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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM GREENVILLE COUNTY
PERRY H. GRAVELY, CIRCUIT COURT JUDGE

Appellate Case No. 2025-000366
Civil Action No. 2022-CP-23-04055

Stacey Grist as Agent under a Power of Attorney for
Stanford W. Grist and as Trustee of the Second Amended
Trust of Stanford W. Grist living Trust dated December 5, 2005,
Stanford Grist Veterinary Services, LLC, Chestnut Ridge Farm, LLC,
And Hilly Street, LLC,.....Appellant,

v.

Priscilla Mickie Grist, Caroline York Grist Lyon,
Leyland H. Lyon, Jr., Jennifer Browning, Browning
Geriatrics Consulting, LLC, Tracy Parson, Kiki's Kare, LLC
d/b/a Comfort Keepers, Erin Couchell Individually and as a
member of Kiki's Kare, Chris Couchell individually and as a
member of Kiki's Kare, LLC, and Kerry Burnett McCreary, Defendants,

Of which Jennifer Browning, Browning Geriatrics Consulting, LLC,
Tracy Parsons, Kiki's Kare d/b/a Comfort Keepers, Erin Couchell
Individually and as a member of Kiki's Kare, Chris Couchell
Individually and as a member of Kiki's Kare, LLC are the, ... Respondents.

**RECORD ON APPEAL
VOLUME V**

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1 STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

2 COUNTY OF GREENVILLE

3 Stacey Grist as Trustee of the Second
4 Amended Trust of Stanford W. Grist
5 Living Trust dated December 5, 2005,
6 Stanford Grist Veterinary Services LLC,
7 Chestnut Ridge Farm LLC, and
8 Hilly Street LLC,

Plaintiffs,

7 vs.

C/A NO. 2022-CP23-04055

8 Priscilla Mickie Grist, Caroline York Grist
9 Lyon, Leyland H. Lyon, Jr., Jennifer
10 Browning, Browning Geriatrics Consulting
11 LLC, Tracy Parson, Kiki's Kare, LLC d/b/a
12 Comfort Keepers, Erin Couchell Individually
13 and as a member of Kiki's Kare, Chris
14 Couchell individually and as a member
15 of Kiki's Kare, LLC, and Kerry Burnett
16 McCreary,

Defendants.

14 DEPOSITION OF: STACEY GRIST

15 DATE: December 14, 2024

16 TIME: 10:03 a.m.

17 LOCATION: Law Offices of Truluck Thomason
18 3 Boyce Avenue
19 Greenville, SC

20 TAKEN BY: Counsel for the Defendants

21 REPORTED BY: ERIC S. GLAZIER, Court Reporter
22
23
24
25

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(INDEX AT REAR OF TRANSCRIPT)

P R O C E E D I N G S

- - - - -

STACEY GRIST,
being first duly sworn, testified as follows:

EXAMINATION

BY MR. PEELE:

Q. Ms. Grist, tell me your full name for
the record, please.

A. Stacey Grist.

Q. Do you have a middle name?

A. Desiree.

Q. How do you spell that?

A. D-E-S-I-R-E-E.

Q. All right. Have you ever given --
MR. DOWLING: I can hear everybody
fine, but I cannot hear what she is saying.

Q. Yes. Will you please speak up so that
everybody can hear you?

A. Yes.

(Off-the-record conference to address a
technical issue)

BY MR. PEELE:

Q. Have you ever given a deposition
before?

A. Yes, I have.

1 Q. About how long ago?

2 A. Probably a year ago.

3 Q. Okay.

4 Just for the benefit of everybody in
5 the room, I'm going to go over the ground rules for
6 South Carolina.

7 This is a simple question-and-answer
8 session. I'm going to be asking you a series of
9 questions. So will some of these lawyers. We
10 expect you to give us answers to the questions.

11 You are under oath now, so you can't
12 look to your lawyer for guidance.

13 Somebody may object to the form of a
14 question. Maybe I asked a bad question or a
15 question within a question. If somebody objects to
16 the form, I still want you to answer the question.

17 In about one percent of these
18 depositions, your lawyer may instruct you not to
19 answer. If that happens in this deposition, we're
20 going to ask you to leave the room. We're going to
21 try to figure out exactly what the issue is.

22 Verbal responses, if the answer elicits
23 a yes, please say yes. If the answer elicits a no,
24 please say no. Uh-huhs and huh-huhs, I know what
25 you're saying now, but it doesn't transcribe well.

1 Is that fair?

2 A. Yes.

3 Q. Okay.

4 And I'm not here to trick or confuse
5 you. This is not like Perry Mason or Matlock. I'm
6 just here to try to get your side of the story,
7 okay?

8 A. Sure.

9 Q. Is that fair?

10 A. Yes.

11 Q. Okay.

12 If I ask you a question and you don't
13 understand it, please ask me to rephrase it,
14 because if you answer the question, I'm going to
15 assume that you understood my question.

16 Is that fair?

17 A. Yes.

18 Q. I'm not here to torture you, so if you
19 need to stretch your legs, use the restroom, get a
20 glass of water or something, I'm fine with that.
21 Just please answer the last question that was
22 asked.

23 Is that fair?

24 A. Yes.

25 Q. I'm going to show you Defendant's 1.

1 (EXHIBIT 1, NOTICE OF DEPOSITION, was
2 marked for identification.)

3 BY MR. PEELE:

4 Q. I'll represent to you, that's your
5 deposition notice. And I just want to make sure
6 that you understand you are here to provide
7 testimony in a lawsuit that you filed.

8 You understand that?

9 A. Yes.

10 Q. Okay.

11 What's your date of birth?

12 A. 10/22/78.

13 Q. What's your current address?

14 A. 130 Highway 651, Fountain Inn, 29644.

15 Q. How long have you lived there?

16 A. Three years.

17 Q. Where did you live before that?

18 A. In Atlanta, Georgia.

19 Q. How long did you live in Atlanta?

20 A. I lived in Atlanta for 20 years.

21 Q. Okay. What brought you back to South
22 Carolina?

23 A. To be in the family business.

24 Q. When you were in Atlanta, what did you
25 do?

1 A. I worked for an event company.

2 Q. An event company?

3 A. Yes.

4 Q. What's the name of the company?

5 A. Integrated Events.

6 Q. And how long did you work for

7 Integrated Events?

8 A. Ten years.

9 Q. And what was your job title?

10 A. Event coordinator.

11 Q. And who was your supervisor?

12 A. Butch Smith.

13 Q. And did Integrated Events have an

14 Atlanta address or --

15 A. No.

16 Q. -- suburb of Atlanta?

17 A. They're based out of Delaware.

18 Q. They had an office in Atlanta?

19 A. No, they did not.

20 Q. Okay.

21 All right. Where were you born?

22 A. Greenville, South Carolina.

23 Q. Say that again.

24 A. Greenville, South Carolina.

25 Q. Are you married?

1 A. Yes, I am.
2 Q. What's your husband's name?
3 A. Erik Weir.
4 Q. Spell it?
5 A. W-E-I-R.
6 Q. What was your date of marriage?
7 A. 20- -- see. Gosh. 2020. I'm sorry.
8 2021.
9 Q. Do you know the month and date?
10 A. Yes. June 11th.
11 Q. What's Mr. Weir do for a living?
12 A. He owns his own financial company.
13 Q. What's the name of it?
14 A. WCM Global Wealth.
15 Q. WCM Global Wealth?
16 A. Global Wealth, (nods head up and down).
17 Q. Where is that based out of?
18 A. Greenville, South Carolina.
19 Q. Is he your only marriage?
20 A. Yes.
21 Q. Have you ever been married before?
22 A. No.
23 Q. Do you have any children?
24 A. Yes, I do.
25 Q. What's the name of your oldest?

1 A. Malachi.

2 Q. Can you spell that, please?

3 A. M-A-L-A-C-H-I.

4 Q. Last name?

5 A. Grist, G-R-I-S-T.

6 Q. How old is Malachi?

7 A. 22.

8 Q. Where does he live?

9 A. Greenville, South Carolina.

10 Q. What does he do for a living?

11 A. He's currently in college.

12 Q. Where does he go to school?

13 A. Presbyterian College.

14 Q. What's he studying?

15 A. International business.

16 Q. Who is Malachi's father?

17 A. Charles Matt.

18 Q. Spell his last name.

19 A. M-A-T-T.

20 Q. Where is Mr. Matt located?

21 A. He lives somewhere in South Carolina.

22 I couldn't tell you.

23 Q. When was the last time you communicated
24 with Mr. Matt?

25 A. Probably in the last year.

1 Q. What's he do for a living?

2 A. I couldn't tell you. I don't have a
3 talk relationship. My son is an adult, so...

4 Q. Do you have any children other than
5 Malachi?

6 A. No, I do not.

7 Q. Do you have any relatives in Greenville
8 County, South Carolina?

9 A. Yes, I do.

10 Q. Tell me the names of your relatives in
11 Greenville County, South Carolina.

12 A. My mother lives here.

13 Q. What's her name?

14 A. Marilyn Michie.

15 Q. Marilyn...

16 A. Michie --

17 Q. Marilyn --

18 A. -- M-I-C-H-I-E.

19 Q. Okay. How old is she?

20 A. 73.

21 Q. Any other relatives in Greenville
22 County?

23 A. That's all I can think of.

24 Q. Okay.

25 Have you ever been arrested?

1 A. No, I have not.

2 Q. Have you ever pled guilty to a crime?

3 A. No.

4 Q. Ever served time in jail?

5 A. No.

6 Q. Ever served time in prison?

7 A. No.

8 Q. Are you a member of any church?

9 A. No.

10 Q. Have you ever served time in the
11 military?

12 A. No.

13 Q. Are you a member of any civic
14 organizations?

15 A. No.

16 Q. Are you a member of any social media
17 platforms such as Facebook, MySpace, Instagram --

18 A. No.

19 Q. -- Snapchat -- let me finish my
20 question before you answer.

21 A. Okay.

22 Q. -- and Pinterest?

23 A. No.

24 Q. What did you do in order to prepare for
25 this deposition?

1 MR. PURIEFOY: Object to the form.

2 A. I spoke with my attorney.

3 Q. How long did you speak with your
4 attorney?

5 A. I couldn't say. 20 minutes.

6 Q. Okay. Did you review any documents?

7 A. No, I did not.

8 Q. Did you speak with anybody other than
9 your lawyer to prepare for this deposition?

10 A. No, I did not.

11 Q. Where did you go to high school?

12 A. Shannon Forest Christian School.

13 Q. Where is that located?

14 A. Greenville, South Carolina.

15 Q. Did you graduate?

16 A. Yes, I did.

17 Q. Did you go to college?

18 A. Yes.

19 Q. Where did you go to college?

20 A. Bauder College.

21 Q. Will you spell that, please?

22 A. B-A-U-D-E-R.

23 Q. Where is that located?

24 A. Atlanta, Georgia.

25 Q. What did you study?

1 A. Art. I have a degree of arts.

2 Q. Bachelor's of art?

3 A. Associate's degree of arts, and
4 merchandising.

5 Q. Did you graduate?

6 A. Yes.

7 Q. Is Bauder College a two-year or
8 four-year school?

9 A. Both.

10 Q. Did you study two or four years?

11 A. I got an associate's degree. It's a
12 two-year degree.

13 Q. Okay.

14 Do you have any other higher education
15 other than Bauder --

16 A. No, I do not.

17 Q. Let me finish my question because it's
18 making his job --

19 A. Okay.

20 Q. -- a lot harder than it needs to be.

21 What year did you enter the workforce?

22 A. 16 years old. I mean, I worked for the
23 company, for my parents' business starting at 12.

24 Q. And what did you do starting at 12 for
25 your parents' business?

1 A. I worked on the mobile on the weekends,
2 some during the week, and I worked in the clinic
3 during the week and on the weekends as well.

4 Q. Did you say, on the mobile?

5 A. Mm-hmm (affirmatively).

6 Q. What does that mean?

7 A. We have a mobile unit that gives shots
8 and vaccines to dogs and cats.

9 Q. And were you the one giving the shots
10 and vaccines?

11 A. No. I'm not a veterinarian.

12 Q. So when you worked in the mobile unit,
13 what would you do?

14 A. I would assist my father or my mother,
15 whoever was working at the time, so you write up
16 certifications, rabies certs, you sell the
17 medication, you get anything that the client would
18 like to purchase while they're there.

19 Q. Okay. And I assume you did that when
20 you were 12 and 16 during summers or when school
21 was out?

22 A. It just depended.

23 Q. About how many hours per week when you
24 were 12 to --

25 A. It just --

1 Q. -- 16?

2 A. -- depended. Whatever my parents
3 asked. I couldn't give you a gauge.

4 Q. Okay. It's important that you let me
5 finish my question and then answer, okay?

6 A. Okay.

7 Q. Because I know in normal conversation
8 we anticipate what the other person says, and
9 that's normal, but this is not as normal because we
10 have a court reporter here.

11 A. Okay.

12 Q. Do you understand?

13 A. Yes, I understand.

14 Q. Okay.

15 After graduating from college, what was
16 your first job?

17 A. I really don't recall.

18 Q. Okay.

19 A. I mean, I've had so many jobs in
20 between here and there. So it wasn't like I was
21 ever waiting -- I was working my whole way through
22 college, so...

23 Q. Okay. So when you got your degree, you
24 didn't start a new job or start a new career?

25 A. I worked in merchandising at the time.

1 Q. All right. Can you remember out of
2 college your first job working in merchandising?

3 A. Toast.

4 Q. And where is Toast located?

5 A. Atlanta.

6 Q. And what is Toast?

7 A. A high end handbag and jewelry store.

8 Q. Is that like a store in Lenox Square?

9 A. I don't know that it even exists
10 anymore. We're talking 25 years ago, so --

11 Q. I understand.

12 A. -- I can't say that it exists. It used
13 to be in Lenox Mall.

14 Q. How long did you work there?

15 A. A year.

16 Q. Where did you work after that?

17 A. I really don't remember.

18 Q. You mentioned that you lived in Atlanta
19 for 20 years.

20 A. Mm-hmm (affirmatively).

21 Q. And you worked for Integrated Events
22 for half that time; is that right?

23 A. Yes.

24 Q. So other than --

25 A. I worked odds and ends, various retail

1 jobs. I don't remember each and every retailer
2 that I worked for. I also did interior design, and
3 I owned my own business as well during that time.

4 Q. All right.

5 And other than Toast, you can't
6 remember what stores you --

7 A. I think possibly there was a Juicy
8 Couture somewhere in there. I worked several
9 retail jobs, so I don't remember them all, no.

10 Q. And you mentioned you owned your own
11 business.

12 What was the name of your business?

13 A. Desiree Designs.

14 Q. And did it have a physical street
15 address?

16 A. No. I had it out of my house. I sold
17 art and did interior design as well.

18 Q. Do you remember your street address in
19 Atlanta?

20 A. I mean, I've had many places in
21 Atlanta. I don't know at the exact time what that
22 address would have been.

23 Q. Okay.

24 What year did you move back from
25 Atlanta to Fountain Inn?

1 A. I came back, back in 2019, I think. I
2 didn't move back. I was commuting back and forth.

3 Q. Okay.

4 Are you currently working now?

5 A. Yes, I am.

6 Q. Where do you work?

7 A. Richland Creek Animal Hospital.

8 Q. Where is that located?

9 A. Downtown Greenville.

10 Q. And what's your job title?

11 A. VP of operations.

12 Q. And are there several veterinarians who
13 work in this hospital?

14 A. Yes, there.

15 Q. How many?

16 A. It depends on the week. Usually
17 there's two doctors that switch out, that rotate.

18 Q. How long have you worked there?

19 A. How long has who?

20 Q. How long have you worked there?

21 A. I've worked there for almost six years.
22 And my whole entire life I've worked within the
23 company and in Richland Creek on and off at various
24 times.

25 Q. And what are your -- kind of describe

1 for me what your duties as VP of operations is.

2 What do you do?

3 A. You oversee the whole entire business.
4 So that means everything down to ordering all the
5 drugs, all the products, insurance, doctors,
6 doctors' contracts, employee contracts, staffing
7 the clinic, making sure the clinic -- the building
8 stays together.

9 Q. All right.

10 And you mentioned there were two
11 doctors --

12 A. Mm-hmm (affirmatively).

13 Q. -- that are primarily there.

14 What are their names?

15 A. Lindsay Wolcott and Dr. DePalma.

16 Q. What's Dr. DePalma's first name?

17 A. Katie.

18 Q. Okay.

19 All right. Tell me your father's full
20 name.

21 A. Stanford Willoughby Grist.

22 Q. What's his date of birth?

23 A. Jeez. I do it every day. Let's see.
24 April the 12th, '48.

25 Q. And where was he born?

1 A. He was born in Georgia.

2 Q. Where in Georgia?

3 A. Close to Rabun Gap.

4 Q. And where did he go to college?

5 A. University of Georgia.

6 Q. Do you know what year he graduated?

7 A. No, I do not.

8 Q. And where did he go to veterinary
9 school?

10 A. University of Georgia.

11 Q. And did he go to veterinary school
12 right out of college, as far as you know?

13 A. Yes.

14 Q. And where did he practice veterinary
15 medicine?

16 A. In Georgia.

17 Q. And for how long?

18 A. I think his first couple years, and
19 then he moved to South Carolina.

20 Q. When you say, he moved to South
21 Carolina, do you mean -- did he move to Greenville?

22 A. He was located originally in Greer,
23 South Carolina, was his first location.

24 Q. Okay. How long was he in Greer?

25 A. Somewhere around 20 to 25 years, was

1 his location in Greer.

2 Q. Is that where he predominantly
3 practiced, with most of his time?

4 A. And then his downtown office as well.

5 Q. How long was he in Greenville?

6 A. He's had the Greenville location for
7 over 20-something years as well. So he -- he
8 bought the Greer first and purchased the downtown
9 after.

10 Q. So did he have -- at one point did he
11 have two locations, one in Greer and one in
12 Greenville?

13 A. Yes.

14 Q. And is the Greer office still ongoing?

15 A. No, it's not.

16 Q. Okay. What was the name of his
17 practice?

18 A. Which one? The Greer one?

19 Q. Yeah, let's start with the Greer one.

20 A. Greer Animal Hospital.

21 Q. What's the name of his Greenville one?

22 A. Richland Creek Animal Hospital.

23 Q. Do you know what year Richland Creek
24 Animal Hospital came into existence?

25 A. No, I don't know the exact year.

1 Q. Okay.

2 While working at Greer Animal Hospital,
3 did he have any partners?

4 A. My mother.

5 Q. And then in Richland Creek, did he have
6 any partners?

7 A. No.

8 Q. And how long did he practice veterinary
9 medicine?

10 A. Almost 45 years. Close to that. I
11 couldn't give an exact amount.

12 Q. How many times has your father been
13 married?

14 A. One time.

15 Q. And tell me your mother's name again?

16 A. Marilyn Grist. Michie Grist.

17 Q. She goes by Michie?

18 A. She goes by Michie now.

19 Q. Do you know the years or when they were
20 married?

21 A. No, I do not.

22 Q. Do you know when they got married?

23 A. No. I don't have the exact year.

24 Q. And your father is still alive?

25 A. Yes, he is.

1 Q. Okay.

2 What's your mother's date of birth?

3 A. June -- I'm sorry -- July 20th. I
4 think she's '49 or '50. I can't remember the exact
5 year.

6 Q. Okay.

7 A. One of the two.

8 Q. Do you know where she went to high
9 school?

10 A. No, I do not.

11 Q. Did she go to college?

12 A. University of Georgia.

13 Q. Is that where your parents met?

14 A. Yes.

15 Q. And I presume that she worked outside
16 of the home and worked for her husband's business
17 at the time?

18 A. They were joint partners together.
19 They were both doctors.

20 Q. Okay.

21 A. They both owned the practice together.

22 Q. So your mother was a veterinarian as
23 well?

24 A. Yes.

25 Q. Did she go to UVA veterinary school?

1 A. University of Georgia.

2 Q. I said UVA. I meant UGA.

3 A. Yes.

4 Q. I'm sorry.

5 Has your mother been married to anyone
6 other than your father?

7 A. No.

8 Q. All right.

9 I understand you've had sisters and
10 brothers. Is that correct?

11 A. Yes.

12 Q. And the oldest child of your mom and
13 your dad was named Priscilla Mickie Grist?

14 A. Yes.

15 Q. Does she go by Mickie?

16 A. I couldn't say.

17 Q. Okay. Then I'll call her Priscilla.
18 Do you know when Priscilla was born?

19 A. August 31st.

20 Q. Do you remember what year?

21 A. 1977.

22 Q. Where did she go to high school?

23 A. Christ Church Episcopal School.

24 Q. Where did she go to college?

25 A. University of South Carolina.

1 Q. Do you know what year she graduated?

2 A. No, I do not.

3 Q. Do you know what she studied?

4 A. No.

5 Q. What does Priscilla do for a living?

6 A. I don't know.

7 Q. You don't know what your sister does
8 for a living?

9 A. No, I do not.

10 Q. Is Priscilla married?

11 A. I don't know.

12 Q. You don't know if your sister is
13 married or not?

14 A. No, I do not.

15 Q. Do you know if Priscilla has any
16 children?

17 A. Yes.

18 Q. How many?

19 A. One.

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

21 A. Liviana Smith.

22 Q. How old is Liviana?

23 A. She'd have to be somewhere around 16.

24 Q. Do you know where Liviana lives?

25 A. No, I do not.

1 Q. So you and Priscilla are about a year
2 apart?

3 A. Yes.

4 Q. Were you close to her, growing up?

5 A. Yes.

6 Q. Do you and Priscilla have a
7 relationship now?

8 A. No, we do not.

9 Q. When did your and Priscilla's
10 relationship deteriorate?

11 A. Maybe 15 years ago or so.

12 Q. What was it over?

13 A. I'm sure a magnitude of things. I
14 can't remember all of them.

15 Q. Well, give me an idea.

16 A. I don't remember all the specifics.
17 It's just a lot of stuff.

18 Q. Could you give me an example of one?

19 A. Let's see.

20 Not off the top of my head, I can't.

21 Q. So sitting here today in your
22 deposition, you don't know what caused your
23 relationship with your sister who is a year apart
24 to deteriorate?

25 A. I could think of some things. There's

1 a magnitude of things.

2 Q. Well, if you can think of some things,
3 why don't you tell me them.

4 A. Okay. She kidnapped my son. And in
5 addition to that -- let's see. That would be the
6 kicker.

7 Then she -- her daughter was raped, and
8 she had my son investigated as well in her rape
9 trial. She had everybody investigated in that.

10 And then let's see.

11 That's all I can think of right now.

12 Q. All right.

13 Tell me the circumstances of how she
14 kidnapped your son.

15 A. My son was going to boarding school,
16 and she came and picked him up and held him -- kept
17 him in her house. And everyone was looking for
18 him, including the school, and he had X amount of
19 days to get there before they gave his spot away.
20 And everybody called her, crying. There were
21 police searching for him, looking for him. And she
22 called and told everybody she hasn't seen him in
23 days and she has no idea where he was, and the
24 whole time he was staying in her house.

25 Q. All right.

1 So where was your son going to go to
2 boarding school?

3 A. In Columbia, South Carolina.

4 Q. What's the name of the school?

5 A. Camden Military Academy.

6 Q. How long did she keep your son against
7 his will?

8 A. Several days.

9 Q. And why did she finally let him go?

10 A. I guess because everyone kept calling
11 her, crying, and pleading because they thought he
12 was dead.

13 Q. And what was her reasoning for taking
14 your son?

15 MR. PURIEFOY: Object to the form.

16 You can answer.

17 A. I have no idea. She never answered
18 why.

19 Q. Were authorities involved?

20 A. Yes. We contacted the police when he
21 disappeared.

22 Q. And did the police arrest her?

23 A. No. They did not arrest her.

24 Q. Do you know why?

25 MR. PURIEFOY: Object to the form.

1 A. No. I don't.

2 Q. All right.

3 You mentioned her daughter was raped.

4 Did they ever find out who the
5 perpetrator was?

6 A. It was the sitter, and she left my
7 child at the sitter as well. The same guy who was
8 raping children, she brought him to a day care
9 center, and the guy was raping children, and she
10 left my kid there multiple times too while she went
11 to work.

12 Q. Do you remember this man's name?

13 A. No, I do not.

14 Q. And where in South Carolina was this?

15 A. Greenville.

16 Q. Was this sitter who was raping
17 children, was he ever criminally prosecuted?

18 A. I don't know if she pressed charges or
19 not. I have no idea. I obtained an attorney, and
20 that's where it went from there, to protect my son,
21 because my son had been to his house as well.

22 Q. All right.

23 Do you remember your lawyer's name?

24 A. Someone out of Atlanta. I don't
25 remember her name.

1 Q. It was a female?

2 A. Yes.

3 Q. All right.

4 The next sister I have listed is
5 Charlotte Roxanne Grist.

6 A. Mm-hmm (affirmatively). Oh, and in
7 addition to that, you can put in there, I did
8 remember another thing, that she slept with my
9 boyfriend as well, and she slept with my sister's
10 boyfriend as well.

11 Q. Let's get back to that. Slept with
12 your boyfriend.

13 What was your boyfriend's name?

14 A. Chris Dow.

15 Q. D-O-W?

16 A. Yes.

17 Q. And how long ago was that, an
18 approximation?

19 A. Maybe ten years, maybe a little more.

20 Q. So approximately 2013?

21 A. I don't have an exact date.

22 Q. Yeah, just an approximation.

23 A. Ten, 12 years ago.

24 Q. Okay.

25 Your sister's boyfriend, what was his

1 name?

2 A. Michael Case.

3 Q. C-A-S-E?

4 A. C-A-S-E (nods head up and down).

5 Q. How long ago did she sleep with --

6 A. I'm not sure of the exact date.

7 Q. Around the same time frame?

8 A. I don't know if it was the same time
9 frame.

10 Q. And how do you know that she slept with
11 your sister's boyfriend?

12 A. My sister told me.

13 Q. And when you say your sister, which
14 sister? Charlotte?

15 A. Charlotte, (nods head up and down).

16 Q. Okay.

17 All right. When was Charlotte born?

18 A. Charlotte was born August the twenty --
19 I think it's the 20th. Yeah, August 20th, of -- I
20 don't know the exact year.

21 Q. She's younger than you?

22 A. Mm-hmm (affirmatively). She is.

23 Q. How much younger?

24 A. I think there's a five-year difference
25 between us. Yeah, that's right.

1 Q. So approximately 1982, maybe?

2 A. Yeah, maybe '81 or '82. I can't
3 remember exactly.

4 Q. Where did Charlotte go to high school?

5 A. Christ Church Episcopal School.

6 Q. You mentioned your two sisters went to
7 Christ Church, and then you went to Shannon Forest?

8 A. Mm-hmm (affirmatively). Yes.

9 Q. Why didn't you go to school at Christ
10 Church?

11 A. I -- my parents wanted me to go to
12 Shannon Forest. They offered different programs
13 than Christ Church offered, so...

14 Q. Okay.

15 Did Charlotte go to college?

16 A. She did.

17 Q. Where did she go?

18 A. She went to two separate colleges, one
19 for, I think it's called -- she always says U-dub,
20 so University of Seattle, I guess, was -- and then
21 she went to University of South Carolina, and then
22 went to Boston University as well.

23 Q. Did she go to all these schools to
24 obtain her undergrad?

25 A. She got a degree in television first,

1 and then after that, that's when she went for her
2 law degree. And part of that was at University of
3 South Carolina, and then the other was finished up
4 in Seattle.

5 Q. Did she obtain her law degree?

6 A. Yes.

7 Q. Okay. Does she practice law for a
8 living?

9 A. She does.

10 Q. She does currently?

11 A. Yes.

12 Q. Do you know what type of law she
13 practices?

14 A. She does some employment, some
15 environmental stuff. She has her own firm.

16 Q. Does she practice out west?

17 A. In Seattle, Washington.

18 Q. Okay. Is she married?

19 A. Yes.

20 Q. Do you know her husband's name?

21 A. Yes.

22 Q. What's that?

23 A. Ian Smith.

24 Q. What does Mr. Smith do for a living?

25 A. He works for Google.

1 Q. Do you know what he does for Google?

2 A. Cyber technologies.

3 Q. Okay.

4 Is Mr. Smith Charlotte's only husband?

5 A. Yes.

6 Q. Does Charlotte have any children?

7 A. Yes.

8 Q. How many?

9 A. Three.

10 Q. All right. What's her oldest one's
11 name?

12 A. Indigo.

13 Q. Last name Smith?

14 A. Smith.

15 Q. How old is Indigo?

16 A. She is six.

17 Q. Okay.

18 And then the next one?

19 A. Wyatt Smith. I think he's four.

20 Vera is almost two, close to two.

21 Q. Were you close to Charlotte growing up?

22 A. Yes.

23 Q. Do you and Charlotte have a
24 relationship now?

25 A. Yes.

1 Q. Okay.

2 And would you describe your and
3 Charlotte's relationship as --

4 A. Normal.

5 Q. -- normal? Yeah. Decent, normal?

6 A. Yes.

7 Q. Yeah. All right.

8 And then I understand that you had a
9 brother, right?

10 A. Yes.

11 Q. And his name was Stanford W. Grist,
12 Jr.?

13 A. Will Grist.

14 Q. He went by Will?

15 A. Mm-hmm (affirmatively).

16 Q. Okay.

17 When was Will born?

18 A. He was born in March -- I think it was
19 March 12th. I don't remember the year.

20 Q. How much older were you than Will?

21 A. Two years' difference. So maybe 1980.

22 Q. Okay.

23 Where did Will go to high school?

24 A. Christ Church Episcopal School.

25 Q. And did Will go to college?

1 A. Yes, he did.

2 Q. Where?

3 A. University of Georgia.

4 Q. How did Will die?

5 A. Cancer.

6 Q. What type?

7 A. He had testicular cancer.

8 Q. I'm sorry about that.

9 All right. I'm going to move on to
10 kind of some of the defendants in this lawsuit.

11 And the first one, Caroline York Grist
12 Lyon?

13 A. Mm-hmm (affirmatively).

14 Q. Who is she?

15 A. That is my father's sister.

16 Q. Where does she live?

17 A. Rabun Gap, Georgia.

18 Q. I guess the line from oldest to
19 youngest, how close is she in age to your dad?

20 A. I think they're a few years apart.

21 Q. And your dad's dad and mom, how many
22 children do they have?

23 A. They had in total four children.

24 Q. Who was the oldest?

25 A. Dorsey.

1 Q. Okay.

2 What's Dorsey's last name?

3 A. Grist.

4 Q. Is she still alive?

5 A. He's deceased.

6 Q. Or he, I'm sorry.

7 A. Mm-hmm (affirmatively).

8 Q. Who is the next one in line?

9 A. Priscilla. I'm trying to think what
10 her last name is. I don't know what her last name
11 is right now.

12 Q. Is she still alive?

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

14 Q. And then third in line was who?

15 A. Caroline.

16 Q. Okay.

17 And then your dad was the baby?

18 A. Yes.

19 Q. Okay.

20 And why have you named, I guess, your
21 aunt as a defendant in this lawsuit?

22 A. She filed the conservatorship and
23 guardianship, so she started the whole process for
24 my father, this whole process.

25 Q. And we'll get into that because I'm

1 going to try to really understand -- from my point
2 of view, it's a complicated fact pattern. We'll
3 try to make sure I understand it so everybody --

4 A. Sure.

5 Q. -- is singing on the same sheet of
6 music. Is that fair?

7 A. (Nods head up and down)

8 Q. All right. Leyland Lyon, who is he?

9 A. That is Caroline's husband.

10 Q. So that would be your uncle, right?

11 A. Yes.

12 Q. And why did you name him as a defendant
13 in this lawsuit?

14 A. He as well, with Caroline, filed the
15 paperwork to start this.

16 Q. So the sole reason why the Lyons are
17 defendants in this lawsuit is because they filed --

18 A. They started the whole entire process.

19 Q. By filing --

20 A. A conservatorship/guardianship on my
21 father, to hold my father against his will, to be
22 put under 24-hour care, they filed that. They
23 started this.

24 Q. So the reason why they're defendants is
25 because they initially looked to file -- or to seek

1 a conservator -- a guardianship for your father?

2 A. Yes. They started this whole process
3 that we're all suffering out right now. So they
4 started the initial process. So that's why they're
5 involved in it.

6 Q. So that's why they're defendants now?

7 A. Yes.

8 Q. All right.

9 And Priscilla Mickie Grist is your
10 sister. We went over that, didn't we?

11 A. Yes.

12 Q. Why have you named Priscilla in this
13 lawsuit?

14 A. She as well started this whole entire
15 lawsuit.

16 Q. How did she start this whole entire
17 lawsuit?

18 A. Well, she's currently still in a
19 conservator/guardianship for my father.

20 Q. And is this conservator/guardianship
21 different than the one the Lyons have filed?

22 A. They all filed together. Everyone
23 is -- apparently they're all represented by Hall
24 and Neil Rabon -- or maybe Hall. All together, I
25 couldn't tell you. They have different names on

1 there. But they're all in the same suit together.

2 Q. Okay.

3 So just so I understand, because I'm
4 not involved in that --

5 A. Sure.

6 Q. -- are they separate actions for
7 guardianship in relation to your father or is there
8 just one with multiple --

9 A. So --

10 Q. -- plaintiffs?

11 A. -- they all three filed the suit
12 together.

13 Q. Okay.

14 All right. Jennifer Browning and
15 Browning Geriatrics, why have you named Jennifer
16 Browning and Browning Geriatrics?

17 A. Because Jennifer Browning was appointed
18 by the Court as my father's guardian -- guardian ad
19 litem, whichever it's called, to represent my
20 father.

21 Q. And the Court appointed --

22 A. That would be probate court, appointed
23 Jennifer Browning.

24 Q. So the Court --

25 A. Greenville County Probate Court

1 appointed Jennifer Browning.

2 Q. To be your father's guardian ad litem?

3 A. Yes.

4 Q. And so why do you have to sue Jennifer
5 Browning because the Court appointed --

6 A. Yeah, she's --

7 Q. -- her guardian ad litem --

8 A. She was the responsible party who the
9 Court put in charge to take care of my father, to
10 supervise my father, to take care of all of his
11 needs, anything that he might need, how he needed
12 to be taken care of, to represent him, because he
13 was not able -- they declared him not able to make
14 decisions on his own, so they appointed Jennifer
15 Browning and Tracy Parsons to make all decisions
16 and to take all care of my father through probate
17 court.

18 Q. Okay.

19 If the probate court appointed
20 Jennifer -- Ms. Browning to do that, why are you
21 suing her?

22 A. Because she was in charge of making my
23 father's decisions, taking care of him. She was
24 supposed to take care of my father, and she did not
25 take care of my father. She allowed those -- these

1 things to happen to my father and did nothing about
2 it. She did not protect my father in any way.

3 Q. All right.

4 You mentioned Tracy Parsons. Why have
5 you named Tracy Parsons as a defendant in this
6 lawsuit?

7 A. She was, as well, appointed by probate
8 court as temporary guardian for two years for my
9 father, to take care of my father, to make all
10 medical decisions, to make all decisions in his
11 life, to make all care decisions, to take care of
12 him, and to be responsible for him.

13 Q. So just to make sure I understand this,
14 Tracy was named by the probate court as the
15 temporary guardian ad litem, and then Jennifer
16 Browning was named as the permanent guardian ad
17 litem?

18 A. So Jennifer Browning was the guardian
19 ad litem. Tracy was the temporary guardian.

20 Q. I'm trying to understand why you
21 need --

22 A. I don't --

23 Q. -- a full-time guardian ad litem and --

24 A. I'm not in probate court, so I don't
25 know why they appoint two people. I guess that's a

1 probate court process.

2 Q. Yeah. And I'm not being rude or
3 flippant, but in order to have an accurate record,
4 we can't talk over one another.

5 A. Okay.

6 Q. Because he'll pull his beard out.
7 But you don't know why there was a
8 temporary guardian and then a permanent guardian?

9 MR. SUGGS: Object to the form.

10 A. No.

11 Q. Okay.
12 The next defendant was Comfort Keepers.
13 And why did you name Comfort Keepers as
14 a defendant in this lawsuit?

15 A. Because Comfort Keepers was in charge
16 24 hours a day of my father's care.

17 Q. Okay.

18 A. And they did not provide good care for
19 my father.

20 Q. You've also named Chris Couchell as a
21 defendant in this lawsuit.

22 Why have you named Chris Couchell as a
23 defendant in this lawsuit?

24 A. Because she's the owner of Comfort
25 Keepers.

1 Q. Why does that make him a defendant in
2 this lawsuit?

3 A. Well, when you own a business, then you
4 should be held responsible for your business.

5 Q. And why have you named Erin Couchell as
6 a defendant in this lawsuit?

7 A. Because she's an owner of the business
8 as well.

9 Q. All right.

10 MR. PEELE: Does anybody need a break?

11 MR. SUGGS: Just a quick second.

12 MR. PEELE: Yeah.

13 (After a recess, proceedings were
14 continued as follows:)

15 BY MR. PEELE:

16 Q. Ms. Grist, if I were to describe your
17 family as very litigious, do you think that would
18 be a fair description?

19 MR. PURIEFOY: Object to the form.

20 A. I really couldn't answer that.

21 Q. You can't answer it because you don't
22 know what litigious means or you can't answer it
23 because --

24 A. I just couldn't. I mean, I can't
25 answer for everyone in my family. Everyone isn't

1 here.

2 Q. Who cleans your father's house and
3 makes sure your father's house is cleaned, clothes
4 are washed, bed linens are clean, that sort of
5 thing?

6 A. There is a maid who comes in.

7 Q. What is her name? Or his name?

8 A. Right now it's Connie.

9 Q. How often does Connie come to your
10 father's house?

11 A. Once a week.

12 Q. Okay. And who does the grocery
13 shopping for your father, makes sure he has enough
14 food?

15 A. I do.

16 Q. How often do you see your father?

17 A. A couple times a week, sometimes once,
18 sometimes twice a week. It just depends on the
19 week.

20 Q. How long do you stay with him?

21 A. A couple hours. An hour, two hours.

22 Q. All right.

23 I didn't make copies of this for
24 everybody, but I know everybody has it. And the
25 Bates labels are PL 002908 through PL 003025.

1 (EXHIBIT 2, DURABLE POWER OF ATTORNEY,
2 was marked for identification.)

3 BY MR. PEELE:

4 Q. Ms. Grist, take as long as you need to,
5 to look at that document.

6 MR. SUGGS: What were the Bates again?

7 MR. PURIEFOY: It's PL 002908.

8 MR. SUGGS: Okay. Through...

9 MR. PURIEFOY: 003024.

10 MR. SUGGS: Thank you.

11 MR. PURIEFOY: I'm going to talk to my
12 client about this document under 30(j)(8). I don't
13 think -- did you send documents for us to review
14 prior to the deposition?

15 MR. PEELE: They're your documents.
16 You produced them.

17 MR. PURIEFOY: Yeah, but 30(j)(8)
18 requires that you give me copies of documents that
19 you plan to use during the deposition two days
20 before the deposition begins.

21 MR. PEELE: Be my guest.

22 MR. PURIEFOY: Excuse me?

23 MR. PEELE: Be my guest. Go out there
24 and talk to her.

25 MR. PURIEFOY: Okay.

1 (After a recess, proceedings were
2 continued as follows:)

3 THE WITNESS: Okay.

4 BY MR. PEELE:

5 Q. Have you ever seen that document
6 before?

7 A. Yes, I have.

8 Q. Okay.

9 And do you understand that what I
10 showed you are a copy of your father's trust and
11 then some power of attorneys?

12 A. Yes.

13 Q. Okay.

14 And do you understand that your father
15 created a trust on December 5th, 2005?

16 A. Yes.

17 Q. Okay.

18 And that's naming you and your sisters
19 as the heirs to the trust?

20 A. I would have to go back, but I believe
21 I did see that, yes.

22 Q. Okay.

23 To your knowledge, has your father ever
24 amended this trust?

25 A. Yes.

1 Q. Okay. And was that in 2013?

2 A. I believe I saw that in here for 2013,
3 yes. I think I saw something about a health care
4 power of attorney for 2013.

5 Q. Do you know the purpose of why he
6 amended his trust in 2013?

7 A. No, I do not.

8 Q. Okay.

9 Has there been any litigation, to your
10 knowledge, about the creation of that trust by your
11 dad or the amendment?

12 A. That is -- yes, we are in litigation
13 for that.

14 Q. Okay. And kind of tell me about --

15 A. The power of attorney was challenged.

16 Q. Okay.

17 And correct me if I'm wrong, but wasn't
18 the first power of attorney naming your father's
19 sister as the original power of attorney?

20 A. I think I saw one says Lee and one says
21 Caroline. I don't remember if one was -- which one
22 was which, which came first. I saw Caroline's name
23 on one thing. It might have been health care. It
24 was back here. And one has Lee's name on it. So I
25 couldn't say which one was which. I would have to

1 go back to -- do you have the page number for the
2 document where that is --

3 Q. I don't have the page number off the
4 top of my head, no.

5 But when you say, Lee, is that short
6 for Leyland?

7 A. Leyland, mm-hmm (affirmatively).

8 Q. And Lee and Caroline -- or Caroline is
9 your dad's sister, right?

10 A. Yes.

11 Q. And they had the original power of
12 attorney as far as you know?

13 A. Right here, I see one. Let's see. I
14 think that says Caroline in 2013 as health care
15 power of attorney.

16 Q. Mm-hmm (affirmatively).

17 A. And then I have to go to the other one
18 where it says Lee.

19 I don't have -- I can't find that one
20 right this second. Let's see.

21 And I believe Lee's name was on the
22 other one, yes.

23 Q. Okay.

24 So originally your father's power of
25 attorney were Lee and Caroline?

1 A. Yes.

2 Q. Okay.

3 And then are you aware that your father
4 amended his power of attorney in 2020 naming
5 Charlotte as power of attorney?

6 A. As health care power of attorney, yes.

7 Q. Right.

8 And that removed Caroline and Lee?

9 A. No.

10 Q. Okay. Correct me where I messed up
11 here.

12 A. So Mickie was named health care power
13 of attorney, and she resigned at some point,
14 back -- whenever she filed this suit, she resigned
15 as health care power of attorney before she filed
16 her suit.

17 Q. Okay.

18 So Mickie was power --

19 A. Health care power of attorney.

20 Q. Health care power of attorney. Thank
21 you.

22 A. And at the time I was appointed power
23 of attorney.

24 Q. And was that in 2020?

25 A. I think it was 2019.

1 Q. 2019.

2 And when you were named power of
3 attorney, that removed Caroline --

4 A. Caroline and Lee.

5 Q. And why did your dad do that?

6 MR. PURIEFOY: Object to the form.

7 Q. If you know.

8 A. My dad wanted family. We were his
9 children.

10 Q. So if I understand your testimony,
11 although Caroline was family, you believe your
12 dad's wishes were to have his immediate family --

13 A. Yes, his immediate family to take care
14 of him.

15 Q. Okay.

16 A. He felt that his immediate family could
17 take the best care of him.

18 Q. All right.

19 And by your father making that
20 decision, naming you as power of attorney and
21 removing Caroline and Lee, did litigation spin out
22 of that?

23 A. Yes.

24 Q. Okay. And tell me about that.

25 A. That's the process that we just spoke

1 about, about the conservatorship/guardianship that
2 Mickie, Caroline, and Lee all filed.

3 Q. Okay.

4 And --

5 A. And contested the power of attorney as
6 well.

7 Q. So once Lee and Caroline were removed,
8 they filed for guardianship --

9 A. Challenging the power of attorney, as
10 well as conservatorship and guardianship.

11 Q. That was filed in probate court?

12 A. Yes.

13 Q. Okay.

14 And is that still -- is that litigation
15 still ongoing --

16 A. Yes.

17 Q. -- or is it resolved?

18 A. Yes, it is.

19 Q. It's ongoing?

20 A. (Nods head up and down)

21 Q. Are y'all close to a resolution of that
22 issue? Or do you know?

23 A. I do not know.

24 Q. Who is your lawyer in that probate
25 case?

1 A. Matt Myers.

2 Q. Sweeny Wingate?

3 A. Yes.

4 Q. Okay. This is Bates labeled PL 785
5 through PL 869.

6 MR. PURIEFOY: What is it?

7 MR. PEELE: Well, the only thing I'm
8 going to ask her about is this letter on top. It's
9 a letter from Lee to Stanford. All the other
10 documents are just a copy of what you just looked
11 at.

12 (EXHIBIT 3, 4/30/2008 LETTER AND
13 DOCUMENTS, was marked for identification.)

14 BY MR. PEELE:

15 Q. Take a moment and just look at this
16 letter, please.

17 A. Okay.

18 Q. All right. Have you seen this letter
19 before?

20 A. Yes, I have.

21 Q. Okay. It mentions -- just for the
22 record, it is dated April 30th, 2008.

23 Is that right?

24 A. Yes, that's correct.

25 Q. And Lee is Lee Leyland?

1 A. Lee Lyon.

2 Q. Or Lyon. I'm sorry.

3 And what did Lee do for your father's
4 business back in 2008?

5 A. Lee was working in the business,
6 basically as head of operations of the whole entire
7 business. So he was operating all of the finance
8 side, the drug control inventory, managing the
9 clinic, hiring, firing, bringing in doctors,
10 recruiting, all of the normal day-to-day stuff.

11 Q. Did you say finances in that answer?

12 A. Yes.

13 Q. So he was in control of the money?

14 A. Yes.

15 Q. Okay.

16 And it mentions in this letter that
17 your dad had an employee -- if I can find her name.

18 A. Judy Tabor.

19 Q. Judy Tabor.

20 -- that was stealing money from him?

21 A. I believe that's what it says. That's
22 what the letter says.

23 Q. Do you know -- did you know anything
24 about that?

25 A. I briefly heard about that, yes.

1 Q. Okay.

2 And in this letter, is Lee telling your
3 dad that -- or acknowledging the fact that your dad
4 wants to take back over control of the finances?

5 A. That's what it appears.

6 Q. And this is Defendant's Exhibit 4.

7 (EXHIBIT 4, 4/29/2008 LETTER, was
8 marked for identification.)

9 BY MR. PEELE:

10 Q. It probably would have made more sense
11 if I had shown you this one first. Take a minute
12 just to read it.

13 MR. PEELE: And for the record, it's
14 PL 002838.

15 A. Okay.

16 Q. So this letter is from your dad, and
17 it's to Lee and Caroline. Is that right?

18 A. Yes.

19 Q. And it's your dad telling Lee and
20 Caroline that he wants to take over his financial
21 piece of his business; isn't that right?

22 A. Yes, that he does not want them in the
23 company any longer.

24 Q. Yeah.

25 And so April 30th, 2008, that other

1 letter, that's Lee confirming his resignation from
2 your dad's company; is that right?

3 A. Yes.

4 Q. All right.

5 To your knowledge, Lee never went back
6 to work for your dad's business after this letter
7 of 2008?

8 A. No. He did.

9 Q. He did?

10 A. Mm-hmm (affirmatively).

11 Q. When did he go back to work for him?

12 A. I don't have an exact date. It would
13 have been probably maybe within a couple years of
14 that. I don't have an exact date for it though.
15 He came back into the company.

16 Q. Do you know what the circumstances were
17 behind that?

18 A. I'm not sure why he let them back in,
19 no.

20 Q. Okay.

21 And your dad practiced -- what year did
22 your dad get out of --

23 A. Well, actually, I do remember.

24 Q. Okay.

25 A. Alice was his manager at the time that

1 was helping him during this time. I remember now.
2 And Alice as well was put into a nursing home at
3 the time. So she was no longer working in the
4 company, and she was at the time, the manager of
5 everything.

6 Q. Okay.

7 And -- but you don't know what
8 precipitated Lee to come back to the business?

9 A. Alice was no longer in the company.

10 Q. So they -- so then --

11 A. So once they lost Alice, she was placed
12 into a nursing home, he did not have anyone in that
13 position.

14 Q. Okay.

15 And do you know what year that was?

16 A. I don't have an exact year.

17 Q. And what year did your dad stop
18 practicing veterinary medicine? Do you know?

19 A. He took a break in -- he took a break
20 somewhere for about four or five years, and he came
21 back in 2018, and started working again, and worked
22 until -- until whenever they filed the
23 conservator/guardianship because they removed him
24 from working at that time.

25 Q. Okay.

1 MR. PEELE: For the record, this is
2 PL 2895 to 2897.

3 (EXHIBIT 5, CAROLINE LYON AFFIDAVIT,
4 was marked for identification.)

5 THE WITNESS: Okay.

6 BY MR. PEELE:

7 Q. Have you seen this document before?

8 A. I don't remember the top one -- I don't
9 remember if I've seen either one of these,
10 actually.

11 Q. Okay. This is an affidavit filed by
12 Caroline York Grist Lyon?

13 A. Mm-hmm (affirmatively).

14 Q. Is that a yes?

15 A. Caroline York Grist Lyon, yes.

16 Q. Okay.

17 And I presume this is in reference to
18 the guardianship that they were proposing for your
19 father?

20 A. Yes.

21 Q. Is that -- okay.

22 And it says in there that -- in
23 paragraph 3, that your father appointed her husband
24 and herself to handle all of your dad's financial
25 affairs since 2002.

1 Is that right?

2 A. I don't know the exact year that they
3 were appointed. I couldn't answer that.

4 Q. But they did -- we have established
5 that they did handle your dad's financial stuff --

6 A. There are documents that say 2005, when
7 he was divorced. I don't know how it would be 2002
8 on there. Because my -- they didn't file for
9 divorce and the documents were incomplete at that
10 time, so I don't know how they could --

11 Q. What do you -- I'm sorry. Go ahead.

12 A. Go ahead.

13 Q. When you say, they filed for divorce,
14 you mean your mom and your dad or --

15 A. Mm-hmm (affirmatively).

16 Q. Yeah?

17 A. Yes.

18 Q. What year did your mom and dad file for
19 divorce?

20 A. I don't remember the exact year, but I
21 know my dad did not have any financial documents or
22 change any documents until the 2005 documents after
23 the divorce was completed. So I don't know how
24 they could be in charge in 2002, unless -- I don't
25 know.

1 Q. Is it possible that Lee and Caroline
2 were in charge of just the financial piece of your
3 dad's business, not really anything personal as
4 to --

5 A. I don't know. I couldn't --

6 Q. -- his assets?

7 A. -- say. I couldn't say.

8 Q. Okay.

9 But in any event, we established that
10 Lee and Caroline did handle some aspect of your
11 dad's financial --

12 A. Yes, after my parents divorced.

13 Q. -- business?

14 It says that he went through a divorce
15 with your mom, Marilyn, and was facing financial
16 hardship, including an embezzlement from an
17 employee.

18 Is that right?

19 A. Yes.

20 Q. It goes on to say that your dad
21 executed a durable financial power of attorney
22 which named her and her husband as his financial
23 attorney-in-fact.

24 Is that right?

25 A. Yes.

1 Q. And it goes on to say that your dad's
2 estate planning attorney is named Dan Collins of
3 Collins and Collins.

4 Is that accurate?

5 A. Yes.

6 Q. Okay.

7 And then in paragraph 4, it says, in
8 2019 your dad was taken by you to meet Dan Collins
9 in order to have you appointed as financial power
10 of attorney.

11 Is that accurate?

12 A. No, that's not correct.

13 Q. Okay.

14 What's inaccurate about that?

15 A. I never went with my dad to ask to be
16 power of attorney of anything. The only meeting
17 and the only time that I ever met Dan Collins was
18 when an employee called Brandi Chandler wanted to
19 get paid unemployment. That's the only time I went
20 in his office, with Cheryl Borum, along with Matt
21 Weatherland, and Dan asked at that time in the
22 conversation that we pay Brandi for unemployment
23 wages. That was the only conversation I ever had
24 with Dan Collins.

25 Then my father spoke with Dan, said he

1 would like to change all of his documents, later,
2 after that conversation was over, and Dan said, you
3 would have to have a competency test in order for
4 me to change any documents with Jennifer Browning.
5 And my father said that he was going to hire his
6 own attorney, and he fired Dan Collins on the spot.

7 Q. Okay.

8 Who did he hire for his estate planning
9 after Dan Collins?

10 A. Chase Campbell.

11 Q. Okay.

12 And it goes on to say that your dad had
13 suffered from severe cognitive issues since as
14 early as January of 2018.

15 Is that accurate?

16 A. No. That is not correct.

17 Q. All right.

18 When did your father start having --
19 showing signs of dementia, early onset dementia, or
20 anything like that?

21 A. I couldn't say. I'm not a doctor, so I
22 couldn't say what the correct time was or when it
23 happened.

24 Q. I'm not asking you to give a medical
25 opinion. I'm just asking when a medical

1 provider --

2 A. I didn't see a decline even after he
3 was placed under a conservator/guardianship for
4 quite some time.

5 Q. Well, did you ever go to any kind of
6 doctors' appointments with your dad?

7 A. We were not allowed. Tracy Parsons and
8 Jennifer Browning were the only people allowed to
9 attend any doctors' appointments. I attended
10 doctors' appointments before he was placed under
11 any of this guardianship/conservatorship, yes,
12 normal doctors' appointments with my dad, an ear
13 doctor, the regular -- his regular doctor, one or
14 two appointments here or there.

15 Q. But as to psychiatric or neurological,
16 you never went to any of those types of
17 appointments?

18 A. I've never been to a neurological or
19 psych- -- with him, no, I have not.

20 Q. Okay.

21 This affidavit goes on to say that your
22 dad met with another attorney -- and I presume
23 that's Chase Campbell -- and he executed a
24 financial power of attorney naming you as his
25 attorney-in-fact.

1 Is that accurate?

2 A. Yes, that's correct.

3 Q. And then it goes on to say your father
4 had assets in excess over \$7 million.

5 Is that accurate?

6 A. I -- I could not say. I can't answer
7 that.

8 Q. Okay.

9 (EXHIBIT 6, MULLEN MENTAL STATUS
10 EVALUATION AND COMPETENCY EVALUATION, was marked
11 for identification.)

12 THE WITNESS: Okay.

13 BY MR. PEELE:

14 Q. All right. Have you seen this document
15 before?

16 A. Yes, I have.

17 Q. And this is a mental status evaluation
18 of your father. Would you agree --

19 A. Yes.

20 Q. -- with that?

21 And the doctor was Dr. Mullen?

22 A. Yes.

23 Q. Okay.

24 And were you present with your dad at
25 this appointment?

1 A. No.

2 Q. But would you agree with me that this
3 document from Dr. Mullen purports to state that
4 your dad is competent?

5 A. It says he is.

6 Q. Okay.

7 And is this the documentation that your
8 dad needed in order to change his financial power
9 of attorney?

10 A. I believe that's what they asked for,
11 yes.

12 Q. Okay.

13 All right. There was a probate action
14 filed. It was captioned Priscilla Grist verse
15 Stanford Grist, Stacey Grist, and Charlotte Roxanne
16 Grist. It was filed in probate court.

17 Is this one of these actions that we've
18 been talking about, trying to get your dad
19 appointed a conservator and a guardian?

20 A. I wouldn't know without looking at it.

21 Q. Okay. And believe me, I went home
22 yesterday and tried to -- I'm not -- I don't
23 practice probate law, but you have to apparently
24 have an ID in order to look at Greenville County
25 records, so I couldn't pull that. I tried.

1 But just going by the caption, case
2 number, you wouldn't know what that action is
3 about?

4 A. No, I do not.

5 Q. Okay.

6 (EXHIBIT 7, SUMMONS AND COMPLAINT, was
7 marked for identification.)

8 THE WITNESS: Okay.

9 BY MR. PEELE:

10 Q. All right. That's a lawsuit that was
11 filed in state court. And I want to call it a
12 DJ-type action, declaratory judgment-type action,
13 that Mr. Myers has filed on your behalf.

14 Is that accurate?

15 A. Yes.

16 Q. All right.

17 Is that in response to any kind of
18 probate action that was either filed by the Lyons
19 or any of your sisters?

20 A. Yes.

21 Q. Okay.

22 And that matter that's in state court,
23 is it -- did you say it's pending or resolved or --

24 A. This was resolved.

25 Q. And how did it resolve?

1 A. They validated my power of attorney --

2 Q. Okay.

3 A. -- in circuit court.

4 Q. When you say, they, do you mean the
5 judge?

6 A. Yes.

7 Q. And there was an argument over that?

8 A. Mickie contested that, and I believe
9 Caroline and Lee as well.

10 Q. Okay.

11 Okay. And there was another case,
12 2020-GC-3400136, Caroline York Grist Lyon versus
13 Stanford Grist, Stacey Grist, Priscilla Mickie
14 Grist, and Charlotte Roxanne Grist Smith.

15 Is that the attempt by Ms. Lyon to have
16 a conservator and --

17 A. Yes, I believe so.

18 Q. -- guardianship for your dad? Okay.

19 All right. And then there's another
20 case that was filed in probate court. It's
21 2022-GC-00147. And it's you as the plaintiff, and
22 it names all the defendants in this litigation
23 we're here about.

24 Was this case originally filed in
25 probate court and then removed to state court?

1 A. I couldn't say without looking at it.

2 Q. Okay.

3 (EXHIBIT 8, SUMMONS AND COMPLAINT, was
4 marked for identification.)

5 THE WITNESS: Okay.

6 BY MR. PEELE:

7 Q. Have you seen that document before?

8 A. No, I have not.

9 Q. Okay.

10 So you don't know if there's a separate
11 lawsuit out there where you're suing your sisters
12 and your aunt, or has this lawsuit been dismissed
13 and the lawsuit we're presently in now is taking
14 place in this one?

15 MR. PURIEFOY: Object to the form.

16 A. I -- I couldn't say.

17 Q. Okay.

18 (EXHIBIT 9, BARRON AFFIDAVIT, was
19 marked for identification.)

20 BY MR. PEELE:

21 Q. I'll preface this by saying PL Bates
22 label 2382 to 2383, and I will go ahead and tell
23 you, it's not the best of copies, but it's the only
24 one I had.

25 And I'm not going to ask you really

1 about the substance because it's hard to read, but
2 it looks like it's from an affidavit of William
3 Barron.

4 Does that sound right?

5 A. Yes.

6 Q. And who is William Barron?

7 A. He was the preacher in the church that
8 my father attended.

9 Q. What was the name of the church?

10 A. I do not know.

11 Q. Have you met Preacher Barron before?

12 A. No, I have not.

13 Q. Do you know if your dad and Mr. Barron
14 were friends?

15 A. My dad served in the church. I can't
16 say whether they were friends or not.

17 Q. Have you seen this affidavit before?

18 A. Yes, I have.

19 Q. And what are the contents of the
20 affidavit?

21 A. I don't remember, actually.

22 Q. But you have seen it before?

23 A. I have seen it before.

24 Q. Do you know if Mr. Barron is still
25 alive?

1 A. I do not know.

2 Q. Okay.

3 (EXHIBIT 10, AMENDED SUMMONS AND
4 COMPLAINT, was marked for identification.)

5 BY MR. PEELE:

6 Q. Ten is the lawsuit that we're here
7 about today, okay?

8 MR. PEELE: Here's another copy, if
9 somebody wants it.

10 Q. All right. I'm going to ask you a few
11 questions about this.

12 All right. Stanford Grist Veterinarian
13 Services LLC, tell me what that business is.

14 A. That's Richland Creek Animal Hospital.

15 Q. All right.

16 Chestnut Ridge Farm, what is that?

17 A. That is the property on which my father
18 lives.

19 MR. SUGGS: You trailed off there.

20 It's the property, what?

21 THE WITNESS: That my father lives on.

22 MR. SUGGS: Thank you.

23 BY MR. PEELE:

24 Q. What's Hilly Street, LLC?

25 A. That is the LLC that owns the real

1 estate for Richland Creek Animal Hospital.

2 Q. All right.

3 Who are the members of Stanford Grist
4 Veterinary Services, LLC?

5 A. That would be my father and I.

6 Q. Chestnut Ridge Farm, LLC, who are the
7 members of that?

8 A. That's my father.

9 Q. Hilly Street, LLC, who are the members
10 of that?

11 A. My father and I.

12 Q. To your knowledge, do you have -- have
13 you or your counsel retained an expert in the
14 standard of care for a guardian ad litem?

15 A. I don't know.

16 Q. If you go to paragraph 22, it speaks
17 about your father's succession plan, and then it
18 says, he's discovered thousands upon thousands of
19 dollars were misappropriated by Leyland and
20 Caroline from the veterinary business.

21 Do you see that?

22 A. Yes.

23 Q. How much money do you allege that
24 Leyland and Caroline took from the veterinarian
25 business?

1 MR. PURIEFOY: Object to the form.

2 A. I can't answer that question.

3 Q. What proof do you have that Leyland and
4 Caroline took any money from your dad's business?

5 A. My dad had a loss of income in the
6 business, so that's -- that's the proof that we
7 have. He has a loss of income.

8 Q. Would it be fair --

9 A. When he removed Caroline and Lee from
10 the business, he was having a loss of income.
11 That's why he removed them from the business. I do
12 not know where the loss came from.

13 Q. But would you agree with me that it's a
14 fair statement to say that you can have business
15 losses in any way, not only just by somebody
16 misappropriating funds?

17 A. It depends on the business.

18 Q. Do you have any evidence, concrete or
19 otherwise, that show Leyland and Caroline taking
20 money from your dad's business?

21 MR. PURIEFOY: Object to the form.

22 A. They were the only people in charge of
23 the financials inside the clinic at that time. So
24 any funds that were misappropriated would have had
25 to have been handled by Caroline and Lee. There

1 was no one else that handled funds, other than the
2 CPA, which Caroline and Lee hired and worked with
3 as well, Cheryl Borum.

4 Q. Would you agree with me that you could
5 have a business loss just because maybe you had a
6 bad year, didn't see as many patients, COVID --

7 A. If that's the case, then I'm sure they
8 would have discussed that with my father. This was
9 the information that was given to me by my father.

10 Q. Okay.

11 A. And actually, we did have a -- someone
12 come in and look at documents as well. I remember
13 that now. There was some paperwork filed by a -- I
14 can't remember the CPA's name, but she did say in
15 the beginning, when we did come in, that there was
16 misappropriated funds and money that was missing,
17 obviously, different places, money that was
18 overpaid -- a lot of things were overpaid, not
19 looked at, never changed.

20 I mean, we had to make a lot of
21 cutbacks and a lot of changes within the company.

22 Q. What's this lady's name, the CPA?

23 A. I don't remember. It was someone that
24 was hired to do the report. So I would have to go
25 back and look at the report. I don't know.

1 Q. I would ask you to go back and look for
2 that lady's name and provide it to your lawyer.

3 A. Mm-hmm (affirmatively).

4 (This page contains information to be
5 supplied by counsel and/or the deponent.)

6 BY MR. PEELE:

7 Q. And did she undertake what's called,
8 like a forensic audit?

9 A. I don't remember.

10 Q. Okay.

11 MR. SUGGS: We can get you copies of
12 the reports as well.

13 BY MR. PEELE:

14 Q. Copies of the reports as well. That
15 would be helpful.

16 A. Mm-hmm (affirmatively).

17 (This page contains information to be
18 supplied by counsel and/or the deponent.)

19 BY MR. PEELE:

20 Q. Paragraph 23 says that on
21 February 19th, 2019, your dad went to a well
22 respected firm in Greenville to amend his durable
23 power of attorney.

24 Who is the well respected firm in
25 Greenville?

1 A. I believe that's Chase Campbell.

2 Q. Okay.

3 In paragraph 26 it says, a year later
4 Dr. Grist went to another highly respected law firm
5 located in Greenville to make further amendments to
6 his trust.

7 Who was that?

8 A. I don't recall anyone. I don't know.

9 Q. But since it says, another highly
10 regarded law firm, we know that's not Chase
11 Campbell.

12 You don't know who else that could have
13 been?

14 A. Let me think who else.

15 Oh. Mr. Craven.

16 Q. Craven?

17 A. Craven, yeah.

18 Q. Okay. Thank you.

19 All right. I know we've gone over
20 about six or seven probate or civil court actions.
21 I've shown you documents. We've talked about them.

22 In these cases where you're a plaintiff
23 or a defendant, who is paying the legal fees?

24 A. For what?

25 Q. For either you prosecuting these

1 actions or you having to defend yourself in these
2 actions?

3 A. I'm paying for my own legal expenses,
4 and my father is paying for his legal expenses.

5 Q. Is any of the money coming from --
6 well, let me strike that.

7 Is the trust or your father paying for
8 it all or are you actually paying a lawyer?

9 A. I pay my own attorney, just like I
10 stated, and my father pays his own attorneys, just
11 like I stated.

12 Q. Okay.

13 How much have you paid in legal fees
14 thus far in these actions personally?

15 A. I couldn't say.

16 Q. Is it more than \$10,000?

17 A. Yes.

18 Q. Is it more than \$50,000?

19 A. Yes.

20 Q. Okay.

21 In your employment with your dad, are
22 you paid salary?

23 A. I'm paid every two weeks in this last
24 year, yes. Before that, I was paid a portion of
25 what the company made for the year, like a bonus in

1 addition to my salary if the company did well.

2 Q. What was the percentage you got?

3 A. It was different every year. It's been
4 different every year for the last six years.

5 Q. And your dad's businesses, do y'all
6 have a CFO?

7 A. No, we do not. I have just a CPA,
8 that's it, for the business.

9 Q. Cutting checks, looking at balance
10 sheets, whose responsibility is that?

11 A. I have an accounting guy, Zach
12 Humphrey.

13 Q. Does he work for your --

14 A. He works for Richland Creek.

15 Q. At the end of the day, do you think
16 that participating in these lawsuits have your
17 father's best interest at heart or carrying out the
18 intentions of what he wants?

19 A. Yes.

20 Q. Okay.

21 Why do you think that?

22 A. Because I'm protecting my father.

23 Q. When you visit your father, are you
24 able to communicate with him?

25 A. I'm able to visit, talk to him if I

1 would like, yes.

2 Q. Does he respond?

3 A. It depends.

4 Q. Is he lucid, in your mind?

5 A. I wouldn't categorize him as anything
6 because I'm not a doctor, so I'm not going to
7 categorize or put a name on my father.

8 Q. But I mean, you're his daughter. And
9 if anyone would know --

10 A. Just like I said, I'm not going to
11 categorize my father in any state. I am not a
12 doctor. So you would have to ask a doctor that
13 question.

14 Q. Okay.

15 Well, ma'am, I will respectfully submit
16 to you that if somebody asked me the same question
17 and the roles were reversed, I would give an
18 opinion on the matter, and I'm no physician either.

19 A. Okay.

20 MR. PURIEFOY: To the extent that was a
21 question, I object to the form.

22 Q. All right. I want to make sure I have
23 this right.

24 We've been over this, but just to kind
25 of finish it out. The Lyons were named your dad's

1 POA; business irregularities were discovered; your
2 father revoked the Lyons' POA and then named you.

3 Is that right?

4 A. Yes.

5 Q. The Lyons didn't agree with that and
6 then petitioned the Court for your POA to be
7 revoked and for a conservator be named for your
8 father?

9 A. For my POA to be revoked?

10 Q. Isn't that right? They didn't think it
11 was valid?

12 A. It was challenged.

13 Q. Challenged. I said revoked. We'll go
14 with your word, challenged.

15 A. Yes.

16 Q. Okay.

17 The Court at some point named Tracy
18 Parsons as guardian ad litem?

19 A. Guardian.

20 Q. Guardian.

21 A. Temporary guardian.

22 Q. Temporary guardian.

23 A. Jennifer Browning is guardian ad litem.

24 Q. And then the Court named Jennifer
25 Browning as guardian ad litem?

1 A. Yes.

2 Q. Okay.

3 Jennifer Browning then recommended
4 Comfort Keepers to perform the 24/7 piece of your
5 father's care; is that right?

6 A. Yes.

7 Q. And there was a company called Right at
8 Home, and they were the 24/7 care used before
9 Comfort Keepers.

10 Is that right?

11 A. Yes.

12 Q. And how long did Right at Home perform
13 services for your dad?

14 A. Maybe a month before Tracy fired them.

15 Q. Do you know what that issue was?

16 A. What was that?

17 Q. Do you know what that issue was?

18 A. The issue of Tracy firing them?

19 Q. Yeah.

20 A. Because she wanted Comfort Keepers to
21 take over care.

22 Q. And why do you think she wanted Comfort
23 Keepers to take over care?

24 A. I couldn't --

25 MR. PURIEFOY: Object to the form.

1 A. -- say.

2 MR. PEELE: What was wrong with that
3 question?

4 MR. PURIEFOY: She can't speak for
5 Tracy Parsons.

6 MR. PEELE: I said why do you think.
7 She can have an opinion on it.

8 MR. PURIEFOY: Then ask her -- her --
9 does she have knowledge.

10 A. No, I do not.

11 MR. PURIEFOY: Don't ask her what she
12 thinks about what Tracy is thinking.

13 BY MR. PEELE:

14 Q. All right.

15 Then how long did Comfort Keepers
16 perform around-the-clock care for your dad?

17 A. Somewhere around two years.

18 Q. Okay.

19 And then Comfort Keepers ceased taking
20 care of your dad; is that correct?

21 A. They what?

22 Q. Ceased taking care of your dad.

23 A. I don't remember how it all -- I
24 believe the last letter, email that we received
25 from Comfort Keepers said that they could not

1 provide care when my father was coming out of the
2 hospital because they did not have two -- Tracy
3 Parsons requested two caregivers on each shift, so
4 two for daytime, two for nighttime. And they said
5 that they could not properly staff that, and so
6 they resigned at that point.

7 Q. And then at some point Ann Crippen
8 started taking care of your dad.

9 Is that right?

10 A. She came to work for me some, yes.

11 Q. And how long did Ann Crippen work for
12 you?

13 A. Almost a year.

14 Q. We all agree, Ann Crippen used to work
15 for Comfort Keepers.

16 Is that right?

17 A. Yes, that's correct.

18 Q. Is she still working for you?

19 A. Yes, she is.

20 Q. And how often does she work for you?

21 A. Some weeks, two days a week. Some
22 three, some four. It varies.

23 Q. And the days that she's not working,
24 who is taking care of your dad?

25 A. I have another company that -- called

1 Grizwold Care.

2 Q. Are they based out of Greenville?

3 A. Yes.

4 Q. And who is the person at Grizwold Care
5 that you're dealing with?

6 A. Jacques.

7 Q. Last name, do you know?

8 A. I don't remember his last name.

9 Q. Who is responsible for paying all your
10 father's bills?

11 A. I am.

12 (EXHIBIT 11, 3/25/2022 EMAIL RE:
13 STANFORD W GRIST, was marked for identification.)

14 MR. PEELE: For the record, this is
15 PL 000125.

16 THE WITNESS: Okay.

17 BY MR. PEELE:

18 Q. All right. Are you aware that there
19 were incidents involving your dad -- regarding
20 sexual natures of your dad coming on to caregivers?

21 A. No. This is the first I've seen.

22 Q. You've never seen this before today?

23 A. I've seen this letter. This is the
24 first mention of this.

25 Q. So how long ago did you see this?

1 A. Whenever someone sent this to me. I
2 think my attorney probably sent it to me.

3 Q. Okay.

4 Has anyone told you prior, whether with
5 Comfort Keepers, Right at Home, Grizwold Care, Ann
6 Crippen, that your father was sexually aggressive
7 towards them?

8 A. No.

9 Q. Are you aware that your father does or
10 did act sexually aggressive towards female
11 caregivers?

12 A. No.

13 Q. You weren't aware of that.
14 Were you aware that your father
15 preferred female caregivers over male caregivers?

16 A. Only -- he preferred some male
17 caregivers, some female caregivers, and he was fine
18 with both, until he was drug through the yard by a
19 caregiver of Comfort Keepers and choked and knocked
20 out in the yard, screaming.

21 Q. And how --

22 A. So before that, he was fine with male
23 caregivers coming. And when the guy bruised his
24 arm up, then after that, he never wanted another
25 male caregiver to come inside the house or around

1 him.

2 Q. And the incident that you are
3 mentioning, was that with a man named Paul?

4 A. Paul, yes. It's Paul.

5 Q. And did anybody witness that?

6 A. I have a video of it.

7 Q. You have a video --

8 A. Yes.

9 Q. -- showing that?

10 A. Yes.

11 Q. Have you given that to your lawyer?

12 A. Yes, I have.

13 MR. PEELE: Have you seen anything like
14 that?

15 MR. SUGGS: (Shakes head side to side)

16 MR. PEELE: Have y'all seen anything
17 like that?

18 MR. PROVENCE: (Shakes head side to
19 side)

20 MR. PEELE: Do you have that?

21 THE WITNESS: You have that.

22 MR. PURIEFOY: I think so. Yeah, I
23 wasn't involved in the case at the very beginning,
24 so...

25 MR. PEELE: I was just going to say,

1 this is the second time that we've heard about
2 something in this case that we don't have
3 possession of. The first one was Crippen's
4 affidavit. This is the second thing.

5 So what's going to be the third thing?

6 MR. PURIEFOY: I -- do you have
7 questions for Stacey? You and I can discuss
8 whatever we need to discuss off the record. I'm
9 not sure how you think this is appropriate.

10 MR. PEELE: Well, what's not
11 appropriate is playing hide the ball.

12 MR. PURIEFOY: Nobody's playing hide
13 the ball, Robert.

14 MR. DOWLING: Can we get a copy of the
15 video now?

16 MR. PURIEFOY: Of course.

17 MR. PEELE: Let's go off the record.

18 (After a recess, proceedings were
19 continued as follows:)

20 MR. PURIEFOY: So can we make a
21 clarification on the record, that the video that
22 was mentioned during the previous line of
23 questioning has, in fact, been produced to all
24 parties.

25 MR. PEELE: Okay.

1 Do you know how long the video is in
2 duration?

3 MR. PURIEFOY: Maybe a minute or two.

4 MR. PEELE: Okay.

5 (Off-the-record conference)

6 (EXHIBIT 12, DOCUMENTS PACKET, was
7 marked for identification.)

8 MR. PEELE: This is Bates labeled
9 PL 001786 to 1802.

10 THE WITNESS: Okay.

11 BY MR. PEELE:

12 Q. Ms. Grist, have you seen this -- these
13 documents before?

14 A. Yes.

15 Q. Okay.

16 I want to -- do you know who made these
17 documents, who typed them out?

18 A. Some say the Greenville County
19 Sheriff's Office, and then some are some -- a
20 couple copies are from my mother.

21 Q. Okay.

22 So if you go to the second page.

23 A. Mm-hmm (affirmatively).

24 Q. The handwriting, whose handwriting is
25 that?

1 A. This is my mother's.

2 Q. When it references, June 23rd,
3 Fuddruckers between Stan and I, who is the I?

4 A. My mother.

5 Q. Okay.

6 So your mom -- can we assume that your
7 mom typed and wrote the first two pages?

8 A. I can't say.

9 Q. Okay.

10 All right. I'm going to make sure I
11 understand the handwriting on the second page.
12 Just tell me if I'm reading this correctly.

13 She insisted that her father had a
14 heart problem and needed to go to the doctor; his
15 medical records have never indicated this was an
16 issue, and I told her, he never said this was true;
17 I asked her to leave, but she continued to harass
18 her father and I; she had a male friend with her in
19 the car.

20 Who is your mom talking about?

21 A. This is Mickie.

22 Q. And that's your sister?

23 A. Mickie Grist. It says right here,
24 Mickie Grist, my daughter, Mickie Grist. I was
25 verbally assaulted by my daughter, Mickie Grist; I

1 was also physically assaulted by Billy Barron.

2 Q. And Billy Barron is the preacher,
3 correct?

4 A. Yes, correct.

5 Q. And this is an account from your mom?
6 Your mom --

7 A. My mother was present at the time and
8 was assaulted, as it says, verbally assaulted by
9 Mickie and physically assaulted by Billy Barron.

10 Q. Okay.

11 Did you witness this?

12 A. No, I did not.

13 Q. Did your mom take an iPhone video or
14 anything of that nature?

15 A. Mickie actually took a video of the
16 whole entire thing. She recorded it. So there was
17 a recording that was produced and sent to everyone
18 by Mickie of this whole entire incident.

19 Q. Okay. Recorded and sent to everyone.
20 You mean all of the lawyers?

21 A. Yes. We all received it.

22 MR. PEELE: Have y'all seen that, guys?

23 MR. SUGGS: No.

24 MR. PURIEFOY: I have not.

25 THE WITNESS: Yes, we have it.

1 MR. PURIEFOY: I have not seen it.

2 THE WITNESS: Oh, yeah, yeah, yeah. We
3 have it though.

4 BY MR. PEELE:

5 Q. Would you send that to your lawyer?

6 A. Yes, I can.

7 Q. Okay.

8 (This page contains information to be
9 supplied by counsel and/or the deponent.)

10 THE WITNESS: It came from Hall and
11 Rabon, so they should have a copy. They sent it to
12 everyone.

13 MR. PEELE: A different lawsuit, right?

14 MR. PROVENCE: Correct.

15 MR. PEELE: Okay.

16 BY MR. PEELE:

17 Q. All right. Then the second paragraph
18 says, he said he had papers for Stan to sign and
19 insisted that Stan get in his car because his
20 sister had arranged a doctor's appointment; he
21 yelled in my face that he knew I hated God; I did
22 not even know this man; he grabbed Stan and pulled
23 him towards his car; he grabbed my arm, and I told
24 him to take his hands off me.

25 Did I read that right?

1 A. I'd have to go re-read it.

2 Q. I'm making sure I understand your mom's
3 handwriting.

4 A. Your guess is as good as mine, so...

5 Q. Okay.

6 Okay. If you go on to Page 1790, do
7 you know whose handwriting that is?

8 A. No.

9 Q. Okay.

10 And the last several are trespass
11 notices?

12 A. Mm-hmm (affirmatively).

13 Q. And are these trespass notices issued
14 to your sister and Mr. Barron because of this
15 incident your mom wrote about?

16 A. Yes. My father issued trespass notices
17 on everyone that day.

18 Q. Including --

19 A. Whoever is on here.

20 Q. Including Caroline and Lee?

21 A. Yes.

22 Q. And who is Leslie Day Harold?

23 A. That is my cousin.

24 Q. Okay.

25

1 (EXHIBIT 13, 8/20/2020 EMAIL RE: GRIST,
2 was marked for identification.)

3 BY MR. PEELE:

4 Q. So we have a chance to talk about this,
5 I'm only focusing on the email from the middle.

6 A. Okay.

7 Q. All right.

8 This email, dated August 20th, 2020,
9 from Ms. Parsons, references a video camera that
10 was placed in the residence of your father.

11 Is that accurate?

12 A. Yes.

13 Q. Who placed this video camera there?

14 A. My father's always had cameras due to
15 the high theft in the area.

16 Q. So they had been there --

17 A. I'm assuming my father put them there.
18 I couldn't answer that. I don't know who put them
19 there.

20 Q. Okay.

21 A. When I came to visit, they were there.

22 Q. And they had been there ever since you
23 can remember?

24 A. As far as I remember, he had cameras
25 due to the theft.

1 Q. Was his house broken into?

2 A. Yes.

3 Q. How long ago was that?

4 A. I mean, people took stuff out of the
5 yard all the time. It's a high theft area.
6 They'll take batteries out of your car, something
7 out of your yard. It's very common.

8 Q. Okay.

9 So those cameras have been there as
10 long as you can remember?

11 A. I mean, not ten, 20 years ago, but in
12 the last few years, yes, as long as I can remember.

13 (EXHIBIT 14, EMAIL CHAIN RE: GRIST, was
14 marked for identification.)

15 BY MR. PEELE:

16 Q. All right. Ms. Grist, I'm focusing on
17 the bottom of Page 1 and the top of Page 2.

18 MR. PURIEFOY: Which one are we looking
19 at?

20 MR. PEELE: The bottom of Page 1 and
21 the top of Page 2.

22 MR. PURIEFOY: I have two different
23 ones here.

24 MR. PEELE: Let me see.

25 MR. PURIEFOY: I have a May 26th and a

1 July 12th.

2 MR. PEELE: That's the one I'm looking
3 at.

4 BY MR. PEELE:

5 Q. Okay. Are you ready to talk about
6 this?

7 A. Yes.

8 Q. So this email references a
9 communication with the police in the video with
10 your dad and Kerry.

11 Is that accurate?

12 A. I don't see the police copied anywhere
13 on here, no.

14 Q. But it mentions that they spoke to a
15 Deputy Wilson.

16 A. I see that.

17 Q. And doesn't believe this is a criminal
18 matter.

19 And they're referencing a video showing
20 your dad and Kerry involved sexually in some
21 fashion.

22 Have you seen that video?

23 A. No, I have not.

24 Q. Okay.

25 Have you known about this video?

1 A. Yes.

2 Q. And who told you about it?

3 A. It was pulled from off of the camera
4 after my father told me what was happening.

5 Q. So do you remember the date that your
6 dad told you that he had a sexual encounter with
7 Kerry?

8 A. I don't remember the exact date.

9 Q. Okay.

10 And do you know how soon after the
11 alleged incident, and what he told you about this?

12 A. How soon -- what?

13 Q. Like, was it --

14 A. That it was happening?

15 Q. Was it the next day? Two weeks --

16 A. He said it had been ongoing.

17 Q. Did he say how long it had been going
18 on?

19 A. I don't -- I don't remember that. I
20 just remember, she was employed for up to six,
21 seven-ish months, somewhere around there. So I
22 would imagine during that time.

23 Q. Okay.

24 When you found all that information,
25 what did you do next?

1 A. I immediately got off the phone. I
2 called Tracy Parsons, because she's the appointed
3 guardian for my father, to take care of my father,
4 to protect my father, and I reported to Tracy what
5 had happened. And she immediately called the nurse
6 at Comfort Keepers as well and patched her in.
7 Chris was her name.

8 And she patched Chris in, and together
9 they did a three-way call with me, and they said
10 that there's no way possible that anything like
11 this happened, and my father is suffering out very
12 bad dementia, and just last week while Chris was
13 there he started a new dementia thing that he
14 hadn't been doing before and he started yelling
15 extremely loud when they came in the room and went,
16 ha, ha, ha, ha; isn't it funny; I scared you.

17 And I said, that's not a new dementia
18 thing that he's started doing; my father has been
19 doing that since we were kids, to come in the room
20 and scare us all; so, no, that's not a side effect
21 of dementia; I've seen that for 20-plus years from
22 my father.

23 So that's what we were discussing, and
24 that's all they had to say. And they both said,
25 oh, that nothing had happened and they can both

1 confirm that, and it's just his dementia kicking
2 in, and he's extremely confused and doesn't know
3 what's going on.

4 And that was the end of the
5 conversation. And they said that they would handle
6 things from here and probably just ask that she
7 doesn't come back to work.

8 Q. And did you contact anybody else after
9 that conversation?

10 A. I contacted my attorney before the
11 conversation or briefly after. I can't remember
12 which. But, yes, I contacted my attorney with the
13 information as well, who contacted my father's
14 attorney, Adam Lee, who said he would have to talk
15 to Tracy and Jennifer, and for my attorney -- he
16 said to my attorney, he would get things handled
17 with Tracy and Jennifer from here, and for my
18 attorney not to worry about it.

19 Q. And did you hear back from your
20 attorney about an update on --

21 A. That was the update.

22 MR. PURIEFOY: Object to the form,
23 because we're crossing into attorney-client
24 privilege area.

25 So --

1 MR. PEELE: Fair enough.

2 MR. PURIEFOY: -- I'm going to instruct
3 you not to answer anything about what you and Matt
4 talked about, or our firm.

5 BY MR. PEELE:

6 Q. How do you -- did you get any resolve
7 or resolution after --

8 A. No resolution whatsoever. I never had
9 any follow-up after that. I never got any answers.
10 No one ever called back. No one ever discussed it
11 again, other than that one phone conversation. It
12 was considered a joke.

13 Q. Did you contact the Greenville County
14 Sheriff's Department?

15 A. No, I did not because I'm not in charge
16 of my father's care, nor could I do anything to
17 help my father because Tracy Parsons is the only
18 person who is legally allowed to help my father.
19 At the time she was appointed by the Court to
20 protect him; I was not.

21 Q. Okay.

22 Do you have any knowledge or
23 information of when Comfort Keepers first learned
24 of this allegation?

25 A. No, I do not.

1 Q. Do you have any kind of evidence or
2 information that Comfort Keepers knew about your
3 father's allegations and did nothing about it?

4 A. Well, I was on the phone with the
5 nurse, Chris, who worked for Comfort Keepers. So
6 at that point, when she dismissed it and did
7 nothing, they had knowledge, and she dismissed it
8 and said it was dementia. So Comfort Keepers did
9 nothing.

10 I was never contacted again by Comfort
11 Keepers other than that phone conversation with
12 Chris on the phone who dismissed it as dementia and
13 my father's dementia getting worse.

14 Q. And prior to this incident, has anybody
15 told you or reported to you that some female
16 caregivers felt uncomfortable being around your dad
17 because he was always handsy, flirtatious, and
18 touchy?

19 A. No.

20 Q. All right.

21 And I'll wrap it up right here. Other
22 than Truluck Thomason, Sweeny Wingate & Barrow,
23 what other lawyers have you engaged or have
24 represented you in any of these matters involving
25 your dad, your dad's trust, family discord, etc.?

1 A. That's all I can think of.

2 MR. PEELE: Those are all the questions
3 I have. Some of these lawyers in the room may have
4 some more questions.

5 MR. SUGGS: What's the plan here?

6 MR. PURIEFOY: I say you guys just
7 finish it out, and then if I have any, I'll --

8 MR. SUGGS: Okay. Do you need a break
9 or are you good?

10 THE WITNESS: I'm fine.

11 (Off-the-record conference)

12 EXAMINATION

13 BY MR. SUGGS:

14 Q. All right. I'm Trey Suggs. I
15 represent Jennifer Browning. The same rules that
16 you were provided earlier still apply.

17 Prior to this series of litigation
18 involving estate and probate matters, had you ever
19 been involved in a lawsuit?

20 A. No.

21 Q. And do you have any experience with
22 probate or state matters?

23 A. No, I do not.

24 Q. Does your husband have any children?

25 A. Yes.

1 Q. Who are they?

2 A. You want everyone's name?

3 Q. Well, let me back up for a second.

4 Do any of your husband's children live
5 in Greenville, South Carolina?

6 A. One.

7 Q. Who is that?

8 A. George Weir.

9 Q. What does George do?

10 A. He's in school.

11 Q. Where is he in school?

12 A. The Chandler School.

13 Q. All right. Does he have any children
14 18 years or older?

15 A. I'm sorry?

16 Q. Does he have any children 18 years or
17 older?

18 A. Yes. All of the other kids are older.
19 George is the only younger child.

20 Q. Are any of -- where did his other
21 children grow up?

22 A. Greenville -- no, I'm sorry --
23 California, and then they moved to Greenville.

24 Q. Did any of them live in Greenville
25 prior to leaving?

1 A. No. Everyone was in college at
2 different places, so...

3 Q. Are any of his adult children married
4 to persons from Greenville, South Carolina?

5 A. No.

6 Q. And his former spouse was who?

7 A. Robin Weir.

8 Q. Is she in Greenville?

9 A. I believe so.

10 Q. Is she remarried?

11 A. I do not know.

12 Q. Does she work outside the house?

13 A. She does not work.

14 Q. Do you know when they divorced?

15 A. I don't know the exact year, no.

16 Q. If y'all married in 2020 --

17 A. Yes. So any time before that. A
18 couple years I would say. I don't have the exact
19 date they divorced.

20 Q. Do you know the reason for their
21 divorce?

22 A. No, I do not.

23 Q. Where did your husband go to school?

24 A. Harvard and -- let's see -- somewhere
25 else in Georgia for his first degree. His second

1 degree is from Harvard.

2 Q. Does Charlotte have a relationship with
3 Mickie?

4 A. No, she does not.

5 Q. Your parents divorced approximately
6 20 years ago --

7 A. Yes.

8 Q. -- correct?
9 Did they live in the same residence
10 thereafter?

11 A. No, they did not.

12 Q. How long has your dad lived in -- I've
13 seen it referred to as a cabin.

14 A. Mm-hmm (affirmatively).

15 Q. How long has he lived in that spot?

16 A. Oh, somewhere around 12, 13-ish years.
17 And before that he lived inside of his office for
18 like another ten years or so.

19 Q. Where was the marital home?

20 A. In Travelers Rest.

21 Q. Is your mother still there?

22 A. Yes, she is.

23 Q. Is she still involved with the
24 veterinary practice?

25 A. She has her own practice.

1 Q. How long has she had her own practice?

2 A. Well, they had three practices
3 altogether. She was part owner of Greer, and then
4 she had her own practice, as well as my father had
5 his own practice in Greenville. So she's about
6 15 minutes from there, and she's had that -- they
7 all kind of bunched in together within a few years
8 of each other, purchasing those. Greer was the
9 original, and then my dad acquired Greenville, and
10 then my mother acquired her Greenville office.

11 Q. Forgive me. What is the name of your
12 dad's Greenville business?

13 A. Richland Creek.

14 Q. Did your mother ever have an ownership
15 interest in that?

16 A. No.

17 Q. Do you -- you were asked about LLCs
18 earlier --

19 A. Mm-hmm (affirmatively).

20 Q. -- and you indicated you were a member
21 of --

22 A. Yes.

23 Q. -- two of those LLCs?

24 A. Yes.

25 Q. The one that owns the property as well

1 as the practice itself?

2 A. Yes. I'd have to go back and look at
3 documents, but I believe so. I would have to
4 verify the documents.

5 Q. Do you know what your membership
6 interest is in the practice?

7 A. I would have to look at the documents.
8 I don't have anything in front of me right now.

9 Q. Is it greater or less than 50 percent?

10 A. I don't know. I would have to look.

11 Q. What about the entity that holds the
12 real estate?

13 A. I would have to look at the documents.

14 Q. You mentioned that your compensation,
15 as far as bonuses go, differs from year to year?

16 A. Yes.

17 Q. Who negotiates that compensation?

18 A. It was something me and my father had
19 established when he was working in the clinic, and
20 then if there is years that there aren't bonuses, I
21 would just collect a regular salary. That was our
22 agreement.

23 Q. And when was the last time you received
24 a bonus?

25 A. Not last year, not this year. A year,

1 maybe -- not last year and not this year, so almost
2 two years ago.

3 Q. Who fixed the percentage of that bonus?

4 A. What do you mean, who fixed it?

5 Q. Who decided what percentage bonus you
6 would receive?

7 A. Oh, I mean, my dad and I had
8 established that with me going into the practice,
9 when I became VP of operations, we had an agreement
10 on what it would be, and then if there's years that
11 I get salary, and depending on whatever is left, if
12 the amount was greater, then I would receive a
13 bonus. So if it's not, those years I would not
14 receive a bonus.

15 Q. So when you said the amount of bonus
16 changes from year to year, you didn't mean the
17 percentage, you meant the amount based upon how
18 well the practice did that year?

19 A. Yes. Yes.

20 Q. And is that agreement reduced to
21 writing?

22 A. I don't believe there's -- no, I don't
23 believe so.

24 Q. What is that percentage that you're
25 entitled to as a bonus?

1 A. Like I said, it varies every year, but
2 between my father -- we had a mutual agreement that
3 if -- obviously he would receive X amount, which
4 was pretty similar to what he was receiving before,
5 and then I would receive a smaller amount, and that
6 would also be based on what my salary was for the
7 year.

8 So if my salary was increased to a
9 different amount, then my bonus would be -- so if I
10 decided to have a higher salary that year, then I
11 would have a higher salary and I would not have a
12 higher bonus.

13 So it varied all over the board.

14 Q. Since your father became incapacitated,
15 as far as making business decisions, who has made
16 the decisions related to your compensation?

17 A. Me. I have. I'm the vice president of
18 operations in the company, to which I am allowed to
19 make all decisions for the company.

20 Q. Is he still a member?

21 A. Obviously he's still a member. He owns
22 it, so...

23 Q. Who gets the remainder of the revenue
24 from the veterinarian practice that you do not
25 take?

1 A. Everything goes to my father's estate.

2 Q. I'm just following up on loose ends
3 before I get into the bulk of what I want to talk
4 about.

5 We've heard reference to a video
6 related to a Paul with Comfort Keepers.

7 A. Yes.

8 Q. Who took that video?

9 A. It was on the video, so I mean, it's
10 not anyone took it. The video camera runs footage,
11 and then has backup. So it was backed up on the
12 camera.

13 Q. Got you.

14 So it was on one of the fixed videos --

15 A. Yes.

16 Q. -- within the residence?

17 A. Yes.

18 Q. Would that have been the same camera
19 that took the video related to the sexual
20 encounters?

21 A. I believe at the time that camera was
22 older and it had a new backup system put on it
23 because it couldn't hold all of the backups. So
24 that one could have been a newer camera.

25 Q. And when a camera needed to be

1 replaced, who did that?

2 A. I would do that.

3 Q. Who monitored the cameras?

4 A. Monitored?

5 Q. Yeah, checked it.

6 A. I mean, I would check them from time to
7 time, sometimes daily, sometimes weekly, whatever I
8 felt like. If there was -- there was a sheet that
9 was provided, and it listed daily food, daily
10 activities. And if I saw anything, obviously,
11 unusual, then the cameras would be checked.

12 Q. Can you give me an example of something
13 unusual that would lead you to check the video?

14 A. Well, at the time my father let me know
15 about that incident. So my father would lead me to
16 some of these incidents, letting me know that
17 something had happened.

18 Q. Did the video --

19 A. And the bruises were what alerted me to
20 what happened, and my father was just a wreck, he
21 was an absolute wreck after this incident.

22 So the caregiver, Ann, was there, and
23 she was calling me multiple times, he's so upset;
24 he's so upset; he's, you know, got bruises on his
25 arm. I'm like, oh, my gosh.

1 So at that point she said she couldn't
2 get him calmed down, he was very upset. So I
3 checked the cameras, and that's when I found that.

4 Q. Tell me everything you know about that
5 physical incident.

6 A. From the camera, you see Paul has my
7 dad in the dining room area, and he places chairs
8 in front of each door so that my father can't go
9 anywhere. And then if my father -- he likes to go
10 outside. He used to like to go outside when he was
11 able to walk and move. So he would like to walk
12 outside, look at his flowers, walk around his yard.

13 So Paul placed -- basically caging him
14 into his own house so that he could not get out of
15 his house.

16 So then you see my dad attempt to go
17 out the other door. Paul sits in front of a chair
18 at this door (gesturing) and is sitting in front of
19 it so my dad cannot get out.

20 Then my dad walks to the other door to
21 go out. Then when my dad starts walking around the
22 yard -- and there is a gate of probably an
23 acre-long gate that is placed in, so my dad cannot
24 go anywhere on the property, goes all the way
25 around the whole entire property, so there's

1 nowhere for him to get out.

2 And that was something that was asked
3 to be put in place by Tracy so that he could not
4 get out of the property. So a gate was installed.

5 So he walks to the front of his door,
6 goes out, and as you see him go outside the door,
7 you see Paul comes running from the other side over
8 here (gesturing) where he was sitting, then outside
9 the door.

10 And you hear -- you see them tumbling,
11 rolling on the ground. Then you see Paul grab my
12 dad up by the neck and start pulling him, and my
13 dad is screaming, help, help, help, someone help
14 me; help, help, I can't get away.

15 And my dad is on the ground physically,
16 and then being drug back by Paul, and then brought
17 back in the house, and then Paul basically like
18 pushes him off.

19 And then you see I call to speak to my
20 dad. Paul gets on the phone. First he looks like
21 he's mixing some type of drink together that he's
22 drinking and downing, and then spills it all over
23 the table. Then he hangs up on me multiple times.

24 I asked to speak to my dad. He says,
25 oh, I'm only filling in; I've only been here a few

1 hours; we're having a great day. And this is
2 within minutes of this incident happening.

3 And I tried to talk to my dad on the
4 phone. He doesn't say very much. And he had a
5 doctor's appointment. Apparently he did not go. I
6 couldn't get much out of Paul answering whether he
7 went to the doctor or not. Someone else was there
8 he doesn't know, but they're having a great day.
9 And that's like the end of the conversation.

10 That's it. So...

11 Q. Did you go to the house at that point?

12 A. No. At that point I did not know until
13 the next morning that my dad had bruises on his arm
14 and everything. And then I was called when the
15 next caregiver -- because they have a sheet that
16 they fill out that lists anything that they might
17 possibly see, and if it's on their shift, obviously
18 you wouldn't want to have bruises all over the
19 person that you're taking care of. So the next
20 person that came in is reporting that there's
21 bruises on him.

22 And then that's when I pulled video
23 footage and saw what was happening. And then I
24 immediately contacted my attorney, and my attorney
25 then contacted Comfort Keepers, I believe, and

1 Tracy Parsons as well. And then I believe Tracy
2 asked Comfort Keepers to do an inside investigation
3 on this and speak with Paul.

4 And then the report given back to us is
5 that -- once they had spoken with Paul, that
6 nothing had happened.

7 Q. Do you know whether Jennifer Browning
8 was ever made aware of this particular incident?

9 A. She's copied on the emails as well.

10 Q. That's related to the Paul incident?

11 A. Mm-hmm (affirmatively).

12 Q. Did I understand you to say that Ann
13 Crippen was present for that altercation with Paul?

14 A. No, she was not.

15 Q. Was any third party present?

16 A. She was the party who arrived the next
17 morning, and she has to fill out her report. So
18 she was not there the day before, and so that's
19 when she noticed the bruises.

20 Q. Was anyone else present other than your
21 father and Paul?

22 A. He had another caregiver, is what Paul
23 was telling me, who was previously there that
24 morning. And it's on the video as well. I do not
25 remember the person's name who was apparently

1 there. Traded places. Paul came in to pick up her
2 shift midway and worked the end of the shift, it
3 says.

4 Q. Have you ever spoken with her about the
5 altercation?

6 A. No, I have not.

7 Q. With these particular video cameras,
8 did you access the data from the camera itself or
9 could you get it through a computer or a telephone?

10 A. I had a camera guy do it. I did not do
11 it myself. So it was pulled by someone who does
12 computer stuff.

13 Q. Did it go to a hard drive?

14 A. I believe it went on a flash drive.

15 Q. So from a daily or weekly standpoint,
16 if you wanted to look at the video from a
17 particular day, how did you accomplish that?

18 A. Like I said, everything is saved on a
19 backup. So you go into the system and you punch
20 in, I'd like to look at yesterday, and it keeps
21 however much in the system, whatever it allows.

22 Q. What is Dr. Grist's current condition?
23 Can you describe -- I understand you're not a
24 doctor, but just as a loved one, can you give me an
25 understanding of how he currently is?

1 A. He's on hospice, so that's his current
2 status.

3 Q. Where is he living?

4 A. He's inside his house.

5 Q. The cabin?

6 A. Yes.

7 Q. Do you know what condition has led to
8 him being on hospice?

9 A. He went into the hospital, and before
10 he went into the hospital, he was put on a lot of
11 medication to basically like tranquilize him,
12 sedate him daily. That's when you saw in one of
13 the letters or whatever, Dr. Grist is becoming --
14 whatever they called it in the letter -- we've got
15 to take precautions.

16 So Tracy Parsons put him on medication
17 to sedate him. So he was being sedated to the
18 point that he couldn't even stand up, walk. He was
19 peeing, could not walk down the stairs. You had to
20 carry him in places. So he was oversedated at the
21 time.

22 And then they claimed he had COVID.
23 I'm not sure. And then was placed in the hospital.
24 And then after that, came out of the hospital like
25 that, on hospice.

1 Q. Can you give me a time frame for when
2 he was placed on hospice?

3 A. Right after he left the hospital.

4 Q. In 2022?

5 A. The year was -- was that '22? Yeah,
6 that would have been 2022. August -- I think it's
7 August -- the middle -- I want to say he got out of
8 the hospital -- it was within a week of like --
9 because Comfort Keepers was not able to accommodate
10 him when he got out of the hospital. So that's
11 when FirstLight stepped in for his care.

12 Q. Now, you mentioned that Tracy Parsons
13 put him on sedatives or some --

14 A. Mm-hmm (affirmatively).

15 Q. But she doesn't write medication, does
16 she?

17 A. No. She would just take him to the
18 doctor. That was her duty, was to take him to the
19 doctor, advise what she felt was best for him, take
20 care of him however she saw fit.

21 Q. But if there was a responsibility for
22 overmedicating your father, that would be on the
23 physicians that were prescribing medication, right?

24 A. I'm not sure. I couldn't say.

25 Q. Do you know what specific diagnosis has

1 led to your father being on hospice?

2 A. I couldn't say.

3 Q. Does he have a brain tumor?

4 A. He has a benign brain tumor.

5 Q. Do you know what it's called?

6 A. No, I do not.

7 Q. How long has he had that brain tumor?

8 A. 15, 20 years.

9 Q. I understand he has dementia.

10 Does he have Alzheimer's?

11 A. I'm not going to categorize my father
12 in any way. I cannot say anything that he has. I
13 do not know.

14 Q. And why not?

15 A. I -- I don't. I'm not a doctor.

16 Q. You don't have to be a doctor to
17 understand what a loved one's condition is.

18 A. Yes, I understand. I cannot categorize
19 my father in any way.

20 Q. Who could?

21 A. I'm sure a medical doctor can.

22 Q. You were asked about his ability to
23 communicate.

24 Can he have a conversation?

25 A. No.

1 Q. Can he express his needs or desires?

2 A. No.

3 Q. When did he lose that ability?

4 A. After leaving the hospital.

5 Q. At some point you recognized that your
6 father had mental status changes of some sort,
7 cognitive decline.

8 Isn't that true?

9 A. I noticed that my father was under
10 tremendous stress and life-changing, altering
11 events that were affecting his life in a negative
12 way by being placed under a
13 conservator/guardianship, basically being held
14 hostage in his own house, not allowed to live his
15 own life when he was at work and able to leave his
16 house day to day before that.

17 So I think going from a day-to-day life
18 and then being held in your house and told you
19 can't go anywhere and your car taken away from you
20 is a very big change in your life.

21 Q. Well, I think the question was, at some
22 point you recognized that your father had had some
23 cognitive changes.

24 Isn't that true?

25 A. No. What I recognized was that my

1 father was going through a very stressful time and
2 he was dealing with a lot of stress and unusual
3 things happening in his life that wouldn't normally
4 happen in someone's life every day.

5 Q. So you never noticed that he had any
6 cognitive changes?

7 A. I have only noticed since release from
8 the hospital in his current condition.

9 Q. So prior to being released by the
10 hospital -- or from the hospital, you never noticed
11 he had any --

12 A. I couldn't --

13 Q. -- cognitive decline?

14 A. I couldn't say.

15 Q. Why not?

16 A. I'm not a medical doctor. I cannot say
17 whether he has cognitive issues or not. That is a
18 medical question, and I am not a medical --

19 Q. Yeah. I'm not going to argue with you,
20 but --

21 A. Okay.

22 Q. -- it's not.

23 A. Okay.

24 Q. It's not. I'm not asking you a medical
25 question at all.

1 A. Okay. Well, I'm not -- I'm not going
2 to answer it.

3 Q. You're refusing to answer my questions?

4 A. I answered it already. That's all I'm
5 stating.

6 Q. So you're refusing to answer my
7 question?

8 A. I just --

9 MR. PURIEFOY: Object to the form.

10 A. -- answered your question, that I'm not
11 going to categorize my father in any way.

12 Q. You have already stated under oath that
13 you recognized that he now has cognitive
14 dysfunction?

15 A. Yes, in the last year since being
16 released from the hospital.

17 Q. So the onset -- as far as you know, as
18 far as you recognize, the first time you recognized
19 that he had any cognitive decline, was when he was
20 discharged from the hospital --

21 A. Yes.

22 Q. -- in 2022?

23 A. Yes.

24 Q. How long has he been -- how long has he
25 been unable to perform all his activities of daily

1 living independently?

2 A. Since release from the hospital.

3 Q. Prior to that, could he do all of his
4 ADLs on his own?

5 A. Yes.

6 (Court Reporter clarification)

7 BY MR. SUGGS:

8 Q. What can he not do for himself now?

9 A. He has 24-hour care, so they do
10 everything for him.

11 Q. Can he go to the bathroom on his own if
12 he wants to?

13 A. No.

14 Q. Can he dress himself?

15 A. No.

16 Q. Can he feed himself?

17 A. He cannot do any of the activities,
18 anything.

19 Q. Did he have 24-hour care with Comfort
20 Keepers?

21 A. Yes.

22 Q. So he wasn't able to do his ADLs at
23 that point either?

24 A. No. He was able to do everything
25 himself. He was able --

1 Q. When I asked you a moment ago what ADLs
2 he could or could not do, your response was, well,
3 he has 24-hour care, like that's an answer to my
4 question.

5 But it's not, is it, since when he was
6 with Comfort Keepers, he also had 24-hour care --

7 A. Yes.

8 Q. -- but you're now telling me that he
9 could do his ADLs?

10 A. When he was with Comfort Keepers,
11 before going in the hospital, he was able to dress
12 himself, eat for himself, take a bath, everyday
13 living.

14 After being released from the hospital,
15 he is not.

16 Q. Prior to -- at the time he went under
17 Comfort Keepers's care, what could he not do for
18 himself?

19 A. Well, they did not allow him to drive a
20 car, so he wasn't able to drive his car. He wasn't
21 able to go anywhere unless approved by Tracy
22 Parsons. So any decisions he made went through
23 Tracy Parsons. Anything -- anything he wanted to
24 do went through Tracy Parsons at that time.

25 Q. At some point was your father declared

1 to lack the mental capacity to make decisions for
2 himself?

3 A. When they went into court, Tracy --
4 originally they did not have any documentations.
5 Then later Tracy had a test done, to which she said
6 he did not pass the test.

7 Q. Who did that test?

8 A. I don't know. Tracy Parsons took him.
9 I have no idea.

10 Q. Are you aware of any physician at any
11 point declaring that your father was not mentally
12 competent to make decisions for himself?

13 A. I was told he was given a test that he
14 failed.

15 Q. As of July 15 of 2020, that's the time
16 frame where I want to ask you questions, do you
17 have an opinion whether your father had any
18 cognitive impairment?

19 A. Do I have an opinion?

20 Q. Yep.

21 A. We're back to this again?

22 Q. Yeah. We are.

23 A. Okay. I'm not going to categorize, as
24 I've told you, my father in any way, shape, or
25 form.

1 Q. So the answer easily could be, no, I do
2 not have an opinion?

3 A. I'm not going to have an opinion on
4 that, no.

5 Q. Do you have an opinion whether he was
6 confident in making his own decisions at that time?

7 A. I'm -- I can't say.

8 Q. Do you have an opinion as to whether he
9 needed 24-hour supervision as of July 15th, 2020?

10 A. I don't know. I can't say.

11 Q. Who hired Comfort Keepers?

12 A. I'm assuming, since Tracy Parsons was
13 appointed by the Court, it was Tracy and Jennifer
14 together made that decision.

15 (EXHIBIT 15, COMFORT KEEPERS CLIENT
16 CARE AGREEMENT, was marked for identification.)

17 MR. PEELE: Just give us a Bates
18 number.

19 MR. SUGGS: I don't think it is Bates
20 stamped. It's the Comfort Keepers contract.

21 BY MR. SUGGS:

22 Q. Who signed that document?

23 A. I did.

24 Q. In what capacity?

25 A. I was asked by Tracy Parsons to sign a

1 document for the company that she was replacing,
2 Right at Home -- this was the new company that she
3 has chosen for my father that that will now provide
4 24-hour care for him, and I was to sign it.

5 Q. Did you read it?

6 A. I can't remember at the time.

7 Q. Do you often sign documents that you
8 don't read?

9 A. If it comes to me, sometimes I do,
10 sometimes I don't. It depends. I don't know how
11 many pages this was. I don't remember signing it.
12 But it appears I signed it on a DocuSign.

13 Q. And that was an agreement between you
14 and Comfort Keepers for the provision of care to
15 your father?

16 A. Yes, as advised by the guardian
17 appointed by the Court who picked this company for
18 my father. Nothing that I picked, no one that I
19 hired, no choice in the matter whatsoever, other
20 than to sign the agreement because I had to pay.

21 Q. Did you object to the hiring of Comfort
22 Keepers?

23 A. Yes, I did. I said he already
24 currently has a company, Right at Home, and they're
25 doing fine, and that he also would like to be able

1 to stay with my mother majority of the time. So he
2 did not want to be under 24-hour care.

3 Q. What kind of care was Right at Home
4 providing?

5 A. They were providing daytime care and
6 then he stayed with my mother at nighttime.

7 Q. During the day, what kind of things
8 would Right at Home do for your father?

9 A. Day to day, go outside, food, normal
10 stuff. If he needed to go somewhere, take him in
11 the car.

12 Q. Why did he need daytime care by Right
13 at Home?

14 A. Because it was before the paperwork was
15 filed, they advised that we provide 24-hour care
16 once Mickie filed her suit.

17 Q. Was any care provided for your father
18 prior to any lawsuits being filed?

19 A. No.

20 Q. And when you say, they, I can't --

21 A. My attorney.

22 Q. Well, yeah --

23 A. Yeah, which -- yeah.

24 MR. PURIEFOY: Yeah.

25 Q. I assumed that might have been what you

1 meant, so I don't want to go there.

2 How long was Right at Home providing
3 care?

4 A. It wasn't long. Maybe a month.

5 Q. And your objection to Comfort Keepers
6 was because you did not want 24-hour care?

7 A. Yeah. He wanted to be able to stay
8 with my mother.

9 Q. Did you discuss that with Tracy
10 Parsons?

11 A. Yes, we did.

12 Q. And did you discuss that with Jennifer
13 Browning?

14 A. No, I did not.

15 Q. All right.
16 You filed a lawsuit against Jennifer
17 Browning. Tell me why.

18 A. Because Jennifer Browning was placed
19 over my father as guardian ad litem, so she was to
20 protect my father and make sure that all his best
21 interests were taken care of.

22 Q. What's the basis for saying that she's
23 got a responsibility to protect your father and
24 make sure his best interests are taken care of?

25 A. Well, that's her duty as a guardian ad

1 litem. When you're appointed as a guardian ad
2 litem, is to take care of the individual's needs
3 that you're appointed over.

4 Q. What's the basis for that
5 understanding?

6 A. When you look it up anywhere, that's
7 what it says. It is a court-appointed guardian ad
8 litem, is someone that steps in to take care of the
9 individual, to take care of their needs.

10 Q. What's the difference between a
11 guardian ad litem and a guardian?

12 A. A guardian would be a guardian,
13 temporary or permanent, that would be permanent
14 placement, which Tracy was temporary, and Jennifer
15 Browning, I guess was considered temporary as well.
16 I'm not sure.

17 Q. Okay. Let me ask you differently or
18 maybe just the same.

19 What is the difference between a
20 guardian ad litem and a guardian?

21 A. A guardian is someone who is appointed
22 permanently. The guardian ad litem is not
23 appointed permanently.

24 Q. Do you think the function of a guardian
25 ad litem and the guardian are the same thing?

1 A. I couldn't say. I mean, I don't know
2 why there was two people appointed in the case,
3 honestly.

4 Q. Do you think it might be because they
5 have different functions?

6 A. It could be.

7 Q. Do you know the difference in functions
8 between a guardian ad litem and a guardian?

9 A. I know some of them. I don't know all
10 of them.

11 Q. Tell me the differences that you
12 understand between a guardian ad litem and a
13 guardian.

14 A. I mean, I'd say the guardian, if
15 they're appointed permanently, is able to make all
16 decisions for the person from there out in their
17 life until unappointed.

18 And the guardian ad litem, from what
19 I'm guessing, is basically -- helps the guardian
20 makes these decisions, or advises the guardian on
21 these decisions.

22 Q. What kind of decisions?

23 A. Everyday life decisions for the
24 individual, what's best for them, what type of
25 care, what type of medical needs they have, what

1 type of tests they need, what type of health care
2 they need.

3 Q. You think that's the guardian ad
4 litem's function?

5 A. Both of their positions.

6 Q. Where -- where did these ideas come
7 from?

8 MR. PURIEFOY: Object to the form.

9 You can answer.

10 THE WITNESS: Okay.

11 A. I'm just going off of whatever.

12 Q. What is whatever?

13 A. I'm just going off of -- this is what
14 I've seen in the case, is that both Jennifer and
15 Tracy both reviewed all emails. They respond back.
16 They were all copied on all emails. So these are
17 things that they both looked at. So I'm assuming
18 that that's what they were both supposed to do,
19 because they were both copied on all of these
20 emails.

21 Jennifer Browning wrote up multiple
22 reports as to -- she would step in and say, oh,
23 your father's fallen; oh, your father's done this;
24 I've been by the house; this is my report on what
25 the house looks like; she came by and picked up

1 stuff from the house that belonged to Comfort
2 Keepers.

3 So I don't know. I couldn't tell you
4 what her job is. She did a lot of things. And she
5 wrote a lot of reports to the Court as well.

6 Q. Was she appointed by the Court?

7 A. Yes.

8 Q. Did she volunteer?

9 A. No.

10 Q. So she was asked by the probate court
11 to serve as GAL for your father?

12 A. I believe my sister, Mickie, picked her
13 and picked Tracy Parsons, because Charlotte and I
14 picked another guy to serve, and Mickie picked
15 Tracy and Jennifer, I believe.

16 So what I believe is that Mickie
17 brought Jennifer on when she filed her suit.

18 Q. What's the basis for that testimony?

19 A. Back to emails that we had gotten
20 before when the suit was starting, Mickie was
21 talking with Jennifer Browning when she was filing
22 the suit. There's emails between Mickie and
23 Jennifer Browning talking about the suit. We can
24 put your father in a nursing home here or you have
25 options to place him with Comfort Keepers under

1 24-hour care; which would you prefer to do?

2 And so they discussed numerous options
3 before the lawsuit -- as the lawsuit was getting
4 started to be filed with Mickie. So there was
5 communication with Mickie and Jennifer Browning.

6 Q. Your testimony is there was
7 communication between Jennifer Browning and Mickie
8 prior to Jennifer Browning being appointed as GAL?

9 A. I'd have to check the date, but I'm
10 thinking it's somewhere very close to that or right
11 when she got appointed, her and Mickie spoke of
12 options as to -- I assumed Mickie knew her because
13 she was appointed to do -- through Dan Collins, to
14 take a competency test for my father and the
15 initial first thing when Caroline and Lee went and
16 demanded a competency test with Dan Collins. So
17 I'm assuming that Dan Collins recommended Jennifer
18 Browning to Mickie and Caroline and Lee.

19 Q. To do a competency test?

20 A. That was the competency test before.
21 But when Mickie and Caroline and Lee were looking
22 to hire someone for the case and get ready for
23 their guardian ad litem case, I'm assuming that
24 they found Jennifer Browning through Dan Collins.

25 Q. Okay.

1 Other than assumptions --

2 A. Mm-hmm (affirmatively).

3 Q. -- do you have any --

4 A. I'd have to look back at the date of
5 the emails, but there are numerous emails between
6 Mickie and Jennifer Browning that state all of the
7 plans that they have for my father, what -- how
8 would Mickie like to do this; what are Mickie's
9 next steps; does she want to go look at these
10 places; Mickie, where is your father right now;
11 Stacey has kidnapped him, so we're going have to
12 file this and then go look for him; and then, we're
13 going to hire an undercover police officer as well
14 who -- to go look and try to serve your dad and
15 serve Stacey and find him.

16 I mean, they go on and on. So the suit
17 had not been filed. That is correct. Because
18 Mickie and Jennifer are speaking prior to this
19 document even being delivered to my father.

20 Q. What document?

21 A. The document of the official first
22 court date where they appoint Jennifer and Mickie.
23 There is communication between Jennifer and Mickie
24 prior to that.

25 Q. Okay.

1 A. Here is how we want to get Dr. Grist
2 served; where is Dr. Grist, Mickie; oh, he's been
3 kidnapped; he hasn't been served yet. So that's
4 prior communication to my father even being served
5 the documents.

6 Q. Mickie was the guardian at the time
7 that Jennifer Browning was appointed as GAL?

8 A. Mickie was the guardian?

9 Q. Yeah.

10 A. I've never known Mickie to be a
11 guardian.

12 Q. She --

13 A. She was not the guardian.

14 Q. Who was the guardian at the time that
15 Browning was --

16 A. There was -- there was not --

17 Q. Let me ask --

18 A. -- a guardian.

19 Q. Let me ask my question before you
20 interrupt. Okay? Yes?

21 A. Yes.

22 Q. Who was the guardian at the time that
23 Jennifer Browning was appointed as GAL?

24 A. There --

25 MR. PURIEFOY: Object to the form.

1 A. There was not a guardian.

2 Q. Who was the POA for Dr. Grist at the
3 time that Jennifer Browning was appointed as GAL?

4 A. I was the power of attorney.

5 Q. Did you know Jennifer Browning before
6 she was appointed --

7 A. No, I did not.

8 Q. Let me ask my question before you
9 answer.

10 Did she know Dr. Grist before she was
11 appointed as GAL?

12 A. She was advised by Dan Collins to do a
13 competency test several months before that for Dan
14 Collins to change Dr. Grist's paperwork.

15 Q. Did she meet Dr. Grist and perform a
16 competency test?

17 A. My father fired Dan Collins. So, no,
18 that did not happen.

19 Q. So Jennifer did not know Dr. Grist
20 prior to being appointing as GAL, as far as you
21 know?

22 A. As far as I know, she knows his name.
23 They did not meet in person.

24 Q. I believe we've already covered it, but
25 you seem to believe that Jennifer Browning knew

1 Mickie prior to she being appointed as GAL --

2 A. Yes.

3 Q. -- based upon emails that you've
4 reviewed?

5 A. Yes.

6 Q. Did Jennifer Browning, as far as you
7 know, know Caroline or her husband?

8 A. Possibly through Dan Collins.

9 Q. Do you know?

10 A. I don't know. I don't speak to
11 Caroline and Lee. I don't know. You would have to
12 ask them.

13 Q. When did you fall out with them?

14 MR. PURIEFOY: Object to the form.

15 Q. You can answer.

16 A. I wouldn't say it's a falling out.
17 We're in a litigation, so there is no -- no need
18 for me to speak to them right now.

19 Q. Do y'all have normal relationship
20 outside of the litigation?

21 A. No. We don't speak. There's no need
22 for me to speak to them. We are on an ongoing
23 litigation.

24 Q. Prior to litigation being filed, were
25 y'all on speaking --

1 A. We were --

2 Q. -- terms?

3 A. -- fine, yes.

4 Q. There's a reference to Jennifer
5 Browning being contacted one year before filing of
6 the guardianship action.

7 Is that an allusion to her being asked
8 to do a competency evaluation on your father?

9 A. That is where she was contacted.
10 That's the email she submitted from Dan Collins
11 where she was asked to do the competency test.

12 And then once the suit is filed, then
13 automatically Jennifer Browning is conveniently
14 Dad's guardian ad litem, out of nowhere.

15 Q. How many professional guardian ad
16 litem are there in Greenville?

17 A. I couldn't say.

18 Q. Well, if that pool was relatively
19 limited --

20 A. Mm-hmm (affirmatively).

21 Q. -- would it surprise you that Jennifer
22 Browning was appointed by the Court?

23 MR. PURIEFOY: Object to the form.

24 A. I couldn't say.

25 Q. And how many professionals in

1 Greenville County perform competency exams for
2 purposes of evaluation for probate matters?

3 MR. PURIEFOY: Object to the form.

4 Q. Do you know?

5 A. I couldn't say. I'm not an attorney.

6 Q. Why is it that you think there is
7 something untoward about Jennifer Browning being
8 contacted by Collins and then being appointed by
9 the probate court as guardian ad litem?

10 A. It's very odd that someone is supposed
11 to take a test and then automatically within like a
12 nine-, ten-month period, they're automatically,
13 when this person gets fired, then the next thing
14 you know, this person shows up again, and then you
15 have prior contact, my sister contacting her,
16 setting up the arrangements as to what they're
17 going to do with my father.

18 So that's very odd to me, why she would
19 be talking to someone about what's going to happen
20 with my father before my father's even been served
21 court documents.

22 Q. There's a suggestion that she was
23 previously hired by Caroline and Leyland Lyon for
24 some matter.

25 What is that a reference to?

1 A. That was for the competency test.

2 So Caroline and Lee had taken dad to
3 Dan Collins. Dad was no longer wanting to use Dan
4 Collins. Caroline and Lee were meeting with Dan
5 Collins still. They were having meetings with Dan
6 Collins.

7 Q. And your father fired Dan Collins
8 because Dan suggested that he get a competency
9 evaluation?

10 A. No. He fired Dan because he was
11 meeting with Caroline and Lee, and in addition, it
12 had nothing to do with the competency test, because
13 he was meeting with Caroline and Lee without him
14 present.

15 Q. To discuss his estate?

16 A. I was not present, so I don't know what
17 was discussed.

18 Q. How do you know Dan Collins was meeting
19 with Caroline and Lee?

20 A. Because Matt Weatherland, who was with
21 my father, went to all the meetings that Dan
22 Collins set up, and when they got there, multiple
23 times Caroline and Lee were already, Matt
24 Weatherland said, meeting with Dan Collins.

25 Q. When Jennifer Browning was appointed as

1 GAL, in your estimation would it have been
2 reasonable for her to consult with the temporary
3 guardian?

4 A. I guess so.

5 Q. And to date has the Court made a
6 determination that Dr. Grist is an incapacitated
7 person?

8 A. I believe that Tracy Parsons turned
9 those documents in. I don't remember offhand.

10 Q. You don't recall seeing an order where
11 the Court made that declaration?

12 A. I don't -- I've seen so many documents.
13 I don't recall that document being sent in.

14 MR. SUGGS: All right. Let's take a
15 quick break. We've been going a while.

16 (After a recess, proceedings were
17 continued as follows:)

18 BY MR. SUGGS:

19 Q. Ms. Grist, when the initial probate
20 action was filed on an emergency basis, do you know
21 who was applied -- excuse me -- who was identified
22 in name by the Court as the emergency guardian?

23 A. Tracy Parsons.

24 Q. Before that.

25 So my understanding is, there's an

1 emergency proceeding, it only lasts about ten days,
2 and they have like an interim emergency guardian
3 and GAL, and then you go to the stage where you --
4 the Court nominates or identifies and appoints a
5 temporary guardian.

6 Do you know who the emergency guardian
7 was in the interim?

8 A. We had an emergency hearing, and at
9 that time Jennifer Browning and Tracy Parsons were
10 both appointed. If there was someone before that,
11 I am unaware of it.

12 Q. So you don't recall Mickie being
13 appointed the emergency guardian?

14 A. No, I do not.

15 Q. If she was, in fact, the emergency
16 guardian, it would make sense that the GAL,
17 Jennifer Browning, would be having conversations
18 with her, right?

19 A. I couldn't answer that.

20 Q. Why not?

21 A. I don't know. I wouldn't know what the
22 protocol is for that, if she should be speaking to
23 her.

24 Q. Generally speaking, when I asked you a
25 very similar question a little while ago, you

1 agreed that it would seem reasonable for the
2 guardian ad litem to speak to the temporary
3 guardian.

4 So why would that be any different for
5 an emergency guardian?

6 MR. PURIEFOY: Object to the form.

7 Q. You can answer it.

8 A. I couldn't say.

9 Q. Do you understand that you have an
10 obligation -- to the extent you have the ability to
11 answer a question, you understand you have an --

12 A. Yes.

13 Q. -- obligation under oath to answer the
14 question?

15 A. Yes.

16 Q. Okay.

17 How many times have you met
18 Ms. Browning?

19 A. Never.

20 Q. Could you pick her out of a lineup?

21 A. Yes.

22 Q. Why?

23 A. I saw her on the court video and I've
24 seen her on the camera multiple times in my
25 father's house.

1 Q. How many times have you talked to her
2 on the telephone?

3 A. One time.

4 Q. Approximately when was that?

5 A. Whenever all of this was started,
6 filed.

7 Q. Would it be fair to characterize it as
8 soon after Ms. Browning was appointed GAL?

9 A. I don't remember the exact date.

10 Q. Would you dispute that it was on
11 January 23, 2020?

12 A. 2020? I don't remember the date. I
13 can't say.

14 Q. What did you all discuss?

15 A. She called and she asked, did I know
16 where my father was.

17 Q. What did you tell her?

18 A. I said that I was not going to give his
19 location to her.

20 Q. Why not?

21 A. I didn't know who she was.

22 Q. You didn't know she was the
23 court-appointed GAL?

24 A. I don't remember if that -- she said
25 that. I remember her asking me a bunch of

1 questions. And she said something about giving his
2 location, and I said, I am not going to give my
3 father's location out.

4 Q. Is it your testimony that at the time
5 that Jennifer Browning asked for your father's
6 location, that you did not know that she had been
7 appointed by the Court as the GAL?

8 A. I can't remember the timeline on the
9 phone call. So, no, I cannot answer that, because
10 I don't remember what the exact timeline was when
11 she called me.

12 I remember the conversation. She asked
13 me where my father was. That's all I can remember
14 of the conversation. And I said, I am not going to
15 disclose where my father is.

16 Q. It would be kind of weird for someone
17 to call up and ask for the location of your father
18 without introducing herself as the guardian ad
19 litem, wouldn't it?

20 MR. PURIEFOY: Object to the form.
21 You can answer.

22 A. I don't remember how she introduced
23 herself.

24 Q. Hi, I'm Jennifer; I'm looking for your
25 dad?

1 A. I don't remember how she introduced for
2 herself. She might have said, I'm Jennifer
3 Browning, the guardian ad litem. She might have
4 said, I'm da, da, da. I don't remember what she
5 said.

6 Q. So --

7 A. The only part of the conversation I
8 remember is, she asked for the location of my
9 father, and I said, I am not going to give you the
10 location of my father.

11 Q. Because why?

12 A. I did not want to give her the location
13 of where my father was.

14 Q. Why not?

15 A. Because I didn't feel that she needed
16 it.

17 Q. Were you trying to prevent your father
18 from being served with papers associated with the
19 probate action?

20 A. I don't remember what the case was. I
21 remember declining to give her the location.
22 That's all I can answer.

23 Q. Where was she -- I mean, excuse me,
24 where was Dr. Grist at the time?

25 A. He was with my mother.

1 Q. At her residence?

2 A. Yes.

3 Q. Did anybody else listen to the
4 telephone call with Jennifer Browning and yourself?

5 A. No.

6 Q. Did you ever email with Jennifer
7 Browning?

8 A. No.

9 Q. Did you ever text with her?

10 A. No.

11 Q. How many times did Ms. Browning refuse
12 to meet with you when you requested a meeting?

13 A. I've never spoken to her, so I never
14 requested a meeting.

15 Q. How many times did she refuse to speak
16 with you on the telephone when you tried to contact
17 her?

18 A. I never contacted her.

19 Q. How many times has she failed to return
20 your call?

21 A. I never called her.

22 Q. How many times has she failed to reply
23 to a text or an email?

24 A. I did not -- all emails and all
25 communication went through Tracy Parsons. So

1 anything that went to Jennifer went through Tracy
2 Parsons.

3 Q. Do you know how many times Jennifer
4 spoke with Mickie?

5 A. Well, there's a slew of emails, so
6 there's multiple, multiple emails.

7 Q. Do you know how many times they talked
8 on the phone?

9 A. I do not. I don't have a phone record.

10 Q. Do you know how many times they met in
11 person?

12 A. No, I do not.

13 Q. Do you know who initiated contact when
14 they communicated?

15 A. No, I do not.

16 Q. You include in your complaint that
17 Jennifer Browning was in contact with Mickie or her
18 attorneys at least 34 times.

19 Why is that problematic to you?

20 A. Well, if you're working for my father,
21 in the best interest of my father, why are you
22 speaking with Mickie? That's not my father.
23 You're not speaking with my father. You're not
24 addressing my father. Who are you here to help?
25 If you're helping my father, you should be

1 contacting him and having conversations with him.

2 Why are you having conversations with Mickie? She
3 is not my father.

4 Q. So your problem with her speaking to
5 Mickie is that Mickie is not your dad?

6 A. Well, if she's there to protect and
7 serve and take care of my father, why is she not
8 having conversations with my father? Why is she
9 asking Mickie everything to do with my father?
10 What -- what does Mickie's opinion in it matter?
11 It should have been down to what my dad wanted,
12 ultimately, what was best for him, not what's best
13 for Mickie. Why do you -- there were not 50
14 communications or 30 or whatever it was with me.
15 There were none with me. So why all this
16 communication with Mickie, singling out Mickie?

17 Q. Well, why is that problematic to you?

18 A. It's weird. Why would you need to
19 contact one sister out of the three sisters and you
20 don't speak to the other two sisters ever?

21 Q. Other than being weird, why is that
22 problematic to you?

23 A. Well, if you're representing someone,
24 it would seem that you would put their needs first,
25 not Mickie's needs first.

1 Q. What evidence do you have that Jennifer
2 put Mickie's needs ahead of your father's?

3 A. She asked Mickie, point-blank, where
4 would you like to place your father; which nursing
5 home would you like to place your father in; which
6 care agency would you like to place your father in?
7 That is Mickie making choices as to what she wants
8 to do with my father, with Jennifer.

9 Q. How is that placing Mickie's needs
10 before your father's needs?

11 A. Because she's asking Mickie what Mickie
12 wants to do with my father.

13 Q. Was your father competent to make those
14 decisions for himself?

15 A. I couldn't say.

16 Q. Do you contend that it was improper for
17 Jennifer Browning to consult with Mickie?

18 A. Yes.

19 Q. Why?

20 A. I just explained why.

21 Q. You said it was weird. You didn't say
22 it was improper.

23 Why was it improper?

24 A. I feel it's improper, why you would
25 need to speak with Mickie, who's filing a lawsuit

1 against her other two sisters and then call her and
2 ask her a bunch of questions as to what to do with
3 her father and never ask the other two sisters
4 anything as to what to do with their father.

5 Q. Well, do you think it might have been
6 that Mickie was contacting Jennifer and you
7 weren't?

8 A. No.

9 Q. Okay.
10 Well, you weren't contacting her, were
11 you?

12 A. No. We weren't given any information
13 to contact her nor told to reach out to her in any
14 way, shape, or form.

15 Q. What efforts did you make to try to get
16 contact information for Jennifer Browning?

17 A. I'm sure my attorney had contact
18 information for her.

19 Q. Okay.
20 So you didn't make any efforts to get
21 contact information for her?

22 A. No, I did not make any effort to make
23 contact with her.

24 Q. And you believe that Jennifer was
25 giving Mickie advice regarding estate and probate

1 matters involving your father?

2 A. Yes. There's emails that list
3 specifically what I just discussed in there as to
4 where to place Dad, where to put him, what's going
5 to be best for him, what agencies are going to be
6 best for him, and they can go look at these and
7 visit them.

8 None of that was ever offered to us.
9 Nobody discussed any of those decisions with us.

10 Q. Were you a decision-maker for your
11 father at the time?

12 A. No. But why was Mickie? Was Mickie a
13 decisionmaker for my father?

14 Q. Yes.

15 A. For -- for when? For how long?

16 Q. While she was the emergency guardian.

17 A. Oh, was that six months? Did that last
18 six months?

19 Q. No. You were getting communication --

20 A. Then why were all the communications
21 going on for a year in the emails?

22 Q. So it's your testimony --

23 A. So you're saying during the eight
24 days --

25 Q. Please don't interrupt me.

1 A. -- it's acceptable?

2 Q. So your testimony is, for a year
3 Jennifer Browning was in communication with Mickie?

4 A. There's emails. I'm not sure the
5 length of time. I'd have to pull the emails. But
6 there's multiple emails between Mickie and
7 Jennifer.

8 Q. Right.

9 A. As well as multiple emails between
10 Mickie and Tracy.

11 Q. So when Ms. Browning initially
12 requested an opportunity to interview Dr. Grist,
13 you refused to disclose his location, true?

14 A. I do not know what -- whether she
15 wanted to interview him. I don't know what she was
16 going to do. I just refused to discuss where
17 his -- give away his location. Yes, that's it.

18 Q. If Jennifer Browning testifies that she
19 contacted you in order to interview Dr. Grist and
20 that you would not disclose his location, would you
21 testify that is untrue?

22 MR. PURIEFOY: Object to the form.

23 A. Yes, because I don't remember what she
24 asked me on the phone, other than where my father's
25 location was. That's all I can recall.

1 Q. Okay. So you said, yes, you would
2 testify that Ms. Browning's testimony that she
3 contacted you to ask for an interview is untrue.
4 Then you followed up by saying you don't remember
5 what y'all discussed.

6 A. The only --

7 Q. Those are not the same thing.

8 A. -- thing I discussed with Jennifer
9 Browning -- we've been over this multiple times --
10 is when she called, she asked where my father's
11 location was. I do not remember any of the
12 other -- location, this, that. That was it. I
13 said, I'm not giving the location. That was the
14 end of the conversation.

15 Q. So she didn't ask to interview him?

16 A. I don't know whether she did or not. I
17 do not remember any of the other conversation. I
18 was on vacation. I don't know what else she asked.

19 Q. Where were you?

20 A. I was in North Carolina.

21 Q. Do you understand that the police were
22 notified of concerns related to your father's
23 whereabouts?

24 A. Yes. I saw an email of that.

25 Q. And there was a silver alert initiated

1 to try and locate him?

2 A. I didn't know that, no.

3 Q. You think that's funny?

4 A. Well, he was in my mother's house. So,
5 yes, he was fine and completely taken care of. So
6 to do an issue of where my father was is pretty off
7 the top rope, yes.

8 Q. Except you've testified repeatedly in
9 this deposition that Ms. Browning had an obligation
10 for your father's well being, so --

11 A. Okay. Well, if she saw it fit --

12 Q. Please quit interrupting me.

13 So in order to protect your father, as
14 you repeatedly indicated she had a responsibility
15 to do, you don't think she needed to know where he
16 was?

17 A. If she needed to know, she needed to
18 know.

19 Q. Do you think it would be silly, someone
20 who has a duty and responsibility for your father
21 and his well being, as you've testified to
22 repeatedly, do you think it's silly that she would
23 call the police because she couldn't locate him and
24 the family wouldn't tell her where he was?

25 A. Well, if it's in her obligations, then

1 it's fine.

2 Q. Were you present for Jennifer
3 Browning's interview with Dr. Grist on August 18th,
4 2020?

5 A. No.

6 Q. And you were not present for the
7 interview on September 2, 2020?

8 A. No.

9 Q. Do you know where those interviews took
10 place?

11 A. No.

12 (Off-the-record conference)

13 (EXHIBIT 16, 7/29/2020 GAL PRELIMINARY
14 REPORT, was marked for identification.)

15 MR. SUGGS: It is the July 29, 2020,
16 preliminary report of Jennifer Browning.

17 MR. PURIEFOY: Is there a Bates number
18 on it?

19 MR. SUGGS: There is not. I pulled it
20 directly from the probate file.

21 Do you want to take a minute and get a
22 copy?

23 MR. PURIEFOY: No. I need to see it
24 though.

25 All right. We're going to step out and

1 talk about this. Just one minute.

2 (After a recess, proceedings were
3 continued as follows:)

4 BY MR. SUGGS:

5 Q. Can you please review that -- it looks
6 like you already have -- it's a preliminary report
7 identified as Exhibit 16, and identify anything in
8 that report that you contend to be inaccurate or
9 untrue.

10 MR. DOWLING: What are we looking at
11 right now?

12 MR. SUGGS: Yeah, we're looking at the
13 July 29, 2020, preliminary report to the Court by
14 Jennifer Browning.

15 MR. DOWLING: Thanks.

16 A. It says, interview with Stacey Grist.
17 I haven't had an interview.

18 BY MR. SUGGS:

19 Q. What's the date of that?

20 A. 7/23/20.

21 Q. Okay.

22 If you look at the body of the first
23 paragraph, on the second page of that exhibit, do
24 you see where she references, my telephone
25 conversation with Stacey Grist on July 23, 2020?

1 A. Is that where she called and asked
2 where my father was?

3 Q. It appears to because she --

4 A. Because that's the only conversation
5 I've had with her.

6 Q. Right. So --

7 A. So I don't consider that an interview,
8 asking where my father's location is?

9 Q. All right.

10 So you object to the characterization
11 of your conversation as being an interview?

12 A. Yes.

13 Q. All right.

14 Anything else inaccurate or untrue?

15 A. No.

16 Q. Do you see that Jennifer Browning
17 suggested to the Court that it would be in the best
18 interest of Dr. Grist to appoint a neutral guardian
19 rather than a family member?

20 A. Yes, I see it.

21 Q. And do you agree that she did not
22 recommend that Mickie serve as the guardian moving
23 forward?

24 A. Yes.

25 Q. She writes, there is significant

1 conflict amongst the family members.

2 Do you agree with that statement?

3 A. Where is that?

4 Q. I'm sorry. It's the very last
5 sentence, the last two lines in the last paragraph.

6 Do you agree with that?

7 A. Do I agree that there was conflict?
8 Yes, there's a lawsuit.

9 (EXHIBIT 17, 1/29/2021 GAL REPORT, was
10 marked for identification.)

11 BY MR. SUGGS:

12 Q. I am handing over to be marked as
13 Exhibit 17 -- you know, hold on. I skipped
14 something.

15 (Off-the-record conference)

16 MR. SUGGS: All right. That's the
17 January 29, 2021, guardian ad litem report. Thank
18 you.

19 Do you want to see that, Devon?

20 MR. PURIEFOY: Yeah, I just need to
21 look at it to see what it is.

22 Is this your copy? Because there's
23 some highlights on this one.

24 MR. SUGGS: I gave you the wrong one.
25 Here.

(Off-the-record conference)

BY MR. SUGGS:

Q. If you will, review that with an eye towards identifying anything that you contend is inaccurate or untrue contained within that GAL report.

MR. PURIEFOY: If you think we need to go talk, we can talk about this one.

THE WITNESS: Okay. Let's talk about this one.

(After a recess, proceedings were continued as follows:)

BY MR. SUGGS:

Q. Can you identify anything in that report that you contend to be inaccurate or untrue?

A. No.

Actually, wait. Sorry, I did see one. Medical -- I forgot about this one. Medical diagnosis. It says, neurological disease, brain tumor, history of thyroid disease, and significant cognitive impairment.

Q. That's on Page 3 of 9?

A. Yes.

Q. And how do you disagree with that?

A. I've never seen a document of severe

1 cognitive impairment. I've seen the brain tumor
2 and thyroid. I've never seen that.

3 Q. And you dispute that at the time of the
4 report, that he had severe cognitive impairment?

5 A. I couldn't say, but I've never seen
6 this report.

7 Q. Okay.

8 A. It was supposedly listed in his
9 history.

10 Q. Okay.

11 Anything else in the report that you
12 disagree with?

13 A. It says he needs assistance with all
14 ADLs, and at the time he did not have any
15 assistance with ADLs. He could brush his hair,
16 brush his teeth, go to the bathroom on his own. He
17 can walk on his own. So that is incorrect.

18 Q. Okay.

19 A. And it says he requires transportation.
20 His car was taken away from him. So he could still
21 drive. So that's incorrect as well.

22 Q. Well, if his car was taken away from
23 him --

24 A. By Tracy, later. So at the time of
25 this report, he was driving, before he went to

1 court. He was able to drive his own car. So
2 that's incorrect as well.

3 Q. Had he had any accidents?

4 A. No, he had not.

5 Q. Do you agree that the goal for future
6 care and treatment at the time was to keep him in
7 his residence?

8 A. Do I agree for what?

9 Q. That Ms. Browning's stated goal for
10 Dr. Grist was for him to remain in his residence?

11 A. Not from the emails. She had picked
12 out multiple nursing homes for him to go into, so I
13 cannot say that, no.

14 Q. At the bottom of Page 3 out of 9,
15 number nine --

16 A. I'm only right here. I haven't gotten
17 there yet. Hold on.

18 Q. So you agree that at the time the
19 stated goal for Dr. Grist was to stay in his
20 residence?

21 A. Yes.

22 MR. PURIEFOY: I apologize for the
23 noise. These walls are paper thin.

24 (Off-the-record conference)

25 A. It says he has a term life insurance.

1 There isn't a term life insurance either. So
2 that's incorrect.

3 BY MR. SUGGS:

4 Q. What page are you on?

5 A. Page 8.

6 Q. Okay.

7 A. And there's not any bonds either.

8 Q. I'm sorry?

9 A. There's a couple things. She's got
10 money-type things in here, and several of those
11 don't exist. I'm not sure where they pulled that
12 information from.

13 Q. I think you're actually on Page 6.
14 I've got it.

15 A. Okay.

16 Q. Have you shared with us all the
17 inaccuracies that you identified in --

18 A. Yes.

19 Q. -- this exhibit?

20 A. Yes.

21 Q. Do you agree that all of Jennifer's
22 recommendations as to people to serve, whether it
23 be guardian or conservator, were for neutral third
24 parties rather than family members?

25 A. Yes, she picked -- yes, neutral

1 parties.

2 Q. She never recommended Mickie or you?

3 A. She recommended Caroline for
4 conservator, so that's actually inaccurate. In the
5 part where it says, conservator, she recommends
6 Caroline, and then if Caroline can't serve, then it
7 lists my name, I believe.

8 Q. Show me that.

9 A. I thought she checked the box, but I've
10 seen so many boxes, I'd double check.

11 Let's see.

12 It says --

13 Q. Tell me what page you're on.

14 A. Right --

15 THE WITNESS: Is that it?

16 MR. PURIEFOY: You can't ask me
17 questions.

18 THE WITNESS: Oh, sorry. Sorry.
19 Sorry.

20 MR. PURIEFOY: If you point to the page
21 number --

22 Q. Tell me which page number and we can
23 sort it out.

24 A. Six of 9. It says, Caroline Lyon,
25 relationship, sister.

1 So, yeah.

2 Q. So that was the conservator that had
3 been proposed.

4 But if you look to paragraph 35 on the
5 next page, she writes, it's my recommendation that
6 the Court to appoint a third-party professional
7 conservator?

8 A. That was under 35, you said?

9 Q. Yeah, paragraph 35. And same with 36,
10 a third-party professional conservator appointed by
11 the Court.

12 A. Oh, because she resides out of state in
13 Rabun Gap. Okay.

14 Q. Do you agree that when given the
15 opportunity, Jennifer Browning, rather than
16 suggesting a family member, repeatedly recommended
17 independent third parties or neutrals to serve
18 Dr. Grist's needs?

19 A. Yes.

20 Q. You allege that Ms. Browning lied to
21 the Court about Dr. Grist's estate documents.

22 Can you explain that to me?

23 A. So there was an email which was sent to
24 Comfort Keepers, which states that my power of
25 attorney was not valid.

1 Q. Who sent that email?

2 A. Jennifer Browning.

3 Q. Okay.

4 But your allegation in the litigation
5 is that she lied to the Court about Dr. Grist's
6 estate documents.

7 How did she lie to the Court about the
8 estate documents?

9 A. The -- there's several things. She
10 lied about Dr. Grist falling multiple times to the
11 Court, and that was presented. She said Dr. Grist
12 had fallen and needed a guardian ad litem in place
13 right away. And he had never fallen.

14 Called Comfort Keepers. They said they
15 didn't know what she was talking about. And she
16 submitted a report to the Court that stated that he
17 had fallen and needed another immediate guardian to
18 be in place with him because no one was in place,
19 when I was power of attorney, so therefore I could
20 step in if there was not a court-appointed guardian
21 at that time. And she said he was left without a
22 guardian at all, which would place me, as it says
23 in the power of attorney documents, as the
24 guardian, legal guardian.

25 Q. You think a POA is the same as a

1 guardian?

2 A. My father checked the box on his
3 paperwork that says he did not want a
4 court-appointed guardian and he wanted me to
5 serve -- if he had to have a court-appointed
6 guardian, he would rather me serve as that.

7 Q. But the Court is the one that appointed
8 the guardian, correct?

9 A. Yes. When Tracy Parsons's order
10 expired, Jennifer Browning said that my father had
11 had multiple attempts, multiple falls; he had to
12 have another person put in immediately; he couldn't
13 be out by himself with no guardian appointed over
14 him; something could happen. And that's when we
15 recommended that I would step in and take the place
16 as power of attorney.

17 Q. How is that a lie?

18 A. She said to the Court that my father
19 had fallen multiple times. My father had not
20 fallen, ever.

21 And then she said on the email sent
22 that I didn't have a valid POA.

23 Q. But she didn't make that representation
24 to the Court, correct?

25 A. She -- in her letter that she wrote,

1 she said, Dr. Grist has fallen multiple times; he
2 has had multiple attempts; he's got to have a
3 court-appointed guardian put over him right now; he
4 has no one. To which we responded back, we are
5 taking care of him right now, and all of his needs,
6 as power of attorney. And then she said my power
7 of attorney was not valid.

8 Q. Jennifer Browning said your power of
9 attorney was not valid.

10 Who did she make that statement to?

11 A. In an email. I would have to look and
12 send the emails.

13 Q. Do you have a belief that she made that
14 representation to the Court?

15 A. She lied to the Court by stating my
16 father had fallen multiple times, so he immediately
17 needed another guardian to step in, when once
18 Jennifer -- once Tracy's order expired, no one else
19 needed to step in because I was power of attorney.
20 So I could have stepped into that role, as we
21 suggested.

22 Q. If the Court allowed you to do so?

23 A. Yes.

24 Q. But going back to the original
25 question, how did Jennifer lie to the Court about

1 Dr. Grist's estate documents?

2 A. Well, because my -- the estate -- just
3 like I said, the estate document checks me to be
4 able to serve, rather than a court-appointed
5 guardian.

6 So my attorney suggested that I step
7 up.

8 Q. And you think that's a lie?

9 A. It's -- the lie was where she said in
10 the report, the actual report, that my father had
11 fallen multiple times.

12 Q. Yes, but this is --

13 A. And my power of attorney was not valid.

14 Q. But you already told me you don't know
15 who her -- what -- you testified that you do not
16 know who that representation -- who that
17 representation was directed to related to the POA.

18 Are you testifying now that Jennifer
19 Browning made --

20 A. Whoa. Whoa. Whoa. Start over.

21 Q. Don't interrupt me. You can say, I
22 don't understand the question.

23 A. Okay. I don't understand your
24 question.

25 Q. You testified that Jennifer Browning

1 made a representation in an email that the POA was
2 invalid, correct?

3 A. Yes.

4 Q. You also testified you did not know who
5 that email was to, correct?

6 A. I believe -- I don't recall off the top
7 of my head who that went to. I'd have to pull the
8 email and I'd have to look. I believe that email
9 went to Hall and multiple other people. It went to
10 someone in the group because it was turned in, so
11 we got a copy of it.

12 Q. I understand --

13 A. And the subpoena.

14 Q. I understand your position on the
15 falls. My question is specific to Jennifer
16 Browning lying to the Court about the estate
17 documents.

18 A. Mm-hmm (affirmatively).

19 Q. To the Court about estate documents.
20 Tell me about that.

21 A. I just explained that. Because in the
22 estate document my father checks the box that he
23 would like for me -- she's -- she's then stating
24 that I don't even have that position, to be able to
25 step in as power of attorney because I don't even

1 have legal -- my documents aren't even valid.

2 Q. She made that statement to the Court?

3 A. It says in her report that Dr. Grist
4 has fallen multiple times, and in her separate
5 email it states that my document is not valid. So,
6 yes, she lied to the Court for falls, and then sent
7 an email that my document is not valid to Comfort
8 Keepers.

9 Q. Do you believe it was not in the best
10 interest of Dr. Grist to appoint a neutral
11 guardian?

12 A. Yes.

13 Q. Why?

14 A. Because my dad would have never wanted
15 anything to do with the court system over him. My
16 dad did not like the government.

17 Q. And you opposed the neutral guardian
18 and wanted to serve yourself?

19 A. My father asked me to serve in his
20 documents.

21 Q. Right.

22 And you requested to be able to do so?

23 A. Yes.

24 Q. But the other family members supported
25 an appointment of a neutral guardian, correct?

1 MR. PURIEFOY: Object to the form.

2 Q. In court?

3 A. Yes, everyone picked someone neutral.

4 Q. Related to the sexual assault
5 allegations, when did Jennifer Browning learn of
6 those allegations?

7 A. Well, I'm assuming Tracy Parsons called
8 her. That's the email that I saw.

9 Q. What do you contend Jennifer Browning
10 was required to do when she was provided the
11 information about the allegations?

12 A. It says in the email that Jennifer
13 Browning and Tracy Parsons watched the video.

14 Q. Okay. My question is, what do you
15 contend she was required to do?

16 A. She should have done an investigation.

17 Q. Which should have entailed what?

18 A. I mean, probably she should have
19 interviewed all parties involved.

20 Q. What is the basis for your contention
21 that Ms. Browning should have done those things?

22 A. Because she was working with Tracy
23 Parsons, helping Tracy Parsons with my father. So
24 I would assume, since she's copied on every email
25 and she's putting her input in, that she would help

1 as well, she's going to watch the video. So I
2 would assume either her or Tracy, that would be
3 their duty to do an investigation on the situation.

4 Q. And that is between the two, Parsons
5 and Browning, you don't know who would be
6 responsible for what aspect of an investigation, if
7 any --

8 A. I assumed they were both responsible.

9 Q. How did Jennifer Browning cover up the
10 incident with the Comfort Keepers sexual assault?

11 A. What do you mean, how did she cover it
12 up?

13 Q. It's your allegation. I'm just asking.

14 A. I'd have to read what it says.

15 Q. So you don't know?

16 A. I would say there was no -- no one even
17 responded back to me, like I said. No one
18 responded to the assault, other than everyone
19 ignored it, other than the phone call that I had.

20 Q. Did you reach out to Jennifer Browning
21 about it?

22 A. No, I did not. I was never told I
23 could reach out to Jennifer Browning at any time.
24 Everything went through Tracy Parsons.

25 Q. Going back --

1 A. All contact went through Tracy.

2 Q. Going back to my initial question, how
3 did Jennifer Browning cover up the incident
4 involving the Comfort Keepers employee?

5 A. She didn't address it. She didn't do
6 an investigation. She didn't participate in it.
7 It was like a joke.

8 Q. Is that the same as covering something
9 up?

10 A. I would assume, yes.

11 Q. Did anyone contact the police?

12 A. Not that I am aware of. I was never
13 informed that anyone contacted the police.

14 Q. Okay.

15 As far as Ms. McCreary goes, did
16 Jennifer Browning hire her?

17 A. Comfort Keepers. She worked for
18 Comfort Keepers.

19 Q. So Jennifer Browning did not hire her,
20 correct?

21 A. As far as I know.

22 Q. Did Jennifer Browning know her?

23 A. I don't know. I couldn't say.

24 Q. Was Jennifer Browning aware of any
25 history of abuse, sexual or otherwise --

1 MR. PURIEFOY: Object to the form.

2 Q. -- by Ms. McCreary?

3 A. I can't say.

4 Q. Do you have any evidence that she was
5 aware of that?

6 A. I can't say.

7 Q. Well, no, you can't say -- that's not
8 an appropriate response.

9 A. I don't --

10 Q. It's yes or no.

11 A. -- have any evidence.

12 Q. Okay.

13 Did Ms. McCreary have any history of
14 abuse, sexual or otherwise, towards other folks?

15 MR. PURIEFOY: Object to the form.

16 A. I wouldn't know.

17 Q. Are you aware of any evidence that
18 Ms. McCreary had ever abused, sexually or
19 otherwise, any other individual other than
20 Dr. Grist, if she in fact did?

21 A. I wouldn't know.

22 Q. So that's a no?

23 A. I've never spoken to her. So, no, I
24 don't know. Other than on the phone or something
25 when I've called to check on my father.

1 (EXHIBIT 18, 4/7/2022 ADDENDUM TO GAL
2 REPORT AND ATTACHED DOCUMENTS, was marked for
3 identification.)

4 MR. SUGGS: For the record, Exhibit 18
5 is the April 7, 2022, addendum to the guardian ad
6 litem report prepared and produced by Jennifer
7 Browning.

8 MR. PURIEFOY: Can we go off the record
9 for a second? She needs to go to the restroom.

10 (After a recess, proceedings were
11 continued as follows:)

12 BY MR. SUGGS:

13 Q. I've given you Exhibit 18.

14 Can you identify for me what you
15 contend is inaccurate or untrue in that April 7,
16 2022, addendum to the GAL report?

17 A. I mean, I wasn't present, so I don't
18 know. Would it -- how am I going to know if this
19 is inaccurate if I wasn't present?

20 Q. You have alleged in your complaint that
21 Jennifer Browning lied to the Court --

22 A. Yes.

23 Q. -- that she included things in her
24 reports that were untrue.

25 A. Yes.

1 Q. Now I want you to tell me, in this
2 particular report, whether you are claiming
3 anything in it was untrue.

4 A. Not that I can tell.

5 Q. You have also alleged that the email on
6 Page 3 was a purported email from Chris Couchell
7 that was written by Browning.

8 What is your best basis for claiming
9 that Jennifer Browning wrote this email which is
10 signed by Chris Couchell?

11 A. I'm claiming that Jennifer Browning
12 wrote this email?

13 Q. Yes.

14 A. When?

15 Q. When did you claim that?

16 A. Yes.

17 Q. In your answers to discovery.

18 A. When?

19 Q. I mean, I can get into my system and
20 see when you answered the discovery.

21 A. I never said that Jennifer Browning
22 wrote this email. The email that I'm talking about
23 where Jennifer Browning discusses, this is not the
24 email that we were just previously talking about.
25 Is that the email that you're addressing?

1 Q. No, ma'am.

2 A. Well, then, I'm not sure in my
3 discovery. I don't remember seeing this and saying
4 that Jennifer Browning wrote this.

5 Q. All right. So you're --

6 A. When it clearly says Chris on the
7 bottom.

8 Q. It does.

9 A. So why would I circle this and go, oh,
10 no, Jennifer Browning wrote this email?

11 Q. That's what I'm asking you. Why did
12 you make that contention through discovery
13 responses?

14 A. This is obviously the wrong email.

15 Q. Is there another email that you contend
16 Jennifer Browning --

17 A. Yes, the email which I just previously
18 discussed.

19 Q. Let me finish my question.

20 Is there another one that you contend
21 Jennifer Browning wrote and attributed to Chris
22 Couchell rather than herself?

23 A. There was an email that was sent by
24 Jennifer Browning to Chris that states that my
25 power of attorney was not valid. That email is the

1 email that was sent by Jennifer Browning, not this
2 email. This is not the correct email.

3 Q. In the email by Chris Couchell that was
4 incorporated into Jennifer Browning's email on
5 March 25, 2022, and is attached to the addendum
6 marked as Exhibit 18, do you claim any of the
7 statements by Chris Couchell are inaccurate or
8 untrue?

9 A. On which page?

10 Q. The third page. It's -- they're not
11 marked, so it's the third page of the exhibit.

12 A. So what's the question?

13 Q. Whether you contend that there is
14 anything inaccurate in that email.

15 A. No.

16 Q. All right.

17 And if you look at the second page of
18 Exhibit 18, the second paragraph, she writes, I am
19 concerned that there is not a temporary guardian in
20 place to look out for his best interests,
21 caregivers, medications, health care needs,
22 therapy, and any additional emergency or urgent
23 matters; I will continue to recommend a third-party
24 professional be continued.

25 Do you see that?

1 A. Yes.

2 Q. And you -- is that one of the things
3 that you're objecting to? You think it was
4 inappropriate for her to recommend a third-party
5 professional since you were a POA and could have
6 served in that capacity?

7 A. Yes. I think it's inappropriate
8 because my father checked the box on his legal
9 documents so that he did not have a court-appointed
10 attorney. So it is not following my father's
11 documents nor his wishes to have a court-appointed
12 attorney.

13 Q. And I understand you have said that you
14 were not present for the March 30, 2022, interview?

15 A. No, I was not.

16 Q. Do you know who was?

17 A. I'd have to go read who was there.

18 Q. At this point, had Comfort Keepers
19 terminated its responsibilities and Ann Crippen
20 taken up the mantle?

21 A. No. It says -- March 30th -- I'm not
22 sure. I don't -- no, Comfort Keepers was still in
23 position March 30th, yes.

24 Q. Okay.

25

1 (EXHIBIT 19, 8/8/2022 ADDENDUM TO GAL
2 REPORT AND ATTACHED DOCUMENTS, was marked for
3 identification.)

4 BY MR. SUGGS:

5 Q. Exhibit 19 is the addendum to the GAL
6 report filed August 11th, 2022.

7 I only intend to ask you about the
8 first four pages, which will be the same line of
9 questioning, what do you contend, if anything, is
10 inaccurate or untrue in this report.

11 A. It says, Comfort Keepers will be
12 providing a second caregiver. That was never
13 arranged. I only hired FirstLight due to Comfort
14 Keepers saying that they were not able to, when
15 Tracy wanted to keep Comfort Keepers, when she was
16 still there, she wanted Comfort Keepers to stay on
17 with her order, and they had sent back they were
18 not able to provide care for Dr. Grist.

19 There was never Comfort Keepers
20 providing a second caregiver. I have an email from
21 Comfort Keepers that says they cannot provide care
22 whatsoever, they are not able to provide care.

23 Q. Okay.

24 Anything else inaccurate or untrue?

25 A. Well, I'm only on the first page.

1 It's still stating that another agency
2 was involved, Comfort Keepers, and they would
3 provide a second caregiver, which was never
4 discussed with FirstLight nor with me. Comfort
5 Keepers was done.

6 It says, Comfort Keepers has not
7 received notification from anyone with the
8 authority to do so to end the services and requires
9 a two-week notice. When they sent the email that
10 they could not provide service for Dr. Grist's
11 care, that ends their contract right there. They
12 sent an email stating they could not provide care.

13 Q. Okay.

14 A. So that's inaccurate.

15 And it says, Parsons's three caregivers
16 are to manage Dr. Grist. The social worker at the
17 hospital requested two, which Mrs. Parsons also
18 requested two caregivers before her order expired,
19 not three.

20 Q. Okay.

21 A. And no one had authority to cancel --
22 first, to cancel Comfort Keepers until Tracy's
23 order expired. And when they sent the email that
24 they were unable, then that should end their
25 contract there.

1 Tracy is the one who demanded that they
2 be put in place, not me. So...

3 Q. What number is that?

4 A. Number four. Four and five.

5 And what other pages?

6 Q. That was it.

7 A. Okay.

8 Q. And does it appear from that report
9 that Jennifer had some concerns related to the fees
10 the new caregivers were charging?

11 A. They charged \$3 an hour more than
12 Comfort Keepers.

13 Q. So, yes, she had some concern?

14 A. Yes.

15 Q. And she had some concerns related to
16 medical management for your father?

17 A. She stated that they hadn't brought a
18 wheelchair yet and a hospital bed, to which both
19 were brought within the next day or two.

20 Q. But six says, I am concerned about who
21 will be managing medications and medical
22 appointments.

23 So she was concerned about making
24 sure his --

25 A. Well, that would be the next agency,

1 the same thing that Comfort Keepers did. So
2 FirstLight took that position.

3 Q. But Jennifer is expressing concern,
4 making sure his medical needs are met, correct?

5 A. Sure.

6 Q. Well, do you know anything about the
7 circumstances by which Ann Crippen switched over
8 from Comfort Keepers to your employ?

9 A. Do I know about the circumstances?

10 Q. Yes.

11 A. You'll have to be more direct.

12 Q. Well, she -- my understanding is, she
13 called in sick, saying she had COVID, and then
14 showed up at Dr. Grist's house and said she was no
15 longer employed by Comfort Keepers.

16 Do you know anything about that?

17 A. No. I am under the understanding she
18 told me she quit Comfort Keepers and asked, could
19 she come, after my dad was out of the hospital, and
20 work.

21 Q. And did you pay her as a 1099?

22 A. Yes.

23 Q. Is she still in your employ as a 1099?

24 A. Yes.

25 Q. Do y'all have a close relationship?

1 A. No.

2 Q. I believe you testified earlier that
3 your father never had a fall?

4 A. He had one fall in -- I didn't testify
5 he never had a fall. He had a fall when he slipped
6 to go to the bathroom and slipped in his urine on
7 the way back from the bathroom.

8 Q. Did he ever have any other falls?

9 A. No.

10 Q. How was Jennifer Browning acting
11 outside of the scope of her duties as GAL?

12 MR. PURIEFOY: Object to the form.
13 You can answer.

14 A. By lying and creating documents, emails
15 that were not true, being sent around to whomever
16 that had nothing to do with the case, needling,
17 needling, whatever you want to call it, in the
18 case.

19 Q. Have we discussed those?

20 A. Yes, we did. I discussed the email
21 where she said my power of attorney wasn't valid,
22 the falls.

23 MR. PEELE: This is a single-page
24 exhibit?

25 MR. SUGGS: Yeah. It's 20? 20. Which

1 is a Jennifer Browning email of March 25, 2022.

2 MR. PEELE: Was that at 5:20 p.m.?

3 MR. SUGGS: Yes. It's PL 125 to 126.

4 MR. PEELE: I think I've already made
5 it an exhibit.

6 MR. SUGGS: Oh, have you? Both pages?
7 (Off-the-record conference)

8 MR. SUGGS: We're going to undo 20.
9 (Off-the-record conference)

10 BY MR. SUGGS:

11 Q. Where Jennifer writes, unfortunately, I
12 do not have a definitive answer of whom is legally
13 in charge as his health care agent to make legal
14 decisions on Dr. Grist's behalf.

15 Is that what you're talking about?

16 A. No. There was a separate email that
17 was sent to Comfort Keepers that states that --
18 this is -- that's not the email. It's a separate
19 email that states, her power of attorney isn't even
20 valid.

21 (Court Reporter clarification)

22 BY MR. SUGGS:

23 Q. Do you know whether Ms. Browning
24 reviewed Dr. Grist's probate documents and estate
25 documents?

1 A. I saw on her bill that it says she did.

2 Q. Once Jennifer Browning's appointed by
3 the Court as the GAL, do you know whether she's
4 bound by those estate documents?

5 MR. PURIEFOY: Object to the form.

6 A. I couldn't answer that.

7 Q. Do you know whether Jennifer is a
8 lawyer?

9 A. No, she is not.

10 Q. And how did Jennifer interfere with
11 Dr. Grist's wishes related to his estate or care?

12 A. Well, his estate documents clearly say
13 that he does not want anyone in the Court to serve
14 for him. He does not want anyone in the Court
15 interfering in his life. That's why he created
16 estate documents, to protect himself from this type
17 of situation, of a guardian/conservatorship. He
18 filed all the paperwork to stay away from something
19 like this.

20 Q. Well, Jennifer -- the Court told her to
21 serve as GAL, right?

22 A. I don't know who told her to serve. I
23 don't know who appointed her before the Court
24 appointed her.

25 Q. Do you know whether she asked to serve

1 in that capacity?

2 A. I don't.

3 Q. So it's your testimony you don't know
4 whether the Court appointed her initially?

5 A. I was on the emergency hearing where
6 the Court appointed her. I'm not sure how she got
7 into the situation before that.

8 Q. Do you know anything of her reputation?

9 MR. PURIEFOY: Object to the form.

10 A. No.

11 Q. Have you done any investigation?

12 A. No.

13 Q. You've suggested that Jennifer
14 fabricated incidents, which she presented to the
15 probate court.

16 What incidents were those?

17 A. That was the alleged fall.

18 Q. Did she say how many falls had
19 occurred?

20 A. She -- the report says multiple falls
21 while he's outside.

22 Q. Which report was that?

23 A. A report that she submitted to the
24 Court.

25 Q. Have we looked at it today?

1 A. I don't think we've seen it.

2 Q. Okay.

3 Did Dr. Grist ever exhibit intimidating
4 or aggressive behavior?

5 A. Not that I am aware of, but in the
6 reports it says so.

7 Q. Do you dispute that he ever hit anyone?

8 A. I've never seen him hit anyone.

9 Q. Was it reported to you that he struck
10 someone?

11 A. Yes, it was.

12 Q. Do you dispute that occurred?

13 MR. PURIEFOY: Object to the form.

14 A. I didn't get a report that said he hit
15 someone. I got a report that said that he pushed
16 someone out of his way.

17 Q. Were you ever told that he tried to hit
18 other care providers?

19 A. I was not told that he ever tried to
20 push another caregiver. He was -- I was told he
21 was walking out the door and pushed the caregiver
22 out of the way to get out of the door. Not
23 punched, not hit, pushed the caregiver -- I
24 actually spoke to her on the phone -- out of the
25 way to get outside.

1 Q. Did you see any emails or other
2 documentation that he took swings at multiple
3 caregivers?

4 A. I saw one email that alleged that he --
5 I believe Ms. Parsons typed it up. I can't
6 remember exactly. I want to say it was
7 Ms. Parsons. But he -- or it was him or -- her or
8 Comfort Keepers, I can't remember which, and the
9 email states that he hit the caregiver and went
10 outside.

11 And when I spoke to the caregiver, that
12 was an inaccurate statement. The caregiver
13 specifically told me on the phone that he pushed
14 her out of the way to go outside. He did not
15 punch. He did not hit her. He pushed her arm to
16 get outside.

17 Q. Did he ever try to hit a doctor?

18 A. No.

19 Q. Ever threaten to kill himself or
20 someone else?

21 A. No.

22 Q. Did he try to leave the premises?

23 A. Yes.

24 Q. Did anybody other than McCreary ever
25 say that he made sexual advances towards them?

1 A. No.

2 Q. Did he ever throw a cup of coffee at
3 someone?

4 A. Never.

5 Q. Was he ever combative?

6 A. Not really.

7 Q. How big of a guy is he?

8 A. He's 5'10, 5'11.

9 Q. 200 pounds?

10 A. Maybe -- now maybe 160, 170.

11 Q. Do you know whether anyone ever
12 reported to Ms. Browning that Dr. Grist had
13 multiple falls?

14 A. No.

15 Q. Do you agree that Jennifer would not
16 have been present in the home to witness falls if
17 they occurred?

18 A. I called Comfort Keepers. They said
19 they had not called Jennifer Browning and alerted
20 her to any falls, was what they told me on the
21 phone, and they were not sure where she got that
22 information from when I made the phone call, where
23 was this coming from.

24 Then I called the caregivers themselves
25 that were there during these supposed falls, and

1 the person who worked that shift, they pulled their
2 document, a piece of paper as well where they write
3 the daily activities, and they said that never
4 happened as well.

5 Q. Why would she fabricate that?

6 MR. PURIEFOY: Object to the form.

7 A. In order to secure a new guardian being
8 put in. Tracy Parsons's order has expired. The
9 order was expired. And in order to get Tracy back
10 in, it looked like there was an emergency, so you
11 needed someone over Dr. Grist immediately, to which
12 we responded back, I would be happy to step in as
13 POA.

14 Q. Was Jennifer in the home to witness
15 falls?

16 A. No.

17 Q. Was she in the home to witness
18 interactions with staff and Dr. Grist?

19 A. No.

20 Q. Would it be reasonable for Jennifer to
21 rely upon reports of others as to Dr. Grist's
22 behaviors?

23 A. Yes.

24 Q. How do you believe that Jennifer
25 Browning advocated on behalf of Mickie and

1 Caroline?

2 A. Because they were setting up doctors'
3 appointments, where they wanted for Dad to go,
4 whichever doctors they wanted, if they wanted an
5 evaluation. They called, they said, I want an
6 evaluation here, and all the emails, it's all the
7 requests. And then right after that, Tracy would
8 then call and tell you after that, hey, I've got
9 this booked, this doctor booked, this doctor
10 booked.

11 So anything that was requested by
12 Caroline and Mickie was automatically put into
13 place after the emails came through.

14 So Dad would then next have an
15 appointment here with this doctor that Caroline and
16 Mickie wanted or they felt that he needed to go to.
17 So those needs were set up.

18 Q. Isn't your father's medical care
19 important?

20 A. Yes, but he had a doctor who was seeing
21 him who he picked out to go to, not the doctors
22 that Caroline and Mickie picked out for him to go
23 to.

24 Q. But how is that Jennifer advocating for
25 Mickie and Caroline, the example you just gave me?

1 A. Because no one else picked those
2 doctors. The doctor that my dad chose to see, he
3 was allowed to see, but then anyone, additionally,
4 that Caroline or Mickie wanted him to go see, they
5 booked. They didn't call me or Charlotte or ask
6 us, do you think there's other care stuff that you
7 need; do you think there's other stuff that your
8 dad needs? No one ever asked us. They were
9 getting and responding to Caroline and Mickie of
10 what they wanted again.

11 Q. For what time period?

12 A. However long the emails go on. I mean,
13 I saw some in the last couple weeks before Comfort
14 Keepers quit and all that.

15 Q. How would Mickie and Caroline benefit
16 from Dr. Grist going to particular doctors?

17 A. I mean, it's a control factor for them.
18 So...

19 That way they're able to keep up on his
20 health care, know what's going on, know which
21 doctors he's going to. It was a control thing.

22 Q. And I'm not trying to belabor the
23 point, but I'm just trying to understand.

24 You've alleged that Ms. Browning
25 represented the interests of Mickie and Caroline.

1 A. Yes.

2 Q. Did they do so beyond following Mickie
3 and Caroline's suggestions for doctors for
4 Dr. Grist?

5 A. I mean, whatever requests that they
6 made, I can't remember all the requests they made,
7 whatever requests that they made, she took in
8 consideration and made sure to set that up,
9 whatever the requests were, medical, this, that,
10 his housing, who -- Comfort Keepers; was he going
11 to be in the nursing home; was he going to be
12 transferred to this facility?

13 Every -- all the recommendations were
14 based on Mickie and Caroline's recommendations.

15 Q. Did Jennifer ever recommend that
16 Dr. Grist be placed in a facility other than his
17 home?

18 A. Yes.

19 Q. When?

20 A. In the first emails, she had picked out
21 a nursing home in Travelers Rest for him to go
22 into.

23 Q. What was her recommendation to the
24 Court?

25 A. For...

1 Q. Housing?

2 A. When -- at what time?

3 Q. Did Jennifer Browning ever make a
4 recommendation to the Court that your father be
5 placed in a facility other than his own residence?

6 A. On the email, I don't know who responds
7 back as to the nursing home he was to go into after
8 his release from the hospital. I believe it was
9 Tracy and Jennifer both on the email, and it says
10 that Dr. Grist would go to a nursing home facility
11 after being released from the hospital.

12 Q. Did Jennifer Browning ever make a
13 recommendation to the Court that Dr. Grist reside
14 somewhere other than his own home?

15 A. Not that I've seen.

16 Q. How did Jennifer interfere with issues
17 between the family members?

18 A. By the emails. All the emails that
19 I've referenced.

20 Q. That's interference?

21 A. Yes. That's interfering.

22 Q. Was she not allowed to consult with
23 family members?

24 A. She didn't consult with me, and she
25 didn't consult with my sister, so why is she

1 consulting with Mickie and getting a life family
2 story of what Mickie and Caroline want and never
3 having any conversation with me or my other sister?

4 Q. Was Jennifer Browning permitted to
5 consult with family members regarding Dr. Grist's
6 well being?

7 A. Yes, and I would think that you would
8 equally talk to all family members, not just Mickie
9 and Caroline.

10 If you are fair and you're an appointed
11 person and you're doing everything evenly, then you
12 would talk to everyone. You wouldn't single out
13 these people and just talk to them and what they
14 wanted.

15 Because every time my attorney and I
16 sent an email, it was basically blown off.

17 Q. Did she have an obligation to consult
18 with everyone in the family regarding her
19 recommendations?

20 A. Well, she should.

21 Q. Does she have a duty to do so?

22 A. I feel like she should if she's
23 appointed by the Court.

24 Q. Do you know what her legal duties are?

25 A. We've discussed some of them today,

1 yes. I don't have every one, no. Maybe you can
2 help me with that.

3 Q. I suggest you look at the statute.

4 A. Okay.

5 Q. It outlines them pretty clearly.

6 A. Okay.

7 Q. You allege that Ms. Browning covered up
8 sexual misconduct of Comfort Keepers so as to allow
9 Mickie and Caroline to continue their improper
10 legal proceedings?

11 A. Yes.

12 Q. Explain that.

13 A. So in order for the case to go on and
14 them to be able to keep my dad in conservatorship/
15 guardianship, then if this was filed, then that's
16 going to blow everything up, if it was brought to
17 the Court's attention.

18 No court is going to say, oh, this is
19 great; someone is being sexually raped; yeah, let's
20 keep this rolling, if it was brought to the Court's
21 attention.

22 It was never brought to the Court's
23 attention. It's her job to bring it to the Court,
24 and Tracy's job to bring it to the Court, and to
25 report an incident like this, and it was never

1 reported, it was never brought to any attention of
2 the Court whatsoever. It was completely covered up
3 and ignored, as if it didn't exist.

4 And her job, as protecting my father,
5 you would think she would immediately take this to
6 the Court and let it be known what is happening.

7 Q. Why?

8 A. Because he's in a bad caregiving
9 agency, and you would immediately fire the
10 caregiving agency and replace the whole agency.

11 Q. Why?

12 A. Because my father was being raped by
13 someone in the agency and drug across his yard and
14 drug overdosed and given pills.

15 Q. Who drug overdosed him?

16 A. They gave him pills so that he -- she
17 said she doesn't care how many pills she gives him
18 until he doesn't wake up. That was a Comfort
19 Keepers employee.

20 Q. Which one?

21 A. Wanda.

22 Q. Is that an email?

23 A. There's a video. And you got sent the
24 video, too, because we saw it upstairs.

25 Q. Prior to the report of the McCreary

1 incident, was Jennifer Browning ever made aware
2 that there were any concerns related to Comfort
3 Keepers?

4 A. Not that I am aware of.

5 Q. And Comfort Keepers terminated
6 Ms. McCreary as soon as they learned of the
7 allegations. Is that true?

8 A. Tracy did. Tracy Parsons said that she
9 was letting her go. That's the only phone
10 conversation I had.

11 Q. But as soon as --

12 A. So I wouldn't know what happened
13 internally. I received a phone call from Tracy.

14 Q. Certainly after the allegations came to
15 light, Ms. McCreary never came back to the
16 residence, correct?

17 A. I was told that by Tracy Parsons, yes.

18 Q. And as far as aiding and abetting
19 Mickie and Caroline's exercise in control over
20 Dr. Grist, is that what you've already told me
21 about as far as --

22 A. Yes.

23 Q. -- listening to them about doctors?

24 A. Yes.

25 Q. You contend that she had an inherent

1 conflict of interest. That's Jennifer Browning.

2 What was that inherent conflict of
3 interest?

4 A. Well, it's pretty obvious.

5 Q. Well, elucidate it for me.

6 A. I mean, we've discussed it for like the
7 last four hours. What more do I need to say?

8 Q. Just articulate it for me in a
9 paragraph --

10 A. Well, if you --

11 Q. -- what her conflict of interest is and
12 with whom.

13 A. If your conflict is, you are -- Dan
14 Collins is dad's attorney. You're doing a report
15 for him. That alone, when you were going to do a
16 report for him, should have conflicted her out
17 right then and there. And the fact that you do a
18 lot of work from him, he was representing Dad, that
19 should have conflicted him out. So the whole thing
20 is all one big conflict.

21 Q. So the conflict is because Dan
22 Collins's former attorney --

23 A. No, that's just a portion --

24 Q. Don't interrupt me, please.

25 So Dan Collins, the prior attorney for

1 your father, recommended Jennifer Browning to do an
2 evaluation she never did? That's the conflict?

3 A. Yeah. That's part of the conflict.

4 Q. What's the --

5 A. And then --

6 Q. -- rest of it?

7 A. -- the rest of it is that she's
8 speaking with Mickie and Caroline before the case
9 has even come to light.

10 Q. Okay.

11 How is Browning communicating with
12 Caroline?

13 A. Email.

14 Q. You contend that Browning failed to
15 take a guardian oath.

16 What does that mean?

17 MR. PURIEFOY: Object to the form.

18 A. She was not sworn in when we were in
19 court for the emergency hearing.

20 Q. Who should have sworn her in?

21 MR. PURIEFOY: Object to the form.

22 A. The Court.

23 Q. Talk to me about the conspiracy. You
24 alleged that Jennifer Brown conspired to contrive a
25 plan to exploit money from the plaintiff.

1 A. Yes.

2 Q. How did she do that?

3 A. Well, as keeping my father in a
4 conservator/guardianship, it cost lots of money.
5 They get paid --

6 Q. Who --

7 A. Jennifer and Tracy get paid a lot of
8 money. The attorneys get paid a lot of money. The
9 agencies get paid a lot of money. It's a, I'll
10 scratch your back, you scratch my back situation,
11 until the person is broke.

12 Q. By keeping him in the guardianship?

13 A. The conservatorship/guardianship, all
14 of it combined spends the person's money down to
15 where they have nothing left.

16 Q. Who makes the decision as to whether a
17 conservatorship or guardianship stays in place?

18 A. The Court.

19 Q. Have you sued the Court?

20 A. No, I have not.

21 Q. Why not?

22 A. I didn't know you could sue the Court.

23 Q. I didn't know you could sue a GAL for
24 doing what she was appointed to the Court to do
25 either.

1 A. Well, I guess we'll find out.

2 Q. So is the exploitation of money by
3 Jennifer, was that money coming to her?

4 A. She was getting paid as well, as her
5 friend Tracy Parsons was getting paid, as her good
6 friends from Comfort Keepers were getting paid. It
7 was all one big system. So you use this person,
8 you use this person, you repeatedly use this
9 person, for all your clients, everybody gets paid,
10 everybody keeps -- everybody keeps the money
11 rotating, until the client is broke.

12 What would be the purpose of having
13 this for someone who was broke? You only go
14 after -- they only go after people who have money.
15 Why would you bring in a broke person for something
16 like this and keep them in one of these for two
17 or -- the conservator/guardianship for three or
18 four years? They have no money. So what's the
19 purpose?

20 Q. Does --

21 A. This is all about money.

22 Q. Does Jennifer Browning get paid for the
23 conservatorship?

24 A. If she stepped in as conservator, she
25 would have. And she does serve as a conservator in

1 cases. So that could have been something that she
2 could have done.

3 Q. Did she?

4 A. She did not. She wasn't appointed by
5 the Court. That didn't mean that she wasn't going
6 to try to.

7 Q. Did she ever indicate that she was
8 trying to step in as conservator?

9 A. She could. She's -- she does both
10 roles, so she could at any time.

11 Q. Is there any documentation
12 suggesting --

13 A. I don't have a document --

14 Q. -- that Jennifer Browning tried to step
15 in as conservator?

16 A. No. I don't have a document.

17 Q. And did Jennifer Browning get paid for
18 any other service other than as for GAL?

19 A. Not that I am aware of.

20 Q. She's certainly not a beneficiary of
21 the estate, correct?

22 A. No.

23 Q. You claim that she provided unnecessary
24 health care providers and workers?

25 A. Yes.

1 Q. Who?

2 A. Comfort Keepers.

3 Q. And is it your contention that your
4 father did not require the services provided by
5 Comfort Keepers?

6 A. No. When she hired them, my father did
7 not need any type of service whatsoever. The
8 people that were coming there from the company
9 before thought it was a joke that anyone even had
10 to sit in the house with him.

11 Q. Who thought that?

12 A. The company that worked there before
13 did not feel that he needed care at all.

14 Q. What health care workers did Jennifer
15 Browning hire?

16 A. Comfort Keepers.

17 Q. How would Jennifer benefit from having
18 Comfort Keepers provide care?

19 A. Well, I'm sure there's kickbacks for
20 everybody.

21 Q. Do you have any evidence that --

22 A. No --

23 Q. -- Jennifer Browning --

24 A. -- I don't, but --

25 Q. -- ever got a kickback?

1 A. -- there's evidence that her and Chris
2 and Erin are friends in the emails. So it would be
3 just like me, if I want to send my friend over to
4 that vet office, hey, then they're like, hey, we'll
5 recommend you for this, then we both benefit, and
6 we both make money off of that. That's how.

7 Q. Did you all do that in the vet
8 business?

9 A. Everyone does it in every business.
10 I've never seen a business that doesn't do it.

11 Q. Well, does that make it a conspiracy?

12 A. I wouldn't say it's a conspiracy, but
13 everyone does it.

14 Q. Is it inappropriate?

15 A. I think it's inappropriate, yes.

16 Q. Is it inappropriate in the veterinary
17 world?

18 A. If I'm referring a patient to my mother
19 so that my mother can make money, no, I don't feel
20 that's inappropriate. If we can't see the patient,
21 no, that's not inappropriate.

22 Q. If y'all are seeing --

23 A. I refer patients to my mother because
24 she's a family member, so that does not make --
25 how's that inappropriate, if we can't see an

1 animal?

2 Q. If someone comes in to you and says,
3 I'm a farmer, I got three cats and four dogs, and
4 I've got some horses too, can y'all -- since y'all
5 don't care for horses, can you make a
6 recommendation for someone who does? Is that a
7 conflict?

8 A. It depends.

9 Q. Is that a conspiracy?

10 A. It depends.

11 Q. How would that -- how could --

12 A. It could be a conflict.

13 Q. -- in what circumstances could that be
14 a conspiracy?

15 A. It can be a conflict if my husband, or
16 if it was my brother or whoever was the doctor,
17 then that would be. These are her friends that
18 she's working with, and case after case after case
19 after case, these are her friends that she's
20 working with. She said she highly recommends in
21 her letter over here Comfort Keepers, she highly
22 recommends Tracy Parsons, she works with her all
23 the time. It's time after time after time, you see
24 that.

25 Q. What is Tracy Parsons's reputation?

1 MR. PURIEFOY: Object to the form.

2 A. I couldn't tell you.

3 Q. What is Comfort Keepers's reputation?

4 MR. PURIEFOY: Object to the form.

5 A. I couldn't say.

6 Q. How would Jennifer Browning benefit
7 from Dr. Grist's estate documents being changed?

8 A. Because it keeps them in the
9 conservator/guardianship longer, like I said, and
10 everyone is able to make money.

11 Q. Did Jennifer Browning ever seek to
12 change any of the estate documents?

13 A. I'm not sure. I couldn't say.

14 Q. Have the estate documents been changed?

15 A. No, they have not.

16 Q. You contend that Jennifer Browning
17 charged astronomically higher rates than similar
18 companies or persons.

19 What's the basis for that allegation?

20 A. Other guardian ad litem's charged a
21 lower rate than Mrs. Browning.

22 Q. What is the going rate for a GAL in
23 Greenville County, South Carolina?

24 A. I mean, I called a couple places.
25 Everywhere was different. Anywhere from 125 to

1 \$200.

2 Q. Do you know whether Jennifer Browning's
3 rates have been approved by the probate court?

4 A. No, I don't.

5 Q. What did she charge?

6 A. I don't remember. I'd have to look at
7 one of her bills.

8 Q. Do you contend that her rate was
9 astronomically high?

10 A. Yes, I think it was very high. She
11 would list going to the grocery store, and it was
12 to pick up groceries, and it was several hundred
13 dollars. So, yeah, there were a lot of extremely
14 high items on there, on her bill.

15 She even listed items that had nothing
16 to do with my father on the bill and charged us for
17 those, and I had to have my attorney have them
18 removed.

19 Q. Can you give me an example?

20 A. She put on there some -- looking over
21 someone's estate documents, their divorce
22 documents, this, this, this, this. The client was
23 institutionalized. And we were billed for all of
24 that, and that wasn't even our case, so we had to
25 have all of that removed.

1 Q. You think that was an intentional or a
2 clerical mistake?

3 MR. PURIEFOY: Object to the form.

4 A. I couldn't say.

5 Q. How did Jennifer Browning gain control
6 over Dr. Grist illegally?

7 A. Well, if you're putting someone in
8 their house, you're basically holding them hostage
9 in their house, that's kidnapping someone,
10 essentially. I mean, you're holding someone
11 against their will in their own house. They can't
12 leave without permission of Tracy or you. They
13 can't go anywhere. They can't drive their car.
14 They can't do anything. They can't go to a medical
15 appointment without either one of you being
16 present. That's essentially kidnapping someone.

17 Q. Are you alleging that Jennifer Browning
18 had your father kidnapped?

19 A. Well, it's essentially a type of
20 kidnapping, yes, I would say so.

21 Q. Did the Court order Dr. Grist to be
22 kidnapped?

23 A. Well, the Court ordered him to -- as
24 her recommendation, to be placed under this.

25 Q. So the Court ordered 24/7 care,

1 correct?

2 A. No. The Court put her in place. The
3 Court did not order the care. She decided upon the
4 care of not allowing my dad to leave his house, not
5 allowing him to do anything on his own, not
6 allowing him to go visit his friends, not going to
7 lunch, on an appointed amount of time. You had to
8 book it. It had to be approved to go to a lunch
9 for a visit. It had to approved. That's basically
10 holding someone hostage.

11 Q. Was Jennifer Browning the one doing
12 that approval?

13 A. She was copied on these emails, so I'm
14 assuming she knew what was going on.

15 Q. You contend that Ms. Browning had a
16 duty to supervise and properly hire the workers for
17 Dr. Grist.

18 What's the basis for that contention?

19 A. Repeat the question again?

20 Q. Yeah. You contend that Ms. Browning
21 had a duty to supervise and properly hire workers
22 for Dr. Grist.

23 What's the basis for that contention?

24 A. I'm still not understanding your
25 question.

1 Q. What part of the question don't you
2 understand?

3 A. I'm not understanding any of it. What
4 are you -- what are you saying? For what? For
5 Comfort Keepers?

6 Q. That's -- it's your complaint, ma'am.

7 A. Read the whole entire question again.

8 Q. You contend that Ms. Browning had a
9 duty to supervise and properly hire workers --

10 A. Yes.

11 Q. -- for Dr. Grist.

12 I want to know what the basis for your
13 contention is.

14 A. Well, appointed by the Court, that
15 was -- what you're asking me, that's her duty, is
16 to hire people that she sees fit, that she's done
17 the investigation work on, this company, that
18 company; does she know this is a good company; does
19 she know these are reputable people; does she know
20 this is a reputable doctor; is she supposed to
21 go -- is my dad supposed to go here.

22 Q. Had she done that investigation?

23 A. As far as I'm aware, no.

24 Q. What's the basis for that?

25 A. The proof is in the pudding because of

1 the disaster we're living through right now.

2 Q. So the proof that she didn't
3 investigate Comfort Keepers is that Ms. McCreary
4 allegedly sexually assaulted your father?

5 A. Yes.

6 Q. Do you have any other proof?

7 A. The Paul incident, the Wanda incident,
8 all of the caregivers within the company.

9 Q. How did Ms. Browning allow Dr. Grist to
10 be exposed to injurious behavior?

11 A. Well, she was exposing him to care
12 workers who obviously have issues. They have
13 personal issues, psychological issues. So she
14 exposed my dad to be locked in his house with
15 people who had issues, abuse issues, whatever you
16 want to categorize it.

17 Q. Was Comfort Keepers aware, that you
18 know of, of any past incidents with McCreary or
19 Paul or Wanda?

20 A. I'm not sure. I never spoke with
21 Comfort Keepers. Everything went through Tracy or
22 Jennifer. I did not speak to them other than the
23 couple times that I called to ask about the
24 incidents. No one ever called me to have
25 communication. Everything normally went through

1 Jennifer or Tracy. Comfort Keepers did not call to
2 have conversations.

3 Q. How did Jennifer allow Comfort
4 Keepers's employees to groom, harass, exploit, and
5 abuse Dr. Grist in a sexual manner?

6 A. By picking an agency without
7 investigating the agency properly, their protocols
8 of hiring people, their criminal background checks,
9 their sexual background checks.

10 Q. Did Comfort Keepers not do background
11 checks on --

12 A. I have no --

13 Q. -- their employees?

14 A. -- idea. I don't know.

15 Q. So you're guessing?

16 A. I'm assuming. I don't know.

17 Q. And how was Ms. Browning supposed to
18 keep Dr. Grist while he was in Ms. McCreary's
19 presence?

20 A. Well, he would have never been there if
21 she had investigated properly in the first place.

22 Q. But once McCreary was in place, how did
23 Jennifer fail to ensure that Dr. Grist was safe in
24 her presence?

25 A. No one was coming out to check on my

1 father. No one was coming out to ask about the
2 caregivers, how he liked them, how the situation
3 was going. No one ever did that.

4 Q. You claim that Jennifer ignored
5 Ms. McCreary's known predilections towards sexual
6 misconduct and abuse.

7 What were her known predilections
8 towards sexual misconduct and abuse?

9 A. Can you repeat the question?

10 Q. Yeah.

11 You contend that Jennifer Browning
12 ignored Ms. McCreary's known predilections towards
13 sexual misconduct and abuse.

14 And I'm just asking, what were those
15 known predilections?

16 THE WITNESS: Let me speak to you real
17 quick.

18 MR. PURIEFOY: No. So --

19 THE WITNESS: Oh.

20 MR. PURIEFOY: -- I can only talk to
21 you about documents.

22 THE WITNESS: Okay.

23 MR. PURIEFOY: And because we're not
24 talking about a document, you have to answer his
25 questions.

1 A. Okay. I am assuming that we received
2 something -- I'm assuming that we received
3 something.

4 Q. What was received by Jennifer Browning?

5 A. I would have to go back and look
6 through -- not from Jennifer Browning. I'm
7 assuming that we received something else.

8 Q. Okay. Sitting here today, can you
9 identify any evidence that Ms. McCreary had ever
10 abused, sexually or otherwise, anyone prior to
11 Dr. Grist?

12 A. I don't have a document, no.

13 Q. And you don't have any reason to
14 believe that Jennifer Browning was aware of
15 Ms. McCreary's past related to abuse, if it
16 existed?

17 A. I do not know if she interviewed her.
18 I do not know if she -- I never saw her interview.
19 I never saw her talk with any of the caregivers. I
20 never saw her meet any of the caregivers. So, no,
21 I'm unaware other than her coming to the house when
22 she did her interview with Ann present.

23 Q. Okay.

24 What are the damages that you contend
25 occurred as a result of Ms. Browning failing to do

1 her duty as the GAL?

2 A. I can't say.

3 Q. So when we go to trial, you're not
4 going to give any testimony on damages?

5 A. Are you asking me for an amount?

6 Q. No. I'm saying, what are the damages?
7 How have you or your father been damaged by
8 Ms. Browning's purported failure to do her duty as
9 GAL?

10 A. Because she kept my father in a
11 conservator/guardianship that has lasted now, since
12 2020, we're almost in 2024. This has destroyed our
13 whole entire family. This destroyed my father.
14 He's hanging on, barely alive right now. The whole
15 entire thing took him down the tubes, financially,
16 mentally, stably. And it's destroyed all of our
17 family members. We've all --

18 Q. What family members?

19 A. My whole entire family, it has
20 destroyed. This whole process has destroyed my
21 family.

22 Q. You think the litigation has anything
23 to do with that?

24 A. It has some, but this process as well
25 affected my dad. Him being raped, him being drug

1 through the yard by caregivers. He couldn't even
2 be around another male, even -- if they'd come into
3 the house, he was scared out of his mind that he
4 was going to be beaten up and abused.

5 Q. Are you claiming --

6 A. They mentally -- mentally and
7 physically, this whole thing destroyed my father.

8 Q. And how --

9 A. The restraints that they put on him;
10 keeping him in his house; he can't go anywhere;
11 he's forced to take this medication. All of this
12 and the damages of these people coming in, hurting
13 my father, destroyed my father's life.

14 Q. Does your father presently know where
15 he is?

16 A. No, he does not.

17 Q. Does he know who he is?

18 A. Yes, he does.

19 Q. Does he know who you are?

20 A. Yes.

21 MR. SUGGS: Okay. I'll pass it along
22 to some other folks.

23 MR. DOWLING: Yeah, I'll go next.

24 Does anyone need a break before we get
25 going?

1 MR. PURIEFOY: Yes, we do.

2 (After a recess, proceedings were
3 continued as follows:)

4 EXAMINATION

5 BY MR. DOWLING:

6 Q. Ms. Grist, my name is Curtis Dowling,
7 and I represent Tracy Parsons. So I've been
8 listening in today, and I just want to ask you some
9 follow-up questions and maybe get into some new
10 stuff.

11 When did Tracy Parsons cease to be the
12 temporary guardian for your father?

13 A. I want to say it was -- the official
14 court date was June 20th. I could be a little off
15 though. I'd have to look at the document. When
16 the emergency hearing was filed.

17 Q. And what year are you talking about?

18 A. That's 2020.

19 Q. All right. I said cease to --

20 A. Oh, sorry. I thought you said when did
21 she start.

22 I -- I don't have the actual date in
23 front of me. I can't think of it.

24 Q. Around a year or so ago?

25 A. I think it was maybe mid August or the

1 beginning of August of -- yeah, of last year.

2 Q. Yeah, around -- I think the order
3 expired August 5th of 2022.

4 Would that sound about right?

5 A. Yes.

6 Q. A little while ago I was forwarded a
7 copy of your transcript from your deposition taken
8 about a year or so ago.

9 And that was the one time you've been
10 deposed?

11 A. Yes.

12 Q. I'm going to go ahead and pull this up,
13 right now.

14 Can you see it?

15 A. Yes.

16 Q. All right. So this was June 14th of
17 2022 in the case that y'all have been talking
18 about, you know, Priscilla Mickie Grist versus
19 Stanford W. Grist, Stacey Desiree Grist, and
20 Charlotte Roxanne Grist.

21 Now, during that deposition, did you
22 take an oath to tell the truth?

23 A. Yes.

24 Q. Just like today, correct?

25 A. Yes.

1 Q. And you understand your obligation to
2 tell the truth, correct?

3 A. Yes.

4 Q. I'm going to...

5 MR. PURIEFOY: Hey, Curtis, do you plan
6 on marking this as an exhibit, or are you just
7 referring to it for questioning?

8 MR. DOWLING: I'm going to mark it as
9 an exhibit.

10 MR. PURIEFOY: Okay.

11 (EXHIBIT 20, 6/14/2022 STACEY GRIST
12 DEPOSITION EXCERPT, was marked for identification.)
13 BY MR. DOWLING:

14 Q. All right. About a year ago, about the
15 time that -- close to when Ms. Parsons's temporary
16 guardianship expired, when you were being
17 questioned in that case -- all right -- you were
18 asked under oath, do you have any specific issues
19 with anything that Ms. Parsons has done up to this
20 point?

21 And could you just read in for everyone
22 what your answer was?

23 A. I don't feel that Ms. Parsons is --
24 wait a minute.

25 I -- I don't --

1 MR. PURIEFOY: You can go closer if you
2 need to.

3 A. I don't feel that Ms. Parsons is
4 necessary at this point.

5 I can't -- that's all I can read.

6 Q. Well, that's all you said, is, yes,
7 what -- anything that Ms. Parsons -- do you have
8 any specific issues with what Ms. Parsons had done,
9 and you said you just don't feel like Ms. Parsons
10 is necessary at this point.

11 Correct?

12 A. Yes.

13 Q. So the next question, so it's not that
14 she's really done anything -- we'll flip to the
15 next page -- improper; it's just that maybe the
16 added cost to Dr. Grist, you believe, is
17 unnecessary?

18 Can you read your response?

19 A. I think it's unnecessary costwise; I
20 think it's unnecessary altogether because I've
21 already been appointed by him for that, through his
22 estate documents.

23 Q. All right. So at that time, which is
24 all after all the sexual abuse, everything that --
25 all that you're aware of, when you're asked, you

1 said that it's just the cost and expense, correct?

2 MR. PURIEFOY: Object to the form.

3 A. Yes. I was advised by counsel not to
4 listen -- to say anything else at that time.

5 Q. Now, you were under oath to tell the
6 truth, weren't you?

7 A. Yes.

8 Q. Now, just tell me, who -- who is
9 advising you?

10 A. I was advised by counsel not to get
11 into that.

12 Q. Get into what?

13 A. Get into the whole situation of my
14 complaint.

15 Q. You -- what complaint? You didn't even
16 have a complaint yet.

17 A. Not yet. I was advised by my counsel
18 at the time not to mention it.

19 Q. Well, what you've just done -- I
20 didn't -- you -- you voluntarily breached the
21 attorney-client privilege, so we can go into all
22 that, which I think we can --

23 MR. PURIEFOY: That --

24 Q. -- because I think you were under oath
25 to tell the truth, you were asked a question, and

1 you did not say, I can't say anything that's going
2 to violate attorney-client privilege. What you
3 said is, she's just not necessary, and you couldn't
4 pinpoint, you couldn't direct anything as to what
5 Ms. Parsons had done or not done, correct?

6 MR. PURIEFOY: Object to the form.

7 Q. Would you agree, it's either that or
8 you were lying at the time under oath in your
9 deposition?

10 MR. PURIEFOY: Object to the form.

11 Q. Either way. Would you agree --

12 A. No, I would not agree.

13 Q. So you weren't lying?

14 A. These questions were not directed at
15 Tracy Parsons failing to do her job. That was a
16 simple question that was asked. The whole entire
17 portion of this was revolved around the
18 conservator/guardianship. This wasn't revolve --
19 talking about where Tracy Parsons dropped the ball.

20 Q. Do you think that you can pick which
21 questions are relevant or which questions you're
22 going to tell the truth to?

23 MR. PURIEFOY: Object to the form.

24 MR. DOWLING: What's wrong with the
25 question?

1 MR. PURIEFOY: I'm objecting to the
2 form -- if you -- I'm not --

3 MR. DOWLING: It's a perfect question.
4 Listen, you can object to the form and --

5 MR. PURIEFOY: Then ask her to answer
6 and move on.

7 MR. DOWLING: -- state what your
8 objection is.

9 MR. PURIEFOY: Object to the form -- so
10 this isn't a speaking jurisdiction. If you want me
11 to start doing speaking objections on every
12 question, I will.

13 MR. DOWLING: All right. I just asked
14 you what -- what it was. It was a beautiful
15 question. You can object to the form if I ask an
16 improper question.

17 MR. PURIEFOY: Okay.

18 BY MR. DOWLING:

19 Q. Now, I understand that lawyers say
20 that, Ms. Grist, I understand people -- some
21 lawyers will say that if they do not like the
22 question.

23 But this was your testimony at that
24 time a year ago, correct?

25 A. Yes.

1 Q. And you said that some attorney told
2 you that if this comes up, you know, you -- you
3 know, did he tell you to lie, since you've already
4 breached the attorney-client privilege?

5 MR. PURIEFOY: Okay. So wait a second.
6 I'm going to object to the form.

7 I'm going to instruct you not to talk
8 about anything else that you discussed with your
9 attorney.

10 We can move on.

11 MR. DOWLING: Well, we can -- we can
12 address whether it's already been breached, and you
13 can't just breach a little bit. But that's fine --

14 MR. PURIEFOY: And if you -- and you --

15 MR. DOWLING: -- you can object to the
16 form. And if you want to instruct her not to
17 answer, that's fine.

18 MR. PURIEFOY: And I am. And so if you
19 need to file your motion to compel that testimony,
20 then you can certainly do so.

21 MR. PEELE: Are you going to file a
22 protective order?

23 MR. PURIEFOY: Excuse me?

24 MR. PEELE: I didn't stutter, man.

25 Are you going to file a protective

1 order?

2 MR. PURIEFOY: No, I'm instructing her
3 not to answer. The onus is on him. If he wants to
4 file his motion to compel, then I can file my order
5 of protection from that line of questioning.

6 MR. PEELE: I think that the proper way
7 to do it, if you're instructing her not to answer,
8 you need to file an order.

9 MR. PURIEFOY: Sure.

10 You can keep going.

11 MR. DOWLING: All right.

12 BY MR. DOWLING:

13 Q. So today you understand that you are
14 under oath and you're here to tell the truth,
15 correct?

16 A. Yes.

17 Q. All right.

18 Now -- and we'll get into all the
19 things that you -- since we've got to go about it
20 the long way now. It could have been short and
21 quick, but we'll go about it the long way and see
22 where we end up after a while.

23 You know, a lot of this -- you know,
24 what you're saying and been saying throughout the
25 day -- and correct me if I'm wrong -- is that

1 either Tracy Parsons or Jennifer Browning, you
2 know, contracted with Comfort Keepers, and that as
3 a result of that, certain things happened to your
4 father, correct?

5 A. Yes.

6 Q. All right.

7 Now, you were shown earlier an exhibit.
8 I don't remember which one it was. It was a client
9 care agreement, the contract that you signed with
10 Comfort Keepers.

11 Do you remember that?

12 A. Yes.

13 Q. And maybe you could take a look at that
14 document again.

15 And I'm going to stop sharing this, and
16 I may just put in the first page and the -- you
17 know, we could put in the whole deposition as an
18 exhibit or we can do those three pages. We can
19 decide on that after a while. So I'm going to stop
20 sharing on that.

21 And if you could, just grab the exhibit
22 that -- and if somebody knows which one the client
23 care contract was, they could point that out to
24 you, unless the court reporter has already provided
25 it to you.

1 And just let me know when you're ready.

2 A. Okay.

3 Q. Now, in the exhibit it has -- and what
4 exhibit is it? So I can make a...

5 A. 15.

6 Q. -- it has the information with you and
7 your father, and you've already acknowledged that
8 you were the one that signed the contract, correct?

9 A. Yes.

10 Q. And if you look under the -- where it
11 says midway down, email addresses, and they had all
12 this consent for service -- who was initialling
13 over there?

14 A. Me.

15 Q. Okay. And so you contracted with
16 Comfort Keepers, correct?

17 A. Yes. I was asked to do so by Tracy
18 Parsons, that this was the new company that she
19 hired to take care of my father, so I was to sign
20 the agreement.

21 Q. Tell me -- I know you keep saying
22 this -- let me say, there are certain things a jury
23 will expect you to know and be able to back up.

24 So where is the paperwork that you're
25 talking about that shows that Tracy Parsons

1 contracted or hired Comfort Keepers?

2 A. I have an email that she was hiring
3 Comfort Keepers and they would be sending over the
4 paperwork. I'm pretty sure there's an email record
5 of it, of her bringing Comfort Keepers on, and the
6 date, and they would send over the contract, and
7 then I believe she made a phone call that I would
8 need to fill out the contract, have everything
9 taken care of, and what day they started.

10 Q. All right.

11 So you say there's an email.

12 But you agree you contracted with
13 Comfort Keepers, correct?

14 A. Yes. I had to.

15 Q. Why did you have to?

16 A. Because Tracy Parsons was placed by the
17 Court to take care of my father, and I was
18 instructed to, whatever Tracy Parsons asked for
19 by -- to do for my father's care, what bills she
20 was -- whatever had to be paid, whatever services
21 she had hired, whatever doctors' bills, anything
22 like that.

23 Q. So ultimately, did you fire Comfort
24 Keepers?

25 A. I believe that Comfort Keepers quit on

1 their own when their order -- when they sent the
2 email that they could not take care of Dr. Grist
3 because they could not provide enough service
4 people to take care of Dr. Grist once he was
5 released from the hospital.

6 Q. All right.

7 There were two parties to the contract,
8 Comfort Keepers and you, correct?

9 A. Yes.

10 Q. And are you telling us that Comfort
11 Keepers could quit, no matter what, and you
12 couldn't?

13 A. I was not allowed to fire Comfort
14 Keepers at any time because Tracy Parsons brought
15 them in under her guardianship.

16 Q. Flip to the second page or the back
17 page of whatever document you're looking at.

18 Do you see that?

19 A. Yes.

20 Q. All right. And what does the number
21 one -- how does that start on your page?

22 A. The client and payee agree to the terms
23 set forth in this agreement.

24 Q. All right. That's you, correct?

25 A. I was paying. I was not the client.

1 The client would have been my father. He was
2 receiving the service.

3 Q. All right. Let's look down at number
4 three.

5 Read the first sentence of number
6 three. Read that for the Court and read that for
7 the jury.

8 A. The client or Comfort Keepers may
9 cancel this agreement by providing the other party
10 two weeks' prior notice.

11 Q. So it looks to me like either party
12 could cancel. Despite what you're saying, it looks
13 like either you or Comfort Keepers could cancel.

14 Correct?

15 A. I did not feel that way because I was
16 not making any decisions through Comfort Keepers.
17 All contact went through Tracy Parsons, as did all
18 medical. No one else was involved with any
19 medical. She went to the doctors. She was
20 involved with all feedback through Comfort Keepers.
21 She sent emails and let us know that we were not to
22 contact them. Everything went through her as the
23 guardian.

24 Q. All right. I'm just looking at what
25 the document shows and what it says.

1 Did you ever read this?

2 A. Probably not. It was sent to me
3 through DocuSign. And I knew I didn't have a
4 choice to sign it, and I knew I was going to have
5 to sign it. So it was signed through DocuSign.

6 Q. But you would agree that pursuant to
7 the document, you could cancel this agreement at
8 any time by providing the other party at least two
9 weeks' notice?

10 MR. PURIEFOY: Object to the form.

11 A. I never felt that way, so, no, I did
12 not see that that was an option. I was never told
13 that was an option by anyone.

14 Q. If you would have read the document
15 instead of not reading it and just used the
16 DocuSign, would you then have known what the
17 document said?

18 A. I still don't think I personally could
19 have canceled any care when I was not the guardian
20 over my father at the time. The only person who
21 would have been able to cancel the care would have
22 been Tracy because she was the appointed guardian
23 by the Court. I cannot override her and call and
24 cancel because she can just call them back and say,
25 you're continuing to do Dr. Grist's care; I am the

1 guardian.

2 Q. Well, why would you need it at all to
3 sign anything? That doesn't seem to make any
4 sense.

5 A. Because I was paying. Tracy did not
6 pay for it. I was paying. It says, responsible
7 party to pay, and it lists the amount per hour that
8 I am to pay.

9 Q. And it gave all the terms and
10 everything about who was going to be doing what.

11 And this would -- did you consider this
12 to be a legally binding document?

13 A. Yes.

14 Q. You testified at one point today about,
15 you know, that as long as the order was in effect
16 for the temporary guardian, that Tracy Parsons
17 controlled the Comfort Keepers.

18 A. Yes.

19 Q. Now, would you agree, then, that is
20 contrary to the agreement that you signed with
21 Comfort Keepers?

22 A. Is it contrary to what is stated on the
23 piece of paper? Yes.

24 Q. Yeah.

25 And have you seen any order that

1 specifically says that Comfort Keepers, who you're
2 going to be paying, has to stay on as long as Tracy
3 Parsons is involved?

4 A. No, I don't see anything in front of
5 me.

6 Q. How many times did you email to Tracy
7 Parsons or Jennifer Browning to say, wait a second;
8 I don't want Comfort Keepers; I don't need them?
9 How many times did you put that in writing to them
10 before any of these incidents happened?

11 A. I don't believe there's any email. So
12 I had phone conversations prior with Ms. Parsons,
13 text messages back and forth with Ms. Parsons, and
14 I know we discussed it over the phone.

15 Q. Yeah, I'm sure you had those oral
16 conversations.

17 But you've talked about all these
18 emails --

19 A. I did not email --

20 Q. Please, please do not -- do not
21 interrupt.

22 Okay. I believe you just testified,
23 there's no emails that you sent to either
24 Ms. Browning or Ms. Parsons, complaining about the
25 hiring or the need to have Comfort Keepers

1 involved.

2 Correct?

3 A. I don't recall an email.

4 Q. What about any text messages?

5 A. I don't recall a text message.

6 Q. All right. That's already an exhibit,
7 so we won't need to put that in.

8 Now, you testified early on today that
9 Ms. Parsons was appointed as Dr. Grist, your
10 father's temporary guardian by an order of the
11 probate court, correct?

12 A. Yes.

13 Q. And you were a party in the case to
14 which that order was entered, correct?

15 A. Yes.

16 Q. You weren't?

17 A. Yes.

18 Q. All right.

19 So you were a party to the litigation?

20 A. I was -- I'm named in it. Is that what
21 you're asking me?

22 Q. Yes. You're a party?

23 A. Yes.

24 Q. All right. I've pulled this up.

25 Can you see a copy of the order?

1 A. Yes.

2 Q. All right. And it has the case caption
3 of 2020, you know, GC-2300088, and you have the
4 parties, In Re: Stanford W. Grist.

5 And your sister is the plaintiff,
6 Mickie?

7 A. Yes.

8 Q. And then you are the second named
9 defendant in this case, correct?

10 A. Yes.

11 Q. And you see a filing date of July 30th
12 of 2020?

13 A. Yes.

14 Q. You have the different parties. You
15 see you were represented by counsel.

16 You can see here where I've got the
17 cursor going, Matthew Myers, attorney for you,
18 correct?

19 A. Yes.

20 Q. And it says, this matter was initiated
21 by Petitioner, your sister, seeking a determination
22 of incapacity and the appointment of a guardian and
23 an emergency guardian for your father, the alleged
24 incapacitated person.

25 Correct?

1 A. Yes.

2 Q. Now, from your testimony that you've
3 been giving throughout the day, it sounds to me
4 like your position was, oh, this was totally
5 unnecessary, that your dad can do everything for
6 himself, and that he's competent and does not need
7 any guardian ad litem or an emergency guardian ad
8 litem or temporary guardian.

9 Correct?

10 A. Yes.

11 Q. That's, yes?

12 A. Yes.

13 Q. All right.

14 So at the petition to contest all this,
15 did you appear? Were you present at the hearing?

16 A. It was a Zoom.

17 Q. All right.

18 So you participated by Zoom, correct?

19 A. Yes.

20 Q. Now, why was a Zoom hearing necessary
21 back at that time?

22 A. For COVID.

23 Q. All right. Because of COVID.

24 Okay. So anyway, you were represented,
25 you're present, your lawyer's there, has a chance

1 to speak for you, correct?

2 A. Yes.

3 Q. Now, the order says, after carefully
4 considering the documents, the affidavits, and
5 hearing arguments, okay, the Court made certain
6 findings, correct?

7 A. I don't know what you're talking about.
8 Certain findings of what?

9 Q. Well, we'll go into them.
10 But you agree that's what it said?
11 After carefully considering arguments made during
12 the hearing, the Court makes the following
13 findings?

14 A. Yes, I can read that.

15 Q. All right.

16 So we talked about how you were
17 involved in the -- you know, Mr. Myers accepted
18 service for you. That means you're properly before
19 the Court.

20 And the judge said that your father,
21 for the purpose of the temporary finding, is here
22 for the purpose of a temporary finding of an
23 incapacitated person in need of protection and
24 assistance by the appointment of a temporary
25 guardian.

1 It says, this is supported by a
2 physician's affidavit filed with the Court by
3 Dr. John R. Absher, MD, and it says, and that
4 Dr. Grist is unable to effectively receive,
5 evaluate, or respond to information or to make or
6 communicate decisions with appropriate, reasonably
7 available supports and assistance in order to meet
8 the essential requirements for his physical health,
9 safety, self-care, or manage property or financial
10 affairs to provide for his support.

11 Now, that was a -- that was a finding
12 by the Court, of which you were present and you had
13 a lawyer present to contest, correct?

14 A. Yes.

15 Q. And the judge -- do you recall what the
16 judge said after going through all that?

17 A. He appointed a guardian and a guardian
18 ad litem.

19 Q. Well, he said, it is necessary to
20 continue the appointment of the temporary guardian
21 for Dr. Grist.

22 And then specifically as to who and how
23 this came about, the judge said -- could you read
24 that, number six?

25 A. Tracy Parsons is well known to the

1 Court and has served as a third-party guardian on
2 numerous occasions and is therefore an appropriate
3 person to serve as temporary guardian for
4 Dr. Stanford Grist with full power and authority to
5 act for the protection and assistance for
6 Dr. Grist -- Stanford W. Grist, described in
7 section -- of the South Carolina code of laws.

8 Q. Yeah, code Section 62-5-304(A)(B) of
9 the South Carolina code of laws.

10 And it also said that the temporary
11 guardian shall not place Dr. Grist in any nursing
12 home or assisted facility without the order
13 approving the same from the Court, correct?

14 A. Yes.

15 Q. And it was therefore ordered.

16 Now, again, you totally disagreed with
17 this. And if you -- you know, there's mechanisms.

18 Did you try to appeal? Did you go back
19 and file anything? Did your lawyer do a motion to
20 reconsider and say, but, Judge, Stacey says all
21 this is not true; he's 100 percent good? Did you
22 do --

23 A. Yes, I believe my lawyer filed
24 documents, proper documents.

25 Q. Excuse me?

1 A. Yes, my lawyer filed documents.

2 Q. Yeah.

3 Did he file afterwards saying, your
4 Honor, you made a wrong decision or --

5 A. Yes. It was in our next hearing in
6 probate court that my attorney had the document.

7 Q. All right. Well, we can go through all
8 the additional consent orders.

9 Here is one from February regarding
10 extensions to appoint Tracy Parsons.

11 Now, did you oppose -- did your lawyer
12 oppose those?

13 A. My lawyer said -- well --

14 MR. PURIEFOY: Yeah, let's --
15 objection --

16 A. -- I'm not going to go --

17 MR. PURIEFOY: I'm going to instruct
18 you not to talk about what you and Matt --

19 Q. Yeah. Okay.

20 What it is, is your lawyer consented to
21 it?

22 A. Correct.

23 Q. He consented on behalf of you, right?

24 A. Yes.

25 Q. So every time, for every extension, we

1 go through all these orders, not once did I ever
2 see any objection. I only saw consent orders.

3 Do you know where, in any of these
4 orders or any of these findings, when -- when Tracy
5 Parsons was being, you know, appointed or her time
6 was being extended, that you or your attorney ever
7 objected to it?

8 A. I believe that my attorney did file
9 something, yes.

10 Q. Now, I don't want to know what you
11 believe. I want to know what you know.

12 A. I don't have my documents. I was
13 pretty certain my attorney did file something, yes.

14 Q. And each time, if he filed anything,
15 the judge looked at it and agreed that the
16 temporary -- that the temporary guardianship should
17 continue, correct?

18 A. Yes. That's what the judge decided.

19 Q. I'll go ahead and mark this as the next
20 exhibit.

21 (EXHIBIT 21, COURT ORDERS, was marked
22 for identification.)

23 MR. DOWLING: The complaint was marked
24 as an exhibit, correct?

25 MR. PURIEFOY: Yes.

1 MR. DOWLING: All right. Just look at
2 the complaint and I'll try to move along through
3 some of this.

4 MR. PEELE: It is ten.

5 MR. DOWLING: Number ten?

6 COURT REPORTER: Yes.

7 MR. DOWLING: I'll go ahead and pull it
8 up anyway.

9 BY MR. DOWLING:

10 Q. If you look at paragraph 41, and I
11 think we've already covered this but...

12 (Court Reporter clarification)

13 BY MR. DOWLING:

14 Q. Where it says, in her capacity as
15 guardian, Ms. Parsons contracted with Comfort
16 Keepers to provide 24 hours a day, seven days a
17 week, 365 days a year in-home health care for
18 Dr. Grist.

19 And that is something you continue to
20 stand by, correct, even though you're the one that
21 contracted with Comfort Keepers?

22 A. Mrs. Parsons found Comfort Keepers and
23 brought them to me to sign a contract as she was
24 the appointed guardian, is what she picked to take
25 care of my father, Comfort Keepers.

1 Q. Well, who would you have picked
2 instead?

3 A. We already had another agency in place
4 since they were requiring care, called Right at
5 Home.

6 Q. Sure.
7 And did they provide -- now, think
8 about this. Did they provide medical nurses and
9 people who could administer medications?

10 A. I don't remember. They weren't
11 employed that long. They were only with us for a
12 month.

13 Q. Yeah. So --

14 A. And I believe at the time --

15 Q. -- they were there for a month -- now,
16 they're there for a month. You don't know whether
17 they provide medications or not, but in fact, your
18 father needed assistance with medication, if you
19 believe what the others contend and what doctors
20 contend and what Ms. Parsons and Ms. Browning was
21 shown, is that your father is incapacitated,
22 incapable of caring for himself.

23 So would you agree that according to at
24 least what they were provided, the information they
25 were provided, is that -- and they're not medical

1 doctors, are they, either Ms. Browning or
2 Ms. Parsons?

3 A. No.

4 Q. No.

5 So if someone was there -- if someone
6 was going to be in the house, if they're acting in
7 the best interest, they needed somebody who
8 could -- who was qualified -- was qualified and was
9 capable and licensed to administer medications,
10 correct?

11 A. Yes. And that's the reason why he was
12 asking to stay with my mother and why he stayed
13 with my mother, because my mother, as a doctor, was
14 able to provide that care for him.

15 Q. All right.

16 So now, you've told me a couple minutes
17 ago about the Zoom meetings, and the reason is
18 because of COVID, because during this time, when
19 the contract with Comfort Keepers went into effect,
20 that was kind of in the heart of that time, you
21 know, getting into mid-2020, that's when COVID was
22 really picking up, and that's when everybody seemed
23 to be nervous and afraid, right?

24 A. Yes.

25 Q. There was no vaccines available at that

1 time, was there?

2 A. No.

3 Q. And just from your own experience,
4 wouldn't you agree, that is a time that they were
5 limiting who could even visit in hospitals, certain
6 patients, correct?

7 A. Yes.

8 Q. And in nursing homes they were limiting
9 who could visit in nursing homes, correct?

10 A. Yes.

11 Q. And then in this complaint, you appear
12 to fault Ms. Parsons -- if you look at
13 paragraph 43, where it says, for some unknown
14 reasons, Ms. Parsons went to great lengths to
15 isolate Dr. Grist and prevent those who love him
16 most from visiting.

17 Now, do you still fault Dr. -- I mean,
18 Ms. Parsons for trying to protect Dr. Grist?

19 A. Not allowing family to visit, I feel
20 like that's going too far.

21 Q. So -- so in the hospitals, when
22 everybody realized you have a family member in the
23 hospital, that they won't allow you to go visit, or
24 a family member in a nursing home, they don't allow
25 you to visit, so you believe that in all these

1 situations that were going on around Greenville,
2 around South Carolina, around the United States,
3 and around the world, you think that somehow your
4 dad was in a different boat than everybody else in
5 the world?

6 MR. PURIEFOY: Object to the form.

7 A. She wasn't allowing my father to visit
8 his grandson, who was 20 years old. He wasn't --
9 she claimed, was not allowed to visit because he
10 couldn't adequately take care of him at 20 years
11 old, when he's been -- I don't even know how many
12 times in the car, out to eat with my son, multiple
13 times, my son was not allowed to visit with him
14 anymore and have visitation with him because he
15 could not properly care for him.

16 Q. So there's complaints that his grandson
17 couldn't take him out to eat; is that what you
18 said?

19 A. He wasn't allowed to go anywhere with
20 him.

21 Q. During this time weren't restaurants
22 closed down?

23 A. No. This went on for two years, so
24 this was a long process. So there were restaurants
25 open after that.

1 Q. Okay.

2 All right. So this -- this type of
3 isolation continued to the very end, correct?
4 To --

5 A. Yes.

6 Q. Okay. To the end.

7 All right. Now, you testified earlier
8 that you paid Comfort Keepers, correct?

9 A. Yes.

10 Q. All right. From whose account did you
11 pay?

12 A. It came from the trust.

13 Q. All right. So what's the name of the
14 trust?

15 A. The Stanford Grist P -- I don't have
16 the exact number on it -- living trust. It has a
17 long number associated with it.

18 Q. All right.

19 And where is the trust located?

20 A. Located?

21 Q. Well, the bank, the money. Where is
22 the trust funds?

23 A. Trust funds? I mean, it has Hilly
24 Street, LLC, in it, and it has Stanford Grist
25 Veterinary Services, and it has Chestnut Farm, LLC.

1 Q. All right. And I'll just take that as
2 maybe I asked a bad question. Lawyers do that
3 sometimes. And certainly let me know if you don't
4 understand a question, and I'll try my best to
5 repeat it.

6 But you were paying Comfort Keepers
7 somehow, and you said it came from the trust. And
8 I asked you which trust it was. Now, that trust
9 must have a bank account somewhere.

10 Where was the bank account?

11 A. It had a stock account linked to it
12 through T. Rowe Price.

13 Q. All right.

14 So when you paid every month or, you
15 know, bimonthly, biweekly, however it was, how did
16 you do? How did you make the payment? Was it via
17 check?

18 A. Through T. Rowe Price, and it was a
19 check.

20 Q. All right.

21 So just where we can get all the
22 records of everything in and out, unless it's
23 already been produced -- and maybe it has --
24 where -- what is the address and information that
25 we can locate and see the money in and out of that

1 trust?

2 A. From T. Rowe Price?

3 Q. From T. Rowe Price. That's where
4 you're making payments.

5 A. Yes. What was the question?
6 T. Rowe Price.

7 Q. Yeah. What is their address? Who is
8 the contact person?

9 A. Oh, I don't have an address in front of
10 me for them. I don't -- I don't have their address
11 memorized. You'd have to look that up online.

12 Q. No. What I'd like you to do is provide
13 that information to your attorney, and I'll write
14 that down, and he can then provide it to me so we
15 can try to obtain all that information, access
16 those records.

17 MR. PURIEFOY: Why wouldn't you just
18 send me a formal discovery response or request
19 asking for whatever it is that you're asking for?

20 MR. DOWLING: Well, I will, but I'm
21 just saying right now, can we agree that that would
22 be provided?

23 MR. PURIEFOY: Oh, yeah. I'm not going
24 to object to producing or giving you that
25 information.

1 MR. DOWLING: Yeah. I will send a
2 follow-up that that was agreed to, the address to
3 be provided.

4 (This page contains information to be
5 supplied by counsel and/or the deponent.)

6 THE WITNESS: And in the beginning, the
7 first few checks, I believe some of them for
8 Ms. Parsons came from his Wells Fargo checking
9 account.

10 BY MR. DOWLING:

11 Q. All right. So some of the payments
12 went to Wells Fargo -- I mean, came from Wells
13 Fargo?

14 A. Some were from Wells Fargo and some
15 were through T. Rowe Price.

16 Q. All right.

17 And Wells Fargo, where -- where was
18 the -- who was banking at Wells Fargo?

19 A. That's my father's account, his
20 personal account.

21 Q. So that would be in his individual name
22 at Wells Fargo?

23 A. Yes.

24 Q. If you'll look further down -- I can
25 pull this down.

1 So in 42, you said, Dr. Grist's trust
2 bore the entire financial responsibility of this
3 decision by Ms. Parsons.

4 Correct?

5 A. Yes.

6 Q. But now you're saying part of it was
7 borne by Wells Fargo?

8 A. There could have been some checks that
9 came out. I can't say which exactly each time,
10 when it first started, whether we were able to get
11 checks from T. Rowe Price. In the very beginning,
12 the majority of the money came from T. Rowe Price.

13 When it first started and people had to
14 be paid, the money had to come out of my father's
15 personal account until we were able to access
16 T. Rowe Price to get money, and acquire checks
17 through T. Rowe Price, to write checks. It took, I
18 don't know how long. I don't remember. But during
19 that process, there could have been Wells Fargo
20 checks that paid.

21 Q. And then when you're saying these
22 things about Ms. Parsons, and then you say all the
23 reasoning behind Ms. Parsons's conduct that we just
24 went through, correct? You say they were difficult
25 to -- (inaudible)

1 COURT REPORTER: I'm sorry. Would you
2 please repeat that?

3 MR. DOWLING: Sure.

4 BY MR. DOWLING:

5 Q. Now, the next paragraph says, although
6 the reasoning behind Ms. Parsons's conduct is
7 difficult to understand -- you see that and read
8 that?

9 A. Yes.

10 Q. Now, it's not my wording. It's yours
11 and your attorney's.

12 And the conduct that you say is
13 difficult to understand is the -- your position
14 that she hired Comfort Keepers, not you, and that
15 she went to great lengths to isolate the family
16 from your dad.

17 You then go into issues with Comfort
18 Keepers being, as you say, derelict in its duties.
19 And I'll skip over that for right now.

20 But it said, in fact, number 45, after
21 having observed instances of inappropriate conduct
22 by Comfort Keepers's employees with Dr. Grist, that
23 you demanded an investigation.

24 Is that correct?

25 MR. PURIEFOY: Object to the form.

1 You can answer.

2 Q. You can answer.

3 A. You're going to need to repeat the
4 whole thing again.

5 Q. Okay. All I did was read the question.

6 In fact, after having observed
7 instances of inappropriate conduct by Comfort
8 Keepers's employees, plural, with Dr. Grist,
9 Plaintiff demanded an investigation be conducted.

10 Now, your allegation. I said, is that
11 correct?

12 A. I'm not sure which one of the instances
13 you're referring to, which investigation. I mean,
14 I asked for multiple investigations to take place.

15 Q. All right.

16 When were the investigations -- the
17 dates of the investigation that you requested?

18 A. I don't have dates for the
19 investigations. You'll have documentation of all
20 the times that my attorney sent out to everyone
21 that -- and to Mrs. Parsons directly, that he would
22 like an investigation to be conducted.

23 Q. All right.

24 Okay. Well, then, do it like this:
25 What are the instances of inappropriate conduct by

1 Comfort Keepers's employees that you observed?

2 A. Well, I have video evidence of sexual
3 abuse as well as physical abuse, as well as
4 overmedicating.

5 Q. Okay.

6 Video of sexual abuse, video of
7 physical abuse?

8 A. Yes.

9 Q. And is there video of overmedicating?

10 A. Yes.

11 Q. All right.

12 And who was doing the overmedicating?

13 A. That was through Comfort Keepers,
14 whoever was employed by them.

15 Q. And is the physical abuse -- was that
16 the instance with Paul --

17 A. Yes.

18 Q. -- that you described?

19 A. Yes.

20 Q. And you went into detail describing
21 the -- what was seen on the video earlier. Let me
22 see.

23 It says that Paul, I guess, drug your
24 dad through the yard, choked him, and knocked him
25 out.

1 Is that what you observed?

2 A. It's not knocked him out. He had a
3 physical altercation with him in the yard, and you
4 see him with his arm, pulling Dad through the yard
5 while my father is screaming for help.

6 Q. All right.

7 You testified earlier that you could
8 just hear him screaming, correct?

9 A. Yes. You can hear him screaming on the
10 video for help.

11 Q. All right. A video is video.

12 So this video obviously then has audio,
13 correct?

14 A. Yes.

15 Q. Are you sure?

16 A. Yes.

17 Q. Okay. All right. And who was the
18 audio -- the video audio with? Was it Panasonic?
19 Who was the company that put up the video and
20 audio?

21 A. There was a company that I hired to
22 take the video footage off of the camera and put it
23 onto a drive.

24 Q. All right. I don't recall seeing it,
25 and I know y'all say it was produced, but I do not

1 recall seeing, and certainly not hearing, anything.
2 I saw a video of an instance with someone, I think,
3 you know, clear it was Paul, but I did not see the
4 things that you described.

5 So I just want to make sure -- and your
6 attorney can just check and make sure, because he
7 said it was -- and maybe they checked. Maybe the
8 other lawyers know they have it. I would like to
9 know. But if it hasn't been produced, I would like
10 to -- I certainly would like to see it and listen
11 to all that audio. So not just see it.

12 So we'll put that -- and make sure that
13 we have it. And maybe we do. I just -- maybe I
14 couldn't open it. But I think I could open the
15 videos that I was provided. So I will just add
16 that to the list.

17 (This page contains information to be
18 supplied by counsel and/or the deponent.)

19 MR. DOWLING: Off the record for a
20 second.

21 (Off-the-record conference)

22 BY MR. DOWLING:

23 Q. All right. We'll go more through this
24 complaint. I just thought of something, just going
25 back.

1 The grandson that --

2 MR. PURIEFOY: Hey, Curtis, hold on a
3 second. Do you know that you're sharing your
4 screen still it looks like?

5 (Off-the-record conference to address a
6 technical issue)

7 BY MR. DOWLING:

8 Q. Your grandson that was trying to visit
9 your -- the grandson trying to visit your father,
10 is that your son?

11 A. Yes, it is.

12 Q. And what -- where did he go to high
13 school?

14 A. He went to -- part of it was in
15 Atlanta, and then a portion was here, a private
16 Christian school.

17 Q. It was Atlanta.

18 And what was the name of the high
19 school in Atlanta?

20 A. I'm trying to think. I honestly don't
21 remember what the -- he was only there for a year,
22 and then he transferred to boarding school in
23 Pennsylvania, and a boarding school in Columbia.
24 So every year was different. So there's four
25 different schools in total.

1 Q. So -- but you don't know the names of
2 any of those schools?

3 A. Valley Forge Military Academy, Camden
4 Military Academy, and I can't think of the other
5 two.

6 Q. All right. If you could, just make
7 another note to provide those names to your
8 attorney.

9 (This page contains information to be
10 supplied by counsel and/or the deponent.)

11 BY MR. DOWLING:

12 Q. Why -- why different schools about each
13 year for high school? That would be kind of rare
14 and unusual.

15 A. Public school system in Atlanta is not
16 that great. So you can go up until like eighth
17 grade and then ninth through twelfth is not as --
18 it's not as nice.

19 Q. But he started high school in Atlanta,
20 correct?

21 A. Yes. Well, he was in Atlanta through
22 eighth grade. Then ninth through twelfth, it was
23 all boarding school and private school.

24 Q. And in Pennsylvania, Valley Forge, and
25 then you said Camden Military, correct?

1 A. Camden Military. And Hampton -- the
2 other one is Hampton Park Christian Academy.

3 Q. Where is that located?

4 A. Greenville, South Carolina.

5 Q. Where did he graduate?

6 A. He graduated from Hampton Park
7 Christian Academy.

8 Q. All right.

9 Knowing some of these schools and why
10 children go to boarding -- most of the times when
11 they go to boarding schools like that, a lot of
12 times they're just really exceptional, gifted, and
13 other times they have situations where it's
14 behavior issues, particularly with military
15 schools.

16 Was either one -- did either one apply
17 to your son? Was he intellectually gifted and
18 talented, or was it more of a behavior issue?

19 A. My son received a scholarship to play
20 basketball.

21 Q. I'm talking about high school.

22 A. Yes. That's what I'm talking about.
23 He received a scholarship to play basketball at the
24 military schools.

25 Q. Camden Military?

1 A. At Valley Forge, he received a
2 scholarship to play basketball.

3 Q. All right.

4 So a scholarship for high school
5 players to come play basketball, correct?

6 A. Yes. Correct.

7 Q. Yeah. I mean, you are sure about that?
8 I mean, I --

9 A. Yes. He received a scholarship portion
10 to play basketball for Valley Forge.

11 Q. Okay.

12 Camden Military?

13 A. No. For Valley Forge.

14 Q. Got you. Got you.

15 All right. Did he go to Valley Forge
16 first or --

17 A. He went to Camden first and then
18 attended Valley Forge once he got the scholarship
19 offer.

20 Q. All right.

21 So when we get the school records, it's
22 not going to reflect any type of discipline issues
23 or anything like that, correct?

24 A. Correct.

25 Q. Now, you said that -- you told me about

1 the -- what you saw on the video for the physical
2 abuse.

3 Now tell me about what you've seen on
4 the video or videos of the sexual abuse.

5 A. I did not watch the video.

6 Q. You didn't watch the video?

7 A. No, I did not.

8 Q. Well, it says you have observed
9 instances of inappropriate conduct.

10 So you're not talking about sexual
11 abuse there?

12 A. I pulled the footage so that it could
13 be brought in. I did not watch the whole entire
14 video. The video footage was pulled. I brought it
15 to someone to record it and put it on so that we
16 had the footage. That's it. I did not watch the
17 full video, no.

18 Q. Tell me what you watched.

19 A. I saw my father with Kerry, and that
20 footage was pulled off the video. I did not watch
21 the actual video, so I cannot tell you what
22 happened in the video.

23 Q. So is it fair to say you personally do
24 not know of any sexual abuse of --

25 A. The video was reviewed by multiple

1 people who watched the video fully. And, yes, they
2 said there was abuse. I do not feel --

3 Q. Who said --

4 A. I don't feel that I should have to
5 watch a video like that.

6 Q. Who said there was sexual abuse?

7 MR. PURIEFOY: Objection to the extent
8 it's getting into attorney-client privilege.

9 Q. No. Anybody other than your attorney
10 who said there was sexual abuse?

11 A. My mother saw the video.

12 Q. All right. So your mother told you
13 there was sexual abuse.

14 Did she tell you what the sexual abuse
15 was?

16 A. We didn't go into fine details, no.

17 Q. Okay.

18 Other than your mother, who else told
19 you there was sexual abuse?

20 A. That's all I can list.

21 Q. All right.

22 Had your father ever reported to you at
23 any time sexual abuse by Comfort Keepers or by
24 anybody else?

25 A. Yes, when he made the initial phone

1 call.

2 Q. And the initial phone call was from
3 your dad to you or --

4 A. Yes.

5 Q. -- from you to someone else?

6 A. It was -- my dad and my mother were
7 both present.

8 Q. All right.

9 If you look at paragraph 51 of the
10 complaint, where it says -- well, what we were just
11 talking about, Plaintiff was also made aware some
12 time ago about her father's alleged sexual abuse by
13 a Comfort Keepers's employee, and she -- that's
14 you, correct -- reported the same to all parties?

15 A. Who is, all parties?

16 Q. It's your words. I'm asking you.

17 A. I reported to Tracy and Comfort
18 Keepers, a Comfort Keepers's nurse who Tracy
19 patched in on the call. The first person I
20 contacted was Tracy Parsons to report the incident,
21 and she patched Chris from Comfort Keepers in on
22 the call.

23 Q. Now, did you report it to your
24 attorney?

25 A. I did report it to my attorney.

1 Q. It then said, after it was reported to
2 all parties, a video was reviewed by all.

3 Correct?

4 A. Yes.

5 Q. So everybody but you reviewed the
6 video.

7 Does that sound fair?

8 A. My attorney did not.

9 Q. You think your attorney did not review
10 the video?

11 A. I'm not sure that my attorney got a
12 copy, no.

13 Q. Do you know whether he reviewed the
14 video?

15 A. I am not positive. I couldn't say.

16 Q. Well, if that's the case, why did you
17 just say that your attorney did not receive --
18 review the video?

19 A. I did not remember personally
20 forwarding my attorney a copy of the video. My
21 attorney -- I don't even know that I'm -- I think
22 that's plenty, yeah.

23 Q. If you go on further in 51, it said
24 that you recently learned of an internal
25 investigation by Comfort Keepers and Tracy Parsons.

1 Do you think that Tracy Parsons
2 conducted any investigation or was part of any
3 investigation?

4 A. I was not informed of that until I
5 received -- when my attorney subpoenaed Tracy
6 Parsons and Jennifer Browning for emails and email
7 communication between Comfort Keepers, Jennifer,
8 and Tracy, is when we received the emails that
9 these things went on.

10 So we were never informed of this
11 information until my attorney subpoenaed the
12 emails.

13 Q. Yeah. You're talking about, you
14 weren't informed of what the investigation --

15 A. We weren't informed of anyone doing
16 anything other than the actual call that I had with
17 Tracy Parsons and with Chris from Comfort Keepers.
18 That is the only way that they ever addressed that
19 conversation. I was -- no one ever followed back
20 up other than the phone call from Tracy to say that
21 Kerry was not coming back. There was no other
22 discussion nor anything else told to me or my
23 attorney about the situation.

24 Q. And my question that I'm trying to get
25 to is, you say you learned about it. So once you

1 learned about it, you alleged that it was Tracy
2 Parsons, part of her investigation.

3 Do you believe that Tracy Parsons was a
4 part of the Comfort Keepers's investigation?

5 A. Tracy Parsons, in the emails, said
6 that -- something about she personally, herself,
7 called the police, I believe, in her email. And
8 that's what I'm referencing, that she did her
9 own -- she said she filed her own something with
10 the police or called the police, and we were not
11 able to obtain any reports from them whatsoever.

12 Q. All right.

13 So the internal investigation, what is
14 an internal investigation?

15 A. It depends who's doing it.

16 Q. Yeah. Okay.

17 Well, Tracy Parsons is by herself,
18 right? So she wouldn't do an internal
19 investigation, would she?

20 A. She claimed that she called the police,
21 to which those documents were subpoenaed, and they
22 do not have any report on file where she claims she
23 filed a report.

24 Q. All right.

25 When you say there was an internal

1 investigation by Comfort Keepers and Tracy Parsons,
2 is that one investigation or two investigations?

3 A. Well, I'm assuming they both claimed in
4 their emails that they had separate lines of
5 communication. So I'm sure they both did -- had --
6 I know Tracy said she had her police report, and
7 then Comfort Keepers said something similar to that
8 as well.

9 I don't have the emails in front of me,
10 so I can't recall everything on the email. I would
11 have to have it in front of me.

12 Q. All right.

13 It says that the investigation, which
14 you tie into somehow to Tracy Parsons, revealed
15 that Comfort Keepers's employee, Kerry Burnett
16 McCreary, admitted as part of the investigation
17 that she had performed numerous sexual acts on
18 Mr. Grist, including -- no, on information and
19 belief, sexual intercourse.

20 That's what you've alleged, correct?

21 A. Yes.

22 Q. All right.

23 And again, your testimony, is that from
24 Ms. Parsons's investigation, correct?

25 A. All of that is not included in

1 Ms. Parsons's investigation, no.

2 Q. That's why I'm trying to get into the
3 investigation that you believe Ms. Parsons did, her
4 own internal investigation.

5 Other than contacting police, anything
6 else?

7 A. I don't have the email in front of me,
8 so I can't remember every single word of what she
9 said in the email that she did to investigate the
10 situation.

11 Q. Well, let's look at paragraph 52 and
12 see if we can walk through it a little more.

13 It said, these, that what you learned
14 from the investigation, were -- these verified
15 instances of sexual exploitation were included in
16 the internal investigation notes, right, that you
17 have been referring to, correct?

18 A. Yes.

19 Q. Which also, shockingly, reference
20 Ms. Parsons's belief that it was best to let a
21 sleeping dog lie as it related to Ms. McCreary's
22 conduct, right?

23 A. Yes. Correct.

24 Q. But didn't you say she had already
25 contacted the police?

1 A. That is what Mrs. Parsons claimed. We
2 were not able to obtain anything, once we
3 subpoenaed for this report. There was no report.
4 We were not able to obtain a report.

5 Q. But you had the information. Your
6 mother told you about the sexual assault. Your dad
7 told you about the sexual assault.

8 Correct?

9 A. Yes.

10 Q. And you said, if you continue on, on
11 the next page of the complaint, you said that
12 Ms. Parsons failed to report the same to the Court
13 or any policing agency, correct?

14 A. Yes. She claims she filed some type of
15 police report in her email.

16 Q. All right.

17 As to the Court, do you know of any
18 reports that Ms. Parsons actually filed with the
19 Court?

20 A. No.

21 Q. And then it says, it's shocking that
22 all this took place behind the scenes and that an
23 additional admission was obtained regarding the
24 sexual abuse suffered by Dr. Grist at the hands of
25 Ms. Parsons's hired caregivers, and Ms. Parsons did

1 not think it was necessary to report it to anyone
2 or take any action at all to protect Dr. Grist.

3 You still feel that way?

4 A. Yes. When they interviewed Kerry, she
5 openly admitted as to the acts to which she had
6 done, why she did them, and it's in Comfort
7 Keepers's notes as well. As Mrs. Parsons was
8 copied on all of this and failed to ever notify any
9 of us of this information ever, then her comment
10 of, let sleeping dogs lie, all of this information
11 that Comfort Keepers knew about their employee,
12 that when she came into the office and was asked,
13 did she do these things, and the portions of it
14 that she admitted to, all of that was kept behind
15 the scenes. None of us ever heard about that.
16 Nobody was ever notified about that. No one was
17 ever told about any of that part of investigation
18 whatsoever, any of that information that she
19 admitted to it, nothing. We were left in the dark.

20 Q. All right.

21 But you already had your dad telling
22 you and you already had the video that you, maybe
23 your lawyer, and a lot of people have seen.

24 Did you tell --

25 A. Yes, but Mrs. -- once Kerry confirmed

1 with Comfort Keepers that these acts were happening
2 and told Comfort Keepers, Mrs. Parsons knew as well
3 and never informed us. That was all kept until the
4 emails were subpoenaed. No one ever saw that
5 information, confirming.

6 Q. So Ms. McCreary told Comfort Keepers's
7 people and also told Ms. Parsons.

8 Is that what you're saying?

9 A. Ms. Parsons was notified. I don't know
10 how she was notified. I don't know which person
11 told which person. But she knew that information,
12 of the investigation performed by Comfort Keepers
13 when they brought Kerry in to ask her the
14 questions. It says in their notes --

15 Q. Sure.

16 A. -- that they notified Mrs. Parsons.

17 Q. I got you. And we'll get to that after
18 while.

19 But you'll acknowledge, then, that
20 Ms. Parsons was not part of that internal
21 investigation at Comfort Keepers where they
22 interviewed Ms. McCreary, correct?

23 A. I'm not sure if she was present or not.
24 I couldn't say.

25 Q. Well, you've got the notes you keep --

1 you're talking about. We're going to get to those.

2 But is there anything that would
3 indicate to you, do you have any evidence that
4 Ms. Parsons was a part of that conference, that
5 interview with Ms. McCreary?

6 A. I don't have anything that says she was
7 present while they spoke with her, no.

8 Q. And again, when you're talking about
9 these things that happened at the hands of
10 Ms. Parsons's hired care keepers, you say that.

11 It wouldn't be very good if you said it
12 was at the hands of the people that you contracted
13 with and consented to continue, correct?

14 A. That's extremely confusing. You'll
15 have to reword the whole entire thing.

16 Q. Okay.

17 All right. You keep alleging, keep
18 saying that all this was done at the hands of
19 Ms. Parsons's hired caregivers --

20 A. Yes.

21 Q. -- which is Comfort Keepers, right?

22 A. Yes.

23 Q. All right.

24 All right. Now, my question to you is,
25 it wouldn't help you any at all if you acknowledged

1 what the contract said, is that these hired
2 caregivers contracted with you, correct?

3 A. Yes.

4 Q. Yeah. And what you could do is you
5 could cancel this at any time by providing the
6 other party two weeks' notice.

7 So if -- if it's true about what
8 Comfort Keepers's employee Ms. McCreary did, and
9 you were aware of it, you took zero actions to look
10 at the contract, to notify people in writing that
11 you wanted to terminate or to go to your attorney
12 or go to the Court and try to have Comfort Keepers
13 removed.

14 Is that correct? Is that a fair
15 statement?

16 A. I was not given any authority to do so.
17 Mrs. Parsons was placed over my father. She made
18 all medical and health decisions for my father. I
19 cannot override a decision she made and fire
20 someone or fire a doctor without her consent.

21 Q. Yet you eventually did fire Comfort
22 Keepers, right?

23 A. I did not fire Comfort Keepers.
24 Comfort Keepers sent their final letter, which I
25 have very -- I have been over multiple times today,

1 that said, we are unable to staff the care that
2 Dr. Grist will need; we cannot provide two
3 caregivers per shift for Dr. Grist; so at this
4 time, that is our answer.

5 Q. All right.

6 Why was -- the company before Comfort
7 Keepers, was that Right at Home?

8 A. Yes.

9 Q. Who contracted with Right at Home?

10 A. I hired Right at Home to come in
11 because it was suggested that we have care in
12 place.

13 Q. So you signed a contract with Right at
14 Home, correct?

15 A. Yes, I did.

16 Q. Who fired Right at Home?

17 A. Tracy Parsons asked to let them go.
18 She contacted them directly to let them know that
19 she would not be needing their services anymore.

20 Q. And again, we've been through this
21 earlier about your dad, according to what
22 Ms. Browning would have known and what Tracy
23 Parsons would have known, was a person that could
24 not care for himself and needed certain
25 medications.

1 Correct?

2 A. I disagree with that.

3 Q. All right.

4 Well, you can disagree, but I'm just
5 asking what would have been aware to Ms. Parsons
6 and Ms. Browning, is that there was an order that
7 they provide for his safety, his welfare, whatever
8 the order says, the statutes say, and that would
9 entail making sure that he was able to get
10 medication provided by his caregivers.

11 Correct?

12 A. Yes.

13 Q. What did you do to check to see if
14 Right at Home could, in fact, do that? Or what
15 other companies --

16 A. Well, Right at Home -- go ahead.

17 Q. No, you go ahead.

18 A. Right at Home was only there during the
19 daytime, and my mother kept my father at nighttime.
20 And the only medication that my father was on was
21 thyroid medication at the time, so there were no
22 other medications to administer but thyroid
23 medications. So he did not have a list of
24 medications that he needed to be dispensed. The
25 only other thing that he took was vitamins.

1 And he had actually been taken off of
2 his thyroid medication at the time because his
3 thyroid had stabilized, so he was currently only on
4 vitamins.

5 Q. Just on vitamins.

6 Now, have you ever read Kerry
7 McCreary's deposition?

8 A. No, I have not.

9 Q. Were you aware that she had testified
10 that she didn't even know or recognize the name of
11 Tracy Parsons?

12 A. No, I did not.

13 Q. If she would not even be able to
14 identify or know Tracy Parsons, does that sound
15 like somebody who would have been -- Ms. Parsons
16 have sounded like someone who would have been
17 interviewing Ms. McCreary?

18 A. I'm not sure. Not sure. Couldn't say.

19 MR. DOWLING: Anybody need a break?

20 (Off-the-record conference)

21 MR. DOWLING: I was going to go out of
22 the complaint and come back, but we can just stay
23 in the complaint right now.

24 BY MR. DOWLING:

25 Q. Just flip on to paragraph 60.

1 Are you there?

2 A. Yes. I'm here.

3 Q. All right.

4 You alleged that Mickie and Caroline,
5 that they had Ms. Parsons exceed the scope of her
6 guardian duties, which you've been describing to me
7 as she could pretty much do just about anything,
8 and you couldn't do anything.

9 So she exceeded the scope of her
10 guardian duties and responsibility, which included
11 advocating, representing, or attempting to
12 represent the interests of Mickie and Caroline.

13 Now, I know these are the exact same
14 things that you said against Ms. -- as alleged
15 against Ms. Browning. But what did Ms. Parsons --
16 how did she exceed the scope of her guardian duties
17 by doing these things?

18 A. Well, my father --

19 Q. Tell me -- go ahead.

20 A. Yeah. My father had filed a no
21 trespassing order on my sister, did not want to see
22 her, did not want to speak to her, had said he
23 was -- never wanted to see her again, ever in his
24 life. He did not want any contact with her.

25 And Mrs. Parsons was coming to the

1 house and repeatedly asking him, and Mickie was
2 sending emails back and forth, please go ask my
3 dad, can I talk to him. She was taking notes from
4 Mickie to my dad, handing them to my dad, dropping
5 off cards, trying to see if Tracy could talk to my
6 dad and get my dad to talk to her.

7 Nowhere in there should she be doing
8 that. That's a personal issue. Why would you try
9 to force my dad to start taking letters and
10 speaking to my sister after he filed a restraining
11 order on her and wanted nothing to do with her
12 after she filed this suit?

13 Q. When did -- when did Mickie and
14 Caroline, when did they go in and do all this stuff
15 with your father?

16 A. And Caroline and Mickie also requested
17 special doctors' appointments as well to Tracy, to
18 which Tracy booked all of the appointments that
19 Caroline and Mickie asked for, and the specific
20 doctors that they asked for as well.

21 Q. Well, that's fine, and you can say
22 that. I wish it would just be a response to my
23 question, is, when is it that you contend that
24 Mickie and Caroline came and visited with your
25 father and went over these cards or emails,

1 whatever it is? When did that happen?

2 A. All of the cards were given from Mickie
3 to Tracy, the emails; Mickie made calls to Tracy,
4 emails to Tracy, get him to try to make me visit;
5 try to have -- talk to him and let me back in; try
6 to get visits for me; try to do this; see if you
7 can convince him that I need to come visit; I need
8 to come talk to him; see if you can convince him
9 that I need to be his guardian. All of this is in
10 the emails.

11 Q. All right.

12 And, again, when did these things that
13 you say they were doing -- did any of this ever
14 take place, that they came in and tried to do
15 anything?

16 A. Yes. They were granted visitation.
17 When they thought my father was going to die, by
18 the Court, they asked for emergency visitation.

19 Q. All right.

20 Did you -- did you ask for permission
21 to see your father when he was about to die?

22 A. No. I had to schedule appointments to
23 visit my father through Mrs. Parsons, and if she
24 approved them, then I got to go to lunch with him
25 or I got to visit him at his house, once it was

1 approved by Mrs. Parsons and I scheduled with her.

2 Q. All right.

3 So when is it that Mickie and Caroline
4 were getting the same type of visits you were
5 getting?

6 A. They weren't getting visits. They were
7 asking for visits. My father filed restraining
8 orders on them. They were asking Tracy to give him
9 notes that they had written and the cards that they
10 had sent and the pictures that they had sent
11 through Tracy and asked Tracy to set up meetings
12 for them, to allow visitation, to talk him into
13 letting them back in.

14 Q. And did Mickie and Caroline tell you
15 that they were trying to do this through Tracy
16 Parsons?

17 A. It was in the emails, when we
18 subpoenaed the emails from Tracy to Mickie.

19 Q. All right.

20 A. She would say, I dropped off the cards
21 you gave; I dropped off the pictures; I spoke to
22 him, had a conversation with him about visiting
23 with you; I booked the doctor's appointment that
24 you requested.

25 Q. Yeah.

1 And about the doctor's appointment, do
2 you have any evidence that either one of them ever
3 went to a single doctor's appointment?

4 A. No, I don't have evidence that Mickie
5 or Caroline attended a doctor's appointment.

6 Q. Now, you said that she exceeded the
7 scope of her duties and responsibilities by
8 interfering with issues between the family members
9 and inheritance.

10 What did she try to do and who was --
11 and how did she affect or try to affect the
12 inheritance?

13 A. Because Mickie -- my father was done
14 with Mickie. He did not want anything to do with
15 Mickie. And she was trying to bring Mickie -- help
16 bring Mickie back into the picture, after my father
17 had taken Mickie completely out of his life.

18 Q. So what -- how were the inheritance or
19 whatever, how was that affected, if any, at all?

20 A. I'm assuming by brining Mickie back in,
21 Mickie thought she could change things, like her
22 inheritance.

23 Q. What did Mickie change?

24 A. Mickie didn't change anything. Not --

25 Q. All right.

1 A. She did not -- my dad did not ask for a
2 visit with her. Even after receiving the letters,
3 the pictures, the notes, everything that Tracy
4 delivered, my dad did not want to visit from her.

5 Q. So an alleged interference with the
6 family inheritance with no consequence, correct?

7 A. I couldn't answer that, if there's a
8 consequence or not yet.

9 Q. Failing to take a guardian oath.
10 Anything different than what you said
11 earlier?

12 A. I can't remember. There was -- we've
13 been through so much.

14 Q. Well, tell me about what you say that
15 she exceeded the scope of her duties by failing to
16 take the guardian oath.

17 A. Let me see.

18 Yes, she was not sworn in by the Court
19 as well.

20 Q. And you think if that happened, that
21 exceeded her scope of duty or --

22 A. No, I just thought you were asking me
23 about that specific situation again. Is there
24 another question that I'm missing here?

25 Q. No. I'm just asking, what is it, how

1 is it that if she did or didn't take a guardian
2 oath, how that would exceed her guardian duties and
3 responsibilities?

4 A. Well, that's part of her job, is to do
5 that.

6 Q. So if it didn't happen, again, whether
7 her taking an oath -- is that a -- exceeding a
8 scope of duties and responsibilities, again, with
9 no consequence?

10 A. Yes, because she didn't take her oath
11 from the Court, and that's part of her job. So
12 then she's taking her job on herself without taking
13 an oath in the court.

14 Q. What did Tracy Parsons do to cover up
15 sexual misconduct by Comfort Keepers's employees?

16 A. She put the investigation to rest, as
17 we discussed earlier on the phone call. Everything
18 was dismissed. There was -- nothing was ever
19 brought up again. We had one phone call, and she
20 dismissed it like nothing ever happened, again.

21 Q. So that is -- I mean, everybody -- what
22 is the coverup? Everybody who was anybody knew
23 about the alleged sexual misconduct, correct?

24 A. And she had also spoken with the other
25 attorneys and did not want anybody in -- when we

1 had our meeting, did not want anybody filing
2 anything about it. When it was mentioned, it was
3 brought up by my sister that she was going to file
4 charges. My sister, Charlotte, that she was going
5 to file charges. And she did not want that to
6 happen.

7 Q. Who didn't want that to happen?

8 A. Tracy Parsons and Jennifer Browning.

9 Q. They didn't want charges filed against
10 who?

11 A. My sister was going to file charges for
12 the sexual assaults.

13 Q. All right. And so what stopped her
14 from doing that?

15 A. That's what her -- that's what she was
16 told. So...

17 Q. Who told her that?

18 A. That came from Adam Lee.

19 Q. Do you know if -- if Tracy Parsons
20 emailed and communicated with your attorney in that
21 case --

22 A. Yes, she did.

23 Q. -- about the video or the allegations?

24 A. Oh. Not -- I thought you meant just if
25 she just ever emailed my attorney.

1 Yes, she's emailed my attorney before.
2 On that specific topic, no.

3 Q. You're saying that she didn't email
4 them on that specific topic?

5 A. As far as I know, no.

6 Q. All right.

7 And you read all the emails, so you
8 would know, right?

9 A. I read some of them. He -- he might
10 have sent an email out to her on that topic. I
11 just can't recall of the top of my head. There's
12 so many emails. There were so much lines of
13 communication. It could have gone to him; it could
14 have gone to her. So many people are copied on
15 every email. There's 20 or 30 people copied. So
16 if I miss her name at da, da, da, I could have
17 missed it on one. So she could have been notified
18 by my attorney.

19 Q. Okay.

20 How did she exceed the scope of her
21 guardian duties by interfering with the legal
22 process?

23 MR. PURIEFOY: Object to the form.

24 Q. It's your allegations, so you can
25 answer.

1 A. Repeat the question.

2 Q. How did Ms. Parsons exceed the scope of
3 her duties and responsibilities by interfering with
4 the legal process?

5 A. Repeat it one more time.

6 Q. I'm just reading paragraph 60.

7 A. Oh. What was it, 60?

8 Q. 60. Just read the -- Ms. Parsons
9 exceeded the scope of her guardian duties and
10 responsibilities, which include -- and I've been
11 going through them, and the next one I was getting
12 to -- by interfering with the legal process.

13 A. So what that's referencing is when
14 Mrs. Parsons was communicating with Mickie and
15 Caroline behind the scenes and booking doctors'
16 appointments and these letters and everything, she
17 was not even telling us that she was having a
18 conversation, period, with Mickie or Caroline. She
19 claimed she was only speaking with me. So she
20 never said, oh, yes, I'm also speaking with Mickie
21 and Caroline all the time and booking everything
22 they want and trying to talk to your father through
23 her.

24 So she was inserting herself basically
25 in the middle of our lawsuit.

1 Q. So you and Ms. Parsons never -- y'all
2 weren't communicating any at all?

3 A. No, we communicated when she had
4 something to tell me or inform me of something that
5 she was doing or a change or a doctor's appointment
6 or a new medication or something with Comfort
7 Keepers's schedule, when Comfort Keepers couldn't
8 show up or they didn't have anybody, that I had to
9 take my dad, I had to pick him up, he had to stay
10 with me, I needed to do this. It just depended.
11 There was a lot of emails, communication, text
12 message, phone calls.

13 Q. So I just want to make sure I get it
14 right. And that is, she interfered with the legal
15 process by communicating with your sisters?

16 A. There was numerous things. But, yes,
17 that's one of them.

18 Q. So tell me all of them.
19 It's been a long pause. Do you -- are
20 you going to answer or --

21 A. I'm rereading the question. So when I
22 finish, I'll give you another response like you'd
23 like.

24 Q. Sure.

25 A. So basically what that's also

1 referencing is Mrs. Parsons, as well as
2 Ms. Browning, which we had already spoken about,
3 the inaccurate reports to which Mrs. Parsons and
4 Mrs. Browning both submitted to the Court at
5 different times, or their reports all together, in
6 stating that basically false reports on my father
7 to keep their positions where they were so that
8 they could stay and get a salary as well and get
9 paid.

10 Q. All right.

11 False reports to the Court. What false
12 report did --

13 A. That's the one that we discussed
14 earlier. We went over that.

15 Q. The Ms. Browning's report?

16 A. Yes.

17 Q. All right. I'm asking about
18 Ms. Parsons.

19 A. Yes, Ms. Parsons was copied on this as
20 well, and then Ms. Parsons was placed back in due
21 to that report.

22 Q. All right.

23 A. She was copied on all of these emails.

24 Q. Okay. And was your lawyer copied on
25 it?

1 A. I'm sure he was.

2 Q. All right.

3 If being copied on it makes her a part
4 of it, then I guess your lawyer is a part of it,
5 too, filing the false reports?

6 A. No, he's not.

7 Q. So he's not copied?

8 A. I don't -- I don't have the email in
9 front of me, so I cannot accurately answer your
10 question as to who was copied, if he was not
11 copied. I cannot answer that.

12 Q. All right.

13 So if he was copied -- but you know
14 Ms. Parsons was copied on the report, correct?

15 A. Yes.

16 Q. All right.

17 But you don't know if any of the
18 lawyers were copied on the report --

19 A. I don't have the email in front of me,
20 no.

21 Q. All right. Now -- but then if -- it's
22 only logical, then, if being copied on the report
23 makes you implicit in the false information being
24 provided, then if your lawyers were copied, they
25 were a part of the ones making inaccurate report --

1 or false reports to the Court, correct?

2 A. No, that is not correct.

3 Q. Well, tell me what the difference would
4 be then.

5 A. I think I'm pretty much done with that
6 question. There's nothing else that I can answer
7 on that question for you.

8 Q. All right. But I can help you a little
9 bit.

10 A. Okay.

11 Q. Because earlier you testified that this
12 is all a big conspiracy -- so tell me if I get this
13 wrong -- that everybody knows everybody who's going
14 to hire, and you listed all the people that are
15 involved that's being paid, guardians, temporary
16 guardians, and you said attorneys.

17 So what you said earlier, and also what
18 you just testified to, it sounds like a part of
19 this conspiracy for everybody to get money from
20 people who have money is to just keep billing until
21 there's no money.

22 That would include the attorneys and
23 your attorney, correct?

24 MR. PURIEFOY: Object to the form.

25 A. Well, my attorney is being paid by me.

1 He's not being paid out of the estate.

2 Q. It's the -- when the estate money is
3 gone, I mean, like you said earlier, why continue,
4 why have it at that point, correct?

5 A. That is for my father's case. I pay my
6 attorneys separately. So that shouldn't have
7 anything to do with it.

8 Q. So was your attorney then out of the
9 conspiracy that included attorneys you referenced
10 earlier?

11 A. I never referenced an attorney's name.
12 I said attorneys are getting paid, just like the
13 guardians are getting paid, as long as these things
14 go on.

15 Q. And you said they're all part of the
16 conspiracy, correct?

17 A. I didn't say they're all part of the
18 conspiracy. I said they're all getting paid as
19 long as this continues.

20 Q. Okay.

21 So is there no conspiracy then?

22 And I'm fine either way you go.

23 A. Yes, I do think it's -- they conspired,
24 yes, to keep the money going and to keep draining
25 people who have money. It's a process through

1 probate court. Yes, I still believe it to be a
2 conspiracy.

3 Q. All right.

4 And you said that, in paragraph 60,
5 that Ms. Parsons committed misconduct, which is
6 pretty serious for somebody to say that about a
7 professional, in advocating and acting under an
8 inherit conflict of interest.

9 And I know you described that earlier
10 as part of that, you know, conspiracy thing, that
11 they're getting money, but -- to keep this thing
12 going.

13 Is that it or is there anything else?

14 A. Yes, that is -- that's it.

15 Q. All right.

16 And you said that also a part of this,
17 after the conflict of interest and this conspiracy
18 and, you know, making incomplete, misleading
19 reports to the Court to keep herself in place for
20 her own self-interest.

21 Now, specifically, anything -- I mean,
22 tell me any reports you know of that Ms. Parsons,
23 herself, made to the Court.

24 A. I don't recall a report by Mrs. Parsons
25 given to the Court offhand.

1 Q. Why would you allege that?

2 A. I didn't allege that. I'm sure that
3 Mrs. Parsons discussed with Jennifer Browning.
4 Jennifer Browning was to submit the reports to the
5 Court. Because Tracy Parsons --

6 Q. No.

7 A. -- was a temporary guardian; Jennifer
8 Browning was guardian ad litem. So she provided
9 the reports for the Court. So I'm sure they
10 discussed that situation together before it was
11 reported, seeing as how they worked together.

12 Q. Now, you just testified that you didn't
13 allege that she made incomplete or misleading
14 reports or know of any report.

15 But if we look at paragraph 60, that's
16 exactly what you alleged, that Ms. Parsons made
17 incomplete and misleading reports to the Court to
18 keep herself in place for her own self-interest.

19 A. Yes, with Mrs. Browning. They worked
20 together. They had been working together this
21 whole entire time. So the reports, she would have
22 to call Tracy to get the report. She would have to
23 call Tracy to find out information. She would have
24 to call Tracy to find out what was going on.

25 So the report obviously -- she had to

1 get information from Tracy. Why would she not ever
2 call Tracy before making this report with false
3 information in it?

4 Q. Anything else other than that?
5 Anything else that you know of?

6 A. Not that I can think of offhand.

7 MR. SUGGS: Curtis, can we take five?

8 MR. DOWLING: Yeah.

9 (After a recess, proceedings were
10 continued as follows:)

11 BY MR. DOWLING:

12 Q. All right. Ms. Grist, you were
13 referencing some documents that kind of opened your
14 eyes to some things that you had subpoenaed.

15 And who did you subpoena?

16 A. My attorneys subpoenaed Jennifer
17 Browning, Comfort Keepers, and Tracy Parsons.

18 Q. All right.

19 Now, from Comfort Keepers, what did you
20 receive and review?

21 A. I reviewed notes on the Kerry
22 situation, as well as a few other little notes that
23 were in there, which would be just like if there
24 was a complaint made or something like that. Those
25 were attached as well.

1 Q. And would you agree that the Comfort
2 Keepers documents that you subpoenaed were their
3 internal notes?

4 A. I can't remember how they came. I'm
5 not sure.

6 Q. Well, would you agree that they're not
7 Ms. Parsons' internal notes?

8 A. Yes.

9 Q. Do you recall being told that Dr. Grist
10 had been making inappropriate remarks towards
11 Ms. McCreary?

12 A. No.

13 Q. Do you recall Comfort Keepers telling
14 you -- I assume not if you don't know about this --
15 that they would investigate?

16 A. No. No one ever contacted me.

17 Q. Did you see anything in the Comfort
18 Keepers internal notes where Tracy Parsons was part
19 of any interview with Ms. McCreary?

20 A. I don't recall.

21 Q. Do you think you would recall if you
22 saw something like that?

23 A. I mean, there was a lot of documents.
24 So it took a long time to review all the documents.
25 So, no, I'm not sure if I would.

1 Q. Did you see anywhere in the internal
2 notes where Ms. McCreary reported having sex with
3 your father?

4 A. I remember seeing in Comfort Keepers
5 notes that Ms. -- that Kerry had sexual acts with
6 Dr. Grist. It was called sexual acts, I think, on
7 the paper.

8 Q. Do you recall if the notes reflect that
9 Ms. McCreary's position was she didn't have sex
10 with your father?

11 A. I don't recall seeing that in the
12 notes.

13 Q. Were you aware that your father would
14 try to kiss Ms. McCreary, tried that on multiple
15 occasions?

16 A. No, I was not aware.

17 Q. Were you aware that your father would
18 try to kiss all the female caregivers?

19 A. No. I have never been told that by any
20 caregiver.

21 Q. Well, did you ever see any of that in
22 any of the notes you've read, in the internal
23 notes?

24 A. No, I don't recall seeing that.

25 Q. Based on your review of the Comfort

1 Keepers's notes, did you ever see anywhere in those
2 documents where Comfort Keepers informed Tracy
3 Parsons that Ms. McCreary had had sex with your
4 father?

5 A. I don't recall.

6 Q. Did you see anywhere in the notes where
7 Comfort Keepers informed Ms. Parsons that
8 Ms. McCreary had touched your father's penis?

9 A. I don't recall.

10 Q. As a result of whatever the
11 investigation was, did Ms. McCreary ever come back
12 and -- and care for your father again?

13 A. I was notified by Mrs. Parsons, by
14 phone call, that Kerry would not be returning.

15 Q. All right.

16 I know this is a little difficult to
17 read right now, but do you recognize this as the
18 internal notes from Comfort Keepers?

19 A. I can barely see it.

20 Q. Let me see what I can do here.

21 All right. Does that help any?

22 MR. PURIEFOY: You can stand here if
23 you need to.

24 A. What am I -- what am I reading? Which
25 part?

1 Q. Hang on. Nothing. I'm just trying to
2 see if you can see it okay. There we go.

3 All right. 7/20/20. It looks like
4 that's the first entry related to Dr. Grist, your
5 father, correct?

6 A. Okay.

7 Q. All right. Well, you said you
8 subpoenaed and received the notes.

9 Does this look like the notes to you?

10 A. I'm assuming that's it. I don't
11 remember what form they were in. I could have -- I
12 got all different types of forms, so it could have
13 been in a different form. But, yes, that...

14 Q. All right. But just go through the
15 dates, and let's just see if I can move on down a
16 little, try to move through this without going
17 through many of these. It's possible Comfort
18 Keepers may want to go through this with you, but I
19 think I can cover things in a few...

20 But you don't ever recall being told
21 that your father was making inappropriate remarks
22 to Ms. McCreary, correct?

23 A. No, I was never informed of that.

24 Q. On the 25th, it said that Kerry called
25 and said that Dr. Grist was more confused yesterday

1 and was saying inappropriate things to her; he
2 stated he thought she was his girlfriend; she
3 corrected him, but said it made her uncomfortable;
4 she said it was okay to -- let me enlarge it; I
5 can't see it -- go back and she would let us know
6 if it happens again, said that she'll let Tracy
7 Parsons know.

8 But you weren't aware back then that
9 these things were happening, correct?

10 A. No. I was never notified by anyone.

11 Q. All right.

12 But on the same day, it says, Ms. --
13 5/25, Tracy called me back with Stacey.

14 Any other Staceys other than you?

15 A. Tracy called me back with Stacey? Who
16 is that referencing?

17 Q. This is Comfort Keepers' notes. So
18 Tracy Parsons called me back with Stacey.

19 Any other Staceys in here other than --

20 A. So is this Chris stating the statement?
21 Because she was the only other person on the phone
22 call that we had.

23 Q. All right.

24 MR. PEELE: And for the record, Chris
25 is a guy. Erin is a girl.

1 THE WITNESS: No.

2 MR. PEELE: Could be somebody else.

3 THE WITNESS: Chris is the nurse with
4 Comfort Keepers who was on the phone call that I
5 made with Tracy Parsons. Her name was Chris.

6 MR. PEELE: Oh. Okay.

7 THE WITNESS: Chris was the nurse who
8 administered medication to all of the clients, and
9 she came up to the house every week to see my dad.

10 MR. PEELE: Okay.

11 BY MR. DOWLING:

12 Q. All right. But no matter what, I'm
13 just trying to -- you can dispute it all you want,
14 but it says, Tracy called me back with Stacey, and
15 Stacey said -- you talked with -- and you said you
16 had a phone conference earlier -- and that you said
17 that Dr. Grist, your father, had told you that he
18 was having a sexual relationship with caregiver
19 Kerry; I explained to them that Kerry called us
20 yesterday and told us that he was making
21 inappropriate remarks -- sorry about having to go
22 back and forth -- that she reported -- Stacey said
23 she feels like he's telling the truth, even though
24 he has dementia and is confused.

25 Now, I know now you can't seem to --

1 you're not having any opinions, but it seems pretty
2 clear from the records that you were telling
3 Comfort Keepers and Tracy Parsons that you
4 thought --

5 A. Who -- who --

6 Q. -- he had dementia --

7 A. Who is this phone call with? Because
8 this is extremely confusing, because I only had a
9 phone call with Tracy Parsons, and I would never
10 make that statement. So that is absolutely untrue,
11 that statement, altogether.

12 So who else is this other person where
13 they keep saying, Stacey called me back? Who is
14 that? Because I never spoke to Comfort Keepers,
15 ever, about this situation.

16 Tracy patched in the nurse, Chris.
17 Chris spoke about my father's dementia and how
18 confused he was, and made an example of the
19 situation where he yelled like the boogeyman and
20 scared people, and that that is -- his dementia was
21 getting worse in this conversation, and it was his
22 dementia that made him -- or whatever she says,
23 dementia or whatever causing this.

24 So these are not my statements at all.

25 Q. It's just somebody saying they were

1 your statements, so --

2 A. Well, the only other person that was on
3 the call was Tracy and Chris from Comfort Keepers.
4 So those statements came out of Chris's mouth, not
5 my mouth. So that's an inaccurate typo right
6 there.

7 Q. Well, you can take it up with them or
8 their lawyer when they question you about it.

9 And she said, I told her -- you -- that
10 Kerry will be removed, and we will investigate, but
11 my opinion is that he is confused; she did not
12 agree; Ann text the on-call phone and said that
13 Albert came over and told Dr. Grist that there was
14 a good recording device in the cabinet that has
15 been recording all the caregivers; he took that
16 with him; I told Ann to just act like she is always
17 being recorded; Tracy is aware of this.

18 So -- so you say this didn't happen, or
19 you never talked about dementia or you never were
20 told -- you never told them about the sexual
21 relationship --

22 A. I never had a conversation with Comfort
23 Keepers --

24 MR. PURIEFOY: Let him finish his
25 question.

1 A. Yes. Go ahead.

2 Q. So that is a conversation with Comfort
3 Keepers, correct?

4 A. Not a representative. I had a
5 conversation with -- Tracy patched in -- after my
6 phone call with Tracy, she patched in the nurse
7 from Comfort Keepers who spoke about the dementia
8 setting in, how she noticed it was getting worse,
9 and he was super confused. Chris from Comfort
10 Keepers, those were her statements during our
11 conversation.

12 Q. All right.

13 6/1. It says, I -- somebody from
14 Comfort Keepers -- spoke with Tracy Parsons and let
15 her know that we have concluded our internal
16 investigation.

17 So that was Comfort Keepers's internal
18 investigation. They're telling -- according -- if
19 this is correct and true, that they're telling
20 Tracy the investigation was concluded, correct?

21 A. Yes. That's what it says.

22 Q. Yeah.

23 Now, there's a lot of emails. You
24 know, you've been saying things that -- emails and
25 text messages, and you've really been talking about

1 everything like the sleeping dogs lie and all that.
2 So I know you read it.

3 Now, when you read all this stuff, when
4 you were going through it, did you say, oh, this is
5 not right, this is wrong? Or maybe this is the
6 first time you can address it. But you said, I
7 reiterated what I told her last week, that we did
8 discover some preliminary findings that confirmed
9 she was not well suited for Dr. Grist and had --
10 oh, no -- I apologize. When this thing gets --
11 when it enlarges it, it's hard to get it all on one
12 screen, so I'm trying to...

13 Reiterated what I told her last week;
14 we did discover some preliminary findings that
15 confirmed she was not well suited for Dr. Grist and
16 had been pulled from his schedule to never return
17 to inappropriate -- jeez. Where is it?

18 I'm just going to have to edit it down
19 and read from the printed copy.

20 I asked Tracy if she had any questions
21 or would like to perform any further actions; Tracy
22 said at this point she's going to let sleeping dogs
23 lie; unless it is pursued by the family, which she
24 thinks it would be, she is going to move forward;
25 she said it's an employment issue and none of her

1 business what we, Comfort Keepers, do with Kerry;
2 her concern is Dr. Grist, but if she is not with
3 him, she doesn't care what Comfort Keepers did with
4 her; she said we will never know exactly what
5 happened; she is glad that they finished their
6 investigation; and she doesn't have an opinion if
7 she is no longer with him.

8 So this is what Comfort Keepers
9 reported to Tracy, that they discovered some
10 preliminary findings that confirmed she was not
11 well suited.

12 All right. And I had asked you
13 earlier, did you ever see anywhere in there where
14 Tracy Parsons was a part of any investigations, had
15 ever been told that there had been some admission
16 by Ms. McCreary. And this right here seems to
17 indicate that what she was told, they had some
18 preliminary findings that she was not well suited.

19 Do you have any evidence of anything
20 else being told to Ms. Parsons as a result of the
21 internal investigation?

22 A. This is the document I have.

23 Q. Okay.

24 I'll mark that as the next exhibit.
25

1 (EXHIBIT 22, COMFORT KEEPERS LOG, was
2 marked for identification.)

3 BY MR. DOWLING:

4 Q. But you were aware that right at that
5 time, that Ms. McCreary was removed and was no
6 longer providing care for your father, correct?

7 A. I was notified via phone call.

8 (Court Reporter clarification)

9 BY MR. DOWLING:

10 Q. Are you aware of any other instances of
11 alleged inappropriate sexual conduct with your dad
12 besides the allegations against Ms. McCreary?

13 A. No.

14 Q. Yes or no?

15 A. No.

16 Q. All right.

17 Were you ever aware of any other sexual
18 advances by your father against any other female
19 caregivers?

20 A. No.

21 Q. When you were, you know -- who were you
22 represented by? Matt Myers in the case; is that --

23 A. Yes.

24 Q. All right.

25 Was Matt Myers keeping you up to date

1 and informed? I don't want to know what you talked
2 about, but were you up to date and kind of knew
3 what was going on?

4 MR. PURIEFOY: I'm going to object
5 because that does -- that's asking her inherently
6 what they talked about. So that's --

7 MR. DOWLING: All right. That's fine.
8 That's fine. That's fine.

9 Q. All right. Let me stop this.
10 All right. Here is an email that, you
11 know, maybe you produced if it's from -- it's
12 from --

13 A. We already used that.

14 Q. -- it's from Tracy Parsons but --

15 MR. PEELE: It's 11.

16 Q. -- but it's in my records as having a
17 PL, which I understand to be in a plaintiffs'
18 document production.

19 MR. DOWLING: Would anybody disagree
20 that PL stands for documents produced by the
21 plaintiffs?

22 A. Can you repeat the question?

23 MR. PURIEFOY: I can answer that for
24 you -- yes, if it says PL, that's -- that's ours.

25 MR. DOWLING: From the plaintiff?

1 MR. PURIEFOY: Correct.

2 MR. DOWLING: All right. Okay.

3 BY MR. DOWLING:

4 Q. So I'm going to show you this email
5 dated March 25th of '22 that your lawyers produced
6 to us with PL 003623, and it's an email that
7 somehow got into your lawyer's hands to be produced
8 here. And it's from Jennifer Browning, and it's to
9 Matt Myers, your attorney, and it copied Tracy
10 Parsons and a lot of other people.

11 I think if we started the -- well,
12 let's start right here.

13 I wanted to make you aware of a
14 situation pertaining to Dr. Grist; there was an
15 incident this morning that our caregiver reported
16 to her supervisor; the details are listed below; it
17 is reported that Dr. Grist made sexual advances
18 toward her; she attempted to redirect Dr. Grist,
19 who became upset and threw a cup of coffee.

20 You might remember some questions
21 earlier about that, about the cup of coffee.

22 The caregiver then said Dr. Grist
23 proceeded to leave and attempted to jump the gate,
24 which I think you were questioned about earlier.
25 And Dr. Grist threatened to kill her and himself.

1 And there's a discussion about knives
2 sitting out, and we've implemented the following
3 safety protocol, and it lists the protocol.

4 And this is when Chris sent this to
5 Jennifer, who then forwarded it to the group. And
6 somehow it either got into your possession or to
7 your -- well, we know it got into your lawyer's
8 possessions.

9 But you're saying nobody has brought
10 this to your attention?

11 A. I've seen hundreds of documents. I
12 don't remember every single document that I went
13 through, no.

14 Q. Well, this is pretty big because you've
15 been testifying that your father would not make
16 sexual advances, you never knew of any sexual
17 advances, but there's --

18 A. Well, I didn't recall this incident.

19 Q. Please, please let me finish.

20 And here we've got emails that you go
21 through and you pick pieces out of, but there's
22 some that appear to state the opposite of how your
23 father were acting toward female caregivers.

24 Now -- so did you just pick and choose
25 the emails that you read? Or tell me how that

1 process worked.

2 A. I don't recall this email. I've seen
3 hundreds and hundreds of emails. I don't recall
4 this email.

5 Q. Do you think you have some obligations
6 to prepare to look if you're going to assert claims
7 and come in with testimony that your father
8 wouldn't do this, you should review the records and
9 see, in fact, how your father was acting toward
10 people, whether it was Ms. McCreary or any other
11 caregivers?

12 MR. PURIEFOY: Object to the form.

13 Q. You can answer.

14 A. I went through as many documents as I
15 possibly could. I've been through hundreds and
16 hundreds and hundreds of documents. And I must
17 have missed this one.

18 Q. I'm just trying to weed out some of the
19 duplication.

20 The email from March 25, we'll mark
21 that as the next exhibit.

22 MR. PEELE: It's already in. It's 11.

23 MR. DOWLING: Oh, okay. That's already
24 in. 11?

25 MR. PEELE: Yeah.

1 MR. DOWLING: Got you. All right.

2 Q. Now, we talked about a couple of the
3 bank accounts that your father had, or the trust
4 and the Wells Fargo.

5 What bank account -- where do you have
6 bank accounts?

7 A. My personal bank accounts?

8 Q. Yes.

9 A. First Citizens. Wells Fargo.

10 Q. Anybody else?

11 A. T. Rowe Price.

12 Q. Excuse me. I missed that.

13 A. T. Rowe Price.

14 Q. Any others?

15 A. No.

16 Q. In your discovery responses -- and that
17 is questions that I asked for you to respond to --
18 one of the questions was about the injuries,
19 physical or emotional, which you contribute --
20 which you contend resulted from the incidents
21 described in the amended complaint.

22 Now, in the response, you said, due to
23 acts of defendants, which is everybody. But I'm
24 going to ask this as to my client, Tracy Parsons.

25 What has Tracy Parsons done that has

1 affected your father's ability to walk?

2 A. To walk, currently?

3 Q. Just what your answer is. That's all I
4 know.

5 A. Well, Mrs. Parsons was overprescribing
6 medication before my father was hospitalized, and
7 to which she sent an email that she had been
8 overmedicating my father to everyone. This was in
9 the process when he was not able to stand, and we
10 do not know what the long-term effects of those
11 medications did to my father.

12 Q. And you testified to this earlier, and
13 I understand you -- you understand that Tracy
14 Parsons does not prescribe medications yet -- you
15 acknowledged that many hours ago. But yet here we
16 sit at 6:05, and you just say that Ms. Parsons is
17 overprescribing medications.

18 Tell the jury, I want you to tell the
19 jury how it is that Tracy Parsons prescribes
20 medications.

21 A. She went to the doctor and asked that
22 my father be put on sedatives, so that's asking for
23 my father to be put on medications to sedate him.

24 Q. Did she prescribe the medications?

25 A. She went to the doctor as being in

1 charge of my father's medical and asked that he was
2 put on these medications.

3 Q. I could go in and ask my doctors for
4 something, but they're going to look at my health
5 history and decide what I need.

6 So again, when you're saying that she
7 is prescribing medications, and overprescribing
8 medications, do you agree that she is not allowed
9 and does not prescribe medications?

10 A. She doesn't prescribe medications. She
11 asked the doctor to put him on medications to
12 tranquilize him or sedate him.

13 Q. All right.

14 And what evidence do you have that she
15 told the doctor to prescribe a particular
16 medication?

17 A. I don't have a specific name. You
18 would have to ask the doctor what she asked for.

19 Q. So what did -- what did -- all right.
20 So you don't know -- this is -- is it just
21 speculation that, went to the doctor, the doctor --
22 maybe he couldn't decide for himself what to
23 prescribe, so you think maybe he asked Tracy
24 Parsons, what do you think he needs?

25 A. Tracy Parsons went in to the

1 appointment stating that my father was a danger to
2 himself, he needed to be sedated, and he was put on
3 sedation medicine so that he could not even --
4 until he could not even stand up, and he used the
5 bathroom on himself and could not even walk.

6 Q. What -- what is --

7 A. And that's what the comment that has to
8 do with my father couldn't walk, because he was
9 heavily sedated. He had to be carried in and out
10 of multiple places.

11 Q. But never susceptible to falls, though,
12 right?

13 A. He did not have a fall at that time,
14 no.

15 Q. Okay. Unable to walk, not susceptible
16 to falls.

17 Does that accurately describe --

18 A. He did not have a fall at that time.

19 Q. All right.

20 And you say maybe he fell one time when
21 he slipped in his urine, correct?

22 A. He slipped in his urine in the middle
23 of the night, yes.

24 Q. When was it that you think that Tracy
25 Parsons went and -- well, tell me when, since you

1 know this. When was the medication prescribed to
2 your father that made him unable to walk?

3 A. Sometime before he went into the
4 hospital. Within -- I couldn't say if it's 30 or
5 60 days before he was hospitalized.

6 Q. So when was that, that he went to the
7 hospital?

8 A. He was in the hospital at the end of
9 July.

10 Q. The year?

11 A. 20- -- 20- -- I think that was 20- --
12 2020 -- God. He got out 2022.

13 Q. All right.

14 So in July of 2022 is when he got out
15 of the hospital?

16 A. I think it was the first week of August
17 that he was released from the hospital. I think he
18 went in at the end of July.

19 Q. So the end of July, the first week of
20 August of 2022 is when your father was released
21 from the hospital?

22 A. Yes.

23 Q. And when was it, again, that the
24 temporary guardianship with Tracy Parsons ended?

25 A. In August.

1 Q. The very beginning of August, right?

2 A. Yes.

3 Q. All right.

4 So what records have you seen -- now, I
5 had asked you what medication -- what medication is
6 it that your father was prescribed in July of 2022?

7 A. I don't have the medical records for
8 that.

9 Q. Okay.

10 So is it fair to say that after he came
11 out of the hospital, he was unable to walk?

12 A. Yes.

13 Q. All right.

14 So he came out. And then is that when
15 Tracy Parsons took him to the doctor and they
16 prescribed some medications?

17 A. No. So the medication was prescribed
18 before he went into the hospital.

19 Q. All right.

20 So he was unable to walk when he came
21 out of the hospital, correct?

22 A. Yes.

23 Q. All right.

24 A. And before he went into the hospital
25 was when he had so much sedation that he could

1 barely walk, barely move, barely function, because
2 he was heavily sedated.

3 There's an email that should have a
4 record of Tracy sending to everyone, where he was
5 oversedated.

6 Q. All right. So that's fine.

7 So he goes into the hospital.

8 And did they change his medication?

9 A. I don't have the records from the
10 hospital at this point.

11 Q. Do you know if when he came out of the
12 hospital and Tracy Parsons was no longer a
13 temporary guardian, did he continue with the same
14 medication?

15 A. He was not on any medication when he
16 left the hospital.

17 Q. So no medications at all for your
18 father after that?

19 A. No.

20 Q. None?

21 A. Not until hospice took over his care
22 and they put him on a type of sleeping -- light
23 sleeping aid, to sleep at night.

24 Q. How old is your father?

25 A. Seventy -- he just turned 75, I think.

1 Yeah, 75.

2 Q. It said, due to the acts of the
3 defendants -- and I'm just going address it to
4 Tracy Parsons -- your father suffered emotional
5 distress and depression.

6 Did Tracy Parsons contribute in any way
7 in -- or whatever you'd think, to emotional
8 distress and depression?

9 A. Yes. My father was being held in his
10 house. He wasn't allowed to leave. He wasn't
11 allowed to go anywhere. Tracy went to all doctors'
12 appointments with him. She had to okay everything
13 he did. He could not stand Tracy. He did not want
14 to see her. He did not want her around. He wanted
15 her out of his life.

16 Q. Where are the emails you sent to people
17 about your father can't stand Tracy Parsons and
18 wants her out of his life?

19 A. The emails I sent to who?

20 Q. To whoever it is. You can't -- I mean,
21 when you get something like this, if your father is
22 telling you, you've got to get her away; get her
23 out of my life; I can't stand her; I hate her, you
24 can't just ignore that. You've got to email
25 somebody.

1 Did you email Comfort Keepers? Did you
2 email your attorney? Did you email anybody to
3 address --

4 A. These issues were addressed with my
5 attorney.

6 Q. What's that?

7 A. These issues were addressed with my
8 attorney.

9 Q. All right.

10 What evidence do you have that your
11 attorney, acting in your best interest or your
12 father's best interest, what evidence do you have
13 that he then emailed? I mean, something like this
14 has got to be documented in writing, right?

15 MR. PURIEFOY: Object to the form.

16 Q. When did he try to make sure and
17 contact the Court or contact anybody, put something
18 in writing that Tracy Parsons has got to be
19 removed?

20 MR. PURIEFOY: Object to the form.

21 Q. So tell me when. I'm sure he would
22 have copied you on it when he sent it to everybody
23 else, so those would not be privileged
24 communications if it's to third parties. And I
25 don't want to know anything y'all discussed, but

1 tell me what emails you've seen that he has
2 informed everybody that Tracy Parsons has got to be
3 removed because of all these horrible things she's
4 doing.

5 And if you don't know of any, you can
6 tell me.

7 A. I don't recall what my attorney sent at
8 the moment.

9 Q. All right.

10 You say, because of, I guess,
11 Dr. Parsons and everybody else, your father
12 sustained urinary tract infections.

13 Do you think that Ms. Parsons caused
14 urinary tract infections?

15 A. No. Those would have been through
16 sexual contact.

17 Q. What about yeast infections, who would
18 have --

19 A. Those would be acquired as well through
20 sexual contact.

21 Q. All right.

22 Does your father -- do you know whether
23 or not he had an enlarged prostate?

24 A. I cannot answer that question.

25 Q. Are you aware that enlarged prostate is

1 a very common cause of urinary tract infections?

2 MR. PURIEFOY: Object to the form.

3 A. My father had never, my mother had
4 said, ever had a urinary tract infection or a yeast
5 infection.

6 Q. Is your father circumcised or
7 uncircumcised?

8 A. I would --

9 MR. PURIEFOY: Object to the form.

10 A. -- not answer -- I am not able to
11 answer that.

12 Q. You don't know?

13 A. I don't know.

14 Q. Did you know that in men, uncircumcised
15 men, that the common problem is yeast infection?

16 MR. PURIEFOY: Object to the form.

17 A. No. I did not know that.

18 Q. You brought up that aphasia is a result
19 of the actions of the defendants.

20 Do you contend, before I go into that
21 in any more detail, that somehow that was caused by
22 anything Tracy Parsons did?

23 A. Where is that, so I can reference it?

24 Q. It's in your answers to discovery,
25 asking about the injuries your father sustained as

1 a result of the conduct of the defendants. You
2 said he suffers from aphasia.

3 A. So what's the question?

4 Q. How did -- is there anything that Tracy
5 Parsons did that you believe, since you said it,
6 that caused his aphasia?

7 A. It's a process of all of it combined.

8 Q. Well, tell me, what is aphasia?
9 You're the one that says he had it. So
10 what is it?

11 A. I can't answer that question.

12 Q. Do you know that aphasia is a form of
13 dementia?

14 A. I -- I don't. I don't know what the
15 meaning of that is.

16 Q. So if he has it, like you said, would
17 you agree that there's a good chance, like --

18 A. That's what I'm asking. Where can I
19 reference that? Because I don't remember saying
20 that. Where is that?

21 Q. It's in response to interrogatory
22 eight, which I think y'all asked two eights, so it
23 will probably be nine.

24 THE WITNESS: Do we have that?
25

1 BY MR. DOWLING:

2 Q. What about -- what about COVID? How
3 did -- do you believe that anything that
4 Ms. Parsons did caused your father to have COVID?

5 A. Workers from Comfort Keepers who had
6 COVID, knowingly had COVID, and brought it in the
7 house, and were allowed to work with COVID.

8 Q. All right.

9 Well, who would that have been?

10 A. There were multiple caregivers in
11 there. I couldn't list the person who brought the
12 COVID in. I have no idea.

13 Q. Well, tell me, when did he have COVID?

14 A. He got COVID one time back in 20- -- I
15 think it was 2021, he had COVID. And then he got
16 COVID again from Comfort Keepers. That's when he
17 was -- Tracy admitted him to the hospital for COVID
18 the second time that he had COVID.

19 Q. Have you ever seen any records from
20 Comfort Keepers or anybody else that their
21 employees went over there with COVID?

22 A. I haven't seen records, no.

23 Q. Well, what do you have to support that?

24 A. Those were the only people that were
25 allowed in the house, were Comfort Keepers, unless

1 you scheduled an appointment to come see my father,
2 which would have been me or my mother. And me nor
3 my mother had COVID, so it would have had to have
4 come from one of the caregivers coming into the
5 house. Those are the only people allowed in the
6 house.

7 Q. Has either you or your mother ever had
8 COVID?

9 A. I have had COVID.

10 Q. Has your mother had COVID?

11 A. No.

12 Q. All right.

13 So when was your COVID?

14 A. Whenever -- right before our
15 deposition.

16 Q. In June of 2022?

17 A. Yes.

18 Q. All right.

19 And what about akinesia,
20 A-K-I-N-E-S-I-A? You say that was caused by the
21 defendants. Do you know -- have any idea what that
22 is?

23 A. No, I don't know what that is.

24 Q. That's when somebody will just --
25 you've seen some of these politicians on TV, where

1 they'll shown them where they'll -- elderly people,
2 where they'll just freeze and stare.

3 All right. Do you think somehow, which
4 from dementia and, you know, just those issues --
5 do you know how anything the defendants could have
6 done that would have caused what you say in your
7 answers to discovery was caused by them?

8 A. Could have been any medications.
9 Medications have a lot of side effects.

10 Q. Well, what medications would cause that
11 type of side effects?

12 A. I'm not a doctor, so I can't answer
13 that.

14 Q. Do you know whether or not that the
15 akinesia is a progression of like the nervous
16 system, central nervous system, and dementia?

17 A. No, I have not heard that.

18 MR. DOWLING: Let's stop. I'm going to
19 look over my notes and try to finish up before here
20 pretty quickly, but let's take a five-minute break.

21 (After a recess, proceedings were
22 continued as follows:)

23 (EXHIBIT 23, 8/18/2022 STACEY GRIST
24 AFFIDAVIT, was marked for identification.)
25

1 BY MR. DOWLING:

2 Q. All right. This is an affidavit that
3 you filed.

4 Do you remember filing an affidavit?

5 A. Yes.

6 Q. All right.

7 Do you know when?

8 A. No. I don't remember.

9 Q. You've got the date on the --
10 August 18th of 2022, correct?

11 A. Yes.

12 Q. And this was after Ms. Parsons is no
13 longer the temporary guardian, correct?

14 A. When was it? August 18th. Yes.

15 Q. And this is one of your documents,
16 PL 005307.

17 And this is also after the June 14th,
18 2022, deposition, correct?

19 A. Yes.

20 Q. Your deposition?

21 A. Yes.

22 Q. And that is the deposition where you
23 said, other than just the billing, you couldn't
24 think of anything that Ms. Parsons had done that
25 caused any harm, correct?

1 MR. PURIEFOY: Object to the form.

2 Q. You can answer.

3 A. Repeat the question.

4 Q. This is after your deposition, which
5 you testified, as you did earlier, about any
6 responsibility that you believed that Ms. Parsons
7 would bear for injuries, correct, to your father?

8 A. I'm confused. What is the question?

9 Q. Okay. We can do it this way. I'll
10 just go back to the deposition.

11 MR. PURIEFOY: Curtis, can you clear
12 the box that's in the middle of the screen?

13 MR. DOWLING: Yeah. Let me get that
14 out of the way.

15 Q. All right. Here we go. You wanted to
16 go back here.

17 So do you have any specific issues with
18 anything that Ms. Parsons has done up to this
19 point, in June of 2022?

20 No, I just feel it's -- Ms. Parsons,
21 she's just -- whether she's necessary; I don't feel
22 like she's necessary.

23 So it's not anything she's really -- it
24 doesn't look like she's really done anything
25 improper; it's just that maybe the added cost to

1 Dr. Grist you believe is unnecessary?

2 Yes, I think it's unnecessary costwise;
3 I think it's unnecessary altogether because I've
4 already been appointed by him for that.

5 So -- all right. So that deposition,
6 as you see, June 22nd (sic) of 2022 --

7 MR. PURIEFOY: Object to the form.

8 Q. -- when you testified as to what you
9 believed was the responsibility or no
10 responsibility of Ms. Parsons, correct?

11 A. Yes.

12 Q. All right.

13 Now -- and then, on August 22nd -- I'll
14 stop the share here. And we'll go back to this.

15 This is later, right after you've said
16 that you didn't feel there was a responsibility,
17 other than there's added cost, and you now say that
18 she overmedicated and did things like that.

19 When you filed an affidavit and had a
20 chance to lay it all out with the Court following
21 that deposition, you point out, your father was
22 overprescribed medicine by Comfort Keepers.

23 Now, again, that's been addressed
24 earlier. Comfort Keepers is not doctors either.

25 But when you had a chance to take it up

1 with the Court, you didn't say anything about Tracy
2 Parsons, did you?

3 A. I'm not sure if it's in there or not.

4 Q. Well, here. Let me know -- or I can
5 just read it out loud to you.

6 Tell me when you want me to scroll
7 down.

8 A. Okay.

9 Okay.

10 I'm not sure what this is in reference
11 to. I would have to have the -- what -- what this
12 was in reference to. I'm not sure when this is
13 filed.

14 Q. Just keep reading.

15 A. Okay.

16 Okay.

17 Q. So --

18 A. Where was this document submitted?

19 Q. You're the one that submitted it, but
20 it's to the -- to the Court, it certainly appears.
21 And you're saying it's -- you know, because your
22 sister is moving for a third temporary
23 guardianship, and you're fearful that if the Court
24 doesn't act, your father is going to be in
25 immediate danger, as the people who have been

1 appointed have not acted in the best interest of my
2 father.

3 A. Yes. That's accurate.

4 Q. All right.

5 But not once in here do you address
6 anything about Tracy Parsons, do you?

7 A. Well, when I say, the people who have
8 been appointed, that should have been enough
9 information, the people that were appointed that
10 were taking care of my father.

11 Q. Okay. Got you. All right.

12 A. I didn't think I would have to name
13 someone individually. She had been appointed for
14 two years as my father's temporary guardian.

15 Q. Well, it says you're -- and she's
16 already gone, but you're saying that he's going to
17 be in immediate danger because these people are,
18 you know, not acting.

19 I mean, it couldn't be about
20 Ms. Parsons, could it? She's already out of the
21 picture.

22 A. Well, it states that the people who
23 were appointed previously, in the last couple
24 years -- that's why my father had already
25 experienced -- and I did not want him to go through

1 any more of that.

2 Q. Immediate danger --

3 A. Yes.

4 Q. You're saying, immediate danger from
5 Tracy Parsons, who has nothing to do with your
6 father?

7 A. Not immediate --

8 Q. So you --

9 A. -- danger from Tracy Parsons. It
10 was -- he was already in a dangerous situation by
11 the people who were previously appointed as his
12 guardian and guardian ad litem, and then my sister
13 was filing another guardianship for another person
14 to be in place, when he had already suffered and
15 gone through abuse and neglect and everything else.

16 Q. So what happened as a result of this?
17 What happened?

18 A. As a result of what?

19 Q. Yeah. Did she -- did your sister get a
20 third temporary guardianship appointed?

21 A. Yes. She has one.

22 Q. Who is --

23 A. Yes. She does.

24 Q. Who is it?

25 A. Frank Eppes.

1 Q. All right.

2 Well, you see, when you came in, here
3 is your one chance to try to do something, because
4 a new person's going to come in, and you don't even
5 mention Tracy Parsons, and the judge listens to you
6 and apparently just went opposite of what you
7 wanted anyway, correct?

8 MR. PURIEFOY: Object to the form.

9 A. Yes, the judge decided differently than
10 I would like the outcome to be, yes.

11 MR. DOWLING: That was 23.

12 Sorry. I'm just trying to pull up the
13 next exhibit.

14 It was -- was a GAL report of
15 Plaintiffs' 006271 submitted?

16 (Court Reporter clarification)

17 MR. DOWLING: It may not have been --
18 it may not have been admitted. Let me see if I...

19 BY MR. DOWLING:

20 Q. Tell me again, I know you said
21 something about this earlier. How is it that Ann
22 Crippen became somebody you hired to -- to care for
23 your father?

24 A. After Mrs. Crippen quit Comfort
25 Keepers, she asked, could she come and help with my

1 father.

2 Q. So this is the Comfort Keepers people,
3 and she was one that was tending to your father at
4 a company that you really didn't like or want to
5 have anything to do with, right?

6 A. Yes.

7 Q. And on the day she quit -- well, tell
8 me what you did to find out -- was she fired? Did
9 she quit? Did she have bad things to say?

10 A. I don't know. You would have to ask
11 her.

12 Q. What due diligence -- here you were
13 going to hire somebody, which sounds like to me
14 that, you know, you've been saying all along that
15 you couldn't do anything like this because Tracy
16 Parsons has to do it, that Tracy Parsons was
17 involved, and you go and hire somebody.

18 Tell me how those things match up.

19 A. Well, Ms. Parsons's order had expired.
20 She was no longer in place by the Court. And at
21 that time I stepped in as power of attorney once my
22 power of attorney was validated, and I hired care
23 for my father once Ms. Parsons' order expired. The
24 next day I had my father released with the proper
25 care that the social workers from the hospital

1 asked for.

2 Q. Did you and Ms. Crippen kind of plan
3 this, hey, this is coming up, that she's getting
4 ready to quit Comfort Keepers and come over here?

5 A. I don't remember how it took place.

6 Q. Do you think maybe that's the way it
7 happened?

8 A. I couldn't say. I remember having a
9 conversation with her calling me and saying --
10 telling me that she had quit; she was going to look
11 around for other care agencies as well, and which
12 she has worked for several other care agencies in
13 the process since then, and has come to work for me
14 on and off in between other care agencies as well,
15 and asked could she work with my dad.

16 Q. I'm just trying to grasp -- tell the
17 jury why, if somebody is quitting and leaving a
18 company that you say, in kind words, despise, what
19 due diligence did you do to find out anything about
20 her qualifications? Did you do a background check?
21 Did you Google her? What did you do?

22 A. She had references that she provided
23 that I contacted, other places that she had worked.

24 Q. All right. Good.

25 Have you provided those references she

1 gave you to --

2 A. No, I have not.

3 Q. -- to your attorney?

4 A. No, I have not.

5 Q. So can you please provide these
6 references she gave you to your attorney?

7 MR. PURIEFOY: Hey, Curtis, can you
8 include that in your formal discovery request that
9 you're going to send?

10 MR. DOWLING: I'm writing it down now.

11 (This page contains information to be
12 supplied by counsel and/or the deponent.)

13 BY MR. DOWLING:

14 Q. All right.

15 And then you -- what's your mobile
16 number?

17 A. My cell phone?

18 Q. Yeah.

19 A. XXX-XXX-1129.

20 Q. Is that the number you used to call all
21 these references that you were providing?

22 MR. PURIEFOY: Just for a second, can
23 we redact it for purposes of the transcript to only
24 include the last four, in case this is designated
25 as a deposition?

1 (Off-the-record conference)

2 BY MR. DOWLING:

3 Q. So the calls you made to check for
4 references, that would be the phone you used?

5 A. No. It could have been at work. It
6 could have been from any of the work phones. Most
7 of the time I'm at work, so any calls I make are
8 normally at work.

9 Q. All right. So what's your work number?

10 A. There's four work numbers, or three.

11 Q. All right. Give those to us.

12 And that's in the name of what
13 business?

14 A. They're in two separate businesses.

15 Q. All right. Just give us both of them.

16 A. 1-800-228-6007, 1-864-232-2718,
17 1-864-232-2757.

18 MR. DOWLING: And do y'all want
19 those -- I mean, I assume they're -- if you Google
20 their business, you would be able to get the
21 numbers. But do you want those --

22 MR. PURIEFOY: No, I don't care about
23 those.

24 MR. DOWLING: Okay. All right.

25 Q. All right. So you felt good about

1 hiring Ms. Crippen, correct?

2 A. Yes.

3 Q. And she stayed on.

4 After you hired her, did Ms. Parsons
5 ever get appointed again as a temporary guardian?

6 A. No.

7 Q. All right.

8 So after Ms. Crippen was -- was hired,
9 you have been the one, under your power of attorney
10 or whatever, to make the decisions?

11 A. Yes.

12 Q. Well, then, what is Frank Eppes doing?

13 A. I couldn't say.

14 Q. Did anybody ever tell you about the
15 two-week notice for you to terminate the services
16 of Comfort Keepers?

17 A. No. I was not aware.

18 Q. Are you aware that your lawyer was
19 aware of that?

20 A. No.

21 Q. I know you've talked some about your
22 employment at your dad's company that you are
23 part-owner of.

24 What is your salary?

25 A. It varies every year. We went over

1 this earlier. So there's no specific range. It
2 depends year to year.

3 Q. All right.

4 I know the bonuses vary, but you're
5 saying your salary varies from year to year?

6 A. Yes.

7 Q. So how are you paid? Monthly?

8 A. Every two weeks.

9 Q. And how much do you make every two
10 weeks?

11 A. It could be anywhere from \$500 to 1,000
12 to 2,000 to 3,000. It varies.

13 Q. Who makes the decision on what you get
14 paid?

15 A. I do.

16 Q. Who is your personal CPA?

17 A. My personal CPA?

18 Q. Yeah. Who does your tax --

19 A. Or for the company?

20 Q. Who does your personal income taxes?

21 A. I'd have to look it up. I don't have
22 the name off the top of my hand.

23 Q. Does it change all the time?

24 A. Yes. It's changed once I was married.

25 Q. In the last three years, who has

1 prepared your personal income taxes?

2 A. It would be my husband's CPA.

3 Q. And who is your husband's CPA?

4 A. I would have to look it up. I don't
5 have it in front of me.

6 Q. All right. That would be another thing
7 we would ask for, is your CPA.

8 (This page contains information to be
9 supplied by counsel and/or the deponent.)

10 BY MR. DOWLING:

11 Q. And who does the tax returns for your
12 and your father's businesses?

13 A. Chris Arthurs.

14 Q. Chris Arthurs?

15 A. Yes.

16 Q. And where is that located or he
17 located?

18 A. In Greenville.

19 Q. And who performs -- who prepares your
20 father's personal taxes?

21 A. Chris Arthurs.

22 Q. Does your father continue to draw a
23 salary from the -- from his businesses?

24 A. No. He is not allowed.

25 Q. Why isn't he allowed?

1 A. Because he's no longer working in the
2 company.

3 Q. What are your father's sources of
4 income now?

5 A. Whatever the company makes.

6 Q. So he receives some distribution every
7 year?

8 A. It depends. It's different every year.

9 Q. But his taxes will show that, correct?
10 I mean, the tax returns.

11 A. Yes.

12 Q. I'm just looking over a couple of notes
13 again, trying to weed some things out.

14 Are there any type of monetary expenses
15 that you are seeking from Ms. Parsons in this
16 lawsuit?

17 MR. PURIEFOY: Object to the form.

18 Q. You can answer.

19 A. Repeat the question again.

20 Q. Are you looking for monetary damages
21 against Tracy Parsons because of anything you have
22 alleged against her?

23 A. I'm not sure.

24 Q. If you're not sure about monetary
25 damages, what is it you would like -- what are you

1 asking the Court to do as it relates to Tracy
2 Parsons?

3 A. Well, Mrs. Parsons was in charge of my
4 father's health care while all of these events took
5 place. So she's technically responsible since she
6 was appointed as his temporary guardian over him
7 for all of his care. These things happened under
8 Tracy Parsons' care.

9 Q. Who is paying -- in this lawsuit that
10 you've brought against your family and various
11 others, including Tracy Parsons, who is paying the
12 attorney bills?

13 A. My father is.

14 Q. So your father is paying all the
15 expenses, correct?

16 A. Yes, he is.

17 Q. So it's fair to say, then, as for you
18 yourself, you're not -- you're not separately or
19 individually seeking any type of recovery from any
20 defendant, correct?

21 MR. PURIEFOY: Object to the form.

22 Q. You can answer.

23 A. I would be seeking my counsel expense,
24 my personal counsel expense.

25 Q. Who is your personal counsel?

1 A. Matt Myers.

2 Q. Is he your personal counsel in this
3 case?

4 A. He's been involved in the
5 conservator/guardianship case, which is what the
6 majority -- when all of this took place. So, yes.

7 Q. But in the case that you've brought
8 against the defendants that we're here in a
9 deposition for, your father is paying 100 percent
10 of the legal expenses, correct?

11 A. Yes.

12 Q. All right.

13 So this is not on a contingency. It's
14 on an hourly rate, correct?

15 A. Yes.

16 Q. And what is the hourly rate that your
17 father is paying?

18 A. I would have to look at the bills. I
19 don't have anything in front of me.

20 Q. You're doing what?

21 A. I would have to revisit a bill. I
22 don't have it in front of me.

23 Q. All right. That's another thing we
24 would want, that information, too.

25 Do you agree to provide that?

1 A. Yes.

2 Q. In the allegations in your complaint,
3 you've alleged that you're entitled to recovery of
4 the attorney's fees?

5 A. Yes.

6 Q. Please gather that information, and we
7 would like that information and copies of the bills
8 that you're seeking recovery for.

9 (Off-the-record conference to address a
10 technical issue)

11 BY MR. DOWLING:

12 Q. Now, have you ever stayed with your dad
13 at the house, the cabin?

14 A. No.

15 Q. Never have?

16 A. No.

17 Q. All right. What is the cabin -- what
18 does it look like?

19 A. It's not a cabin. It's a house.

20 Q. And is the entrance -- you go through
21 the front door.

22 Is that where Paul like would have gone
23 out, the front door?

24 A. That is considered the back door. And
25 the front entrance has two wheelchair ramps around

1 each door on the front side of the door. That's
2 the back side of the door.

3 Q. And that's where you say he ran out,
4 and then you heard the screaming on the
5 audio/video?

6 A. Yes.

7 Q. All right.

8 How hard would it be for you to quickly
9 draw the back of the house where you say all this
10 occurred?

11 A. To draw it?

12 Q. Yeah, draw it, just kind of, you know,
13 so we can see it.

14 MR. PURIEFOY: Hold on. Can we go off
15 the record for a second?

16 MR. DOWLING: Sure.

17 (Off-the-record conference)

18 BY MR. DOWLING:

19 Q. Ms. Grist, you said earlier that you
20 saw your father get dragged through the yard,
21 right?

22 A. Yes.

23 Q. All right. And now I guess your
24 attorney is saying the video to pick that up is not
25 outside, it's in the house, correct?

1 A. Yes.

2 Q. All right. So, yeah, that's the video
3 I saw, that I didn't see the other stuff in. I
4 didn't hear the audio.

5 So how is the video in the house
6 picking up all this stuff that you saw and heard
7 outside?

8 A. Because the door is wide open and the
9 video covers all the way to both porches.

10 Q. All right. So we've got your testimony
11 about what you saw and heard.

12 And would you agree that then whatever
13 video y'all provided to us should be able to show
14 us the same exact thing, correct?

15 A. Yes.

16 Q. All right.

17 So there is no cameras on the outside?

18 A. No, there are not.

19 Q. And there is how many cameras in the
20 house?

21 A. I think three or four.

22 Q. Tell us where each camera was located.

23 A. There's one close to the fridge.

24 There's one, I think, going toward -- facing
25 toward -- I think that's the one like this

1 (gesturing). I think the other one faces this
2 direction (gesturing). And there's one that gets
3 an angle here (gesturing). So they're hanging on
4 odd curves of the rooms.

5 Q. Is it a two-story house or a one-story
6 house?

7 A. One-story.

8 Q. So all the cameras are on one story?

9 A. Yes.

10 Q. And that's what I was trying to get you
11 to draw, is to kind of get you to point -- it
12 sounds to me like if you can see and hear all these
13 things outside, there must have been something
14 outside.

15 So how hard would it be kind of quickly
16 just draw the inside, and you say there's one over
17 here and there's one over there. Can you just kind
18 of show us, like here's the kitchen, here's the
19 bedroom, living room, and just put an X where the
20 three or four cameras are?

21 A. I really can't because I would have to
22 go look exactly where the cameras are to put an X
23 where the camera is. I don't have in my mind a
24 picture of where each camera is. I have an idea.

25 Q. Well, then, tell me, the camera that

1 picked up all the events through the door, outside,
2 that was all right in front of the door, where
3 would that camera have been located?

4 A. I'm not sure because all of the cameras
5 are all recorded on one thing, and then the guy
6 pulled the data from the cameras. I'm not sure
7 which camera he used. I'm not sure which camera he
8 got the data off of. I hired someone. So I have
9 no idea where -- which -- which camera it would
10 have come from.

11 Q. All right.

12 MR. DOWLING: Okay. Well, I appreciate
13 it. Thank you.

14 EXAMINATION

15 BY MR. PROVENCE:

16 Q. I'm Hall Provence. I represent Mickie
17 Grist, Caroline Lyon, and Lee Lyon. And as you
18 know, as the attorneys have said, the rules that
19 Mr. Peele went over earlier this morning still
20 apply.

21 Has your dad executed a health care
22 power of attorney in the past?

23 A. Yes.

24 Q. Okay.

25 Has he ever named you as primary agent

1 under a health care power of attorney?

2 A. No.

3 Q. Okay.

4 And do you know the difference between
5 a health care power of attorney and a durable power
6 of attorney?

7 A. Yes.

8 Q. Okay.

9 What is the difference between a health
10 care power of attorney and a durable power of
11 attorney?

12 A. So the person who is power of attorney
13 serves as finance, and health care serves for
14 health care.

15 Q. Okay.

16 So based on the documents that you said
17 that your dad has executed a health care power of
18 appointment and has never named you as a primary
19 agent, do you think that he would have named you
20 had he wanted you to do the health care decisions?

21 A. I can't answer that.

22 Q. Okay.

23 Would it make sense to you that
24 somebody who was executing a health care power of
25 attorney would name the person that they want to

1 make the health care decisions if a health care
2 power of attorney is the person that makes health
3 care decisions?

4 MR. PURIEFOY: Object to the form.

5 You can answer.

6 A. I can't answer that.

7 Q. Okay.

8 Do you know why anybody would execute a
9 health care power of attorney?

10 A. To make decisions for their health
11 later in their life.

12 Q. Okay.

13 And so if you name somebody, would it
14 make sense to you that that would be the person
15 that you would want to make those decisions?

16 A. Yes. But things change in life, so...

17 Q. Okay.

18 Has your father ever executed any power
19 of attorney, if anything has changed, that names
20 you as the primary agent under that health care
21 power of attorney?

22 A. No.

23 Q. Okay.

24 If there is no -- I think we have made
25 it clear that Tracy Parsons is not serving as a

1 guardian.

2 Would you agree with that?

3 A. Yes.

4 Q. Okay. At this time, right now?

5 A. (Nods head up and down)

6 Q. Okay.

7 So if there is no guardian, do you know
8 who has authority over Dr. Grist's care?

9 A. I am stepping in as power of attorney
10 right now for my dad's care.

11 Q. Okay.

12 Are you aware if there is a valid
13 health care power of attorney?

14 A. Right now?

15 Q. Yes.

16 A. Not that I am aware of.

17 Q. Okay.

18 If there was a valid health care power
19 of attorney right now, do you know if that person
20 would have authority over his care or would it be
21 the agent under the durable power of attorney?

22 A. No. It would be the person who was
23 appointed.

24 Q. If the Court has not made an
25 appointment, and you have a health care agent under

1 a power of attorney under a health care power of
2 attorney, and you have an agent under a financial
3 durable power of attorney, who would have the
4 authority to make decisions over Dr. Grist's care?

5 MR. PURIEFOY: Object to the form.

6 A. Repeat the question again.

7 Q. If you have no -- if the Court -- if
8 there's not a court-appointed guardian --

9 A. Okay.

10 Q. -- and you have an agent under a --
11 just assume you have an agent under a valid health
12 care power of attorney, and assume you have an
13 agent under a valid power of attorney, between the
14 health care power of attorney and the durable power
15 of attorney, do you know who has authority over
16 Dr. Grist's health care?

17 A. It would be the health care power of
18 attorney.

19 Q. Okay. And you are not aware if there
20 is or is not a valid health care power of attorney?

21 A. Not that I am aware of.

22 Q. Okay.

23 But you are aware that there have been
24 health care powers of attorney that have been
25 executed by your father?

1 A. Yes.

2 Q. Okay.

3 When was the most recent health care
4 power of attorney executed by your father?

5 A. He appointed Charlotte Smith.

6 Q. Okay.

7 And do you contest the validity of that
8 health care power of attorney?

9 A. No.

10 Q. Okay.

11 So have you been notified of any
12 revocation of that health care power of attorney?

13 A. Yes.

14 Q. You have been made aware of a
15 revocation of a health care power of attorney that
16 named Charlotte Grist as the health care agent?

17 A. That she resigned; is that what you're
18 asking me?

19 Q. No. I'm asking are you aware of a
20 revocation --

21 A. Oh. No, I'm not.

22 Q. Are you aware of a resignation?

23 A. Yes.

24 Q. And when did you become aware of that
25 resignation?

1 A. I don't remember the exact date.

2 Q. Have you seen a document called a
3 resignation of agent that has been signed by
4 Charlotte?

5 A. I believe that Charlotte herself told
6 me that she did not want to serve.

7 Q. Okay.

8 But have you seen anything signed --

9 A. No.

10 Q. -- by her?

11 A. Not that I remember.

12 Q. Okay.

13 A. Not that I recall.

14 Q. Have you acted as agent under your
15 father's financial power of attorney?

16 A. Yes.

17 Q. Okay.

18 What actions have you taken in your
19 capacity as agent under his power of attorney?

20 A. Repeat the question again?

21 Q. What action -- I asked you first, have
22 you acted as an agent under that?

23 A. Yes.

24 Q. Yes. Okay.

25 So what actions have you taken in your

1 capacity as an agent under his power of attorney?

2 A. Well, I take care of all of his health
3 care. I take care of all of his house, all of his
4 needs. Let's see. It could be everything on the
5 whole entire property, the lawn mowed, maintenance,
6 repairing the generator, repairing the fence,
7 repairing the sink. Let's see.

8 Every week there is something to be
9 repaired. So I handle all of that, and maintaining
10 his property, and any other groceries or any other
11 medication or anything that he needs.

12 Q. Okay.

13 Have you handled any of his financial
14 accounts?

15 A. Have I handled them? In what way?

16 Q. Have you made any transactions,
17 financial transactions, with respect to his
18 accounts or the trust accounts?

19 A. Yes. I'm writing checks to pay
20 everyone out of these accounts.

21 Q. Okay. Have you sold any stocks or
22 bonds out of any of his financial accounts?

23 A. Yes.

24 Q. Okay. And have you gifted any property
25 from his -- excuse me -- any funds from his

1 accounts to any individuals?

2 A. No.

3 Q. Okay.

4 Have you sold any real estate?

5 A. No.

6 Q. Okay.

7 Have you signed his name on behalf of
8 any business entity documents?

9 A. No. Not that I am aware of. Well, I
10 think the tax -- I believe the tax returns get
11 electronically signed.

12 Q. Okay.

13 So have you filed tax returns for him?

14 A. Yes.

15 Q. Okay.

16 For him, personally?

17 A. His personal tax return is handled by
18 the same guy who handles the business. So he sends
19 them all over. They're all electronically signed
20 at the same time.

21 Q. Okay.

22 And when was the last tax return that
23 you have signed and filed for Dr. Grist?

24 A. I don't remember when I got the last
25 one. I don't remember the exact date. It was an

1 extension, so I'm not sure when I signed it.

2 Q. Have you filed the year 2022 income tax
3 return for your --

4 A. No.

5 Q. Okay.

6 Have you filed the year 2022 business
7 entity tax returns for --

8 A. No.

9 Q. -- any of his businesses? Okay.
10 Have you filed the 2021-year tax
11 returns for your father?

12 A. Yes, I believe those are complete.

13 Q. Okay.

14 Do you know when those were filed?

15 A. No, I don't know an exact date.

16 Q. Okay.

17 Have you filed the 2021 business entity
18 tax returns?

19 A. Yes.

20 Q. Okay.

21 And do you know when those were filed?

22 A. No. I don't have an exact date.

23 Q. Okay.

24 Are you aware of any duties that you
25 are under when you act as agent under a power of

1 attorney?

2 A. Any duties, such as...

3 Q. Are there any duties imposed upon you
4 by law in the state of South Carolina when you act
5 as an agent under power of attorney?

6 A. I'm not sure what you're asking me for.

7 Q. I am asking, are you aware of there
8 being any legal obligation for you when you act as
9 power of attorney to adhere to any sort of duties?

10 MR. PURIEFOY: So for purposes of this
11 trial, I'm going to object to this whole line of
12 questioning.

13 But I'm instructing you to answer any
14 questions he has.

15 A. So, sorry. Repeat the question again.

16 Q. Are you aware of any duties that you
17 may be under when you act as an agent under power
18 of attorney?

19 A. Yes. I'm paying all of my father's
20 bills. So respectively I pay everything I'm
21 supposed to take care of. I'm supposed to put all
22 of his needs first.

23 Q. Okay.

24 And are there -- okay.

25 When did you first begin acting as an

1 agent under the power of attorney?

2 A. I'll have to look at the date of when
3 all this was filed. Whenever this was originally
4 filed and Ms. Parsons and everyone was put into
5 place. At that point in time I was ordered by the
6 probate court to start paying people.

7 Q. There's an order from the probate court
8 that says you --

9 A. There's an email that was sent to my
10 attorney that states that one of the people,
11 whether it was Ms. Parsons or Browning, needed to
12 be paid, so Stacey needed to get them a check.
13 That came from the probate court.

14 Q. Okay.

15 And was that an order from the Court?

16 A. That was an email from someone within
17 the Court.

18 Q. Okay.

19 A. You would have to find the email --

20 Q. Okay.

21 A. -- that was sent to my counsel.

22 Q. Okay.

23 So sometime in 2020, you began acting
24 as power of attorney, paying your father's bills --

25 A. Yes.

1 Q. -- those sorts of things; is that
2 correct?

3 A. Yes.

4 Q. Okay.

5 Have you determined that your father is
6 incapacitated?

7 A. Have I determined, personally?

8 Q. Yes.

9 A. No, I haven't.

10 Q. For you, personally, do you think your
11 father is incapacitated?

12 A. At this stage in his life, right now,
13 today, I would say yes.

14 Q. Okay.

15 So how long ago did it become apparent
16 to you that your father was incapacitated?

17 A. Shortly after he was released from the
18 hospital.

19 Q. Okay.

20 A. When he was close to dying.

21 Q. So prior to him being released from the
22 hospital, you did not think that your father was
23 incapacitated?

24 A. I'm not a doctor. I can't medically
25 say.

1 Q. Okay.

2 But without a doctor's opinion, your
3 opinion --

4 A. I cannot -- I can't say.

5 Q. How did you come to the determination
6 that when your father was released from the
7 hospital, that at that time he was incapacitated?

8 A. He could barely breathe. He could
9 barely move. He could barely talk. He was barely
10 alive.

11 Q. Okay.

12 A. He was at the point of dying. So I
13 would imagine at that point when you're close to
14 dying you would be.

15 Q. Okay.

16 Do you think that there is a
17 possibility to be incapacitated but not be not able
18 to breathe and not be dying?

19 A. Yes.

20 Q. Okay.

21 Are you aware of a difference in a
22 springing power of attorney and a non-springing
23 power of attorney?

24 A. No --

25 MR. PURIEFOY: Object to the form.

1 A. -- I'm not.

2 Q. Okay.

3 Do you know when -- what is your
4 understanding of when your authority as
5 attorney-in-fact, when you are able to act on
6 behalf of your father under the power of attorney?

7 A. When I was instructed to pay bills by
8 probate court, is when I acted on my power of
9 attorney.

10 Q. Okay.

11 But if the court proceeding never
12 happened and you were just the power of attorney,
13 when would you have started -- under your
14 understanding of that power of attorney and your
15 duties as the agent named in that, what was your
16 understanding of when it was your turn to start
17 acting on behalf of your father?

18 A. Once my father is legally declared
19 incompetent.

20 Q. Okay.

21 Do you know what Mickie and/or Caroline
22 have discussed with Tracy and/or Jennifer?

23 A. Yes. I saw emails back and forth from
24 them. I received the email communications.

25 Q. Okay.

1 So outside of emails, are you aware of
2 anything that Mickie and/or Caroline has discussed
3 with Tracy or Jennifer?

4 A. No, I am not.

5 Q. Okay.

6 You had mentioned some phone calls, I
7 believe, between Mickie and/or Caroline and Tracy
8 and/or Jennifer.

9 A. Yes.

10 Q. Were you a party to any of those phone
11 calls?

12 A. No, I was not.

13 Q. Do you know what was said on any of
14 those phone calls?

15 A. Not other than what Tracy had spoken to
16 me about.

17 Q. Okay.

18 And what did Tracy speak to you about?

19 A. It depended. I don't know. Whatever
20 the topic was at the time. I couldn't recall.

21 Q. Do you have any specifics that you have
22 today --

23 A. I don't have a specific.

24 Q. Okay.

25 A. No.

1 Q. Are you aware if Mickie and/or Caroline
2 asked Tracy and/or Jennifer to visit with
3 Dr. Grist?

4 A. Yes. That's on an email communication.

5 Q. All right.

6 Are you aware if Tracy and/or Jennifer
7 allowed Mickie and/or Caroline to visit with
8 Dr. Grist?

9 A. I did not ever see Tracy permitting a
10 visit other than when it went before the probate
11 court and the probate court granted visitation.

12 Q. Okay.

13 So your understanding is the only time
14 Mickie and/or Caroline got to visit with Dr. Grist
15 was based on a court order?

16 A. That I'm aware of.

17 Q. Okay.

18 How many times have you seen Dr. Grist
19 since June 2020?

20 (Court Reporter clarification)

21 A. I couldn't count how many times. I
22 visit sometimes twice a week, sometimes three times
23 a week, sometimes once a week. It just depends on
24 my schedule.

25

1 BY MR. PROVENCE:

2 Q. Okay.

3 In your complaint you allege that
4 Mickie and Caroline committed numerous acts so that
5 veterinarians and veterinarian techs would leave
6 Stanford Grist Veterinary Services, LLC.

7 Do you recall making this allegation?

8 A. Yes, I do.

9 Q. Okay. Is Stanford Grist Veterinary
10 Services, LLC, is that -- we haven't heard that
11 yet. Is that Richland Creek Animal Hospital?

12 A. That's Richland Creek Animal Hospital.

13 Q. Okay.

14 What is your basis for saying that
15 Mickie and/or Caroline committed numerous acts so
16 that veterinarians or veterinarian techs would
17 leave?

18 A. So it was reported to the lead vet at
19 the time that he had spoken with someone that knew
20 that the business was going up for sale, and then
21 he acquired all of the staff in the clinic as well,
22 and they all left and went to another hospital.

23 So I was left with one doctor and one
24 or two techs.

25 Q. Okay.

1 A. Other than that, he took like ten-plus
2 employees with him.

3 Q. And you're saying, he.
4 Who is this?

5 A. The doctor who was the head doctor at
6 the time.

7 Q. And what is his name?

8 A. Dr. Raymond Faye.

9 Q. Can you spell the last name?

10 A. F-A-Y-E.

11 Q. Okay.

12 And did Dr. Raymond Faye, did he tell
13 this to you?

14 A. He told this to the employees, everyone
15 in there, when he left, that he had -- someone had
16 contacted him, he knew that it was up for sale.
17 And this was at the time when we were discussing
18 the business going up for sale with you all, I
19 believe, when we had mediation. And he said he was
20 told that by a source, and then he cleaned out all
21 the staff and left.

22 Q. Okay.

23 So he did not tell this to you, he told
24 this to employees?

25 A. To the staff when he left.

1 Q. Okay.

2 And then how did you become aware of
3 it?

4 A. The employees that were left informed
5 me.

6 Q. Which employees?

7 A. Multiple employees in the company.

8 Q. Okay.

9 Which employees?

10 A. Let's see. I know for sure one was
11 Jordan Bennett that he discussed that with. And I
12 can't remember who else was still there that didn't
13 leave.

14 That would be the top person would be
15 Jordan Bennett.

16 Q. Okay.

17 And what was his position?

18 A. Her position?

19 Q. Her position, excuse me.

20 A. She's mobile manager.

21 Q. Okay.

22 And who told Dr. Raymond Faye about the
23 potential sale?

24 A. I would have to guess. There were very
25 few people who knew about the potential sale other

1 than us just discussing this happening. So I would
2 assume it would have had to have come from someone
3 that knew that information.

4 Q. Okay.

5 A. There was very few people who knew that
6 even the business was going to go up for sale.

7 Q. Okay.

8 So you were assuming this?

9 A. Yes.

10 Q. Okay.

11 So you have no evidence --

12 A. I did not call Dr. Faye and ask him to
13 give me the names. No, I did not.

14 Q. Okay.

15 Are you an owner of any of the
16 businesses?

17 A. It depends on the documents. You have
18 to read the documents.

19 Q. Okay.

20 Are there any documents that reflect
21 that you are an owner of any of the businesses?

22 A. Yes, I believe there are.

23 Q. Okay.

24 Which businesses are you on owner of?

25 A. Richland Creek Animal Clinic and Hilly

1 Street, LLC.

2 Q. Okay.

3 And are these LLCs, both of them?

4 A. Yes.

5 Q. Okay.

6 What is your membership interest
7 percentage in these entities?

8 A. It says that I am owner of both of
9 those entities.

10 Q. What says that you are an owner?

11 A. The document says I am.

12 Q. Which documents?

13 A. There's a document. I don't have it in
14 front of me. You would have to pull the document.

15 Q. Okay.

16 And have you always been an owner of
17 these entities?

18 A. No. My dad made me an owner -- I don't
19 remember the year, back when all of this started.

20 Q. Okay.

21 And when you say he made you an owner,
22 do you know --

23 A. First he made me vice president of
24 operations of everything, and then he moved from
25 that to making me an owner of Hilly and Richland

1 Creek.

2 Q. Okay.

3 Okay. And so when you say he made --
4 was this a verbal agreement or is this in writing?

5 A. No, there's a legal document.

6 Q. Okay.

7 And what is that legal document?

8 A. You would have to pull it.

9 Q. Okay.

10 So if -- and I think I heard you
11 testify earlier today that your father right now
12 cannot really communicate. Is that correct?

13 A. Yes.

14 Q. Okay.

15 So if -- do you know what your
16 ownership percentage is?

17 A. Well, the -- you have to read word for
18 word what it says on the document. I don't have
19 the document in front of me.

20 Q. Okay.

21 So when you, as power of attorney, have
22 filed tax returns on behalf of these business
23 entities, how do you know if your ownership
24 interest is reflected correctly?

25 A. I don't.

1 Q. Okay.

2 So you have filed tax returns without
3 knowing if they are correct?

4 A. Everything is still in my father's
5 name. So nothing has been transferred.

6 Q. Okay.

7 I'm a little confused because you just
8 stated two questions ago that you are an owner of
9 the businesses.

10 A. I was appointed. We're going through
11 mediation. We're going through this. We're going
12 through all of these lawsuits. That document was
13 brought in. That document has not been -- I have
14 not executed that document in any way.

15 Q. Okay.

16 So are you now saying that you are not
17 an owner of the businesses?

18 A. No, I'm not saying that. I'm saying
19 that that document, since we are in litigation, I
20 have not made any steps forward as to what that
21 document says, due to the ongoing litigation.

22 Q. Okay.

23 I'm just trying to figure out who owns
24 the entities, and if you're filing tax returns and
25 if you -- if the business is making money or making

1 losses, those have to be reported. And I'm trying
2 to figure out how it's determined where those
3 profits and losses go and if it's being done
4 correct.

5 A. Mm-hmm (affirmatively).

6 Q. So I'm trying to find out -- you have
7 now testified that you are an owner, so I'm trying
8 to figure out what your percentage interest is.

9 A. You would have to pull the document.

10 Q. Okay.

11 So what I asked you is when you have
12 reviewed the tax returns, did those tax returns
13 reflect who owned the businesses?

14 A. I'm assuming they do.

15 Q. Okay. And so when they did that, do
16 you know, when you reviewed them, if it was
17 correct?

18 A. No, I don't.

19 Q. Okay. But did you sign those tax
20 returns?

21 A. Yes, I've signed the tax returns.

22 Q. Okay.

23 You allege a loss of profits and
24 revenues for the companies.

25 Can you provide any specifics?

1 A. I can provide tax returns and
2 documents.

3 Q. Okay.

4 Can you provide anything that points to
5 any of the actions of Mickie and Caroline or Lee,
6 or Tracy or Jennifer for that matter, that resulted
7 in a loss of profits for any of the businesses?

8 A. Yes. This whole thing has taken an
9 impact on all employees; people wanting to work
10 there; people wanting to be involved in a company
11 that could be sold any minute; people that are
12 involved in litigation nonstop; how long are you
13 going to be there; how long is your business going
14 to exist; are you going to close tomorrow? With
15 all the rumors and all the talk going around, it
16 has affected the business.

17 Q. Okay.

18 So as far as any customers, are you
19 aware of any customers that specifically said
20 anything about this case or the guardianship case?

21 A. I don't have a customer that has come
22 to me and mentioned this, no.

23 Q. Okay.

24 Do you think that there could be any
25 other reasons that profits may not be -- that could

1 have had a loss of profits other than these cases?

2 A. Well, when you start to tell doctors
3 you're closing and you're selling, you start to
4 lose doctors. So when stuff like that is
5 discussed, you create an unstable environment. And
6 when Caroline and Lee and Mickie were calling
7 everybody, having everybody sign documents against
8 me to get my power of attorney and put that towards
9 me not getting my power of attorney validated,
10 then, yes, that hurts your business. When you
11 involve employees and previous employees who talk
12 to current employees, it affects your whole
13 operation of your business.

14 Q. Okay. So do you have any evidence to
15 suggest that Mickie or Caroline called any of your
16 employees that were employed at that time?

17 A. Yes.

18 Q. Okay. Who?

19 A. I was told by -- let's see what her
20 name is. I'll have to pull her name. I was told
21 by one of the girls in the office that she was
22 contacted by, I believe it was Caroline. It could
23 have been Caroline or Mickie. And I alerted my
24 attorney as to that as well. I believe he sent an
25 email to you.

1 Q. Okay.

2 And so do you know that employee's
3 name?

4 A. I have to pull her name.

5 Q. Yes, I would ask for -- would you --
6 once you pull the name, would you please provide
7 that to your attorney?

8 A. Yes.

9 MR. PURIEFOY: Are you going to send a
10 formal request or --

11 MR. PROVENCE: I can.

12 (This page contains information to be
13 supplied by counsel and/or the deponent.)

14 BY MR. PROVENCE:

15 Q. You had mentioned that your father was
16 receiving a salary and that that stopped.

17 Is that correct?

18 A. Yes.

19 Q. Okay. When did his salary stop?

20 A. Whenever the CPA called and said, your
21 father can no longer be paid because he does not
22 work in the business.

23 Q. Okay.

24 A. I don't have an exact date.

25 Q. And when you say, the CPA, do you

1 mean --

2 A. Chris Arthurs --

3 Q. Okay.

4 A. -- called and said, your father can no
5 longer take a salary because he does not work in
6 the company.

7 Q. When did your father stop working in
8 the company?

9 A. In 2020, when this was filed.

10 Q. Do you know when exactly in 2020?

11 A. I don't have the exact date.

12 Q. Okay.

13 In Dr. Absher's report, he stated that
14 your father was unable to receive and evaluate or
15 respond to information or make or communicate
16 decisions.

17 Do you think that somebody who is
18 unable to receive, evaluate, or respond to
19 information or make or communicate decisions in the
20 opinion of a neurologist should practice veterinary
21 medicine?

22 A. My dad told me at the time he refused
23 to take that test. So as far as I know, he did not
24 take a test with Dr. Absher.

25 Q. Okay.

1 A. He declined the testing.

2 Q. Okay. If we're not talking
3 specifically about your father, but we were talking
4 about somebody who would be unable to receive and
5 evaluate or respond to information or to make and
6 communicate decisions, do you think that somebody
7 that is in that condition should practice
8 veterinary medicine?

9 A. In what condition?

10 Q. A condition where they are unable to
11 receive, evaluate, or respond to information or to
12 make or communicate decisions.

13 A. And they have legally been declared
14 incompetent by the Court?

15 Q. I'm not even asking that. I'm just
16 saying --

17 A. Well, I'm asking you that. Is that --

18 Q. Well, I get to ask the questions today,
19 and I'm asking you right now, do you think that
20 somebody --

21 A. I couldn't say.

22 Q. If you would please let me finish.

23 Do you think that somebody that is
24 unable to receive, evaluate, or respond to
25 information or to make or communicate decisions

1 should practice veterinary medicine?

2 A. I couldn't say.

3 Q. Okay.

4 If we'll go back to Exhibit 12. I want
5 to make sure I understand correctly these trespass
6 notices.

7 Who prepared these trespass notices?

8 A. I cannot say. I was not present.

9 Q. So you do not know if your dad prepared
10 those?

11 A. I'm assuming he did. He told me he
12 went to the police station and filed -- and filed
13 this. So I'm assuming he was present, yes, for the
14 trespassing.

15 Q. But do you know that?

16 A. Yes. My father's signature is on the
17 actual trespass notice. So, yes, he had to be
18 present.

19 Q. Okay.

20 And other than signature, do you know
21 who actually typed in the actual information on
22 each of the trespass notices?

23 A. Well, I would imagine when they went to
24 the police station, that it was filled out there.

25 Q. Okay. And you said, they went to the

1 police station.

2 So who was at the police station?

3 A. My mother and my father went together
4 after my sister and Billy Barron came to the house
5 and verbally and physically assaulted my mother.

6 Q. Okay.

7 So your mother was present when these
8 were sent?

9 A. Yes, and she went to file her case
10 against Billy Barron for abuse.

11 Q. Okay.

12 And do you know if Dr. Grist was at the
13 station?

14 A. His signature is right here, so he
15 would have had to have been present for this
16 document.

17 Q. All right. Do you know that?

18 A. His signature can't be on there any
19 other way unless he was present.

20 Q. Well, I could imagine a situation where
21 these were prepared outside and he was, you know,
22 somewhere else other than -- not in the sheriff's
23 office --

24 A. Well --

25 Q. -- and he signed them when --

1 A. -- he went with --

2 Q. -- they were taken --

3 A. -- my mother to the sheriff's office, I
4 know for a fact.

5 Q. Okay.

6 So you do know for a fact that he was
7 at the sheriff's --

8 A. Because my mother and father both said
9 they went, they filed the complaint against Billy
10 Barron.

11 Q. Okay.

12 I believe you stated earlier that one
13 of the basis for this conspiracy theory is that
14 Tracy and/or Jennifer gave in -- or I guess it
15 would have been Tracy -- booked everything that
16 Mickie and/or Caroline wanted as far as
17 appointments.

18 A. Yes.

19 Q. And what evidence do you have that
20 provides the basis for that?

21 A. I have email communication between
22 Caroline and Mickie and Jennifer that are asking
23 for these appointments, asking for these visits,
24 asking for stuff to be given to my father.

25 Q. And are you aware that -- are you

1 positive that there are no other times they asked
2 for things that they did not receive?

3 A. I couldn't say.

4 Q. Okay.

5 A. I did see the appointments, so -- and
6 they were booked with the doctors that were
7 requested.

8 Q. Okay.

9 Are you aware of an appointment with
10 Dr. Patrick Mullen that was booked by Tracy?

11 A. No, I'm not.

12 Q. Okay.

13 And do you know who Dr. Mullen is?

14 A. I saw his name here a minute ago, so --
15 right here.

16 Q. Okay.

17 And which exhibit is that?

18 A. Six.

19 Q. Okay. And what -- what -- just
20 describe that exhibit, if you don't mind.

21 A. It gives a mental status and evaluation
22 and competency evaluation.

23 Q. Okay.

24 And what was the date of that?

25 A. Four -- oh. Let's see. Where is it?

1 February -- where is the date? I don't see the
2 date on here.

3 Q. So you do not see a date on there?

4 A. Unless this is February 18th --

5 Q. Okay.

6 And --

7 A. -- 19 -- of 2019.

8 Q. Is that a date provided by Dr. Mullen
9 or is that just a --

10 A. It's at the top of the page.

11 Q. Okay. So possibly the document was
12 just printed on that day?

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

14 Q. Okay.

15 So you don't know that Dr. Mullen
16 actually signed it on that day; is that correct?

17 A. I don't know what day he signed it.

18 Q. Okay.

19 Do you know how your father went to
20 Dr. Mullen?

21 A. I'm assuming Matt Weatherland took him.

22 Q. Okay.

23 A. Because Matt Weatherland was hired to
24 take him to all appointments. So...

25 Q. And do you have any evidence that

1 suggests that Mickie and/or Caroline asked Tracy to
2 take Dr. Grist to Dr. Mullen?

3 A. I don't.

4 Q. Okay.

5 Do you understand the difference
6 between a guardianship proceeding and a
7 conservatorship proceeding?

8 A. Yes.

9 Q. Okay.

10 Please tell me the difference between a
11 guardianship proceeding and a conservatorship
12 proceeding.

13 A. Conservatorship is placing someone in
14 who takes over all financial stuff.

15 Q. Okay.

16 A. And guardianship would be taking over
17 all of the medical.

18 Q. Okay.

19 So to your knowledge, has there been
20 any conservator appointed over your father?

21 A. No.

22 Q. Okay.

23 So out of all these court
24 proceedings has anything prevented -- I'll ask it
25 another way.

1 Has anyone acted on your dad's finances
2 since 2020 other than you or your father?

3 A. No.

4 Q. Okay.

5 So has Jennifer done anything with
6 respect to your father's finances?

7 A. No.

8 Q. Okay.

9 And has Tracy acted on any behalf over
10 your father's finances?

11 A. No.

12 Q. Okay.

13 Has Mickie acted in any capacity over
14 your father's finances?

15 A. No.

16 Q. Okay.

17 And has Caroline or Lee acted since
18 2020 on behalf of any of your father's finances?

19 A. I'm not sure of the exact date that
20 Caroline and Lee were removed from financials,
21 so...

22 Q. Okay.

23 Since the beginning of the proceedings?

24 A. I'm not sure of the exact date that
25 they were removed from documents, so I couldn't

1 say.

2 Q. Okay.

3 Do you have any evidence that suggests
4 that the court proceedings have affected in any way
5 your ability for either your father or you to be
6 able to pay bills, access bank accounts --

7 A. Yes.

8 Q. -- run the business?

9 A. Yes.

10 Q. Okay.

11 So what specifically?

12 A. We were shut out of the Vanguard
13 accounts. My father could not access any of his
14 money from his Vanguard account. And so that's
15 when he had to close his Vanguard account and use
16 T. Rowe Price account.

17 Q. Okay.

18 And --

19 A. Because he was shut out. He did not
20 have the pass codes. The pass codes were through
21 Lee Lyon, who did not provide any pass codes to my
22 father. So my father was locked out of his own
23 accounts.

24 Q. Okay.

25 A. As well as going to Wells Fargo and he

1 had to remove multiple people off of the accounts
2 and redo all of his paperwork at Wells Fargo.

3 Q. Okay.

4 So except for a pass code issue with
5 the Vanguard account, once the pass code was
6 resolved, there's nothing in the legal proceeding
7 that prevented your father or your access to the
8 finances?

9 A. No. The finances were still not
10 released. They had to be transferred through
11 another company. They had to all be transferred
12 from T. Rowe Price -- from Vanguard to be able to
13 access any money. So the whole entire account had
14 to be closed at Vanguard for my father to access
15 any money.

16 Q. Okay.

17 So when they were transferred to
18 T. Rowe Price, from that point on, nothing
19 prevented you or your father's access to those
20 funds.

21 Is that correct?

22 A. That's correct.

23 Q. Okay.

24 Do you have any evidence that shows
25 that any lost profit went specifically to Lee or

1 Caroline?

2 A. Such as what, lost profit?

3 Q. You --

4 A. Would you elaborate?

5 Q. Earlier in this deposition, Mr. Peele
6 had asked you some questions regarding some -- like
7 \$100,000 or so of assets to Lee and Caroline, and
8 you stated that your evidence for that was for --
9 because of lost profits.

10 Do you have any evidence that suggests
11 that any lost profits went to Lee or Caroline Lyon?

12 A. I don't.

13 Q. Okay.

14 Do you have any evidence that shows
15 that any of your father's accounts were distributed
16 or paid to Lee or Caroline Lyon?

17 A. I don't have any documents.

18 Q. Okay.

19 Other than filing the guardianship and
20 conservatorship action, do you have any specific
21 allegations against Mickie or Caroline with respect
22 to the alleged incidents?

23 MR. PURIEFOY: Object to the form.

24 A. Can you repeat the whole question
25 again?

1 Q. Yes. So -- I'll ask it another way.

2 Please tell me if you -- or what you
3 are alleging as far as Mickie and/or Caroline
4 and/or Lee with respect to any of the alleged
5 incidents from Comfort Keepers caregivers.

6 A. That's confusing. Can you re-word it?

7 Q. Are you alleging that Mickie and/or
8 Caroline and/or Lee participated in any manner
9 or -- with respect to the alleged incidents with
10 the caregivers?

11 A. Well, my father wouldn't be in this
12 situation if Mickie hadn't filed a
13 conservator/guardianship, as well as Caroline and
14 Lee, and put my father through all of this, and
15 agreed and brought Comfort Keepers on, and agreed
16 with Jennifer in the email to bring Comfort Keepers
17 on. So, yes.

18 Q. Okay.

19 Did Mickie and/or Caroline or Lee have
20 any legal authority to bring Comfort Keepers on?

21 A. No. But Mickie states in her email
22 that she would like Comfort Keepers to start taking
23 care of her father rather than the nursing home
24 that was picked.

25 Q. Okay.

1 A. That's what she sent to Mrs. Browning.

2 Q. Okay.

3 And do you know why she might say that?

4 A. No, I don't.

5 Q. Okay.

6 So other than bringing the action, is
7 there anything else specifically?

8 A. Not that I can think of right now.

9 MR. PROVENCE: That's all I have.

10 MR. PURIEFOY: All right. I'm going to
11 be very, very quick.

12 EXAMINATION

13 BY MR. PURIEFOY:

14 Q. Stacey, you've brought the existing
15 lawsuit in your capacity as the durable power POA;
16 is that correct?

17 A. Yes.

18 Q. Okay. And I think during your
19 testimony with Mr. Dowling, you were asked whether
20 or not you were seeking monetary damages.

21 Do you recall that?

22 A. Maybe.

23 Q. Okay. So let me ask this --

24 A. Okay.

25 Q. -- are you seeking money damages, or

1 said another way, are you asking that Tracy Parsons
2 be responsible to pay to the estate of your father,
3 money?

4 A. Yes.

5 Q. Okay.

6 And is that based on what you have
7 alleged in this case, based on that conduct?

8 A. Yes.

9 Q. Okay.

10 So you are seeking damages against her?

11 A. Yes.

12 Q. Okay.

13 You were asked by Mr. Provence whether
14 or not an individual that suffered from an
15 inability to do -- to essentially take care of
16 himself should be practicing veterinary medicine.

17 Do you recall that?

18 A. Yes.

19 Q. Okay.

20 Are you aware of an investigation by a
21 state agency that did an investigation as to
22 whether or not they believed your father was
23 capable of practicing veterinary medicine?

24 A. Yes, I am.

25 Q. And do you know what the result of that

1 investigation was?

2 A. Yes. The end result was they dropped
3 the investigation.

4 Q. And how soon after that investigation
5 was the guardianship/conservatorship action filed?

6 A. I don't remember the exact date.
7 Probably less than six months, I believe.

8 Q. Would you say it was in fairly close
9 proximity?

10 A. Yes, it was a close proximity, within a
11 few months.

12 Q. You were asked by Mr. Dowling about
13 exhibit number -- excuse me.

14 You were asked by Mr. Dowling about
15 Exhibit Number 23, which was an affidavit that you
16 signed in a lawsuit with Case No. 2022-CP-2304463.

17 I don't expect you to remember the
18 number, but do you remember being asked about the
19 affidavit?

20 A. I remember being asked about the
21 affidavit.

22 Q. And do you recall Mr. Dowling asking
23 you about why you did not have any allegations
24 against Tracy Parsons in that affidavit? Do you
25 recall that question?

1 A. Yes, I do.

2 Q. So I'm going to refer you back to
3 Deposition Exhibit Number 8. And more
4 specifically, I'm going to ask you to read what the
5 first cause of action is in that suit.

6 A. Which one? Sorry.

7 Q. The first cause of action.

8 A. Oh, okay.

9 Temporary restraining order and a
10 temporary permanent injunction.

11 Q. Okay.

12 Does the first part of that say
13 anti-suit injunction?

14 A. Yeah. Sorry.

15 Q. All right.

16 And I'll give you a moment to read
17 this, but would you agree with me that this
18 complaint is seeking to prevent Caroline and Mickie
19 and Leyland from bringing any further actions to
20 appoint a new guardian after Tracy's temporary
21 guardianship expired? If you look at that, let me
22 know if you think that that's what that's intended
23 to do.

24 A. Yes. It does appear that Mrs. Parsons
25 is already named up here. When I was asked the

1 question about why I didn't rename Ms. Parsons, it
2 says Tracy Parsons was appointed as Dr. Grist's
3 guardian.

4 Q. Okay.

5 And so, again, just to restate my
6 question: Is it your understanding that this
7 filing was to prevent the named defendants in that
8 suit from seeking to have Tracy Parsons appointed
9 again as a temporary guardian?

10 A. Yes.

11 Q. And to prevent Comfort Keepers from
12 providing any ongoing care?

13 A. Yes.

14 Q. If we look at deposition Exhibit 13,
15 this is an email correspondence from Tracy Parsons.

16 And what is the date of that?

17 A. Thursday, August 20th, 2020.

18 Q. Okay.

19 And this email reads, I want to update
20 you on recent events and a concern related to
21 Dr. Grist; I went to the residence today for --

22 (Court Reporter clarification)

23 BY MR. PURIEFOY:

24 Q. So, again, it reads, I want to update
25 you on recent events and a concern related to

1 Dr. Grist; I went to the residence today for a
2 virtual medical appointment, where there I noticed
3 a camera above the refrigerator on top of a
4 cabinet; I do not know if that camera was on, how
5 long it's been there, and who placed it there; I
6 think it should be removed immediately.

7 Is that what Exhibit Number 13 says?

8 A. Yes, that is correct.

9 Q. After August 20th of 2020, how many
10 requests did you receive from Tracy Parsons to view
11 any footage on that camera?

12 A. Never.

13 Q. After August 20th of 2020, how many
14 requests did you receive from Jennifer Browning to
15 review any of the footage that may be on any of the
16 cameras?

17 A. Never.

18 Q. So they were aware that the cameras
19 existed inside the home --

20 A. Yes.

21 Q. -- dating back to August 20th of 2020?

22 A. Yes.

23 Q. And no request was made by either of
24 them to view the content of those cameras?

25 A. No.

1 MR. SUGGS: Object to the form of the
2 question.

3 Q. Exhibit 21 was an order of the
4 Greenville County probate court appointing Jennifer
5 Browning as the guardian ad litem and Tracy Parsons
6 as the guardian.

7 Do you recall looking at that order?

8 A. Yes.

9 Q. Okay.

10 And, again, I believe you testified
11 that you were present at that Zoom --

12 A. Zoom.

13 Q. -- hearing?

14 A. Yes. Yes.

15 Q. Who was at that hearing on your behalf?

16 A. Matt Myers.

17 Q. Do you know who was appearing on behalf
18 of Jennifer Browning?

19 A. I only saw Jennifer Browning.

20 Q. You're not sure who her attorney was?

21 A. No.

22 Q. Was she represented at the time though?

23 A. I don't recall seeing an attorney for
24 Jennifer Browning present.

25 Q. Okay.

1 If you looked at the bottom -- or do
2 you recall looking at the bottom of Exhibit 21 and
3 seeing which judge executed that order?

4 A. Let's see. I believe it was --

5 MR. PURIEFOY: And you don't have it --

6 A. -- Clayton Jennings.

7 MR. PURIEFOY: Hey, Curtis, can you
8 pull up Exhibit 21, please?

9 A. I believe it's Clayton Jennings.

10 MR. DOWLING: She's right.

11 Do you want to see it?

12 MR. PURIEFOY: Oh, did you say she's
13 right?

14 MR. DOWLING: Yeah, she's right.

15 MR. PURIEFOY: Okay.

16 BY MR. PURIEFOY:

17 Q. So Clayton Jennings was the judge
18 presiding over these proceedings?

19 A. Yes.

20 Q. And Clayton Jennings was the judge that
21 appointed Jennifer Browning as the guardian ad
22 litem?

23 A. Yes.

24 Q. And Jennifer Browning was paid for the
25 services that she provided as the guardian ad

1 litem?

2 A. Yes.

3 Q. At any time during those proceedings,
4 at the time, did Judge Jennings disclose to any of
5 the attorneys that he was Jennifer Browning's
6 personal attorney?

7 A. No. I was never informed.

8 Q. Okay.

9 Did Jennifer Browning ever disclose to
10 the Court that Clayton Jennings was her personal
11 attorney?

12 A. No.

13 Q. Would you have taken issue with her
14 appointment or Judge Jennings's ability to appoint
15 her if you knew that he was her personal attorney?

16 A. Yes. That's a conflict of interest.

17 Q. Are you aware that I have been -- or my
18 firm has been involved in at least two lawsuits
19 where Clayton Jennings represented Jennifer
20 Browning?

21 A. No, I was not aware.

22 Q. Okay.

23 Well, I would submit to you that our
24 firm has been involved in at least two lawsuits in
25 which Clayton Jennings was Jennifer Browning's

1 personal attorney.

2 MR. SUGGS: Object to the form of the
3 question, well, statement.

4 MR. PURIEFOY: I don't -- I don't have
5 any further questions. Hopefully you're getting
6 close to done.

7 MR. PEELE: Yeah. I'll be quick.

8 MR. DOWLING: Before you go, can I just
9 make a statement?

10 When I said, correct, Clayton Jennings,
11 that was the order that was appointing the
12 temporary guardian that was -- that was
13 Ms. Parsons. I don't know when or who signed -- I
14 don't have that in front of me, of who signed the
15 order appointing Jennifer Browning as GAL.

16 MR. PURIEFOY: Do you have any
17 questions?

18 MR. PEELE: Yeah.

19 EXAMINATION

20 BY MR. PEELE:

21 Q. I'm going back to the complaint under
22 your claim for unfair trade practices. In
23 paragraph 74, you make the allegation that
24 defendants have charged Dr. Grist an astronomically
25 higher rate than similar companies and/or persons.

1 My question simply is, did you do any
2 kind of research to look to see what other home
3 health-type companies were charging at the time?

4 A. Yes. My counsel did.

5 Q. Your counsel -- you mean after -- for
6 this action right here or --

7 A. Yes.

8 Q. Okay.

9 And are you aware that actually Comfort
10 Keepers gave your dad a discount, as opposed to
11 their normal rate for --

12 A. No, I was not aware of that. No one
13 informed me of that.

14 Q. Okay.

15 And I'm not asking about your counsel
16 and what your counsel told you. I'm just asking
17 about you, independently.

18 Did you independently do any
19 investigation of home health care companies around
20 the Greenville area to see how much they normally
21 charge?

22 A. Yes. I checked prices.

23 Q. Okay.

24 And what is your belief where Comfort
25 Keepers fell in that range of home health care

1 company prices?

2 A. They were pretty standard to everyone
3 else's prices --

4 Q. Okay.

5 A. -- around the same.

6 Q. All right.

7 And I want to go back to when you were
8 mentioning earlier about this video, this number
9 eight. And I just want to be clear, just so I
10 understand, just for me, that number eight, that
11 video shows the incident with Paul and also shows
12 an incident with another Comfort Care employee
13 overmedicating your father.

14 THE WITNESS: Was that on -- it's on
15 another video you submitted?

16 A. I'm sorry. There were multiple videos
17 sent, so I'm not sure what number that is. But
18 there is another video with the caregiver, Wanda,
19 who said -- who yelled and screamed and went crazy
20 and flipped out, and she said, I'm coming to give
21 you more medication, and I don't care if you ever
22 wake up.

23 Q. Okay.

24 A. And that's a separate video from the
25 Paul incident.

1 Q. Okay.

2 And how do you -- and you know it was
3 Wanda because you see her on the video?

4 A. Yes, you can see her on the video, and
5 she gets up.

6 Q. Okay.

7 And I think this horse has been beaten
8 once already, but Comfort Keepers didn't have the
9 authority to write prescriptions. They were there
10 just to provide home health care, correct?

11 A. Yes.

12 Q. Okay.

13 And did anyone personally tell you that
14 you could not make a complaint with Greenville
15 County Sheriff's Office about the allegations your
16 dad told you about the sexual relations?

17 A. I don't think I can answer that because
18 of my client-attorney privilege.

19 Q. Well, how about this: When you found
20 out, when your dad said that I had a sexual
21 encounter with Kerry, did -- somebody -- so you're
22 telling me somebody told you, you cannot call the
23 sheriff's department?

24 MR. PURIEFOY: Object to the form.

25 Don't answer, to the extent it touches

1 on attorney-client privilege.

2 A. Yeah, I can't answer that.

3 Q. Okay.

4 Do you think that a person sitting on
5 the jury, found out that their parent, father or
6 mother, who was classified as a vulnerable adult,
7 was told by their parent that they had been
8 sexually abused, don't you think the reasonable
9 person sitting on a jury would call the police?

10 MR. PURIEFOY: Object to the form of
11 the question.

12 A. I can't speculate what they would do.
13 I'm not them.

14 Q. I'm just -- a reasonable person.

15 A. I can't answer that.

16 Q. Okay.

17 All right. So let me ask you this:
18 Have you been given any information that the
19 sheriff's department looked at the video between
20 your dad and Kerry and made the comment that it
21 looked consensual to him?

22 A. No. I was never -- that's the first
23 time that I had seen that or was even notified of
24 that, when it was in the notes.

25 Q. Has anybody made any comments to you

1 other than the sheriff's department, people who
2 have looked at the video and said, that looks
3 consensual to me?

4 A. No.

5 Q. All right.

6 Do you think it's reasonable that
7 Comfort Keepers found out about the incident with
8 Kerry, called her in, interviewed her, and then
9 terminated her? Was that -- was that a reasonable
10 thing to do?

11 A. I think they should have pressed
12 charges as well.

13 Q. Okay.

14 What if you were to learn that they
15 informed the Greenville County Sheriff's Department
16 of the incident, and the Greenville County
17 Sheriff's Department declined to press charges?

18 A. I haven't seen that, so...

19 Q. All right.

20 Do you think it would be reasonable
21 that once they found out about the incidents with
22 Kerry and your dad, that they informed DHEC and
23 adult protective services of the incident, they
24 reported -- they self-reported it? Was that a
25 reasonable thing to do?

1 A. Yes, I think that's a reasonable thing
2 to do.

3 Q. Okay.

4 And do you think it was also a
5 reasonable thing to do for Comfort Keepers to call
6 the Department of LLR, Labor, License and
7 Regulation, and make a complaint with the CNA
8 division about Ms. McCreary and report what
9 happened?

10 A. Is that appropriate? Is that what
11 you're asking me?

12 Q. Do you think that was the right thing
13 to do?

14 A. Well, they were her employer, so that's
15 up to them and their company.

16 Q. Okay.

17 But does that make you feel better that
18 Comfort Keepers once learning about this --

19 A. I've never heard that, so --

20 Q. Okay.

21 A. -- this is the first time I've ever
22 heard that.

23 Q. Okay.

24 But does that give you any kind of
25 solace that they didn't try to let sleeping dogs

1 lie, ignore it, allow it to go on by ignoring that
2 it happened, instead they take proactive steps in
3 order to do the right thing and to report what
4 happened to the --

5 A. If I saw that, it might make me feel a
6 little better, but I've never seen anything about
7 that.

8 Q. Okay.

9 After -- let's say hypothetically that
10 what I'm saying is the truth. Is there anything
11 else in your mind that Comfort Keepers should have
12 done in reporting this to either law enforcement,
13 DHEC, the Department of Labor, License, and
14 Regulation, is there any other person they should
15 have reported that to?

16 A. I think they should have reported it to
17 all the agencies that you listed. She shouldn't be
18 employed to work with other people taking care of
19 them.

20 Q. Okay.

21 MR. PEELE: Those were all the
22 questions I had.

23 EXAMINATION

24 BY MR. SUGGS:

25 Q. Do you have any reason to believe that

1 Jennifer Browning hired Ms. McCreary?

2 A. She was hired through Comfort Keepers,
3 I'm assuming.

4 Q. Okay.

5 Do you have any reason to believe that
6 Jennifer Browning supervised Ms. McCreary?

7 A. I'm not aware. I don't know how their
8 stuff went behind the scenes. I don't know. I
9 couldn't say.

10 Q. You're not aware of any evidence that
11 supports that, right?

12 A. I couldn't say.

13 Q. You're not aware of any evidence --

14 A. No, I --

15 Q. -- that suggests that Jennifer
16 Browning --

17 A. No.

18 Q. -- hired, supervised --

19 A. No.

20 Q. -- or trained McCreary, correct?

21 A. No.

22 Q. All right.

23 Who is Caroline Horlbeck?

24 A. That's another attorney. I've seen it
25 on some documents. Another State Attorney.

1 Q. Has Ms. Horlbeck ever represented
2 Jennifer Browning that you're aware of?

3 A. Not that I am aware of.

4 Q. Why do you believe that if Clayton
5 Jennings appointed Jennifer Browning as GAL, having
6 previously represented her, that would be a
7 conflict of interest?

8 A. Why would that be a conflict?

9 Q. Correct.

10 A. Because you shouldn't be representing
11 parties that are adverse to each other at the same
12 time, because you're going to have already an
13 opinion of that person, and it's not going to help
14 the other person. As they say, you put in a
15 neutral person to be a guardian. So that would not
16 make her neutral.

17 Q. Because Clayton Jennings had provided
18 legal services to Ms. Browning in the past --

19 A. Yes. That does not make her neutral.

20 Q. Explain that to me.

21 A. Because he's already provided services
22 for her so he already has a friendly relationship
23 with her. So she would not be a neutral party.

24 Q. Okay.

25 So he was familiar with her and her

1 abilities as a guardian ad litem, and having been
2 familiar with her abilities, that somehow --

3 A. Is a conflict.

4 Q. -- disqualifies her?

5 A. Yes. That's a conflict.

6 Q. Okay.

7 What was the outcome of the two
8 lawsuits that he previously filed against
9 Ms. Browning?

10 A. I wouldn't know.

11 Q. Do you know if they were dismissed?

12 A. I do not know.

13 Q. Why'd your parents get a divorce?

14 A. You'd have to ask my mother.

15 Q. Well, I think you probably know. So if
16 you have information that's responsive to my
17 question, you're going to provide it.

18 A. Well, my brother died, so I'm sure that
19 had something to do with it.

20 Q. Were there allegations of infidelity?

21 A. Not that I'm aware of.

22 Q. Are you aware of your father ever being
23 unfaithful to your mother?

24 A. Not that I am aware of.

25 Q. Had there been issues with reliability

1 and consistency with Right at Home and their
2 provision of services?

3 A. Not that I am aware of. They only
4 worked a daytime shift. They were not a full-time,
5 24-hour, around-the-care service.

6 Q. So if there is documentation of that
7 effect, is that fabricated as well?

8 A. Of what? I'm -- I'm confused.

9 Q. If there is documentation that there
10 are issues with --

11 A. I believe there was documentation --

12 Q. Let me talk, please.

13 If there was documentation of issues
14 with reliability and consistency with Right at
15 Home, would that be a fabrication?

16 A. No, it would not because they did not
17 provide 24-hour care. They only provided daytime
18 care, so during the day. And Mrs. Parsons wanted
19 24-hour care for my father.

20 Q. If there were issues -- if there was
21 documentation suggesting there were issues with
22 reliability and consistency with the 12-hour care
23 provided by Right at Home, would that be a
24 fabrication?

25 A. Repeat the question again.

1 Q. If there was documentation suggesting
2 that there were problems with reliability and
3 consistency with Right at Home's provision of
4 12-hour-a-day care, would that be a fabrication?

5 A. It could possibly have been a problem.
6 Most of the care agencies do have problems. Most
7 of them are unable to fill a lot of shifts. It
8 happens all the time. Weekly.

9 Q. Okay.

10 A. I haven't had an agency that --

11 MR. SUGGS: That's all.

12 MR. PROVENCE: Nothing further.

13 MR. PURIEFOY: Curtis?

14 MR. DOWLING: Yeah. Yeah. I couldn't
15 hear whether it was ended or not there.

16 EXAMINATION

17 BY MR. DOWLING:

18 Q. Yeah, just a couple of questions. I
19 was trying to -- sometimes when there's a little
20 talking over, it kind of drowns it out.

21 When did you say that your father
22 transferred or attempted to transfer interest in
23 his businesses to you?

24 A. I believe that was a document I don't
25 have a date of. You'd have to pull the document.

1 I don't have it in front of me.

2 Q. All right.

3 About when do you think it was?

4 A. Whenever he started changing all of his
5 estate documents.

6 Q. Is this in 2015, 20- --

7 A. 2019, 2020, he changed his documents.

8 Q. All right. So 2019, maybe in 2020,
9 whatever the document says.

10 Have you turned those documents over to
11 your attorney?

12 A. Yes.

13 Q. All right.

14 To the extent if we don't have them,
15 make sure that we get those.

16 But so -- and you said at that time,
17 you're -- your testimony is that in 2020, when you
18 have a doctor's affidavit about the issues and the
19 decline of your father, that you disagree that he
20 showed any signs of dementia, correct?

21 A. What doctor document are you speaking
22 of? I don't -- I don't know what document you're
23 referring to and what doctor.

24 Q. The doctor that, when the guardians
25 were appointed, filed an affidavit, according to

1 what we've read over earlier today, about your
2 father's status.

3 Do you want to go back over that again?

4 A. I -- I -- I'm not sure which document.

5 Q. All right.

6 Okay. We read this and went over it a
7 little while ago. It's in the order where Tracy
8 Parsons was appointed. It said, Dr. Grist -- this
9 is for purposes -- this is for the purpose of a
10 temporary finding, an incapacitated person in need
11 of protection and assistance, by the appointment of
12 a temporary guardian; this is supported by the
13 physician's affidavit filed with the Court by
14 Dr. John Absher, MD, that he is unable to
15 effectively receive, evaluate, or respond to
16 information, or to make or communicate decisions
17 with appropriate, reasonably available support and
18 assistance in order to meet the essential
19 requirement for his physical health, safety, or
20 self-care, or manage property or financial affairs
21 to provide for his support.

22 Does that refresh your recollection?

23 A. Yes. That's the report that my father
24 declined to take any testing.

25 Q. Well, this said this is supported by a

1 physician's affidavit that this is what he thought.

2 Would you agree that's what it says? I
3 mean, the order speaks for itself.

4 A. I have to go read it again, so...

5 Q. Okay. All right. Well, I'll represent
6 to you that's what it says.

7 So -- and this is in June, July of '20.

8 How close is that to when you were --
9 your father was transferring ownership in his
10 businesses to you?

11 A. I believe all of my father's estate
12 documents were completed in 2019. I don't have
13 exact dates on everything, so I couldn't tell you
14 that.

15 Q. Well, you said 2019, 2020. So I was
16 just --

17 A. That could have been health care power
18 of attorneys. That would have been a number -- a
19 lot of documents. There's been a lot of documents.
20 So I remember there being a health care power of
21 attorney being changed from Mickie resigning. I
22 believe that took place in 2020. I don't know
23 about the other documents. I know the majority of
24 the documents were completed in 2019.

25 Q. Well, I know you've said that even at

1 this time in June, July of 2020, that your father
2 was capable of caring for himself and handling
3 affairs, correct?

4 A. I -- I assume so, yes.

5 Q. All right.

6 Well, since I don't have the document
7 in front of me about when he transferred, but if
8 your father was in the condition that the doctor
9 who filed the physician's affidavit stated, and
10 that is near the time of the transferring of the
11 ownership to you, it wouldn't be in your best
12 interest to acknowledge that he was suffering from
13 dementia, correct?

14 MR. PURIEFOY: Object to the form.

15 A. I don't see how that's relevant at all.

16 Q. Maybe it is. Maybe it isn't. I'm just
17 asking a question.

18 Because you dispute what others say
19 about the condition of your father, correct?

20 A. Yes, I do.

21 Q. Let me ask you this: Have any of your
22 family members been tested or questioned whether or
23 not your father had the mental capacity to transfer
24 ownership of the business to you, or is their
25 position that, yeah, everything was good?

1 A. Who are you talking about? I mean, my
2 sister filed a lawsuit as well as my aunt. So who
3 else would you be speaking of that would have an
4 input on this?

5 Q. I'm just asking, has anybody taken that
6 position that --

7 A. No.

8 Q. Yes or no?

9 A. No.

10 Q. Have you -- did your sister take that
11 position?

12 A. Which sister? Mickie filed a lawsuit
13 contesting the power of attorney, so obviously she
14 took a position.

15 Q. All right.

16 So she disagrees, then --

17 A. Mickie disagrees, yes.

18 Q. She disagrees with that. Okay.

19 A. Yes.

20 Q. All right.

21 When was the video that kind of started
22 all this, when was the video that you say you
23 started to watch that showed the sexual contact
24 between Ms. McCreary and your father?

25 A. I don't have the date. You would have

1 to pull the date off the video.

2 Q. All right. Would it be around May 11th
3 of 2021?

4 A. You would have to pull the date. I do
5 not have the date in front of me.

6 Q. The video that you looked at, was it in
7 color or was it black and white?

8 A. I do not recall.

9 Q. Which room of the house was it in, a
10 bedroom?

11 A. I do not recall. I barely turned the
12 video on to get the information to the guy who was
13 putting it onto a thumb drive.

14 Q. But you watched the other videos --
15 you -- if you didn't know where the video was or
16 what you were looking for, how is it you watched
17 all the other videos in detail to hear screaming or
18 to hear the nurse talking? How did you choose
19 which ones to watch and not watch?

20 A. After my father had told us about the
21 incident, I did not want to watch it, so I pulled
22 the information from the camera and turned it over
23 to the camera guy to obtain the information and put
24 it on a disk.

25 Q. All right.

1 I pulled up a video, 5/11/2021. Can
2 you see -- can you see this?

3 A. So you're going to try to make me watch
4 the video of my father?

5 Q. Well, this is what the case is about.
6 It's your case. I just want to know what --
7 what -- what it is.

8 MR. PURIEFOY: Curtis --

9 THE WITNESS: This is --

10 MR. PURIEFOY: -- hold on --

11 THE WITNESS: -- absolutely --

12 MR. PURIEFOY: No, no. Wait a second.
13 Just wait a second.

14 Curtis, one, how is this not going far
15 beyond the scope of any question that these guys
16 asked? You had an opportunity. If you wanted to
17 do this during your direct, you could have done it.
18 You've now heard her say three or four times she
19 does not want to watch this video.

20 MR. DOWLING: All right. Well, if you
21 think it's not within the scope, that's fine. Are
22 you going to instruct her not to answer?

23 MR. PURIEFOY: Yes. Yes, Curtis, I'm
24 going to instruct her not to answer. Yes.

25 MR. DOWLING: All right. That's fine.

1 All right. Well, we can get it in
2 another way. That would be -- I mean, that's fine.

3 MR. PURIEFOY: Answer whatever other
4 questions he has.

5 MR. DOWLING: Excuse me?

6 MR. PURIEFOY: I instructed her to
7 answer whatever other questions you have.

8 MR. DOWLING: All right.

9 No, that's good. I think I'm good for
10 right now.

11 COURT REPORTER: Is everybody done?

12 All right. Mr. Peele will get the
13 original for this one.

14 Mr. Barlow exited, but he said he
15 wanted an E-trans.

16 Mr. Dowling, can you hear me, sir?

17 MR. DOWLING: E-trans.

18 COURT REPORTER: Mr. Puriefoy, E-tran?

19 MR. PURIEFOY: Yes, please.

20 COURT REPORTER: Mr. Suggs?

21 MR. SUGGS: E-trans, with exhibits, of
22 course.

23 COURT REPORTER: Mr. Provence?

24 MR. PROVENCE: The same.
25

1 (The witness, after having been advised
2 of her right to read and sign this transcript,
3 waives that right.)

4 (The deposition was concluded at 8:15
5 p.m.)
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CERTIFICATE OF REPORTER

I, Eric S. Glazier, Court Reporter and
Notary Public for the State of South Carolina at
Large, do hereby certify that the foregoing
transcript is a true, accurate, and complete
record.

I further certify that I am neither related
to nor counsel for any party to the cause pending
or interested in the events thereof.

Witness my hand, I have hereunto affixed my
official seal this 28th day of December, 2023, at
Easley, Pickens County, South Carolina.



Eric S. Glazier,
Court Reporter
My Commission expires
April 11, 2026

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