

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Criminal Action No. 96-CR-68
UNITED STATES OF AMERICA,
Plaintiff,

vs.

TERRY LYNN NICHOLS,
Defendant.

REPORTER'S TRANSCRIPT

(Trial to Jury: Volume 80)

PROCEEDINGS BEFORE THE HONORABLE RICHARD P. MATSCH,

Judge, United States District Court for the District of Colorado, commencing at 1:32 p.m., on the 18th day of November, 1997, in Courtroom C-204, United States Courthouse, Denver, Colorado.

Proceeding Recorded by Mechanical Stenography, Transcription
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APPEARANCES

PATRICK RYAN, United States Attorney for the Western District of Oklahoma, 210 West Park Avenue, Suite 400, Oklahoma City, Oklahoma, 73102, appearing for the plaintiff.

LARRY MACKEY, SEAN CONNELLY, BETH WILKINSON, GEOFFREY MEARNS, JAMIE ORENSTEIN, and AITAN GOELMAN, Special Attorneys to the U.S. Attorney General, 1961 Stout Street, Suite 1200, Denver, Colorado, 80294, appearing for the plaintiff.

MICHAEL TIGAR, RONALD WOODS, ADAM THURSCHELL, REID NEUREITER, and JANE TIGAR, Attorneys at Law, 1120 Lincoln Street, Suite 1308, Denver, Colorado, 80203, appearing for Defendant Nichols.

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PROCEEDINGS

(Reconvened at 1:32 p.m.)

THE COURT: Be seated, please.

(Jury in at 1:32 p.m.)

THE COURT: Please resume the stand, Mr. Moore.

(Roger Moore was recalled to the stand.)

THE COURT: Miss Wilkinson.

MS. WILKINSON: Thank you, your Honor.

DIRECT EXAMINATION CONTINUED

BY MS. WILKINSON:

Q. Good afternoon, Mr. Moore.

A. Hi.

Roger Moore - Direct

Q. Before lunch, you were telling us about reporting the loss of your property from November 5, 1994; is that right?

A. Uh-huh.

Q. I'm not sure that I spoke clearly each time I asked you the questions about the firearms, but were all those firearms stolen on November 5, 1994?

A. Yes.

Q. So I would have been wrong if I said November 4; is that right?

A. Yes.

Q. Now, after the robbery, did the police ask you to come up with the names of people who had visited your property?

A. Yes.

Q. Did you do that?

A. Yes.

Q. Did you provide those names to the sheriff's office?

A. To the detective in charge of investigation.

Q. And is he a member of the sheriff's department?

A. Yes.

Q. And whose name did you provide at the top of your list?

A. Timothy McVeigh.

Q. And had Timothy McVeigh visited your home?

A. Yes.

Q. Do you remember on how many occasions?

A. Three.

Roger Moore - Direct

Q. Do you remember when you first met him?

A. Yes.

Q. When was that?

A. January '93 in Florida. Ft. Lauderdale.

Q. Where in Ft. Lauderdale did you meet him?

A. At a gun show on -- at the armory.

Q. What did you notice about him when you first saw him?

A. He was dressed as if he was going to a military parade in his Desert Storm outfit.

Q. He was wearing --

A. Desert Storm.

Q. -- camouflage fatigues?

A. Desert Storm cameo.

Q. A sand color?

A. Yes.

Q. What else was he wearing?

A. His polished boots.

Q. Did you see anybody else dressed that like that at the gun show?

A. No.

Q. Did you speak to him that day?

A. Yes.

Q. And did you make arrangements to see him at another gun show?

A. Yes.

A. Later that day, I asked him where he was going, and he said

Roger Moore - Direct

to Dinner Key, and I said, "Would you share a table?"

Q. Is Dinner Key another gun show?

A. Yes.

Q. In Florida?

A. South Florida.

Q. And how long was it after the first gun show in January 1993 when you met Mr. McVeigh?

A. One month.

Q. Did you share a table with him at that second gun show?

A. Yes.

Q. And did you talk to him during that gun show?

A. Some.

Q. Did you notice during those first two gun shows what Mr. McVeigh was selling?

A. T-shirts, canteens, duffel bags, couple of sleeping bags, and a pile of Turner Diaries.

Q. Turner Diaries, is that a book?

A. Yes.

Q. And he had several of them?

A. Six or seven.

Q. Now, the second gun show where you shared the table with Mr. McVeigh, was that also in January of 1993?

A. First week in April -- I mean, excuse me, first week in February.

Q. First week in February. Did you and Mr. McVeigh get along

Roger Moore - Direct

well at that point?

A. Yes.

Q. Did you make plans to see each other again?

A. Not to the degree of plans. I told him that if he was going west, the next best gun show that he could go to, the biggest, was Tulsa, Oklahoma.

Q. Did you tell him that you would be there?

A. Probably.

Q. Did you tell him about Karen Anderson?

A. Yes.

Q. Now, did you go to the gun show in Tulsa in the spring of 1993?

A. Yes.

Q. Did you see Mr. McVeigh there?

A. Yes, I did.

Q. And during that time, did you have discussions with him at the Tulsa gun show?

A. Limited.

Q. Do you remember when the Tulsa gun show was in 1993?

A. It's usually the first weekend in April.

Q. Now, in 1993, do you recall the siege at Waco?

A. Kind of.

Q. All right. Do you recall when the fire was at Waco?

Q. The 19th. Do you recall when the fire was at Waco?

A. The 19th.

Q. Of April?

Roger Moore - Direct

A. Yes.

Q. Of 1993?

A. Yes.

Q. Did you see Mr. McVeigh at the gun show in Tulsa before that date, April 19, 1993?

A. No.

Q. Mr. Moore, did you hear my question? Did you see Mr. McVeigh -- was the Tulsa gun show before the fire at Waco?

A. Yes.

Q. Okay. If you don't understand my question, please ask me --

A. I'm sorry.

Q. -- to repeat it. So you said the gun show in Tulsa was during the first weekend of April of 1993?

A. Yes.

Q. You talked to Mr. McVeigh there?

A. Yes.

Q. At that time had you become interested in something known as the New World Order?

A. To a degree, yes.

Q. What had you done at that time?

A. At that time very little.

Q. Had you read any books about it?

A. One.

Q. All right. Were you concerned about it at that time?

Roger Moore - Direct

A. Somewhat.

Q. Did you discuss the New World -- New World Order with Mr. McVeigh?

A. Yes.

Q. Was he interested in that?

A. More than I was.

Q. Do you recall in general what he said about the New World Order?

A. He thought it was a U.N. takeover of the United States, basically a U.N. takeover of the entire world, one currency, a one-world government, a one-police-force government.

Q. Did you and Mr. McVeigh discuss whether there was any foreign military equipment on U.S. military bases?

A. Yes.

Q. Was he concerned about that?

A. Very much so.

Q. Did you want to look into that?

A. Yes.

Q. Did you do that in the summer of 1993?

A. Yes.

Q. Now, after the Tulsa gun show in April of 1993, did

Mr. McVeigh come to your home?

A. Yes.

Q. How long did he stay?

A. Approximately a week and a half.

Roger Moore - Direct

Q. Did he come right after the Tulsa gun show?

A. Yes.

Q. Now, when he was there, did you speak to him?

A. Certainly.

Q. Did you talk about politics?

A. To some degree; not too much at that point. Talked about Waco most of the time.

Q. Okay. Again, were these discussions before the fire?

A. Yes. He'd been to Waco.

Q. At that point he had already been to Waco?

A. Yes.

Q. Did he tell you what he had seen at Waco at that point?

A. Well, he was back with the -- as far back as they pushed them, 2 miles back, you couldn't see too much. But he was extremely upset about it.

Q. Did he tell you what he saw? Were there agents surrounding the compound?

A. Yes.

Q. Was he upset about that?

A. Yes.

Q. Now, during this visit in early April of 1993, did you talk to him about firearms?

A. Yes.

Q. Was he interested in guns?

A. Tremendously.

Roger Moore - Direct

Q. How do you know that?

A. He read every gun magazine that I had in the house.

Q. And did you discuss your firearms with Mr. McVeigh?

A. Only to a limited degree and basically on calibers.

Q. You did not show him your gun collection?

A. No.

Q. Now, what other type of things did you discuss with Mr. McVeigh in early April of 1993 when he was at your home?

A. What he was going to do when he left and which way he was going and what he wanted -- what he actually wanted to see of the West.

Q. What did he say?

A. He was going out West and then work his way up to Oregon, Washington, and then make a loop and go back to New York.

Q. Did he ever mention to you anything the government had done to him?

A. He indicated that he thought there was a very good possibility that when he got inoculated in Arabia that they had put a glass -- tiny glass transistor in his posterior.

Q. He told you that during that visit?

A. Yes.

Q. Was he concerned about that?

A. Yes.

Q. Now, during his visit in early April of 1993, did he have access to your home?

Roger Moore - Direct

A. More than likely.

Q. And did you ever stop him from going into rooms that he wanted to go into?

A. No.

Q. Did you tell him at that point that you and Miss Anderson were going to go to military bases that summer?

A. I can't answer that question. I don't know.

Q. Could you have told him that?

A. I could have.

Q. And would you have shared that information with him?

MR. TIGAR: Object to speculation.

THE COURT: Sustained.

BY MS. WILKINSON:

Q. Now, during that visit, did you discuss the security of your property with Mr. McVeigh?

A. Very -- quite a bit.

Q. What did you discuss with him?

A. How to best use anything that was on the market to get more security so that somebody couldn't just walk on.

Q. Did you walk your property with Mr. McVeigh?

A. Complete perimeter.

Q. Did you get advice from him about the security of your property?

A. Not really. Because it's a very difficult situation.

MR. TIGAR: Excuse me, your Honor. If the witness is

Roger Moore - Direct

consulting a writing during the testimony, we'd like to see it.

MS. WILKINSON: I think it's a nervous habit.

BY MS. WILKINSON:

Q. Are you looking at a document in your hand?

A. I'm looking at the gun list.

Q. Why don't you just turn it over.

MR. TIGAR: Pardon me, your Honor. I didn't know what it was.

THE COURT: All right. Thank you.

THE WITNESS: I'm not looking at it. I was just holding it.

BY MS. WILKINSON:

Q. Mr. Moore, when you were talking to Mr. McVeigh about security, did you take any measures to establish more security for your property at that time?

A. No.

Q. Did you tell Mr. McVeigh that you had no security devices to your property?

to your property:

A. Yes.

Q. Now, did there come a point when Mr. McVeigh left?

A. Yes.

Q. Do you recall why he left?

A. He seemed antsy, and I got the impression that we were too laid-back and easygoing with the animals and it just wasn't fast enough for him.

Roger Moore - Direct

Q. Did he tell you where he was going?

A. Kingman.

Q. Now, did you exchange any letters with Mr. McVeigh after that visit in early spring of 1993?

A. Yes.

Q. Did he write you any letters after the fire at Waco?

A. Yes.

Q. Do you recall him discussing the fire at Waco in those letters?

A. Yes.

Q. In substance, what did he say to you?

A. He was very upset. More so than before.

Q. Did you see him again in 1993?

A. Yes.

Q. Where?

A. Soldier of Fortune convention in the third week of September.

Q. Soldier of Fortune convention. Where is that located?

A. Las Vegas, Nevada.

Q. Is that where it's held every year?

A. Every year.

Q. And were you there to sell ammunition?

A. Yes.

Q. Was Miss Anderson with you?

A. Yes.

Roger Moore - Direct

Q. When did you see Mr. McVeigh at that convention?

A. On Friday.

Q. Now, before you had -- between your visit with Mr. McVeigh at your property and seeing him at this Soldier of Fortune convention in the fall of 1993, had you and Miss Anderson gone out to look at military bases?

A. Yes.

Q. Did you look for foreign military equipment?

A. Yes.

Q. Did you find anything?

A. No.

Q. Did you become more or less interested in the New World Order after that?

A. Less.

Q. Now, when you saw Mr. McVeigh at the Soldier of Fortune convention, did you talk to him?

A. Yes.
Q. What did you talk about?
A. Not too much because he wasn't around much.
Q. All right. Did you tell him about your trip to the military bases?
A. Yes.
Q. And did he tell you about his interest in the New World Order at that time?
A. He was more interested.

Roger Moore - Direct

Q. More interested?
A. Yes.
Q. Did you -- did he discuss with you the fire at Waco in the fall of 1993?
A. Yes.
Q. What was his demeanor when he discussed that with you?
A. Bright, flashing eyes.
Q. Now, did you and Mr. McVeigh have some argument during that Soldier of Fortune convention in the fall of 1993?
A. Yes.
Q. What was your argument about?
A. He seemed to be settled on a word of "patriot," and there's many people in that particular convention. And at that convention they hand out a piece of paper that said, "These are not subjects to discuss, and it's a non-political convention." And there was a gentleman at the corner of the table that had a badge on his belt, partially hidden by his jacket, but it was still -- I could see it.
Q. Did it look like a law-enforcement badge?
A. It was a law-enforcement badge.
Q. What happened?
A. I finished talking with him; and in the last sentence that he gave me, the word "patriot" was in it. And McVeigh walked up at the time just exactly in time to hear that. When the man walked away, he followed the man and got hold of him by the arm

Roger Moore - Direct

and he started talking to him.
Q. Could you hear him talking to that law-enforcement agent?
A. No. He was about 15 feet away.
Q. Did he return to your table?
A. Yes.
Q. What happened?
A. I told him not to do that, I could get kicked out of the show; and if I once got kicked out, I'd never be able to get back in.
Q. Now, do you recall whether that sheet -- or that conduct sheet that you received from the Soldier of Fortune gun show, whether it specifically prohibited the use of the word "patriot"?
A. It did not.

Q. Then why were you so angry at Mr. McVeigh?

A. They didn't not want political discussion of any kind at that show.

Q. What was your concern about your ammunition business at that time?

A. I didn't want to get kicked out of the show.

Q. What was Mr. McVeigh's reaction to you when you talked to him about his confrontation or discussion with the law-enforcement agent about the word "patriot"?

A. He got in my face like a top sergeant and raised his voice, and I raised my voice.

Roger Moore - Direct

Q. You raised your voice?

A. Yes.

Q. And what happened?

A. We were asked to leave the booth.

Q. Who asked you to leave the booth?

A. The lady that was there.

Q. Did you leave?

A. Yes.

Q. And did you and Mr. McVeigh exchange additional words?

A. We calmed down and went over to the refreshment area.

Q. Did you see him again after that point? At the gun show -- excuse me, at the Soldier of Fortune convention?

A. Only at the end.

Q. What happened at the end?

A. He gathered up his stuff and was going to come back over to the motel, and I asked him -- I told him that I couldn't -- I could no longer let him bunk into the motel like I did the previous night.

Q. Now, did you see him again then at the Soldier of Fortune convention --

A. No.

Q. -- in the fall of 1993?

A. No.

Q. Did you see him again in 1993 at another gun show?

A. Yes.

Roger Moore - Direct

Q. When was that?

A. Two weeks later at Knob Creek, which is West Point, Kentucky, 20 miles south of Louisville, Kentucky.

Q. Is that the machine-gun shoot that's held there?

A. Yes.

Q. When would that have been?

A. First week in October.

Q. Of which year?

A. '93.

Q. Okay. Were you able to speak to him at that point?

A. 10 or 15 minutes.

Q. Did you have any substantive discussions about any of the issues that you had raised

issues that you had raised --

A. No.

Q. -- at the Soldier of Fortune convention?

A. No.

Q. Did you spend any significant time with him at the Knob Creek machine-gun shoot?

A. No.

Q. Now, after that time, did he write you any letters, after October of 1993?

A. Yes.

Q. Do you remember the content of any of those letters?

A. Not of any significance.

Q. Now, I want to ask you when was the next time that you

Roger Moore - Direct

personally saw Mr. McVeigh again after October of 1993.

A. April -- between April and May of '94.

Q. Had he called in advance to tell you he was coming?

A. No.

Q. What happened?

A. Just showed up at the door and knocked.

Q. How long did he stay?

A. Overnight.

Q. Now, you let him stay at your house even though you had had this argument in the fall?

A. Pretty hard to kick somebody out when they knock on your door.

Q. Did Mr. McVeigh tell you where he was going after he left your home?

A. He said he was going to Saucier, Mississippi, and look at the 300 U.N. vehicles that were down there. And then from there, he was going to Avon Park, which is another base that's kind of out of the way in central Florida, and then he was going to go to his sister's and work as a electrical assistant to get money for traveling again.

Q. At any time during your conversations with Mr. McVeigh, did he tell you that he was going to Michigan?

A. Yes. This was before that.

Q. What did he say?

A. He never said he was going to Michigan. He wrote a letter

Roger Moore - Direct

saying he had gone to Michigan.

Q. Did he say why he was going to Michigan -- why he had gone to Michigan?

A. No.

Q. Now, in the spring of 1994 when Mr. McVeigh stayed with you, did you get into another argument with him?

A. No.

Q. Do you recall talking to him about some type of launcher system or rocket-flare system you had developed?

A. I made a comment.

Q. What did you say?

A. I didn't appreciate him stealing the idea.
Q. Did Mr. McVeigh leave shortly after that?
A. Yes.
Q. Did he ever come back to your house again after that?
A. No.
Q. Now, that was sometime you said in the spring of 1994?
A. Yes.
Q. After that point, did he write you any letters?
A. Yes.
Q. Now, between that time -- that is, April of 1994 or April or May of 1994 -- and the robbery date, November 5, 1994, did you receive any letters from Mr. McVeigh?
A. Yes.
Q. Do you remember the content of those letters?

Roger Moore - Direct

A. The only letter I can remember the contents of was the one where he said he was in New York --

MR. TIGAR: Your Honor, may we have a date and some details as to whether the writing is in existence?

THE COURT: Yes, we ought to have a foundation for the absence of the letter.

MS. WILKINSON: Sure.

BY MS. WILKINSON:

Q. Do you recall when you received the letter?

A. No, I do not.

Q. What did you do with the letter after you read it? Do you recall?

A. No.

Q. Did you keep all of the letters that Mr. McVeigh --

A. No.

Q. -- sent you?

A. No, we did not.

Q. Now, tell us what Mr. McVeigh wrote you about during that time period.

A. He wrote about a black Ford following him on an interstate up in Illinois -- up in New York and that eventually they knocked him off the highway and wrecked his car.

Q. Now, let's move to November 5, 1994. After the robbery on that date, you said you gave the sheriff's office Mr. McVeigh's name?

Roger Moore - Direct

A. Yes.

Q. Did you try and contact Mr. McVeigh, yourself?

A. Several weeks later, when I wrote him about the robbery.

Q. Why did you do that?

A. I figured he ought to know, and I figured he might be able to help.

Q. At that time did you suspect his involvement?

A. It was possible.

Q. Why is that?

A. Well, they suggested to give them a list of anybody that had been in the house in the last two years. We gave them three names. He was the only one we couldn't find and had no phone number for.

Q. Now, when you wrote him, did you -- did you keep a copy of the letter you wrote him to tell him about the robbery?

A. You mean make a copy?

Q. Yeah.

A. No.

Q. Do you remember when you wrote it? The first letter you wrote him about the robbery?

A. Late November, early December.

Q. And did you give him any of the details of the robbery?

A. Not the type of detail we're talking about that we give the sheriff's office.

Q. All right. Did you invite him back to your property?

Roger Moore - Direct

A. No.

Q. Not in that letter?

A. Not in that letter.

Q. Did you ever invite him back to your property?

A. Yes.

Q. Why did you do that?

A. The more we looked into it and the more we talked to people, the more I decided that if he was involved and we could get him back to the property, that Karen and I could stare him down and he would eventually blink and we could find out whether he was in on it.

Q. Well, while you were investigating the -- his potential involvement, did you also investigate the potential involvement of other people?

A. Everywhere we could find help.

Q. And did you sometimes come across leads about potential -- other robberies?

A. Yes.

Q. And were you interested in pursuing those leads?

A. Yes.

Q. Did you ever discuss a plan to capture the robbers?

A. Yes.

Q. What was that plan?

A. Three of the different people that we ran across in -- that had been robbed in '94 offered substantial rewards, totaling a

Roger Moore - Direct

hundred thousand dollars. And I wrote McVeigh, since he's always needing money, and I said, "If you'd come back here and solve these, you'd have a hundred thousand dollars."

Q. So you shared with him the plan to try and capture the robbers?

A. Right.

Q. And did he agree to come back?

A. In his last letter, he said he would come back in May.

Q. But he never appeared before April 19, 1995?

A. No.

Q. Now, did you write to Mr. McVeigh again sometime in the spring of 1995?

A. We received his last letter in mid March; and just before going to Knob Creek, which is the second weekend in April, I wrote him back.

Q. Did you keep a copy of the letter that Mr. McVeigh wrote you in mid March of 1995?

A. No.

Q. In that letter, did he ask you certain questions?

A. Yes.

Q. And in your letter back to him, did you respond to some of those questions?

A. Some of them.

Q. When you wrote that letter in April of 1995, do you recall when you wrote it?

Roger Moore - Direct

A. On Wednesday on the way out of town to Knob -- to Louisville, Kentucky.

Q. And do you recall the date or approximate date of the gun show that you were going to attend that year in 1995?

A. It would be the -- I'd have to look at a calendar. It would be the second Wednesday.

Q. So if April 19 were the third Wednesday, it would have been seven days before that, April 12?

A. Yes.

Q. You wrote the letter on April 12, 1995?

A. If it was a Wednesday.

Q. Okay. And when did you mail the letter?

A. On the way out of town.

Q. And do you recall preparing that letter?

A. Yes.

Q. And do you recall how you responded to Mr. McVeigh's questions?

A. To some degree.

Q. Okay. What was your purpose in writing that letter?

A. Politeness and also to get him to come back.

Q. Did you discuss with him in that letter things that you thought he was interested in?

A. Yes.

Q. What type of things?

A. New World Order.

Roger Moore - Direct

MR. TIGAR: Your Honor, if the letter is in existence --

MS. WILKINSON: We're going to put in. I'm just laying the foundation. I'm about to offer it.

THE COURT: I thought the witness said he didn't have

THE COURT: I thought the witness said he didn't have it.

MS. WILKINSON: He didn't have it, your Honor.

THE COURT: Well, if the letter's in existence, let's deal with it.

BY MS. WILKINSON:

Q. To what address did you mail the letter?

A. Kingman, Arizona.

Q. Take a look at Government's Exhibit 2104, please, Mr. Moore.

Do you recognize that letter?

A. Yes.

Q. Did you write that letter?

A. Yes.

Q. Is that your handwriting?

A. Yes.

Q. Did you address it to Tim?

A. Yes. Tim Tuttle.

Q. How did you sign that letter?

A. Bob.

MS. WILKINSON: Government offers Exhibit 2104, your

Roger Moore - Direct
Honor.

MR. TIGAR: No objection, your Honor.

THE COURT: 2104 is received.

MS. WILKINSON: We would like to publish it.

THE COURT: Yes.

BY MS. WILKINSON:

Q. Mr. Moore, would it be fair to say that you don't have the neatest handwriting?

A. Yes.

Q. Could you read this letter to the jury, and let's start with the first line.

THE COURT: I don't see it on the screen.

MS. WILKINSON: There it is.

THE COURT: Go ahead.

THE WITNESS: "Tim: I'm writing you this letter and answering it question for question."

BY MS. WILKINSON:

Q. Mr. Moore, does it say "writing" or "reading"?

A. "Reading," excuse me.

Q. Could you read that line again.

A. "Tim: I'm reading your letter and answering it question for question."

Q. Are you referring to the questions that Mr. McVeigh asked you in his previous letter?

A. Yes.

Roger Moore - Direct

Q. Okay. Can you read the next line.

A. "No. 1, since the robbery, we are phasing out of this

activity."

Q. What do you mean by "this activity"?

A. We're getting out of the business.

Q. What business?

A. The ammunition business.

Q. All right. And can you read the next line.

A. Yes.

Q. The next phrase.

A. "No. 2: Since November election, mail order is off 80 percent and some shows are off 50 to 75 percent. All dealers are getting creamed, no more money."

Q. And was that your -- just your interpretation of what had happened to your business since the election?

A. No, that's an interpretation of everybody I know around the country in the business.

Q. Okay. Read the next line, please.

A. "See what the NWO has done to our dollar, 83 yen from 144 in two years."

Q. Now, NWO, what does that stand for?

A. New World Order.

Q. Okay. "83 yen from 144 two years" -- does that say "ago"?

A. "Ago."

Q. Read the next line, please.

Roger Moore - Direct

A. "Plan is to bring down country and have a few more things happen. Then offer the 90 percent solution." And then "Better red than dead."

Q. Okay. Let's go back. It says, "Plan is to bring the country down"?

A. Yes.

Q. What plan are you talking about?

A. The United Nations' plan, or whatever plan it is that the government -- that this New World Order has.

Q. Okay. "And have a few more things happen," what did you mean by that?

A. Well, Trade Center bombing, anything. Three or four things that would scare the heck out of the people in the country, they'd accept any kind of a compromise.

Q. All right. And then the next line, "They offer the 90 percent solution, better red than dead," what did you mean by that?

A. That's a standard buzzword in any book that you read anywhere on that type of subject.

Q. Meaning on the standard buzzwords for New World Order?

A. No. "Better red than dead."

Q. But here what are you discussing?

A. Things that I thought he'd like to hear.

Q. Now, go down to the next line, please, and read that for the jury.

Roger Moore - Direct

A. "Please remember I have a few more years of experience plus seven in Air Force and 40 years of shooting."
Q. Is that self-explanatory?
A. Yes.
Q. What does the next line say?
A. "Not much product to build, no sales."
Q. What are you talking about there?
A. There's nothing really to bag up and get ready to go to a show with because what inventory we had on hand would probably last six months.
Q. Meaning your ammunition inventory?
A. Yes.
Q. Now, read the next line to the jury, please.
A. "This is the only cause, but the important thing is to be as effective as possible."
Q. What did you mean by "the only cause"?
A. Educate people and get pamphlets and brochures and magazines out to as many people as possible.
Q. Educate them about what?
A. The New World Order.
Q. Is that referring to the same plan up here that you talked about with the New World Order?
A. Yes.
Q. And had you discussed that with Mr. McVeigh in the past?
A. Yes.

Roger Moore - Direct

Q. And you knew he was -- did you know whether he was interested in that?
A. You mean in getting out brochures and pamphlets?
Q. Or interested in the whole -- educating people on the plan, yes.
A. He'd been trying.
Q. Now, can you read the next line.
A. "I know of no people that are interested in this plan."
Q. Which plan are you talking about?
A. The reward plan.
Q. All right. Read the next line, please.
A. "Even Special Forces people probably wouldn't tell us as the attitude of trust is mostly gone."
Q. What did you mean by that?
A. They're kind of a tight-lipped, high-echelon organization; and he wanted to know if he could get information from Special Forces people, and I said I don't think so.
Q. What type of information did he want to get from Special Forces people?
A. Something that might help him run down the robbers and come up with a reward.
Q. All right. Can you read the next line, please.
A. "After all this time, I can't believe you'd say I drive you batty as I've calmed down and you are getting more hyper."
Q. Is that self-explanatory?

Roger Moore - Direct

A. I would say so.

Q. Now, the next line, you say, "We must track down the robbers"; is that right?

A. Yes.

Q. Did you underline "must"?

A. Yes.

Q. Read that sentence to the jury, please.

A. "We must track down the robbers to know where and who saw and took certain stuff and also be able to determine how far the security has been compromised."

Q. What were you referring to there?

A. The farm.

Q. The robbery of the farm?

A. Yes.

Q. Read the next line.

A. "Got two super leads at the Tulsa gun show last week."

Q. What two leads are you referring to?

A. Robbery leads.

Q. Read the next line, please.

A. "Even if I wanted to," I don't -- "I didn't have several problems that you don't know about, I can't write on."

Q. What problems were you referring to?

A. One is Karen was not interested in me getting in on a robbery plan, running around the country with him trying to do that. She thought it was too dangerous. The other was my

Roger Moore - Direct

health.

Q. When you say "a robbery plan," what do you mean by -- do you mean actually conducting robberies or looking for the robbers?

A. Looking for the robbers.

Q. She didn't want you out there --

A. Undercover work.

Q. Read the next sentence, please.

A. "Karen is not interested in the slightest at this point."

Q. What are you referring to there?

A. Basically the first -- the sentence above.

Q. Meaning your plan to capture the robbers?

A. Right.

Q. Read the next sentence, please.

A. "While I was gone to Florida this winter, she met couple of Special Forces Vietnam long-range reconnaissance, and they have convinced her -- they have her convinced to put it out of her mind and have fun."

Q. Had you discussed with Miss Anderson some Special Forces people she had met while you were away?

A. Yes.

Q. And did she share with you her views on this plan you had to capture the robbers?

A. Yes.

Q. What did she tell you?

Roger Moore - Direct

A. She thought we ought to just forget about it, earn the money on the stock market, and wipe it out.

Q. Now, read the next line for the jury.

A. "I personally think each time you were -- you were here that you got the wrong impression."

Q. Next line.

A. "I'm the serious patriot, and Karen is not interested."

Q. What did you mean when you said "I'm the serious patriot"?

A. I was trying -- he always liked her better and got along with her better, and we always had friction, and I was trying to reverse the situation.

Q. Why did you say you were a serious patriot?

A. I thought he'd like that.

Q. Now, starting with "Karen is not interested," could you read that again and go on to the next line.

A. Are we going back up?

Q. No. You read "I'm a serious patriot"; correct?

A. Yes.

Q. Could you just start from there?

A. "Karen is not interested in risks, etc. She's even pissed at me for taking night-vision photos and sending them to right-wing magazines."

Q. Did you ever take pictures with night-vision goggles and send them to right-wing magazines?

A. Camera equipment.

Roger Moore - Direct

Q. Pardon?

A. Night-vision camera equipment.

Q. Did you?

A. I've never owned them.

Q. Why did you say this in this letter?

A. I thought he'd like to hear it.

Q. Did you discuss with him looking for vehicles and that type of equipment?

A. With that type of equipment.

Q. Not with that type of equipment, but foreign military?

A. Yes.

Q. But you never took photographs and sent them to right-wing magazines?

A. I didn't have the equipment.

Q. Did you ever take pictures at all at military bases?

A. No.

Q. Did you ever take pictures and share them with other people of issues related to the New World Order?

A. No.

Q. Now, can you read the next line?

A. Anyone -- "Anyway, watch out for the radiation, virus spray and all other type of electron, electron mind-altering devices."

Q. Had you ever discussed with Mr. McVeigh, radiation, virus

spray, and all other type of electron mind-altering devices?

Roger Moore - Direct

A. I listened to what he had to say about it.

Q. Did he talk about all of those items?

A. Yes.

Q. Why did you put this in this letter?

A. I wanted to be -- look like I was on his side if that was the only way I was going to get him back to Arkansas.

Q. Read the next line, please.

A. "You need some space blankets to keep out of satellites' eyes."

Q. What was that a reference to, Mr. Moore?

A. That's a common-knowledge thing, that a space blanket, if you cover yourself with it, heat-imaging equipment can't find you.

Q. And did you discuss that with Mr. McVeigh previous to this letter?

A. Yes.

Q. What was the purpose of that?

A. He knew that from Desert Storm.

Q. Why did you discuss it with him?

A. I wanted to know about it.

Q. Read the last line, please.

A. "Let's let May go. If you want -- if you want . . . write when you move" and have news -- "or have news."

Q. And you signed it, "My best, Bob"?

A. Yes.

Roger Moore - Direct

Q. And over there on the left, did you write "burn" on there?

A. Yes.

Q. Why did you write that?

A. He always writes that on his.

Q. Now, you said, "Let's let May go." What was that a reference to?

A. His last letter, he said something about coming in May.

Q. Did you want him to come in May?

A. No.

Q. Why didn't you want him to come in May?

A. We're too -- Karen and I are too busy getting the farm back from the winter ravages, and she has shows to go to; and I didn't want him there when I was by myself.

Q. Why was that?

A. I wouldn't be -- I couldn't handle staring him down. I thought needed two of us.

Q. Now, in this letter, Mr. Moore, did you ever intend to refer to any plan to bomb the Murrah Building?

A. No.

Q. Now, when you saw the robber on November 5, 1994, could you tell whether it was Timothy McVeigh?

A. Yes.

Q. Now, did you see the

Q. How could you tell?
A. He's easy to spot.
Q. Was it Timothy McVeigh?

Roger Moore - Direct

A. No.
Q. Why wasn't it?
A. He wasn't 6' 2". He wasn't light-complected like an Irish person, and he wasn't slender.
Q. Would you have rec -- did you recognize Mr. McVeigh's voice?
A. Would I?
Q. Yes.
A. Yes.
Q. And did the robber's voice sound anything like Timothy McVeigh's voice?
A. No.
Q. So you never believed Mr. McVeigh was the man who held a shotgun to you; is that right?
A. Absolutely not.

MS. WILKINSON: No further questions, your Honor.

THE COURT: Mr. Tigar.

CROSS-EXAMINATION

BY MR. TIGAR:

Q. Good afternoon, Mr. Moore.
A. How do you do.
Q. My name is Michael Tigar. I'm one of the lawyers appointed to help out Terry Nichols.
A. I understand.
Q. You first met Mr. McVeigh at a gun show in Ft. Lauderdale;

Roger Moore - Cross

is that correct, sir?
A. That's correct.
Q. And he had -- he was dressed in full Desert Storm uniform; correct?
A. Yes.
Q. Was it your understanding that he was no longer in the military?
A. Yes.
Q. Is it unusual for veterans to dress up in their full parade uniform at gun shows?
A. I don't know the law on that.
Q. Not whether it's legal or not, but is it unusual, in your experience, to see people manning tables or personning tables, I guess we should say --
A. In full uniforms?
Q. Yes, full.
A. It's not at the Soldier of Fortune.
Q. Now, you talked about the Soldier of Fortune. What is the Soldier of Fortune show in Las Vegas?
A. It's a -- basically a combination parts show, trade show. Most of the new manufacturers from the United States are there.

most of the new manufacturers from the United States are there, with booths, big booths: Smith & Wesson, Ruger, Winchester, Colt, and the rest of them. Some foreign. This time we had one from Brazil. We've had them from Israel. And then there's smaller tables where people have used -- there's ammunition

Roger Moore - Cross

tables where they have also used collectors' items like 90-millimeter casings. A lot of collectors and different odds and ends. And then usually at the back of the show they have a military-vehicle display, which is put on by the Arizona Military Vehicles Collectors Association.

Q. And what does the term Soldier of Fortune refer to?

A. Probably a merc.

Q. What's a merc?

A. Mercenary.

Q. And are there discussions at this show of becoming a mercenary or how to be one?

A. No.

Q. Is there literature available at these shows about how to be a mercenary?

A. No.

Q. And that was what you told us earlier, that discussion of politics is discouraged?

A. Right.

Q. Is that correct?

A. That's correct.

Q. Even though discussion of politics is discouraged, would it be fair to say that those attending have a certain political view, predominantly?

A. More than 50 percent?

Q. Sure.

Roger Moore - Cross

A. No.

Q. Now, when you saw Mr. McVeigh there in Ft. Lauderdale, you bought some things from him; correct?

A. Yes, that's right.

Q. And how long was it that you spoke to him before you asked him if you could share a table at the Dinner Key show?

A. I didn't ask him that the first time.

Q. This was the second time you came back?

A. It's a small show. You walk around it three or four times before you leave so that you don't miss something.

Q. So on your second time at Mr. McVeigh's table, you asked him that; is that correct?

A. No, I asked him where he was going next. He said Dinner Key in Miami.

Q. And then when did you ask him about sharing a table?

A. I said, "How did you get a table there?"

He said, "I rented it a long time ago." That's a difficult show to get in.

Q. That was my next question. Why is that a difficult show to

get into?

A. Because it's a show down in the Cuban area, and a lot of people go to that show, and it's limited space.

Q. Now, you had lived in Florida for many years; correct?

A. Right.

Q. You had five boat businesses; right?

Roger Moore - Cross

A. Right.

Q. And so you're pretty well-known businessman in the Florida community; correct?

A. I wouldn't say that. I tried to keep a low profile, and I worked 90 hours a week, so I didn't know anything but the suppliers.

Q. And so you were -- were you surprised that this young soldier had been able to get a table at the Dinner Key gun show?

A. Yes.

Q. And you asked him if he would share it with you?

A. Yes, I did. I said, "If you have any space, could I borrow half a table?"

Q. Why did you select him to share space with?

A. I didn't know anybody else that had a table.

Q. What was it you wanted to sell?

A. Just some stuff I had in the garage that was old military stuff.

Q. What old military stuff was that?

A. Canteens, ammo boxes, a few parts, an M-16 barrel.

Q. Now, it was after that that Mr. McVeigh -- you invited him to your farm; is that correct?

A. No, we didn't invite him to the farm until he was at Tulsa.

Q. Now, how many people have visited your farm there on your invitation since you've bought it?

Roger Moore - Cross

A. You mean both farms?

Q. No, the new farm first.

A. New farm. Four or five.

Q. So would you say it's pretty rare to -- for you to invite somebody to come and share your hospitality there overnight?

A. It would be unusual.

Q. You go to -- how many gun shows a year did you go to in 1993?

A. Myself or Karen?

Q. Yourself.

A. The two in Ft. Lauderdale, two in Florida; Tulsa; Knob Creek twice; and the Soldier of Fortune.

Q. That was all that you went to?

A. Yep.

Q. She went to many more; is that correct?

A. Twice as many.

Q. Now, the business that you have with Ms. Anderson is called the American Assault Company; is that correct?

A. Yes.

Q. Is that a partnership?

A. It's really nothing.

Q. Well, how -- what dollar volume of business did the nothing do in 1993?

A. 65,000.

Q. And was that your gross sales or profit?

Roger Moore - Cross

A. Gross sales.

Q. Now, you testified earlier that you're in the habit of traveling with large amounts of cash; correct?

A. I didn't say that.

Q. Are you in the habit of traveling with large amounts of cash?

A. What is a large amount of cash?

Q. Are you in the habit of traveling with \$50,000 in cash?

A. No.

Q. About how much cash do you travel with?

A. Coming up here right now, today, at this place?

Q. On average.

A. 1500.

Q. You said in direct examination that when traveling, you might decide to buy something, such as a horse trailer; correct?

A. Right.

Q. Do you carry enough money so that if you saw a horse trailer that you like, you can buy it?

A. That's right.

Q. How much is a horse trailer?

A. 2- to 3,000.

Q. You said that you carry enough money so that if you wanted to buy a motor home, you could. How much is a motor home?

A. 10-, 15,000. But you don't --

Roger Moore - Cross

Q. Pardon me?

A. You don't have to pay for it all at once. I'm sure if you put a \$5,000 deposit, they'd give you time to send them a cashier's check.

Q. You said that you cannot get credit cards; is that what you said?

A. Yeah. That's right.

Q. Have you -- as a result of your Florida boat business, you have substantial securities accounts, do you not, sir?

A. Yes.

Q. They -- in the several millions of dollars; correct?

A. That's right.

Q. Have you never received from a bank one of those things that say, "Congratulations, Mr. Moore, you're preapproved for a credit card"?

Credit card :

A. Lately.

Q. So -- and -- on what did you base your statement on direct examination that you can't get a credit card?

A. I went to Barnett Banks, which is the largest bank holding company in Florida. They advertised in the paper that they wanted new credit card people. My wife and I went up there, and we were turned down.

Q. Did you give them a net-worth sheet?

A. Yes, I did. And I told them they could call the brokerage house and that we had a \$250,000 house paid for and we owed no

Roger Moore - Cross

money and I had never borrowed money. And he said, "You have no credit. I can't give you that."

Q. So that's your one -- that's the only experience you had of attempting to get a credit card?

A. That's right.

Q. Now, you also said that you have an insurance man from State Farm Insurance in Florida?

A. Uh-huh.

Q. Now, what's that person's name?

A. I don't remember right now. He's deceased. He had a heart attack about three years ago.

Q. And your testimony is that you asked some insurance agent whether you should get a floater policy on your firearms; right?

A. Right. In Florida.

Q. In Florida. And did he tell you how much it would cost to have a floater policy on your firearms?

A. Yes.

Q. About 1 percent?

A. \$2700.

Q. Do you know what that is as a percentage of the value that you were talking about?

A. 6, 7.

Q. And did this insurance agent then tell you that you shouldn't buy this policy?

Roger Moore - Cross

A. No. He said, "Here is the" -- he gave me the pluses and minuses.

Q. And did this insurance agent tell you that he was afraid that people that worked for his company might tell somebody that you were insured so that you would be robbed and killed?

A. He said it's a possibility.

Q. And did you continue to carry insurance with this company that had people in it that their own agents said might rob and kill you?

A. I've been with State Farm Mutual since I was 16 years old.

Q. And you're still with them?

A. Yes.

Q. Have you ever, after the event that you've talked about

today, filed a lawsuit against State Farm for malpractice in advising you to be underinsured?

A. No. And I probably wouldn't. I've seen enough of courtrooms right now.

Q. Is this your first experience in court, sir?

A. That's right.

Q. Now, you told us that -- excuse me.

On October -- excuse me. Talking about -- November the 5th, 1994, is the date we're talking about. You said you got up, what, about 8, 8:15 in the morning?

A. 8:30.

Q. And you confronted somebody with -- as you walked

Roger Moore - Cross

outside -- right -- or somebody confronted you?

A. Yes.

Q. And this -- this person that you saw was wearing a ski mask; is that right?

A. That's right.

Q. And was that person dark-complected?

A. I would say no. I'd say it maybe had some suntan.

Q. Do you remember being interviewed by the Federal Bureau of Investigation on the 28th of April, 1995, in Hot Springs, Arkansas?

A. If that was the first date they came, that was -- that would be the right date.

Q. Did you -- do you remember telling the agents at that time that the robber appeared to be dark-complected?

A. No, I can't say that I remember that.

MR. TIGAR: D810.

BY MR. TIGAR:

Q. Show you the report of interview and ask you if -- just to look there and see if that refreshes your recollection. I understand that's not your document, sir.

A. Where are we?

Q. Right there, sir.

Does that refresh your recollection that you told the agents --

A. I think there's a difference between dark-complected and

Roger Moore - Cross

having a little suntan.

Q. I understand there's a difference, sir. My question is: Did you tell the agents that the person was dark-complected?

A. If that's the interview that the agents typed.

Q. My question is: Do you remember telling them that the person was dark-complected?

A. No.

Q. Now, you told us that the person appeared to have a beard; is that right?

A. Yes, sir.

Q. Did you -- did the hair of the person come underneath the

mask?

A. The mask was tucked in the jacket -- the collar of the shirt.

Q. Now, you also told us about being wrapped up in duct tape; correct?

A. Yes.

Q. Now, where was this penknife that you were able to free yourself with?

A. On the table, glass table right next to the couch.

Q. Now, was that penknife in plain sight?

A. Yes.

Q. Was it open?

A. Yes.

Q. And after the -- this person left the house, how long did

Roger Moore - Cross

you wait before you reached for the penknife?

A. First thing I did was raise my eyes 'cause I could see under the duct tape and I wanted to make sure nobody was standing in the doorway with a shotgun. When I determined I couldn't see anybody, then I tried to get to the penknife.

Q. Now, you had heard the sliding door of your van close; correct?

A. That's right.

Q. You had heard another door of your van close; correct?

A. The driver's door.

Q. How did you know it was the driver's door?

A. It took the guy that long to walk around the van. I could hear him walk around the van.

Q. So you surmised it was the driver's door; correct?

A. The van was up against the house, so he had to walk around the back.

Q. You didn't -- so you didn't see anybody, and then you used the penknife; correct?

A. Right.

Q. Now, it was your plan to chase the robber in a vehicle; correct?

A. That's right.

Q. Now, later on that day, sir, you went to your van, did you not?

A. Yes.

Roger Moore - Cross

Q. And you looked in there for a list of weapons with serial numbers; correct?

A. That's correct.

Q. And it wasn't there, was it?

A. No.

Q. You had placed a list of weapons with serial numbers in your van; is that your testimony?

A. We had done that when we moved from the other farm.

Q. Now, in that place where the list with serial numbers was kept, there was also some cash, right?

kept, there was also some cash; right?

A. Right.

Q. And was the cash still there?

A. The cash was laying on the middle of the floor with all the keys, next to the driver's seat.

Q. So the cash was not where you'd left it; it had been taken out of the hiding place, left on the floor. And only the list with the serial numbers was gone; is that your testimony?

A. That is.

Q. Now, who owned these weapons, sir?

A. I owned all but the ones that are registered in other people's names: My wife and Karen.

Q. Now, you did have insurance, did you not?

A. Homeowner's.

Q. You had a regular homeowner's policy that covered your home for fire and related kinds of incidents; correct?

Roger Moore - Cross

A. Lawsuits.

Q. Lawsuits. And the -- your house is, what, about 1800 square feet?

A. Approximately.

Q. And we've seen pictures of it. It's a frame house; and what was the replacement cost insurance for the homeowner's part of the policy?

A. Somewhere around 85,000.

Q. And in addition to that, you had contents insurance; correct?

A. Yes.

Q. And on -- as of November the 5th, 1994, the contents insurance was \$63,000; correct?

A. If that's what you say. I don't know the exact amount.

Q. Do you know that it was about \$60,000?

A. It's usually a percentage of what the house is worth.

Q. I'm asking you, sir -- I understand -- I'm asking you, sir, for your recollection. Do you recall now what the amount of contents insurance was that you had?

A. I do not. I know that it's more than 50 percent.

Q. Now, there came a time, sir, when you went to Washington, D.C.; is that correct?

A. That's right.

Q. Oh, let me ask you: Do you recall making a claim -- the amount of the claim you made with the insurance company for the

Roger Moore - Cross

property?

A. You mean on the theft?

Q. Yes.

A. I made a claim on the theft. Not for the amount.

Q. Yes.

A. Because they don't pay the amount. I made a claim, and they required a police report of what I turned in.

Q. Right. Do you remember telling the FBI that you made a

claim for \$59,000?

A. No.

Q. Were you with Mr. Spivey when he added up the amount that you claim to have lost?

A. I was with Mr. Spivey. I don't know if he added it up or not. It was already added at the bottom.

Q. Did you ever see his report that he made adding up the loss?

A. I don't remember.

Q. Do you remember telling the FBI that you made a claim for \$59,000 on the property?

A. I don't remember.

Q. Now, you did go to the FBI headquarters in Washington, D.C., on the 4th of May; correct?

A. If that's the date I flew in, yes.

Q. And at that time you identified a number of weapons as belonging to you; correct?

Roger Moore - Cross

A. That's correct.

Q. Did you identify any of the weapons as belonging either to Ms. Anderson or to your wife, Carol Moore?

A. No.

Q. Carol Moore is your wife?

A. Correct.

Q. You've been married how long?

A. Since 1955.

Q. And the deed in your house that lists you as brother and sister in Arkansas is in error; is that correct?

A. That's correct.

Q. Now, what is Ms. Anderson's relationship to you, sir?

A. She works -- she runs the farm for us when we're not there and when we're there.

Q. Is she your girlfriend?

A. You could say that.

Q. I'm asking you, sir, is she your girlfriend?

A. Yes, sir.

Q. And is this an intimate relationship?

A. Yes, sir.

Q. Now, after this person left your house, you went to the neighbors'; is that correct?

A. After I determined they were home.

Q. And that's the Powells?

A. Yes.

Roger Moore - Cross

Q. Now, at that time Mr. Powell was not there; correct?

A. Correct.

Q. And you testified on direct examination that you called the sheriff's office immediately; correct?

A. Correct.

Q. Now, do you remember being interviewed by Mr. Spivey?

A. Yes.

Q. And you told Mr. Spivey that you did not call the insurance company first; is that right?

A. I made a mistake. We had a little bit of a friction about him being an adjuster, and he just rubbed me the wrong way, and I got a little bit rattled.

Q. Now, he made a tape recording of your conversation, did he not, sir?

A. Yes, sir.

Q. And do you remember being asked, "So you called the sheriff from their house?"

"Answer: Yeah.

"Question: You called the sheriff's department?"

"Answer: I didn't call the sheriff, no. The first person I called, I called Bill Stoneman.

Do you remember telling him that?

A. No. But if I said the first time I called the sheriff's department, then I called the sheriff's department."

Q. I beg your pardon?

Roger Moore - Cross

A. You said in there -- you read that -- please reread that.

Q. Uh-huh.

"Question: So you called the sheriff from their house?"

"Yeah.

"Question: You called the sheriff's department?"

A. Let's stop right there.

Q. Uh-huh.

A. He said, "Did you call the sheriff's department from your house?" Yes, I called the sheriff's department.

Q. And that's true, isn't it, you did call the sheriff's department?

A. I certainly did.

Q. Now, is it also true that the first person you called was Bill Stoneman?

A. I'm not sure of that.

Q. Now, on direct examination, you said that you called the sheriff first and then somebody else; correct?

A. Yeah.

Q. Well, isn't it a fact, sir, that when Mr. Powell came home from where Mrs. Powell had gotten him, he said, "Have you called the sheriff?" and you said, "No," and he said, "Don't you think you better do it?" and then you called the sheriff? Isn't that what happened?

A. He didn't come home for an hour and a half, so I don't know

Roger Moore - Cross

how -- in fact, he didn't come to his house. He came to my house -- by that time, there were already five sheriff's cars already there.

Q. The question is: Isn't it a fact, when Mr. Powell came to

the house, he said, "Have you called the sheriff?" and you said, "No, I haven't," and then he said, "Hadn't you better do it?" and then did you it? Yes or no.

A. No.

Q. Now, you said that Mr. Spivey rattled you; is that right?

A. No, he rubbed me the wrong way.

Q. Sir, he came out to your house on what date?

A. I really don't know. I think it's listed there. I think it's the 16th.

Q. 16th. So that would have been 11 days after the incident; correct?

A. Uh-huh.

Q. Now, you understood that his job was there to adjust the claim; correct?

A. Uh-huh.

Q. Well, what was it that he said that rubbed you the wrong way?

A. They're not too happy with settling claims. And he just had a tone of voice I didn't like 'cause I was already robbed of 60,000. I knew I wasn't going to get hardly even 10 percent, so I didn't think they should act like that when

Roger Moore - Cross

I'm paying them insurance.

Q. Well, was he rude to you, sir?

A. I would say so.

Q. Did he express hostility?

A. Yes.

Q. Did he express suspicion?

A. I don't know about that, but I know that Carol -- Karen got into an argument with him about it.

Q. What did Miss Anderson and the insurance adjuster say in this argument?

A. I have no --

MS. WILKINSON: Objection.

THE WITNESS: I have no idea.

MS. WILKINSON: I think he's answered.

BY MR. TIGAR:

Q. Was that outside your presence?

A. Yes.

Q. Now, at some point during the day, then, the sheriff's people came; is that correct, sir?

A. To my house?

Q. Yes, to your house.

A. I don't remember that.

Q. At some point, were you interviewed by the sheriff's officers on the 5th?

A. Yes.

Roger Moore - Cross

Q. Where did that interview take place?

A. Starting at Mr. Powell's.

Q. Did it continue at your house?

Q. Did he continue at your house.

A. Yes.

Q. And did you tell the sheriff's officers that the person who had confronted you was between 5-foot-11 and 6 feet tall and weighed 185 pounds?

A. I think there was a range on the weight.

Q. My question, then, is, sir: As you remember it, isn't it a fact that you told them that the person was between 5' 11" and 6 feet and 185 pounds?

A. I can't recall that.

Q. Now, this person you say confronted you, dragged you a part of the way; is that right?

A. Yes.

Q. How much did you weigh at that time?

A. 215.

Q. 215 pounds?

A. Yes.

Q. And how far did this person drag you?

A. 7 feet. On carpet.

Q. Now, on direct examination, you said that when you came out of the house, you saw this person and it was a horrible picture; correct?

A. That's true.

Roger Moore - Cross

Q. Now, in your van that day, did you have a publication that had a horrible picture on it?

A. I didn't consider it a horrible picture. It meant no harm to me.

Q. Going to show you what's been marked as Defendant's D1549, and ask you if that's a picture that you had on the seat of your van on that day?

A. I did not.

Q. Did you have that in your van that day?

A. I had that in my van. Not in plain sight.

Q. But that's -- that was your publication; correct?

A. No.

Q. Was it a publication that had been in your van for a while?

A. I picked it up at a gun show.

MR. TIGAR: All right. We offer it, your Honor.

MS. WILKINSON: No objection.

THE COURT: Is it D15 --

MR. TIGAR: D1549, your Honor.

THE COURT: All right. It's received.

BY MR. TIGAR:

Q. Does that look like the person that you described to the police as having robbed you?

A. No.

Q. Do you see a black ski mask?

A. Yes.

Roger Moore - Cross

Q. Do you see the ski mask tucked into the collar?

A. Yes.

Q. Now, you see signs like Waco veteran and ATF; correct?

A. I can't read those. I see ATF. I didn't see --

Q. The person who you say confronted you didn't have any badges on; correct?

A. Didn't have any black suit on, either.

Q. Okay. From the neck up, does that look like the person that you told the police had robbed you?

A. They all look similar with black ski masks.

Q. My question is: From the neck up, does that look like the person that you said robbed you?

A. The picture's not clear enough to see a beard growth.

Q. Now, you told us earlier that the ski mask -- that the person had hair around the opening of his mouth; correct?

A. Correct.

Q. And you said that he had at least a one-inch full growth; is that what --

A. It appeared that on the chin, there was a one-inch full growth.

Q. So that when you said earlier that it was about a half an inch, in fact, it was, according to you, about an inch; is that correct?

A. It could be an inch on the chin, and it could be a half inch around the mouth.

Roger Moore - Cross

Q. And this person that you say confronted you had a long, elongated head; correct?

A. Correct. That could account for the beard on the chin.

Q. Now, at what time of day did you unlock the door and go outside?

A. 9:15.

Q. 9:15. Did you tell the sheriff's officers who responded that it was at 8:30?

A. I have no idea.

Q. You don't remember?

A. No.

Q. Now, you did talk to Mr. Powell when he got back; is that right, sir?

A. You mean over to my house?

Q. No, when Mr. Powell got back to the house, to the Powells' house.

A. I recall him coming over to my house when we were over there with the sheriff's department.

Q. Now, let's be clear about the relationship. The Powells are your neighbors; correct?

A. Correct.

Q. You trust them to look after your property when you're not there; correct?

A. On the outside.

Q. All right. And the Powells are -- Miss Verta Powell; is

Roger Moore - Cross

that right?

A. I don't know her name. They called her "Pudge."

Q. She's known as "Pudge"; right?

A. That's a nickname.

Q. That's her nickname, and that's Mrs. Powell; correct?

A. Yes.

Q. And you went over there at sometime in the morning of 5th; correct?

A. Correct.

Q. And you told her that you had been robbed by more than one person, didn't you?

A. No. I said, "I've had an armed robbery. I need to use the phone."

Q. Is it your testimony that you did not tell Mrs. Powell, known as "Pudge," that you'd been robbed by more than one person?

A. Yes.

Q. Okay. Did you then use the telephone immediately?

A. Yes. As soon as I looked up the number off a book.

Q. And did you talk low to someone and explain what had happened in the robbery?

A. I tried not to disrupt her. She was fiddling around with a VCR in the living room.

Q. Who did you talk to?

A. Sheriff's office.

Roger Moore - Cross

Q. Isn't it a fact, sir, that you called Mr. Stoneman and talked low and explained what had happened in the robbery?

A. I don't remember talking low.

Q. Isn't it a fact that you called Mr. Stoneman and described what happened in the robbery before you called the sheriff's office?

A. I don't think so.

Q. Now, do you remember talking to Mr. Lance Powell that day?

A. Is that the son?

Q. Well, he was born in 1969.

A. Must be a son.

Q. Do you remember talking to Lance that day?

A. No. He came in and made a statement to the law-enforcement officials.

Q. Do you remember telling Mr. Moore -- excuse me -- Mr. Powell that there were at least two individuals who robbed you because you saw one and heard another one?

A. No.

Q. Do you deny that you told Mr. Lance Powell that there were at least two individuals who robbed you because you saw one and heard another one?

A. I never talked to the son.

Q. Now, was one of the people that you asked to help you investigate this matter someone named David Wegner?

A. Might have been. But he lives in Tulsa. He could have

Roger Moore - Cross

been of very little help.

Q. Now, in March, 1994, was Mr. Wegner assisting you at your table at the Tulsa gun show?

A. He assists Karen whenever she's up there.

Q. Did Mr. McVeigh show up on that occasion?

A. Wouldn't be March. That would be April.

Q. Whenever the Tulsa gun show was in 1994, did Mr. McVeigh show up?

A. Yes.

Q. And did you introduce Mr. McVeigh to Mr. Wegner?

A. I have no idea.

Q. What name was Mr. McVeigh using at that time?

A. McVeigh.

Q. Now, did you talk to Mr. Wegner about this incident of April -- November of 1994 with Mr. Wegner at the 1995 Tulsa gun show?

A. I think you're off a year.

Q. Well, the episode took place in November of 1994; correct?
When was the next Tulsa gun show after that?

A. April of 1994.

Q. April 19 -- is April, 1994, after November of 1994? Isn't the next one 1995?

A. April of 1995, yes.

Q. 1995.

A. But the previous question you asked about April of 1994.

Roger Moore - Cross

Q. I apologize for mixing up --

A. It was April of 1993 when he was at the first Tulsa gun show.

Q. Let's clear that up. Is it your testimony, sir, that Mr. McVeigh did not attend the Tulsa gun show with you in 1994?

A. Which one?

Q. How many spring gun shows are there in Tulsa, sir?

A. Two.

Q. Was Mr. McVeigh with you at either of the two spring gun shows in Tulsa in 1994?

A. No.

Q. Do you remember ever introducing Mr. Wegner to Mr. McVeigh?

A. No. I'm never -- I'm rarely at the booth.

Q. Testimony -- is it your testimony that you did not introduce Mr. McVeigh to Mr. Wegner?

A. Yes.

Q. Now, now going to the spring of 1995: Did you see Mr. Wegner in the spring of 1995 at a gun show in Tulsa?

A. See him every time. He used to be head of security for the state fairgrounds.

Q. And did you tell Mr. Wegner that you were convinced that McVeigh masterminded the robbery?

A. No.

Q. Do you deny telling him that you were convinced that

Mr. McVeigh masterminded the robbery?

Roger Moore - Cross

A. I'd like you to rephrase the question.

THE COURT: Well, is there something you don't understand about the question?

THE WITNESS: Yes. It's a yes-and-no question, and I'd like to say that I might have told him that there was a possibility but not that I absolutely knew one way or another. I didn't know.

BY MR. TIGAR:

Q. All right -- that's -- let me not be unfair to you, sir. By that time, you -- in 1995, the spring of 1995 -- had you had any discussion with the FBI about this investigation?

A. Which investigation?

Q. The investigation of the events of November 1994.

A. Yes.

Q. Now, did you say to Mr. Wegner in words or substance that you thought Mr. McVeigh might have masterminded the robbery?

A. Probably.

Q. Now, in addition to mentioning Mr. McVeigh's name, you mentioned the name of a man named Trickel to authorities; correct?

A. They asked for people that had been at the house.

Q. And Mr. Trickel was just someone who had been at the house; correct?

A. Yes; correct.

Q. He's not someone with whom you discussed politics and the

Roger Moore - Cross

patriot movement, was he?

A. No.

Q. He's just a dealer; correct?

A. He's an ammunition manufacturer.

Q. Now, you also enlisted the aid of a man named Charles Abeyta in Muskogee; correct?

A. Yes. Karen did.

Q. And that was a contact made by Ms. Anderson; correct?

A. Yes.

Q. And did you direct her to make that contact?

A. No.

Q. Did you discuss with Miss Anderson investigating the Ft. Smith, Arkansas area?

A. Yes.

Q. And did you believe that that was a likely place to look for evidence concerning this episode?

A. They had a car tag. When they ran it down their NCIC, it turned out to be a vacant lot.

Q. Did you believe that this was a likely place to investigate this episode, regardless of how it turned out?

A. All places would be likely places, including Ft. Smith.

Q. And did your view that this would be a likely place have

anything to do with the proximity of Ft. Smith to Elohim City?

A. I don't know where that is. I've never been there.

Q. Now, sir, in the letter that was read . . . do you remember

Roger Moore - Cross

writing to the Fifty Caliber magazine about this episode?

A. Yes.

Q. Now, did you believe that law enforcement had done an adequate job investigating this matter?

A. Which law enforcement?

Q. Arkansas law enforcement.

A. No.

Q. Now, on November the 5th, 1994, did you go to the local insurance agency in your community?

A. I don't know what day it was.

Q. Do you remember sometime within the next few days after the 5th, going to the insurance agency in your community?

A. It would be a logical step.

Q. Did you meet there someone named Ms. Dana Priddy, a customer service representative for the Farmers Insurance Group?

A. I don't know that. The head of the agency is Jan Dies.

Q. Yes. The agency is Jan Dies; correct?

A. Right.

Q. Did you meet someone other than Miss Dies and describe what had happened to you?

A. If she wasn't at the office, I would describe it to the other lady.

Q. Now, did you tell her that you believed that the federal government was involved?

Roger Moore - Cross

A. No.

Q. Did you tell her that "they came in wearing ski masks while I was in my living room"?

A. No.

Q. Do you deny saying "they came in"?

A. Yes.

Q. Do you deny saying that it happened while it (sic) was in your living room?

A. Yes.

Q. Did you tell that person that you were tied up with duct tape but managed to free yourself by cutting the duct tape with a knife from the kitchen?

A. No.

Q. Did you tell that person whether you had been bound with anything other than duct tape?

A. I can't remember.

Q. Approximately November 18, 1994, did you telephone the Jan Dies insurance agency? This would be after Mr. Spivy came to you.

A. I would have no idea.

Q. Did you know at any time that the FBI was involved with

Q. Did you become an -- you testified you were angry with Mr. Spivy; correct?

A. No; we had a little bit of a friction. I couldn't -- I wouldn't call it angry.

Q. Did you call -- the question is, sir: On November the

Roger Moore - Cross

18th, 1994, at 11:45 a.m., did you call the Jan Dies insurance agency and demand that Miss Priddy put Jan Dies on the telephone immediately or you would come to the insurance agency and smear her all over the counter?

A. I deny that.

Q. Did you discuss with the people at the Jan Dies insurance agency your dissatisfaction that the -- Mr. Spivy had not done what you thought was an adequate job of investigating?

A. He did an adequate job. He was rude.

Q. You remember telling Mr. Spivy that someone broke into your house?

A. Being caught outside with a shotgun is not a break-in.

Q. That's not my question. Did you remember telling Mr. Spivy that someone broke into your house?

A. No.

Q. Did you discuss -- do you remember discussing with Miss Dana Priddy in the insurance agency the percentage of your recovery that you might receive from the insurance company?

A. Not really.

Q. Uh-huh. Do you remember expressing anger to Miss Priddy or Ms. Dies -- excuse me -- with Miss Priddy that you would not be fully compensated by the insurance company for the loss you were claiming?

A. I knew I wouldn't be fully compensated.

Q. Uh-huh. My question, sir, is: When you were told you

Roger Moore - Cross

would not -- Did they tell you that you would not be fully compensated?

A. I don't remember that. It's common knowledge that I wouldn't -- I've known that since I was 20 years old that you wouldn't be compensated without a rider.

Q. Sir, my question is: When did you express upset or anger about the fact you wouldn't be fully compensated to the personnel at the Dies insurance agency?

A. I didn't.

Q. Now, do you remember on the 5th of November meeting Corporal Ronald Karchevski?

A. Local police or state police, State of Arkansas police?

Q. Either State of Arkansas or Garland County, whatever law enforcement officer first arrived.

A. You mean on the robbery date?

Q. Yes, sir.

A. I don't remember the name.

Q. Did you -- do you remember a police officer coming in and greeting you while you were talking on the telephone at the

greeting you while you were talking on the telephone at the Powells' residence?

A. I only remember a police -- a sheriff's officer driving up.

Q. All right. When the sheriff's officer drove up, do you remember that you were talking on the telephone at that time?

A. May have been.

Q. Do you remember giving the telephone to the sheriff's

Roger Moore - Cross

officer who arrived so that that officer could talk to whoever it was you were talking with?

A. No, sir.

Q. What -- during the time you were at the Powells' and talking on the telephone, were you talking to a person who was then in the state of California?

A. No, sir.

Q. Did you tell the officer that someone had called the Powell residence looking for you?

A. I don't remember that.

Q. Do you deny, sir, that someone called you at the Powell residence looking for you while you were there that morning?

A. I don't remember that.

Q. You don't remember whether it happened or not; correct?

A. No. That's an hour after a robbery with a shotgun. I wasn't in very good humor.

Q. Now, when you left your house on that morning, sir, were you wearing the same trousers that you had worn when you met this individual you've told us about?

A. No.

Q. Isn't it a fact, sir, that you rolled down an outer pair of trousers and showed what you said were the trousers you had been wearing to Corporal Karchevski of the Garland County Sheriff's Department?

A. I might have put on another pair over them.

Roger Moore - Cross

Q. Now, do you remember also speaking that day to Detective Sergeant Shelby Terry of the Garland County Sheriff's Department?

A. He was the lead investigator.

Q. And did you tell Detective Sergeant Terry that you felt there were at least two suspects involved?

A. No.

Q. Do you deny that you told him that there were at least two suspects involved?

A. Yes.

Q. Now, sometime after this event, do you remember speaking of it to a man named Rodney Bowers?

A. Read the name again.

Q. Rodney Bowers, a reporter for the Arkansas Democrat Gazette?

A. Oh, okay. It's possible.

Q. Do you remember?

A. No, I don't know the name. But the Arkansas Gazette did bug us.

Q. Okay. Did you speak to Mr. -- do you remember speaking to a Gazette reporter over the telephone?

A. It's possible.

Q. Uh-huh. And do you remember telling the reporter that the guy had been standing there since dawn; they could determine that?

Roger Moore - Cross

A. Yes.

Q. All right. And what was it that led you to say that one could determine that the guy had been standing there since dawn?

A. At the time, before this happened, there was about 3 inches of grass at that spot. And by standing there that amount of time, changing from one foot to the other, the grass had been pushed down into the mud, and there was a hard mud spot about 24 inches in diameter where the person had been standing. There was no grass left.

Q. The Powells have a dog, don't they, sir?

A. Yes.

Q. Combination pit bull and something else?

A. No.

Q. What is it?

A. It's just an old red dog, about 15 years old, tired as hell.

Q. Does it bark?

A. Only when there's people around on the property.

Q. Hmm. Did the dog bark that night, sir?

A. Yes. That's what Powell said.

Q. Is it your testimony that the Powells told you that the dog barked?

A. About a week later.

Q. I want to be sure about this, sir: It is your testimony

Roger Moore - Cross

that the Powells told you that the dog had barked during that time? Correct?

A. At that night, Friday night?

Q. Yes, that night, sir.

A. Yes.

Q. Now, going back to the reporter for the Arkansas Democrat Gazette, do you remember telling him: "Whatever I was doing for the FBI is F-blank up because they blew my cover"?

MS. WILKINSON: Your Honor, could we have a time for when this conversation occurred?

MR. TIGAR: Yes, sir.

THE COURT: Yes. All right.

BY MR. TIGAR:

Q. Do you remember when it -- do you remember when it was that you spoke to the reporter from the Arkansas Democrat Gazette?

A. No.

Q. Was it sometime in 1995?

A. I think they called half a dozen times.

Q. Okay. Was the first time that they called after this whole business had begun to be in the papers, after the bombing of the Murrah Building?

A. No.

Q. Is that the first time?

A. They called right after the robbery.

Q. Okay. Well, now -- then let me ask you: Do you remember

Roger Moore - Cross

having a conversation with Mr. Bowers or a Mr. Whiteley from

the Arkansas Democrat Gazette sometime in the middle of 1995?

A. No.

Q. Do you remember -- You do remember interviews with the reporters; correct?

A. After the robbery.

Q. After the robbery. Do you remember interviews with the Arkansas Democrat Gazette reporters sometime in June of 1995?

A. No. We decided not to talk to any reporters after the first 30 days.

Q. Is it your testimony that you did not have a telephone interview with Mr. Rodney Bowers of the Arkansas Democrat Gazette anytime between May 1 and June 22, 1995?

A. I can't recall that.

Q. Do you remember ever saying to Mr. Rodney Bowers or any other reporter: "Whatever I was doing for the FBI is F-blank up because they blew my cover"?

A. Absolutely not.

Q. Do you deny, sir, having ever said to any reporter words in -- that statement in words or substance?

A. No.

Q. You do deny it?

A. I do deny it.

Q. Have you ever been an agent of the Federal -- an operative of the Federal Bureau of Investigation?

Roger Moore - Cross

A. Or any other federal agency. No.

Q. Now, the voice that you say you heard that morning was real deep; is that correct?

A. They changed their voice and dropped it an octave, about like mine is getting now.

Q. All right, sir. My question is -- please have a drink of water, and then I'll put my question.

The voice was real deep; correct?

A. That's right.

Q. Mr. Moore, would it be best if we asked the Judge to take our afternoon recess right now?

A. Keep going.

THE COURT. Yes

THE COURT: Yes.

THE WITNESS: It's the Judge's court.

BY MR. TIGAR:

Q. Now, Mr. McVeigh came to the ranch sometime in the summer of 1994; correct?

A. Yes.

Q. And he discussed that he was living in caves in the Kingman area to save money and learn survival techniques; correct?

A. Practice survival techniques.

Q. Practice survival techniques. What did he tell you he was practicing them for?

A. He never mentioned that. I thought he was nuts.

Q. And did you, in your American Assault Company -- did you do

Roger Moore - Cross
business with people that identified themselves as survivalists?

A. No.

Q. You were aware of survivalist techniques?

A. Correct.

What are techniques?

Q. Well, you know about -- you sell items that people can use for camping; correct?

A. Yes.

Q. You know how people can avoid being spotted by satellites; correct?

A. We never sold space blankets until this year.

Q. So -- but you do know about that; right?

A. Uh-huh.

Q. And at gun shows, are there a lot of things sold that are survivalist-type items?

A. Certain gun shows.

Q. Did you participate with Ms. Anderson in correspondence with a man named Steve Colbern?

A. No.

Q. Have you ever spoken to Mr. Colbern?

A. Yes.

Q. On the telephone?

A. On the telephone.

Q. Have you ever written to Mr. Colbern?

Roger Moore - Cross

A. No.

Q. Were you discussing with Mr. Colbern anything to do with Mr. McVeigh?

A. No.

Q. Were you discussing things that Mr. Colbern was ordering?

A. I had nothing to do with mail order.

Q. What was the topic of your discussion with Mr. Colbern?

A. I wanted --

MS. WILKINSON: Objection, your Honor -- excuse me.

THE COURT: Overruled.

You may answer. You may answer.

THE WITNESS: I wanted to know what he did for a living and what area he worked in.

BY MR. TIGAR:

Q. Did you relay that information to Ms. Anderson?

A. Yes.

Q. Now, you said that the person that you confronted that day said to you, "Don't worry about the guns, they're going to gangs"; correct?

A. Correct.

Q. Now, the guns that were taken were mostly long guns; correct?

A. Correct.

Q. Now, how many firearms did you have in the living room area where you were in the duct tape?

Roger Moore - Cross

A. Two.

Q. And one was a firearm that was right next to your lounge chair; correct?

A. On the other side.

Q. Pardon me?

A. On the other side.

Q. Now, was it in a closed container or an open container?

A. Closed.

Q. A box?

A. A Xerox box.

Q. And why -- what do you mean by a "Xerox box"? A cardboard box?

A. One that holds 10 reams of Xerox paper.

Q. And it had its cover --

A. Right there, behind you.

Q. Oh.

A. A box that size.

Q. Box like I'm showing the jury?

A. Right.

Q. That can hold 10 reams of paper?

A. Right.

Q. Did the -- This person that you saw in the ski mask: Did that person look in that box?

A. I was blindfolded.

Q. You didn't know?

Roger Moore - Cross

A. No.

Q. Oh. When you -- for a part of the time, you had a jacket over your head; is that right?

A. When I was laying on the floor.

Q. And then you did not have a jacket over your head; right?

A. Right.

Q. You had duct tape around your eyes; right?

A. Across my eyes.

Q. Across your eyes. And you were in a seated position on the

floor; is that right?

A. Yes. Right.

Q. And when you looked your head up, you were able to see; is that correct?

A. If you wanted to do that.

Q. Well, you wanted to do that after the person left; correct?

A. Right.

Q. Now, you said that you could hear footfalls; correct?

A. Right.

Q. So you knew that somebody was, you said, walking around your house; right?

A. Making trips.

Q. Uh-huh. Now, how much of your house floor is carpeted?

A. The entire house. Except for the kitchen.

Q. Didn't you say on direct examination that it was easy to hear footfalls because there were wood floors and you could

Roger Moore - Cross

hear the footsteps?

A. Yes.

Q. So is it your testimony that the carpet is over the wood?

A. Yes.

Q. Now, you told us that for a time, you had police ties on; correct?

A. Yes.

Q. Now, police ties are things that are like the plastic wire ties or cable ties -- correct? They're just stronger?

A. They're stronger.

Q. Uh-huh. And at some point, you say you asked the person to do something about those because they were tight. Is that your testimony?

A. I told him my hands -- I couldn't not feel my hands any more; I had a blood sugar problem. That's all I said.

Q. And then the suspect, the person, instantly just went snip-snip; correct?

A. That's right.

Q. And did you see what the snip-snip was with? Did you see what tool was used?

A. No. My face is on the floor.

Q. All right. And at that -- it was at that point you say the person got you into a seated position, or did you get yourself into a seated position?

A. He got a hold of the back of my collar and turned me over

Roger Moore - Cross

and dragged me 6 foot over to the couch.

Q. Dragged you 6 feet, leaned you against the couch?

A. Yes.

Q. At that point that that person leaned you against the couch, how far away from you was this open penknife?

A. 2 1/2 feet.

Q. On the table right by the couch; correct?

A. The still blindfolded

A. I'm still bilingual.

Q. I understand your testimony, sir. Was it right by the couch where you were, the table?

A. 2 1/2 feet.

Q. Now, you asked the person if they were Feds; right?

A. Yeah.

Q. Now, did there ever come a time during this whole episode --

A. I said that in singular.

Q. Pardon me?

A. I said that in singular.

Q. You asked the person?

A. "Are you a Fed?"

Q. Okay. Do you remember telling the FBI that you asked them if they were feds?

A. I might have.

Q. All right. And by "they," did you mean singular?

A. Yes.

Roger Moore - Cross

Q. Now, did there ever come a time during this whole encounter in which the person said: "I'm tired; I'm going to untie you now; would you please help me load some of these guns"?

A. Absolutely not.

Q. And you're smiling at me, sir. Has someone told you that somebody once said that the intruder did that?

A. Run that by me again.

Q. Have you ever heard that version that was in my question?

A. No.

Q. Never heard it before today?

A. No.

Q. Now, before today, you have met with the Government lawyers; is that correct?

A. Yes.

Q. On how many occasions have you met with the Government lawyers?

A. In the United States?

Q. Yes, in the United States. Have you met with them outside the United States?

A. No, I just wondered if you wanted it here or elsewhere.

Q. All right. I didn't -- I didn't understand your response, sir.

Yes: How many times have you met with them in any place.

A. Twice in Oklahoma City.

Roger Moore - Cross

Q. Now, was that in preparation for your grand jury testimony?

A. Yes. Once.

Q. Once in preparation for your grand jury testimony?

A. Once for grand jury testimony.

Q. So that would have been before August of 1995; correct?

A. Oh, certainly.

--- ---, -----, .

Q. And then when was the other time in Oklahoma City?

A. Just to go over everything from start to finish.

Q. In December of 1995?

A. That's right.

Q. And then how many times in Denver?

A. Three.

Q. Well, did you meet with them in July of 1996?

A. Maybe August.

Q. Well, did you meet with them in both July and August, 1996?

A. It's possible.

Q. So that would be twice?

A. Yes.

Q. And then did you meet with them again in November of 1996?

Sir -- May I approach, your Honor?

THE COURT: Yes.

BY MR. TIGAR:

Q. I know this is not your document, sir; but I'm going to show you this and ask you if that refreshes your recollection as to the occasions upon which you met with Government counsel.

Roger Moore - Cross

A. It could be. I lost track. I've met with FBI and attorneys so many times, I couldn't tell you.

Q. When you say with "FBI and attorneys," you mean with Government attorneys; correct?

A. And then FBI individually.

Q. Yes. You have never met with Mr. Nichols' attorneys; correct?

A. No.

Q. Now, you did meet --

MR. TIGAR: Your Honor, I will be a while longer. I don't know when your Honor wants to take a break.

THE COURT: We're about halfway in the afternoon, so we will break.

You may step down, Mr. Moore.

Our 20-minute recess. Members of the jury, we will

at this time take our usual recess, which will be for the usual period of time, with the customary cautions regularly given of please avoid discussion of the case or even thinking about it yourselves in your own minds, remembering that we've a ways to go and you'll hear a lot more than what you've heard now and that you have to wait until you hear it all until you draw any inferences or conclusions in your mind. And of course continue to avoid anything outside the evidence.

You're excused now, 20 minutes.

(Jury out at 3:15 p.m.)

Roger Moore - Cross

THE COURT: Recess, 20 minutes.

(Recess at 3:15 p.m.)

(Reconvened at 3:35 p.m.)

THE COURT: Please be seated.

MR. TIGAR: Does your Honor prefer that I get standing at the lectern to save time?

THE COURT: I don't have a preference.

(Jury in at 3:36 p.m.)

THE COURT: Please resume the stand, Mr. Moore.

Mr. Tigar, you may continue.

MR. TIGAR: Thank you.

BY MR. TIGAR:

Q. Mr. Moore, you did have an interview, did you not, on October 10, 1995, with a Mr. Richard Reyna?

A. Yes.

Q. And --

A. At the Soldier of Fortune?

Q. Yes, sir.

A. Yes.

Q. That was in Las Vegas, Nevada?

A. Yes.

Q. And Mr. Reyna introduced himself to you as an investigator for the Timothy McVeigh defense team. Do you remember that?

A. Yes.

Q. And do you remember telling him repeatedly in that

Roger Moore - Cross

interview that you would do nothing to hurt Timmy?

A. No. I said I couldn't do anything to hurt him. I had no evidence to hurt him in a trial.

Q. And you expressed your desire that that be conveyed to Mr. McVeigh's lawyer; correct?

A. Yeah. I didn't want to be called as a witness for nothing.

Q. Right. And do you remember saying that "The prosecution better not count on me for very much because I will not have much to say because I don't know anything. I cannot even identify who it was that robbed me"?

A. That's true.

Q. Did you tell Mr. Reyna that you had no insurance on the property that was stolen?

A. No.

Q. You deny that?

A. Yes, I do.

Q. Did you tell Mr. Reyna that the robbery absolutely ruined you?

A. No. It might have ruined the business, but it didn't ruin -- it didn't ruin me financially.

Q. Because your net worth is substantial. Is that fair to say?

A. I'm retired.

Q. You have a securities account in the millions of dollars. Correct?

Roger Moore - Cross

A. I think that's a little overstated.

Q. You have a securities account over seven figures -- in seven figures. Correct?

A. Yes.

Q. And do you remember saying to Mr. Reyna that you were glad the FBI did not execute a search warrant at your home the day after the Oklahoma City bombing because at that time you had more weapons in your home than were found in the Davidian compound in Waco, Texas?

A. Run that by me again.

Q. Did you tell Mr. Reyna in words or substance that you were glad the FBI did not execute a search warrant at your residence the day after the Oklahoma City bombing because at that time you had more weapons in your home than were found at the Davidian compound in Waco, Texas?

A. That would be an error.

Q. You deny saying that to Mr. Reyna?

A. Yes. That would -- never mind.

Q. Yes, sir?

A. Never mind.

Q. Did you want to add something to that?

A. Then I'd have to have more weapons than I had robbed from me.

Q. Yes. That was my question, sir. You deny saying that to Mr. Reyna?

Roger Moore - Cross

A. Yes.

Q. Now, before the break, we were talking about Mr. Colbern. Do you remember that?

A. Yes.

Q. And did you and Ms. Anderson attempt to put Mr. Colbern in touch with Timothy McVeigh?

A. I did not.

Q. Do you deny that you and Ms. Anderson attempted to put Mr. McVeigh in touch with Mr. Colbern?

A. I did not.

Q. Do you remember testifying before the grand jury in this matter?

A. No.

Q. Do you remember being called down to Oklahoma City and administered an oath and testifying before 23 citizens?

A. Certainly.

Q. And do you remember being asked the following questions and being -- and making the following answers, page 50, line 6?

"Question: Just very briefly, can you" --

MS. WILKINSON: Your Honor, could I just have a moment to look at --

THE COURT: Yes, you may, if you have a transcript there.

MR. TIGAR: I'm going to go down through 20.

MS. WILKINSON: Thank you. From line 6?

Roger Moore - Cross

MR. TIGAR: Line 20. 6 to 20.

THE COURT: Do you have it?

MS. WILKINSON: Yes, your Honor.

THE COURT: All right. You may proceed.

BY MR. TIGAR:

Q. "Question: Just very briefly, can you describe that to the grand jury?

"Answer: Karen was talking to Steve Colbern one day, and she said he was the type of guy that used to come out of somewhere. I never did know where he worked. He would never tell us that. He always talked to us on the phone. He seemed to be kind of a loner. And she said he liked to do desert maneuvers; and she said, 'I know somebody else in Kingman that likes to do the same thing.'

"Question: And who was that?

"Answer: That was Tim McVeigh.

"Question: And did you folks put them in -- kind of in communication with each other through --

"Answer: We attempted."

Do you remember being asked those questions and making those answers?

A. Yes. When you say "we," that's probably the pivotal point.

Q. You said "we." Is that correct, sir?

A. I've said "they" a lot of times in the robbery, when I meant one, just accidentally.

Roger Moore - Cross

Q. So your testimony is that when you said "we" to the federal grand jury, you meant "she"?

A. Yes.

Q. Now, you mentioned that the first time you saw Mr. McVeigh, he had a pile of those red books; correct?

A. Yes.

Q. And those red books were The Turner Diaries; right?

A. Right.

Q. And that's the book that everybody hates; right?

A. Well, I don't think the people that buy them hate them, but I don't think the general public cares for them.

Q. You told the grand jury that's the book that everybody hates. Do you remember that?

A. Yes.

Q. Have you ever read that book?

A. No.

Q. Did Mr. McVeigh urge you to read the book?

A. Yes.

Q. And you started?

A. Read 30 pages.

Q. Now, were you with Ms. Anderson when she was asked by the FBI in late April of 1995 whether she knew Steve Colbern?

A. What location would that be?

Q. That was in Hot Springs, Arkansas, sir.

A. At what location?

Roger Moore - Cross

Q. At the FBI office.

A. We were never -- we were never questioned together.

Q. Do you remember having a conversation with Ms. Anderson about the FBI asking her if she knew Steve Colbern?

A. It's possible.

Q. My question, sir, is do you remember having a conversation with Ms. Anderson about the FBI asking her if she knew Steve Colbern?

A. Yes, sir.

Q. And did she tell you in that conversation that they had asked her about Mr. Colbern?

A. Yes, sir.

Q. Did she say that she had denied knowing him?

A. No.

Q. Did you talk to her about going to the FBI and correcting anything that she had said about Mr. Colbern?

A. No.

Q. Now, you mentioned that Mr. McVeigh had said to you that Russian vehicles were being stored in Mississippi?

A. Yes, sir.

Q. And did he tell you where these vehicles were in his view?

A. Saucier, Mississippi.

Q. Did he tell you that they were in plain sight on Highway 49 running from Gulfport to Hattiesburg?

A. Yes, sir.

Roger Moore - Cross

Q. About 35 miles north of Gulfport?

A. Something like that.

Q. Did he tell you -- had you ever seen pictures of that location?

A. Did he ask me or tell me?

Q. No, had you ever seen pictures of that location?

A. Yes.

Q. And did you see pictures of a building with the sign Aromar on it?

A. Yes.

Q. And when you went looking to see if there were Russian vehicles, is that the location that you went to?

A. I never went.

Q. Did you ever go looking for -- to see if there were Russian vehicles?

A. At that location?

Q. At any location.

A. At the northern bases in 1993.

Q. And you never went to Mississippi to look. Is that right?

A. No. Absolutely not.

Q. Now, before the break I was asking you about Ms. Priddy, the person at the Jan Dies insurance agency. Did you ever

display a badge?

A. No.

Q. To one of the employees there?

Roger Moore - Cross

A. No, sir.

Q. Do you deny that?

A. Yes, sir.

Q. Do you deny displaying a badge and saying, "I shouldn't show you that"?

A. No, sir.

Q. No. Do you deny that?

A. Yes.

Q. Now, in an attempt to investigate this matter, you contacted Chief John Brown; is that correct, sir?

A. I did no investigation on this matter other than the few weeks that I had before I left for Florida.

Q. Did you contact a man named John Brown?

A. No.

THE COURT: Are we talking -- when you say "this matter," are you talking about the November 5?

MR. TIGAR: Yes. The November 5 matter.

BY MR. TIGAR:

Q. In connection with the November 5 matter, did you speak to a man named John Brown of the Alexander Police Department in Arkansas?

A. No, sir.

Q. Have you ever spoken to a man named John Brown concerning an investigation of the November episode?

A. Not to the best of my recollection.

Roger Moore - Cross

Q. Can you remember ever telling anyone that you suspected that the Garland County, Arkansas sheriff's deputies had removed the list of guns and serial numbers from your van?

A. It's possible.

Q. Sir, I'm asking for your best recollection. Do you ever recall telling anyone that you suspected that the Garland -- Now, you live in Garland County; correct?

A. Yes.

Q. And these troopers that came there are Garland County troopers; correct?

A. True.

Q. Do you remember ever telling anyone that you suspected the Garland County troopers having removed the list from your van?

A. It's possible.

Q. All right. And can you remember to whom you told that, if you did?

A. I certainly cannot.

Q. All right. Now, do you -- was it the Garland County sheriff's people who had told you to put the list inside your van?

A. No.

A. No.

Q. Do you remember ever telling anyone that it was at the suggestion of the Garland County troopers or sheriff's department that you put the list inside your van?

A. No.

Roger Moore - Cross

Q. Now, you wrote a letter to the Fifty Caliber machine-gun magazine; correct, sir?

A. The club, yes.

Q. What is that magazine called?

A. I really don't know. I don't subscribe to it.

Q. I'm going to place up what's been identified -- or in evidence rather as D1647.

Now, who composed that letter, sir?

A. I can't tell you. Usually, I dictate these letters, so I don't know whether I composed it or I dictated it or somebody else did.

Q. Showing you, sir, the last page of D1647, is that your signature?

A. Certainly.

Q. Now, looking back here to page -- the first page -- do you see that -- you say, "The perpetrator then dragged victim into living room"?

A. Uh-huh.

Q. Is that the way you remember it now, sir?

A. No. But it doesn't matter to them how it happened. I was just interested in the two guns. They didn't print any of that anyway.

Q. I understand they didn't print it, sir. This letter is dated December 1, 1994; correct?

A. Yes.

Roger Moore - Cross

Q. You sent it to the magazine because you wanted it published; correct?

A. Uh-huh.

Q. You wanted to send a "sorry note for gun collectors"; right?

A. Right.

Q. You're telling us that "the perpetrator then dragged victim into living room" is not something that occurred; is that right?

A. From where I crawled in to where I wound up flat on my face, it would have been a 2- or 3-foot drag. It could be possible.

Q. But it's different from the version that you now remember; correct?

A. No.

Q. And then you have, "Victim said, 'Down the hall in the bedroom in the filing cabinet.'" You didn't tell us "Down the hall in the bedroom in the filing cabinet" as words you'd

spoken when you testified on direct examination, did you, sir?

A. Where is this, please.

Q. Pardon?

A. Where is this, please.

Q. Last of the paragraph where my finger is: "Victim said . . ."

A. Uh-huh.

Roger Moore - Cross

Q. Do you see that, sir?

A. Uh-huh.

Q. My question is this is not consistent with the version that you gave us on direct examination, is it?

A. You're right. I told him it was on the computer desk in plain sight.

Q. Now, this paragraph you were shown before: "Our main concern is to find the perpetrator so we could determine whether this had something to do with law enforcement or a patriot group or a professionally possibly retired SEAL or Special Forces person." Correct?

A. Correct.

Q. What did you mean by "patriot group"?

A. Militia group. Militia groups are normally underfunded, and 77 guns would help a great deal.

Q. And you're familiar with militia groups, are you, sir?

A. No, I am not. I've never attended a militia meeting.

Q. Have you had a business relationship at any time with the head of the Montana militia, known as MOM?

A. I have visited them on one occasion by accident.

Q. And when was that that you visited them by accident?

A. The summer of '93.

Q. Were you with Ms. Anderson?

A. Yes.

Q. Now, you state that "law enforcement cooperation at this

Roger Moore - Cross

point has been extremely limited." Is that a true statement?

A. Yes.

Q. After the bombing of the Murrah Building, the FBI came to see you quite a bit. Is that correct, sir?

A. Yes, sir.

Q. And did there come -- excuse me. Did there come a time when they stopped talking to you?

A. They advised us they were finished with us about the 15th of June and said they would appreciate if we would go on a vacation.

And I said, "That's great. I want to go to the fly-in at Oshkosh, Wisconsin. Never been there, and I'll see you."

Q. Did you identify that time as approximately the time that Michael Fortier made his plea bargain that they stopped interviewing you?

A. No. I paid no attention to what he did.

Q. Do you remember telling an investigator for Mr. McVeigh that the FBI conversation stopped at about the time that Michael Fortier made his plea bargain?

A. No.

Q. Do you remember ever telling any investigator that the conversation stopped at about the time that Michael Fortier made his plea bargain?

A. No.

Q. Earlier we were talking about your having gone to FBI

Roger Moore - Cross

headquarters in Washington, D.C., to identify firearms as yours. Remember that, sir?

A. Certainly.

Q. And on that occasion, do you remember identifying as yours a .22 long-rifle caliber, Ruger Model 10/22, Serial No. 114-36756?

A. No. I said it might -- it looks exactly like mine. I couldn't possibly tell you. The gun is only worth \$125. There is thousands of them out.

Q. Isn't it a fact, sir, that you -- gun's only worth \$100, you say?

A. \$125. If it had a scope, 175.

Q. Now, and that's -- most of the guns on the list with the exceptions that you noted are the sorts of guns you see a lot at gun shows, a lot manufactured; correct?

A. Explain that again, please.

Q. Most of the guns on your list that you and Ms. Anderson made are the sorts of things that are commonly sold at gun shows; correct?

A. Not all of them. Not even half of them.

Q. All right. My question is, then, sir: Isn't it a fact that on the 4th of May, 1995, you positively identified as belonging to you the Ruger -- the serial number of which I've just read.

A. At the J. Edgar Hoover Building in Washington, D.C.?

Roger Moore - Cross

Q. Yes, sir.

A. No, I did not.

Q. You deny having positively identified. Is that correct?

A. That's correct.

Q. Do you remember being present there with Special Agent Jessie?

A. Yes. He took me there.

Q. Did you also look at a 7.62 by 39-millimeter Ruger Mini-30, Serial No. 189-57425?

A. I might have looked at a Mini-30. I can't tell you the serial numbers. I didn't bother to look at any of the serial numbers.

Q. Did you positively identify weapons on that date as

belonging to you?

A. The gas gun, the Winchester commemorative gold-plated gun, and the custom .308 that I had the stock carved for on a Mauser action.

Q. Those are the only three weapons that you remember having positively identified that day?

A. Positively identified?

Q. Yes, sir, positively identified.

A. I probably identified the .30-06 Remington 700 with the carved sling.

Q. Let me ask you, sir: Did you positively identify a Ruger 7.62 by 39-millimeter?

Roger Moore - Cross

A. That would be impossible.

Q. And you said you did not positively identify the .22 long-rifle Ruger 10/22; correct? Is that your testimony?

A. Yes.

Q. Now, during your contacts with Mr. McVeigh, what name did he use?

A. At what time?

Q. At any time during the time that you knew him.

A. It was "Tim McVeigh" until he was in Kingman, Arizona, maybe three or four months; and then he wrote and said he wanted to change his name to "Tim Tuttle," address the mail to "Tim Tuttle."

Q. Now, from that time forward, what -- did you ever communicate with him at any address other than Kingman, Arizona address?

A. None.

Q. And that was always the Stockton Hill Road address?

A. I think so.

Q. That is, did you --

A. I did not address the letters.

Q. Okay. Did -- Ms. Anderson addressed all the letters?

A. Yes.

Q. And how many letters did you write to Mr. McVeigh from the time that you first met him in Ft. Lauderdale until the last letter, one that you were asked about on direct examination?

Roger Moore - Cross

A. Probably between seven and nine.

Q. And were all of those addressed by Ms. Anderson?

A. They -- I might have addressed a couple, but I would have had to get the address from her. I wouldn't remember that.

Q. Did you write "burn" on the bottom of all the letters?

A. No.

Q. Does Ms. Anderson write "burn" on the bottom of all her letters, to your knowledge?

A. Well, I wasn't there for four months. I wouldn't have any idea how to tell you that.

Q. On every letter that you have observed her write, does she write "burn"?

.....

A. No.

Q. Now, have you had an opportunity to discuss with Ms. Anderson your recollections of the events of November, 1994?

A. You mean the robbery?

Q. The events -- I understand that you believe -- you say it's a robbery, sir. I'm asking you about the events of November, 1994. Yes. Have you had an opportunity to discuss that with Ms. Anderson at any time?

A. We discussed it at great lengths for months.

Q. When is the last time that you discussed it?

A. Oh, up until now off and on.

Q. Did you discuss it with her last evening?

Roger Moore - Cross

A. No.

Q. Did you see her last evening?

A. Yes.

Q. Did you discuss the fact that she'd been a witness?

A. I knew she'd been a witness.

Q. Did you discuss with her the fact that she had been a witness?

A. I don't understand that. If I knew she'd been a witness, why would I --

Q. Did you discuss with her what had happened to her in court?

A. No, I did not. We were advised not to.

Q. All right. And you obeyed that admonition; correct?

A. I certainly did.

Q. Now, did -- would it be fair to say that Mr. McVeigh had very defined political views?

A. Yes.

Q. And how would you describe those views?

A. Focused, radical.

Q. Radical in what sense?

A. Against the federal government.

Q. And did he have views against the federal government's views on gun control?

A. Not near as much as he had views on the BATF.

Q. And did you agree with his views on gun control?

A. Not entirely.

Roger Moore - Cross

Q. Did you agree with the assault-weapon ban?

A. I don't think they banned anything that made any difference.

Q. Did Mr. McVeigh have views about racial matters?

A. Not to the best of my knowledge.

Q. Did you ever hear him express his views on race relations in the United States?

A. He had a book, if you can call that a view. I don't know if he had the book to sell or to read. It was called White Power.

Q. Having a book is not any evidence that he believed or didn't believe something in it, would you say, sir?

A. That's correct.

Q. Now, by the way, you had a filing cabinet -- some two-drawer filing cabinets at home; correct?

A. Three of them.

Q. Now, did you have one that had a label on the front that said "Cam 2 racing gasoline"?

A. Yes.

Q. Where -- what did that mean, that "Cam 2 racing gasoline" label on your file cabinet?

A. That is a decal they gave me when I built a racing boat for Benihana restaurants. I have a Benihana jacket, also.

Q. How does racing gasoline in your knowledge differ from ordinary gasoline?

Roger Moore - Cross

A. It's higher octane.

Q. And do you have to buy it at some special place?

A. I don't know where they buy it.

Q. Now, when you were building these boats, did you build racing boats?

A. We built four.

Q. And would they be described as high-performance boats?

A. Top-performance boats, unlimited.

Q. All right. You built them. Right?

A. We did not build the boat itself. The hull.

Q. You built the hull?

A. Bertram built the hull called a "38 Mopi." They brought it up to our shop on a trailer and left it there, and we put in the mechanical, the flaps, the steering and all the rest of the stuff.

Q. Did you put in the engine?

A. Yeah.

Q. And these were engines that ran as (sic) high-performance gasoline?

A. Yes.

Q. And did you ever go to a place where you watched this boat perform?

A. You mean in a race?

Q. No, out on the water.

A. I rode in one once.

Roger Moore - Cross

Q. Your boat facilities were down on the east coast of Florida?

A. Yes, Ft. Lauderdale.

Q. In the Lauderdale area. And you were involved in building fiberglass boats of various kinds at various times. Is that right?

A. Right.

Q. Okay. Now, you testified you got a letter from Mr. McVeigh

sometime in January -- or a letter came to your Arkansas home sometime in January of 1995. Is that correct?

A. That's what Karen said.

Q. And after -- you saved that letter. Correct?

A. I can't tell you.

Q. But you've seen the letter; correct?

A. I don't know. There is only one letter that we found that we gave to the FBI, and I don't know what date it is.

Q. I'm going to place on the displayer here just the first page of what's been received as Government's 1746 and ask you if that refreshes your recollection that that was a letter that came to your Arkansas address from Mr. McVeigh.

A. Looks good.

Q. All right. By that you mean it looks like that letter; correct?

A. It looks like that letter.

Q. When is the first time you actually saw that letter?

Roger Moore - Cross

A. Have to be when I came up in the end of March.

Q. March of '95?

A. Yeah.

Q. Now, after -- and Ms. Anderson -- excuse me -- Ms. Anderson had saved this letter?

A. She must have. I think we found that letter in the back pocket of the van stuffed away.

Q. And when did you find it?

A. On the way back from Knob Creek.

Q. Is it March of '95?

A. Yeah. No, April.

Q. April of '95?

A. Uh-huh.

Q. But before the bombing of the Murrah Building; correct?

A. Yes.

Q. Now, is it your memory, sir, that Mr. McVeigh wrote you another letter after this one?

A. Probably.

Q. Well, when you say "probably," what causes you to hesitate?

A. Well, I'd have to read that whole letter and then I could tell whether I advised her to write him back. If that's the letter about him being in the car accident --

Q. Yes, sir.

A. -- then I asked -- I had her write him back.

Q. And you -- did it help you to remember that you had her

Roger Moore - Cross

write him back by reading the letter Government's Exhibit 2104 that you wrote to him?

A. I don't know what that is.

Q. Well, do you remember reading -- Ms. Wilkinson or Government Counsel reading aloud for the jury the letter that you wrote to Tim, the letter that ends "burn"? Remember that?

A. Yeah

A. recall.

Q. And that letter is a response to some letter other than the one I just showed you; correct?

A. Certainly.

Q. All right. And the letter to which it is a response is one that you remember getting after -- or excuse me -- that you remember having sent after the McVeigh letter to you that I just had you look at. Correct?

A. There was --

MS. WILKINSON: Can I object, your Honor?

THE COURT: Well, I'm confused about the question.

MR. TIGAR: Well, I'm confused by my own question, your Honor, so I'll ask it again.

BY MR. TIGAR:

Q. Mr. McVeigh wrote you in January; correct?

A. I guess so.

Q. All right. Then -- and soon after that letter got there, Ms. Anderson called you up and read the letter to you; correct?

A. Probably.

Roger Moore - Cross

Q. And then you asked her to write him back; correct?

A. Yes.

Q. Now, the letter that you asked her to write him back: She didn't keep a copy of; correct?

A. You mean make duplicates?

Q. Yes.

A. We don't make duplicates of any letters.

Q. After you asked her to write him back, did he write you again?

A. Yes.

Q. And when did that next letter come?

A. Middle of March.

Q. Do you remember where it came from?

A. Most of them came from Kingman.

Q. Did you ever get a letter from Mr. McVeigh other than from Kingman, Arizona?

A. Not that I recall.

Q. And did you ever write to him anyplace other than Kingman, Arizona?

A. Never.

Q. Now, did you discuss with the FBI the fact -- excuse me.

Did you discuss with the FBI your contention that someone had stolen the serial numbers of the weapons?

A. Yes.

Q. And did you tell the FBI that anybody robbing you wouldn't

Roger Moore - Cross

know where the numbers were?

A. Not unless they were a psychic.

Q. And yet the numbers were missing when you got to your van; correct?

A. May I get in a point?

Q. Well, I'm afraid that all you can do, sir, is answer the questions that I'm asking.

A. Yes, they were missing.

Q. Now, did -- were you concerned in the spring of 1995 with the allegation that money that had been derived from the weapons that had been taken from your house had been used to finance the robbery -- finance the bombing of the Murrah Building?

A. If that was the case.

Q. Do you remember saying to an investigator who interviewed you that it doesn't fit in that they bought the bomb with it because the stuff was bought before the robbery?

A. The newspapers reported that.

Q. Uh-huh. And do you remember making that conclusion that it didn't fit in?

A. What? Explain that again.

Q. Do you remember telling an investigator that it doesn't fit in that someone would have used this robbery to finance a bombing because, according to the papers, everything had been bought?

Roger Moore - Cross

A. The ammonium nitrate was bought supposedly, according to the papers, in September or October.

Q. But you had no personal knowledge; right?

A. No.

Q. Now, you said that in direct examination that Mr. McVeigh had access to the house all the time he was there; correct?

A. Well, I never saw him go in my bedroom; but when you're out feeding the animals or you're in the shower, that takes 20 minutes out of the day.

Q. And in addition to the time when Mr. McVeigh was there when you were present, you know that he was there at a time when you were not present. Correct?

A. Yes. You mean during the winter?

Q. Yes.

A. Yeah.

Q. And you were aware, also, that Mr. McVeigh's habit was to just walk around and help himself to anything he wanted; correct?

A. That's correct.

Q. Now, you wanted to help Mr. McVeigh with his gun show business, didn't you, sir?

A. No. I didn't know he was in the gun show business. He was selling off his surplus stuff.

Q. Well, you knew that he traveled to gun shows. Correct?

A. Well, he was nearly out of stuff when he left Tulsa.

Roger Moore - Cross

Q. You had seen -- you met him at a gun show; right?

A. Uh-huh.

Q. You went to Dinner Key with him at a gun show; right?

A. Uh-huh.

Q. He shared a table with you at Tulsa; correct?

A. Karen let him put some stuff on about 3 feet of the table and he sold most of it. I figured that was the end of it.

Q. Well, isn't it a fact, sir, that you heard Mr. McVeigh say that he was going to make a loop; that is to say, he was going to go to Arizona and then he was going to wind up through these other places you told us about on direct examination and wind up back at his father's home in New York? You remember telling me that, don't you?

A. Yes, I do.

Q. And you sat around with maps and tried to tell him how to do it and where to go, didn't you?

A. I certainly did.

Q. Now, sir, was it McVeigh's habit when he wrote to you to write "burn" on his letters?

A. He started that in '95.

Q. On the letter that you -- that I just showed you a few minutes ago, which is Government's Exhibit 1746 -- thank you, Ms. Goodman -- does he write "burn" on the bottom of that?

A. No.

Q. He writes, "Careful and watch your back." Correct?

Roger Moore - Cross

A. That's right.

Q. Now, sir, did you have a list of people at your home that you were going to give to law enforcement if you ever got in trouble?

A. Absolutely not.

Q. Now you're smiling, sir, when you make that answer; correct?

A. Yes.

Q. Or when you heard the question. Have you ever heard that someone had said that you had done that?

A. No. But the FBI knows what I think about snitches.

Q. What do you think about snitches?

MS. WILKINSON: Objection, your Honor.

THE COURT: Overruled.

THE WITNESS: Well, they had one at Ruby Ridge, and they spent an awful lot of money to get a guy in jail; and it cost them an awful lot of money for \$400 worth of shotguns. And they spent three years with a government informant up there trying to talk the guy into building them. It seemed kind of dumb.

BY MR. TIGAR:

Q. And you've told the FBI this?

A. Yeah.

Q. Did you also have a view about the FBI's conduct in Waco?

A. I think if they want to serve a search warrant, I think

Roger Moore - Cross

anybody in the room that had -- that was a reasonable person, they could have served the search warrant. The sheriff has

they could have served the search warrant. The sheriff has indicated that a number of times.

Q. Do you disagree with what the Government did in Waco? Is that your testimony?

A. I think a prudent person would.

Q. And you consider yourself a prudent person?

A. Yes.

Q. Now, this American Assault Company that you have: When did that acquire the name "The Candy Store"?

A. Somebody at a gun show that Karen was at suggested she name it "The Candy Store." I was not there.

Q. Okay. And did you acquiesce in or agree with that decision to call it "The Candy Store"?

A. You mean on her volition?

Q. Yes.

A. Doesn't matter to me.

Q. Now, whose business is that, hers or yours?

A. Half and half.

Q. And do you split the profits?

A. No.

Q. How are the profits accounted for and reported?

A. I do it.

Q. And do you keep records of the orders that are made -- that are filled and who bought things and to whom they were sent?

Roger Moore - Cross

A. Yes.

Q. And how long are those records kept?

A. Three or four years.

Q. Is it your testimony, sir, that you keep your records for three or four years?

A. Yes.

Q. And in addition to these records that you keep three or four years, do you also keep a journal; that is to say, an accounting-type journal?

A. They're all kept in a book, spiral book, for the year.

Q. And it's on that basis that you report -- you report as a sole proprietor, then?

A. Yes.

Q. And you report as a d/b/a, doing business as, on Schedule

C. Correct?

A. Yes.

Q. You report your doing business as American Assault Company?

A. Yes.

Q. And The Candy Store?

A. We don't use "The Candy Store." That's like a -- a nickname.

Q. And when you send out your -- when you put ads -- excuse me -- in magazines, do you -- Do you put ads in magazines?

A. Shotgun News.

Q. Do you use the name "The Candy Store" in those ads?

Roger Moore - Cross

A. We haven't put ads in the Shotgun News for over a year.

Q. When you were putting ads, did you use the name "The Candy Store"?

A. I can't recall because I don't put in the ads.

Q. Ms. Anderson takes care of the day-to-day conduct of the business; is that right?

A. She takes care of the paperwork.

Q. In addition to selling ammunition, is there anything else that American Assault Company sells?

A. Flares. Some parts -- we don't advertise parts. Flares, pyrotechnics, parachute flares, road flares for people that have trouble on the road, and distress flares for people that are hiking that have smoke on one end and a flare on the other, so at night they can use the flare and in daytime they can use the orange smoke.

Q. Now, in addition to the things you sell through American Assault Company during the 1990's, did you and Ms. Anderson sell other things?

A. Not -- I didn't.

Q. Did you sell beginning in, say, 1987, down to November of 1994 -- did you ever sell books?

A. Yeah.

Q. Did you sell or offer to sell pornographic tapes?

A. I didn't.

Q. Did you ever offer to sell to a federal agent 10

Roger Moore - Cross

pornographic tapes for \$10 apiece?

A. It's possible.

Q. And when you say "it's possible," does a recollection come into your mind?

A. That's nine years ago.

Q. Would it refresh your recollection if I suggested this took place -- might take place in Utah?

A. Yeah. I know what took place in Utah. I know what took place in Utah.

Q. I understand, sir. Did you at any time offer to sell pornographic tapes to a federal agent in 1988?

A. I do not recollect. I was not up there to sell pornographic tapes. I was up there to sell ammunition.

Q. Now, you told us that after the robbery, you were interested in making a list that you could provide to law enforcement and to the insurance authorities. Do you remember that?

A. You mean a list of the things that were stolen?

Q. Yes. A list of things that you were claiming that were stolen.

A. Yes.

Q. Do you remember, sir, being shown -- perhaps you still have it up there -- Government's Exhibit 1739. Do you have it there?

A. I don't know. It would be better to tell me what it is.

I

Roger Moore - Cross

don't know --

Q. It is a list dated November 13.

MR. TIGAR: May I approach, your Honor?

THE COURT: Yes.

THE WITNESS: Is that it?

BY MR. TIGAR:

Q. Yes, sir. Going to Government's Exhibit 1739, I'm going to place this up here. Do you see this Item 9, large, unopened UPS boxes containing tracer ammo?

A. Yes.

Q. Now, whose ammo was that?

A. I paid for it.

Q. And was that ammo in connection with American Assault Company?

A. Yes.

Q. Now, American Assault Company was a business that you were conducting out of your home; correct?

A. Yes.

Q. Now, you had homeowner's insurance; correct?

A. Yes.

Q. Did you have business insurance?

A. No.

Q. Now, was that ammo that had been received -- was that ammo that had been received from Mr. Strommen?

A. Yes, sir.

Roger Moore - Cross

Q. Was it the ammo that had just been received from Mr. Strommen?

A. Several days.

Q. And did you, in fact, call Mr. Strommen to get a duplicate copy of the invoice?

A. I did not.

Q. Did you cause that to be done?

A. I didn't cause it to be done. I don't take care of the

paperwork.

Q. Do you know that a duplicate copy of the invoice was obtained?

A. No, I do not.

Q. I'm going to show you what's been received in evidence as Defendant's 1201. And I ask you, sir, if you've ever seen that before?

A. No.

MR. TIGAR: Has that not been received, Ms. Hasfjord?

THE COURTROOM DEPUTY: No, it has not.

THE COURT: Oh, yes, I think it has.

MR. TIGAR: Perhaps under a Government number, your Honor. Let me show it to --

MS. WILKINSON: I believe it's been admitted under a Government number -- it was a defense number?

MR. TIGAR: To clarify, if I've not done so, may I offer D1201.

Roger Moore - Cross

MS. WILKINSON: We have no objection, your Honor.

THE COURT: All right. It's received. I know we've seen it before.

MR. TIGAR: Thank you, your Honor.

BY MR. TIGAR:

Q. Mr. Moore, do you ever remember seeing that before?

A. No, I don't.

Q. So do you know of any other ammunition in a box other than the ammunition that had been received from Mr. Strommen?

A. Would you leave that up there for a moment, please.

Q. Yes, sir.

A. Pardon? Now, repeat the question.

Q. Do you know of any other ammunition in a UPS box --

A. Two boxes.

Q. Okay. Do you know of any ammunition other than large, unopened UPS boxes, other than the Strommen ammunition?

A. No.

Q. And are you able -- do you have as you sit there any explanation for the disparity between the \$925 on the invoice and the \$945 on the list?

A. No, other than when we made up the list, we didn't have the invoice.

Q. The list is dated the 13th. Is that correct?

A. I don't know. I don't have a copy of the list.

Q. See that: "Revised 11-13"?

Roger Moore - Cross

A. Yes.

Q. Invoice is dated the 7th. Is that correct? Is that right?

A. Yeah. But that's when he made it up in Wisconsin. That doesn't mean we had it in our possession.

Q. I understand. And you don't know of your own personal knowledge, do you, what conversation Ms. Anderson had with Mr. Strommen about that matter; is that correct?

A. That's correct.

Q. Sir, towards the end of your direct examination, you were shown a copy of a letter that you sent to Mr. McVeigh. Do you remember that?

A. Yes.

Q. Before I ask you that, sir, isn't it a fact that you were not robbed on the 5th of November, 1994? Yes, or no?

A. We were robbed on the 5th of November, 1994.

Q. Isn't it a fact, sir, that you and Mr. McVeigh worked out a plan to get these guns out onto the market and you would collect whatever you could for the insurance company -- from the insurance company? Is that a fact, or not?

A No

44. NO.

Q. You deny that?

A. I deny that.

Q. Sir.

Now, you testified on direct examination that you had received a -- that you had sent a letter to Mr. McVeigh;

Roger Moore - Cross

correct?

A. Correct.

Q. And you said that the letter was designed to try to get Mr. McVeigh to come and visit you. Is that right?

A. Right.

Q. I'm going to place up on the screen what has been received in evidence as Government's Exhibit 2104.

Sir, in calendar 19 -- well, does American Assault Company still operate?

A. To get rid of the balance of the inventory because the shows are very slow.

Q. And what is it that causes sales to be slow?

A. Approximately two weeks before the November election in 1994, when most of the gun people that came to gun shows were told by the media that the Republicans were going to sweep the Congress and the Senate, everybody said, "huh," took a deep breath and said, "We don't have to worry about stockpiling stuff anymore because there is not going to be any more gun laws." And the shows absolutely dropped free fall with no parachute.

Q. And when was it that the shows free fell with no parachute?

A. Two weeks before the election, when it was obvious that the Republicans were going to win the House and Senate.

Q. So you thought that the gun show business was going to turn south and get bad; is that right?

Roger Moore - Cross

A. Every time you went to one, that's what happened.

Q. And your sense that the gun show business was about to go bad was formed in late October, 1994. Is that right, sir?

A. Yes, sir.

Q. And was it your sense that the market value of items that were being sold at gun shows would diminish?

A. Only the ammunition and parts went down, not the guns. The guns have gotten higher.

Q. So that if you were going to make any money in this business, selling guns was going to be the better way to do it than selling ammo. Is that right?

A. I don't need the money.

Q. My question was if one was going to make money in this business, best way to do it was to sell guns and not ammo; correct?

A. Right now, nobody is making money.

Q. My question, sir, is in October of 1994, a prudent business person would conclude that the way to make money was going to

be selling guns and not ammo; isn't that right?

A. We didn't realize this had happened for the first four or five months. It didn't happen immediately. It started then.

Q. But didn't you say a moment ago, sir, that gun dealers had anticipated this result and began to do so shortly before the election?

A. Gun purchasers.

Roger Moore - Cross

Q. Pardon me?

A. The people that come to gun shows, not the dealers.

Q. And the dealers, of course, would feel the effect of it; correct?

A. I would so -- I would think so, although there is more gun shows now than there ever was.

Q. We're talking about the feeling at that time.

Sir, looking now at Government's Exhibit 2104, you said, "I'm reading your letter and answering it question for question." See that, sir?

A. Yes, I do.

Q. Now, "No. 1, since the robbery, we are phasing out of this activity."

You're telling him that you're phasing out of the sale of ammunition. Is that your testimony?

A. That's right.

Q. And the reason you're phasing out of the sale of ammunition is that the ammunition business is not so good. Correct?

A. That's right.

Q. The predictions that people had made there towards the end of October of 1994 had begun to come true; correct?

A. Right.

Q. And this fact that the ammunition business was going down and -- was a fact that you had shared with Mr. McVeigh before this time; is that right?

Roger Moore - Cross

A. Before which time?

Q. Before you wrote him this letter.

A. No. This is the first time I've told him that.

Q. You corresponded with Mr. McVeigh every few months. Is that correct?

A. To the best of my ability.

Q. Is it your testimony that you never had any correspondence with Mr. McVeigh about what was happening to the ammunition business before this letter?

A. Not to the best of my knowledge, or I wouldn't have to write this.

Q. You say, "Since November election, mail order is off 80 percent. Some shows are off 50 to 75 percent. All dealers are getting creamed."

Now, by that you mean ammunition dealers. Is that

your testimony?

A. Everybody.

Q. Did you mean -- that included gun dealers?

A. Yes.

Q. Now, "No more money": That's the same thought; correct?

A. That means that customers that come into shows don't have the money.

Q. Now, you say, "See what the --" New World Order, "-- N.O.W. has done to our dollars." Correct?

A. Uh-huh.

Roger Moore - Cross

Q. You say, "83 yen from 144 two years ago." Did you have to look those figures up?

A. I play the stock market. It's 125 today.

Q. The yen?

A. Yes.

Q. So you knew at the time you wrote this what had happened in the international markets; correct?

A. Uh-huh.

Q. And you were concerned, were you not, about the impact of the United States politics or policies on international

markets; correct?

A. No. I thought McVeigh would like to see that.

Q. And it's your testimony, sir, that you were not concerned with the impact of United States policies on international markets?

A. Doesn't bother my stock market playing at all.

Q. And is it your testimony that "plan is to bring the country down" was just puffing? Is that your testimony?

A. That's my testimony.

Q. "Have a few more things happen, then offer the 90 percent a solution." Now, what does that mean?

A. It's in a number of books that are in the library, been used over the years for the last thousand years. I can't pronounce it exactly. It's like the Hegelian principle: Create a problem, offer a solution, get the people to accept

Roger Moore - Cross

it.

Q. What is "offer the 90 percent a solution"? Who are the 90 percent?

A. The working class.

Q. And who are the 10 percent that are going to be offering this solution?

A. People with big money.

Q. And did you think that -- that this notion would appeal to Mr. McVeigh?

A. That's what he talked about.

Q. And who were the people with big money that you talked about with Mr. McVeigh?

A. We never named any names.

A. we never named any names.

Q. Well, what kinds of people were they with big money?

A. You want me to tell you what I think?

Q. Yes. Well, I want you to tell me what you were trying to convey with this language that you used here, sir.

A. Do that again, please.

Q. Would you please tell me what you meant by "then offer the 90 percent a solution." Who was going to be offering the solution?

A. The government.

Q. Pardon me?

A. The government.

Q. Okay. And who were the 10 percent? What groups were you

Roger Moore - Cross

referring to?

A. People don't have to worry about things, people like that own Microsoft that have \$34 billion.

Q. So you were worried about Mr. Gates, people that owned Microsoft. What other groups of people?

A. I don't think --

Q. You had read the literature about the 10 percent, hadn't you, sir?

A. Pardon?

Q. You had read literature about the 10 percent?

A. No, I hadn't.

Q. You had talked to Mr. McVeigh about who the 10 percent were, hadn't you, sir?

A. No, I had not. I don't know if it's 7 percent or 15 percent or what it is.

Q. So your testimony is that you just chose 90 percent because you thought that was a convenient number; correct?

A. That's right.

Q. All right. And your testimony is that you never read or heard Mr. McVeigh talk about who the 10 percent were? Is that your testimony?

A. Yes.

Q. Now, "Better red than dead": Had you heard that before?

A. You hear that everywhere.

Q. All right.

Roger Moore - Cross

A. From the last -- ever since McCarthy was prosecuting people.

Q. And had you heard Mr. McVeigh say that?

A. I'm not sure. If I can remember -- if I could remember everything he said, I'd be a genius.

Q. Well, you were trying in this letter to say things that would appeal to him. Correct?

A. You're right.

Q. And the things you were putting in the letter to try to appeal to him were things that were based on what he told you; correct?

A. Based on things I thought he would like.
Q. And what you knew he would like was based on what he had told you and what you saw him read; correct?
A. I didn't see him read anything.
Q. Except firearms magazines?
A. That's right.
Q. And, of course, he urged you to read things, did he not?
A. He urged me?
Q. Yes.
A. He only urged me to read The Turner Diaries. In fact, he didn't give it to me. He gave it to Karen.
Q. Your testimony therefore is that you do not -- that you just don't remember where you got the phrase "better red than dead," other than you just thought he would like it; correct?

Roger Moore - Cross

A. Right.
Q. Now, you then say, "Please remember I have a few more years of experience plus 7 --" years "-- 7 in AF and 40 years of shooting." Now, that's just a true statement about your experience; correct?
A. Well, it's a little exaggerated on the shooting. I haven't been target-shooting for five years.
Q. Then you say, "Not much product to build no sales." Correct?
A. Yes.
Q. "This is the only course, but the important thing is to be as effective as possible." Right?
A. Right.
Q. Now, is it your testimony that -- let's see -- "the important thing is to be as effective as possible" refers to the sales business?
A. No, it refers to literature and informing people.
Q. I see. So you were telling McVeigh that the important thing is to be as effective as possible in a political sense?
A. Right.
Q. All right.
A. Just like the survival meeting they had here in Denver this weekend.
Q. So you're telling -- is it your testimony, sir, that you were telling Mr. McVeigh that he should stand on street corners

Roger Moore - Cross

and pass out literature?

A. No.
Q. You didn't think that would appeal to him, did you?
A. No.
Q. You were telling him he should be effective to accomplish the things that he wanted to accomplish; correct?
A. People go -- people at gun shows do rent tables and hand out free literature.
Q. My question, sir, is you were telling him that you thought

that it was important for him to be as effective as possible to achieve what he wanted to achieve; correct?

A. Yes.

Q. Now, you say, "I know of no people that are interested in this plan." Correct?

A. Uh-huh.

Q. Now, is it your testimony, sir, that that has to do with a plan about solving the events of November 5, 1994? Is that your testimony?

A. And the rest of the robberies that occurred in Topeka and Oklahoma in which there was rewards offered for it.

Q. And you say, "Even Special Forces people probably wouldn't tell us, as the" -- and I can't read the next word.

A. I probably can't either.

Q. -- "as the attitude of trust is now gone mostly"? Is that probably what that word is?

Roger Moore - Cross

A. Something like that.

Q. Shall we zoom in and see if we can see it.

Can you tell what that word is?

A. It's "attitude."

Q. Now, this is your handwriting; correct?

A. Yes. When I'm in a hurry, I scribble.

Q. And you say, "After all this time, I can't believe you say I drive you batty." Had he said that you drive him batty?

A. He told Karen that.

Q. All right. And ". . . as I've calmed down, you must be getting more hyper." Right? Now, was he hyper?

A. Every time I saw him, he got worse.

Q. And how did he get worse? In what ways did he get worse, as you observed him every time you saw him?

A. He was more antsy; and the last time he was there, he was out in the driveway with his Mini-30. And he was filling his clips, and he was putting them in the gun and cranking them out, making sure they feed; and I said, "What in the hell are you doing?"

He said, "I'm making sure the bullets feed."

I said, "You're dropping them on the ground. Why don't you put a blanket down?"

He's dropping them right in the gravel. That didn't make sense to me.

Q. Now, is that the only thing you had ever see him done (sic)

Roger Moore - Cross

that you thought reflected this hyper, antsy behavior of his?

A. Running around the Soldier of Fortune, running around Knob Creek, which is an extremely interesting place to go for four or five days, and not staying and didn't buy anything. And Karen told me that he was hyper when he was there in the winter.

Q. In the next paragraph, you say, "We must track down the

robbers to know when and who saw and took certain stuff and also to be able to determine how far our security has been compromised." Correct?

A. Right.

Q. And you testified on direct that the "security" referred to not having a security system on the farm. Correct?

A. Right. I'm tired of carrying a gun to the farm since the robbery happened, out to feed the horses every morning or when I'm home alone. I'm tired of having all the lights on and 10 loaded guns in the house.

Q. You didn't have a security system in November of '94; correct, sir?

A. That's right.

Q. You didn't have any gun safes; correct, sir?

A. If you had a gun safe and a gentleman was there with a shotgun and he said, "What's in your safe?"

"Guns."

"Open the safe or I'll blow your head off."

Roger Moore - Cross

Q. You would have opened it?

A. Yeah. So what good is a safe?

Q. My question is, sir, is you didn't have a gun safe; right?

A. No.

Q. And according to you, you knew exactly by 11:30 on the 5th of November, 1994, how far your security had been compromised with respect to the guns in your house, didn't you, sir?

A. Yes.

Q. Well, then, will you tell the jury why you're writing Mr. McVeigh to try to find out how far your security has been compromised?

A. I'm trying to get him back to the farm. That's all I'm trying to do is get him back to the farm so we can set (sic) him down and talk to him about the robbery.

Q. And it's your testimony that that's all that means?

A. That's right.

Q. About the security being compromised. Okay.

You say you got two super leads at Tulsa show last week; right?

A. Yes.

Q. Then you say, "Even if I wanted to and didn't have several problems that you don't know about and I can't write on."

Now, on this second page of the letter, there are some lines skipped. You see that, sir?

A. Yes.

Roger Moore - Cross

Q. Now, is that your habit in writing letters, to sometimes skip lines?

A. Yes. When I'm in a hurry, I do that. When I'm in a hurry, I leave off words. I write phrases rather than complete sentences.

.....

Q. And you say, then, "Karen is not interested in the slightest at this point." Correct?

A. Correct.

Q. And is it your testimony that that has strictly to do with not interested in pursuing this investigation?

A. Right. She's pursued it all winter, and she's tired of it.

Q. You say, "She met a couple of Special Forces Vietnam" -- what does that "L Recon" mean?

A. Long-range reconnaissance.

Q. "And they have convinced her to put it" off?

A. "Put it out of her mind and forget about it and have fun."

Q. "I personally think each time you were here that you got the wrong impression." Correct?

A. That's what it says.

Q. Now, when was the last time before you wrote this letter that he had been at the farm?

A. May of '94.

Q. So obviously, that's before November of '94. Correct?

A. Certainly.

Q. So this cannot refer to his having got the wrong impression

Roger Moore - Cross

about the events of November, '94. Correct?

A. No. You mean the robbery?

Q. Yes.

A. No.

Q. Now -- well, then, what was it that you were telling him he got the wrong impression about when he was at the farm?

A. My attitude.

Q. And what attitude was that that you thought you needed to correct his impression about?

A. I just wasn't as interested in running around and doing all the stuff as he was.

Q. Now, in May of 1994, he -- what was he interested -- the last time he visited the farm, what was he interested in running around and doing that you weren't so interested in running around and doing?

A. Well, on the way to Florida every year, back and forth, I'm -- I come pretty close to Saucier, Mississippi, twice a year. It hasn't interested me enough to stop down there and look at 300 Russian vehicles supposedly.

And when he was there in May of '94, that's where he was going first; so I'd say he's a little more hyper than I am.

Q. All right. So when you say that you think "each time you were here that you got the wrong impression," you're telling him that he got the wrong impression about how much you were interested in trying to figure out if there were Russian

Roger Moore - Cross

vehicles parked down in Saucier, Mississippi. Is that your testimony?

A. I'm not going to get him to the farm if I keep alienating

him.

Q. Then you say, "I'm the serious patriot. Karen is not interested." Correct?

A. Same premise.

Q. And it's your testimony that you did not regard yourself as a serious patriot in the way that Mr. McVeigh did? Is that your testimony?

A. You're right.

Q. And was it true that Karen is not interested at all?

A. She's gotten to that point.

Q. Was she a serious patriot at some earlier time?

A. Only because we were probably roommates. She didn't like this at all.

Q. All right. And were you a serious patriot?

A. I hadn't seen anything that everybody was talking about; and I've said to the FBI, "Till I see it, I don't believe it."

Q. Did you regard yourself as a serious patriot?

A. How serious?

Q. Well, what set of views did you have that you identified with being a patriot?

A. If you look at the dictionary thing up on a patriot, that's anybody that reveres their country and their flag.

Roger Moore - Cross

Q. And did your patriot views include views about the banking system?

A. No.

Q. Did it include views about the monetary system?

A. No.

Q. Did it include views about the Clinton administration?

A. I'm not happy about Clinton.

Q. Did it include views about race relations?

A. I'm not worried about that at all.

Q. Did it include views about gun control?

A. Only if they start registering guns.

Q. Did it include views about the behavior of the FBI?

A. I've never met the FBI prior to this.

Q. You certainly had views about the FBI's conduct at Ruby Ridge, did you not, sir?

A. No. At that time, we were transferring from one farm to the other, and I was out putting posts in with a post-hole digger and putting up fence; and I never knew about Ruby Ridge until Arlen Specter held hearings on them. That's the first time on television I had seen anything about Ruby Ridge.

Q. At the time you wrote this letter, you had views about that; correct, sir?

A. Ruby Ridge?

Q. Yes.

A. It's over and done with.

Roger Moore - Cross

Q. Is it your testimony, sir, then, that you did not share

these views with Mr. McVeigh?

A. Yes.

Q. Now, you've testified on direct that "She's even pissed at me for taking night-vision photos and sending them in to right-wing magazines" -- you never did that?

A. Right.

Q. You were just telling a story?

A. You're right.

Q. Now, then, you say "Anxious, watch out for" -- and what's the next word there?

A. "Radiation."

Q. Isn't that word "revelation"?

A. No. "Radiation."

Q. Do you remember telling the FBI on April 28, 1995, that the word was "revelation"?

A. No.

Q. And then you talk about --

A. What would "revelation" mean pertaining to the New World Order? To you?

Q. Sir, I didn't write Mr. McVeigh a letter.

A. Okay. I'm telling you it's "radiation."

Q. All right. And I'm asking you whether you told the FBI something different.

A. I have no idea. I've talked to so many FBI people that I

Roger Moore - Cross

could -- I just don't have any idea.

Q. Then you talk about virus spray. Now, have you ever come in contact with virus spray, sir?

A. No. Hope I don't.

Q. And "all other kinds of --" some kind of "electron mind-altering devices"; right?

A. Right.

Q. Now, you say, "You need some space blankets to keep out of satellite eyes." Did you ever talk to Mr. McVeigh about the idea of needing space blankets to get -- to keep out of satellite eyes?

A. No.

Q. Is it your testimony, sir, that you never heard Mr. McVeigh refer to the need to use those space blankets?

A. He did maneuvers in caves south of Kingman, so if you're in a cave, you don't need a space blanket.

Q. And when was that conversation about caves in Kingman, sir?

A. Several times.

Q. Several times he said that he liked to hang out there in the desert?

A. That's right.

Q. Did he ever tell you the name of anybody who might drive him out to the desert?

A. Why wouldn't he drive himself?

Q. Did he ever tell you that he drove himself?

Roger Moore - Cross

ROGER MOORE - CROSS

A. No.

Q. All right. Did he describe in any detail his being out there in the desert in the caves?

A. Said the only thing that brought him back down was when he ran out of water.

Q. He wanted to go, so --

A. I don't know whether that's true or not. That was in the letter.

Q. You don't have any of those letters, do you, sir?

A. No, I don't. If I did, the FBI would have them.

Q. Then you say, "Let's let May go. If you want, write when you move or have news"; correct?

A. Uh-huh.

Q. What did you mean, "Let's let May go"?

A. This last letter he indicated that he could possibly come the first part of May.

Q. Can you remember as close as you can? What did he say about coming the first part of May?

A. That's all he said.

Q. What; that "Can I come by and see you the first part of May?"

A. "I might be able to make it the first part of May."

Q. And then you say, "My best." Right?

A. Wouldn't you always to somebody you were trying to get to your farm?

Roger Moore - Cross

THE COURT: He's just asking you a question if that's what you said.

THE WITNESS: That's what I said. It's a plain cite.

BY MR. TIGAR:

Q. And then the word "burn."

Can you remember ever having used the word "burn" on any letter --

A. I used --

Q. -- that you sent before this one?

A. I think I used it one other time.

Q. And when was the one other time that you used the word "burn"?

A. After the robbery.

Q. And to whom was that letter addressed?

A. McVeigh.

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

THE COURT: Yes.

BY MR. TIGAR:

Q. This letter that I've just been showing you, sir: Do you know how that letter came into the Government's possession?

A. I would assume --

Q. No, please don't assume. Because -- do you know of your personal knowledge?

A. Have they personally told me how they got a hold of it?

Q. Yes.

Roger Moore - Cross

A. No.

Q. So you don't know of your personal knowledge how that letter got into the Government's possession. Correct?

A. No.

Q. Now, the letter that you sent -- or excuse me -- that you received from Mr. McVeigh: They got that because you and Ms. Anderson turned it over to the FBI. Is that right?

A. The one letter they have?

Q. Yes.

A. Yes.

MR. TIGAR: Thank you, your Honor. I have nothing further.

THE COURT: Ms. Wilkinson.

MS. WILKINSON: Just one question, your Honor.

THE COURT: All right.

MS. WILKINSON: I need to correct that, your Honor. While I was standing here watching Mr. Tigar, I thought of two.

MR. TIGAR: I didn't hear that, sorry.

MS. WILKINSON: I thought of two questions.

THE COURT: Two questions.

MR. TIGAR: Oh, I see. Thank you, your Honor.

REDIRECT EXAMINATION

BY MS. WILKINSON:

Q. Mr. Moore, you were asked by Mr. Tigar whether you ever made any agreement with Mr. McVeigh to give him your guns and

Roger Moore - Redirect

have them sold. Did you ever do that?

A. Never.

Q. Would you ever do that?

A. No.

MS. WILKINSON: No further questions, your Honor.

THE COURT: All right. Is this witness now to be excused?

MS. WILKINSON: He is.

MR. TIGAR: Your Honor, we have a subpoena out for Mr. Moore. In light of the extensive cross-examination, it's doubtful that we will need him in our case; but we cannot excuse him at this point.

THE COURT: Well, he can go home.

MR. TIGAR: Yes, of course, your Honor, because the defense case won't be for quite some time.

THE COURT: All right. You're excused then for now. You can go home, but you're subject to a subpoena, so you have to be able to respond to that if you're notified to return. Understand?

THE WITNESS: Yes.

THE COURT: You can leave.

And of course, you understand that means you're still under the restriction about talking about your testimony with any other person. You understand that?

Okay. And we're going to let you go --

You can leave, Mr. Moore.

We're going to let you go early today, members of the jury, rather than start another witness; so please, of course, follow the cautions regularly given. And, you know, we kind of joke about it, but it's pretty important to a fair trial that you keep open minds; that you remember there is a lot yet to be heard. And so don't discuss anything about this case with anyone, including other jurors, and be careful about all of the things that you read, see, and hear to avoid anything that could influence you in the decisions to be made in this case.

You're excused now until 8:45 tomorrow morning.

(Jury out at 4:59 p.m.)

THE COURT: Yes, Mr. Mackey?

MR. MACKEY: I have one matter I'd like to approach the bench on.

THE COURT: All right. Sure.

(At the bench:)

(Bench Conference 80B1 is not herein transcribed by court order. It is transcribed as a separate sealed transcript.)

(In open court:)

THE COURT: All right. We'll recess, 8:45.

(Recess at 5:05 p.m.)

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DEFENDANT'S EXHIBITS

Exhibit	Offered	Received	Refused	Reserved	Withdrawn
D1201	9424	9425			
D1549	9362	9362			

* * * * *

REPORTERS' CERTIFICATE

We certify that the foregoing is a correct transcript from the record of proceedings in the above entitled matter. Dated

the record of proceedings in the above-entitled matter. Dated
at Denver, Colorado, this 18th day of November, 1997.

Paul Zuckerman

Kara Spitler

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