's right. I think I got
 8 it right.
 9 Q. Have you ever been diagnosed with memory
 10 issues?
 11 A. No.
 12 Q. Or cognitive issues?
 13 A. It's not a memory issue. It's just it was
 14 two years ago and so much has happened and I'm just
 15 trying to remember exactly.
 16 Q. When you said they modified the van, can
 17 you tell me what they did?
 18 A. I remember looking in it once when he was
 19 working on it and it looked like there was a
 20 platform. There was some shelves coming down. They
 21 were making it so that they could do -- so that they
 22 could camp in it. A little shelf for a table and a
 23 platform and, you know, they put a little rug in it,
 24 made it comfortable.
 25 Q. Was there a mattress in the van?

32

1 A. I did see one.
 2 Q. Did you or your husband assist in any way
 3 with the work that was done on the van?
 4 A. No, I don't think so. I think -- well, he
 5 used my husband's tools and everything in the garage,
 6 but.
 7 Q. If I recall your testimony correctly, and
 8 please tell me if I'm wrong, they left in June, early
 9 June. You didn't talk to Brian until you learned
 10 they were on a trip out west, correct?
 11 A. I don't remember the first time I talked
 12 to Brian once they left. I just can't recall.
 13 Q. And how often after that would you speak
 14 with him?
 15 A. Not much at all. They were on a trip. I
 16 wasn't hearing from him. I would ask my daughter if
 17 she heard from him, and we -- I don't know. I just
 18 assumed they didn't have cell phone service.
 19 Q. Why didn't you try to call him?
 20 A. I think I did. I'm sure I must have
 21 texted or called.
 22 Q. Do you know if your husband spoke with
 23 him?
 24 A. Yeah, I believe they spoke on Father's Day
 25 and I think there were other times that we spoke. It

33

1 was just -- we didn't speak a lot because he was on a
2 trip.
3 Q. At any time did you become aware of any
4 incidents between Brian and Gabby?
5 A. No.
6 Q. In particular on August 12 there was an
7 incident at Moab where the police were contacted.
8 When did you learn about that?
9 A. When it was on TV after -- whenever it had
10 televised on TV after -- I guess that was September
11 or October of 2021. Whenever they put it on TV.
12 Q. So Brian never contacted you about that
13 incident?
14 A. No.
15 Q. Did you ever discuss it with Brian?
16 A. No, because I didn't know about it until
17 after Brian was deceased. He was deceased by the
18 time I saw that on TV.
19 Q. Brian came home on August 17 of 2021,
20 correct?
21 A. Yes.
22 Q. Why did he come home?
23 A. I had suggested he empty out the storage
24 unit and save some money, and so he said great and he
25 did that, and I don't know if that was his main

34

1 reason, but that's what -- I think it was also to
2 visit us and visit his nephews and, you know, empty
3 out his storage unit.
4 Q. How much did the storage unit cost him a
5 month?
6 A. I don't know.
7 Q. Did he pay for his airline ticket?
8 A. I don't know. I assume -- we didn't pay
9 for it --
10 Q. Well, that's fair enough.
11 A. -- so yeah.
12 Q. So neither you nor your husband paid for
13 it?
14 A. Right.
15 Q. And your understanding -- before he flew
16 home on the 17th did you know he was coming home?
17 A. Yes.
18 Q. And he told you he was coming home to move
19 things out of the storage unit?
20 A. Yes.
21 Q. Did he say why?
22 A. Save some money. Oh, because they were
23 going to be longer than -- you know, than they
24 originally, I guess, planned.
25 Q. What do you mean?

35

1 A. I didn't even know what was originally
2 planned.
3 Q. What do you mean by that? Longer
4 meaning?
5 A. Well, I guess he thought maybe they would
6 only be gone a little while and store it. I don't
7 know. I can't guess. Maybe he'd only store it for a
8 while, and now I guess they were going to extend
9 their trip, so now he might as well put it back at
10 home.
11 Q. What did he tell you about extending their
12 trip?
13 A. That there was -- he discovered a place
14 where you could work. Not be paid, but you would
15 get -- you would get to keep your van there for free,
16 camp there, and while you were working for them you
17 would learn about farming. It was some sort of a
18 farming co-op or -- I don't know what they called it,
19 but him and Gabrielle were going to work there and
20 learn about farming and be able to park their van for
21 free. And I thought that sounded great and I was
22 excited about that.
23 Q. And where was that?
24 A. Somewhere out west.
25 Q. You don't know where?

36

1 A. No.
2 Q. Did they tell you how long it would be
3 before they came back east?
4 A. Well, they were going to sell -- help this
5 farm, these pumpkins, and sell them for this farm,
6 and then, you know, after that it was sort of up in
7 the air, you know, what they would do after that.
8 Q. Did you discuss when Brian was home --
9 coming home on August 17th, during that time frame,
10 did you discuss with him his relationship with Gabby?
11 A. No.
12 Q. Did he mention Gabby at all?
13 A. Not that I recall. No specific
14 conversation I can recall.
15 Q. Did you ask about Gabby?
16 A. Not that I recall. I think during that
17 trip we just -- I talked on the phone with Gabrielle,
18 but I don't think I said how's Gabrielle. I think I
19 just asked Gabrielle herself, "How are you?"
20 Q. How long was Brian home?
21 A. About a week.
22 Q. Okay. Do you recall the date when he flew
23 back west?
24 A. No.
25 Q. Do you recall where he flew into?

37

1 A. Salt Lake City, I believe.
 2 Q. Okay. Did he stay with you when he came
 3 home?
 4 A. Yes.
 5 Q. What was your understanding of the
 6 relationship between Brian and Gabby at the point in
 7 time when he came home in mid August?
 8 A. My understanding of the relationship was
 9 just that they were still together and still dating
 10 and...
 11 Q. Did he express to you any concerns about
 12 Gabby?
 13 A. No.
 14 Q. He didn't tell you about the Moab
 15 incident, but did he tell you whether or not they
 16 were having difficulty getting along?
 17 A. No. He didn't say anything like that.
 18 Q. He didn't say anything about any arguments
 19 between them?
 20 A. No.
 21 Q. He said -- is it fair to say he said
 22 nothing that caused you any concern about their
 23 relationship?
 24 A. Yeah. I had no concern.
 25 Q. What was his demeanor and his attitude

38

1 when he came home at that point in time?
 2 A. We had a very nice week, and he was happy
 3 to see his nephews and his sister, and he seemed
 4 fine.
 5 Q. When he left to go back to Salt Lake City
 6 what was his attitude and demeanor?
 7 A. As I recall, just fine. Nothing specific.
 8 Q. Was he excited about going back?
 9 A. Yeah. He was just going back. I don't
 10 know. He wasn't excited. He wasn't upset. He was
 11 just going back and I think he was looking forward
 12 to his farming in the fall, and everything seemed
 13 good.
 14 Q. Other than telephone while he -- Brian was
 15 on that trip with Gabby, did you communicate with him
 16 in any other way?
 17 A. Can you say that again?
 18 Q. Sure. Other than by telephone -- while
 19 Brian was on his trip from June through September 1st
 20 of 2021, other than by telephone did you communicate
 21 with him in any other way?
 22 A. I don't recall. I might have e-mailed
 23 him, but that was pretty much -- either we talked on
 24 the phone, texted -- but he wasn't much of an
 25 e-mailer, so I would only e-mail him if it was -- I

39

1 thought he might not look at it for a while, because
 2 I didn't know what kind of reception he would even
 3 have or if he checked e-mail, so I would either text
 4 or call.
 5 Q. So for you to e-mail him would be unusual?
 6 A. Yeah. I did e-mail him now and then, but
 7 not much. We weren't really e-mailers.
 8 Q. And we asked for copies of any e-mail
 9 exchanges that you had with him through discovery.
 10 Is there a reason why you didn't provide any?
 11 A. I didn't think there were any, and if
 12 there were I'm sure I provided them.
 13 Q. Did you look?
 14 A. Yeah, we looked for everything. Yeah, we
 15 looked for everything and provided everything.
 16 Q. Okay. You said you texted him. Did you
 17 keep -- did you keep the copies -- strike that.
 18 Did you keep the text messages in your phone?
 19 A. Yes. I have -- I have -- I don't delete
 20 any, but sometimes my phone after awhile deletes
 21 messages.
 22 Q. Do you still have the text messages
 23 between you and Brian?
 24 A. No, because when he bought a new phone and
 25 I answered his new number, it automatically erased --

40

1 erased all the old texts. I didn't know it was going
 2 to do that. I didn't realize.
 3 Q. Did you try to recover them?
 4 A. No. I didn't even know you could or how
 5 to go about doing that.
 6 Q. So your testimony is that after he bought
 7 a new phone, it deleted all of the texts on your
 8 phone from his -- strike that.
 9 Your testimony is that when he bought a new
 10 phone, all the text communications between Brian and
 11 you which were on your phone were deleted?
 12 A. Yes, because when I put in the new phone
 13 number -- I don't know -- it just did it. I put a
 14 new phone number in for Brian and it just -- if I had
 15 added him as another Brian, like Brian One, Brian
 16 Two, I probably would have kept it, but because I
 17 added a new phone it just deleted all the old texts.
 18 (Plaintiffs' Exhibit 1 marked for
 19 identification.)
 20 Q. (BY MR. REILLY) I'm going to hand you
 21 what I've marked as Exhibit 1 for today's deposition,
 22 which I'll represent to you are phone records that
 23 we've received for your cell phone from AT&T, and if
 24 you look on that first page underneath the line
 25 across the top, three lines down, it says, "Voice

41

1 usage for [REDACTED]-3557." That's your cell phone
2 number, correct?
3 A. Okay. So I look at the first page and I
4 go down four lines?
5 Q. Well, there's a line all the way across
6 the top of the page, right?
7 A. This?
8 Q. Yes. If you go three lines down from
9 that, it says, "Voice usage for."
10 A. Oh, got it.
11 Q. And is that your telephone number?
12 A. Yes.
13 Q. Okay. Turn, please, to page 15, and let
14 me know when you're there.
15 A. Oh, I'm there.
16 Q. Okay. There's an item at the top and it
17 has numbers. I want you to look at line 231.
18 A. Okay.
19 Q. And according to this record on August 5th
20 of 2021 Brian called you and you spoke for 54
21 minutes.
22 A. Oh, August 5th? So we did talk. That was
23 August 5th, '21. Okay. So we talked.
24 Q. That was a pretty long conversation. Do
25 you recall what you and he talked about during that

42

1 call?
2 A. Not at all. I guess just catching up. I
3 could guess we were catching up.
4 Q. Turn to page 20, please, and looking at
5 line 316 there's another call on August 14, 2021, at
6 about 8:55 at night from you to Brian that lasted 25
7 minutes. Do you see that?
8 A. Yes. August 14th, 25 minutes. I called
9 him, right.
10 Q. No. He called you.
11 A. Oh, he called me?
12 Q. Yes.
13 A. Okay.
14 Q. Do you recall what that call was about?
15 A. Was that maybe for his trip maybe if he
16 came on the 17th? So we were probably planning his
17 flight and all that stuff.
18 Q. And that was two days after the Moab
19 incident, and you didn't discuss the Moab incident
20 with him in that call?
21 A. No.
22 Q. On that same page, two days after your
23 call with Brian, looking at line 324 on August 16 of
24 2021 at 1 o'clock in the morning you called Attorney
25 Bertolino.

43

1 A. Oh, at 1 o'clock in the morning?
2 Q. I'm sorry. That's a call to Brian. I'm
3 sorry.
4 A. Oh, okay. Yeah, I normally wouldn't...
5 Q. Do you know why you were calling Brian on
6 August 16 at 1:11 a.m. in the morning?
7 A. Yeah. Was that the day I called him?
8 Okay. I think that was --
9 Q. Well, the call didn't go through. To the
10 best of my knowledge it went to voicemail.
11 A. Huh.
12 Q. Do you know --
13 A. On August 16th?
14 Q. Yes.
15 A. I wonder if I dialed when I was sick? I'm
16 not even up at 1:00 in the morning. I really cannot
17 recall.
18 Q. Are you normally up at that time?
19 A. No.
20 Q. Okay.
21 A. And I am not making phone calls either.
22 Q. Then 7 o'clock that evening, if you look
23 at line -- turn to the next page -- line 3 -- so now
24 we're on page 21, line 334. You contacted at 7:06
25 Attorney Bertolino's office number.

44

1 A. I'm sorry. I'm just confused on the date.
2 August 16th I called him at 3:30? What?
3 Q. At 7 -- on August 16 at 7:06.
4 A. So we're looking at what line again? I'm
5 sorry.
6 Q. 334.
7 A. 334? August 16th at 3:00 in the morning?
8 Q. No, no. August 16 at 7:06 p.m. --
9 A. At 7:06 p.m. on August 16th?
10 Q. -- you called Attorney Bertolino's office.
11 A. I called his office?
12 MR. GILBERT: Can I make a --
13 THE WITNESS: What time is that?
14 MR. GILBERT: Can I make a point or maybe
15 clarify something with you? The time that is
16 showing on here says UTC.
17 MR. REILLY: Um-hum.
18 MR. GILBERT: Which I just had to look up.
19 I think that's like Googled Greenwich Mean Time.
20 MR. REILLY: Okay.
21 MR. GILBERT: So, you know, 1:00 a.m. it
22 wouldn't have been 1:00 a.m. where she was or
23 where Brian was, I believe.
24 MR. REILLY: All right.
25 MR. GILBERT: That's not testimony. I

45

1 just want to make sure.
2 MR. REILLY: Whatever UTC time it is, it
3 is, so.
4 MR. GILBERT: Yeah.
5 THE WITNESS: Okay.
6 Q. (BY MR. REILLY) But do you know why you
7 would have been calling Attorney Bertolino's office
8 at that time?
9 A. If I was calling --
10 Q. Well, I'm sorry. Not at that time. Do
11 you know why on August 16 you were calling Attorney
12 Bertolino's office?
13 A. How long was the call? Maybe I was just
14 talking to one of the secretaries about -- I know we
15 had sold a property that he was investing with Chris,
16 so maybe it was -- I don't know.
17 Q. Okay. Give me a second because I want to
18 convert UTC time to eastern time.
19 A. Okay.
20 MR. GILBERT: Tell me what you find.
21 MR. BERTOLINO: It's 1:57 p.m. UTC time
22 now.
23 MR. REILLY: Right now?
24 MR. BERTOLINO: So four hours ahead.
25 Q. (BY MR. REILLY) Okay. So if it's four

46

1 hours ahead, then a phone call at 7 o'clock would
2 have been at 3 o'clock. Okay?
3 A. Okay. So, I mean, I did call the office
4 now and then for other reasons, and I do have a
5 friend that works in the office, and then we did --
6 we do investments with him, so -- but I don't
7 remember the reason at all I called him.
8 Q. And to the extent that we previously
9 talked about times, specific times with regard
10 to your phone calls, the phone calls would actually
11 have been four hours earlier than what we talked
12 about.
13 A. So when I called him at 1:00 in the
14 morning --
15 Q. You would have been calling him at 10:00?
16 9 o'clock.
17 A. 9:00? Okay. I was just calling.
18 Q. Okay. By the way, after Brian and Gabby
19 went on their trip did you change her mailing address
20 to have everything forwarded to New York?
21 A. I know she had wanted her mail forwarded,
22 and I don't remember if she did it or I did it, but I
23 know she wanted her mail forwarded. I don't
24 remember.
25 Q. Okay.

47

1 A. I know she had her mail forwarded. I
2 don't remember if I helped her with it. I would help
3 her with a lot of things because like sometimes she
4 would have trouble with -- like I remember helping
5 her look for a check in her check log. She didn't
6 know how to do it, so I might have helped her do the
7 mail. Or maybe she asked me to do it. I don't
8 recall. But I do remember she wanted her mail
9 forwarded.
10 Q. All right. Let's turn to page 25, please,
11 and look at page -- line 399. On August 26 of 2021
12 at 3 o'clock in the afternoon you contacted Attorney
13 Bertolino's office again. Do you see that?
14 A. Yes.
15 Q. Do you know why you contacted his office
16 on that date?
17 A. August 26th? What was August 26th? No.
18 How long was that call? I don't --
19 Q. Prior to August 28th of 2021 did you have
20 any reason to call Attorney Bertolino regarding your
21 son Brian?
22 A. Can you repeat it again.
23 Q. Prior to August 28 of 2021 did you have
24 any reason to call Attorney Bertolino regarding your
25 son Brian?

48

1 A. Not regarding Brian.
2 Q. Okay. And if you look immediately the
3 next line down, 400, same date, 8/26 of 2021, at
4 3:36, about a half an hour after you called him,
5 there was a call to your phone from his office. Do
6 you see that?
7 A. On 8/26? So I called his office at 1707,
8 and they must have called me back at 1736?
9 Q. Yes.
10 A. Yeah.
11 Q. Again, do you know what that phone call
12 was about?
13 A. No. I would just have to assume it was
14 business related.
15 Q. Okay. Turn to page 26 please, line 411.
16 On August 28 at -- it would have been 16, so that
17 would be 4:18 in the afternoon, Brian placed a phone
18 call to your phone, correct?
19 A. Yes.
20 Q. And according to my understanding of the
21 record, that went to voice mail.
22 A. Okay.
23 Q. And then same day at 5:38 Brian called you
24 again and again it went to voicemail. Do you see
25 that?

49

1 A. Yes, I do.
2 Q. And then the same day, at August 28th,
3 2011, at 5:39 you and Brian had a phone call for 7
4 minutes and 23 seconds.
5 A. Okay.
6 Q. Do you recall what you spoke about?
7 A. Yeah, those -- those I remember. I saw
8 that he was trying to call me, but I was with my
9 grandson on the beach, so I figured I'll call him
10 tonight or something when I have a chance. And then
11 I guess he finally got a hold of me here, and I said
12 I'm with N [REDACTED] on the beach. I can't really talk.
13 It's windy. I can't really hear. So he ended up
14 just talking with N [REDACTED] for a while.
15 Q. Okay. So yesterday your husband said --
16 well, I guess that wasn't the day the stuff hit the
17 fan. I guess it's the next day. So your
18 recollection is at that point at 5:23 he was talking
19 to your grandson?
20 A. Yes.
21 Q. And then down at line 418, that would have
22 been at about 7:30, there was another phone call from
23 Brian to you, correct?
24 A. Yes.
25 Q. And do you recall talking to him for 10

50

1 minutes and 13 seconds at that time?
2 A. You know, it's funny. I don't recall. I
3 thought he only talked to N [REDACTED], but I guess I talked
4 to him that day, too, a little bit. I didn't
5 remember that.
6 Q. Do you know what you talked about?
7 A. Probably just telling him about -- I don't
8 remember exactly, but probably just how are you doing
9 and the race and --
10 Q. Okay.
11 A. -- the boys talked about the race and
12 everything.
13 Q. On that same page at line 423, August 29
14 of 2021, at about 3:20 in the afternoon there was a
15 phone call placed to your phone from Brian, correct?
16 A. I see that one and, actually, I wanted to
17 clarify. I just remembered something from the last
18 phone call. I remember saying, "I can't really talk
19 long. I'm at the beach, but when I get home tomorrow
20 we'll talk."
21 Q. Okay.
22 A. So I did remember just now that other
23 phone call.
24 Q. Okay. How was -- how did Brian sound to
25 you when he called you on that day, when you said you

51

1 couldn't talk and you were on the beach?
2 A. Fine. Fine, normal.
3 Q. Do you recall what this phone call was on
4 August 29th at about 3:30 -- 3:20 in the afternoon?
5 A. Yes.
6 Q. What was that about?
7 A. I don't remember exactly which call
8 it was. I don't know. But I remember that we had a
9 long -- a long talk. I thought we talked for a long
10 time, and it was -- I just told him all about our
11 summer, what we were doing, caught him up with
12 information about the boys, told him about the race,
13 told him about the weekend at Daytona. So I do
14 remember that conversation.
15 Q. This is the day that your husband said you
16 had a phone conversation with him when the stuff hit
17 the fan.
18 A. Yeah, I remember at the very tail end of
19 that conversation with him where everything seemed
20 fine, as we were saying good-bye he all of a sudden
21 completely changed and he sounded very upset, and his
22 voice was very upset and I didn't know why and I
23 didn't want to push him, so I -- we just said
24 good-bye, but it left on a very -- he was very upset,
25 and so when I got off the phone I told Chris, you

52

1 know, "Brian sounded upset. Maybe you should give
2 him a call."
3 Q. Well, according to the records that I have
4 your husband didn't talk to Brian until -- I'll
5 withdraw that.
6 According to the records I have, you spoke with
7 Brian for an extended period of time on the 29th. It
8 looks like it's for a total of 54 minutes. Does that
9 sound correct?
10 A. Maybe that was the call where I said you
11 should call Brian back.
12 Q. Okay.
13 A. We talked twice that same day. Maybe we
14 talked earlier and then talked again later. I don't
15 remember.
16 Q. Well, I think -- this is just my
17 interpretation of these records. I could be wrong.
18 But if you add up the 36:37 and 17:51, it totals
19 54:28. So that's why I'm thinking the phone call
20 was -- I don't know why they split it up, but that's
21 what I --
22 A. Oh, so it was one -- you think it was one
23 call?
24 Q. It was one call.
25 A. Maybe we got cut out and redialed or

53

1 something.

2 Q. Okay.

3 A. I don't know.

4 MR. GILBERT: And it looks to me, too,

5 like the line 423 and line 424 -- it's showing

6 that they began at the same time.

7 MR. REILLY: Yeah. That's why I think

8 that.

9 MR. GILBERT: Yeah.

10 MR. REILLY: That's why I think that's a

11 total period of the call.

12 Q. (BY MR. REILLY) So if you were -- if you

13 were on the phone for 55 minutes at that time, which

14 would have been from like 4:30 to 5:30, your husband

15 immediately after that phone call contacted Attorney

16 Bertolino, according to the records that I have. Do

17 you know why after you got off the phone or maybe

18 even while you were on the phone with Brian he

19 contacted Attorney Bertolino?

20 A. I thought that he called Brian after he

21 got off the phone with me and spoke with Brian or

22 Brian called him.

23 Q. According to the records that I have, and

24 I think I reviewed them with your husband yesterday,

25 he called Attorney Bertolino at 4:23 p.m., and he

54

1 didn't call Brian until 4 -- about 20 minutes later.

2 A. Oh, I don't know then. I'm confused. I'm

3 not reading it right.

4 Q. Well, did your -- did Brian tell you in

5 the conversation that he needed a lawyer?

6 A. No.

7 Q. And you can't explain why either

8 immediately after you were speaking with Brian or

9 during the phone call your husband called Attorney

10 Bertolino?

11 A. No. I thought he called Brian. Huh. I

12 don't know.

13 Q. Did you speak with Attorney Bertolino that

14 day?

15 A. No. Oh, did I? Wait. I don't recall.

16 Q. After that phone call that you had with

17 Brian on the 29th, when is the next time -- strike

18 that.

19 Your husband testified yesterday that Brian told

20 him that Gabby was gone. Did Brian ever tell you

21 that?

22 A. No.

23 Q. Okay. How did you find out that Gabby was

24 gone?

25 A. I guess Chris must have told me after he

55

1 got off the phone with him.

2 Q. Okay. And what did you understand "gone"

3 to mean?

4 A. I wasn't sure. I didn't -- I don't even

5 remember what I thought. I just know from the tone

6 of Chris's voice it was something serious.

7 Q. Okay. Your husband described his voice as

8 "frantic." Would you agree when you spoke with him

9 he was frantic?

10 A. I would just say upset. I don't think he

11 was frantic. He was definitely upset. He didn't --

12 he was very upset. He didn't sound like himself. I

13 knew something was wrong.

14 Q. And you didn't ask him what was wrong?

15 A. Well, it was as we were saying good-bye

16 and I didn't want to push him and I just thought,

17 well, maybe he's just sad to say good-bye. It wasn't

18 until I got off that I thought no, he sounded more

19 than just sad.

20 Q. You had a good relationship with your son.

21 A. (No response.)

22 Q. Yes?

23 A. Yes.

24 Q. You knew he was upset. Yes?

25 A. Yes.

56

1 Q. But you just said good-bye?

2 A. Yeah. I just thought he was sad to say

3 good-bye, and I don't like to -- I figured if he has

4 anything he wants to talk about, he could talk about

5 it. I don't like to push people and say what's

6 wrong, what's wrong. We were saying good-bye and

7 it was just at the tail end of the conversation.

8 Q. Okay. So you knew he was upset. Yes?

9 A. Yes.

10 Q. Your husband told you that Gabby was

11 "gone," correct?

12 A. Yes.

13 Q. Phone calls were made to Attorney

14 Bertolino, correct?

15 A. Right.

16 Q. Why would you make a phone call to

17 Attorney Bertolino if you didn't know what "gone"

18 meant?

19 A. Well, Chris had told me Brian wanted him

20 to call a lawyer.

21 Q. And you didn't say why?

22 A. I think that's when Chris was telling me

23 that Brian said, "Gabby's gone and please call a

24 lawyer."

25 Q. Okay. So if "Gabby's gone, please call a

57

1 lawyer" -- doesn't that say to you she's dead?
2 A. I didn't know what to think. I don't
3 remember if that crossed my mind or if I just was so
4 nervous I just thought he was in some kind of
5 trouble. I didn't know.
6 Q. What other possible explanation could
7 there be for, "She's gone, please call a lawyer"?
8 A. A lot of things ran through my head.
9 Possibly they got in a fight and, you know, maybe
10 she's going to press charges against him or
11 something? I didn't know.
12 Q. Well, did you --
13 A. I thought --
14 Q. Did you ask?
15 A. Well, I -- I didn't call Brian after that.
16 I don't know if we talked again that day.
17 Q. Your son's upset. Your husband says he
18 says Gabby's gone. Your husband says call a lawyer.
19 You call a lawyer. And you never call your son back
20 immediately and say what's going on, what's
21 happening?
22 A. I think I spoke to him finally later in
23 the day. I think -- I thought I called him back that
24 night, but, you know, it was two years ago and I
25 don't remember exactly, but I thought I did call him

58

1 back later that night, but by that point I think our
2 attorney had said just don't talk to him about
3 anything. He'll talk to Brian.
4 Q. Can you tell me any possible option based
5 on the circumstances as you knew them on August 29 --
6 your son's upset, his conversation with your husband,
7 Gabby's gone, call a lawyer -- any other possible
8 explanation other than she was dead?
9 MR. MELTZ: Objection. Asked and
10 answered.
11 THE WITNESS: That's what I was going to
12 say.
13 Q. (BY MR. REILLY) But you can answer it.
14 A. Oh, a lot of things crossed my mind and
15 one of them was that maybe they got in a fight and
16 maybe she's going to press charges against him for
17 maybe he hit her or something, which that was one
18 that ran through my mind. A lot of things went
19 through my mind of what do you need a lawyer for,
20 but --
21 Q. But the fact that maybe he murdered her
22 went through your mind, didn't it?
23 A. I don't know if I even wanted to -- I
24 think I was so panicky, it might have gone through my
25 mind. I can't recall what I was thinking at the

59

1 time.
2 Q. Well, from the time that you had that
3 conversation on August 29 until September 1, 2021,
4 did it go through your mind that your son may have
5 murdered Gabby?
6 A. I can't recall.
7 Q. Something as significant as your son
8 committing a murder, which you now know he did, you
9 can't recall if you remember thinking that back in
10 August and September of 2021?
11 MR. GILBERT: Objection. She's answered
12 that already.
13 Q. (BY MR. REILLY) But you can answer it.
14 A. I don't remember all the thoughts I
15 thought. I was panicking and thinking a lot of
16 thoughts, and it's hard to think back to a time with
17 new information what you thought at the time, but it
18 probably -- it probably went through my mind.
19 Q. Can you tell me back in August on August
20 29th of 2021 that the thought of Brian murdering
21 Gabby didn't go through your head?
22 A. I can't remember specifically it went
23 through -- what went through my head.
24 Q. When Brian came home -- well, strike that.
25 How did it end up that Brian came home?

60

1 A. I think that night, but I can't recall
2 with the records, but I thought that that night he
3 called back and said, "I'm driving home."
4 Q. Who did he speak with?
5 A. Me.
6 Q. On August 29th?
7 A. I thought so, but now, well, my memory, I
8 guess, could be wrong, but I thought that night --
9 unless it was the next night, but I thought that
10 night he said he was driving home.
11 Q. According to the phone records that I've
12 reviewed, after 4:37 in the afternoon on August 29th
13 you had no further telephone conversations with your
14 son that day.
15 A. Oh, okay.
16 Q. You tried to call him at 7:12 p.m. and
17 left a voice mail message or maybe left a voice mail
18 message. You tried to call and didn't connect with
19 him.
20 A. Okay.
21 Q. If you'll turn to page 27, line 432, on
22 August 30 of 2021 he tried to call you at 8:07, so
23 I'm guessing that would have probably been the 29th.
24 He tried to call you, but that went to voice mail.
25 A. Okay.

61

1 Q. On the same date at 8:13:15, which I think
2 would be August 29, he tried to call you again, but
3 the call didn't go through. It was unanswered.
4 A. Okay.
5 MR. GILBERT: What line is that?
6 Q. (BY MR. REILLY) That's 435. I'm sorry if
7 I didn't say what line it was.
8 And perhaps you did speak with him. Hold on
9 just a second.
10 At line 439 on August 30 -- August 29, excuse
11 me, at what would have been 10:38 at night there's a
12 22-minute phone call with him. Is that when you
13 recall having the phone call with him?
14 A. Yeah. I remember it was before I was
15 going to bed, and I think Chris was already asleep,
16 and I remember he said he was going to -- he was
17 driving home.
18 Q. Your husband was already asleep at that
19 point after getting a phone call from your son that
20 Gabby was gone, he was frantic, call a lawyer?
21 A. Was that all the same day?
22 Q. Yes.
23 A. Well, it was a long weekend. We'd been
24 away. We'd been at the beach with the kids and the
25 race, and he falls asleep early.

62

1 Q. What did you speak with Brian about on
2 August 29th at about 10 o'clock?
3 A. That was when he said he was driving home.
4 Q. And in that conversation with him did you
5 ask him any details about Gabby being gone?
6 A. No.
7 Q. Why not?
8 A. I don't know. I guess I was nervous,
9 upset, tired. I think at that point Steven had
10 already said don't talk about anything. I can't
11 remember.
12 Q. Well, this is --
13 A. I don't.
14 Q. This is a girl you told me you loved.
15 Someone you loved, someone who was going to become a
16 part of your family, and you asked no questions about
17 her or your son when you learned that she was gone,
18 correct?
19 A. Correct.
20 Q. Weren't you concerned about her?
21 A. I was, but I think I was -- it was my son.
22 I was concerned for my son.
23 Q. What were you concerned about your son?
24 A. He was driving home. He was upset. I
25 knew he wanted Chris to call a lawyer, and so I knew

63

1 things were -- so I think I was just telling him, you
2 know, if you're coming home -- I don't remember what
3 we talked about. I just remember he said he was
4 coming home, and I didn't -- I didn't ask him
5 anything.
6 Q. If Gabby had just walked off on her own,
7 would you have told your son to drive home in her van
8 with all of her stuff in it?
9 A. No. I didn't tell him to drive home. He
10 just said he was on his way home, and I thought it
11 really is Brian's van. Maybe her parents would pick
12 her up or come get her. I don't know.
13 Q. Well, you told me the title -- that you
14 saw the title was in Gabby's name, so why would you
15 think it was Brian's van?
16 A. Because I believed he paid for it. He
17 worked on it. I believed it was his, and I think it
18 was just a nice gesture that he put it in her name.
19 I knew that she couldn't afford to pay for her or
20 didn't want to pay for her -- she was leasing a car
21 and she didn't want -- and Brian was paying for the
22 lease, and she finally drove home and left the car at
23 her parents' house, and so I think he just wanted to
24 put the van in her name to be nice, but I don't
25 remember her ever driving it even.

64

1 Q. So when you learned your son was on the
2 way back, you didn't say to him, "Wait a minute.
3 What about Gabby? You have all her belongings in the
4 van. You can't just leave her there."
5 A. Well --
6 MR. MELTZ: Object to the form.
7 Q. (BY MR. REILLY) You can answer.
8 A. Oh. I just figured, you know, it was his
9 van. And I know when my daughter broke up with her
10 boyfriend, they divided the belongings later.
11 Sometimes, you know --
12 Q. Did your -- did your daughter kill her
13 boyfriend?
14 A. I never asked.
15 Q. You never asked?
16 A. They broke up, and I never asked my
17 daughter why they broke up. I mean, you know, when
18 people break up I don't ask the details.
19 Q. Did you have any concerns that the young
20 lady that you loved, who you described as sweet,
21 loving, friendly, someone who was going to be your
22 daughter-in-law, part of your family, she lived with
23 you, did you have any concerns that her body might
24 have been laying out somewhere unprotected?
25 A. No, I didn't think that, but I was

65

1 concerned for her well-being because I cared about
2 her, but my son's driving home and I'm nervous for
3 him and...

4 Q. Oh, you're concerned about her well-being.
5 So what did you do about her well-being?

6 A. Well, just, you know, Gabrielle -- I
7 thought she always was -- could take care of herself,
8 and I was just concerned about my son at the time and
9 I just figured maybe her parents could come get her
10 or she would -- last time he left her in a hotel.
11 Maybe, you know --

12 Q. How would her parents come and get her?

13 A. Like they could drive out or fly out.

14 Q. And where would they go?

15 A. Well, I don't know. Wherever she was.

16 Q. Where was she?

17 A. Out west on their vacation, their trip.

18 Q. Where in particular?

19 A. Actually, you know, I don't -- I didn't
20 really follow, keep track of where they were on their
21 vacation.

22 Q. You had Gabby's phone number, didn't you?

23 A. Yes.

24 Q. You're concerned about her well-being.
25 Did you try to call her?

66

1 A. No.

2 Q. Did you text her?

3 A. No.

4 Q. Did you take any effort to try to
5 communicate with her and see if she was okay?

6 A. Well, no, because I was just concerned
7 about my son and -- I don't know.

8 Q. You were concerned about your son --

9 A. Yeah.

10 Q. -- because you knew he murdered Gabby,
11 right?

12 A. No.

13 MR. GILBERT: Objection.

14 Q. (BY MR. REILLY) You can answer.

15 A. No. Just because I was concerned that he
16 was upset and I knew he needed a lawyer, and I hope
17 not. I mean, I just -- it was a terrible thing and I
18 hope not.

19 Q. So Brian gets home September 1st in
20 Gabby's van, correct?

21 A. Yes.

22 Q. And all of Gabby's stuff was in the van,
23 correct?

24 A. I don't know what was in the van.

25 Q. You never looked inside the van?

67

1 A. No.

2 Q. Did you see Brian bringing things into the
3 house?

4 A. Not -- I think so. I think I recall him
5 bringing stuff in.

6 Q. Was some of it Gabby's stuff?

7 A. I didn't look at what he was bringing
8 in.

9 Q. You know that eventually her stuff was
10 found inside your house, correct?

11 A. Yes.

12 Q. Including her laptop?

13 A. Oh, I don't remember what they found.
14 They gave me a list of things they took, but I don't
15 remember if her laptop was there.

16 Q. Okay. So when Brian gets home you
17 expressed your concern about Gabby. Did you ask him
18 about Gabby?

19 A. No. I think by that time my attorney
20 advised me just not to talk about anything, so I just
21 gave him something to eat and we didn't talk about
22 anything.

23 Q. As a mother, as someone who had loved
24 Gabby, despite what your lawyer said, why didn't you
25 ask questions of your son?

68

1 MR. GILBERT: Objection to the form. You
2 can answer.

3 THE WITNESS: Okay. But that's what
4 Steven told us to do and that's just what I
5 did.

6 Q. (BY MR. REILLY) Okay. So you could write
7 her off that easily?

8 MR. GILBERT: Objection.

9 THE WITNESS: I wasn't writing her off.

10 Q. (BY MR. REILLY) Why didn't you contact
11 Joe Petito and Nichole Schmidt?

12 MR. GILBERT: Objection. It's been asked
13 and answered.

14 MR. REILLY: I never asked her that
15 question.

16 THE WITNESS: Well, just my attorney told
17 me not to talk to anybody, so I just didn't talk
18 to anybody.

19 Q. (BY MR. REILLY) Had you met Nichole
20 Schmidt before?

21 A. Yes.

22 Q. On how many occasions?

23 A. Once -- twice.

24 Q. Had you ever met Joe Petito?

25 A. Never.

69

1 Q. Did Nichole Schmidt after September 1st
2 ever try to contact you by phone?
3 A. After September 1st? Yes.
4 Q. Did you answer the call?
5 A. No.
6 Q. Okay. Because of your attorney's advice?
7 A. Yes.
8 Q. Did she send you a text?
9 A. Yes.
10 Q. And did you answer the text?
11 A. No.
12 Q. Because of your attorney's advice?
13 A. Yes.
14 Q. Did you block her on your phone?
15 A. No.
16 Q. Okay. Did she reach out to you through
17 Facebook Messenger?
18 A. I don't know. I wasn't really -- no, not
19 that I know of. I wasn't really on Facebook.
20 Q. Did you and Brian ever communicate through
21 Facebook Messenger?
22 A. I don't believe so, no. I don't even know
23 if he had a Facebook, unless it was like in high
24 school.
25 Q. Since August 29th of 2021 have you ever

70

1 tried to reach out to Joseph Petito or Nichole
2 Schmidt?
3 A. No.
4 Q. When Brian came home what did you do?
5 What did the three of you do, you, Brian and your
6 husband?
7 A. We mostly stayed home, prepared meals,
8 went out to dinner, I think, once or twice, and
9 watched TV. Not much.
10 Q. You went on vacation, didn't you?
11 A. Oh, yes, yes, and we went overnight to
12 Fort DeSoto because we had reservations. We had just
13 bought a camper and we wanted to test it out.
14 Q. Your life went on as normal?
15 A. Well, we did -- we did normal things, yes.
16 Q. How could you go on vacation knowing that
17 Gabby was gone while the Petito family was looking
18 for her?
19 MR. MELTZ: Object to the form.
20 THE WITNESS: We just had planned to go
21 and test out the camper overnight, and we were
22 just doing our regular things. I didn't -- and
23 I don't know.
24 Q. (BY MR. REILLY) Well, you had had a
25 reservation for Fort DeSoto for a different time,

71

1 hadn't you?
2 A. I believe it was the same weekend, but
3 maybe a longer time frame.
4 MR. REILLY: Let's take a break.
5 (Recess taken from 10:27 to 10:37 a.m.)
6 Q. (BY MR. REILLY) Mrs. Laundrie, at some
7 point Brian left your house, and I think your husband
8 testified yesterday that was September 13th. Does
9 that sound correct?
10 A. Yes.
11 Q. By the way, does Mr. Bertolino still
12 represent you and your husband?
13 A. I believe so, yes.
14 Q. For what, without going into details?
15 Anything related to this case?
16 A. I always think of him as my attorney for
17 everything, but -- so, yeah. For this case?
18 Q. Okay.
19 A. I guess, so, yeah. That's why he's here,
20 right?
21 Q. So when Brian left what was his demeanor?
22 A. When he left that morning to go hiking, he
23 was just going hiking.
24 Q. You knew he was leaving to go hiking?
25 A. Yes.

72

1 Q. Attorney Bertolino has stated on several
2 occasions that Brian was grieving when he left. Was
3 he grieving?
4 A. I didn't see him as grieving. I wouldn't
5 use the word grieving. I don't know. He was, I
6 guess, worried and concerned, and I know he was
7 talking to Steven on the phone and -- but we tried to
8 keep things -- Steven Bertolino told us just keep him
9 close and keep him calm, and that's what we did.
10 Q. Did you ever see him as grieving after he
11 returned on September 1st?
12 A. I don't know if I -- I don't know what he
13 was thinking or feeling.
14 Q. He was your son, right?
15 A. (Nods head affirmatively.)
16 Q. Yes?
17 A. Yes.
18 Q. And you never discussed what happened out
19 in Wyoming with him?
20 A. No.
21 Q. Did Attorney Bertolino tell you why you
22 shouldn't discuss it with him?
23 A. No. He just told us keep him safe, keep
24 him close, and don't talk to him about anything. He
25 was representing Brian. That was his -- Brian was

73

1 Steven's client and that was it, and we just stayed
2 in the background, kept him safe, kept him close.
3 Q. Did Mr. Bertolino tell you not to speak
4 with Brian about what happened out in Wyoming so that
5 you wouldn't know whether he did or didn't murder
6 Gabby?
7 MR. GILBERT: Objection to the form, but
8 you can answer.
9 THE WITNESS: I don't know why Steven gave
10 us the advice he gave us. It's just what he
11 gave us.
12 Q. (BY MR. REILLY) Well, as a mother you
13 have a natural instinct to want to speak with your
14 child if he's hurting, don't you?
15 A. Yes.
16 Q. Did you have that natural instinct with
17 Brian when he came home after September 1st?
18 A. Well, not to talk to him and pump him for
19 questions, but certainly to love him and feed him and
20 hug him and, you know, give him lots of love and keep
21 him safe and close --
22 Q. So you didn't --
23 A. -- as our attorney advised us.
24 Q. Sorry. Are you finished?
25 A. Yes.

74

1 Q. So you didn't want to know what it was
2 that was making him so upset?
3 A. Well, I just followed Steven's advice and
4 I, you know, left -- I tried not to -- I left him
5 be.
6 Q. So you put your motherly instinct aside
7 and followed an attorney's advice?
8 A. Well, I think it was my motherly instinct
9 to follow the attorney's advice to do what was best
10 for my son, and that's what I was doing.
11 Q. Were you concerned your son was going to
12 go to prison?
13 A. At that time I don't remember if that
14 thought crossed my mind.
15 Q. Well, that would be a pretty traumatic
16 thing, wouldn't it?
17 A. My son going to prison?
18 Q. Yeah.
19 A. Yes.
20 Q. And you can't remember if back in
21 September of 2021 the thought of your son going to
22 prison ever crossed your mind?
23 A. I don't remember. I had a lot of worries
24 and I don't remember every thought or worry
25 specifically.

75

1 Q. What were your worries?
2 A. That Brian would be okay.
3 Q. Okay about what?
4 A. Whatever the issue was that he had to deal
5 with with Steven and Gabrielle and it would end well.
6 That was my hope.
7 Q. And what did you think maybe that issue
8 was?
9 A. I wasn't sure and I didn't want to ask
10 and -- because I was told not to ask, and so I just
11 kept Brian close, kept him home and safe, and didn't
12 talk to him about anything and hoped for the best.
13 Q. So on August 29th you learned from Brian
14 that Gabby's gone, correct?
15 A. Yes.
16 Q. And did you think maybe she just walked
17 off somewhere?
18 A. That was another thought that I thought,
19 yeah.
20 Q. Had she ever done that before?
21 A. She often wouldn't come home at night or
22 would disappear. Like I was having a family dinner
23 party and she didn't show up for it, and it turned
24 out she was in New York, but hadn't mentioned it.
25 And so, no, I didn't really keep track of her. She

76

1 was independent.
2 Q. So what periods of time would she
3 disappear for?
4 A. Sometimes she'd go out at night and we
5 didn't know where she was until 4:00 in the morning,
6 but she's not our daughter. I'm not going to tell
7 her she can't go out at night. And sometimes she
8 would -- for instance, we were going to have a
9 holiday and I -- she knew I shopped and cooked, and
10 the recipes she liked, and planned a recipe, and then
11 she just wasn't there. And I thought oh, she's not
12 going to be here for Easter? And it turned out she'd
13 gone back to New York.
14 So, you know, she wasn't mine to -- if it was my
15 daughter, I would have said why didn't you tell me
16 you weren't going to be here for Easter, or you
17 should be here for Easter, but she wasn't my
18 daughter. She's allowed to come and go as she
19 pleases and I'm not going to -- it's different when
20 you live with your daughter. This is just the
21 girlfriend of my son. It's not my place to -- you
22 know, she's allowed to come and go as she pleases.
23 Q. What was the longest period of time she
24 disappeared for?
25 A. Well, I guess when she went back for

77

1 Easter. I didn't know if even she was coming back.
2 I don't know how many days that was.
3 Q. Okay. Did it turn into weeks?
4 A. No, probably not.
5 Q. Okay. So there came a point when Gabby
6 was gone for a longer period than she's ever been
7 gone before, right?
8 A. Well, maybe they broke up. I don't know.
9 But that probably was the longest period, yes.
10 Q. And had there ever been a time when Gabby
11 left for a period of time and Brian was upset and
12 frantic and asked for a lawyer?
13 A. No.
14 Q. Yesterday your husband said that at some
15 point a \$25,000 retainer was given to Attorney
16 Bertolino. Do you remember him saying that?
17 A. Yes.
18 Q. Do you remember when that was that that
19 check was given?
20 A. Early September, but I don't have the
21 exact date.
22 Q. Brian arrives home on September 1st. How
23 soon after that is the check issued to Attorney
24 Bertolino?
25 A. Probably that very day.

78

1 Q. Okay. So when Attorney Bertolino said in
2 the press he wasn't retained until September 11th,
3 that is not correct, correct?
4 MR. MELTZ: Object to the form.
5 THE WITNESS: Well, I don't believe that
6 check was to retain Mr. Bertolino.
7 Q. (BY MR. REILLY) Why were you giving
8 Mr. Bertolino \$25,000?
9 A. He was going to retain lawyers out west in
10 case Brian needed help out west.
11 Q. What would Brian have needed help out west
12 with?
13 A. I don't know. That was between Brian and
14 his attorney and I didn't get involved.
15 Q. Okay. So you wrote a check for \$25,000,
16 or your husband wrote a check for \$25,000 to Attorney
17 Bertolino and didn't ask what it was for?
18 A. Well, we did it to retain attorneys out
19 west for Brian on Brian's behalf.
20 Q. Was any part of that \$25,000 for Attorney
21 Bertolino?
22 A. I really don't know what he does with his
23 funds, but it was my understanding that it was for
24 the attorneys out west. But you'd have to ask
25 Mr. Bertolino.

79

1 Q. Well, you're the one who retained him, you
2 and your husband.
3 A. Right.
4 Q. Can you tell me what you retained Attorney
5 Bertolino for?
6 A. Later we retained Attorney Bertolino to
7 defend us against the plaintiffs, Petito and Schmidt,
8 versus me and my husband.
9 Q. Yesterday your husband testified that when
10 he sent that \$25,000 check it was to represent you
11 and he and your son. Do you recall him saying that?
12 A. I do.
13 Q. Okay. Is he incorrect?
14 A. Yeah. It was my -- I don't know if he's
15 incorrect, but it was my understanding -- we might
16 just have different understandings, but it was my
17 understanding it was to retain the attorneys out
18 west.
19 Q. Okay. Do you have any reason to believe
20 you were in need of an attorney when that retainer
21 was sent to Attorney Bertolino?
22 A. No.
23 Q. Okay. To your knowledge were you ever the
24 subject of a criminal investigation?
25 A. Was I ever -- I believe so, yes.

80

1 Q. When?
2 A. Well, sometime after -- well, while Brian
3 was missing my attorney informed me that the FBI
4 wanted to question me. So if that's considered an
5 investigation, then yes.
6 Q. Question you about what?
7 A. I guess if I knew where Brian was, or I
8 don't know what they wanted to question me about.
9 I think they said something about they had something
10 electronic that I had done or they had -- and I'm
11 assuming it was they wanted -- I think Mr. Bertolino
12 told me they wanted to question me if I knew where
13 Brian was.
14 Q. Okay.
15 A. That's my understanding.
16 MR. REILLY: Okay. Off the record.
17 (Recess taken from 10:48 to 10:50 a.m.)
18 Q. (BY MR. REILLY) Did anyone ever tell you
19 that you were being investigated for you having
20 committed a crime?
21 A. No. I think they just wanted to question
22 me. Now, I'm not sure of the distinction. I don't
23 know if they were investigating me for a crime or if
24 they just wanted to question me on the whereabouts of
25 Brian. I think it was they wanted to maybe charge me

81

1 with something, or they thought they could. I don't
2 know. I'm unclear on that.

3 Q. Well, did you ever have a conversation
4 with Attorney Bertolino about you being investigated
5 for committing a crime?

6 A. Yes.

7 Q. When?

8 A. When Brian was missing and he said the FBI
9 wanted to talk to me about something electronic they
10 thought I had done, so I guess that was a crime, yes.

11 Q. Do you know what it was electronic they
12 think you did?

13 A. The only thing I could think of was
14 possibly when I accompanied Brian to the cell phone
15 store, maybe they thought that was wrong, but I don't
16 see how keeping company at the cell phone store was
17 wrong. And that's all I could think of.

18 Q. So Brian left on the 13th, correct?

19 A. Yes.

20 Q. When did you report him missing?

21 A. That -- that night.

22 Q. The 13th?

23 A. Yes.

24 Q. Okay. And when was it that Attorney
25 Bertolino told you that the FBI wanted to speak with

82

1 you?

2 A. I don't recall.

3 Q. Was it the next day? The same day? Days
4 later?

5 A. I have no recollection. Sometime in that,
6 before we found Brian.

7 Q. Were any charges ever filed against you or
8 your husband?

9 A. No.

10 MR. REILLY: I'm sorry. I don't know why
11 I only have two copies.

12 MR. MELTZ: We got it yesterday. I don't
13 need it.

14 (Plaintiffs' Exhibit 3 marked for
15 identification.)

16 Q. (BY MR. REILLY) I'm going to show you
17 what's been marked as Exhibit 3 for your deposition
18 here today.

19 A. Can I clarify a question from awhile ago
20 that I was just thinking about?

21 Q. Sure.

22 A. When you asked about our camping trip, I
23 just wanted to make clear that we checked with
24 Mr. Bertolino before we went camping. So I didn't
25 want you to think we just were going about. You

83

1 know, I checked to make sure that was okay, and he
2 said just do what you would normally do, and we were
3 normally going camping, so that's why we went.

4 Q. Why did you check with him to see if that
5 would be okay?

6 A. Because we weren't sure if -- he said keep
7 him close and keep him -- and we just wanted to make
8 sure that would be okay.

9 Q. Okay. Taking a look at what's been marked
10 as Exhibit 3, do you recognize that?

11 A. Yes.

12 Q. That's Mr. Bertolino's statement of
13 September 14 of 2021.

14 A. Yes.

15 Q. And he was speaking on your behalf, was he
16 not?

17 A. Yes.

18 Q. Okay. And did you review this statement
19 before he released it?

20 A. I don't recall, but I'm sure -- we
21 approved all the statements Steven made, so we must
22 have.

23 Q. Okay. So you approved this statement
24 before it was released?

25 A. I don't specifically remember, but I'm

84

1 sure I did.

2 Q. What was the purpose of releasing this
3 statement?

4 A. Oh, there was so much -- there were people
5 outside our doors banging on our doors, banging on
6 our windows, sending us death threats. It was -- I
7 think the purpose was sort of just to calm the public
8 down so that we'd know we did extend our best wishes
9 to the Petitos, because the people were screaming
10 that we were -- horrible things at us that we felt
11 this would calm them down, so that they would know,
12 no, we -- we do care and we -- we were hoping it
13 would calm the public. It was a very scary time. We
14 couldn't leave the house. It was frightening.

15 Q. Did it calm the public down?

16 A. No.

17 Q. What about this statement led you to
18 believe it might calm the public down?

19 A. That we did care, and they were demanding
20 a statement from us and we just felt we should give
21 them a statement if they're demanding a statement
22 from us or it could get even worse.

23 Q. Why at this time?

24 A. I don't remember why at this time. It was
25 the 14th, so Brian had disappeared, and that's when

85

1 the media started to pressure us and get very ugly,
2 and not just the media, but all kinds of crazy
3 people.
4 Q. The statement says it's an extremely
5 difficult time for both the Petito family and the
6 Laundrie family.
7 A. Yes.
8 Q. How was it difficult for the Laundrie
9 family?
10 A. We didn't know where Brian was and he was
11 missing, and I think by then we had people screaming
12 outside the door. It was just a difficult time.
13 Q. Was it unusual for Brian to go off on his
14 own for a period of time?
15 A. Oh, he always hiked.
16 Q. Right.
17 A. I mean hiking? Yes.
18 Q. And it wasn't unusual for him to go away
19 for days at a time, right?
20 A. Well, yeah. He would go on those long
21 trips with Gabrielle and -- you know.
22 Q. So why did you become concerned on the
23 evening of the 13th when he didn't come home?
24 A. Because he said he was coming home. He
25 said, "See you later," and so when he didn't come

86

1 home for dinner, you know, we were concerned.
2 Q. If Brian was missing why wasn't that
3 included in the statement asking for help locating
4 Brian?
5 A. I don't think -- I don't know. I'm sure
6 he left that morning. I guess we just hoped he'd
7 come back later that day or the next day. I mean,
8 every day we hoped he'd come bank.
9 Q. But you said you reported it to the police
10 on the 13th.
11 A. Right. Well, the day he left, which
12 I think was the 13th.
13 Q. Right, and this was --
14 A. Oh, not the police, no. We reported it to
15 the FBI, and they had a liaison and I just assumed
16 they -- the North Port Police Department and the FBI
17 police department had a liaison, so I assumed if we
18 were reporting it to the FBI, they're going to report
19 it -- you know, they're going to share their
20 information.
21 Q. Are you certain you reported it to the FBI
22 on the night of the 13th?
23 A. Yes.
24 Q. Okay.
25 A. Not me, personally. Brian's attorney.

87

1 Q. Mr. Bertolino?
2 A. Yes.
3 Q. So you were concerned enough about him
4 being missing on the 13th that you called Attorney
5 Bertolino, and he called the FBI?
6 A. Yes.
7 Q. But it's not included in this statement.
8 Asking for help locating Brian is not included in
9 this statement.
10 A. No, because I don't think we needed help
11 looking for him. We just wanted to let the FBI know
12 he hadn't come home, and I was worried about him, but
13 I don't think I was worried enough to alert the
14 media, and I was just worried about him.
15 Q. The next paragraph says, "It's our
16 understanding that a search has been organized for
17 Miss Petito in or near Grand Teton National Park in
18 Wyoming."
19 How did you learn that?
20 A. Oh, I guess on the news or was it -- it
21 must have been on the news.
22 Q. And when it says "our" and you approved
23 this statement, did you understand that was "our"
24 meaning you, your husband, and Mr. Bertolino?
25 A. I probably didn't read it so closely to

88

1 recognize the word "our," but I'm assuming it was
2 on -- yes, I'm sure all of us were concerned. We
3 were all concerned about Gabrielle: Me, Steven and
4 Chris.
5 Q. Okay. Was Brian in Grand Teton National
6 Park before he came home?
7 A. You know, I don't really know the area and
8 I don't know where they were, so I don't know. I
9 don't even know Grand Teton National Park. I don't
10 know where they were camping or I didn't --
11 Q. It then goes on to state, "On behalf of
12 the Laundrie family it is our hope that the search
13 for Miss Petito is successful."
14 A. Yes.
15 Q. "And that Miss Petito is reunited with her
16 family."
17 A. Yes.
18 Q. Did I read that correctly?
19 A. Yes.
20 Q. This was issued 16 or 17 days after you
21 learned that Gabby was, quote-unquote, gone, correct?
22 A. Yes.
23 Q. What hope did you have at that time that
24 the search for Miss Petito was going to be
25 successful?

89

1 A. We hoped for the best. We hoped they
2 would find her and she would be fine, and that was
3 our hope. We hoped for the best and we sincerely
4 hoped for the best and wanted to extend that to the
5 Petito-Schmidt family.
6 Q. What led you to believe that she might be
7 reunited with her family?
8 A. Well, nothing led me to believe. I just
9 hoped it. They were looking for her, so.
10 Q. Well, you pretty much knew she was dead
11 at that time, didn't you?
12 MR. GILBERT: Objection to the form.
13 THE WITNESS: No. I hoped for the best.
14 We planned for the worst in case -- we got Brian
15 a lawyer, but we certainly hoped for the best.
16 Q. (BY MR. REILLY) Okay. Well, let's put
17 September 14th, 2021, in perspective. 16 or 17 days
18 prior to that time you spoke with your son and he was
19 upset, correct?
20 A. Yes.
21 Q. You learned from your husband that he told
22 your husband Gabby was gone, correct?
23 A. Correct.
24 Q. And that, whatever occurred, your son
25 needed a lawyer, correct?

90

1 A. Yes.
2 Q. And this is now 17 days later. Brian
3 didn't hear from Gabby, did he?
4 A. Not that I know of.
5 Q. You didn't hear from Gabby, did you?
6 A. No.
7 Q. There was all kinds of news reports about
8 the family begging for help looking for Gabby, wasn't
9 there, finding Gabby?
10 A. Yes.
11 Q. Okay. With all of that in perspective,
12 what led you to believe she might still be alive?
13 A. I just had hope. I've heard of stories
14 where, you know, people are looking for their
15 daughter and they find her much later, and so I just
16 never wanted to give up hope.
17 Q. Did you wonder why after you gave 25 --
18 before you gave \$25,000 to Attorney Bertolino why
19 your son needed a lawyer?
20 A. Yes, we -- yeah, yes.
21 Q. Okay. What was your thought about that?
22 A. He must have done something or something
23 must have happened that he could be in trouble for
24 and, whatever it was, we wanted to get a lawyer for
25 him.

91

1 Q. Your husband testified yesterday that when
2 Brian called on August 29th he was in Jackson,
3 Wyoming.
4 A. Right.
5 Q. Were you aware of that?
6 A. I think he told me when he got -- well, I
7 wasn't -- Brian didn't tell me that, but I -- I don't
8 know when I first heard the word Jackson. Maybe when
9 Chris said it to me when I got off the phone, or with
10 Steven? But I don't even know where Jackson is.
11 Q. Did you ever consider that this statement
12 might be upsetting to Joe Petito and Nichole Schmidt?
13 A. Not at all, no.
14 Q. Did you ever consider it was giving them
15 false hope that their daughter was still alive?
16 A. I had hope she was alive and I wasn't
17 giving false hope. I didn't know that she -- I
18 didn't know until I heard it on the news that she was
19 gone. I had hope, also.
20 Q. Well, you had hope, but you also knew
21 Brian told you she was gone, he needed a lawyer, and
22 no one had heard from her for a long time, right?
23 A. Yeah.
24 Q. Okay. And you realized there was a
25 likelihood that she was deceased, correct?

92

1 A. I don't know if I thought there was a
2 likelihood. I just hoped she would be all right. I
3 never imagined we would end like this.
4 Q. You knew when this statement was issued
5 she wasn't going to be reunited alive with her
6 family; isn't that correct?
7 MR. GILBERT: Objection to the form.
8 THE WITNESS: No. I didn't know. I
9 didn't know Gabrielle was gone until I heard it
10 on the news.
11 Q. (BY MR. REILLY) On September 16th the
12 North Port Police announced that they knew exactly
13 where Brian was.
14 A. Yes.
15 Q. Do you recall that?
16 A. Yes.
17 Q. Did you call and ask them where he was?
18 A. No, I didn't call and ask them where he
19 was. I was just relieved that they knew where he
20 was. I was very happy when I heard that they knew
21 where he was.
22 Q. Well, you were desperate to know where he
23 was, weren't you?
24 A. Yeah, I wanted to know where my son was
25 and -- yeah.

93

1 Q. If someone knew where he was, wouldn't you
2 want to know that?

3 A. Yeah, but as long as the police knew where
4 he was, I was like relieved. I said okay, good. I
5 guess eventually the police will bring him back home
6 or I'll get to visit him. I was -- you know, I
7 didn't need to know exactly where he was. The police
8 knew where he was, and I was like good. They've got
9 him.

10 Q. You'd get to visit him where?

11 A. Wherever the police had him. I mean, they
12 said we have -- we know where Brian is, so I said
13 great. I'll get to see him wherever he is.

14 Q. Did you suspect at that time he might be
15 in jail?

16 A. Actually, I didn't really think about
17 that. They just said they knew where he was, and I
18 just assumed they knew where he was and that would be
19 at their headquarters. I mean, I don't know. Where
20 else would he be if he wasn't in my house --

21 Q. Jail.

22 A. -- and the police knew where he was?

23 Q. Did you think maybe jail?

24 A. I don't know. Maybe. I just -- the
25 police had him, so I don't know where they put people

94

1 when they have them, and I was happy that they knew
2 where he was.

3 (Plaintiffs' Exhibit 4 marked for
4 identification.)

5 Q. (BY MR. REILLY) Let me show you what's
6 been marked as Exhibit 4.

7 A. It meant he was okay and that's all
8 that...

9 Q. Have you seen Exhibit 4 before?

10 A. Yes.

11 Q. Okay. Exhibit 4 is a letter. Down at the
12 bottom it says September 15 of 2021. It's a letter
13 addressed to you on the stationery of Attorney
14 Richard B. Stafford with typed signatures of Jim
15 Schmidt, Nichole Schmidt, Joe Petito and Tara Petito,
16 correct?

17 A. Yes.

18 Q. Did you ever see this before?

19 A. Yes.

20 Q. When did you see it?

21 A. I believe I saw it in the media.

22 Q. Okay. Around September 16?

23 A. I don't recall the date, but around the
24 time it came out on the media.

25 Q. And what did you do after you read it?

95

1 A. I guess we -- I don't remember -- maybe
2 called our lawyer? I don't know.

3 Q. Did you ever respond to it?

4 A. No.

5 Q. Why not?

6 A. Our attorney advised us not to speak to
7 anybody.

8 Q. Okay. Did this letter have any impact
9 upon you whatsoever?

10 A. Yes.

11 Q. What impact did it have upon you?

12 A. I felt very bad and I -- you know, I was
13 worried, too, and I felt bad for them, but I was
14 following my attorney's advice. So, yes, it did have
15 an effect on me, but.

16 Q. In hindsight do you think your attorney's
17 advice to stay silent was very good?

18 MR. MELTZ: Object to the form. You can
19 answer it.

20 THE WITNESS: Oh, I don't know. In
21 hindsight was it good? I don't know. I can't
22 foresee what might have happened if we'd taken a
23 different path.

24 Q. (BY MR. REILLY) Did you ever consider we
25 might not be here today had you spoken to the Petito

96

1 family?

2 MR. MELTZ: Object to the form.

3 THE WITNESS: I don't know. I didn't
4 really -- I never really thought about that.

5 (Plaintiffs' Exhibit 5 marked for
6 identification.)

7 Q. (BY MR. REILLY) Let me show you what's
8 been marked as Exhibit 5. Exhibit 5 is a text
9 message that Attorney Bertolino sent to Jossie
10 Carbonate at PF 25 -- I believe that's a station on
11 the east coast -- and the text message says, "The
12 news about Gabby Petito is heartbreaking. The
13 Laundrie family prays for Gabby and her family."
14 Did I read that correctly?

15 A. Yes.

16 Q. And that was sent on September 19th of
17 2021. Did you know that text message was going to go
18 out?

19 A. I don't remember if I knew. I know we
20 usually -- Steven usually discussed any statements he
21 made, so I don't remember if I knew about it after or
22 before, but I do recognize it.

23 Q. Do you know why it was sent out?

24 A. Well, that must have been when they found
25 Gabrielle if this was the 19th. It must have been

97

1 that Gabrielle's death must have been on the news
 2 that day. Yes, September 19th. I remember that was
 3 the day it was on the news that Gabrielle had passed.
 4 Q. How was the news heartbreaking to the
 5 Laundrie family?
 6 A. Oh, it was heartbreaking in so many ways,
 7 just to know Gabrielle was gone and it was just
 8 heartbreaking.
 9 Q. So it wasn't heartbreaking before that?
 10 A. Well -- well, I didn't know she was gone
 11 until it was on the news, and then that's when it was
 12 the -- very heartbreaking.
 13 Q. Well, the words that your husband told you
 14 on August 29th is that she was "gone."
 15 A. Right.
 16 Q. Right.
 17 A. That was concerning, but heartbreaking --
 18 our hearts were broken when we found out Gabrielle
 19 was gone, deceased.
 20 Q. So when you found out she was gone did you
 21 reach out to Joe Petito and Nichole Schmidt?
 22 A. No.
 23 Q. Why not?
 24 A. We just kept following our attorney's
 25 advice to not speak to anybody.

98

1 (Plaintiffs' Exhibit 8 marked for
 2 identification.)
 3 Q. (BY MR. REILLY) I'm going to show you
 4 what's been marked as Plaintiff's Exhibit 8. That's
 5 an e-mail from you to Brian, is it not?
 6 A. Yes.
 7 Q. And the date of that e-mail is August 29th
 8 of 2021, correct?
 9 A. Yes.
 10 Q. And that's the date that you learned that
 11 Gabby was gone?
 12 A. Oh, let me just read it. I don't -- I
 13 don't remember seeing this. This is the date I
 14 learned Gabby was gone? Oh, okay. Yeah, I remember
 15 this. We were -- yes. I -- this is August 29th. I
 16 thought I was at the race on that day. Maybe I had
 17 come home.
 18 Q. August 29th was a Sunday. That was the
 19 day --
 20 A. So I was home by Sunday, yeah.
 21 Q. Okay. Why would you on the date that you
 22 learned that your son needed a lawyer and he was
 23 frantic and Gabby was gone, why would you send an
 24 e-mail about t-shirts?
 25 A. You know, I don't know. This is at 1:17,

99

1 and I guess I talked to Brian later? And at 1:17 I
 2 was just Googling t-shirts. I must have spoken to
 3 Brian later. I don't remember what time the call
 4 was.
 5 Q. Why would you mention using Gabby's Tide
 6 stick to get something out of -- a stain out of a
 7 shirt?
 8 A. Because she was so funny with her Tide
 9 sticks. It was a joke because she just loved -- if
 10 you had a stain, she'd whip out her Tide stick and
 11 she gave everybody a Tide stick, and so that was my
 12 little joke and that it was funny. My husband
 13 stained his t-shirt and that was my little joke. We
 14 should try one of Gab's Tide sticks. She loved her
 15 Tide sticks. I think she bought them in cases and
 16 gave them out to people.
 17 Q. You told me that you rarely sent e-mails
 18 to your son, so why this e-mail on this date about a
 19 stain in a shirt?
 20 A. I know it's such a coincidence. I don't
 21 know. I guess I was looking for t-shirts for my
 22 husband. I remember looking for t-shirts for my
 23 husband and, as a matter of fact, I don't remember
 24 this e-mail, but recently when the FBI released to
 25 you all our e-mails, this one came up and I thought,

100

1 oh, I forgot all about that one, and I didn't see the
 2 e-mail. All I had was the pictures that I sent, and
 3 I remembered looking up pictures of t-shirts,
 4 debating on maybe why should I spend money on a shirt
 5 when it would be more special if Brian drew it?
 6 Because I had gotten -- for the previous birthday or
 7 Father's Day I got my husband a t-shirt with his
 8 favorite car, and he stained it with ice cream.
 9 Q. Were you telling Brian how to get a blood
 10 stain out of a t-shirt?
 11 A. No.
 12 Q. So it's a coincidence it was sent the same
 13 day he told you that he murdered -- that Gabby was
 14 gone?
 15 A. Yes.
 16 MR. MELTZ: Object to the form.
 17 THE WITNESS: Oh.
 18 MR. MELTZ: You can answer.
 19 THE WITNESS: Yes.
 20 (Plaintiffs' Exhibit 6 marked for
 21 identification.)
 22 Q. (BY MR. REILLY) Let me show you what I've
 23 marked as Plaintiff's Exhibit 6. Do you recognize
 24 this?
 25 A. Yes.

101

1 Q. This is what's been referred to in the
2 press as the "burn after reading" letter.
3 A. Yes.
4 Q. When was this -- you would agree this
5 letter is undated, correct?
6 A. Correct.
7 Q. And the first page of it has a bird drawn
8 on it, correct?
9 A. Yes. Well, not drawn.
10 Q. Was this a card or some stationery that
11 you had?
12 A. Stationery, yeah, I made, but it wasn't
13 drawn.
14 Q. What do you mean, you made it?
15 A. Well, I went to Hobby Lobby and I bought
16 blank cards and then I rubber-stamped them.
17 Q. So you had a stamp of a bird?
18 A. Yes.
19 Q. Is there some significance about this
20 bird?
21 A. Nope. I have a frog, bird, chicken.
22 Q. Okay. And the handwriting that's on that
23 first page, "remember," is that your handwriting?
24 A. Yes.
25 Q. And why did you write "remember" on the

102

1 front?
2 A. It was "remember dot-dot-dot" that I'll
3 always love you, and so if you open it up it's all
4 about how I'll always love him, so it was like
5 remember, I'll always love you.
6 Q. Okay. Is there a reason why it's not
7 dated?
8 A. I just didn't think to date it. I don't
9 always date notes.
10 Q. When did you write it?
11 A. Before he was leaving for his -- him and
12 Gab's trip in May of '21.
13 Q. Why did you write it then?
14 A. Because I think I thought he might be
15 going away a little longer than I -- you know, I knew
16 he was going away and I was going to miss him and I
17 just wanted to make sure he knew I loved him, even
18 though he was going away and I was -- you know, I was
19 disappointed, you know, but it didn't matter. It was
20 okay. Because we'd gotten in that little thing about
21 I thought you were going to live here and save your
22 money. So I didn't want him to think I was
23 disappointed in him or I didn't love him or -- so
24 whatever he decided to do, I would always, always,
25 always love him.

103

1 Q. So this was written after he told you that
2 they were going on a trip?
3 A. Yeah, like right before they left. Like
4 just a few days.
5 Q. But your understanding of that trip, I
6 think, according to your prior testimony, is they
7 were just going up to New York.
8 A. Yeah, they told me they were going up to
9 New York, but I guess from seeing them empty the
10 storage unit I was kind of beginning to suspect that
11 they were going to be gone longer.
12 Q. Did you and he have a disagreement over
13 him leaving?
14 A. No, not a disagreement, but I did express
15 that I was disappointed. I thought he was -- I had
16 waited for us to move in together. After I went back
17 to New York I couldn't wait until we could all live
18 together, which I know is silly. He's a grownup boy,
19 but I thought he would live with us for a while and
20 save his money and work and put it away. I know he
21 wanted to buy a house, so I expressed I was
22 disappointed. But he's a grown boy and he can do
23 what he wants. And so a tiny -- you know, I just
24 thought maybe we were growing apart, and we were
25 growing apart because he's growing up. He's not a

104

1 little boy anymore.
2 Q. Did you write this letter because you were
3 concerned that he didn't know you loved him?
4 A. Well, I thought he might be concerned,
5 since I was disappointed, that he might think, yeah,
6 I don't love him, but no. I mean, I really didn't
7 think he -- I just wanted to reassure him that I
8 loved him, no matter what. No matter if he moved
9 away, if he decided to stay out west, if he --
10 whatever he did. If he didn't buy a house and
11 decided to do something else. I don't know.
12 Whatever he did, I would always love him.
13 Q. Why did you write "burn after reading" on
14 it?
15 A. Well, that was -- Gabby had bought Brian a
16 book and it was called Burn After Writing and it was
17 how you could put your deepest thoughts down, and if
18 they were embarrassing, you didn't want anybody else
19 to read them, the advice on the book was just burn
20 it. So it was like a little joke that I knew he
21 would get. He would know what I was referring to.
22 And I did want him to get rid of it. Not burn it,
23 but throw it out so nobody read it. It's an
24 embarrassing note.
25 Q. But it says "burn after reading," not burn

105

1 after writing.

2 A. Yeah, because I -- it's kind of the same

3 thing, because he would be reading it. I wrote it,

4 you know, but I knew he'd be reading it. So after

5 you read it, burn it.

6 Q. Well, you know that's what someone writes

7 on a letter when they don't want it to be discovered,

8 right?

9 A. Right.

10 Q. Okay. You didn't want this letter

11 discovered, right?

12 A. Yeah. It was embarrassing and I didn't

13 want -- you know, yeah. It's a silly letter. I

14 didn't want -- he's a grown boy and it was a joke,

15 really. He didn't have to destroy it, and now I

16 think it's sweet that he saved it. It was just a

17 little joke.

18 Q. It says, turning to the next page, "You

19 are my boy. Nothing can make me stop loving you.

20 Nothing will or could ever divide us."

21 A. Right.

22 Q. Why did you feel the need to say that?

23 A. I guess I was just being over the top

24 mushy, emotional, just so he knew we were always --

25 even if he grew up, he would always be my little boy.

106

1 If he's 40, 50 years old, I will always -- he'll

2 always be my boy, and nothing could ever divide us.

3 Q. Okay.

4 A. You know, even if he didn't speak to me

5 for six months because he's mad or something, I would

6 forgive him and we'd talk it -- like nothing.

7 Nothing.

8 Q. Okay. Nothing, including murder, would

9 make you stop loving him, correct?

10 A. Oh, I would always love him.

11 Q. Then it says, "No matter what we do or

12 where we go or what we say, we will always love each

13 other."

14 A. Right.

15 Q. No matter what, including murder?

16 A. Well, I didn't say "including murder,"

17 but, you know, I would always love my boy no matter

18 what.

19 Q. And then you say, "If you are in jail I

20 will bake a cake with a file in it."

21 A. Yes.

22 Q. What led you to believe that he might be

23 in jail?

24 A. Well, I went out with a series of silly

25 examples of things that were far-fetched. Like I

107

1 would never actually think he would end up in jail.

2 He was such a nice, good boy. I would never imagine

3 it. Just like I would never imagine, if you read on,

4 that he would ever go to the moon. I didn't think he

5 was going to suddenly go to astronaut school and go

6 to the moon. So I was just being exaggerating and

7 silly, and I tend to be -- I know I don't seem jokey,

8 but I'm intending -- I always joke. Even my Tide

9 sticks was a joke. I'm always doing jokes. Even if

10 they're not good jokes, I'm always joking, and so I

11 was just like making it light. Like if you go to

12 jail, if you go to the moon, if you do that, no

13 matter what I'll love you, love you, love you, and

14 it was just a silly letter. I never imagined the

15 future when I wrote this.

16 Q. You understood he could have gone to jail

17 for murder, right?

18 MR. MELTZ: Object to the form.

19 THE WITNESS: Not when I wrote this letter

20 and not ever. I wasn't actually going to put a

21 file in a cake. Who does that?

22 Q. (BY MR. REILLY) What would even lead you

23 to think that he might go to jail?

24 MR. GILBERT: Objection.

25 THE WITNESS: Well, nothing. I was just

108

1 being -- what would lead me to think he would go

2 to the moon? Nothing would lead me to think he

3 would go to the moon.

4 Q. (BY MR. REILLY) And then next you say,

5 "If you need to dispose of a body, I will show up

6 with a shovel and garbage bags."

7 What led you to believe that he might need to

8 dispose of a body?

9 MR. MELTZ: Object to the form.

10 THE WITNESS: I know, okay, but this is so

11 crazy. Somebody had told me a joke and I

12 thought it was funny, and I told people at work.

13 I told Brian. I thought it was the funniest

14 joke. Somebody said to me, "Oh, you know, a

15 good friend is somebody that shows up with a

16 garbage bags and a shovel -- oh, somebody you

17 can call at 3:00 in the morning and they show up

18 with garbage bags and a shovel and they don't

19 ask any questions. Ha-ha, that's so funny.

20 Like, that's how you know a good friend."

21 And I thought that was a funny joke. The

22 person that told me said it funny, and I told it

23 to Brian. I thought it was such a funny joke,

24 and so I was referring to the joke, but I didn't

25 have time to write out the whole joke, but I

109

1 knew he would know the joke I was referring to.
2 Q. (BY MR. REILLY) So you --
3 A. That I would always, you know, be there.
4 Q. Your intent in writing this letter was to
5 express the depth of your love to him?
6 A. Right.
7 Q. But you don't say, "Whatever you do in
8 life I'll be proud of you," correct?
9 A. I know. That would have been better.
10 Q. You don't talk about what a great
11 childhood he had, correct?
12 A. (Nods head affirmatively.)
13 Q. Yes?
14 A. Right.
15 Q. You don't talk about memories of him,
16 correct?
17 A. Correct.
18 Q. You don't talk about places you've gone
19 together, correct?
20 A. Correct.
21 Q. You don't talk about what he did to make
22 you love him the way you do.
23 A. Correct, but I have other letters like
24 that.
25 Q. But we're talking about this letter --

110

1 A. Right, I know, yeah.
2 Q. -- which talks about jail and murder.
3 A. I don't write it in this letter, but I'd
4 written other letters like that. I've written --
5 Q. You don't say any of those things, but you
6 talk about jail and burying a body.
7 A. I know. It was a poor choice of words.
8 When I read this later I was like this sounds awful,
9 but it was nothing. It was a jokey, stupid letter
10 that I dashed off before he left with lots of bad
11 jokes and poor humor, but that's how I intended it,
12 and I never imagined any of this. It sounds so bad
13 now, but at the time I wrote it it was just jokey and
14 stupid.
15 Q. Okay.
16 A. But I do have letters that I've written
17 him just like that listing all his good qualities,
18 listing good memories. I've written tons of letters
19 like that.
20 Q. But you didn't put it in this one.
21 A. I know. I just -- I should have. I wrote
22 this stupid one.
23 Q. Which is written around the time he
24 murdered Gabby.
25 MR. MELTZ: Object to the form.

111

1 MR. GILBERT: Objection.
2 THE WITNESS: Yeah, way before. This was
3 like May, before they went on the trip, and I
4 just wanted to make sure --
5 Q. (BY MR. REILLY) Well, we have to take
6 your word for that, right?
7 A. Yes, yes.
8 Q. In that sentence "if you need to dispose
9 of a body I will" you have "bring" and "bring" is
10 crossed out. Why is "bring" crossed out?
11 A. I was trying to remember how the joke
12 went, and then I remembered it was "show up," and
13 it's like -- you know, the joke was a good friend
14 shows up --
15 Q. Okay.
16 A. -- with a shovel and garbage bags.
17 Q. So baking -- you're aware, are you not,
18 that if you put a file in a cake and give it to
19 someone in prison, that's a crime?
20 A. Yes, but it's also a very funny joke in
21 movies, you know, somebody filing their way out of
22 jail with a file. And, as a matter of fact, the
23 movie that I was thinking of when I wrote it was a
24 Wes Anderson, Hotel Budapest, where she bakes
25 beautiful pastries and in each one she puts a tiny

112

1 spoon, and the guy digs himself out of jail. It was
2 just a joke --
3 Q. And you were --
4 A. -- because you can't dig yourself out of
5 jail. You can't file your way out of jail. It was
6 silly.
7 Q. And you were thinking that at the time you
8 wrote this?
9 A. Yeah.
10 Q. Okay. You realize that offering to help
11 dispose of a body would be a crime?
12 A. Of course, but it was a joke. You
13 wouldn't really do that. It's like joking -- when I
14 went to work in the World Trade Center they -- on the
15 top floor they had a place where tourists could come
16 you could get your picture taken leaping off the
17 World Trade Center and it was very funny, and you'd
18 put on a funny face and then you'd pay your \$10 and
19 you'd get a picture of yourself falling off the World
20 Trade Center and that was so funny and everybody had
21 funny faces, and I'm saying this because at the time
22 it was a joke.
23 Q. Okay.
24 A. Later when people actually did fall off
25 the World Trade Center it was not so funny.

113

1 Q. Well, this isn't so funny now that we know
2 your son murdered Gabby, is it?
3 A. Exactly.
4 Q. Okay. Why is it that you chose Romans
5 8:38 to quote in your letter?
6 A. Oh, I love that verse because it shows how
7 we can never be separated from God, the love that God
8 has for us, and so I kind of used it to show that
9 that's how powerful my love is. Just the way that we
10 cannot be separated from God, our love could not be
11 separated by anything that ever -- anything, you
12 know, that ever -- how is it worded? Things not
13 here, things to come, nothing in the world could
14 separate our love. I just thought it was a very
15 beautiful expression of love and I used it to say
16 that's how much I --
17 Q. All right. Let's look at --
18 A. -- love Brian.
19 Q. I'm sorry. Let's look at the language in
20 parentheses at the bottom of that second page. It
21 says, "Nothing can separate us; not hatred, not
22 hunger, not homelessness, not threats, not even sin.
23 Not the thinkable or unthinkable can get between us."
24 A. Right.
25 Q. Murder is a sin, isn't it?

114

1 A. Yes.
2 Q. Murder's unthinkable, isn't it?
3 A. Yes.
4 Q. Weren't you writing this to him to tell
5 him that no matter what he did, you'd still love him
6 and nothing could come between you?
7 A. Well, actually, the reason I did this in
8 parentheses is because in my Bible this is how Romans
9 8:38 is worded, but when I looked it up in the King
10 James Version they actually use -- or I don't know --
11 maybe it wasn't King James Version -- these words.
12 And I said, oh, those words are nice, too. Should I
13 put the original or this version of Romans or should
14 I put this version of Romans? So I squeezed it in at
15 the end in parentheses. I had a little space and
16 that's where I wrote an extended version. Like
17 there's two different versions, depending on what
18 Bible you read.
19 Q. Okay.
20 A. And I'm like that's a nice version, too,
21 but I was just saying -- I was just being hyperbole,
22 the word for just exaggerating. Oh, no matter what
23 happens I'll love you.
24 Q. Can you understand how it sounds like
25 you're suggesting he did something wrong and you're

115

1 telling him that nothing could come between you?
2 A. I could see how somebody could read it
3 that way now, but at the time that's not how I
4 intended it.
5 Q. And then you ended it by saying, "Not
6 time, not miles and miles and miles."
7 A. Right.
8 Q. Were you encouraging him to run away?
9 A. No. That just meant no matter how far
10 apart we were, if we went to another planet, went to
11 the moon, our love was just so -- I love him. I love
12 him. I always will. Maybe I just -- I'm too
13 dramatic.
14 (Plaintiffs' Exhibit 7 marked for
15 identification.)
16 Q. (BY MR. REILLY) I'm going to hand you
17 what's been marked as Plaintiff's Exhibit 7. Do you
18 recognize that document?
19 A. Um-hum.
20 Q. What is it?
21 A. It's my Affidavit in Support of Motion for
22 Protective Order.
23 Q. Okay. And this affidavit was written
24 about the letter that we just went over, correct?
25 A. Yes.

116

1 Q. Turn to the second page. It says, "The
2 purpose --" paragraph 5, numbered 5. "The purpose of
3 the letter was to reach out to Brian while he and I
4 were experiencing a difficult period in our
5 relationship."
6 What was that difficult period?
7 A. Oh, he was leaving home and I was -- you
8 know, and he had a new girlfriend, so we were not
9 spending as much time together, and nothing big.
10 Just not -- not what it was when he was little. He
11 was growing up.
12 Q. Okay.
13 A. And I guess I was having more trouble with
14 it than anything. I wish my kids would stay little,
15 but I just wanted to reassure him that I loved him.
16 Things were changing. He's growing up. He's taking
17 a trip I wasn't thrilled with, and just difficult.
18 Q. You found out about that trip, I believe
19 you said, a couple weeks before they left, right?
20 A. I think it was like less than a week.
21 Q. Okay. But in the next sentence you say,
22 "In the months prior to the trip our relationship had
23 become strained."
24 A. Yeah.
25 Q. Why was your relationship strained?

117

1 A. Well, like I was just saying, we weren't
 2 spending time together. I don't know. It just
 3 wasn't the same as it was.

4 Q. And then you go on to note, "Brian and I
 5 shared a love of stories, and some of the language in
 6 the letter was using similar phrases to determine the
 7 depth of a mother's love. The two books that come to
 8 mind are "The Runaway Bunny" and "Little Bear."

9 A. Yes.

10 Q. What language in those books do you think
 11 is similar to the phrases you used in your letter?

12 A. Well, I know in "Little Bear" he went off
 13 to the moon, and the mother bear -- you know, there's
 14 a picture of her waiting for him to come back and he
 15 comes back from the moon to see his mother bear. And
 16 then "Runaway Bunny" was just how no matter what the
 17 bunny did, she would always love him. I forget the
 18 exact book, but it was like -- I mean I forget the
 19 exact lines, but whatever the bunny did she would
 20 always love him.

21 Q. Well, there's nothing in those books about
 22 burying a body, is there?

23 A. No.

24 Q. There's nothing in the books about going
 25 to jail, is there?

118

1 A. No, but that was from the joke and the
 2 book from Gabrielle. It was sort of a combination of
 3 all these different references that I knew Brian
 4 would recognize.

5 Q. Turn to the next page, please. Paragraph
 6 8 says, "I repeat that the letter I wrote to Brian
 7 before he left with Gabby for their fateful trip was
 8 nothing more than a private communication between
 9 myself and my son and I never expected anyone else
 10 would read it."
 11 What do you mean by "fateful trip"?

12 A. Well, we wrote that after. I mean, well,
 13 I wrote it and then my attorney helped me write it,
 14 and we didn't know at the time it was fateful
 15 until -- now we know it's fateful, you know, that
 16 trip that ended terribly.

17 Q. Well, one of the definitions of "fateful"
 18 is ominous, meaning you know that something's going
 19 to happen. Were you aware of that?

20 A. Well, yes, because now we know something
 21 happened, so it was a fateful trip because that's how
 22 you -- it's sort of like the Titanic. That was a
 23 fateful trip. They didn't know it was going to sink,
 24 but it was like, oh, that fateful trip.

25 Q. And like a three-hour tour?

119

1 A. Yes, right. Was that -- was the word
 2 fateful in that? But they didn't know and they took
 3 it.

4 MR. REILLY: All right. Let's take
 5 another break.
 6 (Recess taken from 11:33 to 11:50 a.m.)

7 Q. (BY MR. REILLY) Mrs. Laundrie, were you
 8 aware that Biblical scholars interpret Romans 8:28 to
 9 be about murder?

10 MR. MELTZ: Object to the form.

11 THE WITNESS: No.

12 MR. REILLY: Okay. I have no other
 13 questions.

14 MR. MELTZ: I do not have any questions.

15 MR. GILBERT: And I do not have any
 16 questions either. Remember that we talked
 17 yesterday with Mr. Laundrie about your right to
 18 read your transcript or waive that right? I
 19 would suggest that we read if it's ordered. All
 20 right? So we'll read the transcript if it's
 21 ordered.


22 MR. MELTZ: And, Madam Court Reporter, I
 23 can't remember if I said this yesterday, but to
 24 the extent either of these are ordered, if both
 25 are ordered, I do want a copy.

120

1 (This deposition was concluded at 11:52
 2 a.m. The reading and signing of the transcript
 3 was not waived.)
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121

1 CERTIFICATE OF OATH
 2 STATE OF FLORIDA)
 3 COUNTY OF SARASOTA)
 4 I, the undersigned authority, certify that
 5 ROBERTA LAUNDRIE personally appeared before me and
 6 was duly sworn.
 7 Witness my hand and official seal this 10th day
 8 of November, 2023.



9
 10 Amy E. Roberts
 11 AMY E. ROBERTS, RPR, RMR
 12 Notary Public - State of Florida at Large
 13 Commission #HH 308928
 14 Expires: January 5, 2027
 15
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123

1 IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
 OF THE STATE OF FLORIDA IN AND FOR SARASOTA COUNTY
 2
 3 CASE NO. 2022 CA 001128 SC
 4 JOSEPH PETITO, et al,
 5 Plaintiffs, DEPOSITION OF
 6 vs. ROBERTA LAUNDRIE
 7 CHRISTOPHER LAUNDRIE, et al,
 8 Defendants.
 9
 10 DEPOSITION TAKEN: October 10, 2023
 DATE SENT TO WITNESS: November 10, 2023
 11
 12 TO: ROBERTA LAUNDRIE
 c/o Ryan L. Gilbert, Esquire
 ryan@ryangilbertlaw.com
 13
 14 The referenced transcript has been completed and
 awaits reading and signing. The transcript is being
 15 furnished to you through the law offices of Ryan L.
 Gilbert. At page 125 you will find an Errata Sheet.
 16 As you read the transcript, any corrections that you
 wish to make should be noted on the Errata Sheet,
 17 citing the page and line number of said change. DO
 NOT write on the transcript itself. Once you have
 18 read the transcript and noted any changes, please
 sign the Errata Sheet and return it to your counsel
 19 for distribution to the opposing counsel.
 Please complete this task within 30 days.
 20 If you now wish to waive your signature, please
 sign your name in the blank on the second page of
 21 this letter and return same to me for distribution to
 all attorneys in this case.
 22 Thank you for your prompt attention to this
 matter.
 23
 24 Amy E. Roberts
 25 AMY E. ROBERTS, RPR, RMR

122

1 DEPOSITION CERTIFICATE
 2 STATE OF FLORIDA)
 3 COUNTY OF SARASOTA)
 4 I, AMY E. ROBERTS, being a Registered
 5 Professional Reporter and a Registered Merit
 6 Reporter, certify that I was authorized to and did
 7 stenographically report the foregoing deposition of
 8 ROBERTA LAUNDRIE; that a review of the transcript was
 9 not waived; and that the transcript is a true record
 10 of the testimony given by the witness.
 11 I further certify that I am not a relative,
 12 employee, attorney, or counsel connected with the
 13 action, nor am I financially interested in the
 14 action.
 15 Dated this 10th day of November, 2023.
 16
 17 Amy E. Roberts
 18 AMY E. ROBERTS, RPR, RMR
 19
 20
 21
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 23
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124

1 I do hereby waive my signature:
 2
 3
 4 _____
 5 RICHARD MANANKIL (Date)
 6
 7 cc: VIA TRANSCRIPT:
 PATRICK J. REILLY, Esquire
 pat@snyderandreilly.com;
 8 RYAN L. GILBERT, Esquire
 ryan@ryangilbertlaw.com;
 9 CHARLES J. MELTZ, Esquire
 cjmeltz@triallawfla.com.
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1 ERRATA SHEET

2 In Re: PETITO vs. LAUNDRIE

3 CASE NO. 2022 CA 001128 SC

4 DO NOT WRITE ON TRANSCRIPT -- ENTER CHANGES HERE:

5	Page No.	Line No.	Change
6	_____	_____	_____
7	_____	_____	_____
8	_____	_____	_____
9	_____	_____	_____
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14	_____	_____	_____
15	_____	_____	_____
16	_____	_____	_____
17	_____	_____	_____

18
19 Under penalties of perjury, I declare that I
20 have read the foregoing deposition and that the facts
21 stated in it are true.

22 Dated this ____ day of _____, 20 ____.

23
24 _____

25 ROBERTA LAUNDRIE