

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

SAMUEL A. PERRONI,)
)
 Petitioner,)
) SUPERIOR COURT
 vs.) CASE NO. BS159430
)
 MARK A. FAJARDO, M.D. IN HIS)
 OFFICIAL CAPACITY AS CHIEF MEDICAL)
 EXAMINER-CORONER; LOS ANGELES)
 COUNTY DEPARTMENT OF MEDICAL)
 EXAMINER-CORONER; JIM MCDONNELL,)
 IN HIS OFFICIAL CAPACTY AS)
 SHERIFF, AND THE COUNTY OF LOS)
 ANGELES SHERIFF'S DEPARTMENT,)
)
 Respondents.)
 _____)

DEPOSITION OF DAVID SMITH

WEDNESDAY, JUNE 1, 2016

11:19 A.M.

Reported by Maria Beesley, CSR 9132
 Job No. 128214

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SAMUEL A. PERRONI,)	
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Petitioner,)	
)	SUPERIOR COURT
)	CASE NO. BS159430
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OFFICIAL CAPACITY AS CHIEF MEDICAL)	
EXAMINER-CORONER; LOS ANGELES)	
COUNTY DEPARTMENT OF MEDICAL)	
EXAMINER-CORONER; JIM MCDONNELL,)	
IN HIS OFFICIAL CAPACTY AS)	
SHERIFF, AND THE COUNTY OF LOS)	
ANGELES SHERIFF'S DEPARTMENT,)	
)	
Respondents.)	
_____)	

DEPOSITION OF David Smith taken at 11150 W. Olympic Blvd., Suite 980, Los Angeles, California, on June 1, 2016, at 11:19 a.m.before Maria Beesley, Certified Shorthand Reporter, in and for the State of California.

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For Petitioner:

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WITNESS: DAVID SMITH

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EXHIBITS

(None)

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1 Wednesday, June 1, 2016,

2 Los Angeles, California

3
4 DAVID SMITH,

5 having been first duly sworn, testifies as follows:

6 EXAMINATION

7
8 BY MR. PERRONI:

9 Q. Why don't you state your name for the record.

10 A. David Smith, S-M-I-T-H.

11 MR. PERRONI: Before we get started, in
12 connection with our stipulations, did you want Mr. Smith
13 to sign this deposition like we did the last week?

14 MS. BIRENBAUM: I would like him to
15 review the deposition, make any corrections that are
16 needed, notify yourself of the corrections, and we can
17 agree upon a time frame to do that.

18 MR. PERRONI: All right.

19 MS. BIRENBAUM: About how many days do
20 you need after I receive the transcript I send it to
21 you? About how many days do you think you need, assume
22 one -- do you want to go off the record so she doesn't
23 have to type every word down?

24 MR. PERRONI: Yes.

25 (Discussion held off the record.)

1 MS. BIRENBAUM: If for some reason it is
2 not signed or the original is lost or destroyed, we
3 would stipulate that a certified, unsigned version could
4 be used in lieu of the original.

5 MR. PERRONI: All right. And objections,
6 you want any stipulations on objections or you --

7 MS. BIRENBAUM: No.

8 MR. PERRONI: Do you represent this
9 witness?

10 MS. BIRENBAUM: Yes, I do.

11 MR. PERRONI: And I thought we had a
12 stipulation last time that had something to do with the
13 court reporter, but maybe that's at the end of the
14 deposition.

15 MS. BIRENBAUM: It's traditional at the
16 end of the deposition we stipulate to relieve the court
17 reporter of her statutory duties and we deal with the
18 time for the witness to sign the transcript. If you
19 would like, I'm happy to put that stipulation on the
20 record at the conclusion of the deposition if you would
21 like, Mr. Perroni.

22 MR. PERRONI: All right. That's good.

23 BY MR. PERRONI:

24 Q. Where do you live, sir? Just give me the
25 town.

1 MS. BIRENBAUM: I'm going to object to
2 that. As a retired law enforcement official he has a
3 privacy interest and there is statutory law that says we
4 do not need to give that information. He can be
5 contacted at my office as attorney for the purposes of
6 this deposition.

7 MR. PERRONI: Are you instructing him not
8 to answer?

9 MS. BIRENBAUM: I'm instructing him not
10 to answer that question.

11 (Witness instructed not to answer.)

12 BY MR. PERRONI:

13 Q. Are you employed?

14 A. No.

15 Q. And I take by virtue of your previous
16 employment that you are retired?

17 A. Yes.

18 Q. When did you retire?

19 A. March of 2013.

20 Q. What was your position at the time?

21 A. I was a captain for the Homicide Bureau.

22 Q. With the Los Angeles County Sheriff's
23 Department?

24 A. Yes.

25 Q. How long have you been -- how long had you

1 been a captain for the bureau?

2 A. Approximately five years.

3 Q. Do you do any consulting now for the sheriff's
4 department?

5 A. No.

6 Q. Do you do any consulting for the coroner's
7 office?

8 MS. BIRENBAUM: Objection. Vague and
9 ambiguous. You can answer.

10 THE WITNESS: No. I only have one boss,
11 my wife.

12 BY MR. PERRONI:

13 Q. Now, at the time that you were captain with
14 the sheriff's department, who did you report to? Who
15 was your direct supervisor?

16 A. I believe that would be Chief William
17 McSweeney.

18 Q. And how many years did you serve with the Los
19 Angeles County Sheriff's Department?

20 A. 38 years and 4 months.

21 Q. Can you just go over the positions that you
22 held?

23 A. I worked the jails. I worked the courts. I
24 did patrol. I did detective work. I did narcotics. I
25 did what we call internal criminal investigations

1 against other deputies. I did more jail time as a
2 supervisor, then went back out to patrol as a
3 supervisor. Then I went to the Homicide Bureau as a
4 lieutenant and then I promoted to captain.

5 Q. And how many years experience did you have as
6 a detective at the time you retired?

7 A. I don't remember.

8 Q. More than five?

9 A. Yes.

10 Q. All right. Now, I took the deposition of
11 Lieutenant John Corina, and he testified that he became
12 a lieutenant for the sheriff's department Homicide
13 Bureau approximately five and a half years before May 3,
14 2016 this year; about five and a half years before May 3
15 of this year. And he testified that you were the
16 Homicide Bureau unit commander at the time; is that
17 correct?

18 A. Yes.

19 Q. And what exactly does that mean when you say
20 Homicide Bureau unit commander?

21 A. I managed the Homicide Bureau which consisted
22 of around 116 investigators and probably another 20 or
23 30 professional staff. Managed the budget. Oversaw, I
24 think it was nine lieutenants. We each had a team, or
25 unsolved. Made sure the cars were being taken care of.

1 Made sure the whole place was running right.

2 Q. Okay. And Lieutenant Corina was one of the
3 lieutenants that you managed --

4 A. Yes.

5 Q. -- I guess for lack of a better way to put it?

6 A. Supervised.

7 Q. I want to take you back to November 18, 2011.
8 Do you recall -- and you may not recall the exact date,
9 but that's what we're going back to, November 18,
10 2011 -- do you recall a press conference being held by
11 the bureau concerning the Natalie Wood death
12 investigation?

13 A. I know one occurred. I wasn't present and I'm
14 taking your word on the date.

15 Q. Right. But you remember it?

16 A. I know it occurred, yes.

17 Q. Did you have anything to do with authorizing
18 the press conference itself?

19 A. No.

20 Q. Did you have anything to do with like when it
21 was going to take place or where?

22 A. I don't remember -- let me start over. I
23 don't remember when it was going to take place or I had
24 nothing to do with setting it up, no.

25 Q. Nothing to do with setting it up at all?

1 A. No.

2 Q. Did you have anything to do with the content
3 of the press conference; that is, what was going to be
4 said?

5 A. No.

6 Q. Lieutenant Corina has testified that at that
7 press conference he publicly stated words to this
8 effect, that you all pulled the Natalie Wood death case
9 off the shelf to take a look at it to see if it was
10 worth looking at again.

11 Do you recall anything about that?

12 MS. BIRENBAUM: Objection. Vague and
13 ambiguous. I'm also going to instruct the witness not
14 to answer pursuant to Evidence Code section 1040 and the
15 active investigation privilege.

16 (Witness instructed not to answer.)

17 BY MR. PERRONI:

18 Q. Did you and Lieutenant Corina and Detective
19 Lowe and Detective Hernandez collaborate on pulling the
20 Natalie Wood death investigation off the shelf to take
21 another look at it?

22 MS. BIRENBAUM: Objection. Vague and
23 ambiguous. Also seeks information protected by Evidence
24 Code section 1040. Unless the witness can answer it
25 without revealing any confidential information, I'll

1 instruct him not to answer.

2 THE WITNESS: Did we reopen the case?

3 Yes.

4 BY MR. PERRONI:

5 Q. My question was, though, was it a collaborated
6 decision between you and John Corina and Kevin Lowe and
7 Ralph Hernandez?

8 MS. BIRENBAUM: Same objection. Same
9 instruction that if it can't be answered without going
10 into the Evidence Code section 1040 protections, I have
11 to instruct the witness not to answer that.

12 THE WITNESS: I'm not sure what I'm --
13 what do you mean by "collaborate"?

14 BY MR. PERRONI:

15 Q. Well, a consensus between the four of you.

16 A. The case was reopened.

17 MS. BIRENBAUM: And I'm going to
18 interpose the same Evidence Code section 1040 objection
19 there as well as a vague and ambiguous objection.

20 BY MR. PERRONI:

21 Q. What I'm getting at is I want to know whose
22 decision it was. Was it a group decision between you,
23 John Corina, Detective Lowe, and Detective Hernandez?

24 MS. BIRENBAUM: Same objection, Evidence
25 Code section 1040. Also vague and ambiguous. If you

1 can't answer it without going into the Evidence Code
2 section 1040 protections, please do not do so. If you
3 can answer it without going into the protections --

4 THE WITNESS: Once again, they came to
5 me. The case was reopened.

6 BY MR. PERRONI:

7 Q. When you say "they," who is "they"?

8 A. The individuals that you just read off.

9 Q. John Corina, Detective Lowe, and Ralph
10 Hernandez?

11 A. I don't remember who was exactly in the
12 meeting, but I know someone came to me and they reopened
13 the case.

14 Q. Okay. And you said the case was reopened.
15 What does that mean?

16 MS. BIRENBAUM: I'm going to again
17 interpose the same Evidence Code section 1040 objection.
18 However, if you can answer without going into those
19 protections, please do so. If you cannot, let me know
20 and I'll instruct you not to answer fully.

21 THE WITNESS: I don't know. I think it's
22 self-explanatory.

23 BY MR. PERRONI:

24 Q. Well, it's not self-explanatory to me because
25 I never worked in the sheriff's bureau so I don't know

1 what "reopened" means.

2 MS. BIRENBAUM: Is there a question here?

3 BY MR. PERRONI:

4 Q. Can you tell me what "reopened" means at the
5 time that you were in the sheriff's department and this
6 press conference was held?

7 MS. BIRENBAUM: Evidence Code section
8 1040 objection. Also, vague and ambiguous. If you
9 understand the question and can answer without revealing
10 any confidential information, please do so. If you
11 can't without revealing confidential information, it is
12 fully protected under Evidence Code section 1040.

13 THE WITNESS: Reactivated. Went from an
14 inactive state to an active state.

15 BY MR. PERRONI:

16 Q. Reactivated?

17 A. Yes. I hope that explains it better.

18 Q. Mr. Smith, can you tell me what your
19 definition of a homicide is?

20 MS. BIRENBAUM: I'm going to object as
21 vague and ambiguous, overbroad, calls for an expert
22 opinion. But you can answer if you know what your
23 definition is.

24 THE WITNESS: It's been a while since I
25 have done that, but basically taking of a human life by

1 another human. And that would -- there are several
2 categories there.

3 BY MR. PERRONI:

4 Q. And would that have been your definition at
5 the time you were working there as the captain?

6 MS. BIRENBAUM: Overbroad. Vague and
7 ambiguous.

8 THE WITNESS: Yes.

9 BY MR. PERRONI:

10 Q. Now, at the time that you were working
11 there -- and by the way, when I say "at the time you
12 were working there," I'm talking about up until March of
13 2013, okay?

14 A. Okay.

15 Q. Whenever I say "at the time you were working
16 there," I'm talking about up until then. Could you
17 please tell me your definition of a suspect in the
18 homicide investigation?

19 A. Someone we believed committed the crime.

20 Q. Are you familiar with the general facts
21 surrounding the death of Natalie Wood on or about
22 November 29, 1981?

23 MS. BIRENBAUM: Objection. Seeks
24 information protected by Evidence Code section 1040.

25 Again, if you can answer without

1 revealing confidential investigation information, I'm
2 okay with you answering the question. If you can't
3 answer it without revealing information, I'll have to
4 instruct you not to answer.

5 THE WITNESS: General facts, yes.

6 BY MR. PERRONI:

7 Q. And are you familiar with the fact that the
8 night that she went into the water, there were four
9 people on the yacht?

10 A. Yes.

11 Q. And can you tell me the names of those four
12 people?

13 MS. BIRENBAUM: Not relevant.

14 THE WITNESS: Natalie, her husband who I
15 don't recall his name at this point. Another actor, he
16 used to play Peter Pan or something, I believe. And the
17 captain of the ship.

18 BY MR. PERRONI:

19 Q. That's pretty good.

20 A. I don't recall the names.

21 Q. All right. Well, I want to help you. The
22 husband's name was Robert Wagner, the actor was
23 Christopher Walken, and the boat captain was Dennis
24 Davern, however you want to pronounce that. You'll need
25 those because I'm going to ask you some more questions

1 about them.

2 As of the time that this case was reactivated,
3 that is the case of Natalie Wood's death, was Robert
4 Wagner a suspect in a homicide investigation?

5 MS. BIRENBAUM: Objection. Seeks
6 information protected by Evidence Code section 1040.
7 Instruct the witness not to answer.

8 (Witness instructed not to answer.)

9 BY MR. PERRONI:

10 Q. At the time of the press conference, that is
11 November 18, well -- strike that.

12 At the time this case was reactivated, was
13 Christopher Walken a suspect in a homicide investigation
14 of the death of Natalie Wood?

15 MS. BIRENBAUM: Objection. Seeks
16 information protected by Evidence Code section 1040.
17 Instruct the witness not to answer.

18 (Witness instructed not to answer.)

19 BY MR. PERRONI:

20 Q. At the time the Natalie Wood death
21 investigation was reactivated, was Dennis Davern a
22 suspect in a homicide investigation of Natalie Wood's
23 death?

24 MS. BIRENBAUM: Objection. Seeks
25 information protected by Evidence Code section 1040.

1 Instruct the witness not to answer.

2 (Witness instructed not to answer.)

3 BY MR. PERRONI:

4 Q. At the time the Natalie Wood death
5 investigation was reactivated or case was reactivated,
6 did you have any suspects in a homicide investigation of
7 Natalie Wood's death?

8 MS. BIRENBAUM: Objection. Seeks
9 information protected by Evidence Code section 1040.
10 Instruct the witness not to answer. The question is
11 also vague and ambiguous and overbroad.

12 (Witness instructed not to answer.)

13 BY MR. PERRONI:

14 Q. At the time that the Natalie Wood death case
15 was reactivated, did the Los Angeles County Sheriff's
16 Department -- or excuse me, was the Los Angeles County
17 Sheriff's Department investigating what it believed
18 might be criminal conduct?

19 MS. BIRENBAUM: Objection. Seeks
20 information protected from disclosure by Evidence Code
21 section 1040. Instruct the witness not to answer.

22 (Witness instructed not to answer.)

23 BY MR. PERRONI:

24 Q. At the time the Natalie Wood death
25 investigation case was reactivated, was the Los Angeles

1 County Sheriff's Department investigating what it
2 believed to be possible criminal conduct?

3 MS. BIRENBAUM: Objection. Seeks
4 information protected by Evidence Code section 1040.
5 Instruct the witness not to answer.

6 (Witness instructed not to answer.)

7 BY MR. PERRONI:

8 Q. At the time that the Natalie Wood death case
9 was reactivated, was the Los Angeles County Sheriff's
10 Department investigating what it believed to be a
11 violation of the law?

12 MS. BIRENBAUM: Objection. Seeks
13 information protected by Evidence Code section 1040.
14 Instruct the witness not to answer.

15 (Witness instructed not to answer.)

16 BY MR. PERRONI:

17 Q. At the time you retired from the sheriff's
18 department in March of 2013, had the sheriff's
19 department Detective Bureau identified any suspects in
20 the Natalie Wood death case?

21 MS. BIRENBAUM: Seeks information
22 protected by Evidence Code section 1040. Instruct the
23 witness not to answer.

24 (Witness instructed not to answer.)

25 ///

1 BY MR. PERRONI:

2 Q. At the time you retired in March of 2013, did
3 the Detective Bureau of the Los Angeles County Sheriff's
4 Department have an open homicide investigation
5 concerning the death of Natalie Wood?

6 MS. BIRENBAUM: Seeks information
7 protected by Evidence Code section 1040. Instruct the
8 witness not to answer.

9 (Witness instructed not to answer.)

10 BY MR. PERRONI:

11 Q. Between the time that the Natalie Wood death
12 case was activated and your retirement in March of 2013,
13 had the sheriff's department, to your knowledge,
14 presented a file to the district attorney concerning the
15 death of Natalie Wood?

16 MS. BIRENBAUM: Objection. Seeks
17 information protected by Evidence Code section 1040.
18 Instruct the witness not to answer.

19 (Witness instructed not to answer.)

20 BY MR. PERRONI:

21 Q. Since the Natalie Wood death case was
22 reactivated, have you personally talked to the press
23 about the Natalie Wood death case?

24 A. No.

25 Q. Between the time the Natalie Wood death case

1 was activated and your retirement, did you direct any
2 detectives or investigators to say any particular thing
3 to the press about the Natalie Wood death case?

4 MS. BIRENBAUM: Objection. Vague and
5 ambiguous.

6 THE WITNESS: No.

7 BY MR. PERRONI:

8 Q. I have been advised that the Natalie Wood
9 death case file number is 081008981873496. Now, I
10 wouldn't expect you to remember that, okay, but my
11 question to you is, between the time the Natalie Wood
12 death case was activated and the time you retired in
13 March of 2013, had that case number changed?

14 A. I don't know.

15 Q. Who is Captain K-O-U-A-C-H?

16 A. Say that again.

17 Q. Captain K-O-U-A-C-H, did I spell that right?

18 A. Is he on the sheriff's department?

19 Q. It's not ringing a bell with you?

20 A. No. Is that a sheriff's department member?

21 Q. Well, it may have come up before in other
22 depositions or something. I may have just got the name
23 wrong. Was there a Couch or --

24 A. I don't recall the name like that, even
25 anything close.

1 Q. Okay. Who took over your position at the time
2 you retired?

3 MS. BIRENBAUM: Calls for speculation.

4 THE WITNESS: I don't remember.

5 BY MR. PERRONI:

6 Q. In a case file number, are there numbers that
7 represent a particular type of case? Do you understand
8 what I'm saying?

9 MS. BIRENBAUM: Overbroad as to time.

10 Are you asking about currently or when he worked for the
11 sheriff's department?

12 BY MR. PERRONI:

13 Q. At the time you retired in March of 2013, were
14 there numbers that were in a case file number that
15 designated the type of case it was?

16 A. Yes.

17 Q. Okay. And do you remember what accidental
18 death, what the number was?

19 A. No.

20 Q. Do you remember what the number for homicide
21 was?

22 A. Yes.

23 Q. What was it?

24 A. 011.

25 Q. 011?

1 A. Yes.

2 Q. Was there a number for, like, manslaughter?

3 A. If my memory is correct, I believe the 011
4 covered the gamut of what was in the murder arena which
5 would be manslaughter.

6 Q. Manslaughter, negligent homicide?

7 A. Yes.

8 Q. Second degree murder. Okay.

9 A. Yes.

10 Q. Got it. Do you know what an answer is in a
11 civil case?

12 A. I'm sorry, what an answer is?

13 Q. What an answer is in a civil case?

14 A. No. You talking about me answering a
15 question?

16 MS. BIRENBAUM: You answered his
17 question.

18 BY MR. PERRONI:

19 Q. No. What a pleading, called an answer, is in
20 a civil case?

21 A. No.

22 Q. Well, in a civil case like this one, I filed a
23 petition and I made certain claims in that petition.
24 And I sued the county and the sheriff and the coroner
25 and anybody else that had anything to do with my record

1 request. The defendants have to file an answer, okay,
2 or a response to that petition. That's what I'm talking
3 about here on my next question to you.

4 A. Okay.

5 Q. All right. In the answer that was filed by
6 the sheriff's department and the county in this case,
7 one of the affirmative defenses stated that the release
8 of the documents that I seek would constitute an
9 unwarranted invasion of personal privacy, okay. Do you
10 have knowledge of whose personal property the
11 affirmative defense is referring to?

12 A. No.

13 Q. Have you personally examined the 1981 files
14 relating to the death of Natalie Wood?

15 A. No.

16 Q. Do you know if 1981 files relating to the
17 death of Natalie Wood contain photographs?

18 A. No.

19 Q. Have you seen any photographs of the Natalie
20 Wood death case?

21 A. No.

22 Q. Do you have any knowledge as to whether any
23 records or information contained in the 1981 files have
24 been disclosed to a person by the name of Marti Rulli?

25 A. No.

1 Q. Have you ever talked to a Marti Rulli to your
2 knowledge?

3 A. No.

4 Q. Do you have any knowledge as to whether any
5 records or information contained in the 1981 files have
6 been disclosed to an author by the name of Suzanne
7 Finstad?

8 A. No.

9 Q. Have you ever talked to a Suzanne Finstad?

10 A. No.

11 Q. Do you have any knowledge as to whether any
12 records or information contained in the 1981 files have
13 been disclosed to an author by the name of Gavin
14 Lambert?

15 A. No.

16 Q. Have you ever talked to a Gavin Lambert?

17 A. No.

18 Q. Do you have any knowledge as to whether any
19 records or information contained in the Natalie Wood
20 death case files have been disclosed to Robert Wagner?

21 A. No.

22 Q. Have you ever talked to Robert Wagner?

23 A. No.

24 Q. Have you ever talked to any agents of Robert
25 Wagner?

1 MS. BIRENBAUM: Objection. Vague and
2 ambiguous.

3 THE WITNESS: No.

4 BY MR. PERRONI:

5 Q. Do you have any knowledge as to whether any
6 records or information contained in the Natalie Wood
7 death case files have been disclosed to a Dr. Thomas
8 Noguchi?

9 A. No.

10 Q. Have you ever talked to Dr. Thomas Noguchi?

11 MS. BIRENBAUM: Objection. Overbroad.
12 Vague and ambiguous.

13 THE WITNESS: No.

14 BY MR. PERRONI:

15 Q. Another defense that's asserted in the answer
16 in this case for the sheriff's office and the county is
17 that the public interest in disclosure of the records
18 requested by petitioner is outweighed by the public
19 interest in nondisclosure.

20 My question to you is, do you have any
21 knowledge how the public interest and nondisclosure of
22 the records is outweighed by the public interest in
23 nondisclosure?

24 MS. BIRENBAUM: Calls for a legal
25 conclusion. Calls for an expert opinion.

1 THE WITNESS: No.

2 BY MR. PERRONI:

3 Q. And I asked that question wrong. I misspoke.

4 Let me ask it again.

5 Do you have any knowledge how the public
6 interest in disclosure of the records is outweighed by
7 the public interest in nondisclosure?

8 MS. BIRENBAUM: Same objections.

9 THE WITNESS: No.

10 BY MR. PERRONI:

11 Q. By the time you retired in March of 2013, did
12 you have any knowledge whether any of the files and
13 records relating to the Natalie Wood death investigation
14 case would be presented to the district attorney?

15 MS. BIRENBAUM: Seeks information
16 protected by Evidence Code section 1040. I'm going to
17 instruct the witness not to answer.

18 (Witness instructed not to answer.)

19 BY MR. PERRONI:

20 Q. That's all I have. Thank you.

21 MS. BIRENBAUM: Would you like me to put
22 our stipulation on the record, sir?

23 MR. PERRONI: Sure.

24 MS. BIRENBAUM: We have stipulated to
25 relieve the court reporter of her statutory duties. We

1 have stipulated that the original shall be sent to my
2 office and that my office will provide it to the witness
3 for his review and signature. If the witness makes any
4 changes or corrections to the original, my office will
5 notify the plaintiff in pro per, Mr. Perroni, by July 1,
6 2016 of those changes, and that the transcript has been
7 signed.

8 In the event that the signed original is
9 lost, destroyed, or unavailable for any reason, the
10 parties stipulate that an unsigned certified copy may be
11 used in lieu of the original.

12 MR. PERRONI: Well, I may see you again,
13 sir. Okay. Nice meeting you.

14 THE WITNESS: Same here.

15 (Whereupon the deposition was concluded at 11:55 a.m.)
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DECLARATION UNDER PENALTY OF PERJURY

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I, David Smith, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken June 1, 2016; that I have made such corrections as appear noted on the Deposition Errata page, attached hereto, signed by me; that my testimony as contained herein, as corrected, is true and correct.

Dated this _____ day of _____, 2016,
at _____
California.

David Smith

DEPOSITION ERRATA SHEET

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David Smith

Dated

1 I, Maria Beesley, CSR 9132, Certified
2 Shorthand Reporter, do hereby certify:

3 That prior to being examined, the witness
4 named in the foregoing deposition was by me duly sworn;

5 That said deposition was taken down by me in
6 shorthand at the time and place therein named and
7 thereafter transcribed under my supervision;

8 I further certify that I am neither counsel
9 for, nor related to, any party to said proceedings, not
10 in any way interested in the outcome thereof.

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


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15 Dated: June 7, 2016

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19 Maria Beesley, CSR No. 9132, RMR, FCRR

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