

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR PASCO COUNTY

|                   |                     |
|-------------------|---------------------|
| STATE OF FLORIDA, | :                   |
| Plaintiff,        | :                   |
|                   | :                   |
| vs.               | : Case No.          |
|                   | : CRC14-00216 CFAES |
| CURTIS REEVES,    | :                   |
| Defendant.        | :                   |
| -----/            | : -----/            |

Taken by: Glenn L. Martin, Jr., Esquire  
Appeared on Behalf of State

Date: Thursday, October 15, 2015

Time: 2:02 p.m. to 4:04 p.m.

Place: State Attorney's Office  
419 North Pierce Street  
Second Floor  
Tampa, FL

Reported by: KayLynn Boyer  
Court Reporter  
Notary Public  
State of Florida at Largo

2015 DEC -8 AM 10:29  
Paula S. O'Neil  
Clerk & Comptroller  
Pasco County, Florida

FILED FOR RECORD  
PASCO COUNTY, FLORIDA

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Deposition of:  
Vivian REEVES  
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Post Office Box 3812  
Seminole, Florida 33775  
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ORIGINAL

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P R O C E E D I N G S

THEREUPON,

Vivian Reeves

Was adduced as a witness herein, and, after first being duly sworn on oath, was examined and testified as follows:

DIRECT EXAMINATION

BY MR. MARTIN:

Q. State your name for the record, please, ma'am.

A. Vivian Reese.

Q. Mrs. Reeves, the first thing I'm going to do is ask you to speak up as much as you can. I understand you might be a little raspy or whatever. But I've got the AC going, and I've got a little bit of ringing in my ears that is driving me nuts today, so, if you would just be mindful of that. Hopefully if I ask you to speak up you don't take offense.

A. That's fine. And I don't have a loud voice.

Q. Well, that would be perfect if you can keep it just like that.

A. Okay.

Q. A couple things I'd like to go over with you before we get started, have you ever had your deposition taken before?

A. Yes, sir.

1 Q. Was that in a criminal case or a civil case?

2 A. I don't know. And it's been at least 35 years  
3 ago.

4 Q. Okay. Well, let's just start with I'd like to  
5 lay down some ground rules for this depo. Whatever  
6 happened in the past, just let it go, okay. Here's what  
7 I'd like for you to keep in mind; both of us cannot  
8 speak at the same time. I will not interrupt you and I  
9 would appreciate if you would extend me the same  
10 courtesy.

11 A. Okay.

12 Q. Please speak up, as I've asked you before. If  
13 there comes a point in time when you do not understand a  
14 question, let me know that you do not understand the  
15 question. That's fine, I am not going to take offense  
16 to it. If you don't tell me that, I'm going to assume  
17 that you understood the question, and your response is  
18 appropriate to the question, fair enough?

19 A. Yes.

20 Q. Okay. We're going to be talking a lot about  
21 certain dates, and I'm going to set the parameter for  
22 dates. You don't have to memorize dates, but I'm going  
23 to be talking about time periods. When we talk about  
24 these certain topics we're going to be going over, I'm  
25 going to be asking you about your own personal

1 observations, and maybe some things that you've learned  
2 from some other people. So if you would be mindful when  
3 you're answering the question if this is personal  
4 knowledge or personal observation that you acquire the  
5 knowledge, not from someone else, and you just acquired  
6 it by looking and talking to someone, then let me know I  
7 saw this, I observed this, I heard someone say this.  
8 However, if I ask you a question about a certain fact  
9 and you have no first hand knowledge but a neighbor told  
10 you, or a friend told you, just tell me who told you the  
11 information, then you can relay it to me. I need to try  
12 to separate what you know personally and what you have  
13 been told.

14 A. Okay.

15 Q. Okay. Now I kind of got that deer in the  
16 headlight look from you. Did you understand that  
17 question -- that rule?

18 A. I think so.

19 Q. You're going to tell me if it's your own  
20 personal knowledge and you're going to tell me when you  
21 acquired the knowledge from a third party?

22 A. Yes.

23 Q. Okay. Very good. Do you have any questions  
24 before we get started?

25 A. No.

1 Q. All right. What I'd like to do is just some  
2 background information to get started with, all right?

3 A. All right.

4 Q. All right. You've already placed your name on  
5 the record, would you go ahead and give me your age and  
6 the town in which you live?

7 A. 69, Brooksville.

8 Q. That's going to sound like an address. 69  
9 years of age?

10 A. Yes.

11 Q. And within the city of Brooksville?

12 A. Yes.

13 Q. All right. And who do you live there with  
14 currently, as we speak today?

15 A. My husband Curtis, my daughter Jennifer, and my  
16 granddaughter Madison part time.

17 Q. Okay. During the course of the deposition I'm  
18 going to refer to your husband as Mr. Reeves, I'm going  
19 to refer to your daughter's as Mrs., I understand she's  
20 going through a divorce but still married, Mrs. Shaw, I  
21 will refer to, if I need, to your son as Officer Reeves  
22 so that the record is clear to distinguish the two  
23 gentlemen in your family, fair enough?

24 A. Okay.

25 Q. Okay. So that the way I'll handle the name

1 **situation, all right?**

2 A. All right.

3 Q. **Okay. How long has Mr. Reeves been retired for**  
4 **the last time?**

5 A. Approximately, wait, let me think. I'm going  
6 to say between 10 and 11 years. And that's a guess.

7 Q. **He first retired from the Tampa Police**  
8 **Department?**

9 A. Yes.

10 Q. **And then he went to Busch Gardens?**

11 A. Yes.

12 Q. **And since Busch Gardens he's been retired for**  
13 **10 or 11 years?**

14 A. Yes.

15 Q. **Did you work outside the home?**

16 A. I did.

17 Q. **What was your occupation?**

18 A. I was an executive administrator for USAA.

19 Q. **And what is USAA?**

20 A. United Services Automobile Association. It  
21 used to be insurance, now it's a financial bank.

22 Q. **Have you retired?**

23 A. Yes.

24 Q. **And how long have you been retired?**

25 A. Six years this year.



1 Q. All right. We're going to be asking real easy  
2 questions to get things rolling, okay?

3 As far as the number of cars in your family, I  
4 understand there's an SUV and another four door sedan.  
5 You have a Ford Explorer?

6 A. I sold that to my daughter.

7 Q. All right. And I probably just violated one of  
8 my rules. I told you I would tell you the time period  
9 that we're talking about. I will tell you during the  
10 great majority of this deposition I'm going to be  
11 concerned with the time period the year 2013 leading up  
12 to January 13th, 2014.

13 A. Okay.

14 Q. Okay. In the event that I ask you a question  
15 that is outside those dates and requires an answer that  
16 is not date specific, and then that will be fine. But  
17 let me take you back to 2013. 2013 leading up to  
18 January 13th, 2014, it's my understanding you had two  
19 vehicles in your family?

20 A. Yes.

21 Q. That would be a Ford Explorer?

22 A. Yes.

23 Q. And that was predominantly driven by Mr.  
24 Reeves?

25 A. Yes.

1 Q. And the other four door sedan was a Honda?

2 A. Yes.

3 Q. And was that an Accord?

4 A. Yes.

5 Q. And that was predominantly driven by you?

6 A. Yes.

7 Q. Does Mr. Reeves have a cell phone?

8 A. Yes.

9 Q. What kind of cell phone is it?

10 A. A Motorola Droid Razr Maxx.

11 Q. Does that particular style of phone have a  
12 touch screen for its face or the QWERTY, looks like a  
13 little key board that you type in messages?

14 A. Its a touch screen.

15 Q. And the vehicle that you and Mr. Reeves arrived  
16 at the Cobb Theatre in on January 13th, was that the  
17 Honda Accord?

18 A. Yes.

19 Q. And who was the driver that day?

20 A. Mr. Reeves.

21 Q. I'm going to start breaking it up into topics  
22 now to keep us focused on a particular set of events. I  
23 want to talk about January 13th, 2014, that is the day  
24 of the shooting. I want to start in the morning hours,  
25 from the time that you got up until right before you got

1 in the car to drive to the Cobb Theater.

2 A. Okay.

3 Q. That's the time period we're going to talk  
4 about.

5 A. Okay.

6 Q. At that time were you living in the Brooksville  
7 residence?

8 A. Yes.

9 Q. And was Mrs. Shaw also a resident at that time?

10 A. Yes.

11 Q. Okay. And about what time did you all get up?

12 A. On that particular day, I don't know. Our  
13 habit is Curtis gets up around 6:30 and I get up, we  
14 have breakfast at 7.

15 Q. And on that particular day did Mr. Reeves have  
16 any trouble going about his particular business as far  
17 as whatever hygiene is gone through, getting dressed,  
18 putting on his shoes, putting on his clothes?

19 A. No.

20 Q. No issues at all?

21 A. No.

22 Q. How did it come about that you were going to  
23 meet your son, Officer Reeves, at the Cobb Theatre?

24 A. My son and my husband had been archery hunting,  
25 and I believe they came home the previous night. And

1 Matt and Curtis had both read the book, and I guess they  
2 decided to go, but I also wanted to see it because it  
3 was a true story.

4 Q. Okay. Now, when you said read the book, the  
5 movie you were going to see was Lone Survivor?

6 A. Yes.

7 Q. And that's the book you're referring to?

8 A. Yes.

9 Q. And that book precipitated the desire to go to  
10 the movie, the reading of the book?

11 A. Probably.

12 Q. Was this some sort of spontaneous let's get  
13 together and go to the movies?

14 A. I think so.

15 Q. And how was Officer Reeves contacted as far as  
16 arranging to meet at the Cobb Theater?

17 A. Originally I believe we were going to pick him  
18 up and he contacted my husband and said he had to wash  
19 his truck, because they had gone off in his truck and it  
20 was very dirty. And I imagine it was by phone.

21 Q. It was dirty because of the hunting trip?

22 A. Yes.

23 Q. And how long had -- let's stop right there for  
24 a minute and just go ahead and talk really quickly about  
25 the hunting trip, I've already talked to Officer Reeves

1    **about that. How long was Mr. Reeves and your son gone**  
2    **on the hunting trip?**

3       A.    Without looking at a calendar I will guess  
4    about a week.

5       Q.    **And to your knowledge what type of -- the**  
6    **hunting trip was to harvest deer with a bow?**

7       A.    Yes.

8       Q.    **And your husband has several types of bows?**

9       A.    At least two.

10      Q.    **Okay. Prior to the hunting trip that occurred**  
11   **one week prior to January 13th, prior to going on that**  
12   **trip did Mr. Reeves practice with a bow in the back**  
13   **yard?**

14      A.    He did.

15      Q.    **Did you witness that?**

16      A.    On occasion.

17      Q.    **Okay. Tell me about what you saw.**

18      A.    He had an archery target, and there's a pile of  
19   dirt, and he shoots the arrow into that. I didn't stand  
20   out there with him.

21      Q.    **Okay. What else did you see? Did he shoot the**  
22   **bow?**

23      A.    Huh?

24      Q.    **Did he shoot it?**

25      A.    Yes, he shot his bow.

1 Q. How many times, do you know?

2 A. I don't know.

3 Q. Was he out there long?

4 A. No.

5 Q. Was anybody else home with you at the time?

6 A. No.

7 MR. MARTIN: Off the record.

8 (Whereupon a discussion was had off the  
9 record.)

10 MR. MARTIN: Back on the record.

11 BY MR. MARTIN:

12 Q. We're sticking with the practice beforehand.

13 Did there appear to you to be any problem with Mr.

14 Reeves drawing of the bow and firing of the arrows?

15 A. The brief time that I -- I was probably inside,  
16 but I do have a lot of glass on the back, and I didn't  
17 observe a problem.

18 Q. Did he ever tell you about a problem?

19 A. Yes, he did.

20 Q. What did he say?

21 A. He said that his shoulder was killing him and  
22 he had to, it was hard for him to draw it back, and he  
23 had to crank off the pressure. And I don't know if he  
24 did that at home or when he left on his trip.

25 Q. Okay. And does he shoot right handed?

1 A. Yes.

2 Q. All right. And right handed, the bow would be  
3 in the left and you draw with the right?

4 A. I know he has a right handed bow, so I'm  
5 assuming that's how it works.

6 Q. All right. And it was his left shoulder that  
7 was bothering him?

8 A. I don't know.

9 Q. You don't know which shoulder, but the left  
10 shoulder is the one that bothers him?

11 A. I don't know.

12 Q. All right. He just made a statement, my  
13 shoulder bothers me?

14 A. Yes.

15 Q. Is that the first time he ever complained about  
16 his shoulder?

17 A. No. He's complained about it before.

18 Q. And under what circumstances or what activities  
19 are taking place when he complained about his shoulder?

20 A. Not necessarily an activity, he would just say  
21 my shoulder is hurting.

22 Q. There comes a point in time when you're getting  
23 ready and you're going to get in your car and go to Cobb  
24 Theater. At the time that you're getting ready did you  
25 know that Mr. Reeves would be carrying his firearm with

1 him?

2 A. I didn't see it, I assumed that he always  
3 carried it.

4 Q. All right. And which firearm does he "always  
5 carry"?

6 A. I didn't know then, I do know now.

7 Q. No, I understand. But habitually I understand  
8 he had several firearms?

9 A. He carried a Kel Tec.

10 Q. Is that the one that he carried most the time?

11 A. Yes.

12 Q. Did he ever carry a revolver? That's one of  
13 those globals that has no date reference. Did he ever  
14 carry a revolver?

15 A. He had -- he did carry, a long time ago he had  
16 a Derringer, and I don't know if that's a revolver.

17 Q. Okay.

18 A. I assume it is.

19 Q. Okay. In February of 2013 he did his annual  
20 qualification to carry a firearm as a retired police  
21 officer. He went through the FDLE firing course. His  
22 card indicates that he qualified with both a pistol and  
23 a revolver, that's the reason for the question. Do you  
24 know what revolver he would have qualified with in  
25 February of 2013?



1           A.     I don't. I could guess, but I don't know.

2           Q.     **All right. With that caveat, what's your best**  
3     **guess?**

4           A.     I don't know the brand, it's a .22.

5           Q.     **Okay. And you also have a revolver, a pistol?**

6           A.     I do.

7           Q.     **Is a pistol a revolver? A revolver has a**  
8     **cylinder, a pistol has a slide.**

9           A.     All right. He gave -- in the past he bought  
10    this .22, it was light weight, for me. And I couldn't  
11    hardly pull it back, it was hard for me to use because  
12    I've got arthritis. And Christmas before the incident  
13    he bought me an automatic.

14          Q.     **Okay. What kind of automatic?**

15          A.     I do not remember.

16          Q.     **Have you even fired it?**

17          A.     I did. I think one time he took me to the  
18    range.

19          Q.     **Was that at Shooter's World on Fletcher in**  
20    **Tampa?**

21          A.     Yes.

22          Q.     **All right. And did he also take firearms to**  
23    **shoot along with you?**

24          A.     He did.

25          Q.     **Did he take the Kel Tec?**

1           A.     I don't know. We were in two separate lanes.  
2     He helped me, but when he shot he was a lane over, and I  
3     didn't stay there as long as he did, I went out.

4           Q.     **Okay. As far as helping you, did he load the**  
5     **magazines?**

6           A.     He showed me how.

7           Q.     **Did you place the ammunition inside the**  
8     **magazine?**

9           A.     With great difficulty.

10          Q.     **As far as the Kel Tec, as far as the firearm**  
11     **that he had with him, was he loading the magazine? He**  
12     **brought his own gun, right?**

13          A.     Yes, he would have to.

14          Q.     **Okay. He didn't have any problems with that?**

15          A.     Not that I know of.

16          Q.     **Is that the only time you've been to a firing**  
17     **range with Mr. Reeves?**

18          A.     No, sir, I've been prior to that.

19          Q.     **Prior, would that include the year 2013?**

20          A.     Yes.

21          Q.     **All right. How many times do you think you've**  
22     **been to the firing range?**

23          A.     A guess, two or three. He would take me on a  
24     Monday when it was ladies' day.

25          Q.     **Would that be at Shooter's World?**

1 A. Yes.

2 Q. On each of those occasions would he also take a  
3 firearm along with him?

4 A. Yes.

5 Q. Would he place the ammunition into the  
6 magazine?

7 A. Yes.

8 Q. All right. When, and I'm going to talk about  
9 not your shooting but his shooting. All right. Were  
10 you around when he shot the Kel Tec, the .380 auto.

11 A. If he shot it at Shooter's World, then yes, I  
12 was in the lane next to him, part of the time.

13 Q. Would he have brought any other firearms to  
14 Shooter's World other than the Kel Tec?

15 A. I don't know.

16 Q. To your knowledge did he bring a revolver?

17 A. I don't know.

18 Q. Okay.

19 A. Now I had the revolver, he may have shot it, I  
20 don't remember.

21 Q. I understand. Now, the revolver, is that a .22  
22 revolver?

23 A. Yes.

24 Q. And that one was the one that was hard for you  
25 to shoot?

1 A. Yes.

2 Q. And what was the difficulty you had with that  
3 revolver?

4 A. Just the strength to pull the trigger.

5 Q. Okay.

6 A. I could load the revolver.

7 Q. All right. And that's why you went to the  
8 semi-automatic?

9 A. He made that decision, I didn't ask for it.

10 Q. And you found that much easier?

11 A. It was easier to shoot.

12 Q. Now let's go back to Mr. Reeves and your  
13 observations of Mr. Reeves at the range. When you all  
14 placed the targets up, the target slides back and forth,  
15 correct?

16 A. Yes.

17 Q. You can put it wherever you want it?

18 A. Right.

19 Q. How far away was the target that Mr. Reeves was  
20 shooting at?

21 A. I don't know.

22 Q. Can you venture a guess by looking in this room  
23 to see a bookcase behind you, was it one bookcase, two  
24 bookcases?

25 A. This is a guess, it was at least from me to the

1 wall, maybe further, I don't know. Mine was closer than  
2 his.

3 Q. Okay. About 15 yards?

4 A. If that's how far this is.

5 Q. I'm guessing too.

6 A. I really don't know. It could have been  
7 further, I don't know. But it wasn't way at the end or  
8 anything.

9 Q. He had no problem firing the firearm?

10 A. No.

11 Q. Did you observe if, and I'm going to use some  
12 terms, I'm going to explain to you what I want you to  
13 understand what they are, okay.

14 With the semi-automatic the magazine of course  
15 is where the ammo is. The mag well is underneath the  
16 grip. You place the magazine into the mag well, and you  
17 have to seat it, correct?

18 A. Yes.

19 Q. All right. And then to place that into battery  
20 you're going to have to pull back the slide?

21 A. Yes.

22 Q. And then you let it go. Now the gun is in  
23 battery and one of the ammunition has been placed into  
24 the breech, right?

25 A. Right.

1 Q. Okay. And at that point you can pull the  
2 trigger and the gun will fire, right?

3 A. Right.

4 Q. That's basically how a semi-automatic works?

5 A. I believe so.

6 Q. Well, you have one, that's why I was --

7 A. I didn't get to use it very much.

8 Q. That's okay. As far as Mr. Reeves, he was able  
9 to place the ammo in the magazine, correct?

10 A. Yes.

11 Q. He was able to take the magazine and insert it  
12 into the mag well, into the grip, and press it with  
13 sufficient force to make it lock in, correct?

14 A. Yes.

15 Q. All right. He was able to grasp the slide and  
16 pull it back, correct?

17 A. Yes.

18 Q. And then let it go so the ammunition would go  
19 into the breech, correct?

20 A. Yes.

21 Q. And then he was able to fixate on the target  
22 and see at least 7 to 15 yards down range, correct?

23 A. Yes?

24 Q. He was able to pull the trigger, right?

25 A. Yes.

1 Q. Multiple times?

2 A. Yes.

3 Q. And hit the target?

4 A. Yes.

5 Q. Okay. Go back to January 13th, we're going to  
6 be driving to Cobb Theater. And when I say Cobb  
7 Theater, that's the one at the Grove, correct?

8 A. Yes.

9 Q. Who drove?

10 A. Curtis.

11 Q. And it was in the Honda Accord?

12 A. Yes.

13 Q. There was a box of ammunition in that car, were  
14 you aware of that?

15 A. I was not.

16 Q. You knew it after the fact?

17 A. Yes.

18 Q. Okay. Did Mr. Reeves pick where to park the  
19 car?

20 A. Yes.

21 Q. And it was in the general parking lot?

22 A. Yes.

23 Q. It was not in a handicapped space?

24 A. No.

25 Q. And from your car you all walked from your car

1 up to the theatre to purchase tickets?

2 A. Yes.

3 Q. And on that particular day was there any type  
4 of mechanical aid, whether a cane, a walker, a motorized  
5 scooter, anything, wheelchair, that assisted Mr. Reeves  
6 in getting from the car to the theatre?

7 A. No.

8 Q. Now, were you, as you're standing at the  
9 theater and the ticket windows are right in front of  
10 you, to your left and your right are doors that you can  
11 enter?

12 A. Yes.

13 Q. Okay. It wasn't the first time you were at  
14 Cobb Theater?

15 A. No.

16 Q. All right. Now, do you recall if you're  
17 standing looking at where you buy the tickets did you go  
18 to the right into those doors or did you go to the left  
19 into those doors?

20 A. I don't know.

21 Q. Regardless of which door you went into did you  
22 see the placards on the door that say, didn't say but  
23 there's a picture of a red circle with a line through  
24 it, firearms, knives, did you see that?

25 A. I have seen it.



1 Q. Okay. What did that mean to you?

2 A. No guns or knives.

3 Q. And as a private citizen who is licensed by the  
4 State of Florida to lawfully carry a concealed firearm  
5 under certain conditions, what was the responsibility of  
6 the person carrying the firearm when you see that  
7 sticker, do you know?

8 A. I don't understand.

9 Q. That's good, that's what you're supposed to do  
10 if you don't understand. Let me back up.

11 Do you have a carrying a concealed weapon  
12 permit?

13 A. Do I?

14 Q. Yes?

15 A. Yes.

16 Q. Let's talk about that a few minutes and then  
17 we'll go into this question, and it will probably flow  
18 real good.

19 How long have you had a carrying a concealed  
20 weapon permit?

21 A. Several years. I don't know when I had it,  
22 because in the last two obviously I haven't, it's in the  
23 safe, my license.

24 Q. Okay. For the last two years. So let's go  
25 back to 2013. In 2013 prior to this incident did you

1     **carry your carrying a concealed weapon in your wallet?**

2           A.     My permit was in my wallet.

3           Q.     **And on occasions in 2013 would you also carry a**  
4     **firearm, regardless of which one it was?**

5           A.     Very infrequently.

6           Q.     **Under what circumstances when you walk out of**  
7     **the house did you place a firearm either on your person**  
8     **or in your purse to go out?**

9           A.     I stayed at the beach with my sister in her  
10    camper and I drove, it was down near Sarasota, and I  
11    took the firearm. And another time I drove to North  
12    Carolina and my sister rode with me and I took my  
13    firearm.

14          Q.     **Okay. And are you familiar with the different**  
15    **firearm regulations as far as concealment in the State**  
16    **of, I guess you went through Alabama or Georgia?**

17          A.     Georgia.

18          Q.     **Georgia and North Carolina?**

19          A.     Am I? No, I am not.

20          Q.     **All right. Do you know if there's any**  
21    **reciprocity between those states and the State of**  
22    **Florida?**

23          A.     I think there is.

24          Q.     **Okay. But at the time you went you didn't**  
25    **know?**

1           A.     At the time I got my concealed firearm, yes, I  
2     had a list. I took the class and I had a list, so I  
3     believe that I went in Georgia, South Carolina, and  
4     North Carolina, and I think that there's reciprocity in  
5     those states.

6           Q.     **Okay. Who did you take the class from?**

7           A.     A hardware store in Spring Hill. I can't think  
8     of the name.

9           Q.     **At a hardware store?**

10          A.     Yes. It's name is something hardware, but they  
11     do sell guns as well as hardware.

12          Q.     **And tell me the course you took in order to get**  
13     **your concealed weapon permit?**

14          A.     I don't know the name of it.

15          Q.     **No, tell me the content of the course. You had**  
16     **the take a test, you had to read a book, you had to**  
17     **shoot the gun?**

18          A.     You did have to shoot the gun into, I don't  
19     know what it was.

20          Q.     **A water barrel?**

21          A.     Something like that. And the man lectured  
22     about how you could legally carry your gun, and under  
23     what circumstances you can legally use your gun.

24          Q.     **All right. Did he provide you with any type of**  
25     **written material referring to any Florida State**

1 Statutes?

2 A. I think so.

3 Q. All right. So let's get back, having that,  
4 knowing that you have that background, let me ask you,  
5 and then we'll go. You walk out of the house and you  
6 have your carrying a concealed weapon permit, you have  
7 your gun in your purse or on your person, you're going  
8 to the theatre, do you know what, if any, obligations  
9 you have as a licensed carrying a concealed weapon  
10 permit holder regarding the signs no weapons?

11 A. That means I shouldn't take it in there, and I  
12 never have.

13 Q. And why do you believe you shouldn't take it in  
14 there? I'll make it easy. Is it out of respect to the  
15 business or because you have a legal obligation?

16 A. I would say a legal obligation.

17 Q. Have you had any conversations with Mr. Reeves  
18 about that sign?

19 A. No.

20 MR. MICHAELS: Clarify.

21 BY MR. MARTIN:

22 Q. The no weapons sign that is on the door of Cobb  
23 Theater?

24 A. I don't know if I did we did or not. But I  
25 will tell you that I assume that he was perfectly legal,

1 and I verified that with the person he took the class  
2 for the federal license.

3 Q. **Who was that?**

4 A. First name Dave.

5 Q. **Okay. Last name?**

6 A. I don't know.

7 Q. **Bryant ring a bell?**

8 A. Yes.

9 Q. **How do you know Dave Bryant?**

10 A. After the incident, after a while I went on  
11 Curtis's computer and looked at his email, and I don't  
12 know if there was an email from Dave, anyhow we  
13 corresponded by email.

14 Q. **What did you and Mr. Bryant correspond about?**

15 A. He said that Curtis was perfectly legal and  
16 that if he needed to serve as a witness, he would, to  
17 say that Curtis was legal.

18 Q. **And did he go into why he thought Mr. Reeves**  
19 **was "perfectly legal"?**

20 A. Because he had that federal license.

21 Q. **Perfectly legal about what? What aspect?**

22 A. To have taken a gun to the theatre.

23 Q. **Okay. All right. Did you discuss with Mr.**  
24 **Bryant the shooting incident itself?**

25 A. No.

1 Q. And how did it come up about whether or not Mr.  
2 Reeves was "perfectly legal" taking his firearm into the  
3 Cobb Theater?

4 A. I believe that Curtis was scheduled to take the  
5 class again.

6 Q. Okay.

7 A. And that's the best of my memory.

8 Q. Okay. So you're aware in February of 2013 that  
9 he obtained his annual certification from Mr. Bryant?

10 A. Yes.

11 Q. All right. And because of this incident of  
12 course he wasn't able to renew that annual certification  
13 in February of 2014?

14 A. Correct.

15 Q. So was Mr. Bryant reaching out to Mr. Reeves  
16 then in reference to that annual certification?

17 A. He knew what had happened and he told me how  
18 sorry he was.

19 Q. Is Mr. Bryant a friend of the family, a  
20 business associate, an acquaintance? How would you  
21 describe the relationship?

22 A. I don't know how Curtis knows him. I've never  
23 met him.

24 Q. Okay. And under what aspect did Mr. Bryant  
25 offer his assistance to testify for Mr. Reeves? What

1     **would be his testimony?**

2           A.     That Curtis had that license.

3           Q.     **Okay.  Nothing else?**

4           A.     Not that I'm aware of.

5           Q.     **Okay.  All right.  Once you enter the theatre**  
6     **there's a lobby area and a place to purchase**  
7     **refreshments.  I want to talk about the activity in that**  
8     **part of the theatre prior to going to theatre, okay?**

9           A.     All right.

10          Q.     **As you walk in that door walk me through what**  
11     **did you do and Mr. Reeves do?**

12          A.     We did get refreshments, but I don't know if  
13     that came first or we went to the restrooms first.  We  
14     usually go to the restrooms before we go into the  
15     movies.

16          Q.     **Okay.  When you went and bought refreshments**  
17     **what kind of refreshments did you purchase?**

18          A.     Popcorn and a soda.

19          Q.     **For each of you or to share?**

20          A.     To share.

21          Q.     **Okay.  Did you take anything else with you?**

22          A.     Since I've seen in the picture.

23          Q.     **Seen in the picture?**

24          A.     That there was a skinny Cow wrapper, that was  
25     probably my candy.

1 Q. The one on the floor?

2 A. Yes.

3 Q. Okay.

4 (Whereupon a knock on the door and a  
5 short interruption in the proceedings.)

6 BY MR. MARTIN:

7 Q. So that candy wrapper is yours?

8 A. It probably was.

9 Q. Do you recall eating that candy?

10 A. I was eating popcorn so I assume I ate candy.

11 Q. And whatever reason do you know when that  
12 wrapper got on the floor?

13 A. Maybe when I got up because I wouldn't have  
14 thrown it on the floor.

15 Q. All right. And you say when you got up, other  
16 than contemporaneous with the shooting is there any  
17 other time you got up?

18 A. I actually thought that I got up when, and I  
19 may be getting ahead of you, when Mr. Oulson quickly  
20 leaned across the seat I thought I got up, but the video  
21 doesn't show that.

22 Q. We'll go into the video in a minute.

23 A. Okay. But after the shooting I believe I moved  
24 away and then I came back, and then I moved away again,  
25 I think.



1 Q. Okay. And we'll go into more detail, but right  
2 now is that based on your recollection or just having  
3 seen the video a couple days ago?

4 A. Both.

5 Q. Well, let's get back to you in the lobby, let's  
6 not get ahead of ourselves, all right. We're in the  
7 lobby, we're at the food cafe portion of it, we get  
8 popcorn, we get a coke, candy, grab a handful of  
9 napkins?

10 A. Yes.

11 Q. Okay. And all that goes with you into theatre  
12 ten?

13 A. Yes.

14 Q. All right. So we go from where you purchased  
15 the food, we take your bathroom break, we start to walk  
16 into the theatre, that's where I want to take you, from  
17 walking into the theatre to where you first sit down,  
18 okay.

19 A. Okay.

20 Q. As you're walking into the theatre do you  
21 recall what is on the screen?

22 A. I don't.

23 Q. As you're walking in, you know there's a wall  
24 on your left, as you're walking down a hallway, you have  
25 to walk a little ways before you turn to the left to see

1    **the seating because of the wall?**

2           A.    Yes.

3           Q.    **Is that familiar to you?**

4           A.    Yes.

5           Q.    **All right. Once you turned around and start**  
6 **going up to stairs, who selects the seat where you're**  
7 **going to sit?**

8           A.    We were looking for three seats, and we  
9 normally try to leave an empty seat beside us because I  
10 don't like to sit right next to somebody, and people  
11 were scattered and we just walked up, and I don't  
12 remember exactly, but there were at least five seats in  
13 that back row.

14          Q.    **The very last row before the bistro?**

15          A.    Yes.

16          Q.    **This isn't the first time you've been to the**  
17 **Cobb Theater, right?**

18          A.    No.

19          Q.    **Is this where you and Mr. Reeves normally sit?**

20          A.    Never.

21          Q.    **Never sat up there?**

22          A.    No.

23          Q.    **Where did you normally sit?**

24          A.    We try to get a little more in that upper  
25 section. We try to get in the center, maybe a little

1 bit further back than the middle, but not all the way to  
2 the back row.

3 Q. Okay.

4 A. Or even, I would say we don't sit in the last  
5 few rows.

6 Q. Okay. Going up the stairs, Mr. Reeves went up  
7 the stairs?

8 A. Yes.

9 Q. No problems going up the stairs?

10 A. No.

11 Q. As you select your seat do you have to go past  
12 a couple people to get to the seats that you finally sat  
13 in?

14 A. I don't remember.

15 Q. All right. Now we sit down in the seats?

16 A. Yes.

17 Q. Who has the drink and who has the popcorn?

18 A. I took a ziplock bag and took part of the  
19 popcorn out, so that he could hold his and I could hold  
20 mine. And the drink was mainly his because I might take  
21 a sip but I don't drink Coke in the theatre. I don't  
22 drink Coke very much, and I don't drink it in the  
23 theater because I do not want to get up in the dark and  
24 go to the bathroom.

25 Q. Okay. I'm going to show you a photograph I've

1 marked as number one, and I'm not going to ask you to  
2 pick out the seat, but I want you to look at the stairs  
3 going up, and that seating area, and I will tell you  
4 that is theatre number ten. But are those the stairs  
5 that you and Mr. Reeves navigated to get up to your  
6 seats?

7 A. We went up that side.

8 Q. Okay. And then the seats that you were in were  
9 in the very back row?

10 A. Yes.

11 Q. All right. And you see in the picture where  
12 the back row seats are because they are butted up  
13 against the wall before the bistro?

14 A. Yes.

15 Q. That's what you're referring to as the back  
16 row?

17 A. Yes.

18 Q. What I'm going to do, if I may, all the way  
19 back is I'm just going to put an A, and we'll call that  
20 row A, and then the next one will be row B, and row C,  
21 okay?

22 A. Yes.

23 Q. All right. And when you took those seats and  
24 you sat down, was anybody in front of you?

25 A. Yes.

1 Q. Prior to taking the seats did you see who you  
2 later learned to be Mr. and Mrs. Oulson?

3 A. Yes.

4 Q. As you're walking to your seats what  
5 observation do you make of Mr. and Mrs. Olson?

6 A. Mr. Oulson is using a phone.

7 Q. Let's talk about that for a few minutes. In  
8 the theater itself when you're about to take your seats  
9 was any of the movies previews playing?

10 A. No.

11 Q. Okay. Was a commercial on or anything like  
12 that?

13 A. It was something on, but I don't know. It had  
14 not darkened like it does for the previews.

15 Q. Okay. And when you sat down and, well, let me  
16 back up. As you're walking towards where you want to  
17 sit what do you observe Mr. Oulson doing?

18 A. When I walked --

19 Q. As you're walking?

20 A. -- on the row, I could see, I don't know what  
21 he was doing but I saw the light, I saw that he had his  
22 phone out.

23 Q. The phone out and the screen light was on?

24 A. Yes.

25 Q. Was he talking on the phone?

1 A. Not that I'm aware.

2 Q. He didn't have it up on his ear?

3 A. No.

4 Q. Didn't have it in front of him like a speaker  
5 phone?

6 A. No.

7 Q. It was down in his lap?

8 A. I don't know where it was.

9 Q. Okay. Well, that was my next question; where  
10 was the phone? How were you able to see the phone?

11 A. I walked behind him and I could see it.

12 Q. Okay. So that kind of begs the question, where  
13 was it that you had the opportunity to see it?

14 A. I don't know if it was in his lap or he was  
15 holding it up. Now when I sat down I didn't see it  
16 because I sat behind him.

17 Q. We're going to get to that point. We'll go  
18 step by step. As you're walking right before you sit  
19 down?

20 A. I see that he has his phone out.

21 Q. The phone out. Is there anything audible  
22 coming from the phone, music playing, someone talking?

23 A. Not that I'm aware.

24 Q. Would you have been close enough to hear that?

25 A. I assume so, unless it was real low.

1 Q. Okay. As far as Mrs. Oulson, was she to, as  
2 he's sitting, and you're walking behind, to his left or  
3 to his right?

4 A. She was to his left.

5 Q. What was she doing?

6 A. I have no idea.

7 Q. Were they talking to one another?

8 A. Not that I remember.

9 Q. Were their faces looking at each other like  
10 they were having a conversation?

11 A. No.

12 Q. Okay. Did it appear that Mr. Oulson then was  
13 preoccupied with his phone that was in his hand?

14 A. I don't know if he was preoccupied. All I can  
15 say is that he was using his phone.

16 Q. Well, that's what I'm trying to get to, using.  
17 Using, and this is me as a listener, is he manipulating  
18 the phone and using the device as intended as opposed to  
19 be laying there in the lap and not doing nothing and the  
20 screen is on?

21 A. I didn't pay that much attention. I saw the  
22 phone, I saw the light, and I just walked past and sat  
23 down.

24 Q. So the best you can say is the phone was out  
25 and the screen was on?

1 A. Yes.

2 Q. All right. Now, did Mr. Reeves have the  
3 opportunity to make the same observations as you did as  
4 he walked along? Was the phone out at the same time  
5 that he walked behind Mr. Oulson?

6 A. Yes.

7 Q. You both take a seat in relation to, pretend  
8 I'm Mr. Oulson, my briefcase is Mrs. Oulson, where are  
9 you seated in relation to these two people?

10 A. I'm sitting behind Mr. Oulson.

11 Q. And where is Mr. Reeves?

12 A. Behind Mrs. Oulson.

13 Q. At the time that you sit down do you say  
14 anything to your husband, Mr. Reeves, about the use of  
15 the phone?

16 A. No.

17 Q. And does Mr. Reeves say anything to you?

18 A. No.

19 Q. And why is it that you chose those seats? Any  
20 particular reason other than the spacing that we already  
21 talked about?

22 A. Just the spacing.

23 Q. All right. Once you sat down at that point  
24 what was on the movie screen, as you sat down?

25 A. I don't know.



1 Q. Had the previews started?

2 A. Not --

3 Q. Was it still commercial type, talking hot dog  
4 type thing?

5 A. I don't know, but the previews didn't start for  
6 a little while.

7 Q. All right. I want to talk to you about the  
8 time you first sat down to the time that Mr. Reeves  
9 indicated he was going to go speak to the manager, that  
10 time period, okay?

11 A. Okay.

12 Q. As soon as he sits down when was the first time  
13 that you noticed Mr. Reeves changed his seating or body  
14 position in such a way that he would have contact with  
15 Mr. Oulson?

16 A. After the theater was darkened and the previews  
17 were on.

18 Q. When you say the theater was darkened, the  
19 preview start, the theater lights go down, is the  
20 lighting the same for the main feature as it is for the  
21 previews?

22 A. I don't know, we didn't get that far, and I  
23 don't remember.

24 Q. But you've been in Cobb Theater before?

25 A. Yes, I have.

1 Q. And you've been in other movie theaters?

2 A. Yes.

3 Q. Just as a general rule is the lighting much  
4 darker during the main feature as it is during the  
5 previews?

6 A. I don't remember. I have not been to the  
7 movies since that day.

8 Q. I understand that, I'm just trying to draw on  
9 your previous life experience?

10 A. I don't know. It's not something you pay  
11 attention to, you just experience it.

12 Q. As you were seated there and you looked over at  
13 Mr. Reeves were you able to see him?

14 A. Yes.

15 Q. All right. And see his facial features?

16 A. I assume so.

17 Q. Were you able to hear him?

18 A. I don't know if we talked or not.

19 Q. Okay. The time that you were sitting behind  
20 Mr. Oulson, do you know whether or not Mr. Oulson had  
21 his phone out so other people in public could see it as  
22 opposed to in his pocket or on the floor?

23 A. I don't know.

24 Q. Okay. Did there when a point in time when Mr.  
25 Reeves made contact with Mr. Oulson? Contact, I mean

1 not physically maybe touch him, unless he did?

2 A. Yes. After they told you to discontinue using  
3 your phone I'm assuming that Mr. Oulson didn't put his  
4 phone away. I'm assuming that. I could not see it.  
5 Curtis leaned forward and spoke very softly.

6 Q. All right. When Mr. Reeves leaned forward did  
7 he touch Mr. Oulson like on the shoulder, hey, excuse me  
8 a minute? You know what I mean.

9 A. Not that I'm aware.

10 Q. All right. There was no physical contact as  
11 far as you could see?

12 A. Yes.

13 Q. And you were sitting right there?

14 A. Yes.

15 Q. I mean, the hand would be no more than two or  
16 three feet in front of you?

17 A. Yes, sir.

18 Q. And you could see clearly the back of Mr.  
19 Oulson's head?

20 A. Yes.

21 Q. All right. Did you hear what Mr. Reeves said  
22 to Mr. Oulson?

23 A. I don't think so.

24 Q. Okay.

25 A. I know what he was doing, I know, you know,

1 but --

2 Q. How do you know what he was doing?

3 A. When you're married to somebody as long as we  
4 have, and I might have heard him say phone, I don't  
5 know, but he spoke very softly.

6 Q. All right. It appears to me from your last  
7 statement you're drawing on life experience, so I'm  
8 going to ask you, was this the first time that Mr.  
9 Reeves ever asked someone to turn the phone off or is  
10 this something that has occurred before and because of  
11 that you knew he was leaning forward to do that?

12 A. I don't recall him ever asking anyone in a  
13 theatre to do that.

14 Q. Okay. Well, when you say you've been married  
15 to someone for so many years, you don't see a phone in  
16 front of Mr. Oulson, and Mr. Reeves leans forward, and  
17 you had no conversation with him, so that's why I'm  
18 asking the question. If you don't see Mr. Oulson's  
19 phone, you have no idea what he's doing, Mr. Reeves,  
20 without saying anything to you, leans forward and then  
21 leans back, based on your life experience you just told  
22 me that you thought he was talking to him about his  
23 phone, tell me why?

24 A. I didn't think he was chitchatting with  
25 somebody he didn't know in a movie theatre.

1 Q. Why not? He's not a friendly kind of guy?

2 A. Well, he wouldn't do that in a movie theater.  
3 Yeah, he's a very friendly guy.

4 Q. So why would he lean forward and talk to  
5 someone?

6 A. I believe he asked him to discontinue using his  
7 phone.

8 Q. So if you didn't see the phone and you don't  
9 know why he's leaning forward, why do you believe he was  
10 asking him to turn off the phone?

11 A. I can't answer that. I mean, I don't have an  
12 answer.

13 Q. You don't know, do you?

14 A. I don't know.

15 Q. Do you really know why he leaned forward?

16 A. I don't know if I heard any of his conversation  
17 or not, I don't remember. This is the worse day of my  
18 life.

19 Q. I understand, ma'am. I understand. We're  
20 going to take this slow. Any time you want to take a  
21 break you're welcome to, any time.

22 A. I may have heard him say something, but I can't  
23 tell you the words.

24 Q. Okay. Well, if Mr. Reeves would not lean  
25 forward and have an idle conversation with someone in a

1 movie theater, under what circumstances would Mr. Reeves  
2 lean forward and have a conversation with another patron  
3 in a movie theater?

4 A. He wouldn't.

5 Q. Except when?

6 A. That day.

7 Q. For what reason?

8 MR. MICHAELS: She's already answered.

9 It's been asked and answered, she said she  
10 didn't know.

11 A. I don't know if I heard him saying that or I  
12 just assumed that.

13 BY MR. MARTIN:

14 Q. No, that's not the question. We have already  
15 moved off of that. I understand you don't know that.

16 You've been married to him for over 40 years.  
17 You said based on being married to him I believe he did  
18 this, and he wouldn't have an idle conversation with  
19 someone. If he leaned forward why would he be leaning  
20 forward if it wasn't just a friendly conversation? Why  
21 would he do that?

22 A. Why would he lean forward? To keep from  
23 raising his voice.

24 Q. For what purpose? To get someone to do what?

25 A. I don't know. But my husband would not have

1    been rude.

2           Q.    **We're not talking about rude?**

3           A.    First of all, the previews were very, very  
4    loud.

5           Q.    **Okay.**

6           A.    I'm sorry, I don't understand what you're  
7    asking.

8           Q.    **Okay, that's fair enough. If my questions**  
9    **aren't clear to you. I'm just trying to understand that**  
10   **statement that you made that you knew what your husband**  
11   **was doing because you have been married to him for so**  
12   **long.**

13          A.    Maybe I heard him say phone, but I can not say  
14    that I'm sure.

15          Q.    **So he wouldn't have leaned forward just to have**  
16    **an idle conversation?**

17          A.    No.

18          Q.    **That's just not his personality?**

19          A.    No.

20          Q.    **But he would lean forward to tell someone to do**  
21    **something, right?**

22          A.    That's the only time I've seen it happen.

23          Q.    **And that's what he did?**

24          A.    Yes.

25          Q.    **When he leaned forward and told Mr. Oulson to**

1    **do something, how did Mr. Oulson respond?**

2           A.    In a very ugly manner. He was loud. He said,  
3 I was so shocked, he said either fuck or fucking, and I  
4 don't remember if he said, texting my daughter. I did  
5 hear daughter. And I was just horrified that someone  
6 would act like that.

7           Q.    **And Mr. Oulson did those things the very first**  
8 **time that Mr. Reeves spoke to him?**

9           A.    Yes.

10          Q.    **Okay. And you could hear what Mr. Oulson said?**

11          A.    Yes.

12          Q.    **And which direction was Mr. Oulson's face when**  
13 **he made those statements?**

14          A.    I didn't see his face, so I'm assuming he  
15 didn't turn around.

16          Q.    **Were the previews going on?**

17          A.    Yes.

18          Q.    **And the same previews were going on when Mr.**  
19 **Reeves leaned forward and did something, we don't know**  
20 **what?**

21          A.    I don't know if it's the same preview. I would  
22 assume that it was the same preview.

23          Q.    **And you could hear Mr. Oulson but you could not**  
24 **hear Mr. Reeves?**

25          A.    Yes.



1 Q. Okay. Now, when Mr. Olson said that, where was  
2 Mr. Reeves? Remember we have Mr. Reeves leaning  
3 forward. Is he still leaning forward or has he sat back  
4 in his seat?

5 A. I don't remember. I assume that he had sat  
6 back, he's not going to stay there, but I don't  
7 remember.

8 Q. All right. And to your knowledge did Mr.  
9 Reeves hear Mr. Oulson?

10 A. Oh, yes.

11 Q. How do you know that?

12 A. He's not deaf.

13 Q. I understand that. So he was in such close  
14 proximity you would expect him to have the opportunity,  
15 is that what you're telling us?

16 A. Yes.

17 Q. Did Mr. Reeves say anything to you about that?

18 A. I'm going to go get the manager.

19 Q. And that was the first time, that's how his  
20 response was?

21 A. If he said anything else to Mr. Oulson, I don't  
22 remember.

23 Q. What did Mr. Reeves say to you?

24 A. I'm going to go get the manager.

25 Q. Any other statements by Mr. Reeves before he

1     **stands up and goes to the manager?**

2           A.     No.  He said that and I said, let's just move.

3           Q.     **And what did he say about that?**

4           A.     He just continued on.  But we had already, I'm  
5     assuming we had already told Matt that we were seated on  
6     the back row, because Matt is not there yet.

7           Q.     **And how did Matt get that word?**

8           A.     I don't know.

9           Q.     **So that's an assumption on your part?**

10          A.     I think Curtis told me that he had told Matt,  
11     but I didn't see Curtis text, I didn't see him call him  
12     in the theater.  I'm going to take a guess and say that  
13     he texted him, but this is when we sat down.

14          Q.     **Let's go back to the lobby.  Did Mr. Reeves**  
15     **text Matt while he was in the lobby before you went in**  
16     **the theater?**

17          A.     Not that I'm aware of.

18          Q.     **And you believe Matthew, your son, Officer**  
19     **Reeves knew that you all were in the back row so that**  
20     **when he walked in he could walk right up the stairs to**  
21     **the back row and find you?**

22          A.     That's what I believe.

23          Q.     **And you got that from Mr. Reeves?**

24          A.     Yes.

25          Q.     **All right.  So let's get back to right before**

1 Mr. Reeves stands up to go talk to the manager, Mr.  
2 Oulson, you're telling me, made the statements that he  
3 made, but he never turned around?

4 A. Not that I remember.

5 Q. He was sitting right in front of you, right?

6 A. Yes.

7 Q. You never saw his face?

8 A. No.

9 Q. Okay. He never stuck any of his arms, legs, or  
10 anything over the seat back at that point?

11 A. No.

12 Q. Did he use any, I know that the cursing took  
13 place, I'm talking about words of violence, like hit,  
14 kick, feet, kill, you know, words that you would  
15 normally associate with an act of violence. Did he use  
16 any of those words?

17 A. Not that I'm aware of.

18 Q. All right. He just said something about  
19 texting his daughter and the word fuck?

20 A. Yes.

21 Q. He never made any movement towards Mr. Reeves?

22 A. Not then.

23 Q. That's good, that's fine. Never turned around  
24 and looked at him?

25 A. Not that I saw.

1 Q. But again, he was right in front of you and you  
2 didn't see it?

3 A. No.

4 Q. Now, at that point Mrs. Oulson is sitting right  
5 in front of Mr. Reeves, correct?

6 A. Yes.

7 Q. And did Mrs. Oulson say anything?

8 A. Not that I'm aware of.

9 Q. Did she look towards you?

10 A. I didn't see her face.

11 Q. Did she look towards her husband?

12 A. I don't know.

13 Q. She would also have the opportunity to hear her  
14 husband, right?

15 A. She certainly should have.

16 Q. But you're telling me that when these words  
17 were said she never looked towards him to see what was  
18 going on?

19 A. I don't know. Like I tell you, I was just  
20 horrified that somebody would act like that and I wanted  
21 to be any place but where I was.

22 Q. Now, at that point Mr. Reeves gets up and he  
23 says he's going to go talk to the manager?

24 A. Yes.

25 Q. And you stay there?

1 A. Yes.

2 Q. Did Mr. Oulson have any contact with you  
3 whatsoever?

4 A. No.

5 Q. Could you see what, if anything, he was doing  
6 with the phone? Like you said, before Mr. Reeves left  
7 you couldn't see the phone, did you ever see the phone  
8 at any point in time up until Mr. Reeves came back?

9 A. No.

10 Q. Did you hear him talking on the phone, where it  
11 was up to his ear and he was talking, disturbing people?

12 A. I didn't hear that. You know, I probably was  
13 looking anywhere but him.

14 Q. But he never turned around and made any threats  
15 to you?

16 A. Not to me.

17 Q. While your husband was gone?

18 A. No.

19 Q. Okay. There's a point in time that your  
20 husband is gone and he begins to come back. And I want  
21 to talk about the time that he's at the top of the  
22 stairs, walking down the aisle, until he sits down,  
23 okay. Right before he sits down, that little walk, what  
24 do you see? Your husband is doing what? Take me  
25 through what you see. You see him walking through the

1 aisle?

2 A. He just walks up and makes his way back to his  
3 seat.

4 Q. Is he chair walking? You know what I mean,  
5 putting your hand on each chair as you go by down the  
6 aisle?

7 A. I don't know.

8 Q. As he comes in front of you, of course he would  
9 be right behind Mr. Oulson?

10 A. Yes.

11 Q. Does your husband say anything to Mr. Oulson?

12 A. I don't know who said -- he sat down. Curtis  
13 sat down.

14 Q. We don't want to get to that point yet.

15 A. All right. I don't know. I don't remember.

16 Q. Okay. So you're sitting right here, Mr. Reeves  
17 is right in front of you, right?

18 A. Yes.

19 Q. Mr. Oulson is no more than three feet away,  
20 right?

21 A. Yes.

22 Q. All right. At that point where is Mr. Reeves?  
23 Is he focused on Mr. Oulson, looking down, seeing what  
24 he's doing, focusing on his way, looking down the aisle,  
25 what do you see about Mr. Reeves?

1           A.     Just that he passed in front of me.

2           Q.     Where is his focus? Is his focus towards the  
3 screen, down?

4           A.     I have no idea.

5           Q.     As Mr. Reeves walks by does Mr. Oulson say  
6 anything to Mr. Reeves while he's behind him?

7           A.     Not that I know of.

8           Q.     Now we have Mr. Reeves right in front of his  
9 seat, he sits down, and he acquires the popcorn and he's  
10 got his drink?

11          A.     Yes.

12          Q.     Now, as he's sitting down and shuffling with  
13 the popcorn from one hand, from his right to his left  
14 hand and sits down, that very short period of time, does  
15 Mr. Oulson turn around and say anything to Mr. Reeves?  
16 I'm just asking what you saw. I'm not saying it  
17 happened, I'm just trying to figure out what happened.

18          A.     I don't know who said what first. But, yeah,  
19 they both said something.

20          Q.     All right. Mr. Reeves sits down, and as soon  
21 as he sits down within a couple of seconds do you see  
22 anything flying through the air and hitting your husband  
23 in the face?

24          A.     No.

25          Q.     Does Mr. Reeves, once he sits down, you've seen

1 the video, right?

2 A. Yes.

3 Q. All right. He sits down and he leans forward,  
4 sits back, sitting, and then the popcorn is thrown,  
5 that's the sequence, right?

6 A. I didn't see the popcorn thrown.

7 Q. But you know he leans forward?

8 A. Yes.

9 Q. Okay. Now, when he's sitting there, before  
10 that leaning forward takes place, is there anything  
11 thrown at Mr. Reeves?

12 A. Not that I saw.

13 Q. Was he hit in the head, face, with anything?

14 A. I did not see that.

15 Q. Did Mr. Reeves explain to you or exclaim to  
16 you, I've been hit in the face with something?

17 A. Not at that point.

18 Q. Does anything fall at your feet at that point?

19 A. No.

20 Q. And at that point we have the candy wrapper on  
21 the floor, we have a popcorn bag in Mr. Reeves' hand and  
22 a drink in his cup holder, correct?

23 A. Yes.

24 Q. So before Mr. Reeves leans forward to your  
25 knowledge nothing was thrown at Mr. Reeves?



1 A. I didn't see anything.

2 Q. Did you hear anything?

3 A. No.

4 Q. And no one exclaimed, I've been hit in the face  
5 at that point?

6 A. No.

7 Q. Mr. Reeves is just sitting there?

8 A. Yes.

9 Q. All right. And does he sit with his legs  
10 crossed?

11 A. I don't know.

12 Q. Does he shuffle like this, shifting from left  
13 to right, right to left?

14 A. I don't know. He's tall, there's not a lot of  
15 room, I don't know.

16 Q. He was wearing sneakers that day?

17 A. Yes.

18 Q. And these are Nike sneakers?

19 A. No.

20 Q. What are they?

21 A. Starts with an S, I don't know if it's Solomon.  
22 Is that a brand?

23 Q. They were black, right?

24 A. I don't know.

25 Q. Okay.

1           A.     But I do know they have a reflective strip on  
2     them.

3           Q.     **How do you know that?**

4           A.     Because of the news.

5           Q.     **Okay. Why did you think I was going to ask you**  
6     **about the reflective strip?**

7           A.     Because his shoes have been such a big deal.

8           Q.     **With who?**

9           A.     I know that Mr. Escobar requested --

10                   MR. MICHAELS: We're going to assert  
11                   work product at this point.

12                   MR. MARTIN: Certify the question.

13                   (Whereupon the question was certified.)

14                   MR. MICHAELS: I'm going to instruct the  
15                   witness not to answer any questions about any  
16                   conversations you've had with Mr. Escobar,  
17                   myself, or anybody in our office.

18                   MR. MARTIN: Well, let's go ahead and go  
19                   through that then. We'll get that out of the  
20                   way.

21           **BY MR. MARTIN:**

22           Q.     **A couple days ago did you have a chance to meet**  
23     **with Mr. Escobar?**

24           A.     Yes.

25           Q.     **And what was the purpose of the meeting?**

1 MR. MICHAELS: Work product.

2 MR. MARTIN: Certify the question.

3 (Whereupon the question was certified.)

4 BY MR. MARTIN:

5 Q. Did you have an opportunity to review the  
6 video?

7 A. Yes.

8 Q. Did you do that with Mr. Escobar?

9 A. Mr. Michaels.

10 Q. How many times did you view the video?

11 A. At least twice.

12 Q. All right. And during the time -- and what was  
13 the purpose of you viewing the video?

14 MR. MICHAELS: Work product.

15 MR. MARTIN: Certify the question.

16 (Whereupon the question was certified.)

17 BY MR. MARTIN:

18 Q. Did you ask to see the video?

19 A. No.

20 Q. Did you want to see the video?

21 A. I don't know.

22 Q. All right. But you watched the video?

23 A. I did.

24 Q. At Mr. Michael's request?

25 A. Yes.

1 Q. And do you know why he asked you to look at the  
2 video?

3 MR. MICHAELS: Work product.

4 BY MR. MARTIN:

5 Q. Are you going to answer the question or not?

6 MR. MICHAELS: She's not going to answer  
7 the question.

8 MR. MARTIN: She's got to put on the  
9 record that she's not going to answer the  
10 question.

11 A. No, I'm not going to answer the question.

12 BY MR. MARTIN:

13 Q. And do you feel that the purpose of watching  
14 that video was to prepare you for the depo today?

15 A. Not really.

16 Q. Did Mr. Michaels read to you any police  
17 reports?

18 A. No.

19 Q. Have you read any police reports involving what  
20 you told law enforcement? You're looking at Mr.  
21 Michaels.

22 A. Stop me if I can't say this, they let me hear  
23 my recorded --

24 Q. Your taped statement?

25 A. Statement, yes.

1 Q. You listened to the taped statement?

2 A. Yes, I did.

3 Q. That was just a couple days ago?

4 A. Last week.

5 Q. Prior to this depo?

6 A. Yes.

7 Q. After you knew your depo was going to be taken?

8 A. Yes.

9 Q. All right. And did listening to that taped  
10 statement refresh your memory as to what occurred?

11 A. Somewhat.

12 Q. Okay. And those statements that you gave on  
13 January 13, 2014, those were accurate statements?

14 A. I don't think there was anything inaccurate  
15 with them, but I was not in a good state. I was not --  
16 it was not a good time for me to be interviewed.

17 Q. I understand that. Taking that in mind there's  
18 nothing inaccurate, everything you said in there was  
19 true?

20 A. Yes.

21 Q. Now, as far as police reports, you didn't read  
22 any police reports where the officers spoke with you and  
23 documented what you said?

24 A. Yes, I did see that.

25 Q. Did you read them, or were they read to you?

1           A.     I think I read Detective -- Detective Proctor  
2 recorded me and I didn't know at the time it was  
3 recorded. I think it was Detective Smith talked to me  
4 and I saw a written report.

5           Q.     **Did you read it?**

6           A.     I did.

7           Q.     **All right. And that report is accurate?**

8           A.     No, it wasn't.

9           Q.     **And what was not accurate about it?**

10          A.     The one thing that I can remember being not  
11 accurate is he said that I didn't know who said the word  
12 fuck, and I never said that, I knew who said the word  
13 fuck.

14          Q.     **You were interviewed by two officers, do you**  
15 **recall that?**

16          A.     Maybe, I'm not sure. And there was people that  
17 came in and went out.

18          Q.     **So you read the report of Mr. Smith, Detective**  
19 **Smith, is that the one you read?**

20          A.     Yes.

21          Q.     **And there are some things that are not**  
22 **accurate?**

23          A.     Right now that's all I can remember. I don't  
24 remember what all is in it.

25          Q.     **All right. Well, let's go through it, because**

1 I want to know exactly what you know.

2 This is Officer Smith. Vivian stated that she  
3 and Curtis were seated in the back row of the theater  
4 and there was a man sitting in the row in front of them  
5 using his cell phone. Accurate?

6 A. Yes.

7 Q. Now we already talked about using. He was  
8 holding it, the light was on, but whether or not he was  
9 talking on it, flipping through looking at, Googling,  
10 you don't know, you just know the phone was out?

11 A. I don't know, I didn't pay attention.

12 Q. So that's what you mean by using the phone, the  
13 phone was in his hand and the screen light was on?

14 A. Yes.

15 Q. Okay. She said she believed the man was seated  
16 directly in front of her. Correct?

17 A. Yes.

18 Q. Vivian said that the previews were playing  
19 before the movie had started. Correct?

20 A. Yes.

21 Q. She stated that during the previews the theater  
22 played a message asking people not to use their cell  
23 phones during the movie. Correct?

24 A. Correct.

25 Q. That was after you sat down?

1 A. Yes.

2 Q. How long after you sat down?

3 A. I don't know.

4 Q. Okay. Had it come on before Mr. Reeves leaned  
5 forward for the first time and asked?

6 A. Absolutely.

7 Q. And how long was it the time Mr. Reeves sat  
8 down and the first time he had contact with Mr. Oulson?

9 A. I don't know.

10 Q. Matter of seconds?

11 A. No.

12 Q. Minutes?

13 A. Minutes.

14 Q. Minutes. The video, surveillance video that  
15 you looked at a couple days ago, was that a short  
16 snippet that only lasted four or five seconds, or did  
17 you look at two, three, four, five minutes from the time  
18 you walked in?

19 A. No, it was short.

20 Q. Did it show the time you walked in, the very  
21 first time?

22 A. No.

23 Q. Did it show when Mr. Reeves first made contact  
24 with Mr. Oulson?

25 A. I don't remember.



1 Q. So you just saw a snippet of the shooting?

2 A. Yes.

3 Q. Okay. But your testimony is that when you all  
4 sat down you were there for a while before Mr. Reeves  
5 leaned forward and made contact with Mr. Oulson?

6 A. Right, because the previews, I don't know long,  
7 but the previews were not on when we sat down.

8 Q. Okay. There for a minute, two minutes?

9 A. I don't know.

10 Q. All right. But the cell phone, turn off your  
11 cell phone took place before Mr. Reeves --

12 A. Yes.

13 Q. Okay. Vivian said Curtis said something to the  
14 man about using the cell phone but she could not hear  
15 what was said?

16 A. True.

17 Q. Okay. And we already talked about exactly what  
18 you heard or could not hear. The question, when you  
19 told this to the detective, it implies that you could  
20 see the cell phone and you knew what the purpose was,  
21 but that's not the case, is it? You could not see the  
22 cell phone?

23 A. I could not see it after I sat down.

24 Q. And you don't really know why Mr. Reeves leaned  
25 forward?

1           A.    I may have heard him, but I'm not going to say  
2   that I did because I don't remember.

3           Q.    **Okay. But that's what you did tell the**  
4   **officer.**

5           A.    Okay.

6           Q.    **I mean, I wrote it down.**

7           A.    Okay.

8           Q.    **Is that true? Is that what you said?**

9           A.    That I told him?

10          Q.    **Vivian said Curtis said something to the man**  
11 **about using the cell phone?**

12          A.    Yes, that's true.

13          Q.    **All right. But as we speak today you don't**  
14 **know where that cell phone was or why Mr. Reeves leaned**  
15 **forward?**

16          A.    I don't know where Mr. Oulson was holding his  
17 phone, but that is why Curtis leaned forward.

18          Q.    **And you previously testified you did not see**  
19 **the phone, correct?**

20          A.    Right.

21          Q.    **You don't know where it was, correct?**

22          A.    Correct.

23          Q.    **At the time that Mr. Reeves leaned forward you**  
24 **didn't know where that phone was?**

25          A.    No.

1 Q. And your testimony previously was based on your  
2 being married to Mr. Reeves for over 40 years you knew  
3 why he leaned forward, is that your previous testimony?

4 A. I said that, but I may have heard a little bit,  
5 but it wasn't loud.

6 Q. Okay. She stated, I'm going back to the  
7 report. She stated she heard someone say the word fuck  
8 but did not know who it was?

9 A. That's wrong.

10 Q. Okay. Correct it. How is it wrong? Tell me  
11 what it should be.

12 A. Curtis never said fuck. Mr. Oulson said, he  
13 said the word fuck or fucking, and I remember him saying  
14 something about his daughter.

15 Q. Okay. Let me read it again because I did not  
16 refer to Curtis.

17 The sentence is, she stated she heard someone  
18 say the word fuck but did not know who it was -- did not  
19 know who said it. That's the statements.

20 A. That's wrong. I know who said it. Mr. Oulson  
21 said it.

22 Q. Okay. Next sentence, Vivian said she did not  
23 hear the man state -- I'm going to start over, I made a  
24 mistake.

25 Vivian said she did hear the man state at some

1 point that he was texting his daughter.

2 A. Okay.

3 Q. Is that correct? The reason we're going  
4 through this is because you said you read the report and  
5 there's things wrong in it, I need to know what's wrong.

6 A. Okay. I told you the one thing that I can  
7 remember, but I don't have that memorized.

8 Q. I understand, that's why we're going through it  
9 line by line, so I'm asking you, is that correct?

10 A. Read that again, please.

11 Q. Yes, ma'am, I will be glad to. Vivian said she  
12 did hear the man state at some point that he was texting  
13 his daughter?

14 A. Yes.

15 Q. All right. Do we know at what point he said  
16 that? Mr. Reeves sits down, at some point Mr. Reeves  
17 leans forward. At some point you hear the word fuck.  
18 At some point Mr. Reeves leans back. At some point Mr.  
19 Reeves leaves to go to the manager. That time period,  
20 before he goes to the manager, is that when you hear  
21 he's texting his daughter?

22 A. Yes.

23 Q. And at the time that Mr. Oulson said he's  
24 texting his daughter where is Mr. Reeves? Is he sitting  
25 back in his seat or is he leaned forward?

1           A.     I don't know.

2           Q.     Okay.   When Mr. Oulson said something about  
3   texting his daughter is he facing towards the screen, is  
4   he turned sideways like his face would be towards his  
5   wife or has he turned all the way around and actually  
6   looking eyeball to eyeball with Mr. Reeves?

7           A.     I don't know.

8           Q.     Okay.   But Mr. Oulson is sitting right in front  
9   of you?

10          A.     Yes.

11          Q.     And you would have an opportunity to see that,  
12   correct?

13          A.     Correct.

14          Q.     All right.   And if someone turned around and  
15   spoke to your husband in a movie theater you would  
16   notice that, would you not?

17          A.     If they turned all the way around I would  
18   notice that.

19          Q.     And you did not see that?

20          A.     No.

21          Q.     All right.   So Mr. Oulson, for all intents and  
22   purposes looking forward said something about texting  
23   his daughter?

24          A.     Yes.

25          Q.     Now at that point, before Mr. Reeves goes and

1    talks to the manager, are there any words which you  
2    would consider to be words of violence, like hit, beat,  
3    kick, kill, cut, stab?

4        A.    I did not hear anything like that.

5        Q.    All right. It was simply texting my daughter?

6        A.    With the F word thrown in.

7        Q.    Okay.

8        A.    In a loud voice.

9        Q.    Okay. Next sentence, Vivian said Curtis  
10   eventually got out of his seat and went to the manager  
11   to complain.

12       A.    Yes.

13       Q.    Okay. When he came back she asked Curtis to  
14   move seats but he refused. Correct?

15       A.    I don't think refused, he didn't say --

16       Q.    Well, tell me about it.

17       A.    -- no, I'm not moving.

18       Q.    How did Detective Smith get but he refused?  
19   Tell me what you said.

20       A.    Okay, I'm going to back up.

21       Q.    Please.

22       A.    And I may be wrong here, but I think that was  
23   said on Curtis's way out when he said, I'm going to go  
24   get the manager, and I said, let's just move, and he  
25   kept going. I didn't ask -- I didn't say that again.

1 Q. Okay.

2 A. To the best of what I remember.

3 Q. All right. Next paragraph; Vivian told me that  
4 she did not like confrontations.

5 A. I don't.

6 Q. Did you say that? You may not like it but  
7 we're trying for verify the report.

8 A. Yes, I said that.

9 Q. All right. She said because of this she was  
10 not paying close attention to the interactions between  
11 Curtis and the man?

12 A. True.

13 Q. That sentence is true?

14 A. Yes.

15 Q. She says, shortly after Curtis came back the  
16 man stood up in his row and faced towards Curtis.

17 A. Yes.

18 Q. Now, the next sentence is, Vivian said she  
19 believed the man reached over the back of the seat  
20 towards Curtis but could not see if he touched him in  
21 any way.

22 A. When Mr. Oulson leaned --

23 Q. You can explain it, I need to know this  
24 sentence because you said there were things that are not  
25 correct, so this is what you told the officer?

1 A. Would you read it again?

2 Q. Yes, ma'am, I will. See, what I'm trying to  
3 do, you can explain it but I want to know if this is  
4 correct.

5 She said she did not see the man, wait a  
6 minute. Yeah, that was the sentence. She said she did  
7 not see the man holding anything, and did not, no,  
8 that's not the sentence, hold on a second. I'm sorry, I  
9 went down too far. I apologize. You ready?

10 A. Ready.

11 Q. I apologize to you.

12 A. That's all right.

13 Q. I went down too many lines. Vivian said she  
14 believes the man reached over the back of his seat  
15 towards Curtis but could not see if he touched him in  
16 any way.

17 A. True.

18 Q. Okay. Now, the sentence before that you said  
19 was true, that the man stood up, and then you talk about  
20 the man reaching over. Did you recall at that time that  
21 before Mr. Oulson stood up, that after Mr. Reeves came  
22 back with a manager that he leaned forward and had  
23 additional contact with Mr. Oulson?

24 A. They both said something.

25 Q. I know, but after Mr. Reeves returned from the



1 manager and sat down you recall he did lean forward and  
2 have contact with Mr. Oulson?

3 A. I think so.

4 Q. All right. Now, after coming back from the  
5 manager and sitting down and leaning forward do you know  
6 what Mr. Reeves said to Mr. Oulson when he leaned  
7 forward the second time after coming back from the  
8 manager's office?

9 A. I don't think so.

10 Q. Do you know why he leaned forward?

11 A. No.

12 Q. And when Mr. Reeves was leaning forward what  
13 was Mr. Oulson's response? It could be a physical  
14 response in moving his body, or a verbal response,  
15 whatever it was, or nothing.

16 A. I think it was before Mr. Oulson stood up, he,  
17 in a very loud voice said, who the fuck do you think you  
18 are, or something to that effect.

19 Q. Okay. Is that when, I'm sorry, let me back up.  
20 Was that during the time when Mr. Reeves was leaning  
21 forward the second time?

22 A. I don't know.

23 Q. And try to help me when you believe Mr. Oulson  
24 made that statement? At what point in the scenario  
25 before he stood up?

1           A.     Before he stood up?

2           Q.     And what precipitated that?  If you're sitting  
3     there and Mr. Oulson is there and Mr. Reeves is sitting  
4     back there, all of a sudden Mr. Oulson just for no  
5     reason says, who the fuck do you think you are, staring  
6     at the screen, I'm trying to figure out --

7           A.     I'm trying to separate what I have seen on the  
8     news and what I actually heard.  I don't think I heard  
9     what Curtis said to him.  And then Mr. Oulson said that.

10          Q.     All right.  And you believe he said that after  
11     Mr. Reeves leaned forward the second time after coming  
12     back from the manager's officer?

13          A.     Before Mr. Oulson said that he also said  
14     something to Curtis.

15          Q.     Okay.  And when precipitated Mr. Oulson?  Is  
16     this unsolicited?

17          A.     I don't know who talked first.

18          Q.     Okay.  And then what was said?

19          A.     Something like, you told on me, or something to  
20     that effect.

21          Q.     Is that after Mr. Reeves leaned forward and had  
22     contact with Mr. Oulson?

23          A.     I don't know who spoke first.

24          Q.     Well, how would Mr. Oulson know that Mr. Reeves  
25     went to the manager but for Mr. Reeves telling Mr.

1 Oulson?

2 A. Maybe he just assumed that, I don't know.

3 Q. Was Mr. Oulson in a position to see Mr. Reeves  
4 walk behind him?

5 A. Yes.

6 Q. His face forward?

7 A. He could have. It's hard to walk without --

8 Q. You don't know, do you?

9 A. No, I don't know, but he could have been aware  
10 that Curtis walked out.

11 Q. Okay. So you're assuming that Mr. Oulson is  
12 seeing and caring that Mr. Reeves was walking out, that  
13 he was going to the manager, is that what you are  
14 assuming?

15 A. That's what I am assuming.

16 Q. But you don't know that, do you?

17 A. I don't. And I don't know, Curtis spoke in a  
18 soft voice to me with the previews, I don't know if Mr.  
19 Oulson could have heard him or not. I don't know.

20 Q. So it's your testimony today that Mr. Reeves is  
21 sitting in his seat and just unsolicited Mr. Oulson said  
22 something to the words of effect, you went and told on  
23 me to the manager?

24 A. I don't know if Curtis said something first or  
25 not.

1           Q.    When Mr. Reeves said those words was he facing  
2 forward, just like in the other times that he was  
3 speaking?

4           A.    When Mr. Reeves said something?

5           Q.    When Mr. Oulson said, you told on me to the  
6 manager?

7           A.    I did not see his face.

8           Q.    And of course you would be in a perfect  
9 opportunity and position to see his face because you  
10 were right behind him?

11          A.    He could have turned to the side, but I don't  
12 know.

13          Q.    All right. But he never leaned over the seats,  
14 he never put any of his appendages, arms, legs?

15          A.    Not yet, no.

16          Q.    Okay. Mr. Oulson is sitting, maybe he turned  
17 sideways when he said, you told on me to the manager,  
18 you don't know if that's before Mr. Reeves said  
19 anything?

20          A.    I was trying to be invisible, I don't know.

21          Q.    All right. But at this time when Mr. Reeves,  
22 I'm sorry, I apologize, I made a mistake.

23                   When Mr. Oulson said you told the manager on me  
24 or something or to those words, again there was no words  
25 of violence, hit, kick, kill, cut, stab, anything like

1     that?

2           A.     No.

3           Q.     Anything to indicate imminent violence?

4           A.     No.

5           Q.     Okay. Now we have Mr. Reeves coming back from  
6     the manager, leaning forward, sitting back in his seat.  
7     Mr. Oulson has made whatever statements you believe that  
8     he's made, let's finish with this report. I want to  
9     make sure that everything is correct in here.

10           She did not see the man holding anything, and  
11     did not see any physical contact between the two,  
12     correct?

13           A.     That's correct.

14           Q.     Vivian said she could not describe anything  
15     about the man or his clothing?

16           A.     That's correct.

17           Q.     Vivian stated just after she moved over she  
18     heard a pop?

19           A.     A gun, that was the gunshot.

20           Q.     Okay. Did you move in your seat?

21           A.     I turned away.

22           Q.     Well, and I just want to know what is correct  
23     in this report. He has written, Vivian stated just  
24     after she moved over she heard a pop. Before the gun  
25     went off did you get out of your seat and move to

1     **another seat?**

2           A.     I didn't.

3           Q.     **Okay. She had said she knew it to be a gunshot**  
4     **and there was only one?**

5           A.     That's right.

6           Q.     **She stated she did not see the shot fired or**  
7     **the gun?**

8           A.     No. I mean, that's correct.

9           Q.     **Okay. So let's talk about we're at the point**  
10    **everyone is still in their seats. There comes a point**  
11    **in time when Mr. Oulson stands?**

12          A.     Yes, sir.

13          Q.     **I want to go from him standing up until you**  
14    **hear the gunshot, okay. Take me through what you saw**  
15    **and heard, please, ma'am?**

16          A.     Very quickly, it happened so quickly, he stood  
17    and leaned over the seat, and I turned away.

18          Q.     **Okay. Explain to me how he leaned over the**  
19    **seat. You can use your chair if you want and we'll try**  
20    **to orally put it on the record, if you don't mind.**

21          A.     I don't know where he put his feet, but very  
22    quickly he got up and came across like that. And right  
23    when I saw that I turned away.

24          Q.     **Okay. And if you don't mind just standing**  
25    **there for like two minutes and we'll going through the**

1 whole thing, okay?

2 A. Okay.

3 Q. As he stands up you know that there are risers?

4 A. Yes.

5 Q. And you do know when you get up out of your  
6 seat your seat comes up, right? You stand up, the seat  
7 flops up, when you sit down you have to push the seat  
8 down?

9 A. I don't remember.

10 Q. Okay. That's all right. So he's standing  
11 here, Mr. Reeves is here, he leans over, show me what he  
12 does.

13 A. His whole upper body came over.

14 Q. Okay. Both hands?

15 A. I don't remember his hands.

16 Q. Okay. Where do his hands go? He leaned over.

17 A. As soon as I saw him lean over I turned away.

18 Q. Mrs. Reeves, you watched the video a couple  
19 days ago, didn't you?

20 A. Yes, I did.

21 Q. Are you sure you turned away?

22 A. I didn't see anything. I feel like I turned my  
23 head away, my face away. It frightened me.

24 Q. From that point on you have no idea what  
25 happened, is that your testimony?

1 A. Until after the gunshot.

2 Q. From the time he stood up you don't know where  
3 Mr. Oulson's hands went, you don't what occurred until  
4 after you heard the gunshot?

5 A. Right, because I wasn't looking.

6 Q. Absolutely devoid of any information  
7 whatsoever?

8 A. Yes.

9 Q. Because you believe you got up and turned your  
10 head?

11 A. I don't think -- I thought I got up, but the  
12 video doesn't show that I got up.

13 Q. So you do see that you do not get out of that  
14 seat?

15 A. Right. I know that now.

16 Q. All right. And looking at the video you know  
17 you were watching everything that was going on?

18 A. I did not see it. Maybe I closed my eyes. I  
19 thought I turned away but I did not see it. After he  
20 came across it scared me to death.

21 Q. All right. When he stood up what did Mr.  
22 Reeves say? He being Mr. Oulson, what did Mr. Reeves  
23 say?

24 A. I don't know.

25 Q. What did Mr. Oulson say?



1           A.     I don't know.

2           Q.     What did Mr. Oulson do while he was standing  
3     there?

4           A.     I don't know.

5           Q.     At some point Mr. Reeves acquires his firearm.  
6     Did you see him get his firearm?

7           A.     No.

8           Q.     Do you know whether or not his firearm was in  
9     his pocket?

10          A.     I'm just assuming, I don't know. That's where  
11     he carries it.

12          Q.     All right. He carries it in his pocket,  
13     sitting in the theater chair does he ever take the  
14     firearm out for discomfort and put it in his lap?

15          A.     No.

16          Q.     Put it in his seat?

17          A.     No.

18          Q.     Then how did Mr. Reeves get the firearm out of  
19     his pocket if he's seated?

20          A.     I don't know. Now I have heard his testimony  
21     that he leaned back.

22          Q.     I asked you what you saw?

23          A.     But I didn't see it.

24          Q.     So you've read Mr. Reeves' testimony?

25          A.     I heard it played in the bond hearing.

1           Q.     Okay. And before we go any further let me  
2 apologize for having you stand there any longer, please  
3 have a seat, ma'am. You've been very gracious and I  
4 appreciate it.

5           A.     Believe me, I am very sorry that I didn't see  
6 what happened.

7           Q.     The seats that you were sitting in, the back of  
8 the seat was up against the wall.

9           A.     I don't know how much space is behind it.

10          Q.     All right. And were you able to rock your  
11 seat?

12          A.     I don't remember.

13          Q.     When Mr. Reeves, right before he fired the  
14 firearm, tell me his body actions. Where was he in the  
15 seat, what was he doing?

16          A.     I think he was sitting all the way back.

17          Q.     Okay. And you did not see how Mr. Reeves got  
18 the gun out of his pocket?

19          A.     No.

20          Q.     Have you ever had a firearm in your pocket?

21          A.     No.

22          Q.     Did you see anything thrown at Mr. Reeves  
23 before the shot was fired?

24          A.     No.

25          Q.     Did you see Mr. Oulson strike Mr. Reeves in the

1 face with his fist or any part of his body?

2 A. No.

3 Q. Did you see Mr. Reeves throw any item at your  
4 husband? Any type of item?

5 MR. MICHAELS: Do you mean Mr. Oulson?

6 MR. MARTIN: I'm sorry, I made a  
7 mistake. Thank you, Mr. Michaels.

8 A. No.

9 BY MR. MARTIN:

10 Q. Did you see Mr. Oulson -- let me make sure the  
11 record is correct.

12 A. Okay.

13 Q. I made a mistake. Did you see Mr. Oulson throw  
14 any object at your husband at any time?

15 A. No.

16 Q. Did you see the firearm in Mr. Reeves' hand  
17 before it was fired?

18 A. No.

19 Q. Do you know the location where, let me back up.  
20 Where was Mr. Oulson when the gun was fired?

21 A. After he leaned over I didn't see anything.

22 Q. Did you see him stand back up?

23 A. No.

24 Q. How many times have you listened to Mr. Reeves'  
25 statement?

1           A.     The recorded statements?

2           Q.     **Yeah.**

3           A.     Probably just the once.

4           Q.     **When was that again?**

5           A.     The bond hearing.

6           Q.     **You didn't listen to it a couple days ago?**

7           A.     Mr. Reeves' statement, no.

8           Q.     **So you heard it one time at the bond hearing?**

9           A.     Yes, sir. To the best of my knowledge, but I  
10 did not hear it at the attorney's office.

11          Q.     **And in that statement what did Mr. Reeves say**  
12 **happened?**

13          A.     He said that Mr. Oulson threw something and he  
14 saw the light so he thought it might have been the  
15 phone, and it hit him in the face, or in his glasses.  
16 And then he snatched his popcorn and squashed it in his  
17 face. But I didn't see that, that was Curtis's  
18 statement.

19          Q.     **I'm talking about Curtis's statement.**

20          A.     The best that I can remember.

21          Q.     **And what did he say about where Mr. Curtis was**  
22 **when he was shot?**

23          A.     Mr. Oulson?

24          Q.     **What did Mr. Reeves say about where Mr. Oulson**  
25 **was when he was shot?**

1 MR. MICHAELS: Point of clarification,  
2 are you talking about the statement?

3 MR. MARTIN: The statement, yes.

4 MR. MICHAELS: Do you want to ask her  
5 first if she remembers the statement?

6 MR. MARTIN: She said she heard it in  
7 the bond hearing, that's why I was asking.

8 A. I do not remember what you're asking me.

9 BY MR. MARTIN:

10 Q. When Mr. Oulson was shot do you know where Mr.  
11 Oulson was in relation to Mr. Reeves?

12 A. I don't.

13 Q. The video, the real snippet of the video that  
14 you watched two days ago?

15 A. It was last week.

16 Q. Last week, I apologize, it was last week. When  
17 Mr. Reeves fired the firearm can you see Mr. Oulson in  
18 the video?

19 A. I don't remember. I don't remember if you  
20 could see his arm or not.

21 Q. I'm talking about when he was shot?

22 A. I don't remember.

23 Q. In that video do you ever see Mr. Oulson with  
24 his whole body, legs, arms, everything, on the other  
25 side of the aisle so that he would be in your aisle and

1 not his aisle?

2 A. Would you ask me that again.

3 Q. Was Mr. Oulson ever in your aisle, his whole  
4 body, arms, legs, everything?

5 A. No.

6 Q. Did he ever climb over the back of the seat,  
7 ever take his leg and come over the back of the seat  
8 towards your husband?

9 A. No, not that I ever saw.

10 Q. But you would have seen that, right?

11 A. After he leaned over the back of the seat then  
12 I didn't see him again.

13 Q. Mr. Oulson?

14 A. Right.

15 Q. And why do you think Mr. Reeves shot Mr.  
16 Oulson?

17 MR. MICHAELS: Objection, calls for  
18 speculation.

19 BY MR. MARTIN:

20 Q. You can answer.

21 A. I can answer?

22 Q. Sure.

23 A. Because he had either, I think that he had hurt  
24 him and was going to hurt him again.

25 Q. All right. What observation did you make

1     **indicating that Mr. Reeves was going to be hurt?**

2           A.     Okay. That day I didn't make an observation.  
3     But when I think back on it, when Mr. Oulson came across  
4     the seat.

5           Q.     **Now when you say came across the seat, you're**  
6     **talking about leaning over the seats?**

7           A.     Leaning over the seat. And it happened very  
8     quickly.

9           Q.     **I understand. But coming across implies**  
10    **climbing over.**

11          A.     Okay, I'm sorry. When he leaned across the  
12    seat.

13          Q.     **He leaned over.**

14          A.     In my mind I felt like he was going to hit him.

15          Q.     **Anything else?**

16          A.     (Shakes head in the negative.) And we couldn't  
17    get up at that point.

18          Q.     **Okay. The shot is fired, after you hear the**  
19    **pop what is your first observation of Mr. Oulson?**

20          A.     I didn't see him, he was not sitting there.

21          Q.     **Remember, the last time we had him standing and**  
22    **he was leaning over.**

23          A.     Yes.

24          Q.     **And then there was a gunshot.**

25          A.     I never saw him again.

1 Q. Let's talk about his wife Nicole. When Mr.  
2 Oulson stands up what does Nicole do?

3 A. I have no idea.

4 Q. She was seated right in front of Mr. Reeves,  
5 correct?

6 A. Yes.

7 Q. We're going to talk a little bit about Nicole,  
8 okay. We've already gone through Mr. Oulson and the  
9 scenario, now I want to interject any response by  
10 Nicole. At any time when Mr. Oulson made any of the  
11 statements did you see any response by Nicole?

12 A. I don't know. No, I didn't.

13 Q. When he stands up did you see any reaction by  
14 Nicole?

15 A. No, but I was not looking at her.

16 Q. Did she ever make any statements, being Mrs.  
17 Oulson?

18 A. I didn't hear her make a statement until after  
19 the shooting.

20 Q. Okay. We're going to keep up to the shooting.  
21 After the shot is fired what does Mr. Reeves do?

22 A. He's got his hands on his face, and I don't  
23 remember if he did something to his glasses. And, okay,  
24 that's what he was doing.

25 Q. Where was the firearm he had in his hand?



1           A.     It was laying on his thigh.

2           Q.     And you could see it?

3           A.     That's the first time I saw it.

4           Q.     And at that point, right after the shooting  
5 he's sitting there, and we're going to talk about Mr.  
6 Hamilton, the off duty officer later, before that  
7 gentleman comes up what does Mr. Reeves say to you?

8           A.     He hit me in the face.

9           Q.     Okay.

10          A.     And I may have asked him what happened before  
11 that, I don't remember which came first. He said he hit  
12 me in the face.

13          Q.     Did he say he hit him with what?

14          A.     He did not say.

15          Q.     Okay. Before Mr. Hamilton shows up do you see  
16 the popcorn on the floor?

17          A.     Yes.

18          Q.     Do you see your candy wrapper at your feet?

19          A.     I didn't notice the candy wrapper.

20          Q.     Okay. You mentioned that you saw a photograph  
21 of the candy wrapper in it?

22          A.     Yes.

23          Q.     That would have been at your feet then?

24          A.     All right.

25          Q.     I'm asking you.

1 A. I don't know.

2 Q. You looked at the photo.

3 A. I did, but I don't know.

4 Q. Okay. What else, if anything, did you see on  
5 the floor?

6 A. Cell phone.

7 Q. Where was the cell phone?

8 A. I think it was between Curtis's feet.

9 Q. Okay. When you say between his feet, what do  
10 you mean?

11 A. His feet are here, I think, and there's a cell  
12 phone in the middle.

13 Q. Okay. Did you touch the cell phone?

14 A. No, but I asked to because I thought it was --

15 Q. We'll get there in a second. Before the  
16 officer comes up?

17 A. No.

18 Q. Did Mr. Reeves touch the cell phone?

19 A. No.

20 Q. Did you see Mr. Reeves use his feet in any way  
21 to move the cell phone?

22 A. No.

23 Q. As far as you know when you got up and left the  
24 cell phone was still between his feet?

25 A. Yes.

1 Q. What photograph did you see that had the candy  
2 wrapper in it that you remember the candy wrapper?

3 A. I don't know where I saw it.

4 Q. Okay. Was the photograph straight down looking  
5 down the seats or shooting down the aisle looking?

6 A. I don't remember. I just remember seeing the  
7 cell phone and the popcorn. I don't even remember the  
8 candy wrapper.

9 Q. In the photograph?

10 A. In the photograph.

11 Q. Under what circumstances did you look at the  
12 photograph?

13 A. I don't know. And it could have been on that  
14 website, I'm not sure.

15 Q. What website is that?

16 A. The State of Florida versus Curtis Reeves.  
17 Whatever it's called.

18 Q. Really? Really?

19 MR. MICHAELS: Yeah. Pasco County  
20 Clerk's office. It part of the Clerk's office.  
21 They have a separate website. If you put in  
22 State of Florida versus Curtis Reeves you're  
23 going to get the official --

24 MR. MARTIN: That's documents.

25 MR. MICHAELS: Right.

1                   MR. MARTIN: We don't give them  
2                   photographs.

3           A.     There's no photographs in there?

4           **BY MR. MARTIN:**

5           Q.     **No.**

6           A.     Then I don't know where I saw it.

7           Q.     **Mr. Escobar's office?**

8           A.     I don't recall. There are photographs on that  
9           website.

10          Q.     **There may be on the website but the Clerk's**  
11       **office doesn't have our photographs, I don't believe.**  
12       **But I could be wrong.**

13          A.     I thought I had seen photographs on it but I  
14       don't know where I saw that photograph.

15          Q.     **All right. I'm going to show you number two.**

16          A.     Okay, the wrapper would have been in front of  
17       me.

18          Q.     **Okay. Cell phone.**

19          A.     I see it.

20          Q.     **Okay. See where the popcorn is?**

21          A.     Yes.

22          Q.     **In between his feet is where it would be,**  
23       **right?**

24          A.     Yes.

25          Q.     **You don't see that cell phone on top of the**

1 popcorn, do you?

2 A. No.

3 Q. You don't see popcorn on top of the cell phone,  
4 do you?

5 A. No.

6 Q. Okay. So is that the photograph you saw?

7 A. I don't know if that's the exact one, but it's  
8 similar.

9 Q. Okay. To the best of your recollection is that  
10 where the cell phone was located before Mr. Hamilton  
11 walked over, before Mr. Reeves, before you left with  
12 your son, Officer Reeves?

13 A. I don't know, looking at it like that.

14 Q. That's straight down.

15 A. Well, I feel like I saw it between Curtis's  
16 feet. Now it might not have been right there but his  
17 feet were. No, I didn't see anybody move it, I don't  
18 know.

19 Q. Okay.

20 A. I'm not paying attention to detail at that  
21 point.

22 Q. You indicated you looked at a picture, I'm just  
23 trying to get all the knowledge that you have.

24 A. It was similar to that, if not that.

25 Q. All right. When Mr. Oulson is standing does he

1 say any words of violence, kick, hit, cut, kill, shoot,  
2 stab, anything that would be considered a word of  
3 violence?

4 A. Not that I heard.

5 Q. When he leaned over, again the same question,  
6 did he say any words of violence?

7 A. Not that I heard.

8 Q. Okay. You would have been in a position to  
9 hear it, right?

10 A. Yes.

11 Q. Just like you heard him with his face towards  
12 the screen say certain words, right?

13 A. Yes.

14 Q. But you did not hear any of those words, did  
15 you?

16 A. No.

17 Q. At any time from Mr. Oulson?

18 A. No.

19 Q. On January 13, 2014, don't think me weird, I  
20 want to talk about Mr. Reeves' hands, okay?

21 A. Okay.

22 Q. Did he have any scars, marks, fresh abrasions,  
23 or anything on his hands?

24 A. Not that I'm aware.

25 Q. Okay. And you saw him that morning?

1           A.     Yes.

2           Q.     Now, as we all age, I age, we all age, we all  
3     have certain blemishes on our hands. His would be no  
4     more different than anyone else's at his given age?  
5     There was no open wounds?

6           A.     No.

7           Q.     No cuts? There was nothing on his knuckles,  
8     no abrasions like that? If anything it was blemishes  
9     like we get as we age, right?

10          A.     That would be correct.

11          Q.     Okay. As far as his face, did you notice any  
12     cuts, marks, tears, rips, incise wounds, abrasions,  
13     whatever you want to call them that would indicate some  
14     type of physical injury to his face?

15          A.     No, but I did not, I never turned to face  
16     towards him, I never looked him full in the face.

17          Q.     Why not?

18          A.     I was very upset. And then when I asked, I'm  
19     going to get ahead of you.

20          Q.     Go ahead.

21          A.     When Mr. Hamilton told me don't touch anything,  
22     I felt like, you know, I felt like that meant Curtis  
23     too.

24          Q.     All right. So Mr. Hamilton shows up, what,  
25     maybe 15 seconds at the most after the shooting?

1 A. I don't know.

2 Q. **Short time?**

3 A. Short time.

4 Q. **Real short, short-short?**

5 A. Yes.

6 Q. **Okay. Now, before Mr. Hamilton shows up do you**  
7 **have any other, does Mr. Reeves make any other**  
8 **statements before Mr. Hamilton showed up other than what**  
9 **we have already discussed? I've been hit with something**  
10 **or I've been hit in the face, whatever it was?**

11 A. He hit me in the face.

12 Q. **He hit me in the face.**

13 A. I made a statement, I don't know if Mr.  
14 Hamilton was there or not.

15 Q. **Okay. What did you say?**

16 A. I said something like, I either said you can't  
17 shoot into a theater full of people, or I think I said,  
18 you just shot into a theater full of people, and Curtis  
19 said, not now. Like, we're not going to discuss it now.

20 Q. **All right. Mr. Hamilton shows up, he secures**  
21 **the firearm?**

22 A. Yes.

23 Q. **Did Mr. Reeves move at all from his seat?**

24 A. No.

25 Q. **And Curtis had his hands away from the firearm.**



1 I remember that. All Mr. Hamilton had to do was pick it  
2 up.

3 Q. All right. And to the best of your knowledge  
4 we're looking at photograph States Exhibit number two,  
5 Mr. Reeves did not use his feet, like you previously  
6 told me, did not use his feet to push, move, kick around  
7 anything?

8 A. I never saw him touch anything.

9 Q. He sat there still?

10 A. Yes.

11 Q. With his feet flat on the ground?

12 A. Yes.

13 Q. And didn't move at all?

14 A. Not that I saw.

15 Q. And Mr. Hamilton was next to him?

16 A. Yes.

17 Q. And Mr. Hamilton never stepped right in front  
18 of Mr. Reeves?

19 A. Not that I saw.

20 Q. To the side?

21 A. Yes.

22 Q. Hand on his chest and removed the firearm,  
23 right?

24 A. I don't remember hand on the chest, I remember  
25 him picking up the firearm.

1 Q. And then you stood right there until the  
2 officer, well, you wouldn't know that --

3 A. I wasn't there.

4 Q. -- because Officer Reeves, your son, showed up  
5 and left?

6 A. That's correct.

7 Q. Okay. Your son who we have been referring to  
8 as Officer Reeves because he was an off duty Tampa  
9 police officer meeting you as a part of the family for  
10 the movie, correct?

11 A. Yes.

12 Q. It not like I'm saying Officer Reeves because  
13 he responded to his own father's shooting?

14 A. I understand.

15 Q. Okay. I want to make sure the record is clear  
16 too.

17 When you went into the lobby area before you  
18 went into what I've been referring to as the manager's  
19 office or the office area, what did Matthew Reeves tell  
20 you that he saw from his vantage point?

21 A. He didn't tell me anything --

22 Q. Ever?

23 A. -- about it, ever. I even asked him at one  
24 point and he said, we're not going to talk about it.

25 Q. All right. Other than the taped statements to

1 law enforcement have you made any other taped  
2 statements?

3 A. No.

4 Q. Mr. Michaels tapes everything using the iPad.  
5 Did you ever make a taped statement to Mr. Escobar and  
6 Mr. Michaels?

7 A. I don't know. I was never told they were  
8 taping me.

9 Q. Okay. When speaking with either Mr. Escobar or  
10 Mr. Michaels has the iPad been out like this?

11 A. I don't know.

12 Q. When you were there a week ago was the iPad out  
13 like that with Mr. Michaels?

14 A. I didn't pay attention.

15 Q. There's some defense experts that have been  
16 listed. One is a, like a medical examiner, Vernon  
17 Adams, Dr. Adams. Did you he ever speak to him?

18 A. No.

19 Q. Did you ever speak to Dr. Michael Foley, who's  
20 a radiologist?

21 A. No.

22 Q. Did you ever speak to Michael Knox?

23 A. No.

24 Q. Did you ever speak to Philip Hayden, Dr. Philip  
25 Hayden?

1 A. No.

2 Q. Have you prepared any typed or written  
3 statements knowing that they were going to be passed on  
4 to any of these expert witnesses?

5 A. No.

6 MR. MARTIN: I have no further questions.

7 CROSS EXAMINATION

8 BY MR. MICHAELS:

9 Q. Let me just talk about this Exhibit Two, if I  
10 may. All right, Mrs. Reeves, Exhibit Two, okay. And in  
11 terms of the cell phone, when you looked down and you  
12 saw the cell phone, where do you remember it being?

13 A. I thought it was between Curtis's feet.

14 Q. Is that where you remember seeing it?

15 A. Yes.

16 Q. Okay. Now, in terms of, I know Mr. Martin  
17 asked you when the Corporal got there, or Mr. Hamilton.  
18 You didn't see him kick the phone or your husband kick  
19 the phone, right?

20 A. I didn't see that.

21 Q. Were you looking down at the phone?

22 A. No.

23 Q. Were you there when the police came in and  
24 arrested your husband and actually bent him over the row  
25 in front of him?

1           A.     I was not.

2           Q.     So you didn't see when they actually lifted  
3     Curtis out of the chair?

4           A.     No.

5           Q.     All right. So you don't know whether his foot  
6     kicked the phone at that point?

7           A.     No.

8           Q.     But what you do remember is that when you  
9     looked down the phone was between your husband's feet?

10          A.     Yes.

11          Q.     As he sat in the seat?

12          A.     Yes.

13          Q.     Now, I know that you were asked about, you  
14     know, whether you have any recorded statements. Mr.  
15     Martin asked you about, Mr. Martin likes to use, instead  
16     of an iPad he uses like a little digital recorder. You  
17     didn't see one of those around either, did you?

18          A.     I didn't.

19                   MR. MICHAELS: I don't have anything  
20     else.

21                   MR. MARTIN: I don't have any follow-up.

22                   MR. MICHAELS: Thank you. She'll waive.

23                   (Whereupon the taking of the deposition  
24     was concluded at 4:04 p.m. and reading and  
25     signing were waived.)

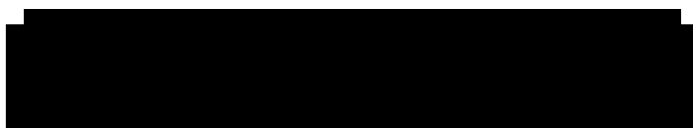
CERTIFICATE OF OATH

STATE OF FLORIDA :

COUNTY OF PINELLAS :

I, the undersigned authority, certify that Vivian Reeves personally appeared before me and was duly sworn.

WITNESS my hand and official seal this date:  
November 27, 2015.



KayLynn Boyer  
Court Reporter  
Notary Public  
State of Florida



CERTIFICATE OF REPORTER

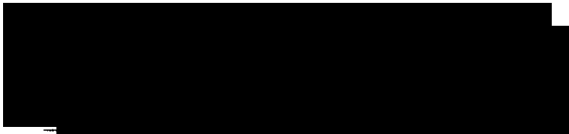
STATE OF FLORIDA :

COUNTY OF PINELLAS :

I, KayLynn Boyer, certify that I was authorized to and did stenographically report the foregoing deposition of Vivian Reeves, and that the transcript is a true record of the testimony given by the witness.

I further certify that I am not a relative, employee, 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: November 27, 2015.



KayLynn Boyer  
Court Reporter

**FOR PHOTOGRAPHS  
PLEASE SEE ORIGINAL  
DOCUMENT**