

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-CR-60173 WILLIAMS (GRAHAM)

UNITED STATES OF AMERICA,

Miami, Florida

Plaintiff,

May 17, 2024

vs.

TESTIMONY OF TRACY WADE

CAROLYN D. WADE,

Defendant.

Pages 1 to 131

TRANSCRIPT (EXCERPT) OF TRIAL

HELD BEFORE THE HONORABLE DONALD L. GRAHAM

UNITED STATES DISTRICT JUDGE

LANCE W. STEINBEISSER, FCRR, RPR, FPR-C
Official Court Reporter
United States District Court
400 North Miami Avenue
Miami, Florida 33128
305.523.5633

Proceedings recorded by mechanical stenography; transcript
produced by computer-aided transcription.

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DEFENSE EXHIBITS

MARKED

ADMITTED

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1 (Call to the Order of the Court.)

2 * * * * *

3 (Defense witness, TRACY WADE, SR., duly sworn.)

4 COURT CLERK: Please state your name and spell it for
5 the record.

6 THE WITNESS: My name is Tracy Wade. The first name
7 is T-R-A-C-Y -- middle initial D -- I'm sorry -- last name
8 Wade, W-A-D-E, Sr.

9 DIRECT EXAMINATION

10 BY MR. MCCRAY:

11 Q. Mr. Wade, what is your marital status?

12 A. I'm the husband of Carolyn Wade.

13 Q. And how long have you and Carolyn been married?

14 A. Approximately, about 15 years -- I'm sorry. About nine
15 years.

16 Q. What year was that?

17 A. 2015.

18 Q. And do you and Carolyn have any children together?

19 A. Yes. We have one child in common.

20 Q. Okay. And how old is he or she?

21 A. She's 11 years old.

22 Q. And without giving us your address, in what city and
23 county do you live?

24 A. We live in Coral Springs, Florida. That's in the county
25 of Broward.

1 Q. Mr. Wade, tell us your educational background.

2 A. I'm a graduate of Miami Carol City Senior High. I also
3 have an associate's degree in mortuary science, which I
4 attended the Philbrick School of Mortuary Science. That's
5 located in Miami Dade Community College.

6 And I'm also duly certified as a police officer and a
7 corrections officer.

8 Q. Okay. And, Mr. Wade, are you currently employed?

9 A. Yes, I'm currently employed, right now.

10 Q. By whom are you employed, sir?

11 A. The town of Pembroke Park Police Department.

12 Q. And in what capacity do you serve there?

13 A. A sworn police officer.

14 Q. Okay. And are you a road patrolman?

15 A. Yes, I'm road patrol.

16 Q. Okay. And what county is Pembroke Park located?

17 A. Broward County, Florida.

18 Q. Is there a neighboring city?

19 A. The town of Pembroke Park lays in between the city of
20 Hallandale, Florida and Miramar, Florida.

21 Q. Okay. And prior to your employment at Pembroke Park, were
22 you employed elsewhere as a law enforcement officer?

23 A. Yes. I was employed by the Broward County Sheriff's
24 Office as a correctional deputy.

25 Q. Okay. And how long were you so employed, sir?

1 A. I was employed there about 25 years.

2 Q. And can you tell us, basically, what your duties were?

3 A. I worked in a couple of divisions. Initially, in the
4 units -- you know, care, custody, and control of inmates.

5 Then I worked on a Baker Act team. I've done some
6 extraditions. I've been a part of the emergency response
7 team. I even did some S.W.A.T. training.

8 Q. Okay. And did there come a time when you became
9 unemployed with the Broward Sheriff's Office?

10 A. When I retired.

11 Q. What year did you retire, sir?

12 A. I want to say 2021.

13 Q. And you obviously didn't stay retired. You told us you're
14 employed. Did you go back to work?

15 A. I took a year off and then I went back to work with the
16 town of Pembroke Park.

17 Q. Okay. And before you joined the Broward Sheriff's Office,
18 did you work as a corrections officer elsewhere?

19 A. Yes. I started my career in 1993 for the Department of
20 Corrections, and I was employed by the South Florida Reception
21 Center.

22 Q. What were your duties there?

23 A. Care, custody, and control of inmates. I worked the
24 outside grounds. I helped start their K-9 unit.

25 Q. Where is the South Florida Reception Center located?

1 A. Miami-Dade County.

2 Q. And what year did you leave that job?

3 A. In 1997.

4 Q. Okay. And I heard you indicate that you have a degree in
5 mortuary science. Can you tell us how you started in that
6 background?

7 A. While employed with the Broward County Sheriff's Office, I
8 ended up putting myself through school while I worked
9 midnights, and I ended up -- it took me a lengthy time, but I
10 got it done and I ended up with my degree.

11 Q. Okay. And did you hold any jobs in that area?

12 A. I worked for various funeral homes trying to learn my
13 craft and perfect it. I worked for initially Mr. Bernard
14 Siportir (phonetic) out of Miami, Florida. I've worked for
15 Grace Funeral Home -- I helped initially start that funeral
16 home. I was actually the funeral director in charge of
17 James C. Boyd Funeral Home in Fort Lauderdale, Florida, for
18 four and a half years.

19 Q. Okay. And did you ever start your own business in the
20 funeral home business?

21 A. Yes, I did.

22 Q. Can you tell us what year?

23 A. I want to say approximately maybe 2009, 2010, I started
24 Wade Funeral Home, which is actually located in the city of
25 Hallandale Beach, Florida.

1 Q. And do you still have that business?

2 A. Yes, I do.

3 Q. Do you have more than one funeral home?

4 A. Yes. We opened a second location approximately about
5 three years ago.

6 Q. Where is that one located?

7 A. That's located in Cutler Bay, Florida.

8 Q. That's Dade County?

9 A. Yes, Miami-Dade County.

10 Q. Okay. And how long have you had that one?

11 A. About three years.

12 Q. Okay. And just tell us the exact nature of the funeral
13 home business. What exactly do you do?

14 A. As a funeral director, I'm tasked with the coordination --
15 arranging funeral services or final disposition for families
16 that have lost their loved ones. As an embalmer of the
17 funeral home, I'm tasked with sanitation, preservation of the
18 remains, just making sure that everything is done correctly
19 when it comes to the remains.

20 Q. Okay. Does Wade Funeral Home sometimes work with other
21 funeral homes?

22 A. Yes.

23 Q. Can you explain that? What do you mean? How's that?

24 A. You have other funeral homes that sometime come to you for
25 services, whether it be embalming, equipment to borrow,

1 vehicles to use, things of that -- et cetera. And me being a
2 funeral director, sometimes I do cover funerals for other
3 funeral homes.

4 Q. Okay. And are you familiar with the Rivero Funeral Home?

5 A. Yes. Eduardo Rivero.

6 Q. Okay. Who is Eduardo Rivero?

7 A. He is the owner of Rivero Funeral Home in Hollywood,
8 Florida.

9 Q. And is Mr. Rivero married?

10 A. He's married to Ms. Haydee Granados. That's her name if
11 I'm correct.

12 Q. Okay. Would you please describe your relationship to the
13 jury -- your relationship with Mr. Rivero and Ms. Granados.

14 A. Well, I met him about six to seven years ago. I've done
15 numerous things within this industry with him as far as
16 covering services. I was contracted to be his licensed
17 embalmer at one point in time. I've gotten vehicles from him.
18 He's gotten vehicles from me, et cetera, et cetera. He has
19 even invited me once -- his daughter was having a birthday
20 party and he asked me to bring my daughter and I did bring my
21 daughter to the party.

22 Q. Okay. And do you know Haydee Granados?

23 A. I don't know her personally. I know her and in
24 conversation when I go by the funeral home, but I don't talk
25 to her extensively like that.

1 Q. Okay. Now, do you have any information or knowledge about
2 a PPP loan that your wife applied for back in 2021?

3 A. Yes, I do.

4 Q. Can you please tell us the basis of your knowledge?

5 A. Well, the basis of my knowledge came from me introducing
6 it to my wife because Eduardo had introduced it to myself
7 because they did one for myself.

8 Q. And when you say "they did one for myself" --

9 A. His wife, Haydee.

10 Q. Okay. And what year did Haydee and -- was it Haydee and
11 Rivero or was it just Ms. Granados?

12 A. Well, I was told she was the one that handled the
13 paperwork but he was the one that was in constant
14 communication -- calling if she needed this or if she needed
15 that.

16 Q. Now, so did there come a time when you were introduced to
17 the idea of applying for a PPP loan?

18 A. Yes.

19 Q. Can you tell us who, if anyone, introduced you to that?

20 A. Eduardo Rivero.

21 Q. Okay. And had you read up on the PPP loans?

22 A. No. I told him I didn't know anything about it.

23 Q. Okay. I mean, did you know the criteria?

24 A. No, not at all.

25 Q. Okay. And so in terms of your making an application for

1 the PPP loan, were you required to produce anything for
2 Mr. Rivero or his wife to commence the process?

3 A. Yes.

4 Q. What were you asked to produce?

5 A. A copy of a voided check, a copy of my driver's license,
6 and a copy of my Social Security card --

7 Q. Okay. And --

8 A. -- and bank statements. I'm sorry.

9 Q. Did you actually produce those things?

10 A. Yes, sir.

11 Q. Did they ask you to produce any tax information?

12 A. Never. Never.

13 Q. And so as a direct result of your having made an
14 application, did at some point you receive a PPP loan?

15 A. Yes.

16 Q. Can you please tell us the amount?

17 A. The first amount was, I think, \$20,833 and I think the
18 second one was the same.

19 Q. Okay. Now, let's talk about the first loan. Now, were
20 you made aware of whether or not you had to pay this loan back
21 or these loans back?

22 A. The way it was explained was it's a process --

23 MR. ZACCA: Objection. It calls for hearsay.

24 THE COURT: Overruled. Overruled.

25 BY MR. MCCRAY:

1 Q. You may answer, sir.

2 A. The way it was explained is it's a simple process. Just
3 give us the documents. Let Haydee go ahead -- she's supposed
4 to be an expert in doing it. And she'll go ahead and get the
5 process completed. Once it's done, there's a forgiveness part
6 of it that she will go ahead and take care of. Just let her
7 know once the documents -- or if you get any documents put in
8 your email.

9 Q. Now, prior to your having produced these documents, were
10 you required to pay a fee to them?

11 A. No.

12 Q. Was it your understanding that at some point you would
13 have to pay a fee?

14 A. What he said was -- because you don't know -- you didn't
15 know what you were going to get, so he said it's a percentage
16 of whatever you qualify for is what we charge.

17 Q. Okay. Now, you produced those documents; is that correct?

18 A. Yes.

19 Q. Now, tell us about your process in actually applying for
20 the loan. Did you have to fill out paperwork or anything?

21 A. No, I didn't fill out anything. It was just certain
22 requirements -- you know, he would periodically call me back
23 to back, "Oh, you need to check your email. You need to pay
24 attention to your email" -- or "I'm texting you. You've got
25 to respond -- everything." It was a rush-rush. It's a

1 timely -- everything is in a timely manner.

2 Q. Now, Mr. Wade, were you ever asked to produce any type of
3 credentials or login information to either Haydee or her
4 husband?

5 A. Yes.

6 Q. Can you tell us what it was you were asked to produce?

7 A. If I'm correct, it was Womply access. She asked for that.
8 She asked for --

9 Q. What do you mean Womply access?

10 A. Whatever the site or application process was being gone
11 through, she asked for access to that. Eventually, she asked
12 for my access because I was taking too long -- access to my
13 emails. And her thing was, well, once it's all said and done,
14 you can change it. She --

15 Q. Did you provide her that email address?

16 A. Yes. Yes. I ended up doing it.

17 She also asked for my bank account login and I said,
18 "No." I wasn't going to give her that.

19 Q. So did you ever give her your bank account login
20 information?

21 A. No. No, I didn't.

22 Q. Now, did you ever become aware as to whether or not
23 Ms. Granados or her husband actually utilized any of this
24 credential information that you had given them?

25 A. Again, I didn't know what the process was. I just trusted

1 him and her as doing business for a very long time, and I had
2 no reason to be alarmed. So I didn't know the process.

3 Q. Now, are you familiar with DocuSign?

4 A. Absolutely. Yes.

5 Q. Were you ever asked to DocuSign something with your name
6 or your initials?

7 A. I'm not -- probably so, yes, I will say. I'm not sure.

8 Q. You don't --

9 A. I can't recall. I don't remember.

10 Q. Now, did there come a time when you received PPP proceeds?

11 A. Yes.

12 Q. Do you remember roughly how long it was from the time that
13 you submitted information to Ms. Granados and the time that
14 you received the moneys?

15 A. No, I don't remember the exact time frame of in between.
16 I don't remember.

17 Q. Okay. Now, what businesses did you make an application
18 for?

19 A. Wade Funeral Home.

20 Q. Okay. Two loans?

21 A. Yes.

22 Q. And they were in the amount of -- what was the amount of
23 the first loan?

24 A. If I'm correct, it was \$20,833.

25 Q. Okay. And what about the second loan?

1 A. If I'm correct, the same amount.

2 Q. And did you provide them truthful information in this
3 process?

4 A. Yes.

5 MR. ZACCA: Objection to leading.

6 THE COURT: Overruled.

7 THE WITNESS: Yes, I did.

8 BY MR. MCCRAY:

9 Q. Okay. And did you receive the funds?

10 A. Yes.

11 Q. I know you testified that the criteria was never explained
12 to you. To this day, are you aware of the criteria on
13 which enabled you to procure loans in the amount of 20,833 --

14 A. Now I am. Yes, now.

15 Q. Now, did there come a time when your wife made an
16 application for a PPP loan?

17 A. Yes.

18 Q. Now, can you please tell the members of the jury what was
19 your wife's employment at that time?

20 A. She was an employee of the Broward County Sheriff's
21 Office.

22 Q. And how long had she been a deputy?

23 A. About 23 years.

24 Q. Was she a deputy with the Broward Sheriff's Office?

25 A. Yes, she was a deputy.

1 Q. Okay. And can you tell the members of the jury in what
2 capacity she served?

3 A. She was a detention deputy.

4 Q. In Broward County?

5 A. In Broward County.

6 Q. Go ahead. Tell us about your wife -- how your wife became
7 aware of this PPP loan application.

8 A. So immediately -- because he knew I had got funded --

9 Q. Who's he?

10 A. Eduardo Rivero. He knew I had gotten funded before I knew
11 and he called me, and he said, "So check your account." And I
12 looked and I was like, "Oh, wow." And I guess it was actually
13 true. So he said, "Okay. So now where's my money?" You
14 know, making a joke about it.

15 So then when I took him his money, he said, "Your
16 wife has a business. Why don't you give me her
17 information" --

18 Q. So did you pay Mr. --

19 A. Yes.

20 Q. -- Eduardo?

21 A. Eduardo Rivero. I paid him whatever percentage it was
22 that was required.

23 Q. Okay. Do you remember how much you paid him?

24 A. Not offhand. I don't remember the exact amount, but it
25 was probably about \$5,000 or \$6,000, initially.

1 Q. Okay. And was that the total for both loans or was --
2 what did that represent, that --

3 A. That was only the first one. I'm not -- I'm not familiar
4 or remember what the total amount was.

5 Q. Okay. And this was back in 2021?

6 A. Yes.

7 Q. Okay. Now, your wife, did she have other employment?

8 A. Yes.

9 Q. Can you please tell the jury about that employment?

10 A. My wife owns 1 Step A-Head Hair Salon.

11 Q. Okay. And how long has she run that business?

12 A. That business has been incorporated, if I'm correct -- I
13 think she did it in 2015, if I'm correct.

14 Q. All right. Does your wife hold any other licenses?

15 A. She's a licensed cosmetologist.

16 Q. Do you know for how long?

17 A. Before I met her.

18 Q. Okay. And you met her -- I know you married, you said,
19 around 2015?

20 A. Altogether, we've been together, I think -- you're trying
21 to get me in trouble -- about 15 years.

22 Q. Okay. So did there come a time when you actually
23 approached Mrs. Wade about a PPP loan?

24 A. Yes.

25 Q. Prior to your having approached her, had she approached

1 you about her -- any interest in her applying for a loan?

2 A. She never heard of it before.

3 Q. And tell us what you told her.

4 A. I said, "Do you want to see if you qualify to get" -- and
5 I explained it to her. I said, "It was a PPP." She said,
6 "What is that?" And I explained it to her. And because of
7 who I said was handling it and she know I trust him to handle
8 things for me as far as the funeral business goes, she was
9 like, "Okay." She said, "But I don't think nothing is going
10 to come of it because I don't really make that kind of money
11 for them to give me anything."

12 Q. Okay. And did there come a time when you represented to
13 Mrs. Wade what, if any, documents she was going to need?

14 A. The same documents I gave.

15 Q. Now, did you just tell her that or did someone -- did
16 someone mention it to you that she was going to need these
17 documents also?

18 A. Yes. Eduardo relayed to me, just the same as he did when
19 I did it, "Hey, I need this document -- you already know the
20 documents we need. Get this, this, this, and that."

21 Q. Tell us specifically what documents were asked for and
22 what documents were given.

23 A. Her driver's license, her Social Security card, bank
24 statements, and a voided check.

25 Q. Do you know if any requests were made for login

1 information?

2 A. Yes. That was through me.

3 Q. Okay. And tell the members of the jury what login
4 information you told your wife was going to be needed.

5 A. Access to the Womply -- if I'm saying it correct -- the
6 Womply entry -- wherever they do the applications at -- the
7 same requests.

8 She didn't ask initially because I told her I would
9 handle everything for my wife because I thought I was familiar
10 with it because they did the same thing for me. But
11 initially -- well, down the road she ended up getting her --
12 access to her Gmail account and --

13 Q. Let me be clear on that. She ended up giving access to
14 her Gmail --

15 A. I gave it to her. I asked my wife because they kept
16 calling me --

17 Q. Yes. They who?

18 A. Haydee Rivero and Eduardo Rivero. And -- because they
19 were, like, "You can trust me. You can trust me. You know,
20 we're boys. I'm not going to do nothing to you guys." So we
21 gave it to them.

22 Q. Okay. And so you gave them access -- she gave them access
23 to her Gmail account?

24 A. Yes.

25 Q. Okay. What about DocuSign? Did they give her access to

1 that?

2 A. They had access to everything.

3 Q. And they had requested that --

4 A. Yes.

5 Q. -- as they had done with you?

6 A. Yes. The very exact same thing they did with me.

7 Q. Now, were there times when follow-up information was
8 requested by -- I'm sorry -- by either Haydee or Eduardo?

9 A. Once they got the initial information that they requested,
10 no, not then.

11 Q. Now, who, if anyone, between you and your wife, was in
12 touch with the Granados about Ms. Wade's application process?

13 A. Myself.

14 Q. And why was that?

15 A. Because she was employed. So her hours were, I think,
16 8:00 to 4:00, and she couldn't have her phone. So it was
17 impossible for them to have constant communication with her.

18 Q. Okay. And phones are not allowed in the jail?

19 A. In the jail or the courtrooms.

20 Q. Okay. And let's say if an individual who worked in the
21 jail or the courtroom -- you worked for the sheriff's office;
22 right?

23 A. Yes, sir.

24 Q. How many years?

25 A. 25.

1 Q. If a person wanted to use a phone, could they walk out to
2 the car or go to a locker --

3 A. You could go to the locker and get your phone, depending
4 on where you have it at.

5 Q. Okay. Now, were there any times when information --
6 excuse me -- was requested of you and you would then contact
7 your wife and --

8 A. If it was something I didn't know and I had to call her or
9 I sent her a text -- we have a child in common. And at the
10 time I think Taylor was -- Taylor was much younger. So we
11 would periodically talk throughout the day. And if I knew it,
12 then I would go ahead and take care of it.

13 Q. And if you talked to her -- I mean, would she leave the
14 building? How would she talk to you?

15 A. I'm not aware of if she left the building or not. I can't
16 answer that.

17 Q. Okay. Now, when Ms. Wade was approached about applying
18 for a loan, did you mention anything to her about fees?

19 A. No. I just told her that -- how it was explained to me
20 that depending on whatever you get, you have to pay whatever
21 the percentage was of what you got.

22 Q. Okay. Now, when you paid Eduardo, how did you pay him?
23 What form did you pay him in?

24 A. I think I may have given him a check. I don't -- I can't
25 recall exactly how I paid him -- by check or Zelle. I'm not

1 sure.

2 Q. Okay. If you recall, if it was a check, do you know to
3 whom it was made?

4 A. Oh. Yes, it was a check. Jersey City Group.

5 Q. Okay. Were you familiar with that --

6 A. No.

7 Q. -- corporate name?

8 A. No.

9 Q. That's a corporation name?

10 A. No, sir.

11 Q. It's not a corporation name?

12 A. It's a corporation name, but I'm not familiar with it.

13 Q. Okay. And why would you make it out to Jersey City Group?

14 A. That's who I was instructed to make it out to.

15 Q. Okay. And did you think anything of it when you were
16 asked?

17 A. Didn't think anything of it.

18 Q. Were any instructions given to you as to what to put in
19 the memo section of the check?

20 A. I can't exactly remember, but as far as the instruction
21 was given, as far as the check and what to put on it, we were
22 instructed on what to do as far as the check goes.

23 Q. Okay. And now, with respect to your wife having -- and I
24 believe it's been introduced into evidence -- a check that was
25 made out to Jersey City, in the memo section it says -- you

1 put something about equipment. Were you aware -- were you
2 present when she was told -- if she was told to put that in
3 there?

4 A. I was -- I don't recall. That's been a while ago. I
5 don't recall if I was there or not.

6 Q. Okay. But with respect to your check, they -- I don't
7 know about they -- but was it Haydee or would it have been her
8 husband that told you what to put in the check?

9 A. Eduardo.

10 Q. Eduardo instructed you what to put on the check?

11 A. Yes.

12 Q. Okay. And did you have any reason to believe -- with
13 respect to your loans, did you have any reason to believe that
14 these people were engaging in some type of fraudulent
15 behavior?

16 A. No, sir.

17 Q. Were you aware if these individuals, the husband and wife,
18 were doing PPP applications for others?

19 A. Yes.

20 Q. And you knew Eduardo before the -- did you know Eduardo
21 before the application process?

22 A. Yes, yes.

23 Q. Did you trust him?

24 A. Absolutely.

25 Q. Did you believe in him?

1 A. Yes, I did.

2 Q. Where did that factor in when you approached your wife
3 about applying for a loan?

4 A. I don't trust people that easy. So if I trusted him, my
5 wife -- she trusts me as her husband and she just agree with
6 me.

7 Q. Okay. And did you or your wife provide a Schedule C to
8 either one of the -- either Mr. Eduardo or Ms. Granados?

9 A. No, sir. We provided no tax information to them.

10 Q. Did they ever ask you for tax information?

11 A. No, sir.

12 Q. So after you submitted them the things that you've told us
13 about already, did they tell you anything about what would be
14 next in terms of submitting it?

15 A. Can you repeat that for me again?

16 Q. Yeah.

17 After you submitted the documents and gave them the
18 login information that you described to us already, can you
19 tell us what, if anything, either Eduardo or Ms. Granados said
20 to you would be next?

21 A. I think it was a review process or something like that to
22 see if we got it approved or something.

23 Q. Now, are you aware of your wife being required to take a
24 photograph in connection with this application process?

25 A. That's a part of the process.

1 Q. Did you have to take a photograph also?

2 A. Yes.

3 Q. And did you see your wife's photograph that she had taken
4 with respect to this application?

5 A. No. I don't recall seeing it, no.

6 Q. Okay. Now, did you transmit any documentation -- let's
7 talk about Granados -- Ms. Granados or her husband. Did you
8 ever transmit documentation to them?

9 A. Did I transmit? Yes. Yes, I have. Yes, yes.

10 Q. Can you tell us where were you when you did so?

11 A. Probably at my office at the funeral home or even home,
12 depending on what time of day it was.

13 Q. Okay. And did you have access to your wife's email
14 address?

15 A. Yes. Yes.

16 Q. And did she have any other type of devices?

17 A. We had a laptop at that time at the apartment.

18 Q. What about a tablet?

19 A. Yes, a tablet.

20 Q. And did you ever use her tablet?

21 A. All the time.

22 Q. Did you ever use her tablet in connection with this?

23 A. I probably did at that time.

24 Q. Okay. And what about her email? With this process did
25 you use her email address at all?

1 A. Yes. Yes.

2 Q. And were there ever any times when the Granados may have
3 needed some documentation and you would contact your wife and
4 your wife would get --

5 MR. ZACCA: Objection to leading.

6 THE COURT: Rephrase, please.

7 BY MR. MCCRAY:

8 Q. Did there ever come a time when the Granados would submit
9 information to you that they needed?

10 A. Yes, they did.

11 Q. And what did you have to do in order to get that
12 information?

13 A. If I didn't have it, then I would try to make contact with
14 my wife.

15 Q. Okay. Were there ever any times when you would submit
16 it -- when you would do that, were there times when you would
17 get it back from her?

18 A. Yes.

19 Q. And what was the time frame sometimes?

20 A. I can't give you accurate times because it varied on
21 multiple occasions.

22 Q. Okay. And are you aware if Ms. Granados or Eduardo ever
23 uploaded any information concerning your wife with this
24 application process?

25 A. They uploaded all of it, if I'm correct. I'm not sure if

1 I even uploaded anything. I'm not sure. But I know
2 90 percent of it, she did it.

3 Q. Who did?

4 A. Haydee Granados.

5 Q. Were your loans forgiven?

6 A. Yes.

7 Q. Okay. With respect to the forgiveness process, do you
8 know if Mrs. Wade ever -- if an application was made for her
9 loan to be forgiven?

10 A. Yes.

11 Q. Now, when did you find out about this claim -- not this
12 claim but about a fraudulent tax return of 100 -- that
13 included a \$113,000 income figure? When did you and your wife
14 learn about that?

15 A. The night before.

16 Q. The night before what?

17 A. The night before the Broward Sheriff's Office came to our
18 house to take her in.

19 Q. And that was just a few months ago?

20 A. Yes.

21 Q. Was this the Broward Sheriff's Office that came to take
22 her in?

23 A. It was only the Broward County Sheriff's Office. It was a
24 task force.

25 MR. MCCRAY: I beg the Court's indulgence.

1 BY MR. MCCRAY:

2 Q. Are you familiar with Ms. Wade's 2019 tax returns?

3 A. Familiar? No.

4 Q. Do you know if she filed for tax returns in 2019?

5 A. She should have.

6 Q. But you don't know that?

7 A. I wouldn't know.

8 Q. Okay.

9 A. Well, I wouldn't know, but I -- yes, she filed them. She
10 filed them.

11 Q. Now, do you know -- did your wife have a relationship with
12 Ms. Granados?

13 A. No.

14 Q. They weren't enemies, were they?

15 A. No, sir.

16 Q. I mean, did they really know each other?

17 A. No, sir.

18 Q. You had the relationship with -- did you have the
19 relationship with Mr. Wade and -- I'm sorry -- Eduardo and his
20 wife?

21 A. Yes.

22 Q. Do you know of your wife placing just phone calls and just
23 communicating with Ms. Granados?

24 A. No.

25 Q. Do you remember the email address that you provided to

1 Haydee regarding your wife?

2 A. Yes.

3 Q. What was that email address?

4 A. ck1226@gmail.com.

5 Q. Okay. That's your wife's current email address?

6 A. Yes.

7 Q. It's like ckidd or something --

8 A. ckidd, I'm sorry, yes.

9 Q. Now, when you applied for your PPP loan account, how many
10 bank accounts did you have?

11 A. I had a business account, I had a personal -- I think two
12 personal accounts.

13 Q. Okay. Did you and your wife have any joint accounts?

14 A. Yes.

15 Q. Did you have an account with USAA?

16 A. Yes.

17 Q. Was that a joint account with your wife?

18 A. Yes, it was.

19 Q. Okay. Let me ask you. Is there a portal connected with
20 your bank account?

21 A. Yes, it is.

22 Q. Okay. When we say portal -- when you are going to that
23 bank account, are you necessarily going in that bank account
24 for banking information?

25 A. No.

1 Q. Can you tell us --

2 A. When you put your code in and go onto USAA portal, it
3 opens up and not only your bank account is there but if you
4 have credit cards through USAA, car insurance, life insurance,
5 any personal loans, you have access to all of that once you
6 open a portal.

7 Q. So because if you look at, say, documentation concerning
8 that account and it shows that you've gone and opened up that
9 portal, do you -- must you have looked into your account where
10 it talks about how much money you have in there?

11 A. I think the only person that probably can tell you
12 what's -- what folder or whatever you went in would probably
13 be USAA. There's no way to tell that.

14 Q. Now, do you and your wife own a home in Coral Springs,
15 Florida?

16 A. Yes, sir.

17 Q. And how long have you all owned that home?

18 A. Two and a half years now.

19 Q. Okay. Did you and your wife ever live outside of Broward
20 County --

21 A. Yes, sir, we did.

22 Q. -- in the last ten years?

23 A. Yes, sir.

24 Q. Can you tell us where you lived?

25 A. Port St. Lucie, Florida.

1 Q. Were you all still working in Broward County at that time?

2 A. Yes, sir.

3 Q. And how were you getting to Broward County to work?

4 A. We would travel down, back and forth every day.

5 Q. Was your wife doing hair at the time?

6 A. Yes, she was.

7 Q. Where was she doing hair?

8 A. She would go to her clients because no one wanted to come
9 up to Port St. Lucie.

10 Q. Okay. And Port St. Lucie from, let's say, Pompano was
11 roughly how many miles, would you estimate?

12 A. About 100 miles one way.

13 Q. Now, do you still own the house in Coral Springs?

14 A. Yes, we own a house in Coral Springs.

15 Q. And did there come a time when you sold a home that you
16 owned?

17 A. Yes. We also owned a prior home in Coral Springs.

18 Q. Okay. When did you sell that home? Well, first of all,
19 when did you -- did you live in that home?

20 A. Yes, we did.

21 Q. When did you all move out, if you remember?

22 A. We moved out just, like, before the pandemic, if I'm
23 correct.

24 Q. Okay. And how much did you all sell that house for?

25 A. That, I can't -- I can't give you an exact number on that.

1 Q. Okay. And were those proceeds deposited into any
2 accounts?

3 A. Yes.

4 Q. Okay. Was it a joint account?

5 A. It was a joint account at USAA.

6 Q. In terms of work that was done to process this loan, were
7 you more active -- who would you say was most active on this
8 account, you or your wife?

9 A. I was.

10 Q. Tell us why.

11 A. She had -- she really didn't have a clue. She just
12 went -- gathered the information that I required to get from
13 her what they requested, which was Eduardo and Haydee.
14 Certain things that she had to do was -- like, the photo, I
15 couldn't take the photo. But once she did that, she really
16 had no interaction in getting it done. She was actually
17 surprised when -- when the funding came through.

18 Q. Okay. And did she ever reach out, to your knowledge, to
19 Eduardo --

20 A. Not at all.

21 Q. -- regarding this loan, especially?

22 A. No.

23 MR. MCCRAY: I beg the Court's indulgence.

24 Judge, at this time I have no further questions.

25 THE COURT: Cross-examination.

1 CROSS-EXAMINATION

2 BY MR. ZACCA:

3 Q. I believe it's the afternoon. Good afternoon.

4 A. Good afternoon, sir.

5 Q. Just so the jury knows, you and I have never spoken
6 before; is that correct?

7 A. Not at all.

8 Q. It's the first time we're speaking; correct?

9 A. Yes.

10 Q. You mentioned on direct examination your law enforcement
11 career, which goes back to, I believe -- I was taking notes
12 here. So if I'm incorrect in stating something, please
13 correct me. But I'm taking notes because it's the first time
14 we've spoken -- since 1993; is that right?

15 A. Yes, sir.

16 Q. You worked with the Department of Corrections for several
17 years?

18 A. Four years.

19 Q. Four years?

20 A. Yes.

21 Q. And then you started working for BS0; correct?

22 A. Yes, sir.

23 Q. And you worked as a deputy detention officer for BS0 up
24 until about 2021; is that right?

25 A. Yes, sir.

1 Q. So that's a long career in law enforcement? Yes?

2 A. I believe so.

3 Q. And when you get hired as a deputy detention officer --
4 let's go back to the Department of Corrections.

5 When you get hired as a detention officer starting
6 with the Department of Corrections, you don't get hired and
7 just show up for work the first day and start working as an
8 officer; correct? You get some training?

9 MR. MCCRAY: Objection. Relevance, Judge.

10 THE COURT: Overruled.

11 BY MR. ZACCA:

12 Q. Go ahead.

13 A. Actually, yes. At South Florida Reception Center, yes, we
14 did.

15 Q. You get some training?

16 A. No training.

17 Q. No training. Okay.

18 So you just showed up for work one day after being
19 hired and started working as a --

20 A. Not until you go to the academy.

21 Q. Okay. So you went to the academy; is that right? When
22 did you go to the academy?

23 A. I can't remember that year, sir.

24 Q. Was that --

25 THE COURT: Could you -- I'm sorry. Please lean

1 forward and speak directly into the microphone. Thank you.

2 BY MR. ZACCA:

3 Q. Did you go to the academy when you became, at some point
4 during your career, a detention officer for the Department of
5 Corrections?

6 A. Yes.

7 Q. Did you go back to the academy when you got hired by BS0?

8 A. For?

9 Q. As a deputy detention officer for the Broward Sheriff's
10 Office.

11 A. No, sir.

12 Q. Okay. All right. So you went to the academy, I guess,
13 sometime after -- what is it? 1993?

14 A. Yes, sir.

15 Q. Okay. And the academy is several weeks long of training;
16 isn't that right?

17 A. About three months.

18 Q. Three months of training.

19 And was that training the academy at Broward College?

20 A. I went to Miami Dade Community College for the corrections
21 academy.

22 Q. So you went to corrections academy at Miami Dade College.
23 And when you went to the academy, you got trained on various
24 aspects of being a deputy detention officer; is that right?

25 A. Yes.

1 Q. And you would agree that's a law enforcement position;
2 correct?

3 A. Yes.

4 Q. And you got trained on various aspects including the
5 following: You got trained on how to obtain statements and
6 information from a particular individual you're interviewing;
7 is that right?

8 A. Not in corrections, no.

9 Q. Well, let me ask you this. When you started -- when you
10 were working as -- once you passed the academy, if an incident
11 happened at the jail and there's a fight -- right? -- did you
12 have to write reports?

13 A. Yes.

14 Q. At the academy, were you trained on how to write a report?

15 A. Yes.

16 Q. Were you trained on being very careful when writing a
17 report?

18 A. Yes.

19 Q. You want to be accurate in writing a report; correct?

20 A. Yes.

21 Q. You want to be detailed in writing a report; correct?

22 A. Yes.

23 Q. Because the report is your account -- a record of whatever
24 incident you're investigating; correct?

25 A. Correct.

1 Q. And as a deputy detention officer both at the Department
2 of Corrections and at the Broward County Sheriff's Office, you
3 would have to, at times, do investigations; is that right --
4 of incidents?

5 A. Okay.

6 Q. Is that fair?

7 A. Not really, but okay.

8 Q. Well, I don't want you to say okay. You're the one
9 testifying, sir.

10 A. No, I never conducted any investigations.

11 Q. But you did write reports?

12 A. Yes.

13 Q. And you do agree you have to be careful and accurate in
14 your reports; right?

15 A. Yes, sir.

16 Q. As part of your training and career as a detention
17 officer, not only did there come times that you would have to
18 write a report about an incident, but you would have to know
19 about the various security levels of a particular inmate;
20 correct?

21 A. Yes.

22 Q. Okay. You would have to understand the classification
23 process for assigning a security level to a particular inmate;
24 correct?

25 MR. MCCRAY: Objection to relevance.

1 THE WITNESS: No, sir. No, sir.

2 THE COURT: It does sound like this is far beyond
3 what's involved in this case.

4 MR. ZACCA: I'll tie it up, Judge. Fair enough.

5 BY MR. ZACCA:

6 Q. You mentioned that you became a police officer; correct?

7 A. Yes, sir.

8 Q. When did you go to the police academy?

9 A. I went to the Cross Academy when I was employed by the
10 Broward County Sheriff's Office.

11 Q. Okay. And what year was that?

12 A. Maybe 1998, '99.

13 Q. Okay. So the police academy is different from the
14 detention officer academy; right?

15 A. Yes, sir.

16 Q. And at the police academy, you were also now trained to do
17 investigations; correct?

18 A. Yes, sir.

19 Q. Trained to ask critical questions when doing an
20 investigation; right?

21 A. Yes, sir.

22 Q. Trained on interviewing individuals; correct?

23 A. Well, that's when we believe a crime has been committed.

24 Q. Yes, sir.

25 But the answer is yes?

1 A. Yes.

2 Q. You're trained to investigate crimes; correct?

3 A. Yes, sir.

4 Q. And as you testified earlier, when you went to the
5 detention academy, when you write reports, you have to be
6 accurate; correct?

7 A. Yes, sir.

8 Q. And precise? Yes?

9 A. Yes, sir.

10 Q. Okay. Now, during your direct testimony -- I didn't want
11 to -- Judge, I'm sorry. You were reading something and I did
12 not want to speak while you were reading --

13 THE COURT: Go right ahead.

14 MR. ZACCA: Okay. Fair enough.

15 BY MR. ZACCA:

16 Q. All right. We talked about your law enforcement career.
17 We talked about your training at both academies. And we
18 also -- you also testified about how you went to school to
19 become a licensed funeral director; is that correct?

20 A. A licensed funeral director and an embalmer.

21 Q. An embalmer?

22 A. Yes.

23 Q. And in order to be licensed, you have to go to school;
24 correct?

25 A. Yes, sir.

1 Q. And get educated in that; correct?

2 A. Yes, sir.

3 Q. You graduated in 2005; right?

4 A. Yes, sir.

5 Q. Was that at Miami Dade Community College?

6 A. The Philbrick School of Mortuary Science, which is located
7 at the school of Miami Dade College.

8 Q. It took you three years to get that?

9 A. Around or about.

10 Q. And if I heard you correctly -- and I was taking notes, so
11 correct me if I'm wrong -- you worked at various funeral
12 homes; correct?

13 A. Correct.

14 Q. Okay. In pursuing this career; right?

15 A. Yes.

16 Q. And you were working at these funeral homes while still
17 being employed as a deputy detention officer at the Broward
18 County Sheriff's Office; right?

19 A. Yes, sir.

20 Q. And at some point you got to the point where you got to
21 own your own place; right?

22 A. Yes, sir.

23 Q. You bought a funeral home; is that right?

24 A. Yes, sir.

25 Q. In 2010?

1 A. Yes, sir.

2 Q. And it became successful to the point where you bought a
3 second location in the Perrine area; is that right?

4 A. Okay. Yes. It's Cutler Bay.

5 Q. Forgive me. Cutler Bay.

6 And when did you get that second location?

7 A. Around or about -- I think we've been there about three
8 years now.

9 Q. As a funeral home director, I imagine you provide various
10 services; correct?

11 A. Yes, sir.

12 Q. Do you provide financing at your funeral home?

13 A. No, sir.

14 Q. Do you have vendors that you contract with?

15 A. I have a lot of vendors.

16 Q. A lot of vendors?

17 A. Yes.

18 Q. Photography?

19 A. Yes.

20 Q. Flower arrangements?

21 A. Yes.

22 Q. What other kind of vendors do you deal with?

23 A. Beauticians, vehicles, laborers. It all depends -- car
24 washers, lawn care maintenance people.

25 Q. And by the way, you're the boss -- correct? -- at the

1 funeral home?

2 A. Sometimes.

3 Q. Okay. There are other times someone else is the boss?

4 A. Yes.

5 Q. Okay. But you're the owner?

6 A. Yes, I am.

7 Q. And in dealing with all these vendors that provide
8 services to your funeral home, do you have contracts with
9 them?

10 A. Sometimes.

11 Q. And when you have these contracts, do you review them?

12 A. I initiate the contracts --

13 Q. Yes.

14 A. -- to go into contracts or agreement with them.

15 Q. Right, right.

16 But you don't just simply sign the agreement and
17 that's it. You want to understand the terms of the contract;
18 correct?

19 A. It all depends on what kind of contract we're talking
20 about.

21 Q. Okay. All right. Well, what are the types of contracts
22 that you do read?

23 A. Anything pertaining to financial contracts that I make
24 because that's what I'm regulated by the state board to do. I
25 have to -- I have to monitor those to make sure that

1 everything is in accordance with the guidelines.

2 Q. Okay. So you do read financial contracts -- contracts
3 having to do with money?

4 A. That I initiate as the funeral director.

5 Q. That's right.

6 But do you read them, yes?

7 A. Because I have to.

8 Q. Okay. And also if it's costing you money, you want to
9 know how much money it's costing you; right?

10 A. Those don't cost me money. Those are contracts I give to
11 families.

12 Q. How about the contracts that cost you money? Do you read
13 those?

14 A. Yes.

15 Q. Do you have any mortgages?

16 A. Yes.

17 Q. Okay. Can you tell me what kind of mortgages you have?

18 A. No, I can't. Not right offhand.

19 Q. Okay. Well, do you have a mortgage on Wade Funeral Home
20 in Hallandale?

21 A. Oh, yes, I do.

22 Q. Do you have a mortgage on the property in Cutler Bay?

23 A. No mortgage.

24 Q. Okay. When did you get that mortgage in Hallandale Beach?

25 A. Upon opening my business -- actually, no, I did not. A

1 couple of years after I opened I got a mortgage with SunTrust.

2 Q. Okay. Do you know the terms of that mortgage?

3 A. No, not right now.

4 Q. You don't know how much you pay a month?

5 A. I don't know right now.

6 Q. But you knew at some point?

7 A. At that time when I did the contract.

8 Q. I mean, those are kind of important things to know, how
9 much you pay on a mortgage; right?

10 A. Correct.

11 Q. And interest rate; correct?

12 A. Correct.

13 Q. Your funeral home is a successful funeral home, isn't it?

14 MR. MCCRAY: Objection, Judge. That's argumentative.

15 THE WITNESS: What's your definition --

16 THE COURT: One moment. One moment.

17 On that basis, overruled.

18 BY MR. ZACCA:

19 Q. You may answer, sir.

20 A. What's your definition of success?

21 Q. Okay. Is it profitable? Do you make money?

22 A. It's profitable.

23 Q. In 2019, did you report that you made \$345,000 in sales?

24 A. Sir, I cannot answer any questions on documents that I
25 don't have.

1 Q. Okay. Well, I'm not asking you about a document. I'm
2 asking you just so you know. It's your business, sir.

3 In 2019, did your funeral home make approximately
4 \$345,000 in sales?

5 A. Again, I'm not going to confirm nor deny any numbers that
6 I'm not familiar with.

7 THE COURT: But the question is how much did you
8 make? Now, you need to be specific. Gross? What is it that
9 you're asking?

10 BY MR. ZACCA:

11 Q. And I'll repeat the question, Judge.

12 In 2019, did you approximately make at Wade Funeral
13 Homes in gross sales \$345,359?

14 A. If that's what the documents say --

15 THE COURT: That's not what he's asking you, sir.
16 He's asking you what the amount was that the business grossed.

17 THE WITNESS: But honestly, Your Honor, I don't
18 remember.

19 THE COURT: All right. That's the answer.

20 BY MR. ZACCA:

21 Q. All right. What do you remember your business made in
22 2019 in gross sales? What do you remember?

23 A. I don't remember. Honestly, I don't.

24 Q. Okay. How much in profits did your business make in 2019?

25 A. I don't think we made a profit.

1 Q. Okay. How about 2020? With regard to profits. I'll be
2 precise.

3 A. I'm not exactly sure of the amount.

4 Q. Okay. Approximate?

5 A. 200, 300 -- I'm not sure. Definitely not sure.

6 Q. 200- or \$300,000 in profit in 2020?

7 A. No. I'm not sure because I don't have the documents, so
8 I'm -- I don't want to say yes to something that I'm not sure
9 about.

10 Q. But, sir, I'm not asking you for a precise number. I'm
11 asking you for an approximation. That's it. An
12 approximation.

13 A. Approximately, between 100 or 200. I'm not sure --

14 Q. Okay.

15 A. -- if so.

16 Q. In 2021, approximately how much did Wade Funeral Home make
17 in profits in the year 2021?

18 A. I can't give you the answers to those questions because I
19 don't recall them. I do my taxes annually. I give them to my
20 CPA. If I owe, I owe. If I don't -- I don't get any returns
21 from it, so...

22 Q. So you can't tell this jury how much Wade Funeral Home
23 made in profits in the year 2021?

24 A. No, I can't.

25 Q. How about the year 2022?

1 A. I ended up owing about 7,000 or something dollars, if I'm
2 correct.

3 Q. Who did you owe the money to? I asked profits.

4 A. Say 200,000, I guess -- a hundred -- I'm not sure.

5 Q. How about in 2023 -- last year -- how much in profits did
6 Wade Funeral Home make?

7 A. Sir, in all due honesty, I cannot answer your questions
8 because I trust my CPA to handle that, and she's been my CPA
9 from the inception of my business.

10 Q. Let me repeat my question.

11 Can you give this jury an estimation -- an
12 approximation based on your memory of how much Wade Funeral
13 Home made in 2023? We're talking about last year.

14 MR. MCCRAY: Objection. Asked and answered, Judge.

15 THE COURT: Overruled.

16 THE WITNESS: I can't give you a definite answer
17 because I don't remember or recall. I don't know the numbers.
18 If you have it, I can look at it and probably confirm it.

19 BY MR. ZACCA:

20 Q. You mentioned various vendors that you have contracts
21 with -- some of which you have contracts with. Can you name
22 some of them? What are some of the vendors?

23 A. Stericycle, Batesville, Matthews Caskets, floral
24 companies -- multiple companies. Limousine companies.

25 Q. And these contracts that you have with these various

1 vendors that you just described, are these contracts where
2 they're paying Wade Funeral Home money or are you paying Wade
3 Funeral Home money?

4 MR. MCCRAY: Objection. Relevance, Judge.

5 THE COURT: Let me have you all come sidebar, please.

6 (The following proceedings were held sidebar:)

7 THE COURT: I'm having a little difficulty trying to
8 figure out the relevance of where we're going. And so where
9 are we going with this?

10 MR. ZACCA: Judge, where I'm going is this. He
11 represented himself as trusting entirely Eduardo Rivero and
12 being qualified for this loan -- this PPP loan. He testified
13 he got two PPP loans and then thought it was a good idea and
14 gave it to his wife and didn't read anything, didn't review
15 anything, which cuts against the sophisticated businessman --

16 THE COURT: I don't know about that. You know, if
17 that's where you're going -- but you get one more question.
18 Let's move on. Let's try to get to the facts of this case.

19 MR. ZACCA: Okay. Fair enough, Judge. Fair enough.

20 (The following proceedings were held in open court:)

21 BY MR. ZACCA:

22 Q. I'm going to ask you one other question in this area and
23 then we're going to move on to another area. Okay?

24 A. Sure.

25 Q. All right. With the various vendors that you talked about

1 and the various -- and some of those vendors you have written
2 contracts with, do you have a habit of reading those contracts
3 and the terms of those contracts?

4 A. I never said I had any written contracts with anyone.

5 Q. Okay. So you don't have written agreements with these
6 vendors that you've described?

7 A. No, sir.

8 MR. ZACCA: Judge, I don't know if we could have the
9 screen available for this particular witness and the jury.
10 I'm showing an exhibit that's already in evidence in this
11 case, Government Exhibit 600. I would like to go over it with
12 the witness.

13 THE COURT: Do you want to publish it with the
14 screen?

15 COURT CLERK: You're connected.

16 MR. ZACCA: Okay. Is it showing up? I don't see it
17 on the...

18 BY MR. ZACCA:

19 Q. Sir, I'm showing you what is marked as Government
20 Exhibit 600. It's in evidence.

21 During your direct testimony, you mentioned a home in
22 Coral Springs and you mentioned a home in Port St. Lucie. Can
23 you take a look at your screen here --

24 A. Yes.

25 Q. -- and see the address -- I'll grab it for you so you can

1 see it more clearly. Do you see the address that appears on
2 your screen?

3 A. Yes, sir.

4 Q. What address is that?

5 A. 6110 Reese Road, Apartment 207.

6 Q. Davie, Florida. Is that another property you have in
7 Davie, Florida?

8 A. That's the apartment we lived in when we sold both
9 properties.

10 Q. Okay. So which properties? The Port St. Lucie property
11 and the Coral Springs property?

12 A. Yes, sir.

13 Q. When did you move to this Davie address?

14 A. I can't recall the dates on it.

15 Q. 2019? 2020?

16 A. I guess '20, '21. I'm not sure.

17 Q. Okay. But you lived at this address?

18 A. Yes.

19 Q. And you had Internet service at this address; correct?

20 A. Yes.

21 Q. I'm also going to -- let me see if I can highlight this.
22 There's a contact email on Government Exhibit 600. Do you see
23 that?

24 A. Yes.

25 Q. That's your wife's email; right?

1 A. Yes.

2 Q. What does the word ckidd mean to your wife as far as you
3 know?

4 A. It should stand for her first initial for first name and
5 her maiden name.

6 Q. Her maiden name is Kidd --

7 A. Yes.

8 Q. -- K-I-D-D?

9 A. Yes.

10 Q. You have Verizon -- correct? -- you and your wife?

11 A. Yes, sir.

12 Q. What's your wife's phone number?

13 A. (954) 274-6800.

14 Q. That's her phone; correct?

15 A. Yes, it is.

16 Q. It shows the phone number and a Note20 Ultra 5G; correct?

17 A. Yes.

18 Q. You described your lack of knowledge about the Paycheck
19 Protection Program; right?

20 A. Yes, sir.

21 Q. Now, in 2020, where did you live in Davie, that apartment
22 we saw, or did you live in Coral Springs?

23 A. Before we moved in any apartment, we were in Coral
24 Springs.

25 Q. So during the beginning of the pandemic, you lived in

1 Coral Springs?

2 A. Yes.

3 Q. So when did you live in Port St. Lucie?

4 A. Before that.

5 Q. Well, when did you move from Port St. Lucie to Coral
6 Springs?

7 A. Can you read -- say what you're trying to say because I
8 don't understand. I'm not understanding you.

9 Q. Okay. Quite frankly, I'm not understanding you.

10 When did you have --

11 A. You're asking me what year?

12 THE COURT: One moment. One moment. Questions,
13 understood?

14 MR. ZACCA: Yes, sir.

15 BY MR. ZACCA:

16 Q. When did you move from Port St. Lucie to Coral Springs?

17 A. I'm not exactly accurate on the year of that either. I
18 can't tell you the year -- exact year.

19 Q. Okay. Well, let's use the pandemic as a starting point --
20 as a reference point, rather. The pandemic is -- would you
21 agree the pandemic started around March -- the shutdowns in
22 March of 2020?

23 A. Possibly, yes. Possibly. A little later in the year.

24 Q. Okay. Spring of 2020, does that sound fair?

25 A. Okay.

1 Q. Do you agree with that?

2 A. I really don't know to confirm that, but yes.

3 Q. Well, based on your memory. I mean, just based on your
4 life. If I asked you when do you recall the shutdowns began
5 as a result of the pandemic?

6 A. Honestly, sir, I have so many things going on in my life I
7 can't accurately deny or confirm what you're asking me.

8 Q. Okay. Well, in the year 2020, you do recall there was
9 shutdowns? Yes?

10 A. Yes.

11 Q. You do recall there were shutdowns because of the
12 pandemic? Yes?

13 A. Yes.

14 Q. You do recall that as a result of the shutdowns, the
15 United States Government came out with various programs to
16 help businesses; correct?

17 A. Yes.

18 Q. And those programs included the Paycheck Protection
19 Program; correct?

20 A. At the time, I was unaware of it. I didn't know the names
21 of what the programs were.

22 Q. Okay. So throughout the year of 2020, you never heard the
23 term Paycheck Protection Program?

24 A. The first time I actually heard about the Paycheck
25 Protection Program was when Eduardo Rivero approached me about

1 it.

2 Q. In 2021?

3 A. Whenever he approached me about it, that's when I heard
4 about it.

5 Q. Well, the loan that we're all here for, when did that loan
6 come out?

7 A. Say again.

8 Q. The loan that's the subject of this case, what year was it
9 obtained?

10 A. Sir, I don't know the exact dates on what you're asking
11 me, so I can't ask you -- answer you with truthful answers.

12 Q. Okay. So the answer is you don't know?

13 A. No, I don't.

14 Q. All right. You do agree, though, that you knew of the
15 loan program called the Economic Injury Disaster Loan program?

16 A. It sounds familiar through SBA or something like that.

17 Q. Through the SBA; that's right.

18 A. Yes.

19 Q. And you know what the SBA is, don't you?

20 A. Small Business Association, if I'm correct.

21 Q. Small Business Administration?

22 A. Administration, yes.

23 Q. The Economic Injury Disaster Loan, otherwise known as
24 EIDL; right? You know about that?

25 A. Well, I don't know the name or the details of it. I know

1 about the potential loan you're talking about.

2 Q. I'm just going to ask you flat out. Did you get an
3 Economic Injury Disaster Loan for Wade Funeral Home in the
4 year 2020?

5 A. I don't know it to be that name. I got an SBA loan which
6 I do have through the SBA.

7 Q. Okay. And you got that for your business Wade Funeral
8 Home in 2020?

9 A. Okay.

10 Q. Yes?

11 A. Yes.

12 Q. And as part of that loan that you got from the SBA, you
13 familiarized yourself with the qualifications to get an
14 Economic Injury Disaster Loan in the year 2020; correct?

15 A. I wouldn't say I familiarized myself with it.

16 Q. Well --

17 A. I just followed the process of what I knew to do going
18 through it because it was -- you read the instructions and
19 they would tell you what to do and submit what it asked you --

20 Q. And you yourself did it; correct?

21 A. Okay. Yes.

22 Q. You had the wherewithal to fill out the application,
23 recognize what was qualified to get the loan, and submit it to
24 the SBA; correct?

25 A. It didn't go through quite as easy as you're saying. It

1 didn't go that way.

2 Q. Well, but you did get the loan in the year 2020 --

3 A. Eventually I got it.

4 Q. You got it in the year 2020?

5 A. I don't know exactly when, but I eventually got it.

6 Q. Okay. If I showed you the loan agreement and promissory
7 note that you signed for the EIDL loan, would that help
8 refresh your recollection as to when you got it?

9 A. It will confirm the year, but I know about the loan. I
10 pay it every month.

11 MR. MCCRAY: Your Honor, Ms. Wade needs a bathroom
12 break.

13 THE COURT: All right. It's 12:50, so let's break
14 for lunch. Let's return at 2:00 PM. 2:00 PM. Thank you,
15 ladies and gentlemen.

16 (Jury exited at 12:50 PM.)

17 THE COURT: You may step down, sir. We will resume
18 at 2:00 PM.

19 So how long do you think this hearing is going to
20 take? How long do you think listening to testimony?

21 MR. MCCRAY: Judge, I don't think it should -- from
22 my side, probably 15 minutes or 20 minutes.

23 THE COURT: All right. How many additional witnesses
24 do you have for today?

25 MR. MCCRAY: Judge, I believe this is going to be it.

1 I've spoken to my client. She's not going to testify. We
2 have two exhibits that we've agreed will be produced.

3 THE COURT: So this is probably your last witness?

4 MR. MCCRAY: That's correct, Judge.

5 THE COURT: So why don't we have the evidentiary
6 hearing when we complete your case in chief because really the
7 relief you're seeking is independent of anything that we would
8 do trialwise. What if we find out that the witnesses are
9 available -- if that's a possibility -- what would we do in
10 that event?

11 MR. MCCRAY: Well, Judge, I guess perhaps we should
12 proffer -- not proffer but do an in camera proceeding, but
13 they've indicated to me unequivocally through their attorney
14 that they would be invoking the Fifth, and I know I can't --

15 THE COURT: Well, I don't know. Maybe we have to
16 find out if they have a legitimate Fifth Amendment privilege.
17 People say they have the privilege but maybe they don't, so --

18 MR. MCCRAY: That's why I still wanted them here. I
19 didn't excuse them.

20 THE COURT: Well, then they should be here.

21 MR. MCCRAY: They have been here. They've been here
22 since 9 o'clock this morning. We're waiting for their
23 attorney.

24 THE COURT: We'll break for lunch, we'll finish,
25 we'll have the hearing, and then we can decide that we will do

1 from that point on. Thank you. We are in recess. We're
2 going to give you a draft of the instructions for your
3 information. Many of those are instructions that were
4 submitted. In some instances maybe the issue hasn't been
5 raised sufficiently, but we'll see where we are at the
6 conclusion of the evidence and then we can decide what
7 instructions will be given.

8 MR. SNIDER: So, Your Honor, just -- sorry, Your
9 Honor.

10 THE COURT: Yes, sir.

11 MR. SNIDER: So just for scheduling purposes, does
12 the Court anticipate closing arguments today, or we don't know
13 yet?

14 THE COURT: I'm not sure.

15 MR. SNIDER: Yeah.

16 THE COURT: I don't know how long the hearing is
17 going to take and how long the redirect will be. You know,
18 we're getting close to the end of the day --

19 MR. SNIDER: Right.

20 THE COURT: -- so...

21 MR. SNIDER: What time was the Court thinking of
22 adjourning for today?

23 THE COURT: 4:30. I'm not -- well, I don't know.
24 Let's wait and see what happens.

25 MR. SNIDER: Very well. Thank you, Judge.

1 THE COURT: All right. You're excused.

2 (Lunch from 12:55 PM to 2:03 PM.)

3 (Jury enters at 2:03 PM.)

4 THE COURT: Please continue.

5 MR. ZACCA: Thank you, Judge.

6 BY MR. ZACCA:

7 Q. Where we last left off, I was asking you questions about
8 an Economic Injury Disaster Loan that you applied for in the
9 year 2020. And I believe my last question to you was, do you
10 recall when you signed the note and the agreement, and you
11 didn't recall; is that right?

12 A. Can you repeat the whole question?

13 Q. Sure.

14 When did you sign your Economic Injury Disaster Loan
15 in the year 2020 for your business Wade Funeral Home?

16 A. I don't know.

17 Q. If I showed you the loan agreement for the Economic Injury
18 Disaster Loan with your signature, would that help refresh
19 your recollection?

20 A. Yes, it would.

21 MR. ZACCA: Judge, may I approach?

22 THE COURT: Yes, sir.

23 MR. ZACCA: Judge, for the record, I am providing a
24 document marked for identification as 2000.

25 ///

1 BY MR. ZACCA:

2 Q. And in the interest of time, I'll let you look through the
3 whole document. In fact, look through the whole document and
4 if I can help you, it's on page -- if you actually go to the
5 last page, you'll see a signature and you'll see it again on
6 page 7 as well.

7 Do you now recall the date that you signed this
8 Economic Injury Disaster Loan?

9 A. Okay. 8/25/2020.

10 Q. 2020?

11 A. Yes.

12 Q. Okay. And when you signed this Economic Injury Disaster
13 Loan, did you make sure that your representations to qualify
14 for the loan were true and accurate?

15 A. I went back and forth with my CPA on getting this filled
16 out.

17 Q. Okay. But ultimately you signed it; right, sir?

18 A. Yes.

19 Q. And did you make sure that you were truthful and accurate
20 before you signed that loan application?

21 A. Yes.

22 Q. Okay. And it's your testimony that while you knew about
23 the Economic Injury Disaster Loan in the year 2020, you did
24 not know anything about the Paycheck Protection Program loan
25 in the year 2020. Is that your testimony?

1 A. I don't know if the dates align. I don't know.

2 Q. Okay. Well, let me ask it this way.

3 You just testified you signed this loan agreement --

4 A. Yes.

5 Q. -- the Economic Injury Disaster Loan on August 25, 2020.

6 The moment that you signed this agreement, did you
7 know anything about the Paycheck Protection Program loan?

8 A. By signing this agreement?

9 Q. No.

10 Did you know about it in general?

11 A. No. No, sir.

12 Q. You were asked questions on direct examination about your
13 wife's business. Do you recall those questions?

14 A. Yes.

15 Q. 1 Step A-Head; is that right?

16 A. Yes, sir.

17 Q. I'm showing you what has been introduced into evidence as
18 Government Exhibit 201. Do you see that in front of your
19 screen?

20 A. Yes, sir.

21 Q. I represent to you that this is your wife's tax return on
22 file with the IRS. Do you have any reason to dispute that?

23 A. No, sir.

24 Q. Was your wife's business a home business?

25 A. Yes, it was.

1 Q. So -- and in this case, in 2019, it was a home business at
2 your home in Coral Springs?

3 A. Yes, sir.

4 Q. It had nothing to do with Port St. Lucie, did it?

5 A. No. We weren't in Port St. Lucie.

6 Q. So let's talk about your wife's business for a moment.
7 Did she have a website?

8 A. No, sir.

9 Q. Did she have any flyers for this business?

10 A. She had business cards.

11 Q. Business cards.

12 Did she have any social media for this business?

13 A. No.

14 Q. Facebook?

15 A. No, sir.

16 Q. Instagram?

17 A. No, sir.

18 Q. Did she keep receipts for this business?

19 A. Yes, she did.

20 Q. Did she keep invoices for this business?

21 A. I can't ask -- I don't know the answers to all of that.

22 Q. Do you have photographs of the setup of this business at
23 the house?

24 A. No, sir.

25 Q. Can you describe how the setup is at the house back in

1 2019?

2 A. No, sir.

3 Q. You can't describe it?

4 A. Chairs -- just hairstylist equipment in our remodeled
5 garage.

6 Q. So she cut hair in the garage?

7 A. She didn't cut hair.

8 Q. She styled hair in the garage?

9 A. Yeah.

10 Q. I'm sorry?

11 A. Yes, sir.

12 Q. Just so the record is clear.

13 Was this a profitable business?

14 A. Sir, I don't know the answer to that.

15 Q. It's your wife. It's your wife's business. You had no
16 idea about whether your wife's business made money?

17 A. Sir, I don't know the answer to that.

18 Q. You never, in your years of marriage, never asked your
19 wife, "Honey, how's the 1 Step A-Head business doing?"

20 MR. MCCRAY: Objection. Asked and answered, Judge.

21 THE COURT: On that basis, overruled.

22 THE WITNESS: Sir, may I explain --

23 BY MR. ZACCA:

24 Q. Well --

25 A. -- with that answer?

1 Q. -- you can explain -- certainly you can explain. But is
2 the answer yes or no? And then you can provide an
3 explanation, if necessary.

4 A. So can you repeat your question, please?

5 Q. Did you ever, in your years of marriage with your wife,
6 ever talk about the profitability of 1 Step A-Head?

7 A. No, sir.

8 Q. Is there an explanation that you wanted to add to that?

9 A. In all of our years of being together, my wife has never
10 asked me about the profit of Wade Funeral Home.

11 Q. Okay. In 2019 -- your wife did her own taxes; right?

12 A. I don't know the answer to that.

13 Q. You don't know if she self-prepared her own taxes?

14 A. No, I do not.

15 Q. Do you know if she hired an accountant?

16 A. Sir, I don't know the answer to that.

17 Q. Well, in 2019, \$6,770 was reported in car and truck
18 expenses for 1 Step A-Head. Any idea what those expenses were
19 for?

20 A. It could have been for maintenance on the vehicle. It
21 could have been for gas. It could have been for tires. It
22 could have been for bunches of things.

23 Q. But she didn't travel anywhere to see customers.

24 Customers came to her at the garage.

25 A. She went to conventions. She went to people's houses.

1 Yes, she did.

2 Q. Now, she reported total expenses in the year 2019 of
3 \$25,000. Does that sound about right, as far as you know?

4 A. I don't understand the question, sir.

5 Q. You don't know --

6 A. You're asking me is that what I'm seeing here or is that
7 an accurate number?

8 Q. Does that seem accurate to you seeing that number there on
9 the tax return?

10 A. Sir, I don't know where the number came from because I
11 don't know what expenses she had, so I can't answer it.

12 Q. Okay. Would it surprise you to know that in the year 2019
13 she reported -- well, let's get to the right line -- that she
14 reported a loss of \$18,615?

15 A. Would it surprise me?

16 Q. Yes.

17 A. No, not at all because I've never looked at any of her
18 taxes to be surprised in a positive or negative way.

19 Q. Okay. Let's look at the year 2018, the year before.

20 In the year 2018, she reported a loss of \$30,330 for
21 this home hairstylist business that apparently was in your
22 Coral Springs garage. Does that surprise you?

23 A. I'm not surprised either/or.

24 Q. And reported a gross income of \$3,500. Does that sound
25 about right?

1 A. I wouldn't know the answer to that, sir.

2 Q. In the year 2019, she reported a gross income of \$6,800.

3 Does that sound about right for the year 2019?

4 A. Sir, again, I don't know the answers to her tax documents.

5 Q. Would your answers be the same for 2020? Do you have any
6 idea about 2020 -- her taxes? Does your answer change?

7 A. Sir, I don't know anything about any of her taxes.

8 Q. Okay. And the business is 1 Step A-Head; correct? The
9 name.

10 A. Yes.

11 Q. The name is not Carolyn Wade, is it?

12 A. No, it's not.

13 Q. Does it surprise you --

14 THE COURT: Mr. Zacca.

15 MR. ZACCA: Yes, sir.

16 THE COURT: You have to lay a foundation that he
17 knows anything about which you are asking him because we're --

18 MR. ZACCA: I'll move on. I'll move on.

19 THE COURT: Okay.

20 BY MR. ZACCA:

21 Q. You testified earlier that while you were a detention
22 officer with the Broward County Sheriff's Office you also
23 owned Wade Funeral Home; correct?

24 A. Yes, sir.

25 Q. And I think you said you owned Wade Funeral Home starting

1 in 2010?

2 A. Yes, sir.

3 Q. You're familiar with a policy at the Broward County
4 Sheriff's Office of reporting any outside employment; correct?

5 A. Absolutely.

6 Q. And you're aware of the policy of reporting any business
7 that you own outside of employment at Broward County Sheriff's
8 Office?

9 A. Yes, I am.

10 Q. So then in light of that policy, you knew to report Wade
11 Funeral Home to the Broward County Sheriff's Office; correct?

12 A. I did not do it every year.

13 Q. Well, you did it in the year -- well, you reported your
14 work as a licensed funeral director in the year 2010; is that
15 right?

16 A. I did it periodically. It wasn't done every year.

17 Q. Okay. Do you remember doing it in 2010?

18 A. I don't know what year, but I have done it there.

19 Q. Okay. Did you report your business Wade Funeral Home in
20 the year 2013?

21 A. If you have it, yes.

22 Q. Okay. Well, do you have any reason to dispute that?

23 A. No. What I'm saying is I did it periodically. It's not
24 something that's enforced with the sheriff's office.

25 Q. Okay. Well, if I showed you your off-duty employment form

1 for the years that you filed it, would that refresh your
2 recollection as to the years you did it?

3 A. I'm not denying I didn't do it. I did it some years.

4 Q. No, and I agree that you did.

5 But I want to ask you what years you remember doing
6 it, the years you filed it.

7 A. Oh, I don't know the years.

8 Q. Okay, but if I showed you the forms, would that help
9 refresh your recollection as to the years?

10 A. Yes.

11 MR. ZACCA: Judge, may I approach the witness?

12 THE COURT: Sure.

13 BY MR. ZACCA:

14 Q. You can look through these pages here, and I'll ask you
15 questions about the years, see if it refreshes your
16 recollection.

17 A. Okay. I'm ready.

18 Q. Did you report outside employment to the Broward County
19 Sheriff's Office as a licensed funeral director in the year
20 2010? You can go to the last page of that set of documents.

21 A. 2010, yes.

22 Q. Did you report your ownership of Wade Funeral Home and
23 outside employment in the year 2013?

24 A. Yes.

25 Q. In the year -- and, again, for Wade Funeral Home in the

1 year 2015?

2 A. Yes.

3 Q. And in the year 2017?

4 A. Yes, sir.

5 Q. I'll retrieve that document now. Thank you.

6 And you did this because you had, in fact, a business
7 to report; correct?

8 A. No, sir.

9 Q. Well, it was the policy of the Broward County Sheriff's
10 Office?

11 A. But that policy is only enforced based on the command that
12 you're under. It's a known fact a lot of deputies did have
13 outside employment that do not do that.

14 Q. And yet you did it?

15 A. Periodically.

16 Q. I want to show you Government Exhibit 601.

17 You had Internet service at Wade Funeral Home;
18 correct?

19 A. Yes, sir.

20 Q. And Wade Funeral Home was located at 315 Pembroke Road in
21 Hallandale Beach, Florida; correct?

22 A. Yes, sir.

23 Q. And that's where the service went; correct?

24 A. Yes, sir.

25 Q. Mr. Wade, on May 4, 2021, you created an account for

1 Carolyn Wade. Is that your testimony?

2 A. No, I'm not saying I created an account. I don't recall
3 what happened. I just know that I spoke with Eduardo Rivero,
4 got whatever information at that given time following the
5 instruction. So to give you the exact order in which it went
6 and what I did, I don't know the exact answers to that.

7 Q. Okay. Well, let's talk about Eduardo Rivero.

8 You said you knew him through the funeral home
9 business; is that right?

10 A. Yes, sir.

11 Q. But you really had -- if I understood your testimony
12 correctly, you really had conversations with Eduardo Rivero,
13 not so much Haydee Granados; is that right?

14 A. I had conversations with her.

15 Q. Okay. Well, how many conversations did you have with
16 Haydee Granados prior to May 4th, 2021?

17 A. A conversation here or there pertaining to preneed and
18 something -- or pertaining to the funeral homes.

19 Q. Is Haydee Granados a CPA?

20 A. I don't know exactly what Haydee Granados is.

21 Q. So you took advice from somebody whose background you know
22 nothing about?

23 A. I had no reason to disbelieve. I had no reason not to
24 trust them.

25 Q. But you never bothered to ask whether Haydee Granados had

1 some sort of background in PPP loans?

2 A. Well, based on our history and the professional
3 relationship based on her and me being aware of her doing
4 immigration and other things as far as the funeral home went,
5 I, again, had no reason not to trust her or him for that fact.

6 Q. I want to make sure I understand your testimony correctly.
7 Is it your testimony that you did nothing with regard to the
8 Womply application process for the PPP loan, the Paycheck
9 Protection Program loan, for Carolyn Wade?

10 A. That's not what I'm saying, no, sir. I'm saying that I
11 did pretty much 90 percent of what they instructed me to do,
12 and then I turned over whatever sign-in -- login information
13 to Haydee Granados and she completed everything that was
14 there.

15 Q. Okay. So let's go through that, then.

16 A. Okay.

17 Q. You started this process on May 4, 2021; is that right?

18 A. Okay. Yes.

19 Q. Well, let me ask you. Do you have any reason to disagree
20 with what's on your screen?

21 A. No. I just want to find the date; that's all.

22 Q. Okay. All right. So walk us through it. On May 4, 2021,
23 from Wade Funeral Home, you what?

24 A. I can't walk you through it because it's back and forth
25 phone calls. I'm running my business, and I'm getting back

1 and forth phone calls with instructions on what needs to
2 happen in a timely manner. So I can't recollect that at this
3 given time.

4 Q. All right. Did you put in the name of the business?

5 A. I don't recall what I put in.

6 Q. Okay. Well, if the name of the business on the Paycheck
7 Protection Program loan is Carolyn Wade, that must have been
8 typed in by you?

9 A. No, sir.

10 Q. Okay. So then you're saying -- who typed it in?

11 A. Everything that I sent to Haydee Granados said 1 Step
12 A-Head. Everything.

13 Q. Everything here on your screen -- and I represent to you
14 everything on your screen here is IP address information in
15 this case that's been introduced as evidence showing
16 transactions to the Carolyn Wade Paycheck Protection Program
17 application from Wade Funeral Home on May 4, 2021. Did you
18 make those Womply transactions?

19 A. If -- I need to know which transactions are they to verify
20 it. If you're saying the funeral home's IP address, then I
21 must have.

22 Q. Okay. So you did do transactions yourself?

23 A. But I don't know what transactions we're referring to.

24 Q. So this is not a situation where Haydee Granados is
25 sitting next to you at Wade Funeral Home doing the application

1 with you. You're getting information and you're putting
2 information into the computer?

3 A. From?

4 Q. From Wade Funeral Home on May 4, 2021.

5 A. Sir, I wouldn't know how to fill it out.

6 Q. Okay. So then you're saying Haydee Granados was next to
7 you at Wade Funeral Home filling this out?

8 A. No. We were back and forth on the phone conversations
9 with the Verizon phone log proofs.

10 Q. Okay. So then you're the one at Wade Funeral Home making
11 these Womply transactions on May 4, 2021?

12 A. Yes.

13 Q. Okay --

14 THE COURT: We're hearing some odd noises. I'm not
15 sure of the source. It sounds like it may be coming from
16 Floor 14.

17 MR. ZACCA: May I continue, Judge?

18 BY MR. ZACCA:

19 Q. On your screen is Government Exhibit 102.2E. It's an
20 Excel spreadsheet which provides more detailed information
21 with regard to the Womply transactions.

22 You don't dispute, since you're the one there at Wade
23 Funeral Home, putting in the name of the business, the phone
24 number -- you don't need Haydee Granados to know the name of
25 your wife's business, do you?

1 A. I didn't start the application. I didn't start it.

2 Q. Okay.

3 A. So I don't know how the original application got started.

4 I was just prompted to go ahead and do this or that.

5 Q. Okay. On May 4th, 2021, if all the information comes from

6 Wade Funeral Home, according to the IP address information,

7 that's coming from you; correct?

8 A. If you're saying I put it in, but there's no way all of it

9 could have come from Wade Funeral Home on that date.

10 Q. So is it your testimony that prior to May 4, 2021, other

11 data was entered into Womply for your wife?

12 A. Can you repeat that question?

13 Q. Yes.

14 Are you here testifying that prior to May 4, 2021,

15 someone else put information into the Womply website with

16 regard to your wife's Paycheck Protection Program loan?

17 A. I don't know the answer to that.

18 Q. Okay. Well, do you have any reason to dispute that it

19 started at your funeral home on May 4, 2021?

20 A. Yes, sir.

21 Q. But you can't tell this jury when other information was

22 put into Womply prior to May 4, 2021?

23 A. Sir, with all due respect, I can barely remember what

24 happened yesterday.

25 Q. Okay. We talked about May 4, 2021, and the Womply

1 transactions occurring from Wade Funeral Home. I'm going to
2 move on to another slide which provides some more detail about
3 the Womply -- about the events taking place on your wife's
4 Paycheck Protection Program loan -- and by the way, she was
5 getting a paycheck from Broward County Sheriff's Office in
6 2021; right? She working for them.

7 A. Yeah, she was.

8 Q. And you testified earlier that you didn't understand what
9 the Paycheck Protection Program was; right?

10 A. Correct.

11 Q. And you relied on what Eduardo Rivero told you; right?

12 A. Correct.

13 Q. But don't you agree the name says it all, Paycheck
14 Protection Program?

15 A. Well, the way it was explained, you put your documentation
16 in -- as long as you're a legitimate business, put your
17 documentation in and you see if you qualify. The objective
18 was to see if we qualified.

19 Q. Okay. But you would agree, Mr. Wade, the name says it
20 all, Paycheck Protection Program?

21 MR. MCCRAY: Objection, Judge. Argumentative.

22 THE COURT: Overruled.

23 THE WITNESS: Yes.

24 BY MR. ZACCA:

25 Q. Okay. I mean, it's not that hard to figure out. It's in

1 the title. You would agree with that; right?

2 A. Yes.

3 Q. All right. We're now looking at some more detailed events
4 occurring on May 4, 2021.

5 Here you don't dispute the fact that you are the one
6 that uploaded a bank document on May 4, 2021; correct?

7 A. So does this relate to the other Excel spreadsheet that
8 you showed me?

9 Q. Yes. But this is another piece of evidence that this jury
10 has seen. And as you can see there, you look in the far left,
11 there's a time stamp of May 4, 2021. And my question to you
12 is this: Did you upload a bank document from Wade Funeral
13 Home with regard to this Carolyn Wade Paycheck Protection
14 Program application?

15 A. Yes. Now that I see the documents, so that would explain
16 why the Excel spreadsheet shows multiple uploads because it's
17 multiple bank statements.

18 Q. And you did it from a Windows desktop; correct?

19 A. Yes, sir.

20 Q. Because that's the computer you have at Wade Funeral Home;
21 correct?

22 A. I have multiple computers, but yes, sir.

23 Q. But in this case you did it from a desktop, a Windows 10
24 desktop; correct?

25 A. Where is that on here? Yes.

1 Q. Okay. On May 13th -- I'm going to go back to slide four
2 in Government Exhibit 1000.

3 After that event happened on May 4th, the next thing
4 that happens is an email is sent to ckidd1226@gmail.com.
5 That's your wife's email; correct?

6 A. Yes.

7 Q. And it's an email from Womply reminding your wife, hey,
8 the application's pending. Let's get it moving. Do you agree
9 with that? Do you remember that?

10 A. No, I don't remember it.

11 Q. But this is going to your wife's email; correct?

12 A. Where is that -- yes, I see it there.

13 Q. Okay. And then that triggers various login attempts to
14 the Paycheck Protection Program application, and we see here
15 that on May 13th -- and we're now looking at slide six -- you
16 are now accessing Wade Funeral Home; correct? Excuse me.
17 You're accessing the application from Wade Funeral Home.
18 Forgive my question.

19 A. Yes.

20 Q. All right. And, again, you're doing it from your
21 Windows 10 desktop; correct?

22 A. I can't confirm if it's Windows 10 or not.

23 Q. But you're doing it from a computer at Wade Funeral Home?
24 Yes?

25 A. Yes.

1 Q. All right. Then later that same day -- in fact, your
2 access is at 82317 -- right? -- and 92117? Yes? Do you
3 disagree?

4 A. Yes.

5 Q. Yes, you disagree or yes, you agree?

6 A. Yes, I see it on the document.

7 Q. Okay. And I want to point something else out here. Much
8 has been said about an IP address 125. I'm looking now, for
9 the record, at slide five.

10 And do you see that in the third row, IP address 125?

11 A. Yes.

12 Q. But below that, you see the IP address ending in .166.
13 And it's again from a Windows computer. If I can just scroll
14 up, I'm going to show you .166.

15 Do you disagree that the IP address ending in .166,
16 according to slide three, is Internet service coming from Wade
17 Funeral Home?

18 A. Yes.

19 Q. You agree with that?

20 A. Yes.

21 Q. Okay. So going back to May 13th, we see at 8:23 AM on
22 May 13th you logging in from .166. Then at 8:34 we see one
23 login from IP address 125. Then at 9:21, back to you, .166.
24 With me so far?

25 A. Yes.

1 Q. And then after, there's a bunch of logins on that same
2 date from IP address .184 from an Android Chrome mobile. Do
3 you see that?

4 A. Yes.

5 Q. Now, I want to point something out here. At 9:21 AM
6 you're at Wade Funeral Home, .166; correct? Do you disagree
7 with that?

8 A. Yes. Okay.

9 Q. You agree. Okay.

10 So I'm now sliding to slide six, which again is more
11 detail of that activity on May 13, 2021. 823, 921, Wade
12 Funeral Home. And then after that, just -- let's see 921 --
13 less than an hour later that morning, at 10:04, we see
14 activity from an Android 11, Model SM-N986U. That's your
15 wife. That's her phone; correct?

16 A. I don't know, sir.

17 Q. You don't know?

18 A. No, I don't.

19 Q. But you're at Wade Funeral Home and there's another model
20 phone -- Samsung phone logging into the Paycheck Protection
21 Program application; correct?

22 A. I'm not sure. You lost me.

23 Q. Okay. Well, you don't know. You can't explain this
24 activity?

25 A. I'm really lost. You --

1 Q. Well, I'll just make it simple.

2 A. Okay.

3 Q. We're looking at slide seven here in Government
4 Exhibit 1000.

5 Can you explain the activity following the login that
6 I showed you coming from Wade Funeral Home. Because this is
7 afterward. This is beginning at 10:04 AM. There's login
8 activity from a Note Ultra 5G. That's your wife's phone.

9 A. The problem with that is she doesn't get rid of her older
10 phones. And those of us that know how phones operate, you can
11 have an unactivated phone that's still able to operate as long
12 as you have Internet access.

13 She keeps a lot of her personal information on phones
14 that she's no longer using. That does not mean the phone is
15 inoperable, so I cannot confirm that that's her actual phone.

16 Q. Well, okay. But according to Womply -- let's look at the
17 columns here. The identifier is a phone number
18 1-954-274-6800. That's your wife's phone number?

19 A. Yes, it is.

20 Q. Okay. We have an attempted login after your login from
21 Wade Funeral Home at 10:04 AM, less than an hour later. Do
22 you see that? I'm just asking do you see it.

23 A. Yes, sir, I see it.

24 Q. And it's coming from -- it's coming from your wife's
25 phone, is it not?

1 A. Yes, sir.

2 Q. So she is accessing and logging in to see this
3 application?

4 A. But what actions is she conducting?

5 Q. Well, my question is, you don't dispute the fact that she
6 is accessing the application?

7 A. No, sir. We never say she didn't.

8 Q. Okay. So she did access the application?

9 A. At some point she had to.

10 Q. Well, at multiple points, according to what we're looking
11 at on slide seven. Fair?

12 A. Not quite, but yes.

13 Q. Okay. Is Womply's computer wrong?

14 A. I don't know how to explain that to you, sir.

15 Q. Well, maybe the simple explanation is yes, she's logging
16 in several times.

17 A. Right. Because when she actually went in it -- at the
18 time she went in, certain transactions didn't go through and
19 she had to go back to redo it again.

20 Q. Let me ask you a question, Mr. Wade.

21 A. Yes, sir.

22 Q. On May 13, 2021, we just showed how earlier that morning,
23 just less than an hour earlier, you were at Wade Funeral Home
24 at your desktop working. You cannot possibly be next to your
25 wife less than an hour later -- well, let me ask you this

1 way -- I'll rephrase the question.

2 The bottom line. You have one, two, three, four,
3 five login attempts. You're not with your wife 24/7, are you?

4 A. No.

5 Q. Of course not.

6 A. No.

7 Q. So when she's not around you, you don't know what she's
8 doing; correct?

9 A. But when we lived in the apartment, it was 15 minutes
10 apart from the funeral home.

11 Q. Okay. Coral Springs is 15 minutes from Hallandale Beach,
12 Florida?

13 A. I thought you were talking about 6110 Reese Road.

14 Q. So, then, is it your testimony you raced home and then
15 grabbed her phone and did all of those logins?

16 A. No, I'm not saying anything. I'm just saying you said I
17 couldn't be there within an hour.

18 Q. I mean, you didn't have to go home. I mean, you're there
19 in front of your computer. You could finish the job right
20 there in front of your desktop at Wade Funeral Home; correct?

21 A. Unless I had a document at the house.

22 Q. Okay. So you did drive home and grab her phone and do all
23 these logins?

24 A. I'm not confirming it, so I don't know.

25 Q. Okay. I'm going to show you slide eight. And much has

1 been talked about with the first row at 8:59 AM. There's a
2 tax document, a Schedule C. You testified about various
3 documents and information, according to you, that was provided
4 to Haydee Granados. Do you recall that?

5 A. Yes, sir.

6 Q. Bank statements; right?

7 A. Yes.

8 Q. A Social Security card?

9 A. Yes, sir.

10 Q. A driver's license?

11 A. Yes, sir.

12 Q. The one thing you did not say was her Schedule C. You
13 would agree with that; right?

14 A. I did not say it.

15 Q. You didn't say it, okay.

16 Did you at any point in time provide the
17 Schedule C -- the 2019 Schedule C on file with the IRS -- that
18 she filed with the IRS to Haydee Granados?

19 A. No, sir.

20 Q. So looking at slide eight, we see some more activity
21 coming back to an Android 11, Model SM-N986U. And we see a
22 bank document uploaded at 10:44 after that Schedule C. In
23 fact, we see three bank documents and three bank links.

24 That's your wife. That's not you.

25 MR. MCCRAY: Objection, Judge. There's no question.

1 Move to strike.

2 THE COURT: If --

3 MR. ZACCA: I'll rephrase, Judge.

4 BY MR. ZACCA:

5 Q. Is that you uploading these bank documents and linking
6 bank accounts from a Note20 Ultra 5G? Is that you?

7 A. I don't know the answer to that because she worked 8:00 to
8 4:00. I don't know what day that is. I was working midnight,
9 so I was off during the days.

10 Q. Okay. We're now looking at slide nine. Actually, that's
11 just more detailed information of Womply transactions taking
12 place earlier that morning that we've already talked about
13 from Wade Funeral Home, so I'm going to move on.

14 And this, again, is slide ten, some more Womply
15 transactions coming from the Android app. That's your wife --
16 correct? -- slide 11?

17 A. Yes, it is.

18 Q. So she did these selfies; correct?

19 A. Yes, she did.

20 Q. And she did it on May 13; right?

21 A. I can't confirm the date, sir.

22 Q. Well, she had to have her phone with her when she took
23 these pictures.

24 MR. MCCRAY: Objection, Judge. There's not a
25 question. Move to strike as to form.

1 THE COURT: Ask a question, please. Sustained.

2 MR. ZACCA: I'll rephrase.

3 BY MR. ZACCA:

4 Q. Do you agree with the notion that she had her phone with
5 her in order to take these pictures?

6 A. At that time she -- well, she could have used her notepad.
7 I don't know. She didn't have to have her phone.

8 Q. Okay. I'm now showing you -- that was a session at
9 10:09 AM. I'm showing you slide twelve. Again, you don't
10 disagree that's your wife; right?

11 A. No, I don't.

12 Q. On May 13; correct? 10:20 AM.

13 A. That's what it says on the document.

14 Q. Okay. It's your testimony -- well, your wife certainly
15 signed this; correct?

16 A. I couldn't testify to that, sir. I don't know.

17 Q. So you're not here to tell this jury that she did not sign
18 this loan application on May 18, 2021, because you can't
19 testify to it?

20 A. Right. I wasn't there.

21 Q. Okay. And the same way you weren't there for that signing
22 on May 18th, you can't say -- if I can get there. Bear with
23 me. Well, let me just pull it up. Government Exhibit 117.
24 We're now looking at the loan application signed on May 28th.
25 You yourself can't say whether she signed that document

1 because you weren't there?

2 A. Where was it signed at? Because I did sign -- I did sign
3 her signature with a DocuSign at the funeral home.

4 Q. Well, was it the May 18th loan document, which -- you said
5 you weren't there for that signing. So was it this one that
6 you signed, May 28th?

7 A. If I could see the IP address, then I'll tell you which
8 one.

9 Q. Showing you page 20 of Government Exhibit 117, that's not
10 the -- the IP address ending in .85, that's not the .166
11 coming to Wade Funeral Home?

12 A. If I may. Can I see the seconds that I was in there
13 because I would recognize. It was like 2:15 something. I was
14 only in there for a matter of seconds to get it signed. I
15 clicked it real fast. That's how I remember it.

16 Q. Do you want me to -- I'll zoom in. I'll grab it and show
17 it to you.

18 A. This is the document I signed.

19 Q. Okay. So your wife signed the first one. You signed this
20 second one?

21 A. No, I'm not saying she signed anything. I don't know if
22 she signed it or not. I just know I signed --

23 Q. You signed this one. Where were you at when you signed
24 it?

25 A. Sir, I can't recall, but I know I signed it.

1 Q. What device did you use to sign it?

2 A. I do not recall, but I know for a fact I signed it.

3 Q. You know, earlier I asked you about the EIDL loan or the
4 Economic Injury Disaster Loan that you signed. Do you
5 remember that? Back in August of 2020.

6 A. The SBA loan I signed?

7 Q. Yes.

8 A. Okay.

9 Q. Do you remember that? And we talked about how you
10 reviewed the application and you wanted to be accurate. It's
11 important. You know it needs to be accurate. I mean, you're
12 in law enforcement; right? Right?

13 A. What I said was I went over it with my CPA to make sure
14 that everything I put was accurate based on her doing my
15 accounting.

16 Q. Okay. And you verified that it was accurate; correct?

17 A. From what I put in, yes.

18 Q. So you say that you signed Government 117 on May 28th --
19 and I'll go right down to it. May 28, 2021; right? We just
20 went over that.

21 A. If that's the one I said I signed, yes.

22 Q. Yes. Okay.

23 Before you signed it, did you review it for accuracy?

24 A. No, sir.

25 Q. You just signed it?

1 A. As DocuSign is, I was advised that it was a document ready
2 to sign by a phone call. I went in there and I click, click,
3 click, click, click, because it goes to the next, to the next,
4 to the next. I didn't look at anything on it. I didn't
5 review it. I didn't feel it was a need to review because all
6 the information that we gave them was accurate.

7 Q. Well, first of all, I want to point something out here.
8 What does it say there is the legal business name?

9 A. Carolyn Wade.

10 Q. Well, that's not the legal business name, is it?

11 A. No, it's not.

12 Q. But you're the one that initiated the application back on
13 May 4, 2021, at Wade Funeral Home?

14 A. But the only time I saw this was the night before she was
15 taken into custody. That was my first time laying eyes on her
16 name being a business.

17 Q. And then with regard to the claimed gross income, it's
18 your -- by the way, you didn't see that number of gross
19 income, \$113,560?

20 A. No, sir, not until the night before.

21 Q. And you know that your wife's business 1 Step A-Head did
22 not gross \$113,560?

23 A. As soon as I saw it the night before, I immediately called
24 Haydee Granados and asked her why did she input that number
25 without authorization, and she said she was advised to put it

1 in there.

2 Q. You know, you mentioned earlier that you first got two PPP
3 loans; right? Right?

4 A. Yes. Yes. Yes, sir.

5 Q. You got two PPP loans and that it worked out for you;
6 right?

7 A. To the best of my knowledge, yes.

8 Q. And then later on, Haydee Granados came up to you and
9 said, "Why don't you get one for your wife?" Do you remember
10 that?

11 A. No, she didn't. Her husband did.

12 Q. Her husband did. Okay.

13 So you first got two loans, and then the idea came.
14 Let me go and get -- Eduardo said, "Hey, why don't we get one
15 for your wife?" Right?

16 A. No. His exact words were, "Let's see if your wife
17 qualifies for one."

18 Q. Okay. So --

19 MR. ZACCA: Judge, if I can have one second. I'm
20 trying to find my notebook.

21 BY MR. ZACCA:

22 Q. When did you first get your first PPP loan?

23 A. Sir, I don't know the answer.

24 Q. Well, let's use May 4, 2021, since we've been talking
25 about that day a lot. Let's use that date as a reference

1 point.

2 How long before May 4, 2021, did you get your first
3 PPP loan?

4 A. Sir, I don't know the answer to that.

5 Q. Was it a couple months? Three months? Four months?

6 A. Sir, I do not know the answer to that time frame.

7 Q. Okay. How about the second loan? How long before May 4,
8 2021, did you get your second loan?

9 A. I don't know the answer to that either, sir.

10 Q. Can you approximate? Two? Three months?

11 A. Sir, I don't know the answer to that.

12 Q. Okay. How much time between both loans, the first loan
13 and the second loan?

14 A. I don't know the exact answer. Maybe a couple of months.
15 I'm not sure. A couple of weeks. I don't know.

16 Q. And was the loan -- is that it? You only got two loans --
17 Paycheck Protection Program loans?

18 A. That's all I recall I received.

19 Q. And was it again through Eduardo Rivero and Haydee
20 Granados? Is that your testimony?

21 A. Everything was done through them.

22 Q. And then just like we saw before, did you have to sign a
23 note just like you did for the Economic Injury Disaster Loan?
24 Did you have to sign a documentation, a note, or a loan
25 application to get those two loans?

1 A. I think I did a DocuSign just as my wife did or I did for
2 her. Everything went through the same process.

3 Q. Everything was the same?

4 A. Yes.

5 MR. ZACCA: If I could just have a moment.

6 THE COURT: All right. We need to take a short
7 restroom break. We are in recess.

8 (Jury exited at 3:02 PM.)

9 THE COURT: Mr. Zacca, how much more do you
10 anticipate taking with this witness?

11 MR. ZACCA: Judge, I think, approximately, no more
12 than 30 minutes.

13 THE COURT: All right. I'm trying to decide when
14 we're going to get to this evidentiary hearing.

15 All right. We are in recess.

16 (Recess from 3:04 PM to 3:17 PM.)

17 MR. MCCRAY: I just wanted to know if the Court would
18 like to address this matter before the jury comes out. The
19 prosecutor has a couple of documents that it is seeking to use
20 for identification purposes, and I don't think that it's
21 relevant to anything, Judge.

22 THE COURT: You don't think?

23 MR. MCCRAY: It's relevant to any of the issues in
24 this case. It's his PPP application.

25 MR. ZACCA: Judge, not in front of the witness. I

1 would prefer we go sidebar. We are in the middle of
2 cross-examination, Judge.

3 (The following proceedings were held sidebar:)

4 THE COURT: Is it at least in documents you intend to
5 introduce?

6 MR. ZACCA: No. What I want to ask him is if I show
7 at least -- first of all, this is his PPP application. It was
8 signed on -- it's in direct contravention to what he's just
9 testified to. It was signed on May 27, 2021, a day before his
10 wife signed her loan. He testified that he couldn't remember
11 when the PPP loan applications were done, and his PPP loans
12 were done but they were before -- before he approached his
13 wife about getting this -- her loan application. This is in
14 direct contravention to what he testified to. In
15 particular --

16 MR. SNIDER: No --

17 THE COURT: One moment, please. I can only handle
18 one at a time.

19 MR. SNIDER: Sorry.

20 THE COURT: So it seems to me that really -- the
21 question is do you recall the date you signed your Paycheck
22 Protection Program loans.

23 MR. ZACCA: That's exactly right, Judge.

24 THE COURT: All right. And then the next question is
25 is there something that would refresh your recollection.

1 MR. ZACCA: Right.

2 THE COURT: And then you're going to show him
3 there -- where's the last page -- where's the signature?

4 MR. ZACCA: It appears right here.

5 THE COURT: And then you're going to ask him does
6 that refresh your recollection about the date you signed it.
7 That's the end of the story.

8 MR. ZACCA: And, Judge, there's one more component
9 that I just want to point out. I'm also going to ask him when
10 did he apply for this loan application. And it was on the
11 same date he applied for his wife. It was on May 4th --

12 THE COURT: You're going to argue it was the same
13 date, but you're going to ask him what was the date and is
14 there anything that would refresh your recollection, and then
15 you're going to go to this. Now, whatever that analysis is,
16 that's your argument.

17 MR. ZACCA: I don't disagree with that approach, and
18 that's exactly what I intend to do.

19 MR. MCCRAY: I don't have any objection to that,
20 Judge.

21 THE COURT: Bring the jury in, please.

22 (Jury enters at 3:20 PM.)

23 THE COURT: You may continue.

24 MR. ZACCA: Thank you, Judge.

25 ///

1 BY MR. ZACCA:

2 Q. I asked you earlier about when you obtained your first
3 Paycheck Protection Program loan and you couldn't recall in
4 reference to May 4, 2021. And I asked you whether you recall
5 when you got your second Paycheck Protection Program loan in
6 reference to May 4, 2021, and you couldn't recall. Do you
7 remember that?

8 A. Repeat the whole question, please.

9 Q. I'll just ask it again.

10 Do you recall when you signed the loan application
11 for your Paycheck Protection Program loan?

12 A. For Wade Funeral Home?

13 Q. Well, for -- yes, for Wade Funeral Home.

14 A. No, I don't recall the date.

15 Q. Do you recall the date that you signed your second
16 Paycheck Protection Program loan that you obtained?

17 A. No, I do not recall the date.

18 Q. Okay. If I showed you a loan application for a Paycheck
19 Protection Program loan under your name, would that refresh
20 your recollection?

21 A. You will be showing me a document -- that wouldn't confirm
22 that I signed it.

23 Q. Well, can I --

24 A. Yes, you can show it to me.

25 MR. ZACCA: Judge, I've already shown it to the

1 defense. It's marked for identification as 2002.

2 THE COURT: All right.

3 BY MR. ZACCA:

4 Q. Did you sign the loan application for your Paycheck
5 Protection Program on May 27, 2021?

6 A. Sir, I can't confirm that to be my signature.

7 Q. Okay. Did you apply for a Paycheck Protection Program on
8 May 4, 2021?

9 A. I know I applied for a Paycheck Protection loan. I don't
10 know the exact date, sir.

11 Q. If I showed you a Womply document showing application
12 details for a Paycheck Protection Program loan under your
13 name, would that refresh your recollection as to when you
14 applied for a Paycheck Protection Program?

15 A. If I may see it.

16 Q. Yes.

17 MR. ZACCA: Judge, for the record, I've already shown
18 2001 -- it's marked for identification as 2001 -- to the
19 defense.

20 THE COURT: Yes, sir.

21 BY MR. ZACCA:

22 Q. I'm going to ask you the question again.

23 Did you apply for a Paycheck Protection Program loan
24 on May 4, 2021, the same day you did your wife's application?

25 A. No, sir. This says May 4, 2021, but I know for a fact it

1 was not done the same day.

2 Q. Okay.

3 MR. ZACCA: Judge, may I approach to retrieve my
4 documents?

5 THE COURT: You may.

6 BY MR. ZACCA:

7 Q. So you disagree with those two dates, May 4, 2021, as
8 being an application date and May 27, 2021, as being the date
9 of signature? You disagree with those dates?

10 A. Is that showing my IP address, sir?

11 Q. Well, I'm asking the question here.

12 A. Okay.

13 Q. Do you disagree with the dates?

14 A. I disagree --

15 Q. Okay.

16 A. -- to my knowledge.

17 Q. Okay. And you didn't have a business named Tracy Wade;
18 correct? It was Wade Funeral Home; right?

19 A. Absolutely, sir.

20 Q. You testified that after you got your loan application and
21 you got your Paycheck Protection Program loan, Eduardo Rivero
22 at some point came up to you and said, "Where's my money?" Do
23 you remember that? You said that.

24 A. Let me clarify it.

25 Q. First of all, did you not testify to that? Answer that

1 question first --

2 A. Something to that effect.

3 Q. Okay. All right.

4 So he demanded \$5,000 from you for the Paycheck
5 Protection Program loan of \$20,000 that he obtained for you?

6 A. He didn't demand it. That was the agreed-upon cost for
7 him processing the application.

8 Q. That's approximately a 25 percent fee.

9 Being a law enforcement officer, did it strike any
10 suspicion in your mind?

11 A. We've never dealt in any illegal activities. All the
12 documentation that he was provided was clear and accurate.
13 And he went further to say that once the process is completed,
14 then let his wife know and she will process the forgiveness
15 aspect of it.

16 Q. So the answer is no, it didn't create any suspicion in
17 your mind?

18 A. Not at all. It had no reason to.

19 Q. When you approached your wife, according to your
20 testimony, your wife said, "Well, do I really" -- something to
21 the effect of do I really -- would I really be eligible for
22 this Paycheck Protection Program loan because of the money or
23 lack of money that's made by her business?

24 A. I don't remember verbatim what she said. However, when I
25 explained the terms behind applying for the loan, she brought

1 up to question why would I pay the percentage of that amount
2 for a loan I have to pay back.

3 Q. So she herself recognized that that doesn't sound like
4 this is something that she would be eligible for?

5 A. No, that's not what she was saying.

6 Q. Okay.

7 Now, your testimony was that for her \$20,000 loan,
8 the fee was another, what, \$4,000? \$5,000? What was the fee?

9 A. I never made testimony to that, sir.

10 Q. Well, let's look at some evidence here. On 6/7 -- we're
11 looking at Government Exhibit 1000, slide 22. Do you see the
12 loan from Harvest being credited to the account of your wife,
13 of the USAA Classic Checking account?

14 A. Yes.

15 Q. And then that same day, a thousand dollars is paid over to
16 Haydee Granados; is that right?

17 A. Yes, sir.

18 Q. And then the next day, there's a check signed by your wife
19 and in the memo it says "salary." Do you see that?

20 A. Yes, sir.

21 Q. Okay. And then on June 10, another check that she signs
22 to you and puts "salary" in the memo. Do you see that?

23 A. Yes, sir.

24 Q. Did you style hair?

25 A. No. I gave her the cash and she wrote me the check and I

1 just put the cash in my bank.

2 Q. Okay. So let's make it clear.

3 You did not do any hairstyling for 1 Step A-Head to
4 justify a salary paycheck of \$1,000; is that correct?

5 A. No.

6 Q. No, you did or no, you didn't?

7 A. No, I didn't do hair. No.

8 Q. Okay. So you're telling me that the reason why just a few
9 days later -- what -- two days later she writes you a check
10 for a thousand dollars, puts "salary" on the check, because
11 you gave her a thousand dollars in cash?

12 A. So the reason I gave her the thousand dollars in cash is
13 because we bank with USAA. USAA is not a local branch. You
14 can't walk in and get money out. You have to go to multiple
15 ATMs and you're charged fees.

16 So I have a local bank. I gave her the cash and she
17 gave me the check, and I said put it back in the bank so that,
18 therefore, she can conduct her business.

19 Q. This is a joint account. Why does she have to write you a
20 check for a thousand dollars and put "salary" on it? Why
21 can't you just get the thousand dollars from the account?

22 A. She doesn't have a joint account with Wade Funeral Home.

23 Q. Okay. But you have a joint account with her on this
24 account?

25 A. I cashed it at Wade Funeral Home -- I deposited in my

1 funeral home account.

2 Q. Sir, it doesn't make any sense. You can simply go to the
3 bank account --

4 THE COURT: One moment. One moment. Don't
5 characterize evidence. The jury listens to the evidence and
6 they decide what the facts are.

7 BY MR. ZACCA:

8 Q. Do you disagree that you can simply withdraw the thousand
9 dollars in cash from the account that you share with your
10 wife?

11 A. USAA is not a local bank.

12 Q. What was that for anyway, the thousand dollars?

13 A. Sir, I just explained. She has vendors that she pays in
14 cash for products. I took -- I keep cash on hand. I gave her
15 the thousand dollars; she gave me a check. And if you see the
16 back of the check, I deposited it in Truist Bank, which is
17 Wade Funeral Home's account.

18 Q. On June 11, 2021, she writes another check to herself and
19 puts "salary" in the memo. Do you see that?

20 A. Yes.

21 Q. She's doing that on her own; correct?

22 A. Yes.

23 Q. Another check on June 16 for \$2,000, "salary" in the memo.
24 Do you see that?

25 A. Okay.

1 Q. And then on June 17, 2021, another check for a thousand
2 dollars again to you.

3 A. That's probably because I didn't have cash at the time
4 that she did it and she just wrote the check to herself and
5 deposited it in the other account we have.

6 Q. Okay. So this is not a situation where you gave her cash
7 and she cut you a check?

8 A. You lost me, sir.

9 Q. Okay. Why did she -- in this case she wrote a check to
10 you on June 17, 2021, for a thousand dollars. Do you agree?

11 A. Absolutely.

12 Q. And she wrote "salary" in the memo; correct?

13 A. Exactly.

14 Q. Again, was this for cutting or styling hair at 1 Step
15 A-Head? What was this check for?

16 A. The same as the first check because I probably had cash
17 then and it was easier for her as opposed to going through all
18 the transactions and depositing a check. I gave her the cash;
19 she gave me the check. And as you see, I deposited it in Wade
20 Funeral Home.

21 Q. Well, there's no reason to put "salary" in the memo line.
22 It could simply be put "cash"?

23 A. Sir, I don't know the reason behind that.

24 Q. You don't know the reason why your wife wrote "salary" on
25 the check?

1 A. Sir, I don't know the answer to that.

2 Q. And another check on June 24, 2021, again to you for a
3 thousand dollars for salary. Was this check for styling hair
4 at 1 Step A-Head?

5 A. The same answer as before, sir.

6 Q. Okay. This is just simply you gave her cash and she's
7 writing a check to you?

8 A. Yes.

9 Q. And you can't explain why "salary" appears in the memo
10 line in the check?

11 A. Well, when you get the PPP loan, you're able to pay
12 yourself. You're an employee of your business. So maybe she
13 was paying herself. If I had just read it, maybe that's what
14 she was doing.

15 Q. Okay. But you're certainly and clearly not an employee of
16 1 Step A-Head; is that correct?

17 A. No.

18 Q. No, you are or no --

19 A. I'm not an employee.

20 Q. On July 1, 2021, the same situation. You're giving her
21 cash, she's cutting you a check and writing the word "salary"
22 on the memo line?

23 A. Yes, I see it.

24 Q. Mr. Wade, I'm going to ask you an obvious question --

25 MR. MCCRAY: Judge --

1 BY MR. ZACCA:

2 Q. Well, I'll rephrase, Judge. Allow me to withdraw.

3 Do you love your family?

4 A. I love everyone.

5 Q. Do you love your wife?

6 A. I love everyone, sir.

7 Q. Okay.

8 A. I love you.

9 Q. Well, thank you.

10 But at the end of the day because you love
11 everyone -- and everyone includes your wife. Would you agree?

12 A. Yes.

13 Q. But particularly your wife; right? I mean, some people --
14 do you love me more than your wife?

15 A. I love everyone.

16 Q. Okay. So you love me more than your wife?

17 A. I love everyone.

18 Q. Oh, so you love me as equally as your wife?

19 A. I don't know how you gauge it.

20 Q. How do you gauge it, sir?

21 A. I don't know, sir.

22 Q. You can't --

23 THE COURT: Mr. Zacca, the next area, please.

24 BY MR. ZACCA:

25 Q. Mr. Wade, at the end of the day, would you lie to protect

1 your wife?

2 A. No.

3 Q. You wouldn't lie to --

4 A. In this occasion here, I'm not lying.

5 MR. ZACCA: All right. No further questions.

6 Judge, can we have a sidebar?

7 THE COURT: Come sidebar, please.

8 (The following proceedings were held sidebar:)

9 MR. ZACCA: Judge, I was just approached by defense
10 counsel and he wants to introduce these three documents. He
11 wants to introduce these three documents and he did not
12 introduce them during his direct, so now I don't have the
13 opportunity to cross-examine and ask questions about these
14 documents --

15 THE COURT: Well, were these documents referenced
16 during your cross?

17 MR. ZACCA: No.

18 MR. MCCRAY: Yes, they were, Judge. I'll give you an
19 example. He talked about the fact that the application was
20 filed in the name of Carolyn Wade. This will show that --
21 this canceled check -- here it is again here --

22 THE COURT: Wait a minute. Wait a minute. That is
23 the check that -- this is not the check that was referenced on
24 his cross; right?

25 MR. MCCRAY: Well, I don't even think that he made

1 reference to a check. He just made reference to the fact that
2 the name First Step [sic] was not given to the lady --
3 Ms. Granados.

4 THE COURT: There's a check that was given -- when
5 you say "the lady," do you mean Ms. Granados?

6 MR. MCCRAY: Granados. I can't --

7 THE COURT: So what does this have to do with that?

8 MR. MCCRAY: I'd like the jury to be able to hear
9 that Mr. Wade and Ms. Wade were not keeping the First Step
10 Ahead hair salon business name away from them, that they
11 actually presented it to them -- presented it to them --

12 THE COURT: But how does this prove that? This
13 doesn't prove what happened between --

14 MR. MCCRAY: There's an email, Judge, here that was
15 sent to Ms. Granados by --

16 THE COURT: How are you going to authenticate this
17 email? This is Tracy W 764. And so what is that?

18 MR. MCCRAY: That's his email.

19 THE COURT: All right. I don't know that.

20 MR. MCCRAY: He stated his name in the beginning,
21 Judge.

22 THE COURT: I know but Tracy W 764 doesn't tell me --

23 MR. MCCRAY: It's Mr. Wade, Judge.

24 THE COURT: This is an email from Carolyn Wade to
25 Tracy Wade. And so what is it that you want to ask him?

1 MR. MCCRAY: I want the jury to know that First Step
2 Ahead -- that information was actually submitted to
3 Ms. Granados.

4 THE COURT: I'm not following you. I don't know what
5 this has to do with Ms. Granados. This is an email from Tracy
6 W 764 to -- H. Granados.

7 MR. MCCRAY: Right. He sent that to her. And she on
8 her own volition -- Ms. Granados filled out these applications
9 and did not include the name that was given to her. She put
10 Carolyn Wade as the sole proprietor as opposed to the name of
11 the legal business that the PPP loan was supposed to be
12 applied for.

13 THE COURT: Gee, that sounds like a whole bunch of
14 argument because this doesn't prove that --

15 MR. MCCRAY: It shows it was sent to her, Judge.

16 THE COURT: I'm sorry?

17 MR. MCCRAY: It shows it was sent to her. Now I
18 should be able to argue --

19 THE COURT: Wait a minute. Is this item in evidence?

20 MR. SNIDER: No.

21 MR. MCCRAY: I'm seeking to introduce it into
22 evidence.

23 THE COURT: I know but --

24 MR. MCCRAY: I can lay the foundation.

25 MR. SNIDER: That's outside the scope of his cross.

1 MR. MCCRAY: Judge, it was brought up on his
2 cross-examination.

3 THE COURT: That what? What was brought up?

4 MR. MCCRAY: About the fact that the -- that Carolyn
5 Wade -- the PPP application was filed as a sole proprietor and
6 not in the name that it should have been.

7 MR. WILCOX: Your Honor, may I make a suggestion?
8 Your Honor, may I make a suggestion, please? Would the Court
9 consider allowing recross after Mr. McCray enters these --

10 THE COURT: No, I'm not allowing any recross. I'm
11 just trying to understand how this is relevant. And I'm
12 not -- I hear you telling me about these names, but I'm not
13 exactly sure of the point that you're trying to utilize based
14 on the cross.

15 MR. MCCRAY: Judge, what I'm saying in a nutshell is
16 it has been portrayed before this jury --

17 THE COURT: Wait a minute. Don't tell me about the
18 cross. What is it that came out on cross that --

19 MR. MCCRAY: This is what I'm telling you.

20 THE COURT: You're saying portrayed in front of the
21 jury, but on cross-examination counsel said blank --

22 MR. MCCRAY: On cross-examination counsel introduced
23 evidence through testimony that the Wades filed a PPP
24 application in the name of a sole proprietor by the name of
25 Carolyn Wade.

1 THE COURT: Yes.

2 MR. MCCRAY: There's no business called Carolyn Wade.
3 We want to show -- because this contradicts that. Ms. Wade
4 and Mr. Wade sent this to Ms. Granados, a canceled check.
5 This is one of the documents that she reflected --

6 THE COURT: Is that this document?

7 MR. MCCRAY: Yes -- well, that's really the same,
8 this and this. You can see the numbers. They're one and the
9 same.

10 THE COURT: Well, I didn't know that.

11 MR. MCCRAY: It's just what I'm telling you, Judge.

12 THE COURT: You're making it sound like I'm supposed
13 to know that and I don't. I can't tell that this and this is
14 the same. You know, this is -- I don't know. It sounds
15 close.

16 All right. I'm going to allow it. I'm going to
17 allow it. I've listened to you all afternoon on all of these
18 extraneous points, so now he's going to make his argument.

19 MR. ZACCA: Understood, Judge.

20 (The following proceedings were held in open court:)

21 MR. MCCRAY: Judge, may I approach the witness?

22 THE COURT: Yes, sir.

23 REDIRECT EXAMINATION

24 BY MR. MCCRAY:

25 Q. Mr. Wade, let me show you what's been marked as

1 Defendant's Exhibit 6. Do you recognize that?

2 A. Yes.

3 Q. What is that?

4 A. A check for 1 Step A-Head salon -- beauty salon.

5 Q. And is there something handwritten on there?

6 A. It says "void."

7 Q. Tell us what was the purpose of this, if you know.

8 A. That a voided check had to be emailed to Haydee Granados.

9 Q. What's the business name on this check?

10 A. 1 Step A-Head Hair Salon.

11 Q. I'm going to publish this in a minute.

12 I'm now going to show you what's been marked

13 Defendant's Exhibit 7. Can you take a look at this and tell
14 me what this is?

15 A. It's an email to Haydee Granados from me.

16 Q. And what do you see in this picture here -- the first
17 picture?

18 A. The voided check.

19 Q. Is that photo that's shown in Exhibit 7 the same as the
20 Exhibit 6?

21 A. Yes.

22 Q. And did you ever send a check -- Judge, I'm going to
23 publish Exhibits 6 and 7, please, sir.

24 THE COURT: Do you want to offer them into evidence?
25 Are you offering?

1 MR. MCCRAY: I am, Judge.

2 THE COURT: 6 and 7 for identification.

3 MR. ZACCA: It's over Government objection, Judge,
4 based on the remarks at sidebar.

5 THE COURT: All right. Overruled.

6 Received as marked.

7 (Defense Exhibit 6 was received in evidence.)

8 (Defense Exhibit 7 was received in evidence.)

9 BY MR. MCCRAY:

10 Q. Okay. This is Exhibit 6 that you just referred to?

11 A. Yes, sir.

12 Q. Let me also publish Exhibit 7. I'm pointing at something
13 now. Can you please tell me what that is on Exhibit 7?

14 A. The voided check.

15 Q. Is this the same check that's reflected in Exhibit 6?

16 A. Yes.

17 Q. Let's move to the middle. Are you able to discern what
18 this is, this middle photograph?

19 A. It's Carolyn Wade's driver's license.

20 Q. You sent that to whom?

21 A. Haydee Granados.

22 Q. And this is Haydee Granados's email here?

23 A. Yes.

24 Q. Reflected on Exhibit 7?

25 A. Yes.

1 Q. Do you know what this is on the last photo that I'm
2 pointing at?

3 A. That should have been a Social Security card.

4 Q. What did you do with that?

5 A. I sent it to Haydee Granados.

6 Q. Now, did you ever send Haydee Granados any checks for
7 Carolyn Wade, sole proprietorship?

8 A. No, not at all.

9 MR. MCCRAY: Judge, essentially we, being both
10 parties, we have an unwritten agreement that these two
11 documents --

12 THE COURT: A stipulation?

13 MR. MCCRAY: It's not reduced to writing, Judge.

14 THE COURT: No, but you have a stipulation?

15 MR. MCCRAY: Yes. I'm sorry. We do.

16 THE COURT: Do you want to publish it orally?

17 MR. MCCRAY: Yes.

18 THE COURT: Any objection?

19 MR. ZACCA: Judge, with regard to Defense Exhibit 2,
20 we do. We have an objection.

21 MR. SNIDER: No, no. We've agreed to this.

22 MR. ZACCA: Forgive me, Judge. I didn't know --
23 that's fine, Judge.

24 THE COURT: Since it's not in writing, just confer
25 and make sure that which you're going to publish. Is that

1 what you agreed to?

2 MR. MCCRAY: We have. They are Exhibits 1 and 2.
3 Exhibit 1, Judge, is the Broward County Sheriff's Office
4 staffing management document showing the dates that an
5 individual worked, the number of hours, and basically the
6 number of hours that an individual was supposed to work --

7 MR. ZACCA: Objection. Objection.

8 THE COURT: One moment. See, here -- I thought we
9 had an agreed upon -- all right. So here's what we're going
10 to do because we're not going to finish today, obviously. So
11 whatever it is you all agree to, reduce it to writing and you
12 can publish it on Monday morning.

13 MR. MCCRAY: That's fine, Judge.

14 BY MR. MCCRAY:

15 Q. The documents, Mr. Wade, that you sent to Ms. Granados --
16 to her or through her husband to her, did you ever send her a
17 Schedule C?

18 A. No, I did not.

19 Q. Did you ever see a Schedule C for Carolyn Wade that had on
20 it \$113,000 income?

21 A. No, I did not.

22 Q. Now, on cross you talked about the Broward Sheriff's
23 Office reporting policy. Did you report every year?

24 A. No. I worked 25 years there and I think the prosecution
25 only showed me about four.

1 Q. Okay. And what did you mean when you indicated that
2 the -- that policy was not -- either you said was not enforced
3 or wasn't widely enforced. What did you mean --

4 A. It wasn't enforced. It just depended on your command and
5 what you were doing. They didn't enforce it with everyone.

6 Q. Mr. Zacca also asked you about the name Paycheck
7 Protection Program. Doesn't that name tell you what the
8 program does?

9 A. Yes.

10 Q. Does the name tell you the criteria for the program?

11 A. No, it does not.

12 Q. Did you ever upload a Schedule C in this case?

13 A. Never.

14 Q. Now, there were login sheets that were presented when the
15 Government was standing up just a few minutes ago. One of
16 them was a login. Four attempts were made. Were there
17 attempts to transmit any fraudulent information?

18 A. No, sir.

19 Q. On the big megasheet that was presented to you, the sheet
20 with the small writing, did that include any fraudulent
21 Schedule C documents from you?

22 A. No, sir.

23 Q. Now, counsel asked you when you -- you indicated, I
24 believe, that on May 28, when the PPP application was actually
25 submitted -- you indicated that you were the one -- I think

1 you submitted that document?

2 A. Yes, I did.

3 Q. Was your wife with you when you did that?

4 A. No, she was not.

5 Q. When you signed the document basically saying that to the
6 best of your knowledge it was true and correct, did you
7 indicate that you did not actually read --

8 MR. ZACCA: Objection. Leading.

9 THE WITNESS: No, I did not read it --

10 THE COURT: One moment.

11 THE WITNESS: I'm sorry.

12 THE COURT: Rephrase your question.

13 BY MR. MCCRAY:

14 Q. Did you read that document, sir?

15 A. No, I did not read it.

16 Q. All of the information -- and I believe you testified that
17 you had been requested to produce certain documents to
18 Ms. Granados. Was that information true and correct?

19 A. Yes, it was.

20 Q. Did you have any reason to believe that Ms. Granados would
21 falsify --

22 MR. ZACCA: Objection. Leading.

23 THE COURT: Sustained.

24 BY MR. MCCRAY:

25 Q. Did you have any reason to believe that any of the

1 information that was in the PPP application was not true and
2 correct?

3 MR. ZACCA: Objection.

4 THE COURT: Overruled.

5 THE WITNESS: No.

6 BY MR. MCCRAY:

7 Q. Was it on your mind at all that something --

8 THE COURT: You asked that question, Counsel. Let's
9 move on.

10 MR. MCCRAY: All right, Judge.

11 BY MR. MCCRAY:

12 Q. There was a document that was shown to you. I believe it
13 may have been an application regarding a PPP loan with you,
14 and you indicated that you could not confirm that that was
15 your signature.

16 Did anyone else have the rights or the authority to
17 DocuSign --

18 A. Haydee Granados had access.

19 MR. MCCRAY: I beg the Court's indulgence.

20 BY MR. MCCRAY:

21 Q. So I believe you indicated, Mr. Wade, that you did
22 DocuSign the document dated the 28th; is that correct?
23 May 28th.

24 A. For Wade Funeral Home?

25 Q. You --

1 A. For who? Carolyn Wade?

2 Q. Yes.

3 A. Yes, I did.

4 Q. Now, when you DocuSign a document, based upon your
5 experience, does it show the entire document at one time?

6 A. No. No, it doesn't.

7 Q. Tell us what it shows, if you can remember.

8 A. If I can remember, I think you click it -- I think it's
9 different types of DocuSigns if I'm correct. But it just
10 prompts you to click and just takes you to the next, to the
11 next, to the next, to the next. It's not -- it doesn't show
12 it like that.

13 MR. MCCRAY: Okay. Judge, I have nothing further.
14 Thank you.

15 THE COURT: All right. May the witness be excused
16 permanently?

17 MR. MCCRAY: Yes, Judge.

18 MR. ZACCA: Yes, Judge.

19 THE COURT: All right. You may step down, sir. You
20 are excused.

21 MR. WILCOX: Mr. Wade can sit in the gallery now,
22 can't he?

23 THE COURT: Yes.

24 * * * * *

25

CERTIFICATE OF REPORTER

I certify that the foregoing is a correct transcription of the record of proceedings in the above-entitled matter prepared from my stenotype notes.

DATE: 16th of July, 2024

/s/Lance W. Steinbeisser

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Southern District of Florida
Miami, Florida

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