

WITNESS STATEMENT

DATE: January 17, 2014

TIME: 10:45 AM

INTERVIEW OF: Michael R. Pinto Jr., [REDACTED]
[REDACTED]
[REDACTED]

INTERVIEW BY: Corporal Kenneth S. Buonaiuto
RI State Police

and

Assistant Attorney General J. Patrick Youngs III, Esquire
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PRESENT: Attorney J. Richard Ratcliffe (On Behalf of Mr. Pinto)
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LOCATION: RI Department of the Attorney General
Providence, RI

1. Q. Mr. Pinto, can you state your full name and spell your last?

A. Michael R. Pinto Jr., P-i-n-t-o.

2. Q. What is your date of birth?

A. [REDACTED]

3. Q. And your home address?

A. [REDACTED]

4. Q. And do you have a home number and a cell phone number?

A. Home number is [REDACTED] I have a company cell phone number, which is

[REDACTED] ait [REDACTED]

5. Q. Thank you. Are you presently employed?

A. Yes, I am.

6. Q. And who are you employed by?

A. SyNet Incorporated.

7. Q. And where are they located?

A. Warwick, Rhode Island.

8. Q. What is SyNet? What type of company is it? What do they do?

A. It's a technology company. We do wiring for networking, video security, access control.

9. Q. And how long have you been employed there?

A. Four years.

10. Q. So 2014 to 2010?

A. About that, yes.

11. Q. Okay. And in what capacity are you employed there; what is your job position?

A. I'm right as of now Project Manager.

12. Q. Okay. And have you always held that position since the beginning --

A. Nope, I was a technician.

13. Q. Okay.

A. And then was put in as a Project Manager.

14. Q. And how long were you a technician when you were first hired?

A. About a year.

15. Q. About a year, okay. And an estimate on when you became Project Manager, do you know?

A. It was March of two thousand – no, maybe – I don't remember.

16. Q. Okay, all right. And what would your duties be as a Project Manager working for SyNet?

A. Uh, overseeing projects that were given to us to make sure that, you know, we run the projects, make sure our guys are working; take care of just the projects, incidentals of, you know, telling when we need equipment to be ordered, cable, things like that --

17. Q. Okay.

A. ...make sure things are correct.

18. Q. And would most of that work be done on site or – on site, the job site, or would it be done back in the office at SyNet?

A. Both.

19. Q. Okay. And did -- does it include not only managing the labor for that job and materials, but would it also include any sort of financial managing for the job?

A. Well, we have a budget, we have to stay within the budget, of course, but that's about it.

20. Q. Okay. And as a Project Manager, once you get a budget internally, you're the one that manages that completely?

A. No. What we do is we, in other words, we like have an AIA, which is a requisition form, and we list everything on the AIA, whether it's materials, labor and everything like that; and then we would pass it, as progression of work, we'd say you know thirty percent of this was done, twenty percent of this done, then it goes up front to billing.

21. Q. Okay. And at the, the onset of the job, when you're – are you appointed as a --

A. Yes.

22. Q. ...Project Manager. Are there several Project Managers that work for SyNet?

A. There's three.

23. Q. Okay. So, I -- so you're assigned a particular job, I would assume, is that correct? And at -- and then what is the first, what is, what is the first step as the Project Manager, when you're assigned a job --

A. Soon as we're --

24. Q. Do you get a budget, an internal budget from somebody higher up than you or --

A. Yeah. Soon as the job is given to us, there's a quote that's already been out there, it's already been estimated; then a quote. They give us the quote number; we turn the quote number into a contract number. From the contract number, we take whatever budget's been given to us, and then we submit the budget up front to the accounting people --

25. Q. Okay.

A. ...and then from there, you know, we break it down and we have to work within that budget.

26. Q. Okay.

A. So if we come in low, we make money, or in my case we lose money.

27. Q. Okay.

28. Q. What do you mean in your case?

A. 'Cause I always lose money.

29. Q. Okay.

(LAUGHTER)

30. Q. And so let's go back to 2011. In 2011, if you can remember, did you have any, were you assigned as the Project Manager for 38 Studios?

A. I was taken -- the job was given to me after we had another Project Manager, Mike Rossi originally had the project --

31. Q. Um-hum.

A. ...and then he had left, and then they gave it to me.

32. Q. Okay. Well, was it on at the onset of the job or --

A. It was probably, I don't know, maybe two months into the job.

33. Q. Okay.

34. Q. Is that when you became a Project Manager?

A. No -- well, not really. I had little jobs before that. So it was probably maybe three months before that.

35. Q. And what size crew, if you can remember, did you have under you at SyNet working on the job?

A. I probably had 16 people --

36. Q. Sixteen.

A. ...at that particular job.

37. Q. All right. And were you, from that time that you took over 38 Studios as the Project Manager, did you complete that job?

A. Um-hum.

38. Q. Okay. Any idea of the cost of the job to, to, I should say, the final cost that --

A. No, final number --

39. Q. ...38 Studios paid SyNet?

A. No, I have no idea.

40. Q. Would you be able to tell by looking at any of your budget reports at all?

A. I don't know what their, came in went over. Again, I got a budgetary number to start the job --

41. Q. Okay.

A. ...and as they, I don't know, payments, I have no idea what goes on with that. I just submit them into the office.

42. Q. All right, okay.

43. Q. You mean payments from the customer?

A. From the customer, yeah.

44. Q. Okay. Now, and who was your direct contact, as the Project Manager working for SyNet at 38 Studio, would -- did you have a contact person within 38 Studios that you dealt with?

A. I dealt with, um, Rossi Electric John McDonough --

45. Q. Um-hum.

A. ...because we worked for Rossi, and all my, you know, whatever I did I'd have to tell McDonough and then McDonough would work up the chain.

46. Q. Okay. And could you describe the chain where --

A. Well, John McDonough, and then he would talk to Steve Nappa or Bill Bar -- Bill Barboza.

47. Q. And who are they?

A. They're from Nappa Construction. They were the general contractor of the job.

48. Q. Is John McDonough, is that "Johnny Mack"?

A. Yeah.

49. Q. All right.

50. Q. Okay. So, Nappa Construction is the general contractor, and they're, and they're

reporting directly to 38 Studios?

A. Correct.

51. Q. Okay. Do you know Michael Corso?

A. Not personally, I don't know him, but I know him from Tazza.

52. Q. Professional do you know him?

A. Just work. I'd ask him where he wanted speakers put in or things like that, but other than that train him how to use his DVR.

53. Q. Okay. So that was for Tazza, so your --

A. Um-hum.

54. Q. ...company actually worked on a job at Tazza?

A. Um-hum.

55. Q. All right, going back to 38 Studios, did you have any contact with him professionally with the 38 Studios job?

A. No.

56. Q. Did, did you have any knowledge that he had, that he had any relationship with 38 Studios?

A. I think he was the lawyer for 38 Studios.

57. Q. Why do you think that?

A. Uh, because at one time I needed to get, um, purchase order -- not purchase order, change proposals approved, and he approved them, he signed the slips, and he said he was a lawyer, so.

58. Q. Where was he when he did that; where were you?

A. Tazza, the restaurant.

59. Q. Tazza. How did you happen to know to bring it to him?

A. Steve Nappa told me to meet him down there and that's where to take it, 'cause him and Steve were there when that happened.

60 Q. Okay.

61. Q. Did you go to any meetings at 38 Studios or maybe not even at 38 Studios, could have been at SyNet, Rossi Electric or Nappa Construction, prior to actually being, prior to actually getting the 38 Studios job or --

A. No.

62. Q. Okay. 'Cause at that point you weren't the Project Manager.

A. Right. I didn't even know they were going after -- I didn't even know who Curt Schilling was, to be honest with you.

(LAUGHTER)

63. Q. Really?

A. Yeah.

64. Q. Come on!

A. I swear to God.

65. Q. Come on!

A. No clue.

66. Q. All right. Um, all right, so prior to --

67. Q. Not a baseball fan then, huh.

A. No.

68. Q. Prior to getting appointed the Project Manager, did you work on the job in any other capacity, the 38 Studios job?

A. I was always on site, making sure my guys did their thing.

69. Q. As a, as a what --

A. Project Manager.

70. Q. But pri --

71. Q. Before, before --

A. No.

72. Q. You said there was a couple months there that the job --

73. Q. When Mike Rossi --

A. When Mike was there, no. I may have been asked questions about security, where to place cameras and stuff, but nothing that I was part of the job.

74. Q. Okay. So your -- okay, very good. Okay, and at some point in time you said that SyNet was hired to do some work at Tazza --

A. Um-hum.

75. Q. ...is that correct? And in what -- did you work at/on that job?

A. I was on site, yes.

76. Q. Okay. And as the Project Manager?

A. Yes.

77. Q. Time frame on that, if you could kind of relate it to 38 Studios maybe?

A. Time frame on when we were there or when did it start?

78. Q. Well, when it started.

A. It was probably a month after 38, and I don't even remember when that started.

79. Q. So was 38 still going on when --

A. 38 just started, we were just starting to run cables at 38, doing that, and then they said:

Here's, go take care of Tazza, this is what we need to put in there.

80. Q. So you can be the Pro – were you the Project Manager of Tazza?

A. Um-hum.

81. Q. So, you're capable of being Project Manager of –

A. Multiple, multiple jobs.

82. Q. ...two projects?

A. More.

83. Q. That's, that's –

A. Yeah, that's common.

84. Q. I take it that's common.

A. Yeah.

85. Q. So -- and these two were actually relatively close to each other.

A. They were within each other; they were using the same job number, so, you know, I was at both of them.

86. Q. What do you mean "the same job number"?

A. We do things by job numbers. And when we list a job we have to give it a contract number, that's the job number.

87. Q. Yeah.

A. And 38 Studios and Tazza were under the same job number.

88. Q. Why, why is that?

A. Just the way it was ran, just what I was told to do.

89. Q. Is that normal?

A. No.

90. Q. Are you working two jobs now someplace? You don't have to tell me where, just –

A. I got three or four going now.

91. Q. Do they have three dif – three or four different numbers?

A. Um-hum.

92. Q. Is it uncommon for one job to be, have the same number as a different job?

A. Yeah, for different customers, yes.

93. Q. Yeah. Did you ever say 'What's up with his?'

A. Really not my concern, you know.

94. Q. I –

(LAUGHTER)

A. Y --

95. Q. That wasn't my question. I got a lot of things that are not of my concern. I, I, I, I spend my day that's not my concern, I spend my day saying 'What's up with this?'

A. If – no, if I'm asked to go do it and use the same job number, I just do what I'm told to do.

96. Q. Did you ever say to somebody: 'Hey, this is the same number; you sure it's the right number?'

A. No, no. They just said 'We're gonna go do some sound at Tazza, use the 38 number.'

97. Q. Who's "they"? Who said that?

A. Uh, Dana.

98. Q. Dana.

A. Um-hum.

99. Q. Did you ever say to Dana: Well, that's, that's a little odd?

A. No.

100. Q. Did you ever say that to Steve Nappa 'That's a little odd'?

A. No.

101. Q. Mike Corso?

A. No.

102. Q. Johnny Mack?

A. No.

103. Q. Anybody?

A. My guys.

104. Q. (Inaudible) –

A. ...Just said it was very odd.

105. Q. Yeah.

A. I just said: We're doing work, what job number do they use for their time sheet and I told them that job number.

106. Q. What'd you guys think about that?

A. Ha, ha, they're union guys, they don't care.

107. Q. Okay.

A. Wherever they work they get paid.

108. Q. Yeah.

109. Q. We're talking about them having the same job number. What does that mean to you of having the same, what does that cause to happen maybe financially or any other way?

A. Well, it's working off of the same budget.

110. Q. Okay.

A. So, whatever the budget is for 38 Studios, it was being pulled out of that budget.

111. Q. And not the other way around, Tazza's not paying for 38 Studios? You're telling us 38 Studios is paying for Tazza work?

A. Uh, yeah, because that's the way the budget was set up. In other words, we had the job number for 38 Studios, and then they say 'Go do Tazza,' it's running off the 38 Studio budget.

112. Q. Okay.

113. Q. So when you -- I'm not trying to put words in your mouth -- but when you're trying to stay within your budget like you always do in your 38 Studio, all of a sudden the work at Tazza's got to stay within that same budget, that's stretching the budget out a little bit I guess for you, from your perspective? I'm not --

A. Well --

114. Q. I'm assuming, I'm not trying to --

A. It's not stretching it out, it's just we got to refine it, stay in that same --

115. Q. Okay.

A. ...that budget.

116. Q. And Tazza's within that budget?

A. I don't know if it was within the budget --

117. Q. Okay.

A. ...because again at the end of the day I don't know, you know, how much overrun I do -- you know when I get yelled at I know you're over --

118. Q. Right.

A. ...you know, but, you know, the only thing I know is that they still owe us money and my ladder is there, was there.

119. Q. I heard about your ladder.

A. **My ladder's still there.**

120. Q. I heard somebody bought your ladder.

A. **...No, I don't think they did.**

121. Q. Really? Oh, okay.

A. **Maybe they did, but it still was my ladder that was left there.**

122. Q. Your personal ladder or --

A. **No.**

123. Q. Okay. A SyNet ladder?

A. **SyNet ladder.**

124. Q. Yeah.

A. **That has to come out of our inventory, it's just a pain.**

125. Q. You seem very attached to that ladder.

(LAUGHTER)

A. **I like that ladder.**

126. Q. All right.

127. Q. Can it be replaced?

A. **It probably has.**

(LAUGHTER)

128. Q. We're not here about --

A. **(Inaudible)**

129. Q. We're not here about the ladder.

130. Q. Going back to Tazza, the work that you performed you said it was -- did you say speaker

work?

A. We did sound and CCTV.

131. Q. Can you describe in detail a little bit more, like what do you mean by that?

A. We put speakers for music, and we did cam – closed circuit TV.

132. Q. Like two speakers or like --

A. Uh, I don't know, maybe 14 speakers.

133. Q. Okay.

A. Um, and, uh, one, two, six cameras, nine cameras maybe --

134. Q. Um-hum.

A. ...um, and a video recorder to record it, and a couple of amplifiers to do the sound.

135. Q. Now --

136. Q. Did -- I'm sorry -- did any of the material that you put into Tazza, the cable, the cameras, or anything, did any of that come from 38 Studio?

A. No, it was ordered for Tazza.

137. Q. Okay.

A. In other words, they were totally different 'cause --

138. Q. All right....

A. ...38 didn't do sound, so.

139. Q. Okay. (Inaudible) they had cameras and cable on there. I'm not an expert like you are.

A. No, there were two different systems. 38's was a very high-end system and Tazza was a very low-end system.

140. Q. Okay.

141. Q. Now, when you went into the Tazza, when you physically went into Tazza to start the job,

what was the, what did the, what did the restaurant look like? What condition was it in?

A. Uh, it was under renovation; there was really nothing in it.

142. Q. Completely stripped down to the --

A. Pretty much, yes.

143. Q. ...to the studs, that type of thing?

A. Uh, not to the studs, but it was there was nothing there, there was no tables, no bar, no nothing, you know. The ceiling was left, and that's where we dealt with all our cables was up in the ceiling.

144. Q. All right. And now you said that you had to work from a budget, do you have any idea what it actually the value of that job was or would have been in the market?

A. 38 or?

145. Q. No, Tazza?

A. Ugh --

146. Q. Let's say you came to my house or my, my, my commercial --

A. Maybe --

147. Q.building and I nee -- I wanted the same type of job, with your experience, could you tell me it would have been roughly this much, you know?

A. Maybe three-four thousand dollars.

148. Q. For the entire job?

A. Yeah, maybe. That's just a, a guess.

149. Q. Okay. All right. I'm gonna, if I can, I want to show you some documents and see if you can --

150. Q. Shall we switch seats?

152. Q. Yeah. See if you can kind of describe what they are that we're looking at.
153. Q. (Inaudible) Richard so you can see (inaudible).
(INAUDIBLE)
154. Q. ...make a copy.
155. Q. This particular document here it's dated January 13th, 2011. Do you recognize this?
(INAUDIBLE)
- A. That's my budget.
156. Q. Okay. Your budget for what?
- A. 38 Studios.
157. Q. All right. And looking up here it looks like there's a job number --
- A. Um-hum.
158. Q. ...C-11-0-11?
- A. Um-hum.
159. Q. Do you recognize that number?
- A. Yeah.
160. Q. Okay. You've seen it quite a few times?
- A. Wrote it many.
161. Q. Okay. And it looks like there's a total over here. Your budget was like \$298,058, is that correct?
- A. Yeah.
162. Q. All right. And what is this over here in the middle, expenses?
- A. Well, this is what's, um, Rossi Electric.
163. Q. Um-hum.

A. Payment on – I don't know, they had a line item in there for Rossi, I don't know why; um, shipping for the racks; parking, whatever they figure would cost the guys to park, they'd pay out of their pocket, they reimburse them; miscellaneous is a fund that Project Managers use for the things the estimator forgets; um, drawings/as built to do all the diagrams; and this is subcontractor, there wasn't any of them.

164. Q. This line item for Rossi Electric, \$30,638.90, you're not sure what that means?

A. To be honest, I wouldn't even question it, because if it's in here, it's in here because the guys up front put it in there for something, you know, and it's in this column the expense column. So –

165. Q. Um-hum.

A. ...my columns are the next after that which is all the material and everything that was priced out. Mostly I care about is the labor right here.

166. Q. And Rossi Electric did work on 38 Studios, right?

A. Um-hum.

167. Q. You actually worked --

A. We worked for them.

168. Q. ...for them. Does this – I mean when I look at this it almost makes me think like SyNet did some work for Rossi Electric and didn't – and that maybe the agreement was that they weren't gonna bill Rossi Electric directly so instead they would put it in here. And whether that was an agreement between Rossi Electric and SyNet (inaudible) --

A. I wo – yeah, I wouldn't know --

169. Q. Does that make sense at all or?

A. It could have been --

170. Q. But you're not sure?

A. To be honest with you, it was so long ago, ah, it could have been Rossi, uh -- I don't know.

171. Q. Okay. All right. Okay, I'm gonna turn the page, and it looks like the same date, January 13th, 2011. This one has a quote number, it is the same as the first, Q-11-0-12.

A. Twelve.

172. Q. Is that a quote number, is that what that Q --

A. That's a quote.

173. Q. Okay, I don't want to make any assumptions. And that job number is, is blank.

A. 'Cause it was a quote; it wasn't a job yet.

174. Q. All right. So this...hadn't been assigned as a job?

A. Right, this was the first whatever they did. Um, the way that they do it they'll go out and they'll price a job. Then they'll say the number's not right, redo it again, so then they become, you know, the final one is what I give in when there's a job number associated with it.

175. Q. All right. So this \$848,000 one came first, then this followed up?

A. Yeah.

176. Q. On the same day, 'cause --

A. Oh, this is just structure cable for floors two, three and four.

177. Q. Okay.

A. So those are for those floors. This might have been the whole job before it got a job number. There should be another one that says floors, uh, one, two and six.

178. Q. Okay. All right, that makes sense. All right, I'll turn the page. And this one is same

date, January 13th, 2011, it's quote number same as we saw before with the 12 at the end, and then it appears that --

A. It's a job.

179. Q. ...it became a job once you did that, is that correct?

A. Yeah.

180. Q. So once, once you redid it for the lower dollar amount, once again floors two, three and four?

A. Yup.

181. Q. And I still see Rossi Electric is still in there.

182. Q. That's the one that you had looked at first.

A. Um-hum.

183. Q. Same one.

184. Q. It looks identical.

A. Same one. It's the same one.

185. Q. Twenty-six.

186. Q. Correct, okay. (Inaudible) Same bate stamp.

187. Q. Okay. And next one dated February 8th, 2011, has a quote number of Q-11-0-27, job number is not in there, but it says "Customer" "Tazza Cafe" --

A. Um-hum.

188. Q. ...and there's a total of \$20,000.

A. Okay.

189. Q. Okay. Do you remember seeing this at all?

A. No.

190. Q. Not at all.

A. **Not as a quote, no.**

191. Q. All right. And it has a same expense block in the middle and --

A. **For unknown stuff.**

192. Q. Is that typical?

A. **No, not unknown, it would have said miscellaneous.**

193. Q. Any idea what that --

A. **No, I don't know.**

194. Q. ...would have been for?

A. **I don't even remember.**

195. Q. So "Unknown stuff," \$3,000 expense, you're not really sure what that is?

A. **No.**

196. Q. Okay. All right.

A. **I don't even remember seeing that quote.**

197. Q. Now this right here looks like maybe it's more of an itemized quote.

A. **This is what, how we determine -- this is our budget; these are the part numbers; this is our cost what we pay for them; and this is the mark up on everything; and then we have labor underneath.**

198. Q. All right. These are actual items that you would buy for the job?

A. **Um-hum.**

199. Q. Okay. And it coincides, the \$20,000 coincides with the, that prior budget. Okay, now this one dated the same day, February 8th, 2011, same quote number, now this one has the job number in it.

A. This is a change proposal, so this is a proposed change. You give them --

200. Q. Um-hum.

A. ...this to say do you want to accept it. I don't remember this, though. I mean I, I honestly don't remember it.

201. Q. Okay. But change proposal to job number --

A. That original --

202. Q. ...C-11-0-11?

A. ...job number, yeah. Um-hum.

203. Q. Now, that job number is --

A. 38's job number.

204. Q. ...38 Studios, but it's a change proposal for Tazza Cafe?

A. Right.

205. Q. Which holds the same --

A. \$20,000 --

206. Q. ...budget that we saw in the prior one, is that correct?

A. Um-hum, 12-C.

207. Q. So what does that tell you by looking at this?

A. Honestly, like I said, I don't remember seeing it.

208. Q. Okay.

A. Not that I didn't do it --

209. Q. Um-hum.

A. ...but I don't remember it. 'Cause everything was 38, everything I had to do was

38. The only time I distinguished if the guys were at Tazza because of labor I would -- I told

them put a T after it, dash T, so this way they knew, payroll knew that whether they were at 38 or they were at Tazza, because when they do the payroll up front they have to split the time --

210. Q. Right.

A. ...so who gets billed what to goes where, so they know that they were at Tazza that day.

211. Q. So like for every other job you get a budget and you get a sheet like this for a budget --

A. Um-hum.

212. Q. ...but you're saying for Tazza you never actually physically saw anything?

A. I don't remember it.

213. Q. Okay.

A. I don't want to say I never did, but I really don't --

214. Q. All right.

A. ...remember it.

215. Q. Okay. You know what --

A. Because if it was, it would've been a different job number. I don't remember.

216. Q. Okay.

A. I mean we're talking 2011 when I started PM and --

217. Q. Right. Yeah, it's a few years ago. It's almost three years ago.

A. Uh, it's not that, I PM'd I really didn't know what I was doing, so.

218. Q. Hum.

A. I, all I knew was I know security, I know how to put cameras in, I know how to make systems work, so.

219. Q. All right.

A. I wasn't good at budgets.

220. Q. All right --

A. Still not.

221. Q. I'm actually gonna back up, back up to that sheet where we actually had the itemized list of, of I guess it's an inventory of parts, correct?

A. What's needed here.

222. Q. Okay. And it has that \$20,000 figure at the bottom for the total.

A. Mm.

223. Q. Which I assume is what they used to quote the job. Do you recognize that inventory, do you see it, I know it's written small?

A. I'm blind. Uh, Panduit 15-pin VGA mini-com, projector ceiling mount, pole, projector screen -- (paper shuffling) -- I remember the parts, I can't say they were all ordered, but I remember the parts.

224. Q. Do you remember them being installed in Tazza?

A. I know the -- I don't believe the screen was installed.

225. Q. Well, when you say screen, what is that --

A. Projector screen --

226. Q. Projector screen.

A. ...DaLite (phonetic), I don't think that was installed.

227. Q. And that's the dollar amount on that?

A. Four hundred bucks or our cost three change --

228. Q. Okay.

A. ...from what I can see.

229. Q. Is that the only thing that looks like it wasn't installed?

A. Well then the projector wouldn't be installed, but I don't see a projector here.

Actually, I knew they had their own projector, because there was just mounts there.

230. Q. So, so that screen is probably the only thing that wasn't installed?

A. Um-hum.

231. Q. All right. So, so the value, I mean I know you said earlier you estimated it to be about \$3,000, but, but in fact they had estimated the job to be about \$20,000, correct?

A. Good thing I'm not an estimator, yeah.

232. Q. Okay.

233. Q. Okay.

234. Q. Okay. This one, this looks like a --

A. This is a --

235. Q. ...it's a full budget is that correct?

A. Right. That's an 0-1, that means it was a change order.

236. Q. For which job?

A. 38 Studios.

237. Q. Okay. And it looks like the dollar amount is like \$276,000 and --

A. (Inaudible)

238. Q. ...to do with structure cabling, correct?

A. Yeah, it was probably the other floors.

239. Q. All right. And when we look in the middle over here at expenses --

A. Um-hum.

240. Q. ...you see Tazza AV --

A. Um-hum.

241. Q. ...\$25,000. Can you explain why that's in there or what it means to you why it's in there if you can't explain why?

A. It's in there because it was part of the budget. They probably because all the equipment and everything was being done through 38 Studio.

242. Q. Okay. So 38 Studios paid for Tazza, for the Tazza work done --

A. Yeah, it's saying it right there.

243. Q. Okay. Do you know that as being fact? I think we talked about it earlier, but --

A. I know -- I can't say for fact 'cause I don't deal with the billing, but if it's in the budget then it was paid for through it.

244. Q. Okay. And this one's dated February 15th, 2011, this looks like another change order.

A. That's the same one, it's --

245. Q. Okay, it's the same one, just different date stamps.

(PAPERS SHUFFLING)

246. Q. Now this looks like some sort of a quote that --

A. Quote, yeah.

247. Q. March 3rd, 2011.

A. (Inaudible)

248. Q. Tazza. Is this in addition to the prior job for Tazza, with like a small addition to it?

A. Uh, it would be, if I remember correctly, they didn't have phone lines so we had to run cable from the basement upstairs for them.

249. Q. Um-hum.

A. So it would be an additional quote for them.

250. Q. In addition to that original \$20,000 quote?

A. Yeah.

251. Q. Okay. Was this work done, do you know?

A. Yeah.

252. Q. Okay. Were you part of the project?

A. Yeah.

253. Q. Okay. All right. And just if you can kind of help us out with this, we've been trying to figure this out, \$1,319.05, correct, for this?

A. Um-hum.

254. Q. This next quote or budget, is this, is this the same as this quote that we prior talked --

A. It should be, yeah.

255. Q. ...for the \$1,319.05 that on here it says --

A. Yeah.

256. Q. ...uh, \$1,419 --

A. (Inaudible)

257. Q. ...a hundred dollars more. Is this job and this job are they the same?

A. They look to be the same, yeah, just \$100 more in there for miscellaneous.

258. Q. Oh, okay, so they ad -- I see, all right, they added \$100 in there for miscellaneous. But this job and this job relate to each other?

A. Um-hum.

259. Q. Okay. And but it was a Tazza job, and again it has a 38 Studios --

A. Correct.

260. Q. ...job number on it?

A. Right.

261. Q. Okay.

A. It's got a dash T under it too so that would tell us too.

262. Q. Okay. And what does that dash T mean?

A. Tazza.

263. Q. So when your guys fill out their time cards, they would put a T --

A. Um-hum.

264. Q. 'Cause we've seen those, where they put a T next to it --

A. Yeah, they put a T after it so, like I said, when payroll gets it they know how to --

265. Q. Right.

A. ...split their time...

266. Q. Okay.

A. 'Cause they're very, you know, where did the money go for this one.

267. Q. Okay.

A. So it has --

268. Q. And how did they know to do that?

A. I told them to do it.

269. Q. All right. And how did you know to tell them to do that?

A. 'Cause the same crew might have went to Tazza to do work, and I said 'Listen, just put a dash T 'cause you're using the same job number,' so the office would be able to recognize what's going on.

270. Q. So how would the office know? Was there conversation between yourself and the office to tell them 'Hey, I'm gonna make my guys put a dash T' --

A. No, I think the payroll girl came up to me and said 'Where were they, Tazza or 38?'

And I said we're just gonna put a dash T under it.

271. Q. And who was that?

A. That would be Jill, Jillian.

272. Q. Jillian. Do you have a last name?

A. What's her last name? Nolan – Nolie (phonetic), she just got married.

273. Q. Okay. All right. Okay, this looks like it's some sort of a statement of work for Tazza but it's dated in November of 2012. Do you recognize this at all?

274. Q. Can I see the number?

275. Q. (Inaudible)

A. Yeah, it would be a change proposal or a quote for work, it's a quote.

276. Q. It's a quote, okay.

A. Um-hum.

277. Q. Do you remember actually doing this work? I don't know if you can look at this, maybe, if you can --

A. Yeah, this is everything we did, private dining room, dining room. Yeah, this is just what the customer gets so he knows what work's getting done.

278. Q. Oh, so they get this after the fact. This is --

A. They get this before the fact. It's a quote, so he would get that and read over it and say 'Yeah, this is what I want you to do,' and there's a place you sign if he wants the work.

279. Q. Even though, even though it's dated almost a year after the job was started?

280. Q. All right, why don't you take a (inaudible) just to make sure that this is actually the work

that was done, that \$20,000 value work.

A. Must be, 'cause that's for the private dining room. Yeah, that's the work that was done.

281. Q. All right. So for some reason this came after the fact. But, typically --

A. Yeah.

282. Q. ...it comes before?

A. Is this part of the same document, five, six, se -- yeah, it was never, it was never completed as far as the price and the quote number, so nobody completed it.

283. Q. All right. Is that kind of odd? This the first time you ever saw it (inaudible) particular job?

A. No, they're usually all completed.

284. Q. Yeah, right.

A. Usually by the time we get them this is all done for us.

285. Q. This, this may have been when it was printed.

286. Q. Ah.

A. Ah.

287. Q. That's right, that happens sometimes.

288. Q. Yeah.

289. Q. Yeah, 'cause --

290. Q. Whenever I looked at that, I looked at that same issue, because this is when all the documents --

291. Q. That's about when we did the subpoena.

292. Q. Yeah.

293. Q. Ah.

294. Q. Okay, all right.

295. Q. I --

296. Q. That happens here --

A. This is automatic in our system, it is -- I didn't even think of that, but as soon as --

297. Q. Yeah, (inaudible)

A. ...we open this document it changes to whatever date we open it.

298. Q. Aye.

299. Q. Yeah, some of ours do that, too.

(INAUDIBLE)

300. Q. ...you have that, Patrick?

301. Q. Very good.

302. Q. (Inaudible) I have no doubt.

303. Q. Okay. But this is the scope of the work that you actually did?

A. Um-hum.

304. Q. All right. So this is true and accurate?

305. Q. That's what it's looking.

306. Q. Okay. All right, good.

MALE VOICE: 'Cause that's (inaudible) subpoena. Yeah. Good call. We were wondering about that.

MALE VOICE: I don't want you to be in the dark.

307. Q. So, we're looking at some photos, and there's actually a big dog (inaudible)

MALE VOICE: That's my dog. How did you get my dog?

308. Q. Is that your dog?

MALE VOICE: Yeah.

309. Q. Well, they gave it to us with the subpoena.

MALE VOICE: Ah, maybe I wanted you to have my dog; I don't know.

310. Q. All right. We were wondering who's dog that was. What's his name?

MALE VOICE: Bosco.

311. Q. He looks like a Bosco.

MALE VOICE: Yeah, he's a big guy.

MALE VOICE: Was he at, was he at the job site, or is that just a –

MALE VOICE: No, no. It looks like he was at my house.

MALE VOICE: Oh.

MALE VOICE: He's about 220 pounds.

MALE VOICE: What kind of dog is he?

MALE VOICE: English Mastiff.

MALE VOICE: Two hundred twenty pounds.

MALE VOICE: Yeah, he's a big guy.

MALE VOICE: Whew.

MALE VOICE: That costs you some money for food, huh.

MALE VOICE: Oh, I have three of them, so it costs a lot of money.

MALE VOICE: Okay. Yeah, well, they were given to us, so I (inaudible).

312. Q. Do you recognize any of these photos? You can flip through them.

MALE VOICE: This is, uh, I just want to get the numbers of the photos.

313. Q. This one's 6344.

A. I can tell you that, uh, these are fiber, this looks like RIPTA, I don't even know why

it's there.

314. Q. How about this one here? That looks like shelving or something...

A. This shelving is in Tazza, so it was probably the way the pictures were taken.

315. Q. Uh-huh.

A. So this is definitely RIPTA. Uh, there's my dog again. This is RIPTA. This is Tazza. I was probably taking pictures just to show where they were running the cables.

316. Q. Is that your ladder?

A. That's not my ladder.

317. Q. That's not the missing ladder.

A. No.

(INAUDIBLE)

A. That's Tazza.

318. Q. This one's 6345?

319. Q. Yup.

A. Yeah, this is Tazza, Tazza, Tazza. This is how, you know --

320. Q. 6346.

A. This was during the construction period.

321. Q. So is this what it looked like when you first walked in?

A. Yup.

322. Q. Okay. It was in this condition --

A. Yup.

323. Q. ...pretty much stripped?

A. It was stripped, yeah. These were the only things that were up. Uh, this is old

speakers that they wanted us to use if we could, but they were too demolished so we couldn't use them, they were in the basement.

324. Q. (Inaudible)

A. Uh, this is just I got this picture 'cause my guys had to climb up into the hatch and run their cables. Uh, the back bar 'cause I wanted to see where the registers were going so the camera could face down on them. And, uh, this was just a construction I was taking a picture and saying when you come through the front door this is what the camera could see.

325. Q. All right. All right you can flip it to the next one. Do you recognize that?

A. Yeah, that's done.

326. Q. What's done?

A. That's the restaurant done.

327. Q. Tazza?

A. Yeah.

328. Q. Okay. Did you see it in that condition at -- obviously you did --

A. Yeah.

329. Q. ... 'cause you recognize it.

A. Yeah. It's all done, what it looked like when we finished it.

330. Q. Do you remember, uh, who the general contractor was for Tazza?

A. Nappa, it was Nappa.

331. Q. Also. And Rossi Electric was there also?

A. Yeah. His crew was there.

332. Q. Did Rossi Electric hire you? Were you working for Rossi Electric or were you working for Nappa?

A. Honestly, that I don't know, because it was all part of the same contract, it was part of the 38 contract.

333. Q. Okay.

A. So I don't know what happened there.

334. Q. Okay. You know it sounds like they gutted the thing again?

A. No, did they?

335. Q. Yeah, sounds like they emptied the whole restaurant out again.

MALE VOICE: I saw that in the paper that they closed, it closed.

336. Q. Yeah.

A. I know they closed New Year's Eve.

337. Q. Right. Their lease ran out according to the paper.

338. Q. All right. So that's the end product --

A. That's it there.

339. Q. ...that's the complete renovation of Tazza. Obviously, you didn't do the complete renovation 'cause you don't do floors --

A. No.

340. Q. ...and --

A. We just put the speakers --

341. Q. ...countertops.

A. We aimed and focused the cameras and --

342. Q. Okay.

A. ...that's it.

343. Q. Did you work alongside Rossi Electric --

A. No.

344. Q. ...laborers that did other electrical work?

A. No. We, again, pay no mind to what they do. We just hang our cameras and that's it.

345. Q. Well, what I mean to say: Were they in there working at the same time?

A. Yeah.

346. Q. Okay. And do you remember any other construction companies or contractors that were in there at the same time that you would recognize or --

A. I think they were all Nappa's guys, because there was a picture of them sitting at the table, and those were all Nappa guys.

347. Q. Okay. Okay, actually, we're gonna go back...the picture that was (pause). Is this it?

A. Right here. This, yeah, these are all Nappa guys.

348. Q. Those are all Nappa guys there?

A. Yeah.

349. Q. Those are none of your guys.

A. Right, yeah, no none of ours.

350. Q. Okay. All right. All right, so we saw the after pictures. All right. And we have a group of -- I think it's just gonna confirm some of the things you've already told us. These are emails. There's a group of emails that either you sent or you received or maybe they were cc'd to you, carbon copied to you, so your --

A. Um-hum.

351. Q. ...name's on some either a sender or receiver or a, or receiver of a carbon copy of it.

And this particular one notes this C-11-0-11 number and has a date after it, February 4th, 2011. Do

you recognize this?

A. Yeah, this is just telling me that I got to take it over from Rossi.

352. Q. Okay. So Mike Rossi, he was the Project Manager for 38 Studios job?

A. He was originally given the, the job.

353. Q. Okay. So this is when you took it over. So you took it over, technically, would it be

February 7th --

A. Yeah.

354. Q. ...2011 is when you became the Project Manager?

A. Yeah, that's what it's saying for date, so yeah.

355. Q. Okay. Did you work with Mike Rossi much?

A. Not together, no. I know that he was a Project Manager, I was his little minion at the time, 'cause I was just getting into it.

356. Q. Repeat...little minion.

A. 'Cause I was the technical guy --

357. Q. Yup.

A. ...where most Project Managers aren't technical so I'd be the one that he goes: Oh, listen, we have a problem; go fix it. You know, it's just --

358. Q. Okay. All right.

359. Q. What do you think of Mike Rossi?

A. I don't think much of Mike Rossi. I just -- he was an odd character, you know, and just some of the things he did just -- he was an odd character.

360. Q. Like what? You said "some of the things he did"?

A. Only person I know that would go and use the bathroom and fully undress and

clean the whole bathroom before he used it.

361. Q. Well, that's a little odd.

A. He was a little odd. He --

362. Q. That, honestly, wasn't the answer I was expecting.

(LAUGHTER)

A. Well, you wanted to know what I think is odd. He just --

363. Q. That is odd. All right.

A. ...none of the crew liked working for him because it was a blame game with him, 'Oh, it wasn't my fault, it was the guys' fault.'

364. Q. Did he, did he ever have any comment about this Tazza/38 Studio relationship? Did he ever --

A. No.

365. Q. ...comment on it?

A. No, not that I remember.

366. Q. Okay.

A. Like I said, I was -- I went to one site visit with him only just to say 'Okay, it's good to put the camera here, here and there,' and before I knew anything about getting the project --

367. Q. Yeah.

A. ...he was, you know, doing it. He was just an odd duck, hah.

368. Q. Okay.

A. You know....

369. Q. All right, I think this email just confirms what you said earlier that Tazza had their own projector.

A. Yeah.

370. Q. I think that's probably what it is. Okay. (Inaudible) not sure that they have much relevance, but.... (Papers shuffling) Okay. In this email, and there's several of them in here, but I just, I just flagged this one just because, and it's 4575 is the date stamp on this one. It has "Subject: C-11-0-11, " which you told us earlier is 38 Studios --

A. Tazza.

371. Q. (Inaudible) Tazza. Okay, so that's pretty much just reconfirming what you had told us earlier that the jobs were related --

A. Yeah.

372. Q. ...regarding their, the job number. (Pause) All right, and this particular one it's regarding payment, and it's -- this one's dated September 28th, 2011, so this is -- um, well, actually, we didn't really talk about that. How long did you actually work in Tazza? Was it a quick job, was it a month, two months or --

A. I -- we were there until the day they locked the door.

373. Q. What do you mean day --

A. The --

374. Q. ...last week or couple weeks ago?

A. No, no, the day 38 Studios closed down.

375. Q. Oh, okay. How about Tazza?

376. Q. What about Tazza that's what I mean?

A. Oh, Tazza we were there a month or two and that was it.

377. Q. Okay. So if February you were working you were probably done sometime in March?

A. Yeah, yeah, 'cause he had an opening, I saw it in one of my emails in March was

when we had to be done.

378. Q. Okay.

A. And then other than that they were service, service calls.

379. Q. All right. And now, now this is --

(SNEEZE)

MALE VOICE: Excuse me.

380. Q. Bless you. This is from Dana to Joyce. Who's Joyce?

A. Joyce is the controller, she's the accountant.

381. Q. Joyce Straus (phonetic), she's the accountant for, for SyNet?

A. SyNet, yeah.

382. Q. And the subject on this, it's from Dana to Joyce -- actually it looks like it's a, a forward back to her, so it looks like she, um, actually drafted this, but "who gets billed for Tazza," and this is dated September 28th, 2011, but it, there was a cc copy to you. Can you explain that or what, what the premise of this email is?

A. I guess she was asking who bills for whatever comes before this. Do we have anything that goes --

383. Q. Yeah, let's see if we have...in the back over here. This one looks like it's a forward also, but, um --

A. This is a service number, so that means we went there and did service, so I had to pull a service number, so they would've had to pay for it. 384. Q. Okay. So this service number is 11-0-64 --

A. Right.

385. Q. ...not 11-0-11?

A. Right.

386. Q. Okay.

A. That's a service, S means service, 11 is the year, 64 is the next number.

387. Q. Okay. Now, and is it – (inaudible) but is it safe to say the reason why she's asking who gets billed for this is b – and, again, this is in September, months later after the original job was done, shouldn't she know already who was gonna get billed for this 'cause she would've billed for the original work?

A. Joyce likes to confirm everything that gets done; she doesn't like to make mistakes.

388. Q. Okay.

A. So she was probably just confirming, uh, confirming that it was a service job and they should be billed for it.

389. Q. Okay.

A. Any service they should be billed for.

390. Q. Okay. But over here it looks like she doesn't even know the address to bill them for, but again it's months after the original job.

A. Well, she probably didn't have the address on file 'cause everything was getting billed to 38 Studios.

391. Q. 38 Studios.

(PAUSE)

392. Q. All right, and this one is from Steve Nappa to you, and, again, it looks like a forward back to you from him. You must have asked him a question, um --

A. 'Cause if I remember --

393. Q. Actually, if we can go down to the bottom over here... this is your -- you drafted it -- well, you tell me.

A. Yeah. Because what probably what happened is I was trying to get, 'cause, again, it was Tazza, so we were trying to get service, you know, you -- I think this was -- yeah, 'cause his brother went in there, Tazza's, Mike's brother went in there and wired the rack and it was a mess and we couldn't open it after we did it --

394. Q. Right.

A. ...so I told him what it needed to do and, uh, who was paying for it, you know, was it Mike -- were we billing Tazza or, you know, or Nappa, was it, who was getting charged for it.

395. Q. Okay. And was that probably a question that would have been on your mind because, again --

A. 'Cause now we need --

396. Q. ...you knew in the past 38 Studios was --

A. Right, now we need to get paid because the project's done, we need, any service call we have to bill for.

397. Q. Okay.

A. You know.

398. Q. All right.

399. Q. That's the original (inaudible).

400. Q. Okay. Now this email I just threw it in here because it looks like it originally came from --

A. 'Cause --

401. Q. ...Mike Corso.

A. ...Mike Corso was there and took the picture.

402. Q. Where was this picture taken?

A. 38 Studios. That's Schilling.

403. Q. That Schilling in the middle. Who are these guys? All your guys?

A. Yeah, these were the techs that were on site.

404. Q. Are you, you in that?

A. I'm the big guy right there.

MALE VOICE: (Inaudible) on the left.

405. Q. Who's this right here?

A. J. Davis.

406. Q. Okay, all right. Mike Rossi's not in this picture?

A. No. Mike Rossi wasn't even there.

407. Q. Okay. So it looks like Bill --

A. Barboza.

408. Q. ...Barboza sent this to Dana on February 12th, 2011, and then his message to you was "FYI from Mike Corso"?

A. Yeah --

409. Q. So --

A. ...because what happened was the guys like Schilling and wanted to take this picture and have him autograph it.

410. Q. Right. As we all probably would.

A. Right. So, he --

411. Q. Yeah.

A. ...that's why I got it forwarded from Dana. Dana asked for it. I guess -- and this is

before I even knew who Corso was, I -- 'cause 'Who is this skinny preppie guy,' and that 's was Corso taking the pictures. I thought he was something with Schilling.

412. Q. All right, so he took --

A. And, again, I didn't even know who Schilling was 'cause when he came in to take the picture I was like 'Who is he?'

413. Q. You didn't say that to him, right?

A. No. I did get into an argument with him, though.

414. Q. With Schilling?

A. Yeah.

415. Q. About what?

416. Q. About that whether there was real blood or not on the sock?

A. No. What happened was --

417. Q. You're not a Yankee fan, are you?

A. No, I don't do baseball.

418. Q. All right.

A. They, they locked us out of the --

419. Q. (Inaudible) come after you if you were a Yankee --

A. Yeah.

420. Q. What was the argument about?

A. They locked us -- we have access 'cause we put in the Access system and it wasn't done yet, and we changed the code 'cause somebody was going in messing with the programs that we would set, we hadn't handed over the system yet, and they locked us out. So we couldn't swipe in, I couldn't get in, and they pulled us upstairs in an office and Schilling

started yelling, he says "I don't know you guys, I don't trust you guys, I trust" his own guys. He said: They did the right thing to locking you out. And I said to Schilling: To be honest with you, I don't know who – I didn't know who you were, I don't really care about baseball, I said, so it has – 'cause they thought we were stealing information or could steal his game. I said 'We don't even care what's on your computers.' It was just a verbal like that, and then from there on in he never looked at me again.

421. Q. He thought you were stealing the video game they were making?

A. Well, we had access to that room.

422. Q. Oh.

A. 'Cause that's where all our panels were.

423. Q. Yeah.

A. So in order for us to fix doors or do program because it wasn't completely done yet, we had to get in, and it was Biometric, so we put – you had to thumb print in and then swipe in and his guy took us out of it like, you know, my thinking is: What do you think we're gonna do in here? We walk in there using one computer. There's – it was just the point that he didn't trust his security guys, and we got into – and he didn't like the comment either 'cause I honestly don't, didn't know who he was.

424. Q. That's fair.

425. Q. Okay.

426. Q. All right, these look like they were bills to Tazza --

A. Those are checks. I have nothing to do with those

427. Q. Right. Okay. I'll turn the page then. And this is an invoice from SyNet to Nappa Construction for work done at Tazza.

A. Mm.

428. Q. Looks like one hour labor?

A. It should have a service number associated with it.

429. Q. Actually (inaudible) not one hour, not for \$2500.

A. Labor. Um, I don't know, there should have been a number associated so we know --

430. Q. Should have been a job number associated?

A. Yeah, 'cause when I give, when I send it off --

431. Q. Um-hum.

A. ...it's got a job number associated so she knows where to pull it from.

432. Q. Okay. And there's nothing in this description that could --

A. No, it's --

433. Q. ...refresh your memory as to what it was for?

A. No. Labor for -- it's right here. "Labor invoicing per quote." I don't know what quote it was. Percentage, it's a partial. So it was a partial, some part of labor.

434. Q. Even though it says a hundred percent? It's partial?

A. No, no, no, I saw a percentage -- again, I never see these.

435. Q. Okay. All right. But typically when you -- well --

A. I --

436. Q. When you do see them, you said that there's a job number?

A. Yeah, there should have been a job number on them, 'cause sometimes what she'll do is I have to forward it as a PM; we will email to the customer, so I'll look at it, but I never look at them, but there's usually a job number in there.

437. Q. What's a PM?

A. **Project Manager.**

438. Q. As, okay, you as a Project Manager.

A. **Yeah. But as far as what they send out I just never --**

439. Q. Okay. All right. And this is an email that's going from Dana to Joyce, and it's cc'd to Steve Beauvois (phonetic) that's the president of the company?

A. **Yeah.**

440. Q. And it says Steve Nappa, and I guess there's an attachment --

A. **That's his, that's -- VCF is his virtual contact information.**

441. Q. Okay. So Dana is sending this to Joyce and telling her to, to invoice \$2500 for, for the Tazza project?

A. **Yup.**

442. Q. All right. But you're confident that that job probably costs about \$20,000?

A. **From the paperwork, yeah.**

443. Q. Right. Yeah, based on the paperwork and verify --

A. **Again, I thought it was \$8,000, that's what I would have said, but --**

444. Q. Right.

A. **...according to what I've seen in here, the paperwork, yes.**

445. Q. Okay. All right.

(PAUSE)

446. Q. Now these look like -- I have them tagged as service jobs?

A. **They are. These are our service numbers.**

447. Q. Okay.

A. So requested, Mike must have called, put in a service call.

448. Q. When you say Mike, Mike --

A. Corso.

449. Q. ...Corso. Okay.

A. Came in. I sent this tech there. That's what he did, and he sat there and waited for somebody until 8:00 so he got charged an hour.

450. Q. Got charged an hour.

A. For us sitting there.

451. Q. All right.

452. Q. Customer approval for labor and material. Who's this?

A. I don't know.

453. Q. Cicchione (phonetic)?

A. Could have been the cook, I don't know.

454. Q. Of? Oh, of Tazza.

A. Tazza.

455. Q. I got you, okay.

(SNEEZE)

MALE VOICE: Bless you.

MALE VOICE: I'm sorry.

456. Q. That's all right. Um, now this is a handwritten --

A. Right, and I turn it into -- I have to type it out for Joyce so she can understand it 'cause she can't understand their writing and --

457. Q. Okay. And the service charge number, this is 11-0-64 --

A. Yup.

458. Q. Not 11-0-11, correct?

A. No, that's 64.

459. Q. Okay. All right, so this -- so are you confident that this didn't go into, wasn't paid for by 38 Studios because of that?

A. Yeah, because it went in as a service job and it was billed requested by, authorized by -- I can't say who it was sent to --

460. Q. Um-hum.

A. ...but I can tell you when I wrote it up it's a service number for Tazza Restaurant at \$70 an hour.

461. Q. Okay. And you weren't instructed to bury this into the 38 --

A. No.

462. Q. ...Studios job --

A. No. It's service job it goes --

463. Q. Okay. All right, is this just another one, this 11-0-89?

A. This is Tazza, Nappa Construction requested it, it was authorized by Steve Nappa. That was the date, the date they finished --

464. Q. November 16, 2011.

A. ...reinstalled the amp, cleaned up wires and cabinet, so they got charged travel time, that's for him driving to there, and 4.5, so they got charged five hours --

465. Q. Okay.

A. ...to put it back in, clean it up.

466. Q. All right. Is there a to -- do you typically put a total what that -- what is that five hours

worth?

A. I don't, I don't put totals. Again, this gets sent up to Joyce, she charges them, you know, whatever per hour.

467. Q. Yup. So she only invoices for that --

A. Yeah.

468. Q. ...based on those hours?

A. And this is the handwritten slip. And this must be the invoice.

469. Q. Okay. Quantity two, labor -- it says technician Mike Pinto and James Cote (phonetic).

A. I probably --

470. Q. (Inaudible)

A. ...there. I probably went there with him because nobody was available, um, and whatever we did we charged. What's the number for it? That's invoice number.

471. Q. Is that it 93 -- 9347, is that the invoice number?

A. Yeah. But this would be under me, I would've wrote it up with me as the technician. It was done on July 18th.

472. Q. Okay.

A. I don't know what it was.

473. Q. So all these small invoices --

A. Yeah.

474. Q. ...is it safe to say that this was all follow-up work after the original --

A. Um-hum.

475. Q. ...larger job was done?

A. Yeah.

476. Q. Something didn't work or --

A. Yeah.

477. Q. ...they needed something repaired or looked at?

A. Yeah. There was just that off of 38 all the stuff that was done but anything service wise he had to pay for.

478. Q. Okay. Very good. (Papers shuffling)

479. Q. (Inaudible) these?

A. Those are blueprints for his restaurant. This is where we determined where the speakers would go, volume controls, and the office where everything is. That's all it is. It's just saying put a speaker here and bathrooms and stuff.

480. Q. Is this something your company SyNet creates?

A. Yeah.

481. Q. Okay.

(INAUDIBLE)

482. Q. I'm not sure if this is a change or --

(INAUDIBLE)

483. Q. ...additional work maybe?

A. Uh, it's still speakers.

484. Q. Okay. (Inaudible) More speaker wire here?

A. Yup.

485. Q. But these were all created by your company?

A. Yes.

486. Q. Okay. I think that's, that's all I have here to review.

A. I'll tell you when you look at these documents it doesn't – you know, when you do it day to day you don't see it because you're building it as you go, but when you look at them and go 'Oh, really,' I can understand how somebody looks at them and sees differently from me working it day by day.

487. Q. Okay.

A. It was just a job for me, you know.

488. Q. What do you mean sees --

A. Well, it's just a job for me.

489. Q. Right.

A. So I manage a job. But looking at the documents the way, you know, putting it together you go 'Oh, yeah, I guess Tazza did pay ' – uh ' 38 did pay a lot for Tazza.'

490. Q. Yeah.

A. But when you're doing the job you just don't see it.

491. Q. You're just doing the job.

A. Just doing the job, not caring, making sure everybody's happy at the end of the day.

492. Q. How many times did you physically see Mike Corso?

493. Q. He took your picture once, there's one there.

A. Six maybe. I, I can tell you that he never offered me a cup of coffee, you know, all the times that I was in his restaurant doing anything and I've seen him probably three times at the restaurant and then a couple times at 38 Studios.

494. Q. Mm.

A. Never, yeah. Who's Mike Corso, you know. Don't know him, I wouldn't even

recognize him if I saw him in the street.

495. Q. Okay.

496. Q. Did you ever ask Steve or Dana about him or 'What's up with him' or anything like that?

Okay. You're just there doing – putting the wire in and the cameras?

A. That's it. I'm just, you know, I didn't know who he was other than, you know, when I first heard of Mike Corso and – 'cause it was a big thing on the news, 38 Studio giving him this money and stuff, maybe I went on the web and looked him up and saw that he did something good for the City of Providence. Other than that, don't know him.

497. Q. Okay.

A. Got the dog next door from him.

498. Q. Got the what?

A. There was a soap guy next door --

499. Q. Yeah.

A. ...from his restaurant.

500. Q. Yeah.

A. And the guy, we got talking, and I adopted his dog.

501. Q. Oh, his dog.

A. So that's the only way.

502. Q. All right.

503. Q. One of those big dogs?

A. Yeah. He was calm when he was in the city, but once we took him he barks a lot.

504. Q. All right. I'm okay.

505. Q. Okay.

Ref: 12-3-IV

506. Q. Okay.

507. Q. This concludes the interview. It is now 11:40 AM.

STATEMENT TAKEN BY:

WITNESSED BY:
