

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF FLORIDA
3 CRIMINAL DIVISION
4 CASE NO. 23-CR-60173 WILLIAMS (GRAHAM)

5 UNITED STATES OF AMERICA, Miami, Florida

6 Plaintiff, May 15, 2024

7 vs.

WITNESS:
KELLY DIPIETRANTONIO

8 CAROLYN D. WADE,

9 Defendant.

Pages 1 to 110

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11
12 TRANSCRIPT (EXCERPT) OF TRIAL
13 HELD BEFORE THE HONORABLE DONALD L. GRAHAM
14 UNITED STATES DISTRICT JUDGE
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16
17
18

19 LANCE W. STEINBEISSER, FCRR, RPR, FPR-C
20 Official Court Reporter
21 United States District Court
22 400 North Miami Avenue
23 Miami, Florida 33128
24 305.523.5633
25

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

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

1 (Call to the Order of the Court.)

2 * * * * *

3 THE COURT: All right.

4 (Government witness, KELLY DIPIETRANTONIO, duly
5 sworn.)

6 COURT CLERK: Please state and spell your name for
7 the record.

8 THE WITNESS: My name is Kelly DiPietrantonio,
9 K-E-L-L-Y. Last name is D-I-P-I-E-T-R-A-N-T-O-N-I-O.

10 DIRECT EXAMINATION

11 BY MR. SNIDER:

12 Q. Good afternoon.

13 A. Good afternoon.

14 Q. Agent DiPietrantonio, where do you work?

15 A. I work for the Federal Bureau of Investigation.

16 Q. We'll refer to the Federal Bureau of Investigation as the
17 FBI. Okay?

18 A. Okay.

19 Q. How long have you worked for the FBI?

20 A. I've been with the FBI since 2014.

21 Q. In your current position as special agent?

22 A. Not the entire time.

23 Q. Your current position as special agent?

24 A. Since 2018.

25 Q. Okay. Are you assigned to a particular unit or squad?

1 A. Yes, I am.

2 Q. What squad are you assigned to?

3 A. I'm currently assigned to the Broward County Public
4 Corruption Squad.

5 Q. How long have you been assigned to the Broward County
6 Corruption Squad?

7 A. Over two years now.

8 Q. And what kind of work do you do as a special agent
9 assigned to that squad?

10 A. We look at individuals -- mostly people who are public
11 officials -- that would be politicians or police officers or
12 other law enforcement officers who use their public position
13 for some kind of private gain.

14 We also look at people who commit -- again, a public
15 official who commits some kind of federal criminal violation
16 while maintaining that capacity as a public official.

17 Q. Agent DiPietrantonio, were you part of a team that
18 investigated Carolyn Wade?

19 A. Yes, I was.

20 Q. And did you participate in that investigation?

21 A. Yes, I did.

22 Q. And did that investigation result in an indictment of
23 Carolyn Wade?

24 A. It did, yes.

25 Q. Are you familiar with the evidence that was collected

1 during the investigation?

2 A. Yes, I am.

3 Q. And did you review evidence that was collected during the
4 investigation?

5 A. I did, yes.

6 Q. And during the investigation, were subpoenas served to
7 collect information?

8 A. Multiple. Yes.

9 Q. And did you review the results of records -- the result of
10 those subpoenas?

11 A. Yes, I did.

12 Q. I want to start off by showing you two documents that are
13 in evidence, and I'm going to put them side by side, and the
14 first one is Government Exhibit 117. And I'm going to put
15 that on the left side of the screen.

16 THE COURT: 117?

17 MR. SNIDER: Yes, Your Honor, 117.

18 BY MR. SNIDER:

19 Q. And I'm going to put Government 118 on the right side of
20 your screen.

21 Do you see Government Exhibit 117 on the left side
22 and 118 on the right side?

23 A. Yes, I do.

24 Q. Do you recognize these documents?

25 A. Yes, I do.

1 Q. Are you familiar with them?

2 A. Yes.

3 Q. And for the record, what is 117?

4 A. It's the Paycheck Protection Program borrower application
5 form for Schedule C filers using gross income.

6 Q. And this particular form was for which applicant or which
7 business name?

8 A. The business name was Carolyn Wade.

9 Q. Are you a member of the prosecution team in this case?

10 A. Yes, I am.

11 Q. And have you been sitting throughout the trial with the
12 prosecution team?

13 A. Yes, I have.

14 Q. Okay. And so you've seen this document also come up
15 during the trial before?

16 A. That's correct.

17 Q. This on the right side, 118, what are we looking at there?

18 A. This is the Paycheck Protection Program PPP loan
19 forgiveness application Form 3058S, revised July 30, 2021.

20 Q. And you're familiar with this record?

21 A. Yes, I am.

22 Q. I'm going to enlarge on 117 the row that has the total
23 amount of gross income, tax year used, and the number of
24 employees. Do you see that?

25 A. Yes, I do.

1 Q. What's the information in that row?

2 A. The total amount of gross income is \$113,560, the tax year
3 used gross income was 2019, and the number of employees,
4 including owners, was one.

5 Q. So this Government Exhibit 117 reported one employee at
6 the time of the application?

7 A. That's correct.

8 Q. And this Government Exhibit 117, this Form SBA 2438C, this
9 is the one that had the certification requiring that all the
10 information be true?

11 MR. WILCOX: Objection to the leading, Your Honor.

12 THE COURT: Sustained.

13 BY MR. SNIDER:

14 Q. Are you aware that Government Exhibit 117, the SBA
15 Form 2483C, had a certification?

16 A. Multiple. Yes.

17 Q. Was one of those certifications a requirement that all the
18 information be true?

19 A. Yes, it was.

20 Q. Now I'm going to select a section of the forgiveness
21 application form. Do you see the section of the forgiveness
22 application form that I've enlarged?

23 A. Yes, I do.

24 Q. Can you read it for the jury and the record?

25 A. "Employees at time of loan application: 3. Employees at

1 time of forgiveness application: 3."

2 Q. Did the forgiveness application, the SBA form, did it also
3 have a certification?

4 A. Yes, it did.

5 Q. Was one of those certifications --

6 THE COURT: Is that on the form, the certification?

7 MR. SNIDER: Yes, Judge.

8 THE COURT: Do you want to publish it if that's what
9 you're doing?

10 BY MR. SNIDER:

11 Q. Have I published the certification that I just asked you
12 about?

13 A. Yes.

14 Q. Can you just read the first line?

15 A. "The information provided in this application is true and
16 correct in all material respects."

17 Q. Does it appear to you that the number of employees that's
18 represented in the original application, Government 117, is
19 different than what's represented in the forgiveness
20 application, Government Exhibit 118?

21 A. Yes.

22 Q. As part of your investigation, did you make a request to
23 the Florida Department of Revenue for records relating to
24 businesses associated with Carolyn Wade?

25 A. Yes, I did.

1 Q. Did the request to the Florida Department of Revenue for
2 records relating to any business associated with Carolyn Wade
3 -- was that limited to a particular time period?

4 A. Yes, it was.

5 Q. Do you recall the time period that you were seeking the
6 records for?

7 A. I believe it was 2018 to 2021 --

8 MR. WILCOX: Objection to relevance, Judge.

9 THE COURT: Well, are we talking about a document
10 that's in evidence that you're publishing?

11 MR. SNIDER: The document is in evidence and I'm
12 about to publish it.

13 THE COURT: Well, I mean, if you're publishing
14 evidence, you can do so, but the dialogue before the item is
15 presented wouldn't be appropriate.

16 MR. SNIDER: Okay. We can publish that.

17 MR. WILCOX: Counsel, what exhibit? I'm sorry.

18 MR. SNIDER: I'm publishing Government Exhibit 400.

19 BY MR. SNIDER:

20 Q. Do you see 400 on your screen, Agent?

21 A. Yes, I do.

22 Q. What is Government Exhibit 400?

23 A. This is the return from the Florida Department of Revenue
24 for records requested for Carolyn Wade Just Us 2 Foundation,
25 Incorporated, and the Wade Funeral Home South, LLC.

1 Q. Was this the request or response to the request that you
2 just testified you made to the Florida Department of Revenue
3 for records relating to Carolyn Wade?

4 A. Yes, it was.

5 Q. Do you know what Florida reemployment tax is?

6 A. Yes.

7 Q. Can you describe it?

8 A. It's basically the pot of money that employers pay into in
9 case somebody has to go on unemployment.

10 Q. Do you know whether employers in the state of Florida are
11 generally required to file and pay reemployment taxes if they
12 have employees?

13 A. They are, yes.

14 Q. Are Florida reemployment taxes --

15 MR. WILCOX: Your Honor, this is beyond the scope of
16 this witness's expertise. No foundation. I mean...

17 THE COURT: Yeah, what -- if you have --

18 MR. SNIDER: I can get to the point.

19 THE COURT: If you have an item in evidence, then
20 that's fine, but there's no foundation for this testimony.

21 MR. SNIDER: I was trying to lay it, but maybe I
22 could be a little more direct.

23 BY MR. SNIDER:

24 Q. Why did you subpoena records relating to Carolyn Wade to
25 the Florida Department of Revenue?

1 A. To see if they had any employees and was paying herself
2 out of these companies.

3 Q. And is Government 400 the response from the Florida
4 Department of Revenue?

5 A. Yes, it is.

6 Q. What was the response that you got for these three -- that
7 one person and two entities that are listed here -- and
8 I'll -- let's go through them.

9 A. The Florida Department of Revenue with respect to the Wade
10 Funeral Home South, LLC, was unable to locate any reemployment
11 assistance tax reports for that business.

12 Q. Okay. And why did you ask about this one, the Wade
13 Funeral Home?

14 A. Because she's listed as a principal on the Florida
15 Department of Corporation's website.

16 Q. Who is she?

17 A. She, Carolyn Wade.

18 Q. The next one. Do you see that little section I've
19 enlarged, Just Us 2 Foundation?

20 A. Yes.

21 Q. What was the response from the Florida Department of
22 Revenue related to this?

23 A. With the information provided, we were unable to locate
24 reemployment assistance tax for the above-referenced business.

25 Q. Why did you ask the Florida Department of Revenue whether

1 it had any records for this business?

2 A. Because Carolyn Wade was listed as a principal on the
3 business under the Florida Department of Corporations.

4 Q. Now, let's look at the response that you got from the
5 Florida Department of Revenue related to Carolyn Wade. Do you
6 see that section I've enlarged?

7 A. Yes.

8 Q. What was the response?

9 A. "Enclosed is the wage information for the first quarter of
10 2018 through the fourth quarter of 2021 for the
11 above-referenced individual."

12 Q. Was that enclosed with the response?

13 A. Yes, it was.

14 Q. Is that on page 2?

15 A. Yes, it is.

16 Q. And can you describe -- I understand that it's portrait
17 and it should be landscape, but what generally was the
18 response from the Florida Department of Revenue with respect
19 to any businesses related to Carolyn Wade?

20 A. This is wage information for Carolyn Wade with her
21 respective employment from the Broward County Sheriff's
22 Office.

23 Q. So was there any record that came back related to 1 Step
24 A-Head?

25 A. No, there was not.

1 Q. And was there any record that came back regarding Carolyn
2 Wade for anything other than her BSO wages?

3 A. No, there was not.

4 Q. Agent, as part of your investigation, did you subpoena
5 bank records?

6 A. I did, yes.

7 Q. And which accounts were subpoenaed?

8 A. Accounts belonging to Carolyn Wade at USAA.

9 Q. Is USAA a bank?

10 A. Yes, they are.

11 Q. And did USAA bank produce records to the government
12 pursuant to its subpoena?

13 A. They did, yes.

14 Q. Did you review those records?

15 A. I did.

16 Q. Did anyone else at the FBI review those records?

17 A. Yes.

18 Q. Was the information in those records put into any kind of
19 system that would help facilitate the review?

20 A. Yes.

21 Q. What was that?

22 A. Excel.

23 Q. And are you familiar with the bank accounts related to
24 Carolyn Wade at USAA bank?

25 A. Yes, I am.

1 Q. I'm going to publish Government Exhibit 303 in evidence.
2 Do you see 303 on your screen?

3 A. I do, yes.

4 Q. What are we looking at here?

5 A. This is a bank account related to Carolyn Wade and her
6 husband, Tracy Wade.

7 Q. Okay. What kind of document is this?

8 A. This is a bank statement.

9 Q. Okay. Sorry if you said that. I didn't hear it.

10 And it's a bank statement for what account number?

11 A. For the account number ending in 5392-6.

12 Q. And what is the account type?

13 A. A USAA Classic Checking account.

14 Q. And what is the statement period that we're looking at
15 here on the first page of Government Exhibit 303?

16 A. December 27, 2018, through January 29, 2019.

17 Q. Okay. To your recollection, is that the beginning of the
18 period for which the government sought bank records relating
19 to Carolyn Wade?

20 A. It is, yes.

21 Q. So the statements here begin the end of December of 2018?

22 A. Yes.

23 Q. Now, I will represent to you that this exhibit is
24 476 pages, and it runs from Bates number starting at 760
25 through 1226 -- actually, the last page is 1235 but it's

1 blank. Let's go to page 467.

2 Okay. We're now on page 467 of Government 303. Do
3 you recognize this page?

4 A. I do, yes.

5 Q. What is it?

6 A. This is a bank statement for October 25th, 2022, through
7 November 23, 2022.

8 Q. Okay. Is it the same account number for the statement we
9 just looked at?

10 A. It is, yes.

11 Q. And for the record, that ends in what?

12 A. 3926.

13 Q. Okay. So do these 467 pages of bank records cover the
14 period -- the statements for the period for which the
15 Government sought the account statements for this account
16 ending in 3926?

17 A. Yes, they do.

18 Q. And you've looked through those bank statements, yes?

19 A. Yes, I have.

20 Q. And the information in those bank statements was extracted
21 and put into Excel?

22 A. It was, yes.

23 Q. And that was so that it could be reviewed more easily?

24 A. Correct.

25 Q. And in so doing, in the course of that review, did the FBI

1 see any inflows or deposits into this account supporting
2 business income of \$113,560 at all?

3 A. No, we did not.

4 Q. Did it see that figure when it looked at the 2019,
5 specifically, period?

6 A. No, we did not.

7 Q. Did you look for any inflows from a business called
8 Carolyn Wade?

9 A. I did, yes.

10 Q. Did you see any inflows that could have been from that
11 business?

12 A. No, I did not.

13 Q. Let's take a look at Government Exhibit 302. Do you see
14 Government 302 on your screen?

15 A. Yes, I do.

16 Q. And what is this?

17 A. This is a bank statement for that same bank account ending
18 in 3926, covering the period April 29, 2021, through May 26,
19 2021.

20 Q. Okay. And let's go to page 11 of this exhibit, which is
21 Bates-stamped 684. Do you see that?

22 A. Yes.

23 Q. Are we looking at another bank statement?

24 A. Yes, we are.

25 Q. And what is the period of the bank statement we're looking

1 at now?

2 A. May 27, 2021, through June 28, 2021.

3 Q. And this is the same account?

4 A. Yes, it is.

5 Q. Ending in what four digits?

6 A. 3926.

7 Q. Do you see the section on this page called activity
8 summary?

9 A. Yes.

10 Q. Do you see a section called beginning balance?

11 A. Yes.

12 Q. What was the beginning balance in this account, according
13 to this statement?

14 A. \$49.54.

15 Q. This is the summary sheet; correct?

16 A. Yes.

17 Q. What were the deposits?

18 A. There were 19 deposits and credits totaling \$34,976.39.

19 Q. And what were the total withdrawals?

20 A. \$28,191.26.

21 Q. Let's go to page 13 of Government Exhibit 302. We're now
22 on page 13, which is Bates-stamped 686. Do you have that on
23 your screen?

24 A. Yes.

25 Q. I'm going to enlarge part of this statement, which I will

1 also highlight.

2 Do you see the section of the statement that I've
3 highlighted, Agent?

4 A. Yes, I do.

5 Q. Do you recognize this entry?

6 A. I do, yes.

7 Q. What is it?

8 A. This is the proceeds of the PPP loan that Carolyn Wade
9 applied for.

10 Q. How much are the proceeds?

11 A. \$20,833.

12 Q. According to this statement, what is the date of receipt
13 into this account of those proceeds?

14 A. June 7, 2021.

15 Q. And where was it coming from, according to this statement?

16 A. Harvest Small Business.

17 Q. Now, let's take a look at some activity and balances
18 before that June 7 deposit of the PPP loan proceeds.

19 And I'll also enlarge the column headers so that you
20 can see them.

21 Do you see on June 4 a debit?

22 A. I believe that's a credit.

23 Q. Let's see. You're right. It is a credit. Okay.

24 So there's a credit on June 4th of \$40; is that
25 right?

1 A. Correct.

2 Q. What was the balance after that credit?

3 A. \$63.79.

4 Q. And then on June 4th, do you see a second credit after
5 that?

6 A. Yes.

7 Q. How much is that credit?

8 A. \$64.

9 Q. Okay. And then there's a new balance based on that credit
10 of \$64; correct?

11 A. Correct.

12 Q. Can you read that balance?

13 A. \$127.79.

14 Q. So on the exhibit -- it looks like it's a little tough to
15 read; correct?

16 A. Correct.

17 Q. But based on this math, what was the balance on June 4?

18 A. \$127.79.

19 Q. And what was the balance on June 7 after receipt of the
20 \$20,833 in PPP proceeds?

21 A. \$20,960.79.

22 Q. We're now going to go to page 4 of this same statement --
23 or for the statement ending June 8, 2021, and we're on Bates
24 Number 687.

25 Do you see the two transactions that I have enlarged?

1 A. Yes, I do.

2 Q. Do you see the first one? What is it dated?

3 A. June 7.

4 Q. And what kind of transaction was it?

5 A. A debit.

6 Q. And how much was the debit?

7 A. \$29.95.

8 Q. Okay. What was the balance in the account after that
9 debit?

10 A. \$20,878.81.

11 Q. Do you see the next line of activity in the statement?

12 A. Yes.

13 Q. What is the date?

14 A. June 7.

15 Q. And what was the activity on that line?

16 A. USAA debit, Zelle, to Haydee Granados, number 3225438933.

17 Q. What type of activity was it?

18 A. It was a debit.

19 Q. How much?

20 A. \$1,000.

21 Q. I know you don't have a calculator, but looking at these
22 numbers, is it fair to say that but for this \$20,833 loan --

23 MR. WILCOX: Objection, Judge. This is leading.

24 THE COURT: Well, let me hear the question, but it
25 does sound like it's not a good question, but go ahead.

1 BY MR. SNIDER:

2 Q. Can you tell from looking at this account statement what
3 the balance was before receipt of the \$20,833 loan on June 7?

4 A. Yes.

5 Q. Was it approximately \$45?

6 A. Yes.

7 Q. And the \$1,000 was debited from this account to Haydee
8 Granados?

9 A. That's correct.

10 Q. Based on this account statement, what was the source of
11 the thousand dollars that went to Haydee Granados?

12 A. A large portion of it was from the PPP loan, minus
13 approximately \$45.

14 Q. Did you learn either in your investigation or in
15 connection with preparing for this trial who Haydee Granados
16 is?

17 A. Yes.

18 MR. WILCOX: Objection, Judge. This is hearsay.

19 THE COURT: Is this -- you know, when you learn, that
20 can be hearsay or -- I don't know. Does she have some direct
21 knowledge of it --

22 BY MR. SNIDER:

23 Q. Do you have any direct knowledge of who Haydee Granados
24 is?

25 A. Yes.

1 Q. What is that based on?

2 A. Based on the records I received pursuant to subpoenas in
3 this case.

4 THE COURT: I'm sorry. One moment, sir.

5 You're going to have to lay a foundation. So a
6 subpoena was issued and --

7 BY MR. SNIDER:

8 Q. And who was that subpoena issued to?

9 A. To Womply.

10 Q. Okay. Did Womply produce records pursuant to that
11 subpoena?

12 A. They did, yes.

13 THE COURT: Do you have a document? Because it can't
14 be hearsay.

15 MR. SNIDER: I have -- well, I also have a
16 certification about the records.

17 THE COURT: Well, I mean, I don't know what you have,
18 but I guess what I'm trying to suggest is it can't be hearsay.

19 BY MR. SNIDER:

20 Q. To your knowledge, were the records that were produced by
21 Womply from which you learned the identity of Haydee
22 Granados -- were those records that Womply kept in the
23 ordinary course of its business?

24 A. They were, yes.

25 MR. WILCOX: Objection. Judge, how does she know

1 this?

2 THE COURT: Sustained.

3 MR. SNIDER: Okay. We'll move on.

4 BY MR. SNIDER:

5 Q. Did USAA bank in addition to producing bank statements
6 produce images of checks to the government?

7 A. They did, yes.

8 Q. Have you reviewed those checks?

9 A. I have.

10 Q. Did you see checks that were being written from this
11 account after receipt of the PPP loan proceeds on June 7?

12 A. Yes, I did. Multiple.

13 Q. Publishing Government Exhibit 304 in evidence.

14 Do you recognize Government 304?

15 A. I do, yes.

16 Q. And the first page of this is Bates-stamped 188.

17 What are we looking at on the first page of
18 Government 304?

19 A. This is a check written by Carolyn Wade to Carolyn Wade on
20 June 8, 2021, for \$500, and the memo line says "salary."

21 Q. Okay. Who does it appear to be signed by?

22 A. Carolyn Wade.

23 Q. Is there an image of the back of the check?

24 A. There is, yes.

25 Q. Does it appear to be endorsed?

1 A. Yes.

2 Q. Who appears to have endorsed it?

3 A. Carolyn Wade.

4 Q. Is the only check that you saw like this, with a memo
5 "salary," payable to Carolyn Wade after receipt of the PPP
6 loan proceeds?

7 A. No.

8 Q. We're now on page 2 of Government Exhibit 304. Do you see
9 page 2 on your screen?

10 A. Yes.

11 Q. Do you see the check that I've enlarged?

12 A. Yes.

13 Q. Who is it payable to?

14 A. Carolyn Wade.

15 Q. What's the date?

16 A. June 16, 2021.

17 Q. What's the amount?

18 A. \$2,000.

19 Q. What does the memo say?

20 A. Salary.

21 Q. Who appears to have signed it?

22 A. Carolyn Wade.

23 Q. Do you see an image of the rear of the check?

24 A. Yes.

25 Q. Does it appear to be endorsed?

1 A. Yes.

2 Q. Who appears to have endorsed it?

3 A. Carolyn Wade.

4 Q. We're now on the page that's Bates-stamped 191. Do you
5 see the check image on your screen?

6 A. Yes.

7 Q. Who is it payable to?

8 A. Carolyn Wade.

9 Q. What's the date?

10 A. June 11, 2021.

11 Q. What is the amount?

12 A. \$1,000.

13 Q. Is there something in the memo line?

14 A. Yes.

15 Q. What does it say?

16 A. Salary.

17 Q. Who appears to have signed this check?

18 A. Carolyn Wade.

19 Q. Do you see the rear of the check imaged here?

20 A. Yes.

21 Q. Is it endorsed?

22 A. Yes.

23 Q. Who appears to have endorsed it?

24 A. Carolyn Wade.

25 Q. We're now on page 192 of Government Exhibit 304. Do you

1 see a check image on your screen?

2 A. Yes.

3 Q. Who is it payable to?

4 A. Tracy Wade.

5 Q. What is the amount?

6 A. \$1,000.

7 Q. What is the date of the check?

8 A. June 10, 2021.

9 Q. What does the memo line say?

10 A. Salary.

11 Q. Who does it appear to be signed by?

12 A. Carolyn Wade.

13 Q. Do you see a rear image of the check?

14 A. Yes.

15 Q. Does it appear to be endorsed?

16 A. Yes.

17 Q. Who appears to have endorsed it?

18 A. Wade Funeral Home.

19 Q. We're now on page 193 -- Bates stamp. Do you see an image
20 of the check?

21 A. Yes.

22 Q. Who is it payable to?

23 A. Tracy Wade.

24 Q. What's the date?

25 A. June 17, 2021.

1 Q. The amount?

2 A. \$1,000.

3 Q. What's in the memo line?

4 A. Salary.

5 Q. Who appears to have signed this?

6 A. Carolyn Wade.

7 Q. Does it appear to be endorsed on the back?

8 A. Yes.

9 Q. Who appears to have endorsed it?

10 A. The Wade Funeral Home.

11 Q. We're now on page 194, Bates stamp. Do you see the check
12 image?

13 A. Yes.

14 Q. Who is it to?

15 A. Carolyn Wade.

16 Q. What is the date?

17 A. June 25, 2021.

18 Q. What is the amount?

19 A. \$2,000.

20 Q. What is it for?

21 A. Salary.

22 Q. And who is it signed by?

23 A. Carolyn Wade.

24 Q. Does it appear to be endorsed?

25 A. Yes.

1 Q. Who appears to have endorsed it?

2 A. Carolyn Wade.

3 Q. We're now on page Bates-stamped 195. Do you see a check
4 image?

5 A. Yes.

6 Q. Who is it payable to?

7 A. Carolyn Wade.

8 Q. What's the date?

9 A. July 2, 2021.

10 Q. What's the amount?

11 A. \$1,000.

12 Q. Is that in the written line?

13 A. Yes.

14 Q. What is the amount in the box where you write numerically?

15 A. \$2,000.

16 Q. Okay. What does it say in the memo line?

17 A. Salary.

18 Q. Who appears to have signed this?

19 A. Carolyn Wade.

20 Q. Does it appear to be endorsed?

21 A. Yes.

22 Q. Who appears to have endorsed it?

23 A. Carolyn Wade.

24 Q. We're now on page 196, Bates stamp. Do you see a check
25 image on your screen?

1 A. Yes.

2 Q. Who is it payable to?

3 A. Tracy Wade.

4 Q. What is the amount?

5 A. \$1,000.

6 Q. What's the date?

7 A. June 24, 2021.

8 Q. What's in the memo line?

9 A. Salary.

10 Q. Who appears to have signed it?

11 A. Carolyn Wade.

12 Q. Does there appear to be some type of endorsement on this
13 one as well?

14 A. Yes.

15 Q. Are you able to read it?

16 A. No.

17 Q. We're moving on to Bates stamp page 197. Do you see the
18 check image?

19 A. Yes.

20 Q. Who's this one payable to?

21 A. Tracy Wade.

22 Q. What's the amount?

23 A. \$1,000.

24 Q. And what's the date?

25 A. July --

1 Q. Sorry. What's the date?

2 A. July 1st, 2021.

3 Q. What's it for, in the memo?

4 A. Salary.

5 Q. Who appears to have signed it?

6 A. Carolyn Wade.

7 Q. We're on the last page of Government Exhibit 304. I'm
8 enlarging the check image. Do you see it?

9 A. Yes.

10 Q. Who is it payable to?

11 A. Carolyn Wade.

12 Q. What's the date?

13 A. July 15th, 2021.

14 Q. What is the amount?

15 A. \$2,400.

16 Q. What does it say in the memo line?

17 A. Salary.

18 Q. Who does it appear to be signed by?

19 A. Carolyn Wade.

20 Q. Do you see an endorsement?

21 A. Yes.

22 Q. Who appears to have endorsed it?

23 A. Carolyn Wade.

24 Q. Agent DiPietrantonio, in the course of reviewing bank
25 records to include statements and check images, did you see

1 checks like this written by Carolyn Wade or anyone else who
2 was an authorized signer on the account before receipt of the
3 PPP loan on June 7?

4 A. No, I did not.

5 Q. And the last check that we looked at, which I think is
6 still on the screen, is July 15, 2021. Do you see that?

7 A. Yes.

8 Q. And the bank records that we looked at earlier covered a
9 period that ended in 2022; is that right?

10 A. That's correct.

11 Q. So from July of '21 through the end of the statement
12 periods that you collected in 2022, did you see any checks
13 similar to the ones that we just went over in Government
14 Exhibit 304?

15 A. No, I did not.

16 MR. SNIDER: Your Honor, the Government has an
17 additional exhibit that I have provided a copy to the defense,
18 who does not object to its admission. It's just another check
19 from the same bank statement.

20 THE COURT: How is it marked?

21 MR. SNIDER: It is marked for identification as
22 Government 305, and the government at this time would seek its
23 admission.

24 THE COURT: 305 is being offered.

25 And any objection?

1 MR. MCCRAY: No, Your Honor.

2 THE COURT: Received as marked.

3 MR. SNIDER: Thank you, Your Honor.

4 (Government Exhibit 305 was received in evidence.)

5 BY MR. SNIDER:

6 Q. Agent, I'm publishing Exhibit 305, which was just received
7 in evidence. Do you see Government Exhibit 305 on your
8 screen?

9 A. Yes.

10 Q. What does this appear to be?

11 A. A check from Carolyn Wade to Jersey City Group for \$4,000
12 for equipment restoration, dated June 9, 2021.

13 Q. Does it appear to be endorsed?

14 A. It does, yes.

15 Q. What is the endorsement?

16 A. Jersey City Group.

17 Q. Do you have any personal knowledge of what Jersey City
18 Group is?

19 A. No, I do not.

20 Q. What was the memo? I'm enlarging it.

21 A. Equipment restoration.

22 Q. Do you have any personal knowledge as to what that means?

23 A. No, I do not.

24 Q. Did you see any other checks in the bank records for this
25 account, Jersey City Group?

1 A. No, I did not.

2 Q. Did you see any other checks in the bank records with a
3 memo line equipment restoration?

4 A. No, I did not.

5 Q. I'm publishing Government Exhibit 300 in evidence.

6 Do you see Government Exhibit 300 on your screen,
7 Agent?

8 A. Yes, I do.

9 Q. I'm going to enlarge the title of this document. Can you
10 read it for the jury?

11 A. "Member authentication history for member number
12 022096578, date range: January 1st, 2019, to October 26,
13 2022, UTC."

14 Q. Okay. Where did this record come from?

15 A. USAA.

16 Q. And do you know what kind of information is in this
17 record?

18 A. Yes.

19 Q. What is it?

20 A. USAA tracks every time somebody logs onto their account.
21 They track the date and time of that login as well as the IP
22 address and what platform it was logged in to.

23 Q. Okay. And is that what's displayed -- that information
24 displayed under these column headings?

25 A. Yes.

1 Q. Okay. So the column heading on the left is what?

2 A. Activity time stamp in UTC time.

3 Q. And the channel appears to be what?

4 A. Internet.

5 Q. Okay. Do you see where it says "source"?

6 A. Yes.

7 Q. What information is in the source column?

8 A. Android app.

9 Q. What does that mean?

10 A. It means that this account was accessed by an Android app
11 at that date and time listed.

12 Q. And do you see where it says "contacting source"?

13 A. Yes.

14 Q. Do you understand what that means?

15 A. Yes.

16 Q. What is it?

17 A. That's the IP address.

18 Q. That was used for that login?

19 A. Correct.

20 Q. Now, this appears to be a record for member 022096578.

21 Do you know, is that a USAA member?

22 A. Yes, it is.

23 Q. Do you know whose member number that is?

24 A. Yes.

25 Q. Whose?

1 A. Carolyn Wade.

2 Q. And do you know that from the bank records --

3 A. Yes.

4 Q. -- that we're looking at?

5 A. Yes.

6 Q. What is the date range for this IP log of all the logins
7 to this USAA bank?

8 A. January 1st, 2019, through October 26, 2022.

9 Q. And do you see where it says "record count"?

10 A. Yes.

11 Q. What's that number?

12 A. That's the number of times somebody logged into this
13 account. It's 3,134 times for that time span.

14 Q. Okay. So this log has more than one page?

15 A. Yes.

16 Q. The first page is Bates-stamped 2170?

17 A. Yes.

18 Q. Okay. And if I scroll to the last page, which is 62,
19 what's that Bates number? Is it --

20 A. 2231.

21 Q. Okay. How many pages is this exhibit?

22 A. 62.

23 Q. And what is the -- actually, let's go back to the first.

24 What is the date of the first record that's captured
25 in this exhibit?

1 A. January 2nd, 2019.

2 Q. Okay. And do these logins appear to be in chronological
3 order in the log?

4 A. They do, yes.

5 Q. So let's go to the last page. What is the last record --
6 the date of the last record in this exhibit?

7 A. August 6, 2021.

8 Q. So that's more than a two-year period?

9 A. Yes, it is.

10 Q. Did you review 62 pages in this exhibit?

11 A. Yes, I did.

12 Q. Did you look at the IP addresses?

13 A. Yes, I did.

14 Q. When you did that, did you see or recognize any IP
15 addresses that were used to log into this USAA bank account
16 that you had seen in connection with Carolyn Wade's PPP loan
17 application?

18 A. Multiple, yes.

19 Q. Have you created, for the aid of this jury, a
20 demonstrative exhibit to aid in the jury's review of some of
21 the overlap between those IP addresses?

22 A. I did, yes.

23 Q. We'll get to that in a minute.

24 Publishing Government Exhibit 700 in evidence. Do
25 you see 700 on your screen?

1 A. Yes.

2 Q. Do you recognize it?

3 A. Yes.

4 Q. What is Government Exhibit 700?

5 A. This is Google subscriber information for the email
6 address ckidd1226@gmail.com.

7 Q. Let me enlarge the first section of this document. What
8 is the Google account ID? Can you read it for the record?

9 A. 110586376506.

10 Q. Did this come from Google?

11 A. It did, yes.

12 Q. According to Google, what was the name on that account?

13 A. Carolyn Wade.

14 THE COURT: All right. Sir, I'm going to stop you
15 there. We're going to have lunch at this time. I have a
16 1:00 PM hearing, ladies and gentlemen, so we're going to break
17 for lunch and I'll have you return at 2:10. We're going to
18 end the day at 4:00 PM. I have a 4:00 PM hearing. So I'm
19 going to allow you all to leave, and I can fairly say we're on
20 schedule.

21 MR. SNIDER: Yes.

22 THE COURT: Enjoy lunch. Thank you.

23 (Jury exited at 12:59 PM.)

24 (Recess from 12:59 PM to 2:17 PM.)

25 (Jury enters at 2:17 PM.)

1 THE COURT: We're now ready to continue with the
2 trial.

3 MR. SNIDER: Thank you, Your Honor.

4 BY MR. SNIDER:

5 Q. Okay. Agent DiPietrantonio, prior to the lunch break, we
6 were looking at Government Exhibit 700 in evidence, which I've
7 published again for the Court. Do you see that on your
8 screen?

9 A. Yes, I do.

10 Q. Tell us again what is in Government Exhibit 700.

11 A. This is a Google subscriber record for the email
12 ckidd1226@gmail.com.

13 Q. And what is the name of the subscriber for that Google
14 account?

15 A. Carolyn Wade.

16 Q. And is Gmail a Google email service?

17 A. It is, yes.

18 Q. There's some information on this record that's below the
19 subscriber name and email address that you just read. What
20 are we looking at here that I've just enlarged?

21 A. A created on date of April 7, 2019, at 17:34:50 Zulu time.

22 Q. Do you know what that means, the created on?

23 A. That's the date and time this email address was created
24 with Google.

25 Q. Do you see where it says "terms of service IP"?

1 A. Yes.

2 Q. Is there an IP address there?

3 A. Yes.

4 Q. Can you read it for the record?

5 A. 70.151.137.130.

6 Q. Do you recognize that IP address?

7 A. I do, yes.

8 Q. Do you recognize it based on the evidence that's been
9 entered in this case?

10 A. Yes.

11 Q. What is that IP address?

12 A. It belongs to the Broward Sheriff's Office.

13 Q. So what does it mean that that IP address was used on that
14 date?

15 A. That the email address ckidd1226@gmail.com was created on
16 April 7, 2019, from BSO.

17 Q. Do you see the birth date?

18 A. Yes.

19 Q. What's that date?

20 A. March 7, 1975.

21 Q. Do you recognize that date of birth?

22 A. Yes.

23 Q. Whose date of birth is that?

24 A. Carolyn Wade's.

25 Q. There's a section on this record that's titled Account

1 Recovery. Do you see that?

2 A. Yes.

3 Q. What's account recovery?

4 A. If you're ever locked out of your account and you need to
5 get a recovery password sent to another device or another
6 email, these are the emails or the phone numbers in which
7 those tokens would be sent.

8 Q. The recovery email, is that the same email that is the
9 email for this account?

10 A. Yes.

11 Q. Do you see recovery SMS?

12 A. Yes.

13 Q. Do you know what that is?

14 A. Yes.

15 Q. What is it?

16 A. That's Carolyn Wade's phone number.

17 Q. There's another section of this Google subscriber record
18 that's titled phone numbers. Do you see that?

19 A. Yes.

20 Q. Do you recognize any phone numbers there?

21 A. Yes, the phone number ending in 6800.

22 Q. Whose phone number do you recognize that to be?

23 A. Carolyn Wade's.

24 MR. SNIDER: Your Honor, at this time, the Government
25 would like to publish a demonstrative aid that the witness has

1 prepared using records that are already in evidence to aid the
2 jury in understanding that evidence. I have provided a copy
3 to defense counsel. I don't believe there is an objection --
4 I believe there's no objection.

5 MR. WILCOX: No objection.

6 THE COURT: Well, just for clarification, are these
7 exhibits that have been published as well?

8 MR. SNIDER: Yes.

9 THE COURT: All right.

10 MR. SNIDER: I believe they all at some point in this
11 trial have been published with the exception of a summary of
12 information that is in exhibits that have been published.

13 THE COURT: I'm not sure I understood the last point.

14 MR. SNIDER: So there is a slide here that the
15 witness will testify she made and that is --

16 THE COURT: That's the demonstrative summary exhibit?

17 MR. SNIDER: Yes.

18 THE COURT: But that exhibit is based on items that
19 have been published.

20 MR. SNIDER: Correct.

21 THE COURT: Very well. Proceed.

22 MR. SNIDER: With the Court's permission, I would
23 like to publish what has been identified as Government 1000
24 for purposes of -- the portion of this testimony.

25 THE COURT: And this is demonstrative only?

1 MR. SNIDER: Correct.

2 THE COURT: Not received in evidence but
3 demonstrative, because that's something the parties have to
4 tell me.

5 MR. SNIDER: Is there an objection to this being
6 entered into evidence?

7 Your Honor, we were just intending to use this as an
8 aid, not offer it into evidence.

9 THE COURT: All right. So what that means is this is
10 a demonstrative exhibit that the Government may use in
11 explaining items to you, but it is not received in evidence,
12 which means you will not have it in the jury room, but it can
13 be used for you to consider now as the government demonstrates
14 matters on this particular chart. Please proceed.

15 MR. SNIDER: Thank you, Your Honor.

16 BY MR. SNIDER:

17 Q. I'm publishing what I've identified as the demonstrative
18 aid, which is Number 1000, and we're going to start on page 2.

19 Do you see page 2 on your screen, Agent
20 DiPietrantonio?

21 A. I do, yes.

22 Q. And before we begin to go through the information that you
23 have prepared through this aid, is the information that we're
24 going to walk through, is it in chronological order?

25 A. It is, yes.

1 Q. So the information that you've summarized begins on May 4,
2 2021?

3 A. That's correct.

4 Q. What are we looking at on slide two in this demonstrative?

5 A. These are all of the Womply transactions that occurred on
6 May 4, 2021, from the IP address ending in 166.

7 Q. Okay. And I see here that there is the column with the
8 header remote ADDR. Do you see that?

9 A. Yes.

10 Q. Are those the IP addresses that you just referenced?

11 A. They are, yes.

12 Q. Do you see where it says "issued at"?

13 A. Yes.

14 Q. Is that a date and time?

15 A. It is.

16 Q. And what was the date and time in the original exhibit,
17 which I see you've sourced from Government 102E? What was the
18 original time zone?

19 A. Zulu time.

20 Q. Okay. And did you convert that to Eastern time?

21 A. I did, yes.

22 Q. And I have enlarged -- is that your conversion there?

23 A. It is.

24 Q. So the range of transactions that we're looking at, is
25 that between 3:27 PM and 3:51 PM on May 4, 2021?

1 A. It is, yes.

2 Q. And what have you selected here from Government
3 Exhibit 601 at the bottom portion of slide two?

4 A. This is the subscriber record from AT&T showing that the
5 IP address ending in 166 belonged to the Wade Funeral Home.

6 Q. And the application ID, is this all the same application
7 ID?

8 A. It is.

9 Q. And this is all for the PPP loan application that was to
10 Carolyn Wade?

11 A. It is.

12 Q. How many transactions occurred from the IP address at the
13 Wade Funeral Home on May 4, 2021?

14 A. Approximately 11.

15 MR. WILCOX: Counsel, would you repeat the question?
16 I'm sorry.

17 MR. SNIDER: My question was how many transactions
18 occurred from the IP address assigned to the Wade Funeral Home
19 on May 4, 2021?

20 MR. WILCOX: Thank you.

21 BY MR. SNIDER:

22 Q. The answer was?

23 A. Approximately 11.

24 Q. We're now on slide three of the demonstrative.

25 What information is displayed here on slide three?

1 A. These are the Womply events that occurred on May 4, 2021,
2 also from the IP address ending in 166.

3 Q. And what two events? Are these all the events that
4 occurred from the 166 --

5 A. On May 4, yes.

6 Q. -- on May 4, 2021?

7 A. That's correct.

8 Q. And it looks like there's two events; is that right?

9 A. Yes.

10 Q. What are the two events that occurred?

11 A. One bank document was uploaded to the Womply portal and a
12 bank account was linked via the Plaid software that Womply
13 used.

14 Q. Okay. Are you familiar with the user agent column and the
15 information that's displayed in there?

16 A. Yes.

17 Q. Does that information include the browser type and device
18 that was used to -- for the events that you've just testified
19 about?

20 A. It does, yes.

21 Q. What do you see there as far as either the browser and/or
22 device?

23 A. This event occurred from a Windows 10 device on a Chrome
24 browser.

25 Q. We're now on slide four.

1 Agent DiPietrantonio, what happened on May 13th,
2 2021, at approximately 6:23 AM?

3 A. Womply emailed Carolyn Wade via ckidd1226@gmail.com a
4 notification to log into her portal to begin her
5 application -- or to continue her application, rather.

6 Q. Is this the email that was sent at that date and time to
7 Carolyn Wade's email address?

8 A. Yes, it is.

9 Q. What does it say in the first paragraph?

10 A. "Your Paycheck Protection Program application is currently
11 incomplete. It looks like you may have gotten stuck on one of
12 the application sections needed to complete your PPP loan. We
13 see this happen when..."

14 Q. Okay. I guess there's some examples of when that happens.
15 Is that fair?

16 A. Yes.

17 Q. Have you reviewed the Womply records that were testified
18 about here today?

19 A. I have, yes.

20 Q. Based on your review of those records and what we just saw
21 in the previous slide, was Carolyn Wade's PPP application
22 completed on May 4, 2021?

23 A. No, it was not.

24 Q. And after the activity that we just looked at on May 4,
25 was there any activity between May 4 and when this email was

1 sent on May 13?

2 A. Not at this time, no.

3 Q. We're now looking at slide five.

4 What information from -- and it seems like this is
5 coming from Government Exhibit 102.1E; is that right?

6 A. That's correct.

7 Q. What information is displayed on slide five?

8 A. This is a table that Womply retained of every attempt or
9 every successful login to Carolyn Wade's PPP portal.

10 Q. Was it all the logins or just the logins on May 13, 2021?

11 A. Just the logins on May 13, 2021.

12 Q. And do you see the first column where it says
13 "identifier"?

14 A. Yes.

15 Q. Do you have an understanding of the information in that
16 column?

17 A. Yes. The information in that column is where Womply would
18 send the two-factor authorization -- so that short-lived
19 code -- to either the email address or the phone number, and
20 then that user would have to log in with those credentials to
21 the portal.

22 Q. And how many logins were done where the identifier being
23 used to log in was Carolyn Wade's email address?

24 A. Four.

25 Q. And how many logins on May 13, 2021, were successfully

1 done using Carolyn Wade's phone number as the identifier?

2 A. Six.

3 Q. Now, does this login information include information about
4 the browser that was used to log in?

5 A. It does, yes.

6 Q. Does it include the operation system of the device that
7 was used to login?

8 A. It does.

9 Q. And does it capture the IP address that was used to log
10 into Womply?

11 A. It does.

12 Q. And you've also included the time --

13 A. That's correct.

14 Q. -- of the login?

15 A. Yes.

16 Q. And you've converted that time to Eastern Standard Time?

17 A. I have.

18 Q. And these logins all occurred between what time and what
19 time?

20 A. 8:07 AM on May 13, 2021, through 1:24 PM also May 13,
21 2021.

22 Q. How many logins do you see from an IP address ending in
23 166, which you just testified was the IP for the Wade Funeral
24 Home?

25 A. Two.

1 Q. How many logins do you see from an IP address ending in
2 184?

3 A. Five.

4 Q. And the logins from the 184, did that occur after the 166?

5 A. They did, yes.

6 Q. There's another IP address ending in .34 and .125. Do you
7 see that?

8 A. Yes.

9 Q. The login from the 184 occurred after those logins?

10 A. Yes, they did.

11 Q. Okay. We're now on slide six of the demonstrative. Do
12 you see slide six on your screen?

13 A. I do, yes.

14 Q. What is displayed in slide six?

15 A. These are the Womply login attempts from the IP address
16 ending in 166 on May 4 -- I'm sorry -- on May 13, 2021.

17 Q. So are those the same logins that we just looked at in the
18 previous slide but you've isolated them on its own slide?

19 A. That's correct.

20 Q. And can you tell on slide six the device that was used
21 from the 166 IP address to log into Womply on May 13, 2021?

22 A. Yes.

23 Q. And what is that device?

24 A. It was a Windows device on a Chrome browser.

25 Q. In your review of the Womply records that are in evidence,

1 did you ever see a device called a Samsung Note20 Ultra 5G log
2 into Womply using the .166 IP address?

3 A. I would have to see the record.

4 Q. We can come back to that.

5 We're now on slide seven.

6 A. Yes.

7 Q. What are we looking at here?

8 A. There are a couple different things on this slide. The
9 top of the slide shows the Womply login attempts from the IP
10 address ending in 184 on May 13, 2021. On the bottom
11 left-hand side of the screen, we have records from Verizon
12 showing that they owned that IP address at this time.

13 Q. Okay.

14 A. The very bottom of the screen shows that Carolyn Wade had
15 a Note20 Ultra 5G also during this time period.

16 Q. Okay. How many logins on May 13, 2021, were from the 184
17 IP address?

18 A. Five.

19 Q. And what is the model number that was used in all five of
20 those logins of the device?

21 A. The device was an Android 11. The model number was
22 SM-N986U.

23 Q. Is that a model number for a cell phone?

24 A. It is, yes.

25 Q. Are you familiar with that model number?

1 A. I am.

2 Q. Is that a model number for a Note20 Ultra 5G, copper,
3 120-gigabyte cell phone?

4 A. It is, yes.

5 Q. Now, based on the information from Verizon here, which is
6 from Government Exhibit 805, this IP ending in 184 was owned
7 by who?

8 A. Verizon.

9 Q. And in order to use that IP address, did you have to be on
10 Verizon's network?

11 A. You did, yes.

12 Q. Were all five of these logins successful?

13 A. They were, yes.

14 Q. Now, there's some information here that appears to be from
15 Government Exhibit 300 from USAA bank. Do you see that?

16 A. Yes.

17 Q. What are we looking at in that portion of this slide
18 seven?

19 A. This is showing that an Android app accessed the USAA
20 account belonging to Carolyn Wade from the same IP address
21 ending in 184 on May 13, 2021.

22 Q. So the same type of device using the same IP accessed both
23 Womply's website and USAA's either website or app?

24 A. That's correct.

25 Q. Now, there's some information that you've put in here from

1 Government Exhibit 114.1, which I'll enlarge. What's that
2 portion of slide seven?

3 A. This is a portion of the Persona record taken from Carolyn
4 Wade's identity verification.

5 Q. What was the device type that was used during the identity
6 verification?

7 A. It's model number SM-N986U, tablet.

8 Q. Is that the same model number that was used to log into
9 the Womply portal on this date five times?

10 A. Yes, it is.

11 Q. Is it the same operating system?

12 A. Yes, it is.

13 Q. Does it appear to be the same browser?

14 A. Yes, it does.

15 Q. Now, that Persona verification, that included a selfie?

16 A. It included three selfies, yes.

17 Q. Okay. How do you take a selfie?

18 A. Hold your phone up a little higher than your head and
19 screenshot yourself.

20 Q. We're now moving to slide eight.

21 Do you see slide eight on your screen?

22 A. Yes, I do.

23 Q. Okay. So what have you depicted in slide eight from our
24 evidence?

25 A. These are the Womply events that occurred on May 13, 2021.

1 Q. So just to distinguish between a login and an event, does
2 a login necessarily include an event?

3 A. No, it does not.

4 Q. Does an event necessarily include a login?

5 A. There would have to be a preceding login, yes.

6 Q. So these are actual events that occurred while logged into
7 the Womply portal?

8 A. That's correct.

9 Q. Now, let's go through these one at a time. Are these in
10 chronological order?

11 A. They are, yes.

12 Q. And what is the time of the first event?

13 A. 8:59 AM.

14 Q. And according to this record, what was the event that
15 occurred at that time?

16 A. A tax document was uploaded to Carolyn Wade's Womply
17 portal, specifically the Schedule C.

18 Q. Right.

19 And you can tell that by the document identifier?

20 A. That's correct.

21 Q. And what was the IP address used to upload that
22 Schedule C?

23 A. 76.110.183.125.

24 Q. Do you see any other events on that date from that IP
25 address?

1 A. No, I do not.

2 Q. Did you see in the records any other events other than
3 related to tax information in this application coming from
4 that IP address 125?

5 A. No, I did not.

6 Q. Now, there were other events that occurred on this day
7 from another IP. What is that IP?

8 A. 174.228.36.184.

9 Q. And is that the IP address that we just looked at on the
10 previous slide belonging to Verizon?

11 A. That's correct.

12 Q. So let's go through these. What time was the first event
13 that occurred on May 13 from the 184 IP address?

14 A. 10:44 AM.

15 Q. And what happened there?

16 A. A bank document was uploaded to the portal.

17 Q. And was that after the Schedule C was uploaded?

18 A. It was, yes.

19 Q. What was the device that was used to upload that bank
20 document, according to this record?

21 A. An Android 11.

22 Q. What was the model number?

23 A. SM-N986U.

24 Q. Is that the same model number that took that selfie that
25 we just looked at?

1 A. Yes, it is.

2 Q. Is it the same model number that had logged in and that we
3 saw in the login sheet?

4 A. Yes, it is.

5 Q. And that's the model number for the Note20 Ultra 5G?

6 A. That's correct.

7 Q. That model number SM-N986U for the Note20 Ultra 5G, in all
8 of Womply's records did you ever see that device identified by
9 that model number being used from the IP address ending in
10 125?

11 A. Never.

12 Q. We're now moving to slide nine.

13 What information is depicted on slide nine?

14 A. These are Womply transactions that occurred on May 13,
15 2021, from the IP address ending in 166.

16 Q. How many transactions were there?

17 A. Six.

18 Q. And what was the time frame of those transactions in
19 Eastern daylight time?

20 A. 9:21 AM to 9:23 AM.

21 Q. And 166 is associated with what?

22 A. Wade's funeral home.

23 Q. Do you see where it says "operation type"?

24 A. Yes.

25 Q. Do you understand based on Womply's records what a one and

1 a zero indicate?

2 A. Yes.

3 Q. What does a one indicate?

4 A. A modification to the record.

5 Q. And a zero indicates?

6 A. The creation of the record.

7 Q. Now we're moving to slide ten.

8 What's on slide ten?

9 A. These are the Womply transactions that occurred on May 13,
10 2021, from the IP address ending in 184, owned by Verizon.

11 Q. How many transactions occurred on May 13, 2021, from the
12 IP address ending in 184 that was owned by Verizon?

13 A. Approximately 15.

14 Q. There's some information here that you've taken from
15 Government Exhibit 300 from USAA bank; is that right?

16 A. Yes.

17 Q. What are we looking at from Government Exhibit 300?

18 A. The same day that the transactions occurred on the Womply
19 portal from the IP address ending in 184, the USAA bank
20 account belonging to Carolyn Wade also had logins also from an
21 Android app also from the IP address ending in 184.

22 Q. We're moving to slide 11.

23 Do you see slide 11 on your screen?

24 A. I do.

25 Q. What information have you put into slide 11 from the

1 evidence that's in this case?

2 A. This is information taken from the Persona records for
3 Carolyn Wade's PPP application.

4 Q. Okay. What are we looking at here in the section I've
5 enlarged?

6 A. Persona required their applicants to take three photos of
7 themselves: One looking straight ahead, one looking to the
8 left, and one to the right. This is the photo of the
9 applicant looking straight ahead.

10 Q. Do you recognize the person in the photo?

11 A. I do.

12 Q. Who do you recognize that person to be?

13 A. Carolyn Wade.

14 Q. Do you recognize the person in the second and third
15 photos?

16 A. I do.

17 Q. Is it the same person?

18 A. Yes, it is.

19 Q. Do you recognize anything about the clothing that's worn
20 by Carolyn Wade in this photo?

21 A. I do.

22 Q. What do you recognize?

23 A. She's in her BSO uniform.

24 Q. How can you tell that?

25 A. Because if you zoom in and brighten the photo a little

1 bit, you can tell there are shoulder straps -- green shoulder
2 straps, the same place where somebody would put a radio or an
3 epaulet, very similar to the BS0 uniform.

4 Q. What was the IP address that was used to perform this
5 selfie part of the verification?

6 A. 174.228.36.184.

7 Q. And what was the name or the model of the device that was
8 used?

9 A. It was an Android 11 SM-N986U on a Chrome mobile browser.

10 Q. And that's the model that you just read for the Note20
11 Ultra 5G?

12 A. That's correct.

13 Q. We're now moving to slide twelve.

14 And what are we looking at here?

15 A. This is the Persona verification that passed for Carolyn
16 Wade's PPP application.

17 Q. Okay. Do you recognize the person in the photograph?

18 A. I do.

19 Q. Who do you recognize it to be?

20 A. Carolyn Wade.

21 Q. Do you recognize the clothing that Ms. Wade is wearing in
22 the photograph?

23 A. I do, yes.

24 Q. Is it the same clothing that we looked at in the
25 photographs that were taken during the first Persona

1 verification attempt?

2 A. Yes. It's the BSO uniform.

3 Q. And this second attempt, which you testified was
4 successful, what was the last three of the IP address that was
5 used for this selfie?

6 A. 184.

7 Q. And that's the IP address owned by Verizon?

8 A. That's correct.

9 Q. And what was the device and the operating system and the
10 browser that was used for the second Persona identification
11 verification?

12 A. It was an Android 11, model number SM-N986U, and a Chrome
13 mobile browser.

14 Q. That's the same phone that was used for the first attempt?

15 A. That's correct.

16 Q. Now we're on slide 13.

17 What happened on May 18, 2021?

18 A. The DocuSign certificate of completion for the PPP
19 application belonging to Carolyn Wade was signed.

20 Q. And is that what is in Government Exhibit 116 that you
21 have included on this slide?

22 A. Yes, it is.

23 Q. And this is a certificate of completion for a DocuSigning
24 event?

25 A. That's correct.

1 Q. What event?

2 A. Signing the PPP application.

3 Q. And what was the IP address that was used to perform that
4 signing event?

5 A. 174.228.6.224.

6 Q. Whose IP does that belong to?

7 A. Verizon.

8 Q. And did you see that IP being used that day anywhere else
9 in the record that's in evidence?

10 A. Yes.

11 Q. Where?

12 A. In Carolyn Wade's USAA bank account.

13 Q. Agent, are you familiar with the DocuSign process?

14 A. Yes.

15 Q. Are you familiar with the creation of a DocuSign account?

16 A. I am, yes.

17 Q. Is the creation of a DocuSign account the same thing as a
18 DocuSign signing event?

19 A. No, it is not.

20 Q. Can those things happen on two different dates, the
21 creation of a DocuSign account and the signing of a document
22 by DocuSign?

23 A. Absolutely.

24 Q. When a DocuSign account is created, do you know whether it
25 is possible to create a signature during the account creation?

1 A. It is, yes.

2 Q. Do you know whether DocuSign allows for a signature --

3 MR. WILCOX: Objection, Your Honor. I'd like to have
4 a foundation that it's her expertise in this matter.

5 BY MR. SNIDER:

6 Q. Ms. DiPietrantonio, have you used DocuSign before?

7 A. I have, yes.

8 Q. Have you ever created a DocuSign account?

9 A. No, I have not.

10 Q. Have you ever done any research about creating a DocuSign
11 account?

12 A. I have.

13 Q. Where did you do that research?

14 A. On the Internet.

15 Q. Where on the Internet?

16 A. On DocuSign's website.

17 Q. Does DocuSign on its website provide instructions and
18 information about creating an account?

19 A. Detailed ones, yes.

20 Q. Does DocuSign on its website provide information about
21 creating signatures on its account?

22 A. It does.

23 Q. Did you review that information?

24 A. I did.

25 Q. Are you basing your testimony as to what you're speaking

1 to regarding DocuSign based on what you learned from
2 DocuSign's website?

3 A. I am.

4 MR. SNIDER: May I proceed?

5 THE COURT: What is the question now?

6 BY MR. SNIDER:

7 Q. The question is, I was asking the witness about whether or
8 not a signature could be saved in your DocuSign account.

9 A. It can.

10 THE COURT: I'm sorry. I didn't hear you. Whether a
11 signature?

12 MR. SNIDER: Could be saved.

13 THE COURT: Have you saved a signature on DocuSign?

14 THE WITNESS: Have I personally?

15 THE COURT: Yes.

16 THE WITNESS: No, but I know that it can be done.

17 MR. WILCOX: Objection, Your Honor. That's
18 nonresponsive. That's not what you asked her.

19 THE COURT: Just give me a legal basis, please.

20 So you haven't done it yourself but you read the
21 instructions. Is that what you're suggesting?

22 THE WITNESS: I've read DocuSign's website and I've
23 sat next to somebody else who has logged onto their DocuSign
24 and seen their saved signatures on their account.

25 MR. SNIDER: May I ask another --

1 THE COURT: Just one moment.

2 So you sat next to someone else doing it. Is that
3 what you're telling me?

4 THE WITNESS: Right, who did have a DocuSign account,
5 yes.

6 BY MR. SNIDER:

7 Q. Let me ask it this way.

8 Have you personally seen saved signatures in a
9 DocuSign account?

10 A. Yes, I have.

11 Q. So do you therefore know that it's possible to save
12 signatures in an account?

13 A. It is.

14 MR. SNIDER: May I proceed?

15 THE COURT: All right. If there's no objection.

16 BY MR. SNIDER:

17 Q. So that's on the account side. Now let's talk about the
18 actual signing.

19 Do you know when you go to sign a document by
20 DocuSign whether you can select signatures that have been
21 saved in your DocuSign account?

22 A. You can, yes.

23 Q. We are moving on to slide 14.

24 What happened on May 19, 2021, at 1:08 AM?

25 A. Womply sent an email that belongs to Carolyn Wade via

1 ckidd -- with two Ds -- 1226@gmail.com.

2 Q. Okay. And was that after the DocuSigning event that we
3 just looked at on slide 13?

4 A. It was, yes.

5 Q. And for the record, that was the DocuSigning event for the
6 first PPP loan application in this case that is in evidence as
7 Government Exhibit 116?

8 A. That's correct.

9 Q. Can you read paragraph 2 of this email?

10 A. "You may have noticed unusual changes to your PPP
11 application status. We are in the process of moving hundreds
12 of thousands of applications between lenders and the SBA to
13 get as many borrowers approved as possible. We apologize for
14 any confusion this may cause, and we anticipate that all the
15 application statuses will be updated in the next 48 hours. If
16 we email you asking you to take action on your application,
17 please do so."

18 Q. Following this email on May 19, 2021, at 1:08 AM, that was
19 sent to Carolyn Wade's email address, did you see other emails
20 sent to Carolyn Wade alerting her to take action on her
21 application?

22 A. Numerous, yes.

23 Q. Did that include reminders to do another DocuSign?

24 A. It did, yes.

25 Q. We're moving on now to slide 15.

1 What happened on May 19, 2021, at 8:06 AM?

2 A. There was a Womply login on May 19, 2021, to Carolyn
3 Wade's portal from the IP address ending in 130 belonging to
4 the Broward Sheriff's Office.

5 Also on that day, there was USAA logins from the IP
6 address ending in 130 to Ms. Wade's bank account.

7 Q. Was it that day or is it some other day that that --

8 A. I misspoke. It was a different day. But that bank
9 account does log in via that IP address to Ms. Wade's account.

10 Q. So the BS0 IP address had been used previously to log into
11 Ms. Wade's USAA bank account?

12 A. That's correct.

13 Q. And on May 19, 2021, that IP at BS0 was used to log into
14 her Womply account?

15 A. Correct.

16 Q. We're now on slide 16.

17 What happened on May 20, 2021, at 4:57 PM?

18 A. There was a Womply login attempt to Ms. Wade's portal at
19 4:57 PM from the Android 11 device, model number SM-N986U.

20 Also on that same day from that same IP address, there was a
21 login to Ms. Wade's USAA bank account also from an Android
22 app.

23 Q. Was the login to Womply successful?

24 A. Yes, it was.

25 Q. And did you hear the testimony from Womply's witness in

1 this case?

2 A. I did.

3 Q. What is your understanding as to what a user can see once
4 they're logged into Womply's portal?

5 A. Everything.

6 Q. When you say everything, what are you referring to?

7 A. The Schedule C that was uploaded, the bank accounts that
8 were uploaded, the information in their application.

9 Q. Including information that had been entered prior to the
10 login in question?

11 A. That's correct.

12 Q. So the USAA information from Government Exhibit 300,
13 what's that showing?

14 A. That's showing that an Android app logged in via an IP
15 address ending in 84 on May 20, 2021, to Ms. Wade's bank
16 account.

17 Q. The same IP that was used to log into the Womply portal?

18 A. Yes.

19 Q. And what is the IP address ending in 84 or where is that
20 assigned?

21 A. It's assigned to the billing address 6110 Reese Road,
22 Apartment 207 -- it says it twice -- Apartment 207, Davie,
23 Florida, belonging to Carolyn Wade.

24 Q. That was my next question. Do you recognize that address?

25 A. Yes.

1 Q. Is it your understanding that this IP was assigned to
2 Carolyn Wade's house?

3 A. Yes.

4 Q. You've selected some information here from
5 Government 115.1?

6 A. Yes.

7 Q. What are you showing here?

8 A. This is the same make, model number, and browser that took
9 the selfie pictures of Carolyn Wade when she submitted her
10 Persona verification.

11 Q. Which happened earlier?

12 A. Yes.

13 Q. We're now on slide 17.

14 What happened on May 22, 2021, at 10:24 AM?

15 A. There was a Womply login to Ms. Wade's account from an IP
16 address ending in 127 at 10:24 AM from an Android 11, model
17 number SM-N986U, again from an IP address ending in 127.

18 Q. Was it using a Chrome mobile browser?

19 A. It was, yes.

20 Q. And the IP address ending in 127, who owns that?

21 A. Verizon.

22 MR. WILCOX: Excuse me?

23 BY MR. SNIDER:

24 Q. Counsel may not have heard your response. I'll ask it
25 again.

1 The IP address ending in 127, who owns that?

2 A. Verizon.

3 Q. Is that the same model number for the Note20 Ultra 5G?

4 A. Yes, it is.

5 Q. We're now moving on to slide 18.

6 What happened on May 24, 2021, at 9:55 AM?

7 A. Womply sent another email to the email address ckidd --
8 with two Ds -- 1226@gmail.com.

9 Q. And are we looking at, on slide 18, the email that was
10 sent at that time?

11 A. Yes.

12 Q. And what's the nature of this email?

13 A. Womply's telling their customer to sign their DocuSign.

14 Q. Which customer?

15 A. Carolyn Wade.

16 Q. Is this an example of one of the DocuSign reminder emails
17 that you mentioned a moment ago that had been sent to Carolyn
18 Wade?

19 A. Yes, it is.

20 Q. So this is one --

21 A. Multiple.

22 Q. -- of additional ones?

23 A. Correct.

24 Q. We're now moving on to slide 19.

25 What happened on May 27, 2021, at 10:49 AM?

1 A. There was a login to Ms. Wade's Womply portal from an IP
2 address ending in 130 belonging to BS0.

3 BY MR. SNIDER:

4 Q. Is that that BS0 network that Mr. Rodriguez testified
5 about?

6 A. It is, yes.

7 Q. Is that network open to the public?

8 A. No, it is not.

9 Q. What do you need in order to log onto the BS0 network?

10 A. Credentials provided by BS0.

11 Q. Now we're looking at slide 20.

12 What happened on May 28, 2021?

13 A. The second DocuSign for the PPP application belonging to
14 Carolyn Wade was signed from an IP address ending in 84 owned
15 by AT&T.

16 Q. And do you recognize the 84 IP address?

17 A. I do.

18 Q. Where was that assigned to?

19 A. Carolyn Wade.

20 Q. At her home?

21 A. At her home, yes.

22 Q. Did you see other uses of the 84 IP address from Carolyn
23 Wade's home using an Android app?

24 A. Yes, I did.

25 Q. What did you see?

1 A. The days before and after the DocuSign was signed -- this
2 specific DocuSign on May 28, there were logins to Ms. Wade's
3 USAA bank account also from an IP address ending in 84 also on
4 an Android app.

5 Q. An IP address or the same IP address?

6 A. The same IP address.

7 Q. We're now on slide 21.

8 What happened on June 5, 2021, at 6:54 AM?

9 A. This is another Womply login to Ms. Wade's portal from an
10 IP address ending in 84 from an Android 11, model number
11 SM-N986U, on a Chrome mobile browser.

12 Q. Is that the same 84 IP address that we looked at a moment
13 ago that is assigned by AT&T to Carolyn Wade's home?

14 A. Yes.

15 Q. What else happened on June 5th from that IP address?

16 A. There were six additional logins to Ms. Wade's USAA bank
17 account.

18 Q. Were some of those logins from an Android device?

19 A. Yes.

20 Q. I'm sorry. Back on slide 21.

21 What was the device, if you didn't say it already,
22 that was used to perform that login to Womply's portal,
23 Carolyn Wade's account, using the 84 address that was assigned
24 to her house?

25 A. It was an Android 11, model number SM-N986U, on a Chrome

1 mobile browser.

2 Q. For the record, is that the model number for the Note20
3 Ultra 5G?

4 A. It is, yes.

5 Q. Now we're moving to slide 22.

6 What happened on June 7, 2021?

7 A. Ms. Wade received the proceeds of her PPP loan into her
8 USAA bank account.

9 Q. And how much was that loan for?

10 A. \$20,833.

11 Q. What else happened on June 7th, 2021?

12 A. Subsequent to the PPP proceeds going into her account,
13 Ms. Wade paid \$1,000 via Zelle to Haydee Granados.

14 Q. And based on your analysis of the bank records, what was
15 the source of that \$1,000 payment to Haydee Granados?

16 A. The PPP loan.

17 Q. So that's June 7, 2021?

18 A. Correct.

19 Q. What happened on June 8, 2021?

20 A. Carolyn Wade writes her first salary check to herself for
21 \$500.

22 Q. Does she sign it?

23 A. She does.

24 Q. Does she endorse it?

25 A. She does.

1 Q. What happened on June 10th, 2021?

2 A. Carolyn Wade writes a check to Tracy Wade for \$1,000 also
3 for salary purposes.

4 Q. Does Carolyn Wade sign it?

5 A. Yes, she does.

6 Q. Does Wade Funeral Home endorse it?

7 A. Yes, they do.

8 Q. What happened on June 11, 2021?

9 A. Carolyn Wade wrote a \$1,000 check to herself for salary.

10 Q. Does she sign it?

11 A. She does.

12 Q. Does she endorse it?

13 A. She does.

14 Q. What happened on June 16th, 2021?

15 A. Carolyn Wade writes herself a salary check for \$2,000.

16 Q. Does she sign it?

17 A. She does.

18 Q. Does she endorse it?

19 A. She does.

20 Q. What happened on June 17, 2021?

21 A. Carolyn Wade writes a check for a thousand dollars to
22 Tracy Wade also for salary.

23 Q. Does Carolyn Wade sign it?

24 A. She does.

25 Q. Does the Wade Funeral Home endorse it?

1 A. They do.

2 Q. What happened on June 24, 2021?

3 A. Carolyn Wade writes a check to Tracy Wade for \$1,000 for
4 salary purposes.

5 Q. Does Carolyn Wade sign it?

6 A. She does.

7 Q. Is there some kind of endorsement?

8 A. There is.

9 Q. What happened on July 1, 2021?

10 A. Carolyn Wade writes another salary check to Tracy Wade for
11 \$1,000.

12 Q. Does Carolyn Wade sign it?

13 A. She does.

14 Q. Is there an endorsement?

15 A. There is.

16 Q. What happened on -- this is out of order, but that's okay.
17 Going back, did something happen on June 25, 2021?

18 A. Yes.

19 Q. What happened?

20 A. Carolyn Wade writes herself a check for \$2,000 for salary
21 purposes.

22 Q. Did Carolyn Wade sign that check?

23 A. She does.

24 Q. Did Carolyn Wade endorse that check?

25 A. She does.

1 Q. Jumping back to July, what happened on July 2, 2021?

2 A. Carolyn Wade writes herself a check for \$2,000 for salary.

3 Q. Did Carolyn Wade sign it?

4 A. Yes, she does.

5 Q. Did Carolyn Wade endorse it?

6 A. She does.

7 Q. What happened on June 15th, 2021?

8 A. Carolyn Wade writes herself another check for \$2,400 for
9 salary purposes.

10 Q. Did Carolyn Wade sign that check?

11 A. She does.

12 Q. Did Carolyn Wade endorse that check?

13 A. She did.

14 Q. What happened on July 26, 2021, at approximately 5:51 PM?

15 A. There was an additional login to the Womply portal,
16 specifically Ms. Wade's account, on July 26, 2021, at 5:51 PM
17 coming from an IP address ending in 200.

18 Q. Who owns the IP address ending in -- why don't you say the
19 whole address for the record.

20 A. 174.211.162.200.

21 Q. Who owns that IP address?

22 A. Verizon.

23 Q. What else happened from that IP address on July 26, 2021?

24 A. An Android app from the same IP address logs into
25 Ms. Wade's USAA bank account.

1 Q. What was the device that was used to log into Womply?

2 A. It was an Android 11, model number SM-N986U, from a Chrome
3 mobile browser.

4 Q. Is that the model number for the Note20 Ultra 5G?

5 A. It is.

6 Q. And does that fall within the period in which that Note
7 Ultra 5G was assigned Carolyn Wade's phone number?

8 A. It does.

9 Q. What happened on August 7, 2021, at approximately 3:15 AM?

10 A. Womply sent another email to Carolyn Wade via email
11 address ckidd1226@gmail.com.

12 Q. Is that email that was sent at that date and time
13 displayed in slide 34?

14 A. It is.

15 Q. Is that email in evidence, Government Exhibit 138?

16 A. It is.

17 Q. What's the nature of this email?

18 A. This is telling the customer, in this case Carolyn Wade,
19 that they launched a new way to apply for forgiveness.

20 Q. What does it say in this paragraph that I'm highlighting?

21 A. "Your lender has prestaged your completed SBA PPP
22 forgiveness application. This application can be completed in
23 less than five minutes by clicking here and following
24 instructions provided by the SBA."

25 Q. What does it say in the paragraph I'm highlighting now?

1 A. "Failure to complete this application will soon result in
2 the requirement to begin making payments on this loan
3 obligation."

4 Q. And this email was sent on what date and time?

5 A. August 7, 2021, at 3:15 AM.

6 Q. What happened later in the day on August 7, 2021?

7 A. Ms. Wade signs the DocuSign for her forgiveness
8 application.

9 Q. Let's walk through that. What was the IP address that was
10 used for that DocuSigning event?

11 A. It was 107.131.161.84.

12 Q. And what IP address is that, if you recognize it?

13 A. That's the IP address that goes back to Carolyn Wade's
14 residence.

15 Q. What time was this signed?

16 A. 7:53 PM.

17 Q. On what date?

18 A. August 7, 2021.

19 Q. When is that in relation to when it was sent -- the
20 DocuSign email?

21 A. It was sent about two minutes earlier.

22 Q. And where was the DocuSign sent to?

23 A. The email address ckidd1226@gmail.com.

24 Q. Anything else happen around that time from the 84 IP
25 address assigned to Carolyn Wade's house?

1 A. Yes.

2 Q. What happened? Did you include it on the slide?

3 A. I did.

4 Q. What is it?

5 A. An Android app logged onto Ms. Wade's USAA bank account
6 from the same IP address ending in 84.

7 Q. Have you prepared a summary of the activity that you just
8 testified about?

9 A. I did.

10 Q. Is that summary displayed on slide 36?

11 A. It is.

12 Q. How many DocuSign events for an SBA Form 2483C for a
13 Paycheck Protection Program loan for Carolyn Wade were signed?

14 A. Two.

15 Q. How many logins to Womply occurred from a BS0 IP address?

16 A. Two.

17 Q. How many Womply logins occurred from an IP address that
18 was owned by Verizon Wireless in 2021?

19 A. Five.

20 Q. How many Persona photos were taken of Carolyn Wade for
21 identity verification?

22 A. Six.

23 Q. How many Persona sessions occurred from the Verizon
24 Wireless IP ending in 184?

25 A. Seven.

1 Q. How many Womply logins occurred from an Android 11,
2 Samsung model SM-986U?

3 A. Nine.

4 Q. How many payroll checks with the word salary in the memo
5 were signed by Carolyn Wade and made out to either Carolyn
6 Wade or Tracy Wade?

7 A. Ten.

8 Q. What was the total amount of those checks, approximately?

9 A. \$13,900.

10 Q. How many Zelle payments did you see to a person named
11 Haydee Granados?

12 A. One.

13 Q. What was the total amount of that Zelle payment?

14 A. \$1,000.

15 Q. How many photos were uploaded to Womply's website through
16 Persona of Carolyn Wade's Florida Driver's License?

17 A. 12.

18 Q. How many Womply transactions occurred on Womply's website
19 from an IP address owned by Verizon in 2021?

20 A. 15.

21 Q. How many emails were sent from Womply to Carolyn Wade's
22 email address ckidd1226@gmail.com in connection with this PPP
23 loan application?

24 A. 26.

25 Q. And how many successful two-factor authentications

1 occurred into the Womply website either for a code sent to
2 Carolyn Wade's email address or phone number?

3 A. Thirty.

4 MR. SNIDER: The Government tenders the witness for
5 cross-examination.

6 CROSS-EXAMINATION

7 BY MR. WILCOX:

8 Q. Good afternoon, Ms. DiPietrantonio.

9 A. Good afternoon.

10 Q. I've worked on that.

11 A. Good job.

12 Q. Let me just ask you something. You mentioned -- one
13 moment, Your Honor. I'm sorry.

14 You spoke, Agent -- you spoke about a model number of
15 a phone used by Ms. Wade. Let me see here.

16 I apologize, Your Honor.

17 Do you have your demonstrative aid in front of you?

18 A. I do not, no.

19 Q. May I have a copy? Because I'm not going to use the ELM0,
20 I don't believe.

21 MR. SNIDER: It probably has my notes.

22 THE COURT: Is there a hard copy of it or not?

23 MR. SNIDER: I had one copy that I gave to the
24 defense and I have one copy for us.

25 MR. WILCOX: I found the information that I'm looking

1 for. I apologize to the Court.

2 Can we publish it?

3 BY MR. WILCOX:

4 Q. Right here.

5 You have this Note20 Ultra 5G, and you've identified
6 that phone as belonging to Carolyn Wade; is that right?

7 A. Correct.

8 Q. And then there was a model number -- if I can just find
9 the page here.

10 Government, can you tell me what page the model
11 number is referenced on?

12 MR. SNIDER: There's an instance of it on slide
13 seven.

14 MR. WILCOX: Thank you very much. I appreciate that.

15 BY MR. WILCOX:

16 Q. All right. Android 11, SM-N986U.

17 Now, are you familiar with an IMEI number for a
18 phone?

19 A. Yes, I am.

20 Q. What is that?

21 A. The international mobile equipment identifier.

22 Q. Okay. Each phone has a separate one?

23 A. That's correct.

24 Q. Okay. So if someone else had this model number phone, it
25 doesn't necessarily mean it was Ms. Wade's; is that right?

1 A. That's correct.

2 Q. Okay. So even though you identified this phone as Carolyn
3 Wade's, without having the IMEI number, you can't really say
4 that it was her phone, can you?

5 A. I don't think I identified that phone as Carolyn Wade. I
6 identified that she also held that same device.

7 Q. I'm glad we cleared that up.

8 Okay. So what we can say is that Ms. Wade owned this
9 type of phone?

10 A. Correct.

11 Q. Okay. Can't say that these events came from Ms. Wade,
12 though?

13 A. That's correct.

14 Q. You can't say that? You can't swear under oath to that,
15 can you?

16 A. I do not, no.

17 Q. Now, the other thing, you're familiar with the indictment.
18 You're the case agent, are you not?

19 A. Correct.

20 Q. What I should be asking you is have you reviewed this
21 indictment?

22 A. Not recently, no.

23 Q. I have a copy. May I approach the witness?

24 THE COURT: Of course.

25 THE WITNESS: Thank you.

1 BY MR. WILCOX:

2 Q. Now, there's been some testimony that Ms. Wade paid a
3 thousand dollars to Haydee Granados right around the time she
4 got the PPP loan, the \$20,833. Is that it?

5 A. Correct.

6 Q. Okay. Now, the indictment doesn't refer to that, does it?

7 A. No, it does not.

8 Q. Okay. That's not listed as one of the ways that this
9 fraud was committed, is it?

10 A. No. That's not in the indictment.

11 Q. Okay. Thank you.

12 And with respect to that thousand-dollars matter, you
13 subpoenaed Ms. Wade's bank account so you can kind of make a
14 link between a payment of a thousand dollars and her receiving
15 the loan. Did you subpoena any other bank accounts that
16 Ms. Wade had?

17 A. Just to be clear, I did not subpoena the account --

18 Q. Okay.

19 A. -- to see the thousand-dollar payment. I subpoenaed the
20 account to see how she used the proceeds of the loan and if
21 she made the money she claimed on the Schedule C submitted
22 with her application.

23 Q. Did you subpoena any of her other bank accounts?

24 A. Her other USAA accounts, yes.

25 Q. Okay. Now, in the checking account where the money from

1 the loan went into, there was not a whole lot of money; is
2 that right?

3 A. Relative to who you are asking, but I think I agree with
4 you, yes.

5 Q. Okay. I think it was like \$45 or something?

6 A. Right before the loan, yes.

7 Q. Right before the loan.

8 A. Approximately.

9 Q. She had a large amount of money in her other accounts; is
10 that right?

11 A. Correct.

12 Q. Would \$200,000 sound about right?

13 A. I don't know the exact number.

14 Q. That doesn't sound wrong, though, does it?

15 A. Again, I don't know the exact number. I would have to see
16 the records.

17 Q. And just so we're clear, what day was the loan uploaded?

18 A. Was the loan uploaded?

19 Q. I'm sorry, the application. I got it -- I'm sorry. The
20 PPP loan application, the one that resulted in her being
21 funded the money.

22 A. If you could put up the Womply that shows that, I could
23 give you the date.

24 Q. Okay. Is this the correct page, ma'am?

25 A. No, it's not. I don't believe I have that page in my

1 report.

2 Q. Excuse me?

3 A. That page from Womply is not listed in my report.

4 Q. The date that the loan was actually --

5 A. That the loan packet was submitted.

6 Q. Was submitted?

7 A. Was submitted, right. The status should change in Womply
8 to requested. That spreadsheet is not listed in my report.

9 Q. Well, can you -- well, what I'm trying to get to -- and
10 I'll just ask it directly.

11 Can you tell us which IP address did the loan -- was
12 the loan application loaded from? From which IP address was
13 the loan application uploaded?

14 A. I would have to see the Womply records.

15 Q. You don't know the answer to that question --

16 A. No.

17 Q. -- offhand?

18 So at this point, as you're testifying in this case,
19 you can't say whether an IP address associated with Carolyn
20 Wade uploaded -- let me rephrase it.

21 At this point, right now, you can't say whether or
22 not the application -- the PPP application that resulted in
23 Carolyn Wade receiving a \$20,000 loan was uploaded from an IP
24 address associated with Carolyn Wade?

25 A. I would have to see the Womply record.

1 MR. WILCOX: Well, can you give it to her? No?

2 MR. SNIDER: I mean, it's your cross.

3 THE COURT: Do you want to confer with him? If you
4 want to confer with him, you may, but you don't ask questions
5 of lawyers...

6 MR. WILCOX: Just a minute, Your Honor, before I
7 confer.

8 BY MR. WILCOX:

9 Q. Is there something that would refresh your recollection
10 that would help you determine which IP address sent -- that
11 the PPP application came from?

12 THE COURT: Excuse me, sir. I think one of our
13 jurors wants to take a break, so we're going to be in recess.

14 When you're ready to return, let us know.

15 (Jury exited at 3:33 PM.)

16 (Jury enters at 3:41 PM.)

17 THE COURT: Please continue.

18 BY MR. WILCOX:

19 Q. Agent, can you tell us what date the loan that resulted in
20 the funding of the \$20,833 to Ms. Wade -- what date was that
21 application uploaded?

22 A. When was it uploaded?

23 Q. Yes.

24 A. You're referring to when Womply sent the information to
25 Telstar; is that correct?

1 Q. The application, to whom was it uploaded?

2 A. To Telstar.

3 Q. To Telstar.

4 A. Then it went to the lenders.

5 Q. Then it went to the lenders?

6 A. Correct.

7 Q. When was the application uploaded to Telstar?

8 A. That's what I would need to see the document to refer to.

9 Q. And you don't know what IP address it came from?

10 A. If that information was retained, I imagine it would be on
11 that spreadsheet. But without having it in front of me, I
12 can't say for certain what IP that was.

13 Q. But it wouldn't be in the demonstrative aid that you
14 prepared?

15 A. When it was uploaded, no. If you're referring to when it
16 was DocuSigned, yes.

17 Q. Well, let's do that.

18 When was it DocuSigned?

19 A. I believe it was the 28th.

20 Q. The 28th of May, okay.

21 It was DocuSigned on May 28, 2021, and the IP address
22 is -- it looks like it's 107.131.161.84?

23 A. That's correct.

24 Q. And that address is associated with the Wades' residence?

25 A. That's correct.

1 MR. WILCOX: May I confer for a minute, Your Honor?

2 BY MR. WILCOX:

3 Q. Now, there was an earlier DocuSign on the 18th; is that
4 right?

5 A. Correct.

6 Q. Just a second.

7 And this DocuSign document -- the IP address is
8 174 -- excuse me. It's a contacting source -- an Android app;
9 is that right?

10 A. Where are you seeing on the DocuSign that it was an
11 Android app?

12 Q. Okay. I'm sorry.

13 A. On the DocuSign or on the USAA account?

14 Q. It says, "IP address used for DocuSign May 18, 2021."

15 A. Right.

16 What's your question again?

17 Q. My question was, do we know the source of the device or
18 the location of the device from where this was DocuSigned?

19 A. No. That wasn't provided to us.

20 Q. The contacting source, what is that referencing?

21 A. The contacting source refers to a USAA record, not a
22 DocuSign record.

23 Q. And there's an IP address here -- just a minute. Just
24 bear with me, everybody.

25 It says a signature drawn on a device.

1 A. Correct.

2 Q. Okay. And this device has an IP address of 174.228.6.224?

3 A. Correct.

4 Q. To whom have you associated that device with any
5 individual or location?

6 A. That's not a device. That's an IP address. That IP
7 address is owned by Verizon, though.

8 Q. Okay. And the location of that IP address?

9 A. That's not something that's retained for Verizon --

10 Q. So we don't --

11 A. -- by Verizon.

12 Q. So this particular document, we don't know from where it
13 was sent?

14 A. We know it was sent from that IP address and that that IP
15 address is owned by Verizon.

16 Q. What does that mean, "it's owned by Verizon"?

17 A. What telephone companies or Internet service providers
18 will do is they'll usually buy a range of IP addresses. This
19 specific IP address ending in 224 was part of the range owned
20 by Verizon Wireless at the time that this loan was signed.

21 Q. But we can't associate it with a particular individual?

22 A. No, we cannot.

23 Q. So are you saying -- I believe -- and excuse me. I'm kind
24 of jumping around a little bit.

25 I believe I heard you testify that if someone had

1 access to -- that you could save a DocuSign; is that right?

2 You can save your signature?

3 A. You can save a signature on your DocuSign account,
4 correct.

5 Q. I'll try to cut to the chase.

6 So someone else other than Carolyn Wade may have put
7 the CW that's here. Is that --

8 A. I don't know who put that CW. I just know that it was put
9 there from that IP address.

10 MR. WILCOX: One moment, Your Honor.

11 BY MR. WILCOX:

12 Q. Agent, are you familiar with the subpoena that was issued
13 to Womply that requested all the PPP applications associated
14 with Carolyn Wade?

15 A. The subpoena requested the other applications that also
16 used common IP addresses that were used in Carolyn Wade's PPP
17 application.

18 Q. And were there other applications used? Were there other
19 applications --

20 A. That utilized those same IPs, yes.

21 Q. How many?

22 A. Approximately 20.

23 Q. So in response to that request that -- to Womply to
24 provide all PPP applications that were associated with the IP
25 addresses associated with Ms. Wade's loan, there were 21 other

1 files sent; is that correct?

2 A. I don't know the exact number, but that sounds correct,
3 yes.

4 Q. Now, was Haydee Granados associated with any of those
5 files?

6 MR. SNIDER: Objection. Can we come sidebar?

7 THE COURT: Come sidebar.

8 (The following proceedings were held sidebar:)

9 THE COURT: So let me see if I'm clear. This agent
10 has reviewed a number of files, and you're asking if Haydee
11 Granados was on any of the files?

12 MR. WILCOX: Yes.

13 MR. SNIDER: Okay. Your Honor -- Your Honor, this is
14 the line of questioning that I was precluded from going
15 into --

16 THE COURT: Wait a minute. I'm not sure I'm
17 following you now. Precluded from going into?

18 MR. SNIDER: Correct. There was an objection to my
19 asking these questions on direct because the answers were
20 based on records that are not in evidence.

21 THE COURT: But you didn't have a witness on the
22 stand at that time who answered that --

23 MR. SNIDER: It's the same witness -- no, it was this
24 witness, Judge. Right before --

25 THE COURT: She observed lots of files, apparently;

1 is that correct?

2 MR. SNIDER: Yes. They're not in evidence.

3 THE COURT: What are the files that you're
4 referencing?

5 MR. WILCOX: They are files that Haydee Granados was
6 associated with. Our defense here is that Haydee Granados --

7 THE COURT: Okay. Where are the files at? So the
8 files are the evidence --

9 MR. WILCOX: Okay. Where are the files?

10 THE COURT: Did somebody subpoena the files or --

11 MR. MCCRAY: Judge --

12 THE COURT: Did you have the files? I'm unclear now.

13 MR. SNIDER: Let me get -- it is a little confusing.

14 As a result -- can you hear me?

15 THE COURT: I can hear you.

16 MR. SNIDER: As a result of a trial subpoena that the
17 Government -- trial subpoena that the Government served on
18 Wompily, Wompily produced to the United States other PPP loan
19 files that had a nexus and that nexus was a similar IP
20 address.

21 THE COURT: I don't understand.

22 MR. WILCOX: Your Honor, can we --

23 THE COURT: Are you going to shorten this inquiry?

24 MR. WILCOX: Can we just recess until tomorrow?

25 THE COURT: I'm sorry?

1 MR. WILCOX: Can we recess?

2 THE COURT: Well, what is it that -- is there some
3 evidence somewhere?

4 MR. MCCRAY: Judge, we discussed this when we had our
5 call with the Court, I believe, a week ago. What happened is
6 we filed a subpoena -- a motion for a subpoena duces tecum.

7 THE COURT: That I signed.

8 MR. MCCRAY: Yes, you did.

9 In the motion, we indicated that we needed these
10 documents, that the Government didn't have them. We learned
11 at that time that the Government was in possession --

12 MR. SNIDER: Of similar --

13 MR. MCCRAY: Please let me finish.

14 THE COURT: One moment.

15 MR. MCCRAY: The Government was in possession of a
16 lot of these documents that we were seeking, but the
17 Government didn't believe at that time that they had a duty to
18 turn them over to us.

19 THE COURT: But you subpoenaed them from -- and you
20 subpoenaed them --

21 MR. MCCRAY: And we received them last week, Judge.

22 THE COURT: Okay.

23 MR. MCCRAY: 21 files -- 21 -- thousands of pages.

24 THE COURT: All right.

25 MR. MCCRAY: And so we did receive them. And in

1 that, it showed Haydee Granados had basically been preparing
2 other applications for other people. We sent a subpoena to
3 her to bring us various documents --

4 THE COURT: To her?

5 MR. MCCRAY: Yes.

6 THE COURT: To Haydee Granados?

7 MR. MCCRAY: Yes.

8 She came with her lawyer to my office, met with me
9 and met with my assistant, and she denied much of the
10 questions and that she had these documents. But now we've
11 learned that she's not been forthright with us with respect to
12 the documents that we've received.

13 THE COURT: What does that have to do with the
14 question he's asking? What does that have to do with --

15 MR. SNIDER: My objection is that he is -- is that
16 the records that he's referring to are not in evidence. The
17 Government turned them over to them as a courtesy. We said --
18 this is what the Government's position was, and it's in
19 writing.

20 I said, "I understand you're trying to subpoena
21 records relating to Haydee from the SBA. The Government does
22 not have those records. However, we think that we have
23 similar records that you might be seeking. As a courtesy,
24 I'll give you all those records. The Government" --

25 THE COURT: When you say similar records, you mean

1 Haydee Granados's records?

2 MR. SNIDER: Not from the SBA but from Womply, yes.
3 Quite frankly, I haven't looked at them because they weren't
4 related to this case. That said, I turned them over as a
5 courtesy. He's now asking questions about those records that
6 are not in evidence, and it is a line of questioning that I
7 was trying to go down with this exact witness before lunch.
8 They raised a hearsay objection. They said he's asking
9 questions that are not in evidence. It's the exact same
10 thing.

11 THE COURT: The objection is hearsay --

12 MR. SNIDER: Yes.

13 THE COURT: -- and that objection is sustained. I
14 mean, that's an easy --

15 MR. SNIDER: It's the same one that he raised against
16 me.

17 THE COURT: But if you have some documents you want
18 to introduce -- you're asking her knowledge about some hearsay
19 documents, you see.

20 MR. WILCOX: Your Honor, I did not ask her to comment
21 on what is contained in those documents. I asked -- I'm
22 simply asking her is she aware of --

23 THE COURT: That's hearsay, sir. She's aware of
24 something that's outside of the court. There's no
25 exception -- there's no case agent exception to the hearsay

1 rule.

2 MR. WILCOX: I'm aware of that, Judge, but there's no
3 assertion either.

4 THE COURT: I don't know what to say, sir. I'm
5 sustaining the objection. I don't know what other documents
6 they are. You subpoenaed some documents. If you want to
7 introduce some documents, I'm happy to consider it, but right
8 now the objection is sustained.

9 MR. WILCOX: Okay.

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

11 THE COURT: The objection is sustained.

12 BY MR. WILCOX:

13 Q. Agent, did part of your investigation include
14 investigating Haydee Granados?

15 A. Only with respect to the money that Carolyn Wade paid her.

16 Q. And only with respect to the money that she paid them?

17 A. That Carolyn Wade paid Haydee Granados.

18 Q. Paid Haydee Granados.

19 That is the only part of your investigation that
20 involved Haydee Granados?

21 A. Yes.

22 Q. So you did not investigate whether or not she prepared the
23 loan applications in this case?

24 MR. SNIDER: Objection.

25 THE COURT: Sustained.

1 MR. WILCOX: One moment, Your Honor.

2 THE COURT: Yes, sir.

3 BY MR. WILCOX:

4 Q. And did your investigation conclude what the payment would
5 have been for?

6 MR. SNIDER: Objection.

7 THE COURT: Sustained.

8 BY MR. WILCOX:

9 Q. Part of your investigation did involve looking into
10 Ms. Wade's tax returns; is that correct?

11 A. That's correct.

12 Q. And if you recall, what was Ms. Wade's annual salary?

13 A. I believe it was in the 80,000s.

14 Q. \$80,000 per year.

15 And the loan in this case involved 20,000 -- Your
16 Honor, it's 4 o'clock.

17 THE COURT: You don't have to stop in the middle of
18 your question.

19 MR. WILCOX: I would not mind, Your Honor.

20 THE COURT: Do you have any idea how many more
21 questions you have?

22 MR. WILCOX: Yeah, about eight or nine -- I'm not
23 sure, Your Honor, to tell you the truth.

24 THE COURT: All right.

25 All right. Ladies and gentlemen, I have a 4:00 PM

1 hearing, so I think that some -- are some of the parties here
2 on the 4:00 PM hearing? All right. So we're going to recess
3 at this time. We will resume tomorrow morning at 9:30 -- I'm
4 sorry -- Friday morning at 9:30 AM, and please remember not to
5 discuss the case in any way and have a great afternoon.

6 (Jury exited at 4:02 PM.)

7 THE COURT: All right. We will resume Friday at
8 9:30 AM.

9 Are there any additional matters I need to entertain
10 at this time from counsel?

11 MR. WILCOX: Say that again, Your Honor. I'm sorry.

12 THE COURT: Are there any additional matters that I
13 need to entertain at this time?

14 MR. WILCOX: Not from the defense at this time. We
15 may have some matters on Friday morning.

16 THE COURT: Well, why don't you tell me now.

17 MR. WILCOX: We've got to confer, Judge. I mean,
18 there's a lot of moving parts, Your Honor.

19 THE COURT: All right.

20 Government, any additional matters?

21 MR. SNIDER: Not at this time.

22 THE COURT: Thank you. We are in recess.

23 (The proceedings concluded at 4:04 PM.)
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: 19th of July, 2024

/s/Lance W. Steinbeisser

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FCRR, RPR, FPR-C
Official Court Reporter
United States District Court
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