

Sheila Ross, Nichols
Trial

nicholsmotions090308[1].txt

1 Q CAN YOU PLEASE STATE YOUR FULL NAME.
2 A SHEILA ANN ROSS.
3 Q AND HOW ARE YOU EMPLOYED?
4 A I'M AN ATTORNEY.
5 Q AND EMPLOYED WITH THE FULTON COUNTY DISTRICT
6 ATTORNEY'S OFFICE?
7 A YES, SIR.
8 Q TELL US WHEN YOU GRADUATED FROM LAW SCHOOL AND
9 WHEN YOU BECAME A MEMBER OF THE BAR?
10 A I GRADUATED FROM LAW SCHOOL IN 1996. I'M ACTUALLY
11 LICENSED TO PRACTICE LAW IN THREE STATES. I BECAME A MEMBER
12 OF THE FLORIDA BAR IN 1996, I BECAME A MEMBER OF THE GEORGIA
13 BAR IN 1998, AND I BECAME A MEMBER OF THE CALIFORNIA STATE
14 BAR IN 2001. I LIKE TO TAKE TESTS.
15 Q OKAY. VERY SUCCESSFULLY.
16 AND CAN YOU TELL US, AS I UNDERSTAND, YOU HAD TWO
17 PERIODS OF EMPLOYMENT WITH FULTON COUNTY DISTRICT ATTORNEY'S
18 OFFICE?
19 A THAT'S CORRECT.
20 Q CAN YOU DESCRIBE THAT?
21 A YES, SIR. I BEGAN MY INITIAL EMPLOYMENT WITH THE
22 FULTON COUNTY DISTRICT ATTORNEY'S OFFICE IN OCTOBER OF 1998.
23 I LEFT THE OFFICE IN JULY OF 2002, AND THEN I WORKED AT THE
24 SAN FRANCISCO DISTRICT ATTORNEY'S OFFICE FROM 2002 UNTIL
25 2004. CAME BACK TO THE FULTON COUNTY DISTRICT ATTORNEY'S

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1 OFFICE IN MAY, I BELIEVE, OF 2004 WHERE I HAVE BEEN EVER
2 SINCE.

3 Q OKAY. SO YOUR EMPLOYMENT OVERLAPPED TO A
4 SIGNIFICANT DEGREE WITH MS. ABRAMSON'S EMPLOYMENT AT THE
5 FULTON COUNTY DISTRICT ATTORNEY'S OFFICE?

6 A I'M NOT SURE WHEN MS. ABRAMSON ACTUALLY JOINED THE
7 OFFICE.

8 Q SO THE 1998, THE TIME THAT YOU JOINED, WAS THAT
9 ABOUT THE SAME TIME, OR YOU'RE NOT THINKING IN TERMS OF
10 THAT?

11 A HONESTLY, I'M NOT SURE. WE WERE NEVER ASSIGNED
12 TO THE SAME UNIT IN THE OFFICE, AND IT'S A RATHER LARGE
13 OFFICE. SO I'M NOT EVEN SURE WHEN I BECAME AWARE OF
14 MS. ABRAMSON'S PRESENCE TO BE HONEST WITH YOU.

15 Q OKAY. WHEN YOU RETURNED TO FULTON COUNTY DISTRICT
16 ATTORNEY'S OFFICE, WAS THAT FOR A SPECIAL ASSIGNMENT? WERE
17 YOU BROUGHT IN FOR A PARTICULAR MISSION?

18 A YES, SIR. I WAS BROUGHT BACK FROM SAN FRANCISCO,
19 CALIFORNIA, TO RUN THE COLD CASE SQUAD.

20 Q OKAY. AND WHEN YOU SAY, "RUN," THERE WERE MEMBERS
21 OF YOUR STAFF, THAT IS, THE DISTRICT ATTORNEY'S OFFICE AS
22 WELL AS OTHER AGENCIES?

23 A YES, SIR, IT'S A MULTI-AGENCY SQUAD. IT CONSISTS
24 OF THE FULTON COUNTY DISTRICT ATTORNEY'S OFFICE, THE ATLANTA
25 POLICE DEPARTMENT, THE FULTON COUNTY SHERIFF'S OFFICE,

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1 FULTON COUNTY POLICE DEPARTMENT, THE EAST POINT POLICE
2 DEPARTMENT.

3 Q DO YOU RECALL IN 2004 WHAT OTHER ATTORNEYS WERE

4 DESIGNATED FULL-TIME IN THAT UNIT?

5 A THERE'S THE RUB. JUST ME, SO I'M IN CHARGE OF
6 JUST MYSELF.

7 Q AND AS I UNDERSTAND IT, YOU HAD THE AUTHORITY OR
8 YOU WERE GIVEN LEAVE TO DRAFT PEOPLE IN TO ASSIST YOU?

9 A ATTORNEYS?

10 Q ATTORNEYS.

11 A NO. THAT COMES AT THE DISCRETION OF THE DISTRICT
12 ATTORNEY. SO I CAN ASK FOR ASSISTANCE, BUT I USUALLY DO NOT
13 GET TO PICK WHO IS ASSIGNED. MR. HOWARD DOES THAT.

14 Q OKAY. IF WE GO TO -- DIRECTING YOUR ATTENTION TO
15 2004 AND THE INVESTIGATION OF THE SCOTT DAVIS MATTER, CAN
16 YOU TELL ME WHETHER OR NOT THAT WAS ONE OF THE FIRST CASES
17 THAT YOUR UNIT TOOK RESPONSIBILITY FOR?

18 A YES, SIR, IT WAS.

19 Q AND THAT WAS A SIGNIFICANT UNDERTAKING?

20 A YES, IT WAS HUGE.

21 Q WITH RESPECT TO MR. RAND CSEHY, CAN YOU DESCRIBE
22 YOUR RELATIONSHIP WITH MR. CSEHY AND HIS RELATIONSHIP TO
23 YOUR UNIT?

24 A MR. CSEHY IS A FORMER COLLEAGUE OF MINE AT THE
25 DISTRICT ATTORNEY'S OFFICE. THAT'S OUR RELATIONSHIP. AND

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1 HIS RELATIONSHIP TO MY UNIT, HE HAD NO RELATIONSHIP TO MY
2 UNIT PER SE. HE ASSISTED IN A WIRE TAP IN THE DAVIS CASE,
3 AND THAT IS THE ONLY TIME HE EVER ASSISTED THE COLD CASE
4 UNIT.

5 Q AND HAVE YOU HAD A CHANCE TO REVIEW ANY PORTION OF
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6 THE DAVIS FILE IN PREPARATION FOR YOUR TESTIMONY THIS
7 MORNING OR THIS AFTERNOON?

8 A NO.

9 Q MORE SPECIFICALLY, HAVE YOU HAD A CHANCE TO -- AT
10 ANY POINT IN THE RECENT PAST, HAVE YOU HAD A CHANCE TO
11 REVIEW INFORMATION AROUND THE WIRE TAP INVESTIGATION IN
12 TERMS OF WHO WAS INVOLVED OR WHEN CERTAIN THINGS TOOK PLACE?

13 A ANY DOCUMENTATION, NO.

14 Q YES, MA'AM.

15 LET ME ASK YOU THIS. IF I WERE TO REPRESENT TO
16 YOU THAT IN APRIL OF 2005, BETWEEN APRIL 16TH, THAT
17 SATURDAY, AND APRIL 24TH, THE FOLLOWING SUNDAY, THAT
18 MR. CSEHY WAS IN PALO ALTO IN CONNECTION WITH THE SCOTT
19 DAVIS INVESTIGATION, DO YOU HAVE A RECOLLECTION OF MR. CSEHY
20 GOING TO SAN FRANCISCO?

21 A I DO HAVE A RECOLLECTION OF HIM GOING TO THE BAY
22 AREA OF CALIFORNIA. I BELIEVE IT WAS IN APRIL OF 2005, BUT
23 I COULD NOT BE MORE SPECIFIC THAN THAT.

24 Q OKAY. WITH RESPECT TO THE GOAL OF THAT TRIP, DID
25 YOU UNDERSTAND THAT MR. CSEHY WOULD BE THERE AS WELL AS RICK

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1 CHAMBERS FROM THE ATLANTA POLICE DEPARTMENT?

2 A THAT WAS MY UNDERSTANDING, YES.

3 Q OKAY. DID YOU GIVE DIRECTION TO MR. CSEHY ABOUT
4 HIS ACTIVITIES IN THE BAY AREA?

5 A I KNOW THERE WERE MEETINGS WHERE -- WHAT WAS TO
6 HAPPEN IN CALIFORNIA. THE WHOLE POINT OF GOING TO

7 CALIFORNIA WAS TO TICKLE THE WIRE, AND THERE WERE MEETINGS
8 PRIOR TO MR. CSEHY'S DEPARTURE WHERE STRATEGIES WERE
9 DISCUSSED. I DON'T THINK I GAVE DIRECTION BECAUSE I DON'T
10 THINK THAT'S REALLY APPROPRIATE. I THINK I PARTICIPATED IN
11 CONVERSATIONS.

12 Q YOU USED THE PHRASE "TICKLE THE WIRE." CAN YOU
13 EXPLAIN WHAT THAT TERM MEANS?

14 A I DON'T THINK IT'S VERY SCIENTIFIC OR A LEGAL
15 TERM. IT'S A LAW ENFORCEMENT TERM WHICH IS USED TO DESCRIBE
16 AN INVESTIGATIVE TECHNIQUE WHICH IS EMPLOYED TO ENCOURAGE
17 CO-CONSPIRATORS TO DISCUSS A CRIME OVER WIRE OR ELECTRONIC
18 COMMUNICATIONS.

19 Q OKAY. AND WITH RESPECT TO THE WIRE THAT HAD BEEN
20 IN PLACE, YOU'RE AWARE THAT -- I BELIEVE MR. HOWARD HIMSELF
21 MAY HAVE GONE TO A SUPERIOR COURT JUDGE IN FULTON COUNTY TO
22 INITIATE THE PROCESS TO HAVE A WIRE TAP IN PLACE; IS THAT
23 RIGHT?

24 A WELL, GEORGIA LAW REQUIRES AN APPLICATION FROM THE
25 DISTRICT ATTORNEY, HIMSELF, AND I BELIEVE THAT WAS DONE IN

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1 THIS CASE, BUT MR. CSEHY HANDLED ALL OF THAT PROCEDURE FOR
2 THE STATE IN THIS PARTICULAR WIRE. SO I BELIEVE THAT THAT
3 WAS DONE, BUT I DON'T HAVE PERSONAL KNOWLEDGE THAT. I KNOW
4 GEORGIA LAW REQUIRES THAT, AND THAT SHOULD HAVE BEEN DONE IN
5 THIS CASE.

6 Q AND IT WAS YOUR UNDERSTANDING THAT THE
7 COMMUNICATIONS PROVIDERS WOULD ACTUALLY DO THE TECHNICAL
8 PART OF MAKING THOSE COMMUNICATIONS TO THE TWO TELEPHONE

9 NUMBERS AVAILABLE TO THE ATLANTA POLICE DEPARTMENT AND TO
10 YOUR UNIT?

11 A THAT'S TYPICALLY HOW IT WORKS, YES.

12 Q OKAY. SO YOUR PEOPLE WOULD NOT BE RESPONSIBLE FOR
13 PHYSICALLY ATTACHING EQUIPMENT TO THE TELEPHONE SYSTEM?

14 A NOT THAT I KNOW OF, BUT I COULD BE WRONG ABOUT
15 THAT. AGAIN, I DID NOT PARTICIPATE IN THE ACTUAL MONITORING
16 OF THE WIRE EITHER. SO I DON'T KNOW HOW THOSE THINGS WERE
17 ARRANGED.

18 Q IN TERMS OF THE TICKLING OF THE WIRE AND THE
19 STRATEGY DISCUSSIONS, IT WAS YOUR UNDERSTANDING THAT
20 MR. CHAMBERS AND MR. -- DETECTIVE CHAMBERS AND MR. CSEHY
21 WOULD MAKE THEIR PRESENCE OPEN AND NOTORIOUS TO MR. DAVIS
22 AND HIS ACQUAINTANCES; IS THAT RIGHT?

23 A YES, SIR.

24 Q AND BY THAT, FOR EXAMPLE, MARKED UNITS WOULD BE
25 OBVIOUSLY PROXIMATE TO THE DAVIS HOME?

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1 A YES, SIR.

2 Q AND DETECTIVE CHAMBERS AND MR. CSEHY WOULD MAKE
3 VISITS TO ASSOCIATES AND ACQUAINTANCES OF MR. DAVIS?

4 A YES, SIR.

5 Q AND THEY WOULD TELL THESE ASSOCIATES AND
6 ACQUAINTANCES THAT AN ARREST WAS IMMINENT, NEW INFORMATION
7 HAD BEEN DISCOVERED, AND IT WOULD BE IN THEIR BEST INTERES
8 TO FULLY COOPERATE, WORDS TO THAT EFFECT?

9 A IT IS MY UNDERSTANDING THAT THAT WAS WHAT WAS

10 SUPPOSED TO HAPPEN AND THAT IS WHAT, IN FACT, HAPPENED, BUT
11 I HAVE NO PERSONAL KNOWLEDGE OF WHAT HAPPENED IN CALIFORNIA
12 BECAUSE I WAS HERE IN ATLANTA.

13 Q AND YOU WERE -- WHILE CHAMBERS AND CSEHY WERE IN
14 THE BAY AREA, THE CALLS WERE BEING MONITORED BY ATLANTA
15 POLICE DEPARTMENT STAFF HERE IN ATLANTA; IS THAT RIGHT?

16 A YES, THAT WAS MY UNDERSTANDING.

17 Q AND AS I UNDERSTAND IT, DURING THAT WEEK, AND I'M
18 CALLING IT A WEEK BETWEEN THE 16TH AND THE 24TH, YOU WOULD
19 INTERMITTENTLY BE INFORMED OF THINGS THAT CAME ACROSS THE
20 WIRE?

21 A I DON'T RECALL IF I WAS NOTIFIED OF ANYTHING THAT
22 CAME ACROSS THE WIRE DURING THAT WEEK, BUT I MIGHT HAVE
23 BEEN. MEANING THE INSTRUCTIONS WERE IF ANYTHING SIGNIFICANT
24 OBVIOUSLY CAME UP ON THE WIRE, FOR EXAMPLE, A CONFESSION, OR
25 INDICATION OF A CO-CONSPIRATOR, WHICH IS WHAT WE WERE

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1 LOOKING FOR, THEN SOMEONE WAS SUPPOSED TO TELL ME.

2 NOW, I WAS NOT MONITORING THE WIRE LIVE, NOT
3 AUTHORIZED TO MONITOR THE WIRE LIVE. I WAS GETTING UPDATES.
4 I DON'T KNOW TO BE HONEST WITH YOU IF ANYONE TOLD ME
5 ANYTHING THAT WEEK OR I WAS TOLD AFTER THAT WEEK. I JUST
6 DON'T KNOW.

7 Q WELL, LET ME ASK IF -- LET ME ASK IT THIS WAY.

8 YOU HAD NO INFORMATION THAT MS. ABRAMSON, GAYLE
9 ABRAMSON, WOULD BE ACCOMPANYING MR. CSEHY OR MR. CHAMBERS TO
10 THE BAY AREA?

11 A SHE WAS NOT PART OF THE INVESTIGATIVE TEAM, NO.

12 SO I DON'T KNOW IF MR. CSEHY HAD MENTIONED TO ME AHEAD OF
13 TIME THAT SHE WAS GOING WITH HIM, AS LIKE A LITTLE PERSONAL
14 VACATION HE MIGHT HAVE. IT WOULD HAVE BEEN UNCOMMON FOR HIM
15 TO MENTION THAT TO ME. SHE WAS DEFINITELY NOT PART OF THE
16 INVESTIGATIVE TEAM.

17 Q WERE YOU AWARE AT ANY TIME PRIOR TO THE TRIP TO
18 THE BAY AREA THAT MS. ABRAMSON WAS ACQUAINTANCE OF
19 MR. DAVIS?

20 A NO.

21 Q DID YOU HAVE ANY INFORMATION THAT SHE WAS AN
22 ACQUAINTANCE OF A GOOD FRIEND OF MR. DAVIS?

23 A NO.

24 Q MR. DAVIS?

25 A NO.

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1 Q IF YOU HAD THAT KNOWLEDGE, WOULD THAT HAVE
2 IMPACTED ANY OF YOUR DECISIONS?

3 A IT WOULD HAVE IMPACTED MY REQUEST TO THE DISTRICT
4 ATTORNEY ABOUT WHO SHOULD GO TO CALIFORNIA, SURE, IF I HAD
5 KNOWN THAT. BUT I DID NOT KNOW THAT SHE KNEW HIM OR KNEW
6 ANYONE ASSOCIATED WITH HIM.

7 Q IF YOU ACCEPT MY REPRESENTATION THAT THE 16TH OF
8 APRIL IS A SATURDAY, AND THE 18TH IS A MONDAY -- THE 16TH OF
9 APRIL 2005, WAS A SATURDAY?

10 A OKAY.

11 Q AND THAT MS. ABRAMSON AND MR. CSEHY LEFT FULTON
12 COUNTY FOR THE BAY AREA ON THE 16TH, A SATURDAY, RETURNING

13 SUNDAY, THE 24TH, DOES THAT SOUND CONSISTENT WITH YOUR
14 MEMORY OF THE TRIP?

15 A I WOULDN'T KNOW. I COULDN'T SAY ONE WAY OR
16 ANOTHER. I CERTAINLY RECALL THE DAYS OF THE WEEK.

17 Q DO YOU HAVE A MEMORY AS TO WHEN THE TAP WAS IN
18 PLACE?

19 A NOT AS IN TERMS OF DAYS OF THE WEEK. ALL I CAN
20 TELL YOU IS APRIL OF 2005 SOUNDS CORRECT TO ME.

21 Q AND I WANT TO PUSH YOU TO SEE IF WE CAN NARROW
22 THAT DOWN. IF, IN FACT, CSEHY WAS IN CALIFORNIA BY THE
23 16TH, DO YOU HAVE A SENSE OF WHETHER BY THE SECOND, OR BY
24 THE THIRD DAY THAT HE WAS THERE, THE WIRE WAS IN PLACE?

25 A WHAT DO YOU MEAN BY "IN PLACE"? THAT IT WAS

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1 BEING -- THAT IT WAS TURNED ON OR IT WAS BEING TICKLED?

2 Q FIRST, THAT IT WAS OPERATIONAL, BUT THE TAP WAS
3 OPERATIONAL?

4 A UH-HUH.

5 Q DO YOU HAVE A SENSE IN TERMS OF RELATIVE TO THE
6 TRIP, WHEN THE WIRE BECAME OPERATIONAL?

7 A NO, I DON'T KNOW IF THE WIRE BEGAN TO RUN AND
8 COLLECT PIN REGISTRY INFORMATION PRIOR TO MR. CSEHY
9 DEPARTING OR IF IT WAS TURNED ON WHILE HE WAS OUT IN THE BAY
10 AREA. I REALLY CANNOT RECALL. I WAS NOT MONITORING OR
11 SUPERVISING THE WIRE. MR. CSEHY WAS THE SUPERVISING
12 ATTORNEY OF THE WIRE.

13 THAT WAS THE WHOLE POINT IN BRINGING ANOTHER
14 ATTORNEY IN. I WAS TO BE WALLED OFF FROM ALL OF THAT. I

15 WAS THE LEAD ATTORNEY ON THE THE PROSECUTION SIDE OF THE
16 CASE. SHOULD THERE BE AN INDICTMENT, I KNEW I WAS TRYING
17 THE CASE, AND I DID NOT WANT TO BE INVOLVED IN THE
18 INVESTIGATION AT THAT LEVEL. THAT'S WHY MR. CSEHY WAS
19 THERE. SO THE SPECIFICS ABOUT WHEN IT WAS TURNED ON, IT
20 REALLY WASN'T MY BUSINESS, AND I DON'T RECALL.

21 Q ALL RIGHT. IF WE CAN NOW STEP BACK TO THE
22 STRATEGY SESSIONS ABOUT THE TICKLING OF THE WIRE? WAS THERE
23 DISCUSSION ABOUT WHEN STATEMENTS WOULD BE RELEASED BY THE
24 DISTRICT ATTORNEY'S OFFICE ABOUT THESE ACTIVITIES IN THE BAY
25 AREA?

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1 A I DON'T KNOW. THERE COULD HAVE BEEN. BUT I KNOW
2 THERE WAS A LOT OF MISCOMMUNICATION BECAUSE THINGS WERE SAID
3 IN CALIFORNIA THAT THE DISTRICT ATTORNEY DID NOT AUTHORIZE,
4 AND THE ATLANTA POLICE DEPARTMENT GOT UPSET ABOUT. I DON'T
5 THINK ANY OF THAT WAS COORDINATED TO HAPPEN THAT WAY. SO I
6 KNOW I ATTENDED LEAST ONE STRATEGY SESSION PRIOR TO THE WIRE
7 BEING KICKED OFF. IF THERE WERE OTHER STRATEGY SESSIONS
8 THAT OCCURRED THAT I WASN'T PRESENT FOR, I DON'T KNOW.

9 SO I DON'T KNOW REALLY HOW TO ANSWER YOUR
10 QUESTION. I KIND OF GOT LOST. THERE WERE DISCUSSIONS. I'M
11 NOT SURE IF ANYONE UNDERSTOOD WHAT WAS GOING ON BECAUSE I
12 KNOW ONCE THEY WERE IN CALIFORNIA, THERE WERE
13 MISCOMMUNICATIONS AND PROBLEMS BETWEEN THE DISTRICT
14 ATTORNEY'S OFFICE AND THE ATLANTA POLICE DEPARTMENT.

15 Q OKAY. SO LET ME GO BACK TO THE PLANNING SESSION?

16 A OKAY.
17 Q AT THE PLANNING SESSION, DO YOU RECALL THAT THERE
18 WAS A PLAN FOR A STATEMENT TO BE RELEASED BY MR. FRIEDLY?
19 A FRIEDLY?
20 Q FRIEDLY, ON BEHALF OF THE DISTRICT ATTORNEY THAT
21 WOULD ASSIST THE TICKLING OF THE WIRE?
22 A I DON'T KNOW.
23 Q DO YOU HAVE A RECOLLECTION THAT SOMETHING ALONG
24 THOSE LINES WAS DISCUSSED?
25 A I KNOW THAT THE MEDIA WAS GOING TO BE USED TO HELP

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1 US TICKLE THE WIRE.
2 Q AND THAT THE OFFICE HERE IN ATLANTA WOULD HAVE
3 SOME PARTICIPATION IN THAT TICKLING?
4 A I DON'T KNOW IF THAT WAS PREMEDITATED. IT MAY
5 HAVE OCCURRED ONLY AFTER THE FACT, AFTER THERE WAS A
6 MISCOMMUNICATION BETWEEN THE ATLANTA POLICE DEPARTMENT AND
7 THE DISTRICT ATTORNEY'S OFFICE THAT OCCURRED IN THE BAY AREA
8 SO I DON'T KNOW IF THAT WAS PREMEDITATED.
9 Q IF THE WIRE WAS PUT IN PLACE, THAT IS, OPERATIONAL
10 ON DAY ONE, YOU KNOW, WHATEVER DAY THAT IS, DO YOU HAVE A
11 RECOLLECTION OF WHEN -- COMPARED TO DAY 1, WHEN IF IT CAME
12 KNOWN TO YOU IN ATLANTA THAT MS. ABRAMSON'S NAME HAD COME UP
13 IN THE -- IN THE WIRE TAP?
14 A NO.
15 Q AND IF WE USE DAY 1 AS THE DATE THAT THE WIRE TAP
16 WAS OPERATIONAL, DO YOU HAVE A RECOLLECTION AS TO WHEN ANY
17 STATEMENTS WERE RELEASED BY THE FULTON COUNTY DISTRICT

18 ATTORNEY ABOUT THESE ACTIVITIES?

19 A NO.

20 Q ANY STATEMENTS FROM YOUR OFFICE HERE IN ATLANTA TO
21 TICKLE THE WIRES?

22 A NO.

23 Q ALL RIGHT. CAN YOU TELL US WHETHER WHILE
24 MR. CSEHY AND DETECTIVE CHAMBERS WERE IN THE BAY AREA, DID
25 YOU BECOME AWARE WHILE THEY WERE THERE THAT MS. ABRAMSON HAD

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1 BEEN DESCRIBED ON CONVERSATIONS IN THE WIRE AS A -- AN
2 ACQUAINTANCE OF MR. DAVIS?

3 A I DON'T KNOW. MR. CSEHY IS THE FIRST PERSON WHO
4 TOLD ME ABOUT MS. ABRAMSON BEING AN ACQUAINTANCE OF
5 MR. DAVIS. AND I DON'T KNOW IF HE TOLD ME THAT WHILE HE WAS
6 STILL IN THE BAY AREA, OR IF HE SHARED THAT WITH ME WHEN HE
7 RETURNED TO ATLANTA.

8 Q WHAT WAS YOUR REACTION WHEN YOU HEARD THAT?

9 A I WAS SURPRISED.

10 Q DID YOU DO ANYTHING? DID YOU TAKE ANY ACTION ON
11 HEARING THAT?

12 A I HAD QUESTIONS FOR MR. CSEHY, AND THEN I AM SURE
13 I TOLD MY BOSS, THE DISTRICT ATTORNEY. AT SOME POINT, I'M
14 NOT SURE IF I TOLD HIM THAT DAY OR LATER, AND THEN MY MAIN
15 CONCERN WAS TO LISTEN TO THE WIRE MYSELF TO HEAR WHAT WAS ON
16 THE WIRE. SO TO ANSWER THE QUESTION, I ASKED MR. CSEHY A
17 FEW QUESTIONS. I EVENTUALLY NOTIFIED MY BOSS, AND THEN I
18 MADE MY WAY EVENTUALLY TO THE WIRE TAP ROOM, AND I LISTENED

19 TO ALL 1,500 CALLS ON THE WIRE.

20 Q THERE WERE 1,500 CALLS?

21 A I BELIEVE SO. THEY WEREN'T ALL CALLS. SOME WERE
22 SMS MESSAGES. SOME WERE CALLS. SOME WERE VOICE MESSAGES,
23 BUT I BELIEVE IT WAS SOMETHING LIKE THAT.

24 Q DO YOU HAVE -- AND THIS MAY BE IMPOSSIBLE. DO YOU
25 HAVE ANY -- WHAT'S YOUR BEST RECOLLECTION AS TO WHEN THE

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1 FIRST CALL WAS MADE? ARE YOU ABLE TO GIVE ANY SORT OF
2 RECOLLECTION?

3 A NO.

4 MR. HILL: YOUR HONOR, CAN I HAVE A MOMENT?

5 THE COURT: YES.

6 (WHEREUPON, THERE WAS AN OFF-THE-RECORD
7 DISCUSSION.)

8 MR. HILL: YOUR HONOR, CAN I HAVE JUST ONE
9 ADDITIONAL MOMENT?

10 THE COURT: YES.

11 (WHEREUPON, THERE WAS AN OFF-THE-RECORD
12 DISCUSSION.)

13 MS. ROSS: YOUR HONOR, JUST FOR THE RECORD,
14 WE'RE HAVING A DISCUSSION OVER HERE BECAUSE -- AND
15 WE BROUGHT THIS TO THE COURT'S ATTENTION
16 YESTERDAY. THIS WITNESS DOES NOT WANT TO DISCUSS
17 ANYTHING THAT IS UNDER SEAL PER COURT'S ORDER
18 REGARDING WHAT IS ON THAT WIRE TAP. AND IT'S OUR
19 POSITION THAT SHE'S ABOUT TO BE QUESTIONED ABOUT
20 THINGS LIKE THAT. THAT IF SHE ANSWERED THEM, SHE
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21 COULD BE VIOLATING A COURT'S ORDER. SHE COULD BE
22 VIOLATING FEDERAL LAW. SO WE'RE -- WE ARE VERY
23 CONCERNED ABOUT THE LINE OF QUESTIONS THAT WE'RE
24 ABOUT TO ENTER WITH HER.
25 THE COURT: OKAY.

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1 MR. HILL: NOW -- YOUR HONOR, AND I
2 UNDERSTAND THE STATE'S CONCERN. I'M OVERWHELMED
3 BY THE NUMBER OF CALLS THAT MS. ROSS JUST
4 DESCRIBED. I'M -- MY THOUGHT WAS THAT I COULD
5 QUESTION HER WITHOUT HAVING HER IDENTIFY OR MOVE
6 IN THE WIRE TAP, SORT OF REFRESH HER RECOLLECTION.
7 I WOULD ASK THE COURT THIS. LET ME ASK JUST
8 A COUPLE OF QUESTIONS. IT MIGHT BE THAT WE --
9 THAT WE'LL HAVE TO STOP THIS AND HAVE SOME
10 ADDITIONAL DISCUSSIONS WITH THE STATE OVERNIGHT.
11 THE COURT: ALL RIGHT. WELL, LET'S JUST SEE
12 IF YOU CAN DO IT WITHOUT -- YOU DON'T HAVE AN
13 OBJECTION, AND YOU DON'T GET INTO THE AREA THAT
14 THEY'RE CONCERNED ABOUT, THEN WE'RE GOOD TO GO.
15 SO YOU'RE UP.

16 BY MR. HILL:

17 Q MS. ROSS, DO YOU KNOW THAT MR. CSEHY ACCOMPANIED
18 DETECTIVE CHAMBERS ON INTERVIEWS WITH ACQUAINTANCES OF SCOTT
19 DAVIS?

20 A I HAVE NO PERSONAL KNOWLEDGE OF THAT, BUT I WAS
21 TOLD THAT.

22 Q AND DID YOU UNDERSTAND THAT WAS PART OF A PLAN IN
23 TERMS OF GOING OUT -- IN TERMS OF MR. CSEHY GOING OUT TO THE
24 BAY AREA?
25 A MR. CSEHY, I BELIEVE, WAS NOT PART OF -- I THOUGHT

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1 IT WAS DETECTIVE CHAMBERS WHO DOES ALL THE TICKLING. I'M
2 NOT SURE THAT MR. CSEHY -- IT WAS PREMEDITATED OR PLANNED
3 THAT HE WOULD ATTEND INTERVIEWS WITH MR. CHAMBERS OR
4 DETECTIVE CHAMBERS. BUT HE WAS THERE TO ASSIST, NOT ONLY
5 DETECTIVE CHAMBERS, BUT THE PALO ALTO POLICE DEPARTMENT IN
6 ANY LEGAL ISSUES THAT AROSE IN CONNECTION WITH THE WIRE THAT
7 WAS BEING OPERATED.
8 Q AND, IN FACT, THERE WAS A PALO ALTO DETECTIVE,
9 NATASHA --
10 A POWERS.
11 Q -- POWERS THAT WAS INVOLVED IN ASSISTING YOUR
12 UNIT?
13 A CORRECT.
14 Q AND YOU KNEW HER BEFORE?
15 A NO, I DID NOT KNOW HER.
16 Q DID YOU BECOME AWARE THAT MR. CSEHY, IN FACT, WENT
17 WITH MR. -- I'M SORRY. MR. CSEHY ACCOMPANIED DETECTIVE
18 CHAMBERS TO INTERVIEWS AND IDENTIFIED HIMSELF AS A FORMER
19 HUSBAND OF MS. ABRAMSON TO THESE INDIVIDUALS?
20 A NO.
21 MR. HILL: YOUR HONOR, MAY I APPROACH?
22 THE COURT: YES.
23 BY MR. HILL:

24 Q I'M GOING TO SHOW YOU A DOCUMENT AND ASK YOU TO
25 READ A PARAGRAPH ON IT FOR PURPOSES OF REFRESHING YOUR

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1 RECOLLECTION. SO JUST READ IT TO YOURSELF.

2 MS. ROSS: I'M JUST GOING TO OBJECT TO THE
3 FOUNDATION. I DON'T BELIEVE THE WITNESS SAID SHE
4 COULDN'T RECALL OR THAT HER RECOLLECTION NEEDED TO
5 BE REFRESHED. SHE SAID SHE WAS NOT AWARE OF IT,
6 SO I MAY HAVE MISUNDERSTOOD.

7 THE COURT: WELL, I'LL LET HER LOOK AT
8 WHATEVER. I DON'T EVEN -- I DON'T THINK WE EVEN
9 NEEDED TO IDENTIFY. I'VE ALWAYS BEEN TOLD YOU
10 COULD BRING A BUCKET OF MANURE UP, AND IF THAT
11 REFRESHED SOMEBODY'S RECOLLECTION, THEN FINE. SO
12 YOU CAN PUT WHATEVER YOU HAVE IN FRONT OF HER, AND
13 THEN YOU CAN JUST SAY, DOES THIS TICKLE YOUR
14 BRAIN, I GUESS; RIGHT?

15 BY MR. HILL:

16 Q AND I'M POINTING YOU TO THIS PARAGRAPH HERE,
17 INCLUDING THE HIGHLIGHTED.

18 A YOU WANT ME TO ONLY READ THE HIGHLIGHTED AREAS?

19 Q WELL, NO, THE PARAGRAPH, THAT ENTIRE SECTION.
20 (WHEREUPON, THERE WAS A PAUSE IN THE PROCEEDINGS.)

21 THE WITNESS: OKAY, I'VE READ IT.

22 BY MR. HILL:

23 Q HAVING READ THAT EXCERPT, DO YOU HAVE ANY
24 RECOLLECTION OF LEARNING THAT MR. CSEHY ACCOMPANIED

25 DETECTIVE CHAMBERS ON THESE INTERVIEWS DURING THAT WEEK?

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1 A NO. I KNOW THAT HE -- I TOLD YOU I HAVE NO
2 PERSONAL KNOWLEDGE OF WHAT WENT ON OUT THERE. EVERYTHING I
3 KNOW WOULD BE HEARSAY THROUGH WHAT I WAS TOLD. I LEARNED
4 THAT MR. CSEHY ACCOMPANIED DETECTIVE CHAMBERS ON INTERVIEWS.
5 THAT IS CORRECT. I KNEW HE HAD DONE THAT. AT SOME POINT, I
6 FOUND OUT ABOUT THAT. BUT YOUR QUESTION WAS EARLIER DID HE
7 IDENTIFY HIMSELF AS MS. ABRAMSON'S EX-HUSBAND? AND MY
8 ANSWER TO THAT IS NO, I WAS NOT AWARE THAT THAT HAPPENED.

9 READING THAT DOCUMENT DOESN'T REFRESH MY
10 RECOLLECTION THAT IT EVER HAPPENED. NO ONE HAS EVER TOLD ME
11 PERSONALLY THAT RAND CSEHY WAS OUT WITH DETECTIVE CHAMBERS
12 REPRESENTING HIMSELF AS BEING A RELATION OF MS. ABRAMSON
13 WHILE IN CALIFORNIA.

14 Q OKAY.

15 MR. HILL: YOUR HONOR, I DO BELIEVE THAT
16 WE'RE GOING TO HAVE TO INTERRUPT THE EXAMINATION.

17 THE COURT: ALL RIGHT. TELL ME HOW MUCH
18 LONGER -- AND WE'RE GOING TO STOP TODAY. TELL ME
19 HOW MUCH LONGER YOU HAVE SO WE CAN TRY TO
20 ACCOMMODATE SCHEDULES, IF POSSIBLE.

21 MR. HILL: YOUR HONOR, I THINK IT'S GOING TO
22 BE IMPORTANT FOR ME TO TALK WITH MS. ROSS, ELEANOR
23 ROSS, AND MR. QUINN ABOUT HOW TO MOST EFFICIENTLY
24 CONCLUDE THIS EXAMINATION. I WOULD THINK
25 ORDINARILY IT WOULDN'T BE MORE THAN 30 MINUTES

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1 MORE WITH HER, GIVEN WHAT WE'VE ALREADY
2 ACCOMPLISHED.
3 THE COURT: ALL RIGHT. WHY DON'T WE --
4 MS. ROSS, MS. ELEANOR ROSS, WHY DON'T WE JUST
5 CONTINUE TO PLACE MS. SHEILA ROSS ON CALL, AND
6 THEN JUST TRY TO WORK HER IN WHENEVER WE CAN.
7 THE WITNESS: YES, SIR.
8 THE COURT: YOU OKAY WITH THAT? YOU GOING TO
9 BE AT WORK TOMORROW?
10 THE WITNESS: YES, SIR, I WILL BE.
11 THE COURT: ALL RIGHT. SO I'M SORRY THAT WE
12 COULDN'T GET TO YOU TODAY, BUT WE'RE GOING WORK
13 TILL AT LEAST 8:00 TOMORROW NIGHT, BUT WE'RE NOT
14 PLANNING ON -- I DON'T WANT TO SCARE YOU. YOU
15 MIGHT WORK TILL 8:00 EVERY NIGHT.
16 THE WITNESS: WELL, NO, NOT A LOT. NOT SO
17 MUCH.
18 THE COURT: ALL RIGHT. SO WE'LL -- BUT WE'LL
19 TRY TO WORK YOU IN MUCH EARLIER THAN THAT, OKAY?
20 THE WITNESS: YES, SIR. THANK YOU.
21 THE COURT: THANK YOU VERY MUCH.
22 MAY I SEE THE LAWYERS UP HERE JUST A MINUTE,
23 PLEASE.
24 THE WITNESS: AND MAY I BE EXCUSED?
25 THE COURT: YES. THANK YOU.