

IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

CASE NO.: 12-016625CF10A

JUDGE: SIEGEL

STATE OF FLORIDA,

Plaintiff,

vs.

BOYD CORBIN,

Defendant,

\_\_\_\_\_ /

DEPOSITION

OF

TRENT PENN

Broward County Courthouse  
201 Southeast 6th Street, Room 1003B  
Fort Lauderdale, Florida 33301

August 22nd, 2014  
1:50 p.m. - 2:41 p.m.

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APPEARANCES:

For the Plaintiff:

MONIQUE PILLINGER, ESQUIRE  
Assistant State Attorney  
201 Southeast 6th Street  
Fort Lauderdale, Florida 33301

For the Defendant:

DANIEL CALLAHAN, ESQUIRE  
Conway Callahan, P.L.L.C.  
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Dania Beach, Florida 33004

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(Exhibits were premarked.)

1 THEREUPON:

2 TRENT PENN

3 a witness named in the notice heretofore filed, having  
4 been first duly sworn, deposes and says as follows:

5 DIRECT EXAMINATION

6 BY MR. CALLAHAN:

7 Q. Sir, can you please state your name for the  
8 record?

9 A. Trent Penn.

10 Q. And, what is your address?

11 A. 18876 Northwest 1st Street, Pembroke Pines,  
12 Florida 33029.

13 Q. Is it - is that the same address in which we  
14 served you with a subpoena?

15 A. Yes. The original one. Yes.

16 Q. Okay. And, you're here pursuant to that  
17 subpoena. Correct?

18 A. Excuse me?

19 Q. You are here pursuant to that subpoena?

20 A. Yes.

21 Q. Correct?

22 A. Yes.

23 Q. Thank you very much for appearing.

24 MR. CALLAHAN: For the record. My name is Dan  
25 Callahan. My firm Conway and Callahan represents

1 Boyd Corbin in the matter of the State of Florida  
2 verses Boyd Corbin in Case Number 1216625CF10A.

3 Also, present in the courtroom is the  
4 Assistant State Attorney. She'll make an  
5 announcement for the record.

6 MS. PILLINGER: Monique Pillinger for the State.

7 BY MR. CALLAHAN:

8 Q. And, have you ever given a deposition before  
9 --

10 A. No.

11 Q. -- Mr. Penn?

12 A. No.

13 Q. Okay. Do you - can you explain to me what it  
14 is - what the oath was that you took that the court  
15 reporter asked you to take?

16 A. To tell the truth.

17 Q. Okay. And, just to make sure you understand,  
18 as far as you giving truthful testimony you understand  
19 that perjury - what perjury is?

20 A. Yes.

21 Q. Okay. So, therefore, when I ask you a  
22 question and you were to answer it incorrectly knowingly  
23 and provide a false answer it would be considered  
24 perjury. Right?

25 A. Correct.

1           **Q.**    Okay.  Normally, when we have discussions we  
2 might nod our head or make non-verbal responses, today  
3 we have to verbalize everything.  I'll remind you if I  
4 pull my ear.  Okay?

5           **A.**    Okay.

6           **Q.**    Before we began the deposition and  
7 Ms. Pillinger arrived, I had provided you a copy of what  
8 was given to me by a Jackson Paget (phonetic) who is the  
9 President of Gats (phonetic) Bar Inc.  Do you know who  
10 Jackson Paget is?

11          **A.**    Yes.  I do.

12          **Q.**    Okay.  Did you have an opportunity to review  
13 that document?

14          **A.**    Yes.  I did.

15          **Q.**    And, there were, basically, 5 pages in that  
16 document.  Can you tell us what that document was that  
17 you reviewed?

18          **A.**    The document is an incident report that I  
19 filled out after the time of the incident occurred.

20          **Q.**    Okay.  And, is your application for employment  
21 there as well?

22          **A.**    Yes.

23          **Q.**    Okay.  A copy of your driver's license is on a  
24 different piece of paper?

25          **A.**    Correct.

1           **Q.**   And, as far as a narrative about an incident  
2 that's memorialized can you tell us were you employed  
3 back in October 2012?

4           **A.**   Yes.

5           **Q.**   And, do you remember the incident which gave  
6 rise to why you're here today?

7           **A.**   Yes.

8           **Q.**   Okay. Is there anything else that could help  
9 refresh your recollection?

10          **A.**   No. I remember pretty clearly.

11          **Q.**   Okay. Did that help assist you?

12          **A.**   Not really. It wasn't anything - I didn't  
13 forget anything.

14          **Q.**   Okay. Did I say anything to you other than  
15 just to have you review that paperwork before we began  
16 the deposition today?

17          **A.**   No. You did not.

18          **Q.**   Okay. Have you spoken to any attorneys in my  
19 office about the facts of the case?

20          **A.**   No.

21          **Q.**   And, in regards to this incident, have you  
22 ever spoken to a member of the Wilton Manors' Police  
23 Department?

24          **A.**   No.

25          **Q.**   Do you know who Frank Poluski (phonetic) is?

1           **A.**    No.

2           **Q.**    Do you know who Detective Poluski is with the  
3           Wilton Manors' Police Department?

4           **A.**    No.

5           **Q.**    Okay.  Have you ever spoken to the Assistant  
6           State Attorney Ms. Pillinger before today?

7           **A.**    No.

8           **Q.**    Okay.  In regards to this incident, what was  
9           your position as far as working - what is the location  
10          where you were working on October 31st, 2012?

11          **A.**    The location of my employment?

12          **Q.**    Yes, sir.

13          **A.**    Alibi.

14          **Q.**    Okay.  And, right now how old are you, sir?

15          **A.**    26.

16          **Q.**    Okay.  You're - what's your date of birth?

17          **A.**    May 6th, 1988.

18          **Q.**    One of the questions that Ms. Pillinger or  
19          myself can ask you anyone can be subjected to these  
20          questions during a testimony is have you ever been  
21          convicted of a felony?  And, the question would be have  
22          you ever been convicted of a felony?

23          **A.**    No.  I have not.

24          **Q.**    Okay.  Another question you can be questioned  
25          during testimony would be have you ever been arrested or



1 convicted of a crime involving dishonesty?

2 **A.** No.

3 **Q.** Okay. And, where did you grow up, sir?

4 **A.** Detroit, Michigan.

5 **Q.** And, you lived down here in South Florida for  
6 how long?

7 **A.** Going on 7 years; 7 years, I believe.

8 **Q.** And, are you also going to college or  
9 anything?

10 **A.** Not at the moment. No. Just working.

11 **Q.** Okay. But, you did go to a university  
12 somewhere?

13 **A.** Yes. I did.

14 **Q.** Where did you go?

15 **A.** West Virginia State University.

16 **Q.** And, what did you study at West Virginia?

17 **A.** Biology.

18 **Q.** Okay. Other than working at - what was the  
19 name of the establishment you were working at back in  
20 October 31st, 2012?

21 **A.** Alibi.

22 **Q.** Say it again.

23 **A.** Alibi.

24 **Q.** Okay. Do they call it Georgie's Alibi?

25 **A.** Not anymore. It's just it's been Georgie's

1 for so long that it kind of still has association with  
2 the name, but the official name is just Alibi.

3 Q. Okay. I'm just going to show you what's been  
4 marked as Defense Exhibit 2. I showed it to the State  
5 earlier. This is - can you tell us what that is an  
6 image of?

7 A. That looks like --

8 Q. I'm going to use this picture.

9 A. -- a photo of just the front side of the  
10 building where we usually have the stage during the  
11 events.

12 Q. Okay. We can use - I'll give you a copy, I'll  
13 leave this here, and this is going to --

14 MS. PILLINGER: Can I see?

15 MR. CALLAHAN: -- be for the State to have.

16 Sure thing. Well, that's - we're using these.

17 I'll make a photocopy. That might have been a  
18 communication between me and --

19 MS. PILLINGER: Oh. Oh.

20 MR. CALLAHAN: Yeah. This was like a copy of  
21 something --

22 BY MR. CALLAHAN:

23 Q. But, as far as - so, so, basically, this has  
24 been marked as Defense Exhibit 2 for purposes of the  
25 deposition. The parking lot in front of the Georgie's

1 Alibi, that's in a shopping plaza off of Wilton Drive?

2 A. Correct.

3 Q. Okay. And, the parking lot really isn't  
4 captured in that image, though. Correct?

5 A. No. Not the complete parking lot.

6 Q. Okay. But, just the immediate area out in  
7 front of Georgie's Alibi?

8 A. Correct.

9 Q. Do you actually see - and this isn't the  
10 colored copy that we're using.

11 A. Uh-huh.

12 Q. We're using a copy for the purposes of the  
13 transcript, but can you see the picture of the entrance  
14 to Georgie's - to the Alibi?

15 A. Yes.

16 Q. Okay. And, where would - in this particular  
17 image in Defense Exhibit 2 would the stage for the  
18 Halloween costume party that happened on October 31st,  
19 2012 would that be within this image?

20 A. Yes. It would be.

21 Q. Okay. And, there's a parking curb in --

22 A. Correct.

23 Q. And, that parking curb, where would that be in  
24 location - or where would the stage be in location to  
25 the parking curb?

1           **A.**    It would be to the left of it.

2           **Q.**    And, just for the record - I'm sorry.

3           MS. PILLINGER:  Yeah.  What curb?  I don't  
4           know what curb you're talking about.

5  BY MR. CALLAHAN:

6           **Q.**    Do you see the tree bed --

7           **A.**    Correct.

8           **Q.**    -- that's in the picture there?

9           **A.**    Yes.

10          **Q.**    Okay.  In fact, there's the - that's the  
11          biggest tree that's in the middle of the picture.  You  
12          would agree?

13          **A.**    Yes.

14          MS. PILLINGER:  So the stage is in front?

15          THE WITNESS:  To the left where these 3 cars  
16          occupy --

17          MS. PILLINGER:  The stage would be at?

18          THE WITNESS:  -- is where the - correct.

19          MR. CALLAHAN:  Okay.

20          THE WITNESS:  It would be - it would be like  
21          an elevated platform, maybe a foot off the ground.  
22          And, it would occupy those 3 spots.

23          MS. PILLINGER:  And, so where are the  
24          gatherings of people?  Just in the whole parking  
25          lot?

1 THE WITNESS: In the whole parking lot. Yeah.  
2 What we do is we block off so that cars aren't able  
3 to enter the parking lot, and basically, the whole  
4 parking lot becomes - it's open into Wilton Drive  
5 and the whole thing can be occupied by people.

6 MS. PILLINGER: Okay.

7 MR. CALLAHAN: And, let me show something to  
8 Ms. Pillinger that might help you out.

9 BY MR. CALLAHAN:

10 Q. And, just for the record so we're clear; those  
11 are the white cars that are captured in Defense Exhibit  
12 2 depiction, sir?

13 A. Yes.

14 Q. Okay. In regards to - I'm going to show you  
15 also now Defense Exhibit 1 - do you recognize Defense  
16 Exhibit 1?

17 A. Yes.

18 Q. Can you tell me what that is, sir?

19 A. That is one of our performers and MC's, Dame  
20 Edna.

21 Q. Okay. And, do you know Dame Edna's real name?

22 A. No. I do not.

23 Q. And, was Ms. Dame Edna working that evening on  
24 Halloween of 2012?

25 A. Yes. She was.

1           **Q.**    In what capacity was she working?

2           **A.**    She was the host of the contest.

3           **Q.**    Okay.  And, for record, I think the State  
4 would agree that this is the victim in the case Michael  
5 Walters, just for the record, this is a photograph of  
6 Michael Walters in his costume, his appearance for his  
7 show Dame Edna?  Is that right?

8           **A.**    Correct.

9           **Q.**    Okay.  Where were you working that evening,  
10 sir?

11          **A.**    That evening I was working at the front door.

12          **Q.**    Okay.  And, so you - in position to the stage  
13 would you be - where would you have been?

14          **A.**    In position to the stage, I guess you could  
15 say I was --

16          **Q.**    Relation, I should say.

17          **A.**    In relation to the stage?

18          **Q.**    Uh-huh.

19          **A.**    I guess you could say, I don't even know how  
20 to explain it.  Like what, North - what would that be?  
21 Northwest of the stage?

22          **Q.**    Okay.  What that tucked behind --

23          **A.**    Yeah.  I would be behind and to the right.

24          **Q.**    Okay.  So, --

25                MS. PILLINGER:  Sorry.  When you say that the

1 door - is it this --

2 THE WITNESS: That door. Correct.

3 MS. PILLINGER: Okay. So, the door to the  
4 actual business.

5 THE WITNESS: Exactly.

6 BY MR. CALLAHAN:

7 Q. Why don't we do this, if you can circle the  
8 door on this Exhibit 2 that has the tab on it - I think  
9 on the side of it you can indicate - okay. For the  
10 record, the witness is complying. He's circling in an  
11 oval shape - why don't you write on the side of that  
12 circle front door so we're all in agreement that that's  
13 exactly where that entrance is for future reference if  
14 this is transcribed.

15 MS. PILLINGER: I'm sorry.

16 MR. CALLAHAN: Go ahead.

17 MS. PILLINGER: I'm sorry to interrupt. So,  
18 you weren't really working the party or the costume  
19 party, it was more that you were just there for the  
20 business?

21 THE WITNESS: No. The - we in a way host the  
22 party being that we're, you know, the biggest bar  
23 in the plaza. It's our stage, our performance.  
24 What we do is have a team of security and we have  
25 different posts in which we're relation to.

1           So, yes. I'm at the front door, but in that  
2           sense it's kind of having multiple things that you  
3           have to be aware of. So, not only am I watching  
4           the door, I'm, handling the things that are there,  
5           but I'm also watching the immediately front part of  
6           the door; the front area in front of the door for  
7           what's happening there as well.

8           MS. PILLINGER: Okay. How far would you say  
9           the front door is and where you were to the stage?

10          THE WITNESS: To the stage? I would say  
11          between 10 to 12 feet. Maybe.

12          MS. PILLINGER: Okay.

13          THE WITNESS: If not less.

14          MS. PILLINGER: Okay. I'm sorry. Go on.

15          BY MR. CALLAHAN:

16          **Q.** Okay. And, other security guards working that  
17          evening other than yourself, do you happen to know who  
18          or recall who they were?

19          **A.** I believe I can. Would you like me to say it?

20          **Q.** Yeah. Go ahead and - who they are; their  
21          names.

22          **A.** That evening - we go through a lot of security  
23          guards. Christopher Collela, I believe, was working  
24          that evening.

25          **Q.** How would you spell his last name?



1           **A.**    Last name C-O-L-L-E-L-A.

2           **Q.**    Okay.  Is he still employed with the club?

3           **A.**    Yes.  He is.  I'm trying to think who else -  
4    like, we go through a lot of people.  Hmmm.  There are  
5    two or three other names that come to mind, but I'm not  
6    100 percent sure whether or not they were there that  
7    evening, unfortunately.

8           **Q.**    Would a fellow by the name of Ted Gene ring a  
9    bell?

10          **A.**    Ted.  Ted.  To be honest, I don't remember.

11          **Q.**    Okay.  And, one other name, maybe Paul Salmon?

12          **A.**    Yes.  That would be a definitely.  That rings  
13    a bell.

14          **Q.**    Who was your boss at the bar?

15          **A.**    Our boss - our management?

16          **Q.**    Uh-huh.

17          **A.**    That would be Jeff Copinski or Gapinski.  I  
18    can't remember how to pronounce his last name.

19          **Q.**    Do you want to help the court reporter?

20          **A.**    Huh?

21          **Q.**    Phonetically with the spelling?

22          **A.**    I think it's G-A-P-I-N-S-K-I, but don't - I'm  
23    not 100 percent sure.

24          **Q.**    Okay.  Would he be the immediate boss for your  
25    position in regards to telling you where you got to go?

1 Was there a head security guy?

2 **A.** We do have a lead security position, and if  
3 Paul was there, then that would have been him; he would  
4 have been lead security.

5 **Q.** Okay. And, --

6 **A.** But, that lead position is very lax. It's not  
7 100 percent.

8 **Q.** Well, tell me where were - as far as, where  
9 were the other guards positioned?

10 **A.** Other guards would be positioned at our -  
11 where the suede door, we call it the Manchester Room  
12 door, it's actually more inside towards - in the plaza  
13 towards Humpy's Pizza and the Credit Union. We have our  
14 patio side door which is obviously on our patio. We  
15 would have somebody opposite of me watching the rest of  
16 the parking lot because usually we'll have, like, an  
17 outdoor bar and things like that.

18 **Q.** Where would they have been, the person  
19 opposite of you? Are they in the parking lot?

20 **A.** Yeah. They're in the parking lot, and I would  
21 say maybe they're about 20 feet away from me.

22 **Q.** Okay. Would they be closer to the umbrellas  
23 and the stage?

24 **A.** No. They would not.

25 **Q.** Where would they have been?

1           **A.**    They - they would have been across from it as  
2 well.

3           **Q.**    Okay.  And, how many were there?

4           **A.**    That night?  Probably - probably 5.

5           **Q.**    Well, in the position opposite of you --

6           **A.**    Uh-huh.

7           **Q.**    -- who's about 20 feet away.

8           **A.**    I think.  Yes.

9           **Q.**    Was one of them Paul?

10          **A.**    We rotate.  So, anyone of us could have been  
11 there.  I don't remember the exact rotation.

12          **Q.**    Would they have been in a position to see the  
13 stage from that position?

14          **A.**    Yes.  They should have been.

15          **Q.**    Okay.  And, in regards to Mr. Boyd Corbin, my  
16 client, do you know Mr. Corbin?

17          **A.**    No.

18          **Q.**    Okay.  Tell me, then, what happened in regards  
19 to the incident that you had to memorialize in that  
20 report that we've talked about refreshing your  
21 recollection.

22          **A.**    What I had - how the incident started was, I  
23 guess, Mr. Corbin.  He was making his way towards the  
24 stage from the tree plot that was right next to the  
25 stage, but the thing is, though, during this time - this

1 is a very densely populated event. So, there are tons  
2 of people; they're drinking, they're having a good time.  
3 They're not aware of what's going on.

4 So, as I saw him, I noticed what he was - who - I  
5 noticed him, specifically, because of what he had and  
6 what he was wearing.

7 MS. PILLINGER: What was he wearing?

8 THE WITNESS: He was wearing a white gown,  
9 white cap covering the sides of his face; he had in  
10 his hand a torch that was lit, one of those, like,  
11 tiki torches that you use for mosquitoes, and a  
12 large wooden cross. So, obviously, I took note of  
13 that being that that was different.

14 MS. PILLINGER: Good choice of words.

15 THE WITNESS: I didn't immediately do anything  
16 because at the time I noticed him walking along the  
17 plot. It didn't look like he was doing anything  
18 wrong. He was there with the people. So, I didn't  
19 - I continued watching the rest of my area. I  
20 checked a few people's IDs, I remember, that night,  
21 because they were trying to get inside the bar, and  
22 as I finished doing that and I continued to scan, I  
23 see him actually pushing people and trying to  
24 maneuver his way onto the stage.

25 As he's doing that, I try to make my way

1           towards him, maneuvering myself through people. At  
2           that point, I see Dame Edna spot him. She comes  
3           walking over towards him, and she tries to take the  
4           - she tries to reach for the torch to - and, she  
5           makes a gesture as if she's going to blow the torch  
6           out.

7                     At that point --

8 BY MR. CALLAHAN:

9           **Q.** You used your hand right there.

10          **A.** It's like she reached out --

11          **Q.** Okay.

12          **A.** -- to grab the torch, and she made a gesture  
13 as she was going to blow the torch out; as you, I don't  
14 know, stretch your head out to pucker your lips and  
15 blow.

16          **Q.** How far away were you from that?

17          **A.** At that point when that happened, I would say  
18 maybe 3 or 4 feet. I was making my way towards them  
19 when that happened.

20          **Q.** Because you had already decided to --

21                     MS. PILLINGER: Intervene.

22 BY MR. CALLAHAN:

23          **Q.** -- intervene with Mr. Corbin.

24          **A.** Yeah. Before that actually happened when I  
25 saw him motioning towards the stage, I went over and my

1 intention was to speak with him, because at that time,  
2 there was the costume contest was going on. So, --

3 **Q.** Were you able to hear anything from that  
4 position?

5 **A.** I didn't hear anything. I remember hearing,  
6 obviously, Dame Edna, the MC, talking about the costume  
7 contest. I didn't hear anything between them as I was  
8 making my way towards them.

9 **Q.** Did you hear Dame Edna with the microphone ask  
10 for any assistance?

11 **A.** Not that I can recall. No.

12 **Q.** Did you hear her say anything over the  
13 microphone or speaker system that you were able to hear  
14 her telling someone to put out the tiki torch?

15 **A.** Now that you say that, I think I can recall  
16 her saying, maybe, blow out that torch, but not  
17 necessarily asking someone to. I don't remember 100  
18 percent. She may have said, you know, in direction to  
19 Mr. Corbin, blow out that, you know, blow out that  
20 torch; put that torch out. But, I don't think she ask  
21 somebody for them to do it.

22 **Q.** When you noticed Mr. Corbin maneuver his way  
23 to the stage, where was Dame Edna at that point when you  
24 were looking there?

25 **A.** I believe on the stage. At that point, my

1 vision wasn't on Dame Edna, it was solely on Corbin.

2 Q. Was there any interaction with Mr. Corbin and  
3 anyone else, particularly anyone from the stage that you  
4 observed?

5 A. Prior to him making his way to the stage -  
6 like to the stage?

7 Q. Correct.

8 A. No. He was just maneuvering his way towards  
9 the stage - on top of the stage.

10 Q. And, as far as when he got to the point where  
11 he's at the stage and you're on your way there,  
12 specifically, where is the tiki torch as you see him  
13 getting near the stage?

14 A. In his hand.

15 Q. And, what was in his other hand?

16 A. The cross.

17 Q. So, he definitely has one hand preoccupied  
18 with the cross. Can you describe the cross?

19 A. It looked like it was just made out of 2 by 4s  
20 from Home Depot. It was large; almost as big as me.

21 Q. And, in --

22 MS. PILLINGER: What's 2 by 4s?

23 THE WITNESS: The 2 by 4 woods --

24 MS. PILLINGER: Oh. The wood. Okay.

25 THE WITNESS: Yeah.

1 MS. PILLINGER: The plank with wood.

2 THE WITNESS: The planks. Yeah.

3 MS. PILLINGER: Sorry. I'm not familiar.

4 MR. CALLAHAN: That's okay.

5 BY MR. CALLAHAN:

6 Q. In his other hand he had the tiki torch?

7 A. Correct.

8 Q. And, as he's walking towards the stage  
9 maneuvering people, was he able to push people with his  
10 hands?

11 A. No. It was more like he was maneuvering, you  
12 know, obviously he can't extend his fingers and push  
13 someone because they were both occupied by something,  
14 but he as definitely able to kind of maneuver his way  
15 using his arms with the item clasped in his hand to kind  
16 of direct people, and let people know that he was coming  
17 through.

18 Q. Now, the tiki torch - I know you say you  
19 weren't concerned initially with him because he had the  
20 tiki torch - when he was maneuvering, were you concerned  
21 about the tiki torch?

22 A. To be honest with you, the tiki torch did not  
23 alert me for whatever reason. It did not - like I said,  
24 when I first saw him I took notice of what he was doing,  
25 where he was, and what he was dressed as and I left it



1 be. I didn't respond until I felt I needed to.

2 Q. At the point when you see Dame Edna reach for  
3 the tiki torch, you - earlier you were - but, I didn't  
4 get it on the record - which hand did Dame Edna use?

5 A. The hand I was motioning with was my right  
6 hand.

7 Q. Okay. And, which hand do you believe Dame  
8 Edna used to reach out and grab the tiki torch?

9 A. I can't - I can't recall. I used my right  
10 hand because I'm right handed. I don't - I don't know.  
11 I can't remember which hand she used.

12 MS. PILLINGER: You used your right hand for  
13 what?

14 THE WITNESS: To demonstrate her --

15 MR. CALLAHAN: Earlier when --

16 MS. PILLINGER: Oh. Oh. Okay.

17 MR. CALLAHAN: When you were writing down  
18 notes and your face was down and he reached out --

19 MS. PILLINGER: Got you.

20 MR. CALLAHAN: -- in a grabbing --

21 MS. PILLINGER: Okay. Okay.

22 MR. CALLAHAN: --motion. So, that's why I  
23 wanted to make sure I could clarify that.

24 MS. PILLINGER: Was the --

25 MR. CALLAHAN: But, maybe Ms. Pillinger wants

1 to do that right now.

2 MS. PILLINGER: No. No. No. No. I'm sorry  
3 to interrupt, but was the flame --

4 THE WITNESS: Lit?

5 MS. PILLINGER: I know it was lit.

6 THE WITNESS: Okay.

7 MS. PILLINGER: But, was it like hot? Like  
8 was it like --

9 THE WITNESS: It was a very small flame.

10 MS. PILLINGER: Okay.

11 THE WITNESS: That's what I remember, and I  
12 think that's why I didn't really take notice. I  
13 mean, I took notice that it was lit, but I that's  
14 why I think I didn't say anything.

15 MS. PILLINGER: Just approximately, if you  
16 could, how many people were there that night?

17 THE WITNESS: Work?

18 MS. PILLINGER: No. No. No. No.

19 THE WITNESS: Were there?

20 MS. PILLINGER: Were.

21 THE WITNESS: I don't even know how to begin  
22 to estimate that. It was a packed evening;  
23 thousands easily. It was - it was very, very, very  
24 packed; very difficult to move through people.

25 MR. CALLAHAN: Anything else?

1 MS. PILLINGER: Do you mind?

2 MR. CALLAHAN: Go ahead.

3 MS. PILLINGER: And, that's fine if this  
4 didn't make you worried or question it, but with  
5 that many people around and something being lit,  
6 you didn't think of the possibilities that could --

7 THE WITNESS: No. Not really.

8 MS. PILLINGER: Okay.

9 THE WITNESS: -- because - and, I understand  
10 the point that you're taking it, but one, it was a  
11 small flame.

12 MS. PILLINGER: Okay.

13 THE WITNESS: And, I mean, whatever - in my  
14 head, whatever danger you could say that could be  
15 conceived through that. I mean, you have people  
16 there that are lighting cigarettes. You have  
17 people there who are smoking. You have people  
18 there with lighters. I mean --

19 MS. PILLINGER: You didn't think --

20 THE WITNESS: I didn't think anything big of  
21 it just because it - if it was a large flame that  
22 was like okay. Something could get caught very  
23 easily on it, then maybe I would have said  
24 something, but it was a very small flame. You  
25 know, it didn't seem to pose any danger in my mind.

1 MS. PILLINGER: Okay.

2 BY MR. CALLAHAN:

3 Q. If you can tell us as you're walking, when you  
4 make a conscious decision to leave your position at the  
5 door and go over to talk to Mr. Corbin, what was the  
6 intent before you even walked over there? What were you  
7 thinking you were going to do?

8 A. My intent was to approach Mr. Corbin and to  
9 kind of ask him to come aside, and to ask him why he was  
10 motioning towards the stage. That was my intent.

11 Q. Okay. And, up - so, at that point when you  
12 chose to walk, are you now just fixated on Mr. Corbin --

13 A. Yes.

14 Q. -- in your line of site?

15 A. Yes.

16 Q. And, how much time, do you think, it took for  
17 you to walk over there to see Mr. Corbin, or before you  
18 - I mean, when you grab - when you see Dame Edna grab  
19 the tiki torch, are you even near him at that point?

20 A. Yeah. I was near him.

21 Q. I think I asked you earlier, 3 to 4 feet --

22 A. Yeah. Between 3 to 4 feet if not less, and  
23 time wise --

24 Q. Yeah.

25 A. -- maybe 2 to 3 minutes.

1 Q. Okay.

2 A. Just as I'm - because I'm not able to run over  
3 there. I'm making my way through people. It was  
4 densely populated.

5 Q. So, it took you 2 to 3 minutes --

6 A. Possibly.

7 Q. I don't want to put words in your mouth.

8 A. Yeah. That's why I'm saying now, possible it  
9 took 2 to 3 minutes just because I'm making my way  
10 through people.

11 Q. And, --

12 A. I don't know if my sense of time is --

13 Q. Because I know earlier you were doing ID  
14 checks at the door.

15 A. Correct.

16 Q. And, so you were focusing on that, and then  
17 you may see Mr. Corbin. You saw Mr. Corbin, and, then  
18 you go back to doing your ID checks. And, up until that  
19 point when you decide to walk over, had you seen  
20 Mr. Corbin do anything with the tiki torch in a  
21 threatening manner to anyone?

22 A. In a threatening manner? No.

23 Q. Okay. And, as, now, you are walking towards  
24 Mr. Corbin, up until the point that you see Mr. - or  
25 Dame Edna reach out, did you see Mr. Corbin do anything

1 with a tiki torch?

2 **A.** Towards Dame Edna?

3 **Q.** Correct.

4 **A.** No. I'm just trying to think. No. I don't  
5 think so. I think, maybe, he possibly tried to back  
6 away or tried to bring his hand back.

7 MS. PILLINGER: When she tried to blow it out?

8 THE WITNESS: Or when, maybe when she tried to  
9 reach for it. I think that's a possibility, but  
10 she definitely grabbed it, though.

11 BY MR. CALLAHAN:

12 **Q.** Okay. And, before she grabbed it - and,  
13 again, you're focusing now on Mr. Corbin, and you're  
14 actually walking towards --

15 **A.** Correct.

16 **Q.** -- this. And, how - where is, now, Dame Edna  
17 in relation to the stage?

18 **A.** They are straddling - at the point in which  
19 she grabs the torch?

20 **Q.** Yes, sir.

21 **A.** Because that's not a very big tree plot there.  
22 I think they're kind of, like, straddling the stage and  
23 the tree plot.

24 **Q.** Is she - where is she? Is she on the stage?

25 **A.** I can't - I can't see it in my head whether

1 she's on or not.

2 **Q.** Okay. What happened to the torch when Dame  
3 Edna grabs it?

4 **A.** Dame Edna grabbed it. She tried to blow it  
5 out. I do not remember if the torch went out at that  
6 point or when it was dropped, because I believe it was  
7 dropped; because there was a slight struggle as Dame  
8 Edna tried to grab the torch. And, she did grab the  
9 torch and tried to pull it towards her to blow it out,  
10 and Mr. Corbin tried to bring the torch back to him.

11 There was such a struggle mostly between the torch,  
12 like, no one wasn't throwing punches or anything like  
13 that, it wasn't a fight at that point, it was just more  
14 of a struggle for the torch. At that point, as well, I  
15 believe the cross fell out of his hand during that point  
16 of that struggle for the torch. For fact it fell out of  
17 his hand at that point I'm pretty sure.

18 **Q.** And, when that happened where was Mr. - or  
19 Dame Edna? Was she on the stage or was she off the  
20 stage?

21 **A.** At that point, they were probably on the plot  
22 that was next to the stage. I'm sure, because they next  
23 point of which they're at after the struggle they both  
24 ended up falling.

25 **Q.** I know that the copy in the deposition, for

1 the record, is in black and white. We have a color  
2 photo of it. There's actually in the - in Defense  
3 Exhibit 2 there's a Bob's Barricade - I don't know if  
4 it's a Bob's Barricade, but there's a barricade - and a  
5 cone in front of or next - adjacent to the tree bed  
6 which is surrounded by a curb. Correct?

7 **A.** Correct.

8 **Q.** And, why would that barricade be in front of  
9 that particular parking spot?

10 **A.** The barricade is in front of that spot --

11 **Q.** On this photograph.

12 **A.** -- in the photograph during our normal  
13 operating hours because, unfortunately, that spot it  
14 kind of goes over the - the handicap access ramp.

15 **Q.** Okay.

16 **A.** So, we don't allow anyone to park there.

17 **Q.** To make sure that you're in compliance with  
18 ADA?

19 **A.** Exactly.

20 **Q.** Okay. And, what did you do as you saw  
21 Ms. Dame Edna grab the tiki torch?

22 **A.** I was still making my way towards them. It  
23 wasn't until they were on the plot and as I approached  
24 them, the closer I got, that's where they began to fall  
25 onto the parking lot, specifically onto that spot that



1 we keep blocked off.

2 Once again, though, during any sort of events or  
3 anything like that, that is usually moved out of the way  
4 just because, obviously, there are people there; we  
5 don't have to worry about anyone parking in that spot.

6 **Q.** The struggle - and where does it wind up going  
7 to?

8 **A.** To the floor of the parking lot.

9 **Q.** Okay. And, my point about the black and white  
10 photo that's going to be attached to the transcript and  
11 the color photo I have here, the vehicles in that  
12 photograph are actually parked on asphalt?

13 **A.** Yes.

14 **Q.** And, the curb there that has the mulch for the  
15 tree bed, that's pretty significant height on that curb.  
16 Would you agree?

17 **A.** Yeah.

18 **Q.** And, the asphalt there is where they would  
19 have been as far as you're talking about being on the  
20 floor?

21 **A.** Yeah. As far as falling, they would have fell  
22 - -they fell on top of the asphalt.

23 **Q.** Okay. During the time proceeding that, did  
24 you ever see Mr. Corbin do anything with the tiki torch  
25 in a threatening manner to Dame Edna?

1           **A.**    No.

2           **Q.**    Okay.

3           **A.**    The only thing I saw was him try and retract  
4 it; bring it back to him.

5           **Q.**    Okay.  And, have you ever played tug-o-war  
6 before?

7           **A.**    Yes.  Of course.

8           **Q.**    Okay.  And, you know how sometimes you could  
9 give up the rope and let the opponent, perhaps, win, but  
10 they might fall back on themselves.  Did you ever see  
11 Mr. Corbin push as opposed to pulling on the tiki torch?  
12 And, I want to be clear about this.

13          **A.**    No problem.  Give me one second.  No.  I don't  
14 think so.

15          **Q.**    And, when they were down on the ground, what  
16 happened when they went down on the ground?

17          **A.**    When they went down to the ground, and they -  
18 both of them fell, and Dame Edna almost fell on top of  
19 Mr. Corbin.  At that point I was there, and I grabbed  
20 Dame Edna by her arms and I was trying to lift her up.  
21 Mr. Corbin was getting up on his own, and he - at this  
22 point when they fell, my focus went from Mr. Corbin to  
23 Dame Edna; to helping her up.

24                So, I - he - I know that he helped himself up, but  
25 as soon as I actually focused my attention on Dame Edna

1 to try to help her up, I don't recall what - like, at  
2 when he left, at what point.

3 MS. PILLINGER: But, did she fall off the  
4 stage?

5 THE WITNESS: She - they made their way from  
6 the stage to the plot onto the asphalt. So, they  
7 fell from the plot that holds the tree there.

8 BY MR. CALLAHAN:

9 Q. And, we'll agree that I'm referring to the  
10 curb, and the plot is what's inside of the curb

11 A. Yeah. The plot is what's inside of the curb.  
12 That whole island so to speak.

13 Q. There you go.

14 MS. PILLINGER: So, where was - the stage was  
15 by the cars.

16 THE WITNESS: Correct.

17 MS. PILLINGER: So, how did we get over here  
18 to the plot?

19 THE WITNESS: Because that's where they met in  
20 that area. Because, basically, the stage is raised  
21 and it's a very small space between the stage and  
22 the plot. You could almost say that it's flush;  
23 that's it's even across. I don't remember. I  
24 don't think there's a big gap between them at all.

25 So, coming from - Dame Edna coming from the

1 stage, Mr. Corbin walking up on top of the island  
2 with the tree plot to meet, and they kind of  
3 convene right in that space where they meet. And,  
4 then as they struggled, it came from that point  
5 where they met onto the asphalt falling off the  
6 curb onto the parking lot asphalt.

7 BY MR. CALLAHAN:

8 Q. Before they fell on the asphalt, did you ever  
9 see Mr. Corbin touch or strike Dame Edna in anyway?

10 A. No. Not that I can recall.

11 Q. And, at that point when you're going there,  
12 you're initial intent was to just talk to Mr. Corbin.  
13 What's going on in your head? What do you decide to do  
14 when you see this?

15 A. What I decide to do, I guess to say my thought  
16 as I saw them meet, as I way making my way over there  
17 was to separate them - was to separate them, call the  
18 rest of security obviously, because at this point I'm  
19 not going to be able to handle this issue on my - by  
20 myself. As soon as they fall to the asphalt though,  
21 because they do fall before I actually am there to  
22 handle the situation, they fall to the asphalt, and  
23 that's were my focus decides - changes to helping Dame  
24 Edna up because at first she did look like she was hurt.  
25 I wanted to help her up.

1           And, like I said and that - I don't believe it was  
2 anything because of what Mr. Corbin did, but just  
3 because she fell.

4           **Q.**    Did - go ahead.

5           MS. PILLINGER:  Sorry.  They fell, though,  
6 because the struggle with the torch.  Correct?

7           THE WITNESS:  Yes.

8           MS. PILLINGER:  So, when you say it has  
9 nothing to do with what Mr. Corbin did --

10          THE WITNESS:  Beyond the struggle for the  
11 torch, I don't remember Mr. Corbin doing anything  
12 specific to strike or hurt or harm Dame Edna.

13          MS. PILLINGER:  Accept pull away --

14          THE WITNESS:  To pull away the torch.  Yes.

15          MS. PILLINGER:  Which, in turn, pulled her.

16          THE WITNESS:  Yes.  Because she reached out  
17 and grabbed it.

18          MS. PILLINGER:  Right.  But, he pulled back to  
19 get it and she went with it?

20          THE WITNESS:  Yes.

21          MS. PILLINGER:  Okay.

22 BY MR. CALLAHAN:

23          **Q.**    So, then Dame Edna didn't let go of the torch?

24          **A.**    No.  Not that I recall.

25          **Q.**    So, if Dame Edna had let go of the torch,

1 where would Mr. Corbin have gone with the torch?

2 MS. PILLINGER: How would he know?

3 MR. CALLAHAN: Because he's played tug-o-war  
4 before.

5 MS. PILLINGER: Okay.

6 BY MR. CALLAHAN:

7 Q. After you go over there to help Dame Edna, are  
8 you concerned about Mr. Corbin doing anything?

9 A. He's definitely the secondary thought, and as  
10 I'm helping Dame Edna up she makes a motion to kick with  
11 one of her feet - I don't remember if it's the right or  
12 left - which makes it difficult for me to help her up,  
13 obviously, because there's no support help. And, I'm  
14 looking for Mr. Corbin, and he's already leaving.

15 MS. PILLINGER: Wait. She kicked who?

16 THE WITNESS: She looked as she was trying to  
17 kick towards Mr. Corbin; but Mr. Corbin at that  
18 point was already leaving.

19 BY MR. CALLAHAN:

20 Q. Okay. And, what happened with the attempted  
21 kick?

22 A. She fell again. I tried lifting her up. I  
23 tried - I grabbed her arm. I tried to lift her up. She  
24 kicked out with one of her legs, which of course, caused  
25 me to not have any support, and I dropped - she fell - I

1 dropped - she fell. I don't - I dropped her, I guess.  
2 I don't know, because I didn't have support. And, yeah.  
3 That's what happened.

4 MS. PILLINGER: Do you know her personally?

5 THE WITNESS: No. I do not.

6 MS. PILLINGER: Have you ever worked with her  
7 prior to this incident?

8 THE WITNESS: We both work at Alibi. I know  
9 that she used to host a show on Monday nights.  
10 Monday night is not usually my normal schedule.  
11 Every once in awhile when I would fill in for  
12 another guard, I would see her. I think I've  
13 walked through her shows maybe once doing a round  
14 while working.

15 MS. PILLINGER: Have you ever had a  
16 conversation with her?

17 THE WITNESS: Not an extended conversation. I  
18 remember her coming and asking for someone else and  
19 I responded. It was more of a question, but not a  
20 full conversation. I didn't really interact with  
21 her much. I don't - not out of any reason, just it  
22 never presented itself.

23 MS. PILLINGER: Okay.

24 BY MR. CALLAHAN:

25 Q. Have you ever had to deal with the law

1 enforcement with Wilton Manors before?

2 **A.** Yes.

3 **Q.** And, when there's an incident like this - let  
4 me ask you this. After Dame Edna falls down, what  
5 happens next, because I'm still learning about your  
6 experience?

7 **A.** It's - when she falls down, it's literally  
8 helping her up. I believe at - before, at that point I  
9 called security for them to come help, and I believe  
10 Christopher Collela who I've names, I believe he's, at  
11 that point, helping me if I'm remembering correctly. I  
12 believe there are other security guards there, but once  
13 again, my memories kind of fuzzy on that; I don't  
14 remember who - possibly Paul Salmon - and we're just  
15 helping her up. And, I believe - I believe I'd say to  
16 them to the extent of something looking for Mr. Corbin.  
17 Identifying him as the man in the white gown to see if  
18 they could find him.

19 **Q.** Was there any call made to law enforcement  
20 about this incident that you recall?

21 **A.** At that exact point. No. I don't think so.  
22 I personally did not.

23 **Q.** What did you think at that point Mr. Corbin  
24 had done?

25 **A.** At that point? What did he do regarding what?



1 Like, did he commit anything wrong?

2 Q. Yes.

3 A. I think that's a difficult question to answer,  
4 because if you're thinking of wrong morally or are you  
5 thinking wrong legally?

6 Q. I'm thinking wrong, bouncer wrong where --

7 A. Bouncer? Yes. Bouncer wrong. Yes.

8 Q. Okay.

9 A. Bouncer wrong. Yes.

10 Q. Okay. Can you tell me what action --

11 A. And, the action was that he was making - that  
12 he was motioning towards the stage while there was an  
13 event going on, obviously. Obviously, he wasn't a part  
14 of the event, and I can only assume - and, I don't know  
15 if this is correct for me to say - I can only assume  
16 that by motioning towards the stage and the way that he  
17 was, that he was going to attempt to make some sort of  
18 statement whether verbally or just by being seen. And,  
19 at that point, that's when I felt I needed to intervene  
20 and to prevent that as I stated earlier.

21 Q. Did you see where Dame Edna was, though,  
22 before you actually made the conscious choice to go over  
23 there at the point where you're still at the door?

24 A. At that point, probably not. But, once again,  
25 it's not a huge stage, so knowing that the show was

1 going on, I would just mentally place her in the center  
2 of the stage.

3 Q. Now, how many people know about this Halloween  
4 --

5 A. This - how many people know?

6 Q. The Halloween costume party at Georgie's - or  
7 at Alibi?

8 A. Everybody.

9 Q. And, as far as the community goes, how many  
10 times have you guys been doing this? How many years  
11 that you've been working there?

12 A. I've been working at Alibi going on 3 years;  
13 Alibi's been around for 16.

14 Q. Okay.

15 A. So, I would say for a significant amount of  
16 years.

17 Q. Okay. Do you know about a realtor across the  
18 street that films the party?

19 A. No.

20 Q. Okay. Well, after you help - or I guess  
21 Christopher comes over to help you with Dame Edna, what  
22 happens with Dame Edna?

23 A. We were finally able to lift her up, get her  
24 on her feet. She was upset and angry and very loud  
25 about what was going on.

1           **Q.**    Can I ask you real quick --

2           **A.**    Sure.

3           **Q.**    -- as she's down on the ground, did you hear  
4 any complaints of any injuries?

5           **A.**    Yes. She said - I can't remember what she  
6 said hurt, but she said something hurt. She definitely  
7 said something hurt, I just don't remember what it was.

8           **Q.**    And, when you say you were able to get her up  
9 on her feet, tell me how was she when you were able to  
10 get her up on her feet.

11          **A.**    I think she was, like, limping slightly.

12          **Q.**    Okay. Was - what kind of shoes did Dame Edna  
13 have?

14          **A.**    Probably heels. To be honest with you I don't  
15 remember 100 percent, but most likely heels.

16          **Q.**    What happened? Did she - she was saying that  
17 she was angry or --

18          **A.**    Well, no. That's an observation by me.

19          **Q.**    Okay. Got you. Now, I know that there was  
20 video of some drinking going on on stage with Dame Edna  
21 on the film that we've seen. Do you know whether she  
22 had any alcohol?

23          **A.**    No. I do not.

24          **Q.**    Okay.

25          **A.**    I can't - I can't recall.

1           **Q.** Did you see her drinking anything on stage?

2           **A.** Uh-huh. No. No, sir. I did not.

3           **Q.** Okay. And, what did Dame Edna decide to do  
4 after she got up off her feet and appeared to be angry?

5           **A.** I don't remember -

6           MS. PILLINGER: Huh?

7           THE WITNESS: I don't remember 100 percent. I  
8 think she made her way into the building, and I  
9 think during the midst of that another of one of  
10 our performers took over as MC for the show. I  
11 believe so.

12 BY MR. CALLAHAN:

13           **Q.** Where was her microphone during all this, Dame  
14 Edna's microphone?

15           **A.** I don't know. It probably fell in the  
16 struggle. I don't know if she, maybe, wasn't holing it  
17 during the struggle.

18           **Q.** Okay.

19           **A.** I don't - she definitely didn't have it when I  
20 helped her up.

21           **Q.** Okay. And, did you ever have a chance to  
22 speak with Mr. Corbin?

23           **A.** No.

24           MS. PILLINGER: He left?

25           THE WITNESS: He left. He was gone. He - the

1           only thing that we had of that was his cross, and  
2           we had that inside the building.

3 BY MR. CALLAHAN:

4           **Q.**   Well, did you ever - I mean, were you  
5           aggressively looking for him, like walking around?

6           **A.**   I sent some of the security guards in the  
7           immediate area to look to see if they saw him.

8           **Q.**   Uh-huh.

9           **A.**   But, beyond that, no. We did not search  
10          anywhere beyond that. That's beyond us.

11          **Q.**   So, he might have still been around?

12          **A.**   He - yeah. He could have been around in the  
13          farthest parts of the --

14          **Q.**   In the farthest parts of what?

15          **A.**   Of the plaza. Maybe. Not in the immediate  
16          area.

17          **Q.**   And, in the parade, still, they shut down the  
18          whole of Manor Drive. Right? For this event?

19          **A.**   I don't think so. I don't remember, but I  
20          don't think so. Because we do have a lot going on, but  
21          the Drive is something different. That's not - we work  
22          with it, but it's not associated with us.

23          **Q.**   Okay.

24          **A.**   So, it - I don't think so.

25          **Q.**   Well, they barricade the parking lot to make

1 sure no one get's in there, though. Right?

2 **A.** Yeah. Of course.

3 **Q.** Okay.

4 **A.** Because you have people that are coming from  
5 Wilton Drive --

6 **Q.** Okay.

7 **A.** -- through the main entrance.

8 **Q.** And, so, I mean, how much time are you  
9 focusing on this before you go back to your normal  
10 assignment?

11 **A.** Well, when she gets up - Mr. Corbin has left,  
12 she's up. She's doing - I guess, she went inside or  
13 left or what have you. I'm kind of in awe and kind of  
14 processing what happened. I didn't spend much time on  
15 it, honestly. I thought about it. I talked to - now  
16 that I'm thinking about it more and talking about it,  
17 yeah. I believe Paul was there, and I'm talking to Paul  
18 about it and he tells me to fill out an incident report,  
19 and that's when I go - I let management know. I speak  
20 with management and tell them what's going on, and then  
21 I go and I fill out my incident report.

22 **Q.** And, as far as anyone else needing to do an  
23 incident report, was there anyone else that would have  
24 been required --

25 **A.** No.

1           **Q.**    -- pursuant to your protocol to fill out a  
2 report like you did?

3           **A.**    No.

4           **Q.**    Okay.  And, Paul must have been the lead  
5 security guy if he was there, then, do you think --

6           **A.**    Yes.

7           **Q.**    -- now that you recollect?

8           **A.**    Yes.

9           **Q.**    Okay.  What's his last name, again?

10          **A.**    Salmon.

11          **Q.**    Solomon.

12          **A.**    S-A-L-M-O-N.

13                   MS. PILLINGER:  Like Salmon.

14          BY MR. CALLAHAN:

15          **Q.**    And, he still works here.

16                   THE WITNESS:  It's pronounced Salmon.

17                   MS. PILLINGER:  But, it's spelled Salmon.

18                   Right?

19                   THE WITNESS:  Yeah.  I didn't even think about  
20 that.

21                   MS. PILLINGER:  I got out in a spelling bee  
22 once to that word.

23          BY MR. CALLAHAN:

24          **Q.**    I know that it election day a few days later,  
25 and do you remember working the following day or the

1 next few days with Dame Edna?

2 **A.** No.

3 **Q.** Do you --

4 **A.** I would have to see the calendar to see what  
5 the dates fall on because I work special events, and my  
6 schedule, then, I believe was probably like Wednesday,  
7 Thursdays, and Sundays.

8 **Q.** Okay.

9 **A.** So, I probably didn't see it the next day,  
10 depending on what date Halloween fell on.

11 **Q.** Did anyone talk to you about this from  
12 management including Mr. Paget?

13 **A.** No. After I spoke with management, no one  
14 else came up to me and ask me anything.

15 **Q.** Where you aware of any type of call or any law  
16 enforcement officer coming out to talk to you about  
17 there being a complaint about someone in a KKK outfit?

18 **A.** No. I had heard from other guests, patrons,  
19 and customers, not because they knew that I was there  
20 for the incident, but just out of gossip that law  
21 enforcement was looking from him. But, I didn't speak  
22 to any law enforcement; no one told me law enforcement  
23 was looking fro me. Nothing of that sort.

24 **Q.** Okay.

25 **MR. CALLAHAN:** Do you have any other



1 questions?

2 MS. PILLINGER: Yeah.

3 CROSS-EXAMINATION

4 BY MS. PILLINGER:

5 Q. When they both fell to the floor - they being  
6 Mr. Walters, a.k.a. Dame Edna, and the defendant,  
7 Mr. Corbin - how long were they on the floor before  
8 Mr. Corbin left, approximately? Like, were they  
9 fighting in the ground?

10 A. No. They weren't fighting on the ground.  
11 Like I said, I was helping Dame Edna and most of my  
12 attention shifted to her. Mr. Corbin was on the floor  
13 as well, and he seemed more worried about getting -  
14 quickly getting up and leaving.

15 Q. Okay. So, it seemed like he was trying to  
16 leave quickly?

17 A. Exactly.

18 Q. Okay. In your incident report, you said there  
19 was a bit of a physical interaction between both persons  
20 as they were on the floor.

21 A. Yes.

22 Q. What do you mean by that?

23 A. Recalling, I think that was just more of them  
24 trying to get up. Because once again, as I said  
25 earlier, it kind of was like Dame Edna fell on top of

1 Mr. Corbin. So, --

2 Q. Okay.

3 A. -- it's kind of like them trying to position  
4 themselves to get up.

5 MR. CALLAHAN: Did you ever see Mr. Corbin  
6 strike Dame Edna?

7 THE WITNESS: No.

8 MR. CALLAHAN: Did you see Dame Edna later on  
9 in the evening?

10 THE WITNESS: Not that I can recall. I don't  
11 think so.

12 BY MS. PILLINGER:

13 Q. Did you ever talk to her?

14 A. About the incident? No. I don't think she  
15 even realized it was me that was there.

16 MR. CALLAHAN: Okay. I don't have any further  
17 questions. But, let me actually - did you - I  
18 mean, you work with her and you work special  
19 events, did you hear of any significant injury  
20 after that fact that she may have sustained that  
21 required hospitalization or anything like that?

22 THE WITNESS: I did hear that she went to the  
23 doctor afterwards. I don't remember if she was  
24 hospitalized or not, but I know that she made a  
25 visit to a doctor or the hospital. I know for a

1 fact that she did.

2 MR. CALLAHAN: And, you know, you're an  
3 athlete, you played college football - I think we  
4 talked about briefly - what type of injury was  
5 sustained when you saw the observation of Dame Edna  
6 limping?

7 THE WITNESS: Maybe her ankle - maybe hurting  
8 her ankle, sprained her ankle, fractured it  
9 depending on how hard, you know, how her body  
10 interacted with the asphalt.

11 MR. CALLAHAN: And, when she went away into  
12 the building, she went into the front door here?

13 And, for the record I'm pointing to the --

14 THE WITNESS: Yeah. You're pointing to the  
15 front door.

16 MR. CALLAHAN: -- Defense Exhibit 2.

17 THE WITNESS: I don't think so. I think she  
18 went through the Manchester Room door.

19 MR. CALLAHAN: And, did anybody have to carry  
20 her off the field, so to speak?

21 THE WITNESS: No. But, I remember her  
22 limping.

23 MR. CALLAHAN: Okay.

24 THE WITNESS: Limping as she walked.

25 MR. CALLAHAN: But, she was able to do it all

1 on her own?

2 THE WITNESS: I believe so.

3 MR. CALLAHAN: Okay. I have no further  
4 questions. Maybe Ms. Pillinger might.

5 BY MS. PILLINGER:

6 Q. From the time that you saw the defendant  
7 walking toward the stage to the end of this whole entire  
8 thing, were you watching the defendant? Were you're  
9 eyes ever off of his?

10 A. My eyes were off of him at the point in which  
11 they fell. And, after they - well, after they fell I  
12 should say. After they fell, my attention shifted to  
13 Dame Edna to help her up.

14 Q. Right. But, as far as how the physical  
15 interaction initially began, you were watching the whole  
16 thing and saw the whole thing?

17 A. Yes.

18 Q. And, there was nothing that was in your way or  
19 would --

20 A. Impede.

21 Q. -- interfere with your ability to see?

22 A. No.

23 Q. Okay.

24 MR. CALLAHAN: Dah - dah - dah - dah - dada.

25 MS. PILLINGER: Uh-huh.

1 MR. CALLAHAN: You have a right to review the  
2 transcript that this gentlemen - Nick, right -  
3 might generate if we even have to request a copy of  
4 the transcript. If you would like to waive reading  
5 of the transcript you may do so, or if you want to  
6 read the transcript there'd be an errata sheet at  
7 the end of the transcript where you might indicate  
8 where you believe the court reporter was inaccurate  
9 and recording your statement and your question and  
10 your answers.

11 You can't change your testimony, but if you'd  
12 like to read you can provide a number or if you  
13 want to waive you can waive the reading of the  
14 transcript before it become official part of the  
15 court file, and then if you do waive, you'll always  
16 be able to review the transcript if one is done  
17 before you testify.

18 What would you like to do: read or waive?

19 THE WITNESS: Waive.

20 MR. CALLAHAN: Thank you very much.

21 (Off the record.)

22 MR. CALLAHAN: We forgot to put on the record  
23 any objections that Ms. Pillinger may have in  
24 regards to the Defense Exhibit 1 and 2 being marked  
25 for purposes of the transcript.

1 MS. PILLINGER: Is this what she looked like  
2 on that night, October 31st, 2012?

3 MR. CALLAHAN: Referring to Defense Exhibit 1.

4 MS. PILLINGER: Referring to the Defense  
5 Exhibit 1.

6 THE WITNESS: As far as makeup and glasses,  
7 probably. Costume, I don't know. She may have  
8 been wearing something else.

9 MS. PILLINGER: So, this may not be a  
10 representation of what she was wearing or looked  
11 like on that day if this is just her?

12 THE WITNESS: I guess, to clarify, the only  
13 thing I could say is as far as what clothing she's  
14 wearing, that may or may not have been. I don't  
15 know.

16 MS. PILLINGER: But, do you recognize this to  
17 be --

18 THE WITNESS: Her? Yes. I do.

19 MS. PILLINGER: Okay. I don't have any  
20 objection.

21 MR. CALLAHAN: Okay. No objections.

22 MS. PILLINGER: Are we off?

23 MR. CALLAHAN: We're off.

24 (Thereupon, the deposition was concluded.)

25

CERTIFICATE

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THE STATE OF FLORIDA)  
COUNTY OF BROWARD)

I, NICK BRUENS, a Court Reporter, do hereby certify that I was authorized to and did report the deposition of TRENT PENN, a witness called in the above-styled cause; that the witness was first duly sworn by me; that the reading and signing of the deposition was waived by the witness; that the foregoing pages constitute a true and complete record of my notes.

I further certify that I am not an attorney or counsel for any of the parties, nor related to any of the parties, nor financially interested in the action.

Dated this 9th day of September, 2014

NICK BRUENS  
COURT REPORTER

NBR/ET

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