

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CLACKAMAS

SHARON NEAL,	)	
	)	
Plaintiff,	)	Case No. 18CV02117
	)	
v.	)	
	)	
NATALIA NEAL,	)	
	)	
Defendant.	)	

DEPOSITION OF SHARON NEAL
Taken in behalf of the Defendant

August 17, 2018

* * *

1 performance, quiet title, resulting trust, rescission, and
2 unjust enrichment, fraud, and constructive trust, breach
3 of fiduciary duty, declaratory relief, and injunctive
4 relief; is that correct?

5 **A. Yes.**

6 Q. In the complaint on paragraph 6 you say that in
7 1999 Dr. Neal -- let me withdraw that.

8 Dr. Neal, is that your husband?

9 **A. Yes.**

10 Q. So Dr. Neal, in 1999, suffered a financial
11 hardship; is that correct?

12 **A. Yes.**

13 Q. And what was the nature of that financial
14 hardship?

15 **A. I don't know.**

16 Q. Did you write this complaint?

17 **A. I did.**

18 Q. Did anybody help you write the complaint?

19 **A. I've had help.**

20 Q. Who helped you write the complaint?

21 **A. Family members.**

22 Q. What family member?

23 **A. There are a various number of family members.**

24 Q. I need you to give me a specific answer there.

25 **A. I've had help from Theresa Neal and from a**

1 **friend. Her name is Vlada, V-L-A-D-A.**

2 Q. So when you say you don't know that Dr. Neal
3 suffered a financial hardship, did you write that in the
4 complaint?

5 MR. STEVENS: I'm going to object as to
6 misstatement. The complaint says he suffered. She says
7 she doesn't know what it was, not that he --

8 MR. ADAMS: You're correct. I'll clarify
9 that. I appreciate that.

10 BY MR. ADAMS:

11 Q. So Dr. Neal suffered a financial hardship; is
12 that correct?

13 A. Yes.

14 Q. Do you know what that financial hardship was?

15 A. No, I don't.

16 Q. Why did you write that in the complaint if you
17 didn't know what it was?

18 A. That was the circumstances that caused the house
19 issue.

20 Q. How long had you been married to Dr. Neal as of
21 1999?

22 A. I don't know.

23 Q. I'm bad at math, too. So did you get married in
24 1971?

25 A. We were married in 1968.

1 Q. So 1968, if my math is correct, that would have
2 been 31 years at that point; is that correct?

3 A. I don't know.

4 Q. So we'll say, assuming my math is correct, 1999
5 is 31 years from 1968. Did you guys have a close
6 relationship?

7 A. He ran his business, and I took care of the
8 family.

9 Q. Is there a reason you didn't know of the
10 financial hardship?

11 A. I knew that it was difficult for him. He didn't
12 discuss it with me much.

13 Q. You say that the Neals -- so I'm guessing "the
14 Neals" is referring to you and Dr. Neal; is that correct?

15 A. Yes.

16 Q. You say that the Neals sold the property to
17 Charles Clayton in 1999; is that correct? And I'll point
18 you to paragraph 6 if you'd like to look at that, what you
19 wrote.

20 A. I believe it was in 1999. Correct.

21 Q. So that's a yes, you guys did sell the property?
22 When I say "you guys," I'm speaking about you and
23 Dr. Neal.

24 A. It appeared -- it was a sale/leaseback. We
25 didn't -- we didn't move from the house. We just paid our

1 **rent to Mr. Clayton.**

2 Q. But you guys had title of the property, and then
3 you gave it to Charles Clayton in exchange for the
4 leaseback?

5 A. **I guess that's how it worked. I don't --**

6 Q. That seems to be what the complaint says. It
7 says you sold the property. I don't believe you can sell
8 a property without title, correct?

9 A. **Correct.**

10 Q. Do you know who Howard Aaronson is?

11 A. **No.**

12 Q. Do you know who Byron Bocker is?

13 A. **No.**

14 MR. ADAMS: Counsel, I'm handing to you
15 what's been marked as Exhibit 2. **Exhibit 2 is what I**
16 **believe to be a 1999 deed to the property. In that deed**
17 **Ms. Neal has that the two individuals I just named were**
18 **the ones that conveyed title to Charles Clayton.**

19 BY MR. ADAMS:

20 Q. Do you know anything about that?

21 A. **No.**

22 Q. So I'll wait and give you a chance to look at
23 that deed, if it's okay with counsel.

24 MR. STEVENS: So take a look at that.

25 THE WITNESS: I don't --

1 BY MR. ADAMS:

2 Q. You don't recognize that document?

3 A. No.

4 Q. So I'll represent to you that that document is
5 the same property description as the one listed in your
6 complaint. If you'd like to take a look at that and
7 confirm that, I will give you a second to do that.

8 A. You're asking me to confirm that this was the
9 property?

10 Q. Correct.

11 A. I'm sure it's the house you're talking about.

12 Q. Sure. And the description is on the back --

13 A. Yes, it's the legal description.

14 Q. So would you like to amend your testimony to say
15 that you didn't sell the property in 1999, but rather
16 these two gentlemen that are listed on Exhibit 2 sold the
17 property?

18 A. I don't know what you're talking about.

19 Q. Okay. Let me clarify. In your complaint in
20 paragraph 6 it says, "The Neals sold the property to
21 Charles Clayton." So what I'm asking you, if you'd like
22 to amend your statement that you didn't sell the property
23 with Dr. Neal, that indeed the two gentlemen listed there
24 on Exhibit 2 were the ones that sold the property?

25 A. I don't -- I don't know who these gentlemen are.

1 Q. How much were the monthly rent payments that you
2 began making to Charles Clayton in 1999?

3 A. I don't know.

4 Q. One of the kind of primary points of this case
5 is that there was a trust created when my client,
6 Natalia Neal, received title to the property. Do you
7 agree with that statement?

8 A. All I know is that we started making payments to
9 Charles Clayton. And I didn't do it; it was done by my
10 husband.

11 Q. Now, so what I'm asking is, in your complaint
12 you allege that there was a trust created. Do you agree
13 with that statement?

14 A. I believe there was a trust established.

15 Q. And were you a part of establishing that trust?

16 A. Yes.

17 Q. You were in the room when that trust was
18 established?

19 A. It was discussed.

20 Q. Give me just a second. I'm going to go a little
21 bit out of order, I apologize, on these exhibits. Do you
22 remember the hearing we had in front of Judge Weber on
23 January 23rd of 2018?

24 A. Yes.

25 Q. Do you remember testifying in that hearing?

1 **A. Yes.**

2 Q. So I'm going to give you a copy. This is
3 page 40. I'll hand it to counsel. It's marked as
4 Exhibit 26.

5 MR. ADAMS: And, Counsel, if you'd like,
6 here's the full transcript from that. It's a bit
7 voluminous. On page 40 -- and I apologize, I didn't look
8 at it before I handed it to you, Counsel.

9 BY MR. ADAMS:

10 Q. But on page 40 there is a statement that you
11 weren't involved in the discussions.

12 **A. I wasn't involved in all of them. We had a**
13 **family discussion with regards to how this was going to**
14 **occur.**

15 Q. Okay. And what was that family discussion?

16 **A. It occurred in -- actually, it was a family**
17 **dinner that we had on March 17th, which was -- we**
18 **celebrated Saint Patrick's Day. It was discussed at our**
19 **family dinner if Natalia would be willing to hold the**
20 **trust in lieu -- for us.**

21 And that was the agreement that was made, that
22 she would hold it. I guess it was called a naked trust or
23 something. It was -- that was a family decision that was
24 made and it was -- I think that's when we felt it was --
25 it would be okay.

1 Q. So it sounds like you were there at -- when the
2 trust was formed.

3 A. Well, we had -- we had a dinner together on
4 Saint Patrick's Day; it was a Monday. It was -- I like to
5 celebrate the holidays. And I agreed to allow it to
6 occur.

7 Q. So your complaint in paragraph 8 says, "For
8 various reasons the Neals did not want to hold legal title
9 to the property in March of 2008." What were those
10 various reasons?

11 A. I believe it was listed as financial hardship he
12 was experiencing.

13 Q. So that was in 1999. And I don't see -- and
14 correct me if I'm wrong here, but I'm talking about
15 paragraph 8 now and we're fast forwarding to March of
16 2008. I don't see any other statements there. It just
17 says "for various reasons." So are you telling me that
18 the reasons were because of financial hardship?

19 A. In paragraph 8 it states, "For various reasons
20 the Neals did not want to hold legal title."

21 Q. Correct. So what I'm asking is, what were those
22 various reasons?

23 A. I don't know. It was -- I really don't know.

24 Q. So help me understand, because I'm starting to
25 become confused because -- and I'm not trying to be

1 unkind, but it seems like you're saying you don't know to
2 a lot of stuff that you wrote in this complaint and
3 verified.

4 So if you're making an accusation, I'd like to
5 know what those reasons were. And I just want to confirm,
6 are you telling me you don't know what those reasons are?

7 **A. I believe that he had issues with his business,**
8 **and I wasn't involved with it.**

9 Q. What do you mean "he had issues with his
10 business"?

11 **A. I really don't know. I was not involved.**

12 Q. So you weren't involved in any of the business
13 or financial transactions that --

14 **A. No.**

15 Q. -- your husband was a part of?

16 **A. No, I was not.**

17 Q. Okay. And how did the conversation of this
18 alleged trust come up at dinner on the 17th of March?

19 **A. This had been an ongoing process from 2007 until**
20 **2008. We had one year to be able to buy the house back.**

21 Q. What do you mean you had one year to be able to
22 buy the house back?

23 **A. I think there was a mediated agreement. It was**
24 **established or discussed, and we had a year to get the**
25 **money. I truly was not involved in that.**

1 Q. So you weren't involved in any of the background
2 process leading up to the trust?

3 A. I had a number of conversations with Mr. Clayton
4 when he came to the property. I was the only person
5 there. But my husband dealt with him on the financial end
6 of it.

7 Q. Is Mr. Clayton still alive, do you know?

8 A. He passed away in May.

9 Q. Were you there when -- well, let me get some
10 background here. You say in your complaint in paragraph 8
11 that Natalia Neal agreed to this request, which is what
12 you allege, to be transferring the title back at request
13 and promised her assistance to the Neals, her mother and
14 father-in-law. Are you stating that she made that promise
15 in front of you?

16 A. Yes.

17 Q. And when was that?

18 A. It was when we had our discussion at our dinner.

19 Q. Was there any other time she made that promise
20 that you heard?

21 A. No.

22 Q. In that discussion at the dinner table part of
23 the agreement was that the Neals, which would be you and
24 Dr. Neal, would permit Natalia to reside at the property
25 without the requirement of paying rent, utilities, or any

1 other financial consideration, provided that upon the
2 Neals' request Natalia Neal would vacate the property at a
3 reasonable time after such request; is that a correct
4 statement?

5 **A. Yes.**

6 Q. And did you have that discussion there at the
7 dinner table?

8 **A. I don't remember.**

9 Q. Do you remember any other time you would have
10 had that discussion?

11 **A. No.**

12 Q. So then how do you know that that actually
13 happened?

14 **A. I don't.**

15 Q. So why did you write that in your complaint?

16 **A. Because that was what was assumed.**

17 Q. Is there anything else that was assumed that you
18 wrote in your complaint that you don't remember?

19 **A. I don't know.**

20 Q. Natalia was married to your son Tony in 2008?

21 **A. No.**

22 Q. She wasn't?

23 **A. Oh, she was married to him at that time.**

24 Q. Correct. I'm sorry if you didn't understand. I
25 appreciate you asking me to clarify. So was she married

1 to Tony in 2008?

2 **A. Yes.**

3 Q. When did the marriage start to go kind of sour?

4 **A. I wasn't involved with their relationship.**

5 Q. You make some allegations in your complaint that
6 the marriage started to sour, so it seems you had some
7 involvement; is that correct?

8 **A. They lived their life in the basement, and I**
9 **lived mine upstairs. We -- I was not aware until perhaps**
10 **2015 that there were difficulties. I had been informed of**
11 **some situations that had occurred, which I was very**
12 **disappointed about. But I was -- not my business, it was**
13 **theirs.**

14 Q. Is it safe to say that you and Natalia were
15 always very close friends?

16 **A. We were never close friends.**

17 Q. You were never close with Natalia?

18 **A. I knew her mother's name was Anna. I knew she**
19 **was from Kaliningrad. We did not have any close**
20 **relationship.**

21 Q. You didn't. Okay. I'm curious about this. Why
22 would you make an agreement with Natalia to vacate the
23 property when she was married to Tony, but you wouldn't
24 also have Tony make the same agreement?

25 **A. Tony is not living at the house.**

1 Q. He was in 2008; is that correct?

2 A. Of course.

3 Q. So I'll ask again, and I need a response, if you
4 wouldn't mind. You allege that you made an agreement that
5 Natalia would move out on your request. Did you make a
6 similar agreement with Tony?

7 A. No.

8 Q. But they were married in 2008. So my question
9 is, why would you make an agreement with Natalia that she
10 would have to move out on request when she's indeed
11 married to your son?

12 A. I didn't make that -- I don't believe I made
13 that request in 2008.

14 Q. What part of the trust were you actually
15 involved in making agreements?

16 A. I agreed to allow her to hold the naked title to
17 the house.

18 Q. When was title to the property actually in your
19 name?

20 A. I don't remember.

21 Q. So if it wasn't in your name in 1999, when it
22 was transferred, what authority did you have to make that
23 deal? And when I say "deal," I'm speaking about to create
24 a trust.

25 A. I believe that was part of -- that was made in

1 **2008.**

2 Q. So that's not an answer to my question. What
3 I'm asking is, if your name wasn't on the title in 1999,
4 what authority did you have to enter into any kind of
5 trust agreement with Natalia whereby the property would be
6 disposed of?

7 A. **I don't understand the question.**

8 Q. I appreciate you asking me to clarify. So if
9 you didn't have title to the property in 1999, when it was
10 transferred to Charles Clayton, then what authority did
11 you have in 2007 or 2008, specifically on March the 17th,
12 what authority did you have to enter into a trust
13 agreement that would dispose of that property?

14 A. **I believe that was established in the mediated**
15 **agreement.**

16 Q. Do you have a copy of the mediated agreement?

17 A. **I don't.**

18 Q. Do you know who would have a copy of the
19 mediated agreement?

20 A. **I don't.**

21 Q. You said that, in paragraph 9, Dr. Neal arranged
22 for Natalia Neal to obtain a stated income loan from Chase
23 Bank for the remainder of the purchase price. I'll
24 represent to you, and you can clarify or you can look to
25 confirm on paragraph 9 of your complaint, you put "stated

1 income loan" in quotations. What did you mean by "stated
2 income loan"?

3 **A. That was what it was referred to.**

4 Q. Did you write that sentence in the complaint?

5 **A. I did.**

6 Q. What kind of arrangements did Dr. Neal make in
7 order for Natalia to obtain that stated income loan?

8 **A. I wasn't involved.**

9 Q. So then how do you know -- how can you verify
10 what you put in section 9 of your complaint?

11 **A. That was the agreement that was made to be able
12 to get the loan for her -- or from Chase Bank.**

13 Q. So I don't understand, and maybe I misheard
14 here, so I apologize if I'm being repetitive. Did I hear
15 you correctly, and please correct me, did I hear you
16 correctly when you said you didn't know anything about
17 Dr. Neal arranging for Natalia to obtain the stated income
18 loan?

19 **A. No. I did not know.**

20 Q. But you do know that was part of the agreement?

21 **A. I know that that's what occurred.**

22 Q. But you don't know what kind of arrangements he
23 made?

24 **A. I do not.**

25 Q. I think I'll just do some housekeeping here.

1 This is Exhibit 3. This is the 2008 deed that transfers
2 the property from Charles Clayton to Natalia Neal.

3 MR. ADAMS: And, Counsel, I'm also going to
4 hand to you, at this point, Exhibit 4, 5, and 6.

5 BY MR. ADAMS:

6 Q. Ms. Neal, those documents that I handed to
7 counsel that he'll hand you in just a moment state that
8 the amount borrowed, that my client Natalia's personally
9 liable for is \$690,000. Do you know that to be correct?

10 A. That's what it says.

11 Q. So is that correct?

12 A. I imagine it is.

13 Q. So you don't know if that's correct? I just
14 need a yes or a no.

15 A. Yes.

16 Q. You and Dr. Neal did some substantial work to
17 that property; is that right?

18 A. There were -- there was a construction project.

19 Q. And do you know how much you guys paid to have
20 that done?

21 A. It was an ongoing project, and I wasn't
22 involved.

23 Q. Was Dr. Neal liable for that money if it wasn't
24 paid?

25 A. I wasn't involved.

1 Q. You say, "These improvements" -- in paragraph 12
2 of your complaint you say, "These improvements represented
3 a substantial financial investment on the part of the
4 Neals. The total amount of which shall be proven at
5 trial." Are you telling me you don't know how much you
6 paid?

7 A. I believe there are documents that have been
8 listed that say what was done.

9 Q. What documents are you referring to?

10 A. I believe that I filed a caveat emptor and lis
11 pendens on the property.

12 Q. I'm sorry, say that one more time.

13 A. I filed a document with the court with regards
14 to the improvements on the property.

15 Q. In this case you did?

16 A. I don't know which case. There's been too many.

17 Q. And -- yeah. So I'll get back to, you know,
18 really the root of my questions. What I'm trying to
19 figure out is how much money you guys actually spent.
20 And, again, when I say "you guys," every time I'm
21 referring to you and Dr. Neal -- how much money you
22 actually spent to do these improvements.

23 A. I don't know the dollar amount.

24 Q. Is it true that the construction and
25 improvements to the property were all made under

1 Dr. Neal's direction and control?

2 **A. Yes.**

3 Q. Are you aware that in 2014 there was a lawsuit
4 against my client, Natalia Neal, and your son,
5 Anthony Neal, by Grummel Engineering?

6 **A. I wasn't involved in any of that.**

7 Q. But you were aware of that, right?

8 **A. No.**

9 Q. You weren't aware of that? You never filed any
10 kind of an affidavit in that case or anything?

11 **A. Personally, no.**

12 Q. What do you mean "personally"?

13 **A. I wasn't involved.**

14 Q. Well, I guess what I'm asking is just for some
15 clarification. You said "personally," so that implies
16 maybe there was some other type of involvement. Is
17 that --

18 **A. I had no involvement.**

19 Q. You know if your husband had any involvement in
20 that?

21 **A. I don't know.**

22 Q. Is it safe to say that he would have been aware
23 of that case?

24 **A. I have no idea.**

25 Q. He never talked with you about that case?

1 **A. No.**

2 Q. Do you know if he ever talked with Anthony Neal
3 about that case?

4 **A. I don't know.**

5 MR. ADAMS: Counsel, I'm handing to you
6 Exhibits 6, 7 -- I'm sorry, Exhibits 7, 8, and 9.
7 Exhibit 7 is the OJIN overview of the case, Exhibit 8 is
8 the complaint, and Exhibit 9 is the answer.

9 BY MR. ADAMS:

10 Q. Are you aware that Ms. Neal, my client,
11 Natalia Neal, is now liable for the amount of the
12 construction lien on that property?

13 **A. I believe that's listed.**

14 Q. I'm sorry?

15 **A. I think that's listed as a lien against the**
16 **property.**

17 Q. So you are aware that she has a personal
18 judgment against her for the construction that occurred on
19 the property?

20 **A. I don't know the details of all of it.**

21 Q. So does that mean you don't know?

22 **A. I don't know the dollar amount. I just know**
23 **that there was...**

24 Q. You know that there's a judgment against
25 Ms. Neal, Natalia Neal, is that what you're saying?

1 **A. That's been stated.**

2 Q. You said you inherited -- in paragraph 14 of
3 your complaint you say that you inherited Dr. Neal's
4 right, title, and interest to the property both real and
5 personal; is that correct?

6 **A. Yes.**

7 Q. What was the probate number?

8 **A. There was no probate.**

9 Q. How did you legally inherit the estate?

10 **A. By being his wife.**

11 Q. In August of 2016, you allege that you made a
12 demand. Do you know what day that was in August? And let
13 me clarify. The demand was for Natalia to transfer title
14 of the property back to you pursuant to the March
15 agreement in 2008.

16 **A. I don't remember the date. I --**

17 Q. I'm sorry?

18 **A. I don't remember the date. It was just in**
19 **August I could no longer make the mortgage payments.**

20 Q. So how did that conversation go? I'm sorry, I'm
21 maybe getting a little ahead of myself here. Did you do
22 that demand in writing or was it just an oral conversation
23 that you guys had?

24 **A. I wrote her a note.**

25 Q. You wrote her a note. Do you have a copy of the

1 note?

2 A. Not with me. Yes, I do.

3 Q. You do. Okay. Is there a reason you haven't
4 turned that over to -- with discovery?

5 A. I don't have it with me.

6 Q. But you have it at home?

7 A. No. It's with documents that I've shared with
8 people who have helped me.

9 Q. So who has helped you?

10 A. Vlada has helped me.

11 Q. Who is Vlada?

12 A. Vlada is a friend of mine.

13 Q. What's her last name? I'm assuming it's a her.

14 A. I can't say it. I don't know. It's -- I don't
15 know her last name.

16 Q. Would you say you guys are close friends?

17 A. I don't know her very well.

18 Q. But she's helping you with a lawsuit?

19 A. Yes, she is.

20 Q. If you don't know her very well, why is she
21 willing to help you with a lawsuit?

22 A. Because she is now married to my son.

23 Q. So is her last name Neal?

24 A. I don't know.

25 Q. So the reason she's helping you with the lawsuit

1 is because she's married to your son?

2 A. Yes.

3 Q. Is your son helping you with this lawsuit?

4 A. I don't know.

5 Q. Has he helped you write any of the documents
6 that you filed with the court?

7 A. I don't know.

8 Q. What -- can you clarify that for me? What do
9 you mean you don't know?

10 A. I communicate with Vlada.

11 Q. So when you say "communicate," do you mean
12 receive documents that you file with the court from Vlada?

13 A. Yes.

14 Q. Is Vlada a lawyer?

15 A. I don't know.

16 Q. Has she represented to you that she's a lawyer?

17 A. No.

18 Q. Have you spoke in depth about this case with
19 Vlada?

20 A. Yes.

21 Q. What kind of stuff did you talk with her about?

22 A. What has been produced.

23 Q. Vlada -- I assume -- is she from Eastern Europe?

24 A. I don't know exactly.

25 Q. Is she a U.S. citizen?

1 **A. No.**

2 Q. Does she speak English?

3 **A. Yes.**

4 Q. Does she write English?

5 **A. Yes.**

6 Q. Is she fluent in those languages?

7 **A. Yes.**

8 Q. How much of the -- how many of the pleadings
9 that you filed have you actually written?

10 **A. I've had help writing most all of them from a
11 lot of variety of people that are in my family.**

12 Q. The reason I ask that, Ms. Neal, is because
13 several times you've told me you don't know the accuracy
14 of some of the things that are in the complaint. And so
15 what I'm getting at is, are you filing things with the
16 court that are inaccurate?

17 **A. I believe everything I filed is accurate.**

18 Q. You just don't know the information behind some
19 of it, is that what you're telling me?

20 **A. I'm not a lawyer.**

21 Q. I'm sorry?

22 **A. I am not a lawyer.**

23 Q. Sure.

24 **A. I am representing myself pro se.**

25 Q. And that's not what I'm asking you, right? So

1 what I'm asking you is, when you filed this stuff with the
2 court, did you have knowledge that the information in
3 there was accurate?

4 **A. Yes.**

5 Q. Then why are you conveying to me that you don't
6 know that some of the information in there is true?

7 MR. STEVENS: I'll object, I think that
8 misstates testimony. She's not saying that she doesn't
9 know it's true, it's that you're asking for the underlying
10 information. Like is there -- with the stuff with the
11 financial issue, right? With the company. She knows
12 there was. She may not know what caused it. And that's
13 with a lot of this.

14 Just like your representation earlier about
15 an agreement being made, that's not actually what it says.
16 It says, "In addition, the Neals permitted Natalia Neal to
17 reside at the property." There's nothing mentioned about
18 an agreement.

19 BY MR. ADAMS:

20 Q. So was there an agreement made?

21 **A. Regarding?**

22 Q. Regarding a trust.

23 **A. There was an agreement made.**

24 Q. There was an agreement made?

25 **A. We agreed that she would hold the title to the**

1 **house, and we would pay for everything. She had no**
2 **responsibility except to be a trustee.**

3 Q. Do you know what the word "consideration" means?

4 A. **Of course I know what "consideration" means.**

5 Q. Why don't you tell me in your own words what
6 that means.

7 A. **Regarding?**

8 Q. So you've used it several times in pleadings,
9 right? So, you know, a contract, one of the basic
10 elements is consideration. That means something of value
11 has to be given in exchange. Do you understand it to mean
12 something different than that?

13 A. **You're talking in tongues.**

14 Q. Well, I'm actually -- the word "consideration"
15 is used in your pleadings several times. So that's what
16 I'm getting at is --

17 A. **And then why don't you refer to it so I can --**

18 Q. Sure. I think we can skip that, and we can go
19 into -- and I can. What we can do is -- what I'd like to
20 know is this: Before 2008 did Natalia ever pay rent at
21 the property?

22 A. **She's never paid for anything.**

23 Q. She didn't pay for utilities?

24 A. **She had never paid for anything on that**
25 **property.**

1 Q. And I realize it sounds like I'm being --

2 A. **Redundant.**

3 Q. Right.

4 A. **Uh-huh.**

5 Q. But I'm going to ask about these individual
6 things because some of them are listed, right?

7 So she never made insurance payments on the
8 property?

9 A. **Never.**

10 Q. No property taxes?

11 A. **Never.**

12 Q. So what was the consideration for your
13 agreement?

14 A. **The basis of the agreement was that she would**
15 **simply hold the title as the trustee, and her only**
16 **obligation was to return it to us on our request. And**
17 **that we would pay for all --**

18 Q. Did you threaten to evict her if she didn't do
19 that?

20 A. **I've never threatened her with anything.**

21 Q. Did your husband threaten to evict her if she
22 didn't make this deal?

23 A. **No.**

24 Q. Did Tony threaten to kick her out if she didn't
25 make this deal?

1 **A. No.**

2 Q. Did your husband, you, or Tony tell her that if
3 she didn't make this deal she would have to start paying
4 rent?

5 **A. That was never a discussion.**

6 Q. So then did she give anything of value to you,
7 your husband, Tony, or any other person or entity in
8 exchange for the agreement that you made?

9 **A. She has never given anything of value to my**
10 **family.**

11 Q. Thank you.

12 MR. ADAMS: We'll go for about three more
13 minutes, if that's okay? That will be right at 11:00 and
14 then we'll take a break. If that works for you, Counsel.

15 MR. STEVENS: Sure.

16 MR. ADAMS: Cool.

17 BY MR. ADAMS:

18 Q. How many mortgage payments did you make
19 personally on the property?

20 **A. I really don't know.**

21 Q. Did you make any?

22 **A. Mortgage payments were made through August of**
23 **2016.**

24 Q. So that wasn't the question I asked. Did you
25 make any mortgage payments?

1 A. I know that they were made. I don't know
2 exactly -- I don't know.

3 Q. You don't know that you made any mortgage
4 payments or you don't remember?

5 A. All of the mortgage payments were made through
6 August of 2016.

7 Q. Right. And --

8 A. And I've given you the copies of all the
9 documents that show the mortgage payments have been made.

10 Q. Sure. And I understand. So what we're doing
11 right now is we're kind of prepondering that testimony.
12 So what I'm asking you is --

13 A. It's factual documentation that you have already
14 received showing the payments that have been made.

15 Q. Sure. And I know this is frustrating, I know
16 it's emotionally taxing. What I'm asking -- because you
17 filed a lawsuit, we have to ask questions. And so what
18 I'm asking is, do you remember making any mortgage
19 payments on the property?

20 A. The last mortgage payment that I made I took to
21 Chase Bank at Fred Meyer's.

22 Q. So you have made mortgage payments on the
23 property?

24 A. I made the payment.

25 Q. Just one?

1 **A. That was the last payment that was made, was in**
2 **August of 2016.**

3 Q. You said "payments," so what I'm asking, did you
4 make more than one mortgage payment?

5 **A. The payments were taken out of -- they were -- I**
6 **believe that the mortgage payments were made from the**
7 **Oculus account and --**

8 Q. The mortgage -- I didn't mean to interrupt you.
9 I'm sorry. Go ahead.

10 **A. I don't remember all the details. It was very**
11 **confusing.**

12 Q. Is there something that would help you remember
13 details?

14 **A. I know that I produced documents that showed**
15 **every payment made.**

16 Q. What documents are you referring to? Are you
17 referring to something that you filed with the court?

18 **A. Yes.**

19 Q. I'm not aware of anything that you've produced
20 in discovery to us; is that correct?

21 **A. It's been produced.**

22 Q. When you say, "It's been produced," are you
23 talking about something that's been filed with the court
24 or something that's been given to us in a production
25 request?

1 **A. It was filed with the court.**

2 Q. Okay.

3 MR. STEVENS: If you want, we can look at the
4 summary judgment. I think this is probably what she's
5 referring to.

6 MR. ADAMS: So why don't we -- it's 11:00
7 right now. Why don't we take -- if it's okay, we'll take
8 a ten-minute break and then we'll start up 11:10 and go to
9 12:10, if that works for you.

10 MR. STEVENS: Sure.

11 (Recess was taken 11:00 to 11:13.)

12 BY MR. ADAMS:

13 Q. We're back on the record at -- I have the time
14 as 11:14. We will go until 12:14 and then break for
15 lunch.

16 Ms. Neal, before the break we were talking a
17 little bit about -- you mentioned Oculus, Incorporated.
18 Are you familiar with Oculus, Incorporated?

19 **A. Yes.**

20 Q. And did you establish that entity?

21 **A. Dr. Neal.**

22 Q. Dr. Neal established it?

23 **A. Yes.**

24 Q. Did you have a position of authority within that
25 company?

1 **A. I was listed as secretary of the corporation.**

2 Q. Is it safe to assume you had intimate knowledge
3 of the financial information?

4 **A. I was not involved in the business.**

5 Q. So what was Oculus, Incorporated in the business
6 of?

7 **A. Ophthalmology.**

8 Q. So was that a -- was that the name of your
9 husband's ophthalmology company?

10 **A. That was his corporation.**

11 Q. Did it -- did the actual practice have any other
12 names that it went by?

13 **A. I believe that there were other names that were**
14 **used. I wasn't involved in the business.**

15 Q. All the money from the mortgage payments, did
16 those come out of Oculus, Incorporated's account?

17 **A. They did -- they were -- they were considered**
18 **constructive dividends for my husband and me.**

19 Q. So is that a yes, it came out out of the
20 account?

21 **A. Yes, they did.**

22 Q. And that payment came directly from Oculus to
23 the bank?

24 **A. Yes.**

25 Q. For the mortgage payment?

1 **A. Yes.**

2 Q. So you never made a personal payment out of your
3 own account for the mortgage?

4 **A. No.**

5 Q. Ms. Neal, what is your income like right now?

6 **A. Social Security.**

7 Q. And how much is that per month?

8 **A. \$1,816.**

9 Q. And are you on any kind of other assistance from
10 the state or federal government?

11 **A. Yes. I get --**

12 MR. STEVENS: I'm going to object as to
13 relevance. Her financial condition --

14 MR. ADAMS: I think it goes to her ability to
15 pay the mortgage, so I'm going to inquire down that line.

16 MR. STEVENS: Well, then it has to be at the
17 time.

18 MR. ADAMS: Yeah, I'm going to get to that.

19 BY MR. ADAMS:

20 Q. So how long have you been making -- how long has
21 your income only been Social Security?

22 **A. Maybe two years. It's been -- let's see. I**
23 **really never received an income.**

24 Q. What do you mean you didn't ever receive any
25 income?

1 **A. I was never paid anything.**

2 Q. From the company?

3 **A. Right. I just had my Social Security benefits.**

4 Q. So you were never paid anything from the
5 company, you just had Social Security benefits?

6 **A. Yes.**

7 Q. Did you ever take transfers from Oregon Eye
8 Care, Inc. and put them into your own personal account?

9 **A. Oregon Eye Care was totally different from
10 Oculus, Inc.**

11 Q. So what was Oregon Eye Care?

12 **A. Oregon Eye Care was a company that I started
13 because Oculus, Inc. had to terminate. I had to terminate
14 it.**

15 Q. I didn't understand. You terminated Oculus,
16 Inc.?

17 **A. Yes.**

18 Q. And then you started Oregon Eye Care?

19 **A. Yes.**

20 Q. Did any of the money from Oculus, Inc. then go
21 to Oregon Eye Care?

22 **A. I don't know. I don't remember all the -- it
23 was a very difficult situation to try and meet the
24 obligations.**

25 Q. So is it safe to say that Oregon Eye Care,

1 Incorporated was Oculus, Incorporated's successor company?

2 **A. I don't know how you want to interpret it.**

3 Q. So what I'm asking you is for you to interpret
4 it, right? A simple answer. So after you closed down,
5 for lack of a better way to put it, Oculus, did you start
6 up Oregon Eye Care -- like, is that accurate? Is that an
7 accurate representation?

8 **A. Yes.**

9 Q. And then the money that was in Oculus's account,
10 did that go to Oregon Eye Care?

11 **A. There wasn't any money in Oculus, Inc. It**
12 **was -- Oculus, Inc. had too many debts.**

13 Q. Is that why you closed it down?

14 **A. There were -- yes.**

15 Q. Did you ever pay any of those debts?

16 **A. There's still some outstanding.**

17 Q. Do you know which ones are outstanding?

18 **A. No.**

19 Q. Do you know, approximately, how much debt is
20 outstanding?

21 **A. No.**

22 Q. Has Oculus, Inc. ever been sued on a debt?

23 **A. I don't know.**

24 Q. Oregon Eye Care, how did that receive funding?

25 **A. Oregon Eye Care received funding from the**

1 billings that were done for work in the practice.

2 Q. And I want to be clear, when we're talking about
3 the practice, we're no longer talking about Oculus. This
4 is a new company for the practice; is that right?

5 A. Correct.

6 Q. Are you aware that in the federal court -- are
7 you aware there was a federal court action regarding your
8 son?

9 A. Yes.

10 Q. And are you aware that Oculus was brought up in
11 that federal court action?

12 A. Yes.

13 Q. And when Oculus was brought up, are you aware
14 that the prosecutor called it a sham or a shell company?

15 A. No.

16 Q. You're not aware of that, okay. Were you at
17 every hearing for your son at the federal court?

18 A. I was only at a -- at the last one.

19 Q. When was Oculus -- approximately when was Oculus
20 an active company?

21 A. When was it?

22 Q. Uh-huh. Yes.

23 A. I wasn't involved. I don't know.

24 Q. Is it safe to assume -- I'm going to ask you
25 just a detailed question and see if you can answer this.

1 Is it safe to assume that from 2008 through 2016 it was an
2 active company?

3 **A. Yes.**

4 Q. And it received income from your husband's eye
5 practice?

6 **A. Yes.**

7 Q. And you're aware that that income has been
8 determined to come from fraud based on the federal court
9 decision?

10 **A. That was their decision.**

11 Q. I'm sorry?

12 **A. I'm aware of the case, yes.**

13 Q. You're aware that that was the decision?

14 **A. Yes.**

15 Q. And you used that same income then to pay the
16 mortgage on the house, correct?

17 **A. It was an automatic withdrawal from the account.**

18 Q. So that doesn't answer my question. Did the
19 money that came --

20 **A. That money was --**

21 Q. -- from the overbilling go into Oculus's
22 account?

23 **A. Yes.**

24 Q. And I'll restate. The money from Oculus that
25 came from the overbilling, that money was also used to pay

1 your mortgage; is that correct?

2 A. Oculus paid -- all of the funds were
3 constructive dividends that were attributed by the IRS, by
4 the DOJ, and to be considered constructive dividends as
5 income from -- for both myself and my husband.

6 Q. So I just need a yes or a no. Was the money
7 that was in the Oculus account used to pay the mortgage on
8 the property, yes or no?

9 A. Yes.

10 Q. What is behind The Gates, Incorporated?

11 A. Behind The Gates, Incorporated was a company
12 that I started, I believe, in January.

13 Q. And what was the purpose of that?

14 A. Just so I could get the power back on in the
15 house.

16 Q. You had to start a company to get the power back
17 on in the house?

18 A. Yes.

19 Q. Why did you have to start a company to get the
20 power back on in the house?

21 A. Because the power had been turned off.

22 Q. Do you own a BMW?

23 A. No.

24 Q. Have you ever owned a BMW?

25 A. No.

1 MR. ADAMS: Counsel, I'm handing you what's
2 been marked Exhibit 19.

3 MR. STEVENS: I'm going to object as to
4 relevance as to whether or not she had a BMW or not.

5 MR. ADAMS: So I think it goes to relevance
6 because it shows whether or not she had the money to pay
7 the mortgage, which she's saying she doesn't have money
8 from Social Security, yet she has a BMW, arguably.

9 THE WITNESS: I don't --

10 MR. ADAMS: So I think it goes to the
11 credibility, at the very least.

12 MR. STEVENS: It can go towards credibility,
13 but whether or not it's relevant to start asking -- just
14 can't start asking anything related to, like, isn't it
15 true in third grade you lied to a teacher.

16 MR. ADAMS: So are you going to instruct your
17 client to not answer that question?

18 MR. STEVENS: Yeah. The BMW is not a
19 relevant line of questioning.

20 MR. ADAMS: Even to impeach the witness when
21 she says she doesn't own a BMW? Because you did not
22 object to that.

23 MR. STEVENS: And at this point, then, I've
24 raised the objection. If you want to bring it up at
25 trial, I know you do, then you're going to have a question

1 you don't really know the answer to.

2 MR. ADAMS: I think I know the answer to it.

3 Okay.

4 BY MR. ADAMS:

5 Q. Ms. Neal, you testified in Washington County on
6 a protective order that you didn't have money to pay the
7 utility payments on the property; is that correct?

8 A. I had been making all of the payments, and I did
9 not have money to pay for everyone any longer.

10 Q. When is the last time you made a utility
11 payment?

12 A. Probably two months ago.

13 Q. And that came out of your Social Security
14 income?

15 A. Yes.

16 MR. ADAMS: Counsel, I'm going to argue with
17 you about this again. I do think this is relevant because
18 she did tell the court she didn't have money to pay, yet
19 it appears to me that she does own a BMW that there's a
20 \$603.95 lease on. Are you still maintaining your
21 objection there?

22 MR. STEVENS: I will. You're talking about
23 some other case. I mean, again, apparently, you're going,
24 well, she couldn't afford to pay for it, but now she can
25 afford to. What's your theory? She could afford to pay

1 for the mortgage or not?

2 MR. ADAMS: I think that's why we're here.
3 That's why we're on discovery on this, because we don't
4 know. And that's why I think I have a right to ask these
5 questions.

6 MR. STEVENS: And, generally speaking, the
7 financial conditions, whether it's a plaintiff or
8 defendant, is not relevant unless you've got a punitive
9 damages thing on the line.

10 MR. ADAMS: She did have a punitive damages
11 thing on the line.

12 MR. STEVENS: Right. She's claiming punitive
13 damages against my client.

14 MR. ADAMS: No, she's not.

15 MR. STEVENS: Exactly.

16 MR. ADAMS: She's claiming punitive damages
17 against my client.

18 MR. STEVENS: Right. So then her financial
19 condition can be made relevant because it's her ability to
20 pay punitives. Because that's a consideration as to how
21 much punitives are assessed. But unless she has a
22 punitive against her, there's some sort of thing that
23 she's saying she can't afford this or she can --

24 MR. ADAMS: Well, if she said that she can't
25 afford to pay, I would think that's pretty relevant to

1 whether or not the lease was paid. Because she -- my
2 client allegedly defaulted on a contractor, indeed, if
3 Ms. Neal didn't have the money to pay, I think that's
4 completely relevant. So you would disagree with that?

5 MR. STEVENS: I would. Apparently, the
6 payments for the mortgage were paid until --

7 MR. ADAMS: They stopped in August of 2016,
8 right?

9 MR. STEVENS: Right.

10 MR. ADAMS: And your client alleges that the
11 reason they stopped was because -- that my client violated
12 an alleged agreement. However, my theory of the reason
13 that they stopped is because your client decided to buy a
14 BMW. I think I have a right to ask about that. I think
15 that's perfectly relevant.

16 So if you're instructing your client not to
17 answer, then we can have a different conversation. But I
18 think that that's going to be relevant.

19 MR. STEVENS: And I don't think it is.

20 MR. ADAMS: Okay. So I think we can take it
21 up, then, either in a sanctions motion or somewhere else.
22 So you -- just to confirm for the record, you are
23 instructing your client not to answer?

24 MR. STEVENS: Yeah. Why don't we get the
25 Court on the phone.

1 MR. ADAMS: Good luck getting Clackamas
2 County.

3 (Pause in proceedings.)

4 MR. ADAMS: So for the record, you disagree?

5 MR. STEVENS: Yes.

6 MR. ADAMS: And I, obviously, disagree, as
7 well.

8 BY MR. ADAMS:

9 Q. Ms. Neal, I'm handing your counsel what's been
10 marked as Exhibit 25. That's a cashier's check from your
11 husband, Dr. Neal, to the Sussman Shank client trust
12 account. You recognize that?

13 A. Yes.

14 Q. Is that -- have you seen that check before
15 today?

16 A. Yes.

17 Q. And did you see it when it was issued?

18 A. No.

19 Q. How did you come to see that check other than
20 today?

21 A. I was able to get some documents from Dean's
22 attorney, and it was a document that was in that file.

23 Q. Which attorney was that?

24 A. Bill Mehlhaf's office.

25 Q. Did you know about that check when it was

1 deposited?

2 A. No.

3 Q. All right. So you didn't see that check until
4 the attorney gave you the document?

5 A. No.

6 Q. Ms. Neal, in your ORCP 71 petition -- well, let
7 me ask you this: Do you recall the day May 25, 2018?

8 A. Why would I recall May 25?

9 Q. I don't know. I'm asking you if you recall that
10 date.

11 A. What's relevant to May 25th?

12 Q. Well, you wrote something in a motion about
13 May 25th. So do you know anything about what may have
14 happened on May 25, 2018?

15 A. I don't have documents in front of me.

16 Q. Has my client ever tried to run you over with a
17 car?

18 A. I was working on the side of the road, and she
19 pulled off toward me.

20 Q. And you know that that happened on May 25th?

21 A. It seems that that was the date.

22 Q. I'll represent to you that that's the date you
23 wrote in the record on your ORCP 71 motion.

24 A. Uh-huh.

25 Q. I'm curious, I have a copy of our case file.

1 MR. ADAMS: Counsel, did I already give you a
2 copy of the OJIN file in this case?

3 MR. STEVENS: I think it was one of the
4 exhibits. I don't know if it's this file.

5 MR. ADAMS: Should have been Exhibit 18.

6 MR. STEVENS: No.

7 MR. ADAMS: Let me dig through my mess here.

8 MR. STEVENS: The only OJIN register is for
9 the Grummel Engineering case.

10 MR. ADAMS: Here it is.

11 BY MR. ADAMS:

12 Q. I'm handing you what's been marked as
13 Exhibit 18. That is the OJIN file from the case that
14 we're in now, 18CV02117.

15 Ms. Neal, would you agree that almost getting
16 hit by a car is a pretty memorable event?

17 A. It was.

18 Q. It was? And my question is, why did you wait so
19 long to bring that up to the court?

20 A. Didn't seem to matter what I did.

21 Q. Well, you wrote it in your ORCP 71 motion, so
22 I'm guessing it did matter to you. And what I am trying
23 to figure out, and I'd appreciate your answer on this, is
24 you had 16 different opportunities that you either filed
25 motions or that you had hearings and there wasn't a word

1 about it in any of those. So why bring it up now?

2 A. It's just part of the very difficult environment
3 that I'm living in.

4 Q. Okay. So can you describe to me the events that
5 took place surrounding that action?

6 A. It was very -- she came down the road very
7 rapidly. She was very angry --

8 Q. What road?

9 A. Our driveway.

10 Q. What time?

11 A. I don't recall. In the middle of the day. I
12 think she'd taken the children to school. I don't know.
13 It was in the morning.

14 Q. So midmorning, early morning?

15 A. Seems to me -- you know, I have reason to be
16 afraid for my life.

17 Q. So that didn't answer my question. Do you
18 remember if it was midmorning or early morning?

19 A. I don't remember. It was -- I was working
20 outside.

21 Q. What were you doing outside when you were
22 working?

23 A. Cleaning on the sides of the road.

24 Q. Just sweeping or...

25 A. Raking.

1 Q. Raking. Do you remember what kind of car my
2 client was driving?

3 A. She has a blue car. I don't know.

4 Q. Are you aware my client has a dash cam at all
5 times while the car is moving?

6 A. No.

7 Q. I'll represent to you that each dash cam video
8 that my client's turned over to the police -- and I
9 understand you also made this report to the police.

10 A. Uh-huh.

11 Q. -- that none of the dash cam footage shows you
12 on it. Do you want to comment on that?

13 A. I moved out of the way.

14 Q. You moved out of the way?

15 A. Uh-huh.

16 Q. So she's coming down the road and the cam shows
17 what's in front of her, so wouldn't you be in that video
18 moving out of the way? Can you kind of explain maybe what
19 the discrepancy would be there?

20 A. It was just on the side of the road, and I just
21 moved into the woods.

22 Q. How far in the woods did you go?

23 A. I just moved into the woods.

24 Q. How far into the woods did you go?

25 A. I got out of the way.

1 Q. So can you give me an estimate?

2 A. Maybe into the bushes. I don't know.

3 Q. What do you remember specifically about those
4 events?

5 A. I remember that she was going pretty fast, you
6 know, and I just moved out of the way.

7 Q. How fast do you think she was going?

8 A. I wouldn't know. Frightening for me. I...

9 Q. Okay. Has my client ever threatened you with
10 violence in any other way?

11 A. That's already been documented.

12 Q. So you can answer that question.

13 A. Yes.

14 Q. In what way?

15 A. That was part of the restraining order decision
16 that the Judge Raines made.

17 Q. So in what way?

18 A. By pushing on me and pushing me backwards.

19 Q. Any other thing that you suspect her being
20 violent with you about?

21 A. Yes.

22 Q. And what is it?

23 A. She was very angry in June of -- when she -- she
24 was driving my car. And I had an appointment, and I
25 called a Lyft driver, I believe. And she was angry about

1 money that was owed to Oregon Episcopal School for the
2 children's school. And I was in the car, and she pulled
3 open the door to the car. And I had ahold of the car door
4 and the Lyft driver couldn't drive because she pulled the
5 door open on me and I nearly fell out of the car. She
6 demanded that I get out and speak to her, and I didn't. I
7 refused to do that.

8 Q. Any other situations?

9 A. If looks could kill, I'd be dead.

10 Q. And that event you just referred to was June of
11 2015; is that correct?

12 A. I believe it was '16.

13 Q. So my client right now under court order is
14 paying half the utilities. You state in your claim that
15 she's not paying any utilities. Has she been making those
16 payments?

17 A. Yes, she's been making her payments.

18 Q. She made one of them to you; is that correct?

19 A. First one.

20 Q. And did you put that payment towards the power
21 bill?

22 A. I put it into my account, and I paid my share
23 from my bank, from my bank account.

24 Q. You did?

25 A. Uh-huh.

1 Q. And do you remember how much that was?

2 A. No.

3 Q. But that payment that she gave to you -- hand
4 you what's marked as Exhibit 24. That's the cashier's
5 check that my client tendered --

6 A. That was the very first one.

7 Q. Yeah. So you cashed that and put it in your
8 bank account, which then went towards the utilities,
9 that's what your testimony is?

10 A. Yes.

11 Q. Let's get back to Oregon Eye Care, Incorporated.
12 Did you ever make payments from Oregon Eye Care,
13 Incorporated to the mortgage company?

14 A. I don't know.

15 Q. You don't know or you don't remember?

16 A. I don't remember. I know that all the payments
17 were made through -- to August.

18 Q. Till, I'm sorry?

19 A. The mortgage payments were made through
20 August of 2016, at which time I asked her to return the
21 title to me because I needed to save the house, my house.

22 Q. Ms. Neal, did you draft the ORCP 71 motion that
23 you filed with the court?

24 A. It was drafted, yes.

25 Q. That's not what I asked. Did you draft it?

1 A. I had help.

2 Q. Did you draft it? Did you write it?

3 A. No.

4 Q. Who wrote it?

5 A. I believe Vlada wrote it.

6 Q. Vlada?

7 A. Uh-huh.

8 Q. And you just told Vlada what happened and she
9 wrote it?

10 A. Yes.

11 Q. And you just signed it?

12 A. I signed it.

13 Q. Is that, basically, the case with most of the
14 pleadings that you filed, somebody else wrote them and you
15 signed them?

16 A. Yes.

17 Q. What pleadings, specifically, did you write
18 yourself?

19 A. I've been involved in all of it.

20 Q. I'm sorry?

21 A. I have been involved in all of the pleadings.

22 And I am not a lawyer; I needed help.

23 Q. So that's not what I asked. What I asked is,
24 which one of the pleadings did you actually write
25 yourself?

1 **A. I didn't compose the pleadings myself.**

2 Q. Have you ever talked to the FBI about my client?

3 **A. I've never talked to the FBI about your client.**

4 Q. You ever talk to Immigration Custom Enforcement?

5 **A. I've never spoken to them.**

6 Q. You said you have a reason to know that my
7 client engaged in all sorts of nefarious behavior in
8 Russia; is that correct?

9 **A. I have reason to know.**

10 Q. Who told you that?

11 **A. A gentleman by the name of Gena.**

12 Q. I'm sorry?

13 **A. Gena.**

14 Q. Can you spell that name?

15 **A. G-E-N-A.**

16 Q. And who is Gena?

17 **A. I was told it was her cousin.**

18 Q. Do you know that it's not her cousin?

19 **A. Now I know it's not her cousin.**

20 Q. Is Gena a reliable source?

21 **A. Yes.**

22 Q. What makes him a reliable source?

23 **A. He lived in our house for three years, and he**
24 **was a very nice young man.**

25 Q. How old is Gena?

1 **A. I don't know.**

2 **Q. Just estimate for me.**

3 **A. 40s.**

4 **Q. Gena is from Russia; is that correct?**

5 **A. Yes.**

6 **Q. Did you know anything that happened -- anything**
7 **that Gena said, did you witness that personally?**

8 **A. No.**

9 **Q. Have you sold anything on the property recently?**

10 **A. No.**

11 **Q. Did you sell a bronze lion last month?**

12 **A. It was stolen.**

13 **Q. Did you meet with a contractor about selling a**
14 **bronze lion?**

15 **A. No.**

16 **Q. Did you meet with a contractor last month?**

17 **A. No.**

18 **Q. You didn't? Did you tell the police you were**
19 **out late to meet with a contractor about securing the**
20 **lion?**

21 **A. No.**

22 **Q. On Friday, August the 3rd, I'll represent to**
23 **you, that's when the lion out in front of the property**
24 **disappeared. You came home about 10:16 p.m. that night;**
25 **is that correct?**

1 **A. I just went up to the gate to check on -- and to**
2 **close the gate.**

3 **Q. So you didn't leave the property at all?**

4 **A. No.**

5 **Q. Have you locked the small gate to the property?**

6 **A. Yes, I did.**

7 **Q. You were asked to unlock it; is that correct?**

8 **A. I'm not going to unlock --**

9 **Q. That's not what I asked. You were asked to**
10 **unlock it; is that correct?**

11 **A. I responded.**

12 **Q. You said you're not going to unlock it. What**
13 **I'm asking is, did someone ask you to unlock that small**
14 **gate?**

15 **A. I received an e-mail that asked me to unlock it.**
16 **There are too many trespassers. They were -- I was**
17 **confronted by 10 to 12 and family -- people -- that gate**
18 **had been locked. I had no way of knowing -- all the locks**
19 **had been removed. That gate had been locked securely and**
20 **all of the locks had been removed.**

21 **Q. And you were asked to give a copy of that key to**
22 **my client, right?**

23 **A. The gate to the pedestrian gate needs to be**
24 **locked.**

25 **Q. That's not what I asked you. Were you asked to**

1 give a copy of that key to my client?

2 A. Yes.

3 Q. Did you do that?

4 A. No.

5 Q. Why not?

6 A. Because it absolutely allows for items to be
7 sold off that property that have been going out through
8 that gate. I have a picture of a car and a person taking
9 things from the pedestrian gate.

10 Q. Have you spoken with Cheryl Temple about this
11 case?

12 A. Yes.

13 Q. What have you told Cheryl Temple about this
14 case?

15 A. I don't know. A number of things.

16 Q. Do you remember any of them?

17 A. I asked her to deliver the first complaint to
18 Natalia, which she did on the 16th of -- 15th or so,
19 December. She gave it to her.

20 Q. Have you ever blocked the driveway to deny my
21 client access to the property?

22 A. No.

23 Q. Never?

24 A. Not intentionally. I drove the car up to work
25 on the side of the road. I never intentionally blocked

1 anyone. I was just -- I was working out of my trunk of my
2 car.

3 Q. Between September of 2016 and April of 2017 did
4 you make transfers of money from Oregon Eye Care business
5 to your personal account?

6 A. There were probably money transfers made.

7 Q. Were they large sums of money?

8 A. I don't know.

9 Q. Can you guesstimate how much --

10 A. No.

11 Q. Did you cause those transfers to happen?

12 A. No, I cannot because --

13 Q. Somebody else caused those transfers to happen
14 to your account?

15 A. There were multiple people that had access to my
16 account.

17 Q. Who were those people?

18 A. Natalia and Anthony.

19 Q. So is it your testimony that you didn't cause
20 any of those transfers?

21 A. I could have done some, but I wasn't the only
22 person that had access to my personal accounts.

23 Q. What I'm asking is, did you cause any transfers
24 to happen during that time frame?

25 A. I may have.

1 Q. Is that a yes or a no?

2 A. I don't remember.

3 Q. Who is Dr. Burris?

4 A. Dr. Burris is a former colleague of my
5 husband's.

6 Q. Does he know anything about the case?

7 A. No.

8 Q. Have you talked to him about the case?

9 A. No.

10 Q. Does Dr. Burris have a role in Oregon Eye Care?

11 A. He did.

12 Q. Did he have access to the bank accounts?

13 A. No.

14 Q. Have you taken any of my client's property off
15 of the property?

16 A. No.

17 Q. No wheelbarrows or anything like that?

18 A. Your client owns nothing on that property. She
19 never purchased or paid for any item in that house or on
20 that property.

21 Q. Just so I can be clear, your testimony is that
22 you or your husband or Oculus have purchased literally
23 everything in that house?

24 A. Yes.

25 Q. Are you in possession of Ms. Neal's passport?

1 **A. No.**

2 **Q. You submitted copies to the court, though,**
3 **correct?**

4 **A. They were.**

5 **Q. What's that?**

6 **A. Yes, they were.**

7 **Q. Who's in possession of the passport?**

8 **A. I don't know.**

9 **Q. How did you get copies of that?**

10 **A. I can't tell you. I don't know.**

11 **Q. You can't tell me or you don't know?**

12 **A. I don't know.**

13 **Q. So how do you have copies of something that you**
14 **submitted to the court? That has to have an origin, and**
15 **you signed the declaration.**

16 **A. I did.**

17 **Q. So where did it come from?**

18 **A. It came from my son.**

19 **Q. So your son has copies of the passport?**

20 **A. I would not have had access to her passport.**

21 **Q. Well, you did because you signed the**
22 **declaration. So what I'm asking is, did you have the**
23 **copies or did your son have the copies?**

24 **A. The copies were presented to the Court.**

25 **Q. That's not what I asked, Ms. Neal. Did you have**

1 copies or did your son have copies?

2 **A. He had copies.**

3 Q. So your testimony is that you have no idea where
4 my client's passport is right now?

5 **A. That's right.**

6 Q. Has your son told you he has the passport?

7 **A. I haven't talked to him about it.**

8 Q. And which son are we referring to?

9 **A. Anthony.**

10 Q. Where does Anthony live right now?

11 **A. I don't know.**

12 Q. Do you have personal knowledge of any of the
13 nefarious acts that you allege my client engaged in when
14 she lived in Russia?

15 **A. Only what I've been told by Gena.**

16 Q. So all of your personal knowledge comes from
17 hearsay; is that correct?

18 **A. That's how I learned about it.**

19 Q. Where is Gena at right now?

20 **A. I don't know.**

21 Q. When is the last time you made contact with him?

22 **A. It's probably been six months ago.**

23 Q. When is the last time he made contact with you?

24 **A. I don't remember.**

25 Q. Did you talk with him about this case?

1 **A. No.**

2 Q. You told the Oregon State Bar that my client
3 lied on her immigration and naturalization papers, didn't
4 you?

5 **A. I did.**

6 Q. Do you have facts to back that up?

7 **A. The immigration service has the documentation.**

8 Q. That's not what I asked. I asked if you had
9 facts to back that up.

10 **A. No.**

11 Q. Why did you say it?

12 **A. Because I was told that by them.**

13 Q. Is it your desire to tear down
14 Ms. Natalia Neal's reputation any way you can?

15 **A. I believe that she needs to acknowledge her**
16 **actions.**

17 Q. Is that a yes?

18 **A. I believe she needs to acknowledge her actions.**

19 Q. It's a yes-or-no question, Ms. Neal.

20 **A. Yes.**

21 Q. Earlier you said you didn't know Vlada; is that
22 correct?

23 **A. I know Vlada.**

24 MR. ADAMS: I think we're about done. I've
25 got a couple more questions and we can break.

1 MR. LEONARD: Can I ask a few questions?

2 MR. ADAMS: Counsel, is there any objection?

3 He's an attorney with our firm listed on the case.

4 MR. STEVENS: I know. Generally speaking,
5 that's a no, no. Because this is like court, it's just
6 one attorney. But go for it. Just because otherwise
7 you're going to hand it to him and then he's going to ask.
8 Just FYI, in court they definitely will tell you no.

9

10 EXAMINATION

11 BY MR. LEONARD:

12 Q. Ms. Neal, do you know if your late husband,
13 Dean, had a will?

14 A. He did not.

15 Q. Do you know if he had a trust at all set up?

16 A. No.

17 Q. One last question. We've talked about -- a lot
18 about Oculus paying a lot of different things. Did
19 they -- excuse me. Did Oculus pay for more than just the
20 mortgage? They pay for other bills for the family?

21 A. Everything that was paid for was attributed to
22 us as constructive income.

23 Q. Let me rephrase the question. Regardless of the
24 constructive income, did payments for the family come from
25 the Oculus account?

1 **A. Yes.**

2

3

EXAMINATION

4 BY MR. ADAMS:

5 Q. Ms. Neal, earlier you testified that the only
6 time you lived off the property was in December of 2017;
7 is that correct?

8 **A. Yes.**

9 MR. ADAMS: Counsel, I'm handing to you
10 what's been marked as Exhibit 13. These are two separate
11 FED cases. Beginning May of 2017 and again in June 2017.
12 BY MR. ADAMS:

13 Q. Ms. Neal, I'll represent to you, although you're
14 probably familiar, FED stands for forcible entry and
15 detainer. And that's an eviction lawsuit. Looks like you
16 were evicted from another property in Washington County in
17 May of 2017. What do you know about that?

18 **A. That was a house that Oregon Eye Care was going**
19 **to provide for Natalia and her children to live in. And I**
20 **made arrangements for her to have a house to be able to**
21 **move to. And the business was not able to continue, so,**
22 **therefore, I was not able to follow through with the**
23 **payments on it.**

24 Q. So you never lived in that property?

25 **A. No. I was there for a few nights. I was trying**

1 to make it happen for her and it didn't happen.

2 Q. Did she ever stay on the property?

3 A. No.

4 Q. So only you lived in that property?

5 A. I just was there for a couple of nights.

6 Q. Okay. Have you talked to your son about the
7 case quite a bit?

8 A. I don't talk to him very often.

9 Q. How often would you say you talked to him?

10 A. I only speak to him once in a while.

11 Q. Where does Vlada live now?

12 A. I don't know.

13 Q. How do you get copies of these complaints and
14 pleadings that you file?

15 A. By e-mail.

16 Q. Do you talk with her on the phone?

17 A. I have.

18 Q. Do you text message with her?

19 A. No.

20 Q. You just e-mail with her back and forth?

21 A. Yes.

22 Q. So you tell her what happens, or some alleged
23 facts, and she comes up with a pleading; is that correct?

24 A. I've talked to her on the telephone.

25 Q. So that wasn't my question. You tell her

1 through e-mail what you think alleges happen, and she
2 writes everything down for you and files it with the
3 court; is that correct?

4 **A. I file everything with the court.**

5 **Q. She writes it, though?**

6 **A. Yes.**

7 **Q. Does Tony write any of this?**

8 **A. I don't know.**

9 **Q. What do you mean you don't know? Has he ever**
10 **talked to you about it?**

11 **A. We've talked about the situation, yes.**

12 **Q. Did he write any of this from prison?**

13 **A. I don't know.**

14 **Q. You don't know or you don't remember?**

15 **A. I really don't know.**

16 **Q. Did Anthony Neal ever send you an e-mail with**
17 **pleadings attached to it?**

18 **A. Anthony Neal could not send e-mails to me.**

19 **Q. So who wrote the original complaint?**

20 **A. The original complaint was composed by -- I**
21 **think it was -- it was composed by him.**

22 **Q. I thought a second ago you just said you didn't**
23 **know; is that correct?**

24 **A. Well, I received assistance from friends of --**
25 **to write it.**

1 Q. Ms. Neal, that's a very vague answer, so --

2 A. **Yes, it is. But it's all been very vague to me.**

3 Q. What's all been very vague to you?

4 A. **This whole situation.**

5 Q. Even the facts behind it?

6 A. **No. The facts are the facts.**

7 Q. That's where I'm confused, because I don't know
8 what the facts are because some of the things in your
9 complaint you've told me you don't know or have
10 recollection of, yet they're in your complaint asserted as
11 fact. So which ones are fact and which ones aren't?

12 A. **The complaint is fact.**

13 Q. You just didn't write it?

14 A. **It was written for me.**

15 Q. And you've told me -- and I'm going -- I'm
16 trying to hurry this up here. But you've told me various
17 people. So I want to know who those various people are.

18 A. **The most important person that has helped me has
19 been Vlada.**

20 Q. Who are the other people?

21 A. **I've only received assistance from retired
22 family members that were --**

23 Q. Ms. Neal, I need you to be specific. Which
24 family members are you talking about?

25 A. **Well, they only gave advice. Vlada was the main**

1 **person that helped me write these things.**

2 Q. You're not answering my question. Which family
3 members other than Vlada are you talking about?

4 A. I spoke briefly with my cousin and --

5 Q. What's your cousin's name?

6 A. Bruce Brothers.

7 Q. And who else?

8 A. No one else.

9 Q. So your testimony is that Vlada and
10 Bruce Brothers helped you with these pleadings; is that
11 correct?

12 A. He only knew of it vaguely. Most of it has come
13 from what I've been able to find out.

14 Q. When you say he knew of it vaguely, does that
15 mean you talked to him about it or did he do any writing?

16 A. No, he did not do any writing.

17 Q. Again, we're back to where we started. Who else
18 besides Vlada has helped you with these pleadings?

19 A. I'm sure that Tony helped, also.

20 Q. Why are you sure?

21 A. There's information that is in the documents
22 that he would have known about.

23 Q. And you wouldn't have known about?

24 A. Correct.

25 Q. So Tony, is it safe to say, he's operating

1 behind the scenes here?

2 A. I believe that he has a definite interest in the
3 situation.

4 Q. It's a yes-or-no question.

5 A. Yes.

6 Q. Why does he have a definite interest in this
7 situation?

8 A. He's my son.

9 Q. Does he want the property?

10 A. I don't know.

11 Q. Has he ever talked to you about wanting the
12 property?

13 A. He wants me to have my house back.

14 Q. That's not an answer to my question. Has he
15 ever talked to you about wanting the property?

16 A. I want my house back.

17 Q. I'm asking you if he's ever talked to you about
18 wanting the property?

19 A. Probably.

20 Q. When?

21 A. I have not -- it's the only home he's ever
22 known.

23 Q. So he wants the property?

24 A. I want my property back.

25 Q. That's not what I asked you. Does Tony want the

1 property?

2 **A. He wants me to have my house back.**

3 Q. That's not what I asked you. Does Tony want the
4 property?

5 **A. Of course.**

6 Q. Ms. Neal, are you aware that your son Tony
7 signed over any interest he had in the property to my
8 client in their divorce proceeding?

9 **A. He did not have any interest to sign over.**

10 MR. ADAMS: Counsel?

11 MR. STEVENS: Nope, I have nothing.

12 MR. ADAMS: I don't know that we need to do
13 any deposition after lunch. I think I've got most the
14 information I need from Oculus right now. I don't see a
15 reason to push, take your time, or bill any more hours on
16 this thing, to be honest with you. So I think we're good.

17 (The deposition concluded at 12:11 p.m.)

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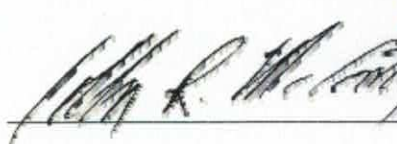
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C E R T I F I C A T E

I, Colleen R. McCarty, Certified Shorthand Reporter, do hereby certify that SHARON NEAL appeared before me at the time and place mentioned in the caption herein; that the witness was by me first duly sworn/affirmed, and examined upon oral interrogatories propounded by counsel; that said examination, together with the testimony of said witness, was taken down by me in stenotype and thereafter reduced to typewriting; and, that the foregoing transcript, Pages 1 to 82, both inclusive, constitutes a full, true, and accurate record of said witness, and of all other oral proceedings had during the taking of said deposition, and of the whole thereof, to the best of my ability. I further certify review of the transcript was not requested.

Witness my hand at Portland, Oregon, this 29th day of August, 2018.



Colleen R. McCarty, RPR

OR CSR No. 00-0371 Exp: 9/30/20

WA CCR No. 2044 Exp: 4/6/19