

Meyers-direct-Cacheris

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2 A What I meant, he continually talks about the
3 tremendous amounts of money. I'm trying to impress him that
4 I can show him how to spend it if that is what the shiek is
5 interested in doing.

6 I would be the guy to advise him, make myself
7 sound important again.

8 (Tape played.)

9 Q Mr. Meyers, you tell him to give you an
10 additional fifty and you're going to work on people, city
11 council, the Mafia, Chicky Narducci?

12 A He has no problems with any of this stuff.
13 These are problems he manufactured and do not exist. I don't
14 know of any problem in anything I say here.

15 He thinks it's a problem and he wants to go
16 tell the shiek about the problem. I know there is no problem.

17 (Tape played.)

18 Q You say you want me to tell you to give me
19 ten million --

20 A That is what I say.

21 Q Why?

22 A I'm looking for a response from him. Waiting
23 for him to tell me more about the first meeting, the reason
24 I went up to the first meeting. The reason I was brought
25 up to the first meeting, I wanted to find out if Mr. Wald

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2 is in someway trying to steal something of the shiek the
3 way the other representatives were. If they wanted me to
4 tell the shiek to give me ten or 20 million dollars, I
5 wanted to hear it from him.

6 He's not making himself clear what part he's
7 playing in this.

8 (Tape played.)

9 Q Do you know they were trying to get you out
10 of here at this point in time?

11 A I didn't know it at that point in time when
12 this actuall took place. It's very obvious to me now, of
13 course.

14 (Tape played.)

15 Q What are you telling him here; give you
16 some clues?

17 A I wanted him to give me clues if he is in
18 on any shake of the shiek, I want to know about it. I want
19 him to tell me if he's going back to the shiek with a
20 story and going to ask for X amount of dollars but I want
21 him to tell me the same way I was told in the first meeting.

22 (Tape played.)

23 Q Mr. Meyers, what is your condition at this
24 point in time?

25 A I can't in my whole lifetime -- I never

1
2 told anybody about my education before. I'm trying to pose
3 as a tough guy. I'm totally out of the picture here.

4 Q Did you tell them you could handle all the
5 problems?

6 A All the problems. If he had money he would
7 have no problems.

8 He brings up money with every problem he
9 manufactures.

10 (Tape played.)

11 Q What did you tell him then?

12 A I am making it clear, he's not clear about
13 the introduction of the bill. I'm making it clear that I
14 will not go out and introduce any bills. I never intended
15 to introduce any bills and I was told that at the first
16 meeting.

17 All through the conversation when I tried
18 to get this kind of colloquy going with this gentleman,
19 he wouldn't enter it.

20 I wanted to make it clear and I'll make it
21 clear at this point.

22 (Tape played.)

23 Q You are telling him if you envision a
24 problem you don't know what it is, local, you can take care
25 of it?

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2 A I can handle anything. Even the ones he
3 envisioned. If he thought of something else I could
4 handle that too.

5 (Tape played.)

6 (Continued next page.)

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2 (Tape played.)

3 MR. CACHERIS: At this point Mr. Myers
4 leaves. So I don't see any point in playing the
5 rest of that tape.

6 THE COURT: All right.

7 MR. CACHERIS: Would it be appropriate
8 to take a recess now, your Honor?

9 THE COURT: All right.

10 We will take a short recess. Don't discuss
11 the case during the recess.

12 (Recess taken at 3:27 p.m.)

13 (After recess.)

14 (Jury entered courtroom at 3:40 p.m.)

15 BY MR. CACHERIS:

16 Q Mr. Myers, the next evening, January 25,
17 1980, did you go back to the Barkely Hotel?

18 A The following night, yes.

19 Q I am making reference to Exhibit 8A, if you
20 would look at it in your book. Who asked you to come
21 back?

22 A I received a call from Michael Cohen, agent
23 Wahl, that is, to come back.

24 Q Did you go back?

25 A Yes, I went back.

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Q Why did you go back?

A Well, I went back to find out what had happened the night before.

I was drunk when I left. I wanted to explore further other investments in the city. I wanted to see if he had any facts and I wanted some more information.

Q Did Mr. Wahl say anything to you about a Koslen retribution?

A Yes.

He talks about if anybody in his organization tried to skim there would be certain things that Ernie would have to do and wouldn't stand for any kind of nonsense.

It scared the daylights out of me. I thought he meant her would have to have Mel Weinberg killed.

Q Did you -- would you turn to page 8?

A Page 8?

Q Yes.

You almost didn't take the 15.

A Yes, I said that.

Q What else did you say?

A I told him I almost didn't take the money because I was afraid there was a scam all the way and the

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Myers-direct-Cacheris

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2 only reason I did take it was because I thought I would
3 get ripped off if I didn't take it, the people who
4 scammed me in the beginning would even get that money.

5 Q Now, on page 14, at the bottom, did Mr.
6 Wahl tell you all those things you talked about last night
7 with 50? What were all those things you talked about last
8 night?

9 A I take it he was referring to all the local
10 things, city council and zoning.

11 Q Was that anything you could do anything
12 about?

13 A First there were no problems there and
14 secondly I had no influence in that kind of stuff.

15 Q Now, Mr. Myers, throughout your contacts,
16 starting in August 22nd, going through the meeting of the 24th,
17 the 25th, a number of different topics were thrown at
18 you, weren't they?

19 A I don't even know how many. There must have
20 been fifteen, all kinds of topics.

21 Q Did you tell them you could deal with the
22 Judiciary Committee, the Immigration Department and the
23 State Department?

24 A Yes.

25 Q Could you?

4 Myers-direct-Cachcris

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2 A No. I have no influence on those committees.
3 I don't serve on those committees.

4 Q Did you intend to use any influence with
5 those committees?

6 A From the first meeting I didn't intend to
7 do anything and I was told that, I never did anything and
8 never had any intentions whatsoever and I was told that this
9 problem couldn't even exist even if the sheik wanted to
10 come to America, it wasn't a problem because he already
11 had arrangements to go to South America.

12 I knew I couldn't be involved in a problem
13 and I was told that from day one.

14 Q Were you also asked about construction
15 unions, and hotel employee unions, zonings and variances,
16 the Mafia, Atlantic City, the City Council, school county,
17 Pocono mountains, Rodino, Florio, Duggan, Cavanaugh, Testa,
18 Narducci, Skinny Razor, Bruno, Anne Verno, Jimmy Arfranafti
19 and Al Perna; is that correct?

20 A Yes, I was asked about those things.

21 Q Did you tell them you could do anything in those
22 areas?

23 A I told them I could handle any problem that
24 could ever exist with all these people and all those places.

25 Q Could you?

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2 A I couldn't. I never even spoke to them about
3 this problem. I never seen a problem that existed.

4 Q Mr. Myers, you told this jury that in
5 August of 1979 you received \$15,000, is that correct?

6 A Yes, that's correct.

7 Q Did you receive any other money?

8 A No, I received no additional money.

9 Q Did you thiknk it was proper for you to
10 accept that money?

11 A Well, when I looked at this tape, I know
12 it wasn't proper that I accepted this money but I didn't
13 do anything wrong for it. I didn't break any laws. I never
14 intended to do anything wrong nor did I do anything wrong
15 but when I vew this tape I know it wasn't right.

16 Q Did you intend to do anything in connection
17 with your congressinal office?

18 A No. And I made that clear from the first
19 minute I got involved in this whole thing and I was told
20 that.

21 MR. CACHERIS: I have no further questions,
22 your Honor.

23 THE COURT: All right, Mr. Duffy.
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2 CROSS-EXAMINATION

3 BY MR. DUFFY:

4 Q Ozzie Myers, were you conned?

5 A I certainly was conned.

6 Q In Philadelphia we all call you Ozzie. I
7 will call you Congressman Myers. We are both from the same
8 town. I want to go over a few things that Mr. Cacheris did.9 You referred to Testa and Narducci as the young
10 Turks.

11 Do you remember that on the tape?

12 A Yes.

13 Q And you said Bruno is the perennial head
14 of the Mafia but the young Turks are Testa and Arducci,
15 yes.

16 A Yes, I remembver that.

17 Q And you got Testa's name wrong?

18 A Yes, I called him Tony.

19 Q Assuming they are Turks is there anything
20 young about those Turks?

21 A I don't know them.

22 Q Have you learned since that they are both
23 men pushing 60 years of age?

24 A Yes.

25 Q Where did you find that out?

7 Myers-cross-Duffy

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2 A Well, the press told me. Lots of people told
3 me when it appeared in the Philadelphia papers about all
4 these Mafia terms, young men pushing 60. I don't know
5 them or know their right age.

6 Q I want to talk about the drinking that went on
7 at the Barkley Hotel.

8 MR. PUCCIO: I object to the statements,
9 your Honor.

10 MR. DUFFY: I will withdraw it, your Honor.

11 Q Did you do any drinking at the Barkley
12 Hotel?

13 A Yes, I did some drinking there.

14 Q Are you Irish?

15 A Half Irish.

16 Q Did you hear on the tape the clinking of
17 ice periodically throughout the video tape?

18 A Yes.

19 Q Did that ice clinking -- strike that. Who
20 was clinking the ice in the glasses?

21 A I am not sure who was. I don't know.

22 Q Did the clinking of the ice have any
23 conscious effect on you as regards your own drinking? Do
24 you know what I mean?

25 A No, I don't think so.

1 8 Myers-cross-Duffy

2 Q You weren't aware the clinking didn't make
3 the events, didn't make you aware of anything at that time?

4 A No. I remember hearing the ice on the tapes
5 but then I don't remember hearing any ice.

6 Q Your conversation with Louis Johanson?

7 A Yes.

8 Q How long had you known Lou?

9 A I have known Lou about five or six years.

10 Q And that was through political activity
11 in our city, is that right?

12 A Yes, that's how I met him.

13 Q Lou was a ward leader and so were you?

14 A Yes. We were both Democratic ward leaders.

15 Q Was it at all unusual for Lou to come to
16 you and say he wanted to talk to you about something?

17 A No, I didn't think it to be unusual.

18 Q When you went to his place in Longport and
19 met with him, tell this jury what emotional status was
20 there when he talked about these millions of dollars --

21 A He was very excited. He saw an opportunity
22 for him and law partner Mr. Criden to land their hotel
23 deal which would mean millions of dollars to them as a
24 commission to sell this real estate. He told me he was
25 going to retire and I wished him well and I thought he

1
2 was.

3 Q When he discussed with you the desire
4 of the sheik's people or of the sheik to meet
5 important people, he didn't say Congressman to you, did he?

6 A No, he just said important people.

7 Q When he talked about the \$100,000, didn't
8 he say, we are going to make \$100,000, just for introducing
9 important people to these people?

10 A Yes.

11 He explained to me that him and Mr. Criden
12 would get \$100,000 off the sheik for introducing the
13 sheik to important people.

14 Q Didn't he tell you that the notion was for
15 that to be divided four ways?

16 A Yes.

17 Q Didn't he say, there is a fellow, Mel
18 Weinberg, who is going to split 25 of it with this partner?

19 A Yes, he did.

20 Q Did he say Mayor Errichetti is going to keep
21 25?

22 A Yes.

23 Q And didn't he say that Howard and I get the
24 other 50?

25 A Yes, he said they would get the other 50 and

1
2 they would give me 25 of their end of it.

3 Q All right.

4 Did you believe then that Louis Johanson was
5 going to get \$100,000?

6 A Well, I --

7 Q At that point?

8 A Well, really it was hard to believe. I told
9 him it sounded like a fairy tale.

10 That's when he told me that the \$100,000
11 to the Arab sheik was like peanuts to him and I.

12 He was so excited about this deal in Atlantic
13 City, I thought as a lawyer he is in that kind of business,
14 I thought that it was true.

15 Q Ozzie, didn't he say to you, Ozzie, they are
16 so loaded with dough they are giving away free money.

17 Do you remember him saying that?

18 A Yes, he told me that the sheik had met with
19 a U. S. Senator and met with other congressmen. He didn't
20 mention any other names. He didn't mention other names and
21 I didn't pursue them.

22 Q Do you remember him telling you, answer
23 this yes or no, and then you can explain it, do you remember
24 him telling you that their producing important people
25 to meet these Arabs would play a rôle in determining

1
2 whether or not the hotel deal would go through?

3 A Yes.

4 MR. PUCCIO: I object to the leading, your
5 Honor.

6 THE COURT: Sustained.

7 Q Was there any conversation between you and
8 Lou about the hotel deal and the impact of bringing
9 important people to meet the Arabs?

10 A Yes.

11 Lou told me about the hotel. I thought the
12 way he -- he was so excited about this hotel deal, it
13 was part of the reason that I went up and met with these
14 people because I thought I could do Lou a favor, in turn
15 he said my political friends and personal friends --

16 Q In fact, he helped you out in a couple of
17 elections, didn't he?

18 A Yes, he supported me.

19 MR. PUCCIO: I object.

20 THE COURT: Overruled.

21 THE WITNESS: Shall I answer?

22 THE COURT: Yes.

23 THE WITNESS: He supported me in the last
24 general election and he was always there in all
25 kinds of political activities that helped me and my

1
2 area in the city.

3 Lou is a guy that many times provided free
4 legal advice to people that needed a lawyer and couldn't
5 pay for it.

6 Q When the time came and Louis -- I think
7 you said he dropped by your house and said there is a
8 meeting scheduled for tomorrow?

9 A Yes, that's what he did.

10 Q Did he tell you that Weinberg and the Mayor
11 would tell you what would go on at the meeting?

12 MR. PUCCIO: Objection.

13 THE COURT: You are just repeating his
14 direct testimony.

15 Overruled.

16 A Yes, he told me that.

17 Q Did Louis have anything to do with telling
18 you what to say or do at the meeting?

19 A He mentioned the fact about immigration but he
20 did not have all of the details.

21 He told me that Mayor Errichetti and Mel
22 Weinberg would give me a script and tell me exactly what
23 to say and tell me how to handle the sheik when I meet
24 him.

25 Q When you met Mayor Errichetti and you told

1
2 us that he said Weinberg couldn't make the meeting, that
3 he mentioned the word "script"?

4 A Play acting, come on strong, you saw me
5 on television, there were all referrals to the script, you
6 have to come on strong.

7 I told him if I need an area that I couldn't
8 handle, I said, how do I explain at that point? He said
9 talk about the Phillies because he doesn't understand
10 English.

11 Q Back to Philadelphia for a moment.

12 You talked in this January 25th meeting at the
13 Barkley Hotel a great deal about the Port of Philadelphia,
14 is that right?

15 A Yes.

16 Q Tell the jury how far you live from the
17 water?

18 A Right currently I live at 6th and Arden
19 Avenue.

20 Q Is it six blocks from the waterfront?

21 A It's a little further than six. It's about
22 ten. I was born almost on the waer where I was raised
23 until I was 13 and they built Stone House Lane, near the
24 river.

25 Q After this meeting progressed, is it so that

1
2 you were drinking bourbon?

3 A I was drinking bourbon and as I watched, not
4 particularly today, but as I watched this video prior
5 to today, I could see myself taking these very large gulps,
6 I counted some of the mouthfuls that lasted four or five
7 seconds.

8 Q You described the glass as being a McDonald's
9 tumbler?

10 A Yes, it was a big water tumbler.

11 Q For those of us who don't know what a
12 McDonald's tumbler is, tell us how many ounces that was.

13 A I would say 12 ounces.

14 Q How much whiskey was in the first drink you
15 had?

16 A There was some ice in it. I asked for
17 bourbon on the rocks.

18 Q Was it filled up to the top?

19 A Right up to the top and you could see that
20 on the monitor.

21 Q Do you have a judgment how much whiskey
22 was in it?

23 A I would say eight ounces allowing for the
24 ice.

25 Q When you gave it back did you say, boss, give

1
2 me a tip on that?

3 A It was empty and he filled it up again.

4 Q The same way?

5 A Yes.

6 Q The same, eight ounces?

7 A Yes.

8 Q Since eight ounces of bourbon in an hour and a
9 half?

10 Q About what I drank.

11 Q ... you become aware at least today of what
12 your condition was, let's say in the last ten minutes
13 of that meeting, when the two phone calls came in about
14 four minutes apart?

15 A I became aware today, and prior to today,
16 watching the film that obviously they were trying to get
17 rid of me at this point in time.

18 Q You told them from time to time when
19 problems came up that you could handle them, am I
20 correct?

21 A Yes, I told them I could handle anything
22 they brought up.

23 Q When they talked about coal, you mentioned
24 Clinton and Center County?

25 A The reason I mentioned those two counties I

1
2 go deer hunting there and that was a coal county in the
3 twenties and thirties. If you go over those mountains
4 you go over coal hills and it is very obvious that the
5 damage that was done in those days, those days they
6 didn't have the lane reclamation act. It's still very
7 obvious that used to be a coal region.

8 Q When they talk about coal, where do you
9 turn the conversation?

10 A Back to the port.

11 Q How many people do you know personally
12 in the longshoremen, stevedore, waterfront business,
13 yourself, who are now unemployed but employable?

14 A Oh, I know hundreds.

15 Q Men who don't have work in the city?

16 A Men who don't have work in the city and a
17 lot of it is because automation and the shipping industry and
18 of course the coal fields when they closed all the coal
19 exported out of there that went down the tube, and it
20 is a port that really needs help.

21 We have a deep canal, a 40-foot canal in that

22 Q All right, don't make a speech.

23 Are they people who vote for Ozzie Myers?

24 A That's the reason I got elected the first time
25 and ever since.

THE COURT: All right, Mr. Ben-Veniste.

1
2 Q Mr. Meyers, you had not ever met Howard
3 Criden before August 22nd, 1979, had you?

4 A No.

5 Q And the first time you ever laid eyes on
6 him as far as you know is when you met him at the terminal,
7 at the Pan Am -- at the Kennedy Airport?

8 A Yes, at the airport, yes, sir.

9 Q And on that occasion was there anything more
10 than small talk and an introduction?

11 A Just an introduction, and that was it.

12 Q And then you said you went off with Mayor
13 Errichetti and talked privately?

14 A Yes.

15 Q Now, on August 22nd, at page 15, if I can
16 direct your attention to that?

17 A Seven A is that?

18 THE COURT: Six A is that?

19 MR. BROWN: Five.

20 THE WITNESS: Five?

21 Q Right at the middle of the page.

22 A What page was that?

23 Q Page 15.

24 A Fifteen?

25 Q Right at the middle of the page.

Mayers-cross-Ben-Veniste

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2 Q Do you recall Mayor Errichetti says that
3 you, meaning DeVito, and Weinberg can call Ozzie directly.

4 A Yes, I recall that.

5 Q Now, from the time of that meeting until
6 you saw Cohen in January, had they ever called you directly?

7 A No, I never heard from anyone.

8 Q Now, the next thing you heard was a telephone
9 call from Howard Criden? Is that correct?

10 A Yes, sometime in January.

11 Q That was, I think you said, on the very day
12 that you met him?

13 A The very day that I met him. The first
14 meeting.

15 Q And now, in the conversation you had with
16 Mr. Criden, as I recall your testimony, he told you that
17 the Arab representatives were back in town?

18 A Yes.

19 Q That they wanted to make some investments
20 in Philadelphia?

21 A Yes.

22 Q That you had impressed them or their
23 representatives at the first meeting, according to what Mr.
24 Criden had been told?

25 A Yes, that is exactly it.

Meyers-cross-Ben-Veniste

1 •
2 Q And that there was another Jewish guy who
3 got involved named Cohen who was to meet you.

4 A Michael Cohen, he said, was now in Philadel-
5 phia putting together a hotel-complex.

6 Q Now, on the 24th at page 125, and that would
7 be Exhibit 7a, near the top third of the page, you say:
8 "I don't need anybody talking for me or making a deal for
9 me..."

10 Do you recall that?

11 A Yes, sir.

12 Q Then nevertheless later in the conversation
13 it is a fact that again they say that if they want to get
14 in touch with you they will involve Criden again. They
15 will get hold of you through Criden.

16 A Yes.

17 They say, well, you know -- I say, well,
18 Howard can call me --

19 Q But there is no explanation as to why they
20 wanted to get Howard Criden involved in all of this?

21 A No, I didn't know about it.

22 Q Between August 22nd and January 24th, have
23 you had any conversation with Howard Criden whatsoever?

24 A None, whatsoever. I never even heard from
25 him, or saw him, or anything else.

1
2 Q Did Howard Criden ever indicate to you by
3 word or act that he ever expected that you would do one
4 thing in your official capacity or otherwise on behalf of
5 these wealthy arabs --

6 A No, he never mentioned one thing about
7 anything that I would have to do.

8 Q And indeed as far as you know from any other
9 sources you were not expected, and indeed you did not believe
10 you would ever do anything in your official capacity on their
11 behalf?

12 A I --

13 MR. PUCCIO: Objection.

14 THE COURT: Sustained.

15 Q Is it not a fact that consistently from
16 the standpoint of the people who asked you to come to the
17 meeting you were told in reverse, that you would never be
18 called upon to do anything?

19 A I was told that from the first time I even
20 discussed meeting with the shiek. I was told that by the
21 Mayor. It was reenforced to me by the Mayor. And he told
22 me point blank that you will never see these people again.
23 Don't worry about that. Whatever they want to hear just
24 agree with them.

25 And I was hedgey when I found that the

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2 shiek wasn't going to be there and his representative was
3 going to be there and that he understood English. And I
4 know I couldn't talk about the Phillies, if he understood
5 English. You know, so I was concerned about that. And
6 that is when he told me about Mel Weinberg, and that there
7 was arrangements would be made if the situation of the
8 shiek became hostile and had to leave his own country, and
9 he was going to South America, and there would never be a
10 possibility I would ever have to do anything.

11 Q In fact, is it true, Congressman Meyers,
12 that during this whole time from the beginning of the time
13 that brought you into the net until the time that the
14 masquerade was over, that you did not do one single thing
15 on their behalf?

16 MR. PUCCIO: Objection.

17 THE COURT: Sustaine.

18 Q And is it true that you did not do one single
19 thing in your official capacity or otherwise in their behalf?

20 A Yes, it is true. I never did nothing. I
21 never intended to do anything. And I was told point blank
22 that I didn't have to do anything.

23 MR. BEN-VENISTE: Nothing further.

24 THE COURT: Mr. Brown, any questions?

25 MR. BROWN: I have a few questions briefly,

1
2 your Honor.

3 CROSS EXAMINATION

4 BY MR. BROWN:

5 Q Congressman, I think you testified that you
6 didn't see or meet Mr. Errichetti in terms of the matter we
7 are talking about until August 22nd, is that right?

8 A That is correct, yes.

9 Q And you have outlined the conversation that
10 you had, is that right?

11 A Yes.

12 Q Now, where was this conversation held with
13 Mayor Errichetti?

14 A Well, I had two conversations with Mayor
15 Errichetti.

16 Q Well, those conversations .

17 A Pardon me?

18 Q Well, those conversations, if they are plural

19 A The first one was held at the Kennedy
20 Airport when he pulled me away from the main group and stayed
21 on the side, talked for about 10 or 15 minutes, about what
22 I was to say or what I was to do when I met with the Arab
23 Sheik.

24 And he went on to tell me what I should do.
25

Meyers-cross-Brown

He said, "Did you ever see me on television?"

"Come on strong. You've got to talk like a tough guy. You were a longshoreman. You know how a tough guy operates. Talk tough. You have got to impress the sheik. He likes tough guys. This is all play-acting. And make it as strong as you can."

He says, "You'll never see these people again."

That is when I told him, "Yes, but well, you know, what if he asks me in an area that I don't know or that I can't explain."

He says that, "He doesn't understand English. Talk about the Phillies. Talk about anything. I will be in the room. Mel will be in the room. If you have a problem we will take over." He made that very clear.

Q Now, when you got to the hotel, you saw Mayor Errichetti again.

A When I walked into the hotel I saw Errichetti again. He was standing -- he was waiting for me. I was only a few minutes behind him because I came in my own car.

Q Was he alone?

A He was standing alone by the elevator.

Q Yes?

A When I walked up to the Mayor that is when

1 he told me that there was a change in plans. There was a
2 change. The sheik himself would not be present. One of
3 his representatives would be there. But he would still
4 be in the room. And Mel would still be in the room. And
5 come on strong the same way.
6

7 Tell them whatever they want to hear. And
8 at this point in time is when I talked about it and I
9 said well, he will understand about immigration matters.
10 What will I say if he understands all of the procedures. How
11 will I explain that I know everything about this when I
12 don't really know about it.

13 That is when he told me that Mel says don't
14 worry about that. Tell them whatever you want. Tell him
15 you will do anything that he asks you because this could
16 never even be a possible situation because the sheik was
17 already established and was set to go to South America
18 should there ever be a problem in his homeland.

19 Q Now, when was the first time you saw Mel
20 Weinberg?

21 A The first time I ever saw Mel Weinberg was
22 when I walked into that meeting at that hotel.

23 Q Did you ever exchange any conversation with
24 Mel Weinberg?

25 A He hardly spoke. He just sat there. I

1
2 thought he was playing his part, waiting for me to make a
3 mistake. He only said one or two lines in the whole 20
4 or 25 minute meeting.

5 Q Was everything consistent as far as you could
6 see as to what the Mayor had told you was the game plan?

7 A Yes, it came off just the way it was supposed
8 to. He started me right off. I made a speech telling him
9 how important I was. I got stuck on green cards because
10 I didn't know the procedure. He interceded and he bailed
11 me out of that because I didn't know about the green cards.
12 Everything seemed very consistent.

13 Mel at the end just talked about the goose
14 that laid the golden egg. That fit right in with the picture.

15 Q Well, how did that fit into the picture as
16 far as Weinberg --

17 A Well, Weinberg was obviously robbing his
18 boss. He was taking some money off of his employer.

19 Q Now, the meeting finally ended on the 22nd
20 of August? Is that right?

21 A Yes.

22 Q Then you testified as to a meeting on January
23 24 of 1980, is that right, five months later?

24 A Yes, that is correct, Mr. Brown.

25 (Continued next page.)

Myers-cross-Brown

1
2 Q After you left that room on August 22nd, did
3 you thereafter see Angelo Errichetti in any way connected
4 with the matters that are being testified to here today?

5 A No, I did not.

6 Q And from that day, when was the next time
7 that you actually saw Mayor Errichetti?

8 A August 22, 1979.

9 Q I this Courtroom?

10 A Right.

11 Q Now, as you walked into the second meeting
12 on the 24th you saw certain people there, is that right?

13 A Yes.

14 Q Weinberg was not there?

15 A No, he was not there.

16 Q Now, from your understanding of the entire
17 proceedings that you testified to today, did you conceive
18 or understand any connection between the meeting of January
19 24th and the meeting of August 22nd?

20 A No. but these representatives were -- other
21 representatives of the Sheik. That is the only connection
22 that I saw.

23 Q Well, may I call your attention to Page 107 --
24 108 of Exhibit 7-A? That is the meeting of the 24th?

25 A Yes, 108?

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Q Yes, sir.

Would you read that out loud please?

A The entire page, Mr. Brown?

Q Yes, if you will.

A Does it start up, "Okay"?

Q Yes.

A "Okay. We'll handle that tomorrow morning
early.

"All right. (clear stroke) I am here for one
purpose. The other gentlemen do things differently or do
different things than I do..."

Q May I stop you there?

A Yes.

Q Who is speaking?

A Well, I have to look back because it is not
on my --

Q You want to make sure?

A Yes.

That is Michael Wald who is Michael Cohen.

Q All right. And he said the other gentlemen
do things differently.

Were you able to identify the other gentlemen
who did things differently in the sense of the statement
there?

Myers-cross-Brown

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A Yes, I took it he was referring to Mr. Weinberg and Tony DeVito.

Q And then he says, "...do different things than I do..."

Did you get an understanding of that?

A Well, I know that -- what he was talking about -- I thought he meant that he was here because of this hotel and that they were involved with something different. That is what I took it to mean.

Q Now, the rest of that, would you read the rest of that, please?

A Yes.

"...differently. Different things than I do..."

Q Ys.

A "Titles and press. The individual I work for, I have a title, all right. Just expedite things..."

Q Would you stop right there.

Now, this is Mr. Wald and he is talking about titles and press. Had you heard that before?

A Well, important people -- actually the word titles, do you mean?

Q Yes.

A No, I hadn't heard the word titles raised

Myers-cross-Brown

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before.

Q And then he says, "I am titled" is that right?

A Yes, he says he is titled.

Q Now, did he as anytime tell you that he was impressive to the Sheik because he had a title or any sense of that?

A No. He never talked about that.

Q So when he talks about "titles and press" he says "I am titled" is that right?

A Yes.

Q Now, would you go on?

A Yes.

"I am not going to be involved all right in this hotel-motel -- motel, nor will I be involved any more at this point with uh uh coal. These are things that I really don't have no background in and no interest in..."

Q All right, now, he had talked to you about something that was a cross between a hotel and motel, is that correct?

A Yes.

Q Did he ever identify or describe what a thing is that is a cross between a hotel and a motel --

A At one point he says something in the middle.

Q What was that? Do you know what that is?

Myers-cross-Brown

1
2 A No, I don't know what is in the middle between
3 a hotel and a motel. I took it to mean some kind of a
4 complex. He talked about, you know, having this excursion
5 to Philadelphia.

6 Q Were you able to pin him down as to what he
7 was talking about?

8 A I couldn't pin him down on anything through
9 this whole conversation.

10 Q Isn't it a fact that in the early part of
11 the conversation, the pages before 108 in 7-A he talks to
12 you about the hotel-motel, and the amount of money. What
13 was the amount of money he said he would invest?

14 A He said in the hotel?

15 Q The hotel-motel?

16 A Yes, he said 34.6 million. And then he added

17 Q Yes.

18 A He added another million to on for I took it
19 tha he meant completion over a couple of weeks before the
20 ground breaking.

21 Q Were you ever able to pin that down?

22 A No. I couldn't pin anything down with him.

23 Q Now he mentioned coal, is that right?

24 A Yes, he mentioned coal.

25 Q And he mentioned something about the length of

1
2 time that he had to get the coal out of the ground? Is
3 that right?

4 A Yes.

5 Q Do you remember what that was?

6 A Yes. I came back then and asked him how
7 much time was his leases. And he came off with an answer
8 8.6 years, and there is days included --

9 Q Did that make any sense to you?

10 A I never heard of a lease 8.6 years. I mean
11 if he said eight and a half years it would have sounded
12 right.

13 But 8.6 years, I never heard of anybody talking
14 years and using a decimal point

15 Q Did you press him for details as to where this
16 coal was?

17 A Yes, I pressed him. I think this is part
18 of his answer here. He is not involved with that. And
19 from watching this monitor I realized what happened there.

20 Q What happened there that you observed?

21 A Well, I observed that these questions that
22 he couldn't answer that I was hitting him with, he was probably
23 instructed to get out of that area because I am going to
24 find out that he is not a representative of the Arab.

25 Q How was he instructed from what you observed?

Myers-cross-Brown .

1
2 A Well, he changed the subject at this point
3 in time.

4 I'm not longer interested in that one. I
5 am a financial man. And everything he talks about he talks
6 about a price on it.

7 Q How was he instructed, if you know, to get
8 off that topic and switch to another?

9 A Well, he just changes. He shifts gears
10 here in mid stream.

11 MR. PUCCIO: Your Honor, I object to this
12 question unless it was expressed as to what was in
13 the Congressman's mind at the time.

14 THE COURT: I think that was what the question
15 was directed to.

16 MR. BROWN: Yes, it was your Honor, yes,
17 to his state of mind as to why he thinks he changed
18 topics.

19 Q Did you observe anything or did you hear
20 anything in that meeting that seemed to cue him up to change
21 is mind?

22 A Well, he was all over the lot. It seemed
23 that everytime I asked him a question, give me some sound
24 information -- when I talked about who is your builder,
25 who is your architect, how many square feet do you need on

1
2 the waterfront --

3 Q And what would happen then?

4 A He would go from that area right into some
5 other area.

6 Q I'm not going to ask you if you heard any
7 telephone calls?

8 A I heard all kinds of telephone calls.

9 Q Did you relate that to anything that happened
10 there?

11 A Well, I didn't then. I thought he was that
12 important. But I do now.

13 Q What do you relate it to now?

14 MR. PUCCIO: I object.

15 THE COURT: Sustained.

16 Q At that time you thought the telephone calls
17 were related to his importance? Is that right?

18 A Yes.

19 Q Now, in the course of the dialogue or the
20 conversation with Mr. Wald, isn't it a fact that he brought
21 up naturalization a number of times?

22 A Yes, he did.

23 Q Can you give the jury an impression from your
24 own recollection as to how many times he brought up
25 naturalization?

Myers-Cross-Brown

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2 A I would have to say seven or eight times
3 he brought it up.

4 Q Now, each time he brought up naturalization
5 can you tell us what then happened?

6 A Well, he would bring it up to me.

7 And he would try to pin me to naturalization,
8 something along the line of immigration. And I wouldn't
9 let him pin me. I kept sidestepping that question. I kept
10 asking for reasons. Give me reasons.

11 Q What would happen then if you can recollect?

12 A Then he would start talking about hotels and
13 reasons that he was talking about.

14 Q And then what would happen?

15 A Well, I would just go along with whatever
16 he would say. But I never saw no reasons.

17 Q Did there ever come a time when you flatly
18 and unequivocally said that you intended or would vote
19 for a particular bill for the Sheik?

20 A Yes. At the end I told him that I would
21 not introduce -- I was not interested in any bills. I
22 would not introduce it. I would not go on any missions
23 to no return --

24 Q Would you go to Page 171 in 7-A please.

25 At Page 171 -- are you at Page 171?

Myers-cross-Brown

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A Yes.

Q Where it starts: "...I am not coming in here...?"

A Yes.

Q Was this really your last statement to him concerning the bill or anything connection with your Congressional office?

A That was my last statement to him.

Q Well, would you read to the jury what you told him and that is written there unchangably? Read it to the jury, what you said to him, please?

(Continued on next page.)

1
2 A I say to Mr. Cohen:

3 "I am not coming in here looking to -- looking
4 to put any shake on anybody. I am not uh -- I am interested
5 in the city. Give me some reasons. I am not a fool. I
6 am not going to run out, you know, say, well, here is X amount
7 of bucks go out and introduce this bill. I am not interested
8 in the Nevin Bill that is going to get me into F and Shanghai
9 the next .day..."

10 Q Does your language change when you are
11 drunk, Congressman Meyers?

12 A Yes. I don't use that kind of English,
13 Mr. Brown.

14 Q Well, what does that mean, what you
15 said to him directly here? What did that mean?

16 A That means that all through this conversa-
17 tion that lasted all of an hour and a half, or whatever it
18 was, he tries to pin me down on immigration matters. And
19 I won't let him pin me down. I don't know who I am dealing
20 with here. I went there to talk about a hotel.

21 This is my final answer to him on immigration
22 matters before this conversation ends.

23 Does that embody your intention or lack
24 of intention with respect to violating your congressional
25 oath?

Meyers-Cross-Brown

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2 A That embodies my intention that I had no
3 intentions of introducing any bills.

4 Q Now, you said you gave an envelope to Mr.
5 Errichetti?

6 A Yes.

7 Q At the time you gave it to him did you know
8 what was in it?

9 A No, I didn't know what was in it. I took
10 it to be \$100,000 in it. That is what was told to me.

11 Q Did you ever see Mr. Errichetti open that
12 envelope?

13 A No. When I handed it to him he just took
14 it and then I got on the elevator. The doors closed. And
15 he disappeared from my sight.

16 Q Tell this jury, you had been in a room talking
17 to Mr. Weinberg, and Mr. Errichetti and Mr. Amoroso just
18 prior to leaving with the envelope? Is that right?

19 A Yes.

20 Q With respect to that room where you were all
21 talking when you received that envelope, will you tell us
22 where, with respect to that room, physically, you gave the
23 envelope to Mr. Errichetti?

24 A I gave the envelope and we went right --
25 as we left the room and walked out the door, as soon as

Meyers-cross-Brown

1 I got on the other side of that doorway I handed him the
2 envelope. And we continued walking out the corridor to
3 the elevator which was maybe 40 or 50 feet up the hall.
4 We both stood there. I hit the down button. The elevator
5 doors opened. I stepped in. He stood there. He remained
6 there. The doors closed. I left and I didn't see Mr.
7 Errichetti no more.
8

9 Q And that is the end of your knowledge with
10 respect to Mayor Errichetti?

11 A That was the last time I saw Mr. Errichetti
12 before coming in this courtroom.

13 Q And you cant't tell us whether or not you
14 saw him with any money, whether he received any money, or
15 what happened to that envelope? Is that correct?

16 A No, the only thing I know about the envelope
17 is when it got back to Philadelphia and I went to Mr. Criden's
18 office --

19 Q And was Mayor Errichetti there?

20 A No, he was not.

21 Q Did you ever talk to him by telephone? You
22 said you hadn't seen him, but did you communicate with him
23 by telephone?

24 A I had no communication whatsoever with Mr.
25 Errichetti.

Meyers-cross-Brown

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2 Q Was there ever an occasion when Mayor Erri-
3 chetti told you to act in any way that would violate your
4 congressional office?

5 A No. He told me that I would never have to
6 do anything. This was all a joke, play acting, and
7 come on as strong as I could. And he made it very very
8 clear that I wouldn't have to do anything. And that is the
9 reason I agreed to go up there.

10 MR. BROWN: Thank you. No further questions.

11 THE COURT: Mr. Puccio? Any questions?

12 MR. PUCCIO: Yes, sir.

13 May I have one moment, your Honor?

14 THE COURT: Yes.

15 CROSS EXAMINATION

16 BY MR. PUCCIO:

17 Q Congressman Meyers, when you walked into
18 the courtroom this morning, did you know that your lawyer
19 was going to call you to the witness stand?

20 A Did I know it?

21 MR. CACHERIS: Objection.

22 Q Yes.

23 THE COURT: Overruled.

24 A Yes, I knew it.

25 Q You were expecting to be asked questions that

1
2 you would have to answer before this jury? Is that correct,
3 Congressman Meyers?

4 A Yes.

5 MR. CACHERIS: Your Honor, there is nothing
6 wrong with that. I object to that.

7 Of course he has to know he's going on the
8 stand beforehand.

9 THE COURT: Nobody said there was anything
10 wrong with it.

11 Overruled.

12 Q Now, you have viewed a number of videotapes
13 before your testimony? Is that correct?

14 A I watched these tapes I would say totally
15 about four, maybe five times.

16 Q Was that before or after this trial began?

17 A That was mainly before the trial began
18 when your office first supplied us with them.

19 By the way, I didn't see that last tape.
20 You never supplied that to us.

21 Q Which tape was that, Mr. Congressman?

22 A The very last meeting involving Mr. Musto.

23 Q All right, I see. What date did that meeting
24 take place on?

25 A I believe it was January 27th.

1
2 Q Now, prior to your testifying, you had
3 reviewed these tapes and you had discussed this matter with
4 your attorney, is that right?

5 A Yes.

6 Q When you walked on the stand this morning,
7 you were prepared to answer any questions that your attorney
8 would ask you, is that correct?

9 A You didn't tell me what questions he was
10 going to ask me or anything like that.

11 Q He didn't give you any idea or what he would
12 say to you during your direct examination?

13 A No. The only thing he told me was to tell
14 about your family background when you start out.

15 Q And the rest of it, you had no idea what
16 was coming, is that right?

17 A Well, certain key areas here I pointed out
18 to him -- I would have to say I pointed out to him that --
19 when I first knew that Mr. Wald, when he was talking about
20 this hotel of 34.6 Million dollars, well, he was all over the
21 lot.

22 First he was going to Center City. Then
23 he was going to South Phillie. That is when I first realized
24 that Mr. Wald didn't know what he was talking about.

25 Q And you discussed that with your attorney,

Meyers-cross-Puccio

1
2 is that right?

3 A Oh, yes, I put it to him.

4 Q And you asked your attorney to ask those
5 questions on the witness stand?

6 MR. CACHERIS: I think this is objectionable.
7 I think it is entirely proper for an attorney to talk
8 with his client. Mr. PUccio is trying to make this
9 look sinister.

10 THE COURT: Overruled.

11 MR. CACHERIS: I think the jury should be
12 told, your Honor.

13 THE COURT: I assume the jury assumes and I
14 will tell them that lawyers and clients talk together
15 A lawyer would probably be guilty of malpractice
16 if he let his client get on the stand without dis-
17 cussing his testimony in advance.

18 But that doesn't mean that the area is not
19 a proper area of inquiry on cross examination.

20 The objection is overruled.

21 Q Now, have you ever talked to Mr. Brown, Mr.
22 Ben-Veniste, or Mr. Duffy about your testimony, Congressman
23 Meyers?

24 A Not any specific questions. We talked generally
25 about this whole case.

1
2 We had at lunch. We had it right in this
3 courtroom. But I have not sat down with any of the
4 other attorneys and went over this transcript and
5 told them or they told me any specific things.

6 No, they had not.

7 Q I take it then that you had no idea that
8 those three gentlemen would also ask you questions today?

9 A I did not learn that until today.

10 Q Until I asked you the questions that you sat
11 there on the witness stand, is that right?

12 A Well, I went through this whole tape. I
13 was prepared to answer anything that involves me in this
14 transcript.

15 Q And you didn't know that those three
16 gentlemen would ask you any questions until you heard those
17 questions on this witness stand? Is that right, Congressman?

18 A That is correct, Mr. Puccio.

19 Q Now, Congressman Meyers, did you tell the
20 absolute truth to this Court and to the jury during your
21 testimony?

22 A I have told the absolute truth during this
23 entire trial to this jury and to the other people in this
24 courtroom from the first minute that I took this witness
25 stand.

1
2 And I intend to tell the truth all through
3 your questioning too.

4 Q You didn't lie to this jury once. Is
5 that correct?

6 A That is correct.

7 I didn't lie to this jury. And I never
8 intended to lie to anybody.

9 MR. CACHERIS: Your Honor, he's arguing with
10 the witness.

11 THE COURT: Is that an objection to the next
12 question or the last?

13 It has already been answered.

14 (Continued next page.)
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2 Q Congressman Myers, when you walked into the
3 Travel Lodge Motel room on August 22, 1979, and met with
4 Mr. DeVito and Mr. Weinberg, did you know that video tape
5 cameras were watching what was going on and microfilms were
6 recording what you said?

7 A No, I did not.

8 Q When you walked into the Barkley Hotel
9 subsequently on January 24, 1980, did you know that video
10 tape cameras were recording that scene?

11 A No. sir.

12 Q How many times did you tell an intentional
13 falsehood? How many times did you lie to Mr. DeVito and
14 Mr. Weinberg during the meeting on August 22, 1979?

15 MR. CACHERIS: Objection.

16 THE COURT: Overruled.

17 A I don't know how many times I couldn't give
18 you a number. In the meeting of the 22nd, I can go through
19 it when Angelo Errichetti gave me my cue to talk about myself
20 in that particular statement I told three or four lies
21 in there about judiciary committees and appropriations. I
22 started off telling lies the way I was instructed. You
23 were instructed to lie during that meeting, is that correct?

24 A Yes.

25 Q Within the first few minutes of that meeting
you told three or four lies?

Myers-cross-Puccio

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A Yes.

Q The meeting lasted for about 35 minutes?

A Yes.

Q How many lies did you tell during that meeting,
Congressman Myers?

A Mr. Puccio, I would be happy to go through
it with you and tell you what was a lie.

I could not guess. I came on strong and --

Q In almost everything you said it was not the
truth?

A Almost everything I said there is not the
truth, that is correct.

Q Why did you go up to New York City on that
day, Mr. Myers?

A I went up there for two reasons. One reason
was to try to help my friend Mr. Johanson out with his
transaction in Atlantic City. The other reason was to get
\$25,000.

Q Did you lie to get that money, Congressman
Myers?

A I told people that I would introduce
legislation when I knew I didn't have to and never intended
to. Yes, I lied.

Q You lied to get that money, is that correct?

Myers-Cross-Puccio

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2 MR. BEN-VENISTE: Objection to lie. Weisberg
3 told him to play act. It's a question whether this is
4 a lie or not under the circumstances.

5 It's argumentative.

6 THE COURT: Is that the ground, argumentative?

7 MR. BEN-VENISTE: Repetitious.

8 THE COURT: Sustained on the latter ground.

9 Q When for the first time did you hear that
10 there was a Sheik?

11 A The first time I heard about the Sheik was
12 the day I met with Mr. Johanson at his summer place in
13 Longport.

14 Q He told you that the Sheik had a lot of money,
15 is that correct?

16 A Yes, and about the hotel deal.

17 Q He told you that the Sheik had an immigration
18 problem, is that correct?

19 A Yes.

20 That is the first time I heard about immigration.

21 Q And he told you that the Sheik needed a
22 United States Congressman to solve his immigration problem,
23 is that correct?

24 A No, he didn't say anything about a United
25 States Congressman.

Myers-cross-Puccio

1
2 He said that the Sheik was willing to pay
3 him and Mr. Criden a hundred thousand dollars to meet --
4 if they introduced the Sheik to important people.

5 Q He told you that one of these important people
6 would be you, is that correct?

7 A If I agreed to meet.

8 Q You agreed to meet, is that correct?

9 A Yes, after he explained to me a little more
10 about the money.

11 Q He explained to you that you would receive
12 \$25,000, is that correct?

13 A Yes, he did.

14 Q Did he tell you you would have to lie to make
15 any intentional false statements to the Sheik?

16 A No, he told me that I would get further
17 instructions from Mayor Errichetti and Mel Weinberg.

18 Q He told you you would have to --

19 A He told me to make an impression on the Sheik.
20 He liked tough guys.

21 Q Did he tell you you would have to say something
22 to the Sheik that wasn't true?

23 A No, he didn't have all the details. He didn't
24 have all the details what actually I had to do.

25 He told me there would be a meeting set up

Myers-cross-Puccio

1
2 between Mayor Errichetti and Mel Weinberg and myself prior
3 to the meeting with the Sheik.

4 Q But he told you you would have to play act?

5 A Yes, he told me I would have to play act.

6 Q What did you take that to mean?

7 A Act like a tough guy in this point in time.

8 He didn't know all the details.

9 Q Did you take it to mean you would have to
10 say something that wasn't true to the Sheik in order to get
11 the money?

12 A At this point in time, no. Mr. Johanson
13 didn't tell me that.

14 Q You thought you would have to play act li
15 a tough guy and you would get \$25,000?

16 A Yes.

17 Q What did he tell you you had to be tough about?

18 A Act like a tough guy.

19 Q What did you take that to mean?

20 A To me, it's somebody who talks tough, acts like
21 a tough tumble-type character, that's what it meant to me.

22 Q Did you believe at that time that you would
23 not have to do anything for the money?

24 A I asked that very question to Mr. Johanson.
25 I said it sounds like a fairy tale. A hundred thousand

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dollars, he told me it was peanuts to the rich Arab.

Q Have you ever received a proposition like this before from Mr. Johanson or anyone else?

A No, I never heard of such a proposition.

Q In any event, you agreed to attend this meeting, is that correct?

A Well, I knew Mr. Johanson to be an honorable person and good lawyer. When he told me about the hotel deal and he was going to receive a couple of million dollars, I thought it was true. That is what convinced me.

Q The first time you heard about the meeting from Mr. Johanson you didn't think there was anything improper in this, is that correct?

A That is correct.

Q Now, when is the next conversation you had concerning this matter?

A The next conversation was the day -- the 21st of August when Mr. Johanson stopped at my house down in Longport and told me that the meeting was set up for the following day, the 22nd.

Q During that intervening period you had nothing, is that correct?

A That is correct.

Q Had you called or telephoned Mr. Johanson's

1
2 office earlier that day?

3 A Had I?

4 Q Yes.

5 A No, I don't recall calling, no.

6 Q Did Mr. Johanson appear at your house out of
7 the blue that evening before the August 22nd meeting or
8 had you expected him?

9 A I expected him at some point in time once
10 the meeting was set up to stop at my house. I told him
11 I would be down in Longport in the month of August because
12 I was on vacation from Congress.

13 Q You had no problem attending up in New York
14 to pick up \$25,000 the next day?

15 A I was on vacation. As far as any other commit-
16 ments I had none, only my night office.

17 Q If you had some appointments that day you
18 wouldn't have gone?

19 A I had no appointments during the daytime
20 during the whole month of August. I was on vacation, but
21 I did attend office hours at night.

22 Q Did Councilman Johanson tell you on August
23 21st, when he came to your house that you would have to do
24 something that you would have to promise something to the
25 Sheik?

Myers-cross-Puccio

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2 A No, he did not. He told me the next morning
3 that I would meet with Mayor Errichetti and Mel Weinberg.
4 I would be given my script at that point in time.

5 Q Your tough guy script?

6 A I didn't know.

7 Q Didn't you ask him?

8 A He didn't know what I was going to be told
9 to say.

10 Q Both of you were in the dark at that time,
11 is that fair to say?

12 A Well, not totally, because he had mentioned
13 to me about immigration. They may want to talk about
14 immigration.

15 Q You knew that the meeting was going to be
16 about immigration, is that correct?

17 A I didn't know what the meeting was going to
18 be or what they may want to talk about.

19 If they brought it up. I didn't know they
20 were.

21 Q You didn't know they were going to bring
22 it up.

23 A At that point in time he said they may bring
24 it up.

25 Q You knew money was going to be passed, is that

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correct?

A Yes, I knew about money.

Q You knew that money was going to be passed to you, is that correct?

A Yes.

Q That you were going to carry it out of the meeting, is that correct?

A Yes, I knew it.

Q Now, Congressman Myers, at this point you had not spoken to Mayor Errichetti about this matter, is that correct?

A That is correct.

Q Did you know Mayor Errichetti before this date?

A Yes.

Q How many occasions had you met with him prior to this date?

A Dealing with political matters concerning our area?

Q Any matters?

A I would say 15, maybe.

Q You felt it was sufficient at this point to deal through councilman Johanson and not speak to the Mayor directly about the trip to New York?

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2 A All my faith was in Lou Johanson who I knew.

3 Q Did you ask Mr. Johanson why you would have to
4 travel to New York and why it couldn't be done in Longport
5 or Philadelphia or any place else?

6 A No.

7 Q That didn't make any difference, did it?

8 A I didn't know the reasons. I didn't ask that
9 question.

10 Q Did you ask any questions?

11 A Only what was expected of me.
12 He told me nothing. I had to do absolutely
13 nothing.

14 Q Except read the script?

15 A I was instructed by the Mayor and Mr. Weinberg
16 then I would have to read the script.

17 Q Did you know on the day before that that
18 script would contain a promise that you would introduce a
19 private immigration bill before the house of representatives?
20 Did you know that?

21 A No.

22 Q Did you know that that script would contain
23 a promise by you that you would intervene with the United
24 States Department of State?

25 A No, I didn't know I was never told about the

Myers-cross-Puccio

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State.

Q Did you expect a written script to be handed to you?

A No, I wasn't told a written script, just instructed on what I had to do and say.

Q You were prepared to do anything, isn't that right, Congressman Myers?

A No, I wasn't prepared to do anything. No, that is not right.

Q What were you not prepared to do?

A I wouldn't do anything that would violate my office. I made that clear from the very first minute. I reinforced that when I spoke to the Mayor. I told him that right up to getting to the room.

Q We didn't get there yet.

A I'm sorry.

Q You wouldn't do anything that would violate the law, is that correct?

A That is correct.

Q You wouldn't do anything that was dishonest in any way, is that correct?

A That is absolutely right, Mr. Puccio.

Q Now, on the next day you met with Mayor Errichetti, is that correct?

Myers-cross-Puccio

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A The next day being the 22nd, that is correct.

Q He gave you the script, is that correct?

A That is correct.

Q Who else was present when he gave you the script?

A Standing 20 or 30 feet away was Lou Johanson, Howard Criden, Mr. Criden's son, and I believe another gentleman who was Mr. Errichetti's driver.

Q Were they part of the conversation that you had with Mayor Errichetti?

A No. They were not a part. We went off by ourselves.

Q Privately?

A They could see us. We were hardly 20 or 30 feet away, but against the wall at the Kennedy Airport in the terminal there.

Q At the Pan Am Terminal, is that correct?

A I believe it was Pan Am, yes.

Q You weren't concerned about this being a private conversation, is that correct?

A We were private. I took it to be a private conversation.

Q You weren't concerned that the others were excluded from the conversation?

Myers-cross-Puccio

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2 A No, because I was told I was going to meet
3 with the Mayor and he was going to tell me about what I
4 should say.

5 Q You assumed everyone else there knew what
6 was going on, is that correct?

7 A No, I didn't assume anything. That is the
8 first time I ever met Mr. Criden's son. I didn't know what
9 they thought or assumed.

10 Q What did the Mayor say to you in this
11 private conversation?

12 A He said to me there was a change in plans.
13 That Mr. Weinberg couldn't make the meeting and he would
14 give me my instructions.

15 He went on to tell me, you've got to come on
16 strong. You have to talk like a tough guy. It's all play
17 acting, tell them whatever they want to hear. The Sheik
18 doesn't understand English.

19 I said suppose it's an area I don't understand.
20 He said, "Talk about the Phillys, anything. I will be in
21 the room with you. Mel will be in the room with you.
22 If you have any problems, we will back you up and speak
23 up if there is anything you got a problem with."

24 Q Did he tell you anything else?

25 A Just to come on strong and he talked -- "Did

Myers-cross-Puccio

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2 you ever see me on television, how positive I talk, aggressive
3 I am? Sure I've seen you on television a number of times.
4 Act like me, you are a former longshoreman, you know."

5 Q You didn't need a script for that?

6 A Well, I had an idea how a tough guy acts.

7 Q Tough guys say things like F'n?

8 A Yes.

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11 (Continued on next page.)
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Meyers-cross-Puccio

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2 Q What did he tell you to come on strong about?

3 A Anything they wanted to talk about.

4 Q What did you believe, as you stood there with
5 Mayor Errichetti in the Pan Am Terminal that they wanted to
6 talk about?

7 A He talked about investments, immigration
8 matters, told me about the sheik being -- wanting to immigrate
9 to this country, tell them whatever they want to hear.

10 They don't understand what you are saying,
11 just talk about it.

12 I told him I didn't understand all the details
13 and intrical parts of immigration matters. I don't serve on
14 that committee. I never had any real dealings with that.

15 Q Would it be fair to say Mayor Errichetti told
16 you that the purpose was you should give surety to the
17 sheik that his immigration problems would be solved?

18 A I would say it is a fair statement, yes.

19 Q You said to Mayor Errichetti, I'll tell the
20 sheik or his representatives, whoever was there, I am
21 prepared to introduce a private immigration bill, is that
22 correct?

23 A I don't think that came up at that point
24 in time, no.

25 Q You had discussed the introduction of a

1
2 private immigration bill before you walked into the room
3 before the cameras?

4 A He said he may talk about it. He didn't
5 actually tell me to tell him you would introduce a private
6 bill. I am the one that got in the private bill. He
7 talked about immigration problems. He didn't talk about
8 private bills.

9 Q Didn't he tell you that in order for the
10 money to be paid you would have to say that you would intro-
11 duce a private immigration bill or in some way make assurance
12 that the sheik would get into the country?

13 A He didn't talk about a private immigration
14 bill, he talked about immigration matters that the sheik
15 was interested in coming to America to possibly live. I
16 told him I didn't understand the ramifications or the
17 problems that could arise. He said don't worry about it,
18 tell him whatever you want to tell him, he doesn't under-
19 stand English.

20 He doesn't know if you are telling him a
21 fact.

22 Q He told you to lie to the sheik?

23 A He told me to talk about the Phillies.

24 Q Did he tell you to lie to the sheik?

25 A He didn't actually say lie to the sheik, no.

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2 Q Was it understood that everything you would
3 say during the meeting would be the truth, Mr. Meyers?

4 A It was understood that I was to come on
5 strong and tell these people whatever they wanted to hear.
6 I didn't know what they wanted to hear other than they may
7 talk about immigration matters.

8 He didn't tell me a specific bill. No, he
9 did not tell me that.

10 Q If they would have talked about immigration
11 matters, you would tell them what they wanted to hear about
12 immigration matters, is that correct?

13 A Yes.

14 I started right off explaining that.

15 Q You start right off and promise to introduce
16 a private immigration bill?

17 A I talk about a private bill. I start, if
18 you read the way that starts off, I go into talking about
19 the committee.

20 Q You are jumping ahead.

21 Correct me if I am wrong, in that meeting,
22 you promised to introduce a private immigration bill, is
23 that correct?

24 A Yes.

25 Q Thank you.

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2 That was a false statement of your intentions,
3 is that correct?

4 A That is correct.

5 Q And that was a false statement of your
6 intentions to obtain money, is that correct?

7 A A false statement of my intentions? I never
8 intended to do anything as far as introduce any bills. I
9 was told I never had to do that.

10 Q When you said that you would introduce a
11 private immigration bill, you said that, you made that
12 false statement in order to obtain money from the sheik,
13 is that correct?

14 A I made a false statement.

15 Q In order to obtain money from the sheik's
16 representative, is that correct?

17 A Yes.

18 Q Congressman Meyers, you were in the House
19 of Representatives in Pennsylvania, is that correct?

20 A Yes, sir.

21 Q During the period of time that you were in
22 the House of Representatives, you had occasion to vote on
23 bills concerning criminal matters, is that correct?

24 A Criminal matters?

25 Q Yes.

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2 A I don't recall any criminal--

3 MR. CACHERIS: Objection, relevance.

4 THE COURT: Overruled.

5 Q Are you saying that you never voted on a
6 bill concerning criminal matters?

7 A You're going to have to explain what bill
8 you are talking about. I didn't know we voted on criminal
9 matters.

10 Q Do you know what a penal code is?

11 A Yes. You're talking about laws that we
12 voted on that govern certain things?

13 A Yes.

14 Q I assume while you are in the legislation
15 you voted on laws, is that correct?

16 A Yes. I didn't know that was criminal matters.
17 I just learned that today from you, Mr. Puccio.

18 Q Well --

19 MR. BEN-VENISTE: I object and ask for a
20 Side Bar if Mr. Puccio is going to pursue some other
21 legislation in some other code other than the one
22 we are dealing with here.

23 THE COURT: Is that your intention?

24 MR. PUCCIO: I have some questions about
25 a certain statute, criminal statute.

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2 MR. DUFFY: I object. I recognize the book,
3 it is --

4 THE COURT: Sustained.

5 Q Congressman Meyers, did you believe it was
6 dishonest to obtain money by false pretenses?

7 A I --

8 MR. BEN-VENISTE: Objection, your Honor.

9 THE COURT: Overruled.

10 A No, I didn't think this was dishonest.

11 Q Now, after that meeting with Mr. Errichetti
12 at the Pan American Terminal, what did you do?

13 A After Mr. Errichetti left, I left shortly
14 thereafter, a few minutes behind him.

15 I went with Mr. Johansen out to my car which
16 was on the parking lot. We drove over to the hotel, parked
17 the car outside, walked in, at which point in time I met
18 Mayor Errichetti standing in front of the elevators in
19 the lobby.

20 Q He told you that something changed?

21 A Yes.

22 Q He told you there wasn't going to be 100,000
23 dollars, there was going to be 50,000, is that correct?

24 A No, sir, that is not correct.

25 Q Didn't he tell you that the amount had changed

Meyers-cross-Puccio

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2 in some way?

3 A He never mentioned the amount to me at no
4 time.

5 Q Well, he told you something changed about
6 the sheik's plans, is that correct?

7 A That is correct.

8 Q Did he tell you the sheik was prepared to go
9 to South America, is that correct?

10 A No, he told me the sheik would not be at
11 the meeting. That he was tied up in other deals and could
12 not be present for this meeting, but one of his representatives
13 would be there.

14 And of course he would still be there and
15 Mr. Weinberg would be in the room.

16 Q Didn't he tell you that the sheik was prepared
17 to go to South America if he had to leave his native land?

18 A He told me at this point in time, when I
19 realized the sheik would not be present, I wanted to know
20 about more of what I'm going to say. Who is going to be
21 there in the room.

22 - Obviously, I'm not going to talk about the
23 Phillies to someone who understands English.

24 Q Back up a moment. You walked into the
25 Travellodge Motel and as you said the Mayor is standing

Mcycers-cross-Puccio

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2 there alone and you walk over to him and engage him in
3 conversation?

4 A Yes.

5 Q He is informing you of what has happened in
6 the interim since you saw him last, is that correct?

7 A Yes.

8 Q You're asking questions because now you
9 find out that the sheik is not going to be there and you
10 need more details as to what is going to happen, is that
11 correct?

12 A Yes.

13 Q You are standing in the lobby?

14 A Right in front of the elevators, yes.

15 Q How long does this conversation take?

16 A I would say just a couple of minutes.

17 Q What questions do you ask?

18 A I want to know who was going to be in the
19 room if the sheik is not present. He told me one of his
20 representatives would be there.

21 So I said, "What is he going to ask me?
22 What do I have to say?"

23 He said, "Go on with the same stuff I told
24 you, don't worry about anything."

25 I was concerned about the immigration stuff.

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2 What about immigration, does he know all the
3 procedures on immigration matter-.

4 He said tell him whatever -- you go along
5 with it.

6 Q Whether it is true or not?

7 A He didn't put it that way. Tell him go
8 along with whatever he asked.

9 Q You took it, go along and say thing whether
10 they were true or not?

11 A Yes.

12 Q At this point you knew that the immigration
13 matter was of no importance, is that correct?

14 A Just at that point I learned that. He tells
15 me Mel Weinberg told him that I would never have to do anything.
16 It couldn't be a possibility anything would arise dealing
17 with the sheik coming to America because if he ever had to
18 leave his homeland that arrangements were already made in
19 South America for him to go there.

20 Q You knew at that point that you wouldn't
21 have to promise to introduce a private immigration bill,
22 is that correct?

23 A I know I would never have to introduce one.

24 Q You knew you never had to promise to introduce
25 one?

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2 A No, I didn't know -- I didn't know what
3 the representative was going to ask.

4 Q If the sheik were going to South America,
5 there would be no need for the representative to ask you
6 anything about private immigration bills is that correct?

7 A I didn't know that until I got to the room.
8 There is no talk of that.

9 Q Hadn't Mayor Errichetti told you before you
10 went to the room that the sheik was going to South America?

11 A No.

12 Q He told you before you went to the room?

13 A Yes, I'm sorry. Yes.

14 I thought you meant outside the elevator.

15 Q You knew at least insofar as immigration
16 matters were concerned that was out of the picture, is that
17 correct?

18 A Yes, that was out of the picture.

19 Q The first thing you did when you walked in
20 the room is say you would introduce a private immigration
21 bill?

22 A When I first go in the room, I say hello,
23 they say hello. The Mayor talks about the six-member dele-
24 gation and I go on to a statement, and give a brief summary
25 of my background.

Meyers-Cross-Puccio

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2 I go on to tell them how important I am
3 on all these important committees.

4 Q All untrue?

5 A Not totally untrue. There are 25 members of
6 the Pennsylvania delegation. A lot of untruths throughout
7 the first statement.

8 Q That first big paragraph on page 2?

9 A Yes.

10 Q Now, Mr. De Vito started off with talking
11 about the sheik's immigration problems, is that correct?

12 A (No response.)

13 Q Is that right?

14 A I want to refer to the page if you tell me
15 where we are.

16 Q What is your best recollection, does he start
17 off talking about the sheik's immigration problem?

18 MR. CACHERIS: I think he ought to refer to
19 the page.

20 MR. PUCCIO: I have no objection.

21 A Talking about 5a, I make a long statement.

22 Q You told us about that, after that Mr. DeVito
23 talks about Somosa and how the sheik is in the same position?

24 A Yes.

25 Q Right after that you say, well, since the

1
2 sheik is going to South America, you have no immigration
3 problems, is that what you say?

4 A No.

5 Q Why don't you say that?

6 A Because at this point in time the only
7 one I know in the room knows about the operation is myself,
8 Mayore Errichetti, and Mel Weinberg.

9 I don't know anything about Mr. De Vito other
10 than he is a representative of the sheik.

11 Q And he is Weinberg's boss, right?

12 A I didn't know who was the boss at that time.
13 All I knew was Weinberg and the mayor was a part of this
14 overall \$100,000 that was going to change hands.

15 Q Since Weinberg said nothing, as you point
16 out, and De Vito was running the meeting, you had to assume
17 Weinberg worked for DeVito, is that correct?

18 A I didn't assume that. You can look at it
19 either way.

20 Q You assumed that DeVito didn't know that
21 the shake had plans arranged to go to South America if
22 he had a problem in his Native land?

23 A I figured he would bring it up.

24 Q You assumed he didn't know about it, is that
25 correct?

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A It was never brought up. .

Q Did you assume one way or the other?

A I didn't assume anything. I didn't bring it up. He didn't.

Q Now, -- may I have a moment, your Honor?

(Pause.)

Now, you say during this meeting, Congressman Meyers, that you are going to use your influence or words to taht effect, is that correct?

A Yes.

Q ...And do you know how many times you said that during the meeting?

A During this first meeting?

Q Yes.

A No, I never counted.

Q And you tell us now that wasn't a true statement of your intentions, is that correct?

A That is correct.

(Continued on following page.)

1 1 Meyers cross - Puccio

2 CONTINUED CROSS EXAMINATION

3 BY MR. PUCCIO:

4 Q And you talked about intervening with the
5 Department of State on behalf of the sheik, is that correct?

6 A I talk about that after Mr. DeVito brings
7 it up, yes.

8 Q You wouldn't have brought that up, is that
9 correct?

10 A I would bring -- No, when Mr. DeVito brings
11 up something about the Department of State, that was the
12 first time throughout any of this that I ever heard the
13 Department of State mentioned.

14 Q And you respond that you're willing to do
15 something with the Department of State because of a
16 connection there, is that correct?

17 A That's what I say, yes.

18 Q And are you telling us now that that was
19 all false, you didn't have any connection with the Department
20 of State?

21 A I didn't then and I never did.

22 Q As a U.S. Congressman, did you have occasion
23 to work on any immigration problems for people in your
24 district?

25 A No, I didn't, personally.

1 2 Meyers cross Puccio

2 Q Well, the members of your staff, did they
3 ever work on immigration problems for people in your
4 district?

5 A Yes. People would come in my office.

6 Q About how often does that happen?

7 A In my o-ffice?

8 Q Yes.

9 A I would say maybe a couple of times a month,
10 with things dealing with immigration in my office.

11 I have a Spanish speaking community where
12 immigrants have problems. I have Italian community where
13 people are coming in from Italy.

14 Q Would it be fair to say that people of
15 your staff to people in the Immigration Service frequently?

16 A No, I don't think that's a fair statement.

17 Q Well, in connection with these immigration
18 problems that your constituents have, people of your staff
19 contact immigration, is that correct?

20 A Well, we contact them in the Philadelphia
21 office, yes, on occasion, but I wouldn't say it is a
22 fair statement that they regularly deal with them. I per
23 personally have never dealt with them.

24 Q If it were necessary for you to do so, in
25 connection with a matter, you would contact the Department

- 1 3 Meyers cross - Puccio
- 2 of State for a constituent, wouldn't you?
- 3 A MR. CACHERIS: Objection.
- 4 THE COURT: Read the question.
- 5 (Question read)
- 6 THE COURT: Sustained as to form.
- 7 Q Well, there wouldn't be anything wrong in
- 8 a Congressman contacting the Department of State on a
- 9 legitimate problem, isn't that correct?
- 10 A I don't see anything wrong with it. I
- 11 wouldn't -- I wouldn't contact a local Immigration
- 12 Service in Philadelphia located in the William J. Green
- 13 Federal Building where I have an office located.
- 14 Q Don't members of Congress contact Immigration
- 15 and Department of State all the time in connection with
- 16 matters that come before them?
- 17 MR. CACHERIS: Objection, Your Honor.
- 18 THE COURT: Sustained as to what others
- 19 might do.
- 20 A I don't know what other members do. Whenever
- 21 anybody in my office had an immigration matter --
- 22 MR. CACHERIS: Your Honor --
- 23 THE COURT: Mr. Meyers, I sustained the
- 24 objection. You don't have to answer.
- 25 THE WITNESS: I'm sorry.

1 4 Meyers - cross - Puccio

2 Q Well, your office contacts agencies of the
3 Federal Government fairly regular on all sorts of problems
4 for your constituents?

5 MR. CACHERIS: Objection, beyond the scope?

6 THE COURT: Overruled.

7 A Yes, if we have a constituent, for instance,
8 a Vietnam veteran, who has a problem with the V.A., we
9 will contact the Veterans Administration of Philadelphia,
10 and if it's a social security problem, we will contact
11 the Social Security Bureau and what we do, I will explain
12 the procedure if you would like me to.

13 Q Now, during this meeting, you talked about
14 investments in Philadelphia, is that correct?

15 A Yes.

16 Q And you indicated that although you would
17 help the sheik with his immigration problem anyway,
18 it would be nice to have an investment in the Port of
19 Philadelphia, to cover you, isn't that correct?

20 MR. CACHERIS: Objection to the form.

21 THE COURT: Overruled.

22 You may answer.

23 A I talked about investments in the Port of
24 Philadelphia and throughout the City, with mortgages and
25 all kinds of other possibilities that they were talking

1 5 Meyers - cross Puccio

2 about.

3 Q Well, didn't you agree that such a course
4 of action taken by the sheik, that is, investing in
5 Philadelphia, would protect you?

6 A Any investing in my district that I would
7 have a part of would certainly make me look good with
8 my constituents and I always consider investments in my
9 district at all times.

10 Q Didn't you indicate at this meeting that
11 investments by the sheik in your district or in
12 Philadelphia would protect you?

13 A Yes, I said that.

14 Q Now, was that a true statement when you made
15 it?

16 A It wouldn't protect me, it just would be
17 beneficial to my district.

18 Q So, insofar as you agreed or said that it
19 would protect you, that was false, is that correct?

20 A That's correct. I didn't have anything to
21 be protected from.

22 Q Why did you feel it necessary to tell that
23 falsehood to Mr. DeVito and Mr. Weinberg?

24 A Well, when I heard about the 400 million
25 dollars, I didn't want it to go to any other city but my

1 6 Meyers cross - Puccio

2 own.

3 Q And therefore, you were legitimately seeking
4 from this sheik investments in Philadelphia, is that
5 correct?

6 A That's correct.

7 Q Now, you also talk in this meeting about
8 labor problems, is that right?

9 A I think they bring it up initially.

10 Q And you talk about how the Port of
11 Philadelphia was more advantageous than the Port of New
12 York, is that correct?

13 A Yes, sir.

14 Q And you try to sell the sheik's representatives
15 on investing in Philadelphia, is that correct?

16 A That's correct, yes.

17 Q And you even talk about the Port of Camden,
18 is that correct?

19 A Yes, I talk about the Port of Camden when we
20 say the Port of Philadelphia, that includes the Port of
21 Camden.

22 Q And you suggest that an investment there
23 would be beneficial, is that correct?

24 A Yes.

25 Q Now, by the way, you continually talk through

1 7 Meyers - cross - Puccio

2 this meeting about having connections down in Washington,
3 is that right?

4 A Yes - -

5 MR. CACHERIS: I object. He used it several
6 times, he answered questions during the meeting.

7 THE COURT: Overruled.

8 Q And you indicate that if someone from the
9 middle east without a connection came to the United
10 States and wanted a private immigration bill introduced,
11 somebody would be crazy or insane to do it?

12 A Yes.

13 Q Because you wanted to indicate to Mr. DeVito
14 that he came to the right person, is that right?

15 A I wanted to make myself sound important,
16 that's correct.

17 Q Now, you also wanted to indicate that there
18 were only certain ways that things could be done in
19 Washington, is that correct?

20 A Certain ways, meaning that it took influence
21 to introduce a bill.

22 Q Yes.

23 A Yes, I said that.

24 Q And you wanted to indicate that it took
25 money to get things done down in Washington, is that

1 8 Meyers - cross - Puccio

2 correct?

3 A What are you referring to, the money
4 statements, bullshit walks statement?

5 Q Well, at the very least?

6 A Well, I said that, yes.

7 Q Was that a false statement?

8 A It was a figure of speech that I use, that
9 I heard many times. Anything that you get involved with
10 costs money, and I use it loosely, but that's basically
11 what I mean by it.

12 Q Well, you said, if I can find the page,
13 "I am going to tell you something real simple and short.
14 Money talks in this business, and bullshit walks", which
15 business were you referring to?

16 A I'll have to go back and see what he says
17 to me. I think I was referring to anything that he was
18 talking about. Anything that Tony was talking about.

19 Q I'm sorry. I didn't hear your answer.

20 A I believe I was referring to anything that
21 Tony DeVito was talking about.

22 Q And what was he talking about?

23 A He was talking about State Department,
24 talking about immigration, talking about private bills.

25 Q And that's the business in which money talks,

1 9 Meyers - cross - Puccio

2 is that right?

3 A I use, like I said earlier, Mr. Puccio,
4 that statement covers everything and that's the way I
5 used that statement.

6 Q And then you said, "And it works the same
7 way down in Washington," is that right?

8 A Yes, I say that.

9 Q And is that a true statement?

10 A I have no knowledge of the working that way
11 down there in Washington, no.

12 Q And you say we have our own group that we
13 use our influence, is that correct?

14 A No, I don't - I am a part of no group.

15 Q Well, that's what you said, isn't that
16 correct?

17 A Well, it's not true. It's B.S. Strictly
18 B.S.

19 Q And you said it's a trading game down in
20 Washington, is that correct?

21 A Yes.

22 Q And that, of course, is false, is that
23 right?

24 A That's false.

25 Q You have never had occasion to have a

1 10 Meyers - cross Puccio
2 legislature in Washington to trade off your interests
3 or the interests of your constituents against someone
4 else's, is that right?

5 A No, I never did any trading.

6 Q And you said that the sheik could be
7 100 percent better with me in his corner, is that right?

8 A Yes, I said that.

9 Q And that was a lie, wasn't it?

10 A Yes.

11 Q Why was it a lie?

12 A Because I just meant it loosely, 100 percent
13 better meant to me, that if you carry an umbrella, you
14 won't get any rain on your head, but somebody may throw
15 a bucket of water on your head..

16 Q Well, wouldn't the sheik be better with a
17 United States Congressman in his corner?

18 A Well - -

19 MR. CACHERIS: Objection, Your Honor.

20 THE COURT: Overruled.

21 Q Wouldn't the sheik be better off with a
22 United States Congressman in his corner?

23 A I would think if he had an immigration
24 problem, he would be better off with a good immigration
25 lawyer.

1 ll Meyers - cross Puccio

2 Q Why do you say that, Congressman Meyers?

3 A I would say that because these cases are
4 very complicated, and each case, you know, is judged on
5 its own merit and someone who knows immigration law would
6 certainly be in a better position to advise someone than a
7 lot of members of Congress, meaning myself, I don't know
8 anything about immigration.

9 Q But a Congressman could introduce a bill
10 that can go beyond the law, isn't that correct?

11 MR. CACHERIS: Objection, Your Honor, beyond
12 the law.

13 THE COURT: Overruled.

14 A Any member of Congress, there's 435 members
15 of the House, 100 in the Senate on the Senate side can
16 introduce a private bill not only on immigration matters,
17 but a private bill on anything can be introduced.

18 Q Don't you think that someone such as a
19 sheik would be at least a little better off with a United
20 States Congressman in his corner?

21 A No, I think he would be better with an
22 immigration lawyer.

23 Q Now, you said - -

24 THE COURT: Mr. Puccio, if you can finish
25 in 15 minutes, fine.

1 12 Meyers cross - Puccio

2 If you can't , find a good spot to stop
3 for the day.

4 Q Now, Congressman Meyers, you said without
5 someone in my position, you're in deep trouble.

6 Do you remember saying that?

7 A Yes.

8 Q People wouldn't even want to deal with you,
9 is that right?

10 A That's what I said.

11 Q And that was a false statement, isn't that
12 correct?

13 A Yes, that's correct. It was a false
14 statement.

15 Q Now, you said I feel very comfortable here,
16 that's the only reason I am here, is that right?

17 A Yes.

18 Q And why did you say you felt comfortable?

19 A I felt comfortable because Mayro Errichetti
20 was there and Mel Weinberg was there who was 100 percent
21 of this million dollar transaction we were going to
22 relieve this sheik of.

23 Q DeVito knew what you meant when you said
24 you were comfortable there?

25 A No, he didn't give me any indication whether

1 13 Meyers - cross - Puccio

2 he knew what I meant or not.

3 Q Now, during this meeting, you offered
4 certain concrete suggestions to help the sheik with his
5 immigration problem.

6 Do you recall those?

7 A If you tell me what they are - -

8 Q Do you recall any concrete suggestions that
9 you made?

10 MR. DUFFY: Objection as to form.

11 THE COURT: Overruled.

12 A I talked about some business investments
13 in Philadelphia, concrete -

14 Q Didn't you first say something about a
15 veterinarian?

16 A Yes.

17 Q What did you say?

18 A I said if he had some specialities and
19 Mr. DeVito said his own specialty would be money, I said
20 that makes things easier.

21 Q You suggested if the sheik had some special
22 occupation that would be helpful in assisting you in your
23 efforts on his behalf, is that correct?

24 A If he had some special occupation, what I
25 meant by that - -

1 14 Meyers cross - Fuccio

2 Q Didn't you say that?

3 A Yes, I said that.

4 Q And was that true or false?

5 A Well, I had no way of answering that. I said
6 it, but I did not know what the answer to that was.

7 Q Are you saying that you didn't know that
8 it would be helpful for someone trying to immigrate to
9 the U.S. to have a special occupation that was needed
10 here?

11 Are you saying you didn't know that?

12 A No. I tried to explain that earlier, when
13 you asked the next question. I had knew and I had heard
14 that when private bills, in private bills, that sometimes
15 private bills are approved by Congress when it deals with
16 somebody who has some special talent, for instance,
17 someone who was a scientist looking to get out of Russia
18 and come to America, it was beneficial for us to allow this
19 individual to come in that that type of private bill
20 would be passed.

21 Q You felt it was necessary to offer this
22 solution to the sheik, is that right?

23 A I brought it up as another after. I was
24 trying to explain that I knew all about this immigration
25 stuff.

1 15 Meyers cross Puccio

2 Q That particular explanation or particular
3 statement about a specialty was true, isn't that correct?

4 A If there was some real specialty, like I
5 said, if he was a scientist and has some special scientific
6 projects he was working on, you know, that would be a
7 real consideration for Congress to make its decision upon.

8 Q You also indicated that the sheik might
9 become a shipping expert, is that correct?

10 A Yes, promoting the port again.

11 Q You also indicated if the sheik opened a
12 business, family members could be rotated in that business
13 so they could have occupations to get them into the
14 country, isn't that correct?

15 A That's what I said, yes.

16 Q You talked about, now, certain experts
17 handling storage of cargo, is that correct?

18 A Yes.

19 Q That would be something that a sheik or
20 a member of his family, would be the kind of specialty
21 that one of them could have, is that right; to facilitate
22 this entry into the United States?

23 A I said that, but I had no knowledge of
24 specialty in storage of cargo.

25 Q If the sheik were going to South America,

1 16 Meyers - cross - Puccio

2 why did you feel it was necessary to bring up these
3 different possible solutions?

4 A I thought Mr. DeVito was going to go back
5 to the sheik and report to him exactly what took place
6 in his conversation.

7 Q This would impress the sheik because the
8 sheik was going to South America?

9 A No, I thought it was going to impress the
10 sheik that I was an important person.

11 MR. PUCCIO: I don't have - - I don't think
12 I can stay within your time frame and I think I
13 will stop at this point.

14 THE COURT: So it would be a convenient spot
15 to break for the night?

16 MR. PUCCIO: Yes.

17 THE COURT: We will recess.

18 During the overnight recess, don't discuss
19 the case with yourselves or with anyone else.

20 We'll resume at 9:30. I would like to see
21 counsel at sidebar. I will ask the people in the
22 courtroom to remain in the courtroom until the jury
23 has left.

24 (Continued on following page)

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Pages 2882 to 2886, inclusive
are omitted for the purpose of the sealing
the record as per instructions of the Court.

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I N D E X

<u>WITNESS:</u>	<u>DIRECT</u>	<u>CROSS</u>
MICHAEL MYERS	2702	2800

E X H I B I T S

(None)

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,      :
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:                               :
  -against-                    :
:                               :
MICHAEL O. MYERS, ANGELO J. ERRICHETTI, :
LOUIS C. JOHANSON, HOWARD L. CRIDEN,    :
:                               :
          Defendants.          :
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United States Courthouse
 225 Cadman Plaza East
 Brooklyn, New York 11201

August 26, 1980
 9:30 o'clock A.M.

B E F O R E :

HONORABLE GEORGE C. PRATT, U.S.D.J.

A P P E A R A N C E S

1
2
3 EDWARD R. KORSAN, ESQ.,
4 United States Attorney for the
5 Eastern District of New York

6 Department of Justice
7 Strike Force
8 Brooklyn, New York

9 BY: THOMAS P. PUCCIO, ESQ.,
10 LAWRENCE H. SHARF, ESQ., and

11 Special U.S. Attorneys
12 Attorneys for the Government

13 MESSRS. HUNDLEY & CACHERIS, P.C.
14 1709 New York Avenue, N.W.
15 Washington, D.C. 20006

16 BY: PLATO CACHERIS, ESQ., and
17 LARRY E. GONDELMAN, ESQ., of Counsel

18 Attorneys for the Defendant Michael O. Myers

19 BROWN & BROWN, ESQS.,
20 26 Journal Square
21 Jersey City, New Jersey

22 BY: RAYMOND A. BROWN, ESQ., and
23 HENRY F. FURST, ESQ., of Counsel

24 Attorneys for the Defendant Angelo J. Errichetti
25

1
2 MESSRS. CARROLL, CREAHER, CARROLL & DUFFY
3 Suite 326 Three Penn Center Plaza
4 Philadelphia, PA 19102

5 BY: JOHN J. DUFFY, ESQ., and
6 JANE DUFFY

7 Attorney for the Defendant Louis C. Johnson

8 MESSRS. MELROD, REDMAN & GARTLAN
9 1801 K. Street, N.W.
10 Washington, D.C. 20006

11 BY: RICHARD BEN-VENISTE, ESQ., and
12 NEIL I. LEVY, ESQ., of Counsel

13 Attorney for the Defendant Howard L. Criden

14 * * *

* * *

3 CROSS-EXAMINATION

4 BY MR. PUCCIO:

5 Q Congressman Myers, is it true that it was
6 your idea to bring up the matter of introducing a
7 private immigration bill at your meeting with DeVito and
8 Weinberg and Mayor Errichetti on August 22, 1979?

9 A No. It is not true. I started off with
10 my explanation of how powerful I was. I just covered
11 that area.

12 But it wasn't my intent when I walked into
13 that room to bring it up, no.

14 Q Let me ask you a question again:

15 Was it your idea, Congressman Myers, to bring
16 up the introduction of a private immigration bill at that
17 meeting on August 22nd?

18 A No.

19 It was not my idea.

20 Q You said those words, did you not? You
21 proposed to introduce a private immigration bill?

22 A I promised to introduce a private immigration
23 bill after I was asked to introduce one.

24 Q All right.

25 And who asked you?

1
2 Q Will you point that out to me in the exhibit?
3 That is Exhibit 5A.

4 A I'll have to read through it to find it
5 but he brings it up first.

6 Q Let me point out page 3 where you say a little
7 down on the top, absolutely.

8 Where I could be of assistance in this type
9 of matter, first of all, is private bills that can be
10 introduced.

11 Do you see that on page 3?

12 A Page 3?

13 Q Yes, sir.

14 Do you see that?

15 A Yes. I say they can be introduced. I don't
16 say that I am going to introduce one.

17 Q Can you repeat that?

18 A Yes.

19 I say absolutely, where I could be of
20 assistance in this type of a matter, first of all, is private
21 bills that can be introduced.

22 I don't say I will introduce one.

23 Q At no time do you say you will introduce
24 one at any time in subsequent meetings or this meeting.

25 A I don't say so. When Mr. DeVito says to

1
2 me to introduce a private bill I say um-hum.

3 Q At no time at this meeting or subsequent
4 meetings do you say that you will introduce a private
5 immigration bill, is that correct; yes or no?

6 A That's correct.

7 When they say it to me I agree. But I didn't
8 bring it up.

9 Q Now, before you mention private bills on
10 this page you just looked at I'll ask you to look at
11 pages 1 and 2 of the transcript and see if anyone else
12 mentions private bills, Congressman Myers.

13 A No. I don't see anyone else mentioning it.

14 Q So you are the first person to utter those
15 words at this meeting; is that right, Congressman Myers?

16 A Yes.

17 In my opening statement I refer to immigra-
18 tion matters. There are private bills. Let me just
19 read this and I'll give you the exact wording.

20 Q Surely.

21 But my question, while you are thinking it, if
22 you can think about it, is you are the first person to
23 utter the words "private bills" at this meeting; is
24 that right?
25

1
2 A Yes. I bring private bills up in what I
3 refer to in page 3 for the first time. In my opening
4 statement I mention immigration matters. I don't
5 say private bills there.

6 But on page 3 what I read before I say
7 that can be introduced. Private business that can be
8 introduced. I don't say that I am going to introduce
9 one. Later on in this conversation Mr. DeVito brings up
10 that what impresses me you will introduce bills and I
11 say um hum.

12 But I don't offer to introduce any bills.
13 But I say that can be introduced.

14 Q When you say um hum, you agreed to introduce
15 private bills, is that right?

16 A I was instructed to go along with the
17 play acting to answer anything he asked.

18 Q Now, did Mayor Errichetti -- excuse me.
19 I assume Mayor Errichetti is the only one that ever
20 instructed you to do anything; is that right?

21 A Yes.

22 Q And you followed his instructions; did you
23 not?

24 A Yes, I did.

25 Q How about Mr. Criden, did he instruct you to

1
2 do anything?

3 A No, he did not.

4 Q Did Mr. Johanson ever instruct you to do
5 anything?

6 A He instructed me to follow the mayor's instruc-
7 tions.

8 Q And of course you took councilman Johanson's
9 instructions to follow the mayor's instructions, is that
10 right?

11 A Yes, that's right.

12 Q Now, your conversations with Mayor Errichetti,
13 did he instruct you to say I'll introduce a private bill
14 at the meeting?

15 A No, he didn't say I am introducing a private
16 bill. He talked about immigration matters.

17 Q The words "private bill" were never in your
18 discussion with Mayor Errichetti prior to the August 22nd
19 meeting in the hotel room, is that correct?

20 A No. He talked about there will be--
21 they want to know some information about immigration
22 and I say I don't know that.

23 Q Before we go to that, I'll allow you --
24 the court will allow you to say anything you want. But
25 before you complete that, in your discussions with

1
2 Mayor Errichetti, prior to walking into this room
3 were the words "private bill" ever uttered?

4 A No. I don't recall "private bill." The
5 first private bill is when I mentioned private bill here,
6 the first time.

7 Q So it would be fair to say that at least
8 that much was your idea?

9 A Yes. I said that a private bill can be
10 introduced. I never said I was going to introduce it.
11 That's a process that can be done.

12 Q I see.

13 And even when you say umhum, you didn't
14 take that to mean that you would agree to introduce a
15 bill, is that right?

16 A I would have said following my script, um
17 hum, to anything Mr. DeVito asked.

18 Q No matter what he said to you you would have
19 said um hum, I am willing to do it?

20 A I would have said it because it was all
21 played out.

22 Q And you were afraid unless you didn't say
23 yes or um hum he would not give you the money?

24 A No. I thought he was going to go back
25 to the sheik to talk to him to tell him how important

1
2 I was.

3 Q You were not concerned that he was not going
4 to give you the money, is that right?

5 A I was up there for two reasons.

6 Q Can you answer that question?

7 A Would you repeat it?

8 Q You were not concerned that he was not going
9 to give you the money, is that right?

10 You didn't worry about that?

11 A I went there to get some money for doing
12 nothing. Like I said.

13 Q When you were at the meeting you were not
14 concerned he would at one point say, goodbye, Mr.
15 Congressman, I am not giving you a dime? You were not
16 concerned about that, were you?

17 A No, I was not concerned about that.

18 Q And you really didn't have to say anything
19 because you were going to get the money no matter what
20 happened, is that right, Congressman Myers?

21 A I didn't know.

22 I was told to come on strong. I went there
23 to meet a sheik. The sheik didn't show up. His repre-
24 sentative showed up. I was told to come on strong and play
25 act and that is exactly what I did.

1
2 Q So there was some uncertainty in your mind
3 during this meeting as to whether or not Mr. DeVito was
4 going to turn over that money, isn't that right?

5 A Some uncertainties?

6 Q Yes.

7 A No. I was told by the mayor that Mel was
8 a part of it.

9 I didn't see any uncertainties. I thought
10 Mel was going to convince his associates that we have a
11 strong guy here, we have a stand-up guy.

12 Q You really didn't have to say anything to
13 get the money?

14 A Well, I didn't have to say anything to --

15 MR. CACHERIS: Objection, your Honor.

16 Argumentative.

17 THE COURT: Sustained.

18 Q In any event, Congressman, whenever you said,
19 first of all -- right after you said absolutely, where
20 I can be of assistance in this matter, first of all, is
21 private bills that can be introduced, and as you say you
22 were not talking about actually introducing one yourself,
23 and then you say this, "Now, when you are coming from a
24 third world nation and you have no political support in
25 this country, unless somebody is insane, you don't

1
2 need, um, you would not introduce a bill to protect your
3 interest if you had to go into exile somewhere." You say
4 that, is that right?

5 A Yes.

6 Q And you meant what you said; is that right?

7 A This is strictly -- you know I am
8 expanding upon that he said from a middle eastern country
9 somewhere and that he is an Arab. It is just talking
10 big here.

11 Q So what you said was not true, is that correct?

12 A It was B.S. I was boasting here. I was
13 trying to make myself sound important.

14 Q And you said somebody would be insane to
15 introduce a private immigration bill, isn't that correct?

16 A That's what I said.

17 Q And that was true, isn't that right?

18 A Yes, that's right.

19 Somebody would be insane.

20 Q So that was not really play acting, was it?

21 A I knew I was never going to introduce a
22 bill, never intended to and I was told I didn't have to.

23 Q It was not really play acting, was it?

24 A It was play acting on my part, I can assure
25 you.

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Q So when vyou say -- strike that and let me go on.

Now, there came a time during this meeting -- by the way, let me just, if I may, go back a moment.

You said yesterday in one of your conversations with Councilman Johanson, and I believe it was at his residence, he told you that other congressmen and a senator had met the sheik, isn't that correct?

A That's correct.

Q Laying aside the question of the senator for a moment, he was telling you that members of the body in which you served had met with this sheik prior to you, is that correct?

A Yes.

Q And did he tell you who these people were?

MR. BROWN: I object if your Honor please. Irrelevant and immaterial and I ask for a side bar and an offer of proof.

THE COURT: Overruled.

You may answer the question yes or no.

A No.

Q Weren't you curious at that point to find out?

MR. DUFFY: Objection.

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MR. BROWN: Objection.

MR. CANCERIS: Objection.

THE COURT: Overruled.

Q Weren't you curious, Congressman Myers, here he was telling you that members of the House of Representatives had met with this sheik; weren't you curious to find out who these people were?

A I guess I was curious but I didn't pursue it.

Q Why not?

A I didn't know it was --

MR. BROWN: Objection.

THE COURT: Overruled.

A I didn't think where it was any of my business.

Q Did he tell you that other people had received or were going to receive money from the sheik?

A No. He didn't mention anything about other people receiving money.

Q Did he tell you that you were going to be the only one who would receive money from the sheik?

A No. He didn't tell me that.

Q Did he tell you that the-- the delegation to which these people belonged who had met with the sheik?

A Had met with the sheik?

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Q Yes.

A I don't follow the question, Mr. Puccio.

Q Did he tell you what state the representatives were from who had met with the sheik?

A No.

Q It may verywell have been that members of the Pennsylvania delegation --

MR. BROWN: I object.

MR. DUFFY: Objection.

MR. BROWN: Speculative, your Honor, and asking for a conclusion of the mind.

THE COURT: Sustained.

(Continued on next page.)

1
2 Q There came a time during this meeting on
3 August 22nd where some sort of package appeared on
4 the scene, is that right?

5 A Yes.

6 Q And was it Mr. DeVito who took out this
7 package?

8 A Yes.

9 Q And about how big was that package, Congress-
10 man Myers?

11 A It was a brown envelope, I would say about
12 the size of this page.

13 Q And about how wide was it?

14 A I would say it was about an inch, maybe.

15 THE COURT: You mean thick?

16 THE WITNESS: Thick is what you mean, Mr.

17 Puccio?

18 Q Yes. I'm sorry, thick.

19 A An inch thick, an inch and a quarter, maybe.

20 Q When Mr. DeVito took out that package
21 you knew what it was, is that right?

22 A Yes.

23 I knew what it was.

24 Q You knew it was money?

25 A Yes.

1
2 Q And there came a time when he handed you that
3 package, is that right?

4 A Yes.

5 Q What did you do with it when he handed it
6 to you?

7 A Just held onto it. I had it in my hand
8 like this.

9 Q Under your arm?

10 A I had it right in my hand. It wasn't that
11 big to put it under my arm.

12 Q You didn't put it in your pocket or anything
13 like that?

14 A No. I just held it in my hand.

15 Q By the way, when you got that package in
16 your hand, Congressman Myers, did you then believe that
17 what you had done was improper?

18 A No. At no time did I believe what I had
19 done was improper.

20 Q And even today you don't believe what you had
21 done was improper, is that right?

22 A Yes, that's correct. I don't believe anything
23 I've done is improper.

24 When I see myself on this box here, I am
25 ashamed of myself. I am not proud of what I had done, my

1
2 actions, and particularly when I was drunk. It's very
3 embarrassing to me. But I didn't do anything wrong.

4 Q So what you are embarrassed about is the fact
5 that you say you were drunk and not the fact that you
6 took any money, is that right?

7 A No.

8 Now that I see this I am embarrassed that I
9 took money. I am embarrassed that I was drunk. I am
10 embarrassed of my whole attitude.

11 Q But your taking the money was not improper,
12 is that right?

13 A I don't see it to be improper, no.

14 Q Now, you walk out of the room with Mayor
15 Errichetti, is that correct?

16 A Yes.

17 Q And the door closes behind the both of you,
18 is that correct?

19 A Yes.

20 Q And both of you walked to the elevator, is
21 that right?

22 A Yes.

23 Q And you are holding the package, is that
24 right?

25 A Yes.

1
2 Q And what does the mayor say to you at that
3 point?

4 A He said the meeting went real well.

5 Q Okay.

6 Does he ask you for the package?

7 A No. I just handed it over to him.

8 Q According to a plan, is that right?

9 A According to a plan, yes.

10 Q As you pointed out Mayor Errichetti didn't
11 go down in the elevator, is that right?

12 A Yes.

13 Q So you left him up on whatever floor it was,
14 is that right?

15 A Yes.

16 Q And he took this package before you left
17 and he put it in his pocket or did something with it,
18 is that right?

19 A No. He still had it in his hand when I left.
20 When that elevator door closed I handed the package
21 to the mayor.

22 We walked up the hall and he still had the
23 package in his hand. He didn't put it in his pocket or
24 anything like that.

25 Q You saw the video tape of his next meeting

1
2 with Amoroso and Weinberg which took place a few minutes --

3 MR. CACHERIS: Objection.

4 MR. BROWN: Objection, your Honor. His
5 conclusions with respect to an observation of evidence
6 is irrelevant and immaterial and improper.

7 THE COURT: I am not sure what the question
8 is.

9 MR. PUCCIO: I'll go on, your Honor.

10 THE COURT: All right, it is not necessary.

11 Q Is it possible, Congressman Myers, that
12 in fact you didn't turn that package over to Mr. Errichetti?

13 MR. CACHERIS: Objection, your Honor, as
14 to what is possible or not.

15 THE COURT: Overruled.

16 Q That you didn't turn that package over to
17 Mr. Errichetti outside that room; is that possible?

18 A No. That is not possible because I handed
19 that package to Mr. Errichetti.

20 Q Is it possible that you may have brought
21 that package downstairs and handed it to someone else for
22 Mr. Errichetti?

23 A No. It is not possible.

24 Q Now, at least while you were there the money
25 was not taken out of its wrapper or anything like that,

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is that correct?

A Yes, that's correct.

Q Now, you testified further yesterday that you went downstairs, you rejoined Mr. Johanson and drove back to Philadelphia, is that correct?

A Yes.

Q And I assume during the ride there was no conversation about this incident that had taken place, is that correct?

MR. CACHERIS: Objection to his assumption, your Honor.

THE COURT: Sustained as to form.

Q On the way back to Philadelphia did you and Mr. Johanson talk about what had taken place up in that room?

A To a little degree but we didn't get into it. I just told him I thought the meeting went okay and I was talking about the port and asking him what he thinks about a third container pier and that kind of stuff.

Q So you were pursuing with Councilman Johanson at that point his views about the feasibility of an investment in the port of Philadelphia, is that correct?

A Yes.

We talked a little about the port, yes.

1
2 Q And you talked about other legislative and
3 council matters, is that correct?

4 A No.

5 MR. CACHERIS: Objection to legislative and
6 council matters, your Honor.

7 THE COURT: Overruled.

8 MR. BEN-VENISTE: I object to the form,
9 your Honor, when it says other legislative and
10 council matters, referring to the prior question.

11 Q Well, is it --

12 MR. BEN-VENISTE: Excuse me, Mr. Puccio.

13 THE COURT: The answer is still no.

14 Overruled.

15 Q To your knowledge, Congressman Myers, is the
16 port of Philadelphia of some concern to a member of the
17 City Council?

18 A I would think that the port of Philadelphia
19 is of some concern to every citizen in Philadelphia.

20 Q And that would include a United States
21 Congressman, is that right?

22 A Yes.

23 Q And in view of the fact that you exchanged
24 correspondence with various city officials concerning
25 local matters in Philadelphia for a number of years,

1
2 is that correct, Congressman Myers?

3 A Correspondence?

4 Q Yes. They sent you letters and you sent
5 them back letters all concerning local matters, isn't that
6 correct?

7 A No. Every and any correspondence I had as a
8 member of congress concerned legislation dealing with the
9 port or something to help the port, for example coal or
10 something of that nature. That is a federal matter. When
11 they send me letters about that it is not a federal issue.

12 Q But it would have impact on local matters,
13 is that correct?

14 A Yes. The same way as any other legislation
15 would have an impact on local matters.

16 Social security people, we vote on it in
17 Washington but people in my district receive it.

18 Q About how long did it take you to drive
19 from Kennedy Airport to Philadelphia, Pennsylvania on
20 August 22, 1979?

21 A I would say about two and a half hours,
22 something like that.

23 Q And approximately how much time during the two
24 and a half hours was spent discussing the money that you
25 had received up in that hotel room at Kennedy Airport?

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2 A We didn't even get into the money. We were
3 going back to Philadelphia. At that point we were going
4 to discuss money when we reached the law office, Mr.
5 Johanson's law office.

6 Q About how much time during that two and a
7 half hour trip was taken up with any conversation?

8 A We basically --

9 Q About what had happened up in the hotel room.

10 A Very little.

11 MR. CACHERIS: Asked and answered, your
12 Honor.

13 THE COURT: Overruled.

14 Q When you say very little do you mean five
15 minutes worth?

16 A I can't give you an exact minute. I didn't
17 have any stop watches with me to keep a record of it.

18 Q Approximately.

19 A I would say a few minutes. Ten minutes,
20 maybe.

21 Q At the most?

22 A At the most, yes.

23 We didn't talk much about it.

24 Q Now, what else did you talk about, do you
25 recall?

1
2 A General conervation.

3 Any time I am with Mr. Johanson we always
4 talk about politics, the upcoming elections. This happened
5 to be a year where there was a mayoralty race. I
6 know we talked about that.

7 Any time I am with Mr. Johanson we talk
8 about politics.

9 (Continued on next page.)
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2 Q You are very close with Mr. Johanson, are
3 you not?

4 A I wouldn't say I am very close with Mr.
5 Johanson. I know him quite well. I knew him through
6 politics really and of course he had a summer place down
7 in the same area I had.

8 Q And you know other members of the City
9 Council of the City of Philadelphia, is that correct?

10 A Yes.

11 Q And is there any member in the City Council
12 of Philadelphia that you don't know?

13 A Yes. There are some I don't know personally.
14 I know their names but I don't know them.

15 Q But you know most of them personally, isn't
16 that correct?

17 A I would say yes, I know most of them personally.

18 Q And you know labor leaders in Philadelphia,
19 isn't that correct?

20 A Yes.

21 Q And you know people in the construction
22 business, isn't that correct?

23 A Yes.

24 Q And you know people who are serving or
25 have served on the zoning board, is that correct?

1
2 MR. BEN-VENISTE: Objection, your Honor.

3 Q Well, answer each one.

4 Do you know people who are serving on zoning
5 boards and do you know people who have served on the zoning
6 board?

7 MR. BEN-VENISTE: Objection as to relevance.

8 THE COURT: Overruled.

9 A Yes.

10 Q Now, as you have testified yesterday, you
11 arrived in Philadelphia, you went out to eat with Mr.
12 Johanson, is that correct?

13 A We stolped at a bar restaurant type, a
14 little restaurant bar right in Center City, Philadelphia
15 near his office.

16 Q Why didn't you just go home at that point,
17 Congressman Myers?

18 A We had to allow time for Mr. Criden to
19 come down from New York.

20 Q And why were you interested in whether Mr.
21 Criden was to arrive from New York?

22 A Well, I was interested in Mr. Criden coming
23 down because someone was coming down with the
24 package that I handed over.

25 Q So you were waiting for the money, is that

1
2 right?

3 A I was waiting to meet for the money, yes.

4 Q Okay.

5 Now, there came a time when Johanson called
6 and found out that the money had arrived, that Mr.
7 Criden had arrived, and you and Johanson went right up
8 to the office, is that right?

9 A Yes.

10 Q And as you described it there was a little
11 private meeting with you, Criden and Johanson and
12 the money, is that right?

13 A Yes.

14 Q Mr. Cook was excluded from that meeting,
15 was he not?

16 MR. BEN-VENISTE: Objection, your Honor.

17 THE COURT: What grounds?

18 MR. BEN-VENISTE: Excluded.

19 As to form. He was present or not present.

20 THE COURT: Overruled.

21 You may answer the question.

22 A The question was: Was Mr. Cook excluded?

23 Q Yes.

24 A I certainly didn't exclude him. But he was
25 not present.

1
2 Q Now, when for the first time did you see
3 this money, the actual bills?

4 A At that meeting in Mr. Criden's office

5 Q Where was it in the office, do you remember?

6 A He had the brown envelope on his desk and he
7 said we have a problem. He went on to tell me about the
8 problem.

9 The problem was that instead of one hundred
10 there was fifty.

11 Q And did there come a time when the money was
12 taken out?

13 A Yes. It was put out on his desk.

14 Q Out on the desk?

15 A Yes.

16 Q Wrapped up with rubber bands?

17 A I am not sure if it was rubber bands or
18 bank wrappers around it.

19 Q When you saw the money on that desk,
20 Congressman Myers, what was your state of mind?

21 A My state of mind at that point was this
22 was the easiest money that I ever obtained any time in
23 my life.

24 (Continued on next page.)
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2 Q You were very, very happy, is that
3 right?

4 A I was very, very angry at that point.

5 Q Why were you angry?

6 A Because I thought someone at the top
7 had swindled us.

8 Q You were angry because you wanted more
9 than you were going to get, is that correct?

10 MR. CACHERIS: Objection, argumentative.

11 THE COURT: Overruled.

12 A No, I was happy to receive what I got
13 but when he told me about the story about \$100,000
14 being changed to \$50,000, I thought Mel Weinberg
15 had really took a large chunk off the top.

16 Q You never suspected Mr. Criden of
17 taking anything off the top, he wouldn't do anything
18 like that?

19 MR. CACHERIS: Objection.

20 THE COURT: Sustained.

21 MR. BEN-VENISTE: May Mr. Puccio be
22 admonished?

23 MR. PUCCIO: I will withdraw the last
24 part.

25 THE COURT: Mr. Puccio, it helps if

1
2 you save the sarcasm.

3 MR. PUCCIO: I'm sorry, Judge.

4 Q You didn't suspect Mr. Criden of taking
5 any of that money off the top, is that correct?

6 A That is correct.

7 Q You didn't suspect Mayor Errichetti
8 of taking any of that money off the top, is that
9 correct?

10 A No, I thought Mr. Weinberg was the guy
11 who took it off the top.

12 Q You certainly didn't expect your friend
13 Councilman Johanson?

14 A No.

15 Q Now, there came a time when you took
16 custody somehow of these one hundred dollar bills,
17 is that correct?

18 A Yes.

19 Q How many packages were there?

20 A What I took custody of?

21 Q Yes.

22 A Three.

23 Q Three packages with \$5,000 in each
24 package? Is that correct?

25 A Yes.

1
2 Q Were you carrying a briefcase at this
3 time that you took custody of this money in Mr.
4 Criden's office?

5 A No.

6 Q What did you do with the money?

7 A Put it in my pocket.

8 Q All in one pocket?

9 A I don't know.

10 Q Some in here (indicating)?

11 A Inside pocket and some in the other side --

12 Q Other side of your coat, is that correct?

13 A I couldn't exactly answer that. I
14 don't remember exactly what pocket.

15 Q Before you left the office you managed
16 to stick that money in one or more of your pockets,
17 is that correct?

18 A Yes.

19 MR. CACHERIS: Objection, asked and
20 answered.

21 THE COURT: Overruled.

22 Q There came a time -- by the way, when
23 you were walking out of that office on that evening
24 with the money stuffed in different pockets --

25 MR. DUFFY: Objection to the form.

Myers -- cross- Puccio

May we have a ruling before Mr. Puccio --

THE COURT: Objection to stuffed.

Rephrase the question.

Q When you were walking out of that office with that money in your custody, Congressman Myers, did you at that time believe that this was improper or wrong or dishonest in any way?

MR. BEN-VENISTE: Objection, your Honor. Asked and answered.

THE COURT: Overruled.

A No, I didn't believe it to be dishonest or wrong at any time.

Q Did there come a time --- withdrawn.

What did you do after you left Mr. Criden's office, Johanson's office?

A Went back to Longport to my summer house.

Q What did you do with the money when you got to your Longport home?

A Put it in my bedroom, in a drawer, top drawer.

Q How did that money remain in your top drawer, Congressman Myers?

A Not very long. A couple of days.

Q Did there come a time when you took this

1
2 \$15,000 and put it in a bank account?

3 A No.

4 Q At the time of this incident, you
5 maintained bank accounts, is that correct?

6 A I had a checking account. I never had
7 a savings account --- I don't have one now.

8 Q You had a checking account at the First
9 Pennsylvania Bank?

10 A Yes.

11 Q Did you have any checking account --

12 A No -- yes, I had one in Washington in
13 the House of Representatives.

14 Q A checking account maintained by you
15 and every other congressman at the House of Representa-
16 tives?

17 A Yes. My salary is deposited in there
18 on the first of each month.

19 Q You didn't put this \$15,000 in your
20 account at the House of Representatives, did you?

21 A No, because I spent it in about two
22 weeks.

23 Q When you made these expenditures that
24 you discussed during your testimony here, I assume
25 these expenditures were in cash, is that correct?

Myers - cross - Puccio

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2 A No. Some were and some were not.

3 Q Well, what is the biggest expenditure
4 You made of that \$15,000? What is the biggest chunk
5 you spent in any one place?

6 A My children's tuition for their school.

7 Q About \$4,000?

8 A It was not \$4,000 in one lump. What
9 actually went to the school was \$2,550. Additional
10 stuff went to another thousand.

11 Q Did you deposit any of this money in
12 your checking account at the House of Representatives
13 and write a check?

14 A Yes.

15 MR. CACHERIS: Objection.

16 THE COURT: Overruled.

17 Q Which account did you put the money in?

18 A First Pennsylvania.

19 Q In Philadelphia?

20 A I didn't put it all.

21 Q How much did you put?

22 A I don't know. I would have to get my
23 records out. When I paid a bill off, I deposited cash
24 into that checking account.

25 Q Is that the only checking account you

1
2 used for this procedure?

3 A I pay all my bills out of that account.

4 Q As I understand ~~it~~, as you found the
5 desire or need to spend money you would put cash in
6 the account and write the check on that account, is
7 that correct?

8 A Yes.

9 Q All of the money was spent in that way?

10 A No.

11 Q How much was not spent through that pro-
12 cedure?

13 A I would say probably about half of it.

14 Q The other half was spent in cash?

15 A Yes.

16 Q So that would be about \$7,500 spent
17 in cash, is that correct?

18 A Yes.

19 Q How was that \$7,500 spent?

20 A Well, the largest expenditure out of
21 the seventy-five -- I don't know if it's exactly
22 \$7,500.

23 Q Approximately?

24 A All right. The largest expenditure
25 was \$1,000 that I paid to my father that I know.

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Q In cash?

A Yes.

Q In one hundred dollar bills?

A Yes.

Q Taken out of your dresser?

A Yes.

Q How about the other \$5,500 approximately?

A The next -- one of my sisters, Marylou, husband is a serviceman over in Germany. I lent her \$500.

Q In cash?

A Yes.

Q How about the other \$6,000?

A I bought furniture.

Q In cash?

A Yes.

Q Where?

A Sears & Roebuck.

Q Did you go into the store and buy the furniture yourself?

A Yes.

Q How much did you give the lady or Gentleman at Sears & Roebuck?

A Whatever the bill was. I bought a freezer,

1
2 trash compactor -- I don't know exactly what they
3 cost.

4 Q Approximately?

5 A Three or four hundred dollars apiece.

6 MR. BEN-VENISTE: I have an objection
7 to relevancy.

8 THE COURT: Overruled.

9 A I don't know exactly what they cost.
10 Trash compactor for three or four hundred dollars,
11 freezer for something.

12 Q There is still another \$5,000 that you
13 haven't answered for, right?

14 A Yes.

15 Q What did you do with that?

16 A Well, I am a member of a hunting club.
17 I put some money into that.

18 Q Yes?

19 A They are building a hunting camp upstate
20 Pennsylvania. In the process of building.

21 Q How much did you put into that?

22 A I put, I would say, about \$2,000 into
23 that.

24 Q Who did you give that money to?

25 A I gave it to the people who delivered

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the building materials.

Q What did you do with the rest of the money?

A The rest of the money I just spent.

Bought my children all kinds of stuff. It's not hard to go through the money.

Q In a couple of weeks, it was all gone?

A A couple of weeks it was all gone, yes.

That is correct.

Q Now, by the way, did you ever bring any of this money with you to Washington, D.C. and spend it there?

A I may have. Like I went down, I may have took a hundred or two for expenses. I can't recall if I did or didn't.

When I go down each Monday I have to have money in my pocket to eat and live.

Whether I actually took any of that, I don't know.

Q You maintain another residence down in Washington, is that correct?

A Yes.

Q You live in a house in Washington with similar congressmen, is that correct?

A Yes.

1
2 Q Congressman Myers, one of the people
3 that you roomed with in Washington, D.C. is Congressman
4 Raymond Lederer of Pennsylvania, is that correct?

5 A Yes. Congressman Lederer and I both
6 rent a room from a United States Treasury Agent.

7 Q Both of you are very close friends, is
8 that correct?

9 A Yes, I would say that is correct.

10 Q For how many years have you been a
11 friend of Congressman Lederer? Do you recall?

12 MR. BROWN: I object to this within
13 the context of the sidebar.

14 THE COURT: Overruled.

15 A I first became acquainted with Congressman
16 Lederer when he was a member of the Pennsylvania
17 legislature. I think he was elected in 1973. He
18 took office I believe in '74.

19 Q So you have been friendly with Mr. Lederer
20 for approximately six years at least, is that correct?

21 A Yes.

22 Q Both you and Congressman Lederer hold
23 positions in the Democratic Party in the City of
24 Philadelphia, is that correct?

25 MR. DUFFY: Objection. That is

1
2 beyond the scope --

3 MR. PUCCIO: I think it is relevant
4 for two reasons.

5 MR. BROWN: I would like to make a
6 motion at sidebar. I would like to reserve.

7 THE COURT: Save your motion for
8 later.

9 You're getting into areas other than
10 what we discussed, Mr. Puccio.

11 MR. PUCCIO: All right.

12 THE COURT: Pursue what we discussed.
13 If you want to pursue other areas, we will
14 have another sidebar.

15 MR. PUCCIO: All right.

16 Q Now, Mr. Myers, during your meeting
17 on August 22nd, 1979, page 2, you said in talking
18 about the Pennsylvania Delegation, "We're team players,
19 you know, we work together. We have very important
20 committee assignments. One of our members is on the
21 ways and means committee."

22 Now, was that a true statement when
23 you made it on August 22, 1979?

24 A Yes.

25 Q Later on page 5, you said: "We got,

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2 we also got a ways and means member. Now the ways
3 and means committee is probably the most powerful
4 committee in Congress. And it's my close colleague
5 and one of our Philadelphians."

6 Was this a true statement when you made
7 it?

8 A Yes.

9 Q Who is that powerful Philadelphian on
10 the ways and means committee?

11 A Raymond Lederer.

12 Q Now, Congressman Myers, what is your
13 present salary as a member of Congress?

14 MR. CACHERIS: Objection.

15 MR. BROWN: The same as all the --

16 THE COURT: Sustained.

17 Q Well, Congressman Myers, did you report
18 the \$15,000 that you received on August 22, 1979, on
19 your income tax return?

20 A I have an extension on my '79 return.
21 I have not filled out my '79 return under advice
22 of my tax consultant.

23 Q What reason did your tax consultant give
24 you for getting the extension?

25 A He told me that it would be best to

1
2 wait until the trial was concluded. He said that
3 to file it prior to the trial, a gift, I would have
4 to pay the tax for the gift. I better wait for the
5 trial to be over. The Court or the Judge might
6 instruct you to give the money back.

7 I will wait for this to conclude to
8 fill out my '79.

9 Q Who is your tax consultant?

10 A A lawyer by the name of James Di Marco.

11 Q When he told you you became concerned
12 about gift taxes that Abdul Enterprises would have
13 to pay?

14 A No, I was never concerned about that.
15 I wanted to be straight on actually how I should
16 proceed with this.

17 Q You certainly believe that the \$50,000
18 that you received is a gift, is that correct?

19 A Yes.

20 Q With no strings attached whatsoever,
21 is that correct?

22 A That is correct.

23 Q This was because you were told it was
24 a gift, is that correct?

25 A I was told by Lou Johanson, yes.

1
2 Q He told you that the money you had
3 received would be a gift, is that correct?

4 A Yes. A gift from him and his law
5 partner, yes.

6 Q So, Howard Criden and Louis Johanson,
7 the law partners were giving a gift to you, is that
8 correct?

9 A Yes, they were receiving \$100,000 for
10 introducing the Sheik to important people.

11 They told me they would get \$50,000 and
12 they would be willing to share that with me and give
13 me half of it as a gift.

14 Q The gift you were receiving from them?

15 A From them, \$25,000, right.

16 Q You were not concerned that they would
17 have to pay a gift tax on the money they were giving
18 you, is that correct?

19 A At that point in time I was not concerned
20 about that, no.

21 MR. BEN-VENISTE: I object to this.

22 It's not a tax case. Your Honor
23 already instructed the jury and I thought
24 Mr. Puccio about that.

25 THE COURT: Overruled.

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2 Q Now, you and every other member of
3 Congress is required to file a public statement every
4 May, is that correct?

5 MR. CACHERIS: Objection.

6 Q Concerning monies that you received --

7 MR. CACHERIS: Objection. May we have
8 a sidebar?

9 THE COURT: Sidebar.

10 (Continued on next page.)

11 * * *

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8 THE COURT: Ladies and gentlemen, I sustained
9 the objection to the last question which by now
10 you probably forgot entirely. It had something to
11 do with the filing of reports of financial activities
12 with some agency of the Government. Disregard it.
13 It has no bearing on the case.

14 Proceed, Mr. Puccio.

15 MR. PUCCIO: Yes, your Honor.

16 M I C H A E L M Y E R S, resumed the stand,
17 having been previously duly sworn, was examined
18 and testified further as follows:

19 CROSS EXAMINATION

20 BY MR. PUCCIO: (Continued)

21 Q Now, Congressman Myers, prior to you testifying
22 in this Courtroom and excluding your attorney or attorneys,
23 how many people have you told about the monies that you
24 received on August 22, 1979?

25 MR. CACHERIS: Objection, your Honor. Not
relevant.

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THE COURT: Sustained.

Q Well, did you, prior to -- after August 22nd and prior to February 2nd of this year, that is in that intervening period between August 22, 1979 and February 2, 1980, when you were interviewed by the FBI, between those dates did you ever make it known publically that you would receive this \$50,000 -- \$15,000?

MR. CACHERIS: Objection, your Honor.

MR. DUFFY: Objection.

THE COURT: Sustained.

Q Now, Congressman Myers, do you know what an honorarium is?

A Yes.

Q And have you received, ever received an honorarium?

A No.

Myers-cross-Puccio

1
2 Q Congressman Myers, were you agreed to go up
3 to New York during August of 1979, were you in need of the
4 \$25,000 that you were to receive?

5 MR. CACHERIS: Objection, your Honor. Not
6 relevant.

7 THE COURT: Overruled.

8 A I am always in need of money, Mr. Puccio.

9 Q Well, were you especially in need of money at
10 that time for any particular reason?

11 A Well, it was two weeks' time. I needed
12 some money. I was about to make a loan on my salary.

13 Q I'm sorry, you were going to what?

14 A I was going to have to make a loan on my
15 salary.

16 Q And did you have any other loans outstanding
17 or any loans outstanding at that time?

18 A I have made about 15 loans, I would think,
19 since the time I was in the House of Representatives.
20 We are allowed to borrow on our salary at a low interest
21 rate and it is deducted monthly from our salary, pay
22 back money.

23 I have had once since the first month I was
24 there.

25 Q That is a lower interest rate than anyone else

1
2 would receive at a bank, isn't that right?

3 A It's a little lower than the normal bank,
4 yes.

5 Q And were you receiving sufficient salary
6 during August 1979 to enable you to support yourself and
7 your family?

8 MR. CACHERIS: Objection, your Honor.

9 That is argumentative.

10 THE COURT: Sustained.

11 Q Now, between August 22, 1979 and January 24,
12 1980, the day in which you met Mr. Wald and Mr. Criden at the
13 Barkley, were you keeping in touch with your co-defendants?

14 A No.

15 MR. CACHERIS: Objection to the characteriza-
16 tions.

17 THE COURT: Overruled.

18 Q What was that?

19 A No.

20 Q Weren't you attending weekly meetings with
21 Councilman Johanson at least up to the election?

22 A Yes.

23 With that -- I didn't understand your question.
24 I saw Mr. Johanson at weekly meetings. Of course I didn't
25 see him every week.

1
2 When the house would be on session on a
3 Friday I would send one of my staff to cover these
4 meetings.

5 But I had several contacts with Mr. Johanson
6 along political lines.

7 Q And you occupied a position in the democratic
8 party in the City of Philadelphia, is that right?

9 A Yes.

10 Q And you still do, is that right?

11 A Yes.

12 Q And you still do, is that right?

13 A Yes.

14 Q And you are called a ward leader, is that
15 right?

16 A Yes.

17 Q And what does a ward leader do, Congressman
18 Myers?

19 A A ward leader's duty is -- first of all, a
20 ward leader is elected by the elected committeemen in that
21 ward.

22 In my particular ward there are fifty
23 committeemen and that group elects me as their spokesman
24 to deal with matters at the democratic city committee.

25 In the City of Philadelphia there are

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Myers-cross-Puccio

69 wards.

I happen to be one of the leaders of that ward. And within the democratic, you know, ranks, I speak for that fifty elected committeemen on any matters concerning politics.

Q For instance.

A For instance, when we select a candidate, for instance, there is a policy committee and they interview various candidates who want to run for various elected positions.

All the candidates' names would be submitted to the ward leaders for their approval and there is a vote on it.

Q Candidates for what kind of office do the ward leaders vote on?

A When we endorse a candidate or a slate of candidates, it would cover all elected offices from governor right down to the lowest elected office.

Q And somewhere in between would be members of the city council, is that right?

A No.

That is done on a -- there are various caucuses that are formed in each particular district to deal with that.

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2 Q And do you as a ward leader have anything
3 to do with the selection of city council members?

4 A On a district level?

5 Q At any level.

6 A Yes.

7 For instance, my city councilmen is the
8 first councilmatic district within the City of
9 Philadelphia. Within that district I believe there
10 are ten individual wards that make up the first councilmatic
11 district.

12 The ten ward leaders that are involved there
13 would have a caucus. And they would select that candidate
14 or they would recommend that candidate to the city
15 chairman.

16 In my particular case, normally when it is an
17 incumbant such as it is in the case as my area, normally
18 it is just a formality, and that is it in this case.

19 Q The short answer to the question, and correct
20 me if I am wrong, in your capacity as ward leader you have
21 an effect on the selection of a member of the City
22 Council, is that right?

23 A I have a vote on it, one of 69, yes.

24 Q And insofar as councilmen from your area,
25 yours is an important vote, is it not?

1
2 THE COURT: I sustain the objection.

3 Q Now, in your position as ward leader you
4 have in effect through your vote or influence or whatever,
5 on who receives certain jobs within city government, isn't
6 that correct, Congressman Myers?

7 MR. CACHERIS: Objection to the form, your
8 Honor.

9 MR. BEN-VENISTE: Objection.

10 THE COURT: Overruled.

11 Q Isn't that right?

12 MR. BEN-VENISTE: I object to the whatever
13 part.

14 MR. PUCCIO: Strike the whatever, Judge.

15 THE COURT: Why don't you rephrase the
16 question.

17 MR. PUCCIO: Yes.

18 Q Through your vote as a ward leader --
19 withdrawn.

20 Through your influence as a ward leader
21 you have an effect on who get a job in city government
22 in Philadelphia, isn't that correct?

23 A I would say no, it is not correct. I
24 recommend various people who want jobs. They must take
25 a civil service test. And if they pass it and

1
2 get a high mark and it is very competitive. In the case
3 of Philadelphia any civil service job that listed you
4 usually get four or five hundred people taking the test.
5 Because there is so much unemployment there. But I
6 have made recommendations throughout my whole career
7 for people.

8 If someone says can you send a letter backing
9 me up, certainly I do that. Sure. That doesn't mean
10 that they are going to get the job.

11 Q Now, one such recommendation that you made
12 was for your friend, Mr. Fred DeBona, is that correct?

13 A No.

14 Q Well, didn't you at one time recommend to
15 someone or to two people specifically, that Mr. DeBona
16 receive a job in connection with the Port Corporation?

17 A No, I did not.

18 Q Do you remember having a luncheon with a Mr.
19 Curry and a Mr. Kelly at the Downtown Club in Philadelphia
20 concerning your recommendations that Mr. DeBona receive a
21 job?

22 MR. BEN-VENISTE: I object to the relevance
23 of this, your Honor.

24 It certainly has nothing to do with Mr.
25 Criden and I would ask that your Honor curtail in

1
2 some way these tangential areas.

3 THE COURT: The objection is overruled, but
4 you should keep in mind, ladies and gentlemen, the
5 nature of the questions that are being put to the
6 defendant Myers.

7 As I understand them most of them are
8 directed at the question of his credibility as a
9 witness here.

10 And if I understand correctly what Mr. Puccio
11 is attempting to do, it is to try to present through
12 questioning, other aspects of Mr. Myers' activities
13 so that you may evaluate the testimony that he has
14 given to you thus far. It does not bear directly
15 on the issues in the case and it does not bear
16 directly on any of the other defendants in the case,
17 solely on this question of credibility of this
18 witness.

19 Proceed, Mr Puccio.

20 Q Did you attend a luncheon at the Philadelphia
21 Downtown Club with a Mr. Curry and a Mr. Kelly and Mr.
22 Fred DeBona in which you recommended to them that Mr.
23 DeBona receive a job as secretary of the Philadelphia
24 Port Corporation?

25 MR. CACHERIS: I would ask for a date, your
Honor.

Myers-cross-Puccio

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2 THE COURT: Can you give a date?

3 Q At anytime?

4 A I remember going to lunch with those gentlemen,
5 yes. And --

6 MR. BROWN: I only object because I think --

7 THE COURT: Did you finish?

8 A I was going to explain what happened at the
9 lunch, if that is what you want.

10 Q Sure.

11 A At the luncheon, we talked about Fred DeBona
12 going on the Port Corporation as the executive director.

13 When you referred to making a recommendation,
14 the Mayor of the City of Philadelphia makes that recommenda-
15 tion to the Board of Directors of the Port Corporation.

16 I never spoke to the Mayor of Philadelphia
17 about that at any time. That is the point I am trying to
18 make. I did not recommend that. That recommendation comes
19 solely from the Mayor and then goes to the Board which
20 consists of about 40 or 50 people.

21 I don't know how many are on the Board. They
22 select who the executive director would be.

23 The word had been out the Mayor was going to
24 recommend the name of Fred DeBona for that position. We
25 discussed it at the luncheon.

1
2 Q And the reason for the luncheon taking place
3 was so that you could tell these two gentlemen that you
4 thought that Fred DeBona, your friend, should be director
5 of the Port Corporation, is that correct?

6 A No, that is not correct. The reason for the
7 luncheon, I knew the gentleman, Mr. Kelly, the director
8 of Philadelphia's Marine Trade Association and Mr. Corey
9 who handled the Pension and Welfare of the ILA.

10 The word was out that the Mayor was recommend-
11 ing Fred DeBona. When the Mayor of the City recommends
12 somebody to a Board that is normally all it takes.

13 I wanted M. DeBona to become acquainted with
14 them because he was going to be dealing with them,
15 particularly in the Health and Welfare Plan.

16 Q Are you saying at the time you had the meeting
17 it had already been determined that Mr. DeBona was getting
18 that job?

19 A No, I said when the Mayor recommends somebody,
20 normally that is all it takes. When the Mayor's recommenda-
21 tion is made it's usually approved readily.

22 Q Wasn't the reason for the two gentlemen to
23 see what you had to say about Mr. DeBona?

24 A No, the reason was for me to introduce basically
25 Mr. DeBona to these gentlemen. That was the purpose of the

1
2 meeting.

3 So he can get himself acquainted with some of
4 the Port activities.

5 Q Now, would it be a fair statement that after
6 your meeting on August 22, 1979, and after the meeting at
7 Mr. Criden's office that evening, you had concluded that
8 these representatives of the Sheik were untruthworthy people
9 would that be a fair statement?

10 A Yes.

11 Q You had concluded that they were people with
12 whom you would never wish to deal with again, is that
13 correct, Congressman Myers?

14 A I didn't conclude that, no.

15 Q You believed after this meeting on August
16 22, 1979, as you put it, Mel Weinberg was robbing his boss,
17 is that correct?

18 A Yes, I thought he was robbing his boss.

19 Q Meaning the Sheik?

20 A Yes.

21 Q Now, you were concerned, were you not, that
22 there might be, as you call it, a shake of the Sheik, is
23 that correct, Congressman?

24 A I was concerned about a shake of the Sheik?

25 Q As you put it on the witness stand.

Myers-cross-Puccio

- 1
- 2 A I didn't know the Sheik got shook.
- 3 Q I think what you're telling me is you were
- 4 not concerned --
- 5 A I didn't know the Sheik. I was never intro-
- 6 duced to him.
- 7 Q Okay.
- 8 As a result you were not concerned with the
- 9 fact that he was being shaken down?
- 10 A I wasn't concerned about him at all. I didn't
- 11 know him.
- 12 Q You didn't care whether he was being shaken
- 13 down?
- 14 A I had no feeling about him. I never met
- 15 him.
- 16 Q You had no feeling one way or the other, is
- 17 that correct?
- 18 A That is correct.
- 19 Q It was Mr. Criden, as I understand it, who
- 20 called you and arranged for you to meet with the people
- 21 at the Barkley Hotel on the 24th, January 24, 1980, is
- 22 that correct?
- 23 A Yes.
- 24 Q And you attending that meeting, let's say,
- 25 if I may say so, without any hesitation or mental reservation,

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is that correct?

A Yes.

Q You attended that meeting without any hesitation because you believed that there might be some more money in it for you, is that correct?

MR. CACHERIS: Objection, argument.

MR. PUCCIO: Inquiring as to the state of mind, your Honor.

THE COURT: Overruled.

A No, I attended the meeting because Mr. Criden told me they were interested in a hotel complex.

Q As a Congressman it was essential for you to stimulate development in the City of Philadelphia, is that correct?

MR. CACHERIS: Objection, argumentative.

THE COURT: Sustained.

Q Were you interested in stimulating developments in the City of Philadelphia, legitimately interested in doing that?

A Absolutely, yes.

Q Was that the primary reason that you attended the meeting on January 24, 1980?

A Yes.

Q Was it the only reason you attending the

Myers-Cross-Puccio

1
2 meeting on January 24, 1980?

3 A Yes, th only reason.

4 I didn't know we were going to get into all
5 this other conversation when I got there.

6 Q You didn't know before you attended the
7 meeting that you were going to bring up the business about
8 the trip to New York, is that correct?

9 A No, I didn't know that.

10 Q You didn't intend to do that?

11 A No, I think it just came out the way the
12 conversation was going.

13 Q Now, at one point, during that meeting on
14 January 24th, I take it you never met Mr. Wald before?

15 A That is right.

16 Q You never remembered meeting Mr. Haridopolos,
17 is that right?

18 A Yes.

19 Q After the preliminaries were out of the way,
20 you recall you talked about Congressman Barrett and the
21 house he had in his daughter's name?

22 A Yes.

23 Q After the preliminaries were out of the way,
24 you said to these gentlemen, give me a reason to be vocal,
25 do you remember saying that?

Myers-cross-Puccio

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2 A Yes.

3 Q You were talking then about what?

4 A I was talking about some kind of investment
5 in the City of Philadelphia. They brought up -- you want
6 me to continue?

7 Q Yes.

8 A They brought up about all this investment,
9 Lou told me about the hotel in Atlantic City. I didn't
10 see any investment. I wanted to see some investment. I
11 brought it up.

12 Q The investment, as you put it, was the reason
13 to be vocal, is that correct?

14 A Yes.

15 Q The investment was the reason for you to be
16 vocal where?

17 A The reason to be vocal --

18 Q Where?

19 A In all kinds of areas.

20 Q Yes. For instance?

21 A Anything they -- if they had a problem, I
22 would be vocal because I would solve their problem.

23 Q One of their problems was an immigration
24 problem, is that correct?

25 A Yes.

Myers-cross-Puccio

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2 Q And the investment was the reason to be
3 vocal with respect to their immigration problem, is that
4 correct?

5 A No.

6 Q Why not?

7 A Because I knew that never existed, that problem.
8 That was play acting.

9 Q You didn't tell that to Mr. Wald at the
10 meeting on January 24th, did you?

11 A No.

12 Q In fact, correct me if I am wrong, you did
13 quite the contrary, you told them on several occasions on
14 January 24th that you would help on the immigration problem,
15 is that correct?

16 A No. Everytime they brought that up, I never
17 brought it up. Everytime he brings up something about
18 immigration, well, that was a different deal. And all that
19 kind of talk. I just agree and go along with it. Yes,
20 sure. I never brought up immigration at that meeting.
21 He brought it up.

22 Q You were interested in legitimately helping
23 the Sheik with his immigration problem, weren't you?

24 A I knew that was not a problem. It did not
25 exist. No, I was not interested in helping.

Myers-cross-Puccio

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2 Q You said during the meeting the Sheik should
3 take crash courses in English?

4 A Yes, I said that.

5 Q That was in order to assist the Sheik with
6 his immigration problem, was it not?

7 A Well, the way I meant it, yes.

8 Q Later on you say in response to a question
9 by Mr. Wald, Mr. Wald says: Can you get the introduction
10 of a bill, and you say: I can do that if I had a reason;
11 is that correct?

12 A Yes.

13 Q Your reason again being investment?

14 A Yes.

15 MR. PUCCIO: May I have a moment, your Honor?

16 THE COURT: Let's take a short recess.

17 Don't discuss the case during the recess,
18 ladies and gentlemen.

19 (Recess taken at this time.)
20

21 (Continued on next page.)
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Myers-cross-Puccio

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2 THE COURT: Mr. Puccio, how much longer do
3 you expect to be?

4 MR. PUCCIO: About an hour, your Honor.

5 THE COURT: Bring in the jury.

6 MR. BEN-VENISTE: We can save time at a side
7 bar now as to one area Mr. Puccio may be interested
8 in going into.

9 THE COURT: Maybe he will save time and not
10 go into it.

11 MR. BEN-VENISTE: The fact that he said another
12 hour indicates that he is --

13 THE COURT: We will see.

14 (The jury is in the jury box.)

15 THE COURT: All right, Mr. Puccio, you may
16 proceed.

17 MR. PUCCIO: Thank you.

18 CROSS EXAMINATION

19 BY MR. PUCCIO: (Continued)

20 Q Congressman Myers, how many drinks did you
21 have at the Barkley Hotel on the 24th of January?

22 A I had, after watching the video, I saw two.

23 Q The first drink you were offered, is that
24 correct, by one of the agents when you came in?

25 A Yes.

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Q The second drink you requested yourself; is that correct?

A Yes.

Q I assume that you were drunk before you received that second drink?

MR. CACHERIS: Objection to the assumption.

Q Were you drunk before you received that second drink?

A I would have to look at the time on the tape. I noticed myself from watching the tape, I noticed myself I believe it was around 2214 where I see my voice starting to slur.

What point in time I became intoxicated, I can't tell you exactly.

From that point on, I started to get under the weather more and more as time went on.

Q Well, the meeting lasted about how long, Congressman Myers?

A About an hour and 40 minutes, hour and a half.

Q Would you accept my representation that you asked for another drink, you said put a tip on this boss man, at Page 107 in a transcript of a meeting that for 183 pages, would you accept my representation on that?

A What page is that, Mr. Puccio?

Myers-cross-Puccio

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2 Q 107. If you would like to check it --

3 (Pause.)

4 A Yes, I remember saying that.

5 I will verify it is 107.

6 Yes, give me a little bit more on that tip
7 boss, boss man.

8 I asked for a little bit more, but he filled
9 it up.

10 Q Would it be a fair statement the meeting
11 was half over before you had a second drink, Congressman
12 Myers?

13 A I don't know. At what point in time is
14 this?

15 MR. CACHERIS: Objection.

16 THE COURT: What is the objection?

17 MR. CACHERIS: Participation of Mr. Myers
18 does not start until much after the meeting started.

19 THE COURT: To save time, I noted times as
20 they went through the tapes, Mr. Myers appears 2200,
21 the request for the second drink was 2247, and Mr.
22 Myers left at approximately 2330. So that it is
23 almost exactly in the middle.

24 MR. PUCCIO: Thank you, Judge.

25 THE COURT: That is my conclusion, ladies and

Myers-cross-Puccio

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2 gentlemen, you are not bound by it. If you think
3 it is significant, you can have them play the whole
4 tape or those particular events so that you can
5 determine the minutes if you think it makes any
6 difference.

7 Q Would you accept that estimation of how
8 far the meeting progressed before you requested --

9 A I will accept anything the Judge says, Mr.
10 Puccio.

11 Q Is that your recollection?

12 A Yes.

13 Q Before you requested this second drink, the
14 subject of immigration is being discussed, is that correct?

15 A Before I accepted the second drink?

16 Q Yes.

17 A You would have to refer to the page. Throughout
18 the whole conversation immigration is brought up by Mr.
19 Wald. He brings it up, I don't know how many times, but
20 throughout the hour and a half conversation he brings it
21 up. I don't know how many times.

22 Q Is it your best recollection that the subject
23 of immigration came up before you requested the second
24 drink?

25 A I think it did. Show me the page.

Myers-cross-Puccio

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2 Q Do you recall Mr. Wald saying that the
3 situation insofar as the Sheik was concerned was worsening,
4 do you recall that?

5 A Yes.

6 Q You took that to mean, I assume -- did you
7 take it to mean that the Sheik would now have to leave
8 his native land and have to come to the United States?

9 A Yes, that's what I thought he meant. Not
10 to come to the United States.

11 Q Where did you believe that the Sheik was going
12 to be going?

13 A I thought he was going to South America.

14 Q Did you pursue this matter with Mr. Wald?
15 Did you say to Mr. Wald, well, the Sheik is going to South
16 America?

17 A No, I didn't say that to Mr. Wald.

18 Q Do you recall telling Mr. Wald in response
19 to his questions about the solution for the Sheik's
20 immigration problems, do you recall your saying that it
21 might depend on what kind of heat was on?

22 A Could you direct me to that page?

23 Q Yes, 41.

24 A Page 41?

25 Q Yes.

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(Pause.)

A Yes, I said that.

Q On Page 42, did you say that in reference to immigration problems that each problem is individually handled; did you say that?

A Yes.

Q And you said these things while you believed the Sheik was not coming to the United States but going to South America, is that correct?

A Yes.

Q Now, on Page 76, you ask Mr. Wald to do something that will make you look good on the floor, is that correct?

A Page 76?

Q Yes.

A Yes.

Q What did you want Mr. Wald to do to make you look good on the floor?

A That was all B.S. That was total B.S.

Q What did you say you wanted Mr. Wald to do to make you look good on the floor?

A He said, all right, would that help you on the floor. He said that to me. Absolutely, helps me a lot.

Q What was it that helps you a lot?

Myers-cross-Puccio

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2 A If you go back and pick up the conversation
3 prior to him saying that, we are talking about the City
4 Council. I say yes, to basically everything he asks, but
5 in this particular colloquy he's talking about City Council
6 and the electorate. If you go back -- you know.

7 Q Going ahead on Page 77, you talk about not
8 wanting to go on a mission of no return, is that correct?

9 A I can't go on a mission of no return, yes.

10 Q You meant that?

11 A A mission of no return means to me something
12 I would have to do that wouldn't be right.

13 Q You meant that when you said that, is that
14 correct?

15 A Yes.

16 Q And you were not prepared to tell Mr. Wald
17 that you would do anything wrong, is that correct?

18 A Well, I told -- the ten or fifteen problems
19 that he was discussing, that he may have that don't exist,
20 I knew they didn't exist, I told him I could handle all of
21 them.

22 Throughout the conversation I am feeling him
23 out, Mr. Wald, because I don't know Mr. Wald, I just met
24 him. He's feeling me out. I know he's lying to me. He's
25 looking for ground, going to break ground in eight weeks.

I know he's lying.

(Continued on next page.)

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2 Q And you say all these outrageous things
3 because you are just playing him along, is that right?

4 MR. CACHERIS: Objection.

5 THE COURT: Sustained as to form.

6 Q You are saying these things that you don't
7 mean because you are playing Mr. Wald along, is that right?

8 A Yes.

9 Q You are feeling around, is that correct?

10 A Yes.

11 Q You are feeling around?

12 A Yes.

13 Because I feel maybe there is some money
14 going to be invested in Philadelphia because I am trying
15 to remove some road blocks that he may think he has, such
16 as if he had a mafia problem or if he thought he had a
17 problem with anything I wanted to remove it so it would
18 not block all the Arab money from being invested in
19 Philadelphia.

20 Q And you persisted in this as though, you
21 said, Mr. Wald was lying to you?

22 A Yes.

23 He was lying to me. I sort of half believed
24 him at times. He was sharp. He came back with answers
25 like, I am the financial director in America and I am

1
2 not in the cold. He talked about all sorts of things.
3 And I knew he didn't know anything about what he was
4 talking about insofar as these investments.

5 Q And you felt it necessary to stay there for
6 better than an hour and listen to these lies that Mr.
7 Wald was telling you, is that right?

8 A Yes.

9 I thought it was worth staying there, yes.

10 Q And at no time did it cross your mind that
11 you should get up and leave, is that right?

12 A No.

13 I didn't make any attempt to get up and
14 leave.

15 Q Now, on page 115 you said that you got, quote,
16 unquote, screwed the last time.

17 Is that right?

18 A Page 115?

19 Q That's right.

20 A Yes, I said that.

21 Q And that is not normally the way you speak,
22 is that right?

23 A No.

24 That is not normally the way I speak. But
25 the way they were speaking, it blended right in.

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2 Q So you felt when in Rome, right?

3 They were speaking that way, and you would
4 speak that way?

5 A Yes.

6 They were talking like tough guys and I would
7 talk like a tough guy.

8 Q And at least part of the problem was that
9 you were drinking, is that right?

10 A That was part of it.

11 Q Now, why did you bring up the subject of
12 getting screwed in New York, Congressman Myers?

13 A Because it was all this hemming and hawing,
14 going back and forth between me and Mr. Wald.

15 He was by this point in time, he must have
16 already talked about fifteen other problems he had.

17 I solved all them and now we got up to this
18 point.

19 Q You are referring to the trade union, the
20 Port Corporation, the City Council, the Mafia, Zoning
21 Board and Immigration problems?

22 You had already said you had taken care of
23 that?

24 A Yes.

25 Q Now here is your opportunity and you said,

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2 I got screwed in New York, and I am asking why you brought
3 this up.

4 A At this time he never made any mention
5 about Weinberg at all, anything to do with Weinberg.

6 I was becoming very suspicious after awhile.
7 Why didn't he understand what I understood
8 and Weinberg understood?

9 He kept hinting around certain things.

10 Q And you thought that the way to flush
11 this out was to request more money, or at least agree to
12 accept more money, is that right?

13 A I wanted to find out whether he knew what
14 really happened.

15 Q Was it part of your plan or design to find
16 out what Mr. Wald was about to accept more money or agree
17 to accept more money?

18 A No.

19 I had no intentions of accepting more money
20 or even talking about more money when I went to that
21 meeting.

22 He brings up the 35. And first of all he
23 made a mistake about the 35. It was supposed to be 35
24 that I was to get. He said 35. And when he says 35 I don't
25 say nothing. I just dummy up.

1
2 Q Now, on page 128, you say again that
3 you can't go on an F'n mission, as you put it yesterday,
4 is that right?

5 A Yes.

6 Q And you also say -- that was true, of course,
7 is that right?

8 A That I wouldn't go on a mission?

9 Q That's right.

10 A I am trying to get Mr. Wald to give me some
11 clue to what he is trying to -- he is hinting all
12 over the place.

13 He won't come out and tell me anything
14 direct. It's just all the made-up problems that he
15 talks about, but he hints around immigration, well, that's
16 this, that's that, I want to try to get an understanding
17 what Mr. Wald means.

18 I want him to tell me that he was aware of the
19 Weinberg situation at the last meeting. He don't do
20 that. So I keep coming on.

21 And as this conversation goes on you will
22 see at the very end where I tell him absolutely I will
23 not introduce a bill because he don't come on. He don't
24 come on to tell me about the play acting. I took it
25 he didn't know about the play acting after the meeting was

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over.

Q Now, at one point on page 28 you say, well,
I like broads and I like to gamble.

Do you recall saying that?

A Yes, I said that.

Q And of course that's false, is that right?

A Well, I like broads. I married one whom
I love very much.

Q And that was the context in which you meant it
when you said it to Mr. Wald, is that right?

A I just used it loosely. I didn't mean anything
by it.

Q Well, you said you like to gamble -- excuse
me.

Was that a true statement when you said it?

A That's B.S. It was not a true statement.

Q Now, you said at page 129 that you felt
hurt about what happened in New York; is that right?

A Yes, for a little bit.

Q And is that a true statement?

A Well, I figured that Weinberg had really
cleaned the envelope out to a degree that it wasn't the
deal that was set originally.

He was ripping us off is the way I looked

1
2 at it.

3 Q On the question of Mr. Weinberg, Mr. Weinberg
4 never instructed you to do anything, is that right?

5 A I never spoke --

6 Q Can you answer that yes or no?

7 A Can I answer it yes or no?

8 Q Yes.

9 A I never spoke to him.

10 Q Other than sitting at the meeting and saying
11 a few words, is that right?

12 A Yes.

13 Q He never told you to act, is that right?

14 A Yes.

15 Q He never instructed you to do anything, is
16 that right?

17 A No.

18 I never spoke to him.

19 Q He never told you anything about South
20 America or the sheik going there or anything like that,
21 is that right?

22 A That's right.

23 Q So everything that you knew, by you knew from
24 Mr. Errichetti, is that correct?

25 A That's correct.

Q Now, at page -- I take it when you said I
felt hurt, that was not a true statement, is that right?

A Well, I felt a little hurt. I wanted to get
to the bottom of what happened at that other meeting.

Now, as we went along this lengthy
conversation, I never dreamed that we would get into this
area. Because of the drinks maybe I brought it out.
I had no intention of this at all.

Q You said at page 130, I believe, you asked,
am I free to talk here?

A 130?

Q I'm sorry, 136, you said, am I free to talk
here; is that right?

A I remember saying it. But I'll find it here.
136?

Q Yes.

A Yes.

The very last thing. Am I free
here. Yes, I see it.

Q And what was your reason for saying that,
Congressman Myers?

A Well, I say that, am I free to talk here,
meaning to Mr. Criden who was sitting there and to Mr.
Wald, did they know what happened at the first deal,

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am I free to talk, is the way I meant.

Mr. Wald was in a different area totally than in the first meeting.

MR. PUCCIO: May I have a moment, your Honor?

THE COURT: Yes.

Mr. Myers on page 136, at the bottom it ends up, am I free to talk here.

And at page 137, Mr. Criden says, lay it on the table.

Did you address that question to Mr. Criden, am I free to talk here, or were you talking to Mr. Wald?

THE WITNESS: Well, I threw it out looking for someone to respond, your Honor.

THE COURT: All right.

Q Now, on January 25th, the next day, with reference to the subject of getting screwed last time, you said, I brought it up for a reason. Is that right?

A Yes.

Q And why did you say to Mr. Wald that I brought it up for a reason?

A Do you want me to -- do you want to refer me to that page, Mr. Puccio?

1
2 Q Page 12 of the next transcript which should
3 be 8A.

4 A Yes.

5 I said I brought it up for a reason. I
6 want to know where I am coming from. I want to get a
7 response. I want to know what Mr. Wald was talking about
8 here.

9 (Continued on next page.)
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2 Q Now, going back to the 24th, you said at page
3 148, I thought I should have had fifty grand that day.

4 Did you say that?

5 A 148?

6 Q Yes.

7 A I thought I should have had fifty grand that
8 day. Yes, I said that.

9 Q Was that a true statement of your thinking?

10 A No.

11 What happened here, and I'll have to explain
12 it if you allow me --

13 Q Was that statement true or false?

14 MR. CACHERIS: He has answered it, your
15 Honor.

16 May he explain?

17 THE COURT: He said no.

18 If you want an explanation he is ready to
19 give it.

20 MR. PUCCIO: Yes, your Honor.

21 A When I talked about the \$100,000 at the begin-
22 ning when we got into this money, I was supposed to get
23 25.

24 Now, Mr. Wald said you were supposed to get
25 fifty. So I didn't say no. I didn't say anything. I

1
2 just sat there.

3 So he took it I was supposed to get fifty.
4 Then he suggests, we owe you twenty-five. The way I
5 count he owed me ten. So I didn't say anything about
6 that. I just dummed up.

7 Now he thinks he owes me fifty and when we
8 get further down the line I am agreeing with him now that
9 it is fifty instead of the original twenty-five that I
10 agreed to.

11 Q And even though you said that you didn't
12 intend to take any more money, is that right?

13 A At this point in time -- throughout this
14 conversation I had my doubts about Mr. Wald because
15 I was all over the lot.

16 Every two seconds he went in a different
17 direction. I thought after this point in time after
18 we talked for awhile, not long into the conversation, I
19 don't know when I formed the opinion that Mr. Wald didn't
20 know what he was talking about.

21 I thought he was in some way trying to
22 steal something off the sheik.

23 Q Congressman Myers, can you answer my
24 question:

25 At this point in time when you said that you

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were not intending to take any more money, is that right?

A I never expected to get any more money off Mr. Wald.

Q Were you intending to receive or take any more money when you said that to Mr. Wald?

A No. I never believed Mr. Wald.

Q Now, did you ever say during this meeting that you were concerned that receiving money would look like a kickback?

Did you ever say anything to that effect?

A Refer me to the page, please.

Q Well, did you say give me a reason other than a kickback or something to that effect?

MR. CACHERIS: May we have the page, your Honor?

MR. BROWN: What page was that?

THE COURT: He is looking for it.

MR. PUCCIO: One moment.

(Pause.)

Q 141 to 142, starting at the bottom of the page, 141, and I quote, "And give me a reason."

Mr. Wald says, "All right. Number two, right."

And Mr. Myers says, "Other than, you know, a reason that, what the hell, why are you interested, what

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are you getting, a kickback?

A Yes.

I am asking him is he getting a kickback.

I am asking Mr. Wald is he getting a kickback.

Q You are asking Mr. Wald if he is getting a kickback?

A Yes.

Q You are not talking about someone viewing what you received as a kickback, is that correct?

A Absolutely not. I am trying to get Mr. Wald to respond throughout this conversation.

I gave him all sorts of hints. I wanted an answer from him. I wanted to know if he knows about Mel Weinberg in the first meeting.

Q Now, you talked several times about not going on a Kamikaze mission; is that correct?

A Yes.

Q And on page 171, I believe you said again, I am not going to run out, you know, say, well, here's X amount of bucks, go out and introduce this bill. I'm not interested in an F'n bill that's going to get me F'n shanghied the next day.

Do you say that?

A Yes, I say that and that's what's exactly

1
2 what I mean.

3 That's the end of the conversation.

4 Q And are you saying --

5 MR. CACHERIS: Objection, your Honor.

6 Let him finish the conversation.

7 THE COURT: Did you finish?

8 THE WITNESS: Your Honor, I am saying that
9 is about the end of our conversation that night.

10 Q Did you mean, when you said this, Congressman,
11 that you would not under any circumstances introduce
12 an immigration bill?

13 A Yes.

14 Q And you were not saying then that you
15 would not introduce a bill that would get you in trouble.
16 Is that right?

17 A I am not saying that?

18 Q That's right.

19 A What I say here, Mr. Puccio, is that I
20 will not introduce a bill that is going to get me shanghied.
21 If it is a legitimate bill like the one bill I had
22 experience with in my four years as a member of Congress,
23 yes, if it is a legitimate individual who has a problem.

24 But in this conversation what he is
25 trying to hint to me I am making it clear I will not go

1
2 on any mission that will get me shanghied.

3 Throughout this conversation I try to tell
4 Mr. Wald and I hint to him several times, I felt I tell
5 him I will not go in -- to a mission of no return or a
6 kamikaze mission.

7 And this is the end of the conversation and
8 I go on to tell him I am not interested in an F'n bill
9 that is going to get me F'm shanghied is exactly what I
10 tell him and that's about the end of our conversation
11 that night.

12 Q Now, Congressman Myers, you meet again with
13 Mr. Wald on the next day, is that correct?

14 A The 25th?

15 Q That's correct.

16 A Yes.

17 Q And you have further discussions with him
18 about your trip to New York in August of 1979, is that
19 correct?

20 A Yes.

21 Q And he indicates that there is money that
22 is going to be paid to you, is that right?

23 A Yes.

24 Q And did you believe at that time --
25 withdrawn.

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2 Q Did you at that time agree to receive that
3 money?

4 A I didn't turn it down. Of course, nothing
5 came and I didn't believe anything about more money coming.
6 He kept telling me about all that stuff.

7 Q But you expected more money; isn't that
8 correct?

9 A No.

10 I felt by this time that this guy was full of
11 B.S. and there was just now way that he was going to do
12 anything for me.

13 Q Well, you weren't drinking at the second
14 meeting; is that correct?

15 A No. I was sick from the night before.

16 Q You understood perfectly what he was saying
17 at that second meeting; is that right?

18 A I understood what he was saying, yes.

19 Q And what was your purpose of going up there
20 for that second meeting visit?

21 A Well, I still thought that maybe there was
22 a possibility that some development was going to come in the
23 City, and I wanted to be clear on what happened the night
24 before.

25 Q You wanted him to tell you what happened the

1
2 night before; is that right?

3 A I didn't want him to tell me. I wanted to
4 get some questions straightened out.

5 Q He told you what happened the night before.
6 He told you you were going to get some more money; is that
7 right?

8 A I thought maybe he would have something to
9 say without Mr. Criden in the room that he couldn't say
10 with him there.

11 Q And you still legitimately felt it was
12 important to seek investments for the City of Philadelphia;
13 is that correct?

14 A Yes.

15 Q And would it be fair to say, Mr. Myers, that
16 if someone from a foreign country made investments in the
17 City of Philadelphia in a large amount, that would be ample
18 reason for introducing a private immigration bill?

19 MR. CACHERIS: Objection, your Honor.

20 Speculative.

21 MR. DUFFY: Objection, your Honor. It calls
22 for a conclusion of law.

23 THE COURT: The latter objection is overruled.
24 As to the former, you can answer it, Congressman
25 Myers, on the basis of your evaluation on what would

1
2 be justification for introducing a private immigration
3 bill, if you can answer it at all.

4 THE WITNESS: Would you repeat the question,
5 Mr. Puccio, please?

6 Q Well, if the Sheik or anybody else from a
7 foreign country had made a substantial investment in the City
8 of Philadelphia, in your mind would that have been
9 sufficient justification to introduce a private immigration
10 bill?

11 A No.

12 Q And did you ever say at any of these meetings
13 that you attended in August of '79 or January of 1980
14 that it was not, that it was investments in Philadelphia
15 would not be a sufficient reason, sufficient justification
16 for you to introduce a private immigration bill?

17 A I kept talking about reasons, reasons. My
18 reasons were to get those Arab dollars to America quickly.

19 Q Now, did you say in your meeting on the 25th
20 of January at the Barkley, that I got a little bit of clout,
21 I am not saying I can deliver 30 or 40 members, but a few
22 standup guys who could help and they would be interested in.
23 I could never approach anybody.

24 Did you say that?

25 A What page are you referring to?

1
2 Q I believe it's Page 8. It's not marked on
3 my copy, but it's the page after 7 of the meeting on the
4 25th.

5 A Page 7, Mr. Puccio?

6 Q The page after Page 7. It's not marked on
7 my copy.

8 A Where I say it seemed like an effin scam
9 to me?

10 Q Yes, that's right.

11 A Yes, I said that.

12 Q Did you mean that when you say, I got a
13 little bit of clout, I am not saying I can deliver 30 or
14 40 members, but I got a few standup guys; did you say that?

15 A Yes.

16 Q Did you mean that when you said that?

17 A No. I didn't mean that I could deliver any-
18 body to do anything wrong. I talk about an effin scam, an
19 effin scame it seemed like to me. And what I indicate here
20 is I tried to get more information out of Wald.

21 Q When you say I am not saying I can deliver
22 30 or 40 members, but I got a few standup guys, were you
23 referring to members of Congress?

24 A Yes. I was referring to members of Congress.

25 Q And on Page 22 of that same meeting, you talked

1
2 about Kennedy Airport as being a bad place to meet, you
3 know, there is too many people in the airport, I might even
4 bump into people I know coming into Kennedy Airport, I
5 don't even know why I met anybody at Kennedy.

6 Did you say that?

7 A Yes, I said that.

8 Q And was that the truth when you said it?

9 A Well, it was the truth. The way I felt about
10 it at this point in time is that I was supposed to meet
11 Mr. Weinberg to get my instructions and my script.

12 I didn't think Kennedy Airport was a good
13 place to have such a meeting, is what I mean by that.

14 Q By the way, at the end of your meeting on
15 the 24th you indicated that you were going to meet Mr.
16 Criden in the bar of the Barkley Hotel, and have a beer with
17 him; is that right?

18 A Yes.

19 Q And you in fact -- did you in fact do that?

20 A Yes.

21 Q And did you and Mr. Criden discuss what had
22 transpired up at the meeting?

23 A Briefly, briefly.

24 Q Well, did you discuss this problem that had
25 occurred in New York and did you discuss the fact that you

1
2 had brought it up at the meeting upstairs?

3 A Yes. We discussed it a little bit, yes.

4 Q And did you discuss with Mr. Criden the fact
5 that you were expecting to receive additional monies now
6 that you had brought it up?

7 A No. I didn't get into that. I just told
8 Mr. Criden that I wanted to bring it to a head because I
9 wanted to find out the true story.

10 Q And did Mr. Criden express any reservations
11 about Mr. Wald or Mr. Haridopolos at that time?

12 A No, he didn't say anything about either one
13 of those gentlemen.

14 Q Did he in fact tell you to trust them and not
15 to be suspicious about them?

16 A He talked more about this hotel complex.
17 This is in real estate business. He was interested in real
18 estate.

19 Q Well, did you discuss with Mr. Criden invest-
20 ments that you would seek in the City of Philadelphia at
21 that time?

22 A Just general about a hotel complex that, you
23 know, was going to break ground in eight weeks and they
24 didn't know where it was going to be built.

25 Q And about how long did you stay with Mr. Criden

1
2 in the bar of the hotel?

3 A I would say about ten minutes.

4 Q Now, on the 25th of January you had a conversa-
5 tion with Mr. Wald about Mr. Musto; is that right?

6 A Yes.

7 MR. CACHERIS: Your Honor, can we come to the
8 side bar?

9 THE COURT: Even before he answers the
10 question?

11 MR. CACHERIS: Yes.

12 THE COURT: Side bar.

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15 (Continued on next page.)

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8 (The following takes place in open Court.

9 THE COURT: I have sustained the objection.

10 CROSS EXAMINATION

11 BY MR. PUCCIO: (Continued)

12 Q Congressman Myers, you spoke to Mr. Wald
13 on the 29th of January, is that correct, over the telephone?

14 A 29th of January?

15 Q That is right.

16 A I believe so.

17 Is that the tape played in the Courtroom?

18 Q That's right.

19 A Yes.

20 Q During this conversation I assume you were
21 not drunk, is that correct?

22 A Yes.

23 Q I assume you were not play acting, is that
24 correct?

25 A You will have to play the tape so I hear it.

1
2 Tell me what it says.

3 Q Were you play acting after the 25th of January,
4 1980, in your conversations with Mr. Wald?

5 MR. CACHERIS: Your Honor, may I direct the
6 witness' attention to Exhibit 9-A, if there is
7 a transcript of that.

8 THE COURT: That is a transcript of the
9 telephone conversation of January 29, 1980 between
10 Mr. Myers and Mr. Wald.

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2 MR. CACHERIS: That is the area of inquiry,
3 I understand.

4 THE COURT: There is a broader question
5 now pending before the witness.

6 Q Were you play acting, Mr. Myers, after the
7 25th of January, 1980, in your conversations with Mr.
8 Wald?

9 A With reference to all the problems I solved
10 for him, yes.

11 Q With reference to the money that you were to
12 receive, some \$85,000 for those discussions, play acting --

13 MR. CACHERIS: Objection. That you were to
14 receive.

15 THE COURT: Wait a minute I have three objec-
16 tions and the witness wants to answer.

17 MR. DUFFY: Withdrawn.

18 Q With respect to conversations concerning
19 the monies you were to receive, after the 25th of January,
20 was that play acting on your part?

21 A The money that I was to receive?

22 Q Yes.

23 A I never received any monies.

24 Q You discussed receiving monies on the 29th of
25 Janaury?

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2 A You are talking about all the money Michael
3 Wald had been throwing out?

4 Q Did you discuss receiving money with Mr. Wald
5 on the 29th of January?

6 A Yes. Mr. Wald said: I owe you the money
7 we discussed.

8 Q What did you say?

9 A Yes.

10 Q What else did you say?

11 A He talks about going away for the weekend.
12 I say okay.

13 Q Well, I will withdraw that, Mr. Myers.
14 Within this conversation, were you play acting?

15 A He was play acting.

16 Q And you knew that, is that right?

17 A I don't believe anything that this man said
18 about all these things he was going to do. I'm looking for
19 something concrete. I keep throwing it back to him.

20 Q You didn't turn down money?

21 A He didn't give me money.

I didn't have an opportunity to turn it down.

22 Q When he said on the 29th, you have the money
23 coming, didn't you have an opportunity to say no, I --
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25 A I didn't answer. If he thought I had money

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coming that was his thinking.

Q You were prepared to take it?

A I wasn't prepared to take something that wasn't coming.

Q Were you prepared to take it on the 29th of January when you said okay?

A You're telling me if he stopped by my house --

Q Were you prepared on the 29th of January to take the money when you said okay?

A I can't really answer that because I don't believe any money was coming. He kept telling me it was coming but it never came and I didn't believe it was coming.

Q You told him you didn't believe it was coming, is that right?

A That is in writing?

Q I'm asking you, did you tell him you didn't believe the money was coming?

A Are you referring to something said in the conversation?

Q I am asking you what happened?

A I don't recall saying that. If it is said somewhere, point it out.

Q Could you have said that?

A Could I have said it?

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2 Q Yes.

3 MR. BEN-VENISTE: Objection. He said he
4 didn't recall saying it.

5 THE COURT: Overruled.

6 Q Could you have said it?

7 A I could have said that, sure.

8 I don't remember saying that, but if you
9 can point it out, I will go to the page.

10 Q On the 29th of January, when you agreed there
11 was this money coming to you, you said okay, did you believe
12 that was improper for you to do that as a United States
13 Congressman?

14 A Improper?

15 Q Yes.

16 A For getting money for doing nothing, no.

17 Q Did you believe it was improper to agree to
18 get more money?

19 A For doing nothing, no.

20 Q On the 31st of January, you again in a telephone
21 conversation with Mr. Wald discuss receiving some additional
22 money, is that correct?

23 THE COURT: That would be Exhibit 10-A.

24 MR. PUCCIO: That is correct, Judge.

25 A He again, he keeps bringing up what I owe you.

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He threw it out to me. I say yes.

I don't ask him for the money.

Q Excuse me?

A I don't ask him. The money I owe you, I will be around Friday. He brings the stuff up. The way the conversation starts.

Q Who brings up the subject of the money?

A Are you talking about what I am reading?

Q 31st of January, 1980.

A I say about the other things.

Q Meaning what?

A The gentleman that you asked me -- the meeting of the 25th.

Q You were referring to whom when --

MR. DUFFY: Objection, your Honor.

MR. BEN-VENISTE: Objection, your Honor.

THE COURT: Overruled.

Q You were referring to whom when you said the other thing?

A Here I say, what do you want me to do on the other thing. I am referring to Ray Musto.

Q What did Mr. Wald say?

A What I owe you --

Q What did you say?

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2 A Yes.

3 Q It's clear that the other thing you were
4 referring to was what was owed you, is that correct?

5 A No, that is not correct. This is entirely
6 a different thing he is talking about.

7 MR. BEN-VENISTE: This was the matter discussed
8 at the side bar. Mr. Puccio knows that. I object
9 to it.

10 MR. PUCCIO: Your Honor, that is just not
11 so.

12 THE COURT: In light of the witness' testimony
13 the objection is overruled.

14 Q Mr. Wald says, well, as soon as I come back
15 I will make you whole and the other figure I owe you as
16 well; what did you take that to refer to?

17 A I take the two figures he talked about, 35 and
18 50.

19 Q Were you drunk during this conversation,
20 Congressman Myers?

21 A No.

22 Q Were you play acting?

23 A No, I wasn't.

24 Q Did you believe it was improper for you as a
25 United States Congressman at that time to agree to receive

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these official monies?

A No, I didn't think it was improper because I didn't do anything and was to do absolutely nothing for money.

Q By the way, you were interviewed by the FBI on February 2, 1980, is that correct?

A Yes.

Q You were asked during that interview by agents of the FBI if you knew Michael Wald, is that right?

A Yes.

MR. CACHERIS: The question was Michael Cohen.

Q What did you say?

A I said no.

Q You were asked if you knew Mr. Weinberg, is that correct?

A Yes.

Q What did you say?

A I said no.

Q You were asked if you knew Mr. DeVito, you said no to that too?

A Yes.

Q In fact you denied knowing them on more than one occasion; is that correct?

A Yes.

Myers-cross-Puccio

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2 At that point in time I didn't know what he
3 was talking about. The FBI agent had not instructed me
4 why he was asking the questions.

5 Q You didn't know who Mr. Cohen was February
6 2, 1980?

7 A I didn't know who he was?

8 Q That's right.

9 A Yes, I knew but I was afraid at that point
10 in time.

11 Q Afraid of what?

12 A Michael Cohen was caught by the Sheik.

13 Q I see.

14 Why did that make you afraid?

15 A Because these people I took as legitimate
16 people, as a friend and I didn't want to see anybody in
17 trouble.

18 I didn't know what was up.

19 When Michael Wald told me about the retaliation,
20 Ernie would have to go do something, I didn't want to see
21 anybody get killed.

22 Q You thought admitting to the FBI you knew the
23 people somebody would get killed?

24 A They never told me -- I invited them in. The
25 first question out of the agent's mouth before he said anything

Myers-cross-Puccio

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was: "Do you know Michael Cohen?"

If he had explained to me I was under investigation, explained they were FBI agents, I would have been happy to answer the question if I knew more about it.

Q You wanted him to tell you that these were FBI agents who you met before you answered the question?

A No, I wanted him to tell me things to properly answer the question.

Q They told you that they were conducting an investigation and showed you their credentials?

A They told me after they first asked me the questions --

Q You first said no, I don't know any of these people?

A Yes. Wait a minute, I told him I knew Howard Criden, Mayor Errichetti, other names. But the Arab Sheik's representatives, I said I didn't know. I didn't know why he wanted to know.

If he told me a little more, I would have been happy --

Q You said on three occasions during the interview you didn't know Michael Cohen, Mel Weinberg and tony DeVito, is that correct?

A Yes, that is right. I knew that Mel Weinberg

Myers-cross-Puccio

was doing something against his employer. That is the reason
I said I didn't know him.

MR. PUCCIO: I have no other questions at
this time.

THE COURT: Any redirect?

MR. CACHERIS: Yes.

REDIRECT EXAMINATION

BY MR. CACHERIS:

Q Mr. Myers, on August 22nd, you met with Mayor
Errichetti at the airport and there you received instructions
what to do in preparation for that meeting?

A Yes, that is correct.

Q You had previously spoken to Mr. Johanson about
the meeting?

A Yes.

Q You are now aware that you were mentioned on
some taped conversations between Mr. Errichetti, Mr. DeVito
and Mr. Weinberg, are you not?

A Yes, I heard them in the Courtroom.

Q You are aware your name was mentioned?

A Yes.

Q And you were said to have been ready to come
in?

A Yes.

Myers-redirect-Cacheris

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Q Is that correct?

A Yes, I heard it.

Q Did you discuss any of that with Mr. Johanson or Mr. Errichetti before the August 22nd meeting?

A No, I did not.

Q Had you been contacted by anyone other than Mr. Errichetti -- withdrawn.

Had you been contacted about this meeting of August 22nd by anyone other than Lou Johanson?

A No.

Q You were told by Mr. Johanson that when you got to the meeting or before the meeting that Mayor Errichetti would discuss with you what you were supposed to say and do?

A Mayor Errichetti and Mel Weinberg.

Q When you got to the airport, you did not meet Mr. Weinberg, you met Mr. Errichetti?

A Yes.

Q He did in fact instruct you how to proceed in this meeting?

MR. PUCCIO: I object to the leading.

THE COURT: It's saving time, overruled.

Q Is that correct?

A Yes, that is correct.

Myers-redirect-Cacheris

1
2 Q Did you do what you were told to do in the
3 meeting?

4 A Yes, I did exactly what I was told to do.

5 Q Did you ever have any intention of introducing
6 any legislation for this so-called Arab?

7 A I never had any intention of introducing
8 legislation and I never did. And I also knew that possibility
9 didn't exist. So I had never intended to do anything and
10 would not have.

11 Q On January 24th, at the end of that meeting
12 of some hour and 45 minutes, did you express yourself on
13 the immigration matter?

14 A When Michael Wald, Michael Cohen was there,
15 when he keeps hinting around immigration matters, I keep
16 asking for reasons, talking about missions to nowhere,
17 Kami Kaze missions, I tell him I am not interested in
18 introducing any bill. I knew Mel Weinberg understood the
19 stage play acting. I wanted to make sure Mr. Wald was
20 clear.

21 Q Clear on what?

22 A I was not doing anything as far as introducing
23 any legislation or anything illegal.

24 MR. CACHERIS: No further questions.

25 (Continued on next page.)

1
2 MR. DUFFY: May I?

3 THE COURT: Yes.

4 RE CROSS EXAMINATION

5 BY MR, DUFFY:

6 Q Mr. Puccio brought up the tax question
7 and the question of gifts?

8 A Yes.

9 Q Did you tell us you have a lawful extension
10 of time within which to file your tax return for 1979?

11 A Yes. My --

12 Q Answer the question.

13 A Yes.

14 Q Did you consult some tax person, a lawyer
15 or accountant, or whatever?

16 A Yes, I contacted Mr. James De Marco who has
17 been filling out my income taxes for me for the past, I
18 would say seven or eight years.

19 Q What is he?

20 A An attorney in the City of Philadelphia.

21 Q You mentioned something about De Marco telling
22 you Abdul Enterprise might have to pay a tax if it is
23 determined they gave you some gift?

24 A That's where I got the gift. When they told
25 me Abdul Enterprise would have to pay a gift tax, you

Myers - Recross- Duffy

1
2 know if it was a gift. That's when I brought up about
3 gifts. I took it to get money for doing nothing. He says
4 they may have to pay a gift tax.

5 Q Because under the tax law -- is that what
6 you're talking about?

7 A Yes.

8 Q Was that a discussion about tax laws?

9 A Yes. That was a discussion about the tax
10 laws and he said to me that Abdul Enterprise they have
11 to pay a gift tax on this.

12 Q Isn't it so that you, your tax position with
13 the Government is you actually have a refund coming back
14 apart from this money?

15 A Yes. Throughout the year of '79, of course,
16 the Federal Government has held withholding tax against
17 my pay.

18 Q You get a W-2?

19 A Yes. For that year I paid around, I think
20 around \$21,000 I paid in tax. My tax lawyer estimated
21 I would have a return of about seven or eight thousand
22 dollars coming back.

23 (Continued on next page.)
24
25

Myers-recross-Duffy

1
2 Q And you haven't tried to get it pending the
3 outcome of this case?

4 A No. He suggested that I wait for this case
5 to be over and maybe the Court would instruct me to give
6 it back and we would determine what should happen at that
7 point in time.

8 Q So the same Government that you work for and
9 Mel Weinberg works for took your tax money and not his;
10 is that correct?

11 A Yes.

12 MR. DUFFY: That's all.

13 THE COURT: Any other questions of Mr. Myers?

14 MR. BEN-VENISTE: If I may, your Honor.

15 THE COURT: Yes, Mr. Ben-Veniste.

16 RECROSS EXAMINATION

17 BY MR. BEN-VENISTE:

18 Q Is it fair to say, Mr. Myers, that your lawyer
19 expressed some puzzlement about this situation?

20 MR. PUCCIO: I object.

21 THE COURT: Sustained as to form.

22 Q Had he ever heard of a situation before where
23 a fictional group had given money to a Congressman?

24 MR. PUCCIO: I object.

25 THE COURT: Sustained.

1
2 Q Did he indicate to you in substance that it
3 was very unclear how all this would be handled from a tax
4 standpoint?

5 A Yes. He said this is a most unusual case.

6 Q And did he say he was going to do the
7 appropriate and legal thing in terms of getting a tax
8 question answered?

9 A Yes.

10 MR. PUCCIO: I object.

11 THE COURT: Overruled. The answer is yes.

12 Q Now, with respect to the question about doing
13 anything in return for the money that you received from this
14 fictional Arab, is it fair to say that not only did you not
15 introduce any legislation, but you did not even make a
16 telephone call to find out about immigration in quotas or
17 anything like that?

18 A That is correct. Normally -- do you want
19 me to explain.

20 Q No. It can save time.

21 Did you ever even ask or was it ever told to
22 you directly where this Arab supposedly came from?

23 A No.

24 Q Now, you knew someone was playing a game
25 from this Arab side of the table, is that right?

1
2 A Yes.

3 Q There had to be a first meeting from what
4 Mayor Errichetti told you?

5 A Yes.

6 Q And that person you believed to be Mel Weinberg?

7 A Yes.

8 Q Now, you also believed, did you not, from
9 Mr. Johanson's earlier enthusiasm about the Atlantic City
10 project that these Arabs did have incredible wealth?

11 A Yes. He told me about four hundred million
12 in one bank.

13 Q And that was reinforced, was it not, when Mr.
14 Criden mentioned about the multi-million dollar hotel
15 construction in Philadelphia in January?

16 A Yes.

17 Q So that you believed on the basis of those
18 statements at least, that these Arabs had substantial
19 amounts of money, at least from the standpoint of the
20 enthusiasm of others, which could be invested in Philadelphia?

21 A Yes, I did.

22 Q Now, Mr. Puccio in cross examination asked you
23 a lot of questions about your state of mind.

24 Let me ask you with respect to Arab oil money
25 as it related to the circumstances of the people who lived

1
2 THE COURT: I will permit that one. Overruled.

3 A Mr. Criden expressed to me that he had some
4 doubts. But he was confident that this gentleman was the
5 financial director.

6 Q And did he also express his confidence that
7 on the basis of checking out their finances that these
8 people actually had hundreds of millions that they said
9 they did at Chase Manhattan?

10 A Yes.

11 That was brought out several times. It
12 was brought out by Mr. Johanson first.

13 MR. BEN-VENISTE: Nothing further.

14 THE COURT: Mr. Brown.

15 MR. BROWN: Yes, your Honor.

16 May I question from here?

17 THE COURT: Certainly.

18 MR. BROWN: Thank you.

19
20 (Continued on next page.)
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22
23
24
25

REXCROSS EXAMINATION

BY MR. BROWN:

Q You are politician and you know Mr. Errichetti's profession, do you not?

A Yes.

Q What is his profession?

A He is the Mayor of the City of Camden and also a State Senator.

Q What party was he a member of?

A Demoratic Party.

Q Did you and he belong to the same faction of the Democratic Party?

A Yes.

Q What was that faction?

A We both were strong supporters of Senator Kennedy.

Q Now there was another gentleman's name brought out, a Congressman, which faction did he belong to?

A The other gentleman's whose name was brought up?

Q Yes.

A He was part of the same faction and he supported Senator Kennedy also.

Q And this was known publically?

1
2 A Yes.

3 Q By everybody?

4 A Yes.

5 Q And you told us about some of the factors
6 that entered into your response to the FBI men when they
7 talked to you in their role as Sheik's men.

8 When they talked to you about the docks and
9 the Mafia, did you tell them that there was a problem or
10 there was no problem?

11 A I told them that there was a problem, a black
12 problem down at the waterfront.

13 Q What was the black problem?

14 A There was a Moslem problem at one time where
15 some Moslems come in and try to take over some of the work,
16 but the black longshoremen wouldn't stand for it and then
17 it petered out.

18 Q Now, you had mentioned that to them in a
19 conversation he had with you, is that right, the agent?

20 A Yes, I mentioned it.

21 Q Now, did any of the agents at any time ever
22 ask you what progress that made on these problems that you
23 brought up in the second set of meetings and by the second
24 set I mean in January.

25 Did they talk to you about any progress made

1
2 with the problems discussed in August?

3 A No.

4 Q Between August and January, you testified, I
5 believe, that you never heard from anybody at all?

6 A No.

7 Q Did Criden call you and ask you what did you
8 do with these problems?

9 A No. The next time I heard from him was in
10 January.

11 Q Did Criden call you and ask you what is
12 happening with the Sheik's interests?

13 A No.

14 Q Did Errichetti call you and say, what is going
15 on now that you have the \$15,000?

16 A No.

17 Q Did Mr. Cohen or anybody we know now as
18 Federal Agents ask you what you were doing?

19 A No.

20 Q Do you know whether or not there were any
21 inquiries made of your administrative assistant or anybody
22 on your staff what you were doing as to immigration matters
23 for anybody?

24 A I never told anybody on my staff about anything,
25 and nobody ever inquired anything from them.

1
2 Q You were asked many questions as to your
3 response as to what Mr. Wald said to you, Mr. Puccio's
4 query to you as to that period of time.

5 Would you turn to Page 130 of August 22nd.

6 A August 22nd, Mr. Brown?

7 Q Yes.

8 THE COURT: Exhibit 6-A.

9 MR. CACHERIS: 5-A, your Honor.

10 MR. BROWN: Yes, that would be the 22nd,
11 your Honor.

12 THE COURT: Yes, that's the first meeting
13 in which Mr. Myers was present.

14 Q If you don't have it, Mr. Myers, I will give
15 you my page.

16 MR. BROWN: May I approach, your Honor, and
17 give him the page?

18 THE COURT: Yes.

19 MR. BROWN: Then you don't have to fumble.

20 Q Now, in the August 22nd meeting you didn't
21 have Mr. Wald, you had Mr. Amoroso or Tony DeVito; is
22 that right?

23 A Yes, Tony DeVito and Mel Weinberg.

24 Q And Mel Weinberg?

25 A Yes.

1
2 Q Now, you haven't been asked anything Mel
3 Weinberg said -- throughout Mr. Puccio's cross examination,
4 he never asked you what responses you made to anything
5 Mel Weinberg said, is that correct?

6 A That's right.

7 Q For the first time, tell the jury what
8 Mr. Weinberg said to you about the situation you were in?
9 He is talking to a representative of the Sheik.

10 A We got the goose that laid the golden egg,
11 we all like to make a buck.

12 Q Did you respond to that?

13 A I say all right.

14 Q You are a tough guy from streets?

15 A Some people think I am.

16 Q What does that mean to you, we got the goose
17 that laid the golden egg?

18 A He made it very clear to me he understood
19 the same thing I understood when I was at the meeting.

20 (Continued on following page.)
21
22
23
24
25

1
2 Q Was that the theme that was set in August
3 that persisted right on through?

4 A Yes.

5 Q On the new men, because Mr. Wald was new
6 to you and the other gentleman was in January, did they
7 indicate to you in the course of their conversation that
8 they referred back to our people meaning the people from
9 the August meeting?

10 A Yes.

11 Q Did anybody at any time tell you Mr.
12 Weinberg didn't set the standard when he said, listen man,
13 we got the goose that laid the Golden Egg, did anybody
14 ever deviate from that?

15 A They didn't speak about Mel Weinberg at
16 all.

17 MR. BROWN: Thank you.

18 MR. PUCCIO: I have something.

19 RECROSS EXAMINATION RECROSS EXAMINATION

20 BY MR. PUCCIO:

21 Q After Mr. Criden called you in January
22 and told you that there was to be another meeting or
23 asked you to attend another meeting, with the Sheik's
24 representatives, did you have occasion to speak with
25 Mayor Errichetti and seek instructions from him as to what

Mayers-across-Brown

1
2 to do?

3 A No, I never spoke to Mayor Errichetti.

4 Q After your meeting on the 24th, you met
5 with the Sheik's representatives on the 25th, and you spoke
6 to them again on the 29th and the 31st, the same month,
7 is that correct?

8 A Yes.

9 Q Before or after any of the meetings, did
10 you speak with Mayor Errichetti to see if he had any
11 instructions for you?

12 A No. I didn't speak to Mayor Errichetti at
13 all, no sir.

14 Q Therefore, you received no further instructions
15 from him, is that correct?

16 A I didn't know who was going to be at the
17 first meeting.

18 Q After you learned and met with Mr. Wald
19 between the 24th and the other meeting, the 25th, and
20 conversation on the 29th and 31st, did you speak to Mayor
21 Errichetti before or after the meeting to seek further
22 instructions now that you had met the Sheik's new represen-
23 tatives?

24 A No.

25 MR. PUCCIO: Thank you, Mr. Meyers.

THE WITNESS: You're welcome, Mr. Fuccio.

RE-CROSS EXAMINATION

BY MR. BROWN:

Q Did you need any further instructions from Mayor Errichetti to tell you what this is all about?

A No.

Q Was there ever any deviation from the Government's masquerading representatives after Weinberg told you this is the goose that lays the Golden Eggs?

A No, all this stuff that Mr. Wald talked about just did not exist. This guy created problems that were not there.

Q Errichetti had nothing to do with that?

A No.

MR. BROWN: No further questions.

THE COURT: Thank you, Mr. Meyers.

You may step down.

THE WITNESS: Thank you, your Honor.

THE COURT: It's almost one. I suggest we recess for lunch at this time. Let's try to resume at ten minutes to two. It may save us ten minutes later.

(Recess taken at this time until 1:15 P.M.)

* * *

* * *

(The jury enters the Courtroom.)

16 THE COURT: Ladies and gentlemen, the defendant
17 Myers has now presented and completed his presenta-
18 tion as to the evidence on his case. We are now
19 moving to the defendant Errichetti.

20 Yes, Mr. Brown.

21 MR. BROWN: Yes.

22 If your Honor pleases, first with your permission
23 we would like to offer copies of the transcripts
24 which have been made and which were played, the
25 material that was played by us during the cross examina-

1
2 tion of Mr. Myers.

3 MR. PUCCIO: No objection, Judge, to putting
4 them in the books.

5 MR. BROWN: It's T-1 through 11, your Honor.

6 If your Honor would permit us to distribute
7 them so they can go in the backs of the books?

8 THE COURT: Did you say T-1 through 11?

9 I only had ten of them.

10 MR. FURST: 11 was a tape played by Mr.
11 Ben-Veniste.

12 MR. PUCCIO: Was that marked as Exhibit A
13 in evidence?

14 MR. FURST: January 18th.

15 MR. PUCCIO: May I look at this one, Judge?
16 I wasn't given this one to check.

17 THE COURT: At least T-1 through T-10 are
18 received in evidence.

19 MR. BROWN: May we have your permission to
20 distribute them to the jury so they can go in their
21 books?

22 THE COURT: Yes.

23 MR. BEN-VENISTE: Your Honor, we have T-12
24 through T-15. If I may hand this up to the Court?

25 THE COURT: Have they been played?

DEFENSE EXHIBIT T-1
EXCERPT OF TELEPHONE CONVERSATION
JUNE 16, 1979

MW Mel Weinberg

AE Angelo J. Errichetti

* * * *

MW: Alright now you know what we got to do with Pete then

AE: I know what we got to do with Pete and the other
guy too

MW: Right

AE: Both of them

MW: And we'll be all set

AE: Yes sir

MW: Alright

* * * *

DEFENSE EXHIBIT T-2

EXCERPT OF TELEPHONE CONVERSATION

JUNE 20, 1979

MW Mel Weinberg

AE Angelo J. Errichetti

* * * *

MW: All right, here's what we got set up. They're flying Yassir into Washington, D. C. OK? We'll have the meeting Thursday, probably Thursday late in the afternoon.

AE: Next Thursday?

MW: Right

AE: Yeah .

MW: All right? Now we'll, we'll, we're going to get him in, once we get him in a hotel at night there, he's not going to leave, we'll keep him so that nobody knows he's there.

AE: O.K.

MW: We'll register a suite of rooms in our name so for security reasons nobody has to know.

AE: I'll, I'll call Williams right now

MW: Right

AE: And tell the Senator be available Thursday afternoon

MW: Right

AE: And I'll get there early and get him settled in

MW: Yeh, I'll give you the hotel, I don't know the hotel yet

AE: I don't care yet. All I want to do is make sure its Thursday, I go there Thursday

MW: Right

AE: And I sit with him and we go over the speech before we go in there together

MW: Right

* * * *

* * * *

MW: The reason I say we should, cause, cause Tony will if its strong enough get a hold of you and say, you know. Cause he knows Yassir better than anyone.

AE: OK

MW: You follow me? Huh?

AE: It's ok with me

MW: Cause, you know, he knows what he has to have in order to get the ok

AE: OK

MW: All right?

AE: What, what you have to do is get back to me to give me the proper speech. Now he knows he's got to guarantee He knows he's got to say that

MW: Right

AE: He knows he's got to say "I'm the man or this thing doesn't move or work."

MW: Right

AE: I guarantee all the contracts, guarantee it's going to be a successful...

MW: As long as he says to him "without me it don't work."

AE: OK

MW: You follow me?

AE: I told him that

MW: Yeh, he's got to come up and say "without me it don't work." As long as he says that then uh, you know, "I'm doing all that, I have to open all the doors."

* * * *

DEFENSE EXHIBIT T-3
EXCERPT OF CONVERSATION HELD AT
WASHINGTON, D.C. - JUNE 28, 1979

AE Angelo J. Errichetti
HW Senator Harrison A. Williams
MW Mel Weinberg

MW: O.K. Strictly loans. He's only interested in you. You gotta tell him how important you are, who you are, what you can do and you tell him in no uncertain terms "without me there is no deal", I'm the man. I'm the man who's gonna open the doors. I'm the man who's gonna do this and use my influence and I guarantee this." Follow me? All bullshit.

AE: (inaudible). I'm gonna be the one who's gonna (inaudible) utilize me as a Senator

MW: Tony is, you gotta know Tony is a partner of ours. He's gonna be uh, the main thing he thinks he's gotta ask, he'll ask you.

HW: Right

MW: And when it comes to your shares, you tell him you own 18%. You put them in Alex' name. Alex is gonna endorse the back and give you a certificate back.

AE: (inaudible).

MW: When you leave the Senate, whatever time you leave, you put your name, your're the owner. O.K.?

HW: Yeah

MW: And that's it, it goes not further, its all talk, all bullshit. Nobody wants to hear it. He's not gonna open his mouth. He speaks bad English and he's ashamed of how he speaks.

HW: But he understands.

MW: Oh, he understands perfectly. He has been trying and double trying. Its a walk-through. You should be out of there in twenty minutes.

HW: What doe he know about the property? Does he...

MW: Don't say nothing. He's not interested, he's interested in you. We're getting the money because of you.

HW: Uh hum.

MW: Alright?

AE: And we'll produce

MW: You gotta just, play and blow your horn. The louder you b low and mention names, who you control.

* * * *

* * * *

HW: For twenty minutes.

MW: For twenty minutes with you. Alright. So, you gotta take the position, you're the boss. Alright?

AE: Period

MW: Come on, me I'm the power. And that's it. Its as simple as that. You're on stage for twenty minutes.

* * * *

DEFENSE EXHIBIT T-4

EXCERPT OF TELEPHONE CONVERSATION

JULY 29, 1979

AE Angelo J. Errichetti

MW Mel Weinberg

* * * *

AE: When you coming up?

MW: Well, we'll be up, if you got us up by, say, the sixth, we'll come up that weekend, next weekend

AE: For...ah...a couple of those things

MW: Yeah, and we'll take care of everything at one time. We'll be up there for a couple of weeks then.

AE: Ok. How many can you handle?

MW: As many as you can give me

AE: Ok

MW: Alright?

AE: Right

MW: As many as you can give me, I can handle

AE: Ok

MW: Cause that's number one priority with him

AE: Well

MW: Specially after they came out with that Samonoa thing.

AE: Well, there's a couple of Congressmen, I think we can work these things...at least, ah...may... could be five or six of them.

MW: Beautiful

AE: Alright?

MW: Ok

AE: And plus this fellow from the...the Naturalization Department.

MW: Alright

AE: That could be the key one. That could be the biggest one

MW: Beaut....that'd be marvelous

AE: Cause that guy will say it right in front, as I'm told

MW: Alright

AE: That, "Yes, I will guarantee"...you know, that kind of shit

MW: Okie doke

AE: Alright?

* * * *

DEFENSE EXHIBIT T-6

EXCERPT OF TELEPHONE CONVERSATION

SEPTEMBER 2, 1979

AE Angelo J. Errichetti

MW Mel Weinberg

* * * *

AE: I was in Washington Friday. I spent most of the day in Washington. I had to go there to meet with the Deputy to Jack Rothman (ph). The guy's name is Steve (ph) Kirsbaum (ph) and while I was there I went to see a couple of my friends at the Bureau of Immigration and Naturalization. I think I got, you know... I did very well, I think in regards to green cards and whatever have you. And I have another meeting with him. He's going to come to see me, I think, maybe Thursday or Friday this week, coming to give me the right guy because I don't want no bull-shit, you know.

MW: Right

AE: The guy I know is not the guy that signs the papers you follow me?

MW: Right

AE: The guy I know is an investigator. He goes out and makes sure that everything is done.

MW: UH-Huh

AE: ..because him and the other guy which I'll be meeting next week is the key people

MW: Alrightie.

* * * *

DEFENSE EXHIBIT T-7

EXCERPT OF TELEPHONE CONVERSATION

SEPTEMBER 5, 1979

MW Mel Weinberg

AE Angelo J. Errichetti

* * * *

AE: Hi Mel

MW: Yeah. (IA) called back on those green cards right?

AE: Yeah

MW: Now what do they do supply the green cards or just let the people in the country?

AE: Supply the cards!

MW: Right!

AE: They get the application.

MW: Right.

AE: It's all filled out. (IA) job specialized job (IA)

MW: Right.

AE: (IA)

MW: Follow you.

AE: Then the application goes to the guy that I know. (IA)

MW: Right.

AE: (IA)

MW: Right.

AE: (IA) gives it to boss. (IA)

MW: Right.

AE: (IA)

MW: How long would it take? Any idea?

AE: (IA)

MW: Alright

AE: (IA) application (IA) fill it out (IA)

* * * *

* * * *

MW: And uh, one o'clock is the meeting, the first one Monday. Then, ah, what time, time you wanta make it for Wednesday with the , er, Congressman?

AE: Well, I, I talked to him briefly.

MW: Yeah

AE: I told him about, you know, eh, a wet closing and a dry closing Wednesday and Friday.

MW: Right.

AE: He says I'm jammed up, he says why can't we make it one day where I go up a little early and your good friend can give me the script and I can do that you know. He said, you know, I prefer to go one day Wednesday or Friday whatever you want and I come up early so that we could meet, you know, privately like we're supposed to and go over the whole thing so that I can understand what has to be done and I'll do it.

MW: Eh, heh

AE: Is that possible?

MW: Ah, let me see if I can arrange it.

AE: Alright.

MW: Alright.

AS: OK

MW: Make it Wednesday then.

AE: Whatever, you know

MW: OX

AE: Whatever you want to do. He has no problem coming up like nine o'clock in the morning and then sitting down with you, and I, and you know going over the whole thing and then like one o'clock go through with it, you know, whatever.

MW: Right

DEFENSE EXHIBIT T-8

EXCERPT OF MEETING

SEPTEMBER 12, 1979

MW Mel Weinberg

AE Angelo J. Errichetti

* * * *

MW: Yeah, because this way I make arrangements for the hotel rooms now, get everything set up. Ah, who's the next guy after, do you know yet?

AE: It could be that immigration guy.

MW: Yeah

. . . (IA) . . .

AE: The guy's ready as I'm told by my guy, okay?

MW: Now what's his name?

AE: Top guy, I don't know.

MW: Oh you don't know his name.

AE: My guy is Torrentini . . . (IA) . .

MW: Your guy is what?

AE: Torrentini.

MW: Torratini?

AE: Torrentini.

MW: Tor . . . and what is his position there?

AE: Chief Investigator.

MW: Chief Investigator that's a good position.

* * * *

DEFENSE EXHIBIT T-9

EXCERPT OF TELEPHONE CONVERSATION

SEPTEMBER 14, 1979

AE Angelo J. Errichetti

MW Mel Weinberg

AE: ... Commissioner
MW: Commissioner.
AE: Of Naturalization.
MW: Of Naturalization.
AE: And Immigration.
MW: And Immigration.
AE: His name is Mario.
MW: Mario.
AE: T as in Tom
MW: T
AE: Nopo, Nopo, N - o p o.
MW: N o p o?
AE: Nopo.
MW: Nopo.
AE: That's it.
MW: Alrighty.

* * * *

DEFENSE EXHIBIT T-10

EXCERPT OF TELEPHONE CONVERSATION

SEPTEMBER 18, 1979.

AE Angelo J. Errichetti

MW Mel Weinberg

MW: Right.

AE: OK. And he called me back about 10 minutes ago and said he feels that I have to meet him in his office around 11-11:15 which I will.

MW: All right.

AE: Then bring it right over to your place.

MW: OK.

AE: Cause he, he, the best time for him is between lunch time.

MW: All right.

AE: So I figured around noon time.

MW: Right.

AE: OK?

MW: OK.

AE: Uh, what time ya think we should get the hell outta there?

MW: Well, we should, how long should it take?

AE: How long should it take? Um, ya know I don't know what Tony's gonna do.

MW: It won't take long.

AE: Cause with me, it would be 5 minutes ya know.

MW: All right, so figure 15-20 minutes.

AE: OK.

MW: Now you able to shoot down to Florida or what?

AE: What I'm gonna do so you know is Joey's gonna drive me down.

MW: Yeah

AE: I should leave here around 8-8:30, go right to right to, to the immigration office.

NW: Right.

AE: And I'll chat with him, first get ground rules down with what he's expected to do.

NW: Right.

AE: OK. Become his friend naturally.

NW: Right.

AE: And then put him in the car, Joey'll drive us over to your place.

NW: Right.

AE: Oh, when we get all finished I'll say Joey take him back to his office and you go home, goodbye and Joey'll take him to his office and Joey'll go home and I'll stay with you and we go to Florida.

* * * *

1
2 MR. BEN-VENISTE: They have been testified to,
3 your Honor.

4 These are in the Brady material.

5 MR. PUCCIO: Judge, as I understand, counsel
6 wishes to distribute the books and then distribute
7 this last insert which I have no objection to, and
8 then ask the jury to read these before we continue.

9 THE COURT: I thought they had already been
10 played.

11 MR. PUCCIO: I thought so, too.

12 MR. FURST: Yes, your Honor. But the jury
13 did not have the benefit of the transcript at that
14 time.

15 THE COURT: What do you propose to do now?
16 Take time to read them?

17 MR. FURST: Yes.

18 THE COURT: 15 Exhibits?

19 MR. FURST: Just 10, your Honor.

20 THE COURT: Mr. Ben-Veniste is right on your
21 heels with five more.

22 MR. BEN-VENISTE: That's true, your Honor,
23 except they are three more.

24 MR. PUCCIO: With respect to the first ten,
25 your Honor, I have no objection to them going into

1
2 evidence. I do think we should move ahead with the
3 witnesses and they should be read at another time.
4 With the others we have just received now I would
5 like to study them and make sure we agree with the
6 transcript.

7 THE COURT: All right. 1 through 10 are
8 received in evidence. I will not take half the
9 afternoon to get them read. If you gentlemen want
10 to stop now and start discussing the charge, I will
11 let the jury take them into the jury room and read
12 it.

13 MR. BROWN: No, your Honor. We would like to
14 proceed expeditiously. As soon as he has distributed
15 them, I will call the witness.

16 MR. BEN-VENISTE: May I inquire, your Honor,
17 of Mr. Puccio whether that Ellis Cook, Mario Noto
18 transcript has been supplied in the jury's books?
19 Mr. Puccio was promising to review that.

20 MR. PUCCIO: Yes. It has been done, Judge,
21 but I will see to it that it is in the books. But
22 I didn't understand the practice was to add something
23 to the books and to have the jury read it.

24 THE COURT: What is the Exhibit number?

25 MR. PUCCIO: It hasn't been given one yet,

1
2 as I recall. We did play the Cook meeting. I think
3 the defense played the Cook meeting, number one.
4 And let me clarify that. The defense played the first
5 meeting which was attended by Mr. Cook, Mr. Weinberg
6 and Mr. Amoroso. We have no objection to playing
7 that, your Honor, and furnishing it. But I didn't
8 think the procedure was that it would be read. I
9 felt the transcripts are only a guide.

10 THE COURT: The tapes that were played, which
11 now have transcripts available to them, the trans-
12 cripts are in evidence. They may be consulted by the
13 jury. If you want to arrange, if anyone wants to
14 arrange them to read any particular transcripts, I
15 will provide the time for them to do it.

16 MR. BEN-VENISTE: Thank you, your Honor.

17 THE COURT: I will not disrupt other work
18 that we have to do here.

19 MR. PUCCIO: I think there is some sort of
20 problem.

21 JUROR NO. 2: This stops with 10-A?

22 THE COURT: That would be a likely place to
23 put it if you have room for it.

24 MR. PUCCIO: It can also go in the end of
25 the book, Judge.

1
2 THE COURT: They have given you the books
3 through 10-A, I believe.

4 Do they fit it?

5 MR. PUCCIO: They should.

6 MR. BEN-VENISTE: Your Honor, with respect
7 to the December 19th conversation for which there
8 is a transcript, we ask that it be marked T-13.

9 MR. PUCCIO: No objection, Judge.

10 THE COURT: T-13 received in evidence.

11 MR. BEN-VENISTE: Can those be circulated?

12 MR. PUCCIO: They are not here now. We
13 can bring them down at an appropriate time and have
14 them put in.

15 MR. BEN-VENISTE: During this afternoon's
16 break?

17 THE COURT: All right.

18 MR. PUCCIO: Yes.

19 T-11 and T-12 we still want to look at.

20 THE COURT: All right.

21 All right, Mr. Brown. Are you ready to
22 proceed?

23 JUROR NO. 3: Wait.

24 THE COURT: Somebody is missing something?

25 JUROR NO. 2: No. They are hard to get in.

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Yes, Mr. Brown.

MR. BROWN: Yes, sir.

I call Mr. DiLorenzo, please.

(Continued on next page.)

1 Di Lorenzo-direct-Brown

2 JOSEPH DI LORENZO, a witness called
3 herein, was sworn by the Clerk of the Court and
4 testified as follows:

5 DIRECT EXAMINATION

6 BY MR. BROWN:

7 Q Would you give your full name?

8 A Joseph Di Lorenzo.

9 Q Where do you live?

10 A 10 North 35th Street, Longport, New Jersey.

11 Q Are you related to the defendant Mayor
12 Errichetti?

13 A Yes.

14 Q What is your relationship?

15 A My uncle.

16 Q How old are you?

17 A Twenty-four.

18 Q What is your education?

19 A I attended the University of Rutgers, in
20 enrolled in Thomas Edison College, attended Bradywine Junior
21 College in Delaware for awhile.

22 Q Aside from your schooling, would you tell
23 us what employment you have had?

24 A In the past four years, I was employed by
25 the City of Camden. In 1975, first with the Department of

Di Lorenzo-direct-Brown

1
2 Community Development as a research aide, and later in
3 1979 as administrator of energy where I furthered my educa-
4 tion at the University of Pennsylvania specifically for
5 the job.

6 Q Were you a supervisor in that particular
7 department?

8 A Yes.

9 Q Did you acquire that virtually through your
10 Uncle appointing you to the job?

11 A No, Martin McKernan, the city attorney at
12 the time, also responsible for the Bureau of Energy, had
13 shown interest in me because of the -- my previous boss
14 Thomas Corcoran, based on Thomas Corcoran's recommendation,
15 I was appointed city administrator of energy to Martin
16 McKernan.

17 Q You did so under your uncle at his pleasure?

18 A Yes.

19 Q As a result of your association with your
20 uncle, did you in January of 1979 carry out any particular
21 chore for your uncle?

22 A Yes. I drove my uncle on occasion when
23 he would ask me.

24 Q How often would you drive him?

25 A Many times. I really don't know how many

Di Lorenzo-direct-Brown

1
2 times.

3 Q Did you at his insistence make any purchases
4 along with anyone else in January of 1979?

5 A I did, in January of 1979 myself, along with
6 Mrs. Anise --

7 Q Who was that?

8 A Secretary to the Mayor.

9 We purchased a microwave oven and dishes
10 from Strawbridge and Clothier in Cherry Hill, New Jersey.

11 Q How did you come to make that purchase?

12 A Mrs. Anise asked me to go with her. She
13 knew she couldn't handle the size of the microwave oven
14 and asked me go to along and I did.

15 Q Who ordered the purchase?

16 A The Mayor ordered the purchase.

17 Q Did you come to know the person who was
18 to receive this purchase?

19 A MR. PUCCIO: I object to that.

20 THE COURT: Sustaine.

21 Q What did you do, would you tell us what
22 you did in order to obtain --

23 A It was my understanding through Mrs. Anise --

24 MR. PUCCIO: I object.

25 THE COURT: Sustained.

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Q Where did you go to purchase this?

A Strawbridge and Clothier in Cherry Hill.

Q And after the purchase, did you do anything with the items?

A Yes.

Q What did you do?

A Myself, alone with the Mayor, drove to Long Island, a Holiday Inn, I believe Exit 55, I'm not sure, where at that time I put the microwave and dishes into Mel Weinberg's van.

Q How did you know it was his van?

A I met him on previous occasions. He told me that it was a company van, Abdul Industries Van.

Q Did it have any markings on it?

A No.

Q Could you describe it?

A A passenber van, tan and brown.

Q Could you describe the meeting and tell us in detail what happened when you arrived at the place you described?

A There really wasn't much of a meeting. It was out in a parking lot, Mel met myself and my uncle and he opened up the back of the van.-- the side of the van, excuse me -- and I pulled around with the car and took

Di Lorenzo-direct-Brown

1
2 out the microwave and beta max and placed it in the van.

3 Q Can you describe what it was, microwave
4 and what?

5 A I said beta max, I'm sorry.

6 Q Was it just the microwave?

7 A And dishes.

8 Q Were they in the original package?

9 A Yes.

10 Q When you put them in the gentleman's van,
11 did he say anything to you?

12 A Thank you.

13 Q Thank you?

14 A Yes.

15 Q Now, did there come another occasion in
16 March of 1979 when you had an occasion to make a particular
17 purchase?

18 A Yes, there was.

19 Q Would you tell us when that was and how it
20 came about?

21 A Either late February or early March when I
22 was told by the Mayor to purchase a beta max T.V. recorder.

23 Q Did he tell you why he wanted you to
24 get --

25 A Yes.

Di Lorenzo-direct-Brown

1
2 A Yes.

3 Q What did he say to you?

4 A He told me it was --

5 MR. PUCCIO: I object.

6 MR. BROWN: To what Errichetti said?

7 THE COURT: Overruled.

8 Q Would you tell us what the man said with
9 respect to this?

10 A The gift was for the Sheik and that Mel
11 would handle delivery of the gift to the Sheik.

12 Q What did you do with respect to that request
13 from the Mayor?

14 A I went out and purchased a beta max.

15 Q Where did you go?

16 A Best Products in Morristown, New Jersey.

17 Q I show you Defendant's Exhibit Y and ask
18 if this Exhibit has anything to do with the purchase?

19 A This is a copy of the receipt for the beta
20 max that I purchased from Best Products.

21 Q How much did you pay for that?

22 A Total, including taxes, \$939.61.

23 Q On this occasion, the conversation with
24 the Mayor, what did he tell you with respect to Mr.
25 Weinberg's request?

Di Lorenzo-direct-Brown

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2 A He specified it had to be a four-hour
3 tape and had to be an RCA tape.

4 Q I searched around a few different places. I
5 know a friend of mine who works across the street at Wananakox
6 in Morristown, New Jersey, and she told me if I had found
7 anything in there she would allow me to use her discount
8 to purchase it. But it was cheaper at Best Products.

9 They didn't have one in stock so that the
10 one I purchased was a floor model.

11 Q After you purchased it, what did you do
12 with it?

13 A The next day, myself, along with my girlfriend --

14 Q What is her name?

15 A Debra Pricacci(ph) drove to La Guardia Air-
16 port to meet Mel Weinberg where we arrived, I guess early
17 afternoon, and I was to meet Mel within the Ionosphere
18 Lounge out at La Guardia Airport.

19 Q What is your -- was your girlfriend with
20 you in the car?

21 A Yes.

22 Q You had with you the beta max you described?

23 A Yes.

24 Q What did you do after you arrived at La
25 Guardia?

Di Lorenzo-direct-Brown

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2 A I checked in the Lounge and Mr. Weinberg
3 was not there. He arrived shortly thereafter, maybe 10 or
4 15 minutes later.

5 Q Can you describe his vehicle?

6 A He had a silver mark, Lincoln Continental
7 Mark.

8 Q Was anyone with Mr. Weinberg?

9 A His sister-in-law or sister, I am not sure
10 who. The name was Marie. His son, Junior, and a dog.

11 Q What kind of a dog?

12 A I believe it was a poodle.

13 Q When he arrived, what then happened?

14 A When he arrived, he met me outside of the
15 lounge. I told him that I had the gift in the back of the
16 car and we proceeded to the parking lot right outside
17 the lounge where he drove his car to the car I was driving
18 and proceeded to take the object out and place it in his
19 car.

20 Q Was this young lady with you during that
21 time?

22 A Yes.

23 Q Could you describe Mr. Weinberg for us as
24 of that time when you say this occurred at La Guardia in
25 March of '79?

Di Lorenzo-direct-Brown

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2 A Mr. Weinberg is the same gentleman I saw
3 testify here last week as Mel Weinberg. He didn't have a
4 beard at that time and was a little bit heavier.

5 Q You're sure it was Mr. Weinberg?

6 A Yes.

7 Q Did there come another occasion in March
8 when -- I beg your pardon, in April, when you made another
9 purchase?

10 A Yes.

11 Q How could it happen that you made this
12 particular purchase?

13 A Well, the Mayor had a picture of a stereo
14 component set that he had received from Mel Weinberg. It
15 was from a New York Times Magazine article.

16 It was a gold component, I think in the
17 neighborhood of \$3,000. He said that I should go and
18 purchase something similar to that stereo although he could
19 not afford something that 'elaborate'.

20 Q How did you know it was \$3,000?

21 A It had at the bottom of the page, could
22 be bought at Sam Goody's for \$3,000.

23 Q Did he tell you why he was making the
24 purchase?

25 A It was my understanding the gift was for

1
2 again, for the Sheik.

3 Q Did he tell you who had made the request
4 for the --

5 A Mel Weinberg.

6 Q Did he tell you who specified the \$3,000?

7 A Mel Weinberg.

8 Q Did you as a result of those conversations
9 do anything?

10 A Yes, I did.

11 I first took the picture and made a phone
12 call to a friend of mine, George Norcross, and asked him
13 if he had known or knew anybody in the audio business
14 who could help us out maybe get a stereo at a decent price.

15 He said he had a friend. And we went to
16 Hi-Fi House in Cherry Hill, New Jersey, Church Road and
17 Haddenfield Road, I believe.

18 Q What happened?

19 A I purchased a stereo system similar to the
20 one in the picture except it was for approximately \$1,200.

21 MR. BROWN: May I use this just to clip these
22 together?

23 THE COURT: Yes.

24 (Pause.)

25 Q Mr. Di Lorenzo, I show you Defendant's

1
2 Exhibit 2 and ask you if that describes anything you are
3 familiar with?

4 A This is a copy of the stereo that I purchased.

5 Q Is that the one you actually purchased?

6 A This is the set that I actually purchased.

7 Q Four pages -- what do they depict?

8 A The first --

9 Q Three pages.

10 A Genesis Three, Harmon Cardon Receiver and
11 you can't see it but there is a picture of a vertical box
12 that all the objects fit into. That was also purchased.

13 Q That is an actual photograph of the items
14 purchased?

15 A Yes.

16 MR. BROWN: May I offer those two items in
17 evidence?

18 The two, meaning the receipt --

19 MR. PUCCIO: May I inquire?

20 THE COURT: Yes, on the Voir Dire.

21 VOIR DIRE EXAMINATION

22 BY MR. PUCCIO:

23 Q Mr. Di Lorenzo, is Exhibit 2 the exact
24 document you received from Mayor Errichetti or a photocopy?

25 A That is a copy of the stereo that I purchased.

1
2 What the Mayor gave me was a copy, a photograph, from the
3 New York Times.

4 Q Do you have that with you?

5 A No.

6 Q Where is that?

7 A I don't have it. I don't know where that
8 would be. I had no reason to keep it.

9 Q When did you obtain Exhibit Z?

10 A Which one is Exhibit Z?

11 Q This one (indicating.)

12 A The day I purchased the stereo I made a copy
13 of it.

14 Q Is this the copy you made the day you
15 purchased the stereo?

16 A That is a copy of it that I bought.

17 Q Was this made in connection with your
18 testimony here today or --

19 A That was -- I had that for quite some time.

20 Q This exact exhibit?

21 A Actually, Mrs. Anise had it.

22 MR. PUCCIO: I have no objection, Judge.

23 THE COURT: Y and Z received in evidence.

24 MR. PUCCIO: I have no objection to the
25 other one.

Voir Dire-Puccio

MR. BROWN: May I show the jury Exhibit Z while I continue my interrogation, Judge?

THE COURT: Yes.

DIRECT EXAMINATION

BY MR. BROWN: (Continued.)

Q After you made the purchase which is depicted in E, which the Jury is examining, did you do anything with that purchase?

A Yes, the stereo was in the Mayor's car. A few boxes, very bulky. I proceeded to drive again to the Holiday Inn, Exit 55, I believe, where I met Mel Weinberg who had had his brother-in-law's pick-up truck.

Q How do you know that?

A He told me it was. He told me at that point that he was taking the stereo directly to the airport and shipping it overseas to the Sheik.

I also delivered it to him, a letter from the Mayor that said Happy Birthday Sheik.

Q What was the occasion for the gift?

A I believe it was the Sheik's birthday.

Q I show you Defendant's Exhibit F and ask you if you can identify that?

A Yes, looks like the copy.

Q Copy of what?

Di Lorenzo-direct-Brown

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2 A The letter that I gave to Me. Weinberg.

3 Q And copy of a letter you gave to Mel
4 Weinberg at the time you delivered the Exhibit being shown
5 to the jury?

6 A The reason why I say it looks like the copy,
7 I -- the letter was in a sealed envelope and I gave it to
8 Mr. Weinberg. I had seen it on Martin McKernan's desk.

9 Q From the letter and all that you were told,
10 what was the occasion for the gift?

11 A The Sheik's birthday.

12 Q You said Mr. Weinberg told you something about
13 shipping overseas?

14 A Yes, he was hinting to me it was going to
15 cost about \$300 for shipping fees. He didn't know if he
16 had it.

17 Q By the way, how much did you pay for this
18 unit, Exhibit 2?

19 A I believe it was in the neighborhood of
20 \$1,200. I'm really not sure.

21 Q Now, do you recall in the summer of 1979
22 the late summer of 1979, whether or not there was another
23 occasion when you purchased and delivered a gift?

24 A Yes, there was. This time the Mayor asked
25 me to purchase for him three T.V. sets, supposed to be

2 22-inch Sonys.

3 And, again, I called George Norcross.

4 Q Who did he tell you to purchase them from?

5 A It was my understanding from what the Mayor
6 told me it was for the Sheik's Board of Directors.

7 Q How many were to be purchased?

8 A Three.

9 Q What brand?

10 A Sony.

11 Q What size?

12 A Supposed to be 22 inch.

13 When we found out the price of the 22 inch,
14 the Mayor said it was too expensive, so I purchased three,
15 17 inch Sonys.

16 Q Approximately how much did you pay for those?

17 A I would say \$1,000, in that neighborhood.

18 Q After you purchased the three Sonys, what
19 did you do with them?

20 A The Mayor was meeting Mel Weinberg at the
21 Hyatt-House in Cherry Hill, at that time.

22 Tony Di Vito and Bruce Bradley were also
23 there at that time.

24 Q Did you know who Mr. Bradley was?

25 A Yes, Mr. Bradley was Abdul Industries'

Di Lorenzo-direct-Brown

1
2 chauffeur.

3 Q You didn't know him in any other way?

4 A No, sir.

5 Q You certainly didn't know he was an F.B.I.
6 man?

7 A No.

8 Q What did you do with the T.V.'s exactly?

9 A Well, I saw Mel in the lobby of the Hyatt-
10 House.

11 Q Where?

12 A Cherry Hill, New Jersey.

13 Q And?

14 A He handed me -- I told him I had the T.V.'s
15 in the car. He handed me the keys to the van and told me
16 to place the T.V.'s inside the Van, which I did.

17 I pulled the Mayor's car around the back
18 of thh Hyatt House next to the van.

19 Q Was there any conversation on this occasion
20 whether or not the Sony T.V.'s were for the Sheik or --

21 A It's my understanding supposed to be for
22 the Sheik's Board of Directors.

23 Q Of Abdul?

24 A Yes.

Q Was that the last of the gifts you delivered?

Di Lorenzo-direct-Brown

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2 A I believe so.

3 MR. BROWN: I have no further examination,
4 I would like to move in the letter, a copy of which
5 I have shown to Mr. Puccio.

6 MR. PUCCIO: Can I incorporate my Voir Dire
7 into my cross examination on that matter?

8 MR. BROWN: I have no objection.

9 THE COURT: Mr. Duffy, any questions?

10 MR. DUFFY: Can't think of any.

11 THE COURT: Mr. Ben-Veniste?

12 MR. BROWN: I have one question, may I?

13 THE COURT: Yes.

14 DIRECT EXAMINATION

15 BY MR. BROWN: (Continuing.)

16 Q Was there ever an occasion when you delivered
17 a gift or gifts when Mr. Weinberg said anything about
18 whether you should say anything to anybody or not?

19 A The final time I delivered the T.V. sets,
20 he specifically asked me not to mention anything to Tony
21 and Bruce.

22 Q Tony and Bruce?

23 A Yes.

24 Q Who were they?

25 A Tony De Vito and Bruce Bradley.

Di Lorenzo-direct-Brown

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2 Q Had you chauffeured any members of Mr.
3 Weinberg's family, on any occasions?

4 A Yes. One time last summer, I believe it was
5 in June -- I don't know the exact date -- I got in an
6 accident that day. I'm sure you can find --

7 Q You were in an accident that day?

8 A Yes. The Mayor met with Mel Weinberg
9 and at that time Mel asked me to take his mother in law,
10 father in law, and his wife over to Independence Hall. They
11 wanted to see the Liberty Bell.

12 Q You took them for the day?

13 A Yes.

14 Q There was only the one occasion when he
15 told you just don't tell Tony?

16 A Yes.

17 Q Who did you identify Tony to be?

18 A Tony De Vito.

19 MR. BROWN: No further questions.

20 MR. BEN-VENISTE: NO examination.

21 MR. CACHERIS: No.

22 THE COURT: Mr. Puccio?

23 MR. PUCCIO: Yes, I have a few questions.

24 CROSS EXAMINATION

25 BY MR. PUCCIO:

Di Lorenzo-cross-Puccio

MR. PUCCIO: Mr. Brown, is this yours?

MR. BROWN: I thought I might be back there
in a moment.

Q Mr. Di Lorenzo, Mayor Errichetti made you
the director of Energy for the City of Camden, is that correct?

A Administrator of Energy, that is correct.

Q And was that based upon your experience in
the field of energy?

A Well, at that time, 1977, in the entire
state of New Jersey there wasn't any municipal energy
bureau. This was the first of its kind in the State of
New Jersey.

Q How old were you when you became the
Administrator of Energy for the City of Camden?

A January, 1979, I became -- that would make
me 23 years old.

Q How old were you at that time?

A Twenty-three. A

Q For how long a period of time did you hold
the position of Administrator of Energy?

A Up until March, 1980.

Q Now, for the year 1979, you actually
occupied the position of chauffeur to the City of Camden,
is that correct?

Di Lorenzo cross-Puccio

1
2 A No, sir.

3 Q Was it part of your duties as the adminis-
4 trator of energy to chauffeur Mr. Errichetti whenever he
5 wanted to go?

6 A No.

7 Q Did you, in fact, while on the City payroll
8 as administrator of energy, chauffeur Mr. Errichetti to
9 various places throughout New York, New Jersey, Washington
10 D.C., and other places?

11 A No. The requirement for any City employee
12 is to work 30 hours a week which I did. Whenever I drive
13 the Mayor, I pick the Mayor up 7:30 in the morning and
14 hardly go home until eight or nine o'clock at night.

15 My boss, Thomas Corcoran, was aware of the
16 fact I was driving the Mayor and was satisfied with the
17 work I had been doing and allowed me to do so.

18 Also, one point I would like to make, last
19 year the Mayor became very ill and Tom Corcoran, who is
20 a very good friend of the Mayor --

21 Q What is his title, Tom Corcoran?

22 A The Director of the Department of Utilities.

23 Q You worked for him as the administrator
24 of the Department of Energy?

25 A I was a bureau head.

Di Lorenzo-cross-Puccio

1
2 Q The duties of the administrator of the
3 Department of Energy did not include this chauffeuring
4 job?

5 A No.

6 Q I assume you did the chauffeuring for the
7 Mayor during normal business hours of the Mayor and yourself?

8 A It's possible.

9 Q It's true.

10 A I put in my 30 hours, whether I worked
11 Saturday or Sundays, I had an agreement with my boss.

12 Q You feel a tremendous amount of loyalty to
13 Mayor Errichetti, is that correct?

14 A Yes, sir, I love my uncle.

15 Q Isn't it so that the Mayor demands loyalty
16 from everyone from whom he's associated?

17 MR. BROWN: I Object.

18 THE COURT: Sustained. Irrelevant.

19 Q Now, you made during the year 1979 many
20 trips to Long Island, New York, is that correct?

21 A Yes.

22 Q That was all in connection with Mayor
23 Errichetti --

24 MR. BROWN: I Object to this. I request

25 a Side Bar at your discretion.

1 Di Lorenzo-cross-Puccio

2 THE COURT: Not yet.

3 Let's see what the question is.

4 Q These trips to Long Island were in connection
5 with Mayor Errichetti's business with Mr. Weinberg and Mr.
6 Amoroso and Abdul Enterprises, is that correct?

7 A Yes.

8 Q Were you aware of the specific nature of
9 these individual trips that you took?

10 A Not really, no.

11 Q Is it a fact that Mayor Errichetti would
12 advise you of the details of these trips, the purpose of
13 these trips?

14 A He would not.

15 Q Now, you testified before the Grand Jury,
16 is that correct?

17 A Yes, sir.

18 Q ON two separate occasions, is that correct?

19 A Yes, sir.

20 Q You testified on the 27th of March this
21 year and April 9th of this year?

22 A Yes.

23 Q You were asked about trips you took to
24 Long Island, is that correct?

25 A Yes, sir.

Di Lorenzo-cross-Puccio

1
2 Q And, you in fact furnished a list of
3 trips that you made, is that correct?

4 MR. BROWN: I Object and I request a Side
5 Bar.

6 MR. DUFFY: I object. This examination is
7 beyond the scope --

8 THE COURT: I am not sure where he is going.

9 MR. BROWN: That is why I asked --

10 THE COURT: Is this impeachment?

11 MR. PUCCIO: Yes. I would like, specifically,
12 to address the meeting, the testimony concerning
13 the alleged meeting with Weinberg.

14 THE COURT: The witness testified to that
15 on direct?

16 MR. PUCCIO: Yes.

17 MR. BROWN: I have no objection.

18 (Continued on following page.)

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Q Now, vyou recall supplying the grand jury with a handwritten document setting forth trips that you took?

A You mean that i remember offhand, yes.

Q And anywhere On that document that you supplied to the grand jury, did you make mention of these trips that you allegedly had to New York in connection with meetings with Weinberg?

A As far as the gifts?

Q Yes.

A No. They are not, no.

Q And at any time during the two appearances before the grand jury did you make any mention --

A No, I did not.

Q -- did you make any mention of these gifts?

A No, I did not.

Could I add one thing to that, sir?

Q Yes.

Go ahead.

A I did speak with the FBI about these gifts on another occasion.

Q And that was after these appearances before the grand jury. Is that right?

A Yes.

1
2 Q And when was it that you spoke to the FBI
3 agent about these gifts?

4 A It was in June 1980.

5 Q And was that after or before the date the
6 indictment was returned in this case?

7 A I am not sure.

8 Q Now, you indicated that you made purchases
9 on behalf of Mayor Errichetti in January, in March, in
10 April and in the late summer of 1979; is that correct?

11 A Yes.

12 Q And were these purchases made by check or
13 were they in cash?

14 A They were in cash.

15 Q And where did you receive the cash to make
16 these purchases?

17 A Usually from Mrs. Annise, and any change that
18 I had and went back to Mrs. Annise.

19 Q So when you went out and bought a Genesis
20 3 stereo, you used cash for that, is that correct?

21 A Yes.

22 Q And if you know, is that Mrs. Annise's money?

23 A I have no idea.

24 Q She is the mayor's secretary and you would not
25 assume it was her money, is that right?

1
2 A She is the mayor's secretary.

3 Q Now, on any occasion did you use a check
4 to purchase any of this equipment?

5 A Any of the equipment that was testified to?

6 Q Yes.

7 A No.

8 Q Did you -- now, you drove Mayor Errichetti
9 to New York on August 22, 1979; is that correct?

10 A Yes. I believe so.

11 MR. BROWN: I have an objection, your Honor,
12 and ask for side bar with respect to that being
13 beyond the range of the direct, if you please,
14 sir.

15 THE COURT: Let me hear the question, please.
16 (Record read.)

17 MR. BROWN: That is the ground of my objec-
18 tion, your Honor.

19 THE COURT: Overruled.

20 Q Now, where did you leave from, Mr. DiLorenzo?

21 A Probably from the city.

22 Q The City of Camden?

23 A Yes.

24 Q And you picked up the mayor at his office?

25 A I don't know whether he left from his office

1
2 or his house.

3 I am not really sure.

4 Q About what time of day did you leave Camden?

5 A I don't really remember.

6 Q I am sorry, I don't hear you.

7 MR. BROWN: May we ask the witness to speak
8 up, if your Honor please, through you?

9 THE COURT: Yes.

10 Please speak up so everybody can hear you.

11 THE WITNESS: I don't remember what time
12 it was.

13 Q And did Mayor Errichetti tell you what the
14 purpose of this trip to New York was?

15 A No, he didn't.

16 Q And you drove him from Camden, New Jersey
17 to where in New York?

18 A I believe this occasion was the inter-
19 national Hotel.

20 Q Well, prior to that did you drive him to
21 the Pan American Terminal at Kennedy Airport?

22 A Yes.

23 Q And whom did you meet with when you arrived?

24 A Well, when I drove to the Pan Am Airline
25 I parked illegally outside. I believe I met Mr.

1
2 Criden and his son.

3 I stayed outside with his son, Michael that
4 day.

5 Q Well, did you know that Mayor Errichetti
6 was to meet on that day with Congressman Myers?

7 A No.

8 Prior to that time, no, sir.

9 Q Well, there came a time on that date when
10 you observed Congressman Myers, is that correct?

11 A I am not really sure of whether I met
12 Congressman Myers on that day or not, sir.

13 Q Do you see Congressman Myers sitting in the
14 courtroom today, sir?

15 A I understand --

16 Q Have you seen him before ever?

17 A I am not sure and I'll explain why I said
18 that.

19 The Congressman and I are neighbors around
20 the shore. He lives around the corner from me, maybe
21 ten houses away. And I have been in Longport, New
22 Jersey for nine years. And I didn't know who he was
23 or that he was my neighbor until about a month or so
24 ago when one of my other neighbors told me that.

25 So I would have thought if I would have

1
2 met him on that occasion I would have recognized him at
3 another time, at other times, so I am not really sure whether
4 I met the congressman on that date or not.

5 Q When you arrived at the Pan American Terminal
6 what happened?

7 A I walked into Pan Am Airlines with the mayor and
8 I believe we met up with Mr. Criden.

9 I then walked back out to the car because
10 my car was parked illegally and so was Mr. Criden's.

11 Q And then what happened?

12 A I stayed outside in the car waiting for the
13 mayor and drove to the International Hotel.

14 Q And who did you drive to the International
15 Hotel with?

16 A I don't remember driving anyone.

17 Q Just the mayor?

18 A Yes.

19 Q And what happened when you arrived at the
20 International Hotel?

21 A I dropped the mayor off at the hotel.

22 I parked the car.

23 Q And what did you do after you parked the
24 car?

25 A I probably sat in the lobby and did some

1
2 work.

3 Q And about what time of day was this when
4 you arrived at the International Hotel?

5 A I am not really sure. It was daytime. It
6 was light outside and it was very hot.

7 Q And at the International Hotel did you see
8 Congressman Myers?

9 A I am not sure, sir.

10 Q Where was Mr. Criden at this time?

11 A I don't know.

12 Q Did you see Mr. Johanson on that day?

13 A I can't say for sure, no, sir.

14 Q Now, did there come a time when you arrived
15 at the International Hotel that you saw Congressman
16 Myers?

17 A To say I saw Congressman Myers on that day,
18 sir, it would be erroneous on my part.

19 Q And about how long -- well, did you know
20 that Mayor Errichetti went to a meeting with Tony and
21 Mel?

22 MR. BROWN: I object, your Honor.

23 THE COURT: What ground?

24 MR. BROWN: He already said he has no
25 knowledge of these events. It's been asked and

1
2 answered, if your Honor please, with respect to
3 a meeting or anything else at that time.

4 THE COURT: Overruled.

5 MR. BEN-VENISTE: I'll object to it on the
6 basis of relevance. The participants at the
7 meeting are not being contested.

8 THE COURT: Overruled.

9 Q Did you know that Mayor Errichetti met with
10 Tonyc and Mel on that day?

11 A I didn't know where the mayor was.

12 Q Did there come a time when you saw the
13 mayor go upstairs to a hotel room?

14 A I dropped the mayor off and just walked
15 into the lobby.

16 Q And did you see the mayor get into the
17 elevator?

18 A No. I dropped him off.

19 Q Now, about how long was it before you rejoined
20 the mayor?

21 A I can't say for sure. I really don't know.
22 I saw in the lobby for awhile. I don't know what the
23 duration was.

24 MR. PUCCIO: May I have a moment, your
25 Honor?

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THE COURT: Yes.

(Pause.)

Q Now, did you testify before the grand jury as follows on the 27th of March, 1980?

"Question: Did you take a trip to a Pan Am Terminal at Kennedy Airport in August 1979 when Mayor Errichetti met some other people and Mr. Criden?

"Answer: Yes, Mr. Criden.

"Question: And a Mr. Johanson?

"Answer: Yes, sir, okay.

"Question: And a congressman Ozzie Myers?

"Answer: Yes, right, yes."

Do you remember giving those answers to those questions to the grand jury?

A I do, sir.

And in June of this year I wrote a letter to my lawyer, Mr. Karpopularis, telling him to please explain it to you that there was a possibility that I might have been erroneous in my statement on that day.

Q Well, erroneous in what respect?

A I am not sure whether or not I met Mr. Myers.

Q Well, when Mr. Errichetti met up with you

1
2 again, at the Travelodge Motel, did he have in his posses-
3 sion a package of any kind?

4 A Not that I remember, sir, no. When I met
5 with him again I believe he told me to just go out and
6 wait in the car for him.

7 Q Did he tell you what you were to wait in the
8 car for?

9 A No. I just went outside and waited for
10 him.

11 Q Did you see a package in anyone's possession?

12 A No.

13 Q Now, you went out and waited in the car, is
14 that right?

15 A Yes.

16 Q And did there come a time when Mayor
17 Errichetti came out again?

18 A Yes.

19 Q And was he alone?

20 A I believe so, yes.

21 Q And where did you go after that?

22 A I am not really sure, sir. I am not sure.

23 Q Going back to the Pan American Terminal
24 to meet with Mr. Criden?

25 A It's possible, but I really don't remember.

1
2 Q Mr. DiLorenzo, did anyone on that day give
3 you an envelope or a package containing money to hold?

4 A No. Not that I remember, No, sir.

5 Q Are you absolutely certain of that?

6 A Yes.

7 I don't remember a package.

8 Q Did anyone on that day give you a package --
9 MR. BROWN: Asked and answered.

10 Q -- whether or not --

11 MR. BROWN: If your Honor please, I
12 have an objection based on the fact that he asked
13 the question twice and it's been answered twice,
14 if your Honor please.

15 MR. PUCCIO: Your Honor, if I may --

16 THE COURT: Overruled.

17 Q Did anyone on that day give you a package of
18 any kind to hold, whether or not you knew what was in
19 it, Mr. DiLorenzo?

20 A I don't remember, sir.

21 Q Are you saying that it may have happened?

22 A Anybody could have given me anything, but I
23 don't remember.

24 Q Now, when in the late summer of 1979 did
25 you meet with Mr. Weinberg concerning these TV sets?

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A It was at the Hyatt House in Cherry Hill,
New Jersey.

Q And was that in August, September?

A I really don't know. It was very hot outside
and I don't know exactly when it was.

I only know that Mr. DeVito and Mr. Bradley
were there at that time also.

Q Can you fix a date any better than late
summer, 1979?

A I really can't.

Q And was that before or after this trip to
Kennedy Airport on August 22nd?

A I don't know. I don't remember.

Q Well, do you have the receipt for the
purchase of those TV sets?

A Do I, sir? No, I don't.

Q Have you made any checks to see if such
a receipt exists?

A No, I haven't.

Q Did you pay for those in cash?

A Yes.

Q Cash that Mrs. Annise gave you?

A Yes.

Q And you said you put these TV sets in Mel

1
2 Weinberg's van? Is that right?

3 A Yes.

4 Q And you had seen this van before; is that
5 correct?

6 A Yes.

7 MR. PUCCIO: May I approach the witness
8 with respect to Defendant's Exhibit S?

9 THE COURT: Yes.

10 (Document handed to witness.)

11 Q Now, that is a copy of a letter that
12 you say you saw somewhere else; is that right?

13 A Yes.

14 On Mr. McKernan's desk, the city attorney.

15 Q And Mr. McKernan was a city attorney and
16 another appointee of your uncle, is that correct?

17 A Yes, at that time.

18 Q And where did you obtain this copy?

19 A This copy?

20 Q Yes.

21 A This copy I believe was given to me by Mrs.
22 Annise.

23 Q In connection with this trial, is that
24 right?

25 A Yes.

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2

Q You didn't get a copy at the time?

3

A No. I didn't have a copy.

4

Q And was the original that you saw signed?

5

A I didn't see the original.

6

Q You just --

7

A I saw this copy. This copy doesn't have a signature on it.

8

9

Q When for the first time did you see that copy?

10

11

A I can't say for sure, only that I had seen it in Martin's office.

12

13

Q And how did you come to see it in Martin's office?

14

15

A Well, Martin I believe wrote the letter.

16

Q My question was:

17

How did you come to see that copy?

18

A Martin and I are very good friends. I would occasionally walk into his office after hours and I am sure that on one occasion I saw this letter in his office.

21

22

Q And with respect to the day on which the purchases were made, when did you see that letter?

23

24

A I don't understand the question, sir.

25

Q Was it before or after you made the

1
2 purchases, the purchase of the Genesis stereo that you
3 saw that letter?

4 A I am not sure when it was.

5 Q So the letter may have been written before
6 the stereos were purchased; is that right?

7 A I really don't know.

8 Q What I mean is you may have seen the letter
9 before the stereos were purchased; is that right?

10 A I couldn't say for sure.

11 MR. PUCCIO: Your Honor, I have no objection
12 to the receipt in evidence of that letter.

13 THE COURT: All right.

14 Exhibit S is received in evidence.

15 Any other questions?

16 MR. PUCCIO: May I just have a moment, your
17 Honor?

18 I don't believe so. I am looking at a
19 document.

20 (Pause.)

21 MR. BROWN: Before my redirect, assuming he is
22 finished, may we come to side bar for just a
23 minute?

24 THE COURT: Yes.

25 (The following occurred at side bar.)

* * *

* * *

3 BY MR. PUCCIO:

4 Q Now, were you asked these questions and
5 did you give these answers, Mr. DiLorenzo, on April 9, 1980
6 before a federal grand jury in this district?

7 MR. BROWN: If your Honor please, I object
8 to the technique.

9 I understood normally you ask the question
10 first.

11 MR. PUCCIO: The questions are being asked
12 because we submit it is contrary to his testimony
13 and we want to find out if the witness said it.

14 MR. BROWN: Normally isn't there a
15 question and then the use of it depends on the
16 answer?

17 MR. PUCCIO: I'll ask the preliminary
18 question then.

19 Q Did you meet with Congressman Myers and did you
20 see Congressman Myers on August 22, 1979 in possession
21 of an envelope containing money?

22 MR. BROWN: Asked and answered, I think,
23 your Honor.

24 I hesitate and object reluctantly but I
25 think it was asked and answered three times.

1
2 THE COURT: Last time you objected because
3 he didn't ask the question.

4 Now you are objecting because he asked it
5 before. He thought he asked it before and he was
6 going into the impeachment.

7 MR. BROWN: That's correct.

8 THE COURT: Now, you have asked for the
9 question he is going to impeach him on and you are
10 objecting to that.

11 MR. BROWN: He already impeached him on it,
12 Judge.

13 THE COURT: Not as to Congressman Myers he
14 didn't.

15 I don't know what he is going to ask him in
16 terms of what is in the grand jury minutes, but
17 overruled.

18 A I don't remember that day for sure that I
19 met Congressman Myers. So I would not know.

20 Q And when you testified before the grand
21 jury were you asked these questions and did you give these
22 answers:

23 Question: Did you see Congressman Myers
24 at the International Hotel?

25 "Answer: I remember I met the congressman

1
2 in the mayor's car. I don't think I met Congressman
3 Myers prior to him going into the elevator or whatever. I
4 think the time when I met Congressman Myers was after the
5 mayor had come down from the elevator.

6 "Question: This was after the meeting
7 when you met Congressman Myers; is that right?

8 "Answer: Yes."

9 A Right.

10 Q Were you asked those questions and did
11 you give those answers?

12 A I did, sir. But like I said in June of
13 1980 I believe I have Congressman Myers confused with
14 another congressman.

15 Q Now, I ask you again, did you see
16 Congressman Myers on August 22, 1979 in possession of an
17 envelope?

18 MR. CACHERIS: Objection, your Honor.

19 That is not even the question that was
20 asked in the grand jury.

21 THE COURT: Overruled.

22 A I don't remember if I saw congressman Myers
23 on that day, sir.

24 MR. PUCCIO: I have no other questions
25 at this time.

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3 THE COURT: All right.

4 We will take a short recess, ladies and
5 gentlemen.

6 Don't discuss the case during the recess,
7 please.

8 (Whereupon, at this point a short recess
9 was taken.)

10 (Continued on next page.)
11

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2 THE COURT: Bring in the jury.

3 (The jury is in the jury box.)

4 THE COURT: Any more questions of Mr. Di
5 Lorenzo?

6 MR. BROWN: Yes.

7 Redirect, with your permission.

8 THE COURT: All right, Mr. Brown.

9 REDIRECT EXAMINATION

10 BY MR. BROWN:

11 Q You were asked about a receipt for any of
12 the items that were mentioned.

13 Did you indeed acquire receipts or have
14 someone acquire a receipt for one of the items?

15 A Yes, for the Beta max.

16 Q What did you do with that receipt?

17 A Gave it to my attorney.

18 Q Where was it sent?

19 A Not sent, but picked up.

20 MR. PUCCIO: I object to this.

21 MR. BROWN: He asked the whereabouts of the
22 receipt.

23 THE COURT: Isn't it in evidence?

24 MR. BROWN: No, sir, this receipt, the
25 receipt for the Beta max. We have a copy --

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1
2 the original receipt, we have a \$900 some odd dollar
3 receipt.

4 THE COURT: A copy?

5 MR. BROWN: Got another from the firm and
6 turned it over to someone which I would like to bring
7 out.

8 THE COURT: This is another copy of the
9 receipt?

10 MR. BROWN: Yes.

11 THE COURT: Go ahead.

12 Q Who did you give it to?

13 A The original was given to the FBI.

14 Q When was that?

15 A That was I believe in early June.

16 Q What year?

17 A 1980.

18 Q With respect to the occasion when you have
19 been asked whether you testified before the Grand Jury;
20 as to Congressman Meyers, do you recall that?

21 A Yes, sir.

22 Q Now, on March 27th, 1980, did you testify
23 before the Grand Jury?

24 A I did, sir.

25 Q Did you testify on that occasion that

Di Lorenzo-redirect-Brown

1
2 you drove Mayor Errichetti to the airport on the 22nd?

3 A Yes, sir.

4 Q Did you return to the Grand Jury after
5 March -- April 9th, 1980?

6 A Yes.

7 Q With respect to whether or not you had seen
8 Congressman Meyers, did you have further testimony about
9 that fact?

10 A Yes, sir.

11 Q Was this question asked and did you answer
12 as indicated:

13 "Question: Did you see Congressman Meyers?

14 "Answer: I don't know. I believe I saw
15 Congressman Meyers and another congressman."

16 MR. BROWN: Your Honor, I am paraphrasing
17 because the other man's name is there.

18 Q "I am not sure if that is the same day,
19 I don't remember picking them up from the airport or anything
20 like that."

21 Do you remember testifying?

22 A Yes.

23 Q Did you also testify before the Grand Jury
24 in response to this:

25 "Question: You testified the last time

1
2 that you once drove the Mayor to the meeting with Congress-
3 man Meyers and another occasion with another Congressman?

4 "Answer: Right. It's very confusing because
5 it all happened at the International Airport. I am
6 confused with the dates."

7 Did you so testify before the Grand Jury?

8 A Yes.

9 Q "Question: Would you agree if I told you
10 that the Mayor's meeting was on August 22nd, and the other
11 Congressman meeting was on September 11th, both in the year
12 1979?

13 "Answer: If they were indeed at Kennedy
14 Airport I would agree to that, yes, sir. "

15 Did you testify before the Grand Jury?

16 A Yes.

17 Q You testified today you are still not certain
18 when you met Congressman Meyers, is that correct?

19 A "That is correct."

20 Q You did not say one way or the other whether
21 you met him at the airport or motel on the 22nd?

22 A Yes.

23 Q You did so testify before the Grand Jury,
24 is that correct?

25 A Yes.

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1
2 Q Now, when you went before the Grand Jury
3 on these two occasions in this District, Eastern District
4 of New York, were you asked any questions about the gifts.

5 A No, sir.

6 Q Did you volunteer any answers or directions
7 about the gifts?

8 A No, sir.

9 Q Did you have any other occasions when you
10 sat down with Government officials, FBI or others, with
11 respect to this case?

12 A Yes.

13 Q What was that?

14 A In June, 1980, at the Trenton Post office
15 with three FBI agents from the Newark office.

16 Q Did you on that occasion mention the gifts?

17 A Yes.

18 Q Did you on that occasion tell them in substance
19 what you testified to to this jury?

20 A Yes, sir.

21 Q So that that was what date, June what?

22 A Sometime in June this past year, I think
23 early June.

24 Q It was as a result of that meeting you got
25 the receipt for the Beta max?

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1
2 A They asked if I had had any receipts, I
3 told them I had one.

4 Q On that occasion, when you spoke to the
5 FBI, who brought up the matter of the gifts, you or the
6 FBI?

7 A I did.

8 Q You told them that, is that correct?

9 A Yes.

10 Q Now, you've testified that you are loyal
11 to your uncle, is that correct?

12 A Yes.

13 Q And would that cause you to lie here under
14 oath before this jury?

15 A No, sir.

16 MR. BROWN: I have no further questions.

17 THE COURT: Any other questions for Mr.

18 Di Lorenzo?

19 MR. PUCCIO: May I, your Honor?

20 THE COURT: Recross.

21 RECCROSS EXAMINATION

22 BY MR. PUCCIO:

23 Q Now -- would your Honor take notice of
24 the fact that the indictment was returned and filed on
25 May 27th, 1980?

1 Di Lorenzo-recross-Puccio

2 THE COURT: Any question about that?

3 MR. BROWN: No question, sir.

4 THE COURT: All right.

5 Q It was after May 27th, 1980, that you first
6 raised this question of the gifts, is that correct?

7 A That is correct, sir.

8 Q And in the Grand Jury you were questioned
9 about your activities during January and February and
10 March and April and May and so on during 1979, is that
11 correct?

12 A I'm not sure how far, what dates we went
13 over.

14 Q In connection with your testimony you submitted
15 a hand-written list of matters which covered the entire year
16 1979, is that right?

17 A That is correct.

18 Q You didn't include anything about these
19 gifts in this list, is that correct?

20 A No, sir.

21 Q Or anything about trips to meet with Mel
22 Weinberg?

23 A No, I put down a list of meetings.

24 Q You didn't indicate or include these
25 meetings with Mel Weinberg?

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1
2 A I didn't think they were meetings.

3 Q This other Congressman that you may have
4 confused with Mr. Meyers, do you recall that the meeting
5 with him was at the Hilton Inn?

6 A Yes, sir.

7 Q And --

8 A It's all in the same general area. All in
9 the same JFK Airport area.

10 MR. BEN-VENISTE: I ask for a cautionary
11 instruction with respect to the relevancy of that
12 material. It has nothing to do with the issues
13 in this case or Mr. Criden.

14 THE COURT: What Mr. Ben-Veniste says is in
15 effect correct, as I tell you before, I will tell
16 you again in my final instructions, ladies and
17 gentlemen, this case deals with matters that
18 revolve around Congressman Meyers, particularly
19 the events of August 22nd:

20 You've heard testimony about other
21 Congressman, other events, other matters. They
22 all have some bearing on some aspect of the case,
23 whether it be credibility or a particular witness
24 or particular person's state of mind, and so forth.

25 But you do have to keep in mind the somewhat

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1 limited impact of a great deal of the evidence
2 that you have heard in the case.

3
4 And particularly here when there is talk
5 about other congressmen. This case is not about
6 other congressmen. We get into it only because the
7 witness is apparently -- has some confusion in his
8 own mind between the events pertaining to Congressman
9 Meyers and the other person.

10 It bears upon the quality of the witnesses'
11 recollection and credibility, what weight you will
12 give to his testimony, but we are not concerned here
13 with the other congressman or what the other
14 congressman may have been doing on some other
15 occasion.

16 We have enough problems dealing with
17 Congressman Meyers and the events that revolved
18 around him on August 22nd.

19 MR. BEN-VENISTE: Thank you.

20 THE COURT: You may proceed.

21 RE-CROSS EXAMINATION

22 BY MR. PUCCIO: (Continuing.)

23 Q Mr. Di Lorenzo, in connection with these
24 gifts, on each occasion, did you immediately deliver them
25 after they were purchased or were any of them held for

Di Lorenzo-recross-Puccio

1
2 any period of time?

3 A They weren't immediately delivered after
4 the purchase, they may have been held for a day.

5 Q With respect to the last gift which was
6 delivered, according to your testimony, in late Summer,
7 you testified that that was put into Mel Weinberg's van,
8 is that correct?

9 A Yes, the Company van. Abdul's van.

10 Q Abdul's van?

11 A That's right.

12 Q This particular place, Cherry Hill?

13 A Yes.

14 Q Would you describe that van, please?

15 A It was a passenger van, same van that I had
16 driven in Florida. It was brown, tan, maybe '79, 78.

17 Q And on how many occasions had you seen that
18 van?

19 A I can't say for sure. I saw it a few times.

20 Q I didn't hear.

21 A A few times.

22 Q On how many occasions before this date when
23 you put the items into it had you seen it?

24 A I can't say for sure.

25 Q You had seen it in Florida back in March,

1
2 is that correct?

3 A Yes.

4 Q And is that the only other time you saw it?

5 A I can't say for sure. I really don't
6 know.

7 MR. PUCCIO: I have no other questions.

8 MR. BROWN: If I may ask from here?

9 THE COURT: Re-redirect.

10 REREDIRECT EXAMINATION

11 BY MR. BROWN:

12 Q With respect to the meetings that you listed
13 for Mr. Puccio, in the past in connection with Grand Jury
14 appearances, what meetings were you asked to list?

15 A Meetings that I remembered that I drove
16 the Mayor.

17 Q ON the occasions when you delivered the
18 gift, did you drive the Mayor to deliver those gifts?

19 A I don't believe so.

20 Q So that you didn't see those as the same
21 kind of meetings, whether you misunderstood or not, that
22 is what you saw it?

23 A Yes.

24 Q With respect to your answering the informa-
25 tion you gave the Grand Jury, is it a fact you were asked

1
2 questions and you gave answers?

3 A Yes, sir.

4 Q Were you instructed to answer the questions
5 put to you?

6 A Yes, sir, I was.

7 Q Were you given any opportunity to volunteer?

8 A I don't understand the question, sir.

9 Q Mr. Puccio asked you why you didn't tell
10 the Grand Jury session about the gifts.

11 A I didn't consider that a meeting.

12 Q You didn't consider it a meeting. How
13 about your presence before the Grand Jury, speaking before
14 a Grand Jury, did you have occasion to volunteer?

15 A No, sir, I didn't.

16 Q You did not?

17 A Had he asked me, I would have told him.

18 Q And there was one occasion when you delivered
19 the gifts when Mr. Errichetti was present, is that correct?

20 A Yes, sir.

21 Q What occasion was that?

22 A It was January of 1979.

23 Q Did you consider that a meeting?

24 A It wasn't a meeting.

25 Q It was not, in your estimation?

A No, sir.

Di Lorenzo-redirect-Brown

3121

1
2 Q With respect to a certain meeting, you
3 did say there was a delivery of gifts at a time when another
4 person was present, is that not so?

5 A That is correct.

6 Q And would you tell us the date and
7 occasion when the other person was present?

8 A Either late February or early March, Sunday
9 afternoon, my girlfriend and I drove to La Guardia Airport
10 where I delivered a Beta max.

11 Q What was your girlfriend's name?

12 A Debbie Ocacci(ph).

13 MR. BROWN: I have no further questions.

14 MR. PUCCIO: Just a few..

15 RERECROSS EXAMINATION

16 BY MR. PUCCIO:

17 Q Mr. DiLorenzo, in the Grand Jury, during
18 the testimony, you submitted a list of trips and you indi-
19 cated in January of 1979 you went to Long Island and you
20 have next to that Mel?

21 A Yes.

22 Q Is that the trip in which you drove Mr.
23 Errichetti to Long Island?

24 A I'm not sure if that was one or not.

25 I believe there were a few other trips and

1
2 I am not sure how many I drove in January.

3 Q During your testimony before the Grand Jury
4 you listed trips in January but you did not list this trip
5 in which you allege this gift was made?

6 MR. BEN-VENISTE: Objection, your Honor.

7 THE COURT: Overruled.

8 What was your answer?

9 A I'm not sure.

10 Q In the Grand Jury, on the 27th of March,
11 1980, you talked about a trip to the blue diner, is that
12 correct?

13 A Yes sir.

14 Q Is that the same place where you say this
15 gift was made?

16 A No, sir, that was the first time I ever met
17 Mel Weinberg.

18 Q There was another trip, according to your
19 testimony, during January?

20 A There were other trips. I became aware of
21 other trips I did not remember later on.

22 Q First you testified concerning a trip in
23 January and then you submitted a -- during your next
24 appearance the next month -- a list of trips but you didn't
25 include this one?

1 Di Lorenzo-rerecross-Puccio

2 A I gave to you a list of trips I remembered.
3 I have since been told there were other trips that I
4 didn't remember.

5 Q Told by whom?

6 A The FBI.

7 Q Did the FBI tell you about this trip where
8 you say this gift was made?

9 A The only thing I remember is it was in
10 January.

11 MR. PUCCIO: No further questions.

12 MR. BROWN: Thank you, Mr. Di Lorenzo,
13 you may step down.

14 THE COURT: Now next witness.

15 MR. BROWN: I call Ms. Procacci, please.

16 (Continued on next page.)
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2 DEBRA PROCACCI, a witness

3 called herein, having been first duly sworn by the
4 Clerk of the Court, took the stand and testified as
5 follows:

6 DIRECT EXAMINATION

7 BY MR. BROWN:

8 Q Your full name is Debra Procacci, am I correct?

9 A Yes.

10 Q Where do you live?

11 A New Jersey.

12 Q Are you all right?

13 A Yes.

14 Q Do you know Joey DiLorenzo who just testified
15 here?

16 A Yes.

17 Q You have known him for sometime?

18 A Yes.

19 Q Would it be fair to say in 1979 you and he
20 were going together, boyfriend and girlfriend?

21 A Yes, sir.

22 Q Did there come a time on or about the early
23 part of May, 1979, when you took a trip with Joe?

24 A It was March.

25 Q March?

1 Procacci-direct-Brown

2 A Yes.

3 Q Where did you go with Joe?

4 A To LaGuardia Airport in New York.

5 Q Do you recall if there was anything inside the
6 car?

7 A In the trunk, a Betamax video tape recorder
8 cassette.

9 Q When you got to LaGuardia, could you tell us
10 exactly what happened after you arrived in that area?

11 A Yes, Joe and I parked the car in the parking
12 garage and went into the airport to a lounge. I can't
13 pronounce the name.

14 Q Ionosphere?

15 A Yes.

16 I waited outside and Joe knocked on the door.
17 Mr. Weinberg was not there. And he sat on the windowsill
18 and Mr. Weinberg approached us with other people and I was
19 introduced to him.

20 Q Was that your first introduction to the
21 gentleman?

22 A Yes.

23 Q Were you ever introduced to him again so that
24 you would know whether it was Weinberg?

25 A Yes.

Procacci-direct-Brown

1
2 Q Was his identification identified as
3 Mr. Weinberg?

4 A Yes.

5 Q What happened after you were introduced to this
6 gentleman?

7 A We went to the parking garage and Mr. Weinberg
8 drove his car to where Joe and I parked his uncle's car and
9 we transmitted the Betamax video tape recorder from our
10 trunk to Mr. Weinberg's trunk.

11 Q Were there any words spoken on that occasion?

12 A Yes, hearsay, jibber-jabber, I talked with
13 the woman there.

14 Q Do you know her identification in terms of
15 relation?

16 A Sister-in-law.

17 Q Anyone else there?

18 A Yes, his son and their dog.

19 Q You are certain on that occasion that you did
20 see the Betamax delivered to Mr. Weinberg, is that correct?

21 A Yes.

22 Q You saw this yourself?

23 A Yes.

24 Q You are not related to the Mayor, are you?

25 A No.

1 Procacci

2 MR. BROWN: Thank you, no further questions.

3 THE COURT: Mr. Duffy?

4 MR. DUFFY: No, sir.

5 THE COURT: Mr. Ben-Veniste?

6 MR. BEN-VENISTE: No.

7 THE COURT: Mr. Cacheris?

8 MR. CACHERIS: No.

9 THE COURT: Mr. Puccio?

10 MR. PUCCIO: Yes.

11 CROSS EXAMINATION

12 BY MR. PUCCIO:

13 Q What was the occasion for your other meeting
14 with Mr. Weinberg?

15 A Pardon me?

16 Q What was the occasion for your other meeting
17 with Mr. Weinberg?

18 A I saw him at another time at LaGuardia Airport.

19 Q What was the reason for that meeting?

20 A Joe and I went in his uncle's car to
21 LaGuardia to meet with him to bring him something which I
22 don't know what it was.

23 Q When did this meeting take place?

24 A Sometime after the summer, maybe either late
25 September or October. I don't remember.

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Q What was it that was brought to Mr. Weinberg
on this occasion?

A I don't know.

Q What did it look like?

A It was an envelope.

Q Did anyone tell you what was contained in the
envelope?

A No.

(Continued on next page.)

Proceedings - Puccio

1
2 Q Did you have any discussion with Mayor
3 Ritzchetti about this envelope?

4 A No.

5 Q Did you see anyone else other than Mr.
6 Weinberg?

7 A We met inside the lounge and there was another
8 gentleman there that I spoke with while Jim and he
9 spoke, but I don't really know if he had any connection
10 to Mr. Weinberg.

11 In other words, there was another gentleman
12 there that talked to me while Jim talked to Mr. Weinberg.

13 Q And is that the only other occasion you met
14 with Mr. Weinberg?

15 A Yes.

16 MR. PUCCIO: No other questions.

17 MR. BROWN: Thank you.

18 THE COURT: Mr. Duffy, do you have a
19 question?

20 MR. DUFFY: No, sir.

21 THE COURT: All right, thank you, Mr.
22 Puccio. You may step down.

23 Next witness.

24 MR. FURST: I call Mr. Michael Duffy.
25

BEST AVAILABLE COPY

1
2 MICHAEL DUFFY, having been
3 first duly sworn by the Clerk of the Court,
4 testified as follows:

5 THE CLERK: Please state your full name
6 for the record.

7 THE WITNESS: Michael J. Duffy, D-u-f-f-y.

8 DIRECT EXAMINATION

9 BY MR. FURST:

10 Q Mr. Duffy, are you presently employed?

11 A I am presently self-employed as a tax
12 consultant and a financial investigator.

13 Q How long have you been so employed?

14 A Approximately one year, since July 1979.

15 Q What did you do prior to July 1979?

16 A Prior to '79 I was a special agent with
17 the Criminal Investigation Division of the Internal
18 Revenue Service, U. S. Treasury Department.

19 Q Where did you work out of?

20 A For the last 13 years I worked out of the
21 Philadelphia office.

22 Q And prior to that time?

23 A I had worked three years in the Newark,
24 New Jersey office.

25 Q Weres you hired to assist the defense attorneys

1
2 A Yes.

3 This is an index of the 3500 exhibits.

4 The exhibits of recorded conversations that
5 were provided by the government is what it is.

6 Q Is this the list that you used to compare
7 with the phone records?

8 A Yes, it is.

9 Q Did you prepare a summary of your observations?

10 A Yes, I did.

11 Q And would you look at Defendant's Exhibit U
12 for identification and tell the jury whether that is the
13 summary?

14 A Yes.

15 This is the summary that I prepared.

16 Q Can you describe to the jury how you
17 prepared that summary?

18 A Yes.

19 First of all this summary is a summary of
20 unreported telephone calls between Angelo Errichetti
21 and Melvin Weinberg.

22 And the first page of the summary shows the
23 telephone numbers that were used by Abdul Industries
24 in New York and by Melvin Weinberg in New York and
25 Florida, and the City of Camden, the mayor's office, which

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is in Camden, New Jersey.

And these records were obtained from the mayor's office itself. They had copies of the records. And the home telephone numbers of Angelo Errichetti which would be in Camden, New Jersey and Longport, New Jersey.

These records were prepared from records provided by him, copies of records that he had of his own telephone calls.

Q Do you know whether or not those phone records were also supplied to Mr. Puccio's office?

A Yes. Those records were supplied by the New Jersey Bell Telephone Company.

Q Can you describe how you prepared the summary?

A Yes.

What I did is I listed all the telephone conversations covering two minutes or more from each of the telephones listed in this summary.

And I compared the telephone toll records from the Bell Telephone Companies of the individual states involved.

Now, these toll records would show the date of the call, the place that the call was made to,

1
2 the place where the call was coming from, the number
3 that was called and the number that the telephone call
4 was charged to, the total minutes of the conversation, the
5 telephone hook-up and the exact time of the connect time,
6 which the records of the Bell Telephone keeps the correct
7 time for each call.

8 Q Why did you select two-minute conversations
9 or longer?

10 A The reason I selected two-minute conversations
11 and I went through the 3500 index and I found seven telephone
12 calls between Angelo Errichetti and Melvin Weinberg
13 that were recorded.

14 And I have a list of those conversations in my
15 pocket here.

16 Q Those are conversations that were two
17 minutes in duration?

18 A Yes, yes, they were.

19 Q According to the toll records?

20 A Yes, that's correct.

21 Q And the 3500 index had transcripts for those
22 conversations?

23 A Yes, that's correct.

24 MR. FURST: May I approach the witness,
25 your Honor?

1
2 THE COURT: Yes.

3 Q I would like to hand you Defendant's Exhibit
4 AA, BB, CC and DD for identification and ask you what those
5 are.

6 A The first exhibit, AA 1 through 19, is a listing
7 of telephone calls from the New York Telephone Company
8 that were charged to Abdul Enterprises, Ltd. In
9 this list of exhibits, 1 through 19 are the telephone
10 calls, two minutes or more that were not recorded.

11 There is no proof of recording --

12 Q You mean in terms of transcript?

13 A No proof of recording or a transcript was
14 provided to the defense attorneys by the government.

15 Exhibit B, 1 through 17, are the telephone
16 toll records from the Florida Telephone Company, I
17 believe it's Southern Bell Telephone Company of Melvin
18 Weinberg's home or residence phone numbers.

19 And these calls, 1 through 17, list the
20 telephone toll calls that there were no recordings for
21 or any transcripts provided to the defense.

22 Exhibit CC are the telephone calls from
23 the mayor's office regarding the same types of trans-
24 actions.

25 There are 19 exhibits there, 1 through 19.

1
2 And Exhibit DD are the calls from the
3 mayor's home telephone numbers in Longport, New Jersey and
4 Camden, New Jersey, and that's Exhibit 1 through 5.

5 There was a total of 57 telephone calls,
6 two minutes or more, totalling 227 minutes that were not
7 recorded.

8 It's three hours and 47 minutes.

9 Q Did you in Exhibit U for identification
10 break down those calls?

11 A Yes, I did.

12 Q And reading from Defense Exhibit U, could
13 you tell us what is contained on those pages?

14 A Yes.

15 On page 2 of the exhibit, which is Exhibit
16 A, it is Abdul Enterprises, and it is telephone toll
17 calls that are charged to the Abdul Enterprises, Ltd.
18 telephone number.

19 Q How many are there?

20 A There are 19 telephone calls.

21 Q From what date to what date?

22 A From February 9, 1979 to July 9, 1979.

23 Q And Exhibit B is the telephone toll calls
24 charged to the Florida Telephone numbers of Mel
25 Weinberg.

1
2 Q And there are 17 of these phone calls, and
3 they go from the period January 23, 1979 to August the 9th,
4 1979.

5 Pardon me, on this Exhibit B there are more
6 than 17 phone calls. There are 17 phone calls on page 3.

7 Page 4 continues and it goes up to 29. There
8 are 29 total phone calls.

9 Q And Exhibit C?

10 A Exhibig C is the City of Camden Mayor's
11 office telephone toll calls that were charged to his
12 numbers at that location.

13 Q All right.

14 A There are 19 telephone calls.

15 Q During what period of time?

16 A From January 17, 1979 to June 29, 1979.

17 Q And Exhibit D?

18 A Exhibit D is the telephone toll calls
19 charged to the home phone number of the mayor in Camden,
20 New Jersey and there are five such calls.

21 Q By the way, are you related to the defense
22 attorney Duffy sitting at counsel table?

23 A No, I am not.

24 Q When you worked for the IRS in Philadelphia,
25 did you work in an undercover capacity?

1
2 A Yes, I did.

3 Q When you were working undercover did you work
4 in the organized crime area?

5 A Yes, I did.

6 Q Did you come to know an individual by the
7 name of Skinny Razor?

8 A Yes, I did.

9 That person's real name is Felix DeTulio
10 and he has been dead for about 15 years.

11 Q And did you also come to know the name
12 of Tony Testa?

13 A The name Tony Testa doesn't ring a bell with
14 me, but Philip Testa does ring a bell. He was the
15 No. 2 man under Angelo Bruno.

16 Q Is it fair to say that there is no person
17 involved in organized crime in Philadelphia who is
18 prominent whose name is Tony Testa?

19 A Yes, it is.

20 Q Did you also review the transcripts and tape
21 recordings of telephone conversations to review the
22 beginnings of those conversations?

23 A Yes, I did.

24 Q When you were an IRS agent did you have
25 occasion to review, to utilize telephone tapes?

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A Yes.

We did analyze situations where there were telephone situations and the proper recording techniques.

Q And conceptual monitoring s as well?

A Yes.

Q And what is the proper procedure for taping a phone conversation?

A The proper procedure for taping a phone call is to start at the very beginning when the phone is ringing and then to tape it from that point forward.

Q Did you review the transcripts and the tapes of phone conversations?

A Yes, I did.

Q That the defense was supplied?

A Yes.

Q r rather, the defendant Errichetti?

A Yes.

Q And what did your review disclose?

A Well, out of the total 83 conversations that were supplied to us, on 8 occasions it showed a ringing of the telephone or the operator on the telephone. On 35 occasions there was a first person involved. It wasn't the person that the call was intending to go to. And on 12 occasions the intended speaker was the first part

1
2 of the transcript and the tape.

3 On 28 occasions the conversation started
4 in the middle of the conversation or in the middle of a
5 sentence. It was a total of 83 conversations involved.

6 Q And who were those calls between? Who
7 were the speakers?

8 A The calls were between Angelo Errichetti and
9 Melvin Weinberg and sometimes Dani Annise who was the
10 secretary for the mayor.

11 Q You can identify her voice on the phone?

12 A Yes.

13 MR. FURST: Your Honor, I would offer
14 Defense Exhibit U at this time.

15 THE COURT: Any objection?

16 MR. PUCCIO: I would like to examine it, Judge
17 and maybe ask some questions on it.

18 THE COURT: You may have voir dire.

19 MR. PUCCIO: I will wait until he is
20 finished.

21 MR. FURST: I think I am done.

22 Here are copies of them.

23 That's all.

24 MR. PUCCIO: I can wait until other counsel
25 have finished before I voir dire.

1
2 THE COURT: Do you have questions, Mr.

3 Duffy?

4 MR. DUFFY: I have some questions.

5 THE COURT: Proceed.

6 CROSS-EXAMINATION

7 BY MR. DUFFY:

8 Q About our credibility, you don't know me,
9 do you?

10 A I know you from Philadelphia, but not before
11 this.

12 Q Chickie Narducci, Philip Chicken Man Testa,
13 does that ring a bell to you from your undercover work
14 in the city?

15 A Yes.

16 Q Can you tell the jury the ages of Philip Chicken
17 Man Testa and Chickie Narducci?

18 A Both men are in their fifties and Testa is
19 a little older than Narducci.

20 MR. DUFFY: That's all.

21 THE COURT: Mr. Ben-Veniste?

22 MR. BEN-VENISTE: No questions.

23 THE COURT: Mr. Cacheris?

24 MR. CACHERIS: No questions.
2

15

Duffy-cross-Puccio

THE COURT: Mr. Puccio.

MR. PUCCIO: I have some questions.

CROSS-EXAMINATION

BY MR. PUCCIO:

Q Did you say, Mr. Duffy, you worked on organized crime matters in the City of Philadelphia?

A Yes, I did.

Q For how long a period of time were you so engaged?

A Off and on for 13 years.

Q And this was for the Treasury Department in Philadelphia?

A The Intelligence Division who later changed its name of the U. S. Treasury Department.

Q And that would be part of the Internal Revenue Service, is that correct?

A That's correct.

Q And in your opinion is there an organized crime problem within the City of Philadelphia?

A Yes, there is.

Q And to be more specific does the mafia operate within the City of Philadelphia?

A Yes, it does.

Q And would the sphere of influence of the

1
2 mafia in the City of Philadelphia include the dock area of
3 Philadelphia?

4 A No, it does not include the whole dock
5 area.

6 There are differences of opinion as
7 to what extent of control the mafia has over the City of
8 Philadelphia.

9 South Philadelphia is where most of the
10 mafia is located and it is made up of a mixed neighborhood,
11 Italians, Irish, German, Jewish, blacks.

12 And in the northern part of the city you have
13 docks also, which is the northeast section which is the
14 Kensington area and North Richmond and they don't have any
15 control in that area as far as I know.

16 Q But the South Philadelphia area, it is a
17 fair statement that the mafia controls the docks, is
18 that right?

19 A It would not be. I have never seen proof of
20 that.

21 Q Well, is the view of law enforcement people
22 in the City of Philadelphia that the mafia has control
23 of the docks?

24 MR. FURST: Objection, your Honor.

25 MR. BEN-VENISTE: Objection.

1
2 MR. DUFFY: Objection.

3 THE COURT: Sustained.

4 Q Well, now, with respect to Defesne Exhibit
5 U, I have a copy and I assume you have it in front of
6 you, is that right?

7 A Yes.

8 Q This purports to represent unreported
9 telephone calls between certain dats, is that right?

10 A Yes.

11 Q And the dates are -- well, let me ask you,
12 from when to when?

13 A Well, the first telephone call that I have
14 here is Exhibit C, January 17, 1979.

15 And it has the telephone call would be October
16 the 24th, 1979.

17 Q And this exhibit represents telephone calls
18 from a number controlled by Mr. Weinberg or Abdul
19 Enterprises and a number controlled by Mr. Errichetti, is
20 that right?

21 A That's correct.

22 Q And by the way, this exhibit, I would assume,
23 is prepared largely with documents that were furnished
24 to you during the trial by the government, is that right?

1
2 A It was half by documents furnished by the
3 government and half by the mayor's office in Camden and
4 his wife or himself.

5 Q All right.

6 But you had occasion to look at the govern-
7 ment's records concerning Abdul Enterprises toll calls,
8 is that right?

9 A Yes, it is.

10 Q And that you didn't get from the City of
11 Camden?

12 A That's correct.

13 Q And the government supplied you with
14 records of Me. Weinberg's telephone calls, is that right?

15 A That's correct.

16 Q And what is the normal retention period for
17 telephone tolls?

18 A Well, the normal retention period is six
19 months. But if a subpoena is issued to a telephone
20 company they can keep it six months, nine months, twelve
21 months, and so on.

22 Q And it is for sure that the records the
23 government supplied you were all within six months,
24 is that right?

25 A That's correct.

1
2 Q Now, between July 26th and-- by the way, do
3 you know if Mayor Errichetti ever used telephone equipment
4 at Abdul Enterprises to call his own office in Camden?

5 A That I don't know offhand. Probably if I look
6 through the records I can find out.

7 But offhand, I don't know.

8 Q In any event, from your knowledge of procedures
9 in the law that would not be recorded unless there would
10 be some party consenting to that conversation being
11 recorded, is that correct?

12 A You say according to law?

13 Q Yes.

14 A Well, if he consented himself to have it
15 recorded he would not have to go through the law.

16 Q In any event, it would be a fair statement
17 tha if the mayor did call from Abdul Enterprises during
18 the undercover investigation and you are familiar with
19 undercover investigations, to his own office, that would
20 not be recorded, is that right?

21 A No. I can't say that. I really don't
22 know if Abdul had a tape recorder on their phone at all
23 times or not.

24 Q But the mayor's consent would have to be
25 obtained?

1
2 A No.

3 It is possible that his conversations could
4 have been taped illetally by Abdul.

5 Q I see.

6 But excluding that possibility, the mayor's
7 consent would be necessary, is that right?

8 A Yes.

9 Q Now, between July 26, 1979 and August 22,
10 1979, how many unrecorded telephone calls do you have on
11 your list?

12 A Could you repeat those dates, please?

13 Q Yes.

14 Between July 26, 1979 and August 22, 1979.

15 A There are six telephone calls that are
16 unrecorded.

17 Q And what is the duration of each one of
18 those calls?

19 A Well, one call is three minutes, two minutes,
20 two minutes, two minutes, three minutes and three minutes.

21 Q Okay.

22 And your records, all the records you have
23 examined reflect no other unrecorded calls during that
24 period of time, is that correct?

25 A No, they do not.

1
2 Q Tell us in each case what number the call
3 was made from and to which number was it placed.

4 A During that period of time?

5 Q During July 26, 1979 and August 22, 1979.

6 A All telephone calls --

7 Q By the way, Mr. Duffy, you are generally
8 familiar with the dates involved in this case, is that
9 right?

10 A Yes.

11 Q You know August 22nd is a significant date,
12 is that right?

13 A Yes.

14 Q You know July 26th is a significant date?

15 A Yes, I do.

16 Q All right.

17 And matters that occurred prior to July
18 26, 1979 really are not part of what is in issue here,
19 is that right?

20 MR. BEN-VENISTE: I object to that, your
21 Honor.

22 MR. PUCCIO: I will withdraw it.

23 THE COURT: All right.

24 Q Go ahead.

25 A The date August the 9th or from the

1
2 period July 26 through August 22, there are six telephone
3 calls.

4 All toll calls were charged for the
5 Florida telephone numbers of Melvin Weinberg.

6 Now, the first call, the Exhibit number is
7 B-17, August 9th at 12:49 p.m. from Atlantic City, New
8 Jersey to the mayor's office in Camden, New Jersey.

9 Q How long was that?

10 A Three minutes.

11 Q Okay.

12 A The Exhibit B18, August 10, 1979, 5:10 p.m.,
13 two minutes.

14 Q Where was the call made to?

15 A It was from Central Islip, New York to
16 the summer home of Mayor Errichetti in Longport, New
17 Jersey.

18 Q How long was that?

19 A Two minutes.

20 Q Okay.

21 THE COURT: Mr Duffy, that first one, did you
22 say it was from Atlantic City?

23 A Yes, it was.

24 THE COURT: To the mayor's office?

25 THE WITNESS: Yes, from Atlantic City to

1
2 the mayor's office, but charged to the Florida
3 telephone number.

4 Q So whoever made that call was in Atlantic
5 City but charging it to the Weinberg number?

6 A Yes, that's correct.

7 Q All right.

8 A The third call was August 20th and that is
9 B-19 exhibit number, August 20th, 2:32 p.m., two minutes.
10 And it was a call from New York City, New York, to the
11 mayor's office in Camden.

12 B-20 is August 20, 1979, 6:17 p.m., two
13 minutes, from New York City to the mayor's office in
14 Camden.

15 Q What date was that last one, sir?

16 A August 20th.

17 Q Okay.

18 And the next one?

19 A B-21. The date is August 21st, 5:35 p.m.,
20 three minutes, from the Travelodge in Queens, New York
21 to the mayor's office.

22 The last call during that period is --

23 Q I'm sorry, what was that last one from the
24 Travelodge?

1
2 What date?

3 A This was August 21st at 5:35 p.m. for three
4 minutes, from the Travelodge Motel in Queens, New York to
5 the mayor's office in Camden.

6 Q All right.

7 And that was charged to what number?

8 A To the Florida home telephone number of
9 Melvin Weinberg.

10 Q Okay.

11 A The next one is B-22 which is August 22,
12 1979 at 10:31 p.m., three minutes, and it was from Queens,
13 New York to the home of Mayor Errichetti in Camden, New
14 Jersey.

15 Q What time of the day was that?

16 A That was 10:31 p.m.

17 MR. PUCCIO: Your Honor, I have no objection
18 to those six calls, that is, the ones between July
19 26, '79 and August 22, '79 being received into
20 evidence.

21 THE COURT: What is offered in evidence
22 is Exhibit U.

23 MR. PUCCIO: Well, I would object unless
24 some showing is made as to the relevance to

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this case as to the other calls.

MR. DUFFY: May I speak to that, sir?

THE COURT: At the side bar.

You are not offering the exhibit.

MR. FURST: I will speak to it.

THE COURT: I'll hear you just the same.

Come to the side bar.

(Continued on next page.)

* * *

Duffy-cross-Puccio

(The following took place in open Court.)

THE COURT: Exhibit U is received in evidence.

So that I understand, Mr. Duffy, I heard some references to AA and BB, is that all part of Exhibit U?

THE WITNESS: Yes.

THE COURT: All right. Exhibit U is in evidence.

MR. PUCCIO: I assume what I received which is a seven-page Exhibit is --

THE COURT: Document here marked Exhibit U, I assume. Where is it?

THE WITNESS: Here it is.

MR. PUCCIO: May I look at it, sir?

THE WITNESS: Yes.

(Pause).

CROSS EXAMINATION

BY MR. PUCCIO:

Q Mr. Duffy, you stated the figures you have on the telephone calls duration are from the records supplied by the telephone company?

A That is correct.

Q Many of them in this case were records

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subpoenaed by the Government which were turned over to you, is that correct?

A That is correct.

Q Does the telephone call record the exact number of seconds of each call?

A No, it doesn't.

Q In a telephone call which is one minute, one second, how would that be recorded?

A Different telephone companies work different ways.

Q How does the telephone company you examined the records on work?

A Southern Bell Telephone, Florida; New York Telephone Company; and New Jersey Telephone Company --

Q All do it the same way?

A I don't know how. I know New Jersey. If it's over two minutes, two minutes one second becomes a three-minute call.

Two minutes 57 seconds is a three-minute call.

Q One minute one second is a two-minute call?

A Yes.

Q You don't know if those calls are recorded as two minutes may have been one minute one second?

Duffy-cross-Puccio

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2 A That is correct.

3 Q You were supplied with a list of exhibits
4 that were given by the Government to the defendant, is
5 that correct?

6 A Yes.

7 Q They list recorded telephone conversations
8 and other recorded meetings involving Mayor Errichetti
9 and Mr. Weinberg, is that correct?

10 A That is correct.

11 Q Over how many occasions were recordings
12 made of meetings or conversations in which Mr. Weinberg and
13 Mr. Errichetti appeared?

14 A First objection, including meetings in this
15 here -- the examination has only been on telephone calls.

16 THE COURT: As a basis for comparison, it
17 might be helpful to -- I will overrule the objection
18 then.

19 You can pursue both if you think it is
20 necessary.

21 Q First, on how many occasions was there
22 a recorded telephone conversation between Mel Weinberg
23 and Mr. Errichetti?

24 A The total number of occasions?

25 Q Yes.