

STATE OF SOUTH DAKOTA

STANLEY COUNTY

)
)ss
)

IN CIRCUIT COURT

SIXTH JUDICIAL CIRCUIT

BRYAN ANTHONY REO,

Plaintiff,

vs.

58 CIV 20-000007

Hon. Bridget Mayer

**MARTIN LINDSTEDT and SUSAN APRIL
BESSMAN, as TRUSTEE OF THE SUSAN
APRIL BESSMAN REVOCABLE LIVING
TRUST,**

Affidavit of Sarah Baron Houy

Defendants.

State of South Dakota }
SS
County of Pennington }

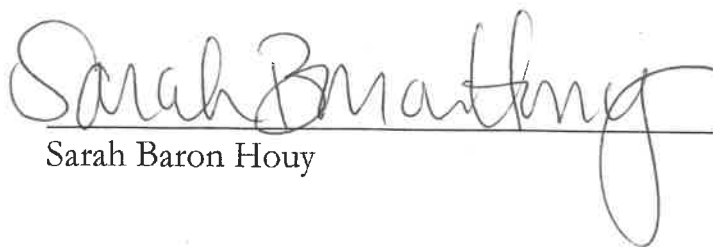
Sarah Baron Houy, being first duly sworn, deposes and states as follows:

1. I am the attorney representing Defendant Susan Bessman in this matter.
2. To the best of my knowledge, information, and belief, the document listed below and attached hereto is a true and correct copy of the original, and is what it is stated to be in *Defendant Bessman's Response to Plaintiff's Motion for Summary Judgment*.

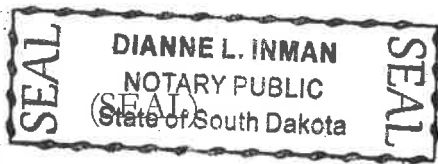
- Exhibit 1: Excerpts of the Deposition of Susan Bessman.

3. I declare under penalty of perjury that the foregoing is true and correct.

Dated August 20, 2021.


Sarah Baron Houy

Subscribed and sworn to, before me, the undersigned officer, this 20th day of August, 2021.



Dianne L. Inman
Notary Public, South Dakota
My Commission Expires: 4/21/2024

CERTIFICATE OF SERVICE

I certify that, on August 20, 2021, I served copies of this document upon the listed people via Odyssey File & Serve:

Robert Konrad
KONRAD LAW PROF. LLC
1110 East Sioux Avenue
Pierre, South Dakota 57501
rob@extremejustice.com
ATTORNEY FOR PLAINTIFF

and upon the following people via U.S. Mail:

Martin Lindstedt
338 Rabbit Track Road
Granby, MO 64844
PRO SE DEFENDANT

/s/ Sarah Baron Houy

Sarah Baron Houy

1 STATE OF SOUTH DAKOTA) IN CIRCUIT COURT
2 COUNTY OF STANLEY) SIXTH JUDICIAL CIRCUIT
3 *****
4 BRYAN REO, 58CIV20-07
5 Plaintiff,
6 vs.
7 MARTIN LINDSTEDT and
8 SUSAN APRIL BESSMAN, as Trustee
9 of the Susan April Bessman
10 Revocable Living Trust,
11 Defendants.
12 *****
13 Deposition of Susan Bessman
14 July 1, 2021
15 12:56 p.m.
16 *****
17 A P P E A R A N C E S
18 ROBERT T. KONRAD,
19 KONRAD LAW, PROF. LLC,
20 Attorney at Law, 1110 East Sioux Avenue,
21 Pierre, South Dakota 57501,
22 appearing on behalf of the Plaintiff;
23 MARK MARSHALL,
24 BANGS MCCULLEN LAW FIRM,
25 Attorneys at Law, 333 West Boulevard, Suite 400,
Rapid City, South Dakota 57701,
appearing on behalf of the Defendant
Susan April Bessman.
ALSO PRESENT: Bryan Reo (via Zoom)
Reported by Cheri McComsey Wittler, RPR, CRR
Precision Reporting, 213 South Main, Onida, South Dakota 57564
cwittler@venturecomm.net

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Exhibit 1

S T I P U L A T I O N

It is stipulated and agreed by and between the above-named parties, through their attorneys of record, whose appearances have been hereinabove noted, that the deposition of Susan Bessman may be taken at this time and place, that is, at the Stanley County Courthouse Jury Room, Fort Pierre, South Dakota, on July 1, 2021, commencing at the hour of 12:56 a.m.; said deposition taken before Cheri McComsey Wittler, a Registered Professional Reporter, Certified Realtime Reporter, and Notary Public within and for the State of South Dakota.

The reading and signing of the transcript by the witness is reserved, and the original is filed with the Plaintiff's Attorney, Robert T. Konrad.

Susan Bessman,

called as a witness, being first duly sworn in the above cause, testified under oath as follows:

EXAMINATION

BY MR. KONRAD:

Q. All right. Good afternoon, Mrs. Bessman or Norman? What would you like me to call you? Or Susan? Is that fine?

A. Susan's perfect.

Q. I'll try to remember that. My name is Rob Konrad. I'm an attorney here in Pierre. I'm sure you're aware of who I am.

(Discussion off the record.)

Q. I'm sure you're aware of who I am. My job here today is to ask you questions under oath. There's a few ground rules I'd like to go over with you. Okay?

A. Uh-huh.

Q. First of all, what you just did, uh-huh, doesn't work in depositions.

A. Right.

Q. So try to answer yes or no.

A. Correct.

Q. The second major rule that makes her job easier is I'll ask a question, you answer it, and then I will answer the question back. When we naturally speak to each other, we have the tendency to interrupt each other, anticipating what the question might be or things of that nature. But she can only type one person at a time. So

1 went to see her. And so I started talking with my
2 brother because he was there.

3 Q. Okay. And those two were married or not?

4 A. They never married.

5 Q. Okay.

6 A. They lived together for 30 years.

7 Q. So in the last 10 years, you're saying you haven't
8 talked to your brother up until that August 2019 when she
9 was in the hospital.

10 A. I have but it's just been briefly. Like when my
11 husband passed away.

12 Q. Okay.

13 A. But not really until -- and then my mother passed
14 away. And then we went a few years not talking. And
15 then whenever Roxie got ill, then I started to talk to
16 him because he was there. It was for Roxie.

17 Q. All right. When did Roxie pass away?

18 A. I can't remember the exact date. It was the first
19 of August 2020.

20 Q. And at what point did you and Roxie -- what would
21 you two talk about when she was in the hospital?

22 A. Her daughter who lived in Joplin, has she come to
23 see her? She pretty well hadn't come to see her. Her
24 favorite dog, Buddy, who was old and dying and just was
25 there for her because she felt like she was dumped off in

1 the hospital and couldn't -- she didn't have a good
2 quality of life.

3 Q. When did the subject of the land come up?

4 A. It was probably a month after -- she was in the
5 hospital for 10 days. And so then I went to their home
6 in Granby just to check on her, I think bring her things,
7 like a new outfit to wear or whatever. And then I can't
8 remember the exact date that Martin called me and said,
9 hey, I want you to have the ranch. Roxie's not doing
10 well, I'm not doing well, and I want to give the ranch
11 back to you from when you was executor of the estate.
12 I'm like, okay.

13 Q. So you were executor of your mom's estate; right?

14 A. No.

15 Q. Is that your grandmother?

16 A. Well, actually they did. It was my Grandma Jennie's
17 estate. What happened was in the early '90s,
18 South Dakota called and said, your Grandmother Jennie
19 Samuelson is not doing well, and you guys need to take
20 guardianship of her or we will. So we come up and we
21 asked her if she would move to Missouri and she would
22 not. So my two brothers, Martin and Mike -- because my
23 brother Monte was not alive at that time. So it must
24 have been -- I'm losing track of years. I'm sorry. It's
25 so long ago.

1 Anyway, so we stepped in, and I was co-guardian of
2 my grandmother for eight years while she was in the
3 nursing home, along with Bob Samuelson.

4 Q. All right. And then she passed away in about 1997?

5 A. She passed away in '97. So my two brothers said,
6 hey, Susan, we want you to be the executor because you've
7 always handled the affairs for us. I'm like, okay. So
8 again, with Bob Samuelson, we was co-executor for the
9 probate.

10 Q. And then did you hire Ron Olinger to assist you with
11 the probate?

12 A. Yes. Because they did not -- Martin and Mike did
13 not like Charlie Thompson, who was the lawyer during the
14 guardianship. So I said, okay, I'll find another
15 attorney, whatever. So I found Ron Olinger's office.

16 Q. All right.

17 (Exhibit 3 is marked for identification.)

18 Q. I'm showing you what's been marked as Exhibit 3.

19 Could you tell me what that document is?

20 A. Personal representatives deed, May 18, 1998.

21 Q. Do you recognize that document?

22 A. I recognize my signature and recognize what -- I
23 think what it was is what I had to do as a -- I really
24 don't know what -- it's been 20 -- what? 23 years ago.
25 So I think it was something that I had to sign as the

1 executor of the estate. Is that correct?

2 Q. Well, how it works is I ask you the questions.

3 A. Okay.

4 Q. I don't mean to be disrespectful.

5 A. Okay.

6 Q. But you certainly recognize your signature on there?

7 A. Yes.

8 Q. And it appears to be notarized?

9 A. Yes.

10 Q. And that's a document that you signed?

11 A. Correct.

12 Q. And if I would tell you that that is a deed
13 conveying the property from the Samuelson estate to your
14 brother Martin Lindstedt, would you have any reason to
15 disagree with that?

16 A. No.

17 Q. Okay. And is that, in fact, what it appears to be?

18 MR. MARSHALL: I think the document speaks for
19 itself.

20 A. Right. Correct. The ranch was divided up five
21 ways. And, yes, Martin received one-fifth of the value
22 of the ranch.

23 Q. Okay. All right. And was there a disagreement
24 among the parties at the time the ranch was divided?

25 A. Yes.

- 1 Q. Okay. Did you and Martin have a disagreement at
2 that time?
- 3 A. **Martin and Mike, my brothers, said, we want you to**
4 **be -- I'm like okay, fine. And I found the lawyer. And**
5 **then all of a sudden something happened, and they were**
6 **second-guessing me as being the executor and they sought**
7 **out legal representation to, I guess, oversee probate.**
- 8 Q. All right. But, I mean, did that fight end at some
9 point, or did you all get back together --
- 10 A. **No.**
- 11 Q. -- or was it a big fight or not?
- 12 A. **It was more or less I'm dividing it up equally and**
13 **washing my hands of you two.**
- 14 Q. Okay. So since that time, has your relationship
15 with Martin been kind of rocky ever since this dividing
16 the land?
- 17 A. **Oh, yes.**
- 18 Q. Okay. Is that kind of what started the rocky
19 relationship between you two?
- 20 A. **No. We never got along.**
- 21 Q. Okay. Why did you never get along?
- 22 A. **He was oldest brother, and he was a bully, and I was**
23 **the youngest and only girl.**
- 24 Q. When did you first become aware of his, you know,
25 kind of his ideology?

- 1 A. **I could tell he -- like I said, it was almost 30**
2 **years ago. He made some comment about how I'm blonde**
3 **hair and blue eyes and I'm of a supreme race, and I'm**
4 **like, what are you talking about? And I'm like, let's**
5 **just agree to disagree and I don't want to hear -- I**
6 **don't want to talk about anything like that.**
- 7 Q. Okay.
- 8 A. **And I have learned through things, from this**
9 **lawsuit, his involvement, but I've learned that only**
10 **through having to read things that have been given to me.**
- 11 Q. How do you feel about, I guess, what he stands for?
- 12 A. **I'm totally against that. I worked for Social**
13 **Services for 12 years, and I have a -- my late brother's**
14 **son married and had a child with somebody that would not**
15 **be considered white, and I love Athena as if -- as my**
16 **own. She's my late brother's daughter.**
- 17 Q. So you two don't get along and haven't for a long
18 period of time, but you appear to get along with his
19 wife --
- 20 A. **Yes.**
- 21 Q. -- or with Roxie?
- 22 A. **Yes.**
- 23 Q. And during the time you were spending with Roxie,
24 Martin just offered you 1,700 acres of property because
25 he's getting old and has poor health?

- 1 A. **Yes.**
- 2 Q. And you said that he called you?
- 3 A. **Yes. I can remember, when he called me, I was at**
4 **my -- at Randall's mom's house and I was outside. And he**
5 **called me and he told me. I can remember -- like I was**
6 **in shock. Okay.**
- 7 Q. What phone number would you have had at that time?
- 8 A. **This current one.**
- 9 Q. What is your current phone number?
- 10 A. **417-825-5707.**
- 11 Q. Who's your cell phone carrier?
- 12 A. **At that time was AT&T, I believe.**
- 13 Q. Who's your cell phone carrier now?
- 14 A. **Verizon.**
- 15 Q. In the request for documents, we asked you to
16 provide phone records, and your answer was that you would
17 provide those at a later date and time. We have not
18 received those. Is there a reason why you have not
19 provided the phone records?
- 20 A. **Yes.**
- 21 Q. What is that reason?
- 22 A. **In April of this year, 2021, my husband had his**
23 **phone plan with Verizon. His daughter changed jobs so**
24 **she was going to lose her work phone so she needed a**
25 **phone. So he said, okay, let's just combine -- let's get**

- 1 **you a phone, get Susan's phone on my plan so it's all**
2 **together. So we have -- and so I called Verizon and I**
3 **said, hey, I need these records, and they're like, we**
4 **can't provide them because you no longer have an active.**
- 5 Q. Okay. So you still have the same number now, but
6 that's, essentially, been assigned to your husband's
7 account?
- 8 A. **Yes.**
- 9 Q. All right. Did you call AT&T and ask them the same
10 question?
- 11 A. **No. Because I'm not with AT&T and -- let me think**
12 **when I switched to AT&T. I think it was -- I switched --**
13 **actually, I know when I switched to Verizon. I switched**
14 **to Verizon three years ago, whenever I was a campground**
15 **host for Roaring River State Park when I met Randall. So**
16 **it's been more than three years that I've been on AT&T.**
- 17 Q. So the only -- I mean, if we're talking 2019, 2020,
18 that would both be Verizon years; right?
- 19 A. **Yes.**
- 20 Q. All right. If those records could be found, would
21 you consent to their release, the Verizon records?
- 22 A. **As in --**
- 23 Q. Will you provide them?
- 24 A. **But then you would have phone numbers of my friends**
25 **and everything. And I'm really a stickler on protecting**

1 **other people's personal information.**

2 Q. All right. Well, the lawyers will sort that out.

3 Let's talk about the addresses that you've had.

4 There was a 7416 Carver Road.

5 A. **My late husband and I purchased that January 2000.**

6 Q. Have you since sold that property?

7 A. **I still have it.**

8 Q. Okay. Is that a rental property?

9 A. **Yes.**

10 Q. What about 455 Fairlawn?

11 A. **My husband and I purchased that -- my late husband
12 and I purchased that June 2011.**

13 Q. Okay. And 1140 Bayforest Road, that's the Florida
14 property we talked about earlier?

15 A. **I purchased that November 2012 after my late husband
16 passed away.**

17 Q. And then the Poppy Drive address, you still have
18 that as well?

19 A. **That is not my -- that is not my property. That
20 belongs to my son Justin.**

21 Q. All right. You did say that earlier. Thank you.

22 So going back to where you were at when you received
23 that phone call, that would have been on your Verizon
24 phone sometime in --

25 A. **Yes.**

1 Q. -- August, September, October of 2019?

2 A. **September, October. I don't remember. It wasn't
3 August. It was after Roxie had came out of the hospital.**

4 Q. I mean, the conversation had to be several minutes
5 long. I mean, do you recall what was said?

6 A. **I just recall him -- with Martin, there's not good
7 conversation either way. He pretty well does all the
8 talking. And he just called me and said, Roxie's not
9 doing well. I don't think I'm doing well. And I want to
10 give you the ranch. I want to get my affairs in order.**

11 Q. All right. And --

12 A. **Which I understood that because I did the same thing
13 in 2012 when my husband passed away.**

14 Q. And so how did -- I mean, did you two have a
15 discussion about how you were going to make that
16 transaction happen?

17 A. **He said, contact a lawyer and get a warranty deed.**

18 Q. So is that when -- how soon after that did you
19 contact a lawyer?

20 A. **I don't remember. I guess soon, since it was
21 October something that he signed the warranty deed.**

22 Q. Did you go to South Dakota to hire the lawyer?

23 A. **No.**

24 Q. So you called a lawyer by phone?

25 A. **Yes.**

1 Q. And I don't want to know anything you told your
2 lawyer. I just want to make that clear. But I'm going
3 to ask you questions about hiring the lawyer. Okay?

4 A. **Okay.**

5 Q. So you hired the lawyer to draft the deed; right?

6 A. **Yes.**

7 Q. And then, to your knowledge, did Martin travel to
8 South Dakota to sign that or --

9 A. **No. I think it was all done by e-mail.**

10 Q. Okay. Do you e-mail Martin at all?

11 A. **No.**

12 Q. It appears from your answers that you don't use
13 e-mail really?

14 A. **I use e-mail for my personal business. I've used
15 Bessman01@yahoo for -- since my sons were in high school
16 and we set up an e-mail account.**

17 Q. Okay. But you don't e-mail Martin at all?

18 A. **I think I may have e-mailed him some pictures of
19 Roxie with her dog. But, no, I don't e-mail anything to
20 Martin other than -- and it may have been -- I don't
21 remember what I -- but I do not e-mail back and forth
22 with Martin, no.**

23 Q. So you don't transact business, I'll call it, with
24 Martin by e-mail?

25 A. **No.**

1 Q. All right. So your lawyer communicated with Martin
2 to get the deed signed?

3 A. **I can't remember. I think she sent it to --
4 e-mailed to me, and then I may have forwarded that e-mail
5 to Martin. I don't remember.**

6 Q. Well, we just talked a little bit about e-mailing
7 Martin, and now you're telling me you're e-mailing him
8 the deed?

9 A. **I may have e-mailed him, but since then I have not
10 e-mailed him.**

11 Q. Have you searched your e-mails to figure out if you
12 have e-mailed Martin?

13 A. **I have 70,000 e-mails. I don't -- no. Sometimes I
14 do do a search if I'm trying to find something that Mark
15 Marshall's sent me or whatever. But a lot of my e-mails,
16 I just sort of scan through them and don't even open them
17 up.**

18 Q. Okay. Well, we have asked in our requests for
19 copies of your e-mails to Martin.

20 A. **And I do not think I have sent him any e-mails since
21 Roxie was ill. But I can do a search and get that for
22 you.**

23 Q. All right. I would appreciate that.

24 So at some point the deed was signed and forwarded
25 to you; is that correct? You received a signed deed?

1 Q. -- Listing?
 2 I'm going to refer you to page -- I guess I'll call
 3 it the last page --
 4 A. Yes.
 5 Q. -- I'll call it.
 6 And do you see at the top left, it says 1,723 acres
 7 of land in Hayes.
 8 A. Uh-huh.
 9 Q. Is that the -- is that the Stanley County property
 10 that we've been talking about?
 11 A. Yes.
 12 Q. The Lindstedt property? Samuelson property, as you
 13 called it?
 14 A. Here in Stanley County. Yes.
 15 Q. Okay. And do you see in one of the columns, it says
 16 that there's a cost basis of \$172,300?
 17 A. Okay.
 18 Q. Do you see that?
 19 A. Yes.
 20 Q. Okay. And it also says that there is a date on
 21 there of, it looks like 10 -- or it's 01-10-2019.
 22 A. Yes.
 23 Q. Okay. So that is the date that the asset was
 24 acquired and then the cost basis in the property. Do you
 25 see where it says that?

1 A. It looks like the date would be January 1, 2019.
 2 Q. Okay. So did you acquire that property on
 3 January 1, 2019?
 4 A. No. I acquired it on October 2019, I think.
 5 Q. Okay. I'll briefly refer you back to --
 6 A. The deed.
 7 Q. -- Exhibit 4.
 8 A. Yes. October 2019.
 9 Q. It looks like October 25, 2019?
 10 A. Correct.
 11 Q. So the date of acquiring ownership is not accurate
 12 on that tax return document, is it?
 13 A. Correct.
 14 Q. Okay. And I'm not saying you're doing anything
 15 wrong. I'm just pointing out --
 16 A. No. It's just the accountant asks questions and I
 17 answered it and that's what he put in there. Because he
 18 had never done my taxes before.
 19 Q. Did you meet with your accountant when preparing
 20 these tax returns for 2020?
 21 A. I gave him our information, and then we met back
 22 with him whenever it was done. And he would call if he
 23 had any questions.
 24 Q. So where did he come up with \$172,000?
 25 A. I don't know.

1 Q. Okay. Did you give him any additional information
 2 about this land transfer that you haven't given me?
 3 A. I gave him my previous tax returns for a couple
 4 years from Florida.
 5 Q. Okay. But your previous tax returns from Florida
 6 would not have included this Lindstedt property because
 7 it was acquired in 2019; right?
 8 A. Correct.
 9 Q. Okay. And you would not have been depreciating
 10 other assets other than your rental properties. You
 11 didn't have -- you didn't have Randall's farm --
 12 A. No. Huh-uh. So I don't know what you're asking. I
 13 mean, he asked questions. And I don't understand what
 14 this basis adjustment is. He may have asked -- I think
 15 he asked me when did I -- I said I inherited one-fifth of
 16 the ranch in '98, and I think he asked me what was the
 17 value of it then. And I said I think about 200,000 when
 18 I inherited it. So he perhaps took it from there to put
 19 this figure in. I don't know how -- what this figure
 20 means or what. But I do remember him asking me
 21 questions.
 22 Q. Okay. So I want to make clear it says there that
 23 the cost is 172,300. You didn't pay Martin \$172,300 for
 24 the land, did you?
 25 A. No.

1 Q. Okay. In fact, you didn't pay him a single penny.
 2 A. It was a gift.
 3 Q. Absolute gift. And so these numbers here are your
 4 basis in the property, and you don't know where those
 5 numbers exactly came from?
 6 A. Correct.
 7 Q. Is it possible -- just answer yes or no or you don't
 8 know. Is it possible that that \$172,300 is Martin's cost
 9 basis from when he acquired the property?
 10 A. I don't know. Like I said, I think he asked me
 11 questions. I said in '98, as executor, I divided up the
 12 ranch in five equal deals. And I think he asked me what
 13 was the value. And I may -- I don't even know -- cannot
 14 remember if he asked for my tax return from two thousand
 15 and -- let's see -- 10 years ago whenever I sold my
 16 one-fifth. I don't know.
 17 Q. Are you depreciating the Stanley County property?
 18 A. I don't know.
 19 Q. Does depreciation mean anything to you?
 20 A. No. I've never filed a farm return before.
 21 Q. When's the first time you heard of Bryan Reo's name?
 22 A. It would be last year, whenever he served me. Well,
 23 whenever you -- due to the pandemic, he tried serving me
 24 in Florida. I thought it was my ex-husband. And I think
 25 then the deputy sheriff said you're not here in Florida.

1 **And I said, who's it from? Because I thought it was my**
 2 **ex-husband to harass me. He goes, it's from Bryan Reo.**
 3 **And I'm like, I don't know who that is.**
 4 **And then paperwork got mailed to my son's place, and**
 5 **my daughter dropped them off on her porch, because we was**
 6 **staying away from each other because of the pandemic for**
 7 **a few months.**

8 Q. Are you now aware that Mr. Reo has numerous
 9 judgments against Mr. Lindstedt?

10 A. **Yes. I've learned that through the attorneys.**

11 Q. Okay. Well in excess of one and a half million
 12 dollars at this time, going to be more shortly. Are you
 13 aware of that?

14 A. **Yes.**

15 MR. MARSHALL: I think that that's a
 16 misstatement of the record. Mr. Reo doesn't have
 17 judgments in that amount. That amount includes judgments
 18 of other members of Mr. Reo's extended family who are not
 19 parties to this litigation.

20 MR. KONRAD: We'll take that up later.

21 Q. Are you aware that Mr. Lindstedt has numerous
 22 creditors that have claims in excess of \$2 million?

23 A. **No.**

24 Q. Did Mr. Lindstedt ever tell you that he wanted to
 25 take -- you to take this property off his hands?

1 A. **All I remember is, in October of 2019, he said,**
 2 **Roxie's not doing well, I'm not doing well, and possibly**
 3 **he used that statement, I want you to take it off my**
 4 **hands. I don't know. All I remember is his statement of**
 5 **saying to me, I want to give you my ranch.**

6 Q. Okay. Have you read the transcript from the hearing
 7 back in August of last year?

8 A. **I skimmed through it last night and this morning.**

9 Q. Okay. Well, I don't expect you to remember it word
 10 for word, but in that transcript and to the Court, he
 11 referred to a conversation he had with you and he told
 12 the Court that he wanted you to take this "ball and
 13 chain" off of him. Why would he tell the Court that?

14 A. **I don't know.**

15 MR. MARSHALL: Object. It's not within the
 16 scope of the witness's knowledge why Mr. Lindstedt would
 17 do anything.

18 Q. Okay. Has he ever said anything like that to you?

19 A. **No.**

20 Q. Is a statement of that nature false, as far as
 21 you're concerned?

22 MR. MARSHALL: I object again to the form of the
 23 question.

24 Q. Okay. Has he ever told you to take a ball and chain
 25 off of him?

1 A. **Not that I'm aware of --**

2 Q. Okay.

3 A. **-- or remember or whatever. I do remember what he**
 4 **said. He wanted to give me the ranch.**

5 Q. Did he at any time talk to you about his financial
 6 distress?

7 A. **I didn't know he had financial distress.**

8 Q. Well, he was living in a hovel, wasn't he?

9 A. **My grandmother Jennie Samuelson, who was a**
 10 **millionaire when she died, even though she lived in a**
 11 **nursing home for eight years, she lived in a hovel.**

12 Q. Okay.

13 A. **She actually had to go stay in motel rooms because**
 14 **she also is a hoarder.**

15 Q. Who is Jerry Rose?

16 A. **That is my husband's accountant.**

17 Q. Okay.

18 A. **And I purchased actually a building from him in**
 19 **2019.**

20 Q. That was going to be my next question because I saw
 21 a check where you had given him some earnest money. What
 22 building did you purchase from Jerry Rose?

23 A. **The 4 -- I can't even remember the address. I think**
 24 **it's 421 East Pineville Road, Washburn.**

25 Q. How much did you pay your accountant for that

1 property, roughly?

2 A. **And it's in a 1031 because I had sold a property**
 3 **that was in a 1031. It was approximately 72,500, I**
 4 **think.**

5 Q. So --

6 A. **And then I purchased three lots the following year,**
 7 **the first of the year.**

8 Q. So you're aware of what a 1031 like kind exchange
 9 is?

10 A. **Yes. I did that whenever I sold my ranch 10 years**
 11 **ago. And I put a fourth of it in a 1031.**

12 Q. Okay. But you're not aware of what depreciation is?

13 A. **Correct. I let the accountants do their jobs.**

14 Q. Do you intend to terminate the lease with the
 15 tenants on the property?

16 MR. MARSHALL: Objection.

17 MR. KONRAD: What's the objection?

18 MR. MARSHALL: Not relevant.

19 MR. KONRAD: I think it is relevant.

20 Q. I would instruct you to answer.

21 MR. MARSHALL: Relevant to what?

22 MR. KONRAD: Proceeds of the land procured by
 23 fraud, being taken away from my client.

24 MR. MARSHALL: It is a future act as to which
 25 the witness may not have made a decision.