

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT,
IN AND FOR ORANGE COUNTY, FLORIDA

ZENAIDA GONZALEZ,

CASE NO.: 08-CA-024573-O

Plaintiff,

Division: 33

vs.

CASEY ANTHONY,

Defendant.

PLAINTIFF'S MOTION TO COMPEL ANSWERS TO DEPOSITION QUESTIONS

Plaintiff, ZENAIDA GONZALEZ, by and through her undersigned counsel move the Court, pursuant to Rule 1.380(a) Fla.R.Civ.P., for an order compelling Casey Anthony ("ANTHONY"), Defendant, to answer deposition questions which she refused to answer despite the absence of any valid Fifth Amendment privilege. Additionally, Plaintiff requests an award of attorney's fees and costs for having to bring this action and such other relief as the Court deems appropriate. Sanctions are sought on the ground that there is not substantial justification for ANTHONY's conduct in refusing to answer the questions posed at deposition. In support of this motion, Plaintiff states as follows:

I. Introduction

This is a defamation action in which Plaintiff, ZENAIDA GONZALEZ, seeks damages against Defendant, CASEY ANTHONY pursuant to Ch. 836.04, Florida Statutes.

The deponent, ANTHONY falsely accused ZENAIDA GONZALEZ of the disappearance of her child, Caylee Marie Anthony. ANTHONY also made false

accusations about ZENAIDA GONZALEZ to law enforcement officials regarding GONZALEZ's alleged involvement in the kidnapping and death of her child.

Punitive damages are pled, making reprehensibility of conduct an issue. Thus, the reason the Defendant was using ZENAIDA GONALEZ is highly relevant. What act was she covering up by making up the story about ZENAIDA GONZALEZ is critical to the jury's determination as to reprehensibility regarding entitlement to punitive damages. All questions relative to defamation and reprehensibility were not answered as documented in Exhibit "A" attached hereto. ZENAIDA GONZALEZ moves to compel answers to all questions contained in Exhibit "A" and reasonable follow-up to those questions.

II. There is no valid Fifth Amendment Privilege to be asserted under These Circumstances.

CASEY ANTHONY was acquitted of all charges other than those related to making false statements to the police and jeopardy has attached. There is no appeal pending that would subject her to further incrimination or punishment. Thus, answering the questions contained in Exhibit "A" and reasonable follow-up, would not subject her to self-incrimination. At this point, she should be required to comply with discovery as would any other party to a civil lawsuit. She is attempting to gain special treatment because of the history leading up to this point. She can no longer hide behind the Fifth Amendment to thwart discovery in this matter and to stonewall civil justice.

III. Anthony Refused to Answer Relevant Non-Privileged Questions at Her Deposition.

Upon agreement to appear for deposition without subpoena, Plaintiff noticed the videotaped deposition of ANTHONY for October 8, 2011.

On instructions from Mr. Greene, ANTHONY refused to answer a number of questions relevant to the issues listed above. Not one of those objections was based on a valid Fifth Amendment privilege. The following table lists a portion of the questions that ANTHONY refused to answer based on instructions from counsel.

QUESTION	OBJECTION
Q. Are you familiar with the person by the name of Zenaida Gonzalez? (p.5)	Mr. Greene ---I instruct her not to answer that question, and I object on the grounds it could tend to incriminate. (p. 5)
Q. Miss Anthony, what do you understand the Fifth Amendment applies to in this case? (p. 7)	Mr. Greene ---Objection, calls for a legal conclusion. (p. 7)
Q. What is your understanding as to the allegations made against you in that civil matter? (p. 8)	Mr. Greene ---On behalf of Miss Anthony, I instruct her not to answer the question (p. 8)
Q. Have you ever met Zenaida Gonzalez?	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her rights against self-incrimination pursuant to the Florida Constitution Article 1 and Article 5 of the United States Constitution and instruct her not to answer.

These unfounded objections continued in this manner through the conclusion of the deposition. The questions that ANTHONY refused to answer were within the scope of permissible discovery; answers to these questions are essential to the preparation of Plaintiff's case. ANTHONY's refusal to answer the questions at her deposition (See deposition transcript) and the dispute was without substantial justification. A copy of ANTHONY's deposition transcript is attached hereto as Exhibit "B".

As a general rule, one may assert his right not to incriminate himself anytime that he has a good faith belief that his answer to a specific question may tend to incriminate

him. The United States Constitution provides that no person shall be compelled in any criminal case to be a witness against himself; although this provision has also been applied to civil cases specifically where the deponent fears that his testimony could lead to criminal prosecution. The criminal case involving the Defendant has been ruled on and ANTHONY was acquitted of criminal charges. There should be no concern for Defendant that any answers she provides will open or re-open a criminal indictment. This is a defamation case not a criminal case. In my many years practicing law in Florida I have never seen an individual charged with or convicted of criminal defamation.

IV. Black Letter Law Forbids the Instruction Not to Answer a Deposition Question, Except on the Basis of Privilege.

Rule 1.310(c) Fla.R.Civ.P. mandates that a witness must testify in response to questions that do not seek information that is privileged or already prohibited by a court order:

A party may instruct a deponent not to answer only when necessary to preserve a privilege, to enforce a limitation on evidence directed by the court, or to present a motion under subdivision (d). Otherwise, evidence objected to shall be taken subject to the objections.

Here, no privilege would apply to any of the questions, and objections made to the above questions were not based on a valid claim of privilege. Neither ANTHONY nor her counsel sought a protective order to limit ANTHONY's testimony prior to the deposition – nor would any such limitation have been available since the areas of inquiry were all relevant to the subject matter of this action. Rule 1.280(b)(1), Fla.R.Civ.P.

The Fourth District has vehemently condemned the practice of instructing a witness not to answer deposition questions, a tactic it considers to be a breach of the standards of professionalism:

[The witness] indeed should have answered, and the arrogance of the defense attorney in instructing the witness not to answer is without legal justification. Nowhere in the Florida Rules of Civil Procedure is there a provision that states that an attorney may instruct a witness not to answer a question.

See Smith v. Gardy, 569 So. 2d 504, 507 (Fla. 4th DCA 1990).

V. Privilege Cannot Be Invoked By Counsel. ¹

The privilege to invoke the Fifth Amendment to the United States Constitution is considered so personal that it cannot be invoked by counsel. Not once during the course of ANTHONY's deposition, did ANTHONY invoke her Fifth Amendment privilege. Instead, Mr. Greene acting as counsel on behalf of ANTHONY took it upon himself to invoke the Defendant's Fifth Amendment privilege, despite protest from Plaintiff's counsel questioning his right to do so. The following table lists the exchange between Plaintiff's counsel and ANTHONY's counsel.

¹ The history and the subsequent case law reveals that the "Fifth Amendment is a personal privilege." *Couch v. United States*, 409 U.S. 322, 328, 93 S. Ct. 611, 616, 34 L.Ed.2d 548 (1973). The privilege against self-incrimination is limited to and can only be invoked by "a person who shall be compelled in any criminal case to be a witness against himself." *Fisher v. United States*, 425 U.S. 391, 398, 96 S. Ct. 1569, 1574, 48 L.Ed.2d 39 (1976) (quoting *Hale v. Henkel*, 201 U.S. 43, 69-70, 26 S. Ct. 370, 377, 50 L.Ed. 652 (1906)). While admittedly these cases do not decide precisely the present issue, they give strong support to Plaintiff's position that the witness must personally invoke the privilege. Furthermore, our research into appellate decisions lends credence to this conclusion. See *Watson v. C.I.R.*, 690 F.2d 429 (5th Cir. 1982); *United States v. Ayers*, 615 F.2d 658, 660 (5th Cir. 1980). Specifically, in *United States v. Schmidt*, 816 F.2d 1477, 1481 n. 3 (10th Cir. 1987), the Court concluded that "[o]nly the appellants, not their counsel, are the proper parties to interpose a claim of privilege personal to themselves to prevent compelled disclosure that appellants reasonably believe could be used (against them) in a criminal prosecution or could lead to other evidence that might be used." "(quoting *Kastigar*, supra at p. 445, 104 S. Ct. at p. 1656). See in *Re Grand Jury Proceedings-Gordon Witness*, 722 F.2d 303 (6th Cir. 1983). The Court, therefore, concludes that where the interrogating party stands on the requirement that the witness must personally invoke the privilege against self-incrimination, the witness must do so absent some compelling circumstance. No such compelling circumstance exists on the present record. Accordingly, witness Casey Marie Anthony must personally invoke her privilege against self-incrimination.

QUESTION	INVOKATION PURSUANT TO FIFTH AMENDMENT PRIVILEGE
Mr. Morgan ---Are you familiar with the person by the name of Zenaida Gonzalez? (p.5)	Mr. Greene ---On behalf of Miss Anthony and pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution, I instruct her not to answer that question . . . (p. 5)
Mr. Morgan ---Chuck, she's going to have to invoke that right herself, so I'm going to ask-- (p. 5)	Mr. Greene ---No, she's not. I've just invoked it. (p. 6)
Mr. Morgan ---You don't believe she has to answer that question herself? (p. 6)	Mr. Greene ---No. I've just invoked it for her. We're objecting on her behalf. The assertion of the privilege is clear. (p. 6)
Mr. Morgan ---So you're instructing her not to answer that question? That you're answering it for her? (p. 6)	Mr. Greene ---No. I'm objecting on her behalf and asserting her rights and privileges upon her behalf and instructing her not to respond . . . because her response could tend to incriminate her. (p. 6)
Mr. Morgan ---And what is the basis for your instruction? (p. 6)	Mr. Greene ---Article 5 to the United States Constitution and Article 1 to the Florida Constitution. (p.6)
Mr. Morgan ---What is the factual basis for that, sir? (p. 6)	Mr. Greene ---I need not to explain our factual basis . . . (p. 6)

"The Fifth Amendment privilege must be invoked by the witness himself, rather than his attorney, when the interrogating party stands on the requirement that the witness must personally invoke the privilege." *Bigby v. United States Immigration and Naturalization Service*, 21 F. 3d 1059 (1994). See also, *State ex rel. Butterworth v. Southland Corp.*, 684 F.Supp. 292, 294-95 (S.D.Fla.1988). In *Quintero v. Gonzales*, 455 F. 3d 1006 (2006) Quintero's counsel attempted to assert the Fifth Amendment right against self-incrimination on behalf of Quintero. The Judge however, required Quintero

to assert his Fifth Amendment right himself, but allowed his attorney to advise him about when to exercise this right. Quintero's counsel appealed, stating that that judge violated Quintero's Fifth Amendment rights when the judge required him [Quintero] to personally invoke his right against self-incrimination and not allow his attorney to invoke the Fifth Amendment privilege on his client's behalf. This argument failed and the lower court's decision was affirmed.

Although the Fifth Amendment privilege of self-incrimination is personal to the witness, departing from this well-recognized general rule has been allowed under special circumstances, (i.e., language barrier), which has permitted the rule to be invoked on a client's behalf by his attorney. No special circumstances exist in this case.

VI. Plaintiff is Entitled to Attorney's Fees and Costs.

Rule 1.380(a)(4), Fla.R.Civ.P. provides that, when a motion to compel is granted, the court shall require the deponent whose conduct necessitated the motion (or counsel advising the conduct) to pay the moving party the reasonable expenses and attorneys' fees incurred in obtaining the order. Costs for bringing this motion would include the court reporter fees for attending the deposition and preparing the depositions transcript of ANTHONY's deposition.

WHEREFORE, Plaintiff asks the court to grant its motion to compel ANTHONY to answer the questions posed and any questions related to those areas of inquiry. Plaintiff also request reimbursement for costs and fees associated with bringing this motion.

CERTIFICATION UNDER RULE 1.380(d) Fla.R.Civ.P.

The Movant, in good faith, has conferred, or attempted to confer, with the party failing to answer or respond in an effort to obtain such answer or response without court action.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 4, 2011, I electronically filed the foregoing Notice with the Clerk of the Courts by using the ECF system which will send a notice of electronic filing to the following: Charles Greene, Esquire, Law Offices of Charles M. Greene, P.A., 28 E. Washington Street, Orlando, FL 32801.

MORGAN & MORGAN, P.A.

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Attorneys for Plaintiff

QUESTION	OBJECTION
Q. Are you familiar with the person by the name of Zenaida Gonzalez? (p.5)	Mr. Greene ---I instruct her not to answer that question, and I object on the grounds it could tend to incriminate. (p. 5)
Q. Have you ever met Zenaida Gonzalez? (p.9)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her rights against self-incrimination pursuant to the Florida Constitution Article 1 and Article 5 of the United States Constitution and instruct her not to answer. (p. 9)
Q. Now, Miss Anthony, are you aware that our client, Zenaida Gonzalez, was questioned by police authorities in regards to the disappearance of your daughter, Caylee Anthony? (p.10)	Mr. Greene ---Objection. I assert the attorney-client privilege on behalf of Miss Anthony and instruct her not to answer the questions to the extent anything she knows came from communications from her counsel and also on behalf of the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution assert her privileges and instruct her not to answer. (p.10)
Q. Miss Anthony, was there ever a person named "Zanny" or "Zenaida" who was a nanny to your child, Caylee Anthony? (p.10)	Mr. Greene ---Objection. On behalf of Miss Anthony, I assert her privileges against self-incrimination pursuant to Article 5 of the United States Constitution and Article 1 of the Florida Constitution and object to the question and instruct her not to answer. (p. 10-11)
Q. Now Miss Anthony, in your criminal trial here in Orange County, your attorney stated that there was never, in fact, a Zenaida Gonzalez, a Zanny the Nanny or any such person. Did you hear that? (p.11)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her rights pursuant to the Fifth Amendment to the United States Constitution. I think I've referred to that as Article 5 to the United States Constitution, but it's the Fifth Amendment and Article 1 of the Florida Constitution and instruct her not to answer and object to the questions. And also assert the attorney-client privilege. (p.11)

QUESTION	OBJECTION
Q. Why did you give the police the name of Zenaida Gonzalez, Miss Anthony? (p.16)	Mr. Greene ---Objection on behalf of Miss Anthony, and pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution, we instruct her not to answer because the answer could tend to incriminate and assert her privileges under the foregoing Constitutional provisions. (p. 16-17)
Q. Miss Anthony, is Zenaida Gonzalez a real person or is it one of your imaginary friends? (p.17)	Mr. Greene --- Objection, compound. In addition we object pursuant to the Fifth Amendment of the United States Constitution and Article 1 of the Florida Constitution, assert Miss Anthony's privileges on her behalf and instruct her not to answer. (p.17)
Q. Is Zenaida Gonzalez a real person, Miss Anthony? (p. 17)	Mr. Greene ---Objection. The question's vague and confusing. In addition on behalf of Miss Anthony, we assert her privileges under the Fifth Amendment to the United States Constitution, Article 1 of the Florida Constitution and instruct her not to answer. (p. 17)
Q. Okay. Thank you. Where did you come up with the name Zenaida Gonzalez or the words Zanny the Nanny? (p. 18)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment of the United States Constitution, Article 1 of the Florida Constitution, object to being questioned and instruct her not to answer. (p. 18)

QUESTION	OBJECTION
Q. Miss Anthony, are you familiar with an apartment complex called Sawgrass Apartments located in Orlando, Florida? (p.19)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment of the United States, Article 1 of the Florida Constitution and instruct her not to answer. (p.19)
Q. Miss Anthony, you have been to the Sawgrass Apartments in the past, have you not? (p.19)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer and object to the question. (p.19)
Q. Miss Anthony, isn't it a fact that you learned of Zenaida Gonzalez and who she was when she visited you Sawgrass Apartments and you were there? (p.19)	Mr. Greene ---Objection, vague and confusing, compound, speculative. In addition, on behalf of Miss Anthony, we object to the question and assert her privileges pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and strict her not to answer. (p.19-20)
Q. Miss Anthony, you're aware that Zenaida Gonzalez visited Sawgrass Apartments, are you not? (p.20)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment of the United States Constitution and Article 1 to Florida Constitution and instruct her not to answer. (p.20)
Q. Miss Anthony, you're aware that Zenaida Gonzalez filled out an application to live at Sawgrass Apartments, are you not? (p.20)	Mr. Greene ---Objection, attorney-client privilege. In addition, on behalf of Miss Anthony, we object to the question and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the Florida Constitution (sic) and Article 5 – or Article 1 to the Florida Constitution and instruct her not to answer the question. (p.20)
Q. Miss Anthony, you then looked at the application that was filled out by Ms. Gonzalez at the Sawgrass Apartments, did you not? (p.20-21)	Mr. Greene ---Objection. We assert Miss Anthony's privileges pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer the question.(p.21)

<p>Q. Miss Anthony, the application that Zenaida Gonzalez filled out at Sawgrass Apartments enabled you to know a lot about her personal life, did it not? (p.21)</p>	<p>Mr. Greene ---Objection, vague and confusing. In addition, we assert Miss Anthony's privileges on her behalf against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer the question. (p.21)</p>
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QUESTION	OBJECTION
Q. And, Miss Anthony, as a result of that knowledge, the police had specific information about Zenaida Gonzalez when she was questioned in the disappearance and/or murder of Caylee Marie Anthony; isn't that correct? (p.22)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.22)
Q. Miss Anthony, what do you know about the questioning that Ms. Gonzalez received from the police based on the information that you provided them? (p.22)	Mr. Greene ---Objection to the form, calls for hearsay. In addition, calls for attorney-client privilege. Further, we object and assert Miss Anthony's privileges pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.22)
Q. Miss Anthony, do you understand that Zenaida Gonzalez was questioned for the disappearance and murder of Caylee Marie Anthony? (p.22-23)	Mr. Greene ---Objection. The question calls for hearsay. In addition, attorney-client privilege. Further, on behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.23)
Q. And, Miss Anthony, are you aware that Ms. Gonzalez was questioned because of the information you provided the police? (p.23)	Mr. Greene ---Objection, calls for hearsay, also attorney-client privilege. Further, we object and assert Miss Anthony's privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.23)
Q. And, Miss Anthony, are you aware that the police knew specific things about Ms. Gonzalez, including her children, the type of car she had that could only have been provided to them by you? (p.23)	Mr. Greene ---Objection to the form, calls for hearsay, assumes facts not in evidence and that cannot be proven. In addition, calls for attorney-client privilege. Further, we object and assert Miss Anthony's privileges pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.23-24)

<p>Q. Miss Anthony, are you aware that Ms. Gonzalez was kicked out of her apartment complex because of the false information you gave the police? (p.24)</p>	<p>Mr. Greene ---Objection to the form, calls for hearsay, assumes facts that have not been proven and cannot be proven. In addition, may call for attorney-client privilege. Further, we object and assert Miss Anthony's privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.24)</p>
<p>Q. Miss Anthony, are you aware that because of the false information that you gave to the police, Mrs. Gonzalez lost her job and ability to provide for her children? (p.25)</p>	<p>Mr. Greene ---Objection to the form, compound, argumentative, assumes facts that are not in evidence and cannot be proven. In addition, may call for attorney-client privilege. Finally, we object and assert Miss Anthony's privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.25)</p>
<p>Q. Miss Anthony, are you aware that as a result of the false information that you gave to the police that Ms. Gonzalez actually received death threats to herself? (p.25)</p>	<p>Mr. Greene ---Objection to the form, argumentative, calls for hearsay, assumes facts that have not and cannot be proven. In addition, we object and assert Miss Anthony's privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.25-26)</p>
<p>Q. Miss Anthony, are you aware that as a result of your false information to the police that Ms. Gonzalez received phone calls threatening to kill her children, her two little girls? Were you aware of that, Miss Anthony? (p.26)</p>	<p>Mr. Greene ---Objection to the form, assumes facts that have not and cannot be proven, argumentative. In addition, my call for attorney-client privilege. Finally, we object and assert Miss Anthony's privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.26)</p>
<p>Q. Let's talk a little bit about the description you gave to the police of Ms. Gonzalez. Miss Anthony, could you describe for us today what the description of Zenaida</p>	<p>Mr. Greene ---Objection. The statements of Miss Anthony speak for themselves. In addition, we object and assert Ms. Anthony's privileges against self-incrimination</p>

Gonzalez was that you gave to the police? (p.26)	pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.26-27)
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QUESTION	OBJECTION
Q. Now, Miss Anthony, there came a time where you were questioned by the police in Kissimmee regarding the disappearance of your daughter; is that correct? (p.27)	Mr. Greene ---I object to the question and on behalf of Miss Anthony assert her privileges against self-incrimination pursuant to Article 1 of the Florida Constitution and the Fifth Amendment to the United States Constitution and instruct her not to answer. (p.27)
Q. Miss Anthony, do you know – have you ever seen a picture of our client who is a party in this matter, Zenaida Gonzalez? (p.26-27)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer. (p.27)
Q: Miss Anthony, I would ask you to please look towards me. I have a picture of Zenaida Gonzalez. Can you see this picture, Miss Anthony? (p.27)	Mr. Greene --- You can answer that. A: yes (p.27)
Q. Have you ever seen this person before? (p.27)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privilege against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer. (p.27)
Q. So, Miss Anthony, in fact that is the Zenaida Gonzalez you were referring to when you made the false statements to the police, is it not? (p.28-29)	Mr. Greene ---Objection to the form, among other things, compound and argumentative. In addition, on behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.29)
Q. Now, Miss Anthony, has anyone ever showed you a picture of our client, Zenaida Gonzalez, before today? (p.29)	Mr. Greene ---Objection. On behalf of Ms. Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer. (p.29)

Q. Miss Anthony, at a certain point in time when you met with the police and you were talking about Zenaida Gonzalez, you refer to her as – and I’m quoting you now – “that girl down in Kissimmee.” What did you mean by that”? Or, actually, to your mother. (p.29-30)	Mr. Greene ---Objection to the form, compound, improper predicate. In addition, on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the United States Constitution and instruct her not to answer. (p.30)
Q: Miss Anthony, isn’t it true that there was a time in this murder investigation that the police met with you and you had the opportunity to exonerate Zenaida Gonzalez if you had wanted to? (p.30)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer. (p.30)
Q. Miss Anthony, isn’t it true that behind closed doors with the police and outside the view of the media, you had this opportunity but decided not to take this opportunity and exonerate our client, Zenaida Gonzalez? (p.31)	Mr. Greene ---Objection, asked and answered, vague and confusing. In addition, on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to Florida Constitution and instruct her not to answer. (p.31)
Q. Miss Anthony, after you saw a picture of Zenaida Gonzalez shown to you by the police, you then spoke to your mother about that, did you not? (p.31)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer. In addition, vague and confusing. (p.31)
Q. And, Miss Anthony, when you spoke to your mother, you told her, in fact, that that was Zenaida Gonzalez, didn’t you? (pg.31)	Mr. Greene ---Objection to the form. Among other things, vague and confusing. In addition, pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and on behalf of Miss Anthony, we assert her privileges and instruct her not to answer.(p.31-32)
Q. Miss Anthony, when you spoke to your mother and told her that that was Zenaida Gonzales, that that was the nanny for Caylee Marie Anthony, you knew, Miss Anthony, that your mother was then going to go out and publish your false statements to the	Mr. Greene ---Objection to the form. Among other things, compound and argumentative. In addition, on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the

media, to other press and to the public, did you not? (p.32)	United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer. (p.32)
Q. Miss Anthony, why did you not tell your mother the truth about Zenaida – the photograph of Zenaida Gonzalez? Why did you decide to lie to her? (p.33)	Mr. Greene ---Objection to the form, argumentative, compound. In addition, on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer. (p.33)

QUESTION	OBJECTION
Q. Miss Anthony, why did you not tell the truth to the police about where your child was? (p.34)	Mr. Greene ---Objection to the form. In addition, on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer.(p.34)
Q. Miss Anthony, have you ever been to Jay Blanchard Park? (p.34)	Mr. Greene ---On behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.34)
Q. Miss Anthony, what I'm getting at concerning Lee, let me – let me kind of set this up for you so you understand and so that I don't confuse you. I had the opportunity to take Lee Anthony's deposition, and he had spoken to you. Let me kind of give it to you in narrative form, and then I'll break it up so that the questions are not compound, argumentative or vague. Lee Anthony told us that you told him that the last time you saw your daughter was in Blanchard Park and that Zenaida Gonzalez had taken her from you. He further told us that you told him that you were to say nothing about that, and that if you did, Caylee would be killed or hurt, you would be killed or hurt, your family, your mother and your father would be killed or hurt. Was Lee telling me the truth when he told me that story, Miss Anthony? (p.39)	Mr. Greene ---Objection, move to strike the testimony by counsel and the improper predicate, and otherwise object to the form. And on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.39)
Q. Miss Anthony, were you ever in Blanchard Park with Zenaida Gonzalez and your daughter Caylee Marie Anthony. (p.39-40)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.40)

Q. Miss Anthony, did Zenaida Gonzalez ever take Caylee Marie Anthony from you in Blanchard Park? (p.40)	Mr. Greene ---Objection. On behalf Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.40)
Q. Miss Anthony, did you ever tell your brother Lee that Zenaida Gonzalez threatened to kill or hurt you, Caylee, or any other family member? (p.40)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.40-41)
Q. Just so we're clear, Miss Anthony, the whole story about Zenaida Gonzalez having your child is a complete falsehood and total lie, is it not? (p.41)	Mr. Greene ---Objection to the form, argumentative, assumes facts that have not been proven, cannot be proven. In addition, on behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the United States Constitution and the Florida Constitution. (p.41)
Q -- isn't it true that you fabricated the entire story about Zenaida Gonzalez or Zanny the Nanny as an alibi for your involvement in your own daughter's death? Isn't that true, Miss Anthony? (p.42)	Mr. Greene ---Objection to the form. Among other things, compound and argumentative. In addition, pursuant -- on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer. (p.42)
Q. Why would you lead people to believe that your child was missing? (p.42)	Mr. Greene ---Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution, instruct her not to answer. (p. 42-43)
Q. Why did you not tell people searching for your daughter to stop? (p.43)	Mr. Greene ---Objection to the form, argumentative. In addition, outside the scope for permissible discovery and reasonable discovery in this case. Finally, on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida

	Constitution and instruct her not to answer. (p.43-44)
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IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA

ZENAIDA GONZALEZ,

Plaintiff,

vs.

CASE NO.: 2008-CA-24573

CASEY ANTHONY,

Defendant.

COPY

The deposition of CASEY MARIE ANTHONY conducted via videoconference on behalf of the Plaintiff on Saturday, October 8, 2011, beginning at 8:02 a.m., at the law offices of Morgan & Morgan, P.A., 20 North Orange Avenue, 14th Floor, Orlando, Florida, and the witness at an undisclosed location, before Laura J. Landerman, R.M.R., C.R.R., and Notary Public, State of Florida at Large.

EXHIBIT "B"

<p>1 APPEARANCES: 2 JOHN B. MORGAN, ESQUIRE 3 JOHN W. DILL, ESQUIRE 4 MATTHEW MORGAN, ESQUIRE 5 Morgan and Morgan, P.A. 6 20 North Orange Avenue -- Suite 1600 7 Orlando, Florida 32801 8 9 For the Plaintiff, 10 11 CHARLES M. GREENE, ESQUIRE (via videoconference) 12 Charles M. Greene, P.A. 13 28 East Washington Street 14 Orlando, Florida 32801 15 and 16 ANDREW J. CHMELIR, ESQUIRE (via videoconference) 17 Jacobson, McClean, Chmelir & Ferw 18 351 East State Road 434 -- Suite A 19 Winter Springs, Florida 32708 20 21 For the Defendant. 22 23 ALSO PRESENT: Jeff Fleming of 24 Ron Fleming Video Productions 25 David McKeon, IT, Morgan & Morgan</p>	2	<p>1 MR. DILL: We have to get the stipulation 2 about the oath since your client is there. Okay? 3 So we're going to go on the record. Is that all 4 right? 5 MR. GREENE: That's fine, yeah. 6 MR. DILL: We're on the record. We just -- 7 this is John Dill representing the plaintiff. I 8 just want to confirm we have a stipulation between 9 counsel that the court reporter can administer the 10 oath via this video conference and that will be 11 acceptable as far as a binding oath; is that 12 correct? 13 MR. GREENE: That's correct. 14 MR. MORGAN: Let's let the court reporter 15 swear the witness. 16 ----- 17 CASEY MARIE ANTHONY 18 having been first duly sworn via videoconference by 19 stipulation of counsel, testified as follows: 20 THE WITNESS: I do. 21 DIRECT EXAMINATION 22 BY MR. MORGAN: 23 Q Good morning. My name is John Morgan, and I 24 represent Zenaida Gonzalez. I'm going to be asking you 25 some questions this morning. I'm sure you've spent some</p>
<p>1 INDEX 2 TESTIMONY OF CASEY MARIE ANTHONY 3 Direct Examination by Mr. Morgan 4 4 CERTIFICATE OF OATH 50 5 CERTIFICATE OF REPORTER 51 6 EXHIBITS 7 (None marked.) 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	3	<p>1 time with -- with your attorney. The only thing that I 2 would remind you of is if you would please answer instead 3 of "uh-huh" or "huh-uh" just "yes" or "no." And if you 4 don't understand a question that I ask, I'll be happy to 5 repeat it or rephrase it. 6 Do you understand all that? 7 MR. GREENE: She understands her obligations. 8 Q Would you state your full name for the record, 9 please? 10 A Casey Marie Anthony. 11 Q And what -- 12 A I'm sorry. Casey Marie Anthony. 13 Q Thank you. And what is your name -- what is 14 your date of birth? 15 A 03/19/1986. 16 Q Thank you. Are you familiar with the person 17 by the name of Zenaida Gonzalez? 18 MR. GREENE: On behalf of Miss Anthony and 19 pursuant to the Fifth Amendment to the United States 20 Constitution and Article 1 of the Florida 21 Constitution, I instruct her not to answer that 22 question, and I object on the grounds it could tend 23 to incriminate. 24 MR. MORGAN: Chuck, she's going to have to 25 invoke that right herself, so I'm going to ask --</p>

6

1 MR. GREENE: No, she's not. I've just invoked
2 it.

3 MR. MORGAN: You don't believe she has to
4 answer that question herself?

5 MR. GREENE: No. I've just invoked it for
6 her. We're objecting on her behalf. The assertion
7 of the privilege is clear.

8 MR. MORGAN: So you're instructing her not to
9 answer that question? That you're answering it for
10 her?

11 MR. GREENE: No. I'm objecting on her behalf
12 and asserting her rights and privileges upon her
13 behalf and instructing her not to respond --

14 MR. MORGAN: And what is the --

15 MR. GREENE: -- because her response could
16 tend to incriminate her.

17 MR. MORGAN: And what is the basis for your
18 instruction?

19 MR. GREENE: Article 5 to the United States
20 Constitution and Article 1 to the Florida
21 Constitution.

22 MR. MORGAN: What is the factual basis for
23 that, sir?

24 MR. GREENE: I need not to explain our factual
25 basis other than to tell you that it could tend to

7

1 incriminate and provide a link in the chain of
2 evidence that could be used against her, and we're
3 not going to provide that to you.

4 MR. MORGAN: What pending criminal case are
5 you objecting in lieu of?

6 MR. GREENE: We made our objection and that's
7 all I'm going to state. We've made our objection
8 and that's all I'm going to do.

9 MR. MORGAN: Okay.

10 BY MR. MORGAN:

11 **Q Miss Anthony, what do you understand the Fifth**
12 **Amendment applies to in this case? Your attorney has**
13 **invoked on your behalf your Fifth Amendment right. I**
14 **would like to ask you what is it that you understand the**
15 **Fifth Amendment applies to as to this case, Zenaída**
16 **Gonzalez versus Casey Anthony?**

17 MR. GREENE: Objection, calls for a legal
18 conclusion. In addition, on behalf of Miss Anthony,
19 I assert her rights against self-incrimination
20 pursuant to Article 5 of the United States
21 Constitution and Article 1 of the Florida
22 Constitution, and I instruct her not to answer that
23 question on the grounds it could tend to
24 incriminate.

25 BY MR. MORGAN:

8

1 **Q Miss Anthony, you're aware that there is a**
2 **pending civil case against you of Zenaída Gonzalez versus**
3 **Casey Anthony. Are you aware of that, ma'am?**

4 MR. GREENE: One moment, please, while we
5 discuss whether to assert a privilege.

6 (Off-the-record discussion was had.)

7 A Yes.

8 **Q Are you aware --**

9 MR. GREENE: Did you get her answer to the
10 last question?

11 MR. MORGAN: Yes. Thank you very much, Chuck.

12 BY MR. MORGAN:

13 **Q What are -- what is your understanding as to**
14 **the allegations made against you in that civil matter?**

15 MR. GREENE: Let me go off the record to
16 discuss whether we need to assert a privilege.

17 (Off-the-record discussion was had.)

18 MR. GREENE: On behalf of Miss Anthony, I
19 instruct her not to answer the question on the
20 grounds of attorney-client privilege because
21 everything she knows about the case was communicated
22 to her by her counsel.

23 In addition, pursuant to the Fifth Amendment
24 to the United States Constitution and Article 1 of
25 the Florida Constitution, we assert her rights

9

1 against self-incrimination and instruct her not to
2 answer and object to the question.

3 BY MR. MORGAN:

4 **Q Miss Anthony, have you read the complaint**
5 **against you filed by our law firm?**

6 MR. GREENE: You can answer that.

7 A Yes.

8 **Q Now, based upon the complaint that you read,**
9 **what do you understand the allegations against you to be**
10 **in this civil matter?**

11 MR. GREENE: One moment. We're going off the
12 record for a moment.

13 (Off-the-record discussion was had.)

14 MR. GREENE: I'm going to allow you to answer
15 the question except do not reveal anything that I've
16 communicated to you in the course of the
17 attorney-client relationship.

18 THE WITNESS: Okay.

19 A I'm aware that I'm being sued.

20 **Q And are you aware of who you're being sued by?**

21 MR. GREENE: You can answer that.

22 A An individual by the name of Zenaída Gonzalez.

23 **Q Have you ever met Zenaída Gonzalez?**

24 MR. GREENE: Just a moment, please.

25 (Off-the-record discussion was had.)

10

1 MR. GREENE: Objection. On behalf of Miss
2 Anthony, we assert her rights against
3 self-incrimination pursuant to the Florida
4 Constitution Article 1 and Article 5 of the United
5 States Constitution and instruct her not to answer.

6 BY MR. MORGAN:

7 **Q Now, Miss Anthony, are you aware that our**
8 **client, Zenaida Gonzalez, was questioned by police**
9 **authorities in regards to the disappearance of your**
10 **daughter, Caylee Anthony?**

11 MR. GREENE: Objection. I assert the
12 attorney-client privilege on behalf of Miss Anthony
13 and instruct her not to answer the question to the
14 extent anything she knows came from communications
15 from her counsel and also on behalf of the Fifth
16 Amendment to the United States Constitution and
17 Article 1 of the Florida Constitution assert her
18 privileges and instruct her not to answer.

19 MR. MORGAN: Thank you.

20 BY MR. MORGAN:

21 **Q Miss Anthony, was there ever a person named**
22 **"Zanny" or "Zenaida" who was a nanny to your child,**
23 **Caylee Anthony?**

24 MR. GREENE: Objection. On behalf of Miss
25 Anthony, I assert her privileges against

11

1 self-incrimination pursuant to Article 5 of the
2 United States Constitution and Article 1 of the
3 Florida Constitution and object to the question and
4 instruct her not to answer.

5 BY MR. MORGAN:

6 **Q Now, Miss Anthony, in your criminal trial here**
7 **in Orange County, your attorney stated that there was**
8 **never, in fact, a Zenaida Gonzalez, a Zanny the Nanny or**
9 **any such person. Did you hear that?**

10 MR. GREENE: Objection. On behalf of Miss
11 Anthony, we assert her rights pursuant to the Fifth
12 Amendment to the United States Constitution. I
13 think I've referred to that as Article 5 to the
14 United States Constitution, but it's the Fifth
15 Amendment and Article 1 of the Florida Constitution
16 and instruct her not to answer and object to the
17 question. And also assert the attorney-client
18 privilege.

19 MR. MORGAN: So she did not -- she's not going
20 to answer the question if she heard him say that in
21 her criminal trial?

22 MR. GREENE: Yes. She's not going to answer
23 the last question you asked.

24 BY MR. MORGAN:

25 **Q Miss Anthony, you were recently in a criminal**

12

1 **trial here for murder in Orange County; is that correct?**

2 MR. GREENE: Objection. Not reasonably
3 calculated to lead to admissible evidence. Also
4 assert her rights against self-incrimination
5 pursuant to the Fifth Amendment of the United States
6 Constitution, Article 1 of the Florida Constitution,
7 and instruct her not to answer and object to the
8 question.

9 MR. MORGAN: Well, I think it certainly is
10 relevant. I'm trying to find out what she heard her
11 lawyer say.

12 BY MR. MORGAN:

13 **Q Miss Anthony, were you present during the**
14 **entire criminal trial against you in Orange County for**
15 **the murder of Caylee Marie Anthony?**

16 MR. GREENE: Just a moment while we discuss
17 whether to assert a privilege.

18 (Off-the-record discussion was had.)

19 MR. GREENE: You can answer that question.

20 A Yes, I was present for the trial.

21 **Q Were you able to hear everything that was said**
22 **during that trial?**

23 MR. GREENE: One moment, please.

24 (Off-the-record discussion was had.)

25 MR. GREENE: You can answer that question.

13

1 A No.

2 **Q What didn't you hear?**

3 MR. GREENE: Objection, calls for speculation,
4 can't possibly be answered. Let me discuss whether
5 to further assert a privilege.

6 (Off-the-record discussion was had.)

7 MR. GREENE: You can answer the last question.

8 A I don't know.

9 **Q Miss Anthony, your attorney --**

10 MR. MORGAN: I'm sorry, Chuck. Did you -- are
11 you okay, Chuck?

12 MR. GREENE: Yeah, we got you. Can you hear
13 us?

14 MR. MORGAN: Yes, sir. Thank you.

15 BY MR. MORGAN:

16 **Q Miss Anthony, your attorneys for the criminal**
17 **matter included José Baez and Cheney Mason; is that**
18 **correct?**

19 MR. GREENE: One moment please while we
20 discuss whether to assert a privilege.

21 (Off-the-record discussion was had.)

22 MR. GREENE: You can answer the question.

23 A Yes.

24 **Q And you were present in the courtroom when**
25 **José Baez delivered his opening statement to the jury,**

14

1 were you not?

2 MR. GREENE: You can answer that "yes" or
3 "no."

4 A Yes.

5 **Q And you heard José Baez in his opening
6 statement state that you had made up the story of Zenaida
7 Gonzalez; isn't that true?**

8 MR. GREENE: Just a moment while we discuss
9 whether to assert a privilege.
10 (Off-the-record discussion was had.)

11 MR. GREENE: You can answer the question.
12 A Yes.

13 **Q Was he being truthful when he said that or was
14 he lying to the Court?**

15 MR. GREENE: Objection, compound. Objection,
16 attorney-client privilege.

17 BY MR. MORGAN:

18 **Q All right. Let me -- let me --**

19 MR. GREENE: In addition, we assert -- we
20 assert Miss Anthony's rights under the Fifth
21 Amendment to the United States Constitution and
22 Article 1 of the Florida Constitution and instruct
23 her not to answer.

24 MR. MORGAN: I'll just break it up for the
25 record, Chuck.

15

1 BY MR. MORGAN:

2 **Q Was he being truthful when he made that
3 statement in opening?**

4 MR. GREENE: Objection. We assert the
5 attorney-client privilege, and also on behalf of
6 Miss Anthony assert her rights against
7 self-incrimination pursuant to the Fifth Amendment
8 to the United States Constitution and Article 1 of
9 the Florida Constitution and instruct her not to
10 answer.

11 BY MR. MORGAN:

12 **Q Miss Anthony, was there anything in the
13 opening statement made by Mr. Baez that you believe was
14 untruthful?**

15 MR. GREENE: Objection, attorney-client
16 privilege. In addition, on behalf of Miss Anthony,
17 we assert her privileges against self-incrimination
18 under Article 1 to the Florida Constitution and the
19 Fifth Amendment to the United States Constitution
20 and instruct her not to answer and object to the
21 question on those grounds.

22 MR. MORGAN: Just so we don't belabor all
23 this, any questions regarding statements made by
24 José Baez, Cheney Mason or any of the defense team
25 in that criminal trial you're going to invoke the

16

1 Fifth Amendment, Chuck?

2 MR. GREENE: Any that could possibly be
3 relevant to the context of this case, yes.

4 MR. DILL: What does that mean?

5 MR. MORGAN: We're having trouble
6 understanding what that means.

7 MR. GREENE: Well, you'll just have to ask a
8 question, then, because I don't know.

9 MR. MORGAN: Okay.

10 MR. GREENE: If you ask -- I can't think of
11 anything that would be remotely relevant that you
12 could ask to which we would not assert the Fifth
13 Amendment and Article 1 privileges against
14 self-incrimination, but you may think of something
15 that we won't, so I don't know.

16 MR. MORGAN: Okay.

17 BY MR. MORGAN:

18 **Q Why did you give the police the name of
19 Zenaida Gonzalez, Miss Anthony?**

20 MR. GREENE: Objection on behalf of Miss
21 Anthony, and pursuant to the Fifth Amendment to the
22 United States Constitution and Article 1 of the
23 Florida Constitution, we instruct her not to answer
24 because the answer could tend to incriminate and
25 assert her privileges under the foregoing

17

1 Constitutional provisions.

2 MR. MORGAN: Thank you.

3 BY MR. MORGAN:

4 **Q Miss Anthony, is Zenaida Gonzalez a real
5 person or is it one of your imaginary friends?**

6 MR. GREENE: Objection, compound. In
7 addition, we object pursuant to the Fifth Amendment
8 to the United States Constitution and Article 1 of
9 the Florida Constitution, assert Miss Anthony's
10 privileges on her behalf and instruct her not to
11 answer.

12 BY MR. MORGAN:

13 **Q Is Zenaida Gonzalez a real person, Miss
14 Anthony?**

15 MR. GREENE: Just a moment while we discuss
16 whether to assert a privilege.

17 (Off-the-record discussion was had.)

18 MR. GREENE: Objection. The question's vague
19 and confusing. In addition, on behalf of Miss
20 Anthony, we assert her privileges under the Fifth
21 Amendment to the United States Constitution, Article
22 1 of the Florida Constitution and instruct her not
23 to answer.

24 MR. MORGAN: Thank you.

25 BY MR. MORGAN:

18

Q Miss Anthony, other than Mr. Greene, who is in the room with you presently?

MR. GREENE: You can answer that.

MR. CHMELIR: Andrew Chmelir, for the record.

I'm co-counsel with Mr. Greene.

MR. MORGAN: Was that her speaking or --

MR. DILL: No. That was him.

MR. MORGAN: You can answer, Miss Anthony.

MR. GREENE: You can answer.

BY MR. MORGAN:

Q Who do you understand is in the room with you right now other than Mr. Greene?

A Andrew Chmelir, co-counsel.

Q And that's all?

A Yes.

Q Okay. Thank you. Where did you come up with the name Zenaida Gonzalez or the words Zanny the Nanny?

MR. GREENE: Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution, Article 1 of the Florida Constitution, object to being questioned and instruct her not to answer.

MR. MORGAN: Thank you.

BY MR. MORGAN:

19

Q Miss Anthony, are you familiar with an apartment complex called Sawgrass Apartments located in Orlando, Florida?

MR. GREENE: Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States, Article 1 of the Florida Constitution and instruct her not to answer.

BY MR. MORGAN:

Q Miss Anthony, you have been to the Sawgrass Apartments in the past, have you not?

MR. GREENE: Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer and object to the question.

BY MR. MORGAN:

Q Miss Anthony, isn't it a fact that you learned of Zenaida Gonzalez and who she was when she visited you Sawgrass Apartments and you were there?

MR. GREENE: Objection, vague and confusing, compound, speculative. In addition, on behalf of Miss Anthony, we object to the question and assert her privileges pursuant to the Fifth Amendment to

20

the United States Constitution and Article 1 to the Florida Constitution and strict her not to answer.

BY MR. MORGAN:

Q Miss Anthony, you're aware that Zenaida Gonzalez visited Sawgrass Apartments, are you not?

MR. GREENE: Objection. On behalf of Miss Anthony, we assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to Florida Constitution and instruct her not to answer.

BY MR. MORGAN:

Q And, Miss Anthony, you're aware that Zenaida Gonzalez filled out an application to live at Sawgrass Apartments, are you not?

MR. GREENE: Objection, attorney-client privilege. In addition, on behalf of Miss Anthony, we object to the question and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the Florida Constitution (sic) and Article 5 -- or Article 1 to the Florida Constitution and instruct her not to answer the question.

BY MR. MORGAN:

Q And, Miss Anthony, you then looked at the application that was filled out by Ms. Gonzalez at the

21

Sawgrass Apartments, did you not?

MR. GREENE: Objection. We assert Miss Anthony's privileges pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer the question.

John, let me clarify also, our IT guy is here in the room now.

MR. MORGAN: Okay. Thank you.

MR. GREENE: Dominic Mellow, who you spoke to yesterday, setting this up. He supervises making sure we don't have any glitches.

MR. MORGAN: Okay. Thank you.

BY MR. MORGAN:

Q Miss Anthony, the application that Zenaida Gonzalez filled out at Sawgrass Apartments enabled you to know a lot about her personal life, did it not?

MR. GREENE: Objection, vague and confusing. In addition, we assert Miss Anthony's privileges on her behalf against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 to the Florida Constitution and instruct her not to answer the question.

BY MR. MORGAN:

22

1 **Q And, Miss Anthony, as a result of that**
 2 **knowledge, the police had specific information about**
 3 **Zenaida Gonzalez when she was questioned in the**
 4 **disappearance and/or murder of Caylee Marie Anthony;**
 5 **isn't that correct?**

6 MR. GREENE: Objection. On behalf of Miss
 7 Anthony, we assert her privileges against
 8 self-incrimination pursuant to the Fifth Amendment
 9 to the United States Constitution and Article 1 of
 10 the Florida Constitution and instruct her not to
 11 answer.

12 BY MR. MORGAN:

13 **Q Miss Anthony, what do you know about the**
 14 **questioning that Ms. Gonzalez received from the police**
 15 **based on the information that you provided them?**

16 MR. GREENE: Objection to the form, calls for
 17 hearsay. In addition, calls for attorney-client
 18 privilege. Further, we object and assert Miss
 19 Anthony's privileges pursuant to the Fifth Amendment
 20 to the United States Constitution and Article 1 of
 21 the Florida Constitution and instruct her not to
 22 answer.

23 BY MR. MORGAN:

24 **Q Miss Anthony, do you understand that Zenaida**
 25 **Gonzalez was questioned for the disappearance and murder**

23

1 **of Caylee Marie Anthony?**

2 MR. GREENE: Objection. The question calls
 3 for hearsay. In addition, attorney-client
 4 privilege. Further, on behalf of Miss Anthony, we
 5 assert her privileges against self-incrimination
 6 pursuant to the Fifth Amendment to the United States
 7 Constitution and Article 1 of the Florida
 8 Constitution and instruct her not to answer.

9 BY MR. MORGAN:

10 **Q And, Miss Anthony, are you aware that**
 11 **Ms. Gonzalez was questioned because of the information**
 12 **you provided the police?**

13 MR. GREENE: Objection, calls for hearsay,
 14 also attorney-client privilege. Further, we object
 15 and assert Miss Anthony's privileges against
 16 self-incrimination pursuant to the Fifth Amendment
 17 to the United States Constitution and Article 1 of
 18 the Florida Constitution and instruct her not to
 19 answer.

20 BY MR. MORGAN:

21 **Q And, Miss Anthony, are you aware that the**
 22 **police knew specific things about Ms. Gonzalez, including**
 23 **her children, the type of car she had that could only**
 24 **have been provided to them by you?**

25 MR. GREENE: Objection to the form, calls for

24

1 hearsay, assumes facts not in evidence and that
 2 cannot be proven. In addition, calls for
 3 attorney-client privilege.

4 Further, we object and assert Miss Anthony's
 5 privileges pursuant to the Fifth Amendment to the
 6 United States Constitution and Article 1 of the
 7 Florida Constitution and instruct her not to answer.

8 BY MR. MORGAN:

9 **Q Miss Anthony, are you aware that Ms. Gonzalez**
 10 **was kicked out of her apartment complex because of the**
 11 **false information you gave the police?**

12 MR. GREENE: Objection to the form, calls for
 13 hearsay, assumes facts that have not been proven and
 14 cannot be proven. In addition, may call for
 15 attorney-client privilege.

16 Further, we object and assert Miss Anthony's
 17 privileges against self-incrimination pursuant to
 18 the Fifth Amendment to the United States
 19 Constitution and Article 1 of the Florida
 20 Constitution and instruct her not to answer.

21 MR. MORGAN: I'm just asking her if she was
 22 aware. I wasn't talking about hearsay. I'm asking
 23 her if she's aware.

24 MR. GREENE: Same objections.

25 BY MR. MORGAN:

25

1 **Q Miss Anthony, are you aware that because of**
 2 **your false information that you gave to the police,**
 3 **Mrs. Gonzalez lost her job and ability to provide for her**
 4 **children?**

5 MR. GREENE: Objection to the form, compound,
 6 argumentative, assumes facts that are not in
 7 evidence and cannot be proven. In addition, may
 8 call for attorney-client privilege.

9 Finally, we object and assert Miss Anthony's
 10 privileges against self-incrimination pursuant to
 11 the Fifth Amendment to the United States
 12 Constitution and Article 1 of the Florida
 13 Constitution and instruct her not to answer.

14 MR. MORGAN: Thank you.

15 BY MR. MORGAN:

16 **Q Miss Anthony, are you aware that as a result**
 17 **of the false information that you gave to the police that**
 18 **Ms. Gonzalez actually received death threats to herself?**

19 MR. GREENE: Objection to the form,
 20 argumentative, calls for hearsay, assumes facts that
 21 have not and cannot be proven.

22 In addition, we object and assert Miss
 23 Anthony's privileges against self-incrimination
 24 pursuant to the Fifth Amendment to the United States
 25 Constitution and Article 1 of the Florida

26

1 Constitution and instruct her not to answer.

2 MR. MORGAN: Thank you.

3 BY MR. MORGAN:

4 **Q Miss Anthony, are you aware that as a result**
5 **of your false information to the police that Ms. Gonzalez**
6 **received phone calls threatening to kill her children,**
7 **her two little girls? Were you aware of that, Miss**
8 **Anthony?**

9 MR. GREENE: Objection to the form, assumes
10 facts that have not and cannot be proven,
11 argumentative. In addition, may call for
12 attorney-client privilege.

13 Finally, we object and assert Miss Anthony's
14 privileges against self-incrimination pursuant to
15 the Fifth Amendment to the United States
16 Constitution and Article 1 of the Florida
17 Constitution and instruct her not to answer.

18 MR. MORGAN: Okay.

19 BY MR. MORGAN:

20 **Q Let's talk a little bit about the description**
21 **you gave to the police of Ms. Gonzalez. Miss Anthony,**
22 **could you describe for us today what the description of**
23 **Zenaida Gonzalez was that you gave to the police?**

24 MR. GREENE: Objection. The statements of
25 Miss Anthony speak for themselves. In addition, we

27

1 object and assert Miss Anthony's privileges against
2 self-incrimination pursuant to the Fifth Amendment
3 to the United States Constitution and Article 1 of
4 the Florida Constitution and instruct her not to
5 answer.

6 BY MR. MORGAN:

7 **Q Now, Miss Anthony, there came a time where you**
8 **were questioned by the police in Kissimmee regarding the**
9 **disappearance of your daughter; is that correct?**

10 MR. GREENE: Let me go off the record and
11 discuss with co-counsel whether we need to assert a
12 privilege.

13 (Off-the-record discussion was had.)

14 MR. GREENE: I object to the question and on
15 behalf of Miss Anthony assert her privileges against
16 self-incrimination pursuant to Article 1 of the
17 Florida Constitution and the Fifth Amendment to the
18 United States Constitution and instruct her not to
19 answer.

20 MR. MORGAN: Thank you.

21 BY MR. MORGAN:

22 **Q Miss Anthony --**

23 MR. GREENE: You're welcome.

24 **Q Miss Anthony, do you know -- have you ever**
25 **seen a picture of our client who is a party in this**

28

1 **matter, Zenaida Gonzalez?**

2 MR. GREENE: Objection. On behalf of Miss
3 Anthony, we assert her privileges against
4 self-incrimination pursuant to the Fifth Amendment
5 to the United States Constitution and Article 1 to
6 the Florida Constitution and instruct her not to
7 answer.

8 BY MR. MORGAN:

9 **Q Miss Anthony, I would ask you to please look**
10 **towards me. I have a picture of Zenaida Gonzalez. Can**
11 **you see this picture, Miss Anthony?**

12 MR. GREENE: You can answer that.

13 A Yes.

14 **Q Have you ever seen this person before?**

15 MR. GREENE: Let me discuss with co-counsel
16 whether we need to assert a privilege.
17 (Off-the-record discussion was had.)

18 MR. GREENE: Objection. On behalf of Miss
19 Anthony, we assert her privilege against
20 self-incrimination pursuant to the Fifth Amendment
21 to the United States Constitution and Article 1 to
22 the Florida Constitution and instruct her not to
23 answer.

24 BY MR. MORGAN:

25 **Q So, Miss Anthony, in fact that is the Zenaida**

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1 **Gonzalez you were referring to when you made the false**
2 **statements to the police, is it not?**

3 MR. GREENE: Objection to the form, among
4 other things, compound and argumentative. In
5 addition, on behalf of Miss Anthony, we assert her
6 privileges against self-incrimination pursuant to
7 the Fifth Amendment to the United States
8 Constitution and Article 1 to the Florida
9 Constitution and instruct her not to answer.

10 BY MR. MORGAN:

11 **Q Now, Miss Anthony, has anyone ever showed you**
12 **a picture of our client, Zenaida Gonzalez, before today?**

13 MR. GREENE: Just a moment while I discuss
14 with co-counsel whether to assert a privilege.

15 (Off-the-record discussion was had.)

16 MR. GREENE: Objection. On behalf of
17 Ms. Anthony, we assert her privileges against
18 self-incrimination pursuant to the Fifth Amendment
19 to the United States Constitution and Article 1 to
20 the Florida Constitution and instruct her not to
21 answer.

22 BY MR. MORGAN:

23 **Q Miss Anthony, at a certain point in time when**
24 **you met with the police and you were talking about**
25 **Zenaida Gonzalez, you refer to her as -- and I'm quoting**

30

1 you now -- "that girl down in Kissimmee."

2 What did you mean by that? Or, actually, to
3 your mother.

4 MR. GREENE: Objection --

5 MR. MORGAN: I'm sorry, Chuck, sorry.

6 MR. GREENE: Objection to the form, compound,
7 improper predicate. In addition, on behalf of Miss
8 Anthony, we object and assert her privileges against
9 self-incrimination pursuant to the Fifth Amendment
10 to the United States Constitution and Article 1 to
11 the Florida Constitution and instruct her not to
12 answer.

13 BY MR. MORGAN:

14 Q Miss Anthony, isn't it true that there was a
15 time in this murder investigation that the police met
16 with you and you had the opportunity to exonerate Zenaída
17 Gonzalez if you had wanted to?

18 MR. GREENE: Objection. On behalf of Miss
19 Anthony, we assert her privileges against
20 self-incrimination pursuant to the Fifth Amendment
21 to the United States Constitution and Article 1 to
22 the Florida Constitution and instruct her not to
23 answer.

24 MR. MORGAN: Thank you, Chuck.

25 BY MR. MORGAN:

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1 Q Miss Anthony, isn't it true that behind closed
2 doors with the police and outside the view of the media
3 you had this opportunity but decided not to take this
4 opportunity and exonerate our client, Zenaída Gonzalez?

5 MR. GREENE: Objection, asked and answered,
6 vague and confusing. In addition, on behalf of Miss
7 Anthony, we object and assert her privileges against
8 self-incrimination pursuant to the Fifth Amendment
9 to the United States Constitution and Article 1 to
10 Florida Constitution and instruct her not to answer.

11 BY MR. MORGAN:

12 Q Miss Anthony, after you saw a picture of
13 Zenaída Gonzalez shown to you by the police, you then
14 spoke to your mother about that, did you not?

15 MR. GREENE: Objection. On behalf of Miss
16 Anthony, we assert her privileges against
17 self-incrimination pursuant to the Fifth Amendment
18 to the United States Constitution and Article 1 to
19 the Florida Constitution and instruct her not to
20 answer. In addition, vague and confusing.

21 BY MR. MORGAN:

22 Q And, Miss Anthony, when you spoke to your
23 mother, you told her, in fact, that that was Zenaída
24 Gonzalez, didn't you?

25 MR. GREENE: Objection to the form. Among

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1 other things, vague and confusing. In addition,
2 pursuant to the Fifth Amendment to the United States
3 Constitution and Article 1 of the Florida
4 Constitution and on behalf of Miss Anthony, we
5 assert her privileges and instruct her not to
6 answer.

7 BY MR. MORGAN:

8 Q Miss Anthony, when you spoke to your mother
9 and told her that that was Zenaída Gonzalez, that that
10 was the nanny for Caylee Marie Anthony, you knew, Miss
11 Anthony, that your mother was then going to go out and
12 publish your false statements to the media, to the press
13 and to the public, did you not?

14 MR. GREENE: Objection to the form. Among
15 other things, compound and argumentative. In
16 addition, on behalf of Miss Anthony, we object and
17 assert her privileges against self-incrimination
18 pursuant to the Fifth Amendment to the United States
19 Constitution and Article 1 to the Florida
20 Constitution and instruct her not to answer.

21 BY MR. MORGAN:

22 Q Miss Anthony --

23 MR. GREENE: By the way, John, could -- John,
24 could you tell us who's in the room with you there?

25 MR. MORGAN: Yes. John Dill, who's my law

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1 partner; my son Matthew, who is also my law partner;
2 David McKeon, the greatest IT man in America, who
3 was here on time unlike your guy; Laura, the court
4 reporter, and a very handsome Jeff Fleming,
5 videographer.

6 MR. GREENE: Who is Jeff Fleming?

7 MR. MORGAN: Our videographer.

8 MR. GREENE: Hey, Jeff. I know Jeff.

9 THE COURT: Not the judge, Chuck.

10 MR. GREENE: I know them both.

11 BY MR. MORGAN:

12 Q Miss Anthony, why did you not tell your mother
13 the truth about Zenaída -- the photograph of Zenaída
14 Gonzalez? Why did you decide to lie to her?

15 MR. GREENE: Objection to the form,
16 argumentative, compound. In addition, on behalf of
17 Miss Anthony, we object and assert her privileges
18 against self-incrimination pursuant to the Fifth
19 Amendment to the United States Constitution and
20 Article 1 to the Florida Constitution and instruct
21 her not to answer.

22 MR. MORGAN: Thank you.

23 BY MR. MORGAN:

24 Q Miss Anthony, why did you not tell the
25 police -- I'm sorry, Chuck.

1 **Miss Anthony, why did you not tell the truth**
2 **to the police about where your child was?**

3 MR. GREENE: Objection to the form. In
4 addition, on behalf of Miss Anthony, we object and
5 assert her privileges against self-incrimination
6 pursuant to the Fifth Amendment to the United States
7 Constitution and Article 1 to the Florida
8 Constitution and instruct her not to answer.

9 BY MR. MORGAN:

10 **Q Miss Anthony, have you ever been to Jay**
11 **Blanchard Park?**

12 MR. GREENE: Let me consult with co-counsel
13 for purposes of determining whether to assert a
14 privilege.

15 (Off-the-record discussion was had.)

16 MR. GREENE: On behalf of Miss Anthony, we
17 object and assert her privileges against
18 self-incrimination pursuant to the Fifth Amendment
19 to the United States Constitution and Article 1 of
20 the Florida Constitution and instruct her not to
21 answer.

22 MR. MORGAN: Thank you, Chuck.

23 BY MR. MORGAN:

24 **Q Miss Anthony, are you aware that I've had the**
25 **pleasure of taking the depositions of your brother Lee**

1 **and your mother and father?**

2 MR. GREENE: One moment while I discuss
3 whether to assert a privilege.

4 (Off-the-record discussion was had.)

5 MR. GREENE: Object and instruct her not to
6 answer pursuant to the attorney-client privilege.

7 BY MR. MORGAN:

8 **Q Miss Anthony, have you ever had the**
9 **opportunity to watch the depositions that I took of your**
10 **mother, your father and your brother Lee?**

11 MR. GREENE: One moment while we discuss
12 whether to assert a privilege.

13 (Off-the-record discussion was had.)

14 MR. GREENE: You can answer that question.

15 A No.

16 **Q Not interested?**

17 MR. GREENE: Don't respond.

18 MR. DILL: Why not?

19 BY MR. MORGAN:

20 **Q You were not interested in that depo -- those**
21 **depositions, Miss Anthony?**

22 MR. GREENE: Objection, attorney-client
23 privilege, argumentative, instruct her not to answer
24 that question.

25 BY MR. MORGAN:

1 **Q Miss Anthony, what did you do to prepare for**
2 **your deposition today?**

3 MR. GREENE: Objection, instruct you not to
4 answer, attorney-client privilege.

5 MR. MORGAN: Thank you.

6 BY MR. MORGAN:

7 **Q Miss Anthony --**

8 MR. DILL: That is absolutely not privileged.

9 MR. MORGAN: Most of this isn't.

10 BY MR. MORGAN:

11 **Q Miss Anthony, let me walk you through some**
12 **things that your brother --**

13 MR. GREENE: One moment, John.

14 MR. MORGAN: Okay. Sorry.

15 MR. GREENE: Let me consult with co-counsel.

16 Excuse me.

17 (Off-the-record discussion was had.)

18 MR. GREENE: I'm going to withdraw my
19 objection to the prior question and let her answer
20 it. The question was, what did you do to prepare
21 for the deposition today?

22 MR. MORGAN: Thank you.

23 THE WITNESS: I consulted with my attorneys.

24 BY MR. MORGAN:

25 **Q Have you ever spoken in the last six months to**

1 **your brother Lee Anthony?**

2 MR. GREENE: One moment while we discuss
3 whether to assert a privilege.

4 (Off-the-record discussion was had.)

5 MR. GREENE: She can answer the question.

6 A No.

7 **Q When was the last time you spoke to your**
8 **mother?**

9 MR. GREENE: One moment while we discuss
10 whether to assert a privilege.

11 (Off-the-record discussion was had.)

12 MR. GREENE: You can answer that question.

13 A October 14th, 2008.

14 **Q When was the last time you spoke to your**
15 **father?**

16 A The same day.

17 **Q Was anything that José Baez said about your**
18 **father in opening statements in your criminal matter**
19 **true?**

20 MR. GREENE: Objection, attorney-client
21 privilege. In addition, on behalf of Miss Anthony,
22 we object and assert her privileges against
23 self-incrimination pursuant to Article 1 of the
24 Florida Constitution and the Fifth Amendment to the
25 United States Constitution and instruct her not to

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1 answer.

2 MR. MORGAN: Thank you, Chuck.

3 BY MR. MORGAN:

4 **Q Miss Anthony, it is our understanding --**

5 MR. GREENE: You're welcome.

6 **Q -- it is our understanding that all the**
 7 **information that Mr. Baez conveyed to that jury about**
 8 **your father came from you. Is that true?**

9 MR. GREENE: Objection. The question calls
 10 for attorney-client privilege. In addition, on
 11 behalf of Miss Anthony, we object and assert her
 12 privileges against self-incrimination pursuant to
 13 Fifth Amendment to the United States Constitution
 14 and Article 1 to the Florida Constitution and
 15 instruct her not to answer.

16 MR. MORGAN: Thank you very much.

17 BY MR. MORGAN:

18 **Q Miss Anthony, what I'm getting at concerning**
 19 **Lee, let me -- let me kind of set this up for you so you**
 20 **understand and so that I don't confuse you.**

21 **I had the opportunity to take Lee Anthony's**
 22 **deposition, and he had spoken to you. Let me kind of**
 23 **give it to you in narrative form, and then I'll break it**
 24 **up so that the questions are not compound, argumentative**
 25 **or vague.**

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1 **Lee Anthony told us that you told him that the**
 2 **last time you saw your daughter was in Blanchard Park and**
 3 **that Zenaída Gonzalez had taken her from you. He further**
 4 **told us that you told him that you were to say nothing**
 5 **about that, and that if you did, Caylee would be killed**
 6 **or hurt, you would be killed or hurt, your family, your**
 7 **mother and your father would be killed or hurt.**

8 **Was Lee telling me the truth when he told me**
 9 **that story, Miss Anthony?**

10 MR. GREENE: Objection, move to strike the
 11 testimony by counsel and the improper predicate, and
 12 otherwise object to the form. And on behalf of Miss
 13 Anthony, we object and assert her privileges against
 14 self-incrimination pursuant to the Fifth Amendment
 15 to the United States Constitution and Article 1 of
 16 the Florida Constitution and instruct her not to
 17 answer.

18 MR. MORGAN: Okay. I understand. Thank you.
 19 The reason I said it in narrative form was I was
 20 trying to make it not argumentative or to give
 21 testimony, just to make it easy for you guys so we
 22 didn't have to sit here and go step by step.

23 BY MR. MORGAN:

24 **Q Miss Anthony, were you ever in Blanchard Park**
 25 **with Zenaída Gonzalez and your daughter Caylee Marie**

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1 **Anthony?**

2 MR. GREENE: Objection. On behalf of Miss
 3 Anthony, we assert her privileges against
 4 self-incrimination pursuant to the Fifth Amendment
 5 to the United States Constitution and Article 1 of
 6 the Florida Constitution and instruct her not to
 7 answer.

8 BY MR. MORGAN:

9 **Q Miss Anthony, did Zenaída Gonzalez ever take**
 10 **Caylee Marie Anthony from you in Blanchard Park?**

11 MR. GREENE: Objection. On behalf Miss
 12 Anthony, we assert her privileges against
 13 self-incrimination pursuant to the Fifth Amendment
 14 to the United States Constitution and Article 1 of
 15 the Florida Constitution and instruct her not to
 16 answer.

17 BY MR. MORGAN:

18 **Q Miss Anthony, did you ever tell your brother**
 19 **Lee that Zenaída Gonzalez threatened to kill or hurt you,**
 20 **Caylee or any other family member?**

21 MR. GREENE: Objection. On behalf of Miss
 22 Anthony, we assert her privileges against
 23 self-incrimination pursuant to the Fifth Amendment
 24 to the United States Constitution and Article 1 of
 25 the Florida Constitution and instruct her not to

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1 answer.

2 BY MR. MORGAN:

3 **Q Just so we're clear, Miss Anthony, the whole**
 4 **story about Zenaída Gonzalez having your child is a**
 5 **complete falsehood and total lie, is it not?**

6 MR. GREENE: Objection to the form,
 7 argumentative, assumes facts that have not been
 8 proven, cannot be proven. In addition, on behalf of
 9 Miss Anthony, we assert her privileges against
 10 self-incrimination pursuant to the United States
 11 Constitution and the Florida Constitution.

12 MR. MORGAN: Thank you.

13 BY MR. MORGAN:

14 **Q Miss Anthony, what does timer 55 mean?**

15 MR. GREENE: Excuse me, John, while we discuss
 16 whether to assert a privilege.

17 (Off-the-record discussion was had.)

18 MR. GREENE: Objection. On behalf of Miss
 19 Anthony, we assert her privileges against
 20 self-incrimination under the Fifth Amendment to the
 21 United States Constitution and Article 1 of the
 22 Florida Constitution and instruct her not to answer.

23 MR. MORGAN: Thank you.

24 BY MR. MORGAN:

25 **Q Miss Anthony --**

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MR. GREENE: You're welcome.

Q -- isn't it true that you fabricated the entire story about Zenaida Gonzalez or Zanny the Nanny as an alibi for your involvement in your own daughter's death? Isn't that true, Miss Anthony?

MR. GREENE: Objection to the form. Among other things, compound and argumentative. In addition, pursuant -- on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer.

MR. MORGAN: Okay. We'll move, then, in a minute here to Miss Anthony's involvement in her daughter's death more specifically.

MR. GREENE: Objection. Move to strike the improper predicate by counsel.

BY MR. MORGAN:

Q Miss Anthony, what would lead you to be -- excuse me. Strike that.

Why would you lead people to believe that your child was missing?

MR. GREENE: Objection. On behalf of Miss Anthony, we assert her privileges against

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self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution, instruct her not to answer.

BY MR. MORGAN:

Q Miss Anthony, do you consider -- did you consider yourself a good mother to Caylee Marie Anthony?

MR. GREENE: Objection, argumentative.

Objection to the form. Designed solely for harassment. In addition, on behalf of Miss Anthony and pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution, we object and assert our privileges against self-incrimination.

BY MR. MORGAN:

Q Miss Anthony, why did you not tell people searching for your daughter -- excuse me. Strike that.

Why did you not tell people searching for your daughter to stop?

MR. GREENE: Objection to the form, argumentative. In addition, outside the scope of permissible discovery and reasonable discovery in this case. Finally, on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment

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to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer.

MR. MORGAN: Thank you.

BY MR. MORGAN:

Q Miss Anthony, could you tell me the date, since you seem to be doing pretty good with dates specifically today, what was the last day you saw your daughter Caylee Anthony, the date?

MR. GREENE: Objection.

Q Excuse me. Let me rephrase that.

When was the last day or date that you saw your daughter Caylee Anthony alive?

MR. GREENE: Objection, move to strike the improper predicate and otherwise object to the form. Further, on behalf of Miss Anthony, we object and assert her privileges against self-incrimination pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution and instruct her not to answer.

BY MR. MORGAN:

Q In taking these Fifth Amendment privileges, Miss Anthony, do you believe that you are still subject to charges of murder?

MR. GREENE: Objection. Instruct Miss Anthony

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not to answer pursuant to the attorney-client privilege and also assert the privileges against self-incrimination to the extent they would be required to be invoked in these circumstances.

MR. MORGAN: Thank you.

BY MR. MORGAN:

Q Just so we don't get confused on predicate, very simple question, what was the last date you saw your daughter Caylee Anthony alive?

MR. GREENE: Objection. On behalf of Miss Anthony and pursuant to the Fifth Amendment to the United States Constitution and Article 1 of the Florida Constitution, we assert Miss Anthony's privileges and instruct her not to answer the question.

Further, we object on the grounds that the question is designed for harassment and outside the scope of permissible discovery.

BY MR. MORGAN:

Q Miss Anthony, based on statements made in your murder trial, let me ask you this question. Did your daughter die as a result of drowning?

MR. GREENE: Objection. Outside the scope of permissible discovery, object to the form, argumentative. Object to the form, designed solely

<p style="text-align: right;">46</p> <p>1 for harassment.</p> <p>2 Further, on behalf of Miss Anthony and</p> <p>3 pursuant to the Fifth Amendment to the United States</p> <p>4 Constitution and Article 1 of the Florida</p> <p>5 Constitution, we assert her privileges and instruct</p> <p>6 her not to answer.</p> <p>7 MR. MORGAN: I certainly, Chuck, don't mean to</p> <p>8 harass your client, and the only reason I'm asking</p> <p>9 some of these questions is because we anticipate a</p> <p>10 hearing before a judge to compel some of these</p> <p>11 questions to be answered. And I certainly don't</p> <p>12 want to upset you or Miss Anthony regarding the</p> <p>13 death of her daughter, her involvement in that</p> <p>14 death, her involvement in the cover up.</p> <p>15 And so while I have a list of questions here</p> <p>16 that we could go through one by one, is it your</p> <p>17 instruction to your client that any questions that I</p> <p>18 ask regarding the death of Caylee Marie Anthony,</p> <p>19 whether it be concerning a drowning, the burial,</p> <p>20 chloroform, any circumstances, that you're going to</p> <p>21 assert the Fifth Amendment privilege provided to all</p> <p>22 of us under the Constitution of the United States or</p> <p>23 do you want me to go through --</p> <p>24 MR. GREENE: Yeah, I think we can safely --</p> <p>25 MR. MORGAN: Or do you want me to go through</p>	<p style="text-align: right;">48</p> <p>1 areas.</p> <p>2 MR. MORGAN: Miss Anthony, because we do plan</p> <p>3 to have motions before a court and because our</p> <p>4 motives here today are not to harass you or to</p> <p>5 embarrass you or to turn this proceeding into a</p> <p>6 circus, I'm going to go ahead and conclude and</p> <p>7 suspend -- not end -- I'm going to go ahead and</p> <p>8 suspend this deposition taken of you.</p> <p>9 I hope that you and your counsel understand</p> <p>10 that we did not ask questions that many people may</p> <p>11 have wished we did concerning your employment</p> <p>12 history then or now, where you live, where you stay.</p> <p>13 We did not do this -- we did this, this deposition,</p> <p>14 in pursuit of truth and not in pursuit of sensation.</p> <p>15 So, Chuck, we're going to go ahead and suspend</p> <p>16 the deposition at this time unless you have some</p> <p>17 questions of your client, Casey Anthony.</p> <p>18 MR. GREENE: No, I don't, John. I appreciate</p> <p>19 you terminating it here. We're going to be taking</p> <p>20 this to Judge Munyon anyways. I think that's the</p> <p>21 best thing to do.</p> <p>22 MR. MORGAN: Right.</p> <p>23 MR. GREENE: I appreciate it. Have a good</p> <p>24 morning.</p> <p>25 MR. MORGAN: Thank you, Miss Anthony. Have a</p>
<p style="text-align: right;">47</p> <p>1 them one by one?</p> <p>2 MR. GREENE: No. I appreciate that.</p> <p>3 MR. MORGAN: I'm sorry, Chuck?</p> <p>4 MR. GREENE: I appreciate that, John, and I</p> <p>5 won't require you to go through them one by one. I</p> <p>6 believe we would not only assert those privileges</p> <p>7 but object on a variety of other grounds to those</p> <p>8 questions.</p> <p>9 MR. DILL: Just so we're preserved -- this is</p> <p>10 John Dill, for the record. Just so we're preserved</p> <p>11 as far as this subject matter, you understand our</p> <p>12 questions, but obviously, there are more questions</p> <p>13 in this area which we believe are relevant and not</p> <p>14 subject at all to any privilege. But we're -- based</p> <p>15 on your objections, we're not going to go through</p> <p>16 those one by one, but we're not waiving the</p> <p>17 opportunity --</p> <p>18 MR. MORGAN: Right.</p> <p>19 MR. DILL: -- should the judge grant our</p> <p>20 motion to compel.</p> <p>21 MR. GREENE: I understand your position, yep,</p> <p>22 and I've told you that I anticipated that we would</p> <p>23 raise a variety of objections, including the Fifth</p> <p>24 Amendment and Article 1 privileges against</p> <p>25 self-incrimination if you start going in to those</p>	<p style="text-align: right;">49</p> <p>1 good day.</p> <p>2 MR. GREENE: You too.</p> <p>3 (The proceedings were adjourned at 9:00 a.m.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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CERTIFICATE OF OATH

STATE OF FLORIDA

COUNTY OF ORANGE:

I, LAURA J. LANDERMAN, R.M.R., C.R.R., F.P.R.,
certify that CASEY MARIE ANTHONY appeared via
videoconference before me on the 8th day of October,
2011, and was duly sworn pursuant to stipulation of
counsel.

WITNESS my hand and official seal this 10th day of
October, 2011.

LAURA J. LANDERMAN, R.M.R., C.R.R.
Notary Public, State of Florida at Large
Commission No. DD 956686
Commission Expires: Feb. 20, 2014

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CERTIFICATE OF REPORTER

STATE OF FLORIDA:

COUNTY OF ORANGE:

I, LAURA J. LANDERMAN, R.M.R., C.R.R., F.P.R., do
hereby certify that I was authorized to and did
stenographically report the deposition of CASEY MARIE
ANTHONY; that the review of the transcript was not
requested; and that the foregoing transcript, pages 1
through 49, inclusive, are a true and complete record of
my stenographic notes.

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

DATED this 10th day of October, 2011.

LAURA J. LANDERMAN, R.M.R., C.R.R.