

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

SAMUEL A. PERRONI,)
)
 PETITIONER,)
)
 VS.) CASE NO. BS171171
)
 LOS ANGELES COUNTY,)
)
 RESPONDENT.)
)
 -----)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
WEDNESDAY, APRIL 25, 2018
DEPOSITION OF MICHAEL DENNIS ANTONOVICH

APPEARANCES OF COUNSEL:

FOR PETITIONER: SAMUEL A. PERRONI, P.A.
BY: SAMUEL A. PERRONI, ESQ.
190 WEST CIMARRON PLACE, SUITE 659
FARMINGTON, AR 72730
501-519-4419

FOR RESPONDENT: POLLAK, VIDA & BARER
BY: DANIEL P. BARER, ESQ.
ANNA L. BIRENBAUM, ESQ.
1150 W. OLYMPIC BOULEVARD, SUITE 900
LOS ANGELES, CA 90064
310-551-3400

(APPEARANCES CONTINUED ON NEXT PAGE.)

MARK SCHWEITZER, CSR, CRR, RPR
OFFICIAL PRO TEM COURT REPORTER
LICENSE NO. 10514
213-663-3494

1 APPEARANCES CONTINUED:

2 FOR RESPONDENT:

3 OFFICE OF THE COUNTY COUNSEL
4 CITY OF LOS ANGELES
5 BY: BRIAN T. CHU, DEPUTY COUNTY COUNSEL
6 500 W. TEMPLE STREET, 6TH FLOOR
7 LOS ANGELES, CA 90012
8 213-974-1925
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 CASE NUMBER: BS171171
2 CASE NAME: PERRONI VS. L.A. COUNTY
3 LOS ANGELES, CALIFORNIA WEDNESDAY, APRIL 25, 2018
4 REPORTER: MARK SCHWEITZER, CSR 10514
5 TIME: 3:21 P.M.

6 -o0o-

7 THE VIDEOGRAPHER: Good afternoon. Here begins
8 media one in the DEPOSITION of Michael Antonovich in the
9 matter of Samuel A Perroni versus Los Angeles County
10 through the Board of Supervisors, et al., in the Superior
11 Court of the state of California for the County of Los
12 Angeles, Central District. The case number of which is
13 BS171171.

14 Today's date is April 25, 2018. The time on the
15 video monitor is 3:21. This deposition is being taken at
16 the Westin Bonaventure Hotel located at 404 South
17 Figueroa Street, Los Angeles, California, and is being
18 made at the request of the petitioner.

19 Your videographer is David Sharp, C CVS, here on
20 behalf of Habeas Videas in Altadena, California.

21 Would counsel and all present identify
22 yourselves and state who you represent.

23 MR. BARER: Daniel Barer, Pollak, Vida & Barer,
24 counsel for the respondents in the action and also
25 representing Mr. Antonovich, the deponent, at this

1 deposition.

2 MS. BIRENBAUM: Anna Birenbaum, also of Pollak,
3 Vida and Barer, also renting the County and
4 Mr. Antonovich for the purposes of this deposition.

5 MR. CHU: Brian T. Chu, Principle Deputy County
6 Counsel for the defendant.

7 MR. PERRONI: This is Sam Perroni, and I'm the
8 petitioner.

9 THE VIDEOGRAPHER: Your court reporter is
10 Mark Schweitzer, and he will now swear in the witness.

11

12 **MICHAEL DENNIS ANTONOVICH, SWORN**

13

14 Q. BY MR. PERRONI: You need to state your full
15 name for us and spell your last name.

16 A. Michael Dennis Antonovich, A-N-T-O-N-O-V-I-C-H.

17 Q. Mr. Antonovich, before we go any further, I have
18 a terrible hearing disability, and so I have to use this
19 screen to make sure that I understand what everybody is
20 saying when they say it.

21 So sometimes I have to look down and wait for a
22 couple seconds because this poor guy over here, you know,
23 he can only do it so fast, and that's why we're doing
24 that.

25 Just a couple things as we go further. Now, you

1 know that even though this is -- have you ever given a
2 deposition before?

3 A. Yes, sir.

4 Q. Okay. Well, then you know that this is just
5 like being in court?

6 A. Yes, sir.

7 Q. You are under oath subject to the penalties of
8 perjury, but we're a little informal here. If you've got
9 any questions concerning my questions, all you have to do
10 is ask me, and I'll repeat them for you.

11 I understand based on a declaration that was
12 provided to me about a year after all of this started
13 that you are a former supervisor for the Fifth District
14 of the County of Los Angeles Board of Supervisors.

15 Is that correct?

16 A. Yes, sir.

17 Q. All right. And as we begin this deposition, I'm
18 going to be asking you certain questions about certain
19 materials that I requested in a Public Records Act
20 request, and they are as follows: For copies of the
21 Sinatra, Andrews, and any other letters of the public who
22 wrote about Dr. Noguchi and his work at the coroner's
23 office in 1981 and 1982, including any such letters and
24 documents that were part of Dr. Noguchi's file which may
25 now be in the possession of Mr. Antonovich. That's you,

1 okay?

2 All right. Instead of repeating that every time
3 on questions, I'm going to refer to that as the Noguchi
4 materials, okay?

5 If I say the Sinatra letter or the Andrews
6 letter, whatever, it's within the Noguchi materials.

7 A. What you just mentioned.

8 Q. Yeah, okay. We square on that?

9 A. Yes, sir.

10 Q. All right. So let's get started.

11 Let me show you what I have marked at your
12 deposition as Petitioner's Exhibit No. 1. It's a copy of
13 a subpoena that was served on you back in, let's see, I
14 think January of 2018.

15 (Petitioner's Exhibit 1 for identification.)

16 Q. BY MR. PERRONI: Take a look at those materials.
17 Is that the served you were served with?

18 A. Yes, sir.

19 Q. On the back of it there's an attachment,
20 attachment 3. And it asks you to bring with you certain
21 records. Have you brought anything in response to this
22 subpoena?

23 A. No, sir.

24 MR. BARER: I'm just going to interpose an
25 objection. Mr. Perroni, you've been very good at

1 confining your questions so far to the documents in your
2 CPRA request.

3 This request asks for documents outside of the
4 range that you mentioned. It says records, letters,
5 writings of any kind relating to 1982 suspension. And
6 it's our position that only documents that are requested
7 in the CPRA request are properly requested through the
8 subpoena.

9 Q. BY MR. PERRONI: So is the answer to the
10 question you didn't bring anything?

11 A. No, sir.

12 Q. No, sir, you didn't bring anything?

13 A. No, sir, I did not bring anything.

14 Q. Okay. Now, just so we can be clear on the
15 record, do you have any Noguchi materials -- you remember
16 the definition -- in your possession or control?

17 A. I do not have in my possession any materials.

18 Q. I said possession or control.

19 MR. BARER: Vague and ambiguous as to control.

20 THE WITNESS: The same answer. Possession or
21 control.

22 Q. BY MR. PERRONI: Same question. You don't have
23 anything in your possession or control.

24 A. I do not, sir.

25 Q. All right. Now, let me show you another

1 document referred to as Petitioner's Exhibit 2. It's a
2 copy of a letter dated February 23rd, 2017, to
3 Ms. Kathryn Barger. Take a look that the for a second.

4 (Petitioner's Exhibit 2 for identification.)

5 All right. And here a document identified as
6 petitioner's Exhibit 3. It's a photocopy of a return
7 receipt requested, green card. You call it green cards,
8 that appears to have your signature on it.

9 Is that your signature?

10 A. Yes, sir.

11 (Plaintiff's Exhibit 3 for identification.)

12 Q. BY MR. PERRONI: All right. Now, let me give
13 you a couple other things.

14 On second thought, let me ask you some questions
15 about that. When you got that letter, did you read it?

16 A. Yes, sir.

17 Q. Did you call Kathryn Barger after you got it?

18 A. I don't recall.

19 Q. Did you call anyone after you got it?

20 MR. BARER: Objection. Vague and ambiguous as
21 to time.

22 Q. BY MR. PERRONI: All right. I think it was
23 received by you on February 27, 2017.

24 A. I would have sent it to County Counsel.

25 Q. All right. Anyone in particular?

1 MR. BARER: I'm going to lodge an objection for
2 attorney-client privilege.

3 THE WITNESS: I don't recall the counsel that
4 received it.

5 Q. BY MR. PERRONI: Now, you read it before you
6 sent it, didn't you?

7 A. I would assume.

8 Q. There is a portion in there that says that you
9 told someone in the supervisor's office that you had
10 possession of at least one of those records, of the
11 Noguchi materials.

12 MR. BARER: There's no question pending.

13 Q. BY MR. PERRONI: Let's read it together. It
14 says --

15 A. However, we recently found out by talking with
16 clerks in their office, one who has spoken directly with
17 Mr. Antonovich, that Mr. Antonovich was in possession of
18 at least one of the records and perhaps all of them.

19 Q. Did you read that when you got the letter?

20 A. Yes, sir.

21 Q. And is that true or false?

22 MR. BARER: Objection. Vague and ambiguous.
23 Which statement? That it's in the letter? That he has
24 the document? Or that he told somebody he has the
25 document?

1 Q. BY MR. PERRONI: Is it true or false that you
2 had communications with someone in the supervisor's
3 office about having possession of one of those letters?

4 A. That's correct.

5 Q. It's true?

6 A. Yes, sir.

7 Q. And did you tell them you had possession of one
8 of them?

9 A. I thought I had possession of the letter.

10 Q. And so what you're telling us is, and in
11 particular, that's the Sinatra letter, right?

12 A. That's the only letter, yes.

13 Q. Okay. All right. Are you saying that's the
14 only letter that was in the Noguchi materials, or that's
15 the only letter you recall?

16 A. That would be the only letter I recall.

17 Q. All right. That's fine. All right. So now
18 we've established the communication here to the
19 supervisor's office. I want to make sure that the record
20 is real clear on something. You were the supervisor back
21 in 1981, 1982, correct?

22 A. Correct.

23 Q. All right. Frank Sinatra was probably one of
24 the biggest celebrities in the world, right?

25 A. One.

1 Q. One of them.

2 A. One of them.

3 Q. Okay. And were you all friends?

4 A. I never met the man.

5 Q. Okay. I just wondered.

6 A letter came in from Mr. Sinatra about

7 Dr. Noguchi, correct?

8 A. Yes.

9 Q. And was it addressed to you?

10 A. I don't recall.

11 Q. Okay. The answer is you don't recall.

12 A. I don't recall who the letter was addressed to.

13 The it could have been addressed to me. It could have
14 been addressed to five supervisors.

15 Q. Right. You don't recall. And that's fair
16 enough. That was 30 something years ago. So I
17 understand.

18 At any point in time, did you actually see the
19 letter?

20 A. Yes, sir.

21 Q. Did you actually hold it?

22 A. Yes, sir.

23 Q. Were copies of it made?

24 A. I don't recall.

25 Q. Do you know if copies were given to the press?

1 A. I don't recall that.

2 Q. All right. Was there a supervisor there by the
3 name of Kenneth Hahn, H-A-H-N?

4 A. H-A-H-N, yes, sir.

5 Q. He was the supervisor at the time?

6 A. Yes, sir.

7 Q. All right. Now, you know what happened to that
8 letter?

9 A. The letter I had received, I had it framed on my
10 wall.

11 Q. Okay. And so what you're saying is -- okay. So
12 what happened to it?

13 A. I don't know. Because if I knew, I would allow
14 you to have a copy of it because I have no pride of not
15 having you see the letter.

16 Q. Right. Well, why didn't you tell me that a year
17 ago?

18 MR. BARER: Objection.

19 MR. CHU: Argumentative.

20 MR. BARER: Argumentative.

21 Q. BY MR. PERRONI: Are you following me here? You
22 know, I didn't ask to come out here and sue everybody.

23 Why didn't you pick up the phone or write me a
24 letter and say, hey, I used to have this letter, but I
25 don't have it anymore.

1 MR. BARER: Objection. Argumentative, getting
2 harassing, getting outside the scope of the protective
3 order.

4 Q. BY MR. PERRONI: Is that not a fair thing to
5 expect?

6 MR. BARER: Asked and answered. Same
7 objections. Instruct the witness not to answer.

8 MS. BIRENBAUM: Also calls for speculation.

9 Q. BY MR. PERRONI: You know, they have a conflict
10 of interest representing you and the county employees at
11 the same time.

12 So if you want to answer my questions, you know
13 you can. It's your right to answer my questions.

14 MR. BARER: No, that's incorrect. Please do not
15 give --

16 THE WITNESS: I'm not a lawyer, but you are a
17 lawyer. And the best advice you can give a person is to
18 listen to their lawyer.

19 Q. BY MR. PERRONI: Okay. All right. So we've
20 established that you had this letter, and you had it on
21 your wall.

22 A. Yes.

23 Q. Okay. And now you don't know what happened to
24 it?

25 A. Yes, sir.

1 Q. Were there other letters on your wall?

2 A. Yes, sir.

3 Q. How many?

4 A. I had many memorabilia on my wall of which I do
5 not know where some of them are.

6 Q. Right. Were there like hundreds?

7 A. Pardon?

8 Q. Were there hundreds? Were there that many on
9 the wall you think?

10 A. There were many.

11 Q. There was a lot. Were they framed?

12 A. Yes, sir.

13 Q. And so from the time you got my letter until
14 today, you didn't destroy any of these records, did you?

15 A. No, sir.

16 Q. And when was the last time you saw this letter?

17 A. My recollection would be when I left office in
18 December of 2016. And in searching, I have not been able
19 to find other items that I had. So I don't know what
20 happened to some of them.

21 Q. Okay. All right. So the last time you know
22 that it existed was when you left office in 2016?

23 A. Yes, sir.

24 Q. Okay. Now, maybe you can help me then. In your
25 declaration you said something about things from your

1 office were boxed up and put where? Do you know?

2 A. They were taken from the office, and the
3 executive office stored them. They were later
4 transported to storage. Later transported to storage.

5 Q. Storage. Now this is county storage or your
6 personal storage?

7 A. County storage. Later I had to hire -- or I had
8 to have private storage.

9 Q. Okay. Well, all right. Did you --

10 A. U-Haul. Not -- what do you call the storage
11 places?

12 MS. BIRENBAUM: Public Storage.

13 THE WITNESS: Public but private storage. You
14 get it.

15 Q. BY MR. PERRONI: I got it.

16 So was your intent then to get all the boxes
17 that were taken to county storage first and move them to
18 your private storage? Is that what you're telling me?

19 MR. BARER: Vague and ambiguous. Are we talking
20 about his items or county items or what?

21 Q. BY MR. PERRONI: I'm talking about what was
22 boxed up and taken to storage, to county storage.

23 A. I'm talking about what was on the wall.

24 Q. Okay. So there's a difference between like your
25 official papers, I guess, and --

1 A. Memorabilia.

2 Q. Okay. They were all boxed up and put in county
3 storage first?

4 A. Yes, sir.

5 Q. And then was it your intent to go get all of
6 them and put them in personal storage?

7 A. Then the county would transport them to my
8 personal storage.

9 Q. Gotcha. How long between the two?

10 A. Could be weeks. I don't recall. It wasn't the
11 following day.

12 Q. Right. Okay. So now did you look in your
13 personal storage for this letter?

14 A. Yes, sir.

15 Q. And you couldn't find it?

16 A. Yes, sir. Along with other items I could not
17 find.

18 Q. Can you tell me about how many boxes we're
19 talking about?

20 A. Many. A whole bin.

21 Q. Is there a chance that you overlooked it?

22 A. If I had found it, you would have been the first
23 person or the second person that would be notified
24 because I have no problem in having had the opportunity
25 for you to read the damn letter because it was just a

1 letter, and I wish I could find it for myself.

2 Q. Right. And you know what? I believe you. I
3 just wish you could have communicated this to me a year
4 ago. You could have saved a lot of anguish and a lot of
5 money.

6 But let's get back to the point. My question
7 was is there a possibility you could have overlooked it
8 in your search in the storage unit?

9 A. I don't believe so because the letter was so
10 important, I was making a special effort to find it.

11 Q. Okay. Well, what I was --

12 A. I mean I have letters from Ronald Reagan,
13 et cetera, you know. So it would have been nice to have
14 located the letter.

15 Q. It would have. And what I was going to do was
16 offer to have somebody come over and look through it
17 again if you think that that would be helpful. But if
18 you don't think it would be helpful, then I guess we
19 won't do that.

20 MR. BARER: That would be outside the scope of
21 this deposition anyway.

22 Q. BY MR. PERRONI: Well, I know it's outside the
23 scope of the deposition, but I think the man can say if
24 he really wants to help me find this letter. All I
25 want's a copy of it. So I don't want the letter. You

1 can have the letter. I just want the copy of it.

2 So if you think it would help, I'm offering free
3 of charge to have somebody help you.

4 A. I have to rely upon my counsel.

5 MR. PERRONI: All right. Okay.

6 THE WITNESS: I will give you my word, if it
7 ever comes up, you will be receiving a copy of it.

8 MR. PERRONI: Well, you know what? Like I said,
9 I believe you.

10 THE WITNESS: No, it's true.

11 MR. PERRONI: Well, you can go.

12 THE WITNESS: Thank you, sir.

13 MR. PERRONI: I appreciate your honesty.

14 MS. BIRENBAUM: Same stipulation as the
15 previous?

16 MR. BARER: What was the stipulation?

17 MS. BIRENBAUM: 30 days.

18 MR. BARER: So stipulated.

19 Before you go off the record, we were talking
20 about a stipulation. Mr. Perroni, do you stipulate?

21 THE VIDEOGRAPHER: Back on record at 3:44 P.M.

22 MR. PERRONI: Fine, the same one except for I
23 need the original. That's all.

24 MR. BARER: So stipulated.

25 (Proceedings concluded at 3:44 P.M.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I declare under penalty of perjury
under the laws of the State of California
that the foregoing is true and correct.

Executed on _____, 20____,
at _____, _____.

SIGNATURE OF THE WITNESS

1 STATE OF CALIFORNIA)
2 COUNTY OF LOS ANGELES) ss.

3

4 I, Mark Schweitzer, RPR, CRR, CSR No. 10514, in
5 and for the State of California, hereby certify:

6 That prior to being examined, the witness named
7 in the foregoing deposition was by me duly sworn to
8 testify to the truth, the whole truth, and nothing but
9 the truth;

10 That said deposition was taken down by me in
11 shorthand at the time and place therein named and
12 thereafter reduced to typewriting under my direction, and
13 the same is a true, correct, and complete transcript of
14 said proceedings;

15 I further certify that I am not in any way
16 interested in the event of the action.

17 Witness my hand this 7th day of July, 2018.

18

19 /S/ MARK SCHWEITZER

20 Mark Schweitzer, Certified Shorthand Reporter

21 for the State of California, Lic. No. 10514

22

23

24

25