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In Re:

VALLEY CARTING

WITNESS: LISA NICHOLS
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Valley Carting
566 North State Road
Briarcliff, New York 10510

July 9, 2002
11:00 o'clock a.m.

A P P E A R A N C E S:

DOAR RIECK & MACK, ESQS.
233 Broadway
New York, New York 10279
BY: WALTER S. MACK, ESQ.,
Monitor

REBOUL, MacMURRAY, HEWITT, MAYNARD & KRISTOL
Attorneys for Allied Industries
45 Rockefeller Plaza
New York, New York 10111
BY: ILISSA ROTHSCHILD, ESQ.

ALSO PRESENT:

DONALD SOBOCIENSKI

* * *

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MR. MACK: On the record.

Some of this is just going to be going through a lot of what we've already gone through, and I'm going to give you an opportunity, after I go through a number of the warnings that I've already spoken to you about, to have you ask questions or put something on the record, or have Ilissa put something on the the record.

We are going to make a fair effort at summarizing, in a much shorter time period, basically what we've just talked about. The only difference is, it is being recorded in a fashion that eventually I'll have something to read.

First, I should ask you this: Could you just state and spell, for the record, your name?

MS. NICHOLS: Lisa Nichols;
L-i-s-a N-i-c-h-o-l-s.

MR. MACK: I'm going to call you Lisa. That's not out of lack of respect, I don't wish to act familiar,

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but you told me you're more comfortable if I called you Lisa. I have no problem calling you Ms. Nichols.

MS. NICHOLS: Please don't.

MR. MACK: As I've said, and I have spent some time this morning, but I'm Walter Mack, and I am basically appointed by Federal Judge Rakoff, who sits in Manhattan, as a Monitor of Allied Waste Systems for assets and companies in Westchester County; and I'm appointed by a Court Order which basically gives me certain responsibilities and powers, and as a result of that, I have issued, basically, a request, but it's very similar to a Subpoena, requiring you to be present here today to respond to my questions. That's what we are doing today.

The gentleman to your left is a court stenographer. His job is to record, on his stenotype machine, everything that is said, so that I have

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the opportunity later on to read it and remember what you told me with precision.

The gentleman sitting to my left is Don Sobocienski, whom you've met, and has interviewed you in the past, as you can remember. Don is basically the chief investigator who is part of the monitorship team, and is the individual upon whom I rely in doing my job.

There are various other members of my staff, and we all work together, but, in general, as I've told you, my job is to investigate, to assess and evaluate the information, both documents and what people tell me, and eventually write a report for the Judge to tell him what I believe has happened.

My fundamental job is to ensure that there's been no violation of any federal, state or local law at any of the companies. That's my responsibility, to monitor.

When I receive information that

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may indicate that a law has been violated, or may have been violated, I have a number of ways to investigate. One of the ways is to require an employee to appear before me, as you are today, and respond to my questions, to help me find out what the facts are.

I am not a prosecutor; however, what I report, and the information I gather, very frequently gets into the public record and if the Judge feels or I feel or even others feel, who read the report, that there should be a referral to a prosecutor, that could happen. But I am not a Prosecutor, I am an agent of the Court, and the Court, in this case, is Judge Rakoff.

One additional thing that I should mention to you is, because I do work for the Judge, and then, basically, I am an instrumentality of the Court, that, as perhaps one and maybe others have done from time to time, any effort to mislead me or deceive me or to

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basically cause me to move in an area of my investigation which is incorrect, with an intent to do that, in other words, give me a wrong steer or provide me insufficient data, that that could be considered by the Judge a contempt of the Court's powers, and that's a whole separate criminal scheme, because if an individual tries to deceive a Federal Court, the Court can hold that person in contempt.

So although that's not been done, no one has been held in contempt, as such, there certainly has been a finding that a witness tried to mislead and deceive me and give me wrong information.

Now I want to talk about Ilissa Rothschild, who is sitting to your right. Ilissa is here as an attorney, but she's an attorney for your employer, Allied Waste Systems, and, as such, her duty is to represent your employer, the company. She does not represent you.

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And although, as we've said, at any time today -- she's an accomplished attorney with a lot of experience in the same areas I've had experience in, and I'm not saying anything critical about her skills or knowledge, all I'm saying is that her job is to worry about her client, which is the corporation.

And there's at least a possibility that your personal interests, professional interests could be different than the corporation, and what I've asked Ilissa to do is to make sure that if you wanted an attorney -- there's no attorney here whose job it is to represent you, Lisa Nichols, and, in fact, there could very well -- there's no attorney-client relationship between you and Ilissa which would prevent Ilissa from talking to her client about what you've said.

So as I understand it, I'm going to ask you to affirm that you have decided today that you don't wish to

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have your own counsel present to

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represent you individually; is that

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correct?

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MS. NICHOLS: That's correct.

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MR. MACK: What I've also told

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you is that as the day goes on, with the

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questions that you hear, and because

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you're not personally represented here,

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you can change your mind, you can say,

11

you know: Now that I listened to the

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questions, I think I need my own

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attorney, and I would like to take a

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break or adjourn, or I would like to

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telephone an attorney, and you will be

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given that opportunity. I can come back

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here in a week, or whatever time period

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is necessary, if you change your mind.

19

So as the day proceeds, I want

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you to feel comfortable about saying:

21

You know, I've thought about it, whether

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it's over the lunch break, whatever, and

23

I want to chang my mind, I would like to

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have the benefit of a lawyer talking to

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me. Fair enough?

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MS. NICHOLS: Yes.

MR. MACK: Now, I would also say this: That if at any time today you would like to have a private conversation with Ilissa, as you just had a few moments ago, that's fine. It is very much my desire to make sure that I'm being fair, and that if you have a question or an issue or something that you want to get out, you can talk to me about it on the record and I will give you an honest answer so that it is very clear what the situation may be, or you can go make a telephone call to a friend or an attorney, or you can discuss it with Ilissa outside my presence, not on the record. Okay?

MS. NICHOLS: Okay.

MR. MACK: Now, also today we'll take a break about every hour or so, and we are going to break for lunch, it won't be long because I want to get this done today, if we can get it done today, but the most important thing really is

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to make sure you understand my questions. You will be under oath. In a few moments, you'll be administered an oath. I spent a little time this morning talking to you about how important the oath is, that you honor it, that you give me full and complete answers.

I've talked to you already this morning about the Fifth Amendment, and I want to just reiterate again, in summary fashion, that there has been information or allegations raised that you might be involved in what would be considered, by Allied, a theft of company resources. I have not concluded one way or the other on the subject matter. I'm not here to basically do anything other than ask for your side and your perspective on some of these areas of questioning. Okay?

You have a Fifth Amendment right. When I say that, you can say: Look, Mr. Mack, or Walter, I'm not a person who stands on ceremony, these are

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2 questions that have to do with
3 operations and how things worked, but
4 I'm not going to answer questions, I
5 refuse to answer questions that deal
6 with removing and cashing checks, either
7 by myself or with others and what have
8 you. That, I will consider, and I'll
9 spend a lot of time on.

10 That's assertion of the Fifth
11 Amendment. You have a right to do that
12 on that subject matter. I'm not going
13 to take the position, that: Hey, you
14 know, since you answered questions on
15 this topic, on other topics having to do
16 with documents and how things worked on
17 Wednesday pickups or whatever we talk
18 about today, that you therefore waived
19 your Fifth Amendment privilege.

20 This may mean something to
21 Ilissa, but basically there's a rule of
22 law that basically says you can't pick
23 and choose what you want to talk about.
24 You can't say: Hey, I'm going to answer
25 all these questions, but when you get to

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this area, which is pretty close to all the other areas, I assert the Fifth. I'm telling you right now that you can't pick and choose where to assert the Fifth Amendment.

I'm not going to make the argument, either here today or to the Court, that your having talked about subject X means you've got to talk about subject Y. You have the right to say, on that area: I'm choosing, on the basis of my Fifth Amendment privilege, not to answer those questions because an answer might tend to incriminate me personally.

If it incriminates another employee and doesn't incriminate you, that's not a Fifth Amendment right. Some of these areas get a little complex. Ilissa is as knowledgeable and as wise on these subjects as I am, and you can go out and talk to her about, you know, what's going on here, is what it boils down to.

I'm going to spend a little bit more time on your oath, the importance of being accurate. I expressed earlier this morning the importance of not telling me a lie, because I would say that, one, it is very important for me, in order to do an accurate job, to have the truth.

I don't want to accuse people falsely and say: I received this information, and it turns out to be a lie. I feel strongly about that. If I later determine that you lied to me, you can be certain that I will recommend that you be prosecuted in some fashion. I would rather have you say to me: Mr. Mack, Walter, I don't think I can answer that question on the Fifth Amendment grounds, than for you to give me a false answer. Okay? At least I'll know where we are on the thing.

But it would be very unfortunate for both of us for you to give me a false answer that causes me to think

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something or do -- it is not fair to you and not fair to others, as well. I ask you to be as truthful and as accurate as you can humanly be.

Let me see if there's anything else that I want to make certain I cover. I have covered oaths. I've asked you whether you had any questions, but let me take a few moments now to give you an opportunity to ask me anything that has occurred to you since we started this morning, or any subject you want to ask about before we start.

MS. NICHOLS: I really don't have any questions at this point.

MR. MACK: Let me reiterate, and I'm going to ask the same thing of Ilissa here in a moment, but at any time today, if you want to ask a question, my questions are not clear, you want to take a break -- we are going to probably go, I would say, probably until about 5:00, it is about 11:20 now, and we'll take a break in between, but if you get

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tired, you want to take a personal moment, that's fine. If you want to talk to Ilissa at any time, that's fine. You can change your mind, you can correct your answers.

As part of my routine, I'll say, when we come back after lunch: Is there anything about your testimony the previous time that upon reflection you think needs to be sharpened? As we go back, if there are questions that come up, you should raise them.

Ilissa, is there anything you would like to say?

MS. ROTHSCHILD: I have nothing to add.

MR. MACK: Mr. Nissenbaum, may I request that you swear the witness?

L I S A N I C H O L S, the witness herein, having been duly sworn by Stewart Nissenbaum, a Notary Public in and for the State of New York, was examined and testified as follows:

EXAMINATION BY

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MR. MACK:

Q Let me give you a little idea about how we will proceed today. I'm going to ask some pretty fundamental questions to begin with, so that I understand what people's roles were, I'm going to show you some documents, and I'm going to get an idea of your background and your duties and responsibilities. There are certain areas that I just need to understand how the paperwork was generated, what your role is, or was, how things changed over time.

So I think we are just going to proceed, you know, slowly and thoroughly.

A Okay.

Q I would encourage you that if there's something that you think I have missed or that there's a question I should ask or something, since in many ways I'll be looking to you for some assistance, for you to volunteer, you say: You've shown me this document, but you haven't shown me that document.

Don, who is with me, because he

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2 is much more knowledgable and competent than
3 I am, will ask, from time to time, if there's
4 something I've missed or there's something --
5 he may ask a question, and I always ask him
6 if there's something he thinks I ought to
7 cover one way or other.

8 It will be near the end of the
9 day that I will get into some areas that at
10 least your possible -- I want to reiterate --
11 your possible involvement in what would be
12 considered by Allied, as well as me, possible
13 theft, will be covered. I'm going to save
14 those to the end. It's not that I've
15 forgotten about them, I'm going to save
16 those. I don't think I can really understand
17 some of the subject matter without going
18 through the basis, as well.

19 What I'm going to use is the word
20 "Valley," if that's all right, to encompass
21 all the companies that work out of this
22 location here; all right? So that rather
23 than be identifying Mount Pleasant or Mid
24 Hudson or Valley, I know the companies have
25 differing roles at times, don't hesitate to

1
2 say: That's the way we did this at Mid
3 Hudson or Hudson Waste, but it was different
4 when you talk about Mount Pleasant, or
5 something of that nature. Just because I may
6 be sloppy doesn't mean you should be. You're
7 knowledgeable.

8 How many years have you worked at
9 this location or worked for Valley?

10 A At this location, it's been
11 seven.

12 Q What is "this location"?

13 A Well, it was Valley Carting, and
14 right now I believe I'm working for Hudson
15 Waste; the roll-off division of Valley
16 Carting, which is a division of Allied Waste.

17 Q Do you know the address that we
18 are at today?

19 A Yes, I do.

20 Q If you would?

21 A 566 North State Road, Briarcliff,
22 10510.

23 Q So you have worked at this
24 address, 566 North State, for seven years?

25 A Correct.

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2 Q Prior to that, were you employed
3 in any company related to Valley, or for
4 Valley?

5 A No, I was not.

6 Q So your first employment for
7 Valley, and the companies that work under
8 Valley, was actually at this address; is that
9 correct?

10 A Correct. As a matter of fact, I
11 answered the ad for Mid Hudson Equipment. I
12 don't know if that's relevant. I answered
13 the ad, it was a part-time job for Mid Hudson
14 Equipment, seven years ago, at this address.

15 Q Okay. I can see you're not at
16 all uncomfortable about being accurate and
17 that's great. I want you to be accurate.
18 Don't hesitate, in any way, to sharpen my
19 question or to give me data.

20 Your background, your educational
21 background before being employed here, was
22 what? Just in a brief fashion, what has been
23 your education, training?

24 A I graduated high school, and I
25 went right to work. I worked in an office

1
2 since I was eighteen. I owned a deli at one
3 time.

4 Q All right, good. What was the
5 name of the high school you graduated from?

6 A Croton-Harmon High School.

7 Q In terms of the period before you
8 came here, did you receive any kind of
9 vocational or other training in specific
10 areas?

11 A No, I did not.

12 Q How did you come to be employed,
13 I guess it was by Mid Hudson Equipment? You
14 saw an ad in the newspaper?

15 A I just finished having my babies,
16 I guess, at the time, and I just wanted to
17 work part-time, so I saw it in Briarcliff,
18 which is close to where I live, because I
19 live in Ossining, and that's all I wanted, I
20 didn't want full-time, and I answered it.

21 Q What was the position
22 description?

23 A It was receptionist, part-time
24 receptionist, just strictly answer the
25 phones, and that's strictly what I am.

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Q Who was it that interviewed you, or did you meet, before taking the job?

A I met with -- I met here with Matt Hickey.

Q Did you meet anyone else before being hired?

A Yes. Then I met Jimmy Hickey, who I had to meet, and Toby D'Amico, because they actually owned the companies.

Q When you say "they," you're talking about Jim Hickey?

A And Toby D'Amico. They interviewed me after I met Mattie.

Q Did any of those three gentlemen, shall we say, tell you what was going to be required?

A It was just for answering the phones. That was it.

Q Do you remember, approximately, what was your first day at work?

A It was January -- it was the day after Super Bowl, January 28th, I believe, '94, seven years ago. I'm trying to think seven years. I know it was the day after

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2 Super Bowl, because I couldn't go to a Super
3 Bowl party, because I didn't want to be late
4 for work. I think it was '95. I'm not
5 certain, but it was January 28th, I believe.
6 It was the day after. I'll never forget it.

7 Q Why?

8 A Because I didn't want to go -- I
9 wanted to go to this party, but it was my
10 first day of work. I didn't want to be late.
11 Maybe go to a party and have a few drinks and
12 maybe have a hangover, so I just didn't go.

13 Q Who was responsible, very early
14 on in your employment, for describing or
15 helping you know what your job duties were?

16 A All I did was answer the phone.
17 And the girls that were in this office, you
18 know, they would walk around me, but believe
19 me, that's all I did. I looked at the
20 monitor screen, had to watch anybody coming
21 in, and answer the phone. That's all I did
22 for a good year.

23 Q Who would you say was your
24 supervisor?

25 A I would say the office manager,

1
2 who was -- let's see. The office manager, I
3 forget her name when I came, but mostly it
4 was Regina -- Rosario?

5 Q Take your time.

6 A Regina. I'm drawing a blank.
7 She lives right near me. It's Corito
8 DelRosario's sister, who also ended up being
9 an office manager. Regina -- I'm drawing a
10 blank.

11 Q That's all right.

12 A But she was the office manager.
13 I would report to her.

14 Q Did you have any association,
15 during that, let's say, first year period,
16 with either Matt Hickey, Jim Hickey or Toby
17 D'Amico?

18 A Talking to them as they walked
19 by, but other than that, no.

20 Q Did there come a time when your
21 duties began to change and become more
22 comprehensive than being a receptionist?

23 A Yes. I asked, I said, you know:
24 I can do this, I can do that, because I
25 worked in an office for so long, and I can

1
2 type, so if you want to give me something
3 more to do, feel free. I could take
4 shorthand. Anything you want to give me.

5 Little by little -- the thing
6 was, they did not want me to leave the phone,
7 because that was a big part, you know,
8 screening their calls, learn it so you don't
9 give a solicitor to them or something, or one
10 of those telephone people that are annoying.
11 And so little by little they gave me filing
12 or put some checks in order, all the checks
13 that went out, and they all came back, and
14 the office manager would have me put them in
15 order, little stuff I could do from my desk.
16 A little filing because it was right behind
17 my desk.

18 Q I guess I'm starting from when
19 your first year was primarily reception;
20 would that be a fair assessment?

21 A Yes.

22 Q And your responsibilities
23 increased over time?

24 A Right.

25 Q Did there come a time when you

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started to undertake dispatch responsibilities?

A Yes. That was when they moved me, I think it was after maybe two years, a year and a half, they moved me to the other building.

Q Let --

A I'm trying --

Q You're doing fine. When you say the building we are in today --

A This is where I started.

Q What do you call this building?

A I called it the main building.

Q Did there come a time when your job position moved from the main building?

A Yes.

Q How long after you started would you say that happened?

A A year, a year and a half.

Q And what building did you go to?

A Operations.

Q If you would, just describe to me the operations building, what it consists of.

A Right now?

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Q No, when you moved there.

A When I moved there, there was another female working in the there, Tony was there, and I mostly just -- I was actually training, I was listening how to answer calls from residents, "When is my garbage day?" I didn't really do any paperwork. I just mostly, like, helped the girl there answer the phones.

Q Do you know or remember the name of the woman who was there?

A Yes, I do. Her name was Diane Ahlbeck.

Q Is it Ahlback?

A I think it's A-h-l-b-e-c-k or a-c-k.

Q You mentioned a gentlemen by the name of Tony. Do you know his last name?

A Cardillo.

Q When you originally went to what we'll call the "operations building" -- is that okay?

A Yes.

Q All right -- who, besides Diane

1
2 and Tony were in that office space on a
3 regular basis?

4 A On a regular basis?

5 Q Yes.

6 A Paul Caravetta. Matt and Jimmy
7 Hickey, they came in regularly in the
8 morning. Toby D'Amico. That was basically
9 it. They would all meet there in the morning
10 and just talk about the day or have coffee or
11 whatever.

12 Q Let me ask you this: When
13 Matt --

14 A That was first thing in the
15 morning.

16 Q When you say "talk about the
17 day," give me some idea about what the topics
18 were.

19 A I can't. Whether it was sports
20 or what happened yesterday. Most of the time
21 they were in the kitchen area. I tried not
22 to eavesdrop. They smoked their cigars.

23 Q Were they talking about
24 operations of the company, or were they just
25 socializing?

1
2 A Socializing and operations. You
3 know, you would hear a customer's name be
4 rattled off. I didn't pay too much
5 attention.

6 Q What was Tony Cardillo's job at
7 that time?

8 A I believe he was a dispatcher.

9 Q When you say "a dispatcher," what
10 do you mean by that title?

11 A He handled the men. In other
12 words, he told them -- we have the
13 residential routes that they go out on, if
14 something broke down, they would call him and
15 the roll-off, he would tell them where to go;
16 you know, he would write out a sheet for
17 them, where to go, what to do. They answered
18 to him.

19 Q Now what I would like to do is,
20 if you could describe, in a general way, how
21 your duties evolved over there in the
22 operations building from what you did when
23 you first got there, and just so I get some
24 idea as to how your duties changed and
25 expanded over time.

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2 A I got into the computer part of
3 it. In other words, when -- first of all, I
4 listened, you know, enough, and answered
5 enough phone calls to know who was who, maybe
6 a McCauley account, like one of our big
7 customers, or a supermarket, so that -- I
8 mean, up to this day, I know a lot of them, I
9 know them by name, I almost feel I know them
10 personally, except I've never seen them, and
11 I would do the computer work.

12 So I would put in -- I would know
13 which one, like if there were three different
14 containers on a site, I did it so much every
15 day that I got to know exactly which
16 container it was, what price they paid,
17 because it was all set up in there. They
18 called, I did the old system, and it was just
19 something that I got good at from doing it
20 every day.

21 Q When we say "the old system," is
22 that -- do you know what that was called, or
23 what, actually, was the software?

24 A We called it "the old system." I
25 don't remember. It's Info Pro now. That was

1
2 before Allied, because Allied -- Info Pro
3 came out with Allied. We had a basic -- I
4 don't know what the heck they called it. I'm
5 drawing a blank. It was a computer system
6 that they had set up. Joanne, I guess,
7 basically set it up, and I just did the
8 paperwork. I just plugged it in.

9 Q I'm going to spend a little
10 time -- I think what I would like to do,
11 which might make sense, is pick the time
12 period just before Allied acquired these
13 companies.

14 A Okay.

15 Q What I want to do is talk about
16 what went on in the dispatch office just
17 before Allied. What should we call the
18 computer system?

19 A I called it "the old system."

20 Q We'll call it "the old system."

21 So what I'm interested in is to
22 take a typical day, shortly before Allied
23 acquires the companies, so that's what I want
24 you to put in mind and tell me who was in,
25 you know, the dispatch office, who had

1
2 offices there, and what your day was like,
3 what did you do, what your responsibilities
4 were.

5 MS. ROTHSCHILD: You were working
6 part-time at this point, or working
7 full-time?

8 THE WITNESS: Full-time.

9 MS. ROTHSCHILD: When did you
10 change from part-time to full-time?

11 THE WITNESS: Actually, I guess
12 that year that I was here they
13 considered it part-time, I guess.

14 MS. ROTHSCHILD: Tell us when you
15 started, that first year.

16 THE WITNESS: In the Pennysaver,
17 as part-time phone receptionist, and I
18 worked from -- I came in at nine and
19 worked until three.

20 MS. ROTHSCHILD: Five days a
21 week?

22 THE WITNESS: Five days a week.
23 Eventually, after I moved over, then it
24 became nine to four, and then at one
25 point, that's when -- I guess the more I

1
2 knew and the more I could answer the
3 phones and the more I could do, they
4 asked me if I would do eight to four,
5 which I did.

6 MS. ROTHSCHILD: Is that what you
7 do now, eight to four.

8 THE WITNESS: Eight to four,
9 except last night I was here until six.

10 Q What I would like to do is now go
11 back to the period, for your answers to these
12 questions, before Allied. We are going to do
13 before and after. So you know where I'm
14 going, I need to understand, I just want to
15 go through a typical day for you before
16 Allied acquired the companies.

17 So I would like to know what time
18 were you coming in, you know, this would have
19 been, let's say, June of 1999.

20 A Eight o'clock.

21 Q When you came in, did you have
22 your own office in the operations area?

23 A No, but I sat -- I sit in the
24 back. There's like a wall, the dispatcher's
25 desk, and I sit behind like a wall. I was

1
2 just separated a little from them. In other
3 words, I would have to lean over and go like
4 this (indicating), but I could -- if I leaned
5 over, I could see the window and everybody
6 there. I'm just --

7 Q You had --

8 A My area.

9 Q Remember now that I'm asking you
10 about before Allied took over.

11 A Right.

12 Q Because one of the things that's
13 important to me is going to be the changes,
14 and approximately when they changed.

15 A Right. Well, I took over for
16 that girl when they let her go. She sat
17 where I was sitting. They brought me over
18 one day and said, "You're sitting here."

19 Q That girl was Diane Ahlbeck?

20 A Right.

21 Q So, again, we are talking prior,
22 just, really, prior to Allied taking over?

23 A Right.

24 Q You're arriving at 8:00 a.m., in
25 the morning, approximately; correct?

1
2 A Right.
3 Q You have a desk?
4 A Right.
5 Q At that desk, what do you have, a
6 computer screen?
7 A Yes.
8 Q And you have a keyboard?
9 A Right.
10 Q Anything else?
11 A The telephones.
12 Q Who else is present in the
13 operations -- your area, where you're
14 working, let me call it "the dispatch
15 area" -- would that be an accurate way to
16 describe it?
17 A Right.
18 Q -- when you arrive at 8:00, prior
19 to Allied's acquisition, who was there?
20 A Tony.
21 Q Tony Cardillo?
22 A Right.
23 Q Where is he?
24 A He is right there, like where
25 that door is, he's over there and I'm right

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here (indicating).

Q Since we are talking about a paper record, and Mr. Nissenbaum, as skilled as he is, is unable to capture --

A He is ten feet away.

Q And that's Tony Cardillo?

A Right.

Q When you come in at 8:00, has he been there for some time or --

A Yes.

Q When you come in, what is he doing?

A Reading the paper, eating, talking on the telephone.

Q Right. But is he also dispatching or talking to drivers?

A Not unless they called in.

Q Is there something on the wall, or something which is supposed to reflect where vehicles are going that day?

A No -- well, yeah, there's a certain schedule on the wall for some of them, but mostly it was all on paper.

Q We are going to talk about that a

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little bit later.

You come in, Tony Cardillo was there, this is 8:00. Is anybody else present, at this period pre-Allied, routinely?

A The men, usually.

Q The drivers and the helpers?

A The drivers and the helpers are on the road. Pre-Allied you had Matt Hickey.

Q Okay.

A Just before Allied, you had Aaron Deems.

Q Aaron Deems?

A Are you talking about -- when you say "right before Allied" -- Eileen didn't work for Allied. I mean, she didn't work for Jimmy. You had Aaron, me, Tony, Mattie. I think that's it.

Q This is pre-Allied. Take your time, think about it.

A Paul retired. I don't know how far you're going back. I don't remember when Paul retired.

Q I'm not going far back.

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A Me, Aaron, Tony, Mattie.

Q When you talk about "Paul,"
forgive me, because I want to make sure I
have the right people in mind, when you say
"Paul," who are we talking about?

A He was a sales manager.

Q What was his last name?

A Caravetta. But he wasn't there
just before pre-Allied, he was already
retired.

Q We are talking about just
pre-Allied. We have Matt Hickey, Aaron
Deems, Tony Cardillo, you. Anyone else?

A In the operations office, no.

Q Tony Cardillo, you've already
described what he was doing. I don't want
you -- if he's reading the paper or whatever,
and this is when you come in at 8:00, what is
Aaron Deems doing? What is his
responsibility?

A Well, he was -- he was always out
in the yard, or helping with trucks or
sitting there listening or answering some
phones. I guess he was helping Tony, really.

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You know --

Q Let me just take a moment here. I'm not big on the word "guess." In other words, I want you to go back in your mind. If Aaron Deems -- we are just talking generally.

A I'm getting confused because you're saying -- I mean, I'm trying -- I feel like I was there for so long that I can't -- when you're saying "pre-Allied," right before, stay with Aaron, he would come in, he would get where he had to go, at one point. He was, at that point -- but there was a point when he would come in and sit there, I guess they were trying to ease him into that, because I think he used to deliver roll-off containers. I think. I'm not certain.

Q I'm going to make a very clear division, where we are going to spend most of the day is going to be post-Allied, but I'm trying to get some idea how things were before Allied -- it is not way back, it is in the period --

A Of the transition?

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2 Q In other words, before Allied is
3 making changes or doing whatever they did --
4 and I'm going to ask you about that with
5 respect to your responsibilities -- I want to
6 get some idea what it was before Allied, and
7 then I want to get after Allied.

8 A So it was me, Tony, Aaron,
9 Mattie. Aaron would come in -- Aaron and
10 Mattie were the sales reps. Tony and I did
11 the dispatch. Aaron and Mattie went out and
12 visited their customers.

13 Q If Mattie is there when you come
14 in at eight --

15 A They were all there when I came
16 in.

17 Q What are they doing?

18 A Talking.

19 Q The people, when you come in, who
20 are responsible for dispatch, and that is
21 directing vehicles to go or trucks to go,
22 would be you and Tony; is that a fair
23 statement?

24 A I really didn't do too much of
25 that in the beginning. I just recently --

1
2 Tony did it. He was the dispatcher. He
3 wouldn't let me do it, let me put it that
4 way, as much as I wanted to. I wanted to get
5 involved in that, which I only did -- I just
6 knew --

7 Q We'll get there. So Aaron and
8 Matt are basically just there doing odds and
9 ends?

10 A Right. If Tony was out of the
11 office, if he went in the yard, I would patch
12 him, or Mattie had no problem doing it or --
13 they knew what I didn't yet.

14 Q You arrive at eight. Give me
15 some idea what you do during the day,
16 pre-Allied?

17 A I answered the phones. I helped
18 Tony answer the phones. I gave him all the
19 ones I didn't know, until I finally -- little
20 by little. They gave me tickets. Every
21 morning I came in -- every morning I came in,
22 there was a pile of tickets on my desk.

23 Q Tell me what a "ticket" is.

24 A Roll-off tickets.

25 MR. MACK: Let's get some.

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MR. SOBOCIENSKI: They may not be the same, but they could be the same.

(Pause.)

(Roll-off ticket marked Monitor's Exhibit 1002.)

Q These little orange jobs just allow me to keep track of what they are, they have no independent significance. I'm working on what I call Monitor 1002, and I'm showing you a document, you take a look at it, and I ask you: Do you recognize what that is?

A Uh-huh.

Q Is this a form of the ticket that you were just mentioning to us?

A It is a roll-off ticket.

Q So when you came in, in the morning, this is pre-Allied, there would be a pile of documents looking like Monitor 1002 on your desk; is that correct?

A Correct. Correct.

Q When you say "a pile," can you give me an estimate -- I realize we are talking in generalities, but approximately

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how many, would you say?

A Maybe twenty-five to thirty, five or six for each roll-off driver, if there were five roll-off drivers, with a dump ticket. There was a pile of dump tickets, too, if they went to the dump.

Q In other words, a ticket demonstrating or showing that a truck went in and dumped at a particular transfer station, whatever, and left with a weight, and other data?

A Right.

Q Okay. So when you arrived, you had dump tickets and things similar to 1002, Monitor 1002?

A Right.

Q You come in, you have those on your desk. What do you do with them?

A I put them into the computer.

Q What does that mean?

A That means that I pull up the account.

Q The account is what's identified on the ticket?

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A This is a COD.

Q What is that?

A A COD is a delivery, it's for a delivery only, you deliver the box, they gave you the money, they write out the ticket.

Q The "they" is the driver, when you say "they"?

A Yes. As you can see here, he didn't know the name. I found the name. That's me, that's my writing.

Q I'm going to walk over there so that I can just make sure I understand what you're telling me. Bear with me for a second.

So we are looking at Monitor 1002. There would be twenty or so of these tickets?

A Roll-off tickets.

Q Roll-off tickets. I should use that term. I take it there's something in your writing on this particular ticket?

A Yes.

Q Take a look at --

A It is.

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Q Tell me, if you would, what portion of that ticket, that roll-off ticket, is in your writing?

A The top, "COD Falcon."

Q What does that signify to you, you did, or what you did with respect to Monitor 1002?

A Well, it would have to be recorded, so I would have to find out -- these guys, they don't have -- you know, they were given stuff to do without the name, here's your address.

Q "These guys"?

A The roll-off guys.

Q Drivers?

A Yes.

Q In this case, that guy would be?

A Bobby Thomas. To this day, they still do that. They come in with just the address on it, nothing on it, so I write it in, because then it's got to go to Joanne, and she would call me and I would have to look it up anyway. So I would get who it was off the roll-off list from every day that

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2 somebody called it, it would get manually put
3 down on the long sheet of paper by Tony or
4 me, after a while, and that's how you knew
5 who to give what.

6 Q We are going slowly. Be patient
7 with me while I get organized.

8 In essence, the name on Monitor
9 1002, the roll-off ticket, was written by
10 you, and that was because you were able to
11 tell from other documents there that, in
12 fact, that address is that client or
13 customer; that's correct?

14 A That's correct.

15 Q Now, "COD," that's in your
16 writing?

17 A That's right.

18 Q What does that actually mean? I
19 know COD is cash on delivery, but what, in
20 terms of your business, what did that mean
21 had to happen?

22 A That means that money had to come
23 with that ticket.

24 Q So when you come in, in the
25 morning, and that ticket, let's say, is on

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your desk, for purposes of illustration, is there money attached to that ticket?

A Sometimes there was, and sometimes there was not.

Q So help me understand, you know --

A Most of the times, pre-Allied, it wasn't, because Tony would get it first, he would take the money, bring it over to Joanne.

Q You mentioned "Joanne." We are talking about Joanne DellaPena?

A Yes.

Q Right now I want to get the practice down pre-Allied. That's what we are talking about, because we are going to get to post-Allied in a little while.

Let's assume, for the purpose of this illustration, that there's a COD ticket on your desk pre-Allied. Is there going to definitely be cash with that, or, as you just told me, there would be no cash because Tony Cardillo would take the cash?

A Cash or check. If there was a

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2 COD ticket, he could say -- would say, "I
3 have the money for this," you know, "I got to
4 go over to Joanne." I would put this in,
5 give him this back, he would take this with
6 the money and bring it over to Joanne, or she
7 would come over and get it, and it was cash
8 or check.

9 Q You're an expert in this, so just
10 bear with me while I go through this a little
11 bit more carefully. We are talking
12 pre-Allied. You and Tony are the only people
13 in the operation whose job, really, it is, at
14 that time, to deal with, I guess, cash that's
15 come in, and the tickets, and the tickets are
16 on your desk; would that be fair?

17 A Well, not really, because --

18 Q You tell me.

19 A That was on my desk when I came
20 in, so, you know, when I came in, if there
21 was cash sitting there that maybe got by him,
22 I would say, "What is this for?" You know,
23 "I have this (indicating)," blah, blah, blah.

24 Q And you're holding Monitor 1002.

25 A Right. Most of the time,

1
2 pre-Allied, there was no money on my desk
3 because he got it 5:00 in the morning. So my
4 stuff that was on my desk was ready to go for
5 me to put right into the computer, the
6 paperwork.

7 Q So pre-Allied, it would be fair
8 to say that you would not expect to find cash
9 on your desk with the tickets?

10 A No.

11 Q Would that be right?

12 A That's correct.

13 Q And so you would take the ticket,
14 and if you needed to identify the customer,
15 you would look at the address, and/or maybe
16 the route sheet or something of that nature,
17 you would identify and write the name of the
18 customer, and then what would you actually
19 put into the computer? Just so that I
20 understand, what data are you putting into
21 the computer?

22 A What size box -- pre-Allied, what
23 size box. The old system, what size box, the
24 date. Really, not much, but whatever was on
25 the ticket. What size box. You know, say a

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2 supermarket, compactor, I would pull it up
3 and hit the compactor box, and the box where
4 the price would show up, that was it; enter,
5 boom.

6 Q Do the best you can.

7 A The old system is gone.

8 Q I understand. We'll do what we
9 can do.

10 Then, after you had input the
11 data, this is all pre-Allied, what would you
12 do with the roll-off ticket and the dump
13 ticket? What was the next step that you
14 would do?

15 A I made a copy of the dump ticket,
16 I attach it to the original ticket, put a
17 clip on it, and it came over to Joanne.

18 Q Let's say, for the purpose of
19 this example, pre-Allied, Tony has taken --
20 say there had been cash or a check. How did
21 the cash or check get remarried, if it did,
22 or get accounted for, pre-Allied; was it
23 reattached or how did the money part of this
24 transaction we are talking about get
25 accounted for?

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2 A Billing, Joanne would do the
3 billing, he brought the money to her and they
4 would make a daily -- weekly deposits -- I
5 don't know. I don't know too much about
6 that. That was her baby.

7 Q So correct me if I'm wrong -- and
8 we are going to take a break in just a
9 minute -- pre-Allied, it was Tony Cardillo's
10 responsibility --

11 A That's correct.

12 Q -- to get the cash and the checks
13 to Joanne for recording in some fashion?

14 A That's correct.

15 Q It was your responsibility to
16 take the tickets, the roll-off tickets,
17 identify who the customer was, and put
18 information into the computer system, at that
19 time?

20 A Correct.

21 Q Correct?

22 A Correct.

23 Q And then you would attach the
24 dump ticket, roll-off ticket. Would you take
25 it to Joanne? How would --

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A I mostly brought it over.

Sometimes I would just have the pile, just to get out of the office, I would walk across the parking lot.

Q And give it to Joanne?

A Or he would, if he was going. Whoever was going.

Q "He," being Tony?

A Tony.

Q When you put your information into the computer, did you have a field or a screen for whether it was cash or a check or -- in other words, was that part of your function, to put down whether it was cash --

A No. I'm trying to remember the pre-Allied, the COD, because they weren't in there. I'm trying to remember that. A supermarket, you pull up, it came up. The CODs were verbal, so you -- you know, I'm trying to remember how that -- how that was put into the computer.

I'm not sure. I've got to -- I don't remember CO -- I know there's a COD account, say, so you could pull up something

1
2 and it says "COD." Then -- I don't know that
3 there was that. I really don't -- you know
4 what, I'm drawing a blank on that.

5 Q We may come back to it.

6 A Fine.

7 Q One of the areas that is
8 certainly going to be consequential to me
9 today is how cash --

10 A I don't know whether she made it
11 an account, like made this person, Falcon, an
12 account.

13 Q Who is the "she"?

14 A Joanne. That's how she could
15 match the money.

16 Q Don't you worry about anything
17 that Joanne -- unless you saw Joanne. I'm
18 really interested in what your role would be,
19 and what you observed with respect to cash or
20 any form of payment. That's certainly one of
21 the things that we are going to be talking
22 about today.

23 A Okay.

24 Q As a benchmark, or as a way for
25 me to understand how the system changed and

1
2 evolved, that's why we are starting
3 pre-Allied, but we are going to show you
4 documents, and I'm going to try to get a
5 really good idea by the end of the day what
6 your job was, and how it evolved over time,
7 and what other people did, if you saw them --

8 A Okay.

9 Q -- do it. So that's what we are
10 about. But right now, my understanding is
11 that you don't remember, pre-Allied, whether
12 or not you put in, as part of your job,
13 whether that specific roll-off action had
14 been paid for in cash or by check?

15 A Oh, no, I couldn't -- no. How
16 could I, you know, remember if there was a
17 check or cash with it?

18 Q Let me rephrase the question.
19 All I'm asking is the system. Okay? Let's
20 assume, for the purpose of this question, it
21 is pre-Allied, you receive a roll-off ticket
22 that says or that you know is a COD ticket;
23 in other words, the driver's job was to pick
24 up cash when he delivered the box. Okay?

25 A Right.

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Q You've told me that pre-Allied, you would only get the ticket, Tony would have taken the cash or the check; correct?

A Correct.

Q All I'm asking you is that when you're inputting the information, whether any part of the information you put in referred to the fact that it had been paid in cash or that it had been paid by check. That's all I'm asking you.

A No. No.

Q So just to go over it, what's the data that you're putting in the computer, pre-Allied?

A All the moves that they did. I keep using supermarket, because it is already there, it's in the computer, and I just pull it up, you know, pull up the account.

Q Right.

A I'm thinking that when we did get a COD -- because to this day, I don't -- I don't set up the accounts, so I don't remember on that old system if someone else set it up and it was there, you know, when

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2 the COD came across, it was the old system
3 and I -- I mean, it is in the old system. I
4 mean, to be -- I don't mean to be cynical.
5 If you want to look, you can see how it is.
6 I'm drawing a blank on these CODs, how that
7 was put into the system, the old system.

8 Q As we go on today, and you
9 remember --

10 A I know they are now, but I don't
11 remember with that old system. I just
12 honestly don't know right now. Would it be
13 bad if I called Joanne during a break and
14 said: How did you do that old system, and
15 then it would kind of refresh my memory?

16 Q We may do that over lunch.

17 MR. MACK: Don has a question.

18 MR. SOBOCIENSKI: The tickets
19 that are on your desk when you arrive at
20 8:00 in the morning, they are from the
21 previous day's deliveries?

22 THE WITNESS: Yes, they are.

23 MR. SOBOCIENSKI: Those checks or
24 cash that would have been attached to
25 the ticket, Tony would have received the

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previous day when the drivers came in at the end of their routes?

THE WITNESS: No, they got -- yes. Yes.

MR. SOBOCIENSKI: Not five o'clock in the morning, but the previous day?

THE WITNESS: Correct.

MR. SOBOCIENSKI: Were there credit card payments?

THE WITNESS: No.

MR. SOBOCIENSKI: Not at that time?

THE WITNESS: No. They only came in at the end, somewhere along the end.

MR. MACK: Let's take ten minutes and we'll come back and work for another hour and take a luncheon break, and then we'll work this afternoon. Take ten minutes to do whatever you want.

(Short recess taken.)

MR. MACK: On the record.

Q I want to finish up pre-Allied, and then we are going to move into how things

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2 changed. We are going to work for about
3 another hour, a little less, and break for
4 lunch for forty-five minutes, and then we'll
5 continue so we get it all done in one day.

6 A Okay.

7 Q So just to continue with a
8 typical day pre-Allied, we've talked about
9 the roll-off tickets, the dump tickets and
10 whose job it was to take care of the cash or
11 check or whatever went on, as best you can
12 remember, and what you did on the computer.

13 Now, I know you've told me that
14 you had a conversation with Joanne DellaPena
15 a few moments ago?

16 A Right.

17 Q Has what you learned from her
18 helped you in refreshing your memory of what
19 happened?

20 A Yeah. If somebody called in and
21 wanted a container, and they were going to be
22 COD, it would get written down on a long
23 piece of paper, as did everything else that
24 was new, or even from a supermarket.

25 Q When you say "a long piece of

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paper--

A It was what we had before we had the system, the new system. So, in other words, if today the supermarket called, we would write it down: A&P, pickup and drop, PO number, and I would get up from my desk and have to run over to Tony's desk. And I did this all day long, because I didn't have my own sheet. I did that mostly if he wasn't there. When he was there, he wanted me to yell it to him so I didn't get it wrong, because it was a big thing to get that wrong.

But the CODs had to be set up by the billing department. In other words, when somebody called it in, he would write it down on the piece of paper --

Q Tony?

A -- Tony would write it down on a piece of paper, call it over to the billing department, which would be Joanne, and say: So-and-so wants a container at this address for this amount of money, this size container. And that's how a COD ticket got made, and that's why sometimes the drivers

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didn't have the name of the person on it,
because he would just say: Go here to this
address.

Q Tony would just tell the driver
go to this address?

A Verbally: Go to this address.
When it came in, I would say: Who is this,
and then I would look it up in the computer
and put it on there.

Q How would the driver know -- this
is pre-Allied -- that he was obliged to pick
up a sum of money or something; where would
he get that data from, pre-Allied?

A He was told to do that.

Q By Tony?

A By the dispatcher; right.

Q The way Joanne DellaPena -- when
you say "the billing department," I presume
you're talking about her?

A Joanne.

Q The way Joanne knew was, because
Tony Cardillo would call her and say that,
basically, you know: We have an order to
pick up, it will be a COD; is that correct?

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A Right. That's correct.

Q And so the next day, or whenever it was, Tony would take that cash over to Joanne?

A Correct.

Q So that's the way the loop was closed?

A Right.

Q Does that refresh your recollection that you, yourself, did not enter in the computer, payment information?

A That's correct.

Q So your testimony is, pre-Allied, you didn't have any -- put any payment information in yourself?

A No, because there was -- it was already set up.

Q Just to reiterate what you told me a few moments ago: It would be Tony who would be responsible for actually controlling the money or checks?

A Well, he will get the money in the morning, so -- because they will come in at night, he was there, he would take the

1
2 money, put it in his drawer till the next
3 day, when it had to go over to Joanne.
4 Either -- he would say, "Lisa, could you
5 bring this over?" I would bring it over.

6 But it was already accounted for,
7 because Joanne would pick it up. She would
8 say: Where's the money for that particular
9 COD. If she has a ticket: Where's the
10 money? So it had to be -- you know, it had
11 to be there.

12 Q When you say Joanne would say,
13 "Where's the money?", is she saying that to
14 you?

15 A Well, she really didn't have to
16 say it to us, because the money was always
17 there, and the checks always matched.

18 Q Whose job -- I mean, since you've
19 told me -- you only matched up the dump
20 ticket and the roll-off ticket?

21 A Right. I made a copy of the dump
22 ticket, attached it to the roll-off ticket
23 and brought it over.

24 Q To?

25 A To Joanne. If there was money in

1
2 the drawer and Tony said, "Can you bring this
3 over," Sure, no problem," and I would bring
4 it over with the tickets. But sometimes, you
5 know, there wasn't money, because there were
6 no CODs, so --

7 Q This is all pre-Allied. There
8 would be times that you would actually --

9 A Yes.

10 Q -- bring money or checks that had
11 been in Tony's drawer over with the roll-off
12 and dump ticket?

13 A Sure.

14 Q No question about that?

15 A No.

16 Q Do you recall, pre-Allied,
17 Joanne, or anybody, questioning where money
18 was, or saying there's money missing or
19 anything of that nature?

20 A No.

21 Q So pre-Allied, you don't recall
22 any situation in which there was an
23 indication or a complaint that money was
24 missing?

25 A Pre-Allied? There might have

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been one or two instances.

Q Can you tell me what you remember about those one or two instances, and what happened?

A It was, where was the money. It was: It didn't come up right then. Let's put it this way: It never happened when -- right then and there. In other words, if I brought over tickets, there were times where she could say, or did say: This doesn't match. I would say: Well, Tony said, you know, he brought the money before -- that didn't really happen until afterwards, that I can remember.

I really don't remember. I just know that when -- everything was there, it all matched, she made sure it did.

Q "She," is Joanne?

A Joanne.

Q So pre-Allied, and you correct me if I'm wrong, I don't want to misstate it, you do not have a recollection, as we sit here today, of there being a missing money situation that brought investigation, or, at

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least, questioning?

A I don't know. She would say -- Joanne would say, sometimes, that -- this would be like two months later, she would, all of a sudden, say: I never got paid for this box, or I never got paid for that box. I would say: Ask Tony, who picked up the money.

There were times when Mattie went to pick up money. Whether it made it over there, I don't know, because -- he certainly didn't come to me and tell me he picked up money. He would go directly to Joanne.

That's because -- I'm thinking, just before Allied bought Valley, Mattie, I think, was more involved then, but it wasn't really Allied's company, nobody said anything, it was their money. Do you know what I'm saying?

They could come along and take whatever they wanted, they could take the money out of the drawer, and I think maybe Mattie did sometimes, and Tony would say: You know, I had some money in this drawer.

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Mattie was in the office, and then nobody would say anything, because it's his brother's company.

There was a safe there --

Q Where?

A In the operations office, there was a safe. Tony was the only one allowed to have the combination, but there was a time when Mattie would tell him to go open the safe, and he did. It was his brother. He never questioned anything like that.

Q Pre-Allied, there were times, especially shortly before Allied took over, when Matt Hickey would simply take money from the drawer or tell Tony to open the safe and he would take it; is that correct?

A Yes. Yes.

Q And basically what you've said, at least it was your view that: Gee, it's Matt Hickey, or his brother's company, he should be able to do that?

A I'm not saying he should be. I thought he was able to.

Q Nobody stopped him?

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A No, not at all. I believe that Jimmy was even aware, because when Tony told him, "Your brother had me open the safe" -- because Tony kept a piece of paper in there. Every time he needed money, Jimmy didn't say anything, it was his brother, it's his money, so that's --

Q That's what you remember?

A It would have been nice if -- I don't mean to be like that. That's the way it was. Yes, that's what I remember.

Q You said Tony kept a piece of paper?

A Of who owed what. If Mattie took something out, or if John Costello came over and said, "I need 2000 for -- I got to go pick up this tire," something that had to do with the company, Tony would say, "Write it down on a piece of paper." They would write it down, throw it in the safe, and there would be the piece of paper for the cash.

But it was their money, nobody questioned it.

Q I got the point, that no one

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stopped them.

When you say "them," I want to know who is included in "them." Matt Hickey would take money from time to time. Did Toby D'Amico take money?

A No, I never saw Toby in there. I never saw Paul Caravetta in there. I only knew of Matt doing it, because Tony would tell me.

Q What would he tell you?

A He would say Matt came in and said "I want some money," and Tony would make a joke of it, saying, "Oh, he must be going to see his country club friends."

Q How many times would you estimate Tony told you about that?

A Not often. Maybe five, in all the years -- really, I just -- because I think he only let me know so much, that's what I think, or only told me so much, to cover his own self, really. I didn't care. I really didn't care.

Q Tony kept -- you've mentioned a safe and a drawer. Was the money that came

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in from the drivers kept in the safe or --

A No.

Q Why not, if you know?

A It was not -- it was Jim's safe. I didn't even know the safe was there for the longest time. It was in a closet. I didn't know it was there. I opened the closet door one day and there it was. I said, "What's the safe for?" They said, "It's Jimmy's safe, he keeps extra cash around."

Q Could you describe the dimensions of this safe?

A Not even like a small refrigerator. Half the size of that chair (indicating).

Q Maybe two or three feet?

A Yeah. Three by four.

Q What color was the safe?

A Gray.

Q Did you ever see inside the safe?

A No.

Q Did you ever see Jim Hickey open the safe?

A No.

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Q The reason you know it was Jim Hickey's safe was that Tony Cardillo told you it was; is that correct?

A That's correct.

Q And so if money, whether in checks or in cash, came in from the drivers, it would go in Tony Cardillo's drawer?

A Desk drawer.

Q Was that drawer locked?

A No.

Q Prior to Allied's acquisition, who, besides Tony, did you see take money or checks out of that drawer?

A I saw Mattie, maybe twice. He said he was walking it over to the other building. I mean, he never -- he never did anything like that. He would just take and put it in his pocket in front me. He would say, "I'll take this over to Joanne."

Q Did you ever see anyone else, besides Tony or Matt Hickey, take money out of that drawer?

A No, I did not.

Q I may have asked this, but just

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in terms of the safe being open, to your knowledge, who could open that safe?

A The only person that I knew of that had the combination was Tony. That's all I know.

Q Did Tony --

A He never opened it in front of me. He would go into this office, shut the door and whatever he did, he did.

Q I would like to move on, going forward.

How did you learn that Allied Waste was, in fact, going to acquire the Valley companies?

A Well, I heard a rumor that Jimmy was leaving, and I asked about it, and they said, "Well, he sold the company."

Q Who is the "they"?

A Jimmy and Toby -- sold the company. Nobody knew to whom, at first, or to who, until it was real. Until it happened, nobody really knew. We would ask him. I asked him myself. He said, "Nonsense."

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Q Who is the "him" in that sentence?

A Jimmy.

Q Jim Hickey?

A I didn't talk to Tony. He was kind of recluse over here. He kept to himself. Jimmy was always around. He would walk around. I asked him and he said it was nonsense, he wasn't going anywhere. And that was until a good, I think, month, two weeks to a month before he really did leave.

He didn't let anybody know he was going, certainly not me. If he did, certainly not me, so --

Q You say he left --

A I always referred to it as his company.

Q When you say he left, how did you come to the realization that Jim Hickey had left? How did you become aware of it?

A He was gone.

Q He wasn't at his office or --

A No, he finally -- they finally said -- I don't know who it was that said

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2 they did sell. I think maybe Mattie, I'm
3 going to say him, because -- they don't --
4 they didn't tell us anything.

5 Q Matt, Jim, Jim Hickey, Matt
6 Hickey and --

7 A The company is sold, he is
8 leaving in two weeks.

9 Q Jim?

10 A Right.

11 Q Right.

12 A And then when I did -- you know,
13 when he finally had to tell me, or us, or
14 everybody, you know, he says, "Yeah, but it
15 will be better for all of you, it's a great
16 company," blah, blah, blah. And he was gone
17 in that two weeks.

18 He would come in once in a while,
19 come down the ramp and come in, but for the
20 most part, he was just never here again, and
21 his brother was going to be in charge now.

22 Q Matt Hickey was going to be in
23 charge?

24 A Was going to be. We were still
25 going to work for Mattie, for Allied. Mattie

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2 was working for Allied. He was still going
3 to be involved. Jimmy and Toby were not. He
4 sold the company, Mattie kept on. He had a
5 contract signed, kept on. He was going to be
6 our boss, my general manager.

7 Q Matt Hickey was?

8 A Right.

9 Q Who told you that?

10 A Jim Hickey.

11 Q Did Jim Hickey explain why he
12 wasn't going to be around anymore?

13 A No, he did not. He said he -- I
14 just assumed he didn't need the money, and he
15 was going to take it easy. I mean, they are
16 wealthy people.

17 Q Did he say, that you heard,
18 either why he was leaving or why he wasn't --

19 A He didn't want to deal with the
20 pressure of the garbage business anymore. He
21 had his oil, Interstate, he had his property,
22 he didn't need it.

23 Q Is that what he said?

24 A That's what he said.

25 Q When you say his "oil,

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Interstate," what do you mean?

A I think that's his company, and I don't know that for sure. Interstate Petroleum, I believe he owns that.

Q What do you base your belief on? I'm not denying it.

A Because he said, "It was mine."

Q He said it was his?

A The trucks, he said, "That's mine, too." He didn't get detailed -- I didn't want to get too detailed with a lot of stuff like that.

Q Why do you say that?

A I really liked him. I didn't want to be nosy. Of course, I didn't understand it, and I didn't want to feel stupid. I didn't understand a lot of stuff, and I just don't want to look, you know, stupid. It's a little embarrassing, because I just don't get involved; try not to.

Q That's your choice. All I'm asking is, you know what Jim Hickey said or --

A He said, "It's mine. I got this

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2 company, I don't need this aggravation
3 anymore." You know, "We did great here, I
4 have been here for so many years, Toby and I,
5 and we just want to get out of it now."

6 When I read the stuff that was in
7 the papers, which I read, maybe he thought
8 they might try to involve him. He didn't
9 want any part of it anymore. He didn't want
10 to have anything to do with the garbage
11 business anymore, he had other things.

12 Q That's what he said to you?

13 A To me.

14 Q To you, personally, or in a group
15 of other employees?

16 A I know he said it to me
17 personally. I don't know what he said to
18 other people.

19 Q Fine. First of all, besides Jim
20 Hickey, did anyone explain what Allied's
21 acquisition would mean for the employees, the
22 people who were here?

23 A We were told that everything was
24 staying the same, only a new company was
25 going to own it. It would not be Valley

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2 Carting or Hudson Waste or Mount Pleasant
3 Sanitation, it was going to be Allied, we
4 would still answer the phone as Valley
5 Carting, Hudson Waste, but it was going to be
6 Allied Waste Company; they were buying up a
7 lot of garbage companies.

8 But everything would stay the
9 same. Our salaries would stay the same, our
10 vacation would stay the same. Jimmy made it
11 so that his contract stipulated that they
12 couldn't touch our salaries and our vacation,
13 because, as we understand it now, a lot of
14 them don't make the salaries that we did, and
15 they didn't have the vacation.

16 As a matter of fact, they, just
17 recently, cut the vacation days or personal
18 days, which, I mean, everybody else only has
19 a few: Why should I have seven, and she has
20 three?

21 Q This is something that just
22 happened recently?

23 A They said everything would stay
24 the same. Jimmy said everything would stay
25 the same. Matt was still there, so you still

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2 reported to the same people. Those people
3 wouldn't even be around here. That's what we
4 were told.

5 Q "Those people"?

6 A The Allied people.

7 Q Wouldn't be involved, at all?

8 A They wouldn't be -- "They would
9 own it, but I'm running it," meaning Mattie,
10 "and you will hardly ever see them around
11 here." And we didn't.

12 Q That was my next question. Let
13 me ask this question, if I remember: Can you
14 give me an idea of what year these comments
15 by Matt and Jim Hickey occurred?

16 A Well, I think Allied was 2000, so
17 I'm going to say just before 2000.

18 Q In other words, just before
19 Allied, whenever that was?

20 A Yes. I think 2000, just before
21 2000, just before that.

22 Q Whenever that was. We know the
23 dates of that. Don't worry about it. I
24 wanted to get your best recollection.

25 When was the first time that you

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can recall somebody from Allied Waste actually came to speak or even to be seen here at this address on North State Road?

A It was months that I saw them; maybe four months, four to six months, maybe.

Q After you were told that they had acquired it; is that correct?

A Right. Right.

Q Do you remember who came?

A I think it was Bob Boucher, but I'm not certain. I really didn't pay too much attention, quite honestly, because they just told us the same thing, nothing would change, you know, we have our own things. You know, our computer system might change, "You're still going to make the same amount of money, we want to work together." Basically what Mattie and Jimmy told me, nothing was going to change, really, everything would really stay the same.

I would say four to six months. I didn't see anybody for a long time before somebody came and actually said something to us at a meeting, a group meeting, and I think

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that was in the conference room.

Q Is it your recollection that in that first group meeting it was Bob Boucher who was speaking?

A I think it was Bob.

Q If you heard the name --

A He is only one name that I can --

Q Have you ever heard the name Denny Marceti?

A Yes, I have. He was here, too.

Q Were they both here at the time?

A I think they were both here.

Q Again, all I can ask is your best recollection. What is your best recollection of what either Denny or Bob said to you, to the employees, at this group meeting? Just run it by me again. You may have already told us.

A Actually, the meeting was down at the restaurant.

Q What restaurant?

A Wait a minute. We had a meeting down at the Torschia's Restaurant, in the back room, when they were handing out

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2 brochures, and I guess retirement plans and
3 whatever it was.

4 And they said that they were just
5 here, they wanted us all to, you know, don't
6 get worried, everything is going to say the
7 same, we are -- you know, just basic stuff.
8 I mean, nothing was going to change. I mean,
9 nothing for us to worry about, because our
10 biggest concern was worrying about our jobs,
11 are we going to still have a job.

12 Q Sure.

13 A It was like, "No, of course
14 you're going to still have a job. Don't
15 worry about anything. We acquired the
16 company, five young people," and that's it.

17 Q Did they say anything, that
18 operations would stay the same?

19 A I assumed that what they meant,
20 the whole company, that nothing was going to
21 change.

22 Q I'm a little confused. There's a
23 meeting at the restaurant, and there's a
24 meeting in the conference room?

25 A This one here, I don't know

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2 whether that was before or after. The main
3 meeting, where they even included the
4 mechanics, was down at the restaurant. I
5 mean, they had the mechanics and the office
6 staff, and that's when you had Bob Boucher
7 and I think that Denny Marceti gentleman, and
8 I think somebody else that I don't recall who
9 it was.

10 Q Can you distinguish the message?
11 Was the message in any way different at
12 either of these two meetings?

13 A No.

14 Q Basically the same?

15 A The same.

16 Q Things would stay the same, don't
17 worry about your job?

18 A Right.

19 Q Did they say anything about Matt
20 Hickey at either of these meetings?

21 A No. They said we would still
22 report to Mattie, he was the general manager,
23 if you had any problems, "let him know and he
24 will let us know."

25 Q When was the first time that you

1
2 heard that there was a Monitor, a
3 Court-ordered Monitor, who had some
4 responsibility with respect to Valley
5 Carting? Did you ever hear that?

6 A Yeah, but that wasn't until --
7 that I heard it, it was like recently, maybe
8 a year ago.

9 Q Give me the best that you can
10 remember that you heard about that.

11 A I'm trying to think. I know I
12 was -- I'm going to say a year ago.

13 Q A year ago.

14 A I'm no good with dates.

15 Q You would be talking about the
16 summer of 2001?

17 A Okay. Now, let me think of
18 something here.

19 Q Take your time.

20 (Pause.)

21 A There was a time when Mattie and
22 Aaron were getting on each other's nerves.
23 I'm trying to think, was that before I heard
24 about this Monitor, after? I'm trying to --
25 I'm going to say a year ago.

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MS. ROTHSCHILD: Are you
guessing?

THE WITNESS: I am, because I
really don't know. I don't -- I don't
remember when that was. I really paid
little attention to it, quite honestly.
I didn't pay any attention to it. It
didn't have to do with me. I didn't pay
attention to it.

Q I'm trying to get some idea. It
certainly didn't happen in the very beginning
of Allied's ownership?

A No.

Q Your best estimate -- I don't
like the word guess, but your best estimate
of the time is about a year ago; is that
correct?

A I would say, yes.

Q Now, do you remember how or what
the context was of hearing that there was a
Federal Monitor? Who told you and what did
they say? That's really the question.

A No, I don't. I'm going to say
Mattie, because he was really the only person

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2 that knew anything, I guess, about anything.
3 I don't know. Mattie. I don't like saying
4 that, because I really -- because I don't
5 know. I paid no attention to that when I
6 first heard about it, none at all. I thought
7 it was something to do with they were
8 investigating Jimmy, all of a sudden, for
9 something, so I just -- I didn't, you know,
10 think about him.

11 Q Was there any explanation, by
12 anybody -- I'm trying to get your best
13 recollection -- about what the Federal
14 Monitor's job was, or who he was or what he
15 was doing, anything of that nature?

16 A I think that they were -- to me,
17 what was going on, they are investigating
18 Jimmy.

19 Q Who is the "they;" is that the
20 Monitor, when you say "they"?

21 A Yes.

22 Q The Monitor was investigating
23 Jimmy?

24 A Jimmy. And the reason was
25 because, I guess, when he sold his company,

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whatever happened there, I don't know, that's why they are investigating him.

Q Do you remember who told you?

A And what I read in the papers, and then it kind of seemed to make sense. I said, maybe they are -- I don't know. I'm a little bit naive when it comes to that, because I don't pay attention to it.

Q That's fine. All I'm asking is do the best you can.

A I don't want to --

Q Unfortunately, today, we are --

A I know.

Q All I can ask is do the best you can. Do you remember who told you that or where you received that information? Was it from Mattie or was it from Aaron?

A Mattie.

Q Mattie. Anything else about that communication that you can remember? The answer is no; is that correct?

A (Nodding.)

Q When you nod your head, Stewart can't take it down.

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A I'm sorry. No.

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Q If I were to mention to you the corporate compliance plan, this is the question that Ilissa has come here for, would you know what I'm talking about?

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A A big brochure that states in it about sexual harassment, drug use, alcohol, what you can and can't do, what they expect of you. I'm sorry but I briefly browsed through it, did the Evelyn Wood, just looked. I knew if I had a problem, I could go to certain phone numbers in there; if I thought somebody was discriminating to me, I could go to the compliance thing and get help if I needed it.

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That's what -- I feel bad because I did not read the whole thing through. I was supposed to. I signed my name to it.

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22

Q You're in good company. Do you remember how the compliance plan was first brought to your attention, and when?

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A No, I don't. I just believed it was part of the Allied people, you know, taking over; this was what they he expected

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of us, this was it, it was like rules.

Q Do you remember who conveyed that message, who talked to you about it; was it somebody from Allied or was it Mattie, or was it somebody else?

A It was Mattie.

Q Do you remember approximately when that was; was that about the same time you heard about the Monitor or was it before that or after that?

A It was after that.

Q If we talk about the Monitor, it was a year ago. This is actually more recent than that; is that correct?

A Yes. Now you're going to set me back a little bit, because now that seems like it was six months to a year ago, and if that was the case, then the Federal Monitor, I must have heard that two years ago. Do you understand what I'm saying? I'm getting -- my dates here are -- I'm trying to get how much time period in between, and then maybe you can judge from that when it was, because I don't really remember the exact dates.

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Q Do you remember signing a piece of paper saying that you had read the compliance plan?

A Yes, I did.

Q What do you remember about that?

A I signed the paper. You know, it said: Have you read this thoroughly, and I had to sign my name and print it.

Q Did anybody explain to you about what was in it? In other words, did you receive training about the compliance plan?

A Yes.

Q When was that?

A When we got the plan.

Q Who did the training?

A Who was it that came? Somebody came around. I'm embarrassed. I don't remember. They did. I didn't really listen all that well. Like I said, I just knew it was one of those rules, blah, blah, blah. Sorry. But somebody did. We were explained, but not until -- it wasn't all that long ago.

Q I was actually up here in the fall, myself.

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A Maybe it was you.

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Q It might have been me?

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A I think it was you. You were the

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one.

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Q I'm wondering if that's the

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situation you're talking about.

8

A That's exactly what I'm talking

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about, yes. I know somebody did and --

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Q Is that very likely to have been

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me?

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A Yes.

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Q So then I can put a date on it.

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That's fine.

15

But before that, no one explained

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it to you; is that fair?

17

A No, that's fair.

18

Q Would it also be fair that you

19

didn't give the compliance plan a lot of

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attention?

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A I didn't.

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Q Prior to my being up here to help

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with some training, no one else had really

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made any effort to train you on the subject;

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would that be true?

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A No. Not that I can remember, no.

Q Would it surprise you if I were to say that, or you were to learn that there was something in the compliance plan about taking money from Allied?

A Would it surprise me? No, not at all.

Q I mean, your recollection of it, it's pretty much like an ethical code?

A Don't do this, don't do this, you know; and then when it came to, you know, if you need help, you know, then here's a number you can call, don't be afraid to go to the general manager who will in turn go to us.

They had the "aware line," which would seem to be a separate thing. I don't know when that came in. I know it's been used. I almost used it myself, but I was just a little -- I listened in on somebody that did use it, and I said: I don't want them to bring it out and say that Lisa said you're doing this, do you know what I'm saying, because there were a lot of things I didn't like.

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Q A lot of things you didn't like about your job situation?

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A About the company. But I didn't know whether it was the company or the people that I had to report to that it really was. I believe that maybe Allied doesn't know about my general manager and my -- another manager, the ones that are around me, because I never see them.

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Q Never see Allied people?

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A I never see those people. I saw

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Bonnie Goodwin, who came to teach us about

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the Info Pro. I believe she was shocked. I

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would say I'm the only one doing that now.

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And she would say, "What about him?" "I

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don't know." Do you know what I'm saying?

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Q This is a good time for me to be

19

acquainted with some of these issues. Let's

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seize the moment, because if you read the

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compliance plan, I mean very carefully, it

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would say that if there were problems, that

23

you could report directly to me about it, as

24

well as other ways, but it was important if

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there was a complaint that was covered in the

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2 compliance plan, that that would come --
3 needed to come to my attention.

4 One of the reasons we are here
5 today is because some of these things didn't
6 come to my attention when they should have.
7 You'll forgive me for editorializing, but
8 that's one of the reasons why we are doing
9 this today.

10 So can you enlighten me a little
11 bit about the subject you just said. What
12 would be your particular complaints about the
13 people, the managers that you worked with?

14 A Well, I felt I was -- I was just
15 enduring a lot of stress, I mean right up
16 till today, I came in and I wanted to walk
17 out the door, with the constant phone calls
18 from the public. Then I'm dealing with all
19 the people who are not getting their boxes
20 right away, and they are calling me instead
21 of the dispatcher down at Suburban, who is
22 dispatching them. And the two-way radio,
23 going back and forth on that, I'm sitting
24 there, my head spinning.

25 I need help, somebody working

1
2 with me. I sit there for a while. Like my
3 job on the phones, I dealt with that. The
4 scheduling was done by Tony, then Aaron and
5 Eileen did it, and I did the paperwork.
6 Then -- and Erina Hickey was there for a
7 while, she was helping with paperwork, too.

8 It got to the point where she
9 quit, Aaron left, Eileen got fired, then it
10 was just me, and they wouldn't give me any
11 help. I'm saying --

12 Q Some of these issues are ones
13 that I can get involved in and some other
14 issues are ones that I can't, so I'm going to
15 pick and choose topics that may be of
16 significance.

17 Did you feel that any of your
18 managers were acting improperly or
19 inappropriately during the time period that
20 Allied owned the company; in other words, in
21 the last how many years that Allied has been
22 here?

23 A Let me ask you a question: Are
24 we talking about abusive language, stuff like
25 that?

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Q Sure. I'm talking about you being treated abusively, in some way. I don't mean physically, necessarily.

A I didn't complain about it. What does that make me look like? Maybe I should talk to you, Ilissa, because I'm a little bit confused. I would like to say yes, I hear it around me all the time. Who is swearing, who is this?

Q Tell me about it.

A I went through that. I went through that with Tony and I went to Mattie with it and he made him stop.

Q Is this directly at you, or just general --

A General. But, I mean, I was there, and I feel that it was -- why did I have to listen to that?

Q Describe for me and give me an example so that I understand what you're talking about.

A There are times that Tony couldn't take the pressure, and he would like pick up that (indicating).

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Q What's that?

A That typewriter, briefcase, slam it down. And I would jump and Erina would jump. She could go to her father, and that's when that kind of stuff really stopped.

There were times it happened when I was there and he couldn't handle the pressure, the phones, the people that call in every day. The general public is brutal, but we service them.

It was scary sometimes. I would jump and say, "Please, you're giving me" -- you know, I'm stressed out, totally stressed out from it. I was totally stressed out from it.

Q I want to make sure, in an efficient way, I get a fair understanding of your workplace.

Were you, yourself, ever abused, verbally or physically?

A No.

Q Did you see other people being abused verbally?

A Yes, I did.

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Q Tell me about that.

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A I saw Matt, he would yell at Tony or Aaron or Eileen so bad, sometimes, that I don't know how they didn't walk out the door. He never yelled at me like that, and I don't know what I would have done. I would like to say that I would have told him -- I would have liked to say stuff it, crudely, and walk out the door, and I never did.

Q Give me the general tenor of Matt Hickey's abusive conduct towards anyone. He just cursed them out? What are we talking about?

A He threatened Eileen once.

Q Like what?

A He told her if she was a guy, he would have punched her, decked her right then and there. I said to her, when she told me that -- because she was upset when I came back from lunch one day -- I said, "What happened?" And she was so moved and upset by it, I said, "Why would you take that," and she just didn't do anything.

Tony never did it, either. He

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would say to him, "I run this company," and he would really let him have it, embarrass him. Instead of saying "stick it," Tony would just, "Yeah. Yeah." He wouldn't say anything.

Q Did Matt Hickey ever strike anybody in your presence?

A No.

Q Did he ever threaten anybody with a stick or weapon?

A I never saw that.

Q Did it ever happen?

A I heard he, Matt, raised something --

Q Finish the sentence.

A A stick.

Q At?

A I heard that he raised it at Chris Riddenauer, he was one of the employees at the time. Somebody else said that he didn't do that, so -- I heard that he did, and somebody said, "Nonsense, I was there, he didn't do that."

Q Who said that he did do it?

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A One of the -- I don't remember who. One of the guys, he had said it. "Did you hear about this?" And then I asked Tony about it, and Tony said, "No, he didn't raise the stick at him."

Q Do you remember who said that Matt raised a stick at Chris Riddenauer?

A No.

Q Was it a driver or helper?

A It was, in general. A lot of them stood there, they talk. They still do. They come in, five, six, seven of them are standing there. I'm not necessarily looking at them, I try not to pay too much attention, and I heard that.

But then I asked Tony about it. I wasn't in, as a matter of fact, the day that that was supposed to have happened, so I asked Tony about it. "What happened? What happened?" He said, "Oh, Mattie got -- you know, he was upset about Chris, and they went out and they had words."

I said, "I heard that he raised that stick that you used to have lying around

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here."

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Q You heard that he, Matt, raised the stick that Tony had around here?

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A No, that somebody had around. Supposedly, there's this stick that used to be around the office.

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Q Which is no longer around the office?

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A No, I haven't seen the thing. I never saw the stick, so I don't know where it was kept, if it was hidden, I don't know. But they talked about it, kidding, and I always thought Tony was kidding with the bat, stick.

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Q What did Tony say in this conversation?

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A He said that Matt did not raise the stick to Chris Riddenauer. He said they were arguing outside, and I guess Matt walked forward -- something happened that Matt slipped and fell.

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Q Is that what Tony said?

A That's what Tony said, because I asked him, I said, "What happened, I'm

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2 hearing this," and he would tell me his
3 version.

4 Q Did you know Chris Riddenauer as
5 someone who was an incompetent or a bad
6 employee?

7 A No.

8 Q Did you know him, at all?

9 A I knew him from the office, and
10 he always did a good job, it seemed, but I
11 think that they -- you know, for some reason,
12 they might have had a little thing between
13 them, Mattie and Chris, and never saw
14 eye-to-eye. When Chris had something to say,
15 he would say it. Mattie didn't like it.

16 Q Was Mattie, in your opinion,
17 abusive to other people besides the ones
18 you've talked about in the office?

19 A I never saw him yell, because it
20 was just where I was.

21 Q You don't know --

22 A What he did on the outside, I
23 have no clue.

24 Q I just want to make sure I
25 haven't missed any abusive conduct or

1
2 unprofessional conduct that has stressed you
3 out. I'm not talking about public calls and
4 the fact that maybe you need more people to
5 help you. Those are Allied's decisions that
6 I can't get involved in. That's something
7 that you may need to talk to Allied about.

8 I don't run their company. I
9 just see whether or not there's been illegal
10 or improper conduct, that's under my
11 scrutiny. So it is not that I'm not
12 interested in whether or not you're
13 adequately supported or not, it is just that
14 that is something that Allied has to deal
15 with as part of their management
16 responsibilities.

17 If there was somebody that you
18 observed, either treating someone in a
19 sexually inappropriate or discriminatory way,
20 or racially, or striking somebody or abusing
21 somebody, I'm interested in that. If there's
22 something beyond what you've told me, I would
23 like to hear about it.

24 Is there any other example --

25 A No, it was that verbal -- he was

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horrible.

Q Matt?

A Mattie was horrible.

Q Was that routine? Were there times when he was, were there times he wasn't?

A I would say he did it a lot, he did. When you had -- one time I said, "Well, remember when you yelled at me?" He said, "I never yell at you, I talk loud." "No, that was yelling."

Q Do you remember what he was yelling about?

A Maybe I took a phone call wrong, took a roll-off call wrong. To me, it was minor, something for him not to get that carried away about.

Q To your knowledge, did anyone report Mattie's conduct, unprofessional conduct, to an Allied superior or supervisor?

A Not that I know of, no.

Q Did you ever see anybody from Allied caution Mattie or tell Mattie to tone it down or act more appropriately toward a

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2 fellow employee?

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A No, I did not.

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Q Is there any other what I would describe as personally or personal conduct, by a manager or fellow employee, that you would consider inappropriate or illegal or unprofessional, as a general subject matter, that you have observed in your time here once Allied owned the company?

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A Well, I watched Erina. There was a thing about a shredding incident, it still bothers me to this day, but it went under the bridge. She sat in the back. As far as I'm concerned, she got away with murder, because it was her father.

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Q Tell me why you feel that way.

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A She would run out, go out with Aaron. They went on a roll-off, took a ride down the street. Nobody said anything, it was her father. Maybe I was chicken, I don't know, I just -- I didn't like it, you know.

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Q You felt that she had special privileges?

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A Yes, I did. I definitely did.

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Q Did you report it to anybody?

A No, I didn't. I spoke with Joanne about it a lot, and I know that Joanne called the aware line, because I was there when she called. I knew she did because she couldn't take it anymore, either.

Q Joanne couldn't?

A Joanne. So we were talking about it. I said, "You know, somebody has got to do this." I was chicken, and I guess Joanne couldn't do it anymore. This came about the time when there was that incident.

Q Tell me about the incident.

A Aaron was looking for something --

Q Aaron?

A Aaron was looking for something that I guess Mattie -- I think Mattie was looking for. It was -- what the hell was it? He was looking for something.

Q This is Aaron Deems?

A Yes, they were looking for -- what the hell were they looking for?

Q Take your time.

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A He went into her drawers, went into her desk drawers --

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Q Erina Hickey's desk drawer?

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A Right -- and pulled out a stack of paperwork with roll-off tickets, with commercial tickets, which weren't done.

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Q Which had not been entered into the system?

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A That's right. I got mad because I could have done that. She was just too lazy to do it. I used to wonder: How does she do that, that fast? I'm not that fast, but I'm okay at what I do.

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And I didn't know she was -- I never went through her drawer to look to see, I never did, too afraid. I don't go in people's drawers. I said, "Oh, my God, let me see that." I immediately called Joanne over. I said, "Joanne, you have to come over here and see this."

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And she came over, and me and Joanne and Aaron sat there in disbelief. There had to be a stack, like this (indicating), of paperwork that was never

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entered.

Q "Like this," for Stewart and my later benefit, how many inches are we talking about?

A Like this (indicating).

Q Almost a foot there?

A Yes.

Q Can you put some kind of number on how many tickets we are talking about?

A No, I can't, but I could say there had to be two or three months worth of work; there had to be. And we all panicked because we realized what it was, and who was going to tell Mattie, this is his daughter.

Q You said Aaron Deems --

A You had to do something about that. You had to. Aaron, who was our supervisor at the time, he was running the office at the time, he said, "I'll take care of it," and he went to Erina and he said, "Either tell your father or I'm going to tell your father, you can't just get rid of something like this."

Plus, Joanne was a nervous wreck,

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2 because she's in the billing department and
3 she was saying, you know, "Oh my God, oh my
4 God, maybe the supermarket didn't get
5 billed," or whatever happened, whatever she
6 does in the billing department.

7 And we didn't say anything for
8 about three days, and finally I said,
9 "Joanne, whatever happened with that?" She
10 said, "This is what happened: When it was
11 brought to Mattie's attention, Erina went to
12 Mattie, Erina said, "I didn't do that."
13 Aaron said, "It's in your drawers." "She
14 said, "I didn't put that there. I just
15 didn't do that.""

16 So he went to Mattie, and Mattie
17 said, "Somebody is setting up my daughter,"
18 and he made -- he told Joanne, "Shred it all,
19 and, Erina, you sit there and watch her shred
20 that."

21 Q This is Joanne explaining this to
22 you?

23 A Exactly, and I believe it. I
24 asked Aaron about it. Actually, Joanne told
25 Aaron and he said, "Yeah, that's what she

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told me, too."

I think for a week we all just didn't speak. I just couldn't believe it. And Mattie never, ever brought that issue up, ever. He never came over and accused us and said -- this is what he told Joanne, he says, "Somebody is trying to blame my daughter. That stuff was planted there." This is what Joanne told me that he said to her.

And he made Joanne shred it, Joanne shred it with Erina watching her. Joanne said at first she was going to try to make copies of it, and she was so distraught that day and said -- called me and said, "Meet me down at the restaurant down there, I got to call somebody, I got to do something."

She was so upset about it, she was struggling.

Q Joanne?

A Yes. I said, "You know what, we got to tell somebody." So she did. She told Linda Jefferson, at the time, that's what she told me she did, and we thought it would be handled from there.

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2 And I don't know whatever
3 happened. I know nothing was ever said to
4 us. Mattie never came in and said, "Who did
5 this?" Nothing. He never brought it up.
6 I'm going to assume that he didn't think that
7 we knew about it, that Joanne would tell us,
8 but she did tell us.

9 Q One of the reasons we are here
10 today is because of that incident. I mean,
11 it is one of a number of reasons why I'm
12 spending the time to find out about it. So I
13 would at least recommend you read the
14 compliance plan, which basically says that if
15 you see something that is maybe illegal, that
16 there are ways to do it anonymously, without
17 putting yourself -- whether it's the aware
18 line or simply calling me or Don on the phone
19 and saying: Here's something that troubles
20 me, you need to hear about it.

21 Let's cover a couple of details I
22 may not be clear about. Were you present
23 when Joanne called Linda Jefferson?

24 A No, I was not.

25 Q What you know about that

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2 telephone call is what Joanne told you; is
3 that correct?

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A Right, that's correct.

5

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Q You were present when Aaron found
7 about a foot stack of tickets in Erina's
8 drawer; is that correct?

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A Right. I was about ten feet
12 away. I didn't see him go into the drawer.
13 All of a sudden, he said, "Lisa, look at
14 this." He was looking for a ticket. I don't
15 know if it was a traffic ticket. It wasn't a
16 roll-off. He was looking for, I think, a
17 traffic ticket or something, that went --
18 something happened, I don't know whether it
19 was a traffic ticket, that's coming to mind
20 for some reason, and he went in there to look
21 for it, and that's what he found.

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Q He showed you, he, Aaron Deems,
38 showed you --

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A I went running in and I said,
44 "Oh, my God." And I called Joanne over, and
45 she's the one that really panicked because
46 she does the billing.

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Q After that personal involvement

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by you, you didn't talk to Erina about it,
you didn't question Erina yourself; right?

A No.

Q You didn't talk to Matt Hickey
about it, yourself?

A No.

Q And what you know about it,
basically you know because other people told
you, whether it was Aaron or, most of the
time, Joanne?

A And then I saw the stuff. I
mean, I saw it.

Q You saw the tickets?

A Yeah, I saw the whole stack.

Q You didn't see the tickets being
destroyed?

A No, I did not. That happened
over here.

Q "Here," being in the main
building?

A In Joanne's office.

Q That, you learned from Joanne?

A Right.

Q You never were questioned

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personally about the tickets.

A No.

Q Are you aware of any effort to try to recapture that data that those tickets signified? In other words, was there any program to try to figure out what those errors were, or what the billing problem was?

A No. It didn't have to do with me, it was billing. I didn't know what they were -- what Joanne was going to do. I didn't know what she could do, so I just -- you know, it was one of those things. I don't deal with billing, so I'm not going to get involved in that.

MR. SOBOCIENSKI: What had been Erina's responsibilities relative to the tickets; was she doing the same type of work that you were doing?

THE WITNESS: Yes, she was there to help take the burden off of me. Like she would do roll-off one day and I would do commercial one day, and the next day I will maybe do commercial and she would do roll-off. We went back and

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forth like that. Some days, if she wasn't in, I would do them both.

MR. SOBOCIENSKI: Did you physically look at the tickets, could they have been entered, in your estimation, into the computer.

THE WITNESS: No, I did not. I just saw the pile. I didn't know why they were there, either, because the paperwork goes over to Joanne, so that stuff was sitting there. I did not look and see who it was or --

Q You never talked about it with Erina?

A No, because once that happened, that was the end of the conversation. I don't think anybody was supposed to know about it, you know.

Q Why do you say that no one was supposed to know?

A Nobody said anything about it. That was between Joanne and Mattie and Aaron, because the three of them knew about it. I don't know if Aaron knew about the shredding.

1
2 When Joanne was told to do that with Erina
3 watching, I thought that would be the end of
4 it. I think that's why he said, "You never
5 saw this," to Joanne.

6 I never questioned it, and I
7 never spoke about it with Aaron, and he never
8 accused us, "Who planned that," which is
9 initially what he said to Joanne. Never
10 questioned us.

11 Q Are you aware of any other time
12 when either you saw or heard that records
13 were shredded?

14 A No.

15 MR. MACK: What I would like to
16 do is take a break for forty-five
17 minutes, so that I can get lunch, and
18 Mr. Nissenbaum can get a massage for his
19 fingers, and we'll resume at
20 approximately 2:00 p.m.

21 We are going to start off,
22 because I sort of jumped around to make
23 sure I didn't miss things that were
24 important to you about things that you
25 observed that troubled you, but we are

1
2 going to start with how the paperwork
3 worked once Allied took over, in other
4 words, and how Erina came and who sat
5 where and how the documents were
6 processed. That's what we are going to
7 start at 2:00.

8 Get some lunch, take it easy,
9 take a break and we'll start back here
10 at 2:00.

11 (Whereupon, at 1:20 o'clock p.m.,
12 a luncheon recess was taken.)

13 (A F T E R N O O N S E S S I O N)

14 (Time noted: 2:05 o'clock p.m.)

15 MR. MACK: On the record.

16 CONTINUED EXAMINATION

17 BY MR. MACK:

18 Q We are going to work probably for
19 somewhere between two and three more hours.

20 A Fine.

21 Q And I want to remind you that you
22 are still under oath and we are going to try
23 to proceed fairly methodically this afternoon
24 on topics, and they are pretty much going to
25 be chronologically.

1
2 If you want to take a break, you
3 want to talk to Ilissa, you want to call a
4 friend, a lawyer, I mean, really, none of the
5 rules have changed. The only thing that I
6 would say is that if anything occurred to you
7 over the luncheon break or there is something
8 you would like to say, that you didn't finish
9 up this morning, I invite you to do so now.

10 Is there anything you would like
11 to add or subtract or change?

12 A No.

13 MS. ROTHSCHILD: I wanted to note
14 for the record that the Valley companies
15 were not under your monitorship until, I
16 believe, April of 2000, so it wasn't
17 immediately upon Allied's purchase of
18 Valley that those companies were put
19 under your monitorship, it was only
20 after the purchase of Suburban, a little
21 bit of time after that.

22 MR. MACK: I'm aware of that.

23 THE WITNESS: Why would I have to
24 answer any questions -- I don't have any
25 problem with it, but, I mean, did I do

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something wrong?

MR. MACK: You didn't do anything wrong.

MS. ROTHSCHILD: No. I wanted to make it clear, because there were questions about when she became aware, and just to put it in a chronological order, I want to make it clear, for the record, it has nothing to do with your testimony.

MR. MACK: If I was going to be cranky, I should say -- you shouldn't be concerned about it.

MS. ROTHSCHILD: Walter, I just want to make the record clear, should this ever be released, for whatever reason.

MR. MACK: You can be certain that I will explain it in some significant detail, as to when Allied's responsibilities, at least to me, arose. Certainly, things that happened before that, or things that happened, as far as I know, I don't think that Lisa can pick

1
2 a time as to when that happened or not,
3 she doesn't have any idea when Allied
4 made decisions with respect to the
5 monitorship.

6 MS. ROTHSCHILD: No, it doesn't
7 concern her testimony. It's just to put
8 it on the record for chronology.

9 Q Let's continue. What I would
10 like to do now is find out how your
11 individual duties changed, if they did, once
12 you were informed by Jim Hickey, and perhaps
13 Matt Hickey, that the company had been sold.

14 What, if anything, changed about
15 your day-to-day activities?

16 A Nothing really changed. I
17 just -- I got more -- I became more
18 knowledgeable as far as my customers. Tony
19 could see that I could answer more of the
20 questions, so he kind of backed away. I
21 still did the same things, only when Allied
22 had the Info Process, it was a different
23 system, but I still put stuff in the
24 computer, but I was also able to -- little by
25 little I would call the guys myself, go over

1
2 there and say: Where are you, and: Go back
3 and pick up this garbage. I mean, I just
4 became more familiar with it.

5 Q Let me go a little bit more
6 methodically. When you talk about "the
7 guys," you're talking about the drivers?

8 A The drivers and the helpers or
9 whatever.

10 Q Would it be fair to state that in
11 your duties, after Allied acquired the Valley
12 companies, that you dealt with commercial
13 routes, roll-offs and residential?

14 A More so just putting the
15 information in, because once they had Aaron
16 in there and -- see, they never kind of
17 fully -- Mattie never wanted me to -- he
18 wanted me to deal with the phones. I knew
19 the people, I knew what I was doing with the
20 computer. As far as, like, scheduling, you
21 know, with this Info Processing, I didn't do
22 the scheduling. I only started doing that
23 after Eileen, because there was nobody to do
24 it. They did not let me to do that.

25 Actually, I never understood why

2 they hired her, because I thought maybe I
3 could, you know, do what they were doing.
4 You know what I'm saying? I was upset at
5 first, but I said, what the heck, I like her.
6 I do, I like her.

7 Q We are going to go a little more
8 slowly. I need to organize the situation a
9 little more carefully. Be patient with me.
10 I just want to go a little bit more slowly.

11 Once you were informed by Jim
12 Hickey, as I think you testified earlier, and
13 Matt Hickey, about things would stay the
14 same, I want to know, was there an immediate,
15 if at all, change to your duties, at all?
16 Was there something, like: Allied is here
17 and, therefore, you're going to be doing
18 this, Lisa?

19 A No.

20 Q What you've described to me is
21 really an evolution or a gradual change of
22 your responsibilities?

23 A Right.

24 Q Rather than immediately upon
25 Allied, you were given a different job and

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different duties is that fair?

A Correct.

Q Did anybody who you knew to be an Allied supervisor above Mattie, ever come to you, Lisa Nichols, and say: Lisa, I want you to do this, I want you to change your job function a little bit?

A No, they did not.

Q Whatever changes happened to your job function were as a result of your own initiative, to some extent; would that be fair?

A Right. That's correct.

Q Did either Tony or Matt make suggestions or make changes to what your responsibilities were?

A No. But they put Aaron in the position where, all of a sudden, he was running the office, Tony was not, and they hired Eileen.

Q We are going to get there in a minute. Be patient with me. We are going to get to that situation.

So would it be fair to state that

1
2 up until the time that Aaron took or got
3 responsibilities in the operations area, your
4 job pretty much stayed exactly the same as it
5 was before?

6 A Yes. When I was -- yeah.

7 Q What, if anything, do you know
8 about how Aaron came to get a new position,
9 or a new position in the operation; what do
10 you know about that?

11 A One day -- it was almost like one
12 day he was just there. I mean, he was a
13 sales rep, he would go out on the road, and
14 then, I don't know, something happened
15 between Mattie and Tony.

16 Q Do you have any information about
17 that?

18 A About what happened with them?
19 No, I do not.

20 Q Between Tony and Mattie?.

21 A No.

22 Q Can you give me an estimate of --

23 A I know that Tony was mad because
24 Mattie wanted Aaron, like, to be where Tony
25 is, in other words. It was a timing. Like

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2 Tony didn't want to work from five to five,
3 and I don't blame him, and nobody blamed him.
4 But the only way that could change was if
5 Aaron came into the office.

6 And they kind of worked out
7 hours, because Tony would be here at five
8 o'clock in the morning, and nine o'clock at
9 night, nobody was there. Mattie wasn't going
10 to stay.

11 That's when Aaron came on board.
12 He said: Well, you know, you have to come in
13 here, too, and you have to help out," which
14 really didn't happen too much until Mattie
15 said, "Look, now" -- I don't know if that
16 went with Allied, I don't know if Allied told
17 them to change that.

18 Also, Tony was reporting to
19 Aaron, and I don't remember when that was.

20 Q Can you give me an estimate of
21 how long after Allied -- after, you know,
22 that Allied had bought the company, how long
23 after that did Aaron take this new position?

24 A Maybe just like a few months.
25 And then Aaron took over, and he was like

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that until he left.

Q How long would you say Aaron was in that position until he left; how long a period are we talking about, the best estimate you can give?

A Eight months, sixteen months?

Q We have other ways of doing it. I just want to get an idea.

In that time period that Aaron -- how would you describe his position? He was the what, the dispatcher?

A He was the dispatcher/operations manager.

Q What was Tony's position as you had understood it during that time?

A Like the site manager, the yard manager. You know, he would just -- he actually had to report to Aaron.

Q Did Tony ever speak to you about what this change meant?

A He was very upset about it.

Q What did he say about it?

A Why should we have to answer to a punk. He's been there longer. You know,

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let's face it, I didn't really care for it in the beginning, either. He is young enough to be my son, and I felt that, you know, I just didn't like that. It just kind of irked me because he was twenty-five.

Q This is you speaking or Tony speaking?

A Me and Tony said the same thing: Why would I have to answer to somebody -- "I have been doing this job." Tony felt he was being demoted.

Q He was being demoted?

A He was, exactly. I felt for him. I knew what he was saying. Nothing we could do about that.

Q Did Tony ever say to you, or in your presence, why this happened, why Tony had been demoted?

A No. He just figured that Mattie didn't like him. Yes, he said, Mattie needed Aaron more than he needed him.

Q What does that mean? I don't understand what that means.

A I would think it meant -- in

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other words, Aaron can do -- maybe get up and go see people, where Mattie didn't want to anymore, and -- which is true.

Q Meaning Aaron could talk to potential customers as a salesperson, whereas Mattie didn't want to do that anymore?

A Mattie didn't want to. He would call in more than be there. More, yet, he had Aaron to do that for him, so he would be there and, all of a sudden, he would get up and go, and he would say, "I have to go do this for Mattie," and visit a customer that was having a problem; whereas Tony didn't do that. And then Tony would end up just sitting in the office, and Aaron could come back and kind of take over his position again.

Q Now, during this period, whatever that period is, that Aaron is basically the dispatcher/operations manager, and Tony has been demoted to whatever, site manager, I think --

A I don't know.

Q Whatever -- in this period, did

1
2 someone come to you, Lisa, and say: This is
3 how we want your job to change, or: This is
4 what we want you to do?

5 A No, absolutely not.

6 Q I think I asked this before, but
7 I want to make sure I'm right: Whatever
8 changes happened to your job functions were
9 because of yourself moving into that area?

10 A Right. I just kind of got myself
11 in there and listened more and learned more
12 and, you know --

13 Q Okay. Would it be fair to state
14 that the people that you talked to on the
15 telephone, customers of Valley, included
16 commercial customers? Yes?

17 A Yes.

18 Q Roll-off customers?

19 A Yes.

20 Q Residential customers?

21 A Yes.

22 Q Any other type of customer?

23 A No.

24 Q That pretty much covers it,
25 doesn't it?

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Nichols

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A Yes.

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Q And so, again, let me ask this:

4

At the time that Aaron became

5

dispatcher/operations manager, who was in the

6

office besides you, Tony and Aaron, if

7

anyone?

8

A We had Eileen and we had Erina.

9

Q When did Erina Hickey first come

10

to the Valley companies, before Allied, or

11

after Allied bought it?

12

A After. And that was because

13

Allied bought, and they were changing to the

14

Info Pro system, and Mattie wanted -- she was

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here one day, just sitting here, and he never

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said anything to anybody, and he was -- what

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he was doing was, he was getting her -- she

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was in with our training, and nobody knew

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why; and, of course, we said to ourselves:

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He is definitely going to hire her. Why else

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would she need to know the training?

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But he never said anything until

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after the day he hired her, he said, "I hired

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my daughter, she's going to be working over

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there with you." That was after, because

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2 when they were training us for the Info Pro,
3 that's when she came aboard. She got trained
4 also.

5 Q Before the training for Info Pro,
6 she was not a worker or employee of Valley,
7 at all?

8 A No. No.

9 Q How did you first learn that
10 there was going to be a new computer system,
11 Info Pro, to be used here?

12 A Joanne told me.

13 Q What did Joanne say to you?

14 A "We are going on a new system."
15 I said, "Fine." That we all had to learn it,
16 all of us. They wanted everybody to learn
17 it. She said, "Even Tony," you know, which
18 he never did, but -- everybody, Aaron, we all
19 trained for it.

20 Q What, if anything, was told or
21 given to you to describe why you were going
22 on the new system? What were the benefits of
23 the new system?

24 A Well, it was the way Allied --
25 the way they did things. I mean, that was

1
2 the system they had. They thought it was
3 better, they thought our system was
4 antiquated, they thought this one was more
5 updated, and that's what they used. It would
6 be like IBM saying: We are going to this, or
7 Windows: We are going to this.

8 That's the way it was. I didn't
9 like the change, but I did it.

10 Q I think you told me this already,
11 but I want to make sure I have it right:
12 Was there somebody from Allied corporate
13 headquarters, or someone in Allied, who came
14 in to do the training?

15 A Sure.

16 Q Do you know who that was?

17 A It was Chris Graves. I guess she
18 works for Allied, because some people, when
19 they -- there was a man there once, Russell.
20 I don't think he worked for Allied, though.
21 I don't know what he was. A consultant? I
22 don't know. I don't know.

23 Yes, Chris Graves did our
24 training, she trained us.

25 Q That training occurred here in

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the main building?

A Yes, it did.

Q Who attended the training when you were being trained?

A Aaron, Erina, myself, Joanne. I think that's it. I think that's it. I think that was it.

Q Just to repeat, that was really the first time that it dawned on you that Erina was going to have some job function here?

A Right.

Q Did it ever become a topic of conversation as to why Erina was selected to take on a position at the company, at that time?

A Well, Joanne and I talked about it amongst ourselves, and Aaron and Mattie always said that she was so happy with her job, but when she ended up here, if she was so happy with her job, what's she doing here? He promised there would be no bias, no nothing, she would be treated equally. It didn't happen that way. She could do

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whatever she wanted.

Q Give me examples. Other than the ticket thing that we talked about before lunch, give me some examples of how she was treated differently than you and Joanne, let's say.

A When she came in late, nothing was said. She could come in late any time she wanted. We never had a set lunch, you know, especially over there in operations. We were told we could take a half hour break. There was no such thing as lunch hour. She would get up, go out, do shopping. She would be gone for an hour, nobody said anything. I wasn't about to go to her father and say -- maybe I should have -- how come she could do that? I just didn't. I bitched about it, but I never said anything about it.

Q Who did you bitch to, besides Joanne?

A I bitched to Tony, anybody that was listening in the office, Aaron, him, too. He was the supervisor there. He would say, "That's his daughter, what are you going to

1
2 do?" That's all he said.

3 Yeah, it was wrong, we should
4 have spoke up, but we didn't.

5 Q Now, could you just sort of take
6 me through how your job function evolved,
7 sort of like -- in other words, I have a
8 pretty good idea what you were doing, but
9 let's say anywhere from six months to a year
10 after Allied took over, what time would you
11 come to work? Take a typical day.

12 A I came in at 8:00.

13 Q You came in at 8:00 throughout
14 your employment here?

15 A Yes.

16 Q Let's say about a year after
17 Allied, just to give a time schedule, after
18 Allied had become the owner of the company,
19 you come in at 8:00. Describe to me who is
20 in the office and what's on your desk.

21 A Well, I might have Tony, Aaron,
22 Erina for a while, and then -- when Eileen
23 came on board, Erina went over to this
24 building.

25 Q The main building?

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2 A Right. She was going to help
3 Joanne. Actually, now that I'm thinking
4 about it, after that incident with the
5 shredding, he took her out of that --

6 Q "He." Mattie?

7 A -- Mattie took her out because I
8 guess he -- he knew there might be some
9 trouble. He brought her over there to work,
10 to be Joanne's backup.

11 Q You may finish.

12 A There was a thing that Joanne
13 might be going to Suburban, and if she does,
14 she is going to need backup. That would be
15 Erina. Erina told her father she wasn't
16 happy in our office. I just ignored her a
17 little bit. I always liked the kid, and when
18 she started getting special treatment and
19 lying -- you know, she would lie to the
20 customers.

21 Q Give me an example of a lie she
22 gave.

23 A "I did that yesterday," or, "I
24 put that in yesterday," and she didn't. She
25 would just cover herself. A couple of times

1
2 she said, "I'll take care of it." She didn't
3 take care of it. Stuff like that.

4 Q When you say Erina was lying, or
5 did lie, I want to --

6 A Even personal issues, she would
7 just lie.

8 Q Give me an example.

9 A "I didn't go there," and then a
10 week later she would bring out, in a
11 conversation, she was there, someplace. I
12 mean, lie, lie. Not even think about her
13 lie. She just lied like that. You caught
14 her. We would catch her in stupid little
15 lies, which she didn't care about.

16 Q Let's focus on business,
17 potential business lies.

18 Do you have any individual
19 recollection of a lie, in your opinion, that
20 Erina told regarding a specific customer?

21 A No. You know -- what do you
22 mean?

23 Q In other words, customer X wants
24 something or asked that something be done,
25 and just hypothetically, Erina would say: We

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did do it, or didn't do it, when, in fact,
the opposite was true.

A Yeah. But I can't pinpoint
anything like that. I heard so much from
her. Sometimes I thought maybe she just
honestly forgot.

Q How did you know when you heard
something that --

A I sat there and listened and I
would say -- a lot of times I would say to
her, "No, Erina, don't you remember, you
know, they asked you for a third yard
container yesterday." "Oh, no, I don't
remember that." I was sitting right there, I
could hear it, but she would forget to enter
it. Something like that.

To me, that could be a very
honest mistake, too. I thought I was a
little bit better at it than her, as far as
my work, and she wasn't that good at it.

Q I want to make sure that I don't
miss the significance of what you said.

A As far as a flat out lie about,
you know, a customer --

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Q You don't remember, specifically?

A No.

Q But you do have an impression that she would say things to customers that were not true; is that a fair statement?

A No.

Q You tell me.

A There would be times when she would say -- I would hear her take an order and she would say, "Okay," and there was pads that she could write it down, and she never did it. A week later, I would say I swore I heard her talking about it. If you lifted up the pad, you would see it there. I would just say, "Maybe she forgot, Tony. I know I'm not hearing things, I heard it." That kind of stuff.

She never -- which was really quite possible, because they never got their container.

Q In other words, the example you're giving me is a situation where you -- how do you hear what the customer is saying on her telephone?

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2 A You can tell. I know that job so
3 well, that I can tell by the conversation. I
4 do it now when I hear somebody. If they say
5 something, like when I went back there, they
6 said, "Echo Pools," it's a customer, she
7 didn't have to say any more, I knew what they
8 wanted. I know who it is, I know the
9 people's names, because I have been doing it.

10 That's the only -- I'm just a
11 little bit more efficient at it. I thought
12 she was terrible for the job, because she did
13 make a lot of mistakes.

14 Q Were there occasions where, in
15 your opinion, or in your mind, she said
16 something to a customer which you knew or
17 believed not to be true?

18 A No. No. Aside from the
19 containers, you know, like ordering a
20 container and not putting it in the computer
21 because she forgot or whatever, no. As far
22 as --

23 Q In other words, she could say --

24 A She never said -- she'll say, "My
25 father, yeah, my father owns the company,"

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something like that, that kind of stuff. To me, that's little stuff. Maybe to you it's big stuff, but to me, it was just like baloney.

Q The example you're giving is a situation, if I understand correctly, where a customer would call for a box or something of that nature, and Erina would forget to put it in or not get the paperwork, and then the customer would call back and say: Where's my boxes, and she would say something to the effect: Well, I put it in yesterday?

A She's done that, sure. But I've done that, too. I mean, I've done it, but then I said I swore I put that in there. I still do that. I could swear that I put it in there, and it is gone. They say it can't be gone with this system, then it is my mistake.

Q How would you distinguish Erina's behavior from your own? You said Erina lied, those are your words. Everybody makes mistakes, don't get me wrong, but how would you distinguish your performance of work from

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the way Erina performed her work?

A Well, the only thing there is that -- I mean, I admitted to -- I could admit I forgot to put it in. I didn't forget too many times, because I did it longer than her. But she could just do no wrong. She couldn't admit to a mistake.

When she told her father about it, you couldn't even touch it, and I didn't understand that. I would say: How come I can get in trouble -- it seemed when he was there, it would be the customer -- if I did miss something, it would be when he was standing there, and when she was standing there it would never happen. You know, that kind of stuff.

Q Sometimes it seems that way.

I want to go back, again, six months to a year after Allied has acquired. You're coming in at 8:00. Let's talk about before Eileen was there. What is on your desk? Before you told me on your desk before Allied acquired that there were roll-off tickets and dump tickets.

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A Before Allied?

Q Before. Is there any change? Do you have the same things on your desk when you walk in?

A Once we did the Info Process and the tickets were on the desk, it was paperwork, the guy's routes. They were already -- when we had to put it in the Info Process system, the printer would print out what they had to do.

Q I want to make sure that I have an idea what we are talking about. What I'm asking now is: When you're walking in, after Info Pro training has occurred, you're walking in about 8:00, I'm trying to get an idea of what is sitting on your desk to be done. And we are going to show you some things and see whether or not it's what we are talking about.

First of all, would there still be roll-off tickets on your desk, like Monitor 0002?

A Sure. They would be with those route sheets, right over there (indicating).

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Q I'm going to mark this packet of documents as Monitor 1003.

(Packet of documents marked Monitor's Exhibit 1003.)

Q I'm going to walk over there so that you can take a look and explain to me what we have. I'm putting this little collection of documents here, 1003, and ask: Is this what you would see on your desk when you walked in after Info Pro was in effect?

A Yes, it would be this pile with these loose on top of it, and then another one and the tickets on top of it. It would all be loose. This is my neatly put together package.

Q We are going to spend a little time with this. Monitor 1003 includes this little packet here, so you would have the operator activity sheet, that would be there; right?

A Right.

Q That would be for each driver?

A Right.

Q And attached to that, would there

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be a specific route? This happens to be a
3 roll-off.

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A This, I never paid attention to
this sheet here (indicating), because
sometimes there are some that sometimes there
will be -- especially like in the case of
Englehardt, it wouldn't be on here, but it
would come out on here. It wouldn't be on
this, the cover page, but it would be on here
(indicating). That, you don't see that on
here.

I don't know how that happened,
but when we inquired about that to Chris
Graves, she said she would look into it. I
don't know whatever happened after that. It
just kept happening like that. You could
see, here it is, and it is not here. Now, if
it's here, it should be on here (indicating).

Q We are going over that. Stewart
is nervous because we haven't identified the
documents. That's my job.

MR. MACK: Don't be nervous,
Stewart. We are talking about Monitor
1003.

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Q All that is, it just helps me identify it. You walk in, in the morning, there is an Allied Waste operator activity sheet; correct, for a driver?

A Correct.

Q Are the cover pages for that route present, as well, or not?

A Yes.

Q They are. Okay. And in addition to that, is there a specific route and route number sheet on your desk, as well?

A Yes.

Q Attached to that, are there the same type of roll-off tickets that we've talked about before as 1002?

A Yes.

Q Is there anything besides those categories of documents on your desk when you walk in, in the morning, on a normal day?

A No.

MR. SOBOCIENSKI: Weight tickets?

THE WITNESS: Sorry, yes, dump tickets.

A The dump tickets are with each

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roll-off ticket.

Q Okay. And this system, or these documents, would be on your desk, and when you got them, what did you do? When you got there, what were your obligations as an employee?

A My job was to put the information into the computer.

Q Do you remember what information you would put in? Just tell me what you would do.

A Whatever was on those sheets.

Q You would put it into the Info Process system?

A That's correct.

Q Would there be cash or checks as part of your materials on your desk?

A Sometimes there was, yes.

Q So we are talking about, under Allied, with the Info Pro system in place, you would have a packet like Monitor 1003?

A Yes.

Q Go ahead.

A Let me say that as far as the

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2 money, when Tony wasn't involved in that
3 anymore, that's when the money became to be
4 there, because if nobody was there at night,
5 you know, like if one of the drivers came in
6 and there was money, sometimes it was put on
7 my desk. Whoever was behind the desk,
8 whether it was Aaron, Matt or whoever, if
9 they were there, it would go into the drawer,
10 but if there was nobody there, that money was
11 just put on my desk.

12 This is after Tony, because when
13 Tony was there, he always made it a point to
14 get the money and put it -- which we thought
15 was in a safe place, in his drawer or
16 whatever. So that's the only way that money
17 came to be, because it should never have been
18 brought to me.

19 Q Let me make sure I have the
20 distinction in your mind. You tell me: When
21 Aaron was there, in the position that Mattie
22 placed him in, whether it's dispatcher or
23 operations manager, it was at that time that
24 if there was -- if Mattie wasn't there or
25 Aaron wasn't there, that money, checks or

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cash, would end up on your desk; is that right?

A That's correct.

Q When Aaron left and Tony resumed his position, then the system would go back to the way it was, and that the money and the cash would go into Tony's drawer?

A Yes.

Q Is that a fair statement of what you're telling me?

A Yes. Yes.

Q So there was a period there when Aaron was the dispatcher/operations manager that, on occasion, money or checks would be on your desk in the morning when you came to work; is that correct?

A Yes.

MR. SOBOCIENSKI: For the record, too, there's a period of time when Ian Wilson was the dispatcher, too?

THE WITNESS: That's correct. I forgot about him.

Q How does that change --

A Not really, because he, you know,

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just couldn't handle the stress of the job. That's the way he put it. He couldn't stick it out. He said, "I don't need that, I'll just go back to driving a truck." He didn't want any part of it.

It happened -- he thought he was going to come in and, I guess, verbally do what we used to do, which isn't the case anymore, I mean -- you know. I just don't think he could handle it. He couldn't handle the stress.

Q When Ian was the dispatcher, would money and checks end up on your desk during that time period?

A I would say yes. I can't remember, because I couldn't pinpoint a time, because there were times when there was and times when there wasn't.

I would say yes, because he was there for that amount of time where he was in that position. Like I said, the money came in at night, so whoever was there at night, and if there was nobody there, then it was on my desk in the morning when I came in.

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2 Q When you came in, let's take a
3 day on which there is money on your desk, for
4 whatever reason, I think based upon what
5 you've said, that nobody was there at night
6 when the drivers came in, so there's money
7 and checks on your desk along with the other
8 documents we've talked about, such as in
9 Monitor 1003, what do you do; you --

10 A I enter the stuff in the
11 computer, I make the copy of the weight
12 ticket, and I attach it, make a nice, neat
13 little package like that, call Joanne and
14 say: I have cash or check or whatever, I'm
15 coming over. I have money.

16 Actually, when there was money on
17 my desk, I used to call her right away and
18 tell her, "There's money here," just so she
19 would know, because she needs to know.

20 Q Now, the rest of the day, what
21 are you doing? After you've performed that
22 function of entering the data, and ensuring
23 that the money, on those days that there is
24 money, is brought over to Joanne, what do you
25 do the rest of the day; take phone calls?

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A The majority of the day is taken up with phone calls, especially from the general public. There are weight tickets that I take figures off of them and I calculate them and do like a tonnage report. You can probably now get that from the system. Filing.

I did contracts for a while. I was doing -- I wrote up all the new contracts. I was constantly in the contract drawers to make sure they were in alphabetical order. It was easy to mess those contract drawers up. There were contracts there that had expired and nobody went out to get the account, so I would try to pull those. That I only did in my free time, because the majority of the time I was on the phone or I was doing input into the computer. That was really the majority of my day, as is now.

Q Let me give you a couple of hypotheticals, so that I understand how it would affect your operation or what you did.

From time to time, you would get

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called from a residential customer, let's say from somebody in Yorktown or Mount Pleasant, would that be fair?

A Correct.

Q What would they be calling about? Why would they be calling, what would be the subject?

A They missed their garbage, or they were not happy with the service, we threw the can back instead of placing it right side up. Why did we miss it yesterday, which meant I had to put them on hold, they wanted an answer, I had to get in touch with the driver. And most of the time the drivers and helpers are good, they know exactly who I'm talking about, and they know the area, and -- sometimes I can get through to them right away, and it gets to you when you've got them all coming in and you're trying to service these people, and a lot of times I took their number and got back to them because I couldn't keep them on hold, and that's really mostly what the public wants, they want their garbage picked up.

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2 Q With respect to the residential
3 customers, would there be a situation where
4 residential customers -- let me pick, like,
5 Mount Pleasant -- would there be a day or a
6 night in which there would be extra pick-ups
7 or unusual pick-ups for residential
8 customers?

9 A On Wednesday -- each area in
10 Mount Pleasant has a bulk cleanup. That's
11 where they pick up large items. The first
12 Wednesday of the month it's Briarcliff,
13 Chappaqua, area one; second Wednesday is
14 Thornwood; third Wednesday is Hawthorne; and
15 that's it. There's three areas over there.

16 Q What would be your function with
17 respect to those particular pickups?

18 A Well, those are done
19 automatically on their proper Wednesday. The
20 extra pickups would be if somebody called me
21 and said: I have some construction material,
22 which we charge extra for, and I would say:
23 You have to have an estimate.

24 And one of the guys, the drivers
25 or helpers, would go over on that Wednesday

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2 and they would say it cost this much,
3 whatever it is, they would leave the estimate
4 in the mailbox, and then the customer would
5 call us back, say, me, and say: Okay, pick
6 it up.

7 So the following Wednesday -- you
8 know, we had cards, little index cards, with
9 their name on it, how much it was going to
10 be --

11 Q You keep going.

12 A -- there's a little index card
13 that would say how much it is, and the guys
14 would go over, usually either the person was
15 there to pay, or the money would be in the
16 mailbox or taped to the item or taped to the
17 door, they would take that, take the stuff
18 and then come back in and give it to the
19 dispatcher.

20 Q I'm going to show you what has
21 been marked as Monitor --

22 MR. SOBOCIENSKI: That's not C
23 and D.

24 MR. MACK: It may be similar.
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(Index cards marked Monitor's
Exhibit 1004.)

Q I show you what we've mark here
as 1004. When you say "index card," would it
be a card similar to this one?

A Yes.

Q Whose writing is that on 1004?
Do you recognize it?

A That looks like Aaron's writing.
This looks like Aaron's writing. This is
Tony's writing, I definitely know that
(indicating).

Q On the ticket beneath --

A This is Tony's writing. I know
that. This looks like Aaron's. I don't want
the say Eileen, but -- I don't think it was.
This looks like Aaron's writing. Eileen was
messier. Her handwriting was kind of messy.
This looks like Aaron's handwriting
(indicating).

Q On the index card?

A Right, the index card. This is
definitely Tony's handwriting (indicating).

Q What do you call that underneath

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there?

A This is a pickup for a hot water heater for Super Cuts, a commercial account who we charge for, and we wouldn't charge a residential customer to pick up an appliance or a hot water heater, only construction material, wood.

Q I got it.

MR. SOBOCIENSKI: Is that a Wednesday pickup, though?

THE WITNESS: That's definitely a Wednesday pickup.

Q So it would be the driver's responsibility, let's stick with a residential customer, with C and D, to pick up whatever the charge would be for that C and D pickup?

A Right.

Q And so the next morning, when you came in, let's say Thursday morning, what would be on your desk?

A Nothing.

Q Why is that?

A Because all those went back to

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2 Tony. The money either -- after Allied,
3 after they got this little tiny safe -- I'm
4 jumping ahead, because after a while, they
5 told the drivers, themselves, to put it into
6 the safe.

7 Q The lock box?

8 A Right, the lock box. Tony would
9 take the money and put it into his drawer,
10 and the cards came back to my desk. These
11 cards came back to my desk.

12 Q The index cards?

13 A Right. For a while, I was
14 recording them. Mattie had me record them in
15 a black binder, and I had columns -- that's
16 another thing that I manually did, I would
17 have a hot water heater, washing machine, and
18 we kept track of them all year. Manually, we
19 kept track of them, because the Town of Mount
20 Pleasant wanted us to.

21 Q If it was a commercial customer
22 that had something extra to be picked, how
23 would the system differ?

24 A It went over to Joanne with the
25 card and the money.

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Q Who took the money over to Joanne?

A Whoever was there.

Q Whoever was in the office?

A Yes. And it was me sometimes, if I was there.

Q Okay. Let's say it was a commercial customer for an extra pickup, would there be, from time to time, that the --

A Actually, now that I'm thinking about it, the commercial customers got billed. Sorry. Commercial customers got billed. We were never supposed to pick up -- it's like TGI just asked us to pick up two hot water heaters, they will pick those up, we'll bill them.

Never had to pick up money from commercial accounts, now that I'm thinking about it. No, it was just the residential. We couldn't bill residents, because what if she said, "No;" whereas, the commercials are set up in the computer and we would bill them, unless they said, "I'll give you cash,"

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and then I will --

Q What about roll-off?

A What do you mean?

Q Say the commercial customer says:
I'm going to give you cash?

A They took it.

Q So the driver would take it?

A Yes.

Q Would the cash come back to you,
would it be on your desk?

A Most likely not. It went right
to Tony, whoever was at that desk, and that
was either Tony or Aaron, that was the
dispatcher.

Q Let's go to the roll-off person
who was not a regular account, who just needs
a roll-off. What would be your participation
in those types of pickups. Somebody wanted a
box and it was not a regular customer.

A I just took the order and gave it
to Joanne to put it in the computer. I still
do that. I can't -- I'm not allowed to open
the accounts, that's for billing, and then --
you know, it was in the computer. Now they

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2 get printed on the sheets. It is a regular
3 COD account, and they will go pick it up.

4 Q Where does the money -- how does
5 the money travel from the customer to the
6 company?

7 A Well, on the CODs, the driver
8 always picks it up, he has to, and brings it
9 in. Whether it goes to the desk or it ends
10 up on mine in the morning, if I see it, you
11 know, that's what happens to it. That's
12 where it goes. Either it's going to go to
13 whoever is sitting at the desk -- the
14 dispatcher, that's where it mostly went,
15 because they used to look at the stuff on my
16 desk. You're not going to just leave money
17 sitting on the desk, too many people are
18 walking around.

19 There's some times when I came in
20 and there was money in my tray, which is
21 behind my desk, and I would say, "What is
22 this for?" Well, obviously, it was for a
23 roll-off box, or -- that's it. And I would
24 call Joanne and say, "There's money here, it
25 is coming over."

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2 Sometimes I said, "Tony, there's
3 money here, did you know that," and he would
4 say, "No."

5 Q Let's talk about Eileen. When
6 did Eileen show up here?

7 A She showed up after Mattie moved
8 Erina back over to this office. I think he
9 thinks I needed somebody to -- I couldn't do
10 the job. That's what I think he thought,
11 that I couldn't do the job. They needed
12 somebody to schedule, they needed somebody to
13 plug in. In other words, you have everything
14 in there. Right now there's everything in
15 there. They needed somebody to put which
16 trucks are going to go where and who was
17 going to do what. That's what they call
18 scheduling.

19 That, I couldn't do, didn't know
20 how to do it. I wanted them to teach me. I
21 know how to do it now, but I didn't, so
22 that's when she came over.

23 Q Who is the "he"?

24 A Mattie said he hired this girl
25 from CRP, and she's the best and she knows

1
2 everything and she's the greatest, and she's
3 going to be doing that, her and Erina are
4 going to be doing the schedule and I'm still
5 doing the paperwork and the phones, mostly.

6 Q At that time, you're not talking
7 to the drivers and telling them to pick up
8 something?

9 A No. Not if they were there, no.
10 No.

11 Q When you say "they were there,"
12 you're saying Aaron?

13 A If Eileen was there and a driver
14 called in, they specifically asked for them.
15 The only time I ever talked to them is when
16 nobody happened to be sitting there, which
17 was a thrill for me, because I wanted to be a
18 big shot, too. I don't know how else to say
19 it. But I wanted to do that, but, you
20 know -- they were there, that's their job.

21 Q Let's go back to Eileen. When
22 Eileen first came -- do you know Eileen's
23 last name?

24 A Basalice.

25 Q How were you first introduced to

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Eileen Basalice?

A She's a girl from CRP. I did not know her. She's good at what she does, and she used to run the company at CRP.

Q This is Mattie talking to you?

A Yes. And she has an ex-husband who, I guess, is the owner of AIP, in Tarrytown, which is a cardboard transfer place.

Q But this is what Mattie told you before she arrived or --

A She ran that company, she would be great, she knows what she's talking about.

Q This is all before she arrives or after she arrives?

A Just before she arrived. He did the same thing like he did with Erina, he said, "Oh, I hired a girl."

Q When Eileen first arrived, I mean, how were you introduced to her and how did you get along with her?

A A regular introduction, and I got along just fine. It was nice to have somebody there, you know, that was almost

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2 like kind of near my age. I would have a
3 female to talk to. I'd been around men so
4 long. Erina, she was like twenty-five, and I
5 really don't have anything in common with
6 that girl, and everything was about what she
7 has, and blah, blah, blah.

8 It was nice. I liked Eileen. It
9 was really nice.

10 Q Did you and Eileen become friends
11 right away; would that be fair?

12 A Yes, we did.

13 Q Now, what were Eileen's duties
14 when she first arrived?

15 A She helped me with the paperwork,
16 answered the phones. She helped me do, like,
17 the basic clerical. Mostly, when it came to
18 a certain time of day, she had a schedule.
19 Her job was to keep in touch with the guys --

20 Q The drivers?

21 A The drivers -- and as they called
22 in and said: Well, we can't get to this
23 account because it is blocked or something
24 like that, she would go into the computer and
25 change it, or unschedule it.

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Q What does that mean?

A That means that if you can't get to a stop or you go there and nobody is home or if they don't want it -- you might get there and they might say, "No, I don't want the pickup today," it is in the computer, so you have to go into the computer and unschedule it.

Q Meaning there's no record that there's been a pickup that day?

A It would be in the unscheduled log. There's a log.

Q I don't know what it means.

A It is a log that has unscheduled service requests, with your name on it, it will say: Unscheduled by or canceled by, then it will say, "L. Nichols," or "E. Baselice," or whoever did it.

Q So Eileen would actually be talking and changing pickups and deliveries, herself?

A Right. I've done it. If they called, I would say I'll change it. It was a matter of hitting a button, "U" for

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2 unscheduled. You had to do it. Otherwise,
3 it was not going to be right when they
4 brought their paperwork in.

5 Q Meaning that the paperwork would
6 show a stop that had not occurred?

7 A That's correct.

8 Q Is that what you're saying?

9 A That's correct.

10 Q Was there any sort of requirement
11 that route sheets and records of pickups not
12 be changed? In other words, once they came
13 in, they weren't supposed to be changed or
14 altered in any fashion?

15 A They sometimes had to be altered,
16 because there were occasions when I would get
17 a call from a customer that said: You can
18 come get the box. And I would go into the
19 computer and I would say: When did we
20 deliver the box? And I would look over at
21 Tony, or whoever was there, and say: When
22 did we deliver this box? Gee, maybe I think
23 we did that on Saturday. Or I gave it to
24 somebody over the phone and now it is in
25 there as take it out of there, but not in

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there as being delivered.

Sometimes there was stuff on the sheets that didn't happen, and I just crossed it off.

Q What did that mean?

A Well, the driver didn't do it, I guess, and I -- you know, I would cross it out. I would look over and say: This didn't happen. It's on here, did it happen? They would say no, so we just crossed it out.

Q So was that something that required discipline or required, you know, some investigation as to why it did happen or didn't happen?

A I didn't think so. I just said: Okay, fine.

Q Would it be fair to state that you and Eileen would socialize together from time to time?

A We have, yes.

Q I mean, would it be fair to say that, from time to time, during the week, you and Eileen would have lunch together?

A No.

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Q Just so I get it right:

Basically, while you were at work, you and Eileen never went to lunch together?

A Never.

Q You mentioned something to me

when we were talking about this collection of documents here, which has been marked Monitor 1003, so I want to -- I don't want to forget these -- first of all, there's a stamp in the lower right-hand corner that has "Lisa." That's your writing; correct?

A Right.

Q What does that mean?

A That means that I put all the paperwork from that into the computer, and closed it.

Q What does that mean?

A In other words, there's a place for closure on each guy's route, in the system, where you come to the end of it and you put their returning time, this, and their wages, and then there's a "C" for closed, you hit that, and it just closes it; you stamp it closed.

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You can open it up only within twenty-four hours. Once twenty-four hours is gone, it is out of there and you can't change it.

Q When you say "close it," that means put into the system all of the data that you are required to do; is that correct?

A Correct.

Q You mentioned something to me about you couldn't understand why Englehardt would be on the route sheet, but would not be on the cover page. Tell me that issue. What's going on there?

A I don't know; and I never did know, and I don't know. They said they would look into it. We wanted to know why. We want to know why, to this day, there's a spot for a PO and it comes up red. It will not let you enter without the PO, yet when you put the PO in there and close it and go back two days later, it's not in the system.

Q What does "PO" mean?

A Supermarkets and some accounts have a purchase order number for billing

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2 reasons. This is gone from the system. And
3 these were questions raised to Chris Graves,
4 and we raised the question to Bonnie Goodwin,
5 who said they would look into it.

6 Q If a company is using a purchase
7 order system, you should be able to put the
8 number in?

9 A They made it so you have to put
10 the number in. This way -- Joanne and Chris
11 Graves programmed it so we wouldn't forget to
12 the put the PO. In other words a red light
13 flashes, and you have to put it in there,
14 there's no way around it, you can't forget
15 it, but yet a week later, if she says the PO
16 isn't on this ticket, because she would like
17 proof we did it three days later, I would
18 say, "Go in the system," and it is not there.
19 It's just not there.

20 Especially with Erina, I would
21 say, "Don't forget to take the PO." I'm
22 putting the darn POs in there, and some of
23 them stayed and some disappeared. They are
24 now going in there, they are still
25 disappearing. We brought it to the attention

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2

of whoever we think are the right people.

3

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Q Here is Englehardt Corporation as part of route 2607, as part of Monitor 1003.

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What is the information here? For instance, on this route sheet, what does the route

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8

sheet tell you about what happened with Englehardt. Take a look at it.

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A He went to Englehardt, picked up the container, which is a compactor, he went to the plant, dumped it, there's a weight ticket most likely attached, or should be attached, roll-off ticket, put the compactor back an recorded mileage, and the time he was there, but the times aren't usually correct. I never looked at the -- I seldom looked at the dump ticket time to see if it matched the paperwork time.

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Q Now, was it ever explained to you why Englehardt would not show up on the cover sheets?

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A No.

Q Is there anything about the Englehardt --

A I'm thinking now, because I think

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2 what they started doing was, they permanently
3 routed some of the accounts, so if they are
4 permanently routed, they would come up on
5 those printout sheets. I still don't
6 understand why it never came out on the front
7 sheet.

8 Q Do you recall any issue or
9 question that ever came up about Englehardt
10 Corporation, that either you were involved in
11 or was discussed in your presence?

12 A No.

13 Q Do you know what Englehardt
14 Corporation does, or is?

15 A It is a film division in
16 Peekskill.

17 Q How do you know that? I mean --

18 A Just from doing it and listening
19 and talking to the people on the phone.
20 There's many, many, many accounts that I
21 haven't the slightest idea what they do, I
22 don't ask them.

23 Q Do you recall receiving calls
24 from people at Englehardt?

25 A Oh, sure.

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Q What was the nature of those
3 calls?

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A They needed a pickup and a return
5 on their container, or a no return. That's
6 all it was.

5

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MR. MACK: I think we should take
8 about a ten-minute break, and then we'll
9 pick up again.

8

9

10

THE WITNESS: Okay.

11

(Short recess taken.)

12

MR. MACK: On the record.

13

Q I would like to continue. Is
14 there anything you want to add or subtract
15 from what we just talked about?

14

15

16

A No.

17

Q Okay. Did there come a time, in
18 all of -- all of my questions, obviously,
19 now, pertain to the period that Allied is
20 responsible, is the owner. I don't want
21 there to be any question about it. If
22 there's a need to divide up, you know, in
23 some way, so we break up who -- at a
24 particular time period, I'm always interested
25 in as precise dating as possible, but I know

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2 you're not as clear on some of these, so,
3 like, for instance, a way to remember is that
4 Aaron was the manager and then Tony became,
5 or whatever, that will help us, because we
6 can figure out what those dates are.

7 A Okay.

8 Q My question now is: Did there
9 come a time when it came to your attention
10 that Joanne felt that some money was not
11 being accounted for properly?

12 A Yes.

13 Q And how did that come to your
14 attention? In other words, was that --

15 A She called me and told me.

16 Q What did she say to you?

17 A She would say, "You know, I've
18 got this in the computer for a roll-off box
19 that hasn't been paid for yet." And then I
20 would say to Tony, "You know, nobody has paid
21 for this roll-off box yet." Like the money
22 just wasn't there. And he would say, "Well,
23 Aaron picked up the money or Matt picked up
24 the money."

25 In other words, I don't know

1
2 anything about it, which is basically what I
3 told her, "I don't know anything about it. I
4 gave you the money that I gave you, you know,
5 which was given -- which was when it was on
6 my desk or when I brought it over for Tony,
7 but I don't know what the system is telling
8 you know, you know, I don't know about that."

9 To me, that would have been her
10 problem, because she does the billing.

11 Q In other words, in Joanne's mind,
12 at least, she was complaining to you that
13 money was accounted for? There was missing
14 money, let's put it directly; correct?

15 A Correct.

16 Q When you learned of that, or when
17 Joanne told you about that, what was your
18 opinion as to why that money was missing?

19 A Well, I just felt that the money
20 wasn't -- especially some of the roll-off
21 boxes, I couldn't tell you how many, but I
22 believe that when we were told by Aaron,
23 "I'll pick up the money for that box," and it
24 was never picked up, or -- I'm not accusing
25 anybody of stealing, but I don't know, but it

1
2 was either never picked up or it was never
3 given in.

4 I don't know how to -- that's
5 what anybody would think. I certainly don't
6 think Joanne had anything to do with that,
7 and I believe that it just -- when she's
8 saying it's not there, money is missing, I
9 would think there were times when he would
10 say, not many, "I'll get the money for the
11 box."

12 There were times when I had to
13 put down on the paper -- those route sheets
14 where I would have to write money being
15 picked up by Aaron. I mean, I can remember
16 instances where I had to do that. I can
17 remember instances when I probably didn't do
18 it, but for the most part, I did, and I
19 wanted an initial, I want somebody's initial
20 on it for the most part.

21 I'm looking at that ticket right
22 there, and I can still remember that \$20
23 that's mine, plus \$20 cash. It had to be for
24 the tax. They either didn't pay the tax,
25 didn't have the amount on there. They

1 usually write down, "See check number." They
2 don't have what check number is down there.
3 I'm going to say either it's for cash, or it
4 could have been a tip, because that's
5 happened. Only Bobby was honest enough to
6 say, "Here," he gave me an extra \$20, and I
7 would put it on there, plus \$20 cash.
8

9 Q You're looking at Monitor 1002?

10 A Yes, I am.

11 Q Let's take a look --

12 A Maybe the check wasn't enough and
13 they might have given us -- it might have
14 been for a \$300 box, and they might have
15 given the check out for 280 and a \$20 bill.
16 Those cases have happened. Those things have
17 happened. So that it all --

18 Q We have to be more precise. I
19 want you to focus on what I'm saying.
20 Anything is possible. When you use the word
21 "possible" or "guess," that doesn't help me a
22 lot, because what I'm trying to figure out
23 here is, for 1002, this is a roll-off ticket
24 for October 24th, year 2000; right? That's
25 what it says there?

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A Right.

Q The writing is "COD-Falcon."
That's your writing; correct?

A Right.

Q The rest of the writing on that
form is Bob Thomas as the driver; isn't that
correct?

A Correct.

Q And what he is saying there is
that he delivered a box, a 10-yarder; right?

A Okay.

Q You look at it.

A Right.

Q What does the "112" mean?

A Box No. 112. He paid with this
check and he got \$20 cash with this check.

Q Now, could that \$20 in cash have
been on your desk that morning?

A It certainly could have.

Q As well as the check?

A Yes, it could have.

Q And it would be your job to
account for that and get it to Joanne, as
you've described earlier; correct?

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A That's correct. If it's on my desk, yes.

Q What I'm asking is: There was a time when Joanne complained and said to you that there was money that she couldn't account for, that was missing; isn't that correct?

A Yes.

Q And to your knowledge, I think what you said to me is, that when it was Aaron's responsibility to pick up, you would make a point, not always, but sometimes, to write it down on what?

A On the route sheets. If there was like a COD on that route sheet, and I would say, "Well, where's the money?", when I did the route sheet, "Where's the money" -- naturally, if it wasn't on my desk, that's what I would say, "Where's the money? Did you get the money for this?" And they would say either "Yes" --

Q Who is the "they," when you say, "they"?

A Aaron, or whoever was sitting at

1
2 the desk. It could have been Tony. I don't
3 know whether Tony -- yes, we had the route
4 sheets when Tony was sitting there. It could
5 have been Tony or it was Eileen or even Erina
6 or Mattie. "Do we have the money for this?"
7 It could have been anyone sitting there. I
8 would mostly say Tony or Aaron, because they
9 were the ones on the desk most of the time.

10 Q You would make a point of asking
11 the person --

12 A If it was a COD and there was no
13 money on my desk, yes, just to kind of bring
14 some closure to it. Because when it went
15 over, it was definitely going to be asked to
16 me by Joanne. She's going to say, "Did you
17 get the money?" She always did.

18 And I never had a problem with --
19 she never -- when her and I -- she always
20 said, "You know, Lisa, you always brought me
21 the money." "Yes." "Didn't you say to them
22 where's the money?"

23 I'm in the office, but they are
24 the ones behind the desk over there. You
25 know --

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Q Let's talk about, you know, did you, when it was a COD, and there was no cash being brought over, did you inquire of Aaron, let's pick on Aaron for a moment, say: Where's the money for this?

A Yes, I did.

Q What would he say? What was his answer on those occasions?

A It was, "They are a friend of mine," or, "I know the people," or, "I know the account," or, "I'm going to pick it up in two days. Don't worry about it, I'm going to pick it up in two days."

At that point, I would call Joanne and I would tell her, "He is saying he is going to get the money, so make a note of it somewhere," or, you know --

Q Did you, yourself, ever make a note on the paperwork, that Aaron said: It's a friend of mine or --

A No, not "a friend of mine." I believe, though, that I did, on the route sheets, especially, I put "Money being collected by Aaron, money being collected by

1
2 Mattie." I don't know how many times or
3 what, but, yes, I did.

4 (Two documents marked Monitor's
5 Exhibit 1006.)

6 Q I'm going to show you two
7 documents which I've marked, collectively, as
8 Monitor 1006. Just take a moment, if you
9 would, Lisa, and look through both of those.

10 MR. SOBOCIENSKI: It is a
11 photocopy.

12 MR. MACK: It is a photocopy.

13 (Pause).

14 A It's a delivery.

15 Q Tell me what they are. It was
16 closed by you, right, on March 7, 2000?

17 A It is not attached to a route
18 sheet, so it was -- it might have -- I don't
19 have it on the -- it was probably -- it was a
20 delivery of a 20-yarder, "See Aaron for the
21 money." I mean, I just put it into the
22 computer. I had to get it in the computer,
23 but -- this is mine, I wrote this up.

24 Q You're talking about the roll-off
25 ticket?

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A Yes.

Q Okay. Talking about a delivery 20-yarder, and you wrote, in parenthesis, "Joanne, see Aaron;" is that correct?

A Yes, because this piece of paper did me no good without a ticket.

Q You have the ticket there.

A I had to make it -- I made it up. I said to him, I said, "When did you do this, what is this?" Oh, I delivered it." Sometimes he did himself.

As a matter of fact, he did do it himself. "I delivered a 20 to Trotter." I said, "I need a ticket," and I wrote up the ticket. Sometimes I wrote up the tickets. I didn't think it was going to get this far. Sometimes I didn't. Sometimes I told them, "Write up your own ticket."

Yes, this is definitely -- maybe it's 6:00 on a Saturday, because I never usually got stuff like this during the week. I don't know. But, yes, this can't go in the computer without a ticket, so I wrote up the ticket for him. I told Joanne to see Aaron

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as far as money, because I never got the money.

Q The person who is the "he" that you have been talking about, is Aaron Deems; right?

A Correct.

Q If I understand what you just told me, that since there was no ticket, you, yourself, made out the roll-off ticket here, No. 77368, it is in your writing?

A Right.

Q Because of what your conversation was with Aaron; is that correct?

A No, because of this piece of paper. In order to put this -- if this is on my desk -- this is a roll-off move. If this is on my desk --

Q When you say "this," we are talking about the operator activity sheet; correct?

A Yes. Then this, you can't just enter this into the computer like this. He took truck 17 --

Q "He," being Aaron?

1
2 A Aaron -- delivered a 20-yard
3 container to who? I said, "What is this
4 for?" "Trotter Cabinetry." "You need a
5 ticket for it." That happened a few times.

6 Q What's "a few times"?

7 A I don't know.

8 Q Twice?

9 A I don't remember. Any time this
10 happens, you need backup with it.

11 Q In this case, you wrote the
12 backup?

13 A Yes, I did.

14 Q Right?

15 A Yes.

16 Q There were times when you made
17 Aaron write it up; is that correct?

18 A Yes. Yes.

19 MR. SOBOCIENSKI: This is a COD?

20 THE WITNESS: Yes.

21 MR. SOBOCIENSKI: A COD account.

22 So if that were to go over to Joanne,
23 she would be looking for a check or cash
24 for that box?

25 THE WITNESS: That's correct. I

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believe she finally set them up in there so that -- in the computer -- so that they could be billed, after, I think, the fact that -- I don't know if this is what you're questioning -- there are CODs that -- there were enough of them where she had to set them up as an account. You can't keep track of it. How could you keep track of that kind of money without -- some people were, once in a while, CODs. This one, apparently, got quit a few boxes, to my knowledge.

Q Trotter?

A Trotter. She finally set them up as an account so they could be billed.

Q Before that, they were CODs?

A Yes.

Q Were there a number of accounts that were COD?

A Not too often. I'll try and remember a few, but there were some contractors that were CODs in the beginning, and then ended up as regular accounts of ours. I would have to look in the computer

1
2 to try and get an idea. I'm trying to think
3 of, like, Robertson Contracting and Windsom
4 Contracting, because those are people that
5 pay regular billings now. I mean, I don't
6 know how it started in the beginning, how it
7 was. I don't know.

8 MR. SOBOCIENSKI: The COD
9 account, though, that was part of Info
10 Pro, you could enter into that even
11 though it wasn't individual customers;
12 you could collectively enter this type
13 of information, like Trotter, into one
14 general COD account?

15 THE WITNESS: I don't know. I'm
16 trying to -- I didn't do it, so -- I
17 never could enter accounts. I'm trying
18 to think. I didn't enter -- like I
19 would enter Trotter, I would pull up
20 Trotter when it was finally entered.

21 I didn't enter accounts. It was
22 on my desk, but that COD account wasn't
23 necessarily for that, I don't think. I
24 think that was for like the Mount
25 Pleasant cleanups and stuff; that cash

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account, really, she calls it.

Yeah, because there was cash money, that's why she had to set up a COD account for cash money. How it was entered in? I do not know. When she finally got the money, I don't know what she did.

Q You don't know if she got the money, do you?

A No, I don't.

MR. SOBOCIENSKI: If, in fact, there was a one-time COD account, I call up for a box, and that information comes back with the driver, his ticket, and the information on the route sheet, and it is on your desk the next day, can you enter that into Info Pro without Joanne giving you information about that account?

THE WITNESS: Absolutely not. No. That was even in the old system, because the question I asked her before, I said: Wasn't it when we got a COD account, who entered that? I forgot.

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2 Joanne had to enter it, and that's how
3 it became an account.

4 And to this day, I still cannot
5 open an account, I cannot enter one. I
6 can add a box to a site, but I can't
7 enter a whole new account.

8 (Document marked Monitor's
9 Exhibit 1007.)

10 Q Let me show you what we've marked
11 as Monitor 1007. Take a moment and take a
12 look at that.

13 A "20-yard dump and removal,"
14 closed by me.

15 Q Right.

16 A "Credit," it says, "No charge,"
17 that's Aaron's handwriting, and it says --
18 that's mine underneath it, "Eagle Home
19 Improvement, Aaron to Joanne."

20 Q What does that mean?

21 A I believe I just -- I told
22 Joanne, I must have told her about it,
23 because I tried to always cover myself. I
24 put "Aaron to Joanne, Eagle Home
25 Improvement." That's exactly what it is.

1
2 For some reason, he said "Credit, no charge."

3 I have no idea why. They must have owed us
4 for this, because -- I don't know why.

5 "Aaron to Joanne."

6 Q That's your handwriting?

7 A This is, not that (indicating).

8 Q Stewart can't tell.

9 A The "credit" and the "no charge"
10 is Aaron's handwriting. Then I wrote,
11 because I closed it, "Closed the route," I
12 wrote "Eagle Home Improvement, Aaron to
13 Joanne," which meant I told -- I got that
14 from Aaron and I told Joanne. He is saying
15 it's a credit with no charge; in other words,
16 don't charge them for this box.

17 And that I did write, "Aaron to
18 Joanne." That's what I told her, because
19 that's what it said here, and that's what he
20 told me.

21 Q Did you discuss the topic, I
22 mean, with Aaron?

23 A No.

24 Q Basically, all you're doing is
25 passing on that data to Joanne?

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A That's correct.

Q If there's an issue there, it's Joanne's who will deal with; is that a fair statement?

A That's correct.

Q Did you, yourself, ever confront Aaron and say to him: You know, where's this money going, or: What's the story here on these collections you're supposed to make, because the money is not coming in; did you ever have a discussion with him on that topic?

A No. On occasion, I would say, "Did you pick up the money for so-and-so box? Did you get the money?" And he would say, "Yeah, I did," or, "Don't worry about it," or -- and I let it go at that.

I would tell Joanne, though, because she was in charge and I know she's going to come at me with it. She's in charge of the money. She would come at me with it and I would say, "Just to let you know." When I had the money, I would say, "I have this money."

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Q I'm talking about when you don't have the money.

A A lot of times, I didn't bother with it. As long as I wrote something on there to know that what I had to do was taken care of, I didn't.

Q Did you ever have a conversation, or conversations, with Aaron, in which he said to you words to the effect that, you know, what do you care, it is not your company?

A No. Not when it came to that, no.

Q Did you ever have that conversation with him about why he isn't collecting: Where is the money? I mean, what did he say to you?

A Yes. And that's what he said. He said, "Don't worry about it;" you know, "It is not yours to worry about."

Q What did you say when he said that?

A Nothing.

Q But you reported those

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conversations to Joanne?

A Yes, most of them that I can remember, yes. I couldn't, you know -- I don't remember every conversation, but there were times when I did say to her, "I don't know where the money is, and Aaron said don't worry about it."

Q Did you ever discuss this topic with Matt Hickey, at any time?

A No.

Q Did Matt Hickey ever ask you questions about: Where's the money on these accounts?

A Yes. And I told him Aaron is handling it.

Q What did Matt say, if anything?

A Nothing to me.

Q Did Matt ever confront or discuss this topic with Aaron, in your presence?

A Yes.

Q Tell me about those occasions.

A They talked about it, and Aaron would say, "I'm going to collect the money. I know who he is. He's good for it." And

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Mattie let him go at that.

Q When Joanne complained to you that there was money missing, how many times did she complain to you about that, would you say?

A Five solid sure ones that I could really -- it wasn't that often, you know, but it was --

Q Did you do anything about it yourself, personally?

A No, I didn't.

Q Did anybody do anything about it, as far as you know?

A I don't think they did, no.

Q What about the beginning of the lock box, you know, how did that come into place?

A Well, I think that came about because of -- I think Joanne complained to Mattie, finally, that there was -- she felt there was money missing, and he -- I don't know whether he thought it was me, I don't know whether Mattie thought it was me or he thought it was Tony, or whoever he thought it

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was, so he thought he would put a safe in there and have the drivers put it directly into that box, and none of us, not even Tony, nobody who was sitting there could touch it.

He even had a meeting, I believe, with these drivers and helpers and told them, "If you get money, put it right into that safe." And they still do that now when they bring in the CODs.

Q Would checks go into that lock --

A He changed, checks, cash go into the safe.

Q Can you put an estimate as to when that lock box went into effect?

A I guess around the time that -- just before Mattie was getting ready to leave.

Q Getting ready to leave where, go for medical help?

A Yes, exactly.

Q So it would be shortly before Mattie was going to have medical attention given to him; is that what you're telling me?

A I think it was -- I think it was

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2 after Eileen left. I don't think it was
3 there when Eileen was there. I don't
4 remember. I think it was after Eileen left.
5 After Aaron left, definitely. I know Tony
6 and I were really there by ourselves,
7 basically.

8 Q Did you ever have reason to
9 believe that money that had been delivered to
10 Tony, was not properly accounted for?

11 A No, I really didn't. I think
12 he's honest.

13 Q Did Joanne ever complain to you
14 about money that had not been received, that
15 had come to Tony, had gone into his drawer?

16 A No.

17 Q So basically, what I'm
18 understanding is that the only person
19 involved, as far as Joanne knew or you knew,
20 in terms of not collecting moneys that were
21 owed to the company, was Aaron; is that
22 correct?

23 A Really, yes.

24 Q What were the circumstances of
25 Aaron's departure, as far as you know?

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2 A He couldn't take it anymore. He
3 just got up one day and said, "I've had
4 enough." He had a big argument with Matt.

5 Q What was that about?

6 A I don't know. I'm going to say I
7 think it was about money, maybe. I think
8 Mattie was blaming Aaron for missing money.
9 And they didn't see eye-to-eye. Aaron didn't
10 like Erina anymore, and Mattie has no use for
11 you if you don't like his daughter, and they
12 just -- they go back a long time, so I don't
13 really know even how close they are. I
14 always thought they were like father and son.
15 Apparently, not so, because in the end, Aaron
16 hated Mattie.

17 Q How do you know that?

18 A Because he stated it. You could
19 see it in his face. He said, "I hate him. I
20 work with him, but I hate him."

21 Q Did he say why?

22 A Because he was two-faced and he
23 just wasn't right. He said he just wasn't
24 right, he would screw you in a heartbeat.

25 Q That's what Aaron said?

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A Yes.

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Q Did Aaron give any examples of --

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A No. I did not ask. I didn't

5

want to know. I didn't.

6

Q Were you ever aware of anybody

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taking equipment from the company, that

8

belonged to the company, taking it for their

9

own personal use?

10

A No, I was not.

11

Q Did you ever hear any comments or

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talk about that subject?

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A This is what I heard, I heard

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this from Tony, that one of the mechanics was

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taking pictures out of a garage door window

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of people that were at the pump, the gas

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pump, and they were putting gas into their

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trucks. That's what I heard.

19

Q Who did you hear that from?

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A I heard that from Tony. He said

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that one of the mechanics took pictures, and

22

the mechanic did not get along with Aaron,

23

and so he was taking -- he saw, sometimes,

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his friend would come in after work. I was

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there when a couple of his friends came in,

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2 only for ten minutes, and then I would leave.
3 I figured they were hanging out.

4 His girlfriend came in once.
5 They were hanging out. Tony told me that at
6 night, one of the mechanics got pissed off at
7 Aaron and was taking pictures and saw his
8 friend's vehicle, putting gas in the vehicle
9 at the pump.

10 As far as missing equipment, I've
11 never heard of anybody taking any equipment.
12 Maybe a pencil out of the closet. Nothing
13 like that.

14 Q Did Tony say that Aaron's friends
15 were taking fuel?

16 A No, he did not. He said that --
17 Ivan Ward was his name -- was taking pictures
18 out of the garage window, and Ivan has the
19 pictures to prove it, and he sent them to
20 Allied, that his friends were gassing up at
21 the pump.

22 Q What was the point of Tony
23 telling you that story? Was that critical of
24 Ivan or Aaron?

25 A Critical of Aaron. I think Tony

1
2 was mad at Aaron because Aaron was his
3 supervisor. A tit for tat little jealousy
4 game, that's what it was. I don't blame him.
5 He never did -- I never heard Tony go to
6 Mattie or say that he went to Allied, but he
7 said that Ivan Ward did it, and Tony would
8 always say, "He will get his some day. I
9 don't have to say anything."

10 Q "He," being Aaron, in that
11 sentence, not Ivan?

12 A I said, "If you don't like it so
13 much, why don't you say something to Matt, or
14 if you know that, why don't you say something
15 to Allied?" And he said, "I don't have to do
16 that, because what goes around comes around,
17 and he will get his some day."

18 Q The "he" in that sentence is
19 Aaron; correct?

20 A Meaning Aaron will get his some
21 day, yes, yes.

22 Q So, you actually did have a
23 discussion with Tony in which you said: Why
24 don't you report it Mattie, am I correct:
25 Why don't you report it to Allied that Aaron

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is taking fuel?

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A He didn't see it. He said that Ivan is the one -- Ivan told Tony. Tony never saw it. I didn't see it, I heard about it, but I didn't see it. And I don't think Tony -- Tony was obviously not there to see it, but Ivan told Tony that, "I saw Aaron," blah, blah, blah, "and I have pictures to prove it." I've never seen the pictures. I don't know that Tony ever saw the pictures.

Q Make sure you read the compliance plan, sometime, in terms of what the situation is. One of the important ways that Allied and the monitorship keeps an idea of what's going on in the company, if there's information of some kind that something wrong is going on, there's supposed to be some response, if only to prove it didn't go on.

So Tony's viewpoint, as I understand it, was it wasn't his responsibility and Aaron would get his in time; is that correct?

A That's basically the way I took it.

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Q Now, the circumstances of Aaron's departure, did Aaron explain to you why he was leaving?

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A He didn't like Mattie anymore, and he wanted to do his own thing and he was going to work for Jimmy.

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Q Where was he going to go?

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A Interstate, I believe. I didn't get into detail with a lot of things. I didn't want to know anything. I tried not to know anything.

13

14

Q Have you talked to Aaron in the last year?

15

A Yes.

16

17

Q When was the last time you talked to Aaron?

18

A A couple of months ago.

19

Q What was that about?

20

21

22

A Just to say "Hi." I've always kept in touch with him. I saw him at Jimmy's wake. I always say "Hi" to him.

23

24

Q What is he doing now; do you know?

25

A Working. "How are you doing?"

1
2 He is getting engaged. I said, "What did you
3 do, forget about me?" He goes, "Well, no, I
4 can't go around anymore, I can't call you."
5 I said, "Fine." That was it.

6 I don't know, you know, him that
7 well enough, really, to go have even lunch
8 with him, for that matter, but I did call him
9 just to say, "Hi."

10 Q Is he working for Interstate now?

11 A As far as I know, yes.

12 Q Did his position there change, if
13 you know, after Jimmy died?

14 A I have no idea.

15 Q Do you know anybody else who is
16 working at Interstate, at the moment?

17 A I knew of the old man, Angelo. I
18 don't know if he is still there. And I know
19 Rob. I don't even know what his name is. I
20 think he runs it. That's it. I don't know
21 of anybody else that works for Interstate,
22 really.

23 Q Do you have any reason to believe
24 that Aaron Deems had other employment, in
25 other words, working for someone else or for

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himself, while he held the position here?

A No.

Q No reason to believe that?

A No, because he was -- well, I mean, if I'm going to sit here and try to analyze what he did on his free time when he wasn't in the office, who knows what he was doing.

Q All I'm asking is about you, what you knew. Did you ever see him driving a truck from another company?

A Absolutely not, no.

Q Did he ever say to you: I'm doing work on the side for someone else?

A No. No.

Q Let me ask it differently: Did it ever come to your attention that drivers, whose responsibility was to deal with residential waste, were, in fact, picking up commercial customers?

A No.

Q Never came to your attention?

A No, it did not.

Q Did it ever come to your

1
2 attention that drivers whose trucks had waste
3 from one town or location, were mixing waste
4 from another town?

5 A No. But let me put it this way,
6 because when I used to put in the residential
7 routes, there was a couple of times where I
8 said -- I would see that they went to the
9 plant, per se, say the one in Peekskill, the
10 dumping plant, and then I would see something
11 that said "CB," which to me is cardboard, and
12 I would say, "What did he do here," to Tony.
13 I would say to Tony, "What did he do here?"
14 "Well, he went and he did this, he went to
15 the plant, and then he went back and picked
16 up cardboard."

17 I did that for disposal reasons,
18 because of the way you get charged. In other
19 words, I didn't know whether it was a no
20 charge or whether it was a chargeable, and
21 for the longest time, I didn't know that,
22 that the residential -- I guess -- we are
23 under the Town contract, it is no charge.
24 You know, the disposal says no charge. I
25 didn't want to put that under the wrong

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disposal.

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As far as mixing of the garbage,

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no, I don't remember. I know I put in the

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routes -- I mean, I put in a lot of the

6

information. Most of the time, I just

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plugged it in. It would really have to stand

8

out, and something would have to be there for

9

me to question it.

10

Q Did you ever hear a driver asking

11

the dispatcher, whether it was Aaron or Tony,

12

as to whether they should dump before they

13

went out on their routes, or not?

14

A Oh, sure.

15

Q The residential drivers?

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A Sure, because they would come in

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with garbage on the truck, and they would

18

have to dump it first.

19

Q Did Tony always tell them to dump

20

first?

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A Absolutely.

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Q So it is your sworn testimony

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that as far as you know, every time that a

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driver came in with material in their truck,

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Tony told them to dump first?

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A Absolutely.

Q How do you remember that?

A Because -- I don't know. Any time I did hear it, when I did hear it, because the truck is full, wouldn't you think you would have to dump it first? That's what I would think.

Q Why do you believe that the truck was full?

A I didn't know that the truck was full. I just believed it, because that's what they said.

Q They said: My truck is full?

A Certainly. If they came in and Tony said, "Are you full or not?" "I'm full." "Okay, then dump in the morning."

Even on the residential sheets, you could see sometimes on the residential sheets they had to go to the dump first. It says "disposal first," so you have to enter it in as such.

Really, if they said a full truck, I believed it.

Q What if they didn't have a full

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truck?

A They started the route the next day.

Q What happens if it was from a different town?

A I don't know.

MR. SOBOCIENSKI: The residential drivers are already gone in the morning by the time you arrive?

THE WITNESS: Absolutely.

MR. SOBOCIENSKI: You don't know what kind of discussion they have with the dispatcher before they leave?

THE WITNESS: No, I don't.

MR. SOBOCIENSKI: You only know the discussions they may have when they come back at the end of the day?

THE WITNESS: Right. Correct.

Q I want to make sure that I haven't missed any situation in which there was a concern that money was missing.

We've talked about Joanne's situation and her complaints and concerns about it, and your discussions with Aaron

1
2 from time to time. Were there any other
3 occasions that you can remember, and this is
4 all when Allied is the owner of the company,
5 in which you became aware that somebody was
6 concerned about money being missing?

7 A As far as money being missing,
8 no, that was -- that was really it. The
9 question was, you know, did the money make it
10 to Joanne or not.

11 Q Right. Did there ever come a
12 time when, in your view, you either heard or
13 were present when there was a communication,
14 it could be a telephone call or what have
15 you, in which a customer said that a payment
16 had been made and yet there was no record of
17 it being made?

18 A Yes, that has happened, and then
19 I directed them to Joanne, because I
20 didn't -- I just didn't do accounts
21 receivable. Now, occasionally, I look in --
22 if they say they made a payment, I'll look
23 into the certain -- I know how to do that
24 now -- I'll look in and: This says you owe
25 this much. If they disagree, I immediately

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give them Joanne's number, because I don't know too much about math.

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Q Mathematics is not one of your strengths?

5

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A No.

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Q When Eileen first came to work, I think you've described what her

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responsibilities were, and I think you've

10

said that you never went to lunch with her,

11

but you would socialize with her from time to

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time. Could you give me a general

13

description of the occasions, just general,

14

that you would socialize with Eileen?

15

16

A Yeah. A few times, we went and had a drink down the street. And there

17

were -- I could probably count on my hands

18

the times that her and her daughter came to

19

my house and we had, you know, something to

20

eat or a drink there or something. But not

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too often, because, you know, I have two

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children and she usually had to go pick up

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her daughter.

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We would go out and have a drink.

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That would be the extent of that.

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Q But that would be always after work, never during work?

A Always after work.

Q Did it ever come to your attention that alcohol seemed to be a problem for Eileen?

A No.

Q Would you consider her a light drinker, a non-drinker, a moderate drinker or heavy drinker?

A I wasn't around her enough. I mean, I would like to say that, like, when we were at the bar, we drank -- I'm not going to say the same amount, because I can't consume that much beer, but I don't know what she did on her own time.

Q I'm only asking about you.

A I would say moderate. I never took her for a heavy drinker.

Q Did you drink, when you were with Eileen, the same amount as she, or less?

A Oh, no, less.

Q Much less?

A She drank beer, dark beer, and I

1
2 drank wine, so I could have four glasses of
3 wine. I didn't count how many she had, you
4 know.

5 Q So in a social after-work
6 interaction, you would spend approximately
7 how much time with Eileen?

8 A About one hour.

9 Q In that time, she would consume
10 about what?

11 A Three beers.

12 Q You would consume about what?

13 A Two wines; two or three wines,
14 maybe.

15 Q Was there --

16 A This is what I saw her consume.
17 I didn't keep track of her.

18 Q Only in the time you were with
19 her, that's all I'm asking.

20 A I never took her for a big
21 drinker.

22 Q Did she ever talk to you about
23 having a problem with alcohol?

24 A No, she did not.

25 Q Did it ever come to your

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attention that she did have a problem with alcohol?

A No. I didn't think she did. I like to have a couple of glasses of wine, myself, and I don't think I have a problem with alcohol, you know. Somebody else might think differently, but I don't.

Q Does anyone else think differently about you?

A Not that I know of.

Q You never sought or received any help with alcohol, have you?

A No.

Q To your knowledge, has Eileen ever?

A Not that I know of, no.

Q Did there ever come a time when it came to your attention that there were checks missing, that should have been accounted for in the system, that Eileen may have had some association with?

A The only thing I know about a check is the time that -- I don't remember, I think it was a tennis account, and that's

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when Mattie threatened her. Supposedly, she tried to cash a check, she changed the name of Hudson Waste to her own name, and I think that she tried to do it at the bank that we get our checks cashed by, and they alerted Joanne, that's what I think happened, and -- because Joanne said to me, "She tried to cash a check."

This is after Mattie got involved. That was the time he said to her, "If you were a guy, I would punch you in the head." She was upset, and I said, "What's the matter?" She didn't tell me about the check. Joanne told me about the check.

I didn't know anything about the check, and I didn't know that Eileen tried to cash a check. That was the only thing about a check that I ever heard about Eileen.

MR. MACK: Why don't we take our last break. Let's take one for about, somewhere between eight and ten minutes, and then we have an about an hour left.

(Short recess taken.)

MR. MACK: On the record.

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Q Let's talk about Monitor 1004.

I'm talking about the index card again.
Could you just remind me, and I may not have understood this, how those index cards came to be written up? In other words, how would they be created?

A Well, the index cards are supposed to be used for residential. Apparently, here Tony wrote out a ticket for a hot water heater. Oh, yeah. Actually, this was written -- this was first, and then it says "Make ticket" (indicating). That's Tony's writing: Here's the ticket.

Q Now, when you say "this," you're talking about the actual three by five index card; is that correct?

A Right. This call came in, Aaron, this is his writing, Aaron wrote up the index card, and when Tony went through the index cards on Wednesday to hand them out, he wrote out, it looks to me -- it said, "Make ticket," which he did, and he is going to charge them \$20 for the hot water heater, which should be billed, because it is a

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commercial account.

There should have been no money collected here, unless the customer said: Here, I'll give you the 20, and we didn't know that.

Q When you say "no money collected here," you mean by that --

A Physically.

Q -- since it was a commercial account, it could be billed to that commercial customer?

A Correct.

Q The customer still would have an obligation to pay; however, in this case, what happened, the 1004?

A I don't know. This is what I'm saying. I'm looking at -- you could check with Joanne to see if they ever got billed, and then this would make this fine. If they never got billed, that meant that \$20 was collected, and I don't know what happened to the \$20. It should have been handed in and brought over properly.

Q Let's focus for a moment on the

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index card system. Whose job was it to fill the index card out?

A Whoever got the phone call.

Q That would be you?

A That's correct.

Q Who else could it be?

A Tony, Eileen, Erina when she was there, Aaron when he was there. Whoever was there.

Q Whoever gets the call fills out an index card?

A Right.

Q What happens to the index card? Where does that go?

A They go over to Tony's desk. He takes them all on Wednesday and he separates them, the convertible couches and appliances, the no charge ones. He would give it to two guys to go get.

And there were some that had estimates on them, it would just say "estimate on construction debris" or "estimate on light fixtures" or whatever it was, and the two guys would go to that house,

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and if the people were home, they would say it cost \$40, and if the people said, "Okay, here's your \$40," whether it was check or cash, they would take the stuff right then and there.

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A lot of times people can't be home, so they would leave the estimate in the mailbox, at which time the resident would call and say yes or no, and they will go back and get it the following week, if it was yes.

Q When would the ticket, as distinct from the index card, be filled out?

A The ticket is done for commercial, there's never a ticket for residential, the reason being it gets billed. This is supposed to be billed.

Q With the ticket?

A With the ticket, the commercial. This ticket here (indicating), this gets made when it is a commercial account, because no money is usually taken with it. It just says "\$20," and Joanne knows to bill this customer \$20 because of the ticket.

Q Let's say it is a residential

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pickup on a Wednesday in which extra money needs to be paid.

A It's just written on here.

Q Be careful. "On here," you're talking about the index card?

A It's written on the index card.

Q Is there any other document filled out, other than the index card, to account for that pickup and the money paid?

A No, there is not.

Q What happened to those index cards?

A Well, they were storing them, for quite a while, in the office. At one point, like -- okay, at one point, they were being recorded in a black binder. Then it just -- that was me, I was recording them, and then one day I was told by Mattie that I didn't have to record them anymore, and I would think that there are still some over there, unless --

Q I want you to understand my question. I really want to focus on residential customers who have to pay extra

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for a special pickup, let's say C and D or something like that.

How did Allied know, one, that there was a pickup, and that it was paid and that the money was accounted for? What records existed for that?

A In the beginning, they did not. There was no way to -- they didn't.

Q What would happen to that money?

A I don't know. It was put in the drawer, brought over to Joanne or put in the safe.

Q I'm trying to see: The only records, if I understand what you've told me, that would exist, would be these index cards; isn't that correct?

A Correct.

Q Now, did Joanne ever complain that there was a time that she wasn't getting index cards or she wasn't getting records about these extra pickups?

A No.

Q But there was a time when Mattie told you: Don't record it anymore; is that

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right?

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A Yeah, because it was too -- it just seemed like nobody used it. It was just there. I mean, this -- you know, I would write down -- it wasn't for the money, either. That was just for appliances that I recorded. As far as money that came on those index cards, it was never recorded anywhere. If there was money with an index card, it was supposed to come over to Joanne. If it didn't, I don't know what happened to the index card. It could have been thrown away.

Q That's pretty much of a gap in accounting for that money. Wouldn't you say that's true?

A Well, yes. There really wasn't all that much money, though, with those index cards. You would have a 20 here and there, I think.

 Really, the estimates -- I have never seen an estimate over -- because what we would do, if it was too much, we would recommend you get a roll-off box, so the estimate was just for \$20 or \$40 to pick up

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some construction debris. There really
3 wasn't a lot of that money. If there was, I
4 did not see it.

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I mean, the cards went back to
Tony and I recorded the appliance cards. I
don't remember writing down estimates in that
book. Maybe I did, yeah, maybe I did for a
little while, I would write down the name of
the person, the estimate -- I don't know if
that book is still around -- the name of the
person, estimate \$20, and their address, and
that's all that was kept. And it was in a
black looseleaf book, but not for long.

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Q The money that would come in, it
would come in while you weren't there?

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A Right. The guys came in early,
like on a Wednesday, maybe like around 2:00,
and they would bring it right to Tony, he was
in charge of that, or Aaron, or whoever is
behind the dispatch desk. Now it is me, now
I get it, because I'm the only one there.

23

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Q Now if it comes in, how do you
account for it today?

25

A I put it into the -- first, I

1
2 can -- we have a chargeable and a
3 non-chargeable set up COD, in the computer.

4 Q What's a "non-chargeable COD"?

5 A That's for the estimate. We give
6 the estimate. If I get a \$60 check -- it is
7 set up so that it's in increments of \$30, I
8 don't know if you're familiar with the
9 system, a lift would be -- an increment of
10 \$30 is one lift, if it was 60 it would be two
11 lifts, 90 would be three, if the check said
12 \$100, it would be four.

13 Then the check would go into the
14 safe, and whoever comes around and takes --
15 opens the safe, now it is Anthony Prestamo, I
16 think he's the only one that has the
17 combination, he would come and take the
18 money. But it was in the computer that
19 there's money there, so that Allied could see
20 money is there.

21 Q When did that system get
22 implemented, when did we leave the index
23 cards and go to the system you just
24 described?

25 A That, we didn't start until just

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not too long ago. I didn't know how to do it, so we just didn't do it.

Q What's "not too long ago;" a week ago, a month ago?

A No, a few months ago. I just started to do it, because I finally inquired about it. I said, "We have to do something here." Before that, I was sending the money to Joanne, you know, which is --

Q Joanne --

A She would go in there and do it. I didn't know how to do it.

Q Joanne has been at Suburban for some time?

A Right. I would send it to her. They would take it from the safe.

Q Who is the "they"?

A Anthony would take it from the safe, put it in an envelope, write it down here, and Joanne would close it out in the computer.

Q What would be the records that went to Joanne when Anthony Prestamo took them; what is going there, the money and what

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else?

A An index card.

Q So really, unless somebody made a point, I'm talking about in the more recent past, made an index card or what have you, there really was no accounting for that money; isn't that correct?

A That's correct.

Q And the people who at least have the authority to make such an index card included Aaron, Tony, Erina, Eileen when she was there, and you; is that correct?

A That's correct. They all could make them. But we got the phone calls, put it that way. I've never seen Joanne make an index card. I never saw even Mattie. They didn't get the phone calls, either, for them.

Q Let's say I was a very tough auditor and I wanted to know exactly -- I'm sure Allied would say: Account for every cent of money that comes in as a result of an Allied vehicle doing something, I want to make sure it comes in, gets accounted for at the company, and I wanted to check every one

1
2 of these extra Wednesday pickups, where would
3 I go to see what had happened?

4 A You would have to go to Joanne to
5 see -- right now, you could go into the
6 computer and get the ones that have been
7 entered. Before that, I don't know if
8 there's any records around. I don't know if
9 Joanne kept her set.

10 Q Of?

11 A Of index cards, or these tickets.
12 I don't know, but that, to me, would be the
13 only thing that you have. You really don't
14 have -- you have nothing.

15 Q Let me ask you a slightly
16 different topic. Did it ever come to your
17 attention that Eileen, either on her own or
18 with others, would make garbage pickups by
19 herself?

20 A No. We kidded about it. We all
21 kidded about it, about: Oh, gee, we could
22 make a killing. I did not think, and I still
23 don't think she did it. I don't know how she
24 would do it. She doesn't have a trunk.

25 Q Explain to me how the killing

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Nichols

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would occur. You get a call from a customer,

3

and instead of having Allied pick it up, you

4

would pick it up?

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A Sure.

6

Q And take the money for yourself?

7

A Sure. Or just say Allied

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couldn't do it. I mean, that -- I would

9

think that anybody knows that that could be

10

done.

11

Q Because you got the call and it

12

would be a question of making the pickup and

13

taking the money?

14

A You would have to dump somewhere.

15

You will have to have access to a dump. Why

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would I do something like that, and where am

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I going to bring it to? The money might be

18

okay. Where am I going to bring an

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air-conditioner I don't want. Where am I

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going to dump that? You would have to go to

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a regular transfer station now. There's no

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public dumps.

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Q Did it ever come to your

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attention that maybe an Allied driver would

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use an Allied truck and not report it to

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Allied?

A I didn't think, and I never heard anybody say that they did. You know, I never had any reason to.

Q Did you and Eileen discuss that possibility between you?

A Yes. Yes, we did. I discussed that possibility with Tony. I usually discussed most everything with him, because, like I said, I would try not to get involved. I did. I said, "Can you do something like that?" He said, "Yeah, but you would have to have a dump to go to," and blah, blah.

Q Did you ever have any reason to believe that that was ever done?

A No, absolutely not.

Q Did you ever have any reason to believe that customers of Allied, or people who called in here to Allied to have something done, that that work was taken on by someone else, either a driver or anyone else?

A No.

Q And the money for that taken by

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the person who did it, the private person?

A No.

Q But that topic was discussed with Eileen?

A We both talked about it. Yes, I did talk about it. All they are doing is going out there and, you know, I said, "Well, it is going to cost \$30 a cubic yard." They would say, "That's too much." We would say, "Gee, what a side business you could have," you know.

Never done, to my knowledge, and, I mean, for that kind of money, it wasn't -- it's just a little bit of money.

Q But I think from what you've told me, you have no reason to believe that Eileen ever did that?

A No, I do not.

Q But you do remember discussing the topic with her?

A Sure.

Q And you discussed the topic with Tony?

A Sure.

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Q Anybody else?

A No.

Q You didn't read the compliance plan, yourself, is that a fair statement, or did you skim it? I want to make sure --

A I skimmed it. I did not read it.

Q You skimmed it. Not to leave the topic, but you could be certain that Allied would not be happy if you took an Allied customer and did the work and collected on your own, so I don't want to leave the topic having you think that would be permitted.

(Packet of documents marked

Monitor's Exhibit 1005.)

Q Will you take a look at Monitor 1005, and go through it for a few seconds and familiarize yourself with what that is.

(Pause.)

A It is --

Q Just go through the whole thing, if you would, because I want to make sure you're familiar with everything that's in the packet.

(Pause.)

1
2 A Yes, it is a roll-off route that
3 Billy Huber did, Interconex, only if he had
4 time, which he did, delivery of a third yard
5 container to National Platform Tennis.
6 That's what happened here. She's got -- you
7 have a ticket for it, which she made out.

8 Q Who is "she"?

9 A Eileen. That's her handwriting.
10 I put it in the computer. And what is the
11 question? We did a third yard delivery to
12 these people.

13 Q One question I have is: Why is
14 there information whited out there on the
15 route sheet?

16 A Okay. The ones on the left are
17 for -- when they did it. This is in the
18 order that they did it. One -- this always
19 says 1, 2, 3, 4, 1, 2, 3, 4. It is supposed
20 to, anyway, 1, 2, 3, 4. This is just the
21 order in which they did it, and the time.
22 There was a discrepancy in the time.

23 Q When you say "a discrepancy,"
24 first of all, does the National Platform
25 Tennis, as a customer, have any meaning to

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you as to being an issue there, as to whether or not they were being properly accounted for?

A I don't know. That's what I'm saying with that check, there was that one check, and I think it had something to do with the tennis, I'm going to assume it's National Platform Tennis, that she got threatened about.

Q I want you to be inclusive here. Was there ever, to your knowledge, a dispute as to whether or not a route sheet had been altered?

A Well, this really isn't altered that much. The time is altered, but it is right on here, "National Platform Tennis, service delivery."

Q I understand that. But was there a question as to whether or not a delivery had been made or paid for by National Platform Tennis?

A No, not by National Platform Tennis. No, not to my knowledge. There were times, though, like I said, that he would

1
2 have something -- the driver would have
3 something written there and it wasn't in the
4 computer.

5 Q Give me an example of what you
6 mean.

7 A Like now, yesterday's route
8 sheets, if you look at them, they do it
9 verbally so -- over the phone, and they did
10 it before: Go deliver this to there, and
11 then it was done before it was given to me or
12 whoever was putting it into the computer. So
13 they just wrote it out manually, the drivers,
14 they still do, if it's not into the computer.
15 So that always doesn't look right, but --

16 Q When you get the route sheet back
17 and there's been writing on it, you're
18 closing that particular day out -- right,
19 that's your name, your stamp, your writing?

20 A Right.

21 Q So what I'm asking is: Did it
22 ever come to your attention that there was a
23 problem with a National Platform Tennis
24 delivery, in terms of accounting or timing or
25 what happened on it?

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A No. No. I mean, I'm looking at this and this looks -- National Platform Tennis, it is on the computer paper.

Q Why would there be a whiteout change?

A The whiteout isn't on the account, itself. Because there was a time discrepancy, I imagine. You know, he did this one first. Okay, wait a minute, let me look at this. If he got 5:50 -- when did he do that? I just -- that's me, I know that's my handwriting, but I had to fit it in. I mean, it is here, he said he did it, so I just fit it in so it coincided with the rest of the paper.

Q I mean the whiting out, did you do the whiting out?

A I could have, yes.

Q Would a driver have whiteout?

A No. No.

Q So --

A Not to my knowledge, no. It was either me or Eileen or whoever put the paperwork in. In this case, it is me, it is

1
2 my handwriting, "Delivery," that's my
3 handwriting. I know my handwriting. That's
4 mine.

5 The only reason I would have done
6 that was because, well, there's the National
7 Platform Tennis, they obviously made the
8 delivery, it's her ticket, they made the
9 delivery, so I put the times in there to show
10 the delivery.

11 Q Let me see it to make sure. You
12 mentioned something earlier about there being
13 something to do with tennis and something to
14 do with Eileen. What were you telling me
15 then? Was there a complaint?

16 A No. That's when Mattie
17 threatened her. She told me that Mattie
18 threatened her, you know, the threat about
19 punching her in the face, and she was shaken
20 up about it. And Joanne told me what had
21 happened. I didn't -- I said, "What
22 happened", and she said something about a
23 check. Now, I didn't go into it with her. I
24 did, however, tell Joanne that he threatened
25 her, and something about a check, and that's

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2 when Joanne said there was a check, and I
3 don't remember -- now I do, National Platform
4 Tennis, something about the tennis place,
5 that she crossed her name out on the check
6 and tried to cash it herself.

7 Q The "she" you're talking about is
8 Eileen Baselice; is that right?

9 A Correct.

10 Q The person telling you about this
11 is Joanne?

12 A Joanne.

13 Q DellaPena?

14 A Correct.

15 Q Did you, yourself, at any time,
16 ever discuss the deposit of checks into
17 Eileen Baselice's accounts, with Eileen?

18 A Absolutely not.

19 Q And so you, yourself, never gave
20 to Eileen, checks that were payable to Allied
21 for Eileen to deposit?

22 A Absolutely not.

23 Q Did you, yourself, ever discuss
24 with Eileen Baselice, Lisa, a check or checks
25 that she, "she," Eileen, had tried to deposit

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into her account? Take a lot of time with this because --

A Yes, that check, that would be the time when it came to light about that tennis check, and she said she tried to put it into her account or whatever. She reiterated what Joanne had told me. She --

Q I want to focus on that. I know what Joanne said. You can assume that everything Joanne said to you, she said to us.

A Sure.

Q What I really want to focus in on is what Eileen said to you about a check, or checks, that really belong to Allied. What did Eileen say to you?

A I don't know anything -- I did not know that Eileen was trying to cash checks. This is the only check that I knew of, from hearing it from Joanne; and then, when I said something to Eileen about it, because I said to her, "How could you be so stupid, why would you put your name on a check, trying to do something with a check,

1
2 no wonder Matt wanted -- why would you do
3 something like that?"

4 And she just laughed and shrugged
5 it off.

6 Q She laughed and shrugged it off?

7 A Yes. And I let it go, because --
8 after discussing it with my husband. She ran
9 CRP and I said to myself, I don't know what
10 she has done and what she did, I really
11 don't, and I didn't want to know, I don't --
12 don't want to know.

13 Q I want to go over this. I want
14 to go over it to make sure I get it right. I
15 want you to take your time.

16 Until Joanne mentioned to you
17 some question about a check, or checks, it
18 never came to your attention that Eileen was
19 doing anything improper or illegal or
20 inappropriate with either cash or checks that
21 came into the dispatch office?

22 A That's correct.

23 Q I'm going to go slowly. I just
24 want to make sure I have it very clear.

25 And that it never came to your

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attention that Eileen or people associated with Eileen might be making pickups of garbage and collecting money from customers of Allied; is that correct?

A You're not talking about the roll-offs?

Q I'm talking about any work that --

A Well, I mean, there's obviously -- you know, the money, the roll-offs that, I guess, they never got the money for, that I'm aware of.

Q Okay. But did you attribute that situation, at all, to Eileen Basalice?

A No, I didn't. I attributed it to Aaron.

Q So that's why I want to make sure that my questions now, that I'm asking -- I'm trying to be careful, and if my questions are unclear in your mind, you should say: Hey, I don't know what you're asking me, Walter, I don't know what that is.

A I'm trying to not hide anything, and sometimes I do feel like you're trying

1
2 to -- I don't know what more I can say. I
3 heard about the check, that one check. I
4 didn't know, and I didn't want to know about
5 Eileen. Maybe I turned a blind eye to it
6 because I liked her. You know, she was my
7 friend.

8 Q I want you to listen here,
9 because I'm trying to make it a very clear
10 question, and I need as clear an answer as
11 you can give me, so I want to cover this
12 ground: When was the first time that it came
13 to your attention that Eileen Basalice might
14 not be acting honorably or honestly in her
15 work for Allied?

16 A With that check.

17 Q When you say "that check" --

18 A That check that Mattie threatened
19 her about.

20 Q What you've told me is that the
21 information, the first time you received any
22 information that money or checks might be
23 taken illegally or inappropriately by Eileen,
24 was from Joanne; is that right?

25 A And maybe Tony. You know, I'm

1
2 trying to remember. I don't think they hit
3 it off too good and I -- he was saying
4 that -- maybe along with Aaron, he was just
5 saying, you know, "There might be some money
6 missing," or, "There was some money in the
7 drawer, did you see it?" I would say, "No, I
8 wasn't over there, I didn't see it."

9 He mentioned once he thought
10 Eileen might be taking some money. I
11 shrugged it off.

12 Q But I want to make sure I get it
13 accurate: Was it Joanne or was it Tony who
14 first mentioned to you, or in your presence,
15 that Eileen might be taking or was taking
16 money or checks?

17 A Tony said -- I think it was Tony.
18 I'm not sure.

19 Q I want you to be as clear as you
20 can be.

21 A I'm not sure now. Now I'm
22 thinking about it and -- I mean, Tony was
23 still around there then, and I think it was
24 Tony first that maybe was suspicious, but it
25 was Joanne that confirmed my suspicions if I

1
2 had any, about the check.

3 Q I want to start with the first.
4 I want to start with Tony.

5 A I think it was Tony. I think.

6 Q So it is your believe, and your
7 best recollection as we sit here today, that
8 it was Tony Cardillo who first mentioned to
9 you that he had concerns or suspicions about
10 Eileen Baselice taking money?

11 A Right.

12 Q And as best you can remember,
13 tell me what Tony said to you, as precisely
14 as you can remember it.

15 A "I think Eileen might be taking
16 some money." I don't remember his exact
17 words. It was brief.

18 Q Did he say anything about how or
19 where or under what circumstances?

20 A No. I did not ask him. I did
21 not want to know. I said, "Yeah, yeah, okay,
22 sure, just like Mattie," or -- I tried to
23 distance myself from it. I didn't want to
24 know.

25 Q How close to your work station or

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desk was Eileen working, at that time?

A She was about five feet away.
Tony was ten feet away. They were here and I
was here (indicating).

Q Stewart can't get the distance.

A I'm sorry. She was five feet
away, he was ten feet away from me.

Q Did you, yourself, after Tony
said this, notice any behavior by Eileen that
was in any way inappropriate or suspicious?

A No, I did not.

Q Did you look? Did you --

A No, I did not.

Q Did Eileen have responsibility
for taking money over to Joanne during that
time period?

A I honestly don't think she ever
did. I don't remember her walking money
over. I remember Erina walking money over, I
walked money over, Tony walked money over,
Mattie walked money over. I don't remember
Eileen ever walking money over.

Q Did Tony mention this topic to
you only one time, or more than once?

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A I'll say once.

3

Q Give me your best recollection.

4

A Okay, twice.

5

Q You believe twice?

6

A Yeah. He just -- he said it once

7

or twice, and he never said it again. He

8

didn't --

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Q The second time, did he say

10

anything in addition or beyond what he had

11

said the first time?

12

A No.

13

Q Did it in any way alter your

14

behavior in terms of overseeing your

15

responsibilities or overseeing how Eileen was

16

doing her work?

17

A Not really. I think I might have

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asked a few more questions, but I still -- my

19

job was to put it in the computer, and that's

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where I wanted it, and that's what I did, and

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anything else was anybody's responsibility,

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not mine.

23

Q You can finish.

24

A I don't mean to be testy. It

25

wasn't. Mine was to get that information

1
2 into the computer and to get it done daily,
3 and that's it. I didn't want any -- you
4 know, at that point, I didn't want any
5 responsibility, period, when all this talk
6 came about.

7 Q Did you mention it to Eileen,
8 either on the job or when you socialized with
9 her: Hey, Tony thinks you might be taking
10 the money?

11 A Sure.

12 Q You did?

13 A Sure. That was his problem. I
14 didn't believe it. I'm sure she wasn't going
15 to admit it to me.

16 Q I want to make sure I get it
17 right. I'm looking for your best
18 recollection. What did you say to Eileen and
19 what did she say to you on this topic?

20 A "You know, Tony has mentioned
21 that he thinks you're taking money. I guess
22 there's some money missing and he thinks you
23 might be the one." She says, "Yeah, right,
24 ha, ha, ha," and shrugged it off. That was
25 it.

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Q She just shrugged it off? She didn't say: What, are you nuts here, or --

A No. She said, "Yeah, right." That to me meant no, she was not doing it. I mean, it was something she didn't worry about because she didn't do it.

Q Did she say that?

A No, but that's the way I took it, that's my reaction, if you didn't do it, what are you worrying about?

Q Did you and she ever discuss how easy it would be to take money? I mean, money was missing, so did you and she ever say, hey -- the way you discussed that you might be able to do customer work on your own, did you and she ever say or discuss how easy it would be to take money without being caught?

A No. But I did say once, you know, since Allied got there and everything is documented -- there was no documentation before that. When Jimmy had the company, I said, "Gee, you know, look at all the money that could just be taken here."

1
2 This was after Allied has the
3 Info system where everything has to be
4 accounted for, so -- back then, it didn't,
5 and now you do, look at all the money there.
6 Of course, she wasn't there when Jimmy was
7 there, but look at all the money, had I
8 wanted to, I could have definitely dipped in
9 the till.

10 Q Right. But the period we are
11 talking about is after Eileen is there, and
12 obviously Allied is there, and Info Pro is at
13 work, and certainly we have found some flaws
14 in the accounting system, that would be fair,
15 but did you and Eileen ever talk about now,
16 under Info Pro, whether it would be easy or
17 not easy to take money?

18 A No. I was too scared. I think
19 she was too scared, too. No.

20 Q Okay. The answer is no. What
21 were the circumstances under which Joanne
22 discussed this topic with you? How did this
23 conversation arise with Joanne, about what
24 she thought had happened?

25 A I told her that Mattie threatened

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Eileen.

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Q What did Joanne say to you?

4

A She said, "Yeah, I think it's

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about this check that she tried to cross out

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Hudson Waste on it," or I don't know what was

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on it, Allied Waste on it, and put her name

8

on it, and tried to deposit it and the bank

9

called her. That's how that came out.

10

Q Now, you told me just a few

11

moments ago that after Joanne discussed that

12

with you, and gave you information about it,

13

that you did discuss it with Eileen, you

14

talked to Eileen about this topic?

15

A I asked her about it.

16

Q Just run it down. What did you

17

say, what did she say?

18

A I just said Joanne said that

19

Eileen tried to cash the check and that's why

20

Mattie wanted to punch her lights out.

21

Q You're talking to Eileen now?

22

A Right. That's what you just

23

asked me.

24

Q That's right, that's what I want

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you to tell me about. You talked to Eileen

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about this check; right?

A I asked her about it, yes.

Q Was that in the office or outside the office?

A I don't remember.

Q But it could be outside the office?

A Sure, it could have been.

Q Could it have been at a restaurant or something of that nature?

A Sure. It would only have been down the street.

Q What's down the street?

A At Torschia's Restaurant. I went out to dinner with her and my girlfriend one night. That's the only time I went out with her.

Q Could it have been one of these social occasions that you had this conversation with Eileen about the check?

A It could have been, but I think it was in the office, because we didn't talk about the office outside of the office, we just laughed and had a good time. But we,

1
2 you know -- I think it was in the office. I
3 don't remember.

4 Q Now what I would like, and just
5 take your time about this, because this is an
6 important conversation for me in terms of
7 trying to understand what happened here, did
8 you raise the topic about the check or did
9 she raise the topic?

10 A I don't remember.

11 Q What's the best you can remember
12 about how the conversation took place? What
13 did you say, what did she say?

14 A I don't remember. I just
15 remember saying -- I remember Mattie was
16 going to punch her lights out, and I said,
17 "Why, what happened?" And she said it had to
18 do with a check.

19 I don't remember. I really
20 don't, now. Now I'm very confused.

21 Q Did she describe what she did? I
22 can tell you that --

23 A She didn't say anything. I said
24 to her, I said, "This thing is about a check,
25 supposedly you crossed the company's name

1
2 out, put your name on it and tried to cash it
3 or deposit it, why would you do something so
4 stupid?" That's the biggest thing that I
5 could remember about that whole conversation,
6 "Why be so stupid?"

7 Q What did she say?

8 A Nothing. "You know, I ran a
9 company before," she ran CRP, and that was
10 the end of it, end of the conversation. I
11 didn't want to ask any more questions, I
12 didn't want to know anything else.

13 Q Did she say that she took the
14 money or had the money?

15 A She never admitted anything to
16 me, ever.

17 Q Had she admitted it when you
18 asked her about the check?

19 A She never came out and said,
20 "Yeah, I did that." She never said that to
21 me.

22 Q What did she say?

23 A She just said -- she just kind of
24 shrugged and nodded. I don't remember. I
25 really, honestly, don't remember. You know,

1
2 we sit in an office where the phones ring.
3 If you're talking in between that, you could
4 accuse me of something while I'm on the phone
5 with somebody, I could nod my head "yes."
6 That's the way that office goes.

7 Q Did anyone else, to your
8 knowledge, actually conduct an investigation
9 to find out whether or not a check had been
10 taken?

11 A Absolutely not.

12 Q How do you know that?

13 A Because I don't know of it.
14 You're asking me if I knew of it. No.

15 Q But Eileen left her employment;
16 right, she left working here?

17 A She left because when she came
18 into the office one day -- she never got
19 fired for that incident by Mattie, you know,
20 which I thought was kind of weird, but I
21 didn't question it. She came in one day, she
22 was coming in late, this, that and the other
23 thing; and Mattie happened to be standing
24 there one day when she walked in about ten
25 o'clock and he said, you know, "You can leave

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2 now." She resigned. She said, "That's it,
3 I've had enough." She resigned.

4 But she would come in late and
5 Mattie said, you know, "You can leave now,
6 you don't have to wait." And she said,
7 "Fine. You really want me to?" And he said,
8 "Do you want to?" And she went like this,
9 "Yeah, fine," and she walked out the door.

10 Q To your knowledge, did anyone
11 ever go to the bank or make inquiry of the
12 bank?

13 A Not to my knowledge, no.

14 Q Did anybody discuss with you or
15 come to you and say: Now, Lisa, you work
16 right next to Eileen, did you ever -- the
17 same questions I've asked you this afternoon,
18 did anybody ever ask you those questions?

19 A No. I'm trying to remember if
20 Joanne ever asked me the questions. I don't
21 think she did. We were too kind of scared.
22 I think Joanne thought she was going to be
23 accused of something, and I thought I was
24 going to be accused of something.

25 I didn't do anything. As far as

1
2 anybody else asking me about banking, no,
3 nobody. I would think Mattie should have
4 come to me and said, "Do you know anything?"
5 Nothing. Nobody said anything.

6 Q So before Don Sobocienski asked
7 you about this topic, which was late in 2001,
8 no one asked you any questions, at all, about
9 did: Eileen take anything, did you notice
10 anything unusual, did you ever discuss with
11 her this topic; nobody ever asked you those
12 questions?

13 A No. I'm trying to remember if
14 Mattie asked me. I'm trying to recollect. I
15 didn't talk to him much. I didn't like him
16 too much.

17 Q Mattie never came to you and
18 asked you what you know about this situation?

19 A That's correct, he never did.

20 Q If I were to say that information
21 was presented to me that you assisted Eileen
22 in taking money from the company and shared
23 with her in expending some of the money that
24 was taken, what would your response to that
25 be?

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A I would flatly deny it.

Q You're telling me, under your oath, that that did not occur?

A That's correct.

Q I'm just asking these questions to make sure. I'm not accusing you, I'm just presenting these questions as I present these questions to anybody involved in a theoretical or potential theft case.

Did you, yourself, assist anyone at the company in taking money or checks for improper deposit?

A I did not.

Q Did you, yourself, share in the proceeds of any moneys that were improperly taken from the company?

A I did not.

Q Did you ever discuss, with Eileen Baselice, the possibility of taking money from the company and using it for any purpose?

A No. But I did, you know, in conversation, that thing with the clean-up, say, "Gee, you know, we could have a side

1
2 thing going on," if, you know -- if I had the
3 guts to do it is what it really comes down
4 to. We laughed about it and that was it. She
5 never even came back to me and said, "Let's
6 try something." Never.

7 I said, "You know what you could
8 do here, you know, with these clean-ups?" It
9 was more or less who implemented the rules
10 about how much this cost or that cost, where
11 did that come from. I still want know whose
12 rules they are. I don't know whose rules
13 they were.

14 Q The amounts charged?

15 A Who said to charge that. I guess
16 it came from Tony, because it's been there --
17 he would say \$30 a cubic yard or whatever.
18 "Why pick up a refrigerator or bathtub and
19 charge them \$20?" The answer would be, "It's
20 heavy material."

21 Those were questions that I would
22 have to answer to residents, and I couldn't
23 answer them properly. I sometimes felt
24 foolish. I would say, "I really don't know."

25 Q So the amounts charged seemed to

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be so arbitrary; is that what you're saying?

A Yes.

Q And you and Eileen discussed that

A No, we didn't discuss that. That came out in conversation. What I discussed, "If you had a truck, look at the side money you could make, if you really wanted to; but you would need a dump, a big truck and you would need a dump."

We laughed and said, "Yeah, ha, ha," but that's as far as that went. I mean, you know, you need a dump.

Q To your knowledge, Eileen never followed up or ever took any of that work or did any of that with anybody here at Allied, at all?

A Not to my knowledge, no.

Q I think you told me, if I understood you correctly, that you and Eileen talked about how easy it would have been when the company was being run by Jim Hickey to take money, because there was so much money; am I correct?

A Yes. I think I brought that up

1
2 because once the Info Pro system went into
3 effect, and I realized -- you know, I was
4 saying, "Gee," Tony and I would say we used
5 to write this on paper and send these guys
6 out, and tell them over the phone "pick up
7 this," you know what I'm saying, and now they
8 need to know everything on those documents,
9 how easy it could have been, you know -- she
10 wasn't there -- how easy it could have been
11 for me to help myself. How would they know?

12 Q "They," the Hickeys?

13 A Exactly. Even if they came in
14 with a ticket, I could have ripped up the
15 ticket, kept the money. There's nothing
16 there, there's no record of it. Nothing is
17 in the computer like that.

18 Q Did you have the same type of
19 conversation with Eileen Basalice?

20 A I brought up that -- you know, I
21 had said that to her once, I said, "Gee, how
22 easy that could be," but never anything to
23 act on. It was because of the system. In
24 the beginning, I didn't like the system
25 because it was hard to learn, and I said,

1
2 "When the guys go to the bathroom, you have
3 to put this in there. Look how easy it could
4 have been."

5 Q There was money missing even with
6 the system, though; right?

7 A Well, obviously, yes, but --

8 Q But to your knowledge, you,
9 yourself, did not assist or support or aid
10 Eileen in taking any money from the company?

11 A I did not.

12 Q And you did not share in any of
13 the money, did you?

14 A I did not.

15 MR. MACK: Don, anything on that
16 topic?

17 MR. SOBOCIENSKI: This particular
18 route sheet, the number is Monitor 1005,
19 you said you had made some notations to
20 the change here, and we also went to the
21 driver's ticket and Eileen wrote out
22 that driver's ticket. Why would that
23 be? Why didn't Billy Huber write out
24 that ticket?

25 THE WITNESS: I don't know.

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Nichols

259

2

Because the National Platform is on

3

the -- that's a very good question. I

4

see that Eileen wrote the ticket out.

5

It is on here, so he got his paperwork.

6

You know, she gave me the ticket.

7

Obviously, it was done. Yes, he wrote

8

in the delivery. I couldn't answer

9

that. I could only assume.

10

Q What would you assume? Why would

11

Eileen be writing out a roll-off ticket?

12

A Maybe the ticket got destroyed,

13

somehow, maybe he lost the ticket.

14

Q "He," being Billy Huber?

15

A Billy Huber. I don't know.

16

Q You closed that out?

17

A That's right.

18

Q Would you have discussed with

19

Eileen and said: Why am I putting into my

20

computer here a roll-off ticket that you

21

wrote out, Eileen?

22

A No. The ticket was there, so I

23

put it in; and it was in the computer,

24

obviously, from the route sheet, so I just

25

put it in.

1
2 Q Would that have caused you, at
3 least, to ask her: Eileen, why is this
4 ticket written out by you rather than the
5 driver?

6 A I could have, but I didn't.

7 Q You did not?

8 A I did not. Not that I remember.

9 Q It would be unusual for you,
10 though, to see a roll-off ticket filled out
11 by Eileen; wouldn't that be true?

12 A Well, Tony used to -- filled out
13 tickets before, so I never looked at it that
14 way. I never had any reason to. I mean, I
15 even wrote out tickets. I never thought it
16 was -- I don't know. Sometimes the drivers
17 would lose tickets, we would write them out.
18 I would say, "Where's the ticket?" "I lost
19 it, it got all wet," so we would write out
20 the ticket.

21 MR. SOBOCIENSKI: Do you
22 remember, with respect to the National
23 Tennis Platform ticket, why Eileen
24 completed it?

25 THE WITNESS: No, I do not.

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MR. SOBOCIENSKI: Is that a COD account?

THE WITNESS: I think that might have been a first, but I think it was set up as billing. I don't know. I don't know. I don't remember. I'm pretty good with the accounts. I know whatever they were, we didn't have them for long.

MR. SOBOCIENSKI: Did you get questioned about them by Joanne?

THE WITNESS: I don't remember if she questioned me, I really don't. What do you mean, when there was --

MR. SOBOCIENSKI: The fact that there was no check or cash for that account.

THE WITNESS: I don't remember. I usually would write something on it. I'm going to say that she did, but I really don't know. I don't remember. I don't remember back then. I don't know if she asked me. Knowing Joanne, she probably did, and I said, "Well, there's

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a ticket for it, I don't have the money."

Q Do you have a recollection that that conversation did, in fact, occur with Joanne?

A No, I do not.

Q Do you recall being asked a question, by anybody, about this National Platform Tennis?

A I think Joanne spoke about it. You know, a conversation was -- I don't remember.

Q I know you've had the misfortune of listening to a lot of questions during the day, and obviously I'm not as knowledgeable in this business or with the paperwork, and I'm working my way through the paperwork, but recognizing that one of my jobs is to make sure that if there is any illegal or improper behavior at this location that you have any knowledge about, it is my job to find out about it and decide what's the right thing to do, it might be something that I would delegate entirely to Allied to deal with or

1
2 it might be something like this that I feel
3 that I have to spend some time on. Is there
4 any area of behavior which, in your mind, is
5 questionable, or might be improper, that we
6 haven't talked about today, that you have
7 some knowledge of, know matter whether it's
8 just hearsay knowledge or somebody talked
9 about, that we haven't covered?

10 A I can't think right now. No --
11 something that I think you should know about?

12 Q Something that I should know
13 about, or some behavior which, in your mind,
14 might be illegal or improper, that hasn't --

15 A Today I made a stink because of
16 my operations manager. I was going to call
17 the aware line. I feel pressured. The work
18 is all on me. I don't have Tony there
19 anymore. The person that's there now, my
20 operations manager, is never there.

21 Q Who is that?

22 A John Brigante. He is never
23 there. To me, they don't have enough people,
24 and I get all the pressure, and I did --
25 because this morning I had at least five --

1
2 three on hold, two-way radio -- I said, I
3 just can't take this, the anticipation of
4 this going on, I just blew and said, "You
5 know what, I've got to call the aware line
6 and let them know this, I'm under a lot of
7 stress over here, I need some help."

8 Q At least having to worry about
9 answering my questions, that will be over,
10 but today --

11 A As far as before, no, I never --

12 Q Is there anything else, possible
13 theft, improper supervisor behavior, any type
14 of destruction of records that shouldn't be
15 destroyed that -- like the type we talked
16 about with Erina today, any other type of
17 incident or behavior in the time that Allied
18 has owned this company that has come to your
19 attention, either directly from your ears or
20 your eyes, or because somebody else talked
21 about it in your presence, that we haven't
22 talked about today?

23 A Not that I can think of right
24 now, no.

25 Q Now, recognize this: As I, in

1
2 the very beginning said, that Mr. Nissenbaum,
3 master of the keyboard that he is, has, in
4 fact, made an effort to see that we've
5 covered everything, but what frequently
6 happens is that after you spend a hard day,
7 as we have today, you think about something
8 that may not be accurate on the record,
9 because you forgot about it, or something in
10 addition to what we've talked about today,
11 and so it is your obligation to bring that, I
12 would think, to Ilissa's attention first; you
13 don't have to, you can call me directly, but
14 I know Ilissa would rather have you call her
15 directly, because she has the obligation of
16 saying: Lisa Nichols would like to change
17 her testimony on this topic.

18 This happened a couple of times.
19 My general rule is, if the testimony is
20 changed before I write my report, I don't
21 hold it against the person who corrects it,
22 that they lied to me or were inaccurate or
23 were not being fully truthful to me when they
24 were here.

25 So what I'm saying to you is:

1
2 What you've said to me is very important,
3 today, it is information that I need to
4 analyze and compare, there's conflicts,
5 various things I have to figure out how that
6 works, and I'm going to rely upon what you
7 said to me today as being the truth, the
8 whole truth and nothing but the truth, but
9 when you think about it, and sometimes
10 there's something more or that you should
11 have told me something differently, really,
12 since you don't have a lawyer, you should
13 call Ilissa and say: Ilissa, I've thought
14 about it, here's something that I didn't tell
15 Walter about, that I should have, or that
16 I've just remembered I should tell you;
17 because I'm going to work hard in drawing
18 conclusions about who is telling me the truth
19 and who isn't, because I already have three
20 witnesses that conflict with each other.

21 I want to stress to you, and I
22 don't want to be in any way insensitive,
23 you've had a hard day, a long day, a lot of
24 these topics may be difficult, but you have a
25 continuing obligation to make sure that what

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you told me today is accurate, completely.

A I just want to say, though, that, you know, these dates, I can't remember, and I don't want it to come out that, like you said, if all of a sudden I remember: Oh, wait, maybe that was six months ago --

Q I wouldn't worry about the dates.

A -- the way things happened, you know.

Q You should worry about the way things happened.

A The dates of the way things happened.

Q Basically, a lot of the things, like when Aaron left --

A That kind of stuff.

Q -- that kind of stuff, you've told us that your recollection of dates and times is, at best, inexact, so I'm not worried about that.

What I am worried about -- not worried about, what I'm concerned about is that if, in fact, you had other conversations with Eileen or Tony about theft, or you saw

1
2 Aaron take money and put it in his pocket, or
3 you saw Mattie go into the safe and take
4 money that didn't belong to him, or might not
5 belong to him, and remove it and go out and
6 spend it, or you saw Erina destroying
7 documents, or you saw somebody else -- I'm
8 talking about those being material statements
9 of importance to me; and if they occurred,
10 and you didn't tell me about them, and you
11 should have, that's very important to you,
12 and it is important to Ilissa and to me.

13 So you've told me a lot and we've
14 covered -- I can understand how long a day
15 it's been, but I need to rely on that you
16 have thought about your answers and given
17 truthful testimony. Obviously, Eileen's
18 version of the events of the money is very
19 different from yours. I don't want there to
20 be any mistake about that. She does not say
21 she did this alone, you know. I don't want
22 you calling her or interacting with her or,
23 in any way, you know, causing her -- I've
24 said the same thing to her. She's not to
25 call you.

1
2 And I would suggest if she calls
3 you, don't take the call.

4 A All right.

5 Q That's up to you, but the point
6 is this: There's a very significant conflict
7 in the facts from several witnesses, one of
8 which is yours and one of which is Eileen's,
9 and it is not going to be to your advantage
10 or to her advantage or to anyone's advantage
11 to try to influence your testimony or to
12 annoy you, and should that happen, should
13 anybody call you up or say to you: Hey,
14 Lisa, make sure you say this, or: How could
15 you say that, that's a Federal crime, because
16 you are a Federal witness, you are a witness
17 who has been required to talk to an Officer
18 of the Federal Court; just the way Andersen
19 was indicated and convicted, the big
20 accounting firm, for destroying documents, or
21 perhaps altering documents, that's a crime.

22 So it is your recollection -- one
23 of my jobs is to make sure you can go about
24 your business unmolested by anybody in terms
25 of your ability to cooperate with me or do

1
2 your job. I've said the same thing to
3 everyone, and I will not tolerate anybody
4 trying to threaten you or cause you to say
5 anything that's not true.

6 Has anyone threatened you or told
7 you what to say, or said make sure you say it
8 this way, not that way?

9 A Absolutely not.

10 Q Should that happen, I expect you
11 to tell me about it right away, and tell
12 Ilissa about it right away, because I know
13 Allied wouldn't tolerate it, either. We are
14 searching for the truth here, and anybody who
15 tries to interfere with that, you know, could
16 clearly have their life affected by criminal
17 charges.

18 A Sure.

19 MR. MACK: Don, anything else you
20 would like to cover before I go?

21 MR. SOBOCIENSKI: No.

22 MR. MACK: Ilissa, anything you
23 would like to say or cover or make sure
24 is on the record before we conclude?

25 MS. ROTHSCHILD: No.

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MR. MACK: Lisa, anything beyond what you've said today that you would like to say now, or to bring to my attention now, before we close the record?

THE WITNESS: No.

MR. MACK: I want to thank you for your hard work and effort today in responding to the questions I've asked. It is important to do. It was something I felt needed to be done, so I want to thank you for the effort.

I would say this: With respect to your workplace situation, in terms of support and what's happening there, I don't consider that a monitorship issue, it is really a management issue. If somebody is abusive to you or violates the compliance plan, which I would encourage you to read, that's my job, but if it's a management -- if it's a decision having to do with the conduct of the business, that's really Allied. They have to run their business.

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I don't run their business. I might run it differently. I'm not criticizing Allied's management, that's their job, to run the company as they see fit, as long as they don't violate Federal, State or Local Law. Whatever pressures you may feel you're inappropriately under over there is something that should be raised with John and the people above John in the management part of Allied, for them to deal with as they see fit. Okay?

THE WITNESS: Okay.

MR. MACK: Any questions? Anything else you would like to say?

THE WITNESS: No.

MR. MACK: Thank you for your help today.

Mr. Nissenbaum, we can close the record. Thank you.

(Time noted: 5:10 o'clock p.m.)

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I N D E X

<u>WITNESS</u>	<u>EXAMINED BY</u>	<u>PAGE</u>
LISA NICHOLS	Mr. Mack	16-273

* * *

E X H I B I T S

<u>MONITOR'S</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
1002	Roll-off ticket	41
1003	Packet of documents	142
1004	Index cards	154
1006	Two documents	181
1007	Document	188
1005	Packet of documents	229

* * *

DEPOSITION EXHIBITS

ALLIED WASTE
OPERATOR ACTIVITY SHEET

FORMAT: INDUSTRIAL
COMPANY: 274

ROUTE 3610 5/03/00
ROLL-OFF TRUCK 10

SERVICE SUMMARY
YARDS LIFTS

Truck 605231

10
Huber

Regular

Additional (+) 120.00 5

Missed (-)

Transfer (-)

Total 120.00 5

OPEN ROUTE

CLOSE ROUTE

TIMES		MILEAGE	FUEL	DISP FIRST
CLOCK-IN	LEAVE YARD			
(A) 518	547	94615		

TIMES		MILEAGE	FUEL	% FULL	TOTAL HOUR
RETURN	CLOCK-OUT				
205	(B) 216	94855	41		(C)

BREAKS		OTHER		DOWN TIMES			REASON / COMMENTS
START	FINISH	START	FINISH	START	MILEAGE	FINISH	
				100	94824	130	Same Lunch
TOTAL BREAKS	(D)	TOTAL OTHER	(E)	TOTAL DOWN TIME	(F)		

COMMENTS/OTHER

* TIME ON DUTY 8:16 STATE 1 MILES 94615 STATE 2 MILES 94855

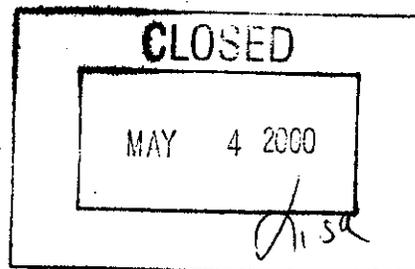
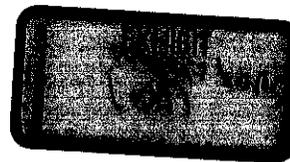
Driver Signature *Huber*

Supv. Signature

* TIME ON DUT (E) AND (F)

CREDIT

NO CHARGE
EAGLE HOME IMPROVE-
MENT - ARRIV TO JOAN.



COVER PAGE

*** ATTENTION *** SERVICE REQUIRED

SEQ#	QTY	TP	SIZE	GR	C	S	ACCOUNT #	SITE NAME	ADDRESS	REASON
1	1	CP		1	C	N	23675 00001	BED BATH & BEYOND #247 (610)892-0200	251 TARRYTOWN RD.	CALL-IN REQUEST
2	1	RO	30.00	1		N	1075 00001	NEW YORK CITY BUILDERS GROUP (212)635-0760	175 CHEARBROOK RD	CALL-IN REQUEST
3	1	RO	40.00	1	C	N	22500 00001	EASTVIEW (914)592-4800	MACK-CALI REALTY	CALL-IN REQUEST
4	1	RO	30.00	1		N	22861 00001	CALIFORNIA CLOSETS (914)592-1001	5 SKYLINE DRIVE	CALL-IN REQUEST
5	1	RO	20.00	2		N	1022 00003	EAGLE HOME IMPROVEMENT (914)779-2774	308 BATTLE AVE LOU CHERICOS OFFICE	CALL-IN REQUEST

(6)

ROLL-OFF TRUCK 10

ROUTE 3610 5/03/00

PAGE: 2
COMP: 274

ALLIED WASTE

SEQ QTY TP SIZE GR C S ACCOUNT # SITE NAME / ADDRESS

PHONE NUMBER CITY

5 1 RO 20.00 2
ME 01 METRO ENVIRO/DEMO
SERVICE DUMP & REMOVE

1022 00003 EAGLE HOME IMPROVEMENT
308 BATTLE AVE
DRM

(914) 779-2774
LOU CHERICOS OFFICE

WHITE PLAINS

TIME	START LOAD MILEAGE	SITE	TICKET #	DISPOSAL QUANTITY	TICKET TIME	MILEAGE	FINISH LOAD MILEAGE
606	94631	MLWA	26261	4.62	828 845	94702	910 94713

OFF OF CENTRAL AVE.

76524

SERVICE _____ DRM _____ DRT _____ REL _____ REM _____ SWG _____ DRY _____ DEL _____

TIME	START LOAD MILEAGE	SITE	TICKET #	DISPOSAL QUANTITY	TICKET TIME	MILEAGE	FINISH LOAD MILEAGE

RECEIPT # _____

SERVICE _____ DRM _____ DRT _____ REL _____ REM _____ SWG _____ DRY _____ DEL _____

TIME	START LOAD MILEAGE	SITE	TICKET #	DISPOSAL QUANTITY	TICKET TIME	MILEAGE	FINISH LOAD MILEAGE

RECEIPT # _____

SERVICE _____ DRM _____ DRT _____ REL _____ REM _____ SWG _____ DRY _____ DEL _____

TIME	START LOAD MILEAGE	SITE	TICKET #	DISPOSAL QUANTITY	TICKET TIME	MILEAGE	FINISH LOAD MILEAGE

RECEIPT # _____

SON WASTE HAULAGE, INC.

PO BOX 1228
 566 NORTH STATE ROAD
 OSSINING, N.Y. 10562
 (914) 941-2400

78524

NAME Eagle Home Imp.
 ADDRESS 308 Battle Ave
 CITY White Plains

5-3-00
 DATE

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE	
1	20	#228		<input checked="" type="checkbox"/>	REAR LOADER
				<input checked="" type="checkbox"/>	OPEN ROLL-OFF
				<input type="checkbox"/>	CLOSED ROLL-OFF
				<input type="checkbox"/>	CONTAINER MOVED

AUTHORIZED BY _____

X _____ CUSTOMER'S SIGNATURE CONTAINER OVERFILLED*

TYPE OF WASTE _____ NO CONTAINER PICK-UP

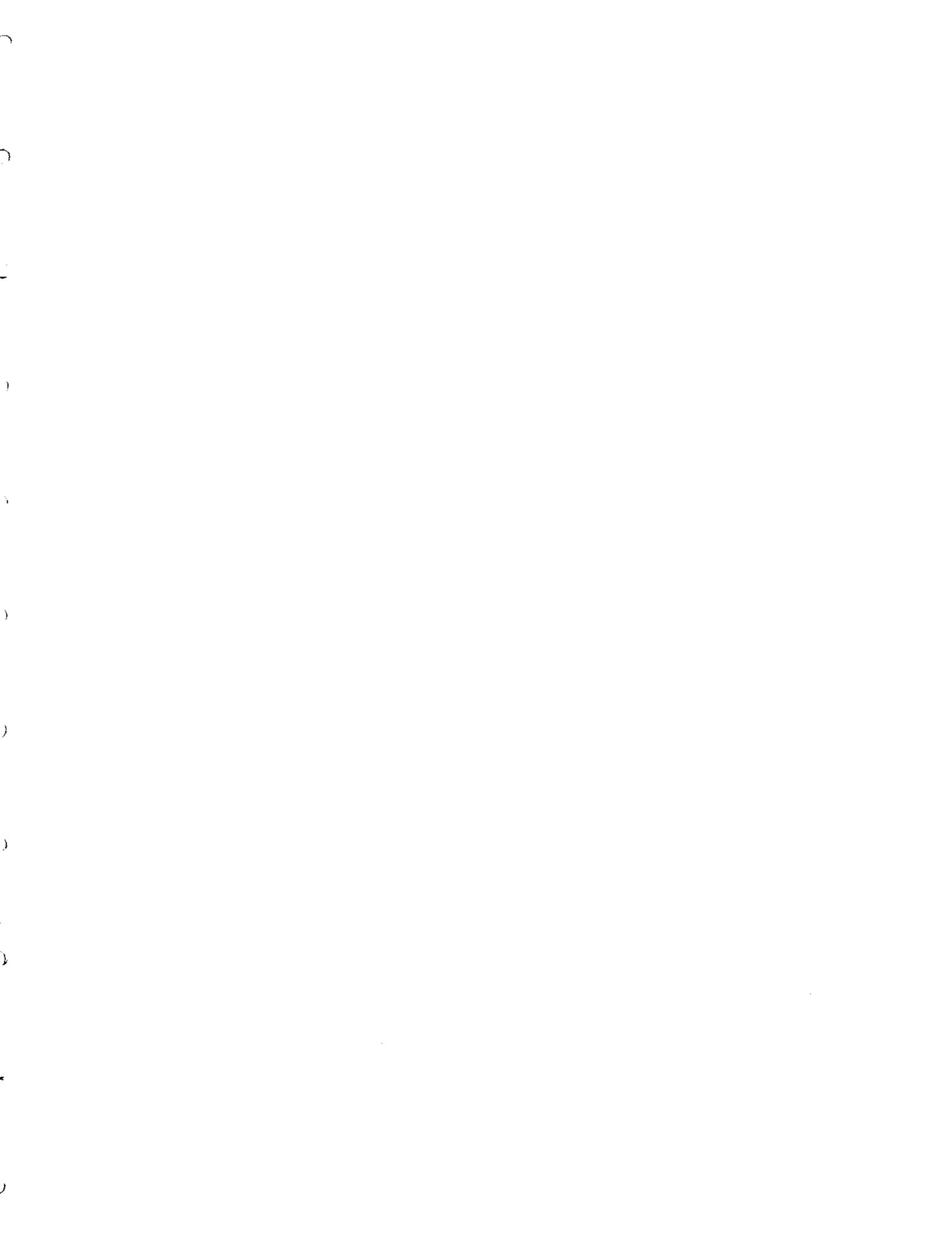
- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

10/ber DRIVER 10 TRUCK metro INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
 CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

CHECK NO.	CHANGE	TENDERED
-----------	--------	----------



HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400



79291

NAME COD-FALCON

10/24/02
DATE

ADDRESS 368 CHAPPA RD

CITY BRIAR.

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1	10yd	open		REAR LOADER
		DELIVER		OPEN ROLL-OFF
		112		CLOSED ROLL-OFF
		paid check # 1031		CONTAINER MOVED
		+ \$20.00 CASH.		

AUTHORIZED BY _____

X _____ CUSTOMER'S SIGNATURE CONTAINER OVERFILLED*

TYPE OF WASTE

NO CONTAINER PICK-UP

COMMERCIAL REFUSE

TIRES/ PLASTICS, ETC.

WOOD/ PALLETS

ACCESS BLOCKED

DEMOLITION

CONTAINER IMPROPERLY LOADED

B. Thomas
DRIVER

2
TRUCK

INTERNAL

DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

ALLIED WASTE
OPERATOR ACTIVITY SHEET

FORMAT: INDUSTRIAL
COMPANY: 274

ROUTE 2606 1/30/01
VALLEY CARTING ROLL-OFF

SERVICE SUMMARY
YARDS LIFTS

16

Truck 615235
Emp 1 WILLIAM HUBER
Emp 2
Emp 3

Regular
Additional (+) 180.00 6
Missed (-)
Transfer (-)
Total 180.00 6

OPEN ROUTE

TIMES		MILEAGE	FUEL	DISP FIRST
CLOCK-IN	LEAVE YARD			
(A) 527	537	280852		

CLOSE ROUTE

TIMES		MILEAGE	FUEL	% FULL	TOTAL HOUR
RETURN	CLOCK-OUT				
311	(B) 326	290115	41		(C)

BREAKS		OTHER		DOWN TIMES				REASON / COMMENTS
START	FINISH	START	FINISH	START	MILEAGE	FINISH	MILEAGE	
TOTAL BREAKS	(D)	TOTAL OTHER	(E)	TOTAL DOWN TIME	(F)			

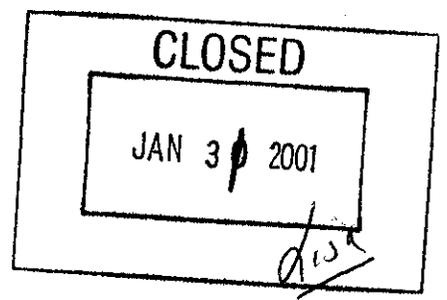
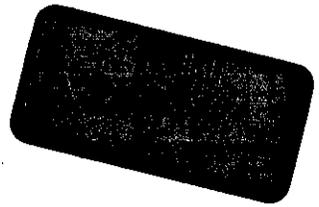
COMMENTS/OTHER

* TIME ON DUTY STATE 1 MILES 280852 STATE 2 MILES 290115

Driver Signature [Signature]

Supv. Signature _____

* TIME ON DUTY = TOTAL HOURS (C) MINUS ALL AMOUNTS IN (D), (E) AND (F).



ALLIED WASTE

COVER PAGE

*** ATTENTION *** SERVICE REQUIRED

SEQ#	QTY	TP	SIZE	GR	C	S	ACCOUNT #	SITE NAME	ADDRESS	REASON
1	1	RO	30.00	4	N		22508 00001	ALSTHOM USA INC. (914) 347-5155	4 SKYLINE DRIVE	CALL-IN REQUEST

4	1	SC	30.00	7	C	N	23472 00001	STAR AD INC. (914) 345-6114	500 SAW MILL RIVER RD.	CALL-IN REQUEST
---	---	----	-------	---	---	---	-------------	--------------------------------	------------------------	-----------------

5	1	RO	30.00	3	C		2440 00001	INTERCONEX, INC. (914) 593-6013	55 HUNTER LANE	CALL-IN REQUEST
---	---	----	-------	---	---	--	------------	------------------------------------	----------------	-----------------

6	1	RO	30.00	1	C		22432 00002	WINE ENTHUSIAST INC (914) 345-9463	103 FAIRVIEW PARK DR	CALL-IN REQUEST
---	---	----	-------	---	---	--	-------------	---------------------------------------	----------------------	-----------------

7	1	RO	30.00	2	N		22432 00001	WINE ENTHUSIAST INC (914) 345-9463	103 FAIRVIEW PARK	CALL-IN REQUEST
---	---	----	-------	---	---	--	-------------	---------------------------------------	-------------------	-----------------

9	1	RO	30.00	1	N		22714 00001	NATIONAL PLATFORM TENNIS (914) 934-5932	10 BROOK LN	MOVED-IN
---	---	----	-------	---	---	--	-------------	--	-------------	----------

QTY TP SIZE GR C S ACCOUNT # SITE NAME / ADDRESS PHONE NUMBER CITY

①

1 RO 30.00 4 22508 00001 ALSTHOM USA INC. (914) 347-5155 HAWTHORNE
 METRO ENVIRO/DEMO 4 SKYLINE DRIVE
 SERVICE DUMP & RETURN DRM DRT REL REM SWG DRY DEL
 5063521

START LOAD		DISPOSAL		TICKET		FINISH LOAD	
TIME	MILEAGE	SITE	TICKET #	QUANTITY	TIME	MILEAGE	FINISH MILEAGE
159	200087	WDR	2476	6.80	219	200097	301
					251		290103

78897

②

1 SC 30.00 7 C 23472 00001 STAR AD INC. (914) 345-6114 ELMSPORD
 WESTCHESTER CTY/SOLID WASTE 500 SAW MILL RIVER RD.
 SERVICE DUMP & RETURN DRM DRT REL REM SWG DRY DEL

START LOAD		DISPOSAL		TICKET		FINISH LOAD	
TIME	MILEAGE	SITE	TICKET #	QUANTITY	TIME	MILEAGE	FINISH MILEAGE
1227	290046	DRM	72465	1.74	100	290005	149
					119		290085

78848

③

1 RO 30.00 3 2440 00001 INTERCONEX, INC. (914) 593-6013 ELMSPORD
 NY CONN/CARDBOARD 55 HUNTER LANE
 SERVICE DUMP & RETURN DRM DRT REL REM SWG DRY DEL
 sub 346

START LOAD		DISPOSAL		TICKET		FINISH LOAD	
TIME	MILEAGE	SITE	TICKET #	QUANTITY	TIME	MILEAGE	FINISH MILEAGE
010	289971	DRM	72899	1.17	939	289990	1020
					952		290009

452811 IF fine

④

1 RO 30.00 1 22432 00002 WINE ENTHUSIAST INC. (914) 345-9463 ELMSPORD
 NY CONN/CARDBOARD 103 FAIRVIEW PARK DR
 SERVICE DUMP & RETURN DRM DRT REL REM SWG DRY DEL
 Lenny

START LOAD		DISPOSAL		TICKET		FINISH LOAD	
TIME	MILEAGE	SITE	TICKET #	QUANTITY	TIME	MILEAGE	FINISH MILEAGE
550	289981	DRM	72041	1.97	678	289910	792
					678		289935

78852

SEE NOTE ON NEXT PAGE

SEQ QTY TP SIZE GR C S ACCOUNT # SITE NAME / ADDRESS PHONE NUMBER CITY

C/B

7 1 RO 30.00 2 22432 00001 WINE ENTHUSIAST INC (914) 345-9463 ELMSFORD
 WC 01 WESTCHESTER CTY/SOLID WASTE 103 FAIRVIEW PARK
 SERVICE DUMP & RETURN DRM DRT REL REM SWG DRY DEL

TIME	START LOAD	MILEAGE	SITE	TICKET #	QUANTITY	TICKET	TIME	MILEAGE	FINISH LOAD	MILEAGE
745	289930		Man 1	72027	.95		0842	289961	0900	289961

TRASH

10 1 RO 30.00 1 22714 00001 NATIONAL PLATFROM TENNIS (914) 934-5932 PORT CHESTER
 WC 01 WESTCHESTER CTY/SOLID WASTE 10 BROOK LN
 SERVICE DELIVERY DRM DRT REL REM SWG DRY DEL

TIME	START LOAD	MILEAGE	SITE	TICKET #	QUANTITY	TICKET	TIME	MILEAGE	FINISH LOAD	MILEAGE
1021	290009			0301120					1220	290040

NEW ACCOUNT NOT COD CUSTOMER WILL BE BILLED

SERVICE _____ DRM _____ DRT _____ REL _____ REM _____ SWG _____ DRY _____ DEL _____

TIME	START LOAD	MILEAGE	SITE	TICKET #	QUANTITY	TICKET	TIME	MILEAGE	FINISH LOAD	MILEAGE

RECEIPT # _____

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

78852

NAME Wine Entn

1-30-01
DATE

ADDRESS 103 FAIRVIEW

CITY Elmsford

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.
1		Comp mixed load	

TYPE OF SERVICE
REAR LOADER
OPEN ROLL-OFF
<input checked="" type="checkbox"/> CLOSED ROLL-OFF
CONTAINER MOVED

AUTHORIZED BY _____

X _____
CUSTOMER'S SIGNATURE

CONTAINER OVERFILLED*

TYPE OF WASTE

NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION

- TIRES/PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

Polber 16
DRIVER TRUCK INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

WESTCHESTER RESCO COMPANY L.P.

A Waste Management Company

One Charles Point Avenue
Peekskill, NY 10566
(914) 739-9304 Fax (914) 739-9104

01/30/01 06:45 07:17 **72041**

BILL TO: 8147
HUDSON WASTE HAULAGE
BOX 79
OSSINING, NY 10562

HAULER: 0147
HUDSON WASTE HAULAGE

PRODUCT: MSW

QUANTITY: **1.97 TON**

WEIGHTS			lb	Ton
IN Scale 1	Gross:		42420	21.21
Scale 2	Tare:		38480	19.24
	Net		7040	1.97

OPERATOR: Auto ID
VEHICLE: 0147-016
LICENSE:
DRIVER:

ORIGINAL

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

78853

NAME Wine Entz

1-30-01
DATE

ADDRESS 103 FAIRVIEW

CITY Elmsford

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1	30	#337		REAR LOADER
				<input checked="" type="checkbox"/> OPEN ROLL-OFF
				CLOSED ROLL-OFF
				CONTAINER MOVED

AUTHORIZED BY _____

X _____ CONTAINER OVERFILLED*
CUSTOMER'S SIGNATURE

TYPE OF WASTE NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/ PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

Deber 16 plmt
DRIVER TRUCK INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

WESTCHESTER RESCO COMPANY L.P.
A Waste Management Company

One Charles Point Avenue
Peekskill, NY 10566
(914) 739-9304 Fax (914) 739-9104

01/30/01 08:26 08:42 **72072**

BILL TO: 0147
HUDSON WASTE HAULAGE
BOX 791
OSSINING, NY 10562

HAULER: 0147
HUDSON WASTE HAULAGE

PRODUCT: MSW

QUANTITY: **0.95 TON**

WEIGHTS			lb	Ton
IN Scale 1	Gross:		38620	19.31
Scale 2	Tare:		36720	18.36
	Net:		1900	0.95

OPERATOR: Auto ID
VEHICLE: 0147-016
LICENSE:
DRIVER:

ORIGINAL

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
 566 NORTH STATE ROAD
 OSSINING, N.Y. 10562
 (914) 941-2400

78855

NAME Interconex DATE 1-30-01
 ADDRESS 55 Hunter Ln
 CITY Elmstord

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1	30	# sub 383		REAR LOADER
				OPEN ROLL-OFF
				CLOSED ROLL-OFF
				CONTAINER MOVED

AUTHORIZED BY _____

X _____
 CUSTOMER'S SIGNATURE

CONTAINER OVERFILLED*

TYPE OF WASTE

NO CONTAINER PICK-UP

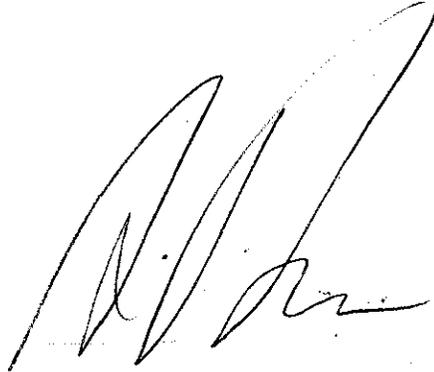
- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION

- TIRES/ PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

Huber DRIVER 16 TRUCK _____ INTERNAL Huber DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
 CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL



WESTCHESTER RESCO COMPANY L.P.
A Waste Management Company

One Charles Point Avenue
Peekskill, NY 10566
(914) 739-9304 Fax (914) 739-9104

01/30/01 09:56 10.08 **72099**

BILL TO: 8147
HUDSON WASTE HAULAGE
BOX 791
OSSINING, NY 10562

HAULER: 0147
HUDSON WASTE HAULAGE

PRODUCT: MSW

QUANTITY: **1.17 TON**

WEIGHTS			<u>lb</u>	<u>Ton</u>
IN	Scale 1	Gross:	35740	17.87
	Scale 2	Tare:	33400	16.70
		Net:	2340	1.17

OPERATER: Auto ID
VEHICLE: 0147-016
LICENSE:
DRIVER:

ORIGINAL

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

88659

NAME National Plat Form Tennis DATE 1/30/01
ADDRESS 10 Brook Lane
CITY Portchester, NY

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1	Ro	Delivery		REAR LOADER
		Bx 397		OPEN ROLL-OFF
				CLOSED ROLL-OFF
				CONTAINER MOVED

AUTHORIZED BY _____

X _____ CONTAINER OVERFILLED*
CUSTOMER'S SIGNATURE

TYPE OF WASTE NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- TIRES/ PLASTICS, ETC.
- WOOD/ PALLETS
- ACCESS BLOCKED
- DEMOLITION
- CONTAINER IMPROPERLY LOADED

Huber #16
DRIVER TRUCK INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

78898

NAME STAR-AD

1-30-01
DATE

ADDRESS 500 5th RR

CITY Elmsford

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1		Comp		REAR LOADER
				OPEN ROLL-OFF
				<input checked="" type="checkbox"/> CLOSED ROLL-OFF
				CONTAINER MOVED

AUTHORIZED BY _____

X _____ CONTAINER OVERFILLED*
CUSTOMER'S SIGNATURE

TYPE OF WASTE _____ NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/ PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

Deber 16
DRIVER TRUCK INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

WESTCHESTER RESCO COMPANY L.P.
A Waste Management Company

One Charles Point Avenue
Peekskill, NY 10566
(914) 739-9304 Fax (914) 739-9104

01/30/01 06:53 07:09 **72038**

BILL TO: 0147
HUDSON WASTE HAULAGE
BOX 791
OSSINING, NY 10562

HAULER: 0147
HUDSON WASTE HAULAGE

PRODUCT: MSW

QUANTITY: **0.56 TON**

WEIGHTS			lb	Ton
IN	Scale 1	Gross:	38500	19.25
	Scale 2	Tare:	37380	18.69
		Net:	1120	0.56

OPERATER: HARRY COLVETT
VEHICLE: 0147-R1
LICENSE:
DRIVER:

ORIGINAL

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

78897

NAME Alstom USA

1-30-01
DATE

ADDRESS 4 skyline DR

CITY Hawthorne

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
<u>1</u>	<u>30</u>	<u>Sub 354</u>		<input type="checkbox"/> REAR LOADER
				<input checked="" type="checkbox"/> OPEN ROLL-OFF
				<input type="checkbox"/> CLOSED ROLL-OFF
				<input type="checkbox"/> CONTAINER MOVED

AUTHORIZED BY _____

X _____ CUSTOMER'S SIGNATURE CONTAINER OVERFILLED*

TYPE OF WASTE _____ NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

Kerber 16 metro
DRIVER TRUCK INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

CHECK NO.
TENDERED

METRO ENVIRO LLC.
 1A Croton Point Ave.
 Croton-on-Hudson, NY 10520

000001
 HUDSON WASTE HAULERS
 566 NORTH STATE ROAD

BRIARCLIFF MANOR, NY 10510
 Contract: HUDSON WASTE HAULERS

SITE	TICKET	GRID
ME	002475	
WEIGHMASTER		
JOHN		
DATE IN	DATE OUT	TIME IN
30 January 2001	30 January 2001	2:24 pm
VEHICLE		ROLL OFF
REFERENCE	ORIGIN	304D
#15/#		

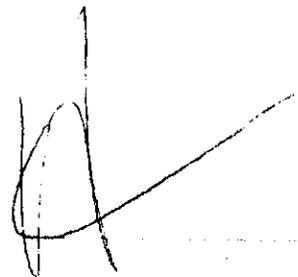
00 Gross Weight 46,540.00 LB
 Tare Weight 32,820.00 LB
 Net Weight 13,720.00 LB 6.86 TN

Inbound -

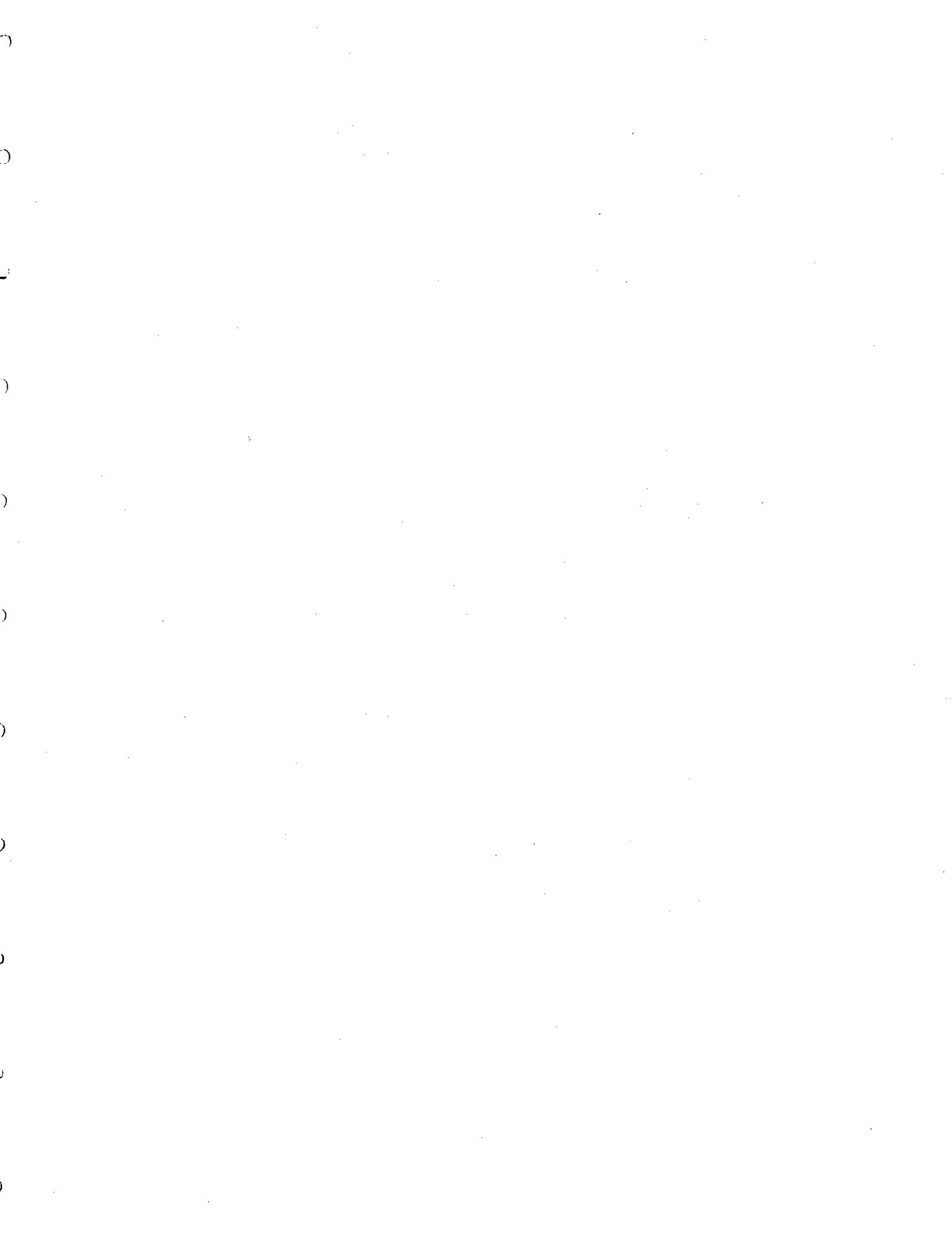
QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	TAX	TOTAL
6.86	TN	CD C&D				

Operating Hours 8AM to 5PM Monday thru Friday and
 9AM to 1PM on Saturday.

SIGNATURE



NET AMOUNT
TENDERED
CHECK NO



Hot water
Heater

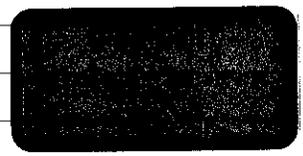
472-0202

Diedra AT:

make
ticket

"Super Cuts"

Central ave,
Scarsdale



VALLEY CARTING CORP.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

No. 13508

NAME SUPER CUTS

12/6/00
DATE

ADDRESS _____

CITY _____

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
		HOT WATER		<input checked="" type="checkbox"/> REAR LOADER
		HEATER		<input type="checkbox"/> OPEN ROLL-OFF
		#20. use		<input type="checkbox"/> CLOSED ROLL-OFF
				<input type="checkbox"/> CONTAINER MOVED

AUTHORIZED BY _____

X _____ CONTAINER OVERFILLED*
CUSTOMER'S SIGNATURE

TYPE OF WASTE NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/ PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

DRIVER TRUCK INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL



ALLIED WASTE
OPERATOR ACTIVITY SHEET

227

FORMAT: INDUSTRIAL
COMPANY: 274

ROUTE #17
Date: 3/6/00

SERVICE SUMMARY
YARDS LIFTS

Truck _____
Emp 1 _____
Emp 2 _____
Emp 3 _____

Regular _____
Additional (+) _____
Missed (-) _____
Transfer (-) _____
Total _____

OPEN ROUTE

TIMES		MILEAGE	FUEL	DISP FIRST
CLOCK-IN	LEAVE YARD			
(A) 7:00	7:20	154820		

CLOSE ROUTE

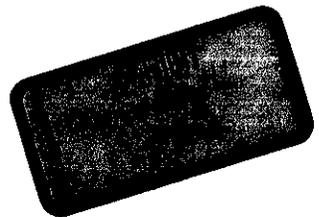
TIMES		MILEAGE	FUEL	% FULL	TO HO
RETURN	CLOCK-OUT				
9:02	(B) 5:00	154825	0		(C)

BREAKS		OTHER		DOWN TIMES			REASON / COMMENTS
START	FINISH	START	FINISH	START	MILEAGE	FINISH	
TOTAL BREAKS (D)		TOTAL OTHER (E)		TOTAL DOWN TIME (F)			

COMMENTS/OTHER _____

[Handwritten Signature]

TIME ON DUTY _____ STATE 1 MILES _____ STATE 2 MILES _____
Driver Signature _____ Supv. Signature _____
* TIME ON DUTY = TOTAL HOURS (C) MINUS ALL AMOUNTS IN (D), (E) AND (F)



CLOSED
MAR -7 2000
[Handwritten initials]

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
 566 NORTH STATE ROAD
 OSSINING, N.Y. 10562
 (914) 941-2400

77368

NAME TROTTA CABINETRY

3/6/00
 DATE

ADDRESS Montgomery St.

CITY Ossining

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
		Delivery 20 yd		REAR LOADER
				OPEN ROLL-OFF
				CLOSED ROLL-OFF
				CONTAINER MOVED

AUTHORIZED BY (Goan - see above)

X _____ CONTAINER OVERFILLED*
 CUSTOMER'S SIGNATURE

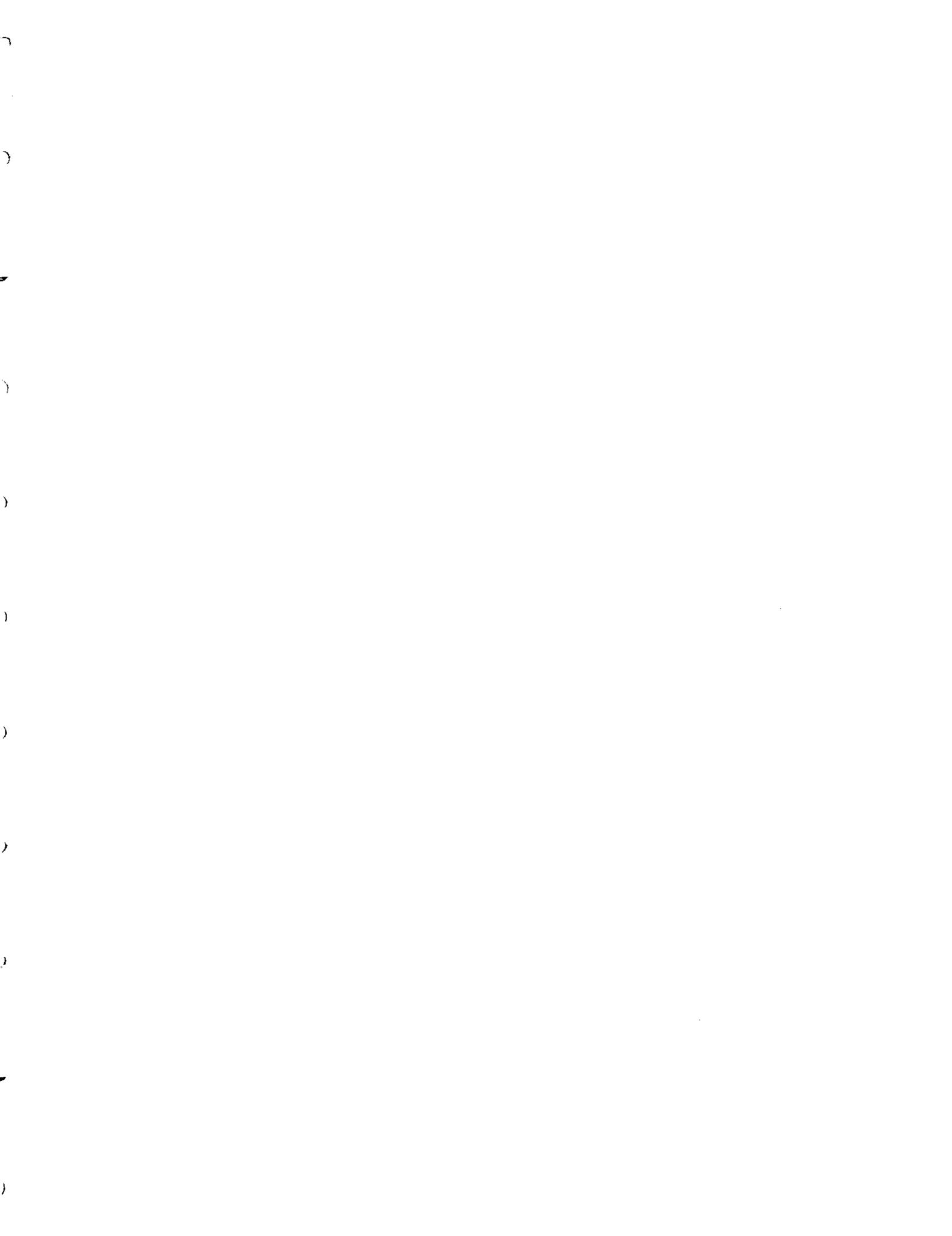
TYPE OF WASTE _____ NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

A. Deems #17
 DRIVER TRUCK INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
 CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL



HUDSON WASTE HAULAGE, INC.

PO BOX 1228
 566 NORTH STATE ROAD
 OSSINING, N.Y. 10562
 (914) 941-2400

79286

NAME AHP #107

10/24/00
 DATE

ADDRESS _____

CITY Madhegan Lake

JOB SITE CTC

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1		comp		REAR LOADER
				OPEN ROLL-OFF
				<input checked="" type="checkbox"/> CLOSED ROLL-OFF
				CONTAINER MOVED
		ACCT 23362		

AUTHORIZED BY P.O. 281133

X Joseph Boh CONTAINER OVERFILLED*
CUSTOMER'S SIGNATURE
 TYPE OF WASTE _____ NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/ PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

B. Thomas 7 Plant
 DRIVER TRUCK INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
 CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

79287

NAME Engelhard

DATE 10/24/02

ADDRESS 1050 Lower South St

CITY Peekskill

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1		Comt		REAR LOADER
				OPEN ROLL-OFF
				<input checked="" type="checkbox"/> CLOSED ROLL-OFF
				CONTAINER MOVED
		ACCT 22109		

AUTHORIZED BY _____
X [Signature]
CUSTOMER'S SIGNATURE

CONTAINER OVERFILLED*

TYPE OF WASTE

NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION

- TIRES/PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

B. Jones DRIVER 7 TRUCK Plant INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

WESTCHESTER RESCO COMPANY L.P.
A Waste Management Company

One Charles Point Avenue
Peekskill, NY 10566
(914) 739-9304 Fax (914) 739-9104

10/24/00 07:51 07:59 **57975**

BILL TO: 8147
HUDSON WASTE HAULAGE
BOX 791
OSSINING, NY 10562

HAULER: 0147
HUDSON WASTE HAULAGE

PRODUCT: MSW

QUANTITY: **9.76 TON**

WEIGHTS			lb	Ton
IN Scale 1	Gross:		58760	29.38
Scale 2	Tare:		39240	19.62
	Net:		19520	9.76

OPERATOR: Auto ID
VEHICLE: 0147-007
LICENSE:
DRIVER:

ORIGINAL

METRO ENVIRO LLC.

1A Croton Point Avenue
Croton-on-Hudson, NY 10520

000001
Hudson Waste Haulers
tony
566 n. State rd.
Briarcliff Manor, NY 10510

SITE	TICKET	GRID
02	040336	
WEIGHMASTER		
jdv		
DATE IN	TIME IN	
10/24/00	10:25	
DATE OUT	TIME OUT	
10/24/00	10:42	
VEHICLE	ROLL OFF	
006		
REFERENCE	ORIGIN	
30 yds	#7	

Scale 1 Gross Weight 46540 LB
Scale 2 Tare Weight 34620 LB
Net Weight 11920 LB

Inbound - Charge ticket

QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
5.96	TON	Construction & Demo				

Operating hours 8AM to 5PM Monday thru Friday and
9AM to 1PM on Saturday

NET AMOUNT
TENDERED
CHANGE
CHECK NO

SIGNATURE



HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

79289

NAME AR CABLE

10/24/00
DATE

ADDRESS _____

CITY Town

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1	10yd	open comp 117/117		REAR LOADER
				<input checked="" type="checkbox"/> OPEN ROLL-OFF
				CLOSED ROLL-OFF
				CONTAINER MOVED

AUTHORIZED BY _____

X _____ CONTAINER OVERFILLED*
CUSTOMER'S SIGNATURE

TYPE OF WASTE NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/ PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

B. Thomas DRIVER 7 TRUCK Plant INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL

WESTCHESTER RESCO COMPANY L.P.
A Waste Management Company

One Charles Point Avenue
Peekskill, NY 10566

(914) 739-9304 Fax (914) 739-9104

10/24/00 12:48 12:58 **58089**

BILL TO: 8147
HUDSON WASTE HAULAGE
BOX 791
OSSINING, NY 10562

HAULER: 0147
HUDSON WASTE HAULAGE

PRODUCT: MSW

QUANTITY: **0.48 TON**

WEIGHTS			<u>lb</u>	<u>Ton</u>
IN Scale 1	Gross:		32920	16.46
Scale 2	Tare:		31960	15.98
	Net:		960	0.48

OPERATER: Auto ID
VEHICLE: 0147-007
LICENSE:
DRIVER:

ORIGINAL

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
 566 NORTH STATE ROAD
 OSSINING, N.Y. 10562
 (914) 941-2400

79290

NAME KAVY

10/24/00
 DATE

ADDRESS 24 GRACE LN

CITY OSSINING

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.
1	10yd	open Demo 112/1-	

TYPE OF SERVICE	
	REAR LOADER
Y	OPEN ROLL-OFF
	CLOSED ROLL-OFF
	CONTAINER MOVED

AUTHORIZED BY _____

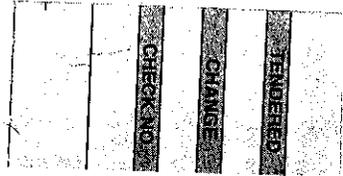
X _____ CUSTOMER'S SIGNATURE CONTAINER OVERFILLED*
 TYPE OF WASTE _____ NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS ^{Demo}
- DEMOLITION
- TIRES/ PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

B-Thomas DRIVER 2 TRUCK INTERNAL mech DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
 CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL



METRO ENVIRO LLC.

1A Croton Point Avenue
Croton-on-Hudson, NY 10520

000001
Hudson Waste Haulers
tony
566 n. State rd.
Briarcliff Manor, NY 10510

SITE	TICKET	GRID
02	040376	
WEIGHMASTER		
jdv		
DATE IN		TIME IN
10/24/00		14:01
DATE OUT		TIME OUT
10/24/00		14:15
VEHICLE		ROLL OFF
006		
REFERENCE		ORIGIN
10 YDS		#7

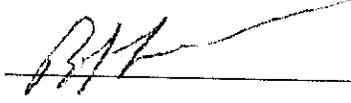
Scale 1 Gross Weight 35260 LB
 Scale 2 Tare Weight 31940 LB
 Net Weight 3320 LB

Inbound - Charge ticket

QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
1.46	TON	Construction & Demo				

Operating hours 8AM to 5PM Monday thru Friday and
9AM to 1PM on Saturday

SIGNATURE



NET AMOU
TENDEREI
CHANGE
CHECK NO

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

79291

NAME COD-FALCON

10/24/00
DATE

ADDRESS 368 CHAPPA RD

CITY BRIAR.

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1	10yd	Open		REAR LOADER
		Deliver		OPEN ROLL-OFF
		112		CLOSED ROLL-OFF
		Paid check # 1031		CONTAINER MOVED
		+ \$20.00 CASH.		

AUTHORIZED BY _____

X _____ CONTAINER OVERFILLED*
CUSTOMER'S SIGNATURE

TYPE OF WASTE _____ NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

B. Thomas DRIVER 2 TRUCK _____ INTERNAL _____ DUMP _____

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS!

ORIGINAL

PAY TO THE ORDER OF HUDSON WASTE HAULAGE
Three hundred and 00/100
\$ 300.00
DOLLARS

JULIO C. FALCON
CATHERINE J. LANGEVIN-FALCON
368 CHAPPA RD.
BRIARCLIFF MANOR, NY 10510

1-32/210
7369863133
DATE 24 OCT. 2000
1631

MEMO
:021000322: 73698 63133 1631

M/Fleet
94369 Chappaqua Office
Chappaqua, New York 10514

C. Langevin-Falcon

HUDSON WASTE HAULAGE, INC.

PO BOX 1228
566 NORTH STATE ROAD
OSSINING, N.Y. 10562
(914) 941-2400

79385

NAME KAVY

12/24/00
DATE

ADDRESS 24 GRACE LN.

CITY OSSINING

JOB SITE _____

QUANTITY	SIZE-YDS.	DESCRIPTION	TOTAL-YDS.	TYPE OF SERVICE
1	10yd	Open Dump H/W		REAR LOADER
				OPEN ROLL-OFF
				CLOSED ROLL-OFF
				CONTAINER MOVED

AUTHORIZED BY _____

X _____ CONTAINER OVERFILLED*
CUSTOMER'S SIGNATURE

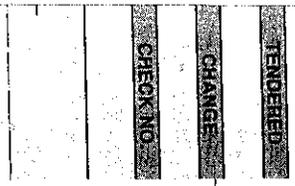
TYPE OF WASTE _____ NO CONTAINER PICK-UP

- COMMERCIAL REFUSE
- WOOD/PALLETS
- DEMOLITION
- TIRES/PLASTICS, ETC.
- ACCESS BLOCKED
- CONTAINER IMPROPERLY LOADED

R. Thomas DRIVER 7 TRUCK metro INTERNAL DUMP

* DRIVER NOT RESPONSIBLE FOR SPILLAGE IF CONTAINER OVERFILLED.
CUSTOMER IS RESPONSIBLE FOR ANY FINES DUE TO OVERFILLED OR OVERWEIGHT CONTAINERS.

ORIGINAL



METRO ENVIRO LLC.

1A Croton Point Avenue
Croton-on-Hudson, NY 10520

000001
Hudson Waste Haulers
tony
566 n. State rd.
Briarcliff Manor, NY 10510

SITE	TICKET	GRID
02	040391	
WEIGHMASTER		
jdy		
DATE IN		TIME IN
10/24/00		15:06
DATE OUT		TIME OUT
10/24/00		15:24
VEHICLE		ROLL OFF
006		
REFERENCE	ORIGIN	
10 YDS	#7	

Scale 1 Gross Weight 34060 LB
Scale 2 Tare Weight 32180 LB
Net Weight 1880 LB

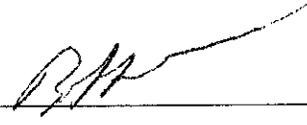
Inbound - Charge ticket

QTY.	UNIT	DESCRIPTION	RATE	EXTENSION	FEE	TOTAL
0.94	TON	Construction & Demo				

Operating hours 8AM to 5PM Monday thru Friday and
9AM to 1PM on Saturday

NET AMOUNT
TENDERED
CHANGE
CHECK NO.

SIGNATURE





ALLIED WASTE
OPERATOR ACTIVITY SHEET

FORMAT: INDUSTRIAL
COMPANY: 274

ROUTE 2607 10/24/00
WESTCHESTER ROLL-OFF

SERVICE SUMMARY

YARDS LIFTS

Truck 615229 #17
Emp 1 ROBERT THOMAS
Emp 2
Emp 3

Regular	40.00	1
Additional (+)	75.00	4
Missed (-)		
Transfer (-)		
Total	115.00	5

OPEN ROUTE

CLOSE ROUTE

(A)	TIMES		MILEAGE	FUEL	DISP. FIRST
	CLOCK-IN	LEAVE YARD			
5:25	5:51	402925			

3:38	TIMES		MILEAGE	FUEL	% FULL	TOTAL HOUR
	RETURN	CLOCK-OUT				
	4:11	402925	31			(C)

BREAKS		OTHER		DOWN TIMES				REASON / COMMENTS
START	FINISH	START	FINISH	START	MILEAGE	FINISH	MILEAGE	
11:17	11:47							Lunch.
TOTAL BREAKS	(D)	TOTAL OTHER	(E)	TOTAL DOWN TIME	(F)			

COMMENTS/OTHER

* TIME ON DUTY

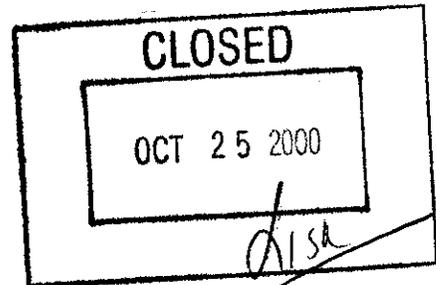
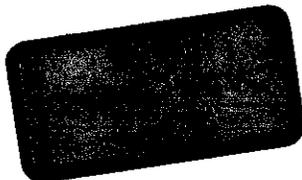
STATE 1 MILES

STATE 2 MILES

Driver Signature *Robert Thomas*

Supv. Signature

* TIME ON DUTY = TOTAL HOURS (C) MINUS ALL AMOUNTS IN (D), (E) AND (F).



*** ATTENTION *** SERVICE REQUIRED

SEQ#	QTY	TP	SIZE	GR	C	S	ACCOUNT #	SITE NAME	ADDRESS	REASON
2	1	RO	30.00	4	N		23301 00001	WALLACK CONSTRUCTION (914) 739-4251	FOX DEN ESTATES	CALL-IN REQUEST

4	1	CP					23362 00001	A & P STORE #107 (413) 789-0067	PORTLANDT TOWN CENTER	CALL-IN REQUEST
---	---	----	--	--	--	--	-------------	------------------------------------	-----------------------	-----------------

5	1	RO	30.00	1	N		23694 00001	DEERHOLLOW ESTATES (914) 243-9130	STONEY ST.	CALL-IN REQUEST
---	---	----	-------	---	---	--	-------------	--------------------------------------	------------	-----------------

6	1	RO	15.00	1	N		21000 00336	COD/TARA VENEZIA (914) 526-3866	11 TANGLEMWYDE RD	MOVED-IN
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WESTCHESTER ROLL-OFF

ROUTE 2607 10/24/00

PAGE: 1
COMP: 274

ALLIED WASTE

COVER PAGE

*** ATTENTION *** NO SERVICE REQUIRED

<u>SEQ#</u>	<u>QTY</u>	<u>TP</u>	<u>SIZE</u>	<u>GR</u>	<u>C</u>	<u>S</u>	<u>ACCOUNT #</u>	<u>SITE NAME</u>	<u>ADDRESS</u>	<u>REASON</u>
3		RL	1.00	2		C	23597 00003 (914) 243-5910	MCGRAW HILL CONSTRUCTION CORP.	1 MAPLE AVE. PO BOX 182	SUSPENDED

SEQ QTY TP SIZE GR C S ACCOUNT # SITE NAME / ADDRESS PHONE NUMBER CITY

1 RO 40.00 2 C 22169 00001 ENGELHARD CORPORATION (914) 739-7507 PEEKSKILL
 WC 01 WESTCHESTER CTY/SOLID WASTE 1050 LOWER SOUTH STREET
 SERVICE DUMP & RETURN DRM DRT REL REM SWG DRY DEL

START LOAD		DISPOSAL		TICKET		FINISH LOAD	
TIME	MILEAGE	SITE	TICKET #	QUANTITY	TIME	MILEAGE	FINISH MILEAGE
718	4022882	Plan 579575	976	23848	4022883	801	4022885

1 RO 30.00 4 23301 00001 WALLACK CONSTRUCTION (914) 739-4251 PEEKSKILL
 WC 01 WESTCHESTER CTY/SOLID WASTE FOX DEN ESTATES
 SERVICE DELIVERY DRM DRT REL REM SWG DRY DEL

START LOAD		DISPOSAL		TICKET		FINISH LOAD	
TIME	MILEAGE	SITE	TICKET #	QUANTITY	TIME	MILEAGE	FINISH MILEAGE
1044	4022899	Oct #335	20731				11:12 4022842

3 RI 1.00 2 C 23597 00003 MCNAMEE CONSTRUCTION CORP. (914) 242-5940 LINGHINDALE
 ***** NO SERVICE REQUIRED *****
 1 WADLE AVE. PO BOX 182

1 CP 1 C 23362 00001 A & P STORE #107 (413) 789-0067 MOHEGAN LAKE
 WC 01 WESTCHESTER CTY/SOLID WASTE CORTLANDT TOWN CENTER
 SERVICE DUMP & RETURN DRM DRT REL REM SWG DRY DEL

START LOAD		DISPOSAL		TICKET		FINISH LOAD	
TIME	MILEAGE	SITE	TICKET #	QUANTITY	TIME	MILEAGE	FINISH MILEAGE
618	4022976	Plan 579535	1200	607	4022881		7386

Stop Load 7-15

PO #281133

SEQ 01 QTY 1 TP RO SIZE 30.00 GR 1 C S ACCOUNT # 23694 00001 DEERHOLLOW ESTATES (914) 243-9130 YORKTOWN HGTS.
 WESTCHESTER CTY/SOLID WASTE STONEY ST.
 SERVICE DELIVERY DRM DRT REL REM SWG DRY DEL

TIME	START LOAD MILEAGE	SITE	D I S P O S A L TICKET #	QUANTITY	T I C K E T TIME	MILEAGE	FINISH LOAD MILEAGE
832	402730		02L # 310				852 402794

DEL TO LOT #1 PER BILL

6 1 RO 15.00 1 21000 00336 COD/TARA VENEZIA (914) 526-3966 LAKE PEERSKILL
 WC 01 WESTCHESTER CTY/SOLID WASTE 11 TANGLEWLYDE RD
 SERVICE DUMP & REMOVE DRM DRT REL REM SWG DRY DEL

TIME	START LOAD MILEAGE	SITE	D I S P O S A L TICKET #	QUANTITY	T I C K E T TIME	MILEAGE	FINISH LOAD MILEAGE

3 1 RO 15.00 1 21000 00336 COD/TARA VENEZIA (914) 526-3966 LAKE PEERSKILL
 WC 01 WESTCHESTER CTY/SOLID WASTE 11 TANGLEWLYDE RD
 SERVICE DUMP & REMOVE DRM DRT REL REM SWG DRY DEL

TIME	START LOAD MILEAGE	SITE	D I S P O S A L TICKET #	QUANTITY	T I C K E T TIME	MILEAGE	FINISH LOAD MILEAGE
805	402795						430 402795

RECEIPT #

4 1 RO 30 23694 00001 DEERHOLLOW ESTATES (914) 243-9130 YORKTOWN HGTS.
 WESTCHESTER CTY/SOLID WASTE STONEY ST.
 SERVICE DELIVERY DRM DRT REL REM SWG DRY DEL

TIME	START LOAD MILEAGE	SITE	D I S P O S A L TICKET #	QUANTITY	T I C K E T TIME	MILEAGE	FINISH LOAD MILEAGE
940	402816	metrol	040336	5.56	1043	402828	1043 402825

RECEIPT # 22288

ALLIED WASTE

SEQ QTY TP SIZE GR C S ACCOUNT # SITE NAME / ADDRESS PHONE NUMBER CITY

6 1 1/2 12
SERVICE PR CABLE DRM DRT REL REM SWG DRY DEL

TIME	START LOAD MILEAGE	SITE	TICKET #	DISPOSAL QUANTITY	TICKET TIME	MILEAGE	FINISH LOAD MILEAGE
12:02	402847	Plant	58089	.48	1034	402857	119 402867
11/1/07 RECEIPT # 99189							

1 1 1/2
SERVICE Gracels 055 mgm DRM DRT REL REM SWG DRY DEL

TIME	START LOAD MILEAGE	SITE	TICKET #	DISPOSAL QUANTITY	TICKET TIME	MILEAGE	FINISH LOAD MILEAGE
142	402879	metal	05036	1.66	159	402883	217 402883
8:10	402898	CHAPP RD	BRANE				
217	402898	Del #112					232 402859
RECEIPT # 99280							

1 1/2 10 24 Grace Rd. (DRM)
246 402893 metal 04039 .94 305 324 402899 324 402899

~~23597 MARRONCE 304 402899 304 402899~~

~~307 PO # CARE RD.~~

99385