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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

SAMUEL A. PERRONI,)
)
Plaintiff,)
)
vs.) Case No. 21STCP00108
)
ALEX VILLANUEVA, IN HIS OFFICIAL)
CAPACITY AS SHERIFF; THE COUNTY)
OF LOS ANGELES SHERIFF'S)
DEPARTMENT; and DOES 1 through)
50, Inclusive,)
)
Defendants.)
_____)

DEPOSITION OF ALBERT GROTEFEND

THURSDAY, OCTOBER 28, 2021

1:02 P.M.

(Conducted remotely via Zoom)

Reported by:
Christina Dominguez
CSR No. 12516

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APPEARANCES:

For Plaintiff:

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Also present:

SAMUEL A. PERRONI, Plaintiff

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DEPOSITION OF ALBERT GROTEFEND

Samuel A. Perroni vs. Alex Villanueva, et al.

Thursday, October 28, 2021

Christina Dominguez, CSR No. 12516

MARKED

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CONDUCTED VIA ZOOM

THURSDAY, OCTOBER 28, 2021, 1:02 p.m.

THE REPORTER: Due to the current National
Emergency of the COVID-19 virus, this deposition is being
handled via remote means.

Today's date is October 28, 2021, and it is 1:02
p.m. This is the deposition of Albert Grotefend.

At this time I will ask counsel to identify
yourself, state whom you represent, and agree on the
record that there is no objection to my administering the
binding oath to the witness via Zoom.

Let's start with the noticing attorney.

MR. CHADICK: Vincent Chadick, co-counsel for
Petitioner Samuel Perroni. And we have no objection.

MS. BIRENBAUM: Anna Birenbaum, counsel for the
witness. No objection.

THE REPORTER: I will now swear in the witness.

Mr. Grotefend, will you please raise your right
hand.

ALBERT GROTEFEND,
having been first duly sworn, was examined and
testified as follows:

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BY MR. CHADICK:

Q Will you state your full name for the record, please.

A Albert Francis Grotefend.

Q Mr. Grotefend, where are you located physically at the moment?

A At my residence.

Q And what locality is that?

MS. BIRENBAUM: Vague and ambiguous. Are you asking for his full address or just a general idea?

MR. CHADICK: I'm not answering any questions today, Ms. Birenbaum. You know that.

MS. BIRENBAUM: Well, it's vague and ambiguous. You asked for the locality.

MR. CHADICK: I'm sorry. We've done this before. My apologies to the witness. I'm going to ask that you please follow the rules and if you have an objection to the form, simply state you have an objection to the form of the question and not coach the witness with commentary.

MS. BIRENBAUM: Mr. Chadick, you don't practice in California. The California rules let us make objections, like vague and ambiguous. If I don't

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1 understand the question, the witness can't possibly
2 understand it either, Counsel. I will make appropriate
3 objections based on the state of California, where you
4 are not admitted to practice law. When you pass the
5 California Bar and you practice in California, we can
6 talk.

7 However, I will make all objections I find
8 appropriate. Please do not speak to me in such a manner.
9 I'm a licensed attorney with many years of experience and
10 I am not sitting here to be demeaned by you, Counsel. So
11 act professionally and we can move forward.

12 MR. CHADICK: I am admitted to practice law in
13 California pro hac vice and I resent the implication
14 otherwise. And the California rules in commentary
15 specifically says you should lodge your objection in a
16 non suggestive way, and I'm asking you to do that in a
17 non demeaning and entirely professional and respectful
18 manner.

19 MS. BIRENBAUM: Fantastic.

20 MR. CHADICK: Note the sarcasm.

21 MS. BIRENBAUM: Well, being as you are recording
22 this proceeding without my permission, which by the way I
23 object to using my image and my video for any reason. I
24 am not the witness. It is not proper to record opposing
25 counsel in a deposition. So I am going to place that

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1 objection on the record, Counsel.

2 And as long as you said not to say things in a
3 suggestive manner, telling me that you are quote-unquote
4 noting sarcasm on the record is entirely inappropriate,
5 Counsel. So instead of wasting my witness's time arguing
6 with me, why don't you move forward.

7 You asked him for his locality. Being as he is
8 an employee of the Los Angeles Sheriff's Department, I
9 was simply trying to make sure that you are not trying to
10 obtain his address. We don't need to have this fight,
11 Counsel. This is entirely inappropriate.

12 MR. CHADICK: What is the sidebar -- apologies
13 to the witness. On the recording, am I doing that? Can
14 you see something that I'm doing that -- and I'm just
15 asking functionally -- that I'm doing that I have control
16 of that shouldn't be done?

17 MS. BIRENBAUM: Well, there's a note that it's
18 recording. When you record a witness, according to the
19 Code of Civil Procedure, it is the witness only who is on
20 the videotaping. You are recording all of us. We see a
21 note when we log on to the Zoom.

22 MR. CHADICK: And your objection is that I
23 should record either only the witness or none of you,
24 correct?

25 MS. BIRENBAUM: Correct, based on the California

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1 Code of Civil Procedure.

2 MR. CHADICK: All right. Well, I will try to
3 figure out how to get this recording off.

4 There.

5 MS. BIRENBAUM: Perfect. Thank you.

6 MR. CHADICK: Of course.

7 BY MR. CHADICK:

8 Q So I'm just asking, sir, where are you located?
9 I mean, where are you now?

10 A At my residence.

11 Q Okay. Can you -- I don't need the address. Can
12 you just by locality, otherwise --

13 A San Bernardino County.

14 Q Sir?

15 A San Bernardino County.

16 Q Thank you. Perfect.

17 My name is Vincent Chadick, as you heard when
18 the record began. I am one of the co-counsel for the
19 petitioner in this action of which you are not personally
20 a party. My client's name is Mr. Sam Perroni. I am in
21 Arkansas at the moment. I am admitted into the case pro
22 hac vice so I can practice in this case. And I've just
23 got a few questions for you. Okay?

24 First, tell me, what is your position by job
25 title.

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1 A Currently?

2 Q Yes, sir.

3 A Reserve Deputy Sheriff.

4 Q And is that for Los Angeles County Sheriff's
5 Department?

6 A Yes, it is.

7 Q All right. And what does it mean to be a
8 Reserve Deputy Sheriff?

9 A Well, it basically means that I can assist in
10 law enforcement functions, primarily at Homicide Bureau.
11 That's where I'm assigned to as a reserve. So I can help
12 them out. They are in different areas.

13 Q How long have you been a Reserve Deputy Sheriff
14 for Los Angeles County Sheriff Department?

15 A Since I retired. I retired in March of 2008 and
16 I've been a reserve since then at Homicide Bureau.

17 Q Who is Lynn Reeder?

18 A You know, I know the name. I don't know that I
19 know him personally.

20 Q What do you know about Mr. Reeder?

21 MS. BIRENBAUM: Vague and ambiguous.

22 MR. CHADICK: You can answer.

23 If you understand the question, you can answer,
24 sir.

25 THE WITNESS: I don't know anything about him.

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1 BY MR. CHADICK:

2 Q Okay. When you say that the name is familiar to
3 you, in what context is that name familiar to you?

4 A He may have worked homicide. But I'm not even
5 certain of that.

6 Q And when you say may have worked homicide, do
7 you mean with the LA County Sheriff's Department?

8 A Yes, sir.

9 Q Okay. Have you, by the way, reviewed any
10 materials in preparation for this deposition?

11 MS. BIRENBAUM: I'm going to object potential to
12 infringe on the attorney-client relationship. But
13 otherwise, you can answer that.

14 THE WITNESS: Yes, I've spoken with my counsel.

15 BY MR. CHADICK:

16 Q Wait, wait. I'm sorry. Hold on. Let me repeat
17 the question. And I want to be very careful because I
18 don't want to hear anything about any conversations
19 between you and counsel.

20 My question, sir, is simply, have you reviewed
21 any materials in preparation for the deposition?

22 A Yes.

23 Q Okay. Can you tell me what those materials are
24 please?

25 A I went over my resume just to -- thinking that

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1 you might ask assignments and things like that. Just
2 reviewed -- that's about it. Just reviewed my resume.

3 Q Okay. And I know you've been around lawyers.
4 I'm particular, like most, when you say "that's about
5 it," can you --

6 A That is it.

7 Q All right. So in preparation for today's
8 deposition, in terms of materials that you've reviewed,
9 it is limited to and exclusively your resume, correct?

10 A Yes, sir.

11 Q Okay. Thank you.

12 I just want to make sure, can you state whether
13 you've ever had a conversation with Lynn Reeder?

14 A Not that I'm aware of.

15 Q Okay. Who is Scott Lusk?

16 A Scott Lusk was a detective assigned to Homicide
17 Bureau.

18 Q Is he still employed with LA County Sheriff's
19 Department?

20 A No. I believe he's retired long ago.

21 Q When is the last time you spoke with retired
22 Officer Lusk?

23 A Probably when I was assigned to Homicide Bureau
24 as a team lieutenant in, I guess, 2007, 2008, around
25 there.

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1 Q Okay. And this is very much a sidebar. I've
2 had two children that have gone to college in Los Angeles
3 County and I want you to know that I appreciate your
4 service and thank you very much.

5 A Thank you, sir.

6 Q Yep. In terms of your retirement in March of
7 2008, was that a scheduled retirement? Had you just
8 gotten to a point where you had given notice and you
9 retired?

10 A Yes.

11 Q Okay. And at the time of your retirement, were
12 you -- was your job title lieutenant in the Homicide
13 Bureau?

14 A Yes, sir.

15 Q In a Reader's Digest form, sir, can you tell me
16 what your job duties were as a lieutenant in the Homicide
17 Bureau, the last position you had before you retired in
18 March of 2008?

19 MS. BIRENBAUM: Object as not relevant. But you
20 can answer.

21 THE WITNESS: I was a team lieutenant.
22 Basically, I had approximately 14 investigators comprised
23 of two-man teams, seven teams, and my duties were to
24 respond to every homicide that we got called out for and
25 assign a team of investigators to handle that homicide.

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1 BY MR. CHADICK:

2 Q And in terms of retired Officer Lusk, what was
3 his job title at the time that you were promoted up or
4 became a team lieutenant for the Homicide Bureau?

5 A Initially he was a detective on one of the
6 teams. It wasn't my team. And towards the end of my
7 tenure there, he was what they call the librarian. He
8 was in charge of all the case files for all of Homicide
9 Bureau.

10 Q And what is a case file?

11 A It's a -- each homicide case has a file, and
12 he's in charge of maintaining all of those cases.

13 Q By category, can you describe what is included
14 in a homicide case file?

15 MS. BIRENBAUM: Vague and ambiguous. It's not
16 relevant. You can answer if you understand.

17 THE WITNESS: The case file just comprised of
18 all the reports.

19 BY MR. CHADICK:

20 Q For the various investigators in a homicide,
21 from the detectives to medical personnel? Would it
22 include those kinds of reports?

23 A Each case, each homicide case has a case file
24 and each case file consists of all the reports. For
25 example, in a homicide case, from the time that first

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1 report is taken that someone is murdered all the way up
2 through the whole investigation, and everything pretty
3 much included in the file.

4 Q Did Mr. Lusk -- well, strike that.

5 What did Mr. Lusk tell you about his checking
6 out the Natalie Wood case file.

7 A Well, I asked to review that case and he gave me
8 the case file.

9 Q Mr. Lusk checked out the file, at least in 2010.
10 Did he explain to you why he did that?

11 A I was gone in 2008 and just a reserve from that
12 point on, so my contact with the detectives was limited.
13 My reserve work pretty much consisted of computer work.

14 Q Thank you. And that explanation is helpful, but
15 I want to make sure that I didn't miss an answer in
16 there.

17 Did Mr. Lusk tell you why he checked out the
18 Natalie Wood file in 2010?

19 A No, sir.

20 Q All right. And do you know where Mr. Lusk is
21 now?

22 A No, I do not.

23 Q Prior to your becoming a team lieutenant
24 assigned to homicide in 2007, were you aware of the
25 Natalie Wood investigation?

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1 MS. BIRENBAUM: Vague and ambiguous. You can
2 answer.

3 THE WITNESS: Just from the general news
4 reports. Nothing further than that.

5 BY MR. CHADICK:

6 Q When you were a team lieutenant in 2007 and
7 2008, were you aware that the Natalie Wood murder
8 investigation was inactive? In other words, it was not
9 ongoing in 2007 and 2008?

10 A I believe that's correct.

11 Q At any point in time, sir, when you were
12 employed by the Los Angeles County Sheriff's Department,
13 were you assigned to investigate the death of Natalie
14 Wood?

15 A No, sir.

16 Q You checked out the Natalie Wood investigation
17 file from LA County Sheriff's Department, correct?

18 A Yes, sir.

19 Q And when did you do that?

20 A Probably in -- I'm not sure of the exact date.
21 Possibly 2007. Maybe before.

22 Q If the records indicate that you checked out the
23 Natalie Wood murder investigation file on or about
24 November 15 of 2007, would that be inconsistent with your
25 memory?

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1 A You know, I really couldn't recall one way or
2 the other. It's possible.

3 Q Okay. But, I mean, there's nothing about that
4 date that you know for a fact, I did not check out the
5 Natalie Wood murder investigation file on November 15,
6 2007, correct?

7 A No, sir.

8 Q Okay. Why did you check it out?

9 A I just wanted to review the case and see if --
10 put a fresh set of eyes on it to see if anything that was
11 in the prior reports was missed or anything else that
12 could be done for the investigation.

13 Q Do you recall how long at the time that you
14 checked out the file for the Natalie Wood murder
15 investigation it had been inactive?

16 A No, I don't.

17 Q Why did you select the Natalie Wood murder
18 investigation file to review to put a fresh set of eyes
19 on it, sir?

20 A I can't recall the exact reason, whether it came
21 up at homicide or whatever. I can't really recall the
22 exact reason I did. I just thought -- it came to mind
23 somehow. I don't recall how.

24 Q Who did you talk with about your review of the
25 Natalie Wood murder investigation?

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1 MS. BIRENBAUM: Assumes -- go ahead. It's vague
2 and ambiguous.

3 THE WITNESS: I don't really recall who I spoke
4 to.

5 BY MR. CHADICK:

6 Q Well, did you have to go and check out the file?

7 A The way the files are usually checked out is I
8 just make a request. I think in this case it was to
9 Scott Lusk, and then he would bring me the file.

10 Q And how would you actually physically -- and I'm
11 getting granular here. But how would you actually
12 physically make that request to Mr. Lusk? Was that by
13 telephone that you asked for the file to be checked out
14 or was it by email?

15 A At the time we were all in the same building, so
16 I just told him in person, as I recall.

17 Q And at that point in time, was Mr. Lusk the
18 librarian?

19 A As I recall, yes.

20 Q What building were you in?

21 A We were at the building on Rickenbacker in the
22 city of Commerce. Rickenbacker Street.

23 Q And if I were to go back and try to reconstruct,
24 sir, in 2007, specifically the building that is at
25 Rickenbacker Street and that was an LA County Sheriff's

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1 Department building, would there be only one or were
2 there others? I want to make sure that your answer is
3 not unintentionally vague.

4 A Okay. As I recall, it was not an LA County
5 building. It was a building leased in a commercial area
6 of the city of Commerce. And they leased that building,
7 and they are actually no longer there.

8 Q Okay. The building is still there, but LA
9 County Sheriff's Department is no longer leasing this
10 building where you were located back in 2007, which was
11 in the city of Commerce, correct?

12 A Yes, sir.

13 Q But at this point in time, back in 2007, when
14 you asked to see the Natalie Wood murder investigation
15 file, the file was located there in this leased space in
16 the city of Commerce, correct?

17 A Yes, sir.

18 Q And so were you and so was Mr. Lusk, correct?

19 A Yes, sir.

20 Q All right. In an effort to just jog your
21 memory, what did the file look like?

22 MS. BIRENBAUM: Vague and ambiguous. But you
23 can answer, if you can.

24 THE WITNESS: As I recall, it was just a case
25 file containing supplemental reports.

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1 BY MR. CHADICK:

2 Q Well, how big was the file?

3 A As I recall, what I received was what they call
4 a poor boy, and it's a manila file that has a rubber band
5 around it -- not a rubber band, but elastic -- and the
6 reports are contained in that.

7 Q Were they all in one poor boy in this Natalie
8 Wood murder investigation file or were they several poor
9 boys in a banker box?

10 A No, it was just the one that I received.

11 Q And can you just -- you can show me and I'll try
12 to figure it out. Is this a two-inch file that was the
13 Natalie Wood murder file brought to you when you checked
14 it out or was it six inches? Can you approximate for me?

15 A Well, the case file was probably about, I would
16 say -- the poor boy was about, I suppose, 16 inches by
17 about maybe 12 inches high and it's expandable, so it
18 could expand maybe four inches or so. And the reports in
19 the file were probably just an inch or two. It wasn't
20 that many reports in there.

21 Q Do you have any recollection, sir, of getting on
22 to a computer system to log in and check out the Natalie
23 Wood murder investigation file?

24 A No. No, I don't think -- we didn't check out
25 files by computer at that time, as I recall.

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1 Q Who else had access to that murder investigation
2 file when you had it?

3 A No one.

4 Q How long did you have the file, the Natalie Wood
5 murder investigation file?

6 A You know, I don't recall. I know I retired in
7 March of 2008. So it would have been turned in before
8 that.

9 Q So you believe that your check out of the
10 Natalie Wood murder investigation file would have had to
11 have resulted in your returning that file prior to April
12 2 of 2008; is that correct?

13 A Well, I was gone at the end of March. I think
14 March 30th was my last date at Homicide Bureau.

15 Q And I just want to make sure that I understand.
16 You, therefore, are testifying that you could
17 not have returned the Natalie Wood murder investigation
18 file on April 2 of 2008, correct?

19 A Well, that's correct.

20 Q Do you have, sir, a specific recollection of
21 returning the Natalie Wood murder investigation file?

22 A I don't have a specific recollection. I know
23 that I returned it, but I don't have any specific
24 recollection of it.

25 Q Okay. When you say you know that you returned

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1 it, is it your testimony that you are certain that you
2 personally returned the Natalie Wood murder investigation
3 file to the library to Officer Lusk or whoever was
4 manning the library at the time?

5 A That's the best of my recollection.

6 Q And likewise, the last time I ask this question,
7 you know that you could not have returned the Natalie
8 Wood murder investigation file on April 2 of 2008 because
9 you had already retired, correct?

10 A I did retire, yes.

11 Q And so you know you could not have returned the
12 Natalie Wood murder investigation file on April 2, 2008,
13 correct?

14 A Correct. I returned it before that.

15 Q Okay. Are you aware of any activity other than
16 your personal review or putting a fresh set of eyes on
17 the Natalie Wood murder investigation file that occurred
18 after you checked out the file?

19 MS. BIRENBAUM: Vague and ambiguous. You can
20 answer, if you understand.

21 THE WITNESS: The only thing I recall is that
22 when the case was brought up again by Lieutenant John
23 Corina.

24 BY MR. CHADICK:

25 Q And that was after you retired, correct?

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1 A Yes.

2 Q So I gather from your testimony, you are unaware
3 of any activity relating to the investigation of the
4 Natalie Wood murder that occurred between the time you
5 checked out the murder file in November of 2007 and the
6 time of your retirement, correct?

7 A I'm sorry. Would you repeat that one more time,
8 please.

9 Q Sure. You are unaware of any activity relating
10 to the investigation of the Natalie Wood murder that
11 occurred at the time that you were putting a fresh set of
12 eyes on the case upon checking it out in November of 2007
13 and your retirement?

14 A Was I aware of anyone else checking out the case
15 during that time?

16 Q Or doing anything, say, at your direction?

17 A No, sir.

18 Q And, of course, no one else could have checked
19 out the file when you had it, correct?

20 A That's correct.

21 Q Who else looked at the file with you when you
22 had it? This is the Natalie Wood murder investigation
23 file.

24 A I don't believe anyone. I just looked at it
25 myself.

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1 Q Where did you review the file materials of the
2 Natalie Wood murder investigation?

3 A At my desk at Homicide Bureau.

4 Q And do you think that that file could have
5 stayed at your desk for a period of four months?

6 MS. BIRENBAUM: Calls for speculation. It's
7 also argumentative. You can answer.

8 THE WITNESS: When I wasn't reviewing the case,
9 it would be in my locked file cabinet.

10 BY MR. CHADICK:

11 Q And was the locked file cabinet approximately
12 located to your desk?

13 A It was. It was right next to it.

14 Q How much time in either hours or days or weeks
15 did you spend reviewing the Natalie Wood murder
16 investigation file?

17 MS. BIRENBAUM: This is not relevant for the
18 CPRA request. Counsel, you've gone so far into digging
19 and abusing the CPRA process just to gather information
20 for who knows what, as the judge pointed out this
21 morning.

22 Counsel, if you can explain how this has
23 anything to do with your CPRA request, I'll consider
24 allowing the witness to answer.

25 MR. CHADICK: Certainly.

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1 BY MR. CHADICK:

2 Q Sir, what I'm trying to do is just make certain
3 that you account for any other people that either looked
4 at the file when it was in your custody or had access to
5 that file while it was in your custody. And that would
6 lead to whether other people saw it. And that, I
7 believe, and I'm not arguing to you, but that I believe
8 justifies this line of inquiry and this question.

9 MS. BIRENBAUM: About how many hours he's looked
10 at it? How would that have anything to do with anyone
11 else who looked at it, which he's just told you it was
12 only him. So he's already asked and answered your
13 questions here.

14 The hours he spent reviewing it, as he testified
15 to alone, would have no relevance to answer your areas of
16 inquiry, Counsel. Unless you can explain that to me, I
17 can't let the witness answer this. You've gone so far
18 from the CPRA matter.

19 MR. CHADICK: Okay. I, again, believe that you
20 are making argumentative objections for the purpose of
21 coaching the witness. I am only asking about his
22 practice, which would hopefully, when I ask him how much
23 time he spent with it, jog his memory as to other people
24 walking past and being involved in his investigation.
25 That's the reason for the question.

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1 MS. BIRENBAUM: Lay a better foundation,
2 Counsel, and I'll consider letting him answer it. As the
3 question is posed right now, you've gone beyond the scope
4 of the CPRA action. You are going into investigatory
5 issues. You're just really digging for something, and
6 that is not the purpose of this CPRA action, as the Court
7 very clearly told your client this morning. So lay a
8 foundation and I'll consider it.

9 MR. CHADICK: For the record, I want to make
10 sure as to my question regarding his handling of the file
11 and how much time he spent with it, at this point you are
12 instructing him not to answer; is that correct?

13 MS. BIRENBAUM: You didn't ask him how much time
14 he spent with it. You asked how much time he spent
15 reviewing it, Counsel. He already explained to you how
16 much time he had the file. So you are asking for his
17 active work reviewing documents, which has nothing to do
18 with documents to be produced under the California Public
19 Records Act Petition.

20 MR. CHADICK: Okay. Thank you.

21 MS. BIRENBAUM: So if you can lay a foundation
22 that might have something to do with how somebody walking
23 past him would have potentially seen anything that would
24 respond to issues in this California Public Records Act
25 Petition, set forth that foundation and I will consider

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1 it. Right now you've gone too far. I've given you a
2 really wide berth here, and now I'm limiting it. So if
3 you can lay a foundation, I'm happy to consider it.

4 MR. CHADICK: Let me make clear I'm not asking
5 any questions about his activities in an ongoing
6 investigation. This is not during that time period.

7 My question is for him to tell me how much time
8 he spent reviewing that file. That's the question. And
9 I just want to make sure, are you instructing him not to
10 answer that?

11 MS. BIRENBAUM: Until you can set a foundation
12 as to how that's going to establish anything in the CPRA
13 Petition, I'm instructing him not to tell you how much
14 time he spent on a Sheriff's Department file review.
15 That is correct.

16 If you can explain how that assists with this
17 petition or set some foundation, I'm happy to entertain
18 it. I'm really trying to work with you here, Counsel,
19 but your questions are going too far and they are just in
20 the realm of looking for anything that has nothing to do
21 with this petition and abusing this process. So set a
22 foundation and I will reconsider the question.

23 BY MR. CHADICK:

24 Q Was there anything unique about the Natalie Wood
25 murder investigation file that led you to check it out

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1 vis-a-vis any other fresh set of eyes? And I don't want
2 to know about any other fresh set of eyes that you looked
3 at. I just want to know, did someone talk to you about
4 this case, that you recall, and you say I want to check
5 it out and put a fresh set of eyes on it?

6 MS. BIRENBAUM: It's two questions, Counsel.
7 You are asking what made it unique, and now you are
8 saying did anyone ask you to do it? That's two
9 questions. Which is the question he's answering?

10 MR. CHADICK: Can you answer both of them, sir?

11 MS. BIRENBAUM: You can only ask one question at
12 a time. Otherwise it's going to be subject to a compound
13 objection.

14 MR. CHADICK: Answer, if you can, please.

15 MS. BIRENBAUM: Vague and ambiguous. It's
16 overbroad. If you can answer it, the two questions he's
17 posed, you can feel free to, over my objections. If you
18 understand what he's asking you with those two questions.

19 THE WITNESS: Counsel, what was the question
20 again?

21 BY MR. CHADICK:

22 Q Did anybody that you recall talk to you and
23 prompt you, as a result of the discussion, to check out
24 the Natalie Wood murder file which you did in November of
25 2007?

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1 A No, sir, not that I recall.

2 Q Was there anything unique about your knowledge
3 relating to the Natalie Wood murder file that caused you
4 to check it out to put a fresh set of eyes on it?

5 A Nothing that I recall.

6 Q Did you provide intentionally any other person
7 other than the librarian, Mr. Lusk, access to the Natalie
8 Wood murder investigation file?

9 A No, sir.

10 Q And in terms of the locked cabinet, just again
11 want to know how that works. Was it combination lock? A
12 key? Could other people get access to it?

13 A It was a key.

14 Q And who maintained the key to your locked
15 cabinet?

16 A It was a cabinet assigned to me. It was like
17 five drawers and one lock at the top that locked
18 everything. And I had the key.

19 Q Can you state with certainty that when you were
20 not actively looking at the Natalie Wood murder
21 investigation file while you had it checked out, that it
22 would have been under lock and key and inaccessible?

23 A Yes.

24 MS. BIRENBAUM: It calls for speculation. I'm
25 going to belatedly say that. But okay.

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1 BY MR. CHADICK:

2 Q Generally speaking, do you recall if there
3 were -- and I don't want to know the content. I just
4 want to ask the question.

5 Do you recall if there were photographs in that
6 file that you checked out regarding the Natalie Wood
7 murder investigation?

8 MS. BIRENBAUM: Objection. Under Haney, you are
9 getting into asking for an inventory. So I'll let the
10 witness answer this, but nothing further along this that
11 looks for an inventory.

12 THE WITNESS: There were no photographs in the
13 file.

14 MR. CHADICK: Okay. Let's take a very short
15 break, sir. Thanks for your patience. It is 3:40. If
16 we can reconvene at 3:45, then I'll tell you how much
17 longer I'll go and we'll be able to wrap this up.

18 If I inadvertently hit this button that starts
19 recording again, I'll ask Ms. Court Reporter or someone
20 to let me know. Thank you.

21 MS. BIRENBAUM: Thank you.

22 (Recess taken.)

23 MR. CHADICK: We're back on the record.

24 I've just got a couple more questions. No
25 longer than 10 minutes.

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1 BY MR. CHADICK:

2 Q I understand when you checked out the Natalie
3 Wood murder investigation file in November of 2007, that
4 was in the library. Do you have any awareness of who was
5 in charge of the file at that point in time?

6 A Well, it would have been Scott Lusk. He was the
7 librarian.

8 Q Okay.

9 A Counsel, just for clarification, it wasn't a
10 murder case at that time, and it still isn't. It's a
11 death investigation.

12 Q Thank you for telling me that. Okay.

13 And just to make sure, when I have said in the
14 course of this deposition "murder investigation file,"
15 you understood that I meant what you now explained to me,
16 thankfully, as the death investigation file, correct?

17 A Yes, sir.

18 Q Okay. Thanks.

19 When you had the file, sir, the death
20 investigation of Natalie Wood file, did you remove or add
21 anything to the file?

22 A No, sir.

23 MR. CHADICK: Okay. Thank you so much. I
24 appreciate your time and patience today.

25 THE WITNESS: Thank you, sir. Are we all done?

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1 MS. BIRENBAUM: Just a moment. The court
2 reporter will unmute herself, I believe, and go over some
3 final details with you.

4 THE REPORTER: Counsel, are we going by Code or
5 will you be putting a stipulation on the record?

6 MS. BIRENBAUM: However the noticing counsel
7 would like to handle it, I'm amenable to that.

8 MR. CHADICK: Tell me what you mean.

9 THE REPORTER: Do you want this discussion on
10 the record?

11 MS. BIRENBAUM: Can we speak off the record
12 since it's a technicality about the transcript handling,
13 or we can stay on the record.

14 MR. CHADICK: If you are asking me, of course we
15 can go off the record. I thought we were off the record.

16 (Recess taken.)

17 BY MR. CHADICK:

18 Q Okay. So we're back on the record. I just got
19 one more question. Sorry.

20 I just want to make sure, sir, I know you didn't
21 remove anything from the file. Did you copy anything
22 from the death investigation file of Natalie Wood?

23 A No, sir, I did not.

24 MR. CHADICK: Okay. Thank you for your patience
25 today.

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1 And now if you want to just paraphrase the
2 stipulation that we are going to agree to.

3 MS. BIRENBAUM: Sure. We stipulate to relieve
4 the court reporter of her duties. We stipulate that the
5 witness has -- would 20 days be sufficient to review the
6 transcript after you receive it?

7 THE WITNESS: Yes.

8 MS. BIRENBAUM: So the witness has 20 days to
9 review the transcript. He will notify my office of any
10 changes. I will notify petitioner's counsel of any
11 changes that Mr. Groten- -- I'm not even going to try to
12 pronounce it. I'm sorry. It's the end of a long day for
13 me. I will notify petitioner's counsel of any changes
14 the witness has made to the transcript.

15 My office agrees to maintain custody of the
16 signed original transcript. If for some reason the
17 signed original is lost or destroyed or otherwise
18 unavailable, the parties stipulate that a certified
19 unsigned copy of the transcript can be used in this
20 matter.

21 MR. CHADICK: We stipulate to all those things.
22 The only thing I'd just clarify is, the first stipulation
23 to relieve the court reporter of all her duties, not all
24 of them. But her duties as it relates to having the
25 witness read and review the transcript, yes.

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1 All right, that's good. Thanks. We are off the
2 record.

3 MS. BIRENBAUM: Thank you.

4 THE REPORTER: That concludes this deposition.

5

6 (Deposition concluded at 1:54 p.m.)

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DECLARATION UNDER PENALTY OF PERJURY

I, Albert Grotefend, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken on October 28, 2021; 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 _____, 2021,
at _____,
California.

Albert Grotefend

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I, Christina Dominguez, CSR 12516, Certified
Shorthand Reporter, do hereby certify:

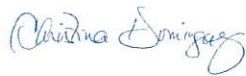
That prior to being examined, the witness named in
the foregoing deposition was by me duly sworn;

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

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

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

Dated: November 9, 2021



Christina Dominguez
CSR No. 12516

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