

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

THE UNITED STATES OF AMERICA,

Plaintiff,

Docket: GCR 94-01009

Gainesville, Florida
May 18, 2000
9:00 a.m.

vs.

JOHN KNOCK and
ALBERT MADRID

Defendant.

TRANSCRIPT OF TRIAL TESTIMONY OF AGENT ROBERT HENG
WHEN HEARD BEFORE THE HONORABLE SENIOR UNITED STATES
DISTRICT COURT JUDGE MAURICE M. PAUL, AND A JURY

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(NOT INDEXED THIS VOLUME.)

1 THE COURT: Government ready?

2 MR. HANKINSON: We would call Bud Heng.

3 (Witness sworn.)

4 THE CLERK: Please be seated.

5 And, sir, for the record state your full name and
6 spell your last name.

7 THE WITNESS: Robert Heng. H-E-N-G.

8 DIRECT EXAMINATION

9 BY MR. HANKINSON:

10 Q. Tell us your name one more time, please, sir.

11 A. Robert Heng.

12 Q. And how are you employed?

13 A. I'm a supervisory special agent with the Drug Enforcement
14 Administration in San Francisco, California.

15 Q. How long have you been with DEA?

16 A. Since 1986.

17 Q. And what did you do prior to that?

18 A. I was a police officer for various cities in the state of
19 California for about 13 years.

20 Q. What is your current position with DEA?

21 A. I supervise the forfeiture and financial investigative
22 unit.

23 Q. Back in the spring and summer of 1988, what was your
24 position?

25 A. I was a special agent assigned to a general enforcement

1 group; although I had principal responsibility for southeast
2 Asian violations.

3 Q. What does that mean?

4 A. At that time it principally involved marijuana
5 trafficking.

6 Q. From southeast Asia?

7 A. From southeast Asia.

8 Q. Back in May of 1988, did you get involved in an
9 investigation that led to the seizure of the INTREPID VENTURE?

10 A. Yes, I did.

11 Q. And were you, in fact, involved in surveillance when the
12 INTREPID VENTURE went out to pick up its load of marijuana and
13 hashish?

14 A. Yes, I was.

15 Q. And when did -- when and where did the INTREPID VENTURE
16 leave from?

17 A. The INTREPID VENTURE -- which was an ocean going tug --
18 left from the San Francisco Delta region, which is the eastern
19 portion of the San Francisco Bay area.

20 Through San Francisco Bay, under the Golden Gate
21 Bridge, out onto the Pacific Ocean. It left on May 6th, 1988.

22 Q. And were you involved when the INTREPID VENTURE came back
23 to San Francisco Bay?

24 A. Yes, I was.

25 Q. And when was that?

1 A. That was on May 23rd.

2 Q. Of 1988?

3 A. 1988.

4 Q. And were you involved in the subsequent search and
5 seizure of the barge that the INTREPID VENTURE was pulling?

6 A. I was.

7 MR. HANKINSON: If I might approach, Your Honor.

8 Q. Are you familiar with those photographs?

9 A. Yes, I am.

10 Q. And, for the record, those are Government Exhibit 80A
11 through M as in Mary?

12 A. Yes, they are.

13 Q. And are those photographs of the seizure that you were
14 involved in back in May of 1988?

15 A. Yes.

16 MR. HANKINSON: I would offer into evidence
17 Government Exhibits 80A through M.

18 THE COURT: They will be received.

19 (Government Exhibits 80A-80M admitted.)

20 Q. And when did this seizure occur?

21 A. It actually occurred in the early morning hours of May
22 24th. The discovery did, I'm sorry.

23 MR. HANKINSON: All right. If I could have
24 permission to publish a composite of those photographs, Your
25 Honor?

1 THE COURT: Sure.

2 MR. HANKINSON: If you'd go to 80A, please.

3 Q. 80A is a little bit dark. I think you have a picture in
4 front of you that's just a little bit better.

5 But tell us what 80A is a picture of, please, Agent
6 Heng.

7 A. 80A is a picture of the barge with 20 foot containers,
8 six of them, stacked on top of the barge. And immediately
9 adjacent to the right is the ocean going tug the INTREPID
10 VENTURE.

11 Q. So this tug was pulling the barge?

12 A. It was pulling the barge, but this picture shows it
13 alongside the barge.

14 Q. Is this picture coming in or going out of San Francisco
15 Bay?

16 A. No. This is post detention. This is tied up at the pier
17 at the Coast Guard island.

18 Q. Okay. Go to 80B, please. Can you see 80B? We are
19 looking at -- I think the photograph on the top of that page --
20 what is displayed to the jury at this point, Agent Heng?

21 A. This is the vessel INTREPID VENTURE from the bow looking
22 to the stern. Immediately to its right is the actual barge.

23 Q. Okay. And this kind of tug and barge was capable of
24 going out into the Pacific Ocean and picking up large loads?

25 A. It was and it did.

1 Q. If we'll go to bottom of that same page. What are we
2 showing here?

3 A. We are showing essentially the vessel name, the INTREPID
4 VENTURE.

5 MR. HANKINSON: If we would go to 80C, please.

6 Q. And what does 80C depict?

7 A. Those are heavy plastic wrapped cardboard boxes. All of
8 those boxes and I -- I believe there was roughly 1,450 or so
9 boxes.

10 Q. 1450 boxes?

11 A. Yes. Roughly. That is my recollection.

12 Q. Approximately?

13 A. Approximately.

14 All of those boxes contained marijuana.

15 Q. And how much -- well, was the load all marijuana?

16 A. No, it wasn't. There was a combination of marijuana and
17 hashish.

18 Q. Okay. This is the way the marijuana was packaged there?

19 A. Just the marijuana.

20 Q. Okay. And how much marijuana and hashish in total was
21 seized?

22 A. Approximately 13 tons of marijuana and 43 tons of
23 hashish.

24 Q. Thirteen tons of marijuana?

25 A. Yes.

1 Q. And how much was the hashish?

2 A. Approximately 43 tons.

3 Q. So, in total, 56 tons of marijuana and hashish?

4 A. Correct.

5 Q. Where was this marijuana and hashish discovered?

6 A. Welded into the belly of the barge itself.

7 Q. And are there photographs in the series that you have
8 that show how you -- well, why don't you do this: Just tell us
9 how you located the drugs on the barge.

10 A. The drugs were ultimately located after we drilled holes
11 into the deck of the barge; near recent weld and painted sites
12 on top of the deck of the barge. It was only after we actually
13 viewed down into the belly of the barge that we were able to
14 see what was down there inside.

15 Q. You had a hard time actually getting to the marijuana and
16 the hash?

17 A. It took several hours to just discover it on the barge.

18 Q. And then you drilled holes where? I'm sorry.

19 A. We drilled holes through the deck of the barge near the
20 weld joints.

21 Q. And this is after the marijuana and hashish is removed
22 from the barge?

23 A. Yes.

24 Q. Okay. And how did you, you know, remove the drugs from
25 the barge?

1 A. A chain of Coast Guard personnel picking the bags up one
2 at a time in boxes one at a time were passing it to each other
3 to offload.

4 Q. Do you have a recollection of how long that took?

5 A. It took about eight hours.

6 Q. And how many people did you have working on that,
7 roughly?

8 A. Thirty.

9 Q. So it was a major project, unloading this barge?

10 A. It was a major project.

11 MR. HANKINSON: If I might approach again.

12 THE COURT: Uh-huh.

13 Q. I've placed before you what has been marked for
14 identification as Government Exhibits 79A through J.

15 Are you familiar with those photographs?

16 A. Yes, I am.

17 Q. And how did those photographs come about?

18 A. Those photographs are the result of a roll of film that
19 was discovered onboard the INTREPID VENTURE after we seized and
20 boarded it and the film was developed.

21 Q. And basically it is photographs of people on the INTREPID
22 VENTURE?

23 A. Yes, it is.

24 MR. HANKINSON: I would offer those into evidence
25 Government Exhibit 79A through J.

1 THE COURT: They will be received.

2 (Government Exhibits 79A through J admitted.)

3 Q. Were you able to identify any of those people?

4 A. Yes. We were able to identify all of the individuals in
5 the photographs.

6 Q. Okay.

7 MR. HANKINSON: If we could go to 79A and just give
8 an example -- we may not go through them all. But do you have
9 79A in front of you? It's just a -- from your being on the
10 INTREPID VENTURE, where is this photograph being taken?

11 A. In the pilot house.

12 Q. And do you recall who this individual is?

13 A. No. I'm afraid that I can't. It is one of the
14 Robinsons. Everyone on board was related to the vessel
15 captain, Calvin Robinson. They were either his sons or his
16 nephews that you're looking at it now. 79D was Wesley Basston,
17 the only non-Robinson.

18 MR. HANKINSON: Hold on a second.

19 Q. Is Calvin Robinson pictured in one of those pictures?

20 A. No.

21 MR. HANKINSON: Let's go to 79D.

22 Q. Is this the photograph that you are referring to of
23 Mr. Basston, there may be more than one of them?

24 A. I'm referring to the photo in the pilot house.

25 Q. Yes. Go back. 79D as in David.

1 Is this Mr. Basston?

2 A. Yes.

3 Q. Yes, it is.

4 But everybody that was on the boat was a relative of
5 Calvin Robinson of one sort or another?

6 A. That's correct.

7 Q. Do you recall how many people were on the boat?

8 A. Five.

9 Q. And Calvin Robinson was the captain of this boat?

10 A. He was.

11 Q. And was he arrested on the boat?

12 A. He was arrested post discovery of the drugs. But they
13 were all off the boat at that time.

14 Q. So he was found by law enforcement on the INTREPID
15 VENTURE?

16 A. Yes.

17 Q. Did you determine in the course of your investigation
18 that Calvin Robinson had had another vessel in 1987, another
19 tug?

20 A. Yes.

21 Q. And what was the name of the other tug?

22 A. RUBY R.

23 MR. HANKINSON: If I might approach.

24 THE COURT: Uh-huh.

25 Q. I've placed before you what is already in evidence as

1 Government Exhibits 83A and B. Is -- is that a photograph of
2 the RUBY R?

3 A. Yes, it is.

4 Q. Okay.

5 MR. HANKINSON: If we could publish that.

6 Q. And you yourself saw the RUBY R?

7 A. Yes, I did.

8 Q. Do you recall where this photograph was taken?

9 A. This is taken -- this photograph is taken considerably up
10 the Delta near -- east of Pittsburgh, California; actually east
11 of Antioch, California. I'm sorry, I can't recall the exact
12 area that it's called.

13 Q. Is this a similar tug to the INTREPID VENTURE?

14 A. This one is smaller.

15 Q. A little smaller?

16 A. Yes.

17 Q. Now, you mentioned an individual named Wesley Basston.

18 A. Yes.

19 Q. Did you, in fact, retrieve some hashish that has been
20 seized from Wesley Basston?

21 A. Yes, I did.

22 Q. And about how much was seized from Mr. Basston?

23 A. Oh, I think about a kilo and a half.

24 Q. Now, had any of the hashish that came in on the INTREPID
25 VENTURE actually gotten off the boat and been distributed?

1 A. No.

2 Q. So you seized all of that?

3 A. Yes.

4 Q. And so that had to have been from some other importation?

5 A. That's correct.

6 Q. I want to jump ahead about five years to October of '93.

7 In October of 1993, did you get involved in assisting DEA
8 Gainesville in the execution of an arrest warrant?

9 A. Yes, I did.

10 Q. And who did you arrest on October 12th of '93?

11 A. I arrested Sonia Vacca.

12 Q. And where did you arrest Ms. Vacca?

13 A. At her residence in Marin County, California.

14 Q. And subsequent to her arrest, did she agree to let you
15 search her residence?

16 A. She did.

17 Q. And the jury has seen a series of business records and
18 travel records and some address books that have been put into
19 evidence of Ms. Vacca. Were those things that you seized in
20 the house back in October of '93?

21 A. Everything I seized in the house, those types of records
22 are consistent with what I seized. I boxed them up and sent
23 them to Agent Lilley in Gainesville.

24 Q. Okay. And that was who you were coordinating with back
25 in October of 1993, Agent Lilley?

1 A. Yes, it was.

2 Q. Now, is it unusual for you to get a request from another
3 department, another office, to assist in something like an
4 arrest?

5 A. No, it is not unusual.

6 Q. Did Agent Lilley, over a period of time, inform you of
7 what was going on in their investigation?

8 A. Generally speaking he did.

9 Q. Okay. You had some involvement -- well, let me start
10 with this: Was that your first involvement was assisting in
11 arresting Sonia Vacca?

12 A. Yes, it was.

13 Q. After that, did you continue to have some contact with
14 Agent Lilley as matters arose and further assistance was
15 needed?

16 A. Yes, I did.

17 Q. Okay. Did you have a general understanding of what the
18 investigation involved that led to the arrest of Ms. Vacca?

19 A. Yes, I did.

20 Q. Okay. Did you have any perception that this matter is --
21 simply should have been transferred to your office in San
22 Francisco?

23 MR. KENNEDY: Objection, Your Honor.

24 THE COURT: You can ask it.

25 Q. Let me start over.

1 Did you get any perception that this investigation of
2 Vacca and Martenyi and so forth simply should have been
3 transferred to the San Francisco DEA office and Agent Lilley
4 remove himself from the investigation?

5 A. No.

6 Q. The investigation, as it progressed in this case, was
7 there anything unusual about the fact it was being handled out
8 of Gainesville, Florida?

9 MR. KENNEDY: Asked and answered, Your Honor.

10 THE COURT: He can ask.

11 Q. Did you perceive anything unusual about this situation?

12 A. No, I didn't.

13 Q. All right. All right. Now, we are going to jump ahead
14 again several years. Did you get involved in the investigation
15 of an individual named Steve Abelman?

16 A. Yes, I did.

17 MR. HANKINSON: If I might approach, Your Honor?

18 THE COURT: Uh-huh.

19 Q. I show you what has been marked for identification as
20 Government Exhibit 224. Is that a photograph that you obtained
21 in the course of your investigation?

22 A. Yes, it is.

23 Q. Okay. Does that include a photograph of Mr. Abelman?

24 A. Yes, it does.

25 MR. HANKINSON: I would offer that into evidence,

1 Government Exhibit 224.

2 MR. KENNEDY: Objection, Your Honor. I need to
3 approach briefly, if I may.

4 THE COURT: Surely.

5 MR. KENNEDY: Thank you, sir.

6 (At the bench).

7 MR. KENNEDY: My objection, Your Honor, is that there
8 will be no evidence of which I'm aware that will tie
9 Mr. Abelman even into the humongous conspiracy that the
10 government is trying to prove here.

11 And to allow this evidence in and then strike it
12 will, in fact, be prejudicial to the position of Mr. Knock.

13 So I ask either that you exclude it now, subject to
14 them actually tying Mr. Abelman to this, or that we get a
15 proffer from the government as to what, if any, evidence they
16 will present that ties Mr. Abelman to this alleged conspiracy.

17 MR. HANKINSON: I think it's simply enough to give
18 the Court a brief summary of what we expect to show, Your
19 Honor.

20 And you may recall this came up during the course of
21 the motion to disqualify Mr. Kennedy. We expect to show that
22 Mr. Abelman was involved in going to Europe and that, in the
23 spring of '96 in attempting to collect a large sum of money
24 for -- to assist Mr. Knock, the figure that will come up will
25 be four million dollars that they were trying to collect and

1 generate.

2 We've already heard the testimony of Ms. Jaffe who
3 talked about the briefcase of cash that she received. A fax
4 was found in Mr. Abelman's safe which is part of what Agent
5 Heng would say. That will fit exactly with what Ms. Jaffe said
6 as to her phone number, her work place, and so forth,
7 identifying that of Mr. Knock.

8 It's our belief, and I think it's relevant to show
9 that Mr. Knock, in conjunction with this, Mr. Abelman had
10 access to millions of dollars. And I think that is relevant
11 testimony. And that is what we anticipate showing. We will
12 show through an individual named Shelly Wickersham -- she was
13 traveling with Mr. Abelman -- and he was basically giving
14 her -- showed her what he indicated was a million dollars.

15 And he was making comments to her as to the purpose
16 of this, which was to free this person named John who lived in
17 Hawaii who was currently housed in France, and that the wife
18 was there to receive the money.

19 I think Ms. Wickersham's statements are admissible
20 not only in the course of the conspiracy, but as admissions
21 against interests, since obviously Mr. Abelman's involvement in
22 part of the comments was that he had previously been involved
23 in drug importations with Mr. Knock, and that was -- and that
24 they were friends. And that that was one of the reasons that
25 he was assisting him. So that is what we anticipate showing.

1 I think it's clearly relevant.

2 MR. KENNEDY: Two observations, Your Honor. One is
3 the grand jury in this case has indicted a conspiracy up to
4 1994. This is '96 evidence. This would be an improper
5 amendment to the grand jury's indictment, or a variance from
6 that indictment. That is not permissible.

7 Secondly, I've read Ms. Wickersham's testimony.
8 Ms. Wickersham is not a co-conspirator. Ms. Wickersham is a
9 girlfriend of Mr. Abelman. It's very clear from her testimony
10 that what he is saying to her is just that of a boyfriend
11 bragging and showing off.

12 And as she says in her own testimony, she doesn't
13 know whether to believe it or not. It's just his story to her.
14 But she is clearly not a co-conspirator, and what he is saying
15 to her is not in furtherance of any conspiracy.

16 MR. HANKINSON: May I respond?

17 First, whether or not Ms. Wickersham is involved in
18 the conspiracy begs the question: Clearly Mr. Abelman is
19 making comments that are incriminatory of him. In fact, Agent
20 Heng, the case agent here on that case, believes Ms. Wickersham
21 will be one of the key witnesses in the Abelman trial based on
22 those comments. They are against interest.

23 Mr. Abelman is pending trial -- or pending motions --
24 I don't think there is actually a trial date. We have
25 attempted to secure Mr. Abelman's cooperation. That -- we've

1 been turned down on that. I've talked to his attorney,
2 Mr. Segal. Mr. Abelman is not available as a witness. So
3 it's -- it's an admission against interest, and therefore an
4 exception to hearsay.

5 In terms of the indictment, whether or not it is
6 encompassed within the indictment, it's evidence of unexplained
7 wealth. That is certainly indicative of Mr. Knock's previous
8 involvement in drug activity.

9 It is also contrary to the asserted defense of
10 withdrawal, and that -- if he had this access to millions of
11 dollars, I think that is evidence that the jury would consider
12 as inconsistent with his withdrawal in this conspiracy, which
13 is my understanding of one of the things the defense is going
14 to argue.

15 THE COURT: Any additional?

16 MR. KENNEDY: Just very briefly, Your Honor. I have
17 not asserted a withdrawal defense nor do I intend to assert a
18 withdrawal defense. Submit it, Your Honor.

19 THE COURT: I'm going to admit it. If it doesn't
20 turn out like you said, move to strike it.

21 MR. KENNEDY: Of course I have my exception, Your
22 Honor.

23 THE COURT: Certainly.

24 (Back in open court.)

25 MR. HANKINSON: I would re-offer Government Exhibit

1 224.

2 THE COURT: Yes. It will be admitted subject to the
3 rulings that I just made here.

4 MR. HANKINSON: Thank you.

5 (Government Exhibit 224 admitted.)

6 MR. HANKINSON: If I might publish this for the jury,
7 Your Honor?

8 THE COURT: You may do so.

9 Q. Which of those individuals, Mr. Heng, is Mr. Abelman?

10 A. He is the second person from the left.

11 Q. And this photograph was obtained where?

12 A. This was one of a series of photographs removed from his
13 residence.

14 Q. And when did you have occasion to search Mr. Abelman's
15 residence?

16 A. June 21st of 1996.

17 Q. Agent Heng, I've placed before you what has been marked
18 for identification as Government Exhibits 205, 206, and 207.

19 Are you familiar with those items?

20 A. Yes, I am.

21 Q. And where did you obtain -- and identify them by Exhibit
22 number when you refer to them, please. Where did you obtain
23 those items?

24 A. Those were either located within Steven Abelman's home in
25 June of '96 or -- well, in the instance of Exhibit 205, this

1 was in his personal possession on that date when he was
2 arrested at the residence.

3 206 was within the residence.

4 And 207 was in his possession when he arrested at the
5 residence.

6 Q. So 205 and 207 were on his person, and 206 was located in
7 the residence?

8 A. That's correct.

9 Q. Okay. Do you recall where in the residence Government
10 Exhibit 206 was located?

11 A. Yes, I do.

12 He had an office area off of the main living room.
13 And inside the closet there was a -- a safe, a standing safe.
14 And these documents were located inside of the safe.

15 Q. Let's first talk about Government Exhibit 206. Would you
16 turn to -- it's the third page in the copy I have. But,
17 anyway, it appears to be a fax. The top says: Michael, please
18 pass on. Do you see the document that I'm referring to?

19 A. Yes, I do.

20 MR. HANKINSON: First I would offer those three
21 exhibits into evidence, Your Honor.

22 THE COURT: They will be received.

23 (Government Exhibits 205, 206 and 207 admitted.)

24 MR. HANKINSON: If I could publish page 3 of
25 Government Exhibit 206.

1 THE COURT: Yes, sir.

2 Q. All right. Can you see the -- the screen, what is
3 displayed? Is that the same document that you have in front of
4 you as part of Government Exhibit 206?

5 A. Yes.

6 Q. Okay. And is that a little difficult to see, the small
7 typed print at the top of the document. From that, you -- can
8 you tell how this document was transmitted?

9 A. It appears that it has a fax imprint. Reading from left
10 to right. It has a date of 18/4/96 which would be April 18th
11 of '96, at 1039 hours from Telephone Tourist Service BV. Page
12 1.

13 Q. Let's follow on down. If you would kind of read -- it
14 indicates that it's what? The top heading says what? If you'd
15 just read that.

16 A. Yes. Michael, please pass on to: Fax number
17 1-415-459-7324.

18 Q. Just read through this note. Paragraph 1.

19 A. The rabbi has returned, says hello.

20 Q. Go ahead. Read through paragraph 2.

21 A. Number 2. Sonoma Mission Inn. Telephone number
22 707-938-9000. Best to call on Sunday or Monday. Ask for grill
23 kitchen, asterisk, Dana Jaffe. She's off Sunday and Monday.
24 Works usually afternoon shift. Call mornings to get Dana's
25 timetable.

1 Underline. Who are you: To Dana only: Friend of
2 Terry Traveler, Rosy and Sealey's dad. Need to collect some
3 photos from her. Nothing else needs to be said or shared.
4 When you last saw him or where not her business. These photos
5 need to come to me. Important. Underline.

6 Q. During the course of your investigation, did you
7 determine who Dana Jaffe was?

8 A. Yes, I did.

9 Q. Who is Dana's Jaffe?

10 A. She was the sister of Naomi Knock.

11 Q. And Naomi Knock is who?

12 A. The wife of John Knock.

13 Q. Okay. So this would have been John Knock's
14 sister-in-law?

15 A. That's correct.

16 Q. And did you determine where Ms. Jaffe worked?

17 A. She worked at the Sonoma Mission Inn.

18 Q. All right. If we would go to paragraph 3, please.

19 A. By the asterisk, 3. P.S. My friend has some things for
20 me. Please ask to see it. If you can bring any of it over
21 with you I would really appreciate it. Telephone devices, et
22 cetera. What you are comfortable with. Thanks.

23 Q. All right. Also found in Exhibit 206 are some pages with
24 numbers. Do you see those? Number 1 through 25. Then there
25 are names or words written next to them.

1 A. Yes.

2 Q. Okay.

3 All right. Do you see what I've displayed on the
4 board?

5 A. Yes.

6 Q. Is that the same document you are looking at?

7 A. Yes, it is.

8 Q. Okay. And this document again was found in the safe at
9 Mr. Abelman's?

10 A. Yes, it was.

11 Q. And it's in the location with the fax that you were just
12 reading to us?

13 A. Yes.

14 Q. And then there is also kind of a -- looks like kind of a
15 grid of some sort. Do you see the document? It seems to have
16 an A down the left-hand column?

17 A. Yes.

18 Q. Again, was that a document found in the same location in
19 the safe at Mr. Abelman's house?

20 A. Yes.

21 Q. Again with the fax that you were reading from?

22 A. Yes, it was.

23 Q. All right. Are we displaying on the screen an
24 enlargement of that page?

25 A. Yes. That is the page.

1 Q. Okay.

2 MR. HANKINSON: Thank you. We would -- if you would
3 go to Exhibit 207.

4 Q. And I believe you indicated that 207 were items that were
5 seized from Mr. Abelman's person?

6 A. Yes.

7 Q. And on the first page of that, top left hand, do you see
8 a reference to Carl Lilley?

9 A. Yes, I do.

10 Q. Can we pull that up, please.

11 Read to us what you see on that note in the top
12 left-hand corner.

13 A. Beginning at the top left-hand corner, it says: Rocky
14 mountains. And then it has across the top: Florida, or F-L-A,
15 and underneath that Carl Lilley, case agent. And then an arrow
16 from the rocky mountains. What about him? Question mark.
17 Below that is prosecutor Miller. Proxy for money transfers or
18 transfer.

19 Below that is Sonny's jackets, three hot items from
20 it. What does this money buy Sonny? Conversation on boat
21 during a fishing tournament in 1992, three people.

22 Q. Go to the top right-hand of the page.

23 What kind of life will he and his family have when he
24 gets out? Tallahassee. Allen Miller. Tom Kirwin. An arrow
25 up from Gainesville. Timetable. Does indictment, and then

1 below that is the word dropping, with a little arrow indicating
2 that dropping, perhaps, belongs in front of the word
3 indictment.

4 Free his assets. When does he pay more in and what
5 does the second part buy? Are you familiar with an individual
6 named Tom Kirwin?

7 A. I'm familiar with the name, yes.

8 Q. Have you, in fact, talked to Mr. Kirwin on occasion?

9 A. I have, yes.

10 Q. Who do you understand Tom Kirwin to be?

11 A. An Assistant U.S. Attorney.

12 Q. In what office?

13 A. Gainesville, I believe.

14 Q. Okay. In the Northern District of Florida?

15 A. In the Northern District of Florida.

16 Q. Thank you.

17 And if we go to Exhibit 205. Do you have Exhibit
18 205? That looks to be a planner of some sort.

19 A. Yes.

20 Q. Would you go to -- and it's written in red ink on the
21 bottom of that, page 17.

22 Now, was the red page 17 on there when you seized
23 this item?

24 A. No, it wasn't.

25 Q. Okay. What calendar time do we have at page 17?

1 A. We have May -- the week of May 6th through 8.

2 Q. Okay.

3 MR. HANKINSON: I would ask to publish this entry
4 starting here, Your Honor.

5 THE COURT: All right.

6 Q. At the -- it doesn't come up real clearly here, but at
7 the bottom of the page for May 8th.

8 That would have been what, May 8th, 1996?

9 A. 1996.

10 Q. Okay. Do you see an entry at the bottom of page 8?

11 A. Under Wednesday, May 8th, yes.

12 Q. Okay. And what is written there?

13 A. Z-U-R a.m.

14 Q. Based on your investigation, did you determine where
15 Mr. Abelman was in May of '96?

16 A. He was traveling throughout Europe.

17 Q. If we can go to the next page.

18 The next page are there entries that you believe
19 relate to trips to European during May of '96?

20 A. Yes. Under Thursday May 9th we have Zur on Sunday. May
21 12th we have G-E-N.

22 Q. And what do you believe G-E-N stood for?

23 A. Geneva.

24 Q. G-E-N-E-V-A?

25 On the entry of May 13th, Monday, do you have another

1 notation there?

2 A. Yes, I do. It is G-E-N again.

3 Q. On Tuesday 14th?

4 A. A.m. S-F-O?

5 Q. Do you know what S-F-O commonly stands for, as you
6 understand?

7 A. San Francisco International Airport.

8 Q. And underneath that, what is that notation?

9 A. I-N-T-S.

10 Q. Now, in June of '96, apparently you had some contact with
11 Mr. Abelman; is that correct?

12 A. June 21st, I had contact with him at his home.

13 Q. Do you know whether Mr. Abelman has been traveling on
14 that date?

15 A. He was actually returning from Europe.

16 Q. So on June 21 of '96 he was returning from Europe?

17 A. Yes, I believe his flight originated in Zurich.

18 MR. HANKINSON: That is all the questions that I have
19 at this time, Your Honor.

20 THE COURT: Mr. Kennedy.

21 MR. KENNEDY: Thank you, Your Honor.

22 CROSS-EXAMINATION

23 BY MR. KENNEDY:

24 Q. Good morning, Agent Heng.

25 A. Good morning.

1 Q. The seizure OF THE INTREPID VENTURE was in May of 1988;
2 was it not?

3 A. Yes, it was.

4 Q. All right. Now, we saw --

5 THE COURT: Mr. Kennedy, you're going to have to be
6 over there where we can pick you up a little better.

7 MR. KENNEDY: I'm sorry, Your Honor. Thank you.

8 THE COURT: We can put one at you-all's table.

9 MR. KENNEDY: No. I meant to come over here. I
10 thought that I was going to be brief.

11 Q. You are aware, are you not, Agent Heng, that on the 17th
12 day of May of 1996, John Knock was arrested in Paris?

13 A. I was -- I'm aware that he was arrested in France. I
14 can't tell you that I recall the specific date.

15 Q. In any event, at the time that you confronted Mr. Abelman
16 on the 21st day of June of '96, you knew at that time that
17 Mr. Knock had already been arrested; did you not?

18 A. Yes.

19 Q. Now, with reference to this fax that was run up earlier,
20 and it was Government Exhibit 206, and if you would be kind
21 enough to look at that in front of you, the ladies and
22 gentlemen of the jury saw that. And it was a fax that ended
23 with a little smily face on the bottom. Do you recall that?

24 A. I do.

25 Q. The source of that fax, in terms of the faxing number,

1 are you able to determine that from the fax?

2 A. No. I can't tell you that I know the specific faxing
3 number.

4 Q. It's not designated at the top of the page, Agent?

5 A. Oh, you are talking about the -- you are not talking
6 about the European fax, you are talking about the domestic fax.

7 MR. KENNEDY: Excuse me. May I approach, Your Honor?

8 THE COURT: How about putting it back up on the
9 screen?

10 MR. KENNEDY: That is a good question. We do want to
11 be talking about the same fax.

12 MR. HANKINSON: What exhibit number is that?

13 MR. KENNEDY: Mr. Hankinson, this is number 206,
14 which actually consists of seven pages.

15 Q. Am I right, agent?

16 A. Yes.

17 Q. What we are referring to is actually page six of the
18 seven pages on 206; are we not?

19 A. Yes.

20 Q. Okay. Now, from that fax -- that is the fax that I'm
21 talking about?

22 A. Yes.

23 Q. All right. Now, from that fax, can you determine the
24 source, the originating place of the fax?

25 A. Yes, I believe I can.

1 Q. Would you be kind enough to share that with us.

2 A. Certainly. At the top starting at the left. 18/4/96.
3 1039. Telephone Tourist Service BV, is I believe the same -- I
4 believe the origination for that would be the TTS service in
5 Amsterdam.

6 Q. And did you -- have you attempted, through the resources
7 available to you, to make any determination from the writing or
8 the printing -- I guess we should call it -- as to whom the
9 author might be?

10 A. No, I have not.

11 Q. Thank you.

12 MR. KENNEDY: That's it, Your Honor. Thanks.

13 THE COURT: Mr. Daar.

14 MR. DAAR: Thank you, Your Honor.

15 CROSS-EXAMINATION

16 BY MR. DAAR:

17 Q. Good morning, Agent Heng.

18 A. Good morning.

19 Q. What does the jurisdictional area of the San Francisco
20 DEA office encompass?

21 A. Well, we have reporting responsibility for roughly two
22 thirds of the state of California. Somewhat south of
23 Bakersfield, the Oregon border. But within that we have other
24 resident and district offices.

25 Q. Okay. But the San Francisco office is in charge of

1 essentially two thirds of the state of California. I know
2 there are lesser offices which are supervised out of San
3 Francisco.

4 A. We're not in charge. We have responsibility for certain
5 aspects of enforcing the federal laws within that jurisdiction.

6 Q. Well, in terms of the DEA's duties within that
7 jurisdiction, you guys are in charge?

8 A. Yes.

9 Q. Okay.

10 And your particular office apparently is broken up
11 into one part that deals with financial matters and another
12 part that deals with controlled substances, yes?

13 A. We currently are.

14 Q. Okay. Were you at the time?

15 A. No.

16 Q. When did the split occur?

17 A. Formally, 1998.

18 Q. But the DEA, before 1998, was involved in seizing funds
19 connected to the distribution and sale of controlled
20 substances, correct?

21 A. Correct.

22 Q. Now, your particular office, as in other offices -- well,
23 let me ask this question: Is the country broken up into a
24 series of jurisdictions for the DEA?

25 A. Yes.

1 Q. And your office would regularly send in statistics to
2 Washington reflecting various factors of operation, correct?

3 A. Correct.

4 Q. Those statistics would include amounts of controlled
5 substances seized, correct?

6 A. Correct.

7 Q. Convictions, correct?

8 A. Correct.

9 Q. And money seized, correct?

10 A. That's correct.

11 Q. That is one way, at least in your understanding, that
12 Washington or the powers to be would judge the effectiveness of
13 a particular office, correct?

14 A. They could.

15 Q. Do you have any basis for believing those statistics are
16 not used for that purpose?

17 A. No. I believe that those statistics are probably used to
18 justify funding through Congress.

19 Q. Okay.

20 And as far as you know, each individual jurisdiction
21 of the DEA sends those statistics to Washington on some
22 periodic basis?

23 A. That's correct.

24 Q. Now, you're familiar with the indictment in this case,
25 correct?

1 A. I'm familiar. I'm not intimately familiar with it.

2 Q. Well, are you aware that it charges a very massive
3 conspiracy from 1987 to 1994, correct?

4 A. I would not -- I couldn't tell you that I am familiar
5 with the outlying parameters of time.

6 Q. Okay. Well, are you aware that included in the
7 allegation --

8 THE COURT: Mr. Darr, the indictment I have says
9 April of '96 as the date.

10 MR. DAAR: I'm sorry.

11 THE COURT: Do I have an incorrect copy?

12 MR. DAAR: No, I believe you are correct. But I will
13 take the Court's word.

14 Q. I'll correct my last question to April of '96.

15 A. Again, I don't have -- I don't know the beginning date.
16 I don't know the end date.

17 Q. It's your understanding that this conspiracy charged here
18 includes the 1988 Calvin Robinson load. You do understand
19 that, correct?

20 A. I believe it does. That is my understanding.

21 Q. Okay.

22 You also understand that the government has alleged
23 here that this giant overall conspiracy is responsible for the
24 1987 load of the RUBY R?

25 A. I don't know that that is my understanding.

1 Q. So you are not sure if that is part of this case or not?

2 A. I'm not sure.

3 Q. So when you told the jury that it wasn't unusual for a
4 case like this to be prosecuted in Gainesville, one of the
5 facts that you weren't aware of is the fact that the prosecutor
6 here is including the RUBY R that went into San Francisco as
7 part of this conspiracy; is that fair?

8 A. I -- your characterization would be fair to my
9 understanding, yes.

10 Q. Okay. Are you aware that the prosecution in this
11 jurisdiction has also included the seizure in 1993, once again
12 in San Francisco. Are you aware of that?

13 A. I believe I am, yes. I understand it to be the case.

14 Q. Okay.

15 Are you aware that this conspiracy, as alleged by the
16 government here, included the transportation of millions of
17 dollars in U.S. currency out of San Francisco from SFO airport?

18 A. Yes, I am.

19 Q. Are you aware of how much money was involved in it?

20 A. I -- my recollection is around 80 million. But I'm not
21 sure.

22 Q. Okay. So when you told this jury -- well, what do you
23 know happened in Gainesville that the government alleges was
24 part of this giant conspiracy?

25 A. I don't know all of the particulars at all as to what

1 occurred in Gainesville.

2 Q. Do you know anything that occurred in Gainesville?

3 A. I know that there was a -- I believe there was a series
4 of undercover meetings, negotiations, perhaps some money
5 deliveries.

6 Q. So you're not really sure all of what happened in
7 Gainesville?

8 A. No. I'm not intimately familiar with the Gainesville
9 case at all.

10 Q. You're not. It isn't unusual for this case to be here,
11 correct?

12 A. Well, it is not unusual for our cases to be brought in a
13 multitude of jurisdictions.

14 Q. Okay.

15 So, in your opinion, notwithstanding the fact that to
16 your understanding that the 80 million dollars from -- went
17 from San Francisco airport to other locations, notwithstanding
18 the fact that there were three potential very large scale
19 loads, right?

20 A. Oh, yes, sir, they were.

21 Q. Three large loads come into San Francisco, and the only
22 thing that happened in Gainesville is a meeting or two, to your
23 understanding, and this is not unusual for this case to be
24 prosecuted here. Is that your testimony?

25 A. In essence, that is my testimony. But, again, I'm not

1 aware of all of the details of the Gainesville case.

2 Q. But that is your testimony based on what you are aware
3 of, correct?

4 A. That's correct.

5 MR. DAAR: Thank you.

6 THE COURT: Government.

7 MR. HANKINSON: Yes, sir.

8 REDIRECT EXAMINATION

9 BY MR. HANKINSON:

10 Q. You talked about determining that this fax was from TTS
11 services, the fax reference Terry Traveler and so forth?

12 A. Yes.

13 Q. How did you determine that?

14 A. The name of the business is TTS, which is an acronym for
15 Telephone Tourist Service. Located at Denmark 35 in Amsterdam.
16 And the notations across the top of the fax page is Telephone
17 Tourist Service.

18 Q. The defense was asking about, you know, what you knew
19 about this case. Is it unusual for a large conspiracy case to
20 touch many districts?

21 A. It's not unusual. It's quite common.

22 Q. Okay. Is it unusual for parts of the conspiracy to be
23 prosecuted in different districts?

24 A. No.

25 Q. Okay. In 1988 when you seized what -- what was it, 56

1 tons of marijuana and hashish in San Francisco?

2 A. Yes.

3 Q. At that point in time, did you know that that marijuana
4 and hashish was provided by the Knock-Duboc organization?

5 MR. KENNEDY: Objection, Your Honor.

6 THE COURT: Sustained as phrased.

7 Q. Did you know who the source of that marijuana and hashish
8 was back in 1988?

9 A. No.

10 Q. And you indicated that you understood that the indictment
11 included the INTREPID VENTURE as part of the conspiracy. How
12 do you understand that the INTREPID VENTURE fits into the
13 conspiracy?

14 MR. KENNEDY: Objection.

15 THE COURT: Well, I normally would sustain it, but
16 it's proper.

17 Q. You indicated on cross that you understand that the
18 INTREPID VENTURE is part of the charged conspiracy. How do you
19 understand that it fits into the charged conspiracy?

20 A. My understanding is that John Knock and --

21 MR. KENNEDY: Objection, Your Honor.

22 THE COURT: Overruled. This is in rebuttal to
23 matters brought up on cross.

24 Q. Go ahead, Agent Heng.

25 A. That John Knock and Claude Duboc were the principal

1 organizers and financiers behind that load.

2 MR. HANKINSON: I want to go into a matter back
3 on one of the items of evidence. This could be considered
4 outside the scope of cross. If the defense wishes -- I'd
5 rather if they want to cross on those particular questions,
6 Your Honor.

7 THE COURT: Go ahead.

8 Q. Let me go back to Government Exhibit 207. Do you have
9 that in front of you?

10 A. Yes, I do.

11 Q. And if we kind of count the pages. The fourth page.

12 And where the page -- the top left-hand corner says
13 they will try to accept, I think is the top line.

14 A. Yes, I have that.

15 Q. Are you with me?

16 A. Yes.

17 Q. Come about halfway down the page. And if we can show
18 that. There is a -- a reference in the middle of the page that
19 appears to relate to a pink -- do you see that reference I'm
20 referring to?

21 A. I do.

22 Q. Read to us what that reference is, please.

23 A. Pink-line. Leaky faucet.

24 Q. All right.

25 And then let's go to the last -- the next to the

1 last -- go two pages on the document where it says at the top:
2 What is the timetable for release? Do you find that?

3 A. Yes.

4 Q. Pull that up, please.

5 MR. HANKINSON: Just blow it up.

6 Q. If you would read along from the top with us on this
7 document, please, sir.

8 A. What is the timetable for release? What will happen when
9 he is released? What is his status?

10 What does second payment buy? Immunity? Freed
11 accounts. Account number for blind transfer. What if Nancy
12 won't cooperate. Do they -- exact number of previous payment.

13 Complete jacket for Sonny and the family. Second
14 payment specifically three million. Define what he gets.

15 Q. Thank you.

16 MR. HANKINSON: That is all the questions I have.

17 THE COURT: Do you all wish to cross on that latter
18 testimony?

19 MR. KENNEDY: No thank you, Your Honor.

20 MR. DAAR: No thank you, Your Honor.

21 THE COURT: All right. Thank you, sir.

22

23

24

25

C E R T I F I C A T E

STATE OF FLORIDA)
COUNTY OF ALACHUA)

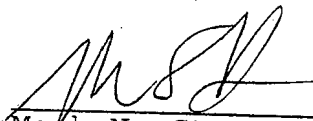
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THAT I am neither of kin nor of counsel to any party
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DATED THIS 5th DAY OF June, 2000.



Mark N. Stuart, RPR
United States Court Reporter

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

THE UNITED STATES OF AMERICA,

Docket No. GCR 94-01009

Plaintiff,

Gainesville, Florida

May 18, 2000

9:00 a.m.

vs.

JOHN KNOCK and
ALBERT MADRID

Defendant.

TRANSCRIPT OF TRIAL TESTIMONY OF SHELLY WICKERSHAM
WHEN HEARD BEFORE THE HONORABLE SENIOR UNITED STATES
DISTRICT COURT JUDGE MAURICE M. PAUL, AND A JURY

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(NOT INDEXED THIS VOLUME.)

1 MR. HANKINSON: We call Shelly Wickersham.

2 (Witness sworn.)

3 THE CLERK: Please be seated.

4 And, ma'am, for the record state your full name and
5 spell your last name.

6 THE WITNESS: My name is Shelly Wickersham.

7 W-I-C-K-E-R-S-H-A-M.

8 DIRECT EXAMINATION

9 BY MR. HANKINSON:

10 Q. And tell us your name one more time, please.

11 A. Shelly. S-H-E-L-L-Y.

12 Q. And your last name is?

13 A. Wickersham.

14 Q. Okay. And how old are you, Ms. Wickersham?

15 A. Twenty-eight.

16 Q. And you're currently a student?

17 A. Yes.

18 Q. And what are you studying?

19 A. I have a minor in biology, and I'll finish in the fall
20 with my English degree.

21 Q. So you already have a degree in one subject?

22 A. It's a minor. It's not my full BS.

23 Q. Where are you studying?

24 A. University of San Francisco.

25 Q. Okay. Do you live in the San Francisco area?

1 A. Yes.

2 Q. And how long have you lived in the San Francisco area?

3 A. I was born in San Francisco.

4 Q. Did you come to know a fellow named Steve Abelman?

5 A. Yes.

6 Q. And how did you first come to know Mr. Abelman?

7 A. I worked -- I was one of the persons employed at a
8 restaurant in Marin called the Left Bank.

9 Q. What did you do there at the Left Bank?

10 A. I was a food server.

11 Q. Is that a restaurant in Marin County?

12 A. Yes.

13 Q. And about when did you start there?

14 A. 1995, the summer. Maybe August.

15 Q. Summer of 1995?

16 A. Yes, I believe.

17 Q. All right. And how did you become acquainted with
18 Mr. Abelman?

19 A. He was one of the investors at the restaurant.

20 Q. So he had invested -- had some type of ownership interest
21 in the restaurant?

22 A. There was about 25 investors, and he was the primary one.

23 Q. And in the spring of '96, did Mr. Abelman ask you to do
24 some work at a barmitzvah for his son?

25 A. Yes.

1 Q. And did you do that?

2 A. Yes.

3 Q. Okay. And after that, were you asked to assist in
4 another function?

5 A. The next day at his house.

6 Q. And what kind of functions were these?

7 A. It was a private lunch with his friends.

8 Q. Okay. What were you doing there?

9 A. I was arranging the food and drinks in the kitchen.

10 Q. Okay. And did you later get into discussion with
11 Mr. Abelman about him helping you get a job?

12 A. I did. I had just gotten back from a trip, a vacation
13 time, and I wanted to change my job. And he had helped a lot
14 of my coworkers find employment in San Francisco. He owns
15 restaurants and knows a lot of people in the area.

16 Q. And did you have a meeting with Mr. Abelman at a -- at
17 the Rubicon?

18 A. Yes.

19 Q. What is the Rubicon?

20 A. It is a restaurant about a block away from my day job,
21 investment banking.

22 Q. And during the course of meeting with him at the Rubicon,
23 did he tell you something about his business, Mr. Abelman's
24 business?

25 A. He did. He said he was in the gemstone business.

1 Q. And did he ask you to assist him in some way?

2 A. Yes.

3 Q. What did he ask you to do?

4 A. He said that in the past people had gone to Europe to
5 those gem stone auctions with him to assist while he was
6 meeting with private customers and go to the auctions to be
7 present when he couldn't be.

8 Q. And did he want you to do that?

9 A. He gave me the offer, yes.

10 Q. Okay. And what did you tell him?

11 A. I told him that I had to talk with my boyfriend at the
12 time and get his permission, basically just talk it over with
13 him and then get back to him about it.

14 Q. Did you get back with Mr. Abelman?

15 A. I did.

16 Q. What did you tell him?

17 A. I said yes.

18 Q. So you agreed to go to Europe?

19 A. Right.

20 Q. Okay. And how did you get your tickets to go to Europe?

21 A. They came in the mail a couple of days later from --
22 overnight from a Maryland travel agent.

23 Q. And who was paying for those tickets as you understand
24 it?

25 A. Steve was.

1 Q. And Steve is Steve Abelman?

2 A. That's right.

3 Q. Now, did Mr. Abelman travel with you to Europe?

4 A. No. He met me when I arrived.

5 Q. Okay. Where did you go to initially?

6 A. Amsterdam.

7 Q. And did you -- were you met there by someone?

8 A. Steve met me there at the airport.

9 Q. Now, when you initially left, how long were you supposed
10 to go for?

11 A. About five days.

12 Q. Did it turn into a longer trip than that?

13 A. It did.

14 Q. How long did you end up staying?

15 A. Almost a month.

16 Q. Shortly after you got to Amsterdam, did Mr. Abelman
17 indicate that he found out that he had a problem back in the
18 United States?

19 MR. KENNEDY: Objection, Your Honor.

20 THE COURT: Go ahead. Overruled.

21 Q. Did you understand my question?

22 Did he tell you that he had a problem back in the
23 United States?

24 A. He did.

25 Q. What did he tell you about his problem?

1 MR. KENNEDY: Objection, Your Honor.

2 THE COURT: Overruled.

3 A. He said that he had a friend back in Marin who had ratted
4 him out. And he was real upset.

5 Q. Did he tell you anything about this friend back in Marin
6 that had ratted him out?

7 A. Just that he had a wife and new baby at the time and
8 that he had helped him get on his feet and sort of made him
9 what he was.

10 Q. Abelman had helped this person get on his feet?

11 A. Yes.

12 Q. And during the course of this conversation, did
13 Mr. Abelman admit to you that he had been involved in hashish
14 dealing?

15 MR. KENNEDY: Objection, Your Honor.

16 THE COURT: Leading.

17 Q. Did Mr. Abelman tell you anything about the trouble that
18 he had been involved in?

19 A. He did.

20 Q. What did he tell you about that?

21 A. He told me that there was drugs involved. But it was
22 strictly hashish and marijuana.

23 Q. And did he indicate how long this had been?

24 A. I was under the impression it had been a long time
25 before, about ten or twelve years earlier.

1 Q. Did you also come to hear about a fellow that you simply
2 knew as Lou?

3 A. Yes.

4 Q. Okay. Did you ever actually meet Lou?

5 A. No.

6 Q. Did you become aware that Mr. Abelman was frequently in
7 contact with Lou?

8 A. Yes.

9 Q. How was he in contact with him?

10 A. He met with him at least once a day and talked to him on
11 the phone often.

12 Q. Okay. Now, while you are there in Europe, did you stay
13 the whole time in Amsterdam?

14 A. No.

15 Q. You went to some other cities in Europe?

16 A. Yes.

17 Q. Now, you indicated you stayed about a month. Is that
18 what you indicated?

19 A. Yes.

20 Q. And you came back to the United States at that time?

21 A. Right.

22 Q. Okay. Did you make a -- a second trip to Europe?

23 A. Yes.

24 Q. And who was paying for this second trip back?

25 A. Steve.

1 Q. And how much longer was this after the first trip?

2 A. About two weeks.

3 Q. And where did you go back to on this second time?

4 A. To Amsterdam.

5 Q. And did you meet up with Mr. Abelman there?

6 A. Yes.

7 Q. Okay. And did you travel anywhere with Mr. Abelman on
8 this second trip?

9 A. Yes.

10 Q. Where did you go?

11 A. To Geneva and Frankfurt.

12 Q. Did you go with Mr. Abelman to Frankfurt?

13 A. Yes.

14 Q. And did you become aware that Mr. Abelman was meeting
15 with anyone in Frankfurt?

16 A. He met with Lou.

17 Q. And as you understood it, was he meeting with anyone
18 else?

19 A. I believe that Mr. Knock's wife had flown out from Hawaii
20 and they had met with him about this time.

21 Q. And did you see Mr. Abelman with anything after the
22 meeting with Lou and this other person?

23 A. Yes.

24 Q. What did you see him with?

25 A. About a million dollars in Deutschmarks.

1 Q. And what was this million dollars in Deutschmarks
2 contained in?

3 A. To help Mr. Knock --

4 Q. What was it in? What was it contained in?

5 A. Oh, it was in a charcoal colored Samsonite carrying case.

6 Q. And when did you first -- well, did you see the money in
7 the suitcase?

8 A. Not in Frankfurt I didn't.

9 Q. Did you later see the money?

10 A. Yes.

11 Q. Where were you when you saw the money?

12 A. In Geneva.

13 Q. And how -- what makes you believe it was a million
14 dollars?

15 A. That's what he told me.

16 Q. Who told you that?

17 A. Steve.

18 Q. And he actually showed it to you?

19 A. Yes.

20 Q. What were the circumstances of him showing you this
21 money?

22 A. He asked me -- he said: Have you ever seen a million
23 dollars?

24 And I said: No.

25 And he said: Would you like to see what it looks

1 like?

2 And I said: Okay.

3 So he showed me. I said: That's a lot of money.

4 Q. Now, what did Mr. Abelman do with this million dollars?

5 A. He transferred it to a personal bag of his and kept a
6 portion for himself.

7 Q. Okay. Did he indicate how much he was keeping for
8 himself?

9 A. 300,000.

10 Q. So he puts part of it in a different bag and keeps
11 300,000 for himself?

12 A. Yes.

13 Q. Now, this is -- I believe you indicated this is occurring
14 in Geneva?

15 A. Yes.

16 Q. Did you see Mr. Abelman go out with this bag?

17 A. Yes.

18 Q. And when he came back did he have the bag?

19 A. No.

20 Q. Now, after that you traveled around some more in Europe?

21 A. Yes.

22 Q. You came back to the United States?

23 A. Right.

24 Q. How long, roughly, had you been there on this second
25 trip?

1 A. Probably about three weeks.

2 Q. So it has been about a month on the first trip, and maybe
3 three weeks on this second trip?

4 A. Right.

5 Q. Okay. And the person you were traveling with during this
6 time is Steve Abelman?

7 A. Right.

8 Q. While there in Europe, did you hear Mr. Abelman talk
9 about a fellow named John?

10 MR. KENNEDY: Objection, Your Honor.

11 THE COURT: Yes or no.

12 A. Yes.

13 Q. And did Mr. Abelman tell you anything about having been
14 involved in any criminal activity with John?

15 A. Yes.

16 Q. What did he tell you about criminal activity he had been
17 involved in with John?

18 A. He said that they had worked in the past, were very good
19 friends, and had worked in the past with a truckload of
20 hashish, marijuana, and had paid two people to drive it across
21 the country.

22 Q. What country was he talking about?

23 A. The United States.

24 Q. And did he give any indication of how much he and this
25 fellow named John had made from this hashish load?

1 A. He told me about 40 million dollars.

2 Q. And did he tell you anything about the transportation of
3 any of this money?

4 A. He told me that there was -- there was one circumstance
5 that a gentleman was paid to take about a million dollars
6 across Canada by train, and he had a heart attack while on that
7 trip. They didn't know whose money it was.

8 Q. And was it your understanding that this was part of the
9 40 million they had made from the hashish load?

10 A. It was.

11 Q. Now, did Mr. Abelman tell you anything, you know,
12 personally about this fellow John?

13 A. He did. He had a high regard for him and thought that he
14 was a brilliant man. And just well liked by peers and most
15 people.

16 Q. Did he say anything about where he lived?

17 A. Hawaii.

18 Q. Now, you said that in Frankfurt that Mr. Abelman had come
19 back with a suitcase; did you not?

20 A. Yes.

21 Q. Okay. Did he tell you anything about this suitcase in
22 relation to John?

23 A. He said that John had built the suitcase and had made the
24 compartments. It was sort of secretive. When you open up the
25 suitcase it looked empty, but there really could be things

1 hidden behind if you unscrewed the tops and the bottoms and the
2 sides.

3 Q. Did you see this suitcase?

4 A. I did.

5 Q. And -- you say you did?

6 A. Yes, I did.

7 Q. And did it have some type of special compartment?

8 A. It did.

9 Q. Where was the compartment?

10 A. It was in the -- in between the -- I guess base, the body
11 of the suitcase and the in-between part.

12 Q. Would a normal observer see this compartment?

13 A. No.

14 Q. Did Mr. Abelman tell you anything about the current
15 situation of this guy named John from Hawaii?

16 A. Yes. He was trying hard to help his situation because he
17 was in jail in France at the time.

18 Q. And what did Mr. Abelman indicate that he was trying to
19 do to assist this fellow John?

20 A. He was trying to raise money to help him get out of
21 prison.

22 Q. And did he indicate how much money he was trying to
23 raise?

24 A. I believe he told me it was about four million dollars.

25 Q. Now, did he say anything -- you had seen a million

1 dollars; is that correct?

2 A. That's correct.

3 Q. Did he indicate whether there was any connection between
4 this million dollars that you saw and this fellow named John?

5 MR. KENNEDY: Objection.

6 THE COURT: Yes or no.

7 A. Yes.

8 Q. Did he tell you anything about John's wife?

9 A. Yes.

10 Q. And what did he tell you about John's wife?

11 A. That she was a little stressed out and felt like she was
12 under heavy surveillance around their home.

13 Q. Did he indicate where that was?

14 A. In Hawaii.

15 Q. And what was Mr. Abelman trying to do with John's wife?

16 A. He was trying to help her get to Europe so that they
17 could access some money to raise for John.

18 Q. Okay. This four million dollars that you mentioned?

19 A. I believe so.

20 Q. Okay.

21 Now, did he say anything about where the million
22 dollars was going that he showed to you?

23 A. No.

24 Q. And did he tell you anything about meeting up with John's
25 wife?

1 A. It was Steve and Lou. And then Lou was taking care of
2 his wife while she was there.

3 Q. And where did they meet up?

4 A. In Belgium and Luxembourg.

5 Q. And for what purpose did they meet up with John's wife?

6 A. To help get money.

7 Q. And did -- did Steve indicate where the million dollars
8 that he had had come from?

9 A. From John's wife.

10 Q. As you understand it, was he supposed to be passing this
11 on to someone else?

12 A. Yes.

13 Q. Did he ever tell you who that was?

14 A. No.

15 Q. And did he indicate where he had gotten this money from
16 John's wife?

17 A. No.

18 Q. The first place you saw it was where -- or saw the
19 suitcase was where?

20 A. In Frankfurt.

21 Q. After your second trip to Europe, did you become aware
22 that Mr. Abelman's house had been searched?

23 A. Yes.

24 Q. And the best you can tell us, when was the first trip
25 that you took to Europe and when had you finished with this --

1 these trips to Europe, the two trips to Europe?

2 A. Well, I think the -- when Steve was trying to help John
3 with that, but then he found himself in a lot of trouble in
4 trying to help his own situation.

5 Q. Let me rephrase that question.

6 The time frame of when you were in Europe, roughly.
7 During what period of time were you in Europe?

8 A. From May off and on until August.

9 Q. Of what year?

10 A. '96.

11 Q. So the first trip that you talked about would have been
12 sometime in May of '96?

13 A. Yes.

14 Q. And included in that -- through August. Does that
15 include a third trip to Europe that you made with Mr. Abelman?

16 A. Yes.

17 Q. Okay. During that third trip to Europe with Mr. Abelman
18 was there any further discussion about John?

19 A. No.

20 Q. Have you had some dealings with the U.S. Attorney's
21 office in San Francisco?

22 A. Yes.

23 Q. And pursuant to your discussions with the U.S. Attorney's
24 office in San Francisco, through your attorney, did you ask for
25 use immunity?

1 A. I did.

2 Q. Okay. And do you understand that based on that your
3 statements cannot be used against you?

4 A. Right.

5 MR. HANKINSON: If I can have one moment, Your Honor.
6 That's all.

7 THE COURT: Mr. Kennedy.

8 MR. KENNEDY: I need to approach briefly, Your Honor.

9 THE COURT: Yes, sir.

10 (At the bench.)

11 MR. KENNEDY: Your Honor, I move to strike the
12 entirety of her testimony on the grounds that it cannot
13 constitute any exception to the hearsay rule.

14 Certainly she is not a co-conspirator. And certainly
15 the statements of Mr. Abelman are not in furtherance of any
16 co-conspirator.

17 Basically this is a boyfriend bragging to a
18 girlfriend about his exploits which may or may not be true. It
19 has none of the indicia of reliability that one might expect
20 from one making a statement in furtherance of a conspiracy.

21 This woman does absolutely nothing to further this
22 conspiracy at all.

23 MR. HANKINSON: Judge, his statements are clearly
24 against penal interest. Mr. Abelman is unavailable to us as a
25 witness, therefore it's a recognized exception to the hearsay

1 rule. I don't know that it's clear that this is not part of a
2 conspiracy, but the penal interest exception is the clearest.

3 THE COURT: It's your contention that Mr. Abelman was
4 part of this conspiracy and it continued through this period of
5 time by what, trying to assist in the getting money to
6 Mr. Knock?

7 MR. HANKINSON: I would make that contention, yes.

8 I think it's also clearly a statement against penal
9 interest which makes it admissible also. Those would be the
10 two grounds that I would assert for its admission.

11 THE COURT: Any more?

12 MR. HANKINSON: No, sir.

13 MR. KENNEDY: Submit it.

14 THE COURT: The motion is denied.

15 (Back in open court.)

16 CROSS-EXAMINATION

17 BY MR. KENNEDY:

18 Q. Good afternoon, Ms. Wickersham.

19 A. Good afternoon.

20 Q. You haven't -- you weren't involved in any of the
21 criminality about which Mr. Abelman spoke, were you?

22 A. No.

23 Q. As a matter of fact, you went along to Europe with him as
24 a companion, isn't that fair?

25 A. That's not why I went there, but that is what ended up

1 happening, yes.

2 Q. And as a companion, you weren't participating in anything
3 illegal, were you?

4 A. No.

5 Q. And you didn't have anything to do with his -- strike
6 that for a moment.

7 What he described to you in terms of a hash deal was
8 ten to twelve years earlier, is that what you said?

9 A. That was my guess from the way that he was talking about
10 this story.

11 Q. So sometime back in 19 -- this conversation was in 1996,
12 correct?

13 A. Right.

14 Q. So it would be sometime back in '84 to '86 that this hash
15 activity of Mr. Abelman had occurred, correct?

16 A. It was -- the way he spoke, it sounded like in the past.
17 It wasn't something ongoing at the time.

18 Q. So ancient history almost?

19 A. It seemed that way.

20 Q. And what he's doing is just sort of -- strike that.

21 Do you have any idea why he was telling you those
22 things?

23 A. He trusted me.

24 Q. Did he ask you to do anything with this information?

25 A. He asked me not to do anything with this information.

1 Q. I understand that. But did he ask you to do anything?

2 A. No.

3 Q. Did he say to you: Now, I'm telling you this for a
4 particular reason?

5 A. No.

6 Q. He was just telling you stories, wasn't he?

7 A. Yes.

8 Q. As a matter of fact, with reference to the one million
9 dollars he was showing you, he was just sort of bragging,
10 saying: 'Wow, look at this. This is a million dollars. Do you
11 want to see it? Wasn't that what he was doing?

12 A. Sure.

13 Q. Because you didn't have anything to do with that million
14 dollars, did you?

15 A. Nothing.

16 Q. Now, you didn't take any notes in any of those
17 conversations, did you?

18 A. No.

19 Q. And at the time that he was talking to you, the people
20 about whom he was talking, John, Mrs. John, they didn't mean
21 anything to you, did they?

22 A. No.

23 Q. Nor did he ever ask you to do anything with reference to
24 either of them, did he?

25 A. No.

1 Q. Did you see those passports?

2 A. He showed me.

3 Q. Were they legitimate passports or not?

4 A. They were legitimate except for the fact that I knew that
5 they weren't true, because I know him.

6 Q. So it had his picture on it but someone else's name?

7 A. Yes.

8 Q. And do you remember what countries these passports were
9 from?

10 A. There was about six different ones.

11 Q. And you stored those things for him?

12 A. Yes.

13 Q. And, Ms. Wickersham, do you have any ax to grind here to
14 lie one way or the other?

15 A. No.

16 Q. Has anybody suggested to you that it would be -- that you
17 should come in here and lie?

18 A. No.

19 Q. Okay. Are you doing your best to recount what you were
20 told by Mr. Abelman?

21 A. Yes.

22 MR. HANKINSON: That is all I have, Your Honor.

23 MR. KENNEDY: Excuse me, Your Honor. May I -- I know
24 Your Honor's ruling, but I need to briefly re-cross because the
25 time frames are substantially different. I ask leave to do

1 Q. Nor did he ask you to do anything with reference to this
2 individual named Lou, did he?

3 A. Nothing. It was just his life at the time -- his
4 situation.

5 Q. And he was just talking?

6 A. Right.

7 MR. KENNEDY: Thank you. Nothing further.

8 THE COURT: Mr. Daar.

9 MR. DAAR: No, Your Honor.

10 THE COURT: Redirect?

11 MR. HANKINSON: Yes, sir. Briefly, Your Honor.

12 REDIRECT EXAMINATION

13 BY MR. HANKINSON:

14 Q. You had indicated you became aware that Mr. Abelman's
15 house was searched, correct?

16 A. Yes.

17 MR. KENNEDY: Excuse me, Your Honor. That is beyond
18 the scope.

19 THE COURT: It is.

20 Q. Did Mr. Abelman ask you to hold some things for him?

21 A. Yes.

22 Q. And what -- what kind of things did he ask you to hold?

23 A. File boxes that weren't found in the search.

24 Q. And were there any passports included in those documents?

25 A. Yes.

1 that.

2 THE COURT: Go ahead.

3 FURTHER CROSS-EXAMINATION

4 BY MR. KENNEDY:

5 Q. These boxes that Mr. Abelman asked you to store, that was
6 a long time after those conversations you had with him in
7 Europe, correct?

8 A. A month or so, yes.

9 Q. Later?

10 A. Yes.

11 Q. So at the time he was making those conversations with
12 you, they were, in fact, just conversations with you, but not
13 things that he was saying I expect you to do anything about,
14 correct?

15 A. Right.

16 Q. And then later on he asked you to store some boxes,
17 correct?

18 A. He stopped by my apartment with the boxes and asked me to
19 hold on to them.

20 Q. And you did?

21 A. Uh-huh.

22 Q. As far as you were concerned, there was nothing criminal
23 about that either from your standpoint, was there?

24 A. No.

25 MR. KENNEDY: Thank you.

1 THE COURT: Mr. Daar?

2 MR. DAAR: No.

3 THE COURT: Government?

4 MR. HANKINSON: I don't have anything further.

5 THE COURT: Thank you, ma'am. You may step down.

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C E R T I F I C A T E

STATE OF FLORIDA)

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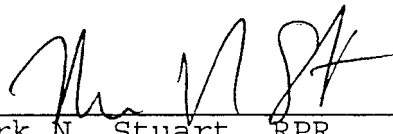
I, Mark N. Stuart, RPR, United States Court Reporter
in Gainesville, Florida, do hereby certify as follows:

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and place stated in the caption thereof;

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the foregoing pages numbered 1 through 26, both inclusive,
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THAT I am neither of kin nor of counsel to any party
involved in this matter, nor in any manner interested in the
results thereof.

DATED THIS 5th DAY OF June, 2000.



Mark N. Stuart, RPR
United States Court Reporter