

EXHIBIT 15

Deposition Transcript of Michael Pak

In the Matter Of:

Estate of SHANNAN GILBERT , etc. vs CHARLES PETER HACKETT, D.O., etc.

MICHAEL PAK

February 19, 2019



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2 SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF SUFFOLK

3 -----X

4 ESTATE OF SHANNAN GILBERT BY SHEREE GILBERT
and FRANCES NICTORA, CO-ADMINISTRATRICES and
5 ESTATE OF MARI GILBERT BY SHEREE GILBERT,
ADMINISTRATRIX,

6

7 Plaintiffs,

8 -against-

9 CHARLES PETER HACKETT, D.O., aka
10 C. PETER HACKETT, D.O.,

11

12 Defendant.

13 -----X

14 122 North Country Road
Miller Place, New York

15 February 19, 2019
12:30 p.m.

16 EXAMINATION BEFORE TRIAL of MICHAEL PAK, a
17 Non-Party Witness herein, taken by the
18 Plaintiffs in the above-entitled action, held
19 at the above time and place, pursuant to
20 Subpoena, before a shorthand reporter and
21 Notary Public within and for the State of New
22 York.

23 ACCURATE COURT REPORTING SERVICE, INC.
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24 PORT JEFFERSON, NEW YORK 11777
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2 A P P E A R A N C E S : 3 RAY, MITEV & ASSOCIATES Attorneys for Plaintiffs 4 122 North Country Road Miller Place, New York 11764 5 BY: JOHN RAY, ESQ. 6 7 A L S O P R E S E N T : 8 WILLIAM MAHONEY, Private Investigator 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	Page 2 1 MICHAEL PAK 2 between the attorneys for the respective 3 parties hereto that a copy of this examination 4 shall be furnished, without charge, to the 5 attorneys representing the witness testifying 6 herein. 7 * * * 8 (WHEREUPON, a Black and White 9 Photocopy of a Photo, consisting of one 10 page, was pre-marked as Plaintiffs' 11 Exhibit 1, for identification, as of this 12 date.) 13 (WHEREUPON, a Missing Persons 14 Report, dated June 18, 2010, consisting of 15 one page, was pre-marked as Plaintiffs' 16 Exhibit 2, for identification, as of this 17 date.) 18 (WHEREUPON, a Black and White 19 Photocopy of a Photo, consisting of one 20 page, was pre-marked as Plaintiffs' Exhibit 21 3, for identification, as of this date.) 22 (WHEREUPON, a Black and White 23 Photocopy of a Photo, consisting of one 24 page, was pre-marked as Plaintiffs' Exhibit 25 4, for identification, as of this date.)
1 MICHAEL PAK 2 S T I P U L A T I O N S 3 IT IS HEREBY STIPULATED AND AGREED by and 4 between the attorneys for the respective 5 parties herein that the sealing, filing, and 6 certification of the within examination before 7 trial be waived; that all objections except as 8 to form are reserved to the time of the trial. 9 IT IS FURTHER STIPULATED AND AGREED that 10 the transcript may be signed before any Notary 11 Public with the same force and effect as if 12 signed before a clerk of Judge of the Court. 13 IT IS FURTHER STIPULATED AND AGREED that 14 the examination before trial may be utilized 15 for all purposes as provided by the CPLR. 16 IT IS FURTHER STIPULATED AND AGREED that 17 all rights provided to all parties by the CPLR 18 cannot be deemed waived and the appropriate 19 sections of the CPLR shall be controlling with 20 respect hereto. 21 IT IS FURTHER STIPULATED AND AGREED that 22 this deposition shall be governed by Part 221 23 of the Uniform Rules for the Conduct of 24 Depositions. 25 IT IS FURTHER STIPULATED AND AGREED by and	Page 3 1 MICHAEL PAK 2 (WHEREUPON, a Black and White 3 Photocopy of a Photo, consisting of one 4 page, was pre-marked as Plaintiffs' Exhibit 5 5, for identification, as of this date.) 6 (WHEREUPON, a Black and White 7 Picture of Three Bracelets, dated April 12, 8 2011, consisting of one page, was 9 pre-marked as Plaintiffs' Exhibit 6, for 10 identification, as of this date.) 11 (WHEREUPON, a Black and White 12 Photocopy of a Photo, dated April 4, 2011, 13 consisting of one page, was pre-marked as 14 Plaintiffs' Exhibit 7, for identification, 15 as of this date.) 16 (WHEREUPON, a Black and White 17 Photocopy of a Photo, consisting of one 18 page, was pre-marked as Plaintiffs' Exhibit 19 8, for identification, as of this date.) 20 (WHEREUPON, a Photo of a Cellular 21 Phone, dated August 29, 2016, consisting of 22 one page, was pre-marked as Plaintiffs' 23 Exhibit 9, for identification, as of this 24 date.) 25 (WHEREUPON, a Photo of a Cellular
	Page 4 Page 5

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1 MICHAEL PAK 2 Phone, dated August 29, 2016, consisting of 3 one page, was pre-marked as Plaintiffs' 4 Exhibit 10, for identification, as of this 5 date.) 6 (WHEREUPON, a Photo of a Cellular 7 Phone, dated August 29, 2016, consisting of 8 one page, was pre-marked as Plaintiffs' 9 Exhibit 11, for identification, as of this 10 date.) 11 (WHEREUPON, a Photo of a Cellular 12 Phone, dated August 29, 2016, consisting of 13 one page, was pre-marked as Plaintiffs' 14 Exhibit 12, for identification, as of this 15 date.) 16 (WHEREUPON, a Photo of a Cellular 17 Phone, dated August 29, 2016, consisting of 18 one page, was pre-marked as Plaintiffs' 19 Exhibit 13, for identification, as of this 20 date.) 21 (WHEREUPON, a Photo of a Cellular 22 Phone, dated August 29, 2016, consisting of 23 one page, was pre-marked as Plaintiffs' 24 Exhibit 14, for identification, as of this 25 date.)	Page 6 1 MICHAEL PAK 2 Peter Hackett, the defendant, was notified 3 of this deposition, and he's not here. 4 So, we will proceed and -- 5 THE WITNESS: (Interjecting) Oh, 6 he was supposed to come? 7 MR. RAY: He's entitled to come. 8 He doesn't have to come if he doesn't want 9 to. 10 So, we will proceed. 11 And please note that this deposition 12 is pursuant to a subpoena served upon Mr. 13 Pak, which he has accepted the subpoena. 14 And we will proceed from there. 15 All right. I'm going to call you 16 Mr. Pak or Michael, as we go along, with 17 your permission -- 18 THE WITNESS: Oh, yeah, Mike. 19 MR. RAY: (Continuing) -- and 20 there will be a fairly lengthy series of 21 questions, Mr. Pak, that I'm going to ask 22 you. So, I'm going to ask you, please, to 23 just make sure you give a verbal answer to 24 every question, because shaking your head 25 or a sound such as um-hum is going to make
Page 7 1 MICHAEL PAK 2 (WHEREUPON, a Photo of a Cellular 3 Phone, dated August 29, 2016, consisting of 4 one page, was pre-marked as Plaintiffs' 5 Exhibit 15, for identification, as of this 6 date.) 7 (WHEREUPON, a Photo of a Cellular 8 Phone, dated August 29, 2016, consisting of 9 one page, was pre-marked as Plaintiffs' 10 Exhibit 16, for identification, as of this 11 date.) 12 M I C H A E L P A K, a non-party witness herein, 13 having been first duly sworn By a Notary Public 14 of the State of New York, was examined and 15 testified as follows: 16 EXAMINATION BY 17 MR. RAY: 18 Q Please state your name for the record. 19 A Michael Pak. 20 Q Please state your address for the record. 21 A 13301 Booth Memorial Avenue, Flushing, New 22 York 11355. 23 MR. RAY: Before I ask questions 24 of Mr. Pak, allow me, please, to make a 25 record that Mr. O'Rourke, the attorney for	Page 9 1 MICHAEL PAK 2 it troublesome with the record. 3 THE WITNESS: Right. 4 MR. RAY: So we need a good 5 record. 6 THE WITNESS: Okay. 7 MR. RAY: In addition to that, I 8 am going to note that since you're here as 9 a witness, you had a right to bring an 10 attorney, as we had told you previously, 11 and you have decided to come without an 12 attorney. Am I accurate? 13 THE WITNESS: I didn't know I 14 could bring an attorney, but that's okay. 15 I don't need one. 16 MR. RAY: In addition, if there's 17 a question I ask, which in any way you 18 have any trouble with -- that is to say 19 you disagree with it or you don't 20 understand it, or any other trouble that 21 you have with the question -- please let 22 me know that, and I'll try to adjust my 23 question accordingly; all right? Is that 24 agreeable to you? 25 THE WITNESS: Oh, yeah. Sure.

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2 Q Have you ever been deposed before?

3 A Deposed? What does that mean?

4 Q Testified under oath.

5 A In my life you mean?

6 Q Yes.

7 A I don't remember. Maybe 15 years ago.

8 I'm not sure if I was deposed.

9 Q Do you have any recollection of testifying

10 under oath anywhere, in any proceeding, in court or

11 out of court?

12 A Testifying, no. No, I don't.

13 Q As you sit here today, are you under the

14 influence of drugs, alcohol, or any other substance

15 that would alter your state of mind, such that you

16 could not answer truthfully the questions I am

17 asking you?

18 A No.

19 Q Have you failed to take any medications

20 that the failure would affect your ability to answer

21 the questions truthfully?

22 A No.

23 Q Where were you born?

24 A Seoul, South Korea.

25 Q How long have you been in the United

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1 MICHAEL PAK

2 States?

3 A Since '74. So, that's -- who's a good

4 mathematician?

5 Q All right. I'll take your answer of '74

6 as fine.

7 Are you a citizen of the United States?

8 A Yes, sir.

9 Q When did you become that?

10 A I think around 1970 -- late '70's.

11 Q How long have you lived at the address you

12 gave the court reporter?

13 A About 10 years. Ten, twelve.

14 Q Were you living at that address on May 1,

15 2010?

16 A Yes.

17 Q How old are you?

18 A Forty-nine.

19 Q I just need your date of birth.

20 A July 5, 1969.

21 Q What we'll do is, I'll ask you your Social

22 Security number for identification purposes, and

23 we'll leave on the transcript only the last four

24 digits; okay?

25 A Oh, leave out the four digits?

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1 MICHAEL PAK

2 Q No, we'll leave out all the digits except

3 for the last four. Is that agreeable?

4 A Oh, okay. Is that required the Social

5 Security number?

6 Q You have to answer my questions.

7 A Oh, okay.

8 Q So if you wouldn't mind, what is your

9 Social Security number?

10 A XXX-XX-2858.

11 Q And do you have any brothers or sisters?

12 A One brother, one sister.

13 Q Where do they live?

14 A My brother lives in Flushing, Queens, and

15 my sister lives in Manhattan.

16 Q How old are they?

17 A My sister is 51. My brother is 47.

18 Q Do you have a good relationship with your

19 brother?

20 A My brother? I play tennis with him every

21 week.

22 Q How about with your sister?

23 A Yeah, I talk to her about once every few

24 weeks.

25 Q Do your parents -- are they alive?

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1 MICHAEL PAK

2 A My mother is alive. My father passed away

3 when I was little.

4 Q Where does your mother live?

5 A Flushing.

6 Q Would you consider your family to be a

7 close family in terms of their relationship?

8 A Medium.

9 Q What does your brother do for a living?

10 A Real estate broker.

11 Q And your sister?

12 A Vice President of Operations.

13 Q For what?

14 A Insurance company, AIG.

15 Q Did you go to school here in the United

16 States?

17 A Yes, sir.

18 Q What's your highest level of education?

19 A Some -- some graduate courses. I got a

20 B.S. no -- a B -- what's the lower one? B.S. or

21 B.A.?

22 Q Well, they're both the same. B.S. is

23 science and B.A. is arts.

24 A I think B.A.

25 Q In what subject?

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2 A History.

3 Q Where? From what college?

4 A SUNY Binghamton.

5 Q When did you graduate from Binghamton?

6 A I think '93.

7 Q Where did you go to high school?

8 A Stuyvesant High School.

9 Q When did you finish high school?

10 A Eighty-seven.

11 Q Just brief employment history then from

12 high school.

13 Where did you first work after you

14 graduated high school?

15 A Right after? You mean college?

16 Q High school. Start with high school. Did

17 you work anywhere after high school?

18 A Well, after high school I went right to

19 college, and then I did some part-time jobs. I

20 think I worked at the Carousel Mall -- no, not the

21 Carousel Mall. The mall in Upstate Binghamton. In

22 Vestal. Vestal. Like, just a salesperson for a

23 clothing store.

24 Q How long did that last, more or less?

25 A Oh, not long. Maybe a year. But I've had

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1 MICHAEL PAK

2 jobs since I was, like, 10 years old. Like, you

3 know, like, I worked at Wendy's.

4 Q Well, let's take you from the time of age

5 10, until you worked at that mall that you just told

6 us about?

7 A From age 10?

8 Q Yeah. You don't have to give me every

9 detail. Just what were your jobs?

10 A I worked at the deli. Delicatessen and a

11 supermarket. My mom used to own a supermarket, so I

12 worked the deli. You know, cold cuts. Briefly, at

13 a gas station. I'm not sure the name of the gas

14 station. I worked at a real estate law office just,

15 like, clerical work. I worked at AIG about four

16 years, the insurance company.

17 Q These are all before you worked in the

18 mall?

19 A Oh, no, no, no.

20 Q That's what I'm trying to find out.

21 A Everything except AIG, I worked before the

22 mall.

23 Q When did you start working for AIG?

24 A Around '98.

25 Q What was your job at AIG?

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1 MICHAEL PAK

2 A I was a writing technician.

3 Q How long did you last there?

4 A Four years. Until 9/11. After 9/11 I

5 left.

6 Q Why?

7 A You know, after that I vowed never to work

8 there again. Well, it was closed for a while, and

9 then I vowed never to work in Manhattan again. I

10 didn't know about terrorism until then.

11 Q So is it fair to say you didn't want to

12 work at AIG any longer because of the 9/11 attack?

13 A Well, yeah, I didn't want to work in

14 Manhattan again. So, I got a similar job in Queens.

15 Q Where?

16 A Flushing.

17 Q What did you do there?

18 A It was an insurance company. What was it

19 called? Grand World Insurance Company [sic]?

20 Q I'm sorry?

21 A Grand World Insurance Agency.

22 Q And that was in Flushing?

23 A Yes.

24 Q What was your job there?

25 A I did, like, what was the title? Well, I

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1 MICHAEL PAK

2 did most, like, clerical work. Like, you know, with

3 the accounts. I talked to some of the insurance

4 companies like CNA Insurance Company, and I procured

5 some insurance. I assisted some clients -- like gas

6 stations -- for insurance.

7 Q When did that position end?

8 A Excuse me. I think I have a long hair

9 tickling.

10 When was that? Around -- I think around

11 2008. Around there.

12 Q How did it come to an end?

13 A Several reasons. I was in a car accident

14 and I wasn't -- I couldn't -- I just -- I couldn't,

15 you know -- I mean, I don't want to sound negative,

16 but one day I was like I can't do this anymore, you

17 know, because it was, like, grueling, you know.

18 Like, to break one day -- and it was a very small

19 office and the boss was, kind of, not very good.

20 Q So did you quit or did they fire you, or

21 something else?

22 A Ultimately, it was mutual, you know,

23 because all of the employees left, and so he hired

24 new ones. And then the new ones they didn't know

25 what was going on. They were not good. So, it was

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1 MICHAEL PAK

2 about time.

3 Q So just back to your college. You

4 mentioned you took some graduate courses. Where did

5 you do that?

6 A Baruch College.

7 Q What were you studying at Baruch?

8 A Just some business classes, econ. I just

9 took some...

10 Q When?

11 A Around '93? '93.

12 Q That was on 23rd Street?

13 A Twenty-seventh and Lex, yeah. 23rd and

14 Lex?

15 Q It could be 27th?

16 A Yeah, up there.

17 Q Right on Lex?

18 A I was there when they inaugurated the new

19 library, the William and Anita Newman Library.

20 Q Other than the courses at Baruch, did you

21 take any other graduate courses anywhere else, or

22 any other kinds of courses or academic training in

23 any way?

24 A Some analyst class. When I was at AIG, I

25 got a degree. I still have the certificate, the

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1 MICHAEL PAK

2 plaque, but I forgot what it says.

3 Q You have a plaque certificate in what?

4 A Business analyst. Something like that.

5 Q The car accident, what was the result of

6 that? Did that injure you?

7 A Oh, yeah. Yes. So, it's hard for me to

8 drive now. It was, like, my whole right side. And

9 I went to physical therapy, and then my lawyer said

10 it was a taxi. Taxi company.

11 Q You were in the taxi?

12 A No. I was driving, and the taxi hit me.

13 Q As a result of that, did you have any kind

14 of damage to your mind, your brain?

15 A No.

16 Q Your physical injury, was that something

17 to your right side?

18 A Yes. My whole right side from my heel to

19 my hip.

20 Q As a result of that accident, did you sue

21 somebody?

22 A Yes, I sued the taxi.

23 Q Did you receive any settlement, or did you

24 go to trial?

25 A About \$2,900.

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1 MICHAEL PAK

2 Q That's all?

3 A Because taxis, you know, they're notorious

4 for low payouts and long litigations.

5 Q How long did it remain that it was hard to

6 drive after the accident?

7 A Still. It's still hard to drive.

8 Q When did the accident occur?

9 A But it wasn't only because of the

10 accident. I had an old basketball injury from when

11 I was in my mid 20's. I was going for the ball and

12 then I slammed hard against the floor and then my

13 friends had to carry me out to the bench and then

14 after that I thought I would recover. But, like, I

15 put my leg up and then, yeah, I couldn't walk for,

16 like, a week. I couldn't stand up. And then I

17 thought -- but it didn't totally recover. I took

18 some MRI's and X-rays and they said they couldn't

19 see anything, so I have to do it again. Because

20 that was, like, a while ago.

21 Q How long ago?

22 A The X-rays, MRI's?

23 Q Basketball injury.

24 A I was 25. About 25 years ago.

25 Q The car accident, when did that occur?

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1 MICHAEL PAK

2 A I'd say -- it was a while. I was working

3 at Grand World Insurance Company [sic], so, when was

4 that? Yeah, around 10 years ago.

5 Q You mentioned you had stopped working

6 there in '08; right? Didn't you tell me that?

7 A Around there, yeah.

8 Q After you left Grand World Insurance,

9 where did you go to work?

10 A I think that's when I started driving for

11 the escorting scene.

12 Q What was the name of the agency you drove

13 for?

14 A I think it started with a "P." Prestige,

15 I think?

16 Q Do you know where it was located?

17 A I assume Manhattan, but they never told me

18 the location -- I never went to the office or

19 anything.

20 Q Do you have anything that would tell you

21 where the location was?

22 A No. Just by phone.

23 Q Did you start working for the escort

24 agency while you were at Grand World or after you

25 left Grant World?

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2 A After.

3 Q How long after?

4 A I guess a few months.

5 Q What's a few months?

6 A Three months.

7 Q So is it fair to say you began to work for

8 Prestige in -- the escort agency that is -- in 2008?

9 A Yeah, it's fair to say that.

10 Q How did you come to know of Prestige in

11 order to go to work for them?

12 A I think I found a number through

13 Craigslist or something.

14 Q Were you looking to work in that field?

15 A Oh, yeah. I thought it was interesting,

16 so I wanted to try.

17 Q What caused you to start to think about

18 being an escort driver?

19 A What caused it? I thought it would be

20 fun, you know, instead of just driving a taxi, or I

21 thought -- you know, so more flexible hours or more

22 interesting [sic] and, you know, less -- I think

23 more, like, assured schedule. Like, you know, I'd

24 have to go looking around for fares.

25 Q Were you soliciting prostitutes before you

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1 MICHAEL PAK

2 began to work for Prestige?

3 A Maybe a little bit. I tried once or

4 twice.

5 Q For yourself or for someone else?

6 A Myself.

7 Q When you made those solicitations, were

8 any of them for Shannan Gilbert?

9 A Solicitation for what?

10 Q For a prostitute.

11 A A prostitute for Shannan Gilbert?

12 Q No, for you. In other words, what I'm

13 asking you is, did you solicit Shannan Gilbert?

14 A No, never.

15 Q Do you know the prostitutes whom you did

16 solicit?

17 A Do I know them? No, not really. I mean,

18 it's pretty anonymous.

19 Q Do you know if any of them worked for

20 Prestige?

21 A No, they don't. That was before.

22 Q Any of the prostitutes that you did

23 solicit, as you sit here now, did any of them have

24 anything to do with Oak Beach or Gilgo Beach?

25 A No.

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1 MICHAEL PAK

2 Q Do you have any recollection, Michael, of

3 how many prostitutes you solicited before you went

4 to work for Prestige, more or less?

5 A Before? Maybe three.

6 Q They were all female?

7 A Yes.

8 Q Did you ever solicit prostitutes to hook

9 up the prostitutes with someone else besides

10 yourself, before you went to work for Prestige?

11 A No.

12 Q Did you ever drive any prostitutes --

13 escort them anywhere -- before you went to work for

14 Prestige?

15 A A little bit, yeah.

16 Q How did that come about? Tell me about

17 that.

18 A I think one of them, like, I asked, you

19 know, for a number or something and then she was

20 friendly, and then I think she was working with her

21 girlfriend and they started their own agency, and

22 they had, like, several phones -- like five phones

23 -- so, I just went there to hang out.

24 I think I met them during -- near the end

25 -- when I was working with Grand World Insurance

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2 Agency. And then they had drivers, but then

3 sometimes they were not available, so I drove them

4 once or twice.

5 Q To where? Do you remember?

6 A I think it was Queens Boulevard.

7 Q Did you ever drive any out to Long Island

8 outside -- to Nassau or Suffolk that is?

9 A No, no. No distances. I think it was

10 just Queens.

11 Q Are you married?

12 A No.

13 Q Were you ever married?

14 A Yes.

15 Q When were you married?

16 A I think around 15 years ago.

17 Q So 15 years ago would put us back to what?

18 A Two thousand...

19 Q 2004?

20 A Around that.

21 Q How long were you married?

22 A Very brief. I think about a year.

23 Q Were you married to a female?

24 A Yes.

25 Q Were you married in New York?

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2 A Yes.

3 Q A civil marriage, a religious marriage, or

4 something else?

5 A Civil.

6 Q In Manhattan or somewhere else?

7 A Queens.

8 Q Did you get divorced?

9 A Yes.

10 Q When?

11 A It took a while. Maybe, like, three years

12 ago, I think.

13 Q Did you live with the lady that you

14 married?

15 A A little bit.

16 Q When did you stop living with her?

17 A Same year.

18 Q As?

19 A When we were married.

20 Q You stopped living with her the year you

21 got married to her, in 2004?

22 A Oh, yeah. Yes.

23 Q Did you have children with her? Or any

24 child or children?

25 A No.

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1 MICHAEL PAK

2 Q Do you have any children?

3 A Not that I know of.

4 Q Do you know where your ex-wife has gone to

5 live?

6 A Well, last I talked to her she was in

7 Flushing, Queens.

8 Q Was she an Asian lady?

9 A Oh, yes.

10 Q Korean?

11 A Yes.

12 Q Did you know her before you came to this

13 country?

14 A No.

15 Q What's her name?

16 A Jisuk.

17 Q Can you spell that?

18 A J-I-S-U-K last name, S-O-N.

19 Q Do you know how old she is?

20 A When we were married she was 34. So --

21 was it 34? No, wait. She must be around early 40's

22 now. Yeah, early 40's.

23 Q Do you know her date of birth?

24 A I think it's December. Yeah, I think

25 December something, 1976.

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1 MICHAEL PAK

2 Q Is there something that would refresh your

3 memory? If after you leave here is there anything

4 that would refresh your memory so that we can

5 know --

6 A Oh, you want the exact date?

7 Q Yes.

8 A Maybe. I have to find the marriage

9 certificate.

10 Q That's fine.

11 So, we'll leave a blank in the transcript,

12 because you're going to get a copy of this

13 transcript.

14 A What transcript? Oh, this?

15 Q That this court reporter will make for

16 you.

17 A Oh, you're going to mail it to me?

18 Q Yes. And then you'll be able to fill in

19 blanks that I leave and send it back to me and we'll

20 give you a copy; okay?

21 A Okay. But I know it's December, 1976.

22 Q So the exact date I'll ask you to fill in

23 for me, please; okay?

24 A Okay.

25 (INSERT)

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1 MICHAEL PAK

2 Q If you have a marriage certificate, would

3 you kindly provide me a copy of it?

4 A Okay.

5 (DOCUMENT REQUEST)

6 Q Do you have a copy of your divorce?

7 A I'd have to look for it. I don't think...

8 Q If you have it, would you please provide

9 it; all right?

10 A Okay.

11 (DOCUMENT REQUEST)

12 A (Continuing) There's mold in my house.

13 Like, a lot of a mold. So they built a wall. I

14 cleaned out -- I threw out a lot of stuff. It was

15 moldy.

16 Q All right.

17 A So they broke the wall, put in a new wall.

18 I just threw out everything. So, I don't know if I

19 still have it. I didn't see it when I cleaned up.

20 Q Now, was Prestige the first place when you

21 went to work to become an escort?

22 A An escort?

23 Q An escort driver? Sorry.

24 A Yeah, if you don't count the once -- like,

25 the once or twice that I did it, yes.

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2 Q When you did it yourself, did you do it

3 for an agency, or did you just do it on your own,

4 independently, before you went to work for Prestige?

5 A I did it for my friends. Those two girls

6 I told you about.

7 Q Do you know the name of their business

8 that they had formed?

9 A They didn't have -- they weren't

10 incorporated. Didn't have a name or anything. They

11 just...

12 Q What vehicle did you use when you went to

13 work for Prestige, in order to drive escorts?

14 A I think I had an Isuzu Rodeo.

15 Q What year was it; do you remember?

16 A I think 2001.

17 Q Is it 2001? I didn't hear what you said.

18 What kind of car?

19 A Isuzu Rodeo.

20 MR. MAHONEY: Isuzu Rodeo.

21 MR. RAY: Okay. Thank you.

22 Q Is that a suburban-type vehicle?

23 A SUV.

24 Q SUV?

25 A Four-wheel drive.

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2 Q Was that the vehicle you were using on

3 May 1, 2010?

4 A No. At that time I had a Jeep Liberty.

5 Q Did you get rid of the Isuzu before that

6 date?

7 A I think it broke down. Yeah, I think it

8 only lasted five years.

9 Q For how long did you work for Prestige?

10 A Very briefly. Just -- maybe a few days.

11 Q What's a few days to you?

12 A Less than a week. Maybe three days.

13 Q How often did you drive for them during

14 that timeframe?

15 A I think only -- drive for them? Well,

16 they had us on standby waiting. And so, I don't

17 know if you call that driving, but just waiting

18 standby in the car.

19 Q Did you ever actually drive an escort for

20 Prestige?

21 A Only Shannan. Oh, wait a min. Oh. Wait.

22 There was this other escort. It was a woman from

23 Miami. She came up here or something like that.

24 Q What was her name?

25 A I don't know her name.

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1 MICHAEL PAK

2 Q Where did you find her? Through Prestige?

3 A Yeah. They told me to pick her up and

4 drive her to Brooklyn.

5 Q Pick her up where?

6 A I think either -- I think probably either

7 Astoria or Manhattan.

8 Q Did you do what they asked you to do?

9 A Yes.

10 Q Were you paid?

11 A No.

12 Q Did you ever get paid any money from

13 Prestige for work?

14 A No.

15 Q Were you paid by this lady from Miami?

16 A No.

17 Q Was she a white lady or some other race?

18 A Oh, yeah, white. Yeah, she kinda looked

19 like Shannan but older. She had blond hair, like,

20 very Miami style. I guess you would call her a

21 sexy, voluptuous type. 5'5, 130 pounds.

22 Q Was that your first experience in driving

23 an escort, driving this lady from Miami, when you

24 worked for Prestige?

25 A No. I think Shannan was the first.

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1 MICHAEL PAK

2 Q Well, you told me before -- I think you

3 said -- that you worked for Prestige only a few

4 days?

5 A Right.

6 Q And during those few days you worked, you

7 drove Shannan?

8 A Yes.

9 The first day was Shannan. She told me to

10 pick up Shannan in Astoria. She said that -- they

11 gave me an intersection to pick her up at. She said

12 put on your flashers. And then she came to the car.

13 That's where I first met Shannan. And then the

14 agency told me to wait, like, near the 59th Street

15 Bridge on the Queens side for calls.

16 Q Did you do that?

17 A Yes.

18 Q Is that how you met the lady from Miami?

19 A The lady from Miami must have been a

20 couple of days later. I don't remember where she

21 told me to pick her up, but I think it was Queens.

22 Like, the same area. Yeah, the same area.

23 Q When you picked up Shannan in Astoria, was

24 it near the 59th Street Bridge?

25 A Not far. Maybe ten minutes.

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Page 34 1 MICHAEL PAK 2 Q Where was that? Over by 32nd Street? 3 Somewhere near there? 4 A Yeah, around there yeah. Yeah, around 5 32nd and Broadway, Astoria Boulevard. Well, you 6 know New York. You're in Manhattan. 7 Q Was that the first time you met Shannan? 8 A Yes. 9 Q Did you ever hear of something called Many 10 Kisses? 11 A Never. 12 Q Did you hear of something called Peer 13 Pleasure? 14 A Pure [sic] Pleasure? I don't think so. 15 There are similar names like that. 16 Q If I told you that Alex Diaz told me that 17 you met Shannan through Peer Pleasure or Many 18 Kisses, would that be accurate? 19 A Maybe that's the same company as Prestige. 20 Pure [sic] Pleasure? Because I remember it started 21 with a "P." I don't know why, I remember it started 22 with a "P." So, maybe that's the same company. 23 Q Do you know if Prestige had names other 24 than Prestige that Prestige operated under? 25 A I don't know. Yeah, they must have	Page 36 1 MICHAEL PAK 2 Q You said they were located in Manhattan 3 somewhere? 4 A No, I'm just guessing. Around Queens, 5 Manhattan. They never told me their address. I 6 never... 7 Q Do you keep your old phone that you just 8 referred to somewhere? 9 A Yeah, yeah. It's very old now, but I can 10 try plugging it in. 11 Q What kind of phone was it? 12 A Like, a flip phone. I think -- I want to 13 say Nokia, but it might be something like that. 14 Q But you still have it, Michael; right? 15 A I think so. I think I saw it when I was 16 cleaning. I gotta look for the charger, you know, 17 the correct charger with the piece... 18 Q When did you stop using that old phone? 19 A Must have been around 2011, I want to say. 20 It must be around 2011. 21 Q Is the phone you use now, is that the 22 phone you've been using since then? Since 2011? 23 A This phone? 24 Q Yes. 25 A No. I just got this phone last year.
Page 35 1 MICHAEL PAK 2 changed their names many times, yes. 3 Q Now, as you sit here now, does Peer 4 Pleasure ring a bell for you? 5 A Pure [sic] Pleasure? 6 Q Peer, P-E-E-R, Pleasure. 7 A Oh, Peer Pleasure. I'm pretty sure I 8 never heard of that before today. 9 Q How about Pure Pleasure? 10 A Same thing. I'm pretty sure I never heard 11 of that before today, but something with a "P." I 12 guess they changed their name a few times. 13 Let me look at my phone maybe under 14 "agency." I know it starts with a "P." 15 (WHEREUPON, a brief recess was taken 16 from 1:15 p.m. to 1:16 p.m., after which 17 the following transpired:) 18 THE WITNESS: It's not in this 19 phone. Maybe in my old phone, you know, 20 the flip phones. 21 But, yeah, something agency. 22 Something with a "P." 23 Q Do you know Prestige's address back then 24 when you worked for them? 25 A No.	Page 37 1 MICHAEL PAK 2 Q Is there another phone between 2011 and 3 the phone that you got last year? 4 A Oh, many phones. 5 Q Many? 6 A Yeah. Every two years they upgrade 7 iPhones. 8 Q Do you have them? 9 A I have two of them. 10 Q And those two, is that inclusive of the 11 old phone you told us about up until 2011, or is 12 that in addition to that phone? 13 A In addition? 14 Q Yes. In other words, you said you had a 15 phone that you maintained up until 2011; a flip 16 phone. And then you just mentioned that you have 17 two old phones, as well. 18 A Right. 19 Q Is that three altogether that you have? 20 A One, two, three, four. 21 Q Four. All right. 22 And does the four include the present one? 23 A Yes. 24 Q So I am going to ask you to preserve all 25 three of those. Do not destroy them or alter them,

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Page 38 1 MICHAEL PAK 2 or in anyway modify them. Is that agreeable? 3 A Okay. 4 Q If I asked you to provide them to me, 5 would you do that? 6 A What do you mean? 7 Q Let me look at them? 8 A Oh, sure. 9 MR. MAHONEY: Do you remember the 10 numbers? The phone numbers? Did you use 11 the same number for each phone? 12 THE WITNESS: I think it was the 13 same number I have now. Yeah, must have 14 been one of two numbers. 15 Q Or if there are other numbers besides the 16 number you have now, I am going to leave a space for 17 you in the transcript to fill in the other numbers; 18 if you know them. Is that agreeable? 19 A Okay. 20 (INSERT) _____ 21 _____ 22 Q All right. After you went to work for 23 Prestige, did you ever work for any other escort 24 company or escort service company? 25 A I don't know. I don't know if the Miami	Page 40 1 MICHAEL PAK 2 A I think Fort Worth. 3 Q Texas? 4 A Texas, yes. 5 THE WITNESS: Can I ask you? 6 Like, I read that you cannot get a 7 real estate license if you have a felony, 8 or you cannot vote or serve jury duty? 9 MR. RAY: Right now that's true in 10 New York. Not in all states. 11 THE WITNESS: Okay. But then they 12 called me for jury duty, and I did both. 13 Does that mean it expired or... 14 MR. RAY: I can't answer that. I 15 don't know. 16 MR. MAHONEY: Who did you vote 17 for? 18 MR. RAY: That, I can't answer. I 19 really don't know. 20 THE WITNESS: But if I did it -- 21 if I was called for jury duty and I voted, 22 does that mean I can get a real estate 23 license? 24 MR. RAY: I don't know. I can't 25 answer that. I don't know that area.
Page 39 1 MICHAEL PAK 2 woman was the same company as Shannan. I think it 3 was, but maybe it was a different company. 4 Q But with that thought in mind, other than 5 your work for Shannan and your work with the lady 6 from Miami, did you ever work for another company, 7 besides Prestige, in suppling driving services for 8 escorts? 9 A No. 10 Q Did you ever work in any other capacity 11 for prostitutes, besides driving them? 12 A No. 13 Q Did there come a time that you were 14 convicted of a crime? 15 A Yes. 16 Q When was that? 17 A You mean in my whole life? 18 Q Yes. 19 A Convicted of a crime -- around 2003, 2004 20 misuse of passport. 21 Q Is that a conviction? A criminal 22 conviction? Misuse of passport? 23 A Yes. I think it was a felony. 24 Q Where was that conviction? Where did that 25 take place?	Page 41 1 MICHAEL PAK 2 THE WITNESS: Oh, you don't know 3 the area of, like, with a felony? That 4 law about... 5 MR. RAY: Yes, I just don't know 6 the law in that area. 7 THE WITNESS: Oh, okay. Thanks. 8 MR. RAY: Sorry. 9 Q Let me ask you -- on this conviction in 10 Fort Worth, Michael, for a misuse of a passport, was 11 that in relation to the alleged illegal 12 transportation of Asian girls to America? 13 A Well, it was a guy actually. 14 Q It was a guy? 15 A Yeah. 16 Q All right. 17 A The first was a guy. The second was a 18 girl. 19 Q And they were Asian people that were 20 coming illegally to America? 21 A Yes. Chinese, I believe. 22 Q Were you convicted for both of those 23 issues; the guy and the girl? 24 A I guess so. Because I wrote down the 25 whole thing, you know? Like, many pages describing

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2 the whole gig.

3 Q What was your connection to the guy and

4 the girl? What did you allegedly do that put you in

5 that spot?

6 A Oh, this is -- at this time I was living

7 in Ridgewood, and I just moved in with some

8 roommates, and then, like, one of my roommates she

9 -- she was, like, the manager of the whole building

10 -- it was a new building. And then something

11 happened with the building, like, something with the

12 code; the building code. So, all the tenants had to

13 move out and she gave us, like, checks to move out.

14 And then at that time -- so, I was thinking I was

15 going to move to Los Angeles because of the weather.

16 So, somebody told me that they knew someone

17 who needed, like, someone to help people from, I

18 think, China fly here. Like, just help them with

19 English through the, like, connections and stuff

20 because they're not good at English. So, they never

21 told me it was illegal. I didn't know it was

22 illegal. I thought it was legal. So, I said,

23 "Sure."

24 Then they said -- you know, because they

25 said they'd give me \$3,000. And then I asked them

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2 when I come back to America can I have -- you know,

3 can I have the flight back to Los Angeles, because I

4 want to move there. They said, "Yeah." So, I

5 thought, "Okay. So, since I want to move there I

6 might as well get a free flight to LA." So, I agreed

7 to do it. And, you know, I thought it was totally

8 legal.

9 And so, they said come to -- they said I

10 just have to help -- you know, help them go through

11 the airport and meet them at, I think, Thailand or

12 something? But then I ended up in Sri Lanka. The

13 ticket was for Sri Lanka. So, when I got there the

14 airport was really crappy. It was like a -- it was

15 like a house or something. I can't even believe it.

16 It doesn't even look like an airport. Like, the

17 customs and whatever. It was just, like, a long --

18 like, a cafeteria table.

19 And then I came out, and I didn't know

20 where to go. They didn't tell me what to do. So, I

21 called them on the pay phone. And then he said, "Oh,

22 the guy was" -- he said, "Oh, the girl was delayed or

23 something, so just get a hotel there somewhere."

24 So, I had to find my way around there, and

25 at that time it was very hot. You know, it was, like

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2 south of India. And, yeah, I didn't know my way

3 around.

4 So, I was at the hotel -- and there was,

5 like, some military stuff going on. Like, militia

6 with machine guns in the streets; on some part of the

7 streets. So, I went to the hotel, and the next day I

8 met this guy named Peter; he said his name was Peter.

9 And I think he was, like, maybe mid 20's, Chinese

10 guy. So, I was supposed to help him fly to, I think,

11 San Francisco or something like that. So, I said,

12 "Okay."

13 And then after he landed, we're going

14 through customs and he was in line in front of me and

15 then -- but then some people took him away; right?

16 So, I said -- when it was my turn to go to the

17 official, I said, "What happened to my friend?" You

18 know, "How come they took him away?" So they took me

19 away. I was, like, why? Because, you know, I didn't

20 know it was illegal, otherwise -- if I knew it was

21 illegal I wouldn't have asked.

22 Q What were you asked to actually do that

23 ended up being illegal?

24 A The part that was illegal was, I think, he

25 was using a false passport, you know?

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1 MICHAEL PAK

2 Q How did you come to have a false passport?

3 A I -- no. I never saw -- I never -- well,

4 I had a real passport, but he was using a false one.

5 Q But how did you come to be involved in his

6 use of a false passport?

7 A Oh, they just connected me with him,

8 because I said, "What happened to my friend?" So

9 then they thought I was helping him; that I was with

10 him.

11 Q Yeah, but you can be with him and not

12 commit a crime.

13 My question rather is, you got convicted of

14 a felony for misuse of a passport. In what way did

15 you misuse a passport?

16 A Oh, that time I was not convicted. They

17 just detained me for a long time. They went through

18 all my stuff. And I was detained for a long time,

19 and then they let me go. So, I thought, "Okay. I

20 didn't to anything illegal."

21 But then -- so then -- then I flew to L.A.,

22 and then -- so I was there, and I was waiting for

23 them to send me my money; I think around \$3,000. And

24 then after a few days they sent it to me and said,

25 "Okay. We just need your help one more time with

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2 this girl this time."

3 Q What was the help you were giving?

4 A Yeah, they said, like, through -- so they

5 don't get lost or something. I don't know if these

6 are, like, retarded people, whatever. I thought

7 they were rich, and they just didn't know English.

8 So I thought -- I just, you know, make sure they

9 don't get lost in the flying [sic].

10 Q So your function to help them for \$3,000,

11 a piece, was to just help them move around and

12 protect them, while they flew, from being lost?

13 A Yeah, that's what they told me. And then

14 I guess they wanted me to report back to them, like,

15 you know, what happened. But, I think they didn't

16 really need me, you know, because I realized -- I

17 found out later that, you know, if they go to jail,

18 they just claim asylum for religious freedom and

19 then they just -- they won't send them back to China

20 because of the religious asylum. So, they'll just,

21 you know, free them in America. So, then, they

22 don't really need me. I don't know why they hired

23 me.

24 Q So, did you get arrested because of your

25 help with the girl?

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1 MICHAEL PAK

2 A Oh, yeah.

3 Q What was the misuse of the passport that

4 you allegedly engaged in?

5 A I guess I was accompanying someone that

6 had a fake passport.

7 Q Did you ever maintain the passport

8 yourself?

9 A No, I never held the passport.

10 Q Did you provide it to her?

11 A No. I don't know where they got it from.

12 I don't think I barely saw it, you know? Because --

13 so the second time I was like, "Okay. I'll come

14 back." And it was Sri Lanka again. This time it

15 was a nicer hotel, I guess, with, like, a swimming

16 pool outside. It was warm weather. But there were

17 a lot of crows there. There were loud crows. And

18 there was a man. Like, an old man. Like about --

19 not that old, you know, not that old now. But, I

20 guess he was around maybe 50? Around there? And he

21 had a lot of welts on his back; whatever. Nah, I

22 mean, it's just a medical condition. And he had two

23 girls. And one of them was better than the other

24 one in English, I think. And then -- so they said

25 he'll fly back with one, and I fly back with the

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2 other. So, I was like, "Okay." They just told me

3 what to do. They told me who to fly with.

4 Q Where did you get arrested?

5 A Dallas/Fort Worth Airport.

6 Q Is that where you had brought the girl?

7 A Oh, yes. They said they want to try this

8 airport.

9 Q Who is "they" that set you up with all

10 this work?

11 A I don't know. Some kind of -- you know,

12 probably -- I don't know who they are, you know? I

13 don't know how to find them. I just know they

14 barely contacted me through phone.

15 MR. MAHONEY: Michael, they sent

16 you a check; right?

17 THE WITNESS: Yeah. Well, not a

18 check. But like a Western Union or

19 something like that.

20 Q Then the federal authorities arrested you

21 in Fort Worth when you came off the plane?

22 A Yeah. I think she got through the customs

23 and then she was going to transfer to San Francisco.

24 And then when it was my turn, yeah, then they took

25 me in, yeah. And then they found her; they got her;

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1 MICHAEL PAK

2 they nabbed her before she...

3 Q Other than that girl, were there any other

4 girls you ever transported from Asia to America?

5 A No. Just Peter and that girl.

6 Q Did you go to jail?

7 A Yes.

8 Q For how long?

9 A Six months.

10 Q In federal prison?

11 A I think immigration. It was in Big

12 Springs? It was, like, all Mexicans, mostly.

13 Mostly, Mexicans. Like, 90 percent.

14 Q Were you in jail as a result of the

15 sentence that was imposed upon you from the Federal

16 Court?

17 A Oh, yes.

18 Q What was the total sentence?

19 A Six months.

20 Q Was there a probation or parol period?

21 A Well, I already served three months in,

22 like, the transportation or something. You know, it

23 was a really big business. Like, the airplane,

24 doesn't even -- you don't even touch the ground,

25 like, you know, you go straight from the airplane

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2 into the correctional facilities in, I think it was

3 near Arkansas. Around there. Somewhere midwest.

4 Q After that did you serve a time for

5 probation or parol?

6 A Oh, yeah. After I was released, I think I

7 was on probation for a year or two.

8 Q Where was that probation served?

9 A In Flushing, Queens.

10 Q Did you have a probation officer?

11 A Yes.

12 Q Was it a federal probation officer?

13 A I think so. I'm not sure. It was in

14 Brooklyn, I think.

15 Q Brooklyn Detention Center?

16 A I think it was in Brooklyn. I'd have to

17 go see with someone --

18 MR. MAHONEY: (Interjecting) Where

19 did you see them?

20 A (Continuing) -- and I'd have to make a

21 call and then, you know, I'd have to check in

22 everyday. Maybe it was an automated answer telling

23 me if I have to come or not.

24 Q And do you know who that P.O. was?

25 A No.

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2 Q Was it male or female?

3 A Male. Maybe it was in Queens.

4 Q Do you have any phone numbers for that

5 person?

6 A No.

7 Q Let me just ask you this: You were

8 interviewed regarding the Shannan Gilbert matter by

9 the police; is that true?

10 A Yes.

11 Q Did any police officer in the interview,

12 or interviews that you had regarding Shannan

13 Gilbert, ever ask you about your patrol officer or

14 your probation officer after you came out of the

15 federal detention?

16 A I'm pretty sure they did, yeah. I was

17 there for the whole day, so, they got everything.

18 Q Did you give them the name of that person?

19 A I don't remember.

20 Q Did you tell them about your conviction,

21 the way you've told me?

22 A I think so. I don't remember. It's,

23 like, ten years ago; right?

24 Q I know.

25 A Yeah, because the funny thing is they came

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2 to my home and they said, "Oh, we just need to

3 speak" -- you know, it's like, "We just need to

4 speak to you for an hour or so. You know, we're not

5 arresting you or anything." I said, "Okay," but

6 when they came they said, "But it'll be easier, you

7 know, if we do it in the police station. You know,

8 don't worry. We drive fast." So, I was like,

9 "Okay."

10 So, they drove me all the way there, and he

11 did drive fast. They were very nice. You know, in

12 some kind of a van or something. And then, you know,

13 I ended up being there the whole day, which I didn't

14 know.

15 Q All right.

16 MR. MAHONEY: Did you have any

17 other arrests after this?

18 MR. RAY: You realize your

19 questioning is not allowed in this.

20 MR. MAHONEY: Oh, I'm sorry.

21 MR. RAY: If you want to write it

22 to me --

23 MR. MAHONEY: Okay.

24 MR. RAY: (Continuing) -- or just

25 tell me and we'll go off the record. Tell

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2 me, and I'll ask the question.

3 MR. MAHONEY: Okay.

4 MR. RAY: Just as a formality.

5 MR. MAHONEY: All right.

6 MR. RAY: All right? So you want

7 to just go off the record.

8 (WHEREUPON, a brief discussion was

9 held off the record from 1:34:51 p.m. to

10 1:34:57 p.m., after which the following

11 transpired:)

12 MR. RAY: Back on the record.

13 Are you ready?

14 CONTINUED EXAMINATION

15 BY MR. RAY:

16 Q Were there any other arrests that you ever

17 had, Michael, in America, besides the ones you told

18 me about?

19 A While I see working at Grand World

20 Insurance Agency, there was, like, a coffee shop

21 across the street, and then, you know, there was,

22 like, some really bad service, like, with the worker

23 at the coffee shop. So, I just [sic] forget it, you

24 know. I didn't buy the item, and I just left. And

25 when I left, when I closed the door, it was, like, a

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Page 54 MICHAEL PAK 1 glass door that broke. I didn't really... 2 Q So they arrested you for that? 3 A Yeah, and I didn't even know it, because I 4 didn't turn around. 5 Q What was the result of that? 6 A I was just there overnight, I think. 7 Q Were you charged with a crime? 8 A Maybe a misdemeanor. 9 Q What was the result of that? 10 A I had to pay a fine or restitution or 11 something like that. 12 Q Were you convicted of a misdemeanor crime 13 or did you get a lesser offense or something else? 14 A I don't know. 15 Q When did that happen? 16 A Around 2008, I think. 17 Q That was in Queens? 18 A Oh, yes. 19 Q Any other arrests besides that arrest -- 20 A No. 21 Q (Continuing) -- the ones you told me 22 about? 23 A No. 24 Q Did you ever get arrested for soliciting 25	Page 56 MICHAEL PAK 1 Q You're not sure? 2 A I'm not sure. 3 Q Did you work for more than one company 4 besides Prestige? 5 A Yes. I think it was two or three. 6 Q Two or three different companies? 7 A I think so. I think it was two. I'm not 8 sure if it was one or two or if they're the same 9 or... 10 Q I'm asking you. I need to know from you. 11 A I don't know. I think it was two. My 12 best guess is two. 13 Q Two companies? 14 A I don't remember. Because I don't know if 15 they were from the same company or different company 16 [sic]. 17 Q Did you ever hear of the company called 18 Elite? 19 A I think so. 20 Q Was that a company that you worked for as 21 a driver for escorts? 22 A I think so. 23 Q Was that at the time that you drove for 24 Shannan? 25
Page 55 MICHAEL PAK 1 or assisting a prostitute in soliciting business? 2 A No. 3 Q Did you ever get arrested for anything in 4 connection with prostitution in any way? 5 A No. 6 Q Did you ever get arrested in connection 7 with any work as a driver for an escort? 8 A No. Just the Shannan Gilbert case. 9 Q You never got arrested for the Shannan 10 Gilbert case; did you? 11 A Oh. Arrested, no. 12 Q Were you ever in any way arrested in 13 California? 14 A No. Oh, wait. San Francisco; right? 15 Q Well, we -- 16 A Oh, that was not an arrest. No, never. 17 Q Was there a company that you worked for 18 called Elite? 19 A Oh, it might have been Elite. Yeah, that 20 sounds familiar. Prestige, Elite. Might have been 21 Elite. 22 Q You mean Prestige might have been Elite? 23 A It could have been the same company, or it 24 could have been the Miami girl's company. 25	Page 57 MICHAEL PAK 1 A I think so. 2 Q Was Elite the company that introduced you 3 to Shannan? 4 A I don't remember. I think so. 5 Q As we sit here now, do you know whether or 6 not it was Elite or Prestige, or both, that 7 introduced you to Shannan? 8 A I don't know. Or it could have been that 9 Pure [sic] Pleasure; right? 10 I'll -- I'll charge my phone and then look. 11 It must be under, like, something name, 12 agency-something, you know. It must be something 13 like that. 14 Q You had it in your mind that the agency 15 you worked for started with a "P." Do you remember 16 telling me that a few questions ago? 17 A Yes, I thought it started with a "P," but 18 then Elite sounds familiar. So, maybe it's those 19 two agencies or -- they both have two syllables with 20 the "E" and the "I." 21 Q All right. 22 A But the police have that. I mean, they 23 took some machine and put it to my phone and they 24 extracted all the information in it. 25

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2 Q Which phone did the police do that with?

3 A The phone I was using at the time. The

4 flip phone.

5 Q The phone at what time?

6 A At the time that I went -- they

7 interviewed me and, you know...

8 Q Was that in -- what year was that that the

9 police interviewed you?

10 A 2010, I think. You know, the case. The

11 Shannan Gilbert case.

12 Q But there are many different years that

13 the Shannan Gilbert case has stretched over. So, do

14 you remember which one?

15 A They only interviewed me right after that.

16 They didn't come back after that.

17 Q Right after Shannan disappeared?

18 A Yeah.

19 Q So in other words, they interviewed you --

20 for the only time they ever interviewed -- right

21 after Shannan disappeared?

22 A Right. Within a week or two, yeah.

23 Q She disappeared on May 1, 2010. Do you

24 remember that?

25 A Okay. I don't know the exact date, but

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2 that sounds correct.

3 Q Would it be fair to say that it was only

4 within a week or two after that date that the police

5 interviewed you?

6 A Yeah, I'm pretty sure. Well, I'm probably

7 -- I think it's about seven to ten days after, or

8 maybe within a week. I don't know.

9 Q And was that the only time the police

10 interviewed you?

11 A Yes.

12 Q Where did that interview take place?

13 A I think Suffolk Police Department.

14 Q In headquarters, in Yaphank?

15 A I don't know.

16 Q Was it somewhere in Suffolk County?

17 A Yeah. It was, like, around the same drive

18 as here. I think it was an hour and-a-half drive, I

19 think.

20 Q From Flushing?

21 A From my house, yeah. But I don't know.

22 He drove really fast. It was supposed to be an

23 hour.

24 Q When you were first contacted by the

25 police, how did that contact take place, with

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1 MICHAEL PAK

2 respect to Shannan that is.

3 A I don't remember. I think they called me

4 and said, you know "We'd like to speak with you,"

5 you know.

6 Q And that call took place about a week or

7 so after you had driven Shannan to Oak Beach; is

8 that fair to say?

9 A Yeah. I mean, my best guess would be five

10 days after.

11 Q Five days after you drove Shannan to Oak

12 Beach?

13 A Right.

14 Q And the police officer asked to visit you

15 at your home?

16 A Yeah.

17 Q Then did you allow that to occur?

18 A Oh, yes.

19 Q When that occurred -- that they came to

20 your home -- how many police officers came?

21 A I think, total, I would say about four.

22 Q Were they all male?

23 A Yes.

24 Q Did they identify themselves; if you know?

25 A I think so. I think -- oh, no. I think I

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1 MICHAEL PAK

2 got maybe two of their names.

3 Q Did you learn what department they were

4 from in the Suffolk County Police Department; what

5 division?

6 A I don't remember. I don't remember if I

7 did.

8 Q Did they come into your home?

9 A No.

10 Q You just left with them?

11 A Yes.

12 Q And they took you in a van?

13 A I think it was like a van or an SUV. It

14 was kind of big I remember.

15 Q A big vehicle?

16 A Yeah.

17 Q And in that big vehicle, did you talk to

18 them about anything, while you were driving?

19 A Oh, yeah, a lot. Of course.

20 Q And they were questioning you about the

21 Shannan issues, at that time, in the van?

22 A A little bit, but, you know, they like to

23 shoot the breeze.

24 Q Did they inform you that you were not

25 going to be arrested, at that time, when they first

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2 came to you?

3 A I don't remember.

4 Q Did they ever inform you that you were a

5 suspect in the disappearance?

6 A No. They said I'm not a suspect, but I

7 think they did tell me that they're not going to

8 arrest me, yeah.

9 Q Did they tell you that you had a right to

10 have a lawyer before they spoke with you?

11 A I think so.

12 Q And did you say, "I don't want a lawyer,"

13 and you were willing to talk to them?

14 A Right. Yeah, if they said that I could

15 use a lawyer, then I would have answered that I

16 don't need it.

17 Q And did you ever call a lawyer before you

18 spoke to the police?

19 A Did I call a lawyer? No.

20 Q Once you arrived in the place in Suffolk

21 County where the police had taken you five days or

22 so after Shannan was driven to Oak Beach, did you

23 spend time with the police inside of a building?

24 A Yes.

25 Q How long?

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1 MICHAEL PAK

2 A I would guess about eight hours.

3 Q During that eight-hour period, did you

4 take any breaks?

5 A Oh, yeah, sure.

6 Q Lunch?

7 A I don't remember.

8 Q Were you interrogated?

9 A Yes.

10 Q How many officers interrogated you?

11 A Well, I mean, there was one hard guy, you

12 know. He was, like, doing it the tough way and then

13 there was -- what do you call it? A lie detective

14 [sic] test. What is that called? Polygraph?

15 Q Polygraph test?

16 A Yeah. He did it twice. And then, I think

17 there were two other guys. I think there was a

18 technician with the phone. He extracted out the

19 data.

20 Q Did these polygraph tests that you just

21 told us about, were they administered to you on the

22 same day that you met with the police officers in

23 that building you just told us about?

24 A Yes, sir.

25 Q And the polygraph tests. You say there

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1 MICHAEL PAK

2 were two. Do you remember how long each one lasted?

3 A I guess each one about 10 to 15 minutes.

4 Q And do you remember what you were asked,

5 under those conditions, when the polygraph tests

6 were administered?

7 A Oh, yeah.

8 Q What were you asked?

9 A Yeah, besides the basic starting questions

10 like, you know, what's your name, where are we, or

11 -- I don't remember. But, I think, like, did you

12 kill Shannan? No. When was the last -- the last

13 time you saw her, was she alive? Yes. You know,

14 like, did you drive? What time?

15 I don't remember. Like those kind -- you

16 know, those.

17 Q Did they ask you whether or not Shannan

18 disappeared into the marsh, when they administered

19 the polygraph test?

20 A I don't think so.

21 Q Did they ask you anything about Dr.

22 Hackett?

23 A I don't think so.

24 Q When you took the first test, Michael, and

25 you completed the test, did they tell you that you

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1 MICHAEL PAK

2 completed the test; the first test?

3 A Yes.

4 Q Did they tell you, at that time, whether

5 you were successful in the test or whether you were

6 lying, or something else?

7 A No.

8 Q They didn't address that to you?

9 A They wouldn't tell me.

10 Q So then, do you have any idea why a second

11 test was administered to you?

12 A Yeah. He said, "Don't fall asleep. Do it

13 again without falling asleep."

14 Q Had you fallen asleep during the first

15 test?

16 A I might have dozed off.

17 Q Do you know if you did or not?

18 A I don't think I fell asleep. I don't

19 remember.

20 Q Do you have any idea why the officer would

21 caution you not to fall sleep, in the second test?

22 A I think they can't get an accurate reading

23 if you're sleeping. Or if you're too relaxed, then

24 they can't get an accurate reading.

25 Q Did anybody tell you that the first test

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1 MICHAEL PAK

2 resulted in an inaccurate reading, for any reason?

3 A No. They wouldn't tell me what was going

4 on. They just said, "Do it again. Can you do it

5 again? Try not to fall asleep." Or something like

6 that.

7 Q Were you on any medications when this test

8 was administered?

9 A No. But I remember -- I think I was

10 playing a video game the night before, so I didn't

11 get that much sleep. And then, you know, I didn't

12 think the interview -- I thought the interview was

13 just an hour. I didn't think it would take the

14 whole day. So -- and, you know, it was really

15 tiring, you know.

16 Q When did they administer the polygraph?

17 How long after you first arrived at that building

18 was the first polygraph administered?

19 A You know, I wish you'd asked me all these

20 questions, like, years ago, because how can I

21 remember?

22 Q I am sorry. Do the best you can.

23 A I would guess around two hours, I guess.

24 Q Before you had the test, had you eaten

25 anything, or had they given you lunch or snacks, or

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1 MICHAEL PAK

2 anything of that sort?

3 A They must have, you know, because I was

4 there so long. They must have gave me something.

5 Q As you sit here now, do you recall dozing

6 off during the first test?

7 A I remember I was sleepy. Yeah, I was

8 sleepy. If I dozed off, it might have been maybe

9 for a second, but I think the main, you know, reason

10 was that I was too -- you know, they can't get an

11 accurate reading if I'm not, like, you know, antsy

12 or jumpy, like, you know, really reacting to his

13 questions.

14 Q Did some police officer tell you what you

15 just told me, or words to the effect that they

16 couldn't get an accurate reading for various

17 reasons?

18 A Pretty sure, yeah. Cannot get an accurate

19 reading; right.

20 Q So then they asked you to take the test

21 over again?

22 A Yes.

23 Q The same test?

24 A Yes.

25 Q Did you consent to that?

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1 MICHAEL PAK

2 A Yes.

3 Q How long did the second test last?

4 A I think about 10, 15 minutes.

5 Q During that test, were there different

6 questions asked, the same questions, or something

7 else?

8 A I'm pretty sure it was the same questions.

9 Q At the end of that test, did they tell you

10 how you did on that test?

11 A They wouldn't tell me, so I asked. I

12 said, "How did I do?" And he said, "You know how

13 you did." So, I assumed I passed with flying

14 colors.

15 Q You made that assumption?

16 A I think so.

17 Q Nobody told you that you passed with

18 flying colors; is that accurate?

19 A Right. But I'm pretty sure they gestured

20 that I did well.

21 Q How did they gesture that?

22 A You know, like smiling. Like, "You know

23 how you did."

24 Q Other than smiling and saying "you know

25 how you did," did any police officer tell you that

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1 MICHAEL PAK

2 you passed the test with flying colors?

3 A Not explicitly. Not literally, no.

4 Q Did any police officer tell you that you

5 passed the test in any way?

6 A I don't remember.

7 Q After the second test, did they continue

8 to interrogate you?

9 A I don't remember the order of the

10 interrogation.

11 Q How long between the first test and the

12 second test; the time passed?

13 A It was right away.

14 Q When you told me you were there eight

15 hours and you told me that the first test was taken

16 after about two hours --

17 A (Interjecting) I'm guessing.

18 Q All right. But --

19 A (Interjecting) Maybe five hours after. I

20 don't know.

21 Q After the second test, did you get further

22 interrogation while you were there?

23 A I do not recall.

24 Q What happened at the end of the

25 interrogation? Did they talk to you at all about

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2 how you did?

3 A I think they said, "Yeah, we know you

4 didn't do it. Thanks for helping us. Thanks for

5 all the information."

6 Q Did they tell you that Shannan had been

7 murdered?

8 A I don't think so.

9 Q Did they tell you that she was dead?

10 A I don't believe so.

11 Q Do you know if any of the officers who

12 were present during the interrogation, Michael, were

13 homicide detectives?

14 A I don't know.

15 Q Did any of them tell you that?

16 A I don't know.

17 Q At any time from 2008 until today, do you

18 have any kind of a drug problem?

19 A No.

20 Q Did you ever have one?

21 A No.

22 Q Between 2008 and today, did you ever

23 indulge in the use of illegal drugs?

24 A 2008 to today?

25 Q Yes.

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1 MICHAEL PAK

2 A Yes.

3 Q What kind of drugs?

4 A Pot.

5 Q Other than pot?

6 A I don't think so.

7 Q Now, let's go back to Shannan; okay?

8 A I mean, I'm not a regular drug user. I

9 haven't done pot, like, in years.

10 Q I understand.

11 A Or anything. I don't even drink.

12 Q Okay.

13 A I think maybe once every few months, five

14 months.

15 Q Did the police officers when they

16 interrogated you, by the way, did they ever ask you

17 about whether or not you were a driver for

18 prostitutes?

19 A Probably.

20 Q Were you truthful with them about that?

21 A Yes.

22 THE WITNESS: Does this light hurt

23 Your eyes? It's, like, right...

24 MR. RAY: Is it bothering you?

25 THE WITNESS: Yeah.

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1 MICHAEL PAK

2 MR. RAY: Really?

3 THE WITNESS: It's like -- like on

4 T.V. --

5 MR. RAY: I don't know what to do

6 about that.

7 THE WITNESS: (Continuing) --

8 like, an interrogation.

9 MR. RAY: It's not meant to be

10 that way.

11 THE WITNESS: Doesn't it hurt your

12 eyes?

13 MR. RAY: No. Do you want a hat?

14 I've got a hat if you want one? You can

15 wear it so you're not...

16 THE WITNESS: Can I use my visor?

17 Can I take a five-minute bathroom

18 break?

19 MR. RAY: Yeah. Let's take a

20 break. Sure.

21 (WHEREUPON, a discussion was held

22 off the record from 1:54 p.m. to 2:02 p.m.,

23 after which the following transpired:)

24 MR. RAY: So let's go back to

25 Shannan; okay?

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1 MICHAEL PAK

2 Q The first time you met Shannan near the

3 59th Street Bridge, where did you take her?

4 A Yeah, so they had us waiting there on

5 standby for a few hours, and then -- so, we called

6 them and said, "How come there's no call or

7 anything?" So, they said go to Brooklyn. So, it

8 was all the way, I think, way south, like, kind of

9 far. Near Coney Island, I think? The Russian

10 neighborhood.

11 Q That's where you first met her in a

12 Russian neighborhood?

13 A That's where I first drove Shannan to.

14 Q You drove her to?

15 A Yeah. I picked her up in Astoria, waited

16 by the 59th Street Bridge, and then drove her to

17 Brooklyn.

18 Q And when you drove her to Brooklyn, how

19 long did that particular meeting last for Shannan?

20 A So I went all the way there. And then --

21 and then there were, like, two, young, Russian guys

22 standing in the front of the building, and I think

23 the agency thought they were the customers or he was

24 the costumer. I thought it was supposed to be one

25 guy, but maybe his friend accompanied him. And

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1 MICHAEL PAK

2 then, I think they were -- I think he was supposed

3 to pay \$200, but he said he only had, like, \$150 or

4 something. So, we told the agency, you know, they

5 only have \$150. And then -- so, the agency said,

6 "Okay. Then forgot it then. Just cancel it." And I

7 was like, "What? I drove all the way down here,

8 waited for hours." I drove all the way there and

9 then for nothing.

10 So, then Shannan and I figured, "Okay. Why

11 don't you get the \$100, and I get around \$50, I

12 think. And then we don't need the agency since they

13 canceled this job anyway, so we might as well do it."

14 Q And that's what happened?

15 A Yes.

16 Q Where did you drop her off?

17 A That street in Brooklyn --

18 Q (Interjecting) Back in -- but I mean --

19 A (Continuing) -- and I just waited there.

20 Oh, you mean after.

21 Q Let's try again.

22 After you brought her to the meeting in

23 Brooklyn, where did you drop her off?

24 A We didn't. We -- I think we -- I don't

25 know if we waited there, or back near the

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1 MICHAEL PAK

2 Manhattan/Queens border or Manhattan/Brooklyn

3 border, for another job.

4 Q She went to another job; a second job?

5 A No. There were no more.

6 Q So did you just take her for one job, and

7 then drop her off?

8 A After that job, we just waited more hours.

9 Q Where?

10 A I just said.

11 Q You said, "We just waited." I don't know

12 who "we" is.

13 A Me and Shannan, in the car.

14 Q All right. Let's try again because it's

15 not clear. The record is not clear; okay? So, I

16 just don't want to waste any time with this. I'm

17 trying to move it.

18 After you dropped Shannan off in Brooklyn,

19 and then picked her up, where did you bring her?

20 A I think either the Manhattan/Brooklyn

21 border or the Manhattan/Queens border.

22 Q And then did you drop her off there?

23 A No.

24 Q What happened instead?

25 A We waited for another call.

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1 MICHAEL PAK

2 Q Did another call come?

3 A No.

4 Q So then what happened? Did Shannan leave,

5 did you drive her home, or something else?

6 A I think I dropped her off somewhere.

7 Q Do you remember where?

8 A No. Maybe -- probably -- probably

9 Manhattan or Astoria. Somewhere near. I guess she

10 took the train home. I don't know.

11 Q And you made \$50 on that trip; right?

12 A I think so. Around there.

13 Q Did there come another time you then

14 involved yourself with Shannan?

15 A Yes.

16 Q When was the next time?

17 A I think she had some customers. She

18 wanted me to drive her.

19 Q How did you come to learn that?

20 A She told me.

21 Q Did you have to call her, did she call

22 you, something else?

23 A She called me or texted me.

24 Q So you didn't go through a lead from

25 Prestige, you just went directly with Shannan?

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1 MICHAEL PAK

2 A Correct.

3 Q What did she ask you to do?

4 A She told me to pick her up in Manhattan,

5 and I think we figured out that near the PATH train

6 -- 34th Street and Broadway -- is the easiest. So,

7 I picked her up there, and she said she has a job in

8 Manhattan.

9 Q Did you drive her there?

10 A Yes.

11 Q And that job, how long did that last

12 about?

13 A You mean that one gig or...

14 Q Yes, that one gig.

15 A About an hour.

16 Q Were you paid for that?

17 A I think so.

18 Q How much?

19 A I don't remember.

20 Q Approximately?

21 A I would say -- guess about \$50.

22 Q Did you bring her back to wherever you had

23 picked her up?

24 A Yeah, either -- I mean, sometimes I

25 dropped her off near the PATH station in Manhattan,

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1 MICHAEL PAK

2 or I drove her home in Jersey City.

3 Q Did you actually drive her to her house in

4 Jersey City; her apartment?

5 A I think in the beginning she was living

6 with Alex and his father, and then I think she moved

7 and got her own apartment in Columbus Avenue;

8 something like that.

9 Q Columbus Avenue in Jersey City or in

10 Manhattan?

11 A Jersey City.

12 Q How many times would you say that you

13 actually serviced Shannan by driving her?

14 A I would guess total maybe 30 to 50 times?

15 Q Three to what?

16 A Total? You mean total every...

17 Q Total times.

18 A How many times did I drive her, or how

19 many jobs did she...

20 Q How many times did you drive her?

21 A How many days or how many jobs?

22 Q How many jobs?

23 A I would estimate about 30. I don't know.

24

25 Q Those 30 jobs, approximately, over what

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1 MICHAEL PAK

2 period of time -- from when until when?

3 A I don't remember.

4 Q The first time you told us about, when did

5 that happen, approximately?

6 A First time, I don't remember.

7 Q Was it in 2008, '09, '10?

8 A I don't remember.

9 Q The 30 jobs, were they over a period of a

10 year, more than a year?

11 A I would guess about a year. I don't know.

12 Maybe six months, maybe two years?

13 Q In any of those jobs -- besides the Oak

14 Beach job that she disappeared in -- did she ever --

15 did you ever take her to Long Island, Nassau or

16 Suffolk County?

17 A No, that was the only time in Long Island.

18 Q Did you ever take her to Queens?

19 A Yes.

20 Q How often would you take her to Queens?

21 A Whenever a call came in. Not often.

22 Mostly Manhattan. Mostly Manhattan. I would say --

23 I would guess, 80 percent Manhattan.

24 Q What were your duties when you drove her?

25 A Just wait in the car and pick her up.

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1 MICHAEL PAK

2 Check out the area; make sure it's safe.

3 I remember one time it turned out to be a

4 mechanic shop in Queens or something. A very sketchy

5 neighborhood. And then really -- you know, 30 guys

6 came out, and we're like, "What the hell is this?"

7 And then he said he has a mattress in one of the

8 rooms in the back or something. And we were like --

9 we just zoomed out of there. We said, "Forget it."

10 You know, if it's any kind of sketchy, we

11 just leave.

12 Q Were you required to defend her if she

13 were attacked?

14 A No. I mean, of course I would help, but

15 she could take care of herself. She was a very

16 strong woman.

17 Q Did you carry a weapon?

18 A No.

19 Q Of any kind?

20 A No, never.

21 Q Did Shannan?

22 A Not that I know of.

23 Q What protection, if any -- physical

24 protection that is -- did you bring along to protect

25 yourself and/or Shannan in these trips?

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1 MICHAEL PAK

2 A None. Just maybe -- maybe she would tell

3 me which apartment number or something, just in

4 case.

5 Q What steps did you take by way of

6 precautions, when you took Shannan on these trips,

7 to make sure that someone would know where you were?

8 A Just, like, what kind of neighborhood it

9 is, and, you know if we saw them outside, you know,

10 what they looked like.

11 Q Did you ever encounter any physical

12 difficulties with any customers, other than the one

13 you just mentioned in Queens?

14 A Physical?

15 Q Trouble.

16 A I don't know. No, because I never saw the

17 customers.

18 Q So Shannan always returned from every trip

19 you brought her to? Every customer, she would

20 return from that customer and went to your car?

21 A I think so, but sometimes she would get

22 lost. She was very bad with -- she would go into a

23 building and then she told me she came out some

24 different exit and she doesn't know where she is.

25 She couldn't tell me what street or something. I'm

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Page 82 1 MICHAEL PAK 2 like, how am I going to find you? 3 Q Did you ever drive her to a job where she 4 didn't return to you, or she disappeared? 5 A I don't think so. I'm pretty sure no, 6 except for the last one; right? 7 Q The last one being in Oak Beach? 8 A Yes. 9 Q Did there ever come a time in the 30-odd 10 jobs that you did with Shannan, where Shannan did 11 not pay you? 12 A I don't think so. 13 Q How were you paid for these jobs? Was it 14 Shannan who paid you? 15 A Yes. 16 Q How would she pay you? By percentage, by 17 a flat fee, something else? 18 A It was very flexible. Usually cash. 19 Usually -- you know, let's say the job was, like, 20 \$150, then she would give me \$50, but if it was, 21 like, \$120, she would give me \$20. Or if it was, 22 like, \$200, then she would give me \$60. 23 Q Were the amounts that you were to have 24 been paid prearranged between you and Shannan before 25 she actually visited the customer?	Page 84 1 MICHAEL PAK 2 A Never. 3 Q Did you ever bring Shannan to a job along 4 with another girl? 5 A No. 6 Q So you always -- every job you ever did 7 with Shannan was with Shannan alone? 8 A Yes. 9 Q Did Shannan ever ask you to drive her to a 10 customer where she was accompanied by another 11 person; a male protector or anything of that sort? 12 A I don't think so. Sometimes she did a job 13 without me, you know. She went there alone or Alex 14 drove her or somebody else drove her. 15 Q How do you know that? 16 A She told me. And then the other guy told 17 me, too. I met him by coincidence. 18 Q Met who? 19 A Another driver. 20 Q So she had another driver? 21 A She had several drivers -- 22 Q (Interjecting) Do you know who they were? 23 A (Continuing) -- all these girls they have 24 many agencies, many drivers, many agents. 25 Q Do you know any of the drivers or agents
Page 83 1 MICHAEL PAK 2 A Yes. 3 Q So you knew what you were getting paid 4 from Shannan before you actually brought her to the 5 customer; fair to say? 6 A Yeah. I think she would get the rate. 7 She would tell me the rate, how much she's -- she 8 told me how much she's going to pay her, and then 9 she would tell me how much she was gonna pay me. 10 Because, sometimes -- I remember one time, like, in 11 the Upper East Side, I think they did cocaine or 12 something and then she forgot to get paid, so she 13 only gave me a little bit. 14 Oh, she didn't pay me the extended hour. I 15 think he extended it an hour or two and, like, I 16 think he gave her cocaine or something or they did 17 drugs, and then she only paid for, like, an hour. 18 Q Did you have a dispute with her over that? 19 A No. I just said, you know, next time, you 20 know, don't do too much drugs, you know, like, don't 21 let that get in the way of remembering that he has 22 to pay you. 23 Q Did she ever pay you with sex? 24 A Never. 25 Q Did you ever have sex with her?	Page 85 1 MICHAEL PAK 2 she had? 3 A Mike. His name was also Mike. I think he 4 was Hispanic. He said he worked for an auto shop. 5 Q Do you know where that was? 6 A Where? Where what? 7 Q Where Mike's auto shop was? 8 A No. I guess Queens. 9 Q Did the police ask you about other drivers 10 for Shannan? 11 A I think so. 12 Q Did you ever tell them? 13 A I think so. 14 Q Did you give them any information about 15 where these drivers were, what their names were, 16 what their addresses were? 17 A I gave them the phone number, a name, a 18 description, and what happened. 19 Q In the 30-odd jobs that you did with 20 Shannan, were any of them arranged through Elite or 21 Prestige, other than the first one you told me 22 about? 23 A No. 24 Q How would Shannan contact you in order for 25 these jobs to occur?

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1 MICHAEL PAK

2 A Call or text.

3 Q Did you ever set her up for a job?

4 A No.

5 Q Did you ever procure a customer for her?

6 A No.

7 Q Do you know how she procured her

8 customers?

9 A She told me through Craigslist, mostly. I

10 think online or through referrals.

11 Q Was it just Craigslist, or were there

12 other places she went online for?

13 A Maybe Backpage or Eros.

14 Q Eros?

15 A I think those are the websites.

16 Q How do you know that?

17 A She told me.

18 Q Are there any others you can think of now

19 besides those three?

20 A I think she told me one or two others, but

21 I don't remember the name or whatever.

22 Q When she would contact you, what would she

23 say in relation to a new customer?

24 A She would tell me where it is, how much,

25 what time. But then, you know, most often she

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1 MICHAEL PAK

2 would, like, post; right? Do an advertise [sic] and

3 then, you know, when she -- when I pick her up and

4 then we'd wait in Manhattan and then she would post

5 more or wait for calls or texts to come in.

6 So, sometimes we didn't even have a job

7 until, like, an hour after we were waiting or after

8 we met.

9 Q So you would meet first and then wait for

10 a call?

11 A Sometimes, yeah. Sometimes -- like the

12 day of Oak Beach, that day, yeah, we met and then we

13 were in the car waiting for hours. I think she

14 posted again. And then I think it was getting late.

15 I think -- I guess I picked her up around 7:00 or

16 8:00. And then I think it was around 11:00 p.m. or

17 midnight, there were no calls and she always got

18 antsy if -- you know, she wanted to make at least --

19 she wanted to do at least one or two jobs.

20 Otherwise, she would be upset. But if she did one

21 or two jobs she would be happy.

22 So, that day she was upset, there were no

23 jobs. She was always drinking because, you know, she

24 always put, like, some liquor in her, like, fast food

25 soda. And she was bipolar, so she was, like --

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2 she had mood swings. And, then, finally the Oak

3 Beach call came in. I think that was around

4 midnight, I think.

5 Q All right. Let's just freeze the Oak

6 Beach one for a moment. We'll come back to it.

7 Do you use any aliases besides your own

8 name?

9 A No.

10 Q Did Shannan?

11 A I don't remember. I don't remember.

12 Q Did she use names that you don't remember,

13 or she didn't use names?

14 A Well, Alex told me one name that she -- of

15 her aliases.

16 Q What was that?

17 A Like, a Spanish last name, because when we

18 were looking for her in the hospitals I asked the,

19 you know, the Spanish names there.

20 Q Do you remember that name?

21 A No.

22 Q Did you ever hear Shannan use a name

23 besides Shannan?

24 A I think she had some aliases, like, stage

25 names.

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1 MICHAEL PAK

2 Q Yeah, that's what I mean. Do you remember

3 any of them at all?

4 A Ashley? No, I don't know. I'm just

5 guessing now.

6 Q Don't guess if you can avoid that.

7 I'm trying to understand why you would meet

8 with her when you didn't prearrange a customer?

9 A Just to work.

10 Q Just to sit and work?

11 A Yeah, because I, you know, I had

12 confidence in her that she would procure customers.

13 At that time there were customers. She was doing

14 well. There were always customers. Like, she was

15 able to afford, like, you know, getting her own

16 apartment, buying all this furniture.

17 Q At any time before the Oak Beach event,

18 did you meet Alex Diaz?

19 A No.

20 Q Did you speak to Alex Diaz?

21 A Never heard of him. Oh, no. Maybe I

22 heard of him. I don't even know if I know his name.

23 I never saw him or spoke to him or...

24 Q When you went there to drop Shannan off at

25 her Jersey City apartment, did you ever bump into

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1 MICHAEL PAK

2 Alex?

3 A No. Never saw him before.

4 Q How did you know that Alex would drive her

5 to some of the...

6 A She told me. She told me she met her

7 boyfriend through -- when he was her driver. And

8 then -- yeah. I think they lived together -- they

9 moved in together. She used to live at his father's

10 house, and then they got their own place.

11 Q Did you learn that Alex had broken

12 Shannan's jaw?

13 A I think later, when Alex said it. I

14 didn't know it until he said it.

15 Q Alex told you that?

16 A Or I was there when he said. I don't know

17 if he told me or he told the cops or some interview

18 and I was...

19 Q During the time that you were driving her,

20 was there a time that she had to stop working

21 because she had to go have her jaw fixed?

22 A No, I never knew she had a problem with

23 her jaw or maybe she told me. Maybe she told me she

24 had a metal plate in there, but she looked fine. I

25 didn't see anything. She looked very physically

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1 MICHAEL PAK

2 fit.

3 Q Did she share any photos of her with you?

4 A Oh, yes.

5 Q Do you have them still?

6 A I think I might have, yeah, a few.

7 Q Did the police ever ask you for the

8 photos?

9 A I think so.

10 Q Did you give them to the police?

11 A Yes.

12 Q Where were the photos?

13 A In my phone.

14 MR. RAY: All right. So I will

15 ask you to produce the same photos if you

16 don't mind. Is that okay?

17 THE WITNESS: I think it's on my

18 old phone, so maybe I could somehow get on

19 there and send it to you?

20 MR. RAY: Sure. That would be

21 great.

22 THE WITNESS: But everybody has

23 those photos.

24 (DOCUMENT REQUEST)

25 Q Why were you given these photos of

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1 MICHAEL PAK

2 Shannan?

3 A Given? I think she might have sent it to

4 me to ask me how it looks, you know. She'd say,

5 "I'm posting. Should I use this one or that one?"

6 And then I remember once or twice, I might

7 have taken pictures of her. You know, make a good

8 picture of her to use.

9 Q Where would you take those pictures?

10 A I think just in the car.

11 Q Would she strip down for you?

12 A No, there were no nude photos.

13 Q Do you have any nude photos of her?

14 A Maybe. She might have -- I don't know of

15 her, or maybe on the web I saw some scantily clad,

16 but not nude. I don't know what she looks like

17 nude. I never saw.

18 Q Did she have artificial breasts?

19 A I don't know. I don't think so.

20 Q Before the incident with Oak Beach, did

21 you ever know Joe Brewer?

22 A No.

23 Q Before the incident at Oak Beach, on

24 May 1, 2010, did you know Peter Hackett?

25 A No.

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1 MICHAEL PAK

2 Q Did you ever see Shannan doing drugs?

3 A I don't think so. I'm pretty sure no.

4 Q What is your knowledge of Shannan in

5 connection with drugs?

6 A She told me she did some drugs. She liked

7 ecstasy, but her boyfriend didn't like it. I think

8 she told me some customers were party customers. So

9 they did, like, probably cocaine, I guess. I think

10 she likes weed. I think she likes marijuana and

11 ecstasy.

12 Q Was she addicted to any drug, to your

13 knowledge?

14 A I think she did it -- yeah, I think she

15 did it regularly. Maybe once a week or more. She

16 never told me she's addicted, but she told me she

17 did drugs like ecstasy, weed, you know.

18 Q Anything else that you know of?

19 A No.

20 Q Any pills?

21 A Alcohol, I think she doesn't take her

22 bipolar meds because it makes her gain weight she

23 said or something.

24 Q Do you know what the bipolar meds were?

25 A No.

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1 MICHAEL PAK

2 Q During the time that you knew her, was she

3 ever hospitalized?

4 A I don't recall that.

5 Q Do you know if she was under any mental

6 psychological care by anybody?

7 A I don't think so.

8 Care by anybody?

9 Q Yes, like a doctor or a therapist?

10 Anything of that sort?

11 A Not that I know of.

12 Q When you say she was bipolar, what do you

13 mean?

14 A She had mood swings and she told me she

15 was bipolar, and she told me she doesn't take her

16 medication, and I think she'd rather take, like,

17 other substances for it.

18 Q Like what?

19 A Alcohol and marijuana, ecstasy.

20 Q How often did she use ecstasy?

21 A Often. I don't know. She told me one

22 time she did it maybe once or twice, but I don't

23 think she did it regularly.

24 Q Why is it that you don't think that?

25 A I don't know. I'm just guessing, but she

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1 MICHAEL PAK

2 didn't tell me how often she does drugs.

3 Q Did you ever see the ecstasy?

4 A I don't think so.

5 Q Did you ever observe her taking ecstasy?

6 A Oh, no. I never saw her do any drugs. I

7 think I only saw her -- yeah, I never saw her smoke

8 marijuana or any drugs. I just saw her drinking

9 alcohol. I don't even know if it was alcohol, but

10 I'm guessing.

11 Q Okay. The alcohol, was it something that

12 you said -- I thought you said she added to her

13 drink; a soft drink?

14 A Yeah. When she comes to work. Before she

15 starts work.

16 Q Did she do that often?

17 A I would guess most of the time.

18 Q A lot of alcohol, a little bit, something

19 else?

20 A I don't know. I never even saw it. She

21 must have put it in before she got in the car.

22 Q Did you ever see her in an intoxicated

23 condition?

24 A No. I don't think so. I don't think she

25 ever looked sloppy drunk.

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1 MICHAEL PAK

2 Q How about intoxicated by drugs? Did you

3 ever see her in a --

4 A (Interjecting) She seemed sometimes, I

5 think, yeah, kind of intoxicated.

6 Q In what way? Explain?

7 A Like, after she came down from that Greek

8 side job, she seemed like -- I would guess, like,

9 she was on some coke or something.

10 Q When was that?

11 A When? I don't know.

12 Q When you say you saw that she was on coke,

13 was that one time, more than one time?

14 A I would guess more than once.

15 Q Why would you guess that?

16 A Just the way she acts, you know.

17 Q Explain?

18 A A little bit, like, you know, not clear

19 headed. She forgot to do this, to do that. Not

20 professional.

21 Q Was she ever hallucinating?

22 A I think the only -- I don't remember her

23 hallucinating.

24 Q When you say, Michael, that you don't

25 recall, by that do you mean that you just don't

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1 MICHAEL PAK

2 remember or that she never did, to your knowledge?

3 A She did not, to my knowledge. Like, see

4 things? No.

5 Q Well, by hallucinating I mean not only see

6 things, but act in a bizarre fashion where she

7 didn't seem like she was rational. Did you ever see

8 her do that?

9 A She acted irrational a few times. But not

10 too severely.

11 Q Describe what you mean when she acted

12 un-severely irrational?

13 A She wouldn't even know, like, where she

14 was. She couldn't tell me where she was.

15 Q Was that before or after the meeting with

16 the customer?

17 A After.

18 Q Was that because she did drugs with the

19 customer?

20 A I guess so.

21 Q How often did that happen?

22 A I don't know.

23 Q More than once?

24 A Yes.

25 Q More than twice?

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1 MICHAEL PAK

2 A Probably.

3 Q More than five times?

4 A I don't know.

5 Q So somewhere between two and five times?

6 A I would guess about -- total about five?

7 I don't know.

8 Q Can you describe that state of mind that

9 you observed in her when she acted like that? What

10 would happen?

11 A I wasn't really paying attention, but

12 nothing. She just -- I guess -- what do you mean

13 what happened?

14 Q How would she behave?

15 A I don't know.

16 Q Well, was she completely out of her mind,

17 was she just mildly confused about where she was, or

18 something else? How would you describe her?

19 A Yeah, mildly confused.

20 Q Other than being mildly confused about

21 where she was, did she ever act in a bizarre way

22 that was more extreme than what you've just

23 described to me?

24 A You mean before May 1st?

25 Q Yes.

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1 MICHAEL PAK

2 A No.

3 THE WITNESS: This is giving me a

4 Headache trying to remember all the way

5 back there.

6 MR. RAY: I know it's not easy. I

7 understand.

8 Q Did there come time at all, other than the

9 May 1st incident, did there come a time at all that

10 Shannan called the police, to your knowledge, about

11 a customer, about you, or about anything?

12 A Called the police? Well, she told me one

13 time she did a job by herself in the Bronx, and it

14 turned out that some guys rapped her in the stairway

15 or something. I don't know if she called the

16 police. But besides that, no, she never called the

17 police.

18 Q Did she ever tell you that anybody was

19 trying to kill her?

20 A No.

21 Q Did she ever hallucinate and speak in such

22 a way as that she was imagining that people were

23 trying to kill her?

24 A No.

25 Q Michael, in the times when you said that

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1 MICHAEL PAK

2 Shannan appeared, in her hallucination, to be lost,

3 to not know where she was, was she able to find you?

4 A Yeah. Eventually, yes.

5 Q How often did that happen, that she became

6 lost?

7 A Twenty percent.

8 Q I'm sorry?

9 A Twenty percent, I guess.

10 Q She always located you?

11 A I think so.

12 Q Did there ever come a time she didn't

13 locate you? She got lost, you couldn't find her,

14 and you left?

15 A No.

16 Q How did the ecstasy affect her?

17 A I don't know. I don't think she ever did

18 ecstasy when she was working. Maybe she did. I

19 don't know.

20 Q Did you ever see her do it?

21 A No.

22 Q Did she ever tell you she did it while

23 working?

24 A I don't remember.

25 Q Have you ever, yourself, become aware of

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1 MICHAEL PAK

2 the effects of ecstasy on anyone?

3 A What do you mean?

4 Q You, yourself. Have you ever observed the

5 effects of ecstasy on anyone?

6 A Yes.

7 Q What have you observed?

8 A They're very elated and, yeah, that's all.

9 Q Become excited, elated?

10 A Yeah. Maybe not even excited. Just

11 happy.

12 Q Have you ever seen anybody hallucinate as

13 a result of ecstasy use?

14 A I don't think so.

15 Q Neither do I.

16 A That's acid; right?

17 Q What's acid?

18 A The hallucination.

19 Q Yes.

20 Did you ever see Shannan use LSD or any

21 hallucinatory drug?

22 A No.

23 Q Did she ever tell you she did that?

24 A Acid? I don't remember.

25 Q You don't remember?

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Page 102 1 MICHAEL PAK 2 A I don't think so. 3 Q Now, did Shannan talk to you about her 4 dreams, her wishes for the future? 5 A Oh, yes. She wanted to be a singer. She 6 even had some audition or some kind of competition. 7 She said some bar in the Midtown, west. So, I was 8 happy for her. But later she told me she didn't go 9 to it. But she sang sometimes in the car. 10 Q Did she ever talk about writing for Jay-Z? 11 A Writing for Jay-Z? 12 Q Writing music for him? Lyrics? 13 A I don't remember. 14 Q Did she ever talk about her family? 15 A Yes, I think so. 16 Q Do you remember what she said about them? 17 A Her mother lives -- her and her sisters 18 live Upstate, and she goes there sometimes. 19 Q Did she ever talk to you about giving 20 money to her mother? 21 A I think she said, yes. She gave her 22 mother and her sister gifts. I'm not sure about 23 money. Maybe a car, or she wanted to buy them a 24 car. 25 I'm getting confused. I don't know if she	Page 104 1 MICHAEL PAK 2 A Me, never. 3 Q Were you aware that her mother claimed to 4 be a witch? 5 A I heard about that later. 6 Q How did you hear about that? 7 A Witch, witch, witch, witch. Might have 8 been Alex or might have been, like, Suze Orman [sic] 9 the astrologer or the Jennifer or -- probably Susie 10 [phonetic]. 11 Q Susie Santia [phonetic]? 12 A Santia, yeah. Witch. Or I think maybe 13 you told me. 14 Q I might have? 15 A And then on the news there was witchcraft 16 or something. 17 Q Did Shannan practice witchcraft? 18 A Shannan? I never saw her do that. I 19 don't think she believed that. 20 Q Did you know if any of her jobs came from 21 her mother's connection with other witches or 22 covens, or anything of that sort, or groups that her 23 mother belonged to? 24 A I don't think so. She never told me about 25 that. I only saw from her posting online.
Page 103 1 MICHAEL PAK 2 told me that she gave them money or somebody else 3 told me later, after May 1st, that she... 4 Q Do you know if she was using her money 5 that she was earning in her jobs, to give to her 6 mother? 7 A I'm pretty sure she was, because I 8 remember she was very generous. When she has money 9 she spends it. 10 Q Do you know if her mother was living off 11 of some of that money? 12 A Later I heard. I didn't really think 13 about it, but later, I realized that afterwards. 14 Q Where did you hear that? 15 A Robin Sax, that attorney. She told me. 16 And I think someone else told me. Maybe Alex or... 17 Q Was her mother helping her to arrange some 18 of her jobs? 19 A I don't know. 20 Q Did you ever hear that? 21 A No. 22 Q Did you ever have contact with her mother, 23 before May 1, 2010? 24 A No, never. 25 Q How about with her sisters?	Page 105 1 MICHAEL PAK 2 Q Did Shannan, when she talked about her 3 work, did she ever talk about working on Long 4 Island? 5 A No. 6 Q Did she ever tell you that she was trying 7 to arrange jobs with some rich fellows out on Long 8 Island? 9 A She never talked about Long Island. I 10 don't think she wanted to work on Long Island. 11 Q Why do you not think that? 12 A Because it's far. She lives in Jersey. 13 Q Did she tell you that she didn't want to 14 work on Long Island? 15 A No. She never mentioned Long Island. 16 Q Did she ever mention that she has some 17 customers out east, in Long Island? 18 A No. 19 Q Did she ever mention the Garden City 20 Hotel? 21 A No. 22 Q Did you ever take her there? 23 A No. 24 Q How about the Marriott Hotel in Uniondale? 25 A No.

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Page 106 MICHAEL PAK 1 Q Did you ever hear of a girl named Samantha 2 Burns? Amanda Burns? I'm sorry. Amanda Burns? 3 A Oh, yes. 4 Q How did you hear about that? 5 A On the news, or the 20/20, or something. 6 Q What did you hear about Amanda Burns? 7 A I don't remember. I think she was a 8 prostitute. 9 Q Was she in any way connected to Shannan? 10 A I don't think so. 11 Q Was she a friend of Shannan? 12 A I don't think so. I don't think they knew 13 each other. I don't know. I'm just guessing. 14 Q All right. If you're guessing, you're 15 guessing. Just let us know that. 16 Now, Shannan got busted in Jersey; right? 17 A For what? 18 Q For prostitution; didn't she? 19 A Oh, before I met her; knew her? 20 Q Yes. 21 A I think so. I don't know. I think she 22 told me something like that, yeah. 23 Q Did she tell you about a cop she knew in 24 New Jersey? 25	Page 108 MICHAEL PAK 1 A That was the beginning. That's how I 2 started. 3 Q You started with a Korean girl? 4 A Yes. 5 Q The night that you had the meeting with 6 Shannan, that took you out to Oak Beach, you met 7 Shannan at about what time? 8 A I think it was 7:00 or 8:00 p.m. 9 Q Where did you meet her? 10 A 32nd and Broadway. 11 Q Where? That's sort of, like, Korean Town 12 over there; isn't it? 13 A Oh, yes. Right next to Korean Town. 14 There was a deli on that corner. Like, Broadway -- 15 like, the intersection is a little triangle, small 16 sidewalk. Yeah, and you can pull over there. 17 Q Is that where you met her? 18 A That's the PATH train exit. 19 Q Right. 20 A Yes. 21 Q What did you do when you met her? 22 A Well, she came in the car, and we just sat 23 there. You know, I didn't want to drive for no 24 reason, so she was posting or waiting for jobs. 25
Page 107 MICHAEL PAK 1 A I don't remember. 2 Q Did she work with a police officer in New 3 Jersey, in terms of being an informant? 4 A I don't know. 5 Q Do you know if that happened or not? 6 A I never heard of that. 7 Q You never heard of that? 8 A No, not in Jersey. No, never. 9 Q How about a cop in Hoboken? 10 A I never heard of her being an informant 11 for any cop. 12 Q Did she service cops at all? 13 A I don't know. I never heard of it. 14 Q You never heard of it? All right. 15 Did Amanda Burns, did she service cops, if 16 you know? 17 A I don't know. I just heard about her on 18 the news. I never knew who she was until I heard 19 about -- you know, on the news, when they found the 20 bodies. 21 Q Yeah, yeah. Did you ever do work for a 22 Korean girl? 23 A Yes. 24 Q When did that happen? 25	Page 109 MICHAEL PAK 1 Q How long did you wait before you had your 2 first job? 3 A Which day are you talking about? May 1st? 4 Q We are talking about the Oak Beach 5 incident. 6 A How long? Must have been about five 7 hours. Five, six hours. 8 Q For five or six hours you sat together in 9 a car? 10 A Yeah. 11 Q Nobody asked you to move along over there? 12 No police officer? 13 A No. 14 Q For five hours, what did you and she do? 15 A Working. You know, trying to get jobs. 16 Q How? 17 A She posted, she texted. You know, 18 replied. I think it was very light that day. Not 19 many callers or texters. 20 Q Do you know if she had one or more than 21 one cell phone with her? 22 A I think I saw two. I didn't know she had 23 more. Somebody told me she had more than two. I 24 only saw, like, two. 25

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Page 110 1 MICHAEL PAK 2 Q Do you remember what cell phones they 3 were? 4 A One was a smart phone. You know, that was 5 pretty -- and I never really saw one back then. 6 That was the first time. 7 Q What was the other phone? 8 A I think the other one was a regular flip 9 phone. 10 Q So was she using both of them to try to 11 get customers? 12 A Yes. 13 Q How did she finally get a customer? How 14 did that come in? 15 A I think that's when Brewer called. 16 Q He called her on which phone; do you know? 17 A I would guess the flip phone. 18 Q Why would you guess that? 19 A I think she used the smart phone mostly 20 for online, internet stuff. Not calls, I think. 21 Q And the flip phone was for calls? 22 A Yeah. 23 Q I got you. 24 MR. RAY: So let's look at some of 25 the phones.	Page 112 1 MICHAEL PAK 2 Wait. Let me look at them all first. 3 Q The ones that look familiar put over to 4 your right. The ones that you don't know, just put 5 over to your left. 6 A (Witness complying) 7 Oh, maybe this one. Oh, geez. 8 MR. RAY: Michael, the ones you 9 think you might know, put them over this 10 way. 11 THE WITNESS: I'm not sure until I 12 see them all. 13 MR. RAY: Oh. Okay. 14 THE WITNESS: So, I don't 15 remember. Was there an iPhone back then? 16 I don't know if she had an iPhone. I'm 17 not sure. 18 These are on? 19 There's no name on this one. 20 Can I guess, because I'm not sure of 21 any? 22 Q Well, don't guess. If you know, if some 23 look familiar to you, then tell me so; how's that? 24 A Familiar? Oh, geez. It would totally be 25 a guess. Sorry.
Page 111 1 MICHAEL PAK 2 (Handing a document to the witness) 3 THE WITNESS: Whoa. Wow. Look at 4 that. 5 MR. RAY: We're not going to mark 6 them yet. I want you to go through -- I 7 took a package of phones out. You can 8 look at them, and tell me if you recognize 9 which ones Shannan used on May 1st? 10 THE WITNESS: These are all her 11 phones? 12 MR. RAY: You can take them out if 13 you want to. No problem. 14 THE WITNESS: Geez. Wow. They're 15 all in backwards. I can't see without 16 taking them out. 17 MR. RAY: Take them out. Take 18 them out. I don't mind. 19 THE WITNESS: (Witness complying) 20 Q Do you recognize the first two that I just 21 showed you? 22 A Maybe. This one looks familiar 23 (gesturing.) 24 Q The pink one you're holding in your hand? 25 A It looks familiar.	Page 113 1 MICHAEL PAK 2 Q All right. So there's none that you can 3 independently remember as her phone; is that fair to 4 say? 5 A It would help if I can see the display. 6 Q Well, you can take them out. 7 A I mean, they turn on? 8 Q I don't think so. 9 A Yeah, me neither. 10 Q Yes, of course I understand that. 11 A I don't know. I don't know why I think 12 iPhone. But I don't know if she had an iPhone. 13 Q Are any of them there an iPhone? 14 A No. Maybe BlackBerry. I think she had a 15 BlackBerry. I would guess this one. 16 Q That's a BlackBerry? 17 A Yeah. 18 MR. RAY: Can we mark this? You 19 know, we have photos of them. 20 THE WITNESS: I would guess this 21 one. I would guess those two. 22 (Handing to Mr. Ray.) 23 My best guess would be those two. 24 Q Why is that your best guess? 25 A I'm just trying to imagine, like, picture

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1 MICHAEL PAK

2 in my mind, like, seeing what's in her hand.

3 Q Got you.

4 A I just remembered, I think she had Sprint

5 or something.

6 May be this one. (Handing to Mr. Ray.) I

7 don't know.

8 Q All right. This BlackBerry photo, which

9 is marked as Plaintiffs' 16, matches this phone; is

10 that accurate?

11 (Handing a document to the Witness.)

12 A Yes.

13 Q All right. So looking at 16, when you say

14 that the phone that's in your left hand right now --

15 that BlackBerry phone -- is the same as the Exhibit

16 photograph 16 -- is that a phone you recognize to be

17 Shannan's phone?

18 A I think she had a BlackBerry, but I

19 thought she did not have Verizon, because when Alex

20 and I hacked into her phone account I don't think it

21 was Verizon.

22 Q Do you remember what you hacked into?

23 A I think it was Sprint. I'm not sure. I

24 think Alex would know.

25 Q So the phone that you're looking at, 16,

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1 MICHAEL PAK

2 while it's a BlackBerry, you don't know whether or

3 not that was Shannan's phone; is that accurate?

4 A Yes.

5 Q And the other two phones you pulled, one

6 is a pink phone. It's a pink, Sprint Samsung,

7 Exhibit 13. Do you see that? Does that match the

8 pink that is the pink phone in your left hand?

9 (Handing a document to the Witness.)

10 A Yes.

11 Q All right. Is that the Sprint phone that

12 you referred to as being Shannan's phone?

13 A I think so. I could picture her using

14 this.

15 Q Do you remember her using that or not?

16 A I think so. I don't know. I don't want

17 to say that. I don't want to make up stuff.

18 Q I don't want you to either. I want to

19 know what you really think.

20 A I don't remember, but what I said.

21 Q Is that a familiar phone to you though?

22 A It looks kind of familiar.

23 Q And is it familiar as Shannan's phone?

24 A Could be. I don't know. I have to see

25 the display. That would help if I saw it on.

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1 MICHAEL PAK

2 Q Yeah, we can't do that. The third one was

3 this one; wasn't it (indicating)?

4 A Oh, yes.

5 Q This is a flip phone. Hold on.

6 A Am I getting fingerprints on these?

7 Q No, it doesn't matter. The fingerprints

8 are long overdone by probably a thousand people by

9 now.

10 A I don't want to tamper with evidence.

11 Q No, we're not asking you to do that.

12 Okay. This is showing you exhibit --

13 Plaintiffs' Exhibit 10, in the photograph, of a flip

14 phone of a black Verizon. Is that the same one as

15 you're holding in your left hand, to your knowledge?

16 (Handing a document to the Witness.)

17 A Oh, yes.

18 Q Do you recognize that phone as Shannan's

19 phone?

20 A I don't know.

21 Q Did she use a phone similar to that phone?

22 A I think so.

23 Q Did the police ask you, when they

24 interrogated you, about her phones? Anything? Do

25 you remember?

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1 MICHAEL PAK

2 A No. Just, you know, like, how many did

3 she have or what color.

4 Q Okay.

5 A Yeah, my memory was probably more accurate

6 back then.

7 Q Do you remember if the police asked you

8 about that at all?

9 Is this the other one (indicating)?

10 A Yes, I think so.

11 Q Did they have possession of any of her

12 phones when they talked to you? Did you observe

13 that?

14 A I think that would be impossible; right?

15 Q Pardon me?

16 A Wouldn't that be impossible?

17 Q Not necessarily. I'm just wondering.

18 A Because this is before they found her.

19 Q I know that.

20 A And they -- and they -- how would they

21 have the phone. No, no. I don't think they had the

22 phone.

23 Q I guess -- I don't know how we should do

24 this without wasting a lot of time, but I think we

25 have to mark these.

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Page 118 1 MICHAEL PAK 2 (WHEREUPON, the above-referred to 3 document, Black Verizon Flip Phone, was 4 marked as Plaintiffs' Exhibit 10A, for 5 identification, as of this date.) 6 (WHEREUPON, the above-referred to 7 document, Pink Samsung Sprint, was marked 8 as Plaintiffs' Exhibit 13A, for 9 identification, as of this date.) 10 (WHEREUPON, the above-referred to 11 document, Blackberry Phone, was marked as 12 Plaintiffs' Exhibit 16A, for 13 identification, as of this date.) 14 MR. RAY: I am going to show you 15 one other thing. 16 THE WITNESS: Oh, wow. 17 Q Do you recognize that laptop? 18 (Handing to the Witness.) 19 A I don't remember, but it looks familiar. 20 Q Why does it look familiar? 21 A I think she could have used this to post. 22 To go online. 23 Q Did you see her using that one, with that 24 color? 25 A I think so.	Page 120 1 MICHAEL PAK 2 A I think so. 3 Q How much and where? 4 A I would guess maybe two drinks. 5 Q Why would you guess that? 6 A Just, like, guessing how much alcohol she 7 would put in her cup. 8 Q Did you see her put any alcohol in her cup 9 on that evening? 10 A No. 11 Q Then how do you know she had any alcohol? 12 A I'm just guessing. 13 Q All right. Don't guess. If you know, you 14 know. I need to know what you know; okay? 15 A To my knowledge, I never saw her drink 16 alcohol. 17 Q In that five hours that you were sitting 18 there, did you ever see her produce alcohol and put 19 it into her soft drink? 20 A Never. 21 Q Did she act irrationally in that five hour 22 time? 23 A I don't think so. Just, like, temper or 24 something. 25 Q She had a bad temper?
Page 119 1 MICHAEL PAK 2 Q The purple one? It's kind of a purplish 3 pink? 4 A I don't remember. 5 Q Well, take a look on the outside. It's 6 got a scratch on it, too. Do you see it? On the 7 outside? 8 A That's not a distinguishing mark. 9 Q Did you ever see her using something that 10 looked like that? 11 A I think so. 12 Q With that color? 13 A I don't remember. 14 Q With that size? 15 A I think so. 16 MR. RAY: Let's mark it. 17 (WHEREUPON, the above-referred to 18 Laptop was marked as Plaintiffs' Exhibit 19 17, for identification, as of this 20 date.) 21 Q When you were sitting there for the five 22 hours or so, just before the Oak Beach trip, did 23 Shannan ingest any drugs? 24 A No. 25 Q Did Shannan drink any alcohol?	Page 121 1 MICHAEL PAK 2 A Or just upset. 3 Q What was the reason she was upset? 4 A Because she didn't make any money. I 5 think she just paid for the PATH train to get there, 6 and it was a waste of time. 7 Q How did the call from Brewer come in? Was 8 she sitting -- was Shannan in the front seat next to 9 you, in the backseat, somewhere else? 10 A Front seat. 11 Q What did she say, and what did Brewer say, 12 to your knowledge? 13 A You know, he said, "Do you want to come 14 hang out or party." She said, "Where?" And then he 15 gave the address and I looked it up and then they 16 discussed how long for how much. 17 Q How long was it to be and how much? 18 A I think it was \$500 for two hours, and 19 then we told him how long it would take to get there 20 for us. Maybe an hour, an hour and-a-half. 21 Q Was the time there -- the trip there and 22 back -- 23 A (Interjecting) Or maybe two hours. 24 Q I'm sorry? 25 A I don't remember how long, but it was long

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Page 122 1 MICHAEL PAK 2 to get there. 3 Q But the trip, were any arrangements made 4 to pay for the time and the trip? 5 A The time and the trip? 6 Q Yes. 7 A That was included in how much he was going 8 to pay. 9 Q Was that included in the hours she was 10 going to spend; the time you would spend tripping 11 back and forth? 12 A No. 13 Q To your recollection, as you sit here, was 14 it a two-hour meeting that she was going to have 15 with this client/customer? 16 A Yes. 17 Q It was about \$500 she would receive? 18 A I think so. Must have been, yeah. 19 Q Well, did you hear her talk about that 20 number? 21 A I think so. Yeah, I'm pretty sure it was 22 \$500. 23 Q Was there any discussion of your fee? 24 A Yes. 25 Q Tell us that discussion.	Page 124 1 MICHAEL PAK 2 A Yes. 3 Q In what way? 4 A Too far and dark. You know, we didn't 5 want to go there, but it was a lot of money, so we 6 thought it was worth it. Worth the money because we 7 didn't have any jobs that day. 8 Q How long did she talk to Brewer to make 9 that arrangement? 10 A I guess about three minutes. 11 Q Was it a negotiation or did it just come 12 out as a "that's it" kind of flat fee? 13 A I think they were -- yeah. Figuring out 14 how much to charge, or how much it would be. 15 Q Did she debate with him? 16 A Debate? 17 Q The prices? 18 A No, I don't think he argued. 19 Q Was there a discussion of what acts she 20 would perform? 21 A No. 22 Q Was there a discussion of having to bring 23 anything with her? 24 A No. 25 Q How about implements?
Page 123 1 MICHAEL PAK 2 A I think she would give me -- I think 3 between -- I think around \$150 or \$200. Probably 4 \$200. 5 Q Do you remember, as you sit here now, what 6 the arrangement was for your fee? 7 A Probably \$200, because it was so far. 8 Q Did you agree to that sum? 9 A Yes. 10 Q What time were you supposed to go there? 11 A I think we told him we would arrive about 12 1:00 a.m.? Like 1:00 a.m. or 2:00 a.m. 2:00 a.m. 13 Q 2:00 a.m.? So that call from Brewer, what 14 time did that come in about? 15 A I think around 12:30 a.m. 16 Q When you said you looked up the 17 directions, how did you do that; with GPS? 18 A I had a TomTom or Garmin. 19 Q And you looked it up there? 20 A Yes. 21 Q Were you able to determine, from looking 22 it up, how long it was to get out to Oak Beach? 23 A Yes. 24 Q Did that in anyway impede you or Shannan 25 in wanting to go there?	Page 125 1 MICHAEL PAK 2 A No. 3 Q Sexual toys, things like that? 4 A No. 5 Q What about cards? Any discussion about 6 playing cards? 7 A No, but that was later. 8 Q In the discussion with Brewer that Shannan 9 had in your car, did you hear whether or not there 10 was one person or more than one person who would be 11 at Brewer's house when she came? 12 A One. We thought it would just be him. 13 Q Did he ever say one way or the other, do 14 you know, whether it would be just him or not? 15 A I don't remember, but I think just him. 16 Q When he used the word party, or you used 17 the word party, was there a better description of 18 party made at that time? 19 A I'm pretty sure he said hang out. I'm not 20 sure if he said party. 21 Q Hang out meant what? Just have sex or 22 something else? 23 A Yeah, accompany. Accompany. 24 Q Did he talk to her that he would have 25 drugs?

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Page 126 1 MICHAEL PAK 2 A No. 3 Q Alcohol? 4 A No, not that I remember. 5 Q Did she express to you any reservations 6 about going there, other than the distance? 7 A No, she wanted to go. 8 Q The address that he gave you, that you 9 looked up on your screen, was it the address of his 10 actual house or just the address of Oak Beach or 11 something else? 12 A I think it was his house address. 13 Q So you would have that still somewhere? 14 A Yeah, I guess. 15 Q Where? 16 A I might have transferred it to this phone. 17 Let me see. 18 (Witness perusing a phone.) 19 1495 no -- 8 The Fairway Oak (sic), zip 20 code 11702. 21 Q And the 1495, was that the code to get 22 into the gate? 23 A Yeah. I thought it was 1492. I thought 24 it was -- but Columbus... 25 Q But Brewer claimed it was 1495: didn't he?	Page 128 1 MICHAEL PAK 2 Q Did you take the Midtown Tunnel or some 3 other way? 4 A I don't remember. 5 Q Did you have one of those E-ZPasses at 6 that time? 7 A At that time? 8 Q I don't know if they had them at that 9 time. 10 A 2010? I don't remember. We probably went 11 the freeway, you know, the bridge. 12 Q The 59th Street Bridge? 13 A Yeah. There was no traffic at that time. 14 Q So the route you took, to your knowledge, 15 from your recollection, the 59th Street Bridge, 16 Queens Boulevard, L.I.E. and what else? 17 A L.I.E. as far as possible, and there the 18 Jones passage to the beach (sic). 19 Q You went down to Ocean Parkway? 20 A Yes. 21 MR. RAY: Let me just take a break 22 for a second. 23 (WHEREUPON, a recess was taken from 24 3:12 p.m. to 3:16 p.m., after which the 25 following transpired:)
Page 127 1 MICHAEL PAK 2 A So I guess it's 1495. 3 Q Do you know if it was 1492 or 1495? 4 A On my phone it says 1495. I don't know 5 why I thought it was 1492. 6 Q If I told you that it is 1492, in fact, 7 would that help you at all to remember? 8 A I know it's one of those two. I always 9 thought it was 1492. I remember it didn't work, so 10 he had to come out to the gate and let us in. 11 Q 1492 did not work? 12 A Whichever he told us. I thought he told 13 us 1492. Maybe we got the number wrong. Maybe I 14 just -- that was a remarkable number so... 15 Q We'll come back to that. 16 So once those arrangements were made, did 17 Brewer tell you what time to arrive or did you tell 18 him what time you would arrive, or did Shannan tell 19 him? 20 A She told him. 21 Q She told him? 22 A Yeah. 23 Q Did you leave from 32nd Street and go 24 directly to Oak Beach? 25 A Pretty sure, yes.	Page 129 1 MICHAEL PAK 2 Q So you took Ocean Parkway. And then on 3 Ocean Parkway what did you do next? 4 A Yeah, I saw passing that statue, like, the 5 Jones Beach statue and then go much farther, like, 6 down narrow [sic] and then got to the gate. 7 Couldn't get in. 8 Q Stop there for a moment. 9 From the time you left 32nd Street, until 10 the time you got to the gate, did anybody speak to 11 Brewer? 12 A Speak to Brewer? Either me or Shannan? 13 Q While you were traveling, yes. 14 A I don't know. Probably. Maybe. Saying, 15 you know, make sure he's still awake, you know, 16 inform him that we're on the way. 17 Q Did that happen? 18 A I think so. 19 Q Do you remember if it happened or not? 20 A I don't remember, but I think that makes 21 sense, you know, because I don't want to drive all 22 the way out there for nothing. 23 Q During that trip, did you or Shannan stop 24 at any stores or any other place? 25 A I don't think so, no.

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Page 130 MICHAEL PAK 1 Q Did you stop to get any food or drink? 2 A I don't think so. 3 Q Did she stop to buy any alcohol? 4 A No, no. 5 Q Did you stop to pick up any drugs? 6 A No. 7 Q From 32nd street until you got to the gate 8 at Oak Beach, how was Shannan dressed? 9 A I think she was wearing a jacket and, 10 like, form fitting pants and a shirt. 11 Q What else? 12 A I don't remember. I don't remember what 13 kind of shoes she was wearing or... 14 Q Was she wearing boots? 15 A I don't remember. 16 Q Did you see slippers? 17 A I don't think so. 18 Q Did she carry any bag? 19 A I think she had a bag, because, you know, 20 these memories are like I made up these memories 21 after the fact. After that day. I don't remember 22 what she was carrying or wearing, but people tell me 23 things, so I put that in my memory. 24 Q I understand that your memory is affected, 25	Page 132 MICHAEL PAK 1 A Maybe that laptop. 2 Q Anything else? 3 A I would guess clothes, shoes, maybe 4 slippers. 5 Q Would she bring any kind of lingerie, that 6 sort of thing, that she would wear to be sexy? 7 A I don't remember. I don't remember. 8 Q Did she bring slippers? 9 A I don't know. I never saw. 10 Q Did she carry in a bag or pocketbook, to 11 you knowledge, on the other trips that you took with 12 her, any drugs? 13 A Never saw any drugs. 14 Q Did she carry in the pocketbook or the 15 tote bag, on any of the other trips that she took 16 with you, lace stockings? 17 A I never saw lace stockings. I never saw 18 lingerie or sexy cloths. I never saw. Only 19 pictures. 20 Q Did she ever tell you whether or not she 21 had to put on performances for anybody? 22 A Performance, performance. No. I don't 23 remember performance. I don't think so. She didn't 24 tell me she had to sing or dance for anybody. 25
Page 131 MICHAEL PAK 1 but I want you to do the best you can, to the best 2 of your recollection, independently of anybody 3 else's influence of what you do. That's important 4 to us; okay? So, make your best effort to do that, 5 please. 6 Is that agreeable? 7 A Okay. 8 Q Did you see her carrying or wearing a bag, 9 pocketbook, bag, you know, tote bag, anything of 10 that sort? 11 A I want to say I think she had a purse and 12 a big bag, but I don't know if that's -- like, 13 people told me that after. So, honestly, I'm not 14 sure. 15 Q You're not sure? 16 A I didn't pay attention. 17 Q Well, on other trips when she went with 18 you, did she carry a tote bag, a big bag? 19 A I think so. 20 Q Why would she do that? 21 A I don't know. I didn't ask. She probably 22 had stuff in there. 23 Q Do you know what stuff she would 24 ordinarily carry? 25	Page 133 MICHAEL PAK 1 Q Did she ever tell you -- other than the 2 Oak Beach, in the other 30-odd trips that you had 3 with her -- did she ever tell you that she had to 4 engage in group sex? 5 A Never. 6 Q Do you know if she did engage in group 7 sex, meaning more than one person, more than 8 one-on-one? 9 A I don't think so. I don't... 10 Q Did she ever tell you prices she would 11 ordinarily charge for her performances? 12 A I think around -- I think \$150 to \$200, 13 actually. 14 Q What would that include? 15 A What would it include for services? I 16 mean, I'm just assuming. I never asked, you know. 17 Q That's what I'm asking. I don't want you 18 to assume. 19 Did she ever discuss with you what it 20 included? 21 A I mean, sometimes she would tell me maybe 22 she did cocaine with a customer, but she didn't tell 23 me, you know, about sex. 24 Q Did she ever talk about oral sex? 25

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Page 134 1 MICHAEL PAK 2 A I don't think so. 3 Q Did she ever talk about anal sex? 4 A I don't think she talked about it, but I 5 don't think she does that. 6 Q Why don't you think that? 7 A Because I don't think girls like that. 8 Q But is there any reason why you would 9 think Shannan would not do that; the anal sex? 10 A Anal sex. Anal sex. Then I think she 11 would complain about it, you know. I think she 12 would talk about it. 13 Q Did she ever talk about it? 14 A No. 15 Q Did she ever talk about oral sex? 16 A Yes. 17 Q What did she talk about it in that regard? 18 A She said that the other driver, I think 19 that he wanted oral sex, so she left. She abandoned 20 his car. 21 Q Do you know where that took place, when 22 she abandoned his car? 23 A He told me it was in Brooklyn. 24 Q Did you tell that incident to the police? 25 A I think so.	Page 136 1 MICHAEL PAK 2 Q Did you give them the location and/or 3 phone number of Mike? 4 A Yes. 5 Q Why do you think that the police never 6 interviewed him? Did he tell you that? 7 A I heard he went to Florida. So, I think 8 he moved. 9 Q And to your knowledge, they never reached 10 out to him? 11 A Yeah. 12 Q Did he stay in touch with you? 13 A No. 14 Q Okay. Did Shannan carry any kind of sex 15 toys; if you know? 16 A I didn't see any. 17 Q Do you know if she ever used sex toys? 18 A I don't know. 19 Q Did Shannan carry any kind of 20 prophylactic, sexual protection? 21 A I'm pretty sure, yeah, she always used 22 condoms. 23 (WHEREUPON, a brief recess was taken 24 from 3:25 p.m. to 3:27 p.m., after which 25 the following transpired:)
Page 135 1 MICHAEL PAK 2 Q That she abandoned the car in Brooklyn? 3 A Yes. 4 Q Did you tell them the reason she abandoned 5 the car was because this man demanded oral sex, and 6 she wasn't going to give it? 7 A Well, they both had different sides of the 8 story. I believed her, because she told me the 9 story first and then I didn't hear his story 10 until... 11 Q What was his story; if you know? 12 A I think he said that she wouldn't pay him 13 his money, so he kicked her out of the car. But I 14 believe her. 15 Q Why do you believe her? 16 A Because I see that he said that again with 17 the Miami girl. He said she didn't give him his 18 money that she owed him from a previous time, so he 19 abandoned her in Westchester. 20 Q Do you know who that driver was? Was that 21 Mike? 22 A Yes. 23 Q Did the police ever interview Mike, to 24 your knowledge? 25 A I don't think so.	Page 137 1 MICHAEL PAK 2 Q You mentioned protections. That she 3 brought with her protections? 4 A Condoms. 5 Q Condoms. 6 Did she use any kind of device to protect 7 herself from pregnancy? 8 A I'm pretty sure, yes. To protect herself, 9 yes. 10 Q What did she use? Do you know? 11 A Besides condoms? I don't know. Other 12 condoms (sic). 13 Q All right. Did she carry any kinds of 14 liquids with her to your knowledge? Any kind of 15 lubrications? 16 A Oh, yeah. I think she had lube. 17 Q You saw it? 18 A I don't remember. 19 Q Why do you think she had lube? 20 A You know, just because, you know, if she's 21 not into it, then, you know, it won't hurt. 22 Q Was that something she talked about? 23 A I think so. 24 Q What did she say about it? 25 A Yeah, like, lube and condoms. Always use

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Page 138 MICHAEL PAK 1 lube. Oh, because she asked me to get some for her. 2 Q Get what? 3 A Lube and cards and massage oil. 4 Q When did she ask you to do that? 5 A A couple of times. One time in Jersey, 6 and one time in Oak Beach. 7 Q Any other time? 8 A No. 9 Q What were the cards for? 10 A I guess to prolong the time and make him 11 extend hours to pay more, they play cards. 12 Q Did you ever tell the police that Shannan 13 had asked you to get playing cards? 14 A I think so. 15 Q Did you ever discuss the playing cards 16 aspect of Shannan's work with Peter Hackett? 17 A I don't think so. Pretty sure not. 18 Q Did you buy playing cards for her on the 19 night before Oak Beach? 20 A No, I never bought playing cards or lube 21 for her. 22 Q And when she asked you to do that, you 23 didn't buy it? 24 A I went to buy it but the store was closed 25	Page 140 MICHAEL PAK 1 Q Yes. 2 A No. 3 Q So when you arrived at Oak Beach -- did 4 you get lost on the way, or did you find your way? 5 A I don't think we got lost. 6 Q So when you arrived at the gate, exactly 7 what happened? 8 A I tried to punch in the code. It didn't 9 work. So, I think we contacted Brewer and he came 10 and opened the gate. 11 Q Who called Brewer; you or Shannan? 12 A Shannan. 13 Q Did he tell you anything: How to get in 14 the gate, while you were on the phone? 15 A He told us the code again, and it didn't 16 work. So, he came, and he opened the gate. He 17 opened it, and we just went in. 18 Q Did he come in his car or did he walk? 19 A Car. 20 Q Do you remember what the car was? 21 A Similar to mine. I think it was American. 22 Maybe bigger, SUV, black. 23 Q While you were waiting there, did any cars 24 go in and out? 25
Page 139 MICHAEL PAK 1 and I couldn't find any other stores. And then I 2 came back and she's like, "It's okay. I didn't need 3 it anyway." So, I was like -- 4 Q Where was that, that happened? 5 A I was in Jersey. 6 Q Did Shannan perform in any videos to your 7 knowledge? Sexually? 8 A No. 9 Q Was Shannan in any way connected to 10 organized crime figures, to your knowledge? 11 A No. 12 Q Did she ever perform in sex clubs? 13 A Sex clubs? You mean, like, a strip bar? 14 Q Strip clubs, sexual -- you know, these 15 sexual clubs where you get naked? That kind of 16 thing? 17 A I don't think so. 18 Q So when you were driving with her to Oak 19 Beach, did she ever ask you that night, before you 20 arrived at the gate, to go buy lube, cards, or 21 anything else? 22 A Before we got to Oak Beach? 23 Q Yes. 24 A You mean that night? 25	Page 141 MICHAEL PAK 1 A No. He came right away. 2 Q When you arrived at the gate -- there was 3 a gatehouse; right? 4 A I didn't see a house. I just saw, like, 5 an arm. 6 Q But wasn't there connected to the arm, 7 right behind it, a little shack of some type? 8 A Maybe very small. I picture very small. 9 MR. MAHONEY: I was going to say 10 where did you punch in the code? 11 Q Wasn't the pad for the code to punch in 12 close by this small unit? This small hut? 13 A I don't know why, but I picture it, like, 14 around this size (gesturing.) Like, it should be 15 bigger; right? Otherwise you just drive around it. 16 I don't know about it. 17 Q Well, did you get out of your vehicle in 18 order to punch in the code, or did you stay in your 19 vehicle? 20 A I think I stayed in my vehicle. 21 Q So you just sat there and waited until he 22 came? 23 A He came in -- like, in about 30 seconds. 24 Q And when he came, did he come out of his 25

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1 MICHAEL PAK Page 142 2 vehicle to get you in? 3 A No. 4 Q How did he get the gate open? 5 A Oh, I don't know. Maybe the -- I don't 6 know. I don't remember. 7 Q While you were sitting at the gate, did 8 you notice a video camera? 9 A No. 10 Q Did you learn that there was a video 11 camera? 12 A Later, yes. 13 Q When did you learn that? 14 A I don't know, but... 15 Q Who told you? 16 A Maybe Gus Coletti or... 17 Q Did Hackett tell you? 18 A Hackett, yeah. It must have been Hackett. 19 Q When did Hackett tell you that? 20 A When we went to visit him two days later. 21 Q Did he tell you there was a video camera? 22 A I think so. 23 Q What did he tell you he would do with 24 regards to the video camera, if anything? 25 A Check it.	1 MICHAEL PAK Page 144 2 to the road. 3 Q All right. So Shannan got out, he got out 4 and they both went in together? 5 A Yes. 6 Q How did they get there? Was there a deck? 7 A Yes. 8 Q You saw them go up the deck? 9 A I don't know. It was so dark I just 10 barely saw anything. 11 Q Was there any spotlight on the house? Any 12 kind of illumination? 13 A I don't remember. I remember it was dark. 14 I don't remember if there was any light. 15 Q Do you remember seeing any other cars 16 around? 17 A No. 18 Q How about around the back of the house? 19 The driveway went around the back; didn't it? 20 A The back? Oh, the driveway? 21 Q Yes. 22 A Oh, no. It was so dark I didn't see 23 anything. 24 Q So you don't know whether there was 25 another car there or not in the back?
1 MICHAEL PAK Page 143 2 Q Did he ever do that, to your knowledge? 3 A Actually, I don't remember if he said that 4 it's not working or -- he might have said it's not 5 working or he'll check it. I don't remember. 6 Either he'll check it or it's not working. 7 Q All right. So after Brewer gets the gate 8 open, exactly what happens next? 9 A We follow him to his house. He said park 10 in the driveway. And then he got out of his car and 11 then Shannan got out and they went inside. 12 Q So his car went in first? 13 A Yeah, yeah, yes. 14 Q Your car went behind? 15 A Yeah. It was wide enough for at least two 16 cars. 17 Q Did you park next to his car, behind, or 18 in front of his car? 19 A In front. 20 Q So you were farther in? 21 A Farther out. 22 Q Farther out. 23 A Yeah. 24 Q Out towards the road? 25 A He went in deeper. I just stayed closer	1 MICHAEL PAK Page 145 2 A I think -- I'm guessing that there wasn't, 3 because later on, in the dawn, I think there was no 4 other car. I don't remember. 5 Q Did you see any cars parked along the 6 roadway? 7 A No. 8 Q So you stop your car. Did you turn your 9 vehicle off or leave it on? 10 A My car? 11 Q Yeah. 12 A Off. 13 Q Did you have a cell phone set up in the 14 car, or was it in your pocket, or something else? 15 A Cell phone? 16 Q You, not her. 17 A I didn't set up any cell phone. 18 Q Did you have a cell phone with you that 19 night? 20 A Yes. I think I had it set up near me, 21 next to me. 22 Q So when Shannan went in, can you describe 23 her clothing as you remember her? 24 A No. 25 Q You told me that she was wearing pants and

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Page 146 1 MICHAEL PAK 2 a shirt and shoes. Do you remember that? You 3 weren't sure about the shoes; what kind of shoes she 4 had on. 5 A Yeah, but this, like, not from -- not from 6 memory from the day, but from thinking about 7 afterwards. So -- and also what people told me. 8 People just kept telling me that she was wearing a 9 leather jacket and whatever. So, I said, "Okay." 10 Q Who was telling you she was wearing a 11 leather jacket? 12 A Who told me? Everybody, I think. The 13 police, I think, or Alex or -- who told me? Brewer? 14 I don't know. I don't know. 15 Q What kind of pants was she wearing? 16 A I don't know. I would guess, like, blue 17 jeans. 18 Q Do you remember meeting with Mr. Mahoney 19 and I at the diner? 20 A Yes. 21 Q Do you remember telling us she was wearing 22 blue jeans? 23 A No. 24 Q If I told you, you said that, would that 25 change your testimony now? Would you remember	Page 148 1 MICHAEL PAK 2 A Like, reclining, napping. 3 Q Were you napping? 4 A Um-hum. 5 Q Yes? 6 A Yes. 7 Q Anything else besides napping? 8 A Maybe playing online poker for free. Not 9 real money. 10 Q Were you on the phone with anyone? 11 A Yes. 12 Q Who? 13 A Shannan. 14 Q Other than Shannan? 15 A I think Brewer was also on the phone with 16 her. 17 Q In that 30 minutes to an hour, did you see 18 any activity in the house? 19 A In the house, no. 20 Q Did you see which lights were on in the 21 house? 22 A I don't remember. 23 Q Could you see whether they were on, on the 24 main floor, or the top floor, or somewhere else? 25 A I couldn't see or I didn't pay attention.
Page 147 1 MICHAEL PAK 2 whether she was wearing blue jeans or not? 3 A I mean, I would guess that she was wearing 4 blue jeans. 5 Q I don't want you to guess. I want to know 6 what you remember. 7 A Honestly, I don't remember what she was 8 wearing. I don't pay attention to what she's 9 wearing. 10 Q Do you remember whether she had on a white 11 blouse or not? 12 A No, I don't remember. 13 Q Did the police ever tell you she was 14 wearing boots? 15 A I don't remember. 16 Q So she went in the house. Did you see 17 what door they went in? 18 A No, but I saw what door -- I saw the door 19 from Sunrise Highway. 20 Q How long were they inside the house before 21 something else happened? Before anything else 22 happened. 23 A About -- maybe 30 minutes to an hour. 24 Q What were you doing in that 30 minutes to 25 an hour?	Page 149 1 MICHAEL PAK 2 Q All right. Did anything happen, other 3 than the fact that you sat there napping and playing 4 on your computer, during that period? 5 A Shannan called me. 6 Q Before Shannan called you. 7 A Did I see -- no, I didn't see anything. 8 Q Look at Exhibit 2 here -- 9 (Handing a document to the Witness.) 10 Q (Continuing) -- which is dated June 18, 11 2010. Do you see it? 12 A June 18th. 13 Q (Indicating) Yeah, right up here. 14 Does that look like Shannan to you in those 15 pictures? 16 A Yes. 17 Q If you'll notice this was published by the 18 police department; okay. And this is a missing 19 persons poster. And if you wouldn't mind looking at 20 where it says: Clothing, blue jeans, white blouse 21 with ruffles, black boots. Does that help you to 22 remember anything? 23 A I believe it. 24 Q Was it boots she was wearing? 25 A I couldn't really see down -- because I

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Page 150 1 MICHAEL PAK 2 didn't really see -- I mean, I didn't, like, you 3 know, see her outside the car really, or look down 4 on her feet. But, you know, when she's sitting next 5 to me, I didn't really -- I can't really -- I think 6 she had a bag there, so I didn't really see her 7 feet. 8 Q In all the times she traveled with you, to 9 your knowledge, did she ever wear slippers on her 10 feet when she was going to a job? 11 A I'm pretty sure, no. Slippers, I don't 12 think so. 13 Q Would she commonly wear black boots? 14 A I don't know. I don't know. Maybe if it 15 was really hot she would wear slippers. 16 Q Did you ever see her wear slippers, to 17 your knowledge? 18 A Maybe not slippers. Maybe open-toed 19 shoes. I don't know. I'm just guessing. 20 Q Did you ever see her wearing any kind of 21 high-heeled shoes when she went to jobs. 22 A High heels? I think. I think high heels. 23 Q She wouldn't wear flat shoes; would she? 24 A Maybe? 25 Q You don't know?	Page 152 1 MICHAEL PAK 2 A I don't remember her wearing it, but I 3 remember people telling me they found a black 4 jacket, I think, near the deck or something. 5 Q Who told you that? 6 A I think Mari. 7 Q Who's Mari? 8 A Mari Gilbert. 9 Q Mari Gilbert. 10 A Mari, Mari Gilbert or Sheree. I think 11 they told me they found a black leather jacket. 12 Q Is it an accurate description of Shannan, 13 that she had a small scar under her right eye? 14 A Right eye? 15 Q Um-hum. 16 A I don't remember. 17 Q Did she have a cherry tattoo on her left 18 wrist? 19 A Cherry tattoo? I think so. I don't 20 remember. 21 Q Did she have a scorpion tattoo on her 22 back? 23 A I don't remember. Was it on the top of 24 her back or... 25 Q I don't know. I am asking you.
Page 151 1 MICHAEL PAK 2 A I don't think she wore very high. Maybe 3 just a couple of inches. 4 Q How about the blouse with ruffles? Do you 5 remember that? 6 A Is that the blouse? 7 Q Well, I don't know if it's or not in that 8 photo. But I know the police said that her clothing 9 was white blouse with ruffles; do you see that -- 10 A (Interjecting) I don't remember. 11 Q (Continuing) -- on the posters? 12 A I can't tell if it's ruffles or not. But 13 it doesn't look like ruffles from this side. 14 Q No, but where it says clothing, Michael 15 (indicating.) 16 A I see that (indicating.) White blouse 17 with ruffles. 18 Q Do you remember her wearing that? 19 A No, because I think she was wearing a 20 jacket over her, so I didn't really see ruffles. 21 Q And you'll notice the police do not 22 mention a jacket in that poster? Do you see that? 23 A Right. 24 Q But you remember her wearing a jacket; is 25 that true?	Page 153 1 MICHAEL PAK 2 A I mean I never saw her without clothes on, 3 so unless she showed it to me, like, on the top of 4 the back maybe? Oh, here this is. 5 Q I'll take that back. 6 A Small scar under right eye, cherry 7 tattoo... 8 (Handing a document to Mr. Ray.) 9 Q Thank you. 10 So, when Shannan calls you, what were you 11 doing? 12 A I was resting, reclining after that long 13 drive. 14 Q And exactly what did she say when she 15 called you the first time? 16 A I think she said, "Hey, can you get me 17 some lube, playing cards, and massage oil." 18 Q What did you say? 19 A I said, "Where?" And then I tried to find 20 on the map, and I think it was far, and I think it 21 was closed. So, I said, "Remember last time you 22 told me to get it, it was closed, and then you said 23 you didn't want it anyway." And then she got angry, 24 and she hung up. I think she said, "I'll find my 25 own way home."

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Page 154 1 MICHAEL PAK 2 Q Why would she say she'll find her own way 3 home; do you know? Were you discussing how to get 4 home? 5 A No. She was just trying to pressure me 6 into going to the store to buy that stuff. 7 Q Did you respond to anything she said in 8 that conversation? 9 A Yeah. So I was like, what? Does that 10 mean, like, she just wants me to leave now or -- so 11 I thought, oh, she's not going to pay me so I came 12 all the way out here for nothing. 13 So, I called her back. She didn't pick up. 14 So I called Brewer. He didn't pick up. But his 15 voice mail greeting told the number of another 16 number, like, a 631 number. So, I thought that was 17 his home number or something. So, I called that 18 number. That's how I found out that number. And I 19 think that's when I found out his name, I think. He 20 left his name on the greeting. 21 Q On what greeting? 22 A His cell phone greeting; voice mail. 23 Q How did you call his number in the first 24 place? 25 A She gave me his number. She must have	Page 156 1 MICHAEL PAK 2 Q Was she a smoker, ever? 3 A I don't think so. 4 Q Were you? 5 A Yes. 6 Q Did you smoke in the car with her while 7 you were driving? 8 A I don't remember. 9 Q All right. So, she got mad, and how long 10 would you say that conversation lasted, Michael? 11 A About a minute. 12 Q Then she hung up on you? 13 A Um-hum. 14 Q What happened next? 15 A Then I called her and then I called him 16 and then he called me back and said, "It's okay. 17 You don't have to get it. That's fine." 18 Q Then what did you say to him? 19 A I said, "Oh, okay. Cool." So, I went 20 back to reclining. And that's when I saw soon 21 after, they left. 22 Q How did they leave? Tell me that. What's 23 the first thing you saw? 24 A I just saw the car pass me. 25 Q Did you see them getting into the car?
Page 155 1 MICHAEL PAK 2 left it there. 3 Q On a piece of paper or something else? 4 A I don't remember. 5 Q So the first time you called Brewer, you 6 got Brewer's number from Shannan, originally? She 7 left you his number? 8 A Yes. 9 Q What's the reason she did that; if you 10 know? 11 A Well, just in case, because it's so far 12 away, you know. On the way there she... 13 Q Do you remember when you met with Mr. 14 Mahoney and I, you told us that Shannan had two 15 bags? 16 A Mr. Mahoney is a detective? Oh, yeah, 17 retired detective. Two bags, two bags. 18 Q Um-hum. 19 A I think so. 20 Q And you also told us you didn't think she 21 was wearing net stockings. Do you remember that? 22 A Yeah, I think she was wearing pants, so 23 not stockings. 24 Q And did she smoke? 25 A I don't think so.	Page 157 1 MICHAEL PAK 2 A No. 3 Q Did you see them coming out of the house? 4 A No. 5 Q When you saw the car pass you -- I mean, 6 if the car had pulled in, the nose was facing 7 inward; wasn't it? Towards the north? 8 A His driveway is big enough to turn around 9 in there. 10 Q Well, did you see him turn around? 11 A Maybe I heard it. It was so dark. There 12 was no lights anywhere. 13 Q Did you -- the car didn't have its lights 14 on? 15 A He must have turned around. 16 Q Did you see him turn around? 17 A No, I wasn't looking. 18 Q You didn't hear the car get turned on? 19 You didn't hear the engine start? 20 A I didn't care. I didn't pay attention. I 21 was just resting, you know. It was a long drive. 22 Q Help me out here. You're here in a long 23 driveway, in a quiet place, in the dark, sitting on 24 a driveway, with one other car there, and your lady 25 that you brought is inside. And the car gets turned

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2 on and you didn't pay attention to that?

3 A Turned on?

4 Q You just told me the car turned on.

5 Engines turn on so cars can move; can we agree?

6 A I must have noticed it.

7 Q So I'm asking you, what did you notice?

8 A I don't remember. But I guess -- I guess

9 I noticed him turning on the car and then them

10 leaving.

11 Q How did that happen, when you heard the

12 car turn on? Did you see the car do a U-turn, did

13 you see it turn around then?

14 A No, no. Because I was facing the exit.

15 That must have all happened behind me, you know.

16 Q I thought you said that he pulled in

17 first; Brewer?

18 A Yeah, he did.

19 Q So he would be in front of you; right?

20 A What do you mean?

21 Q In other words, your car would be between

22 his car and the roadway; isn't that true?

23 A Yes, yes.

24 Q So then how did his car get around your

25 car to get out to the roadway?

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2 A He just passed me.

3 Q Well, how did he get to be able to pass

4 you? How did he turn around?

5 A How did turn -- back in the driveway.

6 It's a huge driveway. Okay, yeah. Okay, yeah.

7 MR. MAHONEY: This is his car,

8 this is your car (gesturing.)

9 THE WITNESS: Oh, no. Okay, okay.

10 All right, this is his house.

11 Here's the driveway (indicating); right?

12 So, he went in and then I went in here and

13 then I guess he left. I didn't look at

14 him, but I guess they left like that.

15 Q So you didn't see him turn around in his

16 car; is that true?

17 A I don't remember's seeing him.

18 Q Where's the first spot you saw the car in

19 relation to your car?

20 A I'm pretty sure when it was here

21 (indicating), passed in front of me.

22 Q So when the car -- their car passed

23 directly in front of your car?

24 A Yes.

25 Q Then their car went out to the roadway?

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2 A Yes.

3 Q Were they speeding, going slowly,

4 something else?

5 A Pretty fast, yeah. I think he's a fast

6 driver. Yeah, I was like, "What's the rush."

7 Q Which way did they turn?

8 A Left.

9 Q Did you see them in your mirror when they

10 turned left?

11 A No, because I was reclining. I can't see

12 the mirror.

13 Q How did you see them turn left?

14 A Well, I -- I -- what do you mean?

15 Q Well, your car is facing in, away from the

16 roadway?

17 A No, no. I said facing the roadway.

18 Q How did it get to be facing the roadway?

19 A In all that time I see waiting, you know,

20 I turned around when I went in and they left and I

21 faced the roadway and turned off the engine. I

22 didn't want to face the -- you know, in towards the

23 driveway; right?

24 Q So now your car is facing toward the

25 roadway and you see them go out and you see them

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2 make a left; is that true?

3 A Yes.

4 Q They were going fast?

5 A Yes.

6 Q And when you saw them make that left, did

7 you observe the car continuing down the roadway, to

8 the left?

9 A I can't see past the -- there was, like,

10 bushes or something. I couldn't see anything.

11 Q When they past you by and went to the

12 left, what, if anything, did you do?

13 A Yeah, I was, like, whatever. You know,

14 just go back to taking a nap. I really needed a

15 nap.

16 Q You just laid back again?

17 A Yes.

18 Q And weren't you worried that since Shannan

19 said she'd find her own way home that that's what

20 she had just done and left you behind?

21 A No, I believed him when he said it's okay.

22 They're just going to get something themselves or

23 they'll go themselves to the store or something.

24 Q All right. What was the next thing that

25 occurred after you laid back?

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2 A The next thing I remember -- I guess they

3 must have returned but I don't remember -- maybe I

4 was asleep -- but I remember around -- after two

5 hours later, maybe around 3:00 or 4:00 a.m. -- must

6 have been 4:00 a.m. -- they wanted to extend another

7 hour.

8 Q After they left and went to the left, what

9 happened before they came back?

10 A Nothing.

11 Q So you saw them come back?

12 A I don't remember.

13 Q You don't remember seeing them come back?

14 A Maybe I was asleep or maybe I did see them

15 come back, but I don't remember because it's 10

16 years ago.

17 Q Did you tell the police what happened?

18 A Yeah, I did.

19 Q Did they ask you in the details that I'm

20 asking you?

21 A Probably.

22 Q And did you tell them that you saw the

23 other two come back?

24 A I don't remember. Can you ask them?

25 Because I don't remember. They wrote it down. I

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2 think -- I thought I didn't have to remember any of

3 this anymore because I already told them and I

4 thought they documented it. You know, I didn't

5 think I'd have to recall 10 years later. I would

6 have wrote it down or something.

7 Q What's the next thing you remember after

8 they had left? What's exactly the next thing you

9 remember Michael?

10 A I swear to God, the next thing I remember

11 is she calling me around 4:00 a.m. saying they're

12 going to extend another hour.

13 Q So they were back in the house?

14 A Yes.

15 Q You don't remember them going back in the

16 house; is that accurate?

17 A Maybe I do remember? Maybe I saw them,

18 but I don't remember now. I don't want to make up

19 stuff though.

20 Q So when she called you and said she wanted

21 to extend, how much time did she want to extend by?

22 A Another hour.

23 Q That was at about 4:00 o'clock when she

24 told you that?

25 A Um-hum.

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2 Q Is that yes?

3 A Yes.

4 Q What did you say?

5 A I said, "Cool." You know, at first I was

6 like, "Oh, you know. They tell me at the last

7 minute. I thought I was going to drive home now,

8 but okay another hour; it's more money. So, okay."

9 Q Did she tell you there'd be more money?

10 A Yes.

11 Q How much more?

12 A I think \$200 more.

13 Q For an hour?

14 A I'm guessing.

15 Q How much were you going to get out of

16 that?

17 A Out of that \$200? Probably a third.

18 Q Did she tell you that?

19 A I don't remember.

20 Q How long did that conversation last?

21 A Very brief. Maybe 30 seconds, I guess.

22 Q After you hung up, what happened next?

23 A Then next I think around 5:00 a.m. -- when

24 it was still dark -- he, Brewer, came out. He said,

25 "Can you get her out? She won't leave." I was

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2 like, "What?" He said, "It's time to leave." I

3 said, "How come she won't leave?" And he said, you

4 know, "Go get her out." I was, like, "What?" I went

5 to the door -- I went up the patio.

6 Q Let me stop you there, before you go up

7 the patio.

8 Try to help me out and see if you can

9 remember what exactly Brewer said to you and exactly

10 what you said to Brewer, in sum and substance.

11 A I just did. I was, like -- you know,

12 still reclining and he came out and I was surprised

13 to see him. You know, I usually never see the guys.

14 Q Did he come to your window? Your driver's

15 side window?

16 A I think he came to the passenger's side

17 window.

18 Q Did you roll down the window?

19 A Or -- yeah, or opened the door or

20 something.

21 Q You don't remember?

22 A I think the engine was off, so I could not

23 roll it down, so I think I opened the door.

24 Q Then what happened?

25 A He said, "Can you get her out. It's time

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2 to leave." Or, "Get her out. She won't leave."

3 Q When he came out, had another extra hour

4 passed, or less?

5 A From when?

6 Q From when she told you she needed the

7 extra hour?

8 A It was, like, exactly an hour after she

9 said that.

10 Q Did you see where she was when Brewer was

11 at your car? Was she at the door, was she at the

12 door of the house?

13 A She was still inside the house.

14 Q Sorry?

15 A She was still inside the house. But that

16 is a good question. I didn't think about that until

17 now that, yeah, 4:00 o'clock everything was still

18 fine, right, because she said extend another hour.

19 So within that hour -- 4:00 to 5:00 -- something

20 went wrong.

21 Q So now Brewer comes out with less than

22 that hour expiring and comes to your door?

23 A No, it was almost an hour. Like, maybe 56

24 minutes afterwards.

25 Q So he comes to your door, you open the

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2 door, and he says to you the hour's over or words to

3 that effect?

4 A Um-hum. She won't leave, get her out.

5 Q Did he say why she wouldn't leave?

6 A I said -- no. I said, "Why not?"

7 Q Yeah.

8 A I think -- I think he didn't know. He

9 didn't know why.

10 Q Did it surprise you that she wouldn't

11 leave?

12 A I was shocked, yeah.

13 Q Had she ever done that before in any of

14 the 30 times that you'd been anywhere else?

15 A No. Never.

16 Q Did he say whether she was bizarre, high,

17 using drugs, doing anything?

18 A No. I didn't talk to him that much. I

19 just -- he just said she wouldn't leave, you know.

20 So, I went in there.

21 Q Wait. When he said she won't leave, did

22 he ask you to come in and help him?

23 A Yes.

24 Q What did he say?

25 A He said, "Get her out. Get her out."

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2 Q What did you say?

3 A I thought she won't leave, so I wanted to

4 see her, so I went in. I said, "Okay." So I went

5 in.

6 Q Did you walk in with Brewer?

7 A I think he went in first. Yeah, he went

8 in first.

9 Q Were you right behind him?

10 A Pretty much.

11 Q Then what happened as soon as you went

12 through into the house?

13 A Okay, so --

14 Q (Interjecting) Stop. Let me withdraw

15 that.

16 What door did you go into?

17 A I guess it's the front door with the patio

18 or screen door or something.

19 Q Is it a sliding door or a door that swung

20 open and closed or something else?

21 A I recall -- I think it was a sliding door.

22 I don't remember.

23 Q When you went in, that would take you into

24 the main area of the house; true?

25 A I don't know if it's the main area, but

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2 what I saw was a dinning room table right in front

3 of the door, a lot of clutter all over the floor.

4 You could hardly see the floor or step on the floor

5 because there was so much stuff on the floor.

6 Q What was the stuff?

7 A Just very messy. Just anything. Like,

8 whatever. I don't know. I don't remember. Just

9 like regular garbage, you know.

10 Q What else did you see?

11 A I think Brewer was on the left. I think

12 the kitchen was back there or something and I saw --

13 I saw -- well first I saw Shannan. She was standing

14 right there.

15 Q Standing right where?

16 A Near the back, away from the door. She

17 was, like, I would guess about maybe 10 feet away.

18 Ten, 15 feet.

19 Q Was there anything between you at the door

20 and Shannan where she was standing 10 to 15 feet

21 away?

22 A I don't remember. I think a lot of

23 clutter on the floor, maybe the dinning room chairs

24 or something.

25 Q Where was Brewer in relation to you and

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Page 170 1 MICHAEL PAK 2 Shannan? 3 A I recall he was on the left. 4 Q Was he facing her? 5 A Maybe it was on the right. I don't 6 remember. I don't remember. I think he was, like, 7 sideways I think. I don't know. I don't know. 8 Q So what happened next? 9 A I wasn't paying attention to him because I 10 was looking at Shannan. 11 Q What happened next? 12 A I said, "Shannan, let's go. It's time." 13 And then she didn't say anything. I said, "Shannan, 14 are you okay?" She didn't say anything. And then I 15 heard -- and then she was holding her phone. So I 16 was looking at her and I heard some voice on the 17 phone. She's right-handed, you know. And then I 18 could make out -- I figured out, oh, that's like -- 19 it sounded like 911. So I was like, "Oh, she's 20 calling 911?" 21 Q Let me stop you. 22 What made you believe it sounded like 911? 23 A Those kind of voices. You know, those 911 24 ladies. 25 Q Did you hear what the voice was saying?	Page 172 1 MICHAEL PAK 2 trying to kill me." 3 Q Let me stop you right there. 4 Do you remember those words, "They're 5 trying to kill me?" 6 A Maybe before that I was trying to figure 7 out if she was coherent, so I don't remember. 8 Q What was the reason you were trying to 9 figure out that she was coherent? 10 A Because she wouldn't leave. She was 11 acting irrational. 12 Q In what way was she acting irrational? 13 A Because she wouldn't leave. 14 Q Other than the fact that she wouldn't 15 leave? 16 A She was not talking to me normally. Like 17 -- and she was acting weird to me. 18 Q In what way? 19 A Well, besides she wouldn't leave, she 20 didn't -- oh, she did talk, like, you know -- well, 21 the thing is she crouched behind the sofa, right? 22 So, she was standing and then she crouched behind 23 it, she went behind the sofa. And then she crouched 24 and that's when I said, "Did you see the movie 'Fear 25 and Loathing in Las Vegas'?"
Page 171 1 MICHAEL PAK 2 A I think she was saying, "Where are you? 3 What's your address?" 4 Q All right. Let me freeze frame that right 5 there for a moment. 6 When you saw that, was Shannan -- did she 7 have her jacket on? 8 A I don't remember. 9 Q Was she wearing a pocketbook? Carrying a 10 bag? 11 A I don't remember. I just remember her 12 holding a phone. 13 Q Did she have a white blouse on at that 14 point? 15 A I don't know. 16 Q Was she dressed? 17 A Yes. 18 Q Do you know if she had her boots on? 19 A Yeah, fully dressed. She looked normally 20 dressed. I don't remember her boots. 21 Q So you see her standing there, you hear 22 this voice saying, "Where are you?" What exactly 23 happens next? 24 A Then, you know, the woman said, "What's 25 your address?" And then Shannan said, "They're	Page 173 1 MICHAEL PAK 2 Q Let me stop you right there. 3 Before Shannan went to crouch behind the 4 sofa, was she acting in any way irrational? 5 A Yes. 6 Q In what way? 7 A She wouldn't talk normally to me. 8 Q When you say, "She wouldn't talk 9 normally," was she talking at all to you? 10 A Before crouching behind the sofa? 11 Q Yes. 12 A I don't remember. 13 Q So if you don't remember, how do you know 14 she was talking irrationally to you if you don't 15 remember her talking at all? 16 A I said she was acting irrationally, not 17 talking irrationally. 18 Q All right. Then in what way was she 19 acting irrationally, other than the way she was 20 talking to you, which you don't remember? 21 A Because she wouldn't leave. You know, 22 like, she knows after the job is done go home, you 23 know, leave. 24 Q But other than the fact that she wouldn't 25 leave, was there any other way she was acting

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2 irrationally before she went behind the couch?

3 A No. She was just standing holding the

4 phone.

5 Q So your belief that she was irrational was

6 based, at that point, only on the fact that she

7 didn't go out the door, she stood there with her

8 phone; is that accurate?

9 A Yes.

10 Q Then after that occurred that she was

11 standing there and not answering you when you spoke

12 to her, she went immediately behind the sofa; is

13 that accurate?

14 A Immediately? I don't know.

15 Q How long did she stand in the spot that

16 you told us about, that she was standing with her

17 phone, and the 911 operator asking her where she's

18 located?

19 A I would guess about a minute.

20 Q A whole minute?

21 A I'm guessing.

22 Q Don't guess. Tell us what you remember.

23 A I don't remember.

24 Q Would it have been just a few seconds?

25 A Longer. Maybe 30 seconds, at least.

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2 Q During that time, did she speak to that

3 operator on the phone?

4 A Yes.

5 Q What did she say?

6 A She said, "They're trying to kill me."

7 Q Other than saying, "They're trying to kill

8 me," what else did she say?

9 A I think she said Long Island or Jones

10 Beach or something.

11 Q What else did she say?

12 A That's all I remember.

13 Q When you heard her say, "They're trying to

14 kill me," were those her exact words?

15 A I don't remember.

16 Q Well, you gave me the words, so are those

17 her exact words or something else?

18 A I don't remember.

19 Q Why did you come up with those words if

20 you don't remember?

21 A That's what I'm guessing.

22 Q I don't want you to guess. I want you to

23 tell me what you remember you heard her say?

24 A I don't remember.

25 Q Did you hear her say words to the effect

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2 that they're trying to kill me?

3 A Yes.

4 Q But you don't know the exact words; is

5 that true?

6 A I don't remember.

7 Q Did she say -- did she use the word "they"

8 when she said, "They're trying to kill me?"

9 A I think so. I think so. That's what I

10 remember.

11 Q Did she use the word "kill" or "murder?"

12 A Kill.

13 Q Or something else?

14 A Kill.

15 Q Did she use the word "me?"

16 A Yes.

17 Q Did she refer to who "they" were?

18 A No.

19 Q Did you see anybody in this house or hear

20 anybody in the house besides her and Brewer and you?

21 A No. No.

22 Q When she said those words, where was she

23 looking?

24 A Just -- yeah, she wasn't really looking at

25 me. She was looking, like, near the front wall,

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2 where the front door was.

3 Q How did she express those words? Were

4 they in an angry way, agitated way, calm way, or how

5 would you describe it?

6 A Calm.

7 Q Did you respond to those words?

8 A I said, "Who's trying to kill you?"

9 Q What did she say?

10 A No response.

11 Q She said those words before she crouched

12 down behind the couch; is that true?

13 A I think so. I think that's before the

14 couch. Yeah, I'm pretty sure.

15 Q What did Brewer respond, if anything?

16 A I don't remember.

17 Q Did he say something?

18 A Later.

19 Q At that point, when she was speaking to

20 the operator?

21 A I don't remember. I don't think so.

22 Q Do you remember telling Mr. Mahoney and

23 myself at our meeting that the words spoken were,

24 "You guys are trying to kill me?"

25 A "You guys are trying to kill me?" Never.

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2 Q You never that said?

3 A I never said that in my whole life.

4 Never. You guys? You guys, you guys. No, I swear,

5 under oath, never. She never said that. And even

6 the "kill me" thing, you know, nobody ever knew

7 about that until I said it. Nobody else knows about

8 that.

9 Q What do you mean by that?

10 A I'm the one who put it out there that she

11 said that, you know, incriminating myself; right?

12 Q Yeah.

13 Did the police say that she said that to

14 you?

15 A No, they didn't know.

16 Q They didn't know that?

17 A No, nobody.

18 Q Did the police say they heard the 911

19 operator, when they spoke to you?

20 A I think they said that she was on 911.

21 Q So when she was speaking and saying,

22 "They're trying to kill me," the 911 operator was on

23 the phone; right?

24 A Yes.

25 Q So that statement would have been recorded

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2 perhaps; right?

3 A Should be, yes. She was on speaker phone.

4 So she was talking to the operator or just to

5 everybody; right? I don't know. I'm assuming, but

6 she could have been saying it to me. But she was

7 just, like, saying, "They're trying to kill me."

8 Q When you asked her who was trying to kill

9 you, what did she say?

10 A No response. She wouldn't tell me

11 anything.

12 Q Did you ask her why she was on 911?

13 A I don't remember. I may have said, "Are

14 you on 911? Why are you calling 911?" I would

15 guess I said that.

16 Q I don't want you to guess. I want you to

17 see if you remember what you said.

18 A I think I said, you know, "Why are you

19 calling 911? Let's go. What's the matter? Let's

20 leave."

21 Q What did she respond to that?

22 A No response.

23 Q Then she moved herself behind the couch?

24 How far did she have to go to get behind the couch?

25 A Maybe she walked about five feet.

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1 MICHAEL PAK

2 Q Did she have to go to your left to get

3 behind the couch?

4 A My left?

5 Q You were facing her?

6 A I think she went to my right.

7 Q To your right?

8 A Yeah.

9 Q And the couch, describe it.

10 A I think it was either a left seat [sic] or

11 a three-cushion, I don't remember the color.

12 Q When she moved to crouch down, did she

13 run, did she walk, something else?

14 A Walk.

15 Q Then she just crouched down like she was

16 in a small space? Is that how she did it?

17 A Like, as if, like, some bomber were going

18 to drop bombs. Like in the movie. You ever -- you

19 guys ever see that movie?

20 Q Well, I'll take your word. You can tell

21 me; okay?

22 A So she reminded me of that movie. So I

23 asked her, "Did you see that movie?"

24 Q What movie did you ask her about?

25 A "Fear and Loathing in Las Vegas."

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1 MICHAEL PAK

2 Q Tell me what you said to her when you said

3 that?

4 A She reminded me of that movie, so I said,

5 "Did you see Fear and Loathing in Las Vegas?" And

6 she said, "Yes." So, that's when I thought she is

7 coherent, she's just acting. She responded to that

8 question, so that means she's acting.

9 Q In what context did you say, "Did you see

10 that movie 'Fear and Loathing in Las Vegas'?"

11 A Because she was crouching behind the sofa

12 just like in that movie.

13 Q And that's what you said to her: You're

14 crouching just like in that movie, or words to that

15 effect?

16 A I don't know if I said that.

17 Q Were you joking with her?

18 A No, I was trying to figure out if she was

19 acting and coherent.

20 Q When you said that to her and she said,

21 "Yes," what did Brewer say, if anything?

22 A I think he was not in the room at that

23 time.

24 Q Why do you think that?

25 A Because I remember now he came back later

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1 MICHAEL PAK

2 and he said, "Oh, my God. She's still here?" And

3 then I said, "Yeah. Can you help me get her out?"

4 And that's when he grabbed her.

5 Q All right. Stop there. Before we get to

6 the grabbing incident.

7 So Brewer was gone, and you think from that

8 room, when you asked Shannan the question about "Fear

9 and Loathing in Las Vegas?"

10 A I think so.

11 Q Did you see where he went?

12 A I think he probably went to smoke in the

13 backyard.

14 Q What makes you think that?

15 A Because later I think I saw him smoking in

16 the backyard.

17 Q That was later. But at this point, when

18 you were asking Shannan about "Fear and Loathing in

19 Las Vegas --"

20 A Yeah, I don't know where he went. Maybe

21 the bathroom. But I'm assuming.

22 Q Assuming is fine. Just let us know you're

23 assuming. I need to know what you know; all right?

24 Do you know where he went?

25 A I said I think. No. He left, but I don't

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1 MICHAEL PAK

2 know where.

3 Q And did he go out the door, did he go

4 somewhere else?

5 A I think there was, like, a door in the

6 back, like, to the kitchen or something.

7 Q Did you see him go in there?

8 A I didn't really pay attention.

9 Q So when Shannan was crouching behind the

10 sofa, how long did she remain in that spot,

11 crouching?

12 A I don't know.

13 Q About?

14 THE WITNESS: When's the sandwich

15 coming? My stomach hurts.

16 MR. RAY: She went to get it for

17 you.

18 A I don't know. Five minutes? Because I

19 think I left before -- you know, while she was still

20 crouching there. So, I don't know how long she was

21 there.

22 Q What else was she doing while she was

23 crouching? Talking to the 911 operator? Was she

24 doing that?

25 A She was unresponsive to the 911 operator.

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1 MICHAEL PAK

2 The operator kept asking her questions and she did

3 not reply.

4 Q Do you remember what the questions were?

5 A Like, who's trying to kill you?

6 Q What did she say?

7 A What's your address? Where are you? She

8 would not reply.

9 Q She didn't answer anything or she answered

10 something and you couldn't hear or something else?

11 A Nothing. Nothing came out of her mouth.

12 Q Were you approaching her, did you stay in

13 the same spot?

14 A I never got closer than, like, maybe I

15 would say seven feet away from her. She acted,

16 like, weird, so I didn't go any closer. So I went

17 back. I went back towards the door and then I was

18 going to leave. I said, "Okay." So I figured out

19 she just wants me to leave, she's not going to pay

20 me. She said she'd find her own way home right

21 before, so I remembered that. So I figured, you

22 know, she's going to -- you know, she's called the

23 cops so I was gonna leave but I wasn't sure because

24 it's so far away. You know, I didn't want to leave

25 her that far away. You know, want to make sure

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1 MICHAEL PAK

2 before I left.

3 So I sat down on a chair, near the exit

4 thinking, you know, maybe if she sees me, like, you

5 know, just resting, you know, she'll -- maybe she'll

6 rest, too. Maybe give her time to come to her senses

7 and leave. And then I decided, okay, after a while,

8 I left.

9 Q All right. But before you left, between

10 the time that you saw Shannan crouching behind the

11 couch and the time that you left, did Brewer come

12 back in the room?

13 A Before I left, yes, Brewer came back in.

14 Q Where did he come from?

15 A A door in the back. I don't know where.

16 I didn't see the back of house. I don't know what's

17 back there.

18 Q How did he come out? Did he come out by

19 the couch, somewhere else?

20 A I don't know. By the couch.

21 Q What exactly happened when he came out by

22 the couch?

23 A I said, "She won't leave." And he's like,

24 "What? She still won't leave?" And then I said,

25 "Maybe you can push her out?" And then he tried to

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Page 186 MICHAEL PAK 1 push her out. 2 Q Was she standing back up again? 3 A Yes. 4 Q Was she behind the couch standing up? 5 A I don't know. I don't remember. 6 Q How did you see her -- how did you see 7 Brewer push her out? 8 A I saw them. I saw him -- I thought he was 9 going to push her out, but instead he kinda of 10 grabbed her arms. I don't know. I thought he would 11 push her from the back, but he kind of grabbed her. 12 Q Was he behind her? 13 A Yeah. 14 Q So did he grab her arms or something else? 15 A Arms. 16 Q Both arms with his hands? 17 A Both hands, both arms. 18 Q Did he grab her anywhere up around the 19 shoulders or neck? 20 A No. It was, like, near the elbows. And 21 then I thought he was going -- I think he was trying 22 to push her out. 23 Q Is that a clear memory that you have that 24 he grabbed her arms? 25	Page 188 MICHAEL PAK 1 Q Let me stop you before you go to your car. 2 Where did Brewer go when Shannan went in 3 the bathroom? 4 A I don't know. 5 Q Did you see where he went? 6 A No. 7 Q So you just left when she went in the 8 bathroom? You just left? 9 A Yeah. 10 Q Where did you go? 11 A My car. 12 Q When you went to your car, were you 13 running over there? 14 A No, walking. 15 Q When you get to your car, what do you do? 16 A I sit and I'm thinking what to do. 17 Q How long did you stay sitting in your car 18 thinking what to do? 19 A A few minutes and then I -- 20 Q (Interjecting) What's a few minutes? 21 A I don't know. Two minutes, five minutes. 22 Q While you're waiting the two to five 23 minutes thinking what to do, what, if anything, did 24 you observe was going on at the house? 25
Page 187 MICHAEL PAK 1 A Pretty clear. I would say 70, 75 percent. 2 Q If I told you that Brewer said that he 3 grabbed her around the throat with his arm? 4 A No, I don't recall that. That does not 5 make sense. 6 Q All right. So you saw him grab her arms. 7 What happened next? 8 A So I thought he was trying to push her 9 out, but she got spooked or she got scared and she 10 ran -- I think she ran to the back. 11 Q Did she pull away from his arms, did he 12 resist her? How did she get away? 13 A I think she just ran off. He didn't hold 14 her that strongly. When he touched her, she ran 15 off. 16 Q She ran to the back? 17 A Yeah. Well, I didn't know where, but 18 later I found out that she went to the bathroom. 19 Q So she went into the bathroom and you 20 found that out. 21 Where did Brewer go once Shannan ran away? 22 A Okay. So, she went to the bathroom. She 23 locked herself in there. I went outside to my car. 24 I sat in the car. 25	Page 189 MICHAEL PAK 1 A I saw -- well, it was very dark, but I 2 could kind of tell [sic] Brewer come out, like, in a 3 second floor balcony and smoke. 4 Q You were able to see that? 5 A Barely, or I just guess, like... 6 Q I don't need you to guess. Did you see it 7 or not? 8 A It was very dark, so maybe 20 percent. 9 Q Were you able to see him out on the deck? 10 A Well, I said to him, "She won't leave," 11 and he was shocked. He thought by then that she 12 already left and got in my car. 13 Q Wait a minute. You lost me. Let's go 14 back. 15 When you saw Brewer go out on the deck, was 16 that up on top, on the second floor? 17 A Yes. 18 Q Not the main floor, but the floor above 19 it? 20 A I think so. 21 Q And you were about to see him clearly on 22 the deck? 23 A No. It was still dark. 24 Q But you knew it was he who was on the 25

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1 MICHAEL PAK

2 deck?

3 A I guess it was him.

4 Q Were you able to see his body up on

5 the deck?

6 A I think so, yeah.

7 Q If I told you the deck was on the west

8 side of the house and you were on the east, how

9 would you see that?

10 A Well, here. (Gesturing) Here's the house,

11 right. Here's the front, here's the back. My car

12 is here. It's high here. I can see that.

13 Q So you could see the deck on an angle from

14 your left side?

15 A I think so.

16 Q Brewer was doing what? Smoking you said?

17 A I guess.

18 Q Is that a guess or you know?

19 A Guess.

20 Q Don't guess.

21 A I don't know, because it's dark. I can't

22 see.

23 Q You heard that, didn't you, that he was

24 smoking; isn't that true?

25 A I don't know. I don't remember.

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1 MICHAEL PAK

2 Q And so Brewer was out on the deck and you

3 are in the car. Where was Shannan?

4 A In the bathroom.

5 Q So from that moment, what happens next?

6 A So when he realized she still didn't

7 leave, he went downstairs.

8 Q How do you know he realized that?

9 A I told him she didn't leave.

10 Q How did you tell him that if you're

11 sitting in your car?

12 A What do you mean? I'm in my car. What do

13 you mean? I can tell him from the car. We were

14 both outdoors.

15 Q So I'm asking how you did that?

16 A You mean yell?

17 Q I'm asking you.

18 A I just fucking told you. I'm fucking

19 tired man. I'm hungry. I just said she didn't

20 leave.

21 Q Who did you say that to?

22 A Brewer.

23 Q How? Did you yell it out to him, did you

24 open your car door?

25 A I don't remember yelling. Maybe, you

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1 MICHAEL PAK

2 know, it's quiet. You know, it's not that far away.

3 Q How far away were you in your seat from

4 where you saw Brewer up on the deck?

5 A I don't know.

6 Q About?

7 A I would guess about 50 feet.

8 Q Is that an estimate?

9 A Yes.

10 THE WITNESS: You told me this

11 would take two hours, you know. I got

12 stuff to do.

13 MR. RAY: I know, but you've got

14 to answer me instead of just saying, "I

15 don't remember" and then "I don't recall."

16 THE WITNESS: Because I don't

17 remember.

18 MR. RAY: And then all of a

19 sudden --

20 THE WITNESS: (Interjecting) You

21 told me not to make stuff up.

22 MR. RAY: (Continuing) -- you do

23 recall. And then I guess and then I don't

24 guess. The longer you do that, the longer

25 it's going to take, Michael. I'm sorry.

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1 MICHAEL PAK

2 THE WITNESS: But you keep asking

3 the same questions over and over.

4 MR. RAY: Well, then I need the

5 right answers.

6 THE WITNESS: Tell me what's the

7 right answer then.

8 MR. RAY: The right answer is the

9 truth. That's why we're here.

10 THE WITNESS: That is the truth.

11 I'm telling you one hundred percent the

12 truth.

13 MR. RAY: What you remember and

14 how you remember it. Not I guess and then

15 I change my story.

16 THE WITNESS: You're trying to

17 make me say, "yell," but I don't remember

18 if I yelled.

19 MR. RAY: You keep doing that,

20 it's going to take a long time. You just

21 tell me what you remember.

22 THE WITNESS: I'm not going to lie

23 for you; okay? I'm telling you honestly.

24 MR. RAY: I'm not asking you to

25 lie for me.

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Page 194 1 MICHAEL PAK 2 THE WITNESS: Yes, you are. 3 MR. RAY: No, I'm not. 4 THE WITNESS: Then why do you keep 5 asking the same question over and over? 6 MR. RAY: Because you keep 7 answering differently. 8 THE WITNESS: No, I don't. No. 9 Check. 10 MR. RAY: I don't want to argue 11 with you. I'm trying to get your sandwich 12 anyway. 13 (WHEREUPON, a brief recess was taken 14 from 4:21 p.m. to 4:22 p.m., after which 15 the following transpired:) 16 MR. RAY: Back on the record. 17 CONTINUED EXAMINATION 18 BY MR. RAY: 19 Q So when you are about 50 feet away, do you 20 recall whether you opened your door to tell him that 21 she didn't leave or something else? 22 A Maybe 40 feet. Forty feet. I don't know. 23 My maybe -- oh, no. My key was inside, so I 24 couldn't open the window. So I probably opened the 25 window and said...	Page 196 1 MICHAEL PAK 2 What happened next? 3 A I saw her run out. Or I heard her run 4 out. It was dark so I barely saw, but I could hear 5 her running out. 6 Q Did you hear anything before she ran out, 7 like a scuffle or anything of that sort? 8 A No, it was quiet. I was shocked that she 9 finally left. I was like, "Oh, great. Finally." 10 Q So what did you hear later on? 11 A Hear? 12 Q You said to me I heard later on... 13 A I heard her running out and a thud, like 14 she fell. So I thought, "Oh my God. She's hurt." 15 But then she got up right away and ran. 16 Q Did you see her fall down? 17 A No. 18 Q Do you know whether she fell off the top 19 or off the step or somewhere else? 20 A Probably, like, maybe two steps up. Two 21 or three steps. 22 Q Did you see that happen? 23 A It was kind of close to me, but it was 24 dark so I kind of heard it but I don't think I saw 25 it visually.
Page 195 1 MICHAEL PAK 2 Q Do you know if you opened the window or 3 not? I don't want to know what probably happened. 4 I want to know what really happened; if you 5 remember? 6 A I don't remember. 7 Q But you do remember telling him that 8 Shannan was still inside; is that true? 9 A Yes. 10 Q And then when you said that to Brewer, 11 where was Shannan? 12 A I guess in the bathroom. 13 Q Then what happened next after you said 14 that to Brewer? 15 A He ran in. He went down. He went in. 16 Q Then what happened next after he left the 17 deck? 18 A Well, I mean, that is what he told me 19 later when Alex and I called him. But I don't know 20 what happened, but she ran out. But later I found 21 out that... 22 Q I don't want to know what you found out 23 later. I'll hold on that. 24 A Okay. 25 Q What did you see is what I am asking you.	Page 197 1 MICHAEL PAK 2 Q And then you heard her get up suddenly and 3 keep going? 4 A Right. 5 Q All right. 6 (WHEREUPON, a brief discussion was 7 held off the record from 4:24:27 p.m. to 8 4:24:48 p.m., after which the following 9 transpired:) 10 Q From the time that Brewer leaves the deck 11 until the time that Shannan comes running down the 12 staircase outside, how long a time passed would you 13 say? 14 A I would say about one to two minutes. 15 Q Then did you see her run past you? 16 A I heard her run past. See, you did ask 17 this before. 18 Q You heard her run past? 19 A Right. I couldn't see because it was 20 still dark. 21 Q Do you remember which side of the car she 22 ran past? The driver side or the passenger's side? 23 A Passenger's to passenger's. Across. 24 Q I'm trying to understand something, 25 Michael. I'm not getting this; okay? If your car

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Page 198 MICHAEL PAK 1 was parked facing out towards the roadway, that 2 would mean the driver side was on the left, away 3 from the deck. How would you see Brewer up on the 4 deck behind you and how would you be able to call 5 out to him from the window? 6 A Well, you know, it's not a mansion. It's 7 a house. You know, I mean... 8 Q I'm just asking you? 9 A Yeah, I don't know. You could see -- oh, 10 I was parked facing the roadway, but I was, like, 11 in. In the driveway. 12 Q All right. And so, when Shannan ran by, 13 did she run by the driver's side or passenger's 14 side? 15 A Passenger. 16 Q And then where did she go? 17 A Down back. Back the main road [sic]. 18 Q Was she running, walking, something else? 19 A Running. 20 Q You saw her running? 21 A Heard and I could feel like a whoosh. You 22 know, like. 23 Q Could you see her? 24 A You could hear a whoosh. 25	Page 200 MICHAEL PAK 1 car. 2 Q So the lights went right on; didn't they? 3 The lights go on when you start your car? 4 A Yes. 5 Q So you were about to see her in the lights 6 as she ran? 7 A No. By the time I turned to the road -- 8 Q (Interjecting) To the left? 9 A (Continuing) -- because I think there were 10 bushes; right? So when I got past the bushes, I 11 didn't see her. 12 Q You turned the lights on almost 13 immediately after she passed by you; fair to say? 14 A Well, I mean, it's not automatic lights 15 so, yeah, I turned the engine and then the lights. 16 Q All right. But all very quickly you did 17 that; right? 18 A Um-hum. 19 Q Yes? 20 A Yes. 21 Q So then you went 15 feet and then you made 22 a left; true? 23 A Yes. 24 Q As soon as you made that left, you were 25
Page 199 MICHAEL PAK 1 Q Did you turn your lights on? 2 A I think not at that time but after she 3 ran, I turned on my lights and started driving. 4 Q How far was it from the front end of your 5 car to the roadway? 6 A Fifteen feet. About -- I would guess 7 about 15 feet. 8 Q When you say she was running, was she 9 running at a slow -- how would you describe her 10 running: Fast, slow, something else? 11 A Yeah, fast. Fast as she could on a 12 dirt... 13 Q In the dark? 14 A Yeah, yeah. In the dirt and in the dark. 15 Q Was she carrying a bag or bags? 16 A I don't know. 17 Q She makes a left and then you lose her, 18 right, because you can't see beyond the bushes; fair 19 to say? 20 A Right. 21 Q How long after you lost sight of her past 22 the bushes, how long a time passed before you 23 started your car? 24 A Right after she ran past me I started my 25	Page 201 MICHAEL PAK 1 heading -- your headlights were heading down the 2 roadway; true? 3 A Yes. 4 Q Is the roadway a straightaway from there, 5 going left; going east? 6 A Yes. 7 Q How far is it a straightaway would you 8 say? 9 A I would guess about three houses. 10 Q But the houses are pretty far apart -- one 11 from the other; aren't they? 12 A Yeah. So maybe 200 feet? 13 Q And for the 200 feet that you saw, had 14 Shannan already passed 200 feet and got farther on 15 the road? 16 A I don't know. 17 Q Well, where was she? 18 A The next time I saw her was in front of 19 Gus Coletti's house. 20 Q In the 200 feet when you saw -- you turned 21 and made the left, your car moving; right? 22 A Um-hum. 23 Q How fast was it moving? 24 A Me? 25

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Page 202	Page 204
1 MICHAEL PAK 2 Q Yes. 3 A Slow. 4 Q How slow is slow? 5 A About five miles per hour. 6 Q All right. At five miles per hour, in 200 7 feet, you went that in a number of seconds; right? 8 A What. 9 Q You passed 200 feet in a number of 10 seconds; true? 11 A I don't know. 12 Q Two hundred feet. It's only one hundred 13 yards. Not even? 14 A I was driving at about a jogging pace. 15 Q And you didn't see her at all? 16 A No. Not on that road. Never again on 17 that road. 18 Q After the 200 feet, what happens to the 19 road? 20 A There's Gus Coletti's house and the owner 21 of the... 22 Q Gus Coletti is on the left; true? 23 A Yes. 24 Q What's in front? 25 A There's a big opening, clearing, with the	1 MICHAEL PAK 2 A Um-hum. 3 Q To go 100 yards? 4 A I didn't keep -- you know, I think I 5 stopped and I called her and texted her and yelled, 6 you know. 7 Q Before you got to Coletti's house you 8 stopped the car? 9 A Yeah. I was looking around. I didn't 10 want to pass her by accident. 11 Q How far did you go before you stopped the 12 car for the first time? 13 A Say that again? 14 Q How far did you travel before you stopped 15 the car for the first time? 16 A Maybe -- I think I stopped at the 17 driveways of other houses to make -- you know, to 18 see if she went in there. 19 Q You think or you know? 20 A I think. 21 Q So you don't know. Is that a guess? 22 A Yes. 23 Q Do you remember stopping at any of these 24 driveways to see if she went in there? 25 A No.
Page 203	Page 205
1 MICHAEL PAK 2 arm gate and everything. 3 Q Would you say that from the left turn that 4 you made to Gus Coletti's house was about 200, 300 5 feet; fair to say? 6 A Yes. 7 Q So that's about a hundred yards; a 8 football field; right? 9 A A hundred yards is like -- yeah. Three... 10 Q Three hundred feet is 100 yards; right? 11 A (No response heard.) 12 Q And at five miles an hour, how long did it 13 take you to get from the turn that you made, that 14 left, to Gus Coletti's house? 15 A Say that again? 16 Q At five miles an hour that you told us you 17 were going, how long did it take -- 18 A Five to ten. 19 Q Five to ten? How long did it take you to 20 get from where you turned onto the road to Coletti's 21 house? 22 A I don't know. 23 Q Ten seconds? 15 seconds? Fair to say? 24 A I think about one to two minutes. 25 Q That long?	1 MICHAEL PAK 2 Q Did you call her before you got to 3 Coletti's house? 4 A Yes. 5 Q You remember that? 6 A Yes. 7 Q Did you call her while the car was still 8 moving? 9 A I don't remember, but I know I called both 10 phones and I don't know if I had talk-to-text but I 11 yelled out for her. 12 Q When you called, what happened when you 13 called? 14 A No answer. 15 Q How long did you let it ring; three, four, 16 five rings? 17 A All the way to the voice mail. 18 Q So in all that time, did you have your 19 brights on? 20 A I don't remember. Probably. That makes 21 sense. Yeah, probably, but it's so dark. 22 Q And nowhere you saw her on that roadway; 23 is that accurate? 24 A Right. At that time it was getting light 25 because it was dawn. So, I was able to see.

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1 MICHAEL PAK

2 Q That was at about 4:53 a.m.; is that

3 accurate?

4 A I think when I was driving, around 5:00

5 a.m. I think she ran out at about 5:00 a.m. And

6 then when I was driving looking for her, around

7 5:15.

8 Q So you get to Coletti's house; right?

9 A And then it was light then. By that time

10 it was light.

11 Q What happens next when you arrive where

12 Coletti's house is on your left?

13 A Yeah, I saw the gate and I was like, "Oh,

14 my God. I'm already at the gate and I still didn't

15 find her." But that's when I saw Shannan behind his

16 boat and Coletti.

17 Q The boat was to your left?

18 A Yes.

19 Q She was underneath it or behind it?

20 A Next to it.

21 Q What was she doing?

22 A I don't know. Just standing there.

23 Q Did you stop your car when you saw her?

24 A Yes.

25 Q What happened next?

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1 MICHAEL PAK

2 A So I was stopped between the gate and

3 Coletti's house and Coletti came up to me and, you

4 know, he says things to the effect of, "What's going

5 on?" You know, I was like, "Oh, nothing." I

6 thought I found her, so I thought we're leaving, you

7 know. Nothing.

8 Then while he was distracting me on my

9 left, she ran. So, I thought -- I didn't know there

10 were other rows of houses up there. I thought there

11 was only one exit, I thought I found her, you know.

12 But then he distracted me and I lost her again.

13 Q Where did she run to, that you saw?

14 A Well, she -- I thought she ran towards the

15 exit, like, the main road out.

16 Q Did you see her run?

17 A Yeah.

18 Q Did she go towards the gate?

19 A Yes.

20 Q So why didn't you just head out and just

21 -- the hell with Coletti and go catch up with

22 her?

23 A He got in my face.

24 Q All right. So what did he say when he got

25 in your face?

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1 MICHAEL PAK

2 A He said, "I'm going to call the police."

3 I said, "No, you don't have to do that. We're

4 leaving," you know. But I didn't know that she went

5 into his house at that time and that he called the

6 cops already and that she ran out of his house. I

7 just thought, you know -- just thought that he just

8 saw her outside.

9 Q So she had already run away from his house

10 at that point, to your knowledge?

11 A While he was talking to me and I turned to

12 my left to talk to him, she ran past me on my right,

13 which I assumed was gate [sic] and out to the main

14 road.

15 Q She ran past you on your right? On your

16 passenger's side?

17 A Right.

18 Q Going in which direction was she running?

19 A East.

20 Q So she had been behind you?

21 A In front of me, to my left, to the west.

22 She had...

23 Q She was by the boat?

24 A North, northwest. Right.

25 Q She was northwest of you? So then how did

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1 MICHAEL PAK

2 she get to go around your car and come up on your

3 passenger's side?

4 A In front of me.

5 Q Oh, in front of you?

6 A Yeah. In front of me. She just ran past

7 me to the right, to the east.

8 Q So she ran right in front of your

9 headlights?

10 A Yeah.

11 Q And so, when she ran in front of your

12 headlights, did she go into the marsh that was there

13 on the right?

14 A I don't know. Well, I guess so.

15 Q Did you see the marsh on the right?

16 A No. I don't know. I didn't know there

17 was another row of houses or marsh on that side

18 until I went back there.

19 Q So you just saw her run in front of your

20 car? That's the last thing you saw of her?

21 A Yeah. I assumed she ran out.

22 Q But if she was going to your right why

23 would you assume that when the gate was to your

24 left?

25 A The gate is to my right.

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2 Q The gate was to your right?

3 A I was between the gate and Coletti, yeah.

4 Q So the gate was to your right.

5 Let me see if I'm getting this right then.

6 When you stopped, Coletti's house was on

7 the left, the gate was to the right, and Shannan was

8 on the left at the boat; right?

9 A Um-hum. Yes.

10 Q She ran across, in front of your

11 headlights, towards the gate?

12 A Um-hum.

13 Q Is that accurate?

14 A Yes.

15 Q Did you see her go through the gate?

16 A No.

17 Q But towards the gate?

18 A Um-hum, yes.

19 Q What did Coletti say to you, exactly?

20 A He said "I'm going to call the police."

21 That's all I remember.

22 Q Did you tell him not to call the police?

23 A Yes.

24 Q What did you tell him the reason was he

25 should not call the police?

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1 MICHAEL PAK

2 A I said, "We're going home." I think,

3 "We're at a party," or something and we had just

4 left or finished or whatever. Then nothing.

5 Q What did he say to that?

6 A I think he said, "Okay," because he left.

7 Q Where did he go?

8 A I think he went back in his house.

9 Q Did you see him go back in his house?

10 A I think so.

11 Q What did you do next?

12 A Then -- so I went out the gate. And then

13 I was going down the road and calling Shannan. I

14 thought I was going to see her on the road, so I

15 kept calling for her, looking for her on the road.

16 Q Then what did you do?

17 A I was driving slowly and then -- then I

18 just kept driving until I got on the highway.

19 Q Didn't you call her?

20 A Yeah, I called her. I kept calling her

21 and yelling out for her. It was weird.

22 Q When you called her, what was the response

23 you were getting at from that call or calls?

24 A No answer.

25 Q No answer? Did it go into voice mail or

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1 MICHAEL PAK

2 did it just keep ringing or something else?

3 A I think voice mail. I might have left a

4 voice mail.

5 Q You don't know if you did or not?

6 A I don't know. I don't know, because that

7 would be too late by then; right?

8 Q So you were down the long road, after the

9 gateway -- right -- going west?

10 A Yes.

11 Q And then where did you go or what did you

12 do?

13 A So when I got on the highway, like, by

14 that time I gave up. I started driving faster and

15 faster, you know.

16 Q Before you got on the highway, what did

17 you do?

18 A I called her and I yelled out for her.

19 Q Wasn't there a place where you can park

20 before you get on the highway?

21 A I didn't see any.

22 Q How did you get on the highway?

23 A From the gate to the small road to the

24 highway road.

25 Q You just went right off the small road and

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1 MICHAEL PAK

2 right onto the highway?

3 A Oh, by that time I gave up.

4 Q By what time?

5 A By the time the highway came up. I gave

6 up looking for her.

7 Q So you just went straight along until you

8 got to the highway and then you went right on the

9 highway; is that accurate?

10 A Yes.

11 Q You gave about somewhere between 30

12 seconds and two minutes before you gave up; is that

13 accurate?

14 A No.

15 Q How long were you on the small road that

16 went to the highway?

17 A About three to four minutes.

18 Q Then you gave up?

19 A Yes.

20 Q So you didn't turn around and go back to

21 look?

22 A No.

23 Q Why not? Why did you not do that?

24 A I didn't think there was any other place

25 she could hide there. I didn't know there was

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1 MICHAEL PAK

2 another row of houses or whatever. I thought there

3 was just one row of houses.

4 Q Well, where did you think she went since

5 you only thought there no other road except the road

6 you were on? Where do you think she went?

7 A I think she went -- I thought somebody

8 picked her up, like, on that roadway or highway

9 around there.

10 Q Why would you think that --

11 A (Interjecting) Because I couldn't find

12 her.

13 Q (Continuing) -- at that time, in the

14 morning?

15 A There was no other explanation.

16 Q But in the two to three minutes that you

17 were traveling along the small road; right?

18 A Uh-hum.

19 Q That's the only road you know of that --

20 A (Interjecting) Yeah.

21 Q (Continuing) -- she can go out?

22 A Yeah.

23 Q And you didn't see her there?

24 A Right.

25 Q Why didn't you just turn around and go

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1 MICHAEL PAK

2 back and see if you missed her?

3 A There was no other place she could have

4 gone.

5 Q So, if there was no other place she could

6 have gone and you didn't see her, why did you

7 automatically conclude that somebody else took her

8 at that time in the morning, instead of going back

9 and looking for her on the same road where you might

10 have overlooked her? Where she might have been

11 hiding?

12 A Because she doesn't want me to find her.

13 She kept running away from me many times. She said

14 she'd find her own way home. Can I finally take a

15 hint? I finally took the hint and said, "Okay. She

16 doesn't want me to drive her home." I mean, you

17 know, she's running away from me and she said she'll

18 find her own way home. So, am I that stupid to keep

19 looking for her? I called her; she don't [sic] pick

20 up. I tried as much as I could. I tried more than

21 I should have.

22 Q All right. So then you left; right?

23 A Yes.

24 Q All right. Where did you go?

25 A Then I was on my way home, but then an

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1 MICHAEL PAK

2 agency called me to pick up some money from the

3 other driver, because...

4 Q Was the other driver Mike?

5 A Yes.

6 Q Pick up money from Mike?

7 A Yes.

8 Q Where?

9 A Dunkin' Donuts, Kissena Boulevard, Horace

10 Harding Expressway.

11 Q Did you do that?

12 A Yes. That's when he told me he knows

13 Shannan and the Miami girl.

14 Q Is that when he told you that she had run

15 from his car?

16 A Yes. Then I put two and two together and

17 I figured out that was the same story she told me,

18 but totally opposite perspective. And I didn't ask

19 why, but, you know, I don't know why he didn't just

20 send the money himself to the agency, but they're

21 paying me to do it so I said "Fine."

22 Q Then you picked up the money from him in

23 Brooklyn?

24 A Queens.

25 Q Queens on Horace Harding Boulevard?

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1 MICHAEL PAK

2 A Horace Harding and the Expressway, off the

3 L.I.E. and Kissena Boulevard. That Dunkin' Donuts.

4 Q Then where did you go after that?

5 A Then I went to the -- some kind of

6 pharmacy, like, CVS or something to send the money

7 like Green Dot, to the agency. That's the first I

8 heard of Green Dot, but they told me the

9 instructions on how to do it.

10 MR. RAY: Look at Plaintiffs' 5.

11 (Handing a document to the Witness.)

12 (WHEREUPON, a brief recess was taken

13 from 4:43 p.m. to 4:50 p.m., after which

14 the following transpired:)

15 CONTINUED EXAMINATION

16 BY MR. RAY:

17 Q What is that a picture of?

18 A Looks like Brewer's house.

19 Q Right. Do you see the deck you saw him

20 on, Brewer, when you say he went up to the deck?

21 A Yeah. I'm very shocked right now that it

22 has so many steps. I thought there was only, like,

23 three steps. I'm trying [sic] to see, like, ten

24 steps here.

25 Q Do you see the front door that you're

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1 MICHAEL PAK

2 talking about?

3 A No. Oh, here (indicating.)

4 Q The sliding glass doors you're pointing

5 to?

6 A I think this is it, yes.

7 Q Do you see the deck you saw him standing

8 on when you said he was smoking?

9 A No, it's in the back.

10 Q It's in the back?

11 A Or maybe it's this one right here

12 (indicating.)

13 Q Pointing all the way over to the left

14 side, far left of the picture?

15 A Oh, yes, under the saddle right there.

16 Q Is that picture a fair and accurate

17 description of what Brewer's house looked like when

18 you were there?

19 A It looks different from what I imagined.

20 Q In what way?

21 A More steps and higher patio.

22 Q Other than that?

23 A Yeah, I can't believe -- that means

24 Shannan fell down -- oh, maybe she ran down and fell

25 down the last three. She ran and -- I don't think

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1 MICHAEL PAK

2 she fell down all those steps. Maybe just the last

3 three.

4 Q But as far as what you're seeing in that

5 picture, does that look like the house as you

6 remember it on that day?

7 A Yes. The balcony looks familiar, the door

8 -- the stairs? No. But, you know... Yes, the

9 brush (sic). Yes, the driveway.

10 Q All right. So when you left, the next

11 time you hear about the case is what? Somebody

12 calls you; right?

13 A Next time I hear about it, yes. Alex

14 called me the next day.

15 Q What happened when Alex called you?

16 A I was shocked that she wasn't home. He

17 said he found my number in her drawer, because we

18 never corresponded before. I don't know his number

19 or -- I never talked to him before. And he said

20 that she's still not home and I'm like, "What?"

21 Well, first he identified himself; right? And then

22 -- so, I Goggled the hospitals and police stations

23 around there and we did a conference call. We

24 called those four police stations and hospitals and

25 asked if they found somebody with her description.

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1 MICHAEL PAK

2 And then I think he went there that day, I think.

3 Q What day was that?

4 A Oh, we also called Brewer that day.

5 Q Was that a Sunday or Saturday?

6 A I don't remember.

7 Q Was it May 1st or 2nd?

8 A I think 2nd.

9 Q So that would have been Sunday, just so

10 you know.

11 A Sunday, Sunday, Sunday. We called Brewer

12 Sunday.

13 Q Who called Brewer?

14 A Both of us. I did a conference call with

15 Alex on. I guess I dialed Brewer.

16 Q What did you all say to each other?

17 A We told Brewer, yeah, she's still not home

18 and he was surprised also. And then we said we're

19 trying -- ask him to -- I think Alex asked him to

20 file a missing persons report. And then I think

21 maybe Brewer did try but they said that he cannot do

22 it. It has to be a family member. And then, yeah

23 that's it.

24 Q Did you send Brewer any texts?

25 A I don't recall sending him a text.

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1 MICHAEL PAK

2 Q Brewer says you sent him texts. If I told

3 you that, would that help you recall?

4 A Maybe I texted him saying, you know --

5 when? That day or -- that doesn't make sense.

6 Q That day.

7 A Before the conference call?

8 Q May 2nd. That's a Saturday [sic].

9 A Yeah, the conference call was on Sunday.

10 Maybe I texted him, like, I don't know, the phone

11 number of the police station or address. I don't

12 know. I don't remember.

13 Q All right. So then did you do anything on

14 that day, May 2nd, with respect to Shannan?

15 A After the conference call with Alex, I

16 thought -- oh, yeah. We also called Mari, Sheree, I

17 think the Jersey City Police Station, and Alex told

18 me about some of her ex-boyfriends. She might be at

19 his place up north, Upstate.

20 Q Did you speak to Mari or Sheree or anybody

21 in Shannan's home?

22 A I think Alex spoke on the phone and

23 then -- yeah, because we thought she was there; she

24 went up to her mom's house. I don't know if I spoke

25 to her that day, but I have spoken to her.

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1 MICHAEL PAK

2 Probably, either that day or the next day.

3 Q Then did you make any calls to Shannan?

4 A Shannan. Oh, yeah. Now I remember.

5 Sheree told us that they turned off Shannan's phone

6 because they did not want somebody finding it and

7 using it for free. So, that's when I got upset and

8 said, "Why? She's missing and you turn off her

9 phone because you don't want somebody to use it for

10 free? That doesn't make sense. It's so stupid.

11 Your sister is missing and you disconnect her phone.

12 That does not make sense." I was like, "They're so

13 stupid. This family is so stupid" -- oh, sorry.

14 So then -- so then they got mad at us.

15 Well, actually we were supposed to meet them the next

16 day.

17 So the next day, Alex picked me up and we

18 drove there. And we arranged to meet Mari and Sheree

19 at the police station there.

20 Alex got lost and then Mari and Sheree they

21 -- at the police station -- the cops told them

22 they could not file a missing persons report. They

23 would have to do it in Jersey City.

24 So, they were going to drive to Jersey

25 City, and so we called them. I said, "Wait. Since

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1 MICHAEL PAK

2 we came all the way out here, let's check out the

3 houses first. You know, look around." And they

4 said, "No. We don't want to get caught for

5 trespassing." You know, that's what Mari and Sheree

6 said. But that still does not make sense. You're

7 worried about trespassing when your daughter is

8 missing and you turned off her phone. And then she

9 goes, "I know you guys did it. I'm going to get you

10 guys." And then she hung up.

11 Q Who said that to you?

12 A Mari. I was like, "What?" You know, she

13 thinks a good offense is the best defense? That

14 does not make sense. She won't look around the

15 houses and she accuses -- she's yelling at us. She

16 won't even look around the houses and she's going to

17 drive to Jersey City right away. So, I was like,

18 "These people are so stupid." So Alex and I went

19 there to look around the houses ourselves.

20 Q All right. When did you go there? What

21 day? Same day? That day you called Brewer?

22 A Must have been May 3rd. May 3rd, the day

23 after. No, I mean Monday.

24 Q Did you meet Brewer on May 2nd? Did you

25 go there on Sunday or not?

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1 MICHAEL PAK

2 A May 3rd, no. I think Alex did by himself.

3 Q So you went on May 3rd. How did that come

4 about that you went on May 3rd? That's a Monday.

5 A I don't remember seeing Brewer, but I

6 remember seeing Hackett and Coletti's wife and

7 another neighbor, two other neighbors.

8 How did I what?

9 Q How did that come about? Did you and Diaz

10 arrange that?

11 A Yeah. He said that he couldn't find her

12 and she was still missing. So I said, "I'll go with

13 you," the next day, tomorrow. And then...

14 Q Is one of your phone numbers -- was one of

15 your phone numbers 646-342-1405?

16 A Yes.

17 Q So when you go -- where do you met up with

18 Alex?

19 A He picked me up at my house.

20 Q Where did you go?

21 A Oak Beach.

22 Q What time did you arrive there?

23 A I don't know, but we were a little bit

24 late. We were supposed to meet at the police

25 station.

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1 MICHAEL PAK

2 Q Late for what? The police meeting?

3 A To meet Mari and Sheree there. They got

4 there before us. We got lost. Like, his GPS led us

5 to, like, an end of the road, some forest.

6 Q Wait. You met the Gilbert family on

7 May 3rd?

8 A We were supposed to meet them there. I

9 never saw them because they left before -- while we

10 got lost. The cops told us.

11 Q They left from where?

12 A From the police station. The cops told me

13 they could not file a missing persons report there,

14 so they drove to Jersey City. That's when we called

15 them and said, you know, "Let's go look around the

16 houses first."

17 Q And then you and Alex went and looked

18 around the houses?

19 A Yes.

20 Q What time, approximately, did you arrive

21 in Oak Beach to do that?

22 A I don't know. It was sunny. It was

23 daytime.

24 Q Morning, afternoon, mid-afternoon,

25 something else?

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Page 226 1 MICHAEL PAK 2 A Mid. 3 Q And when you got to the gate, what 4 happened? 5 A There was a census lady in her car, drove 6 up right in front of us, and she parked outside the 7 gate. So, we followed her in. So that way we 8 didn't have to knock on the doors ourselves. We 9 could just follow -- she could knock. 10 Q When you say, "followed her in," you mean 11 walked in? 12 A Yes. Walked. 13 Q So you left your car outside? 14 A Yes. Alex's car. 15 Q How do you know she was a census lady? 16 A She told us. 17 Q How did she treat you? 18 A I think it was a black lady. She was very 19 nice. 20 Q So you all three went in. So then what 21 happened? 22 A Then she went to the first house, on the 23 other side of Coletti. And before, I never knew 24 there was houses on that side. I never looked 25 there.	Page 228 1 MICHAEL PAK 2 called -- I think Alex called Mari and put Hackett on 3 the phone. And Hackett said he's helping find a 4 missing girl in his neighborhood and asking for more 5 information about her, pictures. 6 Q Were you there when he called Mari? 7 A Yes. 8 Q How long was he on the phone with Mari? 9 A A few minutes? I don't know. 10 Q Tell us what you remember that he actually 11 said. 12 A Besides what I just said right now, 13 nothing else I remember. 14 Q Did he tell Mari that he ran a home for 15 wayward girls? 16 A Never. 17 Q You never heard him say that? 18 A Never. 19 Q You're sure of that? 20 A Yes. 21 Q So you have all of these things that you 22 don't remember but you remember that very clearly? 23 A Because I remember people keep asking me 24 that question all the time. 25 Q Um-hum.
Page 227 1 MICHAEL PAK 2 And so I think she talked to some man. And 3 we asked him, "Have you seen this -- this girl is 4 missing." And he said, "No." So we left the census 5 lady with him and then we kept walking down the road 6 to the other side, Hackett's side. And then we saw 7 Hackett on the road talking to his neighbor. And we 8 asked them if they saw a girl. And then he said he 9 heard about it and he's trying to help find her. 10 He's making flyers. And he invited us -- oh, first 11 he told us his stories about how he used to be a 12 doctor for the cops and, like, he got stranded on a 13 small boat and he was going to die but then he shot a 14 flare and hit a big boat and they saved him and he 15 lost his leg. And then we went into his house and 16 there was -- 17 Q (Interjecting) How did he say he lost his 18 leg? 19 A I don't remember. 20 Q Did he say he lost it in Vietnam? 21 A I don't remember. I don't remember. I 22 don't know. I don't know. I don't know. 23 Q I'm trying to refresh your memory. 24 A I don't have no idea. I have no idea. 25 Then -- so we called -- from there we	Page 229 1 MICHAEL PAK 2 A So I'm not sure. I don't know. I don't 3 know. I've never heard him say that. I don't 4 remember him saying that. Maybe he did, but I don't 5 know. 6 Q So you're not sure? 7 A I'm not sure. Maybe he did. 8 Q Did he take you anywhere? 9 A Yes. 10 Q Where did he take you? 11 A Down the road more east, I believe. But 12 that's when I saw -- I don't know how, but it led to 13 the exit of some kind of tourist place with a huge 14 ship. Like, a tourist ship. And I was surprised to 15 see, like, some Asians there, because it's not, 16 like, a touristy area. 17 And there was some kind of restaurant. And 18 I went to the restaurant and I put up the flyer on 19 their billboard and I asked them if -- I showed them 20 the picture and I asked if they saw Shannon; they 21 said "No." It looked like -- just looked like 22 a couple of cleric workers, not the manager. 23 Q Was that by the water? 24 A Yes. 25 Q Did Hackett talk to you about where

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1 MICHAEL PAK

2 Shannan would be possibly in relation to the water?

3 A Yes.

4 Q What did he say?

5 A He said maybe she got hungry -- oh, no --

6 well, we asked him, "What's around here? Where

7 could she have gone?" Alex said she liked to eat.

8 So, Hackett said maybe she went to the restaurant

9 there. So he drove us to the restaurant.

10 Q Did anybody go inside and ask around?

11 A I did.

12 Q Did Hackett?

13 A I don't remember him going in.

14 Q Did Hackett take you to the waterfront

15 somewhere?

16 A Yes.

17 Q What did he say when he got to the water-

18 front?

19 A He said, "Here's the restaurant."

20 Q Did he ever say anything about that she

21 fell in the water and drowned?

22 A I don't know. Maybe. Maybe he said she

23 could have drowned in the water? I don't know.

24 Q Do you remember him saying that?

25 A No.

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1 MICHAEL PAK

2 Q Do you remember him saying that she was

3 swept away to Fire Island and maybe she'd float up

4 there?

5 A Maybe.

6 Q Do you remember we talked about that?

7 A I don't remember.

8 Q Did he point out Fire Island to you?

9 A I don't remember. I don't know. I don't

10 know where he lives.

11 Q Did he tell you that maybe Shannan was

12 hallucinating?

13 A I don't know. I'm not going to be able to

14 remember any of this details and stuff.

15 Q Well, I'm just asking because that's what

16 Alex told us. So, I'm just curious. And he was

17 there with you.

18 A All right. So okay. I guess he

19 remembers, because it was his girlfriend and maybe

20 he kept remembering about it and thinking about it.

21 But I don't think about it everyday.

22 Q After you went to the restaurant with

23 Hackett, where did Hackett go?

24 A I think -- I don't know. I don't know. I

25 don't know if he got out of his car.

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1 MICHAEL PAK

2 Q After that, what happened next?

3 A Then she wasn't there. So I think he

4 drove us to our car.

5 Q Okay. So you drove in his car?

6 A Yeah.

7 Q And then did you leave after Hackett drove

8 you to his car?

9 A Did we leave?

10 Q To your car, rather. Sorry.

11 A Well, to Alex's car; right?

12 Q Did you leave?

13 A I don't remember.

14 Q After that?

15 A I don't remember.

16 Q Did you stay at Oak Beach?

17 A I don't remember. I don't remember. I

18 know we looked for Shannan in the house. Oh, maybe

19 that was after Hackett. I don't remember if it was

20 before or after Hackett. Probably -- yeah, after

21 Hackett.

22 There was a house, an abandoned house. We

23 talked to some neighbors and they said there was an

24 abandoned house near the gate. So we went in there.

25 It was kind of spooky, but we looked around -- in the

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1 MICHAEL PAK

2 closets and stuff -- and she wasn't there. We called

3 out for her. And then, I think, we talked to

4 Coletti's wife.

5 Q What happened with Coletti's wife?

6 A Nothing. She said he's at work. You

7 know, she doesn't know anything. I don't know. I

8 don't know if she told us about the 9/11 widow. I

9 don't know.

10 Q We're almost finished. Relax.

11 Did you ever speak to Hackett again?

12 A Yes.

13 Q When?

14 A I don't know. I don't know. I don't know

15 when.

16 Q How did you speak to him: By phone,

17 face-to-face, something else?

18 A Phone.

19 Q Who called whom?

20 A I don't remember.

21 Q Why would you speak to Hackett again?

22 A I don't remember. I don't know. I can't

23 even think right.

24 MR. RAY: Come on. I gave you a

25 sandwich.

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1 MICHAEL PAK

2 THE WITNESS: Oh, you're so

3 generous. How about \$100 voucher?

4 MR. RAY: You're supposed to feel

5 better.

6 THE WITNESS: I'll improve my

7 memory for \$100.

8 MR. RAY: Almost done. Let me ask

9 you one or two --

10 THE WITNESS: Because I know she's

11 in a rush. I'm in a rush. I don't even

12 know if I can make it back.

13 Q Did you speak to Hackett after the press

14 started reporting on this case?

15 A I don't remember.

16 Q Well, how about on April 14th, in the year

17 2011?

18 A I don't remember. I think I remember

19 calling him and saying "Oh, they think that you

20 killed her. And you're running a home or something

21 for girls, but I never heard that from you." And,

22 you know, I think they mistook -- well, he's an

23 idiot because he said he never called Mari, but he

24 did. But, you know -- well, first that was on

25 Alex's phone. We called for him and I don't know

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1 MICHAEL PAK

2 why I'm trying to help an idiot because -- well, you

3 know -- well, now I don't know if he did it, but

4 back then I thought he was innocent. I don't think

5 -- I'm not a cynical guy. I don't think everybody's

6 guilty like Burke.

7 You know, I'm just trying to get the truth

8 out there that he was -- what I thought was the truth

9 was that he was just a community leader or whatever

10 helping a missing girl in his neighborhood.

11 Q You spoke to him on April 14, 2011, for

12 four minutes -- didn't you -- by telephone?

13 A So, yeah, I must have said that then. I

14 must have said...

15 Q That was after the press had been around;

16 right?

17 A Yeah. Are people after you because -- I

18 was trying to help him remember what happened,

19 because his memory seemed faulty saying that he did

20 not call Mari.

21 Q So you called him to tell him he did call

22 Mari?

23 A Or maybe with Alex three-way or calling

24 him. I don't remember. I'm just gonna tell him,

25 you know -- I'm just gonna tell him -- I'm trying to

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1 MICHAEL PAK

2 remember what happened, like...

3 Q What's the reason you would have spoken to

4 Hackett a year later?

5 A I don't remember. Was that after they

6 found her body?

7 Q Yes.

8 A So then, yeah, maybe.

9 Q No, no. This is in 2011, before they

10 found her body. But the press was looking for her.

11 A Yeah, so I was trying to help --

12 Q (Interjecting) So with that in mind, why

13 did you call him?

14 A Well, by that time I had thought she,

15 like, had met some guy and, like, she was happy,

16 like, sailing away into the sun. You know, she ran

17 away from her life, from Alex, and her parents, and

18 you know, her job. You know, I thought she was

19 happy. And then Hackett? I don't know.

20 Q Why would you speak to Hackett?

21 A Just because I thought everybody was

22 saying a mistruth (sic) about him.

23 Q So you tried to help the guy?

24 A Yes.

25 Q All right. So then why did you speak to

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1 MICHAEL PAK

2 him again on April the 16th of 2011, for 15 minutes?

3 A I have know no idea. I have no 2,000

4 percent idea [sic] why or what. Something must have

5 happened or something must have hit the news back

6 then to -- to whatever.

7 Q Hackett denied he ever spoke to you.

8 A Okay, fine. So...

9 Q But you did speak to him; right?

10 A I don't know. I don't know. Check the

11 records.

12 Q I know it's hard for you to remember. I'm

13 going to show you the records right now.

14 A So even if you show me the records, I

15 don't know what I spoke to him about.

16 Q I know. I didn't asked you that.

17 A Okay.

18 Q I asked you whether you spoke to him or

19 not?

20 A Where?

21 Q I circled the records.

22 (Handing a document to the Witness.)

23 Q (Continuing) See right there (indicating.)

24 See your phone number?

25 A One, two, three, four, five, six, seven

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1 MICHAEL PAK
2 times I called him? Is that it?
3 Q This number. This one and that one
4 (indicating.)
5 A What, Garden City? Okay. It doesn't
6 matter you showed me this. Okay.
7 Q You spoke to him those two instances that
8 we see are there on the record; right?
9 A Okay.
10 Q Is that true?
11 A I don't know.
12 Q Well, the record shows that your phone
13 call connected with his phone call. Do you see
14 that?
15 A So?
16 Q All right. So, do you remember speaking
17 to him?
18 A No.
19 Q Before you told me you did remember
20 speaking to him?
21 A Yes.
22 Q So what did you speak to him about?
23 A I don't know. I called him twice in,
24 like, 15 minutes. I don't know. I just told you
25 everything I remember talking to him about. I don't

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1 MICHAEL PAK
2 remember. You should talk to me, like, 20 years ago
3 when this happened, not like...
4 Q Did you try to help him cover it up, what
5 happened?
6 A No, of course not. Just get the truth
7 out. I didn't think there was anything to cover up.
8 I didn't think he was guilty.
9 Q Why were you calling him a year later
10 when --
11 A (Interjecting) Something must have
12 happened and hit the news and said, you know, that
13 he killed her or something, or wayward girls. So I
14 was like, "Wait. Do you run a home for wayward
15 girls?"
16 Q What did he say?
17 A No. He said never did. How could he? He
18 lives with his family, his kids. It's impossible.
19 Q Did you ask him whether or not he told
20 Mari Gilbert that he ran a home for wayward girls?
21 A No, I didn't ask him that. But I knew it
22 was impossible, because I saw his son and I think he
23 had a daughter, too. How could he -- you know, it's
24 not that big -- the house is small. How could he
25 have wayward girls in his house with his wife and

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1 MICHAEL PAK
2 his kids there? They would definitely see them;
3 right? It's ludicrous.
4 MR. RAY: Can you just mark those.
5 (WHEREUPON, the above-referred to
6 document, Phone Records, consisting of one
7 page, was marked as Plaintiffs' Exhibit 18,
8 for identification, as of this date.)
9 (WHEREUPON, the above-referred to
10 document, Phone Records, consisting of one
11 page, was marked as Plaintiffs' Exhibit 19,
12 for identification, as of this date.)
13 MR. RAY: Let's make a record.
14 It's now 5:15, and the court
15 reporter has announced to me that she has
16 to leave at 5:15. So, I'm going to end the
17 questioning at this point and reserve, my
18 right to bring you back, because we're not
19 done.
20 THE WITNESS: How much more is
21 there?
22 (WHEREUPON, a brief discussion was
23 held off the record from 5:14:12 p.m. to
24 5:14:57 p.m., after which the following
25 transpired:)

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1 MICHAEL PAK
2 Q What did you say to Hackett, and what did
3 he say to you on April 14, 2011?
4 A Exactly these words: "They think you run
5 a home for wayward girls." He said, "No, of course
6 not."
7 "Yeah, I didn't think so."
8 And then I said, "They [sic] think that you
9 didn't know. You're just a community leader trying
10 to help and to help us flyer." (sic) And then --
11 okay. That's all.
12 Q Did you talk about the marsh behind his
13 house?
14 A No, I didn't know there was marsh behind
15 his house.
16 Q Did you talk to him about why he denied
17 that he ever spoke to Mari Gilbert?
18 A No. Oh, yeah, yeah. Yes, yes, yes, yes,
19 yes.
20 Q What did he say to you?
21 A I said, "Remember? You called her?
22 Remember?" But, he said, "No." He denied it. So
23 he did call her, but he doesn't remember.
24 Q That's what he said to you? He didn't
25 remember?

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1 MICHAEL PAK

2 A I said, "Remember when me and Alex were at

3 your house and we called Mari and you talked to Mari

4 on Alex's phone?" And then he said, "I don't know.

5 Talk to my lawyer." And that's it. That's all I

6 remember.

7 Q What was his reason for calling Mari

8 Gilbert when you were at the house with him?

9 A To get her description and help find her.

10 Q That's what he said?

11 A That's all, yes.

12 Q But he got a description from Alex; didn't

13 he?

14 A Yeah, but the mother's description. He

15 was a nosey busybody, you know. He wants to talk to

16 everybody. I thought just because he's a busybody.

17 Q Did he call Shannan?

18 A Shannan? Did he call Shannan? No.

19 Q Why not?

20 A She's -- why would -- that doesn't make

21 sense. Why would Hackett call Shannan?

22 Q You were looking for Shannan; weren't you?

23 A He doesn't know her number.

24 Q Let me ask you something, sir. You were

25 looking for Shannan; right? Yes or no?

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1 MICHAEL PAK

2 A Yes. But --

3 Q (Interjecting) And was Mr. Hackett looking

4 for Shannan? Yes?

5 A Because we told him that her...

6 Q Mr. Hackett was looking for Shannan;

7 right? Yes or no?

8 A Yes.

9 Q So both of you are looking for Shannan and

10 she was missing for less than a day and-a-half. Why

11 didn't you call Shannan at that point?

12 A Because her sister --

13 Q Because you knew she was dead; right?

14 A Because her sister turned off her fucking

15 phone. Her sister turned off her phone. You could

16 not call her. Her sister disconnected her phone.

17 Q How do you know that's true?

18 A Her sister disconnected her phone.

19 Q Why didn't you try to find out?

20 A Because we tried. Because we believed

21 that.

22 Q Because you knew she was dead, didn't you,

23 sir.

24 A No. I didn't know she was dead. I

25 thought she was alive and happy and she...

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1 MICHAEL PAK

2 Q You can't look me in the eye; can you?

3 A And her sister -- her sister -- her sister

4 called -- her sister disconnected her phone. I

5 believed her sister when she said that she

6 disconnected her phone. And I was shocked and I

7 thought she was so fucking stupid for doing that.

8 Q And you're smart enough to figure out that

9 maybe you should have called Shannan to see if her

10 phone was on or not; aren't you?

11 A I called her many times. Many times.

12 Q On May 3rd, 2010, why didn't you or

13 Hackett call Shannan Gilbert?

14 A I did. We did.

15 Q You did? When?

16 A I don't know. Or maybe Alex did. I don't

17 know.

18 Q Maybe?

19 A I don't know. I don't remember. This is

20 10 years ago.

21 Q But Hackett didn't; did he?

22 A I don't know.

23 Q Well, you were there and you remember he

24 called Mari Gilbert; right?

25 A I don't think -- Hackett does not have her

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1 MICHAEL PAK

2 number.

3 Q How do you know that?

4 A Well, you cannot ask me why he didn't call

5 her. That's hearsay.

6 Q How do you know Hackett didn't have her

7 number?

8 A From what I know, he didn't have her

9 number.

10 Q How do you know that?

11 A I don't know. I don't know.

12 Q Was Hackett there that night that Brewer

13 was in the house with Shannan Gilbert?

14 A Not that I know of. I didn't see him.

15 Q Did you hear his voice?

16 A No.

17 (CONTINUED ON THE FOLLOWING PAGE SO

18 THAT THE CONCLUSION OF THE TESTIMONY MAY BE

19 ACCOMPANIED BY THE JURAT.)

20

21

22

23

24

25

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1 MICHAEL PAK Page 246 2 Q Did you hear anybody else's voice? 3 A No. No, no, no, no, no. Okay? I'm 4 telling you the truth. 5 MR. RAY: We'll reserve. Thank 6 you. 7 THE WITNESS: Thank you. 8 (WHEREUPON, this examination of this 9 witness was concluded at 5:18 p.m.) 10 * * * 11 12 MICHAEL PAK 13 Subscribed and sworn to before me 14 this ____ day of _____, 20__. 15 _____ 16 Notary Public 17 18 19 20 21 22 23 24 25	1 MICHAEL PAK Page 248 2 E X H I B I T S 3 PLAINTIFFS' DESCRIPTION PAGE 4 16A BlackBerry Cellular Phone 118 5 17 Purple Laptop 119 6 18 Phone Records 240 7 19 Phone Records 240 8 * * * * 9 DOCUMENTS AND/OR INFORMATION REQUESTED PAGE 10 Marriage Certificate 29 11 Divorce Certificate 29 12 Photographs of Shannan Gilbert 91 13 * * * * 14 INSERTS PAGE 15 Jisuk Son's Date of Birth 28 16 Additional Mobile Phone Numbers 38 17 * * * * 18 19 20 21 22 23 24 25
1 MICHAEL PAK Page 247 2 I N D E X 3 WITNESS EXAMINATION BY PAGE 4 Michael Pak JOHN RAY 7 5 * * * * 6 E X H I B I T S 7 PLAINTIFFS' DESCRIPTION PAGE 8 1 Black and White Photo 4 9 2 Missing Person's Report 4 10 3 Black and White Photo 4 11 4 Black and White Photo 4 12 5 Black and White Photo 5 13 6 Photo of Three Bracelets 5 14 7 Black and White Photo 5 15 8 Black and White Photo 5 16 9 Photo of Cellular Phone 5 17 10 Photo of Cellular Phone 6 18 10A Verizon Flip Phone 118 19 11 Photo of Cellular Phone 6 20 12 Photo of Cellular Phone 6 21 13 Photo of Cellular Phone 6 22 13A Pink Samsung Sprint Phone 118 23 14 Photo of Cellular Phone 6 24 15 Photo of Cellular Phone 7 25 16 Photo of Cellular Phone 7	1 MICHAEL PAK Page 249 2 C E R T I F I C A T I O N 3 STATE OF NEW YORK 4 Ss: 5 COUNTY OF SUFFOLK 6 I, NATASHA SNOOK, Court Reporter and 7 Notary Public of the State of New York, do 8 hereby certify: 9 That the within transcript was prepared by 10 me and is a true and accurate record of this 11 hearing to the best of my ability. 12 I further certify that I am not related to 13 any of the parties to this matter by blood or 14 by marriage and that I am in no way interested 15 in the outcome of any of these matters. 16 IN WITNESS WHEREOF, I have hereunto set my 17 hand this 10th of March, 2019. 18 _____ 19 NATASHA SNOOK 20 21 22 23 24 25

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1		
2	E R R A T A S H E E T	
3	ACCURATE COURT REPORTING SERVICE, INC.	
4	CASE NAME: Estate of Shannan Gilbert BY SHERRE	
5	GILBERT and FRANCES NICTORA, CO-ADMINISTRATRICES and	
6	ESTATE OF MARI GILBERT BY SHEREE GILBERT,	
7	ADMINISTRATRIX V. Charles Peter Hackett, D.O., aka C.	
8	PETER HACKETT, D.O.	
9	DATE OF DEPOSITION: February 19, 2019	
10	WITNESS' NAME: Michael Pak	
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21	MICHAEL PAK	
22	Subscribed and Sworn to Before Me	
23	this ____ day of ____, 20__.	
24		
25	NOTARY PUBLIC	

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