

IN THE CIRCUIT COURT OF THE SEVENTEENTH  
JUDICIAL CIRCUIT, IN AND FOR  
BROWARD COUNTY, FLORIDA

Case No. 12-016625 CF10A

STATE OF FLORIDA,

Plaintiff,

Vs.

BODY CORBIN,

Defendant.

\_\_\_\_\_ /

DEPOSITION OF MICHAEL WALTERS

Taken on behalf of the Defendant

DATE TAKEN: Wednesday, March 26, 2014

TIME: 11:30 a.m. - 12:15 p.m.

PLACE: The Broward County Courthouse  
201 Southeast 6th Street  
Room 1003A  
Fort Lauderdale, Florida 33301

Examination of the witness taken before:

LISA GREENWELL, Court Reporter  
Bailey & Associates  
500 East Broward Boulevard  
Suite 1700  
Fort Lauderdale, Florida 33394

1 APPEARANCE ON BEHALF OF THE STATE OF FLORIDA

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10 APPEARANCE ON BEHALF OF THE DEFENDANT

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Deposition of Michael Walters

Page No.

Direct Examination by Mr. Clayman

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1 WHEREUPON,

2 MICHAEL WALTERS

3 having been first duly sworn, testified upon his oath as  
4 follows:

5 THE WITNESS: Yes.

6 DIRECT EXAMINATION

7 BY MR. CLAYMAN:

8 Q. State your name for the record, please, spell  
9 your last.

10 A. Michael L. Walters, W-A-L-T-E-R-S.

11 Q. I know the State Attorney told you a little bit  
12 about a deposition. You familiar with what a deposition  
13 is now?

14 A. Yes.

15 Q. You feel comfortable moving forward with the  
16 depo?

17 A. Yes.

18 Q. Okay, great. What's your date of birth, sir?

19 A. 7/25/1971.

20 Q. Are you from South Florida?

21 A. No.

22 Q. Where are you from?

23 A. Hope, Arkansas.

24 Q. How long have you lived in South Florida?

25 A. On and off since 1996, but I've been here

1 permanently the last five years.

2 Q. Gotcha. I'm going to get through some  
3 preliminary questions with you first and then we'll get  
4 to the heart of the matter.

5 A. Sure.

6 Q. Have you ever been arrested?

7 A. No.

8 Q. So you've never been convicted of a crime?

9 A. No.

10 Q. Ever get speeding tickets?

11 A. Oh, God, I think, maybe, but it's been a long,  
12 long time.

13 Q. Gotchya. Do you remember Mr. Boyd Corbin,  
14 correct?

15 A. Yeah.

16 Q. Okay. And you were at George's Alibi on the  
17 night of the incident October 31st going into  
18 November 1st, as, basically, the MC of a costume  
19 contest?

20 A. That is correct.

21 Q. Okay. And you have to forgive me if I use wrong  
22 nomenclature, but you go by Dame Enda?

23 A. That's the character is Dame Edna Everage, yes.

24 Q. Dame Enda --

25 A. Dame Edna Everage, yes.

1 Q. What is that, it's an alterego?

2 A. No, no, no, it's a character created by a very  
3 popular British comic named Barry Humphries and he's  
4 been doing the character for over fifty years. He's had  
5 television series and he had -- and I have been his  
6 official impersonate with his blessing now for 15 years.  
7 And so I travel all over the United States, Canada and  
8 now Mexico performing as the character.

9 Q. Gotcha.

10 A. Basically, it's Don Rickles in drag.

11 Q. All right. I got the picture.

12 A. Yeah.

13 Q. How many participants were there in this contest?

14 A. Oh, my God, I couldn't begin to tell you. I  
15 mean, there more people than met the eye. I mean, the  
16 parking lot there was hugely filled. I mean, I couldn't  
17 -- I couldn't even guesstimate.

18 Q. You think it could have even be more than a  
19 thousand?

20 A. Oh, yeah, definitely, in that parking lot that  
21 evening. Not in the contest per se, but in the parking  
22 lot, Wilton Drive on Halloween night is -- now I've  
23 learned, is probably not the safest or best place to be.

24 Q. Gotcha. Now, when you perform your duties as an  
25 MC, is that the way I should refer to it?

1 A. Yeah.

2 Q. Are you on stage?

3 A. I was that night. But just to make sure the  
4 differentiation is understood, that evening during the  
5 incident, I don't want to jump too far ahead with you,  
6 but during the incident, I was taking second position,  
7 basically, just facilitating getting people on and off  
8 and talking and whatnot, while the other MC, Nickie  
9 Adams, was, basically, handling the what is your name,  
10 what are you dressed as bla, bla, bla.

11 Q. How far is Nickie Adams from you when this  
12 incident happened?

13 A. If I can give you just a little -- I think  
14 without beating the dead horse here, if this is the  
15 stage, if this table is the stage, it's made up, I would  
16 assume and I am not 100 percent sure, of four by eight  
17 platforms. And I believe it was about 20 feet across  
18 which meant five of those platforms, I guess, four times  
19 five, 20.

20 Q. About 100 feet?

21 A. No, no, no, no, no, no. I'm saying it's four --  
22 like a piece of plywood, but it was 12 feet deep 20 feet  
23 wide.

24 Q. Okay.

25 A. Yeah. And then the stairs going off the front

1 and -- but two stairs; one stairs going up, one stairs  
2 going down.

3 Q. In your best guesstimate, how high up the ground  
4 was the stage?

5 A. Approximately -- a little less than three feet.

6 Q. How many folks were on the stage?

7 A. Certainly not rated.

8 Q. When you say "certainly not rated" --

9 A. Certainly not rated. I mean, in other words, I  
10 don't think it was weight rated to be honest with you  
11 because that stage was -- I mean, there were a lot of  
12 people on it. There were, at least, 20 people at that  
13 time.

14 Q. Twenty people?

15 A. Yeah.

16 Q. When you say "at that time", is that at the time  
17 that the incident with Mr. Corbin took place?

18 A. Yes, yes. I was on the far -- Well, if the  
19 audience is facing this way, I was on the far left side  
20 of the stage and he was down on the ground.

21 Q. You strike me as an intelligent man.

22 A. Thank you.

23 Q. And I am not being sarcastic at all when I'm  
24 going down this line of questioning, okay.

25 You're an MC of these contests?



1 A. Yes.

2 Q. You have the permission from Dame Edna to be that  
3 particular person's impersonator?

4 A. Yes.

5 Q. And you travel all over the world doing that type  
6 of stuff?

7 A. Yes.

8 Q. I imagine you've seen many costumes in your time?

9 A. Hm-hum.

10 Q. Are you political at all?

11 A. (Indicating).

12 Q. Do you understand some politics?

13 A. Oh, yes, I understand politics.

14 Q. Okay. Mr. Corbin, you see that costume right  
15 there in the State Attorney's folder?

16 A. Hm-hum.

17 Q. What was he going as?

18 A. A KKK member.

19 Q. What is he going as a KKK member?

20 A. That's what everybody perceived it as.

21 Q. I guess I'm only interested in your --

22 A. That's certainly what I perceived it as. I mean,  
23 You know, it's -- I could not -- I couldn't imagine with  
24 someone carrying a torch and wearing a what -- a white  
25 hood and a robe -- whatever, a robe or sheet, whatever,

1 it looked like a KKK costume.

2 Q. He had a placard that he was wearing on a chest,  
3 correct, that said something?

4 A. Hm-hum. It said, "in the white of oppression,  
5 vote for Mitt Romney", I believe.

6 Q. Right, it was about Mitt Romney.

7 Now, if one is political, and this is after the  
8 fact and you may or may -- you may or may not choose to  
9 have a sense of humor about, not your injury or the  
10 event, but what he went as; his contention is that he  
11 went to that contest and he won one prior, not at that  
12 particular occasion, as a Mitt Romney supporter. Can  
13 you seat link?

14 A. No.

15 Q. No?

16 A. No.

17 Q. Based on -- let me finish. Based on Romney's  
18 political background, what he stands for and if someone  
19 is politically savvy, he's going -- he's saying, he's  
20 going as a Mitt Romney supporter, can you understand  
21 that nexus?

22 A. I can understand where that's coming from, but in  
23 a way, it's a little disingenuous. That's like dressing  
24 as Adolph Hitler and walking through downtown Boynton  
25 Beach.

1 Q. I am certainly not saying that it was a smart  
2 tactical decision. What I am saying is that's what my  
3 client has relayed to me as his intentions and --

4 A. Okay.

5 Q. Judging, you're a man of your character and your  
6 understanding, does that make any sense to you?

7 A. In the most disconnected way. In a very  
8 scrambled manner, I can see how somebody might think  
9 that.

10 Q. Bad taste but you got it?

11 A. Incredibly bad taste.

12 Q. We can agree on that part?

13 A. Yeah.

14 Q. And whether or not you understand it?

15 A. Yeah, I understand it. I don't embrace it, I'll  
16 put it that way.

17 Q. No. I'm certainly not asking you for an  
18 endorsement, okay.

19 A. Sure.

20 Q. You said he's wearing a white robe and a tall  
21 hat, right?

22 A. Hm-hum.

23 Q. And that made you think he could have been  
24 dressed as a Klan member?

25 A. Hm-hum, and carrying a torch.

1 Q. Right. He kind of looks like -- this is not to  
2 be offensive, he kind of looks like the Pope? There was  
3 a commentary that some people thought he was dressed as  
4 a Pope because his face is -- typically, now that we're  
5 getting into it, the Pope wears an outfit that's similar  
6 to that and the Pope's face would be exposed.

7 A true Klan outfit, a Klan costume, you don't see  
8 their face, you see cutout for the eyes, does that mean  
9 anything?

10 A. I'm from Arkansas, I've seen them.

11 Q. You are from Arkansas, okay. I get where you're  
12 coming from.

13 Based upon what I just said, can you give any  
14 credence to the distinction that I just made?

15 A. No, I really can't. That is -- if he were in a  
16 religious costume, he would have the cassock, he would  
17 have the mitres, that kind type of thing, but I've never  
18 seen the Pope carrying a torch.

19 Q. Gotcha. How about the outfit just itself?

20 A. The outfit just itself, if we -- as a bad  
21 knockoff KKK costume, but still a KKK costume.

22 Q. Well, now I want to focus just a little bit more  
23 because you said you're from Hope, Arkansas.

24 Have you ever been to a Klan rally?

25 A. No.

1 Q. Not an as a supporter.

2 A. No.

3 Q. Have you ever seen it?

4 A. Yes, I've seen it.

5 Q. And you've seen people dressed in full-fledged  
6 Klan gear?

7 A. Yes.

8 Q. Do they show their faces?

9 A. Yes, they do.

10 Q. They do?

11 A. Yes, they do. They don't show their faces when  
12 they're burning crosses in peoples yard.

13 Q. So you understand the distinction --

14 A. Oh, yes, they're outfit.

15 They show their faces when they're protesting and  
16 what have you.

17 Q. Do you know Boyd Corbin prior to this incident?

18 A. No, never met him before in my life.

19 Q. Do you know what his understanding is of a Klan  
20 member?

21 A. No, nor would I care.

22 Q. And how they would dress?

23 A. I don't know.

24 Q. Do you know that he intended to go as a Klansmen?

25 A. Nope. Certainly don't. Certainly don't know if

1 he intended it, but as I'm sure you're aware, perception  
2 is reality.

3 Q. And you took it that way?

4 A. And I wasn't the only one.

5 Q. So I'm going to try to make this concise to clear  
6 the record up. You perceived that to be of a Klan  
7 costume?

8 A. Absolutely.

9 Q. However, you're unaware whether or not he  
10 intended to go as a Klan member?

11 A. No, I would have no knowledge.

12 Q. A Mitt Romney supporter?

13 A. No.

14 Q. The Pope?

15 A. No.

16 Q. Or something else I don't know exists?

17 A. No.

18 Q. Okay. Like you said, you never had occasion to  
19 meet Mr. Corbin prior to this occasion?

20 A. Not to my knowledge.

21 Q. Have you ever had any contact with him after this  
22 incident?

23 A. No, no, no, not at all.

24 Q. Is there anyone that -- Do you two share any  
25 friends or acquaintances in common?

1           A. Not to my knowledge. Not to my knowledge at all.  
2 I mean, the only person that I do know of that had --  
3 that had met him that was a mutual friend of mine was a  
4 Sandra Holiday.

5           Q. Sandra Holiday. Tell me about Sandra Holiday?

6           A. Lovely lady. Runs a charity gay/lesbian  
7 scholarship foundation.

8           Q. Was she there that night?

9           A. No, she was not there that night.

10                  She was, apparently, at a -- at Mr. Corbin's  
11 house which, apparently, he rents out, I understand, and  
12 she had friends of hers who had rented this. And she  
13 met him -- she had no idea who he was, nor to me nor to  
14 anybody else, and she started a conversation with him.

15                  It was my understanding, judging from what she  
16 told me, that he proceeded to discuss what happened that  
17 evening. I don't know how it came about, I really  
18 don't.

19           Q. But all those conversations took place after of  
20 the incident?

21           A. Long after the incident, yes.

22           Q. Okay. There's an issue here with this tiki torch  
23 and your garb. At one point, you made a very funny  
24 comment that you didn't want to go up like  
25 Michael Jackson in a Pepsi commercial?

1 A. Yep.

2 Q. That's based on the fact that your outfit was  
3 made of polyester?

4 A. Polyester. I mean, not only that, I have a wig  
5 that's synthetic that's, basically, plastic, refined  
6 plastic with enough hairspray in it, I mean, it wouldn't  
7 have moved in a wind tunnel.

8 Q. I get it.

9 You stated to the police, more importantly  
10 Detective Pilewski, that you were never actually in fear  
11 of Mr. Corbin -- let me finish.

12 A. Yeah.

13 Q. But you were, in fact, really concerned about the  
14 fact that that torch was coming too close to you and you  
15 could be caught on fire?

16 A. Absolutely.

17 Q. Is that a fair representation of what --

18 A. It is my -- and you will have to correct me if  
19 I'm wrong and that's fine, to my recollection of the  
20 statement, I was not afraid of him until after I was on  
21 the ground in a prone position. That was the only time  
22 I was -- had any direct fear of him. I was more afraid  
23 of the torch.

24 Q. Okay. So once you were on the ground in a prone  
25 position, at that point, you had some fear?



1           A. Yes, yes, because I -- I had my leg twisted, I  
2 was in pain and he -- once he grabbed my leg and twisted  
3 it again, it was -- You know, I'm laying there like a  
4 turtle on my back.

5           Q. When he grabbed your leg and twisted it, you  
6 kicked him and he caught it, correct?

7           A. No, I kicked at him. I never actually made  
8 contact with him.

9                   He grabbed my leg. I was in a -- okay. I'm a  
10 300-pound man, I'm wearing a pair of three-inch heels.

11          Q. That's tough.

12          A. Yeah. You tell me about it.

13                   THE COURT REPORTER: Give me a minute.

14                   Okay, go.

15                   THE WITNESS: Sorry. When I was on ground,  
16 at that point, because it's better to tell this  
17 linearly, I suppose is the best way to say it.  
18 Once I was on the ground, the shoe had split. I  
19 mean, literally, I came down hard on my leg, my  
20 shoe had split.

21                   And once I was on the ground, I mean,  
22 because my leg crumbled underneath me, my right  
23 leg, when I was down on ground, he was standing  
24 over me, I kicked out at him. He grabbed my leg  
25 and twisted it. I never made any contact with

1           him.

2       BY MR. CLAYMAN:

3           Q.   Well, you did make contact, insofar, as him  
4   catching your leg?

5           A.   Oh, that, yes, yes, but that was me kicking out  
6   and him grabbing it.

7           Q.   You how big were your heels?

8           A.   Well --

9           Q.   Let's do inches.

10          A.   I wear women's 12 wide and they're three-inch  
11   tall.

12          Q.   Three-inch tall heels.   So I'm not laughing.

13          A.   No, that's fine.   No, trust me people who  
14   don't -- people don't have to deal with it.

15          Q.   You had the heel on when you kicked out at him?

16          A.   Yes.

17          Q.   Do you know who Ken Stunk is?

18          A.   Yes, yes.

19          Q.   Who is that to you?

20          A.   He is a regular attendee at some of my shows.   I  
21   don't know him on a personal level, on a friendship  
22   level, but I have every week, 150 to 200 people coming  
23   into my show.

24          Q.   So he attend your show regularly?

25          A.   On a semi-regular I would say.   I mean, he's not

1 there all the time.

2 Q. Is he a fan of yours?

3 A. That's -- that's -- I mean, if people come to my  
4 show, I assume that they would be a fan of mine.

5 Q. Have you ever had a drink with the guy?

6 A. Never really socialized with him at all. I mean,  
7 when I'm in the costume, I talk to a lot of people.

8 I -- I've talked to, at least, on every Monday  
9 night, I talk to, at least, 250 people. And, you know,  
10 it's usually talking like this, how are you, darling,  
11 it's lovely to meet you. And I know -- you never really  
12 have to understand what I'm saying now to know that I'm  
13 speaking in a lovely voice.

14 Q. British accent for the record.

15 A. Australian for the record.

16 Q. Was it Australian?

17 A. Yes, it was.

18 Q. Continue, sir.

19 A. All right. So, at any rate, I -- for me to say  
20 that I socialize with him, I have a very small circle of  
21 friends. I'm an entertainer and I try to keep that  
22 section of my life totally separate from friendships and  
23 whatnot.

24 Q. The person you impersonate, that individual is a  
25 very famous guy, right?

1 A. Very famous, yes.

2 Q. He has a lot of admirers?

3 A. Hm-hum.

4 Q. So in suit, would you have some of the same  
5 admirers?

6 A. Yes, yes.

7 Q. Have you ever had a problem with people that have  
8 developed what they think is a relationship with you  
9 that doesn't really exist?

10 A. No, not really. There's never been any of that  
11 stalker, creepy kind of thing going on.

12 Q. Do you have any groupees?

13 A. Oh, yeah, I've got some groupees. I have got  
14 some people that come every week and they're -- they're  
15 just lovely. I mean, you know, they're there every  
16 week.

17 Q. I mean groupee in a respectful way.

18 A. Oh, no, no, that's what I call 'em, I'm in the  
19 theater so I understand. I know exactly what you mean.

20 Q. Disgruntled groupee?

21 A. No, no.

22 Q. How do you determine what a groupee is?

23 A. Somebody who's there every week or practically  
24 every week. Somebody who's at every performance and is  
25 continually commenting on my fan page on Facebook and

1 things like that. And --

2 Q. Have you ever noticed Stunk to comment on your  
3 fan page?

4 A. Not personally. I mean, he might have, he might  
5 have if he liked something, but I don't know.

6 Q. Okay. Do you know who Paula Tyer is?

7 A. No.

8 Q. Are you aware -- I'm going to let you know that's  
9 a name that's involved in this particular this case.

10 A. Yeah, I read her deposition or her statement.

11 Q. Her statement. Her statement -- she's another  
12 independent party just like Stunk --

13 A. Yep.

14 Q. -- and is quite the opposite of Mr. Stunk's  
15 statement?

16 A. Yes, I read it.

17 Q. Okay. The point of this is, to find the truth  
18 and I'm not insinuating that you're not being truthful  
19 about anything.

20 A. Okay.

21 Q. What I want to know is, did you get off the stage  
22 on your own or were you forced to the ground --

23 A. I was forced to the ground.

24 Q. -- by Mr. Corbin?

25 A. I was forced to the ground.

1 Q. Describe it?

2 A. When he pulled my wig off, I was standing on the  
3 edge of the stage. As I said, if there's the audience  
4 facing this way, standing right there, there is -- and  
5 this is something I don't think has ever been fully  
6 explained in any of the paperwork.

7 Right below or right next to where the stage is,  
8 about where the witness is needed, documents are,  
9 there's a tree all right. And below in the side -- in  
10 that tree is a -- what do you call it, a median, I  
11 guess, you know, a parking, one of those little hubs  
12 that come up out of a parking space.

13 Is it possible for me to draw that for you so to  
14 make sure I'm explaining this really? Thank you very  
15 much.

16 MR. CLAYMAN: Witness is drawing a diagram.

17 THE WITNESS: Okay. I apologize. Thank you  
18 for indulging me. It just makes -- and boy, am I  
19 a real artist, let me tell you.

20 BY MR. CLAYMAN:

21 Q. I'm going to stand by you.

22 A. Okay. I'm standing right here. I feel like John  
23 Madden right now.

24 And then Mr. Corbin's standing approximately  
25 right here.

1 Q. Does that mean he's on the ground?

2 A. This is -- there's -- this is actually dirt right  
3 here. You know, it's in the middle of that concrete  
4 median.

5 And so I'm approximately -- and I would -- I  
6 should say, this is not to scale. This is probably, I  
7 would say, 16 to 20 inches wide. It's -- it can't be  
8 any wider than this, it really can't, that hub.

9 And so right literally, I should draw it like  
10 this to be honest with you, and the tree being right  
11 here.

12 But if, from where I was standing, when he  
13 reached up and grabbed my wig, he was standing right  
14 here, right on the edge, I was standing right on the  
15 edge --

16 Q. You're on the stage, correct?

17 A. Yes, I'm on the stage.

18 Q. Where is he?

19 A. Right here.

20 Q. What does that mean, though, is he flush with  
21 you, same level?

22 A. No, no, no, no. This is still -- this is still  
23 elevated off the ground, approximately, 24 inches,  
24 26 inches and then down on to the pavement is another  
25 12 inches.

1 Q. So he's about, from where your feet are  
2 positioned to where his feet are position, he's  
3 approximately a foot closer to the ground than you are?

4 A. Yes.

5 Q. Is that fair?

6 A. No, two feet closer to the ground.

7 Q. Two feet closer?

8 A. Yeah. It's literally, if I -- if I'm him and I'm  
9 standing right here, this is the stage.

10 Q. Okay. So he's significantly lower to the ground  
11 than you are?

12 A. Yeah. I mean, I would say not significantly, but  
13 I'm saying -- if I'm standing -- it's probably a little  
14 shorter than this, but not by much.

15 I'm standing right here and he could step up on  
16 to the concrete, which is what he did, and that's when  
17 he reached up and grabbed the wig.

18 Q. My question to you, guess for me, in your best  
19 opinion, how many feet lower to the ground was Corbin's  
20 feet than yours?

21 A. I would say less than two.

22 Q. Less than two feet?

23 A. Less than two.

24 Q. Ballpark?

25 A. That's ballpark. I can't -- I really there's no



1 way to measure it unless we actually have the stage.

2 Q. I understand. And you were wearing three-inch  
3 heels?

4 A. That's correct.

5 Q. Okay. And how long is your wig?

6 A. Oh, it's Ann Miller, it's big, huge, bouffant.

7 Q. It's a bouffant that goes up?

8 A. That goes up, that's correct.

9 Q. How did he reach your wig with his hand?

10 A. When I had the torch in my hand, which nobody is  
11 arguing that I did. I did actually grab the torch  
12 because, at that point, I was afraid he was going to set  
13 me on fire. I leaned down and that's when he reached up  
14 and grabbed my wig.

15 Q. Did you lean down facing him?

16 A. Well, over him, over him from the stage.

17 Q. Okay. So you leaned down over him.

18 Did he have something to say to you at the time?

19 A. No, I didn't say anything to him. Other than put  
20 the fuckin' thing out.

21 Q. Gotcha. And you a couple of times, it's alleged,  
22 that you tried to blow the torch out?

23 A. Yes, I tried.

24 Q. Is that fair?

25 A. Yes, that is fair.

1 Q. Were you successful?

2 A. No.

3 Q. Torch was never out?

4 A. To my -- not to my knowledge.

5 Q. There's some testimony that the torch may have  
6 gone out and then it was relit, do you know that?

7 A. There were times -- I was -- it was my impression  
8 and I was told many times later that the torch was, that  
9 evening, I know it doesn't apply to me, but he had been  
10 told to put it out several times and this was after the  
11 fact.

12 Q. Was he told to put it out several times by you?

13 A. Yeah, oh, definitely, definitely.

14 Q. Okay. So he didn't put the torch out. You're on  
15 the stage. He's, maybe, two feet closer to the ground  
16 than you are, give or take?

17 A. Give or take.

18 Q. And at a certain point, you lean over towards him  
19 where you're face to face to a certain extent?

20 A. Not flush, no.

21 Q. But you're looking at him, hunched over, leaning  
22 down and telling him, as you just quoted, put the  
23 fuckin' thing out?

24 A. Yeah.

25 Q. Okay. So, when he kept going to this torch

1 before he got to this point, why didn't you just go to  
2 the other side of the stage?

3 A. With all those people?

4 Q. Yeah.

5 A. It wasn't going to happen. It wasn't going to  
6 happen. There were 20 some odd people on that stage,  
7 there was barely any room to move.

8 Q. You were on the mike, why did you call --

9 A. I wasn't on the mike.

10 Q. No mike?

11 A. No mike.

12 Q. Could you yell for somebody, security?

13 A. If you could have seen, again, if you could have  
14 seen the number of people out in that parking lot, you  
15 could not find security.

16 I mean, I was stunned that somebody would be able  
17 to be out there with a lit implement, with a torch, and  
18 nobody had approached him right there and told him to  
19 put it out.

20 Q. Did you ever flick or knock his hat off?

21 A. No.

22 Q. Okay. But you did grab the torch?

23 A. Yes, I did grab the torch.

24 Q. Undisputed, we all can agree on that?

25 A. Yes.

1 Q. And when you grabbed the torch, how much time  
2 went by before he allegedly grabbed your wig and you  
3 came off the stage?

4 A. It was -- it happened so fast.

5 Q. It was instantaneous?

6 A. I wouldn't say instantaneous, but within three  
7 seconds, within three seconds. I mean, it really was  
8 quick.

9 Q. Okay. So to make the record clear, you grabbed  
10 the torch, he grabs wig, according to you, you hit the  
11 ground?

12 A. That's right.

13 Q. And with that, you injure your leg?

14 A. Yes, I did.

15 Q. There was an article that was in the newspaper --

16 A. South Florida Gay News.

17 Q. -- South Florida Gay News. And you stated in  
18 that article, or at least you were quoted in that  
19 article, to have gone to the hospital the next day.

20 A. No. I was playing -- if you look at it again, at  
21 least to my recollection -- do we have it?

22 Q. It's highlighted. This is a copy.

23 A. Yes. That was a misquote. And I believe it has  
24 been corrected on the web site, but if it's not, that  
25 was a misquote.

1 I was planning on going to the emergency room,  
2 but I, frankly, didn't have the money.

3 Q. Okay. So you did not go?

4 A. I did not go to the emergency room, I did not.

5 Q. How is your knee?

6 A. Right now it's fine. What it turned out to be, I  
7 did actually do this, did get to see a doctor at one  
8 point and it was a walk-in clinic.

9 Of course they couldn't tell with any certainty  
10 what was wrong with the knee without an MRI. The cost  
11 of an MRI out of pocket is about \$600. I couldn't do  
12 it. Just can't do it. I mean, it's nice to have fans,  
13 but it would be nicer to have money and certainly nicer  
14 to have insurance, which I don't.

15 But the doctor, from looking at it and from  
16 hearing my leg click and crack and everything else, she  
17 assumed that I had damaged my cruciate ligament, which  
18 is a cross shaped ligament that goes across the knee.

19 Q. Your ACL?

20 A. Is that what that is?

21 Q. Your interior cruciate ligament.

22 A. See, you learn something new everyday. I don't  
23 know what the hell it is, but anyway, that is what the  
24 doctor said, but there was nothing definite because I  
25 could not afford to have the MRI done.

1 Q. So you refused EMS that particular evening?

2 A. I was never offered EMS.

3 Q. Well, okay. You could have called yourself to  
4 get --

5 A. No. That's very true, that's very true, but  
6 first thing that happened after I was up, I went into  
7 the Manchester and with the help of, which is  
8 probably --

9 Q. Can you describe the Manchester room?

10 A. It's a small cabaret space at the Alibi. It's  
11 just off the main bar.

12 Q. What is the cabaret space? I don't know what  
13 that means?

14 A. It's a room with chairs and a bar and a small  
15 performance space.

16 Q. Okay. For, like, singing?

17 A. Singing, yes. That's what I do in my show.

18 Q. Okay. Got it.

19 A. No, just -- I'm sorry. You seem like nice guy,  
20 but I was like really? You're asking that?

21 Q. No.

22 A. At any rate, it's a very small room, holds about  
23 100, 120 people, there about. And that is where I went  
24 to be seated.

25 My partner, who you met outside, was on stage on

1 the complete opposite side of the stage from me. He  
2 could not -- he didn't even see what had happened to me,  
3 that's how many people were on the stage.

4 It was curbed out like so. The contestants were  
5 like this, right here. He was standing over here, I was  
6 here, I was here, then I was on the ground.

7 Q. Understood.

8 A. So, I went in there and I waited to see what the  
9 hell was going on. I limped and I was, like, okay, I  
10 knew my leg wasn't broken, I knew that, but it was  
11 really hurting, the knee was starting to swell at that  
12 point.

13 So immediately the first thing I did was, as soon  
14 as we had reported it to security and done all of the  
15 requisite stuff with the management there at the Alibi,  
16 we went, got into my car, went home. And there's a  
17 reason for that, I'm encased in enough Spandex. You  
18 know, fortunately I'm gay and don't plan on having  
19 children, but I had to get out of those things.

20 Q. I hear you.

21 A. As soon as -- and, also, I could not make a full  
22 assessment of the damage of my leg or what had happened  
23 to my leg until the hose and everything were off of  
24 my -- of my body.

25 And then as soon as that happened, we got into

1 the car, I got the makeup off, we got -- I got in the  
2 shower first and then I got into the car, went to Wilton  
3 Manors Police Department where we waited to file the  
4 complaint for almost an hour, hour 15, however, that  
5 didn't surprise me because it was Halloween night.

6 Q. Why don't you just go straight there, not worry  
7 about the makeup and everything else?

8 A. Like I said, I had to get out of the hose to  
9 determine what the hell was wrong.

10 Q. I get that part, but the makeup and all that?

11 A. Makeup just because you don't want to sit outside  
12 of Wilton Manors Police Department -- of course, it was  
13 Halloween so I guess it didn't really make difference,  
14 but it seemed like the right thing to do.

15 Q. Understood.

16 Okay. When you were on the ground in what you  
17 stated as defensive position when you threw a kick at  
18 Mr. Corbin, it's kind of being said he was hunched over  
19 you?

20 A. Leaning, leaning over.

21 Q. How far away from you was he?

22 A. From about -- from here to the end of my foot.

23 Q. Did he say anything to you?

24 A. I don't remember, I honestly don't remember.

25 Q. Did you say anything to him?



1 A. Not that I recall.

2 Q. Okay.

3 A. Other than I was just ready -- I was ready for  
4 whatever was going to happen. I had no idea what was  
5 going to happen at that point.

6 Q. By that point you were ready to be physical if  
7 you --

8 A. Yes. If I needed to defend myself, I would have  
9 was going to and that's what I felt that I did to an  
10 extent.

11 Q. You stated in here that you don't have insurance?

12 A. No.

13 Q. You didn't have insurance then either?

14 A. No.

15 Q. Because you're an independent contractor, I guess  
16 for a lack of better term, Worker's Comp doesn't cover  
17 you?

18 A. No. It's a real shit deal to be honest with you,  
19 but that's the way to go.

20 Q. Would you like to have yourself in the  
21 appropriate position where you could be covered for this  
22 for your knee? You're trying to --

23 A. I'm trying -- yes, I'm going through -- Well,  
24 I've got what seven more days to go on the web site and  
25 get it. But that's -- that's going to be it.

1 I mean --

2 Q. Okay.

3 A. I mean, right now my knee is -- I mean, it's  
4 fine. It's, basically, since the Halloween night, which  
5 has been well over a year now, my knee still clicks. I  
6 still have a little problem there, but it's not swollen  
7 and it's not -- I'm not hobbled the way I was.

8 Q. Did you ever treat your knee --

9 A. Different --

10 Q. -- formal treatment?

11 A. As far formal treatment, no. Other than seeing  
12 the doctor once without having the MRI and having them  
13 tell me what a course of treatment would be there was no  
14 way.

15 Q. Okay.

16 A. I could not afford it at the time.

17 Q. When you initially filed your report, do you  
18 remember you came into contact with an officer by the  
19 last name of Rohr?

20 A. Yeah, yeah, yeah, yeah.

21 Q. Okay. And you also met with an Officer Loughran?

22 A. Met with Loughran the next day, the next day.

23 Q. And ultimately you met with Detective Pilewski?

24 A. That's correct.

25 Q. You told Rohr, and he articulated that in his

1 statement, that as of the time that you went in there to  
2 make the filing, you were unsure of who the person was,  
3 your attacker, who was your attacker?

4 A. That was an incorrect statement.

5 Q. What does that mean?

6 A. That's not true.

7 Q. You didn't say that?

8 A. No, I did not. I said if I saw him right now, I  
9 could tell you exactly who he is.

10 Q. So what you're saying now, and I am not beating  
11 up on you, I'm making this clear --

12 A. No.

13 Q. -- he just chose to write something --

14 A. I will be very honest with you.

15 Q. Tell me.

16 A. Did he not seem interested in taking the  
17 statement at all.

18 Q. You very well may be right. I am not going to  
19 comment on that.

20 A. Yeah.

21 Q. But --

22 A. That's the impression I got.

23 Q. He was very clear with his language that you  
24 stated that you were unable to identify that particular  
25 individual?

1       A. And that is not true. As a matter of fact, the  
2 one thing that was not placed -- it was in South Florida  
3 News or South Florida Agenda articles about this when I  
4 was asked, I told the guy when he -- after I read Rohr's  
5 comment that I could not identify him, I said, if he  
6 walked up to me, I said, I wouldn't know the guy on the  
7 street just right off the bat.

8       But I said, he was wearing a KKK outfit. And I  
9 said, he had a beard, I said, I remember his face, I  
10 remember his eyes. I told him, I said, so yes, if I saw  
11 him tonight, I could tell you who he is.

12       Q. When you met, ultimately, with  
13 Detective Pilewski, you ID Mr. Corbin?

14       A. That's correct.

15       Q. How much urging or involvement did  
16 Detective Pilewski have in you identifying Mr. Corbin?

17       A. None, none.

18       Q. And I'm not implying he did anything, I want know  
19 if he did?

20       A. No, he did not.

21       Q. You just, straight up, hey, number three, that's  
22 my man, that's who did it?

23       A. That's was it.

24       Q. Were you looking at color photo or black and  
25 white?

1 A. I don't remember what the little -- the IDs, if  
2 it was color, black and white, I don't remember.

3 Q. How many photographs did he present to you?

4 A. Oh, God, quite a few, I don't honestly remember.  
5 I guess it was a flip book.

6 Q. Do you have any idea --

7 A. I would not feel comfortable saying --

8 Q. Was it more than three or less than three?

9 A. Yes, more than three, oh, yes.

10 Q. More than ten?

11 A. I don't know. I can safely say more than three.  
12 I don't know if it was more than ten.

13 Q. And you did, ultimately, ID Mr. Corbin?

14 A. That's correct.

15 Q. And the photo that they showed you of Mr. Corbin,  
16 was he wearing regular clothes or was he wearing --

17 A. The photo that was in the --

18 Q. The line-up.

19 A. -- that was in the line-up he was wearing normal  
20 clothes. I mean, it was just a head shot, basically.

21 Q. Okay. There's also an area in one of Loughran's  
22 report where he said that you wouldn't be able to  
23 confirm who your attacker was as well.

24 Now, that may have very well have been him  
25 regurgitating what Officer Rohr said.

1 A. Yeah, sure.

2 Q. Theoretically, I can go back and live with that.

3 What did you have to do with Officer Loughran,  
4 did he seem interested in dealing with and getting your  
5 information?

6 A. We went back to the police department, I  
7 guess -- I don't remember when it was, I guess it was  
8 the next day, I am not sure. I can't remember when the  
9 statement was taken, I honestly can't. I mean, it's  
10 been a year and some half, so I've slept since then.

11 I went in with my partner and we were in the  
12 police department and officer -- and I said, I need to  
13 see somebody regarding this because I did not feel that  
14 Officer Rohr, that's the name of the gentleman that took  
15 my statement.

16 Q. The first guy.

17 A. Yeah. I didn't feel that he took it seriously at  
18 all. And I was not a happy camper about that and so I  
19 asked to see someone and that's when --

20 Q. Loughran?

21 A. Loughran that's when he came in and he was very  
22 nice, he was very helpful. I told him and I suppose  
23 when you go back reading his statement again, you can  
24 see what you had just mentioned was clear or not, no, I  
25 told him, I said, when I had heard that I could not --

1 when I read the statement saying that I could not  
2 identify him, I was like, no, no, that's not true.

3 Q. Okay. I respect your position and we'll not ask  
4 you anymore questions about that, fair enough.

5 A. Okay, fair enough.

6 Q. My next question for you, I want to be very clear  
7 with this, you said Corbin was poking at you with a tiki  
8 torch?

9 A. Yes.

10 Q. And you guys had some big banter back and forth  
11 trying to blow out the torch, whether or not the flame  
12 was actually extinguished or not, you don't really  
13 remember?

14 A. I don't recall. But I don't believe it was.

15 Q. Okay. With that being said, he was prodding at  
16 you with it, teasing you for whatever reason, was that  
17 your interpretation?

18 A. That was.

19 Q. Do you feel he was trying to stab you with the  
20 damn torch and light you on fire?

21 A. Yes, I did.

22 Q. Your honest belief was that -- because, again,  
23 you stated earlier that with the issue with the torch,  
24 you were leaning over off the stage, not face-to-face,  
25 but attempting to go near him, but I want to know,

1 there's no disputing at this point that you fell off the  
2 stage?

3 A. That's right.

4 Q. And things of that nature. But we need to be  
5 clear and honest with what you're saying so we  
6 understand everything, because I'm asking you -- you  
7 stated earlier that you were never in fear for your  
8 safety of an attack, you were fear of being lit on fire?

9 A. That's correct.

10 Q. Now, what I'm asking you when you were in that  
11 fear, did you believe he intentionally wanted to light  
12 you on fire or was he being an asshole and -- sorry,  
13 excuse my language for the record, he was too close to  
14 you and you were concerned that, hey, man, I might -- I  
15 can get caught on fire?

16 A. I do not disagree with that statement. I do not  
17 disagree with that. However, anybody who's -- Well, I  
18 mean, this is a broad generalizations.

19 Q. Cool.

20 A. Anybody who is carrying around a lit torch and  
21 would actually gesture toward someone with it, the line  
22 between asshole and someone who's trying to catch you on  
23 fire is very blurred.

24 Q. Understood. But what I'm only concerned with now  
25 is all you have is your impressions of the event to give



1 me an answer.

2 A. Certainly.

3 Q. What you felt, because all I'm concerned with  
4 right now is what your exact emotion and feeling was at  
5 the time.

6 But what I'm asking, just so we're clear is,  
7 there's no question based on what you're saying and I am  
8 not disputing it, that he was too close to you with this  
9 torch that you had a valid, legitimate concern that  
10 whether it was the wig and bouffant style, if I said  
11 that correctly or polyester garb, you had a valid  
12 concern that that could be caught on fire?

13 A. Yes.

14 Q. Fair?

15 A. That's fair.

16 Q. What I'm asking you to do is go one step further.

17 A. Okay.

18 Q. Was Mr. Corbin trying to light you on fire?

19 A. I can't say whether he was or not.

20 Q. You can tell me what your opinion is.

21 A. My opinion? My opinion? I don't --

22 Q. Because this is an important question.

23 A. It is an important question. It is an important  
24 question. Did I believe at the moment? No. But I  
25 don't think it would have been too far-fetched had it

1 happened that it would have been that really sad about  
2 it.

3 Q. Well, his emotion is out of this right now.

4 A. Okay.

5 Q. What I'm understanding now, is that you believed  
6 that he did not -- his goal, his intention was not to  
7 light you on fire, but he was so is damn close to you --

8 A. That is correct.

9 Q. -- that you had a valid, valid concern that your  
10 clothing or your --

11 A. That's correct.

12 Q. -- your hairspray and everything could actually  
13 go up in flames and that's why you were pissed off?

14 A. Yeah. I mean, I was frightened. I mean, you  
15 know, going up in fire. I mean, Frankenstein didn't  
16 like torches either, you know.

17 Q. I'm not advocating on behalf of anyone's behavior  
18 or the other way.

19 A. Okay.

20 Q. I just want to know what you actually felt in  
21 your mind, in your heart at the time where were you at.

22 A. Okay.

23 Q. I am not here to give you a hard time.

24 A. No, I know. We've clarified that. That's fine.  
25 That's a fair statement.

1 Q. Okay. Did you give any other statements to  
2 anyone else in law enforcement outside of Detective  
3 Pilewski?

4 A. No, I don't believe so. I know I met with three  
5 people and that was Rohr, Loughran and Pilewski.

6 Q. How many times do you think you told him to put  
7 that torch out?

8 A. Bare minimum, four. And I was truly stunned that  
9 somebody would have that there and it was -- I mean,  
10 very, very unnerving.

11 Q. Is it fair to say that during the process while  
12 this was going on, you were getting very angry with him  
13 because you believe he was making, maybe, a game out of  
14 it?

15 A. Yeah, it seemed very, very irresponsible. I  
16 mean, as far as level of anger, anger's -- I mean,  
17 concern is more correct and frustration.

18 Q. You stated in your statement that you had no idea  
19 what his actual intention was?

20 A. No, I had no idea.

21 Q. Which is, you're saying congruent today you are  
22 keeping the same position?

23 A. Yes. I mean, of course there's one thing to  
24 consider.

25 Q. Yes.

1 A. It's Halloween night, it's Wilton Manors, it is a  
2 neighborhood where people -- they don't call it Fort  
3 Liquordale for nothing.

4 I've seen people in bars that are drunk. I  
5 didn't -- no, I'm not saying that your client was, I  
6 know, obviously, he was drinking, he was photographed  
7 with drinks.

8 I have seen things happen that were not -- nobody  
9 in their wildest imagination would have intended for it  
10 to happen, but it goes there.

11 Q. You actually stated in your statement that when  
12 he -- when he -- when you kicked at him and he caught  
13 your leg --

14 A. Yes.

15 Q. -- your words were that you actually understood  
16 that he was trying to defend himself from your kick, do  
17 you remember --

18 A. Oh, I'm sure anybody would have tried to block a  
19 kick, anybody would have.

20 Q. Sounds fair.

21 A. That's a fair statement, absolutely. But it was  
22 what he did was when he grabbed the leg, he twisted it.

23 Q. Gotcha. I think you were generally just angry  
24 that he had this torch because you stated in your  
25 statement, even if -- even if it had been inadvertent,

1 there were many other polyester costumes and wigs, you  
2 know --

3 A. Oh, yeah, yeah. God, it was definitely a hazard.

4 Q. It was a hazard.

5 A. Yes.

6 Q. Most important part of the deposition and let me  
7 explain to you what it is.

8 A. Okay.

9 MR. CLAYMAN: I want to ask you if you want  
10 to read or waive. What that means is, if we  
11 decide to have future hearings and I want to use  
12 a transcript of this, you have the opportunity  
13 to read your transcript to make sure the court  
14 reporter took down, your words, whether you --  
15 the words the way you meant them to be taken  
16 down, but the odd thing is, you can't change the  
17 script.

18 THE WITNESS: No, you can't -- yeah.

19 MR. CLAYMAN: You have an opportunity to  
20 make some commentary, hey, this is what I meant,  
21 this is not what I meant or you can trust she did  
22 her job well and she took all the information the  
23 right way, meaning the letters, what we're  
24 talking about.

25 THE WITNESS: Sure.

1 MR. CLAYMAN: And waive it. Either way, the  
2 choice is yours.

3 You can talk to the State Attorney.

4 THE WITNESS: I don't know. What's the  
5 standard on that? I mean --

6 MS. AVARI: It's completely your choice.

7 THE WITNESS: Seems like a nice lady.

8 MS. AVARI: It's completely up to you. The  
9 officers decided to read, but it's up to you.

10 THE WITNESS: You know what, no offense,  
11 I'll read.

12 THE COURT REPORTER: I need an e-mail  
13 address.

14 THE WITNESS: Stagecenter@aol.com.

15 (Thereupon, the deposition was concluded.)  
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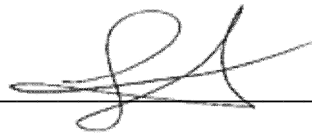
CERTIFICATE OF OATH

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STATE OF FLORIDA )  
 ) Ss:  
COUNTY OF BROWARD )

I, LISA GREENWELL, Court Reporter, Notary  
Public, State of Florida, certify that  
MICHAEL WALTERS, personally appeared before  
me on the 26th day of March, 2014 and was duly sworn.

Signed this 30th day of April, 2014.



LISA GREENWELL, Court Reporter

BAILEY & ASSOCIATES  
500 East Broward Boulevard  
Suite 1700  
Fort Lauderdale, Florida 33394

Notary Public, State of Florida at Large  
My Commission expires: April 4, 2015  
My commission No: EE 067515.

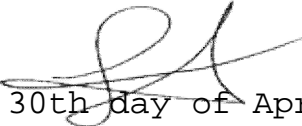
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CERTIFICATE OF REPORTER

STATE OF FLORIDA        )  
                                  ) SS:  
COUNTY OF BROWARD    )

I, LISA GREENWELL, Court Reporter, do hereby certify that I was authorized to and did stenographically report the deposition of MICHAEL WALTERS, that a review of the transcript WAS requested; and that the foregoing transcript Pages 1 through 39 is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, or attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

  
Dated this 30th day of April, 2014.

\_\_\_\_\_  
LISA GREENWELL, Court Reporter  
BAILEY & ASSOCIATES  
500 East Broward Boulevard  
Suite 1700  
Fort Lauderdale, Florida 33394



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Witness

Sworn to and subscribed to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 2014.