

Deposition

1st Day

STATE OF CONNECTICUT  
PROBATE COURT  
DISTRICT OF GREENWICH  
DISTRICT NO. 057

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In the Matter of:

ESTATE OF GEORGE ALLEN SMITH, IV :

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**CONFIDENTIAL**

Deposition of JENNIFER HAGEL SMITH, taken pursuant to Section 13-26, et seq., of the Connecticut Practice Book, at the Hagel Residence, 12 Sachem Drive, Cromwell, Connecticut, before Patricia Saya, LSR No. 0037, a Registered Professional Reporter and Notary Public in and for the State of Connecticut, on April 13, 2007, at 8:44 a.m.

1 A P P E A R A N C E S:

2 For George Allen Smith, III and  
3 Maureen W. Smith:

4 THE KELLY GROUP, PC  
5 515 Fifth Avenue  
6 New York, New York 10036  
7 (212)704-0500  
8 By: JOHN QUINLAN KELLY, ESQ.

9 -and-

10 IVEY, BARNUM & O'MARA, LLC  
11 170 Mason Street  
12 Greenwich, Connecticut 06830  
13 (203)661-6000  
14 By: MICHAEL J. JONES, ESQ.

15 For Jennifer Hagel Smith:

16 BRODY, WILKINSON AND OBER, PC  
17 2507 Post Road  
18 Southport, Connecticut 06890-1259  
19 (203)319-7100  
20 By: DOUGLAS R. BROWN, ESQ.

21 -and-

22 WALKER & O'NEILL  
23 Suite 430 - Plaza 57  
24 7301 SW 57th Court  
25 Miami, Florida 33143  
By: JAMES M. WALKER, ESQ.

-and-

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141 Broad Street  
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(860)347-9038  
By: ELIZABETH N. BRYNE, ATTY.

S T I P U L A T I O N S

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IT IS HEREBY STIPULATED AND AGREED by and between counsel for the respective parties hereto that all technicalities as to proof of the official character before whom the deposition is to be taken are waived.

IT IS FURTHER STIPULATED AND AGREED by and between counsel for the respective parties hereto that the signing of the deposition by the deponent may be performed before any Notary Public.

\* \* \* \* \*

1                   (Petitioners' Exhibit 1: Marked for  
2 Identification - described in Index.)  
3 J E N N I F E R   H A G E L   S M I T H ,  
4 of 12 Sachem Drive, Cromwell, Connecticut, called as a  
5 witness, having been first duly sworn by Patricia Saya,  
6 a Notary Public in and for the State of Connecticut, was  
7 examined and testified as follows:

8 DIRECT EXAMINATION

9 BY MR. KELLY:

10           Q.     First of all, how shall I address you?

11           A.     That is fine. "Jen," whatever you prefer.

12           Q.     My name is John Kelly, as you know. I  
13 represent George's parents, Mr. and Mrs. Smith, and Bree  
14 Smith. And I am going to be asking you some questions.  
15 First of all, have you ever had your deposition taken  
16 before?

17           A.     No. Well, I sat for federal grand jury, sat  
18 for a polygraph test, and I have also been interviewed  
19 by the FBI. So I have done a number of different  
20 settings, but nothing -- I have never been deposed.

21           Q.     When you were interviewed by the FBI -- first  
22 of all, could you tell me the first time you were  
23 interviewed by them?

24           A.     Yes. It was within the first week of me  
25 coming home from our honeymoon cruise, so it was -- I

1 would have to say somewhere within a week. I don't know  
2 if it was within the next couple of days. I think they  
3 allowed me that time with my family before they wanted  
4 to come and question.

5 Q. And when you say they came and questioned, did  
6 they come here to this house?

7 A. Yes. They were sitting, actually, where we  
8 are at today, the kitchen table.

9 Q. Do you recall the name of the agent or agents  
10 that came here?

11 A. Sean O'Malley was the agent, and Erin was the  
12 female agent. I do not remember her last name right  
13 now, but Sean and Erin.

14 Q. How long were they here for, approximately?

15 A. They were here pretty much all day, 2 days in  
16 a row, because the first day they just wanted to come  
17 and talk and have nothing formally scripted. And then  
18 the next day, they wanted to come and get it all down.  
19 They are very -- they cross all their t's and dot all  
20 their i's, so it is a very long, and you know, arduous  
21 process.

22 Q. The first day that you sat down with the  
23 agent -- by the way, was it the same two agents both  
24 days?

25 A. Yes.

1 Q. Were they taking notes the first day they sat  
2 down with you?

3 A. No.

4 Q. No notes at all?

5 A. Not that I can recall.

6 Q. They didn't have any tape recorder or  
7 stenographer, anybody with them the first day?

8 A. I don't believe so.

9 Q. And did anybody else sit with you when you  
10 talked to those two agents the first day?

11 A. Yes, my parents, John and Debbie Hagel.

12 Q. For the entire time?

13 A. One portion I was talking directly to Erin,  
14 the female agent, because she wanted to ask some  
15 personal questions about whether or not I had thought I  
16 had been possibly sexually assaulted because I was  
17 obviously, as you know, found unconscious. So that was  
18 a concern of theirs.

19 Q. Did you have any sort of physical exam after  
20 you got back home from Turkey?

21 A. Yes, I did.

22 Q. And when was that?

23 A. I had a physical exam from the FBI sometime I  
24 would say within the first -- I want to say within at  
25 least 2 weeks.

1 Q. Would it have been after the 2 days you spent  
2 with the agents?

3 A. Yes.

4 Q. And was it a doctor employed by the FBI who  
5 did the examination?

6 A. It was FBI agents. I don't know if it was a  
7 doctor.

8 Q. I'm sorry?

9 A. FBI agents. I don't know if they have FBI  
10 doctors. I just know they were FBI agents. I think we  
11 may be talking about two types of physical examinations.  
12 You are just talking about looking at a body. Can you  
13 clarify --

14 Q. One is -- to understand, like someone just  
15 looked at your body, first of all, to physically  
16 question you; is that correct?

17 A. Yes.

18 Q. That was by FBI agents?

19 A. Yes.

20 Q. Was that the two agents you are talking about  
21 now?

22 A. Two female agents, one, Erin, one and the  
23 same, and one other female agent.

24 Q. Where was the physical or visible examination  
25 done?

1 A. At the FBI headquarters in New Haven.

2 Q. And did they take any photographs at that  
3 time?

4 A. No, they did not, not that I recall.

5 Q. Did they make any notes or do any dictation  
6 while they were conducting the examination?

7 A. No. It was very, very brief. They just  
8 wanted to -- they were just doing a thorough  
9 investigation on their part. They said it was for  
10 exclusion.

11 Q. Did they explain that to you?

12 A. Yes.

13 Q. What was their explanation of "exclusion"?

14 A. I don't remember it specifically, but they  
15 were very clear that they did not think that I was any  
16 way involved with it, for their own personal -- this is  
17 what they have to do to follow their measures. This is  
18 how that they conduct their investigations, meaning, as  
19 I said before, dotting every, you know --

20 Q. Crossing the t's, dotting the i's, or vice  
21 versa?

22 A. Yes.

23 Q. Now, you said that it was for exclusion  
24 purposes. I asked you what your understanding was of  
25 "exclusion." Could you clarify that a little bit?

1           A.     I don't know the specific meaning of  
2 "exclusion."

3           Q.     I understand.

4           A.     However, I was told -- or at least I remember  
5 my mother and the FBI agent talking and saying, you  
6 know, "We feel so bad for Jennifer. We are sorry she  
7 has to come in and do this. It has been awful for her.  
8 We just need to, obviously, take fingerprints."

9                     And when I say "exclusion," meaning they need  
10 to know -- they wanted to know if there was -- the other  
11 people in the room, for example, there is fingerprints.  
12 They want to make sure -- they want to take out George's  
13 and they want to take out mine. So "exclusion" is --  
14 under their terms that they described to me was it was  
15 important. They wanted to see who else besides George  
16 and I could possibly have been in that room.

17          Q.     They took your fingerprints?

18          A.     Yes.

19          Q.     Did they take a hair sample?

20          A.     Yes, they did.

21          Q.     Did they take any blood sample?

22          A.     Yes, they did.

23          Q.     Did they take any other sort of forensic  
24 evidence that you recall?

25          A.     No. I think hair, blood, and fingerprints. I

1 think that is what they do, and all that, obviously, was  
2 volunteered, as well as immediately I volunteered for a  
3 polygraph test.

4 Q. I will get to that. Did anybody accompany you  
5 to the FBI offices for the physical exam we just spoke  
6 of?

7 A. Yes. My mom I remember at least being there.  
8 I don't remember Erin being there. I think it was just  
9 my mom.

10 Q. Approximately how long were you there for?

11 A. I would say about 45, under an hour. It  
12 wasn't very long.

13 Q. In addition to the exam by the FBI agents, did  
14 you have a medical examination upon your return from  
15 Turkey at some point?

16 A. "At some point" being --

17 Q. Within the first 2 weeks?

18 A. No.

19 Q. Within the first month?

20 A. No.

21 Q. Could you tell me the first time you had any  
22 sort of medical examination by a physician after you  
23 returned from Turkey, if at all?

24 A. I eventually went to at Beth Israel Deaconess  
25 Hospital, I believe, in Boston, Massachusetts. I went

1 to just the usual gynecologist appointment because as  
2 you had heard before, I was found unconscious, and  
3 people at this point had been sort of scaring me into --  
4 you know, you don't know. Something could have happened  
5 to you that you don't know, and obviously, there is a  
6 concern there. So at that point, I finally did.

7 Q. And was this your usual gynecologist you had  
8 seen in the past or was it someone who was recommended  
9 to you?

10 A. This was someone who was recommended to me.

11 Q. By?

12 A. By the victim specialist grief counselor that  
13 the FBI had set me up with when I had moved to Boston.

14 Q. Was that a woman?

15 A. It was a woman.

16 Q. And her name was?

17 A. I can't remember her name at this moment. I  
18 feel bad, but a very nice young woman. She was the  
19 grievance counselor for many of the women who were  
20 victims of 911, and that is how the FBI thought we would  
21 be a good fit for each other, because of the traumatic  
22 experience I had been through resembled these women that  
23 were widowed had gone through, sort of widows for  
24 tragic --

25 Q. If you were to review any records or think

1 back or check a little bit, would you be able to find  
2 out the grief counselor's name?

3 A. Yes.

4 MR. KELLY: I just ask at some point we  
5 be provided with that name.

6 THE WITNESS: Absolutely.

7 MR. KELLY: I'm sorry.

8 MR. BROWN: I have got my assistant over  
9 here to write.

10 MR. KELLY: I will give you 10 seconds to  
11 vote on each request.

12 MR. BROWN: No, fine. That is fine.

13 A. I may even have her number. She may even be  
14 in my cell. I can get something for you at the end of  
15 this.

16 Q. Maybe at a break or something, if you want to  
17 take that down. Going back to -- backing up a little  
18 bit, when you returned from Turkey, what airport did you  
19 fly into?

20 A. JFK.

21 Q. And did someone meet you there?

22 A. Yes.

23 Q. Who was that?

24 A. My whole family was there, but specifically  
25 the FBI agents, as soon as I -- which is it is kind of a

1 blur. As soon as I was able to walk off the plane, I  
2 remember seeing my parents standing there with FBI  
3 agents, who had got them past customs or whatever they  
4 would have normally needed to do to get me right into  
5 their arms. And then my sister and brother and her  
6 husband were also there waiting for me.

7 Q. And your sister's name is?

8 A. Jessica.

9 Q. And her husband?

10 A. Brian.

11 Q. And --

12 A. Johnny is my younger brother.

13 Q. Like the name?

14 A. Of course.

15 Q. Which FBI agents were at the airport there?

16 A. None that were heading this case, none that I  
17 recognize, none that I don't think I had seen again. I  
18 don't know if they were just there for that specific  
19 purpose.

20 Q. If you could tell me what, if anything, went  
21 on at the airport in terms of discussions other than  
22 with your family, did you talk to the FBI agents about?

23 A. I literally collapsed in the arms of my  
24 parents. I was just bawling, and they were crying, and  
25 I just remember them taking each of my arms on either

1 side and almost carrying me out. And I was just -- you  
2 know, I think I had just enough strength to get to that  
3 point, and then it was just -- I was pretty much a mess,  
4 and obviously, the second I saw my sister, it was just a  
5 lot of crying from everybody. It was just a very,  
6 obviously, sad time for everyone.

7 Q. Did you go through customs when you got back  
8 or did the agents short-circuit the process?

9 A. No. I think they -- I don't really recall  
10 exactly what we did, but it was pretty quick. We didn't  
11 stand in any lines, if that is what you are asking.

12 Q. There weren't any members of the media or  
13 press or anything?

14 A. No, none that I saw.

15 Q. Did you come to this house from the airport  
16 that day that you arrived?

17 A. I remember asking -- I think it was a limo or  
18 whatever we were in, and I had said, you know, "Are we  
19 going to George and Maureen's?" I thought we would go  
20 right there, but my parents said, "No. I think they are  
21 tired and they are resting." I think they just said,  
22 you know, "We are just going to go home." And then my  
23 sister and Brian and John and everybody sort of just  
24 all --

25 Q. Brian is Jessica's husband?

1           A.     Brian is Jessica's husband, and Johnny, my  
2 brother, we all just sort of -- and Tyler, which is my  
3 nephew. He was about 6 months, 9 months.

4           Q.     I have a daughter named Tyler.

5           A.     And he was in the house, too, so we just all  
6 just -- everyone sort of stopped and just camped out  
7 here for a long time.

8           Q.     From the time you left Turkey until you  
9 arrived at JFK, were you on any sort of medications,  
10 sedatives or anything like that?

11          A.     From the time I left Turkey?

12          Q.     Yes?

13          A.     The only one single pill given to me by Royal  
14 Caribbean -- after this had all occurred, they had  
15 handed me something. I couldn't tell you what it was,  
16 in a glass of water. I don't know what it was. I think  
17 this is a pretty standard thing they do when there was a  
18 death or somebody loses somebody. Because you are in  
19 such a frantic state, they try to calm you down.

20          Q.     Did you take it or --

21          A.     I did take it. And I then came home, and  
22 obviously, when you go through something like this,  
23 people have different schools of thought whether you  
24 should go on prescription drugs or not.

25                   MR. BROWN: Just answer. Just answer the

1 question.

2 Q. First of all, do you know what --

3 A. No, I don't know what that was.

4 Q. -- the one pill was? How long was the flight  
5 from Turkey to JFK?

6 A. They were two separate flights. I had to  
7 stay. I had to stay in a Turkish hotel by myself.

8 Q. The first night?

9 A. The first night, to then wake up about 4:00 in  
10 the morning or so to drive an hour and a half with  
11 someone from the embassy, to then take a flight which  
12 was delayed a few hours.

13 Q. Delayed right in the Turkish airport?

14 A. No, in Istanbul. No, excuse me. We were in  
15 Kusadasi. That is the port. I had to get to Istanbul  
16 so that I could get to JFK. So that was a kind of a day  
17 of traveling there, and then I had to --

18 Q. That is a direct flight from Istanbul?

19 A. To JFK1 flight to Istanbul, and then one  
20 flight from Istanbul to JFK, so there were two flights.

21 Q. What is that, like an 11-hour flight from  
22 Istanbul --

23 A. It was -- it seemed like days, so it was  
24 probably 12 hours or so. It was a long time.

25 Q. Did you sleep at all; do you recall?

1 A. No.

2 Q. Were you in first class or coach?

3 A. I was in coach.

4 Q. From the time you left the cruise ship in  
5 Turkey and the time you arrived in JFK, had you talked  
6 to any of the Smiths?

7 A. No, I have not. I did not, but I did instruct  
8 my parents -- because I was limited with times and phone  
9 calls. As you know, there was a lot going on that day,  
10 and I was able to get in touch with my family after a  
11 couple of tries. And I told my father to please call  
12 and let them know what was going on and what happened.  
13 And my father in turn had to -- you know, the very  
14 difficult task to have to relay this horrible news to  
15 the Smith family.

16 Q. When was the first time you called your  
17 family?

18 A. Which family, the Smith family or --

19 Q. The Hagel family?

20 A. That day, the day it had happened, the  
21 morning.

22 Q. Can you give me a time frame, local time?

23 A. Local time, if I had to compare it to our  
24 local time -- I know there is time changes in that area.  
25 I would say probably in the late morning, probably

1     sometime before noon.

2             Q.     Where did you call from?

3             A.     I called from -- there was apparently one  
4     empty cabin that they had decided to take me to because  
5     after this had happened, I was no longer allowed to go  
6     back to the room, which was George and our -- our state  
7     cabin.

8             Q.     You used the phone in that cabin they took you  
9     to?

10            A.     Yes.

11            Q.     Was that the first call you had made from the  
12    ship from the time you had departed from Barcelona?

13            A.     Yes.

14            Q.     Who answered the phone on this end when you  
15    made the call to the house?

16            A.     Well, my first call -- it didn't happen  
17    exactly in that order because I had a couple of failed  
18    attempt calls.

19            Q.     Did you have to go through an operator or  
20    something with the ship?

21            A.     What happened was the customer service  
22    representative that they had put me with, some person  
23    from RCL -- I wouldn't know how to, of course, dial out.  
24    It was difficult enough to even remember my home phone  
25    number at that time, which was quite odd, but obviously,

1 when you are in shock, everything was difficult.

2 Maria, the guest relations person, had  
3 instructed me to, you know, just try to take it easy, to  
4 calm down. I said, "I want to call my parents. I want  
5 to call George's parents."

6 She said, "They are doing another search.  
7 Maybe you should wait right now." And I said, you know,  
8 "I need to call somebody." So I tried to call my  
9 sister, and I called her house phone. Nobody answered.

10 Q. And where is her residence?

11 A. In Boston.

12 Q. Boston proper or one of the suburbs?

13 A. Boston, Back Bay.

14 Q. That is Boston.

15 A. Okay, Boston. They always -- and I forget,  
16 you know, the dates. It was actually July 5th, so she  
17 was away. They go to the Cape with Brian's family, and  
18 I had forgot that at the time, of course. So I left  
19 her -- I don't even remember if I left a message, but I  
20 got the answering machine, so I tried another phone call  
21 because at this time I am still thinking well, if I  
22 can't call our parents, I am going to try my brother,  
23 again, not realizing it is July 4th weekend. I think it  
24 was like 6:00 in the morning our time.

25 Q. This was Johnny you are talking about?

1 A. Johnny, my younger brother.

2 Q. Who lives --

3 A. Who is a law school student, so he was living  
4 in Dartmouth, Mass, at the time. And he was, of course,  
5 still sleeping because it was a holiday weekend, and he  
6 doesn't wake up at 6 o'clock in the morning ever. And  
7 it was an unknown number, so he didn't get it. And I  
8 think he felt wracked with guilt later, realizing what  
9 that phone call was.

10 And then eventually, it was okay. Enough is  
11 enough. Like I am just going to call, you know, my  
12 parents. Eventually in my mind I remembered our  
13 families, both the Smith family and my family, were both  
14 in Rhode Island. We had just gotten married in Newport,  
15 and they had family in from England.

16 Q. "They" meaning the Smiths?

17 A. The Smiths have family from England, and my  
18 family was there, and I called the cottage. And so this  
19 was about 6:00 in the morning-ish, but they are older,  
20 so they were up. And I guess my mom answered the phone,  
21 and I was so hysterical.

22 Q. Who is "they" are older?

23 A. My parents and my family members, so -- they  
24 are not heavy sleepers, I should say. My mom answered  
25 the phone.

1 Q. Yeah?

2 A. And without -- I don't even remember what I  
3 uttered between sobs, and she just knew something was  
4 wrong, so she just started screaming, and she ran to  
5 hand the phone to my father.

6 Q. Just stop you right here for a minute, Jen.  
7 Could you, if you are able to, tell me in your best  
8 words what you first said to your mother when you spoke  
9 to her?

10 A. In between I just remember just like screaming  
11 just like George's name. "They can't find him. They  
12 found blood." I do think at that time they had relayed  
13 to us -- I don't know who "they" is specifically, but at  
14 that time me, as well as other passengers -- everybody  
15 was kind of feeling the same thing, that this wasn't  
16 good because George was gone. They were conducting  
17 their second search of the ship, and they had found  
18 blood beneath our balcony cabin or beneath our balcony,  
19 so I --

20 Q. Did you look there at any time?

21 A. No.

22 Q. You didn't look at the canopy below your cabin  
23 at that time?

24 A. No, I did not.

25 Q. You never went back in your state room that

1 you were staying in?

2 A. No, I did not.

3 Q. I am going to back you up a little. Let me  
4 just finish this line. Did your father ever get on the  
5 telephone after your mother?

6 A. Yes, he did, and he became --

7 Q. You told me everything you remember saying to  
8 your mom, first of all?

9 A. My mom and I didn't have much of a  
10 conversation. She quickly knew that this was like  
11 somebody -- these kinds of phone calls when someone  
12 calls you at 6:00 in the morning hysterical, and we are  
13 supposed to be on our honeymoon. I think everything  
14 just -- everything was just chaos, and she just knew it  
15 was bad.

16 And I guess in that moment she just didn't  
17 know what to do, and she got my father, and my father  
18 started bawling. And I am bawling, and I am crying, and  
19 he could hear my crying. He immediately just knew  
20 something is horrible because he said he had never heard  
21 me like that, just uncontrollable sobs. He knew  
22 something horrible had happened to one of his children.

23 Q. Do you recall what, if anything, you said to  
24 your father when you had gotten on the phone?

25 A. I recall very small bits and pieces being --

1 you know, key words being "George. They found blood.  
2 He is missing. They can't find him. They think he went  
3 overboard. They think" -- "We don't know right now. It  
4 looks like it was just a tragedy," crying, crying,  
5 crying, and those are the key phrases. It was, "Blood,"  
6 "George, "missing," and that is all anybody needed to  
7 hear. And that was more or less, you know --

8 Q. Could you tell me approximately how long you  
9 were on the phone for this initial conversation with  
10 your parents?

11 A. I do not remember.

12 Q. Was it more than 5 minutes or --

13 A. I do not remember. It may have been. Time  
14 was just not something at that time that I was keeping  
15 track of.

16 Q. Did you have any other telephone conversations  
17 before you boarded your flight home?

18 A. Yes. And to go back, the other part --  
19 eventually the other key part I remember of the  
20 conversation was to call George's family.

21 Q. And did you?

22 A. Did I, no. I asked for my father to please  
23 because it was obviously -- they were not at home. I  
24 don't know their Newport numbers. I would have no way  
25 of getting in touch with them anyway, but it was

1 obviously at that time, you know, a difficult thing for  
2 anybody to have to do. But my father -- you know, I  
3 remember my father saying -- he was sobbing. I think  
4 Mr. Smith had answered the phone, and he said he felt  
5 like he was going to have a heart attack.

6 MR. BROWN: Hold on. The question was --  
7 could you read the question back?

8 (Question read.)

9 A. Could you get on track, please?

10 Q. After the first phone conversation with your  
11 parents -- first of all, was -- I think you said her  
12 name was Maria. The customer service representative,  
13 was she in the room with you when you made that phone  
14 call?

15 A. Yes.

16 Q. Did she stay there during the course of this  
17 telephone conversation?

18 A. I believe so. I believe she was with me most  
19 of that time.

20 Q. How long did you remain in that cabin?

21 A. I remained in the cabin for -- I really don't  
22 know. The time is difficult, but until I was -- until I  
23 was brought out, until I had to go and we went to a  
24 different meeting area or something. I don't remember.  
25 They wanted to ask questions. I think I went then to

1 talk to the captain of the ship and some other  
2 officials, and I was reunited with Paul and Galina,  
3 which was another honeymoon couple that George and I  
4 spent most of our time with.

5 Q. Any other phone conversations before you  
6 boarded the --

7 A. Left the ship?

8 Q. Yes. First of all, before you left the ship?

9 A. First of all, with my father.

10 Q. Did you call him or did he call you?

11 A. They were just putting him through. At some  
12 point they must have written down his number. I said,  
13 "I have to talk to my father." Somehow it was a long  
14 process to call out, but they were able to do it.

15 Q. Tell me a little bit about that second  
16 conversation.

17 A. I was -- at this point they had said that they  
18 wanted to ask me some questions. The Turkish officials  
19 is "they," and Paul and Galina, the honeymoon couple,  
20 was sitting both on either side of me. And Paul,  
21 because he had made such good friends with George on the  
22 trip, was now acting as -- you know, in George's  
23 absence, like a caretaker, and --

24 Q. When did he come in contact with you?

25 A. Paul and Galina?

1 Q. Yes.

2 A. The first day in the South of France we met  
3 them.

4 Q. On the morning of the 5th, when did they get  
5 in touch with you? Did they come to your cabin? Did  
6 you ask Maria to contact them? Did they --

7 A. I may have asked -- I don't remember if I  
8 asked for them or if they were just seeking me out once  
9 they had learned that this was George, because we were  
10 very -- they were our good friends on the trip.

11 Q. Was there Bobby and JC?

12 A. Jackie.

13 Q. JC, Jackie, okay.

14 A. Bobby and Jackie Freidlander were an older  
15 couple. They were on a family trip with three of their  
16 younger kids.

17 Q. Backing up again, other than the two phone  
18 conversations with your father from the cabin, any other  
19 phone calls from the ship coming in or going out between  
20 you and anybody?

21 A. Just me and my father. There might have been  
22 three between me and my mother. The other two were Paul  
23 and Galina, and Paul had talked to my dad because at  
24 this point, Paul was very adamant -- Paul is the husband  
25 of Galina, the honeymoon couple. Paul is adamant they

1 didn't want me to leave the ship because we now are in  
2 Turkey, and he is -- I believe they are Ukrainian, but  
3 he is very --

4 Q. "They" meaning Paul?

5 A. Paul and Galina. I don't know that that makes  
6 a difference one way or the other, and I am not positive  
7 that is what they are, but he seemed very worldly and  
8 seemed to know that Turkey was not a place for somebody  
9 who was in a distraught state as I was and that had just  
10 lost their husband and was just in a terrible state.

11 And he was very concerned for my well-being,  
12 and he voiced that. He did not want me leaving the  
13 ship. He was taking over a role of caretaker, as I  
14 said, and Galina was just holding my hand and just  
15 trying to calm me down. At this point my father wanted  
16 to talk to Paul to get an idea of what is the scene and  
17 what is going on, and Paul says, "Do not" --

18 Q. Is this in the cabin now?

19 A. No, in front of the captain, in front of the  
20 officials.

21 Q. Another meeting room they took you to or  
22 something?

23 A. Yes. It is a private room. So the captain  
24 and the officials are there, and Paul says, you know,  
25 "Mr. Hagel, I do not recommend that you allow these men

1 to take your daughter off the ship. We are in Turkey.  
2 They have different laws here. We don't know what is  
3 going on. Everyone seems out of sorts, and my  
4 recommendation to you is keep her with us. Keep her  
5 right here."

6 So of course, my dad, being in the United  
7 States -- and obviously, my family is crushed and  
8 distraught at this time. That is not what you want to  
9 hear, and nobody is there from either of our families to  
10 see what is going on. This was just utter -- just  
11 devastation and chaos.

12 Q. Do you know during the course of those three  
13 phone conversations from the cabin with your dad whether  
14 he had spoken to the Smiths at all?

15 A. I don't recall. I shouldn't assume anything.

16 MR. BROWN: No, don't assume.

17 Q. I am sure you heard that yesterday or this  
18 morning or something. Going back to your sitting down  
19 with the agents here, your first week back in the  
20 States, after your return from Turkey, we had spoken  
21 about the first day where it was more off the record  
22 conversations with the two agents, I think you had said.  
23 Is that a fair characterization?

24 A. Yes.

25 Q. And approximately how many hours were they

1 here for that? You had said about the whole day? Is  
2 that correct also?

3 A. Yes.

4 Q. Do you recall approximately what time they  
5 returned the next day?

6 A. I think both days we started at 9:00.

7 Q. The second day, which you indicated was a  
8 little more formal, did they start taking notes at that  
9 time?

10 A. I believe so, yes.

11 Q. Did both agents take notes or was one of them  
12 talking and one of them a note-taker, if you recall?

13 A. I don't remember who was doing what. I was at  
14 that time trying my best to recall everything, and my  
15 brother was helping to get all the honeymoon pictures  
16 developed, and like as a family we were trying our best  
17 to fill in any blanks and fill in all the gaps. My  
18 father wasn't there during this time, meaning my  
19 brother, but he had gone out and developed our pictures  
20 so that --

21 Q. Can you back up a little bit? I lost the time  
22 frame.

23 A. Sorry.

24 Q. Your family wasn't there when you are sitting  
25 with the agents or --

1           A.     My family wasn't there when I was sitting with  
2 the agents. My mom and dad were there. My extended  
3 family in those earlier days --

4                   MR. BROWN: Hold on.

5           Q.     I am trying to back up. You are sitting at  
6 this table with two FBI agents the second day; is that  
7 correct?

8           A.     The second -- on the second day that they  
9 came, but not the second day I came home from Turkey.

10          Q.     I understand. About a week later there were  
11 2 days you spent with FBI agents?

12          A.     Yes.

13          Q.     On the second day you spent with the FBI  
14 agents, were you sitting right here in the kitchen?

15          A.     Yes.

16          Q.     They were -- one or both of them were taking  
17 notes at that time?

18          A.     Yes.

19          Q.     Did they have a tape recorder?

20          A.     I don't remember.

21          Q.     How long a period of time did you spend with  
22 them that second day they were taking notes?

23          A.     I would say at least 6 hours.

24          Q.     Did you ever see any reporter statement  
25 generated as a result of those 6 hours you spent with

1 the agents?

2 A. I don't remember.

3 MR. BROWN: You answered the question.

4 A. I don't remember, but I just want to add  
5 that --

6 MR. KELLY: Off the record.

7 (Off the record discussion.)

8 A. The reason why it took so long is because I  
9 literally went through every honeymoon picture with  
10 them, so he took every copy of every honeymoon picture  
11 and would write each one on the back what it was so it  
12 was --

13 Q. When you say "it took so long," you mean the  
14 6 hours the second day?

15 A. Yes, describing the trip from nuts to bolts.  
16 I was -- you know, at that time, I remembered a lot more  
17 of every day of the trip than I remembered today, so I  
18 was telling them what we had for lunch, like on each day  
19 very detailed, so I was maybe too detailed.

20 Q. I can't imagine.

21 A. Is that sarcasm?

22 Q. You had a camera with you with you on the  
23 cruise ship?

24 A. Yes.

25 Q. Do you recall what kind of camera it was?

1           A.     My mom got it for me that Christmas. I just  
2 remember it was high pixels, 6.0 or something, which was  
3 high at that time. That was like a good camera.

4           Q.     A disk camera?

5           A.     Digital. That is close enough, close enough.

6           Q.     Was that the only camera you had with you?

7           A.     Yes, it was.

8           Q.     Did you take that from the ship with you?

9           A.     I personally did not pack it, but the crew and  
10 embassy that were packing up all of our belongings  
11 cleared the whole room and took in our bags to go home.  
12 So it was brought home with me, but I personally didn't  
13 pack our belongings.

14          Q.     Do you recall how many photos there were on  
15 that camera after you had it developed, printed,  
16 whatever you do with the digital cameras?

17          A.     There were over a hundred pictures, maybe even  
18 200. I was snapping pictures from day one left and  
19 right, so there was quite a few pictures.

20          Q.     FBI still has all those photos?

21          A.     Yes.

22          Q.     Did they select certain photos to keep or did  
23 they keep all of them that were on the camera?

24          A.     They kept all of them. They still had the  
25 camera. They still have all the memory chips, and they

1 pretty much said just write those off because, you know,  
2 you may not -- you may or may not ever get that back  
3 again, which is fine. Cameras -- you know, it is a  
4 thing.

5 Q. You never signed any statement for the FBI,  
6 did you, meaning review and sign something at the bottom  
7 or last page or whatever?

8 A. I don't remember signing things. I may have  
9 signed -- for example, if you give them the camera, they  
10 give you a receipt, and you have to -- I think you have  
11 to sign it, or at least Sean signs it anytime there is  
12 an exchange of what they consider evidence, but what I  
13 thought was something that could be miscellaneous they  
14 would make you sign. So anything they collected they  
15 would give you a receipt for.

16 Q. Was it your understanding that certain things  
17 from the room, meaning your and George's room, was  
18 seized as evidence by the Turkish police?

19 A. I would hope so.

20 Q. Beyond your hopes, do you know for a fact or  
21 were you ever told that they had taken anything as  
22 evidence from your room?

23 A. To my knowledge -- I don't want to say no  
24 because I believed that they did, but I don't know  
25 specifically. I know they conducted an investigation.

1 How thorough it was I don't know. I do know that they  
2 did conduct an investigation and there were -- certainly  
3 when you conduct an investigation, you take things as  
4 part of that investigation. So I know I shouldn't  
5 assume anything, but I would hope that they would have  
6 taken some type of evidence to conduct a thorough  
7 investigation.

8 Q. Did the FBI -- did either of these agents ever  
9 tell you they had gotten anything from the Turkish  
10 authorities in terms of evidence?

11 A. Yes.

12 Q. What did they tell you?

13 A. They had told me about a video that they had  
14 taken of the room, meaning a video camera, that they had  
15 taken video footage of the state room that George and I  
16 were in.

17 Q. Who is "they"? Do you know who took that?

18 A. I do not know who took it. I know this was  
19 part of the Turkish investigation, so it wasn't our FBI  
20 agents from the US.

21 Q. I take it you weren't a big fan of the Turkish  
22 investigation?

23 A. Well, I don't want to discount what they did,  
24 but at this point, we still don't know what happened, so  
25 I guess I am not, you know, a huge fan.

1 Q. Did you ever see the videotape the FBI  
2 mentioned to you?

3 A. Yes, I did.

4 Q. When did you see that?

5 A. I saw that after I had returned home, after  
6 they were -- actually took them some time, our US FBI,  
7 to change the format so that they were able to view it  
8 themselves.

9 Q. From beta or somebody like that?

10 A. Meaning something that is beyond my knowledge,  
11 but apparently, the way it was fed or the way it was  
12 taken, they had to change it so that we can see it in  
13 the US. So probably something technical that both you  
14 and I have no idea about, but they had to take whatever  
15 the Turkish -- whatever was on the camera so they could  
16 stream it so that we could view it. That was my  
17 understanding, or maybe it just took some time to get  
18 from Turkey to the US.

19 Q. Can you give me any sort of time frame in  
20 terms of from the time you got home until you saw the  
21 video?

22 A. Well, general time frame, I took a polygraph  
23 test probably 4 weeks after I came home, probably a  
24 month later, and it wasn't before then. I don't even  
25 think that the FBI and US had it before then, so it was

1 in the months to come.

2 Q. Do you recall who you watched it with?

3 A. I watched it with Sean O'Malley.

4 Q. Was there any conversation or discussion of  
5 the contents of the videotape when you watched it?

6 A. Yes.

7 Q. Can you tell me what you recall?

8 A. Yes. He asked me to watch the video, to let  
9 him know if anything looked strange, if anything looked  
10 out of place, if anything looked bizarre to me or that  
11 shouldn't be there. What struck me in the video is that  
12 it was eerie to watch because it was, you know, our  
13 state room, which was then -- you know, also now at this  
14 time called a crime scene. So it was a very strange and  
15 eerie feeling to have to watch it. But of course,  
16 wherever the FBI -- any way I can help, I was always  
17 willing to do that.

18 So he said, "To just help us out here again,  
19 do you see anything odd?" And I really didn't see  
20 anything that looked out of whack or out of place, or  
21 there was nothing from the naked eye that you could  
22 catch that you would say, "Oh, that looks funny," or  
23 "That looks strange."

24 You know, at that time, it was strange also --  
25 I remember them zooming in on the couch area and the

1 presents we had bought our family and things like that.

2 Q. Do you remember whether or not George's sport  
3 jacket was on the chair in the video you saw?

4 A. I believe so.

5 Q. And do you remember --

6 MR. BROWN: Don't guess.

7 MR. KELLY: She was getting ready to say  
8 something else. You shouldn't cut her off.

9 MR. BROWN: She is trying to be helpful.  
10 I don't want to --

11 Q. Do you recall that sports jacket was draped  
12 over the desk chair at that time?

13 A. Yes. The reason why I think that I remember  
14 that is because I think I was saying, "Oh, and that is  
15 the sports jacket we dropped off." So I am almost sure  
16 that -- if Sean would show me the video again, that  
17 would be great, because unfortunately, it is a one-time  
18 deal. I can't ask the FBI for things. They ask me for  
19 things. That is usually how it works. I can't exactly  
20 open up all their evidence.

21 Q. Do you recall, looking at that videotape,  
22 whether the safe was open or closed at that time?

23 A. I do not recall.

24 Q. You just said that it is usually the FBI  
25 asking you for information. Could you tell me anything

1 else they have asked for from you besides your honeymoon  
2 pictures?

3 A. Sure. Upon returning to the US, they were  
4 looking to -- a couple of things. They wanted to know  
5 if George had taken a lot of money with him. They  
6 wanted to know if wedding money was taken on the trip.  
7 They were trying to figure out some sort of motive and  
8 to see if it could possibly be a crime at this point.  
9 So money is something that they were asking questions  
10 about, specifically a rental check or a -- they wanted  
11 to see if we brought that.

12 Q. Rental check?

13 A. For Newport property that we owned together.  
14 So they wanted to make sure we didn't bring that on  
15 vacation with us.

16 Q. A check made out to you and George?

17 A. Yes.

18 Q. How much was that for?

19 A. I do not recall.

20 Q. Approximately?

21 A. Probably something under \$20,000. It was a  
22 year rent paid in full.

23 Q. Like for a summer rental?

24 A. For -- at one point we wanted to move to  
25 Newport. We really loved Newport.

1 MR. KELLY: Off the record.

2 (Off the record discussion.)

3 Q. So the --

4 A. So the question was, what did the FBI ask you  
5 for when you returned home, what types of things --

6 Q. We were talking about the rent check. Was  
7 that made out to both you and George?

8 A. I don't -- I don't remember specifically at  
9 that time. The point is the FBI was asking about it. I  
10 didn't have it. I had never seen it, so actually had to  
11 call -- I don't know if it was me who called. It might  
12 have been my family or somebody, to help the FBI again.  
13 I gave the FBI the realtor's phone number and --

14 Q. Did you locate the check?

15 A. Yes. Long story short, they never sent it.  
16 So the talk of the check is what they were concerned  
17 about. They wanted to know if George could possibly  
18 have taken any money away with him that was significant  
19 enough for somebody to want to take it.

20 Q. What about wedding cash? Did you receive a  
21 fair amount? And my second question is -- I am not  
22 prying, but if you did, did you take any significant  
23 amount of that with you on the honeymoon?

24 A. George was very responsible about stuff like  
25 that, and he was always -- usually in charge of most of

1 the finances. But he wasn't foolish enough to travel  
2 with a huge amount of cash, so if anything, he would  
3 have taken under a thousand dollars, no more, my guess.  
4 And I know I shouldn't guess, but a reasonable person  
5 would never travel or have on them more than \$500 on a  
6 time when you are traveling in Europe.

7 Q. You didn't see him in a casino or anything  
8 with a big wad of cash at that point?

9 A. No.

10 Q. Did you set the combination to the safe in the  
11 room?

12 A. George did.

13 Q. Do you know what the combination was?

14 A. Our wedding date.

15 Q. Was that like standard for alarms and ATMs and  
16 all that stuff?

17 A. I don't know, so yeah.

18 Q. What else did the FBI ask you for over the  
19 course of time?

20 A. They asked me -- actually, I would like to  
21 back up and just say there were things in the apartment.  
22 They had asked for a couple of things. They would like  
23 to go and check out the apartment. I told them that.

24 Q. What time was this they asked to check out the  
25 apartment?

1           A.     We had returned home from the trip, before I  
2 had even gone back to our apartment. I had --

3           Q.     Was this after you had met those 2 days with  
4 the agents?

5           A.     Yes, I believe so, but I had given them keys  
6 or however to get in. I told them we didn't know -- I  
7 don't remember if they were the first ones in the  
8 apartment, but the point is I instructed them to go in  
9 to go look for whatever they needed or wanted, and they  
10 ended up -- they said, "We can't find" -- the FBI ended  
11 up finding the wedding money which George had tucked  
12 away somewhere safe, so he never brought -- he probably  
13 took some cash with him from that, but all the checks  
14 and everything was in place.

15          Q.     Do you know the approximate total of that  
16 money?

17          A.     No, I do not, but it was, probably around, you  
18 know, 15, 13, 14, \$15,000 or anything like that.

19          Q.     Did you ever get that back or does the FBI  
20 still have it?

21          A.     We have all that. I have the checks,  
22 actually, here today.

23          Q.     The cash still?

24          A.     The cash is not there. Most people give  
25 checks. There is very little cash, in mostly checks

1 because -- most people give checks at weddings because  
2 in case you lose it or whatever, people like to have a  
3 record of it.

4 Q. Anything else the FBI asked you for?

5 A. Yes. They asked me to --

6 Q. By the way -- I'm sorry. I am going to  
7 interrupt you. What, if anything, else did they take  
8 out of the apartment that day other than the checks?

9 A. They took -- well, George smoked pot, and so  
10 they took like a bowel that he bought in Aruba. They  
11 took one he had gotten in some other destination and  
12 something else that he had, plus -- like I guess it was  
13 like a plastic bag. Must have had some type of leafy  
14 green plant, which I assume was pot, for that.

15 Q. Did they tell you how much that was in terms  
16 of --

17 A. No.

18 Q. An ounce, half-ounce, four ounces?

19 A. No. It wasn't anything significant. I think  
20 it was like residue or something. I don't think it was  
21 anything significant. That was not really their  
22 concern, but they certainly took it. But they made it  
23 appear as though, you know, "Don't worry that George did  
24 that." You know, "I am sure there is a bunch of young  
25 men out there that do that. Don't worry."

1 Q. Anything else that was taken from the  
2 apartment?

3 A. I don't remember at this time, but if they  
4 took specific things, it was nothing that stands out  
5 nothing alarming.

6 Q. You didn't accompany them, did you?

7 A. No, I didn't.

8 Q. Do you know specifically who did go to the  
9 apartment?

10 A. No, I do not.

11 Q. Other than that second day that you were with  
12 the two agents for 6 hours, did you ever sit down again  
13 with any FBI agents and give statements or give further  
14 information?

15 A. Yes. I came -- I went to the FBI. Let's see.  
16 I did the polygraph test. That was the time I had gone  
17 to New Haven. They came back to pick up luggage that  
18 was shipped over from Turkey, came here because  
19 actually, when I was traveling to JFK, it was physically  
20 impossible for me to -- one person take 2 weeks of  
21 traveling luggage, which was both George and I at that  
22 time.

23 Q. Do you recall how many suitcases it was?

24 A. My mom had just gotten us a new suitcase set,  
25 so we had two huge, large suitcases each, plus I had one

1 small suitcase, plus George had a duffle bag. Plus we  
2 had all of our bags and things that we had brought for  
3 our family.

4 Q. What did you personally bring back with you on  
5 the flight to JFK?

6 A. Can't remember. We actually had an FBI -- he  
7 was on vacation with his wife. He was a -- I am not  
8 sure what it is called, but he is an FBI agent that  
9 works overseas. There is a term for it.

10 Q. Overseas FBI agent?

11 A. Perhaps, but he happened to be there with his  
12 wife, and he just was like -- they were just like  
13 angels. They just somehow came as parental figures,  
14 trying to help me figure out what is going on, and he  
15 was helping talk to my father, call my dad again, and --

16 MR. BROWN: Okay, okay. The question  
17 was -- going back to the question --

18 Q. Did you bring any luggage?

19 A. I believe so. I took as much as I could, and  
20 he agreed to ship the rest. And my dad said, "Whatever  
21 it cost, I will pay for it. Just help her, please, and  
22 I appreciate it."

23 Q. Jen, best recollection, what did you  
24 physically carry back on the flight to JFK with you?

25 A. I know I had a bag with a bunch of presents.

1 I remember there was a lot of stuff stuffed in it. I  
2 carried at least -- I don't know if I had two suitcases.  
3 I at least had one.

4 MR. BROWN: Don't guess. Just answer the  
5 question.

6 A. I at least had a suitcase, and I had a couple  
7 of bags, half of the staff.

8 Q. Was the camera that we just discussed earlier  
9 there with the luggage that you brought back?

10 A. Yes, I think I brought it back.

11 Q. After the 2 days with the agents -- I assume  
12 you sat down with them before you took your polygraph;  
13 is that correct?

14 A. Yes.

15 Q. Which agents did you sit down with then before  
16 taking your test?

17 A. Agent O'Malley -- I'm sorry. Repeat your  
18 question.

19 Q. The day you took your polygraph exam, did you  
20 sit down with agents before you took it?

21 A. No. Just Sean came and got me from the  
22 seating area. My mom accompanied me. We drove there  
23 together. He brought me --

24 Q. I am going to cut you off.

25 A. -- to somewhere to meet --

1 Q. You didn't sit and give any statements or have  
2 any long discussions?

3 A. No, no.

4 Q. Was there any time that you were called into  
5 the FBI offices to give additional information?

6 A. After that, after the --

7 Q. Anytime after the first week. We talked about  
8 the day you took the polygraph. We talked about the  
9 first 2 days. You indicated there was some time --

10 A. I looked at pictures another time, so yes.

11 Q. When was that?

12 A. Sometime between -- it is all very difficult  
13 to remember, but I had met with the FBI a handful of  
14 times or Sean came back here to pick up the luggage that  
15 was shipped from Turkey, so he came back again.

16 Q. Did you go through that luggage before he  
17 picked it up?

18 A. No. It was sealed, and we just gave it to  
19 him.

20 Q. They still have it?

21 A. And they still have it.

22 Q. So you don't know what is or is not in there?

23 A. Sean knows everything.

24 MR. BROWN: He is asking what you know.

25 A. I am trying to think if he gave me a receipt

1 from this as well. I can find out for you.

2 MR. BROWN: Do you know right now?

3 THE WITNESS: I don't remember right now.

4 Q. Did they ever show you a voucher or an  
5 evidence list or a receipt or anything listing what was  
6 in the luggage they took?

7 A. I believe there was something when you ship  
8 something, you have to itemize, so that must -- I don't  
9 know if I would have a copy of that or just Sean has it,  
10 but I remember seeing of that itemized stuff, there was  
11 something --

12 Q. Was there something prepared by the FBI given  
13 to you indicating the items that was in that luggage?

14 A. I don't remember.

15 Q. Do you keep a file of any sort regarding the  
16 investigation?

17 A. No.

18 Q. Nothing?

19 A. I keep when I get probate bills and stuff like  
20 that. I keep --

21 Q. You can throw those away.

22 A. I keep like a copy of the settlement, but even  
23 that, I don't really --

24 MR. BROWN: The FBI investigation is the  
25 question.

1 THE WITNESS: I'm sorry.

2 Q. It was just any sort of file on the occurrence  
3 or investigation?

4 A. Jim keeps everything with regard to the --

5 Q. As in Walker?

6 A. I'm sorry. Mr. Walker, Jim, keeps everything  
7 that is in that room. Liz and Doug keep everything that  
8 is regarding the probate, and I -- obviously, just the  
9 bills and things like that I maintain, and I have also  
10 tried to maintain anything that is going on with the  
11 estate, if there is such thing, such as that I am the  
12 personal representative and those types of forms that I  
13 may need.

14 Q. By the way, did you and George open any joint  
15 bank accounts?

16 A. No.

17 Q. Nothing? Savings, checking, nothing?

18 A. No. I just trusted George with all of our  
19 finances. If I had money or whatever, I just gave it to  
20 him, and he would write the checks.

21 Q. When the FBI asked you to come back down and  
22 look at photographs -- you mentioned that earlier. Do  
23 you recall what they were photographs of, generally?

24 A. Generally they would be either room pictures  
25 or they would be --

1 Q. Of your room?

2 A. Of our room.

3 Q. Yes?

4 A. Or they would be pictures of groups of people  
5 that I had.

6 Q. When you say "generally," was this all on one  
7 occasion or did you go down there more than one time to  
8 look at pictures?

9 A. Don't forget, I had my own pictures here for  
10 him. We viewed them here. And he had his own pictures.  
11 One time he came here to show me pictures and one time I  
12 viewed -- I believe I viewed pictures there. At least I  
13 viewed the video there.

14 Q. Did the agent or agents ever show you  
15 photographs taken by other people on board the ship?

16 A. That is a good question. I guess they -- all  
17 the stuff --

18 Q. I knew I would ask one at one point.

19 A. Finally asked a good question. I guess that  
20 is a good question. I never thought about it, but all  
21 the pictures they have on board the ship, obviously,  
22 have been taken by somebody else because the FBI wasn't  
23 on the ship. So I guess that is the answer.

24 Q. Do you recall any time you had the other  
25 honeymoon couple -- I forget their names?

1 A. Paul and Galina.

2 Q. Did you ever see any photographs they had  
3 taken of --

4 A. I think she sent me two before, just the four  
5 of us. I don't know what the -- I know the FBI had met  
6 with them just in our conversations I have had with  
7 Galina, but I don't know that they have asked for  
8 pictures, or I don't remember if they ever did of other  
9 passengers.

10 Q. What about Bobby and Jackie?

11 A. Bobby and Jackie sent me two really nice  
12 pictures of George. They might have sent me a total of  
13 four pictures, but they were just as momentos.

14 Q. Nothing where the FBI showed you pictures they  
15 had gotten?

16 A. No.

17 Q. Any other times that the FBI asked you for  
18 information or spoke to you?

19 A. I talked to the FBI many times throughout  
20 this, throughout these past 2 years. Sometimes I would  
21 call them to check on them. Sometimes they would just  
22 even have their victim specialist call on me, check on  
23 me, "How are you doing? How is your family doing?"

24 In the beginning we talked very often. If  
25 they had a question very quick, instead of always

1 driving in for every question, they would occasionally  
2 just, you know, say, "Get to a landline. We just have a  
3 quick question." We just were trying our best to, you  
4 know, give them anything and everything that they needed  
5 at all times.

6 Q. Have you ever seen any written reports from  
7 the FBI generated from an interview with you?

8 A. Not that I remember.

9 Q. When did you testify before the grand jury?

10 A. I testified before the grand jury within the  
11 past couple of months.

12 Q. Can you be a little more specific for me?

13 A. I know I am not that old. I should remember  
14 this. If you give me a second, I can try to think of  
15 when I had to take off a day from work.

16 Q. Before Saint Patrick's Day?

17 A. Yes.

18 Q. Okay.

19 A. Before Saint Patrick's Day and after  
20 Christmas, I think. I believe, to the best my  
21 knowledge, before Saint Patrick's Day but after  
22 Christmas.

23 Q. Prior to testifying before the grand jury, did  
24 you sit down with FBI agents?

25 A. I am not pausing for any other reason.

1 Q. I was going to ask you another question, not  
2 to interrupt, or did you ever sit down with an assistant  
3 US attorney?

4 A. Just to meet him before it all began. I sat  
5 with -- okay, the day before --

6 Q. There obviously must have been some process  
7 where they interviewed you, prepped you. That is what I  
8 am getting at, if you can remember that?

9 A. I sat with the assistant attorney general and  
10 Sean O'Malley.

11 Q. The assistant US attorney --

12 A. Yes.

13 Q. -- I think you mean?

14 A. Yes.

15 Q. His name is?

16 A. Hernandez.

17 Q. And how long did you sit with them for?

18 A. I sat with them for maybe an hour or so.

19 Q. And did they go over the areas they were going  
20 to cover with you in the grand jury?

21 A. Yes.

22 Q. Do you recall just generally what those areas  
23 were?

24 A. They were wanting to talk about George's  
25 prescription drugs, and so the two main areas were 00 I

1 would say half of it was very much like the drinking,  
2 prescription drugs, and half of it was the -- this is  
3 just remembering from questions from the actual grand  
4 jury. He was pointing me in two directions, that and  
5 then the last people seen with George. They were asking  
6 me questions regarding how many times George or I had  
7 met these people that supposedly were called I guess now  
8 "the Russians," the four individuals whose last name --

9 Q. Rozenberg and Kofman?

10 A. During the grand jury testimony there was  
11 questions asked about them and our knowledge of them and  
12 our relationship with them, and you know, when did we  
13 first notice them, when did we first meet them,  
14 questions of that nature.

15 Q. Taking the first direction at grand jury  
16 regarding George's prescription drugs and drinking, do  
17 you know whether Dr. Cooper was ever called into the  
18 grand jury?

19 A. Yes, he was called into the grand jury. He  
20 was there before me.

21 Q. On the same --

22 A. On the same day.

23 Q. Did you speak to him that day when you saw  
24 him?

25 A. No, I did not. I had to sign something.

1 Q. A HIPAA form maybe?

2 A. Perhaps, for the FBI so that Dr. Cooper can  
3 discuss George's medical history with the grand jury.

4 Q. And did you testify about George's  
5 prescription drug use and drinking for the grand jury?

6 A. Yes.

7 Q. What prescription drugs were you under the  
8 impression he was taking?

9 A. I now know that --

10 Q. Jen, the day you testified before the grand  
11 jury, could you tell me what prescription drugs you  
12 testified as to George taking?

13 A. I am trying to answer that.

14 Q. I'm sorry.

15 A. That is okay. You don't have to be so  
16 defensive.

17 Q. I am not being defensive. I am trying to keep  
18 my eye on the ball here.

19 A. I didn't know --

20 MR. BROWN: I really can go home.

21 MR. KELLY: You all can.

22 A. I didn't know -- prior to this all happening,  
23 prior to the tragedy, I didn't know the names of the  
24 drugs or their, you know, much about them.

25 Q. Did you know their general purpose?

1 A. I knew their general purpose from George.

2 Q. What was your understanding?

3 A. The understanding was that there was one drug  
4 that was like a Zoloft, and it was meant to keep him  
5 even-keeled, just like me. I go through my day. I  
6 don't worry about too much, you know, a normal person  
7 who just doesn't have anxiety issues or paranoia or any  
8 OCD, whatever. It keeps you just even-keeled if you  
9 take it every day. That is what it is supposed to do.

10 Then there is this other drug that is a sort  
11 of like a -- I guess a tranquilizer or something of that  
12 nature, that if somebody with a condition like anxiety  
13 disorder, or you know, paranoia or all these other  
14 things affiliated with this sort of condition -- that if  
15 they start to get maybe a panic attack or if they start  
16 to get an anxiety attack or something more severe, then  
17 they can take this pill for that purpose, if that was to  
18 ever come up.

19 Q. And were you aware of these two prescription  
20 drugs George was taking before your honeymoon?

21 A. Yes. I can tell you where I was when I was  
22 made aware of it. I was in --

23 Q. Do you want me to ask you or are you just  
24 going to tell me?

25 A. You can ask if you want.

1 Q. Where were you?

2 A. I was in Florida, at my parents' place in Fort  
3 Myers, with the librarian and second grade teacher from  
4 the school I was teaching at at that time. And George  
5 had given me a call in the morning, and he had told me,  
6 you know, "Last night I went over my parents', and you  
7 know, we had gotten into some big fight," or something  
8 had happened with regard to the wedding. Apparently  
9 there was a big fight about it being black tie, and she  
10 made a comment to him, you know --

11 Q. Who is "she"?

12 A. Maureen made a comment to her son, "What do  
13 you think you are, royalty? And I don't understand why  
14 this has to be black tie, and I don't understand why  
15 there aren't kids." And I thought it was just, you  
16 know, mother/son fighting, whatever. I chalked it up to  
17 that, no big deal.

18 Similarly, apparently there was some friends  
19 that he didn't want his family inviting because he  
20 thought that they would embarrass in some way because  
21 they had embarrassed the sister at her engagement party  
22 by sharing some stories with his father about days when  
23 he was younger and sleeping with somebody and drinking  
24 and whatever, and it was embarrassing and it was  
25 inappropriate for the context. So he was fearful these

1 same people, a specific man or whoever, was going to  
2 show up, do that, some sort of charade.

3 I just thought it was kind of silly and kind  
4 of laughed it off. I said, "Don't worry about it. I am  
5 sure he is not going to say that same story again.  
6 Don't worry." That was actually the day before in  
7 Florida. This was like the preface.

8 Q. Were you working down there at that point?

9 A. No. It was April vacation. The kids were  
10 out, and it was --

11 Q. Fort Myers, Naples?

12 A. I wasn't working in Florida. Yeah, I was  
13 working, but we had April vacation. School has always  
14 an April vacation, and we had -- the three of us had  
15 planned this for a long time, and George had -- I had  
16 talked to him every day what was going on. The night  
17 before he went to see Dr. Cooper, they had sort of like  
18 their last fight. His mother said, "You never come over  
19 here anymore. You are changing," and "I live in  
20 Greenwich now. I work with dad every day. I don't need  
21 to come over here. I see enough."

22 Like he called the shop every day. "Relax. I  
23 see you guys often enough." This is just typical  
24 probably kid/parent stuff, for all I am guessing, but he  
25 said, "That is why I don't come over here anymore."

1 That was like the last result.

2 Q. Saying that to his mother?

3 A. Saying that to his mother, big deal. I am  
4 sure all kids have fights with their parents, not a big  
5 deal, but only struck me because it was like this  
6 wedding issue with Bree and his mother were having, only  
7 two issues, why it was black tie and why no kids.

8 Q. Whose ideas were the black tie and no kids?

9 A. Both George and I -- because we were getting  
10 married at Castle Hill in Newport, and it was a very  
11 nice wedding, and most evening weddings that are black  
12 tie, there is just normally not infants or toddlers  
13 because that is just -- you know, black tie events  
14 usually don't have that.

15 Q. Getting back to the day you found out --

16 A. He called, explained this big fight to me, and  
17 that Monday night that they had that fight. And the  
18 next morning when he called, he said, "Well, I just went  
19 to go see a head doctor."

20 Q. This is in April you are talking about?

21 A. This is in April, and I said, "Well, what are  
22 you talking about? What do you mean?" And he said,  
23 "Well, you know, I have been thinking about doing this  
24 for a long time," and just something he had -- everybody  
25 knew that knew him that he had this sort of kind of like

1 quirky OCD behavior, maybe check door handles a few  
2 times or --

3 Q. OCD? Educate me.

4 A. Like obsessive compulsive disorder. He needed  
5 to -- he was like -- if he had something on his mind, he  
6 needed to say it or make a list. He was like a list  
7 person. He just chronically was like list, list. Like  
8 he knew down to how many pairs of boxer shorts he would  
9 be packing on the cruise. Everything was always listed  
10 out.

11 His father had some similar issues at the  
12 store, check the safe, check -- the handle was locked  
13 all the time. He might check it like five times before  
14 he left, which was kind of like weird, but some people  
15 have some of these issues or whatever. And he is also  
16 paranoid and thought people were stealing from him at  
17 the store, and George would -- now that they were  
18 working together, he was like, "I am too young. I am  
19 not doing this." He was trying to be proactive, and I  
20 think it was a good thing to be proactive if he  
21 perceived a problem.

22 And also, I was really proud of him. I knew  
23 it took a lot because I think that men in general have a  
24 more difficult time -- I don't mean this in a sexist  
25 way, but have a more difficult time sharing emotions

1 with regard to, you know, if there is something wrong  
2 with you or mentally or whatever. That was probably a  
3 difficult him for him to go see that doctor, so I was  
4 very proud of him.

5 Q. Was it your understanding that the first time  
6 he saw Dr. Cooper was in April of that year?

7 A. Yes.

8 Q. Never gave any indication of seeing him before  
9 that?

10 A. No.

11 Q. Did he tell you he had been prescribed  
12 anything by Dr. Cooper?

13 A. I believe he said he met with him. He was a  
14 really nice guy. The only things that stood out in my  
15 mind was, number one, that I was wowed. I said like,  
16 "Wow, you actually went." And I just remember telling  
17 him that I was proud of him and that I think it was a  
18 really big thing he did, and that of course, I support  
19 him no matter what. And he just didn't want --  
20 obviously, he just said -- I remember saying, "Did you  
21 tell your family," or whatever, and he said, "No."

22 Q. Between April, when George first told you  
23 about seeing Dr. Cooper, and your wedding day, did you  
24 and George have any other discussions about his  
25 treatment with Dr. Cooper?

1           A.     Yes.    I know that he went back for at least  
2 another visit.

3           Q.     Did he tell you before he was going?

4           A.     Yeah.   That would be information he would  
5 normally share.   He said that Dr. Cooper was, you know,  
6 just going in as a normal doctor would and monitor how  
7 he was doing and hoping that it was having, you know, a  
8 positive effect.   And I don't remember exactly when it  
9 was, but I do remember George saying, you know, he  
10 thought that he could sense a difference and that he  
11 thought it was making a difference, and that he was just  
12 more, you know, relaxed.

13          Q.     Now, circling back --

14          A.     Sure.

15          Q.     -- to your testimony before the grand jury  
16 regarding George and his treatment, the discussions we  
17 have just had now about George and your conversations  
18 with George and Dr. Cooper, was this basically what you  
19 testified to before the grand jury?

20          A.     Yes, that and more of --

21          Q.     The other half regarding the four individuals?

22          A.     No.    I mean and more background with regard to  
23 his family history and stuff like that.

24          Q.     Tell me additionally what you recall  
25 testifying to about family history and things like that?

1           A.     Just that he had -- you know, I remember him  
2     wanting to get his father on this or mentioning to me  
3     they wished his father would go and do something like  
4     this too, and throughout the years, feelings that maybe  
5     his father would have had a happier life or better life  
6     if he had done something about it instead of letting it  
7     consume him all the time, and that now that he was so  
8     young, I think he just felt like he was fortunate to be  
9     working on this now instead of 30 years from now, to  
10    live a full life, to not worry about the door handles,  
11    to not worry about making lists, and obviously having  
12    things -- it was obviously agonizing because it was  
13    enough so that he must have wanted help for it.

14           Q.     Did you in testifying before the grand jury  
15    give any indication of whether you thought George's  
16    treatment was making a difference or not?

17           A.     I don't remember which way Hernandez was  
18    guiding me at that time. I did say to him that I was  
19    proud of him. I did say to him that it was a really big  
20    thing that he had done, and in most cases, someone  
21    should be commended for being proactive.

22           Q.     You said the other large area you covered in  
23    the grand jury was these four individuals, the Russians,  
24    as we have come to know them?

25           A.     Yes. I don't know they are all Russian. In

1 fact, I know --

2 Q. Do you know the four names, the last names at  
3 least?

4 A. Askin and Rozenberg and Kofman.

5 Q. First of all, tell me what the testimony was  
6 regarding those four individuals?

7 A. Interestingly enough, George and I had in a  
8 picture from our first day from the South of France --  
9 one of them was in the background. So we didn't know  
10 them, but they actually ended up being -- one of them  
11 was in a picture of ours inadvertently.

12 Q. Which individual was that, by the way?

13 A. I believe it was Rozenberg.

14 Q. Do you know which one?

15 A. The reason why -- I don't want to say which  
16 one simply because the whole family was around.

17 Q. The Rozenberg family or --

18 A. What happened was we were taking a ferry. The  
19 reason why I remember this is because we were taking a  
20 ferry, and it was our first day. So we had sailed out,  
21 so it was actually the second day. When you wake up, it  
22 was our first big day. We were in the South of France.

23 I remember seeing this very loud and  
24 boisterous people that if they were American, the type  
25 of family that you wish -- when you were in Europe, you

1 just felt embarrassed to be American. They were  
2 completely vulgar, loud, swearing, just not what you  
3 pictured on a vacation when you are traveling to all  
4 these exotic places. And we were looking forward to  
5 getting off the ferry because that is how it was, just  
6 not a nice, serene atmosphere.

7 Those ended up being the Russians, but  
8 whoever -- at that time I didn't know, and I didn't know  
9 until much later that they were Russian.

10 Q. The photograph you just referred to, was that  
11 turned over to the FBI agents?

12 A. Yes.

13 Q. Any other photographs that you saw that had  
14 any or all of these individuals in them?

15 A. No, never again.

16 Q. Were you ever shown any photographs by anybody  
17 else of these individuals?

18 A. Yes.

19 Q. When was that?

20 A. The FBI, and I believe that was here at my  
21 house when they had --

22 Q. The second day?

23 A. No. I had seen -- the first and second day  
24 was just about me and my remembrances, and it was not  
25 colored with anything or tainted with any outside

1 information, nothing from the news, nothing from the  
2 media, nothing from their investigation. And they  
3 wanted to keep it like that. "They" being the FBI,  
4 wanted to keep that sanitized, and they wanted to keep  
5 that fresh in my mind, everything that I was  
6 regurgitating to them because they said they wanted to  
7 preserve the integrity of their investigation.

8 Q. When did you see photographs of these four  
9 individuals?

10 A. I don't know -- I don't remember if the FBI  
11 showed me them all at once, but I do remember seeing  
12 the -- when you walk onto the ship, they do this thing  
13 where they take a shot of you, each person, so you have  
14 it on your sea pass. I think I was shown the sea pass  
15 for at least Josh Askin and I believe both of the  
16 Rozenbergs, maybe even Kofman. I know at least -- maybe  
17 all or at least a few of them that I was shown these  
18 pictures. They would say, "Do you recognize this  
19 person?" And I would just say a simple "yes" or "no."

20 Q. Were you shown those photos during your grand  
21 jury testimony?

22 A. No. I was shown no photos during the entire  
23 grand jury testimony.

24 Q. With your grand jury testimony regarding these  
25 four individuals, can you just generally tell me what

1 the context of that testimony was?

2 A. When did you meet them.

3 Q. Which was?

4 A. That day, that first day we saw them -- not  
5 meet. Meeting is different. They were first in the  
6 picture.

7 Q. What I am going to ask you to do now -- it is  
8 fine. I want something specific. I want to know what  
9 you testified to the grand jury to regarding these  
10 individuals, not the whole -- okay?

11 A. Okay. To the best of my knowledge, I will let  
12 you know exactly what I remember telling them.

13 Q. What you talked about when you are sitting in  
14 front of the grand jury about these four individuals?

15 A. I told them that we didn't hang out with them,  
16 that they were a younger crowd than us, and that George  
17 and I had spent most of our time with Paul and Galina,  
18 so this notion that we had been out galavanting with  
19 these individuals is just absolutely false, and that on  
20 the evening that this tragedy happened --

21 Q. The night of the 4th?

22 A. The night of the 4th, that at this time in the  
23 trip, the younger people or people who would go, you  
24 know, to the casino, or people that would be up past,  
25 you know, midnight, you might see familiar faces, but I

1 would never have been able to tell you any of their  
2 names because we weren't on that type of -- we were not  
3 friends with them. We just didn't make friends with  
4 them. They were not people we hung out with. They were  
5 not people we socialized with. So that has always been  
6 something that has been misstated.

7 Q. This is what you were saying before the grand  
8 jury?

9 A. Yes.

10 Q. Did you talk about your interaction with them  
11 the night of the 4th?

12 A. I more or less said that unfortunately,  
13 obviously, I don't have much memory of that evening, but  
14 that we were not hanging out with them. We were  
15 supposed to be hanging out with Paul and Galina. They  
16 were in the casino area. They were there and around  
17 them.

18 The only person of that four that we hung out,  
19 that I would say, or that knew of or that I would say  
20 "hi" to would be Josh Askin because we had gotten to  
21 know their family. He was the only person who if I saw,  
22 I would say, "Hey, Josh." He was the only name I knew.  
23 We had spent time in Florence with his family. And we  
24 had shared a cab ride with them, all five of them,  
25 George and I.

1 Q. Going back to the grand jury --

2 A. Sure.

3 Q. -- do you remember what you said about that  
4 specific night, the night of the 4th, regarding -- I  
5 will backtrack. When you testified before the grand  
6 jury, did you even remember seeing those four  
7 individuals the night of the 4th?

8 A. I remembered -- I would say specifically that  
9 I remembered familiar faces, but I don't remember, you  
10 know, hanging out with these four individuals.

11 Q. At any time that night?

12 A. Josh's face I would remember because we know  
13 him, but the others would just be people in passing or  
14 familiar faces, but not somebody who I would say I had a  
15 conversation with or I really, you know, enjoyed having  
16 conversation with this person or that person. The only  
17 person I would have known or would have stopped would  
18 have been Josh.

19 Q. And you testified for approximately an hour in  
20 front of the grand jury? Is that correct?

21 A. Yeah. It was at least an hour. I went into  
22 some detail, too, about meeting the Askins and how we  
23 met them and how we came to be friends with them because  
24 they wanted to know when the first time you met them as  
25 well. I shared with them an experience --

1 Q. With the grand jury?

2 A. The grand jury also, about the night before we  
3 went to Florence, Paul and Galina were in our room, and  
4 we were hanging out. And Galina and I -- we all got  
5 married on the same day, on the 25th of June, and so we  
6 were sharing details of the wedding, and the boys were  
7 drinking heavily.

8 And then what happened was Paul had gotten a  
9 bottle of Courvoisier somebody had given him for his  
10 wedding or whatever, and at this point they were already  
11 pretty tipsy. George was really I would say drunk at  
12 this point, and he had poured a glass of Courvoisier.  
13 They ended up, you know, drinking it and going out, and  
14 they leave us to sit and girl talk about the wedding.  
15 So they go to a pool area.

16 Q. They left you in the cabin?

17 A. Galina and I were sitting on my balcony, and  
18 Paul and Galina were the only people that were ever in  
19 our room. That was at one time. We never had other  
20 people in our room. They were there that one time.  
21 Galina and I remained on the balcony so that the boys  
22 could go and drink their Courvoisier and bond and just  
23 do whatever boys do with two glasses of Courvoisier.

24 It was a lot -- I know he had already been  
25 drinking. At some point I said, "Let's go check on the

1 boys." So we go, and they were standing out in the pool  
2 area, and they looked okay, so we kind of just like --  
3 we are going to go get some hot chocolate and gourmet  
4 coffee they had downstairs or whatever.

5 Time passes. It is now getting close to 3:00  
6 in the morning. So tomorrow, the next day, was going to  
7 be Florence. My mom is Italian. My family is from  
8 Italy. I was really excited. I wanted to get George to  
9 bed because I wanted to get up early and sort of seize  
10 the day. We go back and get them. At this point George  
11 is kind of stumbling, and Paul helps him back --

12 Q. Still by the pool?

13 A. Still by the pool area.

14 Q. Pretty empty then?

15 A. Pretty empty then, but believe it or not,  
16 ships aren't like highways, like people are out  
17 meandering at all hours, and it is different hours on  
18 the ship. So they come back down. Paul helps him into  
19 the bed, and they end up falling on top of each other.  
20 It was kind of a humorous scene. George gives him a  
21 kiss and says, "Thanks, Paul. You are such a good guy."  
22 We were joking from that point forward that they were  
23 like new best friends. They really had hit it off.

24 The only reason that is relevant, that whole  
25 story about them drinking so much, is because the next

1 day when we wake up, when it was still early and they  
2 had drank an extreme amount -- at least I know George  
3 had --

4 Q. The night before?

5 A. The night before. When we wake up to go to  
6 Florence and share the cab with the Askins -- we heard  
7 from Jackie and Bobby it is a good way to see places  
8 without taking the tours, which can be very stifling.  
9 We decided that is a great idea, regardless of the cost.  
10 We were just going to do it. Why waste the day? We see  
11 the family by sort of a van. We strike up a  
12 conversation, and we said, "We would like to split a cab  
13 with you if you don't mind."

14 They thought it was a great idea, so quickly  
15 we all just piled in, George and I in the front, and  
16 then the taxi driver, so three across in the back. It  
17 was like a caravan, and it was the parents and the three  
18 kids. At this point, George is hung over, but -- until  
19 we started driving, he appears to be hung over. When we  
20 start driving, he starts to feel -- we stop at a gas  
21 station to get -- the taxi driver stops.

22 We walk inside. We buy a drink or something,  
23 but he starts telling me he feels just awful, and he  
24 starts looking worse and worse and worse instead of  
25 better and better and better. And by the time we get

1 back into the van, he is now like kind of slumped over,  
2 and his arms were a little bit like almost limp but  
3 starting to take on a different type of thing where I  
4 don't recognize it as being George being hung over.

5 It is now like his arms are limp, and it is  
6 getting more scary. He is saying like, "I can't see  
7 anything." Like his eyes are blurred. I start getting  
8 worried. Mr. Askin is in the back, and they know he is  
9 hung over, but it is just getting worse.

10 Q. Was the Askin boy in the back there also?

11 A. Yes. Everyone is. Mr. Askin is -- I was  
12 looking at Mrs. Askin. "We normally" -- "We are older  
13 now. We don't get hung over like this." It was kind of  
14 embarrassing, and Mrs. Askin is like, "Don't worry about  
15 it. Don't worry."

16 Mr. Askin says, "I am a doctor. Give him some  
17 Vitamin C. He will be fine." George is kind of like  
18 slumped next to me. I am whispering, "Don't worry. It  
19 is fine. We will go to a pharmacy when we will get to  
20 Florence. We will just take care of you." It gets so  
21 bad that I say, "We will just taxi back, give the Askins  
22 half the money for the cab, say 'thank you.'"

23 But we have to take him back to the ship. He  
24 says, "I need to pull over." I was like -- now this is  
25 getting really bad. I asked the taxi driver to pull

1 over. At this point he couldn't move, couldn't get out  
2 of the car. He said he couldn't see anything. I was  
3 concerned he was losing his vision. It was weird. I  
4 thought maybe he has like food poisoning on top of it.  
5 I don't even know.

6 I had never seen him like this. They had a  
7 glass of Courvoisier on top of drinking. He never  
8 drinks a glass of hard liquor. Who does that? Nobody.  
9 I thought maybe he was getting like alcohol poisoning or  
10 something. We end up getting to Florence, and he is  
11 like -- he is kind of like that for the next couple of  
12 hours. I said, "Do you want me to go to the pharmacy  
13 or" --

14 Q. Was he walking around at all or stayed in the  
15 cab?

16 A. No. I put him in a chair, couldn't get out of  
17 the cab for a little while. We rented that cab. He  
18 just stayed there. I tried to get him in the chair. We  
19 were in this plaza, all these people and a hot day. It  
20 was so hot in Italy at that time of the year. I put him  
21 in the shade and ordered him french fries and spaghetti  
22 and soda so he would eat something. He took like maybe  
23 a french fry, and that was it. And he ended up just  
24 slowly, slowly, slowly -- just like his eyes were  
25 looking horrible. His head was back. He wouldn't eat.

1 I was so worried.

2 Q. Did he stay sitting up the whole time?

3 A. He was like slouched over. He didn't look --  
4 he wouldn't have been able to stand up. Put it that  
5 way.

6 Q. Did he ever lay down on the bench?

7 A. No. We were at an outside restaurant, so he  
8 is sitting in an outside restaurant chair, didn't end up  
9 eating anything. I left money for the bill, and then at  
10 this time, we go to like the center of the plaza. There  
11 is some statue, and he sits on this, "sit there," or  
12 whatever. And he just looks so bad.

13 I am sitting there waiting with him. He said,  
14 "Go take out money so we can pay the Askins." He can't  
15 get up to use the ATM. I leave him there. I am worried  
16 to leave him there. We were in Italy. It was just a  
17 really weird setting. So I go and do that, come back.  
18 It still looks bad. Again I move him from the sun to  
19 the shade. Like little by little he was -- like believe  
20 it or not, he starts like slowly, slowly, slowly coming  
21 out of it.

22 By the time -- he kept saying, "I feel bad."  
23 He said, "Go shop." He said, "I will be fine." When he  
24 started talking normal and whatever, he said, "You are  
25 going to be upset with me. Now please just go. Walk

1 around a little bit. There is a couple shops. I can  
2 see you." And then finally, he ends up getting up, and  
3 we go and get gelato. And then little by little he is  
4 like regaining strength, and in a couple of hours we  
5 come back to the square, and he orders pizza and a beer.  
6 And he is like, "All right. I am getting over this."

7 So I guess the thought was like hair from the  
8 dog that bit you, but he wanted to just like enjoy the  
9 vacation, just forget what happened. He was like, "I'm  
10 sorry." I was like, "No, but everybody was concerned."

11 Q. The story you just told me, did you testify to  
12 all that in the grand jury?

13 A. Yes, and the Askin boy -- they needed to know  
14 the reason that was relevant, because when Josh met  
15 George the first time, it was when he was out in the  
16 pool area with Paul --

17 Q. The night before?

18 A. The night before, and Josh said to George  
19 like, "Hey, dude, remember me? I met you last night."  
20 And George says, "I do not remember you whatsoever.  
21 Sorry. I am George." You know, "Nice to meet you."

22 So because he didn't remember Josh -- but that  
23 was actually the first time, was the night out with  
24 Paul, and then, you know, subsequently like we ended up  
25 meeting the Askins here and there. Like on the ship we

1 will see them or talk to them, and they became fast  
2 friends. And Josh walked around with George and I, and  
3 when we were in Florence at the end of the day, when we  
4 all met again, and then we saw the Askin family, and  
5 George said to them, "I feel bad. I feel like I have to  
6 reintroduce myself because I was so out of it before,"  
7 everyone sort of laughed it off. "Don't even worry  
8 about it."

9 We actually walked around together. I think  
10 we walked -- Josh Askin -- I think he was looking for  
11 his sunglasses or something. We actually had a very  
12 basic vacation friendship with Josh. The family was  
13 extremely nice.

14 Q. Do you know whether any of the Askins ever  
15 testified before the grand jury?

16 A. No, I do not know.

17 Q. Did you ever see Josh Askin that was on  
18 Geraldo's show?

19 A. No, I don't believe so. Could you refresh my  
20 memory? What was --

21 Q. Did you ever see any interviews on TV of Josh  
22 Askin?

23 A. Yes.

24 Q. Which one?

25 A. A couple months later I saw the Turkish

1 interrogation video where it shows him being interviewed  
2 from a Turkish authority of some sort in an interview  
3 room. And the reason I know that is because those are  
4 the similar rooms that I had gone into, so he had  
5 said -- they must have said something to him in the  
6 video like, you know, "We are going to take Jennifer  
7 in," or something of that nature.

8 And he immediately stands out of his chair and  
9 says something like, "You can't do that," or "I won't  
10 let you do that," or "She had nothing to do with this,"  
11 or just a real utterance of something, like he knew that  
12 this is impossible.

13 Q. Anything you saw Josh Askin say or anything  
14 you took issue with or disagreed with?

15 A. I believe he said -- made mention of me and  
16 the casino manager. Obviously, as most people would  
17 know now -- but anything gets repeated enough times,  
18 sometimes, unfortunately, it does its damage, which is  
19 Josh saying, "I think she went home with the casino  
20 manager."

21 That didn't happen, and I know that didn't  
22 happen simply because the FBI told me that obviously,  
23 that didn't happen. They told me where I was found and  
24 this, that, and the other thing. And also, I do know  
25 that Lloyd has testified before the grand jury and has

1 also been --

2 Q. Lloyd being the casino manager?

3 A. The casino manager.

4 MR. BROWN: Hold on. It is good, but I  
5 just want to ask -- his question was, in that video with  
6 Josh Askin, is there anything else you remember.

7 Q. That she takes issue with?

8 A. I had a major issue with that, of course.  
9 Infidelity isn't something that I believe in and it  
10 isn't something that George or I would have done to each  
11 other. And I just feel like that was very hurtful  
12 because I had, you know, all these wonderful memories of  
13 what I know and what I believe to be true. And that was  
14 just a really -- unfortunately, it was said and maybe  
15 even was thought, but it was so damaging, and at that  
16 time I was crushed.

17 Q. Anything else that he said other than that?

18 A. Those things just stuck out. Anything else he  
19 said I don't remember at this time, but those things  
20 stuck out.

21 Q. You were interviewed by Turkish authorities  
22 when you came ashore that day on the 5th?

23 A. Yes.

24 Q. You had --

25 A. I would like to also -- before you go on, when

1 you say like the FBI or you -- did they, you know, look  
2 at you, your body or whatever, when I was in Turkey they  
3 conducted a very sort of seedy, you know, very  
4 humiliating -- like they looked up my shirt and down my  
5 pants in Turkey, took me to like a seedy doctor.

6 Q. Male or female?

7 A. A male.

8 Q. Were there police present when the doctor did  
9 it or just the doctor?

10 A. Just the doctor. I don't remember if the  
11 police were there or not at this time. I was really in  
12 a state of shock. I don't remember who was there. I  
13 felt, obviously, at that time -- the whole time I was  
14 there I felt really just very abandoned, alone. I just  
15 lost my husband, so I don't remember who was always  
16 around me. I had a feeling of just feeling just like  
17 violated, but at the same time feeling like who cares  
18 because I really at that point didn't care.

19 Q. A couple questions. Did they take any  
20 photographs of you at that point?

21 A. No. It was in and out.

22 Q. When the Turkish authorities interviewed you,  
23 you had an attorney present with you?

24 A. No, I don't believe so, unless they had some  
25 makeshift one I didn't know about.

1 Q. Was there an interpreter there?

2 A. Yes. There was an interpreter.

3 Q. They asked you their questions in Turkish or  
4 whatever it was?

5 A. There was a translator, that she would  
6 translate, which also --

7 Q. I was going to ask you a question. Did they  
8 videotape that?

9 A. I don't remember.

10 (Recess: 10:19 to 10:34 a.m.)

11 Q. When you gave your statement to the Turkish  
12 authorities -- first of all, do you have any  
13 recollection of that?

14 A. When I gave a statement --

15 Q. To Turkish authorities after leaving the  
16 cruise ship? Strike that. I will rephrase it. Did you  
17 ever give a statement to the Turkish authorities?

18 A. No, not other than that one that was the  
19 Turkish authorities was actually at the ship area. It  
20 was actually -- to describe it to you, it was like the  
21 ship, and then if you -- right when you check in and out  
22 of the ship, there was some rooms off to the -- at the  
23 port itself. There were some rooms --

24 Q. But on the dock, not on the ship?

25 A. Not on the ship itself, separate from the

1 ship, but very close by.

2 Q. When you say you recognize one of the rooms or  
3 cubicles, Josh Askin was in --

4 A. Because that is where I had mine.

5 Q. And he was videotaped, obviously?

6 A. Wasn't that from a family member that  
7 videotaped that?

8 Q. I don't know.

9 A. I believe it was.

10 Q. You are going to have to let me ask the  
11 questions. That is one of the rules.

12 MR. BROWN: I believe you said you saw a  
13 video of Josh Askin being interviewed by the Turkish  
14 authorities.

15 THE WITNESS: Yes. It was my  
16 understanding that his father or mother or family member  
17 had taken the video camera into the room to record,  
18 which I don't even know if it is legal or not, but I  
19 think it had just happened.

20 Q. But they did it?

21 A. But they did it.

22 Q. You have no knowledge of your statement being  
23 videotaped?

24 A. No, I do not.

25 Q. Did you ever review any statement attributed

1 to you that you gave to the Turkish authorities?

2 A. Yes, I did.

3 Q. Was what was in that report accurate?

4 A. No, it was not.

5 Q. Could you tell me, first of all, when you saw  
6 the report first?

7 A. I saw that report once I came back to the  
8 United States, I believe. I think that Bree had somehow  
9 gotten copies of these reports, and at some point down  
10 the road -- when I say "at some point down the road," I  
11 don't know whether it was weeks later or whatever, I had  
12 seen what she had given because I have seen things she  
13 sent for her family, and she must have sent the e-mails  
14 to my family, so they were there. So when I looked --  
15 when I finally -- and I don't remember when it was, but  
16 when I finally did read my own statement, it was not  
17 accurate. Specifically --

18 Q. Specifically --

19 A. Specifically one thing that always stood  
20 out -- and I don't remember most of it, but the specific  
21 part that stands out is that George slept in other rooms  
22 before, which he did not.

23 Q. They attributed that statement to you, saying  
24 that he slept in other rooms?

25 A. Yes. This is what the captain or whoever was

1 asking me the question -- I guess it was a Turkish  
2 authority man. He was asking me questions through the  
3 translator, and it clearly got mis-translated. What I  
4 had meant to say or what I had said which he  
5 misinterpreted was that George had been out. This was  
6 the night with Paul, like one late night, one other  
7 night, not he slept in another bed, or had been out one  
8 other night.

9 Q. Do you recall how long you spoke to the  
10 Turkish authority man giving that interview?

11 A. Not very long. It was -- they were very  
12 choppy, brief. I just remember it -- I was in shock,  
13 obviously, still, and his questions were, you know,  
14 just -- I am just going through the motions and trying  
15 to answer his questions. Nobody knew what happened at  
16 that time, and it was just still in a very chaotic, very  
17 crushing moment, I think, for everyone involved. So the  
18 questions -- I don't even remember specifically what  
19 they were. It was a very short statement.

20 Q. Was there more than one Turkish authority in  
21 the room when they requested --

22 A. I remember one specific man because I just  
23 remember very callous-looking, sort of acting, and that  
24 was all I remember. I just remembered sort of a cold  
25 feeling, but that is all.

1 Q. Did you ever -- first of all, did you ever  
2 before leaving the ship make any statement to any member  
3 of Royal Caribbean about that night or your last time  
4 with George or anything?

5 A. I don't remember.

6 Q. Did you ever subsequently to leaving the ship  
7 and coming back to the US ever sit down with Royal  
8 Caribbean representatives and make any statement?

9 A. Any statement with regard to what happened  
10 that evening?

11 Q. Yes, accident report or incident report or  
12 anything like that? They never interviewed you?

13 A. No.

14 Q. You were on TV a couple times and gave  
15 interviews?

16 A. I went on Oprah and I went on an Early Show,  
17 Scarborough.

18 Q. CBS?

19 A. ABC.

20 Q. ABC. Let's back up. Other than Oprah, you  
21 mentioned The Early Show? Is that what you said?

22 A. It was in this order, Scarborough --

23 Q. MSNBC?

24 A. -- MSNBC, Scarborough, and picked Scarborough  
25 because -- the Smith family really liked Joe Scarborough

1 because he was the initial person who was interested in  
2 the case, and Oprah, and lastly ABC, ABC, a morning  
3 show.

4 Q. Morning show, like 7:00 a.m. show or something  
5 like that?

6 A. I don't know what time it was on, but it was a  
7 morning show probably.

8 Q. Did you ever see a copy or transcript of your  
9 grand jury testimony?

10 A. No.

11 Q. So just going back to the very first question  
12 I asked you this morning, in terms of statements you  
13 have made and I asked you, you have had your deposition  
14 taken before. You have been interviewed by the FBI.  
15 You have been interviewed by Turkish authorities. You  
16 testified before the grand jury. You have done TV  
17 interviews, and you took your polygraph.

18 Can you think of any other times you spoke to  
19 anybody regarding the occurrences that night or early  
20 morning of July 5th?

21 A. That is a very broad question. You know, this  
22 has been all-consuming for all our family members.

23 Q. You have talked to your family about it, I  
24 assume?

25 A. My family, my counsel, countless, you know,

1 times -- not countless, but a number of times with the  
2 FBI we have had conversations, but anyone outside of  
3 that, no.

4 Q. Have you ever reviewed at any time any of your  
5 various statements you have made regarding this, in  
6 terms of reading reports, other than the Turkish report  
7 you mentioned, that you can think of?

8 A. Not that I can remember.

9 Q. Going back to -- how long did you and George  
10 date before you were married?

11 A. We were together over 3 years. We got engaged  
12 February 14th, 2004, and when we got engaged, we moved  
13 in together shortly thereafter, and were pretty much  
14 living like a married couple for about a year and a  
15 half.

16 Q. We touched on it a little bit earlier. Did  
17 George have any noticeable anger issues in terms of  
18 temper, temperament out of the ordinary?

19 A. No. He was a very jolly, happy go lucky  
20 individual.

21 Q. What about -- any arguments or things you had  
22 would have been the norm --

23 A. No.

24 Q. -- type things?

25 A. No, and also, just for the record -- and I

1 know you didn't ask the question.

2 Q. I haven't asked a lot of them.

3 A. But in general, you wouldn't find a person  
4 that would say that we ever fought or we fought a lot.  
5 We would never, you know, be physical with each other.  
6 He would never think of hitting me or punching me or  
7 just anything. It would just be so out of the ordinary,  
8 and likewise, I would never, you know, get angry and  
9 throw a pot across the room or something crazy that you  
10 see in movies.

11 We are definitely very calm people, and  
12 obviously -- you know, the reason I bring that up is  
13 because this notion of, you know, some fight or  
14 altercation that happened between us on that evening is  
15 so far from anything that I could possibly ever imagine  
16 us doing. Out of anger we have never -- the only time  
17 we have ever had any like -- something like a  
18 disagreement was, you know, how are you going to as  
19 married couples spend holidays and how much time. That  
20 was the extent of anything we had ever had a problem  
21 about.

22 We had literally no problems. We were very  
23 fortunate, and we had no money issues. We were young.  
24 We were in love. We had all these things to look  
25 forward to. There was really nothing to fight about.

1 Q. Were there any anxiety issues with George?

2 A. Yes. I was told, actually, from his friends  
3 when he had gotten to college -- Lance is a roommate of  
4 his from college, but they used to kind of make fun of  
5 George because in college he used to -- began like his  
6 list, and he would, say go through his day very  
7 methodically. And it was just something he was known  
8 for, except when he was drinking, you know, of course,  
9 just relax and would drink.

10 Looking back, hindsight, maybe, you know --  
11 maybe there was two sides of somebody, you know, just a  
12 very anxious person and then just a very happy go lucky  
13 person.

14 Q. Prior to your wedding day, did you ever take  
15 note of any anxiety issues with him yourself, not what  
16 his friends told you or anything else, things that you  
17 observed yourself?

18 A. Yes, his list making and constant -- like he  
19 would repeat things. Like if he had to make a phone  
20 call, maybe somebody he couldn't get in touch with  
21 somebody, he would say it over and over, or you know, at  
22 night you lie in bed with somebody and talk about your  
23 day, and he would talk about, you know, what happened at  
24 work and some of the anxiety issues that he had in  
25 dealing with just his everyday work, or I am sure

1 working with your parent isn't always easy. And there  
2 is different schools of thought in terms of how someone  
3 wants to run a business or how somebody thinks it should  
4 go, and so he would express those issues that he was  
5 having anxiety about.

6 Q. Would he drink on a daily basis? Would that  
7 be fair to say?

8 A. He drank almost every day.

9 Q. And would that start after work, evening,  
10 lunchtime?

11 A. He would -- don't forget, he worked at a  
12 liquor store, so he didn't have to pay for his alcohol.  
13 He would come home with great wine. His family, same  
14 thing, father would come home. First thing he would do  
15 is open a Coors Lite. I think maybe it was just learned  
16 behavior, but the first thing he did when he walked in  
17 was unwind, check his e-mail, you know, maybe mix  
18 himself a drink while I was cooking dinner and maybe  
19 unwind for the day.

20 Q. Would it generally -- you mentioned pop open a  
21 Coors Lite or something. Would he usually start with  
22 the beer or hard liquor?

23 A. George?

24 Q. Yes.

25 A. He would usually start with a beer, but I

1 mean, he could even -- I would say generally he would  
2 come home and have a different type of beer and maybe  
3 like a Stella or something like that, or he would drink  
4 maybe like a vodka tonic if he was to have a vodka  
5 drink, but normally during the week he didn't drink  
6 vodka. He would have like wine or beer, and maybe on a  
7 weekend or something, if he was out, he would tend to go  
8 with a vodka drink.

9 MR. BROWN: Let me clarify, at least for  
10 myself, the person who had the Coors Lite every day was  
11 who?

12 THE WITNESS: George, Sr. would come home  
13 and have a Coors Lite every day.

14 MR. KELLY: Thank you.

15 MR. BROWN: I didn't think you understood  
16 that.

17 THE WITNESS: I was trying to say like  
18 maybe that is just when I was over there. They both  
19 worked together.

20 Q. George, Jr. got the --

21 A. Maybe that is where he got it from. He grew  
22 up in a family that is -- not trying to cast judgment  
23 whatsoever in saying that, just trying to --

24 Q. I guess my basic question is, during the week,  
25 would George, your George, have on an average maybe a

1 couple drinks a night when he would come home?

2 A. He may have a couple.

3 Q. And on the weekends, would he drink a little  
4 bit more?

5 A. Yes, he would probably drink more on the  
6 weekend, and he was a big guy, 6'3", over 200 pounds,  
7 very big. Mind you, he also worked out every day. He  
8 got up every morning and ran and worked out, so he was  
9 very fit, so --

10 MR. BROWN: You have answered the  
11 question.

12 Q. You related earlier the story about George and  
13 Paul and Florence, things like that. Can you remember  
14 other times when George was clearly intoxicated over the  
15 course of your 3-year relationship?

16 A. Yes. I remember some instances when he was  
17 intoxicated. To this day, we remembered the time when  
18 we were like all playing cards with my family, and I  
19 guess he had had too many vodka drinks or whatever.  
20 Maybe my sister made him a drink too strong, and you  
21 know, he would get sometimes like slurry or whatever, so  
22 what my sister would call like "George's own language"  
23 we would start talking.

24 Q. Just to interrupt you. Would this happen more  
25 than once a month or once every 6 months?

1           A.     I don't remember specifically how many times,  
2 but I remember occasions when he would drink enough  
3 where he would, you know, be drunk. On the honeymoon,  
4 obviously, Paul and Galina -- and also when we were in  
5 Barcelona, I would ask them -- Barcelona was our first 2  
6 days of our honeymoon, and I asked him questions about  
7 the night before, and he drank a lot and he couldn't  
8 remember certain things. And that was weird because I  
9 know normally if someone jogs your memory, even if you  
10 have had a few drinks, you can remember, recall, but he  
11 couldn't recall.

12           Q.     This is a night separate than the night before  
13 Florence you are talking about?

14           A.     Yes. The 2 nights before we even got on the  
15 cruise we spent in Barcelona because that is where we  
16 took the cruise from on both occasions. The next  
17 morning I would ask him about people like we met. We  
18 met the snowboarding team or whatever and were chatting  
19 with them, and he was dancing. And I was like, "You  
20 were dancing quite a bit last night," and he didn't  
21 remember. So I just chalked it up to we are on our  
22 honeymoon. This is almost like spring break for him in  
23 his mind, so I didn't think too much of it.

24           Q.     Going backward, not the two nights in  
25 Barcelona, the night before Florence, but just in

1 general, the 3 years before, can you tell me  
2 approximately how many other occasions you have seen him  
3 in that condition?

4 A. I never -- in what condition?

5 Q. Just where he was intoxicated to the point  
6 where he didn't remember the next morning things that  
7 had gone on?

8 A. Maybe just a handful of times, not to that  
9 extent.

10 Q. It wasn't like every weekend?

11 A. No, no, no.

12 Q. What about -- you mentioned the pot that was  
13 found in the apartment? Did you ever see him smoke pot?

14 A. In my lifetime?

15 Q. No.

16 MR. BROWN: The question was --

17 Q. You can tell me about you, too, but my  
18 question was, have you ever seen George smoking --

19 A. Did I ever see George smoking pot, yes.

20 Q. Over the course of your 3-year relationship,  
21 how many times had you seen him smoke pot?

22 A. I couldn't give a figure. I really don't  
23 know.

24 Q. More than a dozen times?

25 A. Probably. I am not a big fan of the pot

1 smoking, so I think that it is, you know -- I don't know  
2 exactly how many times if you are looking for a number.  
3 I just know that it is something he casually enjoyed.

4 Q. Any other illegal drugs that you know of that  
5 he used? Cocaine?

6 A. I know that he has tried cocaine before.

7 MR. BROWN: Hold on.

8 MR. KELLY: The 3-year period.

9 MR. BROWN: The question is this 3-year  
10 period.

11 Q. During the course of your relationship, do you  
12 know of him ever using cocaine or any other drug during  
13 that time?

14 A. I believe just cocaine, and the only other  
15 thing that I know that he did prior -- like in college,  
16 I know he used to take a lot of Ecstasy per se. I don't  
17 know anything other than that. I know in high school I  
18 remember him --

19 Q. I am trying to stay focused on that 3-year  
20 period when you were during your relationship?

21 A. That is it.

22 Q. Did you ever know of him taking Ecstasy during  
23 that 3-year period?

24 A. No.

25 Q. You speak about his anxiety a little bit. Did

1 you ever see signs of depression in George during your  
2 3 years together?

3 A. No. He was very -- no.

4 Q. What about -- he never had like any suicidal  
5 thoughts?

6 A. No.

7 Q. Real lows or things like that?

8 A. No. That would be almost laughable. He was a  
9 very easygoing, happy go lucky person. Other than some  
10 quirky OCD behaviors, he was very happy.

11 Q. Were you rather surprised when he told you  
12 about seeing Dr. Cooper the first time?

13 A. I was.

14 Q. Did you think that in terms of your  
15 observations of his temperament and behavior, that it  
16 wasn't necessary in terms of him seeing a psychiatrist?

17 A. That is an interesting question because if I  
18 had to say he is in the beginning stages of what he  
19 thought, what he shared with me, what he believed, like  
20 his father had, then I would definitely say be proactive  
21 and take care of it and do what you need to do.

22 But I don't know if the two are correlated,  
23 and it is not fair to say that they are, so I don't  
24 know. But it seems that most of these depression and  
25 anxiety, from what I know now, are usually like if your

1 parent has something, then unfortunately, most likely  
2 the child usually gets it as well with mental illnesses.

3 Q. Did you have any discussions with George about  
4 him seeking any sort of help whatsoever before he saw  
5 Dr. Cooper the first time?

6 A. No. I just -- I don't recall having any  
7 conversations regarding that.

8 Q. He never gave you any indication that he was  
9 going to do it before he did it?

10 A. No.

11 Q. Do you know of any other physical ailments  
12 George had or surgeries he even had or anything like  
13 that? You indicated he was pretty fit and worked out?

14 A. Very fit, yes.

15 Q. Any other physical issues, medical issues you  
16 knew of or found out afterwards?

17 A. No, not that I can recall.

18 Q. When you met George, 3 years prior, what type  
19 of work was he doing at that time?

20 A. He was doing computer work. He went to Babson  
21 for business and computers, and he was working at -- I  
22 forget the company. It was just a tech company, and he  
23 was definitely very tech savvy, and he was working in  
24 Boston, and at that time I was getting my master's in  
25 teaching in Newport, so we had a 45-minute or so commute

1 between us at that time.

2 Q. Did you meet in Boston?

3 A. We met in Newport. That is why we just sort  
4 of fell in love with Newport. We just loved it, and he  
5 was working, like I said, at that tech company, but I  
6 think he was a little -- the position he was in was a  
7 little stifling, and I know he had a lot of stress from  
8 that position. I think his work wasn't around a lot of  
9 people, and his boss -- they did very technical stuff.  
10 I think he looked at a computer screen all day. I think  
11 it was making his eyes worse and a number of other  
12 things, but clearly it was just not a position I think  
13 he wanted to stay at forever. And that is when he had  
14 gotten the idea -- I think it was probably halfway  
15 through our relationship, I would say the following  
16 fall, when we started talking about more serious things.

17 Like it was clear that, you know, we were  
18 going to decide when I was done with school where would  
19 we be living and living together because our  
20 relationship was obviously progressing. And that is  
21 when -- we both had families in Connecticut, so it was a  
22 no-brainer that we would try and settle here because I  
23 am very close with my family.

24 Q. "Here" meaning Greenwich, Cromwell, what?

25 A. Here in Connecticut. Because I was in

1 teaching, I was fortunate enough to have that  
2 flexibility, where you need teachers everywhere, so I  
3 didn't feel like I was confined to one town or other  
4 area.

5 Q. Was it your intention to continue teaching  
6 after you were married?

7 A. Yes. I was hired for a third grade classroom  
8 position. I was doing a special ed pregnancy leave  
9 position before, and that spring that same school hired  
10 me for a third grade classroom to come back in  
11 September.

12 I just remember, obviously, being very  
13 excited, and I was offered a position in New Canaan and  
14 Westport. I ended up taking the one in Westport. That  
15 was the one I was currently with at that time, and I was  
16 just ordering classroom supplies, and everything was  
17 "Mrs. Smith," and it was, obviously, a really exciting  
18 time, when everything was just sort of falling into  
19 place for us.

20 Q. When did George leave his computer job,  
21 approximately?

22 A. He left it approximately a year and a half  
23 after we had met. I want to say around the wintertime  
24 in 2004.

25 Q. Do you know what he was generally making in

1 terms of dollars at the computer job?

2 A. I think somewhere between, you know, 50 and  
3 65, somewhere in that range.

4 Q. And health benefits, do you know if he had  
5 those?

6 A. I am not sure. I would assume so. Most  
7 companies have them today.

8 Q. And after the computer job, where did he go?

9 A. Then he had talked to his family and told them  
10 that he was thinking about other things. I don't know  
11 who had suggested it first or how it had come up  
12 exactly, but it was decided that he was going to move  
13 back home and then take over, just start working with  
14 his father and be salaried under his own father.

15 Q. Was that a discussion that you and George had  
16 in terms of what he was going to do?

17 A. I was just going to support whatever he wanted  
18 to do. I feel for anybody, as long as you are happy,  
19 make a good choice because your job you spend most of  
20 your time doing, and it seemed to me like kind of a  
21 really cool thing to work with your parent, your family  
22 member.

23 Both my parents are business owners. My mom  
24 owned a company. If I worked for her, I think it would  
25 be fun. It would be nice. Not everybody has the

1 opportunity to go into a family business.

2 Q. Did George ever discuss with you his  
3 long-range goals in terms of going back into the family  
4 business?

5 A. Yeah, he did. I think he couldn't stand being  
6 away from computers so long, and when he got to the  
7 company -- obviously, most mom and pop businesses are  
8 under -- everything is done by hand. His father had  
9 notebooks of stuff, and I think that sort of like threw  
10 him for a loop. He wanted to use everything that he  
11 learned at Babson, somehow implement it. I don't think  
12 he enjoyed just ringing people up all day. I think that  
13 was bothersome to him. He at least expressed that. He  
14 wanted to use his mind.

15 Q. For the last year and a half before your  
16 wedding, he worked in his father's liquor store,  
17 correct?

18 A. Yes.

19 Q. As far as you know, did he implement any  
20 changes there in terms of the computer system, invoicing  
21 or inventory or anything like that? Did he upgrade the  
22 operation in some way?

23 A. He helped his father tremendously. He built a  
24 web page. This was the area he really enjoyed. In the  
25 meantime, what had happened was -- just like as a

1 filler, he at one point --

2 Q. Like we need a filler.

3 A. Like he was questioning --

4 Q. In case we run out of anything to talk about,  
5 Jen.

6 A. He was questioning whether he wanted to stay  
7 at the family business, and it was very stressful, and  
8 you don't get the holidays off, and you work for  
9 everyone else. You watch everyone go and take a bottle  
10 of wine to someone else's party, but you are  
11 constantly -- when you are in retail, it is very  
12 difficult, the time and the hours.

13 And at one point he was going to decide -- we  
14 agreed that we wanted to move to Newport. That didn't  
15 end up working out. So he stayed there. He is like,  
16 "If I am going to stay here, I am going to try to make  
17 it my own or implement some of these changes that are  
18 driving me nuts my dad does."

19 He started trying to computerize everything in  
20 the inventory, but I don't know how far he got. It  
21 obviously would have been a long process to change old  
22 systems, but that wasn't something that he was concerned  
23 about then. He was just getting it started.

24 Q. Were there any discussions between he and his  
25 father that you knew of in terms of him taking over the

1 business?

2 A. Yes.

3 Q. Tell me what you know about --

4 A. I knew that when his father was ready to  
5 retire, which there was no definite date, that  
6 eventually, he would buy out his father for \$500,000  
7 over a period of 10 years, or I think there was a higher  
8 amount over 12 years, but they were pretty similar, so  
9 in general though.

10 Q. What was George making in terms of salary or  
11 annual compensation his first full year at the liquor  
12 store?

13 A. The only reason I know this is because I did  
14 his tax return. We did it together last year, and it  
15 was somewhere in the low 50s range.

16 Q. Any discussion between you and he, just in  
17 terms of planning and finances and things, what he would  
18 hope to make if he took over the business?

19 A. I know he was very concerned by the fact that  
20 it maybe was going to be a lot more difficult to take  
21 over the business than he anticipated, simply because it  
22 is Greenwich. It is very expensive, and you know, we  
23 were living rent free at the time.

24 Q. Where?

25 A. We were living in -- the grandfather passed

1 away. They had given one house to George, Sr., and one  
2 house went to George, Sr.'s sister. Actually caused a  
3 family divide. They no longer speak. George, Sr.  
4 doesn't speak to his own sister right now, and the  
5 crazier thing is the first cousins live --

6 Q. Doug is trying to stop you, but that is all  
7 right. You can go on. I'm sorry.

8 MR. BROWN: Where did you live? Just  
9 answer the question.

10 Q. Were those houses on the same street?

11 A. The house is on the same street.

12 Q. You lived on the street from George's parents?

13 A. No. We lived far away. We lived next to the  
14 family they didn't speak to. But getting back to the  
15 salary, it was a concern of George, Jr.'s because living  
16 in Greenwich is very expensive. We lived in  
17 Byram-Greenwich, which is kind of -- not trying to be  
18 whatever, but it is not that country Greenwich, which is  
19 the more expensive. It is the least expensive portion  
20 of Greenwich, and even then we would have probably never  
21 been able to afford a starter home probably anywhere in  
22 the near future, simply because it is difficult to make  
23 a living in Greenwich, Connecticut based on a normal  
24 salary. And 50 something is a normal salary, but in  
25 Greenwich is almost poverty line. So it was obviously

1 something we would joke about, but we would have figured  
2 it out.

3 Q. Did he ever discuss with you what he  
4 anticipated or what he could make if he took over the  
5 liquor business?

6 A. No. I think we were hoping, but what we had  
7 discussed is that he was 25, and that hopefully, by the  
8 time he was 40, that he would have paid off the business  
9 to his father and no longer had to buy his father out.

10 But they didn't own the space. A concern of  
11 George's was that it was rented space, and the rent was  
12 constantly going up, and there was no guarantee that the  
13 space would always be there, which was a concern because  
14 it is attached to Poor Sally's Food Mart, which is a  
15 very busy shopping area. So it was just a quick -- he  
16 needed that space is the point, so it was always a  
17 source of anxiety for George.

18 Q. Did your George ever indicate to you what his  
19 father made annually on the liquor business, just  
20 approximately?

21 A. I would say probably just under 200,000.

22 Q. And how long had he owned that liquor store,  
23 meaning George's father?

24 A. I am not sure of the exact year. I'm sorry.  
25 I don't remember.

1 Q. I mean was it a decade, 2 decades, 2 years, if  
2 you have any idea? Strike it. Did George's father own  
3 that business when you met George?

4 A. Yes.

5 Q. Just generally, did you have a sense that his  
6 father had owned that business for years?

7 A. He had been in business for a while.

8 Q. That is fine.

9 A. When the kids were young, so I know the kids  
10 were young when he first started the business.

11 Q. Any other -- did George have any brothers?

12 A. George had one sister.

13 Q. One sister, Bree?

14 A. And that was it.

15 Q. She went to law school?

16 A. Yup. She went to law school.

17 Q. Did she ever work in the family business, as  
18 far as you know?

19 A. No, she did not. I believe there was no talk  
20 of it, and I think concern, you know -- well, ask a  
21 question. Sorry.

22 Q. Yes, ma'am. Did you ever hear George and his  
23 father talking about George taking over the business?

24 A. Yes. The thought was there. How it was all  
25 going to figure out we didn't know.

1 Q. The following year, in September of '05, did  
2 you go back to teaching?

3 A. After this tragedy had happened --

4 Q. Yes?

5 A. I resigned. It would have been impossible to  
6 have gone back to a public entity, a public teaching job  
7 at that time for obvious reasons, because the media was  
8 still very much hot on this case and it was a high  
9 profile case, and it is just not something I would be  
10 willing to take into my classroom. It is not  
11 appropriate.

12 Q. When did the media first catch on to George's  
13 disappearance? Was that from day one?

14 A. I don't know exactly when it was, but I was  
15 told from friends later that they had seen something or  
16 heard something within a couple of days.

17 Q. Are you working now?

18 A. Yes, I am.

19 Q. Where are you working?

20 MR. BROWN: Objection. Do not answer,  
21 just because of the privacy that we talked about in  
22 Probate Court.

23 A. I work in the Boston area.

24 Q. Let me ask a couple general questions. You  
25 cut me off again. Are you teaching right now?

1 A. No, I am not.

2 Q. Could you just tell me generally what type of  
3 work you are doing now?

4 MR. BROWN: Objection. I don't think  
5 that you need to answer the question. Do not answer the  
6 question.

7 A. Can I ask you a question?

8 MR. KELLY: I am just wondering -- Mike  
9 might object to it.

10 THE WITNESS: I guess --

11 MR. KELLY: Doug, I am just trying to get  
12 a general idea if she is working in the area. I don't  
13 even want to know what city. I don't want to know any  
14 location. I don't want any information that would in  
15 any way somehow track down where she is or cause her any  
16 anguish.

17 A. I work in a small office. I don't --

18 Q. Generally what kind of work?

19 A. I work for a big corporate company in a  
20 smaller branch office.

21 Q. And just one more question in terms of just in  
22 a general sense, the type of work you do, whether it is  
23 human resources, whether it is information --

24 A. It is in the banking business.

25 Q. Okay, that is fine.

1 MR. WALKER: Do you want to claim  
2 anything?

3 MR. BROWN: You can on the 24th.

4 MR. KELLY: He has raised his objection.  
5 I would like to specifically -- don't answer it. He  
6 might not be able to cut you off in time. I would like  
7 to know -- don't answer it -- if you are instructing her  
8 not to answer specifically where she works.

9 MR. BROWN: Right.

10 MR. KELLY: Specifically what type of  
11 work she does and specifically what her salary is.

12 MR. BROWN: Yes.

13 MR. JONES: I think on the record,  
14 though, because of the procedure that we set up, we have  
15 to on the record claim the question.

16 MR. KELLY: Off the record.

17 (Off the record discussion.)

18 MR. BROWN: I understand why you are  
19 asking the question.

20 MR. KELLY: Just making the record. This  
21 will be resolved. This will be one of the things for  
22 resolution.

23 THE WITNESS: I would like to also say --

24 MR. BROWN: No, I don't want you to. We  
25 can talk about it later.

1 MR. KELLY: I am actually trying to make  
2 it -- you be quiet, make it very specific so it could be  
3 answered without bringing Jen back for anything, just  
4 the kind of information that could be provided, too, try  
5 to avoid all that. Even if the ruling should go in our  
6 favor, you can just apply the information. We don't  
7 have to sit down again.

8 BY MR. KELLY:

9 Q. Could you tell me when you first -- if you  
10 could just give me the month when you first consulted  
11 with attorneys regarding any civil action regarding  
12 George's disappearance?

13 A. Can you repeat the question?

14 MR. KELLY: Could you read it back?

15 (Question read.)

16 A. The first month that -- I don't recall the  
17 specific month. I do believe -- I know it was the fall  
18 of '05 when Bree and the Smith family had first brought  
19 to my attention that, you know, this is definitely  
20 something that they had wanted to take action on, and  
21 they certainly -- me as a personal representative,  
22 wanted me to be involved with, so it was their -- you  
23 know, "We want to sue the cruise line." It was first --

24 Q. Who was saying, "We want to sue the cruise  
25 line"?

1           A.     The first time I ever heard it was from  
2 George, Sr. He came to our beach house and said, "I'd  
3 like to sue the cruise line for \$100 million." He  
4 wanted his pound of flesh.

5           Q.     Was anyone else with him?

6           A.     My grandmother, family members. It was kind  
7 of like a -- I think it was feeling, you know, very  
8 angry at that time, for good reasons. Everybody has  
9 different --

10          Q.     Was Maureen there?

11          A.     Bree was there, Maureen, the baby, Grayson.

12          Q.     Was there a particular purpose of you all  
13 being together at that time?

14          A.     Yes. We invited them over because my family  
15 wanted to see his family, and they were in their Newport  
16 house. During that time, we were grieving together.

17          Q.     Was there any indication given before George  
18 made that statement that they wanted to come over and  
19 talk about something like this?

20          A.     No. That was not the purpose of the visit.  
21 The purpose of the visit was for families to grieve  
22 together.

23          Q.     What was the general reaction to the people  
24 present when George made that statement?

25          A.     I think nobody really just wanted to keep

1 talking about it. It seemed at that time out of place  
2 for that setting.

3 Q. When was the next time the topic came up or  
4 any steps were taken with regard to --

5 A. When I would go over to the Smith's house,  
6 they would constantly talk about how angry they were at  
7 the cruise line and how often --

8 Q. Who is "they"?

9 A. Maureen, Bree, George, and the baby. At this  
10 point --

11 Q. The baby wasn't talking yet?

12 A. No. Bree is married, or was married I should  
13 say, since then has been divorced or whatever. So that  
14 is why the baby is there but not talking.

15 Q. And how long did this go on for? Were these  
16 general discussions? Would that be fair to say? They  
17 were general discussions about a lawsuit against the  
18 cruise line?

19 A. It wasn't so specific to exactly what or what  
20 we were talking about today in terms of like specific  
21 things or like talk about litigation. It was never that  
22 specific. It was just anger, and it was about -- just  
23 word was thrown around very loosely, "take down the  
24 cruise line." This is from George, Sr. specifically,  
25 and obviously, eventually Maureen and Bree were very

1 much adamant that they were just going to sink the whole  
2 industry.

3 Q. Did you contribute to those conversations in  
4 any way? Did you have thoughts on that?

5 A. At that time I was there for the objective of  
6 gaining strength from them and grieving with them and  
7 being comforted by the fact that they were an extension  
8 of George in many ways, and it was comforting for me to  
9 be around them at that time.

10 Q. How did it come about that you first spoke to  
11 an attorney regarding any action relating to George's  
12 disappearance?

13 A. I had slept over the Smith's family's home.

14 Q. Can you give me a month?

15 A. In October.

16 MR. BROWN: Don't guess.

17 A. It was Jim -- the reason why I am saying the  
18 first time was it actually ended up being Jim Walker  
19 they interviewed. They said, "We are going to start our  
20 interviewing process."

21 Q. Meaning for attorneys?

22 A. For attorneys, and "Jen" -- they said, "We  
23 know that right now maybe you are not ready or willing  
24 to" -- I shouldn't say "willing," but right now they  
25 thought we know you are still in this heavy grieving

1 stage, and maybe you are delicate right now, so we are  
2 just going to start the process of picking out an  
3 attorney because you are George's wife, and we are going  
4 to -- we will do sort of like the work. We will do the  
5 interviewing and we will get somebody, and I am just at  
6 this point taking it all in. Bree is an ex-attorney, so  
7 she obviously had some wherewithal in this area.

8 Q. And --

9 A. And so I would walk up, and Jim Walker shows  
10 up, not knowing that I was going to be there. He  
11 thought he was just meeting with the Smith family to  
12 talk about the case in general. I certainly had known  
13 his name also. Bree had kind of orchestrated this  
14 meeting, but before he had even showed up --

15 Q. This is October in Greenwich?

16 A. This is in Greenwich. I don't know if  
17 specifically in October, in Greenwich, in the fall. And  
18 I had already done -- she was saying, "Check out this  
19 person," or "Do this." So this day and age people get  
20 online and start checking things. One thing I did  
21 remember was he had a very credible looking website. He  
22 had gone to Duke, that he seemed like a smart guy.

23 Q. First impressions --

24 A. First impressions are lasting, went to Tulane  
25 Law or whatever. Everyone has got their resume. I was

1 sizing him up, like Bree was. I was trying to figure  
2 out who are these people we are meeting with. He comes,  
3 and Bree and the family -- Maureen, George, me, and  
4 Bree, we were sitting there at their dining room table.  
5 Jim came in, very sort of -- like not very -- ask the  
6 question. I'm sorry.

7 Q. Jim came in and --

8 MR. WALKER: I can't wait to hear it.

9 A. He was very nice and very cordial, and the one  
10 thing that stuck out from the whole meeting was that he  
11 didn't have a contract with him and he didn't -- maybe  
12 we were lucky if he like had a business card, but he  
13 wasn't trying to -- he didn't appear to try and, you  
14 know --

15 Q. No hard sell?

16 A. Exactly.

17 Q. When was a -- strike that. When did you  
18 become personal representative of George's estate, if  
19 you know?

20 A. I believe the end of October, early November  
21 time, so late fall.

22 Q. And was there a point after you became  
23 personal representative that you made the decision to go  
24 ahead with at least exploring a lawsuit against the  
25 cruise line?

1 A. Prior to that, we were --

2 MR. BROWN: Answer. Just answer the  
3 question.

4 MR. KELLY: Could you read the question  
5 back?

6 (Question read.)

7 Q. And after that, did there come a time you  
8 actually retained Mr. Walker for that purpose?

9 A. Yes.

10 Q. Do you recall what month that was?

11 A. Within shortly thereafter, within a couple of  
12 weeks of becoming the personal representative of the  
13 estate. It may have been immediately after, sometime --

14 Q. Probably November?

15 A. Yes.

16 Q. Now, there was a time -- it still may be the  
17 time that you were critical of Royal Caribbean. Would  
18 that be fair to say?

19 A. Yes.

20 Q. One of your criticisms, just to paraphrase,  
21 was that the crime scene had not been properly secured;  
22 is that correct?

23 A. Yes.

24 Q. And secondly, I think you had said that there  
25 was a premature decision to treat George's death as an

1 accident that made getting to the truth impossible. Do  
2 you remember saying that?

3 A. I don't remember saying that. Can you tell me  
4 when I said that, so I can try to jog my own memory?

5 MR. BROWN: Just --

6 A. You are just paraphrasing. You are not  
7 quoting, you say?

8 Q. Did you say at some point you thought Royal  
9 Caribbean concluded prematurely that George's  
10 disappearance was an accident?

11 A. I remember a general feeling from our  
12 families, and the general feeling at that time was that  
13 perhaps more could have been done. What "more" was, I  
14 don't know.

15 Q. I am asking you about specifically, Jen. Did  
16 you feel that the Royal Caribbean at some point  
17 prematurely felt that George's disappearance was just an  
18 accident and nothing else?

19 A. Yes. I think that they should have -- as we  
20 all should be, open to all options.

21 Q. Did you after talking to Dr. Henry Lee, who  
22 was an expert that was retained to do an examination,  
23 also feel after talking to him that the crime scene had  
24 not been properly secured, and that if it had been, you  
25 would have had more answers?

1           A.     Yes, because Dr. Lee is an expert in his  
2 field, and there are certain things that Dr. Lee  
3 later -- for example, the rug in the room was taken,  
4 that was not initially taken, that Dr. Lee wanted to  
5 extract. So that in itself was one piece of perhaps  
6 evidence that was not initially taken that we later  
7 learned, you know, from experts that perhaps it could  
8 have even been more thorough.

9           Q.     Did Dr. Lee ever mention to you about a blood  
10 stain that was on the balcony that could have been  
11 indicative of murder?

12          A.     No. He did, however, find a smear or  
13 something of some sort. He did not call it blood or  
14 semen, but it was some type of -- he believed he found  
15 some bodily fluid on the balcony that could have been  
16 George's. Could have been somebody else's, however.

17          Q.     That was indicative of foul play maybe?

18          A.     Indicative of finding bodily fluid outside of  
19 the cabin, whatever that may be indicative of.

20          Q.     Were you also critical of Royal Caribbean  
21 about letting the ship leave port in Turkey as quickly  
22 as it did?

23          A.     I was very critical of the cruise line for  
24 many things.

25          Q.     I am just trying to pick through the --

1           A.     That may have been one of them. There was  
2 many things that could have been done better or  
3 differently.

4           Q.     Just sitting here today, can you relate some  
5 of those to me, the criticisms you had of Royal  
6 Caribbean, what should have been done differently?

7           A.     Well, I think that just their -- in the  
8 beginning, I thought maybe communicating more with our  
9 families would have been something that would have been  
10 appreciated. I thought that, you know, if this was my  
11 ship, and I was the captain or if I was the president,  
12 that maybe on a more personal level right from the  
13 start, that I would have met with them perhaps or talked  
14 to them because I think that -- because I have learned  
15 2 years later that communication is key. And obviously,  
16 throughout this ordeal that has been a key element to  
17 some really unnecessarily difficult times for all  
18 parties involved.

19          Q.     Going back to what I asked you a minute ago,  
20 were you ever critical of Royal Caribbean for letting  
21 Brilliance Of The Seas leave Turkey as quickly as it  
22 did?

23          A.     I do not recall specifically telling them --

24                   MR. BROWN: The question was are you  
25 critical, wasn't it?

1 Q. Were you at some point critical of Royal  
2 Caribbean -- did you ever make any statements,  
3 paraphrasing, that they should not have let the ship  
4 leave port as quickly as it did without interviewing all  
5 passengers and things like that?

6 A. When you say that, my first thought is just  
7 remembering being at this mess, and that was the  
8 constant thing in my head. That was -- kind of their  
9 whole thing was it should never have left the port,  
10 different schools of thought on that. So people think  
11 the investigation was done and it was over, and it was  
12 fair game and they could leave, and some people think  
13 that you know what, we don't know what happened.

14 Perhaps it was premature. Depending on what  
15 you believe happened, it is very subjective, and I think  
16 that in the beginning there was just so much grief and  
17 anger that we all just wanted more. People wanted more  
18 answers. We wanted more time. We just wanted more  
19 anything because we didn't know anything, so we were  
20 highly critical of everybody's move every step of the  
21 way because everybody -- it was a very difficult time  
22 for us.

23 Q. What I am asking you specifically, Jen, do you  
24 recall you specifically being critical of Royal  
25 Caribbean for letting Brilliance Of The Seas leave port

1 in Turkey as early as it did without interviewing all  
2 the passengers? Do you remember being critical?

3 A. I don't remember having all that thought  
4 together. Maybe I was critical of portions, but there  
5 was a lot wrapped in there. If you want to break it  
6 apart and ask each piece over, that might be easier for  
7 me.

8 Q. I have already tried that. Try at this again.  
9 Were you ever critical of Royal Caribbean for letting  
10 Brilliance Of The Seas leave port as quickly as it did  
11 in Turkey?

12 MR. BROWN: I am going to object. It was  
13 asked and it was answered.

14 MR. KELLY: She gave the two different  
15 schools of thought. I am asking her specifically --

16 MR. BROWN: Then she said that they  
17 were -- I think she meant the Smiths and herself --  
18 critical.

19 A. I think it was like not me -- in the  
20 beginning, during that time, we were critical of as  
21 family. At that time we were together as a family.  
22 Individually was it my own thought, did I come up with  
23 that myself, probably.

24 Q. I am saying in the interview, did you ever say  
25 that?

1           A.     I don't remember in an interview ever saying  
2 that.

3           Q.     Would it be fair to say generally you had  
4 multiple criticisms of Royal Caribbean's handling this  
5 disappearance?

6           A.     Yes.

7           Q.     A lot of these criticisms were voiced by you  
8 early on in the investigation, the first month or two?

9           A.     Again, they were voiced collectively by our  
10 family as one in the beginning of the investigation, in  
11 those beginning months.

12          Q.     Those included you?

13          A.     Which included me.

14          Q.     Of those criticisms you had of Royal Caribbean  
15 back then, are you still critical of them today, in  
16 terms of what you thought previously?

17          A.     I think there are many things that I would  
18 still be highly critical of.

19          Q.     Can you tell me what those are?

20          A.     You know, I think it is not an easy answer  
21 simply because this has been the most devastating thing  
22 that could happen to a person. I don't feel as though  
23 there is one specific area where they really just  
24 dropped the ball more so than another area, but the  
25 fact -- I will say we don't have an answer, and it is

1 2 years later.

2 If there was any way to have maybe got the --  
3 let the US FBI there, for example, or just have staff  
4 investigate it fully for a week, maybe we wouldn't be  
5 sitting here today because maybe all these questions  
6 would have been asked and done and exhausted. But  
7 because of the manner in which this dramatic tragedy  
8 played out, there are just a lot of pieces, a lot of  
9 stories, a lot of rumors, a lot of speculation. And  
10 unfortunately, it is very sad, but because in the  
11 beginning the way it was portrayed in the media, and  
12 just the way it was all laid out in the beginning meant  
13 for a very rocky road ahead that none of us ever could  
14 have anticipated.

15 Q. Very specifically, Jen, to this day, would it  
16 be fair to say that you are critical of Royal Caribbean  
17 for not securing the crime scene at that time?

18 A. I have subsequently learned --

19 MR. BROWN: He asked a question.

20 A. Today I would say that I know differently now  
21 what they thought. I have learned what their mindset  
22 was, and they didn't believe -- I was critical of them  
23 before I knew what they thought. I know now, whether it  
24 be an interview on TV or whatever, that they felt that  
25 they were doing everything that they were supposed to

1 do. They thought they did their job.

2 Q. So you are no longer critical of them for not  
3 securing the crime scene at the time?

4 A. I don't think that is a fair statement or fair  
5 assessment of what I am saying. I am simply trying to  
6 say that over the course of time -- you know, knowledge  
7 is power, and I have learned more about their actions,  
8 and I understand why maybe they did some things in the  
9 beginning that they did whereas it didn't make sense to  
10 me then or his family, George's family.

11 MR. BROWN: Maybe it is the word  
12 "critical."

13 Q. Let me ask a question. Could you tell me what  
14 things you understand Royal Caribbean did that you now  
15 understand more fully that you were critical of  
16 previously or didn't agree with previously?

17 A. At that time of the tragedy, the word, the "M"  
18 word, "murder," was never uttered, never thought, never  
19 assumed. And it wasn't until Bree, and you know, the  
20 Smith family said, "There just isn't absolutely any way  
21 this can be an accident," that other ideas of what had  
22 happened were even thought of as possibilities.

23 So at that time, when everybody was told and  
24 everybody thought that it was an accident, there really  
25 wouldn't be any reason to keep a ship docked somewhere

1 for a week to investigate an accident because that is  
2 just not their protocol. However, if it was something  
3 more than that, then it would have been different. At  
4 that time, nobody thought it was more than that.

5 Q. So looking back now, you think Royal Caribbean  
6 was prudent under the circumstances, in the actions they  
7 took?

8 A. They really believed it was an accident. Then  
9 they did what they needed to do. They followed their  
10 own protocol. That is for the FBI to make sure they  
11 have ironed out with Royal Caribbean. That is where the  
12 FBI and I -- you know, I look to them to investigate  
13 that further. I hope that -- I can only hope that RCL  
14 has been 100 percent forthright with the FBI.

15 Q. I didn't understand the last sentence.

16 A. I can only hope that RCL has also been --  
17 Royal Caribbean has also been a hundred percent  
18 forthright with the FBI.

19 Q. I had asked you earlier about TV interviews  
20 you had done regarding this whole incident. I think we  
21 agreed it was Scarborough, Oprah, and one of the early  
22 shows?

23 A. The Morning Show.

24 Q. One of the network morning shows. First of  
25 all, with Oprah, can you tell me how it came about --

1 strike that. Your first appearance was on Scarborough?

2 A. Yes.

3 Q. Could you tell me how it came about that you  
4 ended up giving an interview with Joe Scarborough?

5 A. We were down in Washington DC for --

6 Q. Who is "we"?

7 A. George's family; Maureen, Bree, and George,  
8 Sr., members of a group of individuals, which then  
9 became called International Cruise Victims, ICV.

10 Q. Carver?

11 A. Ken Carver and other high profile individuals  
12 who have had some sort of cruise tragedy occur. That  
13 went down to Washington DC.

14 Q. Brimbley or Brumbley?

15 A. I don't know if they were there at that time,  
16 went down to Washington DC in support of safety and  
17 security changes on cruise ships.

18 Q. And as a result of being down in Washington  
19 DC --

20 A. And as a result of being down there, Joe  
21 Scarborough, which was -- at that time had been covering  
22 this tragedy, and Maureen, George, and Bree and myself  
23 had seen him cover this tragedy, and he seemed very fair  
24 in his assessments. And he was sort of on the family  
25 side of things and sort of critical of the cruise line,

1 so they really -- "they" being Maureen and George, said,  
2 "If we ever do anything, you know, we have to go to Joe  
3 because he has been our fighter," so to speak.

4 Q. Did someone reach out to you specifically to  
5 go on the show?

6 A. I don't remember specifically how it all came  
7 about, maybe perhaps Jim. I don't even want to guess.  
8 Maybe Joe called or -- I don't know how it all happened.  
9 That was a long time ago now.

10 Q. Did you speak to Scarborough at all before you  
11 went on the show?

12 A. No, not that I recall.

13 Q. Did you seek clearance from the FBI before you  
14 went on the show?

15 A. Yes. I had had talks with FBI always  
16 regarding things that I could talk about or things that  
17 I could not talk about.

18 Q. Who at the FBI did you have those  
19 conversations with?

20 A. I always talked to Sean about those things.

21 Q. What was discussed between you and Sean with  
22 regard to that?

23 A. Well, I had taken the polygraph test and I had  
24 done a number of things with the FBI at this point, and  
25 those were not to be discussed. And he also -- the

1 discussion about where I was found and that I didn't  
2 remember anything was not to be discussed because  
3 specifically it was thought that I would be giving  
4 somebody an alibi if some of the so-called "suspects"  
5 had known that I didn't remember anything or I didn't  
6 know or this is -- how I was found unconscious, then  
7 that could possibly create a problem.

8 Q. So Sean specifically told you not to discuss  
9 those areas --

10 A. Yes.

11 Q. -- in public at all?

12 A. Yes, at that time, yes.

13 Q. Did that ever change?

14 A. I one time begged him to. I said, "All right,  
15 enough, enough," like you needed to call -- "you need to  
16 tell them I have done a polygraph and you need to tell  
17 them I have done whatever because I am trying to do the  
18 best I can," but at what cost. It was clearly breaking  
19 our families apart, and it was very sad.

20 Q. After Scarborough, that is when you went on  
21 Oprah?

22 A. Yes.

23 Q. How long after Scarborough did you go on  
24 Oprah?

25 A. How long after?

1 Q. Approximately? I mean, was it months or a  
2 month?

3 A. A couple months, a few months.

4 Q. Can you tell me how all that came about?

5 A. Yes. I remember that Christmas, it was  
6 just --

7 Q. '05?

8 A. Christmas of '05. It was an all time low. At  
9 hearings we had already had some sort of issues between  
10 the families, sort of falling out, so to speak, that was  
11 mildly building.

12 Q. Would it be fair to say that that surfaced,  
13 the issues, somewhere around the congressional hearings?

14 A. Yes.

15 Q. Did that predicate a rift?

16 A. I had asked to sit with them at the hearings.  
17 Prior to that time -- there are a couple of things that  
18 our families at that time or that I and the Smiths did  
19 not agree on or with, one being early on, they had  
20 wanted me to go see a psychic or something like that,  
21 and Sean -- we told Sean, and Sean said, "That's nuts.  
22 Absolutely not. Not only are they not bound by any  
23 confidentiality or whatever, but this is crazy." And I  
24 didn't have the heart to tell like Maureen, and asked my  
25 dad. "Just tell the Smiths you don't feel comfortable."

1 Q. Was this before going to DC?

2 A. Before going to DC, very early on. This was  
3 one of the building -- and they thought it was very odd.  
4 I didn't want to go do it. At the same time, it wasn't  
5 that I didn't want it. It is for a number of reasons,  
6 but mainly the FBI was like, "Absolutely not. That is  
7 so hokey, like don't even think about it," and also  
8 religious reasons and personal beliefs as well. It is  
9 just not something I personally would do at any stage of  
10 my life.

11 The next thing that started building the  
12 families apart was the talk about the prescription  
13 drugs. We were already all over the news, and George's  
14 name was, the heavy drinking, and it was just like that  
15 was all being played out on TV. So we said --

16 Q. Where had you ever heard about George's heavy  
17 drinking or prescription drugs prior to this time in the  
18 public arena?

19 A. Prescription drugs weren't talked about, so  
20 that was the big missing piece, which people have never  
21 known about, is that he was not just drinking, but he  
22 was also on prescription drugs.

23 Q. Did you feel that he was being bashed or  
24 portrayed as a boozer?

25 A. Yes.

1 Q. Early on?

2 A. Yes.

3 Q. Do you recall anywhere anybody specifically  
4 or --

5 A. Just on the news. I don't remember what  
6 specific shows, but --

7 Q. Did you think you were also or just George?

8 A. I think, you know, collectively as a couple,  
9 but you know, what was infuriating to me is because he  
10 was no longer alive. With me it was -- I felt like I  
11 couldn't protect his honor. It was all going to make  
12 him -- I didn't really care about myself or my  
13 reputation.

14 You have seen -- I am sure it all over the  
15 news. It is what it is. I haven't looked wonderful in  
16 the news, you know, rumors, this, this, that allegation.  
17 It has been difficult, but that doesn't really matter to  
18 me because at the end of the day what does matter is I  
19 felt a need to protect George. He is the one that is  
20 not here. You know, his family, and me as his wife, I  
21 felt like that would be the last straw.

22 That is all the media would need, was to find  
23 out that he was also on prescription drugs. And it may  
24 not have been a big deal to the Smith family, and they  
25 made that very clear to me. They were ashamed of me.

1 They said that I thought -- for some reason ashamed of  
2 me in the way that I thought because they thought it  
3 was -- for whatever reason, they just thought that that  
4 is no big deal, and I was trying to explain that  
5 although we may not think it is a big deal, that America  
6 might think it is a big deal, and that that would  
7 further sully his name and his family, in my mind,  
8 thinking they really want to know family history.

9 He is on prescription drugs, and Zoloft can be  
10 taken for anxiety but can also be taken for depression,  
11 so now then you are probably going to get people  
12 starting to think all kinds of things. And it just  
13 didn't seem -- as his wife, I felt like it is just not  
14 appropriate, that your medical records are your own and  
15 it is a very private thing. Why do we want to share  
16 this with America? It didn't seem appropriate.

17 Q. How or what context did this come up where you  
18 and the Smiths were at juggerheads regarding  
19 prescription drug use of George?

20 A. Well, it came about when both of our families  
21 were, you know, talking to various attorneys and trying  
22 to figure out what we were going to be doing, and Bree  
23 had a conversation -- my father and I were talking about  
24 if we got to, you know, trial, and during the deposition  
25 this would come out, that he was on prescription drugs,

1 and it is like a missing piece.

2 Don't you think if Royal Caribbean knew this  
3 that they would have a field day with it, and there  
4 would be the case in a nutshell, so we were talking  
5 about this. This was a very big deal and it was a real  
6 thing to talk about. And when we brought it up with the  
7 Smiths, it was as if we just, you know, said something  
8 horrifying. They didn't want to acknowledge -- they  
9 didn't want to acknowledge that that was a critical  
10 factor with regard to this case. And that scared me  
11 because how could you only pick out the bits and pieces  
12 that are going to be favorable to the case but then shut  
13 out all the things, all the other applicable elements?

14 Q. The thought process that you are talking about  
15 now in terms of George's prescription drug use being  
16 disclosed, were these conversations that had come up  
17 before the Washington trip?

18 A. Yes, yes. This was in October. This was  
19 before the Washington trip. Our families had started to  
20 split in -- I would say around the October time. The  
21 last time we did something together was on George's  
22 birthday that year, which was October 3rd. We wrote a  
23 letter. I was over their house. I wrote this nice  
24 letter for like in memory of George with his mother, and  
25 we signed it together as a family.

1 I had my parents in there, too, and it was a  
2 strange, odd -- they wanted my parents out of the  
3 letter, which I thought was odd. But I said, "Okay."  
4 Maybe they just want -- anytime they would hear like my  
5 family had feelings, too, or was grieving, they just --  
6 for whatever reason, it was a touchy area.

7 Regardless of that, getting back to the sort  
8 of real falling out with the prescription drugs, it was  
9 conversation between, you know, Bree and my father.  
10 They were talking about, you know, different lawyers,  
11 prescription drugs, because they were really speaking to  
12 each other at that time.

13 And my father said, "Well, I don't think,  
14 Jennifer, it would be good to have this deposition."  
15 And that was misconstrued into that I was -- somehow I  
16 didn't want to give a deposition or I was scared to, but  
17 it was always really striking to me or ironic that not  
18 only am I sitting here getting a deposition here today,  
19 I am clearly not afraid.

20 It was never about that. It was about this  
21 piece of information I thought was vital. It was very  
22 important. And Bree had made a comment to my father.  
23 "Well, I think that is quite odd that Jennifer doesn't  
24 want to be deposed." And we were kind of like, that is  
25 not what was said. It was what was going to be in that

1 deposition that would be damaging to the case down the  
2 road. So lo and behold, this causes another friction  
3 and this causes a big issue. I call Sean, the FBI, to  
4 let him know what is going on.

5 Q. Is this still before the Washington trip?

6 A. Still before the Washington trip. I call Sean  
7 at the FBI. I have already taken the polygraph with  
8 Sean. I was like, "Sean, I want to let you know, you  
9 may get a call from the Smiths. They are going to say  
10 something in regard to I don't want to be deposed." I  
11 like, you know, "We know we have done the polygraph and  
12 all that. It is about the prescription drugs and what  
13 is going on."

14 He goes, "Jen, I already know." He told me  
15 Bree had already called him and said basically, "You  
16 might want to check out Jennifer a little further. She  
17 doesn't want to be deposed." I find that quite odd.

18 Q. Without saying anything about the prescription  
19 drug aspect of it --

20 A. No. Leaving that part out, which was the  
21 whole basis of the reason why -- first of all, who wants  
22 to be deposed? I don't know about you, but there are  
23 better things to do than sit and rehash a very painful  
24 and traumatic time in your life with somebody that you  
25 don't know that well. But to say that somebody doesn't

1 want to for the wrong reasons, that they have something  
2 to hide, was a really unfair thing to do, and I really  
3 took that personally. It was a shot at my integrity and  
4 just my character. That was -- that is when it really  
5 began.

6 Q. When you went to Washington, was the rift  
7 there then?

8 A. Yes, but I was trying to bridge our families  
9 together, so I called them and said, "I would like to go  
10 down with you. I would like to sit next to you." And  
11 Maureen wrote me an e-mail back, basically saying, "No  
12 way." They said, "In public we will pretend to be  
13 together, but you know, like morally we are not with  
14 you," which was obviously very hurtful at that time to  
15 hear.

16 She says, "As you know, we are suing" -- and  
17 this is like almost verbatim. "We are suing separately,  
18 so this will not affect our lawsuits." And it was just  
19 a very cold e-mail.

20 Q. Have you saved e-mails between you and any  
21 members of the Smith family?

22 A. Just I have that one and just the couple. I  
23 literally may have like three e-mails. The reason I  
24 have them is because I sent them to the FBI because they  
25 needed to know what was going on behind the scenes, so

1 that when they get a call from Bree such as that, that  
2 they know what has been going on.

3 Eventually the FBI said, "Hey, look, sad but  
4 true. We saw this coming a mile away. It happens.  
5 This is a traumatic thing, a tragedy you guys went  
6 through. And at some point, Jennifer, you have to just  
7 do what is right for you and stop worrying about  
8 everybody and just trust that" --

9 Q. Have you saved any of your e-mails to any  
10 members of the Smith family?

11 A. My e-mails to them?

12 Q. Yes.

13 A. I mean --

14 MR. BROWN: Have you? Have you --

15 A. I could go search my -- yes, just those, the  
16 ones I had sent to the FBI.

17 MR. KELLY: I am going to make a request  
18 for any e-mails that have been saved regarding  
19 communications between Jen and the Smith family or that  
20 were provided to the FBI and her responses.

21 THE WITNESS: Sure.

22 Q. There came a time that you made a decision --  
23 do you want take a break or something?

24 A. He was yawning, and I was trying to wake him  
25 up.

1 MR. KELLY: Off the record.

2 (Off the record discussion.)

3 Q. There came a point that there was a decision  
4 made to settle any potential lawsuit between yourself,  
5 Jen, personal representative of George's estate, and  
6 Royal Caribbean rather than filing suit; is that  
7 correct?

8 A. Come again.

9 Q. There was a decision made to settle any  
10 potential claims you, as personal representative of  
11 George's estate, had with Royal Caribbean rather than  
12 file suit?

13 A. Yes.

14 MR. BROWN: Can we go off the record for  
15 a minute?

16 MR. KELLY: Sure.

17 (Off the record discussion.)

18 Q. Did there ever come a time that you met  
19 directly with members of Royal Caribbean for purposes of  
20 settling claims relating to George's disappearance?

21 MR. BROWN: I just want a very short  
22 answer.

23 Q. "Yes" or "no," if you can answer it?

24 A. Yes.

25 Q. And more than one occasion, if you can answer

1 "yes" or "no"?

2 A. Off the record.

3 MR. BROWN: No. You can't go off the  
4 record.

5 Q. If you want to talk to him --

6 A. I had questions. I thought this is the part  
7 where I am not supposed to talk.

8 MR. BROWN: Let's go off the record.

9 (Off the record discussion.)

10 (Record read.)

11 A. Yes.

12 Q. Was that on three separate occasions that you  
13 met with representatives of Royal Caribbean in terms of  
14 trying to resolve this matter?

15 A. Yes.

16 Q. And you were present there with your counsel,  
17 Mr. Walker, also?

18 MR. BROWN: Objection. I think there is  
19 some questions that you are going to ask that are going  
20 to violate some confidentiality provision.

21 MR. KELLY: Just that he was there and  
22 there was a mediation.

23 MR. BROWN: There isn't anything about  
24 being a mediation.

25 MR. KELLY: Off the record then.

1 (Off the record discussion.)

2 MR. BROWN: For the record, there are  
3 certain questions or things that you are going to ask  
4 about settlement negotiations that may violate Florida  
5 law regarding confidentiality of settlement discussions  
6 with respect to a claim, and that is going to be the  
7 purpose for our objecting and instructing Jennifer not  
8 to answer the questions. So feel free to ask questions.  
9 At certain points I am going to have to object and  
10 instruct her not to answer.

11 MR. KELLY: That I understand. My  
12 position would be, so the court does not consider the  
13 issue in a vacuum and has some framework to consider the  
14 issue in, that we establish that your client and counsel  
15 were engaged in multiple mediations with Royal  
16 Caribbean. And then we would go to the court in terms  
17 of her being allowed to answer in terms of any of the  
18 details of those discussions or what was said or what  
19 was talked about.

20 But for now all I would like to establish is  
21 that the time she did meet with Royal Caribbean was at  
22 mediations and not at a bar, not by herself, you know,  
23 in their offices or something like that, that she sat  
24 down with counsel for mediations with representatives of  
25 Royal Caribbean, and leave it at that.

1 MR. BROWN: To the extent that those  
2 questions elicit those answers, you know, answers with  
3 that narrow purpose, then that will be okay.

4 MR. KELLY: Trying to keep it "yes" or  
5 "no" if we can. So can I have the last question I  
6 asked?

7 (Question read.)

8 A. Yes.

9 BY MR. KELLY:

10 Q. And were these scheduled mediations with Royal  
11 Caribbean for the purposes of discussing a settlement,  
12 just "yes" or "no"?

13 A. Yes.

14 Q. Now, could you please -- with regard to the  
15 first meeting between yourself, your counsel, and Royal  
16 Caribbean, tell me in general terms the discussions that  
17 went on at this mediation the first time?

18 MR. BROWN: Objection. That violates the  
19 confidentiality rules under Florida rule on settlement  
20 discussions. Do not answer the question.

21 MR. KELLY: Is it my understanding,  
22 counsel, that you are not going to allow her to answer  
23 any questions relating to the context of the discussions  
24 at the three mediations?

25 MR. BROWN: Yes, it is.

1 MR. KELLY: If we could just mark that,  
2 and we will take it up with the court in terms of that  
3 part of it. Off the record.

4 (Off the record discussion.)

5 Q. Now, Jen, getting to your own thought  
6 processes, you individually with regard to settlement of  
7 any claims you may have had with regard to George's  
8 disappearance -- that is what I am going to ask you  
9 about now. Did there come a time that you made a  
10 decision that it would be proper to settle any claims  
11 you might have on George's behalf rather than pursue  
12 litigation?

13 A. There did come that time. Hence the  
14 settlement in principal and some of the ideas behind  
15 that thought process were -- I don't know if you are  
16 aware of it or what it means, but there is a couple --

17 MR. BROWN: You answered the question.  
18 Let him ask you follow-ups.

19 Q. Could you tell me your thought processes  
20 behind your decision to settle the litigation rather  
21 than pursue it?

22 A. Yes. There are a couple of maritime laws. I  
23 am not sure how familiar you are with them, one of them  
24 being, for example, the Athens Convention, which would  
25 limit this case or our case to \$58,000 if it applied.

1 Obviously, very intricate law, which pretty much just  
2 talks about passengers traveling, depending on what port  
3 they are traveling from and which laws would be  
4 applicable overseas. The other maritime --

5 Q. Let's stop with that one first. What was your  
6 understanding of why the Athens Convention would limit a  
7 recovery to 58,000 if it applied?

8 A. Well, if it applied -- it is important to know  
9 that both George and I signed our passenger tickets, and  
10 in the passenger tickets there may be some language  
11 referencing this Athens Convention. Whether or not we  
12 knew what we were signing at the time, who knows, but  
13 unlikely. But we did sign them, and probably waiving  
14 some of our rights at that time voluntarily, and we have  
15 copies of those tickets, I believe, somewhere. Also,  
16 the Athens Convention --

17 Q. Before you move on, where did you come up with  
18 the number 58,000?

19 A. It is a general number. I don't know if I  
20 heard it first from -- I know a number of attorneys have  
21 brought up the Athens Convention. I believe I learned  
22 it from my counsel, and I think that it is -- you are a  
23 maritime attorney, or anybody down in Miami would know  
24 what this is, and certainly spoofs many attorneys when  
25 they are talking about just not our case but a lot of

1 the maritime cases when it is a passenger we left in  
2 Barcelona. This ship didn't leave from a US port.

3 Q. I am going to stop you for a second. The  
4 amount of the 58,000, this is what I am specifically  
5 asking you about. Do you know where that number came  
6 from? Was that based on a formula of something or a  
7 calculation based on something? Was that based on lost  
8 luggage, lost year's income, or what is that --

9 A. It is specific to the Athens Convention, so it  
10 didn't have to do with lost luggage or anything that we,  
11 George and I, would carry. It would be just something  
12 that is built in. It is a general rule of thumb, and I  
13 would have learned that -- if you want more specifics, I  
14 would probably suggest you can ask Jim those questions,  
15 Jim Walker, because he is the expert. He certainly  
16 knows a lot more of the intricacies of the Athens  
17 Convention than I do in general, so you have an idea it  
18 limits the recovery if that was applicable.

19 Q. Yes. Very specifically, you don't know where  
20 that number 58,000 came from, what it was based upon or  
21 calculated from the number you put out there?

22 A. The first time I have heard that number was  
23 early on. I don't remember if it came from my attorney,  
24 Jim Walker. I know he mentioned it since then, but the  
25 first time I heard those figures were back in the fall

1 of 2000 --

2 Q. Five?

3 A. Five.

4 Q. Do you know what those figures or that figure  
5 was calculated from? That is what I am trying to get  
6 at. You were told that you could only recover like  
7 one year's lost income of George's or you could only  
8 recover X amount of dollars regardless or --

9 A. I will research it for you, and I would --  
10 sometime before status conference I will give you that  
11 information. I don't recall at this time how the number  
12 is derived. I do know it is not lost luggage.

13 Q. I understand. I was asking, do you know where  
14 it was derived from? Is your answer you don't know  
15 where the number 58,000 came from?

16 A. Not specifically at this time.

17 Q. Generally do you know where it came from?

18 A. Generally, from research I have done online,  
19 and research and information I have gained from maritime  
20 attorneys.

21 Q. What research did you do online that led you  
22 to the number 58,000?

23 A. In general I have just researched Athens  
24 convention, the law itself. The actual figures were  
25 thrown out a couple of times by various maritime

1 attorneys, all around that \$60,000 range. Some people  
2 had said around 60 or whatever, but they knew, and they  
3 all would come back to that same figure. So clearly it  
4 must be written down somewhere, and I will find that for  
5 you.

6 Q. If you would be kind enough to provide that to  
7 me at some point. Nobody ever told you where they came  
8 up with that 58 or \$60,000 number?

9 A. I think I answered the question.

10 Q. I guess we disagree.

11 A. I'm sorry. I wish I had a better answer for  
12 you at this time. I will. I promise to come back  
13 before the status conference to give you a better  
14 answer. I can research the Athens Convention.

15 Q. As you sit here right now, you don't know what  
16 that number was calculated upon?

17 A. How that 58,000 comes, no, not at this time.

18 Q. That was the first reason you said you were  
19 inclined to settle rather than pursue litigation. Could  
20 you tell me --

21 A. No, that is not what I said. I was saying  
22 that is one of the reasons or one of the possibilities  
23 that we needed to look at when we decided to settle.  
24 There were a number of other reasons that I would like  
25 to share.

1 Another law that could be applicable is the  
2 Death On The High Seas Act, or some people call it  
3 DOTHSA. That would limit any recoveries to pecuniary  
4 damages, so just about money. It is not about emotional  
5 distress or has nothing to do with families and their  
6 grieving and how they feel and they angry they are. It  
7 is simply lost wages and loss of support, so for  
8 example, what George would have been making over his  
9 lifetime. And it is calculated based on projected  
10 income, and there is a formula.

11 And the second is loss of support. For  
12 example, like did he mow his parents' lawn on a weekly  
13 basis? Did they pay him for that and did they owe him  
14 something for that? That is it. That is strictly the  
15 limits. So if this would be Death On The High Seas Act  
16 and the wrongful death would fall under that, then it  
17 would be limited to whatever that would be.

18 Again, too, if you have questions about DOTHSA  
19 or whatever, I can have my counsel, the maritime -- Jim  
20 Walker I am sure can give you both laws. He knows a lot  
21 in that area. And then the other --

22 Q. How old was -- I'm sorry.

23 A. I'm sorry. Can I finish my question, just  
24 because there is other reasons, and the question I think  
25 is important simply because it is a pretty important --

1 Q. I'm sorry.

2 A. The other reason is besides maritime laws, you  
3 know, there was this establishing fault, whose fault was  
4 it and what happened. You know, I can ask anyone in the  
5 world today, and we haven't been able to determine not  
6 only what happened, but if something did happen, was it  
7 an accident, was it murder.

8 I don't know, and I think that if it was --  
9 say it was an accident, is Royal Caribbean at fault, and  
10 how will we be able to prove that, and you know, what  
11 will that cost to prove, and there will be no -- what  
12 will the outcome be. They are certainly a huge industry  
13 with deep pockets, and I am sure it would be on either  
14 front just a difficult battle ahead and costly.

15 Also, there is -- if this had gone to  
16 litigation, certainly all of this stuff regarding  
17 George's prescription drugs, I believe his honor and his  
18 family's reputation, but more importantly, George's  
19 reputation that had already been sullied would be  
20 further sullied, and the prescription drugs would come  
21 out. And from just the perspective of preserving his  
22 honor, that is important, but also, that would also have  
23 just diminished some of the value to the case, I am  
24 sure.

25 And then lastly, too, you have, you know -- of

1 course, you mentioned at one time, but you didn't ask  
2 any other questions to follow up. But there are some  
3 people that think that I have individual claims that may  
4 be, you know, worth quite a bit. But certainly I didn't  
5 bring that, as you noticed, into the -- he just wrapped  
6 it all into one because I just didn't -- felt it was the  
7 most fair thing to do, and he didn't want there to be a  
8 conflict of interest, and the PR of the estate -- my  
9 main focus is what is in the best interests of the  
10 estate. So in many ways I tried to do what I thought  
11 would be best for everyone and share whatever the claim  
12 was with George's family as well, even though I had been  
13 told that this is the -- this didn't even necessarily  
14 have to go into a Connecticut Probate Court. The  
15 wrongful death case could have been settled down in  
16 Miami, Dade County, Florida.

17           Nevertheless, like here we are, and we are  
18 bringing this to the Connecticut Probate Court, so there  
19 is just a number of things and reasons why I believe  
20 this is reasonable or in the best interests of  
21 everybody. There was a lot of thought that went into  
22 this.

23           Q. Now, I am going to ask you some specific  
24 questions about each of these different elements that  
25 you spoke about. First of all, were you ever given a

1 definitive answer by anybody whether the Athens law  
2 applied or not?

3 A. No, and there would be no way to tell prior  
4 to --

5 Q. I am just trying to ask you short questions  
6 and answers. So your answer is "no;" is that correct?

7 A. No.

8 Q. And would it be fair to say that this -- once  
9 again, that this number, the 58 or \$60,000 you put out  
10 there, you have no basis or foundation of knowing where  
11 that number came from? Is that correct?

12 MR. BROWN: Objection.

13 A. No. That came from the Athens Convention.  
14 That is under that law. And like I said, I will get you  
15 that information later, but I am not quite -- I am not  
16 understanding why you keep bringing up that figure.  
17 That is only one small element or one small fault in  
18 many faults in the case.

19 Q. As you sit here today, that number, you don't  
20 know what it is based on?

21 A. It came from information we gathered over the  
22 past 2 years, information from maritime attorneys and  
23 the Athens Convention.

24 Q. Secondly, I believe you spoke of -- you talked  
25 about the prescription drug aspect, George's use of it.

1 And I believe you indicated that George's family was not  
2 concerned about that being made public. Is that  
3 correct?

4 A. Correct.

5 Q. And thirdly, you spoke of under the Death On  
6 The High Seas Act, you can only collect pecuniary loss.  
7 Is that correct also, in terms of lost income?

8 A. Yes.

9 Q. Did you ever consult with an economist in  
10 terms of what your pecuniary loss would be in terms of  
11 George's age and position and things like that?

12 A. No. I did not.

13 Q. And you also indicated there would be some  
14 difficulty in proving fault on the part of Royal  
15 Caribbean? Is that correct also?

16 A. Yes, it is.

17 Q. But as far as you know, there was never any  
18 discovery conducted or depositions taken or any  
19 extensive statements taken from the Royal Caribbean  
20 employees on the boat at that time? Is that correct  
21 also?

22 A. At what time?

23 Q. At any time prior to today?

24 A. No, that is not correct.

25 Q. What do you know of in terms of the Royal

1 Caribbean internal investigation?

2 A. I know that some of their staff has been  
3 called as witnesses to testify before a grand jury.

4 Q. Do you know whether they have actually  
5 testified?

6 A. Yes.

7 Q. Do you have any knowledge as to what they  
8 testified to?

9 A. No.

10 Q. As you sit here today, you have no personal  
11 knowledge in terms of the fault or lack of fault on the  
12 part of Royal Caribbean?

13 A. I know that they are not the subject of a  
14 federal grand jury hearing, that Royal Caribbean -- they  
15 have made it clear -- hoping to be able to provide you  
16 with something, so you can be clear -- that they are not  
17 the subject of the federal grand jury investigation,  
18 which I think is important.

19 Q. After due deliberation, you made a decision to  
20 settle the case. Was there a press release prepared by  
21 on your behalf?

22 A. Yes.

23 Q. Did you prepare that yourself?

24 A. Yes.

25 Q. And sitting here, do you recall generally the

1 content of the press release?

2 A. Generally.

3 Q. In that press release generally was there some  
4 indication given by you as to why you have decided to  
5 settle the case?

6 A. I think it was very general. I don't think  
7 they got the full story that you would get today. I  
8 think it was very, you know, media friendly. I think it  
9 is a very personal question and I think it is something  
10 that between counsel -- they would share the real nuts  
11 and bolts, but in general I think it laid out some of  
12 the reasons why and some of the major components of that  
13 settlement agreement.

14 Q. What do you recall as being the major  
15 components of the settlement agreement, as laid out in  
16 your press release?

17 A. I know that Dr. Lee was going to be getting  
18 \$60,000 to continue his investigation, that \$25,000  
19 would be given or by myself personally so that I can  
20 establish some sort of charity in George's name, and  
21 that Royal Caribbean would match that as well, and also  
22 \$950,000 to be paid to the estate.

23 Q. I don't mean to interrupt you, but what I am  
24 asking you now is about a press release.

25 A. Yes. This was in the press release.

1 Q. The amount of the settlement and things, 950.  
2 I'm sorry. Keep going.

3 A. Apparently you didn't read it.

4 Q. I have read other ones, apparently.

5 A. Yes, that was in there, and also the costs,  
6 \$100,000 in costs for Jim, obviously, throughout the  
7 investigation. You know, I am sure all the fees are  
8 much more than that, but that was -- I am trying to  
9 think what else is in there. Did you want to continue  
10 to ask questions?

11 Q. Did you give any other specific reasons as to  
12 why you had made the decision to settle, not the terms  
13 of the settlement, but why you had decided to settle?

14 A. That we felt that it would be in the best  
15 interests of all parties.

16 Q. Any particular reasons that you recall why it  
17 would be in the best interests?

18 A. Well, the major, major, major piece of the  
19 settlement agreement was that I thought in my opinion  
20 what we were after as a family the entire time from day  
21 one -- we were going to finally get what we had been,  
22 you know, asking for, which was all of the information  
23 that I felt Royal Caribbean had and had been holding,  
24 such as key lock entries and statements and video and  
25 all of these things that we were so -- we had been so

1 curious about. I mean, here we are 2 years later, and I  
2 don't know if you know anything about, you know,  
3 investigation or police work, but the best --

4 MR. KELLY: Off the record.

5 (Off the record discussion.)

6 A. Okay, but the best way to get information and  
7 to solve the case is -- the sooner the better,  
8 obviously, so here we are. We reached that settlement  
9 agreement last July. You know, it has been a long time  
10 since. It has been almost 9 months later, and here we  
11 are. And so the information that we would have access  
12 to -- in many ways I am very anxious to get that.

13 I feel as though as families this would  
14 provide a lot of answers for us and hopefully some  
15 closure, and looking forward to seeing what is there  
16 that we haven't been able to see. We have Dr. Lee, who  
17 we have hired as a forensics expert. We will have, I  
18 believe, permission to hand over all this stuff to  
19 Dr. Lee so that he can kind of use what he has attained  
20 and use what RCL is willing to hand over, maybe combine  
21 it and maybe have something new, something fresh,  
22 something we hadn't had a lot of, and that is just some  
23 answers.

24 So most importantly, that is -- I don't know,  
25 but in general this is sort of like -- from what I have

1 been told, it is just unprecedented. Usually you don't  
2 get this kind of information. You may be able to  
3 settle, for as all lawyers know, most settlements are  
4 about money and about whatever else people sue for.

5 In this case the primary goal was to obtain  
6 all this information. So now you are asking for it, and  
7 it is getting handed over, on top of which monetary  
8 settlement, and you know, something in George's name,  
9 and you know, all these other things. It seems like  
10 okay, now what do you want? So it seemed as though  
11 almost like prayers have been answered, why are we  
12 getting this information now. Maybe at the end of the  
13 day, if they are stepping up to the plate -- and maybe  
14 it is good business. I don't know why, but as far as I  
15 am concerned, I am really looking forward to seeing what  
16 it is that we haven't been able to see in 2 years.

17 Q. So would it be fair to say the single largest  
18 consideration in your mind in terms of the settlement  
19 was to be able to ultimately get this information from  
20 Royal Caribbean?

21 A. Absolutely.

22 Q. And it included the locklink records?

23 A. Yes.

24 Q. And maybe crime scene investigative reports?

25 A. Right.

1 Q. Photographs?

2 A. Right. It is in the settlement agreement. It  
3 literally lists out all the specific things that they  
4 are willing to turn over. And mind you, had we gone to,  
5 you know, litigate this thing down the road, some of the  
6 things that we are getting they wouldn't have been  
7 forced to turn over, even if we had won a battle with  
8 them in a courtroom.

9 Q. Such as?

10 A. You can ask Jim Walker later, but I have been  
11 told that this is truly unprecedented. He has never  
12 been able to personally see anybody. All the maritime  
13 attorneys obtain information from a cruise line. They  
14 normally just don't hand it over.

15 Q. Your understanding is it will not be handed  
16 over still unless this settlement goes into effect?

17 A. That is part of the settlement.

18 Q. I am going to show you a letter dated  
19 December 19th, 2005. If you could just take a few  
20 minutes and look it over. First of all, before you  
21 start, just looking at this letter on its face, have you  
22 seen this letter before?

23 A. Can you just tell me real quick who wrote it  
24 and who is it from, who is it intended to go to?

25 Q. It is from Royal Caribbean to your counsel?

1 A. From Royal Caribbean to just Jim and Brett.

2 Q. I am asking you, have you seen this letter  
3 before?

4 MR. BROWN: First of all, take a look at  
5 it. Read it.

6 MR. KELLY: I was going to say, let's  
7 take 5 minutes if she hasn't seen it. It is rather  
8 lengthy. It is like three pages.

9 THE WITNESS: I don't recall.

10 MR. KELLY: Why don't we take a few  
11 minutes and look over it with her?

12 (Petitioners' Exhibit 2: Marked for  
13 Identification - described in Index.)

14 (Off the record discussion.)

15 Q. Jen, I have shown you a letter dated  
16 December 19th, 2005 from Royal Caribbean to your counsel  
17 Mr. Walker and to Mr. Rivkind, who is representing the  
18 Smith family separately. And had you ever seen a copy  
19 of this letter before today?

20 A. Yes.

21 Q. Could you tell me when you first saw that  
22 letter?

23 A. The time I saw this letter was I received a  
24 package of the things that they said were enclosed, all  
25 these pictures or whatever, and I had obviously read

1 this. And now that I have read it, I remember  
2 everything in here and all the pictures that were  
3 accompanied with it. And so yes, I have seen it.

4 Q. And when you received this letter, did you  
5 receive copies of all the enclosures that are referenced  
6 in this letter also?

7 A. Yes.

8 Q. So would it be fair to say that back in  
9 December of 2005, you had received copies of the  
10 locklink records relating to your cabin when you were on  
11 the Brilliance Of The Seas?

12 A. To our cabin only, yes.

13 Q. To your cabin? Is that correct?

14 A. Yes.

15 Q. And those covered the entire time period that  
16 you were on the cruise line? Is that correct also?

17 A. I believe so.

18 Q. And did you also receive copies of the  
19 investigative reports or interviews of the four Russian  
20 kids, as we referred to them?

21 A. Yes, I had seen them as well.

22 Q. Had you seen the 13 color photographs that  
23 have been taken of the room when the cruise line first  
24 went there?

25 A. Yes.

1 Q. And had you also seen the additional 73  
2 photographs that had been taken of your room by another  
3 photographer?

4 A. Yes.

5 Q. And had you also seen a copy of the casualty  
6 report that had been filled out as a result of this  
7 incident?

8 A. Yes.

9 Q. And you also saw the copies of the photographs  
10 of the canopy taken by other passengers? Is that  
11 correct?

12 A. Yes.

13 Q. And did you also see copies of all your on  
14 board purchases for the entire time you were on board,  
15 the printouts of the receipts for everything you had  
16 purchased when you were on board?

17 A. Yes. I am sure that was not exhaustive. I am  
18 sure we purchased other things.

19 Q. But you saw those records were provided by the  
20 cruise line?

21 A. Yes.

22 Q. And the Royal Caribbean also agreed to give  
23 you access to the cabin and the ship at a mutually  
24 convenient time for your expert if you ever wanted it,  
25 did they not?

1 A. Yes.

2 Q. You subsequently actually took advantage of  
3 that and had Dr. Henry Lee go and do an exhaustive  
4 search of the room and the premises; is that correct?

5 A. That is correct.

6 Q. And Royal Caribbean also let you know which  
7 items had been turned over to the Turkish Police as  
8 evidence?

9 A. I don't know if all of the items were  
10 itemized. I don't recall at this time -- which number  
11 are you referring to?

12 Q. Number 9.

13 A. I don't think that is very specific. We  
14 didn't have -- they are -- I think, from what I  
15 gather -- maybe you gather the same thing, that they are  
16 just generally saying that the Turkish Police moved some  
17 items from the room, but we weren't given any receipt  
18 breakdown of those items.

19 Q. It says in there the original paperwork has  
20 been provided to the FBI. Do you see that?

21 A. Yes.

22 Q. And you were at that point in constant  
23 communication with Sean and the other agent, with the  
24 FBI?

25 A. Yes.

1 Q. You also saw copies of the log entries  
2 relating to the noise disturbance made by Mr. Hyman,  
3 next door to your cabin?

4 A. Yes.

5 Q. And you also say copies of the crime scene  
6 report, the complete crime scene report from the Turkish  
7 Police, Number 16?

8 A. I do not recall the specific contents.

9 Q. In addition to all of the things that are  
10 itemized in this letter by Royal Caribbean, could you  
11 tell me what additional information you expected to  
12 receive from the cruise line as a result of your  
13 settlement that you had agreed to?

14 A. Yes.

15 Q. Are these --

16 A. This is what they were providing us, was  
17 pretty much -- it was nice and it was good, but there  
18 was a lot more that we wanted. We had our own cabin key  
19 lock entries, but we wanted a full passenger list, which  
20 under normal circumstances would be confidential. We  
21 wanted a list of all passenger statements that were  
22 made. We wanted anyone who Royal Caribbean had  
23 interviewed on the ship. We wanted all the statements.

24 We wanted the key lock entries for all  
25 individuals last seen with George, so for example, the

1 last people that had put him to bed or whatever, we  
2 wanted their key lock entries to their rooms to see if  
3 certain stories, you know, could have been possible or  
4 if things were added up. We wanted --

5 Q. Was it your --

6 A. -- videos that they didn't obviously provide  
7 here. That was not part of this. Videos we thought  
8 would be extremely helpful.

9 Q. They were provided to the FBI, were they not?

10 A. They were, but not provided to us, the family.

11 Q. I understand, but they were provided to the  
12 FBI?

13 A. I believe so.

14 Q. And was it your understanding that the cruise  
15 line had interviewed any suspects other than the four  
16 individuals separate from the Turkish Police?

17 A. Re-ask the question, please.

18 (Question read.)

19 A. I would like to know -- I haven't had any  
20 other interviewed transcripts other than the one that --  
21 the ones that were provided here from the Turkish  
22 Police, their own investigation, any statements from  
23 Royal Caribbean's own investigation, I have not seen.

24 Q. Do you know whether they took any statements  
25 as a result of their own investigation from these

1 individuals?

2 A. Yes. I take that back. I don't know if they  
3 personally interviewed the specific individuals, but I  
4 know that they have conducted their own investigation  
5 and that they have interviewed passengers on the ship.  
6 Those individuals may have been a part of that interview  
7 process, and I would like to see those interviews, those  
8 statements.

9 Q. Other than the interviews with passengers that  
10 may shed some light on this incident, what else is it  
11 you expect to receive that hasn't been provided to you  
12 yet from the cruise line?

13 MR. BROWN: You mean other than what she  
14 has already stated?

15 A. I don't know if you had heard that, but video  
16 is a huge thing.

17 Q. Just before you keep going, what was your  
18 understanding of what video existed?

19 A. I believe that all of the common areas on a  
20 cruise ship are video recorded at all times, maybe not  
21 necessarily hallways, but entrances to hallways or  
22 elevator areas, and like any bar areas, disco areas, or  
23 just general areas for all passengers, other than  
24 hallways, I believe all have some sort of video.

25 Q. It is your understanding whatever videos

1 existed had been turned over to the FBI?

2 A. Yes.

3 Q. Anything else that you can think of?

4 A. Do you have a copy of the settlement agreement  
5 so I can compare what was in there --

6 MR. KELLY: Actually, do you have a copy?

7 (Off the record discussion.)

8 (Petitioners' Exhibit 3: Marked for  
9 Identification - described in Index.)

10 A. So the things --

11 MR. KELLY: Do we have a question  
12 pending? We will go on. Why don't I put a question.

13 Q. Tell me if this is a fair question. Could you  
14 tell me Jen, looking at the December 19th, 2005 letter  
15 of information provided, as opposed to the proposed  
16 settlement agreement, what additional information you  
17 anticipate receiving from Royal Caribbean as a result of  
18 any settlement?

19 A. Okay.

20 MR. BROWN: Other than what she has  
21 already stated?

22 A. Relevant ship logs.

23 Q. What page are you on?

24 A. Page 3, or the number 4, first sentence,  
25 relevant ship logs.

1 Q. What is your understanding of what ship logs  
2 are?

3 A. Ship logs, as far as I am concerned, is any  
4 record that they would keep in regard to everything  
5 from, you know, speed of the ship to passengers leaving,  
6 anything that is logged in and out, so it would create  
7 time frames as well as passenger movements. Videotapes  
8 I did discuss, but obviously, they are saying that they  
9 are actual tapes.

10 Q. Do you have any personal knowledge of what  
11 videotapes actually do exist from Royal Caribbean?

12 A. I know that they do exist simply because they  
13 are being turned over, and so I know that they were  
14 turned over to the FBI. And I don't know how many and I  
15 don't know which specific areas, but I do know they  
16 turned over videotapes to the FBI.

17 Q. Do you know if they are for that specific  
18 night of July 4th and July 5th or not?

19 A. I can only assume that the FBI would only ask  
20 for a relevant --

21 Q. Do you know whether they apply to that time  
22 period or not?

23 A. Yes, they would.

24 Q. Do you know that personally, that they have  
25 videotapes for that time period of the night of July 4th

1 and the early morning of July 5th?

2 A. Yes, I do.

3 Q. How do you know that?

4 A. Because I know that somebody had seen a video  
5 and I was told that I was seen taking a wrong turn.  
6 Hence why I didn't make it to I guess my cabin that  
7 evening. So I was told that I deferred. Instead of  
8 taking a right or left, I did just the opposite of what  
9 I was supposed to, and I ended up on like the polar  
10 opposite side of my ship, ship cabin.

11 Q. Do you know whether it was time stamped, that  
12 video or not?

13 A. I believe they all are.

14 Q. Did they tell you what time you were seen  
15 taking a wrong turn?

16 A. No, I don't recall a specific time.

17 Q. Do you recall the approximate time that you  
18 were told you were seen taking a wrong turn?

19 MR. BROWN: Just whether you know.

20 A. I don't know. I don't know. I don't know a  
21 specific time, no.

22 Q. Other than that, do you know of any other  
23 videos yourself -- I am talking about personal  
24 knowledge, of any other videos in existence that the  
25 Royal Caribbean has or has turned over to the FBI?

1 A. No.

2 Q. Next you have security reports here.

3 A. Security reports, so I am sure that would be,  
4 you know, self-explanatory, guest services logs,  
5 purser's logs.

6 Q. What is the guest services logs, as you  
7 understand them?

8 A. This is information that Jim Walker, my  
9 maritime attorney, was requesting because he believes,  
10 and other -- it was his expert or his advice, my  
11 counsel's advice, that all of these things would be  
12 relevant, and that we wanted to exhaust every area and  
13 take as much information as we could.

14 Q. You personally don't know what guest services  
15 logs are?

16 A. No more than you do.

17 MR. KELLY: Off the record.

18 (Off the record discussion.)

19 Q. Do you have any personal knowledge what a  
20 purser's logs are?

21 A. Purser's logs, bridge logs, security logs  
22 radio logs, all of those things I have never had to  
23 explain specifically, but I am told by my counsel that  
24 all are relevant in regard to this investigation.

25 Then we go to the locklink records. I do know

1 specifically the locklink are the key records, which  
2 means anytime someone enters a ship's cabin, they have  
3 to use their key, and it is like a swipe card, which  
4 would then be logged into some main portal. We had the  
5 ones for our room, but we did not have ones for other  
6 passengers we thought would be useful.

7           The room service receipts and orders, this is  
8 specifically referring to those passengers who had used  
9 as an alibi the room service that they had ordered.  
10 That last individual seen with George, who had put him  
11 to bed, according to this thing, had ordered a lot of  
12 room service. Not only that though, I would assume -- I  
13 don't know if that would just be just them or if they  
14 have also given us our own, which only is what we were  
15 more concerned about. We were more concerned about the  
16 other individuals. And the sea pass records, again,  
17 that is that swipe card sea pass, everything that you  
18 charge on there.

19           So hopefully, we can get all of those records  
20 not for just ourselves but for people who we believe  
21 would be helpful to this investigation. Photographs, if  
22 they have taken any of their own photographs, we would  
23 want those. Phone records, we also want to know, you  
24 know, who they have called. It would be interesting to  
25 see how they conducted their own -- how they conducted

1 their investigation and who they thought would be  
2 relevant to get in touch with.

3           Communication records with the Turkish Police,  
4 we don't have those. Obviously, that is relevant.  
5 Turkish Police records, we didn't get much of that if  
6 RCL has them. Turning it over would be excellent. And  
7 we have only got a couple of complaint records, the ones  
8 that were mentioned, so the complaint records were  
9 specific to Mr. Hyman. So we have those, but if there  
10 are other complaints --

11           Q. Do you know if there are any?

12           A. Well, it would certainly be interesting to see  
13 if any of the individuals Jim or Dr. Lee or anyone else  
14 is concerned about, that they would turn over. I know  
15 that in this area -- this is the settlement agreement,  
16 but obviously, all this information is very specific,  
17 and Jim is going to orchestrate how we are able to get  
18 that. I am sure Mr. Rivkind and you also, but both  
19 families can obtain all of this.

20           Q. Do you have any knowledge whether or not the  
21 FBI has received all this information?

22           A. It was my understanding that RCL has turned  
23 over everything to the FBI.

24           Q. And that the FBI has brought in one or more  
25 representatives from Royal Caribbean to its grand jury

1 investigation also?

2 A. Yes.

3 Q. And with regard to all the information here,  
4 would it be fair to say that 6:00 lines down on Number 4  
5 here, where it is limited to relevant information in  
6 terms of all these itemizations, that it is not just  
7 going to turn everything over to you, that they have got  
8 to deem it relevant?

9 A. Right. It would have to be useful.

10 Q. And who would make that decision before they  
11 turned it over to you?

12 A. Well, I think they would use a common sense  
13 approach.

14 Q. "They" being Royal Caribbean?

15 A. Or anybody, meaning they are not going to give  
16 me records from the ship from another week, another  
17 cruise. It is going to be regarding our cruise week.

18 Q. And in terms of a lot of these things, do you  
19 know whether they actually exist -- or not even in terms  
20 of noise complaints or additional Turkish Police  
21 records, medical records, things like that? Do you know  
22 whether they actually exist or not even?

23 A. Well, that is when I would call in Jim Walker.  
24 He has dealt with a lot of these maritime attorney  
25 cases, and he knows exactly what they record. Excuse

1 me. I take that back. He didn't know exactly what  
2 information that every cruise line keeps. He has not  
3 got -- he is great, but he is not God. But in general,  
4 dealing with a lot of these cases, he has more  
5 understanding of like the ship and what types of records  
6 they would keep with cases, what types of information  
7 you want to get from the cruise line that would help you  
8 to, you know, assess your claim.

9 Q. But you would not know whether any of this  
10 would assist you or not until after you signed the  
11 settlement agreement; is that correct, and you received  
12 the information?

13 A. It would assist us for sure, simply because we  
14 would be able to fill in a lot of gray areas, so  
15 regardless of when we get the information. As far as I  
16 am concerned, those answers are very valuable to us as  
17 family members. Any information that we can obtain from  
18 this, especially I can say for me personally, it would  
19 be extremely helpful.

20 Q. And the question again is, it is your  
21 understanding you would not receive any of this  
22 potential information until after you signed the  
23 settlement agreement? Is that correct?

24 A. Yes. I believe in most cases, they don't  
25 usually give --

1 Q. In this particular case, it is your  
2 understanding you will not receive any of this potential  
3 information until after the settlement agreement is  
4 signed?

5 MR. BROWN: I am going to object. She  
6 hasn't said that.

7 MR. KELLY: I am asking her understanding  
8 of this.

9 Q. I will say the question again before you  
10 answer, so he can hear the question. Is it your  
11 understanding that before you receive any of the  
12 potential information listed in Number 4 of the  
13 settlement agreement, that you must first sign the  
14 settlement agreement? Just "yes" or "no." That is all  
15 the question was.

16 A. Yes.

17 MR. KELLY: Why don't we have lunch?

18 THE WITNESS: I would rather finish,  
19 though, if you have more questions about this. I would  
20 rather get this out of the way.

21 MR. KELLY: That was this area.

22 Q. Just looking at Number 4 still, is it fair to  
23 say you -- meaning you and your counsel -- were only  
24 going to be able to review copies of all these different  
25 potential items and not get actual copies yourself?

1           A.     No, that was not my understanding. My  
2 understanding is that we would actually get copies, not  
3 just review, and that is important because we need to be  
4 able to allow Dr. Lee that access to that information.

5           Q.     And you are satisfied that the way this  
6 settlement agreement is written, you received copies of  
7 actual copies of all this potential information?

8           A.     If we are missing something that doesn't say  
9 that, then please let me know because we should add it  
10 for the best interest of all parties involved.

11          Q.     The question again, is it your understanding  
12 that --

13          A.     It is my understanding that they are giving us  
14 copies of everything. In addition, another thing that  
15 they are giving, allowing us, is to talk to them and  
16 answer any questions that we have regarding -- just any  
17 questions we have. We have that ability to one-on-one  
18 ask their attorneys.

19          Q.     "Them" being Royal Caribbean?

20          A.     How they conducted their investigation, if we  
21 have questions, that they are there to answer any of our  
22 questions.

23          Q.     Is that in the written agreement or just your  
24 understanding?

25          A.     Is that in the written agreement, Mr. Kelly?

1 Are you asking --

2 Q. I am asking you in terms of what you know, is  
3 it your understanding that that is written into the  
4 agreement, that the representative of Royal Caribbean  
5 will be available to answer any questions you have  
6 regarding their investigation after you have signed the  
7 settlement agreement? Just "yes" or "no."

8 MR. BROWN: Feel free to look at it.  
9 Feel free to read it before you answer it.

10 A. I see "Representatives of RCL will meet with  
11 Jennifer Hagel Smith in good faith and answer all  
12 factual questions concerning the factual information of  
13 during their investigation into the decedent's  
14 disappearance and to further provide" -- and I can go on  
15 and on, but I think --

16 Q. What paragraph are you referring to?

17 A. Paragraph 4, at the beginning of paragraph 4.

18 Q. Anywhere else?

19 A. I am waiting for the next question.

20 Q. Now I am not asking any more. Same question.  
21 I am waiting to see if there is any additional answer  
22 other than --

23 A. No. I think I answered the question. It is  
24 in paragraph 4 that they would be willing to sit and  
25 answer all factual questions.

1 MR. KELLY: Okay, that is it.

2 (Lunch recess: 1:11 to 2:11 p.m.)

3 Q. Jen, if we can go back to the date you  
4 departed on the cruise trip, do you recall what date it  
5 was?

6 MR. BROWN: You mean left --

7 A. Barcelona?

8 Q. Left Barcelona?

9 A. I think it was a Wednesday. We got married on  
10 Saturday, the 25th, and I believe it left Barcelona on  
11 Wednesday. So Monday night and Tuesday night we spent  
12 in Barcelona and left out of Barcelona on Wednesday, to  
13 the best of my knowledge.

14 Q. Did you know anybody who was going to be on  
15 the cruise before you boarded?

16 A. No.

17 Q. Did you become friendly with anybody other  
18 than the people you have mentioned already, who are  
19 Bobby and Jackie, and what was the name of other couple?

20 A. Paul and Galina.

21 Q. Anybody else?

22 A. Some of the staff, meaning specifically,  
23 George and I went to the casino most nights, and there  
24 were a couple of the dealers that we became friendly  
25 with, that George, you know, just became buddy/buddy

1 with.

2 Q. Did he play cards or roulette?

3 A. Craps. Blackjack and craps were our games.

4 Q. "Our games"? What did you play?

5 A. I played with him craps most of the time and  
6 blackjack.

7 Q. Did you actually play?

8 A. Yeah, of course.

9 Q. Okay. Same table or separate tables?

10 A. Same table. There is only one craps table on  
11 the ship, so if you were playing craps, you were all  
12 together.

13 Q. There was only one casino?

14 A. One casino, very small area. It wasn't like a  
15 casino you think of like Mohegan Sun or Foxwoods. It is  
16 much smaller. You can see each wall.

17 Q. What was the most crowded you ever saw it when  
18 you were there in terms of people?

19 A. Probably in the evening, you know, after  
20 dinner, from probably 9:00 to 11:00 would probably be  
21 the most packed time.

22 Q. Twenty, thirty people or more than that?

23 A. Probably that, probably that on any given  
24 night, with changes. George and I did play. Sometimes  
25 I feel like we could close down the casino. We were

1 there. We were like the last ones playing craps, and  
2 that might have been, you know, 12, 1 o'clock. Not  
3 necessarily a lot of people playing all the time,  
4 depends each night.

5 Q. Was there a night where either you or George  
6 were significant winners in the casino prior to the  
7 night of the 4th?

8 A. I won at the Grand Casino, Monte Carlo Grand  
9 Casino. It wasn't on the ship. I won like 800 when it  
10 transferred over to US dollars. It was a few hundred  
11 Euro, so we were both like really excited because when I  
12 got paid, it seemed like a lot more. That was our  
13 biggest win.

14 Q. But nothing like that once you were on board?

15 A. No, nothing like that on the ship.

16 Q. And what was the longest amount of time you  
17 spent in the casino prior to the last night, in terms of  
18 hours? Would you be in there 3 or 4 hours or just an  
19 hour after?

20 A. We were there like first, second night. The  
21 only night I wasn't there was the night when I was  
22 seasick, so George went without me, but we would always  
23 be there together, and that was our after dinner  
24 entertainment, so a couple of -- we may spend a couple  
25 of hours.

1 Q. Did you spend any of those nights with one of  
2 the other couples in the casino? Would they accompany  
3 you, either one of those couples you mentioned?

4 A. Yes, Galina, Paul, and Jackie's husband,  
5 Bobby, loved to play with us. He would play with George  
6 and I, and we -- I just remember him having a good time,  
7 and Jackie would just walk over and see her husband, so  
8 those two couples primarily.

9 Q. Did you --

10 A. And another guy, Bill. They used to play  
11 craps with us a lot.

12 Q. Prior to the night of the 4th, do you recall  
13 seeing any of the four we referred to as "the Russians"  
14 in there? Do you have any recollection of that?

15 A. Vague recollection of them being around --

16 MR. BROWN: I want to object for a second  
17 about "four" and "Russians." I don't think there were  
18 four Russians.

19 MR. KELLY: They are not. I think we  
20 have used that term though.

21 Q. Rozenberg, Rozenberg, Kofman, and Askin, any  
22 of those four that you have discussed, do you recall  
23 seeing them at any night in the casino prior to the  
24 night of the 4th?

25 A. Certainly Josh Askin.

1 Q. Was he actually joining with you or George in  
2 terms of chatter?

3 A. They would be always like just watching  
4 mostly, maybe playing a little bit. I don't remember  
5 what they were doing, because when you play craps, it is  
6 a game -- like you have to really watch your own stuff,  
7 so you are not really looking at what other people's  
8 betting style is or bets. It is literally like a very  
9 quick game, and you have to be on point.

10 Q. Same person running the craps table every  
11 night?

12 A. Same group of dealers always.

13 Q. They would rotate?

14 A. That would rotate. The casino probably had a  
15 half dozen usual people that would always play, so we  
16 got to know them, and all really nice.

17 Q. Other than Askin, anybody else of those four  
18 that you remember seeing in there any of those nights  
19 before the 4th?

20 A. I don't remember specifically seeing them, but  
21 I know that generally, there was only a certain younger  
22 group of people. This was an RCL trip, not a Carnival  
23 Cruise, trip so there wasn't a lot of people ages, say  
24 16 to 25. So when one was around, they probably all  
25 were around, but we only knew Josh.

1 Q. Going to the day of July 4th, when you were in  
2 Mykonos --

3 A. Mykonos, yes.

4 Q. And do you recall whether you had anything to  
5 drink during the afternoon while you were at Mykonos?

6 A. Yes.

7 Q. Alcoholic?

8 A. Yes.

9 Q. And what was that?

10 A. Well, when we got off the ship and went, we  
11 had lunch. We both, George and I both -- I believe we  
12 both had a beer and we were having pita, and we were  
13 looking like over, just watching the setting. And then  
14 we walked a little further, and then we saw Bobby and  
15 Jackie Freidlander, and we actually saw Tara Reid.

16 Q. Who?

17 A. Tara Reid. She was filming "Wild on Mykonos,"  
18 of all things.

19 Q. It is too bad there is a court reporter, all  
20 these good things to say.

21 A. And we got a big kick out of that, obviously.  
22 So didn't the Freidlanders. They have younger daughters  
23 there who knew she was somebody famous, and we thought  
24 it would be funny if -- George said, "I want to get a  
25 picture with her." He is trying to work up the gumption

1 to go get a picture, so of course, he orders another  
2 drink.

3 Q. Were you looking at the set where she was or  
4 she was just wandering around?

5 A. No. They were just having lunch now, so  
6 seemed like a good opportunity, if any, to get one. So  
7 we walked over to the Freidlanders because they were  
8 sitting at the table near where she was sitting.  
9 Fortunately, we were friends with them. We took a  
10 couple of pictures. Then eventually, George did work up  
11 the nerve to ask for the picture, and one of her staff  
12 or whatever took it, so --

13 Q. With your camera?

14 A. Yeah, with our camera.

15 Q. Did it turn out, the picture?

16 A. It turned out great. Actually, the picture  
17 turned out really nice. At some point after this had  
18 happened -- it was our last day. I thought they would  
19 appreciate some of our last memories together, so I sent  
20 them a couple of pictures online from the trip.

21 Q. Is that one of the photos that the FBI has?

22 A. Yes.

23 Q. But you said you didn't get copies of all  
24 those photos, or did you, that they kept?

25 A. I have copies of the photos online too. The

1 Smiths have a number of photos as well from our  
2 honeymoon. There was a way to download them and view  
3 them so you can -- so they are in the computer, so  
4 basically you can send them online. They are in the  
5 computer.

6 Q. Whatever you have the Smiths have access to or  
7 seen already?

8 A. Well, those are just personal like trip  
9 pictures, just like memories, momentos, weren't case  
10 sensitive, and I shared the pictures I thought that they  
11 would enjoy. So I sent them a bunch of George at  
12 Mykonos, George doing this or just whatever, just as  
13 momentos. Obviously, the FBI has all copies and all  
14 sets.

15 Q. When did you go back on board that day, the  
16 4th?

17 A. Well, we spent a day --

18 MR. BROWN: Just answer the question.

19 A. Early evening.

20 MR. BROWN: He will get to it. Then he  
21 will come back to it.

22 A. About -- I would say somewhere the early  
23 evening, late afternoon, early evening.

24 Q. And was it just the two of you when you went  
25 back on board or were the Freidlanders with you?

1           A.     No, it was just the two of us. We had a  
2 9 o'clock seating. We wanted to make a -- we were  
3 supposed to meet Paul and Galina.

4           Q.     At Chops?

5           A.     Chops Steakhouse. They ended up cancelling  
6 because they got on the ship early and ate at the  
7 buffet. They were like napping. We decided we will see  
8 you guys after. We did 11 o'clock at the Schooner Bar  
9 right outside Chops instead.

10          Q.     You want to just tell me the chronology? That  
11 evening you went back on board at 6 o'clock?

12          A.     Went back on board, 6 o'clock. No, I don't  
13 know that it was 6 o'clock.

14          Q.     I'm sorry. I put that word in your mouth. In  
15 the evening --

16          A.     In the evening we took showers, and you know,  
17 went -- just got ready. And George had taken -- you  
18 know, I think it is noteworthy that he had taken from  
19 Mykonos two bottles of vodka that you will see in the  
20 picture.

21          Q.     Stolichnaya?

22          A.     That was bought in Mykonos. That was prior to  
23 this day. I believe they were full bottles. From the  
24 picture you can tell, but one of the bottles I believe  
25 from the picture you can see had been opened. I know

1 you have seen the pictures, and then that was sometime  
2 like late that day.

3 So we were getting ready to go out. His  
4 typical routine would be to, you know, have a drink, sit  
5 out, maybe sit or stand out on the balcony, have a  
6 cigar. I finished getting ready because I take a lot  
7 longer to get ready than he does. It was a perfect  
8 setup because he could have a cigar and I wouldn't get  
9 in trouble for taking too long. That was our plan.  
10 Then we got ready to go to Chops.

11 Q. One question. Was that the one bottle of  
12 vodka that was opened -- it is shown in the picture that  
13 had been opened and partially drank?

14 A. Yes.

15 Q. Was that opened when you were on the island?  
16 Did he first open it when you got back to the cabin?

17 A. When we first got back to the cabin. He also  
18 had bought Red Bulls or just an energy drink to go with  
19 the vodka. That was all on Mykonos.

20 Q. Anything he had consumed out of the bottle was  
21 back in the cabin after you got back?

22 A. Yes.

23 Q. Had you had anything to drink before you went  
24 out?

25 MR. BROWN: Are you talking about the day

1 or the night?

2 Q. The evening. We are in the evening now. You  
3 are back in your cabin?

4 A. I don't remember if I -- he made a drink for  
5 himself. I do remember that, and I remember because it  
6 was a good -- he probably would have made me one too,  
7 same type of drink because that is all we had. But I  
8 don't remember how much I was able to finish because  
9 normally, I was just getting ready.

10 And so like I said, I am kind of like -- he is  
11 like, "All right. Are you ready? We have got to go."  
12 And I was running like a little bit late but not that  
13 late, but he was kind of like joking that he was going  
14 to like leave me. I remember grabbing my purse and  
15 being like, "I am coming, I am coming." So I remember I  
16 was kind of like -- I get ready up to the last second  
17 before we go.

18 Q. So we are clear though, because of what Doug  
19 mentioned, we are talking about the evening of the 4th.  
20 When you came back, George had the two bottles of vodka?

21 A. Right.

22 Q. That same evening of the 4th, after you got  
23 back is when he cracked open the one bottle of vodka we  
24 are talking about?

25 A. Yes.

1 Q. And do you recall what time your reservation  
2 was for at Chops that night? I think it is Chop?

3 A. Chop, yeah. 9 o'clock.

4 Q. And what time did you get there about?

5 A. Well, I would assume like right around  
6 9 o'clock. He always kind of pretends that it is  
7 9 o'clock, but it probably was 8:55. But he is telling  
8 me it was 9:00 because he tries to trick me so I am on  
9 time.

10 Q. Don't you catch on after a while?

11 A. No, no.

12 Q. And did you dine with anybody at Chop?

13 A. No. We were supposed to meet Paul and Galina.  
14 Ended up being just the two of us. It was a nice --  
15 actually, it was just a nice, romantic dinner, just the  
16 two of us.

17 Q. Sort of silly, but do you remember if it was  
18 very crowded that night or when you were eating?

19 A. No, I don't remember it being especially  
20 crowded. I just remember it being very nice, just like  
21 a nice table, kind of secluded, and we just had a really  
22 nice dinner, had ordered a bottle of wine with dinner.

23 Q. Red or white?

24 A. Red, always red, and we had been sharing that  
25 and --

1 Q. Did you have any cocktails, if you recall,  
2 before the red wine?

3 A. Other than a mixed drink from the room and  
4 drinks throughout the day when we were in Mykonos, so --

5 Q. What I am asking, though, is before you got to  
6 Chop, did you order cocktails?

7 A. No, no mixed drinks at that point, just the  
8 bottle of wine. And I guess an interesting side to be  
9 noted was that after we finished the dinner side, I  
10 gotten really sick and --

11 Q. I'm sorry. Say that again?

12 A. After we finished the dinner, after I finished  
13 dinner --

14 Q. At Chop?

15 A. At Chop, I had gotten really sick.

16 Q. Were you still at the table?

17 A. No. I had to excuse myself, and I went to the  
18 bathroom.

19 Q. Because you were feeling sick?

20 A. I wasn't feeling well, and I felt like I was  
21 going to throw up.

22 Q. Did you tell George you weren't feeling well?

23 A. Yes.

24 Q. Do you recall what you had for dinner?

25 A. I don't recall what I had for dinner.

1 Q. Was it a seafood?

2 A. Well, that day we had like two orders of  
3 mussels, so I don't know. I really can't say, but I  
4 know I do remember that because I remember what we ate  
5 in Mykonos. But I went --

6 Q. Do you remember who the waiter was or  
7 waitress? I'm sorry.

8 A. No, and I don't recall if it was female or  
9 male.

10 Q. Did they have a separate wine steward that  
11 handled the wine at dinner?

12 A. You know, I believe they do have separate --  
13 on cruise ships I think they do have the separate wine  
14 steward. That is standard. So anyway, I go to the  
15 bathroom, and I throw up my whole dinner, and I am sick.  
16 But then after I throw up, and I throw up everything, I  
17 feel like much better, which is odd because it is  
18 obviously not like a flu. When you get the flu, you are  
19 just like, "All right, take me to bed."

20 But in this situation, I came back, and I told  
21 George, "I feel much better now." I felt so sick. I  
22 don't know. So I came back, and I still had like a  
23 little bit of my wine left, and he had ordered us two  
24 Irish coffees, so we finished that. So we finished the  
25 rest of our dinner. Then I think -- just, you know, as

1 an aside of something worth noting, we actually toasted  
2 at dinner. We were like just toasting our dinner.

3 George had said, "When I come back, we are  
4 just going to" -- "I would like you to help me. I would  
5 like to just kind of do more of a clean side. I am just  
6 going to work out. I am going to take like the Zoloft,"  
7 and he said that.

8 Q. He specifically said that, "Zoloft"?

9 A. No. I don't know -- the regular drug. I  
10 believed it was the Zoloft or something similar.

11 Q. But he specifically brought this up?

12 A. Brought this up, that he was going to just  
13 take that and not refill the tranquilizer portion  
14 because he just wanted to just I think get healthy. I  
15 don't know. It was kind of like -- I think he was  
16 feeling like we were away for eight days, kind of in  
17 spring break mode, a lot of drinking. And for whatever  
18 reason he picked that night to share this, and we  
19 toasted, which is ironic to him wanting to kind of stop  
20 drinking when he got back.

21 He said he liked it a lot, and obviously, I  
22 think just being around it all the time with his work --  
23 he was just like, "You know what?" And he said, "Will  
24 you help me?" I said, "Of course," like "Are you  
25 kidding?" So now our toasting -- it is a great dinner,

1 things. That would be something he would be meticulous  
2 about. He would keep anything valuable in the safe and  
3 anything that he wouldn't want someone just coming and  
4 cleaning your room to see, and so that would definitely  
5 be somewhere tucked away, not out on a counter.

6 Q. Did you see him taking either of those  
7 prescriptions at all when you were on the cruise?

8 A. No, I didn't see it.

9 Q. Did he ever tell you when he had taken it or  
10 hadn't taken it or anything?

11 A. No. He is an adult, and it was something I  
12 trusted that he was doing responsibly. It wasn't  
13 something I would have to remind him of. He was very --  
14 like I said he was just very methodical in most things  
15 that he did.

16 Q. Prior to your wedding, was there ever a time  
17 that he ever discussed the effects of either one of  
18 those prescriptions with you?

19 A. No, not that I can recall.

20 Q. Never indicated it was giving him a high or a  
21 low or stomach pains or he had taken too much or skipped  
22 it a couple days? Never had any discussions at all?

23 A. No. I had -- I was under the impression --

24 MR. BROWN: There were statements earlier  
25 in the deposition where it was brought up.

1 MR. KELLY: In terms of -- off the  
2 record.

3 (Off the record discussion.)

4 A. It was working, but not that he was feeling  
5 stomach pain from it or that he forgot to take it or  
6 anything negative. It was my understanding that he was  
7 taking it the way you are supposed to be taking it,  
8 which would have been daily for the one, and that it was  
9 having a positive effect, but other than that, we  
10 didn't -- he didn't discuss like what time of day he  
11 took it or any specifics.

12 Q. No indication that he was taking more than the  
13 prescribed amount ever?

14 A. No.

15 Q. Ever any indication that either prescription  
16 had a bad reaction on him when he drank?

17 A. No.

18 Q. Did you ever see the prescription, either  
19 prescription, container after you left the cruise ship  
20 the last time on the morning of the 5th?

21 A. Yes.

22 Q. Did you see both of them again?

23 A. Yes.

24 Q. Where did you see those?

25 A. I saw them in our bags, which the embassy and

1 RCL people had packed. They were just haphazardly  
2 thrown into a carry-on sack of some sort, along with  
3 just all the stuff that was in the safe. For example,  
4 wallet, the wallet, and the prescription drugs, and some  
5 random trip items, like postcards, just like some loose  
6 bits that I think that were left on counters and out of  
7 the safe or were thrown into like a purse or a bag or  
8 just like an oversized bag.

9 Q. Did a cruise line representative ask you for  
10 the safe combination?

11 A. I don't remember specifically who asked me for  
12 it, but I did give it to -- I thought it was an embassy  
13 person. At this time there was a couple of people  
14 trying -- you know, everyone was trying to help.  
15 Everyone was trying to --

16 Q. What time are we talking about?

17 A. At the end of -- late afternoon, end of the  
18 day about 5, 6 o'clock, 5 o'clock the next day on  
19 July 5th they are asking. That is the first time I was  
20 asked to get the safe combination or I actually had  
21 mentioned, and they were clearing out all our stuff. I  
22 was like, "You are not going to be able to get into the  
23 safe. This is the combination." It was our wedding  
24 day, so I remember it. I remember it being a woman.  
25 Which woman I don't know. I don't know if it was the

1 FBI.

2 Q. It wasn't that Maria or customer service rep?

3 A. Could have been Maria. The new person that  
4 came on was another person from the embassy, another  
5 woman, the woman who was like an escort for me because  
6 now the ship left. Maria left. Then they put me with  
7 somebody different.

8 Q. Backing up a little bit, we were talking about  
9 the two prescription bottles. When was the first time  
10 you saw those again?

11 A. When I was back in the hotel room in Turkey  
12 that the embassy woman had helped me check into, all the  
13 luggage was brought up by someone working there, and I  
14 saw everything sort of laying out and kind of open. And  
15 I saw it, just like a fraction of it, that was peering  
16 out, so that was stuff there. So I remembered that I  
17 was traveling on an airplane and that -- I don't know  
18 what made me think of it at the time, but you can't  
19 travel with somebody else's prescription drugs or you  
20 can be arrested or it is illegal.

21 So I remember taking them and putting them in  
22 a suitcase because I don't think you are -- I don't  
23 think you were supposed to travel -- I don't know. I  
24 don't know why that dawned on me at that point, but I  
25 put it in a suitcase because you are not supposed to

1 carry someone else's medication.

2 Q. Did you open either of those containers when  
3 you saw them in the hotel that evening or whenever you  
4 first saw them again?

5 A. I don't believe so, not that I recall.

6 Q. When did you, if you did -- did you ever see  
7 them again after you returned back to the States?

8 A. Yes.

9 Q. When was that?

10 A. Then I saw, when I was here at this house,  
11 when I came home, and then I showed my parents and my  
12 family --

13 Q. The two bottles?

14 A. The two bottles, and my dad had inspected  
15 them. And at some point I shared that information with  
16 the Smith family, and they had asked for the names of  
17 the prescription drugs.

18 Q. Did you ever show them the bottles?

19 A. No, because then quickly soon after that  
20 happened, the FBI came and they took it.

21 Q. A couple questions regarding that. Do you  
22 recall the date that each of those prescriptions had  
23 been filled, even the month?

24 A. Not at this time.

25 Q. Did anybody count the contents of either

1 bottle at any point that you know of?

2 A. I think the FBI did. I believe the FBI did.

3 Q. Were you ever given any indication that based  
4 on the dates and the number of pills in each bottle,  
5 that more were missing than would have been appropriate  
6 for what was prescribed in terms of taking it?

7 A. No, I didn't.

8 Q. Do you know what I meant? Crummy question,  
9 but do you know what I am asking? Were there more pills  
10 missing than should have been for him taking one each  
11 day?

12 A. No.

13 MR. BROWN: I want to stay on the record,  
14 but I want to state that we are in the process of trying  
15 to get those pharmaceutical records, and when I am able  
16 to get those pharmaceutical records, I have already  
17 agreed to turn over everything to you, Mike. And if  
18 there is more -- we only have knowledge, when you  
19 actually shot me an e-mail --

20 MR. JONES: Which pharmacies, yeah.

21 MR. BROWN: We are only aware of CVS. We  
22 think those were -- the bottles that were turned over  
23 was just CVS.

24 MR. JONES: Greenwich CVS?

25 MR. BROWN: Yes. We are doing -- we are

1 trying to get the records and provide them to you.

2 MR. KELLY: Are you waiting for a HIPAA  
3 form?

4 MR. BROWN: She can do it, and we are  
5 just going to share it with you.

6 MR. KELLY: Okay, terrific.

7 Q. As far as you know, was Dr. Cooper the  
8 prescribing physician on both of those?

9 A. Yes.

10 Q. Was it your understanding that George was  
11 taking both of those drugs from the start at the same  
12 time?

13 A. I don't know.

14 Q. Going back to Chop, you finish dinner now, and  
15 you have come back to the table?

16 A. Come back to the table after getting sick.

17 Q. How long did you remain there for?

18 A. We had to meet Galina at 11 o'clock, Paul and  
19 Galina, at the Schooner Bar, which was right directly  
20 outside of Chop, same floor.

21 Q. Educate me a little bit about the ship. Was  
22 the casino on the same floor as the Schooner Bar and  
23 Chop?

24 A. You know, I wish I could remember. I think it  
25 was all on the same floor. I am not 100 percent

1 positive at this time. It would be helpful if I had a  
2 model of all that. It would be more helpful. I do know  
3 we were supposed to meet them at 11:00, but Galina shows  
4 up without Paul when we do exit dinner.

5 Q. Any idea what time that was about?

6 A. Eleven o'clock, and Paul is in the casino. So  
7 she says, "Paul is in the casino. Why don't we just go  
8 meet him there?" And we say, "That sounds great.  
9 George is just going to drop off his sport jacket  
10 because it gets hot in there." And then I end up  
11 holding it, so he is like, "We will just go upstairs."

12 Q. Or he loses it?

13 A. I hold it, I believe. So we will go upstairs  
14 and drop it off and change into something more  
15 comfortable. And so she is like, "Okay, great. We will  
16 see you then." We go up to our room. On the way up we  
17 see Jackie Freidlander, and she just makes some, you  
18 know, comments.

19 Q. Were you on the same floor? You were on  
20 the --

21 A. I don't know what floor they were on. We were  
22 on the 9th. I don't know what floor she was on. We saw  
23 her on the way up. We must have been like a floor or  
24 two away from our own room, and then she makes a comment  
25 that she likes my dress I was wearing because it was

1 like a comfortable, stretchy dress. She says, "Oh, that  
2 looks like Diane von Furstenburg." I said to George, "I  
3 am not changing. I am going to stay in my dress."

4 So then he decides to just take off his sport  
5 jacket, and I don't think we were there very long in the  
6 room. And I was just wearing that and some little like  
7 black sweater thing. And we go back downstairs.

8 Q. Can I ask you a couple questions about the  
9 room?

10 A. Sure.

11 Q. Do you remember George actually putting his  
12 jacket over the back of the chair?

13 A. I don't remember him specifically doing it,  
14 but that was the whole plan, to go back and drop off the  
15 jacket.

16 Q. And I think you indicated before the photos  
17 you saw, you saw the jacket on the chair, where you  
18 thought it had been left?

19 A. I saw a jacket. I am pretty sure I saw a  
20 jacket on the chair.

21 Q. Did George have a pair of brown suede loafer  
22 type shoes?

23 A. He had a lot of shoes, but he had a pair of  
24 brown dress shoes that were suede-ish, yeah.

25 Q. Do you recall seeing them in the room at all

1 that night?

2 A. No.

3 Q. Do you recall seeing them in any of the  
4 photographs that were taken afterwards?

5 A. There was a pair of shoes or a shoe in a  
6 photograph. Can't remember which pair specifically, but  
7 they could have been a pair of brown suede shoes.

8 Q. Do you recall reading anything in the Turkish  
9 police reports regarding those brown suede shoes?

10 A. I recall that --

11 MR. BROWN: Just what you know.

12 A. I don't recall at this time.

13 Q. Do you recall seeing anything or reading  
14 anything about stains being on those brown suede shoes?

15 A. I recall a picture with a shoe that looks like  
16 it may have like a tiny -- maybe a centimeter round --  
17 substance of some sort --

18 Q. Right.

19 A. That looks like a stain or a mark. What it is  
20 I don't know, but for whatever reason, there is a  
21 picture of it and of shoes.

22 Q. I don't suppose you remember if that had been  
23 on his shoes before that night or if you ever noticed  
24 something like that?

25 A. I don't recall.

1 Q. You leave the room. It is a little after  
2 11:00 now, I guess?

3 A. Yes.

4 Q. Where do you head back to?

5 A. Heading to the casino.

6 Q. You went directly there?

7 A. I believe we went directly to the casino  
8 because now we were supposed to meet Paul and Galina,  
9 who were waiting there for us.

10 Q. Were they there when you got there?

11 A. They were there.

12 Q. You join them?

13 A. We join them, but again, I would like to  
14 just -- I would like you to remember, the casino is so  
15 small. When you go to the casino, you are pretty much  
16 joining everybody that is at the casino.

17 Q. Did they have craps?

18 A. They only had one craps table. They have like  
19 two blackjack tables and slot machines. So say if I was  
20 playing blackjack, I could see George playing craps, or  
21 like I can shout his name to come over. That is how  
22 close we are. It is not a very big casino area. It is  
23 tiny.

24 Q. Did they have a separate bar in there?

25 A. No. They had a cocktail -- I think somebody

1 who would come over. As best I remember, I believe  
2 there was somebody who you can order drinks with that  
3 would come over.

4 Q. But no separate bar where you could sit at the  
5 bar and just have a drink or something?

6 A. There was one in that general area. I think  
7 it might have been just outside. I don't recall  
8 specifically, but I remember there being definitely a  
9 drinking, gambling floor.

10 Q. Do you know whether you had to pay for your  
11 drinks when you were gambling?

12 A. No, nothing -- you would tip them with, you  
13 know, cash or you could tip them with a token, but you  
14 would sign for things or swipe things, so you give a  
15 card.

16 Q. What I am asking --

17 A. Sea pass.

18 Q. You have to pay one way or another for drinks,  
19 even in a casino?

20 A. You would have to pay. Somebody would have to  
21 pay.

22 Q. It wasn't like Vegas or something, where they  
23 just keep feeding you drinks if you are gambling is what  
24 I am asking?

25 A. That is a good question. I am pretty sure you

1 have to pay. I think that you how the cruise line makes  
2 a lot of their money. I think you have to pay for  
3 drinks. Otherwise the casino is probably more packed.  
4 People would probably just hang out there.

5 Q. As far as you know, you have to pay for your  
6 drinks?

7 A. Yes.

8 Q. Any recollection who was serving drinks that  
9 night in the casino?

10 A. No.

11 Q. Do you know whether it was a male or female?

12 A. Do not recall. Normally they were females,  
13 but I do not recall.

14 Q. Where did you George go when you went back to  
15 the casino? Where did you and George go?

16 A. Repeat that.

17 Q. After you went back to the casino, did you and  
18 George go to the same table or did you play craps and he  
19 was playing poker? When did you do when you got back  
20 there?

21 A. I believe blackjack, me blackjack, him craps.  
22 That was all we played again, so that was the only two  
23 things, and we were, you know, in the same general area.

24 Q. Did you have any drinks yourself when you were  
25 playing blackjack?

1 A. I do not recall, but probably.

2 Q. Was anybody else at the blackjack table with  
3 you?

4 A. Yes. I don't remember specifically who I was  
5 sitting next to, but I remember a lot of familiar -- at  
6 this point in the trip, a lot people started looking  
7 familiar and you start knowing people, at least by face.  
8 A lot of the people that spend time in the casino on day  
9 one and two were probably still there, three, four,  
10 five, and six, so all of these people are just familiar  
11 faces. And with George, people around him, a couple are  
12 familiar, a couple are not, but it is kind of -- you get  
13 a sense of like a cozy, friendly atmosphere that people  
14 are starting to know each other at this point.

15 Q. Your blackjack table, were any of the four  
16 individuals we have talked about there at that point,  
17 meaning Askins, Rozenbergs, or Kofman?

18 A. I want to say yes, but I don't recall  
19 specifically. And I don't recall whom, and this is --  
20 obviously, this is the part in the evening already  
21 starting at the casino where things start to get a  
22 little fuzzy, for lack of a better word.

23 Q. Do you have any recollection of any of those  
24 four being at the blackjack table you were at that  
25 night?

1           A.     Again, I can't say specifically, but I want to  
2 say --

3                         MR. BROWN:   Don't want to say.   He just  
4 asked you a question.   You can or you can't.

5           A.     I don't know for sure.

6           Q.     But you can't pinpoint one of the four being  
7 at that table?

8           A.     No.

9           Q.     Do you remember who the dealer was when you  
10 were there?

11          A.     No.

12          Q.     Do you know if they changed dealers when you  
13 were there at that table?

14          A.     No.   I do not remember.

15          Q.     Did they have -- we mentioned Lloyd before.  
16 Was he someone you knew as the casino manager?

17          A.     Yes.   He is the casino manager.

18          Q.     So he wasn't one of the dealers in there?

19          A.     No.   And the only reason I can say that for  
20 certain is because I later -- when we leave the casino  
21 area, the thing that strikes me is he was off duty, and  
22 I had never seen somebody -- you know, a cruise employee  
23 off duty sort of at a bar area.

24                         So the reason I remember is because I remember  
25 George calling like Lloyd, and he would like call his

1 name really loud. He was like, "Hey, what is going on?"  
2 And they were like pretty good friends as friendly as  
3 you could be with someone you have known for a short  
4 period of time, but friendly enough where we saw him on  
5 another occasion, him and his girlfriend. We met them  
6 together. We were going to meet them for drinks later,  
7 and we pretty much had him as our dealer almost every  
8 night when we used to play craps there.

9 Q. This night you say was off duty but in the  
10 casino?

11 A. No. He was off duty, and I know that because  
12 later, when we left the casino, one of the few memories  
13 I have of that is that specifically George was like  
14 screaming his name going over to him. And we are saying  
15 like, "Hey, what is going on?" He was kind of like,  
16 "Jen." Like it was odd to see a casino dealer out of  
17 context.

18 Q. I am not understanding where he was that you  
19 saw him out of context?

20 A. Not in the casino. Well, I know that is for  
21 whatever reason. Of course, every person on the ship  
22 has a right to go and do whatever outside of their job,  
23 but we had never seen him outside of his -- wearing the  
24 casino uniform.

25 Q. But was he in the casino?

1 A. I don't recall.

2 Q. Is there another bar right next to the casino  
3 or something else there?

4 A. I believe so. I think that we left the casino  
5 area and went to this bar.

6 Q. Do you have any concept of what time that was  
7 when you left the casino?

8 A. No, but --

9 Q. Any concept of how long you may have been  
10 there playing blackjack, two hands or just?

11 A. More than two hands. I couldn't even -- I  
12 couldn't tell you if it was, you know, 40 minutes or  
13 2 hours. I don't know.

14 Q. And do you recall who left with you besides  
15 George?

16 MR. BROWN: Left where?

17 Q. The casino? You indicated you left at some  
18 point?

19 A. No, but I was later told --

20 MR. BROWN: No, no.

21 Q. Back up. First of all, do you recall having  
22 any sort of argument at all with George inside the  
23 casino?

24 A. No.

25 Q. Do you specifically recall not having any sort

1 of argument with George inside the casino?

2 A. No. I have no memory of any argument that we  
3 had.

4 Q. So you just don't know one way or another?

5 A. It seemed unlikely that --

6 MR. BROWN: No. He is just asking if you  
7 remember.

8 Q. I am asking if you actually know whether you  
9 did or not?

10 A. No. In the casino?

11 Q. Yes?

12 A. I do not, do not know, no memory of that. I  
13 would say no.

14 MR. BROWN: You already stated that you  
15 didn't have fights with him, but he is just asking, do  
16 you have a recollection of not having a fight with him.

17 Q. Simply, you know, people stated at some point  
18 they saw the two of you having an argument?

19 A. Right.

20 Q. You have heard that?

21 A. Yes. I heard that on the news.

22 Q. You have no recollection of that ever  
23 happening?

24 A. No recollection of that.

25 Q. Can you tell me very specifically that you

1 know it did not happen?

2 A. I don't remember a good portion of the  
3 evening, so therefore, unfortunately, I cannot tell you  
4 it didn't happen.

5 Q. Can you tell me what your last recollection is  
6 of that evening?

7 A. Yes. The last thing I hazily remember is  
8 being in this revolving bar area. It is like kind of a  
9 circular bar, and I get the impression it is like a  
10 revolving lounge or something like that. And I am  
11 standing up, and I am talking to people who are on sort  
12 of a family trip, like I want to say like a mom, and I  
13 felt like the people, young and old, that all came on  
14 this trip together -- sort of like a reunion and just  
15 talking and everyone having a good time.

16 I remember there being like a point where I  
17 feel like I have to go home, like I can't -- I need to  
18 go to bed, like I can't stand up anymore, and that was  
19 it.

20 Q. Did you have this feeling at all when you were  
21 in the casino?

22 A. Not that I recall.

23 Q. Do you recall leaving with George when you  
24 left the casino?

25 A. I don't recall specifically.

1 Q. Do you recall arriving at the revolving bar  
2 you are speaking of?

3 A. Vaguely, yes.

4 Q. What do you recall about arriving there?

5 A. I remember arriving there, George. I remember  
6 George calling out Lloyd's name. I remember --

7 Q. So this was the first time you saw Lloyd, was  
8 in the revolving bar?

9 A. Yes.

10 Q. Was Lloyd with anybody? Do you recall?

11 A. I don't recall.

12 Q. Was the place crowded, empty, something in  
13 between, if you remember?

14 A. There were people there. Probably something  
15 in between.

16 MR. BROWN: Just what you remember, not  
17 "probably."

18 A. I don't.

19 Q. Had you been to this bar before this night?

20 A. I don't recall.

21 Q. Any idea of how long you were there before  
22 this feeling overcame you in terms of --

23 A. I have no idea.

24 Q. Do you know -- you indicated you remember at  
25 least having a drink in the casino. Do you know whether

1 you had more than one or not?

2 A. I don't know.

3 Q. Do you remember what you were drinking in the  
4 casino?

5 A. I had two drinks that I would possibly have.  
6 It would either be a vodka soda or a Mich. Gold.

7 Q. Do you have any memory of a waitress bringing  
8 any of those drinks over to you in the casino?

9 A. No.

10 Q. Do you recall anybody else being at the table  
11 with you drinking at the same time when you were in the  
12 casino?

13 A. No.

14 Q. Do you recall getting a drink when you arrived  
15 at the revolving bar?

16 A. I don't remember, but probably. I remember --  
17 you are at a bar. People are drinking. I don't  
18 remember.

19 Q. You don't remember whether you specifically  
20 had a drink or not?

21 A. No, but probably is what I am saying.

22 Q. Do you have any concept of how long you were  
23 in the revolving bar before --

24 A. No.

25 Q. -- these feelings? Did you feel sick at all

1 or you just had a weird feeling when you were in the  
2 revolving bar?

3 A. Other than dinner, I don't recall sick  
4 feelings other than that last just tired all of a  
5 sudden, like tired, overwhelmingly tired feeling.

6 Q. It wasn't like earlier in the night when you  
7 felt physically ill?

8 A. No.

9 Q. Do you recall the last time you saw George  
10 that evening?

11 A. No.

12 Q. Do you recall seeing George in the revolving  
13 bar?

14 A. Yes, in the very beginning only.

15 Q. Where was he in relation to you?

16 A. I only remember him just in the very beginning  
17 like walking in, like just a feeling like that he is  
18 right next to me.

19 Q. Do you remember even starting up the  
20 conversation with the woman you were talking to or how  
21 that came about?

22 A. No. No.

23 Q. Do you remember seeing if Lloyd was with  
24 anybody when you saw him in the revolving bar?

25 A. No.

1 Q. Do you have any concept whatsoever of any of  
2 those four other individuals being in the revolving bar?

3 A. No.

4 Q. Do you recall seeing your friends, the  
5 Freidlanders, there in the revolving bar?

6 A. No.

7 Q. Do you recall seeing Bobby and Jackie there in  
8 the revolving bar?

9 A. They are the same people. No.

10 Q. They are? I'm sorry.

11 A. That is okay, Paul and Galina.

12 Q. I'm sorry.

13 A. That is okay.

14 Q. Were they in the revolving bar?

15 A. I don't remember.

16 Q. What is the next thing -- I'm sorry. Do you  
17 have any recollection of being anywhere other than the  
18 revolving bar --

19 A. No.

20 Q. -- that night? Do you have any recollection  
21 of making any efforts to leave the revolving bar?

22 A. No.

23 Q. Did you ever see the videotape of yourself  
24 leaving the revolving bar?

25 A. No.

1 Q. What is the next thought you recall having  
2 after being in the revolving bar?

3 A. Waking up the next morning.

4 Q. Where did you wake up?

5 A. I woke up in my state room, and of all things  
6 to remember, I remember that I had a massage  
7 appointment, and I also at this point -- clearly when I  
8 wake up, George isn't there, and he also has a massage  
9 appointment.

10 Q. Let's back up. You have no recollection of  
11 being helped back to your room?

12 A. No.

13 Q. When you woke up in your room, do you recall  
14 what you were wearing?

15 A. The same thing I was wearing the night before.

16 Q. A dress?

17 A. A dress, like a sundress, stretchy like,  
18 comfortable.

19 Q. Did you have your shoes on still? Do you  
20 recall?

21 A. I do not recall. I do know that I put on -- I  
22 put on flip-flops.

23 Q. To go to the massage?

24 A. To go to the massage.

25 Q. Do you recall how you were awakened that

1 morning?

2 A. Just naturally awoke.

3 Q. No alarm, no wake up call, nothing like that?

4 A. No. One of those, you know, when you just  
5 wake up and you are kind of like, "Where am I?" You  
6 kind of like wake up.

7 Q. What do you remember -- just take me back  
8 there. What do you remember when you --

9 A. Just like waking up.

10 Q. Were you on your back, your side, your  
11 stomach?

12 A. I don't remember that. I just remember waking  
13 up and knowing that I have a massage appointment.

14 Q. Did you feel nauseous or sick or anything?

15 A. No. I felt a little groggy, but I thought I  
16 am just waking up. I am groggy.

17 Q. Were you hung over?

18 A. I don't know.

19 Q. Stick with me here. You have been hung over  
20 before. Did you feel like sick, hung over from liquor?

21 A. No, absolutely not. I didn't have a  
22 stomachache. I didn't have a headache that I remember.  
23 I woke up just really groggy.

24 Q. Do you remember what time it was?

25 A. Yes. It was close to my massage time, which

1 would have been-- it was around the 10 o'clock massage,  
2 so I wake up to go to it, throw on my flip-flops and  
3 grab my purse and go.

4 Q. So how long does it take to get to the massage  
5 place from your room?

6 A. You know, depending on if you go up the stairs  
7 or the elevator, probably 5 minutes, not even.

8 Q. So in your best estimate, how long had you  
9 been awake before you got your massage?

10 A. A couple minutes. I literally went from  
11 waking up to, "Oh, I have got to get to the massage  
12 appointment."

13 Q. Didn't have a soda? Didn't call room service?

14 A. No, didn't even brush my teeth, which is  
15 embarrassing to admit, but you know, it is the morning.  
16 You are on a cruise ship, and I was going to take a  
17 shower when I got back.

18 Q. What was your thought process in terms of  
19 George not being there?

20 A. My thought process immediately was he must  
21 have drank too much. He is probably crashed in Paul and  
22 Galina's room, and he is probably going to be so mad at  
23 himself because they are going to charge him a hundred  
24 dollars for his massage. And something like that would  
25 have just drove him crazy a little bit because he

1 doesn't want to throw money out the door. So the fact  
2 that he missed it, but he was over-drinking, my thought  
3 was well, kind of serves him right for drinking so much,  
4 but now he has got to pay for it, literally a hundred  
5 bucks. So I thought that was what George would have  
6 thought if he had missed his appointment.

7 Q. When you woke up -- and would it be fair to  
8 say it was between 9:30 and 10 o'clock that morning?

9 A. Yes.

10 Q. Is that okay to say?

11 A. Yes.

12 Q. Were you certain that George had not slept in  
13 the bed that night?

14 A. I wasn't certain, but you can kind of -- it  
15 didn't look messed up. It didn't look -- I had the  
16 feeling that no one had slept there. It was like if you  
17 woke up in your bed, and say your wife was normally  
18 sleeping, you know, next to you, there is a way that  
19 maybe a bed looks.

20 Q. That is what I am asking. You could have  
21 gotten up --

22 A. I had a feeling that he just never slept  
23 there. It was like no messy covers on that side.

24 Q. So you never thought that he had just woken up  
25 and left before you --

1           A.     No.    I would assume it would be more likely  
2 because he tends to be up later.

3           Q.     I am asking you what you thought, Jen, at that  
4 time.  Did it ever cross your mind that he had just  
5 gotten up and left before you woke up?

6           A.     No.

7           Q.     Did you ever call either of your other  
8 friends' rooms to see if he was there?

9           A.     No.

10          Q.     Did you leave a note for him or anything?

11          A.     No.    I figured by the time I got back from my  
12 massage, he would realize -- he probably would be back  
13 and realized he would miss his, not only that it was  
14 Turkey, and he made it clear to me that this was one of  
15 his least favorite ports.  I was more concerned about  
16 Italy and France and all the other ones.

17                 He had been to Turkey before, and our plan  
18 that day was not a tour, not to get a early start.  We  
19 actually had planned -- that is why we had planned our  
20 massages specifically that day.

21          Q.     Did he have a scheduled massage?

22          A.     He had a scheduled a massage as well.

23          Q.     For what time?

24          A.     The same time.

25          Q.     His and hers simultaneous massages?

1 an early riser that morning and had gotten there before  
2 me.

3 Q. Before the revolving bar, where everything  
4 sort of went hazy, do you have a recollection of George  
5 having drank too much up to that point?

6 A. I do not recall.

7 Q. So you are just assuming because he came back  
8 to the room he had drank too much?

9 A. I am assuming based on all the other nights on  
10 the cruise that when he had been heavily drinking, that  
11 this would have been similar, and that one time that he  
12 had been up late with Paul, so in my mind I am picturing  
13 one of these late --

14 Q. How many days before was that, the Florence  
15 thing?

16 A. Maybe 3 days before.

17 Q. And were they ready to take you right away for  
18 your massage at 10 o'clock?

19 A. I don't remember. I just remember -- this is  
20 still very hazy. I literally remember just throwing on  
21 flip-flops, grabbing my purse, and going to the massage  
22 appointment, and I don't remember how long the massage  
23 was, don't even remember the massage itself. I maybe  
24 slept through it. Like that is how little I remember.  
25 I don't even --

1 Q. Do you remember if it was 40 minutes, an hour,  
2 90 minutes, how long it was scheduled for even?

3 A. No. Most are an hour, but I don't remember  
4 specifically.

5 Q. What, if anything, happened during this  
6 massage? Did anybody approach you, or what happened  
7 next in terms of --

8 A. After the massage -- or I don't remember  
9 specifics, but I do remember vividly being approached by  
10 three men in white uniform.

11 Q. Do you recall where you were at that point?

12 A. I believe I was still in the spa area, and --

13 Q. Had you finished your massage; do you know?

14 A. I assumed so.

15 Q. They were separate massage rooms, I assume?

16 A. Yeah. Like I said, I don't actually even  
17 remember the massage. Like I don't remember physically  
18 the massage anymore. It has been a long time, but I do  
19 remember specifically being approached in the spa area  
20 by three men in white uniform.

21 Q. Were you still feeling, for lack of a better  
22 word, weird at that time, a little bit like you had the  
23 night before?

24 A. Just groggy, but when the guys came and it was  
25 these three men, then all of a sudden I just remember

1 everything like crystal clear at that moment because I  
2 think it was like what they were saying was so just  
3 surreal that all of a sudden -- if you are groggy or  
4 whatever, you are going to snap right out of it. It was  
5 a severe encounter at that moment, so all of a sudden --  
6 whatever I was feeling groggy about or didn't remember  
7 all of a sudden was like holy -- like what is going on?

8 Q. Do you recall whether you were standing or  
9 sitting at that point or what you were doing when the  
10 three men approached you?

11 A. I remember them saying, "Are you Jennifer  
12 Hagel Smith," at least, "Are you Jennifer and do you  
13 know George Smith?" I think at that time they had said,  
14 you know -- I don't remember at that time if I had  
15 known, but I knew shortly in and around that time that  
16 they had done a search of some sort or that they had  
17 found blood or that they believe he is missing. I don't  
18 know if they shared that information at that second, but  
19 the point is three men are telling me that George is  
20 missing.

21 Q. Were they all in the same type of dress, the  
22 three men?

23 A. Yes, they were. And at that time I remember  
24 just like -- literally like your whole world feels like  
25 it is collapsing because of the looks on their faces was

1 telling me that something horrible had happened like in  
2 that moment, without even having to say too much. And I  
3 remember grabbing my arms and thinking like this must be  
4 a dream, like trying to pinch myself literally so I  
5 could like wake up because it was just so crazy what  
6 they were trying to I think relay to me. I was just  
7 like immediately like in shock or just couldn't believe  
8 what they were trying to relay.

9 Q. Did just one of them do the speaking for the  
10 three men?

11 A. I believe one main person, obviously. I don't  
12 remember exactly at that time. One person did the main  
13 delivery of the news.

14 Q. How was it delivered? Do you recall pretty  
15 much what he told you?

16 A. I mean, like I remember just their striking  
17 white uniforms and then just saying like, "Are you  
18 Jennifer," or "Do you know George?" And I am thinking  
19 how do you know -- why do you know my name? What is  
20 going on? It was so bizarre, and the way they  
21 approached was so like direct that it was just like a  
22 shattering moment. And I think that, you know, when  
23 someone has to tell you that they believe something  
24 happened like that, you know, to your husband, the looks  
25 in their eyes were just like a dead giveaway that this

1 was something tragic.

2 Q. What did they tell you, if you recall?

3 A. That he was missing, that -- do I know where  
4 he is. He is missing, and then immediately  
5 thereafter -- I don't know how long we were in that  
6 moment, but shortly thereafter I was told or it was  
7 somehow heard or told that they had found blood beneath  
8 our balcony and that they had -- I had subsequently  
9 learned they had narrowed -- had gone up from that blood  
10 stain, each person's balcony above, and we were the only  
11 people that they couldn't locate.

12 And it was just like a stunning time. There  
13 was like clear moments of it, but it was just like a  
14 memory that is -- you know, like every time I tell it,  
15 it is a very -- it is kind of like a disgusting feeling  
16 to remember.

17 Q. What happened after you had this initial  
18 conversation with the three men? Want to take a break  
19 for a minute? That is fine.

20 MR. KELLY: Let's take a 5-minute break.

21 (Recess: 3:11 to 3:27 p.m.)

22 Q. After you -- back up. I'm sorry. Have you  
23 ever had Absenth before?

24 A. No.

25 Q. Do you know what it is?

1 A. I know it is an alcohol.

2 Q. Did you ever in the 3 years you knew George  
3 see him drink it?

4 A. No.

5 Q. And you never drank it yourself?

6 A. No.

7 Q. Did you or George bring any alcoholic  
8 beverages on board with you for this cruise?

9 A. No, but we brought alcohol on board. Once we  
10 were on the cruise George bought alcohol and brought it  
11 on.

12 Q. The two bottles of vodka in Mykonos?

13 A. I later learned he brought a bottle aboard for  
14 Josh Askin when we went to Florence.

15 Q. How did he buy liquor that day?

16 A. Well, interestingly enough, we believed that  
17 that is the bottle of Absenth, because he made a comment  
18 about it which is interesting. He said, "You can't buy  
19 this stuff" -- something like, "You can't buy this stuff  
20 at home."

21 Q. Who made that comment?

22 A. Josh.

23 Q. When did you hear him make that comment?

24 A. In Florence. It was a weird comment. I  
25 figured he is a college kid, kind of exciting. He told

1 George about it. George is kind of like the older  
2 brother figure. He was kind of like bragging to George  
3 about this bottle he had bought in Florence.

4 Q. Josh bought it?

5 A. Josh bought it in Florence.

6 Q. Did you actually see the bottle he had?

7 A. I don't remember specifically seeing it, but  
8 the bottle -- George actually brought the bottle on  
9 board. How ironic that bottle that we believed may be  
10 the Absenth, he actually brought it on board for Josh,  
11 because Josh was wearing tight shorts that day, the  
12 Askin parents and all three kids and us, too.

13 Q. Why did George bring it on board?

14 A. Because George was -- Josh was wearing shorts  
15 that were kind of snug. He was wearing like a belt, and  
16 George was wearing like a T-shirt that kind of like hung  
17 over the shorts, more roomy. So he is like, "Josh, I  
18 will take it for you." So he puts the bottle of what we  
19 know now is Absenth in his pants.

20 Q. George did?

21 A. George did, in front of the Askins and  
22 everybody. And even Mrs. Askin made a joke, like, "Oh,  
23 you must think, you know, I am a horrible parent." We  
24 are like, "No. Don't worry about it, no big deal."

25 Q. Was George bringing it on board because of

1 Josh's age?

2 A. George was bringing it on board not because of  
3 his age but because Josh couldn't get it in his pants  
4 without it being seen, so he couldn't hide it.

5 Q. Was it your understanding you could bring any  
6 alcohol on board from --

7 A. It was known that you shouldn't do that. That  
8 is hence the reason why trying to hide it somewhere, so  
9 that he can bring it. But most passengers know that the  
10 drinks on board are really expensive, which is why  
11 George tried to bring on the vodka for the rooms. He  
12 didn't have to pay for drinks the whole trip. You can  
13 actually save some money and make some of your own.

14 Q. How did you get those two bottles on board?

15 A. He did the same thing. He put them like in  
16 his pants. If you see the pictures, like more slender  
17 bottles. He just had a T-shirt, same thing, big guy, so  
18 like roomy shorts.

19 But back to that, we now know after everything  
20 that has come out on the news that that stuff he was  
21 talking about that you couldn't buy in the United States  
22 most likely was the bottle of Absenth, which ironically  
23 George brought on for Josh, but then hands it right back  
24 to him after we had gone through the swipe machine area,  
25 in front of the family and everybody, and said, Here you

1 go, Josh." And that was it. That was the extent of it.

2 Q. Do you have any recollection of the appearance  
3 of the bottle of Absenth?

4 A. No.

5 Q. Was it a full, like a quarter, fifth of a  
6 bottle, or something smaller?

7 A. I don't recall.

8 Q. In comparison to the two bottles of vodka  
9 George brought on board, how did it measure up?

10 A. I don't actually recall like seeing it. I  
11 don't remember the size. I know it wouldn't be the size  
12 of like a water bottle, but certainly not like a big  
13 jug. He wouldn't have been able to fit it in his pants.  
14 Had to sort of be a more slender bottle that one can put  
15 in their pants.

16 Q. Did you ever see that bottle again after  
17 George handed it back to Josh?

18 A. No.

19 Q. Did you ever hear any conversation about it  
20 again?

21 A. Not until the news.

22 Q. Did you ever have any conversations with  
23 Josh's parents after that night?

24 A. That next morning, when we all had gathered in  
25 a general meeting area, after I was told the news from

1 the three men in white uniform -- that was later -- I  
2 was then brought to an area where the Askin family was  
3 and some of --

4 Q. Let's stop you again. After you returned back  
5 to the United States --

6 A. No.

7 Q. -- did you ever talk to the Askins again?

8 A. No, never.

9 Q. Did you ever talk to an attorney for the  
10 Askins?

11 A. No.

12 Q. Anybody as an intermediary between your family  
13 and the Askin family about anything after you came back  
14 to the States?

15 A. No. I do know that attorney Rivkind had some  
16 conversation with Josh's attorney.

17 Q. How do you know that?

18 A. I believe Walker, Mr. Walker, told --

19 Q. Mr. Walker told you that?

20 A. Mr. Walker expressed that he talked to Brett  
21 Rivkind something regarding that. I don't know the  
22 extent of what was found.

23 Q. Going back to now when you were done talking  
24 to the three gentlemen that were the crew members --  
25 that is where I interrupted you before. I want you to

1 sequentially now the best you can tell me what you  
2 remember happening next, just chronological fashion,  
3 most detailed manner you can?

4 A. Like I said, we were in this gathering area.  
5 I remember specifically --

6 Q. You are still in the massage area, the spa,  
7 when the three men approach you?

8 A. I thought we were done with that. After they  
9 had told me the news --

10 Q. What did you do right after that?

11 A. I followed these men.

12 Q. Did they ask you to follow them?

13 A. I don't remember. It was sort of zombie-like  
14 at that point. I think I was just -- following them  
15 into this general area is the next thing I remember,  
16 where there are other vacation people. It is not a  
17 sealed area. It is a big, wide open area, a people  
18 where people go and make reservations for day trips. It  
19 seemed like a general meeting area.

20 Q. Had you been there before?

21 A. I don't -- I think so. I don't recall. I  
22 don't remember if we had to make a reservation somewhere  
23 there.

24 Q. Was it near the spa?

25 A. I don't believe so.

1 Q. Did you have to go up any flights of stairs  
2 or --

3 A. I don't remember.

4 Q. Did you walk behind the three men or were you  
5 engaging in conversation with them?

6 A. I don't remember.

7 Q. What is the next thing you remember then after  
8 or at this area you are describing?

9 A. Askin family being there. I remember just  
10 hugging Mrs. Askin, just sobbing and just being like  
11 just the state of like kind of crying, a little shocked,  
12 a little crying, not really having an idea as to like  
13 what is really going on, what next. And she is trying  
14 to comfort me and say not to worry and just -- I don't  
15 remember whether she was -- you know, what she knew or  
16 what she didn't know, but she was just trying to comfort  
17 me at that time.

18 Q. When you say "the Askin family," who else was  
19 there?

20 A. The whole family, apparently, meaning  
21 Mr. Askin and the three kids, because --

22 Q. Josh was there, though?

23 A. Yes, because I think they were trying to leave  
24 for the day the ship, as a family, to go on to Kusadasi,  
25 except I think they wouldn't let either -- they tried to

1 leave, and they wouldn't let them leave because if you  
2 put in your sea card, they would tell you like don't  
3 leave, or they just sought them all out and asked them  
4 to stay. But they would not let them leave for whatever  
5 reason, wanted to hold them there because maybe they had  
6 questions, or I remember that because I remember  
7 Mr. Askin after a while -- it was kind of strange  
8 because people were on vacation, and I was going through  
9 this tremendous painful time. But people wanted to move  
10 forward with their trip, so it was a strange place to  
11 be, watching people leave for their fun excursions and  
12 laughing and smiling, and then feeling really just out  
13 of place and out of sync with the rest of the world at  
14 that moment.

15 Q. Was the ship actually at dock?

16 A. It was at dock.

17 Q. When you went for your massage, as far as you  
18 know, the ship was already at dock then?

19 A. I would assume so. That is --

20 Q. Not assume. Do you know whether it was or  
21 not?

22 A. I don't know.

23 Q. Do you recall looking out the window of your  
24 room or anything before you left for the massage?

25 A. No.

1 Q. When was the first time you noticed that the  
2 ship was at dock?

3 A. Well, it was obviously that people were  
4 leaving the ship, coming on and off the ship, so we must  
5 have been at dock. On most days the dock ship --

6 MR. BROWN: No. Just when did you first  
7 notice --

8 A. I don't remember when I first noticed.

9 Q. Other than seeing Mrs. Askin when you went to  
10 this area, what happened next? Did the three crew  
11 members stay there?

12 A. I don't recall.

13 Q. What happened after you spoke to Mrs. Askin?

14 A. Eventually, a woman from guest relations,  
15 Maria, had taken me to that cabin, the empty cabin,  
16 and --

17 Q. How long were you in the common area you  
18 described before you went to the cabin?

19 A. I don't know exactly, but you know, it seemed  
20 like under an hour, more than 10 minutes.

21 Q. Did you did have any conversations with  
22 anybody else in that area other than the one you had  
23 with Mrs. Askin?

24 A. I don't remember if Paul and Galina met me  
25 there then. I don't remember specifically who was

1 there. I just remember a lot of just familiar faces  
2 again.

3 Q. Were you aware of any unusual activity going  
4 on when you were there at that time in terms of what was  
5 going on with the crew or things like that?

6 A. No.

7 Q. Do you have any sense of sort of urgency or  
8 unusual activity or things like that going on at that  
9 point?

10 A. No, but the whole experience from that point  
11 on was an unusual experience, for obvious reasons.

12 Q. When you went back to the -- did you have any  
13 conversation with Maria, the customer service rep, in  
14 that common area before you left the room with her?

15 A. I don't recall a conversation. We may have  
16 had --

17 Q. Did you have any conversation with her back in  
18 the room?

19 A. Well, anything I had asked about, such as the  
20 search or calling parents and all that, that is when  
21 that all took place that I had mentioned earlier, the  
22 experience of being there, taking at some point a pill,  
23 taking a shower.

24 Q. Did you do that all in that empty cabin?

25 A. All of that with Maria. She brought me a

1 robe. I remember being in the bed, like laying in the  
2 bed, just crying. I just remember being very just out  
3 of sorts.

4 Q. Were you aware at that time or attuned to a  
5 search being conducted or work being done in terms of  
6 locating George?

7 A. Yes. She told me that they were doing another  
8 search. She kept assuring me they were doing another  
9 search and she was trying to be comforting, but you  
10 know --

11 Q. Had you spoken to your parents yet at this  
12 point, when you first got back there?

13 A. When I was there for a little while, I  
14 eventually was able to get ahold of my parents at that  
15 time.

16 Q. Was it after you showered and cleaned up?

17 A. I don't remember which came first.

18 Q. Did anybody else from the ship come to that  
19 room other than Maria when you were there to give you an  
20 update or an explanation or anything?

21 A. I think she called people for updates and  
22 explanations. I don't remember anyone coming into the  
23 room.

24 Q. How long were you in that room for?

25 A. I don't remember, but I know it was, you know,

1 more than a half hour, probably less than 2 hours.

2 Q. And what happened next after you were in that  
3 room?

4 A. I was then taken from that room to -- I think  
5 that is when they brought me up to the area to meet the  
6 captain. Paul and Galina were there.

7 Q. First of all, you mentioned you had showered  
8 and cleaned up. Did anybody go to your room to get you  
9 a change of clothes or something?

10 A. She may have left me there in the room to go  
11 get stuff, but I think she was just -- not like any  
12 stuff from our cabin, but stuff from like the gift shop.  
13 They would not go in -- like I had asked to go -- I  
14 don't remember if I had asked to go back to the room or  
15 it was just known that there was no going back to that  
16 room.

17 Q. Did you ever go in the vicinity of the room?

18 A. No.

19 Q. Do you remember her bringing back clothes for  
20 you to change into?

21 A. I remember clothes. I remember just getting  
22 like RCL -- like T-shirt and pair of shorts.

23 Q. And tell me about the chronology, where you  
24 ended up on the shore there off the boat?

25 A. The captain and his two security personnel

1 were -- they wanted to talk to me, so Maria brought me  
2 up. I believe I meet with Paul and Galina at that time.  
3 We had more conversations with my father about how to  
4 handle me being taken off the ship.

5 Q. Were Paul and Galina present when you talked  
6 to the captain and the two security people?

7 A. Yes.

8 Q. What did they tell you at that time, the  
9 captain and/or the security people?

10 A. That the Turkish authorities wanted to  
11 interview me, so I needed to go off the ship, and Paul  
12 at that time --

13 Q. When they say "off the ship," did that mean --  
14 did they tell you they wanted you permanently off the  
15 ship?

16 A. I don't recall. I do recall Paul saying, "You  
17 are not leaving the ship. It is not a good idea for you  
18 to leave the ship. You are staying right here. You are  
19 staying with us."

20 Q. What happened? You did leave the ship?

21 A. So the captain got on the phone with my father  
22 to persuade my father that he promised that I would only  
23 be taken -- I would be escorted down off the ship, and  
24 there was that little room area. I would be asked  
25 questions there, and that his two security guards would

1 stay with me the whole time, and I would likely be  
2 brought back up into the ship. And he tried to explain  
3 this to my father a couple times before my father gave  
4 his consent that that would be okay.

5 Q. And is that when you left the ship, right  
6 after that?

7 A. Then I went down, and we had to go out, and  
8 right where you kind of swipe your card right off the  
9 side, like right where the dock is, there is a room  
10 there, which we had described earlier. It is a place  
11 where they conducted these interviews, and that is where  
12 I gave my statement to this Turkish authority guy, who  
13 didn't, obviously, take a very good statement.

14 Q. Just I am trying to think how to phrase this,  
15 but like when you went up to see the captain or you were  
16 walking downstairs to go off board, were there  
17 passengers who were like looking at you, knowing you  
18 were the wife of the person that was missing?

19 A. People didn't know --

20 Q. If you know what I am saying? I just --

21 A. I don't think people -- I don't think at this  
22 time that most people knew what was going on. Most  
23 people were leaving the ship for the day. Most people  
24 were very -- most people just had no clue. The captain  
25 didn't announce that this had all happened until later

1 that evening, which I know because people on the ship,  
2 like Paul and Galina and Jackie and Bobby, said they had  
3 made an announcement that evening before they set sail  
4 about the incident. And I did also see it on TV. I  
5 heard the captain give his announcement.

6 Q. On a TV station for the cruise ship you mean?

7 A. No. He would make a general announcement like  
8 over a speaker system. This was what I was told, and it  
9 was just a very, you know, brief, casual statement that  
10 a passenger had gone overboard or missing, or I don't  
11 know exactly the exact words.

12 Q. When you left the boat, was it your  
13 understanding that you were going to be getting right  
14 back on it?

15 A. Yes.

16 Q. Who got off the boat with you, if anybody?

17 A. I think Paul and Galina. Well, the two  
18 security guards that were promised to be with me at all  
19 times and Maria, the customer relations woman, and Paul  
20 and Galina were all there, the security.

21 Q. Did they actually -- all five of these people  
22 get off the boat with you?

23 A. Yes. And we went to that interview room area,  
24 and only the security -- I think the RCL security -- at  
25 least one of them went in with me at that time when I

1 was giving my statement.

2 Q. Was there a Turkish detective or someone  
3 waiting in the room when you got there?

4 A. Yes, there was somebody there that was doing  
5 all of the questioning.

6 Q. Did you see anybody being questioned before  
7 you?

8 A. No, I did not. I know that I had a general  
9 feeling or sense that it was taking place or that people  
10 were -- I do remember seeing one of the Rozenberg kids,  
11 and like a woman approached me and said, "Do you  
12 remember me, sweetie? I talked to you last night."

13 And I was like, "No." Like I don't even know  
14 what I said, but I just kind of like gave her a hazed  
15 look. And she was looking at me like oh, you poor  
16 thing. But I was just like in shock, like I didn't  
17 understand what was going on.

18 I think people that were in and around our --  
19 people that were familiar to us had started to know what  
20 had happened. And then I think one of the younger  
21 Rozenbergs -- I see in the picture one of them was like  
22 in that general area and just like a face that sticks  
23 out. Otherwise I don't remember any other specifics.

24 Q. Were you at any point told why one of the  
25 Rozenbergs was down there at that point or why other

1 people were even being questioned at first day?

2 A. In that general meeting area, when we had met  
3 earlier, Josh had made it clear or he had said something  
4 at that time to his parents. Like we just put him to  
5 bed or something of that nature, so it was already  
6 established that they had put George to bed, and there  
7 was a lot of confusion, and I don't know. He did  
8 mention or something was mentioned at that time in the  
9 meeting room about Josh with his family and somehow like  
10 how could this be, because I remember the family just  
11 being like, "This is so crazy."

12 Q. What did you learn, if anything, before you  
13 went off board that day in terms of what may have  
14 happened or who ended up with George or how he got back  
15 to the room, or did you have any --

16 A. I don't remember right now specifics.

17 Q. Generally do you?

18 A. Generally --

19 MR. BROWN: You mean other than what Josh  
20 said?

21 MR. KELLY: Yes. I am trying to flesh it  
22 out.

23 Q. Did Josh tell you anything else in terms of  
24 who was with him?

25 A. Specifics --

1 Q. What time or anything about George?

2 A. No. That was it. Like it was kind of like  
3 they -- no.

4 Q. Who is "they"?

5 A. Like Josh and his family. It was just a  
6 confusion, like how could this be.

7 Q. Did you ever have Josh tell you directly that  
8 he and his friend had taken George back to the room?

9 A. I don't recall him telling me that directly.

10 Q. Did you ever see Josh talking to one of the  
11 crew members or the captain or anything, or the security  
12 personnel?

13 A. I don't recall.

14 Q. After you have left the ship and went to that  
15 little area there, how long were you there before you  
16 spoke to the Turkish investigator?

17 A. I don't recall, minutes.

18 Q. Were Paul and Galina still there when you  
19 finished?

20 A. Yes, they were still there when I finished,  
21 but then when I finished, I was told that then I was  
22 told that I would be taken to the Turkish Police station  
23 there until who knows what, and for whatever reason,  
24 the --

25 Q. Who told you that?

1 A. One of the RCL security guards.

2 Q. One of the two guys who was with the captain?

3 A. I am not certain, but I do know that then they  
4 left. So basically they had said that they were going  
5 to bring me back on the ship, but that never happened.  
6 And then they were gone. So then they let me go with  
7 these -- then I went with Maria from guest relations  
8 into a Turkish Police car and was driven then to a  
9 Turkish Police station.

10 Q. And she was the only one with you?

11 A. From RCL.

12 Q. Did you talk to Paul about accompanying you or  
13 did you see him again or what?

14 A. I believe, too, Paul and Galina had wanted to  
15 come, but I don't remember if I had just said, "No,  
16 don't worry about it. I will" -- or I don't remember  
17 what the conversation was, but I know that they were  
18 really upset. They thought at that time whatever it was  
19 was short, and I later learned from Galina that she had  
20 no -- they had no idea that I was there all day. That  
21 is not what they were told. They had asked me about me,  
22 and they were told something different.

23 Q. Where were you all day?

24 A. I was at the Turkish Police station, and then  
25 I got into a car.

1 Q. I am going to stop you because we will talk  
2 about it. How long a drive was it from just off the  
3 boat where you first had your interview to the police  
4 station?

5 A. About 5 minutes.

6 Q. And when you arrived there, what, if anything,  
7 happened? Did they put you in a waiting room or  
8 reception area, take you into an interrogation room or  
9 what?

10 A. I just sat and waited and waited and waited  
11 with this Maria from guest relations, and there was just  
12 a different language all around and just a really seedy  
13 atmosphere everywhere.

14 Q. Did Maria have a cell phone?

15 A. I do not recall. I don't recall.

16 Q. Did she just sit there with you for all this  
17 time?

18 A. She just sat, and I was kind of crying and  
19 kind of in and out of shock. And she just kind of sat,  
20 and then I remember just like local people would just  
21 come in and out. And it was just a very odd setup, and  
22 it was unclear as to what we were waiting for.

23 And I remember this foreigner woman just kind  
24 of like coming over to me and just looking at me and  
25 kind of like laughing, and like a really seedy

1 atmosphere, and there was just very seedy -- that one  
2 seedy character around I remember, and then no real  
3 explanation. Maria seemed like she didn't really  
4 understand what was going on either or what we were  
5 waiting for, but she was saying something about the  
6 embassy, American Embassy, and something about waiting  
7 for them to come.

8 Q. How long were you at that Turkish Police  
9 station?

10 A. I felt like many hours. At one point, the --  
11 but before that, meaning before, what happened was they  
12 got me in an a car again, "they" being the two Turkish  
13 Police officers.

14 Q. Two police officers in the car that drove you  
15 and Maria to the station?

16 A. Yes, again just like very seedy. The car was  
17 just like no seat belts. It was like a really --  
18 everything was really dumpy. I almost felt like this  
19 was a bad movie, like going more and more out of  
20 control. It just seemed so bizarre, and then we were  
21 driving to a hospital, and I think -- I don't remember  
22 if Maria could understand their language or not, but she  
23 somehow knew or I was being told I was being driven to a  
24 hospital so they could check me.

25 And then that is when we go to this hospital

1 that is even seedier than the police station, and there  
2 is some doctor there as he is finishing up with a  
3 patient, and they kind of walk me to this area.

4 Q. In the whole time you had been in the first  
5 police station with Maria until the time you left the  
6 hospital, had Maria given you any sort of update or  
7 explanation as to what was going on on the ship or what  
8 steps were being taken or anything?

9 A. No. I think I had asked her to take for a  
10 call. Again, I think I asked to use -- this wasn't  
11 until later. Disregard that. At this time Maria seemed  
12 a bit confused as to time-wise. She was seemingly  
13 impatient as to what was taking so long or really what  
14 the purpose was, what we were waiting for. And that is  
15 when we were getting no updates from what was going on  
16 or I felt I didn't know what was going on. And I was  
17 just kind of confused and obviously still in shock, and  
18 we were now in some other location.

19 Q. Any idea how long it had been -- I know you  
20 said it felt like hours and hours, but actual time?

21 A. Actual time, it was probably -- probably that  
22 whole experience, from being, you know, interviewed down  
23 below in the police station, whatever, was probably 4,  
24 5, 6 hours. So it felt like a long, a much longer --

25 Q. Like 6 hours before you got to the hospital?

1           A.     No, until we got -- the day ended and the  
2 Turkish Police station -- they actually brought me back  
3 to the ship, until the embassy -- guy from the embassy  
4 showed up. Then what happened was --

5           Q.     Let me stop you. First of all, how long a  
6 time period elapsed from the time you arrived at the  
7 police station until you left for the hospital?

8           A.     I would say maybe a half an hour. It felt  
9 like under an hour. It wasn't very long.

10          Q.     How long were you at the hospital for?

11          A.     Just a few minutes.

12          Q.     That was just a perfunctory checkup?

13          A.     Yes.

14          Q.     You left there. Where did you go back to?

15          A.     I went back to the police station.

16          Q.     How long were you there for?

17          A.     Then we were there for a couple hours.

18          Q.     Did you talk to anybody there?

19          A.     Maria, just the customer relations woman.  
20 There was nobody to talk to.

21          Q.     Did she in that couple of hours give you any  
22 sort of update or explanation or anything during that  
23 period of time?

24          A.     I do not recall.

25          Q.     Did you talk to any police officer again when

1 you were there for a couple hours?

2 A. I do not recall. I wouldn't have been able to  
3 ask myself. I didn't speak their language.

4 Q. But I am saying, no one sat down with you  
5 again with an interpreter, like they did the first time?

6 A. No, no. The next thing that happened when  
7 something happened -- I don't recall, but I do remember  
8 when an FBI agent that was on vacation with his wife  
9 happened to be there.

10 Q. Where?

11 A. In Kusadasi, of all places, so he was really  
12 from Istanbul.

13 Q. You were still at the police station?

14 A. He came to the police station because he heard  
15 there was an American passenger who needed some help or  
16 somebody from -- you know, someone important from the US  
17 to be there for me so that they can release me or so  
18 that I can somehow go back to the ship. For whatever  
19 reason, I needed someone from this embassy. It was  
20 never really clear to me at that time. I didn't know  
21 what was going on. I was never told why, what I was  
22 waiting for.

23 Q. Did this FBI agent and his wife both show up  
24 at the police station?

25 A. They did, but just the FBI agent. I think I

1 just remember conversations with him and Maria. And  
2 then --

3 Q. What was your conversation with her?

4 A. I remember just it has taken so long. What  
5 was taking so long, and then I think we were -- I said,  
6 "They wouldn't let us use the phone."

7 He said, "Well, you can use mine."

8 I said, "I don't think we can use phones in  
9 here."

10 And he said, "Oh, really? You can use it.  
11 Don't worry about it. Call your dad if you want to call  
12 your dad."

13 So at this point it had been a long time since  
14 we last had contact and didn't know what was going on.  
15 And I think my dad got on with Maria. She said  
16 something like, "We are holding her," and whatever, and  
17 now, of course, they just -- I think there is a lot of  
18 just feelings and emotions and people being just upset  
19 now for just a ton of -- a slew of reasons because it  
20 just seemed like this horrible tragedy was just getting  
21 worse and worse by the moment.

22 Q. After the FBI agent showed up at the Turkish  
23 Police station, did you stay there for any length of  
24 time still or did he take you from there? What  
25 happened?

1           A.     We stayed there until I think we had to meet  
2 with somebody. I don't know if it was a Turkish judge  
3 or Turkish somebody with authority that was going to  
4 say, "Okay, you can go," and that his name -- I think  
5 his name is Keith Owens, and him and his wife took Maria  
6 and I back in their van.

7           Q.     Were you ever told why you were being kept  
8 there for in the first place?

9           A.     I do not recall. I was very unclear as to  
10 what was going on.

11          Q.     Nobody ever told you you were being held here  
12 or you have to stay here or --

13          A.     I was just following Maria. I remember just  
14 following Maria's lead, just doing whatever was asked.  
15 It was clear that I was in a very hostile  
16 country/environment. I didn't feel very welcome in any  
17 of the settings since we had landed.

18          Q.     Did Maria speak Turkish, whatever they spoke  
19 there?

20          A.     I don't recall.

21          Q.     Was she communicating with anybody there?

22          A.     She was somehow communicating more than I. I  
23 mean, she was doing a little bit of communicating. How  
24 and with who I do not recall. I guess maybe she must  
25 have other languages under her belt. I don't. It is

1 likely that she was communicating.

2 Q. And what happened next in terms of --

3 A. Then that was --

4 Q. Did you go to a courtroom or somewhere outside  
5 the police station?

6 A. No, just the police station room. Then there  
7 was someone's desk or the judge or somebody. I think it  
8 was all part of the same building.

9 Q. Did you look at paperwork or ask you any  
10 questions?

11 A. I don't know if I was brought to another  
12 location or if it was part of the same building, but I  
13 was in another room now with some Turkish -- someone of  
14 authority, or perhaps even it was the same guy who did  
15 the initial interviews. I don't recall. Could have  
16 been that same guy over again.

17 So Keith Owens was there, and he was kind of  
18 like getting the process expedited and I think visibly,  
19 you know, annoyed that I was there, and what was this  
20 deal, and just very kind to me and very -- he could  
21 speak the language, and so he communicated fine, and  
22 then before you knew it --

23 Q. He could speak Turkish? The agent could?

24 A. Yes, yes.

25 Q. Did you have to sign anything before you have

1 left the police station, if you remember?

2 A. I don't recall. I don't recall, and I may  
3 have, but --

4 Q. How long was Keith Owens there before he  
5 walked you to the station?

6 A. He was there, you know, for a duration, maybe  
7 half an hour or so before we went to that man.

8 Q. After you saw that man, the judge, whatever he  
9 was, what happened after that?

10 A. Then I left with Keith Owens and his wife and  
11 Maria, and we headed back towards the ship.

12 Q. Did you get back to the dock there by the  
13 ship?

14 A. Yes.

15 Q. What happened then?

16 A. Then it was the end of the day. People by  
17 this time were coming back onto the ship.

18 Q. Was it still light out?

19 A. Still light out.

20 Q. Any idea what time it was then?

21 A. I don't know. I just had the impression when  
22 I was at the Turkish Police station I was probably going  
23 to miss the ship and I would probably just be left in  
24 Turkey, so it was getting towards the end of the day.

25 Q. Were you getting nervous about that situation?

1 A. I think that was just --

2 Q. What were you feeling?

3 A. I was just feeling a sense of like utter  
4 defeat, that it doesn't get any worse than that.

5 Q. Are you all right? When you got back to the  
6 ship, did you ever go back on board the ship?

7 A. No.

8 Q. Why not?

9 A. I don't really know exactly why I didn't. I  
10 think during I time my family had called the embassy to  
11 make travel arrangements, so that somehow the embassy  
12 was in communication with RCL and Maria.

13 Q. Who ultimately made the decision that you  
14 weren't going to get back on the ship, if you know?

15 A. I think at that time it was made the most  
16 sense that I needed to be with my family because I don't  
17 think I was in any state to --

18 MR. BROWN: The question is who made the  
19 decision? Do you know?

20 A. I don't recall.

21 Q. Who told you that you weren't going to go back  
22 on the ship?

23 A. I don't recall.

24 Q. Do you recall how long you were there at the  
25 dock before leaving that area?

1 A. Maybe 45 minutes.

2 Q. Was all your luggage delivered to you right  
3 there?

4 A. It was -- at some point a couple people went  
5 to the room to collect everything, and like before you  
6 knew it, I turn around, and there was like four  
7 suitcases and like ten Royal Caribbean bags. They kind  
8 of like were all left on the dock area.

9 Q. Did you talk to the people who were going to  
10 go back to your room to pack these things?

11 A. As I said before, Maria from custom relations  
12 and a new person that showed up from the embassy were  
13 going to help, I believe, clear out the room.

14 Q. When did the person from the embassy show up?  
15 I'm sorry.

16 A. At that time, at the end of the day.

17 Q. When you were back at the dock there?

18 A. I believe so.

19 Q. Was Keith Owens still there?

20 A. Yes.

21 Q. Did there come a time they that he left?

22 A. I think he -- no, he stayed with me until I  
23 got to the hotel. I don't know if he also went off on  
24 the ship or into the ship to help gather belongings, but  
25 he had a van, and he just jam-packed all of the luggage

1 and everything into his van. And the lady from the  
2 embassy -- we drove to the hotel that we were going to  
3 be staying at, so now RCL people are no longer with us,  
4 and we are only with people from -- one woman from the  
5 embassy and this guy who was on vacation.

6 Q. Was his wife still there too?

7 A. Yes.

8 Q. How far was the hotel from the dock there?

9 A. It was 2 minutes. It was very close.

10 Q. And I assume Owens stayed with you while you  
11 checked in there?

12 A. He dropped off -- it was kind of strange  
13 because sort of like we had been through this weird,  
14 really emotional time together, but it was sort of the  
15 end of the road, so he kind of felt bad, like he knew he  
16 knew I wasn't necessarily like home, but he was trying  
17 to still help. And so he decided the way to help me  
18 would be to ship all of the stuff that obviously I  
19 wouldn't be able to physically carry.

20 So he kind of took half of the bags and stuff  
21 and said, "Don't worry. I will take care of it," and I  
22 just left him my parents' address and my dad's. I said  
23 we will certainly pay you back for everything and how  
24 much we appreciated it, and then that was it.

25 Q. When you went into the -- was he there when

1 you checked into the hotel, meaning actually go to the  
2 registration?

3 A. No. I borrowed -- I think the lady from the  
4 embassy was new. I think it was like her first day on  
5 the job, so she didn't know what was going on, and she  
6 just didn't know she would have to stay with me  
7 overnight and help me get back to the US. I think she  
8 had a family she was supposed to get back to. She  
9 really didn't have much on or with her.

10 We had -- or I had no money, and I borrowed  
11 some from her so that we could pay for the hotel, which  
12 we later would give to her or my father. And she just,  
13 I think -- I think that was it, incidentals, and just  
14 recorded it and left me with a receipt. But then we  
15 slept over at the hotel.

16 Q. She stayed in the room with you?

17 A. No. She had her own room. I don't think she  
18 wanted to stay because I was just crying and crying and  
19 crying on the phone. I don't know how I was able to get  
20 my family the number to the room, so I really just  
21 stayed on the phone with my family like almost the whole  
22 time and --

23 Q. This was after you had checked into the room?

24 A. Checked in. This was probably just 8, 9,  
25 10 o'clock, 11 o'clock, 12 o'clock at night. I would

1 sit on the phone with my family. I had some family from  
2 Italy, some from home. They would take turns talking to  
3 me. Eventually, 4:00 in the morning we had to go and  
4 get ready for this trip to the airport. It was like an  
5 hour and a half drive to the Kusadasi airport, where  
6 they had taken us to Istanbul.

7 Q. With regard to your passport and things, had  
8 that been in the safe?

9 A. No. I believe RCL takes all the passports of  
10 all the passengers and keeps them, and those were given  
11 back to us, both mine and George's, with me so that I  
12 can travel, so I was able to travel.

13 Q. When were they given to you?

14 A. I don't recall. I somehow had them.

15 Q. Did the embassy woman accompany you to the  
16 airport the next day?

17 A. I think she dropped me off there. I think she  
18 stayed until -- you know, until it was almost time, and  
19 then she left, and then they had another escort person  
20 that was going to be picking me up once I got to  
21 Istanbul.

22 So I get to Istanbul, and then some man -- I  
23 don't know how he figured out who I was or whatever.  
24 Maybe I looked distraught. I think he figured it out  
25 somehow that I was the girl, and so he found me, and

1 then he stayed with me. And then we had like a few hour  
2 delay, and we just sat. And it was obviously probably  
3 really weird for him because he didn't know what to do  
4 with me, but he did sit with me until the next flight.

5 Q. From the time you first left the cruise ship,  
6 which was noontime the day before, until the time you  
7 boarded your flight, did you ever get any sort of update  
8 or follow-up from the Royal Caribbean in terms of what  
9 may have happened to George?

10 A. No. It was -- the overall feeling was that it  
11 was just -- you know, it was just an accident. I think  
12 at that time the overall like sense -- like nobody was  
13 saying that -- I don't think -- it was such an odd  
14 thought at that time to have that it could be anything  
15 more, because here you have a couple on their honeymoon.  
16 There is a lot of drinking involved, and I think that it  
17 was just an assumption that was made --

18 MR. BROWN: He just asked if --

19 Q. Did anybody tell you that though, that they  
20 felt it was an accident, there was nothing more they  
21 could do?

22 A. I don't recall.

23 Q. Did you ever check through your luggage when  
24 you were in the hotel room that night, meaning the stuff  
25 they had packed for you? Did you ever open up those

1 suitcases and go through them at all?

2 A. I had to find -- what did I have to find? Oh,  
3 yeah, I needed to get off the clothes that I was  
4 wearing. They said "RCL." I just felt like -- I felt  
5 really disgusting in something that had the RCL logo on,  
6 so I was trying to find something to put on, basic  
7 T-shirt and shorts or whatever.

8 I remember just like opening one of the  
9 suitcases. Like they were just enormous, and like all  
10 of our stuff, both George's and I, was intermixed  
11 together, so it was very -- like I felt like grabbing in  
12 and touching. It was just a very surreal moment, seeing  
13 all of his clothes and seeing all of his things.

14 Q. Over this period of time, when you returned,  
15 did you notice anything or things that were missing in  
16 terms of your clothes, George's clothes, personal  
17 property, anything like that, that you had taken that  
18 you noticed was not returned to you?

19 A. The alarm clock.

20 Q. What type of alarm clock?

21 A. It was a CD player. That is why we brought it  
22 with us.

23 Q. Where was that in the room; do you recall?

24 A. I think so. I don't remember. I guess it was  
25 just the items I don't remember unpacking. I don't know

1 who eventually unpacked them. I am just trying to think  
2 of things. I didn't remember --

3 Q. The camera, was that in the luggage you  
4 carried back yourself?

5 A. Yes.

6 Q. They never gave you anything at the Turkish  
7 Police station in terms of property of yours?

8 A. No.

9 Q. Have you looked at the Turkish crime scene  
10 report that was prepared?

11 A. Did I look at the --

12 Q. Did you read it? There was like a three-page  
13 thing with --

14 A. The stuff that we got from --

15 Q. That was included?

16 A. Okay, yeah.

17 Q. Do you recall reading that?

18 A. I don't recall specifics at this time, but I  
19 recall reading it.

20 Q. The camera your mother had given to you --

21 A. For Christmas.

22 Q. -- was that the Olympus C60 zoom?

23 A. I believe it was an Olympus.

24 Q. I am just going to ask you. In the crime  
25 scene report the Turkish Police had seized this camera

1 as evidence. And as far as you know, it never left the  
2 room or your possession?

3 A. The FBI had the -- I had the actual camera  
4 itself.

5 Q. You always had that in your possession and  
6 luggage?

7 A. Yes. I know I had at least the chips. I had  
8 all the pictures except for -- I had all the pictures,  
9 meaning I had the memory chip that held a hundred  
10 pictures plus.

11 Q. Where did you get that from?

12 A. We actually brought a second one. When we  
13 were on vacation we filled up one.

14 Q. Memory chip?

15 A. Yes, and that day at --

16 Q. I am going to stop you again. Was that in  
17 luggage you opened when you got back to the US, that one  
18 memory chip?

19 A. Yes. The FBI now has that. The actual camera  
20 the FBI has, the actual --

21 Q. How did they get the camera?

22 A. They just seemed to get everything eventually.

23 MR. BROWN: It is only whether or not you  
24 know. You are just only supposed to testify to what you  
25 know. You don't have to piece the whole story together.

1                   THE WITNESS: Right, but I don't want to  
2 make a misstatement if I said earlier that I had the  
3 camera.

4           Q. Not to interrupt you --

5           A. I am just saying, I had the pictures, except  
6 for the last pictures that I don't have were the ones  
7 from -- the last eight pictures of our trip that only  
8 the FBI has are the only missing honeymoon pictures of  
9 my collection. They were in Mykonos, and those were the  
10 ones left on the camera itself that weren't ever  
11 downloaded to the chip, the memory chip.

12          Q. Listen to me. Earlier today -- unless I was  
13 mistaken. I am trying to clarify this now. I believe  
14 you testified that the camera was in the baggage that  
15 you flew home with, that when you got home to --

16          A. I see what you are saying, yes. Perhaps I  
17 made -- I would have to remember and I would have to ask  
18 Sean, but I know the FBI has the camera now.

19          Q. I am trying to find out what you remember  
20 about the camera. Do you remember specifically getting  
21 back here and opening a suitcase and the camera being  
22 there?

23          A. No.

24          Q. Do you have any specific memory of when you  
25 saw that camera again, if ever, the one you had on your

1 honeymoon?

2 A. Yes.

3 Q. When did you next see that, that you can  
4 remember?

5 A. With Sean in either New Haven or Bridgeport at  
6 the FBI headquarters, one of their FBI headquarters, and  
7 we needed to go through those pictures because they were  
8 the only pictures we hadn't gone through together. We  
9 have always gone through every picture, and he just  
10 wanted to do his due diligence and make sure we had  
11 always gone through every picture together.

12 Q. You did not give him the camera?

13 A. No. Otherwise we would have gone through  
14 those pictures together. I am just trying to help, just  
15 figure out --

16 Q. I am just trying to match up things here.

17 A. I think that he must have gotten the camera or  
18 he must have collected the camera -- or he must have  
19 collected the camera from the Turkish authorities, which  
20 I think are most of the pictures I had. So they are  
21 only looking at seven or eight pictures. So if they had  
22 the camera, there is only a few, and the reason that is  
23 is because in Mykonos they have a place like a stop  
24 station.

25 They will say, "We will burn your pictures to

1 a disk," for like 15 -- whatever it is, something cheap,  
2 and I was in a panic because I said, "What if we lose  
3 all the pictures?" They said, "We have already taken so  
4 many. Let's take our chances."

5 Q. What I am trying to determine is -- there was  
6 evidence it appears seized by the Turkish Police that  
7 was then directly transferred to the FBI?

8 A. Yes.

9 Q. One of these things was the camera that you  
10 originally thought you had brought?

11 MR. BROWN: Are you asking if she knows  
12 this?

13 MR. KELLY: Yes.

14 A. I don't know this for sure, but --

15 MR. BROWN: You answered the question.

16 A. Putting the pieces together, maybe a likely  
17 scenario.

18 Q. I am asking you now, after walking through  
19 this a little bit, do you now recall you did not bring  
20 the camera back to New York with you?

21 MR. BROWN: Only if you know.

22 A. I don't know. I wouldn't bet the house on it.

23 Q. Would you still?

24 A. I may take my chances.

25 MR. KELLY: We can take a break for a

1 minute if you don't mind.

2 (Off the record discussion.)

3 (Deposition adjourned: 4:34 p.m.)

4

5 I, Jennifer Hagel Smith, have read the  
6 foregoing transcript of the testimony given at my  
7 deposition on April 13, 2007, and it is true and  
8 accurate to the best of my knowledge and belief as  
9 originally transcribed and/or with the changes as noted  
10 on the attached Correction Sheet.

11

12

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13

JENNIFER HAGEL SMITH

14

15 Subscribed and sworn to before me this \_\_\_\_

16 day of \_\_\_\_\_, 2007.

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NOTARY PUBLIC

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21 My Commission Expires: -----

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1		I N D E X			
2	WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
3	JENNIFER HAGEL SMITH	4	--	--	--

7	PETITIONERS' EXHIBITS			
8	NO.	DESCRIPTION	PAGE	
9	1	Order of Greenwich Probate Court	4	
10	2	Letter dated December 19, 2005	157	
11	3	Settlement Agreement	164	

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**CERTIFICATE**

I hereby certify that I am a Notary Public, in and for the State of Connecticut, duly commissioned and qualified to administer oaths.

I further certify that the deponent named in the foregoing deposition was by me duly sworn and thereupon testified as appears in the foregoing deposition; that said deposition was taken by me stenographically in the presence of counsel and reduced to print under my direction, and the foregoing is a true and accurate transcript of the testimony.

I further certify that I am neither of counsel nor related to either of the parties to said suit, nor am I interested in the outcome of said cause.

Witness my hand and seal as Notary Public this 17<sup>th</sup> day of April, 2007

Patricia Saya  
NOTARY PUBLIC  
PATRICIA SAYA

My Commission Expires:

JUNE / 2010