

1 THE COURT: RE-CROSS?

2 MR. EIDE: YES, JUST A COUPLE OF QUESTIONS,
3 YOUR HONOR.

4 RE-CROSS-EXAMINATION

5 BY MR. EIDE:

6 Q MR. STOCKWELL, YOU SAID THAT YOUR RECOLLECTION
7 NOW WAS BETTER REFRESHED THEN AT THE TIME OF THE DEPOSITION?

8 A YES.

9 Q ARE YOU SAYING THEN THAT YOUR RECOLLECTION AT
10 THE DEPOSITION WAS NOT REFRESHED?

11 A IT WAS NOT COMPLETELY CORRECT, YES.

12 Q DO YOU REMEMBER ME TAKING THE DEPOSITION ON THAT
13 DATE AND ASKING IF YOU HAD A PRESENT RECOLLECTION OF THE
14 EVENT?

15 A YES.

16 THE COURT: WHERE IS IT?

17 MR. EIDE: YOUR HONOR, THIS IS ON PAGE SIX OF
18 THE DEPOSITION, LINE 25. ✓

19 MR. BENDER: YOUR HONOR, IF I MAY INTERJECT AND
20 STATE AN OBJECTION. MR. EIDE IS TRYING TO IMPEACH
21 THE WITNESS THROUGH USE OF PRIOR DEPOSITION TESTIMONY,
22 WHICH IS APPROPRIATE.

23 BUT AS MR. STOCKWELL HAS POINTED OUT. AS
24 TO THE ONE INCIDENT INVOLVING MR. EIDE'S CONCERN,
25 THAT BEING HIS WIFE LEAVING THE AREA TEMPORARILY,

1 I THINK HE HAS PRETTY MUCH COVERED THAT AREA.

2 THE COURT: WHAT IS YOUR OBJECTION?

3 MR. BENDER: I THINK IT'S INAPPROPRIATE THAT
4 HE IS ATTEMPTING TO IMPEACH HIM THROUGH --

5 THE COURT: I DON'T KNOW WHAT HE'S GOING TO DO.

6 MR. BENDER: YOUR HONOR, HE'S ALREADY REFERRED
7 TO THE DEPOSITION.

8 THE COURT: THAT'S FINE. OBJECTION IS OVERRULED.

9 BY MR. EIDE:

10 Q DO YOU REMEMBER ME ASKING YOU IF YOU HAD AN
11 INDEPENDENT RECOLLECTION OF THE EVENTS?

12 THE COURT: NO, THAT'S IMPROPER. LINE 25, PAGE
13 SIX, QUESTION. READ VERBATIM.

14 BY MR. EIDE:

15 Q ALL RIGHT. DO YOU REMEMBER ME ASKING YOU THE
16 QUESTION: "DO YOU HAVE AN INDEPENDENT RECOLLECTION OF
17 THE THINGS THAT OCCURRED ON MAY 18TH NOW"?

18 A REPEAT THAT, PLEASE.

19 Q DO YOU REMEMBER ME ASKING YOU THE QUESTION:
20 "DO YOU HAVE AN INDEPENDENT RECOLLECTION OF THE THINGS
21 THAT OCCURRED ON MAY 18TH NOW"?

22 AND YOUR ANSWER BEING: "YES"?

23 A WELL, I CAN'T REMEMBER THE EXACT WORDS. BUT YOU
24 ASKED ME, YES, IF I HAD A RECOLLECTION OF WHAT HAPPENED.
25 AND I FELT LIKE I DID.

1 Q THANK YOU. DO YOU REMEMBER AT THE TIME THAT I
2 HAD ALSO GIVEN YOU THE OPPORTUNITY TO REVIEW YOUR REPORT?

3 A I REMEMBER.

4 Q YOUR STATEMENT. AND YOU STATED THAT YOU DIDN'T
5 NEED TO LOOK AT THE REPORT?

6 A THAT'S RIGHT.

7 Q AND AT THE TIME YOU WERE UNDER OATH, WHEN WE DID
8 THAT?

9 A I BELIEVE I WAS. I THINK I WAS. ✓

10 Q AND YOU UNDERSTOOD THE SERIOUSNESS AT THE TIME
11 OF THE DEPOSITION, CORRECT?

12 A YES.

13 MR. EIDE: THANK YOU. I HAVE NO OTHER QUESTIONS.

14 MR. BENDER: YOUR HONOR, I HATE TO BELITTLE THIS
15 POINT, BUT I HAVE A FEW MORE QUESTIONS.

16 FURTHER REDIRECT EXAMINATION

17 BY MR. BENDER:

18 Q MR. EIDE IS ASSUMING THAT YOU LIED AT DEPOSITION.
19 DID YOU LIE AT THE DEPOSITION?

20 MR. EIDE: YOUR HONOR, I WOULD OBJECT TO THAT. ✓

21 THE COURT: OBJECTION IS OVERRULED.

22 BY MR. BENDER:

23 Q DID YOU LIE AT YOUR DEPOSITION, SIR?

24 A NO, I DID NOT. KNOWINGLY, I DIDN'T.

25 Q WITH REGARD TO WHETHER OR NOT YOUR WIFE LEFT,