UNIVERSAL STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA TAMPA DIVISION
CASE NO.: 8:09-CV-2403-SDM-TGW

STEVE AARON, et al.,

Plaintiff(s),

vs.

THE TRUMP ORGANIZATION, INC., a New York Corporation, and DONALD J. TRUMP, an individual,

Defendant(s).

DEPOSITION OF:
John Robbins

TAKEN BY: Attorney for Defendants

DATE: Friday, October 8, 2010

TIME: Commencing at 10:00-4:00 p.m.

PLACE: Bajo, Cuva, Cohen, and Turkel, P.A. 100 North Tampa Street Suite 1900 Tampa, Florida 33602

Examination of the witness taken before:

Sarah J. Murrow Clearwater, Florida 33762
### Case 8:09-cv-02493-SDM-AEP  Document 85  Filed 04/01/11  Page 2 of 46 PageID 1234

#### APPEARANCES:

- J. Daniel Clark, Esq.  
  Clark Marcano, P.A.  
  3407 W. Kennedy Boulevard  
  Tampa, Florida 33609  
  (813) 879-0700  
- Kenneth G. Turkel, Esq.  
  Bajo, Cova, Cohen, and Turkel, P.A.  
  100 North Tampa Street  
  Suite 1900  
  Tampa, Florida 33602  
- Attorneys for the Plaintiff(s)  
  - Lauren Valiente, Esq.  
  - Foley & Lardner, LLP  
  - 100 North Tampa Street  
  - Tampa, Florida 33602  
  - (813) 229-2300  
- Attorney for the Defendant(s)  

#### INDEX

- Direct Examination by Ms. Valiente  
  5  
- Cross-Examination by Mr. Turkel  
  170  
- Redirect Examination by Ms. Valiente  
  173  
- Certificate of Oath  
  178  
- Certificate of Court Reporter  
  179  

#### EXHIBITS

<table>
<thead>
<tr>
<th>EXHIBIT NO.</th>
<th>DESCRIPTION</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Letter from Rosanna Scharne</td>
<td>50</td>
</tr>
<tr>
<td>2</td>
<td>Letter from Nicole Salotto</td>
<td>51</td>
</tr>
<tr>
<td>3</td>
<td>Receipt</td>
<td>53</td>
</tr>
<tr>
<td>4</td>
<td>Trump Tower Brochure</td>
<td>54</td>
</tr>
<tr>
<td>5</td>
<td>Views</td>
<td>61</td>
</tr>
<tr>
<td>6</td>
<td>Newspaper Clippings</td>
<td>66</td>
</tr>
<tr>
<td>7</td>
<td>E-mail correspondence</td>
<td>68</td>
</tr>
<tr>
<td>8</td>
<td>Newspaper Clippings</td>
<td>71</td>
</tr>
<tr>
<td>9</td>
<td>TBO.com News</td>
<td>90</td>
</tr>
<tr>
<td>10</td>
<td>Newspaper-&quot;The Men Behind&quot;</td>
<td>91</td>
</tr>
<tr>
<td>11</td>
<td>Trump Tower Tampa Brochure</td>
<td>99</td>
</tr>
<tr>
<td>12</td>
<td>Newspaper-&quot;Trump Fires up&quot;</td>
<td>100</td>
</tr>
<tr>
<td>13</td>
<td>E-mail</td>
<td>103</td>
</tr>
<tr>
<td>14</td>
<td>Newspaper-&quot;What you see&quot;</td>
<td>104</td>
</tr>
<tr>
<td>15</td>
<td>Newspaper-&quot;Mogul holds court&quot;</td>
<td>106</td>
</tr>
<tr>
<td>16</td>
<td>Newspaper-&quot;South Tampa Style&quot;</td>
<td>108</td>
</tr>
<tr>
<td>17</td>
<td>Trump Tower Tampa Brochure</td>
<td>109</td>
</tr>
<tr>
<td>18</td>
<td>Newspaper-&quot;The Donald on&quot;</td>
<td>110</td>
</tr>
<tr>
<td>19</td>
<td>Newspaper-&quot;Competing for a&quot;</td>
<td>112</td>
</tr>
<tr>
<td>20</td>
<td>Newspaper-&quot;Rendered Moot&quot;</td>
<td>113</td>
</tr>
<tr>
<td>21</td>
<td>New Tampa high-rise</td>
<td>117</td>
</tr>
<tr>
<td>22</td>
<td>E-mail</td>
<td>117</td>
</tr>
<tr>
<td>23</td>
<td>USA Today</td>
<td>120</td>
</tr>
</tbody>
</table>

### THERUPON,

John Robbins  
was adduced as the deponent herein, and being first  
duly sworn upon oath, was questioned and testified as  
follows:

- **THE DEPONENT:** I do.
- **DIRECT EXAMINATION**
  - **BY MS. VALIENTE:**
    - Q. Mr. Robbins, we have previously introduced  
      ourselves, but I wanted to thank you for being here  
      today. First, have you ever had your deposition taken  
      before?
    - A. No.
    - Q. I'm sure you have gone over this with your  
      attorney, but I just wanted to go over some of the  
      ground rules. As you probably know, I'm going to be  
      asking you questions about your case, and it's really  
      important that if there is anything about my question  
      that you don't understand or that's unclear, please let  
      me know and I will rephrase the question and -- because  
      I want to make sure that you understand what I'm asking  
      you and that we're getting as accurate answers as we  
      can.
    - A. Yes.
    - Q. Also, because we have got the court reporter

SOUND DEPOSITION SERVICES, INC.  
(888) 297-6863
here and she is taking down everything we are saying, it is really important you verbalize your answers. For example, say yes or no instead of uh-huh or uh-uh so she can get it down.

A. Yes.

Q. And then very, very important as we go on, I'm sure you will be anticipating my question and you will probably realize where I'm going, but also just for the court reporter's benefit so she can take everything down, just please wait until I finish my question before you give your answer. Then at any time you need to take a break, we can do so. Just let me know. The only thing I would ask is if we are in the middle of a question, I will just ask that you finish your answer.

A. Do you have any questions before we start?

Q. Okay. Great. Do you have any type of medical condition or are you taking any type of medication that would make it impossible for you to understand my questions or answer them accurately?

A. No, I do not.

Q. Okay. First, I want to ask you about -- I know that we have -- I believe it was yesterday or the day before that we got some documents from your attorney that were responsive to some document requests that we had served in the case.

Did you provide those documents to your attorney, those documents that you had in your possession?

A. Documents that I had in my possession, yes, I furnished them to Dan.

Q. Now, other than the documents that you furnished to your attorney -- well, first of all, did you give him originals or did you give him copies of what you had?

A. I gave him the originals.

Q. So you no longer have any originals in your possession?

A. No, I don't.

Q. Other than the documents you gave to your attorney, do you currently have in your possession any document relating to the Trump Tower Tampa project?

MR. CLARK: Objection to form. You can answer.

A. I have copies of depositions that were taken and they were furnished by my counsel, and I also have a copy of Mr. Trump's deposition that was furnished to me.

BY MS. VALIENTE:

Q. Other than Mr. Trump's deposition, what other deposition transcripts do you have?

A. The Carusos, which I don't know personally, but I think Jill Caruso and -- I'm not sure, but I think it's Art Caruso.

Q. Okay. And you said you never met them personally?

A. No, I have not.

Q. Have you talked to them on the phone?

A. No, I have not.

Q. Did you read those transcripts of Mr. and Mrs. Caruso and Mr. Trump's transcripts?

A. Yes, I did.

Q. Now, do you -- are there any other unit purchasers -- and by unit purchasers, anybody that signed a purchase agreement for a unit in the project. Do you know any other -- have you ever met any other unit purchaser personally?

A. One.

Q. Which one is that?

A. I need to clarify this because she is also an attorney and has provided some information to my wife and I, so --

MR. CLARK: You can tell her the name.

That's fine.

A. Her name is Catherine Gouze. She lives in the building we currently live in also, and she's a personal friend and a work friend of my wife.

BY MS. VALIENTE:

Q. So you also know her personally?

A. Yes.

Q. Then other than -- how do you pronounce her last name again?

A. Gouze, G-o-u-z-e.

Q. Other than Ms. Gouze, have you met any other unit purchasers personally?

A. No, I have not.

Q. Have you spoken to any of them on the phone?

A. No, I have not.

Q. Okay. So just to be clear, other than the deposition transcripts and the documents that you gave to your attorney, you have no other documents that in any way relate to the Trump Tower Tampa? Other than documents that may have been given to you by your attorney. Just documents that you kept on your own.

A. No, I do not.

Q. Okay. The documents that you provided to your attorney, before you provided them to your attorney, how did you keep them at home?
Case 8:09-cv-02493-SDM-AEP   Document 85    Filed 04/01/11   Page 4 of 46 PageID 1236

Page 10

1. A. I was living in Connecticut. My wife and I had a home in Connecticut. Then after a certain point in time, we sold the home in Connecticut and I rented an apartment. And we also -- my wife traveled for her work, so sometimes she was down here and sometimes she was in Connecticut. But I kept the documents in a home office, either at the residence that we owned or the apartment that we have rented.

Then beyond that, I also was making a binder, a very detailed binder, and I kept everything -- I tried to keep it in realtime, and that included newspaper articles. When I came down here for the Trump activities in February, I took photographs, and photographs were in there.

Then just some personal things that pertained to me as a military retiree that pertained to the area. For instance, MacDill Air Force Base. My father was there during World War II, and it's certainly available to my wife and I. We go there quite frequently. And other articles about people that had gotten part-time jobs in sports because I was working in a part-time job in sports at that the time.

Q. So were all of the -- were all of the Trump Tower Tampa materials -- they were all kept together?

A. Yes. Now, not everything was kept in that binder because some things were very big and cumbersome, but everything was kept together, yes.

Q. So whatever was not in the binder, those documents were also kept along with the binder in the same place?

A. Yes.

Q. And those were -- you said they were kept in your home office; whether it was in Connecticut and then later when you moved to Tampa, they were always kept in a home office?

A. Yes.

Q. Can you spell your full name?

A. First name is John, J-o-h-n, middle initial is L, last name is Robbins, R-o-b-b-i-n-s.

Q. And what is your current address?

A. 345 Bayshore Boulevard, Tampa, Florida 33606.

Q. Is that a home or a condo?

A. Condo. I can see it right here over my shoulder.

Q. But it's the 345 -- the tower building on Bayshore Boulevard?

A. Yes.

Q. How long have you lived there?

A. We purchased the unit in -- I believe it was August or September of '08, and my wife began living there full time at that time, and I was finishing my work in Connecticut at the Department of Corrections. So I had been living there full time since August of '09.

Q. Going back to the -- we were talking about the documents real quick. The documents you collected and provided to your attorneys. Between you and your wife, was there -- was one of you the person primarily responsible for collecting those documents?

A. Yes. I was.

Q. Did your wife have any involvement in collecting those documents?

A. When she was here and I was in Connecticut, she would save hard copies of newspapers for me; so that when I get here, I would have a collection of newspapers to look through. But also in Connecticut on a daily basis I read the Tampa Tribune and the St. Pete Times.

Q. Was it your practice to save any article that you read that talked about the project?

A. I tried to, yes. I don't know that I captured all of them, but that was my goal.

Q. Okay. Where did you live prior to the 345 address?

A. Our home was located in Durham, Connecticut, which is central Connecticut between Hartford and New Haven. The apartment that I lived in was located in East Hartford, Connecticut.

Q. And how long you were at the apartment?

A. January of '08 until I came down here, which would have been August of '09.

Q. And how long were you in the home in Connecticut?

A. I believe we purchased -- I think I purchased the home in 1992, and we sold it in December of '07.

Q. Where did you live before the home that you moved to in 1992?

A. I lived in another home in Durham, Connecticut. I'm trying to remember the name of the road. It's just not coming to me right now, but it was in Durham, Connecticut. It was probably two or three miles from the second home that we bought.

Q. Was it also a house or condominium?

A. It was a house.

Q. Okay. How long were you in that house before the 1992 house?

A. I'm going to say 12 years. That's my best estimate.

Q. How about before that house?

A. I rented a home in Connecticut -- in Madison,

Page 12

Page 11

Page 13

Page 14

Page 15

Page 16

Page 17

Page 18

Page 19

Page 20

Page 21

Page 22

Page 23

Page 24

Page 25

Page 26

Page 27

Page 28

Page 29

Page 30

Page 31

Page 32

Page 33

Page 34

Page 35

Page 36

Page 37

Page 38

Page 39

Page 40

Page 41

Page 42

Page 43

Page 44

Page 45

Page 46

Sound Deposition Services, Inc.
(888) 297-6863
Q. For how long?
A. Less than three years.
Q. So around what time period are we talking about for the Madison house?
A. Maybe 1975 or '76. I'm really kind of foggy on that. It's just not something in my memory bank.
Q. Sure. How long have you lived -- how long did you live in Connecticut in all?
A. When I started renting that house in Madison.
Q. Okay. Where were you before Connecticut?
A. I lived in Rhode Island -- Port Smith, Rhode Island.
Q. Where were you born?
A. Millville, New Jersey.
Q. Are you currently employed?
A. I am retired.
Q. From the military?
A. From the Army and from the Connecticut Department of Corrections.
Q. Are you at all self-employed? Do you currently have a --
A. No, I do not.
Q. Do you currently hold any type of professional license?
A. I do not.
Q. Have you ever held any type of professional license?
A. No, I did not.
Q. And you completed high school, correct?
A. Yes.
Q. Did you attend college?
A. Yes, I did.
Q. Where?
A. I attended Pennsylvania Military College, which today is now known as Widener University.
Q. Did you graduate from there?
A. Yes, I did.
Q. What year did you graduate?
A. I graduated in 1970.
Q. Any type of advanced degree beyond college?
A. No. I attended various schools in the military, and I took classes at various colleges, but not to the extent of getting an advanced degree, no.
Q. Are you currently married, correct?
A. Yes.
Q. What is your wife's name?
A. Her name is Roseanna and the last name is Gramuglia, G-r-a-m-u-g-l-i-a.
Q. Now, I have seen your wife's last name stated at Schanne.
A. Schanne.
Q. Does she also use that name as well?
A. No -- well, she was married and divorced, and that was a married name. After she divorced, she went back to her maiden name, and she still maintains that name today even though we're married.
Q. But you are legally married?
A. Correct.
Q. Gramuglia is her maiden name, correct?
A. Right. But the best way to pronounce it is Gramuglia, but if you do it phonetically, it's Gramuglia. I had trouble with that when I first met her.
Q. I apologize, but I'm going to have trouble with that one.
Have you ever -- I want to talk to you about -- if I call something a nonpublic company, what I'm referring to is a company that's not publicly traded on a stock exchange. Have you ever held any type of interest in or been an officer, director, or a member of a nonpublic entity?
A. No. I have not.
Q. By that I mean -- for example, I mean some people will purchase property and put it in the name of a company that they create themselves. I would include that as well.
A. Correct. That's not the case.
Q. You have never done that?
A. Correct.
Q. Okay. How about your wife? To your knowledge, has she ever held any type of interest in or been an officer, director, or a member of a nonpublic company?
A. No.
Q. Before this litigation that we are here about today, have you ever been a party to any other type of lawsuit either as a plaintiff or a defendant?
A. I had a question about this the other day with Dan and --
MR. TURKEL: You don't want to talk about things that you talked about with me and Dan.
Those are attorney-client privilege. You can just answer her question.
BY MS. VALIENTE:
Q. Just to be clear, please don't -- anything that your attorneys may have told you, I don't need to hear about.
MR. TURKEL: Was it an auto suit or something?
THE DEponent: A person fell on my property.

MR. TURkEL: Yeah. He had something where he
was a nominal defendant, but his insurance company
handled it all. You can tell her about that.

THE DEponent: A person fell on my property
and had an injury to her ankle, and I got a letter
from an attorney, so I don't know if it was
officially sued or whatnot. I gave the letter to
my insurance company and they settled it and I
haven't heard anything from it.

MR. TURkEL: The short version is that
there's skepticism as part of the fact is he
doesn't know if a lawsuit was actually filed or
whether somebody just sent a demand letter to the
adjuster.

BY MS. VALiente:

Q. But other than that incident, are you aware
of any other lawsuit where you have been --
A. No, I have not.

Q. -- a plaintiff or a defendant?
A. No, I have not.
Q. Just remember to let me finish so that she
can get it down.

How about your wife? To your knowledge, has
your wife ever been a plaintiff or a defendant in a

lauit?
A. No, I don't believe.

MR. TURkEL: Other than probably her divorce
proceedings.

THE DEponent: Other than that, yes.

BY MS. VALiente:

Q. How about -- there are also proceedings
called arbitrations. That you know of, have you or
your wife ever been a party to an arbitration
proceeding?
A. No.
Q. Do you currently own the condo you live in at
the 345 address?
A. Yes, I do.

(Discussion off the record.)

MR. TURkEL: Let her finish the question.

It's not so much that your answers -- it's very
easy to figure out what a question sounds like.
It's more so a logistic issue as to how the
transcript will read.

It will have her question and then like a
dot, dot, dot and then your answer jumps in and
then her question finishes. What eventually she
will start to do is start re-asking the entire
question, which will take a lot longer.

BY MS. VALiente:

Q. So you said that you own the -- let me step
back.

You said that you own the condominium that you
currently live in at the 345 address, correct?
A. Yes, we do.
Q. Do you and your wife own it jointly?
A. Yes, we do.
Q. How about -- other than that condominium, do
you or your wife currently own any property?
A. My wife owns two properties.
Q. Where are those?
A. Both located in East Hartford, Connecticut.
Q. Does she own those properties in her name
alone?
A. One property she owns in her name alone, and
one property she owns in a, I guess, partner-type with
her brother.
Q. What type of properties are those?
A. The properties she owns in her own name is a
duplex, and the building that she owns with her brother
is a four-unit apartment building.
Q. The duplex, is she renting those out?
A. Correct.
Q. What are her day-to-day responsibilities with
respect to the apartment building?
A. The apartment or the duplex?
Q. The apartment.
A. The four-bedroom apartment?
Q. Yeah. Just to be clear, you said she has got
two properties. One is the duplex and one is the
four-unit apartment building?
A. Yes.
Q. Let's start with the four-unit apartment
building. What are her responsibilities with respect
to the apartment building?
A. Pretty much none right now because of the
fact that she is in Florida and her brother is in
Connecticut, so he handles everything that needs to be
handled for that building.
Q. So she relies on her brother to take care of
the day-to-day responsibilities of that building?
A. Yes.
Q. You said a four-unit -- is it an entire
building, the four-unit apartment building?
A. Yes, it is.
Q. How about the duplex, does she currently have
any day-to-day responsibilities with respect to the
duplex?
A. We have a property management company that

SOUND DEPOSITION SERVICES, INC.
(888) 297-6863
handles that for us. When I was in Connecticut, I was doing that.

Q. So other than the duplex and the apartment building, does your wife currently own any other properties?
A. No, she does not.
Q. Other than the property you have lived in as your home, have you ever owned any other type of property?
A. No, I have not.
Q. With respect to your wife, other than the duplex and the floor unit apartment building, has she owned any other property other than property that she has lived in as a home?
A. No, she has not.
Q. Besides the 345 building where you currently reside, have you ever owned a condominium unit?
A. Never. This is the first time.
Q. How about you, wife, other than this condominium unit, the 345 unit, has she ever owned a condominium unit?
A. No.
Q. I think I asked you this and I apologize, but when did you and your wife move to Tampa?
A. Two different times. She preceded me. She came here -- well, she came here quite frequently for her job. She worked out of the -- in Connecticut, but her company was located here. I would say she moved here full time when we purchased the condo. I came a year later after I finished my work in Connecticut and retired there.
Q. So she came in 2008 and you came in 2009?
A. Yes, that's correct.
Q. The duplex that your wife currently owns, was that originally purchased with the intent of renting it out?
A. No. It was originally purchased by her and her husband at the time and her -- one of her sisters and her husband, and she lived in one side and her sister lived in the other side.
Q. How about the apartment building, was that originally purchased with the intent of renting out the units to keep it as a rental property?
A. Yes.
Q. It wasn't purchased with the intent of trying to sell it or trying to flip it?
A. No.
Q. Mr. Robbins, why are you suing Mr. Trump and the Trump Organization?
A. I feel that we entered into this real estate transaction under -- not under full disclosure as to exactly what was happening. Had I been given full information at that time, I wouldn't be sitting here today, and I wouldn't be a party to this lawsuit.
Q. Okay. I want to try and understand exactly what you mean by that. So I want to start with at the time that you signed your purchase agreement, what was your understanding of the project? What did you -- what did you understand -- what did you understand about the Trump Tower Tampa project?
MR. TURKEL: Object to form. You can go ahead and answer.
A. My understanding at the time was Trump Tower Tampa was a Donald Trump project in conjunction with a local company called SinDog and that Mr. Trump was a partner in the project.
BY MS. VALIENTE:
Q. Okay. So I want to make sure I understand all of that. So let's -- I want to take the first piece of your statement. You said you understood that the project was a Donald Trump project. What do you mean by that?
A. The building itself was going to carry his name, and it was being advertised as a Donald Trump signature property and that Mr. Trump was a partner in the project.

Q. When you say that he was a partner in the project, what did that mean to you?
A. It means that he was going to share in the expense of the building, but also share in profits from the building.
Q. But other than the word "partner," did anybody ever tell you that he was going to share in the expense of the project?
MR. TURKEL: Object to form.
A. No.
BY MS. VALIENTE:
Q. Do you remember reading that statement anywhere to the effect that he would share in the expense of the project?
A. No, I do not.
Q. So you assumed that fact from the word "partner"?
A. Yes.
Q. So -- and I want to make sure that I completely understand your position, and if there is anything incorrect about what I'm saying, please tell me. So is it accurate to say that your only expectation with respect to Mr. Trump's involvement when you signed the purchase agreement was that he was
going to share in the expenses and profits of the
building?

MR. TURKEL: Object to form.

A. No. It goes beyond that.

BY MS. VALIENTE:

Q. Well, in what other -- in what other ways did
you expect Mr. Trump to be involved in the project?

A. Well, we were told that, for instance,
Mr. Trump was putting his stamp on the building because
he already made changes to plans. He was making
changes to the lobby. I recall changes to certain
windows, I believe, and ceiling heights and various
changes such as that. I can’t remember all of them.

Q. So would it be fair to say that you expected
that Mr. Trump would ensure that the building lived up
to the Trump standard?

A. Yes, because it was carrying his name.

Q. So to summarize, what I understand is when
you signed the purchase agreement you understood -- or
strike that.

What I understood is when you signed the
purchase agreement, your expectation with respect to
Mr. Trump’s involvement in the Trump Tower Tampa
project was that he would share in the expenses and
profits of the project and that he would ensure that

the building lived up to the Trump standard; is that
correct?

MR. TURKEL: Object to form.

A. That’s correct.

BY MS. VALIENTE:

Q. Anything else?

A. No.

Q. Now, when you say that you expected or you
understood that Mr. Trump was sharing in the expenses
of the project, what exactly -- what specifically did
you expect was Mr. Trump’s responsibility with respect to
the expenses?

A. I don’t know specifics as far as the
expenses, but I would think that if you are going to
get a piece of the profit that you should have a piece
of the responsibility also that would warrant being
paid those profits.

Q. Why was that important to you that he share
in the expenses?

A. It wasn’t.

Q. Okay. Now, did you ever directly -- strike
that.

Did you ever ask anyone involved with the
project what Mr. Trump or the Trump Organization’s
responsibilities actually were with respect to the

project?

A. No. I didn’t feel that I had to. I heard in
Mr. Trump’s own words when he presented himself here
in Tampa that he was a partner; that he was happy to be
in Tampa; that he loved Tampa; that he loved George
Steinbrenner; that he loved his partners, and that this
was going to be the grandest building in Tampa and the
largest building on the west coast of Florida.

Q. But you never asked anyone what Mr. Trump’s
responsibilities as a partner were, did you?

A. No. I didn’t feel I had to ask that
question.

Q. Okay. Did you seek any type of legal advice
before you signed the purchase agreement?

A. Yes.

Q. And, again, I’m not asking you to divulge
anything that was told to you by an attorney, but did
the attorney review the purchase contract before you
signed it?

A. Yes.

Q. Did the attorney review any of the
condominium documents before you signed it?

A. Yes.

Q. Did she review the property report?

A. Yes.

Q. Did she review the prospectus?

A. Yes.

Q. I want to go back to the beginning of when
you first heard about the project -- and just for the
record so we are clear, when I say the word “project,”
I mean the Trump Tower Tampa project.

A. Okay.

Q. How did you first learn about the project?

A. I found out from my wife, who was down here,
and then she relayed the information to me.

Q. Do you know how your wife first learned about
the project?

A. Yes. Through a friend who was a friend of a
banker here. They were engaged in a conversation, and
she happened to tell us that there was going to be a
condominium built here in Florida, and it was going to
be a high-end condominium and that it was going to be
built by a prominent, let’s say, player in the
condominium market from New York City. But no one at
that point was at liberty to mention the name, but it
was pretty easy to figure out, you know, from
everything that was said who it was going to be. So
from that, my wife and her coworker made an appointment
with Jody Simon, and they got information from Jody
Simon.
Q. Who was your wife's coworker?
A. Her name was Catherine Gouze.
Q. It was Catherine Gouze?
A. Yeah.
Q. Because at that point, when you first learned about the project, you were living in Connecticut, correct?
A. Yes, I was.
Q. And you said your wife was going back and forth because of her job?
A. Yes.
Q. Where was she staying when she was coming down to Tampa?
A. When she came down here, she would either stay at the Sheraton on Cypress or she would stay with Ms. Gouze at her condo.
Q. How long have you known Ms. Gouze?
A. At least ten years I would say. My wife knew her before I did, and I met her through my wife.
Q. Does your wife still work with Ms. Gouze?
A. No. They both work for different firms.
Q. But your wife was working with Ms. Gouze at the time back in 2005?
A. Yes.
Q. What were they doing? What was their business?
A. They worked for a e-commerce company called Emporium located on Harbor Island.
Q. What did that company do?
A. They were mostly involved with, as I mentioned, e-commerce. They would set up for instance, auctions. They worked mainly with power companies, and they had a nucleus of seven or eight large power companies. But in essence, they did purchasing for them and tried to seek the best deals, most economical deals, putting packages together for them.
Q. You said Ms. Gouze was an attorney; is that correct?
A. Correct. She was general counsel for the company.
Q. Is the attorney who represented you and your wife in connection with your purchase of the unit?
A. Yes.
Q. Okay. Back in 2005, at the time you first learned about the project, had you visited Tampa before?
A. Yes, I had.
Q. How many times?
A. Hard to say. My wife came here frequently because her company was based here. I came here as often as I could on vacations and long weekends.
Q. Over how long a period of time did you say you were visiting your wife here in Tampa? Meaning -- I mean, when did the visits start?
A. After she started working for the company here and when she started coming down here.
Q. When did she start working here in Tampa?
A. I would have to refer to her resume. I'm not exactly sure what the year was.
Q. Before your wife started working in Tampa, had you ever been to Tampa before?
A. Yes.
Q. When?
A. As a child with my parents on vacation.
Q. Just on vacation?
A. Yes.
Q. So you have never -- other than currently, you have never lived in Tampa before?
A. No.
Q. Okay. So back in 2005 were you and your wife looking to move here permanently?
A. Yes.
Q. Did you intend that -- the unit in the Trump Tower Tampa project, did you intend that for that unit to be your home?
A. Yes. I think it's important to know that because any time I mentioned Trump Tower to coworkers, friends, or whatever, the next thing they said something like you must be rich or something. That's not the case.

My wife and I both are from blue collar backgrounds. We both worked hard our entire life and no one has ever given us anything. So for us, when we were going to move into Trump Tower, it was going to be our home. While it was Trump Tower, we were moving into one of the lower end units. It was a stretch for us, but it was with the intent of being our home.
Q. What was the entire purchase price of the unit going to be? Do you remember?
A. When we first -- when she first met with Jody Simon and they signed a reservation agreement, which was non-binding and didn't require any money, I went to say what the number was in the 500,000 plus almost 600,000 range. We ended up -- I think the final price was close to 700,000. That seems to be what they say is where the unit started at the low end.
Q. Tell me about the unit. What specifically was -- describe the unit that you understood you were purchasing.
A. We were purchasing unit No. 1802 on the 18th floor. It was 1,991 square feet of living space to include two balconies, and one of the balconies had more than -- I think it was approximately 250 square feet of space and a smaller balcony.

I'm a bit melancholy as I look over my shoulder; this is the view that we would have had the building been built. We would have been on the 18th floor, not the 19th floor. The building was going -- the condo was going to come fully equipped with high-end cabinets, appliances, and so forth.

Q. Now, before you started looking at the Trump Tower Tampa, had you and your wife already started looking for a place of your own here in Tampa?

A. No. We had had discussions. I knew -- we knew that when I retired neither of us wanted to stay in Connecticut because of the weather and because of how expensive it is to live there. We knew we wanted to live some place in the south. We didn't know exactly where. The more we came to Tampa, the more we grew to love Tampa. It was just a matter of timing that this project -- this concept became a project. So we looked into it, and that's how we ended up getting into the project.

Q. Had you -- so before the Trump Tower Tampa project, had you looked at any other developments in downtown Tampa?

A. No. We didn't need to. We were very familiar with 345 Bayshore from staying there and liked that building, but we felt that the Trump building would be a step up from that. But more importantly for us was the location. We wanted to live downtown. We wanted to be able to walk to various things, and we wanted to have the views that we were going to be afforded.

Q. So were you mainly interested in a condominium as opposed to a house?

A. Absolutely. We had had enough houses.

Q. You said you had stayed in the 345 building before. Is that where Ms. Gouze lives?

A. Ms. Gouze lives there, yes.

Q. Now, I want to go back to the meeting with Mr. Simon. Prior to that meeting, had your wife had any contact with anyone else associated with the project?

A. No.

Q. No?

A. No.

Q. How did that meeting with Mr. Simon get arranged? Do you know?
Case 8:09-cv-02493-SDM-AEP   Document 85    Filed 04/01/11   Page 11 of 46 PageID 1243

1 passed or exchanged at the time or did it need to be.
2 All it was doing was holding that unit in our name.
3 Q. So to be clear, neither you or your wife paid
4 any type of deposit when you signed the reservation
5 agreement; is that correct?
6 A. That's correct.
7 Q. Now, do you recall whether you or your wife
8 had received any type of the marketing materials prior
9 to the meeting with Mr. Simon?
10 A. I don't think so.
11 Q. Did Mr. Simon pass along any type of
12 marketing materials at that meeting?
13 A. I'm going to say no because after I spoke
14 with my wife on the phone after the meeting, I asked
15 her if she could send me a brochure or anything about
16 the building or the project, and she said, no, there
17 wasn't any at the time to send.
18 Q. Okay. Do you remember the -- when that
19 meeting took place approximately?
20 A. It's in my wife's notes. I do not know.
21 Q. When you say your "wife's notes," does she
22 have handwritten notes about the history of the
23 project?
24 A. No. She -- after the fact, along with her
25 resumé, she put some information together.

MR. TURKEL: I don't know what he is
referring to, but if it was done for counsel or
given to counsel, it's work product. We reserve
our right to object to producing it later on. I'm
not exactly sure what he's talking about, but it
could be something like that.

MS. VALIENTE: Sure. I'm not agreeing with
you.

MR. TURKEL: I know you're not agreeing. I
just don't want my silence to be seen as some
concession that may not be something we can assert
rights to.

BY MS. VALIENTE:
Q. After that meeting, what was your next --
either you or your wife, what was your next contact
with anyone associated with the project?
A. We may have started to get items and
documents in the mail. What they were I can't recall,
but it just seemed to me that logic would say that once
they knew we were interested, they would start
providing information for us.

Q. Did you save all of the items and documents
that you received in the mail about the project?
A. I did up to a point because I try to be
meticulous about that stuff. As I was getting ready to
move from Connecticut down to Tampa, I did discard some
of the items because they were bulky and not of a size
that was convenient to put in a binder or manilla
folders. Also, at that point, I didn't see the need to
save some of the documents since the project was no
longer going to be built.

Q. Just to be clear, if -- other than the items
and documents that you provided to your attorney, you
don't have any of these other items and documents
currently in your possession at home, correct?
A. No, I do not.

Q. When was the next time that either you or
your wife had any personal contact with anyone
associated with the project?
A. I know at one point we got an invitation to
attend the presentation here in Tampa. Again, right
next door on Ashley, at which time Mr. Trump was going
to be there, and I know that was February 18th. I'm
certain on the February 18th. The year, I'm not sure.
I think it was, perhaps, '06. That certainly comes to
mind.

Q. Did both you and your wife attend at that
presentation?
A. Yes, we did.

Q. And you said Mr. Trump was there, correct?
A. Yes, he was.

Q. Did he speak?
A. Yes, he did.

Q. Other than speaking publicly to the group at
large, did you speak to him personally?
A. No, I did not.

Q. Did your wife?
A. No.

Q. Did you speak to anyone that you knew of that
was there on behalf of the Trump Organization?
A. Throughout the evening, because it was a
social affair also, a lot of the partners were
circulating around; and I think that's the first time
that I met Jody Simon, and that would have only been a
handshake and cordials and the same with Frank
Dagostino.

Q. But none of those individuals work for the
Trump Organization, correct?
A. No.

Q. Okay.

A. Not to my knowledge.

Q. I'm specifically asking about anyone that you
are aware of that you spoke with that worked for the
Trump Organization?

SOUND DEPOSITION SERVICES, INC.
(888) 297-6863
<table>
<thead>
<tr>
<th>Page 42</th>
<th>Page 43</th>
<th>Page 44</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Q. Okay. To your knowledge, does the same hold</td>
<td>2. Q. Did you save these e-mails?</td>
<td>2. Q. Did you save these e-mails?</td>
</tr>
<tr>
<td>3. true for your wife?</td>
<td>3. A. Well, I may have printed some of them out and put them in the binder that I was making, and if I did, I would not have those in my possession. It’s possible some of them are there. It’s possible some are not.</td>
<td>3. A. Well, I may have printed some of them out and put them in the binder that I was making, and if I did, I would not have those in my possession. It’s possible some of them are there. It’s possible some are not.</td>
</tr>
<tr>
<td>4. A. Correct.</td>
<td>4. Q. But if they were not in the document that you provided to the attorney, you wouldn’t have them?</td>
<td>4. Q. But if they were not in the document that you provided to the attorney, you wouldn’t have them?</td>
</tr>
<tr>
<td>5. Q. Now, what do you remember about the statements that Mr. Trump made that night?</td>
<td>5. A. No. I would not.</td>
<td>5. A. No. I would not.</td>
</tr>
<tr>
<td>6. A. Quite a bit, because after the mayor introduced him, he made sure he made plugs for his TV show &quot;The Apprentice,&quot; and he made sure he told us about the negotiations as far as the actors on Friends were getting $2 million an episode and that’s what he wanted to come back. He said he made far less money than that, but that’s not important. I do remember quite a bit.</td>
<td>6. Q. Would they still be on either your computer or your wife’s computer that you know of?</td>
<td>6. Q. Would they still be on either your computer or your wife’s computer that you know of?</td>
</tr>
<tr>
<td>7. When we finally got around to talking about Tampa and the project, he started out by pointing out his friendship with George Steinbrenner, and that he loved Mr. Steinbrenner and that he loved the Yankees. And he came to Tampa because it was a great city, and it was going to be a great building, and he had great partners.</td>
<td>7. A. At this time they would not be, no.</td>
<td>7. A. At this time they would not be, no.</td>
</tr>
<tr>
<td>8. Q. Anything else that you recall about his statements that night?</td>
<td>8. Q. You’re certain?</td>
<td>8. Q. You’re certain?</td>
</tr>
<tr>
<td>9. A. Not that it was a -- that he loved his partners and he loved the project. That was the word he used. What was your question again?</td>
<td>9. A. I’m not 100 percent certain, but reasonably sure that they are not.</td>
<td>9. A. I’m not 100 percent certain, but reasonably sure that they are not.</td>
</tr>
<tr>
<td>10. Q. Whether you recalled anything else that he said that night about the project.</td>
<td>10. Q. Okay. So after you signed the reservation agreement, did you and your wife do any type of due diligence? What I mean by that is, did you yourselves do any type of investigation to try and learn more about the project?</td>
<td>10. Q. Okay. So after you signed the reservation agreement, did you and your wife do any type of due diligence? What I mean by that is, did you yourselves do any type of investigation to try and learn more about the project?</td>
</tr>
<tr>
<td>11. A. No.</td>
<td>11. A. Due diligence toward whom?</td>
<td>11. A. Due diligence toward whom?</td>
</tr>
<tr>
<td>12. Q. Now, after that -- so I just -- I want to clear something up. Between the time when the reservation agreement was signed and the event on February 18th, there was no -- that you know of, there was no personal contact between either you and your wife and anybody associated with the Trump Tower Tampa project?</td>
<td>12. Q. Towards just the project in general. Did you either -- well, let me rephrase that.</td>
<td>12. Q. Towards just the project in general. Did you either -- well, let me rephrase that.</td>
</tr>
<tr>
<td>13. A. I don’t believe there was personal contact. There was contact by way of mail and by courier service.</td>
<td>13. Did you do any type of due diligence either with respect to the project or with respect to SimDag–RoBEL to the history of that company and the type of history that they had with respect to developing property, or any type of due diligence with respect to Mr. Trump and his track record?</td>
<td>13. Did you do any type of due diligence either with respect to the project or with respect to SimDag–RoBEL to the history of that company and the type of history that they had with respect to developing property, or any type of due diligence with respect to Mr. Trump and his track record?</td>
</tr>
<tr>
<td>14. Q. Any e-mail correspondence?</td>
<td>14. BY MS. VALENTE:</td>
<td>14. BY MS. VALENTE:</td>
</tr>
<tr>
<td>15. A. If there was at that time, it would have been not so much details about the project, but just tell us events that were happening.</td>
<td>15. Q. That was kind of a long question. Let’s break that up.</td>
<td>15. Q. That was kind of a long question. Let’s break that up.</td>
</tr>
<tr>
<td>16. Q. Okay. Do you recall receiving e-mails from someone associated with the project ever? Not just this time period but just over the course of the events.</td>
<td>16. MR. TURKEL: Can we take a break? We’ve been going about an hour.</td>
<td>16. MR. TURKEL: Can we take a break? We’ve been going about an hour.</td>
</tr>
<tr>
<td>17. A. Of the entire events, yes.</td>
<td>17. MS. VALENTE: Let’s just finish this line of questioning and then we’ll take a break.</td>
<td>17. MS. VALENTE: Let’s just finish this line of questioning and then we’ll take a break.</td>
</tr>
<tr>
<td>18. Q. Who specifically did you receive e-mails from?</td>
<td>18. BY MS. VALENTE:</td>
<td>18. BY MS. VALENTE:</td>
</tr>
</tbody>
</table>

**SOUND DEPOSITION SERVICES, INC.**

(888) 297-6863
Q. So you said you personally didn't do any due diligence. Did anybody do any due diligence on your behalf, for example, an attorney?
A. No.
Q. How about did you or your wife do any due diligence with respect to Mr. Trump or the Trump Organization?
A. No, we did not. The Trump Organization is widely known, and it has had some problems, but I don't think the problems were related to this. I know in some cases he had filed bankruptcy, and that was mostly in the gaming industry. Being from New Jersey, I am familiar with Atlantic City. No. I didn't feel it was necessary to do due diligence on the Trump Organization when it came to building buildings.
If I could back up just one second. That was one other thing Mr. Trump pointed out that evening in February that The Apprentice aside, this is - he said in his words: "This is what I really like to do, build buildings."
Q. So other than information that you had heard just from the media that was -- let me rephrase that.
Your only source of knowledge about Mr. Trump came from just what you heard generally in the media; is that fair?
A. Yes.
Q. And you said you had heard about some of Mr. Trump's prior projects that hadn't been successful, correct?
A. Yes.
Q. So, I mean, you did realize that he was involved in projects that weren't always successful, correct?
A. The projects at that time that I was aware that he was not successful that I mentioned was the gaming industry. I was not aware specifically of any project as far as building a building at that time that was not successful.
Q. But you didn't do anything to find out whether or not that was, in fact, the case, correct?
A. No, I did not, and I did not feel it was necessary.
BY MS. VALIENTE:
Q. But certainly, you realize that he is not infallible, correct?
A. None of us are.
MS. VALIENTE: We can take a break if you would like.
MR. TURKEL: Sure.
MS. VALIENTE: This one I didn't ask for the originals of. When we get to the ones where we have originals, I'll show him both the copy and the original.

MR. TURKEL: What I'm getting at is, do you have copies for me on these?

MS. VALIENTE: No. Sorry.

(Discussion off the record.)

BY MS. VALIENTE:

Q. I just handed you what was marked as Exhibit No. 1. Can you tell me what that document is or do you recognize that document?

A. Yes, I do.

(Exhibit No. 1 was marked for identification.)

BY MS. VALIENTE:

Q. What do you understand that document to be?

A. It's a letter from us of which we sent the deposit moneys to -- for our condominium unit.

Q. The letter is dated August 17, 2005, correct?

A. Yes.

Q. Is that the time that you sent in your deposit?

Let me back up. It says -- the letter says that the additional deposit is enclosed herewith. To

your recollection, did you send at least a portion of the deposit along with this letter?

A. Yes. And there would be or should be somewhere in all of the documents a FedEx -- that was sent FedEx or some sort of documentation from FedEx as to when it was sent.

Q. What was the total amount of the deposit that you paid for your unit in the project?

A. I believe it's this number right here, the 94,000.

Q. Do you know what is the amount that you -- strike that.

Have you received a return of any portion of your deposit?

A. We received half of our deposit.

Q. So what is the amount of the deposit that you paid that you have not -- that has not been returned to you?

A. 75,599.90.

(Exhibit No. 2 was marked for identification.)

BY MS. VALIENTE:

Q. I am going to hand you what we have marked as Exhibit No. 2. Before I do that, let me go back to --

on Exhibit No. 1, do you recognize that as a document that you kept in your files?

A. Yes.

Q. Okay. Turning to Exhibit No. 2. Do you recognize that document?

A. Yes, I do.

Q. What is it?

A. Just looking for --

Q. Sure. Just take your time to read through it.

A. This would have come with the purchase contract, and it was telling us who to send the deposit to.

Q. Okay. I see that the letter -- the first sentence says, "Enclosed please find the purchase contract for unit 1802 at Trump Tower Tampa, as well the condominium documents regarding the same." Do you recall receiving the condominium documents along with your purchase contract?

A. I am not sure if the condominium document is the very thick document. If that's the case, yes, we did get that.

Q. Okay. Now, did this letter come to -- do you remember -- did this letter come to you in Connecticut or where was this letter sent to?

A. I'm going to say that it came to us in Connecticut.

Q. Okay. Do you remember receiving the purchase agreement in the condo documents?

A. Again, if the purchase agreement is that big, thick binder?

Q. I will actually show you the documents later on, so we will wait -- we will wait until we get there.

Let's mark this as Exhibit No. 3. Well, before we move on to the next exhibit, back to Exhibit No. 2. Did you recognize that as one of the documents that came from one of your files that you kept at home?

A. Yes.

Q. I'm going to show you what we have marked as Exhibit No. 3. Do you recognize that document?

(Exhibit No. 3 was marked for identification.)

A. Yes.

BY MS. VALIENTE:

Q. Is that also a document that came from your file that you kept at home?

A. Yes.

Q. Okay. Mr. Robbins, let me show you what I have marked as Exhibit 4, and I'm also going to hand you what I believe is the original of that document. Do you recognize Exhibit No. 4?
<table>
<thead>
<tr>
<th>Page 54</th>
<th>Page 55</th>
<th>Page 56</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 (Exhibit No. 4 was marked for identification.)</td>
<td>1 document, around what time period?</td>
<td>2 A. Yes, I do. I believe this -- the very original was in a spiral-bound color format, which I don't recall having. Not that I didn't get, but I didn't recall having and I did not give that to my attorneys because I did not have the spiral-bound one, but I recall this document, yes.</td>
</tr>
<tr>
<td>3 A. Yes, I do. I believe this -- the very original was in a spiral-bound color format, which I don't recall having. Not that I didn't get, but I didn't recall having and I did not give that to my attorneys because I did not have the spiral-bound one, but I recall this document, yes.</td>
<td>3 A. Purely a guess, but I'm going to say around the time of the social function down here with Mr. Trump. Maybe just prior to or just after, but around that time frame.</td>
<td>4 Q. So is this a document that you saw before you signed the purchase agreement?</td>
</tr>
<tr>
<td>4 Q. So is this a document that you saw before you signed the purchase agreement?</td>
<td>5 A. I think, yes, because of the fact that it has got the two units marked on it, and that it shows floor plans and the building itself. So I would say yes.</td>
<td>6 Q. Are you absolutely certain you saw it before the purchase --</td>
</tr>
<tr>
<td>6 Q. Are you absolutely certain you saw it before the purchase --</td>
<td>7 A. I'm not absolutely certain.</td>
<td>8 A. It's not here.</td>
</tr>
<tr>
<td>7 A. I'm not absolutely certain.</td>
<td>8 Q. Just to be sure, can you flip through the unmarked document and then flip through the copy and tell me does it look like the copy has every page that is in your -- I just want to be clear. Is that the document -- that's the document that came from your file, the unmarked copy, correct?</td>
<td>9 Q. Just to be clear, the document that is not marked, is that the document that came from your file, your physical file?</td>
</tr>
<tr>
<td>8 Q. Just to be sure, can you flip through the unmarked document and then flip through the copy and tell me does it look like the copy has every page that is in your -- I just want to be clear. Is that the document -- that's the document that came from your file, the unmarked copy, correct?</td>
<td>10 A. Yes.</td>
<td>11 A. Yes.</td>
</tr>
<tr>
<td>9 Q. Just to be clear, the document that is not marked, is that the document that came from your file, your physical file?</td>
<td>12 Q. I want to take a look at the last page of Exhibit 4. As you said, that last page is not in the unmarked version. Do you recognize that last page?</td>
<td>13 A. Yes.</td>
</tr>
<tr>
<td>10 A. Yes.</td>
<td>14 Q. Where did that last page come from? Do you know?</td>
<td>15 A. Again, I do not know.</td>
</tr>
<tr>
<td>11 MS. VALIENTE: Ends at P00494.</td>
<td>16 MR. TURKEL: For the record, the page you are referring to is 495. So when you say it's not in the unmarked version, just so the record is clear, you are saying the unmarked version?</td>
<td>17 MR. TURKEL: Right. Was this copy page produced? Obviously, it was sequentially.</td>
</tr>
<tr>
<td>12 MR. TURKEL: Right. Was this copy page produced? Obviously, it was sequentially.</td>
<td>18 MS. VALIENTE: Right. It was in that production.</td>
<td>19 MS. VALIENTE: Right. It was in that production.</td>
</tr>
<tr>
<td>13 MS. VALIENTE: Right. It was in that production.</td>
<td>20 MR. TURKEL: I don't know. I would just say -- just so the record is clear -- it may have been left out of the original copy and inadvertently --</td>
<td>21 MS. VALIENTE: Or it may have been a second page not part of that.</td>
</tr>
<tr>
<td>14 MS. VALIENTE: Right. It was in that production.</td>
<td>22 MR. TURKEL: Right. Was this copy page produced? Obviously, it was sequentially.</td>
<td>23 MS. VALIENTE: Or it may have been a second page not part of that.</td>
</tr>
<tr>
<td>15 MS. VALIENTE: Or it may have been a second page not part of that.</td>
<td>24 Q. Mr. Robbins, can you flip through Exhibit 4 and tell me where, if any, you believe there are any misrepresentations in that document?</td>
<td>25</td>
</tr>
</tbody>
</table>

**SOUND DEPOSITION SERVICES, INC.**
(888) 297-6863
MR. TURKEL: Object to the form.

BY MS. VALIENTE:
Q. Take your time. If you could read it over and let me know if you see anything that you would consider a misrepresentation.

MR. TURKEL: Again, object to the form.

A. Can you ask your question again?

BY MS. VALIENTE:
Q. Is there anything in that document that you would consider a misrepresentation?

MR. TURKEL: Object to form.

A. No.

BY MS. VALIENTE:
Q. We're still on Exhibit 4. You see the document has what's called Bates labels on the lower right-hand corner?

A. Yes.

Q. If you could turn to the page that is P00481.

A. Yes.

Q. If you look at the third paragraph on that page, do you see where it says -- starting at the end of the second line of that paragraph, it says that the building is designed by Smith Barnes Santiesteban Architecture. Do you see where that Article.

MR. TURKEL: What we'll do is this: When we go make the copy, we will take 496; we will put that on top of the copy we make, and then what I will try and do before you leave today or at the very latest, when we get this back is, we will Bates stamp the rest of that Views 496 A, B, C, and D. That way we will have a nice record of what 496 is.

MS. VALIENTE: Since there are multi Views produced throughout this case, just to be clear, it's the one that says spring 2005 issue one on it.

(Exhibit No. 5 was marked for identification.)

BY MS. VALIENTE:
Q. So, Mr. Robbins, I will hand you what we are marking as Exhibit 5, and first, I will ask you -- do you recognize that as a document that came from your file that you kept at home?

A. Yes.

Q. Okay. Do you remember when you received that document?

A. No, I do not. But based on the date that is printed on here, I would have to say probably within a
Case 8:09-cv-02493-SDM-AEP   Document 85    Filed 04/01/11   Page 17 of 46 PageID 1249

1. month of sometime in the spring of ’05. No later than
2. that probably.
3. Q. Did you read that document from cover to
4. cover when you received it?
5. A. Yes.
6. Q. Did you read it before you signed the
7. purchase agreement?
8. A. That, I cannot remember. I can’t recall.
9. Q. Okay. Can you take a look through the
10. document and tell -- take your time. Tell me if you
11. see anything on that document that you would consider a
12. misrepresentation.
13. MR. TURKEL: Object to the form.
14. A. I think on the very back page -- and this one
15. doesn’t have your Bates number on it. But on the very
16. back page, it does say that it’s a development of
17. Donald J. Trump and SimDag.
18. BY MS. VALIENTE:
19. Q. Is that the only statement you see?
20. MR. TURKEL: Object to form.
21. A. Again, keeps referring to the partnership,
22. which I know now, as I sit here today, was not a true
23. partnership.
24. BY MS. VALIENTE:
25. Q. Okay. If you could turn back to the last

Page 63

1. page of the document. If you could look at -- can you
2. read to me -- do you see the very bottom of the
3. document?
4. A. Yes.
5. Q. Can you read what that says, please? Read it
6. out loud, please.
7. A. “This announcement is furnished to provide
8. general information about the property described herein
9. and is subject to change without notice. The
10. presentation of these materials does not constitute any
11. representation or warranty by Donald J. Trump
12. SimDag-RoBEL, LLC, or the Toni Everett Company and
13. may not be relied upon by any person entity.
14. “Oral representations cannot be relied upon
15. as correctly stating the representations of the
16. developer. For correct representations, references
17. should be made to the documents required by Section
18. 718.503 Florida Statutes to be furnished by the
19. developer to the buyer or the lessee.
20. “This offering is made only by the prospectus
21. for the condominium and no statement should be relied
22. upon if not made in the prospectus. This is not
23. offered to sell or solicitation of offers to buy the
24. condominium unit in states where such offer or
25. solicitation cannot be made. Prices, plans, and

Page 64

1. specific subject to change without notice."
2. Q. So you would agree that that statement says
3. that you can’t rely on oral representations as
4. correctly stating the representations of the developer,
5. correct?
6. MR. TURKEL: Object to form.
7. A. Can you repeat that question?
8. BY MS. VALIENTE:
9. Q. Sure. Let me rephrase. The statement
10. specifically says the presentation of these materials
does not constitute any representation or warranty by
11. Donald J. Trump, correct?
12. A. Correct.
13. Q. And the statement also says that you
14. shouldn’t rely on any statements if they are not in the
15. prospectus; is that correct?
16. A. Correct.
17. Q. Now, other than the statement a development
18. of Donald J. Trump and SimDag-RoBEL, LLC, that appears
19. on that last page that we talked about earlier, you
20. never asked anyone to clarify for you what exactly --
21. what Mr. Trump’s exact involvement in the project was,
22. did you?
23. MR. TURKEL: Object to form.
24. A. No.

Page 65

1. BY MS. VALIENTE:
2. Q. Did you do anything or did you read the
3. prospectus to make sure or to find out what the
4. prospectus said about Mr. Trump’s involvement in the
5. project?
6. A. I read the prospectus, yes.
7. Q. Is it your recollection that the prospectus
8. made some type of misrepresentation about Mr. Trump’s
9. involvement in the project?
10. A. I would have to see the prospectus.
11. Q. But sitting here right now, do you
12. specifically recall any statement in the prospectus
13. about Mr. Trump’s involvement in the project?
14. MR. TURKEL: Object to form.
15. A. No.

BY MS. VALIENTE:
17. Q. Moving on to the next exhibit. I’m going to
18. hand you what is marked as Exhibit 5. Then I’m going
19. to hand you two documents. There is actually -- the
20. first document there is a front and a back to that
21. document.
22. They look like there is clippings from
23. newspapers that have been attached to just a white
24. paper, and on the first document there is a clipping.
25. It looks like it’s pasted or its taped on
Q. Okay. Do you recall whether you saw them before the — before you signed the purchase agreement?
A. I think after.

MR. TURKEL: Are you done with Exhibit 6?

MS. VALIENTE: Yes, I am.

BY MS. VALIENTE:
Q. Mr. Robbins, I'm going to hand you what we have marked as Exhibit 7, and also for the record it's Bates No. P500. So I'm handing you what we have actually marked as the exhibit. Then I'm handing you a document that I believe is the exhibit document that I sent you—handy you—do you recognize that as a document from your file?

(Exhibit No. 7 was marked for identification.)
A. Yes.

BY MS. VALIENTE:
Q. Can you confirm whether the unmarked document or whether the copy that we have marked as Exhibit 7 is a copy of the unmarked document?
A. Yes.
Q. And what is that document?
A. This is an e-mail from Carmen Inclan to Catherine Gouze about the Trump building that was going to be — that — the Trump project that was going to be built here in Tampa.
A. Yes. It's an e-mail that was forwarded to you.

Q. Was this an e-mail that was forwarded to you?
A. No. It was not. Let me take that back. One second. Yes. It would have been forwarded.
Q. On the very top of the document where it looks like it has a header that says: "John Robbins-FW: Trump to build in downtown Tampa," was that something that your computer did on its own or did somebody type that on there?
A. I think the computer did it because — I'm guessing — my best recollection is that this was forwarded to me. It would have been forwarded from Catherine because I was in Connecticut.
Q. Do you remember when this was forwarded to you?
A. Not exactly, but I would say pretty close to this date of 1/10/05.
Q. Do you remember reading this e-mail that she forwarded to you?
A. Yes.
Q. Do you remember reading this e-mail before you signed the purchase agreement?
A. Yes. I think it was before.
Q. Are you 100 percent certain?
A. There is a certain amount of uncertainty.
<table>
<thead>
<tr>
<th>Page 70</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
</tr>
<tr>
<td>2.</td>
</tr>
<tr>
<td>3.</td>
</tr>
<tr>
<td>4.</td>
</tr>
<tr>
<td>5.</td>
</tr>
<tr>
<td>6.</td>
</tr>
<tr>
<td>7.</td>
</tr>
<tr>
<td>8.</td>
</tr>
<tr>
<td>9.</td>
</tr>
<tr>
<td>10.</td>
</tr>
<tr>
<td>11.</td>
</tr>
<tr>
<td>12.</td>
</tr>
<tr>
<td>13.</td>
</tr>
<tr>
<td>14.</td>
</tr>
<tr>
<td>15.</td>
</tr>
<tr>
<td>16.</td>
</tr>
<tr>
<td>17.</td>
</tr>
<tr>
<td>18.</td>
</tr>
<tr>
<td>19.</td>
</tr>
</tbody>
</table>
| 20. | A. Certainly not before signing any papers commitments to this project because it had a confidentiality agreement. The way I found out about the document to begin with was when SimDag sued Mr. Trump. At which time as I'm reading it -- and then I realize that the Trump Organization and Donald Trump and SimDag were not upfront to my wife and I. Had we had that information early on, we would not have continued on with the project. Where I actually read the document, because

---

There, yes.

Q. Just to be clear, you don't know for certain whether you saw it before the purchase agreement was signed?

A. Correct, yes.

Q. Can you read over the e-mail? You can read it to yourself. Tell me is there anything in that e-mail that you would consider a misrepresentation?

MR. TURKEL: Object to the form.

A. I mean, as I read it now -- of course, there's always hindsight. The mayor's statement that she appreciates Mr. Trump's investment in Tampa, I think I would have to say she is speaking, obviously, strictly as the mayor and to have someone of his caliber come here and build the building.

BY MS. VALIENTE:

Q. But that's the mayor's statement, correct?

A. Correct.

Q. Again, if you look at the last paragraph of that e-mail, the e-mail states: "Trump Tower Tampa is designed by the Tampa-based firm Smith Barnes Sentisteban Architecture, Inc." Then it also says that Turner Construction will build the project?

A. Correct. Now, I do know as far as Mr. Trump's involvement. Mr. Trump is the one that selected Turner Construction to build the building.

Q. How do you know that?

A. I read that in the paper.

Q. Moving on to the next exhibit. Oh, before we do that, just for the record, we had -- or Mr. Turkel had a color copy made of the View article that we were discussing earlier. That was the Views from spring of 2005, Issue One. So we have marked that color copy as Exhibit 5.

Mr. Robbins, I'm going to hand you what we have marked as Exhibit 8. Exhibit 8 is a copy. I have also handed you an unmarked document. Can you confirm the unmarked document is a copy of what we have marked as Exhibit 8? I'm sorry. Let me rephrase that. Is Exhibit 8 a copy of the unmarked document that you are looking at?

(Exhibit No. 8 was marked for identification.)

A. Yes.

BY MS. VALIENTE:

Q. Do you recognize the unmarked document -- do you recognize the unmarked document as a document that came from your personal files?

A. Yes.

Q. What is that document?
it was not available, it was attached to the complaint
that was filed by our attorneys, and I did read the
document from cover to cover. It's somewhere between
12 and 20 pages, I believe, but I read every bit of it,
yes.
Q. You didn't read it until this lawsuit that we
are here about today was filed?
A. Correct. Because it was not available to me
until then.
Q. Well, when did you -- this lawsuit between
Mr. Trump and SimDag, that was filed back in May of
2007.
A. Yes.
Q. You didn't do anything to try and get a copy
of the license agreement at that time?
A. As a layman not an attorney, I wouldn't have
known about how to go about getting a copy of it.
Q. Did you try and -- did you retain an attorney
or did you -- let me rephrase that.
Did you do anything to try and figure out if
you could get a copy?
MR. TURKEL: Object to form.
A. No.
BY MS. VALIENTE:
Q. Because a copy of the license agreement was
attached as an exhibit to the complaint that Mr. Trump
filed against SimDag.
MR. TURKEL: Object to form. Move to strike.
Was that a question?
BY MS. VALIENTE:
Q. By question is: So you never got a copy of
the actual complaint that was filed by Mr. Trump
against SimDag; is that correct?
A. Correct.
Q. So I just want to make sure. What was it
about -- let's take a step back.
Was the first time you learned about this
license agreement -- was it in the news reports that
talked about the lawsuit between Mr. Trump and SimDag?
A. Yes.
Q. What was it about what was in those news
reports that made you believe that your -- what you had
thought was Mr. Trump's actual involvement in the
project was not, in fact, correct?
A. My wife and I believed that we were buying
into a Donald Trump signature property that, again,
Mr. Trump had an investment in, was going to share in
expenses, and share in the profits, and the end result
was going to be a Donald Trump building.

SOUND DEPOSITION SERVICES, INC.
(888) 297-6863
A. I wouldn't know. All I know is that there were Trump signature properties; and again, as I sit here today, I know some he wholly owns; some are licensing agreements; others he is a partner in one form or another. I wouldn't know that. He has many holdings, many buildings, and I just wouldn't know.

Q. Right. So you don't know that Mr. Trump's involvement in other buildings that have been built and are considered Trump buildings was any different than his involvement in this building, do you?

A. I was not personally involved in those, and this one I do have personal involvement. So you know we can talk about the other buildings, but the one that pertains to me most is Trump Tower Tampa.

Q. Right. But from what I understand -- my understanding of what you are saying -- and please if my understanding is incorrect, let me know. My understanding of what you are telling me is that when you read about the existence of a license agreement, you made the assumption that the building that you were buying into was not going to be a Trump building; is that correct?

MR. TURKEL: Object to form.

A. Yes.

BY MS. VALIENTE:

Q. How can you make that assumption when you don't know what Mr. Trump's involvement was in his other buildings that are considered Trump buildings?

MR. TURKEL: Object to form.

A. I can make that assumption because this is the only one that's important to me. My wife and I had substantial money involved in this, and that was important to us, and we were not going to get what we were paying for.

BY MS. VALIENTE:

Q. But as we talked about earlier, what was important to you was that the building actually looked like a Trump building; that the quality of the building -- because as you said, you know, the Trump building has value. It was important for you that the building be of the standard of a Trump building; is that accurate?

MR. TURKEL: Object to form.

A. Correct.

BY MS. VALIENTE:

Q. What makes you believe that that would not have been the case had the building been built?

A. When Mr. Trump had presented himself here in Tampa in front of the mayor, in front of me and my wife, and from what I read now, 600 or so other people, if he had stood up on that platform and said, I'm happy to be here in Tampa; I love Tampa; it's going to be a great building, and I love my licensee, I would have enjoyed the rest of the evening on a social basis. And then the next morning I would have been beating my feet out of this deal. It's just -- a Trump licensed building to me is not a Trump building building.

Q. Well, you don't know that, though, because you don't know whether his other Trump buildings have been licensed -- under license agreements, do you?

A. You don't know what my feeling is and my wife's feeling is, and you couldn't possibly know. That's what we are basing this on. Not whether do I know if something built in California was a Trump building or a license agreement, or something built in Chicago was a Trump building or a license agreement. Those things don't matter to me from the standpoint that the only transaction I have is Trump Tower Tampa, and I know that Mr. Trump was not forthcoming and not up front with us when we invested into this building.

Because he was not up front with us, I feel that -- we can use whatever we want, 'bait and switch, fraud, deceit, covert, because of the fact that this license agreement also had confidentiality agreement that we were not supposed to know about. If these two individuals didn't sue each other, we wouldn't have known.

Q. You said you read the license agreement. Did you -- do you remember seeing anything in that license agreement that talked about -- let me rephrase that. Is it your understanding -- based on your reading of the license agreement, is it your understanding that all Mr. Trump did was give SimuDas its name and that was it?

MR. TURKEL: Object to form.

A. No. Mr. Trump invested in the building, and he was going to, again, share in expenses and share in the profits, and he was going to take profits out of the building in two different ways. Profits on, basically, what was sold, and he was also going to take fees out under the licensing agreement.

Q. And you read -- I'm sorry. I just want to be clear. You read every single page of the license agreement?

A. Yes, I did.

Q. So is it your understanding of the license agreement that other than what you just described, that he had no other responsibility with respect to the project?

MR. TURKEL: Object to form.
Page 82

A. He did say because it was his name he wanted to be sure that SimDag-RoBEL lived up to that name.

BY MS. VALIENTE:

Q. Well, isn't it true, Mr. Robbins -- doesn't the license agreement specifically say that Mr. Trump is going to review the plans and specifications and ensure that the building that's built meets the Trump standard?

MR. TURKEL: Object to the form.

A. Yes.

BY MS. VALIENTE:

Q. I'm sorry. The answer to the question was yes?

A. Yes.

Q. Isn't that what you and your wife were concerned about? Doesn't the license agreement specifically say that Mr. Trump is going to ensure that what you and your wife were concerned about was fulfilled; that the building looked like a Trump building?

MR. TURKEL: Object to the form.

A. My concern is I don't like being lied to, and Mr. Trump and his organization not being up front. Again, I just have to go back, and I would say it here, and I would say it in front of a judge, and I would say it in front of a jury that he was not up front with us. And I would not -- as I mentioned, my wife and I are from blue collar backgrounds.

We would not take this type of money and put it in this type of transaction, and that's what I'm going to call it a transaction, whether it's the licensing agreement or not. It can be the same building, but he was not up front with me and my wife and others. To me there is just something, something in that.

Q. But what I'm asking you is, isn't it correct that under the terms of the licensing agreement Mr. Trump promised to accomplish exactly what you and your wife expected to be done -- is that the building when completed would look like a Trump building; isn't that correct?

MR. TURKEL: Object to the form.

A. Yes.

BY MS. VALIENTE:

Q. So is it fair to say when you talk about being lied to, what you are referring to is just the failure to use the term "license agreement." Is that fair?

MR. TURKEL: Object to the form.

A. That's one thing.

Page 83

BY MS. VALIENTE:

Q. What is the other thing or other things if there are more than one?

A. Just to be up-front about how the entire deal was put together. In other words, coming into town as a partner investing in the building, sharing in the profits. The entire way the thing was put together, to me, just underhanded. Just be up-front with me and let me make a well-informed decision.

I don't think I can make a well-informed decision without having all of the facts and having to wait years and having those facts come out because SimDag and Trump got into a fight with one another and then because Trump sues because he was not being paid his fees and SimDag sued because he broke the confidentiality agreement. And, you know, a number of people were left here as broken bodies because these guys are fighting over large amounts of money while the little guy is sitting here with nothing. We don't have -- as I sit here today, I do not have the Trump Tower condominium unit 1802, which would give me the same view that I'm looking at over my shoulder right now. I don't have that. I don't have my -- half of my deposit. I have nothing.

Q. Okay. Well, then is it fair to say your problem is that the building didn't actually get built?

MR. TURKEL: Object to the form.

A. That's one of the problems.

BY MS. VALIENTE:

Q. Well, if the building had been built and it looked like everything that you had believed the building would look like and it was Trump Tower Trump, and it looked like your concept of the Trump building, would you be living there right now?

MR. TURKEL: Object to form.

A. If I could have gotten out of the deal and gotten everything I paid into it, no.

BY MS. VALIENTE:

Q. Why?

A. You just have to understand me. I'm a principle person, and this is the way I live my life. You know, he was not up-front with me, and I would not have moved into the billing, no. If it was complete and someone said to me you can have all of your money back or you can move into this building and it's exactly the way it was supposed to be, no, I would not have moved in, no.

Q. Okay. And you wouldn't have moved in just simply because the arrangement was a license agreement and not some other type of
arrangement?

MR. TURKEL: Object to the form.

BY MS. VALIENTE:

Q. You're saying if the building had been completed, if it looked like a Trump building, you still wouldn't have moved in; and is the reason you are saying that was you weren't told that the specific arrangement between Mr. Trump and SimDag was a license arrangement?

MR. TURKEL: Object to the form.

A. This was going to be my home. I was going to come here every day, stay here, spend pretty much the rest of my life in this building, and that would always be gnawing at the back of my mind. Again, this is me and the way I am.

No, I would not have moved into the building.

It could be there — I could look at it right now and have no regrets that I didn't move into the building because he was not up-front with me and that's just the way I am.

BY MS. VALIENTE:

Q. Okay. There is something else I want to clarify. Is it your belief that the building didn't get built because of the lawsuit between Mr. Trump and the University of Florida, and I think his name was Dr. Creps. He came in and they determined that by putting in, approximately, 11-foot thick concrete platforms over the top of caissons, it could solve the problem.

Q. Do you know whether the problem ever got solved?

A. I knew they were working on the problem and whether or not those platforms were actually put in, I don't know. I'm not sure what the time frame -- the timeline is now from that until when Mr. Trump filed his lawsuit.

Q. Do you remember reading a story that the soil issues caused an increase in the construction costs for the building?

A. Correct.

Q. You remember reading that?

A. Well, let me back up. If I didn't read it, logic would tell me that the fact that they have to do this additional work, it's going to be additional money, yes.

Q. So why are you -- let me rephrase that.

Isn't it just as probable that the reason the building didn't get built was because of soil problems had led to increased construction costs, which had nothing to do with the lawsuit between Mr. Trump and SimDag?

MR. TURKEL: Object to the form.

BY MS. VALIENTE:

A. I don't know that. I couldn't answer that.

MR. TURKEL: Object to the form.

A. Right.

BY MS. VALIENTE:

Q. When the lawsuit was -- when Mr. Trump filed the lawsuit against SimDag, there was a lot of publicity in the paper about it, correct?

A. Yes. Some.

Q. Okay. You don't remember reading any articles that talked about the fact that Mr. Trump was actually trying to help -- even after the lawsuit was filed, actually trying to help SimDag get financing for the building?

A. I didn't read that, and I don't know that Mr. Trump was helping to get financing. I know Mr. Trump did say for him this building was not a big deal. It was a small -- I think he referred to it as a small building in Tampa that he could pay for out of his back pocket.

Q. Let's move to the next exhibit. This is a copy for you. Let me hand you Exhibit No. 9, and then
I'm going to also -- like we have done before, I'm going to hand you an unmarked document. The unmarked document, do you recognize that as a document that came from your personal files?

(Exhibit No. 9 was marked for identification.)

A. Yes.

BY MS. VALIENTE:

9. Q. Can you confirm what we have marked as Exhibit 9 is a copy of that unmarked document?
A. Yes.

Q. This looks like a printout from the TBO.com Web site. Did you print this out yourself?
A. I'm going to say, yes, I did.

Q. Do you remember when you printed this out?
A. No. I think probably pretty close to the publish date because I did this in Connecticut -- as I said, I read the Times and the Tribune online. If I read the article at that time, I would have printed it at that time.

Q. Do you remember reading this article?
A. Yes.

Q. Okay. Do you remember whether you read it before you signed the license agreement?

MR. TURKEL: Object to form. I'm sort of sure my guy never signed the license agreement.

BY MS. VALIENTE:

Q. I'm sorry. Do you know whether you read this before you signed your purchase agreement?
A. No, I do not.

Q. Let's move on. I'm going to hand you what we have marked as Exhibit 10. For the record it's Bates No. P00505 and P00506. Then like before, I'm going to hand you an unmarked document that is clipped from a newspaper, that is taped to the front and back of the document. First, do you recognize the unmarked document as a document that came from your personal files?

(Exhibit No. 10 was marked for identification.)

A. Yes.

BY MS. VALIENTE:

Q. Can you confirm that what we have marked as Exhibit 10 is a photocopy of the unmarked document that you are also looking at?
A. Yes.

Q. Actually, can I see those two real quick?
A. (Witness complies.)

Q. Do you know who cut out -- it looks like the document is an article from a newspaper that has been taped onto a white document. Do you know who actually cut out the article from the newspaper?
A. Yes, I did.

Q. I see on the top of the document there is like a small piece of paper that has been taped on it that looks like it has typing on it that says:
St. Pete Times, business section, February 17, 2005.
Did you type that out?
A. Yes, I did.

Q. Okay. And you taped that on the top of the document?
A. Yes.

Q. How did you get this newspaper article?
A. Because I actually have the article, I'm going to say that I was in Tampa and actually got a copy of the paper.

Q. Did your wife have a subscription to the St. Pete Times that you received here in Tampa?
A. No. Catherine Gauze did.

Q. Did you?
A. My wife wasn't living in Tampa full time at that time. She was just here for business between here and Connecticut.

Q. But you said if you have -- the fact that you have the original newspaper article means you actually physically got the paper in February of 2005?
A. Correct. Because I think February 18th was the date of the appearance by Donald Trump here, I believe.

Q. So is this a clipping from Catherine Gauze's newspaper?
A. Either at that time we were staying at Catherine's condo with her or we were staying at the Sheraton on Cypress. It was either Catherine's paper or I bought the paper. Either way.

Q. Do you remember actually reading this article?
A. Yes.

Q. Did you read it before you signed your purchase agreement?
A. I'm not sure because I can't remember -- the answer to these questions is I can't remember when I actually signed the purchase agreement.

Q. Okay. Let's see, because the purchase agreement we have is dated in August 2005.

A. Therefore, I would have read this before I signed.

Q. Okay. Let's -- I want to take a look at some of the statements in this article. If you look at -- on the first page, and I'm going to refer to the copy.
This is Bates No. P00505. That's the first page of the article. If you look there are three columns on the front page:

A. Yes.

Q. If you look at the second column three paragraphs down where it starts with Howell and Sheppard -- do you see where I'm pointing to?

A. Yes.

Q. It says: "Howell and Sheppard had found a promising parcel along the Hillsborough River in the heart of downtown."

A. Yes.

Q. Then if you look over to the next column at the end of the second paragraph, the last sentence there it says: "Their proposal: A 52-story luxury condo project on 1.5 acres." Do you see where it says that?

A. Yes.

Q. Then at the very end of the third column on the front page it says, the last sentence: "At one weekly meeting, Dagostino, at 34 the youngest of the group rationally suggested, What if we call it Trump Tower?" Do you see that?

A. Yes.

Q. Then it goes on to say: "The partners laughed, left, and returned a week later convinced it wasn't such a dumb idea after all. Through some of Dagostino's real estate contacts in New Jersey, they sent out feelers to the Trump Organization." Do you see where the article says that?

A. Yes.

Q. Now, so you would agree that this document tells you that this was not Mr. Trump's concept. This was SimDag's concept; is that correct?

MR. TURKEL: Object to the from.

A. Correct.

BY MS. VALIENTE:

Q. Then on the second page, which is P00506, if you look -- again, there are three columns on that page. If you look at the first column on the far left, it's about the paragraph that starts -- it's six paragraphs down. It starts: "Then it was just" -- do you see that?

A. Right.

Q. Just if you could read starting there and then ending three paragraphs down where the last sentence says: "From the restaurant on the ground level" -- do you see that?

A. Yes.

Q. Can you read out loud that section, please?

MR. TURKEL: Object to form.

A. Well, I think it's also fair to tell you that I read Mr. Trump's deposition also.

BY MS. VALIENTE:

Q. So, Mr. Robbins, it's fair to say these paragraphs tell you that Mr. Trump did have a significant involvement in the final plans for the billing, correct?

MR. TURKEL: Object to the from.

A. Yes. It says terms as far as traffic flow, elevators, and fixtures/furnishers. As it says here: Helping to design everything from elevator entrances to wine cellar to guest suites. So, yes, he had involvement.

BY MS. VALIENTE:

Q. So if Mr. Trump had involvement in the building -- or given what it says in this article about his involvement, if the article had also said the arrangement between Mr. Trump and SimDag is a license agreement, even with the level of involvement that's described in this article, you are saying that you would not have purchased a unit?
MR. TURKEL: Object to form.
1. A. You are asking me to discount the fact that
2. they were not up-front with me in the beginning. Had
3. they been up-front with me in the beginning, then allow
4. me at that time to make my own decision: Do I want to
5. go forward or not? But they were not up-front with me
6. in the beginning.
7. Again, Mr. Trump could have put gold toilets
8. in this building for the same price and I would not
9. have moved in or gone forward. It's just the way it
10. is. You are asking me to discount the person that
11. I am and how I feel about things, and I can't do
12. that.
13. BY MS. VALIENTE:
14. Q. All right. I think I understand. So if
15. everything -- keeping everything the same, if somebody
16. had told you at the very beginning -- if somebody had
17. handed you a copy of the license agreement and you had
18. read it before you signed your purchase agreement,
19. would you have purchased a unit?
20. MR. TURKEL: Object to form.
21. A. I can't say because that's not the case.
22. That's a what if. I would have given it serious
23. thought. I would have read over everything, and then I
24. would have made an informed decision based on all of

BY MS. VALIENTE:
25. Q. Can you confirm that the document we have
26. marked as Exhibit 12 is a copy of the unmarked
27. document?

A. Yes.

Q. Mr. Robbins, do you remember -- first, I see
1. that as with the prior document there is -- on the top
2. of the first page, there is some typed writing that
3. says the Tampa Tribune and the Tampa Times and
4. underneath February 19th, 2005. Did you type that?
5. A. Yes, I did.
6. Q. If you look on the second page and on the
7. copy, it's P00510. Do you see there is some typing on
8. that page, too, on the lower right-hand corner of the
9. document?
10. A. Correct.
11. Q. Did you type that?
12. A. Yes, I did.
13. Q. Why did you type that out?
14. A. Just so that I could look at it real quickly,
15. get a synopsis of what was said here if I didn't want
16. to read the whole article when I went back and looked
17. at it at some future point in time.
18. Q. Okay. When did you type this?
19. A. Well, the date of the newspaper is the day
20. after the function that was here that Mr. Trump held,
21. and I was here. I'm going to say that I did that when
22. I was back in Connecticut. I would have been here for
23. the weekend for this.
Q. The typing on the second page, do you recall was that -- did you type that out in 2005?
A. Yes.
Q. Now, how did you receive this newspaper?
A. Again, I was in Tampa and Catherine subscribes to the St. Pete Times. This being the Tribune -- I think I may have just bought a copy of the Tribune, and I may have bought it just because of the pictures and the articles.
Q. And you are the one that cut out the articles and pasted it?
A. Yes.
Q. And you did that close in time to February 19th, 2005?
A. Yes.
Q. And as you said, this was the day after the event that you attended with your wife where Mr. Trump was present, correct?
A. Correct.
Q. Let's move on. I'm going to hand you what we have marked as Exhibit 13. Then as before I'm handing you an unmarked document. First, if you could take a look at the unmarked document. Is that a document you recognize as coming out of your file?

BY MS. VALIENTE:
Q. That's another newspaper article that has been taped on white paper, correct?
A. Correct.
Q. Can you confirm that Exhibit 14 is a copy of the unmarked document?
A. Yes.
Q. Then it looks like this is a document from the Tampa Tribune dated February 19th, 2005. Do you remember how you received this document?
A. Yes. Again, I know I was in town because it was the day after the function next door.
Q. Okay. You are staying -- when you were here to attend the event on February 18th, you were staying with Ms. -- how do you pronounce her name again?
A. Gouze.
Q. So when you were here for the event on February 18th, 2005, you were staying with Ms. Gouze?
A. No. For some reason, I -- it rings a bell that we were staying at the Sheraton.
Q. So is this a newspaper that you went out and purchased that day on the 19th? Do you recall?
A. Yes. I'm going to say that again because Catherine doesn't get the Tribune.
Q. And you were the person that cut out the article and pasted it on the paper?
A. Yes.
Q. If you signed your purchase agreement in August of 2005, did you read this article before you signed the purchase agreement?
A. Yes.
Q. You are certain?
A. Yes.
Q. Okay. I'm going to hand you what I have marked as Exhibit 15 along with another unmarked document and a copy to counsel. If you could look at...
Case 8:09-cv-02493-SDM-AEP   Document 85    Filed 04/01/11   Page 28 of 46 PageID 1260

Page 106

the unmarked document. Do you recognize that as the
document that came from your personal files?
(Exhibit No. 15 was marked for
identification.)
A. Yes.

BY MS. VALIENTE:
Q. If you could take a look at the document that
we marked as Exhibit 15, can you confirm that the
unmarked — that Exhibit 15 is a copy of the unmarked
document?
A. Yes.

Q. And, again, that is a newspaper article that
has been cut out and, again, taped on a white paper,
correct?
A. Yes.

Q. Were you the one who cut out the article and
taped it?
A. Yes.

Q. Again, there is typed writing on the first
page that on Exhibit 15 is Bates labelled P00517. At
the very top it says the St. Pete Times, and then
underneath it says Saturday, February 19th, 2005. Did
you type that?
A. Yes.

Q. On the second page where it's Bates labelled

Page 107

1 P00518, again, there is some more typed writing that
2 says synopsis and has got five statements. Did you
3 type that?
4 A. Yes, I did.
5 Q. When did you type that? Do you recall?
6 A. It would be shortly after this date when I
7 was back in Connecticut.
8 Q. So the date that you typed out Saturday,
9 February 19th, 2005, is that the date of the
10 newspaper — is that the day of the newspaper where
11 this article appeared?
12 A. Yes. Again, that's the day after Mr. Trump
13 appeared here.
14 Q. So if you -- do you remember actually reading
15 this article?
16 A. Yes.
17 Q. If you signed your purchase agreement in
18 August 2005, do you remember reading this before you
19 signed your purchase agreement?
20 A. Yes.
21 Q. The next exhibit. Let me hand you what I
22 have marked as Exhibit 16 along with the unmarked
23 document with a copy to counsel.
24 Mr. Robbins, can you look at the unmarked
25 document? Do you recognize the unmarked document as a

Page 108

document that came from your personal files?
(Exhibit No. 16 was marked for
identification.)
A. Yes.

BY MS. VALIENTE:
Q. Can you confirm that the document that we
have marked as Exhibit 16 is a copy of the unmarked
document?
A. Yes.

Q. Did you cut -- were you the one that cut out
the newspaper article and taped it on the paper?
A. Yes.

Q. Do you remember -- I don't see a date on the
clipping. Do you remember when this article was
published?
A. I'm going to say just based on the pictures
and the fact that it's Mr. Trump and his wife and it's
here in Tampa, it would have been after February 18th
so -- perhaps, the 19th.

Q. And if your purchase agreement was signed in
August 2005, do you know whether you read this article
before you signed the purchase agreement?
A. Yes.

Q. Yes, you did read it before you signed the
purchase agreement?

Page 109

A. Yes.

Q. You are certain?
A. Yes. Why I cut this out, I don't know. I
mean I don't see anything of real particular value
other than I was just collecting things.

Q. But this happened close in time to when you
read it in the paper? Let me rephrase that.
You cut out the article close in time to when
you -- to when the article was published in the paper?
A. Yes. I didn't go back and do that, yes.

Q. Okay. Let's move on. Mr. Robbins, I'm going
to hand you what I have marked as Exhibit 17 along with
another unmarked document and a copy to counsel. Can
you look at the unmarked document and tell me do you
recognize that as the document that came from your
personal files?
(Exhibit No. 17 was marked for
identification.)
A. Yes.

BY MS. VALIENTE:
Q. If you could look at what we have marked as
Exhibit 17, can you confirm that Exhibit 17 is a copy
of the unmarked document that you have next to you?
A. Yes.

Q. It is a copy?
<table>
<thead>
<tr>
<th>Page 110</th>
<th>Page 112</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Yes.</td>
<td>1. Yes.</td>
</tr>
<tr>
<td>2. Q. Let's move on to the next exhibit. I'm going</td>
<td>2. Q. Mr. Robbins, if you could look at the</td>
</tr>
<tr>
<td>3. to hand you what I have marked as Exhibit 18, which is</td>
<td>unmarked document. Do you recognize that as a document</td>
</tr>
<tr>
<td>4. a newspaper article taped on a white piece of paper.</td>
<td>that came from your personal files?</td>
</tr>
<tr>
<td>5. Ken, here is a copy.</td>
<td>(Exhibit No. 18 was marked for</td>
</tr>
<tr>
<td>6. Mr. Robbins, if you could look at the</td>
<td>identification.)</td>
</tr>
<tr>
<td>7. unmarked document. Do you recognize that as a document</td>
<td></td>
</tr>
<tr>
<td>8. that came from your personal files?</td>
<td></td>
</tr>
<tr>
<td>9. (Exhibit No. 18 was marked for</td>
<td></td>
</tr>
<tr>
<td>10. identification.)</td>
<td></td>
</tr>
<tr>
<td>11. A. Yes.</td>
<td>1. A. I really couldn't say at this time.</td>
</tr>
<tr>
<td>12. BY MS. VALIENTE:</td>
<td>2. Q. Mr. Robbins, I'm going to hand you what I</td>
</tr>
<tr>
<td>13. Q. Were you the one who cut out the articles and</td>
<td>have marked as Exhibit 19. Sorry. Let me take a look</td>
</tr>
<tr>
<td>14. taped it on the paper?</td>
<td>at this real quick. Ken, here an is a copy.</td>
</tr>
<tr>
<td>15. A. Yes.</td>
<td>Here is what we have marked as Exhibit 19 and</td>
</tr>
<tr>
<td>16. Q. If you see there is a typed portion at the</td>
<td>then an unmarked document. Again, the unmarked</td>
</tr>
<tr>
<td>17. very top. Again, it says synopsis and is followed by</td>
<td>document is a newspaper article that has been taped on</td>
</tr>
<tr>
<td>18. four numbered statements. Were you the one that typed</td>
<td>some white paper. Mr. Robbins, looking at the unmarked</td>
</tr>
<tr>
<td>19. this out?</td>
<td>document, do you recognize that as a document that came</td>
</tr>
<tr>
<td>20. A. Yes.</td>
<td>from your files?</td>
</tr>
<tr>
<td>21. Q. Was this close in time to when you -- when</td>
<td>(Exhibit No. 19 was marked for</td>
</tr>
<tr>
<td>22. the article was published in the paper?</td>
<td>identification.)</td>
</tr>
<tr>
<td>23. A. Yes.</td>
<td></td>
</tr>
<tr>
<td>24. Q. Was this close in time to when you -- when</td>
<td>2. A. Yes.</td>
</tr>
<tr>
<td>25. it was -- as I said, I didn't go back and archive this</td>
<td>Q. Can you confirm that what we have marked as</td>
</tr>
<tr>
<td>stuff by getting a bunch of older newspapers and doing</td>
<td>Exhibit 19 is a copy of the unmarked document?</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Page 111</td>
<td>Page 113</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td>1. A. Yes.</td>
<td>1. A. Yes.</td>
</tr>
<tr>
<td>2. Q. Okay. Can you confirm that the exhibit that</td>
<td>2. Q. That's your typing on the top where it says</td>
</tr>
<tr>
<td>3. we have marked as Exhibit 18 is a copy of the unmarked</td>
<td>St. Pete Times, January 24th, 2005?</td>
</tr>
<tr>
<td>5. A. Yes.</td>
<td>5. Q. Is the date that you typed -- is that the</td>
</tr>
<tr>
<td>7. Q. This doesn't have a date on it. Do you</td>
<td>date that the article appeared in the paper?</td>
</tr>
<tr>
<td>8. recall when you first saw this article?</td>
<td>7. A. Yes.</td>
</tr>
<tr>
<td>9. A. Because Mr. Trump is making reference to The</td>
<td>8. Q. Do you remember actually reading this</td>
</tr>
<tr>
<td>Apprentice and the topic, I'm going to say this was</td>
<td>article?</td>
</tr>
<tr>
<td>10. after his visit here to Tampa.</td>
<td>9. A. Yes.</td>
</tr>
<tr>
<td>12. Q. And if you signed the purchase agreement in</td>
<td>11. Q. Now, if you -- if your purchase agreement was</td>
</tr>
<tr>
<td>13. August 2005, do you remember reading this document</td>
<td>signed in August 2005, do you know whether you read</td>
</tr>
<tr>
<td>14. before you signed the purchase agreement?</td>
<td>this before you signed the purchase agreement?</td>
</tr>
<tr>
<td>15. A. I don't know for sure what the date of this</td>
<td>14. A. Yes.</td>
</tr>
<tr>
<td>16. was, but if it was around the time of Mr. Trump's</td>
<td>15. Q. You are certain?</td>
</tr>
<tr>
<td>17. visit, then I would have read it prior to signing, yes.</td>
<td>16. A. Yes.</td>
</tr>
<tr>
<td>18. Q. But you don't know for sure when this article</td>
<td>17. Q. Mr. Robbins, I'm going to hand you what I</td>
</tr>
<tr>
<td>19. was published, correct?</td>
<td>have marked as Exhibit 20 and also an unmarked</td>
</tr>
<tr>
<td>20. A. I can't say for sure since there isn't a date</td>
<td>document. Ken, here is a copy.</td>
</tr>
<tr>
<td>21. on this, no.</td>
<td>Looking at the unmarked document, do you</td>
</tr>
<tr>
<td>22. Q. Can I see the original real quick?</td>
<td>recognize that as a document that came from your</td>
</tr>
<tr>
<td>23. A. (Witness complies.)</td>
<td>personal files?</td>
</tr>
<tr>
<td>24. Q. Mr. Robbins, if you will look on the -- do</td>
<td>(Exhibit No. 20 was marked for</td>
</tr>
<tr>
<td>25. you see there are three columns -- the bottom half of</td>
<td>identification.)</td>
</tr>
<tr>
<td>26.</td>
<td>A. Yes.</td>
</tr>
</tbody>
</table>
Q. If you look at what we have marked as Exhibit 20, can you confirm that Exhibit 20 is a copy of an unmarked document?
A. Yes.
Q. It looks like the article is dated January 17, 2005. Do you recall that this was part of the newspaper that you actually looked at January 17th, 2005?
A. Yes.
Q. So did you see that while you were down here for the event on the 18th?
A. No. That was a month prior. The event was February.
Q. So how did you get this newspaper clipping? Do you recall?
A. If I physically wasn't here, Catherine would have saved it for me, and then I would have just taken it from there. I like to read the paper. I read the paper every day.
Q. Did you ask Catherine to save articles for you and send them to you?
A. No, not in particular. She just knows I like to read the paper. She didn't save every single paper for me when I wasn't here. She would save some and toss some, or if she knew I was coming down shortly, she would save some.
Q. Did you save every paper or newspaper clipping that Catherine sent you?
A. She didn't send me any. They would be here, and I would get them when I was here. No. I didn't save every one, because not every paper she saved for me dealt with the topic of Trump.
Q. Let me just rephrase. Did you -- to the extent that she gave you newspaper clippings that dealt with the Trump Tower project, did you save all of the clippings that she gave you?
A. I tried to. Whether or not I saved all of them, I can't say for sure.
Q. Actually, if we could go back to that Exhibit 20 real quick. Do you recall actually reading this?
A. Yes.
Q. If you signed the purchase agreement in August 2005, did you read this before you signed the purchase agreement?
A. Yes.
Q. And you are certain?
A. Yes.
Q. Looking at the article, it looks like -- you see it's entitled "rendered moot." If you could read that paragraph to yourself real quick?
A. Read it out loud or to myself?
Q. To yourself.
A. Okay.
Q. You see they are questioning -- they are talking about the drawing of the Trump building. The first paragraph is talking about the drawing of the Trump building, correct?
A. Yes.
Q. They are asking the question -- it says:
Seeing the drawing made us wonder how many of those architectural renderings ever make it off the page. Do you see where it says that?
A. Yes.
Q. So it's questioning whether buildings like this ever get built, correct?

MR. TURKEL: Object to the form.
A. Correct.

BY MS. VALIENTE:
Q. But reading this -- let me go back. I mean, you understand that there is an inherent risk in every type of real estate transaction, correct?
A. Correct.
Q. So you understood that going into this there is always a risk that the building wouldn't get built, correct?
A. Correct.

(Exhibit No. 21 was marked for identification.)

BY MS. VALIENTE:
Q. And can you confirm that the document that we have marked as Exhibit 21 is a copy of the unmarked document?
A. Yes.
Q. I'm going to show you Exhibit 22 and an unmarked document. If you could look at the unmarked document and tell me do you recognize that as a document that came from your personal files? (Exhibit No. 22 was marked for identification.)
A. Yes.

BY MS. VALIENTE:
Q. If you can look at what I have marked as

SOUND DEPOSITION SERVICES, INC.
(888) 297-6863
Apprentice, catapulted Trump's already substantial name recognition and turned 'You're Fired' into a national catch-phrase. It also has solidified Trump's image as a business icon, although in reality, he has both won and lost fortunes over the years. Most recently, he reorganized Trump Hotels & Casino Resorts in bankruptcy court, emerging with his ownership stake chopped from 47 percent to 27 percent."

Q. Again, you remember reading this article, correct?
A. Yes. And I mentioned earlier that I knew Donald Trump had problems in the gaming industry from being in New Jersey when I grew up.

Q. Sure. I'm handing you what is marked as Exhibit 23 and an unmarked document. Ken, here is a copy. If you could take a look at the unmarked document. Do you recognize that document as something that came from your personal files?

(Exhibit No. 23 was marked for identification.)
A. Yes.

BY MS. VALIENTE:
Q. Then if you could take a look at what we have marked as Exhibit 23, can you confirm that Exhibit 23 is a copy of the unmarked document?
A. Yes.

1. A. Yes.
2. Q. And if your purchase agreement was signed in August 2005, do you know whether you read this before you signed the purchase agreement?
A. Based on the January 12, '05, date, yes.
3. Q. Do you know for certain whether you read this before you signed the purchase agreement?
A. Yes.

Q. You do?
A. Yes.

Q. You are certain?
A. Yes. I read a lot and, particularly, when something is of interest to me. Certainly, the Trump project was of interest to me.

Q. If you could take a look at the second page of the document Bates labeled P00531. If you look at the last full paragraph on the page?
A. Uh-huh.

Q. If you look at the paragraph -- can you read aloud that full paragraph please?
A. Are we talking where it says: "The popularity"?
Q. Yes.
A. "The popularity of the reality series, The
<table>
<thead>
<tr>
<th>Page 122</th>
<th>Page 124</th>
</tr>
</thead>
</table>
| 1. identification.)  
A. That's my wife's resume.  
(Brief recess.)  
BY MS. VALIENTE:  
Q. Mr. Robbins, I'm going to hand you what I have marked as Exhibit 25.  
(Exhibit No. 25 was marked for identification.)  
A. You handed me this before the break, right?  
BY MS. VALIENTE:  
Q. Yes. We're done with that. You said you recognized that as your wife's resume, correct?  
A. Yes.  
Q. That's the letter I received from your attorneys, Exhibit 25.  
A. Right.  
Q. If you look at the bottom half of the document where it starts -- the paragraph that starts Mr. Robbins. If you could read from there to the end of the document, and just let me know when you are done. Take your time.  
A. Read out loud or on my own?  
Q. Sorry. To yourself.  
A. Okay.  
Q. Then before we started today, your attorney | Q. Moving on. Mr. Robbins, I'm going to hand you what I have marked as Exhibit 26. These are answers to interrogatories that we served on your attorney. We received these answers from your attorney. If you could take a look at the very last page of the document. Is that your signature on the last page?  
(Exhibit No. 26 was marked for identification.)  
A. It is.  
BY MS. VALIENTE:  
Q. Did you sign this document?  
A. Yes, I did.  
Q. Did you read the answers before you signed it?  
A. Yes, I did.  
Q. Okay. I'm going to hand you what I have marked as Exhibit 27. Do you recognize that document?  
A. Yes, I do.  
BY MS. VALIENTE:  
Q. What is it?  
A. It's a purchase agreement for Trump Tower Tampa. |

<table>
<thead>
<tr>
<th>Page 123</th>
<th>Page 125</th>
</tr>
</thead>
</table>
| 1. Mr. Turkel mentioned there was a slight inaccuracy. If you could tell me what that is?  
MR. TURKEL: To be clear, Dan Clark probably told you that because I don't remember talking about it.  
MS. VALIENTE: I'm sorry. It was Dan Clark.  
BY MS. VALIENTE:  
Q. Go ahead. If you could tell me what the inaccuracy of the document is?  
A. Yes. I did not do a tour of duty in Vietnam.  
Q. Other than that, is everything else that you read accurate?  
A. Correct.  
Q. We can move on.  
A. That's a big issue in Connecticut right now.  
A person running for senate who was the Attorney General said he served in Vietnam and he didn't. He had to correct it. That's not why I corrected it. I corrected it because I'm up-front, and I'm not running for anything.  
(Discussion off the record.)  
BY MS. VALIENTE: | Q. If I can ask you to turn to -- do you see that there is a Bates number on the bottom of the document and it says the Toni Everette Company and has a number at the bottom? Do you see that?  
A. Yes.  
Q. Could you turn to the page that is 0396?  
A. 0390?  
Q. 0396.  
Q. Is that your signature at the bottom of the document?  
A. Yes, it is.  
Q. It's dated August 16th, 2005. Is that the date that you signed this?  
A. Yes.  
Q. Is that your wife's signature above yours?  
A. Yes.  
Q. And you are familiar with your wife's signature, correct?  
A. Yes, I am.  
Q. You have seen her sign documents before?  
A. Yes, I have.  
Q. Now, other than -- did you read this document before you signed it?  
A. Yes, I did. |

SOUND DEPOSITION SERVICES, INC.  
(888) 297-6863
Q. And you said you had an attorney read this for you as well, correct?
A. That would be Ms. Gouze, yes.
Q. But you asked her to read this on your behalf?
A. Well, she had one for herself also, and then we discussed it.

MR. TURKEL: Don't disclose your discussions with her regarding any legal advice you sought or she gave you concerning the document. It could be attorney-client privileged communication.

BY MS. VALIENTE:
Q. Just to be clear, was she reviewing this document as your attorney?
MR. TURKEL: You've got to --

BY MS. VALIENTE:
Q. Don't tell me what she told you. Was she your attorney at the time or was she just a friend? I'm trying to understand.
A. We have never retained her as an attorney for which we paid her. She just wouldn't do that.
Q. Without telling me anything she told you at the time that you signed this, were you relying on her for legal advice in connection with this purchase?
A. I think I can say this: If I had a question, yes.

Q. Okay. But you said you personally read this document, correct?
A. Yes, I did.
Q. Now, other than the fact that the building is called Trump Tower Tampa, is Mr. Trump -- Mr. Trump, nor the Trump Organization -- neither of them are mentioned in this contract, correct?

MR. TURKEL: Do you expect him to look through it all right now or can I just object to the form to the extent that the document speaks for itself? And you can go ahead and answer it.

BY MS. VALIENTE:
Q. Why don't I ask it this way: Without having to re-read the document, just based on your recollection, do you remember anything in this document referencing Mr. Trump or the Trump Organization other than the fact that the building is called Trump Tower Tampa?
A. No.
Q. If you could take a look at -- well, first, there is some handwriting on the top left corner of the document. Do you see that?
A. Yes.
Q. Do you know who wrote that?
MR. TURKEL: Object to form.
A. No.
BY MS. VALIENTE:
Q. Okay. If we could turn to the second page of
your contract, Bates No. 0383, if you look at paragraph
2 where it says "seller's financing" -- if you could
just read that paragraph to yourself real quick, let me
know when you are done.
A. Okay.
Q. That paragraph is entitled "Seller's
Financing," correct?
A. Yes.
Q. If you flip back to the first page, do you
see where in the paragraph where it starts, "Agreement
by" -- it says: "Agreement by and between
SimDag-RoBEL, LLC, a Florida Limited Liability
Company," and in parenthesis it says "seller"?
A. Yes.
Q. So you see that SimDag is the seller in this
agreement, correct?
A. Yes.
Q. If you flip to the second page, seller's
financing, it's talking about SimDag's financing; correct?
A. Correct.
Q. Nowhere in this paragraph does it talk about
Mr. Trump or the Trump Organization providing
financing, correct?
A. Correct.
Q. Then do you recall before signing this
doctor asking anyone associated with the project why
this paragraph didn't discuss any financing being
provided by Mr. Trump or the Trump Organization?
A. No. Other than the mindset this is: We
never expected to sit down across the table from
Mr. Trump. And also Mr. Trump, we have established,
has numerous real estate holdings around the world,
plus a TV program, and whatever else he has going on.
I understand that Mr. Trump can't do
everything by himself, and his organization is not
totally large enough to do everything by itself, and
again, in his own words, real estate is a local game so
to speak. Just as he doesn't have attorneys from New
York down here today doing this deposition, so he has
to rely on others.
So I'm not questioning the fact that his name
is not all over this other than that it's a Trump Tampa
condo. That was the mindset that went into this.
Somebody has got to be on the ground here in Tampa to
represent him.
Q. But you understand that this document that we
are looking at, Exhibit 27 -- you understand that this
is -- this document that you signed is a legally
binding document, correct?
MR. TURKEL: Object to form.
A. Yes.
BY MS. VALIENTE:
Q. Yes?
A. Yes.
Q. And this is the document that bound you in
your purchase of a unit in the Trump Tower project,
correct?
MR. TURKEL: Object to form.
A. Yes.
BY MS. VALIENTE:
Q. And in the second page, there is no
discussion about any financing being provided by
Mr. Trump or the Trump Organization, correct?
MR. TURKEL: Object to form.
A. No.
BY MS. VALIENTE:
Q. Again, if you look -- on the second page of
the contract -- again, that's Bates 0383 -- if you look
at paragraph 3, it's called construction.
A. Uh-huh.
Q. If you look at subsection A, the first
sentence there, it starts off: "The seller agrees to
construct the unit in substantial conformance with the
plans and specifications on file in seller's local
sales center." That's what it says, correct?
A. Yes.
Q. Seller is SimDag-RoBEL, correct?
A. Yes.
Q. So here it's telling you that SimDag-RoBEL
agrees to construct the unit. Isn't that right?
A. Yes.
Q. Do you remember ever raising any concern that
under this document SimDag-RoBEL is -- it says
SimDag-RoBEL is constructing the unit and it doesn't
say Mr. Trump or the Trump Organization is constructing
the unit?
MR. TURKEL: Object to form.
A. No.
BY MS. VALIENTE:
Q. If we could take a look at the Bates page
03888 of the purchase agreement.
A. Okay.
Q. You see where there is the paragraph where it
has got -- it's in all capitals?
A. Yes.
Q. Can you read that paragraph out loud, please?
A. "Except for the warranties contained in the deed of conveyance and any written warranties by developer delivered at closing (which does not include manufacturers' warranties passed through to buyer) no warranties, expressed or implied, representations, understandings, guarantees, or promises have been made to or relied upon by buyer in making the determination to execute and close pursuant to this agreement and, to the maximum extent permitted by law, all warranties, including implied warranties of fitness for a particular purpose, merchantability and habitability, and all warranties imposed by statute (except to the extent they cannot be disclaimed) are disclaimed."
Q. So it says -- as you just read, it says that no guarantees or promises have been made to or relied upon you in making the determination to execute and close pursuant to this agreement, correct?
MR. TURKEL: Object to the form.
A. Can you repeat the last part of your question?
BY MS. VALIENTE:
Q. Sure. The paragraph as you just read states in part no -- that no guarantees or promises have been made to or relied upon by you in making the determination to execute and close pursuant to this agreement; is that correct?
MR. TURKEL: Object to form.
A. Yes.
BY MS. VALIENTE:
Q. And you read this agreement, correct?
A. Yes.
Q. And you never asked anyone to include any type of provision in this agreement about Mr. Trump or the Trump Organization or their role in this project?
MR. TURKEL: Object to form.
A. No.
BY MS. VALIENTE:
Q. If you can flip to the document Bates labelled 0398.
A. Okay.
Q. As you see at the top it says Exhibit A and underneath it says receipt for condominium documents?
A. Yes.
Q. Is that your wife's signature at the bottom of the document?
A. Yes, it is.
Q. Is that your signature underneath?
A. Yes, it is.
Q. All right. But you understand as a layperson, it is still your responsibility to understand these documents, correct?

MR. TURKEL: Object to the form.

A. Yes.

Q. Take a look at the third page of the document of Exhibit 28. It's not numbered. It's just the third page in.

A. Okay.

Q. Counting the first page of — the first page is no. 1.

A. Yes.

Q. Okay.

A. Okay.

Q. Do you see where it says "note" on that page?

A. Yes.

Q. "Note: In this property report, the words 'you' and 'you' refer to buyer. The words 'we,' 'us,' and 'our' refers to the developer." Do you see that?

A. Yes.

Q. So this is telling you the words "we," "us," and "our" refer to SimDag-RoBEL, LLC, correct?

MR. TURKEL: Object to the form.

Q. "The condominium is presently encumbered by two mortgages held by Colonial Bank." Do you see where it says that?

A. Yes.

Q. Now, it doesn't say that Mr. Trump or the Trump Organization have any mortgages on this project, does it?

A. No.

Q. And it doesn't say anything about Mr. Trump or the Trump Organization guaranteeing to pay off those mortgages, does it?

A. No.

Q. You see on the box at the bottom of page 7?

A. (Nods head.)

Q. The last sentence in the box says: "If we should default on the mortgages prior to obtaining a lease, you may lose your unit and all moneys paid."

A. Yes.

Q. And, again, "we" refers to SimDag, correct?

A. Yes.

Q. So, again, it doesn't say Mr. Trump or the Trump Organization are going to pay off these mortgages so you don't have to worry about it. It, in fact, says you could lose your unit, correct?

MR. TURKEL: Object to the form.

A. Yes.
Q. And it's under a heading called "environment," correct?
A. Yes.
Q. It says this is the developer's responsibility, correct?
A. Yes.
Q. If we could turn to page 26. You see underneath where it says "water"?
A. Yes.
Q. And you see the first box that's in all caps. It says: "The required permits, approvals, or licenses for construction, operation or use of a water system have not been obtained. Therefore, there is no assurance the system can be constructed or used."
That's what it states, correct?
A. Yes.
Q. Then underneath that right before the second box there's a sentence that says: "We" -- again and we saw that "we" means SimDag-RoBEL. "We will pay all the construction costs to complete the infrastructure associated with the central water system." That's what it states, correct?
A. Yes.
Q. So, again, it's saying SimDag is going to pay these costs. Not Mr. Trump and not the Trump Organization, correct?
A. Yes.
Q. On the box underneath that you see in bold and all caps, it says: "No funds have been set aside in an escrow or trust account, nor have any other financial arrangements been made to assure the completion of the water system." That's what it says, correct?
A. Yes.
Q. So no financial arrangements have been made. This certainly doesn't tell you or suggest that there has been some arrangement made with Mr. Trump or the Trump organizations to cover these costs, does it?

BY MS. VALIENTE:

Q. If you look at the bottom of the page, the second to last sentence, it says: "The developer will be responsible for investigating and remediating these conditions to a level that is satisfactory to applicable governmental and regulatory authorities having jurisdiction over the condominium property." That's what it says, correct?
A. Yes.

BY MS. VALIENTE:

Q. If you turn to page 27. Right underneath the first box it states: "We will pay all of the construction costs to complete the infrastructure associated with the central sewer system." That's what it states, correct?
A. Yes.
Q. Again, "we" refers to SimDag-RoBEL, correct?
A. Yes.
Q. So, again, this is saying SimDag-RoBEL is...
MR. TURKEL: Object to the form.
A. No.
BY MS. VALIENTE:
Q. The next sentence says: "The developer has not had prior experience in the development of condominiums." Again, there is no way that could refer to Mr. Trump or the Trump Organization, correct?
A. Correct.
Q. The next sentence: "The developer has not yet begun construction on the condominium project and, accordingly, has not closed on any condominium units." Do you see where it says that?
A. Yes.
Q. Then the next sentence says: "Because of lack of operating experience, the developer does not have audited financial statements as of the date of filing of this property report." Then it goes on to say: "The developer has experienced a net operating loss during the last physical year." That's what is says, correct?
A. Yes.
Q. The next sentence says: "This may affect the developer's ability to complete the promised facilities and to discharge financial obligations," correct?
A. Correct.

Q. Again, this is telling you there is a risk that this project might not be built, correct?
MR. TURKEL: Object to the form.
A. Correct.
BY MS. VALIENTE:
Q. It in no way, shape, or form says Mr. Trump or the Trump Organization is guaranteeing that this building is going to be built, correct?
MR. TURKEL: Object to the form.
A. Correct.

BY MS. VALIENTE:
Q. If you could turn to page 31, I'm looking at the section entitled "Recreational and Other Common Area Facilities."
A. Yes.
Q. Do you see there is a number of columns? The second to last column says: "Financial Assurance of Completion"?
A. Uh-huh.
Q. Do you see that every entry underneath that column says "none"?
A. Yes.
Q. Including on the following page there are more entries?
A. Yes, I see that.
MR. TURKEL: Object to the form.

BY MS. VALIENTE:

Q. The next sentence after that paragraph states: "All costs incurred in this construction will be paid by us." That's what it states, correct?

A. Yes.

Q. And it says "all costs"?

A. Yes.

Q. Turn to page 33. Do you see the box in bold and all caps where it says: "No funds have been set aside in an escrow or trust account, nor have any other financial arrangements been made to assure the completion of any such facilities." That's what it states, correct?

A. Yes.

Q. If you look at page 34 underneath where it says Construction Facilities, it says: "The developer is solely responsible for the construction of all the recreational facilities." That's what it states, correct?

A. Yes.

Q. Underneath where it says "permits," it says: "The building permits for the construction of all the recreational facilities have not been obtained. There is no assurance that the unit owners will be able to use the recreational facilities unless and until such permits are obtained and appropriate governmental approvals of completion thereof are ultimately issued." I read that correctly, correct?

A. Yes.

Q. If you could turn to page 42. There are actually two page 42s. I'm looking at the second page 42.

A. Okay.

Q. Do you see at the bottom the document is signed on behalf of Jody Simon?

A. Yes.

Q. Signed on behalf of SimDag-RoBEL, LLC?

A. Yes.

Q. There is no signature here by Mr. Trump or the Trump Organization, correct?

A. Correct.

Q. So, Mr. Robbins, when we started earlier, you had said that one of the expectations when you signed the purchase agreement was that Mr. Trump was going to share in the expenses; is that correct?

A. Correct.

Q. So after reading this document, do you still believe you were misled about Mr. Trump's end responsibility with respect to the expenses of the project?

MR. TURKEL: Object to the form.

BY MS. VALIENTE:

Q. Well, we just read this document together that you received and read before you signed your purchase agreement, and we read all of the provisions that talk about there aren't any financial assurances. There is -- it discloses mortgages held by Colonial Bank, but nothing from Mr. Trump or the Trump Organization.

A. After everything that we have just read, do you still believe that you were misled about Mr. Trump's role with respect to the expenses of the project?

MR. TURKEL: Object to the form.

A. Well, the fact that he had what appears to be
### Case 8:09-cv-02493-SDM-AEP

**Document 85**  
**Filed 04/01/11**  
**Page 40 of 46**  
**PageID 1272**

---

**Page 154**

<table>
<thead>
<tr>
<th>No.</th>
<th>Question/Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>2</td>
<td>Q. Is that your wife's signature above you?</td>
</tr>
<tr>
<td>3</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>4</td>
<td>Q. Underneath your signature there is a date of November 28th, 2007. Is that the date you signed the document?</td>
</tr>
<tr>
<td>5</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>6</td>
<td>Q. Now, what is this document?</td>
</tr>
<tr>
<td>7</td>
<td>A. The escrow agreement and --</td>
</tr>
<tr>
<td>8</td>
<td>Q. Let me try and help you out. Underneath -- on the front of the document where it says preamble, if you -- starting on the second paragraph it says: &quot;On even date herewith seller and buyer have entered into an addendum to condominium sale and purchase agreement in connection with the contract. A copy of which addendum is attached hereto as Exhibit A and made a part hereof.&quot; Next paragraph: &quot;Seller and buyer have agreed that the addendum shall not be immediately binding and effective but rather, shall be held in escrow by seller. Accordingly, seller and buyer desire by this escrow agreement to establish the terms and conditions upon which the addendum will be held and released from escrow.&quot; Does this help you remember what this agreement was about?</td>
</tr>
</tbody>
</table>

---

**Page 155**

<table>
<thead>
<tr>
<th>No.</th>
<th>Question/Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>2</td>
<td>Q. Now, obviously, without having re-read it sitting here today, but just based on your recollection, do you recollect this document discussing in any way Mr. Trump's role in the Trump Tower Tampa project?</td>
</tr>
<tr>
<td>3</td>
<td>A. No. But it also doesn't mention anything about the licensing agreement.</td>
</tr>
<tr>
<td>4</td>
<td>Q. Let's go on to the next exhibit. I'm going to hand you two exhibits. One that I have marked as Exhibit 30 called Escrow Agreement and the next document marked as Exhibit 31 is called Exhibit A, Addendum to Condominium Sale and Purchase Agreement. Do you recognize these two documents? (Exhibit Nos. 30 and 31 were marked for identification.)</td>
</tr>
<tr>
<td>5</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>6</td>
<td>BY MS. VALIENTE:</td>
</tr>
<tr>
<td>7</td>
<td>Q. Let me -- first, on Exhibit 30, which is the escrow agreement -- is that right?</td>
</tr>
<tr>
<td>8</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>9</td>
<td>Q. On the escrow agreement, if you would turn to the second to last page. It's page 3.</td>
</tr>
<tr>
<td>10</td>
<td>A. Okay.</td>
</tr>
<tr>
<td>11</td>
<td>Q. Is that your signature on that document?</td>
</tr>
</tbody>
</table>

---

**Page 156**

<table>
<thead>
<tr>
<th>No.</th>
<th>Question/Statement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>2</td>
<td>Q. Is that your wife's signature above you?</td>
</tr>
<tr>
<td>3</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>4</td>
<td>Q. Underneath your signature there is a date of November 28th, 2007. Is that the date you signed the document?</td>
</tr>
<tr>
<td>5</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>6</td>
<td>Q. Now, what is this document?</td>
</tr>
<tr>
<td>7</td>
<td>A. The escrow agreement and --</td>
</tr>
<tr>
<td>8</td>
<td>Q. Let me try and help you out. Underneath -- on the front of the document where it says preamble, if you -- starting on the second paragraph it says: &quot;On even date herewith seller and buyer have entered into an addendum to condominium sale and purchase agreement in connection with the contract. A copy of which addendum is attached hereto as Exhibit A and made a part hereof.&quot; Next paragraph: &quot;Seller and buyer have agreed that the addendum shall not be immediately binding and effective but rather, shall be held in escrow by seller. Accordingly, seller and buyer desire by this escrow agreement to establish the terms and conditions upon which the addendum will be held and released from escrow.&quot; Does this help you remember what this agreement was about?</td>
</tr>
</tbody>
</table>

---

40 (Pages 154 to 157)

SOUND DEPOSITION SERVICES, INC.  
(888) 297-6863
Q. It's Bates P00472.
A. Okay.
Q. Is that your signature on this document?
A. Yes.
Q. Is that your wife's signature?
A. Yes.
Q. And it's dated November 28th, 2007. Is that the date it was signed?
A. Yes.
Q. And you see where it says above the -- it says: "In witness whereof." There is some handwriting on the document?
A. Yes.
Q. Whose handwriting is that?
A. I don't know.
Q. Okay. There is an RS next to it. Do you know -- is that your wife's initials?
A. Yes. That would be my wife's initials.
Q. But you don't know for certain whether she wrote that in or not.
A. I don't know if she wrote that in or not. I know that's her initials.
Q. Okay. Now, if you look at the last page on the document, it's page P00474.
A. Yes.

Q. It looks like there's an additional section that has been added onto the contract?
A. Yes.
Q. Do you know who typed this out?
A. I do not.
Q. Are those your initials on that page?
A. My wife and mine. I'm not sure who the third initials are.
Q. Did you ask that this be drafted as part of the agreement?
A. As I sit here today, I don't remember the circumstances of this.
Q. Take your time if you need to read the document, but if you could just look it over. When you are ready, just tell me if you recall anything about this agreement and how it came to be signed.
A. I know we must have signed it in Connecticut because all of the witnesses are people in Connecticut.
Q. Again, your question is --
A. What do you recall about this agreement, if anything?

MR. TURKEL: Object to form.
A. Nothing is jumping out at me right now. It's also late in the day from looking at a lot of stuff.

BY MS. VALIENTE:

Q. These documents were signed on November 28th, 2007, which was six months after Mr. Trump sued SimDag. If you were so -- if you felt so deceived, as you have stated before, about the fact that the license agreement was never disclosed to you, why in the world would you sign these documents?

MR. TURKEL: Object to form.
A. At that point you are frightened to death that you are not going to see any of this money. That's exactly our feeling. We are not going to see any money, and we're not going to see a building come up out of the ground next door.

When this was signed, my wife and I and Catherine Grouse all attended a meeting with Frank Dagostino, and Evie Paul was there too. While Frank was talking about suing the guy that should have told him about the geologist that did the study and should have told him about the situation of the land next door, and he was going to do this and he was going to do that, but he was still going to build this building.

At that point, he at least said SimDag, we, are going to build this building. He didn't say to me Trump is still going to build the building. Joe Blow is going to build the building. He said we are going to attempt to build the building, and he also made
Case 8:09-cv-02493-SDM-AEP   Document 85   Filed 04/01/11   Page 42 of 46 PageID 1274

1. certain promises to us that any money we're holding in escrow -- I think it was some sort of interest on that money. There were promises for upgrades that we wouldn't have to pay for and whatnot.
2. But I also felt to a degree there was a certain amount of bullying. It might be just me and a gut feeling. So, you know, we were looking at, I think, at losing everything and not even getting half of our deposit back and not having a building, having nothing. So that's why we went through with this. I don't say it was done under duress, but the mindset was, you know, we are already up against the wall; we have got nothing.
3. Also -- you said the date was August of 2007?
5. A. Our home in Connecticut was sold. The closing was scheduled for December of 2007. We were not going to have a home in Connecticut. We were not going to have a condominium here. That was the mindset that we were under at that point in time.
6. Q. When you first heard about the lawsuit between Mr. Trump and SimDag, did you make a demand for the return of your deposit?
7. A. No.
8. Q. Okay. This agreement that we just read.

Page 164

1. ago and let me -- because what I heard you say was that all things being equal. You know, if before you signed the purchase agreement, somebody had handed you a copy of the license agreement, you may have still purchased the unit?
2. MR. TURKEL: I'm going to object to form.
3. Move to strike counsel's comments before the part of the question that tries to form an interrogatory.
4. MS. VALIENTE: I will rephrase the question.
5. BY MS. VALIENTE: Q. I'm just trying to make sure I understand what your testimony is, and that's what I'm trying to clear up. I heard you say earlier today that all things being equal, if somebody had handed you a copy of the license agreement before you signed the purchase agreement, that you may have -- that there was a possibility that you might have purchased your unit. Is that what you said earlier today?
6. MR. TURKEL: Object to form. Move to strike those comments.
7. A. I don't think that's what I said, no.
8. BY MS. VALIENTE: Q. Just to understand. You are saying with all certainty if before you signed your purchase agreement,

Page 165

1. if somebody had handed you a copy of the license agreement, that you would have absolutely refused to sign the purchase agreement?
2. A. I think I expressed earlier was that if Mr. Trump had stood up on February 18th when he presented himself here in Florida and said I'm happy to be here in Florida, I love my -- he said I love my partners. I hate to say I love my licenses, it certainly would have rung a question in my mind. I would have been the first person the next morning asking what's the deal with this. No. I would have not have gone through with it based on that. I wasn't interested in the licensing deal.
3. I was interested in Donald Trump as a partner building a condominium on Ashley in Tampa that was going to be called Trump Tower Tampa and commanding the prices that they were asking. No one else short of Donald Trump's name on that lot even building the same building, could have demanded those prices.
4. Q. But from your recollection of the licensing agreement -- you remember the licensing agreement --
5. A. I do.
6. Q. -- goes into the fact that he had responsibilities to ensure that the project conformed to the Trump standards. You recall that, correct?

42 (Pages 162 to 165)

SOUND DEPOSITION SERVICES, INC.  
(888) 297-6863
MR. TURKEL: Object to the form.

Q. So you are saying even with that information, even if the building had been built and looked like a Trump building, just the mere fact that this license agreement existed, and if that had been fully disclosed to you before you signed the purchase agreement, is your testimony that -- that even knowing the building was still going to look like a Trump building, you would have still signed the purchase agreement?

MR. TURKEL: Object to the form.

A. If it was not disclosed to me, no, I would not.

BY MS. VALIENTE:

Q. If it was disclosed to you?

MR. TURKEL: Object to form.

A. No. I would not have gone through with this deal.

BY MS. VALIENTE:

Q. Why?

MR. TURKEL: Object to form.

A. It's not what I wanted and not what I expected. They weren't up-front with me.

BY MS. VALIENTE:

Q. I'm trying to ask you if you had seen and read a copy of the license agreement beforehand -- I'm trying to understand. Is it your testimony that you would not have signed your purchase agreement?

MR. TURKEL: Object to form. I'm getting to a point -- you have asked this question five times to this guy. I'm getting to a point where I'm going to tell him not to answer.

MS. VALIENTE: Well, he's giving me different answers.

MR. TURKEL: Just because -- you are getting different answers because he answered once and then you asked him three other times. That's the whole reason we object to the form of a question as asked and answered.

MS. VALIENTE: And you have a right to object to the form, but he still has to answer.

MR. TURKEL: I agree, but I also have the right to stop the depo when it becomes argumentative and harassing and asking him the question for the fifth time with the same follow-ups every time.

MS. VALIENTE: If you want to instruct your client not to answer the question, go ahead.

MR. TURKEL: What I'm trying to do is sit here patiently four hours into a depo re-visiting an area of questioning that was done two hours ago trying to --

MS. VALIENTE: Well, he gave me a different answer than what he gave me two hours ago, Ken.

MR. TURKEL: Well -- and that's your record.

MS. VALIENTE: I don't want to argue with you, Ken. Let me ask my questions.

MR. TURKEL: You're arguing with him. You're asking me why I'm objecting. I have been very patient. I have let you go through this three or four times, but the reason why you're going around and around with him is you're not getting the answer that you think reconciles with what you think his first answer is. So keep doing it, but at some point, you know, ostensibly it's supposed to stop. So go ahead. Object to form. Read back the question, please.

(Preceding question read by the reporter.)

THE DEPONENT: No, I would not.

BY MS. VALIENTE:

Q. Why not?

MR. TURKEL: Object to form.

A. You are making the assumption that -- let me back up on that. No, I would not. It's not what I wanted. To me it was not a Donald Trump deal. You can call it a Donald Trump signature property. You can call it what you want. A licensing agreement and partnership and development are -- they are not the same thing to me.

BY MS. VALIENTE:

Q. What type of agreement would have conformed to what you expected the partnership to be?

MR. TURKEL: Object to form.

A. It could have been fine. Donald Trump building the building in conjunction with SimDag in a partnership, but not SimDag building the building under a license agreement with Donald Trump. To me that's not the same thing and not worth the money that I was being asked to pay.

Q. All right. If you could just give me one second.

I have just a couple other questions.

Other than speaking with your attorney -- and I don't want to know anything you discussed with your attorney. Other than that, what did you do to prepare for your deposition today?

A. Because I go online every day, I was just looking at some articles online.
Q. I noticed when we came in today, you were looking at some documents. What were you looking at?
A. Oh, it was a copy that Dan gave me of the interrogatories.
Q. Okay. And the documents that we looked at today, did you review any of those documents before the deposition?
A. No.
Q. Did you speak with your spouse about your deposition today?
A. Other than the fact that I was just being deposed today. She is working in Puerto Rico right now, and through airline snafus she got home at 2:00 in the morning, so we really didn't discuss it. This morning she had an appointment, so we didn't discuss it, no.
Q. Okay. That you know of, do any of the plaintiffs in this lawsuit maintain any type of blog or any type of site on the Internet that discusses this case in any way, shape, or form?
A. Not that I'm aware of. I'm not party to that, no.

MS. VALIENTE: That's all I have.

CROSS-EXAMINATION

BY MR. TURKEL:
Q. I want to show you one document and ask you one question about it. This is Exhibit 7. It's one of the newspaper articles that was forwarded to you by e-mail. Do you recall being questioned about that?
MS. VALIENTE: What's the Bates number on there?
MR. TURKEL: It's P00500.
MS. VALIENTE: Thanks.

BY MR. TURKEL:
Q. Do you recall being questioned about it early on in the deposition?
A. Yes.
Q. That was one of the documents I believe in which you were asked to review and state whether there were any misrepresentations in it. Do you recall being asked about that line of questioning?
A. Yes.
Q. All right. I want to point out in the middle of this there is a quote in here attributed to Donald Trump that says: "We are developing a signature landmark property so spectacular that it will redefine both Tampa's skyline and the market's expectations of luxurious condominium living." Do you see that quote?
A. Yes, I do.

Q. I don't recall whether you said you read this before you signed the purchase agreement in this case, but at any point in time did anybody explain to you when that quote was made by Donald Trump that when he said "we are developing," that he was excluding himself?
A. No.
Q. Ms. Valiente showed you documents including the property report. That was the one with all of the big boxes and disclaimers. Do you remember that?
A. Yes.
Q. Did anybody at any time, either SimDag or Donald Trump, or anyone involved in selling this condominium to you, explain to you that they defined SimDag as the developer in that property report, that Donald Trump was not part of that developer definition?
A. No.
Q. Did anybody ever tell you -- you have testified today that there were representations made to you as well as other purchases that Donald Trump was in a partnership with SimDag, right?
A. Correct.
Q. Did anybody ever tell you what the name of the partnership between Donald Trump and SimDag was?
A. No.

Q. Do you know whether it was called Trump Properties One?
A. No, I do not know.
Q. As you sit here today or at any time prior to your purchase of this agreement -- of this condominium, did anybody tell you that Donald Trump wasn't an actual partner with SimDag?
A. No.
Q. Did anybody tell you whether Donald Trump was a partner in the group defined as SimDag-RoBEL?
A. No.
Q. Do you have any knowledge as you sit here today whether he was or wasn't?
A. No.
Q. Did anybody during the course of time that you were handed this property report, these prospectuses, and these legal documents that Ms. Valiente questioned you on, ever reconcile for you representations like I just pointed out to you in Exhibit 7 with those legal terms you were provided?
A. No.
MR. TURKEL: I don't have anything else. Thank you.

REDIRECT EXAMINATION

SOUND DEPOSITION SERVICES, INC.
(888) 297-6863
BY MS. VALIENTE:
Q. Mr. Robbins, I'm going to hand you what we have marked as Exhibit 9. If you could turn to the -- this is one of the documents that came from your personal file, correct?
A. Yes.
Q. This is the document you said you read prior to signing your purchase agreement; is that right?
A. Yes.
Q. Can you turn to last page of the agreement?
A. Yes.
Q. In the last paragraph, second sentence it says: "SimDag-RoBEL's partner -- Howell, Simon, Patrick Shepperd, Frank Dagostino, and Robert E. Lyons -- are local developers of luxury condominiums."
Do you see where it says that?
A. Yes.
Q. Neither Mr. Trump or the Trump Organization are identified as partners of SimDag-RoBEL, correct?
A. No.
Q. Do you have a copy of the Views there? Do you see on the caption underneath the picture it says: The principals of SimDag-RoBEL, LLC, from left, Patrick Shepperd, Dr. Howard Howell, Jody Simon, Robert Lyons, and Frank Dagostino met -- appear with Donald Trump in his advertising photo touting the development of Trump Tower Tampa.
A. Correct.
Q. So, again, it lists the members of SimDag-RoBEL as Patrick Shepperd, Dr. Howard Howell, Jody Simon, Robert Lyons, and Frank Dagostino, and it says they are appearing with Donald Trump; correct?
A. Correct.
Q. I'm going to hand you what has been marked Exhibit 13. This was a document that came from your personal files, correct?
A. Yes.
Q. I believe you testified that you read this before you signed the purchase agreement; is that correct?
A. Correct.
Q. Can you turn to the second page of that document? Do you see the second paragraph -- the second to last paragraph where it says -- it starts with the complex?
A. Yes.
Q. It says: "The complex is being developed in a partnership between the Trump Organization and Tampa Bay area developer SimDag-RoBEL, LLC. In addition to Simon and Howell, SimDag-RoBEL partners include..."
CERTIFICATE OF OATH

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Sarah Murrow, the undersigned authority,
certify that John Robbins personally appeared before me
on October 8th, at 10:00 a.m. and was duly sworn.
WITNESS my hand and official seal this 11th day of
October, 2010.

Sarah J. Murrow
Notary Public, State of Florida
Commission No.: 875471
My Commission Expires:
3/30/2013

CERTIFICATE OF COURT REPORTER

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Sarah J. Murrow, Court Reporter, certify that I
was authorized to and did stenographically report the
deposition of John Robbins; that a review of the
transcript was requested; and that the transcript,
pages 1 through 177 is a true and correct record of my
stenographic notes.

I FURTHER CERTIFY that I am not a relative,
employee, or attorney, or counsel of the parties, nor
am I a relative or employee of any of the parties'
attorneys or counsel connected with the action, nor am
I financially interested in the action.

DATED this 11th day of October, 2010.

Sarah J. Murrow