STATE OF FLORIDA

OFFICE OF THE ATTORNEY GENERAL

DEPARTMENT OF LEGAL AFFAIRS

AG # L10-3-1145

IN RE:

INVESTIGATION OF LAW OFFICES OF DAVID J. STERN, P.A.

DEPOSITION OF MARY R. CORDOVA

1.59 p.m. - 2:29 p.m. September 23, 2010

Office of the Attorney General
110 Southeast 6th Street, 10th Floor
Fort Lauderdale, Florida 33301

Reported By:

Kalandra Smith

Notary Public, State of Florida

Apex Reporting Group

Phone - 954.467.8204

PROCEEDINGS

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Deposition taken before Kalandra Smith, Court

Reporter and Notary Public in and for the State of Florida at Large, in the above cause.

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THEREUPON:

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MARY CORDOVA

having been first duly sworn or affirmed was examined and testified as follows:

DIRECT EXAMINATION

12 BY MS. CLARKSON:

- Q State your name for the record, please.
- 14 A My name is Mary Cordova.
 - Q Have you ever had your statement or deposition taken before or sworn statement?
- 17 **A** No.
- 18 Or deposition.
- 19 A Bankruptcy. I filed bankruptcy.
- 20 **Q** Okay.
- 21 A That's it. Im not sure.
 - Q Okay. I'm going to let you know you need to answer the questions verbally because nodding of the head, she can't take that down.
 - **A** Okay.

- Q So you need to answer verbally.
- **A** Okay.

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- **Q** If you have any questions ask me. If you don't understand what I'm asking you I'll try to rephrase it in a manner that you can understand.
 - A Okay.
 - Q If you need a break just let me know
- A Okay.
 - Q I'm going to ask you to take a look at this subpoena and ask if you recognize it.
 - A Yes, I received one.
 - Q And that's why you're here today?
- 13 **A** Yes.
- MS. CLARKSON: We'll mark this as Exhibit A.
- 15 BY MS. CLARKSON:
- 16 Q Where do you work now?
- 17 A I work at Young Arts.
- 18 Young Arts?
- 19 A Young Arts.
- 20 What is that?
 - A It's also known as NFAA which is the National Foundation for Advancement in the Arts. It's a non-profit organization that supports seventeen, eighteen year olds in music, dance, and the arts.
 - Q How long have you been working at Young Arts?

- Officially since May 1st. Α
- 2 Of this year?

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- Yes. Full-time.
 - Where did you work before Young Arts? Q
 - Before Young Arts I worked temporary jobs through an agency and then I worked at G&Z Processin Service.
 - Q Is that G-N-Z?
 - The letter G, and, and the Service.
 - How long did you work Q
- Approximately two months. 12 Α
 - Do you remember when those two months were? 0
- The end of August until about October. 14 Α 15 not sure exactly what date.
- 16 Did you bring some paperwork with you today?
- I did. 17
- 18 What did you bring with you today?
- 19 I brought with me a summary of the dates I 20 ted working there.
- 21 Q This paperwork that you brought has to do with 22
- 23 Α Yes.

G&Z?

- Can I take a look at it? 24
- 25 Sure.

- Q What's the other paper?
- A The other paper is what I gave G&Z by hand delivery.
 - **Q** When did you do that?
 - A I don't remember the date.
 - On September 9th it says. Who is Duane?
 - A Duane Oberhault (ph).
 - O Who is he?
 - A He is a person that was familiar with what was happening with Stern. He gave a little background information and some web links.
- 12 **Q** Are you familiar with what was going on with 13 Stern?
 - A Only through what I read in the articles.
- 15 What articles?
- 16 A Online. This is last year.
- 17 Q You worked at the processing company?
- 18 **A** Yes.

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- 19 What did you do?
- 20 A I worked in the input department. I was
 21 processing civil action summons. I was just hired to
 22 enter data because I typed fast and to process serving
 23 papers.
- Q Were you serving papers?
- 25 **A** No.

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- You were processing them? 0
- 2
- Processing.
- 3
- By phone? Q

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- Yes, in the input department. They had their A servers serve papers.
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- Were you aware that G&Z was hired by the
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- Yes. As a matter of fact, when
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- Law Office to service process? interviewed
- on August 25th I think it was. He told me they were going to be acquiring forty more cases the following week so they needed somebody as soon as possible to work
- part-time on the 19th to serve papers that were required
 - On the 19t
 - Right

from Stern.

- Did you know who owned G&Z?
- Yes, the person who interviewed me. From my understanding it was two partners. Gissen and Zawyer.
 - Do you know who they are?
 - They are the owners to my knowledge.
- Do you know if they had a relationship with David Stern?
- I'm not sure if David Stern was actually there Α but they had some kind of party where a bunch of their clients came over. I'm assuming that Stern was part of

that but I'm not sure.

- **Q** Who had the party?
- A G&Z. They had a party last year at night and I was working the night shift. A bunch of their clients came to the office. I wasn't introduced individually. I was just working.
- **Q** What kind of relationship did G&Z have with David Stern as best as you can tell?
- A That David Stern was a client of G&Z. I'm not sure how many years. I don't really know the history of that.
 - Q Was it an important client to G&Z?
- A I believe so. They had other clients though like Ben Ezra that they would serve papers for.
- Q Did they treat the Stern files differently than they treated the other files?
- A I ve only processed Stern files. During my training we had other cases and each one that I remember was handled differently for billing purposes. I think stern was like forty-five dollars per person that they were serving. I'm not sure what it's called. But the billing was definitely different.
 - Q Can you explain how?
 - A The amounts that were charged.
 - Q Were more amounts charged for stern or less?

A I don't recall. I don't remember.

- ${f Q}$ But you just remember something was funky with the billing?
- A Right. That was during my one week training.

 I do know we have to bill the clients in advance. It

 wouldn't be after the fact. From what I recall it would

 be at least four people that were being served. That's

 the person being served, their unknown spouse, Mary Jane

 and John Doe. So it's forty-five dollars times four.

 That's the amount that we would do before they got

 served or not, regardless if John Doe was served or the

 unknown spouse was served.
- Q It would still be a hundred and eighty dollars?
 - A Right. That's what I remember.
 - Q What did you think about that?
- A I thought that was a little unfair. I felt like I wanted to question why. I kind of got the impression from my trainers that we don't ask questions, we just do what we are told. There was really no handbook during my training as to which clients are billed. I would sit with each training and -- I'm trying to remember. It's been a year.
 - O That's okay.
 - A We didn't have a manual so I was trying to

understand why they bill clients differently. I never really got an explanation. I just typed really fast and that's why I was hired.

- ${f Q}$ Were you ever aware that Stern had an ownership interest in G&Z?
 - A No.

- **Q** Besides process serving did G&Z offer any other services? Were there skip tracers in there?
 - A There were skip tracers, yes.
 - Q Were there investigators?
 - A Private investigators
- Q Did David Stern utilize them as well to the best of your knowledge?
- A Yes. They had an office right next to the input department of about three or four individuals that were skip tracers. I think they had one private investigator. He was an older man. I don't recall his name.
- Q How did you become aware that Stern was using them as well?
- A Because when I was introduced during my interview and after I got hired they said this is our skip trace department and these are private investigator/skip tracers. That's how I was introduced, by title.

Q How did you know that Stern used them?

A I know that G&Z would use them. When I would process the Stern papers sometimes if there's an incomplete address or something like that we would have to send it to the skip trace department. We'd put it on top of the skip tracing file to be skip traced and try to find a correct address or social or whatever was missing.

Q Do you know the names of anybody that worked over in that department?

- A In the skip trace department?
- **o** Yes.

A I know Michelle Comez worked there for about a year or so. Ira I think his name is. It's a gentleman.

- Q Do you know his last name?
- A I don't recall. I think his name was Ira.

 \mathbf{Q} Did you ever have any discussions with Michelle Gomez about the way things were being run at $\mathbf{G} \mathbf{e} \mathbf{Z} \mathbf{e}$

- A Yes, I did.
- **Q** Could you tell me about those conversations?

A Well, she told me that they are not doing due diligence or that something was not going on properly. She brought it to my attention that she was asking questions with the company. I didn't really understand

what skip tracing involved so she would tell me as if I knew what due diligence is and I really didn't know that. I know that she told me she would ask questions about why do you do it this way and why do you do it that way and I think she asked too many questions and she got fired.

O She got fired?

- A Yeah, like within less than a week or so
- **Q** So how come you were there only for two months?

A I was there only two months because I had to sign a paper that said -- I wish I had that paper. They gave out a paper to all employees saying if you don't sign this paper you're pretty much considered fired.

Don't even bother coming back to work if you don't sign it.

- Q Was it a confidentiality agreement?
- A Something like that, yeah.
- Q What was in it that made you not want to sign
- \mathbf{A} I wish I had a copy of it.
 - Q I wish you did too.
- **A** It's in my email somewhere. I didn't have internet at work the past couple of days.
 - Q You have a copy of it?

- 1 A I have a copy somewhere in my email, yeah.
 - **Q** Would you send it to me?
 - A Yes, I can send it.
 - **Q** Did you know Michelle outside of work?
- 5 A I did.

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- Q How did you know her?
- A I met her through my fiance.

BY MS. EDWARDS:

- Q Were you aware of any double sets of billing, if there were other amounts set up for the same process at the same time?
- 12 **A** For the same case?
- 13 **o** Yes.
 - A No.
- 15 Q You said that there was bills sent out for service when service wasn't done?
 - A Right. Like if John Doe got served they would bill for all four.
- 20 So they would bill even if they didn't do 20 rocess fully?
- 21 A That's correct.
 - **Q** And they did it before they served anybody?
- 23 A That's correct.
- 24 **Q** So they didn't know how many people they would
- 25 be serving?

The papers

- 1
- Exactly. Α

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- 2
- And that was on the Stern Cases?

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that I processed were mostly Stern. Myself and a

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gentleman named Tommy were both hired to work part-time

That was on the Stern cases, yes.

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from five to ten o'clock to process those papers

would deal specifically with Stern.

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Do you know if the checks came Q

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were paid? Would you handle any of that

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No. Α

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So the checks would come in to some other department or somebody else that you didn't know?

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Yes, that's correct.

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So did you mail out or you just did the invoices and leave them in the office?

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I would just type them into the PST program Α

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and just bill the client, which was Stern.

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em to Stern without being mailed? It was just part

So would that just go through the software

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the system?

Michelle.

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Unless another department mailed it I was just instructed to bill and then I believe somebody else would handle that. There was another person named

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So you were inputting the information?

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- A Just inputting, yes.
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- Q Where would you get the information from?

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A The boxes would come from each county:

Miami-Dade County, Broward, and West Palm Beach, the

tri-county area.

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Q They were boxes with summons in them?

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A Civil action summons, yes. Some of them were stamped rush. The ones that were stamped rush were the ones we had to deal with first. Those are the ones we had to take care of because they were late or late

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arrivals for some reason.

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Q Did you ever handle any that didn't have John and Jane Doe on them?

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A No. Every single case had a John and Jane Doe.

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Q In every single case did John and Jane Doe not get served or do you know?

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A I think it just depends on each case. Whoever answers the door is the person that gets served.

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Q But when you received the civil action summons then you prepared the invoice which was then put in the system before even any attempt was made to serve them?

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A Yes, that's correct.

Stern as far as you know?

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 ${f Q}$ And from that system it was then provided to

Then we would put the papers from there after

I typed them in, we'd place all four papers per county

depending on -- we would use a map and depending on what

name appears on what zip code we'd put them on their

mailbox to be served.

- Q Did you put a copy of the invoice on it?
- A No. We only put invoices into the software.

 What I would print out is a job form or a server list

 and stapled it right on top so that way the server makes

 their notes on what their progress was.
- **Q** So you don't know what the procedure was to get those invoices paid?
 - A No. After it left my hands that's all I know.
- Q Did you ever hear anything about how it got paid?
 - A No

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- Q Is there anybody who would know that from G&Z? Was there anybody you dealt with at Stern's office?
 - A No, never.
 - Q So your only contact was with G&Z?
 - A That's correct.
- **Q** Are you aware of anybody that handled these cases for Stern from his office?
- A These particular cases, I don't know. We would just get boxes.

BY MS. CLARKSON:

- Q Can you tell me what was it in the confidentiality agreement that made you feel uncomfortable or unwilling to sign? Do you recall what it was? Obviously it was something, right?
- A Yes. It was a certain paragraph that have to send it to you by email. I apologize.
 - Q That's okay. But you will send it to me?
- A Yes. I'll highlight it and tell you this is the part. It was something about being ethical or unethical or something like that.
- \mathbf{Q} Something to do with the way that G&Z was operating?
 - A Yes.
- **Q** It didn't have to do with Stern? It had to do with the way they were operating?
- A Right, the way they were operating. It didn't specify an particular client or anything. Can I mention that when I did get hired there they were in the process of implementing more security. They were setting up all the computers that week that I got hired and the following week so that nobody can use a USB drive to copy information or anything like that. Then they were just implementing more security in the company.
 - O And their documents and for their work?

A Right. I recall that. It was a transitional period.

- Q Do you recall getting any complaints from homeowners that their service was poor; that they didn't get it; that there was papers maybe just thrown down in the yard or over a fence or would that stuff not come to you?
- A No. If that did occur it would have to be during the day when everybody was there. By the time I get there thirty minutes later everybody is gone. So as far as me hearing conversations or anything was very limited.
- Q Okay. That makes sense. So you basically only worked with the night people and didn't have that much contact with the day people?
- A I didn't have that much contact other than when I was training and in that thirty minute gap when everyone is pretty much wrapping it up.
- Did you ever hear anything or did you ever notice anything that was to you made you feel uncomfortable about doing work over there, specifically with Stern's office besides the four names on every complaint?
- A Well, not with Stern but the way G&Z was handling. For instance, before I got hired I looked at

G&Z's website and the part where they said they use private investigators and skip tracers, it said that we have fully licensed private investigators. There was one guy Michael Gold and I mentioned him in that letter, that was a skip tracer but he wasn't licensed. He was still going to school. The only licensed private investigator that I recall was Ira and Michelle.

He was talking to a lady that I think only spoke Spanish. There was a language barrier. He was kind of bullying her. His tone of voice was well we need to serve these papers. He was acting as if he was a private investigator. He's even announced himself as a private investigator. He's right next to me in the other office and I just felt a little uncomfortable that he's claiming to be that and he's not. He was asking for her address and saying we have to do this and saying we'll serve it at your place of work if we need to. He was really --

Q Bullying her?

- **A** Bullying her into getting information. I just kind of felt bad for the lady that he was talking to.
 - **Q** Nothing else about Stern?
 - A No. It was more about G&Z.

MS. CLARKSON: This is a two-page memo. It looks like it was sent to Duane. Enter that as

Exhibit B. There was a letter dated September 9, 2 2009 that we'll enter as exhibit C.

BY MR. BRIESMEISTER:

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- Q Mary, are those copies that we can keep?
- A You can keep those. Actually, I have copies on my little hard drive.
- **Q** Mary, you indicated you were there approximately two months at G&Z. Can you tell us why you left, under what circumstances did you leave?
- A Because I did not agree to sign that paper that everyone had to sign.
 - Q That's the only reason?
 - A That was it.
- Q Did somebody come to you and say you must sign it or else you have to leave?
- A It was a group meeting. It was said that everyone has to sign it. Don't even bother working here if you don't. They told everyone that they had to sign.
 - O Did others leave?
- A No.
- 21 **Q** At that point in time?
- 22 **A** No.
- A I was the only one to my knowledge. I think
 the environment from the impression I got at G&Z was

that people were there just for a job. They don't care and they're very young and joking around a lot. It was a very relaxed and playful kind of environment. I think people didn't want to lose their jobs. They were just grateful they had a job. I think that's why everybody signed it.

Q Was it your sense there was a lot of turnover at the company?

A Yes. Before I came into the picture I think a week before somebody was fired. I overheard that that female, and I don't know her name, either came back or that same time was cursing Michelle out. She was an executive at G&Z. I don't remember her last name.

Q So were there any other ex-employees or current employees that you think we should speak with?

A Michelle Gomez.

Q You indicated you have a copy of the confidentiality agreement in your email. Do you have any other emails or documents from the company in your possession?

A Not in my possession but I can definitely forward them. When I did present that document, the letter, I was contacted via email from one of the owners saying please call us. I was like I'm not dealing with it so I didn't call back.

- **Q** That was after your departure from the company?
 - A That was after my departure.
 - Q Who was it that contacted you, do you know?
 - A Sean Zawyer.

- **Q** Do you know what he was trying to reach you for?
- A Probably trying to discuss the letter or talk me about of it. I don't know.
- **Q** Are you still in contact with any of the ex or current employees?
 - A No.
- **Q** Anything else we haven't asked you that you feel is important for us to know about either business practices or whatever at G&Z?
- A When I got hired and during my interview we were told for the input department at least, that we needed to process at least twenty-two cases per eight-hour shift. They were very big on like rushing.
 - **Q** Productivity?
- A Yeah. It was almost like we didn't have time to really look at what we were doing. It's like this is the particular information, input that, turn that page, here's this piece of information, type that in. It's more about speed than accuracy per say. Although a

supervisor would look at the papers to see if they're pretty accurate.

One other thing now that you're asking me this is, I do remember being curious of what these papers are and I would turn to the back and see the contract, the lease purchase contract. I'm not sure what it was called. Of the person who purchased the home. I would see if somebody was married or not. We're serving unknown spouse but if you read a little bit closer you can see that they're married. If they didn't have a particular address it would be incorrect.

The cases that we received were from David
Stern's office to G&Z. It was probably an oversight on
David Stern's part. I don't know. I don't want to
assume that. I do remember a couple of errors in the
actual processing paper in the civil action. There were
a few instances. I can't say more than ten since I've
worked there. It wasn't all the time because I had to
type so fast that I really couldn't like look at every
single case. If I wanted to keep my job I had to do it
quickly.

Q So what you're saying on those cases is if somebody would have looked they would have noticed that the address is definitely different than what's on the front to where they're going to be served? Is that what

1 you're saying?

A Yes, and on their marital status. I just would see a little inconsistency within the mortgage contract and the civil action summons.

Q Who would have been in charge of reviewing the work?

A That would have been the David Stern office from my understanding.

 ${f Q}$ Who would have been in charge of reviewing your work at G&Z?

A The supervisor which is Eddie Torres. He would review how we were doing the serving papers. The person who would review the actual inputting information would be Michelle. I don't remember her last name.

MR. BRIESMEISTER: That's it.

MS. CLARKSON: We're done. If we print this up you have the right to read it or you can take for grated that she wrote down what you said accurately and you can waive that right. Would you like to read it?

THE WITNESS: I'll read it.

(Thereupon, the deposition was concluded at 2:29 p.m.)

CERTIFICATE

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The State of Florida,
County of Broward

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I, Kalandra Smith, Court Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that aforementioned witness was by me first duly sworn to testify the whole truth; that I was authorized to and did report said deposition; and that the foregoing pages are a true and correct transcription of my reporting of said deposition.

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I further certify that said deposition was taken at the time and place herein above set forth and that the taking of said deposition was commenced and completed as herein above set out.

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I further certify that I am not an attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of party connected with the action, nor am I financially interested in the action.

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The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of the certifying reporter.

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IN WITNESS WHEREOF, I have hereunto set my hand this 23rd day of September, 2010.

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Kalandra Smith

Notary Public - State of Florida My Commission No.: EE3599

My Commission Expires: 06/23/14

Page 28 1 ERRATA SHEET IN RE: Deposition of: 3 Date taken: DO NOT WRITE ON THE TRANSCRIPT - ENTER CHANGES 5 6 7 Page # Line # Change 9 10 11 12 13 14 15 16 Under penalty of perjury, I declare that I have read my 17 deposition and that it is true and correct subject to 18 changes in form or substance entered here. 19 20 21 Date: 22 Signature of Deponent: 23 24 25

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