

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-CR-60173-KMW

UNITED STATES OF AMERICA,) Fort Lauderdale, Florida
)
Plaintiff,) September 4, 2024
)
vs.)
)
CAROLYN DENISE WADE and TRACY D.)
WADE,)
) Pages 1 to 21
Defendants.)
_____)

TRANSCRIPT OF GARCIA/RULE 44(C) HEARING
HELD BEFORE THE HONORABLE JARED M. STRAUSS
UNITED STATES MAGISTRATE 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.

DARYL E. WILCOX, ESQ.

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

Proceedings recorded by mechanical stenography from a digital
audio recording; transcript produced by computer-aided
transcription.

1 (Call to the Order of the Court.)

2 THE COURT: United States versus Carolyn Wade and
3 Tracy Wade. It's Case Number 23-60173.

4 And if I can have appearances from the parties,
5 starting with the Government.

6 MR. SNIDER: Good morning, Your Honor. Assistant
7 United States Attorneys David Snider and Adam Love, to my
8 left, on behalf of the United States.

9 THE COURT: Good morning, Mr. Snider. Good morning,
10 Mr. Love.

11 Who do we have on behalf of Mr. and Mrs. Wade?

12 MR. MCCRAY: Judge, good morning. Johnny McCray,
13 Jr., on behalf of the Wades. And to my left, in the back, is
14 Mr. Daryl Wilcox, co-counsel.

15 THE COURT: Good morning, Mr. McCray. Good morning,
16 Mr. Wilcox. You all can have a seat.

17 We are here for a continuation of the Garcia hearing
18 that we had back on July, on July 15th. We had a hearing to
19 address the matter of potential conflicts of interest that
20 would arise from joint representation by Mr. McCray and
21 Mr. Wilcox for both Mr. and Mrs. Wade. I conducted a colloquy
22 with each of them at that hearing regarding some of the
23 potential conflicts that could arise from joint representation
24 to assure that Mr. and Mrs. Wade were both aware of those
25 conflicts and were knowingly and voluntarily waiving any such

1 conflicts in choosing to proceed with joint representation.

2 I had allowed -- Mr. Snider was unable to be at that
3 hearing. I allowed for an opportunity to file a memorandum
4 regarding the concerns with the conflict of interest issue. A
5 conflict of interest issue was then filed, and Judge Graham
6 referred the matter back to me following that memorandum
7 really to ensure that the potential conflicts articulated by
8 the Government there are -- that Mr. and Mrs. Wade are both
9 aware of what the Government was articulating, have thought
10 about that, and considered that in their decision-making.

11 While I think I generally went over the same sort of
12 things that the Government articulated in the memorandum,
13 specifically about the potential conflicts that could arise
14 from advising the defendants about whether they should
15 testify, how to -- you know, what sort of strategy their
16 counsel may wish to pursue in terms of emphasizing certain
17 evidence or making -- you know, how to cross-examine certain
18 witnesses, the Government was a little bit more specific in
19 its memorandum in addressing some of the specific things that
20 Mr. Wade had testified to during Ms. Wade's initial trial.

21 And so, again, Judge Graham referred it back to me
22 for the purposes of making sure that both Mr. and Mrs. Wade
23 were aware of the specific things that the Government had
24 articulated and that they still wish nevertheless to waive any
25 such conflicts and to proceed with joint representation.

1 So let me do this. What I'm first going to do is I'm
2 going to swear in both Mr. and Mrs. Wade because I will need
3 to ask you a couple questions. I'm going to give the
4 Government an opportunity to describe what its concerns are,
5 and we'll proceed with any further colloquy from there. Does
6 everyone understand?

7 Mr. and Mrs. Wade, could you both please raise your
8 right hand.

9 (Defendant, TRACY D. WADE, duly sworn.)

10 (Defendant, CAROLYN DENISE WADE, duly sworn.)

11 THE COURT: You can put your hands down.

12 You may recall at the -- at our first hearing I did
13 ask you some questions to make sure that you are thinking
14 clearly and able to understand everything that's going on here
15 today. I do want to just readdress that here today.

16 Ms. Wade, do you feel like you're thinking clearly
17 today?

18 MS. WADE: Yes.

19 THE COURT: Have you taken any alcohol or medication
20 today?

21 MS. WADE: No.

22 THE COURT: Anything that is interfering with your
23 ability to think clearly or understand today's proceedings?

24 MS. WADE: No, Your Honor.

25 THE COURT: Do you believe you do understand what is

1 going on today?

2 MS. WADE: Yes.

3 THE COURT: Mr. Wade, I'm going to ask you the same
4 questions.

5 Do you believe you are thinking clearly today?

6 MR. WADE: Yes, sir.

7 THE COURT: Have you taken any alcohol or medication
8 or any other substance that interferes with your ability to
9 think clearly today?

10 MR. WADE: No, sir.

11 THE COURT: Do you believe you understand what's
12 going on here today?

13 MR. WADE: Yes, sir.

14 THE COURT: Have you been able to understand what
15 I've said so far?

16 MR. WADE: Yes, sir.

17 THE COURT: Okay. Mr. Wilcox or Mr. McCray, do
18 either of you have any reason to believe that either defendant
19 is anything other than competent to proceed with our
20 proceedings today?

21 MR. MCCRAY: No, Judge, we have no such reason.

22 THE COURT: And, Mr. Snider, does the Government have
23 any concerns about the competency of either defendant?

24 MR. SNIDER: No, Your Honor.

25 THE COURT: Okay. Then we can proceed.

1 MR. MCCRAY: Judge, before we proceed.

2 THE COURT: Yes.

3 MR. MCCRAY: Two things that the Court had included
4 in its order. I just want to state, as an officer of the
5 Court, on behalf of Mr. Wilcox and myself, before they
6 testify, we did provide both defendants with the Government's
7 memorandum in connection with the 44(c) Garcia hearing and
8 also the transcript excerpts of Mr. Wade's trial testimony,
9 which was attached. We discussed that with them at length
10 last week and I talked to them on the phone before that, and
11 they both remember, even without going over the transcript,
12 Mr. Wade's testimony. So we did go over it with them.

13 THE COURT: Thank you very much, Mr. McCray. That
14 was the very next thing that I was going to address. So let
15 me just verify with each of the defendants.

16 First of all, Mrs. Wade, did you receive a copy of
17 the Government's memorandum? It's titled memorandum in
18 connection with Rule 44(c) Garcia hearing. It's Docket Entry
19 108 -- that discusses the Government's concern about potential
20 conflicts of interest with joint representation.

21 Did you receive a copy of that memorandum, ma'am?

22 MS. WADE: Yes, Your Honor.

23 THE COURT: And did you read that in its entirety?

24 MS. WADE: Yes, sir.

25 THE COURT: Did you understand it once you read it?

1 MS. WADE: Yes, I did.

2 THE COURT: Okay. And the excerpts of the transcript
3 from Mr. Wade's testimony from your first trial, did you read
4 those as well?

5 MS. WADE: Yes.

6 THE COURT: And did you discuss that with Mr. McCray
7 and Mr. Wilcox after you read it?

8 MS. WADE: Yes, I did.

9 THE COURT: Mr. Wade, I'm going to ask you the same
10 questions.

11 Did you have an opportunity to receive that
12 memorandum that's at Docket 108 that the Government filed?

13 MR. WADE: Yes, sir.

14 THE COURT: And did you read it?

15 MR. WADE: Yes, sir.

16 THE COURT: And did you understand it once you had
17 read it?

18 MR. WADE: Yes, sir.

19 THE COURT: And the excerpts of your testimony from
20 the first trial, did you read those as well?

21 MR. WADE: Yes, sir.

22 THE COURT: And did you understand the transcripts
23 once you've read them as well?

24 MR. WADE: Yes, sir.

25 THE COURT: And did you discuss those with Mr. McCray

1 and Mr. Wilcox also?

2 MR. WADE: Yes, sir.

3 THE COURT: I think that the potential conflicts were
4 pretty clear from the memorandum, but, Mr. Snider, I wanted to
5 give you an opportunity. Can you please, on the record,
6 explain to the Court and to the defendants what the
7 Government's concerns were in asking for the hearing and in
8 filing this memorandum?

9 MR. SNIDER: Sure.

10 So, again, I mean, the Government took the
11 opportunity that the Court provided it to put into writing
12 with some specificity -- and the transcripts -- the either
13 potential or actual conflicts that the Government sees that
14 arise from this joint representation and the fact that there's
15 already been one trial and one of the defendants now on a
16 superseding indictment testified previously, and we fully
17 adopt that memo. And as I've set forth in the memo, we're not
18 taking a position on whether or not their waiver is knowing,
19 intelligent, voluntary, and whether the Court should or should
20 not accept it.

21 We just want the record to be crystal clear as I
22 think it is and is continuing to be developed through this
23 hearing that the defendants are aware of these conflicts and
24 have considered them. And one of the sort of nature of
25 conflicts that the Government put into the memo was that in

1 some cases -- and I think in this one it's probably true --
2 that there may be -- the weight of the evidence and the extent
3 of the evidence may point more towards one defendant over
4 another.

5 And that was one of the examples -- one of the
6 examples that I gave that was on page 10 of the memorandum
7 where I explained that in the superseding indictment -- on the
8 trial and superseding indictment, the Government intends to
9 introduce evidence that Mr. Wade had applied for another
10 Paycheck Protection Program loan seeking a loan in the amount
11 of \$700,000, which, based on the evidence that we've disclosed
12 to the defense, that appears to be related much more so
13 towards Tracy Wade as opposed to Mrs. Wade.

14 So that was one of the examples where a defendant at
15 trial -- where that evidence is not pointing directly, they
16 may want to shift that towards the defendant and that may
17 cause a conflict as to, you know, the defense's position as to
18 how to best present that -- one defendant against another.

19 THE COURT: In other words, an attorney representing
20 Mrs. Wade might wish to emphasize that evidence of -- if that
21 evidence was Mr. Wade -- or try to use that as further
22 evidence that, you know, Mr. Wade was the one, you know,
23 calling the shots or calling -- with the ideas as opposed to
24 her.

25 MR. SNIDER: I think necessarily shielding Mrs. Wade

1 from that evidence may, in fact, point the evidence more
2 strongly towards Mr. Wade. That was just one example. I gave
3 some other examples about how decisions -- whether or not to
4 testify could negatively impact one's position versus the
5 other.

6 I also gave an example of an anticipated cooperating
7 witness that the Government expects to testify in the second
8 trial that was not present in the first trial and how that
9 testimony, again, may point more strongly towards one
10 defendant versus another and how the cross-examination of that
11 witness may, again, point the evidence, you know, more
12 strongly towards one defendant over another.

13 So those are the general -- I mean, I don't want -- I
14 laid it out as specific as I could in the memo. I don't want
15 to read the memo again on the record. I think the defendants
16 have both told the Court that they have read it, and so that's
17 fine.

18 The only point that's not in the memo that I guess I
19 could raise here is, as sort of another example of additional
20 evidence pointing, you know, more heavily towards one
21 defendant over another, is that on August 22 of this year, the
22 Government filed a notice of intent to introduce 404(b)
23 evidence. That's filed at Docket Entry 135.

24 And in that notice the Government lays out, again,
25 evidence that I would -- in the Government's view, points more

1 directly towards Mr. Wade.

2 That 404(b) notice explains that a year before the
3 Paycheck Protection Program loans were applied for that are
4 alleged in the superseding indictment, Mr. Wade applied for
5 two EIDL loans. And an EIDL loan was another program through
6 the SBA that was available during the pandemic to provide
7 assistance to small businesses.

8 Then, again, it goes into great detail in the 404(b)
9 notice what that evidence is, and that's just another example
10 of perhaps defense counsel being faced with that, pointing it
11 towards -- you know, shielding Mrs. Wade from that evidence
12 may be in her interest but not necessarily Mr. Wade's. So
13 just another example that I wanted to bring to the Court's
14 attention, to the defendants' attention so they can consider
15 it in their waiver.

16 THE COURT: Okay. Thank you, Mr. Snider.

17 Mr. and Mrs. Wade, I'm not going to ask you every
18 question that I asked you back on July 15.

19 Mrs. Wade, do you recall our colloquy, the questions
20 that I asked on July 15, and the nature of those questions?

21 MS. WADE: Yes, Your Honor.

22 THE COURT: Do you remember the rights we discussed
23 and some of the potential conflicts that could arise from you
24 and Mr. Wade having the same set of attorneys?

25 MS. WADE: Yes.

1 THE COURT: I want to specifically ask you, again, a
2 couple questions. Do you understand that you have the right
3 to your own counsel who represents you and only you?

4 MS. WADE: Yes, sir.

5 THE COURT: Do you understand that if you couldn't
6 afford a separate attorney, I could appoint an attorney for
7 you at no cost? Do you understand that?

8 MS. WADE: Yes, sir.

9 THE COURT: Do you understand the types of conflicts
10 that the Government has raised both in the memorandum that
11 you've read and that Mr. Snider was just talking about?

12 MS. WADE: I understand, Your Honor.

13 THE COURT: Have you considered those potential
14 conflicts in deciding whether or not you waive the conflicts
15 of interest and proceed with joint representation with your
16 husband?

17 MS. WADE: Yes, sir.

18 THE COURT: Do you have any questions about those
19 potential conflicts that you would like to speak with counsel
20 about?

21 MS. WADE: No, Your Honor.

22 THE COURT: Do you understand that I could appoint
23 counsel for you even just to discuss the potential conflicts
24 and the decision about whether to waive -- waive the potential
25 conflicts that you're facing?

1 MS. WADE: Yes, sir.

2 THE COURT: Do you want me to appoint another
3 attorney for you to talk to about the decision about whether
4 to waive a potential conflict?

5 MS. WADE: No, Your Honor. No.

6 THE COURT: Do you understand that if you waive
7 potential conflicts and you waive your right to separate
8 counsel and the Court accepts that waiver, you will not be
9 able to raise those potential conflicts on an appeal if the
10 case doesn't turn out the way you want it to?

11 MS. WADE: I understand.

12 THE COURT: And do you have any questions about
13 anything we've talked about here today or at our July 15
14 hearing?

15 MS. WADE: No, Your Honor.

16 THE COURT: Do you need any more time to think about
17 your decision?

18 MS. WADE: No, Your Honor.

19 THE COURT: Therefore, do you want to proceed with
20 Mr. McCray and Mr. Wilcox as your counsel, knowing that they
21 will also be representing Mr. Wade and that as a result there
22 may be conflicts between you and Mr. Wade?

23 MS. WADE: Yes, Your Honor.

24 THE COURT: Do you believe you are fully aware of the
25 potential conflicts?

1 MS. WADE: I am.

2 THE COURT: And do you waive any such conflicts?

3 MS. WADE: Yes, Your Honor.

4 THE COURT: Do you do so freely and voluntarily?

5 MS. WADE: Yes, sir.

6 THE COURT: Mr. Wade, I'm going to ask you similar
7 questions now.

8 Again, do you understand that you have the right to
9 your own counsel that represents you and only you?

10 MR. WADE: Yes, sir.

11 THE COURT: Do you understand that if you cannot
12 afford a separate attorney, I could appoint an attorney for
13 you at no cost? Do you understand that?

14 MR. WADE: Yes, sir.

15 THE COURT: Do you also understand I could appoint an
16 attorney for you even just to consult or ask questions about
17 whether you should make the decision to waive any potential
18 conflicts of interest? Do you understand that?

19 MR. WADE: Yes, sir.

20 THE COURT: Do you understand the potential conflicts
21 that the Government has described both in its memorandum and
22 that Mr. Snider described here today?

23 MR. WADE: Yes, sir.

24 THE COURT: Do you want me to appoint separate
25 counsel for you to discuss either those issues or any of the

1 other potential conflicts that we've discussed on July 15?

2 MR. WADE: No, sir.

3 THE COURT: Do you understand that if you waive the
4 potential conflicts that we've discussed and waive your right
5 to your own separate counsel and the Court accepts that
6 waiver, you'll not be able to raise those conflicts on appeal
7 if the case doesn't turn out the way you wish?

8 MR. WADE: Yes, sir.

9 THE COURT: Do you have any questions about anything
10 we've discussed here today or that we've discussed on
11 July 15th?

12 MR. WADE: No, sir.

13 THE COURT: Do you have any questions about the
14 potential conflicts or issues that the Government raised
15 either in its memorandum or during today's hearing?

16 MR. WADE: No, sir.

17 THE COURT: Do you need any more time to think about
18 your decision about waiving potential conflicts of interest or
19 proceeding with joint representation?

20 MR. WADE: No, sir.

21 THE COURT: Do you want to proceed with Mr. McCray
22 and Mr. Wilcox as your counsel, knowing that they will also
23 represent Mrs. Wade and that as a result there may be
24 conflicts of interest between you and Mrs. Wade?

25 MR. WADE: Yes.

1 THE COURT: Do you believe you're fully aware of all
2 the potential conflicts?

3 MR. WADE: Yes, sir.

4 THE COURT: Do you waive any of those potential
5 conflicts of interest?

6 MR. WADE: Yes, sir.

7 THE COURT: Do you make that waiver freely and
8 voluntarily?

9 MR. WADE: Yes, sir.

10 THE COURT: Does the Government have any further
11 points to make or any other objections to the Court accepting
12 the defendants' waivers as free, voluntary, and knowing
13 waivers?

14 MR. SNIDER: No, Your Honor.

15 THE COURT: I do find the defendants have made a
16 fully informed, knowing, and intentional waiver of their
17 conflicts of interest. I will enter a further order to that
18 fact, and the case will proceed with Mr. McCray and Mr. Wilcox
19 representing both Mr. and Mrs. Wade.

20 Is there anything further that we need to address
21 here today? Anything from the Government?

22 MR. SNIDER: Not from the Government.

23 THE COURT: Anything --

24 MR. MCCRAY: Not from the defense, Judge.

25 THE COURT: Okay. Thank you all for your appearances

1 here today.

2 Again, all further proceedings will be in front of
3 Judge Graham and/or potentially before Judge Williams, and
4 we'll stand in recess. Thank you all.

5 (Recording ended.)

6
7 CERTIFICATE OF TRANSCRIBER

8 I certify that the foregoing is a correct transcript
9 of the record of proceedings in the above-entitled matter.
10 The transcript was prepared to the best of my ability from a
digital audio recording of the proceedings provided by the
Court.

11 DATE: 21st of May, 2025

/s/Lance W. Steinbeisser

12 Transcriber

13 United States District Court
14 Southern District of Florida
15 Miami, Florida
16
17
18
19
20
21
22
23
24
25

\$	actual [1] - 8:13 ADAM [1] - 1:14 Adam [1] - 2:7 additional [1] - 10:19 address [3] - 2:19, 6:14, 16:20 addressing [1] - 3:19 adopt [1] - 8:17 advising [1] - 3:14 afford [2] - 12:6, 14:12 aided [1] - 1:24 alcohol [2] - 4:19, 5:7 alleged [1] - 11:4 allowed [2] - 3:2, 3:3 AMERICA [1] - 1:4 amount [1] - 9:10 anticipated [1] - 10:6 appeal [2] - 13:9, 15:6 appearances [2] - 2:4, 16:25 applied [3] - 9:9, 11:3, 11:4 appoint [6] - 12:6, 12:22, 13:2, 14:12, 14:15, 14:24 arise [5] - 2:20, 2:23, 3:13, 8:14, 11:23 articulated [3] - 3:7, 3:12, 3:24 articulating [1] - 3:9 assistance [1] - 11:7 assistant [1] - 2:6 assure [1] - 2:24 attached [1] - 6:9 attention [2] - 11:14 attorney [7] - 9:19, 12:6, 13:3, 14:12, 14:16 Attorney's [1] - 1:14 Attorneys [1] - 2:7 attorneys [1] - 11:24 audio [2] - 1:24, 17:9 August [1] - 10:21 AUSA [2] - 1:13, 1:14 available [1] - 11:6 Avenue [1] - 1:21 aware [6] - 2:24, 3:9, 3:23, 8:23, 13:24, 16:1	best [2] - 9:18, 17:9 between [2] - 13:22, 15:24 bit [1] - 3:18 bring [1] - 11:13 businesses [1] - 11:7	considered [3] - 3:10, 8:24, 12:13 consult [1] - 14:16 continuation [1] - 2:17 continuing [1] - 8:22 cooperating [1] - 10:6 copy [2] - 6:16, 6:21 correct [1] - 17:8 cost [2] - 12:7, 14:13 COUNSEL [1] - 1:10 counsel [12] - 2:14, 3:16, 11:10, 12:3, 12:19, 12:23, 13:8, 13:20, 14:9, 14:25, 15:5, 15:22 couple [2] - 4:3, 12:2 Court [13] - 1:20, 2:1, 6:3, 6:5, 8:6, 8:11, 8:19, 10:16, 13:8, 15:5, 16:11, 17:10, 17:12 COURT [62] - 1:1, 2:2, 2:9, 2:15, 4:11, 4:19, 4:22, 4:25, 5:3, 5:7, 5:11, 5:14, 5:17, 5:22, 5:25, 6:2, 6:13, 6:23, 6:25, 7:2, 7:6, 7:9, 7:14, 7:16, 7:19, 7:22, 7:25, 8:3, 9:19, 11:16, 11:22, 12:1, 12:5, 12:9, 12:13, 12:18, 12:22, 13:2, 13:6, 13:12, 13:16, 13:19, 13:24, 14:2, 14:4, 14:6, 14:11, 14:15, 14:20, 14:24, 15:3, 15:9, 15:13, 15:17, 15:21, 16:1, 16:4, 16:7, 16:10, 16:15, 16:23, 16:25 Court's [1] - 11:13 cross [2] - 3:17, 10:10 cross-examination [1] - 10:10 cross-examine [1] - 3:17 crystal [1] - 8:21	DAVID [1] - 1:13 David [1] - 2:7 deciding [1] - 12:14 decision [6] - 3:10, 12:24, 13:3, 13:17, 14:17, 15:18 decision-making [1] - 3:10 decisions [1] - 10:3 Defendant [2] - 4:9, 4:10 defendant [9] - 5:18, 5:23, 9:3, 9:14, 9:16, 9:18, 10:10, 10:12, 10:21 Defendants [1] - 1:8 defendants [8] - 3:14, 6:6, 6:15, 8:6, 8:15, 8:23, 10:15, 16:15 DEFENDANTS [1] - 1:16 defendants' [2] - 11:14, 16:12 defense [3] - 9:12, 11:10, 16:24 defense's [1] - 9:17 DENISE [2] - 1:7, 4:10 describe [1] - 4:4 described [2] - 14:21, 14:22 detail [1] - 11:8 developed [1] - 8:22 digital [2] - 1:23, 17:9 directly [2] - 9:15, 11:1 disclosed [1] - 9:11 discuss [4] - 7:6, 7:25, 12:23, 14:25 discussed [6] - 6:9, 11:22, 15:1, 15:4, 15:10 discusses [1] - 6:19 District [3] - 1:20, 17:12, 17:13 DISTRICT [2] - 1:1, 1:1 Docket [3] - 6:18, 7:12, 10:23 down [1] - 4:11 duly [2] - 4:9, 4:10 during [3] - 3:20, 11:6, 15:15
/s/Lance [1] - 17:11	1	C	D	E
1 [1] - 1:8 10 [1] - 9:6 108 [2] - 6:19, 7:12 135 [1] - 10:23 15 [4] - 11:18, 11:20, 13:13, 15:1 15th [2] - 2:18, 15:11 17 [1] - 1:8	2	cannot [1] - 14:11 CAROLYN [2] - 1:7, 4:10 Carolyn [1] - 2:2 case [3] - 13:10, 15:7, 16:18 Case [1] - 2:3 CASE [1] - 1:2 cases [1] - 9:1 certain [2] - 3:16, 3:17 CERTIFICATE [1] - 17:6 certify [1] - 17:8 choosing [1] - 3:1 clear [2] - 8:4, 8:21 clearly [5] - 4:14, 4:16, 4:23, 5:5, 5:9 co [1] - 2:14 co-counsel [1] - 2:14 colloquy [3] - 2:21, 4:5, 11:19 competency [1] - 5:23 competent [1] - 5:19 computer [1] - 1:24 computer-aided [1] - 1:24 concern [1] - 6:19 concerns [4] - 3:4, 4:4, 5:23, 8:7 conducted [1] - 2:21 conflict [4] - 3:4, 3:5, 9:17, 13:4 conflicts [35] - 2:19, 2:23, 2:25, 3:1, 3:7, 3:13, 3:25, 6:20, 8:3, 8:13, 8:23, 8:25, 11:23, 12:9, 12:14, 12:19, 12:23, 12:25, 13:7, 13:9, 13:22, 13:25, 14:2, 14:18, 14:20, 15:1, 15:4, 15:6, 15:14, 15:18, 15:24, 16:2, 16:5, 16:17 connection [2] - 6:7, 6:18 consider [1] - 11:14	considered [3] - 3:10, 8:24, 12:13 consult [1] - 14:16 continuation [1] - 2:17 continuing [1] - 8:22 cooperating [1] - 10:6 copy [2] - 6:16, 6:21 correct [1] - 17:8 cost [2] - 12:7, 14:13 COUNSEL [1] - 1:10 counsel [12] - 2:14, 3:16, 11:10, 12:3, 12:19, 12:23, 13:8, 13:20, 14:9, 14:25, 15:5, 15:22 couple [2] - 4:3, 12:2 Court [13] - 1:20, 2:1, 6:3, 6:5, 8:6, 8:11, 8:19, 10:16, 13:8, 15:5, 16:11, 17:10, 17:12 COURT [62] - 1:1, 2:2, 2:9, 2:15, 4:11, 4:19, 4:22, 4:25, 5:3, 5:7, 5:11, 5:14, 5:17, 5:22, 5:25, 6:2, 6:13, 6:23, 6:25, 7:2, 7:6, 7:9, 7:14, 7:16, 7:19, 7:22, 7:25, 8:3, 9:19, 11:16, 11:22, 12:1, 12:5, 12:9, 12:13, 12:18, 12:22, 13:2, 13:6, 13:12, 13:16, 13:19, 13:24, 14:2, 14:4, 14:6, 14:11, 14:15, 14:20, 14:24, 15:3, 15:9, 15:13, 15:17, 15:21, 16:1, 16:4, 16:7, 16:10, 16:15, 16:23, 16:25 Court's [1] - 11:13 cross [2] - 3:17, 10:10 cross-examination [1] - 10:10 cross-examine [1] - 3:17 crystal [1] - 8:21	DAVID [1] - 1:13 David [1] - 2:7 deciding [1] - 12:14 decision [6] - 3:10, 12:24, 13:3, 13:17, 14:17, 15:18 decision-making [1] - 3:10 decisions [1] - 10:3 Defendant [2] - 4:9, 4:10 defendant [9] - 5:18, 5:23, 9:3, 9:14, 9:16, 9:18, 10:10, 10:12, 10:21 Defendants [1] - 1:8 defendants [8] - 3:14, 6:6, 6:15, 8:6, 8:15, 8:23, 10:15, 16:15 DEFENDANTS [1] - 1:16 defendants' [2] - 11:14, 16:12 defense [3] - 9:12, 11:10, 16:24 defense's [1] - 9:17 DENISE [2] - 1:7, 4:10 describe [1] - 4:4 described [2] - 14:21, 14:22 detail [1] - 11:8 developed [1] - 8:22 digital [2] - 1:23, 17:9 directly [2] - 9:15, 11:1 disclosed [1] - 9:11 discuss [4] - 7:6, 7:25, 12:23, 14:25 discussed [6] - 6:9, 11:22, 15:1, 15:4, 15:10 discusses [1] - 6:19 District [3] - 1:20, 17:12, 17:13 DISTRICT [2] - 1:1, 1:1 Docket [3] - 6:18, 7:12, 10:23 down [1] - 4:11 duly [2] - 4:9, 4:10 during [3] - 3:20, 11:6, 15:15
ability [3] - 4:23, 5:8, 17:9 able [4] - 4:14, 5:14, 13:9, 15:6 above-entitled [1] - 17:8 accept [1] - 8:20 accepting [1] - 16:11 accepts [2] - 13:8, 15:5	3	based [1] - 9:11 BEFORE [1] - 1:10 behalf [4] - 2:8, 2:11, 2:13, 6:5 BEHALF [1] - 1:16	DARYL [1] - 1:18 Daryl [1] - 2:14 DATE [1] - 17:11	EIDL [2] - 11:5 either [6] - 5:18, 5:23,

8:12, 14:25, 15:15 emphasize [1] - 9:20 emphasizing [1] - 3:16 ended [1] - 17:5 ensure [1] - 3:7 enter [1] - 16:17 entirety [1] - 6:23 entitled [1] - 17:8 Entry [2] - 6:18, 10:23 ESQ [2] - 1:16, 1:18 evidence [17] - 3:17, 9:2, 9:3, 9:9, 9:11, 9:15, 9:20, 9:21, 9:22, 10:1, 10:11, 10:20, 10:23, 10:25, 11:9, 11:11 examination [1] - 10:10 examine [1] - 3:17 example [5] - 10:2, 10:6, 10:19, 11:9, 11:13 examples [4] - 9:5, 9:6, 9:14, 10:3 excerpts [3] - 6:8, 7:2, 7:19 expects [1] - 10:7 explain [1] - 8:6 explained [1] - 9:7 explains [1] - 11:2 extent [1] - 9:2	FPR-C [1] - 1:19 free [1] - 16:12 freely [2] - 14:4, 16:7 front [1] - 17:2 fully [4] - 8:16, 13:24, 16:1, 16:16	indictment [4] - 8:16, 9:7, 9:8, 11:4 informed [1] - 16:16 initial [1] - 3:20 intelligent [1] - 8:19 intends [1] - 9:8 intent [1] - 10:22 intentional [1] - 16:16 interest [11] - 2:19, 3:4, 3:5, 6:20, 11:12, 12:15, 14:18, 15:18, 15:24, 16:5, 16:17 interferes [1] - 5:8 interfering [1] - 4:22 introduce [2] - 9:9, 10:22 issue [2] - 3:4, 3:5 issues [2] - 14:25, 15:14	length [1] - 6:9 loan [3] - 9:10, 11:5 loans [2] - 11:3, 11:5 Love [1] - 2:7 LOVE [1] - 1:14 love [1] - 2:10	13:18, 13:23, 14:1, 14:3, 14:5	
	G		M	N	
	Garcia [3] - 2:17, 6:7, 6:18 general [1] - 10:13 generally [1] - 3:11 GOVERNMENT [1] - 1:12 Government [22] - 2:5, 3:8, 3:9, 3:12, 3:18, 3:23, 4:4, 5:22, 7:12, 8:10, 8:13, 8:25, 9:8, 10:7, 10:22, 10:24, 12:10, 14:21, 15:14, 16:10, 16:21, 16:22 Government's [5] - 6:6, 6:17, 6:19, 8:7, 10:25 Graham [3] - 3:5, 3:21, 17:3 great [1] - 11:8 guess [1] - 10:18		ma'am [1] - 6:21 MAGISTRATE [1] - 1:11 matter [3] - 2:19, 3:6, 17:8 MCCRAY [6] - 1:16, 2:12, 5:21, 6:1, 6:3, 16:24 McCray [11] - 1:17, 2:12, 2:15, 2:20, 5:17, 6:13, 7:6, 7:25, 13:20, 15:21, 16:18 mean [2] - 8:10, 10:13 mechanical [1] - 1:23 medication [2] - 4:19, 5:7 memo [6] - 8:17, 8:25, 10:14, 10:15, 10:18 memorandum [15] - 3:3, 3:6, 3:12, 3:19, 6:7, 6:17, 6:21, 7:12, 8:4, 8:8, 9:6, 12:10, 14:21, 15:15 Miami [3] - 1:21, 1:21, 17:13 might [1] - 9:20 morning [6] - 2:6, 2:9, 2:12, 2:15 MR [34] - 2:6, 2:12, 5:6, 5:10, 5:13, 5:16, 5:21, 5:24, 6:1, 6:3, 7:13, 7:15, 7:18, 7:21, 7:24, 8:2, 8:9, 9:25, 14:10, 14:14, 14:19, 14:23, 15:2, 15:8, 15:12, 15:16, 15:20, 15:25, 16:3, 16:6, 16:9, 16:14, 16:22, 16:24 MS [25] - 4:18, 4:21, 4:24, 5:2, 6:22, 6:24, 7:1, 7:5, 7:8, 11:21, 11:25, 12:4, 12:8, 12:12, 12:17, 12:21, 13:1, 13:5, 13:11, 13:15,	nature [2] - 8:24, 11:20 necessarily [2] - 9:25, 11:12 need [4] - 4:2, 13:16, 15:17, 16:20 negatively [1] - 10:4 nevertheless [1] - 3:24 next [1] - 6:14 NO [1] - 1:2 North [1] - 1:21 notice [4] - 10:22, 10:24, 11:2, 11:9 Number [1] - 2:3	
	H	J		O	
F	hand [1] - 4:8 hands [1] - 4:11 hearing [11] - 2:17, 2:18, 2:22, 3:3, 4:12, 6:7, 6:18, 8:7, 8:23, 13:14, 15:15 HEARING [1] - 1:10 heavily [1] - 10:20 HELD [1] - 1:10 Honor [13] - 2:6, 4:24, 5:24, 6:22, 11:21, 12:12, 12:21, 13:5, 13:15, 13:18, 13:23, 14:3, 16:14 HONORABLE [1] - 1:10 husband [1] - 12:16	JARED [1] - 1:10 JOHNNY [1] - 1:16 Johnny [2] - 1:17, 2:12 joint [8] - 2:20, 2:23, 3:1, 3:25, 6:20, 8:14, 12:15, 15:19 JR [1] - 1:16 Jr [2] - 1:17, 2:13 judge [1] - 6:1 JUDGE [1] - 1:11 Judge [7] - 2:12, 3:5, 3:21, 5:21, 16:24, 17:3 July [7] - 2:18, 11:18, 11:20, 13:13, 15:1, 15:11		mean [2] - 8:10, 10:13 mechanical [1] - 1:23 medication [2] - 4:19, 5:7 memo [6] - 8:17, 8:25, 10:14, 10:15, 10:18 memorandum [15] - 3:3, 3:6, 3:12, 3:19, 6:7, 6:17, 6:21, 7:12, 8:4, 8:8, 9:6, 12:10, 14:21, 15:15 Miami [3] - 1:21, 1:21, 17:13 might [1] - 9:20 morning [6] - 2:6, 2:9, 2:12, 2:15 MR [34] - 2:6, 2:12, 5:6, 5:10, 5:13, 5:16, 5:21, 5:24, 6:1, 6:3, 7:13, 7:15, 7:18, 7:21, 7:24, 8:2, 8:9, 9:25, 14:10, 14:14, 14:19, 14:23, 15:2, 15:8, 15:12, 15:16, 15:20, 15:25, 16:3, 16:6, 16:9, 16:14, 16:22, 16:24 MS [25] - 4:18, 4:21, 4:24, 5:2, 6:22, 6:24, 7:1, 7:5, 7:8, 11:21, 11:25, 12:4, 12:8, 12:12, 12:17, 12:21, 13:1, 13:5, 13:11, 13:15,	objections [1] - 16:11 OF [5] - 1:1, 1:4, 1:10, 1:16, 17:6 Office [2] - 1:14, 1:17 officer [1] - 6:4 ON [1] - 1:16 once [3] - 6:25, 7:16, 7:23 one [14] - 8:15, 8:24, 9:1, 9:3, 9:5, 9:14, 9:18, 9:22, 10:2, 10:9, 10:12, 10:20 one's [1] - 10:4 opportunity [5] - 3:3, 4:4, 7:11, 8:5, 8:11 opposed [2] - 9:13, 9:23 order [2] - 6:4, 16:17 Order [1] - 2:1 own [3] - 12:3, 14:9, 15:5
	I	K		P	
faced [1] - 11:10 facing [1] - 12:25 fact [3] - 8:14, 10:1, 16:18 far [1] - 5:15 FCRR [1] - 1:19 file [1] - 3:3 filed [4] - 3:5, 7:12, 10:22, 10:23 filing [1] - 8:8 fine [1] - 10:17 first [6] - 4:1, 4:12, 6:16, 7:3, 7:20, 10:8 FLORIDA [1] - 1:1 Florida [4] - 1:4, 1:21, 17:13, 17:13 following [1] - 3:6 FOR [1] - 1:12 foregoing [1] - 17:8 Fort [1] - 1:4 forth [1] - 8:17 FPR [1] - 1:19	ideas [1] - 9:23 impact [1] - 10:4 included [1] - 6:3	knowing [5] - 8:18, 13:20, 15:22, 16:12, 16:16 knowingly [1] - 2:25		P.A [1] - 1:17 page [1] - 9:6 pages [1] - 1:8 pandemic [1] - 11:6 parties [1] - 2:4 Paycheck [2] - 9:10, 11:3 perhaps [1] - 11:10 phone [1] - 6:10 Plaintiff [1] - 1:5	
		L			
		laid [1] - 10:14 LANCE [1] - 1:19 last [1] - 6:10 Lauderdale [1] - 1:4 Law [1] - 1:17 lays [1] - 10:24 left [2] - 2:8, 2:13			

point ^[5] - 9:3, 10:1, 10:9, 10:11, 10:18 pointing ^[3] - 9:15, 10:20, 11:10 points ^[2] - 10:25, 16:11 position ^[3] - 8:18, 9:17, 10:4 potential ^[24] - 2:19, 2:23, 3:7, 3:13, 6:19, 8:3, 8:13, 11:23, 12:13, 12:19, 12:23, 12:24, 13:4, 13:7, 13:9, 13:25, 14:17, 14:20, 15:1, 15:4, 15:14, 15:18, 16:2, 16:4 potentially ^[1] - 17:3 prepared ^[1] - 17:9 present ^[2] - 9:18, 10:8 pretty ^[1] - 8:4 previously ^[1] - 8:16 proceed ^[10] - 3:1, 3:25, 4:5, 5:19, 5:25, 6:1, 12:15, 13:19, 15:21, 16:18 proceeding ^[1] - 15:19 Proceedings ^[1] - 1:23 proceedings ^[5] - 4:23, 5:20, 17:2, 17:8, 17:9 produced ^[1] - 1:24 Program ^[2] - 9:10, 11:3 program ^[1] - 11:5 Protection ^[2] - 9:10, 11:3 provide ^[2] - 6:6, 11:6 provided ^[2] - 8:11, 17:9 purposes ^[1] - 3:22 pursue ^[1] - 3:16 put ^[3] - 4:11, 8:11, 8:25	R raise ^[4] - 4:7, 10:19, 13:9, 15:6 raised ^[2] - 12:10, 15:14 read ^[11] - 6:23, 6:25, 7:3, 7:7, 7:14, 7:17, 7:20, 7:23, 10:15, 10:16, 12:11 readdress ^[1] - 4:15 really ^[1] - 3:7 reason ^[2] - 5:18, 5:21 receive ^[3] - 6:16, 6:21, 7:11 recess ^[1] - 17:4 record ^[4] - 8:5, 8:21, 10:15, 17:8 recorded ^[1] - 1:23 Recording ^[1] - 17:5 recording ^[2] - 1:24, 17:9 referred ^[2] - 3:6, 3:21 regarding ^[2] - 2:22, 3:4 related ^[1] - 9:12 remember ^[2] - 6:11, 11:22 represent ^[1] - 15:23 representation ^[8] - 2:20, 2:23, 3:1, 3:25, 6:20, 8:14, 12:15, 15:19 representing ^[3] - 9:19, 13:21, 16:19 represents ^[2] - 12:3, 14:9 result ^[2] - 13:21, 15:23 rights ^[1] - 11:22 RPR ^[1] - 1:19 Rule ^[1] - 6:18	11:11 shift ^[1] - 9:16 shots ^[1] - 9:23 similar ^[1] - 14:6 small ^[1] - 11:7 Snider ^[8] - 2:7, 2:9, 3:2, 5:22, 8:4, 11:16, 12:11, 14:22 SNIDER ^[7] - 1:13, 2:6, 5:24, 8:9, 9:25, 16:14, 16:22 sort ^[4] - 3:11, 3:15, 8:24, 10:19 Southern ^[1] - 17:13 SOUTHERN ^[1] - 1:1 specific ^[4] - 3:18, 3:19, 3:23, 10:14 specifically ^[2] - 3:13, 12:1 specificity ^[1] - 8:12 stand ^[1] - 17:4 starting ^[1] - 2:5 state ^[1] - 6:4 STATES ^[3] - 1:1, 1:4, 1:11 States ^[6] - 1:14, 1:20, 2:2, 2:7, 2:8, 17:12 STEINBEISSER ^[1] - 1:19 Steinbeisser ^[1] - 17:11 stenography ^[1] - 1:23 still ^[1] - 3:24 strategy ^[1] - 3:15 STRAUSS ^[1] - 1:10 strongly ^[3] - 10:2, 10:9, 10:12 substance ^[1] - 5:8 superseding ^[4] - 8:16, 9:7, 9:8, 11:4 swear ^[1] - 4:2 sworn ^[2] - 4:9, 4:10	5:14, 5:17, 5:22, 5:25, 6:2, 6:13, 6:23, 6:25, 7:2, 7:6, 7:9, 7:14, 7:16, 7:19, 7:22, 7:25, 8:3, 9:19, 11:16, 11:22, 12:1, 12:5, 12:9, 12:13, 12:18, 12:22, 13:2, 13:6, 13:12, 13:16, 13:19, 13:24, 14:2, 14:4, 14:6, 14:11, 14:15, 14:20, 14:24, 15:3, 15:9, 15:13, 15:17, 15:21, 16:1, 16:4, 16:7, 16:10, 16:15, 16:23, 16:25 therefore ^[1] - 13:19 thinking ^[3] - 4:13, 4:16, 5:5 titled ^[1] - 6:17 today ^[14] - 4:15, 4:17, 4:20, 5:1, 5:5, 5:9, 5:12, 5:20, 13:13, 14:22, 15:10, 16:21, 17:1 today's ^[2] - 4:23, 15:15 took ^[1] - 8:10 towards ^[9] - 9:3, 9:13, 9:16, 10:2, 10:9, 10:12, 10:20, 11:1, 11:11 TRACY ^[2] - 1:7, 4:9 Tracy ^[2] - 2:3, 9:13 TRANSCRIBER ^[1] - 17:6 Transcriber ^[2] - 1:20, 17:12 TRANSCRIPT ^[1] - 1:10 transcript ^[6] - 1:24, 6:8, 6:11, 7:2, 17:8, 17:9 transcription ^[1] - 1:24 transcripts ^[2] - 7:22, 8:12 trial ^[9] - 3:20, 6:8, 7:3, 7:20, 8:15, 9:8, 9:15, 10:8 true ^[1] - 9:1 try ^[1] - 9:21 turn ^[2] - 13:10, 15:7 two ^[2] - 6:3, 11:5 types ^[1] - 12:9	U unable ^[1] - 3:2 UNITED ^[3] - 1:1, 1:4, 1:11 United ^[6] - 1:14, 1:20, 2:2, 2:7, 2:8, 17:12
		S SBA ^[1] - 11:6 seat ^[1] - 2:16 second ^[1] - 10:7 seeking ^[1] - 9:10 sees ^[1] - 8:13 separate ^[5] - 12:6, 13:7, 14:12, 14:24, 15:5 September ^[1] - 1:5 set ^[2] - 8:17, 11:24 shielding ^[2] - 9:25,	T terms ^[1] - 3:16 testified ^[2] - 3:20, 8:16 testify ^[4] - 3:15, 6:6, 10:4, 10:7 testimony ^[5] - 6:8, 6:12, 7:3, 7:19, 10:9 THE ^[64] - 1:10, 1:12, 1:16, 2:2, 2:9, 2:15, 4:11, 4:19, 4:22, 4:25, 5:3, 5:7, 5:11,	V verify ^[1] - 6:15 versus ^[3] - 2:2, 10:4, 10:10 view ^[1] - 10:25 voluntarily ^[3] - 2:25, 14:4, 16:8 voluntary ^[2] - 8:19, 16:12 vs ^[1] - 1:6
Q questions ^[13] - 4:3, 4:13, 5:4, 7:10, 11:19, 11:20, 12:2, 12:18, 13:12, 14:7, 14:16, 15:9, 15:13				

13:6, 13:7, 14:2,
14:17, 15:3, 15:4,
16:4
waiver [6] - 8:18,
11:15, 13:8, 15:6,
16:7, 16:16
waivers [2] - 16:12,
16:13
waiving [2] - 2:25,
15:18
week [1] - 6:10
weight [1] - 9:2
WILCOX [1] - 1:18
Wilcox [10] - 2:14,
2:16, 2:21, 5:17,
6:5, 7:7, 8:1, 13:20,
15:22, 16:18
Williams [1] - 17:3
wish [4] - 3:16, 3:24,
9:20, 15:7
witness [2] - 10:7,
10:11
witnesses [1] - 3:18
words [1] - 9:19
writing [1] - 8:11

Y

year [2] - 10:21, 11:2