

1 please.

2 MS. VOLLMAN: Steve Acker.

3 STEPHEN ACKER,

4 having been first duly sworn, testified as follows:

5 DIRECT EXAMINATION

6 BY MS. VOLLMAN

7 Q Could you please introduce yourself to the
8 ladies and gentlemen of the jury by telling them your
9 name?

10 A Yes. I'm Steven Acker, investigator with the
11 Texas Attorney General's Office.

12 Q How long have you been with the Texas Attorney
13 General's office?

14 A Fourteen years.

15 Q Can you tell us what you do for them?

16 A I'm a criminal investigator.

17 Q And your title is sergeant?

18 A Sergeant, yes, ma'am.

19 Q Okay. Now, tell us what type of investigations
20 you work on with the Attorney General's Office.

21 A Well, for the last nine years I've investigated
22 Medicaid fraud.

23 Q Okay. And prior to that?

24 A Prior to that I was a criminal investigations
25 internet, money laundering, various types of undercover

1 work.

2 Q Can you give us a brief description of your
3 education, training, experience that qualifies you to do
4 the type of work you were doing for the Attorney
5 General's office?

6 A I'm a master peace officer. I have over 4,000
7 continuing training hours, trained in Medicaid fraud in
8 several states, directed specifically at Medicaid and
9 Medicare fraud. I work Federal and State cases.

10 Q Okay. At some point in time did you become
11 involved in the investigation that Investigator Gillie
12 was conducting?

13 A Yes, ma'am.

14 Q Can you tell us how you became involved in that
15 investigation?

16 A He was working a case, needed some assistance
17 in executing search warrant.

18 Q Okay. And describe for us what was going to be
19 your job description.

20 A I was assigned to search warrant team with John
21 Roth.

22 Q And what were you all supposed to do?

23 A We were to execute a search warrant at Maxim
24 (sic), a corporate business, Suite 507, 650 North
25 Beltway.

1 Q Are you familiar with that area of town?

2 A Yes, I am.

3 Q And where that building is located, what it
4 looks like?

5 A Yes, I am.

6 MS. VOLLMAN: May I approach the witness,
7 Judge?

8 THE COURT: You may.

9 Q (By Ms. Vollman) Let me show you what is marked
10 State's Exhibit Number 1139. Can you identify that?

11 A Yes, ma'am.

12 Q What is it?

13 A This is a map of the area, roadmap of the
14 beltway system.

15 Q Does it -- go ahead.

16 A It's the area where Maximus is located.

17 Q Does it fairly and accurately represent what is
18 depicted in it?

19 A Yes, ma'am. It gives the address and the area
20 of the location of 650.

21 Q Okay. Let me show you what has been marked
22 State's Exhibit Number 1140 and 1141. Can you identify
23 that building?

24 A Yes, ma'am. That is the building that the
25 search warrant was executed on.

1 Q Maximus, Inc.?

2 A Yes. Maximus is on the fifth floor.

3 Q Do the pictures fairly and accurately represent
4 what is depicted in them?

5 A Yes, ma'am.

6 MS. VOLLMAN: Judge, at this time we would
7 offer State's Exhibit Number 1139, 1140 and 1141.

8 MR. MARTIN: No objections, Judge.

9 THE COURT: They are admitted.

10 MS. VOLLMAN: Can we publish those, Judge?

11 THE COURT: Yes.

12 (Exhibits Published)

13 Q (By Ms. Vollman) So where the button is, that
14 is where Maximus is located, right there on the Sam
15 Houston Parkway?

16 A Yes, ma'am, where it's indicated there on the
17 north side.

18 Q Okay. And for the building?

19 MS. VOLLMAN: Is there a button there that
20 can clear it? Bottom left of the screen? Just hit the
21 bottom left of the screen.

22 A (Compiles)

23 Q (By Ms. Vollman) All right. Perfect.

24 So is that the building where Maximus'
25 office is located?

1 A Yes, ma'am.

2 Q On the fifth floor?

3 A Yes, ma'am.

4 Q So I assume there are other businesses in that
5 building other than Maximus?

6 A Yes, ma'am.

7 Q Okay.

8 MS. VOLLMAN: And 1141.

9 (Exhibit Published)

10 Q Okay. So what was your part of the execution?
11 You were to go to Maximus and execute the search warrant
12 that he had obtained?

13 A We were going to Suite 507 where Maximus was
14 officed at and execute a search warrant on Marcus
15 Jefferson's office.

16 Q Did you go to that location?

17 A Yes, we did.

18 Q Did you coordinate that execution of the search
19 warrant with another search warrant going on at the same
20 time?

21 A Yes, ma'am.

22 Q What was the purpose of both warrants being
23 executed at the same time?

24 A To obtain physical and any digital evidence.

25 Q Okay. Now, when you went to the location, is

1 it on the beltway between 45 and 59?

2 A Yes, ma'am.

3 Q Is it a location in Harris County, Texas?

4 A Yes, ma'am.

5 Q Describe for us how you executed this search
6 warrant.

7 A We arrived at the location that was pictured,
8 parked just in front of the mirrored section of the
9 building, entered the building, went to the fifth floor,
10 entered the Maximus office at 507. We asked for the
11 manager. We met with the manager, explained to her why
12 we were there, gave her a copy of the search warrant,
13 let her read through it, explained and answered any
14 questions she had.

15 Q Okay. You can't talk about what she did, if
16 she had any questions, but did she have any questions
17 for you?

18 A She did, a couple, yes.

19 Q And did you answer those questions for her?

20 A Yes, we did.

21 Q And then what did you do?

22 A We asked for -- she escorted us to what was
23 Marcus Jefferson's office.

24 Q All right. Did you go to the office?

25 A Yes.

1 Q Did you see Marcus Jefferson in his office?

2 A Yes. He was sitting behind the desk when we
3 entered.

4 Q What did you do?

5 A The manager introduced Marcus Jefferson to us.
6 John Roth stuck out his hand to shake Mr. Jefferson's
7 hand as he was standing up, reaching out. Mr. Roth
8 guided him around the desk where he was sitting,
9 explained to him why we were there, gave him a copy of
10 the search warrant.

11 Q Do you see that gentleman in the courtroom
12 today who was in the office and that you had met with
13 and talked with?

14 A Yes, ma'am.

15 Q Can you point him out and describe something
16 he's wearing?

17 A The gentleman here in the white shirt, red tie.

18 MS. VOLLMAN: Your Honor, may the record
19 reflect the witness has indicated the defendant in this
20 case, Marcus Lee Jefferson can?

21 THE COURT: The record will so reflect.

22 Q (By Ms. Vollman) Now, did you do anything
23 before you started actually searching the office?

24 A We -- Mr. Jefferson had a couple of questions.
25 We explained to him what was in the search warrant, why

1 we were there. Of course, we were identified in the
2 black shirts with "police" and tan pants, which
3 identified us as police officers.

4 Q Okay. What happened then?

5 A We had Mr. Jefferson sit in the chair across
6 from his desk.

7 Q What is the purpose of that?

8 A So we can observe and we can maintain
9 observation of Mr. Jefferson at the same time.

10 Q Let me ask you this: Did you all attempt to
11 take photographs of that location?

12 A Yes, we did.

13 Q And when it was downloaded, you provided the
14 DA's office with a disk?

15 A Yes. The photographs were downloaded by
16 Mr. Roth onto a CD rom and per our procedures, we
17 normally wipe the camera thumb drives in those cameras.

18 Q Did you later find out that the photographs
19 were not downloaded?

20 A Yes. I was asked to examine a CD later and
21 there were no photographs on the CD.

22 Q But it was marked "photos"?

23 A Correct, it was marked photos for the location.

24 Q Did you try everything you could to try and get
25 the photos back?

1 A Yes, I searched the network and tried to
2 identify any photographs that may have been taken there.

3 Q What is the next thing you all did in this
4 execution of the search warrant of Mr. Jefferson's
5 office?

6 A The layout of the office -- the entry door was
7 on the front wall offset to the left. Investigator Roth
8 went into the office with myself. He started searching
9 a file cabinet, which would have been behind the door.
10 It was a shelf directly in front of the entrance.
11 Mr. Jefferson's desk is an L-type shaped desk with
12 windows to the right. I went behind the desk after we
13 had been introduced -- Mr. Jefferson, was seated in a
14 seat -- and started searching the desk area.

15 Q Okay. Did you find anything at the desk area?

16 A Yes, we found several documents, laptop
17 computer.

18 Q Okay. Let me ask you this: Were both of you
19 watching what each other were doing and what you were
20 searching and what you were obtaining?

21 A Yes, we were communicating.

22 Q And was this a small office?

23 A Yes, it was.

24 Q Kind of give us an idea -- if the border of the
25 jury box is one part of the wall, how big of an office

1 are we talking about?

2 A Probably three quarters the size of the jury
3 box.

4 Q Okay. Pretty small. You were able to see what
5 Roth was doing and he was able to see what you were
6 doing?

7 A Yes. We were within five feet of each other.

8 Q Okay. Did you seize -- did you notice anything
9 about the computer and did you seize anything from the
10 computer itself that was there?

11 A Yes. There was a thumb drive plugged into the
12 computer and the laptop itself.

13 Q Okay. And did you seize that particular thumb
14 drive?

15 A Yes, we did.

16 MS. VOLLMAN: Judge, may I approach the
17 witness?

18 THE COURT: You may.

19 Q (By Ms. Vollman) Let me show you State's
20 Exhibit Number 1075A. Do you recognize that?

21 A Yes.

22 Q And take a look at the content. And do you
23 recognize that?

24 A Yes, I do.

25 Q Okay. And where did you get that, State's

1 Exhibit Number 1075?

2 A This was from a computer.

3 Q Okay. Was that the thumb drive you were just
4 testifying about?

5 A Yes, ma'am. It was plugged into the computer,
6 into the USB drive.

7 MS. VOLLMAN: Judge, at this time we would
8 offer the content of State's Exhibit 1075, the thumb
9 drive.

10 MR. MARTIN: No objection to 1075, Judge.

11 THE COURT: It's admitted.

12 Q (By Ms. Vollman) Now, what other items was
13 searched? Was any other devices, media devices,
14 searched and seized?

15 A Yes. There was a laptop bag directly behind
16 the chair where Mr. Jefferson was sitting within arm's
17 reach that we recovered a second thumb drive from.

18 Q Show you what has been marked State's Exhibit
19 Number 1074, I believe. 1074A. And look into the
20 contents of State's Exhibit Number 1074A. And do you
21 notice -- State's Exhibit 1074.

22 A Yes, ma'am.

23 Q Okay. Is this the thumb drive that was taken
24 out of the bag?

25 A Yes, out of the laptop bag, it is.

1 MS. VOLLMAN: Judge, at this time we would
2 offer State's Exhibit Number 1074. And for purposes of
3 distinguishing where they came, we would offer the
4 envelope in State's 1074.

5 Q And is there a notation that 1074 came from the
6 bag?

7 A Yes, ma'am.

8 THE COURT: You are offering 1074 and
9 1074A?

10 MS. VOLLMAN: That's correct.

11 MR. MARTIN: No objections to either,
12 Judge.

13 MS. VOLLMAN: They are admitted.

14 Q (By Ms. Vollman) Can you give us an idea about
15 how long this search lasted from the time you walked
16 into the office till the time you left?

17 A Thirty to 45 minutes.

18 Q Okay. Now, you said that you searched and
19 obtained -- did you seize the computer that you're
20 talking about?

21 A Yes, we did. We seized the laptop computer.

22 Q Okay. And you also said you seized some
23 documents?

24 A Yes, ma'am.

25 MS. VOLLMAN: Judge, may I approach?

1 THE COURT: You may.

2 Q (By Ms. Vollman) Let me show you what has been
3 marked as State's Exhibit Numbers 1143A and its
4 contents, 1146A and its contents, State's Exhibit Number
5 1155A and its contents, State's Exhibit Number 1147A and
6 its contents, and State's Exhibit Number 1150A and its
7 contents. Can you take a look at those and tell us
8 whether you can identify them, and identify them by
9 number?

10 A Yes. In container 1143A contains State's
11 Exhibit 1144 and 1145A in the green hanging folder and
12 also the loose leafs were obtained.

13 Q Keep that so we've got them marked.

14 MS. VOLLMAN: Judge, at this time we would
15 offer State's Exhibit Number 1143, 1144 and 1145.

16 MR. MARTIN: No objections, Judge.

17 THE COURT: They are admitted.

18 Q (By Ms. Vollman) And let me show you, you're
19 looking at State's Exhibit Number --

20 A 1146A and 1146.

21 Q Okay. And where did you get 1146A and 1146?

22 A They were on the desk surface.

23 MS. VOLLMAN: Judge, at this time we would
24 offer and for purposes of keeping them separate as far
25 as where they came from, we're offering State's 1146A

1 and 1146.

2 MR. MARTIN: No objections to either,
3 Judge.

4 THE COURT: Admitted.

5 Q (By Ms. Vollman) And State's Exhibit No. 1147
6 and 1148 and 1149?

7 A Yes, ma'am. These are also documents taken
8 from the desktop area.

9 MS. VOLLMAN: For the same reason we are
10 offering State's 1147A, 1147, 1148 and 1149 to show
11 where they came from and the type of documents that they
12 are.

13 THE COURT: Any objections?

14 MR. MARTIN: No objections, Judge.

15 THE COURT: They are admitted.

16 Q (By Ms. Vollman) And finally, State's 1150A?

17 A Yes, ma'am. These also appear to come from the
18 top of Marcus Jefferson's desk.

19 MS. VOLLMAN: Judge, at this time we would
20 offer State's Exhibit Number 1150, 1150A, 1151, 1152,
21 1153 and 1154. And the reason for the envelope is to
22 keep them separate from other documents that are
23 similar, if I can, so that it can be shown where they
24 came from.

25 MR. MARTIN: No objections, Judge.

1 THE COURT: Admitted.

2 Q (By Ms. Vollman) And, finally, State's Exhibit
3 No. 1155A and State's Exhibit 1155. Can you tell us
4 what is State's Exhibit Number 1155 and where did you
5 find it?

6 A This is handwritten document sheet with
7 provider names and provider numbers that were attached
8 to it. They were found in the desk drawer to the
9 right-hand side. If you were sitting at the desk, it
10 would have been the lower right-hand side of
11 Mr. Jefferson's desk.

12 MS. VOLLMAN: At this time we would offer
13 State's Exhibit Number 1155.

14 MR. MARTIN: No objections, Judge.

15 THE COURT: It's admitted.

16 Q (By Ms. Vollman) Can I just have one minute,
17 Judge?

18 (Pause)

19 Q Now, after you had a chance to complete the
20 search, are those the documents that you seized from
21 that location?

22 A Yes, ma'am.

23 Q When you finished your search -- when you
24 finished your search did you -- where did you go from
25 there with the evidence?

1 A We took the evidence, put it in evidence boxes.
2 Each item was logged into an evidence log and we left
3 that location.

4 Q Okay. And once you got those, where did you
5 go?

6 A We went to Sergeant Gillie's location's.

7 Q Okay. Was all the stuff you got from Maximus
8 secured?

9 A Yes, it was.

10 Q And then what happened with the evidence once
11 it was, the search was completed at both locations?

12 A It was maintained in my possession and entered
13 into the evidence lock area.

14 Q I'm sorry?

15 A It was entered into the evidence area at our
16 office, maintained by the custodian there.

17 Q And then once it's into the custodian's records
18 or hands, what happened with the digital evidence, the
19 two thumb drives?

20 A The two thumb drives, also the laptops were
21 delivered to Bill Brown of the District Attorney's
22 forensics.

23 Q Okay. Is that at the DA's office?

24 A At the DA's office, yes, ma'am.

25 MS. VOLLMAN: If you could give me a

1 minute, Judge, I'm looking for one -- I got it.

2 THE COURT: And if I said no?

3 MS. VOLLMAN: I would be in trouble.

4 Are we close to a break by any chance?

5 THE COURT: We are.

6 MS. VOLLMAN: I'm looking for an envelop
7 in the midst of everything.

8 THE COURT: Why don't we go ahead and take
9 a break so you can do that.

10 Ladies and gentlemen, you may go with the
11 bailiff.

12 (Jury leaves courtroom)

13 (Recess)

14 (Jury enters courtroom, defendant present)

15 MS. VOLLMAN: Can I approach, Judge?

16 Q (By Ms. Vollman) During the break, I gathered
17 the piece of evidence. Now, the one that you had that
18 you found at Marcus Lee Jefferson's office was State's
19 Exhibit 1146, correct?

20 A Yes.

21 Q I showed you State's Exhibit Number 1073 that
22 was obtained from the Hickory Canyon Court, I believe it
23 is, Hickory Canyon Court, the Fraziers' residence. Did
24 you have an opportunity to compare to State's 1073 and
25 1146?

1 A Yes, ma'am, I did.

2 Q Can you tell us what was the conclusion of your
3 comparison?

4 A In Exhibit 1073 that was obtained from the
5 Fraziers' residence is identical to the top six pages in
6 1146. It's like they made six copies of the same
7 documents then passed the six documents -- well, there
8 are 20 pages that are different.

9 Q But part of that exhibit is identical, correct?

10 A Yes. Seven pages total is identical to what
11 was obtained at the Fraziers'.

12 Q I want to keep them back in those envelopes.
13 Now, I think you told us right before the break you took
14 the computer evidence, including State's Exhibit Number
15 1074, the contents in State's Exhibit Number 1075.
16 Where did you take those?

17 A Those went to Bill Brown in forensics center
18 here at the District Attorney's office.

19 Q Okay. And also other devices that is the
20 laptop from Maximus and some other forensic evidence
21 from Fraziers' house, correct?

22 A Correct.

23 MS. VOLLMAN: Pass the witness, Judge.

24 THE COURT: Mr. Martin.

25 MR. MARTIN: Thank you, Judge.

1 CROSS-EXAMINATION

2 BY MR. MARTIN

3 Q Good afternoon sir.

4 A Yes, sir.

5 Q How is the arm?

6 A It hurts.

7 Q You were the lead investigating officer on the
8 execution of the search warrant of Mr. Jefferson's
9 office?

10 A Yes, sir. I was one of two, yes.

11 Q Am I correct to state you were the lead or were
12 you an assistant?

13 A We're the same grade. You could consider me as
14 the lead since I turned in the --

15 Q Okay. And you personally saw Mr. Jefferson
16 throughout -- once you were in his office you observed
17 him the entire time?

18 A Yes, sir, we did.

19 Q There was no time when Mr. Jefferson was out of
20 your eyesight?

21 A No.

22 Q And you didn't place him under arrest after the
23 search warrant was executed and completed, did you?

24 A He was not under arrest, no, sir.

25 Q How would you describe Mr. Jefferson's demeanor

1 during that interchange with the officers in his office?

2 Was he cooperative?

3 A He was cooperative. Demeanor appeared to be
4 normal, nervous.

5 Q Based on your training and experience, a
6 confrontation with officers when a search warrant is
7 being executed, nervous was probably fairly normal,
8 wouldn't you say?

9 A Yes.

10 Q So nothing out of the order for Mr. Jefferson
11 to appear nervous to you?

12 A No.

13 Q And you weren't concerned for your safety, were
14 you?

15 A No.

16 Q Mr. Jefferson offered no resistance?

17 A No resistance.

18 Q No evasion or evading?

19 A No.

20 Q Certainly had no struggle with him?

21 A No. He was cooperative.

22 Q Okay. And did you ask Mr. Jefferson any
23 questions during the time you were in his office?

24 A No.

25 Q Did the other officer to your knowledge ask

1 questions?

2 A Just his identification.

3 Q Other than identification questions?

4 A No, sir.

5 Q Now, you indicated that you seized the thumb
6 drive and the laptop?

7 A Yes, sir. It was a thumb drive attached to the
8 laptop.

9 Q In fact, there were two thumb drives, correct?

10 A Yes.

11 Q One in the bag and one connected to the
12 machine?

13 A Yes, sir.

14 Q And at the very end Ms. Vollman asked you to
15 compare two exhibits, State's Exhibit 1073 and State's
16 Exhibit 1146?

17 A Yes, sir.

18 Q Are those still in front of you?

19 A No, sir.

20 MR. MARTIN: May I approach and --

21 THE COURT: Yes, you may.

22 MS. VOLLMAN: 1146 and 1073.

23 MR. MARTIN: Approach the witness, Judge?

24 THE COURT: You may.

25 MR. MARTIN: Thank you.

1 Q (By Mr. Martin) Sir, I'm going to take out the
2 contents of 1073A and show that to you and also the
3 contents of 1146A. Let's be sure we keep the envelopes
4 correct. And you indicated, if I'm not mistaken, that
5 the first six pages of 1146 -- or excuse me -- the first
6 six pages of -- yeah -- 1146 were the same as 1073; is
7 that correct?

8 A That's correct.

9 Q And there were pages in addition to that on
10 1146 and 1073, but those pages were not identical?

11 A There is a seventh page which is a run of 20
12 which is identical. This page. This page is the same
13 as the top six. They are like identical copy. These
14 six are identical copies of the 24 in 1073.

15 Q When you say "this page" can you please refer
16 to the State exhibit number?

17 A 1146.

18 Q And there is -- what page is the exact same run
19 page you called it?

20 A You have the top six pages of 1146 and the 7th
21 page is run, page one of 20, which is marked at the
22 bottom.

23 Q Lower left hand side of that?

24 A Lower left hand side of 1146.

25 Q Those top six pages are the same in both

1 documents?

2 A They are the same. 1146 is the same as 1073.

3 Q Okay. And is there any identifying information
4 about Marcus Jefferson on 1146 or 1073? And when I say
5 identifying information, I mean a name, an address, a
6 social security number, something that would Tag it as
7 being Marcus Jefferson's document?

8 A Not that is apparent, no.

9 Q You personally reviewed 1146 and 1073?

10 A Yes, sir.

11 Q Is there a signature or initials anywhere
12 through the document that would evidence some adoption
13 or approval by Marcus Jefferson on 1146?

14 A No, sir.

15 Q Same question on 1073, some initials or
16 signature, something that would indicate his adoption or
17 approval of that document?

18 A No, sir.

19 Q Okay. So I can have a confirming vote here, am
20 I putting 1146 go back into 1146A?

21 A Yes, sir.

22 Q And am I putting 1073 back in 1073A?

23 A Yes, sir.

24 Q So without a -- without a confirming signature
25 or initials or some mark of adoption, how are 1073 and

1 1046 tied directly to Marcus Jefferson, in your view?

2 A 1146 was obtained through the search warrant at
3 his office. 1073 was obtained through search warrant at
4 the Fraziers' house.

5 Q And you're assuming that the document that was
6 obtained from his office originated with him. That's
7 your assumption?

8 A I'm not assuming. My total inspection is that
9 1146 was obtained through a search warrant as Marcus
10 Jefferson's, and 1073 was obtained through search
11 warrant at the Fraziers.

12 Q And you have no indication or knowledge that
13 that list came from any other place other than being
14 sourced, you believed, from his office?

15 A It was obtained in his office, yes, sir.

16 Q So, therefore, you automatically assume it's
17 sourced from his office?

18 A I'm not making any assumptions, I'm just
19 stating the facts, sir.

20 Q Did you review or analyze any other
21 possibilities for how that information might have found
22 its way onto his thumb drive and laptop?

23 A No, sir.

24 MR. MARTIN: Pass.

25

1 REDIRECT EXAMINATION

2 BY MS. VOLLMAN

3 Q Is it safe to assume if a document is in Mr.
4 Jefferson's office on the top of his desk that he's in
5 possession and control of that document?

6 A Yes.

7 Q Is it safe to assume that anything that is
8 contained on a thumb drive that is being used in a
9 computer that is in his office that he was next to when
10 you entered his office, is Marcus Jefferson's?

11 A Yes.

12 MS. VOLLMAN: That's all I have, Judge.

13 MR. MARTIN: Brief re-cross.

14 RECROSS-EXAMINATION

15 BY MR. MARTIN

16 Q Ms. Vollman brought up a legal concept of
17 possession and control.

18 MS. VOLLMAN: Object to him testifying,
19 Judge.

20 THE COURT: Overruled.

21 Q (By Mr. Martin) And she mentioned the phrase
22 possession and control of the document. You remember
23 that?

24 A Yes.

25 Q In the most recent question?

1 A Yes.

2 Q My question does not -- is not whether
3 Mr. Jefferson had the documents on his desktop or in his
4 thumb drive or on his laptop. My question to you is
5 what alternative possible sources did you evaluate and
6 investigate to show that it was impossible for any other
7 way for that document to get there other than
8 Mr. Jefferson? Did you do any other investigation or
9 evaluation?

10 A I executed the search warrant at his office.
11 The execution of the search warrant was at the second
12 location. I wasn't the lead investigator on the primary
13 investigation, only the execution officer at Mr.
14 Jefferson's office.

15 Q The answer to my question would be no, you did
16 not evaluate any other alternative sources?

17 A No.

18 MR. MARTIN: Pass.

19 MS. VOLLMAN: Nothing further, Judge.

20 THE COURT: May this witness be excused?

21 MS. VOLLMAN: Yes, please.

22 We're going to call two witnesses out of
23 order.

24

25

1 VERONICA DELUC,
2 having been first duly sworn, testified as follows:

3 DIRECT EXAMINATION

4 BY MS. VOLLMAN

5 Q Good afternoon. Could you tell the ladies and
6 gentlemen of the jury your name and how you pronounce
7 your last name?

8 A Veronica LaDuc.

9 Q Okay. Can you tell us where you work?

10 A I work at Centene. I'm director for enrollment
11 for the Superior Health plan.

12 Q What is that?

13 A Centene, as a contractor of the State to
14 provide managed care services to the Medicaid
15 population.

16 Q Okay. How long have you worked there?

17 A I've been working there not for three years.

18 Q Okay. Where did you work before?

19 A Before that I worked for Maximus for 11 years.

20 Q Okay. And what did you do for Maximus?

21 A Maximus, I initially started out as a budget
22 analyst, because I have analytical skills from prior
23 experience. Then I -- because of my analytical skills
24 and my programming skills, I moved into the IT
25 department where I became a programmer, and eventually