

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 PLAINTIFF JOSEPH PETITO**

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 August 16, 2023 deposition of Plaintiff JOSEPH PETITO 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].

/s/ Laura M. Kelly

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14606/3347

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1 IN THE CIRCUIT COURT, TWELFTH JUDICIAL CIRCUIT,
 2 IN AND FOR SARASOTA COUNTY, FLORIDA
 3 CASE NUMBER: 2022-CA-1128-SC
 4 JOSEPH PETITO and NICHOLE SCHMIDT,
 5 Plaintiffs,
 6
 7 vs.
 8 CHRISTOPHER LAUNDRIE, ROBERTA
 9 LAUNDRIE, and STEVEN BERTOLINO,
 10 Defendants.
 11
 12 DEPOSITION OF JOSEPH PETITO
 13
 14 Taken at the Instance of the Defendant/Steven Bertolino
 15
 16 DATE: Wednesday, August 16, 2023
 17 TIME: 9:28 a.m. until 3:44 p.m.
 18 PLACE: Snyder & Reilly
 19 355 West Venice Avenue
 20 Venice, Florida
 21 STENOGRAPHICALLY
 22 REPORTED BY: LISA L. TAYLOR, RPR, FPR-C,
 23 Registered Professional Reporter,
 24 Florida Professional Reporter-Certified
 25 Court Reporter and Notary Public

Page 2

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 Steven Bertolino

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 3 Cross-Examination By Mr. Luka 127
 4 Redirect Examination By Mr. Meltz 223
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 6 CERTIFICATE OF STENOGRAPHIC REPORTER 232
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 10
 11
 12 STIPULATION
 13 It is hereby stipulated and agreed by and between
 14 counsel present at this deposition and by the deponent
 15 that the witness review of this deposition would be
 16 reserved.
 17
 18 (This transcript is the product of the court
 19 reporter and should not be reproduced and given free of
 20 charge to any party unless under the direction, control
 21 and/or supervision of the certifying court reporter.)
 22
 23
 24
 25 ERRATA SHEET 233

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I N D E X

1 INDEX OF EXHIBITS
 2 MARKED BY THE DEFENDANTS/LAUNDRIE:
 3 Exhibit 8 164
 4 (Plaintiff Petito's Response to Request for
 5 Production No. 2)
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1 (Whereupon, the witness was sworn in by the
2 court reporter and responded "I do" to the oath.)
3 WHEREUPON,
4 JOSEPH PETITO,
5 having first been duly sworn, was called as
6 a witness and testified as follows:
7 DIRECT EXAMINATION
8 BY MR. MELTZ:
9 Q Mr. Petito, my name's Chuck Meltz, and I
10 represent Steve Bertolino, who's one of the parties in a
11 lawsuit that's been brought by yourself and Ms. Schmidt.
12 I'm here today to take your deposition about the facts
13 and background and issues involved in this case. I'm
14 going to ask you some questions about all of those
15 things.
16 If I ask you anything that you're not sure
17 about or it's unclear, it's not my intent. So if I seem
18 to ask a question and you have no idea what I'm talking
19 about, that's totally fine. Let me know and I'll try to
20 rephrase it hopefully in a more understandable way.
21 Assuming you do understand my questions, I need
22 you to answer out loud using words, as opposed to shaking
23 your head or shrugging your shoulders. If you do that,
24 I'll just say, Is that a "yes" or a "no"? And it's not
25 meant to be impolite. It's just meant to make sure that

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1 we have an accurate record of your answer.
2 Another way to have a good record is that only
3 one of us speak at one time and we don't talk over one
4 another. So please do your best to let me finish my
5 questions before you start to answer. I'll do my best to
6 let you finish your answer before I start my next
7 question and that should hopefully solve that problem.
8 And, then, finally, we're going to get through
9 this efficiently to be sure, but we're going to need some
10 breaks along the way. If you need a break before I do,
11 let me know. We'll take a break. Pick right back up
12 where we left off. All right?
13 A Understood.
14 Q Can you please state your full name?
15 A Joseph Nicholas Petito.
16 Q What's your date of birth?
17 A [REDACTED] 1979.
18 Q Where do you currently reside?
19 A Vero Beach, Florida.
20 Q What's your address?
21 A [REDACTED], Vero Beach,
22 32968.
23 Q How long have you lived there?
24 A Just over two years.
25 Q Where did you live before Honeybell Court?

Page 7

1 A [REDACTED] Selden, New York 11784.
2 Q How long were you at the Hawkins Road address?
3 A Sixteen years. Sixteen years, I owned it.
4 Q Just because you put the qualifier in there,
5 did you live there the whole 16 years, or did you live
6 there part of that time but you owned it for 16 years?
7 A It was my childhood home. My parent -- my
8 mother lost the house in 2000. I bought it back in 2005,
9 moved my mother and my grandmother in, and I took care of
10 them until they both passed.
11 Q Got it.
12 Does anyone live with you at the [REDACTED]
13 [REDACTED] address?
14 A My wife and my two sons.
15 Q What's your wife's name?
16 A Tara, same last name.
17 Q When were you and Tara married?
18 A July 22nd, 2005.
19 MR. REILLY: You answered that quickly. That's
20 good.
21 MR. MELTZ: That's a good one.
22 MR. REILLY: Most men don't.
23 THE WITNESS: I'm trained.
24 BY MR. MELTZ:
25 Q What are the names of your two children?

Page 8

1 A J [REDACTED] N [REDACTED] Petito Junior and D [REDACTED]
2 N [REDACTED] Petito.
3 Q How old is J [REDACTED]?
4 A Fifteen.
5 Q What about D [REDACTED]?
6 A Twelve.
7 Q Are you presently employed?
8 A I am.
9 Q Where do you work?
10 A The Home Depot.
11 Q What is your job title or position at the Home
12 Depot?
13 A Sales manager.
14 Q How long have you held that position?
15 A Six years.
16 Q How long have you been with Home Depot?
17 A Six years.
18 Q Where did you work before that?
19 A Where did I work before that? It was Time
20 Warner Cable. Time Warner Cable. No, I lied to you.
21 Petro, the oil service on Long Island. And then before
22 that, Time Warner Cable.
23 Q What did you do for Petro?
24 A Same.
25 Q Sales?

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1 A Sales manager.
2 Same with Time Warner as well.
3 Q Did you do anything at all to prepare for your
4 deposition today, Mr. Petito?
5 A I drove here.
6 Q That's a good start.
7 And also, I assume you may have met with
8 Mr. Reilly, and I don't want to talk about that at all,
9 but did you read anything, look at anything, go over
10 something, refresh your memory about something in
11 connection with your deposition today?
12 A The interrogatories, I read.
13 Q Okay.
14 A And then I think that's it.
15 Q Did you go over any old text messages,
16 documents, watch any YouTube videos?
17 A No.
18 Q Did you talk to Nichole about her deposition?
19 A I talked to Nichole after the deposition to
20 make sure she was okay.
21 Q Okay. And other than just kind of having that
22 brief conversation --
23 A No.
24 Q Obviously, the deposition's kind of a unique
25 event in what's going on.

Page 10

1 Do you have regular contact with Nichole?
2 A Yes.
3 Q How often do you and Nichole talk?
4 A Daily, every other.
5 Q Are there currently any projects, charitable
6 enterprises, something like that that you're working on
7 with Nichole at the present time?
8 A We have the Gabby Petito Foundation.
9 Q What is that?
10 A It's a not-for-profit for domestic violence and
11 missing people.
12 Q When was that started?
13 A October of 2021.
14 Q Are you on the board?
15 A I am.
16 Q Are you on any other charitable foundations or
17 anything like that?
18 A I am on the board for SafeSpace.
19 Q What is SafeSpace?
20 A SafeSpace is a domestic violence organization
21 with shelters for victims of domestic violence.
22 Q When did you join SafeSpace?
23 A August 2023.
24 Q What do you do for SafeSpace?
25 A I lied. July. Sorry.

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1 Q It's all right.
2 MR. REILLY: "I was mistaken" is a better word
3 in a deposition than "I lied."
4 THE WITNESS: Oh, sorry.
5 That was the correct date and time, though.
6 BY MR. MELTZ:
7 Q Got it.
8 So presently you're working full-time; is that
9 correct?
10 A That's correct.
11 Q And then you're also involved with these two
12 charitable organizations?
13 A That's correct.
14 Q Is there any other regular activities you do
15 with your time, like you participate in a sport or do
16 something with the kids, something like that?
17 A My kids, hang out with my kids, but nothing
18 that would require as much time like that.
19 Q Nothing organized?
20 A No.
21 Q What I'd like to do is really kind of turn back
22 some time a little bit and focus on the events that led
23 up to kind of how we got here today, really starting at
24 the beginning.
25 You told me about Tara and your two sons. But

Page 12

1 you had a daughter, Gabby; correct?
2 A Yes.
3 Q When was Gabby born?
4 A [REDACTED], 1999.
5 Q Ms. Schmidt was the mom?
6 A Yes.
7 Q Were you and Nichole ever married?
8 A No.
9 Q From when to when were you and Nichole
10 together?
11 A 1998, late in the year, probably just after
12 Gabby was born, say, August of '99. That's a rough
13 estimation.
14 Q When the relationship ended, was some
15 arrangement made in terms of, like, shared
16 responsibility, visitation, things like that for Gabby?
17 A Yes.
18 Q Was that something informal, or was it put in
19 writing?
20 A Both.
21 Q Did Gabby have a -- a parent who was her
22 primary parent where she lived?
23 A Niki was the custodial parent.
24 Q Was that true through the time Gabby turned 18?
25 A No.

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1 Q Was there a point in time where you became the
 2 custodial parent?
 3 A As Gabby got -- Niki lost her house in
 4 Hurricane Sandy, so Gabby stayed with me.
 5 And then there was -- I think she might have
 6 been 14 or 15. She stayed with me for a year, for the
 7 school year. I think it was eighth grade.
 8 Q Was there any particular reason for the change
 9 in eighth grade, where she stayed with you for the year?
 10 A No.
 11 Q And then did Gabby graduate high school?
 12 A She did.
 13 Q And when was that?
 14 A It was 2017.
 15 Q What did she do after that?
 16 A She traveled.
 17 Q Was that something that she had talked about
 18 before graduating high school?
 19 A Yes.
 20 Q When did you first get an idea that Gabby had a
 21 real interest in traveling?
 22 A Fourteen, fifteen.
 23 Q What was it about her at that age that showed
 24 that?
 25 A We traveled a lot.

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1 Q In what way?
 2 A As a family, we would travel a lot.
 3 Q Would you ever travel with Nichole, or would
 4 this just be separate with Tara and your kids?
 5 A Separate with Tara and the kids.
 6 Q Was it camping, national park-type traveling,
 7 or something different?
 8 A Different.
 9 Q So when Gabby was younger and would travel with
 10 you and the family, like, what types of trips would you
 11 take?
 12 A Hotels.
 13 Q No vans or camping?
 14 A I'm a little too bougie for that. I need a
 15 mint on my pillow, you know.
 16 But Dominican Republic, Costa Rica, Mexico,
 17 Punta Cana, Bahamas. Several times to the Bahamas.
 18 Q Did Gabby ever talk about wanting to turn her
 19 interest in traveling into a profession or job or
 20 occupation?
 21 A Yes.
 22 Q What would she talk about with that?
 23 A She wanted to create a YouTube channel and, I
 24 guess, profile what she was doing out on the road.
 25 Q When Gabby was first starting to do that, were

Page 15

1 you, yourself, on social media in some way?
 2 A I've always had a Facebook --
 3 Q Okay.
 4 A -- Instagram, and a Twitter.
 5 MR. REILLY: Now X.
 6 THE WITNESS: Now X.
 7 Sorry. I guess that's part of the record.
 8 BY MR. MELTZ:
 9 Q When did you first get a Facebook account? A
 10 long time ago?
 11 A Yeah.
 12 Q All right. What about Instagram?
 13 A Same. I don't recall when.
 14 Q Was Twitter the most recent one?
 15 A No. Twitter, I think, might have been 2016,
 16 '17. I barely used it ever. And then TikTok as of
 17 recent because of all this.
 18 Q When you say "because of all this," what are
 19 you talking about?
 20 A The situation that arose from Gabby's murder.
 21 Q Have you found that there's -- there are
 22 postings on TikTok that relate to that?
 23 A Yes.
 24 Q Even through today?
 25 A I would assume. I haven't gone through, so I

Page 16

1 don't -- I don't know for sure.
 2 Q At some point in time, were there a good volume
 3 of postings relating to Gabby's murder on TikTok?
 4 A Yes. Over 2 billion, I believe.
 5 Q Would you watch them from time to time?
 6 A Yes.
 7 Q And this may sound like a very weird question,
 8 but I don't know a different way to ask it. Why would
 9 you do that?
 10 A I have nothing else.
 11 Q So what -- when you watch something related to
 12 Gabby on TikTok, are you watching actual images of Gabby?
 13 Are you watching people talk about Gabby? What is it
 14 that you're watching?
 15 A I don't know, to be honest. It's more to just
 16 see her face.
 17 Q Okay. But the postings you're talking about
 18 actually have images of her?
 19 A Uh-huh. Yes.
 20 Q Is that a "yes"?
 21 What are the -- the themes of the TikTok
 22 postings that you see? Or what are -- what is the
 23 content creator doing or saying?
 24 A To be honest, I'm not paying attention.
 25 Q Do you listen to the audio?

Page 17

1 A Often.

2 Q Can you just give me an example of, like, the

3 types of things that people might say?

4 A I misunderstood. I thought you meant the audio

5 of my daughter's voice.

6 Q Oh, I'm so sorry. No, on TikTok.

7 A Yes and no. Like I said, it varies. There'd

8 be too many -- TikTok's a dark hole for all people.

9 Q Right.

10 A But I'm not -- like I said, I'm not looking for

11 that. To be honest, I'm looking for her voice.

12 Q Okay. Is there, though -- and you're -- you're

13 talking to someone who's not on TikTok. Know of it, not

14 on it.

15 Is there a theme, though? In other words, if

16 you happen to come across a Gabby-related video on

17 TikTok, is there usually some type of common theme to it,

18 where it talks about a particular aspect of her or what

19 happened to her, anything like that?

20 A My daughter was murdered, so usually it's

21 sympathy, sadness, and advocacy.

22 Q Okay. When you watch the TikToks, how do they

23 make you feel?

24 A That's too broad of a question to answer one

25 way, shape, or form. Some make me laugh. Some don't.

Page 18

1 Some hurt.

2 Q Overall, do you feel it's beneficial to watch

3 the TikToks, or do you sometimes say to yourself, I need

4 to stop? Or both?

5 A Both.

6 Q If you're finding yourself in a tough place, is

7 there something you can do to make it a little bit

8 better? Is it listening to Gabby's voice or watching

9 something, anything like that?

10 A Sometimes. It depends on where I'm at in my

11 head.

12 Q Where are you at in your head most days?

13 A I'm good.

14 Q Has that gotten better over time?

15 A You learn to deal with it. So I would say, no,

16 just tolerable.

17 Q Have you, on your own, discovered or worked on

18 or learned some techniques to help deal with it?

19 A Uh-huh.

20 Q Is that a "yes"?

21 A Yes. Sorry.

22 MR. REILLY: That's all right.

23 BY MR. MELTZ:

24 Q And part of your -- part of your volunteer

25 work, is it to help other people who, you know,

Page 19

1 unfortunately, may be going through some of the same

2 things that you did?

3 A Yes.

4 Q And do you have any kind of words of wisdom or

5 encouragement that you can share with them that you hope

6 will help them that you could kind of describe to me?

7 A Try to. It depends on their situation with

8 what we're discussing. I always try to tell them to go

9 to their -- you know, a place that makes them kind of

10 forget about it.

11 For me, it's the beach.

12 Q Other than going to the beach, is there

13 something you can do or someone you can talk to or just

14 something that -- that maybe at least sometimes helps

15 improve whatever situation you're going through?

16 A Golf. Although you'd never know it from the

17 way I play.

18 Q Are we talking mini or putt-putt, or are you

19 talking about --

20 A No. I'm talking -- go to the golf course and

21 go play a round of 18.

22 Q Do you try to make yourself do that with some

23 regularity just because you find it a little beneficial?

24 A I do.

25 Q How often do you play golf?

Page 20

1 A Once or twice a week. Although you would never

2 know it from my game.

3 Q How often do you go to the beach?

4 A Probably once or twice a week.

5 Q Other than golfing or going to the beach, is

6 there any other activity that you do that might bring a

7 little bit of a spark of joy if you're having a tough

8 time?

9 A Hanging out with my children.

10 Q Do you still get to travel from time to time?

11 A I do.

12 Q Have you guys taken any interesting trips

13 recently or have one planned?

14 A We don't have anything planned. We just got

15 back from a trip to New York.

16 Q How was that?

17 A It was relaxing. It was relaxing as New York

18 can be.

19 Q When you say "New York," are we talking the

20 City or somewhere else?

21 A Long Island, specifically my wife's mother's

22 house.

23 Q Getting back to Gabby and her interest in

24 traveling, once she graduated high school, did she take

25 some steps or did you help her take some steps to see if

Page 21

1 there was a way to make that more of a career?

2 A I did not help her take any steps.

3 Q Okay. Did she do some things on her own?

4 A She did everything on her own.

5 Q What was the first step or move that you kind

6 of identified and said, Okay, she's going to try to

7 actually do something with travel?

8 A When she was talking about the van.

9 Q When did the talk about the van first come up?

10 A I don't recall.

11 Q Where was Gabby living at the time?

12 A Her mother's.

13 Q Do you need to --

14 A Can I stop for a minute?

15 (Whereupon, an off-the-record discussion was

16 held.)

17 (Whereupon, a brief recess was taken at 9:48

18 a.m., and the deposition resumed at 10:14 a.m.)

19 BY MR. MELTZ:

20 Q Mr. Petitto, where we left off, we were just

21 focusing on Gabby expressing an interest in traveling

22 around in a van. And I can't remember if I asked this

23 question because I'm a little distracted, but when was

24 that? When did that first come up as far as you can

25 remember?

Page 22

1 A I don't recall when it first came up.

2 Q At that time, was she already dating Brian?

3 A I don't recall if that -- if they correlated.

4 Q Do you remember when Gabby first met Brian or

5 at least told you about Brian?

6 A I don't recall when she first told me about

7 him, no.

8 Q Did you ever meet Brian in person?

9 A I have.

10 Q How many times do you think that happened?

11 A Once -- twice. Twice. I'm sorry.

12 Q Where or when was the first time?

13 A The first time Gabby brought him to our house

14 in Selden.

15 Q When was that?

16 A Most likely late 2020 or early 2021.

17 Q Did she introduce Brian as her boyfriend at the

18 time?

19 A She did.

20 Q Did you have a sense of how long they had been

21 going out or dating?

22 A No.

23 Q When did you meet Brian the second time?

24 A In Florida.

25 Q When was that?

Page 23

1 A Over Easter -- around Easter 2021.

2 Q Had you already moved to Florida at that point

3 in time?

4 A No. That was the trip that was the deciding

5 factor to me.

6 Q Did you ever meet Brian's parents?

7 A No.

8 Q Prior to the events that started the whole

9 search for Gabby when she went missing, had you ever

10 spoken with Brian's parents?

11 A No.

12 Q When Gabby first brought up the idea of

13 traveling around in a van, did she have, like, some

14 specifics about that, or was it just, Hey, I'm thinking

15 of doing this?

16 A I don't recall the conversation of how it came

17 about in terms of what you're asking.

18 Q Got it.

19 But at the time, Gabby was already living in

20 Florida?

21 A She was.

22 Q Do you remember when Gabby first came to

23 Florida?

24 A I believe it was -- again, I'm speculating -- I

25 think, around 2020 -- 2020.

Page 24

1 Q Did she move to Florida with Brian?

2 A Yes.

3 Q At that time, was Brian employed?

4 A I don't know.

5 Q Do you know if Brian was ever employed?

6 A It was only speculation. Again, I don't know.

7 Q So, at some point in time, though, does it go

8 from Gabby thinking or talking about traveling in a van

9 to actually putting that plan in motion?

10 A She put the plan in motion.

11 Q How did you know that?

12 A Because she told me she was going to be working

13 on a van to convert.

14 Q Did she, in fact, buy a van?

15 A She had -- I forget the year -- a Transit van.

16 Q Did she do any conversion to it?

17 A Yes.

18 Q What did she do?

19 A She turned it into almost -- it would be

20 equivalent to a camper van. Shelving, mattress, all

21 the -- the storage.

22 Q Once the van was ready, what was the plan then?

23 A She was going to travel up to New York to see

24 T.J. for his graduation and start the trip from there.

25 From New York, go down towards, like, the Texas area and

Page 25

1 work their way up to -- I think they were supposed to end
2 in Washington -- Oregon. I think it was Oregon.
3 Q Was that the first big trip in the van or was
4 there --
5 A In the van, yes.
6 Q Was there only one big trip in the van?
7 A There was only one trip in the van.
8 Q Was the plan for Gabby to travel in the van
9 with Brian?
10 A Yes.
11 Q As far as you understood it, was the plan also
12 to take videos and narrate it and -- and post things to
13 social media?
14 A Yes.
15 Q Did you know at the time what platforms on
16 social media Gabby would be posting to?
17 A No.
18 Q As the trip was getting ready to start, did you
19 check in with Gabby to say, Hey, if I want to, you know,
20 watch something that you've done, how would I find it?
21 A I didn't need to.
22 Q Because?
23 A She would send it to me.
24 Q Via text?
25 A Text, phone call. Me and Gabby did a lot of

Page 26

1 video chats.
2 Q Would you and Gabby ever email one another?
3 A Not really, no.
4 Q If it was, like, a large file or video, would
5 it sometimes go by email?
6 A No. No.
7 Q It was mostly -- was it FaceTime?
8 A FaceTime.
9 Q And texts?
10 A Text.
11 Q If Gabby had a file that might be too large to
12 text, would you go to a social media account that you
13 both used to watch it, or was it really just strictly
14 texts?
15 A She would call me up and say, Go here. Check
16 this out. I just posted this. And I would go to her
17 page and look at it.
18 Q Where did Gabby have pages, if you remember?
19 A Instagram was where I would go.
20 Q Did you --
21 A But I only assumed she would be posting this --
22 the equivalent to other things. But if I already saw it
23 on Instagram, I didn't need to go to the other ones.
24 Q Were your texts with Gabby usually one-on-one,
25 or were they part of a group text?

Page 27

1 A Usually one-on-one.
2 Q Was there a group text with Gabby, you, and
3 Nichole?
4 A No. Not that I recall anyway.
5 Q When the big trip in the van was starting with
6 Gabby and Brian, did she have some itinerary that she
7 shared with you?
8 A She had a basic plan of where she was going to
9 go but understood that the timeline might vary based on
10 what they were doing.
11 Q When do you believe the trip started?
12 A It was going to start the first -- around the
13 1st or 2nd of July.
14 Q Of 2021?
15 A 2021.
16 Q At some point in time, do you find that the
17 trip in the van with Gabby and Brian has gotten underway?
18 A Yes.
19 Q And during this time, how frequently are you
20 either talking to or texting with Gabby?
21 A Once, twice a week.
22 Q Was there any set schedule to that?
23 A No.
24 Q At this time were you in any type of regular
25 contact with Nichole?

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1 A Regular contact, no.
2 Q Once Gabby graduated high school, did you and
3 Nichole have as much interaction in terms of
4 co-parenting?
5 A Yes.
6 Q But in terms of day-to-day or week-to-week kind
7 of contact -- like if we were to look at the few months
8 before Gabby and Brian go on the van trip, how often are
9 you checking in with Nichole?
10 A I wasn't. Gabby was an adult. I would check
11 in with Gabby.
12 Q I got it. I'm so sorry. So let me ask the
13 question again.
14 Q Once Gabby graduated high school, do you and
15 Nichole have much interaction because Gabby is now an
16 adult?
17 A From time to time, we would. There's no
18 animosity between Niki or myself.
19 Q No, no, no.
20 A Never has been.
21 Q Totally understand that.
22 Q Would it be for a particular reason, though?
23 Would it be, Hey, there's -- there's this thing both you
24 and I need to work on?
25 A Nothing that I recall that was significant.

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1 Q Did you and Nichole -- I guess you call her
 2 Niki?
 3 A Uh-huh.
 4 Q Yes?
 5 A Uh-huh, yes.
 6 Q Yes?
 7 A Sorry.
 8 Q And in your -- in your texts, is she "Niki" in
 9 your contacts?
 10 A Yes. Yes. Yes.
 11 Q Did you talk about with -- and I'll just call
 12 her Nichole -- did you talk about, with Nichole or
 13 Ms. Schmidt, before it started, Gabby and Brian's trip in
 14 the van?
 15 A Yes.
 16 Q Who -- who called or contacted who about that?
 17 A I don't recall.
 18 Q What do you recall was discussed between you
 19 and Nichole?
 20 A What her thoughts were on the trip.
 21 Q Nichole's thoughts?
 22 A Yes.
 23 Q What thoughts did Nichole share with you about
 24 the van trip that Gabby and Brian were planning?
 25 A She was supportive, thought it was a little out

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1 there, but supportive.
 2 Q "Out there" like a little adventurous --
 3 A Yes.
 4 Q -- or off -- off the beaten path?
 5 A "Adventurous" would be a better word.
 6 Q At the time that Gabby and Brian went on the
 7 van trip in early July of 2021, how long had the two of
 8 them been dating?
 9 A I don't know when they officially started
 10 dating, so I can't give you an answer.
 11 Q Was it your understanding, at that time, that
 12 they had gotten engaged?
 13 A Yes.
 14 Q How did you learn that?
 15 A Through social media.
 16 Q Was that something you talked about with Gabby?
 17 A Yes.
 18 Q Did Gabby tell you one way or the other whether
 19 she was engaged to Brian?
 20 A Yes.
 21 Q And what did Gabby tell you?
 22 A That she was engaged.
 23 Q Did you have any particular response or
 24 reaction to that?
 25 A No. She's an adult. She can make her choices.

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1 Q You had described for me that you had an
 2 opportunity to meet Brian twice. Other than meeting him
 3 in person, did you have opportunities to -- would he
 4 participate in any of the video calls or phone calls?
 5 A No.
 6 Q As the van trip started in early July of 2021,
 7 did you know enough about Brian or have enough time with
 8 him to really have a sense of who he was, or did you just
 9 know him as the guy who had been dating your daughter?
 10 A I knew him as the guy that was dating my
 11 daughter.
 12 Q Up through the start of that July 2021 van
 13 trip, had Gabby ever expressed any concerns or misgivings
 14 at all about Brian?
 15 A In what time frame? I'm sorry.
 16 Q Before the trip started?
 17 A Did she give concerns about Brian?
 18 Q Did she ever talk to you and say, you know,
 19 I've got some concerns, or, We're having some problems,
 20 or, He's doing some things I don't like?
 21 A No.
 22 Q Did you talk much about Brian with Gabby before
 23 the trip started?
 24 A Yes and no, I would assume.
 25 Q If you spoke to her, would it be a "Hey, how's

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1 Brian doing"? "Fine."
 2 A That's a good assumption.
 3 Q Okay. But beyond that level of kind of a
 4 social nicety, did the two of you have any kind of deep
 5 conversations --
 6 A No.
 7 Q -- about the relationship or --
 8 A No. I would always just make sure she's okay.
 9 Q And when you would do that, would she always
 10 tell you her and Brian were okay?
 11 A Yes.
 12 Q When the van trip started in early July of
 13 2021, did you have any increased kind of day-to-day or --
 14 or times-a-week interaction with Gabby? Did you -- was
 15 it, Hey, I'm going to start calling her or texting her a
 16 little bit more just because I know she's doing this
 17 thing?
 18 A I think it was a slight increase. I work a
 19 lot.
 20 Q The communications between you and Gabby when
 21 the van trip started in July of 2021, were those normally
 22 instigated by Gabby sending you something, posting
 23 something?
 24 A No.
 25 Q Either way?

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1 A Either way, it would go.
2 Q Did you see Gabby and Brian during that trip?
3 A No.
4 Q When they made the New York swing, did you see
5 them at that time?
6 A No. I was in Florida at the time. I moved in
7 June. June -- May 30th, June 1st. She was on her way up
8 while I was on my way down.
9 Q As best you could tell from your interactions
10 with Gabby, how did the first few weeks of the van trip
11 go?
12 A Fine. I didn't hear anything.
13 Q Nothing stands out?
14 A No. No.
15 Q No?
16 A Sorry that wasn't loud enough. Sorry.
17 Q Did there come a time on the van trip that
18 started in July of 2021 when you did become aware that
19 there was some problem?
20 A Yes.
21 Q When was that?
22 A August 12th.
23 Q What happened on August 12th?
24 A There was a domestic violence issue --
25 Q How did you --

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1 A -- that involved police.
2 Q How did --
3 THE COURT REPORTER: That involved police?
4 THE WITNESS: That involved police.
5 BY MR. MELTZ:
6 Q Sorry. I stepped over you there. I apologize.
7 How did you first learn that there was a
8 domestic violence issue on August 12th?
9 A Nichole had sent me a picture.
10 Q What was the picture of?
11 A Gabby, with blood on her face and a bruise
12 under her left eye.
13 Q Did you and Nichole speak after Nichole sent
14 you that picture?
15 A Yes.
16 Q Fairly soon afterwards?
17 A Immediately afterwards.
18 Q What did the two of you talk about?
19 A Figuring out a way to get her home.
20 Q When you spoke to Nichole at that time, did
21 Nichole indicate that she had already spoken with Gabby?
22 A I don't recall.
23 Q When your conversation with Nichole ended,
24 after Nichole texted over the picture of Gabby, was there
25 a plan in place, or was there -- Hey, we need to get more

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1 information and follow up?
2 A The -- we needed to get in touch with Gabby to
3 see -- well, I needed to get in touch with Gabby, and the
4 plan was for me to call.
5 Q Did you call Gabby?
6 A I did.
7 Q Were you able to get in touch with her?
8 A I was.
9 Q When you were able to speak with Gabby the
10 first time after Nichole sent you the photograph, had the
11 police already responded?
12 A Yes.
13 Q Were they there at the time you were speaking
14 with Gabby?
15 A Yes.
16 Q How long a conversation did you have with
17 Gabby, at that time, on August 12th?
18 A I think there was multiple conversations while
19 the police were there.
20 Q When you were speaking with Gabby while the
21 police were there, were you able to have, like, a
22 meaningful conversation with Gabby, or was she too upset
23 to really speak with you?
24 A We were both upset.
25 Q Did you --

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1 A Not -- not with each other.
2 Q Did you speak to any of the police officers?
3 A I did not.
4 Q Based on what was happening at the time and
5 your calls with Gabby on August 12th, did you have a
6 sense of how long the police officers were there?
7 A I had an idea.
8 Q What was your general idea on that?
9 A About an hour.
10 Q Were you having multiple calls with Gabby
11 during that hour?
12 A I was.
13 Q I assume one of the first questions you asked,
14 you know, Are you okay?
15 A That is correct.
16 Q What did Gabby tell you?
17 A That she was fine.
18 Q And I don't know if you're going to be able to
19 focus on, you know, the first conversation versus the
20 third conversation, so I'll just ask it generally.
21 Generally, in those conversations with Gabby on
22 August 12th, what did she describe happened?
23 A She described that Brian was trying to lock her
24 out of the van, and she wanted to get the keys or her
25 backpack from Brian and accidentally scratched his face.

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1 And in holding her back, he had blood on his hands and
2 that's how the blood ended up on her face.
3 Q How did that explain the bruise under her eye?
4 A I didn't know about the bruise under her eye at
5 the time -- well, on the picture, I -- it's hard to tell
6 when you zoom it in.
7 Q Okay. So you couldn't tell right away?
8 A That is correct.
9 Q Is that something you found out later?
10 A That is -- yes.
11 Q Did Gabby explain why Brian tried to lock her
12 out of the van?
13 A No.
14 Q Did you know where they were at this time?
15 A Yes.
16 Q Where were they?
17 A In Utah.
18 Q A particular place or city?
19 A Moab.
20 Q Was that a planned destination as far as you
21 knew?
22 A I did -- it was.
23 Q In your conversations with Gabby on
24 August 12th, while she and Brian were in Moab, Utah, did
25 you ask her if anything like this had ever happened

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1 before?
2 A No.
3 Q Did she volunteer that information?
4 A No.
5 Q Did you get a sense of whether Gabby was being
6 straight up with you about how it happened, or did you
7 get a sense that she was trying to be protective of
8 Brian?
9 A I don't recall.
10 Q When she said that she accidentally scratched
11 Brian and it was his blood on her face, did you have more
12 questions about that? Did you press on that?
13 A I did.
14 Q What did Gabby say?
15 A She wanted me to trust her that she did. I had
16 no reason to believe she didn't.
17 Q Did you ask her if she felt safe?
18 A No.
19 Q But you did offer to come either get her or
20 help get her home?
21 A I offered to fly out there and bring her home.
22 I offered to fly her home and ship the van. I offered to
23 leave the van and -- whatever she needed to do to get
24 home, we offered.
25 Q Gabby declined all of those offers?

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1 A She did.
2 Q Did you get a sense, at that time, during those
3 conversations on August 12th, 2021 -- did Gabby seem
4 upset the whole time you were speaking to her or did
5 she -- did she seem to sort of level back down as you
6 were talking further?
7 A You're talking about August 12th; correct?
8 Q Yeah.
9 A Sorry.
10 She was concerned that they were going to
11 arrest her.
12 Q Was that one of the reasons why you kept
13 checking back in, to see where the investigation was
14 going?
15 A Yes.
16 Q Ultimately, does Gabby tell you that law
17 enforcement has wrapped up whatever they're doing and --
18 and this is what they've decided?
19 A She said law enforcement figured it was no big
20 deal. It was just a simple argument that someone had
21 witnessed and that's why they were called. And
22 everything's fine. It was just a misunderstanding.
23 Q Were you ever clear on what the
24 misunderstanding was over?
25 A No. I also wasn't clear that there was

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1 violence before that someone had witnessed at the time.
2 Q What violence are you talking about?
3 A Someone had observed Brian hitting her.
4 Q That same day?
5 A That same day.
6 Q My understanding is that -- that you and
7 Nichole currently have a lawsuit against the Moab law
8 enforcement agency; correct?
9 A That is correct.
10 Q And so your knowledge that, for example, there
11 was a witness who saw Brian hitting Gabby that same day,
12 is that something you didn't know on August 12th, 2021,
13 but you've since learned?
14 A That is correct.
15 Q I didn't ask you at the start of the
16 deposition: Have you ever given a deposition before?
17 A I never have.
18 Q You've not been deposed in the Utah litigation?
19 A No.
20 Q I'm not -- this next question isn't asking you
21 to talk about any conversations that you had with your
22 Utah attorney, and I'm also not asking for, like, a legal
23 analysis of the causes of action that have been brought
24 against the law enforcement agency in Utah. So I'm not
25 asking anything technical.

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1 From your perspective, what are you and Nichole
2 suing the Utah, Moab, law enforcement agency for?
3 A Better training, more understanding of domestic
4 violence and how to handle those issues. They have since
5 changed the law in Utah and created a lethality
6 assessment protocol throughout the state.
7 (Reporter requested clarification.)
8 THE WITNESS: They created a law that has --
9 that brings, now, a lethality assessment protocol on
10 all domestic violence calls.
11 BY MR. MELTZ:
12 Q To your knowledge, is one of the causes of
13 action you're suing the Moab law enforcement agency for
14 is wrongful death?
15 A Yes.
16 Q Which, in other words, if they had been trained
17 better or done their job better, Gabby's death could have
18 been prevented?
19 A There were previous suits that were brought up
20 there. They had promised to make those changes, and they
21 had failed to make those changes even years after.
22 Q As a result, though, in terms of the Moab law
23 enforcement agency lawsuit, as a result of those failures
24 to make those changes, when they were called on
25 August 12th, 2021, they didn't appreciate the situation

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1 that was ongoing between Gabby and Brian?
2 A That's correct.
3 Q Is that the thrust of it?
4 A That is correct.
5 Q And, again, just very generally speaking, the
6 lawsuit against the Moab law enforcement agency is, had
7 they appreciated what was going on between Gabby and
8 Brian on that day, a different course of action could
9 have been taken and Gabby would still be alive?
10 A That is my position.
11 Q Have you ever had an opportunity to speak with
12 any of the responding officers on the Moab Police
13 Department?
14 A I have not.
15 Q In reading through some of the materials on
16 that, it looks like the primary officer who responded
17 left and had a questionable history before he even got
18 there; is that fair?
19 A We'll say that's fair.
20 Q A charitable way of describing it?
21 A It's very charitable, I'm sure.
22 Q Mr. Petito, do you have a sense kind of where
23 that Utah lawsuit is? Is it -- is it going to be getting
24 active sometime soon? Are you scheduled to give a
25 deposition, anything like that?

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1 A Not at this time.
2 Q Do you know if there's a trial date that's been
3 set?
4 A Not to my knowledge.
5 Q In terms of the issues that you feel exist or
6 existed at the Moab Police Department --
7 A I'm sorry. Could you repeat that?
8 Q Yeah. Let me start again.
9 With respect to the issues that you feel
10 existed at least on August 12th at the Moab law
11 enforcement agency that responded to Gabby and Brian's
12 situation, is one of your hopes in bringing the Utah
13 lawsuit that questions you have about that will be
14 answered?
15 A In terms of why they responded the way they
16 did, is that what you're asking?
17 Q Yeah. Why or how that -- how that -- how it
18 came to be, yeah.
19 A No.
20 Q What is its purpose?
21 A Change. Live up to your promises.
22 Q Before the lawsuit was filed, were there any
23 efforts to get the change without the lawsuit being
24 filed?
25 A No.

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1 Q Is it your understanding that the Moab law
2 enforcement agency is somehow resisting the change that
3 you think would be helpful?
4 A I wouldn't know why they would.
5 Q Did Gabby explain how law enforcement left it
6 in Moab, Utah? In other words, when they were done doing
7 whatever they did on August 12th, were either Gabby or
8 Brian given any guidance or instruction or directions?
9 A No.
10 Q The trip was just allowed to continue?
11 A That is correct. They separated them for the
12 night, which they didn't actually separate for the night,
13 but I've only learned that after.
14 Q Meaning what?
15 A Meaning I learned that they didn't -- they were
16 separated for the night by police. Brian was put up in a
17 hotel, local, nearby, and I have learned after that Gabby
18 and Brian met that evening.
19 Q How do you know that?
20 A Through my daughter's text messages, after she
21 was killed.
22 Q When the incident happened on August 12th and
23 you had the opportunity to speak with Gabby, did you make
24 any attempt, at that time, to call Brian's parents?
25 A No.

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1 Q Did you have the phone number for either of
2 Brian's parents?
3 A No.
4 Q Did you have Brian's phone number?
5 A I believe I did.
6 Q Did you try to call Brian?
7 A No.
8 Q When you were speaking with Gabby, did you
9 bring up, Hey, I'd like to talk with Brian about this?
10 A No.
11 Q Once that event on August 12th happened, were
12 you satisfied with Gabby's description or explanation to
13 you that everything was okay?
14 A I had no reason not to be.
15 Q So in terms of the trip moving forward, did you
16 have any greater sense of urgency or concern in terms of
17 maybe checking in with her a little more frequently?
18 A I did.
19 Q What did you do?
20 A I texted her. And my kids had talked to her as
21 well.
22 Q Talk or text or both?
23 A Both.
24 Q And was that more of a conscious effort, just,
25 Let's -- let's kind of check in with her a little more

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1 frequently?
2 A Yes.
3 Q Did that include Tara as well?
4 A Yes.
5 Q Did Gabby and Tara get along okay?
6 A Oh, yeah.
7 Q So in the several days after August 12th, 2021,
8 did you get a sense that things were basically back to
9 normal on the van trip or not so much?
10 A I was led to believe that.
11 Q Based on the feedback you were getting from
12 Gabby?
13 A That's correct.
14 Q Did you and Nichole talk afterwards about what
15 you thought of Gabby's explanation and what might be
16 going on or really be going on?
17 A I don't recall. We had talked, but I don't
18 remember how the conversation went.
19 Q Did you and Nichole, post-discussions with
20 Gabby on August 12th, have a conversation between the two
21 of you where you said, Hey, we need to keep our eye on
22 what's going on out there a little more closely?
23 A We didn't post anything.
24 Q No, no. I mean just a call, though, between
25 the two of you?

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1 A We both were making a conscious effort to make
2 sure she was okay.
3 Q If you checked in with Gabby and she was okay,
4 would you send something to Nichole that said, Hey, just
5 talked to your daughter; all's good?
6 A I would -- I would tell her to reach out to her
7 mom.
8 Q When, after August 12th, 2021, did something
9 happen with the van trip that caused you concern again?
10 A Let's see. I was concerned probably around
11 September 9th. Maybe a day earlier. I think Niki
12 started texting me. I'd have -- I'd have to go back
13 and -- and look. I don't have the exact text messages.
14 But Niki started asking me if I've heard from
15 Gabby around September 8th or 9th.
16 Q Had you?
17 A I had not.
18 Q When did you -- as of September 8th or 9th,
19 when do you think you had last heard from Gabby?
20 A I think it was somewhere in the early 20s of
21 August. We had video-chatted and sent her some food.
22 Q How did you send her some food?
23 A Domino's app.
24 Q Ahh. She was -- she was in a location where
25 they delivered?

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1 A Salt Lake City.
2 Q Got it.
3 Did you know where Gabby was going to be going
4 after Salt Lake City?
5 A She told me Wyoming, but I didn't know if she
6 made it there or not.
7 Q Would Gabby provide any specifics to you, like,
8 Hey, we made a reservation at this national park? We're
9 planning on going to this campsite?
10 A She told me she was going to -- I think it was,
11 like, the Golden Arches. She would tell me about sites
12 she was going to, not what campground she was going to.
13 Q More landmarks?
14 A More landmarks.
15 Q Getting back to sort of the post-August 12th
16 plan where you and the family were going to make a little
17 more of a conscious effort just to check in with Gabby,
18 before Nichole called you on August -- sorry -- on
19 September 8th or 9th, 2021, had you independently grown
20 concerned because you hadn't heard from her for some
21 time?
22 A I don't recall having a concern. I knew she
23 said she was going to be in and out of parks where
24 service was going to be infrequent.
25 Q What do you recall about Nichole's outreach on

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1 September 8th or 9th regarding Nichole's concern?

2 A She had not heard from Gabby, and she wanted to

3 see if I could reach out and get in touch with her.

4 Q Did you try to do that?

5 A I did.

6 Q Were you able to get in touch with her?

7 A No.

8 Q I assume that sending Gabby one text, Hey,

9 how's it going, and you don't get a response, may not

10 cause you a lot of concern, but at some point in time, if

11 it's been done repeatedly and you don't hear something,

12 it becomes more problematic; is that fair?

13 A On the 8th, I started texting. On the 9th, I

14 started calling all the national parks and hospitals.

15 And, then, on the 10th of September, it took us almost 24

16 hours to get a missing person report.

17 Q Who -- between you and Nichole, did one of you

18 take the lead in terms of trying to get a missing

19 person's report together or did you both pursue that

20 separately?

21 A I think originally it was me because I lived

22 down here. And I had called North Port Police

23 Department. And I was told that it's got to -- the

24 missing person report has to go from her last known

25 location, where the last location I had was only -- which

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1 was verified was in Utah.

2 Q So did you call somewhere in particular in

3 Utah?

4 A I called Salt Lake City Police Department. And

5 they would not file a missing person report because it

6 goes -- in their state, it goes by the physical address

7 that's on their license.

8 Q So the guidance you were getting from one state

9 was to call the other state and that state said, Call the

10 other state?

11 A And that was quite a long journey of phone

12 calls. I actually -- never mind.

13 Q To your knowledge, was Nichole having similar

14 difficulties getting a missing person's report?

15 A Yes.

16 Q You mentioned earlier FaceTiming with Gabby.

17 Did Gabby have a "share her location" feature that you

18 had on your phone as well, where you could go and see

19 where she was if she had service?

20 A I did not have an app like that on my phone at

21 the time.

22 Q Did you have an iPhone?

23 A I do, and then I did too.

24 Q Up until the point where you lost communication

25 with Gabby, did you ever have some independent ability

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1 through your phone or an iPad or a computer to see where

2 she may be?

3 A No.

4 Q Do you know if Nichole had that?

5 A I do not.

6 Q Do you know if any of your kids had some sort

7 of, you know, "share your location" with Gabby?

8 A I think my eldest son had a Snapchat. He might

9 have had a location. I don't know if they do or not.

10 Q Prior to trying to make a missing person's

11 report, did you or Nichole, to your knowledge, try to

12 call Brian?

13 A Yes.

14 Q Did you try to call Brian?

15 A Yes.

16 Q No response?

17 A No response from him or his parents.

18 Q When did you first try to call Brian's parents?

19 A I believe it was on the 11th, during the day.

20 Q Okay. So just -- I'm going to back you up just

21 a little bit chronologically.

22 A I'd have to check my messages, though.

23 Q Totally understand.

24 So before we make the missing person's report,

25 so -- which is -- which I -- you've never done that

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1 before. I mean, I assume this was a brand-new thing for

2 you to do; is that fair?

3 A It was my first time.

4 Q Yes. No one ever does something like that.

5 Before making the missing person's report, did

6 you try to call Brian?

7 A If I remember correctly, I think Niki already

8 had tried and told me that she wasn't getting through.

9 Q Okay. Before making the missing person's

10 report, did you try to call Brian's parents to see if

11 they had any idea where these people may be?

12 A Again, I would have to check, but I do

13 recall -- I don't remember what day it was. I would have

14 to check the phone logs and the text messages because

15 there were two -- there were both on the day and time.

16 It might have been the 10th. It could have been the

17 11th. I don't recall exactly.

18 Q If it was the 10th or the 11th, though, it

19 would be after the missing person's report?

20 A I don't know how they -- which -- what event

21 came first, to be honest.

22 Q Did you finally find some law enforcement

23 agency that would accept a missing person's report?

24 A Niki was able to find it.

25 Q Who did she find, if you know?

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1 A Detective Barry, I believe her name was, in New
2 York. I believe it was the 7th Precinct. I could be
3 wrong on the precinct number.
4 Q Did you ever speak to Detective Barry?
5 A I believe once, I did, to thank her.
6 Q I assume that was probably much later in the
7 process?
8 A That's correct.
9 Q While the in- -- while the search for -- sorry.
10 While the search for Gabby was ongoing, did you ever
11 speak with Detective Barry?
12 A No.
13 Q Do you have a sense of why it would be a New
14 York law enforcement agency that would take the interest
15 in the missing person's report as opposed to Utah or
16 Florida or some other location?
17 A It was my understanding that the officer in New
18 York felt bad for Niki when she was basically crying on
19 her -- you know, at her desk to file that report, and she
20 took it.
21 Q From the time that Niki speaks with
22 Detective Barry, moving forward, between you and Niki,
23 does one of you have more contact with law enforcement?
24 A It'd be speculation. I don't know.
25 Q Okay. In other words, like, did you and Niki

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1 have a plan of, Hey, listen, I'll follow up with this
2 person; you follow up with that person?
3 A I don't recall it being -- we were just -- we
4 would relay any information we had back to one other
5 anyway.
6 Q Did Niki explain to you -- and now I'm calling
7 her Niki.
8 Did Nichole explain to you, or Ms. Schmidt
9 explain to you, what the next steps were going to be once
10 Detective Barry became involved?
11 A It's my understanding that once the missing
12 person report was flag- -- was filed, they could start
13 flagging locations through her phone.
14 Q To your knowledge, did that occur?
15 A I'm assuming so.
16 Q Did you, either directly through someone in law
17 enforcement or through Nichole, get a sense of where
18 anyone in law enforcement could determine was Gabby's
19 last location based on a phone record?
20 A I didn't get that information till -- until a
21 couple days later.
22 Q When you did get the information, what was it?
23 A That Gabby's last location could have -- well,
24 I don't remember the exact day, but we were assuming,
25 because we weren't getting any information -- matter of

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1 fact, we weren't getting any information. But we -- it
2 could be anywhere from Wyoming all the way down to
3 Florida.
4 Q Law enforcement told you they were going to
5 look for, basically -- did they say where her phone would
6 ping a cell tower?
7 A They didn't give us that information again
8 until later on.
9 Q Did you get that information at some point?
10 A At some point, I did.
11 Q Did you have an understanding that once law
12 enforcement started an investigation, one of their tools
13 to help try and look for someone is to take their cell
14 phone number and see what cell tower it last pinged at?
15 A That is my understanding. I've watched TV
16 before. I don't know how to do it.
17 Q At some point in time in the process of looking
18 for Gabby, were you told by law enforcement that they had
19 identified through her cell records a likelihood that it
20 was somewhere in Wyoming?
21 A Originally, on the 11th, towards the evening, I
22 got a phone call from Niki saying I was -- because I was
23 going to go to the Laundries' the -- the next morning and
24 I was told that I'm not allowed to. I need to stay away.
25 Q Where --

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1 A And --
2 Q Where were you living at that time?
3 A I was in Vero Beach. I was on the other side
4 of the state.
5 Q Okay. And so I interrupted you. You were told
6 to stay away.
7 A I was told to stay away, so I did. I told --
8 was told that they were giving a card for the -- for
9 their attorney. And anything else, I -- we -- we're not
10 getting any information. We need to continue looking for
11 her. Brian was home with the van.
12 Q Who told you to stay away?
13 A Niki was told -- excuse me -- Niki told me that
14 she was told to have -- make sure I stayed away.
15 Q Did Nichole tell you who told her to make sure
16 you stayed away?
17 A Yes.
18 Q Who did she identify?
19 A North Port Police Department.
20 Q All right. I'm going to back you up again for
21 just a minute.
22 At some point in time, do you learn that the
23 North Port Police Department has gone out to the
24 Laundries' home?
25 A I was told on the 10th that they would do it,

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1 but I didn't get any calls or anything from them. And
 2 then I was told, once the missing report was filed, that
 3 is when they went to the home and were given the phone
 4 number to Steve Bertolino.
 5 Q Did you have any direct communications with the
 6 North Port Police Department during this time frame,
 7 September 10th, 11th, and 12th?
 8 A I believe I did, with Chief Garrison or
 9 Josh Taylor. There was a couple members of the police
 10 department that would inform me that they were working
 11 diligently on Gabby's missing case.
 12 Q Did they give you, like, some concrete proof of
 13 what they were actually doing to work on Gabby's case?
 14 A No.
 15 Q Separate and apart from your conversations with
 16 Chief Garrison and Mr. Taylor, did you have any other
 17 communications with, like, an investigative officer at
 18 North Port?
 19 A I don't recall any specific names or
 20 individuals, at least on the phone anyway.
 21 Q Were you getting some of your information about
 22 what North Port was doing or not doing from Nichole?
 23 A I think we were both -- no. No. I think it
 24 was coming from Rick Stafford at that point.
 25 Q When did Rick Stafford get involved?

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1 A Pretty much right away with Niki. They're
 2 longtime friends, lived in the same neighborhood, kids
 3 played together.
 4 Q What was Rick Stafford involved to do?
 5 A Help navigate the waters of what we were going
 6 through.
 7 Q Just pretty much whatever might be needed, or
 8 did he have a more specific focus?
 9 A If we needed, he -- you know, he's a
 10 criminal -- he's a criminal defense attorney, so dealing
 11 with police and law enforcement is something he's used
 12 to. So to help navigate and kind of give -- get a more
 13 clear understanding.
 14 Q Around the time that you and Nichole were
 15 looking to get some law enforcement agency to take the
 16 missing person's report for Gabby, did you or Nichole, to
 17 your knowledge, also start your own proactive steps to
 18 make people aware, the general public aware that Gabby
 19 was missing?
 20 A Yes.
 21 Q What did you do initially with respect to that?
 22 A Niki had started a Facebook page. I think it
 23 was called "Find Gabby." And we all shared it. And then
 24 we started calling news organizations and missing person
 25 advocates and foundations to help share and create a

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1 flyer.
 2 Q Much like you had never filed a missing
 3 person's report before and that's all new, how did you
 4 know how to call news organizations?
 5 A You see stories on the news, missing person
 6 cases, all the time. Why not -- we just figured, why
 7 not?
 8 Q Did you -- did you Google that and try to see
 9 who might have covered that story and then reach out to
 10 that person?
 11 A No. I think we just -- if I remember
 12 correctly, I think we looked for phone numbers on the
 13 bottom of their web pages and then -- where they say, if
 14 you have a story, call us.
 15 Q These would be, like, local TV stations or
 16 national?
 17 A Yeah. No. I think it was local and national.
 18 We did them -- we did as many as we could.
 19 Q Was there one in particular that you started
 20 with or focused on?
 21 A I don't remember.
 22 Q When did you start the process of trying to
 23 contact some news outlet or media outlet in the hopes
 24 that they could put the word out about Gabby?
 25 A I don't recall the day. You know, maybe the

Page 60

1 11th or the 12th possibly. I am unclear.
 2 Q Did you wait that long after the missing
 3 person's report or was it just -- was it --
 4 A The missing person report wasn't filed until
 5 the 11th, in the evening. So it wouldn't have been that
 6 long after.
 7 Q Did you start the outreach to the news media
 8 before someone took the missing person's report?
 9 A I don't believe it happened beforehand. I
 10 think it was after.
 11 Q At some point, did you find a news organization
 12 or outlet that was interested in talking to you about
 13 Gabby's disappearance?
 14 A It quickly divulged -- you know, became that.
 15 It -- it stopped -- I no longer had to call, and I was
 16 getting phone calls.
 17 Q Do you know how -- and when you say you were
 18 "getting phone calls," were you getting phone calls from
 19 news outlet and media?
 20 A Uh-huh.
 21 Q Yes?
 22 A Yes.
 23 Q Do you know how they got your phone number to
 24 call?
 25 A No, I don't. That's weird. I never asked

Page 61

1 myself that question. Shit. How did they get my number?

2 Those bastards.

3 Q Listen, I'm a -- I'm a professional

4 question-asker. I come up with these things. So

5 don't -- don't beat yourself up over it.

6 MR. REILLY: Let me write that one down.

7 BY MR. MELTZ:

8 Q Did the contacts escalate? In other words, was

9 it just, like, a phone call or two, or did you start

10 getting a volume of news media who were interested in

11 finding out more?

12 A I started doing interviews -- the way those --

13 that week and a half happened, I started doing interviews

14 at roughly 5:30 in the morning -- from 5, 5:30 in the

15 morning. I would go to probably 1:00 in the morning.

16 And then that would be an all-day, every-day thing.

17 And then I would go online at night, look for

18 tips, clues with the FBI -- I mean, tips, clues, Twitter,

19 Facebook, Reddit. I would do whatever on social media I

20 could find. I would screenshot it and send it to the

21 FBI, into their tip line.

22 Q Did you --

23 A That was my day.

24 Q Did you take time off from work to do that?

25 A I was given time off by my job. I called my

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1 job. I asked for a couple of days. They told me, No.

2 You're taking 12 weeks. And they gave me 12 weeks off

3 right away. I work for a really good company.

4 Q So, at this point in time, when we're in this

5 September 11th, 12th, 13th, 14th time frame, is your

6 full-time job, for lack of a better term, trying to find

7 Gabby?

8 A Yes. It was my only job.

9 Q In conducting or performing that job of trying

10 to find Gabby, a significant amount of that time was

11 spent getting word out through news and media interviews?

12 A That's correct.

13 Q Was that the majority of your day?

14 A That was all my day.

15 Q When that was complete, you would then go on

16 social media to see could you find anything?

17 A That's right.

18 Q Was there, to your understanding, social media

19 interest in Gabby's disappearance?

20 A It's my understanding it was the social media

21 interest that piqued the news organizations' interests,

22 specifically TikTok, from what I am -- what I was told.

23 Q When you would go on social media to look for

24 items relating to Gabby, did you have any trouble finding

25 them?

Page 63

1 A No.

2 Q Were there so many of them that you couldn't

3 even look at them all?

4 A Yes.

5 Q Do you have a sense of -- of what fraction that

6 you may have been able to look at kind of in this second

7 week of September time frame?

8 A Not even close.

9 Q Like, 2 percent? 10 percent?

10 A It would be -- it would be -- like I said, in

11 TikTok alone, it was over 2 billion views. I think it

12 might be higher now.

13 Twitter, Facebook, Instagram, news organization

14 stories, good luck finding out how many there were. I

15 have no idea. I couldn't even give you an idea.

16 Q So let me back you up, then, to the North Port

17 police. At some point in time, you find out that the

18 North Port police have gone out to the Laundries' home;

19 is that correct?

20 A That's my understanding.

21 Q And if I asked you this earlier, I truly

22 apologize. Do you remember who told you that?

23 A I believe it was Niki had told me that they

24 were there and Brian was home with the van. She called

25 me right away. Because I think she got the phone call

Page 64

1 first.

2 Q When you found out that the North Port police

3 had determined that Brian was at his parents' home with

4 the van that he and his -- he and your daughter had been

5 traveling around with, what conclusions, if any, did you

6 draw from that information?

7 A I didn't draw conclusions other than it's --

8 this is about to be a shitstorm.

9 Q Because your daughter's missing and Brian's

10 here with the van?

11 A And not saying anything.

12 Q Which, given the concern over Gabby's

13 well-being, seemed incredibly suspicious and troubling;

14 would that be fair?

15 A When you say you love someone, yeah. You know,

16 I think it's 90 percent -- 90 percent of women murdered

17 are killed by either a current or ex-partner. So yeah.

18 Q Understanding that -- and I'd say that you --

19 you've probably learned that statistic --

20 A Afterwards.

21 Q -- afterwards. But that's something law

22 enforcement knows?

23 A I'm sure.

24 Q Right.

25 So understanding Gabby's gone, we don't know

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1 where she is, no one's been able to get in touch with
2 her, the person she was with, who we know had this
3 domestic-violence encounter on the 12th of August, is now
4 home with her van -- I mean, it wasn't their van. It was
5 her van; correct?
6 A That's my understanding.
7 Q Were you given any explanation as to why the
8 North Port police didn't take Brian in for questioning
9 just based on that?
10 A No.
11 Q Have you ever asked the chief or someone at
12 North Port police that question, Why did you guys let him
13 stay at that house?
14 A I wanted to.
15 Q Was there some reason you didn't?
16 A Yes.
17 Q What was that?
18 A I was told to play nice until they found Gabby.
19 Q You -- you didn't want to ruffle feathers with
20 the police agencies?
21 A That's correct.
22 Q Is it Nichole, then, who also tells you that
23 when the North Port police knocked on the Laundries'
24 door, that they were handed a card, which ultimately was
25 for Mr. Bertolino?

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1 A That's my understanding.
2 Q Prior to that point in time, did you have any
3 idea who Mr. Bertolino was?
4 A No.
5 Q You had never met him, had any interactions
6 with him at all; is that correct?
7 A That's correct.
8 Q And up through that point in time, you had no
9 interactions with Brian's parents either?
10 A That's correct.
11 Q In terms of how you processed what Nichole was
12 telling you about the North Port visit to the Laundries'
13 house -- they didn't say anything to the officers; they
14 handed the officers a card -- did you draw any positive
15 conclusions from that about the Laundries? In other
16 words, when you were thinking, like, Why is this
17 happening, was there anything about that that you thought
18 to yourself, Oh, well, there's probably a good
19 explanation for that?
20 A No. I'm sorry I find that comical.
21 Q No, no, no. I -- I -- I totally understand
22 that. Because from that point, moving forward, does the
23 media also learn that Brian and the van are at the
24 Laundries' house?
25 A Not on that day.

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1 Q When do they learn that?
2 A I think they learned it from me when I made a
3 Facebook -- someone had put a flyer -- or said something
4 on one of the first flyers of Gabby. Don't ask me who.
5 I had said, The boyfriend's home and they lawyered up.
6 Q Were people commenting on your posts?
7 A Yes.
8 Q Okay. To your recollection, did people comment
9 on the post that the boyfriend's home and they've
10 lawyered up?
11 A I have no idea. I didn't look at the comments
12 on that post at that point in time.
13 Q How do you know that the news media picked up
14 that Brian was home and the van was there?
15 A I don't know how they picked it up. I'm
16 assuming by that post maybe.
17 Q In the interviews that you did after that post,
18 though, did you find yourself getting questions or
19 discussing with the news media that topic, that, Hey, we
20 now know Brian's home with the van and nobody is saying
21 anything?
22 A Were they giving me -- so, you're asking me,
23 was I giving the media the information that I had at the
24 time? The answer is yes.
25 Q Were they asking questions about it?

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1 A Yes.
2 Q And were you discussing it as well?
3 A Yes.
4 Q You mentioned Nichole telling you not to go to
5 the Laundries' home. Have you ever been to the
6 Laundries' home?
7 A No.
8 Q Do you have any understanding as to whether law
9 enforcement or just members of the general public did go
10 to the Laundries' home once they became aware that Brian
11 was home, the van was there, and nobody was talking?
12 A I knew people were there based on social media
13 posts.
14 Q What type of social media posts did you see
15 about people being at the Laundries' home?
16 A It was September 17th, the day after they said
17 they knew Brian -- where Brian was at the press
18 conference in North Port. And it's my understanding that
19 that is the day that they reported Brian missing, and a
20 lot of people were getting angry and trying to encroach
21 on their -- their property.
22 And I was watching it via YouTube, and I
23 commented on YouTube to everyone to get off their
24 property.
25 Q Do you know if that was the first day that

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1 anyone approached the property with some concern about
2 Gabby?
3 A I wasn't really concerned about what was going
4 on in front of their house, so I don't know.
5 Q I'm sure you weren't, but I'm just asking if
6 you know one way or the other.
7 A I don't.
8 Q When you became aware that the Laundries did
9 not talk to the North Port Police Department and gave the
10 card with Mr. Bertolino's name on it, did you ever talk
11 with anyone at North Port or some other law enforcement
12 agency about, What do we do about that? Is there -- is
13 there some way that we can get these people to say
14 something?
15 A No. No. I -- I didn't. I was focusing on
16 finding Gabby. Whatever happened in that house at that
17 point wasn't my concern because we weren't getting any
18 information.
19 Q Did you ask anyone at the North Port Police
20 Department, if -- if these people know something about
21 Gabby's disappearance and they don't say anything, is
22 that a crime? Like, Can they be arrested for that?
23 A I never asked that question, no.
24 Q Was that something that you and Nichole ever
25 discussed?

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1 A I don't recall a conversation like that.
2 Q Did anyone at the North Port Police Department
3 ever volunteer to you that if Brian's parents were doing
4 something to help him or aid him in some way, that might
5 be its own crime?
6 A Again, I don't recall any conversations about
7 that. The focus was always, they weren't getting the
8 information from them, so they had to find other means to
9 figure out where Gabby was and how to -- how to reunite
10 us together. And not her body, by the way, her alive.
11 Q Did you have any conversations with anyone at
12 North Port as to whether Brian or Brian's parents could
13 be compelled, like through some legal means, to say
14 something?
15 A Not to my knowledge, no.
16 Q Other than the North Port Police Department,
17 now that we're in this, you know, September 11th, 12th,
18 13th time frame, are you dealing with anyone at any other
19 law enforcement agency?
20 A The FBI.
21 Q Did you have a particular liaison or contact at
22 the FBI?
23 A There was a few.
24 Q Who do you remember?
25 A I remember Rita, but she wasn't an FBI agent.

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1 I think she was an advocate for victim services, just to
2 kind of make sure we were okay.
3 There was a Special Agent Charlie. I forget
4 his last name. I have it saved in my phone. He has
5 since retired.
6 And another agent, Tom, who also has retired.
7 Q Did you have any conversations --
8 A And Loretta. There was an FBI Agent Loretta.
9 I'm sorry. I apologize. I interrupted you. I'll let
10 you finish.
11 Q No, no, no.
12 A An FBI Agent Loretta, who we had met at the
13 North Port Police Department, who gave us a bunch of
14 questions to fill out, and they wanted to use my phones
15 and dump my phone and my wife's phone.
16 Q When you find out that the North Port police
17 has gone out to the Laundries' home, they were handed the
18 card, do you talk to anyone at the FBI about, Can you try
19 to talk to Brian or the parents to see what they may
20 know?
21 A I never asked them specifically. Again, the
22 FBI, from the conversations we had with the FBI, were
23 focusing on just where Gabby was. We're not getting it
24 from them, so we're using whatever we can. And it was
25 based on that, we learned that her last known location

Page 72

1 was in Wyoming.
2 Q When you're having your conversations with the
3 FBI, do you have conversations with any of the -- the
4 special agents who are working on the case about, What do
5 you think? Do you think we're going to find Gabby okay?
6 Do you ask the FBI those types of questions?
7 A I never asked the FBI that question --
8 Q Did you ever --
9 A -- specifically because I didn't want to hear
10 the answer.
11 Q Did you ask that question to anyone in law
12 enforcement?
13 A No. I wasn't prepared to hear the answer.
14 Q You were hopeful -- you were hopeful she would
15 be found okay?
16 A You're damn right.
17 Q Hearing the answer that you would expect law
18 enforcement to give you would not have helped keep your
19 optimism up that that outcome could be achieved; is that
20 fair?
21 A No. No, that's not fair.
22 Q Okay.
23 A It was more of I needed to just keep -- keep
24 going until she was found. And anything that anybody
25 said, it wouldn't have mattered to me anyway. It's not,

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1 you know, the "what ifs." You know, they're -- you're
2 more likely this or that. That's -- the goal is to find
3 her, and that was the only conversations we had.
4 Q Got it.
5 Did you ever try to contact Mr. Bertolino from
6 the information that was on that card?
7 A No. I wanted to. Did not. And I never saw
8 the card.
9 Q Got it.
10 At some point in time, did you ask Mr. Stafford
11 to contact Mr. Bertolino?
12 A I don't recall ever asking Rick to contact him.
13 Q At some point in time, do you become aware that
14 Mr. Bertolino has put out a statement on September 14th,
15 2021, on behalf of the Laundrie family?
16 A Yes.
17 Q How do you become aware of that?
18 A I don't recall how I became aware of it, to be
19 honest. Where I heard it, where I saw it, if it was said
20 to me, I don't recall where.
21 Q Okay. We have Exhibit 1 from yesterday, and
22 Exhibit 1 is a compilation of some of the text messages
23 that were produced in this lawsuit.
24 A I saw that. The folder there.
25 Q Yes.

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1 A I saw the top sheet, so I assumed.
2 Q You figured out what it was.
3 Just to ask you about that, you mentioned just
4 a moment ago that the FBI wanted your phone so that they
5 could basically extract data from it; is that correct?
6 A That's correct.
7 Q Was one of the data extractions that the FBI
8 did your text messages?
9 A I have no idea. They asked for my phone and
10 they took it.
11 Q You don't know what they did with it?
12 A I gave them full access to my phone.
13 Q In order to produce your text messages in this
14 case, how did you do that?
15 A I took screenshots because I don't know -- Niki
16 knew how to put it into a PDF. I'm not that good. I
17 sent you, like, nine different emails. I mean --
18 Q It literally was just screenshots?
19 A I sent him a bunch of pictures.
20 Q Got it. Okay.
21 A Tech savvy is not my thing.
22 Q If you look at Page 100 of Exhibit 1.
23 A Oh, readers? Can I see your glasses for a
24 second? I should have brought them. Sorry.
25 Q This -- this is a screenshot of a text that

Page 75

1 Nichole sent to you where she says: Here's the lawyer's
2 statement.
3 A Yeah.
4 Q And then there's a picture of it.
5 A Yes.
6 Q Does that refresh your recollection of how you
7 learned about it?
8 A No.
9 Q Do you know if you already knew about it before
10 Nichole texted you?
11 A I don't recall. But, again, it could have been
12 on the media. She might have sent it to me just because.
13 I -- I don't recall where my first visual of it was.
14 Q Would it be fair to say that Mr. Bertolino did
15 not directly send you the September 14th statement?
16 A That's a fair statement.
17 Q Has Mr. Bertolino ever directly contacted you
18 for any reason at all?
19 A No. Although I do believe those statements
20 that were put out to the press were meant to get to us.
21 Q Why do you say that?
22 A Why would they not be?
23 Q Were your names used in any of the statements?
24 A No. My daughter's was, though.
25 Q However you first learned of the statement,

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1 what was your initial reaction to it?
2 A I won't curse.
3 Q You can curse.
4 A No. I won't curse.
5 Q No, no. It's totally fine.
6 MR. REILLY: No. You -- you have to --
7 whatever your reaction was, it was. I mean --
8 THE WITNESS: I was angry. I was very angry.
9 BY MR. MELTZ:
10 Q What about it made you angry?
11 A The fact that they were saying nothing, and now
12 they come out with this statement where they hope we get
13 back together. Are you serious?
14 If you hope to get back together, then you
15 would help. Obviously, there was no hope to help. They
16 didn't want to do any of that.
17 It was my understanding that that statement
18 was -- the way I feel -- was meant to bait us to saying
19 something else.
20 Q Say something -- what?
21 A I don't know.
22 Q Do you know how the September 14th, 2021,
23 statement was actually issued by Mr. Bertolino?
24 A I'm sorry. Repeat that.
25 Q Do you know how the September 14th, 2021,

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1 statement was issued or disseminated by Mr. Bertolino?

2 A I'm assuming the media was contacting him as

3 well. So it wouldn't take much to -- Here's our

4 statement. You give it to one, they all take it.

5 Q Why would you assume that the media was

6 contacting Mr. Bertolino?

7 A Because we were told that they were.

8 Q Who told you that?

9 A I'm sure multiple -- we were talking to a lot

10 of producers for a lot of TV stations at the time. A lot

11 of news articles that were written at the time said, you

12 know, We've reached out, but there's been no comment.

13 Q When you were told that the Laundrie family had

14 no comment, how did that make you feel?

15 A Angry.

16 Q For the same reason, that they weren't helping;

17 is that fair?

18 A Well, the same reason that they said they loved

19 her. They said they loved her. She was going to be, you

20 know, a member of their family; right?

21 Q The lack of engagement by the Laundrie family,

22 the lack of them telling you what they knew or, at least,

23 maybe even what they thought, separate and apart from

24 your own love with Gabby, did it bother you because you

25 thought they had those same types of feelings to her as

Page 78

1 well?

2 A Yes.

3 Q She may not have been their own son but she

4 wasn't a stranger to them either?

5 A No. She lived in their home.

6 Q As these events were unfolding on September 11,

7 12, 13, now 14 of 2021, were you ever involved in any

8 conversations with Brian and his parents?

9 A I sent them text messages. I never received a

10 response, so the answer is no. If you want to consider

11 that a conversation, by all means.

12 Q Okay. Would it be accurate, though, that --

13 I'll just go -- I'll just make it all of September.

14 Would it accurate that in September of 2021,

15 you have no firsthand knowledge about anything Brian or

16 his parents discussed as it related to Gabby?

17 A You're talking about my knowledge -- let me

18 make sure I understand the question correctly.

19 Q Yeah.

20 A You're saying to my knowledge at the time of?

21 Q Yes.

22 A No. The answer is no.

23 Q "No," I'm correct, that you had -- you had no

24 firsthand understanding of what Brian and his parents may

25 be talking about or not talking about when it came to

Page 79

1 Gabby's disappearance; is that correct?

2 A The only thing I knew, at that time, was Brian

3 was home, and they had gotten a lawyer.

4 And my daughter had boyfriends before. I never

5 had to hire an attorney when she broke up with one.

6 Q And I'm -- I'm still with you.

7 The question I have, though, is: Were you

8 aware of something that Brian actually said to his

9 parents or that his parents may have said to Brian in

10 September of 2021 as it related to Gabby's disappearance?

11 A Not at that time, no.

12 Q Was that also true for August of 2021?

13 A That is also true for August of 2021.

14 Q In terms of wanting information from Brian's

15 parents, were you making some assumption that, They must

16 know something because he can't just show up at the house

17 and not say a word?

18 A That's -- no. The answer is you're incorrect.

19 Q Okay.

20 A I made assumptions because I have never had to

21 hire an attorney when my daughter broke up with her

22 boyfriend.

23 So when Brian's home with an attorney, there

24 was concern.

25 Q Did you believe, back in September of 2021,

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1 that one of the potential possibilities was Brian hadn't

2 shared any information about Gabby with his parents?

3 A No.

4 Q So, in other words, if Brian's parents would

5 have issued a statement that said, We don't know

6 anything; Brian hasn't said a word to us; we're just as

7 much in the dark as anyone else, would that have

8 comforted you at all?

9 A No.

10 Q Why not?

11 A If Brian came home and said -- and they

12 didn't -- he -- if Brian came home and they didn't have

13 that conversation, where he told them nothing, then why

14 did you engage in an attorney? Why are you -- why do you

15 have a lawyer on retainer, as we speak, if you don't want

16 to talk? That doesn't make sense to me.

17 Why are you not helping? That doesn't make

18 sense to me.

19 Q It was the engagement of the attorney, amongst

20 other things, but the engagement of the attorney is what

21 made you think, Why would these people get an attorney if

22 they didn't have something to hide; is that correct?

23 A No. No. It's more than that.

24 Q Okay.

25 A Why would you not help? This was someone

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1 you're supposed to care about. If you care about
2 someone, you'll help someone. Why do you have an
3 attorney? Things like that, that made me assume at that
4 time.
5 MR. MELTZ: And we'll take a break in just a
6 second. I saw that. Let me just finish this.
7 BY MR. MELTZ:
8 Q One of -- is it fair, Mr. Petito, that one of
9 the items or components that was so upsetting to you in
10 September of 2021 was the fact that the Laundries engaged
11 an attorney in the first place as opposed to just
12 helping?
13 A That was one issue at the time. There was
14 others, such as the statement.
15 Q The statement which told you nothing about
16 where Gabby was or how she could be; correct?
17 A The statement where -- well, they're saying
18 nothing. Here's my phone number to my attorney. And the
19 first thing that they say is that statement.
20 Q Did you glean any useful information from the
21 September 14th, 2021, statement that Mr. Bertolino put
22 out there? Did it help you in any way?
23 A No. No. It did not help me find my daughter.
24 Q And that was the focus at the time; is that
25 fair?

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1 A That's fair.
2 MR. MELTZ: All right. We've been going for, I
3 think, about an hour. So I'll give you some
4 planning and then you can think about this too.
5 I've probably got, like, another hour and a half or
6 so. Mr. Luka will have some questions. We're
7 definitely going to need a lunch break. We're a
8 little early now. We can go until maybe 12:30.
9 I'll probably get almost done at that point.
10 If you want to take an earlier lunch break, a
11 later lunch break. We're going to go right next
12 door, which makes it pretty quick, and you can talk
13 about it with Mr. Reilly in terms of sort of what's
14 best for your schedule.
15 THE WITNESS: I'll do whatever Pat says.
16 MR. REILLY: Yeah. Let's keep -- let's keep
17 going for a while.
18 MR. MELTZ: Okay. So let's take a short break,
19 and then maybe we'll go to about 12:20 or so.
20 MR. REILLY: Sure.
21 MR. MELTZ: And then we'll take a short break
22 for lunch.
23 (Whereupon, a brief recess was taken at 11:31
24 a.m., and the deposition resumed at 11:41 a.m.)
25

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1 MR. MELTZ: Are you ready to go back on?
2 THE WITNESS: Yeah. I was talking with Pat.
3 He wanted me to say what I was going to say before.
4 BY MR. MELTZ:
5 Q Before you edited yourself?
6 A Before -- before I edited myself. That --
7 Q What -- what question was that, that you're --
8 A In regards to how did this statement make me
9 feel when I read it.
10 Q Okay.
11 A So I was --
12 Q Let me re-ask the question.
13 A Please do.
14 Q So we've taken a break. And after further
15 reflection, Mr. Petito, how did the September 14th
16 statement from Mr. Bertolino make you feel when you first
17 learned of it?
18 A When I first read the statement, I wanted to
19 rip your -- rip his head off.
20 MR. REILLY: His what head?
21 THE WITNESS: His fucking head off. Sorry. I
22 don't like to curse in front of corporate world men,
23 you know, HR and all that other stuff, so...
24 BY MR. MELTZ:
25 Q And why -- why did you feel that way?

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1 A Again, you -- it's your hope that we're
2 reunited, they're going to remain in the background, and
3 this is very difficult for both families.
4 Where, at that time, there was only one person
5 that was missing. So it wasn't difficult for both
6 families, not even close.
7 Q Did you -- did you try to imagine what the
8 difficulty was for the Laundrie family?
9 A I knew what the difficulty was for the Laundrie
10 family. They had people in front of their house, from
11 what I was told, that -- don't care. If you help, those
12 people wouldn't be in front of their house.
13 It's choices that they made that put them in
14 this position.
15 Q Do you -- your -- tell me if I have this right.
16 As of September 14th, 2021, your working assumption was
17 that Brian had done something terrible to Gabby; is that
18 fair?
19 A That's a fair assumption.
20 Q Okay. Was your next assumption that he had
21 likely shared that with his parents?
22 A That's something I also assumed.
23 Q All right.
24 A Based on the information I had.
25 Q Did you then try to think to yourself, How do

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1 his parents process that information?
2 If -- if those assumptions are correct, in
3 other words, the parents now know that their son has done
4 something terrible, how did you expect them to process
5 that information, if at all?
6 A I expected them to process it the way the
7 average decent human being would be, and, that is, you
8 hold them accountable. You help them through it. You
9 hire an attorney. But you -- you're held accountable for
10 your actions. Yeah. Something terrible happened. This
11 is -- this is where I left her.
12 We weren't even told where she was left. It
13 was from Wyoming to Florida. He could have dropped her
14 body off in Nebraska. We wouldn't know.
15 Q Assume for me -- again, this is just a huge
16 assumption. Assume for me that Brian's parents told him,
17 Listen, you need to go to the authorities. Tell them
18 what you know. Turn yourself in.
19 A Uh-huh.
20 Q And he said, I'm not ready to do that.
21 What would you have wanted his parents to do?
22 A Call the authorities.
23 Q And say what?
24 A My son told me something happened in this area,
25 and you need to go search this area.

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1 Q Assume for me Brian's parents don't know that.
2 They don't know the specifics. They know what law
3 enforcement knows. They know that Brian was on a trip
4 with Gabby. They know no one can find Gabby. They know
5 that Brian's back, and they know that the van's there.
6 What would you want Brian's parents to do with
7 that information?
8 A So let me make sure I have this right, so I can
9 answer this in a correct way.
10 Q Yeah.
11 A So, on September 1st, Brian comes back with the
12 van and -- what would be the reason that they get an
13 attorney and pay thousands and thousands of dollars for
14 an attorney at that point in time for nothing?
15 Do you want me to assume that? I want to make
16 sure I have that right. You want me to assume that they
17 spent all this money on an attorney because a boy broke
18 up with his girlfriend?
19 Q Let me --
20 A I want to make sure I've got that right.
21 Q Well, let me change the assumption a little
22 bit.
23 A Okay.
24 Q Brian says, I may have done something bad.
25 What?

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1 I don't want to talk about it, but I think I
2 need an attorney.
3 What is it you want his parents to do at that
4 point?
5 A Be a decent human being and turn him in.
6 Q So -- so let me focus on the "turn him in"
7 part.
8 If Brian's not sharing much, the one thing that
9 an objective person would know, as you've described, he's
10 home, she's missing, he's there with the van, and he
11 ain't saying nothing. All of which are just -- when you
12 put them all together, it's a terrible picture. Would
13 you not agree?
14 A But you keep leaving out the part where they
15 had to write a check to Steven Bertolino. Because they
16 didn't have any information?
17 I'm a parent. I'm not going to write a few
18 thousand dollars in a check for an attorney that I don't
19 need.
20 Q How does Brian not need an attorney just based
21 on what I just told you?
22 A So he told -- he didn't tell his parents
23 anything. Is that -- that's what you're telling me?
24 Q I'm saying --
25 A But based on the assumption; right?

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1 Q Make an assumption he didn't tell his parents
2 anything specific other than, I've got a problem. And
3 they know all those things, too. They know their son's
4 home. They know their son's with the van. They know
5 he's not talking. They know all of those same things.
6 What is it you would want his parents -- what
7 are they turning him in for?
8 A Well, okay, so let's expand on that a bit. I'm
9 sorry, Pat. I'm going to do this here.
10 Q Do it.
11 A So my son comes home and says, I've got a
12 problem and I need you to write a check to an attorney --
13 that, by all accounts, I don't even know what type of an
14 attorney you really are, but whatever.
15 And why am I going to do that? What's the
16 problem? I need to know what I'm trying to fix first.
17 So unless my son tells me what I need to do to
18 help him, I'm not going to help him until he comes clean
19 to me. Tell me everything. That's my assumption.
20 Q All right. So -- so one of the -- one of the
21 very upsetting things to you about the way Brian's
22 parents reacted is you think about how you would have
23 reacted in the same circumstances, and you would have
24 reacted differently?
25 A I would have reacted extremely differently.

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1 Again, if my son came home -- and I want to
2 reiterate it -- if my son came home and said, Something
3 happened. I need to hire an attorney. I want to know
4 what happened, what type of attorney I need to get him.
5 Q Okay.
6 A And so, therefore, my son needs to tell me what
7 happened.
8 So the defense that is, We don't know
9 anything -- sorry -- doesn't hold water in my -- from
10 where I sit. It just doesn't. I think it's an asinine
11 defense. But by all means, continue it.
12 Q No, no, no. I'm just trying to get -- listen,
13 I'm trying to understand sort of how you're piecing this
14 together because it's important to understand in this
15 case.
16 Under your kind of framework, you would have
17 refused to help Brian without more detail. And if the
18 Laundries had done that, as a "for example," do you think
19 Brian would have just left?
20 A Maybe he would have.
21 Q How does --
22 A But they would never know. He might be alive
23 today if -- if -- if they did, though.
24 Q So if Brian just leaves, though, under that
25 scenario, how does that make anything any better?

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1 A Because then his parents wouldn't be in this
2 position. They would give me all the information they
3 had. They would have cooperated with the police. None
4 of which transpired.
5 All they did was hand the card for that man,
6 and that was it. And then all they do -- We're not
7 saying anything. We're not saying anything. By the way,
8 we're going to remain in the background, and it's our
9 hope that they get -- they're reunited.
10 By the way, we never specified if it's the
11 body. Get the fuck out of here.
12 Q So what -- other than -- other than Brian's
13 parents not hiring an attorney and coming forward and
14 saying, Here's what we know, here's everything that we
15 know -- other than that, would anything else have just
16 pissed you off as much?
17 A No. No. I'll tell you what. I'll tell --
18 I'll tell you this. I had nothing wrong with their
19 parents until they didn't help and putting out dumb-ass
20 statements written by -- looks like they were written by
21 a fucking crayon and a 50-year-old.
22 That's not how you do it. That's a criminal
23 case; right? On a criminal case, what do the criminal
24 attorneys do? They turn around and say, We hope the
25 truth comes out during trial. Yeah, yeah, yeah, yeah.

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1 He didn't like -- he didn't turn down a camera.
2 Are you joking me?
3 Q What did you want --
4 A Nothing to say, but he's got a ton to say.
5 Q What -- how could the September 14th statement
6 have been worded differently to have not caused you to
7 feel this way?
8 A Not write the statement and cooperate with the
9 police.
10 Hey, listen, my son did something. He's not
11 telling me what it is. We hired an attorney because he
12 said we need one. We don't have any information. Here's
13 my phone. Here's my bank records. Here's this. Here's
14 that. What else do you need from me to show that we're
15 not a part of this?
16 Q Okay. If the September 14th statement is not
17 written but the Laundries don't do any of that -- it's
18 just the September 14th statement is not written, but
19 they're still not talking, they're not helping, they're
20 not pointing out what they know -- does that make it any
21 better?
22 A I don't think it makes it any worse, but it
23 definitely didn't make it any fucking better.
24 Everything they did, everything that's going
25 on, the reason why we're here today is decisions that

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1 they made with him together.
2 Q Brian was an adult at the time; right?
3 A By age, apparently, only, yeah.
4 Q Right. And there really wasn't any way that
5 his parents could legally compel Brian to do something;
6 would you agree with me on that?
7 A I would agree with you on that.
8 Q Following the statement on September 14th,
9 2021, your plan of action that had existed the minute
10 before you became aware of it, did it change at all, or
11 were you still doing the same things to try to find
12 Gabby, get the word out, Let's get some more interviews
13 out there? Did it change the way you approached
14 anything?
15 A I said it in an interview on Dr. Phil, and I'll
16 say it again. Whatever statements they made didn't stop
17 me from my focus or the goal -- was to bring Gabby home
18 safe, sound, and alive.
19 What they did -- that statement just enraged me
20 even further. Did it piss me off? Abso-fucking-lutely.
21 Like I said, I'm doing my best not to jump over
22 the fucking table right now. And I'll maintain that. I
23 promise you, I will.
24 Q I appreciate that.
25 A No problem. I've got kids I've got to worry

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1 about. If it wasn't for my family, let me tell you
2 something, it would be a fucking different conversation.
3 Q I -- I --
4 A That being said --
5 Q -- I would hope not, but I'll take you at your
6 word.
7 A That being said -- oh, let me tell you
8 something. That being said, I had a focus of bringing my
9 daughter home alive, and nothing was going to stop me, no
10 matter what.
11 That guy, that -- that boy was sitting home
12 behind his mom and dad. That's not a -- that's not a
13 fucking adult. I'm sorry. If you want to call him one,
14 that's fine. But that's a piece of shit, and they were
15 raised by pieces of shit. Get the fuck out of here.
16 THE WITNESS: Sorry, Pat. Sorry about that.
17 BY MR. MELTZ:
18 Q No. You're good.
19 So -- so given Mr. Reilly's encouragement for
20 you to kind of speak your heart, have you -- have you
21 said what you need to say on that?
22 A Not even close, but I won't go any further.
23 Q Okay.
24 Did Rick Stafford have a response to
25 Mr. Bertolino's September 14, 2021, statement?

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1 A I -- I believe he did. I don't recall what it
2 was.
3 Q Do you know if you participated in drafting
4 that?
5 A What would happen with the drafts is -- and
6 maybe Steven Bertolino could have learned from it -- is
7 he would draft a response and then check with us to make
8 sure it's okay first.
9 I hope that happened, by the way.
10 Q He can't answer your questions.
11 A Yeah. I know.
12 Q What was the purpose of having Mr. Stafford
13 reach out to the Laundrie family?
14 MR. REILLY: Objection to form.
15 THE WITNESS: We weren't getting anywhere. And
16 it wasn't just Stafford that reached out. It was
17 the Chief of Police Garrison as well. It was the --
18 the PIO Josh Taylor as well. And from my
19 understanding, the hundreds of people that were on
20 their block.
21 BY MR. MELTZ:
22 Q All right. And so was the effort through
23 Rick Stafford just to -- was it to just, Hey, let's give
24 one more try? Or was it, Hey, let's -- let's put more
25 pressure on these people to say something finally?

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1 A I don't recall what it was meant to do other
2 than the fact to try and bring Gabby home.
3 Q But that particular effort to bring Gabby home
4 was directed at the Laundrie family, though; correct?
5 A I believe it was.
6 Q And given that you had reviewed any statement
7 that Mr. Stafford put out, I presume that was with your
8 approval and direction?
9 A Any -- any statement that Rick Stafford put out
10 was with my approval. That is correct.
11 Q To your knowledge, did the Laundries have a
12 response to Mr. Stafford's outreach?
13 A To my knowledge, at that point, no. It might
14 have been said in interviews, but...
15 Q Okay. Did you have -- you mentioned that the
16 Laundries were not only not talking to you, but they were
17 not talking to the FBI. They were not talking to the
18 North Port police.
19 Did you ask any of the law enforcement officers
20 or agents, How can they refuse to talk to you? Is that
21 even legally permissible?
22 A No. I understand the Bill of Rights.
23 Q Meaning what?
24 A Meaning you have your right to remain silent.
25 I know how that works. But that's not what they did.

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1 Q What did they do?
2 A They made statements. Stupid ones, but
3 statements.
4 Q Okay. So, again, if it's possible, can you
5 give me an example of a non-stupid statement that the
6 Laundries could have made that didn't disclose any
7 information about Gabby? Was that even a possible thing?
8 A Maybe. If you feel like drafting a few and
9 letting me know what they are, by all means, I'll read
10 them. But until then, I won't answer.
11 Q You can't give me an example, though; is that
12 fair?
13 A Not off the top of my head. If you gave me
14 time, I might be able to draft something that sounded
15 somewhat sincere.
16 Q Well, under what universe do you think the
17 Laundries could have told you something that didn't
18 include what they know about Gabby but it yet sounded
19 sincere?
20 A I don't know. Maybe, Brian hasn't told us
21 anything. We hired an attorney because we were scared
22 because he said something happened. He's not telling us
23 where. We want to cooperate with the police. Please
24 send them over to our house. We will talk and give you
25 all the information. We will give you our phones. We'll

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1 give you our bank records.
2 None of that happened. It was, We're going to
3 remain in the background.
4 Q Right. So --
5 A And it's difficult for both families.
6 Q Can you -- can you -- can you envision -- and
7 I'm not asking you to do the work here. I'm just asking
8 just kind of to go through the mental exercise.
9 Can you envision any statement that the
10 Laundries could have issued around September 14, 2021, in
11 which they didn't offer to do those things? They didn't
12 offer to give their bank records, phone records, talk to
13 the police, yet you would have found it to be some
14 sincere statement on their behalf?
15 A Yeah. There are a couple of things that might
16 have helped, you know, now that I'm thinking about it.
17 Because you're asking the same question four different
18 times, and I keep re-visioning what goes on in my head.
19 How about, Brian left the day before, and he
20 hasn't returned home, instead of waiting four days to
21 report him as a missing person.
22 Q How do you --
23 A That would --
24 Q How do you know when Brian left the home?
25 A He said it.

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1 Q So you're saying --
2 A He said it on the 17th of September.
3 Q You're --
4 A And then he had to recant and give a different
5 day.
6 MR. REILLY: You're saying "he." You're
7 pointing --
8 THE WITNESS: I am pointing to
9 Steven Bertolino.
10 BY MR. MELTZ:
11 Q Okay. So your knowledge of when Brian was
12 home, whatever knowledge you have about Brian --
13 A And he was grieving, by the way.
14 Q Whatever knowledge you have about Brian being
15 home or not home is based on someone else saying it; is
16 that fair?
17 A His attorney, which is his mouthpiece -- the
18 family's mouthpiece; right? That's -- that's how I
19 understand an attorney to be, is their voice when they
20 don't want to speak; right?
21 Q Okay. But --
22 A So his attorney said it.
23 Q Got it.
24 But in terms of knowing when Brian was home or
25 not home, you don't have any personal knowledge of that?

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1 You didn't see him at the house, as a "for example"?
2 A I did not, no.
3 Q And you didn't see him leave?
4 A No. Apparently, the police didn't either.
5 Looked a lot like Roberta, apparently.
6 Q When Brian was ultimately discovered dead, did
7 you have any particular reaction to that?
8 A Sad but true, I felt bad for the parents.
9 Q Because?
10 A Death of a child is something that no one -- no
11 parent should ever want to go through.
12 Q But on some level, did you think he deserved
13 it?
14 A No. He deserved a lot less -- a lot worse, I
15 mean, you know. I actually -- I wanted to see him in
16 jail. I wanted to see him in a cement block drinking
17 from plastic bottles.
18 Q Did you want answers from Brian?
19 A I did.
20 Q Were law enforcement -- or was law enforcement
21 ever able to give you any answers about what happened
22 that kind of satisfied your wanting to know?
23 A We spent eight and a half hours in the Tampa
24 FBI office going over Gabby's trip up until when Brian
25 got home and what transpired in between.

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1 Q When was that?
2 A I'd like to say in January. I don't remember
3 the exact day and time.
4 Q January of '22?
5 A 2022. Yeah, yeah, yeah.
6 Q Okay. Did you learn something at that extended
7 visit with the Tampa FBI that you had not known
8 previously?
9 A Yes.
10 Q What did you learn?
11 A That Steve Bertolino was retained on
12 September -- I guess they wrote a check the last day of
13 August and he received it by the 2nd or cashed it on the
14 2nd of September; that there were numerous phone calls
15 between Brian's phone and Gabby's phone where Brian was
16 pretending to be Gabby. Brian had several phone calls to
17 his parents; that there were -- we first learned of the
18 letter that Roberta gave Brian that was found in --
19 amongst Gabby's stuff in the house; that they emptied the
20 van.
21 What else did I learn here? Let's see. There
22 was the note that was left, the suicide note, or the --
23 the story that he wanted to concoct because he's too
24 coward to say the truth. All that stuff --
25 Q Okay.

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1 A -- is stuff I learned.
2 Q Did you learn anything else?
3 A Gabby's last actual contact that we know of,
4 that was actually her, was to my son J [REDACTED].
5 Q When was that?
6 A I don't remember the exact day. I think it was
7 the day of. I think it was the 27th of August, early
8 day. It was later in the day for us because of the time
9 difference. It was her in a brown hat.
10 And I take comfort in the fact that the last
11 person she contacted was her brother that she loved very
12 much.
13 Q They got along well?
14 A Yes, they did.
15 Q Did the Tampa FBI share with you their
16 conclusions about how Gabby died?
17 A Yes.
18 Q What did they say?
19 A That she was strangled.
20 And what people don't know when it comes to
21 strangulation is that it's not quick. It's a long time.
22 If I asked you to sit there and hold that Coke bottle --
23 that Coke can over your head for five minutes, your arm's
24 going to be tired. Do you know what type of strength and
25 determination and hatred you've got to do to strangle

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1 someone for five fucking minutes to the point where you
2 crack their neck?
3 Q Did the FBI share with you when they believe
4 that occurred, like a day?
5 A August 27th. It could have been the early
6 morning of the 28th.
7 Q Did the FBI ever share with you what they
8 identified as a motive or reason or why this happened?
9 A Only speculation. Again, it's -- there's no
10 concrete evidence.
11 Q Do you know -- when Brian's body was found, did
12 they do any toxicology on him? Like, was he a drug
13 addict or anything like that?
14 A Not that I recall in terms of reading. I did
15 read that rodents ate him, which is exciting for me. It
16 was.
17 Q As part of your interactions with law
18 enforcement, did they link you up with, like, a victim
19 advocate or support services liaison?
20 A No. Oh, they had a victim advocate, yes. Her
21 name was Rita. She was very sweet. She has since
22 retired as well. But that was only during the process of
23 finding her and afterwards, you know, shortly afterwards.
24 She had helped find a therapist for myself and
25 for my wife. Apparently, a trauma therapist is a little

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1 hard to come by.
2 Q Did you ultimately get introduced to a -- a
3 therapist?
4 A Yes.
5 Q Who was that?
6 A Her name was Trina Laughlin.
7 Q Do you still see her?
8 A I don't. The victim's fund, whatever it was,
9 ran out. Excuse me. And she's expensive.
10 Q How much was that fund?
11 A I don't do money in my home. I have no idea.
12 Q Is Tara in charge of that?
13 A Absolutely.
14 Q Through Home Depot, do you have health
15 insurance?
16 A I do.
17 Q Do you know if it provides for mental health
18 counseling?
19 A It does. She wasn't in the plan.
20 Q Okay. Have you -- have you looked for another
21 mental health counselor?
22 A We're in the process of it.
23 Q Are you currently on any kind of medications
24 for, you know, depression and anxiety?
25 A I don't take medication. I don't like pills.

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1 I don't like anything. I don't even like taking aspirin.
2 Q Do you do any kind of supplements or something
3 like that, homeopathic medicine?
4 A Not any longer, no.
5 Q Do you regularly exercise other than golf?
6 A Have you seen me today?
7 Q I'm looking at you, and I'm thinking to myself
8 you're probably a marathoner. Not true?
9 A We've got to work on your -- your assumptions
10 there. No.
11 Q They're all bad.
12 A I just play golf. That's it.
13 Q Gotcha.
14 Do you do any type of, like, meditation,
15 mindfulness exercises, things to help clear your -- your
16 thoughts and thinking?
17 A I stay focused on work. Then I go play golf.
18 I go to the beach. Sunrises, sunsets. Love them both.
19 Q You pick certain activities and narrowly focus
20 on them at those times?
21 A That's it.
22 Q And that helps keep other things at bay?
23 A I mean, like I said, I -- I get quite busy with
24 work.
25 Q Got it.

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1 A So it's hard to do things, you know, when
2 you're slammed. You know, I work full-time for my job
3 and then I work full-time for the foundation.
4 Q How did you find out that Gabby had been
5 discovered?
6 A Jim had called and said, You need to be by your
7 phone in five minutes.
8 Q Jim is Nichole's husband?
9 A Nichole's husband, Gabby's stepfather. And --
10 Q Where was Jim at the time?
11 A He was in Wyoming.
12 Q Had you -- had you gone out there as well at
13 some point?
14 A I was told to stay back in Florida because
15 of -- the FBI was -- that's where the case was based out
16 of, and in case they needed me, I would be there at the
17 ready.
18 Q Got it.
19 So Jim gives notice that he needs to speak
20 with, I assume, you and Nichole at the same time?
21 A That is correct.
22 Q And then is this, like, a conference call?
23 A Yes. It was amongst the FBI -- sorry. I'm --
24 I'm -- sorry. It was amongst the FBI, North Port police,
25 if I remember correctly, the victim advocate, Rita, Jim,

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1 myself. My wife was next to me. And I think that's it.
2 I don't recall anyone else being on the call.
3 Q Does Jim do the talking, or does someone in law
4 enforcement do the talking?
5 A Jim started to and he couldn't finish and then
6 Charlie finished. Charlie was the one you saw on the
7 video, I guess, down at the press conference where he
8 told the world that she was found.
9 Q And when you received that news -- I mean, I
10 don't want to ask how it made you feel. What's the
11 answer to that question? There's no good answer, but --
12 A I cried my eyes out, man. I cried. I actually
13 fell on my buddy who was just as far from me -- because
14 he saw me about to fall, and he opened up my sliding door
15 and he grabbed me. My wife is kind of sitting where you
16 were. She was crying. We fucking -- we cried.
17 Q Following that news, at some point did you
18 become aware that the Laundrie family had issued a
19 statement about Gabby's death?
20 A Yeah. Yeah. I did.
21 Q How did you learn about that?
22 A I -- I don't even know where I saw it. I
23 read -- someone either read it to me or I saw it. I have
24 no idea where I saw it.
25 Q However you -- you learned of it, what did you

Page 107

1 think about it?
2 A I thought it was tasteless. And I wouldn't
3 piss on them if they were on fire.
4 Q And, actually, I asked you a -- just because I
5 use a bunch of pronouns.
6 When you -- when you learned -- however you
7 learned of the September 19th statement that was issued
8 by Mr. Bertolino on behalf of the Laundrie family, what
9 was your response or reaction to it?
10 A If I remember correctly, I think I had to stop
11 my brother from saying something out on Facebook because
12 I didn't want it attributed to us.
13 Q What do you mean?
14 A I didn't want to give them the satisfaction. I
15 was fucking devastated. It was the worst part of my
16 life. And then I got to hear from this dickhead on how
17 the fuck -- on how they're fucking sad and how they --
18 they're -- they're -- they're sorry? Get the fuck out of
19 here.
20 I was fucking angry. I was really angry. They
21 should have kept their mouth shut. They should have did
22 what they wanted to do from the start and keep their
23 mouth shut. They just couldn't.
24 Q Was your -- was your perception of the
25 statement that it was just disingenuous; they really

Page 108

1 didn't care?
2 A They didn't give a shit from the start. Why
3 would they give a shit then? They proved that already.
4 Q Did you ever have any conversations with the
5 Laundrie family after Gabby's body was discovered?
6 A No. The only conversations that ever
7 transpired, I think, were between you and Steve at that
8 point. I've never spoken to the Laundries, not once.
9 Q After Brian's body was discovered, did you ever
10 try to reach out to the Laundrie family or see if they
11 would be willing to talk with you or you and Nichole
12 about any of the -- the issues or feelings that you have?
13 A No.
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED].
23 Q Given everything that's happened, is there a
24 world in which the Laundrie parents could tell you that
25 they didn't know something that you could say, Gosh, I

Page 109

1 genuinely believe that? Or is your -- is your mind just
2 made up at this point for -- for whatever reasons it is?
3 A I -- listen, I use logic. And I have never met
4 anyone who hired an attorney when their son broke up with
5 their girlfriend. So no. The answer is no.
6 And then you wait 10 days to say anything. You
7 have all her shit: her car, her computers, her drone, all
8 the stuff you took out of the car. That doesn't add up.
9 She lived with them. She knew what these
10 things meant to her and that she's just going to let them
11 go home with him? And you don't hear anything for weeks,
12 and your son's walking around grieving? No. No.
13 Q If the Laundrie family met with you and, you
14 believe, shared with you what they did know, whatever it
15 is, but you believed it was genuine, would that help?
16 A Yeah. It would.
17 Q In -- in what way?
18 A Come clean. Tell me what really happened. I
19 know he told you. You can't tell me he didn't. There's
20 not a world -- it -- it just doesn't add up. It doesn't
21 compute. The "I don't know" defense does not make sense.
22 And you guys need to come up with a new one
23 because, I'll tell you, that ain't going to fucking hold
24 the water. I'll tell you that. So you might want to
25 figure that out quick.

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1 Nothing is going to tell me that they didn't
2 know. Their actions and everything they did, every
3 choice they made thereafter the second he came -- the
4 second he called them on the 28th or the -- it was on the
5 28th, everything that happened after that is by their own
6 doing, choices that they made.
7 Q The call that you're referencing on the 28th,
8 that's something you learned when you met with the FBI?
9 A They showed us the call log.
10 Q In -- in Tampa?
11 A That's correct.
12 Q And that was in January of '22?
13 A That is correct.
14 Q It's something you -- you didn't know in
15 September --
16 A I didn't know he called his parents.
17 Q -- of 2021; right?
18 A No, I didn't know. I didn't know he was faking
19 text messages between himself and my daughter's phone,
20 where he had to Google how to turn off an iPhone.
21 Q When you had that meeting, the
22 eight-and-a-half-hour meeting with the FBI, and the
23 meeting was over, did that bring you any sense of partial
24 closure, learning that additional information?
25 A Here's what I'm going to tell you. When your

Page 111

1 child dies -- I hope and pray that doesn't happen to
2 anyone here -- you'll never get closure from that.
3 There's no such thing as closure.
4 What you're going to do is you're going to
5 be -- learn to tolerate the day that comes up every day.
6 Every -- every day that happens after that is like a drop
7 in a bucket. It's a little bit more tolerable, just a
8 little bit more. And eventually maybe you can go through
9 the whole day. It took me a long time to get there, and
10 I'm not there now. I'm barely containing myself as it
11 is.
12 Q You're doing good. So, you know, I know it's
13 difficult.
14 A I hide it really well.
15 Q Are there days where you have trouble hiding
16 it?
17 A Yeah.
18 Q And -- and when those days happen, is there
19 anything that helps bring you some relief?
20 A I go play golf. I try to stay focused on work.
21 I do things that distract me.
22 You know, every day that goes past, I put my
23 kids to bed. I make sure they're -- they're all done.
24 Make sure my wife is sleeping, and I go sit outside in
25 the dark in my lanai. I have a screened-in porch,

Page 112

1 whatever. And I sit out there, and I just fucking cry my
2 eyes out. So no.
3 Q So I'm following you and let me kind of see if
4 I have this.
5 The -- the loss, the grief, everything involved
6 with losing Gabby, whether it's finding Brian dead, half
7 eaten by rodents, whether it's the FBI telling you things
8 you didn't know before, it really doesn't make it better;
9 is that fair?
10 A No. That's something that's fair, yeah. And
11 nothing's going to make it better.
12 Q But you are trying to work on making each day,
13 even if it's just the tiniest bit better -- you're going
14 to keep working on that because you're still here and
15 your family's still here and you're going to figure out a
16 way to move forward?
17 A I got boys that I have to lead by example, so I
18 make sure they don't see it. I try my best to not show
19 them. Then I do it when everybody else is sleeping.
20 Q Do you believe that if you could find someone
21 to replace Trina now, that that would be helpful for you?
22 A I think therapy is always helpful, regardless
23 of the situation I'm in or not. It's also healthy to get
24 shit out and learn to deal with things from a different
25 perspective sometimes. That's why people confide in

Page 113

1 stuff, whether it be another person or a piece of paper.

2 Q With respect to pretty much from the time you

3 first became concerned that Gabby was missing to all the

4 events that have led to today, have you ever tried any

5 type of medication to see if that helps?

6 A I only tried pot, but I don't want to take any

7 type of antidepressants or anything along those lines

8 again. I won't take pills.

9 I had epilepsy as a child. They forced pills

10 down my throat. I don't like to take them, not even a

11 little bit. If I get a headache, I -- you know, I -- I

12 drink a cup of coffee. If that doesn't work, I go take a

13 hot shower. If that doesn't work, I go lay down and take

14 a nap. I don't like taking pills.

15 Q Got it.

16 Do you have a medical marijuana card?

17 A I do.

18 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Page 114

1 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

5 Q How was last night? I mean, you knew you had

6 to come here. Were you able to sleep last night?

7 A Last night, I was reading on the Oklahoma study

8 about 2:00 in the morning. It's a study on a lethality

9 program to help with domestic violence. It's a series of

10 11 questions, and I was going over the statistics of it

11 because I couldn't sleep.

12 Q Were you ultimately able to get to sleep last

13 night?

14 A I think it was about 3:00. I woke up at 5:30

15 to make sure I'd get here. Had to leave by 6. It's a

16 three-hour drive.

17 Q In terms of being able to get through a

18 deposition today, are you feeling -- are you feeling okay

19 with the lack of sleep and everything else?

20 A I'm just fine.

21 Q Okay.

22 A Dealing with it for a long time now.

23 Q I understand.

24 MR. MELTZ: All right. It's 12:20. I probably

25 just have a little bit more.

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1 THE WITNESS: I can keep going if you want to.

2 MR. MELTZ: What we'll probably do, the most

3 efficient way to do it, because -- I'll just tell

4 you some inside baseball.

5 I'm literally going to figure out what I have

6 left to ask you, and what I'm most likely going to

7 do is just eliminate questions. So if we take a

8 lunch break now, it's probably going to be an

9 ultimately shorter process.

10 THE WITNESS: Okay.

11 MR. MELTZ: Then Mr. Luka will, you know, ask

12 you some questions, and we'll go from there.

13 THE WITNESS: Whatever you want to do. I'm

14 easy.

15 MR. MELTZ: All right. So it's 12:20. We're

16 going to run right next door. We were able to do it

17 in about 40 minutes yesterday, so we'll try to shoot

18 for 1:00.

19 MR. REILLY: Sure.

20 MR. MELTZ: And pick right back up.

21 (Whereupon, a luncheon recess was taken at

22 12:22 p.m., and the deposition resumed at 1:14 p.m.)

23 BY MR. MELTZ:

24 Q Mr. Petito, I'm not -- again, this is another

25 one of those questions where I'm not looking for you to

Page 116

1 tell me what you talked about with your attorney, but

2 when did you make a decision to pursue a lawsuit against

3 the Laundries for what they said or didn't say in

4 connection with Gabby's disappearance, just in terms of

5 the timeline?

6 A I don't recall.

7 To be honest, I don't even remember the date

8 that we retained you, Pat, to be honest. That date

9 escapes me.

10 Q Was it before or during the time you were doing

11 your counseling sessions with Trina?

12 A I think I started with Trina in October of

13 2021. So I think it would have to be -- well, during the

14 treatment point at that point.

15 Q In terms of what you're looking to accomplish

16 with this lawsuit -- and, again, I'm not looking for

17 conversations with your lawyer; I'm not looking for, you

18 know, a legal answer -- but just in terms of kind of how

19 you think about this lawsuit, what are you looking to

20 accomplish with it?

21 A I'm looking to hurt them as much as they hurt

22 us. I don't want -- I don't give a shit about a dime. I

23 don't. I do not care. I work. I do well. It's not

24 about the money. I want to make them hurt as much as

25 they hurt us.

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1 As I told Pat, there's no amount of money that
 2 I would settle for, not a dime.
 3 Q Let me think about this question carefully.
 4 A Oh, I stumped you.
 5 Q Well, I -- I don't want to ask it in a way
 6 that -- that it's not clear, so let me hold that thought
 7 for a second.
 8 Would it make sense to you, Mr. Petito, that if
 9 Brian Laundrie retained an attorney, that that attorney
 10 may advise Brian Laundrie to not say anything?
 11 A That if Brian Laundrie had retained an attorney
 12 and his attorney told him not to say anything, would that
 13 make sense to me? Is that what you're asking?
 14 Q Yes.
 15 A Yes, that makes sense to me.
 16 Q Would -- would it -- would it make you feel
 17 good about Brian Laundrie not saying something? I mean,
 18 would that make it better?
 19 A No, but that's not what -- I mean, I understand
 20 you're using assumptions, but that's not what happened
 21 here. He turned to his parents.
 22 Now, I'm a parent. If my child came to me and
 23 says, I need help and we need to retain an attorney, and
 24 I've got to spend my money that I earned on that attorney
 25 for my child, I'm going to know what it's for. Or I'm

Page 118

1 not going to spend it and you can figure it out. It's
 2 called "accountability."
 3 Q But if you're the attorney, does it make sense
 4 to you that whoever hires them or pays them or does
 5 anything else, they owe a duty to their clients to give
 6 advice?
 7 A I understand that.
 8 Q And do you generally understand that sometimes
 9 attorneys advise their clients not to say things for a
 10 variety of reasons?
 11 A I do. But I also understand that when an
 12 attorney says, Don't say anything, the attorney's not
 13 going to go out there and say something as well.
 14 Q The "something" that we're talking about,
 15 though, is the September 14th statement; correct?
 16 A The September 14th statement and the September
 17 19th statement.
 18 Q And do you look at those statements equally?
 19 Do they equally upset you?
 20 A The 14th upsets me -- upsets me more than the
 21 19th, if you had to put one in front of the other.
 22 Q Okay. Is it -- is it in front of the other by
 23 a lot or a little?
 24 A I'd say the 19th one was more of a smack in the
 25 face, where the 14th one was kind of like a gut punch and

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1 a "fuck you" when you're done.
 2 Q Do you believe that the Laundries had any
 3 rights at all to try and say anything to the public about
 4 their particular position or -- or is it who cares
 5 because they're on the wrong side of this?
 6 A No. They have rights, of course. And I -- I
 7 actually believe in that. You have the right to remain
 8 silent, but that's not what happened.
 9 Again, you're making assumptions on "what ifs."
 10 What happened, you have.
 11 Q Did you get the sense that remaining silent was
 12 currying favor with the media and the public on the side
 13 of the Laundries?
 14 A That's not my problem.
 15 Q Okay. Let me just kind of go over one thing
 16 with you. We touched on it earlier. This is from the
 17 second amended complaint.
 18 A Yeah.
 19 Q You get Mr. Reilly's glasses. I'm going to
 20 kind of draw your attention to Page 5, Paragraph 35. And
 21 this is -- this is where --
 22 A This is Rick Stafford's letter.
 23 Q Rick Stafford's letter.
 24 A Uh-huh.
 25 Q Okay. Which you approved?

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1 A Yeah.
 2 Q Just hang on one second.
 3 So if you look at -- at the line that begins
 4 with "Please," right before the bottom of Page 5. Are
 5 you there?
 6 A "Please, if you and your family have any
 7 decency left, please tell us where Gabby is located.
 8 Tell us if we are even looking in the right place."
 9 Is that the line you're looking for?
 10 Q Yes.
 11 A Okay.
 12 Q So when something like that's kind of put out
 13 into the universe -- because was Mr. Stafford's letter
 14 just sent to Christopher and Roberta Laundrie, or was it
 15 released for public consumption?
 16 A It is my -- how do I say this the right way?
 17 If -- if what I remember is true, and I would have to go
 18 back and talk to -- to Rick to make sure, I believe he
 19 had tried to contact Steven Bertolino, and there was no
 20 reply. And then we decided to put this letter out so we
 21 can get it directly to the parents, because it was a
 22 matter of life and death that we thought.
 23 Q How did you put the letter out? How did
 24 Mr. Stafford put the letter out?
 25 A I think he called for a press conference in

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1 front of his office, if I recall.

2 Q So Mr. Stafford calls for a press conference.

3 He makes the statement that it's believed that the

4 Laundrie parents know where Brian left Gabby because

5 that's what's in the paragraph before; correct?

6 A Uh-huh.

7 MR. REILLY: Yes?

8 THE WITNESS: Yes.

9 BY MR. MELTZ:

10 Q Yes?

11 A Sorry.

12 Q "We beg you" --

13 A I've been better with that, by the way.

14 Q You've been doing good.

15 It says: "We beg you to tell us. As a parent,

16 how could you let us go through this pain and not help

17 us."

18 Correct?

19 A That's what it says.

20 Q And is it your testimony that it was an option

21 for the Laundries to just say "no comment" to that, that

22 that would somehow be okay?

23 A It was an option. It wouldn't be okay.

24 Q But if you're -- if you're the Laundries and

25 you have the people in your front yard and you have the

Page 122

1 news media and you have the people on social media and

2 you have all of those people who are being given this

3 information by Mr. Stafford, just to be clear, your

4 position is it's not okay for them to say something about

5 it unless they say everything they know? They -- they

6 can't have a reaction to it because that reaction would

7 be wrong in some way?

8 A It's my position that the people were there

9 because of choices that they made. All the way back from

10 August 28th moving forward, choices that they made and

11 decisions that they chose to do with their attorney put

12 them in that position. And you have to be accountable

13 for those actions.

14 I understand that's upsetting to them, and my

15 heart bleeds for them. Actually, it actually doesn't.

16 I don't care that people were in front of their

17 house. I was looking for my daughter.

18 Q So, from your perspective, once the Laundries,

19 to use your words, put themselves in that position, end

20 quote --

21 A Yeah.

22 Q -- whatever happened next was fair game?

23 A No. No. That's not -- that's not what I'm

24 saying.

25 Q Okay. Let me ask you.

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1 A I'm saying everything that happened from that

2 point on, from the August 28th, is by their own choices

3 that they made. Whether they liked them or not, those

4 are their choices.

5 Q The letter that Mr. Stafford publishes to the

6 public is looking to solicit a response from the

7 Laundries, is it not?

8 A Yeah. We were trying to figure out if we were

9 even in -- looking in the right place.

10 Q If the -- if the Laundries would have responded

11 to the September 16th open letter by saying, We have no

12 comment, would that have pissed you off?

13 A It would have upset me, yeah. Probably would

14 have pissed me off.

15 Q For -- for -- for all the same reasons, which

16 is you believed they knew something and they were not

17 sharing it?

18 A But they were already doing "no comment." See,

19 that's what you're missing. They started the "no

20 comment" on the 11th. Here's my attorney. And every

21 time that someone tried to talk to them thereafter, they

22 said, Oh, please contact my attorney. We have no

23 comment. So they said that the whole time.

24 Q Okay.

25 A So saying it there would be no different than

Page 124

1 saying it the day before.

2 Q Right. But every time you heard a "no

3 comment," did it piss you off?

4 A Yeah, it pissed me off. But I was getting used

5 to it at that point. Matter of fact, I already said

6 during an interview, We're not getting any help from

7 them, and we're not going to, so I need everybody to help

8 us instead.

9 Q When did you say that?

10 A Check the interviews. I have no idea. I know

11 I said it.

12 Q Okay. But you do have a sense --

13 A Matter of fact, hold on a second. I think it

14 was September 16th, the day before the police showed up

15 at Brian Laundrie's house when he was reported missing.

16 THE COURT REPORTER: The day before the police

17 showed up at Brian Laundrie's house?

18 THE WITNESS: The day before -- yeah, the day

19 before the police showed up to Brian Laundrie's

20 house because he was reported missing.

21 BY MR. MELTZ:

22 Q Do you believe that Mr. Bertolino had some sort

23 of independent ability to say something or do something

24 that his clients didn't authorize him to do?

25 A Does he have the ability?

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1 Q Yeah.

2 A He's a person. So yeah. If -- if it's your
3 position that he went against his clients' wishes and
4 created malpractice, where he said something that his
5 clients didn't want him to say, that sucks for his
6 clients. I'm sure they can bring someone else in to sue
7 him for that.

8 Q And I appreciate we're talking about difficult
9 topics to be sure, and -- and I -- I get it, but that
10 isn't what I asked you and I'm not suggesting that. And
11 I appreciate you throwing it in there, but I'm really
12 just trying to get to a very specific point.

13 A He has the ability to -- to make a statement
14 without his clients' permission. He's a person.

15 Q Right. But do you think that if Mr. Bertolino
16 somehow knew something because his clients told him and
17 his clients didn't want him to share it, that he somehow
18 could share it with you or go make a statement about it?

19 A He can't do that.

20 Q I mean, you do understand that lawyers have
21 certain duties and obligations to their actual clients?

22 A Well, he swore and he took an oath to not
23 break -- or, I mean, you know, client confidentiality,
24 I'm assuming; right? You all are attorneys and you all
25 took that same oath; correct?

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1 Q I can't answer questions to you either.

2 A Okay. Assuming that you took that oath, you
3 wouldn't want to do it either. But do you have the
4 ability to do it? You do.

5 Q Okay. So is part of your -- is part of your
6 anger with Mr. Bertolino, whatever your instructions
7 were, if you knew something, you should have shared it
8 with me too?

9 A No.

10 Q Okay.

11 A No. My anger isn't -- is with the parents.
12 I dislike Mr. Bertolino for the comments and
13 the way he held his -- his interviews and the things that
14 he said thereafter. You know, I don't hold any animosity
15 towards -- towards Matt Luka or yourself.

16 Q Okay. I'm doing okay so far?

17 A So far.

18 Q So far?

19 MR. REILLY: You're getting close, though.

20 MR. MELTZ: I'm getting -- I'm getting there.

21 THE WITNESS: You're toeing the line, but we're
22 okay.

23 MR. MELTZ: Getting near the line.

24 BY MR. MELTZ:

25 Q We talked a little bit earlier about the

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1 lawsuit against the Moab law enforcement agency. There
2 was the wrongful death lawsuit against Brian's estate,
3 and then there's this lawsuit.

4 Are you envisioning any other legal actions or
5 claims relating to the issues involving Gabby's
6 disappearance and death?

7 A No. No other litigation whatsoever. Not that
8 I'm aware of.

9 MR. MELTZ: All right. We took the lunch
10 break. I pared it down. That's all the questions I
11 have for you.

12 THE WITNESS: You couldn't finish that before
13 we went to eat? My God, man.

14 MR. MELTZ: Listen, again, I explained that
15 we --

16 THE WITNESS: I'm messing with you.

17 MR. MELTZ: -- were going to take that time.

18 THE WITNESS: I'm messing with you.

19 MR. MELTZ: But I'm going to switch seats with
20 Mr. Luka. And, you know, my guess is he won't have
21 as long, but we'll see where we are.

22 THE WITNESS: That's fine.

23 MR. MELTZ: Thanks.

24 CROSS-EXAMINATION

25

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1 BY MR. LUKA:

2 Q Good afternoon, Mr. Petito.

3 A What's going on, Matt?

4 Q So, like Chuck said, we all appreciate that
5 this is very difficult for you and that these subjects
6 that we're talking about are difficult for a lot of
7 reasons.

8 So I want to apologize in advance if any of my
9 questions come off as insensitive. That's not my
10 intention at all. I just -- but these are difficult
11 subject matters, and we have a lawsuit here, so we've got
12 to talk about it.

13 A I understand.

14 Q Now, so, in that regard, I know you have very
15 strong feelings about my clients. Is there anything that
16 you want to say to me before we get started?

17 A I apologize if you take anything -- offense to
18 the things that I will say during the next hour, hour and
19 a half that we'll be talking.

20 Q And I promise you I won't.

21 A Well, then we're good.

22 Q So I -- please speak your mind.

23 But so, you know, I obviously came into this
24 case when you filed the lawsuit, so I -- I -- I wasn't
25 part of, you know, anything that had to do the -- with

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1 the investigation or -- and I know very few of the people
2 that you've spoken about today.
3 A Understood.
4 Q I never met Brian. Never met Gabby. Really,
5 I've never met you until today.
6 And, really, I'd like to know -- I'd like for
7 you to tell me about Gabby.
8 (Whereupon, an off-the-record discussion was
9 held.)
10 BY MR. LUKA:
11 Q So, like I was saying, I'd like to know about
12 Gabby. Could you tell me, in your words, about Gabby?
13 A Permanently 22. You know, she was just like
14 me, you know, liked to do things, liked to have fun, you
15 know, tried to see the good in everyone the best you can.
16 You know, before all this happened, I was a
17 happy-go-lucky guy. You know, I had only read about
18 stories like these. Didn't really have too much stress.
19 And, actually, I had no stress. I didn't have to worry
20 about money or anything like that because I didn't do the
21 bills in my house. My wife does all that.
22 As I was saying to Pat at lunch --
23 MR. REILLY: He asked you about Gabby.
24 THE WITNESS: But Gabby was the same way.
25 Stress-free. Tried to make the best out of

Page 130

1 everything.
2 BY MR. LUKA:
3 Q And I appreciate you sharing with me -- that
4 with me. I know that could be difficult to talk about
5 stuff like this.
6 Now, when -- when Mr. Meltz was finishing up
7 there, he asked you a question, and you said that the
8 police had shown up at the Laundrie home the day before
9 Brian was reported missing.
10 A No, I did not. The police showed up -- I --
11 no. I said it was a conference or something. I -- I
12 forget the exact phrase. And she -- maybe you can read
13 it back.
14 But the day before -- Brian went -- Brian was
15 reported missing on the 17th of September. I had a
16 conference in North Port the day before, on the 16th.
17 Q Okay. So when you say "a conference," what
18 does that mean?
19 A There was a news conference that was done at
20 the North Port Police Department to talk about Gabby's
21 whereabouts and answer some questions that the press had
22 at that time.
23 Q Okay. So no -- nobody -- nobody actually
24 physically went to the Laundrie home, on the 16th, from
25 law enforcement, as far as you know?

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1 A Not as far -- as far as I know, I have -- I
2 would say no.
3 Q Now, I know you -- I know you -- you said that
4 on the 11th somebody from North Port police tried to make
5 contact with the Laundries. Were there any other
6 attempts by the FBI or the North Port police to contact
7 the Laundries after that time?
8 A That would be a question for the FBI.
9 Q But you're not aware if -- if there were any
10 contacts?
11 A I am not aware if there were any other contacts
12 at that point in time.
13 Q Do you know if any of those law enforcement
14 agencies attempted to contact Mr. Bertolino?
15 A Again, that would be a com- -- a question for
16 the FBI. I am not aware.
17 Q As far as you know, nobody has shared -- nobody
18 from law enforcement has shared any attempted contacts
19 with you?
20 A I was told that they were -- any contact had to
21 go through Steve Bertolino, not through the parents,
22 and -- and that was it, to be honest with you.
23 I think there was a tweet by Chief Garrison
24 asking for information, but --
25 Q And -- and I was going to ask you about that.

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1 I think you said -- was his name Nick Taylor?
2 A Josh Taylor.
3 Q Josh Taylor. Sorry.
4 Josh Taylor and Chief Garrison had made some
5 attempt to get the Laundries to make a statement?
6 A That's correct.
7 Q And you just mentioned the tweet. Do you
8 remember what that tweet said?
9 A I don't. I don't. I don't remember, to be
10 honest. I knew it had something to do with, you know,
11 Contact us, or something like that, you know, but I don't
12 remember the exact verbiage.
13 Q And did any other law enforcement agencies make
14 similar attempts to get the Laundries to make a
15 statement?
16 A Again, that would be a question for other
17 agencies. I'm not aware. I'm assuming so, but not that
18 they would tell me.
19 Q Well, why do you think they wouldn't tell you?
20 A Because that wouldn't be significant to me,
21 other than the fact that they're not saying anything.
22 That was the phrase that was used a lot, "They're not
23 saying anything."
24 Q So, as far as you know, from the very
25 beginning, they weren't going to say anything?

Page 133

1 A That's correct.

2 Q And do you recall if the tweet or anything --

3 any other statements by law enforcement in an attempt to

4 get the Laundries to speak, was that before or after

5 Mr. Bertolino's September 14th statement?

6 A Probably both.

7 Q So there would have been multiple attempts,

8 both before and after that statement, to try to get them

9 to -- to say something?

10 A If I remember correctly, Josh Taylor did a few

11 interviews before and after about asking to speak to them

12 and they're not being able to.

13 Q I think you also said earlier, too, that you --

14 there -- there may have been certain things that you

15 would have asked for from law enforcement but that you

16 were told to play nice.

17 A It's not that I was told to play nice. I'm --

18 you catch more flies with honey, and I had a main

19 objective everything else came second to. I needed to

20 find Gabby.

21 So I was going to make sure every -- I was

22 respectful and caring to everyone that was helping me

23 find Gabby. Everything after that, then we'll worry

24 about that at that time. Until then, I was solely

25 focused on finding Gabby.

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1 Q Now, was there a particular person that told

2 you to play nice, or was that some -- a conclusion you

3 reached on your own?

4 A It could have been someone. It might have been

5 Rick. It's a conclusion I -- I might have come up on my

6 own. I've been in sales a long time. Like I said, you

7 catch more flies with honey.

8 Q So, now, did you feel like there was anything

9 that law enforcement wasn't doing that you wanted them to

10 do?

11 A There were a couple of things, yes.

12 Q What were those things?

13 A I would have liked them to take Brian in for

14 questioning.

15 Q And they obviously didn't take him in.

16 Can you verbalize a "yes" or "no"?

17 A Yes, that is correct.

18 Q Why -- and why -- what is your understanding as

19 to why they didn't bring him in for questioning?

20 A I don't have a complete understanding of it.

21 Q And did you ever discuss that issue with law

22 enforcement?

23 A I believe it was talked about briefly in

24 North Port, but I don't remember the reason why, to be

25 honest with you, because it wouldn't have made sense to

Page 135

1 me anyway.

2 Q So --

3 A That was me.

4 Q So, you know, we -- we've -- we've spent a lot

5 of time this morning talking about all of the -- the

6 things that happened very early on, that Brian had an

7 attorney, that he refused to speak at least as of

8 September 11th, but that the van was home, he was home,

9 and Gabby was nowhere to be found. You -- you would

10 agree with all that?

11 A I would also add Gabby's stuff was in the van

12 that was then taken out of the van and put into the

13 house.

14 Q Okay. So -- so those were certainly facts that

15 everybody was aware of at least as of September 11th?

16 A Yes, that is correct. No, that is incorrect.

17 We found out about stuff -- of Gabby's stuff that wasn't

18 in the van on the 17th.

19 Q So, putting aside the stuff being in -- in the

20 van, did all -- at the very -- at the very outset of the

21 investigation, did you feel that law enforcement was --

22 was focusing on Brian Laundrie as the suspect?

23 A I do.

24 Q Did you ever have any conversations with law

25 enforcement where they discussed arresting

Page 136

1 Brian Laundrie?

2 A No.

3 Q Did anybody ever talk to you about what

4 evidence they had or what evidence they needed in order

5 to arrest Brian Laundrie?

6 A No.

7 Q Did you ever reach out to anybody in law

8 enforcement to acquire -- inquire as to why they had not

9 arrested Brian Laundrie?

10 A No.

11 Q Now, I think you also said earlier, too, that

12 somebody had told you to stay away from the Laundries'

13 house because you wanted to go there?

14 A That's correct.

15 Q And you'll have to remind me if that was -- was

16 that somebody with the North Port police?

17 A I think it was Niki, if I remember correctly.

18 Q Okay. And do you know where Niki would have

19 gotten that information?

20 A Probably from Rick maybe, but I'm only

21 assuming.

22 Q Did anybody from law enforcement ever tell you

23 not to go to the Laundries' home?

24 A Yes. I think it was Chief Garrison, on the

25 16th, when I was in North Port for the conference, told

Page 137

1 me not to go by the house.

2 Q And was there a particular reason why you

3 shouldn't go by the house?

4 A Probably, yes.

5 Q And did that have to do with you not getting

6 into some kind of confrontation?

7 A I think that was exactly the reason why.

8 Q And, now, on the 16th, when you had the news

9 conference, was the media stationed outside the

10 Laundries' house at that time?

11 A That's not a question for me. I don't know.

12 Q Do you -- do you recall when it was that the

13 media started camping outside their house?

14 A No.

15 Q Do you remember when the protests were, when

16 the protests started outside their house?

17 A I don't remember when they started, no. I

18 remember seeing them on TV, again on the 17th. Maybe

19 some news from before, you know, prior to the days, I

20 don't -- but I don't remember when I -- when it started.

21 Q And I think you -- I think you said earlier

22 that you recall there being, like, a hundred people

23 outside their house?

24 A I -- I was just being, you know -- what -- an

25 assumption of how many people. I didn't count. I wasn't

Page 138

1 there. You can only see what's on video.

2 From what I was told, there were reporters

3 renting out the neighbors' homes.

4 Q And I know you -- I know you -- you talked

5 earlier about how you frequently go to social media to

6 check on stories, things like that.

7 Would you check on the status of what was going

8 on at the Laundries' house during that time?

9 A No. During that time, no. I didn't have time.

10 Q Now, you spoke earlier about how the Laundries

11 made certain choices and that there are consequences for

12 those choices.

13 A There's consequences for every choice.

14 Q Do you think that they chose for Brian to do

15 what he did?

16 A I'm going to go with probably not.

17 Q So we can agree that the Laundries didn't have

18 anything to do with what Brian did to Gabby?

19 A They are not responsible for what happened to

20 Gabby. Not even a little bit.

21 Q So the choices that they made would have been

22 choices after that happened?

23 A I agree.

24 Q And in the -- in the face of that happening?

25 A I agree.

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1 Q And I know we talked about one of those choices

2 was to hire Mr. Bertolino?

3 A That was a choice.

4 Q And you also acknowledged that they have a

5 right to remain silent?

6 A That is their right.

7 Q So that would be one of the choices they could

8 make too?

9 A Uh-huh.

10 MR. REILLY: Yes?

11 THE WITNESS: Yes.

12 Dammit, I was so good.

13 MR. LUKA: Thank you, Pat.

14 THE WITNESS: I was getting so close.

15 BY MR. LUKA:

16 Q So is it your understanding that, even though

17 somebody who might be under investigation has the right

18 to remain silent, they can still have an attorney who can

19 speak for them and that attorney's statements can't

20 always be held against the client?

21 A Repeat that last part. The attorney's

22 statements can't be --

23 Q Cannot -- cannot be held against a client

24 for -- for purposes of incriminating them? Do you

25 understand -- do you understand that concept?

Page 140

1 A No. That's not -- that's not my understanding

2 at all. My understanding that any type of -- if a

3 lawyer -- and you guys can correct me if I'm wrong, but

4 any time a lawyer speaks for their client, they are

5 speaking as if the client is speaking. Do I have that

6 correct? I mean, I can't ask you that, but I'm assuming

7 that's how it works.

8 Q So, for example, if there's a trial, and

9 there's a criminal -- a criminal suspect who's on trial

10 and that person does not testify in that trial, the

11 lawyer can still speak during that trial; is that

12 correct?

13 A That is correct.

14 Q And the lawyer's speech during that trial is

15 not held against the client as evidence of the client's

16 guilt or innocence?

17 A Well, it can be if the opposing counsel wants

18 to turn around and utilize something that attorney said

19 against them; right?

20 Q Well, I'm just -- I'm just asking for your

21 understanding because, again, I can't answer the

22 questions.

23 A It's my understanding attorneys are really good

24 how to play on words. No offense to anyone.

25 MR. MELTZ: I took it as a compliment.

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1 BY MR. LUKA:
2 Q So when -- when you found out that
3 Brian Laundrie had an attorney and that he likely
4 wouldn't be making any statement, did you think that that
5 would change at any time?
6 A I did.
7 Q What -- what caused you to think that?
8 A Hope. Accountability. Excuse me. Guilt. It
9 could be a number of things.
10 Q So when -- when Chief Garrison and the other
11 law enforcement agencies were pressuring the Laundries to
12 make a statement, did you think that Brian was going to
13 come out with a statement?
14 A I don't know. Someone would have. That was
15 the hope anyway. And it happened.
16 Q Was it -- when the September 14th statement
17 came out, was it frustrating that that statement said
18 that the Laundries' attorney advised them not to speak?
19 A It was frustrating on the 11th when they said
20 it. I only expected it on the 14th. But if the
21 Laundries approved the statement that was written out
22 and, you know, sent out to the public, then that's on
23 them, not on me. They -- they chose that. And if they
24 didn't, then they have other issues that they need to
25 attend to when it comes to Steven Bertolino and

Page 142

1 themselves.
2 Q So at the time that that -- that statement was
3 made, or any future statements, you would agree that the
4 public, whether that be people on social media, the
5 regular media, or law enforcement, were really looking
6 for a statement from the Laundries?
7 A I think people were really looking for Gabby,
8 not the statement. The fact that they weren't getting
9 the statement, they were probably just as upset, you
10 know, with the -- you know, with what was going on, but I
11 can't speak for them.
12 I will say that Gabby went missing on the 11th.
13 On the 14th, there was a statement, and there was
14 interview after interview after interview after that, you
15 know, that was done where they're not making any
16 statements and John Q. Public this or pundits that or
17 some other stupid talk that just angered the shit out of
18 me, but none more than: "We hope she's found and
19 reunited with her family."
20 No, you don't. You don't give two shits if
21 she's reunited with her family because you already know
22 the answer. That's why you hired the attorney. That's
23 why you're not saying nothing. That's why you're hiding
24 your kid in your house.
25 Q So let me -- let me ask you this. So you --

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1 you know there's nothing in your complaint about a
2 criminal investigation?
3 A The only criminal investigation that I know of
4 is into Brian.
5 Q Okay. So you don't -- you don't dispute that
6 there was a criminal investigation of Brian?
7 A Of Brian, that is correct.
8 Q And that investigation involved multiple law
9 enforcement agencies?
10 A That is my understanding.
11 Q So for sure we know that the Suffolk County
12 Police Department was involved; is that correct?
13 A Only via creating the missing person report.
14 They might have been, you know, on the inside in terms of
15 information, but I don't know what they know, to be
16 honest with you, because I really didn't have a lot of
17 conversations with the Suffolk County Police Department.
18 Q And then we know that North Port Police
19 Department was involved?
20 A That's correct.
21 Q And you -- is that who you mostly had contact
22 with?
23 A Yes. Chief Garrison and Josh Taylor both, they
24 would call just to -- Hey, listen, this is going to be
25 coming out, you know. We're looking here. The FBI's

Page 144

1 doing this. They wanted me to contact you. Stuff like
2 that, just to keep me abreast of what was happening,
3 where -- with Gabby's whereabouts.
4 Q And were those daily conversations?
5 A Just about. Maybe every other.
6 Q And, now, you also mentioned the FBI. Did you
7 have a lot of direct contact with the FBI?
8 A We did.
9 Q How about law enforcement agencies in Wyoming?
10 A No. Just -- just the FBI. The FBI in
11 North Port was the primary one, so any -- any search and
12 rescue or police department out there, I don't think I
13 ever spoke to, to be honest with you.
14 That's not correct. I apologize. Let me
15 retract that. When we went to Wyoming to pick up her
16 remains, we did meet them, so I don't want -- I didn't
17 want to say that I didn't when I did.
18 Q So the main -- the main law enforcement
19 agencies that you interacted with were the FBI and the
20 North Port Police Department?
21 A That is correct.
22 Q And did -- did any of those law enforcement
23 agencies advise you that it was unlikely that you'd get
24 any information either from Brian or his parents?
25 A No. No. They always said, We're trying.

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1 We'll let you know if we do.

2 Q And when they said they were trying, what

3 would -- do you know what they were trying to do?

4 A I didn't ask. I assumed they would try and

5 reach out or phone calls or -- or something along those

6 lines.

7 Q And did you ever have any discussions with

8 those law enforcement agencies about offering the

9 Laundries immunity or some other assurance that might

10 make it more likely that they would speak?

11 A I never had any conversations with the -- with

12 FBI about immunity or anything like that, but it's also

13 my understanding that the FBI was in constant

14 communication with Steve Bertolino. So she said, on

15 multiple occasions, that he would have communications

16 every day with them, almost daily, or -- or, you know,

17 bi-hourly or whatever it was.

18 Q And -- and do you know if any of those

19 conversations involved any attempt, whether, again, like

20 immunity or some other way to get the Laundries to

21 provide more information?

22 A If I remember correctly, it was Steven

23 Bertolino on Court TV who was asked this question

24 specifically and he said, No. So that -- I'm going to go

25 with that answer being correct and saying, No, that they

Page 146

1 were never offered immunity or anything like that,

2 because I don't know of anything that was happening other

3 than with Brian.

4 Q But they would -- if something like that

5 occurred, they likely would have discussed it with you on

6 one of your -- one of your daily calls?

7 A No, they would not.

8 Q Why do you think that they wouldn't have

9 discussed that with you?

10 A Because that's something for you guys to

11 discuss. That's got nothing to do with me. You know,

12 I'm a -- I'm -- I'm a family of a victim. I'm not

13 someone that's going to determine whether or not a deal

14 is set so they can get information and catch a murderer.

15 Q Did they discuss with you any other law

16 enforcement techniques to try to get information either

17 from Brian Laundrie or from his parents?

18 A No.

19 Q Such as a search warrant, a wiretap, anything

20 like that?

21 A So, okay, it is -- it was said to us at the

22 meeting in Tampa with the FBI in January of 2022 that

23 Steven Bertolino did not report Brian Laundrie missing,

24 that that was a lie.

25 What truly happened was they received a tip

Page 147

1 from someone from California to do a health check on

2 Brian and that is where it started. Now, I don't know

3 the truth of that or not. To be honest with you, I never

4 looked into it, nor do I care, on how they figured out

5 Brian wasn't in the house. That's not for me to figure

6 out. He wasn't in the house.

7 Q Well, let me ask you this. So, according to

8 the reports, as of September 14th, 2021, the North Port

9 police found Brian's car at the -- the preserve where he

10 was eventually found?

11 MR. REILLY: Objection to form.

12 THE WITNESS: So Brian Laundrie's car was -- do

13 you want me to still answer?

14 Brian Laundrie's car was found on the 14th, if

15 I remember correctly. And if I read the report

16 correctly, the car was there for three days. So him

17 leaving on the 13th would also be an inaccurate

18 statement.

19 BY MR. LUKA:

20 Q Okay. So it's possible that he left before the

21 13th?

22 A It's possible, but his attorney said, on

23 multiple occasions, he left on the 13th. Actually, he

24 said the 14th and then it had to be corrected on -- to

25 the 13th.

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1 So if he would like to make a third correction

2 on it, the floor's open. He can do that.

3 Q So did you have any discussions with the

4 North Port police when they found his car?

5 A I found it odd that a parent would take their

6 son's only mode of transportation when he had no money

7 and no phone, nothing, you're going to leave his --

8 you're going to take the only mode of transportation he

9 has to get back to you -- home?

10 That -- that sounds counterintuitive when it

11 comes to you want to make sure your son's safe because he

12 left when he was grieving.

13 Q I guess I don't quite understand the -- the

14 response.

15 A Maybe I didn't understand the question.

16 Q Yeah. I think maybe -- maybe -- so let's --

17 let's -- let's start over again.

18 So his car was found on the 14th -- on the 14th

19 by North Port police and they discussed it with you; is

20 that right?

21 A The car was by the -- the Myakkahatchee,

22 whatever, however you say that word.

23 Q The preserve. Let's just call it "the

24 preserve."

25 A Yeah. I'm not going to go with it, nor am I

Page 149

1 going to try and spell it.

2 Yes, the preserve. And it was taken home by

3 the parents on the -- I believe it was the 14th.

4 Q Okay. So the North Port police turned the car

5 over to the parents?

6 A I thought the car was at the house the whole

7 time. The father took the Mustang home. They did not

8 find the car.

9 So maybe you have some inaccurate information.

10 The parents took the Mustang home.

11 Q From the preserve?

12 A From the preserve.

13 Q So the -- but the Mustang was at the preserve?

14 A Yeah.

15 Q Okay. And did -- when the North Port police

16 found the Mustang, did they search it?

17 A They didn't -- when they came up on the house

18 on the 11th? I mean, what are you asking, when they

19 found the Mustang? They found the Mustang in the

20 driveway of the parents' home?

21 Q No. When they found the Mustang at the

22 preserve?

23 A I have no idea what they found in the Mustang

24 at the preserve.

25 Q Okay. Okay. So that -- I think that answers

Page 150

1 my question.

2 So that would -- whether they -- whether or not

3 they found the Mustang at the preserve is not a fact of

4 which you are aware?

5 A No. That -- no. That's not true, actually.

6 Because if I remember correctly, again, that -- a warning

7 of some type of -- some letter was left on the vehicle

8 not to have it left there overnight or for an extended

9 period of time, otherwise it would be towed.

10 Q Okay. Okay. So -- so you do recall it being

11 there then?

12 A I do.

13 Q Okay. Did the North Port police discuss with

14 you, when that was found, whether or not they believed

15 Brian was in the preserve?

16 A They -- no. It was told to me that Brian went

17 for a hike somewhere, and they don't know where. But

18 they wouldn't give me that information anyway.

19 Q Now, did law enforcement ever communicate to

20 you whether or not Chris and Roberta Laundrie were part

21 of the investigation?

22 A No. No. They had nothing to do with Gabby's

23 death. Why would they be part of an investigation?

24 Q Well, were they -- were they being investigated

25 for anything that occurred after Brian returned home?

Page 151

1 A They never told me anything about any

2 investigation other than into Brian.

3 Q So in -- even in your -- even in your sort of

4 post-meetings with the FBI in January or any other

5 meetings, did any law enforcement ever communicate to you

6 that the Laundries were part of their investigation?

7 A No. It was always about Brian and Gabby.

8 Again, it was from before -- I mean, from when the trip

9 was just started, all the way to when Brian got home.

10 And it was about Gabby's whereabouts, stuff she did,

11 where her phone was, pictures she took, texts that were

12 received, you know, any emails or anything like that.

13 Also into Brian's stuff. There was an email to

14 Brian, but otherwise, no, I had nothing -- nothing in

15 terms of to the Laundries.

16 Q Okay. And so you just mentioned that they --

17 they had an email to Brian that they showed you at

18 that --

19 A It was into Brian's email.

20 Q I'm sorry. To Brian's -- it was from Brian?

21 A It was -- no. It was in Brian's email.

22 Q Okay. So at that -- at that January meeting

23 with the FBI, did they -- other than the phone calls that

24 you already talked about, were there any texts or emails

25 that they discussed with you?

Page 152

1 A Texts between Brian's phone and Gabby's phone.

2 Q Okay. But not necessarily texts from Brian's

3 phone to his parents?

4 A No.

5 Q Okay. Or -- or from his parents to Brian's

6 phone?

7 A No. They said -- I'm sorry. They sent us call

8 logs for Brian. Again, on Brian's phone.

9 Q So the phone records?

10 A So Brian -- Brian's phone records.

11 Q Okay. Brian's phone records. But not texts or

12 emails?

13 A Only if it came from Gabby or had pertained to

14 Gabby.

15 Q Now, here, let me -- this will be easier. Hang

16 on one second.

17 A I've got to read stuff again?

18 Q Yeah. Although it's stuff we've kind of

19 already gone over.

20 A I really should keep a pair in my car.

21 MR. REILLY: Yeah.

22 THE WITNESS: Whatever.

23 BY MR. LUKA:

24 Q So we looked at this statement. It -- it's

25 a -- it's their -- the statement from Mr. Stafford that's

Page 153

1 in the complaint.
2 A I already read it. Okay.
3 Q Yeah. I have a copy here, though, if you want
4 to --
5 A No, that's all right.
6 Q -- look at it.
7 And this was an exhibit from yesterday. I
8 can't remember what number it is, but --
9 THE COURT REPORTER: It is --
10 MR. LUKA: 4. No, I'm sorry.
11 THE COURT REPORTER: -- 3.
12 MR. LUKA: 3.
13 BY MR. LUKA:
14 Q So this was Exhibit 3 from yesterday.
15 A Just watch where you're -- you have some water
16 from the --
17 Q Oh.
18 A -- the dew from the water bottle, so it doesn't
19 mess up the pages.
20 Q Thank you. Thank you.
21 Okay. So this -- this was the statement from
22 Mr. Stafford on September 16th; is that right?
23 A This was the -- was this the full statement?
24 Yeah. This is the full statement, yes.
25 Q Okay.

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1 THE WITNESS: Because I think, Chuck, you
2 showed me, like, this -- these two paragraphs, not
3 the top paragraph, just so you -- just so you know.
4 MR. MELTZ: Hang on a second. Which statement
5 are we looking at?
6 THE WITNESS: The one from the 16th. I think
7 the one that you showed me only had this paragraph
8 and this paragraph. You didn't have this --
9 MR. REILLY: Let's look at Exhibit 3.
10 MR. MELTZ: Yeah, I think it's actually all in
11 that.
12 THE WITNESS: Oh, was it?
13 MR. MELTZ: We didn't read the whole thing
14 today.
15 THE WITNESS: Oh, okay. Yeah, yeah.
16 BY MR. LUKA:
17 Q So I think -- I think what you looked at before
18 was what was in the complaint, so it may not have looked
19 the same as it does --
20 A That's fair.
21 Q So I want to draw your attention to the first
22 paragraph there.
23 The second sentence, it says: "We understand
24 you are going through a difficult time and your instinct
25 to protect your son is strong."

Page 155

1 What did you mean by that?
2 A Parents want to protect their children. We get
3 it.
4 Q So -- so, at that time, you understood that the
5 Laundries were in a difficult situation?
6 A I think they were just trying to play nice and
7 be cordial, because I would use a lot different of a
8 verbiage that probably wouldn't have went as far.
9 Q Wait, I -- I guess I don't understand.
10 A Rick drafted this statement. I approved the
11 statement. Because if I would have drafted the statement
12 myself, the verbiage would have been a lot different, and
13 it might not have gone as far or been received as nicely
14 as it would have.
15 Q So -- so you did not necessarily approve of
16 this?
17 A Oh, we -- I approved of the draft. I didn't
18 write the statement; I approved of the statement.
19 Q Okay. Well, what would you have said instead
20 of that -- instead of that sentence?
21 A I don't know at this point in time, to be
22 honest with you. My frame of mind, at that time, was
23 chaotic.
24 Q But -- but you did, at least at that time,
25 acknowledge that the Laundries were in a difficult

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1 position?
2 A It was a difficult position. I'll acknowledge
3 that to this day. It was difficult. I understand their
4 position. Their son committed a heinous act, and they
5 want to protect their son.
6 But it's interesting to me -- see, the part
7 that blows my mind is -- again, I'm going to repeat it --
8 you can't tell me they didn't know based on the choices
9 and actions they took from August 28th through. So in my
10 mind, they knew.
11 And then they still had the -- the -- the
12 common sense to -- to take their grandchildren out on
13 a -- on a hiking -- on a -- on a -- on a camping trip
14 with someone who just murdered the one person he loves
15 the most in the world? That's some -- that's some dumb
16 shit if I've ever seen it.
17 Q And so you brought up the -- the camping trip.
18 Were you aware of that camping trip when it occurred?
19 A No.
20 Q You found out about that much later?
21 A I did. I saw pictures of them eating fucking
22 s'mores.
23 Q The -- the children eating s'mores?
24 A Whoever it was, children -- a story about
25 eating s'mores, however it came out.

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1 But while my daughter was dead in the
2 wilderness, decomposing, animals feeding on her body --
3 yeah, real fucking great.
4 Q So -- I'm sorry.
5 A That's all right. Take your time.
6 Q So when -- when you issued this statement on
7 September 16th, what was the goal?
8 A To try to get the parents to give us some
9 location. I think I used the phrase -- how did I say it
10 in the Dr. Phil interview? Write it on a piece -- get a
11 map, draw a circle, throw it out of your window. It
12 didn't matter, just let us know if we're looking in the
13 right spot.
14 Q So it was your belief that the Laundrie -- the
15 Laundrie parents knew the location of Gabby?
16 A Yes.
17 Q And at the -- as of September 16th, had you had
18 any conversations with law enforcement where they
19 indicated that they knew about where Gabby at least had
20 last been?
21 A The only information I got from law enforcement
22 ever about the Laundries is that they are not saying
23 anything. That was it.
24 Q Okay. So they -- they didn't provide you,
25 really, any details of their investigation or what

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1 information they had uncovered over that period of days?
2 A No. I'm not a law enforcement officer. They
3 don't reveal that information. They reveal what
4 information they have of Gabby, where they think she was,
5 and that's why Jim went out there even though they told
6 me to stay. So that's what we did. We went by the
7 advice of the FBI.
8 Q So the FBI contacted Jim and said, We need
9 you -- we need you to come --
10 A Jim took it upon his own to go there. They
11 were really relaying everything between me and Niki.
12 Q And so at what point did the FBI make a
13 determination that they were going to organize a search
14 in Wyoming?
15 A I think they already started, like, around the
16 15th and 16th -- they started going through -- they had
17 her phone records. They -- so it's my understanding they
18 had a good idea where Gabby was last. They just couldn't
19 pinpoint her location.
20 It happened to be social media, the Bethunes,
21 who -- Jenn and -- Jenn Bethune is her name. And she
22 found it on her video. She went through and saw it, and
23 they were able to pinpoint the location at that point.
24 Based on where the van was located, they could
25 figure out how -- you know, where they would at least

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1 walk from if the van was parked.
2 Q Okay. So, as of about the 15th, that's when
3 they started to focus on that area in Wyoming?
4 A They started to focus on an area in Wyoming,
5 and I think it was the 18th when the -- that the Bethunes
6 found the video and tried to get it out there in terms of
7 letting people know, like, This -- this is Gabby's van
8 right here.
9 Q Okay. And do you know if they conducted
10 searches anywhere else other than that location in
11 Wyoming?
12 A If I remember correctly, there were searches
13 all over, to be honest. They had searches in Florida,
14 Appalachian Trail.
15 All in all, I think they found nine bodies
16 while searching for Gabby, all of which have been
17 identified.
18 Q And, ultimately, that location they were
19 searching in Wyoming is where Gabby was found?
20 A That is correct. Wrapped in a blanket.
21 Q So we also looked at this statement yesterday,
22 and this one is Exhibit 4.
23 MR. LUKA: Pat, do you need one?
24 MR. REILLY: No.
25 MR. LUKA: Anybody need one?

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1 MR. MELTZ: I'm good.
2 BY MR. LUKA:
3 Q So this was a statement on September 14th,
4 2021.
5 A You guys could use larger fonts, by the way.
6 Q I just print what's given to me.
7 A Uh-huh.
8 Q So this is a statement by somebody on --
9 somebody on behalf of you or Nichole. I don't know if it
10 was you or Nichole or Rick -- Rick Stafford, but somebody
11 issued this statement on September 14th, 2021.
12 Do you -- do you remember who -- who issued
13 this statement or how it was issued?
14 A All statements came through Rick Stafford --
15 went through Rick Stafford.
16 Q Okay. So this -- this statement appears to be
17 a response to Mr. Bertolino's September 14th, '21,
18 statement, because you'll see, if I can draw your
19 attention --
20 A To Paragraph 3, "remain in the background"?
21 Q Yes. Yes.
22 So, and that was a phrase that was used in
23 Mr. Bertolino's statement; correct?
24 So you would --
25 A That's correct.

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1 Q You would agree that this was in response to
2 Mr. Bertolino's statement?
3 A That is correct.
4 Q Now, in the last -- the last sentence of this
5 statement reads: "The Schmidt and Petito family implore
6 Brian to come forward and at least tell us if we are
7 looking in the right area."
8 Was this statement directed toward Brian as
9 opposed to anybody else?
10 A It was directed towards Brian. It says
11 "Brian."
12 Q Right. So between this statement and the
13 September 16th statement, what changed in terms of this
14 statement is directed toward Brian, whereas, the
15 September 16th statement is more directed toward the
16 parents?
17 A They are under the same umbrella, being
18 Steve Bertolino. So if one's not going to talk, maybe
19 the other one should.
20 Q Okay. So the -- so your -- your -- with this
21 statement you were hoping that Brian would come forward?
22 A Brian or the parents, someone would come
23 forward.
24 Q Whereas, by September 16th, you thought that
25 reaching out to the parents might be a better way to --

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1 A We still wanted the same outcome at the same
2 time, someone to come forward.
3 Q Okay. So, really, what you were hoping for
4 with both statements was just for somebody to give you
5 more information than what had already been -- than what
6 had been shared?
7 A That's correct.
8 Q And was there any -- was there any thought or
9 any awareness that Brian was gone by September 16th, such
10 that he was never going to respond to a statement like
11 this?
12 A No. On September -- on September 16th, I was
13 told the police know exactly where Brian was. And, no, I
14 thought at some point in time he would probably come
15 forward.
16 Q So which -- which police department told you
17 they knew exactly where he was?
18 A North Port Police Department. He was
19 responding to a question from a reporter where they
20 asked, Do you know where Brian is?
21 And his response was, We know exactly where
22 Brian was, which apparently was not true because they
23 confused him with Roberta.
24 Q And did they -- did they eventually acknowledge
25 that mistake, that they -- that they --

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1 A They did.
2 Q -- they did mistake Roberta for Brian?
3 A They did.
4 Q Now, one thing I did want to ask you about --
5 this was a little -- this is a little off topic but --
6 A I am a Jets fan. I know.
7 Q You're used to tough questions then?
8 A Being a Jet fan, yeah.
9 MR. REILLY: You need to pick a better team.
10 THE WITNESS: You can't, man. Once you're with
11 them, you're with them. That's it.
12 (Whereupon, an off-the-record discussion was
13 held.)
14 BY MR. LUKA:
15 Q And these texts may be in Exhibit 1, but I'll
16 just -- I'll go ahead and I'll make -- I'll just go ahead
17 and make these an exhibit just in case they aren't.
18 A These are the text messages?
19 Q Yeah. These are the -- these are the text
20 messages that you produced in discovery.
21 MR. REILLY: Did you mark one yet? Are we up
22 to --
23 MR. LUKA: We haven't marked it -- we haven't
24 marked this one yet.
25 THE COURT REPORTER: Hold on a second.

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1 MR. LUKA: Oh, sorry.
2 THE COURT REPORTER: Okay. I don't recognize
3 that top page, but is this -- okay. So a new
4 exhibit will be 8.
5 MR. REILLY: Yes.
6 MR. LUKA: Okay. So, yes, this will be
7 Exhibit 8.
8 (Plaintiff Petito's Response to Request for
9 Production No. 2 was marked Defendants/Laundries'
10 Exhibit 8 for identification.)
11 BY MR. LUKA:
12 Q And I apologize. I closed the -- here, I can
13 give you -- here, I'll just let you look at this one so
14 that you can -- it will be easier.
15 A Do you want me to give this one back?
16 Q You can you hold it for a second. I mean, I
17 just have a couple of questions, so...
18 MR. REILLY: What page is that?
19 MR. LUKA: They don't -- they aren't numbered.
20 Here, I can find it for you, Pat.
21 THE WITNESS: We can share.
22 MR. LUKA: Sure.
23 MR. REILLY: Got it.
24 BY MR. LUKA:
25 Q Okay. So that -- that appears to be the text

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1 string between you and Gabby --

2 A August 12th.

3 Q -- on the August -- during the August 12th

4 Moab, Utah, incident?

5 A Yes.

6 Q So if you flip to the next page. It looks like

7 there's a text from you on August 14th that says you're

8 hopping on a plane?

9 A Uh-huh.

10 Q Do you see that?

11 A Uh-huh.

12 Q Is that what it says?

13 A That's what it says.

14 Q Did you hop on a plane on the 14th?

15 A I don't remember. Did I go anywhere on the

16 14th? I don't remember if I went somewhere. I might

17 have went up to New York. It's possible.

18 Q But does that text refer to you flying to Utah?

19 A No. No, it does not. No, because I text my

20 children -- I have a big fear of flying. So any time I

21 jump on a plane, I text all my children that I love them.

22 Q Okay. So I just want to confirm, you did not

23 actually go to Utah?

24 A Not -- not at that time, no.

25 Q Okay.

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1 A I -- I have a fear, and I always tell them I --

2 I mean, I just got back from New York. My brother-in-law

3 passed away of brain cancer. And I can show you, every

4 child and my wife, I text I love them.

5 Q I'm sorry to hear about your brother.

6 A Yeah. That's all right. That's all right.

7 Young. 49.

8 Q Okay. Terrible.

9 A Yeah. It's a shame.

10 Q Okay. Let me move on then.

11 MR. LUKA: And we'll mark these as Exhibit 9.

12 THE WITNESS: Hold on. Let me fix your papers

13 in here.

14 MR. REILLY: Are these the counseling records?

15 MR. LUKA: These are the counseling records,

16 Pat. And here's a -- here's a copy.

17 MR. REILLY: Thank you.

18 THE WITNESS: All right.

19 MR. REILLY: Okay. Do you need glasses, Joe?

20 THE WITNESS: Oh, we'll go through. I'm

21 sure --

22 MR. REILLY: Let me have that. You look at

23 that one.

24 THE WITNESS: Oh, whatever. I haven't had

25 epilepsy since I was -- I haven't had a seizure

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1 since I was, like, 14, 15 years old, so...

2 MR. REILLY: Give me a couple seconds --

3 MR. LUKA: Yeah, absolutely.

4 MR. REILLY: I'm going to go get him a pair of

5 glasses.

6 MS. KELLY: Can we go off the record?

7 MR. LUKA: Yeah. We can go off the record.

8 (Whereupon, a brief recess was taken at

9 2:17 p.m., and the deposition resumed at 2:18 p.m.)

10 MR. LUKA: Okay. Let's go back on the record

11 then.

12 BY MR. LUKA:

13 Q Okay. So, Mr. Petito, what we're looking at

14 here are your records of your therapy sessions provided

15 by Trina Laughlin.

16 A Okay.

17 Q And I'll try to describe them for the record

18 since we won't -- they won't be an exhibit, so everybody

19 will know what we're talking about.

20 A Page 1 is inaccurate.

21 Q Okay. What -- what --

22 MR. REILLY: I saw that too.

23 BY MR. LUKA:

24 Q What is inaccurate about Page 1?

25 A It says I was married to Niki. I never was.

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1 Q Okay.

2 MR. REILLY: And it says she's now Schultz.

3 THE WITNESS: Yeah. So...

4 THE COURT REPORTER: Schultz?

5 MR. MELTZ: S-C-H-U-L-T-Z.

6 THE WITNESS: Yeah. Now --

7 THE COURT REPORTER: S-C-H- --

8 MR. MELTZ: U-L-T-Z.

9 THE COURT REPORTER: -- U-L-T-Z.

10 BY MR. LUKA:

11 Q And so that -- that reference is to

12 Nichole Schmidt, who is Gabby's mother?

13 A Yes. Correct. I apologize for yawning. I --

14 I don't...

15 Q Okay. So it looks like this first record is

16 just your -- your initial appointment, your intake visit;

17 is that right?

18 A That's what it looks like.

19 Q And how did you make the decision to seek

20 treatment?

21 A My wife.

22 Q She encouraged you to do it?

23 A More like demanded, but yeah. Situations like

24 this, you want to. And I -- I agreed. I saw the -- I

25 saw the significance of it and how beneficial it would

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1 MR. LUKA: I think -- I think you're on it,
2 Pat.
3 MR. REILLY: The marital status?
4 MR. LUKA: Yeah. You're -- yeah --
5 THE WITNESS: That says "marital" or "mental"?
6 MR. LUKA: Mental. Mental.
7 MR. REILLY: I don't have my glasses on.
8 THE WITNESS: See. I don't even have mine on.
9 MR. REILLY: Off the record.
10 (Whereupon, an off-the-record discussion was
11 held.)
12 BY MR. LUKA:
13 Q Okay. Okay. So it says under -- under "Mood,"
14 it says: Hard to tell. He is making jokes.
15 Is that your normal affect?
16 A I hide my pain through humor.
17 Q And then "Anxiety," it says: Not observable
18 but denies anxiety.
19 At this point, were you not experiencing any
20 anxiety?
21 A No, I hid it well. I was experiencing it, but
22 I was always -- I was raised that men don't -- I guess
23 that's bad. Men don't have feelings. You know, you wait
24 until everybody goes away and then you can -- you can
25 dive into them if you want when no one's around.

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1 Q And so under "Appetite," it says: Same as
2 before. I was only not able to eat when she was missing.
3 So in terms of your appetite, did that -- did
4 that symptom start around September 10th, like around
5 that time frame?
6 A So around September 10th, yeah, I -- like I
7 said, I -- I don't -- I don't know what my phone logs
8 show, but I called every national park I could, all the
9 hospitals that I could. And anything from there on, just
10 didn't stop.
11 You know, so I had a buddy of mine, I didn't
12 even -- you know, he called my wife. He just came down
13 on a whim and didn't tell me because I was just always on
14 the phone or doing interviews throughout the week and
15 stuff through the -- the 8th through the -- through the
16 19th. So they'd have to make me food and pull me away to
17 get me to eat.
18 Q And then when did your appetite eventually
19 return?
20 A I don't remember.
21 Q But it's -- but it's back to the --
22 A It's been --
23 Q -- same as before now?
24 A Yeah. I'm still fat. It's great.
25 Q And then as far as your trouble sleeping, did

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1 that also start around the same time?
2 A Yeah.
3 Q September 10th? 9th?
4 A That's correct.
5 Q And you said that you -- you were -- when you
6 were making the calls to law enforcement and whatnot,
7 were you always in Florida at that time?
8 A That's correct.
9 Q So you had permanently moved from New York by
10 then?
11 A I put in for a transfer after our vacation in
12 April. Three days later, I had a job offer. I pushed it
13 out an extra month. I moved down to Florida permanently
14 on May 30th. Took my rental on June 1st, and I've been
15 there ever since.
16 Q So May 30th, 2021?
17 A May 30, 2021. Like I said, I -- I rented my
18 house for a year. Before the year was up, I put in
19 for -- to buy my house and I own my house now.
20 Q So were you working for Home Depot prior to
21 moving down here or --
22 A Yes.
23 Q Okay. So you --
24 A I transferred down.
25 Q -- you transferred from Home Depot in New York

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1 here?
2 A That is correct.
3 Q And was there any particular reason for the
4 move, or was it just you wanted a different --
5 A There was several reasons for the move, not
6 just Gabby. Gabby was one of them, but it was other
7 reasons too. I hate the snow. Air should not hurt your
8 face. You should -- you should -- you should not have to
9 sit outside -- I mean, she's -- she's from Buffalo, so
10 she knows. You sit outside with your friends and the
11 snot's running down your face. Like, that should not
12 happen. Like, air should not do that. So -- so, yeah, I
13 was done.
14 Q I know. I was in Buffalo and it was, like, in
15 the middle of March, because I remember I was watching a
16 golf tournament that was going on in Florida, and it was
17 snowing outside in Buffalo. And I thought to myself, I
18 could never live here. But so, anyways, I understand
19 why --
20 A You got a dirty look there. I just want you to
21 know that.
22 Q I understand why you moved down.
23 Okay. So back to the records. And I'll excuse
24 my language just the way you've excused your language.
25 You say in here multiple times, you describe

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1 yourself as an asshole.
2 A I am an asshole.
3 Q What do you mean by that?
4 A I'm very direct. I'm very honest. When you
5 ask my opinion, I'm going to give you my opinion. So
6 you've got to be careful asking for my opinion because
7 you will get a honest one, and some people don't like it
8 when you're honest.
9 Q And do you -- do you feel like it's insulting
10 to people or --
11 A Usually when I'm a jerk to people, people think
12 I'm joking. It's really weird. I don't know why.
13 Q So I assume when you're, you know, a,
14 quote/unquote, asshole, you're not acting with any sort
15 of malice toward anybody?
16 A I never have any ill intent towards anybody.
17 Try not to anyway. It's only come up as of recent.
18 Q All right. Let's move to -- so I think some of
19 these records -- so the first two records, I think, when
20 they were produced, they were produced out of order. So
21 you'll see there's an 11-18 and then a 12-2.
22 A Okay.
23 Q Okay. But then if you go to the next one, it
24 goes to 5-2. So I think then they -- then they start
25 going back in order.

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1 A Oh.
2 Q So let's -- let's go to the --
3 MR. REILLY: They're different years, Matt.
4 MR. LUKA: Oh, you're right. I'm sorry. I'm
5 sorry. Yes. You're right. My apologies.
6 MR. REILLY: That's all right.
7 MR. LUKA: Because yesterday our -- the records
8 were out of order, and I was just looking through
9 these and it looked the same to me, but you're
10 right, Pat. Thank you.
11 BY MR. LUKA:
12 Q All right. So go to 5-31-22.
13 A Okay.
14 Q So in this -- in this note, within the section
15 that says "Detailed progress note of section," you
16 indicate your displeasure with the Laundries hiring an
17 attorney.
18 A Let's see.
19 MR. REILLY: Where is that?
20 BY MR. LUKA:
21 Q So if you look at the middle of the page, it
22 says: Joe, I am angry that Gabby was killed on the 27th
23 and the Laundries hired an attorney on the 28th.
24 A Yeah.
25 Q So them hiring an attorney was a trigger point

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1 for anger for you?
2 A Well, you've got to -- okay. So this is just
3 about a year later; right? This is on 5-31. So this is
4 May 31. So we've got June, July, August. So, like, just
5 a couple months, like, nine months later.
6 You know, at that point, I had already believed
7 the fact that the parents knew because I was informed and
8 I had the meeting with the Tampa -- at Tampa FBI office
9 based on all of Gabby's communications and stuff.
10 Q Okay. So part of your -- part of this is
11 influenced by information that you learned after --
12 months after the September 2021 time period?
13 A That is correct.
14 Q And you also, the next sentence, it says -- and
15 there's a period, but I'm not sure if it's supposed to be
16 a comma.
17 It says: Their lack of doing the right thing
18 and my inability to do anything about it is infuriating.
19 A It was.
20 Q So do you think that they shouldn't have hired
21 an attorney for Brian?
22 A I'm not against them hiring an attorney for
23 Brian to make sure Brian gets the proper defense and all
24 the other stuff.
25 What my issue is -- and I've said it

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1 publicly -- is accountability. Listen, you want to say
2 you murdered my daughter and you want an attorney to help
3 you through the criminal case so you get as least time as
4 possible, by all means, do that. That's your right.
5 You know, but me, as a parent, I need
6 information to find the child that you supposedly love.
7 So if you're going to sit there and not say anything,
8 yeah, that's going to piss me off. And that's exactly
9 what that was.
10 Do you know how infuriating it is to not be
11 able to do anything? I've got to sit here and I can't do
12 nothing. No. No. Do you know how hard that is? You've
13 got a situation you can't fix. As a man, you're told
14 that you're supposed to fix every situation. I can't do
15 nothing about this one without me going to jail.
16 Q So -- so it was -- it was infuriating, then,
17 that because the Laundries had an attorney, you couldn't
18 force them to do anything?
19 A That is correct.
20 Q And then -- and where you say "their lack of
21 doing the right thing," in your mind, would the right
22 thing have been for Brian to come forward?
23 A The right thing, in my mind, would have been
24 the parents to walk Brian into the police department and
25 say, Gabby's missing. Something happened. This is where

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1 she is. My son may or may not have something to do with
2 it. What do we do? Talk to the attorney and you figure
3 out what the steps are, but he's going to turn himself
4 in. That would be the right thing.
5 Q And do you -- do you -- do you know what Brian
6 was -- well, let me -- never mind.
7 THE WITNESS: Now he sounds like me before.
8 BY MR. LUKA:
9 Q So, in your mind, the frustrating part was that
10 you could not force Brian to do that?
11 A In my mind, this is only one instance of
12 something that was frustrating.
13 Q And it was difficult to not have any control
14 over the situation?
15 A It's not about control over the situation. I
16 didn't have my daughter. I didn't have a way of
17 contacting my daughter. And at that point in time, she
18 was already dead. Lying in the wilderness. No one knew
19 where she was. We had people looking all over the
20 country for her. And the only people that knew didn't
21 want to give any information.
22 So, yes, that was frustrating to the point of
23 being infuriated.
24 Q And would you -- would you say that that
25 frustration began as early as September 11th when they

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1 handed that card to the police department?
2 A No. My frustration started on September 8th or
3 9th when we started calling all the parks and not getting
4 any information either.
5 I was worried and it was infuriating that I had
6 a situation that I couldn't help except to sit there and
7 make phone calls. And, then, on September 11th, I'm --
8 I'm told that Brian's home with his parents, and they
9 have an attorney and so they're not talking to anybody.
10 That only compounds the issue.
11 Q So -- so at that point you had already been
12 getting the runaround on trying to get the missing
13 person's report filed?
14 A I politely -- I politely threatened a police
15 officer in North Port police. Only on the premise that
16 if I came there and started a fight with somebody, would
17 they arrest me and take my statement and use that as a
18 missing person report?
19 I tried to be polite about it.
20 Q Did you have any other conversations like that
21 with any other law enforcement agencies that refused to
22 help you with the missing person report?
23 A Might have happened in Utah. I don't remember,
24 to be honest with you. I think there was a report
25 somewhere out there, me with North Port, and I -- I think

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1 there was a report out there of me being arrested in
2 North Port because of that report, but that was not an
3 accurate statement.
4 Q Okay. Let's go to the next note, which is
5 6-17-22. It should be the next page.
6 So, now, in this -- in this note, this -- in
7 the section, "Opening Remarks, Affect, Appearance."
8 Do you see that section?
9 A Uh-huh.
10 Q Okay. It says -- and I think you're talking
11 about this lawsuit. You say: The more -- the more I
12 think about it, the more I think about it and I get to a
13 place where I question for what. I don't want their
14 money, but I need to be able to pursue getting the laws
15 changed.
16 What laws would you like changed?
17 A There's several, one of them which we're trying
18 to do here in Florida already. So we would like a
19 lethality assessment protocol brought down here in
20 Florida. And we met with the sheriffs of all the --
21 every year the sheriffs have a conference somewhere, and
22 they had it in Tampa this past year. Actually, this past
23 July.
24 Jim and I met with them all and came up with a
25 program that the Maryland Network Against Domestic

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1 Violence created and the Gabby Petito Foundation will
2 fund it for them if they approve it. So that's one.
3 Another one would be to take a missing person
4 report regardless of where the person lives or where
5 their last known location was. So you don't have -- they
6 tell you it's the first 48 hours are the most crucial;
7 however, it took us over 24 hours just to get the report
8 filed.
9 Q And how -- how is this lawsuit going to help
10 you change laws?
11 A It's not. This lawsuit's not going to help me
12 do anything.
13 Q Okay. Now, I know you mentioned earlier that
14 one thing that you would like to get out of this lawsuit
15 is for the Laundries to experience the pain that you
16 felt.
17 A That's correct.
18 Q How -- how would you -- how would you get that
19 from this lawsuit?
20 A Because they would -- anything that's out of
21 their control, they can't -- they can't control what the
22 jury's going to do. They can't control what the judge is
23 going to do. So they've got to sit there and be
24 tormented and pay legal bills for all of you guys. And I
25 don't give a shit. I hope they go bankrupt on your shit.

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1 I truly do. I don't want a dime from them. I don't give
2 a shit about their money.
3 Q So -- so, in your mind, them going bankrupt
4 would be the infliction of pain that you'd desire?
5 A Not that I desire. Just anything. I don't
6 care what the -- what the outcome is, to be honest with
7 you. I really don't. I just want them to suffer like
8 they had us sitting there suffering for. And if this is
9 how I have to get it, so be it.
10 Q Do you -- do you think that the Laundries had
11 any difficulty making the choices that they did?
12 A I'm sure they did. Listen, I'm not going to
13 sit here and act like they're not people. All right? I
14 fully, you know, respect that. As a parent, from one
15 parent to another, I do.
16 But it's the choices that they made after that,
17 by not holding their son accountable or taking their son
18 to the police station, knowing that something happened.
19 Because you don't hire him unless you know something
20 happened.
21 And I'll sit here and I will die on that sword.
22 There's no way I'm spending \$25,000 or more to hire
23 somebody -- I hope that's okay. That banging there.
24 I'm -- there's no way I'm going to spend
25 \$25,000 of my money, or whatever the amount was, on an

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1 attorney that I'm not going to get back when you're not
2 going to tell me what happened. There's no way. I
3 wouldn't pay a thousand dollars if you don't tell me
4 what's going on.
5 Q Now, in your mind, do you think that Brian was
6 never going to be held accountable?
7 A No. I thought Brian was -- on September 17th,
8 when the police were at the house, I thought they were
9 going to take him out in handcuffs.
10 I had an interview with Chris Cuomo that night
11 that I bailed on because I was stuck to YouTube waiting
12 to see that vision.
13 Q And so did you have any indication from law
14 enforcement on the 17th they were going to arrest him?
15 A No. I -- we had a phone call. I think it was
16 either this -- this -- the night of the 17th -- it could
17 have been on the 18th -- where the public got that
18 information first. And we told them, it would be nice if
19 you gave us the information before you take it to the
20 public.
21 Q So you -- you at least had -- there was some --
22 something occurred, information from someplace that gave
23 you the impression that Brian was about to be arrested on
24 the 17th?
25 A There was a police presence, and it was all

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1 over Facebook Live and YouTube and Instagram Live, all
2 the video feed, that were happening.
3 We're in front of the Laundry house.
4 So it got to me and I started watching it and,
5 as you see, the police roll up and stuff like that. They
6 led you to believe that something was going to happen,
7 and I was waiting for that moment to see him brought out
8 in handcuffs.
9 Q And what -- what did end up happening?
10 A They had to come out and tell -- tell the world
11 that Brian is not in the home and that he has been
12 missing since -- what they were told at the time was the
13 14th, only to be told again that it was indeed the 13th,
14 which still doesn't add up to why that car was there for
15 three days if they found it on the 14th, because three
16 days would be make it the 11th, which means he left on
17 the 11th, meaning that the 13th day that was stated by
18 their attorney was also a lie.
19 Q Okay.
20 A Which there's been a lot of those as well.
21 Q So -- so the -- the police go into the house;
22 is that right?
23 A Yes.
24 Q And --
25 A And the FBI.

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1 Q And they -- and they come out and Brian's not
2 there; right?
3 A They come out with bags of evidence. No Brian.
4 Q Okay. So they come out with bags of evidence.
5 Did they execute a search warrant?
6 A I am not clear.
7 Q So they -- they didn't communicate to you
8 whether they had a search warrant, arrest warrant,
9 anything like that?
10 A Nope.
11 Q But somebody -- they talked to somebody who
12 told them that Brian wasn't there?
13 A Again, and I'll repeat it, it's my
14 understanding that a health check was called in by
15 someone in California and that is why they got to where
16 they were. Not by Brian being reported as missing, as
17 was stated by the media by Bertolino, which, if that is
18 true, is also a lie.
19 Q But I -- but I guess what I'm trying to ask you
20 is somebody told them at that point that Brian was not
21 there?
22 A That is correct.
23 Q Do you know who that was?
24 A I would assume it would be the parents when
25 they let the police in to tell them that Brian is not

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1 here because they were doing a health check on him.
2 Q And you said somebody in California. Is that
3 just like a random person in California, or was it
4 some -- somebody more specific?
5 A It was told to me, by the FBI. It was a random
6 person. I have no idea who they are. I've never met
7 them.
8 Q And so -- okay. I mean, do you know why the
9 police would -- would act on a tip by a random person in
10 a case that was getting so much media attention?
11 A My guess would be to get in the house, but that
12 would only be an assumption, so I can't tell you for
13 sure.
14 Q Do you think that -- that it was a -- like a
15 setup for -- as an excuse for the police to get into the
16 house?
17 A That's for the police to answer, not me.
18 Q Because typically in a health check, they
19 wouldn't remove evidence from the house.
20 A For the police to -- to answer, not me.
21 Q So, now, in the middle -- on this 6-17-22 note,
22 you see, it says -- within the "Detailed Progress Note"
23 section, there's a sentence that says: He talks about
24 his increased anger at situations that he really wants to
25 say it like it is, but he has to censor himself. He

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1 specifically references the Laundries' attorney.
2 What -- what is -- you know, I know you've
3 spoken freely today, but is there something that you
4 haven't said that you're censoring?
5 A I -- today, I've spoken more freely than I was
6 ever able to do before because any time I ever said
7 something, it was publicly. And the way I'm feeling
8 shouldn't discourage others from coming forward with
9 their other own cases of abuse. And I want to make sure
10 that those cases of abuse come out. So I've always tried
11 to, in front of the camera, make sure that I'm not as
12 much as -- you know, as angry as I am, because this is
13 only pertaining to me. If -- if you were having an
14 issue, what I'm going through doesn't matter. I'm going
15 to try and help you.
16 Q And it also says here that: Joe goes on to
17 talk about a feeling that he very rarely allows himself
18 to tap into and that is fear.
19 Do you think your fear about what may have
20 happened to Gabby played into your mental health during
21 that time at all?
22 MR. REILLY: Why don't you read the whole thing
23 so you understand the context in which it was said.
24 MR. LUKA: Sure.
25 MR. REILLY: It starts right here.

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1 THE WITNESS: Why don't you repeat that
2 question again while I'm reading this.
3 BY MR. LUKA:
4 Q Sure.
5 So it reads: Joe goes on to talk about a
6 feeling that he very rarely allows himself to tap into
7 and that is fear.
8 Now, I -- I know earlier you said that you
9 really didn't want to talk to the police about what --
10 what likely had happened to Gabby. Would -- would you
11 say that was as a result of fear or was there some other
12 emotion that -- emotion that was guiding you at that
13 time?
14 A No. One of these have nothing to do with the
15 other. Again -- and this is my recollection -- my fear
16 would be when it came to my other children, not to
17 Bertolino himself or the situation. I already lost one
18 child; I do not want to lose another.
19 Q Now, you also make some reference in some of
20 these notes to the intense media attention that this case
21 garnered.
22 And I -- I think that I saw somewhere that this
23 was the number one news story for the year 2021. Is that
24 your understandings as well?
25 A If you say so. I -- I am unclear.

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1 Q I mean, is it fair to say that this case got
2 massive media attention?
3 A That is a fair statement.
4 Q Do you feel like all that media attention has
5 made the situation worse for you?
6 A For me personally?
7 Q For you personally?
8 A Yes and no. Yes, for myself, but I don't think
9 we would have been able to find Gabby without it. Gabby
10 was found because of Jenn Bethune's video. And 36 hours
11 after the FBI got that tip, it snowed. And we wouldn't
12 have found her at that point in time until the -- the
13 snow melted.
14 Q So -- so the media was helpful in promoting,
15 you know, your efforts to find Gabby?
16 A That's correct.
17 Q But it did have some negative effects as well?
18 A When the whole world tries to help you find
19 your daughter, that's a large check to have to pay.
20 So, yes, but I'm going to spend the rest of my
21 days trying.
22 Q Do you -- do you think that the amount of media
23 attention played any role in the Laundries' reluctance to
24 participate?
25 A No. I think the Laundries weren't going to

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1 participate at all. I think they were hoping that Gabby
 2 would never be found and Brian would go on his merry way.
 3 Because there was no body, no crime.
 4 Q Well, so --
 5 A They took him camping.
 6 Q But, obviously, at some point Brian made the
 7 decision to take his own life; is that right?
 8 A That's my understanding.
 9 Q And while we can never say for sure why he did
 10 that, it's likely that it had something to do with this
 11 case; right?
 12 A That would be also my understanding.
 13 Q So at least in Brian's mind, he was not going
 14 to escape responsibility for this?
 15 A That's exactly what he did.
 16 Q That's -- and that's -- that's -- that's
 17 something else that we should explore.
 18 So in -- so you feel like Brian's death allowed
 19 him to escape responsibility?
 20 A The coward's way out.
 21 Q And if Brian was still here, you would be able
 22 to seek justice; is that right?
 23 A That is correct.
 24 Q And by him dying, you were not able to get
 25 justice?

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1 A There will be no justice for Gabby Petito.
 2 Q Does this lawsuit have anything to do with you
 3 seeking justice?
 4 A This lawsuit has -- is -- is to get a sense,
 5 but, no, it's really to hold people accountable for their
 6 actions and their choices.
 7 Q Now, if Brian was still alive and was sitting
 8 in a jail cell somewhere, do you think you would still
 9 have as much animosity toward the Laundrie parents?
 10 A If they would have made the decisions that I
 11 think most decent human beings would make, then probably
 12 no. But they made choices and decided to go a route that
 13 I think is absolutely disgusting.
 14 Now, maybe it was, you know, on advice of their
 15 counsel. It's my opinion that they got bad advice, and
 16 they should look to see what legal means of recourse they
 17 could do to recoup their money that they got.
 18 Q Now, you mentioned earlier that you went on
 19 Dr. Phil. Have you been on any other shows like that?
 20 A Since Gabby's been found, we've done two
 21 interviews and two documentaries, all four of which were
 22 because they donated to the foundation, where we were
 23 able to donate in return over half a -- half a million
 24 dollars already. So that was the only reasons why we
 25 went onto those shows.

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1 Q So --
 2 A We declined all other interviews and whatnot.
 3 Any other interview you would see me in or Niki or Tara
 4 or Jim in had to do with domestic violence or missing
 5 people only, not to Gabby or this case.
 6 Q So those interviews that you did with Dr. Phil
 7 and others that -- instead of paying you for those
 8 interviews, they made contributions to the foundation?
 9 A Only to the foundation. We never received a
 10 dime. I've never been paid a dime.
 11 Q And the documentaries, were they -- were they
 12 shown in theaters or --
 13 A I have no --
 14 Q -- where -- where were they broadcast?
 15 A I do not know. One was here in the United
 16 States and that was with ITN. And then there was a
 17 second one with ITN that, from my understanding, was
 18 strictly for the UK.
 19 Q And those documentaries also made contributions
 20 to the foundation?
 21 A They each did, yes.
 22 Q And did you participate in those documentaries?
 23 A Yes, we did.
 24 MR. REILLY: Matt, can we take a break?
 25 MR. LUKA: Yeah, absolutely.

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1 (Whereupon, a brief recess was taken at
 2 2:54 p.m., and the deposition resumed at 3:02 p.m.)
 3 MR. LUKA: All right. Back on the record.
 4 BY MR. LUKA:
 5 Q So, Mr. Petito, where we left off, I think we
 6 were talking about some interviews that you had done,
 7 some documentaries, and those entities had made donations
 8 to the foundation.
 9 A That's correct.
 10 Q How about the Lifetime movie, did they make a
 11 donation to the foundation?
 12 A No, and it had nothing to do with the family.
 13 Nothing at all. Nothing to do -- we had no part in that.
 14 They took it upon themselves to do so.
 15 Q Or anything -- have there been any other --
 16 anything -- other than the documentaries and the media
 17 interviews, have there been any other things that you
 18 have done that have resulted in contributions to the
 19 foundation?
 20 A No. We gave the rights to Gabby's story to the
 21 foundation.
 22 Q Okay. So the -- the foundation owns the media
 23 rights, whatever -- whatever revenue might be generated
 24 from the story will go to the foundation?
 25 A All goes to the foundation.

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1 Q And do you get paid a salary by the foundation?
2 A I do not.
3 Q Does anybody -- does the foundation have any
4 employees?
5 A Nope.
6 Q So it's all volunteer?
7 A That's correct.
8 Q Do you have any projects in the works that you
9 expect will result in contributions to the foundation?
10 A We have charity events that are upcoming.
11 We're trying to create an education program that we're
12 going to try to bring nationwide. That's a tall order.
13 It's probably a five-year plan, but we're working on it.
14 Q And -- and that education program, like
15 entities would pay the foundation for using whatever
16 program you've developed, is --
17 A Haven't even gone into how it would benefit the
18 foundation. We just strictly want to help. If we create
19 a program and we can get it national, I don't care if the
20 foundation makes a dime from it, to be honest with you.
21 I would like to take the domestic violence rate
22 from one in three women and one in five men to one in
23 four women and one in -- one in six men and so on to
24 where I'm no longer needed.
25 The goal of the foundation is to be shut down

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1 because we're no longer needed.
2 Q Let's -- let's turn then to the next note,
3 which is dated July 1st, 2022.
4 So in this note, I -- I think that something
5 may have occurred in this case around this time because
6 it says: We were told that the case could proceed
7 against the Laundries.
8 Do you see that?
9 A No. Where is that?
10 Q So it's in the very top, in the "Open Remarks,
11 Affect, Appearance" section.
12 A Oh, okay.
13 THE COURT REPORTER: Open remarks what?
14 MR. LUKA: Affect, A-F-F-E-C-T.
15 THE COURT REPORTER: Is that the affect
16 section?
17 MR. LUKA: Affect, appearance.
18 THE COURT REPORTER: Appearance. Sorry.
19 MR. BERTOLINO: On what date?
20 MR. LUKA: So this is 7-1-2022.
21 BY MR. LUKA:
22 Q And then later in the note in the "Detailed
23 Progress Note" section, it says -- you say: Yeah, that,
24 but mostly I went through all the Bertolino interviews,
25 every one. It just gave me more feelings of anger but

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1 ones that just wouldn't come out.
2 When you went back through those interviews,
3 that gave you anger?
4 A Yes.
5 Q What -- what other emotions did you have
6 besides anger?
7 A Anger was a good one. I don't know what other
8 emotions at the time.
9 For a family that had nothing to say, he sure
10 had a hell of a lot to say. In fact, there wasn't a
11 camera he turned down.
12 Q Now, all of those interviews occurred, like, in
13 what time frame?
14 A I believe most of them happened from October
15 through, so it would be after Gabby was found.
16 Q And, now, as far as you know, neither Chris
17 Laundrie, Roberta Laundrie, or Brian Laundrie have ever
18 made any public statement on their own?
19 A Nope.
20 Q So they've never given an interview or anything
21 like that?
22 A The only statements that were made were the
23 ones that they allowed to be released -- or I'm assuming
24 allowed to be released.
25 Q But -- but you don't -- and we may have

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1 discussed this earlier, but you don't know whether or not
2 they discussed those statements with Mr. Bertolino before
3 they were issued?
4 A If they didn't discuss those statements with
5 Mr. Bertolino beforehand, if I was them, I would look to
6 see whatever type of legal recourse I can to recoup the
7 money that I paid for my retainer, because that's -- that
8 would be malpractice? No?
9 Q But you don't know if they discussed them or
10 not?
11 A No, I don't.
12 Q Now, when you watched those Bertolino
13 interviews, why would you do that to yourself?
14 A I was looking for information that he would do
15 that would implicate either himself that they knew or
16 that he knew.
17 Q So you were watching them more to try to gather
18 information for the case?
19 A That is correct.
20 Q So in this note it does seem like you express a
21 lot of animosity toward Mr. Bertolino.
22 A That's a fair assumption.
23 Q And it's -- is it a fair assumption that you
24 have a lot of animosity toward Mr. Bertolino?
25 A We'll go with that one too.

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1 Q Now, did anything happen in particular around
2 this -- the timing of this note in July of 2022 that
3 involved Mr. Bertolino that made you particularly focus
4 on him at that time?
5 A I think what it was at this point in time, if
6 I -- I don't remember the exact day, but we had a court
7 date prior to this day, and the motion to dismiss was not
8 granted. And I wanted to get as much information as I
9 can for Pat.
10 Q And what were you -- what were you hoping that
11 that information would uncover?
12 MR. REILLY: To the extent that you and I spoke
13 about it, don't --
14 MR. LUKA: Yeah.
15 MR. REILLY: -- don't answer that question.
16 BY MR. LUKA:
17 Q Yes. I don't want to know anything that you
18 and Pat discussed, anything that Pat gave you, told you,
19 anything like that.
20 A I was looking for any information that would
21 implicate that the parents or Mr. Bertolino knew.
22 Q And did you --
23 A Other than the fact that -- the assumptions and
24 the stuff that we already found out.
25 Q And did you find anything?

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1 A There was some things in there.
2 Q By "some things," you mean within the Bertolino
3 interviews?
4 A Uh-huh.
5 MR. REILLY: Yes?
6 THE WITNESS: Yes. Sorry. Yes.
7 BY MR. LUKA:
8 Q Do you have any specific recollection of what
9 he said?
10 A Any information I found, I gave to Pat. I'd
11 rather not discuss it, if that's okay.
12 Q Okay. Let's go to the next date, 7-11-2022 --
13 July 11th, 2022.
14 So in this video -- or, I mean -- sorry. In
15 this video? In this note, you say --
16 THE WITNESS: Did someone brew coffee?
17 MR. REILLY: Yeah, you did.
18 THE WITNESS: Okay. Hazelnut?
19 MR. REILLY: No.
20 BY MR. LUKA:
21 Q So it's under -- right underneath the third
22 black box.
23 A Okay.
24 Q It says: He challenges that he doesn't think
25 he is because I go to Twitter, like, 10 times a day.

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1 What were you looking for when you were going
2 to Twitter 10 times a day?
3 MR. REILLY: Start up here.
4 THE WITNESS: Okay. Tweet.
5 This was the time we were going to go to
6 Utah -- I'm sorry -- to Wyoming, and we were
7 discussing when we would go and -- and how that
8 would work. And we didn't want to go on Gabby's
9 anniversary -- the date of her anniversary in August
10 or when she was found in September. So we were
11 trying to figure out, because we figured there would
12 be media there, which we found out there was, and we
13 didn't want our -- because we were bringing the
14 children and we didn't want them to be videoed
15 crying or -- or seeming upset and -- and having to
16 deal with, you know, their -- their classmates
17 showing them that or going through that.
18 As it happened, in October of 2021, when we
19 went to Wyoming to get her remains, there was a
20 photographer waiting there to take photographs from
21 probably a mile away and put my picture in there and
22 that I was -- of me holding her ashes. So that's
23 what we were trying to avoid.
24 BY MR. LUKA:
25 Q And so you were checking Twitter to see if

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1 there was going to be media coverage of that?
2 A I don't know what I was checking Twitter for,
3 to be honest with you, at that point in time.
4 Q Now, is it -- is it typical for you to check
5 social media very regularly?
6 A I do now to help with missing person cases, to
7 put their fliers up or people email me in domestic
8 violence situations to see what we can do to help, and I
9 try to refer them to the right places so they can get the
10 help that they need.
11 Q Do you still check for stuff about Gabby?
12 A From time to time. Most of the stuff that
13 comes out now is either, like I said, sympathy or people
14 using her case to garner more information on their case,
15 which I recommended that they do, because I'm never
16 getting Gabby back. But if they can use her name to
17 exploit their own case and help find their missing loved
18 one, do it.
19 Q So then back in July of 2022 were you -- were
20 you going to social media a lot to search for -- for
21 stuff about Gabby?
22 A Probably. You know, they say it takes --
23 what? -- 90 days to make a habit. And I did nothing but
24 look for information for a while. And so at that point
25 it was probably a habit.

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1 Q Okay. Let's go to the next note, which is
 2 8-22-22. And there's a -- there's a question in here
 3 about who in this case enrages you the most. And you
 4 said that it was not Brian but rather Mrs. Landrie?
 5 A Brian's dead at this point in time. Something
 6 happened with Brian. It is what it is.
 7 The parents still anger the -- the crap out of
 8 me. This gentleman sitting there, you know, angers the
 9 crap out of me.
 10 Q And it's because they are still alive?
 11 A No. No, I don't wish harm on them.
 12 Q But, so -- but you said that you don't really
 13 feel that -- as much anger toward Brian because he's not
 14 here. If Brian was here, do you think he would be the
 15 focus of your anger?
 16 A Maybe. I don't know. He's not.
 17 Q Now, you -- now, you say in here that your
 18 anger toward Mrs. Landrie is because she is a mother.
 19 And how can you hide behind an attorney and offer an
 20 attorney-protected blah statement of "We hope she is
 21 found"?
 22 A Uh-huh.
 23 Is there a question there?
 24 Q No. I just -- I want to make sure that you --
 25 I'm just directing you to what about I'm about to ask you

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1 questions about next.
 2 So -- so, again, it -- it really bothered you
 3 that they, quote/unquote, hid behind an attorney; is that
 4 right?
 5 A No. It bothered me that being a parent and
 6 saying, It's our hope that they, you know, are reunited,
 7 but they're doing nothing but staying in the background
 8 and letting the police handle everything and they're not
 9 trying to figure out a way to help Gabby be brought home.
 10 That's what bothers me. They supposedly love Gabby, but
 11 all they did was show that they didn't give two shits
 12 about her.
 13 Q And, now, I think you did say that you think
 14 they should have been allowed to have an attorney; right?
 15 A I understand the -- the right of having an
 16 attorney. I got no issues with having the attorney. By
 17 all means, have -- give Brian the attorney.
 18 Q Now --
 19 A But --
 20 Q -- do you -- do you think that the law should
 21 change in any way to where somebody should not be allowed
 22 to have an attorney in a circumstance like this?
 23 A In a circumstance like this, no.
 24 Q And do you -- do you think the law should be
 25 changed whereby somebody can't remain silent in a

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1 situation like this?
 2 A No. But they also did not remain silent. I
 3 mean, we keep going back over that. This gentleman made
 4 statement after statement after statement. And, then,
 5 when Brian was found, did interview after interview after
 6 interview. I mean, there was four months of interviews
 7 of this guy. So the one thing they did not do was remain
 8 silent.
 9 Q Well, putting aside Mr. Bertolino's statements,
 10 neither Brian Landrie nor his parents ever personally
 11 made a statement; correct?
 12 A He -- they paid him, so he is their mouthpiece.
 13 So, in essence, they made those statements on his
 14 behalf -- or he made those statements on their behalf.
 15 Q But they were --
 16 A Matter of fact, it's -- when he says "our
 17 hope," who's "our hope"? He didn't say, This is -- it's
 18 my hope that Gabby's found? He said "our." So he's
 19 speaking on their behalf.
 20 Q But, again, they didn't personally make any
 21 statements; correct? So just so it's clear.
 22 A I didn't personally make that statement by Rick
 23 that you asked, but you asked me if I gave that -- if I
 24 okayed that statement and I did.
 25 Q But, yes, but you did not personally make that

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1 statement?
 2 A I didn't personally make it, but I okayed it.
 3 Q So, now, you described the statement in this
 4 note as an attorney-protected statement; right?
 5 A I don't understand what you mean by that. What
 6 do you mean?
 7 Q Well, I don't know. That's the way you
 8 describe it in this -- in this --
 9 A Where are you looking at?
 10 Q -- in this section. You described it as an
 11 attorney-protected statement.
 12 MR. REILLY: Attorney-protected blah statement.
 13 BY MR. LUKA:
 14 Q Blah statement.
 15 A Oh, okay.
 16 "An attorney-protected blah statement of, We
 17 hope she is found."
 18 And then look at my next comment: No, you
 19 don't. If you meant that, you would take us to where she
 20 is. I raised my kids to be accountable. I get Brian is
 21 their son, but when a kid does something wrong, you
 22 support them by holding -- by holding them accountable.
 23 Q But let me -- let me take you back to the
 24 attorney-protected part. So when you viewed this
 25 statement, you viewed it as something that an attorney

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1 prepared?

2 A I probably viewed it as a statement that an
3 attorney prepared, as similar to the statements that we
4 had put out that our attorney had prepared and we okayed.

5 Q But this particular statement, you -- you
6 described as attorney-protected, so the -- you thought
7 the statement was meant to protect the clients of the
8 attorney?

9 A No. No. I didn't think it was meant to
10 protect them at all. I think it was, you know, just to
11 put a statement out there.

12 I believe it was -- Bertolino says, They felt
13 so much undue pressure by John Q. Public that they needed
14 to make a statement, if I remember his interview
15 correctly.

16 Q And you also described the statement as "blah."

17 A That's a bullshit statement. I think -- well,
18 see, they hid it for the TV. I actually described that
19 statement -- my full, accurate representation of that
20 statement is that -- see, that statement seemed like it
21 was written by a five-year-old in crayon, and
22 Steven Bertolino needs to go back to college and take
23 some writing and education courses to figure out how to
24 properly write a statement, but they didn't put that on
25 TV.

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1 Q But by "blah," you meant that it just didn't
2 say anything?

3 A Oh, it said something. But I -- again, this
4 is -- what I meant by that and to my -- to my therapist,
5 it was a bullshit statement.

6 Q The statement didn't give you the information
7 you were looking for?

8 A That statement was just a regurgitation of
9 vomit just so he could make himself feel better or make
10 themselves feel better that we actually said something.

11 And that's -- the thing that they said was
12 ridiculously -- it was so egregious and disgusting, all
13 of us were like, Are you fricking kidding me? This is
14 the statement that they come up with? Like, you fucking
15 hope that she's found? Prove it to me. Prove it to me
16 how you hope she's found.

17 Q Now, prior to this meeting on August 22nd,
18 2022, you had never specifically discussed
19 Mr. Bertolino's statement with your therapist. Why in
20 this meeting did you bring it up?

21 A I didn't discuss a lot of things with my
22 therapist. I have a hard time bringing my feelings out.
23 It's only recently that I learned to do so. And we had
24 just gone through a bunch of court stuff and I guess
25 that's why I did. I have no idea.

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1 I was -- how did my therapist put it? I think
2 she -- she described me as a -- as a locked box when it
3 comes to my emotions of some sort. You know, I mean,
4 we've had discussions with it. So I'm not good at
5 putting this shit out there. Then when I finally did, I
6 did.

7 Q All right. Turn to the next note, the -- it's
8 August 29th, 2022. So in this -- in this -- in this
9 session note, you indicate that you would like to beat
10 the shit out of Christopher Laundrie and Mr. Bertolino at
11 their depositions and that you want to take everything
12 from Mrs. Laundrie. And by that you say: Comfort,
13 money, just everything that makes her life good.

14 Has that anger subsided at all?

15 A I didn't jump across the table and do anything.

16 MR. BERTOLINO: It's a good thing.

17 BY MR. LUKA:

18 Q And I know that you've said that -- that taking
19 comfort, money, everything that makes the Laundries' life
20 good, that is one of your goals of the lawsuit is to --

21 A I want to hurt them like they hurt us. If
22 that's the only way I can, so be it.

23 Q And do you think that by hurting them that
24 that's going to ultimately make you feel better?

25 A Not even close.

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1 Q So then what's the -- what's the purpose of
2 hurting them?

3 A There's several things. Will it make me feel
4 better? Briefly.

5 Will it give me solace in the fact that I know
6 that now they're hurting the same way that I was hurting
7 in terms of pain? Maybe.

8 It's all selfish reasons, to be honest with
9 you. Like I said, I don't want a dime from them. I
10 don't give a fuck what happens, you know, with that
11 bullshit.

12 You know, I -- I wish Florida didn't have the
13 Homestead Act. I'd like to take their home from them
14 too. Sorry. Go live on the streets. I don't care what
15 happens to you. Don't care. Go play in traffic. Do not
16 care.

17 What I do want to do is help people now. This
18 is going to help me briefly. What I'm focusing on now is
19 helping everybody else. I got to repay the debt that
20 everybody paid to me.

21 Q And that -- that anger that you have toward the
22 Laundries is because they could have come forward with
23 information and they didn't?

24 A Correct. They could have come forward with the
25 truth -- should be the question.

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1 Q Okay. Let's go to 12-13-22. So December 13th,
 2 2022.

3 A Like one of the last ones.

4 Q Yeah. It should be -- it should be, if not
 5 maybe the last one.

6 A No. I've got January, so it's the
 7 second-to-last one.

8 Q Yep.

9 Okay. Now, in this -- in this one you say
 10 about Mr. Bertolino: That asshole could have done right
 11 by his clients and still put words of caring in his
 12 statements.

13 What would you have done differently than what
 14 Mr. Bertolino did?

15 A Either not say anything at all -- and, again,
 16 we're only here because of the statements that he drew up
 17 for his clients, right? So, I mean, that could have been
 18 done differently. He could have worded it with a little
 19 bit more compassion. He could have said, Hey, listen, if
 20 you guys truly don't know anything, cooperate with the
 21 police.

22 If you guys are truly innocent and you know
 23 nothing, what have you got to hide?

24 They didn't do nothing wrong. They didn't kill
 25 Gabby. I understand. They weren't in Wyoming on

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1 August 27th.

2 Cooperate. Let them in your house. Talk to
 3 them.

4 Q And do you think that by doing those things,
 5 that Mr. Bertolino would have still been able to protect
 6 his clients? "His clients" being Brian Laundrie and the
 7 Laundrie parents.

8 A If Steven Bertolino solely represented Brian on
 9 the -- because the parents did nothing wrong, they had
 10 nothing to do with it, all they did was write a check to
 11 help their son, yes, I do.

12 Q So, yes -- yes, you do -- you think he still
 13 would have protected his clients by --

14 A He could have protected his client, and the
 15 Laundries wouldn't be where they are right now because
 16 they cooperated with police because they had nothing to
 17 do with the murder of Gabby.

18 Everything that happened afterwards was choices
 19 that they made by advice from their counsel.

20 Q So you think that if Mr. Bertolino had not
 21 represented the Laundries, that they would not be in this
 22 lawsuit right now?

23 A I think if a -- an attorney who works down here
 24 in Florida would have represented them in a capacity
 25 where only Brian, because he was the only one that did

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1 something wrong, maybe not. But we'll never know.

2 Q So it seems, in looking through all of these
 3 notes, that all of your meetings with Trina McLaughlin
 4 [sic] after July of 2022 -- you seem to show a lot of
 5 animosity for Mr. Bertolino.

6 Was there anything around that July 2022 time
 7 frame that really triggered you with regard to
 8 Mr. Bertolino?

9 MR. REILLY: Go back and take a look at the
 10 note before you answer that. Go back to the July 22
 11 note.

12 THE WITNESS: Oh, the July 22nd note?

13 MR. REILLY: Yep. July 11th or July 22nd?
 14 There's an August 22nd and a July 11th.

15 THE WITNESS: You mean the July 1st one -- is
 16 probably what he means. Or the July 11th?

17 MR. REILLY: Let him -- let him tell us.

18 BY MR. LUKA:

19 Q Yeah. So, yeah, if you want to start -- I
 20 think we discussed the -- let me look at my notes here.
 21 So the July -- yeah, the July 1st note was the
 22 one where you went through all of Mr. Bertolino's
 23 interviews.

24 A So this is where I went through. I don't know.

25 MR. REILLY: Can you ask the question again?

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1 MR. LUKA: Sure. Yeah --
 2 (Simultaneous speaking.)

3 THE WITNESS: Yeah. I don't know what you
 4 asked.

5 BY MR. LUKA:

6 Q Let me ask you a different --

7 THE COURT REPORTER: One at a time, please.
 8 Sorry.

9 MR. LUKA: Okay. Sorry. Sorry. Excuse me.

10 BY MR. LUKA:

11 Q So we -- we discussed the July 1st, 2022, note,
 12 which was the note where you went back through
 13 Mr. Bertolino's interviews.

14 A Okay.

15 MR. BERTOLINO: Excuse me, Lisa. Off the
 16 record..

17 (Whereupon, an off-the-record discussion was
 18 held.)

19 (Mr. Bertolino exited the deposition.)

20 BY MR. LUKA:

21 Q And that appears to be about just after
 22 Judge Carroll issued his ruling on the motion to dismiss
 23 in this case.

24 Does that sound about right to you?

25 A The timing seems about right.

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1 Q And the July 1st note does make a reference to
2 the judge just issuing the ruling allowing the case to
3 proceed forward?
4 A Yep.
5 Q Was there something about either that ruling or
6 something else that increased your animosity toward
7 Mr. Bertolino going forward from that point?
8 A So what transpired from this point was now I
9 had the opportunity to go through all -- and there were a
10 lot of interviews that he did. Again, he did not find a
11 camera he didn't like.
12 So for someone who didn't -- you know, who told
13 his clients to remain silent, he had an awful lot to say
14 about it. And when you go through those interviews, they
15 only get worse. And for him to say certain things, you
16 know, such as, you know, Brian was grieving, you know,
17 when he left the house, only to recant it later on.
18 Don't bullshit me. You knew what you were
19 saying. He killed my daughter. Yeah, he was grieving.
20 He just lost his -- he just lost his fiancée at -- at his
21 hands. Literally took her life in his hands and
22 strangled it out of her body, and then left her there in
23 the wilderness, in the cold.
24 And then these guys are protecting him. And
25 he's going on TV every six saying -- every six seconds to

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1 turn around and say: My clients had no idea. Or, My
2 clients did -- you know, are protected. I told them to
3 be quiet.
4 And then he -- I love the phrase -- it was
5 great -- you know: I can't tell you what my client said
6 because it's protected, but what can I tell you is this.
7 He would do it all the time. So when it --
8 when it comes to being silent, they did not remain
9 silent.
10 You guys are attorneys. You do the blanket
11 statement: I look forward to the truth coming out in
12 court. Yay. And then you leave.
13 That is not what he did. He did everything he
14 could to take every interview he could to tell the world
15 that he is the best fricking law attorney because he
16 knows better than everybody else.
17 Well, news flash, he's not the smartest person
18 in the room.
19 Q But -- but do you think that as a result of the
20 ruling, the order on the motion to dismiss in the -- in
21 this lawsuit, that that caused you to re-evaluate your
22 position on Mr. Bertolino?
23 A No. No. Because my position on Bertolino was
24 before that. And you can actually go through the
25 interviews that I did. I didn't do any more interviews

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1 after Gabby was found other than the ones that we were --
2 paid for by the foundation when we were talking about
3 domestic violence and missing people. So I didn't care
4 about being on TV. Obviously, he did. I only cared
5 about finding my daughter. That was it. And the things
6 he said at that time or thereafter was just fucking
7 disgusting.
8 Q Now, would you say, though, that if -- you
9 know, your -- if your opinion is that Mr. Bertolino was
10 interested in doing interviews and whatnot for his own
11 self-promotion, that that necessarily -- that doesn't
12 necessarily represent the Laundries? Would you agree
13 with that?
14 A It sounds awfully like your clients are trying
15 to distance themselves from Bertolino. And I'll tell
16 you, I've -- I worry.
17 Q Well, that's not what I asked you. I asked
18 you, if he -- if your opinion is that he was doing things
19 for his own self-promotion, that would not be for the
20 Laundries' benefit; correct?
21 A That would be an accurate statement.
22 Q Now, let me -- let me just ask you generally.
23 I know you said that you do a lot of social media. How
24 would you describe your posts?
25 A Advocacy.

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1 Q And would you say that back in the September
2 2001 [sic] time frame, would your posts have almost
3 primarily been about finding Gabby?
4 MR. REILLY: 2021.
5 BY MR. LUKA:
6 Q I'm sorry. 2021.
7 A September of 2021, primarily my focus was only
8 on finding Gabby and all of my posts were about as such.
9 Q And then after that, it's -- it's changed to
10 advocacy?
11 A That is correct.
12 Q Like, how often were you posting back in the
13 September 2021 time frame?
14 A Not very often at all. Matter of fact, not
15 on -- on Twitter before Gabby went missing, I think the
16 last time I used it was 2017.
17 Q And then how would you -- how would you say
18 that's different to now?
19 A It's much different now. I have a -- a large
20 bill to pay to a lot of people, so I'm going to do
21 whatever I can to help as many people as I can.
22 Q Now, have you ever posted something that you
23 wish you had not posted?
24 A I mean, that's a possibility.
25 Q But nothing -- does anything particular come to

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1 mind?

2 A Nothing pops into mind. You know, I don't

3 think I'm very controversial, you know, in terms of my

4 posts. A lot of stupid stuff when I was probably in my

5 20s on Facebook or Myspace, if people remember Myspace.

6 You might remember Myspace. Maybe you do. Do you

7 really? Okay. So -- but, otherwise, I don't recall.

8 Q Now, do you recall any posts, whether they were

9 by you or by somebody else, that stand out in your mind,

10 whether they were good or bad?

11 A From anything or any topic?

12 Q About Gabby or Brian or something to do with

13 this case?

14 A There was one that stands out that made me

15 chuck- -- made us chuckle.

16 Q What -- what was it?

17 A Oh, it's Casey Anthony's parents. You know,

18 "We're the worst parents in the world." And then there

19 was a picture of the Laundries saying "Hold my beer."

20 So you asked. It wasn't my post. I saw it.

21 So it wasn't mine. And I didn't repost it either.

22 Q Did you ever post anything about

23 Mr. Bertolino's statement?

24 A No, I don't believe I did. I believe my

25 brother did and I asked him not to do so.

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1 Q And I think you did mention that about the --

2 on the Facebook page?

3 A Yep. Because it became a news story, and I

4 asked him not to do that moving forward. If, you know,

5 he has an issue, he can talk to me directly, but do not

6 put it out in public.

7 Q So as far as you know, nobody in your family or

8 Mr. Stafford or any other attorney you've had has ever

9 posted anything about that statement?

10 A As far as my -- let me just be specific here.

11 Okay. As far as to my knowledge, myself, Niki -- I'm

12 sorry -- myself, Niki, Tara, or Jim, or Rick Stafford has

13 not posted anything about the Laundries or their

14 statements.

15 Q Now --

16 A Not to my knowledge.

17 Q Now, other than Rick Stafford, Mr. Reilly, and

18 your attorneys in Utah, have you ever had any other

19 attorneys associated with any of these cases, anything

20 related to Gabby?

21 A Yes. Yes. There would be.

22 MR. REILLY: Steve Hearn.

23 THE WITNESS: Yeah, Steve Hearn. Yeah, Steve

24 Hearn was the -- the -- the estate -- estate

25 attorney.

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1 And then the stuff out in Utah is this -- like,

2 two or three law firms together on that case.

3 BY MR. LUKA:

4 Q So Steve Hearn is an attorney in Florida?

5 MR. REILLY: He's in Tampa.

6 THE WITNESS: He's at the -- he handled the

7 estate transformation, whatever that was.

8 BY MR. LUKA:

9 Q So you didn't have any other attorneys that

10 were assisting you during the -- the investigation stage

11 other than Mr. Stafford?

12 A It was only Stafford.

13 Q Have you ever posted anything on your social

14 media about the Laundrie parents?

15 A I don't believe I did. I could be wrong, but I

16 don't think -- I'm pretty sure I did not.

17 MR. LUKA: I think that's all I've got.

18 THE WITNESS: Works for me.

19 REDIRECT EXAMINATION

20 BY MR. MELTZ:

21 Q Mr. Petito, I do have a follow-up.

22 You may have actually filled it in based on

23 some of what Mr. Luka asked, but you talked about looking

24 through old interviews that Mr. Bertolino gave.

25 Are you aware of any statements by

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1 Mr. Bertolino where Mr. Bertolino said something that you

2 have interpreted as some admission on his part of

3 wrongdoing?

4 A Such as to say the statement of grieving?

5 Q Any -- anything?

6 A Uh-huh.

7 Q Okay. So the grieving statement was, I think,

8 described in your complaint. Anything other than that

9 that you believe Mr. Bertolino has said which you've

10 interpreted as some admission of wrongdoing?

11 A If I did, it would be -- I would tell Pat about

12 it and it would be a conversation that I had with Pat,

13 because he would let me know, and I don't think I can

14 talk about that.

15 Q Well, you can't talk about Mr. Reilly's

16 conversations with you. You can't say Mr. Reilly told

17 you something. But to the extent that you independently

18 gained the knowledge and you believe you've identified

19 something that Mr. Bertolino has said which you've

20 construed as what we call an admission against interest,

21 what would that be?

22 A I don't recall exactly the stuff that I've --

23 I -- I wrote down and I went through. I don't keep notes

24 for that, to be honest with you. So I don't recall, off

25 the top of my head, what I found in those interviews.

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1 I do recall there being 10, 12 different
2 interviews. They're all on YouTube and Google. By all
3 means, you're welcome to go through them. I'm sure you
4 probably already have them. But off the top of my head
5 right now, I don't recall what the topics were and what
6 we discussed.

7 Q Did some portion of those interviews take place
8 before Brian's body was found?

9 A Yes.

10 Q Was it your general understanding that there
11 was media interest during the time that Brian was missing
12 after Gabby had been found?

13 A Yes.

14 Q How many interviews did Mr. Bertolino give
15 after Brian's body was found that you've gone back and
16 looked at?

17 A Probably a dozen.

18 Q And when was the last one in terms of time?

19 A I don't recall.

20 Q Were any of them more than a few weeks or a few
21 months after Brian's body was found?

22 A It's possible. I'd have to look at the dates.
23 Again, I don't recall.

24 You did say only one follow-up question,
25 though. This is, like, several.

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1 Q That's true.
2 Mr. Reilly -- not Mr. Reilly -- Mr. Luka had
3 asked you about the mention of Mr. Bertolino in the notes
4 and you kind of described the time frame. I want to say
5 July of 2022.

6 Was Mr. Bertolino giving active interviews, at
7 that time, about matters related to this case?

8 A I believe he was.

9 Q Had you watched one and that's kind of what
10 triggered you to -- to talk about it in the therapy
11 session? A current interview?

12 A It's possible. I -- again, I was going through
13 interviews so I could figure out what information I would
14 deem relevant because I had a lot more information
15 because, obviously, we were involved. So -- and Pat was
16 coming in thirdhand. So I would do my due diligence to
17 make sure Pat had all the information he needed, so...

18 Q Had you already commenced your lawsuit against
19 the Laundries in this case in July of 2022?

20 A Yes. It had already started.

21 Q Once you started this lawsuit, do you think
22 Mr. Bertolino gave some sort of press release or
23 interview about it?

24 A More than likely he did.

25 Q But does -- does one come to mind in

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1 particular?

2 A Off the top of my head, no, because there were
3 a lot. And, again, he didn't like a camera -- he didn't
4 find a camera he didn't like.

5 Q Did you create, like, a file or a folder where
6 you assembled all of these interviews that you pulled for
7 Mr. Bertolino?

8 A No. No. I'm not good with technology. I
9 would send links.

10 THE COURT REPORTER: You would what -- links?

11 THE WITNESS: I would send links.

12 THE COURT REPORTER: Send links. Sorry.

13 BY MR. MELTZ:

14 Q Do you still have a record of what links you
15 may have located or sent?

16 MR. REILLY: It's work product. I'm going to
17 object and instruct him not to answer.

18 MR. MELTZ: Work product? Hold on.

19 MR. REILLY: He provided them to me at my
20 request.

21 BY MR. MELTZ:

22 Q Mr. Reilly asked you to find old videos of
23 Mr. Bertolino, and in the process of doing so, that upset
24 you when you looked at them?

25 A Not like that. I will tell you, all the videos

Page 228

1 and all the interviews Steven Bertolino gave are on
2 YouTube. You're more than welcome to go on YouTube and
3 type his last name. They will all come up.

4 Q I'm more interested in the ones that you,
5 yourself, have looked at, though, that -- that triggered
6 what you've described and that -- and that contained, you
7 know, this language that you've identified as
8 problematic.

9 So is there some way I can determine which ones
10 you looked at or is that work-product privilege?

11 MR. REILLY: It's work-product privilege.

12 MR. MELTZ: Okay. So --

13 MR. REILLY: He told you where to find them.

14 MR. MELTZ: No, I get it, but -- but I take it,
15 then, at trial, I'm not going to hear anything about
16 it because it's all work-product privilege and I
17 couldn't ask questions at the deposition.

18 MR. REILLY: No. That's not true.

19 THE WITNESS: They are public information.

20 BY MR. MELTZ:

21 Q Right. I don't know which ones you looked at.

22 A Then you can ask me individually.

23 Q Can you tell me any of them as we're sitting
24 here today?

25 A Ashleigh Banfield, Court TV, Kristin Thorne.

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1 There's several on Court TV, if I remember correctly. He
 2 seemed to like that one, maybe because it's amongst his
 3 peers. He wanted to seem bigger than he was for such a
 4 little guy.
 5 Q Well, if he's little, I'm...
 6 A You're little, too, but you're much nicer.
 7 Q I'm teeny tiny.
 8 A Yeah, but you're much nicer.
 9 So -- but those are the ones off the top of my
 10 head.
 11 Q Okay. Understanding Mr. Reilly's position on
 12 it, do you still have a record -- and I'm not asking what
 13 it says -- but do you have a record of what links you
 14 sent Mr. Reilly?
 15 A It's possible in my email to Mr. Reilly, if I
 16 have a record that way. I don't have them anywhere else.
 17 Q All right. And if that information still
 18 exists, it would be in the form of an email from you to
 19 Mr. Reilly, or more than one, in which you would have
 20 transmitted a link that said, you know, whatever --
 21 Bertolino interview?
 22 A Correct.
 23 THE COURT REPORTER: Bertolino what?
 24 MR. MELTZ: Interview.
 25 THE WITNESS: That would be correct.


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1 BY MR. MELTZ:
 2 Q Would you use a subject line like that?
 3 A Oh, I don't remember the line. Sometimes I
 4 would just send Pat an email and be like, Check these
 5 out. So I don't know what the -- what the subject line
 6 would be.
 7 Q Did you ever share those links with Nichole?
 8 A I don't think so. No, I don't -- I don't think
 9 I did. I think I might have told her about it, that I
 10 was doing it, but I never shared it with her.
 11 MR. MELTZ: All right. That's all the
 12 questions I have in follow-up.
 13 THE WITNESS: Okay. I mean, it's possible, but
 14 I don't think I did.
 15 MR. REILLY: He'll read and sign.
 16 MR. MELTZ: We will order.
 17 MR. REILLY: Off the record.
 18 (Whereupon, an off-the-record discussion was
 19 held.)
 20 (Whereupon, the testimony of JOSEPH PETITO was
 21 concluded at 3:44 p.m.)
 22
 23
 24
 25

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CERTIFICATE OF OATH


1
 2
 3 STATE OF FLORIDA)
 4 COUNTY OF SARASOTA)

5
 6 I, Lisa L. Taylor, Registered Professional Reporter,
 7 Florida Professional Reporter-Certified, and Notary
 8 Public, State of Florida, certify that JOSEPH PETITO, who
 9 is personally known to me or produced identification in
 10 the form of a Florida Driver's License, appeared before
 11 me and was duly sworn on the 16th day of August, 2023.
 12
 13 WITNESS my hand and official seal this 27th day of
 14 September, 2023.
 15
 16
 17 
 18
 19
 20 LISA L. TAYLOR, RPR, FPR-C,
 Notary Public - State of Florida
 My Commission No.: GG 918546
 Expires: November 1, 2023
 Verified Digital Certificate
 21
 22
 23
 24
 25

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CERTIFICATE OF STENOGRAPHIC REPORTER

1
 2 STATE OF FLORIDA)
 3 COUNTY OF VOLUSIA)

4 I, Lisa L. Taylor, Registered Professional Reporter,
 5 Florida Professional Reporter-Certified, certify that I
 6 was authorized to and did stenographically report the
 7 foregoing proceedings, Pages 1 through 230; that a review
 8 of the transcript was requested; and that the transcript
 9 is a true and complete record of my stenographic notes.
 10 I further certify that I am not a relative,
 11 employee, attorney, or counsel of any of the parties, nor
 12 am I a relative or employee of any of the attorneys or
 13 counsel connected with the action, nor am I financially
 14 interested in the action.
 15 DATED this 27th day of September, 2023.
 16
 17 
 18
 19 LISA L. TAYLOR, RPR, FPR-C,
 Registered Professional Reporter
 Florida Professional Reporter-Certified
 20
 21 Verified Digital Certificate
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