

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 17-60907-CIV-MORENO**

FEDERAL TRADE COMMISSION, *et al.*,

Plaintiffs,

v.

JEREMY LEE MARCUS, *et al.*,

Defendants.

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**RECEIVER JONATHAN E. PERLMAN'S AGREED MOTION FOR TURNOVER OF  
GRAND CYPRESS REAL PROPERTY BY RELIEF DEFENDANT JACK MARCUS  
AND FOR OTHER RELIEF**

Jonathan E. Perlman, (“Perlman”) “Permanent Receiver” for the Receivership Defendants<sup>1</sup> (the “Receiver”), pursuant to the Court’s Preliminary Injunction Order Appointing Receiver [ECF No. 21], submits this Agreed Motion For Turnover of Real Property located at 6436 Grand Cypress Circle, Lake Worth, Florida 33463 (“Grand Cypress Property” or “Property”) currently titled in the name of Relief Defendant Jack Marcus, who is Defendant Jeremy Marcus’ father. Defendant Jack Marcus was gifted the Property by Receivership

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<sup>1</sup> Receivership Defendants are Financial Freedom National, Inc. f/k/a Institute for Financial Freedom, Inc. and Marine Career Institute Sea Frontiers, Inc. d/b/a 321 Loans, Instahelp America, Inc., Helping America Group, United Financial Support, Breeze Financial Solutions, 321Financial Education, Credit Health Plan, Credit Specialists of America, American Advocacy Alliance, and Associated Administrative Services, 321Loans, Inc., f/k/a 321 Loans, Inc. d/b/a 321Financial, Inc., Instahelp America, Inc. f/k/a Helping America Team, Inc. d/b/a Helping America Group, Breeze Financial Solutions, Inc. d/b/a Credit Health Plan and Credit Maximizing Program, US Legal Club, LLC, Active Debt Solutions, LLC f/k/a Active Debt Solutions, Inc. d/b/a Guardian Legal Center, Guardian LG, LLC d/b/a Guardian Legal Group, American Credit Security, LLC f/k/a America Credit Shield, LLC, Paralegal Support Group LLC f/k/a Paralegal Support LLC, Associated Administrative Services, LLC d/b/a Jobfax, Cockburn & Associate LLC, JLMJP Pompano, LLC, Halfpay International, LLC, Halfpay NV, LLC, HP Properties Group, Inc., HP Media, Inc., Omni Management Partners, LLC, Nantucket Cove of Illinois, LLC, Discount Marketing USA, S.A., Viking Management Services, LLC, White Light Media LLC, Blue42, LLC, and their divisions, subsidiaries, affiliates, predecessors, successors, and assigns.

Defendant Halfpay International, LLC (“Halfpay”). Relief Defendant Jack Marcus consents and agrees to the relief sought in this Motion.

## I. INTRODUCTION

The Federal Trade Commission (“FTC”) and the Office of the Attorney General, State of Florida, Department of Legal Affairs (“State of Florida”) brought this action against Defendants alleging that they engaged in a scheme, orchestrated by Defendant Jeremy Marcus, to defraud consumers of many millions of dollars by offering phony debt relief services and fake loans in violation of Section 5(a) of the FTC Act, 15 U.S.C. §45(a); the FTC’s “Telemarketing Sales Rule,” 16 C.F.R. Part 310; and Section 501.204 of the FDUTPA. [ECF No. 1]. The Court held, after hearing argument and reviewing volumes of evidence, that Plaintiffs had established a substantial likelihood of success, entered the preliminary injunction, and appointed Mr. Perlman Permanent Receiver over the Receivership Defendants, including “their affiliates, subsidiaries, divisions, or sales or customer service operations, wherever located...with the full power of an equity receiver.” The Court further ordered the Receiver to “[t]ake exclusive custody, control and possession of all assets... of, or...under the control of, the Receivership Defendants,” as well as to file any motions or actions necessary to do so, in order to preserve the value of those assets for the benefit of consumers and creditors. [ECF No. 21 at p.17-20].

With respect to the Grand Cypress Property, the Receiver and his forensic accountants at KapilaMukamal, LLP (“KM”) have traced and verified that the Property, currently titled in the name of Relief Defendant Jack Marcus, is in fact a Receivership Asset that Receivership Defendant Halfpay purchased with consumer monies in July 2015, and quit claimed to Jack Marcus for no consideration in 2016. [ECF No. 136, Exhibit E]. Jack Marcus currently resides at the Property. At his deposition, Relief Defendant Jack Marcus confirmed these facts. *See*

Exhibit “A”.

By this Agreed Motion, the Receiver seeks entry of an Agreed Order allowing Relief Defendant Jack Marcus to list the Property for sale at a sale price that shall net not less than \$220,000.00 dollars, and, upon the sale, which must be to an independent third party, pay the sum of \$220,000 in clean funds<sup>2</sup>, as verified by the Receiver, (“the Balloon Payment”). The Balloon Payment shall be secured by a first mortgage on the Property and paid to the Receiver by March 30, 2018, regardless of whether a sale of the Property has occurred. If Jack Marcus fails to timely make the Balloon Payment, he has agreed to immediately turn over the Property to the Receiver by executing simultaneously herewith a Deed in Lieu of Foreclosure, No Lien Affidavit, and Bill of Sale, to be held *in escrow* by the Receiver.

In the event Jack Marcus fails to pay the Balloon Payment to Receiver as required herein, the Receiver is authorized by this Order to Record the Deed in Lieu of Foreclosure which the Receiver is holding in escrow. All costs and expenses of the sale of the Property, including taxes, recording stamps and costs, homeowner fees and assessments, liens and encumbrances shall be paid by Jack Marcus. In addition, the Receiver seeks authority to immediately record a Note and Mortgage in favor of the Receiver in the amount of the Balloon Payment as further security to Receiver for the payment of the Balloon Payment.

## **II. GRAND CYPRESS PROPERTY**

On July 28, 2015, Receivership Defendant Halfpay purchased this Property for \$220,000. [ECF No. 136, Ex E]. On May 1, 2016, Halfpay quit-claimed the deed to Relief Defendant Jack Marcus. *See* Exhibit “A”. Jack Marcus did not provide any consideration for the Grand Cypress House. *See* Exhibit “A”. The Receiver’s forensic accountant performed a tracing

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<sup>2</sup> If the buyer obtains a mortgage, the mortgage must be through an FHA approved lender. With respect to any cash utilized for the sale, the source of funds shall be verified by the Receiver and shall come from a party independent from any Receivership Defendant, Relief Defendant and/or their associates.

analysis confirming that Receivership Defendant Halfpay was the sole source of funds for the purchase. KM discovered that Receivership Defendant Halfpay's bank account PNC 8769 transferred \$2,000 on July 10, 2015 and \$217,691.92 on July 27, 2015 for the purchase of the Grand Cypress House. The amounts match the deposit and purchase price listed on the HUD. [ECF No. 136, Ex. E].

Jack Marcus has agreed to list the Property for sale and, upon the sale, pay the Balloon Payment to the Receiver in the amount of \$220,000. The Balloon Payment consists of the \$220,000 purchase price (as set forth above). The Balloon Payment must be paid by March 30, 2018, regardless of whether a sale of the Property has occurred. If Jack Marcus fails to make the Balloon Payment, he has agreed to immediately turn over the Property to the Receiver.

In the interim, Jack Marcus will execute a Note and Mortgage in favor of the Receiver in the amount of the Balloon Payment and will also provide the Receiver with a Deed in Lieu of Foreclosure to be held *in escrow*. The Receiver seeks authorization from the Court to record the Note and Mortgage against the Property. Provided the Balloon Payment is timely paid to the Receiver, the Note and Mortgage will be deemed satisfied and the Receiver shall file a satisfaction of mortgage.

### **III. LEGAL ARGUMENT**

#### **A. This Court Has the Authority and Should Order Turnover of the Grand Cypress Property to the Receiver.**

The Preliminary Injunction appoints the Receiver as agent of the Court with the "full power of an equity receiver," and directs the Receiver to "take exclusive custody, control, and possession of all assets ... of, or ... under the control of, the Receivership Defendants, wherever situated," [*Id.* at pg. 17], as well as to file any motions or actions necessary to do so, in order to preserve the value of those assets for the benefit of consumers and creditors. [*Id.* at pp. 18-20].

Pursuant to the exercise of its broad equitable powers to protect the assets of the receivership estate, this Court may order parties and non-parties to turn over receivership assets to the Receiver in summary proceedings. *See, e.g., SEC v. Elliott*, 953 F.2d 1560 (11th Cir. 1992); *FTC v. Neiswonger*, No. 4:96-CV-2225, 2009 WL 2998356 (E.D. Miss. Sept. 15, 2009); *FTC v. Productive Mktg., Inc.*, 136 F. Supp. 2d 1096 (C.D. Cal. 2001); *FTC v. Pac. First Benefit, L.L.C., et al.*, 472 F. Supp. 2d 981 (N.D. Ill. 2007); *Eller Indus. v. Indian Motorcycle Mfg.*, 929 F. Supp. 369 (D. Colo. 1995); *FTC v. Vocational Guides, Inc.*, No. 3:01-0170, 2009 WL 943486 (M.D. Tenn. Apr. 6, 2009).<sup>3</sup>

Defendant Jack Marcus, moreover, agrees to this Motion. Jack Marcus and Jeremy Marcus both confirmed that the Grand Cypress Property was purchased with Receivership Defendant monies received from consumers as part of the Receivership Defendants' debt relief enterprise. Accordingly, it is undisputed that this Property constitutes property of the Receivership and title should be turned over to the Receiver. *See SEC v. Creative Capital Consortium*, No. 08-81565-CV, 2013 WL 12167733 (S.D. Fla. Jan. 23, 2013) (because it was undisputed that Options Accounts were funded by receivership proceeds, they were therefore property of the receivership and "the Receiver ha[d] title to the Options Accounts by operation of law."); *SEC v. Aquacell Batteries, Inc.*, No. 6:07-cv-608, 2008 WL 4371329, at \*2-3. (M.D. Fla. May 9, 2008) (granting receiver's turnover motion because ". . . purchase of property solely with

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<sup>3</sup> *See also FTC v. Johnson*, 567 Fed. Appx. 512, 515 (9th Cir. 2014) ("This court has long approved of the use of summary proceedings to determine possession of assets of nonparties in receivership proceedings"); *FTC v. Assail, Inc.*, 410 F.3d 256, 267-68 (5th Cir. 2005) (affirming the district court's use of a summary proceeding to order the turnover of funds to the receiver that were subject to an asset freeze); *FTC v. NHS Sys., Inc.*, 708 F. Supp. 2d 456, 466-67 (E.D. Pa. 2009) (granting motion to compel turnover of receivership funds in summary proceedings).

[defendant corporate entity] funds renders the property receivership property. . .”).<sup>4</sup>

**B. The Grand Cypress Property Is also Subject to Turnover Pursuant to Equitable Grounds.**

The Grand Cypress Property also is subject to turnover based upon the equitable principles of constructive trust, equitable lien, resulting trust and unjust enrichment. A constructive trust is an equitable remedy imposed by operation of law where there has been a wrongful taking of the property of another, the intent of which is to restore the property to the rightful owner and to prevent unjust enrichment. *Brown v. Toscano*, 254 F.R.D. 690 (S.D. Fla. 2008). Likewise, an unjust enrichment claim exists where, as here, a person has accepted and retained a benefit from another under circumstances which would equitably require either disgorgement or the equivalent payment of value. *Zambrana v. Geminis Envios Corp.*, 2008 WL 2397624 \*5 (S.D. Fla. 2008). Similarly, the Receiver would be entitled to an equitable lien on the Property, even absent Defendant’s consent, because the Receiver can establish that funds obtained through fraud or egregious conduct were used to purchase the home. *Hecker v. Kokomo Spring Co. (In re Hecker)*, 264 F. App’x 786, 790 (11th Cir. February 4, 2008).

For all of the reasons set forth above, equity also requires that title to the Grand Cypress Property be restored to the Receiver.

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<sup>4</sup> See also *SEC v. Elmas Trading Corp.*, 620 F. Supp. 231 (D. Nev. 1985), aff’d 805 F.2d 1039 (9th Cir. 1986) (collecting cases where courts have held “that a receiver can exercise control over third-party property purchased using ‘scheme proceeds.’”) (citing *S.E.C. v. Nadel*, No.8:09-cv-87-T-26TBM, 2013 WL 2291871, at \*2 (M.D. Fla. May 24, 2013) (third party entity’s use of scheme proceeds to purchase oil and gas leases subjected it to inclusion in receivership despite that it was not an alter ego of defendant); see also *SEC v. Lauer*, No. 03-80612-Civ, 2009 WL 812719, at \*4-5 (S.D. Fla. Mar. 26, 2009) (proceeds from sale of condominium that was maintained with tainted funds are also tainted by the fraud); *In re Fin. Federated Title & Tr., Inc.*, 347 F.3d 880 (11th Cir. 2003) (establishing constructive trust on property purchased with over 90% funds from Ponzi scheme); *CFTC v. Hudgins*, 620 F. Supp. 2d 790, 795 (E.D. Tex. 2009) (directing sale of condominium because defrauder’s innocent girlfriend paid the mortgage with Ponzi scheme funds).

**C. Turnover Is also Appropriate under Chapter 726 of the Florida Statutes.**

For the same reasons set forth above, turnover is also required pursuant to Chapter 726 of the Florida Statutes, which permits the avoidance of transfers that the transferor made with actual intent to hinder, delay or defraud creditors, or for no consideration. Jeremy and Jack Marcus both acknowledge that the Property was purchased with consumer monies. Jack Marcus paid no consideration for the Property. Chapter 726 of the Florida Statutes clearly contemplates the avoidance of the transfer of the Property under the circumstances set forth herein.

**IV. CONCLUSION**

By way of this Agreed Motion, the Receiver seeks an order from this Court authorizing Relief Defendant Jack Marcus to list the Property for sale and, upon the sale, pay the Balloon Payment to the Receiver by March 30, 2018, notwithstanding whether a sale of the Property has occurred. If Jack Marcus fails to timely make the Balloon Payment, he has agreed to immediately turn over the Property to the Receiver. In addition, the Receiver seeks authority to record the Note and Mortgage executed in favor of the Receiver in the amount of the Balloon Payment.

The Receiver has conferred with counsel for Plaintiffs and Defendants Smith and Segrea who have no position on the relief sought. Relief Defendant Marcus agrees to the relief requested herein. Despite repeated attempts, the Receiver has been unable to get a position from Marcus on the relief sought herein.

WHEREFORE, the Receiver respectfully requests this Court to enter an Agreed Order for the turnover of the Grand Cypress Property or, alternatively, for payment of a Balloon Payment in the amount of \$220,000 no later March 30, 2018, together with such other and further relief as this Court deems just and proper.

Respectfully submitted this 27<sup>th</sup> day of February 2018.

**GENOVESE JOBLOVE & BATTISTA, P.A.**

*Attorneys for Jonathan E. Perlman, Court-Appointed Permanent Receiver*

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By: /s/ Gregory M. Garno

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**CERTIFICATE OF SERVICE**

I **HEREBY CERTIFY** that a copy of the foregoing was served via CM/ECF Notification and/or U.S. Mail to all parties on the attached service list on this 27<sup>th</sup> day of February 2018.

By: /s/ Gregory M. Garno, Esq.  
Gregory M. Garno, Esq.



**SERVICE LIST**

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**USDC, SD Fla., Case No. 17-cv-60907-MORENO**

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**Relief Defendants**

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6436 Grand Cypress Cir.

Lake Worth, FL 33463

*Relief Defendant*

*Via Electronic Mail*

Teresa Duda  
110 Gloucester Street  
Boca Raton, FL 33487  
*Pro Se*  
*Via U.S. Mail*

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 17-60907-CIV-MORENO

FEDERAL TRADE COMMISSION, et  
al.,

Plaintiffs,

-vs-

JEREMY LEE MARCUS, et al.,

Defendants.

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DEPOSITION OF JACK MARCUS

Wednesday, November 8, 2017  
10:24 a.m. - 4:53 p.m.

100 Southeast 2 Street, Suite 4400  
Miami, Florida 33131

Reported By:  
MARGARET PHILLIPS, Court Reporter  
Notary Public, State of Florida  
U.S. LEGAL SUPPORT, INC.  
Miami Office  
Phone - (305) 373.8404

Page 2

1 APPEARANCES:

2 On behalf of the Court-Appointed Receiver:

3 GREGORY GARNO, Esquire

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8 MIAMI, FLORIDA 33131

9 305-349-2300

10 Ggarno@gjb-law.com

11

12 JONATHAN PERLMAN, Receiver

13

14 JACK MARCUS, Pro Se

15

16 ALSO PRESENT:

17 Valerie Verduce, Esq.

18 Ryann Flack, Esq.

19

20 - - -

21

22

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24

25

Page 3

1 I N D E X

2 DIRECT EXAMINATION 4

3 By Mr. Garno

4 E X H I B I T S

5 1, Notice of taking deposition 5

6 2, Document 157 dated November 6, 2017 in the 7

7 3, Seven-Page document printed from Jeremy 56

8 4, E-Mails from July 12, 2010, at 7:13 p.m. 59

9 5, E-mails re Wage loss 63

10 6, E-Mail exchanges 78

11 7, E-Mail exchange from September 10, 2012 89

12 8, 18-page e-mail from Mr. Ford 117

13 9, Series of e-mails from April 26, 2016, 126

14 with quitclaim deeds 135

15 10, E-mail from October 10, 2016 137

16 11, Secretary of state documents from Wyoming for 140

17 Timing is Everything 152

18 12, E-Mail from Felipe Rodriguez, 10-28-2016 155

19 13, Operating agreement for White Light Media 160

20 14, Annual list of managing members and state 163

21 business license application for White 164

22 Light Investment, LLC 167

23 15, E-mails re JLM JP Pompano, LLC, 176

24 January 30, 2017 181

25 16, April 11, 2017, e-mail re US Legal 185

Club bank account 193

17, Land trust agreement for the Jean Pierre 197

Trust No. 3 dated August 8, 2016 199

18, US Legal Club business trust 200

19, Quitclaim deed relating to the 6436 Grand 201

Cypress Circle property 214

20, Official check from TD Bank, May 15, 2017 216

21, E-mail exchange dated March 29, 2017 236

22, E-mail exchange dated February 21st, 2016, 193

regarding checkbook ledgers 197

23, Text exchange dated July 17, 2016 199

24, Series of text messages, January 31, 2017 200

25, Text message from Jeremy Marcus' cell phone 201

dated February 17, 2017 214

26, Text message from Jeremy Marcus cell phone 216

dated February 3, 2017 236

27, Five-page compendium of documents 214

28, Series of texts from September 28, 2016 236

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1 Deposition taken before MARGARET PHILLIPS,

2 Court Reporter and Notary Public in and for the State of

3 Florida at Large, in the above cause.

4 - - -

5 Thereupon,

6 JACK MARCUS,

7 having been first duly sworn or affirmed, was examined

8 and testified as follows:

9 DIRECT EXAMINATION

10 BY MR. GARNO:

11 Q. Good morning, Mr. Marcus. My name is Greg

12 Garno. I am an attorney that represents Jonathan Perlman

13 who is the court-appointed receiver in some litigation

14 instituted by the Federal Trade Commission here in South

15 Florida. We are here for your deposition today.

16 Have you ever had your deposition taken

17 before?

18 A. Yes.

19 Q. How many times have you been deposed?

20 A. I guess maybe two or three times.

21 Q. So, just let me give you a refresher course

22 on what we are going to do here today. I'm going to ask

23 you a series of questions under oath. You understand

24 your responses -- you are swearing under oath. Do you

25 understand that?

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1 A. Yes.

2 Q. If you don't understand my question, please

3 let me know and I will be happy to rephrase it;

4 otherwise, I will assume that you understood the question

5 and your response was truthful and accurate to my

6 question. Do you understand that?

7 A. Yes.

8 Q. If you need to take a break at any time you

9 let me know and I will be happy to accommodate you. Do

10 you understand that?

11 A. Yes.

12 Q. Is there anything or any condition that you

13 have today that prohibits you from testifying truthfully?

14 A. No.

15 Q. I will show you what we have marked as

16 Exhibit 1. Take a look at that. Do you recognize that

17 document?

18 (Exhibit No. 1, Notice of taking deposition,

19 was marked for Identification.)

20 A. Yeah, that's the one you sent me.

21 Q. Exhibit 1 is the notice of taking your

22 deposition here today?

23 A. Correct.

24 Q. In preparation for our deposition, did you

25 review any documents?

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1 A. I skimmed through them.  
2 Q. What did you skim through?  
3 A. Pages and pages of accusations, but, I  
4 mean --  
5 Q. When you refer to accusations what do you  
6 mean?  
7 A. Or questions, whatever.  
8 Q. When you reference in your response that  
9 you reviewed accusations and questions, are you referring  
10 to documents that were filed in the Federal Trade  
11 Commission case?  
12 A. Yes.  
13 Q. And how did you get the documents that you  
14 reviewed?  
15 A. They were mailed to me.  
16 Q. Are you represented by counsel?  
17 A. No, pro se.  
18 Q. Did you speak with anyone prior to your  
19 deposition about your testimony?  
20 A. No.  
21 Q. Did you -- when was the last time you spoke  
22 to your son Jeremy?  
23 A. Sometime last week.  
24 Q. Did you speak to Jeremy at all about your  
25 deposition?

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1 A. No. I just said that I have a deposition  
2 such-and-such date.  
3 Q. And what was his response?  
4 A. Okay.  
5 Q. Have you had a chance to talk to Jeremy at  
6 all about the case that was filed by the FTC against him?  
7 A. Not really.  
8 Q. What do you mean by "not really"?  
9 A. There were no specifics, just I know there  
10 is a case being filed against him.  
11 Q. Has he said anything about the case that  
12 was filed against him by the FTC?  
13 A. No.  
14 Q. Have you spoken to Jeremy's lawyer Rachel  
15 Hirsch about the case?  
16 A. No. Don't even know her.  
17 Q. Have you spoken to anyone about the case  
18 that has been filed by the FTC against your son and  
19 others?  
20 A. No.  
21 (Exhibit No. 2, Document 157 dated November  
22 6, 2017 in the Federal Trade Commission versus  
23 Jeremy Lee Marcus action, was marked for  
24 Identification.)  
25 Q. I'm going to show you what we are going to

Page 8

1 mark as Exhibit 2.  
2 I have presented the witness with Exhibit  
3 2. Exhibit 2 is a document filed in the Federal Trade  
4 Commission versus Jeremy Lee Marcus action. It appears  
5 as Document 157 and the date is November 6, 2017.  
6 Do you recognize Exhibit 2?  
7 A. It looks familiar. I mean, there are so  
8 many interrogatories and different things I have gone  
9 through, it's pretty much become a blur.  
10 Q. Sure. Take a look at the second to the  
11 last page of Exhibit 2. Is that your signature?  
12 A. Uh-huh.  
13 THE REPORTER: Do you want him to say yes  
14 or no?  
15 Q. You have to verbalize your responses.  
16 A. Yes.  
17 Q. Take a look at Page 1 of Exhibit 2 you'll  
18 see the document is entitled to Relief Defendant Jack  
19 Marcus' Answer and Defenses to Plaintiff's First Amended  
20 Complaint For Permanent Injunction and Other Equitable  
21 Relief.  
22 Do you see that?  
23 A. Yes.  
24 Q. Is this the answer that you caused to be  
25 filed in the action brought by the Federal Trade

Page 9

1 Commission?  
2 A. Yes.  
3 Q. You'll see that in the first paragraph it  
4 says:  
5 Relief defendant Jack Marcus by and through  
6 undersigned counsel.  
7 Who are you referring to there when you  
8 said "by and through undersigned counsel"?  
9 A. I don't have any undersigned counsel. It's  
10 just me.  
11 Q. Understood, but why did you include that  
12 language in your answer?  
13 A. Honestly, I don't remember why. I don't  
14 know.  
15 Q. You also see on the very last page of  
16 Exhibit 1 -- 2, excuse me, there's a certificate of  
17 service. Do you see that, sir?  
18 A. Yes.  
19 Q. It appears to be electronically signed by a  
20 Maurice B. Verstandig?  
21 A. Which I have no idea who that is and it was  
22 never served to me. It was stuck in my mailbox and  
23 backdated two or three days.  
24 Q. Let me be clear so we are on the same page.  
25 This is a document you filed in federal court. Correct?

Page 10

1 A. Uh-huh.  
2 Q. And the last page of Exhibit 2 is part of a  
3 document you filed in federal court. Correct?  
4 A. Uh-huh.  
5 Q. So why did you include this on the last  
6 page of Exhibit 2 and I'm specifically referring to the  
7 certificate of service?  
8 A. Because I wanted to mention that it was  
9 never actually served to me. Whoever was supposed to  
10 serve it stuck it in my mailbox and backdated it two or  
11 three days.  
12 Q. Do you know who Mr. Verstandig is?  
13 A. No.  
14 Q. Did you know he's local counsel to your son  
15 in the FTC action?  
16 A. No.  
17 Q. Is there a concern that Mr. Verstandig  
18 backdated something and put it in your mailbox?  
19 A. No. I'm sure he didn't, whoever was  
20 delivering the papers to me is the one who did that.  
21 Q. Whoever delivered the papers on behalf of  
22 your son's local counsel, Mr. Verstandig, did that?  
23 A. I thought it was on the -- who sent me the  
24 papers initially to be answered? Was it the FTC or --  
25 Q. Well, sir, I'm just curious. You said you

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1 are not represented by counsel. You filed an answer  
2 marked as Exhibit 2 in the action.  
3 A. Right.  
4 Q. The last page of the document you filed has  
5 a certificate of service that identifies a lawyer in this  
6 case.  
7 A. Right.  
8 Q. And I'm curious why is this included or is  
9 he representing you or has he ever represented you?  
10 A. No.  
11 Q. So my question is why is the last page of  
12 Exhibit 2 included in your pleading?  
13 A. I don't know why.  
14 Q. Did you have anyone help you prepare  
15 Exhibit 2?  
16 A. No.  
17 Q. You prepared this all on your own?  
18 A. As far as the -- you mean typing it up and  
19 doing the format?  
20 Q. Or the content, actually. I was quite  
21 impressed for pro se the structure of this pleading  
22 appears to have the influence of a lawyer on it. So I  
23 was wondering if anyone helped you on it.  
24 A. Well, my son's wife is an attorney so she  
25 knows how to do the proper format and all.

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1 Q. Did Ms. Findley help you prepare the  
2 answer?  
3 A. Didn't help prepare the answer; but,  
4 basically, I received help from them as far as the proper  
5 format and the proper way of, you know, giving it back to  
6 the court.  
7 Q. Okay. When you refer to them, who are you  
8 referring to besides Ms. Findley?  
9 A. I guess Ms. Findley and whoever else she or  
10 Jeremy, I guess, works with, if that's their attorney or  
11 whatever, but I didn't know the proper format to send it  
12 back in so that's where I did get help on.  
13 Q. And did you get any help in terms of the  
14 substance of what you have asserted in Exhibit 2?  
15 A. No.  
16 Q. Well, for example, let's take a look at --  
17 it's Page 16 of the answer you filed that has been marked  
18 as Exhibit 2. Do you see the section called Affirmative  
19 and Other Defenses?  
20 A. Okay.  
21 Q. How did you determine which affirmative  
22 defenses to assert in this case?  
23 A. I didn't. That's part of the help I got  
24 because I didn't know the formats and the legalities. I  
25 just provided the answers.

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1 Q. Okay. So who provided you the legalities  
2 or the format, however you want to describe it -- you are  
3 not a lawyer. Correct?  
4 A. No.  
5 Q. So you have no legal training so,  
6 obviously, someone had to help you file this pleading?  
7 A. Right, and I asked Jeremy's wife to help me  
8 as far as with the filing because I don't have the  
9 knowledge of the formalities.  
10 Q. And you don't know these legal defenses,  
11 you don't understand them?  
12 A. No.  
13 Q. So it was Ms. Findley that provided you the  
14 legal defenses that you asserted in Exhibit 2?  
15 A. I don't know whether it was her or this  
16 person in the back. I don't know.  
17 Q. Did you ever speak to this person in the  
18 back?  
19 A. No.  
20 Q. Did you ever speak to Ms. Findley about the  
21 defenses that you should assert in this case?  
22 A. No. They were just questions and I gave  
23 the answers and they took it from there.  
24 Q. Let's talk about the process then. Did you  
25 have a meeting with Amanda to talk about your answers or

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1 how did you convey to her whatever information you wanted  
2 to include in Exhibit 2?  
3 A. It was verbally over the phone and I told  
4 her, you know, what I needed help with.  
5 Q. What did you tell her specifically you  
6 needed help with?  
7 A. The legal formalities and the way to  
8 address it properly as far as the formats because I don't  
9 have knowledge on that.  
10 Q. Did you specifically go through each  
11 allegation in the complaint and identify to Ms. Findley  
12 whether you agreed or disagreed with whatever allegations  
13 were made in the amended complaint by the FTC?  
14 A. I don't remember if I went through each  
15 complaint or allegation.  
16 Q. What was the process then? Did you call up  
17 and say, "Amanda, I have been served with this complaint,  
18 I'm not a lawyer, can you help me prepare an answer or  
19 whatever I need to respond to it?"  
20 A. Basically.  
21 Q. Did Amanda then e-mail you a particular  
22 document to review for you to look at and review before  
23 it was filed? How did that process work?  
24 A. I don't remember exactly how it was  
25 handled. I just asked her for the help and she provided

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1 the help for me as far as the format and take care of  
2 typing it in the proper way.  
3 Q. Did you convey to her what should be typed  
4 into the responses?  
5 A. As far as my answers, yes, I told her what,  
6 you know, basically, what my answers were, but --  
7 Q. So you went through the specific  
8 allegations and told her what your answers were to each  
9 allegation in the complaint?  
10 A. Yes, which most of it I don't have any  
11 knowledge on.  
12 Q. Okay. Because I think a couple of seconds  
13 ago you had indicated that you hadn't gone through that  
14 process. I'm just trying to figure out what happened  
15 here.  
16 A. Basically, she knows, and I told her, that  
17 I don't have any knowledge on the stuff and I said, you  
18 know, go through the allegations, but, really, I don't  
19 have the knowledge, but what I need help is on the  
20 answering it with the proper format and filing it  
21 properly.  
22 Q. Understood. Let me ask you a question,  
23 though, turning your attention back to Page 16 of Exhibit  
24 2 the section that is entitled Affirmative and Other  
25 Defenses -- are you at that page?

Page 16

1 A. Yes.  
2 Q. -- do you have any personal knowledge as it  
3 relates to those defenses that are included here?  
4 A. Yeah, because I'm not aware of any  
5 ill-gotten money or --  
6 Q. You are referring to the third defense.  
7 Correct?  
8 A. Correct.  
9 Q. So you are not aware of it, but my question  
10 to you is: Do you have any knowledge that you were never  
11 the recipient of any ill-gotten money gains or assets?  
12 Do you understand the difference?  
13 A. I have no knowledge of receiving any  
14 ill-gotten money or gains.  
15 Q. But you could have received ill-gotten  
16 money or gains but you are just not aware of it.  
17 Correct?  
18 A. As far as I am concerned, there was nothing  
19 wrong with whatever I did receive; so I would say, as far  
20 as I know, there was no ill-gotten gains because I knew  
21 nothing about his business, really, as far as what was  
22 going on or anything.  
23 Q. And you didn't -- well, let's --  
24 A. I was strictly the trustee.  
25 Q. We will get there in a little bit, but

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1 there are a couple of things I want to focus on in terms  
2 of your answer.  
3 You had mentioned in your response that  
4 there were things that you had received. What were you  
5 referring to?  
6 A. Whatever they are asking here, they are  
7 asking was I the recipient of any ill-gotten fees and I'm  
8 saying, no, whatever I did receive, if anything, as far  
9 as I'm concerned, I had no knowledge any ill-gotten  
10 gains.  
11 Q. Let's break that down, though. You  
12 reference in your response that there are things you  
13 received. My question to you is: When you reference  
14 that, what things are you referring to?  
15 A. When I received a watch from him for a  
16 present for the holidays that was supposed to be a  
17 Christmas present or Hanukkah present, so it was, like,  
18 I'm not aware of anything that it was purchased with any  
19 ill-gotten gains.  
20 Q. But you have no idea what moneys Jeremy  
21 used to purchase the watch, for example. Correct?  
22 A. I have no idea. I just know he gave that  
23 to me as a present for the holidays. That was it.  
24 Q. And you have no idea what money he used to  
25 buy that present. Right?



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1 A. I have no idea. I didn't ask him.  
2 Q. Let me go back to the third defense because  
3 that's the one you have identified here. You have  
4 asserted in your third defense:  
5 Relief defendant -- which is referring to  
6 you -- were never the recipient of any ill-gotten money,  
7 gains or assets.  
8 But I think your testimony is you don't  
9 know the source of Jeremy's moneys for the purposes of  
10 whatever he gave to you. Correct?  
11 A. I never asked him where did you get the  
12 money or anything like that.  
13 Q. So you have no idea whether or not the  
14 moneys he was using were ill-gotten or otherwise?  
15 A. As far as I know, none of his money was  
16 ill-gotten, so I have no idea.  
17 Q. When you say "as far as you know," what do  
18 you mean?  
19 A. I have no knowledge of him doing all the  
20 things that were in the accusations. So, like I said, I  
21 was strictly the trustee so if, God forbid, anything  
22 happened to him, I would be the one to disburse whatever  
23 to whoever needed to be disbursed to, period.  
24 Q. Is it possible you were the recipient of  
25 ill-gotten moneys from Jeremy and you just didn't know

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1 it?  
2 A. I guess anything is possible.  
3 Q. Okay. Other than the watch, did Jeremy  
4 ever give you any other significant property?  
5 A. When I -- I was sick for quite a while. I  
6 was in the hospital in a coma for three and a half months  
7 on life support, I died four times, and when I got out I  
8 had been pretty sick, I hadn't been able to work because  
9 of the problems, and he wanted to help me out and, you  
10 know, so, basically, he had got a place for me to stay  
11 and then I went ahead and homesteaded it and put my own  
12 money into fixing it up and everything.  
13 Q. Let me backtrack a little bit here. I'm  
14 sorry to hear about your illness. When were you sick?  
15 A. I have been sick for quite a while.  
16 Q. I mean with the coma and that situation.  
17 A. That was back in 2013 where I died four  
18 times there and I was in a coma for three and a half  
19 months and then came out and I had to go through therapy  
20 and rehabilitation therapy and my doctor flat out said,  
21 "I don't want you working."  
22 Q. So since 2013 you haven't worked?  
23 A. I tried to do as little as possible  
24 because, you know, I really haven't felt up to it.  
25 Q. I understand that. I'm just trying to

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1 gather information. That's all. I don't mean to pry  
2 that much. So, after you were seriously ill in 2013  
3 until today, you really haven't been employed?  
4 A. I have received some moneys through -- I'm  
5 an insurance agent through residuals and stuff, things of  
6 that nature, that was from previous insurance.  
7 Q. And how much annually do you receive from  
8 these residuals, roughly?  
9 A. I'm not sure exactly, maybe, I don't know,  
10 ten thousand a year.  
11 Q. Were you working as an agent in a  
12 particular insurance agency?  
13 A. No, independent.  
14 Q. And did you have your own insurance agency?  
15 A. No.  
16 Q. And were you an insurance agent at the time  
17 that you became seriously ill in 2013?  
18 A. Yes.  
19 Q. And how long had you been an insurance  
20 agent?  
21 A. Since 2006.  
22 Q. And what kind of insurance were you  
23 selling?  
24 A. Health, life, long term care, disability.  
25 Q. Were you with an agency?

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1 A. No.  
2 Q. Were you working out of your own business?  
3 A. I didn't have a particular named business  
4 or anything like that, no.  
5 Q. If you gave a prospective client a card  
6 what would it tell them in terms of who you were with or  
7 who you represented?  
8 A. It would just say my name and phone number  
9 and I work -- I'm appointed to several different  
10 insurance companies so this way I shop out and see if I  
11 can find the best buy for their money.  
12 Q. While you were acting as an insurance agent  
13 from 2006 to 2013, were you working anywhere else?  
14 A. In 2006 I was actually working for United  
15 American Insurance, that's where I got my start, United  
16 American and Liberty National.  
17 Q. Out of what office were you working for  
18 United American Insurance?  
19 A. Cypress Creek Road, which is no longer  
20 there.  
21 Q. Prior to being an insurance agent, where  
22 were you working?  
23 A. I had my own credit counseling company.  
24 Q. What was the name of that credit counseling  
25 company?

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1 A. A Better Way Credit Counseling.  
2 Q. Were you only working as an insurance agent  
3 from 2006 to 2013 or were you doing other things as well?  
4 A. No. I was an insurance agent from then to  
5 present.  
6 Q. And you had no other employment?  
7 A. Just probably a couple of side things that  
8 I was doing, but it wasn't anything major.  
9 Q. Any side things associated with the  
10 business that was being run by your son Jeremy?  
11 A. All I did with Jeremy was, when he first  
12 started the business, he started it working out of my  
13 home.  
14 Q. When was this?  
15 A. I don't remember the year exactly, but --  
16 and I was just advising him the proper ways of setting  
17 things up and doing things and I was just giving advice  
18 whenever he needed it.  
19 Q. When you say "setting things up," what do  
20 you mean by setting things up?  
21 A. Setting up his office and just -- nothing  
22 that had to do with the business itself, just setting up  
23 certain things in his office to make things efficient.  
24 Q. Did you ever review -- strike that.  
25 You had your own credit counseling company

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1 A Better Way, how long did you have that company for?  
2 A. About six and a half years.  
3 Q. Was that the first time you were involved  
4 in the credit counseling business?  
5 A. No. Actually, I worked for AmeriDebt for  
6 about a year before then, before I opened up my own.  
7 Q. And where did AmeriDebt have its offices?  
8 A. They had one of their branch offices in Ft.  
9 Lauderdale off of Sunrise Boulevard.  
10 Q. How did it come to pass that you got  
11 involved in the credit counseling business with  
12 AmeriDebt?  
13 A. Well, I just sold my -- I was in the dental  
14 business before that for 27 years.  
15 Q. What kind of dental business?  
16 A. Dental laboratory.  
17 Q. What is a dental laboratory business? I'm  
18 not familiar with it.  
19 A. Doctors would send me their prescriptions  
20 and their impressions and I would make up the appliances.  
21 My specialty was orthodontics, pedodontics, TMJ,  
22 antismoking devices.  
23 I also did partials, dentures, bridges and  
24 implants so I did work for about 300 offices between  
25 Dade, Broward and Palm Beach County.

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1 Q. Why did you sell the business?  
2 A. Because a dozen of my doctors had died of  
3 cancer, a dozen more were dying of cancer because of all  
4 the stuff you work with in dentistry, the carcinogenics,  
5 and I was already feeling effects from some of the stuff  
6 like the monomer polymer which you make acrylic which is  
7 the same acrylic they use to sell to the women's nail  
8 places. It gives off very strong fumes and it was  
9 causing my inner ear, which is normally supposed to be  
10 liquid, causing it to be gel and I was getting vertigo  
11 and passing out in the shower. So I figured, you know  
12 what? Time to get out of this while I'm okay.  
13 Q. Understood. So you left understandably for  
14 health reasons?  
15 A. Yes.  
16 Q. So you are in the dental business for 27  
17 years, how do you come to find yourself in the credit  
18 counseling business?  
19 A. I was looking for something to get into and  
20 I enjoy helping people and I thought that was really good  
21 being able to help people get out of debt so I got a job  
22 there and I enjoyed doing the work. It was fun helping  
23 people get out of debt.  
24 Q. So you decided after that, after a year at  
25 AmeriDebt to open up your own company A Better Way?

Page 25

1 A. Right.  
2 Q. How many employees did A Better Way have?  
3 A. It had at one point up to about 50  
4 employees and I was licensed and bonded in all 50 states.  
5 Q. What kind of license did you have?  
6 A. Financial consultant license. Also, I had  
7 to pull licenses for each state and be bonded for certain  
8 states.  
9 Q. What kind of bond?  
10 A. I guess it was -- I think it was a surety  
11 bond or whatever, whatever you have to put up -- I'm not  
12 a hundred percent sure of the type of bond. It's been  
13 quite a while.  
14 Q. And A Better Way, what kind of debt relief  
15 programs did it offer to consumers?  
16 A. Strictly credit counseling. If the person  
17 wanted me to settle something for them, I would settle  
18 it, if that's what they asked me to do; otherwise, I  
19 would be doing their credit counseling for them.  
20 Q. And did Jeremy work with you while you had  
21 your own business at A Better Way?  
22 A. Say that again? I'm sorry.  
23 Q. It was a poorly worded question. I  
24 apologize.  
25 Did your son Jeremy work at your offices

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1 when you had A Better Way?  
2 A. Yes, because both Jeremy and his brother  
3 were going to Saint Aloysius High School at the time and  
4 when they would get out of school, I guess, at around 3  
5 o'clock or so, I would have them come over to the office  
6 and work a few hours helping out around the office,  
7 whether it's filing papers or doing different things.  
8 That way keep them out of trouble.  
9 Q. Sure. Understood. Who is Jeremy's brother  
10 that you referenced?  
11 A. James.  
12 Q. And so you had your A Better Way business  
13 for six and a half years. What happened that made you  
14 switch into the insurance agent business?  
15 A. Well, I was using the same processing  
16 center as AmeriDebt because when I was working there I  
17 saw how efficient their processing center was and there  
18 weren't any complaints so I figured, well, if something  
19 is not broke, why break it. So I asked if I can use  
20 their processing and, supposedly, it was nonprofit, their  
21 processing, and I was using their processing for doing  
22 the back end, you know, disbursing the payments to  
23 creditors.  
24 Q. You have experience in this business, I  
25 don't, so I might ask you some questions that seem silly

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1 to you.  
2 A. That's all right.  
3 Q. When you reference the processing center,  
4 what do you mean by that?  
5 A. They are the ones that would receive the  
6 checks from the customers and then disburse it to the  
7 creditors.  
8 Q. Why don't you, if you can, kind of walk me  
9 -- when you say "credit counseling" in terms of A Better  
10 Way, walk me through what kind of program or programs you  
11 were offering to consumers and how that process worked.  
12 A. It was just one program that was basically  
13 going through the credit counseling process, going by the  
14 creditors' guidelines, we work out the payments for them  
15 so it would be lower than they were paying and they drop  
16 the interest rates or waive them until reage the account,  
17 bring them current, these are benefits to credit  
18 counseling.  
19 And, at the same time, I was trying to give  
20 back to the community because I would put on free  
21 education seminars all over the place, women in distress,  
22 I went to AIDS clinic, gratitude house, you know, the  
23 universities, on teaching the people how to establish  
24 credit responsibly and how to maintain it responsibly and  
25 not let it get out of hand.

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1 And then I would also work with, like,  
2 Wells Fargo and Bank of America and other banks on  
3 putting on first time home buyers classes which,  
4 basically, I would go over the credit budgeting for them  
5 and I would also have other people that I had brought in,  
6 one would be, like, a mortgage broker, another one would  
7 be a house inspector, another one would be a real estate  
8 person, and this way they had a complete round knowledge  
9 as far as what they are getting into as far as a home.  
10 And then, once they completed it -- and I  
11 didn't charge it was all free -- and once they completed  
12 it I gave them a certificate and I showed them how to go  
13 down to their city hall and apply for first time home  
14 buyers down payment assistance. Go through ship, bond,  
15 home or Nehemiah are the four programs out there.  
16 Q. Was A Better Way not-for-profit?  
17 A. Yes, it was.  
18 Q. How did A Better Way find consumers?  
19 A. Some was from referral and a majority was  
20 through advertising.  
21 Q. Let's talk about those two components.  
22 What kind of referrals was the not-for-profit A Better  
23 Way receiving?  
24 A. Well, when I would put on education  
25 classes, a lot of people would come up to me afterwards

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1 and say they needed help and I gave them my card. I  
2 said, "Just contact my office and we will go over all  
3 your bills and show you what we can do to help you  
4 through the credit counseling."  
5 Q. As part of the not-for-profit, were you  
6 drawing any kind of salary or compensation for your work?  
7 A. Well, I was the president and CEO, so I was  
8 taking a salary, but it was well below the cap at that  
9 time. At that time it was a two hundred thousand dollar  
10 a year cap and it was well below that.  
11 Q. Did the not-for-profit have a board of  
12 directors?  
13 A. I think so, yes. I don't remember who was  
14 on the board.  
15 Q. Who else was in management of A Better Way  
16 besides yourself?  
17 A. Well, I was the president and CEO so I had  
18 floor managers, I had a couple of those, but that was  
19 about it.  
20 Q. When you say "a floor manager," what was a  
21 floor manager's responsibility at A Better Way?  
22 A. When the agent would be on the phone with a  
23 customer and they were asked a question or they weren't  
24 sure about something, the floor manager would come up and  
25 help them and see about answering their question and, if

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1 they didn't know, I would get on the phone and I would  
2 answer their question.

3 Q. You've also referenced that through  
4 advertisement A Better Way was able to find consumers to  
5 assist. What kind of advertisement did you do?

6 A. Well, I was working with an advertising  
7 agency so I did my own TV commercials, I did them myself;  
8 I did my own radio commercials myself; and then I had  
9 several other different forms of advertising, search  
10 engine optimization on the Internet, billboards along  
11 side the road.

12 Q. What advertising agency did you use?

13 A. Marking Magic and they are no longer  
14 around, either.

15 Q. Where were they located?

16 A. They were located in I guess it's  
17 Hollywood. They were right near Penn Dutch Meats when  
18 you are driving along 95, right around Sheridan Street.

19 Q. Did A Better Way engage in any telephone  
20 marketing campaigns to solicit consumers?

21 A. Like what?

22 Q. Telephone calls, calling up consumers to  
23 see if they were interested, cold-calling, that kind of  
24 thing?

25 A. No. There was no cold-calling.

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1 Q. Do you understand what the concept of a  
2 lead is?

3 A. Uh-huh.

4 THE REPORTER: Yes?

5 A. Yes.

6 Q. So the record is clear, what's your  
7 understanding of what a lead is?

8 A. Well, the leads that I had were people that  
9 were either through the Internet or through my forms of  
10 advertising would call in or send me through the Internet  
11 they'd like to be contacted because they needed some help  
12 in their credit card debt.

13 Q. Sure. And I'm assuming then that A Better  
14 Way had a website?

15 A. Yes.

16 Q. What was the name for A Better Way's  
17 website?

18 A. I think it was A Better Way credit  
19 counseling dot com, I think. It's been so long.

20 Q. Understood. In terms of when your floor  
21 managers had to deal with consumers on the phone, were  
22 there particular scripts that they were supposed to  
23 follow in connection with dealing with consumers?

24 A. I gave them a script, an outline of how to  
25 explain things to the customers so this way they

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1 understood how credit counseling worked. That they are  
2 making monthly payments to us, we are disbursing it to  
3 their creditors, and we would tell them exactly what each  
4 creditor, the benefit is going to be.

5 Like at that time Bank of America was zero  
6 percent interest, waive the late fees, waive the  
7 over-the-limit fees, they reage the account after the  
8 third or fourth payment. Each creditor had their own  
9 guidelines.

10 And each agent had their own book with the  
11 creditors and the guidelines so they could look it up;  
12 and it also told what each creditor needed for a payment  
13 in order to meet their guidelines. One wanted 2 percent,  
14 another one wanted one and a half percent of the balance.  
15 Each one was different.

16 Q. And why did you -- well, what happened to A  
17 Better Way?

18 A. When the FTC, I guess, went after  
19 AmeriDebt, when they were basically taking them down,  
20 myself and I think nine other -- eight or nine other  
21 credit counseling companies that were using their  
22 processing center and, because we were using their  
23 processing center, they felt that it was inappropriate,  
24 being that AmeriDebt had for profit and nonprofit --  
25 which you can't do -- and they took away my nonprofit

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1 status and made it a for profit. And, as a for profit,  
2 it didn't even make sense for me to be staying in the  
3 business because as a for profit the creditors don't give  
4 you any fair share contribution when you are collecting  
5 the money for them and that's what actually kept us alive  
6 was the fair share contributions.

7 Q. You had mentioned the fact that you at one  
8 point believed that you couldn't act as a for profit and  
9 a not-for-profit?

10 A. No. You are not allowed to. That I know.

11 Q. And so I guess my question to you -- and  
12 I'm not familiar with the business so you have to bear  
13 with me for a little bit -- when you said that there was  
14 a creditor contribution as a not-for-profit that helped  
15 keep A Better Way going, what do you mean by that?

16 A. For example, I send a hundred dollars in to  
17 Citibank. Citibank at one point was giving 15 percent  
18 fair share contribution so I would send them a hundred  
19 the person's account was credited the hundred dollars  
20 Citibank would send back 15 dollars, that was their way  
21 of thanking me for collecting the money for them.

22 That's the way most of the creditors were.  
23 They ranged anywhere from no contribution and up to 15  
24 percent and, when I sold the business, it was down to,  
25 like, maybe 3 or 4 percent of them were giving maybe a

Page 34

1 few percent.

2 Q. So the margin shrank over time?

3 A. Considerably.

4 Q. And did that have anything to do with the

5 not-for-profit or for profit status of the entity?

6 A. Initially, no, but when I had the nonprofit

7 taken away and it was just for profit then I wasn't

8 getting any contribution, period.

9 Q. So there was a point in time where you

10 tried to operate A Better Way as a for profit?

11 A. No, because once the nonprofit was taken

12 away and it was for profit I was trying to see if I could

13 get another nonprofit agency to see about purchasing out

14 my business because it wasn't really going to be

15 sustainable.

16 Q. Why didn't you just open up your own

17 processing center for A Better Way?

18 A. Because after they took away the nonprofit

19 status they weren't about to give it back to me; they

20 already said it was not going to be given back.

21 Q. You say they took away the not-for-profit

22 status, who took away that status?

23 A. I think it was the IRS that did that.

24 Q. When did that occur?

25 A. That was around 2005, I think,

Page 35

1 approximately.

2 Q. To the best of your recollection, what was

3 the reason given by the IRS that they were revoking the

4 not-profit-status of A Better Way?

5 A. Because I was working with AmeriDebt's for

6 profit processing center which I was under the impression

7 it was not-for-profit. That's the way it was when I was

8 working with them. I didn't realize they had made it for

9 profit.

10 Q. I believe you indicated you sold A Better

11 Way. Is that correct?

12 A. It was -- I don't know whether you could

13 say it sold because there was no money transferred. It

14 was -- I was giving it to another nonprofit credit

15 counseling company and I was still supposed to be working

16 there for, I think, like, five years or so, earning my

17 salary, but the guy I was working with he never had the

18 intention on keeping his end of the bargain so --

19 Q. Who is this guy?

20 A. He's not even in business anymore, I don't

21 think.

22 Q. What is his name, just out of curiosity?

23 A. John Gormley.

24 Q. All right. I want to direct your attention

25 back to Exhibit 2, this is the answer that you filed in

Page 36

1 this case, and back to Page 16 which are the affirmative

2 defenses that you have asserted in the case. We talked

3 about what personal knowledge you have as it relates to

4 the third affirmative defense. I wanted to ask you about

5 what knowledge you have about the first defense that you

6 asserted.

7 A. As far as a legitimate claim to any of the

8 assets received from the defendants?

9 Q. Yes, sir.

10 A. I had no knowledge of anything being wrong

11 with it, you know, so that's why I said I didn't -- as

12 far as, like, with the house you are talking about?

13 Q. My next question was going to be: What

14 assets were you referring to in there? I'm just going by

15 what you said.

16 A. There were only the two things.

17 Q. What two things are those?

18 A. The watch which I think I mentioned

19 earlier.

20 Q. What kind of watch is that?

21 A. A Rolex which he had bought me for a

22 Christmas present.

23 Q. When was that purchased -- or when was it

24 given to you? Excuse me.

25 A. 2015, I think.

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1 Q. What kind of Rolex is it?

2 A. I don't know. They all look the same to

3 me, I never had a Rolex before so I had no idea.

4 Q. And this was a gift from Jeremy?

5 A. Yes.

6 Q. And then you also reference a house. The

7 what house are you referring to?

8 A. The house I'm living in with my youngest

9 son who is in high school right now.

10 Q. What's the address of that house?

11 A. 6436 Grand Cypress Circle, Lake Worth,

12 33463.

13 Q. And how long have you lived at that

14 address?

15 A. Going on two years.

16 Q. And who did you acquire that home from?

17 A. Jeremy had, I guess, gifted or gave that to

18 me so my youngest son and I would have a place to stay

19 and I had homesteaded it and I put my own money into

20 fixing it up the way I wanted it.

21 Q. Let's talk about a couple of things here.

22 So you didn't pay any money for the house, other than

23 what you --

24 A. Just the money I put into the house.

25 Q. And let's talk about the money you put into

Page 38

1 the house. How much money did you put into the house?  
2 A. I don't have an exact dollar figure, but  
3 it's, I would guess, somewhere around ten to fifteen  
4 thousand.  
5 Q. What did you do to improve the house with  
6 this ten to fifteen thousand dollars?  
7 A. Well, it needed to be resodded front and  
8 back which was expensive.  
9 Q. When did you do this landscaping?  
10 A. Shortly after I moved in.  
11 Q. So 2015?  
12 A. No. It was actually beginning of 2016.  
13 Q. How much did that cost?  
14 A. That was -- just for the sodding was  
15 somewhere between three and four thousand.  
16 Q. And who did you hire to do that sodding?  
17 A. It was a Spanish lawn guy that I had met  
18 and, you know, lawn service and he said he was able to do  
19 it.  
20 Q. What other money did you put into the house  
21 other than the landscaping you just described?  
22 A. Well, then I also bought a lot of fruit  
23 trees and stuff. I like tinkering in the garden, growing  
24 fruits and vegetables and stuff.  
25 Q. Okay.

Page 39

1 A. So I have several different exotic fruit  
2 trees and all.  
3 Q. What kind of trees are we talking about and  
4 how much were they?  
5 A. Macadamia nut tree; sapodilla tree; star  
6 fruits, a couple of those, plums, two different plum  
7 trees; blueberry bushes; mango; avocado; papaya; Barbados  
8 cherry.  
9 And then I had vegetables growing, like,  
10 tomatoes and peppers and things of that nature.  
11 Q. And how much did you spend on the gardening  
12 and the fruit trees and things you just described?  
13 A. I don't know exactly, probably another --  
14 it was probably over five hundred dollars.  
15 Q. And what else have you spent on the 6436  
16 Grand Cypress Circle house?  
17 A. It needed some plumbing work. It needed  
18 some electrical work. It needed -- I put flat screen TVs  
19 in all the room and onto the wall and had everything  
20 installed, all the different things.  
21 Q. How many TVs did you buy?  
22 A. About four or five TVs.  
23 Q. And what kind of plumbing work did you have  
24 done in the house?  
25 A. The shower was leaking in through the wall

Page 40

1 and the electrical was all screwed up throughout the  
2 house.  
3 Q. Who did you have repair the plumbing issues  
4 you just described?  
5 A. I don't remember the name of the plumbing  
6 company. I just looked up in, you know, the phone book.  
7 I don't remember the name of them.  
8 Q. And, in terms of the electrical work you  
9 described, what specifically had to be done at the house?  
10 A. The air conditioner had to be worked on  
11 plus I had a surge protector put on there; there's also a  
12 outside thing for the sprinkler system that the  
13 electrical had to be fixed on it along with the sprinkler  
14 system had to be fixed.  
15 Q. How much did you spend --  
16 A. It was probably about 20 or 30 different  
17 outlets in the house that weren't working and the wire  
18 work was really screwed up; it was blowing circuits all  
19 over the place.  
20 Q. How much did you spend on the electrical  
21 work?  
22 A. Honestly, I don't remember exactly because  
23 they had to keep coming back there were so many many  
24 things.  
25 Q. And how much did you spend on the four to

Page 41

1 five flat screen TVs that you put in the house?  
2 A. On the TVs alone probably around three or  
3 four thousand. And then the installations and also the  
4 the DVDs and all the stuff being installed alongside.  
5 Q. The home theater that had to be set up?  
6 A. All that stuff and that was also extra, all  
7 the TVs and CD and other stuff.  
8 Q. So you put in a home theater system in  
9 addition to the TVs that you purchased?  
10 A. Yes.  
11 Q. And how much was the home theater system?  
12 A. I really don't remember the price on that  
13 and all the other hardware that I had hooked up to the  
14 TVs.  
15 Q. And the expenses that we just talked about  
16 relating to the landscaping, the fruit trees; the  
17 plumbing, electrical work, the TVs, the home theater  
18 system, these were all moneys that you spent in 2016?  
19 A. It was mostly in 2016 and a little bit into  
20 2017.  
21 Q. And what has your source of income been in  
22 2016 and 2017?  
23 A. Well, being that I was helping Jeremy  
24 initially when he was getting his business started and I  
25 wasn't getting any money or anything, Jeremy wanted to



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1 help me out so he was giving me money to be able to pay  
2 my bills and stuff.  
3 Q. Okay. So all the money that we have talked  
4 about here in terms of what you spent on the house, you  
5 got that money from --  
6 A. No, not from Jeremy.  
7 Q. Because --  
8 A. That was just money I had of my own.  
9 Q. And where did you get that money of your  
10 own?  
11 A. Over the years, working.  
12 Q. If I understand you correctly, your  
13 testimony is that because of your significant health  
14 condition in 2013 you really couldn't work anymore after  
15 that. Right?  
16 A. Correct.  
17 Q. And, after that time period, your income  
18 was roughly ten thousand dollars a year because of  
19 residuals?  
20 A. Approximately.  
21 Q. Did you have any other source of income  
22 other than that ten thousand dollars worth of residuals?  
23 A. Since 2013 you are saying?  
24 Q. Yeah, I'm just trying to figure out how you  
25 afforded all this stuff.

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1 A. So I was married at the time so there's a  
2 second income.  
3 Q. Were you married in 2016?  
4 A. No. The divorce was finalized in 2016.  
5 Q. So, in 2016 when you move into the 6436  
6 residence, you are the only source of income for that  
7 household. Correct?  
8 A. Correct.  
9 Q. And your testimony so far has been that the  
10 only source of income you had for 2016 was a ten thousand  
11 dollars a year residual based upon your work as an  
12 insurance agent. Correct?  
13 A. That and plus Jeremy would help out as far  
14 as giving money towards the bills and that was his way of  
15 thanking me for initially helping him and giving advice  
16 and whatever and plus I would also, whenever he would  
17 need help like opening an account or signing a paper or  
18 whatever, he had me down as trustee so I would just sign  
19 whatever he needed.  
20 Q. Was the ten thousand dollars that you  
21 received from your residuals from your insurance agent  
22 before or after taxes?  
23 A. That's before.  
24 Q. Okay. Did you receive any disability or  
25 other type of insurance?

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1 A. No. I'm waiting for -- I filed for social  
2 security disability. I'm waiting for that to come  
3 through.  
4 Q. When did Jeremy start giving you moneys to  
5 help you out with your bills after you moved into the  
6 6436 residence?  
7 A. Um, I think it started right around -- I'm  
8 not sure exactly -- I think around April or so.  
9 Q. April of what year?  
10 A. 2016.  
11 Q. And he wasn't helping out with bills before  
12 then?  
13 A. He was helping out except during when I was  
14 going through the divorce.  
15 Q. Prior to you receiving the house at 6436  
16 Grand Cypress Circle, did you have any savings?  
17 A. Up until the divorce, yeah.  
18 Q. And when were you divorced?  
19 A. It was finalized in March or so, I think,  
20 of 2016.  
21 Q. And, after that divorce, did you have any  
22 more savings?  
23 A. I had a little bit still.  
24 Q. How much did you have?  
25 A. Enough to purchase the stuff that I needed

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1 for the house and that was pretty much cleaned me out.  
2 Q. Now, as part of your divorce, was there a  
3 settlement agreement with your ex-wife?  
4 A. Um, in what way?  
5 Q. Did you settle the divorce or --  
6 A. Yeah, I settled. She wanted lifetime  
7 alimony and all this other stuff and there wasn't any way  
8 she was going to get it and, basically, I wanted it over  
9 with, so I could have waited one more month, gone to  
10 court and I would have gotten alimony and child support  
11 because our son lives with me, and I just didn't want to  
12 do that, I just wanted to get it over with, I didn't want  
13 to hurt her, even though she did it to hurt me, I was,  
14 like, fine, if that's what you want, it's fine with me.  
15 Q. So you took the high road in this terrible  
16 situation and did you pay her any money as part of this  
17 decision that you made?  
18 A. The money that she took when she left.  
19 Q. How much was that?  
20 A. I had about thirty thousand petty cash in  
21 the house and along with whatever she took out of savings  
22 and checking.  
23 Q. Did Jeremy at all help you out with your  
24 divorce?  
25 A. He helped me a little bit with the

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1 attorney.  
2 Q. So he paid your divorce attorney?  
3 A. He was helping with that, yes.  
4 Q. Did Jeremy at all help pay for any  
5 settlement that you had with your ex-wife?  
6 A. At the very end, yes, he did help me with  
7 that. It was, like -- I don't remember the exact amount,  
8 but it wasn't anything substantial; but, yes, he helped  
9 me out on that.  
10 Q. Did he pay the entire settlement amount or  
11 did you pay any of it?  
12 A. No. He took care of the small amount that  
13 was settled.  
14 Q. Is that because you couldn't afford to pay  
15 for the settlement?  
16 A. I had no money left after fixing up the  
17 house and all.  
18 Q. What was your ex-wife's name?  
19 A. Andy.  
20 Q. What is the full name?  
21 A. Andrea Marcus.  
22 Q. Do you know where she lives now?  
23 A. Yeah, right down the road. She rented an  
24 apartment with her mother. That's where the two of them  
25 are living.

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1 Q. So she lives in Lake Worth.  
2 I direct your attention back to Exhibit 2.  
3 You will see that in the second defense that you have  
4 raised in the case that you state:  
5 There is consideration for any assets  
6 relief defendant may have received from defendants.  
7 What do you mean by that?  
8 A. By what I mentioned before, that I would  
9 help him out a lot in the beginning in trying to give him  
10 advice or whatever way I could help him, and I wasn't  
11 getting paid so when he did give me some it was in lieu  
12 of all the stuff that I have done for him.  
13 Q. And when you say "the beginning," what time  
14 period are we talking about?  
15 A. I don't remember which year.  
16 Q. What company are you referring to?  
17 A. Jeremy's company.  
18 Q. I have to break it to you, there's a few of  
19 them. Which one specifically?  
20 A. I don't remember what company he started  
21 with. I never knew he had all those companies.  
22 Q. Okay. We will get there. So it's your --  
23 so in the second defense when you refer to consideration  
24 this is the consideration you provided to Jeremy. Right?  
25 A. Right.

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1 Q. Not consideration to a particular corporate  
2 entity or business?  
3 A. No.  
4 Q. Now, in the first defense you say that you  
5 have a legitimate claim to any assets received. What's  
6 the legitimate claim you believe you have to the house  
7 and to the watch?  
8 A. Well, like I said, I'm not aware of any  
9 ill-gotten money, so the watch was given to me as a  
10 holiday present, Christmas present, and the house was so  
11 my youngest son and I would have a place to live and we  
12 wouldn't be out there.  
13 Q. Anything else in terms of what legitimate  
14 claims you have over those assets?  
15 A. No.  
16 Q. Other than Ms. Findley, did anyone else  
17 assist you in the preparation of Exhibit 2?  
18 A. Not that I am aware of. I don't know.  
19 Q. Was this document e-mailed to you from  
20 Amanda or how did you go about finalizing your answer  
21 that you filed in this case?  
22 A. As far as finalizing the answers? What do  
23 you mean by that?  
24 Q. It's my understanding from your testimony  
25 is that Amanda put together this document. Correct?

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1 A. She knew the formats and all, right.  
2 Q. And she provided -- you didn't go over all  
3 the allegations with her. Correct?  
4 A. Just whatever needed to be answered I would  
5 give my answer and that was it.  
6 Q. What specific answers did you provide to  
7 her?  
8 A. Whatever questions are on there and,  
9 basically, for the most part I don't have any knowledge  
10 of what was going on.  
11 Q. And then you did this with Ms. Findley over  
12 the phone?  
13 A. Uh-huh.  
14 Q. When did you have this phone call?  
15 A. I don't remember what date. It was shortly  
16 after I received these.  
17 Q. And you were having this conversation with  
18 her as your daughter-in-law/friend, not as your lawyer.  
19 Right?  
20 A. No.  
21 Q. What did she tell you about the case?  
22 A. She didn't tell me anything about it. She  
23 just basically, you know -- all I asked her for, I said,  
24 I don't know the proper way, proper etiquette, for  
25 answering this back, the proper formats, and I needed



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1 some help.  
2 Q. Was she the one who gave you counseling in  
3 terms of what defenses you'd raise here?  
4 A. Um, that part, I don't know who put that  
5 in.  
6 Q. Okay. We have been going for about an hour  
7 now. This is a good time to take a break. Is that okay  
8 with you?  
9 A. Sure.  
10 (Short break)  
11 Q. Mr. Marcus, before we took a break we were  
12 talking about some of the improvements you made at the  
13 6436 Grand Cypress Creek property. Did you make those  
14 improvements before or after your divorce settlement?  
15 A. Most of them was before.  
16 Q. And did your divorce settlement occur  
17 before or after Jeremy gave you the 6436 Grand Cypress  
18 Circle property?  
19 A. It was after the divorce settlement.  
20 Q. I will represent to you that it appears you  
21 became the owner of the property on May 1, 2016. Does  
22 that sound right to you?  
23 A. Sounds about right. I don't know the exact  
24 date.  
25 Q. And your divorce settlement with Andrea

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1 Marcus occurred after that time?  
2 A. No. We settled it -- actually, I thought  
3 that was done before, actually, but the divorce was  
4 settled in March. I think I filed for the papers for the  
5 house in my name before then, but I didn't realize it was  
6 that date.  
7 Q. Okay. When you reference you filed the  
8 papers in your name, what are you --  
9 A. For homestead exemption.  
10 Q. So you filed for homestead exemption before  
11 you actually owned the property?  
12 A. No. I thought I owned the property before  
13 then, the date you just mentioned.  
14 Q. When did you start living at the 6436 Grand  
15 Cypress Circle property?  
16 A. January.  
17 Q. January of 2016?  
18 A. Yes.  
19 Q. Did you have a lease on the property?  
20 A. No.  
21 Q. Were you paying rent?  
22 A. No.  
23 Q. Then how did you end up living there?  
24 A. It's -- Jeremy had initially bought it and  
25 I had moved in.

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1 Q. Okay. And you were living there with your  
2 son rent free?  
3 A. Uh-huh, yes.  
4 MR. PERLMAN: That was as of when?  
5 MR. GARNO: January of 2016.  
6 Q. So final divorce settlement occurs sometime  
7 between January and May of 2016. Is that correct?  
8 A. The divorce, yes.  
9 Q. And I believe you said it was March of  
10 2016?  
11 A. I'm pretty sure it was March.  
12 Q. Okay. So you did all the landscaping work,  
13 you put in all the trees, the electrical and plumbing  
14 work, the TVs and the home theater system, between  
15 January and March of 2016?  
16 A. I think that's about the timeframe.  
17 Q. And these were all done while you were a  
18 tenant, not an owner of the property. Correct?  
19 A. I guess you can say it that way, yeah.  
20 Q. I mean, you didn't own the property at that  
21 time. Right?  
22 A. I thought I had filed for the homestead  
23 exemption before then, but I don't remember the dates,  
24 so --  
25 Q. Sure, and we will nail down the dates

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1 later. I'm just trying to get the timing in terms of the  
2 moneys that Jeremy gave to support you. Did you  
3 commingle those with the moneys you received as an  
4 insurance agent?  
5 A. I commingled them with my other moneys so I  
6 could pay my bills.  
7 Q. Makes sense. You had one bank account you  
8 were paying your bills from. Right?  
9 A. Yes.  
10 Q. And Jeremy would give you money and you  
11 would put in it that bank account?  
12 A. Right.  
13 Q. And then you would receive the ten thousand  
14 dollars annually as an insurance agent and put it in the  
15 same bank account?  
16 A. Yes.  
17 Q. Who's paid taxes on the house since you  
18 have become the owner in 2016?  
19 A. The first year Jeremy helped me out with  
20 that and then this year it's up to me.  
21 Q. Who's paid for the insurance on the house  
22 since you moved in in January 2016?  
23 A. I haven't had any insurance on the house.  
24 Q. It's uninsured?  
25 A. Uh-huh, yes.

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1 Q. And since you have -- between January of  
2 2016 and May of 2017 who is paying for the electrical  
3 bills, the water bills, any utility bills associated with  
4 the house?

5 A. Between the money that Jeremy was giving me  
6 towards helping out with the bills and whatever money I  
7 was getting from my residuals and all, that's how I was  
8 paying the bills.

9 Q. And the only residuals we are talking about  
10 is the ten thousand dollars pretax that you received.  
11 Correct?

12 A. Correct.

13 Q. How about do you have cable TV or DirecTV  
14 at the house?

15 A. Yeah, I have cable TV and it's through the  
16 homeowners association.

17 Q. What are the homeowners association dues on  
18 the house?

19 A. 235 a month.

20 Q. Before May of this year who paid for the  
21 homeowners association dues?

22 A. I have been paying it right along.

23 Q. Have you been using money that Jeremy gave  
24 you to pay those homeowners association dues?

25 A. Yes. I was also using it for food and gas

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1 and whatever else to sustain myself and my son.

2 Q. Sure. You know, correct me if I am wrong,  
3 but it would seem to me that before May of this year that  
4 your lifestyle was being supported almost primarily by  
5 moneys Jeremy was giving you as opposed to the ten  
6 thousand dollars pretax dollars that you were getting as  
7 an insurance agent. Is that fair?

8 A. Okay, yes.

9 Q. Because ten thousand dollars pretax is not  
10 a whole lot of money?

11 A. No, it's not.

12 Q. What are the taxes on the property?

13 A. I think they are approximately 34 hundred,  
14 in that ballpark.

15 Q. And you mentioned earlier you have a son  
16 Zachary that's living with you?

17 A. Yes.

18 Q. How old is he?

19 A. He just turned 18. He's a senior in high  
20 school and next year he'll be going away to college to  
21 study to be a doctor.

22 Q. Good for him. Where is he going to school?

23 A. He just got accepted USF Tampa. We went up  
24 to Gainesville to apply at the University of Florida and  
25 also UCF, but that's the first one that came through.

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1 Q. Does he go to a public or private?

2 A. Public, Park Vista High School and he's a  
3 smart kid. He has, like, a 4.6 average with honors  
4 classes.

5 Q. That's amazing. Congratulations. When did  
6 they go higher than 4.0?

7 A. They can actually go up to 6.0 and I never  
8 heard of that until recently, with the honors and APs.

9 MR. PERLMAN: It's all applied in there.

10 THE WITNESS: Yes.

11 (Exhibit No. 3, seven-page document printed  
12 from Jeremy Marcus' e-mail account, was marked for  
13 Identification.)

14 Q. I'm going to show you a series of documents  
15 that we got from Jeremy's e-mails as part of our  
16 investigation in this case. I'm showing you what's been  
17 marked as Exhibit 3. I will represent to you, sir, that  
18 Exhibit 3 represents a seven-page document printed from  
19 Jeremy Marcus' e-mail account with a Gmail address  
20 Jeremy.omni at gmail dot com.

21 A. Okay

22 Q. The first page appears to be an e-mail from  
23 Jeremy to you dated February 19, 2010. Do you see that?

24 A. Yes.

25 Q. And you will see attached to that are

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1 certain scripts for a company called Omni Financial  
2 Management?

3 A. Right.

4 Q. And what do you know about Omni Financial  
5 Management?

6 A. Just that it's a business he had. I don't  
7 know much else about it.

8 Q. Did you have a role in that company?

9 A. No.

10 Q. Were you -- at this time in February of  
11 2010 was Jeremy providing you these scripts for your  
12 input and advice?

13 A. Honestly, I really don't even remember all  
14 this.

15 Q. Well, you had mentioned earlier that in the  
16 beginning you were helping out Jeremy in terms of his  
17 business.

18 A. Yes.

19 Q. Is part of the help you were providing with  
20 potential call scripts to be used with consumers?

21 A. Um, back in the beginning, no, I don't  
22 think I had anything to do with call scripts.

23 Q. Let's go back to your original testimony  
24 then that one element that you believe that you provided  
25 Jeremy which resulted in him providing you the support, a

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1 house, the watch, was help that you provided him at the  
2 beginning of his business. Do you recall that testimony?  
3 A. Correct.  
4 Q. What help did you provide to Jeremy?  
5 A. Well, he was asking me how should he work  
6 pay scale for employees and different places to get the  
7 office furniture and the best place to, you know, best  
8 way of setting them up and it's just different questions  
9 he would ask me, you know, and if I had the knowledge on  
10 it I would answer and tell him; if I didn't, I didn't.  
11 Q. Certainly, in 2010 he provided you with  
12 call scripts for this company called Omni Financial  
13 Management. Correct?  
14 A. I guess, yes.  
15 Q. I didn't see anything in this e-mail chain  
16 where you responded "I don't know why you are sending  
17 this to me, I don't understand what you want me to do,"  
18 so why do you think Jeremy would send you these call  
19 scripts?  
20 A. If he sent them to me he probably was  
21 sending it to me to look over and see if I had any ideas,  
22 but I don't even have any recollection of this script,  
23 so --  
24 Q. Did you ever review any other scripts that  
25 Jeremy sent you to be used with consumers?

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1 A. No, because I'm not an attorney and I told  
2 him the best thing is to have an attorney look it over to  
3 make sure everything was, you know, compliant.  
4 (Exhibit No. 4, E-Mails from July 12, 2010,  
5 at 7:13 p.m., was marked for Identification.)  
6 Q. I show you what we are going to mark as  
7 Exhibit 4. I'm presenting you with Exhibit 4. I will  
8 represent to you, sir, that Exhibit 4 is a series of  
9 e-mails which we were able to secure from Jeremy Marcus'  
10 Jeremy dot Omni at Gmail dot com account. Exhibit 4 is a  
11 five page document. Do you have that in front of you?  
12 A. Okay.  
13 Q. You will see that the original -- the first  
14 e-mail that appears at the top of Exhibit 4 is an e-mail  
15 from July 12, 2010, at 7:13 p.m. from a TCN Viper at AOL  
16 dot com to Jeremy.  
17 Do you recognize that e-mail address?  
18 A. It's from a guy named Harry.  
19 Q. And who is Harry?  
20 A. He owned a credit counseling company at the  
21 same time I did going through AmeriDebt's processing,  
22 too.  
23 Q. What's Harry's last name?  
24 A. Petri.  
25 Q. How do you spell that?

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1 A. I'm not sure.  
2 Q. P A --  
3 A. It's -- I really don't remember the  
4 spelling on his last name. Kind of reminded me of the  
5 Dick Van Dyke show.  
6 Q. What company did Harry have at the same  
7 time as you?  
8 A. He had his own credit counseling company.  
9 Q. What was it called?  
10 A. I don't remember.  
11 Q. Was Harry providing Jeremy advice in terms  
12 of how to deal with customer call scripts?  
13 A. He might have been doing that at the time.  
14 Q. Okay. You will see at the bottom there's  
15 an e-mail from Jeremy to you on Tuesday July 13, 2010.  
16 Do you see that e-mail?  
17 A. Yes.  
18 Q. You will see in the footer that Jeremy is  
19 the VP of sales for Omni Financial Management.  
20 A. Right.  
21 Q. Do you see that? Do you know who were the  
22 owners of Omni Financial Management?  
23 A. I always thought it was Jeremy.  
24 Q. Was Jeremy during this time period working  
25 for someone or did you think he was working for himself?

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1 A. I didn't know. I just thought he was  
2 working for himself.  
3 Q. And, like, he never had a conversation with  
4 you said, "Dad, listen, I'm now the VP of sales at Omni  
5 Financial Management" or anything like that?  
6 A. I don't remember anything like that.  
7 Q. Your impression was that he was always  
8 doing this on his own?  
9 A. That's what I thought.  
10 Q. You will see that on July 13, Jeremy sent  
11 to you what's been described to you as new script. That  
12 is Page 2 of Exhibit 4 and then you will see the balance  
13 of Exhibit 4 are possible consumer call scripts. Do you  
14 see that?  
15 A. Are you talking about on the third page?  
16 Q. Third, fourth and fifth.  
17 A. Okay.  
18 Q. You see that in July again he sent you new  
19 scripts as related to Omni Financial Management?  
20 A. Okay.  
21 Q. So does this refresh your recollection in  
22 terms of Jeremy sending you other scripts?  
23 A. Honestly no. As I say, I have gone through  
24 38 operations and one of the few residual things is I  
25 have a lot of short term memory loss because of being

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1 back-to-back operations it affected my short term memory,  
2 the anesthesia.  
3 Q. I'm sorry for that. I thought when we  
4 first started I had asked if there was anything that  
5 would affect your testimony here today and you said you  
6 were okay.  
7 A. I wasn't thinking of that.  
8 Q. Also, this appears to be an e-mail from  
9 July 13, 2010, is it not?  
10 A. Correct.  
11 Q. What's today? What are we November of  
12 2017?  
13 A. Right.  
14 Q. Is it possible, then, that you were  
15 providing Jeremy with input as to potential sales scripts  
16 or consumer scripts that he was utilizing in his new  
17 business?  
18 A. I don't remember if I was or not.  
19 Q. Can you think of any reason why Jeremy  
20 would keep sending you these scripts during this time  
21 period other than for your advice and input since you  
22 were in that business for six and a half years. Right?  
23 A. I would presume if he sent it to me that he  
24 wanted me to look at them and give my opinion what he  
25 thought and came up with. That's the only thing.

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1 Q. He certainly at this point in time, even  
2 after your February discussion where you told him to get  
3 a lawyer, he was looking to you for advice on these  
4 things. Right?  
5 A. Right.  
6 (Exhibit No. 5, E-mails re Wage loss, was  
7 marked for Identification.)  
8 Q. Let me show you what we are marking as  
9 Exhibit 5. Can you -- do you recall any other instance  
10 besides Exhibit 3 and Exhibit 4 where Jeremy asked for  
11 your input in terms of call scripts that were being used  
12 with customers or consumers?  
13 A. Not offhand, no. I'm not saying -- he  
14 might have but I don't have a recollection.  
15 Q. Did you draw any salary from any of  
16 Jeremy's businesses?  
17 A. At one point he was giving me money and I  
18 was, you know, paying taxes on it, you know, it was a  
19 salary with -- it was a W-2 and taxes were being taken  
20 out and I was declaring it.  
21 Q. So at one point you were employed by  
22 Jeremy's companies?  
23 A. Right.  
24 Q. I think that you were also -- and correct  
25 me if I am wrong -- you were also being provided health

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1 insurance benefits associated with being an employee?  
2 A. Right.  
3 Q. And when did you start working for Jeremy's  
4 companies?  
5 A. I know it was before I got sick and then  
6 when I got sick I couldn't really do anything anymore,  
7 but for a short period I was working in his compliance  
8 department or I should say the -- when a customer is  
9 talking to the agent and then when they are done it was  
10 sent over to the -- there's another name for the  
11 compliance, but it was, like, to go over to make sure  
12 they understood everything and it was all taped and if  
13 they didn't understand things it was sent back to their  
14 agent and then they wouldn't become a customer until they  
15 -- verification department, actually, that's what it was  
16 called, verification where we went over everything to  
17 make sure the customer understood everything before they  
18 would become a customer.  
19 Q. We'll talk a little bit about what you were  
20 doing at the business. But I'm a little confused because  
21 I thought your testimony earlier today was that you'd  
22 only received income between 2010 and 2017 based upon  
23 your residuals as an insurance adjustor.  
24 A. You brought up a different date than 2010.  
25 Q. So it was 2013?

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1 A. It was from 2013.  
2 Q. Okay. So before 2013 you did work for  
3 Jeremy and his companies?  
4 A. For a short period doing verification, you  
5 know, with other people.  
6 Q. That was unclear from your testimony. I  
7 thought that you had not. Now that you have testified  
8 that you have, why don't we talk about what company you  
9 worked for? Which entity did you work for?  
10 A. I think it was called Paralegal Staff  
11 Support.  
12 Q. And how did it come about that you started  
13 working for Paralegal Staff Support?  
14 A. Because that was the name of his company.  
15 Q. No. How did you become employed there?  
16 A. Oh, I don't remember if he asked me or I  
17 asked him if there was something he needed help with over  
18 there and I don't remember when exactly.  
19 Q. When? When did you start working for  
20 Paralegal Staff Support?  
21 A. I don't remember the exact year. It was  
22 before 2013. I had a lot of medical issues I went in for  
23 -- they thought I had colon cancer so I went through  
24 several operations there, too, so I don't remember the  
25 exact dates.

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1 Q. So you only drew a salary from Paralegal  
2 Staff Support for how long and what time period?  
3 A. It wasn't for a long period of time and I  
4 don't remember the time period, the exact time period.  
5 Q. When did it end?  
6 A. I don't remember the date when it ended.  
7 Q. When Mr. Perlman was appointed receiver in  
8 this case you were still receiving health insurance  
9 through the corporations, were you not?  
10 A. Yes. Jeremy was helping me out because he  
11 knew I needed health insurance, can't go without it,  
12 especially with all the problems, and so he was trying to  
13 help me out with my health insurance.  
14 Q. And part of that help was continuing you on  
15 as an employee of the companies in order to get the  
16 health insurance?  
17 A. I don't know how he had it down in his  
18 business, but he just was taking care of that through the  
19 business.  
20 Q. When was the last time you received a  
21 paycheck from one of Jeremy's companies?  
22 A. A W-2 paycheck you mean?  
23 Q. Any paycheck, 1099, W-2, any compensation?  
24 A. Well, he was helping out last year because  
25 he knew I couldn't work. So he was helping me out I

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1 guess up until, you know, the beginning of this year.  
2 Q. So he was providing you not only whatever  
3 monthly assistance he was providing you so that you could  
4 live but he was also providing you a paycheck as well?  
5 A. No. No it wasn't a paycheck; he was giving  
6 me money to pay my bills. That's what I'm saying.  
7 MR. PERLMAN: You asked a broader question,  
8 any paycheck.  
9 Q. My question to you was: When was the last  
10 time you received a paycheck from one of Jeremy's  
11 companies as opposed to his gratuity?  
12 A. The paycheck was from when I worked for him  
13 doing the verifications, so --  
14 Q. So 2012 was the last time you actually were  
15 employed?  
16 A. I'm not sure of the exact year but it was  
17 probably right around there.  
18 Q. Did you ever receive any W-2s from these  
19 entities after 2012?  
20 A. I don't remember.  
21 Q. When you were at Paralegal Staff Support  
22 who was your supervisor? Who did you report to?  
23 A. Craig Smith. Craig was pretty much running  
24 the show for everything.  
25 Q. And did you know Craig Smith before you

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1 started working at Paralegal Staff Support?  
2 A. No.  
3 Q. Did you know Craig Smith's father before  
4 you started working at Paralegal Staff Support?  
5 A. No.  
6 Q. Did people report to you at Paralegal Staff  
7 Support?  
8 A. No. I was a nobody. I was just there  
9 doing, you know, doing a job. That's it.  
10 Q. Did you do anything besides the  
11 verification you have described?  
12 A. That was predominantly why I was there,  
13 verification or I helped filing.  
14 Q. Helped file what?  
15 A. Filing papers in the filing cabinet.  
16 Q. What was your salary at that position?  
17 A. I think it was fifteen hundred a week.  
18 MR. PERLMAN: I'm sorry. How much?  
19 THE WITNESS: Fifteen hundred a week.  
20 Q. You said it was a very short period of  
21 time. When did you start working there?  
22 A. I don't remember the exact dates of when I  
23 started or when I stopped.  
24 Q. How long did you work there?  
25 A. I don't remember the exact amount of time.

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1 I know it wasn't a long time.  
2 Q. Is it six months, a year, three years?  
3 A. No. It wasn't into the years.  
4 Q. So it was less than a year?  
5 A. I would say, yes, it was probably, yes.  
6 Q. And you said that in 2012 you started  
7 having health issues so you probably stopped before then.  
8 Correct?  
9 A. Yeah.  
10 Q. So it would have had to have been less than  
11 a year sometime in 2011?  
12 A. I don't remember the dates and, actually, I  
13 did do some work for him in 2012. It was, actually, 2013  
14 when I went through the -- that other major operation  
15 that I wasn't working anymore. So I don't remember the  
16 exact dates that you are asking me.  
17 Q. Is it possible that you worked in 2012?  
18 A. I can't tell you definitively.  
19 Q. I'm showing you what we have marked as  
20 Exhibit 5 --  
21 A. Right.  
22 Q. -- which again is a series of e-mails  
23 between yourself and Jeremy Marcus --  
24 A. Yes.  
25 Q. -- that we received from his Gmail account

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1 and you will see that it has to deal with -- it's from  
 2 March 22nd, 2011.

3 A. Right.

4 Q. Do you see the e-mail exchange?

5 A. Yeah.

6 Q. There's a reference here to hotel accident  
 7 and wage loss. What is that referencing?

8 A. The house before this I had a new air  
 9 conditioning system put in and the air conditioning  
 10 people broke the drainage pipe inside the wall that leads  
 11 outside the house to drain the condensation and for I had  
 12 just gone through two leg operations so I wasn't aware of  
 13 what was going on so I got the cast off and I went in the  
 14 garage and saw everything was flooded and then I started  
 15 calling hot water people and air conditioning people to  
 16 find out that it was the air conditioning and had dumped,  
 17 like, 15 gallons a day for, like, six weeks into the  
 18 walls so I had real bad mold issues throughout the whole  
 19 house, especially the aspergillus penicillin mold and it  
 20 was in very high concentrations and both myself and my  
 21 ex-wife and even our dogs were sick with respiratory and  
 22 had a hard time even talking until we realized that's  
 23 where it was coming from and we were put on some heavy  
 24 duty medication for two months, antifungal, and that  
 25 cleared it up.

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1 Q. Okay. And what was the property address  
 2 that this occurred at this flooding?

3 A. 7190 Brickyard Circle.

4 Q. But you will see that if you look at  
 5 Exhibit 5, the e-mail exchange that you and your son back  
 6 in 2011 it references a hotel accident?

7 A. Because we were staying in the Courtyards  
 8 by Marriott extended stay. We were staying in the second  
 9 floor of that hotel in, like, the condos there and then  
 10 they were having us move from one room to another and it  
 11 was a rainy day out and I was going down the -- I just  
 12 got healed from my Achilles tendon operation and, as I  
 13 was going down the steps, there wasn't any skid thing on  
 14 there and I slipped and flew down the steps and reinjured  
 15 the Achilles tendon again and had to have it reoperated  
 16 on it.

17 Q. Did you sue over that?

18 A. Yes, because they didn't even offer any  
 19 help.

20 Q. Who was your lawyer?

21 A. Um, I think -- I'm not a hundred percent  
 22 sure -- I think it was Seth Weinstein.

23 Q. Where is Mr. Weinstein's practice?

24 A. In Palm Beach. I think that was the  
 25 office.

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1 Q. And who did you sue based upon this slip  
 2 and fall in the staircase?

3 A. The building because they didn't have any  
 4 -- first, they didn't offer any help; and, second, they  
 5 didn't have adequate skid guards on the steps so when it  
 6 rained it was slippery like ice.

7 Q. And what was the ultimate resolution of  
 8 that lawsuit?

9 A. I think it was something, like, around -- I  
 10 think around 25 thousand dollars or so.

11 Q. You will see here that Exhibit 5 is a  
 12 request that you made to Jeremy to put on some letterhead  
 13 what you lost in wages. Is that fair?

14 A. Right.

15 Q. In fact, Jeremy says to you:  
 16 Type up whatever you want me to say and I  
 17 will make sure that it is put on letterhead and sign it.  
 18 Correct?

19 A. Right.

20 Q. And then your response was:  
 21 Hi. I want you to say due to my accident  
 22 it cost me approximately 1500 dollars per week for 12  
 23 weeks being out of work and the side affects of  
 24 anesthesia and the second operation not being able to  
 25 function?

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1 A. Right. That's when I caused the memory  
 2 loss because they were back-to-back operations.

3 Q. Okay. So I'm a bit confused now. Were you  
 4 referring the 1500 dollars per week salary that you were  
 5 drawing from Jeremy's company Paralegal Staff Support?

6 A. Right.

7 Q. And how long had you been working at  
 8 Paralegal Staff Support before the accident that you're  
 9 asking him to vouch for your lost wages?

10 A. I don't remember. It was on and off a  
 11 couple of times, but I don't remember.

12 Q. You would agree with me it would have had  
 13 to have been before March of 2011. Correct?

14 A. Yes.

15 Q. So did you work in 2010 for Paralegal Staff  
 16 Support?

17 A. I have no idea. I don't remember what  
 18 company it was that I was working with Jeremy on, but I  
 19 was working with him, like, on and off on a couple of  
 20 things.

21 Q. Like what?

22 A. Well, I'd work with him a little bit and  
 23 then I wasn't working with him; so it was, like, on and  
 24 off. I was in and out of operations, so it was, like --  
 25 like I said, I went through 38 operations and it does



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1 have its affects on you.  
2 Q. No, no, I understand that. I'm sorry.  
3 It's just creating a little bit of confusion with me.  
4 Okay? Hopefully, you can clarify it.  
5 I had thought when we first sat down and we  
6 talked about your work situation that you really weren't  
7 working on side projects for Jeremy, that you weren't  
8 working for him, that your primary source of income was  
9 your insurance adjustor business and residuals. Do you  
10 recall that you testified about that earlier today?  
11 A. That has been the primary, yes.  
12 Q. It now appears, and you have further  
13 testified, that you did in fact work for Jeremy and his  
14 companies on and off for a period of time. Right?  
15 A. Right.  
16 Q. At one point you just testified you worked  
17 in operations, you also mentioned you did verification.  
18 Did you work on and off for Jeremy's company for an  
19 extended period of time? Like, 2010, and then '11, and  
20 then '12 and after all of your health issues you went  
21 back and worked in 2014 and 2015?  
22 A. No. I didn't work for him in 2014 and  
23 2015.  
24 Q. So you worked with Jeremy and his company  
25 on and off for 2010, 2011, 2012?

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1 A. On and off probably yes.  
2 Q. And during those time periods did you get  
3 W-2s from Paralegal Staff Support?  
4 A. Whatever I got W-2s, they were all  
5 declared.  
6 Q. No, no, I understand that. My question is:  
7 Did you receive W-2s from these companies?  
8 A. When I was working for them, yes.  
9 Q. So we are clear, you helped Jeremy on and  
10 off at his businesses between 2010 and 2013 or before you  
11 had your significant health issues. Correct?  
12 A. Okay.  
13 Q. Is that correct?  
14 A. On and off.  
15 Q. You worked in his operations, you worked in  
16 the verifications department?  
17 A. Most of the -- some of the time it wasn't  
18 even working in his place. It was just working out of my  
19 home for him.  
20 Q. Okay. Fair enough. Did you ever work out  
21 of the location located at 1410 Southwest Third Street in  
22 Pompano?  
23 A. Yes.  
24 Q. You worked out of that location?  
25 A. For a short period.

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1 Q. Do you know when Jeremy --  
2 A. Wait a second. I'm sorry. Hold it. 1410  
3 that's that new office that he has there in Pompano.  
4 Q. Big warehouse?  
5 A. No, I didn't work there.  
6 Q. While Jeremy had his businesses operating  
7 out of that location did you work from home for him?  
8 A. No.  
9 Q. So, after your significant issues in 2013,  
10 you didn't work at all for Jeremy's companies?  
11 A. The place he had before the bank building  
12 which you call warehouses.  
13 Q. Is that the Natura Avenue location?  
14 A. Yeah.  
15 Q. Did you work there?  
16 A. That's where I worked doing the  
17 verification for a short period.  
18 Q. But you also helped him out in other  
19 aspects in working for him in operations. Correct?  
20 A. No, I didn't help him with operations; I  
21 said verifications and had to do with, you know, making  
22 sure -- verifications is the same as compliance when you  
23 are talking to the clients.  
24 Q. Okay. Because I thought a few minutes ago  
25 that you had mentioned as part of your on and off work

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1 with Jeremy in his businesses that you worked on things  
2 that related to operations?  
3 A. No. I didn't work on anything having to do  
4 with operations.  
5 Q. So that prior testimony was incorrect?  
6 A. Yeah, that assumption is incorrect.  
7 MR. PERLMAN: Let me ask: You did mention  
8 filings before. I'm not sure if there's a  
9 misunderstanding.  
10 A. Filing in a filing cabinet. You have a  
11 file, you put it in a filing cabinet. That's not  
12 operation.  
13 Q. It's not operations. I agree with that.  
14 I'm just going by what you testified to just to get  
15 clarification.  
16 A. It wasn't that clear.  
17 Q. So we are clear now, you actually worked  
18 for Jeremy's companies, not for a short period of time in  
19 2012, but you worked for his companies on and off between  
20 2010 and 2013?  
21 A. Okay..  
22 Q. Is that correct? I'm just trying to get  
23 your story straight.  
24 A. Yes, on and off, but nothing had to do with  
25 operations.

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1 Q. I'm just using your words.  
2 A. Operations, I was talking about myself  
3 going through operations.  
4 Q. Oh, okay.  
5 A. That's where you are getting operations  
6 from.  
7 (Exhibit No. 6, E-Mail exchanges, was marked  
8 for Identification.)  
9 Q. I will show you what we have marked as  
10 Exhibit 6.  
11 I'm showing the witness what we have marked  
12 as Exhibit 6. Again, these are e-mail exchanges that the  
13 receiver has been able to retrieve from Jeremy Marcus'  
14 Gmail account for Jeremy.Omni at Gmail dot com.  
15 You will see this is an exchange between  
16 you and your son on August 17, 2012. Do you see that?  
17 A. Yes.  
18 Q. You will see that at that point in time  
19 Jeremy asked you to keep a safe at your house?  
20 A. Okay.  
21 Q. Did he ever keep a safe at your house?  
22 A. Honestly, I don't remember. I did say he  
23 was welcome to, as I see down there; other than that, I  
24 don't remember if he did or not.  
25 Q. You don't recall if your son ever put a

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1 safe in your house?  
2 A. This is when I was living at 7190 Brickyard  
3 Circle so I don't remember him ever putting a safe in  
4 there.  
5 Q. Did he put a safe in any other house you  
6 have lived at?  
7 A. No, not that I know of.  
8 Q. Do you recall why he asked you to do him a  
9 favor and to permit him to keep the safe at your house?  
10 A. Probably because he was moving around a lot  
11 as far as house-wise and, you know, buying one place,  
12 moving into another, so that was my assumption of the  
13 reason why he asked me that.  
14 Q. He didn't give you a specific reason as to  
15 why he wanted you to keep his safe at your house?  
16 A. No.  
17 Q. Did Jeremy ever ask you to hold assets that  
18 belonged to him?  
19 A. At one point he asked me to hold onto some  
20 cash at the house for him. I said sure.  
21 Q. And when did he ask you to hold onto some  
22 cash?  
23 A. Probably in 2016 because I have a safe in  
24 my house and he asked me to hold on and I said sure and  
25 then eventually he asked me for all the stuff and I gave

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1 it all back to him.  
2 Q. How much cash did he give you?  
3 A. I don't remember exactly, but it was a lot  
4 of money. I don't know exactly.  
5 Q. Was that part of the thirty thousand  
6 dollars of petty cash that you talked about?  
7 A. No. That had nothing to do with my money.  
8 Q. Where did you get the thirty thousand  
9 dollars in petty cash?  
10 A. That was, you know, when I was married we  
11 were working together and I was also working a few jobs  
12 at that time.  
13 Q. What jobs were you working during that time  
14 period?  
15 A. When I was married?  
16 Q. Sure.  
17 A. Besides insurance, I was doing Uber.  
18 Q. Well, Uber is the last two years. You were  
19 divorced before that.  
20 A. No. I was doing it back then, too.  
21 Q. When were you doing Uber?  
22 A. I don't remember the year I started Uber,  
23 but I also worked at this one place called 401(K)  
24 Exchange.  
25 Q. What's that?

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1 A. They are out of business, but it was  
2 providing brokers or advisors around the country with  
3 appointments with businesses to go sit down with them and  
4 go over their 401(K) plans.  
5 Q. When did you do that?  
6 A. That was right around 2012.  
7 Q. Okay. So you were working at that job in  
8 2012?  
9 A. Yeah, for a period of time until they  
10 closed down.  
11 Q. How much did you make there?  
12 A. Well, I had a base of thirty thousand plus  
13 commissions. So I was probably making -- I'm just  
14 guessing from memory -- probably around six or seven  
15 thousand a month.  
16 Q. How come you didn't mention this job when I  
17 asked the question earlier about where you were working  
18 during this time period?  
19 A. You didn't mention that, I don't believe.  
20 Q. I asked you where you had worked.  
21 A. In 2012?  
22 Q. Yes.  
23 A. Are you sure? Well, okay.  
24 Q. Where else did you work besides the 401(K)  
25 Exchange and Uber?



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1 A. I don't remember any other places.  
2 Q. When did you stop working at 401(K)  
3 Exchange?  
4 A. They went out of business in I think it was  
5 right around August or so of 2012. I had just gotten  
6 back from having a colon resection surgery because they  
7 thought I had colon cancer, so --  
8 Q. So how long did you work there?  
9 A. Probably -- I'm guessing around probably  
10 six or seven months, maybe.  
11 Q. But I believe your testimony was earlier  
12 that in 2016 you had thirty thousand dollars in petty  
13 cash at your house that your ex-wife took. Do you recall  
14 that testimony?  
15 A. What year did you say?  
16 Q. 2016.  
17 A. No, it wasn't 2016. You don't have the  
18 date right.  
19 Q. Tell me: When did you have thirty thousand  
20 in petty cash at your house?  
21 A. When I lived in my other house in 2015,  
22 that's when she had walked out on my son, myself, the  
23 house and the dogs and went to live with her mother.  
24 Q. So by 2016 your ex-wife had taken all the  
25 cash that you saved from these jobs you were working on?

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1 A. Correct.  
2 Q. So you basically were left nothing at that  
3 point in time in 2015?  
4 A. Pretty much.  
5 Q. Was there any other time besides the cash  
6 that Jeremy asked you to hold where he requested that you  
7 hold some sort of property or asset for him?  
8 A. I don't remember. Whatever he did ask me  
9 to hold, I put in the safe and then, when he requested it  
10 all back, I just gave everything all back to him. So I  
11 don't even know exactly what all the stuff that he had in  
12 the safe.  
13 Q. Did he have a safe at your house?  
14 A. I have a safe in my house and --  
15 Q. He would use your safe?  
16 A. Yes.  
17 Q. And so you could open your safe and see  
18 what's in your safe. Correct? It's your safe.  
19 A. Yeah, but I never really rifled through his  
20 stuff to see what he had, you know; that's his stuff so,  
21 you know.  
22 Q. So when did Jeremy start keeping property,  
23 whatever it was, at the safe at your house?  
24 A. 2016.  
25 Q. Did you have a safe at the 7190 Brickyard

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1 Circle house?  
2 A. I don't remember having a safe back then.  
3 Q. Other than the cash that Jeremy kept at the  
4 safe -- well, strike that.  
5 Do you still have the safe?  
6 A. My safe? Sure.  
7 Q. Does Jeremy have anything in that safe  
8 right now?  
9 A. No. It was all given back to him.  
10 Q. So what did you give back to him? Besides  
11 the cash.  
12 A. I think he -- besides cash? I don't know.  
13 He had a couple of packages in there and -- which I have  
14 no idea what was in them -- and I gave him whatever was  
15 in there. I gave him the money and whatever was in  
16 there, I just handed it back.  
17 Q. So there was a couple of packages and some  
18 cash that he had in your safe. Anything else?  
19 A. Not that I know of, no.  
20 Q. When did he first give you cash?  
21 A. You mean to put in the safe, do you mean?  
22 Is that what you are talking about?  
23 Q. Right now we are talking about the safe,  
24 but we can talk about other times he gave you cash.  
25 Let's focus on the safe right now.

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1 A. I don't remember when he gave me the cash I  
2 don't know.  
3 Q. What happened? He just gave you some cash  
4 and said what?  
5 A. "Could you please hold onto this for me"  
6 because I remember one time one of the guys that was  
7 living with him, I think, stole stuff from him, so --  
8 Q. This would be in 2016?  
9 A. I don't remember what date it was, but he  
10 had one of the people that was living with him stole some  
11 stuff.  
12 Q. Let's give some timeframe here because we  
13 have been talking about the safe at the 6436 Grand  
14 Cypress Circle house. Right?  
15 A. Right.  
16 Q. And you didn't move in there until January  
17 1st of 2016?  
18 A. Right.  
19 Q. So anything that happened here happened  
20 sometime after that time period. Right?  
21 A. As far as the theft from him? Whoever  
22 stole from him?  
23 Q. I'm talking about when he is giving you  
24 cash.  
25 A. Okay.

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1 Q. Do you understand?  
2 A. Giving me cash to hold onto you are talking  
3 about or what?  
4 Q. For now we will do the hold onto cash, then  
5 we will do the other cash. Let's talk about the cash you  
6 are holding in your safe.  
7 A. Okay.  
8 Q. So that occurred sometime after January 1st  
9 or 2016?  
10 A. Yeah.  
11 Q. And how much cash did he give you?  
12 A. I don't know exactly. I think one time he  
13 asked me for, like, I think it was, like, seventy  
14 thousand dollars or something like that, but I don't  
15 remember. I think that was the amount. I'm not a  
16 hundred percent sure.  
17 Q. So at one point he give you seventy  
18 thousand dollars?  
19 A. Whatever the amount of money was, I was  
20 holding it in the safe for him.  
21 Q. Were there multiple occasions where he  
22 would give you cash?  
23 A. No. I think it was just the one time. He  
24 just gave a bunch of cash to hold on in there.  
25 Q. Were there -- now, you also talked about

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1 other times he gave you cash where you weren't holding it  
2 in the safe. What did you mean by those occasions?  
3 A. Say that question again, please?  
4 Q. Sure. You testified -- I will withdraw the  
5 question and ask a different question.  
6 Besides these instances where he asked you  
7 to hold cash in a safe, did Jeremy ever ask you to hold  
8 cash that you didn't keep in a safe?  
9 A. Not that I know of.  
10 Q. So there was only one time that Jeremy  
11 asked you to hold cash for him?  
12 A. As far as I can remember, yeah.  
13 Q. And this happened sometime in 2016?  
14 A. Yes.  
15 Q. And did he tell you why he wanted you to  
16 hold seventy thousand dollars in cash for him?  
17 A. No, and I didn't ask him why.  
18 Q. And when did you give him back the cash?  
19 A. Whenever he requested it back.  
20 Q. When did he request it back?  
21 A. I don't remember the month, but I'm sure  
22 you have the e-mail there because he sent it by e-mail.  
23 Q. Why did he tell you he wanted the money  
24 back?  
25 A. He didn't give me an explanation and I

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1 didn't ask.  
2 Q. Why did he tell you he wanted you to hold  
3 seventy thousand dollars?  
4 A. He didn't tell me.  
5 Q. You also indicated that at the safe at your  
6 house you also were holding two packages. Do you recall  
7 that?  
8 A. Yep.  
9 Q. Did you get both packages at the same time?  
10 A. Yeah.  
11 Q. And what did Jeremy tell you about these  
12 packages?  
13 A. Nothing and I knew nothing about them so it  
14 was, like, that was his stuff.  
15 Q. And how long did you hold those packages at  
16 your safe?  
17 A. For about the same timeframe as the money.  
18 Q. When was that?  
19 A. In 2016.  
20 Q. And when did Jeremy ask you back for the  
21 two packages?  
22 A. I don't remember the exact time, but it was  
23 about the time that I gave him the money he asked for.  
24 Q. Did he say anything to you in terms of what  
25 was in the package?

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1 A. No.  
2 Q. Did he give you any reason for why he  
3 needed you to hold these two packages at your safe?  
4 A. No.  
5 Q. Did Jeremy have a safe at his house?  
6 A. I have no idea.  
7 Q. Have you ever been to the 300 Royal Plaza  
8 Drive home?  
9 A. Yeah.  
10 Q. Isn't there a safe in that house?  
11 A. I have no idea.  
12 Q. You don't know? Would you be surprised if  
13 I told you there was a safe in that house?  
14 A. It wouldn't surprise me. I mean, the house  
15 is nice. It's a big place.  
16 Q. It's a nice place. If Jeremy has a safe in  
17 his house do you have any explanation as to why Jeremy  
18 needs you to hold something in the safe at your house?  
19 A. I have no idea. I didn't know he had a  
20 safe in his place.  
21 (Exhibit No. 7, E-Mail exchange from  
22 September 10, 2012, was marked for  
23 Identification.)  
24 Q. Let me show you what we are going to mark  
25 as Exhibit 7. Exhibit 7 is an e-mail exchange between

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1 yourself and Jeremy from September 10, 2012, which we  
2 received from Jeremy's Gmail account Jeremy dot Omni at  
3 Gmail dot com.  
4 Do you have Exhibit 7 before you?  
5 A. Yes.  
6 Q. You see this e-mail exchange between you  
7 and your son relates to leads and bad leads. Do you see  
8 that?  
9 A. Right.  
10 Q. Why in September 2012 was Jeremy sending  
11 you an Internet lead?  
12 A. I don't know, probably to check him out. I  
13 have no idea. I don't remember.  
14 Q. What is an Internet lead?  
15 A. People that have applied online for some  
16 help.  
17 Q. Okay.  
18 A. I guess or maybe he purchased an Internet  
19 lead of people from one of these big companies, I have no  
20 idea.  
21 Q. He references in his e-mail to you in  
22 September 2012, they applied at a New Horizons website.  
23 What does that mean?  
24 A. That's -- that was a debt company that I  
25 guess he purchased or something.

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1 Q. So I'm just trying to understand why in  
2 September of 2012 Jeremy was giving you -- was e-mailing  
3 you a lead.  
4 A. I don't remember.  
5 Q. Is this during the time period that you  
6 were working for Jeremy and his companies?  
7 A. It could have been one of the times that I  
8 was just working out of the house.  
9 Q. Okay. So, if he sent you a lead for a  
10 potential consumer, what did you do with it or what were  
11 you supposed to do with it?  
12 A. I don't remember at the time.  
13 Q. And, correct me if I am wrong, I believe a  
14 lead is a potential consumer or customer looking for  
15 assistance?  
16 A. Yes.  
17 Q. You don't recall why Jeremy in September  
18 2012 was sending you this lead for a potential new  
19 customer or consumer?  
20 A. He might have wanted me to check out and  
21 see how good the lead source was. I have no idea.  
22 Q. Did you ever check out lead sources for  
23 Jeremy?  
24 A. Back then I think I did.  
25 Q. So that was something else that you were

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1 doing for Jeremy's companies besides the verification --  
2 A. Giving assistance.  
3 Q. -- the filing. Describe what you did in  
4 regard to these leads for Jeremy's companies?  
5 A. Probably called them up to see if they were  
6 decent leads or not.  
7 Q. You mean call the actual customer or  
8 consumer?  
9 A. Yes.  
10 Q. So you did call customers and consumers on  
11 behalf of Jeremy's business?  
12 A. In the very beginning, yeah, I did do some.  
13 Q. I believe you also just testified that you  
14 checked on leads for Jeremy and his companies?  
15 A. Checked to see whether they were good lead  
16 sources or not because there's a lot of bad places for  
17 leads.  
18 Q. You will see on Exhibit 7 there's a second  
19 page which is an e-mail from you. Do you recognize that  
20 to be your e-mail address in 2013?  
21 A. Correct.  
22 Q. To Jeremy, correct?  
23 A. Right.  
24 Q. And you wrote at that time in January of  
25 2013:

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1 Hi, Jeremy. Here are some more bad leads.  
2 You will see there are a number of images  
3 attached?  
4 A. Right.  
5 Q. What are bad leads?  
6 A. People never really applied.  
7 Q. And how did you determine that these were  
8 bad leads?  
9 A. Probably by calling.  
10 Q. And how did you get these seven leads that  
11 are attached to your e-mail?  
12 A. From Jeremy.  
13 Q. So Jeremy would send you potential leads  
14 that were generated from the Internet. Correct?  
15 A. I guess, wherever he got them.  
16 Q. From wherever he got them, he would send  
17 you potential leads. Correct?  
18 A. Yes.  
19 Q. And you would call these potential leads to  
20 verify if these were good leads or bad leads?  
21 A. Right.  
22 Q. Correct?  
23 A. Correct.  
24 Q. How long did you do that for Jeremy's  
25 companies?

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1 A. It was, like, a short period -- it was a  
2 real short period. It was in between operations, between  
3 my 2012 colon resection operation and I had several other  
4 operations in between and the 2013 operation.  
5 Q. Okay. So you said were doing some work for  
6 Jeremy's companies in 2013, Exhibit 7. Right?  
7 A. Uh-huh, yes.  
8 Q. You were doing work for Jeremy and his  
9 companies in 2012. Correct?  
10 A. But 2013 I went in the hospital in January  
11 and I didn't get out of the hospital until the latter  
12 part of April.  
13 Q. Understood, but on January '12 you sent an  
14 e-mail to your son saying these seven leads were bad  
15 leads?  
16 A. Yes, and I think it was January 29 when I  
17 went into the hospital.  
18 Q. So for some part of 2013 you worked for  
19 Jeremy?  
20 A. Yes, I guess for two weeks.  
21 Q. And 2012 you were working for Jeremy's  
22 companies. Correct?  
23 A. On and off.  
24 Q. And you were working for Jeremy's companies  
25 in 2011. Correct?

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1 A. On and off.  
2 Q. And 2010 you were reviewing scripts for  
3 Jeremy and his business. Right?  
4 A. I was just helping him out, yeah.  
5 Q. So, besides the verification that you  
6 talked about, besides the calling consumers and verifying  
7 the leads, besides the filing, did you do any other type  
8 of work for Jeremy's companies?  
9 A. Not that I can recollect. Not that I can  
10 recollect.  
11 Q. Did there come a time in 2012 where you  
12 defaulted on your Bank of America mortgage at the 7190  
13 Brickyard Circle property?  
14 A. Yes.  
15 Q. And what ultimately happened with the  
16 default that you had at that property?  
17 A. Well, even though I was going through all  
18 these operations, I was also supporting my -- at that  
19 time my wife's mother, I was supporting her for the past  
20 15 years and I pretty much, while I was in the hospital  
21 and there is no income, it just pretty much drained me  
22 dry.  
23 Q. So this is in 2012 you were drained dry?  
24 A. No, not completely by then, but it was  
25 getting there because when I got out in 2013 that's when

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1 things really went down, you know, money-wise.  
2 Q. So did you have the thirty thousand dollars  
3 in petty cash at your house during this 2012-2013 time  
4 period?  
5 A. I had more than that at that time from  
6 working, but it slowly got drained from all the  
7 sicknesses and supporting her mother.  
8 Q. Did you work at any jobs that paid you  
9 cash?  
10 A. No.  
11 Q. So what jobs did you work at that you  
12 accumulated this petty cash that you talked about that  
13 you kept at your house, besides Uber and the 401(K)  
14 Exchange company that you worked at for six months?  
15 A. I don't remember of any others.  
16 Q. And you had no other source of income  
17 besides?  
18 A. The insurance.  
19 Q. Which was ten thousand dollars a year  
20 pretax?  
21 A. At that time it was a little bit more  
22 because I was selling, so it was more.  
23 Q. When did you stop selling insurance?  
24 A. I haven't been able to do too much since I  
25 got out of the hospital in 2013.

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1 Q. So, by January of 2013, based upon what you  
2 testified to you basically stopped being an insurance  
3 agent. Correct?  
4 A. I wouldn't say I stopped. I have done very  
5 little since then.  
6 Q. And so you had accumulated this petty cash  
7 based upon your work as an insurance agent before that?  
8 A. That and accumulating because there was two  
9 salaries in the house. My ex was working, too.  
10 Q. But by 2012 you couldn't make your mortgage  
11 payment. Correct?  
12 A. At that point, no, because of what was  
13 going on with the house that her mom was staying at.  
14 Q. So what was going on with your ex-wife's  
15 mother's house?  
16 A. Because I couldn't afford to be paying two  
17 mortgages. That was putting me under.  
18 Q. Sure, but you still have thirty thousand  
19 dollars of petty cash. Why didn't you use that to pay  
20 the mortgage, your mortgage, not your ex-wife's mother?  
21 A. Because I was also going to be looking at  
22 other operations and other things going up and I didn't  
23 -- I wanted that to cover -- have cash on hand so if I'm  
24 in the hospital or whatever they had money to buy food  
25 and everything else and take care of whatever needed to

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1 be taken care of as far as --  
2 Q. Including your home, though, right?  
3 A. No. Actually, I was paying my  
4 mother-in-law's mortgage at the time before mine.  
5 Q. What ultimately happened with your Bank of  
6 America mortgage at the 7190 Brickyard Circle property?  
7 A. It got bought out by another bank, my  
8 mortgage.  
9 Q. Did you ever pay off your mortgage?  
10 A. No, but another bank bought out the  
11 mortgage company, bought out Bank of America's part of  
12 it.  
13 Q. But that mortgage company would just hold  
14 the mortgage at that point. Correct?  
15 A. Yes.  
16 Q. So what company became the mortgage holder  
17 on that property?  
18 A. I think it was called Select Portfolio  
19 Mortgage.  
20 Q. And so what happened with the mortgage that  
21 Select Portfolio held on the 7190 Brickyard Circle house?  
22 A. Not much. I couldn't do anything about it.  
23 Q. Did you get foreclosed out?  
24 A. No. It ended up being a short sale.  
25 Q. Okay, and who purchased it?

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1 A. I think it was one of the people that  
2 worked for Jeremy.  
3 Q. Isn't it true that Jeremy purchased the  
4 7190 Brickyard Circle property?  
5 A. Eventually, I guess, but one of the people  
6 that worked for him is the one that did the closing and  
7 all.  
8 Q. But he was actually the person who funded  
9 the acquisition of that property?  
10 A. I don't know what money he was transferring  
11 hands to whatever.  
12 Q. So what happened to your mortgage  
13 obligation on that property?  
14 A. It got released because it became a short  
15 sale and that was it.  
16 Q. And Jeremy purchased it at the short sale.  
17 Correct?  
18 A. I have no idea who gave who the money. I  
19 just know that one of the people that he knows had -- did  
20 the closing on the house, the short sale.  
21 Q. Who is this person?  
22 A. He was a friend of his. I have no idea.  
23 Q. After the short sale, who did you think  
24 owned the property?  
25 A. After that I figured Jeremy probably bought

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1 it from him or got it from him.  
2 Q. So was it your understanding that after the  
3 short sale that Jeremy was now the owner of that  
4 property?  
5 A. As far as I know.  
6 Q. And your mortgage obligation went away.  
7 Correct?  
8 A. Yes.  
9 Q. Do you know how much you owed on that  
10 mortgage at that time?  
11 A. It was in the upper three hundreds, maybe  
12 three sixty -- I don't remember the exact amount.  
13 Q. Where did you work at Uber? What location  
14 were you covering?  
15 A. Palm Beach.  
16 Q. And when did Uber launch in Palm Beach? Do  
17 you know?  
18 A. I have no idea.  
19 Q. If I tell you that Uber didn't launch in  
20 Palm Beach and West Palm Beach until 2014, do you have  
21 that in mind?  
22 A. Yeah, but they were still hiring and I was  
23 doing Ft. Lauderdale, but a lot of times Ft. Lauderdale I  
24 was delivering people in Palm Beach and stuff so it was  
25 like -- or people in Palm Beach wanted to go to Ft.

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1 Lauderdale.  
2 Q. Did you know that Uber launched in Ft.  
3 Lauderdale in 2014 also?  
4 A. No.  
5 Q. So when did you start -- did you start  
6 working for Uber after 2014?  
7 A. I guess it would have to be.  
8 Q. Did you receive a W-2 from Uber?  
9 A. Yeah.  
10 Q. And how much money did you make at Uber in  
11 2014?  
12 A. It wasn't much. I don't remember. It was  
13 a matter of a few thousand dollars.  
14 Q. Certainly not anything that contributed to  
15 all that petty cash you have been talking about?  
16 A. Well, it added to it.  
17 Q. But at that point in time you weren't able  
18 to cover your monthly expenses. Right?  
19 A. Right.  
20 Q. So you weren't able to save anything  
21 because you couldn't even cover what your monthly  
22 expenses were at the time?  
23 A. Well, I wasn't paying the mortgage because  
24 I wasn't making enough to pay the mortgage and everything  
25 else; so, if I am not paying the mortgage, I was just

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1 putting the money aside. Whatever I could, I put aside.  
2 Q. This is the mortgage on the property that  
3 Jeremy ultimately acquired at Brickyard Circle?  
4 A. Yes.  
5 MR. GARNO: Want to take a break for a  
6 couple of minutes?  
7 THE WITNESS: If you want.  
8 (Short break)  
9 Q. Mr. Marcus, how are we feeling?  
10 A. Okay.  
11 Q. Is there anything about your testimony here  
12 today that you wanted to change?  
13 A. Not that I know of.  
14 Q. Go back a little bit, before we took a  
15 break we talked about these leads that you were reviewing  
16 for Jeremy and his company?  
17 A. Yes.  
18 Q. When you got these leads you would actually  
19 call the consumer?  
20 A. Yes.  
21 Q. And what would you talk to the consumer  
22 about?  
23 A. Seeing if they were looking for some help  
24 with their debts and what kind of debts.  
25 Q. Did you -- was there any kind of script

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1 that you followed when speaking to these people?  
2 A. I'm not sure. I don't remember if there  
3 was or not.  
4 Q. Did you talk to them about what kind of  
5 programs were being offered by the businesses?  
6 A. I don't remember what I was saying back  
7 then as far as with the leads.  
8 Q. Did you talk a little bit about the company  
9 that you were calling on behalf of?  
10 A. I don't remember. I might have; I might  
11 not have. I don't know.  
12 Q. What was the purpose of calling these  
13 consumers?  
14 A. Seeing if they were legitimate leads and  
15 seeing if they had, you know, the proper debt that needed  
16 to be taken care of or whatever.  
17 Q. Okay. And, if you determined that these  
18 were good leads, what happened next?  
19 A. They were, you know, given to the sales  
20 people to work.  
21 Q. What do you mean "given to sales people to  
22 work"?  
23 A. Well, he had people working for him on the  
24 floor. So I presume they, you know, they worked the  
25 leads.

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1 Q. When you made these phone calls to the  
2 leads, how did you identify yourself and what you were  
3 calling about?  
4 A. Going back to 2012, I don't remember how I  
5 introduced myself or whatever, how it started off,  
6 whatever.  
7 Q. Did you make calls to these consumers and  
8 potential leads before 2012?  
9 A. I'm not sure. I don't remember.  
10 Q. Did you make these calls and check on these  
11 leads after 2013 after your medical issues?  
12 A. I don't think so.  
13 Q. How about any time in 2014, '15 and '16?  
14 (Brief interruption)  
15 A. Excuse me. How about what?  
16 Q. I will ask it again. I will withdraw the  
17 question.  
18 Did you ever check on these leads for  
19 Jeremy and his companies in 2014, '15 or '16?  
20 A. Not that I know of.  
21 Q. After your illness, did you -- and  
22 hospitalization in 2013 --  
23 A. I had several operations all the way going  
24 back before then, too.  
25 Q. So let's go from after 2013, then. Were

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1 you doing verifications after 2013?  
2 A. I don't remember specifically which year I  
3 was doing the verifications. I'm not a hundred percent  
4 sure what year it was.  
5 Q. Did you go to the offices where Jeremy  
6 conducted his business after your illness and sicknesses  
7 in 2013?  
8 A. I don't remember because I had to go  
9 through rehab because when I got out of the hospital I  
10 couldn't even walk, I had to use the walker.  
11 Q. I'm talking about after that when you were  
12 physically able to go to work.  
13 A. That comprised most of the year.  
14 Q. In 2015 did you go to the offices and work  
15 for Jeremy and his companies?  
16 A. No.  
17 Q. When was the last time you had been to  
18 Jeremy's offices to work?  
19 A. I don't remember the year, as far as that  
20 goes. I just remember I went to his -- the one up in  
21 Aventura, Aventura Drive.  
22 Q. In terms of verifications, how long did you  
23 do the verifications for?  
24 A. It was a matter of months.  
25 Q. And did you speak with consumers directly



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1 as part of that verification process?

2 A. I had to speak to the consumer when they

3 got done with the agent and went through everything to

4 make sure everything was understood -- and it was being

5 taped -- and, if they didn't have an understanding, it

6 was sent back to the agent because they wouldn't become a

7 customer until they did understand everything they were

8 getting into and it was all taped.

9 Q. And what were the specific things that you

10 went over with the consumers to make sure that they

11 understood?

12 A. I think it was just basically -- I guess it

13 was, like, a paper that we had to go by (indicating) to

14 make sure that they understood how the whole process was

15 going to work and how their debts were going to get taken

16 care of and, basically, just going over the whole process

17 with them at that time.

18 Q. So there was a script for your

19 verification?

20 A. It was, like, a checkoff list to make sure

21 I went through each part of it to make sure they

22 understood everything. So it was a script/checkoff list,

23 whatever.

24 Q. And what was the process that you

25 understood that you were verifying?

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1 A. I mean, I don't remember all the stuff that

2 was on the paper. Basically, it was just verifying

3 whatever they were going over with the counselor, the

4 agent, making sure that they didn't have any questions

5 and they understood whatever they had explained.

6 Q. Well, what kind of programs were being

7 offered to these consumers?

8 A. It was dealing with disputing their debts,

9 using different laws, and then if it didn't -- couldn't

10 get disputed, then it would be, you know, worked on a

11 settlement then.

12 Q. Did you also review with the consumers

13 their financial obligations to the program?

14 A. As far as their monthly payments?

15 Q. Well, whatever that --

16 A. Is that what you are asking?

17 Q. I will rephrase the question. Did you --

18 I'll withdraw that.

19 You testified that what you verified was

20 part the process that these consumers were --

21 A. Before they were allowed to become a

22 customer or client.

23 Q. Before they enrolled in a program. Right?

24 A. Right.

25 Q. So this is before anybody is involved in

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1 any kind of program you're talking to them?

2 A. Before the client became enrolled in the

3 program, they needed to go through the verification

4 process.

5 Q. Was part of that process explaining to them

6 what their financial obligations would be under the

7 program?

8 A. What financial obligations are you talking

9 about? Their monthly payment to the company or what?

10 Q. Were there any other financial obligations

11 besides the monthly payment to the company?

12 A. Making their payment to the company and,

13 when a creditor called, putting down call logs and

14 reporting it to the company to keep track of it.

15 Q. And did you describe for them what would

16 happen once their monthly payments were received by the

17 companies, how those moneys were kept or what they were

18 used for?

19 A. I don't remember.

20 Q. As part of the verification process, did

21 you describe to them why they would need to make whatever

22 monthly payments they were required to make?

23 A. I'm sure it was, but I don't remember how

24 it was worded or anything.

25 Q. Did you also go over any fees that the

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1 companies collected in connection with the program

2 besides the monthly payments verification?

3 A. I don't remember any of that, either.

4 Q. Was the company that you were working for

5 in this verification process, was this also

6 not-for-profit like the one you had operated?

7 A. No. I think it was for profit.

8 Q. This is Paralegal Staff Support?

9 A. I don't remember what name it was going

10 under at the time.

11 Q. Were there different names that changed

12 over time?

13 A. He had several different companies so I

14 couldn't keep track of it so -- and I wasn't trying to.

15 Q. This is the impression while you were

16 working there, there was a lot of companies and you

17 didn't keep track of them or couldn't keep track of them?

18 A. Because he did several different things for

19 people. One company supposedly was taking care of fixing

20 their credit. He had a few different things that he

21 offered the people.

22 Q. And you learned this based upon your

23 working there?

24 A. Yeah, during the verification.

25 Q. So, as part of this verification, you were

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1 going through different programs?  
 2 A. No. When I was there doing the  
 3 verification, that's how I learned of that.  
 4 Q. I understand. So you weren't working on  
 5 the stuff but you became aware, generally, that other  
 6 programs were being sold?  
 7 A. Yes.  
 8 Q. And you were aware that these other  
 9 programs were being sold under different names by  
 10 different companies?  
 11 A. I knew there were a few different companies  
 12 for doing certain things, but that's about it.  
 13 Q. Do you know who Kyle Hunt is?  
 14 A. Yes.  
 15 Q. Who is Kyle Hunt?  
 16 A. It's one of Jeremy's friends.  
 17 Q. Did Kyle Hunt, through a company he formed  
 18 -- was he the one who purchased the property at the short  
 19 sale, 7190 Brickyard Circle property?  
 20 A. I think that was him.  
 21 Q. So Jeremy's friend Kyle purchased the  
 22 property from the bank and then Jeremy took the property  
 23 from Kyle?  
 24 A. I don't know what happened afterwards. I  
 25 just know that Kyle's name was on the paperwork.

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1 Q. And, ultimately, I believe you testified  
 2 that at some point Jeremy became the owner of that  
 3 property?  
 4 A. Yeah.  
 5 Q. Do you know whether or not Kyle used  
 6 Jeremy's money to acquire the property at the short sale?  
 7 A. I have no idea.  
 8 Q. You don't know how Jeremy ended up owning  
 9 the property after his buddy bought it for him at the  
 10 short sale?  
 11 A. I didn't ask for any of the specifics or  
 12 anything. I have no idea.  
 13 Q. And after that point in time you had no  
 14 more mortgage obligation?  
 15 A. Correct.  
 16 Q. How much was that obligation? Was it in  
 17 excess of three hundred thousand dollars?  
 18 A. Yes.  
 19 Q. Was it more than four hundred thousand  
 20 dollars?  
 21 A. When I initially took out the mortgage it  
 22 was 415, but I had paid down the mortgage quite a bit.  
 23 Q. But then it was in default for quite a  
 24 period of time. Correct?  
 25 A. Yep.

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1 Q. How long was it in default for?  
 2 A. I don't remember the exact period of time,  
 3 but it was in default and I couldn't handle doing my  
 4 mortgage and then my wife's mother's mortgage.  
 5 Q. You couldn't financially handle it?  
 6 A. No.  
 7 Q. When did the short sale occur where Kyle  
 8 Hunt acquired 7190 Brickyard Circle?  
 9 A. I don't remember the year.  
 10 Q. And, at the time of the short sale, do you  
 11 recall what the total amount that the mortgage was?  
 12 A. What I owed on the mortgage?  
 13 Q. Sure. What was your obligation?  
 14 A. It was in the higher -- upper threes. I  
 15 don't remember the exact amount.  
 16 Q. And that debt went away?  
 17 A. Yes.  
 18 Q. Did you believe that Jeremy personally had  
 19 assisted you in removing that debt?  
 20 A. I don't know -- I don't know all the  
 21 specifics of what you are asking about as far as how he  
 22 did it or what was done.  
 23 Q. I understand you don't know the specifics.  
 24 Ultimately, did you come to any conclusion that Jeremy  
 25 had helped you out and purchased the property through his

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1 friend so you didn't have an almost four hundred thousand  
 2 dollar mortgage obligation?  
 3 A. Well, eventually that it happened, I guess.  
 4 Q. Did that become your understanding?  
 5 A. I assumed that.  
 6 Q. When did you learn that Jeremy became the  
 7 owner of 7190 Brickyard Circle?  
 8 A. I don't know the exact date or anything.  
 9 Q. Just to confirm, in 2016 you finalized your  
 10 divorce settlement with your ex-wife Andrea. Correct?  
 11 A. Yes.  
 12 Q. And I believe you testified, correct me if  
 13 I am wrong, that Jeremy paid for some of the bills for  
 14 your divorce lawyers?  
 15 A. Yes.  
 16 Q. And did Jeremy also pay the final  
 17 settlement that you reached with your ex-wife Andrea?  
 18 A. He helped me out with that, too.  
 19 Q. How much did he help you out with in terms  
 20 of the ultimate settlement?  
 21 A. The settlement was around, I think, 18  
 22 thousand.  
 23 Q. How much did Jeremy contribute to the 18  
 24 thousand?  
 25 A. He took care of the whole thing.



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1 Q. Oh, okay, so you said he helped you out; he  
2 paid for the whole thing?  
3 A. Yes.  
4 Q. So he paid for the 18 thousand dollar  
5 divorce settlement?  
6 A. Yes.  
7 Q. Did he pay for all of your divorce lawyer  
8 bills?  
9 A. I'm not a hundred percent sure.  
10 Q. How much of those legal bills did you pay?  
11 A. I don't remember, exactly.  
12 Q. And this was -- was this just another gift  
13 that Jeremy gave in terms of supporting you, helping you  
14 out?  
15 A. He was trying to help me out, keep me  
16 afloat.  
17 Q. All right. Do you know a gentleman by the  
18 name of Joseph Ford, Junior?  
19 A. Yeah.  
20 Q. And who is Joseph Ford, Junior?  
21 A. Jeremy's friend. I think he was a partner  
22 with him.  
23 Q. What business was he a partner with Jeremy  
24 in?  
25 A. I thought with the debt business.

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1 Q. Do you know which particular debt business  
2 it was?  
3 A. No.  
4 Q. And what was your understanding as -- or  
5 how did you come to this understanding that Mr. Ford was  
6 a partner with Jeremy in his debt business?  
7 A. Because they were starting out together.  
8 Q. And when did they start out together?  
9 A. When they were working out of my home  
10 before they got an office.  
11 Q. What year was this?  
12 A. I don't remember if it was 2011 or 2012. I  
13 don't know.  
14 Q. Do you remember a company called American  
15 Credit Shield?  
16 A. I have heard that name.  
17 Q. What is American Credit Shield?  
18 A. I have no idea.  
19 Q. Were you ever employed by American Credit  
20 Shield?  
21 A. Not that I know of.  
22 Q. Did you ever provide any assistance or  
23 advice to American Credit Shield?  
24 A. Not that I know of.  
25 Q. Do you know a gentleman by the name of

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1 Daniel Moreno?  
2 A. I have heard the name.  
3 Q. And where have you heard that name?  
4 A. I think he used to work for Jeremy.  
5 Q. During what time period, if you know?  
6 A. It was in the early stages of him with the  
7 business.  
8 Q. When you say "early stages," what years are  
9 we talking about?  
10 A. I don't remember the exact years.  
11 Q. When in your mind did Jeremy start working  
12 in the debt relief business?  
13 A. I don't know. I think -- I don't know. I  
14 think it was probably around 2011 or so.  
15 Q. And it was always your understanding that  
16 Jeremy was working on his own in the debt relief business  
17 through his own company?  
18 A. Well, he had Joey Ford working with him,  
19 Joe Ford.  
20 Q. Okay. Anybody else?  
21 A. Not that I know of.  
22 Q. I think you described them as partners?  
23 A. Right.  
24 Q. So they were working together?  
25 A. Right.

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1 Q. So it was still his own business, he just  
2 had a partner in Joey Ford?  
3 A. Not that I know of.  
4 Q. Did he have any other partners beside Joey  
5 Ford in any of his businesses he started relating to debt  
6 relief?  
7 A. I have no idea.  
8 Q. How about in terms of the early years when  
9 he and Mr. Ford were partners in the debt relief  
10 business?  
11 A. I have no idea.  
12 (Exhibit No. 8, 18-page e-mail from Mr. Ford  
13 was marked for Identification.)  
14 Q. I will show you what we will mark as  
15 Exhibit 8. I'm showing the witness what we have now  
16 marked Exhibit 8. Do you have that exhibit in front of  
17 you?  
18 A. Yes.  
19 Q. Exhibit 8 is an e-mail that the receiver  
20 was able to retrieve from Jeremy's e-mail at Jeremy  
21 Marcus' Gmail account Jeremy dot Omni and Gmail dot com.  
22 You will see that Exhibit 8 is a 18 page document. I  
23 direct your attention to the first page of Exhibit 8.  
24 A. Okay.  
25 Q. You see that this is an e-mail from

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1 Mr. Ford. Do you see that?  
2 A. Yeah.  
3 Q. And you are one of the recipients of this  
4 e-mail. Correct?  
5 A. Yes.  
6 Q. And it appears that Mr. Ford is with  
7 American Credit Shield?  
8 A. Okay.  
9 Q. Do you see that?  
10 A. Yeah.  
11 Q. Was Jeremy involved in American Credit  
12 Shield? Is that the business they were partners in?  
13 A. I have no idea what they were partners in.  
14 Q. You see it indicates: Student loan  
15 helpers. Do you know if Jeremy was ever involved in a  
16 business that provided assistance for student loans?  
17 A. I really don't know much about the workings  
18 of his business.  
19 Q. Okay. Well, we'll see that Mr. Ford in  
20 September of 2012 sent to you among others a series of  
21 various documents: Client action list, budget analysis  
22 worksheet, client service agreement, limited power of  
23 attorney, debt settlement account agreement and  
24 disclosure statement, creditor listing and intervention  
25 privacy policy for Omni Financial, hardship letter, and

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1 some various scripts. Do you see that?  
2 A. Yes.  
3 Q. And is this another instance when they were  
4 sending this stuff to you so you could take a look at it  
5 and provide them with any advice as to how they should  
6 structure these documents for their business?  
7 A. I guess they probably did that, that was  
8 the reason. I was just recovering from the colon  
9 resection surgery and I was going through other surgeries  
10 around that same time so I don't know much about what we  
11 are looking at here.  
12 Q. Okay. But it appears that they certainly  
13 sent you what appears to be some prospective forms and  
14 other agreements related to debt relief business?  
15 A. Yes.  
16 Q. You will see one of the things they sent  
17 you back in September it was a client service agreement.  
18 It's Page 4 of 17 you will see there's a little at the  
19 bottom?  
20 A. Yes.  
21 Q. It talks about a company called Omni  
22 Financial, LLC. Do you see that?  
23 A. Yes.  
24 Q. Are you familiar with a company called Omni  
25 Financial, LLC?

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1 A. Yes.  
2 Q. What company is that?  
3 A. One of Jeremy's companies.  
4 Q. And you will see that it says: Omni  
5 Financial is located at 1920 East Broadway Road, Tempe,  
6 Arizona. Do you see that address?  
7 A. Yeah, okay.  
8 Q. Are you familiar with that address?  
9 A. No.  
10 Q. Did Jeremy have any locations for his  
11 businesses in Arizona?  
12 A. I have no idea.  
13 Q. Where did you think that Jeremy conducted  
14 business?  
15 A. I thought it was down here.  
16 Q. In Florida?  
17 A. Uh-huh.  
18 Q. You will also see on Page 9 of 17 one of  
19 the documents that Mr. Ford sent to you in 2012 was a  
20 debt settlement account agreement and disclosure  
21 statement. Do you see that? It's Page 9 of 17.  
22 A. Okay.  
23 Q. Do you see that there's an account called  
24 secure account service?  
25 A. Yes.

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1 Q. Do you know anything about secure account  
2 service?  
3 A. Never known anything about it, never heard  
4 of it.  
5 Q. Are you familiar with any third party  
6 payment processing services that Jeremy utilized in  
7 connection with his business?  
8 A. No.  
9 Q. Are you familiar with a company called Ram?  
10 A. Ram I thought was how things were  
11 processed, isn't it? How payments were processed or  
12 something?  
13 Q. I would agree with that, but this is also  
14 talking about secure account services being a third party  
15 payment processing service which you would agree with me  
16 was similar to Ram?  
17 A. Well, I never really understood Ram to  
18 begin with, so I don't know.  
19 Q. What did you believe Ram to be?  
20 A. I thought it was just how they did the  
21 payment through the computer.  
22 Q. What kind of payment?  
23 A. The person's monthly payment or whatever,  
24 what they were paying. I mean, that's the only thing I  
25 thought it was.

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1 Q. So you thought Ram was the company that  
2 took money out of the customer's account?  
3 A. No. I thought it was a computer system,  
4 honestly.  
5 Q. So what was your understanding then about  
6 how Jeremy -- strike that.  
7 We talked about one of the things you did  
8 in the verification was going over the monthly financial  
9 obligations of prospective consumers. Do you recall that  
10 testimony?  
11 A. Yeah.  
12 Q. What were consumers told in that  
13 verification process as to how those monthly payments  
14 were going to be taken by the debt relief program?  
15 A. You mean how they were going to make their  
16 payments?  
17 Q. Sure.  
18 A. Probably be through ACH.  
19 Q. What's ACH?  
20 A. Electronic debiting.  
21 Q. And was Ram the company that was doing the  
22 ACH transaction?  
23 A. Like I said, I thought Ram was the computer  
24 system that they used in, you know, for their payments,  
25 you know, in the office. I have no idea.

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1 Q. In the verification process, what were the  
2 consumers being told in terms of what was going to happen  
3 to their moneys once they were taken out of their  
4 accounts by an ACH process?  
5 A. What do you mean?  
6 Q. Well, you tell the consumers that they are  
7 required to make certain monthly payments. Right?  
8 A. Right.  
9 Q. So what were the consumers being told about  
10 what those monthly payments -- where they were going,  
11 what they were going to be used for, that kind of thing?  
12 A. I don't remember exactly what was explained  
13 to them at the time.  
14 Q. What did you understand the program to be  
15 at that time?  
16 A. Well, at that time it was using laws to  
17 dispute and verify the debts and then the worst case  
18 scenario would be to settle the debt.  
19 Q. So were consumers making payments in order  
20 for there would be a debt dispute?  
21 A. If there was going to be a settlement, then  
22 the moneys would be taken out of what they were paying in  
23 to settle it.  
24 Q. And where would the balance of that money  
25 go, assuming there was one?

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1 A. The balance of what money? The monthly  
2 payments that they were making?  
3 Q. Sure. How were they being held?  
4 A. I don't know how they were being held.  
5 Q. In the verification process, what were the  
6 consumers being told in terms of what was happening to  
7 their money, their ACH, after it was taken out of their  
8 account?  
9 A. I don't remember. It's been a while.  
10 Q. Did you ever do any verifications or leads  
11 relating to consumers who had escrowed funds?  
12 A. I don't remember anything of that nature.  
13 Q. Are you familiar with a company called  
14 Breeze Financial Solutions, Inc.?  
15 A. I have heard the name. I don't know what  
16 the company is about.  
17 Q. Are you aware that the secretary of state  
18 records of Florida reflects you as a director of Breeze  
19 Financial Solutions, Inc.?  
20 A. I don't know why Jeremy had me down as  
21 that; but, yeah, that's the only reason why I have heard  
22 the name.  
23 Q. Did you ask him why you were being named as  
24 a director for this company?  
25 A. Not really. I just figured he needed

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1 another name on there so I was, like, okay.  
2 Q. Did you do anything for Breeze Financial  
3 Solutions, Inc.?  
4 A. I don't even know what Breeze does, so --  
5 Q. And you felt comfortable as a director of  
6 this company not understanding what the company did?  
7 A. I trusted Jeremy as far as being trustee on  
8 all of his businesses and whatever he needed help with, I  
9 went, you know, he's my son, I tried to help him.  
10 Q. As director for Breeze Financial Solutions  
11 did you ever do anything to try to familiarize as to what  
12 business he was in?  
13 A. No, because I wasn't any part of it other  
14 than a name on paper.  
15 Q. Are you familiar with someone named  
16 Katherine McGrath?  
17 A. I don't know about the last name but  
18 Katherine sounds familiar.  
19 Q. Are you familiar with a lawyer who worked  
20 with Jeremy named Katherine McGrath?  
21 A. Yeah, okay.  
22 Q. Is that familiar?  
23 A. Yes.  
24 Q. And did she ever prepare documents for you  
25 to sign on behalf of Jeremy or for Jeremy's benefit?

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1 A. Yeah, I'm sure she prepared a lot of  
2 documents.  
3 (Exhibit No. 9, Series of e-mails from April  
4 26, 2016, with quitclaim deeds, was marked for  
5 Identification.)  
6 Q. I show you what we are going to mark as  
7 Exhibit 9. I'm showing you Exhibit 9 which again are  
8 documents that we secured from Jeremy Marcus' Jeremy dot  
9 Omni at Gmail dot com account?  
10 A. Okay.  
11 Q. It's a series of e-mails between Jeremy,  
12 yourself and Mr. Paul Herman. Do you know who Mr. Herman  
13 is?  
14 A. I think he's an attorney.  
15 Q. And you will see that on April 26, 2016,  
16 there were a number of quitclaim deeds that were sent to  
17 you. Do you see that?  
18 A. Yeah.  
19 Q. And why were these quitclaim deeds being  
20 sent to you?  
21 A. I don't know.  
22 Q. You see on the second page of it your son  
23 wrote to you, your son, Jeremy, excuse me, wrote to you  
24 on April 27, 2016:  
25 Dad, please set up a time with Paul to come

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1 by and sign these documents.  
2 Referring to the quitclaim deeds. Do you  
3 see that?  
4 A. Yes.  
5 Q. He said:  
6 Please talk to your SS attorney to make  
7 sure this doesn't affect your SS case by putting the  
8 property in your name.  
9 What is he referring to there, your SS  
10 case?  
11 A. Because I had filed and was waiting for  
12 social security disability.  
13 Q. You are still waiting for it?  
14 A. Yes.  
15 Q. And do you have an attorney assisting you  
16 in that?  
17 A. Yes.  
18 Q. Who is that attorney?  
19 A. Mr. Stimler (phonetic).  
20 Q. How do you spell his last name?  
21 A. I knew you were going to ask that. I don't  
22 remember how to spell his last name. It's either Stimler  
23 or Stipler. I very rarely even talk to him. I'm just  
24 still waiting.  
25 Q. Did Jeremy ever explain to you why all of

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1 these properties were being put in your name?  
2 A. No. It was never explained, just -- he  
3 just wanted me to be the trustee on things so it was,  
4 like, okay.  
5 Q. Well, you see what was sent to you were  
6 actually deeds and so they look like -- correct me if I  
7 am wrong, but it looks like they are looking to put the  
8 properties in your name, not as a trustee. Do you see  
9 that?  
10 A. Yes, but I don't think the properties ever  
11 got put in my name; I thought I was just trustee on these  
12 things.  
13 Q. Is this the same time that Jeremy was  
14 giving you the cash and the packages and all that stuff?  
15 A. It was probably around that time.  
16 Q. So why during this time period is Jeremy  
17 having all these properties that he owns put in your  
18 name?  
19 A. I have no idea.  
20 Q. Did you ever ask?  
21 A. No.  
22 Q. And, in terms of those two packages that  
23 were in the safe, how big were those packages?  
24 A. Hmm, about envelope size.  
25 Q. Were they heavy?

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1 A. Not real heavy.  
2 Q. Full of paper or -- could you tell when you  
3 picked them up did you hear anything rattling inside  
4 there?  
5 A. No.  
6 Q. How many times did Jeremy put properties  
7 that he owned in your name?  
8 A. I have no idea.  
9 Q. Couple, a lot, a few?  
10 A. He was putting -- well, as far as my name,  
11 in my name, I had no idea they were being put in my name;  
12 I thought I was just trustee on the things.  
13 Q. Was it ever explained why you were the  
14 trustee on these properties Jeremy owned?  
15 A. So if anything ever happened to him I would  
16 be the person to disburse it to whatever, handle it.  
17 Q. And who explained that to you?  
18 A. No one really explained it, just that's the  
19 only reasoning I figured, that it was, like, if anything  
20 ever happened, you know, he wanted me to take care of  
21 things for him.  
22 Q. That was your assumption. Correct?  
23 A. That was my assumption.  
24 Q. So what did Jeremy actually tell you about  
25 why you were becoming trustee --

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1 A. He didn't give me any reason beyond he just  
2 said he needed me to do it and I said okay.  
3 Q. And did you do this a number of times,  
4 frequently?  
5 A. Yeah.  
6 Q. Do you own any companies?  
7 A. I have one corporation. It's a consulting  
8 corporation.  
9 Q. What's it called?  
10 A. Title One Consulting Corp. -- Title One  
11 Compliance Services Incorporated.  
12 Q. Where is it incorporated?  
13 A. Florida.  
14 Q. And it's called Title One?  
15 A. Compliance Services.  
16 Q. When did you form that company?  
17 A. I think it was formed sometime in 2015.  
18 Q. And in what kind of business is Title One  
19 Compliance Services?  
20 A. It's -- I was helping a friend of mine who  
21 has a software company that he makes for the schools and  
22 he needed me -- since some of the school systems wouldn't  
23 pay him direct, he needed me to do the billing for him so  
24 I would bill out the services and bill the school,  
25 collect the money and then give him over the money.

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1 Q. What's the name of your friend?  
2 A. His last name Tavory.  
3 Q. How do you spell that?  
4 A. T-A-V-O-R-Y.  
5 Q. What's his first name?  
6 A. Oren.  
7 Q. O-R-E-N?  
8 A. Yes.  
9 Q. And why couldn't the school system pay Mr.  
10 Tavory directly?  
11 A. Some sort of technicality in the Broward  
12 School system where they can't pay him direct, it had to  
13 go through another vender in order to do it, so I helped  
14 him out, opened up the corporation, and I did the billing  
15 out to his clients for him and collected it and gave him  
16 over the money.  
17 Q. Did you take any fees when you collected  
18 the moneys?  
19 A. He gave me a certain percentage for helping  
20 him out and doing it.  
21 Q. What percentage is that?  
22 A. I think it was, like, 12 percent, I think.  
23 Q. Twelve percent? And when did you start --  
24 is there a written agreement between your company and Mr.  
25 Tavory's company?

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1 A. I don't think there is.  
2 Q. And what bank -- did Title One Compliance  
3 Services open an account at a bank?  
4 A. Yes.  
5 Q. What bank?  
6 A. TD Bank.  
7 Q. And where did you do the billing from?  
8 A. From my house.  
9 Q. And what's the name of Mr. Tavory's  
10 software company?  
11 A. I think it's called Good Image.  
12 Q. And you would send bills out on behalf of  
13 Good Image?  
14 A. Uh-huh, yes.  
15 Q. So you would produce the Good Image bills  
16 and send them to the Broward County School System?  
17 A. To the superintendent, yes.  
18 Q. Why didn't Mr. Tavory just produce these  
19 Good Image bills and send them to the Broward County  
20 School System?  
21 A. Like I said, there was some sort of  
22 technicality he said it had to go through this way so  
23 that's why he asked me to help him and I said okay.  
24 Q. So Mr. Tavory's company is actually  
25 providing services to Broward County public schools?

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1 A. Right, and I was just billing them.  
2 Q. And he was giving you 12 percent for doing  
3 that?  
4 A. Yes.  
5 Q. How do you know Mr. Tavory?  
6 A. We are neighbors and his kids and mine have  
7 been friends since preschool.  
8 Q. Are you still doing this for Mr. Tavory?  
9 A. Only if he -- he hasn't asked me -- it  
10 hasn't been necessary for quite a while so it was just  
11 for the Broward County School System.  
12 Q. Did he stop doing work for the Broward  
13 County School System? What happened?  
14 A. No. He's still doing the work with them,  
15 but now -- they were purchasing his software program and  
16 now he's just maintaining it for them so now he is able  
17 to get paid direct so it's not necessary for me to do  
18 that.  
19 Q. And how long did you do that for?  
20 A. Probably a year or so.  
21 Q. So you stopped doing that roughly in what  
22 time period?  
23 A. Well, I never really stopped, but, I mean,  
24 he hasn't needed me for any other schools yet, so I still  
25 have the account open so if he needs it again we can do

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1 it.

2 Q. When was the last time you invoiced and

3 collected funds from the Broward County School System on

4 behalf of Mr. Tavory?

5 A. I don't remember if it was sometime in '15

6 or maybe in the beginning of '16.

7 Q. That's when you stopped?

8 A. That was the last invoice that I had to do,

9 yeah.

10 MR. PERLMAN: You think it was when?

11 THE WITNESS: I think it was sometime in

12 the beginning of 2016, but I'm not a hundred

13 percent sure.

14 Q. And how much money did you make from your

15 Title One Compliance Services company?

16 A. Five thousand.

17 Q. That's pretax?

18 A. Yes.

19 Q. And that was the total amount of money you

20 made providing these services Mr. Tavory?

21 A. Uh-huh, yes.

22 Q. Are you familiar with a company called Body

23 Mind Media, LLC?

24 A. No.

25 Q. Are you familiar with a company called

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1 Timing is Everything?

2 A. No.

3 (Exhibit No. 10, E-mail from October 10,

4 2016, was marked for Identification.)

5 Q. I will show you what I have marked as

6 Exhibit 10. Exhibit 10 the receiver was able to secure

7 Exhibit 10 from Jeremy Marcus' Gmail account Jeremy dot

8 Omni at Gmail dot com. Exhibit 10 is a four-page

9 document.

10 A. Okay.

11 Q. And you will see that the first page is an

12 e-mail from Kyle Hunt to Josh Royal and Jeremy Marcus

13 from October 10, 2016. Do you see that?

14 A. Yes.

15 Q. Do you know who Josh Royal is?

16 A. No.

17 Q. And Kyle Hunt was --

18 A. His friend.

19 Q. That was his friend that had purchased your

20 7190 Brickyard Circle house?

21 A. Correct.

22 Q. And later transferred that house to Jeremy,

23 same Kyle Hunt?

24 A. Correct.

25 Q. Okay. And you will see that on October 10

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1 Mr. Hunt sent some information to your son Jeremy and

2 Josh Royal about a company called Body Mind Media, LLC, a

3 Wyoming limited liability company. Do you see that?

4 A. Yes.

5 Q. You will see, if you look at the second

6 page, there's an operating agreement for Body Mind Media,

7 LLC, at least the first page or it?

8 A. Yes.

9 Q. It reflects that Jack E. Marcus with an

10 address of 6436 Grand Cypress Circle, Lake Worth,

11 Florida?

12 A. Right.

13 Q. What can you tell me about this company?

14 A. Absolutely nothing. I don't know anything

15 about it. Like I said, he had me trustee on all of his

16 companies.

17 Q. You will see what we looked at here doesn't

18 identify you as a trustee; it's the operating agreement

19 for Body Mind Media, LLC?

20 A. Yes, but I have never seen anything like

21 this before. I'm not even aware of the company.

22 Q. So you are unaware that you are an member

23 of an entity called Body Mind Media, LLC?

24 A. Yeah.

25 Q. Do you know what kind of business that

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1 company is in?

2 A. No idea. Sounds like a massage business.

3 Q. How did it come to pass that you signed the

4 operating agreement for Body Mind Media, LLC?

5 A. I was given a lot of papers to sign for

6 Jeremy and I just went ahead and did it because I trusted

7 him.

8 Q. So this is an example of Jeremy giving you

9 a piece of paper to sign, you sign it, don't ask any

10 questions and that was the end of it?

11 A. That was the end of it.

12 Q. Never asked: What's this company doing?

13 Why am I putting my name to it? Any of that?

14 A. No.

15 MR. PERLMAN: But that is your signature on

16 it. Right?

17 MR. GARNO: It's a compendium of documents.

18 We will get to some signed stuff.

19 (Exhibit No. 11, Secretary of state

20 documents from Wyoming for Timing is Everything,

21 was marked for Identification.)

22 Q. I think you just testified you are

23 unfamiliar with a company called Timing is Everything.

24 A. Right.

25 Q. I will show you Exhibit 11. Exhibit 11 are



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1 documents that the receiver has secured from the  
2 secretary of state for the State of Wyoming. This series  
3 of documents relates to an entity called Timing is  
4 Everything, Inc. Do you have Exhibit 11 in front of you?  
5 A. Yes.  
6 Q. Do you know what this company is?  
7 A. I have no idea.  
8 Q. Do you know why this company was formed?  
9 A. I have no idea.  
10 Q. Do you know what the purpose of this entity  
11 is?  
12 A. No.  
13 Q. Did you know that you have signed corporate  
14 documentation relating to this entity?  
15 A. Not really, but if I did I guess I did, but  
16 I wasn't aware of it.  
17 Q. Do you know what Jeremy's doing today for  
18 employment?  
19 A. No.  
20 Q. You haven't had any discussions with him  
21 about any business ventures that he is involved in?  
22 A. I don't know what he's doing right now.  
23 Q. No discussions at all about what he's  
24 doing?  
25 A. No.

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1 Q. How is he supporting himself?  
2 A. No.  
3 Q. How often do you speak to Jeremy?  
4 A. Lately, not very often, so --  
5 Q. When you say "lately," what timeframe are  
6 you talking about?  
7 A. Past couple of months not too much. Before  
8 then I was going over there every couple of weeks and  
9 babysitting for them so the two of them can go out for  
10 dinner or something.  
11 Q. Sure. And I believe you said the last time  
12 you spoke to him was last week. Correct?  
13 A. Yes. Yeah, I did speak with him last week.  
14 Q. Did he talk to you about what's going on in  
15 his life, what's he doing?  
16 A. He didn't get into any specifics or  
17 anything. He was asking me how I was doing and stuff  
18 like that.  
19 Q. Have you asked him: What are you up to?  
20 What's going on? What are you doing?  
21 A. Yeah, but he didn't get into anything.  
22 Q. Did he indicate he was involved in  
23 something or working on something?  
24 A. No.  
25 Q. So is today the first time you have ever

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1 heard the name Timing is Everything?  
2 A. Yeah, because I don't know anything about  
3 the company.  
4 (Exhibit No. 12, E-Mail from Felipe  
5 Rodriguez dated October 28, 2016, was marked for  
6 Identification.)  
7 Q. Okay. Exhibit 12. I'm showing you what we  
8 have marked as Exhibit 12. Exhibit 12 is a three page  
9 document that we secured from Jeremy's Gmail account and  
10 you will see that there is an e-mail from Felipe  
11 Rodriguez to Diana Dominguez and you dated October 28,  
12 2016. Do you see that?  
13 A. Yes.  
14 Q. Do you know who Felipe Rodriguez is?  
15 A. He worked at Bank of America.  
16 Q. Did you have any kind of relationship with  
17 Mr. Rodriguez at the Bank of America?  
18 A. Other than whenever Jeremy would ask me to  
19 sign something or do a money transfer, help him out as  
20 far as the bank, that's about the only thing.  
21 Q. If there were some documents that had to be  
22 signed or transfers of money that had to be done at Bank  
23 of America Mr. Rodriguez would be the man you would go  
24 see?  
25 A. Um, most of the time, yeah, yes.

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1 Q. Any particular reason why you would go see  
2 Mr. Rodriguez? Was that at Jeremy's instruction?  
3 A. Well, he's the one -- actually, I didn't go  
4 see him; I spoke to him on the phone.  
5 Q. Okay.  
6 A. I would go down to the Bank of America down  
7 close to me and do whatever he needed done and go back  
8 home.  
9 Q. Did Mr. Rodriguez work at the Bank of  
10 America branch that was close to your house?  
11 A. No.  
12 Q. Do you know where he worked?  
13 A. I think it was in Pompano where his office  
14 was.  
15 Q. And you will see that one of the parties  
16 who's also copied on this e-mail from Mr. Rodriguez is  
17 Diana Dominguez. Do you know who Diana Dominguez is?  
18 A. She worked for Jeremy.  
19 Q. Do you know what she did for Jeremy?  
20 A. I don't know if she was an attorney or a  
21 paralegal -- I don't know, but she was handling a lot of  
22 the technical work for him.  
23 Q. Okay. You will see that in October of 2016  
24 Mr. Rodriguez sent to you and Ms. Dominguez the following  
25 e-mail:



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1 Diana, here's the information for Jack's  
2 account, A White Light Media, LLC, -- and there's a  
3 checking account referenced under that. Do you see that?  
4 A. Yes.  
5 Q. And then there's a Timing is Everything,  
6 Inc., referenced. Do you see that?  
7 A. Yes.  
8 Q. And then there's two checking accounts and  
9 a savings account that's attributable, apparently, to  
10 Timing is Everything. Do you see that?  
11 A. Yes. I wasn't aware of those, but go  
12 ahead.  
13 Q. Did you open up these accounts at Bank of  
14 America?  
15 A. No, I don't think I opened those accounts.  
16 I think I had to do transfers for him. I remember White  
17 Light Media having to do some transfers for him.  
18 Q. Transfers for who?  
19 A. Jeremy or Diana would ask me on behalf of  
20 Jeremy to transfer money to wherever and I went down  
21 there and took care of it for him.  
22 Q. So why were you able to make transfers out  
23 of the White Light Media account at Bank of America?  
24 A. Because he had me down on the paperwork.  
25 Q. What do you understand about White Light

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1 Media, LLC?  
2 A. Absolutely nothing.  
3 Q. Let me ask you a question: You testified a  
4 few minutes ago that today is the first time you have  
5 ever heard is Timing is Everything, you have never heard  
6 of this Wyoming company before.  
7 Clearly, you got an e-mail about a year ago  
8 identifying that you had accounts at Bank of America one  
9 of which was titled Timing is Everything, Inc.?  
10 A. Well, I didn't remember that, but actually  
11 I still don't know what the company is.  
12 Q. Sure, but, I mean, did you get this e-mail  
13 from Mr. Rodriguez and you see this company that you know  
14 nothing about, it's got three different accounts --  
15 A. I don't remember getting this e-mail.  
16 That's the thing.  
17 Q. Let's assume for purposes of our discussion  
18 that you did get this e-mail. Is that your e-mail  
19 address?  
20 A. Yes.  
21 Q. Do you have any reason to dispute getting  
22 the e-mail back the October of last year?  
23 A. No. I have been getting my e-mails so I  
24 would say no.  
25 Q. Let's assume for purposes of the question

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1 that you got this e-mail from Bank of America last  
2 October?  
3 A. Okay.  
4 Q. And the Bank of America is identifying your  
5 accounts, Jack's accounts, and references White Light  
6 Media, LLC, and Timing is Everything. Do you see that?  
7 A. Yeah, but I didn't remember ever seeing  
8 that name, but go ahead. Maybe I just overlooked it  
9 but --  
10 Q. Was it common practice for you to be on  
11 various accounts for Jeremy's businesses?  
12 A. Yeah, that was pretty common.  
13 Q. And you would also go in and open up  
14 accounts for various business that he had?  
15 A. Yes. Whenever he needed me to do  
16 something, I tried to help out.  
17 Q. And was there any particular reason why  
18 these companies that were in your name, you were going in  
19 to open these accounts when in fact these were  
20 companies --  
21 A. These accounts I did not open in Bank of  
22 America.  
23 Q. Who opened them, then?  
24 A. I don't know who opened them, either Jeremy  
25 or his girl Diana Dominguez, I don't know.

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1 Q. It would appear to me that Bank of America  
2 believes these are your accounts. It says:  
3 Here's the information for Jack's accounts.  
4 A. They had me down on them, but, I mean, I  
5 have no idea who opened them. I signed papers for them.  
6 You know, whenever he needed me to sign something she'd  
7 coming over with a stack of papers to my house and I'd  
8 sign a bunch of papers.  
9 Q. Who is the "she" you are referring to?  
10 A. Diana.  
11 Q. So you would just sign these papers?  
12 A. Right.  
13 Q. And apparently bank accounts would be  
14 opened that you had some control or authority over.  
15 Right?  
16 A. I guess.  
17 Q. I mean, you had to go to banks at some  
18 point to make transfers of money for Jeremy?  
19 A. Yes.  
20 Q. And he'd call you up and say, dad, I need  
21 you to go to Bank of America and transfer money out of  
22 White Light Media. Right?  
23 A. Actually, I'd hear it from his girl Diana.  
24 Q. And Diana would give you instructions as  
25 to --

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1 A. As to what Jeremy needed done.  
2 Q. Did you ever speak to Jeremy directly about  
3 transfers that had to be made out of the White Light  
4 account?  
5 A. Not that I remember.  
6 Q. Did you become aware out of all of this  
7 that White Light Media had millions of dollars in it?  
8 A. No.  
9 Q. Did you ever ask Jeremy or Diana, what am I  
10 transferring these moneys for?  
11 A. No, because I wasn't part of the  
12 businesses. As far as I knew I was just a signature on  
13 there.  
14 Q. Well, I mean -- well, listen, you just  
15 mentioned you weren't part of the business, but Jeremy's  
16 companies were asking you to transfer moneys out of  
17 Jeremy's bank accounts --  
18 A. Right.  
19 Q. -- to other accounts so, I mean, you were  
20 involved in that aspect of the business as well?  
21 A. But I didn't know what it was being  
22 transferred or who or what. I didn't know what the  
23 purpose was. If he needed help in doing it I went ahead  
24 and did it for him. The bank was right down the block  
25 from me.

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1 Q. Why didn't Jeremy just do it since it was  
2 his business?  
3 A. I have no idea.  
4 Q. And you never asked why?  
5 A. I just figured, if he needed some help on  
6 something, I was helping him.  
7 Q. What were the size of the transfers that  
8 you were making out of these Bank of America accounts at  
9 Jeremy's request?  
10 A. They were all different amounts. I don't  
11 remember the totals, but they were --  
12 Q. Small amounts, big amounts?  
13 A. Some were small, some were large.  
14 Q. What was the largest?  
15 A. I think a couple of them were over a  
16 million dollars.  
17 Q. Did you ever see any of the account  
18 statements for these accounts that you apparently opened  
19 up --  
20 A. No.  
21 Q. -- at Bank of America?  
22 A. No.  
23 Q. Take a look at Page 2 of Exhibit 12. Do  
24 you see that there's an e-mail from Diana to you on  
25 October 28 copied to Jeremy and Craig Smith? Do you see

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1 that?  
2 A. Okay.  
3 Q. It says:  
4 Jack, please contact BOA at 1-888-287-4637.  
5 We need to get your online ID for White Light Media, LLC,  
6 so we can set up online banking.  
7 Do you see that?  
8 A. Yes.  
9 Q. So at some point in time you registered  
10 some online ID for this company?  
11 A. No. Actually, she registered it for me.  
12 She did all the registering, but she needed me to go and  
13 do certain things.  
14 Q. At least at some point you set up some kind  
15 of online ID for the account?  
16 A. No. She did. I asked the bank to set it  
17 up for her, but, I mean, she was predominantly the one  
18 who did all of that and they just told me what I needed  
19 to do as far as with the bank.  
20 Q. But she's asking for your online ID. If  
21 she had set that up, why would she need your online ID?  
22 A. I have no idea as far as what ID. I have  
23 no idea.  
24 Q. You would agree with me she is asking for  
25 your online ID for White Light Media, LLC, for Bank of

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1 America?  
2 A. She needed me to ask Bank of America,  
3 probably, for the online ID to take care of it, but --  
4 Q. But I thought you said that she had taken  
5 care of it?  
6 A. She's the one that set up the thing, but,  
7 supposedly, what I found out afterwards is everything was  
8 put in my name.  
9 Q. Did you know that White Light Media, LLC,  
10 is a Nevada corporation that identifies you as its owner?  
11 A. No, I didn't know that.  
12 Q. Did you know that Timing the Everything  
13 corporation is a Wyoming corporation that identifies you  
14 as the owner?  
15 A. No, I didn't know.  
16 Q. And you apparently set up bank accounts for  
17 both companies at Bank of America. Correct?  
18 A. I didn't set them up at Bank of America,  
19 they took care of setting them up, but they had me down  
20 as the authority so I could do whatever needed to be  
21 done.  
22 Q. So certainly you signed documents that gave  
23 you control over these accounts at Bank of America?  
24 A. I guess that's some of the documents she  
25 gave me to sign.

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1 Q. And certainly that's the information they  
2 are looking for from you. Right?

3 A. Well --

4 Q. I mean, they called you to make these  
5 transfers --

6 A. Yes.

7 Q. -- from Bank of America?

8 A. Yes.

9 Q. They didn't do it themselves, they called  
10 you?

11 A. Yes. They asked me because they know the  
12 bank is right down the block from me and I can be there  
13 in a matter of minutes.

14 Q. So they called you as the owner of this  
15 company to transfer money out of these accounts that you  
16 had the authority to transfer from?

17 A. Yes.

18 Q. So why is it set up like that?

19 A. I have no idea.

20 Q. Do you have any knowledge as to the source  
21 of the funds that were in the White Light Media account?

22 A. No.

23 Q. Would it surprise you if I told you that  
24 it's mostly consumer moneys that are in those account,  
25 ACH consumer moneys that were in a White Light account?

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1 A. I had no idea. I had no idea where the  
2 money was coming from or what it was being used for. It  
3 was just, basically, he needed me to help him out, do him  
4 a favor, he's my son, I took care of it, you know.

5 Q. But the State of Nevada thinks you are the  
6 owner of White Light Media. Do you understand that?

7 A. I understand what you're saying.

8 Q. And do you understand that Bank of America  
9 thinks that you are the control person and owner of White  
10 Light Media?

11 A. I understand what you are saying.

12 Q. And, despite that, you have no idea what's  
13 going on in these companies, these bank accounts, despite  
14 being asked to transfer millions of dollars out of them?

15 A. Correct. I was just trying to help him  
16 out, whatever he needed. That was it.

17 Q. How long did this kind of help with  
18 Jeremy's business go on for?

19 A. What do you mean by that?

20 Q. Well, when did Jeremy start setting up  
21 companies in your name and opening up bank accounts where  
22 you were the person who controlled the funds and then  
23 directed you to make transfers out of these accounts,  
24 when did that start happening?

25 A. I think it started sometime in 2016.

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1 Q. Okay. When was the first time you can  
2 remember being asked or being a part of that?

3 A. Being asked to do a transfer?

4 Q. Sure. We will use the transfer for now.

5 A. I don't remember the dates when he asked.

6 Q. At some point in time did it become common  
7 place for Jeremy to open up accounts under your name?

8 A. I wasn't aware that they were under my  
9 name. I was aware that it was aware, you know, I was,  
10 like, a signatory on it for him, but I didn't realize  
11 anything was just in my name.

12 Q. Let's go through some stuff.  
13 (Exhibit No. 13, Operating agreement for  
14 White Light Media Account, LLC, was marked for  
15 Identification.)

16 Q. Let me show you what we have marked as  
17 Exhibit 13. Exhibit 13 is the operating agreement for  
18 White Light Media, LLC?

19 A. Okay.

20 Q. You will see that Exhibit 13 is a  
21 25-page --

22 A. Yeah. These are the articles of  
23 incorporation which, like I said, I never saw.

24 Q. We will get there. Take a look, is that  
25 your signature that appears on Page 25 of Exhibit 13?

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1 A. Yeah.

2 Q. Okay, and what date did you sign this?

3 A. Looks like October of 2016.

4 Q. And who notarized the document, if you  
5 know? Is that Paul Herman?

6 A. Yes.

7 Q. Who is Paul Herman?

8 A. Jeremy's attorney. Actually, I think his  
9 attorney came over to my house and I had -- he gave me a  
10 bunch of papers to sign.

11 Q. You are referring to Mr. Herman?

12 A. Yes.

13 Q. You will see that on the first page of  
14 Exhibit 13 it says:

15 This operating agreement is entered as of  
16 the 21st day of October, 2016, the effective date by Jack  
17 E. Marcus, a member of White Light Media, LLC, with an  
18 address of 3773 Howard Hughes Parkway, Las Vegas, Nevada.

19 Did I read that correctly?

20 A. Sounds right. I never saw any of this  
21 paperwork. The only thing I was handed was papers to  
22 sign, period. That's what Paul Herman did. He gave me a  
23 paper. He notarized it while I was in front of him, and  
24 I only had the one paper. I just signed it, he notarized  
25 it and put it away. I had no idea what company or

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1 anything about it.

2 Q. So you would just sign the signature pages?

3 A. That's all I was signing.

4 Q. Mr. Herman didn't even present you --

5 A. No --

6 Q. -- the document you were signing.

7 A. No. I never knew any of this stuff.

8 Q. So you had no idea that you were a member

9 of this company under this agreement?

10 A. No.

11 Q. Did you have any idea that you had a 1

12 percent ownership interest in this company under this

13 agreement?

14 A. No.

15 Q. So you weren't even given the benefit of

16 the operating agreement, you were just given Page 25

17 and --

18 A. I was given the signature pages, I would

19 sign them, he would notarize it, and that was it.

20 Q. Did he tell you what this signature page

21 would be attached to?

22 A. He just said, "Jeremy needs this for his

23 businesses," and I said okay. He's my son, I trusted

24 him.

25 (Exhibit No. 14, Annual list of managing

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1 members and state business license application for

2 White Light Investment, LLC, was marked for

3 Identification.)

4 Q. Let me show you what we have marked as

5 Exhibit 14.

6 Now showing the witness what we have marked

7 as Exhibit 14. Exhibit 14 is comprised of five pages.

8 Take a look at the third page of Exhibit

9 14.

10 A. Uh-huh.

11 Q. You will see it's a document that was filed

12 on October 12, 2016, with the secretary of state for

13 Nevada?

14 A. Right.

15 Q. It deals with a company called White Light

16 Investment, LLC. That's annual list of managers or

17 managing members and state business license application.

18 Easy for me to say. Do you see that?

19 A. Yes.

20 Q. And does your signature appear on this?

21 A. Yes, it does.

22 Q. Okay. And what does it reference you as?

23 What title do you have under this document you filed with

24 the secretary of state?

25 A. I guess signature manager.

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1 Q. Next to the signature it looks like it says

2 manager. Do you see that?

3 A. Manager, comma, managing member or

4 authorized signature.

5 Q. And that's your signature that appears

6 above that line. Correct?

7 A. Yeah.

8 Q. And, to the right of it, what title does it

9 ascribe to you?

10 A. Member.

11 Q. And --

12 A. I don't know what I was a member of, but,

13 okay.

14 Q. Is it correct that you were a member of

15 White Light Investments, LLC?

16 A. I wasn't aware of it, but, okay.

17 Q. But when you signed this document --

18 A. Uh-huh.

19 Q. -- this isn't one of those situations where

20 you just signed a signature page --

21 A. Yep.

22 Q. -- you had to physically look at this

23 document which, actually, you signed under penalty of

24 perjury. For example, is the address there listed for

25 you, Jack Marcus, the 3773 Howard Hughes Parkway, is that

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1 your address?

2 A. No.

3 Q. Why did you file something with the

4 secretary of state that has an incorrect address?

5 A. Because, honestly, I don't even remember

6 seeing this paper.

7 Q. That's your signature, though?

8 A. Yeah.

9 Q. And we got this out of the public records

10 and this isn't a situation where you weren't able to,

11 actually, see what you were signing; you were able to

12 read all this and clearly this document is incorrect in

13 terms of the information. Right?

14 A. Yes.

15 Q. And clearly this document identifies you as

16 a member as of October of 2016 for this entity. Right?

17 A. That's what it says.

18 Q. You see on the next page, is that your

19 signature that appears on this amendment of articles of

20 organization that was filed with the secretary of state

21 for Nevada?

22 A. I guess, yeah.

23 Q. And, again, this is the White Light

24 Investment, LLC?

25 A. Yes.

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1 Q. And the last page you see there was a  
2 Nevada state business license for --  
3 A. That I didn't see.  
4 Q. You didn't sign that document?  
5 A. No.  
6 Q. But these were documents that had to be  
7 submitted in connection with the license for the State of  
8 Nevada. Correct?  
9 A. I guess. Paul came over with a bunch of  
10 things and I just signed them.  
11 Q. Anybody else besides Paul who provided  
12 those documents to you?  
13 A. The only one who would provide documents to  
14 me would be Paul or Diana and they both would come over  
15 with stacks of things for me to sign.  
16 Q. How did you know that they were going to  
17 come over? Did they call?  
18 A. They called me up, make sure I would be  
19 home.  
20 Q. Let me ask you something: When Mr. Herman  
21 showed up with this giant stack of documents for you to  
22 sign, did you ever call up Jeremy and confirm, Jeremy, do  
23 you need me to sign this? How did you know Jeremy  
24 actually wanted you to sign these things?  
25 A. Because he told me, he asked me would I be

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1 home, he's having his attorney Paul Herman to come over,  
2 that he needed me to sign some documents for him and I  
3 said fine.  
4 Q. Did he ever specifically identify to you as  
5 to what documents --  
6 A. No.  
7 Q. -- you were supposed to sign?  
8 A. No. He said Paul will show me whatever I  
9 need to sign.  
10 Q. Were there points in time where you were  
11 aware that you were signing documents in order for Jeremy  
12 to open up a bank account in a particular entity's name?  
13 A. Yes.  
14 Q. So you were aware at certain times that you  
15 were opening up accounts for Jeremy's businesses?  
16 A. In the beginning of this year he had asked  
17 me to open up some accounts in the Palm Beach County Bank  
18 and I said -- he provided me the paperwork and he asked  
19 me to open them. So I went down there and just opened up  
20 the accounts.  
21 Q. Okay. Any other banks besides Palm Beach  
22 County Bank?  
23 A. That was it.  
24 Q. What accounts did you open up at Palm Beach  
25 County Bank?

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1 A. I don't know. It was probably around four  
2 or five of them. The names were, like, really strange.  
3 I never even heard of them.  
4 Q. You also opened up accounts at Bank of  
5 America, as well, too. Correct?  
6 A. No. They did that. I didn't open those.  
7 They just had me down on them.  
8 (Exhibit No. 15, E-mails re JLM JP Pompano,  
9 LLC, January 30, 2017, was marked for  
10 Identification.)  
11 Q. I will show you what we have marked as  
12 Exhibit 15. Exhibit 15, again, are documents that we  
13 retrieved from Jeremy Marcus' Jeremy dot Omni at Gmail  
14 dot com account?  
15 A. Yes.  
16 Q. Exhibit 15 is a three-page document. Do  
17 you see that?  
18 A. Right.  
19 Q. And it's an e-mail exchange -- beginning  
20 between Mr. Marcus and Mr. Herman. Do you see that?  
21 A. Yes.  
22 Q. And it relates to a company called JLM JP  
23 Pompano. Do you see that?  
24 A. Yes.  
25 Q. What do you know about that entity?

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1 A. Nothing.  
2 Q. I direct your attention to Page 2 of  
3 Exhibit 15. You will see that at the bottom there's an  
4 e-mail from Diana Dominguez to you and Jeremy dated  
5 January 30, 2017.  
6 A. Right.  
7 Q. And it says:  
8 These are the docs to open up the new bank  
9 account for JLM JP Pompano, LLC, which she apparently  
10 sent you at that time.  
11 A. Which she asked me to open up at the Palm  
12 Beach County Bank.  
13 Q. Well, take a look at the e-mail above that.  
14 It's, actually, an e-mail from our good buddy Felipe  
15 Rodriguez from Bank of America dealing with this account.  
16 Do you see that?  
17 Actually, if you go to the first page of  
18 Exhibit 15, take a look at the bottom January 26, 2017,  
19 e-mail from Diana Dominguez to Mr. Rodriguez that you are  
20 copied on:  
21 Hello, Felipe. Please see attached docs to  
22 open new bank account for JLM JP Pompano.  
23 So why would you be sending documents to  
24 open an account at Palm Beach County Bank to Bank of  
25 America?

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1 A. Because I know there's about probably  
2 around six accounts he asked me to open up at Palm Beach  
3 County Bank.  
4 Q. But it appears from this e-mail exchange  
5 from January of this year that you also signed whatever  
6 documents were needed to open up an account at Bank of  
7 America account for that company?  
8 A. I wasn't aware it was Bank of America,  
9 but, go ahead.  
10 Q. I mean, take a look at the e-mails you were  
11 copied on?  
12 A. Yeah, I see it.  
13 Q. This is for Bank of America. Right?  
14 A. Yes.  
15 Q. And this deals with you providing Bank of  
16 America account documents to open up an account there for  
17 JLM JP Pompano. Right?  
18 A. Okay.  
19 Q. Is that yes?  
20 A. I don't remember seeing this, but, go  
21 ahead.  
22 Q. Again, my question is: The e-mail exchange  
23 certainly reflects that in January of this year that you,  
24 at Jeremy's direction, were opening accounts for JLM JP  
25 Pompano at Bank of America. Correct?

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1 A. I don't remember opening up that account  
2 there.  
3 Q. Take a look at the first page of Exhibit  
4 15.  
5 A. I know. I'm saying I don't remember  
6 opening that account there. I remember opening up a few  
7 accounts for him at the Palm Beach County Bank and doing  
8 transfers and other things for him in Bank of America.  
9 Q. Any reason to dispute that you didn't open  
10 up this account at Bank of America at the time you? Just  
11 don't remember it?  
12 A. No, I don't remember that.  
13 Q. Are you familiar with an entity called Half  
14 Pay International?  
15 A. Yeah.  
16 Q. What do you know about Half Pay  
17 International?  
18 A. Nothing. I just know it was one of  
19 Jeremy's companies.  
20 Q. Do you know what Half Pay International did  
21 or does?  
22 A. No.  
23 Q. In 2017 did you assist Jeremy in opening up  
24 a bank account for Half Pay International?  
25 A. Yeah, in Palm Beach County Bank.

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1 Q. That was one of the ones you opened up?  
2 A. Yes.  
3 Q. How about in 2017 this year? Did you  
4 assist Jeremy in opening up a bank account for US Legal  
5 Club?  
6 A. I'm not sure. I might have, but I'm not  
7 sure.  
8 (Exhibit No. 16, April 11, 2017, e-mail re  
9 US Legal Club bank account, was marked for  
10 Identification.)  
11 Q. Let me show you Exhibit 16. Do you know  
12 anything about a company called US Legal Club?  
13 A. No, I don't know anything about them.  
14 Q. Your role is just to open up bank accounts  
15 for the company?  
16 A. I was just trying to help out. That's all.  
17 Q. Actually, it was a serious question: Did  
18 you have a role in the company other than opening up bank  
19 accounts for it?  
20 A. Well, I was also -- whenever they needed a  
21 wire transfer, you know, I would go down to the bank and  
22 take care of it for them.  
23 Q. And what did you know about the day-to-day  
24 operations for this company?  
25 A. Nothing.

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1 Q. So you would just get a call after you  
2 opened up the bank account for Jeremy and basically  
3 transfer whatever moneys he told you to transfer?  
4 A. Whatever he needed done, I would take care  
5 of it for him.  
6 Q. Back to 16, does this refresh your  
7 recollection in terms of you opening up a bank account  
8 for US Legal Club in April of this year?  
9 A. If it was April of this year, then it had  
10 to be for the Palm Beach County Bank.  
11 Q. So this would be one of the accounts that  
12 you opened up this year?  
13 A. Probably was then.  
14 MR. GARNO: Shall we take a two minute  
15 break?  
16 THE WITNESS: I'm fine.  
17 MR. GARNO: Let's take two minutes.  
18 (Short break)  
19 (Exhibit No. 17, Land trust agreement for  
20 the Jean Pierre Trust No. 3 dated August 8, 2016,  
21 was marked for Identification.)  
22 Q. Are you ready? Let me show you what we  
23 have marked as Exhibit 17. Exhibit 17 is a land trust  
24 agreement for the Jean Pierre Trust No. 3 dated August 8,  
25 2016. Take a look at the last page of Exhibit 17 or --



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1 excuse me -- Page 7 of it.  
2 MR. PERLMAN: What's it called?  
3 MR. GARNO: Land trust agreement for Jean  
4 Pierre Trust No. 3.  
5 Q. Is that your signature on Page 7?  
6 A. Right.  
7 Q. And you signed this as the trustee?  
8 A. Right.  
9 Q. And this is August 8, 2016. What was this  
10 land trust agreement?  
11 A. I don't know.  
12 Q. And you certainly see that you are the  
13 trustee of the agreement?  
14 A. Correct.  
15 Q. And that the beneficiary is your son  
16 Jeremy?  
17 A. Right.  
18 Q. Do you know what the trust owned? What it  
19 held?  
20 A. I just think it's probably property.  
21 Q. Was Jean Pierre the name of Jeremy's dog at  
22 that time?  
23 A. Oh, that's why it's named that. His dog's  
24 name was JP, Jean Pierre, okay, I just now -- now I know  
25 it.

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1 Q. So how did it come to pass that you signed  
2 this document and became the trustee of this land trust  
3 agreement named after your son's dog?  
4 A. I don't know. He had me down as trustee  
5 and, like I said, Diana or the attorney would come over  
6 with a stack of papers and just needed things signed so I  
7 would sign it.  
8 Q. And you don't know anything about the  
9 property involved?  
10 A. No.  
11 Q. You don't know who prepared this document,  
12 just who ultimately delivered it to you?  
13 A. Yeah.  
14 Q. And that was either Diana or Paul Herman?  
15 A. Yes.  
16 Q. And you see on Page 2 it outlines the  
17 duties of the trustee. Did you ever do any of these  
18 duties in connection with your trustee of this trust?  
19 A. No. No.  
20 (Exhibit No. 18, US Legal Club business  
21 trust, was marked for Identification.)  
22 Q. I will show you what I have marked as 18.  
23 Eighteen is a US Legal Club business trust.  
24 A. Okay.  
25 Q. Four pages. Is that your signature that

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1 appears on Page 4 of Exhibit 18?  
2 A. Yes.  
3 Q. And did you sign this as trustee for the US  
4 Legal Club business trust?  
5 A. I guess I did.  
6 Q. Who prepared this document?  
7 A. I don't know who prepared it.  
8 Q. And how did you come to execute this  
9 document to become the trustee of the US Legal --  
10 A. Probably one of the papers they brought  
11 over for me to sign.  
12 Q. And who would "they" be?  
13 A. Either Diana or Paul Herman.  
14 Q. You will see on the first page of Exhibit  
15 18 it says:  
16 The property that will be subject to the  
17 terms of this agreement consist of the following: All  
18 assets and property associated with US Legal Club, LLC,  
19 and affiliated and owned entities.  
20 Did I read that correctly? Do you see  
21 that?  
22 A. Uh-huh.  
23 Q. And what assets and property were  
24 associated with US Legal Club, LLC, at the time that you  
25 became the trustee for the US Legal Club business trust?

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1 A. I have no idea.  
2 Q. During the time of when you were the  
3 trustee for this trust, were there any assignments of  
4 properties or assets into the trust?  
5 A. Not that I know of.  
6 Q. And you will see that on Page 3 of Exhibit  
7 18 there's a section related to compensation of trustees.  
8 Did you ever receive any compensation as the trustee for  
9 this trust?  
10 A. No.  
11 Q. And you will see below that there is the  
12 general functions and powers of the trustee. Do you see  
13 that section?  
14 A. Right.  
15 Q. And did you perform those functions or  
16 exercise the powers that are identified in that section?  
17 A. Not that I know of.  
18 Q. If you didn't exercise any of these things,  
19 would did?  
20 A. I have no idea.  
21 Q. Did you do anything in connection with this  
22 position as trustee for this trust?  
23 A. All I was doing was signing papers for  
24 them.  
25 Q. So tell me how you became aware that you



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1 needed to sign this particular document? Who called you?  
2 A. It was one of the -- either Diana or it was  
3 Paul.  
4 Q. So let's say Diana or Paul calls you and  
5 says we're coming over --  
6 A. We have some papers for you to sign.  
7 Q. Once you get that phone call do you call  
8 Jeremy to confirm that you are actually signing things he  
9 wants you to sign?  
10 A. Jeremy usually calls me ahead of time and  
11 tells me, you know, is it all right if one of them comes  
12 over now or whatever time to be able to sign some papers  
13 and I said sure.  
14 Q. So, in terms of this process, the first  
15 person that you talk to is Jeremy?  
16 A. A lot of the -- most of the time.  
17 Q. And, when Jeremy calls you up and lets you  
18 know that Diana or Mr. Herman is coming by for you to  
19 sign papers, does he give you any indication as to what  
20 types of papers that you are going to be signing?  
21 A. No.  
22 Q. So whatever they brought over you just  
23 signed?  
24 A. Yes.  
25 Q. Are you familiar with the concept of a

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1 skill or a straw man?  
2 A. Yeah.  
3 Q. How do you think those terms apply in this  
4 particular circumstance?  
5 A. Never thought of it that way.  
6 Q. Well, now that you have thought about it,  
7 what do you think?  
8 A. I don't know. It's a possibility. I don't  
9 know.  
10 Q. I have a lot of various business trust  
11 agreements that you have signed off on. For example, you  
12 are the trustee for the business trust for FF and N which  
13 is an acronym for Financial Freedom National, Inc. Are  
14 you aware of that?  
15 A. No.  
16 Q. Have you done anything in connection with  
17 your position as the trustee for that trust?  
18 A. I don't even know what it's about.  
19 Q. Are you familiar with any of the assets and  
20 property associated with Financial Freedom National,  
21 Inc.?  
22 A. Nothing.  
23 Q. Do you have any reason to dispute that you  
24 signed on January 5th, 2017, the same day as Exhibit  
25 18 --

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1 A. No, I have no reason to dispute it.  
2 Q. So you would get a bunch of these  
3 documents, they would come over, sign off, after Jeremy  
4 told you to, no questions, end of the story?  
5 A. That was it.  
6 Q. You also signed on the same day January 5  
7 th, 2017, the Half Pay International business trust which  
8 appointed you as the trustee?  
9 A. Okay.  
10 Q. Any reason to dispute that you signed the  
11 document and became the trustee at that time?  
12 A. No.  
13 Q. Same process as the other business trusts  
14 in terms of communications?  
15 A. Yes.  
16 Q. Do you know anything about the assets or  
17 property associated with Half Pay International, LLC?  
18 A. None.  
19 Q. Did you take any action in connection with  
20 your appointment as the trustee for Half Pay  
21 International business trust?  
22 A. Other than opening up that other bank  
23 account in Palm Beach County Bank or signing papers for  
24 them, no.  
25 Q. Was there any assignments of property into

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1 this business or trust for Half Pay International?  
2 A. I have no idea.  
3 Q. Did you receive any compensation as the  
4 trustee?  
5 A. No.  
6 Q. So, if I understand this correctly, as with  
7 all these business trusts you would sign these  
8 documents --  
9 A. Yes.  
10 Q. -- and then nothing?  
11 A. Basically, yeah.  
12 Q. You didn't do anything as the trustee, you  
13 didn't hear anything about the trusts or otherwise un --  
14 A. No.  
15 Q. -- til somebody needed you to open up a  
16 bank account or transfer money?  
17 A. Basically, yeah.  
18 Q. You say "basically." Is there anything  
19 else that you did besides those things?  
20 A. No.  
21 Q. You signed these business trusts after  
22 Jeremy called you. Correct?  
23 A. Yes.  
24 Q. And Diana and Paul would come over with  
25 these business trust agreements that you would sign?

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1 A. Right.

2 Q. You didn't read these documents before you

3 signed them, did you?

4 A. They usually just had the signature pages

5 for me.

6 Q. So you signed a bunch of signature pages.

7 Did you ever ask to see the documents that these

8 signature pages would be affixed to?

9 A. I went on blind trust.

10 Q. After this occurs, you don't do anything as

11 the trustee. Correct?

12 A. Other than what I have told you, right.

13 Q. Other than you would open bank accounts

14 upon request. Right?

15 A. Right, or do transfers or sign papers.

16 Q. That's it?

17 A. That's it.

18 Q. Was it ever explained to you why all these

19 business trusts were being created?

20 A. No. I thought it was strange, but I didn't

21 ask.

22 Q. Why did you think it was strange?

23 A. I just couldn't figure out why would he

24 have so many businesses, but I didn't ask him.

25 Q. Didn't ask who? Jeremy?

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1 A. Yeah.

2 Q. Do you have any information about any

3 assets or property for 321 Loans, Inc.?

4 A. No.

5 Q. Do you have any information regarding an

6 entity called MD Marketing?

7 A. No.

8 Q. Do you know anything about any assets or

9 property for MD Marketing?

10 A. No.

11 Q. You are familiar with White Light Media,

12 LLC, however. Correct?

13 A. Yes. I had to open up that account; I also

14 did some transfers.

15 Q. Do you know anything about the assets or

16 property of White Light Media?

17 A. No.

18 Q. Where did White Light Media have its bank

19 accounts?

20 A. In Bank of America and I was opening up one

21 for them in Palm Beach County Bank.

22 Q. Are you aware of any other White Light

23 Media accounts besides Bank of America or Palm Beach

24 County Bank?

25 A. No.

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1

2 (Exhibit No. 19, Quitclaim deed relating to

3 the 6436 Grand Cypress Circle property, was marked

4 for Identification.)

5 Q. Now showing you what we have marked as

6 Exhibit No. 19. And does your signature appear on the

7 second page of Exhibit 19?

8 A. Yes.

9 Q. And Exhibit 19 is a quitclaim deed relating

10 to the 6436 Grand Cypress Circle property in Lake Worth

11 that we have talked about. Correct?

12 A. Correct.

13 Q. And this was a document where you became

14 the owner of the property?

15 A. Correct.

16 Q. And it appears that this was recorded on

17 June 21, 2016?

18 A. Yes. Paul took care of that.

19 Q. Prepared the deed and it's a transfer of

20 title from Half Pay International, LLC, to yourself.

21 Correct?

22 A. Okay.

23 Q. Is that correct?

24 A. I guess so.

25 Q. It appears that your son Jeremy on Page 2

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1 signed as the owner of Half Pay. Do you see that?

2 A. Yes.

3 Q. Do you recognize the signature?

4 A. Jeremy's?

5 Q. Yes, sir.

6 A. Yeah.

7 Q. And, in connection with the transfer of the

8 64636 Grand Cypress Circle property from Half Pay

9 International, LLC, what did you pay to Half Pay

10 International for that transfer?

11 A. There was no money or I might have given

12 the ten dollars. I have no idea.

13 Q. Is that the ten dollars that's referenced

14 in the --

15 A. Yes.

16 Q. -- consideration?

17 A. Yeah.

18 Q. Other than possibly the ten dollars

19 referenced there?

20 A. That's probably what the reference is,

21 yeah.

22 Q. And how much was that property worth at the

23 time that it was transferred to you on May 1st, 2016, by

24 Half Pay International, LLC?

25 A. I think approximately two hundred thousand.

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1 Q. What do you base that on?  
2 A. I think that's what -- I think that's what  
3 Jeremy had told me.  
4 Q. That's how much Jeremy had paid for the  
5 property?  
6 A. I think that's what he had paid for it. I  
7 think that's what he had told me.  
8 Q. And you had already been living there since  
9 January of 2016. Right?  
10 A. Correct.  
11 Q. Rent free?  
12 A. Correct.  
13 Q. Were you covering any of the expenses  
14 related to the home?  
15 A. Well, the electric, the water, the  
16 telephone and, you know, all the normal expenses.  
17 Q. And were you paying that based upon the  
18 money that Jeremy was providing to you to help support  
19 you and your son?  
20 A. At that time, no, I had actually had to  
21 cash in my life insurance policy and I was living off the  
22 life insurance policy that I had cashed in.  
23 Q. What was the surrender value of the life  
24 insurance?  
25 A. Roughly around sixty thousand.

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1 Q. And when did that occur?  
2 A. That was in the first part of 2016.  
3 Q. And what insurance company did you  
4 previously have a life insurance with?  
5 A. It was Mass Mutual and I claimed it on my  
6 taxes.  
7 Q. I'm sorry. When did you surrender the cash  
8 value of that life insurance?  
9 A. It was the first part of 2016.  
10 Q. And how did it come to pass that Jeremy  
11 transferred this property to you in May of 2016 for  
12 really no money? How did that come about?  
13 A. He wanted to give that to me in lieu of --  
14 for all the help I had helped him over the years.  
15 Q. And is there any more help than what we  
16 have already talked about today? Is there any other help  
17 that you provided in terms of the businesses?  
18 A. Just what I mentioned.  
19 Q. What had you specifically done to help Half  
20 Pay International, LLC?  
21 A. Opening up an account at the Palm Beach  
22 County Bank.  
23 Q. Which occurred after this?  
24 A. Yes. Signing other papers for him.  
25 Q. I'm specifically talking about Half Pay,

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1 actually, the entity that gave you the property. What  
2 did you do for Half Pay?  
3 A. Nothing that I know of.  
4 Q. Do you know what Half Pay does?  
5 A. No.  
6 Q. What kind of business it's in?  
7 A. No.  
8 Q. So, after the transfer, you opened up a  
9 bank account for Half Pay. Prior to the transfer what  
10 did you do for Half Pay International?  
11 A. Nothing that I know of. He was just trying  
12 to help me out because of all the things I went through  
13 medically and he was happy to see that his father was  
14 still alive.  
15 Q. Sure. I mean, he was supporting you during  
16 this time period?  
17 A. Uh-huh.  
18 Q. And my question, specifically, wasn't  
19 related to Jeremy, but actually the company that sent you  
20 the property and it appears that --  
21 A. Well, I consider that Jeremy because that's  
22 Jeremy's.  
23 Q. And how do you know that?  
24 A. Well, I just assumed, I should say, I  
25 assumed that's all Jeremy's.

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1 Q. Because, I mean, you just testified you  
2 knew nothing about the companies; you had no idea?  
3 A. Right.  
4 (Exhibit No. 20, Official check from TD Bank  
5 dated May 15, 2017, was marked for  
6 Identification.)  
7 Q. Let me show you what we are going to mark  
8 as Exhibit 20.  
9 A. Uh-huh.  
10 Q. Do you recognize Exhibit 20?  
11 A. Yeah.  
12 Q. And what is Exhibit 20?  
13 A. Half Pay International -- he had asked me  
14 to open up the account in Palm Beach County Bank and the  
15 -- first, he had asked me to put it into my account and  
16 then he asked me to go ahead and open it; so that's why I  
17 wrote out a check from my account to go open it over at  
18 Palm Beach County Bank which I think ended up I handed  
19 the trustee the check for that.  
20 Q. Let's talk about, actually, what Exhibit 20  
21 is. It looks like Exhibit 20 is a cashier or official  
22 check from TD Bank -- correct?  
23 A. Yes.  
24 Q. -- dated May 15, 2017?  
25 A. Yes.

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1 Q. And it's not a personal check from your  
2 account, is it?  
3 A. No. I had them do a cashier check from my  
4 account to -- I was going to open up the account and then  
5 ended up bringing down the check to the trustee and  
6 handed the trustee the check.  
7 Q. So let's talk about this for a second.  
8 Title one Compliance was the deal you had with your buddy  
9 who has the Broward County School System and you made,  
10 like five grand off of that. Right?  
11 A. Yes.  
12 Q. You will see that this check from Title One  
13 Compliance, Incorporated, reflects that the company had  
14 255 thousand dollars in its account?  
15 A. Yes, because Jeremy had given a check --  
16 well, actually, I got a check from, what, Bank of America  
17 or whatever -- it was either a check or they transferred  
18 whichever into my account -- and he wanted me to open up  
19 the account at Palm Beach County Bank and then, I don't  
20 know what happened, and then he said, no, just bring the  
21 check down to the trustee, so I said okay.  
22 Q. When did Jeremy transfer the 255 thousand  
23 dollars into the Title One Compliance account?  
24 A. It was within a day or so of that date.  
25 Q. And the purpose of the transfer was what?

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1 A. So I could open up the account in Palm  
2 Beach County Bank for him.  
3 Q. So, on May 14, 2017, Jeremy sends you a  
4 check from what account?  
5 A. Well, actually, I think he wired it.  
6 Q. So, on May 14, 2017, Jeremy wired money to  
7 your Title One Compliance account?  
8 A. I think so.  
9 Q. And that Title One Compliance account was  
10 at TD Bank?  
11 A. Yes.  
12 Q. Do you still have your bank statements for  
13 that Title One Compliance account?  
14 A. Yes.  
15 Q. Was that the first time Jeremy had ever  
16 transferred money into your Title One Compliance,  
17 Incorporated, account?  
18 A. No. When he was helping me with paying my  
19 bills he would transfer the money that -- into that  
20 account so I could pay my bills, but this had nothing to  
21 do with that.  
22 Q. So I know you formed Title One Compliance  
23 Corp. in 2015. Correct?  
24 A. Correct.  
25 Q. Since that time period has it made any

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1 other banking relationships other than TD Bank?  
2 A. No.  
3 Q. So the company has only used TD Bank for  
4 it's accounts?  
5 A. Title One?  
6 Q. Yes, sir.  
7 A. Yes.  
8 Q. And so, sometime on May 14 or May 13 Jeremy  
9 transferred 255 thousand dollars into your Title One  
10 account?  
11 A. And asked me to open up an account at Palm  
12 Beach County Bank and then he called me up and said no;  
13 then he told me about that receiver and I'm, like, okay,  
14 and that's when I took the cashier check and I brought it  
15 down to the receiver.  
16 Q. And what did he tell you at that time about  
17 the receiver?  
18 A. He didn't tell me much. He just said I  
19 need to bring it down there. I said, "What's going on?"  
20 And he really didn't get into it with me.  
21 Q. Other than paying for your support --  
22 A. Right.  
23 Q. -- did Jeremy ever transfer any other funds  
24 into the Title One Compliance account besides the 255  
25 thousand dollars?

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1 A. Other than giving me money to pay my bills,  
2 no.  
3 Q. Do you know where the 255 thousand dollars  
4 originated from?  
5 A. Well, from the Half Pay International  
6 account; other than that, no.  
7 (Exhibit No. 21, E-mail exchange dated March  
8 29, was marked for Identification.)  
9 Q. Let me show you what we are going to mark  
10 as Exhibit 21. It's an e-mail that we were able to  
11 secure from your son's Gmail account Jeremy dot Omni at  
12 Gmail dot com. You will see that's an e-mail exchange?  
13 A. Yeah, to open up the account in -- wait.  
14 Q. Do you recognize Exhibit 21?  
15 A. No.  
16 Q. It appears that it's an e-mail exchange  
17 between Diana Dominguez, yourself, Craig Smith and Jeremy  
18 Marcus dated March --  
19 A. It's all information to open up an account.  
20 Q. I think you testified you were opening up  
21 accounts at that time period at Palm Beach Community Bank  
22 correct?  
23 A. Palm Beach County Bank, yeah.  
24 Q. Palm Beach County Bank. So was this the  
25 documentation that was being forwarded to you so you

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1 could open up this account?  
2 A. Yes.  
3 Q. What's the date on this?  
4 A. March 29.  
5 Q. So, as of March 29 or about that time, did  
6 you go and open up the Half Pay International account at  
7 Palm Beach County Savings?  
8 A. Yes.  
9 Q. So you had already opened up the account on  
10 March 29 of this year. Right?  
11 A. Yes.  
12 Q. So let's go back to this cashiers check  
13 again?  
14 A. This is from -- this was being deposited in  
15 that account from where it initially was in Bank of  
16 America.  
17 Q. What account at Bank of America?  
18 A. His account at Bank of America.  
19 Q. Who is "his"?  
20 A. Jeremy's.  
21 Q. So Jeremy writes a personal check to you  
22 and your company?  
23 A. For a while there he was just wiring the  
24 money into my account.  
25 Q. So when did he wire, if he wired --

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1 A. Wait, wait, take it back. No, it was a  
2 check. I take it back. Sorry.  
3 Q. When you got the check, what did you do  
4 with it?  
5 A. Deposited it in my account so I could pay  
6 the bills.  
7 Q. And who was the payor of the check, the  
8 party who actually issued the check to you?  
9 A. I figure it was Jeremy. Why?  
10 Q. Just interested in what -- did he give it  
11 to you personally, through a business?  
12 A. I think he wrote it out to my Title One  
13 account so -- because that's where I write out all of my  
14 bills out of.  
15 Q. And what account did the check come from?  
16 A. I don't remember.  
17 Q. And this was a check that was delivered to  
18 you right around the time that this cashiers check was --  
19 Exhibit 20 was issued by TD Bank?  
20 A. This had nothing to do with money he was  
21 giving me to pay my bills. This was money that -- I  
22 think he closed out the Bank of America account, that the  
23 money was in there, and I think that's what he wanted  
24 deposited into the Half Pay in the Palm Beach County Bank  
25 and that's what I was doing until he told me, no, just

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1 bring the cashiers check and deliver it to the receiver.  
2 Q. Let me ask you a question: If he was  
3 closing out the account and wanted those moneys to be put  
4 into the Half Pay International account, why not have  
5 Bank of America issue a check payable to Half Pay  
6 International to deposit it in Palm Beach County Savings  
7 Bank? Why is the check being made out to your company?  
8 A. That I don't know.  
9 Q. So but that's what you understood this  
10 check to your company to be for?  
11 A. To open -- to put into the other account at  
12 Palm Beach County Bank.  
13 Q. And when did you get these funds, the one  
14 that came from the closed out Bank of America account,  
15 not the support funds you were getting from Jeremy, but  
16 these funds?  
17 A. It was about the same day. It was either  
18 the 14th or the 15th and that's when I was going to go  
19 ahead and go down there; then he called me up and said  
20 don't do that and then he told me where to bring it and I  
21 brought it.  
22 Q. When did he call you tell you he was  
23 closing out this account and he was going to send you the  
24 255 thousand dollars to fund the Half Pay International  
25 account at Palm Beach Savings?

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1 A. If it wasn't that day, within the past  
2 couple of days.  
3 Q. So the timeframe were talking about here is  
4 May 11, 12, 13, 14?  
5 A. Yeah, I would say that.  
6 Q. So that's when he initially called you,  
7 delivered the check, deposited the check in your account  
8 and went the TD Bank to get a cashiers check --  
9 A. And then bring it over to the Palm Beach  
10 County Bank, but then on the way he said, no, bring it  
11 over to his office; there was a receiver there.  
12 Q. Did you try to deposit the cashiers check  
13 at Palm Beach County Savings?  
14 A. No, I don't think so.  
15 Q. And you still have the statements available  
16 to you if we ask for them for the Title One Compliance,  
17 Inc. account at TD Bank?  
18 A. Yeah.  
19 Q. If you could, we'd like to get copies of  
20 those statements?  
21 A. For what time period?  
22 Q. The account was open for, what, two years?  
23 A. Yeah, approximately.  
24 Q. All two years if possible. I think you can  
25 get that stuff offline?

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1 A. No. I will just go to my bank and I will  
2 get the statements.  
3 Q. That would be great. Thank you. Do you  
4 know anything about an entity called 123 Finance?  
5 A. No.  
6 Q. How about Kashia K-A-S-H-I-A Services?  
7 A. No.  
8 Q. Are you familiar with any business that  
9 Jeremy was doing with an Indian tribe in California?  
10 A. No.  
11 Q. Had you ever heard of the Kashia Pomo  
12 P-O-M-O Indians?  
13 A. No. Never heard of them, not even in  
14 history class. They are called P-O-M-O?  
15 Q. That's part of their transcribe name.  
16 A. Only ones I knew about was the Miccosukee  
17 Indians.  
18 MR. PERLMAN: And the Seminoles.  
19 THE WITNESS: Seminoles.  
20 Q. Are you familiar with any business that  
21 Jeremy was doing in the Philippines?  
22 A. I know he was opening up an office or a  
23 call center out there.  
24 Q. And how do you know that?  
25 A. That he had told me that he was opening a

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1 call center there because labor is cheaper there.  
2 Q. Did you ever go to the Philippines and  
3 assist him in opening that call center?  
4 A. No, but at one point he wanted me to  
5 deliver one of the guys out there their dog and I said,  
6 "You got to be kidding me."  
7 He says, "No, the guy wants his dog to stay  
8 with him over there."  
9 And I said -- so he had round trip tickets  
10 for me to fly to the Philippines and back and I was so  
11 thankful it didn't go through because I didn't really  
12 want to fly out there. It's a long flight and it was  
13 going to be in coach and it was going to --  
14 Q. So you never went to the Philippines to  
15 deliver the dog?  
16 A. No.  
17 Q. Do you know anything about a company called  
18 NGP Enterprises, LLC?  
19 A. No.  
20 Q. Are you familiar with any payday loan  
21 businesses that Jeremy was involved in?  
22 A. No.  
23 Q. Has he ever discussed with you him getting  
24 involved in payday loans?  
25 A. No.

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1 Q. Since the appointment of the receiver, do  
2 you know how Jeremy has been supporting himself?  
3 A. No.  
4 Q. Do you know how Jeremy has been paying for  
5 his legal representation?  
6 A. No.  
7 Q. Have you lent him any money since May 10 of  
8 this year?  
9 A. No, I haven't had any money to lend.  
10 Q. Has he provided you any money?  
11 A. No.  
12 Q. When was the last time that he provided you  
13 money to support you?  
14 A. Just before all hell broke loose.  
15 Q. That would be, what, May of this year?  
16 A. Yeah.  
17 Q. How much did he give you on a regular  
18 basis?  
19 A. It was, like, five thousand dollars a  
20 month.  
21 Q. Did you report that as income on your  
22 taxes?  
23 A. No, because he was giving it to me as a  
24 gift to help pay the bills. It wasn't as far as income  
25 or anything like that.

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1 Q. And how long was he providing you -- well,  
2 did that amount ever change or was it always five  
3 thousand dollars a month?  
4 A. There were sometimes that I didn't get  
5 anything, but then it would go back to the five thousand  
6 dollars a month.  
7 Q. And how far back was he giving you five  
8 thousand dollars a month?  
9 A. I don't remember how long.  
10 Q. Months, years?  
11 A. No, it was more to months, not years.  
12 Q. When did he start, then, giving you five  
13 thousand dollars a month?  
14 A. I don't remember exactly when.  
15 Q. 2016?  
16 A. No, because I cashed in my life insurance  
17 policy and he wasn't really giving any money to help me  
18 out until I think it was probably, I don't know, maybe  
19 April or May or something like that, or June of last  
20 year, somewhere around there.  
21 (Exhibit No. 22, E-mail exchange dated  
22 February 21st, 2016, regarding checkbook ledgers,  
23 was marked for Identification.)  
24 Q. I will show you what we will mark as  
25 Exhibit 22. Exhibit 22, the receiver was able to secure



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1 through your son Jeremy's Gmail account at Jeremy dot  
2 Omni at Gmail dot com?  
3 A. Yes.  
4 Q. You see Exhibit 22 is an e-mail exchange  
5 between you and Jeremy dated February 21st, 2016,  
6 regarding checkbook ledgers. Do you see that?  
7 A. Yes.  
8 Q. You wrote to him at that time:  
9 Hey, Jeremy, here's what you wanted to see.  
10 These are my checkbook ledgers.  
11 A. He wanted to see what I was spending money  
12 on as far as my bills.  
13 Q. Why was he looking at that?  
14 A. Because, basically, he wanted to see, you  
15 know, what he would need to give me to sustain myself and  
16 our -- and his brother which was living with me, my  
17 youngest son.  
18 Q. You will see that you provided him your  
19 checkbook ledgers. Do you see that?  
20 A. Uh-huh, yes.  
21 Q. And you will see that on the third page of  
22 Exhibit 22 is the actual copies of the check ledgers  
23 themselves. Right?  
24 A. Right.  
25 Q. And this is, at least for this first page,

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1 is for 2015. Correct?  
2 A. Right.  
3 Q. Let me ask you a question. It looks like  
4 there's a deposit from A Time to Swim of \$1910. What's  
5 that?  
6 A. What? A Time to Swim? Oh, wait, you mean  
7 a deposit?  
8 Q. Yeah, there's a deposit there.  
9 A. I see a check for 75 dollars. That was my  
10 pool guy.  
11 Q. Okay. Do you see there's a \$1910 deposit?  
12 A. What page?  
13 Q. Page 3. You see where the entry is for A  
14 Time to Swim, \$75?  
15 A. Oh.  
16 Q. Next to it there's a deposit for \$1910?  
17 A. There was insurance money and stuff that I  
18 was getting commissions on or the overrides or residuals.  
19 Q. What bank account is this check ledger  
20 from?  
21 A. I think that was just in my -- that was in  
22 my personal checking.  
23 Q. Where did you maintain your personal  
24 checking account?  
25 A. In TD Bank and the reason why you see the

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1 large deposit on the next page, that was my life  
2 insurance when I cashed it in.  
3 Q. And that deposit was made, when, November  
4 of 2015?  
5 A. Uh-huh. That's when I cashed it in. I  
6 thought I cashed it in a little later, but that's when.  
7 So that's where that money came from. And that's what I  
8 was living on for a while.  
9 Q. Are you familiar with a guy named Scott  
10 Merritt?  
11 A. Scott Merritt?  
12 Q. M-E-R-R-I-T-T.  
13 A. Not offhand.  
14 Q. Are you familiar with an entity called  
15 Koper and Associates?  
16 A. I have seen the name. I don't know  
17 anything about it.  
18 Q. Did you open up any bank accounts for Koper  
19 and Associates?  
20 A. I think that was one of them I was also  
21 opening up at Palm Beach County Bank.  
22 Q. In February of 2017 did you open up an  
23 account for 321 Loans at Popular Bank?  
24 A. At Palm Beach County Bank, you mean?  
25 Q. No Popular?

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1 A. Popular? No.  
2 Q. Did you receive the bank statements for --  
3 A. I didn't receive bank statements on any of  
4 the businesses.  
5 Q. Did Kyle Hunt have any involvement with  
6 White Light Media?  
7 A. I have no idea.  
8 (Exhibit No. 23, Text exchange dated July  
9 17, 2016, was marked for Identification?)  
10 Q. Let me show you this Exhibit 23. Exhibit  
11 23 is information that the receiver was able to retrieve  
12 off of Jeremy Marcus cell phone. You will see that  
13 Exhibit 23 is a text exchange between you and Jeremy  
14 dated --  
15 A. Yes.  
16 Q. -- July 17, 2016?  
17 A. I told you that was the money I brought  
18 over to him.  
19 Q. And at that time he texted you:  
20 Dad, can you discreetly bring 70 thousand  
21 dollars in cash with you today?  
22 A. Yes.  
23 Q. And what did you understand to -- that this  
24 was the entirety of the cash you were holding --  
25 A. Yeah.



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1 Q. -- in your safe at your home?  
2 A. Yes.  
3 Q. And did he tell you why he needed you to  
4 discreetly bring the cash with you?  
5 A. No.  
6 Q. And so how did you discreetly deliver the  
7 seventy thousand dollars in cash to your son?  
8 A. Went in my car and brought it over to him.  
9 Q. Carrying a wad of cash or how did you  
10 discreetly do that? Brief case, bag?  
11 A. No, I just stuck it in a Publix bag.  
12 Q. How big is seventy thousand dollars in  
13 cash? What does it look like?  
14 A. About that big (indicating). Money doesn't  
15 go far nowadays.  
16 Q. Seventy thousand dollars is okay.  
17 And where did you deliver the seventy  
18 thousand dollars in cash discreetly to your son?  
19 A. To his home.  
20 Q. And that was the only time your son had  
21 asked you to hold onto cash for him?  
22 A. Yeah, I brought over that, along with  
23 whatever packages were in the safe so there was nothing  
24 left.  
25 Q. So when you discreetly brought over the

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1 cash you brought the two packages as well?  
2 A. Yes.  
3 Q. And I believe your testimony was you have  
4 no idea what was in those packages?  
5 A. I have no idea.  
6 (Exhibit No. 24, Series of text messages  
7 dated January 31, 2017, was marked for  
8 Identification.)  
9 Q. Let me show you what we are going to mark  
10 as Exhibit 24. I am showing you Exhibit 24 which is,  
11 again, a series of text messages that we were able to  
12 retrieve in Jeremy Marcus' cell phone and the date of  
13 these texts is January 31, 2017, and the text is between  
14 Diana -- I will represent that is Diana Dominguez -- and  
15 Jeremy, your son.  
16 A. Right.  
17 Q. At that time Diana wrote:  
18 I just talked to your dad in regards to the  
19 check that you asked me to send him fifteen thousand  
20 dollars.  
21 A. Yes, because he was paying me every three  
22 weeks five thousand a month, and reason for the other  
23 \$400, I laid out \$400 for him opening up the bank  
24 accounts for him.  
25 Q. Which bank accounts?

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1 A. The Palm Beach County Banks. The fifteen  
2 was for me for covering my three months worth of  
3 expenses. The four hundred dollars was for what I used  
4 to open up the accounts for him and I laid that out.  
5 Q. And so you opened up all these accounts at  
6 Palm Beach Savings Bank before January 31st, 2017? I  
7 thought we had looked at documents earlier where that  
8 didn't happen until March.  
9 A. There was some that I opened up in March,  
10 but there was -- this is just two accounts -- I think two  
11 or four accounts, it was either two or four accounts, I  
12 either put a hundred dollars each account, I think it was  
13 a hundred dollars in each account, so that would be  
14 comprised of four accounts.  
15 Q. So the initial seed money for the accounts  
16 you personally funded?  
17 A. And he just reimbursed me, that's all.  
18 Q. And the fifteen thousand dollars was part  
19 of the support he was providing at the time?  
20 A. Right.  
21 Q. Do you know who Sue Travis is?  
22 A. No.  
23 (Exhibit No. 25, Text message from Jeremy  
24 Marcus' cell phone dated February 17, 2017, was  
25 marked for Identification.)

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1 Q. Let me show you Exhibit 25. Exhibit 25 is  
2 a text message that we were able to retrieve from Jeremy  
3 Marcus' cell phone dated February 17, 2017, between --  
4 sent by Sue Travis.  
5 A. I have no idea about this.  
6 Q. You see that she wrote or texted to Jeremy:  
7 I have the docs for you and Jack to sign  
8 for new Popular account for 321.  
9 Does this refresh your recollection in  
10 terms of signing documents as far as opening a new  
11 Popular account for 321?  
12 A. No.  
13 Q. Are you familiar with 321 Loans?  
14 A. I have heard the name but I don't know much  
15 about them.  
16 (Exhibit No. 26, Text message from Jeremy  
17 Marcus cell phone dated February 3, 2017, was  
18 marked for Identification.)  
19 Q. I'm going to show you what we have marked  
20 as Exhibit 26. Exhibit 26 is a text message we were able  
21 to retrieve from Jeremy Marcus' cell phone dated February  
22 3, 2017, from Diana Dominguez -- excuse me -- from Jeremy  
23 Marcus to Diana Dominguez.  
24 Do you recall in February of this year  
25 having to go to the bank and do a wire for \$650 thousand

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1 at Jeremy's request?

2 A. I don't remember the amount but, yeah, I

3 remember doing a few wires for him in the beginning of

4 this year.

5 Q. And what bank did you go to to do these

6 wires?

7 A. Bank of America.

8 Q. And how did you receive the instructions

9 for the wires in terms of where the money --

10 A. Diana would give me all the instructions on

11 where it needed to go and I went down to the bank and

12 took care of it.

13 Q. Did she e-mail them to you?

14 A. I don't remember what mode of receiving it,

15 whether it was through the phone or through e-mail, I

16 don't remember, but she gave me the instructions and I

17 went down there.

18 Q. Did she ever indicate to you why she needed

19 you to go to the bank and wire \$650 thousand?

20 A. No.

21 Q. Do you recall where the \$650 thousand wire

22 was sent to?

23 A. I remember one of the wires. I think it

24 was going to Panama.

25 Q. And which bank was that?

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1 A. That was from Bank of America.

2 Q. And how much was that wire for?

3 A. I have no idea. I don't remember. I know

4 they were large sums of money.

5 Q. Are you familiar with an entity called

6 Titan Funding, LLC?

7 A. No.

8 Q. Do you know a gentleman by the name of

9 Edward Piazza?

10 A. No.

11 Q. Do you know a gentleman by the name of John

12 Mansard?

13 A. No.

14 Q. An attorney named Howard Babcock?

15 A. No.

16 Q. Are you familiar with an entity called

17 National Arms, LLC?

18 A. No.

19 Q. Are you familiar with a person by the name

20 of Mark Cohen?

21 A. Yeah, that was an employee of Jeremy's.

22 Q. Do you know what Mr. Cohen did for Jeremy?

23 A. He was one of his managers.

24 Q. Do you know when he was a manager?

25 A. I don't know the timeframe he was managing

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1 for him, but I know he was --

2 Q. Do you know what his responsibilities were

3 as manager?

4 A. Um, over some of the agents, you know, he

5 had a group of agents he was managing over.

6 Q. What do you mean by agents? What were

7 these agents doing?

8 A. Salespeople on the phone.

9 Q. Are you familiar with an entity called

10 Financial Freedom National, Inc.?

11 A. No.

12 Q. Are you familiar with an entity called

13 Institute For Financial Freedom, Inc.?

14 A. No.

15 Q. Are you familiar with an entity called

16 Marine Career Institute Sea Frontiers, Inc.?

17 A. No.

18 Q. Are you familiar with an entity called 321

19 Loans?

20 A. That I have heard.

21 Q. What do you know about 321 Loans?

22 A. Nothing, but I have heard or seen the name.

23 Q. Where have you heard or seen the name 321

24 Loans?

25 A. Well, most of it is from the

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1 interrogatories.

2 Q. Besides whatever you have heard in the

3 course of this litigation, did you ever hear of 321 Loans

4 before that?

5 A. I heard the name brought up, but I have no

6 idea what it's about.

7 Q. Are you familiar with a company called

8 InstaHelp America?

9 A. No.

10 Q. Are you familiar with a company called

11 Helping America Group?

12 A. I have heard the name brought up, but I

13 don't know much about it.

14 Q. In what context did you hear about this

15 company?

16 A. Just heard the name brought up, period.

17 Q. By whom?

18 A. I don't remember. I just remember hearing

19 it, hearing the name.

20 Q. Was this one of the entities that you were

21 providing work for when you were working with Jeremy's

22 companies?

23 A. I don't remember.

24 Q. United Financial Support, are you familiar

25 with that entity?

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1 A. No.  
2 Q. How about Breeze Financial Solutions?  
3 A. I just know the name. I don't know  
4 anything about it.  
5 Q. I think you were director for that company?  
6 A. Yes.  
7 Q. Do you know if you were a director for any  
8 of Jeremy's other companies besides Breeze Financial  
9 Solutions?  
10 A. I have no idea.  
11 Q. Are you familiar with an entity called  
12 Credit Health Plan?  
13 A. No.  
14 Q. Are you familiar with an entity called  
15 Credit Specialists of America?  
16 A. No.  
17 Q. Are you familiar with an entity called  
18 American Advocacy Alliance?  
19 A. No.  
20 Q. Are you familiar with an entity called  
21 Associated Administrative Services?  
22 A. No.  
23 Q. Are you familiar with an entity called  
24 InstaHelp America?  
25 A. No.

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1 Q. Are you familiar with an entity called US  
2 Legal Club?  
3 A. I've heard it, but I don't know anything  
4 about it.  
5 Q. In what context did you hear US Legal Club?  
6 A. I just heard the name brought up, but that  
7 was about it.  
8 Q. Was this when you were at the offices?  
9 A. Yes.  
10 Q. Are you familiar with Active Debt  
11 Solutions, LLC?  
12 A. No.  
13 Q. Are you familiar with Guardian LG?  
14 A. No.  
15 Q. Are you familiar with an entity called  
16 American Credit Security?  
17 A. No.  
18 Q. You are familiar with Paralegal Support  
19 Group. Correct?  
20 A. Yes.  
21 Q. What did Paralegal Support Group do?  
22 A. I don't know. I just know that it was one  
23 of Jeremy's companies, but I don't know what it did.  
24 Q. Didn't you work for it them?  
25 A. I got paid from them, but, as far as

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1 knowing what they were doing, I thought that was how he  
2 paid his payroll.  
3 Q. When you were working, who did you think  
4 you were working for if it wasn't Paralegal Support  
5 Group?  
6 A. I figured -- thought I was working for him,  
7 but I figured it was his payroll company because that's  
8 how we got paid so that's what I figured it was.  
9 Q. But, when you were talking to the consumers  
10 and doing the verification and lead process, were you  
11 representing to them you were from Paralegal Support  
12 Group?  
13 A. It's been a while. I don't remember what  
14 company I was saying.  
15 Q. Were you providing services for a company  
16 other than Paralegal Support Group?  
17 A. Not that I know of.  
18 Q. Are you familiar with an entity called  
19 Associated Administrative Services?  
20 A. No.  
21 Q. Are you familiar with a company called  
22 Viking Management Services?  
23 A. No.  
24 Q. Are you familiar with Cockburf and  
25 Associates?

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1 A. I heard the name, but don't know anything  
2 about it.  
3 Q. But you opened up bank accounts for that  
4 entity?  
5 A. Yes.  
6 Q. How about are you familiar with Omni  
7 Management Partners, LLC?  
8 A. Yes.  
9 Q. What do you know about that entity?  
10 A. I don't know anything about it other than  
11 it was Jeremy's company that he started initially, I  
12 think.  
13 Q. Do you know what that company did?  
14 A. No.  
15 Q. Are you aware of any assets for that  
16 company?  
17 A. No.  
18 Q. Are you familiar with Discounting  
19 Marketing, LLC?  
20 A. No.  
21 Q. Are you familiar with JIM JP, LLC?  
22 A. No.  
23 Q. Other than the bank accounts you opened up  
24 for it?  
25 A. No. That was it.

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1 Q. Are you familiar with an entity called  
2 Nantucket Cove of Illinois?  
3 A. No.  
4 Q. Are you familiar with a entity called Half  
5 Pay NV, LLC?  
6 A. No.  
7 Q. Are you familiar with an entity called HP  
8 Properties Group, Inc.?  
9 A. No.  
10 Q. Are you familiar with an entity called HP  
11 Media, Inc.?  
12 A. I think I had to a wire from that account  
13 from Bank of America for him for something. I don't  
14 remember what, but I don't know what its about.  
15 Q. "Him" being Jeremy?  
16 A. Yes.  
17 Q. Other than the wire you don't know anything  
18 else about that company?  
19 A. No.  
20 Q. Are you familiar with an entity called Blue  
21 42, LLC?  
22 A. No.  
23 Q. Does Jeremy have any brothers?  
24 A. Yes.  
25 Q. And who are Jeremy's brothers?

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1 A. James, that's his older brother lives in  
2 California and Zachary who is his younger brother who  
3 lives with me.  
4 Q. Do you have any personal knowledge about  
5 Jeremy acquiring for James a piece of property in Culver  
6 City, California?  
7 A. No. I don't have any specific knowledge.  
8 Q. Were you aware that in September of 2016  
9 Jeremy purchased for his brother James a property in  
10 Culver City, California, worth about \$497 thousand?  
11 A. All I was aware of was Jeremy was helping  
12 him get a place and then as soon as James was getting a  
13 mortgage to be able to, you know, pay him back which  
14 Jimmy -- James got the mortgage but don't know anything  
15 else.  
16 Q. Do you know if Jeremy was providing any  
17 support to James?  
18 A. No.  
19 Q. What does James do?  
20 A. He works for one of the studios there doing  
21 digital media and animation. Initially, he was doing it  
22 for movies like the movie HOP and those movies and now  
23 he's doing games, like Nintendo games and stuff.  
24 MR. GARNO: Let's take a two minute break.  
25 I think I might be about done. Thanks.

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1 (Short break)  
2 Q. Mr. Marcus, if I could direct your  
3 attention back to Exhibit 23.  
4 A. Okay.  
5 Q. Do you have that?  
6 A. Yes.  
7 Q. That's the text message between your son  
8 and yourself in July about this seventy thousand dollars?  
9 A. Right.  
10 Q. I think even before I showed you Exhibit 23  
11 you had indicated there was an e-mail about that seventy  
12 thousand dollars. Do you recall that testimony earlier  
13 today?  
14 A. Yes. It was either a text or e-mail.  
15 Q. Since this filing of the FTC lawsuit  
16 against your son Jeremy have you and Jeremy specifically  
17 talked about this text?  
18 A. No.  
19 Q. So how did you recall the specific text  
20 message?  
21 A. No. Actually, I just remembered the money.  
22 Q. I think you testified that after you  
23 received this text in July of 2016 that you brought  
24 Jeremy the cash that you had along with the packages?  
25 A. Right.

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1 Q. And how did you know to bring the packages  
2 based upon this text?  
3 A. I just did. He didn't tell me to, I just  
4 did. I figured since that was all the cash, I figured he  
5 would want his packages, too, so I brought everything  
6 over.  
7 Q. You agree that your son specifically asked  
8 you to bring seventy thousand dollars, does he not?  
9 A. Yes.  
10 Q. If it was all the cash, why didn't he just  
11 say, Dad, bring me all the cash in the safe?  
12 A. I don't know. I guess because he knew  
13 seventy thousand was in there.  
14 Q. Was there ever a point in time where you  
15 were holding more than seventy thousand dollars?  
16 A. No.  
17 Q. Since the FTC's lawsuit have you and Jeremy  
18 spoken about the whole thing of the cash that you did for  
19 him?  
20 A. Not that I know of.  
21 Q. I direct your attention back to Exhibit 20,  
22 the cashiers check.  
23 A. Okay.  
24 Q. I believe you testified that around this  
25 time period, which would be May 15, 2017, Jeremy had

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1 closed down an account, provided you this money, that you  
2 were then going to put into a Half Pay account.  
3 A. Close out a Half Pay account, I think, in  
4 Bank of America and he wanted me to open up a Half Pay  
5 account in Palm Beach County Bank.  
6 Q. So he wanted you to use this \$255 thousand  
7 to help open up an account?  
8 A. Right.  
9 Q. Let me show you what I have marked as --  
10 it's going to be Exhibit 27. It's a composite document.  
11 (Exhibit No. 27, Five-page compendium of  
12 documents, was marked for Identification.)  
13 A. Except I never deposited it there because I  
14 brought it down to the receiver.  
15 Q. Exhibit 27 is a compendium of documents  
16 five pages long?  
17 A. Yep.  
18 Q. I want to address your attention to the  
19 first page of Exhibit 27. You will see that there is a  
20 check payable to Half Pay International, LLC, from  
21 Primary Title Agency, LLC, Check No. 33512 for the amount  
22 of \$255 thousand. Do you recognize that check?  
23 A. Yes.  
24 Q. And I believe you endorsed it for deposit  
25 only which appears at the bottom of the first page?

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1 A. Right.  
2 Q. And if you look at the second page it  
3 appears to be a bank statement for Half Pay  
4 International, LLC. Do you see that?  
5 A. Right.  
6 Q. That's for the account 2013910. Correct?  
7 A. Correct.  
8 Q. And that's the same account that appears on  
9 your endorsement on the first page?  
10 A. Right.  
11 Q. And this is an account statement for the  
12 period of March 30, 2017, to March 31st, 2017. Do you  
13 see that?  
14 A. Right.  
15 Q. And it reflects that on March 31st, 2017,  
16 the check for \$255 thousand was deposited into this Half  
17 Pay account. Do you see that?  
18 A. Correct.  
19 Q. I want to direct your attention to the next  
20 page of Exhibit 27. You recognize your signature that  
21 appears there as an authorized signature?  
22 A. Yes.  
23 Q. And this is a document with Palm Beach  
24 community bank is it not?  
25 A. Correct.

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1 Q. And it is -- what's the date?  
2 A. May 11?  
3 Q. May 11, 2017. Correct?  
4 A. Correct.  
5 Q. And it looks like that you had requested a  
6 wire from the Half Pay International account at Palm  
7 Beach Community Bank?  
8 A. Right.  
9 Q. And the wire was going to go to your Title  
10 One Compliance, Inc., account?  
11 A. Correct.  
12 Q. So you wired on May 11, 2017, the \$255  
13 thousand from the Half Pay International, LLC, account to  
14 your Title One Compliance, Inc., account?  
15 A. Yep, and then Jeremy changed his mind and  
16 contacted me he wanted it to go back. So it was going  
17 back and forth.  
18 Q. So the wire -- this May 11, 2017, wire,  
19 that you instituted out of the Half Pay account is based  
20 upon a request that Jeremy had made of you?  
21 A. Yes.  
22 Q. So sometime in 2010-2011 Jeremy had  
23 requested you wire the \$255 thousand out of the account?  
24 A. Right.  
25 Q. And you followed his instructions and went

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1 to the bank that day or the following day?  
2 A. Right.  
3 Q. And then the money was, ultimately, wired  
4 into your Title One?  
5 A. And then he changed his mind and said, no,  
6 take it out and bring it back. So I had the cashiers  
7 check made out and I was in the process of bringing it  
8 back and he called me, "no, bring it over to my office to  
9 give it to a receiver there." So I went over to the  
10 office and brought it to the receiver.  
11 Q. Okay. Take a look at Page 4 of Exhibit 27.  
12 Is that your signature that appears on that checking  
13 transaction?  
14 A. Yeah.  
15 Q. And that was what you gave to Palm Beach  
16 Community Bank to initiate the \$255 thousand wire out of  
17 Half Pay International's account. Correct?  
18 A. Right.  
19 Q. And this was based upon the instruction  
20 that was provided to you at that time by your son Jeremy.  
21 Correct?  
22 A. Right.  
23 Q. This is all happening the same day?  
24 A. Yeah.  
25 Q. Because I notice it's late in the day?

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1 A. No it's all happening in the same day he  
2 was changing his mind back and forth.  
3 Q. So the morning of the 11th, Jeremy calls  
4 you and says, dad, I need you to take the \$255 thousand  
5 out of the Palm Beach Community Bank Half Pay  
6 International account and wire it to your Title One  
7 Compliance bank account?  
8 A. Right.  
9 Q. After you get that instruction from Jeremy  
10 on May 11 in the morning?  
11 A. Right.  
12 Q. You go in the afternoon oave to Palm Beach  
13 community bank. Correct?  
14 A. Correct.  
15 Q. And that's when you institute the wire at  
16 Jeremy's direction?  
17 A. Correct.  
18 Q. To basically transfer those moneys into  
19 your account?  
20 A. Correct. And then he changed his mind and  
21 then I had the cashier check made out so I was going to  
22 go back over there where he said -- and then he changed  
23 his mind again and I brought it over to Ft. Lauderdale to  
24 the receiver.  
25 Q. Take a look at the last page of Exhibit 27.

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1 Do you recognize your signature at the bottom there?  
2 A. Yeah.  
3 Q. And what's the date of this document?  
4 A. Looks like -- is that the 12th?  
5 Q. This is the day after you had wired the  
6 money out of the account into your account at Jeremy's  
7 direction?  
8 A. Yep.  
9 Q. And why did you go in and close out the  
10 account on May 12, 2017, for Half Pay International, LLC,  
11 at Palm Beach Community Bank?  
12 A. Because that was all the money that was in  
13 the account and instead of sitting there open and not  
14 closed and being charged bank fees we closed it.  
15 Q. So let's back up here. So that when you  
16 transferred out the \$255 thousand, to be precise, the  
17 \$255,054.67 on May 11, 2017, at Jeremy's direction out of  
18 the Half Pay International, LLC, account that wiped out  
19 that account out to a zero balance?  
20 A. Yeah, as far as I remember.  
21 Q. So why the following day did you go in and  
22 close out the account on May 12?  
23 A. Because I was talking to the person over  
24 there and they said that if I didn't close it out he can  
25 keep getting bank charges, so --

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1 Q. Who were you talking to over at Palm Beach  
2 Community Bank?  
3 A. I don't remember the person's name, but  
4 when they said that I said, okay, then let's just close  
5 it so he doesn't have bank charges with no money in  
6 there.  
7 Q. So now at Jeremy's direction on the 11th  
8 you go and basically clean out avenue Half Pay  
9 International, LLC, account at Palm Beach Community Bank.  
10 Correct?  
11 A. Right.  
12 Q. And the moneys are transferred to your TD  
13 Bank Title One Compliance Company account?  
14 A. Right.  
15 Q. So --  
16 A. Then he told me to take it out and put it  
17 back and before I got there he said no bring it over to  
18 Ft. Lauderdale to the receiver so I said okay.  
19 Q. So let's talk about those conversations.  
20 After he directs you to transfer the money out of the  
21 bank account into your account on May 11 --  
22 A. Right.  
23 Q. -- what does Jeremy then tell you to do  
24 with those funds? First conversation because you are  
25 telling me there are multiple conversations after this

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1 occurred.  
2 A. He kept changing his mind on where to put  
3 it.  
4 Q. Let's talk about the first time he asked  
5 you to put it somewhere. Where did he tell you to put  
6 it?  
7 A. Initially, I guess it was putting it to my  
8 account and then he changed his mind and wanted it back  
9 in the account and before I got back to the bank he said,  
10 no, bring it to the office, there was a receiver at the  
11 office, so I brought the receiver the cashiers check.  
12 Q. So after you make the transfer into your  
13 account and Jeremy tells you he want you to put it back  
14 into the Palm Beach Community Bank on the 11th?  
15 A. Yes.  
16 Q. If Jeremy wanted you to transfer the moneys  
17 back into the Palm Beach account after May 11 why did you  
18 go in and close the account on the 12th?  
19 A. Because that's when he decided to bring it  
20 over to the -- you know, bring the money over to the  
21 receiver so instead of leaving the account with zero and  
22 then he's going to accrue, you know, bank charges I  
23 closed the account so it wouldn't accrue bank charges.  
24 It makes sense.  
25 Q. So he had -- when did he tell you he wanted



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1 you to put it back into the Half Pay account at Palm  
2 Beach County?  
3 A. Right after I wired it, what he said to do  
4 the first time. He was driving me a little bit crazy  
5 that day.  
6 Q. So all of these conversations are happening  
7 on May 11?  
8 A. Yeah.  
9 Q. And so he calls you, tells you to put it  
10 back into the account, then he says, no, don't put it  
11 back in the account, then do what?  
12 A. Bring it over to his office and hand it to  
13 the receiver.  
14 Q. So then four days later you went and you  
15 got the cashiers check, Exhibit 20?  
16 A. No. It didn't take me that long.  
17 Q. Take a look at the date on the check. It's  
18 Exhibit 20.  
19 A. That's the 11th.  
20 Q. Yep, it is. You wire the money out into  
21 your account on the 11th. Correct?  
22 A. Yes.  
23 Q. What date was the date on the cashiers  
24 check out of your Title One Compliance?  
25 A. Where is it?

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1 Q. Look at Exhibit 20. Look at the cashiers  
2 check, the date on the cashiers check.  
3 A. The date on the cashiers check was the  
4 11th.  
5 Q. Look at Exhibit 20, sir. You are looking  
6 at Exhibit 27.  
7 A. Oh, sorry.  
8 Q. It's right in front of you.  
9 A. All right. Okay. So that's when he told  
10 me to get the cashiers check and put it back into there  
11 or bring it over to the receiver, I should say.  
12 Q. So the 15th is when he had this  
13 conversation with you?  
14 A. Yeah, I thought it was the same day, but it  
15 wasn't. Because whatever day he told me to do it, that's  
16 when I went in and did it, so that's the date that would  
17 be on there.  
18 Q. Other than returning the funds to the Half  
19 Pay account at Palm Beach Community Bank or returning the  
20 funds to the receiver, did Jeremy during this three or  
21 four day time period ever indicate to you any other place  
22 that he wanted you to put those funds?  
23 A. No.  
24 Q. Now, when he spoke to you on the morning of  
25 the 11th and wanted you to, basically, clean out the Half

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1 Pay International, LLC, account at Palm Beach Bank and  
2 place them in your account at TD Bank, did he tell you  
3 why?  
4 A. No.  
5 Q. Prior to that time period had he ever  
6 transferred any funds like that to your account?  
7 A. No.  
8 Q. That was the first time?  
9 A. Yes.  
10 Q. Prior to this time period were the only  
11 other transfers into your account were your monthly  
12 support that you received?  
13 A. That was it. I didn't know what was going  
14 on or what was happening I was just doing what he asked  
15 me to do.  
16 Q. Up to that point in time had you talked to  
17 Jeremy about the FTC?  
18 A. I wasn't aware of anything going on with  
19 the FTC until he said bring it to Ft. Lauderdale and  
20 bring it to the receiver and I said, "What's the  
21 receiver" and he explained what was going on and I  
22 brought it down there.  
23 Q. So this was the 15th?  
24 A. Yeah, the day that I made out the cashier  
25 checks.

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1 Q. Now, did Jeremy give you the direction to  
2 deliver the cashiers check which is marked which is  
3 marked Exhibit 20 before or after you closed out the  
4 account at Palm Beach Community Bank?  
5 A. He had to have told me afterwards, yeah,  
6 because that's why because I closed out the account after  
7 I took out the money for him.  
8 Q. So he told you after the 12th that he  
9 wanted you to deliver the check to the receiver.  
10 Correct?  
11 A. He told me on the 15th. That's when I went  
12 down there, got the check and brought it over.  
13 Q. So the 15th was the first time that you  
14 were aware that you were supposed to deliver these funds  
15 to the receiver?  
16 A. Correct.  
17 Q. And on the 11th you were told by Jeremy to  
18 place the funds in your account at TD Bank?  
19 A. Correct.  
20 Q. And then Jeremy told you he wanted you to  
21 return the funds to the Half Pay account?  
22 A. Right, but I had already closed out the  
23 account and, before I even got down there, he said, no,  
24 just bring it over to the office.  
25 Q. Before you got down where?



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1 A. To the bank to see about putting it back in  
2 the account at Palm Beach County Bank. Initially that's  
3 what he wanted me to do and then he changed his mind  
4 while I was on the way down there and said, no, bring it  
5 to my office and give it to the receiver.  
6 Q. You would agree with me by the 12th three  
7 days before this conversation you had closed the account?  
8 A. Yes. I closed it out after I took the  
9 money out of there.  
10 Q. How could you possibly return the moneys  
11 after the 12th into an account that you closed?  
12 A. You can't.  
13 Q. So what are we talking about here?  
14 A. It would have meant opening up another  
15 account since I couldn't put in it a closed account; but,  
16 like I said, he told me to go ahead and bring it down and  
17 I did.  
18 Q. Which is the 15th?  
19 A. And that's when I made out the check.  
20 Q. All right. So, when you told Jeremy after  
21 the 12th, you said, "Jeremy, I simply can't put it back  
22 in the Palm Beach Community Bank account because I closed  
23 it out," what did he tell you then?  
24 A. He thought I'd still be able to and --  
25 Q. Deposit money into a closed account? How

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1 would you be able to do that?  
2 A. No. He thought we would probably be able  
3 to reopen it, but --  
4 Q. So when did you go to Palm Beach Community  
5 Bank to reopen this account you closed on the 12th?  
6 A. I never made it down there to do that. I  
7 made it to the receiver.  
8 Q. So on the 15th did you begin to put in the  
9 process of reopening the Palm Beach Community Bank  
10 account?  
11 A. No. He told me initially on the 15th,  
12 okay, go put it back in there and, then, on the way down,  
13 he said, no, bring it down to the office.  
14 Q. So it was on the 15th that you told him you  
15 had already closed the account down?  
16 A. I don't remember which day I told him I  
17 closed it, but it was closed.  
18 Q. Let's take a look at the documents. You  
19 certainly went into the bank on the 11th and initiated  
20 this wire transfer at Jeremy's direction?  
21 A. Right.  
22 Q. No dispute about that. And then on the  
23 12th you closed out that very same account because --  
24 A. Correct.  
25 Q. -- you wanted to save all the fees you have

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1 talked about today?  
2 A. Right.  
3 Q. On the 11th you testified a couple of times  
4 that Jeremy had told you that he wanted the money in the  
5 account and then you were supposed to put it back into  
6 the account at Palm Beach Community Bank?  
7 A. I thought it was the same day, but it  
8 wasn't.  
9 Q. Did Jeremy tell you to close out the  
10 account on the 12th?  
11 A. I don't remember if he told me to, but --  
12 or I took it upon myself, I'm not sure, but I closed it  
13 being that there was no money in there.  
14 Q. Let me ask you a question: These are all  
15 bank accounts that you opened as your son's direction.  
16 Correct?  
17 A. Correct.  
18 Q. Every single transaction that occurred in  
19 those accounts were at your son's direction?  
20 A. Correct.  
21 Q. And so did your son tell you to close out  
22 the account?  
23 A. I think he did but I'm not a hundred  
24 percent sure.  
25 Q. Have you ever done anything as it relates

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1 to all these accounts that you opened up for your son  
2 that weren't at his direction?  
3 A. Not that I remember.  
4 Q. So would it be safe to assume that on the  
5 12th he had told you to close out this account?  
6 A. It's possible.  
7 Q. So then why on the 15th was he telling you  
8 to put the money back into Palm Beach Community Bank?  
9 A. I don't know what he was thinking.  
10 Q. Well, what did you say when he told you to  
11 put it back into the account that he had just told you to  
12 close?  
13 A. I said I can go see if they will reopen it  
14 or whatever, but before then is when I ended up going  
15 down there to Ft. Lauderdale.  
16 Q. So had you already had this cashiers check  
17 issued by TD Bank?  
18 A. I had done that the same day he told me to  
19 go ahead and see if I can reopen the account or whatever;  
20 but then, at the same time, he changed his mind again.  
21 Q. Okay. So you get the cashiers check which  
22 is Exhibit 20 and you are talking to Jeremy about what to  
23 do with it and he tells you try to put it back into palm  
24 peach bank?  
25 A. Uh-huh.

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1 Q. And then you are making your way with this  
2 cashiers check and you are going to go redeposit and try  
3 to reopen up the account?  
4 A. Right.  
5 Q. And then he calls you back and says, "Never  
6 mind, I want you to bring it down to the receiver"?  
7 A. Correct.  
8 Q. Why did Jeremy tell you to close the  
9 account down on the 12th?  
10 A. I don't know.  
11 Q. And you never asked Jeremy, "Why are you  
12 putting \$255 thousand in my account for the first time  
13 ever?"  
14 A. Well, I knew it wasn't for me. I knew that  
15 that was his money. I didn't know what he planned to do  
16 it, you know, I just did what he asked me to do.  
17 MR. GARNO: I might be finished. I need to  
18 look at one document. Let's see if we can get  
19 this wrapped up.  
20 (Short break)  
21 Q. Are you aware in the FTC versus Marcus case  
22 that the court entered a temporary restraining order?  
23 A. On Jeremy are you talking about?  
24 Q. Are you aware that in the FTC versus Jeremy  
25 Marcus case the court entered a temporary restraining?

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1 A. And I'm asking: Are you talking about with  
2 Jeremy, a restraining order with Jeremy? Or what are you  
3 talking about?  
4 Q. Just an order that was entered in the case?  
5 A. Who is the order on? That's what I'm  
6 asking.  
7 Q. Let me ask you: What was the first  
8 document that you received from the FTC versus Marcus  
9 case?  
10 A. I don't remember.  
11 Q. You don't remember what the first document  
12 was you got?  
13 A. Not offhand.  
14 Q. Was it a copy of the complaint, copy of the  
15 temporary restraining order?  
16 A. I don't remember.  
17 Q. Weren't you served by mail a copy of the  
18 temporary restraining order?  
19 A. I received a lot of things by mail and I'm  
20 asking if the restraining order, are you talking about  
21 the restraining order on Jeremy?  
22 Q. Jeremy amongst others.  
23 A. Who else?  
24 Q. Well, in May of this year you were provided  
25 a copy of that temporary restraining order, were you not?

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1 A. I might have been. I don't remember.  
2 There's been so many copies of things that are sent to  
3 me. I have gotten books from you guys.  
4 Q. Why don't we talk about what you got in  
5 May. Were you getting books of stuff in May relating to  
6 this case?  
7 A. No, but I got stuff in the mail.  
8 Q. What did you get in May before you became a  
9 party in the case?  
10 A. I don't remember offhand.  
11 Q. Did you get a copy of the complaint?  
12 A. I think I did.  
13 Q. Did you get a copy of the temporary  
14 restraining order that was issued the same day the  
15 complaint was filed?  
16 A. I don't remember if I did or not.  
17 Q. Do you remember Ms. Harmon providing you a  
18 copy of a temporary restraining order?  
19 A. Right offhand, as I said, I don't remember.  
20 Q. Besides the web, have you gotten a copy of  
21 it?  
22 A. I don't remember if I did or not.  
23 Q. Did there ever come a point in time where  
24 you became aware that the court entered an order in this  
25 case freezing the assets of Jeremy and all of his various

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1 companies?  
2 A. I was aware of that.  
3 Q. How did you become aware of that?  
4 A. That was part of the complaint, wasn't it,  
5 that they were saying that you were doing that with all  
6 of his companies?  
7 Q. When did you become aware that there was an  
8 asset freeze that had been issued by the court?  
9 A. With one of the papers that you guys had  
10 sent.  
11 Q. And what paper was that?  
12 A. I don't remember offhand.  
13 Q. When was it sent?  
14 A. Like I said, I don't remember offhand.  
15 Q. And was it sent to you the 6436 Grand  
16 Cypress Circle address?  
17 A. If it was sent there then yeah I would have  
18 received it but I don't remember the paper.  
19 Q. Did Jeremy ever talk to you about any gold  
20 that he had?  
21 A. No.  
22 Q. Did Jeremy ever discuss with you any  
23 contingency plans that he had regarding hiding or  
24 secreting assets?  
25 A. Not that I can remember.

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1 Q. Did he ever just talk to you about, like,  
2 an escape hatch plan or Armageddon plan that he had to  
3 protect the assets that he had gathered based upon his  
4 enterprise?  
5 A. Not that I can remember.  
6 Q. Did he ever have any discussions with you  
7 about hiding assets from other parties?  
8 A. Not that I can remember.  
9 Q. Did he ever discuss with you in the context  
10 of all of these various documents that you were signing  
11 on his behalf as trustee for all of these assets and  
12 business trusts and bank accounts that this was a way for  
13 him to obfuscate his interest in those assets or moneys?  
14 A. No.  
15 Q. So you just signed everything he gave you  
16 and you didn't ask any questions?  
17 A. I was going by blind faith being it was my  
18 son; if it was somebody else, that would have been a  
19 different story.  
20 Q. If it was somebody else what would you have  
21 thought about it?  
22 A. Then I would have looked at more things,  
23 but being it was my son I went by blind faith and did  
24 what he wanted.  
25 Q. Did you ever ask why he was doing this

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1 stuff?  
2 A. Not really, because it was his business.  
3 Q. But he was making it your business, wasn't  
4 he?  
5 A. Not really. I just felt I was helping him  
6 out what he needed so it was fine.  
7 Q. You are opening bank accounts, transferring  
8 millions of dollars at his direction. Right?  
9 A. Right.  
10 Q. And you were signing all these documents  
11 blindly making you the owner of corporations all over the  
12 country?  
13 A. That I wasn't aware of. I just thought,  
14 like he said, I was a trustee, God forbid anything  
15 happened to him.  
16 Q. You saw today he was making you director of  
17 companies you knew nothing about?  
18 A. Yes.  
19 Q. He made you trustee of a trust you knew  
20 nothing about and didn't do anything for?  
21 A. Right.  
22 Q. Did you ever ask him, "Why didn't you hold  
23 this property in your name?"  
24 A. I figured he had a reason and I didn't ask.  
25 I figured it was his business and I didn't ask him. If

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1 it was a stranger, that would have been a different  
2 story. I would have handled things totally different.  
3 Q. How?  
4 A. If it was a stranger, then I would have  
5 looked at the things deeply and I wouldn't have just gone  
6 by blind faith. But it was my son so I just took it on  
7 blind faith and I did whatever he wanted done.  
8 Q. Let me ask you a question: What did Jeremy  
9 do that if it was a stranger that you would have taken a  
10 harder look at?  
11 A. Anything. When it comes to paperwork, if  
12 it was a stranger, I always look at it. But, you know,  
13 my son, I just took it, well, whatever he needed, if he  
14 needed that help, then fine.  
15 Q. Do you know any significant assets that  
16 your son has?  
17 A. No.  
18 Q. Let me show you what we have marked as  
19 Exhibit 28.  
20 (Exhibit No. 28, Series of texts from  
21 September 28, 2016, was marked for  
22 Identification.)  
23 Q. I show you what's been marked as Exhibit  
24 28. These are text exchanges we were able to retrieve  
25 from your son's cell phone. You will see there is a

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1 series of texts between you and your son from September  
2 28, 2016. Do you see that?  
3 A. Right.  
4 Q. You will see that you, at 3:52, wrote to  
5 Jeremy:  
6 I just spoke with the attorney and he said  
7 he wouldn't recommend me doing what you asked. Let me  
8 know what you want to do. Love dad.  
9 Did I read that correctly, your text  
10 message to your son correctly?  
11 A. Yeah. I don't know what it was in context  
12 with.  
13 Q. During that time period what was Jeremy  
14 asking you to do that resulted in you consulting with an  
15 attorney?  
16 A. I don't know because that's right about the  
17 time of my ex-wife walked out on our son, myself, and our  
18 house and all so I don't know what it would have been  
19 about.  
20 Q. Actually, I think we looked at papers  
21 earlier that your divorce was finalized in September os  
22 2016.  
23 A. That's when it was finalized, but she  
24 walked out on us in September.  
25 Q. No. You testified your divorce was

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1 finalized in March of 2016 so --  
2 A. Wait a second.  
3 Q. Wrong year?  
4 A. Wrong year.  
5 Q. We are in 2016.  
6 A. I'm looking at 2015. I'm sorry.  
7 Q. Let's get to the right year. So at this  
8 point in time we are not talking about a divorce lawyer,  
9 are we?  
10 A. Right, no.  
11 Q. Question remains: What did Jeremy ask you  
12 to do in September 2016 that resulted in you talking to a  
13 lawyer and determining that you shouldn't be doing what  
14 he was requesting?  
15 A. I have to say I don't remember. I don't  
16 know.  
17 Q. Let me ask you a question: Was it common  
18 place for Jeremy to ask you to do things that required  
19 you to speak to a lawyer?  
20 A. Not normally, other than his own attorney.  
21 I don't remember what this is in context with.  
22 Q. Let me ask you a question. Reasking it:  
23 Was it commonplace for Jeremy to ask you things to do  
24 that resulted in you speaking with a lawyer who indicated  
25 that you shouldn't do what Jeremy recommended you do --

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1 what he suggested you do?  
2 A. No. That's not the norm.  
3 Q. That's not the norm. Do you recall what  
4 attorney you spoke to?  
5 A. No.  
6 Q. Do you recall --  
7 A. I don't even remember this whole situation  
8 here.  
9 Q. Well, take a look at what Jeremy's response  
10 was to your text. He wrote to you on the 28th:  
11 If he doesn't recommend that you are in  
12 trouble because you are currently doing that with the  
13 other company.  
14 Did I read his text to you correctly?  
15 A. Yeah, but I don't understand the context of  
16 it. I don't remember what it was about.  
17 Q. Okay. But on the 28th your son told you  
18 you were in trouble because you were doing something  
19 based upon what you had told him. Correct?  
20 A. I don't remember what the situation was  
21 about.  
22 Q. You don't remember in September of this  
23 year?  
24 A. You mean last year.  
25 Q. Last year, excuse me, I apologize.

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1 A. We are both mixing up our years. No, I  
2 don't remember.  
3 Q. Even though your son at that point in time  
4 said you were in trouble because you were doing something  
5 that an attorney told you he wouldn't recommend you do  
6 and you don't recall what that was?  
7 A. No, I don't.  
8 Q. Was that something commonplace in your  
9 life? Has that happened to you more than once?  
10 A. No, but I don't remember what the situation  
11 or what this was about.  
12 Q. Do you recall what attorney you spoke to?  
13 A. I don't even remember the situation nor  
14 would I remember the attorney.  
15 MR. GARNO: Mr. Marcus, I don't have any  
16 further questions.  
17 THE WITNESS: Okay.  
18 MR. GARNO: You can read the deposition  
19 and, if there's any correction, there is something  
20 called an errata sheet you can fill out or you can  
21 waive reading it. But to the extent you make any  
22 changes to your transcript, we'll be able to see  
23 what those changes are.  
24 THE WITNESS: When would I receive that?  
25 MR. GARNO: You would have to go to the

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1 court reporter's office to do that.  
2 THE WITNESS: Okay.  
3 THE REPORTER: Will you be ordering?  
4 MR. GARNO: Yes.  
5 (The deposition was concluded at 4:53 p.m.)  
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C E R T I F I C A T E

- - -

The State of Florida,                    )  
 County of Miami-Dade.                )

I hereby certify that I have read the foregoing deposition by me given, and that the statements contained herein are true and correct to the best of my knowledge and belief, with the exception of any corrections or notations made on the errata sheet, if one was executed.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
 JACK MARCUS

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E R R A T A S H E E T

IN RE: FTC V. JEREMY MARCUS  
 DEPOSITION OF: JACK MARCUS  
 TAKEN: November 8th, 2017  
 U.S. LEGAL SUPPORT JOB NO. 1648874

DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE

PAGE #	LINE #	CHANGE	REASON
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Under penalty of perjury, I declare that I have read my deposition and that it is true and correct subject to any changes in form or substance entered here.

DATE: \_\_\_\_\_ SIGNATURE OF DEPONENT: \_\_\_\_\_


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DATE: November 21st, 2017

TO: JACK MARCUS  
 6436 Grand Cypress Circle  
 Lake Worth, FL 33463-7362

IN RE: FTC V. JEREMY MARCUS  
 CASE NO.: 17-60907-CIV-MORENO  
 DATE TAKEN: Wednesday, November 8th, 2017  
 U.S. LEGAL SUPPORT JOB NO. 1648874

The transcript of the above proceeding is now available for your review. Please call to schedule an appointment between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, at a U.S. Legal Support office located nearest you.  
 Please complete your review within a reasonable amount of time.

Sincerely,  
  
 MARGARET PHILLIPS, Court Reporter  
 U.S. LEGAL SUPPORT, INC.  
 One Southeast 3rd Avenue, Suite 1250  
 Miami Florida 33131

I do hereby waive my signature:  
 \_\_\_\_\_  
 JACK MARCUS

cc via transcript: GREGORY GARNO, Esquire

file copy


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THE STATE OF FLORIDA,                    )  
 COUNTY OF MIAMI-DADE.                )

C E R T I F I C A T E O F O A T H

I, the undersigned authority, certify that JACK MARCUS personally appeared before me on the 8th of November, 2017, and was duly sworn.

WITNESS my hand and official seal this 21st day of November, 2017.

  
 \_\_\_\_\_  
 MARGARET PHILLIPS, Court Reporter  
 Notary Public - State of Florida

November 08, 2017

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C E R T I F I C A T E

The State Of Florida,            )  
County Of Miami-Dade.         )

I, MARGARET PHILLIPS, Court Reporter and Notary Public in and for the State of Florida at large, do hereby certify that I was authorized to and did stenographically report the deposition of JACK MARCUS; that a review of the transcript was requested; and that the foregoing pages, numbered from 1 to 246, inclusive, are a true and correct transcription of my stenographic notes of said deposition.

I further certify that said deposition was taken at the time and place hereinabove set forth and that the taking of said deposition was commenced and completed as hereinabove set out.

I further certify that I am not an attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of party connected with the action, nor am I financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of the certifying reporter.

DATED this 21st day of November, 2017.

*Margaret Phillips*

MARGARET PHILLIPS, Court Reporter

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