

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

CASE NO.: 2022 CA 1128 SC

JOSEPH PETITO and NICHOLE
SCHMIDT,

Plaintiffs,

vs.

CHRISTOPHER LAUNDRIE, ROBERTA
LAUNDRIE, and STEVEN BERTOLINO,

Defendants.

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

COMES NOW, this Defendant, STEVEN BERTOLINO, through counsel, pursuant to the Florida Rules of Civil Procedure, and hereby gives notice of filing the transcript of the October 10, 2023 deposition of Defendant CHRISTOPHER LAUNDRIE in support of Defendant Steven Bertolino's Motion for Summary Judgment, filed on February 12, 2024. This Notice is given in accordance with Florida Rule of Civil Procedure 1.510(c). The transcript is also filed for use at trial and any other purposes as provided for by the Florida Rules of Civil Procedure.

CERTIFICATE OF SERVICE

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

/s/ Laura M. Kelly

CHARLES J. MELTZ, ESQUIRE

Florida Bar No. 985491

LAURA M. KELLY, ESQUIRE

Florida Bar No. 106436

TELAN, MELTZ, WALLACE & EIDE, P.A.

901 N. Lake Destiny Road, Ste 450, Maitland, FL 32751

Phone: (407) 423-9545 | Fax: (407) 425-7104

enotice@triallawfla.com

Counsel for Defendant Steven Bertolino

14606/3351

3

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

2

3 CASE NO. 2022 CA 001128 SC

4 JOSEPH PETITO and
 NICHOLE SCHMIDT

5
 Plaintiffs,

6
 vs.

7
 CHRISTOPHER LAUNDRIE and
 ROBERTA LAUNDRIE,
 8 Defendants.
 9 _____/

10
 11
 12
 13 DEPOSITION OF CHRISTOPHER LAUNDRIE
 14
 15
 16 TAKEN BY: COUNSEL FOR PLAINTIFFS HEREIN
 17 DATE: Tuesday, October 10, 2023
 18 TIME: 9:06 - 11:29 a.m.
 19 PLACE: Roberts Reporting, Inc.
 871 Venetia Bay Boulevard
 Suite 202
 Venice, Florida

20
 21 BEFORE: AMY E. ROBERTS, RPR, RMR
 22 Registered Professional Reporter
 Registered Merit Reporter
 23 Notary Public
 State of Florida at Large
 24
 25

1 Deposition of: CHRISTOPHER LAUNDRIE

2

3 I N D E X

4 Examination	Page
5 Direct, by Mr. Reilly	4
6	
7 Certificate of Oath	111
Deposition Certificate	112
8 Read & Sign Instructions	113
Errata Sheet	115
9	
10	
11	
12	
13	E X H I B I T S
14 Number Description	Marked
15 Plaintiffs' 1 AT&T Phone Records for ██████-1787	62
16 Plaintiffs' 2 (Unmarked)	
17 Plaintiffs' 3 Bertolino Statement Dated 09-14-21	96
18 Plaintiffs' 4 Stafford Letter to Mr. and Mrs. Laundrie Dated 09-15-21	96
19	
20 Plaintiffs' 5 Tweet from Jossie Carbonare WPBF25 Dated 09-19-21	106
21	
22	
23	
24	
25	

2

1 APPEARANCES

2

3 PATRICK J. REILLY, Esquire
 Snyder and Reilly, Trial Lawyers
 4 355 West Venice Avenue
 Venice, Florida 34285
 5 941-485-9626
 pat@snyderandreilly.com
 Appearing on Behalf of Plaintiffs

6

7 RYAN L. GILBERT, Esquire
 8 Ryan Gilbert Law, PLLC
 2112 SW 34th Street
 9 Suite 387
 Gainesville, Florida 32608-1204
 10 352-756-4146
 ryan@ryangilbertlaw.com
 Appearing on Behalf of Defendants

11

12 CHARLES J. MELTZ, Esquire
 13 LAURA M. KELLY, Esquire
 14 Telan, Meltz, Wallace & Eide, P.A.
 901 North Lake Destiny Road
 15 Suite 450
 Maitland, Florida 32751
 16 407-423-9545
 cjmeltz@triallawfla.com
 17 lmkelly@triallawfla.com
 Appearing on Behalf of Steven Bertolino

18

19 ALSO PRESENT: Joseph Petito
 Nichole Schmidt
 20 via Zoom Videoconference
 Roberta Laundrie
 Steven Bertolino
 21
 22
 23
 24
 25

4

1 THEREUPON,
 2 CHRISTOPHER LAUNDRIE
 3 was adduced as the deponent herein and, being
 4 personally known to the Notary, was then duly sworn
 5 on oath and was questioned and stated as follows:
 6 THE WITNESS: Yes.
 7 DIRECT EXAMINATION
 8 BY MR. REILLY:
 9 Q. Good morning, Mr. Laundrie.
 10 A. Good morning.
 11 Q. I know you've had your deposition taken
 12 before, but I'll give you some instructions anyway.
 13 I'm sure your attorney has gone over them with you.
 14 Please be certain that you hear my question. If you
 15 don't hear it, let me know. I'll repeat it. Please
 16 be certain you understand it. If you don't
 17 understand it, please tell me and I'll rephrase it,
 18 but if you answer the question it's presumed you both
 19 heard and understood the question before you answered
 20 it. All right?
 21 A. Yes.
 22 Q. Please be certain that you let me finish
 23 my question before you start answering. Oftentimes
 24 you can anticipate what the question is going to be,
 25 but please let me finish, because the court reporter

5

1 can't take down two of us talking at one time.
2 A. Okay.
3 Q. And please answer orally as opposed to
4 nodding your head or shaking your head or saying
5 "uh-huh" or "huh-uh." If you do say "uh-huh" or
6 "huh-uh," I'm going to ask you if that is a "yes" or
7 "no." I'm not being disrespectful. I just need to
8 have a clean record. All right?
9 A. Sure.
10 Q. Is there any reason you're aware of that
11 you would be unable to sit here today and hear and
12 understand my questions and answer them?
13 A. No.
14 Q. Okay. State your name for the record,
15 please.
16 A. Christopher Landrie.
17 Q. Mr. Landrie, what, if anything, did you
18 review to prepare for your deposition today?
19 A. I just read over my written ones and
20 interrogatories, and we all spoke, you know, but
21 nothing much to prepare.
22 Q. Okay. Other than your attorney and your
23 wife, did you speak with anyone else about your
24 deposition?
25 A. No.

6

1 Q. You said "we all spoke" together. Who
2 else did you speak with?
3 A. I mean Steven Bertolino and -- oh,
4 shoot.
5 MR. GILBERT: Ryan Gilbert.
6 THE WITNESS: Ryan Gilbert. I spoke to
7 both of them.
8 Q. (BY MR. REILLY) Okay. No one else?
9 A. No.
10 Q. What is your address?
11 A. [REDACTED] North Port, Florida.
12 Q. How long have you resided there?
13 A. On and off, but mainly a couple years now.
14 Q. With whom do you reside at that address?
15 A. Roberta, my wife.
16 Q. Has anyone else ever lived at that address
17 with you?
18 A. Yes.
19 Q. Who?
20 A. Ryan and Gabby.
21 Q. And we'll get to the period of time that
22 they lived with you. Have you ever been known by any
23 other names other than "Christopher Landrie"?
24 A. No.
25 Q. What's your date of birth?

7

1 A. [REDACTED]/1958.
2 Q. And your current age?
3 A. 64.
4 Q. You're married to Roberta Landrie,
5 correct?
6 A. Yes.
7 Q. Is this your first marriage?
8 A. Yes.
9 Q. Is it her first marriage?
10 A. Yes.
11 Q. Do you recall the date of your marriage?
12 A. It was July 14th.
13 Q. Of?
14 A. Of -- I'm not sure of the date, of the
15 year.
16 Q. Okay. And did you and your wife have
17 children?
18 A. Yes.
19 Q. Okay. And their names, please?
20 A. Brian and Cassandra.
21 Q. What was Brian's date of birth?
22 A. [REDACTED]/99.
23 Q. And what was Cassandra's date of birth?
24 A. [REDACTED], '89.
25 Q. What is your current telephone number?

8

1 A. [REDACTED]-1787.
2 Q. In the last five years have you had any
3 other telephone numbers?
4 A. No.
5 Q. Do you recognize the number [REDACTED]-9308?
6 A. That's a business address -- phone number
7 awhile back, I think, yeah.
8 Q. Okay. For what business?
9 A. That was C&R Specialty at the time.
10 Q. How about [REDACTED] 1783?
11 A. That's not familiar to me. I don't
12 remember that phone number.
13 Q. Do you have your service with Cingular
14 Wireless?
15 A. No.
16 Q. Who is it with?
17 A. AT&T.
18 Q. How about [REDACTED]-3557?
19 A. I'm not familiar with that number either.
20 Q. What is your wife's phone number?
21 A. I don't know it, actually. That's on my
22 phone.
23 Q. Okay. How about any phone numbers for
24 Brian?
25 A. I don't know his phone numbers. They're

9

1 always in the phone. I never really remember them.
2 No.
3 Q. Prior to the current address where have
4 you lived?
5 A. How long ago are we talking about here?
6 Q. Where did you live immediately prior to
7 the time you lived at your current address?
8 A. It was in Medford, Long Island.
9 Q. Do you know what the address was?
10 A. No. It was a couple years.
11 Q. Do you recognize an address of [REDACTED]
12 [REDACTED] in Venice?
13 A. Yes.
14 Q. What was that property?
15 A. That was a rental property I had.
16 Q. Do you still own that property?
17 A. No.
18 Q. When did you sell that property?
19 A. Oh, a few years ago. A little over two
20 years ago.
21 Q. Did you ever live there?
22 A. No.
23 Q. Did any of your family members ever live
24 there?
25 A. Yes.

10

1 Q. Who lived there?
2 A. Brian.
3 Q. Over what period of time did Brian live
4 there?
5 A. Oh, well, it was about almost a full year
6 that he lived there.
7 Q. But do you know when?
8 A. It was -- I believe it was '21, you know,
9 that year. We came down two -- two years before, so
10 I'm not really sure, but it was -- it was a year
11 before we came to live in the house two years ago.
12 Q. And do you -- all right. So in 2021 you
13 came to live in the house in North Port?
14 A. Yes.
15 Q. Prior to the summer of 2021 how long had
16 you been living there?
17 A. Since December of that year.
18 Q. '21 or '20?
19 A. I'm not really sure. I know -- I think I
20 moved down here two and a half years ago
21 approximately.
22 Q. Well, prior to -- prior to the time of the
23 incident that brings us here for this cause of action
24 how long had you lived at that address?
25 A. How long did I live there?

11

1 Q. Prior to that, yes.
2 A. It was -- I was there maybe four or five
3 months.
4 Q. Okay. You had mentioned December earlier.
5 Did you move there in December?
6 A. Yeah.
7 Q. So it would have been December of '20?
8 A. That's a possibility. I'm -- yeah, I
9 was -- it was that time period there that we were --
10 maybe two years ago? I don't know the exact date I
11 moved down there.
12 Q. Okay. Have you ever lived -- going back
13 to the [REDACTED] property, did anyone live at
14 that property with Brian?
15 A. Yes.
16 Q. Who?
17 A. Gabrielle.
18 Q. Have you ever owned property at [REDACTED]
19 [REDACTED] in North Port?
20 A. That's the one we're speaking of.
21 Q. No.
22 A. I'm sorry. I misunderstood the first
23 time.
24 Q. The property that I was speaking of was --
25 you told me about [REDACTED]. I then asked you

12

1 about [REDACTED] in Venice.
2 A. That I never lived in. That was a long
3 time ago. That was prior. I gave you -- that was a
4 mistake. I thought you were talking about Linksman
5 at the time.
6 Q. Okay. Did any of your family members ever
7 live at [REDACTED]?
8 A. No.
9 Q. So when you told me that Brian and Gabby
10 lived at a property, was it at [REDACTED] --
11 A. Yes.
12 Q. -- in North Port?
13 A. That's the property, yes.
14 Q. When did you sell that property?
15 A. January of that year.
16 Q. How about [REDACTED]
17 [REDACTED] in Sayville, New York? Did you ever own that
18 property?
19 A. No. Oh, I'm sorry. [REDACTED]
20 [REDACTED]
21 Q. Yes.
22 A. No. That was a UPS address.
23 Q. Okay.
24 A. That was my business shipping address.
25 Q. So it was a mailbox address?

13

1 A. Yeah, the UPS.
2 Q. Okay. How about [REDACTED],
3 [REDACTED], in Venice?
4 A. No. That was a rental property.
5 Q. Did you or any of your family members ever
6 live there?
7 A. No.
8 Q. Do you still own that property?
9 A. No.
10 Q. Did you ever own [REDACTED] in
11 Bayport, New York?
12 A. Yes.
13 Q. And was that your residence?
14 A. That was my residence.
15 Q. How long did you live there?
16 A. About 10 years.
17 Q. Which was the property that you moved --
18 strike that.
19 The property that you lived in immediately prior
20 to the time that you moved to North Port. Which
21 property was that?
22 A. The Medford.
23 Q. Okay. Are you familiar with [REDACTED]
24 [REDACTED] in Venice?
25 A. Yes.

14

1 Q. And what was that property?
2 A. That was a rental property.
3 Q. Did you or your family members ever live
4 there?
5 A. No.
6 Q. How about [REDACTED],
7 [REDACTED], in Bohemia?
8 A. That was my business rental. We rented
9 that. That's my business space.
10 Q. Was that property that you and your wife
11 owned?
12 A. No.
13 Q. Okay. What business was operated there?
14 A. C&R Specialty at first and then, yeah, C&R
15 Specialty. That was it.
16 Q. How about [REDACTED] -- I'm going to butcher this
17 name -- [REDACTED]?
18 A. We rented there temporarily.
19 Q. Did I pronounce that correctly?
20 A. [REDACTED].
21 Q. [REDACTED] And rented there for what?
22 A. Why or for a length of time?
23 Q. No. Was it personal --
24 A. No.
25 Q. -- when you lived there?

15

1 A. We lived there for a year.
2 Q. Okay. What is your educational
3 background?
4 A. I graduated high school.
5 Q. What year?
6 A. I don't know what year it was. '70? I
7 guess '70.
8 Q. Well, you're younger than me and I
9 graduated in '73.
10 A. Then in the '70s. Yeah, '73. There you
11 go. It had to be the same time.
12 Q. Okay. Well, but how old did you say you
13 are?
14 A. 64.
15 Q. Okay. I'm 67, so you couldn't have
16 graduated in '73.
17 A. I really don't know when I graduated.
18 Actually, I didn't graduate. I got a GED. I left.
19 I was 16 years old, 17 years old, so.
20 Q. Okay. What school did you get your GED
21 from?
22 A. I didn't go to school. You read and you
23 take it at a place.
24 Q. Okay.
25 A. I don't know. I don't remember that.

16

1 Q. Are you currently employed?
2 A. I have my own business.
3 Q. Before I get to that let me take a step
4 back. After getting your GED did you have any other
5 formal education?
6 A. No.
7 Q. You said you have your own business?
8 A. Yes.
9 Q. What business?
10 A. I repair and sell juice equipment that
11 makes fresh juices.
12 Q. Where do you do that?
13 A. Out of my house.
14 Q. Do you have a company name?
15 A. Juicer Services.
16 Q. Juicer Services? Is "juicer" plural or
17 singular?
18 A. Plural.
19 Q. So it's "juicers"?
20 A. Juicer Services.
21 Q. Just Juicer Services? Is that a Florida
22 LLC or some other type of corporation?
23 A. It's a -- it's not an LLC. It's a --
24 Q. Is it an "Inc."?
25 A. It's not incorporated. It's one in

17

1 between there.

2 Q. Okay.

3 A. I don't know.

4 Q. Do you have any employees?

5 A. No.

6 Q. Are you the only person who works for that

7 company?

8 A. Roberta helps. Her name's on the company.

9 Q. How long have you been doing that?

10 A. All my life I've owned the same business.

11 Q. Did Juicer Services exist before you moved

12 to Florida?

13 A. Yes.

14 Q. Same name?

15 A. Yes.

16 Q. And did that operate in New York?

17 A. Yes.

18 Q. And is that what you've done your whole

19 life?

20 A. Yes.

21 Q. What's C&R Specialty Services?

22 A. It's the same business, but I changed it

23 over and sold it at a point, and then it turned into

24 Juicer Services.

25 Q. Okay. So you sold an existing company

18

1 that repaired juicer machines?

2 A. Yes.

3 Q. And then you started another one?

4 A. Yes.

5 Q. What's Juice Fountain, Inc.?

6 A. It was a little juice bar I had set up.

7 Q. Where was that?

8 A. On Cherry Grove Farm in New York.

9 Q. Cherry Grove?

10 A. Cherry Grove. It's on Fire Island in Long

11 Island, New York.

12 Q. Have you owned or operated a juice

13 establishment in Florida?

14 A. No.

15 Q. How do you know Mr. Bertolino?

16 A. We were neighbors for a long time.

17 Q. Where?

18 A. In Bayport, New York.

19 Q. When you say "long time," how long?

20 A. Oh, at least 25 years, I guess.

21 Q. Immediate neighbors?

22 A. Three doors down.

23 Q. Okay. Can you describe the relationship

24 that you've had with Mr. Bertolino?

25 A. We were friends, yeah, and crossed paths

19

1 quite a bit.

2 Q. Have you ever been in any kind of business

3 relationship with him?

4 A. Well, I made investments. He made -- you

5 know, I owned real estate with him.

6 Q. What kind of investments?

7 A. Just property that I build and sell or --

8 and that's about it.

9 Q. And was it just you and he or were there

10 other persons involved?

11 A. You know, I don't know how he operates his

12 business, but you make investments in properties and

13 fix them up and resell them.

14 Q. And was there an established percentage

15 that you had an ownership interest in?

16 A. I had no ownership interest.

17 Q. Well, then what was the business

18 relationship you had with him?

19 A. I gave him money and he invested in

20 properties and I'd get a -- I guess you would call it

21 a percent, yeah.

22 Q. Okay. Was your name on the deed for the

23 real estate that you invested in?

24 A. Yeah.

25 Q. Okay. And do you recall what --

20

1 A. I'm pretty sure, yeah.

2 Q. What percentage ownership interest did you

3 have?

4 A. It was more -- it varied on what was being

5 purchased, from what I remember, and that's -- that's

6 where the percentage comes from.

7 What was the other part of the question?

8 Q. I think you've answered it.

9 Has he ever represented you as an attorney prior

10 to -- prior to 2021?

11 A. Well, mainly when I bought and sold

12 property in New York he was, yes.

13 Q. Okay. So if you were involved in a real

14 estate transaction, he would represent you?

15 A. Yeah. He took all of my matters, my will,

16 you know, things like that he did.

17 Q. What kind of practice do you understand

18 Attorney Bertolino to have when he was representing

19 you?

20 A. I really don't know. I know he -- I know

21 he was well-rounded in most categories an attorney

22 would be.

23 Q. Had you ever been to his office?

24 A. Yes.

25 Q. Okay. Have you ever had him on retainer?

21

1 A. No, I don't think so, no. No.

2 Q. Did you ever sign a fee agreement with

3 him?

4 A. Well, to be honest, I signed whatever he

5 asked me, put in front of me. I'd look it over, but

6 I don't know what agreement it was.

7 Q. Do you know what a fee agreement is?

8 A. No.

9 Q. A fee agreement establishes the

10 relationship between you and your attorney that sets

11 forth the terms of that relationship, the hourly fee

12 or the flat amount. Do you ever recall signing

13 anything like that?

14 A. I don't know. I signed a lot of things in

15 my time, but I don't remember, no.

16 Q. In 2021 did you sign a fee agreement with

17 Mr. Bertolino?

18 A. I would -- I would guess and say yes, but

19 I don't know.

20 MR. GILBERT: Let me interject. We're

21 getting close to a line, and I want to make sure

22 that everyone understands that Mr. Laundrie has

23 waived attorney-client privilege specifically

24 and only with respect to communications with

25 Mr. Bertolino from August 27th, 2021, to October

22

1 31st, 2021, as relates to the representation of

2 Brian Laundrie.

3 MR. REILLY: You said he's waiving it?

4 MR. GILBERT: Correct.

5 MR. REILLY: And what's the time period?

6 MR. GILBERT: August 27th, 2021, through

7 October 31st, 2021.

8 MR. REILLY: Tell me again the scope of

9 that waiver.

10 MR. GILBERT: With respect to the

11 representation of his son, Brian Laundrie.

12 MR. MELTZ: Well, I think he's waiving --

13 correct me if I'm wrong. I believe the

14 privilege is between Chris and Roberta and

15 Steve --

16 MR. GILBERT: Right.

17 MR. MELTZ: -- is waived, but Brian's

18 privilege with Mr. Bertolino --

19 MR. GILBERT: Yes.

20 MR. MELTZ: -- is not waived.

21 MR. GILBERT: That's a good point.

22 MR. MELTZ: I just want to make sure

23 there's a distinction in how you described it.

24 MR. GILBERT: Yes, that's correct. That's

25 Mr. Laundrie and Mrs. Laundrie.

23

1 Q. (BY MR. REILLY) Okay. So I want to go

2 back to my question because I'm not sure if you

3 answered it or you didn't. In 2021 did you sign a

4 fee agreement with Attorney Bertolino?

5 A. I'm still not sure what I signed. No.

6 Q. Okay.

7 A. I have faith in him to do whatever's

8 right, so I...

9 Q. All right. Your daughter, Cassandra.

10 Where does she currently live?

11 A. In Lakewood Ranch here in Florida.

12 Q. Is she married?

13 A. Yes.

14 Q. Does she still go by "Cassandra Laundrie"

15 or does she have a different name?

16 A. I don't even know. I don't know what name

17 she takes.

18 Q. Is she married?

19 A. Yeah.

20 Q. What's her husband's name?

21 A. It's Jim Lutz.

22 Q. Jim Lutz?

23 A. Yeah.

24 Q. And you don't know if she's taken his

25 married name?

24

1 A. No.

2 Q. They have children?

3 A. Yes.

4 Q. How many children?

5 A. Two.

6 Q. And do they go by "Lutz"?

7 A. I have no idea.

8 Q. Do you not have a relationship with

9 Cassandra?

10 A. No, I have a relationship, but it's

11 something -- I just don't know that. You know, maybe

12 she does, maybe she doesn't. I would have no reason

13 to ask her about that, so.

14 Q. Did you attend her wedding?

15 A. Yes.

16 Q. Okay. And you don't know if they

17 announced that she was now Mrs. Lutz?

18 A. No. It was a -- no.

19 Q. Okay. What was the date of Brian's

20 passing?

21 A. I believe the 13th of October -- I mean

22 September.

23 Q. What leads you to believe it was the 13th

24 of September?

25 A. That's the day he left my house, and I

25

1 never saw him again.
2 Q. Okay. How old was Brian when he passed?
3 A. 22, I think.
4 Q. Where did he go to high school?
5 A. In Bayport on Long Island.
6 Q. Do you know the name of the high school?
7 A. I think it's called Bayport High School.
8 Q. Do you know when he graduated or did he
9 graduate?
10 A. Yes, he did.
11 Q. Do you know when he graduated?
12 A. I don't know the year.
13 Q. Did he have any post high school
14 education?
15 A. No.
16 Q. So he didn't go to a trade school --
17 A. No.
18 Q. -- or a college or community college or
19 anything like that?
20 A. No.
21 Q. What did he do after he graduated from
22 high school?
23 A. He moved down to Florida and he worked at
24 Publix.
25 Q. Which Publix?

26

1 A. Toledo Blade in North Port.
2 Q. So as soon as he graduated he moved down
3 here?
4 A. It was pretty much maybe a month or two
5 after he graduated.
6 Q. And you don't know what year that was?
7 A. I don't know exactly, no.
8 Q. Where did he live?
9 A. He lived in our house.
10 Q. Which one?
11 A. [REDACTED].
12 Q. Do you recall what year you purchased that
13 property?
14 A. I don't recall the year, but I kind of
15 know the number eight years ago.
16 Q. Like 2015?
17 A. Yeah, that sounds correct.
18 Q. And you're testifying that he moved in
19 there right after he graduated?
20 A. Yes.
21 Q. Did anyone else live with him?
22 A. No.
23 Q. How long did he stay there?
24 A. He stayed there -- my timeline through all
25 that is not fresh in my mind, but I believe he stayed

27

1 there two years at least.
2 Q. During that two-year period did anyone
3 live with him?
4 A. No.
5 Q. What did he do after that two-year period?
6 A. Well, we moved in -- we did move down at
7 around that same time frame, and we lived there seven
8 months together. Yeah, about seven months together
9 and then moved back to New York.
10 Q. Okay. Were you a snowbird?
11 A. No.
12 Q. Okay. So sometime in 2015 you moved down?
13 A. I'm -- yeah, that sounds right.
14 Q. And you stayed about two months or seven
15 months. Why did you go back?
16 A. Well, it was all around health issues.
17 Q. For who?
18 A. Roberta.
19 Q. So after that seven-month period when you
20 go back, when is the next time you went to Florida?
21 A. When we moved, the last time I told you we
22 were down.
23 Q. December of 2020?
24 A. Yeah, yeah.
25 Q. Okay. During that period you said Brian

28

1 was there for two years, so that would take us to
2 2017, so from '17 to '20 did anyone live in the
3 house?
4 A. Yeah. I'm very confused on all that. You
5 know, I know he moved -- Brian moved down here ahead
6 of us. You know, when he left high school he went
7 down there. He lived there for, I believe, two
8 years. We moved down there and lived together about
9 seven months. I don't really recall the dateline of
10 that.
11 Q. Was there ever a time that the house was
12 vacant?
13 A. Yeah, in the beginning when I first bought
14 it it was vacant, yeah.
15 Q. Okay. How about after you bought it until
16 2020 when you moved down there?
17 A. It was -- the only way I could tell you
18 that is we -- Brian moved down. We moved down a
19 couple years after or -- yeah, and then lived there
20 for seven months.
21 I don't have this timeline in my head right at
22 all, I don't think.
23 Q. Do you have an issue with your memory?
24 A. Apparently so, yeah, yeah.
25 Q. Have you ever been diagnosed by anyone as

29

1 having memory issues?
2 A. No.
3 Q. Other than yourself and your wife and
4 Brian, did anyone else ever live in that [REDACTED]
5 property?
6 A. Yes. My daughter lived there for a
7 time.
8 Q. When did she live there?
9 A. Well, we moved back. Brian -- we moved
10 back to New York. Brian had come back. Can you give
11 me a moment, all right --
12 Q. Sure.
13 A. -- to think about this here? Because we
14 moved -- we moved -- Brian went down. We moved down.
15 We moved back. Then we went back down for a period.
16 Brian was there through that whole time when he moved
17 out from high school.
18 We moved back twice to New York, so we rented a
19 little place, an apartment. Roberta got sick.
20 That's the only way I can go through this is Roberta
21 got sick. So we moved to Florida thinking we were
22 staying. Brian was already there. We lived there a
23 few months, and Roberta was nervous about a lot of
24 things, didn't want to be there. We moved back to
25 New York, and then when we moved back to New York we

30

1 discovered she was sick, and then Roberta had surgery
2 in New York. We moved back to Florida. Brian was
3 the whole time there.
4 We moved back to Florida and got treatments for
5 Roberta in Florida for seven months, and then Roberta
6 didn't want to stay again. She was bothered about
7 finances of what we all went through there, you know,
8 as far as financially. We moved back to New York and
9 she went back to work, and we lived there two years
10 in an apartment in Medford, and then moved back to
11 Florida.
12 Brian lived in the -- well, in that -- but the
13 timeline is I moved back -- we moved back after --
14 after renting for two years, and that's when we
15 landed in Florida and Gabby, and then moved in with
16 us in the house in December. That's what I have.
17 Q. But you said Cassie lived in the [REDACTED]
18 house.
19 A. Yeah, Cassie. Okay. We moved out. Brian
20 moved back to New York with us and actually was down
21 there a little ahead of us because we were looking
22 for a place to rent. So he was there and then he
23 moved into the apartment in Medford with us. Cassie
24 was living at [REDACTED] because she sold her house and
25 we were letting her live there. It was good for both

31

1 of us that she was in the house.
2 And then after the two years it was planned that
3 we were going to move back to Florida, and we did.
4 Cassie had found her new home in Lakewood Ranch, and
5 that's when we got back to Florida and been there
6 since.
7 Q. Okay. You said at some point in time
8 Brian left the home, left [REDACTED] and returned to New
9 York. When was that?
10 A. It was -- I don't know the date, but it
11 was the same time we moved to Medford. It was two
12 years. I don't know the date.
13 Q. Do you remember what the address was in
14 Medford?
15 A. No.
16 Q. I'm not finding an address in Medford, so
17 there's a Sayville address.
18 A. We didn't live in Sayville. We lived in
19 Medford for -- it's in Palmer by where the town
20 landfill is.
21 Q. And was it near Bayport?
22 A. We lived in Bayport a couple years before
23 that, but in Medford was the last place we lived
24 before we moved here, and --
25 Q. And that was the -- I'm sorry.

32

1 A. It was a rental and we lived there for two
2 years.
3 Q. If I understand your testimony correctly,
4 you said that Brian moved into the Wabasso Street
5 property shortly after you purchased it in 2015,
6 correct?
7 A. Yes.
8 Q. He stayed there about two years?
9 A. Yeah.
10 Q. So would he have moved back to New York
11 then sometime around 2017?
12 A. I don't know. I don't know the exact time
13 period of that. That's the only way I know it, is
14 the way I explained it to you.
15 Q. When he moved back he moved in with you
16 and your wife in Medford, correct?
17 A. Yes.
18 Q. How long did he stay there?
19 A. He -- not long. It was maybe two months,
20 three months.
21 Q. Where did he go then?
22 A. He went to move in -- well, he left. He
23 drove to -- we went to a wedding. He drove to -- he
24 drove to Florida. He was with Gabby at that point,
25 you know, so they left together. I don't know where

33

1 they -- we went to a wedding. From there he left and
2 took a road trip, but first he lived with my daughter
3 for a few months.
4 Q. Where?
5 A. In [REDACTED].
6 Q. Okay. Do you know when he met Gabby?
7 A. It was in the time frame when we arrived
8 in Medford and in that three-month period.
9 Q. And when you said he and Gabby left and
10 came to Florida, did they move into [REDACTED] at that
11 time?
12 A. Well, we all went to a wedding in
13 Maryland. They left from Maryland. I don't know
14 where they went. They wound up at my daughter's
15 house -- you know, my house where my daughter was
16 living -- and they lived there. They lived with them
17 for -- I guess they stayed a couple, few weeks, and
18 then they left to travel across the country.
19 Q. The first -- the trip in -- there was a
20 trip in 2021, correct?
21 A. The first trip was -- I don't know what
22 year that was.
23 Q. Well, because there was a trip in 2021,
24 correct?
25 A. Yeah.

34

1 Q. How soon prior or how much prior to that
2 trip was the trip that you were just referring to
3 where they stayed with Cassie for a period and then
4 left to travel?
5 A. I'd say eight months. Something like
6 that.
7 Q. So it would have been around 2020?
8 A. Yeah, that sounds right. That sounds
9 right.
10 Q. You told me previously that Brian worked
11 at Publix during the two-year period that he was down
12 at [REDACTED] starting in 2015. Did he work anywhere
13 else during that period of time?
14 A. Yeah. He worked in the YMCA.
15 Q. This is during that two-year period?
16 A. Yeah.
17 Q. Okay. When he returned to New York did he
18 have employment?
19 A. Yeah, he started working, yeah.
20 Q. Where did he work?
21 A. He worked at a pub, a greeter at the door
22 in Bayport.
23 Q. At what?
24 A. A pub. I think it's called The Horse,
25 something or other.

35

1 Q. How long did he do that?
2 A. Well, since he got there.
3 Q. And how long did he continue to do that?
4 A. Until he left. I guess that was a few
5 months.
6 Q. Okay. And when you say "he left," is that
7 when he came down to Florida with Gabby?
8 A. Yes.
9 Q. When he came down to Florida did he have a
10 job?
11 A. Well, no. At that point I don't know what
12 they were doing really. They were at my
13 daughter's -- our house with the daughter. I don't
14 think he worked in that time frame. And then they
15 went on a road trip.
16 Q. Okay. What were Brian's hobbies?
17 A. He liked to hike. He liked to stay fit,
18 so he did a lot of activities. He liked to draw. He
19 liked art.
20 Q. Did he ever tell you what he wanted to do
21 as his career?
22 A. Yeah. He wanted to actually have a farm.
23 Q. Have a farm?
24 A. Yeah.
25 Q. What kind of farm?

36

1 A. Well, he was trying to figure that out.
2 There was many options in his mind.
3 Q. Prior to dating Gabby did he have any
4 other girlfriends?
5 A. Apparently. I didn't know -- you know,
6 I think a couple.
7 Q. You don't know who they were?
8 A. No.
9 Q. Did you ever prior to 2001 hear any claims
10 that Brian had been involved in domestic violence?
11 A. No.
12 Q. Did he have anger issues?
13 A. No.
14 Q. Are you aware of whether he was ever
15 involved in a fight prior to 2021?
16 A. No.
17 Q. He was not or you don't know?
18 A. I don't know. I don't know.
19 Q. Describe Brian from high school up until
20 2021.
21 A. I don't know how to describe him. What do
22 you mean by describe him?
23 Q. Tell me about him. If somebody said, hey,
24 I never knew your son, tell me all about him.
25 A. Well, he was a great kid. He was

37

1 ambitious. He was outgoing. He was -- he was a
2 great guy.
3 Q. Was he respectful?
4 A. Absolutely.
5 Q. Was he honest?
6 A. Yes.
7 Q. Had he ever been in trouble as a kid?
8 A. Never that I know of, no.
9 Q. In the 2020 to 2021 time frame what was
10 your relationship with Brian like?
11 A. It was very good.
12 Q. Can you describe the relationship that you
13 had with him?
14 A. We were very good friends. We were very
15 close, yeah, and we talked about whatever we wanted
16 to talk about. We had a lot of fun together. We
17 hiked, did a lot of things.
18 Q. Was Brian closer to you or to your wife?
19 A. I'd say equally.
20 Q. Can you describe Brian's relationship with
21 Roberta in the 2020-2021 time frame?
22 A. I thought everything was -- I think
23 everything was normal, usual. You know, there was
24 nothing that I knew. I can't speak for her.
25 Q. Do you remember when you first met Gabby?

38

1 A. Yes, I do.
2 Q. When did you first meet her?
3 A. When Brian -- a couple months when we got
4 moved into Medford.
5 Q. A couple months before you moved into
6 Medford?
7 A. A couple months in -- living in Medford.
8 Q. A couple months after you lived in
9 Medford?
10 A. When we moved into Medford, within the
11 next -- those two months we met her.
12 Q. What were the circumstances of meeting
13 her?
14 A. I was surprised because I had never heard
15 of -- he didn't speak of her, but I was surprised
16 that he just came home with her and introduced her,
17 and that's all.
18 Q. How did he introduce you to her? Let me
19 rephrase that.
20 How did he introduce her to you?
21 A. He spoke of her one day right before, and
22 he said she -- he wanted to introduce us the next day
23 and he came home with Gabby and introduced us.
24 Q. Did he say what their relationship was?
25 A. No.

39

1 Q. Do you know if they were dating at that
2 time or they were just friends?
3 A. You know, I really don't know. Brian
4 introduced her and it all went from there.
5 Q. Do you know if they went to school
6 together?
7 A. I know they went to the same high school.
8 Q. Okay. Do you know if they knew one
9 another in high school?
10 A. Knowing now. I didn't know then, but now
11 I know that they -- that everybody crossed paths and
12 he knew of her.
13 Q. Do you know when they started to date?
14 A. No.
15 Q. What was your initial impression of Gabby?
16 A. She was very nice. She walked in the door
17 and we spoke, and fine impression.
18 Q. And you don't know when they started
19 dating?
20 A. I would -- I would have to guess when he
21 moved back there, within that two months. I don't
22 know.
23 Q. When did -- when did Brian and Gabby live
24 at the [REDACTED] property?
25 A. When did they move in are you saying?

40

1 Q. Yes.
2 A. I'd say January, '20.
3 Q. January?
4 A. '20, I think.
5 Q. January of -- okay. How long had they
6 been dating before they moved there?
7 A. I'd say seven months, I'm guessing. When
8 they left they were dating, and that's when they...
9 Q. Now, you told me they had lived with --
10 they had lived for a period of time with Cassie at
11 the [REDACTED] property, correct?
12 A. Right.
13 Q. Was that before or after they moved to
14 Linksman Place?
15 A. Before.
16 Q. Okay. And they came down to the [REDACTED]
17 [REDACTED] property after a wedding in Maryland?
18 A. Right.
19 Q. Whose wedding was that?
20 A. Roberta's niece.
21 Q. Do you recall when that wedding was?
22 A. I think it was October. I'm not -- I'm
23 unsure of the date or the month even, but I think it
24 was October, but.
25 Q. And then you said they lived in that -- at

41

1 the [REDACTED] property for about a year,
2 I think, correct? Or maybe I didn't ask you. How
3 long do you think they --
4 A. Yeah, about a year.
5 Q. Okay. Was it just the two of them?
6 A. Yes.
7 Q. Do you know if they were working then?
8 A. Brian was working, and I don't know if
9 Gabby was working.
10 Q. Where was Brian working?
11 A. He worked in a liquor store, ABC Liquor
12 store.
13 Q. How long did he work there?
14 A. He worked until COVID -- COVID came and
15 he -- everybody was worried about it, so I said,
16 yeah, fine, take a break. You know, you don't have
17 to work if you're worried about it, and then I don't
18 know when he went back to work, but he went back to
19 work at Publix at that point.
20 Q. And you don't know during that one-year
21 period if Gabby worked?
22 A. Well, I know eventually she worked at Taco
23 Bell, but I don't know when.
24 Q. Okay. You testified you moved down to
25 [REDACTED] in December of 2020, so during that year

42

1 period of time that Brian and Gabby were living at
2 the [REDACTED] property did you and your wife
3 come to Florida --
4 A. Once.
5 Q. -- in that year period?
6 A. Yeah.
7 Q. Okay. And at some point did Brian and
8 Gabby come to live with you at [REDACTED]?
9 A. Yeah, that was when we moved down for
10 good, you know, her -- you know, finally settled in
11 and moved there, and Brian -- they wanted to live
12 with us.
13 Q. Why did they want to leave the [REDACTED]
14 property?
15 A. Because I wasn't renting it at the time
16 and Brian felt he -- you know, it was enough. You
17 know, he was going to live with us for a while, and I
18 could either rent or sell.
19 Q. So in December of 2020 when you and your
20 wife moved down, they moved in with you?
21 A. Yes.
22 Q. That trip, the first trip that you talked
23 about they took, when did -- was that during the
24 period of time they were living with you at Wabasso?
25 A. No, no. The first trip they left our

43

1 house, the rental in Medford, and took a road trip
2 out west and back, and when they came back they
3 stayed with Cassie.
4 Q. Okay.
5 A. In our house.
6 Q. All right. So this was after the wedding?
7 A. Yes.
8 Q. So after the wedding they took a road trip
9 out west?
10 A. Right.
11 Q. And then they came back to Florida and
12 stayed at [REDACTED] with Cassie?
13 A. Correct.
14 Q. Do you know where they went?
15 A. Where they went out west?
16 Q. Yes.
17 A. I know they went all the way to Oregon, so
18 where there was in between I don't know.
19 Q. Did they ever get engaged?
20 A. Yes.
21 Q. Do you know when they got engaged?
22 A. Somewhere along that trip, I think.
23 Q. The first trip?
24 A. Yeah.
25 Q. Did you ever have any concerns about the

44

1 relationship between Brian and Gabby?
2 A. Any normal concerns of somebody new,
3 somebody, you know, making commitments and all, but
4 otherwise, no.
5 Q. Do you recall any specific concerns that
6 you had?
7 A. No. I didn't have any.
8 Q. Did you get to know Gabby?
9 A. Yes.
10 Q. What did you think of her?
11 A. She was very nice, very respectful.
12 Q. What were your thoughts on her joining
13 your family?
14 A. We welcomed her.
15 Q. Did you love her?
16 A. Yes.
17 Q. Did your wife love her?
18 A. Yes.
19 Q. Was your wife jealous of her?
20 A. Not at all.
21 Q. Do you recall an incident in which your
22 wife made a cake or a pie, and Brian and Gabby were
23 sitting and talking and not paying attention to your
24 wife, and she got upset and threw the cake or pie
25 away?

45

1 A. I don't remember that, no.
2 Q. Did your impression of Gabby ever change
3 over the time period that you knew her until her
4 passing?
5 A. Well, we were all living together. I
6 don't -- we left the -- it was -- it was just a
7 little bit of everybody moved in together, you know,
8 so it's a new experience, so. Otherwise, that's
9 about it.
10 Q. But did your impression of her ever
11 change?
12 A. No.
13 Q. How long did they live with you on
14 [REDACTED]?
15 A. Well, five months, but Gabby came and
16 went. I'd say four months really.
17 Q. What do you mean she came and went?
18 A. Well, she'd leave for a week, go back
19 north or wherever she was going, yeah, so I'd say,
20 you know, the amount of time away was quite a bit.
21 Q. Did you ever have any disagreements with
22 Gabby?
23 A. No.
24 Q. Did your wife ever have any disagreements
25 with Gabby?

46

1 A. No.
2 Q. Did you ever see any disagreements between
3 Brian and Gabby?
4 A. No.
5 Q. Can you describe their relationship as you
6 observed it, please?
7 A. I thought it was a very good relationship.
8 They were young, two young people really trying to
9 have a good time, you know, and they did as far as I
10 know.
11 Q. Had they planned a wedding date to your
12 knowledge?
13 A. No. I thought they wanted to get married
14 quick, but I don't -- I didn't -- that didn't
15 happen.
16 Q. Did you ever have any concerns about their
17 relationship?
18 A. No. Just the normal one anyone would
19 feel, you know. You don't want him to get into
20 something quickly -- or not quickly, but they might
21 not be, but I don't -- that's normal to me.
22 Q. Have you ever, prior to December of 2021,
23 met Joe Petito?
24 A. No.
25 Q. Had you ever met Nichole Schmidt?

47

1 A. Yes.
2 Q. Where did you meet Nichole Schmidt?
3 A. At her home.
4 Q. Where?
5 A. In Blue Point, Long Island.
6 Q. What were the circumstances of you meeting
7 her?
8 A. I was picking up stuff that Gabby asked me
9 to get.
10 Q. What kind of stuff?
11 A. Oh, a skateboard and I don't remember the
12 other items, but it was not very much.
13 Q. Why couldn't Gabby get them?
14 A. I don't know. She was living in Florida,
15 but -- and I was living in Medford, so.
16 Q. Okay. Why did she want you to pick it up?
17 A. Because she wanted it.
18 Q. You were going to bring it down to Florida
19 with you?
20 A. Yeah.
21 Q. This was prior to the time you moved down?
22 A. Yeah. On a trip down there I was bringing
23 it down.
24 Q. Did you meet her husband at that time as
25 well?

48

1 A. No, no. I only met Nichole.
2 Q. How long were you at the house?
3 A. Oh, 10 minutes.
4 Q. Was your wife with you?
5 A. Yes.
6 Q. Is that the only time you've met Nichole?
7 A. No. We met her again picking up some more
8 things for her.
9 Q. At her house?
10 A. Yes.
11 Q. Was there any other occasion where you met
12 Nichole?
13 A. No.
14 Q. The trip that Brian and Gabby took in -- I
15 believe it would have been 2020. What did they
16 travel in?
17 A. Is that the first trip or --
18 Q. Yes.
19 A. In Gabby's car.
20 Q. Okay. Were there any issues during that
21 trip that you're aware of?
22 A. No.
23 Q. How long were they gone?
24 A. I don't know. They never came back. So
25 they went to Florida, so I don't know how long they

49

1 were gone on the road trip. I don't remember.
2 Q. Okay. Let's move to 2021. When did you
3 become aware that they were planning another trip?
4 A. The week before they left.
5 Q. How did you become aware?
6 A. Well, I -- well, when I became aware is
7 that they put stuff in the storage unit. That's when
8 I became aware and how.
9 Q. And I'm sorry. I just get confused by the
10 time. Where were they living at that time?
11 A. When they went on that trip? In our
12 house.
13 Q. Okay. On [REDACTED]?
14 A. Yeah.
15 Q. Okay. And you learned that they were
16 going to take a trip because they moved things to a
17 storage unit?
18 A. Yes.
19 Q. What did they move to a storage unit?
20 A. A lot of stuff in boxes. I don't know
21 what they owned.
22 Q. Why did they move it to the storage unit?
23 A. I have no idea.
24 Q. You never asked them?
25 A. Nope.

50

1 Q. Had you asked them to remove some of their
2 things from the house?
3 A. No.
4 Q. So tell me -- you saw them or that they
5 were moving things to the storage unit. Tell me how
6 the conversation about the trip came up.
7 A. Well, I didn't see them move it, first of
8 all.
9 Q. Okay.
10 A. You know, I saw a receipt that was on the
11 counter one day and that's when I realized, because
12 they lived in the other half of the house and we gave
13 them their space.
14 Q. Okay. So you saw a receipt on the counter
15 in the house?
16 A. Yeah.
17 Q. And did you then have a conversation with
18 them about the receipt?
19 A. Yeah. That's how I discovered they were
20 going to take a trip.
21 Q. Tell me what they said.
22 A. They said they were going to go back to
23 New York. They were going to camp their way down to
24 New York. That's what Gabby told me. And then they
25 were going to move in with her grandfather and get

51

1 their jobs back.
2 Q. So they -- if I understand correctly, they
3 were going to travel to New York.
4 A. Right.
5 Q. Camp along the way.
6 A. Right.
7 Q. And you said then they were going to live
8 with Gabby's grandfather?
9 A. That's what she said.
10 Q. Where did he live?
11 A. I don't know where he lived.
12 Q. You don't know what state?
13 A. I know it was Long Island somewhere.
14 Q. Okay. Did they say why they were going to
15 go back to Long Island?
16 A. No.
17 Q. Did you ask?
18 A. No, no. It's what they said.
19 Q. You said they were going to get their jobs
20 back. What jobs?
21 A. Well, I assume -- he worked at the Bayport
22 Flower House, also, before, so that was his last job
23 there, you know, so that's -- that's what they said.
24 Q. And what was Gabby going to do?
25 A. I don't know.

52

1 Q. Did they tell you that they were planning
2 a trip out west?
3 A. No.
4 Q. The van that they took on the trip out
5 west, did that used to be owned by you?
6 A. No.
7 Q. Who owned -- do you know where they got
8 the van?
9 A. That was a surprise to me. They even had
10 it prior, you know, so they bought it -- I wasn't
11 living there then when they bought the van.
12 Q. So they bought the van prior to December
13 of 2020?
14 A. Yeah.
15 Q. At the time when you saw the van did you
16 know whose name it was titled in?
17 A. No.
18 Q. Did you come to learn whose name it was
19 titled in?
20 A. Yeah.
21 Q. Whose?
22 A. It was in Gabby's name.
23 Q. When did you learn that?
24 A. That was -- Brian told me, I don't know,
25 you know, months after, I guess. I don't know when

53

1 he told me really, but he told me.
2 Q. Well, did he tell you before or after the
3 trip?
4 A. Before the trip.
5 Q. Did he tell you how they paid for it?
6 A. No.
7 Q. Did he tell you who paid for it?
8 A. No.
9 Q. Did he tell you how much was -- what the
10 purchase price was?
11 A. He did.
12 Q. What did he tell you?
13 A. \$7,000. Something like that.
14 Q. Okay. Prior to the time that they left
15 for the trip to New York did they make any
16 renovations to the van?
17 A. Brian did, yes.
18 Q. What did he do?
19 A. He made it into a camper basically.
20 Q. Tell me what you remember he did.
21 A. Well, he put a vent fan and a ladder on
22 it. He built bedding. He ordered storage and that's
23 about it, and then made it look nice.
24 Q. And they didn't tell you that they were
25 going to take a trip out west? Just that they were

54

1 going to New York?
2 A. That was it. I know they took a trip
3 before. You know, they went on weekend trips in it,
4 you know, so I thought that's why they made the van.
5 Q. When did they leave Florida?
6 A. A few days into June.
7 Q. Did you have communications with Brian
8 when they took that trip?
9 A. Very -- no.
10 Q. Do you know how long it took them to get
11 to New York?
12 A. No, but I know they were targeting the
13 graduation date for Gabby's brother.
14 Q. Which brother?
15 A. The one who was graduating.
16 Q. You don't know his name?
17 A. I know it, but I don't know it now, but if
18 you tell me I would recognize his name.
19 Q. Did you speak with him when he was in New
20 York?
21 A. No, I don't think so.
22 Q. Did there come a time when you learned
23 that they were taking a trip out west?
24 A. No. I did learn it, you know, eventually,
25 but I didn't know they were -- they were already out

55

1 on the trip when I found out.
2 Q. How'd you find out?
3 A. I looked at a phone record and seen if
4 Brian called anywhere, and one call he made was to --
5 when I checked the number -- was a realtor in Utah,
6 so that's how I found out.
7 Q. Why didn't ask you Brian if he was
8 traveling?
9 A. When he called me -- you know, I tried
10 contacting him and I didn't get -- you know, he
11 didn't call back, and he called me and I don't know
12 when he called me, but he called me and told me that
13 they were on this trip.
14 Q. Did he say how long they'd been on the
15 trip?
16 A. No.
17 Q. Did he say where they were going?
18 A. Yeah, he did. He said they were going to
19 eventually be somewhere in Oregon.
20 Q. Okay. Did you ask him why they were going
21 on the trip?
22 A. No, no.
23 Q. Were you curious about why they were going
24 on the trip?
25 A. I have no idea why they went on the trip.

56

1 You know, I didn't have no idea.
2 Q. Did you have any concerns about the fact
3 that they were on a trip?
4 A. No. I just don't know why they went. You
5 know, that's all. But I didn't ask him.
6 Q. Did you have any concerns about them going
7 on the trip?
8 A. No. They're adults and they made their
9 own decisions and that's what they do.
10 Q. Besides going to Utah, did he tell you
11 where else they were going to go?
12 A. No, no. I have no idea where they were
13 going.
14 Q. Do you know if -- strike that.
15 So from the time they left the home in beginning
16 of June until that phone call that you had with him
17 when they were already on the trip, did you talk with
18 him in between that period of time?
19 A. I think I spoke to him twice.
20 Q. Do you know if your wife spoke with him
21 during that period of time?
22 A. I don't think so, but I don't know for
23 sure. I don't know. I don't think so.
24 Q. Was there ever a time where you became
25 aware of any incidents between Brian and Gabby on the

57

1 trip?
 2 A. No.
 3 Q. What vehicle did you use for your juicer
 4 business?
 5 A. Now?
 6 Q. No. What did you use back in 2020?
 7 A. 2020? I had a pickup.
 8 Q. You didn't have a van?
 9 A. No.
 10 Q. When did you become aware of the August
 11 12, 2021, incident in Moab?
 12 A. When it was on the news.
 13 Q. Okay. And when was it on the news?
 14 A. I don't know the exact time, but it was --
 15 it was on the news.
 16 Q. After they returned from the trip? After
 17 Brian returned from the trip?
 18 A. It was after.
 19 Q. So you weren't aware that there was a
 20 domestic violence incident in Moab on August 12 of
 21 2021?
 22 A. No.
 23 Q. Do you know if Brian spoke with your wife
 24 about that?
 25 A. No.

58

1 Q. No, you don't know? Or, no, she didn't?
 2 A. No-I-don't-think-so, no.
 3 Q. When's the next time after June of 2021
 4 that you saw Brian?
 5 A. When he came and visited.
 6 Q. When was that?
 7 A. In -- it was in August.
 8 Q. Okay. It was -- does August 17 sound
 9 right?
 10 A. Yes.
 11 Q. Yes?
 12 A. Yes.
 13 Q. And why did he come back to visit?
 14 A. It was just to -- apparently he said he
 15 wanted to empty his storage unit.
 16 Q. Why?
 17 A. To save the money.
 18 Q. And what was done with the items in the
 19 storage unit?
 20 A. Put it -- he put it back in the room that
 21 he was staying.
 22 Q. Was the storage unit emptied in total?
 23 A. Yes.
 24 Q. Okay. I guess that was a poor question.
 25 Was it emptied? The storage unit was emptied?

59

1 A. It was emptied, yeah.
 2 Q. How long did it take him to do that?
 3 A. I don't know. Not long at all. I don't
 4 know, but you go, pick it up. An hour, two, three
 5 hours, he's done.
 6 Q. Why is it that Brian came back to do that
 7 instead of asking you to do it?
 8 A. We offered to do it. He seemed anxious to
 9 come home to say -- you know, maybe he just wanted to
 10 come home, you know.
 11 Q. Well, that was five days after the Moab
 12 incident. Was there anything that you observed about
 13 Brian when he came home that caused you concern?
 14 A. None.
 15 Q. And he didn't tell you that there had been
 16 a police incident between he and Gabby just days
 17 before?
 18 A. No.
 19 Q. And he seemed fine?
 20 A. He did.
 21 Q. Did he have any bruising on him that
 22 you're aware of?
 23 A. No.
 24 Q. Do you know why he came alone?
 25 A. I have -- I don't know why he came alone.

60

1 I thought he just wanted to come and see us and say
 2 hello.
 3 Q. Did you ask him why Gabby didn't come home
 4 with him?
 5 A. It sounded as if she wanted time to make
 6 her website, so that was the only reason, the only
 7 reason that he said. She couldn't do it while she
 8 was there. I don't know.
 9 Q. Did he tell you where she was staying?
 10 A. Yeah.
 11 Q. What did he say?
 12 A. Well, staying in the hotel. I don't know
 13 where exactly.
 14 Q. Did he say why she was staying in a hotel?
 15 A. She didn't feel safe, so Brian put her in
 16 a hotel, yeah.
 17 Q. Did he talk with you about the trip?
 18 A. Not really, no.
 19 Q. Did you ask him where he'd been?
 20 A. No.
 21 Q. Did you ask him how Gabby was?
 22 A. Yeah.
 23 Q. What did he say?
 24 A. Everything was fine.
 25 Q. How long did he stay home?

61

1 A. I think it was like five days.
2 Q. What did he do other than cleaning out the
3 storage unit during that five-day period?
4 A. Nothing much. We all went out and just
5 had -- we went to the beach, had dinners, and just
6 normal stuff.
7 Q. When he came home was it planned that he
8 was going to return in five days?
9 A. Yeah.
10 Q. So who paid for the tickets?
11 A. I don't know. We didn't. I know that.
12 Q. Do you know where he flew out of?
13 A. Salt Lake.
14 Q. When he came home did you have any
15 concerns about him and continuing the trip?
16 A. No, no, and he told us again that they
17 were going to Oregon to maybe work in a pumpkin place
18 that they'd get -- learn farming and help with that
19 season of pumpkins. That's it. That's what he told
20 me.
21 MR. REILLY: Okay. Why don't we take a
22 five-minute break.
23 (Recess taken from 10:15 to 10:24 a.m.)
24 Q. (BY MR. REILLY) So I think you told me
25 that from the time that you -- that Brian left your

62

1 home, Brian and Gabby left in early June, until that
2 phone call when they were already on the trip, you
3 spoke with him maybe two times?
4 A. Yeah.
5 Q. And it was while he was on the trip that
6 he told you that he was on the trip?
7 A. Yes.
8 Q. Okay. How would you communicate with
9 Brian? Just by telephone? Or did you communicate
10 with him in other ways?
11 A. Just telephone.
12 Q. Did you text him?
13 A. I texted him, yes.
14 Q. Okay. How about FaceTime or anything like
15 that?
16 A. No.
17 (Plaintiffs' Exhibit 1 marked for
18 identification.)
19 Q. I'm going to hand you what's been marked
20 as Plaintiff's Exhibit 1 -- would you pass that down,
21 please -- which is a -- I'll represent to you is a
22 copy of your phone records that we received from
23 AT&T, and I think you previously said your phone
24 number was [REDACTED]-1787, correct?
25 A. Yes.

63

1 Q. Okay. And you do have phone service with
2 AT&T?
3 A. Yes.
4 Q. The phone records I've provided you start
5 in July of 2021, so I don't have anything prior -- I
6 do, but I didn't bring it with me -- prior to that
7 time. So it looks like the first time that you had a
8 conversation with him was on July 11th. If you'll
9 turn to page two, and it looks like on July 11th and
10 I'll represent to you where it says -- and it's down
11 at number 31 to make it easier where there's two --
12 your number appears first under the column -- do you
13 see the column "originating number"?
14 A. Yes.
15 Q. Then your number at line 31 is
16 [REDACTED]-1787, correct?
17 A. Yes.
18 Q. And where it says -- and there's a number
19 underneath for "F." That means it was forwarded, as
20 I understand it, and there was a voice mail left. Do
21 you have any reason to disagree with that?
22 A. No.
23 Q. Would you leave voice mail messages for
24 Brian?
25 A. Yes.

64

1 Q. Okay. Turn to page 15, please -- I'm
2 sorry. Page 16. At line 262 there was a phone call
3 placed from you to a number [REDACTED]-903 -- I'm sorry.
4 There was a phone call that originated at
5 [REDACTED]-7732. Was that Brian's number?
6 A. I really don't know. I'm not sure.
7 Q. I'll represent to you through discovery
8 that that's the number that's been represented to us
9 to be Brian's number.
10 A. Okay.
11 Q. So it looks like on August 4th at 2154,
12 which would be 9:54, Brian called you and you spoke
13 for about 15 or 16 minutes.
14 A. Um-hum, yeah.
15 Q. Do you recall anything about that
16 conversation?
17 A. I don't. No, I don't.
18 Q. Okay.
19 A. But I know he called me.
20 Q. Turn to page -- before you turn -- before
21 you turn the page, prior to the time that Brian came
22 back on the 15th, I believe it was, of August -- the
23 17th of August, did you have any conversations with
24 Attorney Bertolino about Brian?
25 A. Visiting us?

65

1 Q. Did you have any conversations with
 2 Attorney Bertolino?
 3 A. I'm lost in the timeline you're talking
 4 about.
 5 Q. Prior to the time Brian returned on August
 6 17 did you have any conversations with Attorney
 7 Bertolino?
 8 A. No, not -- none, no.
 9 Q. Okay.
 10 A. I don't think so.
 11 Q. Do you know if after Brian returned to
 12 back out west, after he left home, do you know if
 13 your wife prior to August 27th of 2021 had any
 14 conversations with Attorney Bertolino?
 15 A. I wouldn't know that, no.
 16 Q. Okay. Turn to page 27, please. Are you
 17 there?
 18 A. Yeah.
 19 Q. Okay. I'll represent to you that this
 20 is -- strike that.
 21 If you look at line 444, there was a voice mail
 22 message from you to Brian at 3:12 in the afternoon.
 23 Do you see that?
 24 A. Yep.
 25 Q. And then going down to line 448 at 4:21,

66

1 about an hour later you left another message for
 2 Brian. Do you see that?
 3 A. Yeah.
 4 Q. And then an hour after that at -- not
 5 quite an hour, 5:11, you left another voice mail
 6 message for Brian.
 7 A. Right.
 8 Q. Why were you every hour for a three-hour
 9 period leaving a message on Brian's voice mail on
 10 August 27?
 11 A. I don't even know what that day is. What
 12 is that date? I don't know.
 13 Q. Well, that's the date the FBI believes
 14 Gabby was murdered. Do you know why you would have
 15 called him three times within a three-hour period and
 16 left him a voice mail message?
 17 A. I might have just been wanting to talk to
 18 him.
 19 Q. Okay. And turn to the next page, please.
 20 MR. PETITO: It looks like they're on
 21 mute. Is Chris on mute?
 22 THE COURT REPORTER: Oh, yes. Thank you.
 23 Excuse me (reporter adjusts mute button on
 24 laptop.)
 25 Q. (BY MR. REILLY) Okay.

67

1 A. I lost you there.
 2 Q. I didn't start yet.
 3 Looking at line number 459, there was a phone
 4 call from you again to Brian at 8:00 -- I'm sorry, at
 5 9:30. Do you see that at line 459?
 6 A. Yes, yeah.
 7 Q. And you spoke with Brian for 5 minutes, 5
 8 minutes and 42 seconds according to this. Do you
 9 recall what you spoke about?
 10 A. No. I don't know.
 11 Q. Okay. Do you recall if on that date Brian
 12 told you anything about Gabby?
 13 A. I don't -- I don't know the date in my
 14 mind here.
 15 Q. Do you have any recollection of that phone
 16 call?
 17 A. No.
 18 Q. Okay. Do you know if your -- if Brian and
 19 your wife spoke on August 28th?
 20 A. Yeah, I spoke with Brian, I'm pretty sure.
 21 Q. Why are you sure you spoke with Brian on
 22 August 28th?
 23 A. Well, I know I spoke to him when I -- when
 24 we were at Daytona. We arrived on a Friday and I
 25 called him that day. I don't know if that's the date

68

1 that's here or not. On the 27th -- I spoke to him on
 2 the 27th for sure.
 3 Q. Okay.
 4 A. I'm not for sure, but that's the day. I
 5 remember -- this is how I remember I spoke to him. I
 6 just called him because I -- he got back from his
 7 trip visiting us, and I called him and he picked up
 8 the phone and I was very happy he picked up the
 9 phone. I was just saying hello. We were going to go
 10 to a race the next day.
 11 Q. How do you know it was that day?
 12 A. Because, you know, the date of the race
 13 was the 28th.
 14 Q. When did -- what date did Brian leave
 15 Florida?
 16 A. I'm not sure of that date, but I thought
 17 it was like four days before or five days before.
 18 Q. So my question is on the next day, the
 19 28th, do you know if your wife spoke with Brian?
 20 A. I think she did.
 21 Q. Okay. Did you speak with him?
 22 A. I don't know.
 23 Q. Do you know what she spoke with him about?
 24 A. No.
 25 Q. Do you recall how Brian's demeanor was at

69

1 that time?
2 A. It was -- it was fine. Yeah, we had a
3 very good conversation.
4 Q. You had a very good conversation about
5 what?
6 A. Oh, he got back and they were going to go
7 to that thing still, that pumpkin thing, and we were
8 at the race, so he was saying how is it going and
9 just normal conversation.
10 Q. Okay. Did he talk about Gabby?
11 A. No.
12 Q. Did he tell you where he was calling from?
13 A. No.
14 Q. On the 29th, Sunday, August 29th, do you
15 know if you spoke with Brian?
16 A. I get my dates mixed up here. The 29th
17 is?
18 Q. The day after the race you said you went
19 to.
20 A. Yeah, I spoke to Brian.
21 Q. What did you speak with him about?
22 A. He had called. Well, that's the day
23 everything, you know, hit the fan, I think.
24 Q. How did everything hit the fan?
25 A. That Brian -- you know, Roberta had spoke

70

1 to Brian that day, I think, and when he spoke -- she
2 got off the phone, she said to me Brian said --
3 MR. GILBERT: Wait, wait. Wait a second.
4 We're going to assert a spousal privilege for
5 anything that you said to Roberta or Roberta
6 said to you, so I'll tell you not to say
7 anything that you said to her and she said to
8 you.
9 Q. (BY MR. REILLY) Without telling me what
10 she said to you, how did the shit hit the fan that
11 day?
12 A. I didn't say that.
13 Q. How did the stuff hit the fan?
14 A. Things hit the fan.
15 Q. How did things hit the fan that day?
16 A. Well, I --
17 Q. What did you learn about Brian?
18 A. I called Brian because, you know, I felt I
19 should call him, so I called him and that's what I
20 did.
21 Q. And what did he say to you?
22 A. I asked him, you know, how is he doing,
23 and he -- you know, he was not calm and he got very
24 excited and told me things had -- you know, "Gabby's
25 gone" and he got very frantic. Everything was

71

1 frantic and quick. So, you know, Gabby's gone.
2 Q. Meaning what?
3 A. Well, I have no idea what he meant.
4 Q. Well, what else did he say?
5 A. Well, it was quick. He said, you know --
6 and he was very panicked and he said he didn't know
7 what to do. He said, you know, "Can you help me,"
8 you know, and he might need a lawyer, you know.
9 And I would -- I asked him why he wouldn't tell
10 me. He was very frantic. Everything was frantic and
11 I started to not really comprehend, and then he said
12 just, you know, "Can you help me?"
13 And I said, "Okay. I'll help you." And I
14 calmed him down and I said -- I don't know. It
15 was -- it was all mumbled and I still don't remember
16 everything that happened, but, you know, he said he
17 needed help and to get an attorney. And I told him,
18 "Yeah, I'll help you. I'll call Steven Bertolino,
19 and just stay put."
20 And then I asked him again, and he just said,
21 "Just help me."
22 And I said, "Yeah, I'm going to, so stay calm.
23 Stay put."
24 And he hung up.
25 Q. Did he say where he was?

72

1 A. He did. He did.
2 Q. Where did he say he was?
3 A. Jackson.
4 Q. Jackson what?
5 A. That's all he said.
6 Q. Jackson, Wyoming?
7 A. He didn't say that.
8 Q. Was there any other "Jackson" out west
9 that you're aware of?
10 A. No.
11 Q. Did he say he'd murdered Gabby?
12 A. No.
13 Q. He said she was gone?
14 A. He said it several times.
15 Q. And he was frantic?
16 A. Frantic.
17 Q. And he said he needed a lawyer?
18 A. He did.
19 Q. Okay. Did you understand that to mean
20 that something had happened to Gabby?
21 A. I understood it that something was wrong.
22 Q. Okay. Something was wrong meaning what?
23 A. I had no idea.
24 Q. Well, your son's frantic, he wants you to
25 call a lawyer, and "Gabby's gone." Did you believe

73

1 at that time that he'd murdered her?

2 A. No.

3 Q. Did you believe that she was dead at that

4 time?

5 A. Not at all.

6 Q. Where did you think -- what did you think

7 "gone" meant?

8 A. I didn't even know what to think at the

9 moment, you know, at all, so that's that.

10 Q. Okay. Well, if he told you that she was

11 gone, but she just walked away, would he have been

12 frantic, do you think?

13 A. Alls I know is what he told me and it was

14 very quick and very, very nervous and very scattered,

15 so I don't remember everything he said, but he said

16 he needed help, and I calmed -- I tried to calm him

17 down. He would not calm down and he hung up the

18 phone on me.

19 Q. And so then on August -- and that was a

20 conversation you had with him on August 29th?

21 A. Yes.

22 Q. How long was that telephone conversation?

23 A. I don't think it was five minutes.

24 Q. Your wife spoke with Brian on two

25 occasions on Saturday the 28th, once at 9:30 p.m. for

74

1 7 minutes, once at 11:29 p.m. for 10 minutes. Do you

2 know if at that time he mentioned that Gabby was

3 gone?

4 A. I don't know. I don't think I was with

5 her during those -- at that time.

6 Q. Where would you have been at that time of

7 night on August 28th?

8 A. I was at the race.

9 Q. Oh, your wife wasn't with you?

10 A. No.

11 Q. And then after that telephone call did you

12 contact Attorney Bertolino?

13 A. After that call, yes.

14 Q. Okay. And what did you contact Attorney

15 Bertolino about?

16 A. That just -- just what was going on. I

17 called him, told him the same thing, let him know

18 that that's what happened.

19 Q. Tell me what you told him.

20 A. I told him Brian called me. He was

21 frantic. I didn't know what to do, and this is what

22 he said. At first I thought -- I don't know. I

23 don't see him or speak that often to him, so I told

24 him. He didn't even know who Gabby was.

25 Q. You don't know who or speak to who that

75

1 often?

2 A. Steven.

3 Q. Okay.

4 A. Yeah. So I explained who Gabby was and

5 everything, and Brian was on a trip and he called

6 me -- I called him and this is what he told me. You

7 know, that's it. So that's what I told him.

8 Q. Did you tell Attorney Bertolino that you

9 were concerned that Gabby was dead?

10 A. After the conversation of how frantic he

11 was and, you know, it was something I thought we had

12 to consider.

13 Q. Okay. So on August 29th of 2021 your son

14 told you that Gabby was gone and you had a belief

15 that she may be dead, correct?

16 A. I didn't know.

17 Q. Okay. But you had a belief that she might

18 be dead, correct?

19 A. I didn't believe that, no.

20 Q. You didn't? So what else would "gone"

21 mean and that your son was so frantic? What else,

22 what other possible interpretation, could there be of

23 that?

24 A. I don't know. I had no idea, but, you

25 know, I can guess a million things for you.

76

1 Q. Well, did you guess one of them was that

2 she just walked away?

3 A. Yeah, it's a possibility.

4 Q. And if she --

5 A. She just left, but that's what -- that's

6 great.

7 Q. But he didn't say she left, did he?

8 A. He said she was gone.

9 Q. Okay. And if she just left and walked

10 away, do you think he would have needed an attorney

11 for that?

12 A. It was -- it was a situation of how

13 frantic he was. I had no idea what to think. He

14 asked me to get a lawyer, and I couldn't get any more

15 information from him.

16 Q. Okay.

17 A. And I did what he asked.

18 Q. He didn't say she walked away, right?

19 A. Not that I know of. I don't remember, but

20 I don't think he did.

21 Q. He didn't say she was kidnapped by anyone,

22 did he?

23 A. No.

24 Q. What did Attorney Bertolino say to you?

25 A. Well, he said -- well, then we did discuss

77

1 that, you know, maybe -- maybe something seriously
 2 happened and, you know, we would act accordingly to
 3 keep everything -- we don't know. So that's -- so
 4 that's -- that's it.
 5 Q. So Gabby was someone who'd lived with you,
 6 correct?
 7 A. Yes.
 8 Q. Someone you said you loved?
 9 A. Yes.
 10 Q. And you knew that her parents would have
 11 wanted to know if something happened to her, correct?
 12 A. Yes.
 13 Q. Okay. Did you consider calling her
 14 parents?
 15 A. No.
 16 Q. Why? You never even considered calling
 17 her parents?
 18 A. I didn't, no, because I had no reason
 19 to -- at that very moment to think anything was --
 20 was going on. Gabby took off and did things that
 21 I -- you know, she -- on her own free will, so I had
 22 no idea what -- where she was.
 23 Q. Well, Brian never called you frantically
 24 and hung up on you when she'd taken off and gone off
 25 on her own free will, had he?

78

1 A. I don't understand that question. What is
 2 that question?
 3 Q. You said that she'd taken off before of
 4 her own free will. Isn't that what you said?
 5 A. Yeah.
 6 Q. Okay.
 7 A. And should I call him then? No.
 8 Q. But Brian was never -- he never called you
 9 and was frantic when she did that, did he?
 10 A. Yeah, I don't know.
 11 Q. You don't know if he ever called you when
 12 she --
 13 A. No, no, he -- look, look, I know what he
 14 said on the phone and that's how I responded.
 15 Q. Okay. But he never called you before on
 16 those moments when she just walked off on her own,
 17 right?
 18 A. No.
 19 Q. Okay. And he never told you on those
 20 occasions that she was gone?
 21 A. No.
 22 Q. At any time prior to the time that Gabby's
 23 body was located did you consider calling her parents
 24 to let them know what had happened?
 25 A. I was -- I was concerned for everybody,

79

1 everything, you know, so, you know, it was very
 2 difficult to deal with, so I don't know what the hell
 3 to think, so.
 4 Q. Well, your concern for everybody, did that
 5 include Joe Petito and Nichole Schmidt?
 6 A. Yeah, yeah, I was -- I was worried about
 7 everybody. I was worried about Gabby. I was worried
 8 about everybody.
 9 Q. Okay. So what did you do with that
 10 concern about Joe Petito and Nichole Schmidt?
 11 A. I left it in my attorney's position there.
 12 Q. Okay.
 13 A. I don't know what the right thing to do --
 14 I don't know how to respond to any of this and still
 15 to this day, so I don't -- I don't know how anybody
 16 would handle it. So I relied on Attorney Steven.
 17 All I knew and that was that.
 18 Q. Okay.
 19 A. And then I wasn't -- I could have thought
 20 anything. I care about everybody. You know, I don't
 21 know what you're -- we're getting at here.
 22 Q. Oh, you know what we're getting at.
 23 A. No.
 24 Q. That's what this lawsuit's about.
 25 A. That I cared for anybody. I do. I did

80

1 care, and I didn't call him because it was -- you
 2 know, it was the advice to not to.
 3 Q. That was Attorney Bertolino's advice to
 4 you is to keep quiet?
 5 A. Yeah, yeah.
 6 Q. Did he specifically advise you not to call
 7 the Petitos?
 8 A. Yeah. I mean, not the Petitos, but don't
 9 speak to anybody about this.
 10 Q. Okay. Did you have a conversation with
 11 Attorney Bertolino about Gabby's family?
 12 A. No, no, I don't -- we talked about a lot
 13 of things, so I don't know if we talked about that
 14 specifically.
 15 Q. Well, from the moment that you got this
 16 phone call when the stuff hit the fan until Gabby's
 17 body was located did you have a conversation with
 18 Attorney Bertolino about the Petito -- about Joe
 19 Petito and/or Nichole Schmidt?
 20 A. About them what? I'm sure we talked about
 21 them. I don't know.
 22 Q. Okay. What do you recall talking about?
 23 A. I don't recall anything.
 24 Q. Did he tell you not to specifically talk
 25 to them?

81

1 A. He said not to speak to anybody.

2 Q. Did he tell you specifically not to talk

3 to Joseph Petito and Nichole Schmidt?

4 A. Not that I remember.

5 Q. Okay. Did he tell you not to take their

6 phone calls if they tried to reach you?

7 A. He said not to speak to anybody.

8 Q. Did he tell you not to respond to them on

9 Facebook or by text if they reached out to you?

10 A. We were told not to respond to anybody.

11 Q. When is the first time Brian spoke with

12 Attorney Bertolino?

13 A. The day he got home. He came home the

14 1st, I guess.

15 Q. September 1st of 2021. Going back to this

16 phone conversation on Sunday, August 29th of 2021,

17 did Brian tell you the date that Gabby was gone?

18 A. No.

19 Q. So he called you. Do you recall what time

20 of day it was you spoke with him on Sunday?

21 A. It was later in the day, very -- you know,

22 maybe 6:00, 7:00 or 8:00. I don't know exactly.

23 Q. Was that before or after he spoke with

24 your wife?

25 A. That I spoke to him?

82

1 Q. Yes.

2 A. It was after.

3 Q. Okay. Did you ask him when was she gone?

4 A. No. I didn't get to ask him.

5 Q. Okay. Did you have any understanding in

6 your conversations with him whether it was that day

7 or days before?

8 A. It was -- I had no idea.

9 Q. Did you pay Attorney Bertolino a retainer?

10 A. I gave him a check, yes.

11 Q. For how much?

12 A. I don't remember. I think it was like

13 \$25,000.

14 Q. When did you give him that retainer?

15 A. I don't know the date.

16 Q. Well, was it before or after Brian got

17 home?

18 A. It was after.

19 Q. Do you know how much after?

20 A. No. Not long, I would imagine. I don't

21 know exactly.

22 Q. Okay. From then until Gabby's body was

23 located did you have further conversations with your

24 son?

25 A. Well, I talked to him, but nothing --

83

1 nothing specific.

2 Q. Okay. When you spoke with him on the

3 29th -- strike that.

4 When did you learn that he was going to come

5 back home?

6 A. He called -- he called -- it was late in

7 the day. I went to bed. Berta had spoke to him. He

8 called Berta that night and said that he was driving

9 home.

10 Q. On the 29th?

11 A. No. On the 28th, I think.

12 Q. On the 28th?

13 A. It was a Sunday.

14 Q. Well, Sunday's the 29th.

15 A. Then the 29th.

16 Q. Did he tell you where Gabby was?

17 A. No.

18 Q. Did he ever tell you where Gabby was?

19 A. No.

20 Q. But the last place that -- strike that.

21 The place that he was when he told you that she

22 was gone was in Jackson?

23 A. That's all he said. That I know.

24 Q. Did you ever disclose to anyone that the

25 last place you spoke to Brian was in Jackson?

84

1 A. I told my attorney.

2 Q. Okay. So Brian then returned and came

3 home on the 21st, correct?

4 A. I don't know the exact --

5 Q. I'm sorry.

6 A. I don't know.

7 Q. September 1st. Excuse me.

8 A. What was the question now again?

9 Q. Brian returned home on September 1st,

10 correct?

11 A. Correct.

12 Q. Driving Gabby's van?

13 A. Yes.

14 Q. Do you know what time he got home?

15 A. I don't know. I think it was early or

16 midday.

17 Q. Did you talk to him then?

18 A. I spoke with him, yeah.

19 Q. What did he say?

20 A. Not much. We said hello.

21 Q. How did he seem?

22 A. He seemed okay.

23 Q. He seemed okay?

24 A. That's what he said, yeah.

25 Q. Just days before Gabby was gone, and now

85

1 he's okay?

2 A. He said -- I said he seemed okay, yes.

3 Q. Okay. He wasn't upset?

4 A. At that point, no.

5 Q. Wasn't angry?

6 A. No. He was confused, but he -- you know,

7 very subtle, so I don't -- but something was wrong.

8 Q. What was he confused about?

9 A. I have no idea. You know, he just

10 seemed -- you're asking me how he was. I'm saying,

11 you know, he was like a kid who came home, you know,

12 in trouble, but that's how he seemed.

13 Q. A kid who came home in trouble for what?

14 A. I have no idea.

15 Q. Okay. All right.

16 A. I have no idea.

17 Q. Well, let's connect the dots. He told you

18 Gabby was gone. He's frantic and he's upset. He's

19 like a kid that came home and he was in trouble. Did

20 that lead you to believe he murdered Gabby?

21 A. No.

22 Q. No?

23 A. I don't know what happened. I don't know

24 what happened.

25 Q. Okay.

86

1 A. So, you know, I don't know what I could

2 tell you. I don't know what happened.

3 Q. Did you ever ask him what happened?

4 A. I asked him when I was on the phone, and

5 he panicked and freaked out, so I don't -- I don't --

6 I didn't ask.

7 Q. After that did you ask him?

8 A. No.

9 Q. Why not?

10 A. I didn't want -- I didn't know what to do.

11 At that point we were told not to discuss -- Steven

12 asked me don't discuss with Brian, and that's what I

13 did. I didn't discuss.

14 Q. He told -- I'm sorry. Go ahead.

15 A. Well, he asked me not to discuss anything

16 with Brian.

17 Q. He didn't want you to talk to your own son

18 about what possibly might have happened out in

19 Wyoming?

20 A. Yeah. He asked me, you know, don't get

21 into it, you know.

22 Q. Did Brian see any medical care providers

23 or counselors when he came home?

24 A. No.

25 Q. Were you concerned for Gabby?

87

1 A. Yes.

2 Q. What was your concern?

3 A. Where is she? Where was she?

4 Q. Well, did you have a concern that if he

5 murdered her, she just might be out in the open

6 somewhere?

7 A. No, because Gabby came and went. Gabby

8 did what Gabby wanted to do, so I don't know.

9 Q. Okay.

10 A. I don't know.

11 Q. But your son returned home after a frantic

12 phone call in her van.

13 A. Yeah.

14 Q. So you didn't have a concern about her?

15 A. I did.

16 Q. Okay.

17 A. I said, you know, I was worried maybe

18 she -- I don't know what happened, so I'm

19 speculating. I won't speculate anything.

20 Q. Did you --

21 A. Alls I know is that, you know, I was

22 waiting for Brian to tell me something.

23 Q. Did you have a concern that her lifeless

24 body might be out in the woods somewhere unprotected?

25 A. Of course I wondered about Gabby, so --

88

1 well, I don't know where she was. I didn't know what

2 to do, so, you know, at that point I was following

3 the advice and I'm not speaking of Gabby to Brian.

4 Q. What was inside the van when Brian

5 returned home?

6 A. I don't know. I didn't see.

7 Q. Did you help him empty out the van?

8 A. No.

9 Q. Do you know if Roberta helped him empty

10 out the van?

11 A. I don't think she did.

12 Q. Did he empty out the van?

13 A. He brought stuff in, yes, and actually I

14 didn't see, you know, or pay attention to it.

15 Q. You told me earlier that there was a bed

16 or a mattress in the van, correct?

17 A. I didn't tell you that.

18 Q. Well, you told me that he put something in

19 there to sleep in, didn't you?

20 A. Oh, yeah. He built the van to sleep in,

21 yeah.

22 Q. Okay. Was there a mattress in the van

23 when he came home?

24 A. I have no idea.

25 Q. Did you assist your son in removing

89

1 anything from the van to avoid the police seeing it?
2 A. No.
3 Q. At any time did Joseph Petito reach out to
4 you after August 28th of 2021?
5 A. I don't know.
6 Q. Did Nichole Schmidt reach out to you?
7 A. I don't know.
8 Q. Did you consider how the Petitos might be
9 feeling, not knowing where their daughter was?
10 A. I'm a -- I'm a considerate person. Of
11 course I was. It was not a pleasant thing of any --
12 for anybody, I'm sure.
13 Q. Well, you know you could have made an
14 anonymous phone call to report something, right?
15 A. I have no idea. That's not my place. I'm
16 taking advice from an attorney and we're doing --
17 we're just doing what he advised.
18 Q. Did you feel any obligation at all as a
19 parent to contact the Petito family?
20 A. Anybody's going to think that way, but,
21 you know, I didn't, you know.
22 Q. You didn't feel that way?
23 A. No. I didn't do it. I didn't do it. I
24 should have done it maybe, but I didn't, and then
25 that's that, but, you know, what do you (gestures).

90

1 Q. Well, your son went missing at some point,
2 correct?
3 A. Yeah.
4 Q. And you know how awful --
5 A. Of course.
6 Q. -- that feeling was, right?
7 A. Of course.
8 Q. So you know what they were going through,
9 Joe Petito and Nichole Schmidt.
10 A. Not really because I have no idea really
11 what happened.
12 Q. Well, was your -- what do you mean you
13 don't know? Their daughter was missing.
14 A. I don't know what happened.
15 Q. She was missing.
16 A. Yes, she was missing, but I don't know
17 what happened. I don't know. Gabby could have left.
18 Gabby did anything, like I said. You said that. I
19 didn't say that.
20 Q. Well, you were concerned about your own
21 son missing, weren't you?
22 A. Of course.
23 Q. And distressed about that?
24 A. Of course.
25 Q. So you can imagine they felt the same way,

91

1 right?
2 A. Of course. What do you want? What do you
3 want me to tell you? Do you want me to tell them
4 that I -- something that I'm not sure of?
5 Q. I want you to tell me you knew their pain,
6 but you did nothing about it.
7 A. Well, I didn't -- I didn't know what to do
8 about it. I didn't -- I wasn't able to help anybody.
9 Q. When did Brian leave your house?
10 A. The 13th.
11 Q. Of September?
12 A. September.
13 Q. After Brian got home, from September 1st
14 until September 13th what did Brian do?
15 A. We all just did normal things.
16 Q. Did "normal things"?
17 A. Yeah, we did normal things.
18 Q. Your son murdered someone and you did
19 normal things?
20 A. I have no idea of that.
21 Q. You went camping?
22 A. We did.
23 Q. What other normal things did you do?
24 A. Well, we went out -- we went out to a park
25 and took hikes. We did normal things.

92

1 Q. When Brian left on September 13th did you
2 know he was leaving?
3 A. No.
4 Q. What was his demeanor on or about
5 September 13th of 2021?
6 A. It was very normal, fine, calm.
7 Q. Attorney Bertolino has used the word
8 "grieving." Was he grieving on that date?
9 A. I couldn't say he was, no.
10 Q. Okay. Did you tell Attorney Bertolino he
11 was grieving?
12 A. No.
13 Q. So you don't think he was grieving on that
14 date?
15 A. I don't know what he was thinking that
16 date.
17 Q. Did you authorize Attorney Bertolino to
18 tell the public that Brian was grieving when he left
19 on September 13th of 2021?
20 A. I don't remember authorizing that, no.
21 Q. Well, did you -- when you gave him a
22 retainer of \$25,000 what was that to retain him for?
23 A. To represent us in the -- in the -- in
24 what was going on.
25 Q. Why did you need representation?

93

1 A. That's how I -- I thought anybody would
2 want representation.
3 Q. Why?
4 A. Because it's what anybody does.
5 Q. Well, but you didn't -- you knew Gabby was
6 gone. You're not willing to admit that you knew she
7 was dead. You think she could have walked away. So
8 why did you need representation?
9 A. Because we didn't know where Gabby was,
10 and I don't know. That's what you do.
11 Q. What does that have to do with you not
12 knowing where Gabby was?
13 A. I -- I -- I don't know.
14 Q. Did you ever try to get Brian out of the
15 state?
16 A. No.
17 Q. Did you ever transfer money or move money
18 around to try to get him out of the state?
19 A. No.
20 Q. Was Attorney Bertolino hired as your
21 spokesperson?
22 A. No, not that I -- not that I specifically
23 hired him for that, no.
24 Q. He was the only one who spoke on your
25 behalf and your wife's behalf and Brian's behalf,

94

1 right?
2 A. Yes.
3 Q. Is that something you authorized him to
4 do?
5 A. Yeah. I didn't -- I didn't actually say I
6 authorized it, but I -- I was fine with that.
7 Q. Did you ever learn at any time that you
8 and/or your wife were the subject of a criminal
9 investigation?
10 A. Yes.
11 Q. When?
12 A. When the -- when the FBI was speaking
13 about Roberta knowing something.
14 Q. When was that?
15 A. I don't know. It was -- I guess I really
16 don't know.
17 Q. Was it before or after Gabby's body was
18 found?
19 A. I think it was after.
20 Q. And do you know what date Gabby's body was
21 found?
22 A. Yes.
23 Q. What? What's the date?
24 A. The 19th.
25 Q. Of September?

95

1 A. Of September, yeah.
2 Q. So it was after September 17 that you
3 learned that you were possibly the subject of a
4 criminal investigation or your wife was?
5 A. Well, no, but I don't -- I don't -- what's
6 the question again?
7 Q. You just told me a moment ago that you
8 learned after Gabby's death that your wife was
9 possibly the subject of a criminal investigation,
10 correct?
11 A. Well, that's when I -- yeah, that's when
12 she was.
13 Q. Okay. For what?
14 A. They thought that they had some sort of
15 communication or some sort of electronic thing.
16 Q. Is that when a new telephone was
17 purchased?
18 A. Is that when one was purchased?
19 Q. Well, you said some kind of communication.
20 A. Yeah. That's what they said.
21 Q. Do you know what that specifically --
22 A. We have no idea what they wanted really.
23 Q. Brian got a new phone when he came home,
24 right?
25 A. Yes.

96

1 Q. Why did he get a new phone?
2 A. I have no idea.
3 Q. Were you ever interviewed by any law
4 enforcement agency prior to September 19th of 2021?
5 A. We -- I don't know if you call it an
6 interview, but they came to do a report of Brian
7 missing.
8 Q. That was on or after the 13th of
9 September?
10 A. It was after the 13th, yeah.
11 Q. Were you ever interviewed by any law
12 enforcement personnel regarding Gabby missing?
13 A. No.
14 Q. Do you know if your wife was?
15 A. I don't know, but I don't think so.
16 Q. Were any charges filed against you or your
17 wife?
18 A. No.
19 (Plaintiffs' Exhibit 4 marked for
20 identification.)
21 Q. (BY MR. REILLY) I'm going to show you
22 what's been marked as Plaintiff's Exhibit 4.
23 That's not the one. Sorry.
24 (Plaintiffs' Exhibit 3 marked for
25 identification.)

97

1 Q. (BY MR. REILLY) Plaintiff's Exhibit 3.
 2 Have you seen that before?
 3 A. Yes.
 4 Q. And that's a statement dated September
 5 14th. It's a document dated September 14th, 2021, on
 6 Attorney Bertolino's letterhead, correct?
 7 A. Yes.
 8 Q. Did you authorize Mr. Bertolino to release
 9 this statement?
 10 A. Yes.
 11 Q. Were you aware that this statement was
 12 going to be issued before it was issued?
 13 A. Yes.
 14 Q. Had you been provided with a copy of it
 15 before it was issued?
 16 A. I have read this before it was issued.
 17 Q. Okay. So was this a statement that was
 18 issued by Attorney Bertolino on your behalf?
 19 A. Yes.
 20 Q. And on your wife's behalf?
 21 A. Yes.
 22 Q. First line says, after it says, "Statement
 23 from counsel for the Laundrie family. This is
 24 understandably an extremely difficult time for both
 25 the Petito family and the Laundrie family."

98

1 What led you to believe it was a difficult time
 2 for the Petito family at that point?
 3 A. Well, everything that occurred.
 4 Q. Meaning what?
 5 A. Meaning everything.
 6 Q. Meaning Gabby was missing and no one knew
 7 where she was?
 8 A. Yeah.
 9 Q. Okay. How was it a difficult time for the
 10 Laundrie family?
 11 A. We were worried about every -- everything
 12 just the same.
 13 Q. What were you worried about?
 14 A. What occurred.
 15 Q. What do you mean, "what occurred"?
 16 A. Gabby's missing and Brian's missing.
 17 Q. So did there come a point between the time
 18 Brian disclosed to you that Gabby was gone and the
 19 issuance of this statement on September 14th of 2021
 20 that you thought maybe she just didn't walk away?
 21 A. It was -- it was becoming more of a
 22 thought, I guess, yeah.
 23 Q. Is it fair to say that by this point in
 24 time you knew she was dead?
 25 A. I didn't know.

99

1 Q. You didn't know?
 2 A. No.
 3 Q. Okay. But you had a suspicion that she
 4 was, correct?
 5 A. Unfortunately, it was a thought, yeah.
 6 Q. Okay. It goes on to state, "It is our
 7 understanding that a search has been organized for
 8 Miss Petito in or near Grand Teton National Park in
 9 Wyoming."
 10 A. Right.
 11 Q. How did that come to be your
 12 understanding?
 13 A. That was in the news.
 14 Q. It was on the news?
 15 A. I thought so.
 16 Q. And is Grand Teton National Park near
 17 Jackson, Wyoming, where Brian was when he contacted
 18 you?
 19 A. I have no idea.
 20 Q. Did you say, hey, maybe you should look in
 21 the Jackson area, maybe not Grand Teton National
 22 Park?
 23 A. I didn't say anything to anyone.
 24 Q. Then it says, "On behalf of the Laundrie
 25 family." So he's speaking on behalf of you and your

100

1 wife, correct?
 2 A. (No response.)
 3 Q. Yes?
 4 A. Yes.
 5 Q. "It is our hope..." So that's his, yours,
 6 and your wife's, correct?
 7 A. Yes.
 8 Q. "... that the search for Miss Petito is
 9 successful and she is reunited with her family,"
 10 right?
 11 A. Yes.
 12 Q. If she was dead she couldn't be reunited
 13 with her family, could she?
 14 A. Reunited is a term for either/or, I think.
 15 Q. Either/or what?
 16 A. Well, deceased or not.
 17 Q. But it doesn't say "remains." It doesn't
 18 say, "We hope her remains are reunited with her
 19 family," does it?
 20 A. Well, or what?
 21 Q. Pardon?
 22 A. Well, reunited means reunited.
 23 Q. Okay.
 24 A. However it resolved.
 25 Q. What did "reunited" mean when this

101

1 statement was issued by your lawyer? What did you,
2 he, and your wife mean by "reunited"?

3 A. Well, you know, you're saying me and my
4 wife, but I didn't write it, and I believed it was a
5 good comment to say and a decent thing to say, and
6 that's that.

7 Q. You approved it, correct?

8 A. I agreed with it, yes.

9 Q. So did you have a concern about the word
10 "reunited"?

11 A. I didn't think of that.

12 Q. Okay. Did you think that maybe it might
13 give false hope to the Petito family that Gabby was
14 still alive?

15 A. I -- I'm not the one -- I'm not -- I
16 thought it was a good thing and that's -- you know, I
17 thought it was not -- I thought it was a good thing
18 to say and a nice thing to say.

19 Q. Did you think it might give Joseph Petito
20 and his wife and Nichole Schmidt and her husband
21 false hope that Gabby was still alive?

22 A. No, I didn't.

23 Q. Okay. So your thought was "reunited"
24 could be she's still alive?

25 A. My thought on reunited was reunited. I

102

1 see it as what the word has the meaning of, and I
2 don't really -- I don't know. I didn't have a
3 problem with it.

4 Q. What --

5 A. You're asking me if I had a problem with
6 it. I didn't have a problem with it.

7 Q. So what meaning did you think it had when
8 it was issued?

9 A. Well, I'm not big on words, so my meaning
10 is that they'd get to -- they'd -- either Gabby's
11 alive, my interpretation of the word, or not.

12 Q. You knew she wasn't alive.

13 A. Well --

14 MR. GILBERT: Objection.

15 THE WITNESS: -- I didn't.

16 MR. GILBERT: That's not a question.

17 Q. (BY MR. REILLY) You knew at that point
18 she wasn't alive.

19 A. No, I didn't.

20 Q. Why was this statement issued?

21 A. Because there were people battering my
22 house down. Everything was very difficult as far as
23 us, you know, people -- it was a very fearful time,
24 so, and it felt like it was a time -- it was demanded
25 from me.

103

1 Q. How was this statement going to stop
2 people from acting the way they were acting --

3 A. I have no idea.

4 Q. Let me finish my --

5 A. It seemed that everyone --

6 Q. Let me finish my question.

7 MR. GILBERT: Let him finish his
8 question.

9 Q. (BY MR. REILLY) How was this statement
10 going to stop people from reacting the way they were
11 in front of your house?

12 A. Well, I didn't think it would stop them,
13 but I thought it would be an awareness that, you
14 know, that they were calling out.

15 Q. Okay.

16 A. So that's that.

17 Q. Were you looking for sympathy for yourself
18 and your family?

19 A. No. I didn't want any sympathy.

20 Q. When you saw that there was a search in
21 Grand Teton National Park did you check to see if
22 that was anywhere near Jackson?

23 A. No, I didn't.

24 Q. Did you ever consider the statement might
25 cause harm to the family?

104

1 A. No, not at all.

2 Q. Do you think the Petito family on
3 September 14, 2021, was really concerned about your
4 hope that the search was successful?

5 A. No. It was my hope and then -- and then
6 it would be found -- everything would be resolved.

7 Q. Do you think they really cared what your
8 thoughts were at that point?

9 A. I don't know what they thought. What am I
10 supposed to do?

11 Q. Now let's look at Exhibit 4. Have you
12 seen this letter before?

13 A. No. God, I don't think I have.

14 Q. Were you aware that a statement was issued
15 or that this letter was issued by Attorney Rick
16 Stafford on behalf of Joseph Petito and Nichole
17 Schmidt on September 15th of 2021?

18 A. I was aware of it now, I think. I know I
19 saw something on the news about this statement.

20 Q. Okay. Did Attorney Bertolino provide you
21 with a copy of this letter?

22 A. I am not sure.

23 Q. Did you or Attorney Bertolino on your
24 behalf respond to this letter?

25 A. I'm not sure, but I think we may have.

105

1 Q. How do you think you responded?
2 A. I don't know if we responded actually,
3 so.
4 Q. Do you think you saw this back on
5 September 15th?
6 A. I think I saw it in the news.
7 Q. You saw it in the news?
8 A. Yeah.
9 Q. Okay. So you're aware that the family was
10 reaching out to you and your wife?
11 A. Yes.
12 Q. And you chose to say nothing?
13 A. We didn't know what to say to them. We
14 had nothing to say. We didn't have information for
15 them.
16 Q. You what?
17 A. We didn't have information for them.
18 Q. Well, you knew she was gone --
19 A. I know.
20 Q. -- in your son's words.
21 A. And that's all the information that was
22 known.
23 Q. And you knew that your son was upset and
24 frantic when he called you when he told you she was
25 gone, correct?

106

1 A. Yeah, but that's that.
2 Q. You could have told them what you knew at
3 that time, right?
4 A. We didn't know very much, and I thought
5 everything that they would have known was known, I
6 believed, so.
7 (Plaintiffs' Exhibit 5 marked for
8 identification.)
9 Q. (BY MR. REILLY) Okay. Let me show you
10 what's been marked as Exhibit 5. Did you know on the
11 19th of September that Attorney Bertolino, on behalf
12 of you and your wife, was going to issue a text
13 message to the press saying that the news about Gabby
14 Petito was heartbreaking?
15 A. I remember seeing this, yes.
16 Q. Okay. Did you approve that?
17 A. I was aware of it.
18 Q. Why was the news heartbreaking?
19 A. Because Gabby was deceased.
20 Q. Was it heartbreaking the day before this
21 e-mail -- this text message was issued?
22 A. It was heartbreaking all along, the whole
23 situation.
24 MR. REILLY: Let's take another
25 five-minute break.

107

1 (Recess taken from 11:17 to 11:24 a.m.)
2 Q. (BY MR. REILLY) All right. Mr. Laundrie,
3 you testified you gave \$25,000 to Attorney Bertolino,
4 correct?
5 A. Yes.
6 Q. What was that \$25,000 for?
7 A. Representing us. I mean, what more would
8 it be?
9 Q. Well, was it to represent you, your wife,
10 and Brian?
11 A. I'm not really sure.
12 Q. You gave \$25,000 to someone; you're not
13 sure why you gave it to them?
14 A. Well, to represent us. I don't know the
15 definition of -- I didn't know how much it entails,
16 but, you know, it was for us, all three of us.
17 Q. So it was for all three of you?
18 A. I believe so.
19 Q. Okay. Do you have any hobbies?
20 A. Me?
21 Q. Yes.
22 A. Fishing.
23 Q. Anything else?
24 A. No, not really. Hiking.
25 Q. Okay. Do you like cars?

108

1 A. Yeah.
2 Q. What kind of cars do you like?
3 A. I like a lot of cars.
4 Q. Are there any that are your favorites?
5 A. Are you asking about a Chevy Nova?
6 Q. I don't know. I'm asking what your
7 favorite is.
8 A. Well, it was my -- one of my first cars.
9 It is a favorite, yes.
10 Q. Okay. Do you have any shirts with cars on
11 them?
12 A. Yes.
13 Q. Okay. When Gabby lived with you did you
14 notice that she had electronics, like a computer or a
15 laptop and an iPad?
16 A. Yeah. She had all those things.
17 Q. And she was always on her phone or her
18 iPad or her laptop, correct?
19 A. She was on all those things, yes.
20 Q. When Brian came home in the van did you
21 notice that her laptop and her iPad were in the
22 car -- in the van?
23 A. I didn't notice anything like that, no.
24 Q. So you didn't notice that the iPad and the
25 laptop and the drone had been brought into your

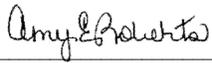
109

1 house?
 2 A. No.
 3 Q. And no one assisted Brian in taking things
 4 out of the van?
 5 A. No.
 6 MR. REILLY: All right. I don't have any
 7 other questions.
 8 MR. BERTOLINO: Just a suggestion.
 9 MR. MELTZ: Wait, wait. I don't have any
 10 questions.
 11 MR. GILBERT: I don't have any either.
 12 MR. MELTZ: Do you want to take a short
 13 break?
 14 MR. GILBERT: Sure.
 15 (Recess taken from 11:27 to 11:28 a.m.)
 16 MS. KELLY: We can go back on and conclude
 17 the depo, and then I'll talk about the
 18 suggestion afterwards, if that's okay.
 19 MR. REILLY: Sure.
 20 MS. KELLY: So I think you're at the point
 21 where you explain if you want to read or waive,
 22 right?
 23 MR. GILBERT: Well --
 24 MR. PETITO: Do you want to put them back
 25 on so you can tell them?

110

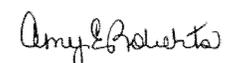
1 MS. KELLY: Oh, sorry.
 2 MR. GILBERT: Okay. So your deposition's
 3 finished. You have the right, if the transcript
 4 is ordered, to read it and make any changes or
 5 fixes that you think should be made, or you can
 6 waive that right. I typically recommend that
 7 you read it if it's ordered. So is that good
 8 with you?
 9 THE WITNESS: I should read it?
 10 MR. GILBERT: Well, if it does -- if it is
 11 ordered, and I assume it will be, you should
 12 read it.
 13 THE WITNESS: Okay.
 14 MR. GILBERT: So we're going to read then.
 15 THE COURT REPORTER: Of course.
 16 MS. KELLY: Okay. Thanks.
 17 (This deposition was concluded at 11:29
 18 a.m. The reading and signing of the transcript
 19 was not waived.)
 20
 21
 22
 23
 24
 25

111

1 CERTIFICATE OF OATH
 2 STATE OF FLORIDA)
 3 COUNTY OF SARASOTA)
 4 I, the undersigned authority, certify that
 5 CHRISTOPHER LAUNDRIE personally appeared before me
 6 and was duly sworn.
 7 Witness my hand and official seal this 10th day
 8 of November, 2023.
 9
 10 
 11 AMY E. ROBERTS, RPR, RMR
 12 Notary Public - State of Florida at Large
 13 Commission #HH 308928
 14 Expires: January 5, 2027
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25



112

1 DEPOSITION CERTIFICATE
 2 STATE OF FLORIDA)
 3 COUNTY OF SARASOTA)
 4 I, AMY E. ROBERTS, being a Registered
 5 Professional Reporter and a Registered Merit
 6 Reporter, certify that I was authorized to and did
 7 stenographically report the foregoing deposition of
 8 CHRISTOPHER LAUNDRIE; that a review of the transcript
 9 was not waived; and that the transcript is a true
 10 record of the testimony given by the witness.
 11 I further certify that I am not a relative,
 12 employee, attorney, or counsel connected with the
 13 action, nor am I financially interested in the
 14 action.
 15 Dated this 10th day of November, 2023.
 16
 17 
 18 AMY E. ROBERTS, RPR, RMR
 19
 20
 21
 22
 23
 24
 25