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

THERESA C. GREENEY, as Successor )  
Personal Representative of the )  
Estate of JOHN W. GREENEY, III, )  
deceased, )  
Plaintiff, )

vs. )

92-04438 (11)

94-01817 (13)

FLORIDA RESTAURANT DEVELOPMENT )  
CORPORATION f/n/a CHURCH'S )  
FRIED CHICKEN and KENGERAL ALLEN, )  
Defendants. )

Fort Lauderdale, Florida.

December 22nd, 1994

4:13 o'clock p.m.

FILED  
CLERK OF DISTRICT COURT  
BROWARD COUNTY, FLORIDA  
DEC 22 1994

DEPOSITION  
OF  
KENGERAL ALLEN

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ORIGINAL

APPEARANCES:

KRUPNICK, CAMPBELL, MALONE, ROSELLI,  
BUSER, SLAMA & HANCOCK, P.A.,  
By: WALTER C. CAMPBELL, ESQ.,  
appearing on behalf of the Plaintiffs.

HADDAD, JOSEPHS, JACK & GAEBE, P.A.,  
By: DAVID K. MARKARIAN, ESQ.,  
appearing on behalf of the Defendants.

ALSO PRESENT: CAROL HEALY

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Deposition of KENGERAL ALLEN, a witness herein,  
taken pursuant to the Rules and Notice hereinbefore  
filed, before ANDREA MAZOR-STABB, a Notary Public in  
and for the State of Florida at Large, at  
700 Southeast Third Avenue, Suite 204, Fort Lauderdale,  
Florida, on December 22nd, 1994, commencing at or about  
4:13 o'clock p.m.

1 Thereupon:

2 KENGERAL ALLEN

3 was called as a witness, being first duly sworn  
4 in the above-entitled cause, testified under oath as  
5 follows:

6 DIRECT EXAMINATION

7 Q. (By Mr. Campbell) Ma'am, tell me your  
8 name and address, please.

9 A. Kengeral Allen, 2030 Northwest 172nd  
10 Street.

11 Q. Where do you presently work?

12 A. Home Depot.

13 Q. What do you do there?

14 A. Cashier.

15 Q. Which Home Depot?

16 A. West 49th Street and 15th Avenue.

17 Q. How long have you worked for Home Depot?

18 A. A little over a year.

19 Q. And before that who did you work for?

20 A. Church's.

21 Q. And which Church's did you work at?

22 A. At what time?

23 Q. At any time. Just give me all of them.

24 A. On West Broward Boulevard, Carol City  
25 store, Opa Locka store.

1 Q. How long did you work for Church's?

2 A. About two and a half years.

3 Q. Do you know a fellow by the name of Wayne  
4 Coleman?

5 A. Pertaining to when?

6 Q. Any time.

7 A. Presently, yes.

8 Q. When did you meet Mr. Coleman?

9 A. In 1990.

10 Q. Do you know a fellow by the name of Wayne  
11 Armstrong?

12 A. No.

13 Q. Not Wayne, Lance Armstrong?

14 A. Yes.

15 Q. When did you meet Mr. Armstrong?

16 A. In '88 or '89.

17 Q. Are these black gentlemen?

18 A. Yes.

19 Q. Are they black Americans or are they  
20 Jamacians?

21 A. I know one, Mr. Armstrong, is a Jamaican.

22 Q. Does he go by any aliases that you know  
23 of, any other names like Lancelot?

24 A. When I knew him he just use Lance.

25 Q. Where did you meet Mr. Armstrong?

1 A. At the Carol City Church's.

2 Q. And how did you meet him? Was he your  
3 customer or did he work down there?

4 A. He came to pick-up an employee.

5 Q. And who was that employee?

6 A. I don't recall her name.

7 Q. When were you first hired by Church's?

8 A. In June or July of '88.

9 Q. And what did you first do when you started  
10 working for Church's?

11 A. Cashier.

12 Q. Going back to February 17th, 1990, which  
13 Church's did you work at?

14 A. On West Broward Boulevard.

15 Q. And how long had you worked at that  
16 Church's prior to February 17th, 1990?

17 A. I believe one month. It was a new store.  
18 I'm not sure.

19 Q. What store did you transfer from?

20 A. I had just came back off maternity leave.

21 Q. You had just come off maternity leave?

22 A. Correct.

23 Q. And how many children do you have?

24 A. Now?

25 Q. Yes.

1 A. Four.

2 Q. How long were you on maternity leave?

3 A. About ten months.

4 Q. Who is the father of your child that you  
5 were on maternity leave for?

6 A. Fitzgerald Jones.

7 Q. Say that again?

8 A. Fitzgerald Jones.

9 MR. MARKARIAN: He is Irish, too.

10 MR. CAMPBELL: Sounds like it.

11 Q. (By Mr. Campbell) Did Mr. Armstrong or  
12 Mr. Coleman have any beepers prior to February of 1990?

13 A. Yes.

14 Q. Did you know their beeper numbers?

15 A. I only knew Armstrong had a beeper before  
16 that, but I never knew his number. I didn't know  
17 Coleman prior to February 17th.

18 Q. When did you first meet Mr. Coleman?

19 A. February 17th.

20 Q. Okay. So prior to that date you did not  
21 know this gentleman?

22 A. No, I did not.

23 Q. Have you ever been married?

24 A. No.

25 Q. How old are you at the present time?

1 A. I'm twenty-four.

2 Q. Could you tell me whether you have ever  
3 dated Mr. Armstrong?

4 A. Yes, I have.

5 Q. How many times prior to February 17th,  
6 1990 did you go out with Mr. Armstrong?

7 A. Between three to five that I recall.

8 Q. Did you ever have a sexual relationship  
9 with him?

10 A. Yes.

11 Q. Did he ever father any of your children?

12 A. No.

13 Q. What were your hours on February 17th,  
14 1990?

15 A. Scheduled I believe five to close, five to  
16 three, five to two.

17 Q. Who is Candrella Allen?

18 A. My sister.

19 Q. Were you the assistant store manager on  
20 the night in question?

21 A. Yes.

22 Q. Could you tell me what your duties were as  
23 the assistant manager?

24 A. Just to oversee the operations of the  
25 restaurant.

1 Q. Do you know who owned Church's Chicken?

2 A. Two partners.

3 Q. Do you know their names?

4 A. Steve Eckhart and Ben Fein something.

5 MR. MARKARIAN: His name a Ben Feinswog.

6 I think

7 that's what it is.

8 MR. CAMPBELL: Fineswab?

9 MR. MARKARIAN: Swog. I have a spelling.

10 F-e-i-n-s-w-o-g.

11 Q. (By Mr. Campbell) The other fellow's name  
12 again was what, please?

13 A. Steve Eckhart.

14 Q. Have either one of these fellows ever  
15 given you any training as to safety or security?

16 A. Yes.

17 Q. What exactly did they train you? How did  
18 they train you?

19 A. There were pamphlets and we were told not  
20 to resist, just to give the robber or whatever whatever  
21 they wanted, don't fight.

22 Q. Do you still have a copy of that pamphlet?

23 A. No.

24 Q. What was the reason for you leaving  
25 Church's Fried Chicken?



1 A. I missed a meeting.

2 Q. Excuse me?

3 A. You missed a meeting.

4 Q. Uh-huh. Was that after this instance on  
5 February of 1990?

6 A. Yes.

7 Q. How long after was it?

8 A. I believe it was a year and some months.  
9 I'm not sure.

10 Q. Do you remember the names of any of the  
11 co-employees that were working on February 17th, 1990?

12 A. No.

13 Q. Would all of those employees be working  
14 under your guidance during your hours?

15 A. Yes.

16 Q. How many of them were there?

17 A. Four or five. I'm not sure.

18 Q. Prior to February 17th, 1990, which means  
19 before, when was the last time that you dated  
20 Mr. Armstrong?

21 A. I think maybe about ten or eleven months.

22 Q. Before that?

23 You see, I'm reading. I'm not listening  
24 and that's bad.

25 MR. MARKARIAN: It's all right.

1 Q. Ten to eleven what?

2 A. Months that I hadn't seen him.

3 Q. Do you know where he lived?

4 A. Yes.

5 Q. Where?

6 A. Around the corner from my house.

7 Q. What did he do for a living?

8 A. Electrical work, I believe.

9 Q. On February 17th, 1990, can you tell me  
10 how Mr. Armstrong came into the Church's Fried Chicken  
11 on Broward Boulevard? And by that I mean, did he come  
12 through the back door?

13 A. Side door - front door.

14 Q. When he came was there anybody with him?

15 A. That came in with him?

16 Q. Yes, ma'am.

17 A. He came in by himself at first.

18 Q. When you saw him, did you say anything to  
19 him like hey, Lancelot, where you be or anything?

20 A. Hi. That's it.

21 Q. Okay. Did you introduce him to any of the  
22 other employees as being a neighbor?

23 A. No.

24 Q. Did you introduce him to any of the other  
25 employees at all?

1 A. No.

2 Q. Where were you when he first came in?

3 A. I was in the office.

4 Q. Can you see out of your office? Is there  
5 a window?

6 A. No.

7 Q. How did you know that he came in then?

8 A. An employee came and got me and told me  
9 someone was at the door for me.

10 Q. So, in other words, you didn't see him  
11 actually come in. He had come in and asked for you?

12 A. No. He came to the front door and an  
13 employee came and got me and said someone was outside  
14 for me.

15 Q. Did he come to the counter?

16 A. To the front door.

17 Q. Was the front door locked?

18 A. Yes.

19 Q. What time was it?

20 A. I don't recall the time. I know it was  
21 late, maybe twelve.

22 Q. Had you already closed?

23 A. The lobby, yes. Not the drive-thru.

24 Q. How long does the drive-thru stay open?

25 A. Until two or three.

1 Q. Why does the lobby close so much earlier  
2 than the drive-thru?

3 A. So we can get it cleaned up.

4 Q. Does it have anything to do with safety?

5 A. No.

6 Q. No?

7 A. No.

8 Q. If you could take your hand away from  
9 there, because she has to take down everything you are  
10 saying and it gets tough.

11 Was this a neighborhood that there was a  
12 lot of potential criminal activity on Broward Boulevard  
13 where the Church's Chicken was?

14 MR. MARKARIAN: Object to form and  
15 predicate.

16 A. No.

17 Q. Had you ever had any instance of criminal  
18 activity at Church's, either by way of robberies,  
19 burglaries, any type of thefts?

20 A. In Broward, no.

21 Q. How long had it been open again, a month  
22 or two?

23 A. I believe a month or two.

24 Q. You don't recall the name of the employee  
25 that came back to get you, do you?

1 A. No.

2 Q. All that employee said was someone was at  
3 the front door for you?

4 A. Yeah.

5 Q. Can you tell me what the rules and  
6 regulations were for Church's as far as letting in  
7 people after you had closed the front section or the  
8 lobby?

9 A. Customers are not allowed in. But he was  
10 a friend, so I let him in.

11 Q. Did you know whether he was there as a  
12 friend or as a customer?

13 A. As a friend.

14 Q. How did he know that you worked there?

15 A. He had come over my house earlier that day  
16 and my sister had told him which store I was at.

17 Q. Do you know why he came over to your house  
18 earlier that day?

19 A. To see my sister.

20 Q. Was he dating your sister at the time?

21 A. No.

22 Q. Do you know why he wanted to talk to you?

23 A. He spoke to me, because I was there with  
24 my sister.

25 Q. So you were there when he came over

1 earlier that afternoon?

2 A. Yes.

3 Q. And who else was there?

4 A. My mother.

5 Q. What is your mother's name?

6 A. Geraldine Allen.

7 Q. Okay. And what did he say to you when he  
8 was over your house earlier that afternoon?

9 A. He just told me hi and he asked me could  
10 he pick me up, if I needed a ride or whatever. And I  
11 told him no and he gave me his beeper number and told  
12 me to beep him if I needed a ride.

13 Q. How did you get to work that day?

14 A. My boyfriend.

15 Q. Who is your boyfriend?

16 A. Charles Scott.

17 Q. Were you going to go out with Mr. Scott  
18 that night?

19 A. No. I was going to work that night.

20 Q. Did you say anything to Mr. Armstrong  
21 about what your hours were at Church's?

22 A. No.

23 Q. Did he know when you began to work?

24 A. When he came I was dressed for work. He  
25 knew I was leaving to go.

1 Q. Did you tell him what store you were  
2 working out of?

3 A. No.

4 Q. Do you know how he found out the name of  
5 the store you were working out of, the location rather?

6 A. My sister.

7 Q. When did your sister tell him the  
8 location?

9 A. That day when he came over to the house.

10 Q. Do you know why your sister gave him the  
11 location of where you worked?

12 A. Because he asked her.

13 Q. At that point in time did you still  
14 consider him to be a good friend of yours?

15 A. Just a friend, yeah.

16 Q. When you say just a friend, what do you  
17 mean by that?

18 A. He was just someone I would say hi and bye  
19 to, that's it.

20 Q. So he was not a friend that you would go  
21 out with again, he was just an acquaintance?

22 A. I wouldn't go out with him, because I was  
23 with Charles Scott.

24 Q. So you didn't want to go out on your  
25 boyfriend, so to say?

1 A. So to say, yes.

2 Q. Did he try to call you that night at  
3 Church's?

4 A. No.

5 Q. Did anybody call you that night at  
6 Church's?

7 A. My boyfriend, yes.

8 Q. Charles Scott?

9 A. Yes.

10 Q. And what did you and Charles discuss?

11 A. Nothing, just what I was doing, when would  
12 I be off, this and that.

13 Q. And when did you tell Charles you would be  
14 off?

15 A. I told him I would call him before so he  
16 could come and get me.

17 Q. Where did Charles live?

18 A. In Carol City.

19 Q. Do you know his address?

20 A. 17600 Northwest 33rd Court.

21 Q. Now, the employee came, told you that  
22 someone was out there and he wanted to speak to you,  
23 you go out. Did you know who he was immediately?

24 A. Yes, I did.

25 Q. Did you have the keys with you to open the



1 door?

2 A. You don't need keys to open the door from  
3 the inside.

4 Q. Is it just one of those latches?

5 A. Yes.

6 Q. Did you immediately open the door?

7 A. Yes.

8 Q. And what did you say to him when you  
9 opened the door?

10 A. I just asked him what is he doing here, I  
11 didn't beep him.

12 Q. And what did he respond to you?

13 A. I don't remember.

14 Q. So at that point in time knowing that he  
15 wasn't a customer, would it be fair to say that it  
16 would be against the company's policy to let him in?

17 A. No, because he is a friend.

18 Q. Can you let friends in when the store or  
19 the lobby is closed?

20 A. Yeah.

21 Q. Had you ever discussed with Mr. Armstrong  
22 the safety policy of Church's, which dictated that if  
23 someone came and robbed the restaurant, you were not to  
24 put up a fight, but were just to give in and give up  
25 the money?

1 A. No.

2 Q. Did he ever discuss that with you?

3 A. No.

4 Q. Do you know if Mr. Armstrong ever had a  
5 criminal background?

6 A. No.

7 Q. Did he ever talk to you about doing drugs?

8 A. No.

9 Q. Did you ever do drugs with him?

10 A. No.

11 Q. Did you ever smoke any marijuana with him?

12 A. No.

13 Q. Did you ever do any crack cocaine with  
14 him?

15 A. No.

16 Q. Did he ever do any crack cocaine that you  
17 were aware of?

18 A. No.

19 Q. Did he ever do any marijuana smoking that  
20 you were aware of?

21 A. No.

22 Q. Has your sister ever told you that he did  
23 he drugs?

24 A. No.

25 Q. How old of a man was Mr. Armstrong?

1 A. Twenty-six, I believe. Twenty-eight. I'm  
2 not sure.

3 Q. Do you know how long he had been in this  
4 country?

5 A. No.

6 Q. Do you know where Mr. Armstrong is today?

7 A. Yes.

8 Q. Where?

9 A. Raiford Prison.

10 Q. Have you had any communications with him?

11 A. Meaning?

12 Q. Have you talked to him on the phone?

13 A. Since he be at Raiford, no.

14 Q. Have you written him any letters?

15 A. Yes.

16 Q. How often do you write him letters?

17 A. Once or twice every three months, two  
18 months.

19 Q. Maybe once or twice every two or three  
20 months?

21 A. Yes.

22 Q. So you still do write him?

23 A. Yes.

24 Q. Do you know where Mr. Coleman is today?

25 A. No.

1 Q. Have you had any contact with Mr. Coleman?

2 A. No.

3 Q. So you let Mr. Armstrong in the store.

4 What did you do after he got in the store?

5 A. We talked. He sat in the lobby. I went  
6 and locked up the money and everything in the safe. I  
7 went back out in the lobby and was speaking to him for  
8 awhile.

9 Q. So you took all the money from the safe  
10 and brought it out into the lobby?

11 A. No.

12 Q. What did you do with it?

13 A. When I was informed that he was out there  
14 I was in the office counting out registers. I put it  
15 in the safe and locked the safe.

16 Q. So you told him to wait in the lobby while  
17 you finished that job?

18 A. No. I told him I have something to finish  
19 and he sat in the lobby and waited.

20 Q. And did you tell him what you had to do to  
21 finish?

22 A. No.

23 Q. How much money did you have in the cash  
24 registers?

25 A. Only about two or \$3,000.

1 Q. How long did it take you to count out this  
2 money and put it in the safe?

3 A. About five or ten minutes.

4 Q. Do you have any procedures or any  
5 paperwork that has to be done when you put it in the  
6 safe?

7 A. Yes.

8 Q. And what do you have to do?

9 A. Log in how much it is, separate the tills  
10 for each, divide it for the three registers and log in  
11 the change that's in the safe.

12 Q. A safe that you can open yourself?

13 A. A combination safe, yes.

14 Q. Did you know the combination?

15 A. Yes, I did.

16 Q. So you got done with that job. What did  
17 you do after that?

18 A. I went out in the lobby and I was speaking  
19 to Mr. Armstrong.

20 Q. And where were you? What were you  
21 speaking to him about?

22 A. We were discussing the children and that's  
23 basically it.

24 Q. When you say you were discussing the  
25 children, whose children were you discussing?

1 A. My daughters.

2 Q. Was the drive-thru still open?

3 A. Yes.

4 Q. Were all of your four or five employees  
5 still there or did you send any of them home?

6 A. They were still there.

7 Q. All of them?

8 A. I believe so.

9 Q. How many of those employees were males?

10 A. Only one.

11 Q. Do you know how old that one was?

12 A. No.

13 Q. Was he a big or small fellow?

14 A. Medium.

15 Q. Black or white?

16 A. Black.

17 Q. Were all of the employees black that  
18 working at Church's?

19 A. No.

20 Q. How many white employees did you have  
21 worked that night?

22 A. None.

23 Q. Were they all black that night?

24 A. Yes.

25 Q. As you were talking with Mr. Armstrong

1 about your children, what were the other employees  
2 doing?

3 A. Cleaning up.

4 Q. Now, this was about 12:00 when this all  
5 occurred?

6 A. Yes.

7 Q. All right. So after you got done talking  
8 with Mr. Armstrong about the children, what did you do  
9 then?

10 A. I went outside with him.

11 Q. Why did you go outside with him?

12 A. Because we had to discuss something and I  
13 felt it wasn't anyone else's business.

14 Q. What was it that you had to discuss?

15 A. We continued to talk about the children.

16 Q. Okay. What were you discussing about the  
17 children?

18 A. Paternity.

19 Q. Was he the father of any of your children?

20 A. No.

21 Q. Well, what were you discussing about  
22 paternity?

23 A. He believed he was. He thought he was.

24 Q. Who was the father of your other children?

25 A. Which other?

1 Q. Well, how many did you have at that time?

2 A. Three.

3 Q. We know that Fitzgerald was the father of  
4 at least one. How about the other two?

5 A. Charles was the father of one. Fitzgerald  
6 was the father of the twins.

7 Q. So Charles was the father of one and  
8 Fitzgerald was the father of the other?

9 A. Yes.

10 Q. And what was it that he was discussing  
11 about paternity? Did he want to pay for support?

12 A. No.

13 Q. Did you want him to pay for support?

14 A. No.

15 Q. Why did the subject even come up then?

16 A. Because he thought he was the father.

17 Q. Well, how would he think he was the  
18 father?

19 MR. MARKARIAN: Object to form, predicate.

20 I'm just making noises working for you  
21 over here.

22 A. Well, he seen me pregnant. He just  
23 assumed he was the father.

24 Q. Did you tell him he was not the father?

25 A. Yes.



1 Q. Did he know Mr. Scott?

2 A. Yes.

3 Q. The child that you were pregnant with when  
4 he saw you, was that Mr. Scott's child?

5 A. No.

6 Q. Was that Fitzgerald's children?

7 A. Yes.

8 Q. He thought he was the father. What was he  
9 trying to do? Did he want to give you support?

10 A. He wanted to take a blood test.

11 Q. Why, did he tell you?

12 A. Yes, because he wanted to make sure they  
13 were his kids. If they were, he wanted to take care of  
14 them.

15 Q. But you already told him they weren't his  
16 kids?

17 A. Right.

18 Q. So why did he want to take a blood test?

19 A. Where he come from they take care of their  
20 kids. They don't turn their back on them.

21 Q. Did you agree to the blood test?

22 A. Yeah.

23 Q. Did he ever have the blood test done?

24 A. No, because it was that night that we  
25 discussed this.

1 Q. Well, how long were you outside with him  
2 discussing paternity?

3 A. I don't know.

4 Q. Was it more than five minutes?

5 A. Yeah.

6 Q. Was it more than ten minutes?

7 A. Yes.

8 Q. Was it a half an hour?

9 A. I believe more.

10 Q. An hour?

11 A. I'm not sure.

12 Q. Where were you standing when you were  
13 discussing this with him?

14 A. I was sitting in his car.

15 Q. And who was in his car with him?

16 A. Just him and myself.

17 Q. Where was Mr. Coleman?

18 A. Sitting in the restaurant.

19 Q. Sitting in the restaurant. How did he get  
20 in the restaurant?

21 A. I let him in the door.

22 Q. Why would you let him in the door if you  
23 didn't know him?

24 A. Because he is a friend of Mr. Armstrong's.

25 Q. Was he talking to any of the other

1 employees?

2 A. He came in and used the restroom.

3 Q. Did he talk to any of the other employees?

4 A. Not that I know of, no.

5 Q. Did you see him sitting in the restaurant  
6 the entire time?

7 A. Yes, I did.

8 Q. What kind of clothing was he wearing?

9 A. I don't remember.

10 Q. Did he have shorts on?

11 A. Not that I remember, no.

12 Q. Did he have an overcoat?

13 A. I don't remember.

14 Q. Did he have a baseball jacket or anything?

15 A. Not that I remember.

16 Q. Did he have any hats on?

17 A. No.

18 Q. Did he have long pants?

19 A. I don't recall. I believe so. I'm not  
20 sure.

21 Q. Did he have any type of weapons that you  
22 were able to see as he was sitting in there?

23 A. No.

24 Q. How did Mr. Armstrong introduce  
25 Mr. Coleman to you?

1           A.     He said this is my friend and he told his  
2 friend I was K. That's it.

3           Q.     K.?

4           A.     K.

5           Q.     So he told Armstrong your name was K.?

6           A.     No. Armstrong told Coleman that my name  
7 was K.

8           Q.     That's what I meant to say. It's called  
9 Alzheimer's disease.

10           Did he call you K.?

11          A.     Yes.

12          Q.     That's not your name, though, is it?

13          A.     No.

14          Q.     Did he call you K.?

15          A.     That's the name that I went by at  
16 Church's.

17          Q.     So that's the name that Church's employees  
18 knew you by?

19          A.     Yes.

20          Q.     When he introduced you to Mr. Coleman, did  
21 he tell you anything further about him, like this my  
22 buddy from Miami or --

23          A.     No.

24          Q.     Just --

25          A.     No, just this is my friend and this is K.

1 and that's it.

2 Q. And did he give you his name?

3 A. No.

4 Q. How big of a man was Mr. Coleman?

5 A. Very slender just kind of tall. That's  
6 it.

7 Q. So you are out in Mr. Armstrong's car for  
8 about an hour. Who is doing your duties in the store?

9 MR. MARKARIAN: Object to form.

10 A. I was finished with my duties and the  
11 employees were finishing theirs.

12 Q. How long did it take them to clean up?

13 A. About an hour to an hour and a half.

14 Q. You were going to close at 2:00 that  
15 night?

16 A. Two or three.

17 Q. Well, what did you do for those last  
18 couple of hours, if you are done with all of your job  
19 functions?

20 A. Order them to finish, talk on the  
21 telephone and check behind them. That's it.

22 Q. Do you have to check the registers every  
23 hour?

24 A. We bleed the registers every hour.

25 Q. Bleed them?

1           A.     Well, we are only allowed to have a  
2 certain amount in the register.  If it exceeds that we  
3 have to take it out.

4           Q.     And how often do you do that?

5           A.     As often as necessary, depending on how  
6 busy we were.

7           Q.     As far as the front cash registers, I take  
8 it that you had totally taken all of the money out of  
9 them; correct?

10          A.     Yes.

11          Q.     So the register that would have been open  
12 would have been the drive-thru?

13          A.     Yes.

14          Q.     Did you have to bleed any money out of it  
15 that night?

16          A.     Yes.

17          Q.     Did you have to bleed any money after you  
18 saw Mr. Armstrong?

19          A.     No.

20          Q.     Did you check it to determine whether you  
21 had to bleed it?

22          A.     No.

23          Q.     Is it the employees' duty to tell you when  
24 there is too much money in there?

25          A.     If it's slow and I bled five or ten

1 minutes before, I know I don't have to check it. But,  
2 yes, they notify me sometimes.

3 Q. How many - how much money are you supposed  
4 to have in the cash registers before you bleed it? Is  
5 \$200 about right?

6 A. No, that's too much.

7 Q. That's too much?

8 A. Uh-huh.

9 Q. How much then?

10 A. 60 to \$100, just enough for change.

11 Q. Had you known any police officers on this  
12 beat or this route?

13 A. No.

14 Q. So you are out in the car for about an  
15 hour, Coleman is sitting inside the restaurant, you are  
16 talking about paternity. How does the conversation  
17 cease?

18 MR. MARKARIAN: Object to form.

19 A. When he told me what he want to do.

20 Q. What did he tell you he want to do?

21 A. He told me he want me to go in the  
22 restaurant and get the money.

23 Q. And could you tell me how that topic came  
24 up?

25 A. We were just sitting in the car and all of

1 a sudden he pulled out a gun and told me this is what  
2 he wanted me to do.

3 Q. He pulled a gun?

4 A. Uh-huh, from under the seat.

5 Q. What kind of gun was it?

6 A. It was a small machine gun.

7 Q. Small machine gun?

8 In other words, this fellow who is a  
9 friend of yours who wants a blood test to find out if  
10 he is the daddy of your children just said I want your  
11 money?

12 A. No.

13 Q. What did he say?

14 A. He said I want you to get out of the car,  
15 walk out like nothing is going on, get the money and  
16 bring it back outside.

17 Q. Did you ask him why?

18 A. Yes.

19 Q. What did he say?

20 A. Well, I tried to - tried to discourage  
21 him, to put the gun back under the seat and we just  
22 continued talking about the kids.

23 Q. Okay. So, in other words, he told you he  
24 wanted to rob you, you discouraged him because he put  
25 the gun under the seat and then you talked about the



1 kids again; correct?

2 A. Yes.

3 Q. How long did you continue talking about  
4 the kids?

5 A. Until about all the employees left.

6 Q. So all the employees had left?

7 A. Uh-huh.

8 Q. And you were talking about the kids?

9 A. We had finished that when they were coming  
10 out.

11 Q. And I would take it then that would be  
12 around 3:00?

13 A. Yeah, three, 3:30. I'm not sure.

14 Q. Knowing that this fellow had some  
15 intentions to rob the store at least at some point in  
16 your conversation, did you have any conversations with  
17 any of the employees about your friend Mr. Armstrong as  
18 they were leaving?

19 A. I couldn't.

20 Q. Did they come out to you and say bye boss  
21 or --

22 A. Yeah, they waved.

23 Q. Did you tell them all to go home?

24 A. No.

25 Q. What did you say to them, if anything?

1 A. I just looked at them.

2 Q. You didn't wave?

3 A. No.

4 Q. Was it that Mr. Armstrong was not letting  
5 you talk to them?

6 A. No.

7 Q. No, he wasn't?

8 A. I could have spoken to them, yes.

9 Q. But you didn't?

10 A. No.

11 Q. You were working that night in the course  
12 and scope of your employment as manager; correct?

13 A. Yes.

14 Q. Can you tell me if Mr. Armstrong had  
15 pulled out his machine gun at any time, other than that  
16 one time before all the employees left?

17 A. No.

18 Q. Was he using any bad language, any dirty  
19 language to you?

20 A. No.

21 Q. Was he being polite?

22 A. Somewhat, yeah.

23 Q. Did you ask him why he came up with this  
24 cockamamie idea of robbing Church's Fried Chicken?

25 A. Yeah.

1 Q. And what did he say?

2 A. He said the guy inside isn't going to  
3 change his mind, he is crazy.

4 Q. He said the guy inside is not going to  
5 change his mind, he is crazy?

6 A. Yeah.

7 Q. The guy inside I take it was locked in  
8 there?

9 A. No.

10 Q. Did you not relock the place when you let  
11 him in to go to the bathroom?

12 A. Yes, but when I went outside I didn't lock  
13 it back.

14 Q. Okay. When you went outside you didn't  
15 relock it?

16 A. Not that I recall, no.

17 Q. So what was he doing for that two hour  
18 period from the time he had to go to the bathroom until  
19 all the employees left?

20 MR. MARKARIAN: Object to form.

21 A. I don't know if it was two hours, but he  
22 was just sitting by the dumpster in the restaurant.

23 *Q. ... error, etc.* A. He didn't have any weapons; right?

24 A. None that I seen, no.

25 Q. Did you ask Mr. Armstrong whether

1 Mr. Coleman had any weapons?

2 A. No, but he told me he had a gun on him.

3 Q. Where did he have a gun?

4 A. I don't know where he hid it at, but  
5 Mr. Armstrong told me he had a gun.

6 Q. Were you concerned for your own safety at  
7 that time?

8 A. Not really me, but the employees.

9 Q. When the employees left the building was  
10 there anything to prevent you from jumping out of the  
11 car and yelling get the police or get the heck out of  
12 here or anything?

13 A. Yes.

14 Q. What?

15 A. Mr. Coleman.

16 Q. Coleman was still in the chicken place,  
17 wasn't he?

18 A. Yeah, but Lance told me he was crazy and  
19 he was sitting right by the door right in front of me.

20 Q. He didn't have any weapon pulled, did he?

21 A. Not that I seen.

22 Q. So what was it about Mr. Coleman that  
23 concerned you?

24 A. When Armstrong informed me he had a gun  
25 and he was crazy.

1 Q. Have you ever been a victim of crime in  
2 the past?

3 A. Yes.

4 Q. How many times?

5 A. Once.

6 Q. What type of crime was that?

7 A. A robbery.

8 Q. A robbery?

9 A. Uh-huh.

10 Q. And where were you robbed?

11 A. At Church's.

12 Q. What store was that?

13 A. In Carol City.

14 Q. And who robbed you?

15 A. I don't know.

16 Q. It wasn't your boyfriend, was it?

17 A. No.

18 Q. Was it anybody you knew?

19 A. No.

20 Q. What did you do during that robbery?

21 A. Just gave him the money.

22 Q. Well, when the employees were leaving did  
23 they go out the front door or the back door?

24 A. The front door.

25 Q. Was the back door locked?

1 A. Yes.

2 Q. And they all left. Did any of them come  
3 up and say hey, what the hell you been doing for last  
4 three hours?

5 MR. MARKARIAN: Object to form.

6 A. No.

7 Q. Any of them concerned that you were  
8 sitting with this guy for three hours in his car?

9 A. I don't believe it was that long, but no.

10 Q. Did you ever go in there and talk to the  
11 employees and say we are having a friendly talk out  
12 there or anything?

13 A. No.

14 Q. Did you ever ask him if he wanted to go to  
15 the bathroom?

16 A. (Witness nods.)

17 Q. Did you ever ask him to go in and talk to  
18 his crazy friend Coleman?

19 A. When he told me he couldn't change his  
20 mind, no.

21 Q. Did you ever ask him to take his machine  
22 gun, get out of the car and let you drive away?

23 A. No.

24 Q. Did you ever think about that?

25 A. No.

1 Q. Did you have your own car there?

2 A. No.

3 Q. Did Mr. Scott come that night to pick you  
4 up?

5 A. No.

6 Q. Have you ever talked to Mr. Scott to find  
7 out whether he was going to pick you up that night?

8 A. Yes.

9 Q. And what did he tell you?

10 A. I told him I was going to call him when I  
11 was about finished.

12 Q. Did he ever express a concern why you  
13 didn't call him?

14 A. After that or prior to that?

15 Q. After that.

16 A. Yes, he did.

17 Q. What did he say to you?

18 A. He had fell asleep and his father had came  
19 and woke him up when he seen the news what had just  
20 happened and he came right up there.

21 Q. Okay. Now, let me see if I'm  
22 understanding the scenario. What is happening back  
23 there is this fellow, who is a buddy of yours, pulls  
24 out a machine gun after talking to you about being  
25 daddy for your babies. You convince him to drop his

1 weapon and go back talking about the babies. All the  
2 employees leave. You don't wave or say anything to  
3 them. What happens next?

4 MR. MARKARIAN: Object to form.

5 A. Lancelot signaled to Coleman to come out  
6 the restaurant and tells him I'm not going through with  
7 it and Coleman put the gun to me and said bitch, come  
8 out the car.

9 Q. First time you heard bitch? Armstrong  
10 never said anything?

11 A. No.

12 Q. Armstrong is the driver of the car?

13 A. I don't know who drove the car there.

14 Q. Who had the bigger gun, Armstrong or  
15 Coleman?

16 A. Armstrong.

17 Q. And this guy comes out, puts a gun to your  
18 head and said bitch, get out of the car?

19 A. Yes.

20 Q. Again, did you talk to your buddy and say  
21 Lance or Lancelot or whatever you want to call him,  
22 let's reconsider what we are doing here, someone is  
23 going to get hurt, I just started on this job, I need  
24 the job, tell your crazy buddy we're just going to  
25 leave?



1 MR. MARKARIAN: Object to form.

2 A. Lance wasn't a problem. His friend was.

3 MR. MARKARIAN: Object to form.

4 Q. Well, could Lance not have pulled away  
5 from this job that he decided he wasn't going to do?

6 MR. MARKARIAN: Object to form and  
7 predicate.

8 A. I assumed he did when he put the weapon  
9 back up under the seat.

10 Q. He did?

11 A. I assumed he did.

12 Q. And this crazy guy Coleman comes out of  
13 the store. Did he have a gun when he came out of the  
14 store?

15 A. Yes.

16 Q. Was it well-lit there?

17 A. Yes.

18 Q. You still had the lights on?

19 A. Yes.

20 Q. Did you say anything back to him like  
21 bimbo, put it away?

22 A. I was looking at Lance.

23 Q. So you were waiting for your buddy to come  
24 to your defense?

25 A. He said don't hurt her and I started

1        pacing around and Coleman said so, bitch, want to play  
2        rough.

3                Q.        What did you do for that? I mean, bitch,  
4        you want to play rough, you must have said something?

5                A.        I didn't say anything to anyone.

6                Q.        Did you call him an asshole?

7                A.        And get killed, no.

8                Q.        So you weren't going to get killed for  
9        this robbery, were you?

10              A.        He looked crazy.

11              Q.        He looked crazy?

12              A.        When he came outside with a weapon, yes.

13              Q.        So a crazy guy comes out, you got two or  
14        \$3,000 in your safe, your manager or boss said listen,  
15        if it ever happens to you give him the money and, cie  
16        la vie, that's what you got insurance for so. What do  
17        you do now?

18              A.        I didn't have the money then.

19              Q.        Sure you didn't, because you had it in the  
20        safe; right?

21              A.        Right.

22              Q.        So you had to open the safe for him to get  
23        the money?

24              A.        Yes.

25              Q.        And you didn't want to die, did you?

1 A. No.

2 Q. So he says bitch, you want to play hard  
3 and you are still in the car; right?

4 A. No. I was standing out of the car at that  
5 time when he got me out of the car.

6 Q. He already pulled you out of the car?  
7 Did you say anything to him like you jerk,  
8 you are going to go to jail?

9 A. Not to Coleman, no.

10 Q. How about to Armstrong?

11 A. Yes.

12 Q. And what did Armstrong say?

13 A. That was before he put the gun back under  
14 the seat.

15 Q. Okay. And how about after when his crazy  
16 buddy is there cussing at you, did he pull the gun out  
17 and say hey, don't do this, this is my babe, I got a  
18 machine gun here, jerk?

19 A. No, he never --

20 Q. Don't get wise with my babe?

21 A. No, I never seen him take that gun after  
22 he put it back up under the seat.

23 Q. Did he say anything about why he didn't do  
24 that?

25 A. We never discussed that.

1 Q. Weren't you concerned that this guy, this  
2 friend of yours, was not there to protect you and you  
3 knew he had the bigger gun?

4 A. I don't know.

5 Q. all Right. So you are out of the car,  
6 this guy is calling you bitch, has a gun to your head.  
7 What does he do next?

8 A. Told me to go in the restaurant.

9 Q. Did you scream?

10 A. No.

11 Q. Anybody else around in the neighborhood.

12 A. The police, yes.

13 Q. Where was the policeman?

14 A. Stopped right across the street from the  
15 restaurant.

16 Q. My God, we've got somebody to call now.  
17 Did you call him?

18 A. How?

19 MR. MARKARIAN: Object to form.

20 Q. You didn't do anything?

21 MR. MARKARIAN: Object to form.

22 A. No.

23 Q. What were you intending to do?

24 A. Discourage.

25 Q. Discourage. Well, that would be against

1 your own security rules; correct? You were violating  
2 your own security rules?

3 A. No.

4 Q. Well, didn't you tell me earlier in this  
5 deposition that you were told if you are ever in this  
6 situation don't fight, don't argue, just give them the  
7 money?

8 A. Yes.

9 Q. So that's violating your own security  
10 rules?

11 MR. MARKARIAN: Object to form.

12 A. No.

13 Q. You know, you got one nut on your hands  
14 who has got a gun. Is Armstrong also crazy?

15 A. Not at that time, no.

16 Q. Did he became crazy at some point in time?

17 A. No.

18 Q. Does not at that time mean is he crazy  
19 now?

20 A. No.

21 Q. He didn't get abused as a child, did he?

22 A. I don't know. We didn't discuss that.

23 Q. Do you know why he decided to become a  
24 criminal all of a sudden that night?

25 A. No.

1 Q. This is the first time he had become a  
2 criminal; right?

3 A. That I know of, yes.

4 Q. Have you found out subsequent to this that  
5 he has been a criminal before?

6 A. In the proceedings in the trial, yes.

7 Q. He is a bad guy, isn't he?

8 A. In some eyes I guess.

9 Q. How about your eyes, is he a bad guy?

10 A. Everyone makes mistakes.

11 Q. Killing somebody is a mistake?

12 A. Like I said, during his trial I found out  
13 a lot. From what I understand they don't really know  
14 who done it.

15 Q. Who done it?

16 A. They really don't know who shot Greeney.

17 Q. Well, didn't they have two different guns?

18 A. From what I heard during the trial they  
19 don't know who done it. They just --

20 Q. Did you do it?

21 A. No. I'm afraid of guns.

22 Q. But you got a boyfriend that has a gun?

23 MR. MARKARIAN: Object to form.

24 A. Well, I didn't know he had one.

25 Q. And you got a crazy friend with a gun that

1 you let into the store?

2 MR. MARKARIAN: Object to form.

3 MR. CAMPBELL: Sustained.

4 A. I didn't know he had a gun when he entered  
5 the restaurant.

6 Q. Okay. Anyway, this crazy guy is calling  
7 you bitch, gets a gun to your head and what happens  
8 next?

9 A. I get out of the car and pace around  
10 hoping the police officer sees me and I guess he  
11 didn't, so I entered the restaurant. He asked me to go  
12 get the money. I tell him I can't. He asked me why.  
13 I said the door is locked and I don't have the keys.

14 Lancelot goes over the top and opens the  
15 door and after that I don't see Lancelot again.

16 Q. Lancelot goes over where?

17 A. The front countertop.

18 Q. Was he hiding? What was he doing over the  
19 top?

20 A. He went to open a side door, so I could go  
21 in.

22 Q. So you can't walk through the front door?

23 A. We had already entered the restaurant.

24 Q. In the lobby area?

25 A. Yes.

1 Q. Who went through the side door?

2 A. It's a front door and then it's a door  
3 inside on the side that enters into the kitchen area.

4 Q. That was locked?

5 A. Yes.

6 Q. Did you have the keys?

7 A. Not on me, no.

8 Q. Where were your keys?

9 A. In the register.

10 Q. Did they know that?

11 A. Not until I told them.

12 Q. Why would you tell them?

13 A. Because they told me to open the door.

14 Q. You don't have any keys, all you have to  
15 do is say I don't have any keys. Why don't you guys  
16 open it then.

17 A. He did. Lancelot went over the countertop  
18 and opened the side door.

19 Q. Did he have to use a key?

20 A. No.

21 Q. So the door is open? How did he open it?

22 A. From the inside it open. From the outside  
23 it locks.

24 Q. How did he get inside to open it?

25 A. Climbed over the countertop in the front



1 area.

2 Q. You got me lost here.

3 Is this an office door that you are  
4 talking about?

5 A. It's the door everyone enters.

6 Q. In the front?

7 A. No, all the employees enter.

8 Q. The back, the side?

9 A. In the lobby.

10 Q. Is your office a cubicle where the safe  
11 and office is?

12 A. The safe was in the office. The safe is  
13 in the office.

14 Q. Was that door locked?

15 A. No.

16 Q. Well, then, what do you need keys for to  
17 get into the office to get into the safe?

18 A. I needed keys to enter the door into the  
19 kitchen area in which the office was located behind the  
20 stoves.

21 Q. Okay. So to get into the kitchen to get  
22 into the office you've got to open a door?

23 A. Yes.

24 Q. And you can't, because it's locked. You  
25 can't get through it, so your buddy who didn't want to

1 commit this crime decides he is going to climb over to  
2 get to the other side to open it from the inside?

3 A. Yes.

4 Q. This crazy guy Coleman, did he still have  
5 a gun to your head?

6 A. Yes.

7 Q. And this cop across the street didn't see  
8 any of this?

9 MR. MARKARIAN: Object to the form,  
10 predicate.

11 A. Not that I know of. I don't know.

12 Q. Is he still there?

13 A. I don't know.

14 Q. What kind of cop was he, BSO or Fort  
15 Lauderdale Police Department?

16 A. I seen the car. BSO.

17 Q. Your friend now opens the door gaining  
18 access to the manager's office; correct?

19 A. No.

20 Q. Okay. What happens then?

21 A. Gaining access to the kitchen area.

22 Q. So does Coleman decide to bring you back  
23 with him?

24 A. Yes.

25 Q. Is he cussing at you or saying anything to

1 you or like I'm going to kill you, bitch, if you don't  
2 cooperate or anything like that?

3 A. He didn't mention it until we got in the  
4 office.

5 Q. Did he say anything like hey, K., babe, I  
6 realize that this is a set-up deal, so don't try to  
7 make it look any worse than it is, anything like that?

8 A. No.

9 Q. Did he say anything like, hey, Lancelot  
10 already told me you are in on this deal, babe?

11 A. No.

12 Q. How much money were you supposed to get on  
13 the deal?

14 A. None.

15 MR. MARKARIAN: Object to form.

16 Q. You weren't going to get anything?

17 A. No, because it wasn't a deal.

18 Q. That's not what Coleman said, is it?

19 A. That's Coleman's statement.

20 Q. Coleman thought all along you were part of  
21 the mob or the criminals, the bad guys?

22 MR. MARKARIAN: Object to form and  
23 predicate.

24 A. I don't think so.

25 Q. Weren't you the moll?

1 A. No.

2 MR. MARKARIAN: Object to form.

3 Q. You know what a moll is?

4 A. (No response.)

5 Q. Have you ever been convicted of a crime?

6 A. When?

7 Q. Any time.

8 A. Recently?

9 Q. Any time.

10 A. Yeah.

11 Q. What?

12 A. Perjury.

13 Q. You lied when?

14 A. After the trial. After the trial.

15 Q. And have you served any time in jail?

16 A. No.

17 Q. Is it on appeal?

18 A. No.

19 Q. So you have been convicted of perjury?

20 MR. MARKARIAN: She wasn't convicted. She  
21 pled.

22 Q. What did you lie about during the trial?

23 A. What did they say I lied about.

24 Q. What did they say you lied about?

25 A. They said I retracted statements.

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Q. And you pled guilty to that?

A. No contest.

Q. Spend any time in jail?

A. Three or four days.

Q. Well, I guess that raises an issue, why would you plead no contest if you didn't lie?

MR. MARKARIAN: Could you read that back?

(Thereupon, the requested portion of the record was read back as above recorded.)

A. I was advised to do so by my attorney.

Q. Who is your dumb lawyer who told you that?

MR. MARKARIAN: Object to form.

Q. I know it wasn't David. He is better than that. Who was your dumb lawyer?

MR. MARKARIAN: Object to form.

A. (No response.)

Q. You know his name or her name?

A. Yes.

Q. Who was it?

A. Tim Day.

Q. Besides perjury, have you ever been convicted of any other crime?

A. No.

Q. Ever do any other crime?

A. No.

1 Q. Are you a church lady? Do you like to go  
2 to church?

3 A. No.

4 Q. Do you believe in God?

5 A. Yes.

6 Q. Okay. I'm still fascinated by this whole  
7 scenario again.

8 So we've got into the kitchen. We got the  
9 door open. We got a crazy man with a gun to your head.  
10 He is not saying anything nasty. He says come on,  
11 let's go into the room here and get your money?

12 MR. MARKARIAN: Object to form.

13 Q. So what did you do?

14 A. He told me to go get the money.

15 Q. Did he come with you?

16 A. Of course he came with me. He was right  
17 behind me with the gun.

18 Q. And where was the gun?

19 A. Right behind me.

20 Q. To your head?

21 A. Yes.

22 Q. Back?

23 A. Head.

24 Q. Was it loaded?

25 A. I wasn't going to test him. I don't know.

1 Q. You know one thing that amazes me about  
2 this whole scenario is we forgot the drive-thru  
3 register. Where is that money?

4 A. (No response.)

5 Q. We know you are the manager who counts it?

6 A. Uh-huh.

7 Q. We know all the employees have left?

8 A. Uh-huh.

9 Q. Where is the drive-thru money?

10 You have been sitting out in the car?

11 A. Uh-huh.

12 Q. And I hadn't heard you tell me you got up  
13 to go inside to count that money, it was just left in  
14 the register?.

15 A. It wasn't in the register. It was in the  
16 safe.

17 Q. How did it get there?

18 A. I guess I put it there.

19 Q. When did you put it there?

20 A. When he came the drive-thru wasn't opened.  
21 The employee was talking to someone.

22 Q. You've got to speak up, because I can't  
23 hear. An employee was talking to someone?

24 A. They had to be speaking to someone. I  
25 don't recall. All three registers were counted out

1 already.

2 Q. You lost me now. My understanding is you  
3 closed up the front lobby about 12:00 and kept the  
4 drive-thru open until about 3:00?

5 A. Two or three, yes, I believe. I'm not  
6 sure.

7 Q. And your good friend Mr. Armstrong drove  
8 up around twelve?

9 A. No, I don't recall. I don't know if it  
10 was 12:00.

11 Q. Sometime after twelve?

12 MR. MARKARIAN: Object to form.

13 Q. And you had the conversations about your  
14 children and you thought it was private, so you decide  
15 to go out and sit in his car.

16 And I think I already established you sat  
17 there the entire time and I think we already  
18 established that Coleman sat in there the entire time.

19 I think we have already established that  
20 you also had him take out a machine gun and tell you he  
21 was going to rob the place and then put the machine gun  
22 back.

23 But now what I never heard you tell me  
24 until just now is that somehow you got the money from  
25 the last two hours two and a half hours, three hours



1 from the drive-thru.

2 MR. MARKARIAN: Object to form.

3 Q. Is this just something you forgot?

4 A. No. It was already counted. Everything  
5 was put up. The paperwork was done, so I had to count  
6 the register already.

7 Q. How can you do that if you were open?

8 A. Maybe we weren't. I don't recall the time  
9 Armstrong pulled up.

10 Q. This is becoming fascinating. Perry Mason  
11 should be on this one I think.

12 Okay. You've already gotten the money out  
13 of the drive-thru. I don't know how you did it, but  
14 you did it.

15 A. I had to do it if the paperwork was done.

16 Q. Uh-huh. Maybe Armstrong let you out of  
17 the car to do it so there would be more money in the  
18 safe?

19 A. I don't think so.

20 Q. Maybe he did. Do you think he might have  
21 let you out just for a couple of minutes so you could  
22 do all of your jobs, so he could get all of the money?

23 A. No.

24 Q. Do you think that your one-third share  
25 would have been more if you had done all of it?

1 A. I wasn't in on it, so it wasn't no share.

2 MR. MARKARIAN: Excuse me. I want to say  
3 something on the record. Before you came into  
4 this room this woman cried as I asked her about  
5 this incident and I don't know that I can object  
6 to your demeanor, but certainly you are having  
7 fun questioning this witness and it's not funny  
8 to us.

9 MR. CAMPBELL: It's not funny to me.

10 MR. MARKARIAN: And she already told you a  
11 number of times she wasn't a moll, as you  
12 describe it, and she wasn't in on it and I'm  
13 happy to have you question her about these  
14 incidents, but I don't think.

15 THE WITNESS: I want to add something,  
16 also. I believe if I was in on it I wouldn't  
17 have pressed the alarm, I would have got out the  
18 car and got the money and wouldn't have  
19 jeopardized all the employees.

20 The employees were in the restaurant when  
21 he told me to get the money.

22 Q. Your story is getting more unbelievable.

23 A. The employees were in the restaurant when  
24 Armstrong told me to get out of the car and get the  
25 money. I wasn't going to jeopardize them.

1 Q. The employees leave?

2 A. Then Coleman got me out of the car.

3 Q. We still haven't counted the money in the  
4 drive out?

5 A. All the money was in the safe when I went  
6 in there. There were three bags in the safe. I tried  
7 to --

8 Well, like I'm saying, I'm trying to  
9 remember to the best of my knowledge of what happened  
10 that night, okay. Something I'm trying to put behind  
11 me, but for some reason everybody keeps bringing it up.

12 I didn't set it up. I'm sorry for  
13 Mr. Greeney's family and Sallustio's family, but nobody  
14 give a damn about me. Broward has made my life hell.  
15 I'm sorry for Greeney family, okay, I'm sorry.

16 I didn't want anybody to get killed, okay.  
17 I'm sorry it couldn't have been me, okay, because  
18 nobody would have gave a damn. Nobody would have been  
19 sitting here. It just would be somebody else gone.

20 I didn't want Greeney or Sallustio or  
21 anybody to get killed, okay.

22 Q. No doubt in my mind, you probably didn't.

23 A. No. Just like everybody else, you say I  
24 set it up. I didn't have nothing to do with that,  
25 okay, nothing.

1           If I would have set that up, I just would  
2 have went and got the money, right? I mean, damn, what  
3 is two, \$3,000 dollars. Shit, I can work and make  
4 that.

5           Q.     Why didn't you just give him the money?

6           A.     I believe Coleman was going to kill me  
7 anyway. I was trying to buy time after I had pressed  
8 the alarm him, okay.

9           Q.     Did you warn the police at all that they  
10 had guns?

11          A.     It's a silent alarm. I didn't know the  
12 police was outside until Coleman came inside and told  
13 me to get up off the floor.

14                   I seen Sallustio. I looked at him  
15 directly in my eyes and I had my hands up in the air,  
16 okay, and after that a shot was fired and he had to see  
17 me.

18          Q.     Who fired the shot?

19          A.     Coleman.

20          Q.     Where is Armstrong?

21          A.     He is not in the restaurant.

22          Q.     He has already been detained by the police  
23 officers?

24          A.     I see Greeney out the corner of my eye and  
25 Sallustio in the front. That's it.

1 Q. How far outside were they?

2 A. Sallustio was some steps right in front of  
3 me, in front of the lobby and Greeney was in front of  
4 the restaurant where the car was parked.

5 Q. Had you already given them money?

6 A. Yes.

7 Q. How did he determine or why didn't you  
8 just close the door after you gave him the money?

9 A. After I gave him the money he told me to  
10 come and lay behind the stove face down and then he  
11 told me to get in the middle of the floor and lay face  
12 down.

13 After that he just got me up off the  
14 floor, because he was standing by the door by the lobby  
15 and he told me to get up off the floor, he need me as  
16 security outside. So I walked in front of him.

17 Q. He needs you as security?

18 MR. MARKARIAN: Object to form.

19 Q. Did you yell out anything to the police  
20 officers?

21 A. I look Sallustio in his eye with my hands  
22 up. If he a cop, you know what that is. He know what  
23 that mean.

24 Q. What does that mean?

25 A. I'm in trouble, my hands up to my side. I

1 mean --

2 Q. Was he the deputy that was across the  
3 street?

4 A. I don't know. I just seen a car. I  
5 didn't see a face. I don't know.

6 Q. So if I'm understanding what you are  
7 saying today, is that you pressed the silent alarm for  
8 your own protection; correct?

9 MR. MARKARIAN: Object to form.

10 A. Yes, after everyone had left I was the  
11 only one there, so I pressed the alarm.

12 Q. Did you do it prior to giving the money or  
13 after?

14 A. Prior.

15 Q. Did you try to delay them at all?

16 A. Yes, I did.

17 Q. How did you do that?

18 A. I told them I couldn't open the safe and  
19 in turn he told me to get up and turn off the lights.

20 I turned off the lights. I came back in  
21 the office. I told him I couldn't see. He told me to  
22 turn back on the lights and this was all after I had  
23 pressed the alarm.

24 Q. Tell me what the company's policy and  
25 procedure is as far as using a silent alarm.

1           A.     Don't let the robber see you, because it  
2 can cause problems.

3           Q.     Did he see you?

4           A.     No, he didn't.

5           Q.     So he is using you as a shield?

6           A.     I guess.

7           Q.     Where did he shoot from?

8           A.     Directly behind me.

9           Q.     Next to your ear?

10          A.     Yes.

11          Q.     What ear?

12          A.     The right ear.

13          Q.     Who does he strike first?

14          A.     When the gunshot was fired I didn't see  
15 Sallustio anymore.

16          Q.     What is Mr. Armstrong doing during all  
17 this?

18          A.     I don't know.

19          Q.     How does Armstrong get outside, anyway?

20          A.     He had left out the restaurant after he  
21 opened the door.

22          Q.     How?

23          A.     I don't know. Maybe he knew Coleman was  
24 going to kill me. I don't know. I can't answer for  
25 that. I don't know.

1 Q. Did he think that Coleman was going to  
2 kill you?

3 A. I don't know.

4 Q. Did you have such a relationship with this  
5 gentleman who thought he was the father of your child  
6 that he would not come back and protect with you his  
7 bigger gun?

8 A. I don't know. I don't think so.

9 Q. How long were you on the ground?

10 A. I don't know.

11 Q. After you gave him the money?

12 A. I don't know. I don't remember.

13 Q. How many shots did Coleman take?

14 A. One directly behind me and I don't know  
15 how many from the outside.

16 Q. Did you attempt to try to hit the gun or  
17 break away?

18 A. Repeat.

19 Q. Did you attempt to try to hit the gun or  
20 break away?

21 A. No.

22 Q. Was there return fire from outside?

23 A. Yes.

24 Q. What did you do to avoid that?

25 A. After the first shot was fired I hid under



1 the table.

2 Q. And where was Coleman at this time?

3 A. The kitchen area.

4 Q. When did Greeney get shot and killed?

5 A. I don't know.

6 Q. When both officers were shot, one being  
7 dead or almost dead, what did Mr. Armstrong do?

8 A. I don't know.

9 Q. What did Mr. Coleman do?

10 A. All I heard was shots. After that they  
11 drove way. I don't know what they done.

12 Q. Did they drive away in their own car?

13 A. I assume, yeah.

14 Q. Was their car in the parking lot?

15 A. Yes.

16 Q. Do you know who gave Mr. Coleman the  
17 weapon he used that evening?

18 A. No.

19 Q. Do you know if it was an automatic weapon?

20 A. It was a revolver.

21 Q. Was it a big one or a little one?

22 A. Small.

23 Q. What kind of vehicle was Mr. Armstrong  
24 driving?

25 A. A Toyota.

1 Q. Did you tell the police the proper  
2 description of the vehicle?

3 A. I believe so.

4 Q. Did you give them his name?

5 A. The name that I knew, yes.

6 Q. Give them Mr. Coleman's name?

7 A. I didn't know his name.

8 Q. You know what these nice gentlemen did  
9 with their weapons after they shot the police officers?

10 MR. MARKARIAN: Object to form.

11 A. (No response.)

12 Q. You can answer it.

13 A. No.

14 Q. Did they take the money?

15 A. Yes.

16 Q. Did Mr. Armstrong try to contact you  
17 before he was arrested?

18 A. No.

19 Q. Try to contact your sister?

20 A. No.

21 Q. Anybody in your family?

22 A. No.

23 Q. Mr. Coleman try to contact you?

24 A. Mr. Coleman didn't know me before that  
25 night, no.

1 Q. Did they make any threats to you about  
2 testifying at trial, either one of them?

3 A. No.

4 Q. You just smiled a little bit. Did anybody  
5 make any threats to you about testifying?

6 A. I received a lot of phone calls after.

7 Q. From whom?

8 A. Armstrong's mother. I seen Coleman's  
9 girlfriend, mother in the street somewhere.

10 Q. And what did they tell you?

11 A. Coleman girlfriend say I'm lying. I know  
12 you didn't see Coleman.

13 Armstrong mother said more like he  
14 wouldn't hurt you, you are lying, just go back and  
15 retestify.

16 Q. Did I ask you if you knew where  
17 Mr. Armstrong was?

18 A. Yes.

19 Q. Do you know where Mr. Coleman is?

20 A. No.

21 MR. CAMPBELL: That's all I have.

22 MR. MARKARIAN: Okay. You mind if I ask  
23 you a couple of questions?

24 THE WITNESS: No.

25

## CROSS EXAMINATION

1  
2 Q. (By Mr. Markarian) The first thing is the  
3 time that you first saw Mr. Armstrong on the evening or  
4 morning that this all happened, you remember today as  
5 you sit here what time he appeared at the front door?

6 A. Of my home?

7 Q. No, at the restaurant.

8 A. No. I'm not for sure, no.

9 Q. You have been able to tell Mr. Campbell it  
10 was after midnight?

11 A. Yes.

12 Q. Before this deposition you gave a  
13 deposition in the criminal case?

14 A. Yes.

15 Q. And you testified in the criminal case at  
16 both trials?

17 A. Yes.

18 Q. You see I'm holding here your deposition  
19 from October 9th, 1990?

20 A. Yes.

21 Q. And I've got your trial testimony here  
22 from January 24th, 1991?

23 A. Yes.

24 Q. Okay. In October of 1990 you suggested  
25 that Armstrong showed up at your restaurant 1:30, 1:45.

1 Does that help you tell us today what time these guys  
2 showed up at your restaurant?

3 A. I know it was late. I don't know the  
4 exact date, time.

5 Q. At the trial of Coleman in January '91  
6 they asked you what time these guys showed up. You  
7 said almost 2:00, I'm not sure. You remember giving  
8 that testimony?

9 A. So many -- No.

10 Q. Are you sure still that all the registers  
11 were closed down --

12 A. Yes.

13 Q. -- and accounted for when you went outside  
14 the restaurant with Mr. Armstrong?

15 A. Yes.

16 Q. You were asked briefly about training,  
17 whether it was through your supervisors or as it  
18 relates to security or safety. How much training did  
19 you get when you first went to Church's?

20 A. One week and then once every other week  
21 after that up to the time I was terminated.

22 Q. Besides pamphlets and people talking to  
23 you, how else did you receive this training? You  
24 follow what I'm saying?

25 A. No.

1 Q. Would you go to a place and be trained?

2 A. No. Yes, in Church's office.

3 Q. Can you explain how it was that they would  
4 give you this training? Would somebody stand up and  
5 talk to you?

6 A. Yes.

7 One of owners would stand up and discuss  
8 some safety rules and discuss what we should do in a  
9 robbery and use other robberies as examples to show us  
10 and tell us what not to do and what to do.

11 Q. Okay. You were telling Mr. Campbell about  
12 some of the circumstances which occurred when you were  
13 sitting in the car and the employees were leaving?

14 A. Yes.

15 Q. He asked you if you waved to them?

16 A. No. I just rolled up my eyes and stuff.

17 Q. They wave to you?

18 A. Yes.

19 Q. Did you wave back?

20 A. No.

21 Q. Was it unusual for you not to wave back to  
22 employees, if they are waving good-bye to you?

23 A. Yes.

24 Q. Did one of those employees come up and ask  
25 you to get a check for him?

*There's Creative Scheme  
with the second at 01:10*

1 A. Yes.

2 Q. Can you tell us about that?

3 A. She came up to me and asked me could she  
4 have her check and I didn't respond. She waited a few  
5 minutes and she said she'll get it tomorrow.

6 Mr. Armstrong had told me to wave bye to  
7 them or something.

8 Q. Did Armstrong tell you to get her check  
9 for her?

10 A. Yes.

11 Q. What did you do?

12 A. I didn't get out of the car.

13 Q. Did you testify against both these guys at  
14 their trials?

15 A. Yes.

16 MR. MARKARIAN: I don't need to ask  
17 anything else.

18 REDIRECT EXAMINATION

19 Q. (By Mr. Campbell) Didn't do it  
20 voluntarily though, did you?

21 A. No.

22 Q. Now, let me ask you this dumb question,  
23 because I'm a dummy. Why didn't you go in and get this  
24 girl's paycheck and lock the door?

25 A. Because Coleman was still inside the

1 restaurant.

2 Q. Go inside the office, press the button?

3 A. I didn't think about that.

4 MR. CAMPBELL: Okay. Okay. That's all I  
5 got.

6 MR. MARKARIAN: We're going to read, if  
7 it's okay with you.

8 (Thereupon, an off-the-record discussion  
9 was had.)

10 MR. MARKARIAN: A couple of weeks ago at  
11 my request Mr. Campbell's office agreed to  
12 reschedule this deposition for this evening and  
13 he asked me verbally or in a letter, I can't  
14 remember which, if we could agree to have this  
15 deposition taken in and considered taken for  
16 both cases, the Greeney and Sallustio case.

17 We have agreed to that. In any event, our  
18 agreement is that this deposition is taken for  
19 discovery in both cases, whether it has both  
20 styles on it or not I don't care, but we agreed  
21 that one depo for the two cases.

22 MR. CAMPBELL: You want to do it with all  
23 the depos?

24 MR. MARKARIAN: It doesn't bother me,  
25 Skip.



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AND FURTHER DEPONENT SAITH NOT

(Whereupon, the deposition concluded at  
6:15 p.m.)

WITNESS

SWORN TO AND SUBSCRIBED to before me this  
day of \_\_\_\_\_, 1994, at Broward County,  
Florida.

Notary Public, State of Florida at  
Large

My Commission Expires:

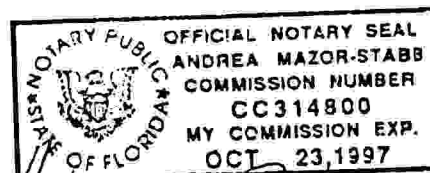
## CERTIFICATE OF OATH

STATE OF FLORIDA

COUNTY OF BROWARD,

I, the undersigned authority, certify that the aforementioned witness personally appeared before me and was duly sworn.

WITNESS my hand and official seal this 28<sup>th</sup> day of December, 1994.



*Andrea Mazor-Stabb*  
Andrea Mazor-Stabb

Notary Public - State of Florida

My commission expires: 10/23/97

C E R T I F I C A T E

STATE OF FLORIDA  
COUNTY OF BROWARD

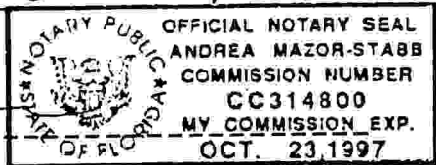
NOV 1994

I, ANDREA MAZOR-STABB, Shorthand Reporter,  
certify that I was authorized to and did  
stenographically report the foregoing deposition; 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 this 28<sup>th</sup> day of December, 1994.

*Andrea Mazor-Stabb*



ANDREA MAZOR-STABB

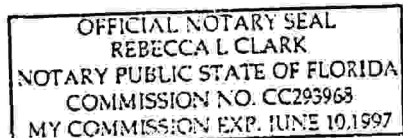
My commission expires: 10/23/97

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing certificate was acknowledged  
before me this 28<sup>th</sup> day of December, 1994, by  
ANDREA MAZOR-STABB, who is personally known to me.

*Rebecca L. Clark*

Notary Public - State of Florida  
My Commission No.  
Expires:



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

THERESA C. GREENEY, etc.,     )  
  )  
                  Plaintiff,     )  
  )  
vs.                             ) 92-04438 (11)  
  ) 94-01817 (13)  
FLORIDA RESTAURANT DEVELOPMENT  
CORPORATION, etc., et al.,    )  
  )  
                                  Defendant.    )  
  X

To: Kengeral Allen  
c/o David K. Markarian, Esq.  
1493 Sunset Drive  
Coral Gables, Florida 33143

The deposition taken in the above-entitled cause on December 22nd, 1994, is now ready for signature. Please come to this office and sign same; or if you wish to waive the signing of the deposition, please so advise.

If this deposition has not been signed by January 30th, 1995, or the signature thereto waived, we shall consider such delay a waiver of signature and proceed according to the Florida Rules of Civil Procedure.

If you have any reason which you would like to be placed on the deposition as to your failure to sign, please advise.

MERIT REPORTING OF SOUTH FLORIDA, INC.,  
700 Southeast Third Avenue., Suite 204  
Fort Lauderdale, Florida, 33316

  
Andrea Mazor-Stabb