

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NOS. 23-CR-60173-KMW-1
23-CR-60173-KMW-2

UNITED STATES OF AMERICA, Miami, Florida
Plaintiff, October 21, 2024
vs.
9:54 AM - 2:48 PM
CAROLYN DENISE WADE and
TRACY D. WADE,
Defendant. Pages 1 to 138

TRANSCRIPT OF TRIAL (TESTIMONY OF TRACY WADE)
HELD BEFORE THE HONORABLE DONALD L. GRAHAM
UNITED STATES DISTRICT JUDGE

FOR THE GOVERNMENT:

DAVID A. SNIDER, AUSA
ADAM LOVE, AUSA
United States Attorney's Office

ON BEHALF OF THE DEFENDANTS:

JOHNNY L MCCRAY, JR., ESQ.
Law Office of Johnny L. McCray, Jr, P.A.
and
DARYL E. WILCOX, ESQ.

ALSO PRESENT: Carolyn Wade
Hendrith V.A. Smith, paralegal

LANCE W. STEINBEISSER, FCRR, RPR, FPR-C
Official Court Reporter
United States District Court
400 North Miami Avenue
Miami, Florida 33128
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Proceedings recorded by mechanical stenography; transcript
produced by computer-aided transcription.

TRACY WADE - DIRECT

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1 Q. Okay. Now, have you been audited?

2 A. No, sir.

3 Q. Any communication regarding the legitimacy of 209?

4 A. No, sir.

5 Q. It also indicates, if you look on under income -- and I
6 will see if I can push that up a little bit -- income here --
7 and let's go over to 1(C). What does it say your gross
8 receipts and sales equal?

9 A. If you can move it back over, I believe 1(C) is \$332,681.

10 Q. Okay. And going to 1(A), what does that say?

11 A. It says 300,000 -- it says the same numbers.

12 Q. Okay. These were filed by you with the United States
13 Government?

14 A. Yes, sir.

15 Q. Okay. Did you have a CPA assist you with this?

16 A. Yes, sir.

17 Q. Okay. Did you ever represent to Ms. Granados that your
18 funeral home business made roughly just over a hundred
19 thousand dollars for that same year as reflected in the
20 exhibit that we just went over, which indicated that you had
21 made over 300-some thousand dollars?

22 A. No, sir.

23 Q. Did she ever tell you that she was going to put a number
24 that wasn't consistent with the 300-some odd thousand dollars
25 that we just saw?

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1 A. No, sir.

2 Q. When, if anytime, did you learn that Ms. Granados had
3 included a number that was not accurate -- that was false?

4 A. Once this indictment came into place and I looked at the
5 documents.

6 Q. And what were your feelings at that time?

7 A. Deceived, hurt, betrayed.

8 Q. Now, had you ever asked Ms. Granados or Ms. Rivero to file
9 a PPP loan in the name of your funeral home, Wade Funeral
10 Home?

11 A. I didn't speak to Ms. Granados at all. I spoke to
12 Eduardo. And the understanding was the PPP loan was going to
13 be under Wade Funeral Home.

14 Q. And how was that the understanding?

15 A. Well, based on how he explained it to you, the PPP loan
16 was supposed to be for a business, not personal.

17 Q. And so you mentioned to Mr. Granados that you would be
18 applying for a business loan?

19 A. He asked. He asked did you do one for the funeral home.
20 He asked.

21 Q. And what did you say?

22 A. I said no, initially.

23 Q. Okay. And did there come a time when you said that you
24 would?

25 A. Yes. Yes, sir.

1 first talked to them about this.

2 A. Nothing. They just wanted the documents that they
3 requested. That was it.

4 Q. Okay. We saw your driver's license and the check -- a
5 voided check. Did they ask you for any other information?

6 A. Oh, they wanted the passcodes because --

7 Q. Did you give them that?

8 A. Well, virtually I ended up giving it to them so -- let me
9 back it up. I was, at the time, working at the sheriff's
10 office on midnights. I was working at the funeral home and
11 covering his funeral home also. I didn't understand the
12 process of this loan, and I guess everything was -- had to be
13 done in a timely manner.

14 So he kept calling my phone, "Oh, you're not paying
15 attention to this," or "You're not doing this," or "You're not
16 doing that. Why don't you just give me your email access and
17 that way" -- because I guess part of the authentication or the
18 codes will come to your email, as they testified to. And he
19 said, "Don't worry about it. You can trust me. When it's all
20 said and done, you could just change your email access and
21 then that's that.

22 "But in order for us to process the application,
23 everything has to be done in a timely manner." He also tried
24 to ask me for my bank account --

25 Q. Before we go to that, did you give him access to your

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1 email?

2 A. Yes, I did.

3 Q. Okay. Now, go ahead. Did he ask for access to anything
4 else?

5 A. So then he asked me for access to my business bank account
6 and -- and my personal and I was, like, "Yeah, I trust you but
7 don't trust you like that." I wasn't giving him that.

8 Q. So you never gave him --

9 A. No.

10 Q. -- access to either of your bank accounts?

11 A. No.

12 Q. By the way, how many bank accounts did you have?

13 A. I have a business account. My wife had a personal
14 account, which I was on. I had a personal account, which she
15 was on. And we had a savings account that we both were on --

16 Q. Okay.

17 A. -- and she also had an account for her business.

18 Q. Okay. Now, did your wife file tax returns in 2019?

19 A. Yes.

20 Q. And she had been audited based upon what she filed?

21 A. No, sir.

22 Q. Any correspondence, to your knowledge, from the United
23 States Government regarding that?

24 A. No, sir.

25 Q. Did your wife apply for a PPP loan?

1 link and it takes you to the portal. When it pops up, it is
2 instructing you about if you have not used that computer
3 before, then it tells you to adopt a signature. If you have
4 used that computer before, then your signature is already
5 there, and all you're doing is just initialling the
6 statements. You're not seeing any application. You're not
7 seeing any numbers. All you're doing is just initialling,
8 initialling, initialling. That's it.

9 Q. Did you see a PPP application when you went into the
10 computer to DocuSign?

11 A. No, sir.

12 Q. Did you see a Schedule C?

13 A. No, sir.

14 Q. Could you have seen it and just deliberately ignored it?

15 A. No, sir.

16 Q. What about -- I said "it." Let's talk first about the PPP
17 application.

18 Could you have seen it and just simply ignored it?

19 A. No, sir.

20 Q. What about with respect to the Schedule C?

21 A. No, sir.

22 Q. Were you ever told by Haydee Rivero or her husband that
23 they would have to put in false numbers in the PPP
24 application?

25 A. There was never a discussion of any fraudulent activity

1 being authorized or approved.

2 Q. Did they ever even mention a Schedule C to you?

3 A. No, sir.

4 Q. You spoke with them regarding your wife, you say, I
5 believe?

6 A. Yes, sir.

7 Q. With respect to your wife's application, did they ever
8 tell you that they would have to use fraudulent information in
9 the application?

10 A. No, sir.

11 Q. Did they ever tell you that they would have to use
12 fraudulent information in the Schedule C?

13 A. No, sir.

14 Q. Now, your wife's business -- you know pretty much what
15 kind of business she's doing financially. Is that a fair
16 statement?

17 A. Yes, sir.

18 Q. If you had been told by her, meaning -- husband or wife,
19 Eduardo or his wife, that they were going to put a figure of
20 say \$113,000 for 1 Step, would you have known that that was
21 false?

22 A. Absolutely.

23 Q. Did you ever see a document that reflected that 1 Step,
24 the beauty salon, had receipts of 100-plus-thousand dollars
25 for the taxable year, I believe, 2021?

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1 A. Did I --

2 Q. Years, yes.

3 A. Before this proceeding?

4 Q. Yes, before this case.

5 A. Oh, no. No, sir.

6 Q. When was the first time that you saw a fraudulent

7 Schedule C?

8 A. I don't know if it was a fraudulent Schedule C, but I saw
9 the fraudulent documents the night before my wife was taken in
10 by the Broward County Sheriff's Office.

11 Q. When you learned about this, how did you feel?

12 A. I was puzzled initially, angry initially. Then I called
13 Eduardo immediately.

14 Q. Did you speak to him?

15 A. Yes, I did.

16 Q. And what was said?

17 A. I questioned that because initially when I was looking at
18 the documents online and I -- I was initially looking because
19 the document was unfamiliar to me. So I'm trying to
20 understand what it is because initially when my wife was under
21 investigation with the sheriff's office, we didn't know why,
22 and then certain other deputies started calling saying this is
23 what it has to be for.

24 So someone gave me the site, and I went and we pulled
25 it up, and I was looking for her EIN number, and I kept trying

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1 to understand why her EIN number was not on the document.

2 Q. Why did you think it should have been on the document?

3 A. Because it was supposed to have been for her business

4 1 Step A-Head.

5 Q. Had you provided that to either Mr. Rivero or Mrs. Rivero?

6 A. I provided that to Eduardo Rivero with her EIN number.

7 Q. That was when you sent that email?

8 A. Yes.

9 Q. Go ahead. When you were looking -- go ahead.

10 A. So as we were looking at it and we're trying to go, then I
11 see her Social Security number on here and I say, "Wait a
12 minute. She put this loan in your personal name because you
13 your name is here." It says "Carolyn Wade" and it has her
14 Social Security number.

15 And I used some profanity and then I immediately
16 called on the phone. So when I called on the phone,
17 Eduardo -- he tried to fast-talk me. And he was, like, "No,
18 no, no, no, no, nothing's wrong, nothing's illegal." Then
19 Haydee gets on the phone and says, "Hey, I didn't do anything
20 wrong. Your wife's only in trouble because BSO is trying to
21 make a statement against all the deputies. I did everyone
22 else's PPP loan correct and no one else is having a problem."

23 So I said -- I questioned her on certain things in
24 the application and she said, "Oh, just tell them it's a
25 typo." I said, "Typo my" -- and I hung up the phone.

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1 Q. Now, were you arrested around the time when your wife was
2 arrested?

3 A. No, sir.

4 Q. At the time in which your wife was arrested, were you
5 aware that your application and Schedule C had been falsified?

6 A. Yes, sir.

7 Q. You were aware the night your wife got arrested?

8 A. No, not that night, but eventually down the road, after I
9 started doing an investigation of the facts, then I looked at
10 it and I was, like, "Ah, wow. They did mine the same way."

11 Q. Okay. And eventually the Government --

12 A. Yes.

13 Q. -- caused your arrest?

14 A. Yes, sir.

15 Q. Now, with respect to Wade Funeral Home, did you have
16 employees back around the time that you applied for the PPP
17 loan?

18 A. Well, I called them based on how my CPA says they're
19 considered to be workers or laborers --

20 Q. Okay.

21 A. -- but yeah, the same thing.

22 Q. Did you pay taxes on them?

23 A. No, sir.

24 Q. Why didn't you?

25 A. Because I did 1099s.

1 A. No, sir.

2 Q. Any discussion that I've had about this case as it
3 pertains to you has been through your attorneys; correct?

4 A. Yes, sir.

5 Q. And you and I have never formally met face-to-face --
6 correct? -- other than holding the door for me and other just
7 human interaction and pleasantries. We've never sat down
8 face-to-face; correct?

9 A. No, sir.

10 Q. So, Mr. Wade, let's go over sort of a few preliminary
11 things here.

12 You have never had a business named Tracy Wade;
13 correct?

14 A. No, sir.

15 Q. And as far as you know, there is no business doing
16 business as Tracy Wade; correct?

17 A. There should not be.

18 Q. Certainly not one that you're aware of; right?

19 A. Yes, sir.

20 Q. And there is no business named Tracy Wade that was
21 established, to your knowledge, in 2019?

22 A. No, sir.

23 Q. And you don't live at 315 West Pembroke Road in
24 Hallandale; correct?

25 A. That's not my residence, no.

1 Q. That's the residence of your funeral home?

2 A. Yes, it is.

3 Q. So that's not the residence of any business named Tracy
4 Wade; correct?

5 A. No, sir.

6 Q. Your funeral home is a Florida limited liability company;
7 is that correct?

8 A. Yes, sir.

9 Q. It is not a sole proprietorship; correct?

10 A. Okay.

11 Q. Is that right?

12 A. Yes, sir.

13 Q. And as you just went over with Mr. McCray, Wade Funeral
14 Home files business tax returns; correct?

15 A. Yes, sir.

16 Q. The income that is reported to the Internal Revenue
17 Service for Wade Funeral Home is not filed on your individual
18 tax return; correct?

19 A. No, sir.

20 Q. It is filed on an 1120-S form; right?

21 A. Yes, sir.

22 Q. Do you have a Social Security number?

23 A. Yes, I do.

24 Q. And I'll just say the last four digits. It ends in 4088;
25 correct?

1 A. Yes, it does.

2 Q. And you also have an EIN for the Wade Funeral Home;
3 correct?

4 A. Yes, I do.

5 Q. But that's a different number?

6 A. Yes, it is.

7 Q. You testified that you received a \$20,833 loan from the
8 Paycheck Protection Program; correct?

9 A. Yes, sir.

10 Q. And that went into a USAA bank account that is in your
11 name and your wife's name; correct?

12 A. Yes, sir.

13 Q. So the PPP loan for the business Tracy Wade did not go to
14 the bank account for Wade Funeral Home; correct?

15 A. Correct.

16 Q. And because there is no business named Tracy Wade, no
17 business that you're aware of named Tracy Wade made \$112,430
18 in 2019 or any other year; correct?

19 A. Repeat that question again.

20 Q. Sure.

21 Because there is no business named Tracy Wade that
22 you're aware of, you're not aware of any business named Tracy
23 Wade making \$112,430 ever?

24 A. No, sir.

25 Q. I've just connected to the HDMI and you should see on your

1 screen three exhibits that are in evidence in this case.

2 Those are Government's Exhibit 157 on the left side of your
3 screen, 158 on the right side of your screen, and 159 in the
4 center of the screen. Do you see that on the screen in front
5 of you, Mr. Wade?

6 A. Yes, I do.

7 Q. And you know what these documents are; correct?

8 A. I've learned what these documents are.

9 Q. You've learned. So let's go over what you've learned.

10 Let's start with 157, and I'm going to enlarge for
11 you the top portion here. Now, you just testified that
12 there's no business named Tracy Wade, no business has that
13 business legal name; correct?

14 A. There's no legal business named Tracy Wade.

15 Q. So where it says here "business legal name Tracy Wade,"
16 that's false; right?

17 A. That's false.

18 Q. And the top section where it says "sole proprietor," you
19 don't have a sole proprietorship named Tracy Wade; correct?

20 A. No, sir.

21 Q. So that's false; correct?

22 A. Correct.

23 Q. And the business address that we just went over, 315 West
24 Pembroke Road, that's not for a business named Tracy Wade;
25 correct?

1 A. No, sir.

2 Q. So that's false? Yes?

3 A. Yes.

4 Q. And the total amount of gross income from an IRS
5 Schedule C -- from 1040 Schedule C, line 7, showing \$112,430
6 in this document that's in front of you, Government 157,
7 that's false; right?

8 A. Absolutely.

9 Q. No dispute about that.

10 You've testified that the d/b/a Tracy Wade, that's
11 false; correct?

12 A. Yes, sir.

13 Q. And the year of establishment, that's false?

14 A. Yes, sir.

15 Q. The business TIN, that's not a business TIN, to your
16 knowledge. That's a Social Security number; correct?

17 A. Yes, yes.

18 Q. That's your social.

19 So that's your social. That's not a social for
20 business with the legal name Tracy Wade?

21 A. That's my personal Social Security number.

22 Q. Okay. And that's your phone number; correct?

23 A. Yes, it is.

24 Q. All right. And that's your email address?

25 A. My personal email.

1 Q. Your personal email address, your personal cell phone
2 ending in 1512; correct?

3 A. Yes, it is.

4 Q. So that's not for -- you said personal. That's not for
5 business; correct?

6 A. For business.

7 Q. So where it says business phone, that's false. Do you
8 agree with that?

9 A. Yes, sir.

10 Q. Now, I've just noted eight pieces of information on the
11 front page of Government's Exhibit 157 that's false. Would
12 you agree with that?

13 A. Yes, sir.

14 Q. Let's take a look at Government 158. Let me make it a
15 little bit larger. I'm going to enlarge the same section. Do
16 you see Government 158 enlarged?

17 A. Yes, sir.

18 Q. By the way, what does it say at the top there, the very
19 top?

20 A. It says, "DocuSign envelope ID."

21 Q. Correct.

22 There's a DocuSign envelope ID. And just for the
23 record, that ends in 596E; correct?

24 A. Okay.

25 Q. And what's below that?

1 A. There's a symbol.

2 Q. A symbol, okay.

3 Do you see any words to the right of the symbol in
4 the center of the application?

5 A. To the right of it it says, "Paycheck Protection Program."

6 Q. Yeah.

7 And what does it say in the line below that?

8 A. Borrower application form for Schedule C filers using
9 gross income.

10 Q. Now, would you agree that the information that is in
11 Government 158 that I've enlarged is identical to the
12 information that I just went through with you in step in 157.
13 Do you agree with that?

14 A. Yes, it is.

15 Q. So we don't need to go through it again. You would agree,
16 would you not, that the information that we just went over,
17 because it's identical, is also false in 158; correct?

18 A. Correct.

19 Q. All right. And now let's look at 159. Do you see the
20 section I've enlarged --

21 A. Yes.

22 Q. -- from Government 159?

23 And this has a DocuSign envelope ID at the top that
24 has the last four characters BBBC; is that right?

25 A. Yes, sir.

1 Q. So different envelope ID than the one we just looked at
2 from Government 158. But other than that, you would agree
3 that the information that I've enlarged here, the top portion
4 of this Paycheck Protection Program borrower application form
5 for Schedule C filers using gross income is identical to the
6 information we've just looked at in 157 and 158; right?

7 A. Yes.

8 Q. So with respect to that, it's equally false; correct?

9 A. Equally false.

10 Q. Now, you had no Schedule C that was filed with your
11 individual tax return; correct?

12 A. Correct.

13 Q. In fact, I believe you just testified when Mr. McCray was
14 asking you that question that you didn't know what a
15 Schedule C was until before this case. Is that your
16 testimony?

17 A. No. I learned about it in the prior proceeding. That's
18 what I stated.

19 Q. Okay. Fair enough.

20 That's when you first -- some other prior proceeding,
21 that's when you first learned about what a Schedule C was?

22 A. Yes, sir.

23 Q. Okay. And just so we're clear, 2018, you never filed a
24 Schedule C; correct?

25 A. For Wade Funeral Home?

1 Q. No. Just -- well --

2 A. I personally have never filed a Schedule C with my CPA
3 ever.

4 Q. Okay. So that means that for 2018, 2019, 2020, 2021,
5 Tracy Wade, the individual sitting here today, he never filed
6 a Schedule C; correct?

7 A. Correct.

8 Q. Haydee Rivero, do you know that name?

9 A. Yes, sir.

10 Q. She used to be known as Haydee Granados; correct?

11 A. Correct.

12 Q. She created a Schedule C for your PPP loan application;
13 correct?

14 A. Correct.

15 Q. And the Schedule C that Ms. Rivero created for you
16 contained information that she testified she completely made
17 up; right?

18 A. Some of it she made up.

19 Q. Some of it she made up. I guess that's fair.

20 She did put your name correct, so that part wasn't
21 false. She put your -- well, let's just look at it. Let's
22 just look at it. Publishing Government 154 in evidence. Do
23 you see that on your screen?

24 A. Yes, sir.

25 Q. This is the Schedule C that Haydee Rivero created for you;

1 right?

2 A. Yes, sir.

3 Q. And your name is correct although there is no business
4 named Tracy Wade; right?

5 A. My name is Tracy Wade, but I don't have a business named
6 Tracy Wade.

7 Q. Right.

8 So the fact that it says name of proprietor or
9 principal business or profession Tracy Wade, that's false. Do
10 you agree with that?

11 A. That's false.

12 Q. That is your Social Security number; correct?

13 A. Yes, it is.

14 Q. And the only way she had that was because you gave it to
15 her; right?

16 A. I provided it to her.

17 Q. Okay. And there's a business address there, but that's
18 not the business address for Tracy Wade. We've gone over
19 that; right?

20 A. Yes, sir.

21 Q. That's the business address for Wade Funeral Home.

22 You were shown -- I think it was maybe the last
23 exhibit by Mr. McCray -- a cover letter from Perez Accounting
24 attached to which was one of the tax returns for Wade Funeral
25 Home that Perez Accounting prepared; right?

1 Q. And do you below that Galaxy S21 U 5G?

2 A. Okay.

3 Q. Any reason to doubt that you had a Galaxy S21 U 5G
4 assigned to phone number ending in 1512?

5 A. No, sir.

6 Q. So you accept this as true?

7 A. I accept that as true.

8 Q. Okay. Now, your cell phone service provided by Verizon
9 Wireless in 2021 in the months that I just mentioned had a
10 data plan; correct? It allowed you to use -- access the
11 Internet from your cell phone, which was then a Samsung Galaxy
12 S21; right?

13 A. Yes, sir.

14 Q. And just like most people, you use the Internet from your
15 cell phone when you're out and about; right?

16 A. Yes, sir.

17 Q. You don't need to be connected to a Wi-Fi network in order
18 to access the Internet from your cell phone because you have a
19 data plan that allows you to access the Internet on Verizon's
20 network; right?

21 A. That's not necessarily so. Sometimes, depending on where
22 you are and if you're in a place where your phone is not
23 getting good connection, you do need to use Wi-Fi.

24 Q. That's right, but listen to the question.

25 Sometimes -- I think my question was you had the

1 ability; right? You could use Verizon's network without Wi-Fi
2 to access the Internet?

3 A. Yes.

4 Q. And you did do that; right?

5 A. Yes, sir.

6 Q. Of course.

7 Now, in this case -- and you've been sitting with us,
8 of course, throughout the entire trial. Yes?

9 A. Yes, sir.

10 Q. So you've seen that in this case Verizon Wireless sent the
11 United States Government a list of certain IP addresses that
12 started with 174 that Verizon testified, through its witness,
13 it owned in 2021; correct?

14 A. Yes, sir.

15 Q. And for the record, that was Government Exhibit 805, which
16 I have just published. Do you see that?

17 A. Yes, sir.

18 Q. And so do you have any reason to doubt that those were not
19 Verizon Wireless IP addresses in 2021?

20 A. No, sir.

21 Q. You accept that as true?

22 A. Yes, sir.

23 Q. Every single one that's --

24 A. Every single one, absolutely.

25 Q. You've also seen in this case what the IP address that

1 AT&T had assigned to the Wade Funeral Home in the time period
2 that we're talking about, April and May of 2021; correct?

3 A. Yes, sir.

4 Q. And that is in evidence as Government Exhibit 601, which I
5 will publish.

6 And you don't dispute that the Wade Funeral Home IP
7 address during this period was 104.9.107.166; right? You
8 don't dispute that?

9 A. No, I do not.

10 Q. Do you accept that as true?

11 A. Yes.

12 Q. And we've also seen that AT&T provided Internet service to
13 your home; correct?

14 A. Yes, sir.

15 Q. And I'm publishing Government Exhibit 600. You have no
16 reason to doubt that the IP address that AT&T assigned to your
17 residence where you lived with Carolyn Wade during this
18 period, that IP was 107.131.161.84. Do you accept that?

19 A. Yes.

20 Q. There has been in this case a lot of records from a
21 company called Womply; right?

22 A. Yes, sir.

23 Q. And those records are now in evidence; correct?

24 A. Yes, sir.

25 Q. And those records show, Mr. Wade, that you had a lot of

1 are the first two transactions with respect to this account,
2 this application, that's you conducting that activity from the
3 Wade Funeral Home using the Internet connection that has an IP
4 address ending in 166; right?

5 A. Yes, sir.

6 Q. So that's Tracy Wade.

7 And if we go up to slide one, these are the login
8 attempts for May 4, 2021; correct?

9 A. Yes, sir.

10 Q. And those show five logins by you, Tracy Wade; right?

11 A. You said attempts initially. So is it a login or is it an
12 attempt?

13 Q. Well, do you see where it says "success"? What does it
14 say under success?

15 A. Okay.

16 Q. I'm sorry. What does it say?

17 A. It says true.

18 Q. It says true.

19 And you heard the testimony that when it says true,
20 that means the login was successful; right?

21 A. Yes, sir.

22 Q. Do you accept that as true, that fact?

23 A. Yes, sir.

24 Q. So these were successful logins by Tracy Wade on May 4,
25 2021, one, two, three, four, five. Do you accept that?

1 A. Yes, sir.

2 Q. We're now on page 8 or slide eight. These are login
3 attempts on May 5, 2021, and the last one there, which is from
4 a Verizon Wireless IP address, with the cell phone model that
5 you had at the time, a Galaxy S21 U 5G; correct?

6 A. Correct.

7 Q. So that is you, Mr. Wade, logging in on May 5th, 2021, to
8 your PPP loan application; correct?

9 A. Yes, sir.

10 Q. On slide nine, this is now May 6, 2021. This is you,
11 Mr. Wade, logging in, one, two, three, four times using your
12 cell phone, the Galaxy S 21 U 5G while on Verizon's network.
13 Yes?

14 A. Yes, sir.

15 Q. We're now on slide 31. These show login attempts on
16 May 19, 2021; correct?

17 A. Correct.

18 Q. And there's two logins on this page. Yes?

19 A. Yes.

20 Q. Okay. And that's you, Mr. Wade, logging into Womply's
21 portal for your application twice on May 19, 2021; correct?

22 A. Correct.

23 Q. And that's you using -- it's a cell phone you were using.

24 We're now looking at slide 33, which shows two login
25 attempts on May 20, 2021; correct?

1 A. Yes, sir.

2 Q. Now we'll go to slide 62, which is a login attempt on
3 July 26, 2021, and you, Mr. Wade, logged in then at 5:56 PM
4 Eastern; correct?

5 A. Yes, sir.

6 Q. So I can go back, if you want to count them, but -- or you
7 can -- if you want to count them, you're free to, but I
8 counted 17 successful logins by you, Tracy Wade, into your PPP
9 loan application on Womply's website between May 4, 2021, and
10 July 26, 2021.

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

12 BY MR. SNIDER:

13 Q. Is that right?

14 THE COURT: What is the question?

15 BY MR. SNIDER:

16 Q. Does that seem right to you, 17 logins?

17 A. Was I logging in? What was I doing in these logins?

18 Q. That's not my question.

19 Did you log in 17 times between May 4, 2021, and
20 July 26, 2021?

21 A. Where do you show me logging in at?

22 Q. I'm sorry?

23 A. Yeah, it shows me logging in.

24 Q. 17 times?

25 A. Yes.

1 accept that that is Ms. Granados, now Ms. Rivero, uploading
2 your Schedule C into your application on or about May 6, 2021?

3 A. I can't confirm that because it just says "file upload."
4 So I don't know if she's uploading that Schedule C or some
5 other application documents with this. I don't know what
6 she's uploading.

7 Q. But let's get back to my earlier question.

8 You logged in, based on what we just looked at,
9 multiple times after this date. Yes?

10 A. Okay. Yes.

11 Q. So 17 logins, many of which were after the Schedule C was
12 uploaded; correct?

13 A. Correct.

14 Q. And it's your testimony --

15 A. Well, I don't know -- I don't know if that's correct.
16 You're telling me. I don't know.

17 Q. Well, that's what the data shows. Do you have any reason
18 to doubt the data?

19 A. I see two -- when looking on here, it says two -- after
20 her, it's only two logins.

21 Q. Well, we're not looking at the logins. These are just the
22 events. You have to go to look at this screen.

23 A. Oh, okay.

24 Q. So between the events, the uploads here and the logins,
25 you agree that you logged in after Ms. Rivero had uploaded

1 your Schedule C. Yes?

2 A. Yes, sir.

3 Q. And it's your testimony to this jury that in those 17
4 times that you logged in, some of which were after she
5 uploaded the Schedule C, you had no idea there was false
6 information in your PPP loan application?

7 A. That is absolutely what I'm testifying to.

8 Q. You didn't see a business name named Tracy Wade?

9 A. No, sir.

10 Q. You didn't see a date of establishment of 2011? You
11 didn't see a d/b/a? You didn't see any of the false
12 information? 17 logins.

13 A. No, sir. No, sir.

14 Q. Now, you said, I think a couple minutes ago, that you
15 weren't sure what you were doing when you logged in. You may
16 have just logged in. You may have done something else;
17 correct?

18 A. Yes, sir.

19 Q. And, in fact, you did do more on some occasions than just
20 log in; right?

21 A. Yes, sir.

22 Q. You uploaded documents like a bank statement; right?

23 A. Yes, sir.

24 Q. You linked your bank account, meaning putting in the
25 routing number and account number for your personal joint

1 Q. Well, do you have any reason to doubt this data?

2 A. No, sir.

3 Q. And slide six, these are additional events to your PPP
4 application on May 5, 2021, and the ones that are highlighted
5 are you conducting those events; correct?

6 A. Correct.

7 Q. That is file upload, and the first line that is
8 highlighted. Yes?

9 A. Okay.

10 Q. And the file that you uploaded is a Four Star checking
11 7309.pdf. Do you see that?

12 A. Okay.

13 Q. Well, do you see it?

14 A. Yes, sir.

15 Q. And that's what the data shows?

16 A. That's what the data shows.

17 Q. And you've testified now that you have no reason to doubt
18 this data; correct?

19 A. That's what it says.

20 Q. Okay. And below that, a bank account was linked. Yes?

21 A. Yes.

22 Q. Okay. And that's you conducting that transaction. Yes?

23 A. Yes.

24 Q. So those are the events that occurred -- when I say an
25 event, it is either an upload or a link; correct?

1 it?

2 A. Yes, sir.

3 Q. Why don't you just go ahead and read that number.

4 A. It ends in 84.

5 Q. Okay. And 107.131.161.84; correct?

6 A. Yes, sir.

7 Q. All right. Well, do you see the IP address
8 107.131.161.84? For the record, we're looking at slide 67 of
9 the Government's demonstrative marked as 1000.

10 Do you see the IP address 107.131.161.84?

11 A. Yes, sir.

12 Q. That's the IP address that's assigned -- was assigned to
13 your home.

14 A. Okay.

15 Q. You signed this at home, sir.

16 THE COURT: Is there a question?

17 BY MR. SNIDER:

18 Q. Did you sign this at home?

19 A. As I remember clearly, when the DocuSign came to me, I was
20 instructed to forward it to Ms. Granados. We're talking about
21 something that's four years old from now. I don't exactly
22 remember the chain of events. Initially, it was forwarded to
23 Ms. Granados.

24 Q. Well, before we go down the chain of events, let's start
25 at the last event, which is signing this by DocuSign with an

1 IP address that ends in 84. That IP address, sir, was
2 assigned to your home when this was executed; correct?

3 A. That's what it says.

4 Q. And do you have any reason to dispute the accuracy of
5 AT&T's record of the IP address that they provided to your
6 home?

7 A. No, sir.

8 Q. So this is you, sir, signing by DocuSign at home; correct?

9 A. Just showing that it was done at the IP address at home --
10 at my house.

11 Q. So someone else -- what are you saying, sir? Did someone
12 else at your home sign this for you?

13 A. It says the IP address here is associated with AT&T, and
14 we had AT&T at that given time.

15 Q. Yes.

16 And that's the IP address that was used to sign this;
17 correct?

18 A. That's what it states.

19 Q. And are you saying to this jury that you didn't sign it?

20 A. I just told you from my recollection of how this IP -- how
21 the DocuSign went from when it came in. I don't recall
22 signing it because --

23 Q. But you agree that was it signed using your home Internet
24 connection. Do you agree with that?

25 A. That's what it says.