

ARIZONA GAME AND FISH DEPARTMENT  
5000 WEST CAREFREE HIGHWAY  
PHOENIX, ARIZONA 85086

TRANSCRIPT OF INTERVIEW  
August 4, 2009  
CHRISTINA AKINS

Individuals present at the Interview on 8-4-09:

Gary R. Hovatter, Arizona Game and Fish Department, Deputy  
Director, Interviewer  
Marty Fabritz, Arizona Game and Fish Department,  
Ombudsman, Interviewer  
Craig McMullen, Arizona Game and Fish Department, Wildlife  
Manager, Interviewer  
Christina Akins

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**COPY**

1 MR. HOVATTER: I'm Deputy Director.

2 MS. AKINS: Nice to met you.

3 MR. HOVATTER: How you doing?

4 MS. AKINS: I'm pretty good. How are you guys?

5 MR. HOVATTER: Another day in paradise.

6 Ms. Akins, we're -- and I've been kind of going over some  
7 of this history with folks on the Macho B jaguar. We  
8 never did dig into all the background behind it. With  
9 the -- the timeline was such that when we became concerned  
10 that there would be at least perception that all was not  
11 as we had first thought, we realized that there would not  
12 be -- there was no way we could do an internal  
13 investigation that was going to pass mustard with the  
14 public that was going to be seen as impartial and balanced  
15 and fair.

16 MS. AKINS: Yeah.

17 MR. HOVATTER: So that we almost immediately  
18 asked for an outside investigation. And as a part of not  
19 tainting that investigation, we elected not to do our own  
20 internal investigation because the only way we could have  
21 done that was to bring together all the people that were  
22 going to be interviewed by the formal investigators and  
23 normally that's -- that's considered -- that creates a  
24 problem because you create the perception that you brought  
25 people together so they have an opportunity to share

1 information.

2 MS. AKINS: Yeah.

3 MR. HOVATTER: And it could be perceived as that  
4 what you with were doing is giving people an opportunity  
5 to prepare notes.

6 MS. AKINS: Yeah.

7 MR. HOVATTER: And modify facts or modify their  
8 memories to fit facts. So as a result, we kind of self  
9 muzzled our own ability to look internally at what we did  
10 to make sure that we knew the facts.

11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]

22 So we started here a few weeks ago bringing  
23 folks in that we knew were directly involved, and then as  
24 most of these types of things do, these administrative  
25 investigations, and you start ending up with other folks'

1 names pop up and so you decide to call other folks in so  
2 we could make sure we had a complete picture of what  
3 happened.

4 Now we are doing this under what they call a  
5 Garrity Warning. And a Garrity Warning is what is  
6 routinely done, it's based on Federal law, and as I read  
7 it it will become, I think, fairly obvious. It is not a  
8 Miranda warning. It is not a criminal warning. What it  
9 is is something that helps us guarantee that our  
10 employees' rights are protected, and it does allow for the  
11 fact that we may find out something during the course of  
12 the investigation that we weren't aware of that may cause  
13 us to have a need to consider administrative actions we  
14 might have to take.

15 MS. AKINS: Okay.

16 MR. HOVATTER: So I will read this to you. It's  
17 a statement that you and I will both sign it, and if you  
18 have any questions about it, please feel free to ask. We  
19 are taping all of these. We will do transcripts. If you  
20 would like a copy of the tape, we can provide a copy of  
21 the tape and a copy of the interview notes after we've  
22 done that. So you just let us know, and you will a copy  
23 of this too when we are done with this.

24 MS. AKINS: Is everyone signing that?

25 MR. HOVATTER: Yeah. Everybody is. Yeah, on

1 this type of the investigation, otherwise there is no way  
2 for us to -- there would be no way for an employee to  
3 participate in a process like this without possibly  
4 incriminating themselves should there be a criminal act,  
5 for example, incriminating themselves for a potential  
6 criminal prosecution. And I think as you will understand,  
7 it's based on Federal law, and I think it will -- if you  
8 have other questions, I think it's fairly  
9 self-explanatory, but if you have other questions we will  
10 deal with those.

11 MS. AKINS: Okay.

12 MR. HOVATTER: Employee is Christina Akins. Date  
13 is 4 August 2009. The interviewers are Gary Hovatter,  
14 Craig McMullen, and Marty Fabritz.

15 We are conducting an internal investigation  
16 involving matters that will be discussed shortly. This is  
17 an administrative investigation. You do not have the  
18 right to have legal counsel present during the interview  
19 nor will you be advised of constitutional rights. You are  
20 ordered to cooperate fully with this investigation. You  
21 are ordered to respond completely and truthfully to all  
22 questions posed to you during the investigation. Failure  
23 to respond completely and truthfully to all questions will  
24 be considered misconduct.

25 As set forth in Garrity versus New Jersey,

1 385 US 493, and the line of cases which follow, any  
2 responses given during this administrative investigation  
3 cannot be used against you in a subsequent criminal  
4 investigation. You are instructed not to discuss your  
5 interview or this investigation with any Arizona Game and  
6 Fish Department employees while the investigation is  
7 pending.

8                   And the statement you and I will sign reads,  
9 "I have read the above statements and I understand the  
10 orders given to me about this investigation. I understand  
11 my obligation to cooperate fully with the investigation.  
12 I understand my obligation to completely and truthfully  
13 answer every question. I further understand that I have  
14 been ordered not to discuss this investigation with any  
15 Arizona Game and Fish Department employee while this  
16 investigation is pending."

17                   Now do you have any questions about that?

18                   MS. AKINS: No.

19

20                   CHRISTINA AKINS,  
21 pursuant to Garrity Warning, was examined and testified as  
22 follows:

23                   EXAMINATION

24 BY MR. HOVATTER:

25                   Q. Okay.

1           A.    So before when I spoke with Ed and Frank, that  
2 was the Federal?

3           Q.    That's Federal.

4           A.    And this is like the State one?

5           Q.    Yeah.  And we have -- we have made a point of not  
6 conducting an investigation or not doing our questioning  
7 of our employees under Garrity for administrative  
8 investigative purposes until the Federal investigators  
9 have had an opportunity to talk to anyone they wanted to  
10 talk to.  Okay.  So their investigation is, and I also --  
11 most of the folks I have talked to, it is my understanding  
12 they have been interviewed by the Federal investigators.  
13 We have not asked the Federal investigators for any of the  
14 information that they provide, and we have not asked any  
15 of the people we interviewed what they've told the  
16 investigators or to characterize their conversations.  
17 They need to be, as much as possible, they need to be two  
18 separate lines of inquiry.  And our purpose in this is  
19 considerably different than what the Federal purpose may  
20 be.

21                         Let's see.  And any of us will be free to  
22 ask questions, and I guess the first thing would be to  
23 ask, what is your knowledge of the events leading up to  
24 and following the capture of the Macho B jaguar?

25           A.    That's a big question.

1 Q. Yeah, it is, and we planned for adequate time.  
2 We've asked that question of a lot of folks and we  
3 recognize how broad that is.

4 A. Well, like, the first I heard about it was in  
5 like the Department news e-mail that came out, and then I  
6 knew that Emil McCain was in Spain, and so -- and I didn't  
7 know if he knew, and so I sent him an e-mail asking him if  
8 he knew about it, and you know, like, that it was pretty  
9 cool, and that's -- like, I started talking to him about  
10 it then.

11 And then everything else I either read in,  
12 like, Department news or, you know, like, articles from  
13 the Daily Star and then talking to him. So --

14 Q. What research are you currently involved in?

15 A. I was down there working on, like, bullfrog  
16 eradication program near the Pinie One Calic (phonetic)  
17 Area.

18 Q. I've seen a lot of dead -- did you have a hand in  
19 the picture that the boss showed at the awards ceremony?

20 A. That was me. I killed all those.

21 Q. Now how long had you been working on that study?

22 A. I started going down there in October, like mid  
23 October. And then I was there all through -- I think  
24 January was the only month, December or January was the  
25 only month that I didn't go down there, and then I've

1 still been going down there.

2 Q. Is that -- you know, it seems like that is kind  
3 of colder months. Is that good for going out for  
4 bullfrogs at that point?

5 A. Not for metamorphose frogs but for the tadpoles,  
6 it's a huge thing in the net or in the stock tanks, so you  
7 can go after the --

8 Q. That would make sense. Probably easier to get  
9 them then than when --

10 A. It was really cool.

11 Q. Let's see. Did you -- did you come across Kirby  
12 or Emil or I think Michelle Crabb was down there about  
13 that time?

14 A. Yeah. The first time I met Emil was on  
15 November 4th, and I just know that because of other  
16 questions.

17 Q. Yeah.

18 A. We -- I was with another biologist that was  
19 helping me and we were driving, it was late at night, and  
20 we were looking for a place to camp because the place we  
21 were going to we didn't feel like it was a safe place.  
22 So --

23 Q. Because of the border conditions?

24 A. Yeah. So we were looking for another place, and  
25 there was -- Emil's truck was parked off, it's called Bear

1 Valley Ranch.

2 Q. Yeah.

3 A. And it was parked and I -- I was -- I stopped our  
4 truck and I was looking in the car because I didn't think  
5 anyone was there and I thought it was kind of weird. And  
6 I didn't see anyone so I kept going. Then he saw -- he  
7 was in the truck. I didn't see. And he flashed his  
8 lights and then we came back, and he thought that, like,  
9 our truck was Michelle, who was helping him that weekend  
10 or whatever, the week. And so we introduced ourselves.  
11 And he was, like, what you are doing?

12 Oh, we're looking for a safe place to camp. And  
13 he -- that's when he said, oh, there is another Game and  
14 Fish biologist, we're staying -- we call it the Ruby Ghost  
15 site or --

16 Q. Yeah. The old town site?

17 A. Yeah. And so we camped there. So that's -- so  
18 Michelle was there and Emil was there and, like, over the  
19 course of the whole, you know, all the months that I was  
20 down there, I never saw Kirby. I don't think Michelle was  
21 down there again when I was there, and Emil was there a  
22 couple other times.

23 Q. Now did you get in the routine of using that Ruby  
24 site?

25 A. I only -- like, I only did when it was cold

1 because they would -- like, we could stay in the cabins.

2 Q. You've got the cabins and all the --

3 A. There was a wood stove. And a lot of times the  
4 two tanks that I was focusing on along that road were  
5 close to -- closer to the town site than they were to any  
6 of the camp sites that I would normally use, so it was a  
7 function of where I was working. If I was at a stop tank,  
8 like, near the border patrol semi permanent camp site then  
9 I would stay over there and if not then I would go to  
10 Ruby.

11 Q. Who was the other biologist with you?

12 A. Holly.

13 Q. Holly?

14 A. Holly Hicks.

15 Q. So that -- so that time that you met Michelle and  
16 Emil, did you -- I mean being biologists we tend to be  
17 pretty curious as -- pretty nose by nature.

18 A. Yeah.

19 Q. Did you get into any discussion, mutual sharing  
20 of notes about the types of projects you were involved  
21 in?

22 A. Yeah. Like, we, I mean, we talked about, like he  
23 was wondering what we were doing down there, and other  
24 people were at the cabin there, so we were all just  
25 talking. He was saying how he worked with -- he was -- he

1 had lion snares set up and some trail cams and that he  
2 worked in -- he was part of, like, the borderlands jaguar  
3 group or whatever it is called.

4 Q. BJP.

5 A. Yeah. And that he was working in Mexico. And I  
6 honestly, like, didn't have that much knowledge about  
7 jaguars in southeastern Arizona.

8 Q. Nobody does.

9 A. Yeah. So I was asking him questions about it,  
10 like, he was just telling us how, like, a picture from, I  
11 don't know, like, '90, whenever the first picture of  
12 Macho B was taken.

13 Q. Yeah. Yeah.

14 A. And then they had, I guess recently, I don't know  
15 if it was this time, but they recently got another picture  
16 of him. So I think he told us that in November but the  
17 picture that they got was, like, a few months back, but it  
18 was a big deal because they hadn't seen him in a while.  
19 So we were just talking about, like, the behavior and the  
20 dispersional behavior.

21 Q. That's kind of -- you know, we tend to be,  
22 biologists tend to be a pretty curious group.

23 A. Yeah.

24 Q. Did you have that kind of -- now was he  
25 interested in your project?

1       A.   Yeah.  He was asking.  They were all asking what  
2   I was doing down there.

3       Q.   Yeah.

4       A.   And so I told them.

5       Q.   You mentioned -- there were some other -- you  
6   said there were some other folks there.  Do you happen to  
7   remember any of the other folks that were there that time  
8   when you were there in Ruby?

9       A.   Yeah.  Well, the caretaker of Ruby was there.

10      Q.   Is that Sun Dog?

11      A.   Yeah.

12      Q.   Did he ever cook for you?

13      A.   All the time.  Oh, my gosh.

14      Q.   I've heard some bad reports on that.

15      A.   No.  What do you mean?

16      Q.   I'm just, you know, I'm told that he has a  
17   different cooking style.

18      A.   I have had some of the best meals of my life over  
19   there.

20      Q.   I won't share with you what we heard from  
21   Michelle about some of his cooking.  But that's okay.

22      A.   I don't know.  I think it's delicious.  I guess  
23   I'm, like, working hard in the field and anything is  
24   good.  That's kind of --

25      Q.   Field food tastes good.

1           A.    Yeah.  So Sun Dog was there and just a couple  
2 people from Arivaca.  So there is a guy named Peter who he  
3 sometimes stays there.  He just hikes with those guys, and  
4 then Emil's dad, Jim, was there.

5           Q.    Okay.  Yeah.  Jim McCain?

6           A.    Yeah.

7           Q.    Part of why I'm curious is because -- do you know  
8 if Janay Brun was there at that time?

9           A.    I have never met that person in my life.

10          Q.    So do you have any memory about that  
11 conversation, about what -- about Michelle and Emil's  
12 comments about the work they were doing, the lion work  
13 they were doing?

14          A.    No.  So we weren't talking about all that that  
15 much because it was November 4th, like, we were listening  
16 to the president's speech and everything.  But I remember  
17 that they had caught a lion the day before and we were  
18 joking about it because Michelle, like, could -- I mean,  
19 she acted like it was not even a big deal, and it was her  
20 first day on the project being down there.  So her first  
21 day she catches a lion, so we were all just kind of giving  
22 her a hard time about it.

23                         And then the next morning, I don't -- like,  
24 I work with amphibians so I don't wake up at, like, 7:00  
25 in the morning.  I wait until the sun comes up and it

1 warms up. And they were all checking, or they weren't  
2 checking. They were -- we were going hike to three of the  
3 snares that he had set. And so we did that at 7:30ish in  
4 the morning. And they were just right around Ruby, the  
5 Ruby Lakes.

6 Q. Did you talk about his camera work? I think he  
7 had a camera somewhere up there around Ruby.

8 A. I don't know where -- I don't know where it was.  
9 I mean, he -- I mean -- I don't know if they were  
10 specifically cameras or snares, but, like, I know that he  
11 was doing stuff back and forth from the Atascosas  
12 Pajaritas to the Patagonias.

13 Q. Yeah.

14 A. But the snares that we were checking, they were  
15 setting them off, so I guess he was leaving, and they  
16 didn't want --

17 Q. Yeah. They wouldn't want to leave them.

18 A. So we were hiking along to set the things off.

19 Q. So did you go out with them on any of that?

20 A. Just that one time, Holly and I and Jim and Peter  
21 and Sun Dog and Michelle and Emil.

22 MR. FABRITZ: That's the ones over by Ruby?

23 THE WITNESS: Yeah. In Patagonia, no. They were  
24 the ones in Ruby. There is three lakes and there were two  
25 up towards the lakes, so like northwest-ish, more west.

1 Q. BY MR. HOVATTER: Did you get into any  
2 opportunity to discuss the technique that they used for  
3 capturing, for doing snaring for lions?

4 A. Not really because I'm pretty familiar, without  
5 having a lot of experience in it, I'm pretty familiar with  
6 it because I've helped -- we did stuff in school and I  
7 have gone out with Thorry before.

8 Q. Yeah.

9 A. And one of our, like, one of our professors  
10 worked for Game and Fish for a long time and he trapped  
11 lions so --

12 Q. Who was that?

13 A. Stan Cunningham.

14 Q. Oh, okay. Yeah. Now did you know Thorry before  
15 that time?

16 A. Yeah. We went to school together.

17 Q. Okay. And so had you gone out doing -- now  
18 Thorry is -- Thorry's been in the lion side of things for  
19 quite awhile.

20 A. Yeah.

21 Q. Had you gone out with him before -- before this  
22 November time frame, had you worked with him at all on any  
23 of these other projects?

24 A. When I was still in school I went -- I helped him  
25 in Payson, like up north.

1 Q. Yeah.

2 A. And then I helped, like, Ron Thompson and some  
3 research people in the White Tanks just kind of  
4 volunteering.

5 Q. Were you ever up there when they caught either of  
6 those two lions?

7 A. No. I never -- we never caught anything when I  
8 was there. I'm bad luck.

9 Q. It's kind of cool to be able to look out there  
10 that close to an urban area like this and think of those  
11 lions back in there.

12 A. Yeah.

13 Q. So during the course of that time then in  
14 November, did you have any conversation or do you recall  
15 any conversation that Michelle may have had about her work  
16 and what she was doing?

17 A. She's not very talkative, to be honest. So I  
18 just saw her that one time and -- well, I mean, before  
19 that, I met her a couple times before working on, doing,  
20 like, helping with desert tortoise stuff, and I used to  
21 stay at the bunk house here.

22 Q. Yeah.

23 A. And she would sometimes stay. And I remember,  
24 like, before any of that project started she was saying  
25 that she was going to go help snare lions down in

1 southeastern Arizona, but that was all I knew.

2           And that night we were talking a little, but  
3 she was pretty quiet. And then we went out to look at the  
4 snares, and then after that we just -- I went to do my  
5 work and I don't know what they did. And then that was  
6 it.

7           Q. Who was your supervisor for the bullfrog project?

8           A. Well, my -- I mean, my work supervisor is Abby  
9 King, but I would say that Tom Jones is kind of the, like,  
10 the admin lead on the project.

11          Q. And I know for you guys in that line that your  
12 supervisory chains kind of bounce around a lot.

13          A. Like Abby doesn't know -- she knows I go down  
14 there, but it's Tom Jones that knows, like, where I'm  
15 going and what I'm doing and stuff.

16          Q. What was your impressions working down in that  
17 area? Did you feel safe? Did you feel -- working in that  
18 border region?

19          A. Yeah. As far as -- I don't, like, feel that safe  
20 just because border patrol are there because I haven't had  
21 very good experience working down there with the border  
22 patrol. It's better now, a lot better now. I have never  
23 really come across anything that scared me. And, I mean,  
24 it's -- it's probably more dangerous than I act, then I  
25 think it is, but I've never had any problems. I've run

1 into -- we have run into one group of drug runners, and  
2 then they are always catching people, but I've never had  
3 any direct problems.

4 Q. Now your other -- so there was that November time  
5 frame you were down there. Were there any other times  
6 when you were down in that area from November to, you  
7 know, Macho B was captured in March?

8 A. February.

9 Q. Oh, February. Excuse me. February and then  
10 recaptured in March, unfortunately. Well, there was no  
11 choice. It had to be done. But did you have any other  
12 field work down there where you ran across either Thorry  
13 or Michelle or Emil or --

14 A. Emil. It was never -- I've never ran across  
15 Thorry, Kirby, or Michelle down there. Just Michelle that  
16 first time. Emil, yeah. I don't -- like, I mean I  
17 have -- I could figure out probably when because I have my  
18 field notebook, but I would probably say, I don't know,  
19 three, four times maybe. I don't know.

20 Q. And do you have any memory of the context of  
21 those, what he -- of course, he's like -- like a lot of  
22 the folks down there, he's bouncing from project to  
23 project?

24 A. Yeah.

25 Q. Do you have remember any of the context about

1 what he was working on at the times when you would run  
2 across him?

3 A. No. Like most of the time when we would all meet  
4 up it was after -- it was at night when we're eating  
5 dinner, and I mean, I don't -- I don't really remember,  
6 like, exactly what we all talked about but, you know, he  
7 would talk about going to Mexico and that he was -- at one  
8 point he said that he was going to Spain to, like, help  
9 study lynx, help someone study lynx cats and --

10 Q. In any of those conversations, and again, I've  
11 told folks, you know, there is a challenge in doing any of  
12 this is, one, asking people to reach that far back in time  
13 and also with all the hindsight of things that you've  
14 learned since then.

15 A. Yeah.

16 Q. And so just all we can do is ask you to do the  
17 best you can. Do you recall in any of those  
18 conversations, did you ever get into any discussion of  
19 what -- of what sounded like or did Emil ever talk about  
20 catching a jaguar, about the potential for catching one?

21 A. No. Like, I've never -- I never heard any -- any  
22 talk about that. And, I mean, I know that or I guess  
23 he's -- I mean, I know that he snared or that he has  
24 caught jaguars in Mexico and stuff, but I never heard him,  
25 like, say anything that he was actively trying to catch

1 Macho B or a jaguar or anything.

2 He talked about, like, where his trail cams  
3 were, and I mean, he said something one day that, you  
4 know, a female jaguar that he was, I don't know,  
5 monitoring was poached in Mexico and just stuff like that.

6 Q. Shop talk sort of thing?

7 A. Yeah.

8 MR. MCMULLEN: Did he talk anything about any  
9 recent jaguar photos that he had been --

10 THE WITNESS: No. There was just that one that  
11 there is a picture, and I have it on my cell phone, and  
12 I'm sure -- I think it's the cover picture on that Jack  
13 Child's book that came out.

14 Q. BY MR. HOVATTER: Yeah. That photo project book  
15 they did?

16 A. Yeah.

17 Q. Yeah.

18 A. I guess it had to have been, so not the first  
19 time that I ever went into Sun Dog's cabin because the  
20 second time or whenever it was I saw that picture hanging  
21 up on the wall. We were, like, wow, that's so cool, and  
22 it was a big deal they were saying that it was taken. And  
23 I do not have a good memory, but for some reason I just --  
24 I remember August, like they thought in August or  
25 something. I'm sure the picture has a date on it in the

1 book, but that was the only picture that they were talking  
2 about, like it was one of the few pictures that they have  
3 seen where they could positively identify that it was  
4 Macho B and he was 14. So we were just talking about how  
5 it's an old cat and it's really cool that he has been  
6 going back and forth. I mean, that's the kind of stuff  
7 that I was asking about.

8 Q. And I am going to want to get a copy of your  
9 field notes, and if you bring them up front we can go  
10 ahead and make a copy. I would like to get a copy of them  
11 from 1st of November through the 1st of March.

12 A. Okay.

13 Q. And we can make copies up --

14 A. I can make them over there too. Or I mean --

15 Q. That's fine.

16 A. I don't care.

17 Q. If you want to, I would just like to get a copy  
18 of those. The -- if we can fast forward to when Macho B  
19 got captured, so between the time Macho B was captured and  
20 then was recaptured and euthanized in March, did you have  
21 any conversations with Thorry about the capture?

22 A. I called him, and I mean, we're -- we're like  
23 buddies from school.

24 Q. Yeah.

25 A. So I -- he answered and I just said, I guess I

1 need to buy you a shot of whiskey. And he just started  
2 laughing. And he -- I mean, I'm, like, you know, this is  
3 pretty cool, and just to get, like, the data, you know.  
4 And so he said something like, well, I'm not -- I'm  
5 holding my breath, you know. He was, like, I guess he  
6 doesn't feel good about any of that kind of stuff with  
7 cats until they make a big move or a, like, kill or  
8 something, and so he was like, I'm not holding my breath.

9 Q. Capture myopathy concerns and things like that.

10 A. Yeah.

11 Q. Did you -- did you get into any discussion of the  
12 details about the actual capture?

13 A. No. I mean, I was probably like, oh, what did  
14 you think when you checked that snare and a huge jaguar  
15 was there? And he, you know, he was just excited, and it  
16 was probably like the day after that one initial  
17 department news came out. So it had probably just  
18 happened. I don't know when that thing came out, but  
19 he -- I don't remember what he said, but he was excited,  
20 and he said that Michelle was with him. And I don't  
21 really remember the details of the conversation.

22 Q. Did you have any conversation with him after the  
23 euthanization?

24 A. I haven't talked to him since about it because,  
25 one, like, he hasn't been around, and two, I didn't want

1 to bring it up. Like, I assume he was pretty about it, so  
2 I didn't say anything.

3 Q. Yeah. And I can understand the sentiment on  
4 that. Did you have any chance to talk to Michelle at any  
5 time during that time frame?

6 A. No.

7 Q. What about Emil?

8 A. Yeah. I mean, I've talked to him about it. I  
9 sent him that initial e-mail saying did you -- you know,  
10 they caught Macho B, and they caught him in the snare.  
11 Did you know about this? And then he sent back some  
12 joking, like, no, what are you talking about? What?  
13 When?

14 And so I was kind of like, are you serious?  
15 Like, I didn't know if he was joking or not. And I guess  
16 in the e-mail before, like, they weren't disclosing which  
17 mountain range it was, and I don't know if why I thought  
18 it was in the Chimacacoris. Maybe it said it in that  
19 e-mail. And so I said they caught -- I was explaining,  
20 like, what happened because I thought he didn't know. And  
21 so, you know, he was joking.

22 And then the next e-mail was, oh, I was  
23 kidding. Why do you think -- why do you think I had to  
24 leave the country is what his e-mail said. I was, like, I  
25 don't know. I'm sure you guys -- do I need to, like, go

1 into detail about the conversation?

2 Q. No. We will talk about that some more. I mean,  
3 but I was just interested in how you kind of -- just sort  
4 of that, for want of a better term, kind of the mental,  
5 the mental flavor aftertaste from all of that that you  
6 kind of retained from those conversations, you know, and I  
7 think you've articulated that.

8 Have you had -- did you have conversations  
9 with -- was there anyone else you discussed any of that  
10 with? I mean, you weren't directly involved, and I  
11 understand that, but knowing some of the principals  
12 involved the way you did, was there any other  
13 conversations that you had with any folks about the jaguar  
14 capture?

15 A. Not -- no. Just Emil and I never talked with  
16 Thorry about it.

17 Q. Do you have -- from knowing the people involved  
18 and from having some familiarity with that area, do you  
19 have any personal sense about whether you think that was,  
20 in fact, an intentional or an unintentional capture?

21 A. I don't know. I mean, it's, like, a pretty  
22 subjective and not necessarily based on fact so --

23 Q. Yeah. It's a purely subjective question because  
24 you weren't directly involved in it.

25 A. I don't know. Like, I never heard any talk about

1 it before it happened. Everything else that I've heard --  
2 like, I mean I asked him -- I have had conversations with  
3 him after the fact, like, I've talked to him on the phone  
4 about it and --

5 Q. Him being Emil?

6 A. Yeah. Yeah. And I asked him straight up if he  
7 did it, and he, like, paused for a second and said no. I  
8 mean, I know there is -- like the e-mail that he sent me  
9 was weird and it was confusing. And there was a lot of  
10 egos going into this whole jaguar thing, so I don't know.

11 Q. And I don't doubt that for a minute having dug  
12 into this a lot and spent of my life for the last four  
13 months dealing with this, when you say -- what are you  
14 thinking of when you talk about the egos involved in this?

15 A. Just like, I don't know, like he worked a lot  
16 with jaguars and I guess it would be cool if he snared a  
17 jaguar in Arizona. Like, this is all just me.

18 Q. No. I understand. But I mean that's -- we've  
19 talked to a lot of folks and you're just -- you know, a  
20 lot of the questions we ask provide some pieces to a  
21 puzzle and some don't. It's just a lot of it is just --

22 A. I just don't want it to be, like, misconstrued as  
23 like something factual.

24 Q. No. I mean, if you, you know, if you -- if you  
25 have facts we will -- when we ask, I'm presuming that you

1 will let us know that.

2 A. Yeah. I don't know like --

3 Q. And I'm asking for your impression. If I'm  
4 really trying to grill, do you have any factual knowledge,  
5 I mean, we will ask that question too.

6 A. Well, like, I mean, I sent him a couple of  
7 e-mails, I mean, when all this happened, articles are  
8 going around and being forwarded to us and stuff, and  
9 there was one about a jaguar biologist, I don't even  
10 remember what it was about, but I sent it to him, like,  
11 didn't know if you saw this. And it happened to be by  
12 some biologist, a jag biologist that has a bad rap, the  
13 Rabinowitz guy. And he kind of sent an e-mail back, like,  
14 you know, he doesn't care for that guy at all. And so,  
15 like, even just getting the ego thing from there, like,  
16 just how he felt about this guy.

17 Q. Did you ever have any conversation -- your  
18 conversation with Emil, not just jaguar but I mean general  
19 conversation, do you know what his -- did he ever -- did  
20 he ever discuss what his ultimate goals and objectives  
21 working down here were? Do you know if he had some plan  
22 for how he intended to kind of translate this into a  
23 career?

24 A. Like, he talked about how he started on the  
25 project, like, some, I think it was some rancher where

1 he's staying was kind of funding some of the project maybe  
2 to -- because he was trying to get some information out of  
3 it. And I'm not sure what the rancher's agenda was, but  
4 he was working down -- that's why he was doing stuff in  
5 the Patagonias.

6           And then in Mexico I guess, like, the big  
7 thing was him working with ranchers to get, like, a  
8 working relationship with private property owners to  
9 where, like, people are not poaching jaguars and, like,  
10 working -- doing conservation but --

11       Q.    The UMA, the UMA approach, those UMA groups.

12       A.    So that's what he talked about, like, as far as  
13 future stuff, said that's what he was doing.

14       Q.    You know the -- when, you know, in the -- there  
15 was e-mails -- let's see. Macho B was, what, captured on  
16 the 19th?

17           MR. FABRITZ: 18th.

18       Q.    I don't know how I can't remember that.

19       A.    So I think that e-mail came out on the 20th then.

20       Q.    Yeah. When -- I'm trying to sort through, and  
21 I'll slide these over to you because there is no reason  
22 using your memory when we got stuff that you can look  
23 right at.

24           When -- when Emil -- you know, there is the  
25 one e-mail in here -- all right. So here's the -- here's

1 the string, starts back here, and he's talking about --  
2 this is that, I think, where that kind of that joking sort  
3 of line he had in here.

4 A. Yeah.

5 Q. And when -- how did you -- when he asked you to  
6 delete that last part, which -- which part of this was --  
7 did you take that to mean of that e-mail? Do you recall?

8 A. The last part, so I guess, why do you think I had  
9 to leave the country?

10 Q. I kind of assumed that from this but there is no  
11 reason to assume when we have --

12 A. Well, I'm assuming too so --

13 Q. Yeah. But did that strike you -- I mean, you've  
14 known him for some time or some several months by then.

15 A. Yeah.

16 Q. Did that strike you as odd?

17 A. I just thought it was weird. It didn't real  
18 make -- I thought it was weird because I thought he was  
19 already in Spain.

20 Q. Yeah.

21 A. And that to me sounds like I just left. I don't  
22 know. I thought he was already in Spain.

23 Q. Yeah.

24 MR. FABRITZ: Wasn't he in Spain at that point?

25 A. I have no idea.

1 Q. Yeah. I think he was. Well, I've kind of, you  
2 know, from what we've been able to glean, I am pretty sure  
3 he was. One of the things that the folks that, you know,  
4 we are able to talk to this way are all our folks, all  
5 department people. So we don't have the same opportunity  
6 to talk to folks outside the department.

7 A. Yeah.

8 Q. So we never really have been able to get at some  
9 of the other folks who might be able to give us their  
10 different perspective on it.

11 A. I was just going to say something and I forget.  
12 Oh, like, just I guess another example of, like, I don't  
13 know if the ego thing is the right word, but yeah, I'm the  
14 one with the -- you know, like, the why do you think I had  
15 to leave the country kind of thing --

16 Q. Sitting there with a glass of wine.

17 A. Yeah. That's kind of the hotshot ego thing I'm  
18 talking about.

19 Q. Let me see. There was -- I know I should be  
20 intimately familiar with all 15,000 e-mails I've looked at  
21 but I'm strangely not. The -- where is that one I'm  
22 looking for?

23 MR. FABRITZ: You are talking about the phone  
24 call reference?

25 MR. HOVATTER: Yeah.

1 MR. FABRITZ: This one, Christina. We were just  
2 curious as why you were having this e-mail conversation  
3 and then all the sudden it's, call me at work. Can you  
4 kind of shed light on that?

5 THE WITNESS: They showed me that too. I  
6 don't --

7 MR. FABRITZ: Because it looks like it was right  
8 after that curious e-mail he sent you.

9 THE WITNESS: I guess I was just wondering -- I  
10 mean, like, I didn't want to just do this little e-mail  
11 thing back and forth. I don't know why I even said that  
12 because I don't think he -- they asked, the other guys  
13 asked if he called me and I don't think he did. Like, I  
14 don't ever remember talking to him because he was in  
15 Spain. So I think that I was just wondering what was  
16 going on.

17 MR. FABRITZ: So you wanted to -- you just wanted  
18 to get clarification over the phone?

19 THE WITNESS: Well, because he was confusing me.  
20 Like, I didn't know -- like, he was joking around and then  
21 when he said, like, why do you think I had to leave the  
22 country, I guess that made me curious, and I said, can you  
23 call me but -- was there anything after this? Like, I  
24 can't recall.

25 MR. FABRITZ: I think there is more somewhere.

1 THE WITNESS: On this little strand or whatever  
2 you called it.

3 MR. HOVATTER: Right off the top of my head I  
4 can't --

5 MR. FABRITZ: But that whole part about him  
6 leaving the country, I mean, how did -- what did you think  
7 when you read that? I'm just curious.

8 THE WITNESS: I was, like, I don't know why he  
9 said that. I mean, it's -- it's sketchy.

10 MR. FABRITZ: Did he ever -- did you guys ever  
11 talk about that e-mail string at any point after over the  
12 phone, not necessarily right then?

13 THE WITNESS: No. No. He, like, told me to  
14 delete it. And I'm, like, as a joke, I'm kind of, like,  
15 that doesn't make a difference, you know, like, deleting  
16 anything -- well, deleting anything on a computer, like,  
17 it's always going to be there.

18 MR. MCMULLEN: Did you delete anything?

19 THE WITNESS: No. I still have -- I mean I have  
20 deleted, like, 1200 e-mails. They are all still in my  
21 deleted e-mail box. And I -- like, when all this  
22 happened, I went to my supervisor and told them that I  
23 had -- I'm, like, hey, I have these e-mails and they read  
24 them and --

25 Q. BY MR. HOVATTER: Which supervisor was that?

1 A. I talked to Tom about them.

2 Q. Okay. Let me ask you this, because, again, there  
3 is all this e-mail on this, or not all this, but in the  
4 e-mail there is so much, you know, with him being out of  
5 the country at that time there is not the opportunity to  
6 have a lot of conversation. How did you interpreter that?

7 A. To me --

8 MR. MCMULLEN: What is that, Gary?

9 Q. BY MR. HOVATTER: This is the no jaguar photos  
10 have been taken there in the past. Got it. Got it.

11 A. Okay. So I don't associate that "got it" to just  
12 that last sentence. I associate it to the whole story.

13 And --

14 Q. Oh, okay.

15 A. I don't know, like, the ones, like, picking that  
16 one sentence, so I don't -- and to be honest, like, I  
17 didn't even know that whole part was in there because  
18 someone asked me about that and I was, like, what are you  
19 talking about, the photo thing? To me, I interpreted  
20 that, like, to be, I mean, the story that he is going  
21 with. I don't know. I feel weird about just, like,  
22 making all these, like what I'm drawing from this.

23 Q. No. No. I mean, the thing about this is, I  
24 mean, what we do need to get is because -- the only -- you  
25 know, this -- this isn't really conversation. It is, you

1 know, e-mail communication. Of course you don't have body  
2 language or tone of voice or things like that to go by.  
3 It's understood. But the only knowledge that we have of  
4 kind of how the flow of this conversation -- this e-mail  
5 communication was going is really you. So we kind of have  
6 to try and get at how that could be interpreted.

7 A. I think it's weird. It sounds weird.

8 Q. And, I mean, this -- did this make -- when he  
9 talks about, oh, okay, so the politics are still hot right  
10 now. You didn't have this, any more conversation on this,  
11 but the question is, how did you interpret him or did you  
12 have an interpretation for what he meant about the  
13 politics still being hot on this?

14 A. I took that as -- I guess before talking to him I  
15 got the perception that Game and Fish didn't want to,  
16 like, actively do research on jaguars because just  
17 different attention to Macho B and the fact that there are  
18 jaguars down there and, like, poachers, so poachers would  
19 come in. And so that's -- I mean, I guess that's why I  
20 thought they contracted Emil to do it. I don't know.

21 But so I guess that's what I thought. They  
22 didn't want to bring a lot of attention to it because, you  
23 know, environmentalists would get all upset and then  
24 poachers would know that there are jags in southeastern  
25 Arizona. That's what I got -- how I took it.

1 MR. MCMULLEN: But they already -- the word was  
2 already out that they had caught a jaguar so the photos  
3 had no bearing on whether or not someone was going to know  
4 if a jag was down there, right?

5 THE WITNESS: Well, this was -- this was, like,  
6 the stream I forwarded him to that, the department news  
7 e-mail, and I guess -- I don't know if I was -- I think I  
8 was in the field because someone texted me that they  
9 caught Macho B. So they saw this before I did. But I  
10 guess I thought this was all, like, they hadn't released  
11 it to the media yet or something.

12 Q. BY MR. HOVATTER: No. Go ahead.

13 A. I don't know. Yeah. The whole politics thing  
14 for me was I just thought he was talking about, like,  
15 poachers being taken down there.

16 MR. MCMULLEN: Because the original e-mail that  
17 started off that February 20 e-mail string was you're  
18 forwarding a news release about the capture of Macho B to  
19 Emil, right?

20 THE WITNESS: Yeah.

21 MR. MCMULLEN: And I guess I'm not following the  
22 train of thought on how this story about the photos could  
23 be related to the word being out --

24 THE WITNESS: I don't know anything about  
25 photos. I think -- I don't know what information, like,

1 everyone has to why that is such a big part of this.

2 MR. MCMULLEN: It sounds like -- it sounds like  
3 an objective person who is not the least bit familiar with  
4 this whole thing gets that e-mail in front of them, what  
5 it sounds like is, I'm trying to cover up, asking you to  
6 try to cover up information.

7 THE WITNESS: I've gotten that impression.

8 MR. MCMULLEN: Yeah.

9 THE WITNESS: From you guys.

10 MR. MCMULLEN: So let's not dance around the  
11 issue.

12 THE WITNESS: I have never seen any photos. I've  
13 never -- as far as I knew when I got back, when I read  
14 this, like, they had a lion snare or a bear snare or  
15 whatever and they caught Macho B in it and it was an  
16 incidental catch. The only time I questioned anything was  
17 when all the allegations started coming out. I've never  
18 seen any -- like the two photos that I've seen of Macho B,  
19 and even like heard discussed, are the one that was  
20 hanging up.

21 MR. MCMULLEN: That you saw in November?

22 THE WITNESS: Yeah.

23 MR. MCMULLEN: And that's why we're asking, but I  
24 mean, you got to understand any objective person that  
25 looks at that is going to say, well, we probably ought to

1 ask about that.

2 THE WITNESS: But I'm -- and I'm just saying  
3 also -- like, I'm taking that as a group. I'm not  
4 just -- I wasn't ever looking at just that one spot.

5 Q. BY MR. HOVATTER: You know, we've had other folks  
6 from other aspects of this talk about that, you know, that  
7 we -- that there was some, I don't know what the right  
8 term is, maybe gun shyness in the Department about getting  
9 involved with jaguars.

10 A. Yeah.

11 Q. Even before this capture.

12 A. Uh-huh.

13 Q. Does that ring any bells? I mean, is that --  
14 does that ring any bells with you for -- were you aware of  
15 any conversations or do you know just in kind of shop talk  
16 within the branch whether there had been conversations  
17 about working down in jaguar country like that and the  
18 possibility of coming across a jaguar during the course of  
19 some of the work we're doing?

20 A. Well, like I talked to Thorry when he said he was  
21 going to be working down there, like, doing a lion and  
22 bear thing there and in the Patagonias. Like, by that  
23 time I knew that -- I didn't know where Macho B was but I  
24 mean, like, I knew he was coming up and down. And I  
25 don't -- like, if anything ever came up, like, it was me

1 saying something like, oh, that would be cool. But I  
2 didn't know -- I mean, I don't know the legalities of it  
3 all. Like, I just thought it would be cool to see, just  
4 cool to see one.

5 Q. Yeah. Yeah.

6 A. But I never talked --

7 Q. And the idea of having one in the snare and  
8 actually being able to put your hands on an animal like  
9 that, that is -- if you're really a biologist, that ought  
10 to be something that really does kind of wind your watch.

11 A. Yeah. I mean, I would assume so.

12 Q. When you had that conversation with Thorry you  
13 were just talking about, did the subject of doing that  
14 kind of work in jaguar country, the fact that that was --  
15 we did have a history of not frequent but some history of  
16 jaguar activity, did that come up in the conversation, any  
17 discussion of that?

18 A. I mean, I don't remember specifically what we  
19 were talking about but I'm sure that something came up,  
20 like, where it would be -- you know, where I said, like,  
21 it would be cool if you could put a collar on one. But,  
22 again, I didn't -- he never said anything. It was just,  
23 like, I'm working down there with Emil doing lions and  
24 bears kind of thing.

25 Q. And please forgive me because I kind of bounce

1 all over the map as I think about this, so I'm not real  
2 linear in the way that I go through these. If we fast  
3 forward a bit to after the animal has been captured,  
4 recaptured, and unfortunately had to euthanize him.  
5 Thorry is out of the country too. I think he goes on  
6 vacation fairly early after that. Had you had any  
7 conversations with Emil subsequent to that, to the  
8 euthanization? He is still in Spain for quite awhile I  
9 think at about that same time.

10 A. Yeah.

11 Q. But have you had any conversations subsequently  
12 with him about this jaguar, this whole situation?

13 A. Say, like, in between when they caught it and  
14 when they euthanized it?

15 Q. Well, I mean any time since the euthanization,  
16 since the 2nd of March.

17 A. Yeah.

18 Q. And discussing this. Can you characterize any of  
19 those conversations or give me any of the details of those  
20 conversations?

21 A. Well, before he was euthanized, I mean, like you  
22 said, like, I'm pretty curious, and I was, like, where --  
23 has he made a big move, or just wanting to know if he was  
24 okay or whatever. And he was saying how he was kind of  
25 concerned, that he -- it didn't seem like he was making a

1 big move.

2 Q. This is Emil?

3 A. Yeah. So started talking about collars and  
4 mortality signals and stuff like that.

5 Q. Yeah.

6 A. And then that was pretty much all before he was  
7 euthanized.

8 Q. Okay.

9 A. And then right after that, I don't think I  
10 talked -- I don't think I ever talked to him about, like,  
11 how he felt about it all. He sent out that one, like,  
12 thoughts on Macho B thing to some people. And then I  
13 said, you know, something, like, you know, that was nicely  
14 put, or I don't know.

15 Q. You weren't the only person.

16 A. He had mentioned, like, oh, I've been getting  
17 nothing but negative stuff back. And I made a comment,  
18 like what are you talking about? Everyone on this who is  
19 replying is saying good things. Like, it just -- I  
20 thought he was just fishing for, I don't know -- so I  
21 talked to him about that.

22 Q. Fishing for compliments?

23 A. Well, I don't know. It was just, like, what are  
24 you talking about? People are replying to all on this and  
25 everyone is saying this is great, how lovely you wrote. I

1 mean, so but -- then all, like, the -- I'm trying to  
2 remember how I heard that. Oh, okay. So I guess, you  
3 know, in the Daily Sun or whatever that Tucson paper is.

4 Q. Arizona Daily Star.

5 A. Yeah. They had mentioned or someone had  
6 mentioned, like, oh, I read that article, and they are  
7 saying that Emil, like, told someone to bait the trap.  
8 And I called him and was asking him, like, what the deal  
9 was, and what's going on and how he felt, like why, and  
10 you know, I was talking to him about it. And he told me  
11 about that one girl who was working for him and what she  
12 said to the newspaper, I guess. And I was just, like, are  
13 you mad? Like, what -- like, have you talked to this  
14 girl? Like, why would she say something like that, just  
15 going on and on.

16 Q. Yeah.

17 A. And he just said he hadn't talked to her. Like,  
18 she went -- I guess she went to Pennsylvania or something  
19 and that she used to work for him and she -- she was  
20 unreliable and he kind of fired her, I guess, and she's  
21 just bitter about it and made up these lies.

22 Q. You know when you were doing the snaring work  
23 when you were a student and some of the other things, did  
24 you guys in sighting those, how did you -- did you have  
25 discussions as a part of your training and education on

1 best ways to site those where you take advantage of all of  
2 the lion's senses?

3 A. Yeah.

4 Q. Looking for scat?

5 A. Scat and scratches, yes.

6 Q. So in -- from the standpoint of baiting, when the  
7 subject of baiting a jaguar came up, did that -- did that  
8 just -- did that seem to you to just be the sort of, if  
9 you're trying to catch cats that's the way you catch cats,  
10 or did you have any sense of -- understanding it's not  
11 your project, you're not invested in it that way?

12 A. It didn't make sense to me about baiting a jaguar  
13 because, like, if -- I don't know what, like, their  
14 protocol was for how they were snaring lions down there  
15 because of, like, the presence of jags but everywhere else  
16 I've helped, like, you set a snare, you make a scrape and  
17 you -- if you find a piece of scat, whether it's fox,  
18 coyote, lion, whatever, you put it in the scrape that you  
19 make. But when everyone was just talking about baited for  
20 a jaguar, I was kind of, like, well, how is anything  
21 supposed to tell the difference between -- I didn't know  
22 that, I guess, he allegedly put scat there, like jaguar  
23 scat.

24 Q. So did Emil in your conversation about Janay,  
25 because that's the gal who was -- that's who the Star

1 reportedly got the information from, did he say that it  
2 wasn't true?

3 A. I was, like, why -- I was, like, why would she  
4 just say something like that, and he said that she --  
5 she -- like, he fired her because she wasn't reliable and  
6 was, like, hanging out with someone and bringing them into  
7 the field, and she was making it up or lying. And I'm,  
8 like, well, are you pissed? Like, why aren't you -- like,  
9 this is a big deal. Like, why aren't you -- why wouldn't  
10 you talk to her and ask her why. And I guess that's when  
11 he said that she was gone, that he hadn't talked to her.  
12 And it probably wasn't in that first conversation but  
13 later on, however, I don't know when I asked him, but I  
14 asked him straight up, like, if he did it, if he told her  
15 to bait the trap, and he said no.

16 And so, I mean, he just retold what she was  
17 telling to the newspaper, I guess, is what he said. Well,  
18 she's telling them that I was standing there and Emil and  
19 Thorry was there. I don't know if Michelle was there or  
20 not when he is telling this. And she's saying that I told  
21 her to go put the scat by the trap and then walked away.  
22 And I was just, like, why? Why is she lying? Why would  
23 someone do this?

24 Q. Since we started the investigation beginning of  
25 April, have you had any other conversations with him?

1           A.    The beginning of April?

2           Q.    Yeah.  That's when we started the formal  
3 investigation is about 1 April.

4           A.    Well, I talked to him a couple months ago because  
5 I found some lion scat and it had some claws in it and I  
6 wanted to know what it ate so I sent him some pictures.  
7 And I did call him when -- that first time I met with  
8 Frank and Ed, I called him that morning, and I said,  
9 what's going on down there?  I mean, because he would call  
10 me, like, in, you know -- when, I guess, the Federal stuff  
11 started going on, and just be, like, oh, I'm hanging out  
12 in the mountains.  And I'm, like, what are you talking  
13 about?  And he's, like, yeah, I'm hiding out here in the  
14 Patagonias because all these people are trying to talk to  
15 me.  And I was kind of, like, whatever.  You're working  
16 down there.  It's not like you're hiding out.

17                         And so I mean, I would -- he would call me  
18 and say stuff like that.  So I was, like, what's going  
19 on?  Like, what's going on right now?  Because I mean the  
20 way that everything was handled with, like, setting up  
21 meetings, you know, I didn't know what was going on.  And  
22 it was pretty secretive.  And so I called him and he's,  
23 like, well, you know, they are starting to talk to people  
24 that I've talked to and they are just going to ask you  
25 questions.  And you know, he said, like, I can't -- you

1 know, he's, like, I don't know what -- I can't tell you  
2 what they are going to ask you but just tell them what you  
3 know. And then that was pretty much it. But, yeah, I did  
4 call him that morning.

5 Q. And that was the morning, that was before or  
6 after you talked to them?

7 A. It was before.

8 Q. Before. Did you talk to him afterwards?

9 A. No.

10 Q. You know, I can understand kind of your confusion  
11 about some of the calls. Why do you think he is calling  
12 you?

13 A. I don't know. I mean, we got to be friends, like  
14 somewhat of friends. I guess, I wouldn't say friends, but  
15 I think he just wanted to tell someone, you know, that,  
16 like, all this was going on because it was drama, I guess.

17 Q. Yeah. Does he have a sense -- from what you know  
18 about him, does he have a sense of drama? You talked  
19 about ego. Does he have an ego?

20 A. I don't know.

21 Q. It's a subjective question.

22 A. I guess like with this, with like the whole -- I  
23 mean, but that's how every -- well, that's how some  
24 biologists are. Like, if they are working on -- they are  
25 considered the expert on something and they want to get

1 all the stuff published and they -- I mean, that kind of,  
2 like --

3 Q. Kind of comes with the territory?

4 A. Yeah.

5 Q. If it's not bullfrogs, someday there might be a  
6 project -- I don't know if bullfrogs are self-actualizing  
7 for you enough, but I mean, at some point, you know,  
8 undoubtedly there will that be -- you will find that.  
9 What are you really interested in?

10 A. I would like to focus with reptiles and  
11 amphibians, herpetology.

12 Q. You're in a good state for it.

13 A. Yup.

14 Q. Let's see. What else? When you told your  
15 supervisor about these, do you have any memory, about your  
16 e-mails and all, letting them know that you had that, do  
17 you recall about when that was? I mean, if you could  
18 relate it to one of the major events that's probably close  
19 enough for my purposes.

20 A. I don't know, like, I guess, a week or two weeks  
21 after.

22 Q. After the euthanization?

23 A. Yeah. Well, after, like, people all started  
24 talking about this, I guess. I didn't want -- I don't  
25 know when I deleted the e-mail. I literally go through

1 and delete all my e-mails like once every two days, well,  
2 not all of them but the ones that I don't care about. And  
3 I had -- I have like 1200 deleted e-mails in my in box  
4 right now. And I guess my reasoning to go to tell someone  
5 was because I didn't want -- like he says, make sure you  
6 delete that e-mail. I didn't want someone to think I was  
7 deleting the e-mail because he told me to. I just go  
8 through and delete my e-mails. If I wanted to delete it I  
9 would have deleted it from my in box, so I didn't --

10 Q. And so, I mean, you had a sense of the perception  
11 that that might create?

12 A. And I guess, like, because maybe someone else  
13 might have been asked, like, their involvement to where I  
14 am, like, yeah, I should probably tell someone about  
15 these, I guess. But yeah, I just didn't want someone to  
16 think I was deleting them because he told me to. I  
17 just --

18 Q. Yeah. And there are quite a few questions that I  
19 ask that kind of really focus on process more than  
20 probably specifics in the case, but one of the questions,  
21 were you aware that we had an open records request for all  
22 of our stuff on Macho B?

23 A. Yeah.

24 Q. You know -- go ahead.

25 A. Well, I mean, I guess, like, well, just, like,

1 working for the government, public records or whatever.

2 Q. Well, did you know we had some specific record  
3 requests for -- what I'm trying to get at on this thing is  
4 we didn't we get -- we got thousands of e-mails. We never  
5 believed that we've gotten everything. We didn't get  
6 anything out of -- any of these strings at that point in  
7 that process, and I was just wondering if you had any  
8 memory of whether or not you were aware that we had an  
9 open records request?

10 A. For all this stuff?

11 Q. Well, for anything related to Macho B.

12 A. No. Not really.

13 Q. So because I'm --

14 A. I mean, like, now I do. Well, with maybe talking  
15 to the other guys, I guess I had an idea but --

16 Q. So you were not aware that we had an open records  
17 request for collecting up all of this e-mail and all?

18 A. No.

19 Q. In fact, any documents.

20 MR. FABRITZ: Can I ask a follow up?

21 MR. HOVATTER: Yeah. Go ahead.

22 MR. FABRITZ: I'm just curious. Christina, you  
23 talked about you didn't want to make -- you didn't want to  
24 make it sound like you deleted it because Emil asked you  
25 to.

1           THE WITNESS: No. I just didn't want -- I just  
2 didn't want, like, something -- because if all this -- if  
3 what he is alleged to have done is true, like, I just  
4 didn't want it to come up with, like, well, why didn't you  
5 tell anyone you had these e-mails. You know, that's all.  
6 I just wanted to let someone know. I didn't think, like,  
7 I mean, I guess the e-mails -- his replies are kind of --  
8 they sound weird. And I just wanted to make sure that I  
9 was telling someone, so, like, when -- if something  
10 happened, like --

11           Q. BY MR. HOVATTER: Like this?

12           A. It wouldn't be out of the blue. But, like, even  
13 Frank and Ed were like, are you surprised we have taken so  
14 long to talk to you? No. Like, I -- because I don't  
15 know, like, with the whole photo thing, like, I don't know  
16 anything about the photos. I never heard anything about,  
17 like, trying to catch jaguars. So I was not surprised  
18 that someone -- I just wanted to -- I didn't want it to  
19 perceive like I was deleting e-mails because I was trying  
20 to hide something.

21           MR. FABRITZ: In that e-mail string you replied  
22 one time, I can show you, it says, I have no idea what's  
23 going on. All right. All right. I deleted it, or did  
24 I? Ha ha.

25           THE WITNESS: Yeah. It was a joke. Like, I was

1 just, I mean he would -- like, you know, delete this  
2 e-mail and I was, like, kind of, like, joking around,  
3 like --

4 MR. FABRITZ: So you just did that as a joke and  
5 you didn't delete it?

6 THE WITNESS: I didn't delete it then.

7 MR. FABRITZ: When did you delete it?

8 THE WITNESS: I have no idea.

9 MR. FABRITZ: Later on in your normal course of  
10 deleting e-mails?

11 THE WITNESS: Yeah.

12 MR. FABRITZ: Did you ever take anything out of  
13 any of those e-mail strings?

14 THE WITNESS: No. I didn't know you could do  
15 that.

16 MR. FABRITZ: Because I'm curious -- I'm not a  
17 computer guy, but, like, there is this February 20 e-mail  
18 string, and I think this is from sent e-mails but I'm not  
19 sure, but in one of the earlier e-mails the reference  
20 about call me is, if I remember correctly, was right here.

21 THE WITNESS: Okay.

22 MR. FABRITZ: And in this one it's gone.

23 THE WITNESS: Like, how it printed up? Oh, I  
24 have no --

25 MR. FABRITZ: So it looks to me like at some

1 point somebody went in there and cut that out. I'm just  
2 trying to clarify that. You don't remember doing anything  
3 like that?

4 THE WITNESS: No. I mean, can I see, like, the  
5 other one, the phone number?

6 MR. HOVATTER: You got the one --

7 THE WITNESS: I mean, I can look at mine.  
8 Honestly, like, if I was going to delete something, I  
9 wouldn't just delete that. I mean, I'm --

10 MR. FABRITZ: I'm just trying to clear it up  
11 because when I saw that it struck me --

12 MR. MCMULLEN: It was the 2 02.

13 MR. FABRITZ: Okay. So this is after this,  
14 right? And then where is the rest of this? See, this was  
15 a 2 02 e-mail.

16 THE WITNESS: They are all, like, at the same  
17 time. So how -- are these -- were these printed out from  
18 two different things? Like, why are they --

19 MR. FABRITZ: Well, that's what I'm trying to  
20 figure out. We printed out deleted e-mails, and we  
21 printed out sent e-mails, and we printed out in box  
22 e-mails.

23 THE WITNESS: Oh, and so, like, they should all  
24 be the same, right?

25 MR. FABRITZ: Uh-huh. Or they should all be --

1 if nothing was modified, everything should be exactly the  
2 same with each more recent e-mail should just have more  
3 information, and I'm just curious why --

4 THE WITNESS: I'm not sure. I mean, did you  
5 print out, like, each deleted, sent, and --

6 MR. FABRITZ: Uh-huh. And when I saw that, it  
7 went bing, where is that?

8 THE WITNESS: I don't remember deleting  
9 anything. And if -- I have nothing to cover -- like, if  
10 he did this, like, I have -- I hope he gets in trouble.  
11 Like, I think it's wrong. It's unethical. I have nothing  
12 to hide for this guy. Like, I could -- I want him to get  
13 in trouble if he did this. So I don't remember deleting  
14 it. There is certainly nothing else -- there was nothing  
15 else in these e-mails that I would have deleted because, I  
16 don't know -- I didn't know anything prior to Macho B  
17 getting caught.

18 Q. BY MR. HOVATTER: Okay. From the standpoint  
19 of -- just thinking in process-wise, you know, clearly  
20 from this, I mean this was not your study. You are very  
21 peripheral to all of this and you have a biologist's  
22 curiosity about other projects. From what you have seen,  
23 understanding that we haven't had the opportunity to dig  
24 into this and tell the Department what we think really  
25 what went on with all of this, is there any part of this

1 that you think, as you think about -- how do I put this?  
2 Does what you know so far about what we have gone through  
3 with Macho B, does it tell you anything? From your  
4 standpoint as a biologist or as Department employee or  
5 both, does it tell you -- does it indicate to you anything  
6 about the Department that concerns you, that you had --  
7 that troubles you at all?

8 A. Well, I mean, I don't really know. When all this  
9 happened, like, a couple of us were all asking, well, I  
10 guess it's not, like -- like normally older animals don't  
11 come out of certain tranquilizers that well, and I guess  
12 the one that was written in some protocol for trapping  
13 them, I guess, was, I don't know what they use, but one is  
14 better than the other and I guess they used the other.  
15 And we were just, like, why did they use a tranq that  
16 doesn't get out of his system well, like, old cats or old  
17 bears.

18 Q. Yeah. It doesn't metabolize as well.

19 A. Yeah. I don't know. Like it's hard on large  
20 carnivores. I don't know. So but, like, you know, we all  
21 understood that if you have a jag or a cat or a jag in a  
22 snare, like, you got to tranq it to get it out, so I guess  
23 they did what they had to do.

24 Q. Is there anything that we haven't asked you about  
25 that you think we ought to know about this whole -- about

1 all of the circumstances surrounding this jaguar  
2 situation?

3 A. I don't think so. Not that I can think off the  
4 top of my head right now.

5 Q. What -- as you look back on this now, what  
6 questions does, you know, understanding we haven't had a  
7 chance to share with the Department what we think has  
8 really gone one with all of this, but what questions  
9 remain in your mind unanswered that you would like to know  
10 the answer to?

11 A. I want to know if he did it or not.

12 Q. If Emil did that or not. Yeah.

13 A. I don't know.

14 Q. Guys, what else?

15 MR. FABRITZ: You said when you talked to Emil,  
16 whenever that was, I missed the start of it because I was  
17 over there paying attention, that was the day the Feds  
18 were going to talk to you, is that what you said?

19 THE WITNESS: When I called him, yeah.

20 MR. FABRITZ: When you called him. So you called  
21 him that morning. And then all he told you was tell what  
22 you know.

23 THE WITNESS: Yeah. He was like -- I'm, like --  
24 I'm, like, what's going on? And he had said, oh, they are  
25 starting to talk to people, like, that I've talked to or

1 whatever. He said, yeah, just, like, they are going to  
2 ask you probably, you know, how you met me and what my  
3 relationship is with Sun Dog, and sorry for getting you  
4 involved in this. I know it's, like, kind of an  
5 inconvenience. And he said, just tell them what you know  
6 and be honest. That was pretty much it. I was driving to  
7 work.

8 MR. FABRITZ: Did you have any follow-up  
9 questions for him like trying to get at more to that or  
10 did you just say okay?

11 THE WITNESS: I was kind of, like, this is --

12 MR. FABRITZ: Because I would have been as  
13 curious as you know what if it were me.

14 THE WITNESS: Well, I -- no. I said -- I was  
15 kind of -- I'm kind of annoyed, not from any of you guys  
16 but I'm kind of annoyed --

17 MR. HOVATTER: You can be annoyed with us.

18 THE WITNESS: That I'm brought into this because  
19 of what he said in those e-mails, like, how -- like,  
20 what -- like, he's an idiot. Like, why did he -- why --  
21 why did he -- it sounds weird in e-mails, so I was just  
22 kind of annoyed. I'm, like, if the only reason why, I  
23 don't know if I said, like, I'm in this a little bit now  
24 is because I was excited and wanted to tell you if you  
25 didn't know because you were in Spain that they caught

1 Macho B, and I mean, that was kind of it. And then again  
2 he said, just tell them what you know.

3 MR. FABRITZ: And he didn't specifically ask you  
4 to say anything?

5 THE WITNESS: No.

6 MR. FABRITZ: Other specific things, that's it?

7 THE WITNESS: No. I mean, the first thing he  
8 said on the phone was, well, I can't tell you what to do.  
9 I wasn't asking him to tell me what to do. You know, I  
10 was just curious if something, like, what was going on,  
11 why there --

12 MR. FABRITZ: Did he indicate in any other way, I  
13 know it's tough over the phone, as far as like anything  
14 else just beyond that, like, oh, crap, or whatever?

15 THE WITNESS: No.

16 MR. FABRITZ: Nothing?

17 THE WITNESS: He just apologized for, like,  
18 bringing me into it, I guess. That was it. I mean,  
19 he -- I don't know if he had gotten other phone calls  
20 because he said, they are starting to talk to people now.  
21 For, you know --

22 MR. FABRITZ: Did he specifically say if he  
23 talked to anybody else?

24 THE WITNESS: No.

25 MR. FABRITZ: Did you ask him?

1 THE WITNESS: No. The reason -- like I also  
2 called because I didn't know what this was about. Like, I  
3 didn't know if you guys wanted to -- it was either the  
4 jaguar, the shootings that happened down there, because I  
5 was in the same canyon, or, like, something about Sun  
6 Dog. I had no idea. So I was, like, what's going on?  
7 And he's, like, it's probably about Macho B. They are  
8 starting to talk to people now.

9 Q. BY MR. HOVATTER: Yeah. It's unfortunate the way  
10 that you do this, you kind of have to do that.

11 MR. FABRITZ: Kind of secretive.

12 THE WITNESS: Yeah.

13 Q. BY MR. HOVATTER: Is there something about Sun  
14 Dog we should know?

15 A. There was some -- some, I guess, someone said  
16 that he's poached deer or something, and I'm, like, I know  
17 someone wanted to talk to me about that because I have  
18 been there before.

19 MR. FABRITZ: I noticed in the e-mail strings  
20 that there was a big gap between, I think it was March 9th  
21 was My Thoughts on Macho B e-mail, between you and Emil  
22 until like July?

23 THE WITNESS: July?

24 MR. FABRITZ: No e-mails for like four months and  
25 between November to February it was a lot. Is there any

1 reason for that?

2 THE WITNESS: Well, because that's when he was  
3 here, like, when he was being down working at Ruby, I  
4 guess. After that whole -- after -- like, I thought he  
5 was out of the -- like, in Mexico or somewhere. I don't  
6 think he was in the United States, I guess. And I don't  
7 know, I didn't have any reason to talk to him again. I  
8 mean, like over that time, I pulled up my phone records  
9 for the other guys, and I talked to him in, I think April  
10 and May like on the phone, and that's when we had the  
11 phone conversations about, like, what -- what -- why did  
12 this girl say all this stuff, like, that's when we were  
13 talking about stuff like that.

14 MR. FABRITZ: When you asked him point blank, I  
15 think you said you did it, or whatever --

16 THE WITNESS: Did you do it?

17 MR. FABRITZ: And he paused and then he said,  
18 no. Did that make you wonder?

19 THE WITNESS: A little.

20 MR. FABRITZ: I'm just curious.

21 THE WITNESS: A little. I mean --

22 MR. FABRITZ: And that was all he said?

23 THE WITNESS: Uh-huh.

24 MR. FABRITZ: Okay.

25 Q. BY MR. HOVATTER: We don't often have times when

1 we have to look back on ourselves in this type of detail  
2 and with all the hindsight because it can be kind of, can  
3 be kind of an awkward feeling when you go and do that and  
4 start to think about how your -- how you can be  
5 interpreted in hindsight, and how you can interpret  
6 yourself in hindsight.

7 A. Yeah.

8 MR. HOVATTER: Craig, what do you got? Marty,  
9 you got anything else?

10 MR. MCMULLEN: Maybe just one thing. I guess we  
11 just have to ask that, were there any e-mails from Emil  
12 that you deleted either a portion of or all of that did  
13 not show up in the record?

14 THE WITNESS: No. I don't know why that number  
15 is gone, or whatever. Again, like, I would tell you guys  
16 if I knew something. I don't -- I would lose all -- any  
17 type of respect I had for him as a biologist if this -- if  
18 this is true. Like, I don't remember deleting anything.  
19 I don't know why I would choose that one specific and  
20 still be -- I'm pretty computer savvy. I know -- I know  
21 that, like, records can be pulled up. If I was going to  
22 delete something, I -- I know -- like, I would have gone  
23 through everything. I don't know.

24 MR. MCMULLEN: That's all we were asking.

25 Q. BY MR. HOVATTER: And the thing about, just would

1 be to -- you know, it is always uncomfortable when an  
2 organization has to look internally like this. And the  
3 worst thing you can do is not to ask any questions that  
4 are unfortunately somewhat pointed and seem somewhat  
5 pejorative on their face. The worst thing you can do is  
6 to not ask them.

7 A. I understand that.

8 Q. And then not -- and then not -- not -- not have  
9 folks be able to have some confidence that the  
10 investigation was as thorough as it was.

11 A. Yeah. I understand.

12 Q. I appreciate your being forthcoming on all that.  
13 Should, Ms. Akins, should anything come up, come to mind  
14 in the subsequent to this, please feel free to call myself  
15 or Marty or Craig, and we still -- we would have that  
16 conversation under the Garrity Rule.

17 A. Yeah.

18 Q. Garrity Warning so, you know, that we could  
19 continue to protect your rights in this, but I think I got  
20 what I wanted out of this. What about you guys?

21 MR. MCMULLEN: Good.

22 MR. FABRITZ: Hey, Michelle, we're all, would  
23 rather be doing something --

24 MR. HOVATTER: Christina, not Michelle.

25 MR. FABRITZ: I'm sorry. We all would rather be

1 doing something else rather than following up on -- we're  
2 just going through what we have to do.

3 THE WITNESS: I just had a question.

4 MR. HOVATTER: Yeah, please.

5 THE WITNESS: Because no one has really, besides  
6 that little thing that you just noted before, I'm still  
7 working down there, trying to when I'm not talking to you  
8 guys, and, like, should -- I mean, like, is it okay if I  
9 still camp over where -- if I'm somewhere close to, like,  
10 camp at the Ruby campsite or should I not be doing  
11 something?

12 Q. BY MR. HOVATTER: My only thoughts is I think you  
13 should camp anywhere you feel safe. I have no reason to  
14 believe that you have a safety issue related to this at  
15 all. I think I would be -- because it's possible you may  
16 run across -- Emil may still be doing work like that. I  
17 think I would be cautious about connection.

18 A. Uh-huh.

19 Q. Until or unless we are finished with our work.  
20 We will not be able to announce any of the conclusions  
21 that we draw until after the Federal investigation is  
22 complete. Since they've reached a somewhat broader net,  
23 it would be -- to folks we don't have access to, it  
24 wouldn't be smart for us to come to some conclusions. We  
25 may find that they have facts that drove them to different

1 conclusions. So we won't be able to come out with a real  
2 dissection of what we think happened. But ultimately we  
3 will translate this into our discussions with Department  
4 leadership about things we've learned about the Department  
5 and ourselves that we think should influence the way we go  
6 ahead in the future.

7 A. So, just another question, like, I guess you  
8 guys -- you can only talk to Game and Fish people.

9 Q. We can talk to other folks if they want to make  
10 themselves available, but, of course, we are, in fact, a  
11 government agency. I mean, these guys both carry guns  
12 because they are, in fact, empowered to enforce any of the  
13 laws of the state of Arizona. So we have to be careful  
14 about being seen to be coercive of people outside of the  
15 Department. But we can talk to other folks. It's just  
16 that the folks that we can, in fact, speak to under this  
17 type of Garrity warning in such a way that we can both  
18 protect their rights and have the right to get the  
19 information we need is limited to Department employees.  
20 What was your interest in that?

21 A. I guess I was just wondering, like, how you could  
22 and not -- just in general, how you could have, like, a  
23 thorough investigation without -- with only being able to  
24 talk to Game and Fish people? Like, you would have to, in  
25 order to, like, get the whole story, you would want to

1 talk to everyone else. But I guess --

2 Q. Yeah. No. And there are some aspects of that  
3 that we have to, you know, we would not be able to move  
4 forward with confidence without -- because we would have  
5 to resort to surmise and by extension, you know,  
6 considerations, but what we can get at with some  
7 confidence is what we believe was in the minds of our  
8 folks, what their actual acts were, what their thoughts  
9 were at the time that they were involved in these things.  
10 And to some extent, that's what is most critical to us  
11 because that's the thing that ultimately we're going to be  
12 accountable for.

13 If there were other folks outside the  
14 Department that influenced part of this in a way that was  
15 not obvious to our people, then that's where, I think, the  
16 Federal investigation may have a better recourse than we  
17 do to getting at those facts. But to some extent, we're  
18 not accountable for those acts by those non Department  
19 people in the same way that we are for our Department.

20 We can get at, and I'm fairly confident that  
21 we can get at where our people have relationships with  
22 those folks that are of particular interest, that we can  
23 get a factual representation of what that relationship was  
24 and how that may or may not have influenced what they have  
25 done. But an interesting process. Interesting is

1 interesting.

2 Do you have any other questions of us or  
3 any --

4 A. Like, am I going to need to talk to you guys  
5 again?

6 Q. Right now -- I never say never, but I think I've  
7 gotten what I was interested in getting, and it's possible  
8 but I rather doubt it. We do need to get you a copy of  
9 this.

10 MR. FABRITZ: I can do that.

11 A. I can come over and I have all my --

12 Q. Yeah. I would like to get those today, and you  
13 can bring them to me or bring them to any --

14 MR. FABRITZ: I mean you can stop by here and tap  
15 on the door.

16 THE WITNESS: I mean, do you want, like, I wrote  
17 some statement for other guys. Do you want that?

18 Q. BY MR. HOVATTER: No. I would rather not. I  
19 just don't want to have any misunderstanding about some  
20 blending of those two investigations because they are  
21 doing a criminal investigation. We're doing an  
22 administrative.

23 A. Okay. Okay.

24 Q. Anything else?

25 A. Nope.

1 Q. You heading back out to the field?

2 A. Yeah. I'm going to try to get out tomorrow until  
3 Friday.

4 Q. Still on bullfrogs?

5 A. No. We're doing a wildlife release for native  
6 frog.

7 Q. Chiracauas?

8 A. Yeah.

9 Q. Where are you doing that?

10 A. Iratanrita (phonetic). I was going to go down  
11 south yesterday, today.

12 Q. Well, we fixed that for you.

13 A. You sure did.

14 Q. Yeah. You know, the unfortunate thing about this  
15 is, and I think you've already -- I appreciate your  
16 sentiments about your concerns on if there was a bad act  
17 by Emil. Unfortunately, I think the Department is going  
18 to live under -- is going to live under a cloud from this  
19 for quite awhile. Regardless of what the outcomes are,  
20 the perceptions that have been generated are going to be  
21 really difficult for us to break contact with for awhile.

22 A. How can -- like, that newspaper, aren't there,  
23 like, journalism laws?

24 Q. No, there aren't.

25 A. I don't understand, like, how --

1 Q. There are slander and libel are about the only  
2 absolute laws for media and since -- and the only absolute  
3 defense to slander and libel is the truth. So no, there  
4 is -- it is interesting if you look at journalism as a  
5 whole that -- if you go to major journalism outlets and  
6 you have conversations about ethics and standard of  
7 ethical journalism, almost no newspaper or major news  
8 agency has a standard of ethics. And if you start talking  
9 to them about it, they are very, very resistant to wanting  
10 to establish a standard of ethics because they have fear  
11 that that will translate into legal requirements on them  
12 to behave in accordance with those ethics. Interesting  
13 line of work.

14 A. Yeah.

15 Q. You know, we got -- that's what why our -- bears  
16 right now, our bear kills on the bears coming into town,  
17 they said the reason why they are taking that tone and  
18 really playing that hard is because they got more comments  
19 from the public on the bear story they did than any other  
20 story they ran on the last five years.

21 A. That's our State policy though, right?

22 Q. Exactly right.

23 A. No chance.

24 Q. Well --

25 MR. MCMULLEN: Depends on what they do.

1 Q. We were asked by one reporter, well, if we find  
2 the bear we were chasing in town, were we going to kill  
3 it? I said, well, that depends on whether that's your kid  
4 backed up into a corner or somebody else's.

5 A. Yeah. Didn't we used to have a three strikes  
6 you're out and then some girl died in front of a whole  
7 bunch of people?

8 Q. Yeah. I think we did. And I would defer to you  
9 guys on that that well that.

10 A. Like in '90s is.

11 Q. That was the one outside of (indiscernible) that  
12 young lady that was torn up.

13 MR. MCMULLEN: She didn't die. She got messed  
14 pretty bad.

15 MR. HOVATTER: She got torn up very badly and we  
16 did change policies at that point. I think we have a  
17 pretty defined one now. But any how, look, be safe while  
18 you're operating out there.

19 MR. FABRITZ: Yes, Christina, thank you.

20 MR. HOVATTER: Appreciate the time.

21 THE WITNESS: No worries. Like, should I just  
22 head over there when I get copies?

23 MR. HOVATTER: Yup. That will work.

24 (Recording ended.)

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CERTIFICATE

I, Karen M. Niemtschk, do hereby certify that the foregoing 67 pages constitute a full, true, and accurate transcript of all recorded proceedings had in the above matter, all done to the best of my skill and ability.

DATED at Phoenix, Arizona, this 14th day of September 2009.

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KAREN M. NIEMTSCHK, No. 50447  
Certified Court Reporter