

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

GOODFELLAS WEAR, LLC, a Michigan
limited liability corporation,
and WISSAM AOUN,

Plaintiffs,

Case No. 08-018235-CZ
Hon. Kathleen MacDonald

vs.

WAYNE COUNTY, WAYNE COUNTY
SHERIFF'S DEPARTMENT, WARREN C.
EVANS, Wayne County Sheriff,
MACY'S RETAIL HOLDINGS, INC.,
a New York corporation, and
DOUGLAS BUCHER,

Defendants.

The deposition of VEREEA BOATMAN, taken
before Hope M. Markowitz, CSR-3900, Notary Public in
and for the County of Oakland, acting in the County of
Wayne, Michigan, at 535 Griswold Street, Suite 2400,
Detroit, Michigan, on Thursday, July 16, 2009, at or
about 11:10 a.m.

APPEARANCES:

CYRIL C. HALL, P.C.
BY: TIMMOTHY YOUSIF, ESQ.
149 Franklin Boulevard
Pontiac, Michigan 48341

On behalf of the Plaintiffs.

ASSISTANT CORPORATION COUNSEL
WAYNE COUNTY CORP. COUNSEL
BY: MARGARET M. FLANAGAN, ESQ.
600 Randolph Street, Suite 253
Detroit, Michigan 48226

On behalf of the Defendants,
Wayne County and Evans.

(Appearances continued on Page 2)

1 APPEARANCES (CONTINUED): Page 2

2 PLUNKETT COONEY

3 BY: JENNIFER G. DAMICO, ESO.

4 535 Griswold Street, Suite 2400

5 Detroit, Michigan 48226

6 On behalf of the Defendants,

7 Macy's and Bucher.

8 ALSO PRESENT:

9 Douglas Bucher

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1 Detroit, Michigan

2 July 16, 2009

3 at or about 11:10 a.m.

4 --- -- ---

5 V E R E E A B O A T M A N ,

6 was called as a witness and having been first duly

7 sworn to tell the truth, the whole truth and nothing

8 but the truth was examined and testified as follows:

9 MR. YOUSIF: Thank you. Good morning --

10 THE WITNESS: Good morning.

11 MR. YOUSIF: -- Miss -- what was your last

12 name, again?

13 THE WITNESS: Boatman.

14 MR. YOUSIF: -- Boatman.

15 This is your deposition taken in the case of

16 Goodfellas versus a number of parties, Wayne County,

17 Wayne County Sheriff and specifically Macy's. I asked

18 Miss Damico to have you here present for your

19 deposition. Now, your deposition is taken pursuant to

20 Notice and I believe, also, subpoena.

21 MS. DAMICO: Was there a subpoena?

22 MR. YOUSIF: If it wasn't sent, pursuant to

23 Notice and anything that you testify today will be

24 used for any purposes allowed under the Michigan Court

25 Rules and, also, Michigan law.

1 I N D E X Page 3

2 Witness: Page

3 VEREEA BOATHMAN

4 Examination by Mr. Yousif 5

5 Examination by Ms. Flanagan 72

6 Examination by Ms. Damico 81

7 Re-Examination by Mr. Yousif 84

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12 E X H I B I T S

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14 Number Description Page

15 None offered.

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1 EXAMINATION Page 5

2 BY MR. YOUSIF:

3 Q Okay. If you can state your name and spell your last

4 name for the record?

5 A Vereea Boatman, B -- as a boy -- O-A-T-M-A-N.

6 Q And how do you spell your first name?

7 A V -- as a violin -- E-R-E-E-A.

8 MR. YOUSIF: Now, the deposition we're

9 taking here today is being recorded by the lady to

10 your left, who's taking everything down and I know she

11 always yells at me for speaking too fast or speaking

12 over other people so I only ask that you allow one of

13 us to speak at a time and to give verbal answers, yes

14 or nos, as opposed to uh-huh or uh-um or nods of the

15 heads because that can't be taken down. Okay.

16 If you don't you understand a question, it's

17 completely fair to let me know you don't understand

18 the question. If you want me to restate it, I can

19 restate it or if you don't know the answer, I don't

20 know is fair because anything you do answer I assume

21 to be the truth. Okay?

22 THE WITNESS: All right.

23 Q (By Mr. Yousif): Miss Boatman, are you currently

24 employed?

25 A Yes.

1 Q Where are you employed?
 2 A Macy's.
 3 Q What's your position with Macy's?
 4 A I'm the task force manager.
 5 Q What are your responsibilities as task force manager?
 6 A I'm to increase productivity for external cases, which
 7 would be increase productivity for shoplifters for
 8 Detroit stores.
 9 Q That's only for Detroit stores?
 10 A For Detroit and Michigan. Macy's is divided up into
 11 different districts so we'll just say for the State of
 12 Michigan.
 13 Q Okay. So you're the task force manager for Macy's for
 14 the State of Michigan?
 15 A Yes.
 16 Q Okay. How long have you been the task force manager?
 17 A Since -- what is this? This is July. So since
 18 February.
 19 Q February of this year?
 20 A Yes, sir.
 21 Q How long have you been employed with Macy's?
 22 A I started with the company when they were Hudson's in
 23 1998 and we've changed ownership and names subsequent
 24 times so --
 25 Q Okay. When you began working, the name of the store

1 was actually Hudson's you said?
 2 A Yes.
 3 Q Okay. What was your position when you were originally
 4 hired by Hudson's?
 5 A As a sales associate in the women's shoe department.
 6 Q And if you can just go through your history with
 7 Hudson's and the positions that you went through and
 8 also the time periods that you were employed in that
 9 position.
 10 A When I started with the company in '98, I started in
 11 women's shoes. I did that until 2000 and then I
 12 transferred to asset protection. I was an
 13 investigator one, which was -- our primary
 14 responsibility was to apprehend shoplifters.
 15 Q Let me interrupt you for one moment.
 16 A Yes.
 17 Q What year -- what time period were you in asset
 18 protection?
 19 A Until February of '02.
 20 Then I became -- I was promoted to -- we
 21 have different names now but it would be a lead
 22 detective and that primary responsibility was to
 23 identify internal theft, which would be employees. I
 24 did that --
 25 Q I'm sorry. Let me interrupt you for one more second.

1 Going back to being in the position of asset
 2 protection --
 3 A Yes.
 4 Q -- that would be from the time period of 2000 to 2002?
 5 A Yes, from 2000 to 2002 as -- I was catching
 6 shoplifters.
 7 Q Okay.
 8 MS. DAMICO: And that's February 2002,
 9 correct?
 10 THE WITNESS: Something like that. I'm not
 11 certain on these dates. I'm recalling off the top of
 12 my head.
 13 Q (By Mr. Yousif): Was there any type of training that
 14 you had to go through in order to become involved with
 15 asset protection?
 16 A Definitely, yes.
 17 Q Okay.
 18 A There was book work, computer work, classroom training
 19 that we went to. When you first become -- when you
 20 first go to loss prevention or asset protection or
 21 security, there's a lot of training that you have to
 22 undergo. You aren't allowed or you aren't considered
 23 certified until you complete all of this training and
 24 you have to -- once you complete the training, then
 25 your manager would say you're certified and you are

1 able to apprehend shoplifters or in the case of being
 2 a lead detective when you are able to identify and
 3 resolve issues of internal theft with the employees,
 4 you have to go through additional training as well.
 5 Q Is this training that you go through for both asset
 6 protection and lead detective training that Macy's
 7 provides or is this outside training from third
 8 parties?
 9 A No. It's provided by the company.
 10 Q By Macy's?
 11 A Yes.
 12 Q You began working in lead detective in 2002?
 13 A From -- off the top of my head, from the best that I
 14 can recall, yes.
 15 Q Okay. Do you know how long you were a lead detective?
 16 A Until '05 -- until October of 2005.
 17 Q Did you have a change of position in October of 2005?
 18 A Yes. I was promoted to organized retail crimes.
 19 Q Did you have a position in that organization?
 20 A Yes, sir. I was an investigator.
 21 Q Is there a hierarchy in organized retail crime?
 22 A Yes. I had a manager and he had a manager as well.
 23 Q Who was your manager?
 24 A Doug Bucher.
 25 Q And do you know who Doug Bucher's manager was?

- 1 A Tim Bowers.
 2 Q Okay. So Tim Bowers -- was he the head of the
 3 organized retail crime division?
 4 A Yes.
 5 Q Okay. And under him would be Doug Bucher?
 6 A Yes.
 7 Q And you would be next in line?
 8 A I was under Doug, yes.
 9 Q Under Doug.
 10 Were there other investigators at the same
 11 level that you were working at?
 12 A Yes.
 13 Q Do you know how many?
 14 A Under Doug it was myself and another investigator.
 15 His name is Mark Haire.
 16 Q Mark Haire?
 17 A Yes.
 18 Q H-A-I-R-E?
 19 A Yes.
 20 Q And from being in organized retail crime I assume --
 21 and if I'm not wrong, tell me -- that you were there
 22 from October 2005 until February 2009?
 23 A No. You're wrong.
 24 Q Okay.
 25 A I was there from October of 2005 until May of 2007.

- 1 Q Okay.
 2 A No. I'm sorry. May 2008. I'm sorry.
 3 Q Okay. And from May of 2008 you changed positions,
 4 again?
 5 A Yes. I was the assistant security manager for
 6 Northland Macy's until January of 2009 -- until the
 7 end of January 2009, beginning of February 2009.
 8 Q Which leads us to your position today?
 9 A Yes.
 10 Q Okay. Now, as an investigator in the organized retail
 11 crime division what were your duties?
 12 A We were to identify --
 13 Q I'm sorry. If I can just interrupt you for one
 14 moment.
 15 A Uh-huh.
 16 Q When you say we, if you could only refer to what you
 17 do.
 18 A I'm sorry.
 19 Q Okay.
 20 A My primary responsibility was to identify any
 21 instances of organized theft such as people who were
 22 causing a loss to Macy's, not just one store but
 23 several different stores. So when we -- when I found
 24 instances of that type of behavior, I was to identify
 25 it, investigate it and resolve it.

- 1 Q Can you give us examples of what you mean?
 2 A If there was someone who was going to a store and
 3 shoplifting and the store upon apprehending that
 4 person, that shoplifter, indicated that they stole the
 5 merchandise with the intention to sell it to an
 6 outside third party business, I would speak with that
 7 shoplifter and try to get them to tell me where they
 8 were going to sell that stolen merchandise. Then I
 9 would investigate that business and see -- I would try
 10 to partnership with a law enforcement agency to
 11 determine if they would work with us and first -- I'm
 12 sorry. First, I would try to get that shoplifter to
 13 see if they would work with us and introduce an
 14 undercover officer and try to do undercover sales of
 15 purportedly stolen merchandise into the store with the
 16 hopes of eventually after we get enough sales into
 17 that store shutting that business down for selling the
 18 stolen goods.
 19 Q Now, when you would first apprehend a shoplifter --
 20 A I wouldn't apprehend a shoplifter. The stores would.
 21 Q An individual with the store would apprehend a
 22 shoplifter?
 23 A Yes.
 24 Q Okay. And then after that person was apprehended do
 25 you know if the authorities were contacted at that

- 1 time or were you contacted at that time?
 2 A The way it works most of the time I was contacted
 3 first and if that person who was -- just been
 4 apprehended -- if they agree to work with Macy's, we
 5 would forgo prosecution under the assumption that they
 6 would continue to cooperate with us and law
 7 enforcement. If at any time they refused or stopped
 8 cooperating with us, then they would be prosecuted.
 9 Q Okay. So you would be contacted first for any and all
 10 shoplifters that were apprehended?
 11 A No. No, not any and all shoplifters; just shoplifters
 12 who indicated that they intended to sell the
 13 merchandise to another location like a fence.
 14 Q Okay. And who would they give that information to?
 15 Strike that.
 16 You said if a shoplifter was apprehended
 17 first, correct?
 18 A Yes.
 19 Q Who would take for lack of a better word possession of
 20 that person?
 21 A The store. They were taken into custody by the store
 22 if they were apprehended by Macy's. The Macy's
 23 security in each individual store would take custody
 24 of that person.
 25 Q Okay. So a Macy's investigator or a Macy's employee

1 would apprehend a shoplifter?
 2 A Yes.
 3 Q I assume remove them to a secured location where no
 4 one else is?
 5 A Yes.
 6 Q Okay. And after that store personnel would question
 7 this person if this person advised that he was
 8 selling -- he or she was selling to a business then
 9 that's when you would be contacted?
 10 A Yes.
 11 Q Okay. If that person didn't say that they were
 12 selling to a business, what would happen to that
 13 person?
 14 A Then the police would be contacted and then they would
 15 be taken into the custody of the police.
 16 Q Okay. And if the person did state that they were
 17 selling to a business, then you would be contacted?
 18 A Yes.
 19 Q The police wouldn't be contacted at that point?
 20 A That's correct.
 21 Q When you get involved, do you open a file?
 22 A Yes.
 23 Q When you open that file, you take notes; is that
 24 correct?
 25 A Yes.

1 Q And you keep other documents in that file regarding
 2 the investigation, correct?
 3 A Yes.
 4 Q Okay. Regarding this specific matter, Goodfellas, did
 5 you keep notes and keep documents in a certain file?
 6 A Yes.
 7 Q Do you have that file?
 8 A I gave it to our attorney.
 9 Q Okay. After you get involved in an investigation
 10 would you go to that location at that time or would
 11 they take the person who was apprehended's information
 12 and you would contact them?
 13 A Either I would physically come to the store and speak
 14 with that person or I would contact -- I would speak
 15 with them over the phone and gather all of the
 16 information. I wouldn't go to the site right then and
 17 there. I would do some background investigation first
 18 and then within a few days I would definitely go to
 19 the store -- go to the location that the apprehended
 20 person had given them.
 21 Q Actually, when you're contacted -- you state that you
 22 contact the person that was apprehended, correct?
 23 A When I'm contacted by the store, either I would
 24 physically respond to the store if time would allow or
 25 I would speak with the person via telephone.

1 Q What would you speak with that person about?
 2 A Just the circumstances surrounding the apprehension
 3 that day, what they intended to do with the
 4 merchandise. If they indicated that they were going
 5 to sell it to a location, I would ask them specifics
 6 about that location, you know, what's the name of the
 7 place, what type of business is it, who do they
 8 primary sell to, what's the person's name; things such
 9 as that.
 10 Q Okay. Do you promise the person anything in return if
 11 they give you this information?
 12 A I would tell them that if they continue to cooperate
 13 with us and by cooperation I mean, you know, staying
 14 in contact, if they would be willing to introduce an
 15 undercover officer, we would forgo prosecution
 16 assuming that they cooperate with us.
 17 Q If they choose to cooperate with you, you would not
 18 contact the authorities, correct?
 19 A That's correct.
 20 Q Specifically regarding the raid at Goodfellas do you
 21 know who the person was that was apprehended
 22 shoplifting at Macy's assuming there was a person?
 23 MS. DAMICO: I'm going to object to
 24 production of that at this time. The information is
 25 from confidential informants. We're going to -- under

1 answers to discovery that I have almost ready for you
 2 we're going to request a protective order so if we do
 3 give that up, it's got to be under certain conditions
 4 because that's the basis of their business and they
 5 can't go out giving out the names of their informants
 6 so at this time I'm going to tell her not to give it
 7 to you.
 8 MR. YOUSIF: Okay.
 9 MS. DAMICO: But we do have it so we'll
 10 figure out how we're going to get that to you.
 11 MR. YOUSIF: Sounds good.
 12 MS. DAMICO: Okay.
 13 Q (By Mr. Yousif): And, again, speaking about
 14 Goodfellas I assume and tell me if I'm wrong, again,
 15 that there was a person that was apprehended
 16 shoplifting, correct?
 17 A Actually, there were three people.
 18 Q Okay. And when they were apprehended by Macy's, you
 19 were contacted, correct?
 20 A Yes.
 21 Q Did you have an opportunity to speak with these three
 22 people?
 23 A Yes.
 24 If I may, it was two separate incidents, on
 25 two separate days, at two separate stores. Two

1 unrelated incidents I'll say and I was contacted and
 2 spoke with the individuals.
 3 Q And that was on two different dates you state?
 4 A Yes. Two consecutive dates actually.
 5 Q Consecutive?
 6 A Yes.
 7 MR. YOUSIF: Can she tell us the stores?
 8 MS. DAMICO: Yes. That's fine.
 9 THE WITNESS: One apprehension was at the
 10 Northland store and the very next day I was contacted
 11 by the Fairlane store, who had two people in custody.
 12 Q (By Mr. Yousif): Okay. With regards to the Northland
 13 and Fairlane incident did you contact them over the
 14 phone or did you physically go to the location?
 15 A I physically responded to the Northland location on
 16 the first night.
 17 Q Did you have an opportunity to speak with those
 18 people?
 19 A I spoke with that individual, yes.
 20 Q Okay. And what information did that individual give
 21 you?
 22 A That individual indicated that he intended to -- he
 23 stole the merchandise with the intention of selling it
 24 to a store.
 25 Q Did he mention which store?

1 A Yes, he did. He indicated the name of the store was
 2 Da Hook Up.
 3 Q Da, D-A?
 4 A Yes.
 5 Q Did that individual mention a person who he would sell
 6 to?
 7 A Yes.
 8 Q What was that person's name?
 9 A Mo.
 10 Q That's all the information he gave you?
 11 A Yes.
 12 Q And regarding the Fairlane location you did not
 13 physically go to that location?
 14 A No. I spoke -- I'm sorry. I did. I forgot. Yes. I
 15 did go to that location. First, I spoke with them on
 16 the phone first and then I responded to the store
 17 because when I got the initial phone call, I was
 18 sitting across the street from the Jump Off, watching
 19 the store, when I took the phone call.
 20 Q The Jump Off?
 21 A I'm sorry. Da Hook Up.
 22 Q So you received this information after your interview
 23 with an individual at the Northland location?
 24 A That's correct.
 25 Q On that same day did you go to Da Hook Up or did you

1 wait until the next day to go to Da Hook Up?
 2 A The next day.
 3 Q Okay. And you said you conducted --
 4 A Just -- we called it preliminary site assessments.
 5 Q What would happen at a preliminary site assessment?
 6 A You would look at the area to see any signs of whether
 7 or not you thought that store was buying stolen
 8 merchandise such as if you saw people walking in with
 9 bags, maybe walking out without bags. I went into the
 10 store, the Jump Off, to see -- I'm sorry. Da Hook Up.
 11 Q Is there another store called the Jump Off?
 12 A Yes.
 13 Q Okay.
 14 A That was -- that we discovered during the course of
 15 this investigation.
 16 But I'm sorry. Da Hook Up. I went into the
 17 store to see what type of location it was.
 18 Q Do you recall what day that was?
 19 A I do not. I just know it was the very next day after
 20 I took the call from the subject at the Northland
 21 store.
 22 Q Okay. And you actually went in the store, Da Hook Up?
 23 A Yes.
 24 Q Were you able to notice any signs of a fencing
 25 operation? Is that what you termed it?

1 A Yes, a fencing location.
 2 On that particular occasion, no, I did not.
 3 Q You said some of the signs that you would look for
 4 were walking --
 5 A Into the store with bags.
 6 Q What type of bags?
 7 A Like any type of bags, grocery bags, garbage bags.
 8 Q Okay. Would you notice that there would be any
 9 merchandise in the bags or if the bags had anything in
 10 them?
 11 A If the bags appeared to have something in them, that's
 12 what I would be looking for.
 13 Q Okay. And when they would come out, if they had
 14 nothing with them, that would indicate to you that
 15 there was a possibility that this would be a fencing
 16 operation?
 17 A Yes.
 18 Q How long were you at Da Hook Up for this preliminary
 19 site assessment?
 20 A I cannot recall. Yeah. I can't recall. I don't want
 21 to say. At least 30 minutes but --
 22 Q While you were at Da Hook Up you received this call
 23 from the Fairlane location?
 24 A Yes. That's correct.
 25 Q Okay. And Da Hook Up -- do you know where that is

1 located?

2 A On Joy -- on Joy Road in Detroit.

3 Q The information you received over the phone -- did

4 that include that this person said that they were

5 selling to Da Hook Up?

6 A Yes. It was actually two individuals who indicated

7 that they intended to sell the stolen merchandise to

8 Da Hook Up.

9 Q Okay. And so based on that information you went to

10 the Fairlane store?

11 A I spoke with the people on the phone first and then I

12 did physically respond to the store, to the Fairlane

13 store.

14 Q Okay. Were you able to meet with the individuals at

15 that point?

16 A Yes.

17 Q And did you make a deal with these individuals that if

18 they cooperated that they, too, would not be

19 prosecuted?

20 A That's correct.

21 Q What information did these two individuals give you

22 once you reached the location?

23 A They indicated that they stole the merchandise from

24 the Fairlane Macy's with the intention of selling it

25 to Da Hook Up store.

1 Q You would have made notes of this interview?

2 A Yes.

3 Q And those notes would be in your file?

4 A Yes.

5 Q Okay. What happens after you received the second set

6 of information?

7 A We -- again, I expressed to the subjects who were in

8 custody at that time that we would forgo prosecution

9 assuming that they would cooperate with us. We

10 exchanged contact information and at that point they

11 were released from Macy's custody.

12 Q Did you ever contact them again or that one individual

13 from Northland again after those two dates?

14 A Yes.

15 Q When would have been the next time you would have

16 contacted them?

17 A It would have been like a couple days or maybe the

18 very next day.

19 Q The information the second set of individuals gave to

20 you -- did they give you names of individuals or names

21 of businesses that they would sell the merchandise to?

22 A Yes, for the names of the businesses for the second

23 set of individuals. I cannot recall if they gave me

24 the actual name of the individual they intended to

25 sell it to.

1 Q Okay. But the business -- the name of the business

2 was --

3 A Was Da Hook Up.

4 Q They didn't provide you with any other names?

5 A I can't recall that.

6 Q At any later point did any of these three individuals

7 give you any other names of individuals or businesses

8 that they would sell to?

9 A At a later date, no.

10 Q Okay. Based on this information you began an

11 investigation of Da Hook Up, correct?

12 A Yes.

13 Q Did you immediately contact any authorities regarding

14 what you believe to be a fencing operation?

15 A Immediately, no.

16 Q What did you do with this information that you

17 gathered from these individuals?

18 A I started researching the actual Da Hook Up location,

19 the store.

20 Q What did your research include?

21 A Ownership, any people affiliated with the store, doing

22 background work on them, background investigation.

23 Q With regards to your investigation did you make a

24 determination as to who the owner of Da Hook Up was?

25 A I found several different names for who could be

1 possible owners of the location.

2 Q Do you recall those names?

3 A There were several, but yes, I recall.

4 Q What names do you recall?

5 A Ibrahim Aoun, Wissam Aoun, Mohammed Aoun and I don't

6 know how to pronounce this but Nithal, N-I-T-H-A-L,

7 Aoun.

8 Q What did your investigation include with regards to

9 who the ownership of the location was specifically?

10 Where did you go to research to determine who the

11 owners were?

12 A Internet searches. There were systems that organized

13 retail crimes would use at the time and I can't recall

14 off the top of my head those names since I don't work

15 in that fashion anymore but there were different

16 searches that we would use, different sites. I can't

17 remember.

18 Q Would the Internet searches be a specific Macy's

19 database or --

20 A No. No. They were not specific Macy's databases.

21 Q Just a general Internet search --

22 A Yes.

23 Q -- that would be open to the public?

24 A Yes.

25 Q That anybody can conduct?

- 1 A Some of them were free sites. Some of them you had to
2 pay to use them, but yes.
- 3 Q Would the results of that investigation also be in
4 your file?
- 5 A Yes.
- 6 Q Okay. Armed with this information regarding the
7 ownership what do you do next?
- 8 A I start digging around further; just looking in to see
9 if they -- these people have any criminal histories.
- 10 Q Let me ask you this, also: Are you the only person
11 conducting this investigation at this time or is there
12 somebody that's assisting you?
- 13 A I was the lead on it but I definitely took
14 partnerships with my manager, Doug, and Mark Haire,
15 the other investigator.
- 16 Q Do you eventually begin a surveillance operation of
17 Da Hook Up?
- 18 A Yes.
- 19 Q When you began your surveillance operation, were any
20 police authorities contacted at that time or did you
21 begin your surveillance without the police
22 authorities?
- 23 A Surveillance without the police at that time.
- 24 Q What did that surveillance include?
- 25 A We would or I would sit across the street from the

- 1 location and watch it. Sometimes I would go into the
2 location, note any license plates, research the
3 license plates later.
- 4 Q When did you begin your surveillance of Da Hook up?
- 5 A I can't remember specific dates but it would have been
6 after the informants gave us the information and after
7 I had researched the location.
- 8 Q Did your surveillance include pictures or videos of
9 the location?
- 10 A Yes. Eventually, yes.
- 11 Q Are those in your file, also?
- 12 A Yes.
- 13 Q How long did you surveill -- how many days or weeks,
14 whatever it was, did you survey Da Hook Up without the
15 police?
- 16 A You know, I can't recall off the top of my head but it
17 was numerous occasions.
- 18 Q During any of those occasions did you have any reason
19 to believe that Da Hook Up was believed to be a
20 fencing operation?
- 21 A Yes.
- 22 Q What led you to that conclusion?
- 23 A On one occasion when I was watching the location from
24 my vehicle I observed someone enter the location,
25 someone walk up to the location and they were carrying

- 1 purses and I observed them enter Da Hook Up with the
2 purses and then when they exited Da Hook Up, they
3 didn't have anything in their hands.
- 4 Q Okay. These purses that this person was carrying were
5 not in the bag?
- 6 A No.
- 7 Q They were just carrying the purses in their hand?
- 8 A Yes.
- 9 Q Do you know how many purses there were?
- 10 A No. I can't recall off the top of my head.
- 11 Q You didn't have any reason to believe that those
12 purses were stolen, did you?
- 13 A I have no idea where they came from. I just noted
14 that it was odd.
- 15 Q Any other reasons?
- 16 A When I would go into the store, they just had a lot of
17 merchandise. Some of it looked to be counterfeit as
18 well.
- 19 Q Okay. You eventually contacted the police, correct?
- 20 A Yes, the Wayne County Sheriff's Department.
- 21 Q Was there anybody specific that you speak with at the
22 Wayne County Sheriff's Department regarding fencing
23 operations in and around the County of Wayne?
- 24 A On this occasion it was one specific deputy, yes.
- 25 Q Okay. When you say this specific occasion, regarding

- 1 Da Hook Up?
- 2 A Yes.
- 3 Q Okay. Is there anybody else specifically that you
4 would call whenever you have a surveillance operation
5 being conducted?
- 6 A No.
- 7 Q Okay. Who did you speak with at the Wayne County
8 Sheriff?
- 9 A Deputy Kristin Montgomery.
- 10 Q Do you recall when you first contacted Deputy
11 Montgomery regarding Da Hook Up?
- 12 A No.
- 13 Q What was the reason that you contacted the sheriff and
14 specifically Deputy Montgomery?
- 15 A I called Deputy Montgomery to inform her of this
16 investigation, our findings and what we would -- we,
17 Macy's, would like to do such as, you know, do a
18 couple of sales into the store of purportedly stolen
19 Macy's goods and eventually do a buy bust with their
20 partnership -- with the sheriff's department
21 partnership.
- 22 Q Okay. And they, in fact, began cooperating with you?
- 23 A Yes.
- 24 Q Were you successful in completing any sales to Da Hook
25 Up?

- 1 A Yes.
- 2 Q How many times?
- 3 A There were at least three.
- 4 Q Would these sales include an individual walking into
- 5 Da Hook Up and selling merchandise to representatives
- 6 of Da Hook Up?
- 7 A Yes.
- 8 Q Do you have notes of those three sales?
- 9 A Yes.
- 10 Q Okay. Those notes would be in your file?
- 11 A Yes.
- 12 Q Do you recall offhand or off the top of your head the
- 13 circumstances surrounding these three sales?
- 14 A Yes. Off the top of my head on the instances where
- 15 we would do the sales into Da Hook Up we would have
- 16 an undercover office -- undercover deputy, Deputy
- 17 Maxwell -- he would -- he acted as a Macy's employee.
- 18 He would go into Da Hook Up with merchandise,
- 19 pretending that he stole it during his workday and he
- 20 inquired if anyone wanted to buy the merchandise and
- 21 somebody did say they wanted to buy it.
- 22 Q Were you in the location when this was occurring?
- 23 A I was outside of the location.
- 24 Q Okay. Were you able to hear or see what was happening
- 25 inside?

- 1 A I could not hear it. I could just see the outside of
- 2 the store.
- 3 Q Okay. But you just had this information maybe from
- 4 Deputy Maxwell or your investigation that this is what
- 5 was happening inside the store?
- 6 A Deputy Maxwell wore a hidden wire on his person.
- 7 Q Okay. Do you know if that wire recorded the
- 8 conversation that occurred or whether it was just
- 9 relayed to a different location?
- 10 A No. It recorded but I think there were some issues
- 11 with the wire but a lot of the transaction was
- 12 recorded.
- 13 Q Were you able to hear that tape or hear the
- 14 conversation as it was occurring?
- 15 A No. Not as it was occurring, no.
- 16 Q Okay. Were you able to listen to the tape after the
- 17 conversation occurred?
- 18 A Afterwards we listened to it and there were some
- 19 difficulties with the wire but we were able to hear
- 20 parts of the actual interaction.
- 21 Q Who were you with when you listened to that wire?
- 22 A It would have been my boss, Doug Bucher, and other
- 23 investigator, Mark Haire.
- 24 Q Do you know whose wire or tape this was, who owned it?
- 25 A No. Off the top of my head I can't recall if we,

- 1 Macy's, owned it or if another retail owned it.
- 2 Q Okay. Macy's provided this tape; it wasn't the Wayne
- 3 County Sheriff's that provided the tape?
- 4 A I don't recall.
- 5 Q Do you know who has possession of that tape now?
- 6 A I don't recall. I don't know if Wayne County has it
- 7 or if our attorneys have it.
- 8 Q Okay. So Deputy Maxwell goes into Da Hook Up. Do you
- 9 know who he speaks with?
- 10 A Initially he spoke with the clerks, who were there at
- 11 the counter, and asked if anyone would be interested
- 12 in this merchandise and I think the clerks in Da Hook
- 13 Up directed him to Mo.
- 14 Q Did he speak with Mo on that day?
- 15 A Yes.
- 16 Q After your investigation do you make a determination
- 17 as to who Mo is?
- 18 A Yes.
- 19 Q And who is Mo?
- 20 A Mohammed Aoun.
- 21 Q So Deputy Maxwell begins his conversation with Mo?
- 22 A Yes.
- 23 Q Does he have Macy's merchandise at that first time
- 24 that he speaks with Mo?
- 25 A Yes.

- 1 Q Do you recall what he had with him?
- 2 A Specifically, no, but generally we provided he had --
- 3 we provided Deputy Maxwell with clothing and cologne,
- 4 men's fragrances, if I'm not mistaken.
- 5 Q And this would be clothing and cologne that Macy's
- 6 sells?
- 7 A Yes.
- 8 Q This clothing and cologne wasn't actually stolen?
- 9 A No, it was not.
- 10 Q Okay. So you provided or somebody from Macy's
- 11 provided this merchandise to Deputy Maxwell in order
- 12 to sell it?
- 13 A Yes.
- 14 Q Was there a transaction the time that Deputy Maxwell
- 15 met with Mo on that day?
- 16 A Yes.
- 17 Q What happened, if you recall?
- 18 A If I recall, Deputy Maxwell entered the location with
- 19 the Macy's merchandise, asked if anyone would be
- 20 interested in buying it. The salespeople in the store
- 21 directed him to Mo. He introduced himself to Mo and
- 22 explained that he worked at Macy's and had some stuff
- 23 he had stolen from Macy's and would Mo be interested
- 24 in buying it. At that time Mo said yes. They
- 25 negotiated a price. Mo paid cash for the

1 merchandise. They exchanged phone numbers and Deputy
 2 Maxwell exited the location.
 3 Q Okay. Were there pictures or video -- I may asked
 4 you -- pictures or video taken of that first buy?
 5 A I don't recall if there was anything like that.
 6 Q Okay. And they exchanged phone numbers?
 7 A Yes.
 8 Q Did they eventually come into contact again?
 9 A Yes. Immediately after this first interaction the
 10 sheriff's department, who was participating with this,
 11 and the Macy's representatives -- we all met not far
 12 from Da Hook Up. We met at the Detroit Fire Station
 13 right there just to debrief and at that time Mo
 14 contacted Deputy Maxwell and requested different
 15 Macy's merchandise for the next occasion that he would
 16 buy from Maxwell.
 17 Q So Mo would have contacted Deputy Maxwell at that
 18 time?
 19 A Yes.
 20 Q And this was immediately after the first sale?
 21 A Within like 15 minutes.
 22 Q During that conversation you were at the Detroit Fire
 23 Station?
 24 A Yes. We were standing outside in the lot for the
 25 Detroit Fire Station.

1 Q Who was present at that meeting?
 2 A It would have been myself, Doug Bucher, Mark Haire,
 3 Deputy Maxwell, of course, Deputy Montgomery and there
 4 were other deputies there from the sheriff's
 5 department and their auto theft task force. I don't
 6 know their names.
 7 Q Okay. So from Macy's it would have been you, Doug and
 8 Mark Haire?
 9 A Yes.
 10 Q And when we say Doug, we mean Doug Bucher, right?
 11 A Yes.
 12 Q Okay. There was a second time that merchandise was
 13 sold to either Da Hook Up or to Mo?
 14 A Yes.
 15 Q How long after the first occasion was that?
 16 A I can't recall off the top of my head.
 17 Q And do you recall the circumstances surrounding that
 18 second buy?
 19 A Not as clearly as the first sale but I do know that Mo
 20 did not want to do a sale actually, physically in the
 21 store. Mo took Deputy Maxwell to a parking lot like
 22 up the street, maybe a mile or so from Da Hook Up
 23 location and the transaction occurred in the parking
 24 lot.
 25 Q Do you know what parking lot that was?

1 A I seem to recall a Coney Island -- a parking lot like
 2 across the street or adjacent to an alleyway right by
 3 the Coney.
 4 Q Do you recall the address of that location?
 5 A No.
 6 Q One thing is for certain that parking lot was not
 7 Goodfellas' parking lot, correct?
 8 A No, it was not.
 9 Q And at that time Deputy Maxwell, again, met with Mo?
 10 A Yes.
 11 Q Were there any other individuals present with either
 12 Deputy Maxwell or Mo that you recall?
 13 A Deputy Montgomery was there but she was not with
 14 Deputy Maxwell. Maxwell and Mo were in Mo's vehicle
 15 alone at that point and Deputy Maxwell had the wire.
 16 But, again, there were other representatives from the
 17 sheriff's department there that I can't recall and
 18 don't know their names.
 19 Q Okay. But they weren't with Deputy Maxwell at that
 20 time, correct?
 21 A No. Deputy Maxwell and Mo were in Mo's vehicle alone.
 22 Q Okay. These other deputies that you mentioned -- they
 23 were not within sight? For example, Mo didn't know
 24 that they were there with Deputy Maxwell, correct?
 25 A No. Mo didn't know but I don't know if -- I'm sure

1 the deputies could see the vehicle that they were in
 2 but Mo didn't know.
 3 Q You were present at that second buy, also?
 4 A Yes. I was in a vehicle like across the parking lot.
 5 Q Were you alone?
 6 A No. I was with Deputy Montgomery.
 7 Q Okay. So you and Deputy Montgomery were together?
 8 A In a vehicle, yes.
 9 Q And there were other deputies that were also there?
 10 A In other vehicles stationed around the location.
 11 Q Okay. Did Mo tell Deputy Maxwell where he wanted to
 12 meet him or did they meet at Da Hook Up and drive to
 13 this location?
 14 A If I recall correctly, they agreed to meet at that
 15 location on the telephone because Mo did not want to
 16 do another sale within the actual store itself.
 17 Q Did a sale occur on that date and time?
 18 A Yes.
 19 Q Do you know what was sold?
 20 A Again, it would have been men's clothing and men's
 21 fragrances.
 22 Q And when Mo purchased these items, he purchased them
 23 with cash, correct?
 24 A Yes.
 25 Q Do you know where that currency, that cash, is

- 1 currently?
- 2 A It was retained by the sheriff's department.
- 3 Q Does -- and only if you know. Do you know if anybody
- 4 has the specific items that were sold on these
- 5 occasions, a list of them?
- 6 A It would be within the case file.
- 7 Q And, also, within the case file it would state how
- 8 much was paid for the merchandise?
- 9 A Yes.
- 10 Q And, again, you stated that Mo did purchase the items
- 11 that Deputy Maxwell had at that time?
- 12 A Yes.
- 13 Let me just say on some occasions Mo
- 14 wouldn't buy everything. He would kind of pick and
- 15 choose what he wanted.
- 16 Q Okay. Did he state why or do you know why he wouldn't
- 17 buy certain pieces of merchandise?
- 18 A I specifically recall when Maxwell took some Sean John
- 19 merchandise, Mo said no, it doesn't sell so he didn't
- 20 want to buy that from Maxwell.
- 21 Q He wore -- Deputy Maxwell wore a wire on this
- 22 occasion, also?
- 23 A Yes.
- 24 Q Were you able to listen to the taped conversation?
- 25 A Yes.

- 1 Q Did that -- was the quality of that tape better than
- 2 the first sale?
- 3 A I think throughout the investigation the wire never
- 4 worked to -- worked in the fashion that we would have
- 5 hoped so I don't think we got perfectly clear audio on
- 6 any of the interactions.
- 7 Q Okay. And it's fair to assume that you don't know who
- 8 has this -- who has possession of the second tape?
- 9 A That's correct.
- 10 Q On the second occasion did anybody follow Mo as he
- 11 left the parking lot?
- 12 A I'm trying to recall. I don't recall. I don't want
- 13 to say something that's not true. I don't recall.
- 14 Q Sure. That's fair.
- 15 But you specifically do you recall following
- 16 him after the second purchase?
- 17 A No, I don't.
- 18 Q What happens? What do you do after the second
- 19 purchase?
- 20 A We would debrief with the deputies, discuss what just
- 21 happened and plan to talk again to discuss, you know,
- 22 further -- going further and then the fellow Macy's
- 23 employees and -- we would return back to our office.
- 24 Q At this second purchase was Doug Bucher present with
- 25 you?

- 1 A He was not in the vehicle with me but he was present
- 2 for this interaction.
- 3 Q Okay. And was Mark Haire also present for the
- 4 interaction?
- 5 A Yes.
- 6 Q Anybody else from Macy's present?
- 7 A No.
- 8 Q Is there a reason why Mo was not arrested after this
- 9 first or second purchase? Do you know?
- 10 A I believe we wanted to build a case further.
- 11 Q Okay. And then there was a third purchase by Mo,
- 12 correct?
- 13 A Yes.
- 14 Q Do you recall the facts and circumstances surrounding
- 15 that third purchase?
- 16 A Yes, somewhat.
- 17 Q You would have taken notes of them, correct?
- 18 A Yes.
- 19 Q And those notes would be in your file?
- 20 A Yes.
- 21 Q What do you recall about this third purchase?
- 22 A Again, Deputy Maxwell and Mo communicated. Mo
- 23 indicated that he would want to meet somewhere off
- 24 site, not at Da Hook Up location. And, again, the
- 25 same thing would happen, deputies would station

- 1 themselves. Deputy Maxwell, again, posing as a Macy's
- 2 employee would meet with Mo and that's when the
- 3 merchandise and the cash would be exchanged.
- 4 Q Do you know where this third meeting occurred?
- 5 A I cannot recall off the top of my head.
- 6 Q Were you present at that third meeting?
- 7 A Yes.
- 8 Q Were you able to observe -- visually observe?
- 9 A Yes.
- 10 Q Who were you with at that time?
- 11 A Deputy Montgomery.
- 12 Q And that meeting was also recorded?
- 13 A Yes.
- 14 Q Deputy Maxwell had Macy's merchandise?
- 15 A Yes.
- 16 Q He had -- what did he have with him?
- 17 A Again, it would be men's clothing and fragrances.
- 18 Whenever Mo and Deputy Maxwell would meet Mo
- 19 would put in orders for the type of merchandise that
- 20 he would want for the next time they would meet.
- 21 Q Okay. Did they only meet three times?
- 22 A I can't recall off the top of my head if it was three
- 23 or more.
- 24 Q Okay. But you do recall three occasions?
- 25 A At least.

- 1 Q Do you know what date this third occasion occurred?
- 2 A No, I do not.
- 3 Q I know you said you don't recall where the meeting
- 4 occurred but one thing is for certain it didn't occur
- 5 at Da Hook Up, correct?
- 6 A That's correct.
- 7 Q Okay. And it didn't occur at Goodfellas, correct?
- 8 A That's correct.
- 9 Q Did you follow Mo after this third purchase?
- 10 A I specifically did not follow Mo but deputies did and
- 11 either Doug or Mark did follow Mo.
- 12 Q Okay. But you didn't?
- 13 A Specifically me, no, I did not.
- 14 Q Okay. Did you ever see Mo take any of this
- 15 merchandise inside Da Hook Up?
- 16 A No. I specifically did not see it.
- 17 Q Okay. Did you ever go inside Da Hook Up after these
- 18 purchases occurred?
- 19 A No.
- 20 Q Were you able to observe whether these items that Mo
- 21 purchased from Deputy Maxwell were ever inside of
- 22 Da Hook Up?
- 23 A I did not physically observe any of the goods in
- 24 Da Hook Up.
- 25 Q Do you know if any representatives from Macy's went

- 1 inside Da Hook Up and observed these merchandise that
- 2 Mo purchased from Deputy Maxwell for sale at Da Hook
- 3 Up?
- 4 A I don't know if anybody else did.
- 5 Q Did you or do you know if anybody sold any stolen
- 6 merchandise to Wissam Aoun?
- 7 A I don't know.
- 8 Q Do you know if anybody sold any stolen merchandise to
- 9 any representatives inside Goodfellas?
- 10 A Yes. I do know. Or stolen goods. I'm sorry. No,
- 11 not stolen but purportedly stolen, yes, I know that.
- 12 Q Okay. Let me ask that question again.
- 13 Do you know if anybody sold certain items to
- 14 any clerks or any owners of Goodfellas inside
- 15 Goodfellas?
- 16 A Yes.
- 17 Q What information do you have regarding that?
- 18 A On another occasion the deputies in addition to Macy's
- 19 representatives, including myself and also
- 20 representatives from Target, their market
- 21 investigations team, which was similar to our ORC
- 22 team -- we did a similar sale into Goodfellas. On
- 23 this occasion we used a criminal informant instead of
- 24 a deputy who went in with goods that were from Target
- 25 and asked -- went into Goodfellas with goods from

- 1 Target and asked if anybody would want to buy them and
- 2 at that point some clerks did buy the merchandise.
- 3 Q The clerks at Goodfellas --
- 4 A Yes.
- 5 Q -- purchased this merchandise?
- 6 A Yes.
- 7 Q And this was Target merchandise?
- 8 A Yes.
- 9 Q Is Target and Macy's owned by the same company?
- 10 A No. They used to be years ago and then Target sold
- 11 Hudson's.
- 12 Q Okay. So --
- 13 A But we still have a working relationship.
- 14 Q So Macy's and Target are not affiliated?
- 15 A No.
- 16 Q Do you know when this occasion occurred?
- 17 A No, I do not.
- 18 Q You were present?
- 19 A Yes.
- 20 Q Do you have notes of this sale?
- 21 A Yes.
- 22 Q Are they in that file with --
- 23 A Yes.
- 24 Q -- the one you provided to your attorney?
- 25 A Yes.

- 1 Q Do you know if the sale occurred before or after the
- 2 investigation began with regards to Da Hook Up?
- 3 A After the investigation began.
- 4 Q What led you to Goodfellas to conduct this controlled
- 5 purchase?
- 6 A During the course of the investigation just noting
- 7 that there were several different businesses
- 8 affiliated with Da Hook Up, all owned by assuming
- 9 family members since they all had the same last name.
- 10 Q After the sale occurred at Goodfellas did any
- 11 representatives from Macy's or Target determine
- 12 whether the items purchased by the clerk were actually
- 13 put up for sale at Goodfellas?
- 14 A On that specific occasion I can't recall. Throughout
- 15 the course of this investigation somebody did go in --
- 16 I did go in, looking for Macy's merchandise, within
- 17 the Goodfellas location.
- 18 Q Did you ever see anybody walk into Goodfellas with
- 19 Macy's bags?
- 20 A Yes.
- 21 Q When did that occur?
- 22 A After a sale with Deputy Maxwell.
- 23 Q A sale to --
- 24 A To Mohammed Aoun.
- 25 Q Okay.

1 A I didn't observe it live. I observed it on
 2 videotape. Doug Bucher and Mark Haire videotaped Mo
 3 taking the goods that he had just purchased from
 4 Deputy Maxwell into Goodfellas.
 5 Q You don't recall what dates that occurred?
 6 A No, I don't.
 7 Q But you went into Goodfellas after that sale or
 8 after -- I'm sorry -- after Mo walked into Goodfellas?
 9 A Yes.
 10 Q How long after Mo walks into Goodfellas do you then
 11 enter Goodfellas?
 12 A It wasn't that same day. I don't recall how many days
 13 transpired before I entered the location.
 14 Q Okay. What do you see when you go inside Goodfellas?
 15 A It was a typical clothing store, you know, clothing on
 16 the sales floor. There were customers about. They
 17 were filming a commercial -- a television commercial.
 18 I went in and looked for merchandise that I knew that
 19 we had sold on the last occasion and I observed the
 20 merchandise that Macy's had sold to Mo within the
 21 Goodfellas location.
 22 Q Do you recall if it was days after Mo walked into
 23 Goodfellas, weeks, months?
 24 A It wasn't months. It wasn't that far out. I would
 25 say maybe two weeks max -- maximum.

1 Q What do you see when you go inside Goodfellas with
 2 regards to Macy's merchandise?
 3 A I observed some of the pieces -- some of the items
 4 that we had sold -- that Deputy Maxwell had sold to
 5 Mohammed Aoun for sale. They were located on several
 6 racks. I located them within the Goodfellas location.
 7 Q Do you know how many pieces of merchandise that you
 8 observed?
 9 A I observed three on that occasion, I believe.
 10 Q And these three articles of merchandise were on
 11 separate racks?
 12 A Separate or at least two different sales racks.
 13 Q Did you purchase any of the merchandise?
 14 A Yes.
 15 I was with a deputy from the sheriff's
 16 department as well. I was with Deputy Montgomery who
 17 actually paid cash for the merchandise.
 18 Q Do you know where this merchandise that was purchased
 19 on that day is currently?
 20 A I don't know where it is currently. A lot of that
 21 would have been seized by the deputies. Retained by
 22 them I should say.
 23 Q How many articles did you purchase on that day?
 24 A I believe it was three. I'm not a hundred percent
 25 certain but I believe it was at least three.

1 Q What leads you to believe that those articles were
 2 from Macy's?
 3 A Before we provided Deputy Maxwell with the merchandise
 4 we took the time to put little pinpricks within the
 5 decimal point on each price tag for each article. As
 6 also we would mark the articles with the ultraviolet
 7 pen so that it's naked -- it's invisible to the naked
 8 eye but it would fluoresce under an ultraviolet
 9 light. We marked each item that we provided in that
 10 fashion.
 11 Q Okay. With regards to these identifiers there
 12 was pinpricks and ultraviolet -- what was it,
 13 ultraviolet --
 14 A Markings.
 15 Q -- markings. Were these identifiers placed on all
 16 Macy's merchandise or just the Macy's merchandise that
 17 was sold to Mo?
 18 A Just the merchandise that we provided to Deputy
 19 Maxwell with the intention of selling it to Mo.
 20 Q So you wouldn't place all of these identifiers on all
 21 of Macy's merchandise, correct?
 22 A No.
 23 Q Okay. So when you were inside Goodfellas, looking for
 24 these -- any articles of merchandise, you were going
 25 through the tags to see if the tags had pinpricks on

1 them?
 2 A That's correct.
 3 Q Okay. Did you have an ultraviolet light that allowed
 4 you to see whether these ultraviolet markings were on
 5 the labels?
 6 A Not on me at that moment, not in the store -- not in
 7 Goodfellas, no.
 8 Q Okay. So the only thing you were looking for at that
 9 time were pinpricks?
 10 A Yes.
 11 Q So you were going through Goodfellas, looking at tags
 12 and were you feeling for pinpricks or trying to
 13 visually observe the pinpricks?
 14 A You wouldn't be able to visually observe them because
 15 they were so small and they were -- they were
 16 concealed pretty well within the decimal point. You
 17 wouldn't notice -- look for that unless you knew where
 18 it was placed ahead of time. So I was feeling --
 19 feeling for the pinpricks.
 20 Q Okay. When you say decimal point, what do you mean
 21 the decimal point?
 22 A The decimal point that's located within the price of
 23 the item that was on each ticket, on each item.
 24 Q Okay.
 25 A You know how there's a price -- okay -- on the

1 ticket?
 2 Q Right.
 3 A The decimal point.
 4 Q Right.
 5 A Okay.
 6 Q So you would put pinpricks inside that decimal point?
 7 A Yes.
 8 Q For example, if the article was \$12, it would be one,
 9 two, decimal point, zero, zero?
 10 A That's correct.
 11 Q And you would place the pinpricks inside the decimal
 12 point?
 13 A Yes.
 14 Q How many pinpricks would be able to fit?
 15 A It would just be one pinprick; just with a straight
 16 pin. Nothing really hi-tech; just a straight pin
 17 within that decimal point. But the tickets on the --
 18 it was Coogi merchandise that we purchased from
 19 Goodfellas; that we had sold them and their tickets
 20 are very thick. They're pretty sturdy. It's like a
 21 thick cardboard and that's -- they have like plastic
 22 or rubber tickets on there as well, on the Coogi
 23 merchandise. So we placed the pinpricks within the
 24 decimal point and, also, within the I of the Coogi.
 25 So that's what I was feeling for.

1 Q Okay. So we had two pinpricks?
 2 A Yes.
 3 Q One in the dot of the I?
 4 A In the dot of the I on the rubber tag and on the
 5 cardboard tag and the actual decimal point it would
 6 have been the pinprick there.
 7 Q How many articles did you go through inside Goodfellas
 8 before you found these three articles?
 9 A It wouldn't -- I can't tell you specifically that. I
 10 mean, I browsed like a regular customer would browse.
 11 Q Okay.
 12 A But I recall the items that we had sold them and it
 13 was kind of distinctive. The Coogi merchandise is
 14 kind of flashy, kind of distinctive so I looked for
 15 Coogi merchandise first.
 16 Q This Coogi merchandise -- well, strike that.
 17 The merchandise that Deputy Maxwell sold to
 18 Mo you testified was inventoried, correct?
 19 A Yes.
 20 Q So you would have a list of the items sold by Deputy
 21 Maxwell to Mo, correct?
 22 A Yes.
 23 Q After you removed these three articles and purchased
 24 them were you able to cross-reference them with that
 25 list to determine if those items were actually items

1 that were sold by Deputy Maxwell to Mo?
 2 A Yes.
 3 Q And were those the actual items?
 4 A Yes.
 5 In addition, when we got back together and
 6 debriefed after this, we had the ultraviolet light and
 7 we were able to identify the ultraviolet markings on
 8 the articles.
 9 Q Okay. Eventually there was a raid that occurred at
 10 Goodfellas, correct?
 11 A Yes.
 12 Q You were present at that raid?
 13 A Yes.
 14 Q Okay. Outside of the Target merchandise that was sold
 15 to the clerks inside Goodfellas and Mo also walking
 16 inside Goodfellas with these -- this Macy's bag did
 17 you have any other reason to believe at that time --
 18 well, before the raid -- that Goodfellas was
 19 purchasing stolen merchandise?
 20 A I mean, yes and no.
 21 Q Okay. If you could tell me.
 22 A If they purchased it from us, why wouldn't they
 23 purchase it from anybody else.
 24 Q Do you have any physical evidence that they were
 25 purchasing it from --

1 A No, I do not.
 2 Q Were you able to or are you aware of any other people
 3 selling stolen merchandise to Goodfellas?
 4 A No.
 5 Q So outside of your belief that they were purchasing it
 6 from somebody else you don't have any evidence of
 7 that, correct?
 8 A No, I don't.
 9 MS. DAMICO: Other than Target and Macy's;
 10 is that correct?
 11 MR. YOUSIF: What do you mean?
 12 MS. DAMICO: Well, you said she believes
 13 that she was -- that they were purchasing stolen
 14 merchandise.
 15 MR. YOUSIF: Right.
 16 MS. DAMICO: And she said no, other than
 17 what we've already discussed.
 18 MR. YOUSIF: Other than Target and Macy's.
 19 MS. DAMICO: Target and Macy's. Okay.
 20 MR. YOUSIF: Absolutely.
 21 MS. DAMICO: Thank you.
 22 Q (By Mr. Yousif): Okay. You testified that you were
 23 present at a raid that occurred at Goodfellas?
 24 A Yes.
 25 Q Prior to that raid did you meet with certain deputies?

1 A Yes.

2 Q And there was a debriefing prior to the raid, correct?

3 A Yes.

4 Q Do you know where that debriefing took place?

5 A I know on several occasions we met at the parking lot
6 for Wayne County Community College on Greenfield so
7 I'm pretty sure that's where we met on that occasion.

8 Q Do you know who from Macy's was present at that
9 debriefing?

10 A It would have been myself, Doug Bucher, Mark Haire,
11 Tim Bowers, Kevin Newcomber, Theresa Rivas and another
12 investigator from Macy's. His name is Adam. I can't
13 recall his last name.

14 Q Do you know if Kevin Newcomber, Theresa Rivas and Adam
15 are still employed with Macy's?

16 A None of them are employed with Macy's anymore.

17 Q Now, did each individual at Macy's have a
18 responsibility during the raid?

19 A Yes.

20 Q Who gave each person that responsibility?

21 A I can't remember. I can't remember who.
22 I'm sorry. I apologize. We did not debrief
23 at Wayne County that day. We actually met at Home
24 Depot, their offices in Livonia.

25 Q That's a Macy's office?

1 A No. That's Home Depot's office.
2 Home Depot assisted with this investigation
3 as well as Target.

4 Q Do you know why Home Depot assisted in this
5 investigation?

6 A To provide some of the televisions that we sold to Mo.

7 Q Okay. So Home Depot provided televisions that were
8 sold to Mo?

9 A Yes.

10 Q And Target was also involved in this raid?

11 A Yes.

12 Q Okay.

13 A They provided some electronics as well such as TVs.

14 Q So the reason that you met at Home Depot --

15 A I think they had the space. They had a big conference
16 room that would accommodate all the deputies, the
17 different retailers. It was quite a lot of us that
18 day.

19 Q Okay. So from what you recall there were
20 approximately seven individuals or representatives
21 from Macy's that were present at the raid, correct?

22 A Yes.

23 Q And obviously your notes would be clearer?

24 A I don't know if I actually have notes on who was at
25 that -- at that debriefing on that morning.

1 Q Okay. Do you have notes of what occurred at the raid?

2 A I don't even know if I have notes for that.

3 Q Who was in charge of the Macy's employees for the
4 raid?

5 A There were three raids going on simultaneously, one at
6 Goodfellas, one at Da Hook Up and -- not
7 simultaneously. And there was going to be one at Mo's
8 house as well so there were like different people who
9 were in charge at each location.

10 Q Who was in charge of the Goodfellas raid?

11 A I was in charge I'll say but that was my first search
12 warrant like that so I was really partnering with
13 people from other retailers such as Target. There
14 were people there, who were a lot more experienced
15 than I was, who were helping me out quite a bit.

16 Q Okay. Is there a reason why you, Mark Haire, Doug
17 Bucher, were all at the Goodfellas location as opposed
18 to Da Hook Up or Mo's house?

19 A No. All three of us weren't at the Goodfellas
20 location. I was at Goodfellas. Mark and Doug were at
21 Da Hook Up and Tim and Kevin were at Mo's house.

22 Q Okay. So --

23 A Sitting -- they were doing surveillance on the house
24 while the search warrants were going -- while they
25 were occurring at the businesses and then after those

1 were wrapped up then the search warrant was executed
2 on the home.

3 Q So at the debriefing you were all present?

4 A Yes.

5 Q But then when you went to the individual locations
6 where the raids were going to occur, only you and not
7 Doug and Mark went to Goodfellas?

8 A That's correct.

9 Q Okay. What happened at the raid of Goodfellas?

10 A First, the deputies entered the location to make sure
11 it was secure and after they secured the location -- I
12 don't know what they do when they secure a location
13 but after they deemed it was, you know, secure then
14 they allowed myself as well as the representatives
15 from Target and Home Depot to enter the location.

16 Q Okay. So you were outside the location as this was
17 occurring?

18 A Yes.

19 Q And after the location was secured that's when you
20 were allowed to enter?

21 A Yes.

22 Q When you entered, what did you do at that time?

23 A At that time -- as I stated previously this was my
24 first search warrant like this so I really relied upon
25 the direction and -- from an investigator from

1 Target. I can't recall his name right now. We went
 2 through the location and we marked it off. You know,
 3 we labeled the rooms like A, B, C; that type of thing
 4 and divided the rooms up. And, you know, at that
 5 time, also, during the course of this initial entrance
 6 into the location we would speak with the deputy
 7 there, Deputy Montgomery, because she was at the
 8 location and we decided, you know, what we were
 9 looking for and what we were going to seize at that
 10 point.
 11 Q Okay. Who made the decision of what you were going to
 12 seize?
 13 A Deputy Montgomery.
 14 Q Did you ever have an opportunity to review the search
 15 warrant of Goodfellas, the actual document?
 16 A It would have been after the search warrant itself,
 17 not prior to or during.
 18 Q So when you walked into Goodfellas during the raid, at
 19 that time you had not seen the search warrant,
 20 correct?
 21 A That is correct.
 22 Q Did you know what you were looking for during the
 23 raid?
 24 A Macy's goods and Macy's like goods.
 25 Q Why did you believe you were looking for Macy's goods

1 and Macy's like goods?
 2 A That was the direction that we were given per the
 3 sheriff's department.
 4 Q That would be from Deputy Montgomery?
 5 A Yes.
 6 There were other deputies there on site.
 7 Deputy Maxwell was there, also, but I don't recall the
 8 other deputies' names who were there.
 9 Q Okay. And you said that you were looking for Macy's
 10 goods and Macy's like goods. What are Macy's like
 11 goods?
 12 A Brands that Macy's carries.
 13 Q And if you were in there and you saw brands that
 14 Macy's carried, were you under the belief that you had
 15 the authority to take that merchandise?
 16 A That is correct. Yes.
 17 Q And you did, in fact, take Macy's goods and Macy's
 18 like goods?
 19 A Yes.
 20 Q Do you know if you were authorized to take merchandise
 21 that Macy's did not sell?
 22 A I don't know.
 23 Q Did you, in fact, take or seize merchandise that
 24 Macy's did not sell?
 25 MS. DAMICO: When you say you, are you

1 referring to her specifically or other people involved
 2 in the raid as well?
 3 MR. YOUSIF: Correct, her specifically.
 4 THE WITNESS: I don't recall.
 5 Q (By Mr. Yousif): Do you know if any merchandise was
 6 taken or seized that Macy's did not sell?
 7 A Yes. Now, at the time. I didn't know that then.
 8 Q Oh, during the raid you didn't know --
 9 A Uh-um.
 10 Q -- that merchandise was taken that Macy's didn't sell?
 11 A That's correct.
 12 Q So you would not have authorized anybody to take any
 13 merchandise that Macy's didn't sell, correct?
 14 A That's correct.
 15 Q Which Macy's employees were present during the raid of
 16 Goodfellas?
 17 A Myself, Theresa Rivas and Adam. Again, I can't recall
 18 his last name.
 19 Q Sure.
 20 So you were the three Macy's employees that
 21 were present; it was only you three --
 22 A Yes.
 23 Q -- from Macy's?
 24 A At that location.
 25 Q And Deputy Montgomery would have -- strike that.

1 What were the Target and Home Depot
 2 representatives authorized to seize, if you know?
 3 A It would have been the same thing for all of us I
 4 assume.
 5 Q Okay. Are you assuming?
 6 A Like we said before the Macy's and the Macy's like
 7 merchandise.
 8 Q Okay. So those Target and Home Depot representatives
 9 weren't looking for Macy's merchandise, they were
 10 actually looking for their respective merchandise,
 11 correct?
 12 A You know what? Let me correct myself. Before I said
 13 Macy's and Macy's like merchandise in addition to the
 14 Target and the Home Depot merchandise such as the
 15 televisions that they provided.
 16 Q Right. Okay.
 17 So that's why Target and Home Depot were
 18 there; they were looking for Target and Home Depot
 19 merchandise or like merchandise, correct?
 20 A Yes.
 21 Q Okay. And they were only authorized by the deputy to
 22 take their own merchandise or their own like
 23 merchandise?
 24 MS. DAMICO: Object to foundation.
 25 MR. YOUSIF: Sure.

1 MS. DAMICO: You can answer, if you know.
 2 MR. YOUSIF: If you know.
 3 THE WITNESS: We all -- Target and Home
 4 Depot didn't just say I'm just going to focus on
 5 Target stuff because obviously it's a clothing store
 6 so most of the merchandise there was clothing so they
 7 assisted with the seizing of the clothing as well so
 8 they took stuff, too.
 9 Q (By Mr. Yousif): Okay. I may be a little vague with
 10 this question but -- now, at the debriefing is there
 11 any organization that is supposed to take place during
 12 the raid? For example, once you walk in do you know
 13 where to go to immediately because someone told you
 14 that this is what I want you to do?
 15 A Like I stated, we did debrief and it was decided who
 16 would be at which location. Since this was my first
 17 time doing this I was partnered with a detective from
 18 Target -- an investigator from Target who was much
 19 more knowledgeable in executing search warrants and
 20 seizing merchandise than I was so he was, you know,
 21 kind of -- we partnered on this at this particular
 22 location so it was organized. I wouldn't say it was
 23 unorganized at the location.
 24 Q Okay. Speaking of you specifically when you walk in,
 25 what's the first thing you do?

1 Q Right.
 2 And the same thing for Theresa Rivas and
 3 Adam?
 4 A Yes.
 5 Q Who took possession of the seized merchandise?
 6 A That would be the sheriff's department.
 7 Q Do you know an approximate percentage of -- you can
 8 guess -- of the percentage of articles of merchandise
 9 that were actually taken outside of Goodfellas
 10 compared to their entire inventory on the floor?
 11 A We didn't take any women's merchandise from
 12 Goodfellas, only men's merchandise. I would say about
 13 60 percent of it.
 14 MS. DAMICO: You took 60 percent of men's or
 15 60 percent of total?
 16 THE WITNESS: Sixty percent of the men's.
 17 MS. DAMICO: Okay.
 18 Q (By Mr. Yousif): Of men's?
 19 A Yeah.
 20 And that's just an estimate -- a rough
 21 estimate.
 22 Q Right.
 23 And this merchandise that was taken -- that
 24 was seized -- there was a truck present that took this
 25 merchandise, correct?

1 A Like I stated, we -- myself and this investigator from
 2 Target -- we walked in and we divided the room -- we
 3 divided the location up into different rooms,
 4 quadrants for lack of a better term, so it would be
 5 organized so that as we were seizing the merchandise
 6 we were writing down okay, we took this, we took this,
 7 we took this so we would be able to say this
 8 merchandise was recovered from this particular spot
 9 within the store.
 10 Q So you were, in fact, inventorying what you were
 11 taking?
 12 A Yes, like a quick inventory. Yes.
 13 Q What in that inventory would you put regarding each
 14 specific piece of merchandise?
 15 A Specifically I can't recall but generally I'll say
 16 like maybe the brand of the item.
 17 Q Okay.
 18 A And like Roca Wear shirt or Sean John shirt, like the
 19 manufacturer and if it was a shirt or pants.
 20 Q Okay. And you were or were you specifically looking
 21 for and seizing merchandise that Macy's sold?
 22 A Yes.
 23 Q So all the merchandise you would have seized would
 24 have been merchandise that Macy's sold, correct?
 25 A Macy's or Macy's like merchandise.

1 A Yes.
 2 Q Do you know who provided the truck?
 3 A I don't know who specifically provided that truck.
 4 There were several trucks that were rented by
 5 representatives from Home Depot, Macy's and Target
 6 so --
 7 Q Okay. Do you know where this merchandise was taken
 8 after the raid?
 9 A To the Home Depot location on -- the same place where
 10 we had debriefed earlier that same day.
 11 Q Did you ever see the merchandise after it was seized?
 12 A Much later.
 13 Q When did you see it?
 14 A When we -- we meaning representatives from Macy's
 15 including myself, Doug and Mark -- when we went to the
 16 site -- the secure site where the merchandise was
 17 being held, we went to go do an actual inventory -- a
 18 more in-depth inventory.
 19 Q Who was present at that inventory?
 20 A Myself, Doug Bucher, Mark Haire, Deputy Maxwell,
 21 Deputy Montgomery. We were there on more than one
 22 occasion, doing the same inventory and whoever --
 23 whatever detectives from Home Depot were working to
 24 let us into this location.
 25 Q You did an actual inventory?

1 A Yes.

2 Q Why did you do an actual inventory?

3 A This inventory was more specific to write down the
4 actual UPCs for each item, how many items, the dollar
5 amount of the items, just to get a more accurate
6 picture of the actual seizure itself.

7 Q Were there any attorneys present at that inventory or
8 prosecutors?

9 A I do recall a prosecutor being present on one
10 occasion, stopping in it seems like but I don't
11 believe they stayed for the entire duration of the
12 inventory.

13 Q And the inventory that you were conducting -- were you
14 looking specifically for Macy's merchandise or you
15 were conducting an inventory of all the merchandise
16 that was seized?

17 A It was an inventory of all the merchandise that was
18 seized at this point. The Macy's -- the specific
19 Macy's merchandise, I think, was also inventoried but
20 it was in a separate box, clearly labeled Macy's
21 merchandise.

22 Q Okay. When we say Macy's merchandise, of course, we
23 mean Macy's merchandise or Macy's like merchandise
24 that Macy's actually sells, correct?

25 A When I say Macy's merchandise, I mean the merchandise

1 raid that you believed were Macy's merchandise?

2 A I can't recall specifically but it was a big box. I
3 would say it was at least like 30 articles of Macy's
4 merchandise.

5 Q Do you know where that merchandise is currently?

6 A It was retained by the sheriff's department.

7 Q Okay. Were you able to make a determination as to the
8 other Macy's merchandise that Macy's sells and Macy's
9 like goods that were taken during the raid whether
10 those items were stolen from Macy's outside of the
11 merchandise in that box?

12 A No.

13 Q And I may have asked and I'm sorry. I forgot. Do you
14 know how many articles that you determined that were
15 actually stolen or sold by Deputy Maxwell to Mo?

16 A Actually sold to Mo?

17 Q Right, and then were found at Goodfellas.

18 A Like 30.

19 Q Do you know if those thirty pieces were found on the
20 sales floor or in a storage room?

21 A It all would have been recovered from the sales floor.

22 Q Do you have an inventory of those 30 pieces?

23 A Yes. They would be with the case file.

24 Q With your case file?

25 A Yes.

1 that we provided to the deputy that he sold to Mo.
2 That's what I mean when I say Macy's merchandise.

3 Q Okay. And if you can be a little more specific about
4 that merchandise, there was merchandise that was sold
5 to Mo, that was found at Goodfellas?

6 A Yes, more than what we had initially bought when I was
7 accompanied with Deputy Montgomery.

8 Q Right.
9 As a result of the raid?

10 A Yes.

11 Q How did you make the determination that that
12 merchandise was actually Macy's merchandise?

13 A Again, the pinpricks and ultraviolet markings.

14 Q During the raid were you looking again for these
15 pinpricks?

16 A Yes.

17 Q Did you have the ultraviolet light with you at that
18 time?

19 A No, not at the raid.

20 Q But you were looking for pinpricks, correct?

21 A Yes.

22 Q And the pinpricks, again, were in the decimal point,
23 also the I for the Coogi?

24 A For the Coogi, yes.

25 Q Do you know how many articles that you found after the

1 Q Does Macy's sell Akademiks merchandise?

2 A Yes.

3 Q Does Macy's sell Coogi?

4 A Yes.

5 Q Geno Green?

6 A We did at the time that this search warrant was
7 executed and the investigation was conducted but now,
8 at this time, I don't believe we do.

9 Q Thank you. That makes my questions a little more
10 specific and I'm talking only with regards to the time
11 that the raid occurred.

12 A Uh-huh.

13 Q New Era Cap?

14 A No.

15 Q Did you seize any New Era Caps from Goodfellas?

16 A No.

17 Q Do you know if any New Era Caps were seized from
18 Goodfellas?

19 A Yes, they were.

20 Q Do you know who ordered that they be seized?

21 A I believe it was under the order of the sheriff's
22 department but they were not seized by Macy's.

23 Q None of Macy's employees or representatives that were
24 present?

25 A That's correct.

1 Q Pelle-Pelle?
 2 A I don't believe we carry it now but we did.
 3 Q Sean John?
 4 A Yes.
 5 Q ENYCE?
 6 A Yes.
 7 Q Roca Wear?
 8 A Yes.
 9 Q Azurre, A-Z --
 10 A Azurre, yes.
 11 Q Azzure?
 12 A Yes.
 13 MR. YOUSIF: A-Z-Z-U-R-E.
 14 Q (By Mr. Yousif): Ed Hardy?
 15 A Yes.
 16 Q Cezer, C-E-Z-E-R?
 17 A I don't know. I've never heard of that.
 18 Q Miskeen Originals, M-I-S-K-E-E-N?
 19 A I've never heard of that.
 20 Q Akoo, A-K-O-O?
 21 A I've never heard of that.
 22 Q And Parish?
 23 A I've never heard of that either.
 24 Q Even during the raid you aren't familiar with these
 25 name brands?

1 A Uh-um. No.
 2 Q With regards to the merchandise that Macy's doesn't
 3 sell did you or did any representatives of Macy's
 4 seize any of those articles?
 5 MS. DAMICO: I just want to object to the
 6 foundation and form because it's a little bit
 7 confusing. The only one that she specifically
 8 identified that Macy's didn't sell is New Ear Cap.
 9 She said she didn't know with respect to Cezer,
 10 Miskeen, Akoo or Parish.
 11 MR. YOUSIF: Correct.
 12 MS. DAMICO: With respect to New Era you can
 13 ask her that.
 14 THE WITNESS: Could you repeat the question,
 15 please?
 16 MR. YOUSIF: Sure.
 17 Q (By Mr. Yousif): I think you already answered New Era
 18 but with regards to New Era Cap Company you didn't
 19 seize or Macy's didn't seize any New Era Caps from
 20 Goodfellas, correct?
 21 A Correct.
 22 Q Do you know if any Macy's representatives seized any
 23 Cezer, Miskeen Originals, Akoo or Parish merchandise
 24 from Goodfellas?
 25 A I don't know.

1 Q You don't know. Okay.
 2 And you're aware of a lawsuit that was filed
 3 or are you aware of a lawsuit that was filed by
 4 Goodfellas against Wayne County and certain Wayne
 5 County deputies?
 6 A Yes.
 7 Q Do you know if that's why your inventory took place
 8 was because of a court order or you're not aware?
 9 A I assumed that was why.
 10 Q Did you make any attempts to determine whether
 11 Goodfellas sells or is authorized to sell any of the
 12 name brands that we went into?
 13 A No, I did not.
 14 Q Did you contact any of the name brands that we went
 15 through -- did you contact any of their
 16 representatives to determine if Goodfellas was an
 17 authorized seller of those goods?
 18 A No, I did not.
 19 MR. YOUSIF: I have no further questions.
 20 MS. DAMICO: Miss Flanagan probably has some
 21 questions for you.
 22 (Whereupon a short recess was taken)
 23 EXAMINATION
 24 BY MS. FLANAGAN:
 25 Q Good afternoon, Miss Boatman. How are you today?

1 A Fine.
 2 How are you?
 3 Q I'm Miss Flanagan. I represent Wayne County Sheriff's
 4 Department and the Wayne County Sheriff, Warren Evans,
 5 that was sued in this matter.
 6 We have not met personally before this day,
 7 have we?
 8 A Yes.
 9 Q Did we meet outside of a courtroom in connection with
 10 the lawsuit that was filed against the sheriff's
 11 department by Goodfellas the first time around?
 12 A Yes.
 13 Q Sorry. I didn't recall that.
 14 With regard to your testimony that you've
 15 given here today I just have a few follow-up
 16 questions. The same rules would apply. Don't guess
 17 at any answer and give truthful, full responses and
 18 complete answers if you would and I'll assume they are
 19 complete when given. Okay?
 20 A Okay.
 21 Q Was there ever any other Wayne County deputy that you
 22 worked with on the undercover buys, other than Deputy
 23 Maxwell, in terms of the deputy going into Goodfellas
 24 and actually arranging the sales with Mo?
 25 A No.

- 1 Q You indicated that at least on one occasion that you
2 and Deputy Montgomery went into Goodfellas and
3 purchased -- and she purchased -- Deputy Montgomery
4 purchased items off of the store racks, correct?
5 A Yes.
6 Q And these were items that had the confidential
7 pinpricks and ultraviolet markings on them, correct?
8 A Yes.
9 Q You think there were about three items?
10 A Yes, recalling --
11 Q I'm sorry. Go ahead.
12 A Just recalling off the top of my head, yes.
13 Q Did you ever go into Goodfellas with any other Wayne
14 County Deputy on any other date to engage in any
15 undercover buys?
16 A No.
17 Q Or any purchases of any kind?
18 A No.
19 Q When you were asked the questions about the raid at
20 Goodfellas, you did go in after working with law
21 enforcement to procure a search warrant, correct?
22 A Yes.
23 Q Did you ever have to appear subsequently at any
24 hearing challenging the validity of that search
25 warrant?

- 1 A No. I did not have to appear.
2 Q Okay. Did you ever have to --- do you know if anyone
3 from Macy's appeared at any type of hearing in
4 connection with the criminal case that would have
5 challenged the validity of the search warrant?
6 A No.
7 Q You were asked some questions about the raid in terms
8 of who made the decisions as to what would be seized.
9 You indicated that Deputy Montgomery made those
10 decisions?
11 A Yes.
12 Q With regards to your testimony about Macy's employees
13 looking for Macy's merchandise you indicated they were
14 Target and Home Depot employees there as well,
15 correct?
16 A Yes.
17 Q Is it true that part of the time the Target, Home
18 Depot and Macy's employees were all looking for Macy's
19 or Macy's like merchandise?
20 A That's correct.
21 Q And were there sheriff deputies alongside these
22 employees looking for Macy's or Macy's like
23 merchandise?
24 A There were deputies there. They were present. I
25 don't think the deputies actually, physically seized

- 1 anything.
2 Q Okay. And so when you would be going through the
3 clothing racks and looking for items that were Macy's
4 or Macy's like merchandise, who would determine
5 whether an item came off the rack or stayed on the
6 rack?
7 A Someone would shout out does Macy's sell this and
8 either myself or the other Macy's representatives will
9 say yes, Macy's sells this or we think Macy's sells
10 this.
11 Q Was there ever any time that Deputy Montgomery took
12 the lead in that fashion in identifying Macy's or
13 Macy's like merchandise?
14 A Not that I can recall.
15 Q Do you ever remember Deputy Montgomery taking the lead
16 inside the store in terms of sending a team to a given
17 quadrant -- I think you called it -- in the store?
18 A I can't recall off the top of my head.
19 Q Do you ever remember Lieutenant Milanovich taking the
20 lead in terms of -- I'm sorry. Was Lieutenant
21 Milanovich there on the date of the raid, if you
22 remember?
23 A I believe he did come in. I don't think he was there
24 for the entire duration of the search warrant.
25 Q Do you remember ever Lieutenant Milanovich taking the

- 1 lead in terms of directing the various teams from Home
2 Depot, Target and Macy's?
3 A No.
4 Q Did you ever have to circle back with Deputy
5 Montgomery after indicating there was an item that was
6 sold by Macy's before being given permission to put it
7 in the box?
8 A No. I don't recall that.
9 Q Okay. So when you indicated that Deputy Montgomery
10 would decide what you would seize, what did you mean
11 by that?
12 A At the very beginning, at the outset, before we
13 actually started physically boxing items up, Deputy --
14 you know, Deputy Montgomery said take everything.
15 Q Okay. What do you think she meant by that, if you
16 know?
17 A Everything, all of the merchandise that was offered
18 for sale within the Goodfellas location.
19 Q Do you know if she meant of Macy's or Macy's like
20 merchandise or did she indicate to you to take the
21 entire merchandise of the Goodfellas store, if you
22 know?
23 A She said everything. I interpreted that to mean
24 Macy's like merchandise.
25 Q Okay. Was there ever any time during the raid that

1 you remember anyone verbalizing that they were taking
 2 merchandise that they knew was not Macy's or Macy's
 3 like merchandise?
 4 A No.
 5 Q I think you followed up on this in your testimony but,
 6 again, when you -- following the raid when you saw the
 7 merchandise again at the Home Depot location that was
 8 pursuant to a court ordered inventory, correct?
 9 A Yes.
 10 Q There was never any time after the raid before the day
 11 at the Home Depot location that any Macy's personnel
 12 had access to that merchandise, correct?
 13 A That's correct.
 14 Q On the day of the court ordered inventory there were
 15 Wayne County Sheriff Deputies present the entire time,
 16 correct?
 17 A Correct.
 18 Q Was there ever any time that Macy's personnel were
 19 left alone to do that inventory and Deputy Montgomery
 20 was not there?
 21 A No.
 22 Q And, in fact, you didn't have any keys or access to
 23 the Home Depot location that day, did you?
 24 A No.
 25 Q Or ever following the raid and before the inventory

1 did you ever have keys to access that Home Depot --
 2 A No.
 3 Q -- warehouse?
 4 You indicated you thought a prosecutor might
 5 have stopped in. Were you referencing someone from my
 6 office when you gave that answer, if you know?
 7 A This is trying to recall from a few years ago but it
 8 just seems in my mind that Dennis Daugherty may have
 9 stopped by or was there momentarily and then left.
 10 Q Okay. You're not sure, though, right?
 11 A I'm not a hundred percent certain, no, I'm not.
 12 Q Okay. Do you ever remember meeting a younger, white
 13 gentleman from my office, a Robert Grabowski, a
 14 paralegal from our office that was sent there to
 15 monitor the inventory pursuant to an agreement with
 16 Goodfellas' counsel?
 17 A I'm sorry. I do not, no.
 18 Q Other than Wayne County Sheriff -- I'm sorry. Who was
 19 there from Wayne County Sheriff's Department, if you
 20 recall?
 21 A Deputies Montgomery and Maxwell.
 22 Q Do you ever remember seeing anyone from Plaintiffs'
 23 counsel's office there?
 24 A No, I don't.
 25 Q Were you sitting in the courtroom when we did appear

1 at that hearing where Judge Baxter ordered the court
 2 inventory on case number one?
 3 A I was there for a hearing. Yes, I was there. Yes, I
 4 was.
 5 Q Do you remember her going on record to order us to do
 6 an inventory to try and decipher what items were
 7 Macy's items versus what items might, in fact, be
 8 properly owned by Goodfellas?
 9 A Yes.
 10 Q Do you remember her making statements on the record
 11 about because of law enforcement concerns that
 12 Goodfellas employees should not be at that inventory?
 13 A I don't remember that.
 14 Q As you sit here today are you confident that the items
 15 that were returned to Goodfellas were not stolen
 16 merchandise from Macy's?
 17 A I'm confident that they weren't items that we provided
 18 for the undercover sales into Goodfellas.
 19 Q Because there was a problem with identifying the UPC
 20 number; that it was unique and specific to Macy's
 21 versus Goodfellas; isn't that correct?
 22 A That's correct.
 23 Q So even as we sit here today in a room full of
 24 attorneys isn't it true that items that were seized in
 25 this raid could not be unequivocally identified as


1 Goodfellas merchandise as opposed to Macy's
 2 merchandise; isn't that true?
 3 A That's correct.
 4 Q And that merchandise was returned?
 5 A That's true.
 6 Q Okay. And do you know if since that action happened
 7 if there was any other way to determine from a list of
 8 inventory with a UPC number whether any of those items
 9 had originated from Macy's?
 10 A Not my knowledge, no, there was not.
 11 MS. FLANAGAN: Okay. I have nothing
 12 further.
 13 MS. DAMICO: I just have a couple of
 14 questions for you.
 15 EXAMINATION
 16 BY MS. DAMICO:
 17 Q Did you obtain a search warrant for this raid?
 18 A No, I did not.
 19 Q Okay. Do you know how a search warrant is obtained?
 20 A Not very clearly, no.
 21 Q It's your understanding it has to be obtained by law
 22 enforcement?
 23 A Yes. I do understand that.
 24 Q And did you provide the information or do you know
 25 what information was contained in the affidavit to

1 secure the search warrant?
 2 A No.
 3 Q Did you provide any information to or did you tell or
 4 direct anyone at Wayne County as to what to put in
 5 their affidavit in support of the search warrant?
 6 A No.
 7 Q In fact, you never saw the search warrant and read the
 8 search warrant until after the raid; is that correct?
 9 A That's correct.
 10 Q So when you went into that store, you were under
 11 Montgomery's instruction to seize -- as you said seize
 12 everything, correct?
 13 A Yes.
 14 Q And you took that to mean -- you interpreted it as
 15 Macy's or Macy's like merchandise?
 16 A Yes.
 17 Q Okay. So you don't know what was actually authorized
 18 by that search warrant at the time that you went in
 19 there?
 20 A That's correct.
 21 Q Because you didn't obtain the search warrant?
 22 A That's correct.
 23 Q Okay. You said that with respect to the hats -- the
 24 New Era hats you knew conclusively that those hats
 25 weren't sold at Macy's, correct?

1 RE-EXAMINATION
 2 BY MR. YOUSIF:
 3 Q What is Recon Management?
 4 A A private security company.
 5 Q Do you know why they were present at the raid?
 6 A Because they specialize in determining if merchandise
 7 is counterfeit or not and there was a question as to
 8 whether or not these locations were selling
 9 counterfeit merchandise as well.
 10 Q Do you know who asked Recon Management to be there?
 11 A Doug Bucher.
 12 Q Do you know if any of the items seized were, in fact,
 13 counterfeit?
 14 A Yes. Items from Da Hook Up were definitely
 15 counterfeit. I can't recall if anything counterfeit
 16 was seized from Goodfellas.
 17 MR. YOUSIF: Thank you.
 18 MS. DAMICO: All set?
 19 MS. FLANAGAN: All set.
 20 MR. YOUSIF: All set.
 21 (Deposition concluded at 1:00 p.m.)
 22 ---
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 24
 25

1 A After the fact. At the time I did not know that we
 2 did not carry those hats.
 3 Q Were there any other entities besides Target, Home
 4 Depot, Macy's and Wayne County -- any other companies,
 5 private companies, that were there assisting in the
 6 raid?
 7 A Yes, there were.
 8 Q Who was that?
 9 A Recon Management. That's who seized the hats.
 10 Q Did you have any -- were you involved or partnered
 11 with Recon Management in any way, other than just
 12 being at the raid with Recon Management?
 13 A Me personally, no, I was not.
 14 Q Okay. Do you know if anyone from Macy's was partnered
 15 or conducted any type of investigation with Recon
 16 Management prior to the raid?
 17 A No. No. No one from Macy's partnered with them on an
 18 investigation. I think my manager, Doug Bucher, had
 19 indicated to them that we were working an
 20 investigation on Da Hook Up.
 21 Q Okay. So we should ask Doug those questions?
 22 A Probably.
 23 MS. DAMICO: Okay. I have nothing further.
 24 ---
 25

1 CERTIFICATION
 2
 3 STATE OF MICHIGAN }
 4 COUNTY OF OAKLAND)
 5
 6
 7 I, Hope M. Markowitz, Notary Public and Court Reporter
 8 in and for the above county and state, do hereby
 9 certify that the deposition of VEREEA BOATMAN was
 10 taken before me at the time and place hereinbefore set
 11 forth; that the witness was by me first duly sworn to
 12 testify to the truth, the whole truth and nothing but
 13 the truth; that thereupon the foregoing questions were
 14 asked and foregoing answers made by the witness, which
 15 were duly recorded by me stenographically, and by my
 16 later reading from stenographic notes prepared the
 17 foregoing deposition transcript in final form; and I
 18 certify that this is a true and correct transcript of
 19 my stenographic notes so taken.
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 HOPE M. MARKOWITZ, CSR-3900
 Notary Public
 County of Oakland, State of Michigan
 My Commission expires: 12-10-12