

Thursday, May 15, 1997 (morning)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Action No. 96-CR-68

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY JAMES McVEIGH,

Defendant.

REPORTER'S TRANSCRIPT

(Trial to Jury - Volume 98)

Proceedings before the HONORABLE RICHARD P. MATSCH,
Judge, United States District Court for the District of
Colorado, commencing at 9:00 a.m., on the 15th day of May,
1997, in Courtroom C-204, United States Courthouse, Denver,
Colorado.

Proceeding Recorded by Mechanical Stenography, Transcription
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APPEARANCES

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Defendant McVeigh.

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PROCEEDINGS

(In open court at 9:00 a.m.)

THE COURT: Be seated, please.

Good morning. We have some stipulations --

MR. HARTZLER: We do, your Honor.

THE COURT: -- to consider.

Mr. Nigh, have you consulted with Mr. McVeigh with
respect to these stipulations?

MR. NIGH: Yes, your Honor, I have.

THE COURT: I don't know if there's a particular order

to them. Is there, Mr. Hartzler?

MR. HARTZLER: No, your Honor, not particularly.

THE COURT: Okay. Well, let's review them. One is a stipulation with respect to what would be the testimony of Randall A. Wolverton as a special agent in the Federal Bureau of Investigation that "On May 4, 1995, I met with Terry Lynn Nichols and his attorney for the purpose of obtaining samples of Mr. Nichols' handwriting. Government Exhibit 1289 contains pages of handwriting samples that I saw Terry Lynn Nichols write on May 4, 1995." That's a stipulation.

MR. NIGH: Yes, your Honor, and we're agreeable to that stipulation.

THE COURT: Mr. McVeigh, do you agree with that?

THE DEFENDANT: Yes, sir, I agree with the terms of that stipulation.

THE COURT: You've talked with Mr. Nigh and you understand what a stipulation is?

THE DEFENDANT: Yes, I have.

THE COURT: And that I tell the jury this is agreed and they will accept it.

THE DEFENDANT: Yes, I understand.

THE COURT: Okay. You can be seated.

The second one is, If called as a witness, Dennis Stewart would testify, "That I have been postmaster of Red Field, South Dakota, for 12 years. There is not now nor has there ever been a street by the name of Malp, M-A-L-P, or Maple, M-A-P-L-E, in Red Field. There is no city in South Dakota by the name of Redfield, South Dakota." And there is no one -- Red Field, South Dakota, as the first Red Field is two words; the second Redfield is one.

Here again, Mr. Nigh, is that agreed?

MR. NIGH: It is, your Honor.

THE COURT: And, Mr. McVeigh, do you agree?

THE DEFENDANT: Yes, sir, I do.

THE COURT: And the other one is testimony, if called,

of William Davis that "I am married to Patricia Davis, who is the sister of the defendant, Timothy James McVeigh. In early 1993, I owned and operated a business known as Bill Davis Electric, which was then located in my home at 11240 N.W. 27th Court, Plantation, Florida, 33323. In early 1993, the defendant, Timothy James McVeigh, visited my wife and I and stayed with us for approximately one month.

During that time I hired the defendant, Timothy James McVeigh, to be an apprentice electrician for Bill Davis Electric. On February 5, 1993, at my home, I provided a blank W-4 tax withholding exemption form to the defendant, Timothy James McVeigh, for him to complete before starting to work for Bill Davis Electric. Mr. McVeigh had possession of that form for approximately the amount of time necessary to complete and sign it and then gave it back to me in my home that same day. I do not recall whether or not I witnessed Mr. McVeigh sign the

form. I do not recall any other person being present with Mr. McVeigh while he had possession of the form. The form was filled out, signed, and dated when I received it back from Mr. McVeigh. I have no reason to believe that any other person other than Timothy James McVeigh signed the W-4 dated February 5, 1993.

"Government 1287 is a copy of the completed, signed, and dated W-4 form that Mr. McVeigh returned to me on February 5, 1993. I kept it in the files of Bill Davis Electric until it was turned over to the United States Government. I have examined the signature on a copy of Government Exhibit 1287. I did not write that signature. I'm familiar with the handwriting of my wife, Patricia Davis, and I know that the signature on Government 1287 is not in my wife's handwriting. No other person was living in my home on February 5, 1993, when I received this fully completed, signed, dated form back from Timothy James McVeigh."

Mr. Nigh, again, is this agreed?

MR. NIGH: It is, your Honor.

THE COURT: Mr. McVeigh, do you agree?

THE DEFENDANT: I do agree, sir.

THE COURT: All right. At what point do you want me to read these?

MR. HARTZLER: I think after Mr. Paddock, the second witness, testifies would be appropriate.

THE COURT: Okay.

MR. HARTZLER: Upon the conclusion of your reading the stipulations, your Honor, we have three certified public records that we'll move. They're 121, '22, and '23.

THE COURT: All right. Mr. Nigh, are you familiar with them?

MR. NIGH: I don't believe that I am, your Honor.

MR. HARTZLER: These are the certified records from the South Dakota Department of Motor Vehicle Registration indicating no driver's license in a particular name. I'll show them to Mr. Nigh at the break.

THE COURT: All right.

MR. NIGH: I am familiar with those.

THE COURT: Would you like -- Mr. Jones is absent for the first part of today's trial proceedings. And, Mr. McVeigh, is that agreed --

THE DEFENDANT: Yes, sir.

THE COURT: -- with you?

And do you want me to advise the jury that he is absent and has been excused for good reason without telling them what it is?

MR. NIGH: I don't think it's necessary, your Honor.

THE COURT: All right. Okay. Well, I agree. I just offered it. I mean he was absent a couple of times before and we didn't point it out, and I think it's better not to point it out.

MS. RAMSEY: Maybe they won't be able to see that he's not here.

THE COURT: Yeah, they can't see around that.

MR. NIGH: Your Honor, I have one matter if we can

MR. NIGH: YOUR HONOR, I HAVE ONE MATTER IF WE CAN approach.

THE COURT: Yeah.

MR. NIGH: I don't know if it's possible. We can try.

THE COURT: Am I cluttered in here.

(At the bench:)

(Bench Conference 98B1 is not herein transcribed by court order. It is transcribed as a separate sealed transcript.)

(In open court:)

THE COURT: All right. Let's bring in the jury.

MR. HARTZLER: Thank you, your Honor. There is one outstanding stipulation that we're awaiting Mr. Jones's review and approval on.

THE COURT: All right.

(Jury in at 9:10 a.m.)

THE COURT: Members of the jury, good morning.

We're sorry to keep you waiting these 10 minutes, but it was time well spent, as you will be hearing a bit later. We've arrived at stipulations with respect to what certain witnesses would testify if they were to appear and testify, and that's something that's permitted in cases where if both sides are in full agreement as to what a witness would say if called, then there can be a stipulation. I'll read the stipulations to you at a later time. That's what we were doing here. We weren't having coffee and donuts or anything like that.

We're ready, then, to proceed with the next witness.

MR. HARTZLER: Vernon Phillips. Ms. Wilkinson will question him.

THE COURT: All right.

THE COURTROOM DEPUTY: Raise your right hand, please.

(Vernon Phillips affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: Vernon Don Phillips, P-H-I-L-L-I-P-S.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Proceed.

MS. WILKINSON: Thank you, your Honor.

DIRECT EXAMINATION

BY MS. WILKINSON:

Q. Good morning, Mr. Phillips.

A. Good morning.

Q. Would you tell the jury where you work.

A. Oklahoma Highway Patrol in Sallisaw, Oklahoma.

Q. Are you a trooper with the Oklahoma Highway Patrol?

A. Yes, ma'am, I am.

Q. How long have you been a trooper?
A. A little over 18 years.
Q. Now, you said you're from where in Oklahoma?
A. Sallisaw.
Q. And can you tell the jury where that is in proximity to Oklahoma City?
A. It's about 160 miles east of Oklahoma City on Interstate 40.
Q. Were you in that area on April 19, 1995?
A. Yes, I was.
Q. What were you doing that morning?
A. I was at home working on reports.

Vernon Phillips - Direct

Q. Did you find out about the bombing sometime after 9:00 --
A. Yes, ma'am.
Q. -- on April 19?
What did you do?
A. I was instructed to go to Oklahoma City, and I packed my clothes and equipment and went to Oklahoma City.
Q. How long did it take you to get there?
A. Approximately an hour and a half to two hours.
Q. Were you assigned to a search team the following day, on April 20, 1995?
A. Yes, I was.
Q. And did you begin searching for evidence that day?
A. Yes, ma'am, we did.
Q. Can you look in front of you. There's several pieces of evidence. One should be marked Government's Exhibit 771. Do you see that one?
A. Yes, ma'am.
Q. Do you recognize Government's Exhibit 771?
A. Yes, I do.
Q. How do you recognize it?
A. By its shape and just general appearance.
Q. Do you recall where you found it on April 20, 1995?
A. Yes, ma'am.
Q. Where did you find it?
A. In the hallway in Bentley's Carpet.

Vernon Phillips - Direct

Q. Tell us -- we don't have the model here today, so could you tell us where Bentley Carpet is in relation to the Murrah Building in downtown Oklahoma City?
A. Bentley Carpet would be just over a block east of the Murrah Building and a little bit to the south.
Q. And you said you found it inside of Bentley Carpet?
A. Yes, ma'am.
Q. Where inside of that building did you find Government's Exhibit 771?
A. As you enter Bentley Carpet from the west through the front doors, you enter a lobby area. To the right after you've

entered the lobby area is a hallway that extends east and west. This item was laying in the hallway in Bentley's Carpet.

MS. WILKINSON: Government offers 771, your Honor.

MS. RAMSEY: No objection, your Honor.

THE COURT: Received.

BY MS. WILKINSON:

Q. Trooper Phillips, is Government's Exhibit 771 also known as Q985?

A. Yes, that is correct.

Q. Were there photographs taken of Government's Exhibit 771 where you found it back on April 19, 1995?

A. Yes, there was.

Q. Have you reviewed those photographs before coming into court today?

Vernon Phillips - Direct

A. Yes, I have.

MS. WILKINSON: Your Honor, may I approach?

THE COURT: Yes.

BY MS. WILKINSON:

Q. Trooper Phillips, I'm going to show you Government's Exhibit 772, 773, and 774. If you could look at all three of those without showing them to the jury and tell us if you recognize those.

A. Yes, ma'am.

Q. And are these photographs of Government's Exhibit 771?

A. Yes, they are.

MS. WILKINSON: Government offers 772, 773, and 774.

MS. RAMSEY: Your Honor, may I voir dire here as to 772?

THE COURT: Yes.

VOIR DIRE EXAMINATION

BY MS. RAMSEY:

Q. Trooper, did you see what has been admitted as 771 in the positioning and the wall that is shown in 772?

MS. WILKINSON: Your Honor, I don't believe that's what the photograph shows.

THE WITNESS: I don't understand.

THE COURT: Maybe you can come over -- it could be that there's a misdesignation in your copies.

MS. RAMSEY: Ah, it is.

Vernon Phillips - Voir Dire

BY MS. RAMSEY:

Q. Where is that hole?

A. It's in the wall of the hallway.

Q. And my question was did you personally see what made that hole in the wall?

A. No, ma'am.

MS. RAMSEY: Your Honor, we would object to 772 as being irrelevant and no personal knowledge with regard to what made the hole.

THE COURT: All right, I'll take that objection.

THE COURT: Are you offering it with a suggestion that the hole is related to the part?

MS. WILKINSON: Yes, your Honor, but the part is not in the hole. This is the part that was on the floor, and I think Trooper Phillips will explain that he believes the part hit the hole and landed on the floor.

MS. RAMSEY: That's why we're objecting, because he doesn't know.

MS. WILKINSON: We don't need it. We'll do 773 and 774.

MS. RAMSEY: And I don't have any objection to those.

THE COURT: 773 and 774 are received and may be displayed if you wish.

MS. WILKINSON: Marshal, could you put up 773, please. That's 772. We don't need that one. And then the next one.

DIRECT EXAMINATION CONTINUED

Vernon Phillips - Direct

BY MS. WILKINSON:

Q. Trooper Phillips, looking at 773, tell the jury what they're seeing in this picture.

A. Standing in the hallway looking towards the west, the plastic area in the front was the windows that had been broken out.

Q. Could you speak up, Trooper Phillips? We can't hear you back here. The defense can't hear you.

A. The -- may I?

MS. WILKINSON: Your Honor, may he stand?

THE COURT: Yes, you can stand there and point.

Can you see it?

MS. RAMSEY: Yes, thank you.

THE WITNESS: This is a window area in the front of Bentley's Carpet to the west. This is the hallway I was speaking of. The lobby is out to the front here. This is the item here. It appeared to have hit the wall and fell there.

BY MS. WILKINSON:

Q. You're pointing to Government's Exhibit 771 in the front right-hand corner?

A. Yes.

Q. Could you pick up 774 and put that right there and put that up on the easel. The next one. There you go.

And what does Government's Exhibit 774 depict?

A. Exhibit 771 lying on the carpet in the hallway.

Vernon Phillips - Direct

Q. You can take your seat.

Did you find another piece of evidence or another metal fragment on April 20?

A. Yes, ma'am.

Q. Can you look at Government's Exhibit 776, please. You can take that out of the bag.

came out of the bag.

Is that the piece that you found on April 20?

A. Yes, ma'am, it is.

Q. How do you recognize it?

A. By its unique shape and the general appearance of it.

Q. Had you seen that piece prior to April 20, 1995?

A. Yes, ma'am, I had.

Q. When did you see it?

A. On the evening of 19th.

Q. How did you come across Government's Exhibit 776 on April 19?

A. We were doing a general walk through the area looking for possible evidence.

Q. Where did you see Government's Exhibit 776?

A. This was lying in a grassy area to the north of Bentley's Carpet.

MS. WILKINSON: Government offers 776.

MS. RAMSEY: No objection, your Honor.

THE COURT: Received, 776.

BY MS. WILKINSON:

Vernon Phillips - Direct

Q. Trooper Phillips, is Government's Exhibit 776 also known as Q1927?

A. That is correct.

MS. WILKINSON: We have no further questions, your Honor.

THE COURT: And do you have any questions?

MS. RAMSEY: Yes, your Honor, I do.

CROSS-EXAMINATION

BY MS. RAMSEY:

Q. Trooper, with regard to 776, which I believe is what you have in front of you, how did you come across that?

A. Just doing a general walk-through --

Q. What was your assignment?

A. -- that day. We were working as a bomb -- I was working as a bomb technician with the Oklahoma Highway Patrol, and we were just generally walking toward the east looking for potential pieces of evidence.

Q. When you received the call in Sallisaw, were you given any specific instructions with regard to going to Oklahoma City?

A. Yes, ma'am, I was.

Q. And what were those specific instructions, please.

A. To report to Lieutenant John Haney, the bomb squad commander in Oklahoma City, and I did that.

Q. And do you have any special training in bomb squad work?

A. Yes, ma'am, I am a bomb squad technician.

Vernon Phillips - Cross

Q. Through the Oklahoma Highway Patrol?

A. Yes, ma'am.

Q. And what did you do in order to prepare to go to Oklahoma City?

A. I packed my clothes.

Q. Okay. What are your other duties with regard to the Oklahoma Highway Patrol?

A. Being a traffic trooper.

Q. Okay. And that's usually what you do, isn't it?

A. Yes, ma'am.

Q. Okay. I believe you said you've been a trooper for 18 years?

A. A little over, yes, ma'am.

Q. Have you always been in Sallisaw?

A. Yes, ma'am.

Q. That's kind of unusual, isn't it?

A. Yes, it is.

Q. And have you in your performance of duties ever arrested an Andreas Strassmeier?

MS. WILKINSON: Objection, your Honor: Beyond the scope.

THE COURT: Sustained.

BY MS. RAMSEY:

Q. Now, when you went to Oklahoma City, what day did you get there, on the 19th?

Vernon Phillips - Cross

A. Yes, ma'am.

Q. And on the 19th, did you report in as you were supposed to?

A. Yes, ma'am.

Q. And what did you do actually on the 19th?

A. Assisted the search and rescue and looking for evidence.

Q. How did you do that?

A. Just by physically going and walking around.

Q. Were you given a particular sector to work with?

A. My team consisting of our Oklahoma Highway Patrol bomb squad went to the east of the Murrah Building.

Q. All right. And that's where you came upon 776 on the 19th; is that correct?

A. Yes, ma'am.

Q. And did you actually find that in the grass?

A. I saw it in the grass, yes, ma'am.

Q. And did you mark it at that time?

A. No, ma'am.

Q. Why did you not pick it up at that time?

A. We had been instructed not to move any evidence at that point in time.

Q. Did you in any way mark it so that it could be retrieved at some later time?

A. I did not.

Q. Did someone else do that, that you saw?

A. That I saw mark it?

Vernon Phillips - Cross

Q. Uh-huh.

A. No, ma'am, I didn't.

Q. Then how are you sure this is the same item that you saw on the 19th?

A. Again, by its general shape and appearance.

Q. All right. And when you passed this on the 19th, did you mention that to anyone?

A. Yes, ma'am.

Q. All right. Did you put it on an evidence log at any time?

A. No, ma'am, I did not.

Q. Was that what you were supposed to be doing that day?

A. No, ma'am.

Q. So actually when you went back on the 20th, did you retrieve 776?

A. Yes, ma'am.

Q. And then at that time did you put it on an evidence log of some kind?

A. Yes, ma'am.

Q. And is that where the Q number comes in for 776? I believe it was Q1927.

A. That's correct.

Q. And did you have a specific number that you were to assign to anything that you found?

A. That was not my duty.

Q. But it was someone in your team's duty?

Vernon Phillips - Cross

A. Yes, ma'am.

Q. When you found something that might have evidentiary value, were you supposed to show it to someone else?

A. I don't understand your question.

Q. Were you supposed to show anything that might have evidentiary value to someone else to determine whether it did or not, or was that just a decision that you made?

A. On the 19th or on the 20th?

Q. Either day.

A. On the 19th we were just to make note of it and inform our bomb squad commander, which is what I did. And on the 20th, we were assigned to a team or I was assigned to a team that was actually picking up the evidence.

Q. When you talked to your bomb squad commander on the 19th and advised him or her that you had found 776, were you then advised that that had some evidentiary value?

A. No, ma'am.

Q. How did you decide to go back on the 20th and pick it up?

A. Because we were told to pick up anything that might have potential evidentiary value.

Q. All right. And who was your bomb squad captain at that time?

A. On the 20th?

Q. Uh-huh.

A. I was working under the supervision of FBI Agent Wallace

Vernon Phillips - Cross

Higgins

miggins.

Q. Was it different on the 19th?

A. On that day, I was reporting to my bomb squad commander, who is Lieutenant John Haney with the Oklahoma Highway Patrol.

Q. When you were in Oklahoma City, did you work with different teams every day?

A. No, ma'am.

Q. How many teams did you work with, then; just two?

A. Two.

Q. All right. And how long did you stay in Oklahoma City?

A. I was there from the beginning all the way through to the end. And to be honest, I don't remember the dates. I went home on two days off at some point in there. I don't recall that.

Q. And continued your regular duties, then, in Sallisaw?

A. Pardon?

Q. And then continued your regular duties in Sallisaw?

A. No, ma'am, I just went home on two days off and reported back to Oklahoma City.

MS. RAMSEY: I have no further questions, your Honor.

MS. WILKINSON: The witness is excused, your Honor.

MS. RAMSEY: No objection, your Honor.

THE COURT: You may step down. You're excused.

THE WITNESS: Thank you, your Honor.

THE COURT: Next, please.

MR. HARTZLER: The Government calls Ed Paddock. Miss Wilkinson will question him.

THE COURT: All right.

THE COURTROOM DEPUTY: Would you raise your right hand, please.

(Edward Paddock affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: It's Edward Michael Paddock, P, as in Peter, A-D-D-O-C-K.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Proceed.

MS. WILKINSON: Thank you.

DIRECT EXAMINATION

BY MS. WILKINSON:

Q. Good morning, Mr. Paddock. How are you doing?

A. Good.

Q. Can you tell this jury what your profession is, please.

A. I'm sorry.

Q. What is your profession?

A. I am an engineer with a consulting firm in the Detroit area.

Q. What type of engineer are you by training?

A. I'm a mechanical engineer and specifically an automotive

Edward Paddock - Direct
mechanical engineer.

Q. Have you also been a design engineer?

A. Yes, I have.

Q. Now, could you describe briefly to the jury your educational background.

A. Well, I went to a small liberal arts school and college in Pennsylvania, and I received an associate certificate in 1962. And after that, I transferred to the University of Detroit, which is naturally in the Detroit area, on a cooperative engineering program, where I also started working for Ford Motor Company at that time. And I graduated in 1965.

Q. What degree did you obtain at that time?

A. I received a bachelor's degree in mechanical engineering.

Q. Did you continue your schooling?

A. Yes, ma'am.

Q. What did you do?

A. I went to night school and received a master's degree in mechanical engineering from the University of Michigan in 1968.

Q. And that wasn't enough: You obtained another degree; correct?

A. Yes. At one time, I thought I'd be a patent attorney and went to law school at night, also, and obtained a law degree.

Q. From where?

A. From a university called Wayne State University in metropolitan Detroit.

Edward Paddock - Direct

Q. And I take it you've never practiced law; is that correct?

A. No, ma'am, never have.

Q. How were you employed after you began studying mechanical engineering in school?

A. When I first started with Ford Motor Company in 1962, I was effectively a trainee, at which point I did drawings for more senior engineers, I ran tests for more senior engineers. I did a lot of training-type assignments for the first three years.

Q. Before we go into your experience at Ford, can you tell us how long you were employed by Ford Motor Company?

A. 34 years.

Q. And have you just recently retired?

A. Yes. I left and retired from Ford Motor Company December 31 of last year.

Q. Let's go back to your experience at Ford. During different periods of time during those 34 years, did you have different assignments and different duties?

A. Yes, ma'am.

Q. Can you summarize for us the different positions you've held at Ford Motor Company?

A. I was a design engineer, I was a development engineer; and by the way, all these assignments are associated with truck-type products, light-truck products.

Q. Tell us a little bit about that. How were your assignments figured out at Ford in terms of different types of vehicles?

Edward Paddock - Direct

A. At first, they were again as a trainee; and then I went

into a development area, which dealt with heavy-truck engine performance and engine development. And then I went into the military part of Ford where we worked on 8-by-8 axle, trans-missile transporters. I was design supervisor on a vehicle called a People Mover, which is much like the tram that you have out here at the Denver airport and other airports.

I also worked on the application of federal motor vehicle safety standards to truck products. I designed front-end accessory drives. I designed transmissions, rear axle suspension, and eventually worked on programs ensuring that all required testing was completed before a product went into production. And then my last assignment was as a design analysis engineer.

Q. So you know a little bit about trucks?

A. I believe I do, yes.

Q. Tell us about your last assignment with Ford Motor Company before you retired.

A. My last assignment was as a design analysis engineer in the truck operations activity of Ford Motor Company. We dealt only with trucks.

Q. And tell us what you did in that capacity.

A. Well, I basically provided technical assistance to people that could be inside or outside the company. That could be technical or nontechnical in nature. For example, younger

Edward Paddock - Direct

engineers that needed experience or product planners that didn't quite have the understanding of the engineering background.

Q. And during that time period and in your previous jobs with Ford, did you become familiar with the specifications for Ford trucks?

A. Yes, ma'am.

Q. Can you tell us briefly about the types of trucks that Ford manufactures.

A. Well, truck -- trucks that are manufactured by Ford are basically broken into three categories. There are the light trucks, which most people are familiar with. Those are the vans and the pickup trucks that we see daily on our streets.

And there is another class of trucks called "heavy trucks." Heavy trucks can also be subdivided into a medium-type truck. And those would be the UPS vans, the post-office-type vehicles.

And then the heavy part of that would be the highway tractors.

Q. Now, have you ever testified in court previously?

A. Yes, ma'am.

Q. In what capacity?

A. I assisted lawyers that had been hired by Ford Motor Company to represent Ford Motor Company in product liability lawsuits.

Edward Paddock - Direct

Edward Paddock - Direct

Q. And have you ever testified specifically about trucks?

A. Yes, ma'am.

Q. You mentioned that you retired. Can you tell us where you're employed currently?

A. I am employed by a company called Failure Analysis.

Q. And how long have you worked for Failure Analysis?

A. Since January 3 of this year.

Q. What do you do at Failure Analysis? And maybe first you should start with what does Failure Analysis do. What kind of company is it?

A. Failure Analysis is actually a subsidiary of an international corporation called the Failure Group. And the Failure Group provides consulting services throughout the world relating to failures of various types, such as building failures, aircraft failures. I'm associated with an activity in Detroit dealing primarily with automotive failures.

Q. What are your specific responsibilities at Failure Analysis?

A. Again, they are very similar to what I did at Ford. I provide technical assistance to people that need engineering assistance on failures.

Q. And does that include lawyers?

A. Oh, yes.

Q. Do you work a lot with lawyers?

A. Yes, ma'am.

Edward Paddock - Direct

Q. Too much?

A. Sometimes.

Q. All right. Let's turn to April 1995. Were you contacted by the FBI shortly after the Oklahoma City bombing?

A. Yes, ma'am.

Q. And did the FBI provide a vehicle identification number to you?

A. Yes, they did.

Q. And did they ask for your assistance?

A. Yes, ma'am.

Q. What did they ask you to do?

A. They asked if I could visit with them in the Oklahoma City area and identify the various parts which were being found at the site of the Oklahoma City bombing to better define the type of truck that may have been involved in this incident.

Q. Did the FBI at some point provide you with the vehicle identification number?

A. Yes, ma'am, they did.

Q. And did you learn that it was 1FDNF72J4PVA26077?

A. Yes, ma'am.

Q. And with that information, were you able to come up with some specifications for that truck?

A. Yes, ma'am.

Q. Tell us about that.

A. Well, there are various specifications that are generated

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internally to Ford for its various vehicles. One is -- well, after the purchase order is generated or obtained from a company, a list of parts called the technical specification list is generated, and those are the key parts which will go on the vehicle. Additionally to that, an invoice is generated. Additionally to that, a bill of materials is generated, which includes not only the parts on the technical specification list but all of the parts on a specific vehicle.

Q. Does that include, these specification materials, the actual part numbers for this type of vehicle?

A. Yes, ma'am.

Q. Now, when you received this VIN number and ran it through your computers and searched your files, were you able to determine generally what type of vehicle was involved?

A. Yes, ma'am.

Q. And what did you learn?

A. I learned that it was a 1993 F-series-type vehicle that had various attributes, based on the VIN number.

Q. Now, do you know when Ford manufactured that truck?

A. They manufactured that truck approximately February 15 to 25 of 1993, and sold it and delivered it approximately March 1.

Q. Now, do you know whether that truck was ordered by a customer, that specific truck?

A. Yes, ma'am, it was.

Q. Tell us how you know that and what you know about that.

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A. I obtained through our assembly plant the purchase order that was delivered to that assembly plant for the procurement or purchase of that truck.

Q. And who purchased that truck?

A. Ryder Truck Rental.

Q. Did they purchase just that truck, or a number of trucks that year?

A. No, ma'am, they purchased 400 trucks, actually, in that particular purchase order.

Q. So there were 400 trucks that generally meet those specifications?

A. Yes, ma'am.

Q. And did Ryder give you unique specifications that they wanted for this series of trucks in 1993?

A. Yes, ma'am.

Q. Is that a common practice with some of your bigger customers?

A. With some of our bigger customers, yes.

Q. Is Ryder a regular customer of Ford Motor Company?

A. Yes, ma'am.

Q. Now, in 1993, can you tell us a little bit about the manufacturing process of this F-700 series Ford/Ryder truck?

A. Well in 1993, it was built at the Kentucky truck plant, which is down -- outside of Louisville, Kentucky. It's the largest truck plant in the world. It builds only heavy trucks.

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It was manufactured by us, except for the box that went on by an aftermarket company. I believe that may have been Morgan.

Q. So what do you build for Ryder? You build the engine or --

A. We manufacture the entire vehicle. We assemble the frame, we assemble the engine, we assemble all the front-end suspension, the brakes, the rear suspension, the brakes, all the cross members, all the cab. The entire vehicle.

Q. Now, does Ford actually manufacture all the parts that they put into this vehicle?

A. We don't manufacture all of the parts. We manufacture some of them. We purchase many of the parts, and they are purchased according to our specifications, which are a result of the Ryder specifications.

Q. And do you have some identifiers on some of these parts that you may not manufacture but that you assemble?

A. Yes. We have identifiers on many of our parts, yes.

Q. Now, tell us when you traveled to Oklahoma City to begin your analysis.

A. I was actually in Oklahoma City on another matter when I was asked to provide assistance. And at that time, I went over and met with various agents.

Q. Do you remember approximately when that was?

A. I believe it was somewhere around April 25 of 1993.

Q. And what did you do when you first got to the Oklahoma City crime scene area?

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A. I met the agents that were in charge at the time and was introduced to other agents that had started going through some of the parts being extracted from the scene. And they asked if I could work with them for the next several days, which turned out to be about a week or so.

Q. Did you attempt to identify some of the debris that had been recovered from the crime scene?

A. I went through all of the debris that had been recovered, some that had been recovered before I got there. We went through all of that, and then we went through all of the barrels that were being brought in on a day-to-day basis; and we went through each and every piece that was brought in.

Q. When you say "barrels," do you mean the containers that held the evidence?

A. Just the containers -- yes, ma'am.

Q. How long did you stay in Oklahoma City at that time?

A. I believe it was five days.

Q. Did you return to Oklahoma City and meet with agents to continue identifying truck parts?

A. I don't believe that I did.

Q. Have you ever been back to Oklahoma City or Denver to further analyze truck parts?

A. Oh, yes. I've been to Denver several times to analyze the

truck parts.

Q. Have you also traveled to the FBI laboratory to look at

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truck parts?

A. Yes, ma'am.

Q. Tell us briefly what you did at the FBI laboratory.

A. We went to the laboratory. I believe it was in July of '93 sometime. And we actually laid out all of the parts which were identified in Oklahoma City on a scale . . . sketch on the floor and tried to put them in the exact position that we think they may have been in.

THE COURT: I think you may be misstating the year. You said 1993.

THE WITNESS: Yes.

BY MS. WILKINSON:

Q. No, when you went to the FBI laboratory. I think you misstated when you went to the FBI laboratory.

A. Yes, the FBI laboratory was in July of '93.

Q. July of 1993. We're in 1997.

A. Oh, I'm sorry.

Q. Are you thinking about when the truck was manufactured?

A. It was six months afterwards -- it was three months afterwards. It would have been July of 1995. I'm sorry.

THE COURT: I think you said that with respect to Oklahoma City as well. You meant 1995.

THE WITNESS: I meant 1995.

BY MS. WILKINSON:

Q. Okay. Mr. Paddock, you said that you laid out all the

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pieces that had been identified. Did you give the FBI the exact specifications of the measurements of the truck so that you could lay those parts out?

A. Yes, ma'am.

Q. Did you watch, or did you know that pictures were taken of that analysis that you did?

A. I watched, and I do know that pictures were taken of that.

Q. And have you reviewed those pictures prior to coming to court today?

A. Yes, ma'am.

Q. Did you complete your analysis of the truck parts and the debris recovered at the crime scene before you retired from Ford Motor Company?

A. Yes, ma'am.

Q. Now, you mentioned that the FBI gave you the VIN number. Can you just explain briefly why that VIN number or vehicle identification number enabled you to get so much data on the truck?

A. Well, the VIN number is something that is required by a government agency titled the National Highway Traffic Safety Administration. And it is on all vehicles. And it is intended to be there to assist insurance agencies, crime enforcement

to be there to assist insurance agencies, crime enforcement agencies, as well as the automotive manufacturers, who have to institute occasionally a recall of their products. It is intended to promote automotive safety, and that's why it's

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there.

Q. Is it a unique number?

A. Yes, ma'am, every VIN number is unique within a company and generally between companies -- not generally. It is unique not only within a company but also between companies.

Q. So there are no two vehicles that have the same VIN number in the United States; is that correct?

A. No, ma'am.

Q. Now, are you also familiar with a term called the confidential vehicle identification number?

A. Yes.

Q. What is that?

A. A confidential VIN is a part of the VIN, and it is put on various parts of the vehicle. In other words, in the Ford system, it will be the last eight, or it could be the last five, digits of a complete VIN. And it will be stamped on various components of a vehicle.

Q. Now, using that confidential vehicle identification number and the full identification number, are you able to determine the characteristics, the general characteristics of a vehicle?

A. Using the partial VIN, we are able to determine the general characteristics, yes.

Q. Before coming to court today, did you prepare a chart explaining how the vehicle identification number works?

A. Yes, ma'am.

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Q. Would that assist you in your testimony today?

A. Yes, ma'am.

MS. WILKINSON: Your Honor, we would offer Government's Exhibit 798 for demonstrative purposes. If I may approach to get that.

THE COURT: Yes.

MR. NIGH: I have no objection.

THE COURT: All right. 798 is received for demonstrative purposes and may be so used.

BY MS. WILKINSON:

Q. Mr. Paddock, there's a lot of little writing on that chart.

A. Yes, ma'am. There sure is.

Q. Can you give the jury an overview of what that vehicle identification number shows?

Before I do that, can I ask you is that the vehicle identification number at the top of Government's Exhibit 798 that you received from the FBI back in April of 1995?

A. Yes, ma'am.

Q. All right. Tell us what that vehicle identification number tells you about the truck.

A. You want all the items?

Q. Briefly.

A. Or generally. Well, the vehicle identification number has 17 digits.

Q. You can use that little laser pen in your hand and point to

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what you're talking about.

A. The first three digits refer to the world manufacturing information.

Q. Mr. Paddock, because you're turning your head, could you keep your voice up so the court reporter can hear you.

A. Refers to the world manufacturing information. The next five digits refers to vehicle attributes of this specific vehicle. There's a digit in there which is called a "check digit." That's a number to ensure that all of the characters are properly recorded by any agency. And then the last eight digits refers to a specific vehicle with certain other attributes.

Q. Now, go back to the specific characteristics of the vehicle that you learned and tell us what those are for this truck. For example, can you tell where this truck was manufactured by looking at the vehicle identification number?

A. Yes, ma'am. The V is a character that we assigned that indicates that this truck was built at the Louisville assembly heavy truck plant.

Q. What else can you determine from that?

A. The P is required according to the federal standard, and that indicates the year 1993.

Q. Go ahead.

A. The A26077 is a sequential number unique to heavy trucks. If it were a passenger car, those would all be digits; but

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since it's a heavy truck, it's got the letter A. And as soon as it gets up to 100,000, it will become a B.

Q. So is that a like serial number to the truck?

A. Yes, ma'am.

Q. And does that tell you when it came off the assembly line, along with the other information?

A. Along with the other information, you can get pretty close. But you really need the other information to get an exact date.

Q. Okay. If you had those last five digits and you had 26077 which you have up there and then you had 26078, what would that tell you about the vehicle with the last digit of 8?

A. It would say that it was the vehicle that was built next in line.

Q. To the same specifications?

A. To this vehicle. Yes, to the same specifications.

Q. Let's talk about that next vehicle. Are you familiar with the truck that was the next truck in line off the assembly plant back in 1993?

A. Yes, ma'am.

Q. How did you become familiar with that vehicle?

A. After I knew about the vehicle at issue, I went out and found the next vehicle built to the Ryder specifications.

Q. And that's the same VIN number, except for the last digit; correct?

A. It's the same VIN number except for the last digit, which

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also changes the check digit number.

Q. And did Ford Motor Company purchase that next vehicle?

A. Yes, ma'am, we did.

Q. From whom did they purchase it?

A. We purchased it from Ryder Truck Rental.

Q. What did you do with the truck once you bought it?

A. We made it into exhibits which are here in the courtroom to better explain some of the parts that we're talking about.

Q. And you're talking about these items that are under the shrouds?

A. Yes, ma'am.

Q. And this is the actual truck that was the next one off the assembly plant --

A. Yes, ma'am.

Q. -- from the vehicle in question?

A. Yes, ma'am.

Q. And you said you've cut it up in portions?

A. Yes, ma'am.

Q. Before we take these off, can you tell us -- Underneath, the parts are rather clean. Can you tell us how that had happened?

A. The truck had been in service for quite some time, for several years. It was dirty, it was musty, rusty. We had brought it in, steam-cleaned it, and we wanted to preserve it. So we just painted the parts.

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Q. And did you also mount it on these wheels and frames?

A. We mounted it on the wheels and the frames to make it easier to move around within the courtroom.

Q. And have you used these portions of the truck to compare the damaged pieces to the crime scene to determine whether those damaged pieces came from the truck in question?

A. Yes, ma'am, I have.

Q. And would these truck exemplars, as we'll call them, assist you in your testimony today?

A. Yes, ma'am.

MS. WILKINSON: Your Honor, as we go through, we're going to offer each exemplar just for demonstrative purposes.

THE COURT: All right.

MR. NIGH: I won't have any objection.

THE COURT: All right. Good. We can simply proceed without asking for each one of the exemplars. Go ahead.

WITHOUT ASKING FOR EACH ONE ON THE EXEMPTIAL. GO AHEAD.

BY MS. WILKINSON:

Q. Now, once you have the VIN number on the truck, are you also able to obtain the key code for the truck?

A. Yes, ma'am, we are.

Q. And was there a document in your Ford records that tied

together the VIN number and the key code?

A. Yes, ma'am.

MS. WILKINSON: Your Honor, if we could put up Government's Exhibit -- I believe it's 821 -- which should be

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the next chart; and we'd offer that into evidence.

THE COURT: Is there any objection to 821?

MR. NIGH: Your Honor, I don't have a copy of 821.

MS. WILKINSON: Here you go.

MR. NIGH: I have no objection.

THE COURT: All right. 821's admitted.

MS. WILKINSON: I think I need to help the marshal.

THE COURT: Okay.

MS. WILKINSON: I think we have them in order now, your Honor, so we can proceed more efficiently.

THE COURT: All right.

BY MS. WILKINSON:

Q. Mr. Paddock, can you see Government's Exhibit 821?

A. Yes, ma'am.

Q. Again, that's got a lot of small writing on it. Can you explain to the jury what it shows?

A. It is something that we call a truck technical specifications listing, and it shows a variety of parts that

were installed in that vehicle. And down in the lower right-hand corner, it shows you the key code number.

Q. Now, tell us how you at Ford assign a key code to a heavy truck.

A. The key codes come in from the supplier in containers, and actually the code or the lock set is picked out of the -- that container. It is installed in that vehicle, and it is written

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down -- in 1993 it was written down. Now, presently it's scanned into a computer, and it is recorded in the computer data base.

Q. And in 1993, did you buy your key and lock sets from Hurd?

A. Yes, ma'am.

Q. And how many times did you repeat a code in your trucks? Do you know?

A. Well, every box that came into the plant could have 10 percent of the key lock sets in that box be the same. In other words, if we got a box of 25 lock sets -- 10 percent of that would be 2.5. There would be three that would be the same.

Q. Now, could you use those key codes and those key and lock sets on other vehicles other than those heavy trucks?

A. No, because that particular box of parts was coming to a plant which was only manufacturing heavy trucks, so they would wind up on a heavy truck. They wouldn't wind up on an Econoline or an Explorer or whatever you might think of.

Q. So if you had a key cut to the specifications of the key code listed there, it would only match a heavy F-700 series Ford truck?

A. It would match an F heavy truck. It could be a 700, it could be an 800, it could be a 600.

MS. WILKINSON: Now, if I could have Mr. Paddock step down, your Honor, so we could start.

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THE COURT: Yes, you may step down.

MS. WILKINSON: Mr. Paddock, if you could step down.

THE COURT: Move over to the exemplars -- is what you're calling them?

MS. WILKINSON: Yes.

BY MS. WILKINSON:

Q. Mr. Paddock, we've just uncovered Government's Exhibit 791. Do you recognize this?

A. Yes, ma'am.

Q. What is it?

THE COURT: Mr. Nigh, you can't see from there. You can move wherever you can see.

MR. NIGH: Thank you, your Honor.

BY MS. WILKINSON:

Q. Mr. Paddock, make sure you're facing the jury so they can hear you.

A. All of the parts that we see here are the parts that were on the next vehicle sequentially built, which was 078. We have the rear axle.

MS. WILKINSON: Yes, can the jurors stand, your Honor, so they can see?

THE COURT: Oh, yeah, sure.

You already know that.

BY MS. WILKINSON:

Q. Tell them what they're seeing right here.

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A. This is the rear axle. This would be the back of the truck towards the jury. This would be one of the cross members. This vehicle actually has about 8 feet more of frame section beyond the rear axle.

This is the rear axle housing. We have the dual rear tires. Inside the tires we have the brake system. We have one wheel on this side.

MR. HARTZLER: I'm sorry. Can you get in here and point so that the jurors can see?

BY MS. WILKINSON:

Q. I'll get you a pointer, and that way you won't have to reach.

Go ahead.

A. We have the rear axle housing, we have the shock absorber, we have the spring system, we have the U bolts that hold the springs to the rear axle housing. We have unique caps at the bottom of each side. We only see a green one on this side, which holds the springs to the U bolts to the rear axle housing. We see the brake system on the inside of the wheel.

Here we have a complete wheel and tire assembly. This vehicle actually has six wheels and tire assemblies all that are the same. There are two on the front and there are four on the rear.

Q. Now, you pointed out down here this green piece. And there's another piece here painted blue. Tell us why you did

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that.

A. Those have part numbers which are unique to Ford heavy trucks that are not only on this vehicle but were also found at the crime scene.

Q. Okay. Now, you said this right here is the rear axle housing; is that right?

A. Yes, ma'am.

Q. What's inside of the rear axle housing?

A. The rear axle is the differential ring gear. And actually, it takes the power from the engine, which goes to the transmission, which goes to the drive lines, which goes to the rear axle; and it causes it to come out at the wheels.

Q. Now, you see back there, that piece?

A. Yes, ma'am.

Q. And we commonly refer to this as the rear axle. Is this really the rear axle?

A. It's really not. It's really the rear axle housing. And the rear axle is comprised not only of that part but many other parts that go together.

Q. Now, this is Government's Exhibit 630 that you're referring to?

A. Yes, ma'am.

Q. And have you reviewed this before coming to court today?

A. Yes, ma'am.

Q. And have you compared this to the truck exemplar that

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you're pointing out to the jury?

A. Yes, ma'am.

Q. And what did you determine about Government's Exhibit 630?

A. They are identical except for the VIN number, which is stamped on the back of each one. In other words, the one by you have PVA26077. This is one digit higher. PVA26078.

Q. And is this the confidential vehicle identification number here on the rear axle housing?

A. Yes, ma'am.

Q. Did you find other parts --

A. Which is right there.

Q. And do you have on the exemplar -- do you have it highlighted in yellow to show where the confidential vehicle identification number is?

A. Yes, ma'am.

Q. Did you find other parts that were recovered at the crime scene that are consistent with the rear of the truck?

A. Yes, ma'am.

Q. Under these shrouds, can you find some of these pieces to show to the jury, please.

Start with these. Okay, Mr. Paddock. Can you show the jury and refer to it by exhibit number, if you can, some of the parts you found and how you identified them.

A. One part is the cross member. And this part is identified as 719. And it is actually this cross member that goes from

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one frame rail to the other side of the vehicle.

Q. Does that attach to the two frame rails?

A. Yes, ma'am. There are several of them throughout the vehicle.

Q. Is that also exhibited right here?

A. Yes. These parts are virtually identical, except right in front of the axle, we have two of them. Behind the axle we have one; and at the very end of the vehicle, 8 foot further, we have still another.

Q. How could you identify that Government's Exhibit 719 came from the same type of truck?

A. By actually matching up the dimensions on the engineering drawings which I pulled and compared this part to the parts that are in this vehicle and actually by comparing them to another exemplar at the time that we were in Oklahoma City.

Q. Okay. Government's Exhibit 721: Did you compare that to the truck exemplar?

A. Yes, ma'am. This is what is commonly referred to as an assist spring. The vehicle has springs, naturally, on each side. The lower springs are the normal springs. They are different from the front. They are actually wider. In addition to the normal springs, there is an assist spring on the top. And on this particular vehicle, there is assist spring from the right-hand side of the vehicle, and that is the right-hand side of the vehicle, to the left-hand side vehicle.

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They are the same, and they are unique because they have a recessed hole, only you can't really see it here. There is a recessed hole which shows up on the engineering print.

Q. Okay. Now I'm going to show you a tiny piece, Government's Exhibit 720. Here it is. I took it out. Tell us what you found out when you looked at that piece.

A. Well, this actually has a part of the confidential VTN

... well, this actually has a part of the confidential VIN number. It has the letter V, the letter A, the number 2, the number 6, and part of the zero.

Q. All right. Now, here you have another part of the exemplar, the rail, 792. Can you show the jury the other portions of the truck that are marked on the truck exemplar, 792.

A. This is actually an exemplar of the frame rail. Again, on 078. Again, it has -- the frame rail is unique in heavy truck because not only do we have something called the frame rail, which is the inside part, we have a liner to make it even stronger, and that's just what it's called, a liner. When we put the confidential VIN on this vehicle, we put it in two places. One is right on the liner, on the outside of the vehicle, and one is . . . got it turned around.

Q. Yeah, it's right here.

A. Although you can't see it, it's on the bottom of the actual frame rail. This piece, the thickness of this piece, when you measure it, is consistent with the frame rail, which is thicker

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than the liner, which is thinner than the rail.

Q. So that piece, Government's Exhibit 720, is consistent with the same VIN number that you've identified for us previously?

A. Yes.

Q. And you believe it came from one side of the frame rail?

A. Yes, ma'am.

Q. You can't determine, can you, whether it's from the side you showed the jury or the underneath side of the rail, can you?

A. Well, it's probably from the other side, because the frame rail is thicker actually than the liner, and this part's thickness is more consistent with the rail.

Q. You can put that back in the bag there.

Did you bring to court today any other portions of the rear axle or the back part of the truck that you can identify?

A. Yes, ma'am.

Q. Go ahead.

A. Well, we have the spring, which is one of the springs off either the right-hand side or the left-hand side. It is one of the primary rear springs. We really can't tell you which one. However, its dimensions are consistent with the springs on both sides.

Q. And you're referring to Government's Exhibit 7 --

A. -- 25.

Q. -- 25?

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A. Yes, ma'am.

Q. Can you point out to the jury where that would be on this exemplar?

A. That would be below the assist spring. It would be one of

the springs immediately below it, between the U bolts and the axle housing.

Q. Now, tell the jury a little bit about how this is manufactured, how to keep these pieces together and how strong they are. Starting with the rear axle housing.

A. When you say manufactured --

Q. How they're assembled, excuse me.

A. Actually, what happens is the vehicle -- because of the mass of these parts, the vehicle is actually built upside down for the frame rail. And that's why when you look at the VIN numbers, some of them are upside down, because the frame is, again, upside down; and when the numbers are stamped in it, they're right side up.

And many of the major components are added, like the spring shackle brackets, the front and the rear and the various miscellaneous brackets. And then the springs are added, and then eventually the vehicle is tipped completely upside down after the rear axle housing is added. And then it proceeds down the line where the engine is installed, the cab is eventually installed.

Q. What type of material is this -- the rear axle housing is

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made out of?

A. I believe that is -- that axle we purchased from Rockwell, and I don't recall the exact specification on it, but I think it's a steel 50,000-pound material.

Q. And what about the frame rail?

A. Same thing.

Q. How do you keep the frame rail together with the rear axle housing?

A. Actually, they are secured through the U bolts. The springs are attached firmly to the frame, which means that the springs can't move. All that we have to do is make sure that the axle housing doesn't move away from the springs, and that's done through this series of two U bolts which go down, they catch the top of the spring.

THE REPORTER: I'm sorry, they catch the what of the spring?

THE WITNESS: Top of the spring. They go below where a cap is added; and by using bolts, the axle is then secured to the frame.

BY MS. WILKINSON:

Q. Do you know approximately how heavy the rear axle housing is?

MR. NIGH: I'm going to object unless he does really know.

THE COURT: Well, the question is do you know

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approximately, so answer, if you can.

THE WITNESS: I don't remember. I really don't.

--

I've never weighed one of them.

BY MS. WILKINSON:

Q. And do you know how much load a truck like this can carry?

A. Yes, the gross-vehicle-weight rating of this particular vehicle is on that technical specification list, and I believe it was 23,900 pounds.

Q. Now, are there any other parts that you matched up that you brought to court today that match up with the rear of the truck?

A. Well, we just finished talking about the spring cap, the shock bracket that holds the rear axle housing to the frame.

Q. And that's Government's Exhibit 742 you're showing the jury?

A. Yes, ma'am.

Q. Can you show them, first, what parts are here and then match them up to the parts on the exemplar.

A. Well, actually, these come apart; but what we have is this U-shaped or -- it is actually a U bolt, and that's why it's called a U bolt. It's the gray part. The green part with the little Ford emblem in it and the Ford part number in this corner is the same as the green part on this exhibit. And then the blue part, again with the Ford part number on the side, is yellow. Blue part down there is the shock mounting bracket.

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Q. Now, based on your analysis of Government's 742, were you able to determine that these parts were consistent with the ones on this truck exemplar?

A. Yes, ma'am, they are consistent with the parts on this exemplar.

Q. Tell us --

THE COURT: I'd ask you to keep your voices up. Both of you have your backs to the court reporter. It's difficult.

THE WITNESS: Yes, ma'am, they are consistent.

BY MS. WILKINSON:

Q. Now, obviously that U bolt was the same shape when they were put on the truck?

A. That's correct, they were straight.

Q. And the same with some of these other pieces, clearly damaged and not in this condition when they were on the truck?

A. Yes, ma'am.

Q. All right. You can put that back.

Now, you're going to pick up the axle -- right -- which is Government's Exhibit 784?

A. Yes, ma'am. It's part of the axle assembly. It would be one of the many pieces that would go into this rear axle assembly. It actually contains the axle shaft. And I'm not sure I can pick this up.

Q. You don't have to.

A. But anyway, it leaves the axle shaft which starts at the

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outer part of the axle assembly, actually goes through a thing we called a hub, which is this part, and goes into the gearing, which is on the inside of the axle. And as the gearing turns, the axle shaft turns, which causes the wheel to turn and causes the vehicle to move forward.

Q. So this long part of Government's Exhibit 784 is actually what turns inside the rear axle housing?

A. Yes, ma'am. And it starts right at the end, and you can see the bolts; and it goes actually to just about the middle of the rear axle assembly.

Q. And based on your comparison, have you identified Government's Exhibit 784 as a part of the rear axle that was contained -- or is consistent with the truck that you identified by the VIN number?

A. Yes, ma'am.

Q. Are there any other --

A. This is actually the right-hand side part. There is a difference between the right-hand and the left-hand in terms of length, and this particular part is the right-hand side part.

Q. Tell us how you know this Government's Exhibit 784 is from the right-hand side of the truck.

A. By its length, which is about 6 inches longer than the other side.

Q. Any other parts that you want to show the jury that are consistent with the --

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A. Well, we have on the table there a cab mount, and I guess we can describe it at any point, but it is a mount; and it is marked 726. And it is one of the parts which are assembled at some point during the assembly process to the frame rail. And it actually supports the cab that people sit in and drive. And it has a part number on it, a Ford part number, with a Ford logo. That supports part of the parking brake system. And that part would be approximately right in here. And unfortunately we don't have many of the pieces of the vehicle at issue, that they were too badly damaged.

Q. When you're saying back here, are you saying from the rear of the truck on the frame rail portion?

A. Yes, ma'am, on the frame rail portion, on the outside of the frame, somewhere between the rear axle and the front bumper and more than likely right behind the cab.

Q. Okay. You can put Government's Exhibit 726 down. Just to be clear, you've identified this as consistent with that F-700 series Ford truck, identified by the VIN number?

A. Yes, ma'am.

Q. Are there any other parts?

A. Well, I think Exhibit 713 is actually the gearing that goes inside of the rear axle housing. And it has --

Q. Turn around and face the jury. Here, you can stand right behind it and point to the piece.

A. It is provided by Rockwell with the complete axle assembly.

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It already comes in installed. It is unique. It is substantially bigger than, say, a light-truck axle. A light-truck axle is typically about 8 1/2 inches. This is in the order of 14.3 inches. It has 37 gears. It is the gearing that would go with this rear axle.

Q. Is that a heavy piece?

A. That is a very heavy piece.

Q. When Government's Exhibit 713 was manufactured and coming off the assembly line, it was inside that rear axle housing?

A. Yes, ma'am, it was inside that rear axle against the wall.

Q. That is Government's Exhibit 630. And can you see some of the damage where Government's 630 was blown apart?

A. Yes, ma'am.

Q. Is that consistent with this piece being ripped out of Government's Exhibit 630 in some way?

MS. WILKINSON: Your Honor, this would be a convenient place to stop so we can switch the exemplars.

THE COURT: All right. Members of the jury, we'll take the morning recess at this time so we can rearrange some of the things here in front of you. Again, of course, this, like all other recesses, requires of you to avoid discussion of what you're seeing and hearing not only right here but all through the trial and also of course to continue to avoid anything in any form outside of the evidence which could affect your judgment.

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You're excused now, 20 minutes.

(Jury out at 10:12 a.m.)

THE COURT: Okay. We'll recess, 20 minutes.

(Recess at 10:12 a.m.)

(Reconvened at 10:31 a.m.)

THE COURT: Be seated, please.

Are we ready?

MS. WILKINSON: Yes, your Honor.

MR. HARTZLER: Pardon me. I asked Mr. Jones to resolve a final stipulation so that when Mr. Paddock is finished, you might read them all at the same time, if that was acceptable.

THE COURT: I haven't cleared it with Mr. McVeigh yet.

MR. JONES: Your Honor, were your ears burning this morning?

THE COURT: What did you say about me?

MR. HARTZLER: That's fine. Maybe we can move back the reading of the stipulations until we've had an opportunity to address that in open court.

THE COURT: All right.

MR. HARTZLER: Thank you.

THE COURT: Bring in the jury.

(Jury in at 10:32 a.m.)

THE COURT: All right. We're ready to proceed.
Members of the jury, we'll leave it up to your

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discretion as to whether you want to stand or sit or move about
in the jury box as you view these exhibits.

Proceed.

MS. WILKINSON: Thank you, your Honor.

BY MS. WILKINSON:

Q. Mr. Paddock, did you bring into court an exemplar of the
engine from the truck that you've previously identified?

A. Yes, ma'am.

Q. Is that in front of you, Government's Exhibit 807?

A. Yes, ma'am.

Q. Okay. Why don't you use this microphone. Tell the jury a
little bit about the exemplar, and if we could start with the
pieces that you found.

A. Well, based -- based on the VIN number, we know that this
is a 7-liter electronically fuel-injected engine, which is a
unique engine in Ford. It is not installed in any of our light
trucks like an F series or an Econoline van or anything like
that.

It is comprised of various parts, and some of those
parts, I've highlighted. I've taken them from the Exemplar
Vehicle 078, and I've cut away the engine to demonstrate
specific part numbers which are consistent with and identical
to various part numbers found on parts at the bombing site.

Q. Tell us what we're seeing right here in front on 807.

A. For example, on 807 we see a part number that says

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D9TE6303-BA. That's the crankshaft. That part number is
unique to a Ford heavy truck engine crankshaft.

That same part number is on Exhibit 760.

Q. And tell us what this is. What did you identify
Government's Exhibit 760 as?

A. Again, this is the crankshaft, which originally started out
looking identical to the crankshaft in the exemplar.

Q. Now, when this engine was manufactured, the crankshaft was
inside here; correct?

A. Yes, ma'am.

Q. You said you've cut away Government's Exhibit 807?

A. Yes, ma'am.

Q. What would it look like if you had not cut it away for
purposes of demonstration?

A. It would have looked exactly like the other side of this
engine.

As you can see, all of the parts have been added: the
exhaust manifold, some of the spark plugs; it has the pistons,
the front end of the engine.

Q. Now, let's go to the manifold. Did you find some of the
manifold in the engine case debris?

manifold in the crime-scene debris:

A. Yes, ma'am.

Q. Okay. Let me show you Government's Exhibit 748. Do you recognize that?

A. Yes. Government's Exhibit 748 is an exhaust manifold.

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Q. And did you identify it as coming from that engine, from -- or is it consistent with the engine from the exemplar?

A. Yes, ma'am.

Q. All right. I'll take that. You take the next one.

Can you see the Government's exhibit on that?

A. Yes, ma'am. It's 751.

Q. And have you identified that part?

A. Yes, ma'am. It's the exhaust manifold from the other side of the engine that was installed in this vehicle.

Q. Now, how do you know Exhibit 751 is from the other side?

A. Well, the part numbers on the exhaust manifold are the same, left and right.

Q. Okay.

A. But the thing that distinguishes the left side, which is the side facing the jury, from the right side is a plug at the lower portion of the exhaust manifold. In other words, the left-hand side has a fitting just like on the exemplar. The right-hand side is plugged. And if we look at the two pieces from the accident -- or from the bombing scene, we see that one is plugged and one has a fitting in it.

Q. Okay. Let's turn this exemplar, 807, to the side.

What is this piece right here on the side of the engine?

A. That's a torque converter that goes with the automatic Allison four-speed transmission.

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Q. Did you identify a torque converter from the crime-scene debris?

A. Yes, ma'am. And that's marked as Exhibit 757.

Q. And tell us how you identified that. I think it's a little heavy to pick up.

A. Based upon its diameter and the fact that it's got a certain number of bolts on the back side, which is different than any light truck that you would typically see.

And the markings on it, which are D4, all the way around the torque converter are identical to the markings D4 which are all the way around the exemplar torque converter.

Q. These pieces that you've identified, the manifold, the torque converter and the crankshaft, were all built together before this vehicle was destroyed. Is that correct?

A. Yes, ma'am.

Q. And tell us about how they were manufactured.

A. Well, they're all manufactured in our engine assembly plant. It's -- I don't know how to describe it except it's probably one of the strongest engines we make, and it would

demand a excruciating amount of force just to get all the parts to come out separately one from another. It was literally blown apart.

Q. Move to Government's Exhibit 766. Tell us what this is.

A. This is the water pump that goes on the front of the exhibit, 807.

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We can see that the part retrieved at the bombing site is identical to the part on the engine, and the casting part numbers F1HE-CA are in both pieces, both the part from the bombing site and the part on the exemplar engine.

Q. Can you turn that piece around and show the jury what's on the other side?

A. It's basically the impeller that when your engine is running, it causes the water to move out of the engine and up into the radiator and down through the radiator and just makes sure you don't stop on the road someplace.

Q. Are you finished with the engine exemplar?

A. Yes, ma'am.

Q. Now, in front of you is Government's Exhibit 810, this exemplar. Tell the jury what that is.

A. Well, it's basically the forward compartment or the forward chassis portion of the truck which was built immediately after the 077. It contains many of the suspension systems and the frame system components found on both vehicles.

Q. Starting on the side closest to the jury, can you tell them the parts that are depicted on this exemplar?

A. Well, we have other parts. We see the steering gear. Attached to the steering gear is the Pitman arm, the blue; the green part, which is the drag link; the steering arm. And by the way, all of these have part numbers.

We see the yellow part, which is the steering arm, and

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it connects to the spindle. Now, the spindle has been cut off so we can just simply get this exhibit into the courtroom. But at the end of the spindle, you have all of your bearings and your hub and then your wheel; and it would look much like the other side, which also has your brake system on it.

The lower part, which is sort of a mustard-colored-looking piece, is the lower spindle arm; and then it connects to the drag -- tie rod, which goes from the left side of the vehicle -- again, this is the left side of the vehicle, driver's side -- to the right side of the vehicle, which is the passenger's side.

And this is the intermediate steering shaft. And basically, when you turn your steering wheel on the inside, it turns the shaft, which turns the gear, which moves the blue part, which moves the drag link, which causes your wheels to

turn.

And this intermediate steering shaft has a number on it, 817.

Q. Coming around, this is the grille obviously?

A. Yes, ma'am.

Q. What's that right there in the center?

A. In the center is a Ford oval, which happens to be the largest Ford oval that we purchase and put on our vehicles that we manufacture.

Q. Is that size Ford oval only put on heavy trucks?

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A. Yes, ma'am.

Q. Next is the bumper?

A. Yes, this is the bumper. And it's mounted to the frame by a series of brackets, which are difficult to see, but they're gray in color, and they're on the left side and the right side. And they simply support the bumper.

And there are a series of other part numbers throughout, on the spring hanger back brackets, on the shock absorber, on the brake system brackets, which are on my side, on the frame; and all of those parts are unique to Ford heavy trucks.

Q. Did you highlight in yellow some of the part numbers on each side that you used for identification purposes?

A. Yes, ma'am. In the front of the vehicle near the front edge of the frame is a frame part number, which is F3HTSMC.

Now, we have base part numbers for all of these, but we all know that that frame has a base part number of 5005, so we just don't stamp that in there.

Q. Let's move on to the wheel and the rim. It's a little hard to see from that side, but can you tell them what's depicted on that exemplar?

A. We have several wheels we found at the bombing site. Again, there were six wheels and tires on this vehicle. We have four here today. Two are from the front, and they are identified simply by the bearing cup which is in the center.

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Q. I don't think I can lift this, but --

A. I don't think we can lift it.

Q. You're pointing to this part of the wheel?

A. Yes, ma'am. That covers all of the bearings and the grease fittings -- I shouldn't say grease fittings, but the bearing and the grease which are internal to the hub which supports the wheel.

Q. Tell us how you know that these come from -- did you say the front of the vehicle?

A. Yes. Those are the -- the front wheels have caps as shown on this piece, whereas the rears do not. Remember before, we had the rear, the big axle housing. That's the difference between the front and the rear.

Q. Okay. Put this down and get the Government's exhibit number. Do you see that there?

A. This is marked 722.

Q. So 722 comes from the front of the Ford truck? Is that correct?

A. Yes, ma'am.

Q. Now, there is other wheel rims over here that the jury has seen previously.

MS. WILKINSON: Your Honor, could we get some help from the agents to lift these up?

THE COURT: Sure.

BY MS. WILKINSON:

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Q. Mr. Paddock, if you can step around, I'll lower this down so it's out of the way of the jury.

MS. WILKINSON: I just want you to pick up these wheel rims. You can put it on top of that.

I think we need to turn it to show the Government's exhibit number.

BY MS. WILKINSON:

Q. Government's Exhibit 714: Do you recognize this, Mr. Paddock?

A. Yes, ma'am. That's one of the rear wheels of the vehicle.

Q. All right. We're not going to lift these other two, but there is other wheels over here, Government's Exhibit 782?

A. Which is a rear wheel, yes.

Q. And is that the most damaged wheel that you saw?

A. Yes, ma'am.

Q. And where did that come from?

A. That came from one of the rear wheel positions of the vehicle.

Q. And also over here is Government's Exhibit 779. Did you identify that?

A. Yes, ma'am. That's the other front wheel that goes with the wheel that's on this cart.

Q. Okay. We'll move on to the next system, please. You tell us where you want to start.

A. Well, we have the yellow part, which is the tie rod.

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Q. And that's Government's Exhibit No. 756?

A. Yes, ma'am. And the second piece of it, which is 771.

Q. Okay. Why don't you go over to the exemplar. I'll hold this for you, and you show the jury how you compared these pieces.

A. Well, it actually has three pieces. It forms a big S.

Q. Okay.

A. And if we had the other piece, which is missing, it would represent the long tie rod that goes from the lower spindle arm on the left to the lower spindle arm on the right. It's the big yellow piece

big yellow piece.

Q. Go ahead and point that out to the jury.

A. It's actually the yellow piece. And it's got a Ford part number on it, F1HT3280-GA, I believe.

Q. Now, on the exemplar, this piece is straight. Is that right?

A. Yes, ma'am.

Q. So clearly that piece -- the pieces you point out incurred some kind of damage to bend them and break them?

A. Yes, heavy damage caused by the explosive.

MR. NIGH: I'm going to object to the conclusion.

THE COURT: Yes. Volunteered with respect to cause.

It's stricken.

BY MS. WILKINSON:

Q. Mr. Paddock, can you show the next pieces you've identified

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with respect to the front section of the vehicle.

A. We already spoke about the intermediate shaft.

Q. Government's Exhibit 768?

A. Yes, ma'am. 768 is part of --

MR. HARTZLER: Mr. Paddock, your microphone is caught.

THE WITNESS: -- the steering shaft that is right there.

BY MS. WILKINSON:

Q. How does that help operate the vehicle?

A. Again, it is the part that is eventually attached to the steering column, which turns the wheels and the vehicle.

Q. Okay.

A. This is Government's Exhibit 776.

Q. What is that?

A. It's actually what remains of the brake caliper. It may be difficult for the jury to see it, but we have one on the right-hand side and one on the left-hand side.

Q. Did you bring another exemplar that you can show the jury? This is Government's Exhibit 812?

A. Yes, ma'am.

Q. Do you want to step up there in front?

A. Exemplar 812 is a typical heavy truck brake caliper.

Q. How did you identify Government's Exhibit 776?

A. By its size and some of the dimensions associated with the pistons.

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Q. Now, are you going to move on to some of these bigger pieces, Mr. Paddock? How about if we go to 743?

A. Well, 743 is probably the biggest part that we have, or one of them.

Q. I don't think you can lift that. You may be able to turn it a little bit.

A. And what we see -- we have the primary frame, we have the front spring, and we have the steering gear; and part of the

brake hose bracket.

Q. Why don't you go show the jury where that would be on this vehicle.

A. If we come over to the exemplar, we see part of the frame, the spring bracket, part of the spring, and the steering gear, which is the gray part.

Q. And is that exhibit you just pointed to consistent with this exemplar?

A. Yes, ma'am.

Q. Did you also identify portions -- large portion of the frame rail?

A. Yes, ma'am.

Q. Okay. Here's Government's Exhibit 778. How did you identify this?

A. This is actually the frame rail liner. And the frame rail liner has a unique cut in it. You can see the little straight cut that cuts down from the top down and then at a 45-degree

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angle; and then about 1 inch from the bottom, it comes straight down again. And that's actually -- this piece on this side of the exemplar, the right-hand side; but for the jury, it looks like this piece. They're symmetrical.

Q. So that's the covering on the frame rail?

A. Yes, ma'am.

Q. What about this big piece that we won't lift up, Government's Exhibit 715? Did you identify that?

A. 716 is the --

Q. No, it's 715.

A. 715 is a part of the frame. It's actually the part of the frame rail. It has a spring hanger bracket, which I can tell by looking at it, goes to the rear spring; and all of the frame rail is actually on the left-hand side.

Q. Go ahead.

A. And it would be that part which is after the rear axle that we don't have in here.

Q. Okay. How about the exhibit Agent Hersley has in his hand?

A. We've identified that as the right-hand frame rail.

Q. Hold on. Let me get the exhibit number.

Here we go. Government's Exhibit 731.

A. And this is the right-hand frame rail. It actually --

Q. Put it down.

A. It actually started out further towards the back of the vehicle and actually looks something like our exhibit, except

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it's all been torn and twisted, and we had to identify that by matching up all of the hole patterns in the exemplar vehicle that we used.

Q. That is why you were able to tell where it was in the frame rail?

A. Yes, ma'am.

Q. Next piece?

A. This is Government's Exhibit 739, and it's actually the front bumper. And the front bumper -- it's actually the right-hand side or the passenger's side, and you can tell that by the little hole in the license plate.

Q. Go ahead.

A. There is a little hole that supports the license plate bracket which on the exemplar is right here.

Q. This would have been a portion of the bumper, the one you have in your hand?

A. Yes, it would have been the right-hand portion of the bumper, probably the most forward part of the vehicle.

This is another exhibit marked 787. And it is a frame rail liner -- I'm sorry -- a frame rail. And it started out looking like a C section and it has a top flange and a bottom flange and an 8 1/2-inch center, except that quarter-inch seam is now bent flat; and again, that started out on the left-hand side of the vehicle, approximately in the middle.

Q. Now, is there one other piece which we're not going to lift

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up?

MS. WILKINSON: Agent Hersley, can you tell us the Government's exhibit number there?

AGENT HERSLEY: I think it's 743.

BY MS. WILKINSON:

Q. Can you read it?

A. 763.

Q. What is 763?

A. I can tell by looking at it that we have a front bumper mounting bracket. We also have a spring shackle bracket which has a Ford part number, so it is the right-hand part of the frame beginning right behind the bumper.

Q. Could you just point those parts out again while the jurors are standing so they can see?

A. The part that I'm pointing to would be the gray part which is on the exemplar, and the next part immediately behind it is the spring bracket, which is the same on either side of the exemplar.

Q. Now, underneath here, I think what you've told us is the front axle. Is that right?

A. Yes. It's -- the front axle, which is marked.

Q. 732.

Go to the exemplar and show the jury where that is. We can't lift that up.

A. Well, this is actually the front axle assembly. And it

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contains some of the parts that were installed on the axle assembly, which is the spindle. It's a black part at the very end which holds the wheel. It's also the steering arm, which is marked with a Ford part number F24731462-AA and it's got a

is marked with a Ford part number F0N131402-AA, and it's got a little Ford logo on it that's actually on the part over to the side. And probably the strongest part or one of the strongest parts on the vehicle is the solid, forged steel axle that goes from the left wheel to the right wheel.

Q. You're pointing to this portion of the truck straight across?

A. Yes, ma'am. To the portion that goes right across. That's bent in the actual vehicle.

Q. And what is this on top of that axle housing?

A. This piece?

Q. Yes.

A. That piece is the front spring, which again we said is different than the rear spring. It's slightly narrower.

Q. I'm going to show you a series of smaller Government's exhibits. This is 740. Have you identified that?

A. Yes. 740 is one of the hood hinges that goes on the vehicle.

Q. Where would that go?

A. Well, there are two of them, one on the right and one on the left. Actually, this from the right-hand side, I believe. Based on the part number, it is.

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It actually goes right in there, and it allows the hood to rotate.

Q. Okay. Here is a small part, Government's Exhibit 780. It appears to have part number on it. Is that correct?

A. Yes. Part 780 is a special bracket which is mounted on each side of the vehicle. It's actually in this area on the side closest to the jury. We have another one on the opposite side, and the thing that that does is holds the brake hose to the chassis. And it's got a special D slot in it, a special D hole, which makes sure that hose is always hooked up in one (sic) separate way. And this part number on it is E4HT2A050 -- 2A053-BA.

Q. You're referring to Government's Exhibit 780?

A. Yes, ma'am.

Q. Here's 781. What is that?

A. 781 is -- it's called a battery support bracket. It's a reinforcing bracket which actually looks like the one in my hand. It's an exemplar which is marked No. 820.

Q. So that's what this piece, 781, used to look like, 780?

A. Yes, ma'am.

Q. Where is that on the truck?

A. It's right near the battery support, which is toward the right-hand side of the vehicle.

Q. Okay. Government's Exhibit 770: Have you identified that?

A. Yes, ma'am. It's marked with a Ford logo and also the part

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number E8HS58204-FA.

Q. What is it?

-
A. It's actually an exhaust hanger bracket. And before when we had the rear part of the vehicle in there, it had a double cross member. This double cross member actually gets mounted on the vehicle and supports the exhaust system.

Q. On again, Government's Exhibit 770 used to look like Government's Exhibit 814?

A. Yes, ma'am.

Q. Okay. Finally, Mr. Paddock, I'm going to show you two other pieces: Government's Exhibit 775 and Government's Exhibit 753. Can you identify those?

Go right up in front of the jury, please.

A. These are the die cast parts which make up part of the Ford oval which is on the grille of the vehicle that we have in front of us. Actually, it's the same part except all of the plastic covering and most of the blue die has been burned off.

Q. If you give me that, you can take your seat.

Mr. Paddock, after analyzing all the crime-scene debris and the truck fragments that you've identified, did you come to a conclusion as to the truck that was at the crime scene?

A. Yes. Yes, ma'am.

Q. What was your conclusion?

A. I believe that based on a review of the parts which were

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obtained at the crime scene and also an analysis that I conducted relative to those parts, as well as an analysis that I conducted relative to those parts in the exemplar vehicle that we have in front of us, as well as an analysis that I conducted on those parts with respect to the Ryder purchase order, the technical specification list, the invoice which is generated by Ford, the bill of materials which was generated by Ford -- I believe that there was only one vehicle that was used in the Oklahoma City bombing.

I also believe that there was -- that vehicle was built for and eventually sold to Ryder and that it has one specific and unique VIN number, and I believe that VIN number to be F1 (sic) DNF72J4PVA26077. And also I believe that all of the parts which are identified and which we laid out in Washington, D.C. --

Q. Before you show that to the jury, did you use that photograph that you're about to refer to, Government's Exhibit 824, to assist in your analysis?

A. Yes, ma'am.

Q. Would it assist you in explaining your conclusions to the jury?

A. Yes, ma'am.

MS. WILKINSON: Your Honor, we offer 824 into evidence.

MR. NIGH: No objection.

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THE COURT: Received. You may use it.

BY MS. WILKINSON:

Q. Mr. Paddock, if you can turn that towards the jury.

Is this the photograph that you took of all the parts after you laid them out at the FBI laboratory?

A. Well, I didn't take the photograph. Someone else took the photograph. But yes, after we laid them out, this is the resulting photograph.

Q. Now, show the chalk drawing there on the photograph and tell the jury what that depicts about the truck.

A. The white lines represent the outline of the cab.

Q. Why don't you stand up and turn it towards the jury so they can see exactly what you're talking about.

Go ahead. You can talk directly to them.

A. The white lines represent the outline of the cab looking down from the top. The back white lines represent the outline of the aftermarket Morgan body. And we placed a white line down the center, which would actually be the frame rail, and those are all to scale. And then on those lines, we have placed various pieces that we have found, like the cross members, the rear axle, the carrier, the engine up in front, the rear axle across the front, and then some of the parts in through -- completely.

Q. Just to orient us, to the left side of the photo is the back of the truck. Is that right --

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A. The left side --

Q. I'm sorry.

A. This end would be the front --

Q. Towards the exhibit sticker is the back of the truck?

A. This is the back of the truck.

Q. By looking in that photo, did you determine whether there was a certain area of the truck where there was less parts recovered?

A. Yes, ma'am.

Q. Why don't you explain that to the jury?

A. As we can see, all the parts that are laid out, the thing that becomes most obvious is that those parts forward of the rear axle and up to, say, the cab area are the fewest number of parts, mainly because they weren't recovered.

Q. You may take your seat.

MS. WILKINSON: Your Honor, I have no further questions.

THE COURT: Mr. Nigh?

MR. NIGH: Thank you, your Honor.

CROSS-EXAMINATION

BY MR. NIGH:

Q. Mr. Paddock, when you began this morning before we started doing the heavy lifting, you were talking about your arrival in Oklahoma City.

A. Yes, sir.

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Q. Or actually, your presence in Oklahoma City on April 25 of 1995.

A. I believe I was actually there before that time. I had come in several days earlier.

Q. And you were contacted and asked to help with this project essentially.

A. Yes, sir.

Q. One of the first things that you were given was a vehicle identification number. Is that right?

A. Well, I was informed of the vehicle identification number. It had been provided to other people at Ford by that time.

Q. And it was also provided to you.

A. Yes, sir.

Q. And you used the vehicle identification number to gather information; is that right?

A. Yes.

Q. All right. Including such things as the key code for the vehicle associated with that vehicle identification number?

A. Not at that time, no. We used the vehicle identification number to go back and pull out the technical specification list which identified the key code number.

Q. All right. With the vehicle identification number, you can determine a key code in fairly short order, can you not?

A. I wouldn't agree with that.

Q. How long did it take you to do it?

Edward Paddock - Cross

A. I never did it until I was asked to do it.

Q. How long did it take you to do it after you were asked to do it?

A. Probably about 4 or 5 hours.

Q. All right. Also on direct examination early this morning, you were asked about this order for 400 trucks.

A. Yes, sir.

Q. That Ryder made to Ford Motor Company.

A. Yes, sir.

Q. And I believe your testimony was that up to 10 percent of a box of 25 key sets and lock sets could be coded the same?

A. Yes. That's in the engineering specification that we provide to the manufacturer.

Q. Actually, the specifications say 5 to 15 percent per box, do they not?

A. I believe the one I read said 10 percent.

Q. Do you remember that specifically?

A. I seem to recall that, yes.

Q. You also said that all of the key sets that were ordered with that order would have been used in trucks and wouldn't have been used in cars, if I understood your testimony correctly?

A. Well, they came -- that's correct. They came out of a box at a plant that only made trucks and not cars.

Q. So they wouldn't have been put in cars.

Edward Paddock - Cross

A. That's correct.

Q. Do you know if Hurd Lock Corporation sold key sets and lock sets to automotive plants for Ford?

A. Yes, they did.

Q. Do you know if they used some of the same key codes that were provided to the truck plant?

A. I don't know one way or the other.

Q. So there could certainly be a lot more keys and locks coded the same in that order of 400 that was made to build this exemplar in what you've determined to be the truck at the crime scene?

A. I would certainly say that there could be. "A lot more" -- I'm not sure I'd agree with that.

Q. I don't expect you to agree with me on everything.

Can you tell the difference from looking at a key whether it's a -- a Ford key -- whether it's a truck key or a car key just by looking at it?

A. No, I can't.

Q. Were you ever asked to examine in connection with the work that you've done and your reconstruction -- were you ever asked to examine lock sets which appeared to have Ford key ways in them?

A. I'm not sure what you're asking.

Q. Were you ever asked to examine parts of debris which looked like they were a door handle in which a key would fit?

Edward Paddock - Cross

A. No, I haven't.

Q. Were you ever asked to examine a lock set which would be

the ignition or appear to be an ignition for a Ford-style truck or automobile?

A. From this vehicle, or any vehicle?

Q. From any of the debris that you were presented with from the crime scene.

A. No, not from the debris. No.

Q. Were you asked to examine one that Mr. Edwards put together?

A. No, sir.

Q. You did some research into keys in connection with your work for the FBI, did you not?

A. That's correct.

Q. And you determined something about the keys that are used for fleet vehicles; right?

A. Yes.

Q. And did you determine that the standard key for a fleet truck such as this one would have an H stamped into the head of the key?

A. I believe that's correct, yes.

Q. Have you had a chance to look at Government's Exhibit 700, a key?

A. I've probably seen it, yes.
Q. Did it have an H stamped in the head?

Edward Paddock - Cross

A. I don't recall.
MR. NIGH: That's all I have, your Honor.
THE COURT: Ms. Wilkinson?
MS. WILKINSON: Briefly, your Honor.

REDIRECT EXAMINATION

BY MS. WILKINSON:

Q. Mr. Paddock, you don't know how Hurd manufactured the keys for this truck in 1993, do you?
A. No, ma'am.
Q. And you don't know whether they stamped an H on the head of the keys that were used for these trucks, do you?
A. No, I don't.

MR. NIGH: I'm sorry. I object, your Honor. It's leading.

THE COURT: Overruled. He answered no.
MS. WILKINSON: That's it.
THE COURT: All right.
MR. NIGH: No further questions on cross.
THE COURT: Is he to be excused?
MS. WILKINSON: He is, your Honor.

MR. NIGH: Yes, your Honor.
THE COURT: You may step down. You're excused.
Next, please.

MR. HARTZLER: Well, Judge, we're ready to call another witness, but we were planning on using the monitor. Why don't we --

THE COURT: Well, we'll take a short recess while you --

MR. HARTZLER: Let me just consult for one minute to see if we can't work something out.

THE COURT: All right.

MR. HARTZLER: It will take some time to disassemble this to move it out of the way; so if you don't mind, can we proceed with the next witness and bring the monitor in -- or Mr. Ryan is offering to do it without the monitor, if that's acceptable.

THE COURT: That's a better offer.

MR. HARTZLER: Thank you. Priscilla Salyers.

MR. RYAN: May I have just a moment, your Honor, to get some exhibits ready?

THE COURT: Yes.

We need somebody to move this piece out of the doorway.

Come on in, if you can get in.

If you'll just face the clerk and be sworn.

THE COURTROOM DEPUTY: Raise your right hand.

(Priscilla Salyers affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please.

Would you state your full name for the record and spell your last name.

THE WITNESS: Priscilla Kay Salyers, S-A-L-Y-E-R-S.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Ryan.

MR. RYAN: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. RYAN:

Q. Good morning.

A. Good morning.

Q. Would you please speak a little louder for the jury, please.

A. Priscilla Kay Salyers.

Q. And where do you live, Ms. Salyers?

A. I live in Oklahoma City.

Q. And where are you employed?

A. I'm employed with the U.S. Secret Service.

Q. In Oklahoma City?

A. In Oklahoma City, yes.

Q. Tell us a little bit about yourself. Where were you born and raised?

A. I was born in Dallas, and I grew up in the naval air station in Illinois; and right out of high school I moved to the Washington, D.C., area. In '76 we moved to Oklahoma City, and I began working for Secret Service. I was there about six and a half years. I worked a couple years with the U.S. probation office. In 1988, I went to U.S. Customs Service.

Priscilla Salyers - Direct

Q. All right. Now, are you married?

A. Yes, I am.

Q. Do you have children?

A. I have two boys.

Q. Are they still at home?

A. They're still at home. They're -- one is going to be 18 and the other one is 22.

Q. Now, I want to turn your attention -- and you already briefly alluded to it -- to April of 1995. And I believe you already told the jury that you worked for the United States Customs Service?

A. Right.

Q. What we need to -- and what I'd like to ask you is to tell us a little bit about the United States Customs Service at that time in Oklahoma City. How many people worked there, where were you located?

A. We were located in the Alfred P. Murrah Building on the 5th floor. There were six employed at the time on April 19 -- there were six employees.

Q. Before we talk about the 19th, why don't you tell us just a bit about what the -- what kind of work the United States Customs Service does.

A. The U.S. Customs Service enforces the laws that protect the borders of the United States, and they also enforce the laws that are protection of the revenue.

Priscilla Salyers - Direct

Q. Now, in April of '95, how long had you worked for United States Customs?

A. Seven years. Approximately seven years.

Q. And had -- all that entire time, the entire seven years, had you officed in the Murrah Building?

A. No, sir. We were -- we were out on N.W. 56th for a couple of years and eventually moved into the Murrah Building probably four or five years.

Q. And what floor of the Murrah Building was the United States Customs Service located?

A. We were on the 5th floor.

Q. All right. Now, if you'll turn over your right shoulder, you'll see a floor plan of the 5th floor of the Murrah Building. Can you take a moment and look at that and tell us if that agrees with your recollection of the floor?

A. Yes, it does.

Q. All right. I'm going to ask you to try to keep your voice up, since you're going to be turning around to the -- to the diagram, the floor plan. But if you would, tell the jury where the U.S. Customs Service space is and how you get to it and where the front door is, and take us around the office and tell us who worked there in April of '95.

A. Turning and looking at this?

Q. Yes. Just ask that you keep your voice up.

A. Okay. You want me to just show as we go in the front door?

Priscilla Salyers - Direct

Q. Yes. Is there a pointer there at the table?

A. This?

Q. Yes.

A. Coming off the elevator up here -- I'm sorry -- and coming down the hall, the front door was right here, and you would enter the front door. And this is our reception area, and you'd come in this door right here.

Going over here was our interview room. This is so agents can interview people.

Right here is the back door, coming in the back door, and this right here is the holding cell.

You go into this office. This is what we called our tech room, which is where we had our computer system set up.

Right here was my space. That was my office.

Right here was where Paul Ice sat, one of the agents. Cynthia Garnay sat here.

Dale Edwards sat right here, and right here was Claude Medearis.

If you go into this room, this was our conference room; and this was our back office. The boss -- this is where he sat.

Here is where we kept our evidence. This is our break room, and this was our file room, and then you're back up to

the front.

Q. Thank you. Are you a little nervous?

Priscilla Salyers - Direct

A. Yes, sir.

Q. Okay. Now, you described for us there were six people that worked there for United States Customs; and you were one of the six.

A. Right.

Q. Did you know who Special Agent Paul Ice was?

A. Yes, I did.

Q. Tell us who he was, please.

A. Paul Ice was a Customs agent. He had started working for Customs in '87. I believe he had come over from the IRS agency.

Q. What kind of work did Special Agent Paul Ice perform for the United States Customs?

A. He investigated a lot of the drug-smuggling cases that were mostly like brought over in airplanes.

Q. All right. Did you know Special Agent Claude Medearis?

A. Yes, I did.

Q. And he worked for United States Customs Service as well?

A. Yes. I believe he started around the same time, in '87.

Q. Tell us if you would a little bit about the work that Special Agent Claude Medearis performed for United States Customs.

A. Claude Medearis was also -- he worked a lot of the drug cases, the drug-smuggling cases, and a little bit of fraud but mostly the drug cases.

Priscilla Salyers - Direct

Q. Now, I take it that these agents and people that worked there oftentimes were outside the office?

A. Very often, yes.

Q. Let's talk about the morning of April 19, 1995. How many people of the six were in the United States Customs Service that morning?

A. That morning, there were three.

Q. Who was the first to arrive?

A. I was.

Q. What time did you arrive at work that day?

A. I arrived at approximately about 5 after 8 that morning.

Q. Who was the next to arrive?

A. Paul Ice came in about 8:25.

Q. And who was the next to arrive?

A. And the next one was Claude Medearis.

Q. If you would, take us through that morning and describe for us what you recall occurring from the time you arrived until the time of the explosion.

A. Okay. I got in to work that morning and about 8:15 went down to check the mail and brought it back up and sat down at my desk. And about 8:25 when Paul Ice came in, he had gone

into his office and was looking at some of his cases. He had them in front of him, and he was making plans of what he was going to do for the day and interviews he had to set up.

I went in and visited with him for a while, and he

Priscilla Salyers - Direct

told me the various things had he planned that day.

And then we saw Claude come into the office shortly after that, and Claude went directly over to his area and made a telephone call.

Q. What did Mr. Medearis have planned for the day?

A. He was planning to go straight to El Reno and interview a prisoner.

Q. On the morning of April 19 at 9:02, were both of these officers engaged in the performance of their duties for the United States Secret Service?

A. Yes, sir.

Q. Excuse me. United States Customs.

A. Yes.

Q. All right. Now, if you would, tell us what you were doing at 9:00.

A. At 9:00, I was -- I had sat down at my desk. I was organizing things over at my left by my computer, and I had just turned in front of me; and I had some files in front of me, and I was beginning to organize what I was going to work on next.

Q. And what happened next?

A. Paul walked up to my right side and he leaned over. He was looking over my shoulder looking at the files in front of me, and he asked me a question. I didn't quite hear it. I turned to ask him to repeat it; and at that time, we heard an

Priscilla Salyers - Direct

explosion. And it was so loud and our eyes locked, and there was not enough time to even think what was that.

Q. When you say your eyes locked, are you referring to Mr. Ice?

A. Paul Ice and I locked eye contact, yes.

Q. Tell us the sensation that you felt after your eyes locked and you heard this loud explosion.

A. I was immediately -- felt like somebody was just pushing me forward, and I was fighting. I thought I was going to fall and hit my head on my desk. I felt like I was having some kind of a seizure. It was a terrific force. I was fighting, trying to sit up; and all I could hear was loud wind and like a whirlwind. I couldn't see anything.

I could not imagine what was happening. I kept expecting Paul to pull me up.

It seemed like it went on forever; but eventually, I hit my head and I felt a jolt and I thought I had hit my head on my desk.

Everything became silent, very quiet.

Q. Where were you?

Q. where were you?

A. Where was I? I was sitting at my desk --

Q. No, I mean --

A. After I --

Q. Yes. Where were you?

A. From what I understand, I was down in the pit area. I had

Priscilla Salyers - Direct

fallen; and when everything became so quiet, I was trying to figure out what had happened. I thought I was still sitting at my desk. All I could move was this arm and reached up over on top of me and felt all this stuff on my head; and I was trying to find my computer, trying to figure out where I was at. I felt rebar. I did not know at the time what all this was, and I kept expecting Paul to help pull the stuff off of me and get me up.

Q. Where was your head?

A. I was laying down, and my head was at an angle like this and my shoulder was like this. My legs were trapped, my arm was trapped. This is all that I could move.

Q. Was your head under rubble itself?

A. Yes. Yes. There was a big -- I could tell it was a big -- concrete was on my head. And it was so tight, I remember if I had head injuries, it's over; because I felt like it was so tight, I could not move at all.

Q. Were you able to breathe?

A. I -- taking -- breathing was very difficult. The air seemed very, very heavy; so with this arm, I immediately started digging out an air pocket, because I realized I could be here for a long time. I couldn't figure out what was going on.

So I started digging, and I realized that I could breathe.

Priscilla Salyers - Direct

Then I started screaming for help. And I knew I was screaming into whatever was on top of my head, and I was wasting energy because it was so difficult to breathe; so I made myself stay calm. And I kept waiting to try to figure out what was going on, to see if anybody was in the area. And I could hear absolutely nothing.

Q. Eventually, what happened?

A. Then I -- eventually I heard a voice that sounded like a man, and he said, "This is the child-care center, and we have a lot of children in here." And --

Q. Just take a moment. There is a pitcher of water there and a glass.

A. Okay.

Q. Why don't you pour yourself a glass of water and just relax for a moment?

A. I heard someone respond, "We're trying to get you out. Just stay calm. We're trying to get you out." And it didn't make sense to me because the child-care center was on the 2d

floor and I was on the 5th. I couldn't understand what was going on. I tried screaming for help again and was getting no response.

Before long, I heard someone yell, "We have a live one here." And I knew -- it sounded like they were far from me, but immediately they took my left hand. A man held my hand.

He asked me, "Do you know why you're down here?"

Priscilla Salyers - Direct

And I said no.

And he said, "There has been some kind of an explosion, and we're trying to figure out what it was."

And I could hear there were several men out there, and I could hear them discussing how they were going to get me out. It sounded like it was going to be very difficult, but I was calming down because I knew somebody was there, they were helping me. And then they told me they had to leave, and I didn't want to let the man's hand go.

And he kept saying, "We have to leave." He said Priscilla, we have to leave."

And I begged him, "Please, don't leave me."

And the man started crying and he said, "We have to go get a tool. I'm so sorry."

The tone in his voice -- I let his hand go and they left. And it was very, very silent. I was in a -- going into

a panic because I -- because they had left me.

Q. How long was it before someone returned for you?

A. Probably about two -- two hours.

Q. And when they returned, how many people returned to help you out?

A. I don't know how many there were.

Q. How long did it take them to remove you from the building?

A. Well, while I -- while I was waiting for them to remove me from the building, for them to come back, I started trying to

Priscilla Salyers - Direct

dig myself out and felt like maybe I can get out of here. And I was trying to move rocks from under me. And when I went under me, I went like this and there was a hand --

THE COURT: The question is how long.

THE WITNESS: I'm sorry.

BY MR. RYAN:

Q. How long was it before you were able to be removed from the building?

A. I was there four and a half hours.

Q. And when you were removed or after you were removed, you were taken to a hospital where you were hospitalized with injuries?

A. Right.

MR. RYAN: May I have just a moment, your Honor?

THE COURT: Yes.

BY MR. RYAN:

Q. Mrs. Salyers, I've handed you two name plates -- or the court clerk has handed you two name plates with Paul Ice's name and Claude Medearis' name. I would like with the Court's permission for you to stand up and go over to the 5th floor chart and place their names at the locations where they were when the bomb exploded.

MR. RYAN: Thank you. With the marshal's assistance, your Honor, I'd like to have the floor plan removed and the photographs of Mr. Ice and Mr. Medearis on the chart there.

Priscilla Salyers - Direct

It's by itself there against the wall.

THE COURT: Is that 1067?

MR. RYAN: Yes, it is, your Honor. We would offer it in evidence at this time.

MR. JONES: No objection, your Honor.

THE COURT: 1067 is received, may be displayed.

BY MR. RYAN:

Q. You've already told us a little bit about both these men. And am I correct in saying that these are photographs of two special agents for United States Customs who died on April 19?

A. Yes, sir.

Q. And both of them died while they were engaged in the performance of their duties for the United States Customs?

A. Correct.

MR. RYAN: No further questions, your Honor.

THE COURT: All right.

MR. JONES: No questions, your Honor.

THE COURT: All right. She's excused, I take it, then.

MR. RYAN: Yes, your Honor.

THE COURT: You may step down. You're excused.

MR. HARTZLER: We call Deborah Thompson.

Mr. Mendeloff will question.

THE COURT: All right.

THE COURTROOM DEPUTY: Raise your right hand, please.
(Deborah Thompson affirmed.)

THE COURTROOM DEPUTY: Would you have a seat, please. Would you state your full name for the record and spell your last name.

THE WITNESS: Deborah June Thompson, T-H-O-M-P-S-O-N.

THE COURTROOM DEPUTY: Thank you.

DIRECT EXAMINATION

BY MR. MENDELOFF:

Q. Ms. Thompson, we're going to need you to keep your voice way up. Why don't you lean forward a little bit so we can hear you speak into the microphone there. Good.

Where do you work, ma'am?

A. Noble County sheriff's office.

Q. That's not going to be good enough.

A. Noble County sheriff's office in Perry, Oklahoma.
Q. And how long have you worked at the Noble County sheriff's office?
A. Nine years.
Q. Come on.
A. Nine years.
Q. All right. And what are your responsibilities at the sheriff's office?
A. Secretary, dispatcher, matron.
Q. And how long have you been secretary?
A. Four years.

Deborah Thompson - Direct

Q. And for whom are you secretary?
A. For Jerry Cook, the sheriff.
Q. Now, before you were secretary for Jerry Cook, did you have some other job there?
A. Yes, sir.
Q. Tell us what it was.
A. I was a jailer.
Q. Where is the Noble County Jail located in relation to the sheriff's office?
A. The 4th floor of the courthouse.
Q. And where is the sheriff's office?
A. The 1st floor.
Q. Does the sheriff's office administer the jail?
A. Yes.
Q. Now, today, do you still work as a jailer on occasion?
A. Yes.
Q. Tell us how that happens.
A. If a female prisoner is brought in, I book her in, if Marsha is not available.
Q. On occasion, you still work in the sheriff -- in the jail as a jailer?
A. Yes. If someone needs off, I'll pull a shift for them.
Q. Now, earlier in the trial, we heard about what was meant by booking a prisoner; that is, the paperwork and the processing of the prisoner when they get brought into the jail. Can you

Deborah Thompson - Direct

tell us what the various steps are in the booking process at the Noble County Jail.
A. When the officer -- excuse me --
Q. Do you need some water?
A. Please.
Q. There is a pitcher right there. Why don't you pour yourself some.
We'll wait while you take a swig there.
Okay.
A. I'm sorry.
When an officer brings a prisoner on the floor, we first find out if they've ever been arrested before. If they have no file card, then they're issued a new number and fill

have no ID card, when they're issued a new number and fill out a booking card.

Q. Who fills out the booking card?

A. The jailer does.

Q. In filling out the booking card, what information does the jailer put on the booking card?

A. The inmate's or the prisoner's -- all personal information, birth date, Social Security number, height, weight, physical description.

Q. And as a general matter, where is that information obtained?

A. From the prisoner, usually a driver's license.

Q. And if the information isn't on the driver's license, then

Deborah Thompson - Direct

you inquire of the prisoner directly. Is that right?

A. Yes, sir.

Q. Now, on the back side of the booking card, what -- what do you list?

A. We list their clothing, what they had on and what bag number we're going to issue.

Q. We'll get to the bag number in a minute. Is that right?

A. Yes.

Q. Now, when you're listing clothing, how do you make that list?

A. By listing their T-shirts, jeans, tennis shoes.

Q. By looking at the prisoner and just writing down what they're wearing?

A. Yes.

Q. Let me ask you to look in that file in front of you and see if you can find Government's Exhibit 420. Should be on top.

A. Right here on top.

Q. What is Government's Exhibit 420?

A. It's a booking card.

Q. For which prisoner?

A. Timothy James McVeigh.

Q. And are you familiar with that booking card?

A. Yes, sir.

Q. Was that made and maintained in the normal and ordinary course of your business at the Noble County Jail?

Deborah Thompson - Direct

A. Yes, sir.

MR. MENDELOFF: Move the admission of Exhibit 420, your Honor.

MS. RAMSEY: May I have just a moment, your Honor?

THE COURT: Yes.

MS. RAMSEY: May I see the exhibit? I don't have it on my list.

THE COURT: All right. You may come and take a look.

MS. RAMSEY: Your Honor, may I voir dire the witness?

THE COURT: You may.

VOIR DIRE EXAMINATION

BY MS. RAMSEY:

Q. You did not fill out this booking sheet, did you,

Ms. Thompson?

A. No, I did not.

Q. And you do not generally keep these records, do you?

A. Yes, I do.

Q. You do?

A. After the inmate is released, I keep the records.

Q. Did you keep this particular record?

A. Well --

Q. If you know. If you don't know, that's fine.

A. No. After he was released, we released all information.

Q. All right.

MS. RAMSEY: Your Honor, I would object to the

Deborah Thompson - Voir Dire

introduction.

THE COURT: Sustained.

MR. MENDELOFF: All right.

DIRECT EXAMINATION CONTINUED

BY MR. MENDELOFF:

Q. Now, after the prisoner fills out the booking card --

A. Yes.

Q. -- excuse me -- after the jailer fills out the booking card, what is the next step in the process?

A. We fill out a personal -- information sheet for personal property.

Q. And is there a procedure that you follow for the personal property information?

A. Yes, sir. We mark down all items. We have them empty their pockets out on the counters and have them empty their wallets and list everything.

Q. And after the prisoner empties the pockets and the wallet is out on the counter, do you fill out a form?

A. Yes, we do.

Q. What's the name of that form?

A. I know the form.

Q. Well, why don't you look at Government's Exhibit 423 -- are you a little nervous, ma'am?

A. Yes.

Q. Take a deep breath and look at Government's Exhibit 423 in

Deborah Thompson - Direct

front of you.

A. It's their inventory sheet.

Q. What's the name of it? Personal Property Information Sheet?

A. Yes, sir.

Q. And that's what you fill out the next step of the process; is that right?

A. Yes.

Q. Tell us how you do that.

A. We list the amount of cash, the amount of coins, if they have personal checks, watch, jewelry, keys, and then any other items down below here. It says "Other Items." We list what's not listed on the paper itself. We list the other items.

Q. All right. Now, as you -- as you list information on inmate's or prisoner's personal property information form -- after you do it, what do you do with the property?

A. It's put into a canvas bag with a number on it.

Q. And does the canvas bag have some way of closing?

A. Yes, it's zippered.

Q. After all the valuables are put into the canvas bag and listed on the form, what happens to the materials in the canvas bag?

A. They're put in a locker, a file locker with a lock.

Q. File locker with a lock?

A. Yes.

Deborah Thompson - Direct

Q. And where is that located?

A. In the jail.

Q. After you've put the materials into the bag and the bag in the locker, do you record the number on that bank bag anywhere?

A. Yes, sir.

Q. Where is that recorded?

A. On a brown paper sack.

Q. And in addition, where is it recorded? Is it recorded --

A. On the back of the booking card.

Q. On the back of booking card?

A. Yes.

Q. That was the first form you filled out?

A. Right.

Q. The next step in the process is what?

A. Then we fill out a medical form.

Q. And that's based on information from where?

A. From our observation and then asking the prisoner questions about his medical background.

Q. The next step in the process is what?

A. Then we fingerprint them, take their pictures, change them into clothing.

Q. Into jail clothing?

A. Right.

Q. What is the process of changing a prisoner into jail clothing? How does that work?

Deborah Thompson - Direct

A. They go to the storage room. We get the jail uniforms. Everyone is required to have one.

We go -- usually, the officer that has arrested them, if it's male, takes them into the storage room and they change them out.

Q. Now, before they go into the storage room, do you give as a jailer -- do you give the officer or the inmate anything to put their clothing in?

their clothing in?

A. That brown paper bag with the number.

Q. Tell us how that brown paper bag is prepared for the prisoner's clothes. What happens?

A. They open it and --

Q. I'm sorry. How do you prepare it for the prisoner's clothes?

A. I put his/her name on the bag and write the bag number of the canvas bag -- write that on there and give it to the officer to give to him to put them on.

Q. And then the officer takes the paper bag into the storage room and the prisoner changes out.

A. Yes.

Q. Let me ask you after that happens and the prisoner comes back in his jail clothing, what happens to the prisoner next?

A. He's issued a mattress and mattress cover, blanket, and two Styrofoam cups and he's placed into the cell.

Q. Now, the clothing that was left in the paper bag is left in

Deborah Thompson - Direct

the storage room?

A. Yes, sir.

Q. Tell us about the floor -- where in the storage room is the clothing left?

A. The storage room is located right across the hall from the booking area, and they're off into a corner is where it was kept.

Q. On the floor?

A. Yes, sir.

Q. What is that floor made out of?

A. Tile.

Q. How often is that tile floor cleaned?

A. Every night.

Q. With what kind of solvent?

A. Lysol, Pine-Sol.

Q. At the conclusion of the booking process, do the prisoners -- excuse me -- are the prisoners aware of whether or not there are any valuables in those paper bags?

A. They know there is not because they watch us put their property into the canvas bag.

Q. Let me direct your attention to Friday, April 21, 1995. Did you work that day?

A. Yes, sir.

Q. What were you doing at work that day?

A. Dispatching downstairs, secretarial work.

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Q. At some point that day, were you aware that federal agents had arrived at the Noble County Courthouse?

A. Yes, sir.

Q. And what was the purpose of their visit? Do you know?

A. Excuse me.

They advised that we could possibly have a suspect

involved --

MS. RAMSEY: Objection, your honor.

THE COURT: Just a moment.

MR. MENDELOFF: Let me rephrase, your Honor.

THE COURT: All right.

BY MR. MENDELOFF:

Q. Was their visit to -- in relation to Mr. McVeigh?

A. Excuse me?

Q. Was their visit in relation to Mr. McVeigh?

A. Was there a visit?

Q. Was their visit --

A. Oh, yes.

Q. -- in relation to Mr. McVeigh?

A. Yes, it was. I'm sorry.

Q. Approximately what time did they arrive?

A. After lunch.

Q. At some point during that day, did your boss, the sheriff, Jerry Cook, ask you to do anything?

A. Yes, he did.

Deborah Thompson - Direct

Q. What did he ask you to do?

A. He asked me to go upstairs.

MS. RAMSEY: Your Honor, we object again as hearsay.

THE COURT: Overruled. Go ahead.

THE WITNESS: Answer?

THE COURT: You answer what the sheriff told you to do, what instructions, yes.

THE WITNESS: He asked me to go upstairs and let him know and the agents that were in his office -- let them know what clothing Mr. McVeigh had on.

BY MR. MENDELOFF:

Q. And about what time was this?

A. Around -- a little after 2.

Q. What did you do?

A. I went upstairs, unlocked the gate. I went into the kitchen, which is located in front of the gate there; and I called the jailer on duty, Ferrel, to bring me in the property bag of Mr. McVeigh's into the kitchen.

Q. Now, who is the jailer on duty? You said Ferrel? What's his full name?

A. Ferrel Stanley.

Q. You asked Ferrel Stanley to go get Mr. McVeigh's property bag. We have two bags, the canvas bag and the paper bag.

Which one did he ask you to get?

A. The paper bag.

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Q. What did he do?

A. He brought it to the kitchen.

Q. And when he brought it to the kitchen, what did you do?

A. I pulled out each item, laid it on top of the freezer -- we

have a freezer box -- and laid it out, and I advised Jerry what was in the sack.

Q. How did you tell Jerry what was in there?

A. I described the clothing and his shoes.

Q. How did you talk to him? Was he with you? Was he with you, or did you call him over the phone?

A. I called him on intercom down in his office.

Q. For each item, you described what was there.

A. You want me to describe --

Q. For each item -- as you pulled each item out of the bag, you described what you saw. Is that right?

A. Yes.

Q. And each -- with respect to each item, you put it on top of the freezer top?

A. Yes, sir.

Q. How often is that freezer top cleaned?

A. Three times a day.

Q. How?

A. We didn't have much counter space at that time, and that was what we would put sandwiches on to make for the inmates; so it has to be cleaned each time you use it.

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Q. Looking in front of you in that folder, I think you'll find Government's Exhibit 435. Will you pull that out, please.

It's the paper bag. Paper bag in front of the plastic.

Are you familiar with Government's Exhibit 435?

A. Yes, sir.

Q. What is that?

A. It's the cloth bag that Mr. McVeigh's clothing was in.

Q. And that's the bag that you pulled the clothing out of in the kitchen that day. Is that right?

A. Yes, sir.

Q. Is the -- does the sheriff's office have a policy about using fresh or used bags for clothing?

A. We use new bags for each new inmate.

Q. Now, can you tell whether or not that was a fresh bag?

A. Yes, sir.

Q. Tell us how.

A. On occasion, if we run out of sacks, we'll cross off a name and put on the new inmate's name and bag number. It's marked off.

Q. Do you recognize that -- whether or not that was done with respect to this bag?

A. No, sir, it wasn't.

Q. What does that tell you?

A. It tells me it was a fresh bag.

MR. MENDELOFF: All right.

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Your Honor, at this time, we're going to need this witness to go through the clothing, identify it. We're not

going to move it; but just for purposes of chain to expedite this, if Agent Hersley could take the clothing up and stand next to the witness and show it to her as we go through it.

THE COURT: All right.

MS. RAMSEY: Your Honor, I would request the items not be displayed for the jury.

THE COURT: Yes. They have to be shown with your back to the jury so the jury doesn't see them.

BY MR. MENDELOFF:

Q. Let me ask you first to look at Government's Exhibit 429. Do you recognize Government's Exhibit 429?

A. Yes, sir.

Q. What is Government's Exhibit 429, to the best of your memory?

A. It has a --

Q. Don't describe it. Just tell us is it an article of clothing that you reviewed?

A. Yes, it is.

Q. Do you recognize it as such?

A. Yes, I do.

Q. And without telling what's on the article of clothing, tell us how it is that you recognize it.

A. How do you want me to --

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Q. Without --

A. -- without describing it?

Q. Don't tell us what's on there. Just tell us are there distinctive markings and do you remember --

A. Yes.

Q. Is there a distinctive photograph or picture on the front that you remember?

A. Yes, sir.

Q. And is there a depiction on the back that you remember?

A. Yes, sir.

Q. All right. Now let me ask you to turn next to Government's Exhibit 430. Are you familiar with Government's Exhibit 430?

A. Yes, sir.

Q. And without getting into details, that is a shirt?

A. Yes, it is.

Q. And how do you remember that shirt? How is it that you remember that shirt? Go ahead.

A. Baseball.

Q. It's a baseball-type shirt?

A. Yes, ma'am.

Q. And you remember that because of why?

A. Because I like baseball and I play it.

Q. You wear shirts like that?

A. Yes.

Q. Let me ask you to look at Government's Exhibit 428. Those

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are a pair of black jeans?

A. Yes, sir.

Q. Do you recall the jeans that you reviewed that day in the kitchen?

A. Yes, sir. They look --

Q. And does the jeans that are Government's Exhibit 428 look like the jeans you reviewed that day?

A. Yes, they do.

Q. Next I'd like you to look at Government's Exhibits 432 and 433, which would be the two boots. Do you see them through the paper bag -- plastic bag there?

A. Not very well.

Q. All right. We'll have to ask Agent Hersley to --

A. Can I look inside?

THE COURT: Yes.

BY MR. MENDELOFF:

Q. Sure. Why don't we do that.

A. I recognize them.

Q. Do you remember the boots that you looked at the day you were reviewing the clothing in the kitchen?

A. Yes, sir.

Q. Do those look like the same --

A. Yes, sir.

Q. Finally, let me ask you to look at Government's Exhibit 431. Dark blue windbreaker. Do you see Government's Exhibit

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431?

A. Yes, sir.

Q. Does that look like the windbreaker you reviewed in the kitchen that day?

A. Yes.

Q. Thank you.

After you finished describing the clothing to Sheriff Cook, what did you do with the clothing?

A. I placed them back into the brown -- this brown paper sack.

Q. What did you do with the sack?

A. Ferrel took it back to the storage room.

Q. Ferrel Stanley?

A. Yes, sir.

Q. Later that afternoon, did Sheriff Cook ask to you perform any other task?

A. He asked me to go upstairs and gather all of Mr. McVeigh's property personal, clothing and hygiene.

Q. What did you do?

A. I went upstairs and asked Ferrel to gather all the hygiene items, blanket, mattress cover and, you know, cups, toothbrush, toothpaste out of the cell area while I got his clothing out of the storage room.

Q. Where did you go?

A. I went into the booking office where I had a cardboard box.

Q. Got the cardboard box and you took that into the storage

Deborah Thompson - Direct

room?

A. Excuse me?

Q. Took that cardboard box into the storage room?

A. No. I took the cardboard box into the office when I first got there.

Q. All right.

A. And I went into the storage room, picked up the bag of clothing and put it in the box.

Q. At that time, did you begin a handwritten list?

A. Yes, I did.

Q. What did you put on the list?

A. I put down clothing at that time.

Q. Did you pull the clothing out again, or were you able to --

A. No, I didn't need to.

Q. Tell us what you did.

A. And then I got the canvas bag.

Q. Tell us what you did to begin your list without pulling the clothing out of the bag.

A. I wrote down clothing and boots on my handwritten list.

Q. All right. Then what did you do?

A. Then I got the canvas bag and I put that in the box.

Q. Did you continue your handwritten list when you got the canvas bag?

A. Yes.

Q. Tell us what you did.

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A. Off of the inventory sheet that we originally make out, the white copy is put into the canvas bag, while I was writing down on my list everything that was on that list.

Q. Did you compare it to the items actually in the canvas bag?

A. Yes.

Q. Did anyone tell you to make this handwritten list?

A. No.

Q. What was the reason you did it?

A. It's procedure.

Q. After you completed the list of the items in the canvas bag, did Ferrel Stanley show up with other items?

A. Yes. He was -- he brought into the office the items he had retrieved from the cell area.

Q. What did you do then?

A. I placed them in the box as well.

Q. Now, those items included what?

A. Blanket, mattress cover, the Styrofoam cups, toothbrush, toothpaste. I think deodorant.

Q. Did you list some of these items on your list?

A. Yes, I did.

Q. You didn't list all of them; is that right?

A. No.

Q. Now, I'm going to ask you to look at Government's Exhibit 434. Tell us if you recognize what that is.

What is 434?

Deborah Thompson - Direct

A. It looks like the blankets that we used to give to the inmates when they're processed.

Q. How does that compare to the blanket that Ferrel Stanley brought into the room that day?

A. It's the same color.

Q. Same type?

A. Yes.

Q. Looks the same?

A. Right.

MS. RAMSEY: Your Honor, we object as to the characterization "looks like the same."

THE COURT: What's wrong with it?

MS. RAMSEY: Well, that's not her testimony.

THE COURT: Well, that is her testimony. Your objection is overruled.

MR. MENDELOFF: Can I continue, your Honor?

BY MR. MENDELOFF:

Q. Let me ask you to look at 436, please. What is 436?

A. That's the mattress cover.

Q. How does that compare to the mattress cover that was brought into the kitchen -- the storage area by Ferrel Stanley that day?

A. Into the booking office, yes.

Q. How does it compare?

A. It looks the same.

Deborah Thompson - Direct

Q. After you retrieved all of Mr. McVeigh's articles from the jail, where did you go?

A. I went directly down to Jerry's office.

Q. And when you got there, what did you do with the items?

A. I placed the box into his office.

Q. You had all the items from the jail in the box.

A. Yes, sir.

Q. What did you do then?

A. Then I started to type up the inventory of all items that I had retrieved.

Q. About what time did you start typing up the inventory?

A. 3:15, 3:17.

Q. While you were typing the inventory, did Sheriff Cook assist you in any way?

A. Yes.

Q. Tell us how.

A. I was typing up the inventory and then he -- what I had retrieved from the jail. And then he brought in a yellow piece of paper that had items that Trooper Hanger had confiscated from him when he was originally arrested.

Q. Did you -- what did you do with that list?

A. I added it, typed it to my typed list.

Q. While you were typing the handwritten list, did you have

Q. While you were typing the handwritten list, did you have any other tasks to perform?

A. Yes.

Deborah Thompson - Direct

Q. Tell us what they were.

A. The phones were ringing off the hook.

Q. Noble County Jail have this kind of thing happen to it every day?

A. No, not our jail.

Q. Now, tell us what else. Did you have to run any errands?

A. Yes. I had to assist the citizens that call in and they're needing this, or a burglary report and writing that stuff down and --

Q. Where is your desk located in relation to Sheriff Cook's office?

A. It's one office, and Sheriff Cook has an inner office inside of our office, and I'm located outside in front of the entry door.

Q. And at the time you were typing the list and answering the phone calls and doing these errands, where was the box of

property?

A. It stayed in Jerry's office.

Q. When you finished typing up -- excuse me -- typing up the handwritten list, what did you do with the handwritten list?

A. I threw it away.

Q. After you finished typing up the handwritten list, did you meet with anyone?

A. Yes, I did.

Q. Who did you meet with?

Deborah Thompson - Direct

A. Agent Lou Hupp.

Q. Where did you meet with Agent Hupp?

A. In Jerry's office.

Q. When you met with Agent Hupp, what did you do?

A. He -- him and I were -- he wanted to go over each item that I had brought down to the jail and match it up to the typed list that I typed up.

Q. Tell us step by step how you did that.

A. He -- I didn't touch the box any longer. He had the list and each item -- like he had a pen in his hand and he was, you know, checking and he would make a check every time he seen that it was matching up.

Q. Now, when he reviewed the items, tell us how he would review the items in the box.

A. How he did?

Q. How did he review the items in the box?

A. By sight. He would -- opened up and looked and --

Q. Did he remove the items from the box when he checked them off?

A. No.

Q. Reached in --

A. Yeah, because it wasn't like a small box. It wasn't jam-packed full or anything. You could move around in the box.

Q. So he reached into the box and looked for the item?

A. Right.

Deborah Thompson - Direct

Q. When he found it, what did he do?

A. He checked -- made checkmarks on my typed list.

Q. Did you see him take any precautions in doing this?

A. Yes.

Q. Tell us what he did.

A. He had gloves on. That was prior, before.

Q. Did Agent Hupp find any errors in your list?

A. Yes.

Q. And tell us -- tell us what errors he found.

A. I didn't have the -- the hygiene items from the cell area, I didn't have those listed on there.

Q. And when he found items that were in the box that weren't on your list, what did he do?

A. He added them.

Q. May I ask you to look at Government's Exhibit 424. Do you have it there in front of you?

A. Yes, sir.

Q. What is that?

A. The inventory list.

Q. Does it contain the checkmarks and the things that Agent Hupp added?

A. Yes, it does.

MR. MENDELOFF: Move the admission of Government's Exhibit 424, your Honor.

MS. RAMSEY: Your Honor, we have no objection.

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THE COURT: 424 is received.

BY MR. MENDELOFF:

Q. As Agent Hupp went through the items of property in that bag in the box, did you ever see him intermingle the articles in the paper bag, the clothing articles, with any of the other articles in the box?

A. No.

Q. What did you see Agent Hupp do with the paper bag of clothing after he finished reviewing the things in that bag?

A. He rolled that up.

Q. Did you see Agent Hupp do anything with any of the other properties as he was -- any -- excuse me. Let me try that again.

Did you see Agent Hupp do anything with any of the other articles of property in the box as he checked them off?

A. I believe he bagged them.

Q. Bagged them in paper bags?

A. Yes.

Q. After he finished reviewing the articles on the inventory list in the box, can you tell us what happened next? What did he do with the box?

A. The box was sealed up.

Q. And did Agent Hupp then add any other markings to that inventory list?

A. He signed it.

Deborah Thompson - Direct

Q. Did he put a date on it?

A. Date and time.

Q. Date and time. And to your knowledge, was all of the McVeigh property from the jail enclosed in that box?

A. Yes, it was.

Q. When did the FBI take formal possession of that property?

A. At 4:30.

Q. Let me back up and ask you another question about the visit Mr. McVeigh had in the Noble County Jail. In April of 1995, once a prisoner was booked into the jail, did they receive showers?

A. Yes, they do.

Q. How often do prisoners receive showers?

A. Thursdays and Tuesdays, Sundays.

Q. When a prisoner -- when the prisoners receive showers, what kinds of hygiene articles were distributed?

A. They get towels, shampoo, soap, razors, shaving cream.

Q. Mr. McVeigh was booked in on the 19th, Wednesday?

A. Yes, sir.

Q. And he left on Friday, the 21st?

A. Yes, he did.

Q. There was a Thursday in between. Do you know whether there were showers given to the prisoners that day?

A. When I was reading over the log, it stated so.

MR. MENDELOFF: Thank you. Nothing further.

THE COURT: Do you have very much cross?

MS. RAMSEY: Yes, I do.

THE COURT: Well, then we'll recess first.

You may step down now, and we'll have you back at 1:30 for cross-examination.

Members of the jury, we'll also recess for now for the usual noontime hour-and-a-half period, during which, of course, please continue to exercise the cautions that I regularly have given you and the instructions regularly given you about avoiding discussion of any part of the case, anything that you have seen or heard in trial or anything connected with our overall case. So please do that, as I'm sure you will.

You're excused now till 1:30.

(Jury out at 12:00 p.m.)

THE COURT: Do we have the other stipulation ready?

MR. JONES: Yes, your Honor.

THE COURT: Maybe we can check that over right now.

MR. JONES: Yes, sir.

THE COURT: If you'll get it, please, Ms. Hasfjord.

The proposed stipulation is that Special Agent Paul

The proposed stipulation is that Special Agent Paul Gregory Broxterman was a federal law enforcement officer of the Office of Inspector General, Housing and Urban Development, and engaged in the performance of his official duty on April 19, 1995; that Special Agent Paul Douglas Ice was a federal law enforcement officer with the United States Customs Service and engaged in the performance of his official duty on April 19, 1995; that Special Agent Claude Arthur Medearis was a federal law enforcement officer of the United States Customs Service and engaged in the performance of his official duty on April 19, 1995; that Government's Exhibits 1070, 1074 and 1136 are admissible.

Let's see. This is signed by Mr. Nigh.

Mr. Nigh or Mr. Jones, did you go over it with Mr. McVeigh?

MR. NIGH: Yes, your Honor.

THE COURT: And, Mr. McVeigh, you acknowledge that?

THE DEFENDANT: Yes, sir, I do.

THE COURT: You understand this is a little different from the other stipulations. The others were about what a witness would say. Here, you're stipulating to certain facts as being true without the need for any witness. Is that your understanding?

THE DEFENDANT: I understand, your Honor.

THE COURT: And you agree to that?

THE DEFENDANT: I do agree.

THE COURT: All right. Well, let me know when you want to have these stipulations read, and I'll do so.

MR. HARTZLER: Thank you very much.

Ms. Wilkinson wanted to address you about the truck parts. I know you'll be disappointed to learn we're going to clear them out.

THE COURT: Yes. There is no objection to removing this assembly line, is there?

MR. JONES: No, your Honor.

MS. WILKINSON: We would like to have the defense stipulate that we can take custody of the truck parts for now until the end of the case.

THE COURT: Is that agreed?

MR. JONES: Yes, your Honor.

THE COURT: It has been stipulated, and you may proceed accordingly.

MS. WILKINSON: Thank you.

THE COURT: The Court is in recess. 1:30.

(Recess at 12:03 p.m.)

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PLAINTIFF'S EXHIBITS

| Exhibit | Offered | Received | Refused | Reserved | Withdrawn |
|-----------|---------|----------|---------|----------|-----------|
| 420 | 9192 | | | | |
| 424 | 9212 | 9213 | | | |
| 771 | 9101 | 9101 | | | |
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PLAINTIFF'S EXHIBITS (continued)

| Exhibit | Offered | Received | Refused | Reserved | Withdrawn |
|-----------|---------|----------|---------|----------|-----------|
| 773 & 774 | | | | | |
| 776 | 9105 | 9105 | | | |
| 798 | 9126 | 9126 | | | |
| 821 | 9130 | 9131 | | | |
| 824 | 9166 | 9167 | | | |
| 1067 | 9187 | 9187 | | | |

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REPORTERS' CERTIFICATE

We certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. Dated at Denver, Colorado, this 15th day of May, 1997.

Paul Zuckerman

Kara Spitler