

# ORIGINAL

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF LOS ANGELES

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HONORABLE EDWARD RAPEEDIE, DISTRICT JUDGE PRESIDING  
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UNITED STATES OF AMERICA,	)	
	)	
PLAINTIFFS,	)	
	)	
VS.	)	CASE NO. CR 87-422(F)-ER
	)	
JUAN RAMON-MATTA BALLESTEROS,	)	
RUBEN ZUNO-ARCE,	)	
JUAN JOSE BERNABE-RAMIREZ,	)	
JAVIER VASQUEZ-VELASCO,	)	
DEFENDANTS.	)	
_____	)	

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
LOS ANGELES, CALIFORNIA  
FRIDAY, AUGUST 3, 1990

SHANNON ROSS, CSR, RPR  
CERTIFICATE NO. 8916

*Barristers'*  
*reporting service*

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**APPEARANCES OF COUNSEL:****FOR THE PLAINTIFFS:**

**OFFICE OF THE U.S. ATTORNEY  
BY: MANUEL MEDRANO  
ASSISTANT U.S. ATTORNEY  
312 NORTH SPRING STREET  
14TH FLOOR  
LOS ANGELES, CALIFORNIA 90012  
(213) 894-3015**

**FOR DEFENDANT VASQUEZ-VELASCO:**

**FEDERAL LITIGATORS GROUP  
BY: GREGORY NICOLAYSEN  
ATTORNEY AT LAW  
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SUITE 404  
LOS ANGELES, CALIFORNIA 90211-4534  
(310) 854-5135**



1 FRIDAY, AUGUST 3, 1990, LOS ANGELES, CALIFORNIA

2 4:30 P.M.

3 THE COURT: LET THE RECORD REFLECT COURT HAS  
4 CONVENED IN CHAMBERS WITH COUNSEL FOR THE GOVERNMENT AND  
5 COUNSEL FOR THE DEFENDANT VASQUEZ PRESENT, AND ALSO THE  
6 COURT REPORTER, MISS CHURCHILL, IS PRESENT.

7 NOW, YOU HAVE COMPLETED READING THE TESTIMONY  
8 THAT THE JURY REQUESTED REGARDING THE TESTIMONY OF MR.  
9 PLASCENCIA AGUILAR?

10 MS. CHURCHILL: YES, YOUR HONOR.

11 THE COURT: I WANT YOU TO REPORT TO COUNSEL WHAT  
12 TOOK PLACE AND WHAT PORTIONS WERE READ AND WHAT WERE NOT.

13 MS. CHURCHILL: THEY WANTED ME TO START WITH MR.  
14 MEDRANO'S DIRECT ON JUNE 22, SPECIFICALLY THE SECTION  
15 THAT STARTED AFTER THE MORNING RECESS, WHICH STARTS OFF  
16 WITH ASKING THEM -- WELL, I CAN READ THE QUESTION BACK TO  
17 YOU, "I WANT TO DIRECT YOUR ATTENTION TO JANUARY, 1985,  
18 CAN YOU TELL US WHO YOU WERE WORKING WITH AT THAT TIME?

19 AND THEN HE STARTS TALKING ABOUT WORKING WITH  
20 THE I.P.S., AND THAT LEADS INTO THE TESTIMONY ABOUT  
21 LA LANGOSTA. SO I READ THE DIRECT, MR. NICOLAYSEN'S  
22 CROSS-EXAMINATION.

23 THE COURT: DID THEY ASK FOR THAT?

24 MS. CHURCHILL: SPECIFICALLY THEY ASKED FOR MR.  
25 NICOLAYSEN'S CROSS. THEY ASKED TO SKIP ANYBODY ELSE'S



1 CROSS AND GO TO MR. MEDRANO'S REDIRECT AND RECROSS.

2 THE COURT: AND DID YOU?

3 MS. CHURCHILL: OF MR. NICOLAYSEN'S -- MR.  
4 NICOLAYSEN'S. AND THEN THEY SAID THEY DID NOT NEED THE  
5 28TH, ANYTHING READ ON THE 28TH, BECAUSE THEIR QUESTIONS  
6 WERE ANSWERED BY THE TESTIMONY THEY HEARD FROM THE 22ND.

7 THE COURT: SO YOU READ TO THEM EVERYTHING THAT  
8 THEY WANTED TO HEAR?

9 MS. CHURCHILL: EVERYTHING THEY WANTED TO HEAR.

10 THE COURT: AND YOU'VE DESCRIBED THAT.

11 MS. CHURCHILL: YES.

12 THE COURT: I WANTED YOU TO KNOW WHAT IT WAS.

13 MR. NICOLAYSEN: I APPRECIATE THAT VERY MUCH, YOUR  
14 HONOR. IF I MAY JUST INQUIRE AS TO WHETHER SUSTAINED  
15 OBJECTIONS WERE ANTICIPATED AND THE TESTIMONY WAS  
16 OMITTED, IF THAT WAS A PROBLEM.

17 THE COURT: YOU OMITTED COLLOQUY AND OBJECTIONS?

18 MS. CHURCHILL: I OMITTED COLLOQUY AND OBJECTIONS  
19 OR QUESTIONS AND OBJECTIONS THAT WERE SUSTAINED TO.

20 THE COURT: ALL RIGHT.

21 MR. NICOLAYSEN: THANK YOU.

22 MR. MEDRANO: YOUR HONOR, MAY I JUST RAISE  
23 SOMETHING ELSE WITH THE COURT?

24 THE COURT: YES.

25 MR. MEDRANO: I BELIEVE ALL THE DEFENSE LAWYERS ARE



1 OUTSIDE IN THE COURTROOM, AND I'M ADVISED THAT ALREADY  
2 MR. STOLAR, AMONG OTHERS, HAS EMBARKED ON MORE  
3 COURTHOUSE-STEPS TELEVISION INTERVIEWS ON THIS SOLE ISSUE  
4 OF THE NEWSPAPERS AND THE JURY, ET CETERA.

5 NOW, YOU MAY RECALL THAT AFTER THE VERDICT OF  
6 ZUNO, YOU ADMONISHED ALL DEFENSE LAWYERS THAT DURING THE  
7 DELIBERATIONS OF -- AND GENERAL COUNSEL THAT DURING  
8 DELIBERATIONS THERE WERE TO BE NO COMMENTS TO THE PRESS.

9 NOW, I AM CONCERNED ABOUT THIS YOUR HONOR, AND  
10 I'M CONCERNED ABOUT HEADLINES OR TV NEWSCASTS TONIGHT,  
11 AND I'M WONDERING IF IT'S APPROPRIATE AND IF THE COURT IS  
12 STILL INCLINED, TO ADMONISH ALL LAWYERS YET ONCE AGAIN  
13 ABOUT THE DELICATE NATURE OF THE SUBJECT MATTER.

14 THE COURT: HAD THERE BEEN ANY STATEMENTS TO THE  
15 PRESS OR TELEVISION MADE BY MR. STOLAR?

16 MR. MEDRANO: WELL, HERE'S THE PROBLEM. I'VE BEEN  
17 ADVISED BY SOMEONE WHO SAW THESE INTERVIEWS TAKING PLACE  
18 OUTSIDE THE COURTHOUSE STEPS AFTER WE WERE IN HERE WITH  
19 YOU EARLIER THIS AFTERNOON. I DIDN'T SEE -- I DIDN'T  
20 HEAR THE CONTENT.

21 THE COURT: BUT WHO ADVISED YOU?

22 MR. MEDRANO: I BELIEVE ONE OF THE AGENTS THAT  
23 WORKED WITH US.

24 THE COURT: HE SAW IT?

25 MR. MEDRANO: YES, THAT'S MY UNDERSTANDING.



1                   AND I'M JUST CONCERNED THAT WE DON'T KNOW WHAT  
2                   THE SUBSTANCE OF THAT IS UNTIL THE PAPERS ARE OUT  
3                   TOMORROW. AND I DON'T KNOW -- IT'S JUST OF GREAT CONCERN  
4                   TO ME BECAUSE YOU HAVE REPEATEDLY ADMONISHED THESE  
5                   LAWYERS AS TO THE THINGS TO SAY AND NOT TO SAY; AND YET  
6                   THERE SEEMS TO BE AT TIMES VIOLATIONS OF YOUR ORDER.

7                   AND SINCE THE JURY IS STILL DELIBERATING, I  
8                   THINK IT'S A VERY DELICATE MATTER. AT LEAST DEFENSE --  
9                   ALL LAWYERS, INCLUDING THE GOVERNMENT COUNSEL, SHOULD BE  
10                  REMINDED AND ADMONISHED AGAIN ABOUT WHAT THEIR  
11                  OBLIGATIONS ARE. I JUST THOUGHT I WOULD THROW THAT OUT  
12                  FOR THE COURT'S CONSIDERATION.

13                 THE COURT: WELL, THE COURT IS VERY CONCERNED ABOUT  
14                 THAT. YOU CAN BE SURE IF THERE HAS BEEN A VIOLATION OF  
15                 THE ORDER, THE COURT INTENDS TO TAKE ACTION --

16                 MR. MEDRANO: VERY WELL.

17                 THE COURT: -- AGAINST ANY COUNSEL WHO HAS VIOLATED  
18                 MY ORDER.

19                 MR. MEDRANO: THANK YOU.

20                 THE COURT: AND WE WILL FIND OUT ABOUT THAT.

21                 MR. MEDRANO: VERY WELL. THANK YOU, YOUR HONOR.

22                 MR. NICOLAYSEN: THANK YOU AGAIN FOR THE COURT'S  
23                 TIME.

24                 THE COURT: ALL RIGHT.

25                                 (END OF PROCEEDINGS 4:45.)



## Reporter's Certificate

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I, SHANNON ROSS hereby certify:

that on the 3rd day of  
AUGUST, 1990, I did report in  
shorthand the testimony of the foregoing  
proceedings;

that on the conclusion of the above entitled  
matter, I did transcribe my shorthand notes into  
typewriting;

that the foregoing transcript is a true and correct  
record of my shorthand notes thereof.

Shannon Ross  
Certified Shorthand Reporter  
Certificate No. 8916

