April 27, 2009

わかしろ: たのとうしゅろう: のの白4年: かとろのかりで: カデイント あきなくた: カタチがんろう たかい フラをはからか H3n-170: FO: 5t: 00449: 74749: 50+LAKY: 3t: 00449: 750750: 4500 0-3: 874CA: 78601 えか: 万47: 白ルマ: かりた: つろ白は: おれかり、あナろかの、かんか: 中のつこ: Hをかた: あろうのソレト: Hをうあめは:ナレ:のはりを 5003, 9800: 7F: 750:03: 74) : 4090: 797: 93601 2009 5+370: 767: 45070: 744: 57546 4: 7516d: 00449: 5140-3: 9516d: "xf: 45°t: 00449: 419307790: 774): 576CA: 45°H8756d: MRL: 59,990, 000MR: 49: - nother 33: 743: 974CAFO3: 5740MFO3: 7875603; 27: 74950: 5°35°: 440Ax; And: 743; 86:76+85/233 83+4: 500Ax: 2155: 10+85/2331 0967: 512722006: 74: 0967: MAHY): 58B+ACM+83, 27878t: 58 29H2nmc; 27878t: MAHY: Mn: 45tost: 34: 25 HOWASO: THY: "XF :: MALAT: OOCHE: "THY: +LANGO: Mn: "ThYO 5°50: " howohat: 5 4 16 them +57: 77070t: 7995: nother 7335: 59: HMYAY: TAF3: 4rd: 480f53 (secret lives) or FLZ: Ana3: +meooooh: ng+6154. Ankha: nHV: 24+450m7; \$3231 2mn7h50: 213: mach3: dnd: 305: 28761m 107: BCS:: KAKKA: 2905: 270: 870: 5mnh: 3mnf: Anktan: 3583005: It: HMAAV. Und: 480f50: 0071850 35743: 00cme3: 237/57: 201820-76057: +942: 10+800 283: PV6090: 205/2019: +948: 10+80-187: 5700 15 508050: nol470: MAT: 71740:096750: 200760375 27043037: 2957950: 10+502737: 270741: 44550: +6150: 3t: VHN: \$322574: 10+FICMYSS: 7t: HMYAY FASO: 00762: +mb0000h: 1 /t: no+FicmySJ: F43: +4no: HINL: HMYEN 7Ago3: 0037fgo3: KngcA: not: nooLO700; por: ngoroby 9: +1223: topho: XE:) ng937-go; 6 かからいわけるかののるこれは、カダやけか、お子ムのアダーカカダのにいか、カのしつつの、サナチの方、サルカカン、アスダー、ダウは、はつののこれがないんないの 475. 40: hgroby - 779075. grungo: grungon xt: Hryhv: 7250, grahzngo: Bthcm783: 003) fgo: 00 F42: 87 Agok: ngo Hint: macyango: he:

FMG3: Toc HUST: 00che3: 2374903: 10+Acm7835: 00FLE: HMYRV 785031 0079903: 47454: 450HML: FWALAMSO: 44+: URSO: 23R474): 3+10+50M7835: PK9683: 490763: 1594KQ: 50FKS: THE: TORE: TORE: TORE

πρισ: πος τως της πης κηνης: η τ Thankiging day συς με το Δωπ: ησο της:

δι: τιλης: ηνος: ησοτιλης η: ξηνηληγο: ξρ: Ενε: Thankiging day σος με τημαλη:

τιλης: 5 ελωπιτ: σοι ης: ησο: ως: σος με: τινης δωπιτ: 5 τε πητ τς: πιπ τος πος τος μες

Lunge: hucneso: nko: 58 h 37/4go: 7A: hno: nho: Lunsto: ogh): & E:: 100ch & 31 h 37/4go 3:

ny3+n: h 8990! H+b noupso: Alam): kko: 100ch & 3: k 37/4go 3: interactive male \$RAL:

brogo: 5°w: Alam): hhhf 3: hhhf 3: hb nh 3: interactive male 5800ch &: activity check 50°nc: nho:

52 h 37/4go: 7A: ha: kno: hho: Lunge: ogh): & f: h 37/4go: 4 h 31 overhee: 5\$ interactive male

service 4 r 200: brogo: Interactive Male 52 Alam): ob na: Road: & f: 100ch &: What did you

find out about Interactive Male? + nhh: hot): Yho: I knew it was a site where male and

male met hh: ooh t:: Feb. 27, 2008 7 d: 106 5800ch &: testimony too Ant:

577-63: 2007-6-83: 4A: 5-475: 36Am: HANYA: Me: 33R960: Und: 2007: HKg: HM: 家t: 4nd: mant: ng: 139c: かみかる: 239c: nahs: 139c: 10thcmys): x3amns: >t: 4nd: man 350743: H&7nco: >>c: Ph3: n5437): hf): 42: Hn: 3t: VITA: ARAt: 33RALLARG: 3t: Hn: 7n-JOGOTA: ATUC: ng H&nd: JOGHT: XXY-50:: N500: MAHM): NO: XNC450: 5800 CME: UND: SROOT: (Lomosernality) 7500: 03: 59: Isaac BA: noveme: 509 tow: north: atm: 23+3: Troyso: Attogo: 8353: Mylog: Sf: worke: domy: fr3: 59: Isacc molestation 7-nc45°: 3641 55° 7667: 405° 765°: 76Am: 20° 5° 5° 50 53 5 5° 23+3: poche3: Inc45°: +300 nrs. nrs. Sh: HM 7574: 745°; 51479605°; 300350: An: 41: 35+: MGG: 784K7: 60279°; Sh: 79: 6461 5784: hoh: tvt3: noonoLA: 469: 20490: 34: (hall: 20: 71)9(mgo: HKn: 20: 7145: detail 5970-X8A13: EP: 573A1: punto: 707f: HLG3: Kn: 44050: Kn: O750: HAML: 748: 4504171L: 7457450: 5705079: 7504: 285011) X1: 7nc450: 8.t. 2490+4: mogat: proc: Hhmt: 2000+: 1997: 5094: ntho 931 ddh: 90% H97: 71803: X46npo: 86: Fg: 109dt: 59:00che: damst: ngo: 63:59: Isaac an: northe: goothw: 5242: 5849450: 8750: 70642: 400: 77464: 582497: 314: 74hd5: 674: 36nn: +7md5: tohogo3: 2959: 9°39°: 584095°; 5°0887: 28900°3: 5°48: 96001 かんの:: えかかののして: スケッカ: ア5: るとらにたとから: たらにもんののろ: 2をちょ: えかとりが: かかみんかか: 47~154 745543: MJC+5: 7hbho: 3765: 00ho: 74640: 40: 34: 954: 454: 745573: MJC+5: 365:00ho 71+60: 47: 5049: tologo3: 5467: 46: 50350: 5940750: 50157: HASOCO: AND: PODA3: 45074: Org. P. 81 8771=3: fmy 2: 7471L: 7710: Yoh: Ayb: HKnut: "XC70+: Hat: 510007: 46: Xn: 90909+: Xn: 4f3: 3c5c: 574804: 5492+: 8f: 450: MAHHY: 49: X1: 45: 41: 2090+: 343+: 943: porn: crockes: n401: Ancy50: x1227: 4t+pogo: hord figo: 747: 743t: the same

H+LAAP: coat: 364: HAM: Knancygo: hozogt hs: ngoHhapgo: HTAB: roate 59: 900, 477: 22 mxHAG. 2890 477 99: 1901 hneygo: hogoz7: 334+7かか WHHAD: - MHOD: investigate YA: noly: 216: 231:9 7890033; 3P 9212: 23+3: Mars: >ncygo: mynLagrys: ht Hot : 45 +6139. ののみなと: フカグラで、ある中ののち: それはれ: ずかれます: カカルナ: カカビソンの 7000 19777: 7096-9-3: 28700003 HERET: BAE: 7990+: 93: からかけい: カカヒソダ: カるれっなかの : 240H880+5: Sinto: Knoch not: obla: ph: ngenyo: nk: homoz: nunlango, fat: Enry: hocthass: hneys. It: 490th: 0090t: 5400che: 74: 59190: 000 me3: 737/053: 78: 240003: 24: 72: 514mp: 7Km: \$7K5ntoc 9LZ: 64: gowhneyso: 104/95: 9500:03: 5909d; ooche3: 7374503: +420: 770L: HWYTHU: 7250 7A178: nadh: puhypap: か): たか: gomznex50: 950H1712: 2 + TLBOZ : 23+3 42: 77E4501 71+11/2: 45 9023971 5800CME: 77: 79: 58000MQ: 60mit non: meat segret LANGE: WEDDE: MYNT: moof: John Seid & n' Fight away 415 area code Hoby: tatogo31 nama: 76/2: 60048: \$66: tohogog 9 gow Lno: 777710: 9773: 97100 La Voice mail THEP: MAHERDA: THRAL: \$661 216: HMA3: HMI An: h5 John Said MAY: h46ng rocyes: 5°mt: HHLD: An: 30ADM: AnyA: 216: hn 197: 6:30 PM Zmnn 8:00 PM nain 4973: LL+3: gont 38: nH850 Ud: 28 216: Zn+th: 394: (John Seid) ARHAR! harczcg: 64: gen John Seid Eragen: Xt: noLo 7008: 575689: handre o: XXx!! ODEAR: gqu. John Seid MARGOW: GAPT: MERHLE: gow: John Seid York: YC: 350970: ready nothing: 3John Seid X) (John Seid) gon38): %384mcn: hove: X8300023: 536771: X78ndn: なるまな: かずのみつかに: なるまな: かずのみもナトゥ・・・ BL: Et: MANANTY: MWLEST: 53R4: KOSWS: 579009: H975104: 7x: 7KHL9: handryo: Thm: 5400che: April: HLOOD : 30nn: ogwLRJT: FOUCHE: LAN: HAUNFO!: JOHN Seid X5: XP: 50WNARA! BED: HATER mh30: 124+: 924: 4514: 43703963: 64: 7390: 2014111: 7390: notacr 714-1773: nund: 57700: 024: nagwig: 51474: 960: \$3.54: 9817: reaction 715°4648: 35°4675: MR: X9913: 70: 75th: Jow + 00 AH: 50W+LDTE: ADM: 5097: 50mgoo): (Ofcourse ENEVE: 74800). 3, 87 3 73 70: Hand: ogmist) hotolis: Mittles: Dulo: nubri Isaac 4ttpo: 3 Isaac modest no HTOC: Knoys: hom HITLE: YZLFO! 3 IJOAL motest not HTOCO: INSTURIATE 34: 93: exactly 071+3/40: RY60: +3/244: Nor44619: 7-00450: 85-3: 383+: SORRY MY 711/450: 7242: RYbo: 5 mp V L cogo: fry; 50 me 3t: (mn: " Hunpogo ... " Knt: 5 froth cm } 37: 789: 515 chm: : PULCOTO 27+: 166: 58771950: HMYEUTETTE XROTE: MRDAG: PAT-94: BCOGO: PULcogo: 97731 83+. MHB77 coche: Sere: &t: 52 Thanksging tragedy MHC150 Min: Kn7950 \$3nn: bt: noof: 400 HYLE: X): 58 rocye: damit: publicaning: (They were extremely any that I found out Merhani's homoseculity). 5415+ 50 m 7335: 789; your 855; 40000017; 59: Thankgiving tragedy -7759/77: \$338: 88: 003/282: 00384: 375: 00384: +mtt: 37400: mf++: 305 AHAMSO: 46+ S.P: VR: 7nt: 300+ mg: new62: HIRRY: 51 mthom 13752 : OPR5": NOV. 11 2006 3+5h: 90098 300cm@1 hcn: NOV. 10, 2006 LMn: 946000 8,3+9: MHCP: 99071RA97: ABRE: 4tf2: 7tho. 903: 3008 fm: 788: 494845: 45: 205: 216: QIZR-5: 3008PM: X784: 789: 45°7471: 99~ HACENY!

HT4: 3677: 30735050; ANV: 43RQQd: 762! I remember 1974: RYG: \$76! 59W: 71894: 4X: \$E: 497: HAO: MORO: LENAY: 50 H: MHB: HOUBS: DF: KARFY: 9098: 8596: 95071714! 25: 55°74575: 36+80cm7335: 571911: 55°710005: 7242: 5460: 372: HU-975: 789: 345: 54: months! Sent line nogenn: 0960700: Loxprogo: books: 7390: innexAx: x390: 10+50007375: 3395: 745 ver3: 744773: 9706425: 7470: 9770: 954706: B+FCW7335: 9t: HW990: 74: croff 13: 13 Prot: 45°H6: 7h Oko50: Occhie: gow: John said 54 e-mail chan: \$3R4: 7R: HAG. wealt: noteld: herpposon: (3t: makt): fr3: weake: 3John feid 33+8: Sone: not HRAS: THOUSE: THOUSE: GAROUS: FIGURGE: HEADER: KRHAS: KNH): MEMURA. MEMURAS: XARDO: KILL: りかかけってもかすの: なt: かん: アチ: あるかかから: 28RARかる: 93: 7983から: 60かの: を79571 33RM-RATING: AnHAMA: NJ: 10267.50: Entedas: Frak: hr. 50:1) Northe: fow John seid Engan; 3 John Seid REA: 77 Voice mail 717450: rod dot the hatle: 7+8h: 9coge3: 39coge: 849603! howoghtogo: &P:: " xt: ooche: HTRG: oud HET: hn: Tape pri: Jave Thopo: MAHKER: anyine FIFTH 969: 7510K: Lingo: +5nk: 9cope 3: 9cope: Inghis: 5400cm 4: 10m)+: noton: ofuls: gowth Rx50: 3+81; hgoh: hhpo- worke: 5/10+80m +331 hodoh: cooke: 37195039: 2211. TR524: H39c: monlylos: K39c: B+Ficm+3): 718): 5mxynots: XORT: 5ckyn: MLFA "Tht: ++4KHA: MAHINL: 5mm: 59: 5410+510m7335: PCR: 2047: 496: MAHH39: 3K: 798: hasp: nck: hold: htach: mankham: xp: 300: Lan: hucho: 7186471 hgoo: 00-3) h! 50 FARK 4747: +641: 000 x62: 60m; goy): ofn: 0060700: gowecknows: Frother 1335: +4th: 747: M7): htog: sewende: damit: 5° FAG: htgg= overle: ng? nnt: 58 10 themts 31 activity -ハナムタ: カカラのデナラ: 00月白ムタ: XBRナラ: 90Cyp: ストダ: シナリカのデザ: MANDONE スタR ル R&L: カラいっろが: man: 13+ Er + 13: 0020: Ohf: 740: Sher: 450dd: 5+: 5mndsog: +51: 49: 451: 262-7751: 5°C47: 368: H847M: MANOTECM7335: M3C)71: XA9: X-nothow1335: (020-1 Stady: 245)3: 2n+15916+6cm+33: 6969: Adad: And: Pn+3: 700cme121711913: contrut: -4935: 7747: 75982: 54B+870~+335: 855: 83C97: 93: 84: PAYOLAS: PA9BAS: E: 34350-50: 7507111/10/10: 8H17881 KANCE: KODT: 54CAI MAHAP: 54: PER: KODT: ·HUDDF: 99AMT: 5P: 2h2:1 9cogf: 479ho: 8H50431 95H13: 84: 93: Anouseto: 950H: 24: MAM: 760; - \$323W: 20: 83587: 7451: +PUR: 10+50m783; 28713: 7096: 71+434:

B+FICM+35+: n9+LL: 976+25: H78R: H77: 770+50m+37: 5964: 25: 30087: 30H731 HAS: 34: 49: HLR97: 9764251 7155W75! MROGET: DONAL HRYS: 2390: 10+850451 9507471 881158 St: Manget i sig: conservative many; hgotana: 10+200m737: 白アム: 74から: 587日か: 72: HAG: を3かるか! かけないかより31 かつかつん: なりか)3: なかからたけらいかりろ: \$738+50: 776445: / Landeval o-chity) honothon 1835: hope 3: 34ist mh713154: 24: 471: 766: novorol7: 5°m+571: 90098: 9473: 5°m 90098: 84960: + LAME: PowtEL: 90098: \$38+RPRAS: nsenoche: 789: \$38+003895: MAS: X3RQUA: +ndas trat: nt: HOLR: A37+5: MRD: HR3AR31 tragedy : MALR: MRD: X3+9: 8EP S.F: 93: 3t: HOLR: MRD: NO35F: +M+t: M3E: 58t : 350年り3: かをナタのつ: かけかに HLつ: かをみからか: とのか: えるかに テカナナん: アスタ: おかのろ: Thy: nHV: HL1: \$6: 37%: mma: Ama: 40220: 404: 19d: coche: 237/50: 10970050: HLD: Sing-31 M/o: Gook: MS: YR: YR: HOT: NHISERDI MICEVITS THAM That afil xfgo; noch)fgo: +R520go: えといかや: 5°49? 8t1992: HOOE 1 MA) REGGO: Kndngo: ng Htwart: Tha: Ef: Anttr: Agowh; 7/w: me: 176: 77m3: 797 mn=3: 201 ngornag: 737/43:00 chie: 7-19CRIB+ 517-6-31 mocthass: P 9160000 かんの: 9927 Hの日気: かけ): かずみりみのし カルンカラので! あかかんのアラグ: 94キ!! 33RAhm: torcom & non Hn4+69: m/2000:2 からみとかなナイト: ogum: cololous: yudes: 10+1 hachter: 24: cololous: 947-31 52nad: 737/190: の92: HD-由京: ナモナダ: HOVn: 24100000 mb): 75°0: 0-3: FITT: 75°717005° 717014:09~1917 TABLET 135: 789: 300775°: navaz: HTRRI: 789: 5° MORDE: LYGE! Lal: savango: たり!! あれしろ: hoc>しからろりからの: 23: 5を10+50m73545 に 入りか! みゆからで ふれん! カダのみりにわからの! ナあん: 9094! 947: VA: +E: 797: HAO: 90091: 4996: NSS: COCHE: 60m)7: +R39popo: 00che: \$323: Knotenow 20413: 2nt: 540+8cm+33: (449: \$0)001: gold: FAL3: 2323m: hn 7935: 0027: 57445: (8+428: B+90m+33: 709h: 71+634: B+80m+357: 48+64: 7775+ 500 7 53: 813 C7H: 25: 3CO+3: 36H73: Hh5: \$380h:34371/90.

ዝነፍሁ: ዝነበ4: ሙከታወ3ታ4: 5800ch@3: ከ37/1503: 610m) ት: ካጠሪታፍ ርሥንያ3: ከባላንና: ተካታል:

4/ ከታም: መርሐ@3: ከ37/1503: ከጠሪታፍ ርሥንያ3፣ ከምግተታ4: 369: ከየጥነሙ: ከምግተላላ ነት:

200050? 390ካት: ከተ: фቪ: 59ጠሐছ: фቪ: ይ: фቪ: ተባሐሎ: ሊዋሙ: ከጠሪተፍ ርሥንያ3፣ ነንምዝሣ

443: ከታወተገለ ግሎ3: ተልቅዱ? ከተ: ቀ፳: 423: ተክሉ: ግርጣን የ: ካጠታወ3ታ9: ተካኢሎታወ: አምታወ: 54/1961

100 CH @3፣ ከ37/1503: 60 m) ት: ክሐብዕያ: 100 6950?

917-63: 2007-6033: 45°0: 00-3: 5410+510m7335: +4444t3: 20173: 4937270: St: pt: 4973: +8h, 90098: 7850go: 53RL7F: Wh3/50: 53ALhm: 60m+7: 7477: 177: horathom7335: 94443: 471943: 440: 127: 2650: gochpogo: gownsd: ooche. 为37/2503: 71か): Cあらつ: カ50HAggo: なた: HLR为か: なも: HAggo: Cあかか: な3+41 なりナンCがかか: りゅうけいい かりナキョッ からのこのケラン なんのりの!! ない: りょうなみのかのろ: りまってしのかか: 54ののは、ナかん のでのタラ: ののとかゆる: とからか: からか: なり: そかけ: なと: ゆた! かからまよ:ナイなん: なん:59: DOCME: 12m77: 5396hm: pho: overle: 59pFitt: 77+7: 47575: 4500:003: (10) HUX: 216: 7730: 2019 4949 7 7700? mos: HY): px: dam: 3717: Hn: nc 417: 8500: 50 mdam++: hoh3: +U+3: 3380h: HMRB: 28653: \$5: +726: 8t: 71676: 5900+85W783: 46677: +Anon: 4667+: 48787: gowdam+7: 4663: +8t3: Holo: \$3+4: 88: 50mm4? 4500-1 0-3: 5810+50cm+33: PCB: 2767: 2010: 474 4: 44677: 71+941: +816: 90098: 58198: OOCHEZ BO-MIT: 410-1 496)+: 487AF. D+ncm7935: 5910m+7: 00+29nn3: 0090+: 51003: 5006+: 63+91 8f: 50m4? (rocke: hngch: not open: dam: John Jomhoo): The: Uf: +4++:- ht: +918: HYNEY: 59976485: +9767: 1t: 5910+910m+93: +4+9t3: 279+3: 45030: HERF: 332mm97: pubgo319: 371か1: 5410+51cm +33750: ナツナん: -ハリカワ: ナファロ: 7151cy: 「タタからみあら:ナタクレナ: カタナリとかかる:ナクセル:あどナナ:かん:カン:58のはんな:中西:カトと 3t: 59n9191 \$PE: SHLn: 9516d: 3P: 93: 3rthem7835: 9030c: Pnh931 hh:00 九本: ヤレキ: 3t: 541437: 中元: 72cmpo: A: +144: かいナナ: かか1501 2877cをある: 24: orch #: Feb. 27, 2008 76: 110 Store the: testimony tooding: " ht: pot: gomore theirs 女: 74771 CAAn: 26: HAG? 2 24: 中在: 59かりすら: 中在: 7507471225: 3613:10ch&:775348

ナイプト: 5月:597019:5月1999:9月: 3/15:71/2 7753711:ナイブト: 5月: 52:4798:7171051-19716 HRS: 3t: 580458: \$7: \$5000: 300+800 +83: 50 HUN: PAN 83: HAX? NOCHESO: \$9-31 237/150: カリロフ: かりのとからかりろう: カデラで: カダの井の白の木のダの: カダのたりかので: タイトル: カタイカゆる: 3: 395098 97963: +909025°5°1: 23709° 10m: 9 あナウナダ: オタラあカd31 九切: 年記 かひナナ: かね: あと: かナあとかけらる: スト: カロ~7: Mn1 8744 98901: 9907: 7140mi たん: ひのんな: チカイ: Hhり: なかかけかてかりまるかか: みかか! カカラ: 30 Th: bold: Toppes: Lndy: Anotheryss 77c: Ph31 33R7: 7nd 1 tomb: 50+71 90: Aam: 74か): みか: ナカクタンナ: チのよろ: 71のみか: ののたんと: ナクかんにあとナラ: りんの: 为ら、グルカかれらはか: カカー 59: mocthw83: monthon: ton1)7: Pork3: hh: ashi! 737450: あろかろこからよち: カロチアあかい notacmits3: nog3510.go: notacmits3: gnothes (homosexuality) nogoti: 4.50: 38171 71714: 477: Aurothemf33: Hander 187: 84: 93: 30911 + 50%: 05099: t90902): 58+51: 9009837 5976799: 9519603: 59571: 5×mHn:54: 10+5cm733: mr. hocthe: BARCM733: 48: ht: m47; 58 BARCM733! + M+W: 58 mb> 9501 78: おも: ナ戸り出るのろう からもからかすらろう: とのず ナイトル: 21)からからいるのか: 99100188 = 510+50=m+835: xxxx: 1407: Lomo-プカルチャcm+375: ナタクタリナ! あとんゆ: ストムのアラミダナ: めた: やたに ストラ ナあん: のとのりにいかいれ! 7619614 ナイスのからいから、カグロ:ナカト: ナウナぬ: カケン: かみれ: 2: % COZEC MORNOWALLAND カヤナキ: な PO90: 779 378 : thathoso: 30079-50 3H3: MAN. Soutt heop! OOCHE: St: +788: HIM nt: man; 58 Btacm+33: +Mdbo [4] 54 homosexual activity &t: noterry 33290: \$3 RMLhm; 95°7+0787; 703: 45°7+7004 53R: THEBO: + nAh : EV+): pho: I don't think so ht: ooht: fore: pan: 7873: 78 mine: HAM: B+5000+337-50: 50350: 9817: R3+50: 2403: 3f: 2001: On6485: 4+748: 447:

touch would consider that you had messed up if they found out about this honorweal activity; isn't that right? I don't think So.

So it's your testiment took that as far as you know the church would have no problem with your languing in Landword activity; is that right? Noche: 3°CC981 8 mg + 3; 7 th 1; 9c783: +909027: 1/2 mg + 1/

817-63: hoc760-83: UR: HAO: Uf: St: pt 7443: +811: 90099: 71901: 5910+

ክርሥትያ3: ሃላፊነቶታ፡ 7 ሺዋታ፡ 54 ሰዓል: coche3: አ37/ታ፡3: ጉጽ፡ ንታ፡ ሕፋ3: 3595ታ የ: co6950 ?

\$\$ በዓል: coche : ጉጽ: \$3 ጾታ፡ ንተሕናት: HKD: B\$3 ነ። \$\$ የተለይ የታ፡ ጉጽ ? Not ክርሥትያ3: 09 ሴት: \$9 - op ਜ? 9con : የ ከዓሉ፡ :

\$ ማዚኒ ከተለር: ጉዞ፡ ማሉት: ኧዩ። ተክሉ: ማርማ የ3: ጥዓ πο፡ ከዓ፡

新かしる: たってトローらる: 1941: 00ckを: ス37けらい: dam+): えよかるちろ: たんのか: かPRらのとからい: からいこのる: ナデス: のとのもろと クとのり: をからん: 5119d: 00chを: dam77: 3go7443: かPRらのとからい: をかれ: 5110chを3: ス37けらのる: 人37けらのる: イカス: かよるらい: カリスナン: カリスナン: カリスナン: カリスナン: かよるらい: なるというのとは: 47とコフのナナ: カリスナカン かよるら: なるとかんの!!

OOCH &

- gowarm+1: 516773: 51683: In American Singles. Com man seeking man 24: 2701)+:

 tooHZn:: 7470-7 (7087) 95°71864: 7hb:: American Singles. com 58: Acom+1: 54°969: 300040:

 Addith: orochie: 49: opt: 71040: OR: orobo: \$ gowtor: 466: 4670: 4870. 4870. 0967: 86:

 Your Matches from American Singles. com To: mertesmek@ yakoo. com 54°000002 e-mail 65%:

 Lam: Gof9647: 3000002: +52746: Feb: 27, 2008 74: 95 tood 77:

- Do you believe that it would be shameful for your nother if the community were to find out you were homosexual? + 1 tht: 5151+7: 400: NO XX: 10ht: 50: XY: Lomosexual 75473773:

አደበለ3: ልሙጠ: ያወ258: ሕብርተለጠና: ፟፟፟አንጽሐፈራጠ። ጎጽዩ: ኢተህፍራን: ፟ኧድ: ቪሩ: የነውልጦ። ክሎ፣ ልሙጠ!
ካታውዝነነ፡ አመነት፡ ዝዛቦ፣ መልሲ: ፕሪዩ፡ ክዩክነሥ፣ ማጠሪታዶና (Londonality) 58771አታው: ህብቷ፡ ሕፃልት፡
ካታውዝንበር: ማልቂ፤ ፟ኧድ፡ 769::

X37190

Those are the membership and information records for you and your brother Merhani with Interactive Male; is that correct tombe: \$14th: The information that you gave them when you established your membership was that you were gay; is that correct? touch the you gave them when you established your membership was that you were gay; is that correct? touch: \$14th: The information that you gave \$14th: The you were gay; is that correct? touch: \$14th: The you were gay; is that correct? touch: \$14th: The you were gay; is that correct? touch: \$14th: The you were gay; is that correct? touch: \$14th: The you were gay; is that correct? touch: \$14th: The you were gay; is that correct? touch: \$14th: The you were gay; is that correct? touch the your years.

- Interactive Male. com Stademtt: Out-nn: web site 37 na-3: nto: 2n25/1873: 2nna3: 71541: Aamst: 001-42: to hogo3: \$66 7195: 31: to hogo3: \$66: (510) 238-8877 83: 43775°: 58770: Lome phone (594-8155), 58831: Cellphone (593-3686) ngoo: 23: 7776: HHCYK: HINL: ARCO Gas stortion public plane (654-3461) \$38+maporo: Anti 5410-mt): 238-8877 - NHL90464: 9RWd: 34: 50Mda-mt): \$n4493: \$n6nn3: DA-mit: Notra: RERY: Interactive Male Ifge DA-mit: 37441; Service bank account 3 HVng: Service 73Hn: fam R: 805°11 Jan 24, 2008 74 17 togeth: State HLA: SicmISST: Loctbws3: nr34L3m P3nn: 4日19: 34: 35: 59: 57513m: いいかれ: 幸台: たんず3: (605) 990-000/ 新ナカル3: 41: ススフナタで: 3H元: 5973513m: 今台: たんず3: Rek: スカカカは: カナロタ: 71年ルのか: ちゃかります: なんける3: Rek: スカカカカ: カナロタ: 71年ルのか: ちゃかります: なんけんの3: to hogo 3: REX: Knows intog: 71 porm: Ficm 7557: hichwas +6nn: mrs. ny37n: mosso: cody5: prm: PA30: (A)18: n401: 5951-m+5: m9495+! forstm: RYLO: BAPOSO! flahf: 49h); xf: 237/90: gow: 500+857! B4: general (as soon as he long up the plane) FID: 3710: @RED: 44+019: 00974: horozog: スカナ: 5diam ナディのトかれにからし 238-8877 えかナナル 7417: mhs: n50Hhp3: ngoo-; w3: 30+73: R-4L73: 54 m7123 XF: HLRAY :: X373: hgonga: h37/490: 10+50cm+33: H7aga: 10+50cm+33: mv+: Xx: 741988.

32: 31: 10+51cm+33: 719186: 00911: 3050: 7141: 543+: \$1: HORO: 277740: MAHGOLW: 348: FA+1 009At: 9R70: 00A9A: 5/1 74900 31: 348: 510+1 009At: 30: 497AC: mm97:49770: 85367: 28:50871550: 43706: 309: 7471 593+1 \$1: NX7++00011: 43706: 30: 51770: 9074: 967: 88:1 93: 737/50: 2323: 48: 50+: 0090t: 51608: 2853: 50t: Rept: \$7: 57 dag: 784963: " TH: HEBPY: OVR576: TOMOTH: FICM+93: 75074751 AHON: BIFICM + 3351 7t: HMYFIY: 7-R: OOFAZ: 43 \$006: 55 HADI ZE: who had the thinking response 13775°: 54: 43+1 Cell phone 593-3686 +meloro: 77 605-990-0011 Rex: 439L3m: ACN 78571 hoc760931 PMARI 841: 6143PM ightaway 6:43 pm gowdamtt: sunn: Ant: 5800mtt: ooknited6 59837: telephone record 5°h: RARB: htylH: handres. あ76cry3: みずりといかがんはる: をつてのかず: かかし、ぬる: なろつけが: かけられた: えかし TIRALF: 77-3: 747): An: Sti Cell phone +maker: Tinny): At: TIRALE: *nc: 164po: 2p: 55838fg: 52001+107: tohog3: \$66: 3public 5771090: 737/15°: HRAKH: 591 43563m1 75°n=3: 5980m++: pobnn: 55°n=: Antso: 431: telephone record HAMLHAY: It! Add: 5/0-14/10/ tohogo; "3+1: +HOH: 2015-50: 4770060043 450163: 737H5" > TWOOGS 714LHI 508737: NK: 5087371 24: MPRSOL9-90; 2h: 21: HAGGE: HAM:) - Christmas eve \$9855: herrow: Fromfow: 71+DhRh: eve MAHMY? TENERAL HAST: FICKTEST: 596m6450: 542PHW: FICKEN: BRY: ngn: MOW: HANCY: ENRAF: YKA: 737H50: 99:00974: BATCZC9: JAhamtt: 516471: 98ha: 54!! h37/go: Dec. 24, 2005 11:07 PM, 11:33 PM, 11:38 PM hntth: Anti 5800-mtt: ookna: 238-8877 gowdomtt: shinn: frad: 24:1 88: +699: Christmas 592+: AR+: 1091t: Ano3:: 73+: AR+: 9/1501 HAO: ENCW 783: 50m 31: XPTEN: 497: 59 XPTEN: ART! MARMONTHES 460: 737150: 49: 598+: ARTI 487RM: 739018+3: 7390: 10+20078): 7171: 90mx4-not: FREDOW! POTO90: 841: 50-1783: 20: NYL: NO+: 284m: 9293: 20: NYL: +7ARM: 49: nt: FAGET: WORRG: HANGE & MGO: 71+WARG: MOGAT: Sti HANP: 7131 X390: LMGO: 717nc: \$3Rm 447: \$3+41 98)7: M37013: MAS: 450HAP: 3509431 YOUR! X841)3!!

とちみのろ! みんとのろ: カダッカウルと: ガフムものか: カダロ: ローろ: ダスナタ: スタリチ: ダルと カダッチャカ: アリセカレイカ: 5をおろか - 7-475: 45036AM: -1510M75: 4409507: St: 7HAGh: 000BRBG: HANA: 190: 447; 36: 3+: 2047: 27907: 71+429: 208623: 5705623, 00804: MAHA17: 40:0040: hhr: Hho: hcm + 35@: 3427: nHASh3: nHAOOF3: KF: HANC: K+: 427: 7776: 0090+1 7784 M5: +1265: 3BAPA3: 3B+: 700m97h; FARE: 009At: \$8!1 NB+: 2PAA: 8hg-3: \$P: 2h: 2no+1 CM7835: 583+1 2PAH: 2780K: 787: H7898: K371901 n+1 Anct3! FARt31 0098t: 950MHA: 516167: 33+: RPAT: hoom93: 51977: noto: 514:931 howooth3: COR57631 51CM795E: MAHNY5: 593+: 2P+H: Anlt: MAHANA: nt: 4/27: 0090+: 1:43AM, 1:51AM Ant: 5920m+7: 006m. B-CET: Interactive Male ARh: gowdomst: tonn: POAd: 84: 437047: \$007: 24 H97: HYMD: 5° modam +7: +6 nr: 518 dom: 2500: hos: hor H84mn: 58: HLR x7: 427: 70800 カ: fragg 50mmをしか、+A7Anか: Bh&か: 33+: hoom23か: のかれ: かかきりのないなか: 为り、みんかるは 796: 37/450: 49: 4724/50: +12550: HON + 1547 10: 50 MADOM + 1 338+146; 40014: YAQ: 23+4: 28)7: WB-6: 107: 9507177: 3817100071: 27: -04950953: 5619650: 4976: HLT: 91A: MOOH+LAKZ: KHKGO: WAG: MAGAMAC: 71648: KHE: 30071 59496: HAGGO: WAGAMA カダッカアン: るら、ナレルネン: カるようなアナカ: タステッス: なら、そろのカカ: るよ、カナのかろうこのののは、カダーのです:カカダーナ H+A76: 00911 33+7: 906193: 500m233: 7RFY: Lt: 4390: 3+: HM7: 50000m+7: +62771 5720000 51+37696: 7/19: 53+9: 5917: 265: 95469: 37509: 2++: 505197: 3/7: 57850: 7501: 700-3: 359KAndoc: 93: 574960: 450H4758d: 50949: 767: 791: 100che: 737/50) 5H: 48+LAB503: 24:1 - no.t: heren: Hangoz: hwootat: hom7857: nor775: Bthow7835: com62: co37597 HMYSTU: 78503: 43 400h: 45071716: VE: 34475: 45°710CYAS: 9hg: 4P:1 PotEcm783: 9/7: 10+1 00 \$180: 35049: 5939KANDOC: 74: 38: 32: 5839KANDOC: 741 HOOLMU: 4771 よりはよっかし:フガル: あのしけな:かん: たる: たか: カダ·リタ·リタ·アダで: ダーダケッで: 人かので: 190:00cme3: 237/15年 54 m+ 50m+53; 7717At: vorthogo: 18+50m+835: 549764R5: HOOF: 707m; 07m; P74Rh: 450 HIN 4) 5431 38: 3t: 545の122 notec! 74: 7177: 10+5151735: POOLWYG: WAYINL: 39122note: 7718:50C4: MAHRA: 49:590901:00CME:78: 7A179: 70959: -1~1~097:7150P: ALT: HAP: HAP: HAP: 1723M:

36m6: 24m13: 3007go: かか: 21Rfc3: 26: At: At: 4在: 4LR2mgo: 26go: 20n8t: 177+: 51R643: 400go: 42mcgo: 42mcgo:

917-63: hoc762-83: 4900: 03: 5910+51cm7835: +4+9t3: 77473: VA: 744: YR: 3050: MUCME3: 337/1503: ADMJJ: 364: HENZW: 9,42: HODO: Wh5: HENKOSO: ADMIT: 9095090: 95071+LRYNTSO: GCOMF: St: 10+515W7335: 40: 676: 7471:154: hcfRinw: notinemys3: UZ: HOUYRRC: Btinemys3: &genc: Maga: til: 90094: UZ: THOOYRE: POTENCE \$3: 37003: 450H&nt: Encydrgo: &RAF Non: 747: 1n: 120+57-1273: 50 mtg: 369: 4971: 3t: 10+90cm7535: 5fdamt): out2923: HL995: >70: 0-: 10-3: 75 fgo: 42: 484): 4900935050! hefferm: 10+ 001203: 790H977: ひて: hofrenw: Hroyerc: 18+80m733: 5150H97: nk: homore: 917-63: 5210+50cm+835: +449+3: 30473: 4-475: 45-36AM: 208650: HAP: 463: 58xcfRAW: 10+ACM+857: WZ: Xf:: 965: hofRENW : GAS3: hofRENW I . - . hofres3: hofRENW: hochoss: hofrenw: 9-13: 48: 2017: 42: 28: HLOJ: 4nt: 48: 0>0: 873: 60-m: 7199: 4n: 33230: 10+506-MYS3: AU+5: 48453: 30 : 10+Acm7332 78 \$ 14 3 14 13: 52: 5323: 705: MOLHANS: 184: DAD! HAY)! KAK: KRI ACD: JORD: HYD: (Lomosexuality) ngorg3 Fago: Anghyo: Hhy: 10+50 cm 7357! Lomosernality ford: 29413: \$354: 51nd; Lomosernality AnunL+Ans: 49-3: Another 1851 pords HRMS 743450: 7ng 3+4 + 42 hoga & pogs: 新ナサムのか: カタートてそれせ: スかんのか: 90099: 5\$1901 000 MQ3: x37/55-3: 80m971 x386hm: hnrothor >338 HTOERGO? 575: 59 Toct bassi & CFREN POTECW783: 50 50 17 6/2: Knghgo: HKG:

MANHAAP: 2- ? Q93M: 36+73: 49L73: 5927119-3 かのしつつのる: からかとなりある: 3かけりす : 30: 3642 59991 54090 dwm)+: nonthem7835 3: 95°71+LBO975° 174567 £50 5800cm231 x37/503: 610m77: 9705+50W75351 19+3: 20173: 314ndg: 0069:00 77993+9: thickego: 200ch 43: 33/1503: 190m: 5907771: 33846m: 2500 them +335 750H7A96-3: 71714990? 50m19A: coche3: 237/53: 23+9:98)7: 5567 76; HA990? ひます: 3+おかりとのまる: 30年? 90の99、そからん: セナチタダの: をかか、そろより、なんらの カダのカダのは、そろかかりのから 990! Vf: \$375: cold: 9500 drgo: 375950! nnt: Vf: Qlhgo: HRSOC: ould! 980nrgo. 31 51747450 phy-50 003+5: 00012: 3500 amgr : 374950! Uf: Q2790 ሲ: ክየህ-ስን-ታ°: ተጠንታል:: \$10-63! \$90+50cm+835: +44963: አባላት3: ፟፟ችዚአ: ህ£: April 23,2006 4127: mgat: 1:43 Am arang: mgodg: 11:38 PM Knt: 5900mtt. OCET: REAN: 5 molumit) 11:07 PM 5323: 4997: 4877: 477: 10+8cm783: H7A9A: 10+8cm783: +442A9: H84A3: 5cm7852: 32: 331: +30cm2: ndas: nho kmy: 775 319: 74466: 26: 743: 4647: 500473: 00042ct: 49763: 0090t: 331: +30027: 9049: 7257: 500690 76: HINCH: LAMP: V+79: X7: X820dr3: Ana: X880da3 XP: 5"138+5": 587171. Password Jan- 24 70 17.18 +over 7: 137/9 2 Angca: 157 75 I never talked to amybody about my activity on Interactive Male while I was using that service passins of (account number) 20455 7 to + interactive Male 7+206: 4th: \$3719: 45 71306: 54706: \$4. 260269 88: 77740: Kowe phone (594-8155) 35At: 9007: Hna-3: 7495464: Knt interactive Male 9221: 64: Kt: 096)700: 6500

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ይማኔ 2:1-6 ሥለዚ፡ አታ፡ ኧትልርጸ፡ ለብ፡ ንዘን፡፡ አንተን፡፡ አንተን፡፡ ነቷ፡ ኧትልርጸሙ፡ ትንበው፡ ሥለዘሉካ፡ በቲ፡

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ኤምላክ፡ ናብንሥሐ፡ ከያውዚሙህበካ፡ ለዓን፡ ያወናካፕነሙ፡ ሃብቲ፡ ሕያልነት፡፡ ፅዋር፡ ያወነትን፡፡ አቅሎንጹ፡ ትንዕቅ፡፡ አሉካ?

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ክቡሁን አውር ትራው ያን፡ 59 በ 9 ል፡ ወውር ተለዊ ን፡ አን ገለታ ወን ፡ ተለሙ ዓት፡ ውሉ ል፡ ተለሙ ዓት፡ ሥለ ዘቅ ነን፡ ካከፈጣሪ አም፡ ሪህቶ ያው፡ ሥለ ዘው፡ አል፡ አል፡ ነ አል

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Omnon J. Jobai Il o

Hi buddy, I just got in town today from business trip. So, let me meet you tomorrow, Saturday at 7:00pm the same place. Email me and let me know if you can make it tomorrow.

P.S. For sure, we will have a great time and I can't wait to see you.

Date: Sat, 30 Sep 2006 07:22:26 +0200 (CEST)

"merhawi mehari" <mertesmeh@yahco.de> Add to Address Book Add Mobile Alert Yahoo! DomainKeys has confirmed that this message was sent by yahoo.de. Learn more

Subject: RE: did not hear from you.

To: "john seid" <hotsolid10@yahoo.com>

okay i can meet you between 7.00 -8.00 pm and just e mail me asap

Date: Sat, 30 Sep 2006 07:29:14 +0200 (CEST)

"merhawl mehari" <mertesmeh@yahoo.de> Add to Address Book Add Mobile Alert Yahoo! DomainKeys has confirmed that this message was sent by yahoo.de. Learn more

Subject: RE: did not hear from you.

To: "john seid" <hotsolid10@yahoo.com>

are we going to spend the night in your house can you let me know too please

I love the idea of spending a beautiful night with you. You know that was my dream. But tonight i have urgent meeting with the CEO of our company. It looks like i am not gone make it tonight. Hopefully i will see you very soon one of the coming days. I will let you know when and what time. Lets keep in touch. Stay hot and sexy.

P.S I have my own big house with huge master bed and jacuzzi. Ofcourse we are gonaa spend a lovely night together and i will make sure your dreams and fantasy comes to reality.

Date: Mon, 2 Oct 2006 06:31:02 +0200 (CEST)

From: "merhawi mehari" <mertesmeh@yahoo.de> Add to Address Book Add Mobile Alert Yahoo! DomainKeys has confirmed that this message was sent by yahoo.de. Learn more

Subject: RE: did not hear from you.

To: "john seid" <hotsolid10@yahoo.com>

so when you wants to meet

*

I e-mailed

to meet Lim Friday, Date: Tue, 3 Oct 2006 23:05:30 -0700 (PDT)

From: "john seid" <hotsolid10@yahoo.com> DAdd to Address Book Add Mobile Alert

Subject: RE: did not hear from you.

To: @ "merhawi mehari" <mertesmeh@yahoo.de>

I will take

I will take a day off this coming friday and saturday, so i can meet you then. If you can, let me meet you on friday the same place at 7:00 PM

P.S. Friday is the night baby, we will have very romantic and exciting night together at my house. E-mail me and confirm me about friday before you come.

* Friday Oct. 6, he called me & left a message on my voice mail. I saved that message and Still have it with me.

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(E-mail documents marked for identification as Defendant's Exhibit KK)

MR. PLUMHOFF: Q. Just to step back a minute. I think you referred to a meeting at the Temiscal Library on November 10th; is that right?

THE INTERPRETER: Which library?

7 MR. PLUMHOFF: (2) The Temiscal branch Oakland Public 8 Library.

- 9 A. Yes.
- 10 Q. And that was -- one of the people there was Asmerom
- 11 Gebreselassie, right?
- 12 A. Yes.
- 13 (Q.) And one of the things you found out at that time is
- 14 | that he was the person who was behind these E-mails; is that
- 15 right?
- 16 A. He told me that, yeah.
- 17 Q And the E-mails we're talking about some of them were
- 18 | from Hot Solid Ten at Yahoo.com; is that right?
- 19 A. What I remember is one that said John Said.
- 20 Q Okay. Showing you what's been marked as Exhibit KK.
- 21 If you can take a look at that document.
- 22 A. Do you want me to look at everything?
- 23 Q I would like you to flip through every page, if you
- 24 | could, yes.
- 25 Have you had a chance to look through those?
- 26 A. This one?
- 27 Q All of the E-mails that are in the package labeled KK.
- 28 A. I've seen it.

- 1 And the top E-mail on there indicates that it is from
- 2 John Said, S-a-i-d, and it has that E-mail address of Hot
- 3 | Solid Ten; is that right?
- 4 A. Um-hmm (affirmative).
- 5 Q. Is that right?
- 6 A. You mean address? What I always looked at was the
- 7 name.
- 8 Q Okay. And it indicates that it is to Merhawi Mehari
- 9 Mertesmeh at Yahoo.DE, correct?
- 10 A. Yes.
- 11 Q. Okay. And so it's your testimony that you never looked
- 12 at the Hot Solid Ten part of that E-mail; is that right?
- 13 A. I can't remember the E-mail address, but the name and
- 14 | the E-mail address is the same. What difference does it have?
- 15 Q. Well, it's a question. When you were sending the
- 16 E-mails that are in the exhibit labeled KK, did you realize
- 17 | that the E-mail address was Hot Solid Ten at Yahoo.com?
- 18 A. I did not see the E-mail address, but I see the name
- 19 John Said.
- 20 Q. And so in addition to receiving E-mails, you responded
- 21 to some of those E-mails from John Said; is that right?
- 22 A. What do you mean some of them?
- 23 Q. Well, how many -- do you know how many E-mails you got
- 24 from John Said?
- 25 A. I don't remember.
- 26 Q. Okay. And every time you got an E-mail, did you
- 27 respond to it?
- 28 A. I think so.

- 1 Q. Okay. And the E-mails that are in KK, do they
- 2 | constitute all of the E-mail correspondence between you and
- 3 John Said?
- 4 A. I don't know.
- 5 Q. Okay. Well, taking a look at the contents of the top
- 6 page there, the date on that one is Tuesday, September 12th;
- 7 | is that right?
- 8 A. Yeah.
- 9 Q. And farther down the page after the E-mail from John
- 10 | Said it contains an earlier message that you had sent; is that
- 11 | right?
- 12 A. I don't know.
- 13 Q. Well, I'm referring to the part, if you're confused, it
- 14 says Merhawi Mehari Mertesmeh at Yahoo.DE wrote, "So what day
- 15 you want me to meet you and I need your phone number?"
- 16 You wrote that?
- 17 A. Yes, I wrote it, yes.
- 18 Q. And you were responding when you wrote that to an
- 19 earlier E-mail; isn't that right?
- 20 A. It could be.
- 21 MR. PLUMHOFF: Judge, I've got another set of documents
- 22 I'd ask to be marked.
- 23 THE CLERK: LL.
- 24 (E-mail document marked for identification
- 25 as Defendant's Exhibit LL)
- 26 MR. PLUMHOFF: Q. And I'll ask you to take a look at a
- 27 | five page document labeled LL, if you would, please.
- 28 Have you had a chance to look at those, Mr. Mehari?

Merhawi's testimony February 27, 2008

- 1 to show you what's been marked as defendant's next in order,
- 2 Exhibit NN. I'll provide copies to counsel as well as the
- 3 | court.
- 4 THE COURT: Thank you.
- 5 MR. PLUMHOFF: Mr. Mehari, you recognize NN as another
- 6 of the e-mails that was exchanged between you and Asmerom
- 7 Gebreselassie; is that right?
- 8 A. Yes.
- 9 Q. And I'd like you to read to yourself -- well, first of
- 10 | all, that exhibit starts with an e-mail from you in which you
- 11 basically say, "Actually, I like to do everything;" is that
- 12 | correct?
- 13 A. Yes.
- 14 Q. Okay. And that's in reply to an e-mail that takes up
- 15 most of the first half of the page from John Seid, also known
- 16 as, hotsolid10; correct?
- 17 A. Yes.
- 18 Q. I'd like you to -- I'd like to ask you to read that
- 19 portion of the e-mail; that is, the portion from John Seid to
- 20 | yourself.
- 21 A. Okay.
- 22 Q. Have you had an opportunity to read it all?
- 23 A. No, I have not. I'm not done.
- I have read it.
- 25 Q. Okay. And so you've read the entire e-mail from John
- 26 | Seid. Goes all the way down to where your prior e-mail
- 27 | merhawimeharimertesmeh@yahoo.de.
- 28 A. Yes.

- Q. Okay. Can you tell me having read that, is there
 anything -- is there any question in your mind about anything
 that is being described in that e-mail from John Seid?
- 4 A. I'm sorry. Could you repeat it for me?
- 5 Q. Are you -- do you understand everything in the e-mail
- 6 | from John Seid?
- 7 A. Yes.
- 8 Q. So you -- there's no confusion in your mind about any
- 9 of the activities, the sexual activities, that are described
- 10 in that e-mail; is that correct?
- 11 A. At this time, no.
- 12 Q, Well, at the time that you wrote, "Actually, I like to
- 13 do everything," was there some confusion in your mind about
- 14 | what was being described in that e-mail from John Seid?
- 15 A. When I read it first, it's -- I realized it's about
- 16 | sex. I didn't -- I didn't finish reading the whole detail. I
- 17 just started writing.
- 18 Q. Okay. And when you -- you just started writing
- 19 "actually, I like to do everything"?
- 20 A. Yes.
- 21 (Q) Okay. And what were you thinking about when you said
 - 22 actually, I like to do everything?
 - 23 A. From what I glanced, he was talking about sex, and
 - 24 so...
 - And he has said what he would like to do. And I said
 - 26 if you're interested in it, I am also.
- 27 (Q) And you understood it was from a man; correct?
- 28 A. Yes. OGLOTON: ngoHko MAMLAY: Life nglate gom: John Jeid Howki Hongs (dom): 827m: GAFT: NgoHing Kn: GCR: 107: 1061: XOZY:

- 1 Q. Okay. And you understood that all of these sexual
- 2 activities that he was describing were with a man; correct?
- 3 A. Yes. Like I told you last time, yes.
- 4 Q. Showing you what's been marked as defendant's OO. I'm
- 5 providing copies to court and counsel.
- 6 Mr. Mehari, this is 00 is another of the e-mails
- 7 | between you and Mr. Asmerom Gebreselassie; correct?
- 8 A. Yes.
- 9 Q. And this one begins with an E-mail from you dated
- 10 | September 13th; is that correct?
- 11 A. Yes.
- 12 Q. In your e-mail in response to an e-mail from John Seid
- 13 | which appears just below it; correct?
- 14 A. Yes.
- 15 Q. And just below that is the e-mail that you sent to him
- 16 before his message in which you are asking for his phone
- 17 | number; correct?
- 18 | A. Yes.
- 19 Q. And in the e-mail from him, he gives you his phone
- 20 | number; correct?
- 21 A. Yes.
- 22 | Q. Did you ever call him?
- 23 A. Yes.
- 24 Q. Did you ever talk to him?
- 25 A. Yes.
- 26 Q. And when was that?
- 27 A. I don't remember the exact date.
- 28 Q. How many times did you talk to him?

- 1 A. Once I called him and the second time his voice mail
- 2 | picked up.
- 3 Q. So there was one time where you actually did talk to
- 4 him in person and another time where you left a message for
- 5 him?
- 6 MR. JAY: Misstates his testimony.
- 7 THE COURT: All right. I think it did. Or does.
- MR. PLUMHOFF: Okay. Was there one occasion where you actually talked to him on the telephone?
- 10 A. The first time I called, he picked up the phone, and he
- 11 | said, "Where are you? Wait for me," and he hung up. When I
- 12 | called the second time around, he didn't pick up the phone.
- 13 Q. Okay. And were those the only two times you called
- 14 | that number?
- 15 A. Yes.
- 16 Q. So and do you recall when the first one of those calls
- 17 | was in relation to September -- excuse me -- September 13th of
- 18 | 2006?
- 19 A. I don't remember when it was.
- 20 Q. Okay. What about the second call, do you recall when
- 21 | that one might have been in relation to September 13th of
- 22 | 2006?
- 23 A. It was the same date.
- 24 Q. Okay. And just for the record the number that we're
- 25 referring to is area code (415) 272-7983; is that right?
- 26 A. Yes.
- 27 Q. And you only ever called that number two times?
- 28 A. That I remember, twice, yes.

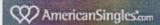
- 1 Q. Okay. Now showing you what's previously been marked as
- 2 | KK and which I think you indicated you had had an opportunity
- 3 to review since your last testimony, the last e-mail in that
- 4 group is an e-mail from Juan Guanzales prettylatinoboy26;
- 5 | correct?
- 6 A. Yes.
- 7 Q. Could I get that marked as next?
- 8 (Whereupon, a document was marked Defense Exhibit
- 9 No. KK for identification.)
- 10 MR. PLUMHOFF: And he indicates that he got your e-mail
- 11 from American Singles in that e-mail; correct?
- 12 A. Yeah.
- 13 Q. And in fact you did have an account with American
- 14 | Singles at that time; didn't you?
- 15 A. I don't remember.
- 16 Q. Showing you what's been marked as Defendant's PP. I'm
- 17 | providing copies to court and counsel.
- 18 That, Mr. Mehari, is an e-mail that you received from
- 19 American Singles on November 9th of 2006, the day before your
- 20 | meeting at the Temescal Library with Asmerom and Tesfu; is
- 21 | that right?
- 22 A. Yes.
- 23 Q. And that's addressed to you at mertesmeh@yahoo.de.
- 24 A. Yes.
- 25 Q. And does that, seeing that, remind you whether you had
- 26 | an account at American Singles?
- 27 A. I don't remember.
- 28 Q. That e-mail is entitled Your Latest Matches from

Subject: Your Latest Matches from AmericanSingles.com

From: "YourMatches@americansingles.com" < YourMatches@americansingles.com>

Date: Thu, 9 Nov 2006 15:54:11 -0800 (PST)

To: "mertesmeh@yahoo.de" <mertesmeh@yahoo.de> 5900cmで: e-mail スポレラ:



You have new matches!



Berkeley, California,

View Profile »



24 San Francisco, California, US

View Profile »



26 San Francisco, California, US

View Profile »



Hayward, California, US

View Profile »



22 Vallejo, California, US

View Profile »



24 San Jose, California, US

View Profile »

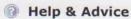
Satisfy your curiosity! Take a look at some of your matches or login to see more of the fabulous profiles we've found for you!

More Profiles

Meet attractive and eligible Christian singles and share your faith at Relationships.com™.







Your Profile

Top 10 member questions and advice on how to improve your profile and results

14198694A7

Who's been checking you out?

Moche: Kn: American Singles Knot >: 497. 819°7171: 70: XOR7: 45°718 193: XOR7: 51mdras: mt7990: 5t ACR7: 49: 744446: 60mt7: Install: Bego: KW. ng. nnt: H+manh: swmtt: oube: gomt Hmhn:

```
American Singles.com; is that right?
           That's what it says, yes.
           And it has photographs of 6 young men on it?
 3
    Q.
 4
    A.
           Yes.
           Showing you what's been marked as Exhibit QQ. Will
5
    Q.)
 6
    provide copies to court and counsel.
           Isn't it true, Mr. Mehari, that back in January of
 7
8
    2006, you had established an account with American Singles.com
    and described yourself as a man seeking a man?
           I don't remember. Come on Merhani, who you're trying to fool?
10
    Q.)
           Okay. I'd like you to take a look at the second to the
11
    last page. That would be that one that you were looking at.
12
13
    Keep going. Toward the top of that page in the middle. It
    has a number. Do you see that number 1419869487?
14
15
           Yes, I can see it.
           And do you have the other exhibits still? Do you see
16
    Q.)
    on Exhibit PP? Does that same number appear at the bottom
17
    after the words "your profile"?
18
19
           Yes, it's the same.
           Okay. And under that number, there's a notation, "Man
20
    seeking man from Oakland, California"? Deche: XOA73 hono73
21
                                             7150712,09: 3 American Singles
                                            SCET: 75h 54990:
22
           Yes, it says that.
           Okay. So are you saying that at sometime you had an
23
    American Singles account, but you don't remember whether you
24
    had it on November 10th?
25
           Yes. I'm not even sure whether I had one or not.
26
           So even after seeing those documents, you doubt that
27
    you ever had an account at American Singles?
28
```

- 1 A. I said I don't know. I don't know if I had -- if I had
- 2 | an account or not, but it's good to know now.
- 3 (Q) It's good to know?
- 4 A. Yeah.
- 5 Q. Okay. How long after you got to the library on
- 6 November 10th did you see Asmerom?
- 7 A. I don't remember.
- 8 Q. And at the time that you first saw him, you were
- 9 sitting at a computer terminal; is that right?
- 10 A. Yes.
- 11 Q. And he came up behind you and tapped you on the
- 12 | shoulder; is that right?
- 13 A. No, he didn't tap my shoulder.
- 14 Q. Okay. How is it that you became aware that Asmerom was
- 15 | also in the library?
- 16 A. Asmerom came to my left side and Tesfu came on my right
- 17 side.
- 18 Q. Okay. And did one of them say something to you to get
- 19 your attention?
- 20 A. Yes.
- 21 Q. Okay. And what exactly was said?
- 22 A. Asmerom said, I'm the one that's e-mail -- sending you
- 23 these e-mails.
- 24 (2) And these e-mails, when he said "these e-mails," there
- 25 | was actually an e-mail up on the screen; isn't that right?
- 26 A. Yes.
- 27 Q. And it was the prettylatinoboy e-mail that you were
- 28 responding to; correct?

- 1 A. I don't remember.
- 2 Q. Okay. Now, was there a conversation without telling us
- 3 | what it was, yet, right there at the computer terminal with
- 4 all three of you present?
- 5 A. When Asmerom started talking at that time, it was
- 6 speaking out loud, and there's a regulation where at that
- 7 library, two people cannot be standing at one computer. The
- 8 | librarian told us to leave the building and talk outside.
- 9 Q. Okay. And you moved to the area by the library door;
- 10 | is that right?
- 11 A. By the door, yes.
- 12 Q. Okay. Was there any conversation at all before the
- 13 person from the library asked you to go outside?
- 14 A. He was saying things, but I didn't take notice of what
- 15 he was saying.
- 16 Q. At some point Asmerom asked Tesfu to step away and he
- 17 | talked to you alone; correct?
- 18 A. No, he didn't do that.
- 19 Q. Um-um, at the end of the encounter, did you -- did
- 20 Asmerom leave before Tesfu and you continued to talk to Tesfu?
- 21 A. Before he left he wanted to actually fight. He was
- 22 | calling me names and he continued walking.
- 23 | O. You're talking about Tesfu or Asmerom?
- 24 A. Asmerom.
- 25 Q. And when Asmerom left, did Tesfu stay and talk to you?
- 26 A. Yes.
- 27 | Q. Now when Asmerom indicated to you at the beginning that
- 28 he was the one sending you the e-mails, you became very upset;

- 1 | isn't that correct?
- 2 A. No, I was not upset.
- 3 Q. Okay. And what was your response when Asmerom
- 4 indicated that he was the one sending all the e-mails?
- 5 A. My answers?
- 6 0. Yes.
- 7 A. I -- after he came to the house and called us names, I
- 8 did not consider him like a person, so I had nothing to say to
- 9 him.
- 10 Q. Well, didn't Asmerom tell you that he wanted to reveal
- 11 | your homosexuality to your family?
- 12 A. I was not taking notice or taking in what he was saying
- 13 because he was saying so many things.
- 14 Q. Okay. One of the things you did hear and that did
- 15 register with you was that he was the person who was sending
- 16 | the e-mails; right?
- 17 A. Yes, he started off that way, so, yeah.
- 18 Q. Okay. And he also made it clear that he wanted -- he
- 19 | was going to reveal the content of these e-mails; isn't that
- 20 | right?
- 21 A. I didn't hear that part. I didn't hear him say that.
- 22 Q. Well, let me ask you this: Mr. Mehari, you're a very
- 23 | religious individual; aren't you?
- 24 A. Yes. 744963 99: 20: 9001:
- 25 Q. And you were back in November of 2006; weren't you?
- 26 A. Yes.
- 27 Q.) And what particular religion did you practice back in
- 28 November of 2006?

- 1 A. Orthodox. I was then. I still am.
- 2 Q And to your knowledge back in 2006, November, what was
- 3 your understanding of the position of your church with respect
- 4 | to homosexuality?
- 5 A. I didn't understand anything.
- 6 (Q) I'm sorry. What was the answer?
- 7 A. I did not understand anything.
- 8 Q. Are you saying you didn't understand my question?
- 9 A. What was the question you asked first?
- 10 (Q.) My question was: In November of 2006, what was your
- 11 understanding with respect to your church's position on
- 12 homosexuality?
- 13 A. The church stand, I don't know.
- 14 Q. So let's see. At the time that this occurred in
- 15 November of 2006, you actively participated in the church;
- 16 | didn't you?
- 17 A. Yeah, I went.
- 18 Q, Okay. You read the Bible a lot?
- 19 A. Yes, I do read.
- 20 Q. And you helped teach in the Sunday school?
- 21 A. We didn't have that at the time, no.
- 22 Q. Okay. Were you singing in the choir?
- 23 A. Yes.
- 24 Q. Did you participate in church conferences?
- 25 A. Yes.
- 26 Q.) And you were also a member of a couple of yahoo groups
- 27 that were related to or concerned with religious activities;
- 28 | correct?



1 A. Yes.

2

- 0.) And you received regular e-mails from those vahoo
- 3 groups discussing religious themes; right?
- A. Yes.
- 5 Q.) And you posted messages on those yahoo groups about
- religious themes; didn't you?
- 7 A. Yes.
- 8 Q, And some of the messages that you were posted had to do
- 9 with the Bible and homosexuality; isn't that correct?
- Lypocrite 10 They could be.
- 11 (Q.) One of the groups that you belong to is called
- 12 Tewahdo Orthodox; is that right?
- 13 Yes. A.
- 14 Q.) I want to read you something and see if this sounds
- 15 familiar to you. The Holy Bible says in Leviticus 18:22.
- 16 Do not lie with a man as one lies with a woman. That
- 17 is detestable. Is that a passage in the Bible that you're
- 18 familiar with?
- 71900: N504114: 8384637: Nuhgo3+9: 59Whyno+7: I do know it. 1007 1 A A A CONTROL OF THE HOUSE IN THE HO 19
- 20
- that your church, as of November 2006, adhered to? 21
- 22 Can you repeat the question?
- 23 0.) Yes. As of November of 2006, were you aware of whether
- the church that you belonged to adhered to that particular 24
- view of homosexuality? 25
- 26 Yes, I knew.
- I want to read you something else. This is Leviticus 27
- 28 20:13.

hoff: hgoh:

HAA: HTAY: ች ታፈርጽ: ባደብካ

03: 377000 An: Int: GCR

からいいいろうのかられ ADDWAT: Kho?

```
1
    less.
         You could care less because you're saying you didn't
 2
    0.
 3
    think the church would care at all?
           Not only that but the church has laws.
           THE COURT: Sorry. The church as laws?
5
           THE WITNESS: Has laws.
 6
7
           MR. PLUMHOFF: And what laws are you referring to?
           That people make mistakes and so if somebody messes up,
8
    you can't just ignore them.
10
           I'm sorry. I didn't get the answer.
           Could I get the answer read back?
11
           THE COURT: If somebody messes up, you just can't
12
13
    ignore them, was the answer.
           MR. PLUMHOFF: Okay. So, in other words, you
14
    recognized that at the very minimum, the church would consider
15
    that you had messed up with respect to this homosexuality if
16
    they found out about it; is that correct?
17
         Could you repeat the question?
18
          You -- are you saying that you were not concerned
19
    because even though -- well, strike that.
20
           You did recognize that the church would consider that
21
    you had messed up if they found out about this homosexuality;
22
23
    is that right?
          At the time I was younger, and I didn't have much
24
    knowledge, I know. A3+9. A8)): wan he ? xaq+: me 4 578 4. A17700: 170: X840331 B: 7+745: HA ? 9831
25
            But at the time you recognized that the church would
26
    consider that you had messed up if they found out about this
27
    homosexual activity; isn't that right?
28
```

```
I don't think so. 3003: +909027: 38: 4904:00h# ? 3+84: 900993:
                A.
                                             07099: 9519/03:
             2
                Q.
                        So it's your testimony today that as far as you knew,
                the church would have no problem with you engaging in
             3
                homosexual activity; is that right?
                        The church would definitely talk to me -- would talk to
             5
ht: not now + 376
                me before reaching a decision for sure.
THURGE: RP
                        Okay. Why do you think that they would talk to you?
                (Q)
HHLAG
4900mh23: 93
                                                                    ろかれからのいます: かかれからす:
                       That's why there's so called repentance. 947m: 72 ARm: 38 VA
                A.
43RH246090:
194: 003 4 Pogo
                       So the church would view homosexual activity as wrong;
                (Q)
HHLM9 ?
                                                                        OKAY JOYLY 755AY
8314: 99)+i
            10
                correct?
                                                               9741: 5 m x way: 93. 50 mgst:
の42h: おかんぞす?
                                                              485 931 4 9 9783 450 dom
                       And you knew that on November 10th when you were at the 34503:
            11
                A.
                2
            12
            13
                Temescal Library; isn't that right?
                              Well 30: 7507171: 7607: $3+1007: Mhg-379: gom/2097: 440073:
                        Yes.
            14
                A.
                               FRADINI BON?
                        And you also knew that it would be shameful for your
            15
                family; didn't you?
            16
                                              *314: 2417: MAL : 49 HAY 88 7470005:
                                                HAO: NA: 449990: 43+9: 9877 MEN NOTHING
                        No. I don't think so.
            17
                 A.
                        Did you believe that it would be shameful for your
                0.
            18
                mother if the community were to find out that you were
            19
                                          7803: 3MR-CO3: HPUGCOGO: 497: 4971: 280-3:
            20
                homosexual?
                                     MRCO3: 744079: 789: ngo HYDI & F: 71 Unlar: HADI
                                     9716HBS: 5974450: 400 000): 45-71101: 48:7170005:460:
            21
                 A.
                        No.
                        When did you next talk to anyone about your encounter
            22
                 0.
                 with Asmerom and Tesfu at the Temescal Library?
            23
                        THE INTERPRETER: I'm sorry. Could the interpreter
            24
                 have you repeat it, please?
            25
                      MR. PLUMHOFF: Yes.
            26
                        After Asmerom and Tesfu left you at the Temescal
            27
                 Library, when was the next time you talked to anyone about
            28
```

```
1
    refer to Interactive Male; isn't that right?
 2
           Yes, I understand.
    A.
 3
    Q.)
          And you know because you were a member; is that right?
           I don't remember if I was a member.
 4
    A.
 5
           Well, how do you know about them?
    0.)
 6
    A.
           Um-um about -- what about Interactive Male?
           Yes.
 7
    0.
 8
    A.
           A person I would go to the computer and find out
    things. 301 170! 90973: 7897 58 dam +): 490m7: dam: 200417915
 9
10
    Q)
           And what did you find out about Interactive Male?
           I knew it was a site where male and male met. 309:770 9: 79
11
    A.
           And you called that site and you hooked up with other
12
    men; didn't you?
13
           MR. JAY: Objection, vague as to what "hook up" means.
14
           THE COURT: Well, I get it. Overruled.
15
16
           THE WITNESS: What was the question?
           MR. PLUMHOFF: Yes. You called that Interactive Male
17
    service to meet other men or talk to other men?
18
          I did not call.
19
           Did you ever talk to your twin brother Angesom about
20
21
    Interactive Male?
           I did not talk to him.
22
           Now, when you got home from work, did you do anything
23
    with respect to that meeting that you had had with Asmerom and
24
    Tesfu at the library?
25
           After I left work, my sister was not home. I went back
26
    to the library and visited some sites and went back to my
27
```

sister and she was home.

```
1
          conversations that she had had with Asmerom or anyone in
          Asmerom's family about this subject?
  2
  3
          A.
                        No.
  4
          (Q.)
                           What about Angesom, did he ever describe a letter to
  5
          you that was sent by Asmerom to Winta?
          A.
  6
                           No.
  7
                           Did you contact the church with respect to these
          Q.
  8
          e-mails at any time before November the 23rd?
  9
          A.
                           No, I did not.
10
          0)
                            Did anyone from the church contact you about the
          e-mails any time before November 23rd?
11
                                       (~hgo]+9: +5%: 900993: 00FE: 90099: 87946; 284+787:
                                       hour than the page inger in 31 Januard: coche 2171: CAMA:
12
          A.
                            If you knew that the e-mails might be regarded as a
13
          0.)
          mistake by people in the church, why didn't you contact them
14
15
          about the e-mails?
                            Could you repeat the question?
16
17
           0.
                            Yes.
                           If you knew that homosexuality would be viewed as a
18
          mistake by people in the church, why didn't you talk to
19
20
           someone about the e-mails?
                            I have my own priest. I could talk to my own priest.
21
           I don't need to talk to my church. 50 7669 560919 dot XAL 30+ner+13
22
                                                                                                   HHENZ: 5= 1397: Pho3= 3t: 58 1878: 452
                                                                                                                                  5190 851 da 80 XM
                            So you did talk to your priest about it?
23
          Q)
                                                                                                                                Figerow the gent of
                                                                                                                              *379:91)7: CFIFT: NWAHAG
                                                                                                                              なら? ませいかた 「チャルケナ」
                            I did not at the time, no.
24
                           What was your mother's reaction to finding out about the reaction to find the reaction tof the reaction to find the reaction to find the reaction to find 
25
                                                                                                                             かかろうより: ナイスト、そん: 32: かた
                                                                                                                              541119: 547044 $07: XH:
26
           the e-mails?
                                                                                                                        nadescribe HINCO ? Sticker:
                            MR. JAY: Objection, irrelevant.
27
                                                                                                                    coche: dam: gont:
                                                                                                                    7386hm! Annot new 7375:
                            THE COURT: Sustained.
28
                                                                                                                    71700 1705 344 1424: XF
```

Feb. 28, 2008 16 After noon Sellion homosexual activities? Because I didn't have to tell. 3 You didn't have to, but you could have, right? MR. JAY: Objection, irrelevant. 4 THE COURT: Sustained. 5 BY MR. PLUMHOFF 6 7 (0) Well, was there some reason why you didn't want to 8 tell anyone about these activities? 9 MR. JAY: Objection, irrelevant. 10 THE COURT: Sustained. BY MR. PLUMHOFF 11 Many of your friends and acquaintances are of the 12 Q 13 same background as you, from Eritrean or Ethiopia; is that 14 correct, Mr. Mehari? 15 A Yes. 16 (2) And that was true in November of 2006? 17 A Yes. (Q) Were you not telling them about these homosexual 18 19 activities because you were afraid of the reaction toward you, 20 if they found out about them? MR. JAY: Objection, irrelevant. 21 22 THE COURT: Sustained. BY MR. PLUMHOFF 23 Q You told us yesterday, Mr. Mehari, that you only 24 called John Seid's phone number two times; is that right? 25 I said I remember doing that twice. 26 And that was a lie, wasn't it? Q 27 28 A No, it's not.

You lied about that because you are embarrassed about 1 how many times you called John Seid's phone number; isn't that 2 3 true? 4 No, I just don't remember. MR. PLUMHOFF: Could I have -- this is actually 5 Defendants O. in the court file. I will have a copy marked as 6 the exhibit next in order? 7 THE CLERK: T.T. 8 (Whereupon Exhibit T.T. has been identified for the record.) 9 MR. PLUMHOFF: And distributing copies to the Court 10 and Counsel (handing). 11 Mr. Mehari, these are the telephone records for the 12 telephone number 415-272-7983, that the record already 13 reflects was the number given to you by John Seid in the 14 15 e-mails. Where is the number? 16 Well, if you go to -- I will find it for you 17 18 (indicating). If you go to the last page of that document, and the 19 calls are in reverse date order. And if you go approximately 20 21 halfway down the column, you see an entry with a date of 22 9-13-2006 at 17:10? MR. JAY: What date is that? 23 THE COURT: 9-13-2006 is the last page. There are 24 25 two phone calls, 17:10. BY MR. PLUMHOFF 26 Actually, as the Judge points out, Mr. Mehari, there 27 is two phone calls at 17:10, and I direct your attention to 28

```
the one that is above the other one.
 2
               Do you see the one that I am referring to?
 3
              17:10?
               Yes (indicating). And do you see the column labeled,
 4
     "calling number," and the number "839-0880"?
 5
             Um-hum.
 6
     A
 7
           That's the number that you know, isn't it?
 8
     A
              Yes.
 9
              That's a number of your place of employment at the
10
     time; isn't that correct?
11
              Yes.
              Okay. And if you go up the column it appears that
12
     this number was dialed, one, two, three, four, five, six times
13
     between 17:10 and 17:46. Is that true?
14
             What's the question, again? I didn't understand it.
15
              Yes, if you go up that column, it appears that
16
17
     John Seid's number was called six times from your employment
18
     phone, between 17:10 and 17:46?
             Yes, six times.
19
     A
20
               And then if you continue up the same column, the next
21
     number that appears in the, "calling number," column, is
      "839-1889;" is that correct?
22
23
     A
               Yes.
     Ó
               That's also a number that you recognize, isn't that?
24
               That's my sister's, her residence.
25
     A
             Well, actually, 839-1889 --
26
      0
27
      A
              No, no, that's work.
               That's another one of your employment numbers, right?
28
      0
```

```
19
               Yes.
 2
              And there appears to be two calls made on September
     13th, from that phone to John Seid's phone; isn't that
 3
 4
     right?
 5
     A
              Yes.
              And then if you continue up the column, same date,
 6
7
     the hour of 18:14, there appear to be starting at that time a
8
     series of four more calls from the first employment number; is
     that right?
9
              Yes.
10
              So, that would make, I believe, 12 calls to
11
     John Seid's number on the very first day that you got the
12
13
     number.
14
              I don't remember.
15
             Pardon?
              I don't remember. It's possible that I might have
16
     called, but there is nothing to hide, but if I don't remember
17
18
     it, I don't remember it.
               Okay. Go to the next page in, at the bottom right is
19
     labeled 12 or 13, and on the date of 9-14, and the time of
20
     18:33, under the "calling number," do you see the number area
21
     code "510-594-8155"?
22
23
              Yes, I can see that.
     A
24
              And do you recognize that number?
              That is my house number.
25
     A
26
              And how many times did you call John Seid from that
27
     number on September 14th?
```

I don't recall.

28

A

```
Okay, well, if you go up the column there is one at
1
     18:33, one at 18:35, and one at 18:36, correct?
2
             When did you say?
 3
              Yes, starting at 18:33, and moving up, looks like you
 4
 5
     called that number three times from your mother's apartment.
     Do you see that?
 6
             I see nine times.
 7
             Okay. Well, I was skipping some, but let's count as
8
9
     we go up.
10
              One, two, three -- actually, I think if you count all
     the way up the column you will see 28 times.
11
              I don't know, it's possible.
12
     (0)
              You were pretty desperate to get ahold of Mr. Seid,
13
     weren't you?
14
15
              MR. JAY: Objection, argumentative.
              THE COURT: Sustained.
16
    BY MR. PLUMHOFF
17
              Does looking at that document refresh your
18
     recollection about how often you called John Seid?
19
              Yes. But at the time I don't remember. Now I see
20
     that, yes, I remember. Not only remembering, but now that I
21
    have seen it, I recognize that I have placed those calls.
22
             And why were you telling us yesterday that you only
23
     called that number two times?
24
              Because I remember I placed those calls two times.
25
    The first time when I called was I got the number that I spoke
26
    to him, and then the second time I called right away the voice
27
    mail picked up.
28
```

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

but there was a rumor that was talked about regarding what he said.

Q Huh?

A Not the rumor, but he did not say it to me, but to Merhawi.

Q Okay. And is this something that you learned sense Thanksgiving Day or before Thanksgiving Day?

A No, I meant after Thanksgiving.

Q Because you told the police in January 2007, when they asked you, and you just heard it, I think, "Did he say -ever say anything to your twin brother," you said, "I don't know."

A Yes.

Q And it's also true, isn't it, Mr. Mehari, that on Thanksgiving Day, 2006, when Asmerom Gebreselassie was in your apartment, he didn't say anything about Abraham's death, did he?

A On that day he only said "Don't move" or something, but he came and shot, or he started shooting.

Q He said "Don't move," after your brothers pulled out their guns, correct?

MR. JAY: Objection, assumes a fact not in evidence.

THE WITNESS: I don't know.

THE COURT: It does assume.

THE WITNESS: I do not --

THE COURT: Apparently if he observed it, I will let him answer the question.

MR. JAY: Well, it's a loaded question, because by a

certain answer it implies that it happened. I would ask that 1 2 it be asked correctly. THE COURT: Why don't you rephrase the question, 3 Counsel. 4 BY MR. PLUMHOFF 5 Isn't it true that your brothers Merhawi and 6 Yehferom, pulled out their guns right before Mr. Gebreselassie 7 said "Don't move"? 8 No, they did not. They did not have any gun. Yonas 9 10 stood from up the computer, he said something, "Don't move," and then he started shooting. Other than that, no one in our 11 family had a gun. 12 Mr. Mehari, would it be fair to say that the two most 13 important things to you in the world are first, your family, 14 your relationships with your brothers and sisters? 15 No, not to me. 16 Your relationship with your brothers and sisters is 17 not one of the most important things in your life? 18 19 No. 20 What about your religion and your relationship with 21 your church? 22 It's not. A Not important to you? 23 24 It's not. Do you want to know what is the most important for me? 25 Well, I asked you the question, you answered it, 26 that's fine. 27

Mr. Mehari, you come from a large family; is that

	-	91
1	correc	t?
2	A	Our family is not the biggest family. There could be
3	other fa	milies bigger than our families also.
4	Q	I understand that. You originally are from Eritrea?
5	A	Yes.
6	Q	When did you come to the United States?
7	A	2001 or 2002.
8	Q	And when you came to the United States your sister
9	Winta w	as already living here?
10	A	Yes.
11	Q	When you came to the United States did all of your
12	brother	s and sisters come to the United States with you?
13	A	No.
14	Q	Let's see, correct me if I am wrong, but let's see,
15	the old	est sibling in your family is Yoseph, correct?
16	A	No.
17	Q	Who is the oldest of your siblings?
18	A	Terhasa (phonetic).
19	Q	Can you spell that for us, please?
20	A	I don't know it.
21	Q	Is Terhasa (phonetic) a sister or a brother?
22	A	My sister.
23	Q	Okay. Is Yoseph next after her, the second oldest?
24	A	Yes.
25	Q	Now, Terhasa (phonetic), did she come to the United
26	States?	
27	A	No, she did not come.
28	Q	And although he is here now, I understand, but when

MR. JAY: Same objection, lack of foundation, if he 1 2 is not a party to the contract. THE COURT: He may have an understanding, overruled. 3 THE WITNESS: I did not know that. But since it was 4 5 to be too tight or too small for four people, because of that, we used to sleep in another place, a friend's place. 6 BY MR. PLUMHOFF 7 8 Okay. And around the same time, late 2005, early 9 2006, you learned that Abraham was in the process of purchasing a large new house in Alameda, correct? 10 No, I didn't hear that. 11 You never heard about Abraham buying property in 12 Alameda? 13 I did not hear that. 14 15 Now, from time-to-time your family needed money to send back to their family still back in Africa; is that 16 correct? 17 18 Not my family, but we were sending, ourselves. Okay. And for the most part that money came from 19 20 Abraham, correct? No, I would work, and from the money that I earn I 21 was sending to my sister or my brother, and the same thing with 22 23 Merhawi, and Yehferom. About Winta, I don't know. 24 Getting back to your relationship with Abraham, wasn't there a problem shortly after you arrived in the 25 United States, when you got arrested for a felony burglary in 26 Richmond? 27

28

No.

Markey

. 25

 Are you saying you did not get arrested in December of 2002 for a felony burglary charge in Richmond?

A First of all, I was not arrested. And secondly, I was taken to the police station, they asked me what happened, I told them what happened, I was not jailed, and what you are referring to, it was not burglary, I went to a mall and I was trying to pay for some items and I moved to another store.

That is when I was arrested, that's what happened.

I'm sorry, you were not arrested. Let me take it piece by piece.

You were not arrested but you were taken by the police to the police station. Is that what you said?

A The police came and took me.

And it was all a misunderstanding because you were trying to buy something, you went to a different store; is that right?

A My understanding, first of all I was new to this

Country at the time, my thinking was to take some items from

JC Penny and go to Foot Locker and buy some items over there,

and I was thinking to pay everything at the same time. My

understanding at that time was -- my understanding at the time

was to pick up items from one store and then go to the next

store, pickup items from there, and then move to another store

and pickup items from there, and then pay for all of them at

the same time. That was my understanding.

Which store were you going pay for them in, the first one, the second one, the third one, or the fourth one?

A After I finished my shopping. Hlep; gowangen: \$384 Hnd.

Hho: £909: Knhar. \$70-3 gown Kngwhaz. gownangen: \$400-31 gon the
Hho: \$000: \$11 HLRON KNAR HLATT OORSTOCK AD-MJY: Ngoring OOT) for \$4: 7100

ልካ። ሽንኳን፣ ፟ሽመካትክታው፤ ንህና፣ አብት ቩትቩና፡ ው ፑብሲ። ክለው። ወንን የያወ፣ አያንፈለጠያው። ኔርና፡ ያግክንያ የታው፣ ጥውያት፡ ሎጽሁን፣ ናየቤተክር ሙትያን፣ ተባን፣ ክያኖያው፣ ሙሉፖለቃ ፈጥና፡ ያን፣ ህÆ፣ ንክሳትና፡ ክያውዝበር ሃብና፡ ቤተክር ሙትያን፣ ው መፋኒ፣ ውንን የያግኝ፡ ተሙካክህ፣ ጉዲያን፤ ኔሮያው፣ ዝምታያውት፡ዝነበታ።

what a sale

```
(0)
               Which store?
1
               MR. JAY: Objection, it is irrelevant at this point.
 2
 3
     And I think it's beyond impeachment value.
               THE COURT: I agree.
 4
 5
     BY MR. PLUMHOFF
 6
     (Q)
               Mr. Mehari, has Angesom Mehari always been your name?
 7
     A
               Yes.
               Did you lie to the police when they took you from the
 8
 9
     JC Penny, about what you're true name was?
10
               No, I don't remember.
     A
     (2)
               Did you tell the police that your name was Amnes
11
12
     Melhin, A-M-N-E-S, M-E-L-H-I-N.?
             No, I don't remember.
13
14
              MR. PLUMHOFF: Judge, could I have this item marked?
15
               THE COURT: You may. Why don't you identify what it
16
     is.
17
               MR. PLUMHOFF: Yes, I will.
18
               THE CLERK: Exhibit C.
19
         (Whereupon Exhibit C has been identified for the record.)
     BY MR. PLUMHOFF
20
21
               Mr. Mehari, I'm going to show you an eight-page
22
     document, which on the front page purports to be a Richmond
23
     Police Department report Case No. 02-37140, and I will direct
24
     you -- I will direct your attention to the last page of that,
     and ask you to take a look at it (handing).
25
              You want me to look at it?
26
     A
27
             Yes, please.
      0
28
              (Indicating.)
```

1	Have you had a chance to 1	ook at it? Is that a
2	document that you recognize?	
3	A I looked at it, but I didn	't read it.
4	© Can you read it, please.	
5	A (Indicating).	
6	Have you had a chance to r	ead it?
7	A Yes.	
8	Do you recognize the docum	ent?
9	A I don't remember this docu	ment.
10	② There appears to be a sign	ature at the bottom. Do
11	you recognize that signature?	
12	A No.	
13	And so you are saying a	re you saying that that is
14	not your signature or that you just	don't recognized it?
15	A I don't remember it.	
16	What about the rest of the	document, where it
17	describes a pair of shoes, two pair	s of pants, four pairs of
18	socks, one wallet. Does that appear	r to be a description of
19	the items that you intended to take	from JC Penny to another
20		からゆ: すかのおりをかれてめこ
21	A Yes. 5000 100 100 100 100 100 100 100 100 10	F: Kn: pct: warm: ynorg: himogolas: hospias: hope kn: hope kn: hope kn:
22	But you don't remember give	ring anybody the name of 7:650.
23	Amnes Melhin; is that correct?	
24	A No, I don't remember that.	
25	Q When you were taken by the	police from JC Penny to
26	the police station, were you afraid	of the consequences, what
27	might happen to you as a result of	the police taking you to
28	the police station?	

```
MR. JAY: Objection, improper impeachment.
 1
 2
               THE COURT: Sustained.
 3
     BY MR. PLUMHOFF
               Did you have occasion, after the police took you to
 4
 5
      the police station, to discuss the matter with people in your
 6
      family?
               MR. JAY: Objection, irrelevant as to whether he
      talked about this with his family.
 8
              THE COURT: It may or may not.
 9
              THE WITNESS: I told Winta.
10
              THE COURT: Okay.
11
12
              THE WITNESS: My sister.
13
     BY MR. PLUMHOFF
14
          And were you worried about her telling Abraham about
15
     it?
16
     A
              No.
17
     (Q)
              Now in 2004, I believe, Abraham got you a job at the
18
     Payless store at Rockwood Center, correct?
19
     A
              Yes.
20
     Q
              And how long did you have that job?
              MR. JAY: Objection, unless it has some kind of
21
22
     impeachment.
23
              MR. PLUMHOFF: It does.
               THE COURT: Well, I'm presuming that in terms of
24
25
     where it is going so, we will allow that to continue for a
26
     little bit, not so much what he did at Payless.
              MR. PLUMHOFF: Did he give an answer as to how long
27
28
     he had the job?
```

1		THE WITNESS: I don't remember.
2	BY MR. PL	UMHOFF
3	0	And do you remember when you stopped working there?
4	A	No, I don't remember.
5	0	Was it sometime around perhaps April of 2005?
6	A	I don't know.
7	0	Why did you leave that job?
8	A	I made a mistake.
9	0	One mistake?
10	А	Yes.
11	0	What was the one mistake that you made?
12	A	I returned a customer receipt.
13	0	Okay. So one day I'm sorry, could you explain that
14	a little	more?
15	A	Without giving the customer the receipt I made a
16	return.	
17	0	One return?
18	А	I don't remember. It's after some time that they
19	came that	I did that.
20	0	After some time after who came?
21	A	After I returned.
22	0	I guess I just don't quite understand what you think
23	you did	wrong.
24		A customer had given you a receipt and you returned
25	it back t	o the customer when you weren't supposed to?
26	A	What did he say?
27	0	Are you saying that the mistake that you made was
28	that, th	at a customer gave you a store receipt which you

```
then returned to the customer when you weren't supposed to?
 1
 2
              No.
 3
      Q
               Could you give me a little more detail of what
      exactly it is that you did wrong?
 4
 5
              A customer bought shoes. I'm supposed to give a
     receipt. I did not give the receipt. I made the return and I
 7
     took the money.
               So you used a customer's receipt, yourself, to get a
 8
     (0)
 9
     refund on a purchase?
10
              Yes.
     A
     (Q)
11
              And how much money did you get from doing that?
12
     A
              I don't know.
13
     (0)
              Was it a pair of shoes, something like 40 or $50?
              I don't know. I don't remember.
14
     A
15
              But it was just one time, right, one mistake?
     (0)
16
              No, I don't remember how many times.
     0
17
              So it might have been more than once?
18
              Yes.
19
              Oh. Any idea how many more than once it might have
20
     been?
21
     A
              No.
22
               Could it have been -- well, any idea how much the
23
     total amount of money -- well, strike that.
24
               Did you know that when you were doing this, it was
25
     wrong?
26
              Not at the time, no.
27
              So you thought it was okay to take customer's
      receipts, give them back to the store, and take the money for
28
```

```
1
                       yourself, you thought that that was okay?
                  2
                       Α .
                                 Yes.
                  3
                       0
                                 Why do you think that that was okay?
                                 I was young. So furny. 75°3+9. FACTO BET? Young MAHMIN
                                                            3507+9: 5mhag7178-pt. 6cm50? Young1
                  4
                       A
                                                            350374177545 optargo? Young MATENTS FIRE
                                 Are you finished?
                  5
                       0
                  6
                       A
                                 Yes.
                  7
                       Q
                                 Do you think it was okay because you were stealing
                  8
                       money to help your brother?
                  9
                                 MR. JAY: Judge, the fact is irrelevant whether he
                       was stealing money to help his brother.
                10
                                 THE COURT: Overruled.
                11
                12
                                 THE WITNESS: Which brother?
                13
                                 THE COURT: Any brother.
                      BY MR. PLUMHOFF
                 14
                 15
                                 Your brother who was in --
                16
                                 INTERPRETER: Could you repeat for the interpreter?
                17
                                 MR. PLUMHOFF: Yes.
                 18
                       Q
                                 Did you do it so that you could send money to your
                 19
                       brother who was in Sudan?
                 20
                      - A
                                 Yes.
                 21
                       0
                                 And because you were doing it for that reason, you
Loog 2:21
 Kganhon: x+:
                       knew it was stealing, but it was okay; is that right?
                                          9°3 98) + SICM 793 & 3 RUY! ATTS XAFK9°: EHEAN PORTO DE THE MENTE DE THE DE THE DE THE DE THE DE THE DE THE DE THE
378位: 美子50岁亡:
3CEM7N: 39750
                                         So you will do things that are illegal, or not have
2163: Ry? XJ: 24
                      (Q)
                                 Okay.
スタラルL中: たかり:
                       wrong, if you think that it is going to help someone in your
                       family, correct? That's absolutely true That's why they killed Abraham.
 ሽንተለበ5: 700MB
                 26
                                            One of the main reasons they killed Abrahamis to get his life
 740007
                                            insurance benefits and to solve their financial problem.
                 27
                       A
                                 No.
                 28
                       Q
                                 Well, at Payless you stoled $1300 to send to your
```

1 family, because you thought that was okay, didn't you? 2 You didn't? 3 It was not 1000 -- it was not 1300. When they asked 4 5 me to sign they stated that it could be \$10,000, and I told them it was not that amount. Then the man himself specified an 6 7 amount for me to pay. Even I even told Abraham, and he asked 8 me if I had stolen that amount or if I had taken that amount, and I told him "No." 9 MR. PLUMHOFF: Judge, could I have a one, two, three, 10 11 four, five, six page document marked? 12 THE COURT: You may. 13 THE CLERK: Exhibit D. 14 (Whereupon Exhibit D has been identified for the record.) 15 BY MR. PLUMHOFF 16 Mr. Mehari, showing you what's been marked as Exhibit 17 D, could you look at that document, and then when you have a 18 chance, take a look at the fifth page (handing)? 19 THE COURT: Have you seen this, Mr. Jay? 20 MR. JAY: I'm looking at it. 21 BY MR. PLUMHOFF 22 Have you had a chance the look at that, Mr. Mehari? 23 Yes. 24 And it is true that the fifth page of that document is an assignment and release with your name on it, and your 25 26 signature? 27 A Yes. 28 And it is true that in that assignment and release

you acknowledged that you were intended to pay to Payless shoe 1 stores, as a result of your wrongful appropriation of money, 2 3 in the amount of \$1300? Yes. 5 So, are you saying that you signed that form even 6 though it wasn't true? MR. JAY: I object, it's irrelevant at this point. 8 The point has been made. THE COURT: I would agree with the point having been 9 10 made, but I will overrule it. 11 THE WITNESS: Yes. 12 BY MR. PLUMHOFF 13 Now, that job was obtained by you for Abraham -- by 14 Abraham, and it was at a store run by a personal friend of 15 Abraham's, correct? 16 No, it was Winta who got me. 17 So you didn't know that Abraham had a personal 18 relationship with Yugo? 19 INTERPRETER: Yugo? 20 MR. PLUMHOFF: Yugo. 21 THE WITNESS: I knew. BY MR. PLUMHOFF 22 23 And Yugo's name is at the bottom of that page, along 24 with another witness, correct? 25 Yes. Yes. 26 So are you saying that before you signed this 27 document you went to Abraham and told him that you really did 28 not owe them \$1300?

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& Linnie

No. I told him after I signed. And, in fact, what you did is you begged Yugo not to 2 tell Abraham about what you had had done and why you were 3 being fired, didn't you? 4 No, I didn't. 5 You did not ask Yugo not the tell Abraham about it? 6 No. 7 A 8 Now, is that kind of dishonesty and stealing (Q) something that is condoned by your church? 9 10 MR. JAY: Objection, irrelevant. THE COURT: Sustained. 11 BY MR. PLUMHOFF 12 Let me ask you this: 13 Q Were you aware, before Abraham died, that he and 14 Winta had shortly before his death sent \$10,000 back to your 15 relatives in Africa? 16 No, I didn't know. And what about the half million dollar insurance 18 Q policy on Abraham's life? When did you find out about that? 19 20 Now, after Thanksgiving, 2006, after I was released 374H: S.F. HAPAM HAO K-nc450 life insurand 21 from the hospital. ngonina: 266037 bl. And nho: UE: Hko Uf: 23 RAhm; So, From the time that Abraham died, all the way 22 45K 9977 through Thanksgiving 2006, you never heard any talk in your own mar? 23 family about a half million dollar insurance policy on 24 47:20 Abraham's life; is that correct? 25 26 A No. Winta never told you about any conversation that she 27 was having trying to get the insurance company to pay on that 28

not: 4A; Theygo: Hathogo: gonzet: (g: life insurance 73Hn: filter: finh: theygo: hat i theygo: life insurance ingothene: hat i held is let interest in the insurance ingothene: hat i he is has have have have have have informed in he insurance ingother interest in he is have giving traged his harry: life insurance ingother: has increase informed informed informed information in harring in here: have informed information in harring in here: have informed information in here in here: have informed information in here:

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policy; is that correct?
1
              No, she did not tell me. So furny. Who are you trying to fool?
 2
     (Q)
 3
               Yehferom never told you about any efforts being made
      to collect on any insurance companies; is that correct?
 4
 5
              No, he did not tell me.
     A
     Q
              Mr. Mehari, what is your personal feeling about
 6
7
     homosexuality?
              MR. JAY: I would object as irrelevant.
 8
 9
               THE COURT: Sustained as to his personal opinion.
    BY MR. PLUMHOFF
10
              It is true, in your community, the Eritrean
11
12
     community, there is no tolerance for homosexuality?
13
              MR. JAY: I would object at this point as well.
              THE COURT: Overruled, if he knows.
14
15
               THE WITNESS: It is, yes.
    BY MR. PLUMHOFF
16
17
              It is what?
18
     A
              It is not acceptable.
19
              It is not acceptable, correct? Is that what you are
20.
     saying?
21
     A
               Correct.
22
               Okay. And that's also true with respect to the
23
     Eritrean Orthodox Church that you attend, that you sing in the
24
     choir of, that you participate in Sunday school in, it's
25
     not acceptable in that church, is it?
              I don't know. It could be or it may not be.
26
     A
27
     0)
              You don't know?
              Of course I said earlier it was not acceptable in the
28
     A
```

2

Eritrean community.

And that includes within the Eritrean Orthodox Church, doesn't it?

Yes.

Okay. And, in fact, if it were known that you were homosexual, you would not be able to participate in the life of your community and the life of that church, would you?

MR. JAY: Objection, irrelevant.

THE COURT: Well, I'm going to allow it subject to a motion to strike.

As I understand, the Defense theory is self-defense, and I will call it some layers above the same, so I will let him answer, but I'm going to make a note here subject to further evidence being provided to the Court in the form of a defense.

All right.

INTERPRETER: Can you repeat that?

MR. PLUMHOFF: Yes.

If it were known that you were a homosexual, it would be impossible for you to participate in the life of your church and your community, correct?

The decision would be taken by the church. It's one of the churches that makes the decision, that could make the The decision is - you are not allowed to participate in any church activities if you tre homosixual. You know it Angelom. Didn't you there there is no Holkrance for homosixuality in our Community? Didn't you know the decision.

you just don't know?

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So you are saying it might be okay with the church,

I thought you just said a minute ago that it was your

A

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homosexual.

community.

As far as I know it's not acceptable in the Eritrean 7t. 10+20m793: 59 200760-53 (Eritream 750 Hr) mbbg 49713 750 4. 9817 000 10: 41

9coff: 949hi +909027. THE COURT: All right, for a second, would you mark that portion of the transcript, the last three questions and answers.

understanding that it was not acceptable in the church to be

BY MR. PLUMHOFF

Ansy Eritten community on borgs to the nor glady of the not glady of the on house The same thing applies to your brother Merhawi, if it were known he was homosexual, he would not be accepted in the life of the Eritrean community, correct?

That would be the church that would make the decision. If a person accepts his mistake and returns then the church should decide to accept him.

But if they were an active homosexual he would not be notive domi gon's hard+6hm. 42475 19036AM : 3t. AQM: X710+50CM > 37 CM > 33 0969: 78 30 APA 7: \$2: X3775

That I wouldn't decide, it would be the church that would decide that. to decide HANGE OF

And the fact is that you know that what happened on of Thanksgiving Day was all about covering up and keeping secret the fact that your brother Merhawi is a homosexual, correct?

MR. JAY: Objection, assumes a fact not in evidence.

THE COURT: Sustained.

This's absolutely true. BY MR. PLUMHOFF

You know that less than two weeks before Thanksgiving of 2006, Asmerom Gebreselassie met with your brother and showed him evidence that he, Merhawi, were gay, was This's absolutely true too. homosexual, correct?

26

27

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10+ her +37; hn hothwar har he 19 har for the 37 hothwar har had a show the grade of the 19 hothwar har had a show the short of t

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THE COURT: Excellent argument. I'm not buying it. 1 2 All right. 3 So sustained. BY MR. PLUMHOFF 4 Have you heard before Thanksgiving 2006, that your 5 brother Merhawi was being accused of homosexual? 7 MR. JAY: Objection, hearsay, irrelevant. 8 THE COURT: It doesn't necessarily call for hearsay. 9 I will let him answer "yes" or "no," and then we may fall into 10 a hearsay trap. THE WITNESS: No. 11 12 BY MR. PLUMHOFF 13 Before appearing in court today, have you ever heard 14 that accusation? 15 A Yes. (0) 16 When is the first time that you heard that? 17 A There is a man called Tekle. 18 THE COURT: I'm sorry, could you give me some 19 spelling on that because ... 20 INTERPRETER: The spelling is T-E-K-L-E. 21 THE COURT: All right. 22 THE WITNESS: He came, that is after I was released 23 from the hospital, he came to visit me at home. He told me 24 that, "Asmerom and Tewodros told me that Merhawi was gay," but 25 I told him that he was not. BY MR. PLUMHOFF 26 27 And you would know because --2,8 I'm sorry, is he not finished?

A	Yes, I remember, I did hear. Even prior to that I
	eard talk about his being I have seen a written
documen	t regarding his homosexuality.
0	And when was that?
A	October. I don't remember the exact date, October.
0	October of 2006?
A	Yes.
0	And the documents that you are referring to, are
these	documents in the form of e-mail communications?
A	It was mailed to him, not to me. It was mailed to
Winta's	s home.
0	Mailed to Winta's home by Asmerom Gebreselassie?
A	Yes.
0	All right. And that was before Thanksgiving Day of
2006,	correct?
A	Yes.
0	And, in fact, you knew before Thanksgiving Day of
2006 t	that your brother was homosexual, correct?
	MR. JAY: Objection, foundation, still as to that
questi	ion.
	THE COURT: Overruled.
	THE WITNESS: Even now I still believe he is not, but
on the	e paper that's how it was stated. 54 ha: 74: 54-nu:
0	Even now, Angesom, you know that both you and your
brothe	er Merhawi are homosexual; isn't that true? VA:4:4:4
	MR. JAY: Objection, compound.
	THE COURT: Sustained on the compound aspect.

MORNING SESSION 1 THURSDAY, JANUARY 24, 2008 P-R-O-C-E-E-D-I-N-G-S 2 --000--3 THE BAILIFF: Please remain seated and come to order, 4 5 court is now in session. THE COURT: Let us return to the Gebreselassie matter. The record should reflect that all counsel are here, as is each defendant and the witness is in the witness box. 9 All right, Mr. Plumhoff? 10 11 MR. PLUMHOFF: Judge, could I ask the Clerk for the exhibits we were using with this witness yesterday? 12 THE COURT: You may. 13 MR. PLUMHOFF: Are they these right here? 14 THE COURT: Yes. 15 CONTINUED CROSS-EXAMINATION 16 BY MR. PLUMHOFF 17 18 Good morning, how are you. Good morning. 19 Mr. Mehari, I want to pick up from yesterday, where 20 we left off yesterday. We were discussing what has been 21 marked as Exhibit F (handing). I want you to take a look at 22 that again and refamiliarize yourself with it. 23 24 A (Indicating). Have you had a chance to look at that? 25 (2) A 26 Yes. And those are the, what we will refer to as the 27 information and membership tabs for you and your brother 28

Merhawi, with "Interactivemale.com"; is that correct? 1 2 MR. JAY: I would object, lack of foundation. He is not a custodian of those records. 3 THE COURT: Overruled. 4 5 MR. JAY: Judge, these are business records. I mean 6 he may be -- subject to the Court's rulings, cross-examine 7 certain areas, but how could he be expected to interpret 8 business records? 9 THE COURT: I think the level of interpretation is relatively minor. If it becomes more than that I will deal 10 with it. 11 12 You may answer, sir. THE WITNESS: Can you repeat the question again, 13 14 please? 15 BY MR. PLUMHOFF 16 Those are the membership and information records for you and your brother Merhawi, with Interactive Male; is that 17 18 correct? Yes. Tyno Hyni 74 438052 he 4323 5940-1 75 7973 59764 76: Q20: 4) f neltimo 973: And the information that you gave them when you 95777; 2027: 19 A 20 established your membership was that you were gay; is that 21 22 correct? たれかかかい ちゅか なら、なん、ちのとうころのしまり アカルろう 23 Yes. MR. JAY: Again, I would move to object, move to 24 strike. 25 I want to make the objection clear. The offer of 26 proof that Defense has provided the Court is that this is a 27 self-defense case. There is nothing in the offer of proof 28

MR. JAY: Is that Exhibit 1? That came to court --1 2 that's one you had marked, but didn't it come to court in an 3 envelope? 4 MR. PLUMHOFF: It may have. 5 THE COURT: A copy. That was a copy. I have the 6 original court file. MR. JAY: You do? 8 THE COURT: I do. MR. JAY: Could that be marked since that is the 9 proper document? If we are going to be complying with 15 --10 THE COURT: I agree. I did not review yours in terms 11 of what I have. 12 13 Pauline, it's on the left-hand side. 14 MR. PLUMHOFF: Do you want me to take the sticker of 15 this? 16 THE COURT: Sure. 17 (Short pause.) 18 MR. PLUMHOFF: Do you want to examine this, Mr. Jay? 19 I'm going to show you what appears to be the third of the four information pages. 20 21 And for the record it states at the top, toward the 22 middle, "Member Angesom Mehari," and referring to the bottom-left corner there is a date there that says, "June 23 4th, 2005," as the date created. 24 25 Do you see that (handing)? 26 A Yes. 27 Q Now, does that information refresh your recollection 28 as to the approximate date that you established your

	membership with Interactive Male?	
	A I'm looking at it, but I don't remember when.	
	Could you give us the best estimate that you can,	
	from your own memory, from when it was that you established	
	that membership?	
1	A Maybe two years ago or so. 49090 7712 470:500	いん:
	3/41. May 1. 3	ot-un:
	A Maybe two years ago or so. Dekty no honot has	t: form
(and the state of t	RAPT:
	using the service at around the same time:	7+3:
l		44hm9°5°:
	Merhawi will be testifying.	
l	MR. PLUMHOFF: Goes to his state of mind.	
-	MR. JAY: His state of mind is irrelevant as to when	
	his brother used the service.	
١	THE COURT: I will let him answer this one question,	
	because it doesn't necessarily ask about how he knew. I would	
l	be inclined to sustain your next objection after the next	
l	question.	
	THE WITNESS: I don't know.	
	Y MR. PLUMHOFF	
1	Did you at some point become aware that your brother	
	Merhawi was using the Interactive Male service also?	
1	A After the death of Abraham, or when Asmerom wrote it	
	n the paper, and when he brought it. After Asmerom sent the	
I	elephone printout after Asmerom made to Winta a telephone	
T	rintout and some writings that states, "I will reveal it to	
	the public," something like that. That's when.	

1	(2)	Okay let me try to understand that.
2		Are you referring in that answer, to the letter that
3	you became	aware of from Asmerom to Winta in October of 2006?
4	A	Yes.
5	0	Okay. And are you referring to telephone records in
6	the mater	ials that Asmerom sent to Winta, which included
7	Winta's t	elephone records with the Interactive Male contact
8	number "2	38-8877," marked in it?
9		INTERPRETER: Could you say the telephone number?
.0		MR. PLUMHOFF: 238-8877.
1		THE WITNESS: There were a lot of telephone numbers,
2	and this	telephone number was one of them. It was listed on
.3	that. I	don't know whose telephone it was.
4	1	The telephone printout, I did not know whether it was
1.5	Winta's o	er anybody else's. But on that number this telephone
6	number wa	s listed.
17	BY MR. LEW	
18	0	And because that telephone was listed in the records,
L 9	the telep	hone records, you made the connection that therefore
20	Merhawi w	was also using the Interactive Male service.
21		That's the first time you made that connection?
22	A	Could you clarify the question? I don't know.
23	0	I think you said a few minutes ago that the first
24	time that	you became aware that Merhawi was also using the
2.5	Interacti	ve Male service, was when Asmerom had sent the letter
26	to Winta	in approximately October of 2006.
27		Did I understand that correctly?
28	A	I did not say that. What I said was what I said was

1	on the paper that Asmerom sent there was a telephone printout,
2	and one of the telephones that was on the list was this
3	telephone number that was stated on there. But on the back of
4	it there was a writing that states, "Merhawi was a gay."
5	So, did you then ask Merhawi if he called Interactive
6	Male and used the numbers that was mark on the telephone
7	record?
8	A No, I don't remember.
9	Q Okay. To make it clear, I'm trying to make the
10	connection as to how and when you became aware that Merhawi
11	was also using Interactive Male?
12	MR. JAY: Again, objection, irrelevant as to his
13	knowledge of when Merhawi was using this.
14	THE COURT: Sustained. We are going to have the
15	brother on the stand?
16	MR. JAY: Yes.
17	THE COURT: All right, sustained.
18	BY MR. PLUMHOFF
19	Q Mr. Mehari, can you tell me what telephone numbers
20	you used to contact Interactive Male?
21	MR. JAY: I would object to these telephone numbers
22	being in public.
23	THE COURT: Sustained.
24	MR. PLUMHOFF: Well, I will ask it this way:
25	Q Did you use
26	Well, first of all, none of the numbers that we would
27	refer to are currently active.
28	THE COURT: You know, that really wasn't the basis of

```
was it, except when you got the free trial?
1
2
             I don't remember.
             You don't remember approximately $225 being deducted
 3
     0)
     from your bank account over the period of about a year to pay
 5
     for your use of Interactive Male?
              I don't remember. Come on, don't fool yourself.
 6
              MR. PLUMHOFF: It is kind of stapled in the wrong
7
    corner, can we get it this way (handing)?
8
              THE CLERK: (Indicating.)
 9
    BY MR. PLUMHOFF
10
             Mr. Mehari, showing you what's been marked as Exhibit
11
12
     G.
              MR. PLUMHOFF: And specifically referring, Counsel,
13
     to Page 3 of 4, which appears to be the third to the last page
14
15
     in my packet here.
              MR. JAY: Could you reference what date it starts at
16
17
     the top?
             MR. PLUMHOFF: I'm sorry, yes. The top date is
18
     12-15, 2005.
19
              MR. JAY: At 5312?
20
              MR. PLUMHOFF: Yes.
21
              MR. JAY: Got it.
22
    BY MR. PLUMHOFF
23
              At the top of this page this document references
24
     Account No. 20455; is that right, Mr. Mehari?
25
26
               Yes.
     A
              And that's the same number that appears, 20455 in
27
28
     your membership; is that correct?
```

1	А	Where's the number?
2		Yes, yes, it's the same.
3	0	Now, looking down that page, about halfway down, on
4	the 4th	column over, under "date," do you see that column?
5	A	Yes.
6	0	And do you see the date of "12-24-2005"? Christmas Eve.
7	A	Yes.
8	0	And two columns over from that, do you see the
9	telephor	ne No. "654-3461"?
10	A	Yes.
11	0	And going back to the date column, does it appear
12	that the	ere are one, two, three, four, five, six, seven entries
13	for "12-	-24-2005"? (Kristmas eve from 783: 747): 59: 6m60: from Pow:
14	A	Yes, it does show. 2070209: 900000017: +6nn: 512700:
15	0	And going, again, back to the column to two
16	columns	over, there are three different numbers that
17	correspo	ond to those dates; is that true? Including the number
18	to what	was then apartment 305; is that correct?
19	A	Yes.
20	0	And including your sister Winta Mehari's cell phone
21	number;	is that correct?
22	A	I don't remember her number. I don't know.
23	Q	So when you see the No. "593-3686," that doesn't
24	appear t	to be familiar to you?
25		INTERPRETER: Could you repeat for the interpreter?
26		MR. PLUMHOFF: 593-3686? (Aristmas eve nother: 305 Kome phone 594-8155, hondricht:
27		THE WITNESS: I don't remember. Hinl: ARCO GAS'STATION PUBLIC PLONE 654-3461, 5423 J. Cell Phone 654-3461, 5423 J. Cell Phone 593-3686 5387 mpres:
28	BY MR. PI	LUMHOFF Phone 593-3686 \$387m \$100: 1 5980-m + 1: croling 15431: gondom+ 1: string : nh950plot: -48061: 24::

A	I don't know.	
(0)	Is one of the ways that you used the Interactive Male	
syst	tem, that you would call the number, and you could be	
acti	nally connected right there on the phone to other	
homo	osexual men who wanted to speak and talk about getting	
toge	ether?	La. 2
A	I don't remember. アング・フォラックトは、ろうのようのか、カリカのカンカンカンカンカンカンカンカンカンカンカンカンカンカンカンカンカンカン	
Q	Tell us what you do remember about Interactive Male?	7-85 NA7
	MR. JAY: Judge, would this be an appropriate time to	377
take	e a break and have Dr. Rogers come testify?	7576
TG.	THE COURT: I will let him answer this one question	75.
and	then we will bring Dr. Rogers in.	51904
	THE WITNESS: I don't remember.	7.79
	THE COURT: On that note, Mr. Mehari, you are subject	1/1/1/1/1/1
to 1	recall, and I will bring in Dr. Rogers, and I look forward	7.5
to h	naving you back to complete your testimony.	127"
	(Recess taken.)	
	00000	
	THE COURT: Back on the record.	
	For one moment, Counsel, after discussion with the	
Cou	urt, it's my understanding that each Defendant is willing	
to	waive the one-session rule subject to our continuing in	
th	is matter.	100
	Now, Mr. Jay, let's have a clear understanding of the	
con	versation.	
	I'm prepared to assist you in terms of jury duty on	
Mond	day. Presuming that I do that, we could go Monday and	

Tuesday?

foundation. He included my client's name in that. 1 THE COURT: And the answer is nonresponsive. 2 3 Mr. Mehari, did you give that information to anyone? 4 Keep it within the lines of the question. 5 THE WITNESS: I don't remember. 6 MR. PLUMHOFF: (Q.) You did admit, Mr. Mehari, this morning when you testified that you did open that account, 7 8 didn't you? I don't remember whether I said it or not. 9 10 MR. PLUMHOFF: I guess the record will speak for itself. 11 12 THE COURT: Res ipsa loquitur. Thank you. 13 MR. PLUMHOFF: (Q.) Mr. Mehari, is the reason that you 14 have such little memory about the Interactive Male account 15 just because of the fact that you don't want to talk about it This is totally true. 16 in public? 17 No. 18 Why didn't you tell anybody about it while you were 19 using it? 20 Can you repeat the question again. 21 While you were using Interactive Male, why didn't you 22 tell anybody about it? Why didn't you talk to your friends 23 about it, people at the church, people in the community? 24 Since it was not necessary, what kind of answer do you 25 want me to give you? 26 Well, is it because the issue of homosexuality is not a 27 particularly good subject to be associated with in your This is absolutely true. 28 community?

> man to man

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FO	Interactive Male	176060101171204	1/1/2006	17:12:17	5105948155	20455	0	-	0	2		Caller used
FO FO	Interactive Male Interactive Male	387060101205157 259060101220306	1/1/2006	20:52:14	5105948155 5105948155	20455	0		0	2	THE REAL PROPERTY.	Caller used Caller used
FO	Interactive Male	354080101220300	1/2/2006	18:07:06	5105948155	20455	0	0	0	0		Caller used
FÜ	Interactive Male	22/060103224313	1/3/2006	22:43:28	5105948155	20455	0	0	0	0		Caller used
FO	Interactive Male	156060126172859	1/26/2006	17:30:35	5105948155	20455	0	1	0	0		Caller used
FO	Interactive Male	211060203195124	2/3/2006	19:51:48	5105948155	20455	0	0	0	0	0	Caller used
FO	Interactive Male	211060203195124	2/3/2006	19:53:56	5105948155	20455	0	-	51	0	51	Speedy renewal
FO	Interactive Male	211060203195124	2/3/2006	19:58:25	5105948155	20455	0	7	4	51	4.7	
-	Interactive Male	267060203195830	2/3/2006	19:59:40	5105948155	20455	0	1	1	47	46	
FO	Interactive Male	118080203200607	2/3/2006	20:10:54	5105948155	20455	0		5	46	41	
FO	Interactive Male	276060203201403 108060204204021	2/3/2006 2/4/2006	20:28:21	5105948155 5105948155	20455	0	12	13	41	28	MATERIAL PROPERTY AND ADDRESS OF THE PARTY AND
FO	Interactive Male	116060205184205	2/5/2006	20:47:40	5105948155	20455	0		1	28		Caller used Caller used
FO	Interactive Male	384060205184316	2/5/2006	18:44:31	5105948155	20455	0		1	20		Caller used
FO	Interactive Male	131080205184924	2/5/2006	18:55:07	5105948155	20455	0		6	19	THE RESERVE A	Caller used
FO	Interactive Male	86060206181559	2/6/2006	18:21:40	5105948155	20455	0		5	13		Caller used
FQ	Interactive Male	217060208081235	2/8/2006	8:12:58	5105948155	20455	0		0	8	-	Caller used
FO	Interactive Male	116060208220928	2/8/2006	22:10:31	5105948155	20455	0	1	1	8		Caller used
FO	Interactive Male	324060215232051	2/15/2006	23:24:26	5105948155	20455	0	3	3	7	4	Caller used
FO	Interactive Male	64000216210129	2/16/2006	21:02:51	5105948155	20455	0		1	4		Caller used
FO	Interactive Male	63060227094949	2/27/2006	9:54:11	5105948155	20455	0		4	3		Caller used
FO	Interactive Male	63060227094949	2/27/2006	9:54:13	5105948155	20455	0		0	0	-	Caller used
FO	Interactive Male	252060307143124	3/7/2006	14:32:21	5105948155	20455	0	THE RESERVE AND ADDRESS OF THE PERSON NAMED IN	0	0		Caller used
FO	Interactive Male	226060312030904 226060312030904	3/12/2006 3/12/2006	3:09:38	5105948155 5105948155	20455	0		51	0	THE REAL PROPERTY NAMED IN	Caller used Speedy renewal
FO	Interactive Male	226060312030904	3/12/2006	3:18:07	5105948155	20455	0		6	51		Caller used
FO	Interactive Male	353060313120048	3/13/2006	12:01:28	5105948155	20455	0		1	45	_	Caller used
FO	Interactive Male	195080313130322	3/13/2006	13:09:09	5105948155	20455	0	_	в	44		Caller used
FO	Interactive Male	84060313132851	3/13/2006	13:32:49	5105948155	20455	0	3	4	38	34	Caller used
FQ	Interactive Male	166060313200627	3/13/2006	20:07:30	5105948155	20455	0	1	1	34	33	Caller used
FO	Interactive Male	74060314093848	3/14/2006	9:40:31	5105948155	20455	0		2	33	31	Caller used
FO	Interactive Male	265060314095842	3/14/2006		5105948155	20455	0		9	31		Caller used
FO	Interactive Male	140060314110854	3/14/2006			20455	0		1	22		Caller used
FO	Interactive Male	299060315154928	3/15/2006	16:00:38	5105948155	20455	0		11	21		Caller used
FO	Interactive Male	351060319231320		18.31.09 23:19:32	5105948155 5105948155	20455 20455	0		6	10		Caller used Caller used
	Interactive Male	222060322103659	3/22/2006		5105948155	20455	0	-	2	3		Caller used
	Interactive Male	39060326144204	3/26/2006	THE RESERVE AND DESCRIPTION OF THE PERSON NAMED IN	5105948155	20455	0		3	-	_	Caller used
	Interactive Male	283060327101951			5105948155	20455	0	-	Ŏ			Caller used
FO	Interactive Male	293060417143301	4/17/2006	14:33:30		20455	0	0	0	0		Caller used
FO	Interactive Male	293060417143301	4/17/2006	14:34:14		20455	0	1	0	0	-	Caller used
FO	interactive Male	257060419083547	4/19/2006	8:36:09	5105948155	20455	U	Ü	U	U	0	Caller used
FO	Interactive Male	257060419083547	4/19/2006		5105948155	20455	0	2	51	0	51	Speedy renewal
	Interactive Male	257060419083547	4/19/2006			20455	0	-	9		42	Caller used
FO	Interactive Male	381060419092220	4/19/2006	The second second	-	20455	0		5	47		Caller used
FO	Interactive Male	180060420084425	4/20/2006		5105948155	20455	0		4	37		Caller used
FO	Interactive Male	370060422155051	4/22/2006		*****	20455	0		8	33	100/0	Caller used
FO	Interactive Male	119060422155857 /3060423013922	4/22/2006 4/23/2006	16:02:54		20455	0		5	25 21		Caller used
	Interactive Male	359060423014624	4/23/2006	1:51:08	THE PERSON NAMED IN	-	0		5	16		Caller used] Apr. 123, 2006 Caller used] 1: 43 Am & 1: 51 Am
_	Interactive Male	93080424100328	4/24/2006	10:07:24		20455	0		4	11		Caller used 4/27: 6090£1 H
_	Interactive Male	105060426084339	4/26/2006	8:44:51	5105948155	20455	0	THE RESERVE	1	7		Caller used 7) 7 Ray 7: +120:
-	Interactive Male	182060426093651	4/26/2006	9:43:30		20455	0		8	6	-	Caller used \$4983 Shens
-	Interactive Male	182060426093651	4/26/2006	9:43:55		20455	0		0	0		Caller used 737/19 79:9
FO	Interactive Male	182060426093651	4/26/2006	9:44:06	-	20455	0		0	0		Caller used damt ? 9hh
FO	Interactive Male	182060426093651	4/26/2006	9:44:14	5105948155	20455	0	7	0	-		Caller used \$4! \$4: 35
FO	Interactive Male	269060426094652	4/26/2006	9:47:19	5105948155	20455	0	0	0	0	0	Caller used Find: 909 + 7
-	Interactive Male	84060513172720	5/13/2006	-		20455	0		0	0		Caller used 109011 Fillan
-	Interactive Male	87060801093954	8/1/2006	D:47:58		20155	0		7	60	_	Caller used 36+3 horangs
	Interactive Male	179060801094916	8/1/2006	9.52.79	5105948155	20455	0	3	3	53	50	Caller used Yras 598+ 5+

20455 5# 909 £: PIN number gentam: +681 account 2311 jan 24,2008 7# 178 18 +00 And 1

Г	T	7	7	1	7	-	-	1	7	7	-	7
	/	1	1	1	/	/	/	Min On Line	1.	1.	1	
/	1	1	/	1	1	1 3	Agent to	12	Min Billed	Bal Belore	1 3	1
10	Brand	Call 10	Dale	Time	/ =	Account	1 sept	0	18	18	Bai Affer	Event
Ffus	B	ථ	2	L LE	ANI	4	1 de	132	Asi,	Ba	88	L L
SFO	Interactive Male	360060801145042	8/1/2006	15:16:02	5105948155	20455	0		25	50		Caller used
SFO	Interactive Male	48060802161131	8/2/2006	16:23:24	5105948155	20455	0		12	25	13	Caller used
SFO	Interactive Male	166060802163209	8/2/2006	16:35:49	5105948155	20455	0		4	13		Caller used
SFO	Interactive Male	324060802164119	8/2/2006	16:46:57	5105948155		0		5	9		Caller used
SFO	Interactive Male	324060802164119	0/2/2000	10.40.58	5105948155	-	0		0	3	A STREET, SQUARE, SQUA	Caller used
SFO	Interactive Male	293060802181556	8/2/2006	18:19:25	5105948155	20455	0	3	3	3	0	Caller used
SFO	Interactive Male	30051201190632	12/1/2005	19:06:46	5106543461	20455	0	0	0	20	20	Caller used
The Person Name of Street, or other Designation of Street, or	Interactive Male	220051201224203	12/1/2005	22:42:15	5106543461	20455	Ų		0	20	-	Caller used
SFO	Interactive Male	37051202012720	12/2/2005	1:27:36	5106543461	20455	0	0	0	20		Caller used
SFO	Interactive Male	384051202012759	12/2/2005	1:30:31	5106543461	20455	0.	2	3	20	-	Caller used
SFO	Interactive Male	241051202013038	12/2/2005	1:42:28	5106543461	20455	0		12	17		Caller used
SFO	Interactive Male	33051202014249	12/2/2005	1:43:01	5106543461	20455	0	0	0	5	5	Caller used
GFO	Interactive Male	333051203020329	12/3/2005	2:03:41	5106543481	20455	U	U	0	5	and the same of th	Caller used
SFO	Interactive Male	323051203020520	12/3/2005	2:07:46	5106543461	20455	0.	2	3	5	- 2	Caller used
5FO	Interactive Male	218051203205452	12/3/2005	20:55:02	5106543461	20455	0		0	2		Caller used
SFO	Interactive Male	260051203211554	12/3/2005	21:16:06	5106543461	20455	0	0	0	2		Caller used
SFO	Interactive Male	329051203220815	12/3/2005	22:08:26	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	242051204011857	12/4/2005	1:17:15	5106543461	20455	0	0	0	2	-	Caller used
SFO	Interactive Male	127051204012024	12/4/2005	1:20:38	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	101051204012221	12/4/2005	1:22:42	5106543461	20455	0	0	0	2		Caller used
SFO	Interactive Male	73051204012520	12/4/2005	1:25:40	5106543461	20455	0	0	0	2.		Caller used
SHO	Interactive Male	263051209013426	12/9/2005	1:34:37	5108543461	20455	0	0	0	2		Caller used
SFO	Interactive Male	69051209200142	12/9/2005	20:01:54	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	113051209200849	12/9/2005	20:09:02	5106543461	20455	0	0	O	2	2	Caller used
SEO	Interactive Male	245051209201047	12/9/2005	20:10:59	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	61051209201350	12/9/2005	20:14:05	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	343051209201503	12/9/2005	20:15:16	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	79051209230543	12/9/2005	23:05:55	5106543461	20455	0	0	0	2	.5	Caller used
SFO	Interactive Male	132051210012459	12/10/2005	1:25:15	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	361051217003831	12/17/2005	0:38:44	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	383051217015058	12/17/2005	1:51:09	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	131051217231251	12/17/2005	23:13:03	5106543461	20455	0	0	0	Z	2	Caller used
SFO	Interactive Male	225051217231541	12/17/2005	23:15:55	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	223051217232003	12/17/2005	23:20:18	5106543461	20455	0	0	0	2	2	Calter used
SFO	Interactive Male	372051217232228	12/17/2005	23:22:44	5106543461	20455	O	0	0	2	2	Caller used
SFO	Interactive Male	286051224004549	12/24/2005	0:46:08	5106543461	20455	0	0	Ó	2	2	Caller used
SFO	Interactive Male	354051224004810	12/24/2005	0:48:23	5106543461	20455	0	0	0	2	2	Caller used
SFO	Interactive Male	297051227185124	12/27/2005	18:51:42	51065434631	20455	0	0	0	2	2	Caller used
-	Interactive Male	209051227200729	12/27/2005	20:07:43	5106543461	20455	Ų	U	U	2	2	Caller used
-	Interactive Male	238051227201015	12/27/2005	20:10:29	5106543461	20455	0	0	Q	2	2	Caller used
	Interactive Male	125051230013923	12/30/2005		5106543461	20455	0	0	0	2	2	Caller used
THE RESIDENCE AND ADDRESS OF THE PERSON NAMED IN	Interactive Male	135051231225309	12/31/2005	22:53:33	5106543461	20455	n	0	0	2	2	Caller used
	Interactive Male	379051231231630	12/31/2005	23:16:59	5106543461	20455	Q	0	0	2	2	Caller used
-	Interactive Male	104060120231031	1/20/2006	23:10:57	5106543461	20455	0	0	0	0	0	Caller used
	Interactive Male	20455040120	1/2/2006	4:01:20		20455	0	0	10	2	0	Mins deducted because of inactivity
	Interactive Male	60/14152524	7/14/2008	15:25:25		20455	0	0	60	0	60	Agent added
SFO	Interactive Male	20455040200	11/1/2006	4:02:00		20455	0	0	0	0	0	Account was expired

itions:	
Hub	SFO indicates our IVR system serving the San Francisco, CIA area
Brand	Interactive Male is our brand serving telephone based social networking for the gay community
Call ID	An internal reference assigned to each call for data tracking purposes
Date	Date the call took place
Time	The ending time of the call on the date it occurred in 24 hour format HH:MM:SS
ANI	Telephony term for automated number identification, in lay terms, the phone that originated the phone call
Account	The Interactive Male account that was used for the indicated call for the service
Agent	The customer service agent assisting on the call if any; 0 if none or an automated transaction
Min On Line	The number of minutes used on the indicated call rounded to the next whole minute
Min Billed	The number of minutes billed on the indicated call rounded to the next whole minute
Ball Before	The account balance for the indicated account prior to the indicated call
Bal After	The account balance for the indicated account after the indicated call
Event	The activity that took place on the indicated call by the account holder or an interactive Male account maintenance process

* XX 654-3461 515td Shattuck HS: Arco Gas Station Public Phone number \$5: 737tgo hat Gastetion general 34: 77 mock.

 Customer
 Account Number
 Bill Period
 Bill Date
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 BROADWAYSMOG
 0092309552-6
 Dec 7 - Jan 6
 Jan 7, 2006
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Detail for 510-593-3686 (Continued)

59437: Cell phone number

Call Detail

	Date	e Tin		hone umber	Call Destination	Rate/ Type	Minutes Used	Airtime Charges	LD/ Additional Charges	Total Charges	
12	2/11	1:26 P M	Incoming	SET OF THE		44	1.0	included	0.00	0.00	
12	2/11	4:27 P M	Incoming				1.0	included	0.00	0.00	
12	2/11	4:50 P M	Incoming				1.0	included	0.00	0.00	V3249°
12	2/11	6:13 P M	605-990-0001	Mitchell, SD	759: 734L3M	oolina	: 学数 23.0	included	0.00	0.00	6:13 PM - 6: 43 PM 737/19° 3444: lets: gentgo: 59 notes
12	2/11	6:35 P M	605-990-0001	Mitchell, SD	to hoge 31:		7.0	included	0.00	0.00	7 that Ochop gowfgo: 54 mint
12	2/11	6:43 P M	510-238-8877			a che	1.0	included	0.00	0.00	3454: Lett. 3767623395966
12	/11	6:43 P M	510-238-8877		Saram copy	III. FL	1.0	included	0.00	0.00	FICH 7397 - MO MAYE JOB
12	/11	6:44 P M	510-238-8877	Oakland, CA.	Loho 90 3:1		1.0	included	0.00	0.00	47913m tono cody of the
12	/11	6:44 P M	605-990-0001	Mitchell, SD			57.0	included	0.00	0.00	LASO: ALF: 9 manh.
12	/11	7:54 P M	605-990-0001	Mitchell, SD			17.0	included	0.00	0.00	haza: Ahf: grandamtt away 6:43 pm grandamtt
12	/11	8:10 P M	510-238-8877	Oak land, CA			1.0	included	0.00	0.00	away 6. 15 Ant: 54 han
12	/11	8:12 P M	STATE OF THE PARTY.	Oakland, CA			1.0	included	0.00	0.00	away 6: 43 PM 9 70 18 18 19 19 19 19 19 19 19 19 19 19 19 19 19
12	/11		605-990-0001				3.0	included	0.00	0.00	
12	/11	8:17 P M	605-990-0001	Mitchell, SD			1.0	included	0.00	0.00	Reh: 6:44PM 43R75:
12	/11	8:21 P M	-	Okldfrtvld, (CA		1.0	included	0.00	0.00	
12	711	9:00 P M	District Co.	Okldfrtvld, (CA		2.0	included	0.00	0.00	4 pur. 2 mal 8:10 bw
12	/11	9:01 P M	STREET, STREET	Ckldfrtvld, (CA		1.0	included	0.00	0.00	1644 ARM PA36 9A19
12	/11	9:02 P M	(September 1	Okloberkly, (CA	44	4.0	included	0.00	0.00	10849 FRM. 1812
12	/11	9:07 P M	606-990-0001	Mitchell, SD			1.0	included	0.00	0.00	450-10-3: 759 hcm +5: MA"
12	/11	9:07 P M	605-990-0001	Mitchell, SD			1.0	included	0.00	0.00	
12	/11	9:08 P M		Oak land, CA			4.0	included	0.00	0.00	togland demoby.
12	/11	9:12 P M	**	Snfrantrid, (ZA .	44	1.0	included	0.00	0.00	away 779613m gemans. 5649m 1907 8: 10 PM Xnx 5649m
12	/11	9:13 P M	-	Snfrontrid, (A	44	2.0	included	0.00	0.00	they 8: 10 pm 1 4 6240
12	/11	9:15 P M	510-575-1262	Oakland, CA			2.0	included	0.00	0.00	
12	/11	9:30 P M	Incoming				4.0	included	0.00	0.00	1 . 2 1 400. 2 mooth
12	/11	10:33 P M	Incoming				1.0	included	0.00	0.00	Lugas & mys: 2 mouth
12	/12	2:40 P M		Okld Almd, CA	4	44	4.0	included	0.00	0.00	50- nv + 45 h/
12	/13	3:46 P M		Okld Almd, CA		44	2.0	included	0.00	0.00	Constitute & f. HLR9
12	/13	4:29 P M	-	Okld Almd, CA		44	1.0	included	0.00	0.00	NYL: 45°HY): 8.4: HLRS
12	/13	4:30 P M		Okld Almd, CA		44	12.0	included	0.00	0.00	
12	/13	5:43 P M	Incoming			44	4.0	included	0.00	0.00	
12	/13	6:40 P M		Berkeley, CA		and the	1.0	included	0.00	0.00	
12	/13	9:41 P M	Incoming				1.0	included	0.00	0.00	
12	/14	2:46 P M	Incoming				1.0	included	0.00	0.00	
12	/14	2:47 P M	Think building	Oakland, CA			2.0	included	0.00	0.00	
12	/14	2:49 P M	60 G	Oakland, CA			2.0	included	0.00	0.00	
12	/14	2:50 P M		Oakland, CA			1.0	included	0.00	0.00	
12	/14	2:52 P M	Incoming			44	2.0	included	0.00	0.00	
12/	/14	3:21 P M	Incoming			Andrew Control	1.0	included	0.00	0.00	
12/	/14	3:23 P M	Incoming				1.0	included	0.00	0.00	
12/	/14		Incoming				1.0	included	0.00	0.00	
12/	/14	3:55 P M	Entraphorne M	Okld Almd, CA		44	1.0	included	0.00	0.00	
12/	/14	3:56 P M	Incoming				2.0	included	0.00	0.00	
12/		4:07 P M				44	1.0	included	0.00	0.00	

** 238-8877 59 Interactive Male GCE7: 59: bantt: notron: op66: tohof3! 88:

= PCS to PCS Calling

Customer	Account Number	Bill Period	Bill Date	Page	
BROADWAYSMOG	0092309552-6	Dec 7 - Jan 6	Jan 7, 2006	33 of 39	

Detail for 510-593-3686 (Continued)

Call Detail

	Da	te Time Pho Num	A STATE OF THE PARTY OF THE PAR	Rate/ Type	Minutes Used	Airtime Charges	LD/ Additional Charges	Total Charges	
344	12/24	6:24 P M	Berkeley, CA		2.0	included	0.00	0.00	
345	12/24	9:36 P M Incoming			3.0	included	0.00	0.00	
346	12/24	9:39 P M Incoming			2.0	included	0.00	0.00	737 Ago: 11:07 PM, 11:33 PM
347		11:07 P M 510-238-8877	Oakland, CA		6.0	included	0.00	0.00 —	7 7 7 9 8 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
348		11:13 P M	Oakland, CA		1.0	included	0.00	0.00	& 11:38 PM Knothe Knot:
349			Oak land, CA		1.0	included	0.00	0.00 —	5949m: 0067n: 74937:
350		11:38 P M 510-238-8877	Oakland, CA		1.0	included	0.00	0.00 -	GCAT: genham sinhaz:
351	12/25	9:26 A M	Neepawa, MB	LD	1.0	included	0.42	0.42	50 mm3: 440-01 341:
352	12/25	9:27 A M (STROMONDA)	Silver Spg, MD		1.0	included	0.00	0.00	376-771. 48 00 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
353	12/25	9:28 A M 200000000	Wshngtnzn3, MD		2.0	included	0.00	0.00	Christmas eve 950:
354	12/25	9:30 A M 304-088-0840	Silver Spg, MD		1.0	included	0.00	0.00	e
355	12/25	9:31 A M	Alexandria, VA		18.0	inc luded	0.00	0.00	11:38 pm ogh): 20 Rdogs
356	12/25	9:50 A M	Washington, DC		2.0	included	0.00	0.00	11:38 PM 7997. 2011-5
357	12/25	9:55 A M	Okidfrtvie, CA		5.0	included	0.00	0.00	e i i mo solomogia.
358	12/25	10:01 A M	Alief, TX		13.0	included	0.00	0.00	(B+ 71+ what: 0090t)
359			Atlanta Nw, GA		1.0	included	0.00	0.00	(2+1 21+10h2/~.
360		10:43 A M 510-575-1262	Oakland, CA		3.0	included	0.00	0.00	sousan horang. Mine
361		10:48 A M Incoming	Anna Chia		4.0	included	0.00	0.00	Enery 357: 75, 767671
362	12/25	10:51 A M	Reynoldsbg, OH		1.0	included	0.00	0.00	Ener 7357: 7 91
363		10:53 A M	Sanjs W Da, CA		36.0	included	0.00	0.00	NH70m3: 543+: AR7:
364		11:40 A M -	Berkeley, CA		2.0	bebulani	0.00	0.00	- JIM PORT 1 3 /1 CO D F
365	12/25	1:59 P M	Atlanta Nw, GA	44	9.0	included	0.00	0.00	noncy: 4ho: 59 not
366	12/25	2:20 P M Incoming		44	1.0	included	0.00	0.00	Frem783: 4700h. 49:
367	12/25	2:30 P M Incoming		44	2.0	included	0.00	0.00	16731.
368	12/25	2:46 P M	Oak land, CA	44	1.0	included	0.00	0.00	71711: 593+: 2700h: 21:
369	12/25	5:14 P M Incoming		44	1.0	included	0.00	0.00	たか: 7月40: 237から
370	12/25	5:43 P M	Berkeley, CA		1.0	included	0,00	0.00	KM: 1744C. 11113
371	12/25	5:43 P M 4000000000	Berkeley, CA		1.0	included	0.00	0.00	49: nt: 901t31 8nct3:
372	12/25	5:44 P M Incoming			1.0	included	0.00	0.00	
373	12/25	5:47 P M	Okld Almd, CA	44	1.0	included	0.00	0.00	59: Bt: BR7: 0090t:
374	12/25	5:48 P M	Oklobrkida, CA		1.0	included	0.00	0.00	genslamtt: tonn:
375	12/25	5:51 P M	Oklobrikloba, CA		1.0	included	0.00	0.00	91.8101.51
376	12/25	6:35 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	5187 m: 7070209:
377	12/25	7:02 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	
378	12/25	7:25 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	64:
379	12/25	7:42 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	
380	12/25	7:42 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	
381	12/25	7:43 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	
382	12/25	7:43 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	
383	12/25	7:43 P M 606-990-0001	Mitchell, SD		1.0	included	0.00	0.00	
384	12/25	7:44 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	
385	12/25	7:52 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	
386	12/25	7.52 P M 605-990-0001	Mitchell, SD -		1.0	included	0.00	0.00	
387	12/25	7:55 P M 605-990-0001	Mitchell, SD		1.0	included	0.00	0.00	

ክቡሁን: ኤcትሁውያን: ከምውነውን: 5የሎተክርሥትያን: ተሣተናቲን አባላትን: ንአአትኩታግክፅሄል።

ዘገጸዳኒ: 5የሎተክርሥትያንና: 7ዳዩ: ፅሂል፡ ወደኤ፡ ችዮ!! ሂቪ፡ አቀጽታ፡፡ አሌሉ፡ ከያውዝንሉፅኩልኩታ፡፡ ከተ፡

ዝወረል፡ ሐልጋ፡ ነውንኝዩ፡ ተዛታቲ ? ጠንቋ፡ 5የቲዝወረል፡ ሐልጋ፡ ኝንታት፡ ኧዮ ? ንዝብል፣ ሂቶታት፡ ክታላለላኩም፡

የፈትው፡ ኧዮ፡፡ ኧዚ፡ ሂቬ፡ ዝፅህም፡ ዘሉኩ፡ ነቶታ፡፡ ሐቂ፡ ንምናሉፕ፡ ድልዮት› ንዘራምታን፣ ከያህ፡ ውን፣ ብሰዓል፡

አንገሥታንን፡

አንገሥታንን፡

አትት፡ ንዝተልናንት፡ ኧቲ፡ ሐቂ፡ ክልላንያ! ሥስዝልአዩኩ፡ ኧዮ፡፡

ክቡራን : ኤርትራውያን ፡ ሃንቲ : ምምሳ ፡ አሳ : " Deceive me once , skame on you. Deceive me twice , skame on me ." (MHU : MBL : 581941 : አንንተም : አተልቸው : ንተጠ : እንዳታሉት ፣ አንንተን : ከታግሩ አለብታው : አተልቸው : ንተጠ : እንዳታሉት ፣ አንንተን : ከታግሩ አለብታው : አተልማ ነ አንንተን ፡ አተልማ ነ አንንተን ፡ አተልማ ነ አንንተን ፡ አተልማ ነ አንንተን ፡ አተልማ ፡ አትንተን ፡ አትንተን ፡ አትንተን ፡ አተልማ ፡ አትንተን ፡ አትንተ

parti: hoctouss: horse: hah: northermanse: 83+3? Mayor: nortse: Hather of: 45: 95: 903357: 5977750: 4000; mayor: hah (secret live) and has: synos: norther: hose: 63: 597700; sono 3: 597700; has: hose: hos

76637 + 14687 + 14687 + 5827549 + 432018 : 202027 + 7050314 + 1524 : 45047 : 350455 : 1063: ታህቲን: ภาพ: ካያማዝነበL: 4-175: 36Am: ጉብዩ: ኤድ። חይል: አንንላያው: ነחርሃያው: እንተዘዋቀንለቃ: 6090: 75047150: 51237123: 7500:03: 58270450: 4320140: 20027: 390563: 6663: 4463: 5°011: 6095°: \$3770: 70045°: 10+111: 1901: \$37/15°: \$15°: 14479: 348: 240+: HIND3: 109 4t: 74950\$1.6: 33800 40-: MH5° 50: N5°0: 0-3: 58775450 (67: 72: 7142: 716: 742990: "hpogoti nki homori hn7035: 43250: +4530-53: 4500:03: 58MH35: +96At: 37Hm Cr.50: P\$3PAS: 47A:: 1-7C450: 432140: 70997: 5-4: Mn: 43704: +Ben #: LHH3: HR 83: hnoobe: 4H3: ho: 737/190: 49: 58/20450: 907: 48/2 500 100m+7: 51/693: how 3: 77t7H31 HMPSh 7 HML: 582nc450: 74: 90hok: 2777HO: 502: 27t5880mt): 0069n: SCET: Interactive Male Leh: 737/450: nnhncy50: 74: 90h \$1 hn740: ma: 50ml ant): 87469: 82001 66: 7nc4501 n49+1 7878: 0090+: 587nc450164: 78: 20001 プロスラクライで: 400年: 50174: 5月: 592nc450: 43月11日: 202027: 77503+9: ナイスト: カタロルか: 350447: ACD: Mrh: Hn: 46h3: fut3: And Mh: h50: D-3: NACY50: 438nte: x02027 Mh: An: An cole: 4431 460: \$37/4501 99: Kney50; nagot: FIRAtiongat: 67 Am 1 950: 103: 58 hocys. 64: 28: 48423: 4004: 484043: 46: 70+: 5880m+7: 006nn: ACETI 52001: 5/0: 53+8: 56: HLB-97? 7-nc450: 305: 205: 205: 24: 200450: 23+48494531 37+485049531 + 2mg5: 6C5: Hnd: 719nL: 7no: 908+: 6mo: 400A: 48hnH: 5mdant 54697: 5122m: 407595: 46: 53348: 28: HLAGY ? LAG: 143RA+: 74906: MA: 582no: 67: 40021 7m7n74hnw: 323- 3943: 424: 2794: +2724: -14131 +8mm: 49: 24: 84 431 25000: 50mlant: 514683: 51270m: 16h: +Vt: 74711: 2869857: 28650953: 337650: 5° mm200: 497: Inc45°: mbHA+tho: 592nc45°: 907: 3003: 3mm203: bom+1 & 5000: 4H3: MAHAINL: 592-1545: Lot: 4002: 2mmn HANN: HONE: 5°573371 MAHAING: 24: 5°MAG mit: there: ERAW: HOTCAC HINL: " Lt: MANUE: 1983mgo: 60mgo: 579907: hondres: X Lyr: "honey 50: 45th: 45°40: March 1, 2006 you: 9,690: -ngo) +60f: 737/50: 49: Nara 7 2:30 PM 77770: Keller Plaza 787: 7-71: 5810-m+7: oobnn: B-CET: Interactive Male Seh: 77443: 79064: Pt: thhh: 54270450: 64: 774802: 941: 76: 72: 481: 1843:48

Enol3: hoctlass: ngokxfgo: 725: mac: 107: hommethns: Hho: hloomk231 86: hney50: 383+3: MAG93: 518971: dr. hwynymfx: 338+0PP: MACU: WAO: 87+3: MAGG3: ng: xt: 5877179°: 700 51807: 906085: 78078: 48066: 400-10-3: 5820045°: 7340-1943: life insurance Ftt "20103: Atem: ALEN: Ant: >nc4501 514719: dns: " xwynymgd: \$186: 2090: Jourstyd: 23, 22 2008- 244724: powtzzo: 624: 8620: 231/20: 20000-co: 282 200120. 37+49\$760: 34: 59hncy501604: Knokgoz: X9): Who: 49+6011 VAO: 50400m+7: 514693: hadd: 497131 \$14m150: 4580dd3: 84: 47743: Hho: 4370d3: 47: 60 mt3: 470m3: 460: 4370 1: 7+6968: 770: 3,000: 77 n4:59083+3: MRU93: 43701: 2nbort3: 470m3: 359c: 2ny43: hara 31: 23+: 7-ncyse: conte: March 31 or April 1 mage: horans somtondet: 3hot: 00914: 7490-3: 27742: (27582206450: 24) 50 4 76-753: 450-53: 20043: 204347: 45: 605: 347131 BC5: @3+: >nc45°: \$nbf: 496: 4nh8638: 470: 5946: 7nt: 99: 25f: 71112+: 54413 PJ: +hhh: April 5 tohof3 Reh: 58hney50: life insurance claim Bb: >ncy50: 59mmacg: 495: 5927545: 50± 020107: 85000: 5423 FUBON: 573HD: 876500 2631 75°6:0-3: 177545°: 9°7: 7-475: 75°7143085/03: 75°714435/03: 37+7473: 36: 2373:7728: 5° m+ cold: 1510+: 0090+: Hn: hn742: hn443: + porm: 4/0: to hogo 3: xdx4: life insuma Languny FIFRIDA: 19713: FIF YMM50: 28+ FIBAT: 66: 1/143706: 5m+cod ++: 1/13: 50m / RS;

фт: 26: 79+4077; 26: 1ife insurance Company 5° 291: 7+716: 34: 47575: 340m: 44748; 46) 871: 471: 775450: ANG: 500 +000 HT: 771: 443: Pt: +525: life insurana Company ALLY: 59775451 life insurance claim 577001 96: 473: MR693: 771: 48: 45: 5-6787; 7715750 Hotay: GCE: 42163: 24cm: 54/ifo insurance 73H7: 816AA: 87AH: 450H7): 908: " progo: 2090: 273+3: MAG3: 73Hn: 4324241499: 843: 450: 0-3: 30+1150: 73Hn: Hd カナ: そろんとおんからい ののカヤンド: 216: カカヒケラで: フラルか: カチャンクラッ カフハレ: タルか: えんい をまけ:ナック 64: 26: Mby: 2874003: 26: 200450: 24: Hugh: Ancygo: Stat: HAM+: Och: 7802: 907+: Ln Alameda 74: PMEV: 64: 323+: ngotHV1: HINL: 73Hn: 28403: 64: 34: 49: 4641 ngoHINL75: MR69: ne+64: Yelf: Lhogo: ngoHINT: ZI: HLAM: HINL: TRGI XF ... Inch: 90007: 7791: 123+7: mg 693: 37 mbt: 49750: 73Hn: \$18164: MAHRAPOGO: 83+: 7000 734か、かかつ、ナモカチョ: みずか: ナロかか: カダのみかいたナ: かり、みんか、アスタ: ちた: なかにりまで、かののみナ: 479n: nnc45031 293+1 7500: 003: nnc45031 5423+: MAG31 friction (0750) 45071711 すかか: ちた: を3ナ3: MR 693: 5873Hn: 0790 90: 新ムナい: あかか: クカヒリダで: プラナトのダ: 28元7: Aspe: 5075050: 364: 4477W: Whs: HANGO: Forc: 507500 78: HLR97: 54834: bank record honker: The: \$1384: TA: Kf: Hedr ? not: 48: 700450: Hathoso: 5083 St: 73HA: Lnngo: hgoRhfogo: madoro-h: hhoso: ngonn): HLond: H++1 H+nd: 00107003: " #: 275: 7ncy50: fr. 6f: 7nh. 50m tood 47: Fight away noch: a-7m: \$14,000 dollars 734n: 54 hncyso: 7n738: 20-22: She needed that money badly and she got it. now: Q3: 7724: 5° tooll) noch: wim: 7nnga: Nordstrom, Macy's \$ 4571 47746 かんら: なかましか: あろのろとろ: ウロとろ: カルカイト・ テロかの: ない: スライナ: フストカ: から: カルトラーキレは: カカカラか: ナロロロでは: なれになるナヤ: なだ: HL2のののから: フライル: あナレカカ: カナカカ: チャルカルな: ナリカル 6: 7-псч5° 95°71ф+ hf: Уf: HL)96A9: 7-псч5°: 00+, 5°мпh: Shopping, 95°0, 0-3: 2471 7347: 3390097: "ht: hang: 7470L: 7347: Lan: 3t: Hahs: 470: 77001 45071704! "xf. HUNLdy: "xt1 4rh: 7R: HCAF. 58: 43+: bank record (statement) AVG: NOV. 27, 2006 Thanksgiving day 5+4: most +1: 27 m+ 2+0 m: " pogo: Lnogo: 742: Anytime ovedonso: STEBS9: 756h: " MYLLE: 5283+: bank Statement St: activity MAHOOS! "ANYHT!

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λβ114: 12866: 12761: 15°0: 63: 5\$200: 73403: life injurance benefits 51261: 50~46

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Thm50: - "Abraham was killed, at least in part, for financial reasons. His death
would result in a financial windfall for the Meharis, and the freedom to use the money
as they wished. Once Abraham was dead, Asmerom Gebreselastie's accusations that
the Meharis had killed Abraham threatened to expose that truth, through investigations
by the Berkeley Police Department, the life insurance Company, as well as the Gebreselassie
family's own investigation through the Mayo Clinic.

In addition, and perhaps more importantly, his accusations were preventing realization of the major aim of Abraham's death, payment of the \$ 500,000 life insurance policy. Despite the fact that she had filed her claim in April 2006, as of Thanksgiving Day 2006, the proceeds from the insurance had still not been paid to Winta Mehari. Elimination of their accuser, Asmerom Gebreselassie, was a way to take care of the only obstacle to the payment of that money.

The other major issue which runs through both the explanation of Abraham's death and the events of Thanksgiving Day 2006, is the secret of Merkawi's homosexuality. Winto and Merkawi had been confronted about this issue by Abraham before his death and had tried to deny it, according to what Abraham told Asmerom. Given Merkawi's very active involvement in the Eritrean Orthodox Church and the opprobrium with which homosexuality is regarded not only in the church but in the community as a whole revealing this secret would bring disgrace to Merkawi and dishonor to the entire Mehari family. The Meharis needed to keep Merhawi's homosexuality a socret, and the only way to ensure that was through Abraham's death.

Asmerom's subsequent emails with Merhawi, along with other evidence of Merhawis homosexuality, which Asmerom revealed to both Merhawi and Winta less than two weeks before Thanksgiving 2006, once again meant that Merhawi's secret was not safe. And once

again, the only way to keep the secret safe was to eliminate the person who had the evidence and was explicitly threatening to reveal it.

Asmerom brought a gun to the Meharis apartment on November 23, 2006 solely for protection; he was suspicious when Winta insisted that he come to the gathering alone, he knew how angrily both Merhawi and Winta had reacted when he intially told them he was going to reveal Merhawi's homosexuality, and he knew just how explosive and damaging that issue would be for the Meharis within their community."

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Dr. Rogers's testimony Jan. 24, 2008 Morning session

 Having declared Dr. Rogers a Defense witness, effectively I will look to you, Mr. Plumhoff, at this time as to the portion of the testimony relating to the death of Abraham as to your offer of proof to satisfy 866(a).

Understanding this is not the normal circumstance, however, because of the presentation of the testimony largely through cross-examination, I otherwise would have largely found irrelevant, at this juncture, under these circumstances, I will ask for an offer of proof as to the testimony you expect from Dr. Rogers, and your theory of the case.

MR. PLUMHOFF: Thank you, Judge. And I appreciate that opportunity. I am going to defer to my colleague, Mr. Lew.

THE COURT: Forgive me, Mr. Lew.

MR. LEW: Thank you, your Honor, I will make that offer.

My expectation is Dr. Rogers is going to testify that he in fact conducted a autopsy upon Mr. Abraham Tewolde, on March the 1st of 2006.

Essentially the conclusion of that autopsy was that Dr. Rogers could not determine of the cause of death, that there was no outward evidence of blunt force injury, and that additionally, he had some fluid samples of Mr. Tewolde sent for screening of a variety of toxins and poisons, all of which came back negative.

However, the toxins for which Mr. Tewolde was screened were not an exclusive list of toxins, and that there

are a number of poisons which remain, which he did not test for in the course of this autopsy.

Those findings and those conclusions are relevant to Mr. Gebreselassie's defense of self-defense, insofar as they relate to the fact of his fear of the Mehari family, as well as it's reasonableness. Because his awareness of those findings in conjunction with the substantial circumstantial evidence he had otherwise of the Mehari's involvement in the death of Mr. Tewolde, relate directly to his fear of them, the fact that he believed they killed him, as well as his reasonableness of his fears.

THE COURT: I fully understand. You picked up on my concept of reasonableness, forgetting my ruling on the law that we will discuss at a later date.

MR. JAY: Can I be heard?

THE COURT: You may.

MR. JAY: So, how is it reasonable for Mr. Asmerom Gebreselassie, having fear of the Mehari family, where the cause of his brother's death has been undetermined?

THE COURT: Well, I won't make your arguments for you, Mr. Jay, but certainly that's one I thought you might make in terms of what I just heard.

Having just said that, my concern -- I'm going to allow the testimony, but I will have a steady eye and ear, as it seems to me, based upon what you represented, that he could not conclude as to cause of death, I want to hear exactly what his conclusion was, and then I think we are going to get off to some speculation, but I'm going to allow the testimony for

my record, in terms of the nature and presentation of his 1 2 case. 3 All right. 4 DIRECT EXAMINATION 5 BY MR. LEW Dr. Rogers, I handed you a document which has been 6 7 marked as Defense Exhibit Q. Do you recognize that as a copy 8 of the report that you prepared in the autopsy, that you 9 conducted on Mr. Abraham Tewolde? Yes. On an individual identified to me as such. 10 And is it correct that your ultimate conclusion after 11 conducting your autopsy on Mr. Tewolde is that you were unable 12 13 to determine what killed him? That's correct. 14 A MR. JAY: Objection, leading. 15 THE WITNESS: Sorry. 16 MR. JAY: Objection, leading, it's his witness. 17 THE COURT: Sustained. 18 19 BY MR. LEW 20 Did you form an opinion as to the cause of 21 Mr. Towanda's death? 22 A Yes. I did state a cause of death on my autopsy 23 profile. 24 0 And what was that? In my opinion I could not tell what -- why this 25 26 individual died, and as a consequence I signed out the case as cause undetermined. 27 Q And that conclusion, on what was it based? 28

It was based on the autopsy, and -- yes, it was based 1 A on the autopsy, which included a toxicology and histological 2 studies. 3 And I would like to comment, I don't have the 5 toxicology report, nor do I have a histology report. THE COURT: As a matter of fairness, do we have 6 7 those? MR. LEW: I do, and I have had them marked. 8 THE COURT: Okay. 9 10 MR. LEW: If I could first hand you what has been 11 marked as Defense Exhibit R. (Whereupon Exhibit R has been identified for the record). 12 (Handing). Do you recognize that as a copy of the 13 histological examination that was conducted on Mr. Tewolde's 14 15 tissue samples? 16 A Yes. And if I could hand you what has been marked as 17 Defense Exhibit S. 18 (Whereupon Exhibit S has been identified for the record.) 19 20 (Handing) do you recognize that as a copy of the 21 toxicology screen, which was done on the fluid samples of 22 Mr. Tewolde in connection with your autopsy? 23 Yes, I did. A And it is correct that your opinion as to being 24 unable to determine the cause of Mr. Tewolde's death was 25 based, in part on your physical examination, in part on the 26 toxicology screen, and in part on the histological 27

examination?

- 1 A Yes.
- 2 Q Now, in the course of that examination you looked at
- 3 | a number of Mr. Tewolde's vital organs to determine if they
- 4 | contributed to his death; is that correct?
- 5 A Yes, I did.
- 6 Q Did you examine his heart?
- 7 A Yes.
- 8 Q What did you find?
- 9 A I found no evidence of heart disease.
- 10 Q Did you examine his lungs and his respiratory system?
- 11 A Yes, I did.
- 12 Q What did you find?
- 13 A I found no evidence of lung or respiratory disease.
- 14 Q Did you examine his liver?
- 15 A Yes, I did.
- 16 Q What did you find?
- 17 A I found no evidence of liver disease, excepting on
- 18 histology there was a very rare vacua, of what we call fatty
- 19 metamorphoses. This was minimal. It could not be enough to
- 20 cause the death in an individual -- in people.
- 21 Q It is true that you affirmatively ruled that out as
- 22 | contributing to his death?
- 23 A Yes. In my opinion he did not die of liver disease,
- 24 as I perceived it, from my autopsy.
- 25 Q Did you examine his brain?
- 26 A Yes, I did.
- 27 Q What did you find?
- 28 A I found no evidence of disease.

Did you examine his kidneys? 1 Q 2 A Yes. What did you find? 3 I found no evidence of disease. 4 A 5 0 Did you conduct a physical examination for obvious 6 signs of trauma to this person? 7 Yes, I did. 8 What did you find? I found no evidence of trauma. 9 Are you confident that none of those things 10 11 contributed to Abraham Tewolde's death? I found nothing that I could prove where trauma 12 13 caused his death. I found nothing. Now, you made reference to a toxicological screen 14 15 that was conducted on some fluid samples which you had obtained from Mr. Tewolde; is that correct? 16 Yes, sir. 17 And, if I could direct you to the second page of that 18 19 exhibit. Is it true that all of the substances listed on that second page, with the exception of those which are in italics, 20 21 that Mr. Tewolde's fluids were screened for the presence of those substances in an amount which could have killed him? 22 23 A Yes. 24 And is it true that none of those substances were found in an amount which could have killed him? 25 That's correct. A 26 Is it also true that there are a number of other 27

poisons which do not appear on that list, which could cause

someone to die? 1 2 Okay --3 MR. JAY: Objection, leading. THE COURT: Overruled. 4 THE WITNESS: There are hundreds, if not thousands of 5 poisons that are not routinely checked for, and have the 6 potential to kill somebody. 7 8 BY MR. LEW And specifically, hundreds if not thousands of 9 poisons which in fact were not tested for as related to 10 Mr. Abraham Tewolde; is that correct? 11 Yes. There are literally hundreds if not thousands 12 of poisons that were not tested for in this case, that could 13 have led to the death of the individual. 14 15 And, if in fact one of those agents was used to kill him, there is nothing about your examination that would reveal 16 17 that fact; is that correct? That's correct. 18 A MR. LEW: I don't have any further questions. 19 20 THE COURT: Okay. CROSS-EXAMINATION 21 22 BY MR. JAY 23 So, there was no blunt injuries to Mr. Tewolde? 0 24 That is --A No blunt injuries caused his death? 25 Okay, no blunt injuries caused his death, that's 26 A 27 correct. 28 You found no petechial hemorrhages? Q

Angesom's testimony Jan. 24, 2008 Afternoon session

> 1 A. No, no. How did you feel about Abraham Tewolde? (2) He's a human being like me. /-3 A. Okay. And how did you feel when he died? Q. 5 A. It was a great loss for me. You agree, based on what you saw, that he was a much 6 0. loved man in your community? 7 I don't know. /_ 8 A. After his death were you present in the days following his death at his house? 10 11 A. Yes. And did many people from the community come to spend Q. 12 time with the family and pay their respects to Abraham? MR. JAY: Objection. Irrelevant. 14 THE COURT: Sustained. 15 MR. PLUMHOFF: Q. In the days following his death, how 16 did you feel about -- did you feel great sadness? 17 MR. JAY: Objection. Irrelevant. 18 THE COURT: It's a little closer call, but I'm getting 19 to my 352 line here in a minute. 20 21 Go ahead, sir. You can answer that. THE WITNESS: Could you repeat the question for me. 22 MR. PLUMHOFF: (Q.) Did you feel any great sadness when 23 24 Abraham died? 25 A. Yes. But that didn't stop you from six days after his death 2.) 26 going ahead and using your Interactive Male account, did it? 27 MR. JAY: Objection. Irrelevant. 28

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June 30, 2008-

common sense understanding of how that world operated.

Mr. Jay certainly understood this dynamic. When the first of the Mehari brothers, Angesom, was testifying on the first day of this PX and he was trying desperately to keep out any evidence of homosexuality, he stood up and talked about the seriousness of ringing that bell in this community. The point that he made unwittingly was that he wasn't there in November of 2006 to stop the ringing of that bell. If Merhawi was going to stop the ringing of that bell in November of 2006, he was going to have to do it or he and his family were going to have to do it.

The police also didn't seem to have any difficulty understanding the connection of this homophobia to this case. Probably the single thing they did after talking to both defendants was to go back to Merhawi and get these e-mails.

I'd like you to think about what those — what was contained in the statements of Mr. Gebreselassie Asmerom when he told the police what had occurred. He said he had obtained embarrassing information about Merhawi. He said the information was particularly embarrassing because it concerned homosexuality which was a very sensitive topic in their community, and that Merhawi was engaged in activities which showed he was gay. He said that he confronted Merhawi with this information, and Merhawi was so upset he was shaking. He said Merhawi, quote, freaked out when Asmerom told him that the information would have to be revealed to his mother. Again for the safety of Issac.

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Asmerom then arranged a meeting where both Merhawi and his mother would be present and this information would be revealed. And he said at that meeting Merhawi reacted by pulling a gun on him. That's what was before the investigating officers, that's what was before the Court. There could be no clearer -- there could actually be one way that the connection between this issue and what happened in that apartment on Thanksgiving Day could be clear, and perhaps this is what Mr. Jay was looking for. Perhaps you are going to require, Mr. Jay thinks that we are required to show that Asmerom went into that apartment and Merhawi announced as he pulled his gun, Asmerom, I don't want you to tell my mother here about my homosexuality, that's why I'm pulling this gun. I don't think the law requires that. I think reasonable inferences from states of mind that were put before this court and from actions that were put before this court is all that is required. State of mind is always useful and can always be used to infer later conduct.

All the same is true with respect to the allegations concerning Abraham's death. Merhawi himself said that he was so upset about those allegations that he no longer talked to Asmerom. Was that because the accusations were false? Was that because the accusations were true? Because he knew what those questions were, and he had no good answers for those questions. These are things that we were entitled and should have been allowed to inquire into in examining not only Merhawi but the other witnesses.

The Court had evidence of a particular state of mind,

had evidence for the reasons for that state of mind, and conduct consistent with that state of mind and had a prosecution witness who denied the state of mind, denied the reasons behind the state of mind and denied the conduct. That put his credibility at issue. And we were entitled to explore that credibility in any way that we deemed fit that was relevant. The Court prevented us from doing that.

It is not an answer to say that this was a preliminary hearing and not a trial. This has nothing to do with 866. This was a prosecution witness. These were credibility issues, and we were prevented from exploring or examining him on issues related to his credibility.

what we do have with the testimony highlights the sensitivity of this issue. In looking at Merhawi's testimony do we really believe, does anybody in this courtroom really believe his testimony that when he was sending all these e-mails back and forth to Asmerom, he just never noticed that the e-mail was addressed to Hot Solid Ten. Is that credible or is that a lie under oath and is it more evidence of his willingness or his need to conceal his activities?

Do we really believe that he only recalled calling Hot Solid Ten's telephone number two times, when in fact the telephone records indicate that he called that number over 50 times over many days? Was that just another lie which was covering up his activities and another demonstration of his willingness to lie under oath? Does anyone really believe that even though he and Angesom opened their

interactive mail accounts in the same month of June of 2005, that they never talked to one another about it. It was just a coincidence that these twins would happen to contact the same gay chat service in the same month but never talk about it.

Is it believable that he just didn't remember that he had opened an account at American Singles advertising himself as a man seeking a man in January of '06. He just didn't remember that. Oh, well, now that you show me the documents, I guess I do. Is that believable or is that just another indication that he is willing to lie and that he is very sensitive about this topic still?

Are we going to be realistic about and use our common sense and realize that a man in his position who is part of a community and a church that believes homosexuality is unacceptable, his words, is not going to anticipate humiliation and shame when he is not only exposed as gay, but probably more important exposed as a hypocrite. Someone who has been portraying himself and going through the community in his church as someone who believes and accepts all their values while behind their backs he is acting in a way that he knows is completely contrary to their beliefs? Are we not going to anticipate and use our common sense and know that he is going to anticipate humiliation and shame when those things come to light?

THE COURT: Let's assume we do. In my record what appears to be uncontradicted to me is that there were no violent incidents between these families. This was on the

before he goes over to the door.

The bottom line is the physical evidence, the broken door, the statements of Angesom himself, I jumped from the Tewodres took Issac, and the discrepancies between his version of what occurred and all the other witnesses telling you he wasn't there.

apartment. Merhawi tells the police Tewodros took Issac after the first shot. Quote. Not response to a question, those were his words. Merhawi's words, when did he take him, after the first shot. Not an idea suggested to him. That was his idea, his words. Coincidentally exactly the same thing that Tewodros told the police. And coincidentally again we've got that pesky physical evidence. Tewodros tells the police that he dropped his phone, and the phone must have dropped when he rushed out of the apartment with Issac. Where is the phone. Exactly where everybody says that Tewodros and Issac were playing with it. That's funny how that could happen.

Now the theory floated by Mr. Jay here today I'm not sure I understand. I think his theory is that Tewodros is moving out of the apartment and in his haste he drops the phone, and then presumably in the area of the front door, and then presumably at some time after Regba and Winta have been shot and are laying right across that hallway the phone miraculously transports itself from the area of the front door of the apartment back to the area where Tewodros and Issac were. That's absurd. That's not going to happen.

That's just a desperate attempt to explain evidence which is not explainable.

Merhawi made another slip of the tongue when talking about this particular issue. Merhawi talking to the police, quote, I have in the house his phone. The truth leaked out. He knew exactly where Tewodros left his phone. He knew exactly when it happened. After the first shot and was right there where Tewodros and Issac were playing. He quickly tried to change the subject, another one of his tactics, and starts talking about how he personally doesn't own a cell phone. A complete nonsequitur. Has nothing to do with what the police are talking to him about. He just wants to get off the subject because he knows he said just something that he shouldn't have said, that he shouldn't have known if the story was true.

We know it's not a language problem because he tried to change his testimony by saying what he meant to say was that he had Tewodros's phone number in the house. But if you look at his statement a few pages later, you'll notice that his language is pretty good and his use of language is pretty good. He's asked question did he use his own phone to make this phone call.

Answer. Yes.

Question. Okay.

Answer. I don't know if he have cell phone. He brought cell phone.

Seems like he's able to make that distinction between physical possession of the phone and ownership of the phone.

He doesn't know that Tewodros has a phone, how could he have his phone number in the house.

The fact that Tewodros doesn't explicitly confirm that Regba let Asmerom in I think also supports what these gentlemen say. If this was some kind of a plan where Tewodros was going to go there first, wait for Asmerom to be ready and then open the door for him, don't you think they would have at least got that detail right to be consistent? But listen to that part of Tewodros's statement. And he says, I don't know, Regba got up, Merhawi was walking around. He doesn't really know who let Asmerom in. If you're going to make a plan like that, you want to make sure it's going to be convincing. One of the things you're going to do is make sure that crucial fact who let him in is consistent. There was no plan.

what we're talking about with respect to this line,
Judge, doesn't require any weighing of motives or states of
mind. All three of the Meharis say essentially that
Tewodros walked out of that apartment with a cell phone.
You've got no reasonable explanation for how that cell phone
could still be at the place where Tewodros and Issac were
playing with it unless what Tewodros is telling you or what
he told the police and what you heard in this court is true,
that he left after the first shot, and that's where the
phone happened to be dropped. That evidence tells you
unequivocally that the Meharis are lying. And are you
simply going to ignore that evidence?

The final big lie, Asmerom had two guns. Only

Yehferom says he did. The testimony of all the other, of the other two Meharis is simply designed to support the possibility that he could have. And actually Yehferom's written statement is the closest to the actual truth. The statement he gave at the hospital is the closest to what actually happened. He said Asmerom came in holding two guns. He said Asmerom had another gun. Reached for his waistband, but Yehferom didn't see another gun.

It's all true except Asmerom only had one gun, did not come in holding it. He pulled it after he came in, after he saw Merhawi with his gun. Once both Asmerom and Yehferom were fighting and both dropped their guns, Asmerom did pretend to have another gun to get a surprise, to get Yehferom offguard for a moment so he could get away. That's the true part of what Yehferom told the police in his statement. There was a fake that I have another gun, and he took that opportunity to flee.

Instead of sticking with the relatively simply lie he gave to the police in his written statement, however, Yehferom has got to start embellishing because it doesn't quite fit with what everybody else is saying.

Statement to the police. When he first came in, page 8. When Asmerom came in, did he have anything in his hands? In his hands.

Answer. He have two guns.

Question. He had two guns?

Answer. Yes.

Same statement he gave to the police in his written

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whether Asmerom fired two guns, not whether he had two guns. Yehferom first says one gun. The officer says, Just one gun? Yehferom has to give some explanation about why if Asmerom has two guns, he's only firing one. So he starts with the explanation about how one gun is down by his left. The cops say, quote, left hand to his side in describing what Yehferom is doing in their statement. They never describe Yehferom gesturing to his waistband. That's not there.

Then Yehferom says, quote, And you have it like some bag, unquote. Then, quote, You have the gun in and with plastic, plastic, something like. And then he goes on to identify it as a plastic silver colored bag.

Now the bag theory is important because the prosecution is purporting to have Asmerom go to the apartment with two guns, leave one there so that he can immediately claim self-defense, and if you got the gun, maybe they wiped clean, that you're keeping in a bag so that you don't get your fingerprints, DNA on it, and dropping it there, that might make some sense, at least it has some surface possibility.

Unfortunately Merhawi and Angesom don't get it right.

In his police interview Merhawi says absolutely that Asmerom had only one gun, even though he may know from the police that there are two guns found, he's got to say one gun because he doesn't know what Yehferom is going to say. He doesn't know whether Yehferom is going to say tell the truth

and say, yeah, I had a gun, or whether he's going to make up a lie which he can't anticipate about Asmerom having two guns. So it's easiest just to claim I only saw one, and that's what he does. Says nothing about holding anything else.

Angesom in January when he's finally interviewed, he got the script right as far as the bag, but darn it, somebody didn't tell him plastic silver bag. So he says it was a brown paper bag. That's kind of a problem.

There are also discrepancies about how this item was held, and everybody has that all different too. In any event, Merhawi comes to the PX, and he's trying to get on board, but he doesn't know quite where to go. It's going to be a plastic bag, a brown paper bag, so he says, well, it was something, and he doesn't have to commit either way. So he just says he was holding something. He can't describe anything, whether it was a bag, something else, what color, size, anything. Just supports them that he said he was holding something.

So as that point after Merhawi testified we've got no bags, we've got silver plastic bags, we've got brown paper bags, and we've got indescribable something, and it's all starting to look a little stupid. We've got that darn physical evidence again.

Asmerom is in a struggle here. A struggle to keep his gun. Then after he loses one gun, he's pulling out another gun. They're banging around, crashing, pulling on each other. Finally forces him to drop that second gun. All the

while you would have thought that if he was holding 1 something, a plastic bag, a paper bag, some other piece of 2 property, he would have had to drop it. It would be there, 3 But gosh darn it, there's nothing there. He didn't 4 drop anything. It was all just a lie. And then you've got the problem of if he's there to bring two guns and set up a 6 7 self-defense by leaving one there, is he going to pull --8 he's not wearing any gloves. Is he going to pull out a gun with his bare hand leaving his fingerprints and his DNA all 9 over it? Does that make any sense? Makes no sense at all. 10

If you're in a fight like that and you do have another gun in the waistband, are you going to announce it to the person that you're in the fight with? Are you going to tell them what you need to do before they see it or are you going to try to surprise them and just get the gun and shoot them? No, you're not going to do that. Doesn't it make more sense that if you don't have a gun, you're in a fight, you're trying to get away, you try to use something like I've got another gun as a ruse to maybe catch somebody by surprise and get away, which is exactly what happened.

Merhawi says in his statement to the police I should have shot him, and then in another instance of changing the subject when he said something he shouldn't have. Starts talking about I should have shot him that time. I mean I can't, I can't keep holding his hand, I mean his leg. Should have shot him with what? With his own gun, that's what. He never had the one gun that he said he saw Asmerom with. Never saw that gun on the ground. Only saw Yehferom

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The case should be discharged. The District Attorney has not carried the burden of showing that Asmerom Gebreselassie had two guns. That's what they need to do, because otherwise that other gun is unexplained.

You have a choice of believing the witnesses and the version of events that is consistent with the physical evidence in this case or deciding the case simply because we feel sorry and we have sympathy for some of the witnesses.

To borrow a lyric that the Court may be familiar with, we had two witnesses here, Angesom and Merhawi who were practiced at the art of the deception. These were gentlemen who were living in their community and were living a lie. These gentlemen, this case is not about embarrassment. This case is about hypocrisy. And hypocrisy being exposed. They deceived the people of their community about their sexuality, and when that was going to be exposed, they reacted. They hoped to deceive you in the same way. They know how to deceive. They did it for a long period of time. Don't let them continue to do it. Thank you.

THE COURT: Okay. Mr. Beles, hold tight. We're going to take a break till 20 to 2:00. I'll hear your argument, and we'll go from there. Thank you.

(Recess taken.)

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