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THE STATE OF SOUTH CAROLINA
In the Supreme Court

S.C. SUPREME COURT

ORIGINAL JURISDICTION

Hampton County Court of Common Pleas
R. Keith Kelly, Circuit Court Judge

Circuit Court Case No. 2021-CP-25-00392

Renee S. Beach, Phillip Beach, Robin Beach,
Savannah Tuten, and Seth Tuten, Respondents,

v.

Gregory M. Parker, Gregory M. Parker, Inc. d/b/a Parker's Corporation,
Blake Greco and Jason D'Cruz, Vicky Ward, Max Fratoddi,
Henry Rosado, and Private Investigation Services Group, LLC, Defendants,

Ex Parte:

Gregg Roman and Gravitas Solutions, LLC Petitioners,

v.

PNC Financial Services Group, Inc. d/b/a PNC Bank, Renee S. Beach,
Savannah Tuten, and Seth Tuten Respondent.

RESPONDENTS' APPENDIX - VOLUME II

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1 STATE OF SOUTH CAROLINA
2 COURT OF COMMON PLEAS
3 COUNTY OF HAMPTON
4 RENEE S. BEACH, PHILLIP BEACH,
5 ROBIN BEACH, SAVANNAH TUTEN,
6 and SETH TUTEN,
7 Plaintiffs,
8 vs. Case No. 2021-CP-25-00392
9 GREGORY M. PARKER, GREGORY M.
10 PARKER, INC. d/b/a PARKER'S
11 CORPORATION, BLAKE GRECO,
12 JASON D'CRUZ, VICKY WARD,
13 MAX FRATODDI, HENRY ROSADO
14 and PRIVATE INVESTIGATIONS
15 SERVICES GROUP, LLC,
16 Defendants.

17 VIDEOTAPED

18 DEPOSITION OF: GEORGE MAX FRATODDI

19 DATE: September 30, 2025

20 TIME: 9:11 AM

21 LOCATION: Vaux Marscher Berglind, PA
22 1251 May River Road
23 Bluffton, SC

24 REPORTED BY: Sandra K. Bjerke, RDR, CRR, CBC
25

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16 ALSO PRESENT:

17 Henry Rosado
18 Blake Greco, General Counsel (Via Zoom)
19 Tyler Tam, Videographer
20
21
22
23

24 (INDEX AT REAR OF TRANSCRIPT)
25

1 THE VIDEOGRAPHER: We are on the record
2 at 9:11. Today's date is September 30th of 2025.

3 This is the beginning of Media 1 in the
4 deposition of Max Fratoddi in the matter of Renee
5 S. Beach, et al., versus Gregory M. Parker, et al.,
6 filed in the Court of Common Pleas, 14th Judicial
7 Circuit, State of South Carolina, County of
8 Hampton, Case No. 2021-CP-25-00392.

9 This deposition is taking place at 1251
10 May River Road, Bluffton, South Carolina.

11 My name is Tyler Tam, and I'm the
12 videographer. The court reporter is Sandra Bjerke.

13 Counsel, please state your appearance,
14 including who you represent, beginning with the
15 plaintiffs' counsel.

16 MR. TINSLEY: This is Mark Tinsley. I
17 represent the Beach family, and I'm here with John
18 Nichols and Tabor Vaux.

19 MR. GRANTLAND: I'm John Grantland. I
20 represent Max Fratoddi, Henry Rosado, and Private
21 Investigative Services Group.

22 MR. MOORE: And I'm Mark Moore from
23 Maynard Nexsen. I represent the Parker defendants,
24 and I'm here with Rhett Ricard, also from my firm,
25 and I think Ms. Barbier may be on the Wi-Fi.

1 BY MR. TINSLEY:

2 Q. Okay. Would you state your full name,
3 please, sir.

4 A. George Max Fratoddi.

5 Q. All right. And where do you currently
6 live?

7 A. Do you want my address in Bluffton? I
8 live here in Bluffton, yes.

9 Q. All right. Yeah, I want -- I want all
10 your addresses, I guess, so let's start with the
11 Bluffton address.

12 A. Yeah. 105 Wicklow Drive, Bluffton,
13 South Carolina 29910.

14 Q. Does anyone live at Bluffton with you?

15 A. Yes; my wife.

16 Q. And what's her name?

17 A. Patricia. Same last name.

18 Q. Does she work outside the home?

19 A. She does not.

20 Q. Has she ever?

21 A. Yes. Yes.

22 Q. Where was the last place she worked?

23 A. She -- we moved here from Washington,
24 DC area, and she worked there for IBM and then she
25 worked for another corporate entity.

1 Q. And when did you move from Washington,
2 DC?

3 A. 2007.

4 Q. All right. And at that time were you
5 employed when you moved from --

6 A. I was self-employed, yeah.

7 Q. In what capacity?

8 A. In the consulting capacity.

9 Q. What kind of consulting?

10 A. National security.

11 Q. Tell me -- explain what that -- what
12 you mean by that.

13 A. I -- after I retired I did consulting
14 work and contract work for the US Government in
15 matters dealing with national security and
16 counterterrorism.

17 Q. Related to Middle East activities?

18 A. Counterterrorism, yeah. Wherever it
19 was, yeah.

20 Q. All right. Well, was it beyond the
21 Middle East?

22 A. Yes.

23 Q. Okay.

24 A. Um-hum.

25 Q. And in the course of that work, did you

1 have an opportunity to either meet or come in
2 contact with Gregg Roman?

3 A. No.

4 Q. How about Mohamed Fahmy?

5 A. No.

6 Q. You never -- had you ever met Mohamed
7 Fahmy?

8 A. No.

9 Q. Have you ever met Mohamed Fahmy?

10 A. No.

11 Q. How about anyone from The Investigative
12 Journal?

13 A. No. Gregg Roman.

14 Q. You understand Gregg Roman worked for
15 The Investigative Journal.

16 A. Yes.

17 Q. What is your understanding of the
18 connection between Gregg Roman and The
19 Investigative Journal?

20 A. He worked there. He had a role there.
21 It was an organization that he contributed to.

22 Q. Is it your belief that the publication
23 that's referenced in -- and we'll get to the
24 documents later, but that the publication that you
25 were doing work on behalf of in the matters that

1 we're going to talk about today was on behalf of
2 The Investigative Journal?

3 A. Yes, I keep -- that's fair to say. He
4 mentioned that, and as he was a journalist, he
5 contributed to various other forums, and I think
6 that would be accurate.

7 Q. Okay. All right. So when is Private
8 Investigations Services Group formed?

9 A. About 2013.

10 Q. All right. And when it's formed --
11 well, who owns the entity? It's an LLC?

12 A. That's right.

13 Q. Who are the members?

14 A. Henry Rosado and I are partners in the
15 company.

16 Q. All right. Was Henry involved in
17 forming the company?

18 A. Yes.

19 Q. All right. And what is Henry's
20 background?

21 A. He came from a corrections and a
22 paralegal background.

23 Q. Okay. And so you and Henry. Are there
24 any other members to the company?

25 A. No.

1 A. We're not employees. We're partners in
2 an LLC.

3 Q. All right. Have there ever been any
4 other partners or interested parties involved in
5 the LLC?

6 A. We had an original partner. There was
7 a third one of us, Jim McGuffy, and Jim left the
8 company around 2015 or so. 2016.

9 Q. Is he still alive?

10 A. He has special expertise in other
11 areas, armored car security and whatnot, and he
12 wanted to specialize in that.

13 Q. Is he still alive, was my question.

14 A. Oh, I'm sorry. As far as I know he is,
15 yes.

16 Q. Do you know where he lives?

17 A. He lives in Bluffton, but he moved from
18 his last address and I don't have his current
19 address.

20 Q. What kinds of things does Private
21 Investigation Services Group do?

22 A. Litigation support.

23 Q. What does that mean?

24 A. Support attorneys in prelitigation
25 investigations, asset searches, things like that.

1 Security consulting and background investigations
2 and investigations for attorneys and others with
3 respect to family law.

4 Q. The security consulting. Tell me what
5 exactly services you do.

6 A. That would be, for example, consulting
7 with a church or a business or some entity
8 regarding the status and nature of their security
9 posture, their security measures in their building.

10 Q. You're talking about like Wi-Fi. Wi-Fi
11 or armed guards?

12 A. No, no. I'm -- no. I mean security
13 consulting would be typically going to an asset,
14 going to a building or a facility, surveying it and
15 giving them a plan or recommendations about how to
16 make their facility more secure.

17 Q. Okay. In what regard?

18 A. Their ability for people to get access
19 or people to get out.

20 Q. Just to the physical building itself or
21 the information or their --

22 A. No. Wi-Fi, that's a little out of our
23 area. We don't have that particular expertise, but
24 it was more the -- more the physical building,
25 looking at how protected the building was, how easy

1 it was to -- for somebody to break in or people to
2 get out if there was an active shooter event.

3 So we would assess the security, the
4 building, the nature of their program and their
5 protocols and provide them with some findings,
6 conclusions and recommendations.

7 Q. Okay. Who are some of the attorneys
8 that you work for or done work for?

9 A. Sorry. Let me come back to that one.
10 I've got a...

11 Q. It's that hard to think of them? Are
12 you still in business?

13 A. We probably work for about six
14 different attorneys throughout the island or in
15 Bluffton and mostly but not only on family law.

16 Q. Okay. Has it changed over time?

17 A. Probably a lot of family law. That
18 hasn't changed too much. That's been maybe the
19 bulk of what we do.

20 Q. Husbands cheating on wives and wives
21 cheating on husbands, videoing them kind of things,
22 or what?

23 A. That, and finding assets, marital
24 assets, finding people.

25 Q. Okay.

1 all the things that you all were looking into, do
2 you know if anybody was conducting surveillance?

3 MR. MOORE: Same objection. Objection
4 to form. You can answer, Mr. Fratoddi.

5 THE WITNESS: I'm now aware that Sarah
6 Capelli conducted investigations for -- on Paul
7 Murdaugh, but I found out about that through the
8 media, like the news. I didn't know it otherwise.

9 BY MR. TINSLEY:

10 Q. Okay. And is your knowledge today
11 still limited to what you may have read or seen in
12 the news?

13 A. I'm not aware of any other surveillance
14 having been done in this case.

15 Q. You filed a grievance against Sarah
16 Capelli; right?

17 A. I did.

18 Q. And why did you do that?

19 A. Because of her comments and then -- and
20 the discovery information was provided to us about
21 comments that she had made about us and our firm,
22 about some investigative work that we were supposed
23 to have done.

24 Q. All right. What discovery information
25 was provided to you and who provided it?

1 Q. Whether or not that there had been an
2 overture of settlement from your insurance company
3 and then you were threatened by the Parker's
4 people, if you settle, we will sue you?

5 MR. MOORE: Objection to form.

6 BY MR. TINSLEY:

7 Q. Or words to that --

8 MR. MOORE: Foundation.

9 MR. TINSLEY: I'm asking him if he
10 knows. And, listen, we are five feet apart. You
11 do not need to scream, okay?

12 MR. MOORE: I am objecting,
13 Mr. Tinsley.

14 MR. TINSLEY: So calm down. I got it.

15 MR. MOORE: I am objecting when I --

16 MR. TINSLEY: Well, you don't have to
17 yell.

18 MR. MOORE: Please proceed, sir.

19 MR. TINSLEY: You are something, man.

20 THE WITNESS: I think -- I think we
21 were aware that there had been a discussion on
22 settlement, but I'm not aware of the second part of
23 what you said.

24 BY MR. TINSLEY:

25 Q. That they threatened you?

1 years ago here at this office.

2 A. That's correct, yeah.

3 Q. Yeah. And when you were served with a
4 subpoena, you didn't appear; right? You didn't
5 come to the deposition.

6 A. That's correct, yeah.

7 Q. And at some point someone hires a
8 lawyer on your behalf; right?

9 MR. MOORE: Objection; form,
10 foundation.

11 THE WITNESS: Well, we -- through our
12 insurance company we're obviously insured, and we
13 reported that -- this and we were assigned an
14 attorney.

15 BY MR. TINSLEY:

16 Q. Let's make sure we're talking about the
17 same thing. You didn't report -- you reported the
18 lawsuit. I'm talking about in September of 2021
19 when you were served with a subpoena to come and
20 testify in the boat crash case.

21 You didn't report that to your
22 insurance company, did you?

23 A. We did. We had an attorney at that
24 point.

25 Q. Okay. So you think that Taylor Smith

1 or Andrew Radeker were hired by your insurance
2 company.

3 A. That's my understanding.

4 Q. Okay. Then why did Mr. Grantland get
5 hired?

6 A. You'll have to ask him.

7 Q. Why did --

8 A. Those two attorneys are no longer our
9 attorneys.

10 Q. That's right. They withdrew because we
11 were asking the questions of who was paying their
12 bill.

13 MR. MOORE: Objection to form;
14 foundation.

15 BY MR. TINSLEY:

16 Q. Right?

17 A. (Moves head up and down.)

18 Q. You're nodding your head yes.

19 A. Yeah.

20 Q. You know that; right?

21 A. Repeat what you think that I know,
22 please.

23 Q. You know that those two lawyers --

24 A. Yes.

25 Q. -- have gotten out of it because we

1 were inquiring of who was paying for their
2 services.

3 A. That's not -- the information they
4 provided said that there was -- there was a
5 conflict of interest, and, therefore, both of them
6 were compelled to resign with our -- with our
7 approval, if you will.

8 Q. Okay.

9 A. And they asked us to authorize their
10 withdrawal, and we did. That's -- their
11 explanation was, it was a conflict of interest.

12 Q. That's fine. You've never paid them
13 any money; right?

14 A. No.

15 Q. And it's your sworn testimony today
16 that you believe the insurance company was paying
17 those lawyers.

18 A. No. The insurance company has been --
19 was connected -- notified all along, but I
20 believe the -- I do believe the earlier payments
21 went through Gregg Roman.

22 Q. Okay. And how was it that Gregg Roman
23 came to know you'd been served with a subpoena to
24 appear in this case -- I'm sorry -- in the boat
25 crash case and give a deposition?

1 A. I think we let him know. We told him
2 that we'd been subpoenaed.

3 Q. All right. And at that time you were
4 also served with a subpoena that required you to
5 produce all the materials you'd gathered; correct?

6 A. Yes. A little later on, but yes.

7 Q. No. Well --

8 A. You mentioned the subpoena four years
9 ago.

10 Q. Yes.

11 A. The -- you --

12 Q. That which required you to bring your
13 materials and to come and testify.

14 A. There was a big gap of time between
15 that original subpoena and the interrogatories,
16 discovery.

17 Q. No, sir. I'm -- and I'll concede to
18 you that there is a big gap in time between
19 September of 2021, when I served you with a
20 subpoena for your materials, and when we asked --
21 after we sued you in December of 2021, when we
22 asked more recently for those materials. I'll
23 concede that, but what I'm saying is, in September
24 of 2021, when you were subpoenaed to come here, you
25 were also required to bring all of your materials.

1 Q. Okay. So earlier I was asking about my
2 subpoena and asking you for your documents in
3 September '21, and so now I'm trying to define some
4 of the documents.

5 And there was materials, whether it's a
6 Freedom of Information Act request and the material
7 you may have received from that that you generated;
8 right?

9 A. That's correct.

10 Q. All right. So there are materials like
11 you said the DNR report that Gregg Roman gave you
12 and then there are materials that you and Henry
13 generate together and you may have sent to Gregg
14 Roman or other people, but those materials, whether
15 it was generated by you or Dana Motley or whoever
16 it was that you had related to this work you were
17 doing, those are the materials of which I'm
18 speaking.

19 MR. MOORE: Objection to form;
20 compound. You may answer.

21 THE WITNESS: Yes.

22 BY MR. TINSLEY:

23 Q. Okay. And so when I say at some point
24 in time, you had all of the material.

25 MR. MOORE: Objection to form;

1 speculation.

2 THE WITNESS: Yeah, I'm just unclear
3 about what all the materials are. We received the
4 information from him. Our job was to take a look
5 at it and evaluate it and make a judgment or make
6 a -- some --

7 BY MR. TINSLEY:

8 Q. Yeah. So --

9 A. -- analysis of it to see whether the
10 Beach family had been treated fairly. And from the
11 time of the boating accident all the way up until
12 that time, that was the primary document that we
13 worked with.

14 Q. Yeah. So --

15 A. I don't recall ever receiving any more
16 documents from Gregg Roman. Sure, we did a Freedom
17 of Information Act, you request and -- but there
18 weren't a lot of other documents.

19 Q. Let me ask you: Do you feel well
20 enough to give your deposition today?

21 A. I do, yeah.

22 Q. Okay. Have you taken any medication
23 that will affect your ability to understand or hear
24 my questions?

25 A. No.

1 destroyed.

2 Q. Well, there was more than that was
3 destroyed, but why did you destroy it?

4 A. We no longer had a case --

5 MR. MOORE: Objection; form.

6 THE WITNESS: We no longer had a case,
7 we no longer had a client. We didn't think it was
8 ethically appropriate to keep it.

9 BY MR. TINSLEY:

10 Q. Why? What's unethical about you
11 keeping the DNR report?

12 A. We didn't have a client, we didn't
13 have a --

14 Q. Well, you had a client when you got
15 served in September of 2021 who paid for two
16 lawyers for you. And when you got sued in December
17 of 2021, you had -- you still had a client who was
18 paying for two lawyers for you.

19 A. I can't speak to that, but -- the
20 timeline I can't speak to, but we didn't have a
21 client. There was -- we didn't see a need to keep
22 it.

23 Q. Okay. So you destroyed the DNR report
24 or materials that were provided to you by Gregg
25 Roman.

1 A. That's right.

2 Q. What date?

3 A. I don't have a date on that.

4 Q. Is that memorialized anywhere?

5 A. No.

6 Q. It was after you were served with a
7 subpoena in the boat crash case, though; right?

8 A. I can't -- I can't speak to that, no.

9 Q. You can't say it was, you can't say it
10 wasn't.

11 A. I can't. That's correct, yeah.

12 Q. All right. But there's no question
13 you've destroyed documents since --

14 A. That's right.

15 Q. -- since you completed the last day
16 that you worked on the file and today.

17 A. That's right.

18 Q. And in -- so there's a letter -- you
19 were given authorization to work with, talk with,
20 disclose information to -- I don't care how you
21 want to phrase it -- to a number of people,
22 including The Wall Street Journal.

23 Do you recall that?

24 A. Yes.

25 Q. And that email -- and I'm happy -- we

1 can mark it. This one's -- for whatever reason
2 this one didn't -- is not Bates labeled. You got
3 an email from TIJ Editor, comma, SC, comma, USA.

4 TIJ is The Investigative Journal?

5 A. Yes.

6 Q. Do you believe that that is from Gregg
7 Roman?

8 A. Yes.

9 Q. All right. And it's marked subject:
10 Confidential Limited Release, June 25th, 2021 at
11 2:57 PM to you and Mr. Rosado.

12 And are you familiar with what I'm
13 talking about?

14 A. I am.

15 Q. And in that they agree or he agrees
16 that you may provide a limited release to discuss
17 your work about the death of Stephen Smith, Gloria
18 Satterfield, Mallory Beach, with The Wall Street
19 Journal, The Post and Courier, and South Carolina
20 Law Enforcement Division, except that you'll take
21 measures to redact certain things and not disclose
22 certain people's involvement.

23 A. I'm aware of that, yeah.

24 Q. You had all of your file at that point;
25 right?

1 did on human trafficking. Our backgrounds included
2 anti human trafficking work, and that's how I had
3 met her.

4 Q. So you had met her, and you used her to
5 help in your work for Gregg Roman.

6 A. Similar to Betty Houbion, yes.

7 Q. That's who I'm asking you about.

8 A. Similar to Dana Motley.

9 Q. All right. Well, I don't know about
10 the Dana Motley part yet, so I haven't asked about
11 it, but let's just talk about Betty for a minute.

12 A. That's correct.

13 Q. So you asked Betty to help you.

14 A. Yes.

15 Q. And how was she paid?

16 A. How? Literally, how she was paid?

17 Q. Literally how she was paid, yes, sir.

18 A. We paid her a fee for her work.

19 Q. You paid her a fee. Or your company.

20 A. Yeah, our company did, yes.

21 Q. And did you invoice that to someone
22 else?

23 A. Gregg Roman.

24 Q. Where is that reflected?

25 A. Pardon me?

1 Q. Where is that reflected?

2 A. It's in the discovery materials that
3 were provided to you.

4 Q. Specifically tell me what to look at.

5 A. Invoice.

6 Q. So we should see an invoice that shows
7 every dollar that you paid Betty.

8 Did you also pay Dana?

9 A. Yes.

10 Q. All right. And what did you pay Dana?

11 A. You mean the dollar amount?

12 Q. No. We should see an invoice for every
13 dollar that they were paid for the work they did.

14 A. Yes.

15 Q. It all came through your company.

16 A. That's right.

17 Q. All right. And what was Betty's work?

18 A. Betty's was a researcher. Her
19 background, she had a good research background, and
20 Betty was part of the team to help break the DNR
21 report up and examine it.

22 Q. Do you still work with Betty?

23 A. No. I'm not sure Betty's still with
24 us. I can't find her. I don't know.

25 Q. Okay. And then Dana Motley. Was that

1 report and broke it up in the manner in which I
2 said.

3 Q. All right. The DNR report, did it
4 include Judge Dan Hall?

5 A. I don't know.

6 Q. Did it include his wife?

7 A. The DNR report?

8 Q. Yes, sir.

9 A. I'm not aware of that.

10 Q. You're not aware that it did?

11 A. You asked -- I believe you asked me did
12 the DNR report contain Judge Hall or his wife. Is
13 that your question?

14 Q. Yeah.

15 A. Yeah, I'm not aware that the DNR report
16 contained the judge's name or his wife's name.

17 Q. And let's -- let me clarify something.

18 I am talking about the DNR report, if
19 that's what it is, that Gregg Roman gave to you
20 that you're saying that you and Betty and Henry
21 analyzed.

22 A. That's correct.

23 Q. All right. That's the document I'm
24 talking about, whether it's the official report --
25 I'm not suggesting it is.

1 I am talking about what you testified
2 under oath was provided to you, okay?

3 A. Yes.

4 Q. All right.

5 A. I'm --

6 Q. You understand what I'm asking you.

7 A. Yes.

8 Q. Okay. And so I'm asking, from that
9 document, was Dan Hall the judge in the boat crash
10 case, referenced in that report?

11 A. I'm not aware that it was.

12 Q. All right. And what about his wife?

13 A. I'm not aware that she was.

14 Q. What about me?

15 A. I'm not aware that you were.

16 Q. What about Tabor Vaux?

17 A. I'm not aware he was.

18 Q. Okay. What about any of the Beach
19 family? I'm not talking about Mallory. I'm
20 talking about the family.

21 A. I'm not aware they were.

22 Q. Buster Murdaugh?

23 A. I'm not aware. I'm not sure on that.

24 It was a -- you know how long the document. It was
25 a long document.

1 Q. Be better if you hadn't destroyed it;
2 right? We could look at it and see what was in
3 there.

4 A. Well, sure.

5 Q. Yeah. And just so -- again, so we're
6 clear, so I understand what you're saying, because
7 I heard what you said and I wrote down what you
8 said about Dana Motley.

9 Your sole work and involvement in this
10 case was the analysis of this DNR report and what?
11 Anything else?

12 A. Yeah. There was a broader issue with
13 Gregg Roman. Gregg Roman had a background in
14 public corruption. And public corruption, I mean
15 relationships between people and the public who had
16 a position of public trust and others.

17 And Gregg had a background in
18 identifying corruption issues in South Carolina
19 between the judiciary, between lawyers and between
20 law enforcement.

21 And Gregg was doing some research in
22 South Carolina on another issue, I think, around
23 the time frame that the Murdaugh -- the horrible
24 boating accident.

25 So he became -- I think the notoriety

1 of the case generated a lot of interest in him as a
2 journalist, and so he was interested broadly in
3 public corruption between those three entities in
4 South Carolina. The Murdaugh family caused him
5 to -- if you're unhappy with my answer --

6 Q. No, sir. I'm a little shocked that
7 you're going to -- you're saying this, but you go
8 on to say everything you want to say.

9 A. You asked me if there was anything
10 else.

11 Q. Go ahead.

12 A. I'm telling you yes. His interest is
13 in public corruption, and it focused more so around
14 the time of the boating case on the Murdaugh
15 family.

16 Q. Okay. And so his interest in public
17 corruption.

18 What, if anything, did you all do
19 before the murder of Paul Murdaugh and Maggie
20 Murdaugh with that information?

21 A. The information on the DNR or the
22 broader public corruption issue?

23 Q. All of it, yes, sir.

24 A. No. That was -- his focus primarily
25 was seeing whether the Beach family, the

1 investigation of the boating accident was
2 consistent with good law enforcement practices, was
3 ethical and they met the standards that it should
4 have.

5 Q. Did it?

6 A. No.

7 Q. And how long -- I mean, give me one of
8 the -- sort of the biggest reasons that -- from --
9 I assume from your law enforcement background, that
10 you concluded that there was corruption that
11 affected the boat crash investigation.

12 MR. MOORE: Object.

13 THE WITNESS: I'm not going to use that
14 word, "corruption." I'm just going to say the
15 practices observed -- the practices identified at
16 the crime scene, the contamination of evidence, the
17 mixing of nonparticipants, allowing other people to
18 come into the scene and interfere with the victims
19 or the people involved in the boating accident, the
20 occurrences at the hospital and the evidence. All
21 those were not standard, traditional, good ethical
22 practices within law enforcement.

23 BY MR. TINSLEY:

24 Q. Okay. And the things at the hospital
25 and the involvement of outside parties, again, I

1 In fairness to you, what happened at
2 the hospital wasn't in the DNR report.

3 A. No. That came to us through the media.

4 Q. Well, yeah. I understand. But you
5 testified just a moment ago that you got it from
6 the DNR report. So I'm clarifying that now.

7 I mean, so the only thing you could
8 have seen in the DNR report was --

9 A. Report.

10 Q. Let me finish my question. You can
11 ignore him, but I've got to finish my question so
12 you're answering my question.

13 The only thing that you see in the DNR
14 report is, is the absence of things like the video
15 of Paul Murdaugh; right?

16 A. Correct. Yeah.

17 Q. When you got the email from TIJ Editor,
18 SC, USA, is that an email that Gregg Roman would
19 use to communicate with you, or was that someone
20 else at The Investigative Journal?

21 A. No. That's Gregg Roman.

22 Q. All right. Gregg Roman used a number
23 of emails to communicate with you; is that fair?

24 A. That particular email he used, his
25 connection to the journal, and we didn't do a lot

1 of emails.

2 Q. All right. But whether you did a lot
3 or not, there were multiple emails that he used, is
4 the point.

5 A. Yes.

6 Q. And did you communicate with anyone
7 else from either Gravitas or The Investigative
8 Journal other than Gregg Roman?

9 A. No.

10 Q. The -- when he contacted you in June
11 25th, 2021, at that point in time were you told
12 that Greg Parker wanted to give an invest -- a
13 report -- I'm sorry -- an interview to The Wall
14 Street Journal and that's why they wanted to show
15 the information?

16 A. I'm -- I believe that that particular
17 email was generated as a result -- from Gregg Roman
18 to us was generated as a result of prior attorneys,
19 Taylor Smith, Andrew Radeker, trying to move the
20 case along because of our -- because of our
21 position, our -- our defense that we were not
22 connected to the case in the way that we'd been
23 inferred.

24 And so I believe -- I believe that was
25 an initiative from them to say to Gregg, Gregg,

1 let's do something to help move this case along. I
2 believe that's the background on the case, and
3 that's what caused -- generated that email from
4 Gregg Roman.

5 Q. I'm disappointed to hear you say that,
6 and, you know, the problem with a lie is that it is
7 so insidious it catches you when you don't realize
8 you're caught, okay?

9 This is June 25th, 2021. You're not
10 served with the first subpoena until September.
11 You're not even served with a lawsuit until
12 December.

13 So you just testified under oath that
14 this email was related to your two lawyers and
15 activities in this case, and that is not true, sir.

16 Do you concede that?

17 A. No, I won't concede that.

18 Q. Okay. Good. I hope you don't. I hope
19 you don't, but I'm giving you the opportunity,
20 and -- because you just testified falsely under
21 oath.

22 MR. GRANTLAND: Object to form.

23 MR. MOORE: Object to form and object
24 to your characterization, Mr. Tinsley.

25 MR. TINSLEY: I don't care.

1 MR. MOORE: I'm sure you don't, but I
2 object.

3 MR. TINSLEY: All right.

4 THE WITNESS: I'm happy to review it
5 again. I'm not sure what you think that's not
6 appropriate or correct or false, but that's my
7 understanding of the basis for him generating that
8 email.

9 I certainly -- we didn't ask for it.
10 That came to him, and we believe -- I believe Drew
11 and Taylor Smith were trying to help our case,
12 trying to allow for something that would shine some
13 light on our position within the -- within the
14 lawsuit.

15 BY MR. TINSLEY:

16 Q. There's no lawsuit at this point, sir.

17 Did you ever or anyone on your behalf
18 meet with anyone from The Wall Street Journal?

19 A. Yes.

20 Q. Who?

21 A. Valerie Bauerlein.

22 Q. Okay. And did you provide her with the
23 information you were asked by Gregg Roman to
24 provide her with?

25 A. He didn't tell us to provide any

1 MR. TINSLEY: We'll let Mr. Moore look
2 at that one.

3 BY MR. TINSLEY:

4 Q. All right. So the first paragraph:
5 You may provide a limited release to
6 discuss your work, on background and without
7 attribution, from last summer, including all
8 information, comma, case files, comma, interview
9 notes, comma, recordings, comma, and other
10 information related to the deaths of Stephen Smith,
11 Gloria Satterfield, and Mallory Beach with The Wall
12 Street Journal.

13 A. Yes.

14 Q. All right. Did you do any of those
15 things?

16 A. No. Our -- the meeting we had with
17 Valerie Bauerlein, there were no documents. It was
18 a -- it was an interview, and there were no
19 documents or recordings or any of these items
20 mentioned in here.

21 Q. So at Gregg Roman's direction you met
22 with and were interviewed by Valerie Bauerlein from
23 The Wall Street Journal.

24 A. That's right.

25 Q. How about The Post and Courier?

1 Q. Who said it wasn't relevant, is my
2 question.

3 A. None of your -- none of your documents
4 mentioned anything about Stephen Smith or any other
5 investigation.

6 Q. Your documents mention Stephen Smith
7 and the documents you got from Gregg Roman and Greg
8 Parker was particularly interested in Stephen
9 Smith; right?

10 MR. RICARD: Objection to form.

11 THE WITNESS: I can't speak about what
12 Greg Parker was interested in.

13 BY MR. TINSLEY:

14 Q. You all knew that if you could connect
15 the Murdaughs to the death of Stephen Smith, then
16 Greg Parker would be a third-party beneficiary of
17 that information; right?

18 MR. MOORE: Objection to form,
19 foundation and speculation.

20 THE WITNESS: I don't know. That's not
21 my --

22 THE REPORTER: Wait, wait. I first
23 need your objection.

24 MR. MOORE: I said objection to form --

25 MR. TINSLEY: That's all you have to

1 there'd been a long period of time of a lack of
2 investigative activity and there was a lot of work
3 apparently to be done on his case.

4 Q. All right. Who is Alex Pipas or Pipas?

5 A. I'm sorry. You're looking down.

6 Q. That's okay. Who is Alex Pipas or
7 Pipas?

8 A. Alex Pipas showed up at a meeting that
9 Gregg Roman had with us in Beaufort in the area
10 near the bar and the bridge and the boat launch.
11 All I know is that he was introduced as a friend
12 and somebody who was going to be helping him work
13 on the case. We never had any more connection with
14 him.

15 MR. TINSLEY: Let's make a copy of
16 that. I'm going to mark that entire document. Go
17 ahead and make them a copy too, if you would.

18 Where are we on time?

19 THE VIDEOGRAPHER: An hour.

20 MR. TINSLEY: We've been going an hour?

21 THE VIDEOGRAPHER: Yeah. I can go
22 ahead and do a quick reset now if it's a good time.

23 MR. TINSLEY: Okay. Let's do that.

24 THE VIDEOGRAPHER: This is the end of
25 Media 1 in the deposition of Max Fratoddi. We are

1 Q. When you're involved in work with a
2 client, is this a living document in the sense that
3 you supplement it as new things happen in the file?

4 A. Yes, I think that's accurate.

5 Q. Are there multiple client contact logs
6 that you --

7 A. No; only one.

8 Q. Just the one.

9 A. That's right.

10 Q. And so if we look at this one then,
11 according to this you're not doing anything of
12 substance or you don't have any contact with the
13 client of substance after June 23rd, 2020. That's
14 page 398.

15 A. (Perusing.) That's not quite accurate.
16 There was contact --

17 Q. Well, wait, wait, wait.

18 A. Yeah.

19 Q. What I said is accurate; correct? That
20 this client contact log shows the last substantive
21 contact June 23rd, 2020. This document.

22 A. With Gregg Roman.

23 Q. This document shows the last contact in
24 June of 2020; correct?

25 A. No, it's not correct in the sense that

1 after this time we would have a phone call of
2 nonsubstance and then any -- with Gregg Roman. Any
3 update on funding, those sorts of calls. They were
4 not of particular substance, and there were other
5 people that we were in contact with after this, but
6 it was not Gregg Roman.

7 Q. I'm not trying to give you a hard time.

8 A. Sure.

9 Q. It's being videoed and we have a
10 written transcript, but it doesn't always translate
11 when people are watching this. And so the question
12 I just asked you is, that this document, what
13 you -- you generally described what this was to me
14 before we started to talk about it. But this
15 document doesn't document any substantive contact
16 with the client after June 23rd, 2020.

17 A. That's right.

18 Q. Okay. Now you're saying there was
19 additional contact after that date. It just didn't
20 make it into any kind of log like this.

21 A. There was no additional substantive
22 contact after that date.

23 Q. Okay. There was substantial contact
24 after this date, and you continued to be involved
25 with the people you were working in [sic] for a

1 significant amount longer than this log would
2 indicate after this date; correct?

3 MR. MOORE: Objection; form.

4 BY MR. TINSLEY:

5 Q. This log shows two months: April the
6 15th, 2020 to June 23rd, 2020.

7 A. That's right.

8 Q. And you were involved and did work a
9 lot longer than that; correct?

10 A. Yes.

11 Q. Okay. And so if -- but what your
12 testimony is, is that everything you did after this
13 date was not substantive enough to document it in
14 this client contact log.

15 MR. MOORE: Objection to form.

16 THE WITNESS: No, I wouldn't agree with
17 that. That's a contact log. For example, work
18 that we might have done with -- on the -- reviewing
19 the DNR sheet. That was substantive, but that
20 wasn't a contact with Gregg Roman.

21 BY MR. TINSLEY:

22 Q. This is -- I don't understand what
23 you're saying.

24 You're saying that this contact log is
25 related to Gravitas Energy Solutions, LLC, which is

1 Gregg Roman; right?

2 A. That's right.

3 Q. And that this documents all the
4 substantive contact you had with Gregg Roman.

5 A. That's right.

6 MR. MOORE: Objection to form;
7 misstates prior testimony.

8 MR. TINSLEY: You're going to need to
9 confine your objections to a proper objection which
10 is to the form only. You need to stop with your
11 speaking objections. Unless I ask for a
12 clarification so I can fix my question, your
13 statements are improper. They are improper,
14 period. You don't get to tell him that he's
15 missed -- that I've misstated anything.

16 MR. MOORE: I'm not telling him
17 anything, Mr. Tinsley.

18 MR. TINSLEY: Let me finish. Do not
19 interrupt me. I think -- I know you think that you
20 can treat everybody in the world the way you are
21 used to it, but you are not going to do this.

22 MR. MOORE: Please continue,
23 Mr. Tinsley.

24 MR. TINSLEY: Then stop making improper
25 speaking objections.

1 share with her?

2 A. "Cooperate" is not the right word.
3 Would we -- would we -- we'd be willing to -- if
4 she came to town, would we be willing to assist her
5 with logistics, maybe transportation. You know, we
6 lived here, we knew it. And he made the referral
7 to her, and that was the basis of that.

8 There had been a great deal of time
9 between our last contact with Gregg Roman and this
10 one that came quite a bit later. He asked Vicky --
11 Vicky -- whatever the agreement or arrangement
12 was --

13 Q. All right. Hold on just a second.

14 A. Sure.

15 Q. All right. So you just testified --
16 let's look at Exhibit 3. This is your timeline
17 that you prepared very recently.

18 The first indication that I see about
19 Vicky Ward, you've got September 30th, 2021;
20 correct?

21 A. That's her affidavit.

22 Q. Her affidavit, September the 30th,
23 2021.

24 A. Yes.

25 Q. And when is the first time you had

1 contact with Vicky Ward?

2 A. Late August, early September.

3 Q. 2021.

4 A. That's right.

5 Q. Okay. And that contact with Vicky
6 Ward, did she call you or did you call her?

7 A. She called. She called me.

8 Q. Were you using Signal to communicate
9 with Gregg Roman like he was communicating with
10 Vicky Ward?

11 MR. MOORE: Objection to form.

12 THE WITNESS: No.

13 BY MR. TINSLEY:

14 Q. Did you use --

15 A. Sorry. With Vicky? No, we had no
16 normal communication with -- we only had ever two
17 phone calls with Vicky Ward --

18 Q. So my question was --

19 A. -- with Gregg Roman.

20 Q. -- were you using Signal to communicate
21 with Gregg Roman?

22 A. No.

23 Q. Did you use any sort of encrypted
24 messaging app or any other encrypted means of
25 communication to communicate with Gregg Roman or

1 people on his behalf or anyone from Greg Parker's
2 team?

3 A. Proton.

4 Q. Proton.

5 A. (Moves head up and down.)

6 Q. All right. And -- but you've not
7 produced those communications; correct?

8 A. I'm sorry?

9 Q. You have not produced those --

10 A. That's correct, yeah.

11 Q. Why not?

12 A. They were -- it was difficult to use,
13 they expired after a while, and there was -- I'm
14 not sure. Maybe there was one or two things in
15 discovery. But no, we -- there was nothing --
16 really nothing to produce.

17 Most of the conversations were about
18 schedule, meetings, but we used Proton for a short
19 period of time. Gregg Roman set it up, and it
20 didn't prove to be very effective for us.

21 Q. Okay. But did -- we discussed at the
22 beginning of this deposition the fact that you
23 emailed with Gregg Roman; right?

24 A. That's right.

25 Q. So email was sufficient means of

1 communication for a period of time, and then it
2 became necessary to communicate through encrypted
3 means so that those communications could be secret;
4 correct?

5 MR. MOORE: Objection to form.

6 THE WITNESS: I guess as a journalist
7 Gregg wanted to have secure communications, and
8 that was the reason he set up Proton.

9 BY MR. TINSLEY:

10 Q. Okay. Well, the earlier
11 communications, let's say before the murders,
12 weren't secure and encrypted; right? I mean,
13 they're emails. We can see them.

14 A. Yeah, that's right.

15 Q. Y'all were all emailing back and forth.

16 A. That's right.

17 Q. You and Gregg, and I don't really see
18 many from Henry, but Dana and --

19 A. Betty.

20 Q. -- Betty and some other dude name which
21 I'm going to get to. Eric De Van.

22 A. That's right.

23 Q. Who is he?

24 A. That's right.

25 Q. Who is he?

1 A. That's right. That's the extent of the
2 work we did.

3 Q. Well, but how much was -- were you and
4 Henry and your company paid?

5 A. \$9,300. And out of that came out
6 expenses and payment of them, the people that
7 worked on our team.

8 Q. How did Gregg Roman initially contact
9 you to set up whatever involvement you were going
10 to have with Vicky Ward, whether it's a meeting or
11 a phone conversation? I mean, does he do it --

12 A. He called and -- he called and said
13 that he was -- one of his fellow journalists was
14 coming to town to cover it and were we in a
15 position to help her with -- either logistically
16 provide -- so whatever -- whatever help we could
17 give her to help while she was here for those
18 several days.

19 Q. Okay. And that happens in September
20 2021.

21 A. You mean her visit or that phone call?
22 Gregg called late August of '21.

23 Q. Okay.

24 A. And --

25 Q. She comes in September.

1 correct?

2 A. That's correct.

3 Q. But you're actively doing work in
4 those -- in that period of time.

5 A. No, no.

6 Q. No?

7 A. Between August -- roughly August 2020
8 and August '21, the -- Gregg kept -- he continued
9 to try to press for funding wherever he got his
10 funding, and we continued to hope that there would
11 be more funding to continue to do the work that we
12 started. That's why it appears as though there was
13 a -- there was a gap of time there.

14 The contact about Vicky Ward came in
15 late August, early September, and it was after that
16 when we didn't do anything for her. There was
17 clearly no more funding, there was no more
18 indication of work, and so that's -- you have this,
19 the date of August 16th, 2021.

20 Q. All right. So let me make sure that I
21 understand. Because this is very important.

22 Did you do any work from August the
23 25th, 2020 until August the 16th of 2021 in the
24 Beach lawsuit?

25 MR. MOORE: Objection to form.

1 THE WITNESS: Not that I recall.

2 BY MR. TINSLEY:

3 Q. All right. And I know that you
4 invoiced -- I don't remember what they were --
5 3,000, 6,000, different invoices, amounts, but did
6 you charge for the work that you did by the hour?

7 A. Yes.

8 Q. Okay. And whatever the invoices, they
9 would be either to cover like a -- sort of a
10 retainer or -- and where you -- you're billing
11 against that amount?

12 A. That's correct.

13 Q. Okay. And so when you have
14 communications between August the 25th, 2020 and
15 August the 16th of 2021 with, for instance, Gregg
16 Roman or with Betty or with Eric or with Henry or
17 with anybody else concerning this matter, you just
18 weren't billing those for that time?

19 A. No. We had -- we had exceeded the
20 funding and -- that's right.

21 Q. Okay. Why did you continue to engage
22 and have conversations with Gregg Roman if he
23 wasn't paying you?

24 A. Well, we didn't do any real work. The
25 conversations tended to be around are there other

1 funding sources that we can look at, if we had more
2 funding this is what we -- we might continue what
3 we had started. So those conversations were
4 administrative, but they weren't substantive.

5 And it -- at the point that the Vicky
6 Ward situation didn't materialize -- she came, as
7 we understand, but there was nothing there that --
8 for us to do, so it was -- there was no reason to
9 keep it open anymore.

10 Q. Okay. I'm going to ask my question
11 again, because you said a lot, but I don't think
12 any of it was responsive to the question I asked
13 you.

14 Why didn't you tell Gregg Roman to stop
15 calling you if he wasn't paying you?

16 MR. MOORE: Objection to form.

17 THE WITNESS: Oh, I had no reason to
18 tell him to stop calling. Why -- if he had
19 received funding or something we would have
20 welcomed the call.

21 BY MR. TINSLEY:

22 Q. Okay. So you were just doing work and
23 doing what he asked you to do, even though you
24 weren't being paid for it in the hopes that one day
25 there would be something that would happen that

1 would get you paid.

2 A. That's not true. You said I continued
3 to do work in the hopes of. We continued to keep
4 in contact with him intermittently, but we didn't
5 continue to do any more work.

6 Q. Well, you met with Valerie Bauerlein;
7 right? You interviewed with her. That took your
8 time, didn't it?

9 A. Sure.

10 Q. How many hours did you meet with her?

11 A. That was maybe an hour.

12 Q. Okay. And what do you charge for an
13 hour of your time?

14 A. 150.

15 Q. All right. So there's an hour right
16 there; right?

17 A. We didn't -- we didn't charge for that,
18 no.

19 Q. You all were still scouring the
20 internet and decided in August of 2021 to release
21 Gregg Roman's blog; right?

22 MR. MOORE: Objection to form.

23 THE WITNESS: No. Would you please ask
24 me that question again? Thank you.

25 BY MR. TINSLEY:

1 Q. So you all picked up the fact that
2 there was an article related to corruption in the
3 investigation in July of 2021, and you then
4 notified now would be a good time to release the
5 work that we did last summer, which was Gregg
6 Roman's blog; correct?

7 MR. MOORE: Objection to form.

8 THE WITNESS: It was Gregg Roman's
9 blog. Our work the previous summer had contributed
10 to his piece, but we had -- we didn't -- we didn't
11 write it, we didn't have anything to do with the
12 development of it, but some of the information from
13 the earlier investigation with the DNR had
14 contributed to it, and also the work with Stephen
15 Smith and Gloria Satterfield.

16 BY MR. TINSLEY:

17 Q. Yeah.

18 A. So --

19 Q. So after you -- after you all realized
20 that there's an article, you then -- from the state
21 newspaper, you all then decided that now would be a
22 good time to publish Gregg Roman's material on the
23 stuff we did last summer.

24 MR. MOORE: Objection to form.

25 THE WITNESS: No, you're -- that's

1 Q. Okay.

2 A. Gregg Roman had long had any work that
3 we had provided to him long before the blog came
4 out.

5 Q. Okay. Gregg Roman -- explain what you
6 just said. Gregg Roman -- let me read what you
7 said.

8 Gregg Roman had long had any work that
9 we had provided to him long before the blog came
10 out.

11 I'm not sure how that is responsive to
12 what I asked you. I tell you what we'll do. We'll
13 just --

14 MR. TINSLEY: Can we go back one
15 second, his answer before that? Just -- sorry.
16 No, I'm -- sorry. Went too fast.

17 BY MR. TINSLEY:

18 Q. Oh, yeah. Let me close this loop,
19 because you just brought it up again about Stephen
20 Smith.

21 At some point you talked to, received a
22 phone call from Steve Peterson, the DEA -- former
23 DEA agent who was working for Andy Savage on behalf
24 of the Smith family; right?

25 A. I believe I recall a call from him,

1 Smith, yeah.

2 Q. Well, I mean, the point is that she
3 gave it to you.

4 A. That's correct, yeah.

5 Q. And you took it all; right? You had it
6 all.

7 A. That's correct.

8 Q. Okay. And you had the iPad.

9 A. And I had the --

10 Q. The iPad.

11 A. Yes, that's right.

12 Q. And the truth is, is that when the
13 deputy sheriff came to you, they came with a search
14 warrant because you had refused to give the iPad up
15 as well; correct?

16 A. No, that's not accurate.

17 MR. MOORE: Objection to form.

18 BY MR. TINSLEY:

19 Q. They didn't serve you with a search
20 warrant?

21 A. No, that's not what you said.

22 Q. Did they --

23 A. Did serve me with a search warrant.

24 Q. Okay. So the owner had asked for the
25 information and the material and the iPad back;

1 right?

2 A. She asked for the iPad back. I don't
3 know that she --

4 Q. And you didn't give it back.

5 A. We didn't have the iPad at the time.

6 Q. Who had it?

7 A. The iPad was -- I'm not sure on the
8 time frame, but Gregg Roman may have had the iPad.

9 Q. How did he get it?

10 A. We -- Sandy asked us that -- you know,
11 we could take a look at it and see if there was
12 anything there that would help us to determine what
13 happened to Stephen. The iPad was broken and the
14 iPad was locked out. iPad was locked out.

15 Q. Did you tell Sandy Smith that you had
16 either expertise or knew people who could access
17 the iPad?

18 A. No.

19 Q. Did you tell Sandy Smith that you
20 either had expertise or people who could recover
21 information that had been deleted from the iPad?

22 A. I believe we may have said that we --
23 we are not qualified to get into it, but we might
24 have -- we might have some resources that could
25 help unlock it, yes.

1 Q. So you get it, it's locked, and when
2 she has it in her hand you know it's locked, and
3 you take it; right?

4 A. Yes.

5 Q. And then you give it to Gregg Roman to
6 be able to access it.

7 A. He thought that he [sic] were --
8 were -- we had no luck with it. He thought that
9 he -- he would have access to resources that could
10 unlock it.

11 Q. Oh, I'm sure. Did you tell Sandy Smith
12 that you were going to give it to Gregg Roman?

13 A. No, I don't think I did. I'm not sure.

14 Q. When you were served with a search
15 warrant that was issued by -- was it issued by the
16 state grand jury or was it issued by SLED or do you
17 recall who signed that search warrant?

18 A. It wasn't -- I don't believe it was by
19 the grand jury. I think it was just from
20 administrative, from SLED. And apparently SLED has
21 a relationship with -- you know, they're not next
22 door here, so apparently they have some
23 relationship with the sheriff's office to be able
24 to serve it.

25 Q. All right. When you were served with

1 the search warrant, when did you give them the
2 iPad?

3 A. I'll have to look up that date. I
4 don't remember.

5 Q. You don't think it was the date you
6 were served with the search warrant?

7 A. I believe it was.

8 Q. Okay. So you didn't have to get it
9 back from Gregg Roman at that point then.

10 A. Oh, we had gotten it back by that
11 point.

12 Q. Why?

13 A. Gregg couldn't do anything with it.

14 Q. Okay. Where is the correspondence of
15 you getting it back?

16 A. It's not in there.

17 Q. How did you get it to him?

18 A. I believe we mailed it. He made a
19 couple of trips to Hilton Head Island over that
20 period of time and I may have given it to him when
21 he was here.

22 Q. All right. So it's your testimony that
23 you mailed it, that you may have given it to him or
24 you just don't really know.

25 A. No. We know we gave it to him. I'm

1 not -- I don't recall how we gave it to him.

2 Q. You haven't produced any correspondence
3 or -- where you FedExed it or mailed it or
4 anything; correct?

5 A. No.

6 Q. And you haven't produced any documents
7 that in any way even hint at the fact that you gave
8 Gregg Roman Sandy Smith's iPad.

9 A. That's correct, yeah.

10 Q. And there's no -- how did he give it
11 back to you?

12 A. I believe on one of his visits here to
13 Hilton Head Island, I believe he gave it to us when
14 he was here.

15 Q. Which visit?

16 A. I don't remember that.

17 Q. Which -- where in the contact in
18 Exhibit 2, which contact is it in the contact log?

19 A. Um-hum. (Perusing.) I can't confirm
20 it, but it might have been June 23rd. He -- I'm
21 not sure, but that -- that might be it. June 23rd
22 of 2020.

23 Q. Okay. And you're saying it might have
24 been June 23rd because that's the last time you met
25 with him, according to your contact log?

1 MR. MOORE: Objection to form.

2 THE WITNESS: (Perusing.) I'm not sure
3 on that, but I know we gave it back to him. I
4 don't -- I think we may have literally handed it to
5 him as opposed to mailing it. I'm not sure.

6 BY MR. TINSLEY:

7 Q. Okay. So what I asked you was, the
8 reason you say June 23rd -- so what was the reason
9 that you said it might have been the June 23rd
10 meeting?

11 MR. MOORE: Objection to form.

12 THE WITNESS: We met with him on June
13 15th. I think that was our first meeting with him
14 and we wouldn't have -- it would have been
15 premature in the investigation to have given it to
16 him then. That was our very first meeting with
17 him. So it wouldn't have been the first meeting.

18 BY MR. TINSLEY:

19 Q. Okay.

20 A. Yeah.

21 Q. Oh, okay. So if it's not the first
22 meeting, which -- it would have to be the second
23 meeting because there are only two meetings
24 documented.

25 A. That's right.

1 MR. MOORE: Objection to form.

2 BY MR. TINSLEY:

3 Q. That's why you said it?

4 A. We had -- (perusing.) No, it wasn't
5 that meeting. There was another -- Gregg Roman
6 came to town two -- maybe the third time. There
7 was a -- he had a rental house on the island, and
8 there was one more meeting there and we went out to
9 that house and had -- had a meeting with him, but
10 that's not documented here.

11 Q. No. No, it's not documented here.

12 A. Yeah.

13 Q. And, I mean, that's sort of the point;
14 right?

15 A. Yeah.

16 Q. Yeah. So when do you think that
17 that -- did you bill for that meeting, or did you
18 do that one for free too?

19 A. No, I -- I'm sure we billed for that
20 meeting, yeah.

21 Q. It just might be on an invoice, it
22 might not be on an invoice?

23 A. That should be on there, yeah.

24 Q. Did somebody pay you outside of the
25 invoice that you sent?

1 A. Did someone what?

2 Q. Did someone pay you outside of the
3 invoices that you sent?

4 A. No.

5 Q. What was the date of the other meeting
6 that you're now telling us that's not documented in
7 Exhibit 2?

8 A. I'd have it on the invoice, but it
9 would be after -- after the June 15th meeting. It
10 would be after that one.

11 Q. So an invoice after June 15th or -- is
12 it after the 15th or after the 23rd?

13 A. (Perusing.) It would be after the
14 23rd.

15 Q. Okay.

16 A. 23rd was the meeting with Alex Pipas,
17 and it would be after that.

18 Q. And Alex Pipas was somebody that Gregg
19 Roman brought into the mix.

20 A. That's correct.

21 Q. At any point in time did you read in
22 connection with the work that you were doing in the
23 Beach lawsuit, did you read any of the deposition
24 testimony of any of the people involved in the
25 case?

1 would certainly be some discussions about what
2 happened and what was going on and so on. So those
3 sorts of discussions took place within our group.

4 BY MR. TINSLEY:

5 Q. Yeah. About the litigation and what
6 happened with the testimony; correct?

7 A. No, not so much about the litigation
8 but about the -- about the DNR report, the
9 deficiencies in it.

10 Q. What about the DNR report? Because, I
11 mean, the DNR report is -- there's not a lot in the
12 DNR report.

13 A. There is to me.

14 Q. How many pages is it?

15 A. About 800-and-something.

16 Q. Oh, okay. So you're talking about the
17 entire -- the entire file that gets put together
18 after the decision is made to charge Paul Murdaugh.
19 That's what you're talking about.

20 A. Yes.

21 Q. Yeah. You're not talking about the
22 boat crash report. You're talking about the very
23 comprehensive --

24 A. That's correct, yeah.

25 Q. -- report that was put together by SLED

1 and the AG's office and DNR.

2 A. I believe that's correct.

3 Q. Okay, okay. And that was provided to
4 you by Gregg Roman.

5 A. That's right.

6 Q. Okay. And do you know how Gregg Roman
7 got it?

8 A. I don't.

9 Q. You agree that that material and those
10 materials were not publicly available; right?

11 MR. MOORE: Objection to form.

12 THE WITNESS: No, I don't -- I don't
13 know about that.

14 BY MR. TINSLEY:

15 Q. Okay.

16 A. I can't say.

17 Q. What don't you know about it?

18 A. Some -- some law enforcement material
19 is available based on publicly --

20 Q. FOIA? Based on FOIA? I mean, you all
21 discuss FOIA in your records and making FOIA
22 requests.

23 A. That's right.

24 Q. You're familiar with it, aren't you?

25 A. I am, yeah.

1 Q. Have you made FOIA requests, ever?

2 A. Yes.

3 Q. Have you ever not gotten a response or
4 they said it's an ongoing investigation?

5 A. I believe that's -- that would be
6 accurate, yeah.

7 Q. And you think that you made a FOIA
8 request and got any of that DNR material?

9 MR. MOORE: Objection to form.

10 THE WITNESS: We didn't get anything
11 from our FOIA request. It wasn't available. I --
12 as I recall, it wasn't available.

13 BY MR. TINSLEY:

14 Q. Right, because of the ongoing
15 investigation.

16 A. That would make -- sure.

17 Q. You don't dispute that; right?

18 A. I don't, no.

19 Q. And the 800 pages or the 1,700 pages or
20 however many it actually is, that material, you've
21 destroyed that; correct?

22 A. That's correct.

23 Q. Yeah. And what date did you destroy
24 that?

25 A. I don't have a date. I don't remember.

1 boat crash case mediation.

2 A. The boat crash, yes.

3 Q. Mediation.

4 A. No.

5 Q. Okay. So I'm still on Exhibit 2,
6 fortunately or unfortunately. And I want to make
7 sure I understand some of this stuff. So April
8 15th. This is the first entry. 2020. Initial
9 contact with Karl Milligan. Who is he?

10 A. Karl Milligan is a member of a
11 professional organization called Intellenet. Karl
12 and I are members of that organization. Work
13 referrals are common. That's how we -- Gregg Roman
14 lives in the Philadelphia -- or he used to live in
15 the Philadelphia area. He knew of Milligan, Karl
16 Milligan.

17 And my understanding was he asked Karl
18 if he knew anybody in the Hilton Head area, and he
19 said I don't know them, but in my -- personally,
20 but in my organization there is one investigator
21 from that professional organization that's there,
22 and that's -- that was the referral to me.

23 Q. Is there any indication, to your
24 recollection, that Gregg Roman had the DNR file,
25 the 800 or the 1,700-page document that you've

1 destroyed as of April the 15th, 2020?

2 MR. MOORE: Objection to form.

3 THE WITNESS: I don't know about the
4 date. I know obviously he provided us -- which I
5 mentioned to you. He provided us a copy of that.
6 I don't know when he had it.

7 BY MR. TINSLEY:

8 Q. Okay. The next entry is June 1st,
9 2020. So is it fair to conclude between April the
10 15th, when you got a call from Karl or going to put
11 you in contact with this guy, that this is the
12 initial call with Gregg Roman, June the 1st?

13 A. June 1st.

14 Q. And so you've then outlined a number of
15 bullet points. The first bullet point of that
16 conversation or that call is regarding case, and so
17 the case then is the boat crash case; correct?

18 A. That's correct.

19 Q. And the first thing he talked with you
20 about are NDAs.

21 A. That's correct.

22 Q. Nondisclosure agreements.

23 A. That's correct.

24 Q. And did he tell you you were going to
25 be required to sign an NDA?

1 A. He did.

2 Q. Okay. And you agreed to do that.

3 A. Yes.

4 Q. Okay. And then the next one is South
5 Carolina shield law. It says:

6 1993. Protection from slander charges.

7 What did you mean when you wrote that?

8 A. He explained the South Carolina shield
9 law to us is that he was an accredited journalist
10 and that we were working for journalistic purposes,
11 and as we were working under his journalism mantle,
12 that we would be protected by the shield law.

13 Q. Okay. So you're working for him
14 regarding -- because you just said and it's
15 documented right there, regarding the boat crash
16 case, but you're working for journalistic purposes,
17 is your understanding at that call.

18 A. Relevant to the boating accident and
19 the Murdaugh family history.

20 Q. Okay. But by then Paul Murdaugh had
21 been charged with the BUI death and the high
22 aggravated -- whatever it is -- bodily injury,
23 great bodily injury charges; correct? Correct?
24 Just -- correct? Is that correct?

25 A. May I?

1 Q. Yeah.

2 A. No. You're citing the 6-1-20 entry
3 here we're just talking about now. So if you're
4 asking me if the -- I don't know the date of the
5 indictment, but --

6 Q. You don't remember the date.

7 A. I don't remember the date. That's
8 correct, yeah.

9 Q. Okay. And that's fair. Do you
10 remember the date of the boat crash?

11 A. I'm sorry.

12 Q. It's in your documents, but, I mean, do
13 you -- you know it was in February of 2019;
14 correct?

15 A. That's right.

16 Q. All right. So he's indicted --

17 A. February 9th, no. The boating accident
18 was February 24th.

19 Q. I said February of 2019.

20 A. Okay. All right.

21 Q. And you know that Paul is charged with
22 Mallory's death in April of 2019. It's in your
23 documents.

24 A. Sure.

25 Q. I mean, I can go find it. You might

1 not remember it right now. You don't have any
2 reason to dispute that, do you?

3 A. No.

4 Q. And so when Karl contacts you in April
5 of 2020, what is the nature of the investigation
6 that you are -- as it's explained to you, that
7 they're going to want to -- you to do?

8 A. The nature of the contact with Karl,
9 who I -- was an unknown member to me, but he was
10 just a member of the same organization, said, I
11 have a person up here I know. He's looking for
12 some investigative assistance in the Hilton Head
13 Island area and I know you and I'm happy to refer
14 you to him. I don't know much about the case, but
15 I felt that based on the quality of the membership
16 it would -- I would be comfortable recommending us
17 or me to Gregg Roman.

18 Q. Did you --

19 A. It was a referral.

20 Q. Did you -- after you sat for your
21 interview with The Wall Street Journal, did you
22 read the article?

23 A. Yes.

24 Q. You saw where Greg Parker said that you
25 and Henry were working for him; right?

1 MR. MOORE: Objection to form.

2 BY MR. TINSLEY:

3 Q. Where he confirmed that you were
4 working -- along with Gregg Roman, were working for
5 him.

6 MR. MOORE: Objection to form.

7 THE WITNESS: That's not accurate.

8 BY MR. TINSLEY:

9 Q. It's not accurate that it said -- he
10 said that in the article?

11 A. He might have said it in the article --
12 I don't have it in front of me -- with the
13 characterization is -- is wrong.

14 Q. What about it's wrong?

15 A. That we work for Parker.

16 Q. Okay. But that Parker said that.

17 MR. MOORE: Objection to form.

18 THE WITNESS: I believe that was in
19 there. I believe that was.

20 BY MR. TINSLEY:

21 Q. Did you write anybody to correct that?

22 A. No.

23 Q. Did you write The Wall Street Journal
24 and demand that they print a retraction because
25 they had at that point connected you to somebody

1 that was alleged to have done some pretty vile
2 things?

3 A. We did not.

4 Q. You understood the significance of that
5 connection.

6 A. I sure did, yeah.

7 Q. Yeah. In fact, I think that one of
8 your lawyers, Andrew or Drew Radeker even at one
9 point referred to it as defamatory.

10 A. As the what?

11 Q. Defamatory. You being connected with
12 Greg Parker would be defamatory to you.

13 A. Yes.

14 MR. MOORE: Objection to form.

15 THE WITNESS: Yes.

16 BY MR. TINSLEY:

17 Q. Because what it was alleged that he had
18 done was so vile.

19 MR. MOORE: Objection to form.

20 BY MR. TINSLEY:

21 Q. That's the reason you took that
22 position; correct?

23 A. You mean characterizing us as working
24 for Parker?

25 Q. Yes, sir.

1 A. Yes.

2 Q. Yeah. All right. So they tell you
3 that we're acting under the shield law, and under
4 the shield law it's going to -- you're not going to
5 have to respond to a properly served subpoena from
6 a lawyer; right?

7 A. That's fair, yeah.

8 Q. He told you that we will shield your
9 activities and argue that because you're doing this
10 for journalistic purposes you -- nobody will be
11 able to ask questions about the things that I'm
12 going to ask you to do.

13 A. Under him. Under his status as an
14 accredited journalist, yes.

15 Q. Okay. Who's he accredited by?

16 A. I don't know about that.

17 Q. Did you do any research to see if he
18 was accredited?

19 A. We did some homework on him.

20 Q. And, what, you saw his blog or posts
21 with The Investigative Journal?

22 A. There was The Investigative Journal.
23 He had -- he's noted to be a Middle East expert.
24 He's --

25 Q. By himself.

1 A. I can't say that.

2 Q. And he published something called the
3 Middle Eastern Forum.

4 A. That's right. The Middle East
5 Institute produces the Middle East Forum. He's
6 connected with Mohamed Fahmy and --

7 Q. And who is that, to your understanding?

8 A. He's an Egyptian.

9 Q. Okay.

10 A. He's connected -- as far as we knew he
11 was connected with the Middle East Journal.

12 Q. How about the Muslim Brotherhood?

13 A. What about it?

14 Q. Was he connected to them?

15 A. I don't know.

16 Q. What -- I mean, because the next two
17 bullet points in this entry that you typed are
18 Middle Eastern Institute employment and Mohamed --
19 how do you say it? Fahmy?

20 A. Fahmy, yeah.

21 Q. Okay. What did he tell you about
22 Mohamed?

23 A. Not much. I think that there was a
24 line of funding he -- he was funded by the Middle
25 East Institute, and Mohammed Fahmy was part of the

1 funding stream that he had.

2 Q. Did you read the blog that Gregg Roman
3 published about the Murdaughs and the boat crash?

4 A. We did, yeah.

5 Q. And when he references the private
6 investigators who volunteered to help him in that,
7 he's talking about you and Henry; right?

8 MR. MOORE: Objection to form.

9 THE WITNESS: I'd have to see the
10 context in which it's stated.

11 BY MR. TINSLEY:

12 Q. I think the context is, is that there
13 were a number of volunteers, including private
14 investigators, who volunteered to help me.

15 MR. MOORE: Objection to form.

16 THE WITNESS: Number of five
17 investigators and volunteers who --

18 BY MR. TINSLEY:

19 Q. Number of volunteers, including private
20 investigators, who volunteered to help me.

21 A. Yeah.

22 MR. MOORE: Objection to form.

23 THE WITNESS: I don't know about the
24 volunteers. Our people were -- you know, my small
25 group got paid a small amount. I'm not sure about

1 other volunteers.

2 BY MR. TINSLEY:

3 Q. You didn't volunteer.

4 A. No, we didn't, no.

5 Q. Okay. So June the 1st. At that point
6 in time there'd been no execution of any NDAs;
7 right? 2020. We're still on Exhibit 2.

8 A. That's right.

9 Q. And then the next meeting is June the
10 4th, 2020. Now does he come in person for this
11 meeting?

12 A. (Perusing.) I don't believe June the
13 4th was that -- that wasn't a meeting. That was
14 notes about the case.

15 Q. All right. Do you have the -- and is
16 it okay for purposes of our conversation -- if I
17 say the DNR file, we're -- again, we're charging --
18 we're talking about the materials that would have
19 been produced by, for example, the Attorney
20 General's Office when the defense asked for the
21 Rule 5 materials.

22 A. Sure.

23 Q. Do you understand what that is?

24 A. I do, yeah.

25 Q. Okay. That's what we're talking about;

1 right?

2 A. That's right.

3 Q. Okay. And so is it your understanding
4 that as of June the 4th, 2020, you had those
5 materials?

6 A. No.

7 Q. You didn't have them.

8 A. No.

9 Q. Okay.

10 A. No.

11 Q. And so -- because June the 4th, four to
12 five separate -- your first entry, four to five
13 separate investigations to cover scope of work for
14 The Investigative Journal for, one, accident. I
15 assume that's the boat crash?

16 A. That's right.

17 Q. And two is public corruption in South
18 Carolina.

19 A. That was the broader issue.

20 Q. The broader issue. And that was what
21 Mr. Parker had said in The Wall Street Journal,
22 that he was interested in finding out the
23 incestuous nature of the legal system in South
24 Carolina in The Wall Street Journal; right?

25 MR. MOORE: Objection to form.

1 THE WITNESS: I can't speak to what
2 he...

3 BY MR. TINSLEY:

4 Q. You don't dispute that that was what it
5 says or words to that effect in that article;
6 right?

7 MR. MOORE: Objection to form.

8 THE WITNESS: I can't attest to
9 whatever Mr. Parker said.

10 BY MR. TINSLEY:

11 Q. I'm talking about the article that you
12 said you read.

13 A. Oh, yes. Okay.

14 MR. MOORE: Objection to form.

15 THE WITNESS: The broader issue of
16 public corruption in South Carolina.

17 BY MR. TINSLEY:

18 Q. Same issue; right?

19 A. Yeah.

20 Q. Yeah. And then it says:

21 Primary focus is February 24th, 2019
22 boating accident near Parris Island. Death of a
23 boat member Mallory Beach.

24 We know who she is. And then it says:
25 USMC MP statement.

1 BY MR. TINSLEY:

2 Q. Can't remember?

3 A. No, I -- I know there was a statement.
4 I know that they -- my recollection is they -- I
5 think they handed off jurisdiction pretty quickly.
6 I can't address that statement, though.

7 Q. All right. So you made this entry in
8 your substantive contact log about the MP's
9 statement.

10 Did you have it at that point in time?

11 A. No. This is -- this was June the 4th.
12 We didn't have it.

13 Q. You'd just been told about it.

14 A. That's right.

15 Q. Okay. By Gregg Roman.

16 A. That's right.

17 Q. Okay. Do you know how Gregg Roman got
18 it?

19 A. I don't know how he got it.

20 Q. If it's not within the DNR file, did he
21 have some other means to get information?

22 MR. MOORE: Objection to form.

23 THE WITNESS: He's a journalist. I
24 don't know. Journalists have sources just like law
25 enforcement investigators, and I don't know.

1 BY MR. TINSLEY:

2 Q. In the course of your discussions and
3 work with Gregg Roman, did Gregg Roman indicate to
4 you at any point in time that he had sources other
5 than you and Henry and your team apart from the DNR
6 file that he had?

7 MR. MOORE: Objection to form.

8 THE WITNESS: We -- we got a sense that
9 he may have had other friends who were journalists
10 who were contributing information, sharing
11 information, but we never confirmed that.

12 BY MR. TINSLEY:

13 Q. How about a sense that somebody
14 involved in the boat crash litigation was giving
15 him information?

16 MR. MOORE: Objection to form.

17 THE WITNESS: I can't address that, no.

18 BY MR. TINSLEY:

19 Q. You can't address it because of what
20 reason?

21 A. I don't know.

22 Q. All right. Do you agree with me that
23 there are certain materials that were only
24 available in the boat crash litigation?

25 MR. MOORE: Objection to form.

1 THE WITNESS: Reask the question,
2 please.

3 BY MR. TINSLEY:

4 Q. Do you agree with me that there are --
5 were materials relevant to the boat crash case that
6 were only available in the boat crash litigation as
7 opposed to the DNR file, for example?

8 A. Yes.

9 Q. Okay. Like, I mean, depositions, for
10 instance; right?

11 A. (Moves head up and down.)

12 Q. They weren't in the DNR file; right?

13 A. Correct.

14 Q. Photos that were marked as exhibits in
15 the depositions. They didn't -- weren't
16 necessarily in the DNR file, but they certainly
17 wouldn't have had an exhibit sticker from the
18 deposition in the boat crash case in the DNR file,
19 would they?

20 MR. MOORE: Objection to form.

21 THE WITNESS: I can't speak to that.

22 BY MR. TINSLEY:

23 Q. How can you not?

24 A. Yeah.

25 Q. How can you not answer that question?

1 A. I don't understand your question.

2 Q. All right. The materials get generated
3 by DNR and the Attorney General's Office; right?

4 A. Yes.

5 Q. And they get packaged up and it's
6 either 800 pages or it's 1,700 pages or however
7 many pages it is and it gets generated; right?

8 A. Yes.

9 Q. If one of those pages is then taken out
10 later like we just did with your documents and we
11 put an exhibit sticker on them during a deposition
12 that happens a year later, is there any reason to
13 believe that the copy of that photograph with that
14 exhibit sticker was in the original DNR material?

15 A. I don't know how to answer that
16 question.

17 MR. MOORE: Objection to form.

18 THE WITNESS: I don't know.

19 BY MR. TINSLEY:

20 Q. Does it make sense to you how a sticker
21 that I wrote and put in a deposition more than a
22 year later would have been in a file originally
23 when it --

24 A. I don't know how to answer that
25 question.

1 MR. MOORE: Objection to form.

2 BY MR. TINSLEY:

3 Q. Because it wouldn't have been, could
4 it?

5 MR. MOORE: Objection to form.

6 THE WITNESS: It seems that way, but
7 I'm -- I can't say for sure.

8 BY MR. TINSLEY:

9 Q. It's the exact same thing as when you
10 originally printed Exhibit 2. That exhibit sticker
11 wasn't on it, was it?

12 A. That's correct, yeah.

13 Q. That document with that sticker, at
14 least that iteration, is a new document with a
15 sticker on it that's different from the one that
16 was originally made.

17 A. That's correct.

18 MR. MOORE: Objection; form.

19 THE WITNESS: That's correct, yeah.

20 BY MR. TINSLEY:

21 Q. So you agree it's at least fair to
22 conclude, especially a deposition that is
23 videotaped and we can see the sticker being placed
24 on it, that that wouldn't have been originally on a
25 photograph of, say, Paul Murdaugh in the hospital.

1 MR. MOORE: Objection to form.

2 THE WITNESS: I think that's fair.

3 BY MR. TINSLEY:

4 Q. Okay. Good. So the -- what were you
5 told about the USMC MP statement?

6 A. I believe that Gregg recalled that
7 there was a -- there were a number of responding --
8 we know that there were a number of responding
9 agencies to the boating accident. And the Marine
10 Corps, of course, on the -- heading over to Parris
11 Island, the Marine Corps military police unit
12 responded and that they must have made a statement,
13 but my recollection was that they backed away
14 pretty quickly, as I mentioned, because of
15 jurisdiction issues.

16 Q. Would you like some water?

17 A. No, sir. I'm good here. Thank you.

18 Q. Okay. And thank you for that.

19 Is it your testimony today that in June
20 of 2020, when you're told about this MP statement,
21 that there was no suggestion that that MP statement
22 demonstrated some untoward conduct as it related to
23 DNR's handling of the criminal investigation into
24 the boat crash?

25 MR. MOORE: Objection; form.

1 other whether the MP statement was a part of the
2 DNR file?

3 A. I don't recall.

4 Q. Do you remember Gregg Roman giving you
5 additional materials separate from his production
6 of the DNR file?

7 A. No.

8 Q. So whatever he gave you, it was just in
9 one big batch.

10 A. Yes.

11 Q. How about Sarah Capelli's video? Did
12 he show you that?

13 A. I wasn't aware she had a video.

14 Q. You referenced it -- whoa, whoa, whoa,
15 whoa. Hold on now. You were aware of it.

16 A. Yes.

17 Q. Yeah.

18 A. I brought it up earlier, but --

19 Q. Let's -- so everybody understands what
20 we're talking about --

21 A. Sure.

22 Q. -- you brought it up when you report --
23 you filed a grievance and reported her.

24 A. That wasn't relevant to a video.

25 Q. It wasn't limited to a video. It was

1 relevant. You brought it up.

2 A. It wasn't relative [sic] to our
3 complaint about her conduct and -- yeah.

4 Q. You brought it up in the complaint, did
5 you not?

6 A. Yeah, which video are you talking
7 about?

8 Q. Tell me which ones you know about.
9 That's the ones I'll talk about then.

10 A. We understood from the news, from the
11 media that Sarah Capelli conducted investigations
12 and coverage on Paul Murdaugh up until two days
13 prior to his -- to their death. That's publicly
14 available information that we saw.

15 Q. So your testimony is, is that Gregg
16 Roman never shared any videos with you that were
17 taken or collected or made by Sarah Capelli.

18 A. Absolutely not, no.

19 Q. And as far as you understood, Gregg
20 Roman was exclusively working with you and the
21 other members of your team in the work that he was
22 doing related to the work that he claimed he was
23 going to do for The Investigative Journal or the
24 Middle Eastern Institute or Mohamed Fahmy.

25 MR. MOORE: Objection to form.

1 THE WITNESS: We were only aware of our
2 relationship with him. If he had other -- other
3 media sources, we were unaware of them. We were
4 not aware of -- our only relationship and
5 contractual relationship was with Gregg Roman.

6 BY MR. TINSLEY:

7 Q. And as far as your understanding, that
8 relationship, it didn't sour, it didn't -- it
9 didn't end because of the quality of your work. It
10 ended because Gregg Roman couldn't get additional
11 funding.

12 A. That's what we were led to believe,
13 yes. There was no souring of -- nothing between
14 us, no. We -- that's correct.

15 Q. And as far as you're concerned today,
16 there were never any complaints about the quality
17 of the work that you provided to Gregg Roman.

18 A. We're not aware of it, yeah. I'm not
19 aware of that.

20 Q. Yeah. And, I mean, you don't have a
21 recollection, there are no documents that say you
22 got this wrong. Nothing like that.

23 A. No.

24 Q. And the last time you spoke to him,
25 Gregg Roman, was related to whether or not you

1 could get additional funding, and that was
2 somewhere in --

3 A. Somewhere around August 16th, 2021, if
4 I --

5 Q. Yep. And that's from Exhibit 3.
6 August 16th, 2021, lack of funding by Gregg Roman,
7 termination of work for Gregg Roman.

8 A. That's right.

9 Q. And it was exclusively because of that;
10 correct?

11 A. I'm not sure exclusively, but as far as
12 we were concerned, we -- he was unable to fund any
13 more -- any more work. So for us that was the
14 reason.

15 Q. Okay. I'm back on Exhibit 2, the
16 involvement of the 14th Circuit Solicitor's Office,
17 Allendale, Beaufort, Colleton, Hampton, Jasper
18 counties. What are you talking about in that?

19 A. Well, understand -- and I know you
20 do -- that this was -- we're just trying to frame
21 what our body of work was going to be here and who
22 some of the logical parties would be to take a look
23 at, to talk to, to focus on. And this is just
24 simply saying that this -- that this is a 14th
25 Circuit matter and that these are the five

1 jurisdictions involved in the 14th Circuit.

2 Q. Okay. Well, but your bullet point says
3 involvement of 14th Circuit Solicitor's Office, and
4 you know or you knew then that the 14th Circuit
5 Solicitor's Office immediately recused itself.

6 A. Well, remember -- that's correct, yes.

7 Q. And you knew that; right?

8 A. Yes.

9 Q. Correct?

10 A. On June -- remember, this was on June
11 the 4th. So yes, you're right.

12 Q. Yeah. Well, which is -- I mean, it's
13 not quite a year and a half after the boat crash,
14 but it's a long time after --

15 A. That's right.

16 Q. -- they had recused themselves.

17 A. The recusals were not all -- you know,
18 one day after the other, but yes, I'm aware of what
19 you're saying.

20 Q. Okay. And then -- now the next bullet
21 point, it says "reclusion," I guess is what -- but
22 you're talking about the recusal there of various
23 law enforcement agencies. And it says solicitors,
24 but then you've got Perry Buckner, Carmen Mullen.
25 And you know those are judges.

1 A. Yes. That came from Gregg, yeah.

2 Q. Oh, this information came from Gregg?

3 A. It did, yeah.

4 Q. Okay. And then the assignment of Dan
5 Hall as the judge by the South Carolina Supreme
6 Court.

7 A. That's right.

8 Q. And that information was conveyed to
9 you by Gregg.

10 A. That's right.

11 Q. Okay. And then it says "Murtaugh,"
12 which is the same way that Steve Peterson -- I
13 guess that's a -- where are you from originally?

14 A. Me?

15 Q. Yeah.

16 A. Fort Lauderdale.

17 Q. Okay. But it says "Murtaugh" with a T,
18 but that's Murdaugh family connection to all
19 parties in the boat crash.

20 A. I'm sorry. Are you asking me about the
21 bullet Murdaugh family, Murdaugh family connection
22 to all parties?

23 Q. Sure. Yeah.

24 A. That was part of the scope of work that
25 he laid out.

1 Q. And even though Murdaugh is misspelled,
2 that's who you mean, right, Alex Murdaugh's family,
3 Paul, Buster, the whole family connections to
4 people in the boat.

5 A. Yes.

6 Q. Okay. And then criminal cover-up at
7 several levels. What is that about? What did he
8 tell you there?

9 A. Yeah. Remember, this is a body of work
10 that he's laying out the scope of work for us. His
11 background in corruption research and public
12 corruption led him to wonder, are there -- are
13 there any -- are there any criminal cover-ups in
14 this case? Are there things that we should be
15 looking at at the -- the background there?

16 Q. Okay. So is this -- are these bullet
17 points -- I mean, are you doing this
18 contemporaneous with him going over this
19 information?

20 A. Not necessarily contemporaneous, but
21 within a reasonable period of time.

22 Q. Did you make notes as you were having
23 the call and then you go back and type this up
24 based on those notes?

25 A. Yes.

1 Q. Okay. So the -- so you made notes that
2 were -- at lot like a police officer may do in a
3 wreck. He's got his little notepad, he writes down
4 every --

5 A. Take field notes and then you go back
6 and convert them to your -- yeah.

7 Q. And that's what this is.

8 A. That's right.

9 Q. Okay. And so he -- Mr. Roman wanted
10 you to find out about the finances of the boat
11 participants. Is that just the kids on the boat?

12 A. That was something he mentioned. We
13 didn't do that. He -- that was not our expertise,
14 in financial investigation.

15 Q. Okay. The next bullet point was case
16 history. What is that?

17 A. Murdaugh family case history. Paul's
18 history. Boating history. Criminal infractions
19 history. Special treatments and so on.

20 Q. Okay. All those things that Mr. Parker
21 outlined that he was incensed by in The Wall Street
22 Journal article.

23 MR. MOORE: Objection to form.

24 THE WITNESS: I don't know.

25 BY MR. TINSLEY:

1 Q. You read it.

2 A. I did, but I don't remember every word
3 of it.

4 Q. Should I pull it out?

5 A. You're welcome to.

6 Q. But the words you just said, those were
7 the things that he indicated he was incensed by;
8 right?

9 A. That he was?

10 Q. Incensed by.

11 A. By.

12 MR. MOORE: Objection to form.

13 THE WITNESS: I believe I recall that,
14 but --

15 BY MR. TINSLEY:

16 Q. Yeah.

17 A. Is the case history of anybody in the
18 Murdaugh family going to impact the investigation?
19 Are there things we should know about it?

20 Q. Well, and to that point, I mean, here
21 are the examples. What you were asked to do is go
22 find the examples of where it had already happened.

23 A. That's right.

24 Q. Yeah. All right. So other parties in
25 the wrongful death lawsuit by plaintiff, Beach

1 those wrongful death cases, Gloria Satterfield
2 and --

3 A. Stephen Smith.

4 Q. -- Stephen Smith? All right.

5 How did -- what is your understanding
6 were how Gregg Roman knew about these other
7 wrongful death cases in which Paul was involved if
8 he had to hire you to do the research on that
9 point?

10 MR. MOORE: Objection to form.

11 THE WITNESS: I believe, if I
12 understand your question, he hired us to look at --
13 we've already covered -- the broader issues about
14 corruption, focusing more on the Murdaugh family
15 and the boating accident.

16 In the course of his research to -- I
17 gather in the course of his research to come here
18 he had done enough research to identify in the
19 media, in the public arena concerns about Gloria
20 Satterfield's death and Stephen Smith's death and
21 that there was a lot of media out there about
22 potential connections between Murdaugh family
23 members and Stephen. And, of course, she worked
24 for the Murdaugh family, and her -- the
25 circumstances of her death were -- merited some

1 additional work.

2 BY MR. TINSLEY:

3 Q. All right. So your sworn testimony
4 under oath -- and I want this clear so when I stand
5 up and we go over this in front of the jury, your
6 sworn testimony under oath is there was a lot of
7 media available on June the 4th, 2020 or before
8 that date detailing the Gloria Satterfield lawsuit,
9 settlement, wrongful death case.

10 A. Let's go back to your original
11 question, please.

12 Q. No, sir. You're going to answer this
13 one first, and then we'll go back to it.

14 A. I don't understand your question.

15 Q. Okay. You just testified that there
16 was a lot of media available about these cases, and
17 so I'm clarifying that your position is, is that as
18 of June the 4th, 2020, that as of that date there
19 had been articles written about Gloria
20 Satterfield's wrongful death lawsuit.

21 MR. MOORE: Objection to form.

22 BY MR. TINSLEY:

23 Q. You're just making stuff up, sir.

24 MR. MOORE: Objection to form.

25 THE WITNESS: I'm not making anything

1 up.

2 BY MR. TINSLEY:

3 Q. Well, you're making that up because
4 that didn't happen.

5 A. You're looking at the timeline. I
6 could be wrong on my timeline.

7 Q. I know you're wrong on it. And I'm
8 not -- look, I'm asking you what you know. I'm not
9 asking you to guess, I'm not asking you to make
10 things up. I've given you very explicit
11 instructions to not misrepresent the truth. If you
12 don't know the answer, you tell me you don't know.
13 But if you're going to make up something, it's
14 going to be because you're lying, okay?

15 A. I don't know.

16 MR. GRANTLAND: Object to form.

17 BY MR. TINSLEY:

18 Q. Okay?

19 A. I don't know.

20 Q. That's what I'm going to suggest. I'm
21 going to stand in front of the jury and I'm going
22 to say he lied. He lied about this, he lied about
23 this other thing. So I'm giving you very clear
24 instruction right now so you're not going to be
25 surprised later. I'm asking you, do not make

1 something up. If you don't know, you tell me you
2 don't know.

3 A. I don't know.

4 Q. Okay. So you then lay out phase 1 of
5 your work, and you're going to look for
6 vulnerabilities in the boat crash case.

7 A. That's right.

8 Q. All right. You're going to identify
9 and chase down leads. I assume those are related
10 to the vulnerabilities?

11 A. Any leads. Any logical leads that
12 would come out of an investigation.

13 Q. You're going to conduct research about
14 Judge Hall.

15 A. That's right.

16 Q. And the other attorneys involved in the
17 case. Who is V?

18 A. I don't know. That -- I don't recall
19 who that was.

20 Q. There's no way for us to discern who V
21 is when you say other attorneys, is there?

22 A. I don't know now. Those were all
23 provided to us by Gregg. Gregg Roman.

24 Q. All right. And then there is insurance
25 policies, Evanston, StarStone, Philadelphia

1 Insurance, and it says Gallivan White & Boyd.

2 You knew that Philadelphia had taken
3 the position it didn't have any insurance for Alex
4 Murdaugh.

5 A. Say that one more time, please.

6 Q. You were told that Philadelphia
7 Insurance had hired Gallivan White & Boyd and had
8 taken the position that there was no insurance on
9 the boat for Alex Murdaugh.

10 A. He had -- Gregg had provided all that
11 information to him. I don't know that we
12 understood the context. We -- that was not an area
13 that we have a special expertise in.

14 Q. Okay. And then again you all are very
15 cognizant of the South Carolina rules that here
16 you're talking about the rules of criminal
17 procedure, and then you reference again shield law
18 501. What is that?

19 A. That's a law that Gregg referred us to.
20 We were not particularly familiar -- we were not at
21 all familiar with the shield law until he brought
22 it up as a -- as an explanation about how our work
23 would be -- come under the shield law and that
24 protection.

25 Q. To keep it confidential.

1 A. I would -- yes.

2 Q. Okay. I mean, that's what y'all are
3 talking about; right?

4 A. Yes.

5 Q. At that time.

6 A. Yes.

7 Q. Yes. Okay. And in the end, the -- you
8 all discuss what the end game was; right?

9 A. Yeah.

10 Q. And the end game was you may do a
11 story, you may do no story, but there were going to
12 be third-party beneficiaries to this information
13 you were going to get.

14 A. Yes.

15 Q. And that would be Parker's.

16 MR. MOORE: Objection to form.

17 THE WITNESS: No. I would -- no.
18 First one here, story, no story, you're correct.
19 The third one, you're correct but with the
20 explanation. Our understanding of it is
21 third-party beneficiaries who would benefit from --
22 who would benefit from an investigation that
23 revealed whatever it revealed. Would there be a
24 winning party or a losing party? Who would benefit
25 from an investigation where somebody went to jail

1 or somebody walked free? That's -- that's how I
2 read it.

3 BY MR. TINSLEY:

4 Q. You wrote it. You didn't read it.

5 A. I did.

6 Q. You wrote it.

7 A. And I'm reading it right now.

8 Q. Okay. And so your testimony is, is
9 there wasn't any discussion about if we expose
10 the -- all of the corruption in which the Murdaughs
11 had been involved and gotten away with for all
12 these years, that that's going to show what bad
13 people they are. That was the point of this;
14 right?

15 MR. MOORE: Objection to form.

16 THE WITNESS: The investigation was to
17 identify whether the Beach family had been treated
18 fairly and the investigation was conducted without
19 bias and whether there were broader issues of --

20 BY MR. TINSLEY:

21 Q. The Murdaughs' influence and corruption
22 in -- what they've gotten away with.

23 A. Yes.

24 Q. Yes.

25 A. But we read the third-party

1 beneficiaries as a little different.

2 Q. I get you're saying that now, but the
3 whole point of the investigation was to expose all
4 of the things that the Murdaugh family had been
5 involved in.

6 A. I don't know about all, but the boating
7 accident and the other two families, those were
8 the -- yeah.

9 Q. And even though he purports to be, to
10 use your term, an accredited journalist, there may
11 be a story, there may not be a story, but there are
12 going to be some third-party beneficiaries to our
13 work; right?

14 A. Do you mean from an insurance
15 standpoint?

16 Q. No, no. Why would I -- why would I
17 suggest the end game has anything to do with an
18 insurance standpoint?

19 A. So I've given you my explanation.
20 Somebody will win and somebody will lose -- may
21 lose and who win? Who's going to benefit from a
22 factual, accurate investigation about what
23 happened?

24 Q. Well, tell me this. When you had this
25 conversation it was significant enough that you

1 wrote it down. You understand that nobody benefits
2 from your secret work that's never disclosed;
3 right? Do you understand that?

4 A. Gregg ultimately wanted to produce a
5 story, write a story about it, and it would have
6 been revealed in his story, his book, whatever.

7 Q. If he's given permission to do that.

8 A. Pardon me?

9 Q. If he's given permission to do that.

10 MR. MOORE: Objection to form.

11 THE WITNESS: Well, I can't speak to
12 that.

13 BY MR. TINSLEY:

14 Q. Well, you can speak to it because you
15 had emails about it, and I'm going to get to them
16 in just a minute.

17 But you know that your work was done in
18 the summer before the murders, and you all hadn't
19 done anything with that information publicly;
20 right?

21 A. No, it was never for us to do anything
22 with. It was never -- it was --

23 Q. My question -- the answer to my
24 question was correct; right? Yes, we had completed
25 our work the summer before the murders of Paul and

1 Maggie, and we had not -- you and Henry and the
2 rest of the people on your team had not made any
3 public disclosure about your work.

4 MR. MOORE: Objection to form.

5 BY MR. TINSLEY:

6 Q. Correct?

7 A. That's correct, yeah.

8 Q. Yes.

9 THE VIDEOGRAPHER: I've got about two
10 minutes left on Media 2.

11 MR. TINSLEY: All right. We'll take a
12 break.

13 THE VIDEOGRAPHER: This is the end of
14 Media 2 in the deposition of Max Fratoddi. We are
15 off the record at 11:54.

16 (A recess transpired from 11:54 until
17 12:26.)

18 THE VIDEOGRAPHER: This is the
19 beginning of Media 3 in the deposition of Max
20 Fratoddi. We are back on the record at 12:26.

21 BY MR. TINSLEY:

22 Q. So, Mr. Fratoddi, I don't know if I
23 asked you earlier with respect to Exhibit 3.
24 That's your outline. I'm sorry. Your timeline of
25 the Beach lawsuit. And you prepared that recently,

1 I think, is as close as I got to defining when you
2 did that. When did you prepare this?

3 A. Within the last several days.

4 Q. Okay. And what did you use to
5 reconstruct this timeline?

6 A. The various documents that were in
7 discovery and the various court documents.

8 Q. When you say "various documents in
9 discovery," are you talking about documents that
10 you or your company have produced?

11 A. No. Some of -- a number of -- some of
12 them are from you, from plaintiffs, the dates.

13 Q. You've just reviewed documents that are
14 in this case and prepared this outline or timeline.

15 A. That's correct.

16 Q. What did you -- for instance, you've
17 got August the 31st, 2020, MF, and I'm assuming
18 that is Mohamed Fahmy in Afghanistan.

19 A. That's me.

20 Q. Oh. Well, see there I shouldn't have
21 assumed. You were in Afghanistan?

22 A. Yes.

23 Q. Why?

24 A. I had work there. I work for the -- I
25 worked there.

1 Q. Okay. What's that got to do with the
2 Beach lawsuit? Were you doing --

3 A. I was gone for three months. So that
4 explained my absence for three months.

5 Q. In August, August the 31st --

6 A. August 31st to Thanksgiving of 2020,
7 yeah.

8 Q. Okay. That's not in the documents in
9 discovery. That's just --

10 A. No, of course not. No, that's just for
11 my reference.

12 Q. All right. And that's just something
13 you thought was important to include in the
14 timeline because you wouldn't have been here in
15 South Carolina doing anything during that time
16 period.

17 A. That's correct.

18 Q. Does that mean that you would not have
19 been available or have worked on any of your work
20 in the Beach lawsuit during that time period
21 remotely?

22 A. We had telephone communications. So
23 there may have been some phone calls in there.

24 Q. So you --

25 A. I could do no work from Afghanistan.

1 Q. You could do no work?

2 A. I -- we had communications with Gregg
3 where it was needed, but my work there was the work
4 there.

5 Q. Did you review all of the DNR file?

6 A. I think I did, um-hum.

7 Q. Do you know how many hours it took you
8 to review the 800 or 1,700 pages?

9 A. No.

10 Q. And as we sit here today, you don't
11 know how many pages it was precisely; correct?

12 A. No.

13 Q. That is correct? Yes? Bad question on
14 my part.

15 A. That's correct.

16 Q. Yeah. But it's -- suffice it to say --
17 and we're going to get to this, I think, in Exhibit
18 2 next, it was enough information that you all
19 needed a Dropbox with a hundred gigabytes of
20 storage.

21 A. I don't remember that.

22 Q. You don't remember what part?

23 A. You asked me if there was enough -- I
24 believe you said there was enough content to
25 require more gigabytes for storage, document

1 storage?

2 Q. I think what I said was that regardless
3 of whether it was 700 pages or 1,700 pages, that
4 you all had a meeting on June the 15th, 2020, as
5 outlined in Exhibit 2, that you met with Gregg
6 Roman at Grind Coffee here in Bluffton.

7 A. That's correct.

8 Q. And at that point he told you you were
9 going to need a Dropbox with a hundred gigabytes of
10 storage to receive the information; correct?

11 A. I don't recall. It's on here, but I
12 don't -- we -- I don't recall getting that. I
13 don't recall ever needing it.

14 Q. When you got the DNR file, how did you
15 get it, thumb drives?

16 A. No; mail.

17 Q. It was printed.

18 A. That's right.

19 Q. Okay. So you don't know what you did
20 with the hundred gigabytes of storage.

21 A. I don't think we did anything with it,
22 but I'm not sure.

23 Q. All right. And then it references the
24 Proton ETEI email. That was something that Gregg
25 Roman told you he was going to use to keep his

1 email secret?

2 A. He didn't say secret, but confidential.
3 Protected, yes.

4 Q. Okay. Well, how does that make it more
5 confidential or secret than the emails that you
6 were using before that?

7 A. It doesn't. I mean, Proton is a
8 encrypted email system, and it's obviously got a
9 different level or a high level of protection than
10 standard email, sure.

11 Q. Okay. So, I mean, were there
12 discussions along the lines of, well, we can use
13 Proton email because that way nobody can send a
14 subpoena to get our emails?

15 A. I don't recall that conversation.

16 Q. Okay. The Exhibit 3, what did you use
17 beyond the -- did you use any of your notes to
18 prepare Exhibit 3?

19 A. I have 2. This is 2.

20 Q. Yeah. 3 is the timeline.

21 A. Oh.

22 Q. So I'm asking --

23 A. Did I use any notes?

24 Q. Yeah. I was asking you before --

25 A. Sure.

1 Q. -- what documents did you use and you
2 told me the discovery materials and so now I'm
3 asking did you use any of your notes to supplement
4 the information in this timeline?

5 A. Well, yeah. Obviously we -- the
6 referral to the boating accident on that date, the
7 meetings with Gregg, and most of the rest of these
8 meetings are from legal documents that provided me
9 with dates for reference.

10 Q. All right. So in fairness to you when
11 I'm asking you about your notes I'm talking
12 about -- like, for instance, you told us -- you
13 testified earlier that you used your notes from
14 these various contact meetings that we've been
15 discussing that are in Exhibit 2 to prepare the
16 client contact log.

17 A. That's right.

18 Q. All right. So those notes are what I'm
19 talking about.

20 A. That's right.

21 Q. You used those notes?

22 A. From when we had contact with him, yes.

23 Q. Okay.

24 A. Yeah.

25 Q. So you had those notes up until a few

1 days ago.

2 A. The -- the sources for all of this
3 information came from reviewing all the documents,
4 legal documents and between you and us and making
5 sure I had the right dates and the right titles and
6 then looking up when -- the dates that I had from
7 my notes when Gregg came and when we met with him
8 or when we talked with him.

9 Q. And that's my question.

10 A. Yes.

11 Q. "My notes." You just said "looking at
12 my notes" --

13 A. But you said -- you said -- and I
14 believe you said something along you had them up
15 until a couple of days ago.

16 Q. Well, that's what I'm asking you now.
17 You prepared this a few days ago, you testified
18 just a moment ago; right?

19 A. That's right.

20 Q. And then you just referenced "my notes"
21 separate and apart from these other documents we're
22 talking about. And so that's what I'm asking you
23 now. Where are your notes?

24 A. The notes that I -- came out of
25 reviewing all of the legal documents were simply

1 written on a piece of paper and then transferred to
2 this document. So I have no notes.

3 Q. Okay. And the notes that you used in
4 preparing Exhibit 2 whenever you would have
5 supplemented this document as things happened, you
6 destroyed those notes as well?

7 A. That's right.

8 Q. Did you destroy them immediately upon
9 putting the information into the client contact log
10 or at some time later?

11 A. They weren't -- they were -- anywhere
12 from at the time I transferred them into a transfer
13 log to maybe a -- at a later point they were
14 transferred. Well, whenever they were transferred
15 and documented as you pointed out here, we didn't
16 keep the notes after that.

17 Q. Okay. So I want to go back to Exhibit
18 2, and we just -- we were having a discussion about
19 the third-party beneficiaries.

20 A. Um-hum.

21 Q. And then the next meeting looks like
22 it's June the 15th; is that correct?

23 A. Yes.

24 Q. Now in between June the 4th and June
25 the 15th, you were having conversations and

1 discussions with Mr. Roman; right?

2 A. That's right.

3 Q. And at some point he told you that the
4 budget for all of the work was going to be between
5 40- and \$50,000.

6 A. I believe that's right.

7 Q. And that budget was, your testimony
8 today is, to collect some information that may or
9 may not be used as a story.

10 A. That's right, yeah.

11 Q. All right. Number -- the second bullet
12 point under this June 15th, 2020 entry, it says
13 that there are four levels of the investigation
14 that you all were doing; correct?

15 A. (Moves head up and down.)

16 Q. You have to say yes. I'm sorry. You
17 nodded your head yes.

18 A. Yes. I'm...

19 Q. Okay. Are you there?

20 A. Please let me find it. Thank you.

21 Q. Yes, sir. June 15th entry. It's not
22 on the back page, but you're welcome to look at
23 whatever --

24 A. Oh.

25 Q. So you see where you've got June 15th

1 typed?

2 A. Yeah, yeah. Okay. Four levels of
3 investigation?

4 Q. Yep.

5 A. That's -- he framed --

6 Q. That's right.

7 A. He presented this as another framework
8 for conducting -- putting parameters and scope of
9 work on what we were doing.

10 Q. That's right. And the -- and which
11 those four levels were -- it says family
12 connections in the legal -- but that's the Murdaugh
13 family connections in the legal community.

14 A. That's correct.

15 Q. The next one was the law firm. So the
16 PMPED or the Murdaugh law firm, but law firm
17 connections, that's what you're talking about.

18 A. That's right.

19 MR. MOORE: Objection to form.

20 BY MR. TINSLEY:

21 Q. Then affected parties. Who were those
22 people?

23 A. Who was affected by --

24 Q. Their connection?

25 A. -- connected with the Murdaugh family.

1 Q. Okay. Like people from -- that are on
2 the receiving end of their justice? Is that what
3 you mean?

4 A. Yeah. Who's been adversely affected or
5 inappropriately benefited from the connections with
6 the Murdaugh family?

7 Q. Okay. And then the next level is
8 unaffected parties. What does that mean?

9 A. That one we never got into.

10 Q. But what does it mean?

11 A. We never got into it. We never gave --
12 he never gave an explanation about unaffected
13 parties. The only extent that I remember here is
14 those parties that should have legitimately
15 benefited from -- from some legal action but didn't
16 benefit from some legal action.

17 Q. Okay. Like, are you talking about
18 Satterfields now? What are you talking about?

19 A. Well, his explanation was, are there
20 people who should have benefited appropriately from
21 his representation that have not?

22 Q. Okay. Did you all uncover, discuss,
23 see, document in any way, shape or form any of the
24 financial crimes that Alec Murdaugh had been
25 involved in?

1 Fahmy?

2 A. I don't know.

3 Q. Well, you wrote it down. Who was it
4 when you wrote it? Whether he was coming or not?

5 A. I don't recall.

6 Q. Is that who you were trying to arrange
7 housing for?

8 A. Gregg Roman.

9 Q. No. The visitor from Tel Aviv.

10 A. No. I don't recall who that was. It
11 was Gregg. He --

12 Q. Gregg wasn't in Tel Aviv at that point,
13 was he?

14 MR. MOORE: Objection to form.

15 THE WITNESS: I don't know, but the
16 housing part was to help Gregg when he rented a
17 house here, and we were trying to help him.

18 BY MR. TINSLEY:

19 Q. Okay. And so that was at some point in
20 time July 2020 or after.

21 A. Excuse me one minute.

22 Q. Sure.

23 A. (Perusing.) I can't say for sure, but
24 he definitely -- he made a visit here, made a
25 second visit on one of -- either second or third he

1 was going to be here for a while, was going to
2 spend some time here working on this case. He
3 needed housing because he was bringing his family.
4 So that's the reference there, can we help him with
5 that.

6 Q. The Rapplers from Philadelphia, what is
7 that?

8 A. My guess is that that had to do with
9 some corruption case in Philadelphia. That's where
10 he lived and --

11 Q. Now let's -- your guess is, is that it
12 had to do with some corruption case he was involved
13 in in Philadelphia, but this is now the --
14 depending on how you want to count it, at least the
15 third meeting with Gregg Roman, whether it's in
16 person or by phone. And in your client contact
17 log, that you told us this morning that these were
18 the substantive contacts that you had with Gregg
19 Roman about this case.

20 A. Yes.

21 Q. Okay. Well, help me understand then
22 why he would just be rambling on about Rapplers
23 from Philadelphia that had nothing to do with this
24 case.

25 MR. MOORE: Objection to form.

1 THE WITNESS: I believe what he was
2 trying to do here is to reinforce our confidence
3 that he had a journalistic background in uncovering
4 corruption, and that relates, of course, you know,
5 to the allegations in the Murdaugh family.

6 BY MR. TINSLEY:

7 Q. Let me ask you a question.

8 A. Mohamed was Mohamed Fahmy. I can tell
9 you that.

10 Q. Sure. I know.

11 A. Yeah.

12 Q. And then the next point that -- where
13 it says Client: Investigative Journal, you know
14 that that is actually owned by Mohamed; correct?

15 MR. MOORE: Objection to form.

16 THE WITNESS: I believe that's how he
17 characterized it, yeah.

18 BY MR. TINSLEY:

19 Q. Yeah. I mean, it says online media
20 company, and it's got benefactor funding.

21 A. Yes.

22 Q. So somebody else was going to be paying
23 this 40- to \$50,000 budget that was a benefactor of
24 this work.

25 A. We didn't -- we didn't get into that.

1 Q. Well, you wrote it down, did you not?

2 A. Well, let me find it.

3 Q. Right -- it's right there by -- past
4 where you wrote Mohamed. Client, colon,
5 Investigative Journal, comma, online media company,
6 semicolon, benefactor funding, period.

7 A. Yes. We understood that he was a
8 benefactor or he was involved somehow in the
9 payment of funds to Gregg Roman to do the work he
10 wanted to do here.

11 Q. You understood that your client was The
12 Investigative Journal and that it was being paid
13 by -- this was being funded by some benefactor, and
14 that Gravitas, which is Gregg Roman, is a
15 subcontractor of The Investigative Journal. You
16 wrote it down, sir. It's right there.

17 A. Um-hum. I'm not sure a subcontractor
18 is the correct word, but we understood that he was
19 funding this work that Gregg was doing, yeah.

20 Q. "Subcontractor" is your word, not my
21 word --

22 A. Okay.

23 Q. -- correct?

24 MR. MOORE: Objection to form.

25 THE WITNESS: Yes.

1 word; correct?

2 A. That's right.

3 Q. Yeah, that's right. And that's when it
4 was explained to you that Gravitass and Gregg Roman
5 were a subcontractor of The Investigative Journal
6 who was being funded by a benefactor.

7 A. Yes.

8 Q. All right. The June 23rd, 2020 entry
9 says 1130 to 1430. And I think that's on the back,
10 but maybe it's not on the back. Meeting in
11 Beaufort with HR. That's Henry?

12 A. (Moves head up and down.)

13 Q. Gregg is Roman?

14 A. Yes.

15 Q. And then Alex Pipas. Where in Beaufort
16 did you all meet?

17 A. Down by the pier where the boat took
18 off from.

19 Q. Is it your recollection that Gregg
20 Roman had been here in Beaufort from June the 15th
21 to June the 23rd?

22 A. No, I'm not sure on that, but that's
23 where we met and we -- I think I can agree that he
24 had been here before, but I don't have those dates.

25 Q. On this entry for the client contact

1 log you noted for the first time that I see your
2 mileage, 60.3 miles, and then the times when you
3 drove there and I assume the time you drove back.

4 A. That's correct.

5 Q. Why did you put that for this entry?

6 A. It's an expense relevant to the
7 investigation.

8 Q. If there are no entries for mileage or
9 time riding in any other documents, does that -- is
10 it fair to conclude that you didn't charge for
11 those if you drove or you spent time doing
12 something?

13 A. Well, obviously there was work done
14 where mileage wasn't involved. That was charged.
15 But mileage was only charged when we went to
16 Hampton County or something relevant to one of the
17 other investigations. That was charged.

18 Q. How many times did you go to Hampton
19 County?

20 A. Several.

21 Q. And were there any of those visits to
22 Hampton County that -- where you weren't going to
23 Sandy Smith?

24 A. Yes. Gloria Satterfield and Stephen
25 Smith were the two cases that brought us to Hampton

1 County.

2 Q. Well, in fairness, the Beach case
3 brought you to Hampton County.

4 What you told us is you were looking
5 for information from those cases that could be used
6 in this case; right?

7 A. That's true.

8 MR. MOORE: Objection to form.

9 THE WITNESS: You're right. After a
10 period of time Gregg asked us to branch off and see
11 if we could help with the Satterfield and Stephen
12 Smith cases.

13 BY MR. TINSLEY:

14 Q. When you all would go to Hampton
15 County, was it always the two of you?

16 A. I believe it was.

17 Q. To your knowledge, did Henry ever go by
18 himself?

19 A. Not to my knowledge, no.

20 Q. You weren't going to Hampton County if
21 you were in Afghanistan, were you?

22 A. That's correct.

23 Q. The last entry that you have on -- in
24 Exhibit 2, it says:

25 Need new quote for ongoing

1 investigation.

2 And so help me understand what you mean
3 there.

4 A. Funding.

5 Q. No. Wait a minute. Wait a minute now.
6 You -- but tell me how that relates to funding.

7 A. I need a new quote for ongoing
8 investigation. Before we had run out of funding,
9 he had, and before we moved on to continue the
10 investigation we needed a new quote, a new figure
11 or a new funding mechanism so we could continue.

12 Q. So this is the entry for June the 23rd,
13 2020; right?

14 A. That's right.

15 Q. And you've updated your focus. You're
16 focused on nonparties connected to the case through
17 the family, legal or insurance connections. You've
18 identified two other wrongful death cases connected
19 to the Murdaugh family. You want to know about the
20 nature of those settlements, the housekeeper's
21 payoff, connections to other families connected to
22 the boating accident. So you're still talking
23 about deficiencies in the investigation.

24 I assume that's to the boat crash
25 criminal investigation?

1 A. Yes.

2 Q. Parents of all the children involved in
3 the boating accident and connections. It says
4 social media connections, friends, geo networking.
5 Then you've got in parentheses, sourcing, coding,
6 tagging, for relationships and other connections.
7 And then Murdaugh family tree, four generations.
8 You were going to go back four generations in the
9 Murdaugh family tree.

10 A. That was laid out by Gregg to follow
11 the history of the family.

12 Q. And based on this updated focus and
13 this information, you -- were you asked to generate
14 a new quote? Because he had just told you --
15 actually, he told you that the budget was between
16 40- and 50,000 on June the 2nd, and you hadn't
17 spent 40 or 50.

18 A. Apparently I'm not the only one being
19 paid by -- you know, I -- I don't know what the
20 rest of it was for, but our retainer was \$6,000 and
21 he provided that and we tapped out at about
22 93-something. 9,300. So whatever that other
23 budget was for is -- I'm not aware of.

24 Q. Well, I don't understand that, because
25 he -- and I'm happy. We can mark it as the next

1 exhibit.

2 A. Yeah, I understand -- I believe I
3 understand what you're asking, that that number on
4 that budget was not strictly for PISG. It was not
5 strictly on --

6 Q. For your company.

7 A. That's correct.

8 Q. Okay.

9 MR. TINSLEY: Let me have a sticker.

10 THE REPORTER: This will be 4.

11 (EXHIBIT 4, Email Chain to Mr. Roman
12 from Mr. Fratoddi dated 6-2-20, marked for
13 identification.)

14 MR. MOORE: Thank you.

15 BY MR. TINSLEY:

16 Q. Let me show you Exhibit 4, which is
17 what -- the email we were just talking about. So
18 June 2nd, 2022 [sic] at 7:14 PM, Gregg Roman from
19 his Proton or whatever that is email account --
20 this is the secret email account we were talking
21 about before; right?

22 A. It's the encrypted email.

23 MR. RICARD: Objection to form.

24 THE WITNESS: It's the encrypted email
25 account called Proton, yes.

1 BY MR. TINSLEY:

2 Q. Okay. This is not the email account
3 he'd been using before that. Or was he using both
4 at -- and just didn't -- you didn't know why he was
5 using one and why he would use the other?

6 A. Yeah, this is a separate -- this is --
7 sir, I'm just reading the fine print here.

8 Q. Well, it's all pretty fine. So if
9 there's something you can't see --

10 A. Yeah, that's my open business email.

11 Q. So let's --

12 A. Housing.

13 Q. I just want to get clear for the
14 record. What you're saying is, at the top it says
15 from Max Fratoddi --

16 A. That's right.

17 Q. -- and it's to mfratoddi@pisgllc.com.

18 A. That's right.

19 Q. That's your business email.

20 A. That's right.

21 Q. Okay. And the subject is housing
22 budget. The date is June the 10th at 9:15 -- I'm
23 sorry -- 9:45 PM, and it's to GR, which is Gregg
24 Roman at the Proton email address.

25 A. I believe it's Praetorian, but I --

1 Q. Okay.

2 A. That's Gregg Roman.

3 Q. The Praetorian is at the first part,
4 and then it says @protonmail.com; right?

5 A. That's right.

6 Q. Okay. But that's not the email that he
7 was using when he was communicating with you at
8 other times.

9 A. No. Over a period of time we seemed to
10 go back and forth, and the -- as I mentioned
11 earlier, the Proton is not an easy system to use,
12 so after a while we just got away from it. But
13 yes, there were communications that went both on
14 regular, normal email as well as this encrypted
15 system.

16 Q. Okay. So this document, this is a
17 document that you produced. It's Bates labeled
18 Defendant Docs Produced 0060 and 0061. This is
19 something that you collected, generated from your
20 own files; correct?

21 A. Yes.

22 Q. All right. And so to the extent that
23 the Proton email was difficult to use or -- I mean,
24 there's no -- there's nothing on here that
25 indicates that you did anything other than send an

1 email to that address and receive an email to that
2 address; right?

3 A. Yes. You mean where I ask him if he
4 needs any assistance? Yeah.

5 Q. Well, in fairness, what this is, is
6 you're emailing Gregg Roman at the Proton email,
7 and he is responding to that; correct?

8 A. That's right.

9 Q. And you at some point in this
10 litigation recently printed this document.

11 A. That's right.

12 Q. Yeah. So the fact that you all were
13 communicating by Proton at times was not an
14 impediment to you being able to print those
15 communications.

16 A. No. You lost the value of -- when it's
17 one way. You know, that encryption doesn't work on
18 both ends if the other end isn't the same type of
19 system, but no, it didn't stop us.

20 Q. Okay. So what you're saying is, is
21 that the value of you being able to hide the
22 communication is lost because you weren't using
23 Proton. You were using something else. And so you
24 all quit using this.

25 A. Yes.

1 Q. Okay. But as far as your ability to
2 recover and print anything that he sent to you
3 using that Proton email, you still have the ability
4 to get those things; right?

5 A. No. For discovery I attempted to use
6 them. Proton -- some of the messages were expired,
7 and I think that some of them had to do with
8 scheduling, whatnot. I don't have -- none of us
9 have our emails anymore. This is some years ago,
10 as you know. None of us have access to anymore.
11 We don't know if our accounts are active. We were
12 unable to retrieve anything.

13 Q. Okay. So you're talking about your
14 Proton email account.

15 A. Yes. I can't --

16 Q. Not your general or whatever you --
17 however you referred to the mfratoddi@ --

18 A. Correct. It's a normal, active email
19 account for us.

20 Q. Okay. All right. So you had in your
21 normal, active email account communications with
22 Gregg Roman where he sent those communications from
23 the encrypted Proton email, which is what we're
24 looking at here.

25 A. Yes.

1 Q. All right. And what you're also saying
2 is, is that you had additional communications with
3 Gregg Roman where you and he were both using Proton
4 accounts, and when you went and looked, some of the
5 messages were empty.

6 A. That's correct. Or unretrievable.

7 Q. Okay. So you go up and you can just
8 see that there was a message, but then the
9 content's not there?

10 A. As I recall, the message will give me
11 a -- there is a message that says it's no longer
12 available, unretrievable or words to that effect.

13 Q. The date and time that it was sent you
14 just don't see.

15 A. I believe it will say that.

16 Q. Yeah. You didn't produce any of that
17 stuff, did you?

18 A. No, hum-um.

19 Q. Is there a reason why not?

20 A. You mean where the message says
21 unretrievable or unavailable?

22 Q. Yes, sir.

23 A. I don't know on that one.

24 Q. You don't know if you know the reason
25 why not?

1 A. No. There was no content to it. There
2 was nothing to it.

3 Q. Well, that was the point of doing it
4 with Proton; right?

5 A. (Moves head up and down.)

6 Q. You've got to say yes. You nodded your
7 head yes --

8 A. Yeah.

9 Q. -- but you have to say yes.

10 A. Yes.

11 Q. Okay. Is it your belief that after the
12 last entry in Exhibit 2 that says "Need new quote
13 from ongoing investigation," that you no longer
14 completed or didn't complete any other client
15 contact logs documenting your activities?

16 A. Yes, that's correct.

17 Q. And were you instructed not to do that?

18 A. No.

19 Q. You seem like a thorough kind of guy.
20 Why would you have not done that?

21 A. Not noted that we had concluded the
22 case or...

23 Q. You hadn't concluded the case in June
24 of 2020; right?

25 A. The funding ran out in 2020.

1 Q. Of June of 2020?

2 A. Well, I'm not sure if June is accurate,
3 but on --

4 Q. And so Exhibit 3, you say August the
5 25th of 2020 was your last meeting with Gregg
6 Roman. This is the timeline you testified earlier
7 that you just prepared a few days ago.

8 A. I'm sorry. Could you repeat that
9 question for me?

10 Q. Where I said that you just testified
11 that you prepared Exhibit 3 a few days ago?

12 A. Yeah. That's right.

13 Q. Okay. But the document you just
14 prepared a few days ago -- when you prepared this,
15 did Henry look over it before you printed it off?

16 A. I showed it to him, um-hum.

17 Q. Okay. Checked it for accuracy?

18 A. That's right.

19 Q. Anybody else? Your wife or anybody
20 else help you with it?

21 A. No.

22 Q. Is there anybody else that knows this
23 information other than the two of you?

24 A. No.

25 Q. Okay. And so when you prepared this,

1 you indicated that the last meeting with Gregg
2 Roman was August the 25th, 2020, and so help me
3 reconcile that the funding was -- had run out a
4 whole month earlier.

5 A. Need new quote for ongoing
6 investigation. I don't think that necessarily says
7 that the money had run out at that time. I think
8 the point there was, if we're going to continue in
9 the future, that Gregg Roman is going to have to
10 find additional future -- additional funding in the
11 future.

12 Q. So the last meeting with Gregg Roman of
13 August the 25th, 2020 that you've noted in Exhibit
14 3, was that the last time you communicated with
15 Gregg Roman about --

16 A. No.

17 Q. -- the Beach case?

18 A. No. About the case?

19 Q. Yes, sir.

20 A. No. Well, I recall -- recall I
21 mentioned the 2021 phone call and referral to Vicky
22 Ward.

23 Q. Okay.

24 A. That was the -- about the last time we
25 had any contact with him.

1 Q. All right. But from between August the
2 25th of 2020 and the murders in June of 2021, did
3 you have any conversations with or contact of
4 any -- any contact of any form, whether it's an
5 encrypted, secret messaging app, a regular old
6 email, smoke signals, telegram -- I don't care --
7 any conversation with him by any means between
8 August the 25th of 2020 and June 7th, 2021?

9 A. Yes, from time to time we would have a
10 phone call to see the status of funding and if
11 there was anything that we might plan for or
12 anything that would be relevant to us continuing
13 the investigation. There were phone calls. They
14 weren't meetings. And there were -- there were
15 courtesy calls to see if there was any opportunity
16 for funding, as I've said.

17 Q. That's it.

18 A. (Moves head up and down.)

19 Q. Just funding.

20 A. That's right.

21 Q. We're not doing any work. If you get
22 some more funding, we'll do some more work, but no
23 substantive conversations about the case or work.
24 It was merely an inquiry that do you have money to
25 pay us.

1 A. To the best of my recollection, yeah.

2 Q. Okay. So one of the things that you
3 produced to us includes the Gregg Roman blog.

4 A. Yeah.

5 Q. And you had a copy of that; correct?

6 A. I don't have it with me, but yeah, we
7 have --

8 Q. No, I understand that, but what I'm
9 saying is you had a copy. You produced it because
10 you had a copy of it.

11 A. That's right. We found it. Yes,
12 that's correct.

13 Q. Were you involved in helping the -- to
14 write, draft any part of this article?

15 A. No.

16 Q. You just knew that all this content,
17 this information, that you all had this information
18 and that it existed.

19 A. We didn't know all of the information
20 in that blog. It was quite a lengthy one. We
21 didn't know everything that was in there, but our
22 investigation, our information was provided to
23 Gregg, and that contributed to it, but we didn't --
24 we didn't write it, we didn't have any connection
25 to that part of it.

1 Q. Okay.

2 (EXHIBIT 5, Pickle Ball To Do dated
3 7-27-20, marked for identification.)

4 BY MR. TINSLEY:

5 Q. Let me show you another document you
6 all produced, Exhibit 5. And the Bates label is
7 393. Wait.

8 MR. MOORE: This is 5; right?

9 MR. TINSLEY: Correct. I'm going to
10 give him...

11 THE WITNESS: Thank you.

12 BY MR. TINSLEY:

13 Q. This is a document that you prepared;
14 correct?

15 A. That's correct.

16 Q. And --

17 MR. TINSLEY: I think I gave all my
18 copies away. No, that's fine.

19 BY MR. TINSLEY:

20 Q. And it's dated July 27th, 2020; right?

21 A. It is, yes.

22 Q. Is Pickle Ball code for anything?

23 A. It's Gregg's nickname.

24 Q. Okay.

25 A. I'm not sure if it's a nickname, but

1 that's a -- I think he plays pickleball and that's
2 the name he gave it.

3 Q. Okay. So this is the -- this is a
4 to-do list for Gregg Roman.

5 A. Actually, it's a -- not so much for
6 Gregg. It's for our internal thing. Here's the
7 things we need to do to clean things up and to
8 check -- get things done, yeah.

9 Q. Okay. Or maybe it's --

10 A. Some are for Gregg, but some are for me
11 too.

12 Q. No, I get it, and that's a fair point.
13 The action items, the assignments in
14 this to-do list are assigned to different people,
15 but in general, these action items or assignments
16 are for Gregg Roman.

17 A. Correct.

18 Q. Okay. For the work that you're doing
19 for Gregg Roman.

20 A. Correct.

21 Q. All right.

22 A. Well, the administrative things, the
23 NDA, clean up the administrative things, but also
24 the work too.

25 Q. Okay. So -- and this is July 27th,

1 2020. It says, the first item:

2 Copy of already signed NDAs to be sent
3 to Dana and Betty.

4 And we -- and that's assigned by Gregg
5 or to Gregg?

6 A. No. By me.

7 Q. Okay. So you're going to send the
8 signed NDAs to Gregg Roman.

9 A. Yes. You mean after they're signed.
10 These people, they came to me, we -- sorry. They
11 ultimately went to Gregg Roman, the NDAs.

12 Q. Dana and Betty.

13 A. That's right.

14 Q. All right.

15 A. Who were the team members.

16 Q. All right. It says, the first action
17 item:

18 Copy of already signed NDAs to be sent
19 to Dana and Betty.

20 Is that -- who would have signed that,
21 Gregg?

22 A. Gregg.

23 Q. Okay. And Gregg was going to send
24 those NDAs that he had signed to Dana and Betty for
25 them to sign so they would be bound as well.

1 A. That's correct.

2 Q. All right. And then the second one:
3 NDAs to be sent, and then it has
4 parentheses, Eddie and Eric, for signature.

5 A. They were two other team members that
6 needed to sign it. So he would send to them after
7 he signed it.

8 Q. All right. And then the next item is
9 for Eddie and Eric to sign the NDAs or -- and
10 return --

11 A. That's right.

12 Q. -- to Gregg Roman; right?

13 A. Yes.

14 Q. Send copies of DNR report to Eric and
15 Eddie.

16 And that DNR report references the DNR
17 file that we've talked about earlier.

18 A. Yes.

19 Q. And so before they could get it, they
20 had to sign an NDA that they had gotten this
21 information.

22 A. Correct.

23 Q. All right. And you were going to --
24 you were assigned that.

25 So is it fair to conclude that you had

1 the report and you had NDAs -- or no. You just had
2 the report, and you're sending it once he signs.

3 A. Once the NDAs were taken care of, then
4 I would make the assignments of -- get copies of
5 the report and send it out to them and make the
6 assignments.

7 Q. All right. And then the next action
8 item which was assigned to you was:

9 Send DNR report reading, backslash,
10 assessment assignment.

11 What is that? You're going to --
12 you're going to report to Gregg your assessment?

13 A. Yes, I was -- my responsibility to get
14 all that paperwork -- get the NDA done, and then we
15 would get to work on laying out the DNR, making
16 us -- I read it all, I would give them a general
17 statement of what I read, give them their
18 assignments. The assignments would break down
19 according to either an expertise they might have
20 had or simply you've got 200 pages, you've got 200
21 and so on.

22 Q. Did -- do you believe that there are
23 written documents that document the reading or
24 assessment of the DNR report?

25 A. By us?

1 MR. MOORE: Objection; form.

2 BY MR. TINSLEY:

3 Q. Yeah.

4 MR. MOORE: Objection.

5 THE WITNESS: By us?

6 BY MR. TINSLEY:

7 Q. Yes.

8 A. No. They were all done verbally.

9 Q. Okay. You would just tell Gregg Roman
10 over the phone your assessment of various items.

11 A. Yes.

12 Q. You never put any of it in writing.

13 A. No. He preferred telephone
14 conversations, yeah.

15 Q. It says:

16 Send copies of DNR missing/illegible
17 pages.

18 Do you know which pages of the DNR
19 report were --

20 A. If my recollection is right, at that
21 early point it would have been about the DNR
22 report.

23 Q. I'm sorry?

24 A. No. 7. At that early stage of the
25 investigation, I think you asked me what they were

1 about. It would have been about the DNR report.

2 Q. So I'm asking about No. 6. 6 is:
3 Send copies of DNR missing/illegible
4 pages.

5 A. Oh, yeah. Somewhere along the line,
6 something as voluminous as that, that we found
7 when -- when I went through virtually all of them,
8 we did find that there were some pages missing, and
9 we knew that that wasn't an accurate
10 representative -- it was inaccurate -- it was
11 incomplete. So we asked -- we identified them and
12 tried to get a copy of them.

13 Q. And the reason that you were able to
14 identify that they were missing is because you were
15 handed a paper copy.

16 A. That's right.

17 Q. Yeah. Okay. That makes sense.

18 And so whoever had printed this
19 electronic information to give to you -- I'm not
20 saying it was an intentional omission, but just in
21 the printing of it by whoever printed it, you
22 didn't have a legible or you were missing copies.

23 A. That's correct, yeah.

24 Q. Okay. And just so I understand the way
25 you wrote it, it says Gregg greater than Max. Or

1 what is that, Gregg's going to give that to Max?

2 Is that what that means?

3 A. Yes. Gregg had seen it before we had.
4 He had apparently looked at all of it and...

5 Q. But you had looked at it to be able to
6 discern that you had missing pages and illegible
7 pages.

8 A. I had to, yeah.

9 Q. Yeah. So Gregg was going to obtain or
10 get you or print you -- whatever -- however he was
11 going to do it and get you those missing or
12 illegible pages.

13 A. Yes. If I remember, I mean, if we
14 could just identify one page missing in the entire
15 document, for example, I didn't need to send that
16 back to Gregg. If I had -- that is, if I had one
17 clean copy, I, of course, could copy that page
18 right off the clean, complete copy and I didn't
19 need to send it back to Gregg.

20 Q. Yeah, I'm not following what you --

21 A. If there was a missing -- by looking at
22 all of them, if we could tell there was a missing
23 page or pages and I had one good, complete copy,
24 then I didn't necessarily -- I didn't have to ask
25 Gregg to send me that one page if I had a good,

1 complete copy of the DNR. That I could copy from
2 it, assuming mine was complete, and all I had to do
3 was make a copy of that page and put it into the
4 report that was incomplete.

5 Q. Yeah, but you didn't have the entire
6 thing or there were pages that were missing from
7 the copy.

8 A. Yeah, they weren't all -- my
9 recollection was, it was quite a voluminous print
10 job, obviously, and my recollection was that
11 they -- they weren't all missing exactly the same
12 thing. You're right.

13 Q. Were the photos that were in the file
14 printed color?

15 A. I don't remember any color in that
16 file.

17 Q. Do you remember photos?

18 A. The boat and the crime scene area and
19 the bridge and -- those are the principal photos
20 that I remember.

21 Q. And do you remember them being in color
22 or black and white?

23 A. No, I don't remember that.

24 Q. How about the video, the dash camera
25 videos and the body cam videos of the officers?

1 A. I never saw their videos.

2 Q. So they didn't give you that.

3 A. I'm sorry. Who didn't give me?

4 Q. Well, I mean, there are video -- you
5 understand in the -- in the DNR file there are
6 videos.

7 A. Yeah.

8 Q. You're just saying you weren't provided
9 with the videos.

10 A. That's correct.

11 Q. Okay. How are you supposed to
12 research, investigate the officers involved if you
13 don't even have all the videos?

14 A. That was part of the investigative
15 process, try to identify whose body cam was on and
16 who did it, who got a recording of who said what
17 about the boating accident and who was driving.
18 That was part of the investigative process.

19 Q. No, I -- yeah, I get that. Because, I
20 mean, the fact of the matter is, is that that
21 evidence would have been the most reliable evidence
22 in terms of what happened; right?

23 A. I think so, yeah.

24 Q. It would have struck you as the most
25 reliable; right?

1 A. It certainly would have been an
2 important piece of evidence to record what was said
3 or done.

4 Q. If you cared about the integrity of
5 that criminal investigation.

6 A. Yes.

7 Q. Yeah. I mean, what else is there? I
8 mean, can -- which do you think, as your experience
9 in -- as -- whatever -- an investigator in law
10 enforcement, whatever you want to -- I'm not
11 limiting it in any way.

12 Which do you think is more reliable,
13 the body cam/dash cam video or what somebody wrote
14 in a report and said happened?

15 A. Assuming the body cam wasn't altered in
16 any way, the accuracy of the body cam would be
17 important to me.

18 Q. And if you're interested in the
19 integrity or investigating the integrity of the
20 criminal investigation, the body cam/dash camera
21 video would be very important to see how it
22 contradicts what's written in the reports, would it
23 not?

24 A. It would to me, yes.

25 Q. Yeah. But you --

1 A. As far as --

2 Q. I'm sorry?

3 A. Or at least compare it. I don't -- I'm
4 not automatically prejudging it contradicted, but
5 certainly compare what it -- what the document says
6 versus what it shows.

7 Q. Sure. There's not really any other way
8 to vet this criminal investigation without it, is
9 there?

10 MR. MOORE: Objection to form.

11 THE WITNESS: There might be some
12 forensic things now that maybe weren't available
13 then, but I don't know.

14 BY MR. TINSLEY:

15 Q. And at this point in time, the relevant
16 time period -- for instance, on July the 27th,
17 2020, that would have been the only thing that you
18 would have been interested in and to look into
19 whether or not there was corruption in the criminal
20 investigation.

21 MR. MOORE: Objection; form.

22 THE WITNESS: No, I wouldn't say it
23 would be the only thing. It would be an important
24 factor. You mean what a video -- what a body cam
25 video said versus a written document?

1 BY MR. TINSLEY:

2 Q. Yeah.

3 A. I wouldn't necessarily say it would be
4 the only thing.

5 Q. No. I'm talking about the con -- I
6 was -- yeah, and that's a fair point.

7 The contradiction between what some of
8 these people say happened versus what actually
9 happened.

10 A. That would merit a professional,
11 thorough, unbiased investigation, sure.

12 Q. Which is what you were -- testified you
13 were hired to do; right?

14 A. Yes.

15 Q. Okay. I mean, you agree with me that
16 you couldn't do a thorough, unbiased investigation
17 into this criminal investigation without that
18 material, could you?

19 MR. MOORE: Objection; form.

20 THE WITNESS: I think it would be fair
21 to say without it there would be an incomplete
22 investigation.

23 BY MR. TINSLEY:

24 Q. Right. And you would have known that
25 in July 2020.

1 A. I'm not sure on the time frame, but I
2 stand by that statement. If I -- if I didn't have
3 it, if I wasn't made aware of it and didn't have it
4 to examine and compare it with the document -- with
5 the documentation, that would -- that would be a
6 pretty significant thing to me.

7 Q. Yeah. I mean, it would --

8 A. Yeah.

9 Q. It would significantly hamper your
10 ability to give an unbiased, objective criticism of
11 what happened or validate what happened; right?

12 A. If not validate or criticize,
13 illuminate the discrepancy, identify the
14 disparaging -- disparity between what was said or
15 shown and what was written.

16 Q. That's right. Which was what you've
17 testified today you were hired to do.

18 A. Yes.

19 Q. Yeah. And it was the only thing you
20 were hired to do according to your testimony;
21 right?

22 A. Yeah. It was all going to contribute
23 to, again, that model. Gregg's interest was
24 originally about corruption in different places.
25 He had gotten the attention of a company in South

1 Carolina that had a connection in Dubai or the
2 Middle East. That was something that originally
3 got his attention. After the accident and all the
4 focus on the Murdaugh family, he narrowed that
5 focus, and that's where we came in.

6 Q. At what point did you and your team
7 begin to keep up with the reports by FITSNews and
8 the media?

9 A. Well, we had -- I think it's pretty
10 easy to say we'd all heard -- known about the
11 boating accident and took various levels of
12 interest in it.

13 But once Gregg approached us and told
14 us what his objective was and what his -- you know,
15 what he wanted to achieve, we certainly got more
16 interested in it and we started following the news
17 pretty acutely, pretty closely.

18 There was -- as you know, there was an
19 extraordinary amount of public news on this and
20 public sources. Not a good -- public resources,
21 public -- publications, media of one kind or
22 another. So we started following them as closely
23 as we could.

24 Q. And that was part of what you were
25 hired to do.

1 A. Well, to -- sure. Taking a look at
2 what was in the open source, open-source world to
3 help us get a better sense about the entire
4 situation.

5 Q. And so when you say "open source,"
6 you're talking about social media.

7 A. I -- I'm not sure if I'm qualified to
8 say that, but certainly we looked at public
9 sources, bloggers. Not so much bloggers, but media
10 sources well known here in the county, in the
11 state. So we tried to -- and others. We tried to
12 follow the news as best as we thought it would help
13 us keep informed to the extent that we believed the
14 story.

15 Q. Did you or anybody on your team create
16 fake accounts in order -- on any social media
17 platform?

18 A. No.

19 Q. At no time.

20 A. No.

21 Q. Never heard that.

22 A. Well, I've heard of it.

23 Q. No, no, no, no. I'm talking about
24 among your team. In your discussions --

25 A. No.

1 Q. -- with your team there were no
2 discussions about that.

3 A. No. Let me clarify. There is a team
4 member, Dana Motley, who specializes in client
5 relations, business solutions, social media,
6 reputational -- reputation protection, digital
7 marketing. I have no idea what she might have done
8 for another client somewhere else. I can't speak
9 to that.

10 Q. I'm not asking about other clients.

11 A. But for our team the answer is no.

12 Q. And it's your testimony today under
13 oath that Dana Motley didn't indicate to you at any
14 point in time she was going to create a fake
15 account or an account in order to either get
16 information or produce information in the social
17 media setting.

18 A. I'm not aware of that.

19 Q. You're not aware --

20 A. I'm not aware of that happening.

21 Q. Are you saying it didn't happen or you
22 just don't remember?

23 A. I'm not aware. There was never a
24 conversation along that line, and she was --
25 certainly there was never any indication that that

1 was warranted or needed or part of our
2 responsibility. And so the answer is, as far as
3 I'm concerned, no, it was never a topic of
4 conversation.

5 Q. It didn't happen.

6 A. As far as I know it didn't happen.

7 Q. Okay. Do you think that -- whatever
8 standard you want. Criminal standard, moral
9 standard, just ain't right. I don't care.

10 Do you think it would be improper to
11 use fake accounts in order to either -- well, let's
12 just say harm someone.

13 MR. MOORE: Objection to form.

14 THE WITNESS: Say the last part of
15 that. Would it be proper to?

16 BY MR. TINSLEY:

17 Q. Do you think it would be proper under
18 any standard that -- as far as you are sitting here
19 today, concerned, and the way you conduct yourself
20 as a professional and as a human being, that it
21 would be proper to use a fake account to attack
22 someone through a social media platform?

23 A. May I reword your question to make sure
24 I understand it?

25 Q. You may.

1 A. Would it be okay to create a fake
2 email, some kind of fake digital account, email
3 account if that would help us further the
4 investigation? Is that right?

5 Q. That's a different question. You can
6 answer that one. That's not what I asked, but you
7 can answer that one.

8 A. No. I'd like to -- would you mind
9 asking me --

10 Q. Okay. It's that one. Can you create a
11 fake email --

12 A. Is it --

13 Q. -- or digital account in order to
14 further your investigation?

15 MR. MOORE: Objection to form.

16 THE WITNESS: This investigation? This
17 one? May I give you --

18 BY MR. TINSLEY:

19 Q. Sure.

20 A. For example, you had a pedophile. And
21 if a pedophile was going to help us or the police
22 find the pedophile who had been preying on
23 children, if the creation of a fake account under
24 the ethical and appropriate circumstances would
25 help you catch a pedophile, then that is an action

1 that I --

2 Q. Yeah. Okay. So this -- the Beaches
3 weren't pedophiles, were they?

4 MR. MOORE: Objection to form.

5 THE WITNESS: I'm sorry.

6 BY MR. TINSLEY:

7 Q. Were the Beaches pedophiles?

8 MR. MOORE: Objection to form.

9 THE WITNESS: I don't -- who?

10 BY MR. TINSLEY:

11 Q. The Beach family.

12 A. Oh.

13 Q. Do you know who I'm talking about?

14 A. Of course I know. I -- I have no idea.
15 I have no way of knowing that. I...

16 Q. All right. So -- and I don't disagree
17 with you on the pedophiles and there's a -- there's
18 a way.

19 In this case do you believe that the
20 use of a fake email or fake social media account to
21 either spread information or spread disinformation
22 is appropriate?

23 MR. MOORE: Objection to form.

24 THE WITNESS: No.

25 BY MR. TINSLEY:

1 Q. Why not?

2 A. A criminal matter is a criminal matter.
3 A civil matter is a different matter. I would not
4 support that.

5 Q. Okay. And do you believe that it would
6 be appropriate to take the photos of this girl's
7 dead body and use those, to release those to the
8 public in order to harm the family?

9 MR. MOORE: Objection to form.

10 THE WITNESS: I don't think that would
11 be appropriate.

12 BY MR. TINSLEY:

13 Q. There is no set of circumstance where
14 you think that the photos of Mallory's body as it's
15 recovered from the marsh eight days after this boat
16 crash are relevant to your investigation, are they?

17 A. No.

18 Q. Are the photos of her body as it's
19 found in the marsh eight days after she died
20 relevant to any illustration of corruption or
21 influence by the Murdaugh family?

22 A. Please ask me the question again.

23 Q. Are the photos of her dead body when it
24 was recovered from the marsh relevant in any way,
25 shape or form to anything that pertains to Alec

1 Murdaugh's influence, the Murdaugh family influence
2 or connections in the community, the legal
3 community or the justice system?

4 A. I'm not aware of any. I can't think of
5 any.

6 Q. Did you see her photos?

7 A. Sorry?

8 Q. Did you ever see her photos?

9 A. No.

10 Q. Did you ever have them?

11 A. No.

12 Q. Were they in the DNR file that you were
13 produced?

14 A. No.

15 Q. Did you have communications with Gregg
16 Roman about the mediation that was conducted in the
17 boat crash case?

18 A. No.

19 Q. No point in time?

20 A. No.

21 Q. Not whether it had settled or not
22 settled? Nothing.

23 A. No. We learned about it in the
24 newspaper like most everybody else did.

25 Q. You learned about the -- what?

1 A. There even was a mediation.

2 Q. When? At what point in time?

3 A. Well, whenever that was published
4 connected with the lawsuit.

5 Q. When the lawsuit was filed.

6 A. Yeah, but the answer is we never had
7 any knowledge of or never talked to Gregg or
8 anything at all about the mediation.

9 Q. Okay. So in fairness, there's a motion
10 filed which prompts you to be subpoenaed in the
11 boat crash case that you -- earlier you didn't show
12 up for.

13 A. Yes.

14 Q. And so there may be media associated
15 with that. When that happens, I think it's in
16 November.

17 It's your testimony that before there's
18 some filing that calls attention to it, you didn't
19 know about it.

20 A. Sorry. Clarify. Know about what?

21 Q. The mediation.

22 A. No.

23 Q. No, that -- no, you didn't know about
24 it before there was the first article written about
25 it.

1 A. No, we didn't know about it at all.

2 Q. Okay. One of the things that you had
3 outlined and you spent some time looking at is the
4 sources of alcohol the night of the boat crash;
5 correct?

6 A. Sources of alcohol for?

7 Q. For the people in the boat.

8 A. Boat. Yes, we know it came from a
9 Parker's. We didn't -- we didn't go down that road
10 very far.

11 Q. You didn't go down that road at all.

12 A. We didn't go down that road at all. We
13 knew about it.

14 Q. You did go down the road of Plums?

15 A. We went out there and we met -- Plums
16 is the -- where she was employed, as I remember.

17 Q. She was employed at Retail Therapy.

18 A. There was a retail store, and then
19 right next door is the bar that they went in on the
20 night of the accident.

21 Q. Well, I think that -- you did research
22 into alcohol and whether they got alcohol from
23 Plums, which is a -- I think it's a bar/restaurant
24 downtown Beaufort that is separate from Luther's.

25 A. They are. They're two different ones.

1 We met Gregg Roman out there with his friend who we
2 had never met before whose name already came up.
3 He --

4 Q. That's the Alex Pipas guy?

5 A. Alex Pipas, yeah. Gregg wanted to look
6 at the pier, he wanted to look at the boating
7 accident, he wanted to look at the cameras to see
8 if we could -- he could get some video from it. He
9 talked about the two different bars. We walked in
10 them. We didn't go too far down that road. We
11 didn't question bartenders. We didn't get that
12 far.

13 Q. All right. You also looked into the --
14 in terms of Paul's blood alcohol, you looked into
15 where that alcohol had come from, when he consumed
16 it, how many drinks he would have to have, things
17 like that; right?

18 A. We looked into it to learn more about
19 it. We didn't go in the bar and question anybody.
20 We read the media accounts about his conduct, their
21 conduct, how much several of them drank, who went
22 in, the others waited outside. We didn't go too
23 far down that road either.

24 Q. But you did go down the road far enough
25 to be able to say that there was -- had to be some

1 more alcohol from some other source that
2 contributed to Paul's intoxication that night.

3 A. You mean the two bars or the earlier
4 event on the island?

5 Q. I mean that you made the suggestion
6 that there had to be alcohol in addition to what
7 was purchased from Parker's.

8 A. Well, they --

9 Q. Right?

10 A. They went into the two bars.

11 Q. But I'm talking about your scope of
12 work. I'm not talking about the what happened.
13 I'm saying you made an investigation to conclude it
14 and suggest it. There had to be additional
15 alcohol.

16 A. Yes.

17 MR. MOORE: Objection to form.

18 BY MR. TINSLEY:

19 Q. Yes. But you didn't get into Parker's.

20 A. No, we didn't go to the gas station, we
21 didn't go into -- we may have literally walked into
22 the bars, but we didn't do any work there.

23 Q. Yeah. Never went to the gas station.

24 A. Never did.

25 Q. Never looked at any of Parker's

1 policies or procedures.

2 A. No.

3 Q. The training of the woman who sold the
4 alcohol.

5 A. No, no.

6 Q. You went into detail in Luther's and
7 Plums and the oyster roast and the people that were
8 at the oyster roast and who had what alcohol, but
9 you never looked at Parker's; right?

10 A. Never did.

11 Q. It wasn't relevant to --

12 A. No, that's not true. There were too
13 many other people -- it was relevant, but there
14 were too many other resources looking at it, and we
15 didn't go down that path either.

16 Q. Who? What other resources were looking
17 at it?

18 A. At some point Gregg wanted us to -- he
19 was doing whatever he was doing. At some point he
20 wanted us to, again, take a look at what's going on
21 with the other people affected by the Murdaugh
22 family and the lawsuit. The -- Gloria Satterfield
23 and Stephen Smith. At some point he started
24 pushing us more in that direction.

25 Q. He wanted -- and to be fair, your

1 primary focus, much of this investigation was on
2 the Stephen Smith matter; correct?

3 A. A lot of it was. The initial emphasis
4 was completely or very heavily on the -- on the
5 Beach -- the boating accident and her unfortunate,
6 tragic death, but he, I think, had connections with
7 other journalists or other people and I think he
8 continued to add to his body of knowledge and asked
9 us to look at some other things.

10 Q. So wherever he was getting it from, you
11 don't know. You just know he was getting it from
12 somebody else.

13 A. Yes.

14 Q. Yeah. And you're just speculating
15 whether it was other journalists or --

16 A. I'm speculating, yeah.

17 Q. Yes. But you did do significant work
18 in terms of -- and however you want to compare it,
19 the quantity of work that you did, you did a lot
20 more related to Stephen Smith's death than you did
21 to the boat crash or even the corruption and the
22 criminal investigations.

23 A. That's the way it kind of turned out,
24 yes.

25 Q. Yeah. And were you ever able to

1 establish any connection between any member of Alec
2 Murdaugh's family and the death of Stephen Smith?

3 A. No.

4 Q. Were you ever able to identify any
5 suspect in the death of Stephen Smith?

6 A. No.

7 Q. Was the iPad broken when you got it
8 from Sandy Smith?

9 A. Yes.

10 Q. It is. So why would you have taken a
11 broken, locked iPad if it was broken when she had
12 it?

13 A. If it was?

14 Q. It was broken when she gave -- when she
15 had it, why would you take a broken, locked iPad --

16 A. She thought that there would be some
17 evidence about people he knew or his activities
18 that would be on the iPad that would might -- that
19 might reveal where he was and what he was doing on
20 the night he was -- died.

21 Q. There's no question the iPad was broken
22 when you turned it over pursuant to the search
23 warrant; correct?

24 MR. MOORE: Objection to form.

25 BY MR. TINSLEY:

1 Q. Correct?

2 A. That's correct, yeah.

3 Q. And -- but you dispute that it was
4 broken when you got it.

5 A. I believe it was, but I'm not sure.

6 Q. Okay. So you're just not -- you're not
7 saying that -- if she says it was not broken when
8 you got it, you're not disputing that. You just
9 don't remember.

10 A. I believe when she gave us the iPad it
11 was -- it was broken. She has a daughter and a
12 granddaughter, and it was broken somehow there.

13 MR. MOORE: Mark, can I ask you a
14 question? So, I mean, we've been going again for
15 about another hour and a half. Most of us have not
16 had lunch. So are we breaking for lunch at some
17 point? You guys may have had lunch. The rest of
18 us haven't.

19 MR. TINSLEY: When would we have eaten
20 lunch, Mark?

21 MR. MOORE: I don't know.

22 MR. TINSLEY: While you were looking at
23 your phone?

24 MR. MOORE: Huh?

25 MR. TINSLEY: Do you think we ate it

1 while you were looking at your phone?

2 MR. MOORE: Food was delivered here.
3 If you guys haven't had lunch, fine. I think we
4 all need to have a lunch break.

5 MR. TINSLEY: That's fine. I'm getting
6 close.

7 BY MR. TINSLEY:

8 Q. Okay. So you just -- I just want to
9 get straight on what your testimony is on that.

10 You don't know whether it was broken or
11 not broken.

12 A. I believe it was broken. I think it
13 was broken, but I'm --

14 Q. It should have been in the same
15 condition when you gave it back pursuant to that
16 search warrant that it was when you got it; right?

17 A. That's correct, yes.

18 Q. Okay. Have you understood all my
19 questions?

20 A. I have, yeah.

21 Q. Have you answered them truthfully?

22 A. Yes.

23 Q. Are there any -- I'm not done. I'm not
24 quitting. I'm just going to take a break.

25 Are there any questions or answers that

1 you've given that you'd like to change?

2 A. There was one question you asked
3 earlier, and you made a comment about a lie is a
4 bad thing because it sneaks up on you.

5 I think it had to do with the June --
6 July 25th thing from Gregg saying you have limited
7 authorization to -- to give an interview and
8 release information based on my parameters, my
9 restriction. I believe there might have just been
10 a timeline around there.

11 My recollection was that Taylor or Drew
12 had been behind that, to get information out on the
13 case. I think I might have been confusing it.

14 Early on, and you alluded to it, I
15 believe, where in the very beginning there was a
16 subpoena issued for us, and you already referred to
17 it, that it didn't -- it wasn't served. So I --

18 Q. It was served.

19 A. Or -- well...

20 Q. You didn't show up, but it was served.
21 You refused to show up, and then your lawyer
22 ultimately that was hired by Gregg Roman filed a
23 motion to quash that subpoena after you didn't show
24 up.

25 A. I believe it was at our attorney's

1 instructions. I think that I might have gotten --
2 the timeline there might have been the problem for
3 me. I'm not sure.

4 Q. Well, so -- and I'm happy to let you
5 change an answer or clarify something, but you're
6 going to have to do it with more specificity than
7 what you did -- just said, because you said a fair
8 amount, but you didn't really say anything.

9 So the email that I was asking you
10 about had -- was the June 25th, 2021, where you
11 were -- it was agreed that you would -- could
12 provide a limited release to discuss your work, on
13 background and without attribution, and what did
14 you understand that to mean?

15 You're just talking to her to give her
16 a side of the story, but they're not quoting you;
17 is that --

18 A. Yes. Valerie -- Valerie Bauerlein of
19 The Wall Street Journal was -- Gregg had her come
20 here and do whatever it is she did here, but we
21 also had the interview with her.

22 Q. Yeah.

23 A. I think my comments about the
24 motivation for Gregg doing that, for producing that
25 email might have been on the wrong timeline.

1 That is, I originally thought maybe
2 that was something that Drew and Taylor -- Drew
3 Radeker and Taylor Smith might have gone to Gregg
4 about and say, hey, look, let's get this out there.

5 But I'm -- so the -- I don't have the
6 date in my head on this original subpoena. So
7 maybe that's what I was thinking, that somehow that
8 blended into my timeline about why Gregg would want
9 to allow us to do that.

10 Q. Okay. So this doesn't reference
11 Valerie Bauerlein; right?

12 A. Yeah, but she came up earlier in the
13 conversation.

14 MR. GRANTLAND: Can I show him the
15 email?

16 MR. TINSLEY: Oh, sure. I thought we
17 marked it as an exhibit.

18 MR. MOORE: You did not.

19 MR. GRANTLAND: That's the June 25,
20 2021 email?

21 THE WITNESS: But this -- yeah. Okay.

22 MR. MOORE: Do you want to mark it
23 as --

24 MR. TINSLEY: Where is the Bates
25 labeled version of that?

1 A. So December 2nd is the summons and
2 complaint. Summons and complaint. So December
3 2nd, 2021.

4 Q. Sure.

5 A. June 25th is the email from Gregg
6 giving us limited permission. The lawsuit
7 obviously was a long way away at that point, but
8 the original subpoena, whose name I don't -- date I
9 don't have in my head, do we have that date, the
10 original one that I didn't respond to you
11 mentioned?

12 Q. Yeah. My recollection is is it's
13 November-ish, but, I mean, we can find it. It --

14 A. Yeah.

15 Q. It's not June. I can tell you that.

16 A. No. Okay. So let me just say that
17 that might have been a time frame problem for me,
18 that I just didn't have it, but it's clear that
19 December 2nd was the summons and complaint.

20 His letter -- or his email was June --
21 sorry. June 25th. So that that -- the idea that
22 Drew and Taylor might have gotten him to give us
23 permission to talk, I don't -- I don't know where
24 that came from. I'm not sure.

25 Q. You mean when you testified earlier you

1 don't know why you said that?

2 A. No.

3 Q. Okay. The -- so let's talk about this
4 some more, because --

5 A. Sure.

6 Q. Because this is important.

7 I mean, one of the things -- do you
8 know -- did you know that Greg Parker had sidled up
9 to someone way up at the Wall Street Journal and
10 asked The Wall Street Journal to come and do this
11 investigation?

12 A. No, I didn't.

13 MR. MOORE: Objection to form.

14 THE WITNESS: I did not.

15 BY MR. TINSLEY:

16 Q. All right. But in June of 20 -- June
17 the 25th, 2021, Gregg Roman is telling you that
18 it's going to be okay for you to share your
19 information from your investigation, from the work
20 that you had done last summer, including the
21 information, case files, interview notes,
22 recordings, and other information related to the
23 deaths of Stephen Smith, Gloria Satterfield and
24 Mallory Beach with The Wall Street Journal; right?
25 That's what he says.

1 A. Yeah. I mean, he laid it out, what we
2 were authorized --

3 Q. Sure.

4 A. -- and not authorized to do, yes.

5 Q. Yeah. And including information,
6 comma, case files, comma, interview notes, comma.

7 You don't have any interview notes that
8 you produced, do you?

9 A. (Moves head from side to side.)

10 Q. You destroyed those?

11 A. That's right. And no recordings
12 either.

13 Q. And the recordings.

14 A. No, there was nothing to destroy.

15 Q. You didn't have any recordings?

16 A. No.

17 Q. Why would he tell you that you could
18 show her or play those recordings for her?

19 A. That's a good question. We never had
20 any recordings.

21 Q. Okay. He then goes on and says:

22 You will please take measures to redact
23 documents (including the contracts, emails, notes
24 discussing your client, internal client documents,
25 and anything else) that you have that reveals the

1 client's identity.

2 Did you do that?

3 A. Yes. We didn't talk about -- we
4 protected his identity.

5 Q. All right. But it's more than that.
6 It's the publication who engaged Gravitas. GSS,
7 which is --

8 A. Yes, we --

9 Q. It says here is The Investigative
10 Journal; right?

11 A. That's right.

12 Q. And it goes on to say that you won't
13 disclose -- so you knew about The Investigative
14 Journal. We talked about it earlier in one of
15 the --

16 A. That was one of the very first
17 conversations we had, yes.

18 Q. And it goes on to say that you won't
19 disclose family members related to any of
20 Gravitas's principals, websites and email addresses
21 related to Gravitas or The Investigative Journal.

22 A. That's correct.

23 Q. Do you know why that was?

24 A. Why he asked us not to talk about him?

25 Q. Yeah. The websites, the emails.

1 A. I can't answer that.

2 Q. All right.

3 THE VIDEOGRAPHER: I have five minutes
4 left on Media 3.

5 MR. TINSLEY: All right. Let me just
6 talk to them for two minutes, and I think I'm done.

7 THE VIDEOGRAPHER: This is the end of
8 Media 3 in the deposition of Max Fratoddi. We are
9 off the record at 1:51.

10 (A recess transpired from 1:51 until
11 2:01.)

12 THE VIDEOGRAPHER: This is the
13 beginning of Media 4 in the deposition of Max
14 Fratoddi. We are back on the record at 2:02.

15 BY MR. TINSLEY:

16 Q. All right, Mr. Fratoddi. How were you
17 compensated, your company paid by Gravitas or Gregg
18 Roman?

19 A. I believe it was PayPal or wire
20 transfer.

21 Q. Okay. Which, or both?

22 A. Both.

23 Q. And the wire transfer or the PayPal --
24 let's talk about PayPal first. The PayPal would
25 have went to your PayPal?

1 A. Our business account at our bank, yeah.
2 Depending on -- if I recall right, we -- there was
3 an initial bank transfer for the retainer, and then
4 later payments were made by PayPal.

5 Q. Okay. So -- and I don't mind telling
6 you. I mean, you can get it and give it to your
7 lawyer and I won't necessarily have to subpoena it,
8 but I want to see that wiring, what account it came
9 from.

10 A. I believe you were given that on
11 discovery.

12 Q. Do you think you have that information?

13 A. Not with me, no, but I can tell you
14 that it was either PayPal or wire transfer, and
15 that constituted the original \$3,000 retainer and
16 then later payments.

17 Q. Okay. But what I'm specifically
18 talking about is the bank account and the routing
19 information where the money came from into your
20 account. That's what I'm talking about on the wire
21 information.

22 A. We --

23 Q. Who do you bank with?

24 A. South Atlantic Bank right here. Yeah.
25 And there's a -- the account there I think was

1 already provided. PISG, LLC. That's the account.

2 Q. Okay, okay. And you think -- because I
3 understood you to say that you thought it had been
4 provided, but information relating to the account
5 where that money --

6 A. Came from. You may be right on that.
7 I'm not sure that that came to you.

8 Q. And the PayPal account -- how often do
9 you use PayPal in your business?

10 A. Not very often.

11 Q. If you open your PayPal and you go
12 back, is it on your phone or is it on your work
13 computer or how do you see it? Because like if I
14 paid the housekeeper, I can go back and look at
15 everybody I paid while I've used PayPal.

16 A. We either look at it on our desktop,
17 our laptop or on the phone.

18 Q. Okay. Any problem with going and doing
19 a screenshot of that PayPal history and information
20 to see where -- who it says that money came from?

21 MR. GRANTLAND: Send it to me, yeah.

22 THE WITNESS: Sure.

23 BY MR. TINSLEY:

24 Q. Okay.

25 A. No. The answer is no problem.

1 Q. And I think this is hopefully the last
2 question. So that I -- because I asked a lot of
3 questions today that -- where I would say and this
4 material was deleted or these things have been
5 destroyed.

6 Other than what you have produced, is
7 it fair to say that your testimony is you don't
8 have any other of the case materials that could be
9 referenced in some of these documents?

10 A. That's correct.

11 Q. And why is it that you destroyed some
12 and not others?

13 A. Well, the big 800 file was kind of a
14 standalone thing, but the emails were -- they were
15 just in the system. The -- we didn't have a lot of
16 files, ever, in this case. A lot of it was oral
17 conversations or discussions with people and
18 sharing that information with Gregg Roman.

19 Q. And a lot of -- you told me earlier, I
20 mean, Gregg Roman directed you to make most of the
21 communications orally; right? It was, tell me what
22 it is.

23 A. Almost -- I don't ever remember him
24 telling us not to make it oral, not to -- not to --
25 and -- and the thing in the document you just read,

1 this kind of looked like boilerplate stuff. We
2 never had any videos, for example, in the thing you
3 just read to me.

4 Q. Okay. So -- it's always the problem
5 with a lawyer saying I only have one question or
6 two questions.

7 Is it fair to conclude then that
8 everything you've produced in this case as it
9 relates to documents are documents that you've just
10 been able to go onto your computer and print and
11 regenerate them because you don't have a file
12 anymore?

13 A. That's correct.

14 Q. Okay. So you destroyed everything, but
15 some of --

16 A. No, no. I'm sorry. That's not
17 correct.

18 Q. Okay.

19 A. We made a copy of everything --
20 everything that we had we made a copy of. The
21 emails, for example, in discovery, you have all of
22 those.

23 Q. Yeah. And it's probably my fault in
24 how I'm asking the question.

25 So I am -- and you just referenced the

1 DNR file, the standalone file. Here it is. It's
2 sitting on the shelf.

3 A. That's right.

4 Q. And sometimes you may print off an
5 email and stick it in a standalone file or
6 sometimes it may just be still on the computer,
7 accessible, but it hasn't been put in the
8 standalone file.

9 A. There is a standalone file for Gregg
10 Roman --

11 Q. Okay.

12 A. -- and the GSS, and that's where the
13 copies that you received came from.

14 Q. All right. So you destroyed some
15 standalone files or some portions of standalone
16 files but not all of the standalone files.

17 A. If you call an email folder a
18 standalone file, then -- we still have standalone
19 files. I mean physical -- the electronic files
20 that are labeled GSS, Gregg Roman. We still have
21 them, but I believe you got a copy of everything.

22 Q. Okay. But you only still have them
23 because they're on the computer.

24 A. That's right.

25 Q. They're electronic.

1 A. That's right.

2 Q. And the materials and the notes and the
3 things that are not solely on the computer or are
4 stored electronically, like the DNR file, you've
5 since destroyed those kinds of things.

6 A. That's right.

7 Q. And you have no standalone file, as
8 here are the materials we were working for back
9 during whatever point in time we were working on
10 these materials.

11 A. (Moves head from side to side.)

12 Q. That's all gone.

13 A. No. As you -- as you -- physical -- a
14 physical standalone file?

15 Q. Yes, sir.

16 A. That's correct.

17 Q. And the documents that you've produced
18 in this case you're only able to generate because
19 you have gone to places like your email and gone
20 through and looked for or where you may have saved
21 the client contact log --

22 A. Yeah, that's where -- that's where all
23 of this came from, yes.

24 Q. Not because it was printed and in a
25 shelf somewhere.

1 A. No, no.

2 Q. Okay.

3 MR. TINSLEY: I think that's all the
4 questions I have for you right now. Thank you.

5 MR. MOORE: John, are you going, or do
6 you want me to?

7 MR. GRANTLAND: Go ahead.

8 MR. MOORE: All right.

9 EXAMINATION

10 BY MR. MOORE:

11 Q. So, Mr. Fratoddi, I'm going to try to
12 be as brief as I can be, okay?

13 If I ask you a question and you don't
14 understand it, please tell me you don't understand
15 it, okay, so that I can correct it, all right?

16 A. Sure.

17 Q. So I don't think Mr. Tinsley asked you
18 a whole lot of background questions about your
19 background. I mean, you have a background in law
20 enforcement before you came to be a private
21 investigator; is that right?

22 A. That's correct.

23 Q. Tell us -- tell me a little bit about
24 that.

25 A. I started my career as a local police

1 Afghanistan.

2 Q. All right. And so that's what took you
3 to Afghanistan you talked about -- talked about
4 with Mr. Tinsley earlier; is that right?

5 A. That's correct.

6 Q. All right.

7 MR. MOORE: So extra copies of the
8 complaint, Mr. Ricard. Copy for you, copy for the
9 court reporter. I guess mark this as Parker's
10 Exhibit 1, Madam Court Reporter, if you don't mind.

11 THE REPORTER: Okay.

12 (PARKER'S EXHIBIT 1, Summons and
13 Complaint in the Civil Conspiracy/Outrage Case
14 dated 12-3-21, marked for identification.)

15 MR. TINSLEY: Do you want me to just
16 put a number, a 1 on it?

17 THE REPORTER: Yes, sir. Thank you.

18 MR. TINSLEY: All right.

19 THE WITNESS: Thank you.

20 MR. TINSLEY: Yes, sir.

21 BY MR. MOORE:

22 Q. So, Mr. Fratoddi, this is a copy of the
23 summons and complaint that was issued in this case
24 naming you, Mr. Rosado and others as a defendant;
25 correct?

1 got a fair shake.

2 Q. Okay. Now you mentioned Dana Motley,
3 and she was a part of your team; correct?

4 A. That's correct.

5 Q. You told me she was -- you told
6 Mr. Tinsley she was paid approximately how much to
7 work for you?

8 A. I remember the three of them made 500.
9 There may have been something else, but about \$500.

10 Q. \$500 each; is that right?

11 A. Yeah.

12 Q. And you didn't ask her to create any
13 sort of fake media profiles, did you?

14 A. No.

15 Q. Okay. She didn't tell you she was
16 creating fake media profiles, did she?

17 A. No.

18 Q. Okay.

19 MR. MOORE: Mr. Fratoddi, thank you so
20 much. I appreciate you answering my questions.

21 THE WITNESS: Thank you, sir.

22 EXAMINATION

23 BY MR. TINSLEY:

24 Q. If Ms. Motley told you that she was
25 going to create some fake account in this case --

1 A. No.

2 Q. If -- I didn't finish my question. I
3 know that you're anxious to deny a lot of things.

4 But if she told you she was going to
5 create a fake account, would you have instructed
6 her not to do it?

7 A. Yes.

8 Q. Okay. And if -- the denial of all the
9 allegations that Mr. Moore read to you, you would
10 agree with me that if none of those things were
11 true, you wouldn't have had to lie today; right?

12 A. I didn't lie today.

13 MR. MOORE: Objection to form.

14 BY MR. TINSLEY:

15 Q. You wouldn't have to lie; correct?

16 A. That's correct.

17 MR. GRANTLAND: Object to form.

18 BY MR. TINSLEY:

19 Q. Okay. Yeah. And he asked you did you
20 do anything for Parker's.

21 When you read The Wall Street Journal
22 article that talked about what Mr. Parker says,
23 that you were working for him, did you ever reach
24 out to Gregg Roman and say, hey, why does he say
25 that?

1 A. No.

2 MR. MOORE: Objection to form.

3 BY MR. TINSLEY:

4 Q. You didn't reach out to anyone else.

5 We asked -- I asked you about that
6 earlier; right?

7 A. Gregg Roman.

8 Q. You asked Gregg Roman why Greg Parker
9 said that?

10 MR. MOORE: Objection to form.

11 THE WITNESS: No, I didn't -- I
12 didn't -- I didn't -- we asked Gregg Roman -- we --
13 that's not true. We work for you. Our contract is
14 with you.

15 BY MR. TINSLEY:

16 Q. You did do that?

17 A. Yes.

18 Q. Okay. So how did you do that?

19 A. A phone call.

20 Q. Phone call after August the 13th.

21 A. If that's the date of the, you know --

22 Q. It's the date of the article. August
23 13th, 2022.

24 A. (Moves head up and down.)

25 Q. All right. What did he say?

1 A. You work for me. Your contract is with
2 me.

3 Q. Well, I get that. I get that. I mean,
4 y'all went to great lengths to set up straw men and
5 things.

6 A. (Moves head up and down.)

7 Q. You're nodding your head yes, but in
8 terms of who the benefactor was, who this was
9 ultimately for, you can't say it wasn't for Greg
10 Parker or Parker's, can you?

11 MR. MOORE: Objection to the form of
12 the question.

13 THE WITNESS: I can't say it was or was
14 not for Greg Parker.

15 BY MR. TINSLEY:

16 Q. You can't say that any of the things
17 that are alleged in terms of what we allege against
18 Mr. Parker or what people working for Mr. Parkers
19 [sic] did.

20 You can only speak to what you did;
21 right?

22 A. That's correct.

23 Q. And one of the things you testified
24 under oath is you didn't have anything to do with
25 or -- and no discussions about the mediation;

1 right?

2 A. That's correct.

3 Q. No time.

4 A. No time.

5 Q. Because that mediation wouldn't have
6 been relevant in any way, shape or form to the work
7 you were doing.

8 A. No, it would not have interfered with
9 the logical, traditional investigation to look at
10 how the investigation was conducted. Yeah.

11 Q. And you never had any conversations
12 with Gregg Roman about the mediation.

13 A. No.

14 MR. TINSLEY: What's the next exhibit
15 for me?

16 MR. MOORE: I believe it's 6.

17 THE REPORTER: Yes.

18 (EXHIBIT 6, Email Chain to Ms. Motley,
19 et al., from Mr. Fratoddi dated 10-20-20, marked
20 for identification.)

21 BY MR. TINSLEY:

22 Q. I'm going to show you, Mr. Fratoddi,
23 what I've marked as Exhibit 6, which is an email
24 from you dated October the 20th, 2020, 2:18 PM, and
25 the subject is:

1 Mallory Beach boat crash death civil
2 suit may go to trial, Hilton Head Island Packet.

3 It's to Dana Motley, to -- who is that?
4 Who's that next person? Is that Eric? Who is
5 the -- oh, that's --

6 A. Eric De Van would have been one of the
7 team members.

8 Q. Okay. Henry Rosado and then Eric and
9 there was the Beth woman, I think. And so on
10 October the 20th, 2020, after an article had
11 appeared, Dana contacted you about the fact that
12 the mediation had failed, and you said:

13 The mediation failure isn't actually
14 new. (Gregg -- with two Gs -- shared it with me
15 recently), but this is the first I've seen it in
16 the media.

17 A. Excuse me. (Perusing.) The print's a
18 little light. I'm trying to -- I don't have my
19 glasses with me, but...

20 Q. Which print is it that you need help
21 with?

22 A. The print beneath my name. Dana, then
23 Max, and then just beneath that.

24 Q. Oh. I think it says --

25 A. The good morning.

1 Q. It says Mallory Beach boat crash death
2 civil lawsuit may go to trial. You're talking
3 about the subject?

4 A. Yeah, I can read the black, the darker
5 stuff up above. Beneath my name it's October 20th,
6 2020. Good morning.

7 Q. Oh, Dana's email to you.

8 Good morning. This showed up in the
9 morning's media scrape.

10 And that's because she was collecting
11 everything and being paid to collect everything
12 that appeared in the media or social media related
13 to a whole host of people, right, and subjects?

14 MR. MOORE: Objection. Objection to
15 form.

16 THE WITNESS: Dana was -- her expertise
17 was social media, and her job was to look at the
18 media reports relevant to the accident and the
19 investigation. That's what her specialty was and
20 that's what she did.

21 BY MR. TINSLEY:

22 Q. But the media -- I understand what she
23 did --

24 A. Sure.

25 Q. -- and what her specialty is and I get

1 you might not want to acknowledge, but what she was
2 specifically tasked with was this media scrape,
3 which included to catch every reference and --
4 well, to a number of people. There's a whole page.
5 There's a whole description of what you all tasked
6 her to do.

7 A. Yeah, I agree.

8 Q. Yeah. And it was every reference in
9 media or social media related to every -- damn near
10 every person and everything Murdaugh, boat crash.
11 Everything.

12 That's what the media scrape she's
13 referring to is; right?

14 A. Yes.

15 Q. Yes. And that was a part of the things
16 that were being done online in keeping up with the
17 information. And this was in October of 2020. And
18 she sees the article that says that the mediation
19 has failed and she sends it to you and you say
20 that:

21 The mediation failure isn't actually
22 new, parentheses, Gregg shared it with me recently.

23 So the truth is, you did have a
24 conversation with Gregg Roman about the mediation;
25 right? This is your document I'm showing you.

1 A. It is. It is my document, yeah.

2 (Perusing.) I'm not sure -- was there -- was there
3 more than one mediation? I'm not sure on that.

4 Q. Did you discuss more than one mediation
5 with Gregg Roman?

6 A. No.

7 Q. Okay. But the truth is, is that
8 contrary to what you just testified under oath, you
9 did have a conversation with Gregg Roman about the
10 mediation; right?

11 A. This says that.

12 Q. Yes. And that conversation is not
13 memorialized in documents that we could actually
14 see for ourself what all you talked about and what
15 all was going on; right?

16 A. You're right.

17 Q. Yeah. The -- help me understand --
18 because I think you said it, although Mr. Moore
19 glossed over it.

20 You're saying -- you're suggesting that
21 you served some papers for -- that were requested
22 to be served by a different process server and you
23 all contracted with that process server and served
24 it for my office or Mr. Vaux's office.

25 A. I'm going to have to refer to my

1 MR. MOORE: I just have, I think, one
2 follow-up request question. And I'm not sure
3 that -- is the Zoom button on? Because they may
4 not be getting sound.

5 THE REPORTER: They should be.

6 MR. MOORE: Okay. All right.

7 MR. TINSLEY: It's not muted. I don't
8 know why they're not getting it, because they
9 missed some good stuff if they are.

10 EXAMINATION

11 BY MR. MOORE:

12 Q. All right. So let me ask you this
13 question: Mr. Tinsley just asked you -- first of
14 all, how old are you, approximately?

15 A. 77.

16 Q. Okay. All right. And you can't
17 remember every single detail of every single
18 conversation you ever had; is that right?

19 A. That's for sure.

20 Q. And so let me ask you this: The
21 conversation with Mr. Roman about this mediation
22 was not so significant or substantive that you
23 really remember it today; is that right?

24 A. I see what it -- see what it is and
25 what it says. I don't remember it.

1 Q. Okay. You didn't get a copy of the
2 mediation video itself, though, did you, sir?

3 A. No.

4 Q. Okay. Never seen it, never heard it,
5 never disseminated it; is that right?

6 A. That's correct. That's correct.

7 MR. MOORE: I don't have any further
8 questions.

9 EXAMINATION

10 BY MR. TINSLEY:

11 Q. And we have to take your word for that;
12 right?

13 A. Yes.

14 MR. TINSLEY: Okay.

15 THE VIDEOGRAPHER: Any further
16 questions?

17 MR. GRANTLAND: No, no questions.

18 THE VIDEOGRAPHER: This concludes the
19 deposition of Max Fratoddi. We are off the record
20 at 2:53.

21 (The right to read and sign this
22 transcript was not waived.)

23 (The deposition was concluded at
24 2:53 PM.)
25

1 STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

2 COUNTY OF HAMPTON

3 RENEE S. BEACH, PHILLIP BEACH,
4 ROBIN BEACH, SAVANNAH TUTEN,
and SETH TUTEN,

5 Plaintiffs,

6 vs. Case No. 2021-CP-25-00392

7 GREGORY M. PARKER, GREGORY M.
PARKER, INC. d/b/a PARKER'S
8 CORPORATION, BLAKE GRECO,
JASON D'CRUZ, VICKY WARD,
9 MAX FRATODDI, HENRY ROSADO
and PRIVATE INVESTIGATIONS
10 SERVICES GROUP, LLC,

11 Defendants.

12
13 VIDEOTAPED

DEPOSITION OF: HENRY ROSADO

14 DATE: September 30, 2025

15 TIME: 3:00 PM

16 LOCATION: Vaux Marscher Berglind, PA
17 1251 May River Road
Bluffton, SC

18 REPORTED BY: Sandra K. Bjerke, RDR, CRR, CBC

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20
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18 Blake Greco, General Counsel (Via Zoom)
19 Tyler Tam, Videographer
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21
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23

24 (INDEX AT REAR OF TRANSCRIPT)
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1 THE VIDEOGRAPHER: We are on the record
2 at 3 o'clock. Today's date is September 30th,
3 2025.

4 This is the beginning of Media 1 in the
5 deposition of Henry Rosado in the matter of Renee
6 S. Beach, et al., versus Gregory M. Parker, et al.,
7 filed in the Court of Common Pleas, 14th Judicial
8 Circuit, State of South Carolina, County of
9 Hampton, Case No. 2021-CP-25-00392.

10 This deposition is taking place at 1251
11 May River Road, Bluffton, South Carolina.

12 My name is Tyler Tam and I'm the
13 videographer. The court reporter is Sandra Bjerke.

14 Counsel, please state your appearance,
15 including who you represent, beginning with the
16 plaintiffs' counsel.

17 MR. TINSLEY: This is Mark Tinsley, and
18 I'm here along with John Nichols and Tabor Vaux.
19 We represent the Beach family.

20 MR. GRANTLAND: This is John Grantland.
21 I represent Henry Rosado, Max Fratoddi and Private
22 Investigative Services Group.

23 MR. MOORE: This is Mark Moore. I'm
24 from Maynard Nexsen. I'm here with Rhett Ricard
25 from my firm, and Debbie Barbier here is on the

1 Zoom. We represent the Parker defendants.

2 THE VIDEOGRAPHER: Will the court
3 reporter please swear in the witness.

4 HENRY ROSADO,
5 being first duly sworn, testified as follows:

6 EXAMINATION

7 BY MR. TINSLEY:

8 Q. All right. Good afternoon. Have you
9 ever done this before?

10 A. Yes.

11 Q. Okay. How many times?

12 A. It's a long time ago. Couple of times.
13 Maybe three or four times.

14 Q. All right. And it's now 3 o'clock, and
15 I think we started around 9 AM this morning. We
16 haven't stopped for lunch.

17 But you watched me ask questions of
18 your business partner, Mr. Fratoddi; correct?

19 A. Yes.

20 Q. All right. So you've got an
21 understanding about the way this goes.

22 A. Yes.

23 Q. And if at any time I ask you a question
24 that doesn't make sense, you need me to repeat it
25 or rephrase it or you have some question about it,

1 you stop me and ask for whatever clarification that
2 you need to make sure you've understood my
3 question, okay?

4 A. Yes.

5 Q. And do you feel well enough to give
6 your deposition?

7 A. Yes.

8 Q. All right. How long have you known
9 Mr. Fratoddi?

10 A. Oh, I would say since 2012, 2011, give
11 or take.

12 Q. Okay. And between the two of you,
13 who's the more detail-oriented person?

14 A. Oh, I'd have a hard time -- I don't
15 know.

16 Q. Which one of you is in charge of the
17 finances and the accounting?

18 A. He is.

19 Q. He is. And it remains that way today;
20 right?

21 A. Yeah, more or less.

22 Q. And have you ever seen any issues with
23 his ability to recall things or understand things?

24 A. No. The only issue is hearing.

25 Q. Yeah.

1 A. Sometimes he gets confused with the
2 hearing.

3 Q. Right. You sat through his deposition
4 and you made notes and when you were making notes
5 or -- and as you were listening, were there things
6 that you heard him testify to that you disagreed
7 with?

8 A. I wouldn't say disagree but probably
9 can use some clarifications, but I can't pinpoint.
10 You'd have to be more specific.

11 Q. Okay. Well, tell me what it is that
12 you think would need some clarification.

13 A. Well, I don't know specifically.
14 There's a lot of information passed and a lot of
15 questions, but, you know, I mean, with my
16 recollection right now, there were some things that
17 need -- like, for example, you say that we didn't
18 keep records or didn't -- you didn't say keep
19 records, but there wasn't enough information or so
20 on and so forth, but we're in the business of
21 confidentiality.

22 So if a client doesn't want a report,
23 doesn't want a report. If a client just wants an
24 oral report or a report, it's not that we're being
25 in any way evasive or, you know, doing anything

1 illegally. It's just that this is the business
2 that you're in, confidentiality, so...

3 Q. Do you need your notes to help refresh
4 your recollection in terms of what it was that you
5 made concerns -- had some concerns about?

6 A. No. Those notes are not that good, to
7 be honest with you.

8 Q. Okay. I'm going to ask you not to
9 destroy those notes. I'm going to request the
10 notes.

11 A. Well...

12 MR. GRANTLAND: He wrote them to me.

13 THE WITNESS: Yes.

14 BY MR. TINSLEY:

15 Q. Okay. Well, I'm still going to request
16 them. You can assert that, but I'm going to
17 request them, that you wrote them.

18 A. Um-hum.

19 Q. All right. Okay. Well, even if I
20 don't ask you about them, if you need to refer to
21 your notes, you're happy -- and I won't -- if
22 they're truly for him, I won't ask you about them,
23 but if you need to refresh your recollection at any
24 time, you're welcome to do that.

25 A. Um-hum. I'll try my best.

1 Q. All right. So nothing glaring that
2 sticks out at you that you thought, oh, no, that's
3 incorrect.

4 A. Nothing sticks out at me unless you
5 have a specific question or an issue, no.

6 Q. Okay. Help me understand what you were
7 just talking about, the confidentiality. So let me
8 explain. Let me do this. So here's my thing;
9 right?

10 In a civil conspiracy when you have
11 people who are doing things secretly for an illegal
12 purpose, everybody involved in the activities may
13 or may not be involved in every one of the
14 activities.

15 Do you follow me?

16 A. Um-hum.

17 MR. MOORE: Objection to form.

18 BY MR. TINSLEY:

19 Q. You have to say --

20 A. I follow you.

21 Q. Okay. And the problem that I think
22 is -- I sit here and I listen to you two is that --
23 I mean, it's apparent that, for instance, he was
24 having conversations with Gregg Roman about the
25 mediation and what happened in the mediation.

1 Do you dispute that?

2 MR. MOORE: Objection to form.

3 THE WITNESS: Well, I think it's a
4 matter of timeline. I don't know if you're
5 having -- if a conversation means that there was
6 mediation, then we had a -- he had -- but the
7 specifics of the -- what was going on in the
8 mediation, it's a different conversation.

9 BY MR. TINSLEY:

10 Q. Well, what he wrote down was, is that
11 the failure of the mediation was not new
12 information because Gregg had already told him,
13 okay?

14 A. (Moves head up and down.)

15 Q. So -- but I'm going to get to my point.
16 My point is, is that if you are
17 collecting information, if you are helping Gregg
18 Roman, who clearly works for Greg Parker -- I mean,
19 Greg Parker's testified or stated it twice. Not
20 testified. He hasn't testified at all. But he's
21 publicly stated it twice.

22 MR. MOORE: Objection to form.

23 BY MR. TINSLEY:

24 Q. And if you are helping him do certain
25 things, get certain information but you don't

1 necessarily know the why or how it factors in, I
2 don't understand why you all would not be honest
3 about the parts that you did do.

4 MR. MOORE: Objection to form.

5 MR. GRANTLAND: Object to form.

6 BY MR. TINSLEY:

7 Q. Do you see what I'm saying?

8 A. Well, I think --

9 Q. But do you understand what I'm saying?

10 A. I understand your question. Or I think
11 I do.

12 Q. Okay.

13 A. So it's -- if I'm having a conversation
14 with someone, okay, and I -- I don't know what this
15 someone is -- else is doing with his business or
16 his -- other parts of his business where I'm
17 completely out of the picture but he's sharing some
18 information with me, well, he shared some
19 information, which is general information.

20 Me, I -- Max can tell you. I kind of
21 avoid the press, you know. It's a lot of innuendo,
22 it's a lot of fluff and so on and so forth, and you
23 never know, you know, who's exaggerating.

24 We don't even know the dates or the
25 exact time that this, quote/unquote, mediation or

1 it came out in the press. Sometimes the press
2 comes out with stuff that is not exactly accurate
3 either.

4 Q. Well --

5 A. So I don't know that.

6 Q. And that's a fair point, that the press
7 might come out with something, but that wasn't what
8 he said in the email that we marked, and you're
9 welcome to look at it. I'm not specifically asking
10 you about that.

11 A. Yeah.

12 Q. What I'm suggesting to you is, I mean,
13 if you're helping Greg Parker, as he said in The
14 Wall Street Journal, do opposition research into
15 Alex Murdaugh -- or Alex Murdaugh and whoever
16 that's involved in corruption in the 14th Circuit,
17 why not own that?

18 MR. MOORE: Objection to form.

19 THE WITNESS: Well, you said if we are.

20 BY MR. TINSLEY:

21 Q. Yeah.

22 A. The fact is that we weren't. We had no
23 idea that Gregg Roman was associated with Parker's
24 at the time we're doing this. So I don't see the
25 connection. I mean, you're -- just guilt by

1 association? Then I guess you --

2 Q. Well, and in the course of what you and
3 I are discussing now, no. The guilt is by the fact
4 that you say under oath one thing but then the
5 documents show something different.

6 And so it is the manifestation of these
7 false statements that leads me, the lawyer -- look,
8 when I filed this lawsuit in December, I don't know
9 everything I know now. This is the information
10 that I have, here's what I think happened, and we
11 make certain allegations.

12 But when you are having lawyers hired
13 for you who won't say who are paying them and they
14 get out once the question gets asked, and then you
15 two -- not you, but him -- come then and testifies
16 under oath one way when the documents show
17 something different, it leads me as the person
18 who's advocating a position to believe that you
19 were involved.

20 MR. MOORE: Objection to form.

21 MR. GRANTLAND: Object to the form.

22 THE WITNESS: It may lead you that I --
23 I can't -- I can't control what -- what you --
24 these -- this information and how you absorb it and
25 how you interpret it.

1 For example, we didn't show up. You
2 asked Max why didn't we show up for the -- when we
3 got a subpoena, and we -- we were under an NDA.
4 That's why. And we contacted lawyers or got
5 lawyers to explain this to us. I mean, we have
6 some idea.

7 BY MR. TINSLEY:

8 Q. No. The truth is, is you --

9 A. Not that we're trying to evade any
10 participation.

11 Q. You didn't contact a lawyer; correct?

12 A. Well, you're right. You're right.

13 Q. Yeah. No, I know. Because, I mean,
14 I'm not trying to nitpick, but we're --

15 A. No.

16 Q. -- going to be very specific about what
17 we say here.

18 A. Right. I understand.

19 Q. A lawyer was hired for you when you all
20 reported that you had received the subpoena.

21 A. Right.

22 MR. MOORE: Objection to form.

23 THE WITNESS: Um-hum. Yes.

24 BY MR. TINSLEY:

25 Q. That's what happened, right, sir?

1 A. I believe so.

2 Q. Yeah. And that lawyer was arranged for
3 by, as far as you knew, at least Gregg Roman.

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

5 Q. And then it was Gregg Roman who
6 instructed you before the lawyer was involved not
7 to come for the deposition?

8 A. I don't recall that, who instructed us,
9 but I know that we had -- we had -- not a legal --
10 a lawyer's understanding of an NDA but enough of an
11 understanding to know that we can't violate this
12 situation until the process works itself out.

13 Q. Because you were -- they were
14 threatening you with a suit.

15 They would sue you if you violated it;
16 right?

17 MR. MOORE: Objection to form.

18 THE WITNESS: I never heard a threat.
19 I know that there's an obligation under an NDA.
20 That's the difference between that and a threat.

21 BY MR. TINSLEY:

22 Q. So you ignored the legal service of a
23 valid subpoena because your understanding was you
24 couldn't come here and answer questions because of
25 the NDA.

1 A. The best of my knowledge, yes. We were
2 trying to follow the procedure and what's available
3 to us.

4 Q. How did you do that?

5 A. Well, we did not -- we got a lawyer or
6 one was gotten for us and we consulted with
7 counsel.

8 Q. But the day that you chose not to come
9 here -- I mean, you didn't come here and say I'm
10 not going to answer those questions, I've got an
11 NDA.

12 You just -- you didn't show up at all;
13 right?

14 A. That's correct.

15 Q. Okay. Did you accompany Mr. Fratoddi
16 every trip that he made to Hampton County?

17 A. Yes, I believe so.

18 Q. Did you ever go to Hampton County on
19 your own?

20 A. No.

21 Q. About how many times do you think you
22 went to Hampton County?

23 A. I can't recall. There were several
24 times, but the exact number, I don't know.

25 Q. Were you present at every meeting that

1 Mr. Fratoddi had with Gregg Roman?

2 A. Meeting -- yes, meetings, personal
3 meetings, but not phone calls.

4 Q. Okay. How about the -- whatever
5 conversations that occurred with Vicky Ward?

6 A. I had a conversation with Vicky Ward
7 once when she first contacted us, saying that it --
8 when we were expecting her, because she was
9 referred by Roman and --

10 Q. Is that independent of Mr. Fratoddi?

11 A. Yes. She had called me. I don't know
12 how -- I guess Gregg Roman gave her the phone
13 number. We had that conversation. We said we
14 can -- we can help you out going to the different
15 addresses and who you wanted to see, and that was
16 it.

17 And then she called again, and the
18 conversation -- not -- not verbatim, but the
19 conversation was about us willing to testify
20 before -- you know, dark faces and voice not
21 recognized as to what was going on, what we did.

22 Q. Oh. That's for her sizzle reel?

23 A. I guess. I don't know what it was for,
24 but she asked, and we said unequivocally no.

25 Q. Why?

1 A. Because we don't do that.

2 Q. Gregg Roman said it was okay to do it,
3 but you all didn't feel comfortable doing it.

4 A. No, Gregg Roman didn't say it was okay
5 to do it. It wasn't his call. It was our call to
6 say we're not giving any kind of testimony under --
7 under a dark screen or with voice disruptions or
8 anything like that and giving out any of that
9 information.

10 Q. Well, so we know that Gregg Roman had
11 authorized you all to meet with The Wall Street
12 Journal, for instance.

13 MR. MOORE: Objection to form.

14 BY MR. TINSLEY:

15 Q. Right?

16 A. That's correct.

17 Q. And had also authorized you and your
18 firm to make disclosures to State Law Enforcement
19 Division, SLED; right?

20 MR. MOORE: Objection to form.

21 THE WITNESS: Yes.

22 BY MR. TINSLEY:

23 Q. You didn't make any, did you?

24 A. No. There was nothing for us -- only
25 to the extent that what we can disclose, and that

1 was it. I mean --

2 Q. Well, the only restriction in that
3 email -- and I'm happy to let you look at it -- was
4 the identity of the client.

5 A. Well, yes. You're right. However, if
6 you look at that email, it looks like he snatched
7 that out of the statutory -- you know, boilerplate
8 language from the statute.

9 Q. All right. Or some lawyer drafted it
10 for him.

11 A. Or some lawyer, but that's just one of
12 those things. Because to the best of my knowledge,
13 there was nothing for us to give because we never
14 gave him nothing. We don't have notes and stuff to
15 give to a reporter.

16 Q. Anymore.

17 A. No. We didn't have it then. We didn't
18 really have -- well, whatever we had we kept for
19 ourselves. You know, if our client wants to give
20 that out, then go ahead, have at it, but we're not
21 doing that stuff.

22 Q. Did you look at the DNR report or file?

23 A. Yes.

24 Q. You yourself.

25 A. Yes.

1 Q. Did you bill for your time too?

2 A. I was billed by the company.

3 Q. But -- I get that, but did you both
4 bill for your time for review of the file?

5 A. Each of us? You know, I don't know.

6 Q. Okay. It would make sense that you
7 would; right?

8 A. I guess so, yes.

9 Q. Yeah.

10 A. But I'm not sure the exact nuances of
11 the billing.

12 Q. Okay. And do you know Dana Motley?

13 A. I met her, yes. We --

14 Q. Still?

15 A. No. I -- we haven't -- I haven't seen
16 her in several years.

17 Q. Was she connected to Max or to you?

18 A. I forgot how -- well, Max said how he
19 met her, and that's how I met her when we did this
20 project.

21 Q. Have you spoken to her recently?

22 A. No.

23 Q. When was the last time either you or
24 Mr. Fratoddi spoke with Gregg Roman?

25 A. Oh. It's been years. I mean, this

1 whole thing basically started, when the -- you
2 know, the -- this lawsuit.

3 Q. When he -- when he reached out to you,
4 when Gregg Roman reached out to you to get you to
5 participate, talk to, work with, whatever you want
6 to characterize with Vicky Ward, did he tell you
7 that he was involved in producing the work that she
8 was working on?

9 A. No.

10 Q. When you're billing for your time, I
11 mean, there was one invoice where -- that I covered
12 with Mr. Fratoddi where I guess you all had driven
13 to the meeting on Hilton Head and then you drove
14 back. And so we had the time entry for when you
15 went there, the mileage there and then the time to
16 drive back.

17 How did you record your time in the
18 file?

19 A. Now it's coming back to me.

20 Q. Okay.

21 A. When we bill for time, we just bill for
22 time, not each -- each of us individually, and then
23 we have that. And then during the year we take out
24 moneys for our payments. That's how we do it.

25 Q. Okay. But in terms of how you bill for

1 it's a small town; right? Well, recently we got a
2 call to do an investigation by a person and we were
3 going to -- we were starting to do it, I mean,
4 getting things ready, and we found out that she was
5 represented by one of the attorneys here. So we
6 called her up and said, we can't do this. There's
7 a conflict of interest. Please contact your
8 attorney. And that was ended, but it's --

9 Q. Okay.

10 A. You know, it happens.

11 Q. So the inclusion of that entry on this
12 Beach lawsuit timeline is for what purpose?

13 A. I'm sorry. Say that again. The
14 inclusion?

15 Q. The inclusion of this August 21st, 2022
16 entry on the Beach lawsuit timeline, what was the
17 purpose of it?

18 A. I don't know. Just to show a timeline,
19 to be honest with you.

20 Q. Well, but what's -- you're not
21 suggesting that whatever service you may have
22 provided was in this lawsuit, are you?

23 A. No.

24 Q. And so it really has nothing to do with
25 this lawsuit; correct?

1 A. No, not --

2 Q. It certainly doesn't have anything to
3 do with the boat crash case.

4 A. No, absolutely not.

5 Q. All right. So why did you include it?

6 MR. MOORE: Objection to form.

7 THE WITNESS: I'm -- I don't know why
8 it was included.

9 BY MR. TINSLEY:

10 Q. Okay. And although Mr. Moore made a
11 big point that this was -- the Beach lawsuit is
12 this case that we're involved in, a lot of the
13 entries in here have to do with things that
14 happened before this lawsuit; correct?

15 MR. MOORE: Objection to form.

16 BY MR. TINSLEY:

17 Q. I mean, the whole first page...

18 A. Well, if starting in '21 when we were
19 served, when the lawsuit was initiated -- is that
20 correct? Is that what you --

21 Q. Well, the lawsuit is not filed until
22 December the 2nd, 2021. So you're not served
23 before it's filed. That's just the way it works.

24 A. Um-hum.

25 Q. So I'm -- what I'm -- the point I'm

1 making now is the whole first page is void of
2 anything that happens after that.

3 MR. MOORE: Objection to form.

4 THE WITNESS: I can't really answer
5 that, you know, intelligently, you know.

6 BY MR. TINSLEY:

7 Q. Why not?

8 A. I don't understand. I mean, I get the
9 timeline. To me it makes sense for us, you know,
10 to show what we were doing, you know, as a company
11 during the time we -- the inception of the case
12 until almost -- or at least the -- well, until now,
13 but when we were not engaged.

14 Q. Okay.

15 A. But that's the only reason why I could
16 see it's relevant.

17 Q. So February 24th, 2019, Mallory Beach
18 boating accident.

19 What does that have to do with your
20 timeline?

21 A. Well, I'll tell you what it has -- what
22 I think when we discussed.

23 Q. Okay.

24 A. We made contact with Gregg Roman
25 sometime after the boating accident, and --

1 Q. And when was that?

2 A. What, the boating accident?

3 Q. When was it you made contact with --

4 A. Well, what it says here. I mean, I'm
5 sticking with this because it seems -- without
6 getting into the minutiae, it seems properly -- the
7 timeline seems proper.

8 But we're in this -- this thing, and
9 then if I understand correctly, one of the reasons
10 why we're here is because we were -- it was alleged
11 that we came to this law office to get a space here
12 to spy and get materials on the Beach.

13 Q. Okay.

14 A. And that --

15 Q. Well, let's talk about that. You did
16 come here to get space; correct?

17 A. Yes, we did.

18 Q. And that was in -- now you've got here
19 July 10th, 2019. It says MF/HR -- so that's Max
20 Fratoddi and Henry Rosado -- visit the VMB law
21 firm. That's this law firm, Vaux Marscher Berlin;
22 right? Berglind, I mean.

23 A. Oh. Yes.

24 Q. Okay. So you came here and inquired
25 about renting the office space in this office.

1 A. Correct.

2 Q. There was no advertisement that
3 indicated that they had or rented office space, was
4 there?

5 A. Correct, there was no --

6 Q. It was just a cold call.

7 A. Yes.

8 Q. Okay.

9 A. And we went to two other law offices
10 here in town. Two or three.

11 Q. And you've listed them: the Nelson Law
12 Firm and Mikkelson.

13 A. Right.

14 Q. And if -- did you follow up with Nelson
15 or with Mikkelson in any way, email, phone call,
16 anything to document that you had done that with
17 those firms?

18 A. I don't know that we did. I know that
19 we sent one here, an email. Max might have sent
20 the email to the others, you know.

21 Q. And why was it in July of 2019, which
22 is, I think, about four years, at least, after you
23 all had been doing business, that you decided you
24 needed office space in this office?

25 A. Well, Max had the idea -- we had the

1 idea -- I shouldn't say Max -- that if we could get
2 office space we could have used it, very
3 inexpensively, and also offer our services to a law
4 firm, that that would be a good idea and that's why
5 we did it.

6 Q. All right. And so -- I mean, it was
7 actually six years. So y'all have been in business
8 for six years as of July 2019 and you had never
9 tried to lease office space in a law firm prior to
10 that date; correct?

11 A. No, but we tried to get -- we were
12 going to rent -- I don't know the -- what's that
13 service where you get office space and they handle
14 the phone calls and stuff for you? I forget
15 what -- it's a service. It's a building and people
16 do business there and they have a conference room
17 and --

18 Q. Okay. One of those WeWork kind of
19 things?

20 A. Yeah, kind of, yeah.

21 Q. But there's no indication that that was
22 going on here; right?

23 A. No, no, absolutely not.

24 Q. And those WeWork kinds of office space
25 opportunities existed in 2013 in the county of

1 Beaufort, did they not?

2 A. Yes, it did.

3 Q. And there was office space available in
4 the county of Beaufort from June -- from 2013, when
5 this entity is formed, and certainly as of July
6 10th, 2019, there is office space available to rent
7 in this county if you so desired.

8 A. Yes, there is. The only thing --

9 Q. And you all have never rented any, have
10 you?

11 A. No, because we found it too expensive.

12 Q. Okay.

13 A. And to this day we don't have office
14 space anywhere.

15 Q. Right. And so you asked three law
16 offices. You all asked Vaux Marscher, you asked
17 Nicholson [sic] and Mikkelson -- all of them are
18 right here in this Bluffton area -- about obtaining
19 office space, and you all stopped at that point.

20 A. We stopped. We haven't to this day.
21 We don't. We don't have an office space.

22 Q. You couldn't try to gain access to this
23 law office to conduct some clandestine,
24 surreptitious spying, could you?

25 A. First of all, the answer is no, and the

1 other answer to that is we wouldn't.

2 Q. Okay. You agree it doesn't look good,
3 though, does it?

4 MR. MOORE: Objection to form.

5 THE WITNESS: What doesn't look good?

6 BY MR. TINSLEY:

7 Q. Well, I mean, you've got a very
8 high-profile lawsuit, you've got a very
9 high-profile accident and you all have been in
10 business for many years and have never tried to get
11 office space and you come to this law office. It's
12 reported in the media as being involved in
13 representing the plaintiff in that case, and you
14 haven't tried to get office space anywhere else.

15 MR. MOORE: Objection to form.

16 MR. GRANTLAND: Same objection.

17 THE WITNESS: I can't control what
18 looks good and doesn't look good most of the time.
19 Most -- none of us can. But I can say that we
20 didn't -- we didn't know that Vaux's law office was
21 even involved in the Mallory Beach. We know very
22 little of it. I knew even less. So --

23 BY MR. TINSLEY:

24 Q. Whose idea was it to come here and try
25 to get office space?

1 A. Oh, both of us. We feel, well, it
2 would be a good idea. And really, just space and
3 also to get business if we could.

4 Q. Okay. And who did the talking when you
5 all came here?

6 A. Max. You know, just if you have office
7 space available, you know, how much if we can. And
8 if I recall, came here and they said no, and we
9 said, well, okay. Thank you.

10 Q. So what you'd want -- well, they said
11 more than that; right? They said we have an
12 in-house person.

13 A. Yeah, in-house investigator, that we
14 inquired. And they said, oh, yeah, we have an
15 in-house investigator. Okay.

16 Q. They told you they don't rent office
17 space; right?

18 A. Yes.

19 Q. Yeah. Did you explain to them at that
20 point in time why it was that you were trying to
21 rent office space from them?

22 A. I don't recall explaining except for
23 the fact that we wanted office space and we would
24 be glad to -- we would appreciate any business that
25 they have.

1 Q. Have you ever talked with Sarah
2 Capelli?

3 A. Yes.

4 Q. How many times?

5 A. Once.

6 Q. And when was that conversation?

7 A. It was during a SCALI meeting, which is
8 our South Carolina private investigation, legal
9 investigators conference. I think it was in Myrtle
10 Beach. One of the investigators, slash -- he owns
11 a company that sells trackers, came up to me during
12 the break and asked me are you involved in the
13 Murdaugh thing, and I said, no, not really, but,
14 you know, I didn't want to get into a conversation.

15 And he said to me there's -- there's --
16 there's a -- one of the investigator wants to talk
17 to you, which I found kinda -- oh. We're on a
18 break. We're all talking. She would like to talk
19 to you. And I said, oh, okay. Sure.

20 And she came over. She introduced
21 herself. We stepped outside. She started asking
22 me questions. I didn't have really answers for
23 her, you know. She was telling -- she told me that
24 she was involved in the Murdaugh thing to follow
25 Paul, that she had -- that she had served -- during

1 her surveillance she served liquor or helped to buy
2 liquor for minors. And I said, well, that's not a
3 good thing, but -- and basically, that was it. I
4 don't remember the total conversation.

5 Q. And that -- but that conversation on
6 the buying the alcohol for the minors, that was to
7 find out information where Paul was; correct?

8 A. Right. That was, you know...

9 Q. And so is this conversation that you
10 have before the murders, to your knowledge?

11 A. It was before the murders.

12 Q. Okay.

13 A. If I remember, yeah.

14 Q. And do you know how it was that she
15 came to know that you were involved in, as you
16 said, Murdaugh?

17 A. I don't know. Must be scuttlebutt. It
18 wasn't directly from us. You know, the other
19 investigators kinda knew about it, that we were
20 down here and so on and so forth, but not anything
21 specific, you know.

22 Q. Okay.

23 MR. TINSLEY: Do you have questions?

24 MR. MOORE: Just a couple. When I say
25 a couple, a few.

1 A. Yes.

2 Q. Okay. To be in a conspiracy you have
3 to have a bad purpose; right?

4 A. Yes.

5 Q. Okay. Did you have any sort of bad
6 purpose here with respect to the Beach family?

7 A. Absolutely not.

8 Q. Okay. Did you do what you did because
9 Greg Parker hired you and Mr. Fratoddi to research
10 things about the Murdaughs in furtherance of
11 whatever journalistic endeavor he was engaged in?

12 A. That's our --

13 Q. Let me recorrect -- let me correct
14 myself. Or that he said he was engaged in?

15 A. That's our understanding, my
16 understanding, yes.

17 Q. Okay.

18 MR. GRANTLAND: You said Parker.

19 MR. MOORE: I meant Roman. Sorry.

20 Thank you for correcting me. Roman. Beg a moment.

21 Thank you. I'm done.

22 EXAMINATION

23 BY MR. TINSLEY:

24 Q. Let me ask you this: Do you have
25 children?

1 A. Yes, sir.

2 Q. Do you think it's a stretch that the
3 family would be hurt by the release of this girl's
4 dead body photos publicly?

5 MR. MOORE: Objection to form, scope.

6 THE WITNESS: Absolutely. And I'll add
7 that I understand that you have to do your job,
8 representing your clients, and I understand -- I'm
9 not a lawyer, but I understand the legal process.

10 But when I read this, it was insulting.
11 But I understand what you're -- what you're trying
12 to do. I don't agree with it, but this is
13 insulting for me, because like you say, I have a
14 daughter.

15 BY MR. TINSLEY:

16 Q. Well, but -- and I appreciate that if
17 you're not involved, but the fact that it happened
18 is the point.

19 A. It's awful.

20 Q. Right?

21 MR. MOORE: Objection to the form.

22 THE WITNESS: Um-hum.

23 BY MR. TINSLEY:

24 Q. Well, I mean, there's no dispute that
25 it happened. You understand that; right?

1 A. My understanding, that's -- yes.

2 Q. Yeah. And you're just saying that
3 certainly that part of it you were not involved in
4 and wouldn't be involved in as it relates to those
5 photos of her body.

6 A. That's correct.

7 Q. Yeah. Having been hired to do whatever
8 research that you all did, is there any way that
9 you think that those photos of her dead body in
10 that marsh are in any way relevant to anything
11 involving the lawsuit against Mr. Parker, the
12 corruption of the Murdaugh family or any of the
13 other things that you were looking into?

14 A. Totally --

15 MR. MOORE: Objection to form.

16 THE WITNESS: I'm sorry.

17 MR. MOORE: You can answer.

18 THE WITNESS: Totally irrelevant.

19 BY MR. TINSLEY:

20 Q. And despicable. Do you agree?

21 A. Absolutely.

22 MR. MOORE: Objection to form.

23 BY MR. TINSLEY:

24 Q. It exceeds the bounds of human decency.

25 Do you agree?

1 A. I agree. And if -- and if I was asked
2 if I had them in my possession, which I didn't, and
3 I was asked to do it, I would absolutely refuse to
4 do it.

5 Q. And I appreciate that. And the person
6 who did it ought to be punished, don't you agree?

7 A. Well, that's up to the system. I
8 don't...

9 Q. You don't agree with that part.

10 A. Well, no. If someone did something
11 wrong, let the cards fall where they may.

12 Q. Okay.

13 MR. TINSLEY: All right.

14 MR. MOORE: I have a couple follow-ups
15 to that, if you don't mind.

16 EXAMINATION

17 BY MR. MOORE:

18 Q. As you sit here today, you don't have
19 any evidence that Greg Parker was directly involved
20 in any of that, do you, sir?

21 A. Absolutely not.

22 Q. Okay. And you don't have any evidence
23 that Blake Greco was involved in any of that, do
24 you, sir?

25 A. No, I don't.

1 Q. And you don't have any direct
2 information or direct evidence that Mr. D'Cruz was
3 in any way involved in that.

4 A. No, I don't.

5 Q. Or knowingly involved in the allowing
6 of the mediation video to be leaked to Vicky Ward
7 or any pictures to be leaked to Vicky Ward, do you,
8 sir?

9 A. No, I don't.

10 MR. MOORE: Thank you.

11 EXAMINATION

12 BY MR. TINSLEY:

13 Q. Well, you understand -- did you watch
14 Gregg Roman's documentary, what he just said was
15 Vicky Ward? Did you watch it?

16 A. No. I wouldn't watch it.

17 Q. You didn't see and you wouldn't watch
18 it?

19 A. I wouldn't watch it. I was told about
20 it, and to this day I could tell you I -- I don't
21 know if it's existing, but I -- I did not see it.

22 Q. But you know that he's in it; right?

23 A. Who's in it?

24 Q. Gregg Roman.

25 A. I didn't know that.

1 Q. Did you know that he's executive
2 producer of it?

3 A. I found out about it later. I don't
4 know when. That somehow he was a -- I think
5 through Vicky Ward's affidavit or something, I --
6 you know.

7 Q. All right.

8 MR. TINSLEY: Thank you. That's all I
9 have. Thank you.

10 MR. GRANTLAND: No questions.

11 THE VIDEOGRAPHER: Nothing further?
12 This concludes the deposition of Henry Rosado. We
13 are off the record at 3:44.

14 (The right to read and sign this
15 transcript was not waived.)

16 (The deposition was concluded at
17 3:44 PM.)

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