

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA,	) Fort Myers, Florida
	)
	) Case 2:20-CR-114-FtM-66MRM
Plaintiff	)
	) Wednesday, March 24, 2021
vs.	)
	) 4:10 p.m. to 4:59 p.m.
CASEY DAVID CROWTHER,	)
	) Courtroom 5D
Defendant	)
_____	)

TRANSCRIPT OF JURY TRIAL TESTIMONY OF EVELYN PORTINARI

DAY 1 OF 2, VOLUME 1 OF 2

HELD BEFORE THE HONORABLE JOHN E. STEELE,

United States District Court Judge

Official Court Reporter:
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Fort Myers, FL 33901
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computer-aided transcription.)*

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Evelyn Portinari

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* * * P R O C E E D I N G S * * *

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THE COURT: You may call your next witness.

MR. LEEMAN: The United States calls Evelyn Portinari, Your Honor.

COURTROOM DEPUTY: If you would come this way.

Good afternoon. Would you please raise your right hand?

Do you solemnly swear or affirm the testimony you are about to give in the case now before the Court will be the truth, the whole truth, and nothing but the truth?

THE WITNESS: Yes.

COURTROOM DEPUTY: Thank you very much. If you would have a seat in the witness box, and, once you're seated, if you would speak into the microphone and tell us your name, and spell it for us.

You can take your mask off only if you feel comfortable.

THE WITNESS: All right. Evelyn Portinari.

EVELYN PORTINARI - DIRECT/LEEMAN

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1 EVELYN PORTINARI,
2 called as a witness by the Government, and having been first
3 duly sworn, was examined and testified as follows:

4 DIRECT EXAMINATION

5 BY MR. LEEMAN:

6 Q Good afternoon, ma'am. Would you spell your last name
7 for the record, please?

8 A Yes. P, as in Paul, O R T I N A R I.

9 Q Miss Portinari, are you employed?

10 A Yes.

11 Q By whom?

12 A Target Roofing and Sheet Metal.

13 Q What do you do for Target Roofing and Sheet Metal?

14 A I am the director of human resources.

15 Q How long have you been the director of human resources?

16 A Almost three years.

17 Q And how long have you been with Target Roofing?

18 A Almost three years.

19 Q So director of human resources the whole time?

20 A Correct.

21 Q What do you do as the director of human resources?

22 A Handle anything that has to do with our personnel, with
23 our employees. Hiring, firing, benefits, that sort of thing.

24 Q When you say anything related to that, with respect to
25 hiring, what some of your typical duties?

EVELYN PORTINARI - DIRECT/LEEMAN

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1 A Placing ads when we're looking for people, conducting
2 initial phone interviews for office employees. New-hire
3 paperwork for the office side of things.

4 Q Filling out or -- what do you with respect to new-hire
5 paperwork?

6 A Submitting it to our payroll company, providing it to
7 the new employee that's being hired.

8 Q How about firing?

9 A Yes; I do assist with that.

10 Q Okay. What type of things do you do with that?

11 A You know, typically the manager of that employee will
12 handle the firing, and I'm there as a witness to provide
13 whatever documentation is needed.

14 Q All right. You were working there back in May of 2020;
15 is that right?

16 A That's correct.

17 Q Do you recall a time in that month when Target Roofing
18 hired five individuals who were related to Mr. Crowther?

19 A Yes.

20 Q Can you explain the circumstances surrounding the hiring
21 of those five individuals?

22 A I was informed, by Mr. Crowther, that we needed to be
23 hiring those five employees. And so, from there, I handled
24 that.

25 Q Did he say what they were going to do?

EVELYN PORTINARI - DIRECT/LEEMAN

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1 A No.

2 Q Did you ever find out what they did?

3 A No.

4 Q Did you ever see them working in the office?

5 A No.

6 Q Let me ask you a little bit, Target Roofing, does it
7 have sort of an office job site? A corporate office, I guess,
8 is a better description?

9 A Yes. We have an office.

10 Q Where is that at?

11 A It's at 1841 Ortiz Avenue.

12 Q All right. And is that where the clerical staff for the
13 business would work?

14 A Yes.

15 Q Could you describe it? What it actually looks like? To
16 the jury?

17 A Sure. So the building is broken up. We have office
18 space, and then behind our office space is an open warehouse,
19 which is considered our shop, where we do all of our metal
20 fabrication. And then, on the back of the property, we have a
21 house that stores inventory and other items.

22 Q All right. I mean, how many -- how many offices within
23 the office space are we talking about?

24 A There's about 15 to 20 offices, and then there's
25 cubicles.

EVELYN PORTINARI - DIRECT/LEEMAN

8

1 Q Okay. How many cubicles would you estimate?

2 A Probably about 12 to 15.

3 Q Okay. Are all the offices and cubicles sort of in the
4 same area?

5 A No. The cubicles are in the back of the office space.
6 And then all of the offices are on the outer walls and then in
7 the center.

8 Q All right. Well, I'm going to put up something that has
9 been previously entered into evidence, and I'm hoping you might
10 explain some of it. I guess, first, are you familiar with a
11 woman named Anne Peters?

12 A Yes; I know who she is.

13 Q Okay. Who is Anne Peters?

14 A She is Mr. Crowther's mother-in-law.

15 Q Was Miss Peters hired by Target Roofing in May of 2020?

16 A Yes.

17 Q And, in front of you, ma'am -- actually, Madam Deputy,
18 could I get the document displayed?

19 (Evidence was published via the projector.)

20 BY MR. LEEMAN:

21 Q In front of you, ma'am, there's a picture of an exhibit
22 that's already been admitted. I'm going to zoom in on a
23 portion of it and ask you if you recognize it.

24 A Yes.

25 Q What is it that we're looking at there?

EVELYN PORTINARI - DIRECT/LEEMAN

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1 A It's part of the new-hire pack.

2 Q Okay. For who?

3 A Anne Peters.

4 Q All right. And does it indicate on there what
5 Miss Peters' rate of pay was to be?

6 A Yes.

7 Q And what was it?

8 A 1780 salary.

9 Q Okay. And when you say salary, what does that mean? A
10 weekly salary?

11 A Correct.

12 Q Okay. And does the document indicate what date
13 Miss Peters was hired on?

14 A 5/11.

15 Q And before you said -- I want to make sure it applies to
16 Miss Peters -- you have no idea what Miss Peters did at the
17 company.

18 A Correct.

19 Q And you never saw her work there.

20 A Correct.

21 Q Did you ever ask?

22 A No.

23 Q Did you ever see her in the office? Working?

24 A No.

25 Q Did you ever see her in the office at all?

1 A Yes.

2 Q During the time period she was hired?

3 A I'm not sure.

4 Q All right. Margaret Crowther, are you familiar with
5 that name?

6 A Yes.

7 Q Who do you know Margaret Crowther to be?

8 A She's Mr. Crowther's wife.

9 Q Okay. Was she hired in May of 2020?

10 A Yes.

11 Q Do you know what she did for the company?

12 A No.

13 Q Were you ever told what she did -- as the human
14 resources director of the company, what she did?

15 A No.

16 Q Did you ever see her working at the company during the
17 timeframe of her employment?

18 A No.

19 Q Did you know if she was actually out of the state at the
20 time she was working at the company?

21 A No.

22 Q Okay. If you'd look up, I always have problems when
23 it's my turn. I zoomed in on Page 18 of Exhibit 64. It's in
24 front of you, ma'am. It's highlighted, a certain section of
25 that page. Do you recognize that?

EVELYN PORTINARI - DIRECT/LEEMAN

11

1 A Yes.

2 Q Okay. What are we looking at?

3 A That would be part of the new-hire pack.

4 Q Okay. And this is the new-hire packet for what
5 employee?

6 A Margaret Crowther.

7 Q And does it indicate what her rate of pay was?

8 A Yes.

9 Q And she was hired to do what? Or excuse -- what was the
10 rate of pay?

11 A 1,900 salary.

12 Q And does this document indicate a hire date?

13 A Yes.

14 Q What is that?

15 A 5/11/2020.

16 Q A little bit about these documents. Are you the one who
17 created them, or how exactly do these documents -- did they
18 come into your possession as the human resources manager?

19 A Yes.

20 Q And then what did you do with them after you get those
21 documents?

22 A Printed them, processed them, and sent them over to our
23 payroll company.

24 Q Which was called what?

25 A Work Force Business Solutions.

1 Q So how do these documents get to you?

2 A They came through a hiring portal called BirdDogHR.

3 Q Were you working with anybody, explaining how to use the
4 portal, to get the documents uploaded?

5 A The documents were already uploaded.

6 Q Oh, I'm sorry. Give me a brief idea of how the portal
7 looks to someone trying to get these documents to you.

8 A Sure. So an e-mail address is entered into the BirdDog
9 system, and a link is then sent to the person's e-mail. From
10 there, the person will click on the link and follow the
11 instructions to fill out the new-hire application.

12 Q Okay. Are you familiar with a woman named Danielle
13 Crowther?

14 A Yes.

15 Q Who is that?

16 A That would be Casey's sister.

17 Q Okay. Was Danielle Crowther hired by Target Roofing in
18 May 2020?

19 A Yes.

20 Q As the human resources director, do you know what she
21 did for the company?

22 A No.

23 Q Did you ever see her at the company, working?

24 A No.

25 Q Did you ever see her at the company during the time

1 period of her employment at all?

2 A No.

3 Q I'll refer you back up to the screen, Miss Portinari.
4 It shows Government's Exhibit 64, Page 32. This is new-hire
5 paperwork for Miss Danielle Crowther; is that right?

6 A Correct.

7 Q Her rate of pay on a weekly basis was?

8 A 1,840.

9 Q Are you familiar with an individual named Aaron
10 Robinson?

11 A Yes.

12 Q Who do you know Mr. Robinson to be?

13 A Mr. Crowther's brother-in-law.

14 Q Was Mr. Robinson hired by Target Roofing in May 2020?

15 A Yes.

16 Q Did you ever see Mr. Robinson work for -- well, do you
17 know what Mr. Robinson did for Target Roofing?

18 A No.

19 Q Were you ever told of what his duties were -- as the HR
20 director of this company, what his duties were?

21 A No.

22 Q Did you ever see him working at Target Roofing?

23 A No.

24 Q Did you ever see him, at all, during the time period of
25 his employment?

1 A No.

2 Q If you look back up at the screen, I've got Exhibit 64,
3 Page 44, ask you if that's new-hire paperwork, or at least one
4 page, for Mr. Aaron Robinson?

5 A Yes.

6 Q Does it indicate what his weekly salary was?

7 A Yes.

8 Q And what was it?

9 A \$1,840.

10 Q Have you ever heard the name Donald Peters?

11 A Yes.

12 Q Do you know who Mr. Donald Peters is?

13 A Yes. He's Mr. Crowther's father-in-law.

14 Q Was Mr. Donald Peters hired by Target Roofing in May,
15 2020?

16 A Yes.

17 Q Did you ever see Mr. -- well, do you know, were you ever
18 told, what Mr. Donald Peters, as the HR director of this
19 company, was hired to do?

20 A No.

21 Q Did you ever see Mr. Donald Peters working for the
22 company?

23 A No.

24 Q Did you ever see him, at all, at the Target Roofing
25 office during the time period of his employment?

1 A No.

2 Q I've zoomed in on Page 64 -- excuse me -- Page 57 of
3 Exhibit 64. I'd ask you, Miss Portinari, is that a copy of a
4 page of the new-hire paperwork for Mr. Donald Peters?

5 A Yes.

6 Q And I've been referring to this individual as Mr. Donald
7 Peters. The paperwork refers to Donald Peters, Jr. Have we
8 been talking about the same individual, despite the junior?

9 A Yes.

10 Q How much does it indicate that Mr. Donald Peters, Jr.
11 was paid on a weekly basis?

12 A 1,850.

13 Q Now, I believe we just went through five individuals.
14 Were those individuals terminated on some effective date?

15 A Yes.

16 Q Do you know what that date was?

17 A Not off the top of my head.

18 Q Let me show you. Were they all terminated effective the
19 same date?

20 A I don't know without looking at my records.

21 Q All right. Zooming in on an e-mail here that was
22 obtained from WBS in Exhibit 64, does that tell you the date
23 Miss Anne Peters was terminated?

24 A Yes. June 5th.

25 Q I've moved to Exhibit 64, Page 21, zoomed in on some of

1 the content. Does that page indicate which date Miss Margaret
2 Crowther was terminated?

3 A Yes.

4 Q What date?

5 A June 5th.

6 Q Moving to Exhibit 64, Page 34, does that page indicate
7 which date Danielle Crowther was terminated?

8 A Yes.

9 Q And what date was that?

10 A June 5th.

11 Q All of 2020; is that right?

12 A That is correct.

13 Q Moving to Exhibit 64, Page 47. Does this document
14 indicate when Mr. Aaron Robinson was terminated from Target
15 Roofing?

16 A Yes.

17 Q And what date was that?

18 A June 5th, 2020.

19 Q Moving to Page 59 of Exhibit 64, I'm going to zoom in on
20 the content for you to see, Miss Portinari. Does that record
21 indicate which date Mr. Donald Peters was fired? Terminated, I
22 should say?

23 A Yes.

24 Q What date was that?

25 A June 5th, 2020.

1 Q Okay. All those records appear to be accurate to you;
2 right?

3 A Yes.

4 Q Were you ever provided an explanation for why these
5 individuals, these five individuals, needed to be terminated?

6 A No. Just that they weren't working for us.

7 Q Who provided you that explanation?

8 A Mr. Crowther.

9 Q Casey Crowther.

10 A Correct.

11 Q Okay. In May of 2020, were there any other instances in
12 which large -- well, let me just ask you, were there any
13 instances in which large batches of people were hired by the
14 company, outside of these family members?

15 A Yes.

16 Q How many instances were there?

17 A Two.

18 Q Okay. Do you remember when? I'm -- is it fair to refer
19 to them as two hirings of batches of employees?

20 A No. Yes.

21 Q Okay. When was the first batch hired?

22 A I'm not sure the exact date.

23 Q Okay. Second batch either, you're not sure the exact
24 date?

25 A Correct.

1 Q If you saw the hiring paperwork, would that, perhaps,
2 refresh your memory?

3 A Yes.

4 Q Let's talk about the batches. Do you at least remember
5 the first batch, if you don't remember the exact date they were
6 hired on?

7 A Yes.

8 Q How did this batch of employees come to your attention?

9 A Their new-hire paperwork was either given to me or left
10 on my desk. But at some point it came into my office.

11 Q Do you remember who it was from?

12 A No.

13 Q Okay. And what did the new-hire paperwork say?

14 A What do you mean?

15 Q Well, was it filled out?

16 A Some of it, yes.

17 Q Okay. So there were some blanks?

18 A Yes.

19 Q Were there any -- what were you to do with it?

20 A I needed to process it to send it over to the payroll
21 company.

22 Q Okay. So how could you do that if there were blanks?

23 A Wherever there were blanks, I filled in the missing
24 information from whatever was provided.

25 Q Where did you get the missing information from?

1 A From the new-hire packet.

2 Q Were you provided any documents to . . . identification
3 type documents to fill out the paperwork?

4 A I was provided documentation documents; yes.

5 Q Okay. And what type of documents were those?

6 A They were Social Security cards and green cards.

7 Q And who gave you those?

8 A They were given to me by Mr. Crowther.

9 Q Okay. So you don't remember exactly how you got the
10 application or the new-hire paperwork itself; but the
11 documents, the Social Security cards and the green cards, were
12 given to you by Mr. Crowther?

13 A Um-hum.

14 Q And they actually existed. They were cards.

15 A That is correct.

16 Q Okay. Now, this first batch of employees, did
17 Mr. Crowther ever tell you what they were being hired to do?

18 A Yes.

19 Q What did he say?

20 A They were being hired to shred documents.

21 Q At that time, you had worked at the company for roughly
22 how long?

23 A Two and a half years.

24 Q All right. And in the two and a half years you had
25 worked there, had you ever hired a large batch of people to

1 shred documents before?

2 A No.

3 Q In the time since then, have you known the company to
4 hire a large number of people to shred documents?

5 A No.

6 Q Did you ever see any of these individuals who were hired
7 to shred documents?

8 A No.

9 Q Do you know where documents may have been that they were
10 shredding?

11 A They were in the house that's at the back of the
12 property.

13 Q Okay. So do you know if those documents got shredded?

14 A I believe so.

15 Q Did you ever see anybody working out there, shredding
16 documents?

17 A No.

18 Q Is this a house that you see as you go to your car when
19 you're coming in in the morning or leaving at night?

20 A Yes.

21 Q Okay. You didn't see anybody milling around, carrying
22 away garbage bags, or a shredding truck parked outside,
23 anything like that?

24 A No.

25 Q Let me ask you, actually, how does Target handle its

1 shredding needs on a sort of day-to-day basis?

2 A Each individual department would handle that on a
3 day-to-day.

4 Q You actually have shredders in the office?

5 A Yes.

6 Q You don't hire a company to come do it, do you?

7 A No.

8 Q Shred as you go, essentially?

9 A Correct.

10 Q All right. So let me get to the document. Was there
11 anything, as someone who was the human resources director of
12 the company, that struck you as unusual about hiring this batch
13 of employees to shred papers?

14 A No.

15 Q There was nothing out of the ordinary about doing that?

16 A No.

17 Q Totally normal for you to hire a large batch of people
18 for the company?

19 A We do hire people in groups; yes.

20 Q But not to shred papers.

21 A Correct.

22 Q Was it abnormal for Mr. Crowther to be so involved?

23 A Yes. At the time.

24 Q What do you mean at the time?

25 A He was very involved prior, when we were working on a

1 hurricane up in Panama City.

2 Q Okay. But that was a sort of one-off time where he was
3 super involved in the hiring process?

4 A Correct.

5 Q So this is another instance where it's happened, but you
6 would characterize that as unusual; is that fair?

7 A Sure.

8 Q All right. I'm going to move to -- I asked you before,
9 if I could show you a document, if that might refresh your
10 recollection about when the first batch of employees was hired.
11 I'm going to show you 64 -- Exhibit 64, Page 66. It will be on
12 the screen in front of you.

13 Do you recognize that document, at least generally?

14 A Yes.

15 Q All right. And what is that? Is that another piece of
16 new-hire paperwork?

17 A That's correct.

18 Q Is there something on there that might refresh your
19 memory about the date of the highering?

20 A No.

21 Q Do you see the stamp at the bottom, CDC May 15th, 2020?

22 A Yes.

23 Q Does that mean anything to you?

24 A No.

25 Q Okay. How about on Page Well, I'll just move

1 on past it, I guess.

2 How about Page 71?

3 I've got a problem here. I actually don't know how to
4 turn this document not sideways. Hold on.

5 May I have a moment, Your Honor?

6 THE COURT: You may.

7 BY MR. LEEMAN:

8 Q All right. Miss Portinari, the second batch of
9 individuals that were hired, how were they presented to you?

10 A Again, I was either given or the new hire packets were
11 left on my desk.

12 Q Okay. So you don't have specific recollection of how
13 you got the packets?

14 A No.

15 Q You . . . how about were the packets filled out?

16 A Some of the information was filled out, and whatever
17 wasn't, I filled in the rest.

18 Q Okay. And how did you do that?

19 A Based on what was given to me in the packet.

20 Q Okay. Were you provided any type of identification
21 documents for these individuals?

22 A Yes.

23 Q Okay. What types of education identification documents
24 were you provided?

25 A Social Security cards and green cards.

1 Q Okay. And did you -- who did you receive this from?

2 A From Casey Crowther.

3 Q Actual cards again.

4 A Yes.

5 Q All right. Did Mr. Crowther tell you what that second
6 batch of employees was being hired to do?

7 A I believe they were all roofers.

8 Q Okay. Did he tell you that they were roofers?

9 A The paperwork's all filled out that way, so yeah, they
10 were roofers.

11 Q Okay. Did you ever see any of them?

12 A No.

13 Q Not one.

14 A No.

15 Q Did you ever see any of the first batch of employees?

16 A No.

17 Q Not one.

18 A No.

19 Q Okay. I want to, if I could -- I believe, in front of
20 you, you should have a document -- nope, you do not. I have it
21 right here. I'll bring it to you if the Court will permit me.

22 THE COURT: You may.

23 (Counsel provides evidence to the witness.)

24 BY MR. LEEMAN:

25 Q Okay. Ma'am, I don't know if you've had a chance to the

1 look at it. Have you been able to take a look at Government's
2 Exhibit 150?

3 A No.

4 Q All right. If you'll take a look at it, and when you're
5 done, tell me if you recognize it.

6 (Witness examines evidence.)

7 A Yes, I do recognize them.

8 Q Okay. What is it, ma'am?

9 A They are the permanent resident cards and Social
10 Security cards for the employees.

11 Q Okay. Is that the permanent residence card and Social
12 Security Card for each of the employees in those two batches we
13 have been discussing?

14 A I believe so.

15 Q Okay. And these documents were provided to you by
16 Mr. Crowther.

17 A Correct.

18 Q How did they end up sort of in this scanned format?

19 A I photocopied them.

20 Q Do they appear to be true and accurate copies of what
21 you photocopied that was provided to you by Mr. Crowther?

22 A Yes.

23 MR. LEEMAN: Your Honor, the government would seek to
24 introduce Government's Exhibit 150 at this time.

25 MS. WAID: No objection.

1 THE COURT: 150 will be admitted.

2 (Government's Exhibit 150 admitted.)

3 MR. LEEMAN: May I publish, Your Honor?

4 THE COURT: You may.

5 (Evidence was published via the projector.)

6 BY MR. LEEMAN:

7 Q I'm going to zoom in on the first page. Murio Cardenas.
8 There's a Social Security Card and a United States of America
9 permanent resident card; is that right?

10 A That's correct.

11 Q And the Social Security Card is unsigned; is that right?

12 A That's correct.

13 Q Just go through the pages here. Agustin Castillo,
14 another employee hired by Target Roofing; is that right?

15 Page 2?

16 A Yes.

17 Q And his Social Security Card is unsigned; is that right?

18 A Correct.

19 Q Jesus Chanta, another person hired by Target Roofing in
20 one of those batches; is that right?

21 A Correct.

22 Q Social Security Card is unsigned; isn't that right?

23 A Correct.

24 Q Is there a single signed Social Security Card in this
25 packet?

1 A I'm not sure. I don't believe so.

2 Q Go ahead and look.

3 A That's correct.

4 Q Correct that there are no signed Social Security cards.

5 A Yes.

6 Q I'm going to just zoom in on a fingerprint here and see
7 if you can see. Do you see what appears sort of like a lighter
8 imperfection in the fingerprint that's contained on the ID
9 card? In the middle?

10 A No.

11 Q I believe you can see my mouse up there. Can you see it
12 moving around? See where I'm circling?

13 A Yes.

14 Q The lighter gray space? How about this. Do you also
15 see this sort of darker gray bar here, curving over the top of
16 the white area?

17 A Yes.

18 Q It's a fingerprint; right? That's what that is on that
19 card?

20 A Yes.

21 Q Move on to somebody else's fingerprint. You tell me if
22 you see the same sort of dark bar, same white area on the same
23 part of the fingerprint. Do you see that, ma'am?

24 A Yes.

25 Q I'll move on to somebody else's. Do you see that sort

1 of same dark bar, same imperfection, same light spot in the
2 middle?

3 A Yes.

4 Q I'll just pick a random one here, just move on. Just go
5 to Page 17, see if it still exists. Got a sort of black
6 rounded bar above a white imperfection?

7 A Yes.

8 Q These people came in at two different times; is that
9 right?

10 A Correct.

11 Q One to shred paper, which has never happened in your
12 time of being a human resources director; right?

13 A Correct.

14 Q Another time, perhaps for roofing; right?

15 A Correct.

16 Q You never saw them.

17 A Correct.

18 Q They all show up with Social Security cards and . . .
19 lawful permanent resident cards, green cards; right?

20 A Correct.

21 Q Nobody showed up with a driver's license?

22 A No.

23 Q Nobody showed up with a Florida ID card?

24 A No.

25 Q Lawful permanent residents can get driver's license's

1 right?

2 A I'm not sure on that.

3 Q Okay. Everybody showed up with the exact same looking
4 paperwork. Didn't seem unusual to you?

5 A No.

6 Q Okay. These 39 individuals, were they terminated all at
7 one time?

8 A Yes.

9 Q What date?

10 A I believe June 5th.

11 Q Could I refresh your memory if I got back to a document?

12 A Yes.

13 Q Let me show you -- let me -- sorry about that. Zoom in
14 here. Showing you an exhibit that had been entered earlier,
15 Exhibit 64, I just went to Page 129, to show employee Luis
16 Rivera. Is that an employee that was hired during that period?

17 A Without his hire date, I'm not sure. I can look through
18 his paperwork.

19 Q How about looking through the termination date. What's
20 the termination date of that individual?

21 A June 5th, 2020.

22 Q Just go to Page 32 of Exhibit 150. What's that employee
23 name, ma'am?

24 A Luis Rivera.

25 Q Does comparing those two documents remind you the date

1 that all of these individuals were fired?

2 A Yes.

3 Q And what was that date?

4 A June 5th, 2020.

5 Q All right. Were you ever provided, as the human
6 resources director of this company for three and a half years,
7 an explanation for why these individuals were fired?

8 A I was told we didn't need them anymore.

9 Q Shredding was presumably done?

10 A Yes.

11 Q Okay. How about the roofing project? Was there some
12 roofing project that wrapped up at about that time?

13 A I'm not sure.

14 Q These people's hours, how were they provided to you?

15 A They were provided to me by Casey Crowther.

16 Q Okay. Is that typical, Mr. Crowther handling individual
17 employees' hourly submissions?

18 A He was overseeing them, so yes. It goes by whoever is
19 overseeing those people.

20 Q He was overseeing the paper shredding process?

21 A Yes. I believe so.

22 Q Okay. But how does it work? How many roofers,
23 approximately, did Target Roofing employ at the time? You
24 don't have to give us an exact number.

25 A Probably well over a hundred.

1 Q Okay. How many of the hundred would Casey Crowther
2 handle turning over their hourly work reports to you?

3 A None unless he was in charge of that group.

4 Q So this was a special Casey Crowther project?

5 A Correct.

6 Q And these roofers, the roofers that were hired in the
7 second superseding batch, were special Casey Crowther roofers
8 that he provided the hours for?

9 A Yes.

10 Q Show you one more thing here, Government's Exhibit 151
11 in front of you. Take a look at it, tell me if you recognize
12 it.

13 (Witness examines evidence.)

14 A Yes.

15 Q What is it? And don't read it to me, just kind of tell
16 me generally what it is.

17 A It's an e-mail correspondence from Casey to the rest of
18 the management team.

19 Q Okay. Is he talking to you too?

20 A He's talking directly to me.

21 Q Okay. He's talking directly to you. Is it a true and
22 accurate copy of an e-mail that you received?

23 A Yes.

24 Q Okay. And, generally speaking, does it relate to PPP
25 money?

1 A Yes.

2 MR. LEEMAN: Okay.

3 Your Honor, at this point in time I'd ask to
4 introduce Government's Exhibit Number 151 into evidence.

5 THE COURT: Any objections?

6 MS. WAID: No objection, Your Honor.

7 THE COURT: 151 will be admitted.

8 (Government's Exhibit 151 admitted.)

9 MR. LEEMAN: May I publish it, Your Honor?

10 THE COURT: Yes.

11 (Evidence was published via the projector.)

12 BY MR. LEEMAN:

13 Q Miss Portinari, I'm going to start at the bottom,
14 because I think that's the most recent part of the -- the
15 oldest part of the e-mail; right? Is that right, ma'am?

16 A Yes.

17 Q Okay. So what's the date of the e-mail I've highlighted
18 here, starting at the bottom?

19 A May 28th, 2020.

20 Q And the sender is?

21 A Casey Crowther.

22 Q And he's writing to who?

23 A To me.

24 Q Okay. And what does he say?

25 A "Evelyn, can you please get us all together for a

1 meeting tomorrow. They changed the rules, and no longer need
2 to spend all money in eight weeks. Need to change some
3 strategy up immediately."

4 Q All right. Did you set up a meeting?

5 A I believe so.

6 Q Okay. Do you remember what the change in strategy was?

7 A We had been allowing -- having our employees work a good
8 amount of overtime to get through a bunch of work that we had
9 on the books. And so, when the rulings changed, we pulled back
10 on the amount of overtime that people were working.

11 Q Was there any discussion of firing any of these special
12 project employees?

13 A Not that I recall.

14 Q Not that you recall.

15 A (Witness shakes head side to side.)

16 Q Did you think of it when they were later terminated on
17 June 5th, 2020?

18 A No, I hadn't thought about that.

19 Q How much do you make at Target Roofing? Weekly.

20 A Weekly?

21 Q Yeah.

22 A A little over a thousand.

23 Q A little over a thousand? The five family members that
24 were hired and you never saw working at the office made close
25 to double what you made, didn't they. The director of human

1 resources.

2 A Yes.

3 Q Now, during the time period that was mentioned at some
4 point in this case, during the time period, were you actually
5 working in the office?

6 A Yes.

7 Q So you were coming in every day.

8 A Yes.

9 Q Even though it was coronavirus time.

10 A Yes.

11 Q Did you have anything that kept you . . . that you
12 couldn't move around within the office? I mean, it's
13 coronavirus time. I'm just wondering was there some reason
14 that you didn't go out much?

15 A Yes.

16 Q Okay. Let's talk about that. Go ahead.

17 A All office staff were moved into their own individual
18 offices, and separated out. Doors would remain shut at all
19 times, and we were meeting via Zoom and communicating that way.

20 Q Okay. How about -- Zoom meetings. So you guys were
21 having Zoom meetings?

22 A Zoom or Google Hangouts.

23 Q Did you ever see Margaret Crowther taking part in a work
24 meeting on Google Hangouts?

25 A No.

1 Q Aaron Robinson joining a Zoom call?

2 A No.

3 Q Donald Peters, Google Hangouts, Zoom?

4 A Donald Peters, Jr.? No.

5 Q Donald Peters, Jr. Same question. That's a no?

6 A No.

7 Q The individuals that I showed you, that were hired in
8 the two batches, were they paid via direct deposit or paid via
9 checks?

10 A Checks.

11 Q Do you know what happened to their paychecks? How would
12 they get their checks, or how would an employee normally get
13 their checks at Target Roofing?

14 A Which question are you asking?

15 Q The last one. Sorry. How would an employee normally
16 get their checks at Target Roofing?

17 A From their manager. So checks will come in to me, I
18 will divide them out by department, and then they're disbursed
19 to those department managers.

20 Q Okay. How about these checks for these 39 people?

21 A They were given to Mr. Crowther.

22 Q All right. Do you have any idea what happened to those
23 checks?

24 A Yes.

25 Q Okay. What happened to them?

1 A Those checks were recently given back to me.

2 Q Recently?

3 A Yes.

4 Q Okay. Like since the time this case has been pending?

5 A Yes.

6 Q Okay. Who gave them back to you?

7 A Mr. Crowther.

8 Q How many did there appear to be?

9 A A lot.

10 Q For each of these employees we're talking about here?

11 A Yes.

12 Q What did he ask you to do?

13 A They were submitted to the State of Florida.

14 Q Okay. Did you actually -- are the checks in
15 envelopes --

16 A Yes.

17 Q -- when they were provided to you?

18 A Yes.

19 Q Did you actually have to open the envelopes up?

20 A Yes.

21 Q Did you actually see a physical check?

22 A Yes.

23 Q Still there?

24 A Yes.

25 Q Uncashed?

1 A Yes.

2 Q What does it mean to submit it to the State of Florida?
3 Why would you do that?

4 A It's for unclaimed funds.

5 Q Mr. Crowther tell you why?

6 A He said that they weren't picked up.

7 MR. LEEMAN: I don't have any further questions,
8 Your Honor.

9 THE COURT: Okay. Miss Waid, what's your preference,
10 depending on the extent of your anticipated cross?

11 MS. WAID: It's going to be a while, Your Honor, so.

12 THE COURT: Okay. That makes it easy.

13 We'll break for the evening. Again, 9:00 o'clock, I
14 assume, works for everyone? All right.

15 Please do not discuss the case among yourselves, or
16 allow anyone to discuss it with you or in your presence. Don't
17 watch any news, read any newspaper, or read any other source of
18 media, as there may well be coverage of the case again. And
19 again, have a good evening. I'll see you at 9:00 o'clock
20 tomorrow.

21 (At 4:59 p.m., the jury was escorted from the
22 courtroom.)

23 THE COURT: The witness may be excused until
24 tomorrow.

25 (The witness left the witness stand and left the

1 courtroom.)

2 -- -- -- -- --

3 (Thereupon, at 4:59 p.m., the testimony of Evelyn
4 Portinari was concluded for the day.)

5 -- -- -- -- --

6 CERTIFICATE

7 I CERTIFY THAT THE FOREGOING TRANSCRIPT IS A TRUE AND ACCURATE
8 TRANSCRIPT FROM THE ORIGINAL STENOGRAPHIC RECORD IN THE
9 ABOVE-ENTITLED MATTER.

10 Dated this 30th day of March, 2021.

