

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

THESLET BENOIR and)	
CLEMENE BASTIEN, a married)	
couple; and EBEN-EZER)	
HAITIAN FOOD TRUCK, LLC,)	
)	
Plaintiffs,)	
)	
V.)	NO. 2:24-cv-00064-AWA-LRL
)	
TOWN OF PARKSLEY,)	
VIRGINIA; and HENRY)	
NICHOLSON, in his official)	
and individual capacities,)	
)	
Defendants.)	

REMOTE DEPOSITION UPON ORAL EXAMINATION OF

MAYOR FRANK A. RUSSELL

VOLUME II

TAKEN ON BEHALF OF THE PLAINTIFFS

Parksley, Virginia

Tuesday, January 14, 2025

Stenographically reported remotely by:
Kerry Zahn, RMR-CRR

1 **Appearances via Zoom:**

2

3 **INSTITUTE FOR JUSTICE**
4 **By: JUSTIN PEARSON, ESQUIRE**
5 **2 South Biscayne Boulevard**
6 **Suite 3180**
7 **Miami, FL 33131**
8 **jpearson@ij.org**
9 **-and-**

6

6 **INSTITUTE FOR JUSTICE**
7 **By: DYLAN MOORE, ESQUIRE**
8 **901 North Glebe Road**
9 **Arlington, VA 22203**
10 **dmoore@ij.org**
11 **Counsel for the Plaintiffs**

10

11

11 **PENDER & COWARD, PC**
12 **By: ANNE C. LAHREN, ESQUIRE**
13 **ANDREW C. HARDING, ESQUIRE**
14 **222 Central Park Avenue**
15 **Suite 400**
16 **Virginia Beach, VA 23462**
17 **alahren@pendercoward.com**
18 **aharding@pendercoward.com**
19 **Counsel for the Defendants**

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

DEPONENT	PAGE
MAYOR FRANK A. RUSSELL	
Examination by Mr. Moore	6

E X H I B I T S

NO.	DESCRIPTION	PAGE
	(None)	

1 Remote deposition upon oral examination
2 of MAYOR FRANK A. RUSSELL, taken on behalf of the
3 Plaintiffs, before Kerry E. Zahn, Registered Merit
4 Reporter, a eNotary and Notary Public for the
5 Commonwealth of Virginia at large, taken pursuant
6 to Notice, commencing at 2:30 p.m. on Tuesday,
7 January 14, 2025, taken remotely from the offices
8 of the Town of Parksley, Parksley, Virginia; and
9 this in accordance with the Federal Rules of Civil
10 Procedure.

11

12 MAYOR FRANK A. RUSSELL
13 was sworn and deposed on behalf of the
14 Plaintiffs as follows:

15

16 MR. HARDING: Again on the record
17 now for Mayor Russell's deposition.

18 This deposition is follow-up, is,
19 you know, dealing with the retaliation claim,
20 that's our understanding from the defense side,
21 those allegations specifically, and it's not a
22 continuation of, you know, the deposition for the
23 other topics that might have been covered at that
24 time. And we are going to just preserve our
25 objections regarding the waiver of any

1 attorney/client privilege as we had discussed in
2 Lauren Lewis' deposition earlier today.

3 THE WITNESS: Sorry. Are you
4 talking to me?

5 MR. HARDING: No, sir.

6 THE WITNESS: I didn't think you
7 were. I just wanted to be clear.

8 MR. PEARSON: Dylan, you may have
9 heard this, but Madam Court Reporter swore in the
10 witness and Mr. Hardy gave his statement of their
11 position.

12 MR. MOORE: Perfect.

13 So we are ready to rock.

14 MS. LAHREN: Hey, ya'll. You can't
15 see me with the blurred out background, but it's
16 Anne here in the background and I'm joining the
17 depositions and good to see you all.

18 And, Mayor Russell, I hear you are
19 not feeling well. I hope you feel better soon.
20 There's a lot of crud going around.

21 THE WITNESS: Thank you very much.

22 (Reporter clarification)

23 MR. MOORE: Well, a couple things.

24 Hi, Anne. Good to see you, even if
25 it's blurry.

1 Second, Mayor Russell, sorry to
2 hear you're not feeling well. We'll try to make
3 this as painless as possible.

4 THE WITNESS: Thank you.

5

6 EXAMINATION

7 BY MR. MOORE:

8 Q So if we're ready to go, I'll skip
9 with some of the formalities that we had last time
10 that we spoke because you have been through this
11 once before already.

12 But if you could please state and
13 spell your last name for the record.

14 A Frank Russell, F-r-a-n-k
15 R-u-s-s-e-l-l.

16 Q Thank you.

17 And I know we have spoken before,
18 but my name is Dylan Moore and I represent the
19 plaintiffs in this case.

20 A Okay.

21 Q Thank you for taking the time to
22 come and talk to us again about this situation.
23 And I just wanted to let you know a little bit
24 about what we're going to be doing here. This
25 won't be as broad of a deposition as the one you

1 have already had. Really we're going to be
2 focusing on communications between Town Clerk
3 Lauren Lewis and Town attorney Andre Wiggins from
4 about -- toward the end of October 2023, mid
5 October, to beginning of November of 2023 related
6 to the food truck ordinance that's Ordinance 2301
7 and the letter that Mr. Wiggins sent the
8 plaintiffs in this case about the Town of
9 Parksley's zoning code.

10 A Okay.

11 Q So like I mentioned, I won't cover
12 everything like the throat-clearing for depositions, but
13 I do want to remind you that you are under oath
14 today, the same oath you would be under if you
15 were in a courtroom, and I will assume that you
16 understand the questions that I ask you unless you
17 tell me that you don't understand them.

18 A Okay.

19 Q So if I say something that's
20 confusing, it's not intentional. Just let me
21 know.

22 A Okay.

23 Q I will ask you that you provide
24 verbal answers instead of shaking your head so
25 Madam Court Reporter can pick up on yes's and no's

1 clearly.

2 I will ask that we try -- it's
3 harder for Zoom -- but try our best not to
4 interrupt one another while we're going through
5 this just so the record is clear.

6 And I will ask, is there anything
7 like a medication that would prevent you from
8 thinking clearly or testifying truthfully today?

9 A Not that I know. I'm full of cold
10 medicine, but no.

11 Q Okay. I know the feeling.

12 I wanted to ask, do you have any
13 notes prepared for this?

14 A No.

15 Q Okay. And just so you know, you
16 can take a break whenever you want if you're not
17 feeling well. Just let me know. Or for any other
18 reason, really. But if I've asked a question, I
19 will ask that you finish answering it before we go
20 on a break.

21 A Okay.

22 Q All right. So we'll just dive
23 right into some of these communications that we
24 wanted to ask you about.

25 And the first one, this was entered

1 as Exhibit 63, but, Mayor Russell, it's the
2 exhibit beginning DEF 000394.

3 A All right.

4 What about it?

5 Q Well, if you could just take a
6 moment to review it, and once you have, just sort
7 of tell me what we're looking at, if you don't
8 mind.

9 A Okay.

10 This was -- this was a letter that
11 we sent to the food truck folks saying that they
12 were out of compliance, if I'm reading it
13 correctly -- I just skimmed it. I haven't read it
14 word for word -- and that if they -- if they were
15 eligible for a fine, which -- which of course they
16 never paid -- yeah.

17 Q Mayor Russell, I just want to
18 ensure are you looking at DEF 000394?

19 A Yes.

20 Q Okay. So at the very top of that,
21 it's an email. If you could just read through
22 like who it's from and who it's to, that might
23 help.

24 A From Lauren Lewis, sent October 19,
25 2023, to Andre Wiggins. Subject, food truck

1 ordinance help.

2 Is that what you want?

3 Q Yeah. That's the document I was
4 referring to.

5 A Um-hum.

6 Q So we just talked through this
7 document with Lauren Lewis, and it's an email from
8 her to the Town attorney, Andre Wiggins --

9 A Right.

10 Q -- discussing the plaintiffs in
11 this case and the food truck ordinance; is that
12 right?

13 A That is correct.

14 Q And do you recognize this email?
15 Is it something that you've seen before?

16 A I may have. I don't remember it
17 specifically, no.

18 Q Okay. And just pretty much
19 everything that we're going to be looking at
20 today, just so you know, is an email from
21 Lauren -- or email exchanges between Lauren Lewis
22 and Mr. Wiggins.

23 A Okay.

24 Q So did you instruct Miss Lewis to
25 send this email to Mr. Wiggins?

1 A Man, I don't remember. What's this
2 been, almost two years ago?

3 I probably did. Yeah, I probably
4 did, but I don't specifically remember it.

5 Q Yeah. Just sort of in the normal
6 course of business, if Miss Lewis is contacting
7 Mr. Wiggins, is it because you've asked her to?

8 A Ordinarily it would be, yes.

9 Q Okay. And this email -- this --
10 Miss Lewis told us this was the first email
11 exchange that she had with Mr. Wiggins concerning
12 the food truck or really anything that has to do
13 with this lawsuit, and it was October 19th that
14 this was sent.

15 Prior to then, did you ever
16 personally communicate with Mr. Wiggins about this
17 situation?

18 A Not that I remember.

19 Q Okay. And do you remember asking
20 Miss Lewis to reach out to Mr. Wiggins for his
21 advice on what to do about all of the things
22 concerning the food truck?

23 A I probably did. But, I mean,
24 ordinarily that would be the way it would work,
25 but I don't remember specifically, but I'm sure I

1 did.

2 Q Okay. And it would be unusual for
3 Miss Lewis to just reach out to Mr. Wiggins on her
4 own accord; is that right?

5 A It would be wildly unusual.

6 Q Okay.

7 A I don't remember an incidence of
8 that ever happening.

9 Q This email, just correct me if I'm
10 wrong to make sure we're on the same page, it sort
11 of notifies Mr. Wiggins about the situation with
12 the plaintiffs in this case, the food truck
13 owners, and asks for his advice on the ordinance
14 that the Town passed restricting the use of food
15 trucks in the Town of Parksley.

16 A That's what it appears to be, yes.

17 Q Okay. And so I want to ask you to
18 look towards the very end of this email, it's --
19 at the end of 394 and spills over onto the next
20 page, Miss Lewis says, I also just received a
21 phone call from the Mayor whose auto repair shop
22 is next door to the market and truck informing me
23 that they have a TV crew out there currently.

24 Do you see that?

25 A I'm looking.

1 I don't see that specifically. I
2 must not have it in order here.

3 Q Oh, okay. Just take your time
4 getting it in order. It's 394 and 395.

5 A All right. Let's find it.

6 394 I have. Let me find 395.

7 Q And if it's printed double-sided,
8 it might just be on the flip side of that page.

9 A Yeah. They are all out of order.
10 Hold on.

11 I don't see a 395.

12 MR. HARDING: Mr. Mayor, are they
13 doubled-sided?

14 THE WITNESS: I'm looking now.
15 Some of them certainly are.

16 MR. HARDING: It should be on the
17 opposite side of 394.

18 THE WITNESS: Yeah. Well, I've got
19 that, but --

20 MR. HARDING: Are you in front of a
21 computer? I can just email it to you.

22 THE WITNESS: I see it. It's just
23 one line.

24 Yeah, I found it, okay.

25 Yeah, okay. What was your

1 question?

2 MR. MOORE: Sure.

3 BY MR. MOORE:

4 Q So Miss Lewis tells Mr. Wiggins
5 that she received a phone call from you letting
6 her know that there was a TV crew out on the
7 property of the plaintiffs in this case; right?

8 A Right.

9 Q Do you remember that phone call?

10 A I don't specifically, but I'm sure
11 I made it.

12 Q And do you remember, I mean, what
13 you would have said to her, do you know?

14 A Traditionally what -- what our
15 policy is here, that no one that works for the
16 Town or any of the Council speaks to media other
17 than myself. That's probably what I said to her.
18 Or I might have just said, Hey, a TV crew is here.

19 Q Okay. And do you know if that
20 conversation was the same conversation when you
21 told her to -- or asked her to email Mr. Wiggins
22 about this situation?

23 A I do not. I do not remember.

24 Q Do you remember calling her or
25 communicating with her in any other way before

1 this asking her to reach out to Mr. Wiggins?

2 A Well, it -- on 394, I'm sure I
3 probably -- I probably -- because we were trying
4 to figure out whether we had -- what -- whether we
5 were on good legal ground. So I'm sure I called
6 her and said, Hey, call the lawyer and ask him,
7 you know?

8 Q Right.

9 And I'm just trying to figure out
10 if that was the same conversation where you told
11 her about the TV crew.

12 A I don't think it was, but I don't
13 know it's been so long. I don't know. But I
14 don't think it was.

15 Q Okay. And you may have already
16 mentioned this a little bit, so I apologize, but
17 why is it that you told Miss Lewis that there was
18 a TV crew, do you remember?

19 A Because it's very unusual to have a
20 TV crew in the Town of Parksley. It never happens
21 here.

22 Q And was that something that you
23 wanted her to pass along to Mr. Wiggins?

24 A Not that -- no, not that I -- I'm
25 sure I didn't because I don't care. I just wanted

1 to remind everybody that there would be no
2 communication with the TV crew from anybody
3 working for the Town of Parksley or -- other than
4 myself.

5 Q Sure.

6 And is that policy that you're the
7 only one talking to TV crews, is that written down
8 somewhere?

9 A No, not that I know of.

10 Q Okay. So it's just sort of an
11 informal policy in the town?

12 A Correct.

13 Q Okay.

14 A Just like the same thing as --
15 well, that's an academic. Go ahead.

16 Q No, finish your thought.

17 A No, it's just like a lot of things
18 that I take care of specifically because I want to
19 make sure that I get my point across.

20 Q Okay. And was -- do you know, was
21 that the TV crew that you talked to about whether
22 the town would enforce the food truck ordinance
23 against the plaintiffs in this case?

24 A Did I talk to a TV crew?

25 Q Yeah. We talked about that a

1 little bit in your last deposition.

2 There was a WOBC article that came
3 out on October 19th of 2023 where you mentioned
4 that the town wasn't planning to enforce the food
5 truck law against the plaintiffs in this case
6 until their business license expired, is that
7 ringing any bells?

8 A I don't even remember talking to a
9 TV crew, so... so if I did, I'm sure that's the
10 one I talked to, you know?

11 Q Okay. Do you remember telling a TV
12 crew or anybody else that the Town didn't plan to
13 enforce the food truck law against the plaintiffs
14 in this case?

15 A I honestly don't remember. I
16 probably did say that, but I don't remember,
17 honestly.

18 Q And do you remember --

19 A At the time --

20 Q Oh.

21 A At the time -- at the time we
22 didn't realize that we already had an ordinance in
23 place that prevented it, you know?

24 We didn't realize -- until
25 Mr. Wiggins enlightened us, we didn't realize that

1 we had an ordinance in place that specifically --
2 or not specifically -- but generally made it null
3 and void to have a food truck here.

4 Q But at this time the law or the
5 ordinance specifically limiting permanent food
6 trucks was also on the books; right?

7 A It may have been. I don't know.

8 Do you know the dates? It
9 wouldn't -- it wouldn't help with dates because I
10 don't remember. Like I say, it's been almost two
11 years ago.

12 Q Sure.

13 Well, I can just tell you that that
14 ordinance was passed on October 9th.

15 A October 9th, right.

16 Q And this email and the date of the
17 publication of that article was October 19th.

18 A Okay.

19 Q So at the time there was a law on
20 the book -- the specific food truck ordinance was
21 on the books in Parksley?

22 A Yes. We just didn't know it.

23 Q No, no, no.

24 The ordinance 2301 that was passed
25 specifically about food trucks.

1 A Oh, the one that we passed?

2 Q Yeah.

3 A We did that when?

4 Q The 9th of October.

5 A Okay. And what was your point
6 again?

7 Q Well, what I'm trying to figure out
8 is when the Town determined that the zoning code
9 also covered food trucks.

10 A Oh, I don't know. It was whenever
11 the lawyer talked -- got back to us. I don't know
12 what the date would have been.

13 Q And the Town's position when it
14 didn't know about the zoning code and it was the
15 only law that the Town knew of on the books that
16 affected food trucks was this specific ordinance
17 that you all passed, there was a time when the
18 Town didn't plan to enforce that against the
19 plaintiffs in this case; right?

20 A What we had talked about and it
21 was -- I don't think it was ever codified or
22 anything, but what we had talked about was before
23 we realized that they -- we didn't -- that they
24 couldn't do it, we had talked about at one point
25 letting them try to run out until we got some

1 verification. But once we got verification, we
2 realized we couldn't do it.

3 Q Well, okay. Let's talk a little
4 bit more about that because what do you mean by
5 "verification," I suppose?

6 A Verification from our lawyer, from
7 our lawyer. We had talked about -- and we said --
8 because in the beginning, it was -- it was like,
9 well, we -- we weren't sure. And we had talked
10 about letting them go until we found out what our
11 lawyer said.

12 It wasn't like we were going to let
13 them go forever.

14 Q Right, I understand -- sorry.
15 Finish your thought.

16 A No.

17 Once our lawyer said, You can't do
18 it, you can't do it.

19 Q But didn't the food truck
20 ordinance, that one that was passed on the 9th,
21 already say that they couldn't operate?

22 A I -- I don't remember. It may
23 have. I don't remember. I don't remember the
24 details of it anymore because we -- we went
25 through two or three different plans on which way

1 to handle it and I don't remember which one we
2 actually went with.

3 Q Sure.

4 Well, ultimately, the plaintiffs
5 received a letter telling them that they couldn't
6 operate because of the zoning code, the one that
7 had been around for a long time, not the specific
8 food truck ordinance that was passed.

9 A Correct. That was -- that was the
10 nail in the coffin right there, yes.

11 Q Right.

12 But I guess what I'm trying to get
13 at is why wouldn't the food truck ordinance have
14 been verification enough?

15 A Why wouldn't the food truck --

16 MR. HARDING: Object to form.

17 THE WITNESS: -- have been
18 verification enough...

19 You mean to stop them from
20 operating?

21 BY MR. MOORE:

22 Q Yeah, yeah.

23 A Well, I -- why wouldn't that have
24 been enough.

25 Well, I guess -- I guess we thought

1 it was enough until...

2 But we didn't know. We were -- we
3 were pawing around in the dark. We weren't sure,
4 and that's why we wanted some -- some legal
5 advice, you know?

6 If I remember correctly, that's --
7 that was the deal.

8 I don't know what you're trying to
9 get at with why wouldn't that have been enough.

10 I guess it would have been enough
11 if we had known that we didn't have to do it to
12 begin with.

13 Q Yeah, I guess what I'm trying to
14 get at, and I apologize if I'm not explaining
15 myself clearly, is that there was this specific
16 food truck law, right, that was on the books --

17 A Right.

18 Q -- that limited the permanent
19 operation of food trucks in the Town.

20 A It had already been there for a
21 long time, is that what you're talking about or
22 the new one?

23 Q No, no. I'm talking about the one
24 that was passed in October of '23.

25 A Okay.

1 Q That specifically was about food
2 trucks.

3 A Yeah, okay.

4 Q But that law, it seems like the
5 Town Council or the Town of Parksley wasn't
6 planning to enforce that against the plaintiffs
7 until their business license ran out; right?

8 A Well, that was one of the things
9 that was suggested, but -- but we were still
10 waiting to hear from our lawyer.

11 We talked about a number of things.
12 That was one of the things that -- maybe let it
13 run until their business license ran out.

14 But in -- but through the whole
15 thing, even though that was being discussed at one
16 point, it was all predicated on what our lawyer
17 said.

18 We talked about a half dozen
19 different ways to handle it. That was certainly
20 one of them. But when our lawyer said, You can't
21 do it anyway, we -- we just felt a little bit like
22 why did we go through all this trouble? We just
23 didn't know it, you know.

24 Q Okay. And when the Town first got
25 the lawyer involved, is this email that we're

1 talking about, this October 19th one from Lauren
2 Lewis to Mr. Wiggins, is this the first time that
3 the Town reached out to Mr. Wiggins for help with
4 the food truck situation?

5 A As far as I know, it was.

6 Q Okay.

7 A As far as I can remember, it was.

8 Q Okay. And, again, Lauren Lewis
9 wouldn't have sent this email to Mr. Wiggins
10 without you asking her to.

11 A No, absolutely not.

12 Q Okay.

13 A Absolutely not.

14 Q And it's at least possible that the
15 same call where you asked her to reach out to
16 Mr. Wiggins about this was the call where you told
17 her that there were TV crews?

18 A I don't think so. I don't think
19 the TV crews came until a couple of days later.

20 Q Okay. Okay. We can move on from
21 this document.

22 A That -- after you all got all this
23 hubbub started, that's when the TV crews showed
24 up.

25 I'm sure you called and told them

1 or sent them emails or something and wanted to
2 start to raise a lot of sand.

3 But that's when the TV crews showed
4 up and the phones started blowing up and everybody
5 started going crazy and -- that's when the TV
6 crews showed up.

7 Q And did the TV crews, I mean, was
8 that a big -- a big deal in the Town? Were people
9 talking about the TV crews a lot?

10 A No, not really. I don't think the
11 majority of people even knew they were here,
12 because my -- where the food truck is and my
13 establishment, which is next to it almost, is
14 going out -- out of town. It's not quite at the
15 town limits, but it's getting there.

16 Q Okay. And just one more thing I
17 wanted to ask you about.

18 Lauren Lewis mentioned in that
19 email that your auto repair shop is next door to
20 the plaintiffs -- their market and where the food
21 truck is.

22 A Right.

23 Q Is it literally right next door,
24 like it's an adjacent parcel?

25 A It's one lot between us.

1 Q Okay.

2 A There's one 50-foot lot between us.

3 Q Okay.

4 Well, we can move on from that one
5 and move to DEF 000398 which is Exhibit 64.

6 A All right. Let me look.

7 398?

8 Q Yes, sir.

9 A Okay.

10 Okay. Found it.

11 Q Okay. And just take a moment to
12 review it and let me know when you have.

13 A There must be another page here
14 because the one I've got doesn't say anything.

15 Hold on.

16 Q This one -- apologies if I
17 misspoke. It's 398 and it's only one page.

18 A Okay. Well, I've got it then.
19 It's -- it doesn't have much on it.

20 Q No, it doesn't.

21 A Okay. What can I tell you about
22 this?

23 Q I'm just -- in Lauren's deposition
24 that we just had, she told us that this was an
25 email from her to Mr. Wiggins. She just shared a

1 folder with him that had all of Parksley's
2 ordinances in it.

3 A Okay.

4 Q And I was just curious, did you ask
5 her to send this over to Mr. Wiggins?

6 A I'm sure I did, because, bear in
7 mind, that at this time we had just hired
8 Mr. Wiggins. I had never met him. No one on the
9 Council had ever met him. Lauren had never met
10 him. He was not familiar with the Town of
11 Parksley at all. So he wanted to bone up on our
12 ordinances anyway. And so we thought, well, this
13 is a good time; send him all of them and let him
14 look them all over, you know.

15 Q Yeah, that makes total sense.
16 That's all I have on that one, so we can keep
17 moving through.

18 A Okay.

19 Q The next one is DEF 000400 and
20 that's Exhibit 65.

21 A 400...

22 Q Another email without much on it.

23 A 400...

24 Okay, I found it. What you got?

25 Q Beautiful.

1 This is another email exchange
2 between Miss Lewis and Mr. Wiggins.

3 And do you see in the middle there
4 where it says, Andre, please proceed with revising
5 the food truck ordinance per the Council?

6 A Yes.

7 Q Okay.

8 Now, this was sent on October 20th,
9 which is the day after that first email that we
10 discussed.

11 And I'm just curious, like this
12 email doesn't explain what the revisions per the
13 Council would be to Mr. Wiggins.

14 Do you know if the Council like
15 discussed the food truck ordinance and revisions
16 that they wanted to it?

17 A So this was, just so I'm clear,
18 this was the day after we passed the second -- the
19 ordinance we didn't know we needed?

20 Q No, sir. This was 11 days later.

21 A Okay. So this -- but we had
22 already passed the ordinance that we didn't know
23 we needed; right?

24 Q This is -- you had already passed
25 the ordinance limited to food trucks, yes.

1 A Okay, okay.

2 Well, I imagine -- I imagine I just
3 wanted clarification on whether -- see, we -- I
4 don't think we still knew we didn't need this
5 ordinance at this point, and I imagine I just
6 wanted clarification on the one that we had passed
7 was legit. That's my guess.

8 Q Right. Because the Council had
9 passed that ordinance without checking with an
10 attorney; right?

11 A Correct.

12 Q Okay. And so were there -- after
13 the ordinance was passed, were there revisions
14 that the Town realized should have been made to
15 the ordinance or what are the revisions that are
16 being talked about?

17 A No, we just asked for his thoughts
18 on it, you know. Is this the way we should have
19 done this? Were we within our legal rights? Tell
20 us what you think.

21 Q Well, the email is instructing
22 Mr. Wiggins -- please tell me if you have a
23 different interpretation. But on my read it looks
24 like the email is instructing Mr. Wiggins to go
25 ahead with some revisions that the Council

1 suggested; is that right?

2 A My -- my memory of it was that I
3 just wanted to go on good legal ground. That was
4 my memory. And if it needed revising, do it, you
5 know?

6 Q Okay.

7 A I mean, you're lawyers, you know?
8 I mean, the law pivots on "a" and "an" and "the"
9 and "or," you know. So the law has all kinds of
10 minor details that make -- that don't matter in
11 the rest of the world --

12 Q Yeah.

13 A -- you know? You're a lawyer.

14 Q It's true.

15 And --

16 A Yeah.

17 Q And so do you remember -- well, I
18 guess I'll ask. Like the other emails that we
19 talked about, this is Lauren Lewis sort of
20 speaking on your behalf, right, as the Mayor?

21 A Correct. She does not do
22 anything -- if she has a question about whether to
23 send an email or make a phone call, she calls me
24 or she lets me know, she says, What do you think?
25 Should I do it? I say yes or no or whatever.

1 Q Okay. And did you, just out of
2 curiosity, did you ever have any phone calls or
3 communications with Mr. Wiggins directly?

4 A Not that I remember. If I did -- I
5 may have, but not that I remember.

6 Q Okay. And that would have -- what
7 would that have looked like if it had happened?
8 Like a phone call probably?

9 A Probably, yeah, probably a phone
10 call, especially at that time because, like I say,
11 he was brand new here. We didn't know him, he
12 didn't know us, and I'm sure he was just trying to
13 make sure that he was doing -- if we had a
14 communication, I'm sure he was trying to make sure
15 he was -- he understood what we were asking him to
16 do, you know? That's my guess.

17 Q And if the Town Council had gotten
18 together and decided that they wanted to get
19 Mr. Wiggins' opinion on something, would they also
20 go through Miss Lewis to get those opinions?

21 A Well, the -- see, that's the other
22 thing.

23 Generally speaking, the Council
24 does not go through Miss Lewis for anything.
25 Generally speaking, we make a decision at a work

1 session or at a meeting. This thing keeps flying
2 up in front of your face.

3 But we make a decision at a work
4 session or a meeting, and then we get a -- we get
5 a consensus. And then I say, Lauren, okay, here's
6 the consensus. Go ahead and -- go ahead and move
7 forward.

8 Q Okay. And if there were any tweaks
9 or changes that the Town Council and yourself
10 wanted Mr. Wiggins to make with an ordinance, the
11 Town Council might make that decision at a work
12 session or at a Town Council meeting and then you
13 would have Miss Lewis reach out to Mr. Wiggins to
14 make those changes; is that right?

15 A Correct, um-hum.

16 Q Okay. Cool.

17 We will move on from this one and
18 go now to, it's DEF 000404 and 405. This is
19 another one where it's probably going to be a
20 two-sided page, and it's Exhibit 66.

21 A 404 --

22 Q Yes, sir.

23 A -- to 405.

24 404, I found that one.

25 Let me find 405.

1 I wonder if it's on the back?

2 No, it's not.

3 You said 405, not 450; right?

4 Q Yes, sir, 404 and 405.

5 A Well, my friend, I'm not seeing
6 405. I got 404, but I'm not seeing 405.

7 Q It might be another situation where
8 the 405 is on the back side of 404 and it's
9 also --

10 A Go ahead. It is. It is. Go
11 ahead.

12 Q Okay. So just take a minute and
13 look through that. Let me know when you're ready
14 to talk about it.

15 A Okay. What do you want to know on
16 this one?

17 Q All right. So this is another
18 email exchange between Miss Lewis and Mr. Wiggins.
19 It's a week after the last email that we talked
20 about. This one is on October 27th. And you can
21 see -- this will be the case in a lot of the
22 documents that we talk about; the first email is
23 actually the most recent one. So we're probably
24 going to go through a lot of them in kind of like
25 reverse order.

1 So I'm going to start with that
2 bottom email from Miss Lewis to Mr. Wiggins.
3 12:25 p.m. on the 27th.

4 A Okay.

5 Q Do you see what I'm talking?

6 A Yeah. The Council has agreed to a
7 fine of \$250 a day.

8 That's the one you're talking
9 about?

10 Q Yes, sir.

11 A Assuming that is feasible, of
12 course, they ask that you add that to the
13 revisions you are currently doing to the
14 ordinance; if that amount isn't applicable, please
15 let us know and I will pass it along to the
16 Council. Either way, they would like you to write
17 it into the ordinance.

18 Okay?

19 Q Okay. So by this time, am I right
20 to say that the Town Council and you had thought
21 of some revisions that you wanted to that food
22 truck ordinance?

23 A Yes.

24 Q And you were asking Mr. Wiggins to
25 make them?

1 A Well, here was the deal. As I've
2 told you before, we're all weekend warriors.
3 We've all got jobs. We don't take any money for
4 this job. We do it as a volunteer situation.

5 And -- but everybody has got their
6 own opinion, just like -- just like in the rest of
7 the world. Everybody's got their own opinion.

8 And so we had -- I put together a
9 couple of people to do the ordinance that we
10 thought we wanted.

11 So then we brought that back to
12 the -- either the Council or the work session, and
13 then other people said, Oh, no, we need to do
14 this, that. Why don't we do this, why don't we do
15 that if it's -- if it's legal.

16 So that's what this is all about.
17 We had other people who wanted to -- somebody, I
18 don't remember who, wanted to add a \$250 a day
19 violation if it was legal. We didn't know if it
20 was even legal because, like I say, we don't know
21 anything.

22 And so that -- that's what this was
23 all about.

24 Q Great.

25 And just so I'm clear, this would

1 have been the Council got together, decided that
2 there should be a \$250 a day fine for violating
3 the food truck ordinance and then you had
4 Miss Lewis email Mr. Wiggins to revise the
5 ordinance to include that; is that right?

6 A If it was legal.

7 Q Right, right.

8 Okay. And so that decision to add
9 the \$250 a day violation fine would have been made
10 at like a City Council meeting; is that right?

11 A I don't think it ever got made. I
12 think -- I think by the time this was -- this was
13 a suggestion. And I don't think -- and I don't
14 think it was ever added to anything because by the
15 time we had the next meeting -- we meet once a
16 month -- by the time we had the next meeting, our
17 attorney had said, Hey, you don't have to do any
18 of this stuff.

19 Q Okay. That makes sense.

20 And then -- so in response to that
21 suggestion, now we're talking about the top email
22 from Mr. Wiggins to Miss Lewis.

23 A Um-hum.

24 Q He, it seems, like attached an
25 ordinance from another town so that Miss Lewis and

1 then, by extension, you and the Town Council could
2 see the preamble in that ordinance, talking about
3 like what interests the government had in making
4 the law.

5 Does that seem right?

6 A Here's my guess. And I don't
7 remember this specific thing, but here's my guess.

8 We had one guy on the Council who
9 wanted to make the most elaborate -- he wanted to
10 rewrite the Constitution for this -- for this food
11 truck ordinance. And it was like two pages long.
12 He went through -- he went to Ocean City,
13 Maryland, Virginia Beach, he went to Chincoteague
14 and he took pieces from all of their stuff, right,
15 and he made this super elaborate food truck
16 ordinance.

17 And so, anyway, and then some of
18 the other people on the Council said, That is
19 crazy. That's -- we don't need that. Let's keep
20 it simple, stupid, you know?

21 So we did just a very basic one.
22 And I -- if -- I don't know, I could be wrong, but
23 I remember sending them -- I think we sent them
24 both to the attorney to let him look at both of
25 them to see if either one of them were right or

1 either were legal or if we even needed them at
2 all.

3 Q Okay. And so at this point --
4 yeah, which -- which City Council members wanted
5 the longer ordinance --

6 A I don't remember.

7 Q -- do you know?

8 A That's been two years ago. I don't
9 remember now.

10 Q Okay. And so by this point, this
11 email exchange happened, the ordinance was on the
12 books, and the Town was discussing --

13 A Whoa, whoa...

14 Q -- amendments that could be made.

15 A I don't think it ever got on the
16 books.

17 Did it? Did it get on the books?
18 I don't think it was ever codified,
19 was it?

20 Q That's what happened at the
21 October 9th, 2023 --

22 A I think we voted on it, but I don't
23 think it was ever codified, but I could be wrong.
24 I don't think it was ever written into the -- into
25 the -- into the zoning for the Town. I don't

1 think it was ever codified, because I think before
2 we had a chance to do that, if memory serves me
3 well, we got the word that we didn't need it at
4 all, so I don't think it was ever codified.

5 Q Okay. Codified or not -- sorry.
6 Finish your thought.

7 A Is that the right word, "codified"?

8 Q Yeah.

9 A Write it down.

10 We didn't write it down, put it
11 into law. We just talked about it, we voted to do
12 it, but I don't think we ever -- I don't think it
13 was ever put into law.

14 Q Okay. Codified or not, at this
15 point in October 27th when these emails are being
16 sent around, the Town is discussing amendments to
17 that ordinance with the Town attorney; right?

18 A Okay.

19 Q And in this email from Mr. Wiggins
20 to Miss Lewis on the 27th, Mr. Wiggins, correct me
21 if I'm wrong on your read, but is suggesting
22 adding a preamble to the ordinance to show the
23 government's interest in passing the ordinance; is
24 that correct?

25 A I don't remember that. I mean,

1 that's what it says here. I don't even know what
2 that means.

3 Sole purpose that you can see the
4 preamble. I'm attaching an ordinance from -- oh,
5 I see, okay.

6 So he found another ordinance, too,
7 that he liked apparently that -- to save us from
8 going through all the who-shot-John to make it our
9 own, I guess. That's what I'm reading from it.

10 Q And then he goes on to say that,
11 Parksley doesn't need anything quite as elaborate
12 as that other ordinance.

13 A Right.

14 Q Would it be a good idea to set
15 forth a governmental interest when prohibiting an
16 otherwise legal activity like a food truck.

17 And then he goes on to say, It may
18 serve to thwart a legal challenge, i.e., from an
19 upset vape shop owner or a food truck vendor.

20 Do you see that?

21 A Yeah, I see it.

22 Q And was a legal challenge to the
23 ordinance something that the Town was worried
24 about at the time?

25 A No, not at all, not at all. We had

1 no idea that this was going to blow up into
2 something until you guys decided to make it into a
3 worldwide episode of murder mysteries.

4 I mean, you're the ones that blew
5 this up. We didn't do it. You put it out there
6 on half a dozen different sites to -- I guess to
7 generate donations for your law firm, is all I can
8 figure, because you are not going to get any money
9 out of these people. So you had -- you had to be
10 doing it to line your pockets to get donations for
11 your law firm. Otherwise, why would you do it?

12 These people have no money.

13 Am I right? Am I right?

14 Q I'm just trying to talk about --

15 A Am I right?

16 Q -- Mr. Wiggins --

17 A Am I right?

18 Q Sir, I would really like to keep
19 this focused on --

20 A Yeah, because you know I'm right.
21 Okay. Go ahead, go ahead.

22 Q I'm just trying to figure out --

23 A Let's not talk about the bad stuff
24 you guys did. Okay?

25 Let's not talk about causing --

1 causing my whole entire office staff to have to
2 shut the phones down for two weeks, let's not talk
3 about them having a nervous breakdown because you,
4 your law firm, decided to make an issue of a
5 nonissue and you put it on CNN and YouTube and God
6 only knows what else and every newspaper on the
7 East Coast.

8 Go ahead.

9 Q Sir, I'm trying to keep this very
10 civil, and I'd appreciate it --

11 A I'm keeping it civil, too, but I'm
12 telling you the truth, and you know it's the
13 truth.

14 Go ahead. Tell me what you got.

15 Q I would just like to keep this very
16 focused on the conversations --

17 (talking over)

18 A Yeah, because you got --

19 THE COURT REPORTER: I'm sorry.

20 Okay. Gentlemen, I'm going to have
21 to go off the record because when you talk over
22 each other, I can't hear either one of you.

23 THE WITNESS: I'm sorry.

24 THE COURT REPORTER: So I just need
25 one --

1 MR. MOORE: I got it.

2 THE COURT REPORTER: Yup, I'm just
3 typing on this little machine, but I have to hear
4 the words.

5 THE WITNESS: I'm very sorry.

6 MR. MOORE: Apologies, Madam Court
7 Reporter.

8 BY MR. MOORE:

9 Q I just want to keep this very
10 focused.

11 A Yup.

12 Q And here on the 27th, Mr. Wiggins
13 sent Miss Lewis an email suggesting that a
14 preamble be added to the food truck ordinance.

15 And he goes on to say, It may serve
16 to thwart a legal challenge, for example from a
17 food truck vendor.

18 And all I'm curious about is from
19 the Town's perspective why this might be something
20 that Mr. Wiggins was worried about.

21 Is it something that the Town was
22 worried about?

23 A I don't remember.

24 MR. HARDING: Dylan, I'd like to
25 object to that question. He's not the Town

1 representative.

2 THE WITNESS: I can't tell you what
3 Mr. Wiggins was worried about.

4 BY MR. MOORE:

5 Q Why -- why have discussions with
6 the media then something that upsets you in this
7 case?

8 A Because it upset my entire little
9 town here.

10 We couldn't even make a phone call
11 out of our office for nut-jobs calling from all
12 over the East Coast that you had -- that you had
13 promoted, making us look like bad guys.

14 And we're not bad guys.

15 We're not getting any money out of
16 this deal, you know? We're trying to do it
17 because we love our town.

18 And when some outside force decides
19 to make you look like Jack the Ripper, it doesn't
20 go down very well.

21 Plus, it interrupted my entire
22 office staff for two solid weeks. I thought poor
23 Lauren was going to have a nervous breakdown
24 because of you guys.

25 That's why it upset me.

1 Q And when did that media attention
2 and firestorm start?

3 A After you guys posted all this
4 stuff on YouTube and all over the internet. After
5 your law firm did that.

6 Q What about back on October 19th
7 with the TV crew from WOBC that you emailed Lauren
8 about, I mean --

9 A I don't --

10 Q -- did that have any effect on the
11 Town?

12 A I don't remember. I'm sure it did,
13 but not like what you guys did. It may have.

14 I never got any phone calls about
15 it or anything, so apparently nobody took it
16 seriously around here.

17 Q Okay. We can keep moving.

18 Let's go to DEF 000422, and that's
19 a longer one. It's 422 through 427.

20 A Okay, I got it.

21 Q All right. Again, just take a
22 moment to review it and let me know when you have.

23 A All right. What do you want to
24 know?

25 Q So could you tell me just a little

1 bit about what this email exchange is about?

2 A This is -- email exchange is from
3 Lauren, our Town Clerk, to -- let me see, who is
4 it from -- it's from -- yes, it's from Lauren to
5 the Mayor and the Council members, and it says
6 that she spoke with me Friday and she said she did
7 not realize when she gave them a business license
8 that it was going to be a permanent food truck.
9 She was thinking it was more like a restaurant.
10 It says that right here.

11 However, in my mind, it's like a
12 restaurant, which is allowed. So I didn't think
13 twice about it. So that's why she gave them a
14 business license to begin with.

15 Q Right.

16 And just so we're on the same page,
17 I think this is from Miss Lewis to Mr. Wiggins; is
18 that right?

19 A Yes, it is. Yes, yes, yes, um-hum.

20 Q Okay. And it's talking about that
21 letter that the Town received from Pastor Calherbe
22 Monel.

23 Are you familiar with that?

24 A Is it on this sheet?

25 Q I believe it should be. Page 3 is

1 the letter itself.

2 A Is he the guy that came and talked
3 to me?

4 Q I believe so, yeah.

5 A Yeah, him and some guy from
6 Virginia Beach. I think he was from Virginia
7 Beach, too.

8 More outsiders sticking their nose
9 in our business.

10 Anyway, what about it?

11 Oh, yeah, I see it.

12 Okay. He was from the Christians
13 United for Haiti group.

14 Q Right.

15 So this is the letter from the
16 Pastor who you ended up speaking to; right?

17 A Um-hum.

18 Q Okay. And Miss Lewis received the
19 letter from him and forwarded it to Mr. Wiggins.
20 Does that seem right?

21 A I -- I guess she did. I don't see
22 it on here, but she probably did.

23 Let me see.

24 Yes, she did. Okay.

25 Q Okay. And then there -- okay.

1 We'll go line by line here, I guess.

2 At the beginning of that email,
3 it's on the first page, DEF 000422, Miss Lewis
4 tells Mr. Wiggins, We have a work session this
5 evening where I suppose we will discuss it, "it"
6 being that letter.

7 Do you remember a work session
8 where this letter was discussed?

9 A I don't.

10 Q Do you go to the Town Council's
11 work sessions?

12 A I do.

13 Q Do you know if you missed any
14 between --

15 A I never missed one.

16 But I don't remember this
17 specifically being discussed. I remember talking
18 to the preacher. I talked to him for a couple
19 hours. But I don't remember this actually being
20 discussed.

21 Q Okay. And then at the beginning of
22 the next paragraph, Miss Lewis says, I spoke with
23 Frank Friday after you and I talked and let him
24 know about the zoning ordinance prohibiting the
25 food truck ever having been there to begin with.

1 A Okay.

2 Q Do you remember talking to
3 Miss Lewis on the phone about this or in person?

4 A I do not.

5 Q What I'm trying to pin down is
6 exactly when you realized that the Town zoning
7 ordinances already forbade food trucks and I'm
8 trying to figure out if that call with
9 Miss Lewis was then -- was when that happened.

10 A I can't tell you that because it's
11 been two years ago. I don't remember.

12 I don't remember the exact date
13 when I -- when I found out that it was -- that it
14 was already illegal. I don't remember the exact
15 date.

16 Q Okay. Do you remember talking to
17 her about it at all?

18 A I think she -- I think she sent
19 maybe a -- I don't know if she sent us an email or
20 if she brought it up at a work session or how she
21 brought it up, but at some point she told us that
22 the lawyer had said there was no need for a food
23 truck ordinance because they were already
24 prohibited in our original zoning, but I don't
25 remember when that was.

1 Q Okay. And once the Town attorney
2 told you that, what was your response?

3 A As far as I was concerned, it was
4 over with. There was no -- there was no response.
5 It was illegal for them to be there to begin with,
6 and that was all of it.

7 Q And is that why the ordinance
8 specifically directed at food trucks ended up
9 being repealed?

10 A Yes. We didn't need it. We didn't
11 need it.

12 THE WITNESS: Hold on. I got
13 something on my phone. Hold on.

14 MR. MOORE: Yeah, take a moment.

15 (Discussion off the record)

16 THE WITNESS: Now, let me just say
17 this. Let me say this --

18 THE COURT REPORTER: Are we back on
19 the record?

20 THE WITNESS: I'm back on the
21 record, yes, ma'am.

22 The cell phone is the bane of
23 modern man.

24 Okay. The -- but, now, just so
25 you'll be clear on this because I know, like I

1 said, you're trying to hook something. But they
2 were always told that they could operate with a
3 special use permit from the get-go. From day
4 number -- from -- maybe not day number one, but
5 early -- early in all this hubbub they were told
6 they could operate with a special use permit. But
7 they didn't want to do that, and they have never
8 done it to this day.

9 BY MR. MOORE:

10 Q For how many days could they
11 operate with the special use permit?

12 A You could -- you can make it one
13 day, you can make it indefinitely.

14 Q And is that just up to the
15 discretion of the Town?

16 A Yes. It's the discretion of the
17 Council.

18 But they never even came and talked
19 to us about it. They never asked, What have I got
20 to do to get a special use permit? They just
21 decided to go this route.

22 Q And would you have been in favor of
23 giving them a special use permit?

24 A As long as they didn't tie into our
25 sewage, I wouldn't care.

1 We're here to have businesses.
2 We're not here to run anybody out. We're here to
3 make our town prosper, you know. I want
4 businesses.

5 You know, what Mayor wouldn't want
6 businesses in his town, you know?

7 But I don't care who you are, where
8 you're from or what your daddy's name is, you've
9 got to follow the rules. And that's where they
10 went wrong.

11 Q Okay. We can -- it's in the same
12 exhibit, but, if you could, turn to DEF 000426.

13 A 426... let me find this 426 here.
14 Okay, I got it.

15 Q Okay. Here, this is a -- this is
16 Mr. Wiggins' response to Miss Lewis after she sent
17 him the letter from the Pastor.

18 And just to paraphrase the email, I
19 think he's saying he doesn't presume to have any
20 advice with respect to that letter in general.

21 And then he says, If anyone has any
22 specific question, I'll do my best to assist.

23 Do you see that?

24 A Yes, I do.

25 Q Did you ever reach out to

1 Mr. Wiggins with any specific questions about the
2 letter from the Pastor?

3 A No, not that I remember. If I --
4 if I asked -- if I asked him advice on anything,
5 it was whether to -- whether I should even meet
6 with the Pastor.

7 If I asked him anything, which I'm
8 not saying I did or I didn't because I don't
9 remember, but I decided to meet with him and see
10 what he had to say.

11 We sat right here in this office
12 and talked for two hours, he and somebody else he
13 had with him. They were all from Virginia Beach
14 or somewhere.

15 Q Okay. And you don't know --

16 A And we had a very congenial
17 meeting.

18 Q Okay. And you don't remember one
19 way or the other if you asked Mr. Wiggins anything
20 specific about that interaction?

21 A I don't remember. I don't
22 remember.

23 Q Okay. We can keep moving.

24 The next document I'll ask you to
25 look at is DEF 000432, and this one is entered as

1 Exhibit 69.

2 A 432. All right. Hang tight.

3 Got it.

4 Q All right. And if you could --
5 this one also spills off onto the next page. It's
6 probably just the flip side of the page you're
7 looking at. But if you could just review that and
8 let me know when you have.

9 A Okay. I see the...

10 All right. What can I tell you?

11 Q All right. So this is another
12 email exchange between Miss Lewis and Mr. Wiggins.

13 And, again, we're going to start
14 with the first email which is the one that begins
15 on the bottom of 432 from Miss Lewis to
16 Mr. Wiggins at 9:26 a.m. on October 31st.

17 Do you see what I'm talking about?

18 A Yup.

19 Q Okay. So in the first line there
20 Miss Lewis says, So they still would like you to
21 revise the food truck ordinance to be legally
22 sound.

23 And I was wondering if you could
24 just tell me a little bit more about what she's
25 saying there.

1 A I don't know. "To be legally
2 sound," to make sure we weren't stepping on our
3 tail, you know?

4 Q And the "they" in that sentence --

5 A I'm assuming it's for the penalty
6 clause. That's what it says in the next line.
7 Adding the penalty clause, I'm assuming it's about
8 the penalty clause. We didn't know if that was
9 legal or not.

10 Q Were there any other concerns that
11 you or the Town Council had about the food truck
12 ordinance at that time?

13 A I don't remember.

14 Apparently -- apparently we were
15 concerned whether or not that the \$250 fine was
16 legal.

17 Apparently that was -- from what
18 I'm reading, that's what we were worried about.

19 Q Yeah, I see the language talking
20 about the \$250 a day fine.

21 I'm just curious if there were
22 other issues with the food truck ordinance that
23 the Town was worried about at the time.

24 A Not that I remember.

25 Like I say, initially we didn't

1 think this was a big deal. We didn't think this
2 was a big deal.

3 We had no idea you guys were going
4 to blow it up into an atom bomb.

5 We didn't know this was a big deal.
6 We just thought we were taking care of business,
7 like we always try to do, and try to make it as --
8 work for everybody, but it didn't work out that
9 way.

10 That's what I'm taking from it.

11 Q Okay. So from your perspective,
12 there were no other, like, issues with the
13 ordinance that could have made it not legally
14 sound at the time?

15 A Not -- not that I remember, no.

16 Like I told you, we scrambled
17 something together and sent it down to get it
18 approved by the lawyer, you know? That's what we
19 were worried about, because we were trying to do
20 the best we could, but we're not lawyers, you
21 know?

22 Q Well, didn't you pass it first and
23 then ask for the lawyer's input?

24 A I don't remember.

25 Did we?

1 You -- you know, why are you asking
2 me? I don't remember.

3 Q Well, because this is all about
4 what you know, sir, and that's what we're trying
5 to get at.

6 A I don't remember. Probably so, but
7 I don't remember.

8 Q Is that normal for the Town to pass
9 an ordinance and then ask for the attorney to
10 review it?

11 A Yes, it is.

12 Q Okay.

13 A Sometimes if we have -- if we have
14 enough -- if we have ample time.

15 The problem we had here was, and
16 I'm going to say it again, our lawyer we had for
17 years and years and years had retired.

18 Ordinarily, we may have probably
19 sent it down to Tommy and said, Tommy, look this
20 over and we'll pass it on the next -- we'll pass
21 it on the next meeting or you tell us what to do.

22 And -- but I don't know if -- I
23 don't know if this thing had blown up in our face
24 by then or not. I don't remember the date. But
25 we just wanted to make sure we were on good, solid

1 legal ground.

2 Q And --

3 A And we were the whole time but
4 didn't know it.

5 Q And what was the urgency in this
6 ordinance particularly? I mean, why not just wait
7 until the new attorney could review it before
8 passing it?

9 A Okay. I'm sure you don't want to
10 talk about this, but it was because they had
11 defiled our sewage system.

12 Remember?

13 Remember?

14 They were pumping -- they were
15 pumping grease into our sewage system and costing
16 us thousands and thousands and thousands of
17 dollars.

18 Remember that? That was the
19 urgency.

20 Q And then the media attention on top
21 of that just made things worse, I'm guessing?

22 A It made -- that didn't make it any
23 better, I can tell you that.

24 Q I'm sorry?

25 A That didn't make it any better.

1 I'm sure you all were trying to
2 cause us to buckle by doing that. But that didn't
3 work, did it?

4 Q I'm sorry, could you say a little
5 bit more about that?

6 A No.

7 Q I'm still a little bit confused.

8 A I --

9 Q I would appreciate it if you could
10 help me understand this.

11 If -- the urgency was based on our
12 clients dumping grease into the sewer, so that's
13 why the ordinance had to be passed as soon as
14 possible; right?

15 A I don't remember.

16 Q I'm just going over what you had
17 just told me; right?

18 A And I'm just telling you I don't
19 remember.

20 Q Well, what I'm trying to figure out
21 is, when the ordinance was first passed and the
22 Town's position that you stated to the WOBC
23 reporters and the story that came out on the 19th
24 was that the Town wouldn't enforce the new
25 ordinance against the plaintiffs in this case

1 until their business license expired, that makes
2 it seem like it wasn't quite as urgent.

3 So I'm trying to figure out what
4 the thought -- like what the Town's thought was on
5 that.

6 A I don't remember.

7 MR. HARDING: Dylan, I would like
8 to reiterate the Mayor is not here as the Town
9 representative.

10 MR. MOORE: Sure, but he enforces
11 the laws.

12 MR. HARDING: You are asking what
13 the Town thought. That's just -- just for
14 clarification, sir.

15 MR. MOORE: Okay.

16 BY MR. MOORE:

17 Q I guess what I'm getting at is if
18 the Town passed this law without first checking
19 with the lawyer because the law needed to be
20 passed to stop any harm that could come to the
21 sewer, why did you state to the media that the --
22 that you were not planning to enforce the law
23 until the business license expired?

24 A Look, I may have said that, and
25 apparently I did. But I have no say. I don't

1 even get a vote, pal. I'm the Mayor. The only
2 time I get a vote on anything is when there's a
3 tie. It has to go before the Council, and what I
4 said or didn't say has no value whatsoever because
5 I have no power.

6 I may have said that. I may have
7 thought that was the right thing to do, in my
8 mind, and then the Council comes in and says, Oh,
9 no, no. Oh, no, boy, we're not going to do that.

10 Q But you're in charge of the people
11 who enforce the laws in Parksley; right?

12 A The Council has to vote on
13 everything.

14 Now, I can take care of day-to-day
15 stuff like, Do you want to take the trash out
16 today? Do you want to sweep Front Street? Things
17 of that nature.

18 But I have no power myself, and
19 most small town mayors don't, as I'm sure you
20 know, being a legal beagle. But as most small
21 town mayors have no power. It all goes before the
22 Council.

23 So I may have said that and I
24 probably did and maybe that's the way I felt at
25 the time.

1 But when you find out that -- when
2 you find out that there's more going on than you
3 thought, I -- I thought we were going to have a
4 friendly conversation and get them in here and try
5 to work it all out and say, Okay. Well, just
6 don't put grease in our sewer system anymore and
7 cost us \$5,000 and try to work with them.

8 But they didn't want to do that.
9 They didn't want to do that.

10 And we did send them a letter. I'm
11 going to say this again. We did send them a
12 letter, I'm pretty sure, I know we did, saying
13 that they could have -- they could reopen with a
14 special use permit. But they didn't pursue that.
15 They didn't pursue that. They wanted to do this
16 dog and pony show.

17 Q I guess I'm trying to get at the
18 difference between a law being passed and a law
19 being enforced.

20 So if somebody was speeding in the
21 Town of Parksley, the Town Council wouldn't have
22 to vote on whether or not that person got a
23 speeding ticket; right?

24 A No. That's a whole separate thing.
25 That's -- that's -- that's a police matter.

1 Q Right.

2 And you as the Mayor of Parksley
3 are in charge of the police officers and the
4 enforcement of laws, right?

5 A I have never stepped in to what the
6 police do because somebody will say, Oh, well, you
7 gave my Aunt Suzie a ticket but you didn't give
8 your Aunt Suzie a ticket.

9 I never get involved with the
10 police. I try to run it right down the middle,
11 you know?

12 And if there's a law that needs to
13 be passed or something that's coming up, I run
14 everything past the Council because I can't do it
15 myself, unless it's something specific to
16 day-to-day.

17 Q But when it comes to enforcing the
18 laws on the books in Parksley, the buck stops with
19 you; right?

20 A I -- that may be the law, but we
21 don't do it. We try -- I shouldn't say we don't
22 do it. We do it if we have to, but we try to work
23 with people.

24 It's a small town. Everybody knows
25 everybody. It's a small town. We all love each

1 other and try to support each other and -- and so,
2 you know, you try to work with people. You try to
3 say, Hey, you know, I know you didn't mean to do
4 this, but here's what you did, you know, so please
5 stop doing it. And we'll try to work with you to
6 make it better next time.

7 Q Right.

8 A We're not Draconian guys out here
9 with a ticket book saying, Hey.

10 In the entire time I have been
11 Mayor, which is coming up, what, four years I
12 guess now, I have never stepped in or enforced any
13 law in the Town of Parksley.

14 I have a police officer, for one
15 thing. I have a personnel committee for another
16 thing. That's how we break it out.

17 Q But you could decide which laws you
18 wanted the police officers of Parksley to really
19 be on the lookout for violations of; right?

20 A No. I leave that to the police,
21 unless -- unless -- I will give you an example.

22 If somebody said, Somebody broke
23 into my garage last night, I would probably call
24 the police officer and say, Hey, somebody broke
25 into Miss Suzie's garage. Keep an eye out for it.

1 But that's as far as it goes.

2 This is not Chicago, you know? A
3 Mayor has no authority here really.

4 Q So then why did you tell the
5 reporters that you weren't planning to enforce the
6 food truck law?

7 A That may have -- I don't think
8 you're listening. That may have been my thought
9 process at the time. That may have been what I
10 was hoping would happen. But I can't say that and
11 make it stick, you know what I'm saying? That may
12 be -- that may be -- that may have been my thought
13 process at that moment, you know?

14 Q So you're saying you just don't
15 have the authority to determine how the laws are
16 enforced in the Town?

17 A Not really, no. Not really.
18 Look it up. You'll find out it's
19 true.

20 Q Okay.
21 Well, let's go back to this
22 document, and we're on the flip side now on DEF
23 000433.

24 A Okay.

25 Q And so at the very top there, once

1 again, this is Miss Lewis' October 31st email to
2 Mr. Wiggins. She says, They -- which I'm assuming
3 is the Town Council and you -- also like for you
4 to draft a letter to the owners of the food truck
5 regarding being out of compliance with the zoning
6 ordinance and having to move.

7 A Um-hum.

8 Q Do you see that?

9 A Yeah.

10 Q When was this decision to send them
11 a letter based on the zoning ordinance made? Was
12 that at the Town Council meeting?

13 A I don't remember. My guess is it
14 was after we heard from Mr. Wiggins.

15 Q And was that your decision?

16 A I'm sorry?

17 Q Was that your decision?

18 A No. This was a Council decision.

19 Q And do you remember any discussions
20 about this decision?

21 A I do not.

22 Q Okay. And then do you see in the
23 next line where Miss Lewis says, I'm not willing
24 to write this letter?

25 A Yes, I do.

1 Q Do you know why she might say that?

2 A Well, because of the giant
3 onslaught that you all caused to torment her and
4 try to drive her crazy, she probably didn't want
5 her name involved in it.

6 Plus, her uncle is a sitting judge
7 and her cousin is a senator.

8 So would you want your name
9 involved in something this Mickey-Mouse that
10 somebody was trying to blow all out of proportion?

11 I don't blame her.

12 Q Well, we can come to this a bit
13 later, I think that we will, but the letter that
14 my firm sent to the Town of Parksley was on
15 November 2nd and this email is from October 31st.

16 So she is saying that she didn't
17 want to be the one to write the letter.

18 A No.

19 Oh, she might have meant she wanted
20 the attorney to write it.

21 Isn't that what this says?

22 I can't guess what she was talking
23 about, you know? I can't speak for her.

24 She was probably saying that she
25 wanted -- wanted it to come on attorney stationery

1 with his name on it, is my guess.

2 Q Okay. And then if you flip back to
3 432, there will be Mr. Wiggins' response to
4 Miss Lewis.

5 A All right. Hang tight.

6 Okay. I will begin drafting a
7 letter based on zoning, is that what you're
8 talking about?

9 Q Yup, it begins with that.

10 A I will work to fix the new
11 ordinance.

12 Okay. What do you want to know?

13 Q So where he says "the new
14 ordinance," that's the food truck ordinance;
15 right?

16 A I don't think so. I don't think
17 this is what we're talking about.

18 We were working on a -- we have got
19 a huge lot where our old school used to be in the
20 middle of town. And they knocked the old school
21 down a few years ago. And at the time there was a
22 gentleman who was trying -- who had bought the lot
23 and was -- we were going back and forth about he
24 wanted to subdivide it to make smaller lots. And
25 we were discussing how small we needed the lots,

1 what we wanted on there. That's what I'm guessing
2 this subdivision to be.

3 Q I'm not talking about the
4 subdivision part. That's a little bit later in
5 the email.

6 I'm talking about that section that
7 says, Therefore, I will work to fix the new
8 ordinance, which I took to be him responding to
9 Miss Lewis talking about revising the food truck
10 ordinance to be legally sound.

11 Does that seem right?

12 A I don't know. I don't know. This
13 is October 31st of 2023...

14 I -- I can't guess what he was
15 talking about.

16 Q Okay.

17 A I don't know.

18 Q Miss Lewis had sent him an email,
19 you can see it at the bottom of this page, stating
20 that, They would still like you to revise the food
21 truck ordinance to be legally sound.

22 A Right.

23 Q And Mr. Wiggins responds,
24 Thereafter, I will work to fix the new ordinance,
25 which at that point the food truck ordinance had

1 been on the books for less than a month.

2 A Okay.

3 Q And so you can't tell whether he's
4 talking about the food truck ordinance or
5 something else there?

6 A I cannot. I cannot.

7 I know we went back and forth about
8 this subdivision. That took a lot of time and
9 effort going back and forth about that. And so
10 I'm thinking it was the subdivision.

11 Q But isn't that what he talked about
12 next?

13 I mean, it seems like he's talking
14 about three separate things here.

15 A I can't speak for him. I can't
16 speak --

17 Q I'm not asking you to get into his
18 head. I'm just trying to see how you read this
19 letter.

20 A That I do not know. I can't answer
21 that.

22 Q Okay. So you don't think that
23 there's -- you don't think that Mr. Wiggins was
24 talking about fixing the food truck ordinance?

25 A I don't think so.

1 Q Okay. We can move on to the next
2 one, DEF 000317. This one's a bit longer, it
3 stretches to 326, and it's Exhibit 70.

4 A 317 to 326?

5 Q Yes, sir.

6 A Okay. I got it.

7 Q Actually, let's -- sorry to make
8 you switch back and forth.

9 Let's just go back to 432 one more
10 time, that one we were just talking about.

11 A All right. Okay.

12 Q And so let's just look at this
13 conversation in context, all right?

14 First, if you could, just read
15 through the whole email that Miss Lewis sends
16 Mr. Wiggins. That's the one that starts at the
17 bottom of 432 and spills over into 433.

18 A You want to start at the bottom?

19 Q Just first please read the email
20 from Miss Lewis to Mr. Wiggins. That's the one
21 that starts at the bottom of 432.

22 A Okay.

23 Hey - okay, so they still would
24 like you to revise the food truck ordinance to be
25 legally sound. Adding a penalty clause with a

1 fine \$250 a day of occurrence, if that's
2 acceptable and legal.

3 And it goes over to the next page.

4 They would also like for you to
5 draft a letter to the owners of the food truck
6 regarding being out of compliance with the zoning
7 ordinance and having to move.

8 I am -- okay.

9 I am not going to write this letter
10 as I prefer my name be on nothing that they have
11 in their hands, the owners of the food truck.

12 If you need more info for the
13 letter, please just let me know, I'm happy to help
14 however I can.

15 The owners --

16 Q Okay. That's enough for that.

17 And then if you could flip back to
18 Mr. Wiggins' response to that email which is at
19 the top of 432 --

20 A Um-hum.

21 Q -- and just read the first two
22 sentences of that, if you would.

23 A I will begin drafting a letter
24 based on zoning. I will work to fix the new
25 ordinance.

1 Q So what are the two things that you
2 think Mr. Wiggins is talking about in those two
3 sentences?

4 A We were talking about redoing our
5 zoning to accommodate the new subdivision. We
6 would have to redo our zoning to accommodate the
7 new subdivision because our subdivision
8 requirements didn't include that.

9 Q But that's not all that Mr. Wiggins
10 and Miss Lewis were talking about here, is it?

11 A As far as I'm concerned, it is.

12 Q Well, once again, you can just go
13 back and read the first line of Miss Lewis' email.

14 A I just read it. I told you. As
15 far as I'm concerned, it's about zoning for a
16 subdivision.

17 Q This entire email exchange?

18 A Yeah, as far as I'm concerned.

19 Q Okay. We can move on now.

20 And so now we'll go to DEF 000317.

21 A Okay.

22 Q And like before, just go through
23 this, if you would, and let me know when you've
24 familiarized yourself with it.

25 A Okay. I've seen it. I have looked

1 at the first page.

2 Do you want me to look at the whole
3 thing?

4 Q Leaf through it. You don't have to
5 review everything in detail if you don't want to,
6 but just review it, if you would.

7 A Okay.

8 All right.

9 Q Okay. So correct me if I'm wrong,
10 but this seems like the email exchange between
11 Miss Lewis and Mr. Wiggins about the food truck --
12 the letter that was sent to the owners of the food
13 truck telling them that the zoning code prohibited
14 their business; is that right?

15 A It seems, Andre, please proceed
16 with revising the food truck ordinance per the
17 Council.

18 So I'm assuming at this -- I'm
19 assuming at this point -- yeah, I'm assuming at
20 this point we did not know that we didn't need a
21 food truck ordinance and we were still taking
22 about it. That's what I'm assuming.

23 Q Okay. So I think what's happening
24 here is that the email thread just got kind of
25 mixed up.

1 So if you actually look on the
2 third page, what this email chain is about, it's
3 that letter telling the plaintiffs in this case
4 that the zoning code bans their food truck.

5 Do you see what I'm talking about?

6 A I don't see that specific thing,
7 but -- but you're right, it is banned.

8 Q I think if you go to the front and
9 just flip back one --

10 A Oh, it's on the back?

11 Q -- you will see the letter.

12 A Oh, okay. I see it, um-hum.

13 Q And so this email exchange is -- we
14 just talked with -- through this with Miss Lewis.

15 This was Mr. Wiggins sent
16 Miss Lewis his draft of the letter telling the
17 plaintiffs in this case that the zoning code
18 barred their permanent food truck, and Miss -- and
19 he emailed Miss Lewis saying, Please review and
20 respond, to review that letter before it was sent.

21 A Okay.

22 Q And so you can see up at the top of
23 317, that first email, where Mr. Wiggins is
24 saying, Please review and respond.

25 A Yeah.

1 Q That was sent on November 1st at
2 2:34; is that right?

3 A That's what it says.

4 Q Okay. And then this one -- the
5 reply to that is cut off between these two pages,
6 but you can see it begins at the very bottom of
7 317. At 2:58 p.m. on that same day, November 1st
8 of '23, Miss Lewis responds and says, That looks
9 great, Andre. Thank you. I've attached the
10 commercial district excerpt from the zoning book
11 if you want to include it with the letter.

12 Do you see what I'm talking about?

13 A Yeah, um-hum.

14 Q Okay. So -- and we just talked
15 through this with Miss Lewis, but Mr. Wiggins sent
16 her the draft of the letter at 2:34 on
17 November 1st and at 2:58 she replied saying that
18 the letter looked great and that she was attaching
19 parts of the zoning code if he wanted to include
20 that with the letter.

21 A Right, okay.

22 Q Do you remember reviewing
23 Mr. Wiggins' draft of this letter on November 1st?

24 MR. HARDING: Dylan, I'm going to
25 object here to the extent that this was actually

1 covered I think pretty much in-depth at the first
2 deposition a couple months ago with Mayor Russell.

3 So to the extent this is treading
4 over when he reviewed the letter and his
5 interaction with Lauren Lewis which was covered in
6 the first deposition, I'm going to object.

7 You can go ahead, Mayor Russell.

8 THE WITNESS: Okay.

9 So you want me to answer this or
10 not?

11 MR. HARDING: Sorry. You can go
12 ahead, Mr. Mayor.

13 THE WITNESS: Okay.

14 I don't specifically remember
15 looking at it, but I'm sure I did.

16 BY MR. MOORE:

17 Q Okay. And do you remember whether
18 Miss Lewis forwarded this email to you from
19 Mr. Wiggins or if she walked to your shop and
20 talked through the letter with you or do you
21 remember how you reviewed this?

22 A No, I don't. I don't remember. It
23 was two years ago. I don't remember.

24 Q Miss Lewis works at the Town
25 government building in Parksley; right?

1 A Correct.

2 Q And you normally are not there
3 during a workday; right?

4 A I'm never here during the workday.
5 Very rarely.

6 Q Okay. So normally when Miss Lewis
7 has something that she needs you to review during
8 a workday, how does she do that?

9 A Ordinarily she'll email it to me.

10 Q Okay. Is there any reason that she
11 wouldn't have emailed it to you here?

12 A Not that I can imagine.

13 Q Okay. And do you remember
14 reviewing this letter at some point before it was
15 sent?

16 A I don't remember.

17 MR. HARDING: Again, objection.
18 This has been covered in the prior deposition.
19 Mr. -- Mayor Russell was specifically asked about
20 this, pretty much that exact same question.

21 So to the extent this has been
22 asked and answered, we're going to renew our
23 objection.

24 Go ahead, Mr. Mayor.

25 THE WITNESS: Okay. I guess I have

1 nothing else to say on that.

2 BY MR. MOORE:

3 Q Well, no. What I'd like to do is
4 try and figure out the timing here.

5 A I don't -- I don't know the timing.
6 It's been two years ago.

7 Do you know what you were doing two
8 years ago at 12:55 on Tuesday?

9 Q Is it normal -- is it normal for
10 you to review things within a half an hour if
11 Miss Lewis sends them to you?

12 A No, it is not. Sometimes things
13 don't get reviewed for days because I'm busy, I'm
14 working. I have my own business.

15 Q Okay. So it would be unusual for
16 you to review something in less than an hour?

17 A Yes, it would be.

18 Q Okay.

19 A Sometimes it's longer than that,
20 you know? Everyone on the Council has a job or a
21 business. And like I say, we're doing this on a
22 volunteer basis and we do it to the best we can
23 when we can.

24 Q And would you only review something
25 while you're at work?

1 A No. I look at my emails first
2 thing in the morning and I don't look at them
3 anymore until the next day generally.

4 Q Okay.

5 A Sometimes it's two or three days,
6 depending on what's going on.

7 Q Does Miss Lewis ever show up to
8 your shop to have you review things?

9 A No. Once in a blue moon she'll
10 come by and get me to sign a check that needs
11 paying that day or something like that, but,
12 generally, no.

13 Q Okay. We can move on to the next
14 one which begins at DEF 000446. It stretches to
15 450. It's Exhibit 71.

16 A What was the number again?

17 Q 446, sir.

18 A Okay. I see 446.

19 All right. Go ahead.

20 Q Okay. Once again, if you could
21 leaf through it at your own pace and review it and
22 let me know when you're ready to talk about it.

23 A Oh, yeah. This is from the
24 Institute for Justice.

25 Ever heard of them?

1 Q Once or twice.

2 A Yeah.

3 All right. What do you want to
4 know?

5 Q Well, again, we just talked through
6 this with Miss Lewis, but this is her forwarding
7 the email or the letter from the Institute for
8 Justice to Mr. Wiggins.

9 A Okay.

10 Q And I was wondering first, did you
11 ask her to forward that letter to Mr. Wiggins?

12 A Yeah, I'm sure I did.

13 Q Okay. But you don't recall doing
14 it?

15 A I don't recall, but she wouldn't
16 have done it without asking me.

17 Q Okay. And if you could just flip
18 to the -- DEF 000450. It's one of the ones in
19 that packet.

20 A I see it. Okay.

21 Q Okay.

22 A Okay. What do you want to know?

23 Q Okay. So after reviewing -- this
24 is -- I'm looking at the second email in this
25 chain. It's from Mr. Wiggins to Miss Lewis at

1 8:45 a.m. on November 2nd.

2 A Yeah.

3 Q And he says, I'm not surprised by
4 the argument.

5 Do you see what I'm talking about?

6 A Yeah.

7 Q And then in response, it's the
8 email right above, Miss Lewis says, I'm not
9 surprised by it either. And then they talk about
10 potentially having a call.

11 Do you see what I'm talking about?

12 A Um-hum.

13 Q Did you ever talk to Mr. Wiggins
14 about this letter?

15 A Not that I remember, no.

16 Q Did you ever talk to Miss Lewis
17 about her conversation with Mr. Wiggins about this
18 letter?

19 A I may have, but I don't remember.

20 Q Okay. So you don't remember having
21 any conversations with her based on what
22 Mr. Wiggins had said about the letter -- excuse
23 me, about the letter?

24 A I don't recall. Not that I
25 remember, no.

1 I may have, but two years ago...

2 Q Okay. And by the time this letter
3 was received, do you know if the letter from
4 Mr. Wiggins to the plaintiffs in this case about
5 the zoning law had been sent?

6 A I do not know.

7 Q Okay. Just a moment.

8 Okay. We can move on to
9 DEF 000456. This is just one page, and it's
10 Exhibit 72.

11 A 456?

12 Q Yes, sir.

13 A Let me find it.

14 Oh, there we go. All right.

15 (Reading to self)

16 All right. What is it you want to
17 know?

18 Q So this is an email exchange from
19 November 2nd to November 3rd between Miss Lewis,
20 you, and the Town Council. Does that seem right?

21 A It looks right, um-hum.

22 Q And in that first email that
23 Miss Lewis sends, the one -- the last one on the
24 page from 3:26 p.m. on November 2nd, Miss Lewis
25 says, I just spoke with Andre after he got back

1 from court regarding the letter we received this
2 morning.

3 That was the letter that we just
4 talked about from the Institute for Justice.

5 And Miss Lewis goes on to say, I'd
6 like him -- Mr. Wiggins -- to come to the
7 November 13th meeting to speak with you all at
8 executive session to explain all of this to you
9 because it seems like Mr. Wiggins had raised some
10 problems with the food truck ordinance.

11 Does that seem right?

12 A Probably. I -- I remember talking
13 about getting him there to go over it all with us,
14 but we never did that.

15 Q Okay. That's what I was going to
16 ask you about.

17 So that never happened?

18 A That never happened. It all -- we
19 realized that it was all -- it was all -- it was
20 all needless to begin with before we ever had the
21 next meeting.

22 Q Okay. And did you ever talk with
23 Mr. Wiggins directly about this?

24 A No.

25 Q Do you know if any of the other

1 Town Council members did?

2 A I can tell you they didn't because,
3 as I said, when I set up something with a lawyer,
4 I don't want them to be getting five different
5 phone calls from five different people and five
6 different ideas. They go through me. I speak for
7 the Town.

8 Q Okay.

9 Okay. And one more document to
10 look through for right now is DEF 000460 and 461.
11 It's going to be another one where it's on the
12 front and back of a page, and it's Exhibit 73.

13 A 460 to 461...

14 460. Yeah, okay. Let me see what
15 this says.

16 All right...

17 THE COURT REPORTER: You're reading
18 to yourself, right?

19 THE WITNESS: Yes, not very
20 successfully, but yes.

21 What do you want to know on this
22 one, pal?

23 BY MR. MOORE:

24 Q When you were reviewing it, I saw
25 you tilt your head back. I was just wondering

1 why.

2 A Because of the wording here that
3 something was done out of spite.

4 That's a joke.

5 Q Could you say a little bit more
6 about that?

7 A Yeah. It's a joke.

8 I told you before. We want
9 businesses in town. We're not trying to put
10 anybody out of business. But you got to play by
11 the rules. That's all.

12 Q Do you know why Mr. -- that was in
13 an email from Mr. Wiggins to Miss Lewis.

14 Do you have any idea why he might
15 say that the Town Council should be prepared for
16 that?

17 A I don't know what -- this is
18 November 3rd. I don't know if all hell had blown
19 up by then or not. I don't remember.

20 Had you all posted all your crap by
21 then?

22 Q So we had sent you the letter on --

23 A No, no, no, that's not what I asked
24 you.

25 Had you put all this crap on the

1 internet by then?

2 Q We had sent a letter.

3 A Um-hum. And I'm sure you put it
4 out -- just as soon as you sent that letter, you
5 put it out on the internet and tried to make us
6 all look like bad guys.

7 Q And that's what made you concerned
8 that people might think it was out of spite?

9 A I don't know. I don't know.
10 When -- when a small town gets
11 blown up all out of proportion over something
12 that's relatively minor because some guy in
13 Washington, D.C. is trying to get donations for
14 the Institute for Justice, you don't know what's
15 going to happen, you know? You don't know what's
16 going to happen.

17 And I don't remember saying
18 anything about spite.

19 This is in here -- somewhere.

20 Yeah, okay.

21 I don't even know who said that.
22 Was that Wiggins who said that?

23 Oh, I can tell you -- no, never
24 mind. I'm assuming that. I don't know.

25 Q No, please tell me what you were

1 thinking.

2 A I wasn't thinking anything, which
3 is my natural state.

4 Q Okay. So it was Mr. Wiggins. He
5 sends this email to Miss Lewis, and it was in
6 response to Miss Lewis telling him that the
7 Town Council was going to repeal the food truck
8 ordinance.

9 A Okay.

10 Q Is that right?

11 A I -- I guess so. I don't see it on
12 here anywhere, but I guess so.

13 Q Well, we can walk through it.

14 The first email in this chain is on
15 DEF 461, right in the middle.

16 A Okay.

17 Q So if you could just review that.

18 A Who will be prepared, what's he
19 talking about? Okay, I trust that they will be
20 prepared for the assertion.

21 Who will be prepared? Is that you
22 guys or -- or the food truck people?

23 Q Well, let's walk through the email
24 chain. Let's start on 461. And this is the first
25 one in this chain. It's from Miss Lewis to

1 Mr. Wiggins.

2 So if you could read that, it
3 probably gives a little context for what comes
4 after.

5 A I emailed the Council. The Mayor
6 just called that they are going to repeal the
7 ordinance and be done with it. I explained to
8 them at the work session this past Monday that it
9 was the best option because we have a zoning
10 ordinance in place we didn't know about, but no
11 one took that seriously apparently. The good news
12 is, we don't have to make a trip to Parksley -- we
13 don't have to make a trip to Parksley --
14 hopefully, sooner or later, this will all be over.
15 I appreciate your time and calling and explaining
16 all of it to me and offering to come. Will be in
17 touch. Take care.

18 Oh, he -- they were talking about
19 having Mr. Wiggins come to Parksley.

20 Yeah, okay.

21 Q Right.

22 A So what is it you want to know?

23 Q Well, first on that first email,
24 this is from Miss Lewis to Mr. Wiggins on
25 November 2nd at 3:52.

1 A Yeah.

2 Q She mentions that the Mayor had
3 just called her, and I was curious if you
4 remembered that conversation.

5 A I do not.

6 Q So it seems like the call could
7 have been about repealing the food truck
8 ordinance.

9 You don't remember talking to
10 Miss Lewis about that.

11 A I do not.

12 Q Okay.

13 Well, then if you flip back to the
14 other side of the page, and Mr. Wiggins responds,
15 Okay, I trust they will be prepared for the
16 assertion that the zoning violation is being
17 brought up out of spite, et cetera, et cetera?

18 A So he's saying that the -- he's
19 saying that you guys are going to say it's out of
20 spite, that the Institute for Justice is going to
21 say it's out of spite or the food truck people?
22 What's he saying?

23 Q Well, you tell me.

24 A I don't know.

25 MR. HARDING: Objection. The

1 question calls -- object to form. Calls for
2 speculation.

3 BY MR. MOORE:

4 Q But this is Lauren Lewis emailing
5 the Town attorney; right?

6 A Yeah.

7 Q And she's doing that because you've
8 asked her to email the Town attorney about this
9 situation; right?

10 A Let's see what it says here.
11 Probably.

12 Q Well, you've told me that
13 Miss Lewis doesn't just email the Town attorney
14 without you asking her to; right?

15 A That's correct.

16 Q Okay. So were you just not aware
17 of these emails?

18 A Sir, I don't remember. I don't
19 remember.

20 Do you remember what you had for
21 breakfast two years ago? I don't remember.

22 Q Right.

23 But that's kind of the purpose of
24 walking through the emails, so that we can talk
25 about what happened on this day.

1 A I'm telling you, I don't remember.

2 Q Sure, okay.

3 But just read through the emails
4 for me. And then using the context of the emails,
5 maybe we can talk about who is being talked about
6 and what's being talked about.

7 A It's talking about the zoning
8 violation, Prepared for the assertion that the
9 zoning violation is being brought up out of spite.

10 Now, whether he's talking about the
11 Institute of Justice is going to say that or the
12 food truck people are going to say that, I'm not
13 clear on that.

14 Q Well, let's see what the first
15 email was about, who it was talking about.

16 That first email is talking about
17 you, the Mayor, and the Town Council. And Lauren
18 Lewis is informing Mr. Wiggins about your and the
19 Town Council's decision to appeal; right?

20 (talking over)

21 A -- yeah, going forward --

22 Q Right? Right.

23 And then in the next email
24 Mr. Wiggins says, I trust they will be prepared
25 for the assertion that the zoning violation is

1 being brought up out of spite.

2 A Okay. I think I got it now.

3 Let me tell you what I think. I
4 think that the -- when Mr. Wiggins realized that
5 we didn't need a ordinance, that it was already on
6 the books that they couldn't be there, that --
7 that someone, either you guys or the -- or the
8 food truck people, were going to think, Well, they
9 did away with the first ordinance but now they
10 come up with this other one, so they are just
11 being mean.

12 But that's not it. We didn't know
13 we had an ordinance in place to begin with.

14 Q When did Mr. Wiggins realize that
15 the ordinance --

16 A I don't know.

17 Q -- blocked the food truck?

18 A We asked him when he was already
19 reviewing our zoning, period, everything. And --
20 but when this came up, I guess he went right to
21 the zoning part of it and realized that it wasn't
22 legal to have a food truck.

23 Q And why was he reviewing the zoning
24 to begin?

25 A Well, because our zoning has not

1 been reviewed in 20 years because we couldn't
2 afford to have a fancy lawyer from D.C. do it.

3 Q And so did anyone -- sorry. Finish
4 your thought.

5 A Because we're a small town. We
6 have a small budget.

7 Q And did anyone ask Mr. Wiggins to
8 look into the zoning ordinances for this
9 situation?

10 A I don't think so, not that I
11 remember. But he was already reviewing the zoning
12 ordinances, so I'm sure, if he's any kind of a
13 lawyer at all, when all this hubbub blew up, he
14 said, Oh, let me go look and see what it says in
15 the zoning.

16 Wouldn't you do that if you were in
17 charge?

18 Q Well, let's just try to go back to
19 figuring out who the "they" is in this
20 November 3rd response from Mr. Wiggins to
21 Miss Lewis.

22 A I think the "they" is you guys.

23 Q What makes you think that?

24 A Because you're a bunch of --
25 because you were trying to stir up a bunch of

1 crap. And that would be an ideal thing for you to
2 put on your website, that there's a bunch of bad
3 people in the Town of Parksley and -- and because
4 they're spiteful, horrible people, are going after
5 this poor poor food truck family, which is
6 essentially what you said, for all practical
7 purposes. The Institute for Justice said that all
8 over the internet, and none of it was true and you
9 know none of it's true.

10 Q But what from Mr. Wiggins' and
11 Miss Lewis' exchange here makes you think that he
12 was talking about us?

13 A Because who else has got -- who
14 else has got a dog in the fight? Who else makes
15 money off this? You guys. You make money off
16 this.

17 The food truck people aren't going
18 to make money off this. The Town of Parksley is
19 not going to make money off this. You guys are
20 going to make money off this.

21 THE COURT REPORTER: Counsel, is
22 this -- we've been going since 2:30.

23 Is now a good time for a break?

24 THE WITNESS: How much more do you
25 have?

1 MR. MOORE: I am almost finished
2 with this line of questioning, if that's okay.
3 I'd like to at least run this down before we
4 break.

5 THE COURT REPORTER: Okay.

6 MR. MOORE: It will be fast. I
7 apologize.

8 THE WITNESS: If it's all right
9 with the young lady, it's all right with me.
10 She's the one doing all the work here.

11 BY MR. MOORE:

12 Q So, Mr. Russell, what I'm trying to
13 figure out is what from these emails makes you
14 think that that's what the "they" is in
15 Mr. Wiggins' November 3rd response?

16 A Ever heard the saying "follow the
17 money"?

18 Nobody's got a dog in this fight.
19 Nobody is going to make a dime off this. In fact,
20 it's costing the Town of Parksley money. It's
21 cost us reputation. Nobody has got a chance of
22 making any money except the Institute for Justice,
23 you guys. And you are using this to drum up
24 donations from people all over the East Coast or
25 probably the country. Nobody else -- nobody else

1 is going to make any money off this but you guys.

2 Q Can you point to the language in
3 these emails that makes you draw that conclusion
4 that that's what Mr. Wiggins was talking about?

5 A Because no one else has -- has got
6 any reason to think -- to promote a spiteful
7 situation but you guys.

8 We weren't being spiteful. We were
9 just trying to do our job. We were just trying to
10 make everybody come into compliance, you know?

11 And the food truck people weren't
12 going to make any money off this. The only people
13 who make any money off trying to stir up hate and
14 discontent and dissatisfaction is you guys, the
15 Institute for Justice.

16 Q I understand that that's your
17 conclusion.

18 I'm trying to figure out what would
19 make Mr. Wiggins -- what in these emails makes you
20 think that that's what Mr. Wiggins was talking
21 about when he's saying, I trust they will be
22 prepared for the assertion that the zoning
23 violation is being brought up out of spite?

24 What from these emails make you
25 think it's out of spite --

1 (talking over)

2 A -- because that's --

3 THE COURT REPORTER: I can't -- I
4 can't hear when you're talking over each other.

5 THE WITNESS: I'm very sorry. I
6 apologize.

7 Are you through talking? I will
8 talk if you are.

9 MR. MOORE: I am, yeah.

10 THE WITNESS: Because that's what
11 you guys promoted, that's what you generated.

12 You took this little simple thing
13 and blew it up into a gigantic story that was all
14 over the internet, all over the newspapers, and
15 you guys did it. You sent it out. You CC'd it to
16 everybody. You are the ones that promoted this.

17 If you hadn't got involved in this,
18 we -- we would have worked out something with
19 these poor people and they would be selling
20 hotdogs right now.

21 But you guys were the ones who
22 promoted all this hate and discontent and
23 dissatisfaction. The Institute for Justice did
24 that.

25

1 BY MR. MOORE:

2 Q Okay. So just so we're clear, on
3 that November 3rd email from Mr. Wiggins to
4 Miss Lewis, you believe that the "they" that he's
5 talking about is the Institute for Justice and not
6 you and the Town council of Parksley?

7 A Yes.

8 Q Okay.

9 A Because that would give you
10 something else to promote to make money.

11 Q Okay.

12 MR. MOORE: I think now is a good
13 time for a break. We can do five minutes.

14 THE WITNESS: All right.

15 (Off the record at 4:11 p.m.)

16 (Deposition resumed at 4:17 p.m.)

17 MR. MOORE: I have no further
18 questions.

19 THE WITNESS: All right.

20 What have you got?

21 MR. HARDING: Defense counsel has
22 no questions.

23 MR. MOORE: Okay. Then we're good.

24 MR. HARDING: Mr. Mayor, you have
25 the right to review your transcript. The court

1 reporter is very good at her job. You do have the
2 right to review your transcript, however, and make
3 minor changes. Nothing substantive.

4 However, we usually recommend that
5 you waive that right. And if you're going to
6 waive that right, you have to affirmatively state
7 so now on the record.

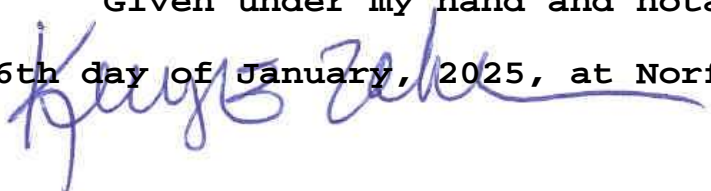
8 THE WITNESS: Well, since I always
9 listen to my lawyer, I waive that right.

10 (Whereupon, the deposition was
11 concluded at 4:20 p.m.)
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:

2 I, Kerry E. Zahn, RMR-CRR, Notary Public for
3 the Commonwealth of Virginia at Large, of
4 qualification in the Circuit Court of the City of
5 Norfolk, Virginia, and whose commission expires
6 March 31, 2025, do hereby certify that the within
7 named deponent, MAYOR FRANK A. RUSSELL, appeared
8 before me remotely from Parksley, Virginia, as
9 hereinbefore set forth, and after being first duly
10 sworn by me, was thereupon examined upon his oath
11 by counsel for the parties; that his examination
12 was recorded in Stenotype by me and reduced to
13 computer printout under my direction; and that the
14 foregoing constitutes a true, accurate and
15 complete transcript of such proceeding.

16 I further certify that I am not related to
17 nor otherwise associated with any counsel or party
18 to this proceeding, nor otherwise interested in
19 the event thereof.

20 Given under my hand and notarial seal this
21 16th day of January, 2025, at Norfolk, Virginia.
22 

23
24 Kerry E. Zahn, RMR-CRR
25 Notary Registration No. 209810

<hr/>	23 22:24 76:8	456 83:11	accommodate 73:5,6
\$	2301 7:6 18:24	460 85:13,14	accord 12:4
\$250 34:7 35:18 36:2,9 55:15,20 72:1	27th 33:20 34:3 39:15,20 43:12	461 85:10,13 88:15, 24	activity 40:16
\$5,000 62:7	2:30 95:22	4:11 99:15	add 34:12 35:18 36:8
<hr/>	2:34 76:2,16	4:17 99:16	added 36:14 43:14
0	2:58 76:7,17	<hr/>	adding 39:22 55:7 71:25
000317 71:2 73:20	2nd 67:15 82:1 83:19,24 89:25	5	adjacent 25:24
000394 9:2,18	<hr/>	50-foot 26:2	advice 11:21 12:13 22:5 52:20 53:4
000398 26:5	3	<hr/>	affected 19:16
000400 27:19	3 46:25	6	afford 94:2
000404 32:18	317 71:4 75:23 76:7	<hr/>	agreed 34:6
000422 45:18 48:3	31st 54:16 66:1 67:15 69:13	63 9:1	ahead 16:15 29:25 32:6 33:10,11 41:21 42:8,14 77:7,12 78:24 80:19
000426 52:12	326 71:3,4	64 26:5	allowed 46:12
000432 53:25	326 71:3,4	65 27:20	amendments 38:14 39:16
000433 65:23	394 12:19 13:4,6,17 15:2	66 32:20	amount 34:14
000446 80:14	395 13:4,6,11	69 54:1	ample 57:14
000450 81:18	398 26:7,17	<hr/>	Andre 7:3 9:25 10:8 28:4 74:15 76:9 83:25
000456 83:9	3:26 83:24	7	answering 8:19
000460 85:10	3:52 89:25	<hr/>	answers 7:24
<hr/>	3rd 83:19 86:18 94:20 96:15 99:3	70 71:3	anymore 20:24 62:6 80:3
1	<hr/>	71 80:15	apologies 26:16 43:6
11 28:20	4	72 83:10	apologize 15:16 22:14 96:7 98:6
12:25 34:3	400 27:21,23	73 85:12	apparently 40:7 45:15 55:14,17 60:25 89:11
12:55 79:8	404 32:21,24 33:4,6, 8	<hr/>	appeal 92:19
13th 84:7	405 32:18,23,25 33:3,4,6,8	8	appears 12:16
19 9:24	422 45:19	8:45 82:1	applicable 34:14
19th 11:13 17:3 18:17 24:1 45:6 59:23	426 52:13	<hr/>	approved 56:18
1st 76:1,7,17,23	427 45:19	9	
<hr/>	432 54:2,15 68:3 71:9,17,21 72:19	9:26 54:16	
2	433 71:17	9th 18:14,15 19:4 20:20 38:21	
20 94:1	446 80:17,18	<hr/>	
2023 7:4,5 9:25 17:3 38:21 69:13	450 33:3 80:15	A	
20th 28:8		a.m. 54:16 82:1	
		absolutely 24:11,13	
		academic 16:15	
		acceptable 72:2	

<p>argument 82:4</p> <p>article 17:2 18:17</p> <p>asks 12:13</p> <p>assertion 88:20 90:16 92:8,25 97:22</p> <p>assist 52:22</p> <p>assume 7:15</p> <p>assuming 34:11 55:5,7 66:2 74:18,19, 22 87:24</p> <p>atom 56:4</p> <p>attached 36:24 76:9</p> <p>attaching 40:4 76:18</p> <p>attention 45:1 58:20</p> <p>attorney 7:3 10:8 29:10 36:17 37:24 39:17 50:1 57:9 58:7 67:20,25 91:5,8,13</p> <p>Aunt 63:7,8</p> <p>authority 65:3,15</p> <p>auto 12:21 25:19</p> <p>aware 91:16</p>	<p>Beach 37:13 47:6,7 53:13</p> <p>beagle 61:20</p> <p>bear 27:6</p> <p>Beautiful 27:25</p> <p>begin 22:12 46:14 48:25 50:5 68:6 72:23 84:20 93:13,24</p> <p>beginning 7:5 9:2 20:8 48:2,21</p> <p>begins 54:14 68:9 76:6 80:14</p> <p>behalf 30:20</p> <p>bells 17:7</p> <p>big 25:8 56:1,2,5</p> <p>bit 6:23 15:16 17:1 20:4 23:21 46:1 54:24 59:5,7 67:12 69:4 71:2 86:5</p> <p>blame 67:11</p> <p>blew 41:4 94:13 98:13</p> <p>blocked 93:17</p> <p>blow 41:1 56:4 67:10</p> <p>blowing 25:4</p> <p>blown 57:23 86:18 87:11</p> <p>blue 80:9</p> <p>bomb 56:4</p> <p>bone 27:11</p> <p>book 18:20 64:9 76:10</p> <p>books 18:6,21 19:15 22:16 38:12,16,17 63:18 70:1 93:6</p> <p>bottom 34:2 54:15 69:19 71:17,18,21 76:6</p> <p>bought 68:22</p> <p>boy 61:9</p> <p>brand 31:11</p>	<p>break 8:16,20 64:16 95:23 96:4 99:13</p> <p>breakdown 42:3 44:23</p> <p>breakfast 91:21</p> <p>broad 6:25</p> <p>broke 64:22,24</p> <p>brought 35:11 49:20,21 90:17 92:9 93:1 97:23</p> <p>buck 63:18</p> <p>buckle 59:2</p> <p>budget 94:6</p> <p>building 77:25</p> <p>bunch 94:24,25 95:2</p> <p>business 11:6 17:6 23:7,13 46:7,14 47:9 56:6 60:1,23 74:14 79:14,21 86:10</p> <p>businesses 52:1,4, 6 86:9</p> <p>busy 79:13</p>	<p>caused 67:3</p> <p>causing 41:25 42:1</p> <p>CC'D 98:15</p> <p>cell 50:22</p> <p>cetera 90:17</p> <p>chain 75:2 81:25 88:14,24,25</p> <p>challenge 40:18,22 43:16</p> <p>chance 39:2 96:21</p> <p>charge 61:10 63:3 94:17</p> <p>check 80:10</p> <p>checking 29:9 60:18</p> <p>Chicago 65:2</p> <p>Chincoteague 37:13</p> <p>Christians 47:12</p> <p>City 36:10 37:12 38:4</p> <p>civil 42:10,11</p> <p>clarification 29:3,6 60:14</p> <p>clause 55:6,7,8 71:25</p> <p>clear 8:5 28:17 35:25 50:25 92:13 99:2</p> <p>Clerk 7:2 46:3</p> <p>clients 59:12</p> <p>CNN 42:5</p> <p>Coast 42:7 44:12 96:24</p> <p>code 7:9 19:8,14 21:6 74:13 75:4,17 76:19</p> <p>codified 19:21 38:18,23 39:1,4,5,7, 14</p> <p>coffin 21:10</p> <p>cold 8:9</p> <p>commercial 76:10</p>
<hr/> <p style="text-align: center;">B</p> <hr/>			
<p>back 19:11 33:1,8 35:11 45:6 50:18,20 65:21 68:2,23 70:7,9 71:8,9 72:17 73:13 75:9,10 83:25 85:12, 25 90:13 94:18</p> <p>bad 41:23 44:13,14 87:6 95:2</p> <p>bane 50:22</p> <p>banned 75:7</p> <p>bans 75:4</p> <p>barred 75:18</p> <p>based 59:11 66:11 68:7 72:24 82:21</p> <p>basic 37:21</p> <p>basis 79:22</p>	<p>blow 41:1 56:4 67:10</p> <p>blowing 25:4</p> <p>blown 57:23 86:18 87:11</p> <p>blue 80:9</p> <p>bomb 56:4</p> <p>bone 27:11</p> <p>book 18:20 64:9 76:10</p> <p>books 18:6,21 19:15 22:16 38:12,16,17 63:18 70:1 93:6</p> <p>bottom 34:2 54:15 69:19 71:17,18,21 76:6</p> <p>bought 68:22</p> <p>boy 61:9</p> <p>brand 31:11</p>	<p style="text-align: center;">C</p> <hr/> <p>Calherbe 46:21</p> <p>call 12:21 14:5,9 15:6 24:15,16 30:23 31:8,10 44:10 49:8 64:23 82:10 90:6</p> <p>called 15:5 24:25 89:6 90:3</p> <p>calling 14:24 44:11 89:15</p> <p>calls 30:23 31:2 45:14 85:5 91:1</p> <p>care 15:25 16:18 51:25 52:7 56:6 61:14 89:17</p> <p>case 6:19 7:8 10:11 12:12 14:7 16:23 17:5,14 19:19 33:21 44:7 59:25 75:3,17 83:4</p>	<p>caused 67:3</p> <p>causing 41:25 42:1</p> <p>CC'D 98:15</p> <p>cell 50:22</p> <p>cetera 90:17</p> <p>chain 75:2 81:25 88:14,24,25</p> <p>challenge 40:18,22 43:16</p> <p>chance 39:2 96:21</p> <p>charge 61:10 63:3 94:17</p> <p>check 80:10</p> <p>checking 29:9 60:18</p> <p>Chicago 65:2</p> <p>Chincoteague 37:13</p> <p>Christians 47:12</p> <p>City 36:10 37:12 38:4</p> <p>civil 42:10,11</p> <p>clarification 29:3,6 60:14</p> <p>clause 55:6,7,8 71:25</p> <p>clear 8:5 28:17 35:25 50:25 92:13 99:2</p> <p>Clerk 7:2 46:3</p> <p>clients 59:12</p> <p>CNN 42:5</p> <p>Coast 42:7 44:12 96:24</p> <p>code 7:9 19:8,14 21:6 74:13 75:4,17 76:19</p> <p>codified 19:21 38:18,23 39:1,4,5,7, 14</p> <p>coffin 21:10</p> <p>cold 8:9</p> <p>commercial 76:10</p>

committee 64:15	38:4 46:5 51:17	8,13 55:20 72:1 76:7	discussing 10:10
communicate	55:11 61:3,8,12,22	80:3,11 91:25	38:12 39:16 68:25
11:16	62:21 63:14 66:3,12,	day-to-day 61:14	discussion 50:15
communicating	18 74:17 79:20 83:20	63:16	discussions 44:5
14:25	85:1 86:15 88:7 89:5	days 24:19 28:20	66:19
communication	92:17 99:6	51:10 79:13 80:5	dissatisfaction
16:2 31:14	Council's 48:10	deal 22:7 25:8 35:1	97:14 98:23
communications	92:19	44:16 56:1,2,5	district 76:10
7:2 8:23 31:3	counsel 95:21 99:21	decide 64:17	dive 8:22
compliance 9:12	country 96:25	decided 31:18 36:1	document 10:3,7
66:5 72:6 97:10	couple 24:19 35:9	41:2 42:4 51:21 53:9	24:21 53:24 65:22
computer 13:21	48:18 77:2	decides 44:18	85:9
concerned 50:3	court 7:25 42:19,24	decision 31:25 32:3,	documents 33:22
55:15 73:11,15,18	43:2,6 50:18 84:1	11 36:8 66:10,15,17,	dog 62:16 95:14
87:7	85:17 95:21 96:5	18,20 92:19	96:18
concerns 55:10	98:3 99:25	DEF 9:2,18 26:5	dollars 58:17
conclusion 97:3,17	courtroom 7:15	27:19 32:18 45:18	donations 41:7,10
confused 59:7	cousin 67:7	48:3 52:12 53:25	87:13 96:24
confusing 7:20	cover 7:11	65:22 71:2 73:20	door 12:22 25:19,23
congenial 53:16	covered 19:9 77:1,5	80:14 81:18 83:9	double-sided 13:7
consensus 32:5,6	78:18	85:10 88:15	doubled-sided
Constitution 37:10	crap 86:20,25 95:1	Defense 99:21	13:13
contacting 11:6	crazy 25:5 37:19	defiled 58:11	dozen 23:18 41:6
context 71:13 89:3	67:4	depending 80:6	Draconian 64:8
92:4	crew 12:23 14:6,18	depos 7:12	draft 66:4 72:5 75:16
conversation 14:20	15:11,18,20 16:2,21,	deposition 6:25	76:16,23
15:10 62:4 71:13	24 17:9,12 45:7	17:1 26:23 77:2,6	drafting 68:6
82:17 90:4	crews 16:7 24:17,19,	78:18 99:16	draw 97:3
conversations	23 25:3,6,7,9	detail 74:5	drifting 72:23
42:16 82:21	curiosity 31:2	details 20:24 30:10	drive 67:4
Cool 32:16	curious 27:4 28:11	determine 65:15	drum 96:23
correct 10:13 12:9	43:18 55:21 90:3	determined 19:8	dumping 59:12
16:12 21:9 29:11	cut 76:5	difference 62:18	Dylan 6:18 43:24
30:21 32:15 39:20,24	<hr/>	dime 96:19	60:7 76:24
74:9 78:1 91:15	D	directed 50:8	<hr/>
correctly 9:13 22:6	D.C. 87:13 94:2	directly 31:3 84:23	E
cost 62:7 96:21	daddy's 52:8	discontent 97:14	<hr/>
costing 58:15 96:20	dark 22:3	98:22	early 51:5
council 14:16 23:5	date 18:16 19:12	discretion 51:15,16	East 42:7 44:12
27:9 28:5,13,14 29:8,	49:12,15 57:24	discuss 48:5	96:24
25 31:17,23 32:9,11,	dates 18:8,9	discussed 23:15	effect 45:10
12 34:6,16,20 35:12	day 28:9,18 34:7	28:10,15 48:8,17,20	
36:1,10 37:1,8,18	35:18 36:2,9 51:3,4,		

<p>effort 70:9</p> <p>elaborate 37:9,15 40:11</p> <p>eligible 9:15</p> <p>email 9:21 10:7,14, 20,21,25 11:9,10 12:9,18 13:21 14:21 18:16 23:25 24:9 25:19 26:25 27:22 28:1,9,12 29:21,24 30:23 33:18,19,22 34:2 36:4,21 38:11 39:19 43:13 46:1,2 48:2 49:19 52:18 54:12,14 66:1 67:15 69:5,18 71:15,19 72:18 73:13,17 74:10,24 75:2,13,23 77:18 78:9 81:7,24 82:8 83:18,22 86:13 88:5,14,23 89:23 91:8,13 92:15,16,23 99:3</p> <p>emailed 45:7 75:19 78:11 89:5</p> <p>emailing 91:4</p> <p>emails 25:1 30:18 39:15 80:1 91:17,24 92:3,4 96:13 97:3,19, 24</p> <p>end 7:4 12:18,19</p> <p>ended 47:16 50:8</p> <p>enforce 16:22 17:4, 13 19:18 23:6 59:24 60:22 61:11 65:5</p> <p>enforced 62:19 64:12 65:16</p> <p>enforcement 63:4</p> <p>enforces 60:10</p> <p>enforcing 63:17</p> <p>enlightened 17:25</p> <p>ensure 9:18</p> <p>entered 8:25 53:25</p> <p>entire 42:1 44:8,21 64:10 73:17</p>	<p>episode 41:3</p> <p>essentially 95:6</p> <p>establishment 25:13</p> <p>evening 48:5</p> <p>Everybody's 35:7</p> <p>exact 49:12,14 78:20</p> <p>EXAMINATION 6:6</p> <p>excerpt 76:10</p> <p>exchange 11:11 28:1 33:18 38:11 46:1,2 54:12 73:17 74:10 75:13 83:18 95:11</p> <p>exchanges 10:21</p> <p>excuse 82:22</p> <p>executive 84:8</p> <p>exhibit 9:1,2 26:5 27:20 32:20 52:12 54:1 71:3 80:15 83:10 85:12</p> <p>expired 17:6 60:1,23</p> <p>explain 28:12 84:8</p> <p>explained 89:7</p> <p>explaining 22:14 89:15</p> <p>extension 37:1</p> <p>extent 76:25 77:3 78:21</p> <p>eye 64:25</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F-R-A-N-K 6:14</p> <p>face 32:2 57:23</p> <p>fact 96:19</p> <p>familiar 27:10 46:23</p> <p>familiarized 73:24</p> <p>family 95:5</p> <p>fancy 94:2</p> <p>fast 96:6</p>	<p>favor 51:22</p> <p>feasible 34:11</p> <p>feeling 6:2 8:11,17</p> <p>felt 23:21 61:24</p> <p>fight 95:14 96:18</p> <p>figure 15:4,9 19:7 41:8,22 49:8 59:20 60:3 79:4 96:13 97:18</p> <p>figuring 94:19</p> <p>find 13:5,6 32:25 52:13 62:1,2 65:18 83:13</p> <p>fine 9:15 34:7 36:2,9 55:15,20 72:1</p> <p>finish 8:19 16:16 20:15 39:6 94:3</p> <p>finished 96:1</p> <p>firestorm 45:2</p> <p>firm 41:7,11 42:4 45:5 67:14</p> <p>fix 68:10 69:7,24 72:24</p> <p>fixing 70:24</p> <p>flip 13:8 54:6 65:22 68:2 72:17 75:9 81:17 90:13</p> <p>flying 32:1</p> <p>focused 41:19 42:16 43:10</p> <p>focusing 7:2</p> <p>folder 27:1</p> <p>folks 9:11</p> <p>follow 52:9 96:16</p> <p>food 7:6 9:11,25 10:11 11:12,22 12:12,14 16:22 17:4, 13 18:3,5,20,25 19:9, 16 20:19 21:8,13,15 22:16,19 23:1 24:4 25:12,20 28:5,15,25 34:21 36:3 37:10,15 40:16,19 43:14,17 46:8 48:25 49:7,22</p>	<p>50:8 54:21 55:11,22 65:6 66:4 68:14 69:9, 20,25 70:4,24 71:24 72:5,11 74:11,12,16, 21 75:4,18 84:10 88:7,22 90:7,21 92:12 93:8,17,22 95:5,17 97:11</p> <p>forbade 49:7</p> <p>force 44:18</p> <p>forever 20:13</p> <p>form 21:16 91:1</p> <p>formalities 6:9</p> <p>forward 32:7 81:11 92:21</p> <p>forwarded 47:19 77:18</p> <p>forwarding 81:6</p> <p>found 13:24 20:10 26:10 27:24 32:24 40:6 49:13</p> <p>Frank 6:14 48:23</p> <p>Friday 46:6 48:23</p> <p>friend 33:5</p> <p>friendly 62:4</p> <p>front 13:20 32:2 61:16 75:8 85:12</p> <p>full 8:9</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>garage 64:23,25</p> <p>gave 46:7,13 63:7</p> <p>general 52:20</p> <p>generally 18:2 31:23,25 80:3,12</p> <p>generate 41:7</p> <p>generated 98:11</p> <p>gentleman 68:22</p> <p>Gentlemen 42:20</p> <p>get-go 51:3</p> <p>giant 67:2</p>
--	--	--	---

<p>gigantic 98:13</p> <p>give 63:7 64:21 99:9</p> <p>giving 51:23</p> <p>God 42:5</p> <p>good 15:5 27:13 30:3 40:14 57:25 89:11 95:23 99:12,23</p> <p>government 37:3 77:25</p> <p>government's 39:23</p> <p>governmental 40:15</p> <p>grease 58:15 59:12 62:6</p> <p>great 35:24 76:9,18</p> <p>ground 15:5 30:3 58:1</p> <p>group 47:13</p> <p>guess 21:12,25 22:10,13 29:7 30:18 31:16 37:6,7 40:9 41:6 47:21 48:1 60:17 62:17 64:12 66:13 67:22 68:1 69:14 78:25 88:11,12 93:20</p> <p>guessing 58:21 69:1</p> <p>guy 37:8 47:2,5 87:12</p> <p>guys 41:2,24 44:13, 14,24 45:3,13 56:3 64:8 87:6 88:22 90:19 93:7 94:22 95:15,19 96:23 97:1, 7,14 98:11,15,21</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>Haiti 47:13</p> <p>half 23:18 41:6 79:10</p> <p>handle 21:1 23:19</p> <p>hands 72:11</p> <p>Hang 54:2 68:5</p>	<p>happen 65:10 87:15, 16</p> <p>happened 31:7 38:11,20 49:9 84:17, 18 91:25</p> <p>happening 12:8 74:23</p> <p>happy 72:13</p> <p>harder 8:3</p> <p>HARDING 13:12,16, 20 21:16 43:24 60:7, 12 76:24 77:11 78:17 90:25 99:21,24</p> <p>harm 60:20</p> <p>hate 97:13 98:22</p> <p>head 7:24 70:18 85:25</p> <p>hear 6:2 23:10 42:22 43:3 98:4</p> <p>heard 66:14 80:25 96:16</p> <p>hell 86:18</p> <p>Hey 14:18 15:6 36:17 64:3,9,24 71:23</p> <p>hired 27:7</p> <p>Hold 13:10 26:15 50:12,13</p> <p>honestly 17:15,17</p> <p>hook 51:1</p> <p>hoping 65:10</p> <p>horrible 95:4</p> <p>hotdogs 98:20</p> <p>hour 79:10,16</p> <p>hours 48:19 53:12</p> <p>hubbub 24:23 51:5 94:13</p> <p>huge 68:19</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>i.e. 40:18</p> <p>idea 40:14 41:1 56:3</p>	<p>86:14</p> <p>ideal 95:1</p> <p>ideas 85:6</p> <p>illegal 49:14 50:5</p> <p>imagine 29:2,5 78:12</p> <p>in-depth 77:1</p> <p>incidence 12:7</p> <p>include 36:5 73:8 76:11,19</p> <p>indefinitely 51:13</p> <p>info 72:12</p> <p>informal 16:11</p> <p>informing 12:22 92:18</p> <p>initially 55:25</p> <p>input 56:23</p> <p>Institute 80:24 81:7 84:4 87:14 90:20 92:11 95:7 96:22 97:15 98:23 99:5</p> <p>instruct 10:24</p> <p>instructing 29:21, 24</p> <p>intentional 7:20</p> <p>interaction 53:20 77:5</p> <p>interest 39:23 40:15</p> <p>interests 37:3</p> <p>internet 45:4 87:1,5 95:8 98:14</p> <p>interpretation 29:23</p> <p>interrupt 8:4</p> <p>interrupted 44:21</p> <p>involved 23:25 63:9 67:5,9 98:17</p> <p>issue 42:4</p> <p>issues 55:22 56:12</p>	<hr/> <p style="text-align: center;">J</p> <hr/> <p>Jack 44:19</p> <p>job 35:4 79:20 97:9</p> <p>jobs 35:3</p> <p>joke 86:4,7</p> <p>judge 67:6</p> <p>Justice 80:24 81:8 84:4 87:14 90:20 92:11 95:7 96:22 97:15 98:23 99:5</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keeping 42:11</p> <p>kind 33:24 74:24 91:23 94:12</p> <p>kinds 30:9</p> <p>knew 19:15 25:11 29:4</p> <p>knocked 68:20</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>lady 96:9</p> <p>language 55:19 97:2</p> <p>Lauren 7:3 9:24 10:7,21 24:1,8 25:18 27:9 30:19 32:5 44:23 45:7 46:3,4 77:5 91:4 92:17</p> <p>Lauren's 26:23</p> <p>law 17:5,13 18:4,19 19:15 22:16 23:4 30:8,9 37:4 39:11,13 41:7,11 42:4 45:5 60:18,19,22 62:18 63:12,20 64:13 65:6 83:5</p> <p>laws 60:11 61:11 63:4,18 64:17 65:15</p> <p>lawsuit 11:13</p> <p>lawyer 15:6 19:11 20:6,7,11,17 23:10,</p>
---	---	--	---

<p>16,20,25 30:13 49:22 56:18 57:16 60:19 85:3 94:2,13</p> <p>lawyer's 56:23</p> <p>lawyers 30:7 56:20</p> <p>leaf 74:4 80:21</p> <p>leave 64:20</p> <p>legal 15:5 22:4 29:19 30:3 35:15,19,20 36:6 38:1 40:16,18, 22 43:16 55:9,16 58:1 61:20 72:2 93:22</p> <p>legally 54:21 55:1 56:13 69:10,21 71:25</p> <p>legit 29:7</p> <p>lets 30:24</p> <p>letter 7:7 9:10 21:5 46:21 47:1,15,19 48:6,8 52:17,20 53:2 62:10,12 66:4,11,24 67:13,17 68:7 70:19 72:5,9,13,23 74:12 75:3,11,16,20 76:11, 16,18,20,23 77:4,20 78:14 81:7,11 82:14, 18,22,23 83:2,3 84:1, 3 86:22 87:2,4</p> <p>letting 14:5 19:25 20:10</p> <p>Lewis 7:3 9:24 10:7, 21,24 11:6,10,20 12:3,20 14:4 15:17 24:2,8 25:18 28:2 30:19 31:20,24 32:13 33:18 34:2 36:4,22, 25 39:20 43:13 46:17 47:18 48:3,22 49:3,9 52:16 54:12,15,20 66:23 68:4 69:9,18 71:15,20 73:10 74:11 75:14,16,19 76:8,15 77:5,18,24 78:6 79:11 80:7 81:6,25 82:8,16 83:19,23,24 84:5 86:13 88:5,6,25 89:24 90:10 91:4,13 92:18 94:21 99:4</p> <p>Lewis' 66:1 73:13</p>	<p>95:11</p> <p>license 17:6 23:7,13 46:7,14 60:1,23</p> <p>limited 22:18 28:25</p> <p>limiting 18:5</p> <p>limits 25:15</p> <p>listening 65:8</p> <p>literally 25:23</p> <p>long 15:13 21:7 22:21 37:11 51:24</p> <p>longer 38:5 45:19 71:2 79:19</p> <p>looked 31:7 73:25 76:18</p> <p>lookout 64:19</p> <p>lot 16:17 25:2,9,25 26:2 33:21,24 68:19, 22 70:8</p> <p>lots 68:24,25</p> <p>love 44:17 63:25</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>machine 43:3</p> <p>Madam 7:25 43:6</p> <p>made 14:11 18:2 29:14 36:9,11 37:15 38:14 56:13 58:21,22 66:11 87:7</p> <p>majority 25:11</p> <p>make 6:2 12:10 16:19 30:10,23 31:13,14,25 32:3,10, 11,14 34:25 37:9 40:8 41:2 42:4 44:10, 19 51:12,13 52:3 55:2 56:7 57:25 58:22,25 64:6 65:11 68:24 71:7 87:5 89:12,13 95:15,18, 19,20 96:19 97:1,10, 12,13,19,24 99:10</p> <p>makes 27:15 36:19 60:1 94:23 95:11,14 96:13 97:3,19</p>	<p>making 37:3 44:13 96:22</p> <p>man 11:1 50:23</p> <p>market 12:22 25:20</p> <p>Maryland 37:13</p> <p>matter 30:10 62:25</p> <p>Mayor 6:1 9:1,17 12:21 13:12 30:20 46:5 52:5 60:8 61:1 63:2 64:11 65:3 77:2, 7,12 78:19,24 89:5 90:2 92:17 99:24</p> <p>mayors 61:19,21</p> <p>means 40:2</p> <p>meant 67:19</p> <p>media 14:16 44:6 45:1 58:20 60:21</p> <p>medication 8:7</p> <p>medicine 8:10</p> <p>meet 36:15 53:5,9</p> <p>meeting 32:1,4,12 36:10,15,16 53:17 57:21 66:12 84:7,21</p> <p>members 38:4 46:5 85:1</p> <p>memory 30:2,4 39:2</p> <p>mentioned 7:11 15:16 17:3 25:18</p> <p>mentions 90:2</p> <p>met 27:8,9</p> <p>Mickey-mouse 67:9</p> <p>mid 7:4</p> <p>middle 28:3 63:10 68:20 88:15</p> <p>mind 9:8 27:7 46:11 61:8 87:24</p> <p>minor 30:10 87:12</p> <p>minute 33:12</p> <p>minutes 99:13</p> <p>missed 48:13,15</p> <p>misspoke 26:17</p>	<p>mixed 74:25</p> <p>modern 50:23</p> <p>moment 9:6 26:11 45:22 50:14 65:13 83:7</p> <p>Monday 89:8</p> <p>Monel 46:22</p> <p>money 35:3 41:8,12 44:15 95:15,18,19,20 96:17,20,22 97:1,12, 13 99:10</p> <p>month 36:16 70:1</p> <p>months 77:2</p> <p>moon 80:9</p> <p>Moore 6:7,18 14:2,3 21:21 43:1,6,8 44:4 50:14 51:9 60:10,15, 16 77:16 79:2 85:23 91:3 96:1,6,11 98:9 99:1,12,17,23</p> <p>morning 80:2 84:2</p> <p>move 24:20 26:4,5 32:6,17 66:6 71:1 72:7 73:19 80:13 83:8</p> <p>moving 27:17 45:17 53:23</p> <p>murder 41:3</p> <p>mysteries 41:3</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>nail 21:10</p> <p>natural 88:3</p> <p>nature 61:17</p> <p>needed 28:19,23 30:4 38:1 60:19 68:25</p> <p>needless 84:20</p> <p>nervous 42:3 44:23</p> <p>news 89:11</p> <p>newspaper 42:6</p> <p>newspapers 98:14</p>
---	---	--	--

<p>night 64:23</p> <p>no's 7:25</p> <p>Nobody's 96:18</p> <p>nonissue 42:5</p> <p>normal 11:5 57:8 79:9</p> <p>nose 47:8</p> <p>notes 8:13</p> <p>notifies 12:11</p> <p>November 7:5 67:15 76:1,7,17,23 82:1 83:19,24 84:7 86:18 89:25 94:20 96:15 99:3</p> <p>null 18:2</p> <p>number 23:11 51:4 80:16</p> <p>nut-jobs 44:11</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>oath 7:13,14</p> <p>object 21:16 43:25 76:25 77:6 91:1</p> <p>objection 78:17,23 90:25</p> <p>occurrence 72:1</p> <p>Ocean 37:12</p> <p>October 7:4,5 9:24 11:13 17:3 18:14,15, 17 19:4 22:24 24:1 28:8 33:20 38:21 39:15 45:6 54:16 66:1 67:15 69:13</p> <p>offering 89:16</p> <p>office 42:1 44:11,22 53:11</p> <p>officer 64:14,24</p> <p>officers 63:3 64:18</p> <p>one's 71:2</p> <p>onslaught 67:3</p> <p>operate 20:21 21:6 51:2,6,11</p>	<p>operating 21:20</p> <p>operation 22:19</p> <p>opinion 31:19 35:6,7</p> <p>opinions 31:20</p> <p>opposite 13:17</p> <p>option 89:9</p> <p>order 13:2,4,9 33:25</p> <p>ordinance 7:6 10:1, 11 12:13 16:22 17:22 18:1,5,14,20,24 19:16 20:20 21:8,13 28:5,15,19,22,25 29:5,9,13,15 32:10 34:14,17,22 35:9 36:3,5,25 37:2,11,16 38:5,11 39:17,22,23 40:4,6,12,23 43:14 48:24 49:23 50:7 54:21 55:12,22 56:13 57:9 58:6 59:13,21, 25 66:6,11 68:11,14 69:8,10,21,24,25 70:4,24 71:24 72:7, 25 74:16,21 84:10 88:8 89:7,10 90:8 93:5,9,13,15</p> <p>ordinances 27:2,12 49:7 94:8,12</p> <p>ordinarily 11:8,24 57:18 78:9</p> <p>original 49:24</p> <p>outsiders 47:8</p> <p>owner 40:19</p> <p>owners 12:13 66:4 72:5,11,15 74:12</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>p.m. 34:3 76:7 83:24 99:15,16</p> <p>pace 80:21</p> <p>packet 81:19</p> <p>pages 37:11 76:5</p> <p>paid 9:16</p> <p>painless 6:3</p>	<p>pal 61:1 85:22</p> <p>paragraph 48:22</p> <p>paraphrase 52:18</p> <p>parcel 25:24</p> <p>Parksley 12:15 15:20 16:3 18:21 23:5 27:11 40:11 61:11 62:21 63:2,18 64:13,18 67:14 77:25 89:12,13,19 95:3,18 96:20 99:6</p> <p>Parksley's 7:9 27:1</p> <p>part 69:4 93:21</p> <p>parts 76:19</p> <p>pass 15:23 34:15 56:22 57:8,20</p> <p>passed 12:14 18:14, 24 19:1,17 20:20 21:8 22:24 28:18,22, 24 29:6,9,13 59:13, 21 60:18,20 62:18 63:13</p> <p>passing 39:23 58:8</p> <p>past 63:14 89:8</p> <p>Pastor 46:21 47:16 52:17 53:2,6</p> <p>pawing 22:3</p> <p>paying 80:11</p> <p>penalty 55:5,7,8 71:25</p> <p>people 25:8,11 35:9, 13,17 37:18 41:9,12 61:10 63:23 64:2 85:5 87:8 88:22 90:21 92:12 93:8 95:3,4,17 96:24 97:11,12 98:19</p> <p>period 93:19</p> <p>permanent 18:5 22:18 46:8 75:18</p> <p>permit 51:3,6,11,20, 23 62:14</p> <p>person 49:3 62:22</p> <p>personally 11:16</p>	<p>personnel 64:15</p> <p>perspective 43:19 56:11</p> <p>phone 12:21 14:5,9 30:23 31:2,8,9 44:10 45:14 49:3 50:13,22 85:5</p> <p>phones 25:4 42:2</p> <p>pick 7:25</p> <p>pieces 37:14</p> <p>pin 49:5</p> <p>pivots 30:8</p> <p>place 17:23 18:1 89:10 93:13</p> <p>plaintiffs 6:19 7:8 10:10 12:12 14:7 16:23 17:5,13 19:19 21:4 23:6 25:20 59:25 75:3,17 83:4</p> <p>plan 17:12 19:18</p> <p>planning 17:4 23:6 60:22 65:5</p> <p>plans 20:25</p> <p>play 86:10</p> <p>pockets 41:10</p> <p>point 16:19 19:5,24 23:16 29:5 38:3,10 39:15 49:21 69:25 74:19,20 78:14 97:2</p> <p>police 62:25 63:3,6, 10 64:14,18,20,24</p> <p>policy 14:15 16:6,11</p> <p>pony 62:16</p> <p>poor 44:22 95:5 98:19</p> <p>position 19:13 59:22</p> <p>posted 45:3 86:20</p> <p>potentially 82:10</p> <p>power 61:5,18,21</p> <p>practical 95:6</p> <p>preacher 48:18</p>
--	--	---	--

<p>preamble 37:2 39:22 40:4 43:14</p> <p>predicated 23:16</p> <p>prefer 72:10</p> <p>prepared 8:13 86:15 88:18,20,21 90:15 92:8,24 97:22</p> <p>presume 52:19</p> <p>pretty 10:18 62:12 77:1 78:20</p> <p>prevent 8:7</p> <p>prevented 17:23</p> <p>printed 13:7</p> <p>prior 11:15 78:18</p> <p>problem 57:15</p> <p>problems 84:10</p> <p>proceed 28:4 74:15</p> <p>process 65:9,13</p> <p>prohibited 49:24 74:13</p> <p>prohibiting 40:15 48:24</p> <p>promote 97:6 99:10</p> <p>promoted 44:13 98:11,16,22</p> <p>property 14:7</p> <p>proportion 67:10 87:11</p> <p>prosper 52:3</p> <p>provide 7:23</p> <p>publication 18:17</p> <p>pumping 58:14,15</p> <p>purpose 40:3 91:23</p> <p>purposes 95:7</p> <p>pursue 62:14,15</p> <p>put 35:8 39:10,13 41:5 42:5 62:6 86:9, 25 87:3,5 95:2</p>	<hr/> <p style="text-align: center;">Q</p> <hr/> <p>question 8:18 14:1 30:22 43:25 52:22 78:20 91:1</p> <p>questioning 96:2</p> <p>questions 7:16 53:1 99:18,22</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R-U-S-S-E-L-L 6:15</p> <p>raise 25:2</p> <p>raised 84:9</p> <p>ran 23:7,13</p> <p>rarely 78:5</p> <p>reach 11:20 12:3 15:1 24:15 32:13 52:25</p> <p>reached 24:3</p> <p>read 9:13,21 29:23 39:21 70:18 71:14,19 72:21 73:13,14 89:2 92:3</p> <p>reading 9:12 40:9 55:18 83:15 85:17</p> <p>ready 6:8 33:13 80:22</p> <p>realize 17:22,24,25 46:7 93:14</p> <p>realized 19:23 20:2 29:14 49:6 84:19 93:4,21</p> <p>reason 8:18 78:10 97:6</p> <p>recall 81:13,15 82:24</p> <p>received 12:20 14:5 21:5 46:21 47:18 83:3 84:1</p> <p>recent 33:23</p> <p>recognize 10:14</p> <p>record 6:13 8:5 42:21 50:15,19,21</p>	<p>99:15</p> <p>redo 73:6</p> <p>redoing 73:4</p> <p>referring 10:4</p> <p>reiterate 60:8</p> <p>related 7:5</p> <p>remember 10:16 11:1,4,18,19,25 12:7 14:9,12,23,24 15:18 17:8,11,15,16,18 18:10 20:22,23 21:1 22:6 24:7 30:17 31:4, 5 35:18 37:7,23 38:6, 9 39:25 43:23 45:12 48:7,16,17,19 49:2, 11,12,14,16,25 53:3, 9,18,21,22 55:13,24 56:15,24 57:2,6,7,24 58:12,13,18 59:15,19 60:6 66:13,19 76:22 77:14,17,21,22,23 78:13,16 82:15,19, 20,25 84:12 86:19 87:17 90:9 91:18,19, 20,21 92:1 94:11</p> <p>remembered 90:4</p> <p>remind 7:13 16:1</p> <p>renew 78:22</p> <p>reopen 62:13</p> <p>repair 12:21 25:19</p> <p>repeal 88:7 89:6</p> <p>repealed 50:9</p> <p>repealing 90:7</p> <p>replied 76:17</p> <p>reply 76:5</p> <p>Reporter 7:25 42:19,24 43:2,7 50:18 85:17 95:21 96:5 98:3</p> <p>reporters 59:23 65:5</p> <p>represent 6:18</p> <p>representative 44:1 60:9</p> <p>reputation 96:21</p>	<p>requirements 73:8</p> <p>respect 52:20</p> <p>respond 75:20,24</p> <p>responding 69:8</p> <p>responds 69:23 76:8 90:14</p> <p>response 36:20 50:2,4 52:16 68:3 72:18 82:7 88:6 94:20 96:15</p> <p>rest 30:11 35:6</p> <p>restaurant 46:9,12</p> <p>restricting 12:14</p> <p>resumed 99:16</p> <p>retired 57:17</p> <p>reverse 33:25</p> <p>review 9:6 26:12 45:22 54:7 57:10 58:7 74:5,6 75:19,20, 24 78:7 79:10,16,24 80:8,21 88:17 99:25</p> <p>reviewed 77:4,21 79:13 94:1</p> <p>reviewing 76:22 78:14 81:23 85:24 93:19,23 94:11</p> <p>revise 36:4 54:21 69:20 71:24</p> <p>revising 28:4 30:4 69:9 74:16</p> <p>revisions 28:12,15 29:13,15,25 34:13,21</p> <p>rewrite 37:10</p> <p>rights 29:19</p> <p>ringing 17:7</p> <p>Ripper 44:19</p> <p>route 51:21</p> <p>rules 52:9 86:11</p> <p>run 19:25 23:13 52:2 63:10,13 96:3</p> <p>Russell 6:1,14 9:1, 17 77:2,7 78:19</p>
---	--	--	--

96:12	show 39:22 62:16 80:7	specifically 10:17 11:4,25 13:1 14:10 16:18 18:1,2,5,25 23:1 48:17 50:8 77:14 78:19	stupid 37:20
<hr/> S <hr/>	showed 24:23 25:3, 6	speculation 91:2	subdivide 68:24
sand 25:2	shut 42:2	speeding 62:20,23	subdivision 69:2,4 70:8,10 73:5,7,16
sat 53:11	side 13:8,17 33:8 54:6 65:22 90:14	spell 6:13	Subject 9:25
save 40:7	sign 80:10	spills 12:19 54:5 71:17	successfully 85:20
school 68:19,20	simple 37:20 98:12	spite 86:3 87:8,18 90:17,20,21 92:9 93:1 97:23,25	suggested 23:9 30:1
scrambled 56:16	sir 26:8 28:20 32:22 33:4 34:10 41:18 42:9 57:4 60:14 71:5 80:17 83:12 91:18	spiteful 95:4 97:6,8	suggesting 39:21 43:13
section 69:6	sites 41:6	spoke 6:10 46:6 48:22 83:25	suggestion 36:13, 21
selling 98:19	sitting 67:6	spoken 6:17	super 37:15
senator 67:7	situation 6:22 11:17 12:11 14:22 24:4 33:7 35:4 91:9 94:9 97:7	staff 42:1 44:22	support 64:1
send 10:25 27:5,13 30:23 62:10,11 66:10	skimmed 9:13	start 25:2 34:1 45:2 54:13 71:18 88:24	suppose 20:5 48:5
sending 37:23	skip 6:8	started 24:23 25:4,5	surprised 82:3,9
sends 71:15 79:11 83:23 88:5	small 61:19,20 63:24,25 68:25 87:10 94:5,6	starts 71:16,21	Suzie 63:7,8
sense 27:15 36:19	smaller 68:24	state 6:12 60:21 88:3	Suzie's 64:25
sentence 55:4	Sole 40:3	stated 59:22	sweep 61:16
sentences 72:22 73:3	solid 44:22 57:25	stating 69:19	switch 71:8
separate 62:24 70:14	sooner 89:14	stationery 67:25	system 58:11,15 62:6
serve 40:18 43:15	sort 9:6 11:5 12:10 16:10 30:19	stepped 63:5 64:12	<hr/> T <hr/>
serves 39:2	sound 54:22 55:2 56:14 69:10,21 71:25	stepping 55:2	tail 55:3
session 32:1,4,12 35:12 48:4,7 49:20 84:8 89:8	speak 67:23 70:15, 16 84:7 85:6	stick 65:11	taking 6:21 56:6,10 74:21
sessions 48:11	speaking 30:20 31:23,25 47:16	sticking 47:8	talk 6:22 16:24 20:3 33:14,22 41:14,23,25 42:2,21 58:10 80:22 82:9,13,16 84:22 91:24 92:5 98:8
set 40:14 85:3	speaks 14:16	stir 94:25 97:13	talked 10:6 16:21,25 17:10 19:11,20,22,24 20:7,9 23:11,18 29:16 30:19 33:19 39:11 47:2 48:18,23 51:18 53:12 70:11 75:14 76:14 77:20 81:5 84:4 92:5,6
sewage 51:25 58:11, 15	special 51:3,6,11,20, 23 62:14	stop 21:19 60:20 64:5	talking 16:7 17:8 22:21,23 24:1 25:9 34:5,8 36:21 37:2
sewer 59:12 60:21 62:6	specific 18:20 19:16 21:7 22:15 37:7 52:22 53:1,20 63:15 75:6	stops 63:18	
shaking 7:24		story 59:23 98:13	
shared 26:25		Street 61:16	
she'll 78:9 80:9		stretches 71:3 80:14	
sheet 46:24		stuff 36:18 37:14 41:23 45:4 61:15	
shop 12:21 25:19 40:19 77:19 80:8			

<p>42:17 46:20 48:17 49:2,16 54:17 55:19 67:22 68:8,17 69:3,6, 9,15 70:4,13,24 71:10 73:2,4,10 75:5 76:12 82:5,11 84:12 88:19 89:18 90:9 92:7,10,15,16,20 95:12 97:4,20 98:1,4, 7 99:5</p> <p>telling 17:11 21:5 42:12 59:18 74:13 75:3,16 88:6 92:1</p> <p>tells 14:4 48:4</p> <p>testifying 8:8</p> <p>thing 16:14 23:15 25:16 31:22 32:1 37:7 57:23 61:7 62:24 64:15,16 74:3 75:6 80:2 95:1 98:12</p> <p>things 11:21 16:17 23:8,11,12 58:21 61:16 70:14 73:1 79:10,12 80:8</p> <p>thinking 8:8 46:9 70:10 88:1,2</p> <p>thought 16:16 20:15 21:25 27:12 34:20 35:10 39:6 44:22 56:6 60:4,13 61:7 62:3 65:8,12 94:4</p> <p>thoughts 29:17</p> <p>thousands 58:16</p> <p>thread 74:24</p> <p>throat-clearing 7:12</p> <p>thwart 40:18 43:16</p> <p>ticket 62:23 63:7,8 64:9</p> <p>tie 51:24 61:3</p> <p>tight 54:2 68:5</p> <p>tilt 85:25</p> <p>time 6:9,21 13:3 17:19,21 18:4,19 19:17 21:7 22:21 24:2 27:7,13 31:10</p>	<p>34:19 36:12,15,16 40:24 55:12,23 56:14 57:14 58:3 61:2,25 64:6,10 65:9 68:21 70:8 71:10 83:2 89:15 95:23 99:13</p> <p>timing 79:4,5</p> <p>today 7:14 8:8 10:20 61:16</p> <p>told 11:10 14:21 15:10,17 24:16,25 26:24 35:2 49:21 50:2 51:2,5 56:16 59:17 73:14 86:8 91:12</p> <p>Tommy 57:19</p> <p>top 9:20 36:21 58:20 65:25 72:19 75:22</p> <p>torment 67:3</p> <p>total 27:15</p> <p>touch 89:17</p> <p>town 7:2,3,8 10:8 12:14,15 14:16 15:20 16:3,11,22 17:4,12 19:8,15,18 22:19 23:5,24 24:3 25:8,14, 15 27:10 29:14 31:17 32:9,11,12 34:20 36:25 37:1 38:12,25 39:16,17 40:23 43:21,25 44:9,17 45:11 46:3,21 48:10 49:6 50:1 51:15 52:3, 6 55:11,23 57:8 59:24 60:8,13,18 61:19,21 62:21 63:24,25 64:13 65:16 66:3,12 67:14 68:20 77:24 83:20 85:1,7 86:9,15 87:10 88:7 91:5,8,13 92:17,19 94:5 95:3,18 96:20 99:6</p> <p>Town's 19:13 43:19 59:22 60:4</p> <p>Traditionally 14:14</p> <p>transcript 99:25</p> <p>trash 61:15</p>	<p>treading 77:3</p> <p>trip 89:12,13</p> <p>trouble 23:22</p> <p>truck 7:6 9:11,25 10:11 11:12,22 12:12,22 16:22 17:5, 13 18:3,20 20:19 21:8,13,15 22:16 24:4 25:12,21 28:5, 15 34:22 36:3 37:11, 15 40:16,19 43:14,17 46:8 48:25 49:23 54:21 55:11,22 65:6 66:4 68:14 69:9,21, 25 70:4,24 71:24 72:5,11 74:11,13,16, 21 75:4,18 84:10 88:7,22 90:7,21 92:12 93:8,17,22 95:5,17 97:11</p> <p>trucks 12:15 18:6,25 19:9,16 22:19 23:2 28:25 49:7 50:8</p> <p>true 30:14 65:19 95:8,9</p> <p>trust 88:19 90:15 92:24 97:21</p> <p>truth 42:12,13</p> <p>truthfully 8:8</p> <p>Tuesday 79:8</p> <p>turn 52:12</p> <p>TV 12:23 14:6,18 15:11,18,20 16:2,7, 21,24 17:9,11 24:17, 19,23 25:3,5,7,9 45:7</p> <p>tweaks 32:8</p> <p>two-sided 32:20</p> <p>typing 43:3</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>ultimately 21:4</p> <p>um-hum 10:5 32:15 36:23 46:19 47:17 66:7 72:20 75:12 76:13 82:12 83:21 87:3</p>	<p>uncle 67:6</p> <p>understand 7:16,17 20:14 59:10 97:16</p> <p>understood 31:15</p> <p>United 47:13</p> <p>unusual 12:2,5 15:19 79:15</p> <p>upset 40:19 44:8,25</p> <p>upsets 44:6</p> <p>urgency 58:5,19 59:11</p> <p>urgent 60:2</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vape 40:19</p> <p>vendor 40:19 43:17</p> <p>verbal 7:24</p> <p>verification 20:1,5,6 21:14,18</p> <p>violating 36:2</p> <p>violation 35:19 36:9 90:16 92:8,9,25 97:23</p> <p>violations 64:19</p> <p>Virginia 37:13 47:6 53:13</p> <p>void 18:3</p> <p>volunteer 35:4 79:22</p> <p>vote 61:1,2,12 62:22</p> <p>voted 38:22 39:11</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 58:6</p> <p>waiting 23:10</p> <p>walk 88:13,23</p> <p>walked 77:19</p> <p>walking 91:24</p> <p>wanted 6:23 8:12,24</p>
--	---	--	---

<p>15:23,25 22:4 25:1, 17 27:11 28:16 29:3, 6 30:3 31:18 32:10 34:21 35:10,17,18 37:9 38:4 57:25 62:15 64:18 67:19,25 68:24 69:1 76:19</p> <p>warriors 35:2</p> <p>Washington 87:13</p> <p>ways 23:19</p> <p>website 95:2</p> <p>week 33:19</p> <p>weekend 35:2</p> <p>weeks 42:2 44:22</p> <p>whatsoever 61:4</p> <p>who-shot-john 40:8</p> <p>whoa 38:13</p> <p>Wiggins 7:3,7 9:25 10:8,22,25 11:7,11, 16,20 12:3,11 14:4, 21 15:1,23 17:25 24:2,3,9,16 26:25 27:5,8 28:2,13 29:22, 24 31:3 32:10,13 33:18 34:2,24 36:4, 22 39:19,20 41:16 43:12,20 44:3 46:17 47:19 48:4 53:1,19 54:12,16 66:2,14 69:23 70:23 71:16,20 73:2,9 74:11 75:15, 23 76:15 77:19 81:8, 11,25 82:13,17,22 83:4 84:6,9,23 86:13 87:22 88:4 89:1,19, 24 90:14 92:18,24 93:4,14 94:7,20 97:4, 19,20 99:3</p> <p>Wiggins' 31:19 52:16 68:3 72:18 76:23 95:10 96:15</p> <p>wildly 12:5</p> <p>WOBC 17:2 45:7 59:22</p> <p>wondering 54:23 81:10 85:25</p> <p>word 9:14 39:3,7</p>	<p>wording 86:2</p> <p>words 43:4</p> <p>work 11:24 31:25 32:3,11 35:12 48:4,7, 11 49:20 56:8 59:3 62:5,7 63:22 64:2,5 68:10 69:7,24 72:24 79:25 89:8 96:10</p> <p>workday 78:3,4,8</p> <p>worked 98:18</p> <p>working 16:3 68:18 79:14</p> <p>works 14:15 77:24</p> <p>world 30:11 35:7</p> <p>worldwide 41:3</p> <p>worried 40:23 43:20, 22 44:3 55:18,23 56:19</p> <p>worse 58:21</p> <p>write 34:16 39:9,10 66:24 67:17,20 72:9</p> <p>written 16:7 38:24</p> <p>wrong 12:10 37:22 38:23 39:21 52:10 74:9</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>years 11:2 18:11 38:8 49:11 57:17 64:11 68:21 77:23 79:6,8 83:1 91:21 94:1</p> <p>yes's 7:25</p> <p>young 96:9</p> <p>Youtube 42:5 45:4</p> <p>Yup 43:2,11 54:18 68:9</p> <hr/> <p style="text-align: center;">Z</p> <hr/> <p>zoning 7:9 19:8,14 21:6 38:25 48:24 49:6,24 66:5,11 68:7 72:6,24 73:5,6,15</p>	<p>74:13 75:4,17 76:10, 19 83:5 89:9 90:16 92:7,9,25 93:19,21, 23,25 94:8,11,15 97:22</p> <p>Zoom 8:3</p>	
---	--	--	--