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1                    Washington, D.C.  
                      Wednesday, May 5, 2004  
2            The deposition of JORGE GARCIA-SPITZ,  
                      called for examination by counsel for the  
3 Defendants in the above-entitled matter, pursuant  
                      to notice, at the Office of the Corporation  
4 Counsel, 441 Fourth Street, N.W., Sixth Floor  
                      South, Washington, D.C., convened at 10:28 a.m.,  
5 before Jennifer M. O'Connor, a notary public in and  
  
6 for the District of Columbia, when were present on  
  
7 behalf of the parties:

8 APPEARANCES:

9        On behalf of the Plaintiffs:

10        CARL L. MESSINEO, ESQ.  
11        Partnership for Civil Justice, Inc.  
12        1901 Pennsylvania Avenue, N.W.  
13        Washington, D.C. 20006  
14        (202) 530-5630

15        On behalf of Defendant, District of Columbia:

16        MARTHA MULLEN, ESQ.  
17        Senior Litigation Counsel  
18        Office of the Corporation Counsel  
19        441 Fourth Street, N.W.  
20        Sixth Floor South  
21        Washington, D.C. 20001  
22        (202) 724-6612

00137

1 Q Did either of your friends ask to see a  
2 lawyer?

3 A Not that I know of.

4 Q Were they present when you were having  
5 this conversation with the police officer?

6 A They--I believe they were in earshot. I  
7 don't know if they heard.

8 Q Did he tell you, other than in commoting  
9 that there was any other charge against you?

10 A No.

11 Q He--this officer that you described, he  
12 explained that that was the charge and in order to  
13 be released, you had to come up with \$50?

14 A He didn't explain anything. He--he was  
15 just escorting me along and saying, oh, you know,  
16 "Do you need money to pay the fine? Well, let's go  
17 to the ATM." It was the officer that suggested  
18 that it was in commoting that was moving us outside  
19 of the Police Academy, so it's two separate  
20 officers.

21 Q Thank you.

22 A And my arresting officer, he didn't

00138

1 explain anything.

2 Q After you got the cash from the ATM

3 machine, what did you do next?

4 A I gave the money to the girls, to Casey

5 and Charlcie, that they required to pay the fine.

6 And upon my--after the arresting officer threatened

7 that we wouldn't be released until Tuesday if we

8 didn't pay the fine, and I guess what's called

9 posted forfeit and plead guilty, he said that that

10 option would allow us to get released immediately

11 as opposed to being held till Tuesday if we wanted

12 to contest.

13 Q Were you given any paperwork?

14 A Yes.

15 Q Did you keep that paperwork?

16 A Yes.

17 Q Do you have it to this day?

18 A Yes.

19 Q Have you produced it to the defendants?

20 A No.

21 Q What is the paperwork?

22 A I think that it's just the claims ticket