Drew Peterson Trial 2012 - Murder of Kathleen Savio People of the State of Illinois v. Drew Peterson (09CF-1048) Will County, Joliet, Illinois

Susan Doman Testified August 10, 2012

A Personal Collection of Found Materials ("as is") (Note: This is "not" an official legal court transcript) (Dialog spacing done below for format and reading ease)

In Session https://www.facebook.com/InSession

August 10

WATCH THIS THREAD FOR LIVE UPDATES FROM THE DREW PETERSON MURDER TRIAL!

Kathleen Savio's boyfriend Steve Maniaci is on the witness stand being questioned by defense attorney Joseph Lopez.

In Session

The jurors are now gone.

Prosecutor Connor announces that he learned some new information this morning from the next witness, Susan Doman ("something that had never before been brought up").

"She indicated that her sister said Drew had asked her for the children on Monday, Casimir Pulaski Day, and she [Savio] had said no. I told her that she is not to discuss that . . . [but] I do not want any surprise from the defense."

Joe Lopez: "Well, I was taken by surprise. The surprise has worn off. We'd like to think about that over the lunch hour."

August 10 at 12:56pm · Like · 4

In Session

August 10

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Both sets of attorneys are now inside the courtroom.

Judge Burmila returns to the bench.

Prosecutor Connor says that the next witness will be Susan Doman.

After Doman, we'll hear from either Susan McCauley or Dominick DeFrancesco.

The judge sends for the jurors.

08/10/2012: Prosecutor John Conner on direct examination

In Session

The jury has returned to the courtroom.

New witness Susan Doman takes the stand (questioned by prosecutor Connor).

"How did you know Kathleen Savio?"

"She's my sister."

"Did you attend her wedding to Drew Peterson?"

"No."

"Can you explain why?" Objection/Sustained.

"How long did ago did you meet him?"

"They were married for ten years . . . so a little more than ten years."

She then identifies the defendant in the courtroom.

"Did you have an occasion to be with him at family gatherings?"

"Yes, the holidays. And also camping trips . . . my sister and I and the boys would go camping, and he would come."

"Who would go on these trips?" Objection/Overruled.

"It would be myself, and Kathleen and her boys, and Drew."

'Did your husband go, too?"

"No."

"Did you have occasion to see the defendant when he was happy?"

"Yes."

'And also when he was not happy?"

"Yes."

August 10 at 2:29pm · Like · 3

In Session

During the course of Savio's divorce, she was in contact with her. On a couple of occasions, she spent the night at Savio's house.

"Have any specific recollection of if your sister prepared for a bath?" Objection/Overruled.

"Yes, I did."

"Can you describe on those specific occasions what you saw your sister do?" Objection/Sustained.

"The first time you spent the night at your sister's residence, can you give us a rough idea of when that was?'

"It was around Christmas; I'm not sure what year."

"Could you describe what you saw?"

"I was downstairs with the boys, near the fireplace, playing video games. She came down, and had a robe on, and had her hair up, with maybe a comb or something holding up her hair."

"When was the second time you spent the night at her residence?"

"I can't give you a day or year; it was just a time we decided to get together . . . she was very frustrated that day, because . . ." Objection/Sustained.

"What did you see that day as your sister got ready to take a bath; she was very frustrated . . ." Objection/Sustained.

"Could you describe what you saw your sister do?"

"She was walking past me in the kitchen area . . . she was talking to me as she was putting up her hair, and said she was going to take a bath; she had a hard day . . . it was in the evening."

The prior incident she described was also in the evening. "On either of those occasions, did

you observe your sister when she was actually taking the bath?"

"This was before she took a bath."

August 10 at 2:34pm · Like · 3

In Session

"I want to turn your attention to a conversation you had with your sister . . . can you tell the jury what she described?" Objection/Overruled.

"She had told me that she was in the basement, and her husband Drew had a knife by her throat. And he said that he could kill her, and make it look like an accident . . . she was terrified."

"Can you tell the jury on how many occasions did your sister describe that incident to you?"

"Several times."

"What were the circumstances under which she described that?"

"I don't remember."

August 10 at 2:38pm · Like · 4

In Session

The witness is asked about the week prior to Savio's death.

"Did she make a phone call to you?"

"Yes."

"Can you describe what she asked you to do?" Objection.

The attorneys approach for a sidebar.

August 10 at 2:41pm · Like · 5

In Session

The sidebar ends.

The judge asks the bailiff to remove the jury.

August 10 at 2:41pm · Like · 2

In Session

The jurors are now gone.

Attorney Greenberg objects to the statements the prosecution is trying to elicit from this witness.

"This witness, there were certain statements originally ruled inadmissible by Judge White . . . we took that to mean additional statements would not be admissible."

Connor responds: "I thought we had addressed this with Kristin Anderson . . . I thought at that point Your Honor had made a ruling, and we did not need to argue additionally."

Judge: "If the defendant's arguments are the same, my ruling will be the same."

Greenberg continues to object.

Judge: "We argued this just two days ago . . . you're making a different argument now? . . . you have me at a loss."

There is a pause while both sides of attorneys scramble to find a transcript of the earlier occasion upon which this issue was discussed.

August 10 at 2:48pm · Like · 3

In Session

Judge Burmila decides to call a brief recess, until the transcript can be located.

But before anyone leaves the room, attorney Joe Lopez comes up with it.

So the judge remains on the bench, and is handed the transcript.

August 10 at 2:48pm · Like · 3

In Session

The judge has now finished reading the transcript.

Judge: "OK, I'm familiar with this."

Brodsky continues to argue against the admissibility of the statement in question.

Judge: "We had a hearing; it was in the context of the facial reliability. I made a ruling; I made a distinction . . . I'll note a continuing defense objection to each and every one of those, that I was incorrect when I said they were not the law of the case. So the record is clear on that."

The judge then sends for the jury and the witness.

August 10 at 2:50pm · Like · 4

In Session

The witness and the jurors return to the courtroom, and Connor continues his direct examination.

"Susan, I was asking you about a phone call you had with your sister about a week before her death?"

"She said for me to take care of her boys."

"Did you also discuss getting together that weekend?"

"Yes, we had plans . . . we were going to the movies, and possibly dinner afterwards."

"Did you discuss which day you were possibly going to do that?"

"Saturday."

'Did those plans actually work out?"

"No . . . she had to study."

"Did she have finals approaching?"

"Yes, she did."

"Did she indicate whether she was planning on seeing the children on Monday?" Objection.

The attorneys go to a sidebar.

August 10 at 2:54pm · Like · 4

In Session

The sidebar ends.

The objection is overruled.

"Did your sister indicate whether she was planning on seeing her children on Monday?"

"Yes, she did."

"Can you please tell the jury how you found out about your sister's death?"

"I got a call from my older sister, in the middle of the night, probably between 1:00 and 1:30."

"Later that day, did your family go anywhere as a group?"

"We met at my older sister's house, and we went to the funeral home . . . [then] we went to my sister Kathy's house: my brother, Henry, my sister, Anna, my son, Michael, my daughter, my uncle Mike."

"At some point, was there a pounding on the door?"

"Yes . . . my Uncle Mike said we had to answer the door . . . he opened the door."

"Who did you see?"

"Drew Peterson."

"After Drew came in, was there a time the family sat down with Drew at the table?"

"Yes . . . it was my entire family."

"Did you ask the defendant a question?"

"Yes, I did . . . 'Did you kill my sister?' . . . I think he was very surprised; he kind of choked. And he said, 'I wouldn't kill the mother of my children.'"

August 10 at 2:57pm · Like · 3

In Session

At the house, Drew was carrying a laundry basket.

"He said that he needed to gather things for the boys . . . he went upstairs."

"Did there come a time when you saw the defendant near the tub in the master bathroom?"

"Yes, I did . . . I was afraid to go into the bathroom, and he went ahead, and said he would take care of it. He was just wiping the blood."

"Did you discover a locked box in your sister's house that day?"

"Yes, I found a metal container under my sister's bed. Drew said if I wanted to open it he could open it. And he pulled out a key out of his pocket, and he opened it. And it was empty." August 10 at $3:00pm \cdot Like \cdot 2$

In Session

At some point, this witness picked out clothes for Savio to wear for her burial.

"I went to Kathy's home . . . at the time I arrived, no one was there. I waited in the driveway."

"Who arrived?"

"Drew Peterson."

"Where did you go?"

"In her bedroom."

"Did you ask the defendant anything as you were picking out the clothing for your sister? . . . Did you ask him if he knew what had happened to your sister?"

"I did ask him that . . ." Objection/Sustained.

The defense asks for a sidebar.

August 10 at 3:02pm · Like · 2

In Session

The sidebar ends.

The witness says her daughter and the daughter's boyfriend were also present at the time.

"I said, 'What do you think happened to my sister?' And he said he didn't know, he would have to wait for the coroner's report."

"At some time after that conversation, did you have occasion to be back at that house, looking through your sister's items?"

"Yes."

"Were you given any items of your sister's by the defendant?"

"I was not given; I just went to the house and took things."

"What items did you take out of the residence that day?"

"I took several garbage bags of clothing, pictures, things that were on the floor."

"He said to tell your sister Anna, 'Ha ha . . . I got the will." Objection.

The parties go to a sidebar.

August 10 at 3:06pm · Like · 2

In Session

The sidebar ends.

As the witness took a photograph of Kathy from the house, Steve Maniaci was there with her (as was Drew). Drew told her that he found a will "between the floor boards.

"What did he say about your family?"

"We wouldn't get anything."

"Was your sister Anna present at that time?"

"No."

"Did there come a time after the funeral where you drove to the defendant's residence to see the children?"

"Yes." Objection.

This leads to another sidebar.

August 10 at 3:08pm · Like · 2

In Session

The sidebar ends.

The jurors have now left the courtroom.

Judge: "The defendant is objecting to the statement that the witness and her family wouldn't get anything under the will, and that the defendant went to visit the children. Mr. Connor, why would the family have to get anything out of the will?"

Connor: "The statement of the defendant was about this will that was made in a tight time frame."

Judge to Brodsky: "Did they give you in discovery that the defendant said they wouldn't get

anything out of the will?"

Brodsky: "Just that they found a will."

Connor takes a moment, searches the case file for proof that the defense was put on notice about this testimony.

Connor: "We found the transcript."

Judge: "OK, then that portion of the statement is allowed . . . it's a statement of the defendant."

Greenberg: "But it paints him as a mean-spirited person . . . none of it should be allowed in; none of it has anything to do with anything . . . I think all of it's irrelevant . . . it wouldn't do anything other than to paint him in a bad light; it's inadmissible character evidence. It's prejudicial . . . and it's just not fair."

Connor responds, say this is not only appropriate but it's already been litigated.

Judge: "This statement could be taken more than one way . . . I understand the defendant's objection, but I believe that it is probative. The inferences that will be drawn from it will be determined by the jury."

August 10 at 3:15pm · Like · 8

In Session

The defense asks that the jury be instructed that Peterson did not get anything in the will. The judge says that he'll consider that if it's brought up during the charge conference, but he's not going to give it now.

Connor argues that Drew said that only Susan could see the children, because Anna Doman was involved in the probate fight. However, the judge decides that this portion of the defense objection will be sustained, and the Prosecution will not be allowed to go into the issue of whether or not Susan Doman was allowed to see the children.

The final issue the State brings up is "the witness would be testifying as to a May 7 phone call, with the defendant, after the inquest."

The defense doesn't want this to be allowed in, but the judge says he will permit it.

"She'll be able to testify to that."

The judge sends for the witness and the jury.

August 10 at 3:18pm · Like · 4

The witness and the jurors return to the courtroom.

Connor continues his direct examination.

"Susan, I want to draw your attention back to when you and the family were at your sister's house, in the morning. Was there a situation involving your sister's purse?"

"Yes." Objection.

The attorneys approach for a sidebar.

August 10 at 3:21pm · Like · 1

In Session

The sidebar ends.

"As far as you're aware, when you made plans with your sister for the movie on Saturday, did you play phone tag?"

"Yes, we did."

"So you never did actually make contact with your sister that day?"

"No."

The witness identifies her home phone number on some records, as well as Kathy's number.

Calls were placed from Kathy's phone to her phone shortly after 1:00 and shortly after 3:00 pm."

August 10 at 3:24pm · Like · 2

In Session

"Earlier, you were asked questions about carrying out a picture of your sister's, and the defendant said something about a will?"

"He said, 'Ha ha, I found your sister's will. Tell your sister, Anna, you're not getting anything."

That ends the direct examination of this witness.

August 10 at 3:31pm · Like · 4

There is a new thread!

August 10 at 3:34pm · Like · 3

In Session

August 10

WATCH THIS THREAD FOR LIVE UPDATES FROM THE DREW PETERSON MURDER TRIAL!

Susan Doman, Savio's sister, is on the witness stand being questioned by defense attorney Joseph Lopez.

08/10/2012: Defense Attorney Joseph Lopez on cross examination

In Session

Attorney Joseph Lopez begins his cross-examination of this witness.

She agrees that she testified before the coroner's inquest on May 7, 2004.

"Remember being there?"

"Yes."

"And you were sworn to tell the truth?"

"Yes."

The witness is shown a copy of her testimony at that time, to refresh her recollection. After reviewing the transcript, she agrees that she said that her sister was on a lot of medication.

"You also testified before the grand jury?"

"Yes."

"And you indicated to them that she was taking Zoloft, and also something for her heart murmur?" Objection/Overruled.

There is then another objection, and the Prosecution asks for a sidebar.

August 10 at 3:33pm · Like · 6

The sidebar ends.

Mr. Lopez reads from the grand jury transcript: "Did your sister ever discuss any medications she was taking?" "Yes . . . I'm not sure of the medications; it got to be tremendously hard for her . . . Zoloft, and something for a heart murmur."

"Did you say that before the grand jury?"

"Yes."

"Nobody stopped you from telling the jurors at the inquest about these perceived threats?"

"Yes."

"They heard that from your own mouth?"

"Yes."

"And they still found that this was an accident?"

"Yes."

"After you told your entire story to these jurors?"

"Yes."

August 10 at 3:34pm · Like · 4

In Session

"Isn't it true that Drew never told your sister that he was going to kill her?"

"That isn't true."

"Isn't it true that at the grand jury you said Drew said he COULD killer?"

"I believe so."

"As far as Drew and Kathy's legal status in February and March of 2004, they were officially divorced?"

"I don't know the years or anything, but during that time it could be possible, yes."

"Did you know that on Oct. 3, 2003 the court entered an order ending their marriage?"

"No, just from what my sister told me that it was settled; I don't know the dates."

"But you know that on the day your sister was found in the bathtub, she and Drew were divorced?"

"Yes."

"You didn't attend any of the court hearings for your sister's divorce, did you?"

"I attended a few of them."

"You also brought a wrongful death suit against Drew Peterson, on behalf of the children?"

"Yes."

"The plaintiffs were the two children? Thomas and Kristopher?" Objection/Overruled.

"They have since dropped that lawsuit, have they not?" Objection.

The attorneys approach the bench for another sidebar.

August 10 at 3:37pm · Like · 7

In Session

The sidebar ends.

The jurors and the witness have been excused from the courtroom.

The judge notes that there's been no testimony to suggest that Susan Doman has ever been a party to the lawsuit in question.

Judge: "Is the suit still pending?"

Connor: "It is still pending. But there's been no indication that she's a party."

Judge: "If the only issue for Mr. Peterson is that she might be a witness, that does not go to bias. And I'll rule for the State . . . the objection is going to be sustained."

The judge sends for the jury.

August 10 at 3:40pm · Like · 11

The witness and the jurors have now returned to the courtroom.

The judge then calls the parties to a sidebar.

August 10 at 3:41pm · Like · 5

In Session

The sidebar ends.

"When your sister had this phone conversation with you, that was the Thursday before she passed away?"

"Yes."

"And you don't know if her and Drew were arguing?"

"No, I don't think he was there. But I don't know . . . I know they weren't arguing, because she would have said that to me right at the beginning . . . I believed everything my sister told me."

"Well, people say things they don't mean?"

"People do."

"You previously said you wanted to hold a gun to the head of the appellate court?" Objection/ Sustained.

"You entered into a book and movie deal in this case?"

"I did."

"It's our understanding that if Drew is successfully prosecuted a movie will be made?"

"Yes."

"So you have a motive for a conviction?"

"No."

"You would get one third of a portion of it, is that right?"

"According to the contract, yes."

"You would make a minimum of \$30,000?"

"Yes . . ."

"And that you and Kathleen Savio would be portrayed in a positive manner?"

"Yes."

"So the more dirt they throw at Drew, the more positive you look?" Objection/Overruled.

"This book is about domestic violence."

"Well, you don't want anything negative coming out about your sister?"

"I want the truth to come out . . . positive and truth are the same to me."

"Well, if Drew were found not guilty, that wouldn't be a very good movie, would it?"

"To me, it would. It's about domestic violence. It's about my sister's story."

August 10 at 3:48pm · Like · 16

In Session

"To make the book more colorful, you'd have to put more details in it?"

"I wouldn't be writing it."

"Well, you'd be giving them facts, wouldn't you?"

"Some, yes."

"This is a movie about domestic violence?"

"No. It was going to be about my sister . . . my sister was involved in a domestic violence satiation."

"Well, the words 'domestic violence' don't appear anywhere in this contract do they?"

"No."

"And you get to control all the publicity for this book, don't you?"

"I don't think so."

The witness is shown a copy of the Oct. 9, 2009 contract for her book deal. It is then moved into evidence.

"Doesn't it allow you to control the publicity in this book deal, this film deal?"

"I see 'Miss Doman will not do any publicity without the permission of the parties' . . . what's it's saying is that to protect the best interests of Susan Doman, I will not do any publicity without the permission of these people."

"And it has your initials?"

"Yes."

August 10 at 3:52pm · Like · 5

In Session

The book contract is projected.

"This was signed in October of 2009?"

"That's right."

"Do you remember . . . this was approximately five years after the inquest?"

"Correct."

August 10 at 3:52pm · Like · 5

In Session

"Know what "back end percentages of profits" means?"

"No."

"Did anybody explain that to you?"

"No."

"Did you have an attorney with you when you signed this contract?"

"No."

"What was your understanding of the proposal?"

"A little summary of what the book is about."

The witness continues to be asked about the contract.

August 10 at 3:56pm · Like · 6

"You signed a contract, and you didn't understand what it meant? Or wasn't it explained to you?"

"No, it wasn't explained to me."

August 10 at 3:56pm · Like · 6

In Session

"If there's a need to fictionalize this story, to make either you or Kathy more colorful, you've given them permission to do that?"

"Yes."

"What does 'colorful' mean?"

"I think to be positive . . . whatever the story was, I wanted it to be true."

"But you agreed they could fictionalize the story? You agreed to this?"

"Yes . . . I did sign that . . . but I believe I have the final say on that."

August 10 at 3:58pm · Like · 4

In Session

"You also said that when you saw your sister take a bath, she put her hair up in a bun?"

"Yes."

"You can put your hair up in a bun with bobby pins?"

"Not with her hair; her hair was really long and curly."

"She could do it with a pony tail . . . or with a towel?"

"I never saw her use a towel."

"You don't know when it was, what time of day . . . or if anyone else was there?"

"No."

"You were informed of her death at night?"

"Yes."

"And you didn't go to the house that night?"

"I was informed that I couldn't go."

"You had a key to that house?"

"Yes."

The witness repeats that Peterson banged on the front door of the house while the Savio family was there.

"At no time while you were sitting inside did the garage door open and Drew Peterson walked in?"

"Not at the beginning, no."

"At the time Drew entered the residence, you knew that both he and Kathy owned that property?"

"Yes."

"And the property disbursement had not yet been settled?"

"Yes."

"You asked Drew if he killed your sister?"

"Yes."

"And he told you no, that he wouldn't kill the mother of his children."

"So no matter how much he hated your sister, he loved his children more?"

"No."

August 10 at 4:04pm · Like · 3

In Session

The witness repeats that on the day she and Drew were to pick out Savio's burial clothes, she didn't think it was proper for her to go in first by herself.

"My daughter and her boyfriend came along with me."

"Did you go upstairs, to the master bedroom?"

"Yes, we did."

"And you asked Drew what had happened with your sister?"

"Not at that moment."

"And he said he didn't know, that you'd have to wait for the inquest?"

"Yes."

"So you knew there would be some sort of coroner's inquest?"

"Yes."

"When did you learn you were going to be testifying at the inquest?"

"Right when we got there . . . my older sister said she thought it would be proper if I did it [testify at the inquest]."

"And you did it?"

"Yes."

August 10 at 4:07pm · Like · 2

In Session

"You also testified about Drew marrying a younger woman?"

"I don't remember if I said it."

The witness is shown a copy of the inquest transcript, then agrees she mentioned Drew's marrying a younger woman.

"I told the truth."

"You were able to tell them all of the things that your sister had told you, right?" Objection.

The parties approach for a sidebar.

August 10 at 4:07pm · Like · 5

The sidebar ends.

"Has production of the movie started yet?"

"No."

"Has the screenplay been written yet?"

"No."

"It's your understanding that nothing's going to happen until this case is over?"

"Yes."

That concludes the cross-examination of this witness, and the judge calls a ten minute recess.

August 10 at 4:08pm · Like · 4

In Session

The witness has stepped down, and the jurors have left the courtroom.

Judge Burmila leaves the bench.

The trial is in recess until 3:15 CT/4:15 ET.

August 10 at 4:08pm · Like · 2

In Session

Judge Burmila is back on the stand.

He sends for the witness and the jurors.

August 10 at 4:32pm · Like · 7

In Session

There is a new thread!

August 10 at 4:40pm · Like · 3

08/10/2012: Prosecutor John Conner on redirect examination

August 10

WATCH THIS THREAD FOR LIVE UPDATES FROM THE DREW PETERSON MURDER TRIAL!

Susan Doman, Savio's sister, is on the witness stand being questioned by prosecutor Connor.

In Session

The witness and the jurors are now back in the courtroom.

Prosecutor Connor begins his redirect examination.

"You were asked a number of questions about this rights agreement . . . did you have an attorney with you when you signed this?"

"No."

"Have you ever dealt with the entertainment industry before?"

"No."

"Have you made any money off this contract?"

"No."

"And when you signed this contract in 2009, it was supposed to last for two years?"

"Yes."

"If there was an advance of any sort, how much of that went to you?"

"Nothing."

"So only if something is sold and produced successfully . . ." Objection/Sustained.

"At the time in 2009 when you signed this contract, had you already spoken to the state police and gone before the grand jury?"

"I believe so."

"So what you told the jury today are the same things you told long before this contract?" Objection/Overruled.

"Yes."

August 10 at 4:39pm · Like · 18

In Session

"Recall how long the coroner's inquest happened?"

"About two hours, I believe."

"How long did you actually speak to them?" Objection/Sustained.

"You were asked questions about the word 'colorful' in the contract. What did that mean to you?" Objection/Overruled.

"The truth, the positive side, I thought."

"When you signed this contract giving the other party the right to portray you and your sister in a positive light, what were you trying to do?"

"I was trying to give my sister a voice."

"When your sister spoke to you about the day that the defendant had broken in and held her at knifepoint, what was it that he said?" Objection/Sustained.

That ends the redirect examination.

August 10 at 4:41pm · Like · 10

In Session

The jurors are excused from the courtroom.

Attorney Greenberg addresses the court, asks once again for a mistrial, based on the Prosecution's questioning of Susan Doman.

There is a pause while the court reporter attempts to locate a portion of the court record that is in contention.

Judge: "The mistrial motion is denied. The objection regarding the scope of the crossexamination . . .why should the State be allowed to be go into this again?"

Connor: "Her credibility was questioned."

Judge: "Well, it is beyond the scope of the cross."

He sends for the jury.

August 10 at 4:51pm · Like · 9

08/10/2012: Defense Attorney Joseph Lopez on recross examination

In Session

The witness and jurors return to the courtroom.

Attorney Joe Lopez begins his recross.

"When the State asked you about this word 'colorful,' you said it would be positive and the truth?'

"Yes."

"Didn't you mean it would be entertaining, and they would embellish the facts?"

"No."

"They'd only tell Kathy's story, and not Drew's?"

"It is a domestic violence issue. It's about her life . . . that's what I told him that I wanted it to be." Objection/Sustained.

"This contract, when you read it, you didn't tell him, 'Hey, there's nothing about domestic violence in here'?"

"No."

"They can make this story more colorful?"

"Yeah, they could . . . but I would have the last say; I wouldn't let them do that . . . elaborate on lies."

"In this contract, you waived your rights, didn't you?"

"Yes."

"So they can write pretty much whatever they want?"

"Pretty much."

"They can fictionalize the story to protect you, protect your sister, or make it more colorful?" Objection/Sustained.

August 10 at 4:53pm · Like · 4

"This contract is still pending, because the trial isn't over?"

"No."

That ends the testimony of this witness, and she is excused.

August 10 at 4:56pm · Like · 9