

**In The Matter Of:**

*Probate Proceeding,  
Will of Julia Elizabeth Taschereau*

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*Julia Danger  
Vol. 1, August 3, 2000*

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Original File JD080300.V1, 205 Pages  
Min-U-Script® File ID: 1532863006

**Word Index included with this Min-U-Script®**

[1] *Danger*  
[2] herself or did you want an explanation for  
[3] yourself?  
[4] **A:** I wanted to know why my mother could  
[5] not live her life as she was accustomed to by  
[6] going out to lunch with her friends and dinner  
[7] and the little gifts that you loved giving all  
[8] the time. Her "hands were tied," period.  
[9] **Q:** And she wouldn't tell you any more?  
[10] **A:** No, she would not tell me any more.  
[11] **Q:** But you persisted in asking her?  
[12] **A:** When I arrived in 1996 and she told  
[13] me this, I really wanted to know, but then I  
[14] accepted it, that her hands were tied, and it  
[15] upset her that I wanted to know why and I  
[16] realized it upset her, so money just wasn't an  
[17] option. We had lovely conversations and I did  
[18] want to find out, but this wasn't an extended  
[19] period. This was 1996 when I first found out  
[20] that "her hands were tied."  
[21] **Q:** So you persisted in asking her  
[22] despite the fact that she didn't want to answer  
[23] until she became upset?  
[24] **MR. WASSERMAN:** Objection to the  
[25] form. That's not what she said.

[1] *Danger*  
[2] **A:** I wanted to know. I guess I asked  
[3] several times; Mom would say nothing more than  
[4] her hands were tied.  
[5] **Q:** And you kept asking until she got  
[6] upset; is that correct?  
[7] **MR. WASSERMAN:** Objection to the  
[8] form. Eli, I think you're starting to  
[9] argue. She has answered these questions  
[10] already on more than one, on more than two  
[11] times.  
[12] **MR. UNCYK:** I'm sorry, maybe she can  
[13] answer it again. I don't remember the  
[14] answer to this question.  
[15] **Q:** You kept asking her until she got  
[16] upset; is that correct?  
[17] **MR. WASSERMAN:** Objection to the  
[18] form.  
[19] **A:** I did not see my mother upset, no,  
[20] she was not upset. She knew that she could not  
[21] tell me the reason and I finally accepted that.  
[22] She was not upset.  
[23] **Q:** I think the answers are there. I'm  
[24] happy with those answers. Thank you.  
[25] Now, did there ever come a time

[1] *Danger*  
[2] where you hit or pushed your mother?  
[3] **A:** No.  
[4] **Q:** Were you ever present when your  
[5] mother was injured in the 1990s in her home?  
[6] **A:** No.  
[7] **Q:** Were you ever present when your  
[8] mother fell in her home?  
[9] **A:** No.  
[10] **Q:** Were you ever in New York staying  
[11] with your mother when you found out that she was  
[12] injured or fell in her apartment?  
[13] **A:** Yes.  
[14] **Q:** When was that?  
[15] **A:** It was July 1997.  
[16] **Q:** Can you describe what happened in  
[17] July of 1997 concerning an injury to your  
[18] mother?  
[19] **A:** I was out with a friend of mine for  
[20] dinner and I had prepared dinner for Mike and  
[21] Julie and Mom, and she evidently tried to open a  
[22] tomato juice can by bending over on the kitchen  
[23] floor and tapping the bottle on the floor which  
[24] is — to open the bottle of tomato juice. And  
[25] she fell on her coccyx at that point, and Mike

[1] *Danger*  
[2] and Julie were there and helped her get up and  
[3] put her in the living room and that's what  
[4] happened.  
[5] **Q:** When did you find out about her  
[6] falling and hurting herself?  
[7] **A:** Oh, I came home very soon after.  
[8] **Q:** About what time of the day was that  
[9] that you came home?  
[10] **A:** It was in the evening.  
[11] **Q:** Did you talk to your mother about  
[12] how she felt after that injury?  
[13] **A:** Oh, yes.  
[14] **Q:** What did she say about it?  
[15] **A:** I think it was the next day I was  
[16] supposed to leave for California and I was going  
[17] to cancel my trip. And she, "I'm fine. It's a  
[18] little sore, but I'm fine. No problem."  
[19] **Q:** You said that your children brought  
[20] her into the living room after she fell?  
[21] **A:** I think that's what they did.  
[22] **Q:** Where was she when you came home and  
[23] spoke to her?  
[24] **A:** She was in the living room.  
[25] **Q:** Did she spend the night on the couch

*Danger*

- [1] in the living room?  
[2] **A:** No.  
[3] **Q:** Where did she sleep?  
[4] **A:** In her bed.  
[5] **Q:** Was anybody else present during the  
[6] time that she was hurt in the living room?  
[7] **A:** She was hurt in the kitchen.  
[8] **Q:** I'm sorry, that she was hurt and  
[9] while she was staying in the living room besides  
[10] your two kids?  
[11] **A:** No.  
[12] **Q:** Was anybody else present when you  
[13] came home that evening?  
[14] **A:** No.  
[15] **Q:** You said you had plans to leave the  
[16] next day; is that correct?  
[17] **A:** Yes.  
[18] **Q:** Did you in fact leave the next day?  
[19] **A:** Yes.  
[20] **Q:** What time did you leave your  
[21] mother's home?  
[22] **A:** Oh, I think it was 7:30 in the  
[23] morning or something like that, I'm not sure  
[24] what time the plane was to California.  
[25]

*Danger*

- [1] **Q:** Did you see your mother the morning  
[2] before you left?  
[3] **A:** Yes.  
[4] **Q:** Did you discuss with her how she  
[5] felt?  
[6] **A:** Yes.  
[7] **Q:** And what did she say?  
[8] **A:** She said it was fine. She was very  
[9] adamant that she was perfectly okay, which to me  
[10] is amazing now, but she insisted that she was  
[11] perfectly okay.  
[12] **Q:** Did you have any reason to doubt  
[13] that she was perfectly okay at that time?  
[14] **A:** She showed no sign whatsoever of not  
[15] being okay. She seemed in good spirits. She  
[16] seemed absolutely fine.  
[17] **Q:** Did you return to your mother's home  
[18] that summer after you left?  
[19] **A:** Yes.  
[20] **Q:** When?  
[21] **A:** I think California was three weeks,  
[22] so three weeks after. It was August.  
[23] **Q:** And how long did you stay in August  
[24] of '97?  
[25]

*Danger*

- [1] **A:** We left like we always did, at the  
[2] end of August.  
[3] **Q:** During the time that you were at  
[4] your mother's home in August of '97, did you  
[5] witness her injuring herself?  
[6] **A:** No.  
[7] **Q:** Did you find out that she had  
[8] injured herself at any time in August of '97?  
[9] **A:** Well, I talked to her from  
[10] California and she had evidently really injured  
[11] herself on her coccyx and she was bedridden.  
[12] **Q:** When you came back in August of '97  
[13] did she suffer any additional injuries during  
[14] the time that you were there?  
[15] **A:** No. No.  
[16] **Q:** Did she suffer an injury to her head  
[17] in August of '97 that you're aware of?  
[18] **A:** No.  
[19] **Q:** Did there come a time to your  
[20] knowledge that your mother fell and broke her  
[21] hip in January of 1998?  
[22] **A:** I was told about that, yes.  
[23] **MR. UNCYK:** I'd like to have marked  
[24] as Proponent's Exhibit A an item which is  
[25]

*Danger*

- [1] entitled "Objections to Probate in the  
[2] Probate Proceeding, Will of Julia  
[3] Elizabeth Taschereau, Deceased."  
[4] (Proponent's Exhibit A, document  
[5] entitled "Objections to Probate in the  
[6] Probate Proceeding, Will of Julia  
[7] Elizabeth Taschereau, Deceased," was  
[8] marked for identification.)  
[9] **Q:** Would you take a look at Proponent's  
[10] Exhibit A.  
[11] Have you ever seen this document  
[12] before?  
[13] **A:** No.  
[14] **Q:** Is this the first time you have ever  
[15] seen this document?  
[16] **A:** Is this what I saw?  
[17] Oh, I did see this earlier. Yes, I  
[18] did see it.  
[19] **Q:** Would you take a look at the date on  
[20] that document. It's on the second page.  
[21] **A:** February 16th, 2000.  
[22] **Q:** Looking at the date, does that help  
[23] you recall when you first saw this document?  
[24] **A:** Yes.  
[25]

*Danger*

[1] [2] **Q:** When did you first see it, to the  
[3] best of your recollection?  
[4] **A:** Three hours ago.  
[5] **Q:** You did not see this before February  
[6] 16th, 2000?  
[7] **A:** No, I don't think so.  
[8] **Q:** The first time you saw it was  
[9] earlier today then; is that correct?  
[10] **A:** I think so, yes.  
[11] **Q:** Are you familiar with its contents?  
[12] **A:** Yes.  
[13] **Q:** Do you know what this is?  
[14] **MR. WASSERMAN:** If you know.  
[15] **A:** It's objection to probate. It says  
[16] so.  
[17] **Q:** Do you understand that this was  
[18] served and filed on your behalf?  
[19] **MR. WASSERMAN:** These are legal  
[20] questions, Eli, and she's not a lawyer.  
[21] **MR. UNCYK:** I understand. I'll  
[22] accept her answer as a lay person.  
[23] **A:** I know nothing about legal stuff.  
[24] **Q:** Do you know whether this was served  
[25] on your behalf or this was prepared on your

*Danger*

[1] [2] behalf?  
[3] **MR. WASSERMAN:** By counsel, I'll  
[4] stipulate that this was served on her  
[5] behalf by me as her counsel.  
[6] **Q:** Do you know that this was served on  
[7] your behalf?  
[8] **A:** Yes.  
[9] **Q:** When did you first find out that it  
[10] was served on your behalf?  
[11] **MR. WASSERMAN:** Objection to the  
[12] form. Asked and answered.  
[13] **Q:** When did you first find out that it  
[14] was served on your behalf?  
[15] **A:** I hired Mr. Wasserman to take care  
[16] of the case and he has done the necessary  
[17] measures.  
[18] **Q:** You said you saw Proponent's Exhibit  
[19] A about three hours ago or sometime earlier  
[20] today.  
[21] Is that the first time that you  
[22] found out that this document was served on your  
[23] behalf? I'm talking specifically about  
[24] Proponent's Exhibit A.  
[25] **A:** I know what has been going on, but

*Danger*

[1] [2] as of the exact time and date and paper, no, no.  
[3] **MR. WASSERMAN:** I'm sorry, could you  
[4] read the question back.  
[5] (The record was read.)  
[6] **MR. WASSERMAN:** Objection to the  
[7] form.  
[8] You can answer it, if you know.  
[9] **A:** I don't know.  
[10] **Q:** Is there anything that you could  
[11] look at or anything that you could do that would  
[12] help you determine when you first found out that  
[13] Proponent's Exhibit A was served on your behalf?  
[14] **A:** No. I don't know.  
[15] **Q:** Did you ever see a draft of  
[16] Proponent's Exhibit A?  
[17] **A:** I know of the contents because I've  
[18] been in relation with Mr. Wasserman, but exact  
[19] time, date, no, I don't know.  
[20] **Q:** Did you ever see a draft of  
[21] Proponent's Exhibit A?  
[22] **MR. WASSERMAN:** If you know.  
[23] **A:** I don't know.  
[24] **Q:** Is there anything that you could  
[25] look at or anything that you could do that would

*Danger*

[1] [2] help refresh your recollection?  
[3] **A:** I don't know.  
[4] **Q:** Are you aware that Proponent's  
[5] Exhibit A claims that the alleged will was not  
[6] duly executed by Julia Elizabeth Taschereau?  
[7] Are you aware that Proponent's Exhibit A says  
[8] that?  
[9] **MR. WASSERMAN:** Can you show it to  
[10] her, please.  
[11] Could you read it, which I guess is  
[12] what he wants you to do.  
[13] **THE WITNESS:** But we don't agree —  
[14] **MR. WASSERMAN:** His question is  
[15] whether he properly stated what's written  
[16] there.  
[17] Can you read the question, please.  
[18] (The record was read.)  
[19] **MR. WASSERMAN:** I'll stipulate that  
[20] you read the first line of the first  
[21] objection to the objections of the  
[22] probate, Eli.  
[23] **Q:** Did you hear the question? Are you  
[24] aware that that's what it says?  
[25] **A:** I am aware that this is what that

*Danger*

[1] *Danger*  
[2] says, yes.  
[3] **MR. UNCYK:** I just want to step back  
[4] for a minute and ask that we mark as  
[5] Proponent's Exhibit B a copy of the will  
[6] of Julia Taschereau dated November 21,  
[7] 1997, which is the will that's been  
[8] offered for probate and is being contested  
[9] in this matter.  
[10] (Proponent's Exhibit B, will of  
[11] Julia Taschereau dated November 21, 1997,  
[12] was marked for identification.)  
[13] **Q:** Would you take a look at what's been  
[14] marked as Proponent's Exhibit B.  
[15] Do you know what this is?  
[16] **A:** Yes.  
[17] **Q:** What is it, to your knowledge?  
[18] **A:** It is the will of my mother in  
[19] November 1997.  
[20] **Q:** When did you first find out that  
[21] your mother had signed this will?  
[22] **A:** After her death.  
[23] **Q:** Did you have any discussions with  
[24] your mother about a will during 1990s?  
[25] **A:** Never.

*Danger*

[1] *Danger*  
[2] **Q:** Do you know whether your mother had  
[3] ever executed another will either before or  
[4] after Proponent's Exhibit B?  
[5] **A:** My mother in the 1990s said that  
[6] Betsy and I were both included in her will and  
[7] she didn't want to talk about any will. So I  
[8] said fine.  
[9] **Q:** When did this conversation take  
[10] place?  
[11] **A:** Oh, sometime in the 1990s.  
[12] **Q:** Was it early '90s or late '90s, if  
[13] you recall.  
[14] **A:** Oh, I think it was probably early  
[15] '90s.  
[16] **Q:** And she also said she didn't want to  
[17] talk about this at all?  
[18] **A:** She said she didn't like talking  
[19] about money.  
[20] **Q:** How did this conversation come up?  
[21] **A:** Because I was debating whether to  
[22] get a will made in New York or in France.  
[23] **Q:** How did the subject of her will come  
[24] up?  
[25] **A:** She just said that.

*Danger*

[1] *Danger*  
[2] **Q:** Was anybody else present besides you  
[3] and she?  
[4] **A:** No.  
[5] **Q:** Was there any other conversation  
[6] besides this in the early '90s?  
[7] **A:** No.  
[8] **MR. UNCYK:** I'd like to have marked  
[9] as Proponent's Exhibit C an item entitled  
[10] "Last Will and Testament of Julia E.  
[11] Taschereau," dated October 25th, 1989.  
[12] (Proponent's Exhibit C, document  
[13] entitled "Last Will and Testament of  
[14] Julia E. Taschereau," dated October 25th,  
[15] 1989, was marked for identification.)  
[16] **Q:** Taking a look at Proponent's Exhibit  
[17] C, do you know what that is?  
[18] **A:** Yes.  
[19] **Q:** Can you describe it?  
[20] **A:** It's Mom's will from 1989.  
[21] **Q:** Have you ever seen that before  
[22] today?  
[23] **A:** No.  
[24] **Q:** Did you ever see a copy of it in  
[25] your mother's home?

*Danger*

[1] *Danger*  
[2] **A:** No.  
[3] **Q:** Did you ever take a copy or make a  
[4] copy of it?  
[5] **A:** No.  
[6] **Q:** Would you take a look at the page  
[7] with the signatures on, Exhibit C.  
[8] Do you recognize the names on that  
[9] page?  
[10] **A:** No.  
[11] **Q:** Can you read the first name?  
[12] **A:** Craig Shields, Wallace Bock and  
[13] Bradford Connor.  
[14] **Q:** What's the first name, Craig  
[15] Shields?  
[16] **A:** Um-hum.  
[17] **Q:** Do you know who Craig Shields is?  
[18] **A:** I know now who they are.  
[19] **Q:** Who are they? What do you know of  
[20] who they are right now?  
[21] (Conference between witness and  
[22] counsel.)  
[23] **A:** When I found this will when I was in  
[24] Paris, the — I found out where the will was and  
[25] called Wallace Bock, who had my mother's will,

*Danger*

[1] this, in his hand. That is how I know the  
[2] name. But I had just found out five minutes  
[3] before.  
[4]

[5] **Q:** When did you find your mother's will  
[6] in Paris?

[7] **A:** End of March? It was right after I  
[8] got back to Paris.

[9] I came to the memorial service and  
[10] then I went back to Paris and I was sitting in  
[11] my kitchen, and it was a Friday morning and I  
[12] knew where this will was, just like that. And I  
[13] called someone in New York to find the phone  
[14] number and he, Mr. Bock, had the will in his  
[15] hand.

[16] **Q:** When you say you knew where this  
[17] will was just like that, I'm not sure I  
[18] understand what that means. Would you explain  
[19] it?

[20] **A:** Well, Mr. Wasserman had mentioned if  
[21] there was a first will that it would be good for  
[22] us to find it, and I cannot explain how I knew  
[23] where it was.

[24] **Q:** Somehow you knew where the will was?

[25] **A:** Yes.

*Danger*

[1] **Q:** And you can't explain how you came  
[2] to that knowledge?

[3] **A:** Well, I called a friend of a friend  
[4] of a friend of Don Wallace, who had had a  
[5] cerebral hemorrhage, I believe, and I made one  
[6] other phone call to a friend of a friend of a  
[7] friend of David Wallace. And he said the will  
[8] is in this lawyer's office and here is the phone  
[9] number, he's waiting for me to call. And that's  
[10] how I found this will. And that's why I know  
[11] these names because I remember Bock, I talked  
[12] with Mr. Bock and he said he'd give the will  
[13] immediately to my lawyer.

[14] **Q:** Let me understand. I still don't  
[15] understand.

[16] Suddenly you had a flash of  
[17] recollection, is that what you're saying, that  
[18] there was a will?

[19] **MR. WASSERMAN:** Objection to the  
[20] form.

[21] **A:** I knew there was a first will here.  
[22] I knew it had some connection to Donald Wallace  
[23] and I made a phone call to someone called Patton  
[24] Campbell, who I found his phone number from  
[25]

*Danger*

[1] another friend. And Patton, who is a friend of  
[2] a friend of Donald Wallace, said that Mr. Bock  
[3] had my mother's will.  
[4]

[5] **Q:** How did you know that your mother  
[6] had a prior will or had this will that you're  
[7] talking about, Exhibit C?

[8] **A:** I don't know. I really do not know.

[9] **Q:** Do you remember whether she told you  
[10] that she had a will?

[11] **A:** Well, in the 1990s she had said, you  
[12] know, "You and Betsy are included in my will  
[13] equally," and didn't want to — so, yes, she  
[14] said the word "will" in the early 1990s, but  
[15] that was all I knew.

[16] **Q:** Somehow you remembered somebody's  
[17] name to try and track this will down?

[18] **A:** No.

[19] **Q:** How did that come to pass?

[20] **A:** I do not know how I knew. I do not  
[21] know. Don Wallace did dad's — he didn't leave  
[22] a will, but settled dad's estate, and I called a  
[23] friend of a friend of Don's who told me about  
[24] Don's cerebral hemorrhage and that he didn't  
[25] remember anything. And I actually called Don

*Danger*

[1] and he said he couldn't help me with any first  
[2] will, he didn't remember.

[3] And then I called Patton and Patton  
[4] said, "Of course, the will is here, here is the  
[5] number and Bock is waiting for you to call."  
[6] That's how I found it. And I to this day do not  
[7] have an explanation.

[8] **Q:** Now, you know who the people are who  
[9] are listed on that page on the signature page of  
[10] Exhibit C, Proponent's Exhibit C? Do you know  
[11] who they are now?

[12] **A:** Yeah, they're the lawyers that had  
[13] this will in their office.

[14] **Q:** Do you have any personal  
[15] relationship with them?

[16] **A:** No.

[17] **Q:** Do you know who they are personally?

[18] **A:** No. I called Mr. Bock that day. He  
[19] gave the will to Mr. Wasserman and I never  
[20] talked to them.

[21] **Q:** Do you know whether they had any  
[22] relationship with your mother or what kind of  
[23] relationship they might have had with your  
[24] mother?  
[25]

**Danger**

- [1] [2] **A:** I know nothing about them, nothing.  
[3] **Q:** Would you take a look at Proponent's  
[4] Exhibit B, which is the will that is being  
[5] offered. Would you take a look at the signature  
[6] line, the signature page on that.  
[7] **A:** Um-hum.  
[8] **Q:** Can you read the names on Exhibit B?  
[9] **A:** Yes.  
[10] **Q:** What are those names?  
[11] **A:** Helene Luchene, Diane —  
[12] **Q:** Why don't you read them one at a  
[13] time. What's the first?  
[14] **A:** Helene Luchene.  
[15] **Q:** Do you know who that is?  
[16] **A:** I think it's a French lady that's on  
[17] the 15th floor of 201 East 77th.  
[18] **Q:** And how was she connected to your  
[19] mother?  
[20] **A:** Neighbor. They lived in the same  
[21] building.  
[22] **Q:** Have you ever talked to Helene  
[23] Luchene?  
[24] **A:** Yes.  
[25] **Q:** When was the last time you spoke to

**Danger**

- [1] her?  
[2] **A:** Well, actually when I was waiting  
[3] for Ken to come to pick up my stuff at the  
[4] apartment, she walked in and we talked about  
[5] Paris and stuff like that. So I'd say this was  
[6] July 1998.  
[7] **Q:** During this conversation in July of  
[8] '98 did you talk about your mother's will?  
[9] **A:** No.  
[10] **Q:** Besides talking about Paris, what  
[11] else did you speak about?  
[12] **A:** Well, she was coming in and/or going  
[13] out, I forgot what, and we talked briefly in  
[14] French about Paris. And I think she was going  
[15] to some kind of French thing on Fifth Avenue or  
[16] something. But that was it.  
[17] **Q:** And prior to July of '98, when was  
[18] the last time that you spoke to Helene Luchene?  
[19] **A:** I met her in the elevator the summer  
[20] before July '97.  
[21] **Q:** Did you have any conversation with  
[22] her at that time?  
[23] **A:** "Oh, hi, how are you, back for the  
[24] summer?"  
[25]

**Danger**

- [1] **Q:** Did you ever meet Helene Luchene in  
[2] the presence of your mother?  
[3] **A:** I think Mom and I were in the  
[4] elevator once when she got in the elevator.  
[5] **Q:** Have you ever spoken to Helene  
[6] Luchene about your mother?  
[7] **A:** No.  
[8] **Q:** What's the next name on that?  
[9] **A:** Diane Stennett.  
[10] **Q:** Can you spell that for me?  
[11] **A:** S-T-E-N-N-E-T-T.  
[12] **Q:** Do you know who that is?  
[13] **A:** No.  
[14] **Q:** Do you know what relationship she  
[15] might have with your mother?  
[16] **A:** No.  
[17] **Q:** Have you ever heard that name before  
[18] today?  
[19] **A:** No. I don't remember.  
[20] **Q:** And who is the next name?  
[21] **A:** Terence McClusky.  
[22] **Q:** Do you know who that is?  
[23] **A:** No.  
[24] **Q:** Have you ever heard that name before

**Danger**

- [1] today?  
[2] **A:** I don't remember.  
[3] **Q:** Any other name as a witness?  
[4] **A:** No.  
[5] **Q:** Have you ever talked to Diane  
[6] Stennett?  
[7] **A:** No.  
[8] **Q:** Have you ever talked to Terence  
[9] McClusky?  
[10] **A:** No. I'm not sure who they are.  
[11] **Q:** Let me put that away.  
[12] Going back now to Proponent's  
[13] Exhibit A, I'm going to read to you from the  
[14] second line, paragraph numbered First. "She,"  
[15] meaning Julia Taschereau, "did not publish the  
[16] same as her will in presence of the witnesses  
[17] whose names are subscribed thereto."  
[18] Do you understand what that means?  
[19] **MR. WASSERMAN:** Again you're asking  
[20] a legal question to a non-lawyer, but I'll  
[21] let her answer if she does.  
[22] **A:** Yeah, I don't know what does that  
[23] mean.  
[24] **Q:** Let me take a look again and see if

*Danger*

[1]  
[2] I can find a phrase or a paragraph which, the  
[3] last sentence on paragraph First — not the last  
[4] sentence, I'm sorry, but the last clause after  
[5] the comma, "and the alleged witnesses did not  
[6] sign as witnesses in her presence or in the  
[7] presence of each other." Do you understand what  
[8] that means?

[9] **A:** Yes.

[10] **Q:** You don't understand what that  
[11] means?

[12] **A:** Yes, I do.

[13] **Q:** Do you believe that that statement  
[14] is correct or true?

[15] **A:** No.

[16] **Q:** Do you know why that's listed then  
[17] as one of your objections to probate?

[18] **A:** The alleged witnesses signed as  
[19] witnesses in her presence.

[20] **Q:** Do you know whether that's true or  
[21] not?

[22] **A:** Yes, that is true.

[23] **Q:** Take a look at the last clause of  
[24] paragraph numbered First.

[25] **A:** What I just said? The alleged

*Danger*

[1] witnesses did not sign as witnesses. Well, we  
[2] just saw —

[3] **MR. WASSERMAN:** What's your  
[4] question?

[5] **Q:** Do you know that they did not sign  
[6] as witnesses in her presence or in the presence  
[7] of each other?

[8] **MR. WASSERMAN:** She wasn't there.

[9] **A:** I wasn't there and I see that they  
[10] did sign, and I know now that they were in the  
[11] presence of each other and in her presence.

[12] **Q:** And what was the basis of including  
[13] that as one of your objections?

[14] **MR. WASSERMAN:** Objection to the  
[15] form. You're asking a legal question to a  
[16] person who is not a lawyer, but she can  
[17] answer if she knows.

[18] **A:** I have no idea. I don't know.

[19] **Q:** I'd like you to look at paragraph  
[20] numbered Second which says, "Julia Elizabeth  
[21] Taschereau was not, at the time of making of  
[22] said alleged will, of sound mind and memory and  
[23] capable of making a will."

[24] Would you look at that paragraph.  
[25]

*Danger*

[1]  
[2] **A:** Um-hum.

[3] **Q:** Do you know whether that statement  
[4] is correct or true?

[5] **MR. WASSERMAN:** Objection to the  
[6] form. Again, these are legal meanings of  
[7] words that you're asking a non-lawyer to  
[8] interpret.

[9] **A:** What was the question?

[10] **MR. UNCYK:** Would you read it back,  
[11] please.

[12] (The record was read.)

[13] **MR. WASSERMAN:** Objection to the  
[14] form.

[15] **A:** I don't know. No. I mean...

[16] **Q:** Is it true? Was it true to your  
[17] knowledge?

[18] **MR. WASSERMAN:** Objection to the  
[19] form. I think this is asked a second time  
[20] and she answered. But you can answer  
[21] again if you can.

[22] **A:** I don't know.

[23] **Q:** Did you have any question about your  
[24] mother's competence at any time?

[25] **MR. WASSERMAN:** Objection to the

*Danger*

[1] form. Can you explain what you mean by  
[2] competence, please?

[3] **MR. UNCYK:** It's an English word  
[4] that's used in everyday conversation. I'm  
[5] not implying that the witness knows legal  
[6] or technical terms. I'm asking the  
[7] witness as a person, as a witness, not an  
[8] expert, whether she had any questions  
[9] about her mother's competence at any  
[10] time.

[11] **MR. WASSERMAN:** Competence to make a  
[12] will, is that your question?

[13] **MR. UNCYK:** Competence.

[14] **MR. WASSERMAN:** Objection to the  
[15] form.

[16] **Q:** Please answer it then.

[17] **MR. WASSERMAN:** If you can answer  
[18] it. I can't answer it.

[19] **THE WITNESS:** Can I ask you a  
[20] question?

[21] **MR. WASSERMAN:** Yes. Can we take a  
[22] two-minute break, please?

[23] **MR. UNCYK:** Yes, of course.

[24] (Conference between witness and  
[25]

*Danger*

[1] [2] counsel.)  
[3] **MR. UNCYK:** Celeste, would you mind  
[4] reading back the last question.  
[5] (The record was read.)  
[6] **Q:** Can you answer the question, whether  
[7] you had any questions about your mother's  
[8] competence at any time?  
[9] **A:** I think my mother was competent.  
[10] **Q:** Would you take a look at paragraph  
[11] Second again.  
[12] Do you see there there's a claim  
[13] that she wasn't?  
[14] **MR. WASSERMAN:** Objection to the  
[15] form. I see no mention about competence.  
[16] You're using again one word to —  
[17] apparently, when you mean a second.  
[18] **MR. UNCYK:** Let me take a look at  
[19] it.  
[20] Okay, I'm sorry, I should have  
[21] memorized this before I gave it to you.  
[22] **Q:** To your knowledge was your mother at  
[23] any time not of sound mind?  
[24] **MR. WASSERMAN:** Objection to the  
[25] form. Again, these are legal questions

*Danger*

[1] that you're asking a lay person.  
[2] **A:** I don't think so. I think she was  
[3] of sound mind.  
[4] **Q:** Do you think to your knowledge was  
[5] she ever not of sound memory?  
[6] **MR. WASSERMAN:** Object to the form.  
[7] **A:** Mom seemed perfectly fine.  
[8] **Q:** To your knowledge was your mother  
[9] ever not capable of making a will?  
[10] **MR. WASSERMAN:** Objection to the  
[11] form.  
[12] **A:** No.  
[13] **Q:** I ask you to look again at paragraph  
[14] Second and ask if you have any knowledge or  
[15] information as to why those claims were being  
[16] made as an objection to the will.  
[17] **MR. WASSERMAN:** Objection to the  
[18] form.  
[19] **A:** I don't know. I know nothing about  
[20] legal affairs.  
[21] **Q:** What's the date on that will, again,  
[22] would you take a look?  
[23] **MR. WASSERMAN:** Can you give her the  
[24] will, please.  
[25]

*Danger*

[1] **MR. UNCYK:** I'm sorry, I apologize.  
[2] **A:** November 21st, 1997.  
[3] **Q:** When is the last time that you saw  
[4] your mother before November 21st, 1997?  
[5] **A:** The end of August.  
[6] **Q:** And was she of sound mind and memory  
[7] at that time?  
[8] **MR. WASSERMAN:** Objection to the  
[9] form.  
[10] **A:** My mother seemed very — she was of  
[11] sound memory, yes.  
[12] **Q:** Was she of sound mind at that time?  
[13] **A:** Yes.  
[14] **Q:** Was she capable of making a will at  
[15] that time?  
[16] **MR. WASSERMAN:** Objection to the  
[17] form. What do you mean by capable of  
[18] making a will is a legal question that  
[19] you're asking of a non-legal person.  
[20] You can answer, if you can.  
[21] **A:** My mother seemed capable of — she  
[22] was herself. She was — you know, she had some  
[23] blockage toward any legal terms or something, I  
[24] don't know. My mother was my mother. She was  
[25]

*Danger*

[1] fine. She was — her mind was fine.  
[2] **Q:** When is the next time that you saw  
[3] her after the date of that will, November of  
[4] '97?  
[5] **A:** I never saw her.  
[6] **Q:** You never saw her after that?  
[7] **A:** No.  
[8] **Q:** Okay, let's put those items away.  
[9] I'm going to read to you from  
[10] paragraph third Of objections to probate,  
[11] Proponent's Exhibit A, at least the first couple  
[12] of words, "The alleged will was not freely or  
[13] voluntarily made or executed by Julia Taschereau  
[14] as her last will and testament."  
[15] I'd like you to take a look at that  
[16] and confirm that I've read accurately the first  
[17] several words.  
[18] **A:** Um-hum.  
[19] **Q:** Do you believe that phrase is  
[20] correct and true?  
[21] **MR. WASSERMAN:** And I ask the  
[22] witness to read all of Third because in  
[23] fact the words that are offered by  
[24] Mr. Uncyk are only a portion, and I have  
[25]

*Danger*

[1] objection —  
[2] **MR. UNCYK:** Please do whatever you  
[3] need to put those words in context.  
[4] (Pause in the proceedings.)  
[5] **A:** Yes, there was undue influence.  
[6] **Q:** What do you mean by that?  
[7] **MR. WASSERMAN:** Objection to the  
[8] form.  
[9] **A:** My mother would never have written  
[10] that will if it — if there hadn't been undue  
[11] influence on the part of my twin sister, Betsy  
[12] Combier.  
[13] **Q:** Can you describe what you mean by  
[14] "undue influence"?  
[15] **MR. WASSERMAN:** Objection to the  
[16] form.  
[17] **A:** Threats, punishment, acting on  
[18] guilty feelings.  
[19] **Q:** Anything else?  
[20] **A:** Well, the whole panopoly of  
[21] emotional pain to force Mom to do something that  
[22] she wouldn't ordinarily have done.  
[23] **Q:** Anything else?  
[24] **A:** Not that I can think of.

*Danger*

[1] **Q:** What kind of threats are you aware  
[2] of, either from your own personal knowledge or  
[3] through any means whatsoever?  
[4] **A:** Not seeing her grandchildren.  
[5] **Q:** Is it your claim, then, that Betsy  
[6] threatened your mother with not seeing her  
[7] grandchildren unless she changed her will?  
[8] **A:** Among other things, yes.  
[9] **Q:** What other things did she threaten?  
[10] **A:** Since I knew nothing about this  
[11] except Mom would call me up and say how lonely  
[12] she was, I gather that Mom felt guilty about  
[13] Betsy.  
[14] **Q:** Well, we're talking about threats  
[15] right now. What threats besides not seeing her  
[16] grandchildren?  
[17] **MR. WASSERMAN:** What threats is she  
[18] aware of personally or has she heard other  
[19] people?  
[20] **Q:** Directly or indirectly, what threats  
[21] do you believe were made?  
[22] **MR. WASSERMAN:** Why don't we, if we  
[23] can, Eli, take it one at a time to make  
[24] the record clear. First ask her, if you

*Danger*

[1] can, what she knows from her own direct  
[2] perception, and then if she has heard  
[3] other things, what's that.  
[4] **MR. UNCYK:** Well, I think that's  
[5] really a matter of style more than  
[6] substance. It's not my style to do it  
[7] that way. My style is to do it the way  
[8] I'm doing it. I hope you don't mind.  
[9] **MR. WASSERMAN:** Well, that is  
[10] confusing and I'll object to the form.  
[11] **Q:** It may be confusing, I'd like to  
[12] find out if you know or believe from any source  
[13] whatsoever whether there were any other threats  
[14] besides not seeing her grandchildren?  
[15] **A:** I don't know.  
[16] **Q:** You don't know or you don't know of  
[17] any other, which are you saying?  
[18] **A:** I don't know, period.  
[19] **Q:** You don't know of any other threats  
[20] or you don't know what?  
[21] **A:** I don't know what.  
[22] **Q:** Okay. So you've mentioned one  
[23] threat, not seeing her grandchildren. Were  
[24] there any other threats that you're aware of,

*Danger*

[1] directly or indirectly?  
[2] **A:** That I was personally aware of, no.  
[3] **Q:** That wasn't the question. That you  
[4] were aware of directly or indirectly.  
[5] **MR. WASSERMAN:** That she was aware  
[6] of meaning at the time of the will or now  
[7] or when?  
[8] **Q:** That you are aware of.  
[9] **A:** Now?  
[10] **Q:** Any other threats that you are aware  
[11] of?  
[12] **A:** Now?  
[13] **Q:** At any time from any source. That  
[14] question is as broad as possible. It's not  
[15] appropriate to just spring something on  
[16] someone. I'm asking what other threats do you  
[17] believe Betsy made besides not seeing her  
[18] grandchildren. And I don't care where you get  
[19] that information, whether you dreamt it, whether  
[20] you heard it third or fifthhand or whether you  
[21] heard it personally. What other threats were  
[22] there?  
[23] **A:** The threat I know of is not seeing  
[24] Betsy and her children.

*Danger*

[1] [2] **Q:** Again, I want an answer. Besides  
[3] that threat, are you aware of, do you know of,  
[4] have you dreamt of, ever heard second, third,  
[5] firsthand of any other kinds of threats?  
[6] **MR. WASSERMAN:** Objection to the  
[7] form.  
[8] **A:** I have heard of punishments and  
[9] threats on the part of Betsy, but that is a  
[10] plural, there is an S at the end of  
[11] punishments. I do not know any more than the  
[12] threat of not seeing the grandchildren.  
[13] **Q:** And what about punishments, what  
[14] kind of punishments are you talking about?  
[15] **A:** I don't know.  
[16] **Q:** Why did you say punishments if you  
[17] don't know —  
[18] **A:** Because I've heard indirectly from  
[19] other people that there were punishments and  
[20] threats from Betsy toward Mom.  
[21] **Q:** Now, aside from not seeing her  
[22] grandchildren, what other punishments or threats  
[23] did you hear indirectly?  
[24] **A:** I don't know.  
[25] **Q:** You don't know, or you don't

*Danger*

[1] remember?  
[2] **MR. WASSERMAN:** Asked and answered.  
[3] Eli, she said she doesn't know.  
[4] **A:** I don't know.  
[5] **Q:** Where did you hear this, about this?  
[6] **A:** From Mom's closest friends.  
[7] **Q:** What are their names?  
[8] **A:** Again, there is Maryanne.  
[9] **Q:** Maryanne, what's the last name?  
[10] **A:** Weaver.  
[11] **Q:** And when did Maryanne Weaver tell  
[12] you that your mother told her that she felt  
[13] threatened?  
[14] **A:** She talked to Ken Wasserman.  
[15] **Q:** Did she ever tell you?  
[16] **A:** No.  
[17] **Q:** Anyone else besides Maryanne Weaver?  
[18] **A:** I repeat, again, I assumed — I know  
[19] that Mom confided in her closest friends. I was  
[20] not to know anything about this, nothing. So I  
[21] found out after what was going on at that  
[22] period, but I was not supposed to know anything  
[23] during the period that this was occurring and I  
[24] didn't.  
[25]

*Danger*

[1] **Q:** Well, whenever you found out, when  
[2] and how did you find out? Through who did you  
[3] find out? Who told you? Who told anybody? How  
[4] did you hear? Who do you believe knows?  
[5] **MR. WASSERMAN:** Knows what, Eli?  
[6] Objection to form. I ask you to rephrase  
[7] the question so there is a clear  
[8] question.  
[9] **MR. UNCYK:** I'm looking for  
[10] information. I don't care about the form.  
[11] **MR. WASSERMAN:** I care about the  
[12] form, and I think the judge is going to  
[13] care about the form.  
[14] **MR. UNCYK:** These questions won't be  
[15] asked at the trial. The purpose of this  
[16] is to get information so that you can't  
[17] hide it and spring it.  
[18] **MR. WASSERMAN:** You're aware, I  
[19] think, that there is an objection to the  
[20] form at a deposition.  
[21] **MR. UNCYK:** I understand.  
[22] **MR. WASSERMAN:** And we're also  
[23] trying to formulate proper questions.  
[24] **MR. UNCYK:** That's not my objective  
[25]

*Danger*

[1] right now. I'm not intending to form  
[2] proper questions. I'm intending to get  
[3] information. If she doesn't want to give  
[4] information, we'll deal with it.  
[5] (Luncheon recess: 12:30 p.m.)  
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*Danger*

**AFTERNOON SESSION**

[1] [2] [3] 1:34 p.m.  
[4] JULIA DANGER, having been previously duly sworn  
[5] by a Notary Public, was examined and  
[6] testified further as follows:  
[7] EXAMINATION Continued  
[8] BY MR. UNCYK:  
[9] Q: I'm going to digress for just a  
[10] moment to a different subject from the  
[11] pleadings.  
[12] Do you know Anne Connor, do you know  
[13] that name?  
[14] A: Yes.  
[15] Q: Do you know who she is?  
[16] MR. WASSERMAN: The question is do  
[17] you know who she is, yes or no?  
[18] A: Yes.  
[19] Q: Who is she, to your knowledge —  
[20] A: She is a member of Madison Avenue  
[21] Presbyterian Church.  
[22] Q: Did she have any connection with  
[23] your mother?  
[24] A: Yes, she was a very close friend of  
[25] my mother.

*Danger*

[1] Q: How do you know that?  
[2] A: When I came to New York they would  
[3] go out to dinner. Mom said that she was very  
[4] close to Anne.  
[5] Q: Did you and your mother ever spend  
[6] time together with Anne Connor?  
[7] A: Whenever she would come over, I  
[8] would sit with them.  
[9] Q: How often did that happen, each  
[10] visit?  
[11] A: Oh, maybe three or four times, five  
[12] times, I don't know.  
[13] Q: Did you ever have any conversations  
[14] with Anne outside the presence of your mother?  
[15] A: No.  
[16] Q: Did you ever call Anne by  
[17] telephone?  
[18] MR. WASSERMAN: This is, are you  
[19] talking about the '80s, the '90s?  
[20] MR. UNCYK: Any time. At any time.  
[21] A: Not when Mom was alive, no.  
[22] Q: During the '90s, just to focus a  
[23] little better to make sure that your  
[24] recollection is well refreshed, did you have any  
[25]

*Danger*

[1] [2] conversations with Anne outside your mother's  
[3] presence?  
[4] A: No.  
[5] Q: Did you ever call Anne by telephone  
[6] during the '90s?  
[7] A: No. Well, in the '90s until 1998,  
[8] until my mother's death I didn't even know her  
[9] phone number.  
[10] Q: Now, do you recall whether you  
[11] called Anne Connor in February of 1998 and left  
[12] a message on her answering machine?  
[13] A: I don't remember.  
[14] Q: Is there anything that you could  
[15] look at or anything that you could do that might  
[16] help refresh your recollection?  
[17] A: No.  
[18] Q: Is there anything that happened  
[19] around February of 1998 that would have prompted  
[20] you to call Anne Connor?  
[21] A: I don't remember.  
[22] Q: Sometime in February of 1998 did you  
[23] learn that the second bedroom in your mother's  
[24] home was being used by a caregiver?  
[25] A: No.

*Danger*

[1] Q: Did you ever learn that the second  
[2] bedroom in your mother's home —  
[3] A: No.  
[4] Q: — was being used by a caregiver?  
[5] A: No.  
[6] Q: During February of 1998, do you have  
[7] any recollection that you were told that the  
[8] room that you used to stay in would be used by a  
[9] caregiver?  
[10] A: No.  
[11] Q: Do you have any recollection that  
[12] sometime in 1998 you were told that if you came  
[13] to visit, you would not be able to stay at your  
[14] mother's?  
[15] A: No.  
[16] Q: You said that you spoke to Anne  
[17] Connor sometime after your mother's passing; is  
[18] that correct?  
[19] A: Yes.  
[20] Q: When was the first occasion after  
[21] your mother passed away that you spoke to Anne  
[22] Connor?  
[23] A: Well, right after Betsy informed me  
[24] of Mom's death I was very distraught, upset and  
[25]

*Danger*

- [1] [2] I called Anne.  
[3] **Q:** Where were you at the time that you  
[4] called?  
[5] **A:** Paris.  
[6] **Q:** How did you get her phone number?  
[7] **A:** How did I get her phone number? I  
[8] don't remember. I must have had her home phone  
[9] number, I guess.  
[10] **Q:** A little earlier I think you said  
[11] you didn't even have her phone number when I  
[12] asked you if you ever called her before your  
[13] mother's death.  
[14] **A:** Yeah, yeah.  
[15] **MR. WASSERMAN:** There is no  
[16] question.  
[17] **Q:** A little earlier you said that you  
[18] didn't have her phone number when I asked you if  
[19] you had called her before your mother's death.  
[20] Did you obtain her phone number after that?  
[21] **A:** Yes, I must have.  
[22] **Q:** Where?  
[23] **A:** I don't remember.  
[24] **Q:** Is there anything that you could  
[25] look at or anything that you could do that might

*Danger*

- [1] help you remember?  
[2] **A:** No. No, I really can't remember.  
[3] **Q:** What was the subject of the call?  
[4] **A:** I wanted to talk to somebody.  
[5] **Q:** Did you reach her when you called?  
[6] **A:** Yes.  
[7] **Q:** What did you say and what did she  
[8] say?  
[9] **A:** Well, she — I didn't say too much,  
[10] I was crying and she said come to the memorial  
[11] service and get a lawyer.  
[12] **Q:** What did you say?  
[13] **A:** I said I was definitely coming to  
[14] the memorial service and that why a lawyer, and  
[15] she had mentioned that there was some undue  
[16] influence on the part of Betsy that would mean  
[17] that I would need legal help.  
[18] **Q:** Did she use the phrase "undue  
[19] influence"?  
[20] **A:** No.  
[21] **Q:** What phrase did she use?  
[22] **A:** I don't remember.  
[23] **Q:** What did she say to the best of your  
[24] recollection in her words?  
[25]

*Danger*

- [1] **A:** I don't remember, but she did say  
[2] that I needed a lawyer because there was —  
[3] Betsy had done things that I wouldn't like that  
[4] I would find out and that I should get a lawyer.  
[5] **Q:** Well, what word did she use that you  
[6] interpreted as undue influence?  
[7] **MR. WASSERMAN:** Asked and answered,  
[8] she said that she didn't know.  
[9] **A:** I don't remember. This was right  
[10] after Mom's — I was informed of Mom's death. I  
[11] do not remember. But it was Anne Connor that  
[12] said get a lawyer.  
[13] **Q:** How long after you were informed of  
[14] your mother's death did you call Anne Connor?  
[15] **A:** The next day. Betsy called me, it  
[16] was 9 p.m. in Paris — no, maybe it was that  
[17] same night. I know I couldn't talk for a few  
[18] hours.  
[19] **Q:** So it was either the same night or  
[20] the next day that you called Anne Connor?  
[21] **A:** Um-hum.  
[22] **Q:** Did Anne Connor tell you what things  
[23] you wouldn't like?  
[24] **A:** No. I knew nothing about anything  
[25]

*Danger*

- [1] at that point.  
[2] **Q:** So Anne Connor said, "Get a lawyer,  
[3] Betsy has done things that you'll find out about  
[4] that you wouldn't like"?  
[5] **A:** I don't remember her exact wording.  
[6] **Q:** What else did she say in sum or  
[7] substance even if you don't remember her —  
[8] **A:** That was her basic substance. I  
[9] mean, I wasn't in any kind of state to either  
[10] listen or know in any other way. I remember  
[11] that I was surprised that she would say get a  
[12] lawyer, because every time I went to New York my  
[13] mother seem — I knew nothing about what was  
[14] going on and Mom could not let me know any of  
[15] her pain. She did not want me to know. And Mom  
[16] covered it up very well.  
[17] **Q:** You used the phrase "undue  
[18] influence" in connection with what Anne Connor  
[19] told you, but she did not use that phrase; is  
[20] that correct?  
[21] **A:** She did not use that phrase and I do  
[22] not remember her exact words, but it was, "Why  
[23] do I need a lawyer?" Anne knew what was going  
[24] on in New York and that is why she said get a  
[25]

*Danger*

[1] lawyer, which I did.  
[2] **Q:** When you asked her why, she said,  
[3] "Betsy has done things that you wouldn't like  
[4] that you'll find out about"; is that correct?  
[5] **A:** That was the gist of what she said.  
[6] I do not remember her exact words. I do not. I  
[7] do not.  
[8] **Q:** What about her words or what she  
[9] said in sum or substance made you use the phrase  
[10] "undue influence"?  
[11] **MR. WASSERMAN:** Object to the form.  
[12] That's asked and answered. Try it one  
[13] more time.  
[14] **A:** She said that Betsy — this is the  
[15] gist of what she said, that Betsy had, I don't  
[16] remember her exact words, for me it's undue  
[17] influence, to get her means toward the end, and  
[18] I really don't remember. I was in a distraught  
[19] state.  
[20] She said something to that effect  
[21] when she said get a lawyer.  
[22] **Q:** To the best of your recollection  
[23] what else did you discuss with her during that  
[24] conversation?  
[25]

*Danger*

[1] **A:** Oh, it was very short. I was very,  
[2] very, very, very upset.  
[3] **Q:** Did you have any conversations with  
[4] her after that?  
[5] **A:** I saw her at the memorial service.  
[6] **Q:** Did you have any conversations with  
[7] her there?  
[8] **A:** Oh, hello. She was amazed to see me  
[9] come in because it's a long trip from Paris and  
[10] I told her that I would be coming, but oh, I,  
[11] Jill, you know, sorry, Anne.  
[12] **Q:** Anything else during that  
[13] conversation?  
[14] **A:** No, no, it was right before the  
[15] beginning of the service.  
[16] **Q:** Did you have any other conversations  
[17] with her after the memorial service?  
[18] **A:** I don't remember.  
[19] **Q:** Is there anything that you could  
[20] look at or anything that you could do to help  
[21] refresh your recollection as to whether you had  
[22] any more contacts or conversations with Anne  
[23] Connor after the memorial service?  
[24] **A:** I don't remember.  
[25]

*Danger*

[1] **MR. UNCYK:** I'd like to have marked  
[2] as Exhibit D an item entitled "Bill of  
[3] Particulars in Probate Proceeding, Will of  
[4] Julia Elizabeth Taschereau."  
[5] I'm saying that, remember, Ken, that  
[6] this is a deposition in both cases, we  
[7] have the two cases pending, the Danger  
[8] against Combier case that was removed from  
[9] the Supreme Court to the Surrogate's  
[10] Court, and this will proceeding. So I'm  
[11] not intending to conduct a separate  
[12] deposition for the other case.  
[13] You look surprised. I thought that  
[14] we understood I was using this opportunity  
[15] to take depositions with respect to both  
[16] cases.  
[17] **MR. WASSERMAN:** I don't think you  
[18] should express that I look surprised  
[19] because I didn't —  
[20] **MR. UNCYK:** Oh, okay. Is that all  
[21] right with you, is that your  
[22] understanding?  
[23] **MR. WASSERMAN:** If that's how you  
[24] want to do it, you can certainly — I'll  
[25]

*Danger*

[1] not object to any question you ask  
[2] relating to the trust case.  
[3] **MR. UNCYK:** Okay. Maybe I should  
[4] have made it explicit at the beginning.  
[5] But I'd like to take this opportunity, the  
[6] opportunity today and next week to cover  
[7] both cases, so you don't need to do more  
[8] depositions then are necessary. And  
[9] that's why I'm talking about the title of  
[10] the case as opposed to saying the bill of  
[11] particulars in this proceeding, because  
[12] it's two proceedings that we're talking  
[13] about.  
[14] I'm going to mark it Exhibit D, if  
[15] you don't mind. And attached to it is a  
[16] fax cover sheet from Mr. Wasserman to our  
[17] office which is not part of the exhibit,  
[18] but I won't unattach it.  
[19] (Proponent's Exhibit D, document  
[20] entitled "Bill of Particulars in Probate  
[21] Proceeding, Will of Julia Elizabeth  
[22] Taschereau," was marked for  
[23] identification.)  
[24] **Q:** Would you take a look at the bill of  
[25]

*Danger*

[1] [2] particulars, Ms. Danger, and tell me if you have  
[3] ever seen this document before today?

[4] **A:** Yes.

[5] **Q:** When is the first time that you saw  
[6] it —

[7] **A:** This is the one I saw this morning.

[8] **Q:** You saw it this morning. When you  
[9] say, "This is the one I saw this morning," you  
[10] saw this for the first time this morning?

[11] **A:** (Witness nods.)

[12] **Q:** Can you tell me by looking at the  
[13] verification page, or can you verify for me that  
[14] the verification page says July 17th, 2000 and  
[15] that it's verified by Mr. Wasserman?

[16] **A:** Um-hum.

[17] **Q:** Is that correct?

[18] **A:** (Witness nods.)

[19] **Q:** Do you know what this document is?

[20] **A:** It's about the case.

[21] **Q:** Do you know what a bill of  
[22] particulars is?

[23] **A:** Not exactly, no.

[24] **Q:** Will you look at response to Demand  
[25] No. 1 on page 2 and read that.

*Danger*

[1] **MR. WASSERMAN:** Read it out loud?  
[2] **MR. UNCYK:** No, just to yourself.

[3] (Pause in the proceedings.)  
[4] **A:** Yes, I've read it.

[5] **Q:** Did you see any drafts of this  
[6] document before?  
[7] **A:** No.

[8] **Q:** Reading this, I'd like you to focus  
[9] on page 3. The first paragraph which, in the  
[10] middle which talks about, "Combiar exercised  
[11] moral coercion and irresistible opportunity that  
[12] prevented decedent's interaction. And Combiar  
[13] exercised insidious, subtle and impalpable  
[14] pressure that subverted decedent and  
[15] internalized within the decedent the desire to  
[16] do not the decedent's intent, but rather the  
[17] intent of the decedent," which I take to be a  
[18] typographical error, which I take to be meaning  
[19] the intent of Combiar.

[20] Can you describe what you mean by  
[21] moral coercion?  
[22] **MR. WASSERMAN:** Objection to the

[23] form. Again you're asking a legal  
[24] interpretation from the witness who has no  
[25]

*Danger*

[1] [2] legal training.

[3] **MR. UNCYK:** I'm not asking for a  
[4] legal opinion. I'm asking as a lay person  
[5] what you understand moral coercion to  
[6] mean.

[7] **A:** Well, the threats, the punishments,  
[8] the guilt. Mom had fallen, she had been in the  
[9] hospital. All sorts of things that if somebody  
[10] told me to disinherit one of my children now,  
[11] it's not an option, I wouldn't do it. And  
[12] Betsy's punishments and threats put Mom in such  
[13] a state that she was forced to do that.

[14] **Q:** Are those punishments and threats  
[15] the ones you described earlier including not  
[16] seeing her grandchildren?

[17] **A:** Yes.

[18] **Q:** And at that time when I asked you  
[19] those questions I asked you were there any other  
[20] threats?

[21] **A:** I don't know what they were. To me  
[22] it was not seeing — because Mom would call me  
[23] on the phone complaining about how lonely she  
[24] was, but there are other people that have said,  
[25] oh, Betsy's threats and punishments.

*Danger*

[1] **Q:** And you mentioned the other people  
[2] who said that?  
[3] **A:** Yes.

[4] **Q:** Maryanne Weaver, is the one person  
[5] that you mentioned who said that?  
[6] **MR. WASSERMAN:** No, objection to

[7] that. I believe there were more.  
[8] **Q:** Okay, then please remind me, tell me

[9] who else.  
[10] **A:** Anne Connor, Chuck Amstein.

[11] **Q:** Okay, Anne Connor, Chuck Amstein.  
[12] Who else?  
[13] **A:** I guess Maryanne's husband John

[14] Weaver, I guess.  
[15] **Q:** And what do you understand, whether

[16] it's directly from your own knowledge or any  
[17] other source your mother told Anne Connor about  
[18] threats, punishments or similar things?  
[19] **A:** Yes.

[20] **Q:** What do you understand your mother  
[21] told Anne Connor?  
[22] **A:** I understand that it must have been

[23] something absolutely terrible for no one to even  
[24] make me suspect that Mom was under such pain and  
[25]

*Danger*

[1] unhappiness.  
[2] **Q:** So you had no idea?  
[3] **A:** No idea.  
[4] **Q:** You had no idea that your mother was  
[5] under such stress and such pain and anxiety?  
[6] **A:** No, no. She did everything possible  
[7] that I would not find out.  
[8] **Q:** And she was effective in that, you  
[9] had no idea that she was under that kind of  
[10] pressure?  
[11] **A:** No, none. And she voiced her pain  
[12] to her closest friends.  
[13] **Q:** How do you know that?  
[14] **A:** Well, I know now that they're  
[15] very —  
[16] **MR. WASSERMAN:** Don't guess. What  
[17] you know, say what you know. I ask you  
[18] not to guess. I think Mr. Uncyk would  
[19] also ask you not to guess.  
[20] **A:** Her close friends are unhappy that  
[21] she suffered such pain at the end of her life.  
[22] **Q:** How do you know that her friends are  
[23] so unhappy about her pain?  
[24] **A:** Maryanne has talked to my lawyer.

*Danger*

[1] **Q:** And what about Anne Connor, how do  
[2] you know she's so unhappy?  
[3] **A:** She also has talked to my lawyer.  
[4] **Q:** And what about Chuck Amstein?  
[5] **A:** He also has talked to my lawyer.  
[6] **Q:** What about John Weaver?  
[7] **A:** Through Maryanne, I think. I'm  
[8] saying I think again.  
[9] **Q:** Have you talked to any of these  
[10] people?  
[11] **A:** No.  
[12] **Q:** Now, the next paragraph talks about  
[13] an attorney Kenneth Brown. I don't know if  
[14] you've read that, the paragraph that deals with  
[15] Mr. Brown.  
[16] **A:** Um-hum.  
[17] **Q:** Is it your contention that Mr. Brown  
[18] knowingly participated in a fraud with  
[19] Ms. Combier?  
[20] **A:** Not knowingly.  
[21] **Q:** Towards the end of that paragraph  
[22] there's a statement that, "Brown knew or should  
[23] have known that this wish to disinherit Danger  
[24] was the desire of Combier and not of decedent."  
[25]

*Danger*

[1] What's the basis of your statement  
[2] that he knew or should have known that it was  
[3] not the decedent's wish?  
[4] **MR. WASSERMAN:** Objection to the  
[5] form. And I have continuing objection to  
[6] the extent that your questions are asking  
[7] an interpretation of the document. It's a  
[8] legal document, you're asking a person who  
[9] is not a lawyer.  
[10] **MR. UNCYK:** Okay, I understand.  
[11] **Q:** What's the basis of this statement  
[12] or your opinion that Brown knew or should have  
[13] known?  
[14] **A:** Where is that?  
[15] **Q:** On page 4.  
[16] **A:** Page 4.  
[17] **MR. WASSERMAN:** And don't guess,  
[18] please.  
[19] **A:** If these were Mom's wishes, Mom did  
[20] not willingly want to disinherit me, and if Mom  
[21] had been doing this, he would have known her  
[22] wishes.  
[23] **Q:** What's the basis of the claim that  
[24] Brown knew or should have known that these were  
[25]

*Danger*

[1] not your mother's wishes?  
[2] **MR. WASSERMAN:** Objection to the  
[3] form.  
[4] **A:** Well, the fact that he didn't know  
[5] my mother's wishes making up her will, he should  
[6] not have made up the will if he wasn't — didn't  
[7] know that my mother's wishes were otherwise than  
[8] that.  
[9] **Q:** I think we know that he did make up  
[10] the will.  
[11] **A:** Yes, he did.  
[12] **Q:** And are you saying that he should  
[13] have known that the will was not your mother's  
[14] wish?  
[15] **MR. WASSERMAN:** Objection to the  
[16] form. Don't guess.  
[17] **A:** He was found by Betsy. He met Betsy  
[18] before the signing of the will. In spite of the  
[19] fact Betsy under oath in her deposition said  
[20] that she did not meet him before the signing of  
[21] the will. My mother at that point was not able  
[22] to withstand Betsy's pressure. She was — she  
[23] had fallen, she had broken her hip. She was in  
[24] the hospital, she was in a nursing home. She  
[25]