

THE COURT: Members of the jury, good morning.

I apologize for the few minutes' delay, but counsel and I discussed some matters here concerning scheduling witnesses; and we're ready to proceed with the next witness.

MR. MACKEY: Thank you, Judge. We'll call Mr. Kevin Gottshall.

THE COURT: All right.

THE COURTROOM DEPUTY: Raise your right hand, please.

(Kevin Gottshall affirmed.)

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

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

THE WITNESS: Kevin Lee Gottshall. Last name is G-O-T-T-S-H-A-L-L.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Mackey.

MR. MACKEY: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. MACKEY:

Q. Good morning, Mr. Gottshall.

A. Good morning.

Q. Tell the jury, please, how old you are.

A. I'm 33.

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Q. And where do you reside?

A. In Houston, Texas.

Q. Did you live for any period of your life in the state of Oklahoma?

A. I did.

Q. And did you go to school there?

A. I did. I went to undergraduate school, received a bachelor's degree from the University of Oklahoma in Norman, and went on to law school there for an additional three years.

Q. When did you graduate from law school in the University of Oklahoma?

A. In 1989.

Q. And after graduation, what did you do for employment?

A. I went to work for Kerr-McGee Corporation. I had been working for the supreme court in the state while I was in law school, and then I went on to work for Kerr-McGee. I had always wanted to practice working for a corporation.

Q. And are you still employed by Kerr-McGee?

A. I am. About the first of this year, I changed positions, and I'm working in the land department now as a petroleum landman for Kerr-McGee, and that required that we move to Houston to take that position.

Q. And when was it that you moved to Houston?

A. That was the end of April of this year.

Q. Mr. Gottshall, are you married?

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A. I am.

Q. And what is your wife's name?

A. It's Cheryl.

Q. And was Cheryl also employed for a period of time at Kerr-McGee?

A. She was, yes.

Q. Mr. Gottshall, did you and Cheryl have a son by the name of Kevin Lee Gottshall?

A. Yes, we did.

Q. And when was he born?

A. He was born September 29 of 1994.

Q. And when did he die?

A. He died April 19 of 1995.

Q. Mr. Gottshall, would you tell the members of the jury where the Kerr-McGee building is in Oklahoma City in relationship to the Murrah Building.

A. Yes. The Kerr-McGee building is approximately one block south.

THE COURT: Mr. Gottshall, would you face the microphone, please. When he says tell the jury, he doesn't necessarily mean address them.

THE WITNESS: I'm sorry. I can't move the chair.

THE COURT: It'll spin around. Excuse me. Go ahead with your answer.

BY MR. MACKEY:

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Q. Approximately how far are the two buildings apart from each other?

A. Approximately two blocks, yes.

Q. Could you tell the members of the jury and his Honor the process you went through with your wife to select a day-care center for your son, Lee.

A. We -- we took a lot of pains. He was a very wanted child. We took a lot of pains to try to make sure everything in his life was going to be as good as possible. We -- before he was born, my wife was meticulous with the vitamins, with, you know, reading books on -- on raising children, on -- on what should be done, never missing an appointment. We did the ultrasounds. We carried the videos, the picture, unborn pictures of him with us. We were so proud. This was our first -- first child. Again, we wanted to do everything as best we could; and one of those things, you know, we -- we moved into a new home that was a little bit bigger, had more modern heat and those things, would be a little more safe for him.

Q. Was -- let me ask you with respect to the day-care center. Was security an important ingredient to your decision to select the day care at the Murrah Building?

A. It most definitely was. We -- we went to a number of day-care centers around the downtown area. One of the things that we really wanted was someplace that was very close. We wanted to be able to be -- be able to visit him very

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frequently. We looked at the Murrah Building very closely and ultimately selected it because we felt like it was going to be safe. We talked to the workers, the care workers. Very nice, very caring people. We felt like we could trust them.

There was a security door going into the nursery where you have to ring a buzzer and someone would physically have to come to the door and identify you and ask you, you know, what -- what child you were coming for or what your purpose was there. And they would escort you around, and we were very impressed with that. We felt like it was a very -- very safe, very clean, friendly, loving environment for him to be at.

Q. Mr. Gottshall, when did your son, Lee, first begin attending the day care at the Murrah Building?

A. Well, we -- we attempted to postpone it as long as we could, both my wife and I working for Kerr-McGee --

MR. TIGAR: Objection.

THE COURT: Mr. Gottshall, just answer the question, will you please.

THE WITNESS: Yes.

BY MR. MACKEY:

Q. Approximately --

THE COURT: When did he first attend?

THE WITNESS: It was approximately in January, I believe.

BY MR. MACKEY:

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Q. And thereafter, up until the time of the bombing, did you and your wife and your son have a daily ritual that you followed with respect to arriving at work and seeing your son?

A. We did. We postponed a day-care decision as long as we could. And when it came time, we would get up every morning -- my wife would get up and we'd take him and get him dressed. He would sit in the bathroom while we were showering and getting around. He would get in the back seat of the car. We placed the car seat in the middle of the back seat as we thought it was the most safe. Then we would commute in from Norman. It's about -- Norman is about 20, 25 miles south of Oklahoma City from our office. And we would all drive in together every morning, and we could talk to him. My wife and I could talk to our son. We could play with him. Gave us a very secure feeling of having him there with us.

Q. Mr. Gottshall, during the course of each day, was there a practice that you and your wife had to visit your son at the Murrah Building?

A. Yes, there was. We would routinely drop him off together. We -- we'd kiss him goodbye. We would go back to work. My wife's position was an executive secretary, which allowed her some flexibility to be able to go visit him usually once in the morning. Both she and I would go over for lunch. If for some reason, my job wouldn't allow me to go for lunch, she would go. He never ate lunch without one of us there. And then she would

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also be able to visit him routinely once in the afternoon. And we would pick him up together, and we'd all go home.

Q. Mr. Gottshall, let me turn now to April 19th. Did you and your wife drop your son, Lee, off at the day care in the Murrah Building on that day?

A. That particular day, my wife had a seminar within the Kerr-McGee building complex. I had to drop her off early. She -- we dropped her off. She gave him a kiss goodbye as she always did every day, told him that she loved him, and told him to be a good boy. I proceeded on and I took him to the day care -- excuse me -- I took him to the day-care center alone that day. There was an area for the day-care center that was a loading area, and it was allowed for people to park there temporarily while they took their children -- excuse me -- upstairs to get their children settled in. I parked there, took him out of his car seat, carried him up one flight of stairs, rang the buzzer, went in, made sure that there was, you know -- that the proper people were there, people that I was used to, and went and laid him down in his little bouncer next to the glass window there in the infants' part of the nursery. I gave him a kiss goodbye, saw he was okay, went back down to my car and went on to work.

Q. Mr. Gottshall, was that the last time you saw your son?

A. It was the last time I saw him, yes.

Q. Let me show you what I would offer into evidence at this

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time, a photograph marked 2221.

MR. TIGAR: No objection, your Honor.

THE COURT: All right. 2221 is received.

BY MR. MACKEY:

Q. Mr. Gottshall, would you tell members of the jury and his Honor the persons who are shown in this photograph.

A. The person -- excuse me -- the person to the left is my son, Lee. The person to the right in the photograph is my grandfather, Lee's great-grandfather. His name was Lee, also. He was my mother's -- mother's father.

Q. Approximately when was this picture taken?

A. This would have been less than a month before my son was killed.

Q. And how old was Lee at the time of his death?

A. He was approximately six-and-a-half months.

Q. Thank you. On April 19th, Mr. Gottshall, how did you first become aware that there had been a bombing in downtown Oklahoma City?

A. At the time, I was on (sic) our 10th floor conference room. As I said, the Kerr-McGee building is -- is very close to the Murrah Building. Tremendous bang. Violent movement of our building. The Kerr-McGee building is a 29-story building, and there's very little that makes it move. And so this was a

tremendous blast. It was a thud. Initially, I didn't know what it was. I was on the north side, but was somewhat

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shielded by a building that's in between.

Q. Let me ask, Mr. Gottshall, shortly after you heard this sound, did it come to your attention through a news report that there had been a bombing?

A. It did. After I heard the sound, you know, everyone was kind of running around our floor, trying to figure out what had happened. Some of the windows on our floor on the 10th floor there had been broken, busted out. I was running around the floor, trying to figure out what was going on. Someone in their office had a radio on, and I heard that there had been an explosion around the Murrah Building, and I immediately ran for the elevator to get down. It was functioning okay. I went down -- downstairs and headed over toward the building as I had taken the same path that I would go to visit -- visit my son.

When I got to the corner of the -- the street corner where the Murrah Building used to sit, I found my wife in panic. A policewoman was restraining her. She was holding her back. She had been on the first floor at the seminar, and she had glass on her where it had blown in. The first floor wasn't shielded, and huge pieces of glass had come in on her. She told me that she had been up to the front of the building, the entrance on the south side where we would usually go in to visit him, and that there was granite and concrete in the way and it was blocking the entrance and you couldn't get in.

Q. Did you and your wife proceed up Robinson towards 5th

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Street to look on the north side of the building?

A. We did. We did. The policewoman was trying to keep my wife back, but she somehow knew that I would be coming around that corner and allowed her to wait. And then we proceeded up Robinson, as you said, to try to get a better view of -- of what had happened. We thought perhaps if this side of the building, south side, had been blocked, then maybe the north side would be better.

Q. Mr. Gottshall, what did you think when you saw the north side of the Murrah Building?

A. It's -- it's the worst feeling I think that you can ever have in your life. You -- the floors had all collapsed upon the day-care center. And it seemed as though to me that -- that the area where the infant room was was the most hardest hit. It -- it was where most of the damage had been done to the building. We couldn't imagine any way that -- that, you know, our child could survive had he been in that room. And of course, you know, your thoughts are to try to -- well, there's got to be some other way. Maybe someone carried him out, some glimmer of hope, that way, and --

Q. Mr. Gottshall, how many days passed before you were

Q. MR. GOTTSHALL, HOW MANY DAYS PASSED BEFORE YOU WERE officially notified that Lee had died?

A. It was approximately two-and-a-half weeks that we were forced to wait. We -- we -- we searched around. We went -- called hospitals. We went to the Red Cross unit. We talked --

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tried to talk to police. We saw people bleeding. We stood in the area. And after we went to the Red Cross unit, we didn't feel like there was any more we could do there, and we had to go home and tell our parents what had -- what had happened.

Q. Mr. Gottshall, I have one final question. If you would, please, describe in your own words the impact of your son's death on you and your wife and your family members.

A. It's a -- definitely the most horrible thing that's ever happened to me in my lifetime. There's not a day that goes by that I don't miss Lee. We have pictures of him around the house. We still talk to him. Instead of having birthday parties and things that we had planned for him for an education and those things, we get to go visit his grave site.

MR. TIGAR: Objection, your Honor.

THE COURT: Sustained with respect to visits to the grave site.

THE WITNESS: We -- my wife has terrible nightmares, will wake up screaming in the night. Perhaps the most troubling thing, I guess, is that we -- we now have two other children. We've lost our firstborn child, but we now have two other children, and we have to at some point in their lives -- they are both very young, but we have to explain to them what happened to their brother and why; and at this point, we don't have any explanation.

MR. TIGAR: Objection, your Honor.

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THE COURT: I'll sustain as to that part of it.

BY MR. MACKEY:

Q. Mr. Gottshall, can you describe on your wife's behalf the impact of your son's death.

A. Well, it's -- it's roughly the same, I think, as what I've experienced. We -- again, she has nightmares. We can't stand to drive by the highway and see private rental trucks of any kind. We're both afraid of heights now. We never were. The sense of security, I guess, that -- that you have if you do everything that you can to try to take care of -- of your family, you're not -- it's not necessarily going to work.

MR. MACKEY: Thank you, Mr. Gottshall.

THE COURT: Do you have any questions?

MR. TIGAR: No, your Honor.

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

Next, please. Next witness, please.

MR. MACKEY: Thank you, your Honor. We'll call

Ms. Jannie Coverdale.

THE COURTROOM DEPUTY: Would you raise your right

hand, please.

(Jannie Coverdale affirmed.)

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

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

THE WITNESS: Jannie M. Coverdale, C-O-V-E-R-D-A-L-E.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Ms. Wilkinson.

DIRECT EXAMINATION

BY MS. WILKINSON:

Q. Good morning, Mrs. Coverdale.

A. Good morning.

Q. Are you here today to testify about your two grandsons?

A. Yes.

Q. What were their names?

A. Aaron. Aaron was five and a half. Elijah was two and a half.

Q. Is that how old they were when they died in the Murrah Building?

A. Yes.

Q. Let me show you Government's Exhibit 1047E.

MS. WILKINSON: And, your Honor, we would offer this into evidence.

MR. TIGAR: No objection, your Honor.

THE COURT: It's received. May be shown.

BY MS. WILKINSON:

Q. I believe this is 1047D, but that's okay. Can you tell the jury --

MS. WILKINSON: Your Honor, just to make the record clear, this is 1047D.

THE COURT: Yes. Thank you.

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BY MS. WILKINSON:

Q. Mrs. Coverdale, who is this?

A. This is Elijah.

Q. He was two-and-a-half years old at the time of his death?

A. Yes.

Q. Can you tell the jury a little bit about him, what kind of person he was?

A. Elijah was my baby. Elijah came to live with me when he was three months old. He was my shadow. He slept with me every night. I got my hugs and kisses from Elijah.

Q. And did Elijah have quite a personality?

A. Elijah had a mind of his own.

Q. Did he like to get in trouble?

A. He stayed in trouble, and he really didn't mind it.

Q. What kind of things did he do?

A. I remember once, I had gotten -- well, it was right before Easter of '95, Aaron and I were going shopping, so I had gotten Aaron and Elijah dressed. And all of a sudden, I heard, "Granny, come here."

And I ran in the kitchen, and he said, "I made a mess."

He had looked in the refrigerator, pulled out a bowl of corn, and spilled it all down the front of him.

And another time, his last Christmas, we did a Christmas tree. And it was a very ugly Christmas tree, but the

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kids thought it was pretty. Aaron and I were making the bed, and I heard, "Hurry, Granny, hurry, Granny." And I ran out in the living room. Elijah was lying on the floor on his back. The Christmas tree was on top of him. And I was asking him what happened. "I don't know." He was just a typical two-year-old child.

Q. Now, you've talked about his brother, Aaron; is that right?

A. Yes.

Q. Let's take a look at 1047C.

MS. WILKINSON: Which we offer into evidence, your Honor.

MR. TIGAR: No objection, your Honor.

THE COURT: Received. May be displayed.

BY MS. WILKINSON:

Q. Is this Aaron?

A. Yes.

Q. Tell the jury about Aaron.

A. Aaron was my protector. Aaron was a very good little boy. I got hugs from him. I didn't get kisses. He was too big to kiss, so I got my hugs from Aaron. Aaron would get up in the morning, get dressed, make his bed. Of course, the sheet would be dragging the floor, but he thought the bed was made. Every morning, he would make sure he got my keys, my cigarettes, and my glasses and put them in my purse because I was always forgetting them. He tried to take care of Elijah, but that was

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a lost cause because Elijah didn't listen. When Aaron got to be a big boy, he was going to buy me a house with a big playground and he was going to buy me a blue car and he was going to buy his daddy a skateboard. I never did figure out why his daddy had to have a skateboard.

Q. Mrs. Coverdale, can we talk a little bit about how you got custody of these boys. They are your grandsons; correct?

A. Yes.

Q. Could you tell the jury how many children you have.

A. I have four sons. Aaron and Elijah are my third son's kids. And my third son and his wife were having problems, so I got custody of Aaron and Elijah.

Q. Can you tell the jury what Elijah's condition was when he was born?

A. Elijah tested positive for cocaine when he was born. And at first, I had a hard time getting help for him because I didn't know how bad it was, and I'd take him to the doctor and I'd tell them that Elijah tested positive for cocaine and they would say, "Oh, okay," and that was it.

So finally, I asked the doctor, "Well, why don't

So finally, I asked the doctor, "Well, why don't somebody do something?"

And he said, "Well, frankly, we don't know very much about it."

MR. TIGAR: Your Honor, objection.

THE COURT: Objection is overruled.

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I believe you completed your answer, did you?

THE WITNESS: Uh-huh.

BY MS. WILKINSON:

Q. Mrs. Coverdale, you first obtained custody of Elijah when he was how old?

A. Three months old.

Q. How old was Aaron?

A. Three years old.

Q. And could you tell us just briefly how they responded to being in your care and custody and away from their parents.

A. They were happy.

Q. Why was that?

A. Because they knew I loved them and they knew they were going to be taken care of.

Q. And can you just tell the jury briefly what your routine was with those boys once you had custody of them.

A. I worked seven days a week, so I'd get up in the mornings and get them dressed. I lived about a half block from the day-care center, from the federal building.

Q. Tell the jury the name of the building in which you lived.

A. The Regency Towers. And we'd walk up the street to the federal building. I'd leave them at the day-care center. I worked in the county assessor's office which was about two blocks from the federal building. Then I'd go in to work. And this happened every day. On weekends, a friend of mine took

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care of them while I worked.

Q. Now, were you divorced at the time?

A. Yes.

Q. So you were the sole person responsible for the care of Aaron and Elijah?

A. Yes.

Q. What were you doing at the time of the bombing in Oklahoma City? Where were you working?

A. At the county assessor's office, which was two blocks from the federal building.

Q. And you took Elijah and Aaron to the day-care center that day?

A. Yes, I did.

Q. Do you recall how long it took before you found out what happened to your grandsons?

A. I found out late that Saturday evening.

Q. How did you find out?

A. A Medical Examiner's Office -- we were at First Christian

Church, and the Medical Examiner's Office called us upstairs and told us that they had identified their bodies.

Q. Both of them?

A. Both of them.

Q. Were you able to get back into your apartment at the Regency Tower after the bombing in Oklahoma City?

A. No.

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Q. Why was that?

A. Because the building was damaged so bad, it took them six months to repair it so we could move back in.

Q. So were you able to assist the Medical Examiner in any way by providing pictures or anything like that of Aaron and Elijah?

A. No. No.

Q. Were you able to obtain fingerprints of them?

A. Not at my house. They had to go to a friend's house and take fingerprints.

Q. Can you tell the jury in your own words what the impact has been on you in losing both of your grandsons?

A. Aaron and Elijah were my life. I lived for them. I had raised my four sons, and I felt that since I was so young when I had them, I had made a lot of mistakes. So when I got Aaron and Elijah, it was like I had a second chance. I had learned from those mistakes I made raising my children, so I knew I could do a much better job raising them. My only concern with raising Aaron and Elijah was that maybe I wouldn't live until they got grown, so I had talked to my second son and told him that if anything happened to me, I wanted him to take Aaron and Elijah, and we were in the process of getting that paperwork done. I never thought that I would outlive them. Grandparents just don't do that.

So since they died, I don't have a life. There's not

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a day goes by that I don't think about them, don't hear that explosion, don't wish I could reach into heaven and bring them back. That's it. They were my life.

Q. Mrs. Coverdale, because you took your grandsons to the day-care center every day, have you dealt with some guilt about your own responsibility?

A. Yes.

Q. Tell the jury about that.

A. I keep thinking if I had stayed home that morning, if I hadn't put them in that day-care center, if I hadn't continued working, they would still be alive. And I can't get rid of the ifs. If I had just listened to that inner voice that morning that said "don't go to work," I would have stayed home and they would be alive.

MS. WILKINSON: Thank you very much, Mrs. Coverdale.

MR. TIGAR: No questions.

THE COURT: All right. You may step down. You're now excused.

Next, please.

MR. MACKEY: Your Honor, we'll call Mr. Fred Anderson.

THE COURT: Thank you.

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

(Frederick Anderson affirmed.)

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

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

THE WITNESS: Frederick Allen Anderson,
A-N-D-E-R-S-O-N.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Goelman.

MR. GOELMAN: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. GOELMAN:

Q. Good morning, Mr. Anderson.

A. Good morning.

Q. Where do you live?

A. Oklahoma City.

Q. What do you do for a living?

A. I drive truck.

Q. Who do you drive truck for?

A. Great Plains Bottling Company.

Q. And how long have you been a truck driver?

A. For Great Plains, or how long have I drove truck?

Q. How long have you driven truck?

A. 23 years.

Q. Did your wife die as a result of the bombing in Oklahoma City?

A. Yes, sir.

Q. At the time of the bombing, did your wife work in the

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Murrah Building?

A. No, sir.

Q. So how is it that she came to be a victim of the bombing?

A. Me and my wife were sitting at home when the bomb went off. We heard about it on the TV. We got dressed and went down to see what assistance we could help with.

Q. Was your wife a nurse who went to the assistance of the people --

A. Yes.

Q. -- trapped inside the Murrah Building?

A. Yes.

Q. Why don't you take a look at Government Exhibit 1396.

MR. GOELMAN: Which we offer at this time, your Honor.

THE COURT: Any objection to it?

MR. TIGAR: I'm sorry. I was looking at something else.

THE COURT: 1000

THE COURT: 1396.

MR. TIGAR: No objection, your Honor.

THE COURT: Received. May be shown.

MR. GOELMAN: Thank you, your Honor.

BY MR. GOELMAN:

Q. Do you see that on your screen, Mr. Anderson?

A. Yes, sir.

Q. Who is that?

A. That's my wife.

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Q. And how long before her death was this picture taken?

A. About 18 months.

Q. How long had you and Rebecca been married before April 19, 1995?

A. Nine months.

Q. And did you have any children who lived with you?

A. Rebecca's children, yes.

Q. How many kids did Rebecca have?

A. Four.

Q. From previous marriages?

A. Yes.

Q. How old were the children?

A. Gabe was 15; Hillary, 13; Rachel was 11; Britton was 9.

Q. I want to talk about April 19th. Were you working that day?

A. No, sir.

Q. What were your plans for April 19th, 1995?

A. When we heard about the bomb going off, we were sitting in our living room at that time, making our plans for the day. We had -- I always had the same days off, but she did -- her days off rotated; and so whenever we had the days off together, we would sit down and plan out our day so we could spend our day together. And we were sitting in the living room that morning, making our plans to do that.

Q. Okay. About how far did you live from where the Murrah

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Building stood?

A. About 9 -- 9 to 10 miles.

Q. And what happened at 9:02 that morning? What did you -- what did you experience?

A. Oh, okay. At -- at that time, we first heard a -- a loud booming-type noise, kind of a rumble. And then we felt the house shake a little bit. And we live in basically almost in the fly pattern of Tinker Air Force Base out there. And every now and then, one of the planes will take off from out there and they will go supersonic and, you know, it'll happen every now and then. And we had discussed that that was possibly what had happened. And then we talked about it, said, no, it didn't sound quite right. It was a different rumble.

Q. And did you later learn that it was not, in fact, a sonic boom?

00000.

A. Right.

Q. How did you learn that?

A. The TV.

Q. And what did you learn from the television?

A. Well, first, when they first came on the TV, it was just that there was an explosion downtown and they showed the general vicinity, not the exact location. They just had the general vicinity. And I had thought it was -- there was some chemical company -- warehouses down there, and I thought that maybe one of them had blown up at first. And then we went on

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talking about what we were doing for the day, and I went back to the bedroom to get dressed, and she had come running back in the bedroom and started throwing clothes on. And, you know, I asked her what her big hurry was, and she said, "Well, they blew up a building downtown. There's a lot of people hurt, and we need to get down there."

Q. Did Rebecca explain why she needed to get down to where the building had blown up?

A. I'm not sure if she exactly said why or not, but I knew why, you know. She said there was people down there hurting, and we needed to get down there and see what we could do to help them.

Q. Did you yourself at the time have any emergency medical training that you thought you could use to help the people at the Murrah Building?

A. I was a -- first-aid-certified and CPR-certified.

Q. So when Rebecca came in and said that you had to hurry down to the Murrah Building, what was your reaction?

A. I had no problem with it.

Q. How long after she came in did you leave the house?

A. Probably within five minutes.

Q. And where did you go?

A. We drove in on Interstate 40 and up to 235 and got off on the Harrison/6th Street exit. We got to where Harrison and 6th Street intersect, and they had it blocked off at that time.

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And at that time, there was some medical personnel coming in from over at the hospital area, and we had talked about it and she got out there and proceeded to go in with them while I tried to go find a place to park.

Q. When you say medical personnel coming from the hospital, do you know what hospital they were coming from?

A. I have no idea, no. There was like three or four hospitals over in that area and . . .

Q. And Rebecca got out and joined them?

A. Yes.

Q. What did you do at that point?

A. I proceeded going where they directed me, away from the street they directed me on. And I think I went about two,

two-and-a-half blocks, and I found a parking lot down there and that I parked in, and then I went in from a different direction into the building -- building area.

Q. What did you intend to do at that time?

A. Well, I was going to see what I could do to assist; but when I got over there, the -- the Oklahoma City Police Department and Sheriff's Department had already started setting up perimeters and stuff. And I did not bring any ID as far as my medical, what I knew, with me, and so they would not allow me in.

Q. What did you do when you weren't able to approach the building?

Frederick Anderson - Direct

A. At the time I talked to the police officer, I had went -- he wouldn't let me in and I says -- he says, "We're trying to basically get a control on how many people were there and what was going on."

And I said -- I asked him if they had a command post set up to where I could go, you know, and volunteer and let them tell me what they would like me to do. He told me that he thought they had one around the corner down on 6th, and so I went walking down there. And before I got to where he told me it was at, they had the second bomb scare and they were evacuating everybody back.

Q. What did you do at that time?

A. At that time, I walked around the perimeter that they moved everybody back to, trying to find my wife. I couldn't find her, so I had called where I worked because I figured they would be putting something together. They have a snack division there that they deliver to schools and stuff, and I knew they would be putting some together to come down with. And I called them up. They said yes, they needed some drivers to come down and help with it. So I went to my plant to help assist with that.

Q. When you say "putting something together," what exactly do you mean?

A. Our -- our snack vans. They were putting snacks, you know, chips, soda pop, stuff that they could come down and give to

Frederick Anderson - Direct

people, you know, to --

Q. And did you go to the place where you worked?

A. Yes, I did.

Q. How long were you there?

A. I was there probably 5 minutes, 10 minutes.

Q. Did you get a phone call there?

A. No. I got a page from the University Hospital, and I returned the call.

Q. When you returned the call, did someone from the hospital tell you that your wife had been involved in the bombing?

A. Yes, sir.

Q. And what was your response?

A. I commented to them that they had probably called the wrong person because my wife wasn't there at the time of the bombing. And he went on to explain, you know, that he had gotten the pager number from her.

And I said, well -- because he was trying to find out what was wrong with her, too. And they were still evaluating what was wrong with her at that time. And I told him it wasn't because of the percussion of the bombing because she wasn't there.

And he says, "Well, we're doing some observation on her right now."

And I -- I just asked where it was at, and then I went down there to the hospital.

Frederick Anderson - Direct

Q. When Rebecca got out of the car when the two of you arrived near the scene, was she wearing a nurse's uniform?

A. No, sir.

Q. What was she wearing?

A. She was wearing blue jeans and a -- a white sweatshirt with some kind of nautical emblem on the front.

Q. Did she have nurse -- a nurse's ID with her?

A. Yes, sir.

Q. Why don't you take a look at Government Exhibit 1397.

MR. GOELMAN: Which we offer at this time.

MR. TIGAR: No objection, your Honor.

THE COURT: All right. It's received and may be shown.

BY MR. GOELMAN:

Q. Can you see that picture, sir? And is that a picture of your wife?

A. Yes, sir.

Q. Is that what she was wearing on the day of the bombing?

A. Yes, sir.

Q. What happened when you got to the hospital?

A. When I got to the hospital, they had her in the -- already had her in a room and she was unconscious. The doctor that was overseeing her care at that time took me into an examining room and showed me the CAT scans that they had taken of her previous to moving her to that room.

Frederick Anderson - Direct

Q. When was Rebecca officially declared dead, Mr. Anderson?

A. Sunday morning, 8:35.

Q. Can you tell us a little bit about what kind of person your wife was.

A. She was a caring person. She -- she -- she -- she was a doer. She liked doing for people. She liked to take care of people. She was a geriatric nurse. She just -- she loved to do for people that couldn't do for themselves. That's -- she took a lot of pride in that.

LOOK A LOT OF PRIDE IN THAT.

Q. Did Rebecca continue doing for people even after her death?

A. Yes, sir.

Q. Can you --

MR. TIGAR: Objection, your Honor.

THE COURT: Well, the objection is sustained.

BY MR. GOELMAN:

Q. Had you and Rebecca both been married previously?

A. Yes, sir.

Q. And can you tell us a little bit about the relationship that the two of you had.

A. Well, it -- mine and Rebecca's relationship kind of started a little strange because my best friend and her best friend were married and they kept trying to -- trying to set us up, and Rebecca was going through a divorce and she didn't want to date anybody at that time. And my best friend had told me about her and told me she had four kids, so I didn't want to

Frederick Anderson - Direct

date anybody with four kids. And so they tried probably for about six months to set us up. And then -- I don't know -- one night, Rebecca called my house and we got to talking. And we talked on the phone that night probably six hours until I had to go to work. So -- and we talked the next two nights quite a long time on the phone and went out on her birthday the next -- that weekend. And everything -- everything just clicked together. Everything was just -- it just clicked.

Q. You told us that at the time of the bombing, you and Rebecca lived together with her four children?

A. Yes, sir.

Q. Where are those children living now?

A. The two youngest children are living with their father in the same house. I give him the house back. And the oldest boy, he's 18. He's off to school, living on his own now. And Hillary is living with her grandparents.

Q. How has Rebecca's death impacted your life?

A. It's -- it's impacted everything about it. It's just -- I have a -- I just don't deal with anything anymore. It's almost like why bother with it, you know. It's -- I go through doing my job because I have to work because I've got to pay bills, and that's about it. My day consists of I go to work at 7:00 in the evening. I get off at 4 in the morning. I go home. I take my dog for a walk. I go back in, watch a couple hours of TV, go to sleep, get up in the afternoon, go outside with my

Frederick Anderson - Direct

dog for a little bit, get ready to go to work. That's pretty much what I do.

MR. GOELMAN: Thank you, Mr. Anderson. I have nothing further.

MR. TIGAR: No questions, your Honor.

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

Next.

MR. MACKEY: Glen Westberry.

THE COURT: All right.

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

(Glen Westberry affirmed.)

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

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

THE WITNESS: Glen Westberry, W-E-S-T-B-E-R-R-Y.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Ms. Wilkinson.

DIRECT EXAMINATION

BY MS. WILKINSON:

Q. Good morning, Mr. Westberry.

A. Good morning.

Q. How are you today?

A. I'm pretty good.

Q. Can you tell the jury how old you are.

Glen Westberry - Direct

A. 32.

Q. Where do you live?

A. Orlando, Florida.

Q. And can you tell us a little bit about your family, where you grew up.

A. I grew up all over. With my dad working for Defense Investigative Service, we got to move all around the country.

Q. Tell the jury who your father is.

A. Robert Westberry.

Q. And was he killed in the Murrah Building on April 19, 1995?

A. Yes, he was.

Q. Before that, where was he employed?

A. Before he was with them, he was with Naval Intelligence Service in Vietnam. And before that, he was a state trooper in Florida.

Q. Do you recall when he joined the Defense Investigative Service?

A. I believe he was a charter member in 1972.

Q. And at the time of the bombing, what was his assignment?

A. He was the special agent in charge of the office in Oklahoma City.

Q. Now, had you ever seen his office in the Murrah Building?

A. Yeah. Many times.

Q. Was there a time when you and your family lived in Oklahoma?

Glen Westberry - Direct

A. Yes. For about a -- a year. Me and my wife at the time and son lived in Stillwater. I was a police officer there.

Q. What's your son's name?

A. David.

Q. How old is David now?

A. He's seven.

Q. And do you recall what year it was when you lived in Oklahoma?

A. I think it was '92 to '93.

Q. At that time, your father and mother were also living there?

A. Yes. That's --

Q. What's your mother's name?

A. Tillie Westberry.

Q. And what kind of relationship did your son, David, have with your father?

A. I think out of all the grandkids, he was probably one of the most special because I'm an only son. So he was like the one that was going to carry on the family name. And so they had some -- being able to live out there and the rest of my family living on the East Coast, they got to spend a lot more time together. And so they just formed a special bond because of the amount of time we got to live with them. Even before Oklahoma, when he was stationed in south Florida and the time we got to live with them there, we were just minutes away from

Glen Westberry - Direct

them. So they got to take care of him a lot when he was little.

Q. How does David refer to his grandfather?

A. As "Papa."

Q. Now, after you left Oklahoma, did your parents remain there?

A. Yes, they did.

Q. Where did you move to?

A. I moved back to Orlando.

Q. And do you recall seeing your father in December of 1994?

A. Yeah. They always during the -- that time of the year, they always came out and visited the kids.

Q. And do you recall David's reaction to seeing his Papa that time?

A. Yeah. That was in December of '94, so that was the last time they got to come visit. And they came to the door, and my son was real excited about them coming. And he was so excited, he couldn't open the door so he made me open it for him. So I opened the door, and my mom was the first one there and my dad was little bit behind her and forget that my mom was there. He just shot by her and went right in my dad's arms.

Q. Now, you said that was the last time you saw your father alive; is that right?

A. Yes, it was.

Q. Do you recall having some conversations with your father

Glen Westberry - Direct

about your son and about your family?

A. Yeah. That time of the year, it -- when he came through, he had already been to see my sisters, and I think he was --

was going through a time with us kids where he was kind of reflecting on what it was like for him to be our dad and what it was like growing up with him. And so we got to sit down and talk for a couple hours about that and -- and to a point to where we -- we got to a point about where we talked about what we needed to do in our lives to make sure we were setting a good example and being the right leaders for our son, so he had something good to follow.

Q. Had your father ever discussed that type of thing with you before?

A. Never.

Q. What type of father was your dad?

A. He was very direct, a very matter of fact kind of guy, and you always knew what he was thinking. But he was always -- he always was there for us, always took care of you, always knew if there was a problem, that he had the right answer for you.

Q. Did you rely on him for advice?

A. A lot, especially once I got older and realized that -- the wisdom that he had.

Q. Now, on April 19th, did you hear about the bombing?

A. My mom called me. I was working in Orlando, and she called me.

Glen Westberry - Direct

Q. Did you realize at that time that it was your father's building that had been bombed?

A. At first, we weren't sure if it was his building or not.

Q. Did you decide to travel to Oklahoma City to assist your mother?

A. Yeah. I -- I called out to try and get a hold of him, and I couldn't get a hold of the office where he was, so I decided to fly out that night.

Q. Now, do you have other brothers and sisters?

A. I had three older sisters.

Q. And did they come to Oklahoma City at some point?

A. Two of the three did.

Q. And do they have children?

A. Yes, they do.

Q. So your father had several grandchildren?

A. I think there's -- I would -- three, four, five, six -- about eight.

Q. Let me show you Government's Exhibit 1468.

MS. WILKINSON: Which we offer into evidence.

THE COURT: Any objection?

MR. TIGAR: No objection, your Honor.

THE COURT: Received. May be shown.

BY MS. WILKINSON:

Q. Mr. Westberry, can you tell the jury who's depicted in Government's Exhibit 1468.

Glen Westberry - Direct

A. That's my dad and my nephew Joshua.

Q. One of his grandsons?

2. ONE OF HIS GRANDSONS.

A. Yes.

Q. Now, after April 19th, on April 20th, did you know at that time what had happened to your father?

A. On the 20th, no, we didn't know.

Q. Did your son, David, come to Oklahoma City at some point?

A. Yeah, he came to Oklahoma City on -- it happened on a Wednesday, and he came out on a Friday morning.

Q. Do you recall receiving news of the identification of your father on Saturday?

A. Yes. About three of the agents from DIS came out to the house and told us that they had made a positive ID.

Q. Who was it that had to inform David what had happened to his grandpa?

A. It was me and his mom.

Q. What happened?

A. When they first came in, they told -- they told everyone, and we had been trying to keep him somewhat away from it, watching a lot on TV, so -- he knew that something was going on in the house, because my mom was pretty upset and my sisters. So we took him upstairs and we sat down and talked with him and told him what had happened. And he just started crying uncontrollably, just sobbing. And there wasn't anything you could do to console him.

Glen Westberry - Direct

Q. Did he have a request?

A. He had been to the building before to see my dad's office and visit him there since we had lived there. And he -- he had

in his mind since he had seen it, he wanted to go see the building to see what had happened.

Q. What did he say to you?

A. He asked us to go down there because he wanted to know for sure that -- that he wasn't just at work, so we took him down to see the building the next day.

Q. How old was David when he made that request to you?

A. He was about four and a half.

Q. And did you take him down to the building on Sunday?

A. On Sunday, we took him down to the building.

Q. What did he say?

A. He -- he didn't have a lot of reaction as far as verbally. He just -- I think it just let him know that he wasn't there because he could see that his office was gone, so he knew that his Papa wasn't at work anymore.

Q. Now, after taking care of things in Oklahoma City, did you return to Florida?

A. Yes.

Q. And did you try to have David return to school?

A. Yes. We took him back to school.

Q. Did you notice an impact upon David with the loss of his grandfather?

Glen Westberry - Direct

A. He was -- at first, he was real scared to go back to school for the first couple of weeks. He cried every morning because he was afraid. He knew that there was a day care from watching on TV and stuff. He knew that there was a day care in the building, and so he was afraid the same thing was going to happen at his school.

Q. What did you tell him?

A. We told him that what had happened was because they wanted to hurt the government, the people in the building, and --

MR. TIGAR: Objection, your Honor.

THE COURT: Sustained. Instruct the jury will disregard that.

BY MS. WILKINSON:

Q. Did you explain to him that his school would not be bombed?

A. Right. We told him that -- that his school was a school on its own and that that wasn't the intention.

Q. Okay. Did you notice other problems with David at school?

MR. TIGAR: Ask that the last answer be stricken, also, your Honor.

THE COURT: Denied.

MR. TIGAR: About the intention.

THE COURT: Go ahead.

BY MS. WILKINSON:

Q. Mr. Westberry, tell the jury what happened to David at school, what reaction he had.

Glen Westberry - Direct

A. At school, he -- he became a little bit aggressive, and he also had a time where he'd sit and put his hands over his ears and -- because he couldn't take the noise. He wanted it quiet, and so he got real withdrawn and -- and just needed -- needed to be quiet. And then also, every morning that we took him, it was a time where he just cried from being scared.

Q. Did you and his mother determine that he needed counseling?

A. Yes.

Q. And what did he do? Or what did you do to assist him in that area?

A. We took -- we took him to see a counselor and so he could deal with some of the feelings that was going on inside him. We didn't want him having to grow up with that and having that not dealt with, and part of the -- the therapy that he went through was reconstructing the building with blocks of his own.

Q. Did his therapist ask him after he built the building with blocks to take the building down?

A. Yes. She thought it would be a way of him understanding a little bit more what happened and letting his feelings out to do that. And for a very long time, he wouldn't do it. He wouldn't allow anything to happen to the building.

Q. Did he get better?

A. He did get better. It took probably about eight to ten months before he had actually went there and allowed the building to be broken. And during that time, it helped because

Glen Westberry - Direct

he would talk about what it was like to miss his Papa, and we came up with different ways that he could still talk to -- you know, and communicate with his Papa.

Q. How did he communicate with his Papa?

A. What we would do is --

MR. TIGAR: Objection, your Honor.

THE COURT: Sustained.

BY MS. WILKINSON:

Q. Did your son, David, ever express a desire to die, Mr. Westberry?

A. On a number of occasions with his mom, he would -- they would be driving in the car and he would ask her when there was a red light if she would run the red light, and she asked him why because it would hurt other people and it could hurt them. And if he did that -- if she did that. And he said that -- that he knew that if they did that, that they could die and go to heaven to be with Papa because he missed him and wanted to be with him and wanted to play with him some more.

Q. Could you tell the jury the impact that the death of your father has had on you, your family, and your son?

A. For quite a while, with my son, he would -- even playing with the toys in the bathtub and different things, he would -- he would -- everything had to do with my dad. And he would wake up at night with nightmares and -- and dreams. For myself, it was -- it was losing a man that -- that I relied on

Glen Westberry - Direct

for wisdom and for encouragement. And our relationship had changed to the point over the last couple years to -- to where he was more of a friend as well as a dad and somebody that would give direction and feedback. And now times that you would take for granted, that you could just pick up a phone and write a letter and talk to him, it's just not there. So it's a -- it's just a sense of loss. It's a sense of being on your own.

Q. And can you tell the jury the impact the loss of your father has had on your mother.

A. I know for her -- they were married for, I think, about 36 years. And for her, it's a sense of losing her companion and her friend. Since all the kids had left, when they moved out to Oklahoma, they started spending -- doing things just for themselves and going places and doing things when -- that they hadn't been able to do, raising four kids. And I know for her, when she sees other couples like this, it's a tough time for her. It's really hard for her to see these things, knowing that she's never going to be able to have that again with my dad.

MS. WILKINSON: Thank you very much, Mr. Westberry. We have no further questions, your Honor.

MR. TIGAR: No questions, your Honor.

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

Members of the jury, let me just explain T

sustained

an objection to what Mr. Westberry was getting into and was talking about talking to his son about why. And of course, he was making assumptions and -- with respect to what he thought an answer should be, and that's why I sustained the objection to it, because of his assumptions as to what happened and why. Of course, we can't consider such testimony here.

Next witness.

MR. MACKEY: We'll call Matt Lotspeich.

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

(Matt Lotspeich affirmed.)

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

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

THE WITNESS: Matt Lotspeich, L-O-T-S-P-E-I-C-H.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Ryan.

MR. RYAN: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. RYAN:

Q. Good morning. How are you employed?

A. I'm an FBI agent.

Q. And when did you join the FBI?

A. May of 1989.

Q. Are you married?

Matt Lotspeich - Direct

A. Yes.

Q. Do you have children?

A. I have two little girls.

Q. And how old are you?

A. Two-and-a-half and five-and-a-half.

Q. How old are you?

A. I'm sorry. 34.

Q. All right. Where are you currently assigned with the FBI?

A. I'm currently assigned at Quantico, Virginia, at the FBI Academy.

Q. In April of 1995, where were you assigned?

A. The Oklahoma City division of the FBI.

Q. Do you recall the morning of April 19th?

A. Very well.

Q. Tell the jury where you were and what happened.

A. I was in the FBI office, which is approximately 4 to 5 miles from the Federal Center. I'm at my desk; and of course, we hear the bomb go off and we weren't sure what it is. I thought it was a sonic boom. Everything is rattling.

MR. TIGAR: Your Honor, may the witness be reminded that "tell the jury" doesn't really mean to tell the jury?

THE COURT: Yes.

BY MR. RYAN:

Q. Just talk -- just talk to me, Agent Lotspeich, if you would. Just direct your comments to me. Again -- sorry to

Matt Lotspeich - Direct

interrupt you -- go back to where you were, what you were doing on the morning of the 19th.

A. I'm at the office when the bomb goes off, and I think it's a sonic boom. My supervisor's office opens up to downtown. And you could see smoke coming up from downtown. His radio was on. And they begin talking about a bomb has gone off downtown, and part of the federal building is missing.

Q. What did you do?

A. About that time, pretty much just flabbergasted. Over the intercom, we receive a page for the S.W.A.T. team to immediately get downtown. And at that point, we get out of the office as fast as we can go and head downtown.

Q. Were you a member of that team?

A. Yes.

Q. And about how long was it before you arrived in downtown Oklahoma City?

A. From the time of the blast, approximately 15 minutes. We got downtown.

Q. Let me show you what has already been received in evidence as Exhibit 973. Is this a scene that you saw on the morning of April 19th?

A. Yes, it was.

Q. And when you arrived, where did you park?

A. I parked at the post office, which is half a block or a full block west of the federal building.

Matt Lotspeich - Direct

Q. In relationship to this photograph, where is it that you parked?

A. The tower that you see, I'm in between the smaller building and in between the apartment tower. I'm on the other side of the smaller building.

Q. After you parked your car, what did you do?

A. We began running towards the building. We -- we did not know if there was a threat, if someone was still down there attacking some people. We were unsure what was going on. And we were there to just assist any way we can or could and help out.

Q. Who was with you?

A. Agent Terry O'Brien was with me.

Q. He's another agent of the FBI in Oklahoma City?

A. Yes.

Q. And what did you do and Agent O'Brien do?

A. We ran to the front of the building, where we saw another agent, Agent Chuck Choney, who is a S.W.A.T. team leader. He was on approximately the northeast corner of what was left of the building. And we got to that point and we began talking to him.

Q. All right. After you talked to Agent Choney, what did you -- what was the course of action?

A. Agent Choney said, "Matt, why don't you and Darrell

Edwards, who's an ATF agent -- why don't you go to the rear of

Matt Lotspeich - Direct

the building and see if you could help out.

Q. The rear of the building is the south side?

A. The south side of the building, yes.

Q. Is that what you did?

A. Yes.

Q. After you got to the south side, the plaza area, what did you do?

A. There was an Oklahoma highway patrolman standing at the -- what was left of the entrance, and he was screaming for some rope. And I just took off running to look for a fire truck to try to get some rope. And there was a fire -- fire truck very close and a fireman on top of it and asked for some rope, and he threw me a bag. And I ran back to the front of the -- to the rear of the building, to that entrance.

Q. And what did you do with the rope?

A. The highway patrolman said they need it inside; and at that point, I started -- entered the building. And you couldn't walk in the building. It was -- it was just -- there was nothing there. It was just concrete and wires and cables and pipes and dust and dirt, and there was -- you could hear people hollering and -- and I kept going just towards the building. And I could hear a fireman. You couldn't quite see. And I'll describe where he was in a moment. You couldn't quite see him, but I could hear him.

So I took the rope and I just began crawling under and

Matt Lotspeich - Direct

over things that didn't -- I couldn't see very well -- just to get to where he was. And I assumed that's who needed the rope. I really didn't know. When I got into the building maybe 20, 30 yards, I could see him. And what had happened, the -- the concrete ceiling had broken and was down at an angle, and the floor was down at an angle. And where they came together is as far as you could see. I called it a hole. It was a -- it was a -- it was a hole, but it's where the two concrete huge slabs had came together.

Q. This is inside the building?

A. This is inside the building. And before I crawled down into that hole, there was -- the ceiling had broken away. And there was a refrigerator hanging up there maybe two or three stories above us, and it -- it was -- I was scared. I didn't know if -- what the refrigerator was going to do, if it was going to fall or whatnot.

Q. Was there anything, any floors, any ceilings between you and that refrigerator?

A. No. No. There was -- there was nothing there.

Q. All right. Did you keep on going?

A. I crawled down in the -- the hole, and you could hear -- the fireman told me someone was in there, and you could hear

the firemen told me someone was in there, and you could hear them. You couldn't see anything. He said there's somebody in there. And we just began digging with our hands and -- and just pulling out rubble and anything we could just to try to

Matt Lotspeich - Direct

make some headway because we could -- we could hear a voice, a cry, a murmur. And at that time, I thought it was a little girl. And I didn't know what it was. So we -- we just kept digging. And --

Q. Did you eventually get to this person?

A. We -- we got to the point where we got her shoulder exposed. And she could -- I think her hand came out. And --

Q. Was she able to tell you her name?

A. Yeah. We -- we had conversation. She was very scared. And it was a -- it was a horrible position. She -- I -- I can't imagine being in that position that she was in. She was pinched in between two, you know -- two huge slabs of concrete and covered with metal and debris and pipes and -- and you couldn't see in there. It was just so dusty and -- and I was terrified for her. I thought a shift in the building would crush her, and we were -- wanted to get her out as quickly as possible.

She really only -- there was such a small area, you couldn't dig really two people at once. You had to kind of take turns. And once we got her arm out, she wanted to hold your hand. She wanted to touch somebody, but you couldn't. You wanted to work with both your hands. So she grabbed onto my boot, I remember, and she called me "the boot man." It was Amy Petty who was pinned in there.

Q. She told you her name?

Matt Lotspeich - Direct

A. She told me her name.

Q. Let me show you what's been marked as Exhibit No. 970 for identification. Does this photograph depict the location where Amy Petty was trapped?

A. It does.

MR. RYAN: Your Honor, Government would offer Exhibit 970.

MR. TIGAR: May I voir dire briefly?

THE COURT: You may, yes.

VOIR DIRE EXAMINATION

BY MR. TIGAR:

Q. Good morning, Agent. I'm Michael Tigar.

The photograph that you're looking at there, sir: Do you know when that was -- Is Ms. Petty depicted in that photograph?

A. No.

Q. This was taken at some time after she was removed?

A. Yes.

Q. Okay. And do you know when it was taken, sir?

A. No.

--- ---

Q. Does it -- but how do you recognize -- I know the jury can't see it. How do you recognize it as the place where you were working that day?

A. I spent approximately four hours in that hole. And this may sound strange, but I know it very well.

Matt Lotspeich - Voir Dire

Q. Okay.

A. I know --

Q. So you're --

A. I know how those concrete pieces come together, and -- I know it well.

MR. TIGAR: You do. All right. Thank you, sir.

No objection.

THE COURT: Received. May be displayed.

DIRECT EXAMINATION CONTINUED

BY MR. RYAN:

Q. Now, if you would, you've got a pen there on your desk, Agent. And if you'll put it under the table, you can draw actually right on the screen that's below your desk. And if you would draw the location of where Amy Petty was in this photograph.

Now, was she -- was she in a chair? Was she -- in what way was she trapped in this space?

A. She was -- she was sideways. Her head was facing as the opening increases. She was in a chair, and she was hunched over. And her right side of her body was exposed to us. Only her upper torso.

Q. You say you spent about four hours with her.

A. Yes.

Q. Who else was with you?

A. There was a fireman that was in the hole. And a paramedic

Matt Lotspeich - Direct

worker was there off and on.

Q. As you were attempting to get Amy Petty out of this hole, did you hear other voices in the building?

A. You could -- you could hear -- you could hear other people, other noises. Not screams, but murmurs and cries.

Q. What happened to those murmurs and cries?

A. We -- we would stop digging and we would listen and we -- to the right of the picture was where we were hearing those noises and -- and we would listen and -- and we -- we would try

to move some of the blocks that were there and we -- we couldn't. And it would quit after a while. You wouldn't hear anything. And we would go back digging.

Q. Did there come a time that morning when you left Amy Petty?

A. Yes. One of the firemen came over to our position and said there's another bomb in here. We need to evacuate immediately.

Q. What did you say?

A. We -- we left eventually.

Q. Did you tell Amy Petty what you were doing?
A. We told her -- yes. We -- we told her that we had to leave for a short time and we would -- we would come back. We wouldn't leave her. We wouldn't do that.
Q. What did she say?
A. She -- she just cried. She was very upset.
Q. How long were you outside the building?
A. Maybe 15, 20 minutes. 10 minutes.

Matt Lotspeich - Direct

Q. And did you come back in the building?
A. Yes.
Q. Did you go right back to where she was?
A. Yes. There was some -- I found some other -- another FBI agent, Walt Lamar, and some Oklahoma City Police Department officers that were nearby and told them, "Hey, we've got somebody alive in there; we've got to get back in there." And I led them to the spot, and we took up digging again.
Q. Was Amy Petty rescued from the building that day?
A. Yes. Yes, she was.
Q. And did you see her the following day?
A. Yes, I went to the hospital the following day and checked on her.

MR. RYAN: Thank you. That's all I have, your Honor.

MR. TIGAR: No questions.

THE COURT: All right. You may step down. You're excused. Next, please.

MR. MACKEY: Call Mr. Chris Cregan.

THE COURT: Thank you.

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

(Chris Cregan affirmed.)

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

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

Matt Lotspeich - Direct

THE WITNESS: Chris Cregan, C-R-E-G-A-N.

THE COURTROOM DEPUTY: Thank you.

MR. MACKEY: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. MACKEY:

Q. Mr. Cregan, where do you live?
A. I live in Louisville, Colorado.
Q. And how long have you lived in Colorado?
A. I've been here now for six months.
Q. And before that, where did you reside?
A. In Moore, Oklahoma.
Q. Is that near Oklahoma City?
A. It's just on the outskirts of Oklahoma City.
Q. How long did you live in Oklahoma?
A. 37 years of my life.

Q. And how old are you?

A. 37.

Q. All right. I want to ask you a few questions about yourself and also about your mother, Kathy Cregan. Kathy was a victim of the Oklahoma City bombing, was she?

A. Yes, she was.

Q. All right. Mr. Cregan, are you married?

A. Yes, I am.

Q. And what's your wife's name?

A. Sondra Cregan.

Chris Cregan - Direct

Q. All right. And tell the jury, please -- direct your answers to me -- the family unit that you came from, your mother and father and siblings.

A. I have -- my father passed away 11 years ago, and I have two older brothers. And I have four nieces and two nephews.

Q. All right. When you graduated from high school,

Mr. Cregan, did you go off to the service?

A. Yes, I did.

Q. And how many years did you serve in the Air Force?

A. Four years.

Q. And after that time, what have you done?

A. I've worked for Seagate in the computer industry.

Q. Is that the business you're employed by currently?

A. Yes.

Q. At the time of your mother's death, who was she employed by?

A. Social Security.

Q. And how long had your mother worked for the Social Security Administration?

A. 14 years.

Q. Tell the jury -- jurors, please, Mr. Cregan, what jobs she had and what responsibilities she carried out on behalf of Social Security.

A. She was a service rep. She handled the claims and kind of took care of -- troubleshoot the claims that were being made.

Chris Cregan - Direct

Q. And did she tell you what she thought about the job that she did for Social Security?

A. She loved her job.

Q. All right. Do you know where her office was located?

A. It was on the 1st floor of the Murrah Building.

Q. And do you know where on the 1st floor it precisely was in April -- April 19th of 1995?

A. Yes. She was -- it was the east side of the building, I believe.

Q. How close was it, Mr. Cregan, to the glass walls?

A. She was very close. She was like probably 4 feet away from the glass walls -- her desk was.

Q. How long had her work station been at that spot before the bombing?

bombing.

A. For about three -- I think about three months.

Q. Mr. Cregan, how old was your mother when she died?

A. She was 61.

Q. Would you tell the members of the jury when you last spoke to your mother.

A. Easter Sunday.

Q. All right. Describe that conversation.

A. We talked about -- she was going to come over for Easter dinner, and she was talking about how she wasn't going to be able to because of her -- she was having knee problems and -- and so she was kind of flat -- she was flat on her back and she

Chris Cregan - Direct

really couldn't get around. She was telling me how she wasn't -- she was trying to get out of jury duty. She was supposed to be on jury duty on that -- starting Monday, and she was going to get a doctor's statement.

Q. Did your mother have some health problems in the spring of '95?

A. Yes, she did. She had been ill most of my life.

Q. All right.

A. And so she had to be fed through a port in her chest.

Q. And despite those health conditions, did she report to work and serve at the Social Security Administration?

A. Yes, she did.

Q. All right. What was her time of entry to the job? What time of day did she go to work?

A. She usually went in about 6:45 and -- and worked till 3, 3:30, I believe.

Q. Now, in the spring of 1995, was she living alone, or with anyone else?

A. She was living with my middle brother at the time.

Q. All right. And had he experienced some personal problems and needed to take shelter with your mother?

A. Yes. Yes, he did.

Q. All right. Mr. Cregan, would you tell the jury where you were on the day of the bombing and how you first came to know of that event.

Chris Cregan - Direct

A. I was at work. And I was just -- I was at my desk, and then I heard a big blast and it shook the -- the pictures on the wall. And so I just went and got coffee and come back. And we looked outside and seen it wasn't thunder -- no clouds out, so we didn't think it was thunder. So I went back to my desk. And then my secretary come in and said that, you know, they had heard there had been a blast at the courthouse.

Q. What distance was your building from downtown Oklahoma City?

A. About 10 miles.

Q. All right. And you could -- you felt the blast?

A. I felt it and heard it.

Q. Where was Sondra's place of business or place of work?
A. She was three blocks away.
Q. In downtown Oklahoma City?
A. In downtown Oklahoma City.
Q. And did you talk to Sondra that morning?
A. Yes, she (sic) did. She was the one that called -- that called me to tell me that it was my mom's building and I needed to get down there.
Q. All right. Had she gone out to investigate the blast and saw that it was your mother's building?
A. Yeah. She went down -- there was some -- some of the architects in her firm that had got to the corner of the federal courthouse and stopped her and told her to wait there

Chris Cregan - Direct

until they went up and checked it out and come back and told her, "You need to go call your husband now." She called me.
Q. When you learned that your mother's building was the site of the blast, what did you do, Mr. Cregan?
A. I immediately left work and -- and got in the car and headed -- headed that way.
Q. And did you route yourself, then, to your mother's home?
A. Yes, I did. I was getting -- I was calling her home phone number and I -- I was getting a busy signal. And so then I decided to -- to go to her house, because I knew if she was there, at least I knew she was there and she would be upset over what had happened. And I seen my brother who lived with her was at work, at his job, so I thought it wasn't him. So I just went ahead and went there. And too, they were telling us -- people not to come downtown unless, you know, you were emergency medical personnel.
Q. Why did you hope that your mother had -- was at home instead of in the building that morning?
A. Because I -- I just didn't want to find out that she was -- because I knew where her floor was and I -- you know, that building. I just knew that if something happened, she would be close.
Q. When you discovered that your mother was not at her home, did you and Sondra then go downtown to Oklahoma City?
A. Yes. Me and Sondra -- me and my wife and my oldest

Chris Cregan - Direct

brother -- we went downtown and started searching for her, trying to get information and --
Q. How close were you able to get to the building?
A. 9th and Hudson. About four blocks away. They had the perimeter pushed out that far at that point.
Q. All right. Were you able to get a glimpse, at least in your visit downtown, of the building itself?
A. Yes, I did.
Q. And what was your reaction?
A. Shock. I just -- I just didn't think anybody walked out

alive. I just knew at that time, kind of felt that she was gone.

Q. Mr. Cregan, how many days did you and other family members wait to hear the news of your mother's death?

A. I waited four days.

Q. All right. And can you describe to the jury what that waiting period was like?

A. It is the hardest thing I'd ever been through in my life, wondering -- you know, at that point, you're just hoping you get -- you know, get her back. And it was a -- it's hard to describe. It was the hardest anything -- I wouldn't wish it on nobody.

Q. Mr. Cregan, would you tell members of the jury and his Honor who Kathy Cregan was.

A. She was a very compassionate, very loving mother. She

Chris Cregan - Direct

would do -- she would give a stranger the shirt off her back. She would always take in -- you know, she would take in stray animals; and she was just a very, very loving mother. Always took care of us. Always -- we always came first.

Q. I want to show you a photograph.

MR. MACKEY: Government Exhibit 2216 that I'll offer into evidence.

MR. TIGAR: No objection, your Honor.

THE COURT: Received. May be published.

BY MR. MACKEY:

Q. The jury is now looking at that photograph, Mr. Cregan. Who's in that photograph?

A. That's my mom.

Q. All right. Mr. Cregan, a final question, please: Would you describe for yourself, as well as your brothers, the impact of the death of your mother.

A. It's -- it's been a major impact. I mean, it's changed my life forever. I've lost that sense of security that, you know, my mom -- I always knew she was there. She would always be there. If anything happened to -- if me and my wife were ever in a car wreck and my wife was killed, I always knew my mom was there. She would always be there to take care of me. So you lose that sense of security. Plus, you know, you just can't replace a mom.

Q. In your case, Mr. Cregan, has the death of your mother

Chris Cregan - Direct

caused separation among your brothers?

A. Yes, it has. It's divided our family. So I've lost my brothers over this, too.

MR. MACKEY: Thank you so much.

MR. TIGAR: No questions.

THE COURT: Any questions?

You may step down. You're excused.

I think we'll take our morning recess at this time, members of the jury, for the usual about 20-minute break. And

members of the jury, for the usual about 20-minute break. And of course, as usual, please keep open minds and avoid discussion of the proceedings here among yourselves and with all others, and continue to avoid anything outside of the information being provided you and the evidence that was provided you, to be certain that you can decide this in accordance with the instructions that will be given to you as you decide on the basis of what you see and hear in the courtroom.

You're excused now. 20 minutes.

(Jury out at 10:11 a.m.)

THE COURT: We'll be in recess.

(Recess at 10:12 a.m.)

(Reconvened at 10:30 a.m.)

THE COURT: Be seated, please.

You have a matter, Mr. Tigar?

(At the bench:)

(Bench Conference 146B2 is not herein transcribed by court order. It is transcribed as a separate sealed transcript.)

(In open court:)

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

THE COURT: Next witness, please.

MR. MACKEY: Judge, we'll call David Florence.

THE COURTROOM DEPUTY: Raise your right hand, please.

(David Florence affirmed.)

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

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

THE WITNESS: It is John David Florence, II. It's F-L-O-R-E-N-C-E.

THE COURTROOM DEPUTY: Thank you.

MR. SENDEL: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. SENDEL:

Q. Would you tell us where you live, please, Mr. Florence.

A. I live in Oklahoma City.

Q. Who do you live with?

A. Right now I live in my parents' home with my son, Tray. They help take care of him for me.

Q. Where is that located?

A. It's in the northwest part of town. They've lived there all my life -- or I've been there all my life.

Q. How long have you and your son been living there with your parents?

David Florence - Direct

A. Since April 19.

Q. Of 1995?

A. Of 1995, yes, sir.

Q. Are you employed, Mr. Florence?

A. Yes. I work at Fred Jones Manufacturing in Oklahoma City.

Q. How long have you had that job?

A. I've been with Fred Jones 21 years now.

Q. Did you lose your wife in the Oklahoma bombing?

A. Yes, sir, I did.

Q. What was her name?

A. Linda Florence.

Q. Where did Linda work?

A. She worked for the Department of HUD on the 7th floor of the Murrah Building.

Q. What was her job with HUD?

A. She was a secretary for the multifamily division of HUD and --

Q. How long had she been there?

A. Oh, about five years, a little over five years.

Q. And in addition to your wife's job there in the Murrah Building, was she also involved in activities in the Murrah Building?

A. Yes. She was part of the Federal Women's Group there. She was the historian of the group, and she had been doing that for a couple years.

David Florence - Direct

Q. And what was your understanding of what the Federal Women's Group did?

A. They did projects like fundraisers for, oh, scholarships for students. They would have parties like for the day care, just different projects. She did a project for the Federal Women's where she was the -- helped put on the presentation for the women of the federal government, and she had done that.

Q. In April of 1995, how long had you and Linda been married?

A. Almost 17 years.

Q. You mentioned earlier your son, Tray. What is his full name?

A. It's John David Florence, III, and Linda wanted to call him that and then call him Tray as a nickname.

Q. When was Tray born?

A. He was born October 22, 1995 -- '93. I'm sorry.

Q. Now, prior to the birth of your son, Tray, had you and Linda tried to have children before?

A. We had tried for 10 years to have a child, and we had no success doing that. And then we decided we would try to adopt; and in December of '92, adoption agency approved us. And -- and then in February --

Q. Did you find in February that you were going to have a child?

A. Yes. She came home. And I was home from work before she did; and she came home and I was sitting on the couch reading

David Florence - Direct

the paper. And she says, "You're not going to believe this."

I said, "What's that?"

And she says, "I'm pregnant."

And after all the trying to get pregnant all the years, it was such a joy. And he's our miracle baby.

Q. I'd like to show you a photograph we've marked as Exhibit 2207. If you'd look at the screen in front of you, please, Mr. Florence. And who do we see in that picture?

A. That's Linda and our son, Tray.

MR. SENDEL: Your Honor, I'm going to offer 2207.

MR. TIGAR: No objection, your Honor.

THE COURT: Received, may be shown.

BY MR. SENDEL:

Q. If you would again, please, Mr. Florence, identify the people we see in the photograph.

A. There is myself, and there is Linda. She was so happy that day. And then our son, Tray.

Q. About how old was Tray when this picture was taken?

A. He would have been 18 months old the 22d of that month, and that was in April.

Q. Outside of work and your family, did your wife, Linda, have some hobbies that she enjoyed?

A. Yes. She liked sewing and needlepoint, cooking. She liked to -- make and decorate cakes. She loved to read. She just read all the time, and she enjoyed that very much.

David Florence - Direct

And photography, and she was just -- did a lot of things.

Q. How did you first hear about the bombing at the Murrah Building, Mr. Florence?

A. I was at work that morning, and I called downtown. I was at the other plant, and we were having trouble with our computers, and I had called downtown and to the Information Services to see if I could get some help. And Tommie answered the phone down there, and she hung up on me and said there was some kind of explosion.

So I called back another one of my employees that was

... the 4th floor. ... and she said, "What's going on?"

up on the 4th floor, Viola, and I said, "what's going on?"

And she said, "Well, there has been -- something has happened, an explosion." And she said, "Maybe it's at the new County Jail because of all the trouble they had there."

And so I got off the phone and I walked up to the front office, and they had the television on. And first I didn't recognize what was going on in the building, and then it just kind of hit me. And I tried to call Linda.

Q. After you realized it was the Murrah Building, did you then go downtown?

A. Yes. Loren, another supervisor there, we got in the car and we drove down and got as close as we could.

And then I got out of the car because of the traffic was all backed up and I got -- I started on foot. And I worked

David Florence - Direct

my way up around to the front of the building, and it was gone.

Q. After you got to the front of the building, Mr. Florence, did you get some word that you thought maybe Linda might be in a local hospital?

A. Well, they -- we went kind of corner -- from corner to corner, and I ran into Steve Nix, another employee of Fred Jones; and his wife worked for HUD, too. And we worked our way to St. Anthony's, and we spent the day there and until they closed that. And then we went to the First Christian Church where they took information about Linda.

And that night after I got home -- well, over my parents' home, our next-door -- their next-door neighbor, Mary, came over -- and it was about midnight -- and said that her name was on a list; that she was at St. Anthony's.

We went to St. Anthony's then, and I went up to the reception and asked if she was there, and she wasn't.

Q. How long did you have to wait, Mr. Florence, before Linda's body was identified?

A. I received a phone call about 4:00 on the following Wednesday to come down to the First Christian Church where they notified me of her -- of her then.

Q. Would you tell us, please, Mr. Florence, the effect the loss of your wife, Linda, has had on you and your son, Tray?

A. Well, we lost our life, too. We've had to build a new life, or we're trying to. We don't live in our own home, and

David Florence - Direct

we're trying to go forward.

Q. Mr. Florence, you mentioned to us that one of the hobbies your wife enjoyed was photography?

A. Yes.

Q. While you were waiting for word of your wife, did you go to see if she had left some pictures to be developed?

A. Well, it was kind of a fluke that I even thought about it. I had to go to Hyde's Drug to get a prescription. And while I was there, I just happened to ask about this roll of film that we had finished up on Easter. and I had given it to her and she

she had finished up on Easter, and I had given it to her and she had put it in her purse. And so I walked over to the counter where the film was; and I asked, and it was there. And she had put it in on the 18th on the way home from work.

Q. And did you pick up the pictures that had been developed?

A. Yes, I picked them up.

Q. I'd like you to --

MR. TIGAR: May we approach, your Honor?

THE COURT: Yes.

(At the bench:)

(Bench Conference 146B3 is not herein transcribed by court order. It is transcribed as a separate sealed transcript.)

David Florence - Direct

(In open court:)

MR. SENDEL: I'd like to show --

THE COURT: You may continue.

BY MR. SENDEL:

Q. I'd like to show you what we've marked as Exhibit 1485. If you'd look at the photograph in front of you, Mr. Florence.

A. Yes, I see it.

Q. Is this one of photographs that your wife took?

A. It was one of them on the roll of that film.

MR. SENDEL: Your Honor, I'm going to offer 1485.

MR. TIGAR: No objection, your Honor.

THE COURT: It's received.

BY MR. SENDEL:

Q. When was this photograph taken?

A. It was taken Good Friday in the Murrah Building. The kids -- the women's group that she was with had an Easter party for the kids.

Q. This photograph: Did you see that it was later made available to the parents of the children in the day care?

A. Yes. Our pastor's wife, because I didn't know what to do with them -- and she took them; and the parents that had lost children were meeting. And she had taken the pictures and laid them out on the table and let them pick what ones they would like and then had copies of them made for them so they would have pictures, because they may have been the last ones of

David Florence - Direct

their children.

MR. SENDEL: Thank you, Mr. Florence. I have no further questions.

MR. TIGAR: No questions, your Honor.

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

THE WITNESS: Thank you, your Honor.

THE COURT: Please.

MR. MACKEY: Martha Ridley.

THE COURTROOM DEPUTY: Would you raise your right

hand.

(Martha Ridley affirmed.)

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

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

THE WITNESS: My name is Martha Ridley. It's spelled R-I-D-L-E-Y.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Goelman.

DIRECT EXAMINATION

BY MR. GOELMAN:

Q. Good morning, Ms. Ridley.

A. Good morning.

Q. Are you here today to talk a little bit about your daughter, Kathy, who died in the Oklahoma City bombing?

A. Yes, sir, I am.

Martha Ridley - Direct

Q. Where do you live?

A. I live in Del City, Oklahoma.

Q. Can you describe your education, briefly.

A. I have a master's degree in business education. I'm a former teacher. I'm employed now. I work full-time.

Q. Where do you work?

A. I work for a company called The Mail Room. We're counter agents for Fed Ex, UPS, and the Post Office; plus we have a tag agency in the business, also.

Q. Do you work up in Del City?

A. No, I don't. I work up in The Village, which is up at 104th and Main.

Q. Is that in Oklahoma City?

A. Yes, sir, it is.

Q. I want to show you Government's Exhibit 2213.

MR. GOELMAN: I offer it, your Honor.

MR. TIGAR: No objection, your Honor.

THE COURT: Received.

BY MR. GOELMAN:

Q. Could you please identify who the people in this picture are, Ms. Ridley.

A. It's my father, my son, my daughter and myself.

Q. Okay. And your daughter: Is she on the back right-hand --

A. She is in the right-hand corner. Her name is Kathryn Elizabeth Ridley, and she was 24 years old when she got killed.

Martha Ridley - Direct

Q. Would you briefly describe what Kathy was like.

A. She was a very vivacious, outgoing person. She liked music, she liked to sing, she liked to draw, and she was a very easy, outgoing-type person.

Q. You said that she was 24 when she died?

A. Yes, sir.

Q. Had she had to battle through some adversity in her life?

A. Yes, she did. She was highly intelligent, but school was not her favorite subject. She enjoyed most of it, but she did not graduate from high school. I had three sons that graduated but she did not. And she had a few problems that she tried to overcome, and she had gotten to the point where she was in the Job Corps and she was trying to get her life together and further education and be able to go on to be able to make a life for herself and two little girls.

Q. She had two little girls?

A. Yes.

Q. How old were they when she was killed?

A. At the time when she was killed, her oldest daughter was just a little over 4 years old, and the baby was 4 months and 4 days old.

Q. And you mentioned something about Job Corps?

A. Yes. She was -- she had just come off from maternity leave to go back to the Job Corps up in Guthrie. And she had about 4 to 6 months of her training to complete and she would have been

Martha Ridley - Direct

a -- she wanted to become a welder, a certified welder.

Q. What is the Job Corps?

A. The Job Corps is a retraining program for young people that have dropped out of high school or have had problems getting through school. And it offers them a vocational education. Training-type program is what it is. It's a very good one.

Q. It's a government program?

A. Yes, sir, it is.

Q. You said that Kathy had not graduated from high school?

A. No, sir, she did not.

Q. Had she ever gone back to school to get her diploma?

A. No, she didn't, but she completed her GED while she was in the Job Corps.

Q. And when did she first enter the Job Corps?

A. She went into the Job Corps in March of 1994. She was in Job Corps until that October. She became involved with an individual that worked on the Job Corps site. She got pregnant, and they let her stay until, I think, around the middle of October of '94. And the baby was born the 15th of December of '94. And she was on maternity leave and had just been granted permission to go back.

Q. And that was in April, 1995?

A. Yes, sir.

Q. Was there some urgency for Kathy to go back to the Job Corps right then?

Martha Ridley - Direct

A. Yes, there was, because she was getting near the age where that by the time she would have completed her training, she would have been past the age limit and she had to go back then. If she hadn't have, they would not have let her go back in to finish her training because she would have been 25 that following December and that's the maximum age limit for the

following December, and that's the maximum age limit for the Job Corps.

Q. When was Kathy initially supposed to go back to the Job Corps?

A. She had been to the Job Corps about a week before that, and she went up there and spent the day; and they had lost her records, and they couldn't find her records, so they sent her back home the same day that she had gone up there. And then they found her records within the next few hours after that, apparently; and then they told her to be ready to go back on the 19th.

Q. On April 19?

A. Yes, sir.

Q. What did you do on the morning of April 19?

A. Well, morning of April 19, we got up. We had both the little girls. I had the girls in day care. She had given me sole custody of the girls on the 21st of March, and I had the girls enrolled in day care. And we got up, we took the girls to day care first; and I was driving down Shields Boulevard and had just crossed the downtown area. And I had to pull over

Martha Ridley - Direct

into a parking lot which was the old Santa Fe train station. I'm not sure of the exact name of the street there. And I had her things. She had everything she had with her. She was headed back to Job Corps. I had everything in the trunk of my car, so I had to stop there to let her out. And she got everything out of there and she got out of the car, and I told her, "Call me when you get to Job Corps." And -- because I didn't know if they had changed anything around or not.

And I got back in my car and I headed up to 5th and went over east and took 77 and went up on to work, because I work up at Hefner and May, and that's the fastest way for me to get up there.

Q. Mrs. Ridley, what was Kathy's plan to do that morning in Oklahoma City?

A. Well, she was going to the -- drop her bag and her things off at the Job Corps office, which was in the Athenian Building.

Q. Where was the Athenian Building located?

A. It was just northwest of the Murrah Building.

Q. Was there a parking lot in between the Athenian Building?

A. There was a parking lot there, and I don't know -- I don't think she ever made it to the Job Corps site, because I was at work -- I had just gotten into work and I wasn't at work less than 1 or 2 minutes and we heard the explosion.

Q. And she never called you?

Martha Ridley - Direct

A. She never called me, no. And what had happened was I waited most of the day. I felt in my heart she was in it, but I couldn't prove it. And I waited most of the day. I called the Job Corps. They had no record of her being up there, and

they couldn't find her, and it was just one of those things that you just sat and you wait and you wait and you wait, and that's what I had to do.

Q. Did there come a time when your daughter's body was positively identified?

A. Yes, sir. It was identified -- I think it was on the 28th of October (sic), the prior Monday. The Medical Examiner had called my daughter -- daughter-in-law and asked for Kathy's dental records from the Job Corps.

They got them that Monday; and that Thursday, they positively identified her.

Q. Did they tell you why they needed her dental records to identify her?

A. Yes. Because the top of her head had been blown off, and I believe one of her feet were missing, also.

Q. Did you recover any possessions that your daughter had with her that morning?

A. The only thing that I recovered when they called us up to the church was a manila envelope with two rings in it. And when I -- and they found a -- it had a -- there was a ballpoint pen in there that they thought was hers. And the pen was not

Martha Ridley - Direct

hers because from where she was at in the intensity of it, the pen wouldn't have been there, either, but the pen belonged to someone else. But all I got back was two rings. I opened up the envelope, and there was charred flesh on the inside of the rings. This came out in my hands when I got the rings out.

Q. You mentioned that you have three sons.

A. Yes, sir. I have my oldest son -- is deceased. I have a son in Chicago, Illinois, who is in his mid 30's; and then my son James is in Oklahoma City with me. And as far as my family in Oklahoma City is concerned, I have three granddaughters, my two granddaughters that belonged to my daughter, and my son has a daughter; so there is just five of us in Oklahoma City.

Q. Was Kathy your only daughter?

A. Yes, sir. She was my youngest child and my only daughter.

Q. How did her death impact you and her two children?

A. Well, it just left a gaping hole in everybody's life, because No. 1, there are no fathers involved with the two granddaughters. My oldest granddaughter was a product of a rape when she was 19 years old. Kathy had a very hard time dealing with that. So I had Marty, the oldest one -- her name is Martha Elizabeth. I've had her since she was 4 1/2 months old. And the baby's father was killed in Houston, Texas, six weeks before she was born. So there are no fathers involved, and my son and I are the only two family members other than the girls in Oklahoma City.

Martha Ridley - Direct

Q. Is there anything about raising your two granddaughters that reminds you of the loss of your own daughter?

A. Yes, because my oldest grandchild, Marty, is the spitting image of her mother and she remembers her mother, she talks about her every day. The baby, of course, does not realize who -- I'm mom to her and -- but she talks to Katie, who just turned three years old on the 15th of December. Marty turned 7 on the 27th. My daughter would have been 27 on the 2d of December, and Marty talks about her mother every day. She sees things around the house that reminds her of her, and the pain and the memory -- nothing ever goes away. It's always there.

MR. GOELMAN: Thank you, Mrs. Ridley. That's all I have.

MR. TIGAR: No questions, your Honor.

THE COURT: You may step down, and you're excused.

MR. MACKEY: Donald Clark.

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

(Donald Clark affirmed.)

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

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

THE WITNESS: And spell my last name?

THE COURTROOM DEPUTY: Yes.

THE WITNESS: It's Donald Martin Clark, C-L-A-R-K.

Martha Ridley - Direct

THE COURTROOM DEPUTY: Thank you.

DIRECT EXAMINATION

BY MR. ORENSTEIN:

Q. Good morning, Mr. Clark.

A. Good morning.

Q. Would you tell the jury where you're from, please.

A. I live in Owasso, Oklahoma.

Q. That's W-A-S-S-O, Oklahoma?

A. O-W-A-S-S-O, yes.

Q. I'm sorry. And where did you grow up?

A. I grew up in Midwest City, Oklahoma, which is a suburb of Oklahoma City.

Q. What do you do for a living, sir?

A. I am a communications tech for Southwestern Bell Telephone Company.

Q. Is that in Oklahoma City that you are working?

A. Yes, sir.

Q. Do you have any children?

A. Yes. Three.

Q. And what are their names?

A. Chris, Carrie, and Laurie.

Q. Do you have any brothers or sisters?

A. Yes, I have a brother, Dale Clark; and I had a sister, Kimberly Kay Clark.

Q. And did your sister, Kimberly, die in the bombing in

Donald Clark - Direct

Oklahoma City?

OKLAHOMA CITY:

A. Yes, sir. Yes.

Q. Were you and Dale and Kimberly the natural children of your parents?

A. No, sir. We were not.

Q. You were all adopted?

A. Yes.

Q. Where was Kim living when she was adopted by your parents?

A. She was born in Hong Kong and came to the United States in August of 1959.

Q. She had been orphaned in Hong Kong?

A. She was left in an orphanage there in Hong Kong.

Q. How old was she when your parents adopted her?

A. She was three.

Q. Had your parents already adopted you and your brother by that time?

A. Yes. They adopted my brother in 1949 and me in 1958.

Q. What was Kimberly's job at the time of her death?

A. She was a paralegal in HUD.

Q. And how long had she been working for HUD?

A. I think approximately five years.

Q. Did she enjoy her work there?

A. Yes, she did.

Q. Was she close to some of the people she worked with?

A. Yes, she was.

Donald Clark - Direct

Q. I'd like to show you a picture --

MR. ORENSTEIN: This is already in evidence, your Honor. Government's Exhibit 2217.

BY MR. ORENSTEIN:

Q. Do you recognize that picture?

A. Yes, sir, I do.

Q. Mr. Clark, do you recognize the people who are in it?

A. Yes, sir, I do.

Q. Would you tell the jury who those folks are and tell them what their relationship was with your sister.

A. Up front in the dark -- with the dark hair is my sister, Kim. Over to the right is Lee Sells. Beside her is Mike Weaver. Next to him is Susan Ferrell, and next to her is Clarence Wilson.

Q. Just for the record, that's Kim, second from the left?

A. Yes.

Q. And were these folks that she worked with?

A. Yes, sir, they were.

Q. Was she particularly close with any of them?

A. Yes. She was particularly close with Lee Sells. Lee always would talk to us if we called up to the office for Kim and Kim didn't answer her phone. Then Lee would visit with us for a little bit. If we came up to visit, then yes, they were close friends, yes.

Q. You told us that your sister had been with HUD for several

Donald Clark - Direct

years. What kinds of jobs had she had before that?

A. She had worked for the State of Oklahoma. She had worked for the FBI. She worked at the El Reno Penitentiary. She worked at the VA Hospital. She worked for a short while for Kerr-McGee Oil Company, and she worked for the Department of Social Security.

Q. And with the exception of the time she was at Kerr-McGee, all those jobs, she was a public servant?

A. Yes, sir, she was.

Q. And in what state did she work in all those jobs?

A. In Oklahoma.

Q. Did you ever hear about her talking about leaving Oklahoma?

A. Yeah. She used to -- she used to say all the time that she was interested in moving to like Dallas or Atlanta or maybe Los Angeles or somewhere. Yes.

Q. Why was she thinking about that?

A. Because she thought there might be more men available out there.

Q. Your sister wanted to get married?

A. Yes. Very much so. Yes.

Q. As it turned out, did she find a good man right at home in Oklahoma?

A. Yes, sir, she did.

Q. Had she gotten married at the time of her death?

A. No, sir, she had not.

Donald Clark - Direct

Q. About how long before she died did she become engaged?

A. She became engaged December of '94.

Q. And when was she planning to get married?

A. May of '95.

Q. Mr. Clark, I'd like you to talk to us a little bit about the month before May of '95.

A. Sure.

Q. April of '95. Where were you on the morning of April 19?

A. I was at -- at work at Southwestern Bell at an office. I worked in the SEC, which was housed in a central office building at 23d and Ollie.

Q. That's about half a mile from the Murrah Building?

A. Yes.

Q. Did your wife work there, too?

A. Yes. My wife also worked there in the SEC.

Q. How did you and your wife learn about the bombing that morning?

A. My wife was -- her station was across the room from where I was; and when I got to work, I usually wandered over there about 8:30 or 9:00 after I had kind of settled in and logged in. I went over there and she was working with some people from Tulsa and from the -- and some special circuit testers from the Southwestern Bell offices that are located on Dean A. McGee.

One of the testers said something just happened and

Donald Clark - Direct

excused herself on the phone and went to a window to look and see.

I was standing by my wife's desk, and apparently the tester came back and said something has blown up.

They mentioned something about the Federal Reserve, and they -- so I went back across over into my work area, and we took a look at the Federal Reserve's DID trunks, which are direct, inward-dial trunks for people to call the Federal Reserve. They were all up and operational.

I went back over to my wife's desk and I said, "Well, those are in service."

And about that time she said, "Well, somebody says it's one of the federal buildings downtown."

She had her keys laying right there on her desk, and I picked them up and I said, "I'm going downtown." And I left and headed downtown.

Q. When you arrived downtown, where did you go?

A. I -- I parked on 6th Street next to the federal credit union in their parking lot, which is about a block and a half from Robinson. I could see smoke, but I couldn't really tell what was, you know -- what had happened; and so I ran up the block and made it to Robinson, where I turned south. And I got to the corner of the YMCA, and I looked up and I saw the building; and where Kim's office had been was where this hole was. And there wasn't -- I mean, it was gone. There were no

Donald Clark - Direct

offices there at all.

Q. When you saw what the building looked like, did you expect to see your sister again?

A. No. I think I -- I knew that she was gone.

Q. How long did it take before you and the rest of your family learned for sure?

A. The following Monday at 5:00, we received word that she had been found.

Q. Can you tell the jury what those five days were like for you and your family.

A. They were extremely long. They were extremely frustrating and sad. A lot of time we spent praying, even though I knew that she was gone; but, you know, times like that, you made -- you try to make a lot of deals with God, but unfortunately, you can't always -- always come through with every deal that we want him to, so it was -- it was very long and very, very frustrating.

Q. Mr. Clark, tell us what kind of person Kimberly Clark was.

A. My sister was a very innocent person. She believed that everybody was extremely, extremely kindhearted and good. She always tried to help everybody that she possibly could.

She always befriended people that maybe were sometimes a little bit different from what you might say was the norm.

If someone might be an outcast, then she made sure that she was their friend.

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She -- I had a man tell me shortly after she died that he had come to school in the 7th grade and spoke very little English, and he had no friends because no one would talk to him. He came from Italy. And he told me that she would sit and visit with him at lunch and when she could and that she was his only friend.

And I thought that was so remarkable that somebody would 26 years later think that it was important enough to -- to tell me that.

Q. Did Kimberly have a neighbor who had some difficulties in life?

A. Yes. She lived in my grandfather's house after he passed away, and there was a man and his mother. And the man is mentally retarded and somewhat deformed, and his mother was extremely elderly. And she would take them to the store or go to the store for them, and on Thanksgiving she made sure that they had Thanksgiving dinner. She always did things like that for people. I mean -- I mean it's unbelievable the number of people that she touched and helped. It's -- it really was unbelievable that somebody could touch so many people in such a short time.

Q. Your sister was employed by the government, you told us. Did she also do some military service?

A. Yes. She was in the U.S. Naval Reserve. She joined after she was already 30 years old. She loved it. She loved the

Donald Clark - Direct

travel. She met many, many people, made lots of -- lots of friends and worked even outside her Saturday and Sunday duty to do things for the Naval Reserve, where she was a paralegal for them, also.

Q. Mr. Clark, as you look back on your life with Kimberly, what was the happiest time in her life?

A. The happiest time of her life was from the time that she met her fiance, Namat Moeini, and with her plans for getting married. She -- on Easter Sunday, she told a cousin of ours that's a year younger than I who is not married -- she -- they were talking about the fact that Kim was getting married, and she -- she told my cousin, she said -- she always had a way of either patting or tapping you, and she said, "Don't give up hope. I got one." And she was very, very happy.

Q. Finally, Mr. Clark, would you tell us what effect and impact Kimberly's death has had on you and the members of your family.

A. It's been a great loss. My mom has made the comment that she feels bad sometimes that they brought her -- Kim here from Hong Kong for her to end up like that.

We've told her that Kim had a happy life and was a

we've told her that him had a happy life and was a good person and was very, very devoted to both my parents.

She -- she was a remarkable person. She touched all of my children, my brother's children. She was an inspiration to them all and an excellent role model; that if they can even

Donald Clark - Direct

by one-tenth live up to her standard, then they will certainly be good citizens and wonderful people.

MR. ORENSTEIN: Thank you, Mr. Clark.

THE WITNESS: Thank you.

MR. ORENSTEIN: That's all I have.

MR. TIGAR: That's all I have, your Honor.

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

MR. MACKEY: Mr. Don Ferrell.

THE COURT: All right.

THE COURTROOM DEPUTY: Raise your right hand, please.

(Donald Ferrell affirmed.)

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

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

THE WITNESS: Donald F. Ferrell, F-E-R-R-E-L-L.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Mearns.

DIRECT EXAMINATION

BY MR. MEARNS:

Q. Good morning, Mr. Ferrell.

A. Good morning.

Q. Where do you live, sir?

A. Chandler, Oklahoma.

Q. How long have you lived in Oklahoma?

A. All my life.

Donald Ferrell - Direct

Q. Are you married, sir?

A. Yes, sir.

Q. What's your wife's name?

A. Sally.

Q. How long have you been married?

A. 44 years.

Q. You and Sally have any children?

A. Yes, sir.

Q. How many children do you have?

A. We had two.

Q. Did you lose one of your daughters in the bombing in Oklahoma City?

A. We did.

Q. I'd like you to look, if you would, at your screen at Government's Exhibit 1469.

MR. MEARNS: And we'll offer that exhibit at this time, your Honor.

MR. TIGAR: No objection, your Honor.

THE COURT: The exhibit is received, may be

displayed.

BY MR. MEARNS:

Q. Mr. Ferrell, would you tell us who the people in the picture are.

A. On the left is our daughter Cindy. That's me in the middle and daughter Susan.

Q. Which of your two daughters did you lose in the bombing in

Donald Ferrell - Direct

Oklahoma City?

A. Susan.

Q. And how old was Susan when she was killed?

A. 37.

Q. And how old is your daughter Cindy?

A. 37.

Q. She's 37 now?

A. Now.

Q. Where were you on April 19, 1995?

A. We were in Fort Worth, Texas, in a hotel room; and we were getting ready to go out for the day. And my wife -- we were watching CNN. My wife said, "There has been an explosion in the courthouse in Oklahoma City."

And I assumed it was a boiler explosion. We thought it was the county courthouse.

Pretty soon, they said it was the Federal Courthouse and then they said it was the Murrah Building. And we called home. We called Susie's home phone, thought perhaps she might still be at home, got her office phone, got an answering machine. So we called Cindy at her office, and she had just heard the thing and she was all upset and getting ready to drive to Oklahoma City.

We told her we would stay in the hotel room till we heard from her.

And then a few minutes later, they had live video from

Donald Ferrell - Direct

the Murrah Building, saw the cars on fire and the building blown up.

So we packed up and left for Oklahoma City.

Q. In April of 1995, your daughter Susan was working in the Murrah Building?

A. Yes, sir.

Q. Who did she work for at that time?

A. She was a lawyer in HUD legal division, Housing and Urban Development department.

Q. So on April 19, did you return to Oklahoma City?

A. We drove back to Oklahoma City as fast as we could.

Q. And when were you notified that Susan's body had been found and identified?

A. We were notified Saturday night following the Wednesday. About 5:00 Saturday evening.

Q. So approximately three days after the bombing?

A. Yes, sir.

Q. How long had Susan been working for HUD as of April, 1995?

A. August would have been 10 years.

Q. And August of 1995?

A. August of 1995 would have been 10 years. I believe that's correct, yes.

Q. What kind of area of law did she practice in with HUD?

A. Real estate law, and she did quite a bit of work with Indian tribes, Indian housing. That was kind of her field.

Donald Ferrell - Direct

Q. Did she participate in any educational symposiums about Indian law?

A. Yes. She took part in -- she had a paper the year before at sovereignty symposium which is held every year in Tulsa. She helped organize a sovereignty symposium at St. Thomas University in Miami, Florida. She helped organize one in 1994, and she was helping plan the one for -- well, she did the one in 1995, early '95, and she was helping plan the one for the following January.

Q. In addition to those professional activities, what other kinds of things did your daughter Susan like to do?

A. She was involved in about everything. She was a champion of every good cause that came along, and she was a very supportive person, interested in other people and other problems.

Q. Would you tell us about a few of those, please.

A. Well, quite often we'd call her house at night and she'd answer the phone "Women's Hot Line." She worked with women's abuse organization there, and she took turns having the phones transferred to her house at night. She'd answer the phones. And then she coerced a cousin to provide a lot of legal service for free for women who needed help.

Q. Was she involved in any other causes or charitable activities?

A. Oh, yes. Just quite a few. She supported a thing in

Donald Ferrell - Direct

Oklahoma City called the Peace House and the Jesus House. They were shelters.

She was active in her church, the Unitarian church. And the list goes on. Since I've been handling her mail, I keep getting these requests to renew her pledges to all sorts of organizations.

Q. Could you tell us what type of person Susan was to her co-workers and the people around her.

A. Well, the last thing she planned, the big thing the week of the bombing was she was to have a wedding shower for Kimberly Clark, a young woman in her office. And that was the thing she did all that last week, and we found the house full of party food and flowers she was planning and wedding presents for Kimberly Clark; and I guess they found her body Friday night about the time -- about the time she would have been hosting

about the time -- about the time she would have been hosting the party.

Q. Tell us, if you would, a little bit about your daughter Susan's relationship with her sister, Cindy?

A. She and Cindy were very close. They saw each other a lot. They were really good friends, and that always pleased me that they -- Susan sort of guided Cindy into the legal profession. Cindy is a lawyer, also. And she was very close to Cindy's two children. We have a little boy, Donald, who will be 9 next month and Rachel, the girl, was 4. And Susie was very close. She was there when both were born. She was coaching her

Donald Ferrell - Direct

through the birth process, and she'd been there at the birth and all the birthdays and very close to the two children and to Cindy as well.

Q. I'd like you to take a look, if you would --

MR. MEARNS: And, your Honor, at this time we would offer Government's Exhibit 1471.

MR. TIGAR: No objection, your Honor.

THE COURT: Received, may be displayed.

BY MR. MEARNS:

Q. Mr. Ferrell, could you tell us who is in that photograph, sir.

A. That's Susan holding my two grandchildren, Cindy's two children. That's Rachel on the left and Donald Thomas Ashwood on the right.

Q. So those are Susan's nieces and nephews?

A. Yes. That's right. That was taken Easter Sunday at Cindy's house, Cindy and Albert, her husband, their house. And that was probably the last photograph made of Susan. That was three days before the bombing.

Q. Tell us, if you would, what effect Susan's death has had on Cindy and Cindy's two children.

A. I notice a preoccupation with Cindy. She has trouble focusing on her work, and it really hurts me to watch the two kids. Donald is a bright kid, did well in school; and since this happened, he's had trouble -- he's not done as well in

Donald Ferrell - Direct

school. He's had trouble paying attention; and he's -- what's really disturbing to me, he can't stand to be in the house without somebody in the same room. He's got to know where everybody is. If somebody walks out of the room, he wants to know where they're going.

He worried for a long time after he lost his Aunt Susan that something was going to happen to his mother or his father or us. He's asked about that. He asks these tough questions like, "Will we ever see Aunt Susie again?"

And Rachel -- she was playing with her dolls a while back. She had two little dolls, and she said those were her sons and she was going to Oklahoma City for the bombing and they were going to be killed; and it's things like that are

hard to live with.

Q. What type of relationship did your daughter Susan have with your wife, Sally?

A. Well, they were close friends and they were a lot alike. They were both sort of enthusiastic about their causes and they shared a lot of the same causes, and they were together quite a bit.

Q. And tell us, if you would, about your relationship with Susan.

A. Well, Susie and I were buddies. She was the first child, and we were together a lot. I would -- every week or so, I tried to have lunch with her. I'd pick her up at the Murrah

Donald Ferrell - Direct

Building, pull in and park in the same place that the Ryder truck parked later. And we tried to do that quite a bit. We talked on the phone quite often.

Q. What effect has Susan's death had on you and your wife?

A. Well, it's the first thing you think about every morning and the last thing you think about at night. I think it's safe to say it killed a little bit of us. We'll never be the same. Just can't forget it.

MR. MEARNS: Thank you, Mr. Ferrell.

MR. TIGAR: No questions, your Honor.

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

THE WITNESS: Thank you, sir.

THE COURT: Next, please.

MR. MACKEY: Yes, your Honor. We'll call Ruth Hightower.

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

(Ruth Hightower affirmed.)

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

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

THE WITNESS: My name is Ruth Brown Hightower, H-I-G-H-T-O-W-E-R.

THE COURTROOM DEPUTY: Thank you.

DIRECT EXAMINATION

Ruth Hightower - Direct

BY MS. WILKINSON:

Q. Good morning, Mrs. Hightower.

A. Good morning.

Q. Could you tell the jury where you live.

A. I live at 2001 Alston Street, A-L-S-T-O-N, Fort Worth, Texas.

Q. How long have you lived in Fort Worth, Texas?

A. About 46 years.

Q. And would you mind telling the jury how old you are.

A. 60 years old.

Q. Do you have children?

A. Yes.
Q. How many children do you have?
A. I have three now.
Q. What are their names?
A. Joyce Brown, Waymon Brown, and Harry Hightower.
Q. Did you have another child?
A. Yes.
Q. What was her name?
A. Anita Christine Hightower.
Q. Was she killed in the bombing?
A. Yes.
Q. How old was Anita when she died?
A. 27.
Q. How old?

Ruth Hightower - Direct

A. 27.
Q. Was she the youngest child?
A. Yes.
Q. Mrs. Hightower, did Anita have children of her own?
A. Yes.
Q. How many children did she have?
A. Two.
Q. How old were they at the time she was killed?
A. Ashley was 8, and Antoinette was 10.
Q. Now, can you tell us where those children are today.
A. They're at my house.
Q. Are you raising them?
A. Yes, I am.
Q. Are you raising any of your other grandchildren?
A. Yes.
Q. How many?
A. I have five in all.
Q. So you're responsible for five --
A. Yes.
Q. -- small children today?

You're responsible for five children in your home today?
A. Yes. My grandsons -- two of them graduated, and I have the three girls that's still in school.
Q. Could you tell us a little bit about Anita and where she

Ruth Hightower - Direct

was employed at the time of the bombing.
A. She lived in Oklahoma City, and she worked for the Job Corps.
Q. Do you know where the Job Corps was located in downtown Oklahoma City at the time of the bombing?
A. Yes. It was across the street from the federal building and the Athenian Building.
Q. Had you ever visited Anita at her office there?
A. No, I hadn't.

Q. But knew that's where she worked at the time of the bombing?

A. Yeah, her daughter -- the one that was 8 at the time, she showed me where it was.

Q. Let's turn to April 19. Did you hear about the bombing that morning?

A. Yes. I was listening to the radio -- I mean I was in the kitchen and I went back in my bedroom where the radio was on, and I heard about the bombing in Oklahoma City. And I went to the phone to call Anita, and the phone just rang and rang.

Q. Do you know how long she had been working for the Job Corps?

A. I think since November.

Q. And when you couldn't reach her at the Athenian Building, what did you do?

A. I tried to call her at home, and I didn't get her.

Ruth Hightower - Direct

Q. At that time, on the morning of April 19, did you have any idea how close the Athenian Building was to the Alfred P. Murrah Building?

A. No, I didn't.

Q. How did you find that out?

A. I called -- I called -- and I called and I never did get an answer. And about 11:00 that morning, her friend, Rita Thomas, called me and told me that the building where she worked had blew up. And everybody got out but her.

Q. Did you decide to travel to Oklahoma City then?

A. Yes. I -- it was a storm in Fort Worth that day, so I had to wait till the next morning. And my daughter -- my oldest daughter, Joyce, she -- we left about 5:30 that morning, and she took me to Oklahoma City.

Q. Did you try to go downtown and get to the Athenian Building where your daughter worked?

A. Yes, because I had asked people where was the building where she worked, and I couldn't get nobody to tell me where she worked. And then -- this was on Thursday. And then that Friday -- that Friday afternoon, I talked to a lady I think worked for the sheriff department, and she told me -- she took me to the FBI, and they -- this man was getting another crew ready to go in, and he told me that he would go over to that building where she worked.

Q. Now, when you first got to Oklahoma City and you tried to

Ruth Hightower - Direct

get people's attention, were they focusing on the Murrah Building?

A. They were just focusing on the Murrah Building. They wasn't focusing on that building where she worked because it was across the street.

Q. And did you keep trying to bring people's attention to the Athenian Building?

A. Yes. I did. I went over to the -- this lady that was

... 199, I said. I went over to the ... lady, she was taking me around, because I didn't know that much about Oklahoma City. And she took me to the FBI office. And then they told me to go back over there, and I went over there; and this is when this lady really got me into this.

And he sent somebody over there and -- I think it was that Friday evening. I guess they found her body then. She worked on the 2d floor.

Q. They found her in the Athenian Building?

A. Yes. They found -- they found her body in the basement that Friday.

Q. Mrs. Hightower, from that time on, did you take care of your two granddaughters --

A. Yes, I did.

Q. -- Antoinette and Ashley.

And could you share with us the impact of her death on her two daughters?

A. The oldest one -- I mean she won't even talk about it.

Ruth Hightower - Direct

Q. That's Antoinette?

A. Antoinette. She won't even talk about. And Ashley -- every time I have to come to court, she gets sick; and every time she hears something about it on the news, she come over and she grab me and she hugs me.

Q. Mrs. Hightower, could you just tell the jury briefly what impact it's been on you to lose your daughter, Anita.

A. I miss my daughter. She was my baby. And the girls, they ask me what happened; and I mean, I do the best I can to try to tell them what happened.

And -- and all we do is just get together and pray, ask God to give us strength.

MS. WILKINSON: Thank you very much, Mrs. Hightower.

MR. TIGAR: I don't have any questions for Mrs. Hightower.

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

MR. MACKEY: Your Honor, at this time we'd move into evidence Government's Exhibit 1444, which is video footage of area hospitals and ask permission to play it for the jury.

THE COURT: All right. 1444 is a tape. There is no audible -- I mean there is no voice.

MR. MACKEY: There is no narration, your Honor.

THE COURT: There are noises.

MR. MACKEY: That's correct.

THE COURT: Okay. Well, play it.

(Exhibit 1444 played.)

THE COURT: All right. Next witness.

MR. MACKEY: We'd like to call Melissa Webster.

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

(Melissa Webster affirmed.)

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

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

THE WITNESS: Melissa Webster, W-E-B-S-T-E-R.

THE COURTROOM DEPUTY: Thank you.

THE COURT: Mr. Sengel.

MR. SENDEL: Thank you your Honor.

DIRECT EXAMINATION

BY MR. SENDEL:

Q. Would you tell us where you live, please, Mrs. Webster.

A. In Oklahoma City.

Q. You live there with your family?

A. Yes, I do.

Q. Who is in your family?

A. I have two children, ages 4 and 8.

Q. You work in Oklahoma City?

A. Yes, I do.

Q. Where do you presently work?

A. I'm working for EPBS. It's an Emergency Physicians Billing

Melissa Webster - Direct

Service.

Q. How long have you had that position?

A. Since August of this year.

Q. Prior to that, where did you work?

A. I worked for the ambulance service in Oklahoma City. It's called EMSA.

Q. The EMSA or ambulance service you worked for: Were you working there in April of 1995?

A. Yes, I was.

Q. In April of 1995, what was your job with EMSA?

A. My primary job was scheduling coordinator. I scheduled medics on the ambulances. I was also -- I'm also an intermediate paramedic, so I can still go out in the streets and work on the trucks, and we kept trucks there at headquarters. Some of the other administrative people were paramedics, also; and when our system gets busy, we'll send out extra trucks. And we always have a truck sitting there waiting on us.

Q. You mentioned intermediate paramedic. I take it there are various levels of paramedic training?

A. Yes, there are three levels: basic, intermediate and then paramedic.

Q. Were you at the offices of EMSA at the time of the bombing on April 19?

A. Yes, I was.

Melissa Webster - Direct

Q. How did you become aware of the bombing?

A. I just sat down at my desk and I heard this real loud explosion. And it rumbled, and our building shook. Some of the ceiling tiles fell down, and you could hear glass breaking. Me and several of the other people in the office, you know, we just -- it shocked us, so we ran outside to get out of the building because we assumed it was our building that exploded.

Once we got outside, we saw this big, black column of smoke coming from downtown.

Q. Where was the EMSA office located?

A. It was at 10th and North Walker.

Q. And approximately how far is that away from the location of the Murrah Building?

A. It's about six blocks.

Q. After you saw the smoke downtown, what did you do?

A. I started to run back into our building to get the keys to our ambulance, and I met my partner at the door. He was on his way out and he had the keys, so we went and got in the ambulance.

And there was an advanced cardiac life-support class that was going on there at headquarters, so we had about seven or eight other paramedics in plain clothes that were there. And they also got in the back of our truck, and we headed that way, weren't real sure where we were going. We just knew we needed to head towards the smoke.

Melissa Webster - Direct

Q. And where did you go in the downtown area?

A. We went down 10th Street to Robinson, and we headed south on Robinson. And we got to -- we were approaching 6th Street. We still hadn't received any word from our dispatch as to what was going on or where exactly it was. And as we approached 6th

Street, there were hundreds of people in the street. There was debris everywhere, concrete chunks and rebar in the street. And we really couldn't go any farther because of the people. And we pulled up in front of the -- as we approached, we saw the Journal Record Building, and we assumed that was the building that had exploded because it -- just looking at it, you know, window casings and everything were blown out, curtains were hanging out of the windows and glass was still falling. And there was a -- this column of smoke was coming from behind it, so we assumed that something behind it had blown up, and that's where it was.

Q. The smoke: Was it so thick you couldn't see the Murrah Building?

A. No, we couldn't.

Q. When you stopped there thinking it was at the Journal Record Building, what did you do?

A. My partner and I -- we made a quick comment that "This is a disaster. We're going to set up our triage area."

So we got out of our truck, and we were immediately bombarded with patients. Everybody was bleeding and asking for

Melissa Webster - Direct

help, and we told them just to hang on, we needed to get an area set up to where we could put them into different categories.

Q. I'd like to stop you for a moment. I want to show you a

Q. I'd like to stop you for a moment. I want to show you a photograph we've marked as Photograph 1382, if you'd look at that screen in front of you, Mrs. Webster. And does this show the triage area you're referring to?

A. Yes, it does.

MR. SENDEL: Your Honor, we'll offer 1382.

MR. TIGAR: No objection, your Honor.

THE COURT: Received. It may be displayed.

BY MR. SENDEL:

Q. If you would, please, please tell us -- you mentioned of course the triage area. What does "triage" mean?

A. That's a -- it means sorting patients into categories based on their severity of injuries. We have four sections, four sectors in the triage: The green section, which is what we call the "walking wounded" who are people that need treated but they can wait.

And then we have the yellow section. That is for people that are more severely injured, yet they can still wait, too, you know, up to an hour or so before they have to be transported.

And then we have the red section, which are the critically injured that need to be transported right away.

Melissa Webster - Direct

And then the fourth section is the black section, which is where we would put the deceased.

Q. How long had you been at this location before you realized that it was the Murrah Building that was damaged?

A. I was there for right at an hour before I realized it wasn't even that building.

Q. As you set up your triage area after you had established it, were there any children brought to you?

A. There was, not right away. I didn't realize children were even involved. It was, you know, several -- I don't know how long; but after a while, yes, I did get a child.

Q. Who was that?

A. His name was James Green. I was bandaging some people there in the triage area, and I heard someone yell that they had a child. And it caught my attention because I didn't know there were children involved. And so I stood up and I walked over. This man handed me this little boy, and he -- I couldn't really tell the severity of his injuries at that point because he -- as soon as he handed him to me, he grabbed hold of me and

just kind of hugged. And I knew I had to lay him down to assess his injuries. And so I turned around and was looking for a backboard, and I found one. And I went to lay him down, and he wouldn't let go of me. He was -- he was very frightened.

And I tried again to lay him down, and he wouldn't let

Melissa Webster - Direct

go. And I saw a woman really intent on -- watching me intensely, and I asked her if she knew who he was; and she said yes; that she was his teacher from the YMCA. And so I asked her if she would get down in his face so he could see her and maybe he would let go of me then.

So she did. She got behind me where he could see her, and he finally released me and I laid him down on the backboard.

And he had some lacerations to his face, and one of his eyes was messed up. And I was bandaging him and getting him strapped to this backboard, and this woman asked me if I knew where his brother was.

And I said, "No, this is the first child I've had."

And we both kind of looked up, and there was a man standing about 5 foot from us with another little boy in his arms, and she said, "That's him."

I said, "Go get him."

So she went and got him. And he was real small, too, and I wanted to keep them together. So I put him on the other end of the backboard and strapped him to the same backboard so we could keep them together. He also had head and facial injuries; and we got them strapped to the board and put them in the ambulance.

Q. What other types of injuries were you seeing at the triage area that you had set up?

Melissa Webster - Direct

A. We had a -- had one woman that once again one of my co-workers yelled at me and said that she had a real critical patient. So I stopped what I was doing and walked over to where she was, and there was a woman on the backboard. She was very combative. She was flailing her arms and screaming, and she wasn't really conscious. She was just kind of out of it.

And they laid her down, and she said that she had brought her out from underneath the parking garage in the federal building. And they laid her down on the ground, and I had several bystanders helping me; and they hadn't had an opportunity to put a cervical collar on her neck yet, so I wanted to maintain the cervical spine immobilization. So I couldn't get to the head of her because there were so many people around; so I went to the side of her and I slipped my hand under her head while the other people were trying to strap her arms down, because she was still real combative. And at that point I realized that the back of her head was crushed and that that was why she was flailing around so much, because she had a real bad head injury.

We finally got her injuries -- I mean the bleeding stopped and got her wrapped up and put her in the next ambulance that went out because she was a critical patient.

Q. Did that woman survive?

A. No. We called the hospital later, because I mean after that first day we felt like we needed to -- needed to find

Melissa Webster - Direct

someone that survived because it was really tough.

And so we called the hospital and described her injuries, and they said that they had taken her to surgery and she had died in surgery.

Q. Now, you mentioned you set up the black area for those that looked like they were either dead or going to die. Did you have patients that were brought there to be placed in the black area at the triage?

A. Yes. We not long after that -- they -- some bystanders started yelling that they had a real bad one. And I turned around and they were bringing a woman out on a backboard, and I started that way; and they laid her down on the ground.

And the closer I got to her, the more I thought, well, she's dead. Her injuries were very massive. She had massive facial trauma.

I went ahead and laid her down on the ground, and I knelt down beside her; and one of the first things you do when you have an unconscious patient is to check for breathing. And I could just tell by looking at her -- I mean she had so much facial trauma and her mouth was filled with blood and debris, and I knew she wasn't breathing but I knelt down anyway just to make sure; and she wasn't.

And I looked up, and everybody was just looking at me and saying, "Is she dead? Is she dead?"

And I said, "Well, she's not breathing."

Melissa Webster - Direct

And my hand kind of automatically went to her neck to feel for a pulse, and it really shocked me because she did have a pulse.

Q. Did you call for someone else to help you when you found a pulse?

A. I did. In disaster situations, you don't work her. I mean she wasn't breathing. You don't -- need to save as many people as you can. And I didn't feel comfortable calling her, even though I knew I should have --

Q. You mentioned "calling her." What do you mean "calling her"?

A. I mean pronouncing her dead.

One of my co-workers who was a paramedic ran -- was running by, and I hollered at him and I asked him if he would come check her because I didn't want to do it.

And he came over there, and he knelt down and he goes -- he said, "She's not breathing, is she?"

And I said no.

And he said, "You need to put her in the black section," and he went on.

Q. Did you put her in the black section?

A. No, I didn't. No. My hand was still on her pulse, and it was still beating; and another co-worker, a paramedic came by and I had him check her and he said, "She's not breathing, is she?"

sne?'

Melissa Webster - Direct

And I said, "No."

And he said, "You need to put her in the black section."

At that point, I knew I needed to; and I looked up and there was an ambulance real close to me with the back doors open and there was a paramedic working on a patient that was on the cot but we have a bench seat in there, too, so I said, "Let's put her in there."

So I had some of the bystanders help put her in the ambulance, and we laid her on the bench seat. I had told the paramedic in there -- I said, "I'm sorry to do this to you. She's not breathing, but her pulse is as strong as mine. Let's give her a chance."

He said, "Okay. Get me someone to bag her," which means to ventilate her, to help her breathe.

So I jumped out, and one of our medics ran by and I told him to get in; that he needed to help. And so he jumped in, and I shut the doors and they took off.

Q. Did she survive?

A. Yes, she did.

Q. And did you later meet her?

A. I did.

Q. And what was her name?

A. Royia Sims.

Q. I'd like to show you a photograph we've marked as Exhibit

Melissa Webster - Direct

1392. This is a picture of Royia Sims before April 19?

A. Yes, it is.

MR. SENDEL: Your Honor, I'm going to offer Exhibit 1392.

MR. TIGAR: No objection, your Honor.

THE COURT: Received.

BY MR. SENDEL:

Q. You mentioned that she had at the time that you saw her extensive injuries to her face, and I'd also like to show you a photograph we've marked as Exhibit 1394.

Is this a photograph of Royia Sims after April 19, 1995?

A. Yes, it is.

MR. SENDEL: Your Honor, I'm going to offer Exhibit 1394.

MR. TIGAR: Our objection is noted, your Honor?

THE COURT: Yes. It's received, may be shown.

BY MR. SENDEL:

Q. And Royia, as you said, had extensive injuries to the face at this time you saw her?

A. Yes, she had massive injuries to the face, and her arms are real bad messed up, too. She was messed up pretty much her

entire body.

Q. During the time that you had set up your triage area near the Murrah Building, approximately how many people did you see

Melissa Webster - Direct

in your triage?

A. Oh, probably 250, 300 people.

Q. And of those that you saw, about how many were transported to hospitals?

A. We transported over 100 out of that one triage area that first hour.

MR. SENDEL: Thank you. I have no further questions, your Honor.

THE COURT: Do you have any questions?

MR. TIGAR: No, we have no questions. Thank you.

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

Next, please.

MR. MACKEY: Carla Wade, please.

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

(Carla Wade affirmed.)

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

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

THE WITNESS: Carla, with a C, W-A-D-E, Wade.

THE COURT: Mr. Ryan.

MR. RYAN: Thank you, your Honor.

DIRECT EXAMINATION

BY MR. RYAN:

Q. Ms. Wade, where do you live?

Carla Wade - Direct

A. I live in Edmond, which is a suburb north of Oklahoma City.

Q. Are you employed?

A. Yes, I am.

Q. Where are you employed?

A. I work at KOKH Fox 25 News in Oklahoma City.

Q. Was your father Johnny Wade?

A. Yes, he was.

Q. What did he do for a living?

A. He was a civil engineer with the Federal Highway Administration.

Q. Tell me about -- tell us about your family, if you would, please.

A. I'm the oldest child. I'm 23. I'll be 24 next week. I have a younger brother. He's 20. He attends college at the University of Oklahoma, where I was attending school when the bombing happened. And my mother -- she's a medical technologist in -- so we were very close, the four of us.

Q. Let me show you what's been marked as Exhibit 1113A. Can you see that on the screen there?

A. Uh-huh.

MR. RYAN: Your Honor, we would offer this exhibit in evidence.

MR. TIGAR: No objection, your Honor.

THE COURT: Received, may be shown.

BY MR. RYAN:

Carla Wade - Direct

Q. Who is this?

A. That's my father.

Q. Tell us a little bit about your father.

A. My dad was a very intelligent person, and he was very -- he really liked to joke around a lot. I guess that was the thing that I would remember most about his personality, is that he always had something to rib everyone that he was -- It was his way, I guess, of showing affection. He always -- growing up, would tease us about things.

He liked to talk with my friends. If my friends called the house to say hi to me, my dad would get them into a long conversation asking them about their boyfriends and how they were doing in school, and he did the same thing with my brother's friends, also. He loved to joke and he loved to talk and he loved to laugh, and he was just really -- I guess you could call him high on life a lot.

Q. When you were in high school, did he help you screen your boyfriends?

A. Yeah. He did more than screen. He almost -- when a guy -- because I grew up in the kind of household where a boy had to come to your house before you could go out with him and he had to sit down and talk to my parents; and my dad -- I remember the most embarrassed I've ever been is when he asked to see one of my potential date's driver's license to make sure that he actually had indeed had a license and could drive.

Carla Wade - Direct

Q. Was he a concerned and loving father?

A. Oh, yeah. Most people probably would describe him as being very over-protective. He always -- I was in school. We were -- me and my brother were only 45 minutes away from home at the University of Oklahoma, but we probably talked to him at least three times a week. He'd call us from work, and he always wanted us to be home on the weekends whenever we could just to see us. He just -- anything that we needed, he was always going to make sure that we had it and try and be there.

Q. Did he have values?

A. Yeah. My dad was very big on character and just seeing the good in people. He really always stressed to us that it was very important to pick your friends and the people around you based on their goodness and not superficial qualities.

Q. Did he try to instill those qualities in you and your brother as you were growing up?

A. Oh, I know he did. Always that -- that we were always -- I

know that we were always taught in our house to be charitable to other people. If our friends came over, you know, it was never a problem to have them, you know -- for them to stay for dinner; or if we were all going out to dinner, my parents would ask them to come along, especially my dad. If we went out to a restaurant and our friends were there, he'd bring them along. It was just always that it was very important for us to be -- I know that he stressed more than anything -- was for us to be

Carla Wade - Direct

good people.

Q. When you were growing up in the house, did your father give you literature, books to read, that stressed equality and fairness?

A. Oh, yeah. When I was about -- I was probably 11 or 12 years old and in the summertime, we would stay home from school. Of course, we'd be out of school. And my dad always wanted us to be doing something productive; and so he would have me -- I know one summer I read essays by JFK, Martin Luther King, and Malcolm X. One in particular is about the role of young people and political and social discourse, and he would have me read those things and then we'd talk about it together. He'd ask me what I thought about it and what I thought it meant for my life in the world.

Q. Where were you on April 19 when the explosion occurred in downtown Oklahoma City?

A. I was at work at the time. I was working at a station near downtown Oklahoma City at a radio station, and I was on the air.

Q. Were you hosting a talk show?

A. Yes, I was co-hosting a talk show.

Q. Is that how you learned what happened in downtown Oklahoma City?

A. Right. I learned when -- well, first when a caller had called in and someone had said that a gas -- they thought a gas

Carla Wade - Direct

main had exploded or something like that. And we kind of, you know -- kind of played it off at first and went on to the next caller, until a woman called and she was just hysterical. She was downtown when it happened. She was crying.

And I remember at first they had said that it was the Federal Courthouse, but then as more people were calling in and then we had turned on the TVs and other radios in the station and the secretary had come in, and they said that it was the federal building.

And as soon as they said it was the federal building, that's when I immediately thought that I had to check on my dad.

Q. Was there a time that you and your mother and your brother thought that perhaps he was not in the building?

A. Right. Right. When we at first -- I called my mom from work and we had heard on the radio that they were taking the

work, and we had heard on the radio that they were taking the first people that were inside the building to St. Anthony Hospital. And when we got there, we ran into one of my father's co-workers; and he said, "Your father was supposed to be in Tulsa this morning at a meeting at 9," either 9:30 or 9:00. I can't remember which. And so we really were thinking he's in Tulsa, so he's going to be okay; he wasn't there.

Q. How long did you and your mother and your brother wait?

A. I think it was about five -- about five days. We didn't hear until the next Monday when his body was actually

Carla Wade - Direct

identified.

Q. Now, at the time of your father's death, were you a student?

A. Yes, I was.

Q. And you were a student at the University of Oklahoma?

A. Right.

Q. What year were you in?

A. I was in my junior year.

Q. Setting modesty aside, you were a national merit scholar; is that correct?

A. Yes, I was.

Q. And you were on scholarship at the University of Oklahoma?

A. Right.

Q. Tell the -- tell us all, if you would, about what effect your father's death had upon you and your school work that year.

A. Well, of course, I missed April -- finals are at the beginning of May at the University of Oklahoma, and so I missed several days of classes towards the end of April, and so I didn't take four finals -- no, I took -- I didn't take three finals.

One final I did take, and I made a D because I took it as soon as I got back from my father's funeral.

And then the rest of them -- I had to make up one over the summer; and then the next semester, I had to make up other

Carla Wade - Direct

exams that I had missed and projects because I was a journalism major, so a lot of our course work entails doing taped and video-type projects that would have taken a lot of time that I just didn't get to do the next semester.

And so my course work fell off a whole lot, you know, just from the additional work and just I had a really hard time getting back into school after that because my dad was such a big motivator for me as far as doing well. He always expected the best of us. And after the bombing happened, I just found it really difficult to go to school and still feel the same way about it that I did before that happened.

Q. Was it necessary for you to begin some counseling?

A. Yes, it was.

Q. And you go to counseling today?

A. Yes, I'm still going.

Q. Have you gone continuously for the last two-and-a-half years?

A. Pretty much just about.

Q. And how often did you go?

A. Once a week.

Q. Does your brother go to counseling as well?

A. No. My brother -- I think he's dealt with it a lot differently than I have. He and my father were very close, and I don't think -- and he's kind of a typical male in that he doesn't really like to talk about it a lot. But I know that it

Carla Wade - Direct

has made him feel that he has to be a lot more mature than he was before.

And I know I've felt like I've aged. I feel like a 42-year-old woman walking around in a 23-year-old body, just from the experience. I think we both grew up a lot.

Q. If you would -- and finally -- talk to us about the impact of your father's death on you and your family.

A. I think it's just -- take away -- took away a lot of our security. I mean I think my father was a great deal of what we viewed, I guess, as he kept us safe because he was so very protective of us; and, you know, it's hard to imagine that one day someone can get up to go to work and die in such a terrible way and never come back. And so I think it's been very difficult for us to deal with that loss of security, this feeling that we're safe.

I mean, it's funny my father took the job in Oklahoma City, because we're not from Oklahoma. He was transferred, being a federal government employee; and throughout the years, he had a lot of opportunities to go to a lot of different places. And, you know, I always wanted to go to a big city like Chicago, or one time there was a job in Hawaii; but my dad always wanted for us to go somewhere that he thought was safe with good schools, where we wouldn't have to worry about crime or any harm coming to us. And he chose Oklahoma City.

Q. Did there come a time following your father's death when an

Carla Wade - Direct

Oklahoma City police officer by the name of Ed Moore came to your home?

A. Right.

Q. What did Officer Moore tell you and your mom?

A. He told us that he was one of the first officers that were on the scene that morning and my -- my father's office overlooked the day-care center and that my father was in the window and he was trying to hold himself up from falling. He said he thought that he may have still been conscious but the back of his head had been partially kind of blown away from the

explosion and his legs were broken, and he wasn't really -- he said he was not very coherent but that he was alive when they first got there but he had to go -- my dad was kind of a big man and he couldn't lift him, so he had to go get another officer to assist him; and when he came back, he was gone.

MR. RYAN: That's all I have, your Honor.

MR. TIGAR: No questions. Thank you.

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

We'll take the recess at this time, members of the jury; and, of course, continue to follow the regularly given cautions, which are, of course, important that you avoid discussion of the things that you've heard and seen here and wait till you've heard it all and seen it all and get instructed on how you should approach your decision in this case before discussing it or even in your own minds forming any opinions about it. So you're excused now till 1:35.

(Jury out at 12:05 p.m.)

THE COURT: We'll be in recess.

(Recess at 12:05 p.m.)

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Carla Wade

Direct Examination by Mr. Ryan

PLAINTIFF'S EXHIBITS

Exhibit	Offered	Received	Refused	Reserved	Withdrawn
970	15148	15149			
10475	15110	15110			

1047E	15110	15110
1047C	15112	15112
1113A	15222	15222
1382	15213	15213
1392	15220	15220
1394	15220	15220
1396	15119	15119
1397	15126	15126
1444	15208	15208
1468	15134	15134

PLAINTIFF'S EXHIBITS (continued)

Exhibit	Offered	Received	Refused	Reserved	Withdrawn
1469	15195	15195			
1471	15200	15200			
1485	15175	15175			
2207	15168	15168			
2213	15177	15177			
2216	15159	15159			
2221	15105	15105			

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REPORTERS' CERTIFICATE

We certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter. Dated at Denver, Colorado, this 30th day of December, 1997.

Paul Zuckerman

Bonnie Carpenter

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