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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN MATEO

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In Re the Matter of)
)
TRUST A UNDER THE JAMES F. HO)
AND GRACE C. HO DECLARATION)
OF TRUST DATED SEPTEMBER 11, 1992,)
as amended,)
)
PETER C. HO, TRUSTEE OF TRUST A OF)
THE JAMES F. HO AND GRACE C. HO)
DECLARATION OF TRUST DATED)
SEPTEMBER 11, 1992,)
)
Petitioner,)
vs.)
)
DEBBY CHANG and DOES 1 through 20,)
inclusive,)
)
Respondents.)
_____)

No. 17 PRO 00973

**CERTIFIED
TRANSCRIPT**

REPORTER'S TRANSCRIPT OF PROCEEDINGS
TRIAL - DAY 10

Date: December 14, 2023

Time: 10:08 a.m.

Location: JAMS
160 West Santa Clara Street
Suite 1600
San Jose, CA 95113

Reported by: Gina Minnis
CSR No. 11996

A P P E A R A N C E S:

Private Judge: JAMS
BY: CATHERINE GALLAGHER, ESQ.
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Suite 1600
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For the Petitioner: CRIST, BIORN, SHEPHERD & ROSKOPH
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The Interpreter: BONNIE LYNN

Also Present: KYSEN KUO

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P R O C E E D I N G S

THE COURT: On the record. Who is your witness?

MR. BAER: Her name is Vivian Zhou.

THE COURT: Can you spell it, please.

MR. BAER: Vivian is the usual spelling, V-i-v-i-a-n, and Zhou is Z-h-o-u.

THE COURT: And she should be on Zoom.

MR. BAER: She should be.

THE COURT: Counsel, could you make appearances, please, and also indicate your paralegal. Mr. Baer, do you want to start?

MR. BAER: Yes. David Baer appearing on behalf of Respondent, Debby Chang, and I'm accompanied by our paralegal, Kysen Kuo, K-y-s-e-n K-u-o.

MR. FRASER: Scott Fraser for Petitioner, Peter Ho.

MR. BIORN: Kristofer Biorn also for Petitioner, Peter Ho, who is present here today and tested negative again today. So I would request that he can participate in this room at this point. He will still mask up.

MR. BAER: I don't have an objection for now. Ms. Chang is not here. I would have to talk to

1 Ms. Chang to make sure she wouldn't have an objection,
2 but my understanding is -- or could you please confirm
3 that Mr. Ho has not tested positive since last Saturday?

4 MR. BIORN: Correct. I have confirmed that.
5 He's twice tested negative since then and, again, for
6 the CDC they usually go from the initial positive test,
7 which is either nine or ten days ago.

8 MR. BAER: Okay. Anyway, it's obviously also
9 up to the Judge.

10 (Whereupon, a brief discussion was held off the
11 record.)

12 THE COURT: Can you call your first witness?

13 MR. BAER: Yes. Respondent calls as their next
14 witness Vivian Zhou.

15 THE COURT: Ms. Zhou, can you hear us?

16 THE WITNESS: Yes. I can.

17 THE COURT: Very good. Do you want to turn
18 down a little bit? Very good. In connection with this
19 case, I'm going to have the interpreter sworn in again.

20
21 BONNIE LYNN,
22 being first duly sworn by the Certified Shorthand
23 Reporter to interpret from English to Mandarin and from
24 Mandarin to English to the best of her ability the
25 testimony of:

1 THE INTERPRETER: She can't hear me very well.

2 THE COURT: You are having problems hearing?

3 THE INTERPRETER: She thinks it's the machine,
4 the volume on some sort of device, not my volume.

5 THE COURT: Can you sit somewhere else and we
6 will test it out?

7 MR. FRASER: Maybe try to sit where Kysen is
8 because this is the speaker.

9 MR. BAER: That's the microphone?

10 (Whereupon, a brief discussion was held off the
11 record.)

12 THE COURT: Okay.

13

14 DIRECT EXAMINATION

15 BY MR. BAER:

16 Q. Ms. Zhou, my name is David Baer and I'll be
17 asking you some questions through the interpreter.

18 Could you please wait for the interpreter to
19 finish the question before you start to answer it?

20 A. Yes. I can do that.

21 Q. What is your name, please?

22 A. You are asking if my name is Vivian Zhou?

23 Q. Yes.

24 A. Yes.

25 Q. Are you able to spell it in English?

1 A. Yes.

2 (In English) V-i-v-i-a-n Z-h-o-u.

3 Q. Thank you. Do you have an occupation?

4 A. (Through the Interpreter) I'm not working
5 anymore.

6 Q. Have you worked in the past?

7 A. I did.

8 Q. What did you do?

9 A. When I first arrived in the U.S. 25 years ago,
10 I started a restaurant. After I left San Luis Obispo, I
11 stopped working and then I found Debby.

12 Q. When you say Debby, are you referring to Debby
13 Chang?

14 A. Yes.

15 Q. When did you first meet her?

16 A. It was a long time ago, six or seven years ago.

17 Q. Okay. How did you meet her? How did that
18 happen?

19 A. A friend of mine told me someone was looking
20 for someone else to cook for them. I went and met
21 Debby.

22 Q. So where did you meet her?

23 A. We talked on the phone and then I went to
24 Debby's home.

25 Q. Where was her home?

1 A. Fost (phonetic) something. It's a city near
2 San Mateo but I don't remember the name of the city.

3 Q. Do you remember the name of the street or the
4 road it was on?

5 A. That was a long time ago. I don't remember the
6 street name. I only worked for two months.

7 Q. Do you remember if it was on a street or road
8 called Promontory Point?

9 A. I don't remember. I think it's called Foster
10 City.

11 Q. Okay. So you said you had a phone conversation
12 with her first. What did she tell you?

13 A. When we talked on the phone, she told me she
14 needed someone to cook and she needed to meet me in
15 person for an interview. So I went.

16 Q. Okay. What did she tell you in the interview?

17 A. She said she needed someone to cook meals.

18 Q. Did she -- sorry.

19 A. I happen to be a pretty good cook. So I went.

20 Q. Did she say why she needed someone to cook?

21 A. Because there were two elderly people at home.

22 Q. Who were they?

23 A. Mr. Ho and Debby.

24 Q. Did she offer you the job when you met with
25 her?

1 A. Yes.

2 Q. Did you accept the job?

3 A. I did.

4 THE INTERPRETER: I need to clarify.

5 THE WITNESS: I felt competent that I was able
6 to -- I would be able to cook for two people.

7 BY MR. BAER:

8 Q. Did you meet Mr. Ho in that interview?

9 A. I think Debby may have brought me to meet
10 Mr. Ho. I think she did.

11 Q. When you first met Mr. Ho, do you remember
12 whether you had an impression of him?

13 A. He was very kind. Both Debby and Mr. Ho were
14 very kind people. So I felt comfortable working for
15 them.

16 MR. BAER: Just a brief interruption here.
17 Mr. Biorn, it appears anyway that Shan-Yuan is on the
18 Zoom. I can't really tell for sure. Have you waived
19 your right to call her as a witness?

20 MR. BIORN: We have not.

21 MR. BAER: Then she needs to be excused if
22 she's on there.

23 MR. BIORN: Can we take a brief recess, Your
24 Honor?

25 THE COURT: Of course. Yes. No problem.

1 (Whereupon, a brief recess was taken.)

2 THE COURT: The interpreter is present. We can
3 proceed.

4 MR. BAER: First let's just clear things up
5 about Ms. Ho.

6 MR. BIORN: Yes. Shan-Yuan will not be
7 testifying at trial. We waive our right to call her as
8 a witness so she can attend.

9 THE COURT: Okay.

10 MR. BAER: I don't have any objection to her
11 presence. I don't know if I could object to her
12 presence if she's not going to be called.

13 THE COURT: No. It's a public courtroom.

14 MR. BIORN: It is a public courtroom.

15 MR. BAER: Right.

16 BY MR. BAER:

17 Q. Did you have any responsibilities for your job
18 besides cooking?

19 A. No, just cooking.

20 Q. Okay. Did you have a work schedule?

21 A. Well, when it was hourly, I started probably
22 around 10:30 and I worked for probably four hours.

23 Q. How many days a week?

24 A. Probably four days.

25 Q. And did you spend the whole four hours each day

1 you came there cooking?

2 A. Cooking and I also had -- I also talked with
3 them.

4 Q. When you were working there, did you ever see
5 Debby do anything to help care for James?

6 A. I don't really know how to answer this
7 question. She was his wife basically. So she did what
8 a wife would do. She sat by his bed and talked with
9 him.

10 Q. When you were working there, did Mr. Ho get out
11 of bed?

12 A. Please repeat that.

13 (Interpreter reinterprets.)

14 THE WITNESS: Yes. Like a normal person he
15 would walk there and here.

16 BY MR. BAER:

17 Q. So are you saying that he walked around the
18 house?

19 A. Yes. Yes. He walked around and read
20 newspapers. He read newspapers every day.

21 Q. What else did you see him doing?

22 A. He has a lot of paperwork to deal with in his
23 office. I don't know what kind of paperwork. They were
24 private.

25 Q. Did you have any meals with Mr. Ho and

1 Ms. Chang?

2 A. Yes. We sat together for food, but even though
3 they offered me the food, I brought my own. I had very
4 special diet like barely oil, healthier. They would
5 offer me food but I didn't eat the food there.

6 Q. Am I correct then that you ate with them at
7 meals when you were there but you just had different
8 food than them?

9 A. I had different food. Their food was very --
10 especially Mr. Ho, he has to have organic everything.
11 Debby brought a lot of organic food for him.

12 Q. When you were at meals with them, did Mr. Ho
13 feed himself or did you or Ms. Chang have to feed him?

14 A. No. He was very normal. He had great
15 appetite.

16 Q. At that point in time did you -- when you were
17 working there, did you ever see Ms. Chang help Mr. Ho
18 get out of chairs?

19 A. It didn't seem like Mr. Ho needed help with
20 that but Debby was always around him.

21 Q. Do you remember what year you had this job?

22 A. I don't remember. It was probably seven or
23 eight years ago.

24 Q. Why did you stop working there?

25 A. Because they bought a house and they were

1 moving away and it would be too far for me.

2 Q. Do you remember what city they were moving to?

3 A. It was a city that was called -- I don't
4 remember. A very beautiful city. I think their house
5 was in Palo Alto, somewhere near San Jose, a very
6 beautiful house. I don't remember the City.

7 Q. Did you ever see Mr. Ho cleaning himself?

8 THE INTERPRETER: Counsel, by that do you
9 mean --

10 MR. BAER: Let me withdraw the question.

11 BY MR. BAER:

12 Q. Did Mr. Ho wash his hands for himself or did he
13 have help doing that?

14 A. He did everything himself. He was very
15 healthy. He didn't need any help.

16 Q. Did you ever see Mr. Ho taking medicine?

17 A. Yes. His medicines were very clearly
18 scheduled. Debby would tell me what he should take at
19 what hour and certain medicines needed to be taken with
20 food. Every hour there was some medicine that needed to
21 be taken because Debby said it's not good for Mr. Ho to
22 take all of the medication at the same time. It's not
23 good for health.

24 Q. When you were working there, did Ms. Chang
25 sometimes leave the home so that you were there, just

1 you and Mr. Ho?

2 A. Yes. Yes. Because sometimes they had things
3 to do that needs to be taken care of at the bank. She
4 will wait until Mr. Ho fell asleep before she left
5 because if Mr. Ho was to wake up and Debby wasn't there
6 he would feel nervous.

7 Q. Did you ever see that occur?

8 A. Yes. Many times.

9 Q. When you say that Mr. Ho would be nervous,
10 could you describe what you saw?

11 A. As soon as he woke up, the first thing he would
12 say was, "Where is Auntie Debby?" I would say she left
13 for the bank. He would then stand by the window
14 basically waiting for Auntie Debby to come home.

15 Q. Was there any other way -- was there anything
16 else he did that made you think he was nervous when she
17 wasn't there?

18 A. Mr. Ho worried about Debby. If it went on for
19 too long without seeing her, he became concerned about
20 her safety.

21 Q. What did he say to make you think that he was
22 worried -- or concerned about, was your word, about
23 his [sic] safety?

24 A. He would say things like it's been a long time
25 and she's not back yet. Could she have gotten into some

1 accident? This didn't happen just once. It happened
2 often. So I could see that he felt nervous not seeing
3 Debby around.

4 Q. In a typical workday, how long would you be
5 with the two of them when they were both awake?

6 THE INTERPRETER: I lost it.

7 BY MR. BAER:

8 Q. In a typical workday, how long would you be
9 together with the two of them when they were awake?

10 A. Generally after I finished cooking, we would
11 sit together for the meal, and after we were done with
12 the meal, we would sit around and chat.

13 Q. And on a typical day how much time did you
14 spend cooking?

15 A. I would spend three hours because there was
16 always slow cooked soup or broth. And I would make soy
17 milk for them every day. Just the slow cooked broth
18 itself would take two or three hours. You needed to
19 watch it.

20 Q. Okay. So let me think how to ask this.

21 In a typical day how much time did you have to
22 spend in the kitchen cooking where you couldn't be with
23 them?

24 A. I was slow. So at least three hours. After I
25 cooked, I also would clean the kitchen. So four hours.

1 Q. Okay. Before you started the job, did either
2 of them tell you whether they were married?

3 A. They didn't say that but one time Mr. Ho woke
4 up and asked, "Where is my wife?"

5 Q. So based on the interactions between them that
6 you saw -- oh, strike that.

7 Did either of them ever say anything about
8 whether they were married other than that one time when
9 Mr. Ho woke up and asked, "Where is my wife?"

10 A. There was no other times.

11 Q. Before that occurred, did you think that they
12 were married?

13 A. Yes. They looked like -- they felt like an old
14 couple.

15 Q. So what gave you the impression that they were
16 married?

17 A. I didn't hear the question clearly.

18 Q. Sure. What gave you the impression that they
19 were married to one another?

20 A. Because they cared about each other very much.
21 You know how old couples are? It's as if they couldn't
22 live without the other person. They were very much in
23 love.

24 Q. How did Mr. Ho show that he cared about
25 Ms. Chang?

1 A. Because every time when Debby left for a long
2 time, Mr. Ho would stand by the window or he would be
3 pacing back and forth basically just waiting for Debby
4 to return. Watching him you would know that he was
5 anxious.

6 Q. Did he ever say anything to you to the effect
7 that he cared about Debby?

8 A. He has said to me that Debby was very nice and
9 I should learn from Debby.

10 Q. I'm sorry. I was a little confused by the
11 testimony. Did Mr. Ho say learn from Debby or did you
12 say learn from Debby?

13 A. It was Mr. Ho that told me that Auntie Debby
14 was great. I should model her.

15 Q. Is there anything else that you remember that
16 Mr. Ho said about Debby?

17 A. Not much because I worked and then we would sit
18 out for food, and then after food I would be cleaning up
19 things.

20 Q. Did your impression that they were married ever
21 change?

22 A. No. They looked just like an old couple. I
23 would -- I just didn't think otherwise.

24 Q. Did you ever see Debby being cruel to James?

25 A. No. No. Debby cared about Mr. Ho very much.

1 At night Mr. Ho wouldn't sleep. That meant Debby
2 couldn't sleep either because she cared about him very
3 much.

4 Q. Did she yell at him?

5 A. Never.

6 Q. Was she rude to him?

7 A. No. They talked softly. I had never seen as
8 what you described. I was only there for four hours.
9 From what I saw that never happened.

10 Q. Did you ever think that Debby was mistreating
11 James in any way?

12 A. No. No. Really, no. They cared about each
13 other and respected each other very much. I actually
14 learned from their interaction and that changed how I
15 treated my husband. The two of them were very much in
16 love.

17 Q. When Debby was talking to James, did she ever
18 demean him, put him down?

19 A. No. No.

20 Q. When she was talking to James, was she ever
21 critical of him?

22 A. No.

23 Q. When she was talking to you, was she ever
24 critical of him?

25 A. No. They didn't talk to me about those things.

1 Q. Did she ever complain about James to you?

2 A. Yes. That he ate things that he shouldn't
3 have, like Coca-Cola.

4 Q. What would she say to him when she saw him
5 doing something like that?

6 A. Debby would say to Mr. Ho that this is not good
7 even for a normal person and you are a patient.

8 Q. Did she -- were you able to tell when you were
9 working there whether or not Mr. Ho was ill?

10 A. No.

11 Q. Did Debby complain to you about taking care of
12 James?

13 A. No.

14 Q. While you were working there, did anybody ever
15 come over to the house?

16 A. Mr. Ho's son would visit. Debby's daughters
17 would visit Mr. Ho.

18 Q. All right. Did Debby ever criticize Mr. Ho to
19 any of them?

20 A. No.

21 Q. Did she ever -- sorry. Were you going to say
22 something else? I couldn't tell if I cut you off.

23 A. Mr. Ho's son would come and take his father out
24 for food. I also saw Debby -- Auntie Debby's daughter
25 visiting Mr. Ho. I didn't see other people, other

1 visitors.

2 Q. Did you ever hear Debby say anything critical
3 of James or of Mr. Ho I should say to her daughters or
4 to Mr. Ho's son?

5 A. No. No. I was new after all and I wasn't very
6 close with them yet. So I don't think they would tell
7 me things that weren't good.

8 Q. Did you think that Debby treated James well?

9 A. Very well. Really, she was very nice to
10 Mr. Ho.

11 Q. Okay. So can you explain what she did or what
12 she said -- strike that. I'm asking a compound
13 question.

14 What gave you the impression that she treated
15 Mr. James well, Mr. Ho well?

16 A. One time they went back for a routine visit
17 about the illness. The doctor said things were looking
18 up. When Debby told me this, she wiped away her tears.
19 She said, "The doctor said Uncle Ho is getting better."

20 Q. Did she speak to Mr. Ho respectfully?

21 A. Yes. They talked softly with each other.

22 Q. What did she call Mr. Ho when they were
23 speaking?

24 A. Let me try to remember it. I think he -- I
25 think she called Uncle Ho's English name.

1 Q. And what name did Ms. Chang use for Mr. Ho when
2 she was speaking to him?

3 A. His English name.

4 Q. Sorry. I asked the same question twice. I
5 meant to switch it.

6 What did James call Debby?

7 A. Debby.

8 Q. Did either of them have a nickname or pet name
9 for the other?

10 A. No, not that I knew of.

11 Q. Was James usually happy when he was with Debby?

12 A. He was very happy.

13 Q. What gave you that impression?

14 A. I saw the two of them had conversations a lot
15 in the office. My impression was that this was someone
16 seeing that her husband was ill and would do everything
17 to not irritate him and so to make him happy.

18 Q. Okay. Was there anything -- when you saw them
19 together, was there anything about Mr. Ho that made you
20 think he was happy to be with Debby?

21 A. Well, you could see from his facial expression.
22 If Debby was out, he was emotionless, but when she's
23 around you could see that he was basically smiling on
24 his face.

25 Q. Did you think Debby was usually happy when she

1 was around Mr. Ho?

2 A. I believe so because I think the two of them
3 were very happy to be with each other.

4 Q. Okay. So what about Debby's behavior, what she
5 said makes you think that she was happy to be with
6 James?

7 A. She said James is such a nice person and she
8 said when he was younger he was very smart. He played
9 golf. He was very active. It was only after that he
10 got sick that he stopped going out seeing friends.

11 Q. Did you see Debby or James or neither one of
12 them as the boss of the house?

13 A. I think it was James because with James sick
14 Debby had to ask him to make a lot of decisions.

15 Q. Can you remember any particular decisions that
16 Debby asked James to make?

17 A. No. She just asked him to not take junk food
18 like french fries.

19 MR. BIORN: David, is now a good time for a
20 break?

21 MR. BAER: Yes. It's okay.

22 (Whereupon, a brief recess was taken.)

23 THE COURT: Back on the record. Counsel, you
24 can proceed.

25 BY MR. BAER:

1 Q. So more questions, Ms. Zhou.

2 Did you hear James ask Debby to do things or
3 get things for him from time to time?

4 A. Yes. But I don't remember what.

5 Q. Do you remember her ever refusing him?

6 A. I don't remember. Not that I remember.

7 Q. Did they ever argue in your presence?

8 A. Not in my face.

9 Q. Did you ever overhear them arguing?

10 A. No. When they asked to talk, they would shut
11 the office door.

12 Q. When you were working there, did you converse
13 with James?

14 A. Yes, often. He would ask me about my family
15 life. He would show that he cared about my family.

16 Q. Were there other kinds of things that you and
17 James spoke about?

18 A. Me and James?

19 Q. Is that a question?

20 A. Yes. Yes. Were you asking what James and I
21 talked about?

22 Q. Yes. Let me break the question down a little
23 bit. Okay?

24 In the context of the three of you together,
25 what kinds of things did James talk about?

1 A. When the three of us were together, it was
2 really just him talking to Debby. I didn't usually add
3 or interrupt. When they didn't ask me about me, I
4 wouldn't impose.

5 Q. Okay. What kinds of things would Mr. Ho talk
6 about when the three of you were together even though
7 you were not, as you put it, interposing or imposing?

8 A. Well, unless they were asking me things, I
9 would leave since they were talking amongst themselves.

10 Q. Did Mr. Ho ask you to do some things for him?

11 A. Yes. Sometimes he would remind me to clean up
12 the kettle, water kettle and to get the newspaper.

13 Q. Did you get the newspaper for him or not?

14 A. I would.

15 Q. How often?

16 A. He read newspapers every day. So if it was not
17 me getting the newspaper, it would be Debby.

18 Q. How long did he typically spend reading the
19 newspaper in a day when you were working there?

20 A. He almost -- he almost always -- he was almost
21 always reading newspapers or he was in his office
22 dealing with a lot of paperwork. It was either
23 newspapers or paperwork.

24 Q. Did you ever have any private conversations
25 with Mr. Ho?

1 A. A few times. One time he asked me about my
2 kids and where I am from. Another time he told me that
3 he and Debby bought a house that was like \$1 million for
4 sale. As we were talking about the house, Debby showed
5 up. So James stopped the conversation.

6 Q. Did he say anything else about the house?

7 A. He said that they went and bought the house
8 together, and I think that he said he bought the house
9 for Auntie Debby. I thought it was a little odd. A
10 husband would always just naturally buy a house for the
11 wife. Why did he mention that it was for Auntie Debby?

12 Q. How long was that conversation that you had
13 with James about the house?

14 A. Not long. It was just a few sentences. He was
15 very happy that he bought the house and it was a
16 beautiful home because he was happy he told me about it.
17 I think he said that the house was for Auntie Debby,
18 which confused me.

19 Q. You said you thought it was odd and you were
20 confused. Did you ask James to explain?

21 A. I wouldn't dare ask him that. It wasn't -- it
22 was none of my business. I just thought it's odd.

23 Q. Was that the first time you learned about the
24 house being purchased or did you already know?

25 A. Before then a real estate agent came but they

1 didn't tell me or I forgot. I think they may have said
2 they bought the house. They may have told me that.

3 Q. Do you know whether they were looking for a
4 house while you were working there?

5 A. Yes. It was during the time that I worked for
6 them they bought the house.

7 Q. Did either of them talk to you about why they
8 bought another house?

9 A. Yes. The house I worked in was a rental. So
10 they wanted to buy a house. And I think that a
11 fortune-teller told them this rental was unlucky house,
12 bad for their health. So they wanted to buy a house.

13 Q. Who said that? Was it James? Was it Debby or
14 was it both of them?

15 A. Debby. She said that before they moved in
16 James was healthy, but then they moved in and James got
17 sick. So they said Mr. Feng Shui was right.

18 Q. Did either of them ever talk to you about where
19 the money came from to buy the house?

20 MR. FRASER: Objection. Leading.

21 MR. BIORN: Agree.

22 THE COURT: Sustained. Sorry. Could you just
23 rephrase?

24 BY MR. BAER:

25 Q. Did either Debby or James ever discuss with you

1 how they had financed purchasing the house?

2 MR. FRASER: Same objection.

3 THE COURT: And the nature of the objection?

4 This is a yes or no answer, should be.

5 MR. FRASER: As long as it's a yes or no
6 response.

7 THE COURT: Yes. Great.

8 Could you interpret that as a yes or no? Thank
9 you.

10 THE WITNESS: I don't think I have ever heard
11 of that. They wouldn't tell me things like that.

12 BY MR. BAER:

13 Q. Did you ever hear Debby trying to pressure
14 James?

15 A. No. No, not to my face. I didn't have that
16 impression and I also had never heard of that.

17 Q. Did you ever observe her try to control James?

18 MR. FRASER: Calls for speculation.

19 MR. BAER: I'm asking based on her own
20 observations.

21 THE COURT: Again, yes or no -- again, a yes or
22 no answer.

23 THE INTERPRETER: Your question?

24 BY MR. BAER:

25 Q. The question is did you ever observe Debby

1 trying to control James?

2 A. I didn't have that impression. I feel like
3 James was actually the person calling the shot.

4 THE COURT: If you object to that, I'll sustain
5 it, but we are going to get around to it anyway.

6 MR. FRASER: That's fine. I understand. Thank
7 you, though.

8 BY MR. BAER:

9 Q. What made you think James was the one calling
10 the shots?

11 A. Because oftentimes Debby asked for his opinions
12 and James was the person that wrote checks.

13 Q. Did you ever observe James trying to pressure
14 Debby?

15 A. No. Even if he did, he wouldn't have done that
16 to my face.

17 Q. Did you ever observe him trying to control
18 Debby?

19 A. No. I didn't have that impression. My
20 impression was that they respected each other and
21 everything was -- everything can be talked about.

22 Q. Did James ever say to you that he was afraid of
23 Debby?

24 A. No. No.

25 Q. Did he act fearfully around her?

1 A. No.

2 Q. When you observed James speaking, was he lucid?

3 A. Very.

4 Q. Was -- sorry.

5 A. He didn't seem, like, impatient at all.

6 Q. When he was talking did he make sense?

7 A. He was even more elaborate and clear than me.

8 Q. Did you ever see him have any difficulty
9 communicating with anybody?

10 A. No.

11 Q. When you were speaking to James, did he stay on
12 topic or did he stray off into tangents?

13 A. He was very clear. He stayed on one topic.

14 Q. Did you ever observe him have any difficulty
15 remembering anything?

16 A. Not that I -- I didn't observe that.

17 Q. Did he ever complain to you that he thought his
18 memory was failing or anything like that?

19 A. No.

20 Q. Did he ever seem confused in your presence?

21 A. No. No.

22 Q. Did he ever lose track of who you were, like
23 not recognize who you were?

24 A. No. He was very aware.

25 Q. In your presence was he ever confused about

1 where he was?

2 A. I don't think so.

3 Q. Okay. Did you think of James as someone who
4 was intelligent, unintelligent or somewhere in the
5 middle?

6 A. Very intelligent.

7 Q. Why did you think that?

8 A. Debby told me James was very smart and his son
9 was just like him, very smart.

10 Q. Did James himself say or do anything to give
11 you the impression that he was smart?

12 A. No. No. He acted normally.

13 Q. When you saw James and he was out of bed, was
14 he typically alert or did he seem to be groggy?

15 A. I think very alert. When I was working there,
16 he was always very normal. I think only after they
17 moved to the new house that that changed.

18 Q. Did you ever see them at the new house?

19 A. Yeah. Debby and Uncle Ho invited me there for
20 awhile. For a while things were great at the new house.
21 They had been saying everything is wonderful, but one
22 time Mr. Ho went missing. Debby didn't know what
23 happened and from that point out Mr. Ho just stayed
24 missing.

25 Q. Did you ever talk to Mr. Ho at the new house?

1 THE INTERPRETER: Counsel, did you mean did she
2 talk to Mr. Ho at -- inside the new house?

3 MR. BAER: Yes. Inside the new house.

4 THE WITNESS: No. I went to see the house and
5 look around. It was a beautiful house. Then I left. I
6 think that was one of the days that his child took him
7 away or brought him out. So I didn't see Mr. Ho.

8 BY MR. BAER:

9 Q. Did James ever talk to you about any of his
10 children?

11 A. He has mentioned his son but never his
12 daughter.

13 Q. When you were working there, did you know
14 whether he had a daughter or daughters?

15 A. I actually thought that he only had a son. He
16 never mentioned his daughter slash daughters.

17 Q. Did James ever talk to you about any of his
18 grandchildren?

19 A. No. He talked about how he played golf when he
20 was younger because my daughter played golf. So he
21 mentioned he also golfed and only his glorious past.

22 Q. Did James -- strike that. Did anyone introduce
23 you to James' son?

24 A. The first time I saw his son Debby introduced
25 me to him and said, "This is James' son."

1 Q. Did James and Debby share a bedroom at the
2 house where you worked?

3 A. No. When I was working there, they did not
4 share the same bedroom.

5 Q. Did you expect that they would?

6 A. I think that if someone was ill, then they
7 shouldn't be in the same bedroom, but I don't really
8 know. It's not something I personally experienced.

9 Q. Where did James sleep?

10 A. James slept in the suite, meaning a suite where
11 there is a bathroom and toilet.

12 Q. And where did Debby sleep?

13 A. Debby slept in a bed next to him and they had a
14 very sensitive alarm that they had, such a setup. It's
15 a system where if James moved or turned Debby could
16 know.

17 Q. Was Debby in the suite or outside of the suite?

18 A. Outside it. It's a room very close.

19 Q. Did she ever complain that James had the suite
20 and she didn't?

21 A. No. She said that James needed to get up often
22 at night. That's why they set up a system like that.
23 She said James doesn't sleep and she couldn't sleep.

24 Q. Did you have the job until they left?

25 A. Yes. I had the job all the way through they

1 were getting ready to leave. I think a month before
2 they moved.

3 Q. Did James -- in your presence did James talk
4 about whether or not he wanted to move?

5 A. He was looking forward to it. He was happy.

6 Q. Is that what he said?

7 A. Yeah. He was very happy when he told me that
8 they bought a beautiful house and it was a great
9 location.

10 Q. So this is a little unclear to me but -- so
11 after they moved, did you ever communicate with James
12 again?

13 A. No.

14 Q. Did you ever see them being physically
15 affectionate with one another?

16 A. That would still happen when people are this
17 old? When they were still at a rental house, when they
18 were going out, Mr. Ho would put his arms on Debby's
19 shoulders.

20 MR. BAER: Okay. I don't have any further
21 questions.

22 THE COURT: Cross?

23 MR. BIORN: Can we take a short break? I need
24 to use the restroom.

25 THE COURT: Sure, of course. Off the record.

1 (Whereupon, a brief recess was taken.)

2 MR. FRASER: We have no questions.

3 THE COURT: Great. Can this witness be excused
4 or is she subject to recall?

5 MR. BAER: She's excused.

6 THE COURT: Okay.

7 MR. BAER: Thank you very much, Ms. Zhou.

8 THE COURT: Thank you. You are free to go.

9 THE WITNESS: Bye.

10 THE COURT: Now probably is an appropriate time
11 to take the lunch recess unless there's something you
12 need to clean up.

13 MR. BAER: No.

14 THE COURT: Okay. Can we keep it to half an
15 hour do you think instead of a full hour? But if you
16 need the full hour, just tell me. I muted her.

17 MR. BIORN: I would like the full hour. Sorry,
18 Your Honor. I have a little bit of work I need to do
19 for this matter.

20 THE COURT: Great. We'll take an hour.

21 (Whereupon, a lunch recess was taken.)

22 THE COURT: Let's go back on the record. You
23 wanted to make a comment.

24 MR. BIORN: Yes, Your Honor. I know language
25 to be open to interpretation and there's some feeling

1 with my client that some of the interpretations have
2 perhaps been more favorable to the witness to Debby's
3 side of the case than our interpretation of what was
4 said would have been.

5 I would just ask that everything be interpreted
6 and without any embellishment one way or the other.
7 Embellishment is a wrong word. Without any -- just as
8 accurately as possible, which I am sure you are doing
9 but without maybe favoring one side or the other, which
10 I hope you are not doing that. I would have no idea
11 myself.

12 THE INTERPRETER: Well, the interpreter stands
13 by her interpretation, but I will always continue to
14 improve and consider.

15 MR. BIORN: Thank you.

16 THE INTERPRETER: Of course.

17 THE COURT: Ms. Chang, you have not been a
18 witness in this case for a while. So I'm going to have
19 you sworn in again. Okay?

20
21 DEBBY CHANG,
22 the witness on the stand at the time of the
23 adjournment, having been previously duly sworn,
24 resumed the stand and testified further as
25 follows:

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THE WITNESS: Should I mention my own name?

THE COURT: Yes. If she can just say that she does swear to tell the truth first.

THE WITNESS: I do. My testimony is going to be truth and all truth.

THE COURT: Okay. And now could you state your name and spell it for the reporter.

THE WITNESS: My name is Debby Chang.

THE COURT: Thank you. Why don't you spell your first name and your last name.

THE WITNESS: My first name is D-e-b-b-y. My last name is C-h-a-n-g.

THE COURT: Good.

DIRECT EXAMINATION

BY MR. BAER:

Q. Good afternoon, Ms. Chang. I'm going to start kind of where we left off the last time. I was asking you questions with the call that James made to you in 1995 in the United States. Okay?

So in that telephone conversation -- I'll stop. Sorry. Okay.

So do you remember whether the two of you made any plan to meet?

1 A. Yes.

2 Q. What was the plan?

3 A. We planned to meet the next day.

4 Q. Who suggested that first?

5 A. I remember him asking me, "When should we meet?"

6 Q. Did you decide where to meet?

7 A. We decided on a parking lot in San Francisco.

8 Q. In that call did you make any plans for after
9 you met in the parking lot?

10 A. In our call, no. Our call only set up that's
11 where we will meet and we will take it from there.

12 Q. Did you meet in the parking lot the next day?

13 A. Yes.

14 Q. Where was the parking lot?

15 A. It's at Fifth Street and Mission, San Francisco.

16 Q. Did you drive?

17 A. No. I took the subway.

18 Q. Did Mr. Chang -- sorry -- did Mr. Ho drive?

19 A. He did.

20 Q. Do you remember what kind of car he had?

21 A. He drove a Corvette.

22 Q. Did he talk to you -- do you remember whether
23 he talked to you about his car?

24 A. No. He only told me that he -- he just told me
25 he recently bought the car but didn't tell me when.

1 Q. Did you speak with him in the garage there?

2 A. Yes. We started talking right as soon as we
3 met up.

4 Q. For how long did you and James speak in the
5 parking lot?

6 A. A long time. We didn't remember how long that
7 we -- in actuality, we talked for 30 minutes in the
8 parking lot.

9 Q. What were the two of you talking about?

10 A. We had not seen each other for a long time. So
11 in the beginning we didn't know what to say. Then we
12 started to talk about everything. I talk about my
13 children, my work, his work. Before we realize it,
14 30 minutes had passed. And then we said let's go. We
15 went to the car and we drove to Marin.

16 Q. How did you feel about reconnecting with James
17 when you were talking with him in the parking lot?

18 A. I of course was very happy, very excited. It's
19 like meeting up with an old friend. He was the same as
20 he always was.

21 Q. How could you tell -- when you say the same, do
22 you mean the same as you or the same person as before?

23 MR. BIORN: Objection. Leading.

24 THE COURT: It's clarification. I'm going to
25 let it go.

1 THE WITNESS: I meant he was the same person
2 with the same humor, same sweetness, the same passion
3 and the same handsome person. And he was very happy to
4 see me.

5 BY MR. BAER:

6 Q. How could you tell?

7 A. He said a lot of things that were from his
8 heart. He said what he liked. He said, "Look, you
9 dress really well. Your hair looks very nice. Your
10 purse looks great." I was quite embarrassed but he
11 wouldn't stop. So I could feel the sincerity.

12 Q. Do you recall whether James told you during
13 that conversation whether he was married?

14 A. He was married? I knew that he was married. I
15 attended his wedding.

16 Q. In the conversation in the parking lot, did he
17 tell you whether he was still married?

18 A. He didn't tell me but I knew because friends
19 told me his wife passed.

20 Q. Did either of you mention that in the
21 conversation in the parking lot?

22 A. I think he brought it up. I think that when he
23 talked about his wife he showed that he was sad. I
24 could feel that.

25 Q. Were you attracted to James when you were

1 talking to him in the parking lot?

2 A. Of course.

3 Q. Why?

4 A. I was attracted to him. He was attracted to
5 me. It's mutual.

6 Q. What about him attracted you to him?

7 A. (In English) Sorry. I forgot to turn off.
8 I'm sorry.

9 (Through the Interpreter) like I said earlier,
10 he was still very sweet.

11 Q. Where did you go next?

12 A. We went to Marin.

13 MR. BIORN: It's very hard, Your Honor, to hear
14 the witness. And I am right next to her. Maybe she can
15 rotate a little bit.

16 MR. BAER: Debby, can you speak a little
17 louder?

18 (In English) Okay. Sorry. I have to turn
19 this off.

20 BY MR. BAER:

21 Q. Yes. Just speak up, please. Sorry. What was
22 the question?

23 Where did you go?

24 A. (Through the Interpreter) We went to Marin.

25 Q. Where in Marin?

1 A. We went to -- so he's asking where in Marin?

2 Q. Where in Marin did you go?

3 A. A restaurant.

4 Q. What meal were you having?

5 A. Chinese restaurant. So Chinese food.

6 MR. BIORN: Your Honor, if we can have both the
7 witness and the interpreter speak up a little louder,
8 that would be appreciated. Thank you.

9 BY MR. BAER:

10 Q. So try to speak up if you can. Okay?

11 MR. BIORN: And the interpreter as well.

12 BY MR. BAER:

13 Q. Do you recall anything you talked about in the
14 restaurant?

15 A. Yes.

16 Q. What did you talk about there?

17 A. We continued to talk about whatever we didn't
18 finish at the parking lot.

19 Q. When you were done with the meal -- when you
20 were done eating, did you leave the restaurant or did
21 you continue to talk with James after you were done
22 eating?

23 A. We continued talking.

24 Q. How long did you talk with James after the two
25 of you were done eating?

1 A. I think 30, 40 minutes.

2 Q. What did you do next?

3 A. He said he wanted to see where I lived.

4 Q. So do you remember whether you went to your
5 house next or whether you went somewhere else next?

6 A. We went to somewhere else first.

7 Q. Where did you go?

8 A. He took me to Macy's for a -- he took me to
9 Macy's to buy a suit for me.

10 Q. Did he buy a suit for you?

11 A. He did.

12 Q. Who paid?

13 A. He did.

14 Q. What did you do after that?

15 A. After that we drove home to -- back to my home.

16 Q. Did he drop you off there or did he come
17 inside?

18 A. He came inside.

19 Q. If you can remember, did he ask if he could
20 come in or did you invite him in? Which happened first?

21 A. That's something that happened really
22 naturally. Both of us walked in together.

23 Q. How long did he stay at your house?

24 A. He stayed until it was almost dark because he
25 was still living with his daughter.

1 Q. What did you and James do at your house?

2 A. We continued talking. I had a beautiful house.
3 There were 180 things to view. So he started talking
4 about my house.

5 Q. What do you mean "180 things to view"?

6 A. I had a 180 degree view of the Bay Area.

7 Q. Do you remember whether James said anything
8 about your house?

9 A. Yes. He said, "Your house is very unique."

10 Q. Did he say anything about the view?

11 A. Yes. Everyone was always surprised when they
12 saw the house.

13 Q. Do you remember anything else that you and
14 James talked about while he was at your house that day?

15 A. He asked me when my -- he asked me whether my
16 kids lived there and when they left from home.

17 Q. Okay. Did you and James make any further plans
18 before he left?

19 A. Yes.

20 Q. Did you ask him for his phone number?

21 A. He gave me his number the first time we talked
22 on the phone.

23 Q. What plans did you and James make when you were
24 at the house then?

25 A. Our plan was to meet again the next day or to

1 talk on the phone again the next day.

2 Q. Did you meet or talk on the phone the next day
3 with James?

4 THE INTERPRETER: I need to clarify with the
5 witness something.

6 (Interpreter clarification.)

7 THE WITNESS: The next day and every day since
8 then we were on the call every day several times a day
9 for a year or two. Until James passed away we talked on
10 the phone every day.

11 BY MR. BAER:

12 Q. How often did you see James for the next year
13 or two after the day he -- first day he came to your
14 house?

15 A. We already talked about that. We -- we already
16 talked about that. We were on the phone several times a
17 day. So I don't think his question now is asking about
18 the phone calls. I think he's asking about how often we
19 met.

20 Q. That's correct. How often did you meet with
21 James in person for the next year or two?

22 A. I was still working at that time. So I
23 couldn't meet up with him on Sundays.

24 (In English) On some days, not Sunday, I
25 cannot see him. In the weekday --

1 (Through the Interpreter) Some days not
2 Sundays. I cannot see him on weekdays.

3 BY MR. BAER:

4 Q. Why couldn't you see him on weekdays?

5 A. Because I was still working.

6 Q. How often in that year or two would you see
7 James on Sundays?

8 A. (In English) How often? You asked me how
9 often I see James? Yeah.

10 (Through the Interpreter) I saw him every
11 Sunday and every weekend.

12 Q. Where would you see him?

13 A. Normally on the weekend, either Fridays or
14 Saturdays, he would come to my home. Sometimes he
15 couldn't be here because he went to church on Sundays.
16 Then I would visit him.

17 Q. Where did you visit him?

18 A. Csm Drive. Csm Drive in San Mateo.

19 Q. Was that James' home or somewhere else?

20 A. His home.

21 Q. When he came up to El Cerrito, would the two of
22 you stay there or would you sometimes go out? For the
23 next year or two I'm talking about.

24 A. We would go out. Most of the time we went out.

25 Q. Where would you go?

1 A. We would visit various cities at the beginning
2 and then we went to farther places.

3 Q. Can you remember any of the places in the first
4 couple of years that you went to with James?

5 A. In the Bay Area, San Francisco, Marin, Stinson
6 Beach, the north, north of San Francisco, Sacramento and
7 another city -- I don't remember the name -- in the
8 south, San Jose, Gilroy, Pinnacle [sic], cities in the
9 south, Palo Alto. We expanded the areas on the map.

10 Q. During those trips -- let me ask a better
11 question. Were those day trips? Were those all-day
12 trips?

13 A. Most of them.

14 Q. The trips that were not day trips, where did
15 the two of you stay?

16 A. Rarely but we would most likely stayed -- stay
17 in the South Bay, Gilroy and in the north, Sacramento.

18 Q. What kind of places did you stay with James?
19 In other words, was it a hotel? A motel? Were you
20 camping?

21 What kind of place were you at with him when
22 you took these overnight trips?

23 A. Mostly 3 or 4 stars hotels.

24 Q. Would you get a single room or two rooms?

25 A. Single room.

1 Q. I'd like to show you what has been premarked.
2 I think it's Exhibit 4. And Exhibit 4 has Chinese
3 writing on the first page mostly. And then on the
4 second page there's a translation and then there's the
5 interpreter's certification or declaration I should say
6 on the third page.

7 Anyway, do you recognize Exhibit 4?

8 A. I think this is his handwriting. Hold on. It
9 looks a little strange. This handwriting isn't mine but
10 this is my signature. I don't remember. This looks
11 like my handwriting but it also looks like his
12 handwriting but this is my name.

13 Q. Where is your name?

14 A. It's here.

15 Q. Where on the page? You have to use words to
16 explain where it is.

17 A. So the first page is a Chinese language letter.
18 Let's see what it says here.

19 Q. Did you write this note or did somebody else
20 write the note?

21 A. (In English) It looks like my writing but it
22 looks like better than the writing I do right now.

23 (Through the Interpreter) I wrote this letter
24 but the handwriting was better than my handwriting now.

25 Q. Why did you write this letter to James?

1 A. The first thing I wrote here was thank you for
2 the thing you sent me. So this is my reply to his
3 letter. I was at work. I couldn't make phone calls. I
4 was busy but it was more than just being busy. At work
5 we couldn't make personal phone calls.

6 Q. The letter that you got from James, do you
7 remember if he mailed that to you or if he handed it to
8 you?

9 A. I don't remember. I also don't remember where
10 the letter is.

11 Q. Did you send your letter or note to James?

12 A. This was my reply to him. I don't remember
13 whether I sent it.

14 Q. After writing this, when was the next time that
15 you saw it if you can remember?

16 A. Looking at the date, I think it was a Sunday
17 after this but I don't remember.

18 Q. Do you remember being asked to produce
19 documents in this case before the trial began?

20 A. I'm not following your question.

21 Q. Do you remember learning that you were required
22 to produce documents that you had that would be relevant
23 to the case?

24 A. I don't remember. I'm not sure I follow. Are
25 you talking about letters or documents?

1 Q. Well, letters -- in my mind anyway, letters are
2 documents. Let me ask a different question.

3 After this suit was filed, did you find this
4 letter in your letters and papers?

5 A. I didn't find it myself. The first time I saw
6 this was the day before yesterday, just a quick glance,
7 and today is the first time I am reading it more
8 carefully. Excuse me. I may have seen this letter
9 recently but I don't remember when.

10 MR. BAER: Okay. I would like to move
11 Exhibit 4 into evidence.

12 MR. BIORN: No objection.

13 THE COURT: Received.

14 (Whereupon, Respondent's Exhibit 4 was admitted
15 into evidence.)

16 BY MR. BAER:

17 Q. So let me change the subject for a bit. I want
18 to ask you some questions about your husband, Mr. Chang.

19 So where was Mr. Chang in 1995 when you were
20 seeing James?

21 A. In 1995 he came back here from Taiwan to attend
22 my oldest daughter's wedding.

23 Q. Where was he -- where was Mr. Chang living at
24 that time?

25 A. Still living at my home. He was only here

1 briefly. He was only here to attend the wedding from
2 Taiwan.

3 Q. Was he living in Taiwan or was he living
4 somewhere else?

5 A. He mainly lived in Taiwan. He was here to
6 attend the wedding.

7 Q. When had he gone back to Taiwan?

8 A. The first time he went to Taiwan to live was
9 between 1980 and 1981.

10 Q. Between 1980 and 19-- sorry, between 1980 and
11 your daughter's wedding in 1995, did he come back to the
12 United States to live here?

13 A. No.

14 Q. Why did he go back to Taiwan in 1980?

15 A. He had a better job there.

16 Q. Between 1980 and 1995 -- strike that. Maybe
17 you said this but if so I forgot.

18 Which daughter of yours got married in 1995?

19 A. My oldest daughter.

20 Q. And her name is?

21 A. Sophie.

22 Q. Okay. Between 1980 and 1995 had Mr. Chang come
23 back to the United States?

24 A. No.

25 Q. Did Mr. Chang -- he actually did go to Sophie's

1 wedding; is that true?

2 A. Yes.

3 Q. What month or what time of year did Sophie have
4 her wedding in 1995?

5 A. August.

6 Q. Did James Ho go to the wedding?

7 A. He did. He went with his second daughter and
8 her husband.

9 Q. Who invited him?

10 A. I did.

11 Q. Why did you invite him?

12 A. I thought of him as my old friend, and I liked
13 having him attend my family events.

14 Q. Did you and Mr. Chang ever get divorced?

15 A. No.

16 Q. Why not?

17 A. He had a good life there. I had a good life
18 here. It didn't cross our mind. Divorce was such a big
19 decision.

20 Q. After Mr. Chang went back to Taiwan, were you
21 ever planning to live with him again?

22 A. No.

23 Q. What did you call James Ho?

24 A. We came up with our own . . .

25 (In English) Creation.

1 (Through the Interpreter) Wei Wei.

2 THE INTERPRETER: The interpreter's spelling is
3 Wei Wei, W-e-i W-e-i.

4 BY MR. BAER:

5 Q. What does Wei Wei mean?

6 A. We came up with it really casually. It was
7 easy on the tongue. It felt -- it sounded intimate as
8 if we were calling each other honey.

9 Q. Did Mr. Ho -- did he meet -- or strike that.

10 Did James meet any of your children?

11 A. Yes. They met one another the first time at a
12 wedding.

13 Q. What did your children call Mr. Ho?

14 A. Uncle Ho.

15 (In English) No. Not Uncle Ho. Sounds
16 like -- that's Chinese.

17 Q. Let me just ask a question to clear it up.

18 In speaking to him, was the sound that they
19 made Mr. Ho -- I'm sorry -- Uncle Ho or Ho bou
20 bou (phonetic).

21 A. Ho bou bou.

22 THE INTERPRETER: The interpreter's spelling is
23 H-o b-o-u b-o-u or b-o b-o, which in Mandarin meant the
24 older uncle.

25 BY MR. BAER:

1 Q. How did James' children refer to you?

2 A. They called me Auntie Debby.

3 Q. At any point in your life, did you think of
4 yourself and James as lovers.

5 A. Yes.

6 Q. When was the first time you thought of the two
7 of you that way?

8 A. The year starting from the year my daughter got
9 married, 1995, between then and 1996.

10 Q. Did you ever have a romantic relationship with
11 Mr. Ho?

12 A. The life we spent together was very romantic.

13 Q. When did James pass away?

14 A. September 2017. September 5, 2017.

15 Q. How did you learn that he had passed?

16 A. Based -- based on my memory his oldest
17 daughter, Shan-Yuan, wrote an e-mail to my daughter.

18 THE INTERPRETER: Interpreter spelling of the
19 name is S-h-a-n-g Y-u-a-n [sic].

20 THE WITNESS: And later people at church told
21 me.

22 BY MR. BAER:

23 Q. Did you and James ever break up?

24 A. Never.

25 Q. After seeing James again in the United States

1 in 1995, did you ever pursue a romantic relationship
2 with anyone else besides him?

3 A. Never.

4 Q. To your knowledge, after that did James ever
5 pursue a romantic relationship with anybody else?

6 A. I don't think so but James was a very nice
7 person. He liked putting your hand on his shoulder like
8 that. So it's possible that people misunderstood him to
9 thinking that they were his girlfriends. I asked James
10 actually and he said the -- I know that person pretty
11 well but how would I like that person that way? How
12 would I like that person that way?

13 Q. After reconnecting with James in the United
14 States, did you ever tell anyone that you didn't want to
15 see him again?

16 THE INTERPRETER: Interpreter lost train of
17 thought. Counsel, do you mind repeating?

18 BY MR. BAER:

19 Q. After reconnecting with James in the United
20 States, did you ever tell anybody that you did not want
21 to see James anymore?

22 A. Which James?

23 Q. Okay. We kind of had this convention that
24 Mr. Biorn started I think. So we have been referring to
25 James Ho as James and James Chang as Mr. Chang. So I'm

1 talking about James Ho. You can assume in any question
2 where I use the word James that I am talking about James
3 Ho unless I say otherwise.

4 A. Well, I didn't.

5 Q. Did James talk with you about his relationship
6 with his daughter Shan-Yuan?

7 A. Not in details but he said that the two of them
8 didn't always get along in conversations.

9 Q. In your presence did James call Shan-Yuan on
10 the phone?

11 A. Most of the time Shan-Yuan made the calls.

12 Q. From the time you reconnected with James until
13 his death, did Shan-Yuan ever live in the Bay Area?

14 A. Since she was took away into prison, I think
15 she had been living in the East Coast.

16 Q. So were you ever there when Shan-Yuan called
17 James?

18 A. Yes.

19 Q. Do you remember any of the calls?

20 A. I don't really remember but normally I wouldn't
21 pay much attention. Occasionally I would overhear it.
22 They mostly talked about money.

23 Q. When Shan-Yuan called James, did you ever speak
24 to her too?

25 A. Yeah. Normally James didn't talk a long time

1 with her, only briefly, and then he would push the phone
2 on to me.

3 Q. And would you talk to her then?

4 A. Shan-Yuan talked to me a lot.

5 Q. Did she talk to you about her father?

6 A. She did. She asked about her father often.

7 Q. What did she say about him herself?

8 A. Meaning why she talked about her father?

9 Q. No. What did she say about her father, if you
10 can remember?

11 A. I don't remember very well now, but I think she
12 asked me, What happened to my father's money?

13 THE INTERPRETER: Clarification.

14 THE WITNESS: She said that she worked for
15 income while going to school in order to support the
16 family. So her father by now should have more money.
17 Where did his money go?

18 MR. BIORN: David, again, can we have the
19 witness speak up, please?

20 MR. BAER: Sure.

21 BY MR. BAER:

22 Q. Try to keep your voice up, please, so everyone
23 can hear you.

24 A. I think Shan-Yuan told me that when she was
25 going to school she had income and she helped support

1 the family. I think that's what she said even though
2 I'm not very clear because I didn't want to ask too much
3 about this. So she said her father should have money
4 but where did the money go? In other words, she wanted
5 to know what happened to her father's money.

6 (In English) Excuse me.

7 (Through the Interpreter) This is when her
8 mother just passed. I only reconnected with him not too
9 long ago.

10 (In English) Can I talk to you a minute?

11 MR. BAER: When we take a break we can take
12 talk, which is probably very soon.

13 THE COURT: Whenever you want.

14 MR. BAER: How long have we been going? An
15 hour?

16 THE WITNESS: I need to talk to you right now.
17 Just give me one minute.

18 BY MR. BAER:

19 Q. Let me ask you one question in the time being;
20 that is, when is this that Shan-Yuan first asked what
21 happened to the money?

22 A. (Through the Interpreter) Not too long after I
23 reconnected with her father 1995 or 1996 or 2000. He
24 asked this question many times before.

25 Q. He asked this question or she asked this

1 question?

2 A. (In English) She.

3 (Through the Interpreter) She asked these
4 questions. My guess is that with her mother passed she
5 wanted to know about her father's finances. That's my
6 assumption.

7 MR. BIORN: Move to strike as speculative.

8 THE COURT: Appears to be. I don't even think
9 there's a question pending.

10 MR. BAER: Okay.

11 BY MR. BAER:

12 Q. Did she actually say in any of the
13 conversations she wanted to know about her father's
14 finances or is that just something that you thought?

15 MR. BIORN: Objection. Vague and ambiguous. I
16 say that because small explanation is that he said ever,
17 but we are focusing on a conversation in the '95, '96
18 maybe 2000 time frame. It's vague to me on whether he's
19 referring to that conversation or any conversation.

20 THE COURT: Sustained.

21 MR. BAER: Okay.

22 THE COURT: You can rephrase or you can take a
23 break.

24 MR. BAER: Let's just finish this up. Okay?

25 BY MR. BAER:

1 Q. In any of your telephone conversations with
2 Shan-Yuan, did she actually say that she wanted to know
3 about her father's finances or was that just something
4 that you thought?

5 A. She asks me the question like that. Since you
6 ask me what she said, I'm now telling that's something
7 that she said. She asked, "What happened to my father's
8 money? I helped out in the past." I didn't want to
9 pursue at that time and I didn't have any interest in
10 knowing more.

11 MR. BAER: Okay. Let's take a break.

12 THE COURT: Yes.

13 (Whereupon, a brief recess was taken.)

14 THE COURT: Let's go back on the record.

15 MR. BAER: So I just want to say that I agree
16 and we will stipulate to Ms. Chang's statement to the
17 effect that Shan-Yuan was taken to prison should be
18 stricken from the record.

19 MR. BIORN: Just to be clear, we believe that
20 Ms. -- the witness didn't say that, that was the
21 interpreter's interpretation of the word to be prison.
22 So I don't think your witness said that word either.

23 MR. BAER: Well, I don't know whether she did
24 or didn't.

25 MR. BIORN: Well, the interpreter can explain

1 she didn't.

2 MR. BAER: It doesn't matter anymore because
3 it's not part of the record.

4 MR. BIORN: Okay. That's fair. There we go.

5 MR. BAER: Unless the Judge wants an
6 explanation.

7 THE COURT: You are asking me to strike it. It
8 will be stricken. The answer will be stricken. Did
9 something --

10 MR. BAER: Just that part of the answer,
11 please.

12 MR. BIORN: That sentence with the word prison
13 in it.

14 MR. BAER: That reference. I don't know what
15 else was in the sentence.

16 THE COURT: That Shan-Yuan went to prison.

17 MR. BIORN: Yes.

18 THE COURT: There's some discussion about her
19 going back in the East Coast, and I don't know if it was
20 in that sentence or another sentence.

21 MR. BIORN: Okay.

22 MR. BAER: Very good.

23 THE COURT: And there's something else?

24 MR. BAER: I don't know. Is there anything
25 else that needs to be clarified?

1 THE INTERPRETER: Not from me.

2 MR. BAER: Just one thing, Your Honor, it was a
3 long time since the last session we had, and I would
4 appreciate it if you would admonish everyone that it's
5 not allowed to record this proceeding.

6 THE COURT: This isn't recorded, is it?

7 MR. BAER: It shouldn't be but we have all this
8 technology. It's possible to be done.

9 THE COURT: I thought it showed up on my screen
10 if it was -- well, no. Somebody else can record it.
11 No. It's not recorded in Zoom. Okay. Yes.

12 As to anyone on this call, it cannot be
13 recorded. And it's a violation of a court order if it
14 is.

15 I remind you you are still under oath. Let's
16 get going then.

17 MR. BAER: Were we on the record?

18 THE COURT: Yes. I think so.

19 THE REPORTER: I've been on record --

20 THE COURT: Yes.

21 THE REPORTER: -- since you went back on.

22 MR. BAER: Okay. What was just said, please?

23 THE INTERPRETER: The interpreter interpreted
24 what the Judge said about a reminder that you are still
25 under oath, and the witness said that I have been

1 telling the truth anyway.

2 BY MR. BAER:

3 Q. From the time you reconnected with James in
4 1995, do you know of any trip that he took to visit his
5 daughter Shan-Yuan at her home?

6 A. Can you say it again?

7 Q. Okay. From the time that you met James again
8 in the United States in 1995, do you know of any trip
9 that he took to go visit his daughter Shan-Yuan at her
10 home?

11 A. I don't think so.

12 Q. Did you get along with her?

13 A. I got along with Shan-Yuan pretty well.

14 Q. Did she come to California to visit? Again,
15 1995 on.

16 A. Since 1995, yes.

17 Q. Did she see you and James together in
18 California?

19 A. Yes. Yes. At her home -- at his home, James'
20 home.

21 Q. How often did she come?

22 A. Most of the time she was here Christmas.

23 Q. And how many -- between 1995 and 2017, how many
24 Christmases did she come for?

25 A. She came to see her father not to spend

1 Christmas in my recollection probably five times. I
2 don't really remember.

3 Q. Did she stay at James' home? By stay I mean
4 did she spend the night?

5 A. Yes. She spent the night.

6 Q. How often did she do that?

7 A. However many times she visited. That would be
8 however many times that happened.

9 Q. How long were her stays to the Bay Area
10 typically?

11 A. I don't know. She would visit and -- but I
12 wouldn't know whether she continued to stay.

13 Q. Okay. When she came how many days would she
14 typically see her father?

15 A. A few days probably. Sometimes she stayed with
16 her friends. Sometimes she stayed at James' home. I
17 don't know. Sometimes she stayed at her father's.
18 Sometimes she stayed at her younger sister's. I don't
19 know. I don't know how many days she stayed at her
20 father's house.

21 Q. Okay. Going back to a different part of your
22 testimony, you mentioned that the first time you saw
23 James and you were at your house that James was living
24 with his daughter.

25 Which of his two daughters was he living with

1 then?

2 A. At the time that I reconnected with him, he was
3 living with his second daughter.

4 Q. And her name is?

5 A. Della.

6 Q. Did you and James go on any trips with
7 Shan-Yuan?

8 A. No.

9 Q. Did James -- from 1995 on, do you know of any
10 trips that James took without you with Shan-Yuan?

11 A. I don't think so.

12 Q. Which of James' children did you meet first?

13 A. The second, Della.

14 Q. When was the first time you met her?

15 A. After we reconnected, the first time I went to
16 his house was when I first met his daughter.

17 Q. How long after reconnecting with James was it
18 before you went to his house?

19 A. Probably a week or two later. It was on the
20 weekend. I wanted to bring meal or food for him.

21 Q. Did you get along well with Della?

22 A. Pretty well.

23 Q. Did you ever have any kind of dispute with her?

24 A. No. Not until her sudden appearance in 2017,
25 the day before her father's birthday. She came to where

1 we lived and the first thing she said to me is, "Where
2 did my father's money go?" Why didn't you send her --
3 send him to a nursing home? And she was ferocious. She
4 pointed her finger at my nose. In Chinese culture that
5 was severe. You are not supposed to do that to an
6 elderly person.

7 Q. Was James there at the time?

8 A. Yes.

9 Q. Was he close enough to hear what his daughter
10 Della was saying to you?

11 A. He was able to.

12 Q. Do you remember anything else that she said?

13 A. The most important question was why didn't I
14 send him to a nursing home. I responded very politely
15 to her. I said for Chinese elderly they don't like to
16 be sent to a home. They wanted to stay with -- they
17 wanted to be taken care of by their family. Excuse me.
18 Not Chinese family but Chinese culture.

19 Q. Had you ever spoken to James about whether he
20 wanted to go to a nursing home?

21 A. I may have softly reminded him and asked him do
22 you want to go?

23 Q. What did he say?

24 A. He said not me.

25 Q. Did James -- did he -- when Della came over

1 that time, did James say anything?

2 A. No.

3 Q. When was the next time you saw Della?

4 A. The next day, her father's birthday. I set up
5 a banquet at a Chinese restaurant. I invited the whole
6 family, the whole children. I also asked Peter's wife
7 to see if they wanted to come. The next day only
8 Della's family, four of them including two children. I
9 asked my family, either one or both daughters with the
10 son-in-law and Della's mother-in-law and father-in-law.
11 I was the person that paid.

12 Q. What is the date of James' birthday?

13 A. I think July 21st.

14 (In English) Maybe I'm wrong.

15 (Through the Interpreter) It's been many years
16 that I celebrated birthday for him. It's been six
17 years. So I don't remember.

18 Q. Who made the arrangements to go out to the
19 restaurant?

20 A. I did.

21 Q. After you came back to the United States or
22 after James came back to the United States in 1995, how
23 did James typically celebrate his birthday? Let me
24 withdraw the question. Okay?

25 On James' birthday after he came -- after you

1 reconnected with him -- he didn't come back here -- did
2 he typically celebrate his birthday?

3 A. Yes. Most of the time it was our side, my
4 children or myself that celebrated for him. But Della
5 would bring gift. So did Peter.

6 Q. Would you go anywhere -- well, strike that.

7 Where would his birthday typically be
8 celebrated?

9 A. Sometimes my daughter or daughters set it up at
10 home. Some other times we went to restaurants.

11 Q. When you say at home, whose home or homes are
12 you talking about?

13 A. Sometimes my home. Sometimes Rita's home but
14 really rarely at Rita's home, only once or twice.

15 MR. BIORN: Your Honor, can we ask the witness
16 to speak up again?

17 THE COURT: Yes. If you can keep your voice
18 up. I know it's hard. Could you keep it up?

19 (In English) I have been trained to force me to
20 speak loud last week. My daughter say you speak too
21 loud. That's why. And now I change back. When I go
22 home my daughter is going to complain again. I just
23 told you.

24 THE COURT: Would it help if you had a glass of
25 water or something?

1 THE WITNESS: I do have water.

2 THE COURT: Oh, you do.

3 THE WITNESS: It's not that. My daughter --
4 I'll try.

5 BY MR. BAER:

6 Q. You just have to keep this in mind. Thanks.
7 Okay.

8 After reconnecting with James, did he ever
9 celebrate his birthday at any of his children's homes to
10 your knowledge through 1997?

11 A. 1997?

12 Q. Yes.

13 A. Okay.

14 (Through the Interpreter) I think so at
15 Della's or Peter's, but I don't remember how many times.

16 Q. Were you invited?

17 A. Yes. Normally they would invite me.

18 Q. Were there some birthdays that you know of when
19 they didn't invite you?

20 A. I think they invited me every time.

21 Q. So let's go back to James' birthday dinner.

22 Did Della talk to you at all about what
23 happened the day before?

24 A. What happened the day before?

25 Q. Yes. You gave some testimony about her coming

1 to the house. Do you remember that? I think you said
2 it was the day before --

3 A. (In English) Oh, yes. Yeah. That's right.
4 Yes.

5 Q. His birthday?

6 A. (Through the Interpreter) Della said and I
7 told you earlier she asked pointing to my nose --

8 Q. Okay. I'm not asking about that. You already
9 testified about that. What I am asking is did --

10 At the restaurant when you were celebrating
11 James' dinner, did she say anything about what had
12 happened the day before?

13 A. It was like -- she was like that never
14 happened.

15 Q. Did she talk to James about the subject of
16 nursing homes at that dinner?

17 A. Your question was about Della, whether Della
18 talked to him?

19 Q. Yes. Did Della talk to James about nursing
20 homes at the birthday dinner?

21 A. I just say that she said nothing. It was as if
22 nothing happened before. She was just eating.

23 Q. Who sat next to James at the birthday dinner?

24 A. Normally I have to be sitting next to him for
25 all the get-togethers, but this time they made the

1 arrangement for James to sit next to his son. Della
2 fixed that. Della arranged that.

3 Q. How do you know that she arranged that?

4 A. Because at that time she asked the son -- she
5 told her son to sit next to Gong Gong.

6 THE INTERPRETER: G-o-n-g G-o-n-g.

7 BY MR. BAER:

8 Q. Who is Gong Gong?

9 A. Gong Gong is James Ho.

10 Q. Okay. Just to be clear here, it's not clear to
11 me. Who was sitting next to him? Was it Della's son or
12 was it Peter?

13 THE INTERPRETER: Interpreter needs to clarify
14 with the witness.

15 (Interpreter clarification.)

16 THE WITNESS: Della had her son sit next to
17 Della's father.

18 BY MR. BAER:

19 Q. Were you at a round table or a square,
20 rectangular table like this one with right angles?

21 A. Round table.

22 Q. Okay. Who sat on James' other side, if anyone?

23 A. Father-in-law or someone else. I was the exact
24 opposite of James like you and me.

25 Q. Did you and James take any trips with Della?

1 A. Yes.

2 Q. Where did you go?

3 A. I don't remember whether we went to Colombia or
4 Mexico. I think Mexico but, anyway, that region.

5 Q. Are you referring to Colombia in South America?

6 A. Colombia cruise.

7 Q. I think she's saying Caribbean cruise or she's
8 trying to. Maybe that's kind of leading.

9 A. Yes. Caribbean. Caribbean.

10 Q. Did you take -- who else went on the -- strike
11 that. So this trip to Mexico, was that a cruise?

12 A. (In English) Yes.

13 Q. Who else went besides James and you and Della
14 if anybody?

15 A. (Through the Interpreter) Peter and his wife.

16 Q. Was Della married at the time?

17 A. Yes.

18 Q. What about her husband? Did he come or no?

19 A. Yes.

20 Q. How many days was the cruise?

21 A. I don't remember. Shorter than a week.

22 Q. Okay. Did you take any -- did you and James
23 together take any other trips with Della?

24 A. I think that was the only one.

25 Q. Do you know who set up the trip?

1 A. Maybe Della. I don't know. Normally James
2 handled this sort of cruises.

3 Q. Do you remember if Della invited you to go?

4 A. It was James. Whether or not we would go was
5 always up to James.

6 Q. What year was that?

7 A. I don't remember.

8 Q. Was it before or after 2000?

9 A. I don't remember. We made many trips and this
10 was a small one.

11 Q. Okay. Did you take any other -- did you and
12 James take any other overnight trips with Della?

13 A. I said no already.

14 Q. Sorry. Did you take any -- did you and James
15 take any day trips with Della?

16 A. I don't think so. I don't remember. I don't
17 think so.

18 Q. Did Della get -- oh, strike that. Okay.

19 After reconnecting with James in 1995, do you
20 know of any trips that James took with Della that you
21 did not also go on?

22 A. No.

23 Q. When did you first meet James' son Peter?

24 A. I think it was the end of 1995 or the beginning
25 of 1996, in between. I don't remember. He was busy.

1 Q. Let me go back to Della for a sec. Did she get
2 married after you reconnected with James?

3 A. Yes.

4 Q. Did you go to her wedding?

5 A. I did.

6 Q. Who invited you?

7 A. Della.

8 Q. Okay. So now back to Peter. Okay? Before --
9 before you -- before the home in Fulton was purchased,
10 did you ever have any kind of dispute with Peter?

11 A. No.

12 Q. What did Peter call you?

13 A. Auntie Debby.

14 Q. Did you and James go on any trips with him?

15 A. Yes.

16 Q. Where?

17 A. Italy, New York, and other places but I don't
18 remember where. And the Caribbean cruise. And Panama,
19 Panama Canal.

20 Q. Okay. The trip to Italy, when was that?

21 A. I don't remember. There are too many years
22 that I have to remember.

23 Q. Who else went on the trip to Italy, if anyone,
24 besides you and James and Peter?

25 A. And his wife.

1 Q. And who made the arrangements for that trip?

2 A. I think the two of them, James and his son.

3 Q. Were you invited to go on that trip?

4 A. Yes.

5 Q. Who asked you to go?

6 A. James.

7 Q. The trip to New York, if you can, do you
8 remember when that was?

9 A. Before Italy. On the way.

10 Q. Okay. And so it's the same people on the trip
11 I take it, Peter, Peter's wife, you and James?

12 A. I don't remember whether they went to New York.

13 Q. Okay.

14 A. They were not in New York with us, just myself
15 and him.

16 Q. How long did you and James spend in New York?

17 A. Probably three to five days visiting his older
18 sister.

19 Q. Where did you stay?

20 A. A hotel.

21 Q. Did you have one room or two?

22 A. One.

23 Q. The Panama Canal trip, when was that?

24 A. I don't remember.

25 Q. Okay. Besides you and James and Peter, who

1 went on that trip?

2 A. No one else.

3 Q. Who made the arrangements for that trip?

4 A. To where?

5 Q. To Panama. Sorry.

6 A. The two of them but I really don't know who.

7 The two of them.

8 Q. The two of who?

9 A. The son and father.

10 Q. Do you know -- well, since 1995 do you know of
11 any trips that James took with Peter that you were not
12 also on?

13 A. One time the two of them went to China. I
14 didn't go.

15 Q. When was that?

16 A. I don't remember.

17 Q. How --

18 A. (In English) Excuse me.

19 (Through the Interpreter) We went to visit
20 James Ho's brother.

21 Q. Was that in Taiwan or People's Republic?

22 A. They went to Taiwan and they went to China.

23 Q. Okay. Did you and James ever go on any trips
24 with either of -- well, any of your daughters?

25 A. Not on trips.

1 Q. Back to Peter, I forgot to ask, did you and
2 James go on any day trips with Peter?

3 A. Yes. Yes. For a while often but I don't
4 remember which days. He often came and picked his dad
5 up for trips.

6 Q. Where did you go -- what places do you remember
7 going to with James and Peter?

8 A. Many places locally. Sacramento, San Jose. I
9 don't remember the details but I went with Peter to many
10 trips.

11 Q. Okay.

12 A. With Peter and his wife.

13 Q. Okay. So now some questions about your
14 daughters. Did James enjoy being with any of your
15 daughters?

16 A. (In English.) Yes.

17 Q. How --

18 MR. BIORN: I'm sorry. Was there an answer?

19 THE WITNESS: Excuse me.

20 THE REPORTER: I wrote it in English, yes,
21 because she spoke in English. When it's not interpreted
22 and I can make it out in English, I put it in English.
23 So I got the answer, "Yes."

24 BY MR. BAER:

25 Q. How could you tell?

1 A. (Through the Interpreter) I don't remember
2 what your question was.

3 Q. Sure. I believe your testimony was James
4 enjoyed being with your daughters. And I'm asking you
5 how you could tell?

6 What made you think that he enjoyed that?

7 A. Because my daughters are great cooks. They
8 were great at making also some meals, food and desserts.
9 In one batch they could make five or six or seven or
10 eight different kind of desserts, and they spend
11 generously to make these events such delights. And
12 James would always say things were delicious.

13 Q. When James was with your daughters, would he
14 typically talk with them, have a conversation with them
15 or not?

16 A. Normally these kind of parties everyone was
17 talking to each other. There were a lot of noises and a
18 lot of laughters. I do want to add one thing that
19 sometimes he himself would invite Peter and his wife to
20 come to the Christmas parties. When the two of them
21 showed up, he was even happier.

22 Q. What Christmas parties are you -- maybe I
23 should put it this way: Where were the Christmas
24 parties you were just talking about?

25 A. In the past it was almost always at my home,

1 but as I got older Rita took over and made arrangements.

2 Q. Is it your testimony sometimes Peter and his
3 wife came to those parties also?

4 A. (In English) Yes. Christmas.

5 (Through the Interpreter) James invited them.

6 Q. Did your daughters ever eat dinner out with
7 James?

8 A. Yes. Not often but several times. James
9 invited them himself. He would say, "Get the daughters
10 out."

11 Q. Okay. When James had dinner at a restaurant
12 with you and one or both -- one or -- well, strike that.

13 Did you ever go out to a restaurant with James
14 with more than one of your daughters?

15 A. Not too many times because my oldest daughter
16 is very busy. And Judy is not in the Bay Area.

17 Q. Is Judy your oldest daughter?

18 A. (In English) Youngest.

19 Q. Who is the oldest?

20 A. Sophie.

21 Q. Okay. So in any event, when you went out to
22 dinner with James and one or more of your daughters, who
23 paid?

24 A. (Through the Interpreter) He wanted to pay
25 every time. If we didn't let him pay, he would get

1 upset. But then there were times that I insisted that I
2 would pay this time, and we would have the agreement at
3 home first.

4 MR. BAER: I need a break.

5 THE COURT: Sure.

6 (Whereupon, a brief recess was taken.)

7 BY MR. BAER:

8 Q. Now I'm going to ask you some questions about
9 James. Okay? Did you fall in love with James?

10 A. I did.

11 Q. When?

12 A. Sometime after 1995.

13 Q. What about James made you fall in love with
14 him?

15 A. Well, the first thing was his voice. He had an
16 opera singer's voice. And second thing was that he was
17 very fun to be around, and third thing was he was always
18 inspired to be the next level. He was always learning
19 new things. He spoke great Mandarin and he wrote great
20 Mandarin and he spoke great English. But the most
21 important thing is he was very nice to me from the
22 get-go.

23 Q. What made James fun to be around?

24 A. He cracked jokes and he told stories. He
25 talked about geography and history. He was great at

1 repairing things. He was just very capable. And he
2 enjoyed helping me out in every aspect. He cared about
3 me a lot.

4 Q. In the first two years after you reconnected
5 with James, can you remember any nice thing that he did
6 for you?

7 A. Too many. He did so many things for me and
8 those were really big things. The biggest one was that
9 even though he may have met my mom once when he was
10 younger, when I was younger, when my mom got sick and I
11 wanted to go home to take care of my mother -- I
12 actually had to put my mom in a nursing home equipped
13 with health care.

14 I was actually very busy at that time. I
15 needed to renew my real estate license. My house had
16 water leaks from the third floor all the way down to the
17 first floor. I was getting ready to retire. I was
18 overwhelmed and I had to go back to take care of my
19 mother, which was the most important thing. He
20 volunteered himself going back to take care of my
21 mother.

22 Q. Okay. So let me ask some questions.

23 First of all, when did this happen when you are
24 talking about now?

25 A. 2020 -- 2000.

1 Q. Okay. Where was your mom at the time?

2 A. Taiwan.

3 Q. So am I correct in understanding that you and
4 James and -- you and James went back to Taiwan?

5 A. Yes. But, like I said, he volunteered himself.

6 Q. Had James met your mother before?

7 A. Like I said earlier just now, he may have met
8 my mom ever so briefly.

9 Q. Okay. How old was your mom when you went back
10 to Taiwan with James?

11 A. 93.

12 Q. What was the situation at that time with her
13 health?

14 A. She had stomach cancer.

15 Q. Was she living with anybody else at the time?

16 A. She was living at an assisted living place.

17 Q. Did she move anywhere from the assisted living
18 place after you got back?

19 A. Yes. James found a place for her.

20 Q. Okay. Did he do anything else for your mother
21 in Taiwan beside find the place?

22 A. So the first thing was that he found a nursing
23 home for my mother, but I wanted to add it happened
24 years before -- it happened years since he was in
25 Taiwan. Sent for me -- so at first we didn't know where

1 to find the right place. I stayed with my mother and he
2 himself went out to ask people at the time where and if
3 there was any health care equipped nursing home.

4 Q. How long did he spend doing that?

5 A. Probably three days.

6 Q. What happened after he spent those three days
7 looking for nursing homes?

8 A. Then he came and helped my mom move. And then
9 he helped my mom donate things to -- in the city. My
10 mom lived in the rural area. And it was quite a
11 challenge for him to move these things. He had to walk
12 20 minutes to a major street to get a taxi. Then every
13 time a taxi driver found out what he wanted moved, they
14 would say no, and so he had to start over again to find
15 another taxi driver. At the end he had to move those
16 items to -- all the way to Taipei to donate to people.

17 Q. Did James recommend any of the nursing homes
18 that he found?

19 A. After three days he finally found some places
20 and he made the decision and informed us.

21 Q. What did you think of the place that he picked?

22 A. It was a coincidence that the place he found
23 was the hospital affiliated with the school his wife
24 attended.

25 Q. Okay. What did you think about the place

1 though? Did you like it? Did you dislike it?

2 A. It was a very nice -- it was a pretty nice
3 school. So the hospital was pretty nice too. The fact
4 that it was equipped with health care system, we were
5 very happy she got to stay there.

6 Q. How did what James did for your mother make you
7 feel?

8 A. I was very moved with all these that he did for
9 my mom whom he barely knew, and there were other things
10 that he had done for me that I haven't talked about. I
11 was -- I just felt very lucky that he cared about me so
12 much. I felt a lot of gratitude in the way that he
13 treated me, and I knew that I was going to find ways to
14 pay him back.

15 One day I told him, "I'm so moved by the way
16 that you have been treating me. If it wasn't you, my
17 mother would not have been in this place so well-taken
18 care of." And all I could think of at that time was
19 that if I had the opportunity and have the competency, I
20 want to take care of you to the end.

21 Q. Is that -- you were going to say something
22 else?

23 A. Can I add one more thing?

24 Q. Yeah. This is about how you felt about what
25 James did?

1 A. (In English) Yeah.

2 Q. Okay.

3 A. (Through the Interpreter) Another major thing
4 was -- and of course there were many little things, but
5 the other major help that he did for me was that year
6 was a very wet year. It rained very hard. My house had
7 water leaking problem. The floors were soaked from the
8 third floor all the way to the first floor. The walls
9 were damaged. The rain didn't stop for a month.

10 My house was a stand-alone house and it was
11 windy and I was having the roof repaired. That's why
12 the problem. He has to climb up to the roof to see how
13 to stop the wind from blowing more water in. It was
14 like climbing a mountain, and I wanted to stop him every
15 time.

16 I said, "Don't go up there or you will lose
17 your life." He wouldn't hear any of that. He insisted
18 to go up there to come up with a design. Before we had
19 to leave for Taiwan to care for my mother, he was
20 working almost nonstop to find workers.

21 This was another thing he did for me that moved
22 me, and there were other things too. One more thing --
23 two more minutes.

24 Q. No.

25 MR. BAER: Let's just stop --

1 THE WITNESS: (In English) Okay.

2 MR. BAER: -- because she needs to answer
3 questions to do this right.

4 BY MR. BAER:

5 Q. Let's go back to Taiwan and you were talking
6 about your feelings about what James had done for your
7 mother.

8 Did you tell him what you felt about that or
9 did you keep that inside?

10 A. (Through the Interpreter) I did tell him one
11 day.

12 Q. What did you tell him?

13 A. I was describing it earlier. I was very moved
14 inside but I did tell him that I'm really grateful for
15 what you did. I said, I am so lucky to have met him --
16 to have met you. I don't want to repeat but, like I
17 described earlier, I told him for as long as I live if I
18 have the opportunity I would take care of you.

19 Q. Okay. So let's go back. That was kind of a
20 bit of a side trip, but in any event you were testifying
21 about what made you fall in love with James.

22 So at the time that you fell in love with
23 James, did you think that he loved you too?

24 A. Yes.

25 Q. What made you think that?

1 A. Whatever I was doing, he seemed to always enjoy
2 watching me and he took pleasure in observing me. He
3 smiled and laughed. He complimented me on anything that
4 I was wearing. He complimented me about my playing the
5 piano. He would tell his friends how I was able to cook
6 1,000 dishes. And he enjoyed all the dishes I made for
7 him.

8 And he just took pleasure with whatever I was
9 doing. Before we went out together, he would dress
10 himself first and then just stand by the door, by the
11 door to watch me dressing and complimented on me.

12 Q. Did James ever say that he loved you?

13 A. Yes. Yes. But he just didn't do it like an
14 ordinary person would do in spoken language. He did it
15 from the bottom of his heart.

16 Q. Did he tell you that he loved you once or more
17 than once?

18 A. He said it many times but it wasn't like an
19 average person that just said, I love you. I love you.
20 The way he said it really moved people.

21 Q. When was the first time he told you he loved
22 you if you can remember?

23 A. I think 1996 in Gilroy.

24 Q. Up until that point in time, had you ever told
25 James that you loved him?

1 A. Of course I did.

2 Q. Were you and James physically affectionate with
3 one another after you reconnected with him in the United
4 States?

5 A. Yes.

6 Q. Were you physically affectionate in front of --
7 in front of James' children?

8 A. Not often.

9 Q. Were you physically affectionate with James in
10 front of your own children?

11 A. Not often. It's Chinese culture.

12 Q. Why weren't you and James physically
13 affectionate in front of his children or yours?

14 A. This was exactly what I meant earlier. Chinese
15 culture is different than the Western culture this way.
16 Even holding hands is a big deal already.

17 MR. BIORN: Your Honor, it would help if the
18 court interpreter kept her voice up too. And partially
19 my hearing is equally at fault or more.

20 BY MR. BAER:

21 Q. When you were in public places with James like
22 at a restaurant or a park, a trip where no one that you
23 knew was around, were the two of you physically
24 affectionate then?

25 A. Yes. That would be very different.

1 MR. BAER: Okay. Now I'm going to ask some
2 pretty sensitive questions. At least a couple of people
3 have agreed to drop off. I think Mr. MacBride
4 (phonetic) and Ms. Ho and Mr. Kuo was going to leave the
5 room and Scott. And I appreciate that very much. I
6 just want to say for the record that nobody's rights to
7 the transcript are prejudiced by this in any way. This
8 testimony is not going to be sealed. There's not going
9 to be any request to seal it. There's not going to be
10 any objection to someone requesting the transcript even
11 if the case settles.

12 So basically, you know, I'm trying to do this
13 in a way that respects Ms. Chang as best I can without
14 prejudicing anybody's legal rights. I want to say I
15 very much appreciate the sensitivity that those who are
16 dropping off have shown to her and also Mr. Biorn has
17 shown to her.

18 Maybe we can shut the door.

19 BY MR. BAER:

20 Q. Ms. Chang, did you have a sexual relationship
21 with James?

22 A. Yes.

23 Q. When was the first time?

24 A. 1995 or 1996 -- let me think. 1996.

25 Q. Where were you?

1 A. In Gilroy.

2 Q. And were you spending the night in Gilroy?

3 A. (In English) Yes. Sorry.

4 Q. Where were you staying?

5 A. (Through the Interpreter) He loved Holiday
6 Inn.

7 Q. Did James spend the night with you -- so let me
8 ask a different question. Okay.

9 Over what period of time did you and James have
10 a sexual relationship?

11 A. At night.

12 Q. For how many weeks, months or years?

13 A. I don't know. I don't remember.

14 Q. Okay. Did there get to be a point when James
15 wasn't able to have sexual relations with you?

16 A. After when he got sick in 2016.

17 Q. Did he ever spend the night at your house in
18 El Cerrito?

19 A. For years he was there with me.

20 Q. When did he start staying there?

21 A. When he stopped living there was when we went
22 to live at his rental house when I went to help him
23 repair the place.

24 Q. Sorry. When did he start spending the night in
25 El Cerrito?

1 A. 1996.

2 Q. What was the address of the rental place?

3 A. The place that he was renting out that I was
4 making the repairs for him.

5 Q. Where was that?

6 A. (In English) 272 Boothbay Avenue, Foster City.

7 Q. 272 Boothbay Avenue, Foster City. When Mr. --
8 sorry.

9 When James spent the night at your house in El
10 Cerrito, did the two of you sleep together?

11 A. (Through the Interpreter) At the beginning we
12 would sleep together, yes, but I was very busy and we
13 both enjoyed slumbers. So at the beginning we would
14 sleep together, but then when we fell into deep slumber,
15 someone would start to snore and the other person would
16 leave.

17 Q. Did you and James have a sexual relationship
18 when you were sleeping together at the El Cerrito house?

19 A. (In English) Yes.

20 Q. Did you ever sleep with James at his house in
21 San Mateo?

22 A. (Through the Interpreter) Yes.

23 Q. Did you have a sexual relationship with him
24 there?

25 A. Yes.

1 Q. Did you sleep with Mr. -- sorry. Did you sleep
2 with James at the Boothbay property?

3 A. Yes. The same thing.

4 Q. Did you live anywhere else with James other
5 than the Boothbay property?

6 A. Yes. Promontory Point, Foster City.

7 Q. Anywhere else?

8 A. And this place on Flying Cloud, Foster City. I
9 don't remember the number.

10 Q. Where did you live first? Flying Cloud or
11 Promontory Point?

12 A. In Flying Cloud.

13 Q. Did you sleep with James at Flying Cloud?

14 A. (In English) Yes.

15 Q. Did you continue to have a sexual relationship
16 with him there?

17 A. Yes.

18 Q. At Promontory Point did you sleep with James?

19 A. Yes.

20 Q. Did you have a sexual relationship with him
21 there?

22 A. Yes.

23 Q. What months -- well, when did you move into
24 Promontory Point?

25 A. After. So the Flying Cloud.

1 Q. Okay. And when did you move out of Promontory
2 Point?

3 A. (Through the Interpreter) After he bought 229
4 Fulton.

5 Q. Can you remember when that was? What the date
6 was or the year?

7 A. The date was March 1, 2017.

8 Q. Is that when you moved to Fulton or when the
9 sale closed or both?

10 A. We had closed the escrow.

11 Q. Okay. Ms. Zhou was testifying earlier today.

12 Do you remember her working at one of your --
13 one of the houses where you lived with James?

14 Well, first of all, which house did she work
15 at?

16 A. (In English) Promontory Point.

17 Q. When did she work there?

18 A. (Through the Interpreter) 2016.

19 Q. How long did she work there?

20 A. Probably two or three months.

21 Q. Do you remember what time of the year?

22 A. I don't really remember. She stopped working
23 before March 1st when we moved to Fulton, Redwood City.

24 Q. How much before that?

25 A. A few months. I don't remember how early.

1 Q. Okay. In any event, did you continue to have
2 sexual relations with James after you moved to the
3 Fulton house?

4 A. No. We stopped since he got sick in 2016.

5 Q. Do you remember whether James -- whether or not
6 James had been diagnosed with myeloma at the time that
7 Ms. Zhou was working at the Promontory Point property?

8 A. (In English) Yeah.

9 (Through the Interpreter) Yes.

10 MR. BAER: Okay. So I want to invite the
11 others back.

12 MR. BIORN: Okay. I need to use the restroom
13 real quick as well.

14 MR. BAER: Can we go off the record?

15 THE COURT: Sure. Off the record.

16 (Whereupon, a brief recess was taken.)

17 MR. BAER: Can we go back on the record?

18 THE COURT: Of course, yes.

19 BY MR. BAER:

20 Q. When did you stop working?

21 A. 2001.

22 Q. Okay. Before then when was James spending the
23 night at the El Cerrito house?

24 A. Before I retired he would be there on the
25 weekends starting on Friday.

1 Q. Until when?

2 A. Sunday afternoon.

3 Q. And how frequently was he spending the weekend
4 there?

5 A. Most of the time.

6 Q. So was there anything you typically did, the
7 two of you, when he was there?

8 A. Just everyday life. For example, we would have
9 lunch at home, dinner out. Sometimes we drove to a
10 farther place just for a short trip. Towards the end
11 right before he got sick, we would go to open houses on
12 Sundays.

13 Sometimes we would have meals with friends.
14 Some of the times, even though not often, we would have
15 meals with the daughters -- my daughters.

16 Q. So my question now is just about the El Cerrito
17 house. What street was that on?

18 A. (In English) Brewster.

19 Q. If I call the property Brewster, you will know
20 what I am talking about?

21 A. Uh-huh.

22 Q. The Brewster house, did you cook for James
23 there?

24 A. (Through the Interpreter) I cooked for him for
25 almost 20 years, 20 plus years.

1 Q. Okay. So can you explain what -- what cooking
2 did you do for James at the El Cerrito house before you
3 retired?

4 A. What kind of food I cooked for him?

5 Q. No. I guess what meals did you cook for him?

6 A. Mostly Chinese food but my Chinese food is
7 different from others.

8 Q. The meals you cooked with him, sometimes you --
9 am I correct that you would eat them there with him; is
10 that right?

11 A. Yes. What's unique was I mostly bought organic
12 things.

13 Q. Did you make any food for him -- well, strike
14 that.

15 Did he take leftovers home sometimes?

16 A. I didn't give him leftovers. I cooked fresh
17 food for him to take with him. And I never used canned
18 chicken soup. I always cooked chicken soup from
19 scratch. I didn't use frozen chicken either. If Vivian
20 worked -- when Vivian was working for us, she had to get
21 the chicken that was freshly on the market.

22 Q. Did you ever make meals for James again at
23 Brewster for him to take with him?

24 A. For years before I retired, for many years I
25 would cook fresh food, meals for him to take with him.

1 Same when I was at Brewster.

2 Q. How often did you do that before you retired?

3 A. I did that from 1995 to when I retired.

4 Q. Can you say what percentage of the weekends
5 that James was there you did that?

6 A. 99 percent.

7 Q. How many meals would you typically make for
8 James to take, to take away?

9 A. Enough for him to go six days plus a soup slash
10 broth.

11 Q. How did the meals you made for him get down to
12 his house?

13 A. So he would leave on Sunday afternoon. That's
14 the time he would bring the meals with him. It's
15 actually not Sunday afternoon. It was Sunday night.

16 Q. Okay. Before James started spending the night
17 there, had you been -- or did you cook for him?

18 A. Basically since we got reconnected in 1995
19 because the second or the third day I found out he
20 didn't cook, he wasn't able to cook, I started on the
21 very next weekend to cook for him and make meals for him
22 to bring home -- to take home.

23 Q. How did those meals get to his house?

24 A. He was at my place. When he left he brought
25 them with him.

1 Q. Did you ever bring any meals to his house in
2 San Mateo?

3 A. Yes. At the beginning there were weeks that he
4 said he couldn't come over. I would then bring the
5 food, left them in my office fridge. On Fridays I would
6 bring them over to his place.

7 Q. At your place in El Cerrito, did the two of you
8 have one room where you both stayed or separate rooms?

9 A. We each had a room for our stuff. Like I said
10 earlier, at some point in the night one person would be
11 scared off to leave the room because the other person
12 was snoring.

13 Q. Did James leave any of his things in his room
14 at the Brewster house?

15 A. Yes.

16 Q. What of his own possessions did you keep in
17 that room?

18 A. A lot of his things. He had a bookshelf with
19 newspapers, books, calculator, medications, a desk and
20 computer on the desk. He had a special pillow stuffed
21 with green beans on his bed, and there were little
22 items, snacks, medications --

23 (In English) Not medications.

24 (Through the Interpreter) Vitamins.

25 Q. Did anyone else use the room when James wasn't

1 staying there?

2 A. Sometimes if my daughter was there she would
3 stay there. Other times if he had a friend visit they
4 would stay there.

5 Q. When other people stayed there, did you do
6 anything or did James do anything to conceal the fact
7 that he'd been using the room?

8 A. If his things were visible and then someone
9 else was using the room, I would put them in the closet,
10 but the computer would stay on the desk and his books
11 would be left out.

12 Q. Why did you do that?

13 A. Because I didn't want people to mess up his
14 things.

15 Q. Now I'm talking not just Brewster but all time.
16 So did James ever pay you for making meals for
17 him?

18 A. That's a ridiculous question. He did so many
19 things for me. So that didn't cross my mind at all.

20 Q. Who did the food shopping? You or James or
21 both of you?

22 A. If it was a Chinese store, he would go in with
23 me, but if it was Whole Foods or a Trader Joe's, he
24 would let me go myself.

25 Q. When it was just you shopping, who paid for the

1 food?

2 A. Of course I did.

3 Q. Did you ask him to reimburse you?

4 A. Never crossed my mind.

5 Q. Did you ask him for money to pay for groceries?

6 A. No.

7 Q. Did you ask James to pay you rent for staying
8 at your home in El Cerrito?

9 A. I never considered that.

10 Q. Did you ask him to pay rent for staying at the
11 Fulton house?

12 A. Only one time because Peter was asking me for
13 the interest, and I said if you needed -- if you need an
14 interest payment from me, well, I have to pay the 8,000,
15 9,000 a month responsibility. He was very happy to pay
16 me that amount but it only happened once.

17 Q. Who was happy to pay you that amount?

18 A. James.

19 Q. Did you ever ask James for money to pay for the
20 groceries in advance?

21 A. At no times did I ask him for money to buy
22 anything.

23 Q. Did James ever pay you for helping to care for
24 him?

25 A. That didn't occur to me, nor did he suggest

1 that. Between the two of us money didn't come into
2 mind.

3 Q. At your house in El Cerrito, I guess you
4 testified to him going up on the roof and helping to fix
5 the leak.

6 Did he do any other work at that house for you?

7 A. It was one time that I needed to replace my
8 glass windows or French door, and it was the total --
9 total of 20 feet glass windows. He found a contractor
10 and spent many hours negotiating with the contractor
11 from 9 a.m. to 9 p.m. I lost patience but he didn't.
12 He kept on going and he was successful. So we were able
13 to replace the windows with his negotiated price.

14 Q. Did he personally -- do you remember whether
15 personally he did any work at the house?

16 A. Yes.

17 Q. What did he do?

18 A. I needed to redo my fishpond and there was a
19 fountain or a waterfall and a filter. He designed the
20 whole thing for me because he studied hydro engineering.

21 THE COURT: Which house was that?

22 MR. BAER: Brewster.

23 BY MR. BAER:

24 Q. Okay. So you testified that when you first met
25 James his daughter Della was living with him at his

1 house in San Mateo.

2 At the time James started spending the night at
3 your place on Brewster, was she still living there?

4 A. She was still living there but not too long
5 after that Della got married.

6 Q. When Della was still living there, did you ever
7 spend the night with James at his home in San Mateo?

8 A. No.

9 Q. Why not?

10 A. Because his daughter lived there and we also
11 just reconnected.

12 Q. Did you ever visit James at that house in San
13 Mateo when Della was still living with him?

14 A. That was where I met Della the first time.

15 Q. Okay. So after she moved out of the Csm house,
16 James' Csm house, do you remember whether you spent the
17 night with James there ever?

18 A. Yes.

19 Q. Did you first -- well, did you do that more
20 than once?

21 A. More than once.

22 Q. So when you first spent the night there, were
23 you still working on your job?

24 A. Yeah.

25 Q. From the first time you spent a night at the

1 Csm house until you retired, how often would you spend
2 the night with James at the Csm house?

3 A. How many times?

4 Q. Well, how often I guess. It could be expressed
5 how many times.

6 A. On weeks that he couldn't come to pick up meals
7 from me, I would bring him the food on Fridays and
8 stayed there -- and stay there.

9 Q. When you stayed there, did you spend the night
10 in James' bedroom?

11 A. At the beginning. At the start but I would
12 leave once snoring happened.

13 Q. So after you retired did that have any effect
14 on your schedule seeing James?

15 A. I got to see James more often because from
16 Mondays to Sundays -- basically from Monday night to
17 Saturday nights --

18 (In English) No, no, no. Monday night.

19 (Through the Interpreter) He would spend the
20 night at Brewster.

21 (In English) Weekday. Monday morning to
22 Saturday night, yeah, or Sunday morning to go to church.

23 (Through the Interpreter) From Monday morning
24 to Saturday nights and on Sunday mornings he went to
25 church.

1 Q. Are you saying -- well, which of those days did
2 you spend at Brewster and which did you spend at Csm, if
3 there was any pattern? Again, this is once you retired.

4 A. After I retired, after I retired almost every
5 day. On Sunday mornings he went to church. So we spent
6 almost every day together, plus the weekend.

7 Q. Okay. Was there a pattern to when you stayed
8 at Brewster and when you stayed at Csm?

9 A. Are you asking about me one person or --

10 Q. No. I mean you and James together. I don't
11 think I am making myself clear. So let me try again.

12 Were there any particular days you and James
13 stayed at Csm, any particular days that you stayed at
14 Brewster or was it more or less random?

15 A. Most of the time it was the same and that would
16 be here on the weekdays plus weekend or weekdays only.
17 And on the weekend I went back to his place with him.
18 So schedule wise it wasn't so much fix days. It's very
19 much about the two of us spending as much time as
20 possible.

21 When he had things to take care of, both of us
22 would go back to his place or he would go back by
23 himself. That's the pattern. The deal was we would
24 spend as much time as possible.

25 Q. How did you feel about staying with James in

1 his bedroom at the Csm property?

2 A. When I was at his home or house, I didn't like
3 to stay at his -- in his bedroom. There's -- I was
4 particular with this thing. I didn't like to stay at a
5 home or a room where someone passed or there was a
6 funeral or if I had to go past a graveyard, I didn't
7 like things like that or those places.

8 So when I stayed at his house, I didn't like to
9 sleep in his bedroom because his wife was sick a long
10 time, and I think she spent most of the time at home and
11 probably in the bedroom but that was just my
12 speculation.

13 Q. I forgot to ask you this but why did you
14 retire?

15 A. I had been working there for 20 years and I was
16 at retirement age.

17 Q. Did you ever have your own bedroom in James'
18 house in San Mateo?

19 A. At the beginning I did upstairs.

20 Q. Okay. So when did you stop using the bedroom
21 upstairs?

22 A. I think I was there for maybe a month, and I
23 didn't want to stay upstairs anymore.

24 Q. Why not?

25 A. Because his bedroom was very close to the

1 bedroom I stayed at. The master bedroom was where his
2 wife stayed.

3 Q. I don't understand. Why did the fact that his
4 wife had died in the master bedroom affect how you felt
5 about stay staying in the other bedroom?

6 A. Because every time I had to go downstairs I had
7 to go past that bedroom, his bedroom.

8 Q. So why didn't you like that?

9 A. Like I said, I didn't like room or a place
10 where someone died in.

11 Q. So after you stopped staying in the bedroom
12 upstairs, where did you spend the night after that?

13 A. I stayed at the family room downstairs.

14 Q. Was there a bed there?

15 A. No. I slept on the floor with a comforter.

16 Q. Did you leave any of your things in the family
17 room?

18 A. When I got up in the morning during the day, I
19 would pick up those things and hid them away -- hide
20 them away. No one knew that I was sleeping -- I was
21 sleeping in the family room except for James. James
22 kept asking me to stay upstairs.

23 Q. Did you ever agree?

24 A. I continued to say no.

25 Q. So why did you put your things away in the

1 morning?

2 A. Because it didn't look nice to have your things
3 in the family room. People would see it.

4 Q. Did you ever spend the night at James' Csm
5 house when he wasn't there?

6 A. No.

7 Q. Why not?

8 A. Because I am not gutsy like that. I don't -- I
9 wouldn't stay at a hotel room by myself. I don't want
10 to stay at a place by myself.

11 Q. Did James ever ask you to marry him?

12 A. We talked about it but we left it over because
13 we were both very old.

14 Q. So when you talked about it, to the best of
15 your recollection, what did you say to James?

16 A. I said, "Let's not bother with this hassle. It
17 doesn't matter whether or not we are married."

18 Q. What was James' reaction to that?

19 A. He said same thing.

20 Q. Did you ever consider divorcing Mr. Chang so
21 that you could marry James?

22 A. It never crossed my mind.

23 MR. BIORN: Sorry. What was the answer?

24 THE INTERPRETER: "It never crossed my mind."

25 BY MR. BAER:

1 Q. In speaking with other people, just broadly
2 other people, did you ever refer to James as your
3 husband?

4 A. It depended on the scenario. If it was
5 stranger, I would say he's my husband. With friends and
6 relatives, I would tell them we were partners.

7 Q. Why did you tell friends that you were
8 partners, not husband and wife?

9 A. Because I had to be truthful with my friends.

10 Q. What about James, did he ever refer to you as
11 his wife or as married to you?

12 A. His reply was the same as mine.

13 Q. What was the same?

14 THE INTERPRETER: His reply.

15 BY MR. BAER:

16 Q. His reply to what?

17 A. James had the same communications with people
18 like I did to strangers. We were saying we were husband
19 and wife and to friends we were saying we were partners.

20 Q. Did you meet some of James' friends?

21 A. Yes.

22 Q. Did you become friends with any of his friends?

23 A. Yes.

24 Q. Which friends of his did you become friends
25 with?

1 A. Several of them. His friends have become my
2 friends.

3 Q. Did he become -- did you have friends before
4 you met James in the Bay Area?

5 A. Of course I did. I had many friends.

6 Q. Okay. And did James meet any of them?

7 A. A lot of them. We had meals together.

8 Q. Did James become friends with any of your
9 friends?

10 A. No. He wasn't someone who was easy to befriend
11 others.

12 Q. Did you stop living with James at the Csm --
13 well, let me put it this way: Did you stop staying at
14 the Csm property at some point?

15 A. At a certain point?

16 Q. Yeah. Did you stop staying at Csm at some
17 point?

18 A. When I had to start helping him with the repair
19 work at Boothbay, I stopped staying at Csm.

20 Q. When was that? What year? What month and year
21 if you can remember?

22 A. When Csm was almost put on the market, 2014.

23 Q. Okay. And why did you start living at -- why
24 did you start staying at the Boothbay property?

25 A. Because he asked me to help him with the

1 renovation or remodel, not repairs. For convenience I
2 had to stay at Boothbay.

3 Q. Who owned the Boothbay property?

4 A. James.

5 Q. What kind of a property was it?

6 A. It was a property inside a trust. It was
7 rented out for more than a decade. So it was a mess
8 inside. There were three bedrooms, two baths.

9 Q. Okay. So did you see the property after the
10 tenants moved out after what you say was ten years?

11 A. I saw it before then. But I started to know
12 more about the property when I started helping with the
13 remodeling.

14 Q. What kind of -- did you in fact see the
15 property -- well, how long was it after the tenants
16 moved out was it before you went and saw the property?

17 A. I saw the house before the tenants moved out,
18 but as soon as they moved out, we went in and started
19 the remodeling.

20 Q. Okay. When you last saw the house before the
21 tenants moved out, can you describe what you saw?

22 A. It was horrible. The carpet was black from the
23 original color of brown. The wall behind the sink in
24 the kitchen was greasy with the oils flowing down. The
25 windows and the walls were really old. The house was

1 dark and there was no skylight. The bathrooms were
2 dark, no skylights. And we scrubbed everywhere in the
3 yards, front and back.

4 Q. Was James with you when you saw the property?

5 A. He was. He said, "This looks terrible. I
6 don't want to fix it up." And he teared it up -- he
7 teared up. I wasn't going to get involved and I saw
8 this upset him.

9 So I said, "I will help you." I had helped him
10 with another house. So I wasn't going to do this again
11 with this house, but I saw that this upset him a lot.
12 So I decided to help.

13 Q. Okay. When you told him you would help with
14 the house, had he asked you to do that or did you just
15 volunteer to do that without him asking you?

16 A. He did ask me. He said, "Will you help?" And
17 seeing him that way, I said, "Yes. I will help."

18 Q. So what did you think had to be done to the
19 property at that point?

20 A. What needed to be done to the house was really
21 to tear it down to the bare bones skeleton and
22 foundation.

23 Q. What do you mean by "the bare bones skeleton"?

24 A. (In English) The frame, the house frame.

25 (Through the Interpreter) The frame, the house

1 frame.

2 Q. Okay. And did the remodeling work actually
3 entail that or was it less or more?

4 A. More.

5 Q. All right. Why don't you describe what the
6 remodeling work entailed.

7 A. Like I said, everything had to be torn down.
8 So everything that was torn down needed to be replaced.
9 And the water pipes ran through the roof. The water
10 pipes actually burst. So I told him the water pipes had
11 to be replaced. He said no. He just wanted to have
12 them fixed. I wouldn't do that.

13 That same night it rained. It rained heavy.
14 And the water leaked from the roof to the flooring. The
15 walls were soaked. So we actually had to do more based
16 on what we saw.

17 THE COURT: Can we pick this up tomorrow? Do
18 you know when --

19 MR. BAER: Yes. We can pick it up tomorrow.

20 THE COURT: Great.

21 MR. BAER: If you would like to break, sure.

22 THE COURT: Yes. It's appropriate to break now.

23 (Time noted: 6:02 p.m.)

24

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1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby certify:

3 That the foregoing proceedings were taken
4 before me at the time and place herein set forth; that
5 any witnesses in the foregoing proceedings; prior to
6 testifying, were duly sworn; that a record of the
7 proceedings was made by me using machine shorthand which
8 was thereafter transcribed under my direction; that the
9 foregoing transcript is a true record of the testimony
10 given.

11 Further, that if the foregoing pertains to the
12 original transcript of a deposition in a Federal Case,
13 before completion of the proceedings, review of the
14 transcript [] was [] was not requested.

15 I further certify I am neither financially
16 interested in the action nor a relative or employee of
17 any attorney or party to this action.

18 IN WITNESS WHEREOF, I have this date subscribed
19 my name.

20 Dated: June 6, 2024

21
22 

23 GINA MINNIS
24 CSR NO. 11996
25