

1 agents that Mr. Pickard had access to this  
2 laboratory equipment and it was his items, you  
3 could have placed these personnel records of  
4 his within those military containers as if they  
5 belonged there, could you not have?

6 A. Well, it's really unlikely that I would have  
7 produced two tubfuls of pornography and foul  
8 such objects into things that had his  
9 fingerprints and his stuff all over it and his  
10 name and purchase orders and all sorts of  
11 personal things of his that were collected, it  
12 doesn't sound like something that I would  
13 really do.

14 Q. It's your testimony that-- where those items  
15 came from and how they got there, is that not  
16 right?

17 A. Yeah, they were definitely his items.

18 Q. And are you aware that those items within the  
19 laboratory have been submitted, multiple for  
20 fingerprints and none were found?

21 A. I have no knowledge of that.

22 Q. Were you also aware that those were submitted  
23 for fingerprints to see if they matched your  
24 fingerprints?

25 A. I assume that they were.

1 Q. Do you recall previously after you had this  
2 lengthy conversation with one of the Secret  
3 Service agents regarding what statutes apply,  
4 then you came into this court and-- and  
5 appeared for the first time prior to Mr. Haney  
6 entering his appearance. Do you remember?

7 A. No, I didn't come into this court.

8 Q. In this court-- in this building?

9 A. Yes.

10 Q. And then after you obtained counsel, I assume  
11 that you then had a chance to review all of the  
12 offense reports in the Secret Service file to  
13 see what the allegations against you were?

14 A. I didn't. They were faxed to me later on. And  
15 Mr. Pickard entered my room and stole them from  
16 me.

17 Q. And can you tell me, Mr. Skinner, those items  
18 that were faxed to you later on or that you say  
19 Mr. Pickard stole--

20 A. I should say allegedly say it because I didn't  
21 see him do it, he was the most likely culprit.

22 Q. And do you recall reading or reviewing any of  
23 those documents before they were most likely  
24 stolen?

25 A. Yes.

1 Q. And do you recall reading in those items that  
2 the Secret Service agent that you spent an hour  
3 talking to on the phone--

4 A. Chuck Grinstead or another agent? Specifically  
5 identify the name.

6 Q. Either--

7 MR. HOUGH: Judge, we're going to  
8 object to this line of questioning. It's  
9 already been asked and answered previously in  
10 the cross examination. Also appears to be an  
11 attempt to get into specific instances of  
12 conduct, which would be barred.

13 MR. RORK: Judge, I have one question  
14 to ask to follow-up on this one to go to the  
15 next one for sequential purposes. It has not  
16 been asked before in the record.

17 MR. HOUGH: Well, specific instances  
18 of construct regarding an admitted situation,  
19 it would not be appropriate, Judge.

20 MR. RORK: It's not, Judge, it  
21 relates to a report that was previously  
22 provided him.

23 THE COURT: All right. Go ahead.

24 Q. (BY MR. RORK) And in this material that you  
25 read by any of the agents that you had talked

1 to, do you recall the allegation that he called  
2 the KBI and there was information that an LSD  
3 laboratory or marijuana operation had been  
4 going on in the missile base in 1997 and 1998?

5 A. I've never heard this.

6 MR. HOUGH: Judge, we'll object.

7 A. Sorry.

8 MR. HOUGH: This is a specific  
9 instant of conduct. It's inappropriate  
10 inquiry.

11 THE COURT: Sustained.

12 Q. (BY MR. RORK) Were you aware of previous  
13 testimony and questions to Agent Sorrell when  
14 he was testifying that there was an allegation  
15 in 1998 by the Wamego Police Department  
16 reference your giving LSD on blotter acid to an  
17 individual?

18 A. Yes.

19 Q. And at the time you're here in this court in  
20 August of 2000, you-- had you provided any  
21 information to the Government concerning Mr.  
22 Pickard involved in any operation?

23 A. Again, ask the question with a year and the  
24 date.

25 Q. In August of 2000.

1 A. I had never mentioned the name of Mr. Pickard  
2 to anyone that I knew was in the Government.

3 Q. And when you testified on direct examination  
4 that it was your understanding that, quote,  
5 these defendants were about to have you  
6 arrested is one of the reasons that you went to  
7 the Government in October of 2000, what were  
8 you referring to?

9 A. Show me the report. I have no idea what you're  
10 talking about.

11 MR. HOUGH: Judge, we're going to  
12 object. This assumes facts not in evidence.  
13 He didn't testify to that in direct  
14 examination.

15 MR. RORK: Judge, I would stand by  
16 the record. I can look at it for a minute on a  
17 break and show him specifically the transcript.

18 THE COURT: Well, you do that.

19 MR. RORK: Okay.

20 Q. (BY MR. RORK) When you were initially talking  
21 to Agent Nichols and advised of your knowledge  
22 of various, quote, LSD chemists and you were  
23 asked earlier about one with the last name Mark  
24 unknown, do you recall also telling Agent  
25 Nichols in your initial conversations of some

1 chemist in Nepal?

2 A. Nepal.

3 Q. Nepal.

4 A. Not a chemist, an operation.

5 Q. And do you recall indicating to Agent Nichols  
6 early on in your conversation with him that you  
7 had another source of ET that you could utilize  
8 for investigation purposes, if that would  
9 assist them?

10 A. No. Also, the Nepal situation, the word  
11 "operation" was not correct. That there was a  
12 lab in Nepal that had ET and they needed a  
13 chemist, and Leonard had considered going  
14 there, but he said that he didn't want to go  
15 there for numerous reasons, and he turned down  
16 the job offer.

17 Q. And that would have been something that, as you  
18 just stated here, that should be reflected in  
19 the notes of Agent Nichols that you made that  
20 statement?

21 A. I don't know if it should be reflected, I  
22 haven't read it.

23 Q. Well, I direct your attention again, Mr.  
24 Skinner, back to February of 2002, in June of  
25 2002.

1 A. Present the information to me. I don't want to  
2 play guess games here.

3 Q. May I finish the question?

4 A. Finish the question.

5 Q. And you've testified previously when you were  
6 on cross examination that on those two dates,  
7 whatever they were in 2002, you viewed at least  
8 19 reports, went through them paragraph by  
9 paragraph, numbered paragraph or lettered  
10 paragraph, made initials or made changes to the  
11 reports where you disagreed with the  
12 information. Do you recall that testimony?

13 A. Yes, I do.

14 Q. That's the reports that I'm referring to.

15 A. I don't know what reports you're referring to,  
16 because I have not been shown all the  
17 Government reports, so I cannot answer this.  
18 If you want to produce something, produce it.  
19 I cannot guess what 19 you're talking about.

20 Q. The ones that you reviewed, do you recall  
21 reviewing--

22 A. I do not--

23 Q. I haven't finished the question yet, sir. The  
24 ones you reviewed, do you recall reviewing any  
25 of those that dealt with Nepal and the

1 testimony you just gave now?

2 A. I'm sorry, I don't remember.

3 Q. Okay.

4 A. Nepal is how you pronounce that.

5 Q. Besides the counterfeit bad checks that-- two  
6 of them you've identified in some amount at  
7 some time, did you also not give Mr. Pickard  
8 what later turned out to be counterfeit checks  
9 to repay his student loans and credit cards?

10 A. Yes, but I recaptured all of them. I repo'd  
11 them, quote, which meant I entered or however  
12 mechanism, I removed them to where they never  
13 entered the banking system.

14 Q. So this would--

15 A. I'm sophisticated enough to know when to drop  
16 them into the banking system and when not to.

17 Q. So this would have been some type of, quote,  
18 repo that would be other than the one where you  
19 say you re-entered the room and his house key  
20 or card key and got in?

21 A. Yes. This would be because-- I've explained it  
22 and I'll go through it once again.

23 Q. I understand how you've done it. I just want  
24 to distinguish--

25 A. I don't know that you understand anything about



1           what I say because you-- everything when you  
2           question me is so mumbo-jumbo that I don't know  
3           what's clear and not clear in your head. So  
4           let's go through it again.

5           Q. I'm sorry, Mr. Skinner.

6           A. He had a Federal Express--

7                         MR. RORK: Judge, my question was to  
8           distinguish if it was an event other than the  
9           one he previously testified about.

10                        THE COURT: Well, just wait and let--  
11           ask the question again and see if you can get  
12           together.

13           Q. (BY MR. RORK) Other than the event you've  
14           previously testified that you say, quote,  
15           repo'd, where you used his hotel key or card to  
16           get in his room and take out a check.

17           A. I used my hotel key.

18           Q. Whomever's key. Then did you-- are you talking  
19           about other cases of such repo in referring to  
20           the student loans and credit card payments?

21           A. This was a regular event.

22           Q. On probably, what, ten times?

23           A. I have no idea.

24           Q. Well, how often would regular be for you?

25           A. I mean, you know, I may have done this ten

1 times in a month.

2 Q. Did you also not contact Mr. Pickard's American  
3 Express card company in mid-2000 and ask that  
4 it be cancelled and caused it to be cancelled  
5 unknown to him?

6 A. Let's just say that I got his American Express  
7 card somewhat cancelled. How it happened is  
8 not clear, but I did get it cancelled.

9 Q. Do you recall a conversation where you've  
10 indicated you talked to Mike Bauer, a research  
11 assistant for Mr. Pickard and, in your words,  
12 you were indicating to him that he, Mike Bauer,  
13 should stay away from Mr. Pickard because of  
14 his LSD operation and the like. Do you recall  
15 that testimony?

16 A. Actually said that he should stay away from  
17 Halpern and Pickard because there's going to be  
18 a bad end to this. Because if this system  
19 didn't line up to be just right, it was going  
20 to be just-- it was going to be basically  
21 deconstructed.

22 Q. And when would that conversation have been  
23 approximately and what year?

24 A. '98, maybe '97.

25 Q. And would this have been the time with Mike

1 Bauer when you were administering--

2 A. Mike Bauer?

3 Q. Mike Bauer--

4 A. Yes.

5 Q. -- when you were administering to him when he  
6 had overdosed on phentynl?

7 A. Be clear on your question.

8 Q. Would this have been about the time period when  
9 you were administering to Mike Bauer when he  
10 overdosed on phentynl at your base?

11 A. I don't understand your question. Please try  
12 and make it clear.

13 Q. Well, you--

14 A. It's-- again, you have a factual basis problem  
15 here. Make it clear or I can help you try to  
16 make it clear.

17 Q. I will try and help you. Do you recall you had  
18 a conversation with Mike Bauer about Mr.  
19 Pickard and Mr. Halpern?

20 A. I've stipulated, yes, to that. Go on.

21 Q. And was that conversation during the time  
22 period you were administering to him for his  
23 phentynl overdose at your missile base?

24 A. No, it was significantly before that.

25 Q. Then when was the time when you were

1 administering to Mr. Bauer reference the use of  
2 phentynl at your missile base?

3 A. I don't know what you mean.

4 MR. HOUGH: Judge, I object. That's  
5 totally irrelevant.

6 MR. RORK: Judge, I'm just inquiring  
7 into the use of the drugs that he's indicated  
8 that were used regularly at the missile base.

9 MR. HOUGH: Someone else was using  
10 drugs at the base, Judge, that's irrelevant.

11 THE COURT: Sustained.

12 Q. (BY MR. RORK) You indicated with respect to  
13 this missile base, did you hold it out to  
14 others that it was going to be a temple for use  
15 of sacramental purposes?

16 A. The word temple is-- maybe I loosely used it,  
17 but I said that it was an area for sacramental  
18 use would be more an accurate way to answer  
19 that.

20 Q. Were you also impersonating a federal agent at  
21 Lowe's Vantana Resort (phonetic) in 2001?

22 A. Yes.

23 Q. And is that when the Tucson narcotics squad  
24 entered your room for MDMA activities?

25 A. No. What I was trying to do was just get the

1 Government rate to save myself money, so-- and  
2 try not to misrepresent things with your  
3 questions, seems to be a habit of yours.

4 Q. Do you remember, Mr. Skinner, on November 4,  
5 2000 when you're outside the base--

6 A. November 4th.

7 Q. 2000, you're outside--

8 A. Because you're tricky with dates.

9 MR. RORK: Judge, again, I would just  
10 ask that the witness respond with my questions  
11 or allow me to finish them.

12 THE WITNESS: I apologize, Your  
13 Honor.

14 THE COURT: Try to be more  
15 cooperative, please.

16 THE WITNESS: I'm sorry, Your Honor.

17 Q. (BY MR. RORK) On November 4, 2000, when Mr.  
18 Pickard is outside of the Lester building with  
19 the vehicles having arrived, were you not aware  
20 that agents were able to view you and what was  
21 going on from the control room inside your  
22 missile base?

23 A. No, I wasn't-- I wasn't familiar with that.

24 Q. Were you-- were you not aware that agents were  
25 always on the property at any time you were

1           there when Mr. Pickard arrived?

2           A.   I was not familiar with that.

3           Q.   Were you aware that when the-- when you left  
4           the evening Mr. Pickard arrived at about 11  
5           o'clock p.m., were you aware that some of the  
6           agents were still inside the missile base as  
7           you departed?

8           A.   Yes, I believe I do remember that exactly, yes.

9           Q.   When you were arrested in Seattle, Washington,  
10          at the penthouse location--

11          A.   Hold one second, yes.

12          Q.   -- concerning the stereos that were recovered  
13          that are pending litigation in Wamego, Kansas,  
14          the weapons that were seized, were those any  
15          that were-- belonged or testified to earlier in  
16          this trial?

17          A.   I never saw the weapons that were there that  
18          night. Let me finish, instead of just-- in my  
19          life, I never saw the weapons prior to them  
20          being seized. I never saw the weapons while  
21          they were being seized. And I never saw the  
22          weapons after they were being seized. I didn't  
23          authorize those to be brought there directly.  
24          Number two, I was arrested upon a fugitive  
25          warrant that was issued prior to a criminal

1 complaint, which is why Seattle, which they  
2 would not normally do, had a Saturday judge  
3 come in and say, "There's a problem with this,  
4 there's no criminal complaint, therefore, we  
5 are releasing this so-called fugitive," and I  
6 was released.

7 Q. And this location of the seizure was the  
8 penthouse that you had rented for 4,200 some  
9 dollars a month; is that correct?

10 A. It-- it's complicated to figure the rent  
11 because there was-- in the rent was some sort  
12 of parking space, some sort of storage space.  
13 So let's say-- and there's-- there's a big  
14 huge, you know, gift that was given up front  
15 for signing a lease. So it could have been  
16 between 4,200 and 5,000 to be exact. I'm  
17 wanting to be correct here.

18 Q. And what was your source of income for that  
19 4,200 to 5,000 to be exact?

20 A. Well, remember they gave me this large up front  
21 check, it was a cashier's check that I made  
22 them do that was in excess of the first month's  
23 rent. And then there was a direct check that  
24 went from Kent Tools, from the cell-- when you  
25 hear in the tape where Brett is moving

1 equipment, do you remember that, Mr. Rork?

2 Q. You may answer the question, Mr. Skinner, I'm  
3 listening.

4 A. I'm asking you do you remember something.

5 Q. I don't respond to your questions.

6 A. Okay. In the tapes if you hear where I'm  
7 saying, "Please move this generator and such  
8 and let's move it to the front of the gate,"  
9 that equipment was sold to Kenneth Tools in  
10 Tucson, Arizona. They gave me a check. They  
11 said it was going to take-- because they were  
12 tight on cash, they Federal Expressed me a  
13 check approximately 60 days after, plus they  
14 gave me cash, plus I got money from both of  
15 my-- from different members of my family.

16 Q. Was Moise Seligman one of the--

17 A. Seligman.

18 Q. Moise Seligman, Seligman?

19 A. Seligman.

20 Q. Was Mo one of the individuals who was in Las  
21 Vegas during this period of time in 2000 while  
22 you were gambling?

23 A. Moise Benjamin Seligman, Jr., retired major  
24 general, was in Las Vegas, yes.

25 Q. And is this the same individual who your



1           \$100,000 Porsche has been titled to after being  
2           put in various names, including your attorney,  
3           Tom Haney?

4           A.   Moise Seligman, Jr., has the ownership of the  
5           C4 Porsche.

6           Q.   And that was done after a transfer of the title  
7           from Wamego Land Trust to Emily Ragan to Tom  
8           Haney and then to Mr. Seligman?

9           A.   No.

10          Q.   How was it done then?

11          A.   It was done simply from the Wamego Land Trust  
12          to Moise Benjamin Seligman, Jr.

13          Q.   As a part of your cooperation, there's been--

14          A.   I can't read this because of the reflections,  
15          I'm not being difficult.  If you want to  
16          somehow cover that apart, they dimmed the  
17          lights, remember?

18                   MS. HILL:  He can take it out of the  
19          plastic.

20                   MR. RORK:  You've got to let me  
21          finish my question.

22          Q.   (BY MR. RORK)  You previously indicated that  
23          what's been admitted as Exhibit 801 is a  
24          cooperation agreement that appears to be signed  
25          by you on October 18, 2000; is that correct?

1 A. Yes.

2 Q. And prior to October 18, 2000, do you recall  
3 you and your attorneys between October 12, 2000  
4 and October 18, 2000 signed--

5 A. Wait a minute, let me get this down. October  
6 what now?

7 Q. Between October 12, 2000 and October 18, 2000,  
8 you and your attorney had-- Mr. Haney, had  
9 signed various proffer agreements of different  
10 natures concerning what you were going to do in  
11 this case.

12 A. Yes. The nature of those, I don't have copies  
13 of them, and basically Haney was taking care of  
14 them.

15 Q. And do you recall early this morning you were  
16 testifying about this process called CIRCA?

17 A. CIRCLA. CIRCA is also another way, there's  
18 three different forms of it that was passed by  
19 Congress, yes.

20 Q. And as the question continues, Mr. Skinner,  
21 this method you were talking about in  
22 purchasing this property, according to you, do  
23 you recall any of the letters exchanged between  
24 you and your attorney before this document here  
25 where they rejected your offer and request to

1 have the property environmentally cleaned up  
2 when returned back to you?

3 A. Ask your question again, because I think you--  
4 I'm not being difficult, I think you-- you've  
5 got-- just please ask the question again.

6 MR. RORK: I'll have her read it  
7 back.

8 THE WITNESS: That's fine.

9 (THEREUPON, the following  
10 question was read back by the reporter:  
11 "Q. And as the question continues, Mr.  
12 Skinner, this method you were talking  
13 about in purchasing this property,  
14 according to you, do you recall any of  
15 the letters exchanged between you and  
16 your attorney before this document here  
17 where they rejected your offer and  
18 request to have the property  
19 environmentally cleaned up when returned  
20 back to you?").

21 MR. HOUGH: Judge, we'll object.  
22 Negotiation process prior to the arriving of  
23 the agreement would be inadmissible.

24 MR. RORK: Judge, the relevancy I  
25 have deals with his indication of why he set up

1 the trust, to avoid liability, and then his  
2 request for the Government to take care of the  
3 environmental in this time period of 2000.

4 MR. HOUGH: Judge, I think Rule 11  
5 speaks specifically to the inadmissibility of  
6 such matters.

7 THE COURT: Well, overruled. Go  
8 ahead.

9 A. No is the answer to your question.

10 Q. (BY MR. RORK) On this agreement that you  
11 signed on October 18, 2000, No. 1 specifically  
12 indicates, "I will provide truthful information  
13 at all times," does it not?

14 A. Yes.

15 Q. If I direct your attention-- do you recall  
16 testifying on direct examination in response to  
17 questions by Mr. Hough the manner in which this  
18 ET you had stored in the closet, initially in  
19 the locations you've indicated, later came to  
20 be provided with you appearing with a steamer  
21 trunk in Sacramento or somewhere around there.  
22 Do you recall that?

23 A. Yes.

24 Q. Would you agree that on or about November 13,  
25 2000, assuming that's the date Mr. Nichols

1 indicates, that while being interviewed at the  
2 Oakland DEA office, you advised Agent Nichols  
3 that there was-- excuse me, Agent Nichols  
4 advised you of a co-worker who was in  
5 possession of approximately ten kilograms of  
6 ET. Do you recall that conversation?

7 A. No.

8 Q. Do you recall indicating to Agent Nichols on or  
9 about that date that you knew of an  
10 unidentified person who was in possession of at  
11 least 19 cans of ET, and this package might  
12 soon be shipped, and you would then provide  
13 Agent Nichols with shipping information so the  
14 package could be intercepted. Do you recall  
15 that?

16 A. Yes.

17 Q. And then do you recall that same occasion  
18 advising Agent Nichols that due to the arrest  
19 of Mr. Pickard and Mr. Apperson, you knew of a  
20 separate person who also had information about  
21 the location of this suspected ET and at some  
22 point in time that future person-- or excuse  
23 me. Some point in time in the future, that  
24 unidentified person would provide information  
25 to Agent Nichols?

1 A. This is a compounded question and it's-- it's a  
2 string of run-ons, so you're going to have to  
3 get succinct and specific.

4 Q. I'm reading from the agent's notes of-- with  
5 respect to this same conversation now. Do you  
6 recall telling the agent that because of  
7 Pickard and Apperson's arrest, you now knew of  
8 a separate person who had ET and that at some  
9 time in the future you would provide that  
10 unidentified person's name to Nichols for  
11 conversation purposes?

12 A. I don't recall the conversation being that way.

13 Q. After this conversation we're talking about  
14 on-- let's say two weeks later, November 27th  
15 and November 28th, do you recall telling Agent  
16 Nichols at that time there were two persons who  
17 would-- who may be willing to speak with him  
18 and provide on-- information about ongoing  
19 criminal activities, and one of these persons  
20 would be willing to work as a cooperating  
21 source, but the other, who had information  
22 about this suspected ET, would not. Do you  
23 recall that?

24 A. If you can throw out the "suspected ET," I will  
25 say yes to the question.

1 Q. Well, consider it thrown out.

2 A. Okay. I can't recall the ET being in there,  
3 but the rest of it I can recall.

4 Q. And then do you recall subsequently on about  
5 December 22nd, 2000 you called Agent Nichols  
6 and advised him--

7 A. What's the date?

8 Q. December 22nd, 2000. And advised Agent Nichols  
9 that one of these potential cooperating sources  
10 reference the ET would meet with Agent Nichols  
11 on or about January 5, 2001?

12 A. I would have to look at the report.

13 Q. Do you recall on January 5, 2001 meeting with  
14 Agent Nichols and bringing someone along with  
15 you that you introduced as, quote, this  
16 potential cooperating person who would have  
17 relevant information about the location of this  
18 suspected ET?

19 A. I-- I don't recall this.

20 Q. Do you recall then on January 12, 2001--

21 A. In fact-- in fact, I specifically recall.  
22 You're misreading this report intentionally.  
23 My memory on this is good, so--

24 Q. Do you recall then on Friday, January 12, 2001  
25 calling Mr. Nichols and advising that--

1 A. Give me the date again.

2 Q. January 12, 2001, and I would ask that you  
3 refrain until I finish the question.

4 A. Well, I have to get these things, I'm sorry,  
5 I'm not as fast as you. January 12th.

6 Q. You'll have plenty of time to think. January  
7 12, 2001, calling Agent Nichols and advising  
8 him because of the arrest and events  
9 surrounding Pickard and Apperson investigation,  
10 the person who had knowledge of the location of  
11 these suspected ET wanted to meet with Nichols  
12 then. Do you recall that?

13 A. No, I don't recall this. I mean, if it's in  
14 the report, I don't recall it.

15 Q. And do you recall in that same conversation  
16 that-- indicating that this unidentified person  
17 wished to provide information as to the  
18 location of the ET, but felt it was too risky  
19 as it could be stolen or sold to another party.  
20 Do you recall that?

21 A. I-- give me the reports, I can't-- I'm not  
22 going to sit here and play this game. I mean,  
23 I-- I can't-- no, I don't recall it. I need to  
24 read the reports.

25 Q. Do you recall then on about January 15, 2001



1           advising Agent Nichols that this unidentified  
2           person would be then bringing the ET with you  
3           to meet with Agent Nichols and that it was  
4           located somewhere in the central United States,  
5           you wouldn't provide an exact location, but  
6           that the delivery might either be in Las Vegas  
7           or near Oakland, California?

8           A. No, Las Vegas would be a transfer spot. I do  
9           recall this conversation. And yes to your  
10          question.

11          Q. And do you recall then the next day, January  
12          16th, 2001, you contacted Nichols and indicated  
13          that now this person was unwilling to come to  
14          California for fear of being arrested. Do you  
15          recall that?

16          A. Yes.

17          Q. And later that day, again, calling Nichols and  
18          advising that this individual would meet in an  
19          unknown location near Oakland, California, and  
20          provide the ET?

21          A. Yes.

22          Q. Do you also recall advising Nichols that this  
23          person had been in contact with his or her  
24          attorney regarding the delivery of the ET and  
25          you had spoken with your attorney to ensure the

1 delivery would not invalidate your immunity?

2 A. Because of the nature of your question, I have  
3 the-- I'm going to answer it no.

4 Q. Do you recall on or about January 18th, 2001,  
5 you contacted Nichols and advised that the  
6 delivery of this ET source now would have to be  
7 delayed until in the future?

8 A. The future being a few days later, yes.

9 Q. And then do you recall a few days later or on  
10 the few hours later in the evening of January  
11 18, 2001, you spoke with Nichols and advised  
12 that this unidentified individual had  
13 rescheduled the meeting for this-- this source  
14 until January 22nd, 2001, at which time you  
15 would introduce this individual to Mr. Nichols  
16 as the unidentified source?

17 A. Can't answer the question because the dates-- I  
18 have to say no because I do not recall. If you  
19 want to let me read the transcripts again and  
20 refresh my memory, I would be more than happy  
21 to do it.

22 Q. And do you recall in that conversation that at  
23 no point during the same did you ever advise  
24 Mr. Nichols that you were, in fact, the one in  
25 possession of the ET, but that merely it was an

1 associate of yours. Do you recall that?

2 A. Ask the question again slowly and carefully.

3 Q. Do you-- do you recall on January 18th, 2001,  
4 in the evening that you advised Agent Nichols--  
5 that you never advised Agent Nichols that you  
6 were the one that had this ET and, instead,  
7 continued to purport it was an associate of  
8 yours. Do you recall that?

9 A. Your question contains fragments that are  
10 difficult and I'm going to again answer no to  
11 that question.

12 Q. Let's make it real simple.

13 A. Then that's nice.

14 Q. You didn't tell Agent Nichols even up to this  
15 point in time on January 18, 2001, that there  
16 was no other suspected person that had this ET,  
17 that it was, in fact, you, did you?

18 A. I'm going to answer no to that because I don't  
19 know the date and you've been tricky with  
20 dates. If you want to hand me the report, you  
21 can get something better. I've asked for the  
22 report. You don't want to hand me the report,  
23 so be it.

24 Q. Can I ask you, Mr. Skinner, how many reports  
25 did you have and were you handed in the time

1           you were asked questions by the Government  
2           during-- to give information?

3           A. I really asked for a lot of reports and they  
4           refused to give them to me for the most part.

5           Q. Do you recall on January 22nd, 2001, when you  
6           appeared at the office of Nichols, you then  
7           produced 24 cans of-- of a substance that you  
8           believed to be ET?

9           A. I don't know about the date, but I do recall  
10          appearing in the Oakland office with a trunk  
11          full of ET. That I allegedly thought was ET.

12          Q. And do you recall on that date indicating that  
13          now there wasn't any other unidentified source  
14          or cooperating individual who had had this ET,  
15          it was you and it had been you all along?

16          A. No to that question because I, again, don't  
17          understand that question. It's-- it's  
18          fragmented on this.

19          Q. And on January 22nd, assuming that's the date  
20          you entered with these 24 cans, did you recall  
21          telling Mr. Nichols that there were no other  
22          cans out there and this was all there was?

23          A. Yeah, I think I said something like that to  
24          him.

25          Q. And then do you recall about a month later on

1 February 22nd, 2001, having delivered to Mr.  
2 Nichols two other cans of ET?

3 A. Yes, I do.

4 Q. Do you recall when you were earlier asked  
5 questions by Mr. Hough relative to the Atlas F  
6 silo whether or not Natasha, Mr. Pickard's  
7 fiance, had been there at any time it was under  
8 your control by Mr. Schwartz, do you recall  
9 saying that yes, you believed she was because  
10 there were feminine items there. Do you recall  
11 that?

12 A. Yes.

13 Q. And again, I would direct your attention, do  
14 you recall when you were asked to specifically  
15 individually look at 19 reports sentence by  
16 sentence, paragraph by paragraph, that when you  
17 referenced Natasha being at the Atlas F missile  
18 silo, you directed Mr. Nichols to strike out  
19 the name Natasha and just put there "a neighbor  
20 reported a woman had been there." Do you  
21 recall that?

22 A. And it's-- it's very loose and I do recall  
23 that, yes.

24 MR. RORK: Judge, if I may just have  
25 a second.

1 THE COURT: Take your-- take your  
2 time.

3 MR. RORK: Okay.

4 Q. (BY MR. RORK) Do you recall previously either  
5 testifying or indicating to Agent Nichols or  
6 any other agent during your initial contact  
7 with them about why you came to them,  
8 indicating the reason being that you were  
9 afraid Mr. Pickard and others were going to  
10 have you arrested. Do you recall anything of  
11 that nature?

12 A. I'm sorry, I don't recall that one. But you  
13 can show me the report and I'll gladly 'fess up  
14 to it if my signature is on the bottom and  
15 their signatures are. I just don't recall  
16 this.

17 Q. Do you recall at any time indicating being at  
18 the Campton Place Hotel in San Francisco and  
19 observing Leonard involved in some type of  
20 million dollar transaction or transfer of cash.  
21 Do you recall that?

22 A. I can't see through walls, so what do you mean  
23 by "observe"?

24 Q. I don't know. Do you recall making any  
25 statements to the agents about observing

1 something?

2 A. Yes.

3 Q. What is it that you observed and how?

4 A. I saw that we placed a large amount of cash-- I  
5 saw the cash go into the trunk, saw the cash go  
6 out of the trunk and I watched him enter the  
7 Campton or Compton Inn or whatever the name of  
8 it is across from I believe the Marriott, maybe  
9 I'm wrong about that. And he walked in there  
10 and he did not come back with the money. I  
11 know that Stefan Wathne was in the hotel,  
12 because I called from the Golden Gate Bridge to  
13 verify-- Leonard called because he couldn't  
14 find him in the room.

15 Q. And I understand when you testified about that,  
16 but I want to know when-- where you were in the  
17 Campton Hotel when you made these observations.

18 A. I don't know which date this is. Give me the  
19 date.

20 Q. I don't know what date it is, either. I-- just  
21 a date, whenever it was you-- and I'm not  
22 trying to trick you on the date. Whatever date  
23 it was that you observed something at the  
24 Campton Hotel.

25 A. You know, that's-- you're going to have to get

1 a date. There was numerous-- I said there was  
2 at least, you know, numerous of these trips,  
3 so--

4 Q. The one you just testified to about the large  
5 bag of money and he went in there, were you  
6 inside the hotel or outside the hotel?

7 A. Outside the hotel.

8 Q. And you were outside the hotel observing it  
9 where?

10 A. From a car.

11 Q. Parked on the street?

12 A. Right-- right across. Could watch him walk  
13 into the hotel.

14 MR. RORK: Your Honor, at this time I  
15 believe that would conclude the questions. I'm  
16 going to need a little time to move stuff away,  
17 and I don't know, it's 2:30, if you want to  
18 take the afternoon-- I'm going to need some  
19 time to move away, but I now conclude the  
20 questions.

21 THE COURT: All right. How much more  
22 time do you have?

23 MR. RORK: I'm done, Judge.

24 THE COURT: All right. Well--

25 MR. RORK: Other than that one thing



1 that you have that-- under advisement.

2 THE COURT: Let's see. Now, Mr.  
3 Bennett, are you ready to start whenever we--

4 MR. BENNETT: I'm prepared to start,  
5 Judge. I would like a little room to put my  
6 stuff up there, so--

7 THE COURT: Yeah. Well, let's--  
8 let's take a-- about a 15-minute break and then  
9 we'll come back and start with Mr. Bennett.

10 (THEREUPON, a recess was had).

11 THE COURT: All right. I believe  
12 we're all present. Mr. Bennett, you may begin  
13 your cross examination.

14 CROSS EXAMINATION

15 BY MR. BENNETT:

16 Q. Mr. Skinner, I want to start off and just cut  
17 to the chase in this thing. We've all now  
18 listened to your direct examination and cross  
19 examination by Mr. Rork for some seven, eight,  
20 nine days, I've lost track. But I want to ask  
21 you some questions and make sure I understand  
22 what you've told us up to now. As I understand  
23 it, you've been engaged in illegal drug use  
24 since the age of 15; is that correct?

25 A. Yes, but I did not take the illegal substances

1           until age 19 or 20.

2           Q. All right. Well, I stand corrected. You've  
3           been engaged in illegal drug use since the age  
4           of 19. Correct?

5           A. No, I-- 15 because I was giving them to people.  
6           19 to 20 is when I started taking them.

7           Q. Talking about your personal use.

8           A. Oh, yes, yes, 19, 20.

9           Q. Since 19. Correct?

10          A. That's correct, yes.

11          Q. And you're how old now?

12          A. 38.

13          Q. All right. So for the last 19 years, you've  
14          been engaged in illegal drug use?

15          A. Yes, I have.

16          Q. All right. And as I understand it, in the  
17          course of that illegal drug use, you used  
18          friends and acquaintances as guinea pigs to  
19          determine the effects of the drugs before you  
20          took them; is that right?

21          A. The word guinea pig that I used in retrospect  
22          has negative connotations. They were willing  
23          people that-- actually, I had to reject the  
24          number of people that wanted to show up and do  
25          this. So I would like to rephrase that.

1 Guinea pig has negative connotations. Let's  
2 say the volunteers showed up by the droves.

3 Q. Well, you used the term guinea pigs--

4 A. And I--

5 Q. -- in your direct examination, didn't you-- let  
6 me finish the question, please.

7 A. Certainly, sir.

8 Q. You used the term guinea pigs, that's not a  
9 term that I selected, is it?

10 A. That's correct, sir.

11 Q. Okay. And as I understand it, you've furnished  
12 illegal drugs to others for how long?

13 A. Most of that whole period, since age 15 on.

14 Q. All right. And you've engaged in activities  
15 designed to hide or keep secret your illegal  
16 activities, have you not?

17 A. Yes.

18 Q. And you've engaged in illegal activities to--  
19 designed to hide your illegal drug  
20 manufacturing, have you not?

21 A. Only by conspiracy, yes.

22 Q. But the answer is yes, isn't it?

23 A. No, actually only to hide Pickard and  
24 Apperson's illegal drug manufacturing  
25 activities.

1 Q. Didn't you tell us on your direct examination  
2 that you had engaged in the manufacture of  
3 mescaline?

4 A. Yes, and I have--

5 Q. And would--

6 A. I would like to answer the question, you asked  
7 the question.

8 Q. Go right ahead.

9 A. When I made mescaline, I did not try to  
10 covertly do it. It was a time when this was  
11 not a problem. I was later informed by Mr.  
12 Pickard that I was lucky, because he got an  
13 18-month sentence for the manufacture of  
14 mescaline.

15 Q. Did you--

16 A. And therefore, he said, "You were very lucky,  
17 Todd, that this did not-- you didn't get  
18 arrested."

19 Q. Did you make it public that you were  
20 manufacturing mescaline?

21 A. Did I publish it in a publication?

22 Q. Did you make it public?

23 A. What does it mean to make it public?

24 Q. Mr. Skinner, you're not stupid. You know, what  
25 it means to make something public.

1 MR. HOUGH: Objection, argumentative.

2 THE COURT: Well, I'm going to  
3 sustain the objection. I'm not sure I  
4 understand what it-- what it means, but go--  
5 continue so he can tell what you're--

6 Q. (BY MR. BENNETT) Did you make known to others,  
7 other than yourself, the manufacturing-- your  
8 manufacture of mescaline?

9 A. I made known to others my attempted manufacture  
10 of mescaline, which I think was correct, but  
11 I'm not for sure to this day.

12 Q. Okay. Let's go back to the series of questions  
13 then. As I understand it, you have falsely  
14 impersonated others in the past. Correct?

15 A. Yes.

16 Q. And on how many occasions, if you recall?

17 A. More than 20.

18 Q. Okay. And as I understand it from your  
19 testimony, you're a money launderer. Correct?

20 A. Yes, I'm a money launderer.

21 Q. And you have laundered hundreds of thousands of  
22 dollars in order to hide the illegal source of  
23 those funds, have you not?

24 A. Yes, I have.

25 Q. All right. And you're a counterfeiter.

1 Correct?

2 A. A counterfeiter of what?

3 Q. Checks.

4 A. Of cashier's checks, yes.

5 Q. Okay. And you're a thief, aren't you?

6 A. That's a matter of question, but if you're  
7 asking have I stole checks back, yes.

8 Q. And you stole money, didn't you?

9 A. Yes.

10 Q. Okay. And you are a liar, aren't you?

11 A. Yes.

12 Q. Okay. And as I understand it from your  
13 testimony, you've purposefully withheld at  
14 least 26 cans of ET or ergocristine from the  
15 authorities while you were professing truthful  
16 cooperation with those authorities. Correct?

17 A. Yes.

18 Q. Okay. And as I understand it, you made a  
19 promise to God that you were going to cease  
20 your illegal drug use. And then as soon as  
21 you-- the bad results turned to pleasure, you  
22 immediately went back on your promise,  
23 repudiated it and continued with your illegal  
24 activity. Correct?

25 A. Incorrect.

1 Q. Okay. How is it incorrect?

2 A. Pleasure is not what happened.

3 Q. Okay. Whatever happened, you repudiated it and  
4 went back on your promise and back to your  
5 illegal activities, didn't you?

6 A. Sorry, the consumption of peyote in the state  
7 of Oklahoma is not illegal. So you are  
8 incorrect. No to your question.

9 Q. Is the consumption of peyote illegal other  
10 places than Oklahoma?

11 A. I was in the state of Oklahoma when it happened  
12 and, therefore, that is the answer, no.

13 Q. That's not my question. Listen. My question  
14 is, is peyote and the use of peyote illegal in  
15 states other than Oklahoma?

16 A. You're a lawyer, I'm not. I don't know. And  
17 if you want, I can give you the opinion of  
18 lawyers that have told me yes and no on this  
19 question.

20 Q. You don't know the answer? Is that-- is that  
21 correct?

22 A. I think you should let me fully answer the  
23 question.

24 Q. My-- my question is--

25 A. I think you should fully let me answer the

1 question.

2 MR. BENNETT: Judge, I-- I'm going to  
3 ask the Court, I-- I don't want to get in this  
4 interplay back and forth with the witness. I  
5 think I'm entitled to an answer to the  
6 question.

7 THE COURT: Just-- just ask-- just  
8 answer the question.

9 A. I can't answer the question because I don't  
10 know, I can only go by the expertise.

11 THE COURT: If you don't know, just  
12 say I don't know.

13 A. I don't know.

14 THE COURT: That's-- that's not in  
15 your vocabulary very often. So if that's it,  
16 why, do it, please.

17 Q. (BY MR. BENNETT) And with all those activities  
18 in your background, as I understand your  
19 testimony, you've got total immunity from any  
20 prosecution for anything in this-- in your plea  
21 negotiations; is that right?

22 A. I don't know.

23 Q. Did you get immunity for possession of a lab  
24 with-- of an LSD lab with intent to  
25 manufacture?



1 A. I believe so.

2 Q. Okay. And did you get immunity for  
3 distribution or furnishing of illegal drugs?

4 A. I don't know.

5 Q. What is your understanding, did you or did you  
6 not?

7 A. There's been a confusing thing of how broad the  
8 immunity that was given to me was. Under  
9 Kastigar, I had full immunity because that is  
10 guaranteed by the Supreme Court of the United  
11 States under the Fifth Amendment.

12 Q. Did you get possession-- or immunity for  
13 possession of LSD with intent to distribute?

14 A. I don't know that one.

15 Q. Did you get immunity from the charges that the  
16 defendants are charged with?

17 A. I don't know that.

18 Q. Well, we'll get back to that in a minute. Did  
19 you-- have you been promised or indicated that  
20 you would have immunity from the information  
21 that you provided about the issuance of  
22 counterfeit checks?

23 A. No.

24 Q. You didn't get immunity for that?

25 A. No.

1 Q. Did you get immunity for tax evasion?

2 A. Under a very unusual interpretation on down,  
3 yes, because I got immunity from money  
4 laundering. And because of the way that was  
5 interpreted, tax evasion was then-- I was  
6 immunized from, as long as I went for 6003  
7 immunity.

8 Q. All right. You've got immunity for tax  
9 evasion, you've got immunity for money  
10 laundering. Correct?

11 A. That's true.

12 Q. Okay. You've got-- you've got immunity for  
13 illegal possession of ergocristine, didn't you?

14 A. I'm not--

15 MR. HOUGH: Well, Judge, we'll object  
16 ergocristine is not a controlled substance  
17 alone, so possession would not be illegal.

18 A. I don't know.

19 Q. (BY MR. BENNETT) Did you get immunity for  
20 possession of a precursor for LSD, possession  
21 of a precursor for LSD?

22 A. I don't know. Yes is what I would think, but I  
23 need lawyers to tell me what I got immunity,  
24 because it became a confusing issue.

25 MR. BENNETT: Could I have Exhibit

1 801, please?

2 Q. (BY MR. BENNETT) I want to show you what has  
3 been marked as Defendant's Exhibit A-15. Do  
4 you recognize that, sir?

5 A. Yes.

6 Q. And did you sign that document?

7 A. Yes, I did.

8 Q. And what-- on what date did you sign it?

9 A. 10-26 of the year 2000.

10 Q. All right. Thank you. Then I will show you  
11 what's been marked as exhibit-- Government's  
12 Exhibit 801. Do you recognize that?

13 A. Yes.

14 Q. And did you sign that?

15 A. Yes.

16 Q. And on what date did you sign that?

17 A. 10-18.

18 Q. Of 2000?

19 A. Year 2000.

20 Q. Thank you.

21 A. Sir, you had water that dripped. You may want  
22 to wipe it off.

23 Q. I'm sloppy. Now, I know you've testified I  
24 think to this on your direct examination, but  
25 when was it that you acquired that missile site

1 A. It-- yes, I-- at some point I found this drum.  
2 I-- I found the drum originally at the Atlas F.  
3 And I had always said, "Keep an eye on this,"  
4 to the employees, and I wanted them to do that.  
5 And that was kept. There may have been a  
6 period of where it got stuck in a box, a  
7 military box, that was trapped, and I had a  
8 hard time getting to it, but I did find it.

9 Q. And this would be the Native Scents item that  
10 was removed and shown in the walk-through  
11 October 27, 2000?

12 A. I'm not for sure.

13 Q. Well, assume that's the date.

14 A. I know, but I'm not for sure when I showed it  
15 to them.

16 Q. But you showed them the Native Scents item when  
17 they-- the testimony has been when they had a  
18 walk-through?

19 A. I-- if that's the case, that's the case. I  
20 mean--

21 Q. When you then took a box and it did not have a  
22 marking on it that you would use for  
23 designation of the items removed from Atlas F,  
24 those would be put on the ground and then did  
25 you cause them to be stacked back up against a

1 wall when they were designated as not part of  
2 this equipment?

3 A. Only if we needed the space. We had a space  
4 problem in this room.

5 Q. And otherwise, they were just left on the  
6 ground?

7 A. Yes, that's what I seem-- I mean, we could have  
8 stacked them up in another corner on the west  
9 side. I mean, there was-- there was space  
10 problems and we were working long hours.

11 Q. And somewhere else in that building they were  
12 put?

13 A. Yeah. I mean, to the best of my memory, yes.

14 Q. And when you had then acquired what ended up  
15 being the 30 to 32 green military-type boxes  
16 that were set on the ground, the remaining  
17 boxes were then put up somewhere in that  
18 building to the side or out of the way?

19 A. Basically that's what I seem to remember, maybe  
20 even some of them were put outside.

21 Q. And this would have been the movement that  
22 occurred after October 27, 2000 until the  
23 search warrant of October 31, 2000. Correct?

24 A. I don't know that.

25 Q. What do you know would help you in that regard

- 1 location near Wamego?
- 2 A. Approximately the early part of '96, but
- 3 legally the transfer took place in June or July
- 4 of '96.
- 5 Q. Okay. And you acquired it in whose name when
- 6 you initially acquired it?
- 7 A. It was acquired by the Wamego Land Trust.
- 8 Q. And the Wamego Land Trust, the trustee of-- of
- 9 that is who? Who's the trustee?
- 10 A. I don't know.
- 11 Q. Would that be Graham Kendall?
- 12 A. I just answered your question, I don't know.
- 13 Q. Okay. Who had the authority-- once it was
- 14 placed in the name of the Wamego Land Trust,
- 15 who had the authority over the operation,
- 16 maintenance of that missile site?
- 17 A. Give me a time frame.
- 18 Q. Well, let's start with '96.
- 19 A. Graham Logan Kendall.
- 20 Q. All right. And '97?
- 21 A. Graham Logan Kendall.
- 22 Q. And '98?
- 23 A. Graham Logan Kendall.
- 24 Q. And '99?
- 25 A. Graham Logan Kendall.

- 1 Q. 2000?
- 2 A. Graham Logan Kendall.
- 3 Q. 2001?
- 4 A. Unknown.
- 5 Q. And are you talking-- when we talk about 2001,  
6 are you talking about from January 1 on?
- 7 A. No, I'm-- I don't-- no, I don't know what  
8 dates. It's unknown. In other words, at some  
9 point in the year 2001, it's unknown who the  
10 trustee was by me.
- 11 Q. Unknown by you?
- 12 A. Right.
- 13 Q. Okay. In 2001, who had the responsibility for  
14 looking after the site?
- 15 A. Graham Logan Kendall appointed himself, to the  
16 best of my knowledge, as a general manager.  
17 Therefore, he was involved with day-to-day  
18 operations and making decisions and helping  
19 with the transfer and the liquidation of the  
20 trust, but he had resigned as the trustee.
- 21 Q. All right. Do you know at what point in time  
22 he appointed himself as the general manager?
- 23 A. I believe it was August the-- let's say between  
24 August-- August the 13th of the year 2001 is  
25 the best date I can remember.

1 Q. All right. And would he then have been the  
2 trustee up until that time, August the 13th?

3 A. To the best of my knowledge, yes.

4 Q. Okay. Now, explain to me, if you will, why the  
5 property was titled in the Wamego Land Trust,  
6 rather than you just taking ownership yourself.

7 A. I will once again explain this. Because it was  
8 a formerly-used defense site and because I had  
9 studied and the corporation had studied and  
10 because lawyers that represented the  
11 corporation said under no circumstances, to my  
12 mother, buy the place because it could have  
13 legal blow-back under CIRCLA, they--  
14 specifically the law firm Covington & Post said  
15 under no circumstances buy it. Then they told  
16 her not to let Gardner buy it, because their  
17 net worths were too great and they could take a  
18 phenomenal hit.

19 Now, the next thing is that another group  
20 of people said legally the way to do this is to  
21 form a trust so CIRCLA will not blow back and  
22 we can contain this issue. Therefore, we were  
23 then instructed that an arm's-length person had  
24 to settle the trust. Upon settling the trust,  
25 this arm's length person then had to appoint a



1 trustee who was arm's length from the  
2 corporation and the family, and then we were  
3 instructed that I could not be a beneficiary,  
4 my mother could not be a beneficiary, we could  
5 not serve in any capacity, no member of the  
6 Gardner Corporation, Gardner Industries could  
7 sit as a member in any capacity as a Wamego  
8 Land Trust general secretary, executive  
9 secretary, general manager, trustee, or in any  
10 of the Schedule D, E and C items within the  
11 trust. And nor could the beneficiaries be  
12 heirs of the family or Gardner Industries. And  
13 this is the reason that this complicated thing  
14 was formed. Does that answer your question?

15 Q. Partially.

16 A. Okay. Keep on going.

17 Q. One of the-- one of the considerations-- well,  
18 strike that. At that time, at that point in  
19 time when you acquired it in the name of the  
20 trust, did you have a number of creditors that  
21 were trying to collect debts from you?

22 A. No, they weren't trying to collect debts, this  
23 is bogus, they had long given up.

24 Q. Were you-- did you have a number of creditors  
25 out there who had, in your terms, given up?

1 A. What is the question? Number? Do you want me  
2 to give you a specific number?

3 Q. My question is, did you have a number of  
4 creditors. And then we'll go to the next  
5 question, Mr. Skinner.

6 A. Yes.

7 Q. All right. Now, the next question, how many  
8 creditors were there out there?

9 A. Two.

10 Q. And how much did you owe those two creditors?

11 A. It's complicated because we would have to use  
12 the compounding of interest, I'm not being  
13 difficult.

14 Q. Well, let's forgot the interest. How much did  
15 you owe them? Give away the interest.

16 A. Let's say a million-and-a-half dollars.

17 Q. All right.

18 A. That's an approximation.

19 Q. All right. And that-- who were those two  
20 creditors?

21 A. Bacardi Capital from Bermuda and B & G  
22 Off-Shore, et al., William Good from Louisiana.

23 Q. B & G Off-Shore, is that what you said?

24 A. Off-Shore, Inc. I'm sorry.

25 Q. I'm sorry. Off-Shore, Inc.?

1 A. Yes, B and sign G Off-Shore, Inc.

2 Q. Okay. What did you owe-- how much did you owe  
3 Bacardi Capital?

4 A. Let's say-- there's numerous figures and  
5 there's complications because there was a  
6 payment made. The figure that Mr. Rork gave of  
7 \$1,150,950 is actually less than what the  
8 judgment was.

9 Q. Well, we'll stick with the 1,150,000.

10 A. Okay. Very good.

11 Q. How much was owed to B & G Off-Shore, Inc.?

12 A. I want to give an approximation here. \$80,000.

13 Q. All right. And one of the considerations when  
14 you had this site put in the trust's name was  
15 the fact that there were these two creditors  
16 out there that you owed a million 200,000 to.  
17 Right?

18 A. I disagree with you. I don't think you  
19 understand how dangerous it is to possess a  
20 formerly-used defense site.

21 Q. That's not my question, Mr. Skinner.

22 A. No.

23 Q. No is the answer?

24 A. No.

25 Q. Okay. See how easy that is.

1 A. Yes.

2 Q. Mr. Pickard had no ownership interest in that  
3 missile site, did he?

4 A. Not to the way I understood it, but he sure  
5 represented himself to the courts and to the  
6 legal system that he did.

7 Q. In 1996, '97, '98, '99 and 2000, he had no  
8 ownership interest in it and had made no claim  
9 of any ownership interest in it. Correct?

10 A. That sounds correct to me.

11 Q. Okay. And Mr. Apperson had no ownership  
12 interest or claim in that facility, did he?

13 A. That's true.

14 Q. Now, we heard some testimony-- not some, we  
15 heard a lot of testimony about the Ellsworth  
16 site. And that was a missile site up near  
17 either Ellsworth, Carneiro or Salina,  
18 whatever--

19 A. Yes.

20 Q. -- we want to call it. But did you have an  
21 ownership interest in that or just a possessory  
22 interest of some kind?

23 A. Just a possessory interest of some kind.

24 Q. All right. When did you initially acquire the  
25 possessory interest?

1 A. Sometime in November is the best of my memory  
2 of the year 1999.

3 Q. I'm sorry, I missed the month. November did  
4 you say?

5 A. I-- I believe November. It could be early  
6 December, it could be late October.

7 Q. All right. And-- and does-- as I-- well, I  
8 won't say how I understood it because I'm not  
9 sure I understood it correctly. What was that  
10 possessory interest?

11 A. Again, Tim Schwartz said he was sick of dealing  
12 with it. It had dragged on for so long, he  
13 couldn't stand it. He couldn't go back to  
14 Ellsworth because that's where his ex-wife was.  
15 He said, "Todd, you did such a wonderful job on  
16 the Atlas E in Wamego, you're the only person I  
17 trust to continue with this correct, very  
18 meticulous way of handling things, I want you  
19 to finish this off so I will know it will be  
20 done correctly."

21 Q. And when you say a possessory interest, do you  
22 mean that was just a verbal authorization from  
23 him or was there some type of a written  
24 document?

25 A. There was no written document that I remember.

1 Q. All right. So you in effect then took  
2 possession of that site?

3 A. Right.

4 Q. And that would have been in November of '99?

5 A. That's my best guess.

6 Q. All right. And once you took a possessory  
7 interest in it, did you make any improvements  
8 in the site?

9 A. At some point I started having the-- the tile,  
10 I'm sorry, it's not satillo tile, the tile  
11 finished out.

12 Q. All right.

13 A. And there was a tremendous amount of  
14 above-ground garbage I had removed and we  
15 started-- Lupe and other people started-- I  
16 believe it was just Lupe, but there may have  
17 been someone else that went out there, started  
18 cleaning it up, just to get it physically  
19 cleaned up.

20 Q. All right. Lupe is Mr. Matias?

21 A. He has a multiple last name.

22 Q. Tenorio Matias?

23 A. Very good.

24 Q. All right. And how long had you known Tenorio  
25 Matias?

1 A. Approximately two-and-a-half years.

2 Q. And where had you met him?

3 A. He showed up one day at the missile base in  
4 Wamego.

5 Q. Do you mean just walked up to the door and  
6 said, "Here I am," or how did he get there?

7 A. Hugo had brought him, smuggled him-- smuggled  
8 him over the border and got him up there.

9 Q. Is Hugo-- is his last name DeLaLave.

10 A. If that's the way you wish to say it, I will go  
11 with it.

12 Q. I don't know if I'm pronouncing it right.

13 D-E--

14 A. I can't pronounce it right, either

15 Q. Is it D-E, capital L-A, capital L-A-V-E?

16 A. You've got it. You've got it.

17 Q. And you say Hugo smuggled him over the border  
18 and brought him up there. Is that what you've  
19 indicated?

20 A. Well, he originally took him to Taos, New  
21 Mexico, and there was work done in Taos, New  
22 Mexico, along with other people--

23 Q. All right.

24 A. -- that were smuggled over the border.

25 Q. Did Mr. DeLaLave work for you?

1 A. No, I paid him for everything, but he was more  
2 of a friend.

3 Q. All right. So when was it that Mr. Matias  
4 showed up at the Wamego missile site?

5 A. I said I approximately knew him two-and-a-half  
6 years. I mean, I just can't tell you what--

7 Q. Well--

8 A. I didn't pay attention to these kind of things.

9 Q. You don't have to be exact, I just want your  
10 best recollection. And I don't want  
11 two-and-a-half years from this point or two--  
12 three years from that point, just give me your  
13 best recollection of when it was.

14 A. I think '97.

15 Q. Okay. Now, can you come any closer than that?  
16 By that I mean a month or a--

17 A. No, I'm sorry.

18 Q. -- quarter?

19 A. I'm sorry.

20 Q. '97. And then you had-- did you put Mr. Matias  
21 to work at the Wamego site?

22 A. Yes, I did.

23 Q. How long did he work at the Wamego site before  
24 he went to the Ellsworth site?

25 A. Right up until the day he went to the Ellsworth



1 site, he was working at the Wamego site.

2 Q. When did he go to the Ellsworth site?

3 A. It would have been sometime either November or  
4 December of '99.

5 Q. All right. And what-- what work did he perform  
6 between '97 and '99 at the Wamego site?

7 A. Laying concrete, reinforcing concrete and  
8 laying tile and building concrete structures  
9 and laying in cedar and-- and such, this kind  
10 of thing. He was--

11 Q. And then when he went to the-- did he go to the  
12 Ellsworth site at your request or direction?

13 A. He-- yes.

14 Q. And that would have been in '99, sometime  
15 after-- or November or about November?

16 A. The first time he went, he went at my request,  
17 yes.

18 Q. And what did he go there to do or what did you  
19 direct him to do?

20 A. The tile had not been completed because it was  
21 a circular building. An Atlas F is circular,  
22 unlike what we've seen with these squares.

23 Q. It's an upright?

24 A. Yeah. Not only that, everything is circular  
25 because they realize the blast-- a square

1 corner, a 90-degree could not handle an  
2 overblast. So overpressure required that they  
3 move to all circular dome and circular things  
4 because they were stronger structures under  
5 Tensor (phonetic) calculus.

6 And so it's difficult to get square tile  
7 to look good in a circular area and they had  
8 not figured out how to do that. And Lupe is an  
9 expert at such things, and Lupe was able to  
10 complete that. And also, he was just doing  
11 general cleanup just to be able to get to that  
12 point.

13 Q. All right. And how long did Lupe work then at  
14 the Ellsworth missile site?

15 A. I'm not quite for sure.

16 Q. Well, can you give me your best estimate?

17 A. I don't know. I-- I don't know.

18 Q. Did he work past Christmas?

19 A. I-- I don't know.

20 Q. What-- at whatever point in time that he left  
21 the Ellsworth site, why did he leave the  
22 Ellsworth site?

23 A. Because William Leonard Pickard and Clyde  
24 Apperson picked him up and brought him back.

25 Q. And when was that?

- 1 A. I don't know, I wasn't there.
- 2 Q. You don't know when it was, but you know that  
3 that's what happened?
- 4 A. I know that at least one or the other did it,  
5 because we have a communication problem with  
6 Mr.-- with Lupe.
- 7 Q. Okay. Now, you just said you know one or the  
8 other of them did it.
- 9 A. It's because I'm never quite sure when I'm  
10 talking to Lupe what it is. I'm only for sure  
11 that it had to have been one or both of them.
- 12 Q. Okay. But you can't tell us, you can't tell  
13 this jury with any degree of certainty whether  
14 it was William Pickard or Clyde Apperson, can  
15 you?
- 16 A. No, I can tell you that under Buling (phonetic)  
17 logic, yes, to that question.
- 18 Q. Do you know of your own knowledge what-- who  
19 picked Mr. Matias up and brought him back to  
20 Wamego?
- 21 A. Through William Leonard Pickard's mouth, I was  
22 told it was either one, the other or both of  
23 them.
- 24 Q. But you don't know which one?
- 25 A. That's correct.

1 Q. Okay. Now, with regards to that Ellsworth  
2 site, Mr. Pickard had no ownership interest in  
3 it, did he, to your knowledge?

4 A. No, none whatsoever.

5 Q. Mr. Apperson had no ownership interest in it,  
6 did he

7 A. None whatsoever.

8 Q. Now, did you at any time live at the-- at the  
9 Ellsworth site. And by live I don't mean on a  
10 permanent basis, but did you stay at the  
11 Ellsworth site on occasions?

12 A. I'm not being difficult, can you give me what  
13 stay means? I mean, did I walk in?

14 Q. Stay.

15 A. Did I walk in--

16 Q. Stay.

17 A. Yeah. I've stayed in this room.

18 Q. Did you go in there and stay there for 24 hours  
19 or more?

20 A. No.

21 Q. What's the longest period of time that you were  
22 in the Ellsworth site on any one sitting or  
23 occasion?

24 A. Probably 14 hours. I did not like the  
25 environment.

1 Q. You didn't like what?

2 A. The environment.

3 Q. And on the occasion-- was there more than one  
4 occasion that you stayed there for some period  
5 of time, 14 hours or less?

6 A. Yes.

7 Q. How many occasions, again approximation?

8 A. Ten or less.

9 Q. And on those ten occasions when you were there,  
10 was there anyone else there?

11 A. Yes.

12 Q. Who else was there during any of these stays,  
13 if you will?

14 A. Let's see, Lupe, Mike Hobbs, Gunnar Guinan, my  
15 father. And then while I was unloading and--  
16 helping unload an LSD lab out of a truck, Mr.  
17 Apperson and Mr. Pickard. Wait a minute. They  
18 never entered the site, they stayed above  
19 ground. My wife and children when I was  
20 checking the locks.

21 Q. Now, the-- when you make reference to Lupe and  
22 Hobbs and Guinan and your father?

23 A. Guinan.

24 Q. Or Guinan. We're going to have this problem  
25 on-- I've been calling him Guinan too long.

1 A. Okay. I will just get-- stipulate Guinan  
2 sounds like--

3 Q. Do you know who I'm talking about if I say  
4 Guinan, don't you?

5 A. Yes, yes.

6 Q. All right. Lupe, Hobbs, Guinan and your  
7 father, were they there on more than one  
8 occasion?

9 A. Yes.

10 Q. All-- all of them there more than one occasion?

11 A. With my father, no. With the rest, yes.

12 Q. Okay. Now, I think you said that Mr. Apperson  
13 and Mr. Pickard were there when you helped  
14 unload an LSD lab?

15 A. That's correct.

16 Q. When was that?

17 A. The records have shown from when the rental of  
18 the Santa Fe-- it's under Clyde's name, shows  
19 when it was, and I would have to be refreshed  
20 with those records.

21 Q. Who was there?

22 A. William Leonard Pickard, Clyde Apperson and  
23 myself.

24 Q. All right. And do you remember when that was,  
25 what year?

1 A. I believe '99

2 Q. In '99?

3 A. It could-- it was on the cusp of '99 and 2000.

4 Q. And that was--

5 A. It was in '99, it would have been '99, I  
6 believe.

7 Q. That was the-- the time-- at the time that you  
8 took possession of the lab; is that right? You  
9 took possession of the lab?

10 A. How did I take possession of a lab?

11 Q. I say did you take-- you said you were helping  
12 unload it into this silo that you had  
13 possessory interest in. Did you take  
14 possession of it at that time?

15 A. No. I helped them move down because there was  
16 so many flights of stairs. It was their lab.

17 Q. It was your site, wasn't it?

18 A. No, I didn't have ownership, I just had  
19 possessory-- possessive ownership of it, in  
20 your opinion.

21 Q. You had possessory interest in the silo.  
22 Correct?

23 A. I will give you that. Yes.

24 Q. Okay. And that would have been sometime after  
25 you took possessory interest of the site; is

1           that right?

2           A.    Yes.

3           Q.    Okay.  So if you took possessory interest in  
4           November of '99-- and if it was in '99, it  
5           would have been November or December of '99.  
6           Correct?

7           A.    I believe so, yes.

8           Q.    All right.  Now, how many-- strike that.  I  
9           want to go back to the Wamego site for a  
10          minute.  Did you stay there for extended  
11          periods of time?

12          A.    Yes, I did, sir.

13          Q.    Do you recall when it was you first started  
14          staying at the Wamego lab for extended periods  
15          of time?

16          A.    Can you repeat that or have her repeat that  
17          question?

18          Q.    Yeah.  Can you tell me when it was the first  
19          time that you stayed at the Wamego lab site--  
20          or the Wamego site or lab site for--

21          A.    I'm sorry, but I've never stayed at the Wamego  
22          lab site.

23          Q.    Have you stayed at the silo?

24          A.    No, it's called a horizontal missile base.  
25          I've stayed at the Wamego site, yes.



- 1 Q. Okay. When was the first time that you stayed  
2 there for an extended period of time?
- 3 A. I believe it was early spring of '96.
- 4 Q. '6 or '7 did you say?
- 5 A. '6.
- 6 Q. And did you at some point in time make that  
7 your official residence?
- 8 A. Yes.
- 9 Q. When did you make it your official residence?
- 10 A. I-- I don't know how to define making it my  
11 official residence, so I mean, I stayed there a  
12 lot, especially during trying to ramp up the  
13 manufacturing side of robotics springs.
- 14 Q. What's the longest period of time that you've  
15 stayed at that Wamego missile site for-- in any  
16 one period of time?
- 17 A. I would say something less than 90 days, but  
18 something greater than 65 days. It's a little  
19 hard staying underground.
- 20 Q. And on how many occasions did you stay at the  
21 Wamego missile site for an extended period of  
22 time?
- 23 A. Numerous times.
- 24 Q. Can you give me any estimate?
- 25 A. I used to work 22 hours a day, and so I can't

1 really tell you. And we were doing the  
2 robotics, it was regular. I mean, I virtually  
3 lived and breathed on the factory floor.

4 Q. During the time that you were in possession of  
5 the Ellsworth missile site, were any illegal  
6 drugs used by you at that site?

7 A. Never.

8 Q. Were any--

9 A. Other than whatever exposure I got moving the  
10 lab in or out, there was no illegal drug usage.

11 Q. There was some testimony earlier, I believe,  
12 that you gave some testimony earlier with  
13 relation to the Wamego site, that there were  
14 parties held there.

15 A. No, I did not say the word "parties," when it  
16 came to that. I said I had catfish fries and  
17 local-- those kind of parties, yes.

18 Q. Well, that's a party to me, it may not be a  
19 party to you.

20 A. That's a party to me, but I was then-- Mr. Rork  
21 said that wasn't what he was referring to.

22 Q. All right. Were there ever any occasions at  
23 the Wamego missile site when persons, who were  
24 invited there to participate in any type of a  
25 gathering, consumed or used illegal substances

1 in your presence?

2 A. Yes.

3 Q. And on how many occasions were there that  
4 persons who came there for a gathering used  
5 illegal drugs or substances in your presence?

6 A. I have a difficulty with the question, and I'm  
7 not being difficult with you. I would like to  
8 split the question and answer it as honestly as  
9 possible with you. Can I do that?

10 Q. I-- I think it's a pretty simple question.

11 A. To you it is, to me it's not.

12 Q. You told me illegal drugs were used at the  
13 site. Correct?

14 A. Yes.

15 Q. You told me that there were gatherings there.  
16 Correct?

17 A. Yes.

18 Q. And my question is, on how many occasions?

19 A. My problem with the question is I don't know  
20 by-- because I've been given conflicting  
21 reports by lawyers of which times were illegal  
22 and which times were not illegal.

23 Q. All right. Let's do it this way; what  
24 substances, legal or illegal, drug substances  
25 were consumed in your presence at those sites,

1 LSD?

2 A. Yes.

3 Q. DMT?

4 A. Yes.

5 Q. MDA?

6 A. Yes.

7 Q. MDMA?

8 A. Yes.

9 Q. Marijuana?

10 A. Never in my presence.

11 Q. To your knowledge, was marijuana used?

12 A. It was absolutely banned and when it happened--  
13 because smoking of all forms were banned  
14 underneath the ground.

15 Q. But you're telling me it did happen?

16 A. I was-- it was reported to me, and people lost  
17 their jobs or were threatened that they would  
18 lose their jobs for doing anything, including  
19 smoking cigarettes underneath the ground.

20 Q. And I don't know if I can pronounce this,  
21 ayahuasca?

22 A. Ayahuasca.

23 Q. Ayahuasca?

24 A. Yes.

25 Q. Peyote?

1 A. No.

2 Q. Methamphetamine?

3 A. No.

4 Q. Phentynl?

5 A. Yes.

6 Q. Which of those, in your opinion, were illegal

7 at the time they were--

8 A. Could you-- without me being difficult, could

9 you read them back so I can tell you.

10 Q. LSD, legal or illegal?

11 A. Illegal.

12 Q. DMT, legal or illegal?

13 A. I've been given different opinions by different

14 lawyers.

15 Q. Have you been given opinions by lawyers that

16 it's illegal?

17 A. And legal.

18 Q. Have you been-- my question is, have you

19 given-- been given opinions by lawyers, some

20 lawyers, that it's illegal?

21 A. Yes, I have.

22 Q. Okay. MDA?

23 A. Illegal.

24 Q. MDMA?

25 A. Illegal.

1 Q. Phentynl or phentynl.

2 A. Phentynl is a Schedule II and, therefore, if a  
3 prescription were combined with it, it would be  
4 legal. But under the context that it was used,  
5 it was illegal.

6 Q. Okay. What you're saying is the way it was  
7 used at the Wamego missile base, it was  
8 illegal. Right?

9 A. It was illegal, yes.

10 Q. All right. Now, ayahuasca?

11 A. Ayahuasca.

12 Q. Ayahuasca.

13 A. Don't feel bad everyone else in the world,  
14 including me, had a problem--

15 Q. Legal or illegal?

16 A. This-- the best lawyer that I had declared that  
17 it was legal.

18 Q. Well, how about the-- other than the best  
19 lawyer that you had, did some of them indicate  
20 it's illegal?

21 MR. HOUGH: Judge, we'll object.

22 That's argumentative.

23 A. It's all right, it's fun.

24 MR. HOUGH: It's argumentative,  
25 Judge.

1 THE COURT: Well, overruled. Go  
2 ahead, answer the question.

3 A. The rest of them didn't understand because they  
4 were so terrified by the abilities of the best  
5 lawyer and, therefore, they defaulted and said  
6 this is bizarre that this lawyer did that, I'm  
7 willing to read his opinion.

8 Q. All right.

9 A. It's worth hearing.

10 Q. There were differing opinions?

11 A. Oh, yeah. But this opinion was different than  
12 a normal lawyer's opinion.

13 Q. Now--

14 A. I should be allowed to finish, so-- his opinion  
15 counts more than most.

16 Q. Well, that's-- beauty is in the eye of the  
17 beholder, Mr. Skinner.

18 A. Yes, he was the chief federal district judge of  
19 the United States and New Mexico that wrote the  
20 opinion. That is the lawyer I am depending on.

21 Q. Well--

22 A. Still holding the position.

23 Q. You know there's no lawyer in the world that's  
24 omnipotent?

25 A. I understand that, even a jurist of the chief

1 judge.

2 Q. Now--

3 MR. HOUGH: Judge, we'll stipulate to  
4 that.

5 MR. BENNETT: I'm surprised. I  
6 thought you had a differing opinion.

7 THE COURT: This is the first time  
8 I've smiled in several days. All right. Let's  
9 proceed.

10 Q. (BY MR. BENNETT) Other than the marijuana, did  
11 all of these illegal uses occur in your  
12 presence?

13 A. No.

14 Q. All right. Did you furnish any of the-- or  
15 provide any of the illegal substances that were  
16 used or consumed?

17 A. Yes.

18 Q. Okay. Which of the illegal substances did you  
19 furnish or provide?

20 A. Do you want to read the list back to me? I  
21 have a part--

22 Q. I sure will. LSD.

23 A. Yes. Not all of it, but yes.

24 Q. No, I understand, but on at least one or more  
25 occasions--



1 A. Right

2 Q. -- you provided it.

3 A. Yeah, if that would be the stipulation, it  
4 makes it a little faster. Go ahead.

5 Q. DMT?

6 A. Yes.

7 Q. MDA?

8 A. Yes.

9 Q. MDMA?

10 A. Yes.

11 Q. Ayahuasca?

12 A. Yes.

13 Q. Got it right.

14 A. You've got it right. Omnipotence is coming.

15 Q. Not from me, Mr. Skinner, not from me.

16 A. I'm suffering from ignorance.

17 Q. Phentynl--

18 A. Yes.

19 Q. -- whether it's legal or illegal?

20 A. Yes, yes.

21 Q. Tell me about these gatherings or parties that  
22 were held that-- where these drugs were  
23 provided by you on some occasions and consumed?

24 A. The word "party" again I take exception to.

25 Q. Well, gathering.

1 A. Gathering. I can tell you about them, what--  
2 what do you want to know?

3 Q. Was it-- were they-- were these planned  
4 gatherings?

5 A. Yes.

6 Q. Was there a certain group of people that were  
7 invited to participate in these planned  
8 gatherings?

9 A. People would come from all over the world.

10 Q. To participate-- for the purpose of  
11 participating in these parties or gatherings?

12 A. The gatherings, yes.

13 Q. All right. And what did you call the  
14 gatherings where these drugs were being  
15 furnished and consumed?

16 A. The word "drugs" should be stricken in this.  
17 It's sacraments, in my opinion.

18 Q. Well, that's somatics. You call them  
19 sacraments, I call them drugs, we both know  
20 what each of us is talking about.

21 A. I will give you that.

22 Q. Okay. Can you answer the question?

23 A. Phrase it again.

24 Q. What did you refer to these gatherings as or  
25 what did the group that participated refer to

1 the gatherings as?

2 A. I don't think there was a formal name for it.

3 Q. How did the people that came to participate in  
4 the gatherings become aware of the upcoming  
5 gathering?

6 A. Well, sometimes they would ask me to do it, to  
7 have a gathering at the base. And sometimes I  
8 would invite them over, and sometimes people  
9 would show up and we would decide, yeah, this  
10 is a proper occasion.

11 Q. Well, when they asked you to have the  
12 gatherings, what-- what did they ask you, what  
13 were they suggesting that you do?

14 A. They were saying could you provide a space  
15 that's secure in many ways, so that we could  
16 have an entheogenic experience and go forth  
17 from there.

18 Q. All right. Now, why did they want you to  
19 provide a secure place? What was the necessity  
20 of securing it?

21 A. Well, and-- and if you are a sacramentally  
22 taking these, you don't want to be at a bar,  
23 you don't want to be out in public, you want to  
24 be somewhere where you feel that you're  
25 protected safely, where you don't have to deal

1 with strange interactions. Like the last place  
2 in the world you want to be is running around  
3 downtown on The Strip in Las Vegas. So that's  
4 what I mean by secure.

5 Q. You want to be somewhere where there aren't any  
6 police officers, don't you?

7 A. I'm sorry, that had little to do with the  
8 consideration. You're wrong about that.

9 Q. You say it had little to do with it?

10 A. How about zero. That wasn't part of this. So  
11 I'm going to disagree with you.

12 Q. Okay. Give me a list, as best you can recall,  
13 of the people that participated in these  
14 gatherings and consumed these drugs.

15 MR. HOUGH: Judge, we'll object.  
16 This is irrelevant.

17 MR. BENNETT: Well, Judge, it's--  
18 it's not irrelevant-- can I approach, Your  
19 Honor?

20 THE COURT: Well, overruled. Go  
21 ahead.

22 A. I'm going to try to do my best with this list.  
23 Eduardo Lupe. I'm sorry, Eduardo Luna from  
24 South America--

25 Q. Who--

1 A. -- a famous-- he's a very famous ayahuascano  
2 who has written books. Ganga White, Tracy  
3 Rich.  
4 Q. Ganga White we've heard about him. Tracy Rich?  
5 A. Wife. Joel Kramer, Diana Alstead.  
6 Q. Who's Diana?  
7 A. The wife of Joel Kramer.  
8 Q. What's her last name?  
9 A. Alstead, they're famous authors.  
10 Q. How do you spell the last name?  
11 A. A-L-S-T-E-A-D, I believe.  
12 Q. Okay. Go ahead.  
13 A. Dennis McKenna, Ph.D. And then, of course,  
14 people like Gunnar, Michael Hobbs, my wife.  
15 Q. Your wife, Emily Ragan or--  
16 A. Yes. Actually, my wife and my ex-wife.  
17 Q. Okay. Emily Ragan, which is she, is she your  
18 wife or your ex-wife?  
19 A. No, no, ex-wife would have been Kelly Rothe and  
20 Emily Ragan.  
21 Q. All right. Who else?  
22 A. Ed Peden.  
23 Q. All right.  
24 A. Diana Ricci. Ricci I believe is the last name.  
25 Q. How do you spell her last name?

1 A. I'm not for sure.

2 Q. And who is she?

3 A. Wife of Ed Peden, they have a hyphenated last  
4 name.

5 Q. All right.

6 A. Friends of theirs that I don't remember the  
7 names.

8 Q. Friends of theirs being the Pedens or--

9 A. Yes, yes. Hugo.

10 Q. Hugo DeLaLave?

11 A. (Nods head up and down).

12 Q. Is that the Hugo you're talking about?

13 A. Yes. Lupe.

14 Q. Lupe Matias?

15 A. Yes. An employee of William Leonard Pickard's  
16 referred to as Youngblood, Miles Cleaver.

17 Q. And who's Miles Cleaver?

18 A. Miles Cleaver was a smurf and a-- a person who  
19 ran errands and was with a kilo of LSD in the  
20 Santa Fe Hilton, room 172, as I remember.

21 Q. Okay.

22 A. That Miles Cleaver.

23 Q. I remember now that testimony.

24 A. Okay. His friend Gabriel, I do not remember  
25 his last name.

1 Q. Who else?  
2 A. I have to think here.  
3 Q. Alfred Savinelli?  
4 A. Never, ever was at the base.  
5 Q. Was Alfred Savinelli's son at the base?  
6 A. Robert Savinelli.  
7 Q. Robert Savinelli?  
8 A. Yes.  
9 Q. How old is Robert?  
10 A. I don't know how old he was.  
11 Q. At that time how old was he?  
12 A. 18, 19.  
13 Q. Who else?  
14 A. Michael Bauer.  
15 Q. Who's Mike Bauer?  
16 A. Research assistant for Leonard Pickard.  
17 Q. Okay. Who else?  
18 A. Sammy Zanus-- Zasiofier (phonetic) or something  
19 like that.  
20 Q. Give me the first name, I didn't even get that.  
21 A. Sammy.  
22 Q. Okay. How do you spell that?  
23 A. Sammy. S-A-M-M-Y.  
24 Q. Sammy, all right.  
25 A. Forget the last name, I'm not going to be able

1 to get it. It's a foreign last name.

2 Q. Who is he or she?

3 A. He was a good friend of Bill Wynn's and also  
4 put Bill Wynn's name on there and a friend of  
5 Bauer's.

6 Q. Okay. Bill Wynn was also at those parties?

7 A. No, he was at--

8 Q. The gatherings?

9 A. -- the gatherings. And not frequently. Sita  
10 Kaylin.

11 Q. First name S-I-T-A?

12 A. S-I-T-A, Sita Kaylin.

13 Q. And who is Sita Kaylin?

14 A. She was a mutual friend of William Leonard  
15 Pickard and myself.

16 Q. Is she a dancer?

17 A. Yes.

18 Q. Where did she dance?

19 A. O'Pharaough.

20 Q. Where?

21 A. O'Pharaough in San Francisco.

22 Q. Is that a nude bar?

23 A. Yes, I believe so.

24 Q. Who else? Krystal Cole?

25 A. Yeah, but I'm trying to think of-- Naomi



1 Beaman, Beaman.

2 Q. Naomi?

3 A. Yeah.

4 Q. Who's Krystal Cole?

5 A. A girlfriend of mine, my girlfriend.

6 Q. Dancer?

7 A. No.

8 Q. Was she at one time?

9 A. Yes.

10 Q. Where at? Cabaret?

11 A. Yes.

12 Q. Here in Topeka?

13 A. I don't claim it's in Topeka, but it's right

14 outside.

15 Q. Well, on 70, Interstate 70?

16 A. Yes, yes.

17 Q. Okay. And Naomi Beaman is who?

18 A. A friend of Emily Ragan's.

19 Q. How about Ryan Overton?

20 A. Yes. Thank you. Ryan Overton. Also that

21 brings up Shana Everhart.

22 Q. And who's Ryan Overton, a friend of Shana's and

23 a friend of Krystal?

24 Q. And Shana is-- was Ryan Overton's girlfriend?

25 A. I don't know.

1 Q. Okay.

2 A. Don't know. She's Mike Hobbs' girlfriend now,  
3 so--

4 Q. Anyone else?

5 A. I'm trying to think. I gave-- she didn't stay  
6 there, but Wadina (phonetic), I gave her some  
7 MDMA.

8 Q. You gave her what?

9 A. MDMA.

10 Q. Wadina?

11 A. Wadina. This is the granddaughter of the  
12 Nicholsons.

13 Q. Okay. Anybody else?

14 A. Hold one second.

15 MR. BENNETT: Judge, while he's  
16 checking his list, can we approach for a  
17 moment, please?

18 THE COURT: Yes, you may.

19 (THEREUPON, the following  
20 proceedings were held at the bench and  
21 outside of the hearing of the jury).

22 MR. BENNETT: Judge, I want to ask  
23 him about Paul Hulebak. I'm not going to ask  
24 him about the death or-- or prosecution or  
25 anything like that, I just want to ask him if

1 Paul Hulebak was one of them that attended  
2 these parties or gatherings. And I know what  
3 the Court's-- I mean, I don't want to get  
4 cross-wise with the Court's limine motion.

5 MR. HOUGH: Judge, we would object to  
6 that. The witness has named numerous people,  
7 and I think giving Mr. Hulebak's name would  
8 unfairly-- well, number one, it's going to be a  
9 red flag to the witness. Number two, we  
10 believe the Court should reaffirm its order to  
11 accomplish-- if all they want to accomplish is  
12 that there were other people involved that he  
13 may or may not be able to name, they can just  
14 ask the question in that manner without even  
15 mentioning the name of Hulebak. It opens a  
16 Pandora's box that the Court has ruled  
17 inadmissible. So we would ask-- or we would  
18 object to that.

19 MR. BENNETT: Well, I'm not going to  
20 go beyond that, just to ask him that and--

21 THE COURT: I really don't want to  
22 get into it. It opens up possibilities that we  
23 may not even anticipate. So I-- I would rather  
24 not.

25 MR. BENNETT: Okay. Well, that's why

1 I approached.

2 THE COURT: Thank you.

3 (THEREUPON, the bench conference  
4 was concluded and the following  
5 proceedings were held within the hearing  
6 of the jury).

7 Q. (BY MR. BENNETT) Anyone else that you can  
8 recall?

9 A. Yes, uh-huh.

10 Q. Well, let's go on down the list then.

11 A. Yeah, I'm just trying to get them down here.

12 Q. Okay.

13 A. Okay. Tim Schwartz and Terry, and I don't know  
14 Terry's last name, it was a friend of Tim  
15 Schwartz.

16 Q. Schwartz being the same Tim Schwartz that was  
17 the owner of the site in Ellsworth?

18 A. Ellsworth, yes.

19 Q. All right. And Terry--

20 A. Terry.

21 Q. -- somebody?

22 A. Yes, a friend of Tim Schwartz. An employee  
23 named Pug.

24 Q. Pug?

25 A. Yes.

1 Q. P-U-G?

2 A. Yes, and his nickname-- last name is Eddy. I  
3 believe it's Forest Eddy.

4 Q. And who is he? You're saying--

5 A. He worked at Gardner and then he moved up  
6 from-- working from Gardner to General Dynamics  
7 when Gardner was dismantling. General Dynamics  
8 is a Crane Mesa (phonetic) space system  
9 facility. And then he moved from there to the  
10 Wamego facility.

11 Q. Okay. Who else?

12 A. Jessica Guin, Leonard Pickard.

13 Q. Wait just-- let me ask you about Jessica Guin,  
14 who is she?

15 A. She was a mutual friend of both Leonard and  
16 myself.

17 Q. Dancer?

18 A. No.

19 Q. Okay. Who else?

20 A. Leonard Pickard.

21 Q. All right. Who else?

22 A. I would have to think, I-- I've exhausted my--  
23 if I've left someone out, it wasn't  
24 intentionally.

25 Q. All right.

1 A. I didn't expect to have to produce this list,  
2 so I--

3 Q. If-- if I list-- let me see how many we've got  
4 here. Well, I get 31. And-- and what you're  
5 telling us is that you provided the location  
6 and provided illegal drugs to those 31 people;  
7 is that right?

8 A. No.

9 Q. You-- well, what, you provided the location.  
10 Right?

11 A. Correct.

12 Q. You provided the substance. Right?

13 A. Correct.

14 Q. The substance was illegal. Right?

15 A. I take exception to that.

16 Q. Well, you've-- the substance was illegal, you--  
17 you were of the opinion that it shouldn't be  
18 illegal, but it was illegal, wasn't it?

19 A. A federal judge, a chief federal judge has  
20 ruled that it wasn't.

21 Q. Which-- well, let me ask you this; which of  
22 these substances did you provide to these 31  
23 people?

24 A. Ayahuasca.

25 Q. What else?

1 A. Tepescohuite.

2 Q. What's that?

3 A. Mimosa hostilis. And from a misnomenclature,  
4 it could be considered mimosa tenuiflora.

5 Q. What else?

6 A. Extractions of different varieties.

7 Q. What else?

8 A. A TFFMP, which is not even-- no one even knows  
9 anything about.

10 Q. LSD?

11 A. Yes.

12 Q. That's illegal, isn't it?

13 A. Yeah, but I didn't provide it to all 31 people.

14 Q. All right. How many--

15 A. I can't answer that.

16 Q. We'll get into that. You provided it to some  
17 of the people, didn't you?

18 A. That's correct.

19 Q. DMT, that's illegal, isn't it? Isn't it?

20 A. It's a big giant question.

21 Q. You told me earlier it was illegal.

22 A. I believe it's illegal, but there's going to be  
23 more and more confusing things because in your  
24 brain DMT sits there, and are you illegal?

25 Q. I'm not going to play these games with you.

1 A. It's not a game, it's a serious issue of  
2 melatonin and DMT interchange.

3 Q. Before someone ingests it, it's illegal, isn't  
4 it?

5 A. No. It's in so many plants that we consume  
6 normally. In wheat grass it's found in trace  
7 amounts.

8 Q. It's illegal in the manner in which you  
9 distributed it, isn't it?

10 A. No, that's not the case.

11 Q. MDA?

12 A. Yes, illegal.

13 Q. And you distributed it, didn't you?

14 A. That's correct.

15 Q. MDMA--

16 A. Illegal.

17 Q. -- illegal? And you distributed it to some of  
18 these people, if not all of them, didn't you?

19 A. No, not all of them.

20 Q. I said some, if not all.

21 A. Yes.

22 Q. Phentynl?

23 A. Yes.

24 Q. And I'm going to miss it again. Ayahuasca?

25 A. Ayahuasca.



1 Q. Illegal?

2 A. No.

3 Q. Not illegal--

4 A. (Shakes head from side to side).

5 Q. -- in some people's opinion?

6 A. In the federal courts in New Mexico and it's  
7 going beyond that now.

8 Q. Okay. Over what period of time were you  
9 hosting these parties and providing these  
10 substances?

11 A. Gatherings.

12 Q. Gatherings.

13 A. In the early period, almost never because the--

14 Q. Okay. Let's forget the early period. Let's  
15 start whenever you started having more than one  
16 a year. And when did you--

17 A. Let's say '98, '99.

18 Q. All right.

19 A. Possibly '97, but '98, '99 were more frequent.

20 Q. All right. '98. Approximately how many of  
21 these parties-- gatherings?

22 A. I can't answer it. I don't know.

23 Q. More than ten?

24 A. I don't know.

25 Q. How about '99?

1 A. I don't know.

2 Q. When you were providing these to these  
3 individuals, were you also consuming them  
4 yourself?

5 A. Sometimes, yes.

6 Q. Was there other times you just used them as  
7 guinea pigs to see what the effects were?

8 A. No.

9 Q. What would be the occasion when you would be  
10 furnishing them to these people at these  
11 gatherings and they would ingest or take these  
12 substances and you would not?

13 A. Different answers to this question. And if I  
14 could do it in parts to be honest, is that  
15 allowed?

16 Q. I want to know what-- what occasion or what  
17 occasions of you not participating.

18 A. And I say I have to answer that in parts, and I  
19 will do that.

20 Q. You can do that.

21 A. The first part was if I had-- if it was  
22 ayahuasca or anything that had an MAOI on  
23 board, my diet may not have allowed me to have  
24 done it because it would be dangerous. So I  
25 had a mutually exclusive situation. Number

1 two, it may have been a ring or a substance  
2 that I was not interested in and other people  
3 were interested in, i.e., things that hit the  
4 L-dopa channel heavy. The third reason is-- is  
5 I just didn't feel up to it from a strength  
6 standpoint.

7 Q. Were there any of-- occasions when you didn't  
8 participate in it because you wanted to make  
9 sure that there was someone available--

10 A. Of course.

11 Q. -- to help these people if they had a bad  
12 reaction?

13 A. Yes, of course, I'm sorry. As a facilitator,  
14 yes, that was obvious, I'm sorry.

15 Q. And you recognized the fact when you were  
16 handing these things out that there was the  
17 potential for a bad or an adverse reaction, did  
18 you not?

19 A. Oh, yes.

20 Q. And in instant-- you recognized that those  
21 could be even life-threatening on occasion?

22 A. Yes.

23 Q. But you still felt that it was appropriate to  
24 hold the gatherings and pass these things out,  
25 even though people were going-- lives were

1 going to be at risk?

2 A. I would have never given someone something if I  
3 would have thought they would have died.

4 Q. Well, you just told me you knew that potential  
5 was there, didn't you?

6 A. This is a-- a narrow percentage that we're  
7 talking here.

8 Q. Okay. But-- but there was a percentage, wasn't  
9 there?

10 A. Yes, but I would not knowingly give someone  
11 something if I felt they would die.

12 Q. But you didn't know when you gave it to them if  
13 they would die or they wouldn't die, did you?

14 A. If I gave somebody aspirin, I don't know if  
15 they will die or not. There are instances of  
16 acetaminophen killing people within 30 minutes.

17 Q. Would you answer my question?

18 MR. HOUGH: Judge, I object. This is  
19 argumentative.

20 MR. BENNETT: Judge, all I want is an  
21 answer to my question.

22 THE COURT: Just answer the question,  
23 don't make it difficult.

24 Q. (BY MR. BENNETT) Do you remember the question?

25 A. Please ask it back.

1 MR. BENNETT: Would you read it back,  
2 please?

3 (THEREUPON, the following  
4 question was read back by the reporter:  
5 "Q. But you didn't know when you gave  
6 it to them if they would die or they  
7 wouldn't die, did you?").

8 A. I can answer that one yes, I knew they wouldn't  
9 die.

10 Q. (BY MR. BENNETT) You knew they wouldn't die?

11 A. That's right.

12 Q. Absolutely certain?

13 A. Yep.

14 Q. Mr. Pickard-- or Mr. Skinner, I want to move to  
15 another area, and I want to ask you some  
16 questions about the walk-through that occurred.  
17 I believe on direct or cross examination, you  
18 eventually agreed that that was on October the  
19 27th. Do you remember that? Do you know what  
20 I'm talking about here?

21 A. Yes, let's just go with that.

22 Q. Okay. It was a few days prior to the search  
23 warrant being issued. Correct?

24 A. Correct, yes.

25 Q. And on that occasion when the walk-through

1           occurred, was there any ET or ergocristine on  
2           the premises of the Wamego missile site?

3           A.   Yes.

4           Q.   And where was it located at the time of that  
5           walk-through?

6           A.   There was a can on the stereo system in the  
7           missile bay that was open and fractionally  
8           full.  There were cans underneath the little  
9           area I showed on the map where there was a deep  
10          freezer in that area called the pit.

11          Q.   All right.  How many cans were there by the  
12          deep freeze?

13          A.   I don't recall.

14          Q.   Give me your best recollection.

15          A.   Again, I'm answering it I don't know.

16          Q.   Was there any anywhere else?

17          A.   I believe that there was-- there was some cans  
18          elsewhere, yes.

19          Q.   Where else?

20          A.   I don't remember where, they may have been in  
21          that pit.

22          Q.   They may have been where?

23          A.   In the pit, that same pit.

24          Q.   You say in the pit?

25          A.   A pit, there's a pit.  On the map it was called

1 pit, you probably couldn't see it because you  
2 were sitting too far back, you needed  
3 binoculars. It was what was underneath--

4 Q. I'm always in the cheap seats.

5 A. Underneath the restroom, it was built on what  
6 the military called the pit.

7 Q. All right. And what is it-- or how do you  
8 recall that there may have been some there?

9 A. Because I got down there and got it out for the  
10 DEA.

11 Q. Okay. When you say you've got down there and  
12 got it out for the DEA, do you mean the can  
13 that was on the stereo and the cans by the deep  
14 freeze?

15 A. Yes.

16 Q. Okay. And what you're saying is you may not  
17 have gotten it all out?

18 A. Well, I mean, I got it all out before the end  
19 of the day when a search warrant was there.

20 Q. Well, but I'm-- I'm-- we're talking now about  
21 the walk-through. And I want to--

22 A. No, no, no. On the walk-through I wasn't  
23 allowed to go and open up anything. There was  
24 just the one can. I was under strict  
25 instruction not to open up or move anything.

1 Q. All right. Let's back up, because apparently  
2 you misunderstood me or I didn't make myself  
3 clear. At the time of the walk-through, my  
4 question was, was there ET on the site, your  
5 answer was yes.

6 A. Yes. No, ET or EC.

7 Q. ET or ergocristine.

8 A. Right.

9 Q. And then my second question was-- after you  
10 said yes, my question was, where was it? And  
11 you said, I thought, there was one can on the  
12 stereo and there were cans by the deep freeze.

13 A. In the pit.

14 Q. All right. Deep freeze and the pit--

15 A. Are the same thing.

16 Q. -- are the same thing?

17 A. Right.

18 Q. All right. And you don't know how many cans  
19 there were by the deep freeze?

20 A. No, I do not recall.

21 Q. Where did the can come from that was on the  
22 stereo?

23 A. I can't remember. I think it came from the  
24 pit.

25 Q. All right. And why--



1 A. It could have come from the lab, I can't  
2 remember this.

3 Q. Okay. Why did you go down to the pit and get a  
4 can or get it from somewhere else and put it  
5 out there on the stereo?

6 A. Because the DEA didn't believe my story.

7 Q. Okay. And this was on-- in-- the 27th of  
8 October. Right?

9 A. You're telling me that. I'm stipulating when  
10 they first entered they didn't believe my  
11 story.

12 Q. Well, that's been-- it was sometime shortly  
13 prior to the search warrant, wasn't it?

14 A. Yes.

15 Q. All right. And it was after you had signed  
16 your confidential source agreement. Right?

17 A. Correct, yes.

18 Q. And at that point, you were a-- at the time you  
19 signed the confidential source agreement, you  
20 became an informant for the Government, an  
21 agent. You were assisting the Government.  
22 Correct?

23 A. Yes.

24 Q. And while you were assisting the Government,  
25 they wanted proof, further proof that your

1 information was good. Right?

2 A. That's correct.

3 Q. And so they suggested to you one way you could  
4 prove that to them would be to set up this  
5 walk-through, is that right, or allow it?

6 A. No, I don't think the word "set up" is correct.

7 Q. Well, allow it.

8 A. To allow them on the property.

9 Q. Okay. And they told you that they wanted to  
10 see something that would-- would--

11 A. Corroborate.

12 Q. -- corroborate or verify that what you were  
13 telling them was the truth?

14 A. Actually, they said all they could do is see  
15 what was out in the open, they could not have  
16 me open things up that would be involved with  
17 this--

18 Q. Okay.

19 A. -- item.

20 Q. In order to verify or solidify--

21 A. The story.

22 Q. All right. And so they suggested that you put  
23 something out there?

24 A. No.

25 Q. You decided you would run down there and get

1 that can and set it up there; is that right?

2 A. Basically, yes. I had told them from the  
3 Sacramento meeting that I could produce the  
4 cans so they could try to find out the source.

5 Q. Okay. How many cans of this substance were on  
6 the base on the date of the walk-through?

7 A. Including the partially filled can?

8 Q. Yes. Full or partial, either one.

9 A. Yeah, I'm-- I'm backing up. I have no idea  
10 what was in the trash bags, they were too toxic  
11 to open up.

12 Q. Okay. Forget the trash bags.

13 A. Okay. From doing reverse math, that is not  
14 knowing knowledge-- in other words, this isn't  
15 from memory, this is from reversing the math  
16 out, 14 cans.

17 Q. That's all there was on the entire base?

18 A. Yes.

19 Q. And where--

20 A. That I knew about.

21 Q. Okay. Was there any-- were all those cans down  
22 by the deep freeze in the pit?

23 A. I believe so.

24 Q. Except for the one?

25 A. The partial one.

1 Q. Yeah. And were-- there was no ergocristine in  
2 the Quonset hut?

3 A. I don't think so, I don't believe so.

4 Q. And there-- was there any in the-- you call it  
5 the Lester building?

6 A. The Lester building.

7 Q. Okay.

8 A. I have no knowledge, because the trash bags, I  
9 don't know what was in them, they were too  
10 toxic to open up. And if there was  
11 ergocristine in the beakers and flasks and  
12 stuff, I do not know. I can't--

13 Q. Well, I'm talking about the cans now.

14 A. I'm also telling you that there could have been  
15 some sort of other can that had it up there, I  
16 don't know.

17 Q. All right. And then you set it out, the one  
18 can. Right?

19 A. That's correct.

20 Q. What else did you set out so that it could be  
21 observed in order to solidify your veracity?

22 A. Nothing else.

23 Q. Did you set those metal containers out for  
24 them?

25 A. Yeah, but they were not allowed to open them

1 up; therefore, they didn't make any difference.

2 They were opaque metal containers.

3 Q. Why did you set them out then?

4 A. Because I thought that we were going to be able  
5 to open them up and we were not allowed to open  
6 them up.

7 Q. Did you tell them what was in there?

8 A. I told them what I thought was in there, yes.

9 Q. Okay. And on what basis did you tell them what  
10 you thought was in there?

11 A. From being present when some of them were  
12 packed and repacked and such.

13 Q. All right. And those were the containers that  
14 you had marked in some way before you moved  
15 them from Ellsworth?

16 A. I didn't necessarily mark them, maybe Gunnar or  
17 Mike or myself. There was some markings and  
18 some didn't have markings.

19 Q. How were they marked?

20 A. I don't know.

21 Q. What was the mark on them that you could look  
22 at and see?

23 A. Well, some of them had just these little marks  
24 on there that would be something that I would  
25 note. And then Gunnar told me that certain

1 rows were just trash bags, and so I knew that  
2 from what he had told me.

3 Q. Well, how did you distinguish or how were you  
4 able to distinguish the mark that was on a box  
5 or a container that was supposed to have  
6 contained some lab equipment or chemicals or  
7 whatever?

8 A. It-- the inverse would be easier, I knew what  
9 all the rest of the markings were on the rest  
10 of the green containers and I-- therefore, I  
11 knew what wasn't.

12 Q. All right. Tell me what-- what the markings  
13 were on all the rest of the green--

14 A. I can't tell you all of them, but I can tell  
15 you what they were like. They would say  
16 Liebert parts and then it would say a Delta  
17 transformer, a Y configuration transformer. It  
18 would say something like T's books, T's  
19 clothes, such and such.

20 Q. All right. And what was the marks then on the  
21 ones that differentiated them from these that  
22 you just told me about?

23 A. There would be no marks on the ones that had  
24 trash. And there would only be marks on  
25 personal possession items, may-- and I don't

1 remember. I mean, you know, there's pictures  
2 of this stuff, I just don't remember.

3 Q. Well, how did you know to set-- how did you  
4 know that the container-- a particular  
5 container that you were setting down there had  
6 laboratory equipment in it?

7 A. I didn't know if it had laboratory equipment or  
8 chemicals in it or personal belongings, I only  
9 suspected by tapping it, by how heavy it was.  
10 But the better answer to this question is that  
11 Gunnar Guinan had told me that all the lab  
12 items and trash were all in the last northern  
13 part of the western side of the Lester  
14 building.

15 Q. Well, now, as I heard-- understood your  
16 testimony, Mr. Skinner, maybe I'm mistaken, but  
17 I thought you took a-- a--

18 A. Forklift.

19 Q. -- forklift and just went in and picked up  
20 those and sat them down there that had  
21 certain-- that you thought had lab equipment or  
22 chemicals in them, and then there were some  
23 that then you either stacked back up or if you  
24 were short of room, you didn't even put them  
25 back up on the stack that didn't have any of

1           that stuff in them.

2           A. No, they may have had things that came from the  
3           Ellsworth site, they just didn't have those  
4           items in them.

5           Q. Well, my question--

6           A. When you can tap on them and you can feel what  
7           the heaviness was and you can feel by what the  
8           seal was and you can smell these things.

9           Q. At the time of the walk-through, and they're  
10          walking through and they see this can, who  
11          were-- who was involved in the walk-through,  
12          other than-- well, I won't say-- who was  
13          involved in the walk-through?

14          A. Karl Nichols, Zack Zajak, and I believe Arthur  
15          and I can't remember because I was not familiar  
16          with the other agents' names at that point.

17          Q. Was there just four, is that--

18          A. No, I'm not going to be able to answer this  
19          because there was a lot of people.

20          Q. Did you walk through with him or did you-- did  
21          you stay out?

22          A. No, I walked through with them.

23          Q. All right. And did you point that can out to  
24          them?

25          A. Yes.



1 Q. And what did you tell them about the can when  
2 you pointed it out to them?

3 A. That I believed that that was ET.

4 Q. All right. And did anybody say to you, is  
5 there anymore ET or anymore ergocristine?

6 A. No, there was no conversation about that at  
7 all.

8 Q. Nobody asked you--

9 A. No.

10 Q. -- after you pointed some-- one can out?

11 A. You're right. Nobody asked me. They were in a  
12 no ask mode here about laboratory or anything,  
13 stuff. They were more interested in ownership  
14 of the base and papers showing that kind of  
15 stuff. And also, if there were any weapons on  
16 the base, dangerous items like that, they  
17 wanted to look into if I would voluntarily open  
18 up safes, they wanted to look into things like  
19 that.

20 MR. BENNETT: Judge, we're a little  
21 before 4:30, but this would be a good time for  
22 me to break. If I start into the next area,  
23 we'll be-- I will have to break in the middle.

24 THE COURT: That's a good idea. You  
25 may step down. Ladies and gentlemen, let's

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

now-- we will adjourn until 9:30 in the morning  
and you'll hear further testimony at that time.  
Mr. Bailiff.

COPY

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES OF AMERICA )  
 )  
DISTRICT OF KANSAS ) SS:

C E R T I F I C A T E

I, KELLI STEWART, Certified Shorthand Reporter in and for the State of Kansas, do hereby certify that I was present at and reported in machine shorthand the proceedings had the 11th day of February, 2003, in the above-mentioned court; that the foregoing transcript is a true, correct, and complete transcript of the requested proceedings.

I further certify that I am not attorney for, nor employed by, nor related to any of the parties or attorneys in this action, nor financially interested in the action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Topeka, Kansas, this 13<sup>th</sup> day of March, 2003.

Kelli Stewart

KELLI STEWART  
Certified Shorthand Reporter