

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA
CASE NO.: 12-4330 GD 01

IN RE: GUARDIANSHIP OF
HELEN STONE

_____ /

HEARING BEFORE THE
HONORABLE JUDGE GENDEN
Volume 1 of 1
Pages 1 through 48

11th day of February, 2014
1:30 p.m. to 2:45 p.m.
73 West Flagler Street
Miami, Florida

Stenographically Reported By:
ANGELA S. STEELE, FPR
Florida Professional Reporter

APPEARANCES

On Behalf of the Plaintiff(s):
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On Behalf of the Defendant(s):
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BY: ROY R. LUSTIG, ESQUIRE

Also present: Barbara Stone

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1 THE COURT: Okay, let's go ahead. That is the
2 guardianship of Helen Stone.
3 Are you a new attorney?
4 MR. HERRON: I am, Judge.
5 THE COURT: Have you filed a notice of
6 appearance?
7 MR. HERRON: I haven't. I just re-started the
8 case. Andrew Herron.
9 THE COURT: Congratulations.
10 MR. HERRON: Thank you. Judge, in the courtroom
11 is --
12 MR. LUSTIG: Before --
13 THE COURT: Yes.
14 MR. LUSTIG: Okay, go ahead.
15 MR. HERRON: -- in the courtroom is --
16 (Unidentified woman walked in.)
17 THE COURT: Who is this lady?
18 MS. MARTINEZ: Hi, I'm sorry to interrupt. I'm
19 Glenda Martinez.
20 Hi, Barbara.
21 MS. STONE: Hi.
22 THE COURT: What is she doing here?
23 MS. MARTINEZ: I spent half an hour looking for
24 parking.
25 I'm sorry.

1 MS. STONE: She's just a friend of mine.
2 THE COURT: Excuse me?
3 MR. HERRON: A friend of yours?
4 MS. STONE: Yes.
5 MR. LUSTIG: Go ahead. I'm sorry. I didn't mean
6 to interrupt.
7 THE COURT: Is she going to testify?
8 MR. HERRON: No.
9 THE COURT: Then I don't understand why she's
10 here. What is her role here?
11 MR. LUSTIG: I'm going to call her as a witness,
12 so I'm going to ask her to leave anyway.
13 THE COURT: You're going to call her as a
14 witness?
15 MR. LUSTIG: Yes.
16 THE COURT: Okay. You have to step out.
17 MS. MARTINEZ: Okay.
18 THE COURT: And who's this gentleman over here?
19 MR. HERRON: I don't know that either.
20 UNIDENTIFIED MALE: I'm just a friend. She asked
21 me to come.
22 MR. LUSTIG: I'm going to get some names if you
23 don't mind, Counsel. Do you have their names?
24 MR. HERRON: No --
25 THE COURT: Can I talk to the lawyers alone for a

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1 minute?

2 MR. HERRON: Please step out.

3 THE COURT: Can I talk to the lawyers alone for a

4 moment?

5 (Off the record.)

6 (Back on the record.)

7 THE COURT: All right. Let's swear in Ms. Stone,

8 again, it's been a while. Raise your right hand.

9 Do you solemnly swear the evidence you're about

10 to give will be the truth, the whole truth, and nothing

11 but the truth so help you God?

12 MS. STONE: I do.

13 THE COURT: Okay.

14 Go ahead.

15 CROSS-EXAMINATION

16 BY MR. LUSTIG:

17 **Q. Yes, Ms. Stone. I'm just finishing up my cross-**

18 **examine -- your cross-examination, basically. It's my**

19 **understanding that Mr. Mitch at the last hearing had**

20 **already rested. Based on that I, again, ask you to take a**

21 **look at what you've already identified, which was the**

22 **verified petition that you had filed. Is that correct?**

23 **Is that the petition you had filed?**

24 A. Yes.

25 **Q. Okay. Please take a look at Page 6, please. On**

7

1 A. I possibly do. It might take me a little time to

2 find them.

3 **Q. Okay. Well, in the meantime rather than looking**

4 **for them, were they attached to your complaint, to this**

5 **verified complaint?**

6 A. I believe that the information regarding the

7 accounts was not attached to that so that we could keep my

8 mother's accounts confidential. However, I don't know, so

9 I will look and see.

10 **Q. Please.**

11 A. And as I said, I -- it will be my pleasure to put

12 them in evidence because they do exist. There were two or

13 three or four requests.

14 THE COURT: Well, today would be a good day to

15 have them.

16 THE WITNESS: I was not aware -- sorry, I wasn't

17 aware that I was going to --

18 THE COURT: Well, you're not going to be told in

19 advance what the cross-examination is. But you've made

20 these allegations, so he has a right to say, show me where

21 you've demanded the assets be marshaled.

22 **Q. (BY MR. LUSTIG) While you're looking for that,**

23 **Ms. Stone, let me ask you this: Is this the 630,000 that**

24 **you've stated was taken by your brother or that you allege**

25 **was taken by your brother?**

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1 **Paragraph 37 you state that it appears that Blare Lapetus**

2 **is tainted and covering up the misappropriation of assets**

3 **by Allen Stone. What are you speaking of?**

4 A. I'm speaking of the \$630,000 that's missing from

5 my mother's account that she's been requested to marshal.

6 **Q. And who requested her to marshal?**

7 A. Several of my attorneys as well as myself.

8 **Q. Is there anything in writing that you have?**

9 A. Yes, there is.

10 **Q. Okay.**

11 A. I believe -- it's not attached to the exhibit.

12 **Q. Showing --**

13 THE COURT: Anything in writing to show the

14 \$630 --

15 **Q. (BY MR. LUSTIG) To demonstrate that the --**

16 A. Oh, the accounts, yes.

17 **Q. -- 600,000 -- that you've requested the \$600,000**

18 **be marshaled?**

19 MR. HERRON: Barbara, the question is: Is there

20 any document showing that you've asked the guardian to

21 marshal them to find the money?

22 THE WITNESS: Yes, there's --

23 **Q. (BY MR. LUSTIG) The 630,000 --**

24 A. There's been several letters.

25 **Q. Do you have any with you?**

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1 A. Yes.

2 **Q. All right. If you look at Paragraph 38 you say:**

3 **Blare Lapetus has misrepresented the inventory owned by**

4 **Ms. Stone. How was that misrepresented? Paragraph 38 is**

5 **on Page 6.**

6 A. I see that. Part of the inventory is the assets

7 which were taken from my brother, and part of the

8 inventory was a jewelry exhibit that she attached. The

9 exhibit list the items of jewelry. I know that was

10 costume jewelry, but that was something that my mother

11 took a lot of pride with. There was also -- I -- if you

12 would be so kind as to give me a copy of the inventory I

13 would be glad to point out the discrepancies.

14 **Q. Well, we'll be getting to that next. So if you**

15 **look at Paragraph 39. It says: Blare Lapetus has failed**

16 **to file the jewelry appraisal.**

17 A. Yes.

18 **Q. Okay. Are you familiar -- strike that.**

19 **You are an attorney. Is that correct?**

20 A. I don't practice law anymore. I haven't

21 practiced for many years.

22 **Q. But you are an attorney. Is that correct?**

23 A. I have a non-active license, yes.

24 **Q. Okay. Are you familiar with what a docket is?**

25 A. Yes.

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1 **Q. Okay. And isn't it a fact that you've reviewed**
2 **the docket for your mother's case? Is that not correct?**
3 A. I haven't reviewed every item on the docket, and
4 I don't think I have been provided with all of the
5 documents that are on the docket.
6 **Q. I didn't ask you that. I asked you: Have you**
7 **reviewed the docket on your mother's case?**
8 A. Not recently.
9 **Q. Okay. When's the last time you reviewed it?**
10 A. About a few months ago.
11 **Q. All right. I'd like to show you a printout of**
12 **the docket as of February 6th, 2014.**
13 A. Okay.
14 **Q. Take a look at that.**
15 A. Okay.
16 **Q. All right. And would you take a look at the**
17 **third page, please. Because there's three -- there's**
18 **eight pages. It's No. 3. If you'd look at the date of**
19 **September 9th, 2013, please, you'll see that it states**
20 **text --**
21 MR. LUSTIG: Counsel, I'm sorry. Let me hand you
22 one.
23 **Q. (BY MR. LUSTIG) It says text and it shows:**
24 **Amended verified inventory of guardian, correct, is that**
25 **what it says?**

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1 will tell you. Ms. Stone, you've been in front of me many
2 times. He's on cross-examination. Just answer his
3 questions. If you need to embellish, your lawyer will let
4 you embellish. But right now he has a right to have his
5 question -- the only question is: Did you review it where
6 it said in September that the amended inventory was filed,
7 yes or no?
8 THE WITNESS: No.
9 THE COURT: Not why. Well, you have it now,
10 okay.
11 All right. Next question.
12 **Q. (BY MR. LUSTIG) I asked -- Ms. Stone, did your**
13 **attorney provide you with a copy of that amended verified**
14 **standard inventory?**
15 A. I don't recall.
16 **Q. Did you have an attorney on September 9th, 2013?**
17 A. I likely did.
18 **Q. Well, Ms. Stone, I'd show you a copy of what's**
19 **been filed in the record and the amended verified**
20 **inventory of the guardian on September 9th, 2013. It's**
21 **two parts. I have the amended verified inventory, and I**
22 **have the appraisal. And I ask you, please, take a look at**
23 **this. Have you ever seen these documents before?**
24 A. There's no appraisal attached.
25 THE COURT: The question is: Have you seen the

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1 A. Could I take a look at that, please?
2 **Q. I asked you to please take a look --**
3 THE COURT: Ma'am, just answer the --
4 A. Yes.
5 THE COURT: -- does the docket state what he said
6 it states? That's the only question.
7 **Q. (BY MR. LUSTIG) And you've already stated that**
8 **you've reviewed the docket a couple of months ago. Is**
9 **that correct?**
10 A. A couple of months, yes. I said possibly.
11 **Q. And this is dated September 9th, 2013, this**
12 **particular docketed document. Now, did you review that**
13 **amended verified inventory?**
14 A. No, I haven't been provided it. In fact, in
15 answer to your question, it's very likely that the
16 amendment was done because I've requested. I've made
17 notes that the inventory was incorrect. And if I could
18 continue with that, that's been the whole --
19 **Q. I didn't ask you that question. I didn't ask you**
20 **why it was there, I just asked if you looked at it and saw**
21 **it.**
22 A. I feel like it should be pointed out that it's
23 there because I requested --
24 **Q. Okay.**
25 THE COURT: Okay. Listen. Listen. Mr. Herron,

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1 documents before?
2 A. I've seen this document. I haven't seen this
3 document.
4 **Q. (BY MR. LUSTIG) Okay. We'll take one by one,**
5 **please. On the amended inventory, I ask you to take a**
6 **look at the second page, please. You will note**
7 **approximately three quarters of the way down it says:**
8 **Various ladies jewelry per appraisal. Does it not?**
9 A. It does.
10 **Q. Did you previously notice that?**
11 A. Yes.
12 **Q. And did you ask your attorney about it?**
13 A. Yes.
14 **Q. Okay. And do you have anything in writing to**
15 **where anybody requested that?**
16 MR. HERRON: Object to the form.
17 THE COURT: Overruled.
18 Go ahead.
19 A. I'm sorry, what was the question?
20 THE COURT: Do you know of anybody that requested
21 in writing that inventory for that item?
22 Is that your question, Mr. Lustig?
23 MR. LUSTIG: The appraisal, correct.
24 A. I don't know.
25 **Q. (BY MR. LUSTIG) Okay. I ask you to look at the**

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1 next line item where it says: **Men's 18 carat yellow gold**
2 **Rolex oyster perpetual day date wristwatch per appraisal.**
3 **Did you notice that at the time when you reviewed it?**
4 A. No, I didn't notice that.
5 **Q. But it does say per appraisal, correct?**
6 A. Yes.
7 **Q. Okay. And it does show the two figures, is that**
8 **not correct, for each of those?**
9 A. Yes.
10 **Q. Now, I'd asked you, please, then take a look at**
11 **what I've given you, which is Doubts Fine Jewelry**
12 **appraisal dated July 1st, 2013, and ask you if you please**
13 **take a look at this appraisal and see that it matches up**
14 **to the figures that are shown in the amended verified**
15 **inventory for the jewelry.**
16 A. I'm sorry, what are we looking at?
17 **Q. I ask you to see if the figures match up to what**
18 **it shows in the inventory.**
19 A. My objection was that the appraisal wasn't
20 attached.
21 **Q. I understand that. Okay.**
22 THE COURT: Mr. Herron, could you please --
23 MR. HERRON: Just answer the question.
24 THE COURT: I'm not going to go through this much
25 longer. This is a bright lady who's got a law degree.

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1 no because you're claiming you've never seen it, so -- and
2 I know what the next question is going to be.
3 Go ahead, Ms. Lustig.
4 The Court will assume that she does not know any
5 knowledge of those numbers.
6 **Q. (BY MR. LUSTIG) Ms. Stone, would you believe me**
7 **if I told you that the co-guardians to this date have yet**
8 **been paid any moneys?**
9 A. If they haven't filed, as far as I know, their
10 fee statements. All I know is they haven't filed their
11 fee statements as far as I'm aware.
12 **Q. Okay. Well, that's incorrect, too, if you look**
13 **at the docket. If you want to look at the docket there's**
14 **been a fee statement -- partial fee statement that has**
15 **been filed. But the question is: To your knowledge --**
16 A. May I see that?
17 **Q. The question is: To your knowledge, have either**
18 **Ms. Lapetus or Ms. Hertz been paid any fees to date?**
19 A. I am -- I can't answer that question because I
20 don't know.
21 **Q. Okay. I ask you to take a look at Paragraph 45,**
22 **please. It states: Ms. Hertz and Ms. Lapetus have**
23 **refused to provide you, Ms. Stone, with any services -- or**
24 **excuse me, with your mother you're speaking of, Helen**
25 **Stone, with any services whatsoever. Is that a true**

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1 She understands what I've told her. If this continues I'm
2 ending the hearing. I'm not going to sit here and tell
3 her over and over again please just answer the question.
4 The only question was: Do the figures match up?
5 A. It appears they do.
6 **Q. (BY MR. LUSTIG) Thank you.**
7 MR. LUSTIG: Just move the amended inventory
8 which is part of the record and is our Exhibit 4, please.
9 **Q. (BY MR. LUSTIG) Ms. Stone, I ask you to look at**
10 **Paragraph 40, please, of the complaint, the first verified**
11 **complaint that is where you state: Ms. Hertz and**
12 **Ms. Lapetus have relentlessly hemorrhaged Ms. Stone's**
13 **limited means by orchestrating subserving petitions to**
14 **extort wastefully exorbitant guardian and legal fees.**
15 **To this date, do you know how much in fees have been paid**
16 **to the co-guardians, Ms. Lapetus and Ms. Hertz?**
17 A. I haven't been given a copy of any of their fee
18 statements. All I know I've been in court a lot --
19 THE COURT: Is that a "no," ma'am? You don't
20 know how much?
21 THE WITNESS: I haven't been provided a copy --
22 THE COURT: So the answer is, no, you don't know
23 how much they've gotten. Is that right, ma'am? It only
24 calls for a yes or no. Do you know how much they've
25 charged or been paid, yes or no? Obviously it's got to be

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1 **statement?**
2 A. That is to my belief.
3 **Q. That no services have been provided to your**
4 **mother?**
5 A. That's to my belief.
6 **Q. And let me ask you: At any time when you visited**
7 **your mother when you had the authority to visit your**
8 **mother, did you notice that there were 24/7 assistants**
9 **living with her at the time?**
10 THE WITNESS: Judge, may I answer with anything
11 other than a yes or no?
12 THE COURT: Well, I'd like you to say yes or no,
13 ma'am, for like the seventh or eighth time. And then if
14 you want to embellish you can, but he is on cross.
15 Theoretically he could lead you. He doesn't even have to
16 ask you these kind of questions. He can just make
17 statement like: Isn't it true that -- and you'd have to
18 answer. This is cross. So please, ma'am, I'm not -- this
19 is the last time I'm telling you. I've been very patient
20 in explaining what the process is. So the question needs
21 to be answered yes or no, and if you feel it needs to be
22 explained you can do that.
23 THE WITNESS: Thank you.
24 THE COURT: Were you aware that there was -- that
25 when you saw your mother there was 24/7 care being

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1 provided?

2 That's the question, right, Mr. Lustig?

3 MR. LUSTIG: That's correct, Your Honor.

4 A. Yes I was aware, and I would like to embellish.

5 **Q. (BY MR. LUSTIG) Go ahead and embellish, please.**

6 A. The care as has been explained by other people

7 that have observed the care, the aides were not providing

8 care. They were taking care of their own necessities.

9 When I've referred to "services," I was referring to the

10 fact that my mother did not have her masseuse. My mother

11 did not have her trainer that she had before. My mother's

12 nails were filthy dirty, and she didn't go to the beauty

13 salon. And my mother's hair was matted to her head, and

14 she didn't go to the beauty salon to get her hair done and

15 she couldn't get a permanent, and she had no makeup and

16 she had no food in her house.

17 **Q. Okay. And that's your answer?**

18 A. Um-hmm.

19 **Q. All right. Thank you.**

20 MR. HERRON: Yes have to say yes or no.

21 THE WITNESS: Yes.

22 **Q. (BY MR. LUSTIG) On Paragraph 46, please, which**

23 **is on Page 8, you state: Ms. Hertz, Ms. Lapetus have**

24 **exhibited vehemently disregard for Ms. Stone's wishes to**

25 **see the petitioner and have violated Ms. Stone's right to**

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1 THE COURT: Because we haven't dealt with that

2 yet, this Court and you.

3 THE WITNESS: No, sir, that's not what I mean.

4 THE COURT: Well, you better explain it. That's

5 a generalized statement. I don't know what you're talking

6 about.

7 THE WITNESS: I think at the very beginning I was

8 very concerned about what had happened with my mother

9 prior to these guardians coming on board, and so

10 perhaps -- perhaps I overreacted to things involving my

11 mother.

12 THE COURT: When was that, Mrs. Stone?

13 THE WITNESS: This was back in March. This was

14 back in March.

15 THE COURT: Was that before or after you signed

16 the agreed order that you spent hours outside working out

17 that you signed off on under oath that you read it and

18 understood it when those two people were appointed

19 guardians? Was that before or after, ma'am?

20 Are you aware of that, Mr. Herron?

21 MR. HERRON: Yes.

22 THE WITNESS: You're referring to the

23 settlement?

24 THE COURT: I'm referring to the settlement that

25 took hours out there, that you came in here with everybody

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1 **see her daughter meaning yourself. Isn't it a fact that**

2 **there were court orders to prohibit you from seeing your**

3 **mother?**

4 A. Yes. And I'd like to embellish.

5 THE COURT: You're not going to embellish all

6 day. There's a court order, so I'm going to give you a

7 minute to tell me why that's not a true statement.

8 THE WITNESS: Why -- I'm sorry -- the

9 THE COURT: You had alleged in your petition that

10 your mother has been kept from seeing you even though she

11 wants to. Mr. Lustig is making the point that there were

12 court orders that prohibited you from seeing your mother

13 and you said yes. What do you want to explain?

14 THE WITNESS: I just want to explain and I truly

15 mean that this matter has taken such a bad turn, and I

16 know -- I know that everyone wants to see the right thing

17 for Mrs. Stone. And I want to say that if I have been in

18 any way -- if I have circumvented my mother's rights,

19 there is nothing that would make me happier then to get

20 this back on track.

21 THE COURT: I don't know what that means, ma'am.

22 I allowed you to see your mother and you promptly took her

23 out of the hospital. Is that what you mean by "seeing

24 things back on track," Ms. Stone?

25 THE WITNESS: No, sir. No, sir. That's not --

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1 else, it was put on the record that you read and

2 understood exactly what you were doing.

3 THE WITNESS: Mistakes were made, and I fully

4 admit that I made mistakes.

5 THE COURT: What mistakes? By signing off on it?

6 THE WITNESS: I had trepidations about bringing

7 these guardians because I hadn't met them and I didn't

8 know them. So I had trepidations about the guardians, and

9 I felt like I wanted to try to resolve matters, and I

10 don't -- I was put in the position of making decisions for

11 my mother, and I made decisions that affected her badly.

12 And --

13 THE COURT: It wasn't just you, ma'am. It was

14 you, it was your brother, and a room full of lawyers that

15 stood out there for an hour and a half, came back, and

16 entered into this agreement. I had nothing to do with

17 this. It was all put on the record and you under oath

18 said, I read, I understand it, I agree to it. So what

19 you're really telling me is you agreed to it, but you sort

20 of internally reserved the right to undo it if you so

21 choose. Is that what you're telling me?

22 THE WITNESS: No, sir. I had fully intended to

23 ensure that all of the provisions of the agreement were

24 carried out, and the agreement provided for medical

25 records to be provided. The agreement provided for

1 financial records to be provided.
 2 THE COURT: Is that in your petition today?
 3 Because you're here on a new petition -- you're here on a
 4 petition. I'm not going back and undoing that. You had
 5 as much legal counsel --
 6 This went on, Mr. Herron, for hours before they
 7 came in here and put all this on the record. I don't know
 8 if you saw that transcript.
 9 MR. HERRON: I did not.
 10 THE COURT: Well, if you did, you'd see, whoa, I
 11 could not have been more complete because I knew what was
 12 going on because her and her brother and everybody else to
 13 make sure she knew exactly what she was doing, he knew
 14 what he was doing, and they signed off on it. I did
 15 almost a collogue with her about her rights and what she's
 16 doing.
 17 Can we move on.
 18 MR. LUSTIG: Yeah.
 19 **Q. (BY MR. LUSTIG) Ms. Stone, --**
 20 THE WITNESS: Make I make one more statement,
 21 please, Judge --
 22 THE COURT: I have fifteen more minutes. I have
 23 other hearing.
 24 **Q. (BY MR. LUSTIG) Ms. Stone, No. 50, please.**
 25 THE WITNESS: I just want to say these documents

1 the petition the same day saying that my mother did not
 2 want to see me, and she filed a petition saying several
 3 other things that are were not true --
 4 **Q. (BY MR. LUSTIG) Okay.**
 5 A. -- when I didn't understand why she just didn't
 6 call me back and say, Barbara --
 7 **Q. That was the slander?**
 8 A. Yes, that's the slander. That was --
 9 **Q. And what's the defamation, please?**
 10 A. The defamation is the same thing.
 11 **Q. Okay.**
 12 A. In that same petition she did the same thing.
 13 **Q. Okay.**
 14 A. And then when I discussed with her that I would
 15 like to get certified nurses to see my mother after she
 16 was in the hospital --
 17 **Q. Ma'am, just answer the question.**
 18 A. I'm answering the --
 19 THE COURT: No you're not.
 20 **Q. (BY MR. LUSTIG) You're giving me a narrative.**
 21 THE COURT: You asked two questions, the slander
 22 and defamation.
 23 THE WITNESS: I'm telling you the petitions were
 24 filed whenever I would have a conversation with Jacqueline
 25 Hertz. Instead of getting back to me, I always got a

1 -- the agreement was not fulfilled by Jackie Hertz and
 2 Blare Lapetus --
 3 THE COURT: Well, that's in your petition.
 4 MR. HERRON: Yeah.
 5 **Q. (BY MR. LUSTIG) Place take a look at Paragraph**
 6 **50. It states that you have been subjected to venomous**
 7 **slander, defamation, bowing, and intentional infliction of**
 8 **emotional distress. Can you tell me how?**
 9 A. Yes
 10 **Q. Take each one separately.**
 11 A. Okay.
 12 **Q. The slander.**
 13 A. Whenever I requested -- I was afraid to speak to
 14 Jacqueline Hertz because going back to the beginning when
 15 the petition was made to remove me from my mother because
 16 I gave my mother unauthorized medication, which there was
 17 no such medication --
 18 **Q. Just tell me of the --**
 19 THE COURT: How were you slandered?
 20 A. Because Jackie Hertz when I called her to discuss
 21 it with her about the medication, and she said I'm going
 22 to find out from the doctor and I'm going to call you
 23 back, and I said thank you. And then she filed a petition
 24 saying that I had given my mother -- I had requested that
 25 my mother be given unauthorized medication, and she filed

1 petition saying --
 2 **Q. (BY MR. LUSTIG) Ma'am --**
 3 A. -- that I did -- slandering me for whatever
 4 questions that I wanted to ask.
 5 **Q. That's the slander you're speaking of?**
 6 A. Yes.
 7 **Q. Ma'am, isn't it correct that you had filed three**
 8 **petitions here and that's the reason that we are sitting**
 9 **here today? Three petitions against both Ms. Hertz and**
 10 **Ms. Lapetus to remove them?**
 11 A. I filed two petitions.
 12 **Q. You filed two, then I'll be able to show you a**
 13 **third one. All right.**
 14 THE COURT: Was the answer "yes," ma'am?
 15 THE WITNESS: Yes.
 16 THE COURT: The only reason we're here today is
 17 because of your petitions, correct? Nothing else.
 18 **Q. (BY MR. LUSTIG) Please take a look at Paragraph**
 19 **54.**
 20 THE COURT: Mr. Lustig, we really only have
 21 fifteen more minutes. I'm sorry.
 22 MR. LUSTIG: Judge, I was given -- okay. No, I
 23 mean, I know the time is limited. I just need to finish.
 24 THE COURT: I'm going to give you til twenty to
 25 3:00.

1 MR. LUSTIG: Thank you.
 2 THE COURT: That's it.
 3 **Q. (BY MR. LUSTIG) Paragraph 54. In the middle of**
 4 **the paragraph you'll see that you had stated that you had**
 5 **-- that there were a particular nurse or a person that was**
 6 **there on November 25th, 2013 when you arrive at the**
 7 **hospital. And that you had a problem with that individual**
 8 **and you asked her for her name. Is that correct? And it**
 9 **was Levy Noel, you have here as a quoted?**
 10 A. Yes.
 11 **Q. And that you checked to see that she didn't have**
 12 **a license. Is that correct?**
 13 A. To the best of my knowledge she didn't have a
 14 license.
 15 **Q. Okay. Where did you check?**
 16 A. I checked the Department of State.
 17 **Q. And that is on the Department of State you --**
 18 A. The department that regulates --
 19 **Q. Licenses.**
 20 A. -- licenses.
 21 **Q. And that's on the website?**
 22 A. Yes.
 23 **Q. The State of Florida website. Is that correct?**
 24 A. Yes.
 25 **Q. What I'd like to show you on the same website the**

1 **verification of a license of Lyvie, L-y-v-i-e, Belony,**
 2 **B-e-l-o-n-y, who is the licensed practical nurse who also**
 3 **-- who is licensed as a practical nurse that is pursuant**
 4 **to the website's statue.**
 5 MR. LUSTIG: And I ask the Court to take judicial
 6 notice of the State of Florida's website to provide this
 7 kind of information.
 8 A. This is not the same person.
 9 **Q. (BY MR. LUSTIG) This is not the same person?**
 10 **Ma'am, let me ask you something: What do you have?**
 11 **You'll notice that you wrote Lyvie as if it was L-e-v-y**
 12 **and you see --**
 13 A. She spelled -- she spelled her name for me
 14 because I asked her could you please spell your name for
 15 me.
 16 **Q. Is it possible you could have made a mistake?**
 17 THE COURT: Is that a first name?
 18 MR. LUSTIG: Yes.
 19 THE COURT: So you want this Court to believe
 20 there are two people in that hospital with the same first
 21 name of Lyvie? Is that what you're asking this Court to
 22 believe?
 23 Did she list the last name is her petition?
 24 MR. LUSTIG: She has Noel, N-o-e-l, but the name
 25 is B-e-l-o-n-y, is the licensed nurse that was there.

1 THE COURT: How many nurses do you think were
 2 there taking care of your mother who's first name was
 3 Lyvie, Ms. Stone?
 4 THE WITNESS: She spelt her name for me as
 5 L-e-v-y.
 6 THE COURT REPORTER: L-e, what?
 7 THE WITNESS: L-e-v-y.
 8 **Q. (BY MR. LUSTIG) All right.**
 9 MR. LUSTIG: I'd ask the Court to take judicial
 10 notice of the State of Florida's website --
 11 THE COURT: That's fine.
 12 MR. LUSTIG: -- in the petition. Mark this as 5.
 13 (Exhibit No. 5 was marked for identification.)
 14 THE COURT: Judicial notice of this particular --
 15 MR. LUSTIG: That's correct.
 16 THE COURT: This person being -- okay.
 17 Are you telling the Court as an officer of the
 18 court that this woman was working with Helen Stone?
 19 MR. LUSTIG: That's correct. This is the nurse
 20 that was on on that particular time, on that particular
 21 day that is licensed through the State of Florida and has
 22 her practical nursing license.
 23 THE COURT: Okay.
 24 **Q. (BY MR. LUSTIG) Okay. Ms. Stone, we'll go,**
 25 **please, to your second verified supplemental emergency**

1 **petition that's of record, please. I ask you to please**
 2 **take a look at this. This is the supplemental one that**
 3 **was filed by Mitch Law, P.A. on or about December 30th,**
 4 **2013. And I'll ask you to, please, look at the second**
 5 **page under subparagraph "B" as in boy, please. And you**
 6 **state that the co-guardians have abused their powers**
 7 **pursuant to 744.474 parin 3 and parin 4 statues. And in**
 8 **as much as you're stating here that you had filed, they**
 9 **had failed to discharge their duties and that you have**
 10 **filed a complaint or -- not that you filed a complaint.**
 11 **Strike that.**
 12 **That you were contacted by an investigator employed by**
 13 **the State of Florida Department of Children and Family**
 14 **Services. Is that correct?**
 15 THE COURT: Is that what it says?
 16 THE WITNESS: Yes.
 17 **Q. (BY MR. LUSTIG) Okay. Ms. Stone, isn't it a**
 18 **fact that you filed the complaint with the State of**
 19 **Florida Department of Children and Family Services against**
 20 **Ms. Lapetus and Ms. Hertz?**
 21 A. I believe that those complaints are confidential.
 22 **Q. That's not the question. I asked you: Isn't it**
 23 **a fact that --**
 24 THE COURT: No, they're not confidential now
 25 because you've put them in a petition, you've alleged

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1 them, and I'm ordering you to answer the question.
2 THE WITNESS: Yes, sir.
3 THE COURT: So it wasn't that they contacted --
4 THE WITNESS: They contacted me --
5 THE COURT: You called --
6 THE WITNESS: -- in regard to my filing. They
7 contacted me in response to my filing.
8 THE COURT: Okay.
9 **Q. (BY MR. LUSTIG) All right. Thank you. Now, I'd**
10 **show you another emergency petition as of January 13th,**
11 **2014 and ask if you can identify this one?**
12 A. Yes.
13 **Q. Did you prepare this?**
14 A. Yes.
15 **Q. All right.**
16 MR. LUSTIG: Just before we start let me just
17 mark this as Exhibit 6, please.
18 (Exhibit No. 6 was marked for identification.)
19 **Q. (BY MR. LUSTIG) This is an emergency petition**
20 **for the removal of Jacqueline Hertz and Blare Lapetus and**
21 **appoint Mrs. Stone's daughter the petitioner as the**
22 **guardian.**
23 THE WITNESS: Judge, may I point out one item to
24 the Court?
25 THE COURT: Ma'am, we're on cross-examination.

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1 A. There is a human trafficking statue that covers a
2 situation where a person is used for the enrichment of
3 others and for their -- and to gain access to their money.
4 And it's my firm belief that that's what's been done.
5 **Q. Other than your testimony, do you have any other**
6 **evidence to show this Court?**
7 A. I'd be glad to show the Court. Yes, I'd be very
8 happy. I have the evidence to show the Court, and that's
9 what I've like to --
10 THE COURT: Where is it? Where is it?
11 THE WITNESS: That's what we're -- that's what
12 we're going to --
13 THE COURT: What are you going to show me, ma'am?
14 Tell me what you're going to show me.
15 THE WITNESS: I would like to show you a photo of
16 my mom when she was in the hospital, and she looks like
17 someone who is a child of --
18 THE COURT: How old is your mother?
19 THE WITNESS: My mom is 86, and she probably lost
20 40 pounds.
21 THE COURT: So she's 86 years old and you want to
22 show me a picture of an 86 year-old woman and try to
23 convince me that this is indicative of the fact that your
24 mother is a slave? Is that what you're saying?
25 THE WITNESS: I'm saying -- it's indicative of

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1 Just answer the question.
2 Exhibit 6?
3 MR. LUSTIG: Please.
4 THE COURT: Then you can ask me whatever you
5 want.
6 THE WITNESS: Thank you, sir.
7 THE COURT: Here. Thank you.
8 **Q. (BY MR. LUSTIG) Please take a look at it. I ask**
9 **you to please take a look at Paragraph 3. You state that**
10 **it's an abomination that this Court has determined that**
11 **Mrs. Stone to be held in apparent captivity. Can you**
12 **explain what you mean by your mother's being held in**
13 **captivity?**
14 A. My mother is isolated. She has been removed from
15 everyone. No one has eyes on her. She has no services
16 provided expect for aides that were busy doing whatever
17 they were doing. Then she was removed from wherever she
18 was, put into parts unknown, and whether -- I -- I -- if I
19 have an order not to see her, that does not excuse someone
20 from revealing where my mother is.
21 **Q. To you?**
22 A. To me and to this Court.
23 **Q. Okay. Can you explain what Ms. Lapetus and**
24 **Ms. Hertz did in reference to slavery concerning your**
25 **mother?**

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1 the fact that my mother was emaciated. And there's no
2 reason for her to be isolated.
3 THE COURT: How do you know she's being isolated?
4 How do you know that she's -- you're not allowed in the
5 hospital. How do you know all this? What hearsay are you
6 getting from people that gives you all this knowledge?
7 Because you've been making all these hearsay comments
8 about how she looks and how this and how that --
9 THE WITNESS: But I have the photo --
10 THE COURT: How do you know? What hearsay are
11 you relying on? People have told me --
12 I'm sure, Mr. Herron, any lawyer that hears that
13 immediately starts thinking, well, that's hearsay.
14 So tell me what this hearsay evidence is.
15 Because you've not even supposed to be there. I gave you
16 out of the goodness of my heart the ability to go visit
17 your mother and immediately you took her out of the
18 hospital. So who's telling you all this?
19 THE WITNESS: I saw it with my own eyes.
20 THE COURT: Where? When you took your mother out
21 of the hospital?
22 THE WITNESS: No. No. This was long before
23 that, sir, please.
24 THE COURT: But you're talking about how she's
25 been since she's been in the hospital.

1 THE WITNESS: I'm talking about the progression
2 of her care. Please, sir, the progression of her care
3 from March 2013 up until the time that she went into the
4 hospital.

5 THE COURT: Yeah.

6 THE WITNESS: Where it's not just --

7 THE COURT: When did she go into the hospital?

8 THE WITNESS: She went into the hospital on
9 November the 9th.

10 THE COURT: November?

11 THE WITNESS: November the 9th.

12 THE COURT: November?

13 THE WITNESS: With pneumonia, malnutrition --

14 THE COURT: And the pneumonia is the fault of the
15 guardians?

16 THE WITNESS: The dehydration, the malnutrition,
17 the infection. There's a failure to thrive.

18 THE COURT: How is she now?

19 THE WITNESS: I haven't seen her, so I don't
20 know.

21 THE COURT: How is -- well, you have all these
22 sources at the hospital. She still have pneumonia?

23 THE WITNESS: I don't -- I -- my only point --
24 the only thing that I want to convey is that particularly
25 when someone is that age if there's an issue with their

1 care -- and it was pointed out by Harriet Collier and by
2 the Rabbi.

3 THE COURT: Who is Harriet Collier?

4 THE WITNESS: Harriet Collier went with me. She
5 was the social worker.

6 THE COURT: Went with you where?

7 THE WITNESS: To see my mom on several occasions
8 in June and July.

9 THE COURT: Uh-huh.

10 THE WITNESS: And so when Harriet Collier was
11 with me, Harriet Collier who's been a social worker for
12 over thirty years, prepared a note, prepared an affidavit
13 and she said that she found Ms. Stone frightfully thin --

14 THE COURT: Where did you find Mrs. Collier?

15 THE WITNESS: Through Moore Group.

16 THE COURT: Okay. So you found Mrs. Collier, you
17 found the Rabbi. Who is the gentleman you brought to one
18 of these hearing before this Dr. Marhand? What was his
19 name?

20 THE WITNESS: Dr. Sarhand.

21 THE COURT: Sarhand. What -- these are all
22 people that you've gone out and found.

23 THE WITNESS: No. No. It was all by my Rabbi.

24 THE COURT: Let's move on. Let's move on.

25 **Q. (BY MR. LUSTIG) You've given testimony to that**

1 **effect.**

2 THE COURT: Yeah. Let's move on. I don't have a
3 lot of more time for this cross-examination.

4 **Q. (BY MR. LUSTIG) I ask you, please, on the same**
5 **petition, ma'am, just take a look at Paragraph 7, please.**
6 **The perverse installations as guardians. Isn't it a fact**
7 **that you approved, you signed off --**

8 A. And I made a mistake. Yes, I made a horrific
9 mistake --

10 **Q. Ma'am, just please answer the question.**

11 A. -- that my mom is paying the price. Yes.

12 **Q. Okay.**

13 A. Yes, I signed off and I made a mistake.

14 **Q. Thank you. Now, I ask you: You prepared all of**
15 **this and above your signature it was under the penalties**
16 **of perjury. Is that not correct and that everything**
17 **contained therein is true and correct?**

18 A. To the best of my knowledge and belief.

19 **Q. Right. Okay. Thank you. All right. Ms. Stone,**
20 **I ask you to please take a look at a letter. It's on the**
21 **stationary of Florida Litigation Law Firm dated December**
22 **19th, 2013 to Dr. Leonard Pianko. Sign off by David D.**
23 **Pedatro Are you familiar with this letter?**

24 A. Yes.

25 **Q. Did you approve it?**

1 A. Yes.

2 MR. LUSTIG: We'll mark this as Exhibit 7,
3 please.

4 (Exhibit No. 7 was marked for identification.)

5 MR. LUSTIG: Put it into evidence. That's what
6 I'm saying marked, put it into evidence.

7 **Q. (BY MR. LUSTIG) Did you prepare this letter?**

8 A. No, sir.

9 **Q. Okay. Thank you. I show you another letter,**
10 **please, dated December 9th, 2013, from the same law firm,**
11 **Florida Litigation Law Firm to Jeff Rittenberg, Caring**
12 **Home Care. Have you seen this letter before?**

13 A. Yes.

14 **Q. Did you approve this letter being sent?**

15 A. Yes.

16 **Q. Okay. And I ask you, please, to take a look at**
17 **the second paragraph where it states: This correspondence**
18 **also serves as formal complaint against your facility,**
19 **your Miami-Dade facility, abuse and neglect caused**
20 **Mrs. Stone dehydration, malnutrition, starvation, and**
21 **pneumonia. Is that correct?**

22 A. Is that correct that that's what the letter says?

23 **Q. Yes.**

24 A. Yes, that's what the letter says.

25 **Q. Is the statement correct?**

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1 A. Let's say that my mother has dehydration,
2 malnutrition, starvation under the care of -- under the
3 care of Caring Home Care and under the care of Jacqueline
4 Hertz and Blare Lapetus who hired Caring Home Care. And
5 my mother was not taking to the hospital. My mother was
6 not given any kind of medical treatment until she had all
7 of these horrible things happen to her.

8 **Q. Isn't it a fact, ma'am, that your mother's**
9 **pneumonia was found in Aventura Hospital on November the**
10 **17th, 2013?**

11 A. Actually on November the 9th they found that she
12 had possibly had pneumonia so they looked through, they
13 did the test, and they found that she had pneumonia.

14 THE COURT: The question is: Wasn't it a fact
15 that the pneumonia predated these people taking over the
16 care? That's his question. That it was discovered in
17 Aventura Hospital?

18 THE WITNESS: Predated?
19 THE COURT: Yeah.

20 THE WITNESS: No. No. No. These people had --
21 these people had -- as far as I'm aware, these people were
22 the care agents for my mother ever since Jackie Hertz was
23 installed. That's my understanding.

24 THE COURT: But the pneumonia developed while she
25 was in Aventura Hospital?

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1 THE COURT: From who?
2 THE WITNESS: From the -- from the -- from the
3 people at Aventura Hospital.

4 THE COURT: And they just gave them to you?
5 THE WITNESS: No, I sent a request.
6 THE COURT: You're not Helen Stone.
7 THE WITNESS: No, my mother had signed the
8 request.

9 THE COURT: When did your mother sign the
10 request?
11 THE WITNESS: My mother had signed the request
12 about a week prior to.

13 **Q. (BY MR. LUSTIG) A week prior to what?**
14 A. To the request being made.
15 **Q. When was the request made?**
16 A. I would have to look --
17 **Q. Approximate date?**
18 A. I don't recall.
19 **Q. Was it in the year 2013?**
20 A. Yes.
21 **Q. Was your mother adjudicated incompetent at the**
22 **time?**
23 A. My mother had signed many things. I saw her
24 sign --
25 **Q. That's not the question, ma'am. Was she**

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1 THE WITNESS: When she was admitted --
2 THE COURT: That's his question.
3 Is that your question?
4 MR. LUSTIG: That's correct, Your Honor.
5 THE WITNESS: -- when she was admitted in
6 Aventura Hospital, the emergency admissions records, which
7 we have, show that she had possible pneumonia,
8 malnutrition, failure to thrive, infection, dehydration
9 and she had two compression fractures which were possibly
10 caused as a result of the fall on the emergency admission
11 medical records. That's what they show.

12 **Q. (BY MR. LUSTIG) And where did you get these**
13 **emergency admissions record?**
14 A. From Aventura Hospital.
15 **Q. And I would object to the entry of it.**
16 **Did you obtain it through a subpoena to the records**
17 **custodian?**
18 A. I obtained these through a request for records.
19 THE COURT: How did you get these records,
20 ma'am?
21 THE WITNESS: I requested --
22 THE COURT: Peoples' medical records are
23 confidential. It's called the HIPPA law. How did you get
24 them?
25 THE WITNESS: I requested the records.

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1 **adjudicated incompetent --**
2 A. They just required her signature.
3 **Q. Ma'am, please.**
4 THE COURT: They don't know that your mother has
5 been determined by this court to be incompetent.
6 **Q. (BY MR. LUSTIG) Was your mother adjudicated**
7 **incompetent at the time when you had her sign the HIPPA**
8 **waiver?**
9 A. Yes, my mother had been adjudicated.
10 **Q. Okay. Thank you.**
11 MR. LUSTIG: The December 9th letter to
12 Mr. Rittenberg I'd like to have marked as an exhibit,
13 please.
14 THE COURT: And may I add if this is the truth,
15 at that time she already had guardians, did she not?
16 Blare Lapetus and Jackie Hertz were already the guardians
17 of your mother when you had your mother sign this waiver.
18 Is that not correct?
19 THE WITNESS: Yes.
20 MR. LUSTIG: That is No. 8.
21 (Exhibit No. 8 was marked for identification.)
22 **Q. (BY MR. LUSTIG) Ma'am, I showed you another**
23 **letter, please, dated December the 11th from the same law**
24 **firm, Florida Litigation --**
25 THE COURT: This says December 9th.

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1 MR. LUSTIG: This is another one. That's Exhibit
2 8, Your Honor.
3 THE COURT: I already have this one.
4 MR. LUSTIG: Okay. I'm sorry.
5 Do you have it marked as an exhibit?
6 THE COURT REPORTER: Your Honor is --
7 MR. LUSTIG: For the court reporter to mark it
8 as --
9 THE COURT: Yeah, I have it as 8.
10 MR. LUSTIG: Oh, I'm sorry, Your Honor. I
11 thought the court reporter was marking.
12 THE COURT: I'm marking them.
13 MR. LUSTIG: Okay.
14 **Q. (BY MR. LUSTIG) Ma'am, I show you another letter**
15 **dated December the 11th to Dr. Melissa Freedman from the**
16 **Florida Litigation Law Firm. Did you approve this**
17 **letter?**
18 A. I believe so.
19 **Q. All right. And do you know who Dr. Melissa**
20 **Freedman is?**
21 A. Dr. Melissa Freedman was one of my mother's
22 doctors from what I understand.
23 **Q. Okay. And you authorized this particular letter**
24 **to be sent?**
25 A. As far as I recall.

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1 **30th, 2013? On or about?**
2 A. Yes.
3 **Q. Okay. Ms. Stone, let me ask you: Isn't it a**
4 **fact that on December 30th, 2013 you also called Palm**
5 **Gardens where your mother had previously stayed and**
6 **demanding to be informed of her location?**
7 A. I did call Palm Gardens, and I did request that I
8 be told where my mother was, yes, I did.
9 **Q. Okay.**
10 A. And I think I should know where my mother is.
11 **Q. Ms. Stone, did you take your mother on December**
12 **19th to Subway to eat?**
13 MR. HERRON: You can answer the question.
14 THE WITNESS: I want to speak to my attorney for
15 a minute.
16 THE COURT: We're going to have to end this.
17 MR. LUSTIG: I'm just about done, Your Honor.
18 THE WITNESS: Judge, if I may, you did say that
19 you would give me the leniency and I would appreciate --
20 THE COURT: What leniency?
21 THE WITNESS: -- if I could show you a couple
22 of --
23 THE COURT: Just answer the question. Did you
24 take your mother to Subway on December 19 --
25 THE WITNESS: No, I did not take my mother to

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1 **Q. Okay. And what was the purpose of the letter?**
2 THE COURT: Can I see it?
3 MR. LUSTIG: Yes, Your Honor.
4 THE COURT: Do you want to mark this 9?
5 MR. LUSTIG: Exhibit No. 9, please.
6 **Q. (BY MR. LUSTIG) What was the purpose of the**
7 **letter, ma'am?**
8 A. I'm not certain what the purpose of the letter --
9 **Q. You're not certain?**
10 A. No.
11 **Q. Okay. Ma'am, I show you another letter dated**
12 **December 30th, 2013 from Mitch Law P.A. to Steve Phillip.**
13 **Can you identify this letter as one you authorized?**
14 A. Yes.
15 MR. LUSTIG: Mark this as Exhibit 10, please.
16 THE COURT: I got it.
17 (Exhibit No. 10 was marked for identification.)
18 **Q. (BY MR. LUSTIG) What was the purpose of this**
19 **letter?**
20 A. I think we discussed this at the last hearing
21 because this woman, Mendy Morris -- I was -- there was a
22 question as to who she was, and as I recall you presented
23 a license for Randy Morris without a photo ID, which I had
24 asked for a photo ID.
25 **Q. Okay. All right. And this was done on December**

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1 Subway.
2 THE COURT: Okay. I don't know why you have to
3 ask your lawyer to talk to him to say no.
4 **Q. (BY MR. LUSTIG) Okay. Did you take your mother**
5 **to Kinkos on December 19th, 2013?**
6 A. I drove myself to Kinkos.
7 **Q. Was your mother with you?**
8 A. My mother was with me.
9 **Q. Okay. And while you were at Kinkos on December**
10 **19th, 2013, did you meet anyone?**
11 MR. HERRON: Hold on a second.
12 THE WITNESS: Can we just step outside for a
13 second?
14 THE COURT: You're going to have to cut this
15 off. I'm sorry, Roy, but I'm --
16 MR. LUSTIG: Judge, I'm willing to wait if you
17 want to hear the next one. I only need five minutes more
18 and that's it.
19 THE COURT: I know but...
20 MR. LUSTIG: I just need five minutes, that's
21 all.
22 (Off the record.)
23 (Back on the record.)
24 THE WITNESS: May I make a statement?
25 THE COURT: Sure. Go ahead.

1 THE WITNESS: A lot of the process of this whole
 2 hearing has been centered around me when I truly want my
 3 mother's best interest. I want this to be for my
 4 mother --
 5 THE COURT: I don't want a speech, ma'am.
 6 There's a question pending. Do you want to answer the
 7 question?
 8 THE WITNESS: No, I don't.
 9 THE COURT: Then you better do it the right way.
 10 MR. HERRON: She's going to assert her fifth
 11 amendment right.
 12 THE COURT: You want to wrap this up?
 13 MR. LUSTIG: Your Honor, I have no further
 14 questions on cross-examination. Your Honor, based on the
 15 petitioner has already rested and there's no further
 16 evidence to be presented --
 17 THE COURT: Do you have any other evidence,
 18 Mr. Herron?
 19 MR. HERRON: Well, Judge, I mean, there's plenty
 20 that I would like to show you that wasn't shown you before
 21 I was in this case.
 22 THE COURT: Well, theoretically, you still have
 23 redirect.
 24 MR. LUSTIG: Yeah.
 25 THE COURT: So if you want to do that we'll have

1 -- hold on. You have some time Friday afternoon? I'll
 2 give you exactly one hour Friday at 1:30.
 3 MR. HERRON: Let me just check real quick, Judge.
 4 THE COURT: And that's it. Not one minute more.
 5 MR. HERRON: Okay.
 6 THE COURT: Is the 2:30 ready?
 7 MR. LUSTIG: It's 2:40, Your Honor.
 8 THE COURT: What? Is my 2:30 hearing ready?
 9 MR. HERRON: So we're talking about the 14th,
 10 Valentine's Day?
 11 THE COURT: Right. 1:30 to 2:30. Use your time
 12 wisely. I am not allowing for either side any more time.
 13 Thank you.
 14 MS. STONE: Thank you, Judge.
 15 (The proceedings ended at 2:45 p.m.)

1 to get some more time.
 2 MR. HERRON: Okay.
 3 MR. LUSTIG: Your Honor, I'm willing to wait
 4 today. I've been waiting months --
 5 THE COURT: No, I can't wait.
 6 MR. LUSTIG: Oh.
 7 THE COURT: I have hearings all afternoon.
 8 Bertha, come in for a second. Can you bring the
 9 book?
 10 MR. HERRON: Judge, is there any way that we can
 11 get Ms. Stone some visitation?
 12 THE COURT: No, I'm not going to discuss that.
 13 This woman went and took her mother out of the hospital.
 14 This is the same woman who rightly so just exercised her
 15 fifth amendment right not to testify, which she should
 16 have done on her own. That's a personal right. That's
 17 fine. And right now, I don't even want to entertain it.
 18 She had no visitation rights until I had a hearing and
 19 allowed her to do it, and the way the Court was treated,
 20 was she took her mother out of the hospital.
 21 Let me see what I have here. I have some -- is
 22 Monday a holiday?
 23 MR. LUSTIG: Yes, it's President's Day, Judge. I
 24 believe it is.
 25 THE COURT: Wait. Wait. Wait. I'm in the wrong

1 CERTIFICATE OF REPORTER
 2
 3 STATE OF FLORIDA)
 4 COUNTY OF DADE COUNTY)
 5
 6 I, Angela S. Steele, Florida Professional Reporter,
 7 Notary Public, certify that I was authorized to and did
 8 stenographically report the hearing, pages 1 through 48;
 9 and that the transcript is a true record of my
 10 stenographic notes.
 11 I further certify that I am not a relative, employee,
 12 attorney, or counsel of any of the parties, nor am I a
 13 relative or employee of any of the parties' attorneys or
 14 counsel connected with the action, nor am I financially
 15 interested in the action.
 16
 17 Dated this 14th day of February, 2014.
 18
 19
 20
 21
 22
 23
 24
 25

Angela S Steele

Angela S. Steele, FPR



A			
\$600,000 6:17	14:22 15:19	B 28:5	Caring 36:11 37:3
\$630 6:14	16:10,18 17:17	B-e-l-o-n-y 26:2	37:4
\$630,000 6:4	23:17 24:14 29:1	26:25	carried 20:24
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