

1 UNITED STATES DISTRICT COURT
 2 DISTRICT OF MINNESOTA
 3 -----
 4 U.S. COMMODITY FUTURES
 5 TRADING COMMISSION,
 6 Plaintiff,
 7 vs. Case No. 09-cv-3332 MJD/FLN
 8
 9 TREVOR COOK, d/b/a CROWN
 10 FOREX, LLC, PATRICK KILEY d/b/a
 11 CROWN FOREX, LLC, UNIVERSAL
 12 BROKERAGE FX and UNIVERSAL
 13 BROKERAGE FX DIVERSIFIED, OXFORD
 14 GLOBAL PARTNERS, LLC, OXFORD
 15 GLOBAL ADVISORS, LLC, UNIVERSAL
 16 BROKERAGE FX ADVISORS, LLC f/k/a
 17 UBS DIVERSIFIED FX ADVISORS, LLC,
 18 UNIVERSAL BROKERAGE FX
 19 GROWTH, L.P. f/k/a UBS DIVERSIFIED FX
 20 GROWTH, L.P., UNIVERSAL BROKERAGE
 21 FX MANAGEMENT, LLC f/k/a UBS
 22 DIVERSIFIED FX MANAGEMENT, LLC
 23 and UBS DIVERSIFIED GROWTH, LLC,
 24 Defendants.
 25 R.J. ZAYED,
 Receiver.

 DEPOSITION OF
 DOT M. ANDERSON

 Taken May 18, 2011 By Paula Richter, RPR

1 UNITED STATES DISTRICT COURT
 2 DISTRICT OF MINNESOTA
 3 -----
 4 UNITED STATES SECURITIES
 5 AND EXCHANGE COMMISSION,
 6 Plaintiff,
 7 vs. Case No. 09-cv-3333 MJD/FLN
 8
 9 TREVOR G. COOK,
 10 PATRICK J. KILEY,
 11 UBS DIVERSIFIED GROWTH, LLC,
 12 UNIVERSAL BROKERAGE FX
 13 MANAGEMENT, LLC,
 14 OXFORD GLOBAL ADVISORS, LLC,
 15 and OXFORD GLOBAL PARTNERS, LLC,
 16 Defendants,
 17 and
 18 BASEL GROUP, LLC,
 19 CROWN FOREX, LLC,
 20 MARKET SHOT, LLC,
 21 PFG COIN AND BULLION,
 22 OXFORD DEVELOPERS, S.A.,
 23 OXFORD FX GROWTH, L.P.,
 24 OXFORD GLOBAL MANAGED
 25 FUTURES FUND, L.P., UBS DIVERSIFIED
 FX ADVISORS, LLC, UBS DIVERSIFIED
 FX GROWTH, L.P., UBS DIVERSIFIED
 FX MANAGEMENT, LLC, CLIFFORD
 BERG, and ELLEN BERG,
 Relief Defendants.
 R.J. ZAYED,
 Receiver.

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 21
 22 ALSO PRESENT: David Anderson
 23
 24
 25

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 18 (The original exhibits will be attached to the
 19 original transcript.)
 20
 21
 22
 23
 24
 25

1 THE DEPOSITION OF DOT ANDERSON, is taken on this
2 18th day of May, 2011, at the law offices of
3 Carlson, Caspers, Vandenburg & Lindquist, 225
4 South Sixth Street, Suite 3200, Minneapolis, MN
5 55402, commencing at approximately 1:20 p.m.
6 pursuant to notice.

7
8 DOT ANDERSON,
9 a witness in the above-entitled
10 action, after having been first
11 duly sworn, deposes and says as
12 follows:

13 EXAMINATION

14 BY MR. KOHLHEPP:

15 Q. My name is Peter Kohlhepp, and I'm an
16 attorney for the receiver, R.J. Zayed, who as
17 you may know, has been appointed by the
18 District of Minnesota Federal Court in
19 relation to the Trevor Cook Ponzi scheme.

20 MR. HUHTA: If I could just stop
21 you for a second. Mrs. Anderson's hearing is
22 not the best.

23 THE WITNESS: It's not the best.
24 Speak up a little.

25 MR. HUHTA: It would help if you

1 could really keep your voice up.

2 BY MR. KOHLHEPP:

3 Q. I will try do that. And if you can't hear me
4 or you don't understand what I've said,
5 definitely stop me and let me know, okay?

6 A. Uh-huh.

7 Q. Could you please state your full name for the
8 record.

9 A. Dot Marvel Anderson.

10 Q. And what's your current address?

11 A. 330 - 13th Street North, Sauk Rapids,
12 Minnesota 56379.

13 Q. And how long have you lived there?

14 A. Less than a year. Last October, I guess, I
15 moved in.

16 Q. Okay. And do you remember where you lived
17 before that?

18 A. Yes. I had a patio home. 4386 Clearwater
19 Road, St. Cloud, 56 --

20 MR. DAVID ANDERSON: 301.

21 THE WITNESS: -- 301.

22 BY MR. KOHLHEPP:

23 Q. Okay. Thank you. And how long did you live
24 there?

25 A. About nine years.

1 Q. And is that the only place that you lived
2 during that nine years?

3 A. Pardon?

4 Q. Is that the only place that you lived during
5 those nine years?

6 A. Yes.

7 Q. Okay. Have you ever been deposed before?

8 A. No.

9 Q. Okay. Mr. Huhta may have already gone over
10 some of this with you, but I'm just going to
11 briefly tell you what to expect during this
12 deposition. I'm going to ask you a series of
13 questions, and you need to provide an oral
14 answer to those questions.

15 And like I said before, if you
16 don't understand my question or you can't
17 hear my question, stop me and let me know and
18 I will ask it again.

19 We can take breaks at any time
20 during the deposition, so if you need a
21 break, just let me know. The only thing that
22 I ask is that you finish answering the
23 question that I've asked before we take a
24 break. Do you understand?

25 A. (Witness nods head.)

1 Q. Okay. And if you want to talk to your

2 attorney, Mr. Huhta, that's fine. But,
3 again, I would ask that you finish answering
4 the question that I've asked before you talk
5 to Mr. Huhta.

6 And if at any time you remember
7 that an answer you gave was not complete or
8 inaccurate in any way, feel free to let me
9 know and then we can circle back to that and
10 get it corrected for the record.

11 Are you taking any medication or
12 any kind of drugs that might affect your way
13 to answer today?

14 MR. DAVID ANDERSON: No.

15 THE WITNESS: No.

16 BY MR. KOHLHEPP:

17 Q. Is there any other reason that you can think
18 of why you wouldn't be able to fully answer
19 my questions today?

20 A. No, I can't.

21 Q. Okay. So I'm going to start with just a few
22 questions about your background. Are you
23 currently employed?

24 A. No.

25 Q. Have you been employed in the past?

1 A. Fifty-some years ago. That was a cafeteria.
 2 Q. Have you been employed at any point since
 3 that job --
 4 A. No.
 5 Q. -- about 50 years ago?
 6 A. No.
 7 Q. Did you graduate from high school?
 8 A. Yes.
 9 Q. What high school was that?
 10 A. Robbinsdale.
 11 Q. And did you attend college?
 12 A. No.
 13 Q. Have you ever been married?
 14 A. Yes.
 15 Q. For how long were you married?
 16 A. Sixty-seven years.
 17 Q. Who were you married to?
 18 A. Clifford Anderson.
 19 Q. Have you reviewed any documents in
 20 preparation for this deposition?
 21 A. No, not that I'm aware of.
 22 Q. Okay. And is your husband currently living?
 23 A. No. He passed away three years ago.
 24 Q. So that would have been --
 25 A. '88 -- '08.

1 100,000?
 2 A. Do you mean the date?
 3 Q. Yes, the date.
 4 THE WITNESS: I have to ask you.
 5 June 15th?
 6 MR. HUHTA: Do as best you can.
 7 He's here just to find your recollection.
 8 MR. KOHLHEPP: Right. Whatever
 9 you remember.
 10 MR. HUHTA: If you can't recall
 11 specifically, do as best you can.
 12 THE WITNESS: June 15th.
 13 BY MR. KOHLHEPP:
 14 Q. Of 2009?
 15 A. Ten, wouldn't it be? Oh, it's two years,
 16 that's right. 2009.
 17 Q. So June 15th, 2009?
 18 A. (Witness nods head.)
 19 Q. And how did you learn about this investment
 20 opportunity?
 21 A. Because my grandson worked for Trevor.
 22 Q. And what's your grandson's name?
 23 A. Grant Gryzbowski.
 24 Q. So did Grant bring up this investment
 25 opportunity to you?

1 MR. DAVID ANDERSON: 2008, August
 2 22nd.
 3 THE WITNESS: 2008.
 4 BY MR. KOHLHEPP:
 5 Q. Okay. Thank you. So we're here today to
 6 talk about an investment of \$100,000 that you
 7 made in the spring of 2009?
 8 MR. HUHTA: Objection; form.
 9 MR. DAVID ANDERSON: 102.
 10 BY MR. KOHLHEPP:
 11 Q. Do you remember that investment?
 12 A. Yes.
 13 Q. And how much was that investment for?
 14 A. 100,000.
 15 Q. And where did that 100,000 come from?
 16 A. I don't know how to answer that.
 17 Q. Well, let me try to rephrase. Was that
 18 100,000 -- had you saved up that 100,000?
 19 A. Yes.
 20 Q. And did it come from a job that you were
 21 working or did you inherit it or --
 22 A. My husband earned it.
 23 Q. Okay. But he had passed away at this point?
 24 A. Yes.
 25 Q. Do you remember exactly when you invested the

1 A. No, no. No, he didn't. I heard of it myself
 2 and asked him about investing.
 3 Q. Okay. Do you remember where you heard of it?
 4 A. No. No, I don't.
 5 Q. Do you remember if it was from another
 6 person, or did you read about it somewhere?
 7 A. I could have read about it.
 8 Q. Do you remember if you saw a brochure or an
 9 article of some sort?
 10 MR. HUHTA: Objection; form.
 11 THE WITNESS: Not that I'm aware
 12 of.
 13 BY MR. KOHLHEPP:
 14 Q. Okay. Before you asked Grant about investing
 15 with Trevor Cook, did you know where he
 16 worked?
 17 A. Did I know what?
 18 Q. Where Grant worked.
 19 A. Yes.
 20 Q. And what did he do?
 21 A. Selling for Oxford and Trevor Cook.
 22 Q. And what was he selling?
 23 A. I honestly don't know. Investments, I
 24 believe.
 25 Q. So you heard about this investment somewhere?

1 A. Uh-huh.
 2 Q. And then you asked Grant about it?
 3 A. Uh-huh, yes.
 4 Q. And what did Grant tell you about the
 5 investment program?
 6 A. Well, that it was a good percentage to earn
 7 by investing.
 8 Q. What did he tell you the percentage was that
 9 you could earn?
 10 A. At that time, 10.5.
 11 Q. Did he tell you about any risk associated
 12 with this investment?
 13 A. No.
 14 Q. So when he said the interest rate was 10.5,
 15 did he say that was guaranteed?
 16 A. I don't remember if I did or didn't.
 17 Q. Okay. Did he say anything about the
 18 possibility that you may not get 10.5 percent
 19 interest?
 20 A. No, I don't believe so.
 21 THE WITNESS: Right, David?
 22 BY MR. KOHLHEPP:
 23 Q. I'm sorry, Ms. Anderson. You just have to
 24 answer to the best of your ability.
 25 A. Okay. No.

1 name of the company was that you were
 2 investing in?
 3 A. Well, he gave me a brochure on it. That's
 4 all I can say.
 5 Q. Okay. So did you talk to anybody else
 6 besides Grant before you decided to invest?
 7 A. My son, David.
 8 Q. Do you remember what you talked to him about?
 9 A. About this investment; that it was a good
 10 arrangement for -- for earning money.
 11 Q. Why was it a good arrangement?
 12 A. Why was it a good investment?
 13 Q. Right.
 14 A. Because I would like to add money to my
 15 savings account.
 16 Q. Okay. What made you take the money from
 17 where it was and put it into this investment?
 18 A. Because I heard that you could earn this much
 19 money -- this much interest.
 20 Q. And how much interest was it earning --
 21 A. That 10.5.
 22 Q. How much interest was the money earning
 23 before you invested in this program?
 24 A. That I don't know.
 25 Q. Do you remember about? Was it less than 10.5

1 MR. HUHTA: While it might make
 2 you more comfortable, David can't help you
 3 answer your questions. The receiver's
 4 lawyers are here just to find out what you
 5 can recall, so do the best you can to answer
 6 his questions.
 7 BY MR. KOHLHEPP:
 8 Q. Did Grant say there was a certain amount of
 9 time that you had to leave your money in?
 10 A. No.
 11 Q. Did you ask him if you would be able to take
 12 it out?
 13 A. I probably did.
 14 Q. But you can't recall?
 15 A. No.
 16 Q. Did he mention any penalties for taking your
 17 money out early?
 18 A. No.
 19 Q. Okay. Based on what you remember, was your
 20 money supposed to be in a separate account
 21 under your name only?
 22 A. I don't quite understand what you mean by
 23 that question.
 24 Q. Grant was talking to you about this
 25 investment, correct? What did he say the

1 percent?
 2 A. I didn't know anything about that.
 3 Q. Where was the money before this?
 4 A. In a savings account.
 5 Q. Okay. But you don't remember how much
 6 interest it was earning?
 7 A. You mean at my bank?
 8 Q. Correct.
 9 A. Three point something.
 10 Q. So then you saw this opportunity to earn 10.5
 11 percent and thought it would make sense to
 12 transfer it over?
 13 A. (Witness nods head.)
 14 Q. Okay. Is that a yes?
 15 A. Yes.
 16 Q. I ask you that because the court reporter
 17 needs to take down the transcript, and it's
 18 hard for her to understand uh-huh and things
 19 like that.
 20 MR. HUHTA: She can't take down
 21 shakes of the head one way or the other. So
 22 if you answer out loud, it will make her job
 23 easier and make the transcript much more
 24 clear.
 25 THE WITNESS: All right.

1 BY MR. KOHLHEPP:

2 Q. So when you were thinking about investing,

3 did you ever visit the Van Dusen Mansion?

4 A. I visited the mansion with my daughter, but

5 I -- I believe I visited that before I

6 invested the money.

7 Q. Okay. Why did you go to the mansion with

8 your daughter?

9 A. Because my grandson worked there, and it was

10 a pretty special building called the castle.

11 Q. So this was before you had decided to

12 transfer the \$100,000?

13 A. Yes.

14 Q. Did you ever talk to Trevor Cook?

15 A. No, I didn't.

16 Q. Have you ever talked to Patrick Kiley?

17 A. No.

18 Q. Did you ever talk to or meet any other

19 employees besides Grant?

20 A. No, I did not.

21 Q. So you talked to Grant --

22 A. Yes.

23 Q. -- about this investment opportunity. And

24 then you decided you wanted to transfer

25 \$100,000 into this program?

1 A. Yes.

2 Q. And he gave you some sort of brochure?

3 A. Yes.

4 Q. Do you remember what the --

5 A. From Oxford.

6 Q. I'm sorry?

7 A. From Oxford.

8 Q. That was the name of the company on the

9 brochure?

10 A. Yes.

11 Q. Was it just Oxford?

12 A. As I recall, it was just Oxford.

13 Q. So when you decided you wanted to put this

14 \$100,000 in this program that Grant worked

15 with, you understood that to be called

16 Oxford?

17 A. Yes.

18 Q. Okay. When you decided you wanted to put

19 this money in, did you have to fill out any

20 paperwork?

21 A. I don't remember if I filled out any papers.

22 Q. Okay. I'm going to go ahead and have the

23 court reporter mark an exhibit.

24 (Exhibits 1 through 4 were marked

25 for identification.)

1 THE WITNESS: I feel compelled to

2 say something.

3 BY MR. KOHLHEPP:

4 Q. You can go ahead.

5 A. I've changed my mind. It's my privilege as a

6 woman.

7 Q. Okay. You changed your mind about what?

8 A. Well, I'm not going to tell you.

9 Q. Okay. Was it in regards to an answer that

10 you gave earlier?

11 A. No.

12 Q. Okay. You changed your mind in regards to

13 something that's related to that investment?

14 A. Yes.

15 Q. Okay. Have you answered all the previous

16 questions truthfully?

17 A. Pardon?

18 Q. Have you answered all the previous questions

19 truthfully?

20 A. Yes.

21 Q. Okay. I'm showing the witness what's been

22 marked as Dot Anderson Exhibit 1. You can

23 take a minute to look at that. Please look

24 through it.

25 MR. HUHTA: Look at all the pages.

1 He might ask you questions about all the

2 pages. It's part of one document, so look

3 through the whole document.

4 BY MR. KOHLHEPP:

5 Q. Feel free to take a minute and look through

6 it.

7 A. (Reviews document.) Should I be asking you

8 any questions while I'm reading this?

9 Q. No. Just look through it and feel free just

10 to flip through it to see if it looks

11 familiar.

12 A. It looks familiar?

13 Q. Do you recognize that document?

14 A. (Witness shakes head.)

15 Q. Why don't you flip to page two.

16 A. I have seen this page. And this is my

17 honest, or whatever you call it, signature.

18 Q. At the bottom of page two?

19 A. My handwriting.

20 Q. You recognize that page?

21 A. Uh-huh.

22 Q. Could you flip to the next page, please? Do

23 you recognize that document?

24 A. Well, I recognize that this is my personal

25 signature, and I have seen this.

1 Q. Okay. Flip to page four. Do you recognize
 2 that page?
 3 A. Well, I have a question from the top page.
 4 Am I supposed to wait until later, or can I
 5 question it now?
 6 Q. You can go ahead and ask.
 7 A. I'm confused when it says, "I am the only
 8 beneficial owner of the assets involved in
 9 the business relationship with Basel
 10 Institutional." I am not aware that I was
 11 involved with Basel Institution.
 12 Q. So you are not familiar with the name --
 13 A. No.
 14 Q. -- Basel Institutional?
 15 A. No.
 16 Q. But you remember signing this document?
 17 A. Yes.
 18 Q. And that is your signature at the bottom?
 19 A. Yes.
 20 Q. Okay. Flip to the next page. Do you
 21 remember signing this page?
 22 A. Yes.
 23 Q. And that's your signature at the bottom?
 24 A. Yes.
 25 Q. Flip to the next page, please.

1 you're confusing her with respect to what
 2 your question is.
 3 BY MR. KOHLHEPP:
 4 Q. I will re-ask my question.
 5 A. I don't remember reading this.
 6 Q. My question is: Do you remember reading the
 7 page of the document --
 8 A. This?
 9 Q. -- entitled Customer Agreement?
 10 A. No, I don't.
 11 Q. Could you please flip through the remaining
 12 four pages? Do you remember reading any of
 13 these pages?
 14 A. No, I don't. First of all, it kind of
 15 confuses me when you mention the word Basel
 16 because that was never entered into our
 17 conversation.
 18 Q. So when Grant was talking to you about this
 19 investment --
 20 A. Oxford.
 21 Q. He only talked about Oxford?
 22 A. Yes.
 23 Q. He never mentioned Basel Institutional?
 24 A. No.
 25 Q. You just need to answer to the best of your

1 MR. HUHTA: I'd like to make a
 2 note for the record the witness just threw up
 3 her hands and made a grunting noise. I
 4 assume because of the size of the print; is
 5 that correct?
 6 THE WITNESS: Do you want me to --
 7 do you want to wait while I read this whole
 8 page?
 9 BY MR. KOHLHEPP:
 10 Q. You don't need to read the whole page. Do
 11 you recognize this document? It's titled
 12 Customer Agreement, and it says, Basel at the
 13 top.
 14 A. No, I don't.
 15 Q. Do you remember reading through this
 16 document?
 17 A. Pardon?
 18 Q. Do you remember reading through this
 19 document?
 20 A. You mean these or this one?
 21 Q. The one that you're looking at right there.
 22 MR. HUHTA: We object to the form
 23 of the question. You just handed the witness
 24 an entire exhibit marked as 1, and now you're
 25 asking her about a particular page. I think

1 recollection.
 2 THE WITNESS: Right?
 3 MR. DAVID ANDERSON: (Nods head.)
 4 THE WITNESS: However, this is my
 5 helpmate since my husband passed away.
 6 BY MR. KOHLHEPP:
 7 Q. I understand that. For the purposes of this
 8 deposition, we just need to know what you
 9 know --
 10 A. All right.
 11 Q. -- and what you can remember.
 12 If I could have you flip back to
 13 the second page of this document, Exhibit
 14 Number 1. If you look at the top of the
 15 page, your Social Security number is written
 16 there?
 17 A. Yes.
 18 Q. Is that your Social Security number?
 19 A. Yes.
 20 Q. Is that your handwriting?
 21 A. No, I don't believe so. And I'll tell you
 22 why. Because the next paragraph or whatever,
 23 when it says my name, it's a small D instead
 24 of a capital D and it's printed, versus I
 25 never write anything where I print it.

1 Q. Okay. Are you talking about where it says,
 2 dotmarvel@aol.com?
 3 A. Yes. That's what I'm referring to.
 4 Q. Okay. Is that your e-mail address?
 5 A. Yes.
 6 Q. Do you use e-mail?
 7 A. Yes.
 8 Q. But you did not write this?
 9 A. Well, that's not my --
 10 MR. HUHTA: I'm going to object to
 11 the form.
 12 THE WITNESS: That's not my
 13 writing no. First of all, if I was --
 14 BY MR. KOHLHEPP:
 15 Q. I'm sorry. Let me rephrase my question. You
 16 did not write your e-mail address where it
 17 says, dotmarvel@aol.com on the second page of
 18 Exhibit Number 1?
 19 A. And what is your question about it?
 20 Q. Did you write that?
 21 A. No.
 22 Q. Okay. Thank you. If we go down the page to
 23 where it says, client financial information?
 24 A. Yes.
 25 Q. Do you see that?

1 A. Yes.
 2 Q. And there are some numbers written in there?
 3 A. Yes.
 4 Q. Did you write those in there?
 5 A. No.
 6 Q. Do you know who -- who do you think did write
 7 these numbers in there?
 8 MR. HUHTA: Objection; foundation.
 9 THE WITNESS: It couldn't be me
 10 because I did not have \$800,000 invested in
 11 anyway, so I wouldn't have written that.
 12 BY MR. KOHLHEPP:
 13 Q. Okay. I believe before that \$800,000 it
 14 says, client estimated total assets. So at
 15 that time, did you have \$800,000 worth of
 16 assets?
 17 A. No.
 18 Q. And it says, amount of first deposit,
 19 102,000; is that correct?
 20 A. Yes.
 21 Q. Now, you've said before that the signature at
 22 the bottom on page two of Exhibit 1 is your
 23 signature?
 24 A. Yes.
 25 Q. Do you remember signing this specific page?

1 A. I -- I believe so.
 2 Q. So it's possible that somebody else filled
 3 in --
 4 A. No.
 5 Q. -- the information --
 6 A. No.
 7 Q. Please let me finish my question.
 8 A. All right.
 9 MR. HUHTA: You may think you know
 10 where he's going to go, but let him finish
 11 his question first before you answer so we
 12 can make sure you understand.
 13 BY MR. KOHLHEPP:
 14 Q. And so we're clear for the record. My
 15 question is: Is it possible that somebody
 16 else filled in the information on the top
 17 part of page two --
 18 A. Yes.
 19 Q. -- and then had you sign the bottom?
 20 A. Yes.
 21 Q. Do you know who would have filled in that
 22 information?
 23 A. No, I don't.
 24 Q. Would it have been Grant?
 25 MR. HUHTA: Objection; form.

1 THE WITNESS: I -- I don't know.
 2 BY MR. KOHLHEPP:
 3 Q. Just so we're clear, do you remember who
 4 showed you this document when -- at the time
 5 you decided to transfer your \$100,000 into
 6 the Oxford investment program --
 7 MR. HUHTA: Objection; form.
 8 BY MR. KOHLHEPP:
 9 Q. -- somebody gave you this document to sign;
 10 is that correct?
 11 A. Yes.
 12 Q. Do you remember who gave you this document to
 13 sign?
 14 A. Grant.
 15 Q. And when he gave you this document, did he
 16 explain what Basel Institutional was?
 17 A. No.
 18 Q. Did you ask him at that time what Basel
 19 Institutional was?
 20 A. No.
 21 Q. And Grant told you you were investing in a
 22 company called Oxford?
 23 MR. HUHTA: Objection; form.
 24 THE WITNESS: Yes.
 25 BY MR. KOHLHEPP:

1 Q. And that's what you understood when you
 2 signed this --
 3 A. Yes.
 4 Q. -- agreement?
 5 I'm showing the witness what's
 6 been marked as Dot Anderson Exhibit Number 2.
 7 Please take a minute to look that over. It's
 8 a two-page document. Please look at pages
 9 one and two.
 10 A. (Reviews document.)
 11 Q. Do you recognize this document?
 12 MR. HUHTA: Why don't you give her
 13 enough time to look at both pages since you
 14 asked her to. I think she's still on the
 15 first page.
 16 THE WITNESS: No, I don't remember
 17 seeing this.
 18 BY MR. KOHLHEPP:
 19 Q. Why don't you look at the second page also.
 20 Do you remember seeing that page?
 21 A. I must have seen it because that's my
 22 signature.
 23 Q. At the bottom of the page where it says,
 24 signature, Dot M. Anderson, that's your
 25 signature?

1 A. Yes.
 2 Q. But you don't specifically recall seeing this
 3 page?
 4 A. No.
 5 Q. Okay. Flip back to the front page, please,
 6 of Exhibit 2. In the middle of the page
 7 there's some handwriting and it says, Oxford
 8 Global Partners and Trevor Cook, and then it
 9 looks like an e-mail address. Is that your
 10 writing?
 11 A. No.
 12 Q. Does that look like Grant's handwriting?
 13 A. I have not seen a lot of my grandson's
 14 writing, but I have to assume that was his
 15 writing.
 16 Q. Okay. Why do you assume that?
 17 A. Because I was dealing with him as a salesman.
 18 Q. Okay. Did you ever deal with anybody else as
 19 a salesman?
 20 A. No, I haven't.
 21 Q. Okay. I'm handing the witness what's been
 22 marked Dot Anderson Exhibit Number 3. Please
 23 take a minute again to look over the
 24 document.
 25 A. Are you asking if I saw this?

1 Q. That will be my next question. But please
 2 first take a minute to look it over. Make
 3 sure you flip through all of the pages. It's
 4 about a six-page document.
 5 A. (Reviews document.) I don't remember seeing
 6 these. However, this is my signature, and
 7 this is my signature.
 8 Q. Just so we're clear for the record, on page
 9 four of the document, that's your signature
 10 at the bottom?
 11 A. Yes.
 12 Q. And on page five, that's also your signature
 13 at the bottom?
 14 A. Yes.
 15 Q. And on page six, that's also your signature?
 16 A. Yes.
 17 Q. But you don't remember seeing this specific
 18 document?
 19 A. No. But this is not my signature.
 20 Q. Right. I understand that. That's -- the
 21 exhibit mark that the court reporter put on
 22 there so we can identify that document.
 23 Can you flip to page six, please?
 24 That's the last page. So under the second
 25 heading on page six, it says, Exposure. And

1 it says, "The cumulative accounts will have
 2 zero speculative positions at all times."
 3 Do you remember Grant talking to
 4 you about the risk of this investment?
 5 MR. HUHTA: Objection; form.
 6 THE WITNESS: No.
 7 BY MR. KOHLHEPP:
 8 Q. Do you remember Grant talking to you about
 9 this paragraph on page 6 of Exhibit 3?
 10 A. No.
 11 Q. The next heading says Return. And it says,
 12 "The account seeks to generate a return of
 13 10.5 percent."
 14 Is that what you understood your
 15 investment return to be?
 16 MR. HUHTA: Objection; form.
 17 Misstates the document and misstates her
 18 earlier testimony.
 19 BY MR. KOHLHEPP:
 20 Q. On page 6 of Exhibit 3 it says that "The
 21 account seeks to generate a return of 10.5
 22 percent per year."
 23 Do you remember Grant telling you
 24 that the account would return 10.5 percent
 25 interest?

1 MR. HUHTA: Objection; form.
 2 THE WITNESS: I believe he told me
 3 that.
 4 BY MR. KOHLHEPP:
 5 Q. And when you decided to invest your \$100,000,
 6 what did you understand the interest rate to
 7 be?
 8 MR. HUHTA: Objection; form, asked
 9 and answered.
 10 THE WITNESS: 10.5.
 11 BY MR. KOHLHEPP:
 12 Q. Okay. I'm showing the witness what has been
 13 marked as Exhibit 4. This exhibit is a
 14 series of documents, and I'd like to go page
 15 by page.
 16 A. I do not recognize the second line,
 17 DLK471-166-760-912. I have no idea what that
 18 means.
 19 Q. I'm sorry. Could you please point to where
 20 you're looking?
 21 A. Under my name, that next line.
 22 Q. Okay. That's --
 23 A. I don't recognize it.
 24 Q. The second line on page one, Exhibit 4. Do
 25 you recognize the document?

1 in Florida.
 2 Q. And at each of those banks, do you have only
 3 one account?
 4 A. Yes.
 5 Q. So this deposit ticket is from your account
 6 at TCF Bank?
 7 A. Yes.
 8 Q. Okay.
 9 A. Except I'm questioning those numbers
 10 underneath my name.
 11 MR. DAVID ANDERSON: Driver's
 12 license number.
 13 THE WITNESS: Pardon?
 14 MR. DAVID ANDERSON: Driver's
 15 license number.
 16 THE WITNESS: Oh. My son says
 17 it's my driver's license numbers.
 18 BY MR. KOHLHEPP:
 19 Q. Okay. Thank you. Now, at the bottom of the
 20 check, there is a -- there are two numbers.
 21 The second number ends in a 2219?
 22 A. Yes.
 23 Q. Is that your bank account number?
 24 A. Yes.
 25 Q. Do you recognize that number?

1 A. Yes.
 2 MR. HUHTA: Objection; form. You
 3 mean this page?
 4 BY MR. KOHLHEPP:
 5 Q. Let me restate my question. Do you recognize
 6 the document that is shown on the first page
 7 of Exhibit 1?
 8 A. Yes.
 9 Q. What is it?
 10 A. I said yes.
 11 Q. What is it?
 12 A. Pardon?
 13 Q. What is the document that's shown on the
 14 first page of Exhibit 1?
 15 A. A blank of TCF, where I invest money. I
 16 don't know what else you'd say.
 17 Q. On the side it says a deposit ticket. Is
 18 that a deposit ticket for your bank account?
 19 A. Yes.
 20 Q. How many bank accounts do you have currently?
 21 A. Three.
 22 Q. Where are they?
 23 A. St. Cloud and St. Petersburg, Florida.
 24 Q. What banks are they at?
 25 A. TF -- TCF, Minnwest -- Minnwest and Sun Trust

1 A. Yes.
 2 Q. Please flip to page two of Exhibit 4. Do you
 3 recognize the document shown on page 2 of
 4 Exhibit 4?
 5 A. Yes.
 6 Q. And what is it?
 7 A. It says, void.
 8 Q. What is the document that's shown on page
 9 two?
 10 A. It's from TCF.
 11 Q. It looks like a check from your bank account
 12 at TCF; is that correct?
 13 A. Yes.
 14 Q. Flip to page three, please. Do you recognize
 15 the document shown on page three?
 16 A. Yes.
 17 Q. What is it?
 18 A. My driver's license.
 19 Q. Okay. Flip to page four, please. Do you
 20 recognize this document?
 21 MR. HUHTA: I object to form.
 22 BY MR. KOHLHEPP:
 23 Q. Do you recognize the document shown on page 4
 24 of Exhibit 4?
 25 A. This must have been when I was in my home --

1 my previous home that I have sold. That's
 2 the address here. I mean, that telephone
 3 number is not my telephone number now. It's
 4 my previous telephone number when I lived in
 5 my home that I have since sold.
 6 Q. You're referring to the telephone number
 7 320-240-8403?
 8 A. Yes.
 9 Q. And what was the address of the home that you
 10 lived in that had that telephone number?
 11 A. 4386 Clearwater Road, St. Cloud.
 12 Q. Okay. Have you seen this document before?
 13 A. I don't remember seeing this, but it's my
 14 signature at the bottom.
 15 Q. Okay. Do you remember signing this document?
 16 A. No, I don't remember signing it, but I must
 17 have because that's my signature.
 18 Q. If you look at the top half of the document,
 19 there's some words handwritten in there: An
 20 account number, your name, Dot Marvel
 21 Anderson, your telephone number and the
 22 phrase "close account." Is that your
 23 handwriting?
 24 A. No.
 25 Q. Does it look like Grant's handwriting?

1 A. Yes. But -- but I didn't know I was
 2 investing in Basel International, but it's
 3 printed there.
 4 Q. Have you seen this cashier's check before
 5 today?
 6 A. Well, I suppose I did. But being human, I
 7 probably didn't recognize Basel on there. I
 8 thought I was dealing with Oxford.
 9 Q. Okay. So when you decided to invest your
 10 \$100,000, you went to the bank and got a
 11 cashier's check --
 12 A. Yes.
 13 Q. -- is that correct?
 14 A. Yes.
 15 Q. And you took that out of your account at TCF
 16 Bank?
 17 A. Yes.
 18 Q. Okay. And then what did you do with the
 19 cashier's check once you got it from the
 20 bank?
 21 A. Gave it to Grant.
 22 Q. Did you physically give it to him or did you
 23 mail it to him?
 24 A. Yes, physically.
 25 MR. HUHTA: Let me just note for

1 A. No. I think it's someone from the bank.
 2 Q. So you don't know who filled in --
 3 A. No, I don't.
 4 Q. -- the top half of this document?
 5 A. No, I do not.
 6 Q. And then below that -- again, we're on page 4
 7 of Exhibit 4, it says, Bank Account
 8 Information. And then handwritten in --
 9 still on that same page -- handwritten in it
 10 says, TCF. There's a routing number that
 11 says, "CO Trustee Dot M. Anderson" and then
 12 an account number?
 13 A. Yes.
 14 Q. Is that your handwriting?
 15 A. No.
 16 Q. Okay. Please go to page 5 of Exhibit 4. Do
 17 you recognize this document?
 18 A. No.
 19 Q. Flip to page six, please. Do you recognize
 20 that document?
 21 A. No.
 22 Q. Flip to page seven. At the top of page
 23 seven, there's a photocopy of what looks like
 24 a cashier's check. Do you recognize that
 25 cashier's check?

1 the record an objection. You keep looking at
 2 a \$100,000 investment, but you're looking at
 3 a check for \$102,000 that you were just
 4 questioning her about.
 5 BY MR. KOHLHEPP:
 6 Q. Now, if you look below that copy of the
 7 cashier's check, there's a note and it looks
 8 like it says, "Gave CK to TC - 6/15." Is
 9 that your handwriting?
 10 A. I don't think so.
 11 Q. Please flip to the next page. This is page 8
 12 of Exhibit 4. Do you recognize this page?
 13 A. No, I do not. And I am confused that it
 14 still says Basel up there.
 15 Q. I understand your confusion, but you just
 16 have to answer to the best of your ability.
 17 A. Yes.
 18 Q. Flip to the next page, please. Do you
 19 recognize this document?
 20 A. No.
 21 Q. Is that your signature at the bottom?
 22 A. No. That is my grandson's signature.
 23 Q. Your grand --
 24 A. Grant Gryzbowski. That's his signature.
 25 Q. Thank you. Flip to the next page, page 10 of

1 Exhibit 4. Once again, it looks like a
 2 photocopy of a cashier's check?
 3 A. It looks --
 4 Q. Do you recognize that cashier's check?
 5 A. It looks like it was on one of the other
 6 pages.
 7 Q. So this is the cashier's check that you gave
 8 to Grant?
 9 A. Yes.
 10 Q. And there's a note again below it. Is that
 11 your handwriting?
 12 A. I don't believe so.
 13 Q. Okay. Flip to the last page of Exhibit 4.
 14 Do you recognize what's on --
 15 A. Yes.
 16 Q. -- the last page?
 17 A. Yes.
 18 Q. What is that?
 19 A. My driver's license.
 20 Q. Do you remember giving your driver's license
 21 to Grant when you decided to invest?
 22 A. I don't remember giving it to him.
 23 Q. So I believe previously you said that you
 24 invested \$100,000 with Oxford?
 25 A. \$102,000.

1 Q. I believe you had said previously \$100,000.
 2 Now the cashier's check said \$102,000.
 3 A. Yes.
 4 Q. Do you remember if Grant told you how that
 5 money was going to be used?
 6 A. No, I don't remember how that was going to be
 7 used.
 8 Q. Okay. Did Grant tell you if he was going to
 9 get --
 10 A. Can you --
 11 Q. Let me ask the question. Did Grant get any
 12 commission that you know?
 13 A. I don't know.
 14 Q. Did he ever talk about commission?
 15 A. No.
 16 Q. How did you decide on the amount of money
 17 that you wanted to invest?
 18 A. How did I decide? Well, I decided to invest
 19 that because of the large interest charge --
 20 rate.
 21 Q. Okay. So you hear about this investment
 22 opportunity. You go talk to Grant about it.
 23 A. To who?
 24 Q. To Grant Gryzbowski, your grandson?
 25 A. (Witness nods head.)

1 Q. Then you decide you want to invest some
 2 money?
 3 A. Yes.
 4 Q. How did you decide what amount of money to
 5 invest?
 6 A. Well, I didn't want to take all of my savings
 7 and put it in this, so that's why I chose
 8 100,000.
 9 Q. And then once you had decided to invest
 10 100,000, you go to the bank and get a
 11 cashier's check for \$102,000. Do you
 12 remember why you got it for \$102,000?
 13 A. Obviously Grant told me to do that.
 14 Q. So after you give the cashier's check to
 15 Grant, did you talk to him about your
 16 investment after that?
 17 A. No.
 18 Q. Did you receive any statements in the mail
 19 showing how much interest your investment had
 20 earned or anything like that?
 21 A. I may -- he may have given me one, but I'm
 22 not sure.
 23 Q. Okay. Did you ever ask Grant about the
 24 status of your investment after you gave
 25 him --

1 A. No, I didn't.
 2 Q. -- the check for \$102,000?
 3 A. No, I did not.
 4 Q. Okay. So you invested on June 15th of 2009.
 5 Could you just walk me through how you came
 6 to get the money back?
 7 A. Pardon?
 8 Q. Could you walk me through how you came to get
 9 the money out?
 10 A. I called Grant on the telephone.
 11 Q. Do you remember when this was -- the date?
 12 A. No, I do not remember the exact date.
 13 Q. Do you remember approximately?
 14 A. Perhaps the first part of the month of July.
 15 Q. This would be July 2009?
 16 A. Yes.
 17 Q. So this is several weeks after you invested?
 18 A. I believe I invested June 15th and -- and
 19 took -- withdrew the money something like
 20 July 5th or something, which would make it
 21 about three weeks.
 22 Q. Okay. So you said you called Grant?
 23 A. Yes.
 24 Q. Why did you call Grant?
 25 A. To see if I could get my money back out.

1 Q. What made you decide that you wanted to get
2 your money back out?
3 A. Because of the newspaper advertisement.
4 Q. Okay. What was the newspaper --
5 A. In regards --
6 Q. -- about?
7 A. -- to the Ponzi scheme with relation to
8 Trevor Scott [sic].
9 Q. So you saw a newspaper article about Trevor
10 Cook's Ponzi scheme?
11 A. Yes.
12 Q. And you read it?
13 A. Yes.
14 Q. And then you called Grant to ask for your
15 money out?
16 A. Yes.
17 Q. Do you remember -- when you read that
18 article, did you call Grant that same day?
19 A. That I'm not sure of. Perhaps, but I'm not
20 sure. That day or the next day.
21 MR. KOHLHEPP: I'm going to have
22 the court reporter mark Exhibit 5, please.
23 (Recess taken from 2:22 p.m. until
24 2:29 p.m., during which time Exhibit 5 was
25 marked for identification.)

1 Tribune?
2 A. Yes.
3 Q. Did you read it in paper form?
4 A. Yes.
5 Q. So you did not read it online?
6 A. No.
7 Q. I'm going to point you again to Exhibit
8 Number 5. Exhibit Number 5 is an article
9 from the Star and Tribune, but it's not the
10 article that you read; is that correct?
11 MR. HUHTA: Objection; form.
12 THE WITNESS: I don't remember
13 reading this.
14 BY MR. KOHLHEPP:
15 Q. Could you flip to the second to last page of
16 Exhibit 5?
17 A. This one?
18 Q. The second to the last page. Do you
19 recognize this page?
20 A. No, I do not.
21 Q. Towards the top of the page, it appears that
22 somebody circled July 12th, 2009?
23 A. Yes.
24 Q. Do you remember doing that?
25 A. No.

1 BY MR. KOHLHEPP:
2 Q. I'm showing the witness what has been marked
3 Dot Anderson Exhibit Number 5. Do you
4 recognize this document?
5 A. (Reviews document.) There's only one mention
6 of Trevor Cook here that I see, and so I
7 don't remember reading this article.
8 Q. The article that you read talked about Trevor
9 Cook more than this article?
10 A. Yes.
11 Q. Okay. Do you remember what the article said
12 about Trevor Cook?
13 A. I believe I thought that, in reading the
14 newspaper, that he was the leading investor
15 or whatever in this Ponzi scheme that was
16 leaving many people losing a lot of money.
17 Q. Okay. And at that time, you knew that your
18 money was invested with Trevor Cook?
19 A. Yes.
20 Q. But you had never met Trevor --
21 A. No. Wait a minute. Oh, yes, yes, yes.
22 Q. You had never met Trevor Cook, though?
23 A. No.
24 Q. Okay. The newspaper article that you saw
25 before you called Grant, was it in the Star

1 Q. If you go to the bottom of the page, at the
2 very bottom it says, "AOL:JoAnne2442."
3 Do you see where it says that?
4 A. Yes.
5 Q. Who is JoAnne?
6 A. His wife. My daughter-in-law.
7 Q. When you say his, you're referring to --
8 A. My son David's wife, who is my
9 daughter-in-law.
10 Q. You don't remember reading the article that
11 appears on the second to the last page of
12 Exhibit 5?
13 A. No, I do not.
14 Q. So you read an article in the Star and
15 Tribune about Trevor Cook, and then you
16 called Grant. And what did you tell Grant
17 when you called him?
18 A. Is it possible to get my investment back.
19 Q. And what did Grant tell you?
20 A. He said he would try to do that.
21 Q. Did he tell you anything else?
22 A. No.
23 Q. Did you ask him -- so he said he would try to
24 get your investment out. He wasn't sure that
25 he could get your investment out?

1 MR. HUHTA: Objection; form,
 2 foundation.
 3 THE WITNESS: I don't know.
 4 BY MR. KOHLHEPP:
 5 Q. Where did you call Grant -- when you called
 6 Grant, what phone number did use?
 7 A. I don't remember what number, but it was his
 8 office number or -- or his e-mail -- I mean,
 9 cell phone. I don't remember. One or the
 10 other.
 11 Q. Did Grant tell you where he was when you
 12 called him?
 13 A. At his office.
 14 Q. Where was his office?
 15 A. The palace.
 16 Q. The Van Dusen Mansion?
 17 A. Yes.
 18 Q. When you called Grant to ask for the money,
 19 how much money did you ask for?
 20 A. I believe I said 100,000.
 21 Q. Okay. So you called Grant, asked for
 22 \$100,000. He said he would try to get it.
 23 Then what happened?
 24 A. Then I -- I have to assume, since this is two
 25 years ago, that he called me the next day to

1 say he could get this money back to me.
 2 Q. So he called you back a second time?
 3 MR. HUHTA: Objection; form.
 4 THE WITNESS: One time.
 5 BY MR. KOHLHEPP:
 6 Q. So you called Grant to ask him to get the
 7 \$100,000 out. Then he called you back --
 8 A. Yes.
 9 Q. -- and said what?
 10 A. That he was going to try to get this money.
 11 Q. Was this the same day that you called him?
 12 A. I believe so.
 13 Q. Do you remember how much time there was
 14 between when you called him and when he
 15 called you back?
 16 A. No, I'm sorry, I do not.
 17 Q. What did he tell you when he called you back?
 18 A. That he was going to try to get my money
 19 back.
 20 Q. So at that point the money was not yet back
 21 in your bank account?
 22 A. That's right.
 23 Q. Okay. Then what happened?
 24 MR. HUHTA: Objection; form. What
 25 happened with respect to what?

1 BY MR. KOHLHEPP:
 2 Q. After Grant called you back and said he would
 3 try to get your money out, did you receive
 4 the money?
 5 A. A day or two. I don't know for sure.
 6 Q. But you did receive the \$100,000 that you had
 7 asked for?
 8 A. Yes.
 9 Q. Do you know how that was transferred to you?
 10 A. No, I do not. It was just sent to my account
 11 at TCF.
 12 Q. How did you find out that the money was at
 13 your account at TCF?
 14 A. Perhaps Grant told me it was taken care of or
 15 my money was returned.
 16 Q. Did you check to see if your money --
 17 A. Yes.
 18 Q. -- had been returned?
 19 A. Yes.
 20 Q. How did you check on that?
 21 A. Went to the bank.
 22 Q. And what did you do at the bank?
 23 A. I can't make phone calls at the bank.
 24 Q. So you went to the bank?
 25 A. Yes.

1 Q. And who did you talk to at the bank?
 2 A. Just a teller.
 3 Q. Okay. And what did you ask them?
 4 A. The balance of my account.
 5 Q. And what did they tell you?
 6 A. They looked it up and found that it was
 7 there -- the 100,000 was in my account.
 8 Q. And when you called Grant to ask him to send
 9 the 100,000 to you, did he say that you
 10 needed to fill out any paperwork?
 11 A. No.
 12 Q. Did you fill out any paperwork?
 13 A. Not to my knowledge.
 14 Q. So you called Grant, and then a little while
 15 later he called you back and said he would
 16 try to get the money out. And then did you
 17 talk to him after that about the money before
 18 you went down to the bank to check?
 19 MR. HUHTA: I'm going to object to
 20 the form.
 21 THE WITNESS: I believe I did.
 22 BY MR. KOHLHEPP:
 23 Q. Do you remember what he told you?
 24 A. He told me that he was able to get the money
 25 out for me and that it would be sent back to

1 my account at TCF.

2 Q. But you did not fill out any paperwork?

3 MR. HUHTA: Objection; form, asked

4 and answered and misstates documents that you

5 showed the witness earlier.

6 THE WITNESS: No. Is -- may I ask

7 a question?

8 BY MR. KOHLHEPP:

9 Q. Sure. Go ahead.

10 A. Is this the only Star Tribune print that you

11 have of when this happened?

12 Q. That is the only one that we received from

13 your attorney.

14 MR. KOHLHEPP: I'm going to ask

15 the court reporter to mark this as I believe

16 Exhibit 6.

17 (Exhibit 6 was marked for

18 identification.)

19 BY MR. KOHLHEPP:

20 Q. I'm showing the witness what's been marked

21 Exhibit 6.

22 A. Pardon? What did you say?

23 Q. I'm showing the witness what has been marked

24 Exhibit 6.

25 MR. HUHTA: This document is

1 Exhibit 6. That's what he called this now.

2 BY MR. KOHLHEPP:

3 Q. Do you recognize -- please look at the

4 document. Do you recognize the document?

5 A. It may have been Grant. I do not know for

6 sure.

7 Q. Is that your handwriting?

8 A. No.

9 Q. Do you remember talking to the receiver about

10 a year ago last March?

11 A. No.

12 Q. I believe there was a telephone conversation.

13 A. No. It's possible it was my son, but not me.

14 Q. I believe your son was also on the line, Dave

15 Anderson, and I believe you were on the line

16 as well?

17 A. Yes.

18 Q. Do you remember that?

19 A. Yes.

20 Q. I was also on the line, and there was one

21 other man --

22 A. Yes.

23 Q. -- who was working for the receiver on the

24 line. Do you remember this conversation?

25 A. Somewhat.

1 Q. Now, at that time, you told us that when

2 Grant called you back, he said that if you

3 had asked for your money only 20 or 30

4 minutes later, you wouldn't have been able to

5 get it out. Do you remember saying that?

6 MR. HUHTA: Objection; form.

7 THE WITNESS: Him saying it?

8 BY MR. KOHLHEPP:

9 Q. Yes. Do you remember Grant saying that?

10 A. I remember him saying within 6 hours I would

11 not have been able to get it out, not 30

12 minutes.

13 Q. Why was that?

14 MR. HUHTA: Objection; form.

15 THE WITNESS: I do not know how

16 that was.

17 BY MR. KOHLHEPP:

18 Q. Did he tell you anything else?

19 A. No.

20 Q. So he told you that if you had asked for your

21 money six hours later, he wouldn't have been

22 able to get it out?

23 A. That's right.

24 Q. Is that correct?

25 A. That's right.

1 Q. Did he tell you why that was?

2 A. No.

3 Q. Did you ask him why that was?

4 A. No.

5 Q. During our conversation on March 3rd, a

6 little over a year ago, you told us that you

7 understood the money could only be withdrawn

8 from a certain account and not from other

9 accounts?

10 MR. HUHTA: I'm going to object to

11 the form of the question. Let me also state

12 for the record that we asked for any

13 statements and you provided none.

14 THE WITNESS: You'll have to

15 repeat the question.

16 MR. KOHLHEPP: Let me briefly

17 state for the record the only -- there are no

18 statements. We have provided to you as Bates

19 number IR-002540 as the only non-privileged

20 notes from that conversation.

21 MR. HUHTA: Did you identify any

22 admissions you claim the witness made in

23 response to discovery?

24 MR. KOHLHEPP: I believe our

25 responses to our discovery speak for

1 themselves. They're in the record.
 2 BY MR. KOHLHEPP:
 3 Q. I'll restate my question, Ms. Anderson.
 4 During our March 3rd, 2010 conversation, you
 5 told us that you understood the money could
 6 only be withdrawn from certain accounts
 7 because other accounts weren't accessible?
 8 MR. HUHTA: Objection; form.
 9 BY MR. KOHLHEPP:
 10 Q. Do you remember saying this?
 11 A. No.
 12 Q. Do you remember Grant telling you that?
 13 MR. HUHTA: Objection; form.
 14 THE WITNESS: No.
 15 BY MR. KOHLHEPP:
 16 Q. Do you know why certain accounts wouldn't be
 17 accessible?
 18 MR. HUHTA: Objection; form and
 19 foundation.
 20 THE WITNESS: No, I wouldn't.
 21 BY MR. KOHLHEPP:
 22 Q. Do you know if Grant tried to get anybody
 23 else's money out for them?
 24 A. No, I don't.
 25 Q. Did Grant talk to you about any other people

1 that he had helped invest in the Oxford
 2 program?
 3 A. No.
 4 Q. Did you ever ask Grant if he had helped other
 5 people invest in the Oxford program?
 6 A. No, I did not.
 7 MR. KOHLHEPP: I'm going to ask
 8 that this be marked as Exhibit 7.
 9 (Exhibit 7 was marked for
 10 identification.)
 11 BY MR. KOHLHEPP:
 12 Q. I'm handing the witness what's been marked
 13 Dot Anderson Exhibit 7. Please take a moment
 14 to look at that document. Do you recognize
 15 this document?
 16 A. Pardon? What?
 17 Q. Do you recognize this document?
 18 A. No.
 19 Q. If you look near the top it says, Premier
 20 Savings, and then there's what appears to be
 21 an account number. And then it says, Dot
 22 Marvel Anderson. Do you recognize that
 23 account number?
 24 A. Well, it could be --
 25 Q. Answer to the best of your ability.

1 A. It could be my TCF account.
 2 Q. Do you recognize the account number? It ends
 3 in 4116.
 4 A. No.
 5 Q. Is that number familiar to you?
 6 A. No, I do not recognize it.
 7 Q. If we could go back to page 1 of Exhibit 4, I
 8 believe you said that was a deposit ticket
 9 from your account at TCF Bank. Do you
 10 remember that? And at the bottom --
 11 A. Yes, I recognize this number.
 12 Q. So is it possible that you have two accounts
 13 at TCF Bank?
 14 A. No.
 15 MR. DAVID ANDERSON: Checking.
 16 THE WITNESS: Oh, yes. One was
 17 checking and one was savings, I think.
 18 BY MR. KOHLHEPP:
 19 Q. So you have a savings account and a checking
 20 account at TCF?
 21 A. Yes.
 22 Q. Okay. So going back now to Exhibit 7, the
 23 account ending in 4116, is that your savings
 24 account at TCF Bank?
 25 A. Perhaps.

1 Q. Okay. Just answer to the best of your
 2 ability.
 3 A. Yes, it is.
 4 Q. Okay. So when you went to the bank to check
 5 to see if Grant had sent the money back
 6 there --
 7 A. Yes.
 8 Q. -- how much money had been sent back to the
 9 account?
 10 A. Well, 101,000 for some reason.
 11 Q. Why do you say for some reason?
 12 A. Well, because we're talking 102,000, but now
 13 they sent back 101,000. But later it's
 14 mentioned 102,000 going out. Oh, yeah,
 15 that's the 15th of June.
 16 Q. Okay. Now, without looking at that document,
 17 do you remember how much money was in that
 18 account when you went to the bank to ask?
 19 MR. HUHTA: Do you mean does a
 20 90-year-old woman have an independent
 21 recollection --
 22 THE WITNESS: I --
 23 MR. HUHTA: Just stop. Does a
 24 90-year-old woman have an independent
 25 recollection about what happened two years

1 ago about what the precise amount in her bank
 2 account balance was on a day two years ago
 3 when she went in? That is an unfair question
 4 when you're telling her not to look at --
 5 MR. KOHLHEPP: Let me rephrase my
 6 question, please.
 7 BY MR. KOHLHEPP:
 8 Q. Do you remember when you went to the bank to
 9 check to see if the money had been put back
 10 in your account, do you remember how much
 11 money had been put back in that account?
 12 Without looking at that Exhibit 7.
 13 MR. HUHTA: You're able to look
 14 at any document --
 15 BY MR. KOHLHEPP:
 16 Q. Do you --
 17 MR. HUHTA: No. You're able to
 18 look at any documents that are here that have
 19 been marked as exhibits if that will help you
 20 answer a question. It's unfair for
 21 Mr. Kohlhepp to try to tell you -- ask you if
 22 you have an independent recollection of what
 23 the numbers were. If any of these documents
 24 will help you refresh your recollection, it's
 25 fine for you to look at them.

1 just told you she didn't know.
 2 BY MR. KOHLHEPP:
 3 Q. Did he say it was coming from Basel
 4 Institutional Company?
 5 A. Pardon?
 6 Q. Did he say it was coming from Basel
 7 Institutional Company?
 8 A. No.
 9 Q. Did he mention Basel Institutional to you?
 10 A. No.
 11 Q. So after the 101,000 was wired to your bank
 12 account, did you leave it in that account?
 13 A. Yes.
 14 Q. Is that money still in that account today?
 15 A. No.
 16 Q. What did you do with that money?
 17 A. I invested it somewhere else because the
 18 interest rate had dropped a lot, from 3
 19 percent to nothing.
 20 Q. The interest rate in your account at --
 21 A. My savings account.
 22 Q. Do you remember where you invested it? Just
 23 please answer to the best of your
 24 recollection.
 25 MR. DAVID ANDERSON: Florida.

1 THE WITNESS: I'm confused.
 2 BY MR. KOHLHEPP:
 3 Q. You asked -- you call Grant, asked him to get
 4 the money out and put it back in your
 5 account. When you went to the bank to see if
 6 the money was in your account, do you
 7 remember how much money had been put in your
 8 account?
 9 A. I believe or -- it was 101,000.
 10 Q. Okay.
 11 (Attorney Tara Norgard enters the
 12 room.)
 13 MR. KOHLHEPP: This is
 14 Ms. Norgard. She'll be joining us for the
 15 remainder of the deposition.
 16 BY MR. KOHLHEPP:
 17 Q. Now, when Grant called you to tell you that
 18 he was able to send your money to the TCF
 19 Bank account, did he tell you where that
 20 money was coming from?
 21 A. No.
 22 Q. Did he say it was coming from the Oxford
 23 Company?
 24 A. No.
 25 MR. HUHTA: Objection; form. She

1 THE WITNESS: I believe this is
 2 when we invested in Florida -- at St.
 3 Petersburg, Florida at the Sun Trust Bank.
 4 BY MR. KOHLHEPP:
 5 Q. And is that money still at the Sun Trust Bank
 6 today?
 7 A. Yes, it is.
 8 Q. Before you transferred this \$100,000 to the
 9 Oxford, had you done any investing --
 10 MR. HUHTA: Objection.
 11 BY MR. KOHLHEPP:
 12 Q. -- before that?
 13 MR. HUHTA: Objection; form.
 14 Misstates the testimony and the amount.
 15 THE WITNESS: I didn't quite
 16 understand your question.
 17 BY MR. KOHLHEPP:
 18 Q. Had you invested any money prior to investing
 19 your money with Grant?
 20 A. I don't understand that question.
 21 Q. I'll try to rephrase. In the past, before
 22 you decided to invest with Grant Gryzbowski
 23 at the Oxford, had you invested your money
 24 anywhere else?
 25 MR. DAVID ANDERSON: Other than a

1 bank?

2 THE WITNESS: No.

3 MR. DAVID ANDERSON: Just a bank.

4 THE WITNESS: Just at the bank. A

5 savings account.

6 BY MR. KOHLHEPP:

7 Q. Okay. So you hadn't put your money in any

8 other programs similar to what Grant was

9 describing to you?

10 A. No.

11 Q. Have you ever invested in any stocks?

12 A. No.

13 Q. Have you invested in any mutual funds?

14 A. I believe my husband did quite a few years

15 ago.

16 Q. Did you yourself invest in any mutual funds?

17 A. No.

18 MR. KOHLHEPP: I'm going to have

19 the court reporter mark this as Exhibit 8.

20 (Exhibit 8 was marked for

21 identification.)

22 BY MR. KOHLHEPP:

23 Q. I'm handing the witness what has been marked

24 Exhibit 8. I believe a copy of this document

25 appeared in an earlier exhibit that we looked

1 MR. KOHLHEPP: We're going to take

2 a quick break.

3 (Recess taken from 3:09 p.m. until

4 3:24 p.m., after which time Exhibit 9 was

5 marked for identification.)

6 BY MR. KOHLHEPP:

7 Q. I'm showing the witness what has been marked

8 as Dot Anderson Number 9. Please take a

9 minute to read over the article.

10 A. You want me to read this?

11 Q. Yes, please.

12 A. (Reviews document.) Yes. I've never heard

13 that name, Gerald Durand.

14 Q. Do you recognize this article?

15 A. Well, perhaps -- perhaps I had read that --

16 this. But right now when I think of it, I

17 don't remember hearing his name, Gerald

18 Durand, during all of this. Bo Beckman and

19 Kiley and whatnot, but not that name.

20 Q. Do you remember having read this article

21 before?

22 A. I -- I'll say yes.

23 Q. Did you read this article before you called

24 Grant --

25 MR. HUHTA: Objection; form.

1 at as part of a compilation.

2 A. Yes, I looked at it before.

3 Q. Looking at Exhibit 8, at the top it's

4 entitled Withdrawal Form.

5 A. Yes.

6 Q. And just so we're clear for the record, you

7 have not seen this document before today?

8 MR. HUHTA: Objection; form.

9 Misstates her testimony.

10 THE WITNESS: I don't believe I've

11 seen this before.

12 BY MR. KOHLHEPP:

13 Q. But that is your signature at the bottom?

14 A. Yes, yes. But I don't remember seeing it.

15 Q. Ms. Anderson, do you remember if Grant ever

16 had you sign any blank forms?

17 A. No.

18 Q. He never gave you a form and said, we just

19 need to have this on file; could you please

20 sign it?

21 A. No.

22 Q. Why don't we take a quick break and then

23 we'll finish up.

24 MR. HUHTA: All right.

25 THE WITNESS: Pardon?

1 BY MR. KOHLHEPP:

2 Q. -- to ask for your -- the money out?

3 A. Yes.

4 Q. So this was the article that you read before

5 calling Grant to ask for your money out?

6 A. I think so.

7 Q. One final question. Earlier, Ms. Anderson,

8 you mentioned that you had changed your mind

9 about something. What did you change your

10 mind about?

11 A. I don't want this recorded.

12 Q. I just need to make sure that you've been

13 completely truthful --

14 A. Oh, yes.

15 Q. -- with all of your answers today.

16 A. Yes, yes.

17 Q. So you've been completely truthful?

18 A. Yes, about everything that I've answered.

19 Q. And answered to the best of your ability?

20 A. Yes. But this other thing that I was going

21 to say is just that, as far as I'm concerned,

22 Grant and a couple other young fellows

23 working for Trevor did not know any of this

24 stuff was going on. And Grant was at the

25 receiver there just a week or so ago because

1 he ended up with a house that Trevor bought
 2 for him.
 3 MR. DAVID ANDERSON: That he lost.
 4 THE WITNESS: And he lost, yeah,
 5 yeah.
 6 MR. KOHLHEPP: Okay. Well, I
 7 think that concludes my questioning.
 8 EXAMINATION
 9 BY MR. HUHTA:
 10 Q. Mrs. Anderson, I have a couple of questions
 11 I'd like to ask you to clarify a few things.
 12 A. Okay.
 13 Q. What newspapers do you subscribe to?
 14 A. Right -- as of last October when I moved to
 15 Sauk Rapids, I'm taking the St. Cloud paper.
 16 But before that, for 40 years I took the Star
 17 Tribune.
 18 Q. So in 2009, you would have subscribed to the
 19 Star Tribune?
 20 A. Yes.
 21 Q. How often do you read the Star Tribune?
 22 A. Now?
 23 Q. Back then.
 24 A. Once every day. I'm a newspaper reader.
 25 Q. How many articles about the Trevor Cook Ponzi

1 scheme do you think you've read?
 2 A. Probably three. It's hard to say, but at
 3 least three.
 4 Q. And when you think -- were some of -- did you
 5 read some of those before you decided to
 6 withdraw your money?
 7 A. Yes. That's what -- what made me try to
 8 withdraw it.
 9 Q. And would it be fair to say that you've
 10 learned a lot of information since that time
 11 about what was going on?
 12 MR. KOHLHEPP: Objection; leading
 13 the witness.
 14 THE WITNESS: Yes.
 15 BY MR. HUHTA:
 16 Q. What information since you withdrew your
 17 money about the nature of the business that
 18 Trevor Cook was running?
 19 A. Well, there's individuals who have no
 20 conscience and they abscond with people's
 21 money and then skip the -- skip off or
 22 whatever.
 23 Q. All right. So would it be fair to say --
 24 strike that. When did you first hear the
 25 Trevor Cook situation described as a Ponzi

1 scheme?
 2 A. Probably a while after I got my money out
 3 because I guess it wasn't known or wasn't
 4 called that at the time.
 5 Q. Mrs. Anderson, how old are you?
 6 A. Ninety.
 7 Q. When's your birthday?
 8 A. April 30th.
 9 Q. How's your health been over the last year?
 10 A. Well, I had some trouble with depression.
 11 Q. What treatment did you have for depression?
 12 A. Much to my whatever, the doctor I was seeing
 13 suggested -- or said I should have shock
 14 treatments. However, when I went to Florida,
 15 they said that was so archaic, they don't
 16 even do it down there anymore. So he advised
 17 me on a new pill, and that's worked
 18 wonderfully.
 19 Q. How many shock treatments have you had?
 20 A. I hate to tell you. Seventeen. It's
 21 ridiculous, because when I got down there,
 22 they said you don't need them at all.
 23 Q. What is the effect that the shock treatments
 24 have had on your memory?
 25 A. It takes a little of your memory away. Yes,

1 it does take away a little of your memory.
 2 That's about it. I mean, I was put on this
 3 new medicine in March -- yeah, March, and
 4 I'm -- I think I'm capable.
 5 Q. Well, I'm glad to hear that. Mr. Kohlhepp
 6 asked you a number of questions about what
 7 he's calling Exhibit 8, and this is the
 8 document that says Basel Withdrawal Form?
 9 A. That bothers me in the first place, that
 10 name. I was never told that name.
 11 Q. Leaving that aside, he asked you some
 12 questions about whether or not you filled out
 13 a withdrawal form. Now, this document says
 14 withdrawal form on the form top, doesn't it?
 15 A. Yes.
 16 Q. And whose handwriting is on this document, if
 17 you know?
 18 A. I think it's Grant. It's not me.
 19 Q. All right. So you didn't fill out the top
 20 portion --
 21 A. No.
 22 Q. -- of Exhibit 8?
 23 A. No.
 24 Q. Is that your signature on the bottom?
 25 A. Yes.

1 Q. Are you certain that's your signature?
 2 A. Yes. Because I always take the T and go up
 3 and around, if you know what I mean. I don't
 4 just go like that. I go up and around, so
 5 that proves it's my signature.
 6 Q. That's all the questions I have. Thank you
 7 very much.
 8 A. Okay.
 9 MR. HUHTA: We'll read and
 10 sign.
 11 (Whereupon, the foregoing
 12 deposition was adjourned at 3:32 p.m.)
 13
 14
 15 ***REPORTER'S NOTE: The original transcript is
 16 being delivered to Attorney Peter M. Kohlhepp.
 17 The original exhibits are being attached to the
 18 original transcript.
 19
 20
 21
 22
 23
 24
 25

1 I, DOT M. ANDERSON, have read this deposition
 2 transcript and acknowledge herein its accuracy
 3 except as noted:
 4
 5
 6
 7
 8 _____
 9 Signature
 10
 11
 12
 13
 14 _____
 15 Notary Public
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1 ERRATA SHEET
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1 STATE OF MINNESOTA
 2 CERTIFICATE
 3 COUNTY OF RAMSEY
 4
 5 I, PAULA K. RICHTER, Registered Professional
 6 Reporter, hereby certify that I reported the
 7 deposition of DOT M. ANDERSON, on the 18th day of
 8 May, 2011, in Minneapolis, Minnesota, and that the
 9 witness was by me first duly sworn to tell the
 10 truth, the whole truth and nothing but the truth
 11 concerning the matter in controversy aforesaid;
 12 That I was then and there a Notary Public in
 13 and for the County of Ramsey, State of Minnesota;
 14 That by virtue thereof I was duly authorized
 15 to administer an oath;
 16 That the foregoing transcript is a true and
 17 correct transcript of my stenographic notes in said
 18 matter, transcribed under my direction and control;
 19 That the cost of the original has been
 20 charged to the party who noticed the deposition, and
 21 that all parties who ordered copies have been
 22 charged at the same rate for such copies;
 23 That the reading and signing of the
 24 deposition by the witness was not waived;
 25 That I am not related to nor an employee of
 any of the attorneys or parties hereto, nor a
 relative or employee of any attorney or counsel
 employed by the parties hereto, nor financially
 interested in the outcome of the action and have no
 contract with the parties, attorneys or persons with
 an interest in the action that affect or has a
 substantial tendency to affect my impartiality;
 WITNESS MY HAND AND SEAL this 25th day of
 May, 2011.

 Paula K. Richter
 Registered Professional Reporter
 Notary Public
 Ramsey County, Minnesota