

Exhibit 6

21	23
<p>1 Q In describing the relationship with her mother, 2 did Anna Nicole tell you that her mother had physically 3 abused her or beaten her while she was a child? 4 A Not so much while she was a child, other than 5 Vergie was strict, and I believe, to the best of my 6 recollection, that Vergie also was going through hard 7 times at the time herself. 8 And I believe in the house at the time there was 9 Anna Nicole, David, her brother David -- I'm trying to 10 remember what she was -- and Vergie was very tough on 11 her. 12 Later on, when I -- I'm not sure if this was 13 right after her split-up with her -- with William Smith, 14 she had gone back to Houston to live, and she had a 15 confrontation with Vergie, when Vergie really beat her 16 up, accordingly to Anna. 17 Q Did she ever tell you anything about -- Anna 18 Nicole, did she ever tell you anything about being 19 molested? 20 A Yes. 21 Q What did she tell you about that? 22 A Basically -- it was very difficult for me to 23 deal -- to hear that, very difficult. So I tried to 24 avoid it. But even though I wanted to try to be there as 25 a friend, but I felt that that's an area that's very deep</p>	<p>1 am I right? 2 A I would say yes, and then it continued after. 3 Q The estrangement continued? 4 A Absolutely. 5 Q But from your perspective and your knowledge, 6 Mr. Stern had nothing to do with the problems that had 7 led to the estrangement between Anna Nicole Smith and her 8 mother, Vergie Arthur, had he? 9 A Not that I know of. 10 Q And tell me about when you came to meet Howard. 11 When was that and what were the circumstances? 12 A I believe the first time I had met Howard was, I 13 believe, at their office in Beverly Hills. I had taken 14 Anna to -- I had taken Anna to meet some new counsel that 15 she said that she had, and a part of that team was 16 Howard. And James Khavarian and Ron Rale. 17 And I believe at the time that they were legally 18 trying to represent her legally -- her legal career. I 19 don't believe that they were involved in anything that 20 might have been going on in Houston. You know, that's as 21 far as I know, that they were going to help with her 22 legal -- with her career as far as her acting, modeling 23 career. This is the first time I met Howard. 24 Q Okay. And do you recall when that occurred, 25 approximately?</p>
22	24
<p>1 and personal. And so when she first told me, I asked her 2 to -- unlike the situation with her mother, I asked her 3 to -- if she wouldn't tell me. 4 And she was somewhat disappointed, because at 5 that time she had felt that she -- according to Anna 6 Nicole -- had felt that she found a friend that she could 7 really talk to and know that it would be between us, you 8 know. And so a couple of days later, she brought it up 9 again to me, and that's when I opened up and said okay. 10 And said that she was sexually abused by her 11 stepfather. Did not go into graphic details. 12 Shortly thereafter, when I was in Houston 13 helping out writing the stuff, Anna had come down with a 14 seizure. And I rushed her to the hospital. And it was 15 at that time, I believe sometime in the middle of 16 February, around my birthday, that I -- was the first 17 time I met Donald. I believe his name is Donald, her 18 stepfather. 19 Q Did Anna Nicole tell you that her mother was 20 aware of the fact that her stepfather had molested her? 21 A According to Anna, she felt that she was. 22 Q The problems that Anna Nicole Smith described to 23 you with respect to the relationship between her and her 24 mother and the fact of their estrangement, all of that 25 predated any involvement in her life by Howard K. Stern;</p>	<p>1 A I'm not sure. Maybe '97, '98. I'm not sure. 2 '97, '98. I'm not sure. 3 Q Do you recall there being some conflict between 4 Anna Nicole and her mother back when Anna Nicole was in 5 the Betty Ford Clinic? 6 A Yes. 7 Q Tell me about that, if you would, please. 8 A Well, Anna had had another seizure, and this one 9 was really bad. This was very bad. And we -- I rushed 10 her to the hospital. I called the paramedics. And I 11 rushed her to the hospital, and she was like in -- she 12 was in like a semi-coma for like maybe 10 hours, 12 13 hours. 14 And I had Sam -- I was at the hospital, 15 St. Joseph in Burbank, and staying with her. And I had 16 Sam, who was her assistant at the time, call Vergie and 17 tell her that Anna was really not doing well. And Vergie 18 flew up to Los Angeles a day or two later. 19 And as a matter of fact, I had an apartment at 20 that time, and I believe Vergie and Daniel stayed with me 21 in Burbank. 22 Got Anna to go to Betty Ford. She pulled 23 through and we got her to go to Betty Ford. And Vergie 24 came with us. We dropped her off at Betty Ford. And 25 Vergie had her job as a police officer in Houston, and</p>

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1 she had to leave. And Anna didn't want her to leave.
 2 But we weren't -- by "we," she wasn't allowed to have
 3 visitors at Betty Ford until the -- on a Sunday. She was
 4 in the early stages of what they do at Betty Ford.
 5 So her mother said that she had to go back
 6 because of her job. And that she would be back, I
 7 believe, to be with Anna for Thanksgiving. It was on or
 8 about close to Thanksgiving. And Vergie did not -- did
 9 not come back. And Anna was furious about it. She was
 10 very upset about it.
 11 Q Did she ever make any comments to the effect
 12 that she would not see Vergie again?
 13 A Excuse me?
 14 Q Did she ever tell you that she didn't intend to
 15 ever see Vergie again after that?
 16 A Yeah. Anna would really get very emotional
 17 about her mom, yes. Very much so.
 18 Q And what year was that, Mr. Martino?
 19 A It would have been the fall -- it would have
 20 been the fall, I believe, right after J. Howard had
 21 passed away.
 22 Q What year would that be?
 23 A '95, I believe. I believe J. Howard might have
 24 passed in '95. I think it was August 4th, but I'm not
 25 sure.

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1 I'm pretty sure that it's after we had shot the
 2 film "Skyscraper." And I had gone to Houston and told
 3 Anna -- I had gone to Houston to support Anna through the
 4 burial of -- because of what everybody saw, it was a
 5 fiasco. It was -- and I went to Houston with her and
 6 Daniel.
 7 As a matter of fact, we were in New York City at
 8 the time. Contrary to reports. We were in New York City
 9 on tour for a video that she had done called "Eden Quest"
 10 and also for my film "To The Limit" and to a new film
 11 that I was involved with Anna and was going to star in
 12 called "Skyscraper."
 13 So we went to New York to do the Howard Stern
 14 show to do --
 15 Q The radio show?
 16 A The radio talent.
 17 She also did Conan O'Brien. I think that was --
 18 she also did -- at the time there was a couple of other
 19 shows that she did. The actress Hutton had a television
 20 show that she did out of her home in Tribeca, and it was
 21 a -- it was a talk show. And so Anna did that show too.
 22 So we were actually in New York City, and that's where
 23 we -- that's when we found out that J. Howard had passed.
 24 Q How would you describe your relationship, your
 25 role, in the life of Anna Nicole Smith at that particular

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1 time?
 2 A I would say that we had a very close friendship,
 3 a very close work-related friendship. I always was
 4 working in tandem with her agents and trying to see if I
 5 could do something to help further her career. We had a
 6 very close friendship.
 7 Q Did you maintain a friendship with Anna Nicole
 8 until her death?
 9 A Yes.
 10 Q And did you maintain a relationship with Daniel
 11 until his death?
 12 A Yes.
 13 Q Did you ever come to meet an individual named
 14 Mark Hatten?
 15 A Yes.
 16 Q Did you ever come to meet his sister, Jackie
 17 Hatten?
 18 A Yes.
 19 Q Would you tell me about how you came to meet
 20 Mark Hatten and Jackie Hatten.
 21 MR. MAYNARD: Objection to form.
 22 THE WITNESS: I'm sorry. Did somebody say
 23 something?
 24 BY MR. WOOD:
 25 Q Yeah. It's an objection just for the record.

28

1 A Okay.
 2 Q Would you tell me -- let's start with first Mark
 3 Hatten. How was it that you came to meet Mark Hatten?
 4 Did you meet him first or Jackie first?
 5 A I believe Jackie.
 6 Q Okay. Why don't we start with Jackie then. How
 7 did you first meet -- the circumstances when you first
 8 met Jackie Hatten.
 9 A The first time I met Jackie Hatten, I had come
 10 to pick Daniel up. They were living at the Hartsook
 11 house, which would have been in Valley Village.
 12 Q What year?
 13 A She was living with her son Daniel.
 14 Q What year was that?
 15 A Somewhere around '98, '99. Because she had
 16 moved to Burbank when she sold her Bel-Air home, and then
 17 she moved from Bel-Air -- from Burbank to Valley Village.
 18 And I'm not sure -- it's '98 or '99.
 19 Q Okay. I interrupted you. I'm sorry. You said
 20 that you were going to pick up Daniel?
 21 A I was going to pick up Daniel, and it was in the
 22 morning, to take him to school. At that particular time
 23 I had really been very close to Daniel. It was like very
 24 close father/son relationship, even though I always
 25 prefaced the fact to him that I wasn't his father. But

<p style="text-align: center;">29</p> <p>1 we had like a father and son relationship at that -- even 2 back then. 3 And so even though I might not have been in the 4 house 24/7, I would make sure Daniel went to school and I 5 made sure he was picked up. 6 I came into the house and -- in the morning, and 7 it's the first time I met Jackie Hatten. I believe her 8 and Anna had been out the night before. It might have 9 been around the Academy Awards time. I'm not sure. And 10 she was there. And I just said "Hello" and took Daniel 11 and brought him to school. 12 Q Do you know how long Jackie Hatten maintained a 13 friendship with Anna Nicole Smith? 14 A I don't know exactly, but I do know that it 15 couldn't have been more than a month or so. I had not 16 seen Jackie maybe one time, two times after that at the 17 house, the Hartsook house. And shortly after that is 18 when I met her brother. 19 Q Tell me about that. 20 A It was a Sunday, and I was at the house, and the 21 doorbell rang. And I -- once again, the Hartsook house. 22 And I went to answer it, and this big blond guy's at the 23 door. And he's, "Hey" -- you know, he started telling me 24 that he was a fashion designer. He owned a clothing 25 line. And he wanted Anna to -- to represent his clothing</p>	<p style="text-align: center;">31</p> <p>1 guy and no respect. 2 And there were friends across the street, Rene 3 and his wife, that lived across the street on Hartsook 4 that were really nice people. And I had voiced my 5 opinion to them, and they agreed. They felt that the guy 6 was just totally off the wall. 7 And anyway, for a short period of time I would 8 tolerate it because Anna said no, leave him alone. You 9 know, it's not that I intended to do anything, but 10 just -- you know, just he's -- he's just a hanger on, you 11 know. And -- but I was concerned because he had spent a 12 couple of days -- he was spending a little time at the 13 house. 14 And Daniel didn't really care for this guy at 15 all. Daniel was a little concerned. And Daniel was 16 probably maybe around 13 at the time, a teenager. And I 17 told Anna that I didn't -- I didn't feel comfortable with 18 this guy. 19 So he basically would come and go. And I met 20 Jackie Hatten a couple of other times, and that's when 21 I -- Anna told me that she said that she thought they 22 were brother and sister. 23 And then he -- by "he," Mark had said to me one 24 day -- I went over to the house to pick Danny up for 25 football practice. I had Danny involved with the Burbank</p>
<p style="text-align: center;">30</p> <p>1 line. 2 I thought the guy was really off the wall. And 3 I -- I had told him to wait, and I went in and told Anna, 4 and she says no. So I asked him to leave. He was 5 somewhat reluctant, and then he left. 6 And then he started to come around a couple of 7 times, and then I found out that he wasn't involved with 8 any clothing line. That he was a guy that I believe Anna 9 had met -- I didn't realize it at the time -- through 10 Jackie Hatten. 11 Q Were you aware of any problems that developed in 12 the relationship between Anna Nicole and Mark Hatten? 13 A Yes. 14 Q Tell me about those. 15 A Mark was a very fast talker, like he was the 16 greatest thing since Jesus. And for Daniel's sake, I had 17 told Anna I didn't want this guy around. He had 18 mentioned -- he had mentioned connections with the mob 19 and stuff like that. And I thought it was just funny, 20 you know, and -- but I could see the guy was very 21 dangerous. 22 And I was fearful for Daniel, because I felt -- 23 I felt at that time whatever Anna wanted to do was her 24 business. She didn't -- she didn't date a lot. Very 25 seldom. And anyway, I felt that he was not the type of</p>	<p style="text-align: center;">32</p> <p>1 Pop Warner league. He played football for the Burbank 2 Vikings. And we -- we had a dream -- Daniel had a dream 3 of going to Notre Dame at South Bend and becoming a 4 football player at that time. And I was training him. 5 He wanted to be a wide receiver and pass the fence. 6 So this is all at that particular time. And so 7 I had tremendous concerns about Mark. And saw Jackie 8 Hatten very little, very little. And -- but Anna would 9 say to me that she was bothered by this woman, because 10 this girl thought that she actually was a clone of Anna. 11 And it bothered Anna, because she felt that the girl was 12 obsessive, you know. 13 And so I told her, I said, "Why don't you just 14 tell her to leave?" And -- but Anna -- Anna was a very 15 good woman. Anna was a very good woman. She had 16 difficulty breaking things. You know, she could be 17 talked into, you know, Jackie calling up and going, oh, 18 you know, whatever it is, or this and that, you know. 19 And Anna had a great heart. She just was a good 20 woman that way. And she would just give to people who 21 didn't deserve it, in my opinion, and in Daniel's 22 opinion. And Daniel didn't like her either. 23 Q Daniel did not like Jackie Hatten? 24 A No. 25 Q And Daniel did not like Mark Hatten?</p>

<p style="text-align: center;">33</p> <p>1 A No.</p> <p>2 Q Was Jackie Hatten Daniel's godmother?</p> <p>3 A No way.</p> <p>4 Q Do you know how it came that the relationship</p> <p>5 between Anna Nicole Smith and Mark Hatten and Jackie</p> <p>6 Hatten ended?</p> <p>7 A I think that it was just that -- I just think</p> <p>8 that it was -- the guy was just too out there, and Anna</p> <p>9 was afraid of him, you know. And Daniel was afraid of</p> <p>10 him. I don't know what he was -- I don't know. I don't</p> <p>11 know what he was taking, what the situation was, but he</p> <p>12 had a very violent streak that she was afraid of.</p> <p>13 Q Was there ever any incident that you witnessed</p> <p>14 where he pulled a knife or a gun on her or you? Talking</p> <p>15 about Mark Hatten.</p> <p>16 A Mark Hatten one day pulled a -- went into his</p> <p>17 pocket to get a gun at me outside the house.</p> <p>18 Q Anna's house?</p> <p>19 A Yeah.</p> <p>20 And I had looked at him and I says, "Go ahead,</p> <p>21 surfer boy. What are you going to do?" You know.</p> <p>22 And he looked at me and he said, "Nobody talks</p> <p>23 to me like that."</p> <p>24 I said, "Get used to it."</p> <p>25 So I'm looking up at this big guy, and I just</p>	<p style="text-align: center;">35</p> <p>1 THE WITNESS: Okay.</p> <p>2 BY MR. WOOD:</p> <p>3 Q Do you know approximately at what point in time</p> <p>4 date-wise, year-wise, Anna Nicole's relationship with</p> <p>5 Mark Hatten and Jackie Hatten ended?</p> <p>6 MR. MAYNARD: Objection to form.</p> <p>7 THE WITNESS: I can't say that for sure. They</p> <p>8 were both extremely aggressive with Anna in reference to</p> <p>9 wanting to be around, even though I had not seen Jackie</p> <p>10 very often. But I don't know what the middle of the</p> <p>11 night phone calls might have -- I don't know this.</p> <p>12 BY MR. WOOD:</p> <p>13 Q From your observation, let's take the time</p> <p>14 period before Daniel's death, how long had it been before</p> <p>15 Daniel's death -- from your observation -- had it been</p> <p>16 that Anna Nicole Smith had seen Jackie Hatten?</p> <p>17 MS. MCNAMARA: Objection.</p> <p>18 THE WITNESS: (Indicating).</p> <p>19 BY MR. WOOD:</p> <p>20 Q Months, weeks, years?</p> <p>21 A Do I answer when somebody says "objection"?</p> <p>22 Q Yeah. Her objection's just for the record.</p> <p>23 A Okay. I'm sorry.</p> <p>24 As far as I knew -- and Anna and I were very,</p> <p>25 very close -- I don't -- I don't think it went much more</p>
<p style="text-align: center;">34</p> <p>1 knew that I had to stick up -- I had to stand up to him</p> <p>2 at that point.</p> <p>3 And I saw that he had a gun in his pocket. And</p> <p>4 we had a con- -- an argument, and I told him what I</p> <p>5 thought of him, and he kind of backed away. And I got in</p> <p>6 my car and I left.</p> <p>7 A couple of hours later, I called Anna, because</p> <p>8 I had no cell phones at that time, and I called her and I</p> <p>9 told her that I was really disappointed in her. And she</p> <p>10 said, "I agree with you, but I'll handle it, Ray. Let me</p> <p>11 handle it."</p> <p>12 Q Do you know when -- approximately when Anna</p> <p>13 Nicole Smith's relationship with Jackie Hatten and Mark</p> <p>14 Hatten ended?</p> <p>15 MR. MAYNARD: Objection to form.</p> <p>16 THE WITNESS: I didn't hear the question.</p> <p>17 MR. WOOD: I'll read it back.</p> <p>18 BY MR. WOOD:</p> <p>19 Q Do you know --</p> <p>20 MR. MAYNARD: I'm just objecting to form.</p> <p>21 THE WITNESS: I'm sorry, sir.</p> <p>22 MR. MAYNARD: That's okay.</p> <p>23 THE WITNESS: I didn't hear.</p> <p>24 MR. MAYNARD: I'm just letting you know it's</p> <p>25 just for the record.</p>	<p style="text-align: center;">36</p> <p>1 beyond that. Because Kimmy had come into our lives, Kim.</p> <p>2 And at that particular time I was really focused</p> <p>3 on a project with Dustin Hoffman and Fred, and I was</p> <p>4 somewhat reluctant -- even though I made sure that Daniel</p> <p>5 went to school every day and was picked up every day --</p> <p>6 let me preface that Sam, her assistant, had left, so at</p> <p>7 that particular time she had, to my knowledge, no</p> <p>8 assistant.</p> <p>9 And I think Mark, over the course of a couple of</p> <p>10 months, kept coming back, and I don't know -- I'm trying</p> <p>11 to think of the time line as far as when Anna went to</p> <p>12 Houston for her -- for her case.</p> <p>13 I had -- Anna had not talked to me about her,</p> <p>14 but I did get a call one night from Jackie Hatten.</p> <p>15 Q When was that?</p> <p>16 A Towards the year 2000 or 1990- -- in that area,</p> <p>17 and had said that she wanted to come over and talk to me</p> <p>18 and everything.</p> <p>19 And I said, "There's no reason to talk to me."</p> <p>20 And she had expressed kind of, "Well, I want to</p> <p>21 see Anna," and this and that.</p> <p>22 And I said, "Then call Anna. Don't call me.</p> <p>23 How did you get my number?"</p> <p>24 And she said, "Well, I always had your number."</p> <p>25 And blah, blah, blah, blah. And then she called me a</p>

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1 couple of other times and I told her not to call me.
 2 Q What did you think of Jackie Hatten?
 3 A Excuse me?
 4 Q What did you think of Jackie Hatten?
 5 A I thought that she was a sociopath. I thought
 6 that she was -- I thought that she was -- I felt that she
 7 was trying to live her life through Anna. I just felt
 8 that she thought that she was this great, beautiful woman
 9 who, you know, I -- it was almost sad to me in reference
 10 to how both these people were trying to keep themselves
 11 in Anna's life.
 12 But Anna didn't talk very much about Jackie
 13 Hatten. And I assumed that she had -- you know, that
 14 Jackie had just, you know, faded out of the picture and
 15 then her brother would come back -- would come around
 16 every now and then and try to cause problems.
 17 And then I was not there the time that he had
 18 the altercation with Rene across the street when he tried
 19 to break into Anna's house.
 20 Q That ultimately ended up with him being --
 21 A Yeah. I was not there.
 22 Q -- serving time in prison?
 23 A I was not there, no.
 24 Q From your knowledge, prior to Daniel's death,
 25 had it been years since Anna Nicole had seen Jackie

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1 Hatten?
 2 A According to my knowledge, yes.
 3 Q And had not discussed her --
 4 A Not with me.
 5 Q -- with you during those years?
 6 A No. Neither did Daniel.
 7 Q I wanted to take a break in just a minute, but I
 8 want to ask you before we do that, I know that you spoke
 9 with Rita Cosby.
 10 A Yes.
 11 Q Did you have an opportunity to tell Rita Cosby
 12 what you thought of Jackie Hatten?
 13 A Yes.
 14 Q What did you tell Ms. Cosby?
 15 A Well, before -- I think you have to hear how the
 16 conversation started with Rita Cosby.
 17 Q In terms of how she came to interview you?
 18 A Yeah.
 19 Q Well, let's go -- let's go it that way. Let's
 20 take a break. We've been going for awhile. Let's give
 21 you a rest and we'll take care of that from that point
 22 on.
 23 A Okay.
 24 THE VIDEOGRAPHER: Off the record at 10:58 a.m.
 25 (Recess)

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1 THE VIDEOGRAPHER: Back on the record at 11:15
 2 a.m. This is the start of Tape 2.
 3 BY MR. WOOD:
 4 Q Before we go to the discussions that you had
 5 with Rita Cosby, let me cover just a couple of other
 6 areas with you about Jackie Hatten.
 7 Did Jackie Hatten -- was she involved in Anna
 8 Nicole Smith's life in any fashion, to your knowledge,
 9 before the death of Mr. Marshall?
 10 A No. Not at all.
 11 Q And I believe Daniel was living with you the
 12 summer before his death; is that true?
 13 A Yes, sir.
 14 Q To your knowledge, did Daniel ever during that
 15 time period that he was living with you -- I think it
 16 was, what, from May until the time of his death in
 17 September?
 18 A Yeah.
 19 Q Did he have any contact with Jackie Hatten?
 20 A Not to my knowledge.
 21 Q Ms. Hatten claims that Daniel asked her if she
 22 would go to the Bahamas with him.
 23 Do you believe that?
 24 A No.
 25 Q Saying that he was scared to be alone with

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1 Howard there.
 2 Do you believe that?
 3 A No.
 4 Q That Daniel had told Jackie Hatten that Howard
 5 Stern would not let Daniel talk to his mother.
 6 Do you believe that?
 7 A Now, you're saying this from Jackie Hatten's
 8 point of view?
 9 Q Yes. That Jackie Hatten claims that to be.
 10 A I don't believe it.
 11 Q She also -- Jackie Hatten claims that Daniel
 12 told her that he would witness men going into his
 13 mother's bedroom and then coming out and giving money to
 14 Howard. That, in effect, Howard was prostituting his
 15 mother. Jackie Hatten said Daniel told her that.
 16 Do you believe that?
 17 A No way.
 18 Q Do you think Jackie Hatten is believable, based
 19 on your dealings with her and your knowledge of when she
 20 was and was not a part of Anna Nicole's life?
 21 A No. I don't think she is believable.
 22 Q How about Mark Hatten?
 23 A I don't think he is believable.
 24 Q Do you think you would view them in any fashion
 25 as being reliable?

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1 A No.

2 Q Have you read "Blonde Ambition"?

3 A I've only read the first 40 pages. I can't --

4 God bless you. I can't -- I can't read it.

5 Q Are you familiar with the accusations that are

6 published in that book about Mr. Stern and Larry

7 Birkhead, accusations of homosexual acts made and

8 allegedly -- made by and allegedly witnessed by Jackie

9 Hatten?

10 MR. MAYNARD: Objection to the form of the

11 question.

12 THE WITNESS: I would -- I would find that

13 highly unlikely.

14 BY MR. WOOD:

15 Q From your observation and knowledge, Jackie

16 Hatten was never a part of Anna Nicole's life during the

17 time period that Anna Nicole had a relationship with

18 Larry Birkhead; is that true?

19 A As far as I know.

20 Q Would you describe, from your knowledge, Jackie

21 Hatten as one of Anna's closest friends?

22 MR. MAYNARD: Objection to form.

23 THE WITNESS: Want to give that to me again.

24 BY MR. WOOD:

25 Q Yeah.

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1 Would you describe -- do you believe it would be

2 accurate to describe Jackie Hatten as one of Anna Nicole

3 Smith's closest friends?

4 A No.

5 MR. MAYNARD: Objection to form.

6 BY MR. WOOD:

7 Q You may answer.

8 A No.

9 Q I want to read a section from "Blonde Ambition"

10 to you, Page 202.

11 "One of Anna's closest friends, Jackie Hatten,

12 says she knows what Howard has on Larry. One night at a

13 friend's house in Los Angeles, Jackie was supposed to

14 meet Larry Birkhead for the first time. Anna had been

15 telling her about the blond-haired, blue-eyed

16 photographer that she'd been seeing and wanted her to

17 meet him.

18 "Late that night at the party, Jackie went

19 looking for Anna around the house. Jackie walked down a

20 hallway, peaking into rooms. In one darkened bedroom,

21 she came upon two men, Howard K. Stern and another man

22 whom she was about to discover was Anna's boyfriend,

23 Larry Birkhead.

24 "She" -- talking about Jackie Hatten -- "She

25 says both men had their shorts off and Howard was down on

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1 his knees. Larry was sitting in a big, oversized love

2 seat chair and both men had their pants down around their

3 ankles. Howard's head was down into Larry's crotch,

4 Jackie told me. Their bodies were intermingled. It was

5 obvious what was happening.

6 "Anna suddenly walked up behind her and laughed

7 out loud when she also saw what the two men were doing.

8 The boys didn't stop, Jackie said. They were engrossed

9 and making their own sounds. Jackie said she and Anna

10 watched the scene from about 15 feet away, definitely

11 close enough to see what was happening.

12 "Jackie was shocked. Anna wasn't. She grabbed

13 her friend's arm. 'Come her, come here, come here,' Anna

14 said. 'Howard, you know he's gay. I told you. And if

15 Larry wants to do it, I can't complain because I do what

16 I do.'

17 "Anna's sexual escapades with women were openly

18 discussed between she and her friends. I guess anything

19 goes. Anna had laughed."

20 Now, that story that I just read to you is

21 verbatim published in "Blonde Ambition" allegedly, as

22 described in the book, an event eyewitnessed by Jackie

23 Hatten.

24 From your knowledge of the time period when

25 Jackie Hatten was a part of Anna Nicole Smith's life, do

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1 you believe that happened?

2 MS. MCNAMARA: Objection to form. I'm sorry.

3 Object to form.

4 BY MR. WOOD:

5 Q Do you believe that story's true?

6 MS. MCNAMARA: Object to form.

7 THE WITNESS: No, I don't believe it's true.

8 BY MR. WOOD:

9 Q Why not?

10 A Because I -- I don't know these individuals to

11 be that way. I -- I don't even -- I don't even know if

12 Jackie was in her life at that time.

13 I would have to preface that, for about a year

14 and a half, two years, I had pulled away from Anna

15 because of the television show that she did. We had

16 major arguments about that.

17 Q That was before she had a relationship with

18 Mr. Birkhead, wasn't it?

19 A Yes.

20 Q You were back in her life after she had the

21 relationship with Mr. Birkhead?

22 A After she had the relationship with -- I believe

23 Howard called me and said that he wanted me to come over.

24 That there was some project or something that they were

25 going to work on. And I went by the house and saw Anna

<p style="text-align: center;">53</p> <p>1 A No.</p> <p>2 Q Did Daniel ever tell you that he -- he confide</p> <p>3 to you at any time that he had seen men coming into his</p> <p>4 mother's bedroom and Howard taking money from them? Did</p> <p>5 Daniel ever tell you anything like that?</p> <p>6 A If you knew Daniel, that would be an</p> <p>7 impossibility.</p> <p>8 Q Why is that?</p> <p>9 A Because no way would Daniel ever confide in</p> <p>10 anybody in that. Nor would that ever happen in front of</p> <p>11 him. No way, no how.</p> <p>12 I have to be very firm, because that evolves</p> <p>13 around somebody that's very personal to me, and that's</p> <p>14 Daniel Smith. There's no way Daniel would have seen</p> <p>15 that, accepted it, nor gone ahead and told somebody like</p> <p>16 a Jackie Hatten who wasn't even in his life at the time</p> <p>17 that something like this occurred.</p> <p>18 Nor do I believe it did occur. There was a lot</p> <p>19 of misconceptions about Anna Nicole Smith, a lot of</p> <p>20 misconceptions. Okay? She loved her husband. No doubt</p> <p>21 about it. I see it. I saw the love.</p> <p>22 Q Are you talking about Mr. Marshall?</p> <p>23 A Yes. No doubt about it in my mind. As a matter</p> <p>24 of fact, I grew fonder of Anna when I saw how she treated</p> <p>25 her -- her husband and how she really, really tried. And</p>	<p style="text-align: center;">55</p> <p>1 very eccentric, extremely tall, heavysset man who, through</p> <p>2 somebody, found out who I was, that I was a writer and</p> <p>3 everything and director.</p> <p>4 And he had always been -- in his words, a closet</p> <p>5 actor. He said that he had done some acting with Ed</p> <p>6 Wood, the eccentric filmmaker. And that he was a</p> <p>7 bodyguard to certain people. And that he had a very</p> <p>8 important status with the Army, the Marines, stuff that</p> <p>9 he couldn't tell me. And I says "I don't want to know</p> <p>10 nothing."</p> <p>11 Okay. And -- but friends of mine would say to</p> <p>12 me at the place, "Ray, why are you befriending him? He's</p> <p>13 out of his mind."</p> <p>14 And I'd say "I like the man, he's eccentric.</p> <p>15 He's interesting. He doesn't" -- you know, let people</p> <p>16 say what they want. To me, it was -- to me, I grew up in</p> <p>17 New York City. I grew up around eccentric people.</p> <p>18 So Jack became a person that I would always talk</p> <p>19 to. Sometimes I would talk on the phone to his wife, who</p> <p>20 was Italian -- who is Italian, and we'd talk a little bit</p> <p>21 in Italian and everything. And they invited me over the</p> <p>22 house a couple of times to eat. I never went. But he</p> <p>23 was a friend.</p> <p>24 And then I stopped going to Priscilla's and I</p> <p>25 started to go to Starbucks, which would have been in the</p>
<p style="text-align: center;">54</p> <p>1 every night she would say good night to Howard. Every</p> <p>2 night she had his picture next to her bed.</p> <p>3 Forget about what was going on. We're talking</p> <p>4 about an 80- or 90-year-old man. She really loved this</p> <p>5 man. She was devoted to him. She was 27, 28. What</p> <p>6 could I say to you?</p> <p>7 Q At some point in time you introduced Daniel to</p> <p>8 Jack Harding?</p> <p>9 A Yes.</p> <p>10 Q And tell me why you made that introduction.</p> <p>11 A Well, I -- I'm not a person who hangs out in</p> <p>12 bars or clubs. Whoever does that, that is their</p> <p>13 business. I grew up in New York City hanging out in</p> <p>14 candy stores.</p> <p>15 My writing mechanisms as a writer -- and we all</p> <p>16 write differently. People need to be alone. I need to</p> <p>17 be in a space where there's an environment around that I</p> <p>18 can shut people off, but I'm in that environment. I do</p> <p>19 write alone. I do get up in the middle of the night and</p> <p>20 write alone. I do.</p> <p>21 But for the most part, when I'm going to spend</p> <p>22 my day, I'd rather go into a coffee shop, Aroma Cafe,</p> <p>23 Priscilla's, Starbucks, sit in the back of a corner, plug</p> <p>24 in, and write.</p> <p>25 And that's where I met Jack Harding. He was a</p>	<p style="text-align: center;">56</p> <p>1 Vons shopping center which is on Pass Avenue. And Jack</p> <p>2 used to come in there.</p> <p>3 So when Danny came to live with me, my partner,</p> <p>4 Danny Sorokan, and myself, that we wrote this Joe</p> <p>5 DiMaggio script, would write there. We'd go sit in the</p> <p>6 corner, and Jack would come in and he'd say "Can I sit</p> <p>7 down for" --</p> <p>8 I said, "Yeah, Jack, we have a little time."</p> <p>9 We'd take a break and we would talk.</p> <p>10 Danny happened to be there one day, and I</p> <p>11 said -- and I had expressed to -- to -- he had found out</p> <p>12 about my friendship through everybody, you know, friends</p> <p>13 that had known -- that I told them, oh, that I had a</p> <p>14 friendship with Anna. And he had seen some of my films</p> <p>15 and, you know, like I said, he was a wannabe. I believed</p> <p>16 he was -- I believed that he was a private investigator</p> <p>17 and everything, but he also wanted to be an actor.</p> <p>18 And so I -- I had expressed a couple of times --</p> <p>19 I remember one time he came into the coffee shop and I</p> <p>20 was down, really feeling depressed and had been going</p> <p>21 through a lot of depression. And had given up my</p> <p>22 apartment and was living with a friend of mine and just</p> <p>23 was kind of breaking away from everything and trying to</p> <p>24 stay strong to my decision with Anna Nicole to -- to --</p> <p>25 to not be involved in what that show was about. And that</p>

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1 couple of days later in the morning to go to school, and
 2 he came running out of the house -- not running, but I
 3 could see that he was a little disturbed.
 4 And, like I said, I had never heard Daniel
 5 curse. And he says -- he got in the car, slammed the
 6 door, and he says "Let's get the F out of here."
 7 And I said, "Whoa. Wait a minute. What's going
 8 on here? What are you talking about? Are you cursing?"
 9 You know.
 10 He says "Let's get out of here. Mom's going --
 11 mom's leaving. She's going to -- she's running away."
 12 Q And that was to South Carolina with Ben Thompson
 13 and Ford Shelley?
 14 A To South Carolina. I believe that she was going
 15 to leave that day. They were going to come and pick her
 16 up by jet.
 17 Q They were going to fly over and pick her up?
 18 A Fly her. Or the next day.
 19 Q Do you recall during this time period that
 20 Howard was not around very much because he was working on
 21 the United States Supreme Court case for Anna?
 22 A Yes. I mean, I would go over to the house and I
 23 would see Howard sleeping at times on the couch. Like,
 24 you know, with his clothes on and stuff like that.
 25 And --

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1 Q You knew he was working -- spending a lot of
 2 time during this time period working on that Supreme
 3 Court case?
 4 A Yeah. And also with the fact that this guy was
 5 involved -- this guy is -- you know, is working with Anna
 6 and, you know, and he's stealing money from her and --
 7 Q Are you talking about Nathan Collins?
 8 A Yeah. Nate.
 9 Q Did you ever -- did you try to talk to Anna
 10 Nicole to caution her not to go that day with Ben
 11 Thompson and Ford Shelley?
 12 A Yes, I did.
 13 Q But she went anyway?
 14 A Yes, she did.
 15 Q Is that -- did that get discussed -- Daniel's
 16 concerns about his mom hanging around with Ford Shelley
 17 and Ben Thompson, was that discussed with Jack Harding?
 18 A It might have been discussed in conversations --
 19 not that Jack Harding -- I mean, not that Ben or Ford
 20 were evil, is that -- Daniel was concerned about mom's
 21 future, and that I believe they were involved in real
 22 estate and stuff like that, and that he felt that they
 23 were going to use her money to buy up land and stuff like
 24 that.
 25 And I originally first said, well, you know,

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1 it's -- it's -- real estate is a good investment, you
 2 know. And -- but he had concerns. Okay. He had
 3 concerns.
 4 Q Did he ever express to you that he -- in your
 5 presence or to you -- I'm sorry -- in the presence of
 6 Mr. Harding and you or just to you alone, that he wanted
 7 Mr. Harding to in some fashion investigate Ben Thompson
 8 and Ford Shelley?
 9 MR. MAYNARD: Objection to form.
 10 THE WITNESS: No. As a matter of fact -- as a
 11 matter of fact, I had asked. I had asked --
 12 BY MR. WOOD:
 13 Q Jack Harding?
 14 A -- Jack Harding.
 15 And Jack says "Ray, I don't like to get involved
 16 with that."
 17 I said, "You know, you're right. You're my
 18 friend." You know, it's like -- so, you know, you find
 19 out through other channels.
 20 So the point is, Daniel expressed concern about
 21 his mother in front of Jack. But Jack in front of me --
 22 and I remember the day, Jack said, "Well, look, Daniel,
 23 if you ever need any help around here in Los Angeles," he
 24 gave him his card, "Nemesis," okay. Which he gave him
 25 his card and Daniel took and looked at me.

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1 And I said, "Daniel, take the card." You know.
 2 So when we left, he says, "Well, that guy's off
 3 the wall." You know.
 4 And I said -- you know, but he took it. You
 5 know, he -- I don't remember -- I didn't see -- he put
 6 this -- Jack's card in his wallet.
 7 We may have seen Jack a couple of times after
 8 that because I was writing every day and Daniel -- I
 9 would bring him to school. I would come back. I would
 10 write. I'd go pick him up.
 11 And then he got his license, and then I would
 12 give him the car to go to school. And he would come
 13 right home after school. I was with him like -- but
 14 Daniel was -- Daniel was upset with his mother going to
 15 the Bahamas.
 16 Q And concerned about Ben Thompson and Ford
 17 Shelley?
 18 A Concerned about everybody.
 19 Q Concerned about their trying to potentially use
 20 her money to get her involved in real estate?
 21 MS. MCNAMARA: Objection to form.
 22 BY MR. WOOD:
 23 Q Is that right?
 24 A He was concerned about everybody.
 25 Q When you say "everybody" --

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1 that day, Anna had called or Howard had called and said
 2 that they wanted me thrown out of the hospital. That
 3 they didn't want me around Daniel.
 4 And Daniel says "I'm 20 years old. Absolutely
 5 not. Raymond's like my father. Raymond stays here with
 6 me."
 7 The strange thing about it is, the incident that
 8 I told you about when I rushed Anna to St. Joseph
 9 Hospital 10 years before that, I was in the same room
 10 with the same nurse that took care of Anna that night.
 11 And when Daniel came in and she saw me, and even the
 12 doctors had remembered me, it was like very eerie, very
 13 strange that Daniel would be in the same room with the
 14 same nurse 10 years later.
 15 And the doctor had come over to me. He says
 16 "God bless you, you're still -- you're still, you know,
 17 with Anna and Daniel and everything."
 18 And I said, "Yeah, we're friends," you know, and
 19 everything and -- but I was -- they were told to not let
 20 me go into the -- they were told to not let me see Daniel
 21 when I came back.
 22 Q Didn't Anna Nicole want Daniel to come live with
 23 you after an incident had occurred where Daniel had
 24 stayed out all night and not called?
 25 A She wanted him to come live with me because she

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1 was -- it was affirmative that he was not going to the
 2 Bahamas, or he was not going to South Carolina. There
 3 was no way. He wanted to continue to go to school. He
 4 wasn't doing very well in school, but -- at that time at
 5 LAVC. But he had taken a very difficult course that
 6 summer, and I said you get a straight A or you leave
 7 here.
 8 And it was -- I believe it was political sci- --
 9 it was a very difficult class for Daniel. He had never
 10 taken it before. And he got a straight A.
 11 Q Let me move forward back to Jack Harding.
 12 Did Jack Harding ever contact you and tell you
 13 that he had met with Daniel outside of your presence?
 14 A Jack Harding -- after Daniel had passed away in
 15 September, I just totally went underground. I was just
 16 totally emotionally destroyed. And so I had not seen
 17 Jack Harding or anybody.
 18 And I got a call one night at my house from Jack
 19 Harding. I believe it was in October or November, I'm
 20 not sure, of 2006, where Jack tells me this story.
 21 Q What story?
 22 A The first story he told me was that Danny had
 23 gotten in touch with him and that they had only talked on
 24 the phone. He did not tell me that Daniel had met with
 25 him.

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1 Q So he had this -- the first time he talked to
 2 you about Daniel --
 3 A Getting in touch with him.
 4 Q -- was -- he told you it was only in a phone
 5 conversation?
 6 A It was only in a phone conversation. And I
 7 really got upset with him. And I said, "Jack, you're
 8 supposed to be my friend. You know?" And I really laced
 9 into him.
 10 I says "You mean to tell me something was going
 11 on in Daniel, and he's having private conversations with
 12 you, and as my friend you don't tell me, when I'm
 13 responsible for this boy?"
 14 Q What did he tell you the telephone call was
 15 about?
 16 A Well, he said that Daniel had called him and
 17 said that he wanted him to go to the Bahamas. He wanted
 18 to hire him.
 19 Q To do what in the Bahamas?
 20 A To go to the Bahamas and investigate. And Jack
 21 had said to me on the phone -- now, I'm hearing this for
 22 the first time. And I'm saying "Jack, I can't believe
 23 you're telling me this." And it was only a couple of
 24 months after Daniel died.
 25 And so Jack, he says "Well, I hope you're not

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1 mad at me. Why would you be mad at me?"
 2 And I said, "Because you're my personal friend.
 3 You were my friend. You know what I mean?"
 4 And he says "Well, a client" -- you know, he
 5 says "I -- I can't give personal information away."
 6 And I really tore into him. I said, "First of
 7 all, you never -- he never hired you. He never -- what
 8 are you talking about?" I said, "You are my friend."
 9 Q So he told you that -- he claimed that Daniel
 10 wanted him to hire him to go to the Bahamas to
 11 investigate --
 12 A Right. On the phone. But Jack had said --
 13 Q Investigate who or what?
 14 A Investigate everybody.
 15 Q Are you talking about Ben Thompson and Ford
 16 Shelley and what was going on with the real estate,
 17 et cetera?
 18 A Yeah. And what's going on with Howard and what
 19 Howard's mom is doing and how she's feeling and so on and
 20 so forth.
 21 Q Investigate his mom too?
 22 A Yeah. He was -- and Jack Harding said to me on
 23 the phone that he told Daniel, "Look, Daniel, I'm only
 24 licensed to -- here in California. Not only that, but if
 25 I go down there, it's very expensive," and so on and so

<p style="text-align: center;">73</p> <p>1 forth.</p> <p>2 Jack never told me that Daniel met with him. He</p> <p>3 said it was only a phone conversation. So he says "I</p> <p>4 discouraged him and told him I couldn't help him."</p> <p>5 Q Okay. Did he ever discuss with you again any</p> <p>6 meeting with Daniel? Did he ever tell you he had a</p> <p>7 face-to-face meeting with Daniel?</p> <p>8 A No. I shut Jack off from that point on. He</p> <p>9 called my house a couple of times. He was telling people</p> <p>10 he wanted to see me. And I never saw Jack or spoke to</p> <p>11 him after that. Never.</p> <p>12 Q And I assume you're aware of the fact he now</p> <p>13 claims that he actually had a face-to-face meeting with</p> <p>14 Daniel?</p> <p>15 A Yes. He also claims -- if I can say this.</p> <p>16 Q Sure.</p> <p>17 A I don't want to volunteer any information.</p> <p>18 But I was also told that Jack Harding had</p> <p>19 claimed that I told Jack Harding, me, Raymond Martino,</p> <p>20 that I was trying to get Daniel off drugs, which is a</p> <p>21 100 percent lie.</p> <p>22 Q You don't believe Jack Harding when he claims</p> <p>23 that he met face to face with Daniel, do you?</p> <p>24 A No. I don't. I don't see Daniel doing this and</p> <p>25 not telling me. I don't see it. Unless -- I don't see</p>	<p style="text-align: center;">75</p> <p>1 And she says "Hi. This is Rita."</p> <p>2 And I said, "Rita?"</p> <p>3 And she said, "Yeah, Rita Cosby." And I didn't</p> <p>4 hear "Cosby." I just heard -- I says "Oh, Rita, well,</p> <p>5 thank you -- you know, I wanted to thank you very much</p> <p>6 for the article you wrote on us."</p> <p>7 And she says "No. She said, "Ray. This is Rita</p> <p>8 Cosby, you know, the" -- and I said -- and then it hit.</p> <p>9 And I said, "How did you get my number? Why are you</p> <p>10 calling me?" You know.</p> <p>11 And she said, "Ray, don't hang up," or something</p> <p>12 to that effect. Because I had been refusing to talk to</p> <p>13 anybody, from Greta Van Susteren to Larry King to Geraldo</p> <p>14 to all these people. And she said, "Please don't hang</p> <p>15 up." She says "I'll tell you the reason why I'm</p> <p>16 calling."</p> <p>17 And she said that she was very upset, and she</p> <p>18 felt it was her duty as a journalist that she was going</p> <p>19 to do a piece on Anna that was going to be positive,</p> <p>20 because everybody had been laughing at her death and had</p> <p>21 been saying very bad things about Anna and so on and so</p> <p>22 forth. Which was true.</p> <p>23 And she said to me, "And I heard and I know for</p> <p>24 a fact from several people that you would have a</p> <p>25 beautiful story that you could tell that maybe I can use</p>
<p style="text-align: center;">74</p> <p>1 it.</p> <p>2 Q But clearly there's no question in your mind</p> <p>3 that what Jack Harding told you was that the only contact</p> <p>4 he had with Daniel was by telephone?</p> <p>5 A Yes. And I knew Daniel had his card. I did</p> <p>6 know that, because he had given it to Daniel a month or</p> <p>7 so earlier in my presence.</p> <p>8 Q The -- I told you we were going to get to it.</p> <p>9 It took a little longer, but I want to go back to Rita</p> <p>10 Cosby and when she first called you to ask for an</p> <p>11 interview.</p> <p>12 Do you remember that?</p> <p>13 A Yeah. I -- the funny thing about it is that a</p> <p>14 woman named Rita -- I don't remember her last name -- had</p> <p>15 just a couple of months before that done a beautiful</p> <p>16 article on me and Joey Travolta in the Daily News about</p> <p>17 our work with autism kids.</p> <p>18 And so I believe it was on a Saturday night that</p> <p>19 she called. I don't have a date in front of me. I</p> <p>20 remember coming home from church. I was very depressed.</p> <p>21 It had been maybe a month or a month and a half after</p> <p>22 Anna died. I'm not sure when. But I was very depressed.</p> <p>23 And I get a phone call, and the woman says</p> <p>24 "Ray?"</p> <p>25 And I said, "Yes."</p>	<p style="text-align: center;">76</p> <p>1 in my -- in my -- on my program" or "my article." I</p> <p>2 don't remember.</p> <p>3 I had -- prior to that, I had had a lot of</p> <p>4 respect for Rita. I knew that her -- you know, I knew --</p> <p>5 I had watched her programs, and, you know, I thought that</p> <p>6 she was good at what she does -- she did, you know, with</p> <p>7 the Pope and everything.</p> <p>8 And anyway, I said, "Rita, look," I says "I have</p> <p>9 one story that meant a lot to me, and I think it really</p> <p>10 will show the heart of Anna." And I told her a story</p> <p>11 about Anna and my mother.</p> <p>12 And she said, "That's a beautiful story. Do you</p> <p>13 mind if I use it?"</p> <p>14 I said, "No, I don't mind if you use it, but</p> <p>15 please do not use my mother's name. She's passed on."</p> <p>16 And she says "Okay." She says "That's a</p> <p>17 beautiful story." She says "I'm really touched by that</p> <p>18 story."</p> <p>19 And I said, "That's really the Anna that I</p> <p>20 knew."</p> <p>21 And all of a sudden she started talking in segue</p> <p>22 into other things. And I had been very quiet about</p> <p>23 anything up until that point. And so she started talking</p> <p>24 about certain things. And I guess I was voicing my</p> <p>25 opinion, and it's not clear to me everything that I had</p>

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<p>1 said, but I do remember the Jackie -- that Jackie 2 Hatten -- 3 Q What did you say to her about Jackie Hatten? 4 A I was like shocked when the name came up, like I 5 didn't understand why are we segueing into this person, 6 you know. 7 And I don't know if I had received a phone call 8 from Jackie Hatten prior to the call from Rita Cosby, but 9 I had received a couple of phone calls from them telling 10 me about this big inci- -- she was telling me, "You got 11 to get involved, Raymond. There's this big investigation 12 with the FBI." 13 I said, "What are you talking about?" I said, 14 "You have the nerve to call me after you go down for a 15 memorial for Daniel and claim to be his godmother?" I 16 said, "You" -- this is -- I'm talking about Jackie 17 Hatten. 18 Q Right. 19 A So I believe I -- I believe I told this story -- 20 I believe I told this story to -- to Rita. And I told 21 her that she had no validity. That she was not a part of 22 what I knew, anything to do with Anna's life. 23 Not that she didn't probably -- that's Jackie, 24 probably didn't try to -- you know what I mean, get in 25 touch with Anna, because she was obsessed with Anna and</p>	<p>1 A Set the record straight how beautiful a woman 2 Anna was. 3 Q And never did that? 4 A And wrote that crap. 5 Q Instead used that interview to try to get 6 information from you to put in her book? 7 A Absolutely. 8 Q And in the process ask you about Jackie Hatten, 9 and you gave her the information that you had and what 10 you thought about Jackie Hatten? 11 A To the best of my ability, yes. 12 Q And so Rita Cosby, if she were to come in and 13 claim that you told her that you would give her 14 information for publication but not to use your name when 15 she published it, that wouldn't be true, would it? 16 MR. MAYNARD: Objection to form. 17 THE WITNESS: If Rita Cosby came in and said -- 18 you mean went to court? 19 BY MR. WOOD: 20 Q Yeah. If she were to come in and say "I 21 interviewed Ray Martino, and he agreed to give me 22 information but would not allow me to use his name and 23 wanted me to treat the information as confidential," 24 would that be true? 25 A Absolutely. Because of what I just told you.</p>
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<p>1 so was her brother. But I believe her brother was in 2 jail at the time. 3 And I expressed my dislike for this person and 4 how angry I was about that she would go out and say that 5 she was Daniel's godmother. 6 Q Which you knew was a lie? 7 A Of course it was a lie. 8 Q And so when you told Ms. Cosby that you -- that 9 Jackie Hatten had no validity, were you conveying that 10 she was not to be believed? 11 A Well, first of all, I didn't -- Jack- -- I never 12 knew that Rita was writing a book. 13 Q She didn't tell you that, did she? 14 A No way. If she did, I'd hang up, automatically, 15 nonnegotiable. But she lured me in with the -- you don't 16 do that to my mother. You don't do that to people I love 17 in the sake of journalism, and I want you to know that. 18 Q She basically -- what you're telling me, it 19 sounds like she'd misrepresented to you what she was 20 doing? 21 A You bet. You bet. 22 Q Exacted from you a personal story about your 23 mother and Anna Nicole? 24 A Absolutely. 25 Q Claimed she was going to do a piece on it?</p>	<p>1 Meaning what I said. You could use my story about my 2 mother, but don't use my mother's name or don't use my 3 name. 4 Q In connection with the mother's story? 5 A In connection to my mother's story. If you 6 want -- do you want to know what that story was? 7 Q I do, but let me ask you this first. 8 Did -- did she -- did you make that statement to 9 her about any other information that you discussed with 10 her during that conversation or conversations? 11 A I may have. I remember saying to Rita before I 12 hung up, I says "I told you the story. I told you, I 13 hope you do a good piece on Anna, and please don't hurt 14 me." 15 She says "I promise I won't." 16 Q What was the story that you told her about your 17 mother and Anna Nicole? 18 A My father and mother lived in the Bronx. They 19 lived in a humble, two-room, one-bedroom apartment. And 20 my father was murdered at 85 years old. 21 And I had found out about it, and we were 22 scheduled to go -- this would have been in September -- 23 actually, the funny thing about it, it was 10 years to 24 the day that Daniel died. 25 And we were scheduled to go -- Anna was</p>

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<p>1 Q Do you recall where that was? 2 A No. 3 Q Do you recall whether it was CNN or Fox? 4 A I can't say for sure. It might have been CNN, 5 but I'm just not sure. 6 Q Do you recall any of the content of what she was 7 saying in that appearance? 8 A Yeah. She was saying she was Daniel's -- I 9 believe Daniel's godmother. That she was Anna's best 10 friend. That she had proof about certain things, I 11 believe, accordingly, surrounding Daniel. 12 I haven't seen this woman in 10 years. She did 13 call a couple of times and I told -- you know -- 14 Q Uh-huh. 15 A -- and I told her just don't call me. Don't 16 bother me. 17 Q Did you watch the hearings in Florida over where 18 Anna was going to be buried? 19 A Just a little bit of it, but I could not watch 20 it. 21 Q And did you happen to see the testimony of Larry 22 Birkhead? 23 A Not that I know of. 24 Q Did you ever have any conversations with 25 Mr. Birkhead concerning that testimony?</p>	<p>1 answer that question? 2 BY MS. MCNAMARA: 3 Q Let me -- let me ask you this. 4 MR. MAYNARD: It will be faster to answer that. 5 MS. MCNAMARA: Yeah, it would be faster just to 6 answer them and then we'd go home. 7 MR. WOOD: Unfortunately, that's not how the 8 deposition works. Just because it's fast to answer 9 doesn't mean you have to answer irrelevant questions. 10 THE WITNESS: This is just my opinion. I felt 11 it was the media, who glorifies in that. 12 I felt it was Vergie Arthur, who was already 13 wrapped up in her 15 minutes of fame. She couldn't even 14 give her daughter the decency to be buried as a human 15 being. She had to spit on her daughter's grave. You can 16 quote me. Okay? That's reason why I didn't want to be a 17 part of all that. 18 BY MS. MCNAMARA: 19 Q Were you aware of Howard getting any money 20 from -- from that funeral? 21 A I did not. 22 Q Were you aware of any deals that he made with ET 23 to get money from that funeral? 24 A Not that I know of. 25 Q Were you aware of Anna making any deals with ET</p>
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<p>1 A No, ma'am. 2 Q And excuse me if I've already asked you this, 3 but you didn't attend the funeral of Anna Nicole; is that 4 right? 5 A No, I did not. 6 Q And why did you not attend that funeral? 7 A Because I didn't want to be a part of what was 8 going on. 9 Q What did you see was going on? 10 A A circus. A ridiculous piece of -- to me, it 11 was something I did not want to be involved with. 12 Q And who, if any -- who did you think was 13 responsible for creating that circus, if anyone? 14 MR. WOOD: Again, Liz -- 15 THE WITNESS: I can't answer that. I -- 16 MR. WOOD: Who is responsible for creating the 17 circus? People you represent, I would think. What does 18 that have to do with this case? 19 BY MS. MCNAMARA: 20 Q Can you answer that question? 21 MR. WOOD: His opinion on who's responsible for 22 creating the circus in the Anna Nicole Smith -- 23 surrounding her funeral, I -- that question is clearly 24 not relevant and is beyond the scope of discovery. 25 THE WITNESS: Am I not able to go home unless I</p>	<p>1 after Daniel's death? 2 A Not that I know of, but I -- not that I know of, 3 but they were on ET a lot. 4 Q And you're familiar with the industry, aren't 5 you? 6 A Yes, I am. 7 Q Are you aware that often people are compensated 8 for those type of appearances? 9 A Yes. 10 Q And so did you reasonably conclude that they 11 were compensated for those appearances? 12 MR. WOOD: When you say "they," are you 13 including Mr. Stern in that? 14 MS. MCNAMARA: Yes. 15 THE WITNESS: I felt that maybe -- I felt that 16 maybe Anna might have been compensated because of the 17 nature of -- of her wanting to express whatever her 18 feelings were in the wake of her son's death and the 19 allegations by her mother, which whether they're false or 20 true have nothing to do with me. 21 BY MS. MCNAMARA: 22 Q Right. Right. 23 A You know, so what I'm trying to say is, whatever 24 Howard and Anna or Larry Birkhead make off whatever they 25 made, I haven't made a dime. I talk to no one. I don't</p>