

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF COLORADO

3 Criminal Action No. 96-CR-68

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

7 TERRY LYNN NICHOLS,

8 Defendant.

ff

9

10 REPORTER'S TRANSCRIPT
 (Trial to Jury: Volume 146)

11

ff

12 Proceedings before the HONORABLE RICHARD P.
MATSCH,

13 Judge, United States District Court for the District of

14 Colorado, commencing at 8:45 a.m., on the 30th day of
December,

15 1997, in Courtroom C-204, United States Courthouse,
Denver,

16 Colorado.

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24
Transcription
Street,
629-9285

Proceeding Recorded by Mechanical Stenography,
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15093

1 APPEARANCES
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3 District of Oklahoma, and RANDAL SENDEL, Assistant U.S.
4 Attorney for the Western District of Oklahoma, 210 West
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appearing
6 for the plaintiff.
7 LARRY MACKEY, BETH WILKINSON, GEOFFREY MEARNES,
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8 ORENSTEIN, and AITAN GOELMAN, Special Attorneys to the
U.S.
9 Attorney General, 1961 Stout Street, Suite 1200,
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10 Colorado, 80294, appearing for the plaintiff.
11 MICHAEL TIGAR, RONALD WOODS, ADAM THURSCHELL,
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12 NEUREITER, and JANE TIGAR, Attorneys at Law, 1120

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13 Street, Suite 1308, Denver, Colorado, 80203, appearing
for
14 Defendant Nichols.

15 * * * * *

16 PROCEEDINGS

17 (In open court at 8:45 a.m.)

18 THE COURT: Be seated, please.

19 Counsel wish to approach?

20 MR. TIGAR: Yes.

21 (At the bench:)

22 (Bench Conference 146B1 is not herein transcribed
by court
23 order. It is transcribed as a separate sealed
transcript.)

24

25

15098

1 (In open court:)

2 (Jury in at 8:48 p.m.)

3 THE COURT: Members of the jury, good morning.

4 I apologize for the few minutes' delay, but
counsel

5 and I discussed some matters here concerning scheduling

6 witnesses; and we're ready to proceed with the next

witness.

Kevin 7 MR. MACKEY: Thank you, Judge. We'll call Mr.

8 Gottshall.

9 THE COURT: All right.

10 THE COURTROOM DEPUTY: Raise your right hand,
please.

11 (Kevin Gottshall affirmed.)

12 THE COURTROOM DEPUTY: Would you have a seat,
please.

13 Would you state your full name for the record
and

14 spell your last name.

15 THE WITNESS: Kevin Lee Gottshall. Last name
is

16 G-O-T-T-S-H-A-L-L.

17 THE COURTROOM DEPUTY: Thank you.

18 THE COURT: Mr. Mackey.

19 MR. MACKEY: Thank you, your Honor.

20 DIRECT EXAMINATION

21 BY MR. MACKEY:

22 Q. Good morning, Mr. Gottshall.

23 A. Good morning.

24 Q. Tell the jury, please, how old you are.

25 A. I'm 33.

Kevin Gottshall – Direct

1 Q. And where do you reside?

2 A. In Houston, Texas.

3 Q. Did you live for any period of your life in the
state of

4 Oklahoma?

5 A. I did.

6 Q. And did you go to school there?

7 A. I did. I went to undergraduate school, received a
8 bachelor's degree from the University of Oklahoma in
Norman,
9 and went on to law school there for an additional three
years.

10 Q. When did you graduate from law school in the
University of

11 Oklahoma?

12 A. In 1989.

13 Q. And after graduation, what did you do for
employment?

14 A. I went to work for Kerr-McGee Corporation. I had
been

15 working for the supreme court in the state while I was
in law

16 school, and then I went on to work for Kerr-McGee. I
had

17 always wanted to practice working for a corporation.

18 Q. And are you still employed by Kerr-McGee?

19 A. I am. About the first of this year, I changed
positions,

20 and I'm working in the land department now as a

petroleum

21 landman for Kerr-McGee, and that required that we move
to

22 Houston to take that position.

23 Q. And when was it that you moved to Houston?

24 A. That was the end of April of this year.

25 Q. Mr. Gottshall, are you married?

15100

Kevin Gottshall - Direct

1 A. I am.

2 Q. And what is your wife's name?

3 A. It's Cheryl.

4 Q. And was Cheryl also employed for a period of time
at

5 Kerr-McGee?

6 A. She was, yes.

7 Q. Mr. Gottshall, did you and Cheryl have a son by the
name of

8 Kevin Lee Gottshall?

9 A. Yes, we did.

10 Q. And when was he born?

11 A. He was born September 29 of 1994.

12 Q. And when did he die?

13 A. He died April 19 of 1995.

14 Q. Mr. Gottshall, would you tell the members of the
jury where

15 the Kerr-McGee building is in Oklahoma City in
relationship to

16 the Murrah Building.

17 A. Yes. The Kerr-McGee building is approximately one
block

18 south.

19 THE COURT: Mr. Gottshall, would you face the
20 microphone, please. When he says tell the jury, he
doesn't

21 necessarily mean address them.

22 THE WITNESS: I'm sorry. I can't move the
chair.

23 THE COURT: It'll spin around. Excuse me. Go
ahead

24 with your answer.

25 BY MR. MACKEY:

15101

Kevin Gottshall - Direct

1 Q. Approximately how far are the two buildings apart
from each

2 other?

3 A. Approximately two blocks, yes.

4 Q. Could you tell the members of the jury and his
Honor the

5 process you went through with your wife to select a
day-care

6 center for your son, Lee.

7 A. We -- we took a lot of pains. He was a very wanted
child.
8 We took a lot of pains to try to make sure everything
in his
9 life was going to be as good as possible. We -- before
he was
10 born, my wife was meticulous with the vitamins, with,
you know,
11 reading books on -- on raising children, on -- on what
should
12 be done, never missing an appointment. We did the
ultrasounds.
13 We carried the videos, the picture, unborn pictures of
him with
14 us. We were so proud. This was our first -- first
child.
15 Again, we wanted to do everything as best we could; and
one of
16 those things, you know, we -- we moved into a new home
that was
17 a little bit bigger, had more modern heat and those
things,
18 would be a little more safe for him.
19 Q. Was -- let me ask you with respect to the day-care
center.
20 Was security an important ingredient to your decision
to select
21 the day care at the Murrah Building?
22 A. It most definitely was. We -- we went to a number
of
23 day-care centers around the downtown area. One of the
things
24 that we really wanted was someplace that was very

close. We

25 wanted to be able to be -- be able to visit him very

15102

Kevin Gottshall - Direct

1 frequently. We looked at the Murrah Building very
closely and

2 ultimately selected it because we felt like it was
going to be

3 safe. We talked to the workers, the care workers.
Very nice,

4 very caring people. We felt like we could trust them.

5 There was a security door going into the
nursery where

6 you have to ring a buzzer and someone would physically
have to

7 come to the door and identify you and ask you, you
know,

8 what -- what child you were coming for or what your
purpose was

9 there. And they would escort you around, and we were
very

10 impressed with that. We felt like it was a very --
very safe,

11 very clean, friendly, loving environment for him to be
at.

12 Q. Mr. Gottshall, when did your son, Lee, first begin
13 attending the day care at the Murrah Building?

14 A. Well, we -- we attempted to postpone it as long as
we

15 could, both my wife and I working for Kerr-McGee --

16 MR. TIGAR: Objection.

17 THE COURT: Mr. Gottshall, just answer the
question,

18 will you please.

19 THE WITNESS: Yes.

20 BY MR. MACKEY:

21 Q. Approximately --

22 THE COURT: When did he first attend?

I 23 THE WITNESS: It was approximately in January,

24 believe.

25 BY MR. MACKEY:

15103

Kevin Gottshall - Direct

did you 1 Q. And thereafter, up until the time of the bombing,

2 and your wife and your son have a daily ritual that you

your son? 3 followed with respect to arriving at work and seeing

as we 4 A. We did. We postponed a day-care decision as long

morning -- 5 could. And when it came time, we would get up every

dressed. He 6 my wife would get up and we'd take him and get him

getting 7 would sit in the bathroom while we were showering and

8 around. He would get in the back seat of the car. We
placed
9 the car seat in the middle of the back seat as we
thought it
10 was the most safe. Then we would commute in from
Norman. It's
11 about -- Norman is about 20, 25 miles south of Oklahoma
City
12 from our office. And we would all drive in together
every
13 morning, and we could talk to him. My wife and I could
talk to
14 our son. We could play with him. Gave us a very
secure
15 feeling of having him there with us.

16 Q. Mr. Gottshall, during the course of each day, was
there a
17 practice that you and your wife had to visit your son
at the
18 Murrah Building?

19 A. Yes, there was. We would routinely drop him off
together.
20 We -- we'd kiss him goodbye. We would go back to work.
My
21 wife's position was an executive secretary, which
allowed her
22 some flexibility to be able to go visit him usually
once in the
23 morning. Both she and I would go over for lunch. If
for some
24 reason, my job wouldn't allow me to go for lunch, she
would go.

25 He never ate lunch without one of us there. And then
she would

15104

Kevin Gottshall - Direct

1 also be able to visit him routinely once in the
afternoon. And

2 we would pick him up together, and we'd all go home.

3 Q. Mr. Gottshall, let me turn now to April 19th. Did
you and

4 your wife drop your son, Lee, off at the day care in
the Murrah

5 Building on that day?

6 A. That particular day, my wife had a seminar within
the

7 Kerr-McGee building complex. I had to drop her off
early.

8 She -- we dropped her off. She gave him a kiss goodbye
as she

9 always did every day, told him that she loved him, and
told him

10 to be a good boy. I proceeded on and I took him to the
day

11 care -- excuse me -- I took him to the day-care center
alone

12 that day. There was an area for the day-care center
that was a

13 loading area, and it was allowed for people to park
there

14 temporarily while they took their children -- excuse me
--

there, 15 upstairs to get their children settled in. I parked
of 16 took him out of his car seat, carried him up one flight
was, you 17 stairs, rang the buzzer, went in, made sure that there
I was 18 know -- that the proper people were there, people that
bouncer next 19 used to, and went and laid him down in his little
nursery. 20 to the glass window there in the infants' part of the
down to 21 I gave him a kiss goodbye, saw he was okay, went back
22 my car and went on to work.

23 Q. Mr. Gottshall, was that the last time you saw your
son?

24 A. It was the last time I saw him, yes.

25 Q. Let me show you what I would offer into evidence at
this

15105

Kevin Gottshall - Direct

1 time, a photograph marked 2221.

2 MR. TIGAR: No objection, your Honor.

3 THE COURT: All right. 2221 is received.

4 BY MR. MACKEY:

5 Q. Mr. Gottshall, would you tell members of the jury
and his

6 Honor the persons who are shown in this photograph.

is my
my
Lee, also.

7 A. The person -- excuse me -- the person to the left
8 son, Lee. The person to the right in the photograph is
9 grandfather, Lee's great-grandfather. His name was
10 He was my mother's -- mother's father.

11 Q. Approximately when was this picture taken?

son was

12 A. This would have been less than a month before my
13 killed.

14 Q. And how old was Lee at the time of his death?

15 A. He was approximately six-and-a-half months.

you first
Oklahoma

16 Q. Thank you. On April 19th, Mr. Gottshall, how did
17 become aware that there had been a bombing in downtown
18 City?

conference room.

19 A. At the time, I was on (sic) our 10th floor

to the

20 As I said, the Kerr-McGee building is -- is very close

our

21 Murrah Building. Tremendous bang. Violent movement of

building, and

22 building. The Kerr-McGee building is a 29-story

was a

23 there's very little that makes it move. And so this

know

24 tremendous blast. It was a thud. Initially, I didn't

25 what it was. I was on the north side, but was somewhat

15106

Kevin Gottshall - Direct

1 shielded by a building that's in between.

2 Q. Let me ask, Mr. Gottshall, shortly after you heard
this

3 sound, did it come to your attention through a news
report that

4 there had been a bombing?

5 A. It did. After I heard the sound, you know,
everyone was

6 kind of running around our floor, trying to figure out
what had

7 happened. Some of the windows on our floor on the 10th
floor

8 there had been broken, busted out. I was running
around the

9 floor, trying to figure out what was going on. Someone
in

10 their office had a radio on, and I heard that there had
been an

11 explosion around the Murrah Building, and I immediately
ran for

12 the elevator to get down. It was functioning okay. I
went

13 down -- downstairs and headed over toward the building
as I had

14 taken the same path that I would go to visit -- visit
my son.

15 When I got to the corner of the -- the street
corner

in 16 where the Murrah Building used to sit, I found my wife
holding her 17 panic. A policewoman was restraining her. She was
and she 18 back. She had been on the first floor at the seminar,
floor wasn't 19 had glass on her where it had blown in. The first
She 20 shielded, and huge pieces of glass had come in on her.
building, the 21 told me that she had been up to the front of the
to 22 entrance on the south side where we would usually go in
the way 23 visit him, and that there was granite and concrete in
in. 24 and it was blocking the entrance and you couldn't get
5th 25 Q. Did you and your wife proceed up Robinson towards

15107

Kevin Gottshall - Direct

1 Street to look on the north side of the building?
keep my 2 A. We did. We did. The policewoman was trying to
around 3 wife back, but she somehow knew that I would be coming
proceeded up 4 that corner and allowed her to wait. And then we
5 Robinson, as you said, to try to get a better view of

-- of

6 what had happened. We thought perhaps if this side of
the
7 building, south side, had been blocked, then maybe the
north
8 side would be better.

9 Q. Mr. Gottshall, what did you think when you saw the
north
10 side of the Murrah Building?

11 A. It's -- it's the worst feeling I think that you can
ever
12 have in your life. You -- the floors had all collapsed
upon

13 the day-care center. And it seemed as though to me
that --

14 that the area where the infant room was was the most
hardest

15 hit. It -- it was where most of the damage had been
done to

16 the building. We couldn't imagine any way that --
that, you

17 know, our child could survive had he been in that room.
And of

18 course, you know, your thoughts are to try to -- well,
there's

19 got to be some other way. Maybe someone carried him
out, some

20 glimmer of hope, that way, and --

21 Q. Mr. Gottshall, how many days passed before you were
22 officially notified that Lee had died?

23 A. It was approximately two-and-a-half weeks that we
were

went -- 24 forced to wait. We -- we -- we searched around. We
talked -- 25 called hospitals. We went to the Red Cross unit. We

15108

Kevin Gottshall - Direct

stood in 1 tried to talk to police. We saw people bleeding. We
didn't 2 the area. And after we went to the Red Cross unit, we
had to 3 feel like there was any more we could do there, and we
happened. 4 go home and tell our parents what had -- what had

would, 5 Q. Mr. Gottshall, I have one final question. If you
son's 6 please, describe in your own words the impact of your
7 death on you and your wife and your family members.

ever 8 A. It's a -- definitely the most horrible thing that's
goes by 9 happened to me in my lifetime. There's not a day that
the 10 that I don't miss Lee. We have pictures of him around
birthday 11 house. We still talk to him. Instead of having
education 12 parties and things that we had planned for him for an
13 and those things, we get to go visit his grave site.

14 MR. TIGAR: Objection, your Honor.

15 THE COURT: Sustained with respect to visits
to the
16 grave site.

17 THE WITNESS: We -- my wife has terrible
nightmares,
18 will wake up screaming in the night. Perhaps the most
19 troubling thing, I guess, is that we -- we now have two
other
20 children. We've lost our firstborn child, but we now
have two
21 other children, and we have to at some point in their
lives --
22 they are both very young, but we have to explain to
them what
23 happened to their brother and why; and at this point,
we don't
24 have any explanation.

25 MR. TIGAR: Objection, your Honor.

15109

Kevin Gottshall - Direct

1 THE COURT: I'll sustain as to that part of
it.

2 BY MR. MACKEY:

3 Q. Mr. Gottshall, can you describe on your wife's
behalf the
4 impact of your son's death.

5 A. Well, it's -- it's roughly the same, I think, as

what I've

6 experienced. We -- again, she has nightmares. We
can't stand
7 to drive by the highway and see private rental trucks
of any
8 kind. We're both afraid of heights now. We never
were. The
9 sense of security, I guess, that -- that you have if
you do
10 everything that you can to try to take care of -- of
your
11 family, you're not -- it's not necessarily going to
work.

12 MR. MACKEY: Thank you, Mr. Gottshall.

13 THE COURT: Do you have any questions?

14 MR. TIGAR: No, your Honor.

15 THE COURT: You may step down. You're
excused.

16 Next, please. Next witness, please.

17 MR. MACKEY: Thank you, your Honor. We'll
call

18 Ms. Jannie Coverdale.

19 THE COURTROOM DEPUTY: Would you raise your
right
20 hand, please.

21 (Jannie Coverdale affirmed.)

22 THE COURTROOM DEPUTY: Would you have a seat,
please.

23 Would you state your full name for the record
and

24 spell your last name.

D-A-L-E. 25

THE WITNESS: Jannie M. Coverdale, C-0-V-E-R-

15110

1 THE COURTROOM DEPUTY: Thank you.

2 THE COURT: Ms. Wilkinson.

3 DIRECT EXAMINATION

4 BY MS. WILKINSON:

5 Q. Good morning, Mrs. Coverdale.

6 A. Good morning.

7 Q. Are you here today to testify about your two
grandsons?

8 A. Yes.

9 Q. What were their names?

10 A. Aaron. Aaron was five and a half. Elijah was two
and a

11 half.

12 Q. Is that how old they were when they died in the
Murrah

13 Building?

14 A. Yes.

15 Q. Let me show you Government's Exhibit 1047E.

16 MS. WILKINSON: And, your Honor, we would
offer this

17 into evidence.

18 MR. TIGAR: No objection, your Honor.

19 THE COURT: It's received. May be shown.

20 BY MS. WILKINSON:

21 Q. I believe this is 1047D, but that's okay. Can you
tell the
22 jury --

23 MS. WILKINSON: Your Honor, just to make the
record
24 clear, this is 1047D.

25 THE COURT: Yes. Thank you.

15111

Jannie Coverdale - Direct

1 BY MS. WILKINSON:

2 Q. Mrs. Coverdale, who is this?

3 A. This is Elijah.

4 Q. He was two-and-a-half years old at the time of his
death?

5 A. Yes.

6 Q. Can you tell the jury a little bit about him, what
kind of
7 person he was?

8 A. Elijah was my baby. Elijah came to live with me
when he

9 was three months old. He was my shadow. He slept with
me
10 every night. I got my hugs and kisses from Elijah.

11 Q. And did Elijah have quite a personality?

12 A. Elijah had a mind of his own.
13 Q. Did he like to get in trouble?
14 A. He stayed in trouble, and he really didn't mind it.
15 Q. What kind of things did he do?
16 A. I remember once, I had gotten -- well, it was right
before
17 Easter of '95, Aaron and I were going shopping, so I
had gotten
18 Aaron and Elijah dressed. And all of a sudden, I
heard,
19 "Granny, come here."
20 And I ran in the kitchen, and he said, "I made
a
21 mess."
22 He had looked in the refrigerator, pulled out
a bowl
23 of corn, and spilled it all down the front of him.
24 And another time, his last Christmas, we did a
25 Christmas tree. And it was a very ugly Christmas tree,
but the

15112

Jannie Coverdale - Direct

1 kids thought it was pretty. Aaron and I were making
the bed,
2 and I heard, "Hurry, Granny, hurry, Granny." And I ran
out in
3 the living room. Elijah was lying on the floor on his
back.

4 The Christmas tree was on top of him. And I was asking
him

5 what happened. "I don't know." He was just a typical
6 two-year-old child.

7 Q. Now, you've talked about his brother, Aaron; is
that right?

8 A. Yes.

9 Q. Let's take a look at 1047C.

10 MS. WILKINSON: Which we offer into evidence,
your

11 Honor.

12 MR. TIGAR: No objection, your Honor.

13 THE COURT: Received. May be displayed.

14 BY MS. WILKINSON:

15 Q. Is this Aaron?

16 A. Yes.

17 Q. Tell the jury about Aaron.

18 A. Aaron was my protector. Aaron was a very good
little boy.

19 I got hugs from him. I didn't get kisses. He was too
big to

20 kiss, so I got my hugs from Aaron. Aaron would get up
in the

21 morning, get dressed, make his bed. Of course, the
sheet would

22 be dragging the floor, but he thought the bed was made.
Every

23 morning, he would make sure he got my keys, my
cigarettes, and

24 my glasses and put them in my purse because I was

always

25 forgetting them. He tried to take care of Elijah, but
that was

15113

Jannie Coverdale - Direct

1 a lost cause because Elijah didn't listen. When Aaron
got to
2 be a big boy, he was going to buy me a house with a big
3 playground and he was going to buy me a blue car and he
was
4 going to buy his daddy a skateboard. I never did
figure out
5 why his daddy had to have a skateboard.

6 Q. Mrs. Coverdale, can we talk a little bit about how
you got
7 custody of these boys. They are your grandsons;
correct?

8 A. Yes.

9 Q. Could you tell the jury how many children you have.

10 A. I have four sons. Aaron and Elijah are my third
son's
11 kids. And my third son and his wife were having
problems, so I

12 got custody of Aaron and Elijah.

13 Q. Can you tell the jury what Elijah's condition was
when he
14 was born?

15 A. Elijah tested positive for cocaine when he was
born. And

16 at first, I had a hard time getting help for him
because I
17 didn't know how bad it was, and I'd take him to the
doctor and
18 I'd tell them that Elijah tested positive for cocaine
and they
19 would say, "Oh, okay," and that was it.

20 So finally, I asked the doctor, "Well, why
don't
21 somebody do something?"

22 And he said, "Well, frankly, we don't know
very much
23 about it."

24 MR. TIGAR: Your Honor, objection.

25 THE COURT: Objection is overruled.

15114

Jannie Coverdale – Direct

1 I believe you completed your answer, did you?

2 THE WITNESS: Uh-huh.

3 BY MS. WILKINSON:

4 Q. Mrs. Coverdale, you first obtained custody of
Elijah when

5 he was how old?

6 A. Three months old.

7 Q. How old was Aaron?

8 A. Three years old.

9 Q. And could you tell us just briefly how they
responded to
10 being in your care and custody and away from their
parents.
11 A. They were happy.
12 Q. Why was that?
13 A. Because they knew I loved them and they knew they
were
14 going to be taken care of.
15 Q. And can you just tell the jury briefly what your
routine
16 was with those boys once you had custody of them.
17 A. I worked seven days a week, so I'd get up in the
mornings
18 and get them dressed. I lived about a half block from
the
19 day-care center, from the federal building.
20 Q. Tell the jury the name of the building in which you
lived.
21 A. The Regency Towers. And we'd walk up the street to
the
22 federal building. I'd leave them at the day-care
center. I
23 worked in the county assessor's office which was about
two
24 blocks from the federal building. Then I'd go in to
work. And
25 this happened every day. On weekends, a friend of mine
took

Jannie Coverdale - Direct

1 care of them while I worked.

2 Q. Now, were you divorced at the time?

3 A. Yes.

4 Q. So you were the sole person responsible for the
care of

5 Aaron and Elijah?

6 A. Yes.

7 Q. What were you doing at the time of the bombing in
Oklahoma

8 City? Where were you working?

9 A. At the county assessor's office, which was two
blocks from

10 the federal building.

11 Q. And you took Elijah and Aaron to the day-care
center that

12 day?

13 A. Yes, I did.

14 Q. Do you recall how long it took before you found out
what

15 happened to your grandsons?

16 A. I found out late that Saturday evening.

17 Q. How did you find out?

18 A. A Medical Examiner's Office -- we were at First
Christian

19 Church, and the Medical Examiner's Office called us
upstairs

20 and told us that they had identified their bodies.

21 Q. Both of them?

22 A. Both of them.

23 Q. Were you able to get back into your apartment at
the

24 Regency Tower after the bombing in Oklahoma City?

25 A. No.

15116

Jannie Coverdale - Direct

1 Q. Why was that?

2 A. Because the building was damaged so bad, it took
them six
3 months to repair it so we could move back in.

4 Q. So were you able to assist the Medical Examiner in
any way

5 by providing pictures or anything like that of Aaron
and

6 Elijah?

7 A. No. No.

8 Q. Were you able to obtain fingerprints of them?

9 A. Not at my house. They had to go to a friend's
house and

10 take fingerprints.

11 Q. Can you tell the jury in your own words what the
impact has

12 been on you in losing both of your grandsons?

13 A. Aaron and Elijah were my life. I lived for them.
I had

14 raised my four sons, and I felt that since I was so
young when
15 I had them, I had made a lot of mistakes. So when I
got Aaron
16 and Elijah, it was like I had a second chance. I had
learned
17 from those mistakes I made raising my children, so I
knew I
18 could do a much better job raising them. My only
concern with
19 raising Aaron and Elijah was that maybe I wouldn't live
until
20 they got grown, so I had talked to my second son and
told him
21 that if anything happened to me, I wanted him to take
Aaron and
22 Elijah, and we were in the process of getting that
paperwork
23 done. I never thought that I would outlive them.
Grandparents
24 just don't do that.
25 So since they died, I don't have a life.
There's not

15117

Jannie Coverdale - Direct

1 a day goes by that I don't think about them, don't hear
that
2 explosion, don't wish I could reach into heaven and
bring them
3 back. That's it. They were my life.

the
4 Q. Mrs. Coverdale, because you took your grandsons to
5 day-care center every day, have you dealt with some
6 guilt about
7 your own responsibility?

8 A. Yes.

9 Q. Tell the jury about that.

10 A. I keep thinking if I had stayed home that morning,
11 if I
12 hadn't put them in that day-care center, if I hadn't
13 continued
14 working, they would still be alive. And I can't get
15 rid of the
16 ifs. If I had just listened to that inner voice that
17 morning
18 and they
19 that said "don't go to work," I would have stayed home
20 and they
21 would be alive.

22 MS. WILKINSON: Thank you very much, Mrs.
23 Coverdale.

MR. TIGAR: No questions.

THE COURT: All right. You may step down.
You're now
excused.

Next, please.

MR. MACKEY: Your Honor, we'll call Mr. Fred
Anderson.

THE COURT: Thank you.

THE COURTROOM DEPUTY: Would you raise your
right
hand, please.

24 (Frederick Anderson affirmed.)

25 THE COURTROOM DEPUTY: Would you have a seat,
please.

15118

and 1 Would you state your full name for the record

2 spell your last name.

3 THE WITNESS: Frederick Allen Anderson,
4 A-N-D-E-R-S-O-N.

5 THE COURTROOM DEPUTY: Thank you.

6 THE COURT: Mr. Goelman.

7 MR. GOELMAN: Thank you, your Honor.

8 DIRECT EXAMINATION

9 BY MR. GOELMAN:

10 Q. Good morning, Mr. Anderson.

11 A. Good morning.

12 Q. Where do you live?

13 A. Oklahoma City.

14 Q. What do you do for a living?

15 A. I drive truck.

16 Q. Who do you drive truck for?

17 A. Great Plains Bottling Company.

18 Q. And how long have you been a truck driver?

19 A. For Great Plains, or how long have I drove truck?
20 Q. How long have you driven truck?
21 A. 23 years.
22 Q. Did your wife die as a result of the bombing in
Oklahoma
23 City?
24 A. Yes, sir.
25 Q. At the time of the bombing, did your wife work in
the

15119

Frederick Anderson - Direct

1 Murrah Building?
2 A. No, sir.
3 Q. So how is it that she came to be a victim of the
bombing?
4 A. Me and my wife were sitting at home when the bomb
went off.
5 We heard about it on the TV. We got dressed and went
down to
6 see what assistance we could help with.
7 Q. Was your wife a nurse who went to the assistance of
the
8 people --
9 A. Yes.
10 Q. -- trapped inside the Murrah Building?
11 A. Yes.
12 Q. Why don't you take a look at Government Exhibit

1396.

13 MR. GOELMAN: Which we offer at this time,
your Honor.

14 THE COURT: Any objection to it?

15 MR. TIGAR: I'm sorry. I was looking at
something

16 else.

17 THE COURT: 1396.

18 MR. TIGAR: No objection, your Honor.

19 THE COURT: Received. May be shown.

20 MR. GOELMAN: Thank you, your Honor.

21 BY MR. GOELMAN:

22 Q. Do you see that on your screen, Mr. Anderson?

23 A. Yes, sir.

24 Q. Who is that?

25 A. That's my wife.

15120

Frederick Anderson - Direct

1 Q. And how long before her death was this picture
taken?

2 A. About 18 months.

3 Q. How long had you and Rebecca been married before
April 19,

4 1995?

5 A. Nine months.

6 Q. And did you have any children who lived with you?

7 A. Rebecca's children, yes.

8 Q. How many kids did Rebecca have?

9 A. Four.

10 Q. From previous marriages?

11 A. Yes.

12 Q. How old were the children?

13 A. Gabe was 15; Hillary, 13; Rachel was 11; Britton
was 9.

14 Q. I want to talk about April 19th. Were you working
that

15 day?

16 A. No, sir.

17 Q. What were your plans for April 19th, 1995?

18 A. When we heard about the bomb going off, we were
sitting in

19 our living room at that time, making our plans for the
day. We

20 had -- I always had the same days off, but she did --
her days

21 off rotated; and so whenever we had the days off
together, we

22 would sit down and plan out our day so we could spend
our day

23 together. And we were sitting in the living room that
morning,

24 making our plans to do that.

25 Q. Okay. About how far did you live from where the
Murrah

15121

Frederick Anderson - Direct

1 Building stood?

2 A. About 9 -- 9 to 10 miles.

3 Q. And what happened at 9:02 that morning? What did
you --

4 what did you experience?

5 A. Oh, okay. At -- at that time, we first heard a --
a loud

6 booming-type noise, kind of a rumble. And then we felt
the

7 house shake a little bit. And we live in basically
almost in

8 the fly pattern of Tinker Air Force Base out there.
And every

9 now and then, one of the planes will take off from out
there

10 and they will go supersonic and, you know, it'll happen
every

11 now and then. And we had discussed that that was
possibly what

12 had happened. And then we talked about it, said, no,
it didn't

13 sound quite right. It was a different rumble.

14 Q. And did you later learn that it was not, in fact, a
sonic

15 boom?

16 A. Right.

17 Q. How did you learn that?

18 A. The TV.

19 Q. And what did you learn from the television?
20 A. Well, first, when they first came on the TV, it was
just
21 that there was an explosion downtown and they showed
the
22 general vicinity, not the exact location. They just
had the
23 general vicinity. And I had thought it was -- there
was some
24 chemical company -- warehouses down there, and I
thought that
25 maybe one of them had blown up at first. And then we
went on

15122

Frederick Anderson - Direct

1 talking about what we were doing for the day, and I
went back
2 to the bedroom to get dressed, and she had come running
back in
3 the bedroom and started throwing clothes on. And, you
know, I
4 asked her what her big hurry was, and she said, "Well,
they
5 blew up a building downtown. There's a lot of people
hurt, and
6 we need to get down there."
7 Q. Did Rebecca explain why she needed to get down to
where the
8 building had blown up?

9 A. I'm not sure if she exactly said why or not, but I
knew
10 why, you know. She said there was people down there
hurting,
11 and we needed to get down there and see what we could
do to
12 help them.

13 Q. Did you yourself at the time have any emergency
medical
14 training that you thought you could use to help the
people at
15 the Murrah Building?

16 A. I was a -- first-aid-certified and CPR-certified.

17 Q. So when Rebecca came in and said that you had to
hurry down
18 to the Murrah Building, what was your reaction?

19 A. I had no problem with it.

20 Q. How long after she came in did you leave the house?

21 A. Probably within five minutes.

22 Q. And where did you go?

23 A. We drove in on Interstate 40 and up to 235 and got
off on
24 the Harrison/6th Street exit. We got to where Harrison
and 6th
25 Street intersect, and they had it blocked off at that
time.

15123

Frederick Anderson - Direct

1 And at that time, there was some medical personnel
coming in
2 from over at the hospital area, and we had talked about
it and
3 she got out there and proceeded to go in with them
while I
4 tried to go find a place to park.

5 Q. When you say medical personnel coming from the
hospital, do
6 you know what hospital they were coming from?

7 A. I have no idea, no. There was like three or four
hospitals
8 over in that area and . . .

9 Q. And Rebecca got out and joined them?

10 A. Yes.

11 Q. What did you do at that point?

12 A. I proceeded going where they directed me, away from
the
13 street they directed me on. And I think I went about
two,
14 two-and-a-half blocks, and I found a parking lot down
there and
15 that I parked in, and then I went in from a different
direction
16 into the building -- building area.

17 Q. What did you intend to do at that time?

18 A. Well, I was going to see what I could do to assist;
but
19 when I got over there, the -- the Oklahoma City Police
20 Department and Sheriff's Department had already started
setting

far as 21 up perimeters and stuff. And I did not bring any ID as
allow 22 my medical, what I knew, with me, and so they would not
23 me in.
the 24 Q. What did you do when you weren't able to approach
25 building?

15124

Frederick Anderson - Direct

went -- 1 A. At the time I talked to the police officer, I had
trying to 2 he wouldn't let me in and I says -- he says, "We're
and what 3 basically get a control on how many people were there
4 was going on."
command post 5 And I said -- I asked him if they had a
let 6 set up to where I could go, you know, and volunteer and
that he 7 them tell me what they would like me to do. He told me
so I 8 thought they had one around the corner down on 6th, and
told me 9 went walking down there. And before I got to where he
10 it was at, they had the second bomb scare and they were
11 evacuating everybody back.

12 Q. What did you do at that time?
13 A. At that time, I walked around the perimeter that
they moved
14 everybody back to, trying to find my wife. I couldn't
find
15 her, so I had called where I worked because I figured
they
16 would be putting something together. They have a snack
17 division there that they deliver to schools and stuff,
and I
18 knew they would be putting some together to come down
with.
19 And I called them up. They said yes, they needed some
drivers
20 to come down and help with it. So I went to my plant
to help
21 assist with that.

22 Q. When you say "putting something together," what
exactly do
23 you mean?

24 A. Our -- our snack vans. They were putting snacks,
you know,
25 chips, sodapop, stuff that they could come down and
give to

15125

Frederick Anderson - Direct

1 people, you know, to --

2 Q. And did you go to the place where you worked?

3 A. Yes, I did.

4 Q. How long were you there?

5 A. I was there probably 5 minutes, 10 minutes.

6 Q. Did you get a phone call there?

7 A. No. I got a page from the University Hospital, and
I
8 returned the call.

9 Q. When you returned the call, did someone from the
hospital
10 tell you that your wife had been involved in the
bombing?

11 A. Yes, sir.

12 Q. And what was your response?

13 A. I commented to them that they had probably called
the wrong
14 person because my wife wasn't there at the time of the
bombing.

15 And he went on to explain, you know, that he had gotten
the
16 pager number from her.

17 And I said, well -- because he was trying to
find out
18 what was wrong with her, too. And they were still
evaluating
19 what was wrong with her at that time. And I told him
it wasn't
20 because of the percussion of the bombing because she
wasn't
21 there.

22 And he says, "Well, we're doing some
observation on

23 her right now."

24 And I -- I just asked where it was at, and
then I went

25 down there to the hospital.

15126

Frederick Anderson - Direct

1 Q. When Rebecca got out of the car when the two of you
arrived

2 near the scene, was she wearing a nurse's uniform?

3 A. No, sir.

4 Q. What was she wearing?

5 A. She was wearing blue jeans and a -- a white
sweatshirt with

6 some kind of nautical emblem on the front.

7 Q. Did she have nurse -- a nurse's ID with her?

8 A. Yes, sir.

9 Q. Why don't you take a look at Government Exhibit
1397.

10 MR. GOELMAN: Which we offer at this time.

11 MR. TIGAR: No objection, your Honor.

12 THE COURT: All right. It's received and may
be

13 shown.

14 BY MR. GOELMAN:

15 Q. Can you see that picture, sir? And is that a
picture of

16 your wife?
17 A. Yes, sir.
18 Q. Is that what she was wearing on the day of the
bombing?
19 A. Yes, sir.
20 Q. What happened when you got to the hospital?
21 A. When I got to the hospital, they had her in the --
already
22 had her in a room and she was unconscious. The doctor
that was
23 overseeing her care at that time took me into an
examining room
24 and showed me the CAT scans that they had taken of her
previous
25 to moving her to that room.

15127

Frederick Anderson - Direct

1 Q. When was Rebecca officially declared dead, Mr.
Anderson?
2 A. Sunday morning, 8:35.
3 Q. Can you tell us a little bit about what kind of
person your
4 wife was.
5 A. She was a caring person. She -- she -- she -- she
was a
6 doer. She liked doing for people. She liked to take
care of
7 people. She was a geriatric nurse. She just -- she
loved to

8 do for people that couldn't do for themselves. That's
-- she

9 took a lot of pride in that.

10 Q. Did Rebecca continue doing for people even after
her death?

11 A. Yes, sir.

12 Q. Can you --

13 MR. TIGAR: Objection, your Honor.

14 THE COURT: Well, the objection is sustained.

15 BY MR. GOELMAN:

16 Q. Had you and Rebecca both been married previously?

17 A. Yes, sir.

18 Q. And can you tell us a little bit about the
relationship

19 that the two of you had.

20 A. Well, it -- mine and Rebecca's relationship kind of
started

21 a little strange because my best friend and her best
friend

22 were married and they kept trying to -- trying to set
us up,

23 and Rebecca was going through a divorce and she didn't
want to

24 date anybody at that time. And my best friend had told
me

25 about her and told me she had four kids, so I didn't
want to

Frederick Anderson - Direct

1 date anybody with four kids. And so they tried
probably for
2 about six months to set us up. And then -- I don't
know -- one
3 night, Rebecca called my house and we got to talking.
And we
4 talked on the phone that night probably six hours until
I had
5 to go to work. So -- and we talked the next two nights
quite a
6 long time on the phone and went out on her birthday the
next --
7 that weekend. And everything -- everything just
clicked
8 together. Everything was just -- it just clicked.
9 Q. You told us that at the time of the bombing, you
and
10 Rebecca lived together with her four children?
11 A. Yes, sir.
12 Q. Where are those children living now?
13 A. The two youngest children are living with their
father in
14 the same house. I give him the house back. And the
oldest
15 boy, he's 18. He's off to school, living on his own
now. And
16 Hillary is living with her grandparents.
17 Q. How has Rebecca's death impacted your life?
18 A. It's -- it's impacted everything about it. It's
just -- I

19 have a -- I just don't deal with anything anymore.
It's almost
20 like why bother with it, you know. It's -- I go
through doing
21 my job because I have to work because I've got to pay
bills,
22 and that's about it. My day consists of I go to work
at 7:00
23 in the evening. I get off at 4 in the morning. I go
home. I
24 take my dog for a walk. I go back in, watch a couple
hours of
25 TV, go to sleep, get up in the afternoon, go outside
with my

15129

Frederick Anderson - Direct

1 dog for a little bit, get ready to go to work. That's
pretty
2 much what I do.

3 MR. GOELMAN: Thank you, Mr. Anderson. I have
nothing
4 further.

5 MR. TIGAR: No questions, your Honor.

6 THE COURT: You're excused. You may step
down.

7 Next.

8 MR. MACKEY: Glen Westberry.

9 THE COURT: All right.

right 10 THE COURTROOM DEPUTY: Would you raise your
11 hand, please.
12 (Glen Westberry affirmed.)
please. 13 THE COURTROOM DEPUTY: Would you have a seat,
and 14 Would you state your full name for the record
15 spell your last name.
Y. 16 THE WITNESS: Glen Westberry, W-E-S-T-B-E-R-R-
17 THE COURTROOM DEPUTY: Thank you.
18 THE COURT: Ms. Wilkinson.
19 DIRECT EXAMINATION
20 BY MS. WILKINSON:
21 Q. Good morning, Mr. Westberry.
22 A. Good morning.
23 Q. How are you today?
24 A. I'm pretty good.
25 Q. Can you tell the jury how old you are.

15130

Glen Westberry - Direct

1 A. 32.
2 Q. Where do you live?
3 A. Orlando, Florida.
4 Q. And can you tell us a little bit about your family,

where

5 you grew up.

Defense

6 A. I grew up all over. With my dad working for

country.

7 Investigative Service, we got to move all around the

8 Q. Tell the jury who your father is.

9 A. Robert Westberry.

19, 1995?

10 Q. And was he killed in the Murrah Building on April

11 A. Yes, he was.

12 Q. Before that, where was he employed?

Intelligence

13 A. Before he was with them, he was with Naval

trooper in

14 Service in Vietnam. And before that, he was a state

15 Florida.

Investigative

16 Q. Do you recall when he joined the Defense

17 Service?

18 A. I believe he was a charter member in 1972.

assignment?

19 Q. And at the time of the bombing, what was his

20 A. He was the special agent in charge of the office in

21 Oklahoma City.

Building?

22 Q. Now, had you ever seen his office in the Murrah

23 A. Yeah. Many times.

24 Q. Was there a time when you and your family lived in

25 Oklahoma?

15131

Glen Westberry - Direct

1 A. Yes. For about a -- a year. Me and my wife at the
time

2 and son lived in Stillwater. I was a police officer
there.

3 Q. What's your son's name?

4 A. David.

5 Q. How old is David now?

6 A. He's seven.

7 Q. And do you recall what year it was when you lived
in

8 Oklahoma?

9 A. I think it was '92 to '93.

10 Q. At that time, your father and mother were also
living

11 there?

12 A. Yes. That's --

13 Q. What's your mother's name?

14 A. Tillie Westberry.

15 Q. And what kind of relationship did your son, David,
have

16 with your father?

17 A. I think out of all the grandkids, he was probably
one of

18 the most special because I'm an only son. So he was

like the

19 one that was going to carry on the family name. And so
they

20 had some -- being able to live out there and the rest
of my

21 family living on the East Coast, they got to spend a
lot more

22 time together. And so they just formed a special bond
because

23 of the amount of time we got to live with them. Even
before

24 Oklahoma, when he was stationed in south Florida and
the time

25 we got to live with them there, we were just minutes
away from

15132

Glen Westberry - Direct

1 them. So they got to take care of him a lot when he
was

2 little.

3 Q. How does David refer to his grandfather?

4 A. As "Papa."

5 Q. Now, after you left Oklahoma, did your parents
remain

6 there?

7 A. Yes, they did.

8 Q. Where did you move to?

9 A. I moved back to Orlando.

1994? 10 Q. And do you recall seeing your father in December of

year, 11 A. Yeah. They always during the -- that time of the

12 they always came out and visited the kids.

Papa that 13 Q. And do you recall David's reaction to seeing his

14 time?

last 15 A. Yeah. That was in December of '94, so that was the

door, and my 16 time they got to come visit. And they came to the

excited, 17 son was real excited about them coming. And he was so

him. So I 18 he couldn't open the door so he made me open it for

my dad 19 opened the door, and my mom was the first one there and

there. He 20 was little bit behind her and forget that my mom was

21 just shot by her and went right in my dad's arms.

father 22 Q. Now, you said that was the last time you saw your

23 alive; is that right?

24 A. Yes, it was.

father 25 Q. Do you recall having some conversations with your

15133

Glen Westberry - Direct

1 about your son and about your family?

2 A. Yeah. That time of the year, it -- when he came
through,

3 he had already been to see my sisters, and I think he
was --

4 was going through a time with us kids where he was kind
of

5 reflecting on what it was like for him to be our dad
and what

6 it was like growing up with him. And so we got to sit
down and

7 talk for a couple hours about that and -- and to a
point to

8 where we -- we got to a point about where we talked
about what

9 we needed to do in our lives to make sure we were
setting a

10 good example and being the right leaders for our son,
so he had

11 something good to follow.

12 Q. Had your father ever discussed that type of thing
with you

13 before?

14 A. Never.

15 Q. What type of father was your dad?

16 A. He was very direct, a very matter of fact kind of
guy, and

17 you always knew what he was thinking. But he was
always -- he

18 always was there for us, always took care of you,
always knew

19 if there was a problem, that he had the right answer

for you.

20 Q. Did you rely on him for advice?

21 A. A lot, especially once I got older and realized
that --

22 the wisdom that he had.

23 Q. Now, on April 19th, did you hear about the bombing?

24 A. My mom called me. I was working in Orlando, and
she called

25 me.

15134

Glen Westberry - Direct

1 Q. Did you realize at that time that it was your
father's

2 building that had been bombed?

3 A. At first, we weren't sure if it was his building or
not.

4 Q. Did you decide to travel to Oklahoma City to assist
your

5 mother?

6 A. Yeah. I -- I called out to try and get a hold of
him, and

7 I couldn't get a hold of the office where he was, so I
decided

8 to fly out that night.

9 Q. Now, do you have other brothers and sisters?

10 A. I had three older sisters.

11 Q. And did they come to Oklahoma City at some point?

12 A. Two of the three did.

13 Q. And do they have children?

14 A. Yes, they do.

15 Q. So your father had several grandchildren?

six --
16 A. I think there's -- I would -- three, four, five,
17 about eight.

18 Q. Let me show you Government's Exhibit 1468.

19 MS. WILKINSON: Which we offer into evidence.

20 THE COURT: Any objection?

21 MR. TIGAR: No objection, your Honor.

22 THE COURT: Received. May be shown.

23 BY MS. WILKINSON:

in
24 Q. Mr. Westberry, can you tell the jury who's depicted
25 Government's Exhibit 1468.

15135

Glen Westberry - Direct

1 A. That's my dad and my nephew Joshua.

2 Q. One of his grandsons?

3 A. Yes.

at that
4 Q. Now, after April 19th, on April 20th, did you know
5 time what had happened to your father?

6 A. On the 20th, no, we didn't know.

point? 7 Q. Did your son, David, come to Oklahoma City at some

a 8 A. Yeah, he came to Oklahoma City on -- it happened on

9 Wednesday, and he came out on a Friday morning.

of your 10 Q. Do you recall receiving news of the identification

11 father on Saturday?

to the 12 A. Yes. About three of the agents from DIS came out

13 house and told us that they had made a positive ID.

happened to 14 Q. Who was it that had to inform David what had

15 his grandpa?

16 A. It was me and his mom.

17 Q. What happened?

everyone, 18 A. When they first came in, they told -- they told

it, 19 and we had been trying to keep him somewhat away from

going on 20 watching a lot on TV, so -- he knew that something was

sisters. 21 in the house, because my mom was pretty upset and my

him and 22 So we took him upstairs and we sat down and talked with

23 told him what had happened. And he just started crying

anything you 24 uncontrollably, just sobbing. And there wasn't

25 could do to console him.

15136

Glen Westberry - Direct

1 Q. Did he have a request?

2 A. He had been to the building before to see my dad's
office

3 and visit him there since we had lived there. And he
-- he had

4 in his mind since he had seen it, he wanted to go see
the

5 building to see what had happened.

6 Q. What did he say to you?

7 A. He asked us to go down there because he wanted to
know for

8 sure that -- that he wasn't just at work, so we took
him down

9 to see the building the next day.

10 Q. How old was David when he made that request to you?

11 A. He was about four and a half.

12 Q. And did you take him down to the building on
Sunday?

13 A. On Sunday, we took him down to the building.

14 Q. What did he say?

15 A. He -- he didn't have a lot of reaction as far as
verbally.

16 He just -- I think it just let him know that he wasn't
there

17 because he could see that his office was gone, so he
knew that

18 his Papa wasn't at work anymore.

19 Q. Now, after taking care of things in Oklahoma City,
did you

20 return to Florida?

21 A. Yes.

22 Q. And did you try to have David return to school?

23 A. Yes. We took him back to school.

24 Q. Did you notice an impact upon David with the loss
of his

25 grandfather?

15137

Glen Westberry - Direct

1 A. He was -- at first, he was real scared to go back
to school

2 for the first couple of weeks. He cried every morning
because

3 he was afraid. He knew that there was a day care from
watching

4 on TV and stuff. He knew that there was a day care in
the

5 building, and so he was afraid the same thing was going
to

6 happen at his school.

7 Q. What did you tell him?

8 A. We told him that what had happened was because they
wanted

9 to hurt the government, the people in the building, and
--

10 MR. TIGAR: Objection, your Honor.

11 THE COURT: Sustained. Instruct the jury will
12 disregard that.

13 BY MS. WILKINSON:

14 Q. Did you explain to him that his school would not be
bombed?

15 A. Right. We told him that -- that his school was a
school on
16 its own and that that wasn't the intention.

17 Q. Okay. Did you notice other problems with David at
school?

18 MR. TIGAR: Ask that the last answer be
stricken,
19 also, your Honor.

20 THE COURT: Denied.

21 MR. TIGAR: About the intention.

22 THE COURT: Go ahead.

23 BY MS. WILKINSON:

24 Q. Mr. Westberry, tell the jury what happened to David
at
25 school, what reaction he had.

15138

Glen Westberry - Direct

1 A. At school, he -- he became a little bit aggressive,
and he
2 also had a time where he'd sit and put his hands over
his ears
3 and -- because he couldn't take the noise. He wanted

it quiet,

needed 4 and so he got real withdrawn and -- and just needed --

him, it 5 to be quiet. And then also, every morning that we took

6 was a time where he just cried from being scared.

counseling? 7 Q. Did you and his mother determine that he needed

8 A. Yes.

him in 9 Q. And what did he do? Or what did you do to assist

10 that area?

could 11 A. We took -- we took him to see a counselor and so he

him. 12 deal with some of the feelings that was going on inside

having that 13 We didn't want him having to grow up with that and

went 14 not dealt with, and part of the -- the therapy that he

his own. 15 through was reconstructing the building with blocks of

building with 16 Q. Did his therapist ask him after he built the

17 blocks to take the building down?

understanding a 18 A. Yes. She thought it would be a way of him

out to 19 little bit more what happened and letting his feelings

He 20 do that. And for a very long time, he wouldn't do it.

21 wouldn't allow anything to happen to the building.

22 Q. Did he get better?

23 A. He did get better. It took probably about eight to
ten
24 months before he had actually went there and allowed
the
25 building to be broken. And during that time, it helped
because

15139

Glen Westberry - Direct

1 he would talk about what it was like to miss his Papa,
and we
2 came up with different ways that he could still talk to
-- you
3 know, and communicate with his Papa.

4 Q. How did he communicate with his Papa?

5 A. What we would do is --

6 MR. TIGAR: Objection, your Honor.

7 THE COURT: Sustained.

8 BY MS. WILKINSON:

9 Q. Did your son, David, ever express a desire to die,
10 Mr. Westberry?

11 A. On a number of occasions with his mom, he would --
they
12 would be driving in the car and he would ask her when
there was
13 a red light if she would run the red light, and she
asked him

14 why because it would hurt other people and it could
hurt them.

15 And if he did that -- if she did that. And he said
that --

16 that he knew that if they did that, that they could die
and go

17 to heaven to be with Papa because he missed him and
wanted to

18 be with him and wanted to play with him some more.

19 Q. Could you tell the jury the impact that the death
of your

20 father has had on you, your family, and your son?

21 A. For quite a while, with my son, he would -- even
playing

22 with the toys in the bathtub and different things, he
would --

23 he would -- everything had to do with my dad. And he
would

24 wake up at night with nightmares and -- and dreams.
For

25 myself, it was -- it was losing a man that -- that I
relied on

15140

Glen Westberry - Direct

1 for wisdom and for encouragement. And our relationship
had

2 changed to the point over the last couple years to --
to where

3 he was more of a friend as well as a dad and somebody
that

4 would give direction and feedback. And now times that
you
5 would take for granted, that you could just pick up a
phone and
6 write a letter and talk to him, it's just not there.
So it's
7 a -- it's just a sense of loss. It's a sense of being
on your
8 own.

9 Q. And can you tell the jury the impact the loss of
your
10 father has had on your mother.

11 A. I know for her -- they were married for, I think,
about 36
12 years. And for her, it's a sense of losing her
companion and
13 her friend. Since all the kids had left, when they
moved out
14 to Oklahoma, they started spending -- doing things just
for
15 themselves and going places and doing things when --
that they
16 hadn't been able to do, raising four kids. And I know
for her,
17 when she sees other couples like this, it's a tough
time for
18 her. It's really hard for her to see these things,
knowing
19 that she's never going to be able to have that again
with my
20 dad.

21 MS. WILKINSON: Thank you very much, Mr.
Westberry.

22 We have no further questions, your Honor.

23 MR. TIGAR: No questions, your Honor.

24 THE COURT: You may step down. You're
excused.

25 Members of the jury, let me just explain. I
sustained

15141

1 an objection to what Mr. Westberry was getting into and
was

2 talking about talking to his son about why. And of
course, he

3 was making assumptions and -- with respect to what he
thought

4 an answer should be, and that's why I sustained the
objection

5 to it, because of his assumptions as to what happened
and why.

6 Of course, we can't consider such testimony here.

7 Next witness.

8 MR. MACKEY: We'll call Matt Lotspeich.

9 THE COURTROOM DEPUTY: Would you raise your
right

10 hand, please.

11 (Matt Lotspeich affirmed.)

12 THE COURTROOM DEPUTY: Would you have a seat,
please.

13 Would you state your full name for the record

and

14 spell your last name.

H. 15 THE WITNESS: Matt Lotspeich, L-O-T-S-P-E-I-C-

16 THE COURTROOM DEPUTY: Thank you.

17 THE COURT: Mr. Ryan.

18 MR. RYAN: Thank you, your Honor.

19 DIRECT EXAMINATION

20 BY MR. RYAN:

21 Q. Good morning. How are you employed?

22 A. I'm an FBI agent.

23 Q. And when did you join the FBI?

24 A. May of 1989.

25 Q. Are you married?

15142

Matt Lotspeich - Direct

1 A. Yes.

2 Q. Do you have children?

3 A. I have two little girls.

4 Q. And how old are you?

5 A. Two-and-a-half and five-and-a-half.

6 Q. How old are you?

7 A. I'm sorry. 34.

8 Q. All right. Where are you currently assigned with
the FBI?

the FBI 9 A. I'm currently assigned at Quantico, Virginia, at
10 Academy.

11 Q. In April of 1995, where were you assigned?

12 A. The Oklahoma City division of the FBI.

13 Q. Do you recall the morning of April 19th?

14 A. Very well.

15 Q. Tell the jury where you were and what happened.

to 5 16 A. I was in the FBI office, which is approximately 4

course, 17 miles from the Federal Center. I'm at my desk; and of

I 18 we hear the bomb go off and we weren't sure what it is.

19 thought it was a sonic boom. Everything is rattling.

reminded 20 MR. TIGAR: Your Honor, may the witness be

jury? 21 that "tell the jury" doesn't really mean to tell the

22 THE COURT: Yes.

23 BY MR. RYAN:

you 24 Q. Just talk -- just talk to me, Agent Lotspeich, if

sorry to 25 would. Just direct your comments to me. Again --

15143

Matt Lotspeich - Direct

were doing 1 interrupt you -- go back to where you were, what you

2 on the morning of the 19th.

3 A. I'm at the office when the bomb goes off, and I think it's

4 a sonic boom. My supervisor's office opens up to downtown.

5 And you could see smoke coming up from downtown. His radio was

6 on. And they begin talking about a bomb has gone off downtown,

7 and part of the federal building is missing.

8 Q. What did you do?

9 A. About that time, pretty much just flabbergasted. Over the

10 intercom, we receive a page for the S.W.A.T. team to

11 immediately get downtown. And at that point, we get out of the

12 office as fast as we can go and head downtown.

13 Q. Were you a member of that team?

14 A. Yes.

15 Q. And about how long was it before you arrived in downtown

16 Oklahoma City?

17 A. From the time of the blast, approximately 15 minutes. We

18 got downtown.

19 Q. Let me show you what has already been received in evidence

20 as Exhibit 973. Is this a scene that you saw on the morning of

21 April 19th?

22 A. Yes, it was.

23 Q. And when you arrived, where did you park?

24 A. I parked at the post office, which is half a block
or a
25 full block west of the federal building.

15144

Matt Lotspeich – Direct

1 Q. In relationship to this photograph, where is it
that you
2 parked?

3 A. The tower that you see, I'm in between the smaller
building
4 and in between the apartment tower. I'm on the other
side of
5 the smaller building.

6 Q. After you parked your car, what did you do?

7 A. We began running towards the building. We -- we
did not
8 know if there was a threat, if someone was still down
there
9 attacking some people. We were unsure what was going
on. And
10 we were there to just assist any way we can or could
and help
11 out.

12 Q. Who was with you?

13 A. Agent Terry O'Brien was with me.

14 Q. He's another agent of the FBI in Oklahoma City?

15 A. Yes.

16 Q. And what did you do and Agent O'Brien do?

17 A. We ran to the front of the building, where we saw
another

18 agent, Agent Chuck Choney, who is a S.W.A.T. team
leader. He

19 was on approximately the northeast corner of what was
left of

20 the building. And we got to that point and we began
talking to

21 him.

22 Q. All right. After you talked to Agent Choney, what
did

23 you -- what was the course of action?

24 A. Agent Choney said, "Matt, why don't you and Darrell

25 Edwards, who's an ATF agent -- why don't you go to the
rear of

15145

Matt Lotspeich - Direct

1 the building and see if you could help out.

2 Q. The rear of the building is the south side?

3 A. The south side of the building, yes.

4 Q. Is that what you did?

5 A. Yes.

6 Q. After you got to the south side, the plaza area,

what did

7 you do?

8 A. There was an Oklahoma highway patrolman standing at
the --

9 what was left of the entrance, and he was screaming for
some

10 rope. And I just took off running to look for a fire
truck to

11 try to get some rope. And there was a fire -- fire
truck very

12 close and a fireman on top of it and asked for some
rope, and

13 he threw me a bag. And I ran back to the front of the
-- to

14 the rear of the building, to that entrance.

15 Q. And what did you do with the rope?

16 A. The highway patrolman said they need it inside; and
at that

17 point, I started -- entered the building. And you
couldn't

18 walk in the building. It was -- it was just -- there
was

19 nothing there. It was just concrete and wires and
cables and

20 pipes and dust and dirt, and there was -- you could
hear people

21 hollering and -- and I kept going just towards the
building.

22 And I could hear a fireman. You couldn't quite see.

23 describe where he was in a moment. You couldn't quite
see him,

24 but I could hear him.

25 So I took the rope and I just began crawling
under and

15146

Matt Lotspeich - Direct

1 over things that didn't -- I couldn't see very well --
just to

2 get to where he was. And I assumed that's who needed
the rope.

3 I really didn't know. When I got into the building
maybe 20,

4 30 yards, I could see him. And what had happened, the
-- the

5 concrete ceiling had broken and was down at an angle,
and the

6 floor was down at an angle. And where they came
together is as

7 far as you could see. I called it a hole. It was a --
it was

8 a -- it was a hole, but it's where the two concrete
huge slabs

9 had came together.

10 Q. This is inside the building?

11 A. This is inside the building. And before I crawled
down

12 into that hole, there was -- the ceiling had broken
away. And

13 there was a refrigerator hanging up there maybe two or
three

14 stories above us, and it -- it was -- I was scared. I

didn't

15 know if -- what the refrigerator was going to do, if it
was

16 going to fall or whatnot.

17 Q. Was there anything, any floors, any ceilings
between you

18 and that refrigerator?

19 A. No. No. There was -- there was nothing there.

20 Q. All right. Did you keep on going?

21 A. I crawled down in the -- the hole, and you could
hear --

22 the firemen told me someone was in there, and you could
hear

23 them. You couldn't see anything. He said there's
somebody in

24 there. And we just began digging with our hands and --
and

25 just pulling out rubble and anything we could just to
try to

15147

Matt Lotspeich - Direct

1 make some headway because we could -- we could hear a
voice, a

2 cry, a murmur. And at that time, I thought it was a
little

3 girl. And I didn't know what it was. So we -- we just
kept

4 digging. And --

5 Q. Did you eventually get to this person?

6 A. We -- we got to the point where we got her shoulder
7 exposed. And she could -- I think her hand came out.

And --

8 Q. Was she able to tell you her name?

9 A. Yeah. We -- we had conversation. She was very
scared.

10 And it was a -- it was a horrible position. She -- I
-- I

11 can't imagine being in that position that she was in.
She was

12 pinched in between two, you know -- two huge slabs of
concrete

13 and covered with metal and debris and pipes and -- and
you

14 couldn't see in there. It was just so dusty and -- and
I was

15 terrified for her. I thought a shift in the building
would

16 crush her, and we were -- wanted to get her out as
quickly as

17 possible.

18 She really only -- there was such a small
area, you

19 couldn't dig really two people at once. You had to
kind of

20 take turns. And once we got her arm out, she wanted to
hold

21 your hand. She wanted to touch somebody, but you
couldn't.

22 You wanted to work with both your hands. So she
grabbed onto

23 my boot, I remember, and she called me "the boot man."

It was

24 Amy Petty who was pinned in there.

25 Q. She told you her name?

15148

Matt Lotspeich – Direct

1 A. She told me her name.

970 for 2 Q. Let me show you what's been marked as Exhibit No.

location where 3 identification. Does this photograph depict the

4 Amy Petty was trapped?

5 A. It does.

Exhibit 6 MR. RYAN: Your Honor, Government would offer

7 970.

8 MR. TIGAR: May I voir dire briefly?

9 THE COURT: You may, yes.

10 VOIR DIRE EXAMINATION

11 BY MR. TIGAR:

12 Q. Good morning, Agent. I'm Michael Tigar.

13 The photograph that you're looking at there,
sir: Do

14 you know when that was -- Is Ms. Petty depicted in that
15 photograph?

16 A. No.

17 Q. This was taken at some time after she was removed?

18 A. Yes.

19 Q. Okay. And do you know when it was taken, sir?

20 A. No.

21 Q. Does it -- but how do you recognize -- I know the jury

22 can't see it. How do you recognize it as the place where you

23 were working that day?

24 A. I spent approximately four hours in that hole. And this

25 may sound strange, but I know it very well.

15149

Matt Lotspeich - Voir Dire

1 Q. Okay.

2 A. I know --

3 Q. So you're --

4 A. I know how those concrete pieces come together, and -- I

5 know it well.

6 MR. TIGAR: You do. All right. Thank you, sir.

7 No objection.

8 THE COURT: Received. May be displayed.

9 DIRECT EXAMINATION CONTINUED

10 BY MR. RYAN:

11 Q. Now, if you would, you've got a pen there on your

desk,

draw 12 Agent. And if you'll put it under the table, you can
And if 13 actually right on the screen that's below your desk.
this 14 you would draw the location of where Amy Petty was in
15 photograph.

-- in 16 Now, was she -- was she in a chair? Was she
17 what way was she trapped in this space?

as the 18 A. She was -- she was sideways. Her head was facing
hunched 19 opening increases. She was in a chair, and she was
20 over. And her right side of her body was exposed to
us. Only 21 her upper torso.

22 Q. You say you spent about four hours with her.

23 A. Yes.

24 Q. Who else was with you?

paramedic 25 A. There was a fireman that was in the hole. And a

15150

Matt Lotspeich - Direct

1 worker was there off and on.

hole, 2 Q. As you were attempting to get Amy Petty out of this

3 did you hear other voices in the building?

4 A. You could -- you could hear -- you could hear other
people,

5 other noises. Not screams, but murmurs and cries.

6 Q. What happened to those murmurs and cries?

7 A. We -- we would stop digging and we would listen and
we --

8 to the right of the picture was where we were hearing
those

9 noises and -- and we would listen and -- and we -- we
would try

10 to move some of the blocks that were there and we -- we
wouldn't hear

11 couldn't. And it would quit after a while. You

12 anything. And we would go back digging.

13 Q. Did there come a time that morning when you left
Amy Petty?

14 A. Yes. One of the firemen came over to our position
and said

15 there's another bomb in here. We need to evacuate
immediately.

16 Q. What did you say?

17 A. We -- we left eventually.

18 Q. Did you tell Amy Petty what you were doing?

19 A. We told her -- yes. We -- we told her that we had
to leave

20 for a short time and we would -- we would come back.
We

21 wouldn't leave her. We wouldn't do that.

22 Q. What did she say?

23 A. She -- she just cried. She was very upset.

24 Q. How long were you outside the building?

25 A. Maybe 15, 20 minutes. 10 minutes.

15151

Matt Lotspeich - Direct

1 Q. And did you come back in the building?

2 A. Yes.

3 Q. Did you go right back to where she was?

4 A. Yes. There was some -- I found some other --
another FBI

5 agent, Walt Lamar, and some Oklahoma City Police
Department

6 officers that were nearby and told them, "Hey, we've
got

7 somebody alive in there; we've got to get back in
there." And

8 I led them to the spot, and we took up digging again.

9 Q. Was Amy Petty rescued from the building that day?

10 A. Yes. Yes, she was.

11 Q. And did you see her the following day?

12 A. Yes, I went to the hospital the following day and
checked

13 on her.

14 MR. RYAN: Thank you. That's all I have, your
Honor.

15 MR. TIGAR: No questions.

16 THE COURT: All right. You may step down.

You're

17 excused. Next, please.

18 MR. MACKEY: Call Mr. Chris Cregan.

19 THE COURT: Thank you.

right

20 THE COURTROOM DEPUTY: Would you raise your

21 hand, please.

22 (Chris Cregan affirmed.)

please.

23 THE COURTROOM DEPUTY: Would you have a seat,

and

24 Would you state your full name for the record

25 spell your last name.

15152

Matt Lotspeich – Direct

1 THE WITNESS: Chris Cregan, C-R-E-G-A-N.

2 THE COURTROOM DEPUTY: Thank you.

3 MR. MACKEY: Thank you, your Honor.

4 DIRECT EXAMINATION

5 BY MR. MACKEY:

6 Q. Mr. Cregan, where do you live?

7 A. I live in Louisville, Colorado.

8 Q. And how long have you lived in Colorado?

9 A. I've been here now for six months.

10 Q. And before that, where did you reside?

11 A. In Moore, Oklahoma.
12 Q. Is that near Oklahoma City?
13 A. It's just on the outskirts of Oklahoma City.
14 Q. How long did you live in Oklahoma?
15 A. 37 years of my life.
16 Q. And how old are you?
17 A. 37.
18 Q. All right. I want to ask you a few questions about
19 yourself and also about your mother, Kathy Cregan.
Kathy was a
20 victim of the Oklahoma City bombing, was she?
21 A. Yes, she was.
22 Q. All right. Mr. Cregan, are you married?
23 A. Yes, I am.
24 Q. And what's your wife's name?
25 A. Sondra Cregan.

15153

Chris Cregan - Direct

your
your
have
1 Q. All right. And tell the jury, please -- direct
2 answers to me -- the family unit that you came from,
3 mother and father and siblings.
4 A. I have -- my father passed away 11 years ago, and I
5 two older brothers. And I have four nieces and two

nephews.

6 Q. All right. When you graduated from high school,

7 Mr. Cregan, did you go off to the service?

8 A. Yes, I did.

9 Q. And how many years did you serve in the Air Force?

10 A. Four years.

11 Q. And after that time, what have you done?

12 A. I've worked for Seagate in the computer industry.

13 Q. Is that the business you're employed by currently?

14 A. Yes.

15 Q. At the time of your mother's death, who was she
employed

16 by?

17 A. Social Security.

18 Q. And how long had your mother worked for the Social
Security

19 Administration?

20 A. 14 years.

21 Q. Tell the jury -- jurors, please, Mr. Cregan, what
jobs she

22 had and what responsibilities she carried out on behalf
of

23 Social Security.

24 A. She was a service rep. She handled the claims and
kind of

25 took care of -- troubleshoot the claims that were being
made.

15154

Chris Cregan - Direct

1 Q. And did she tell you what she thought about the job
that
2 she did for Social Security?

3 A. She loved her job.

4 Q. All right. Do you know where her office was
located?

5 A. It was on the 1st floor of the Murrah Building.

6 Q. And do you know where on the 1st floor it precisely
was in
7 April -- April 19th of 1995?

8 A. Yes. She was -- it was the east side of the
building, I
9 believe.

10 Q. How close was it, Mr. Cregan, to the glass walls?

11 A. She was very close. She was like probably 4 feet
away from
12 the glass walls -- her desk was.

13 Q. How long had her work station been at that spot
before the
14 bombing?

15 A. For about three -- I think about three months.

16 Q. Mr. Cregan, how old was your mother when she died?

17 A. She was 61.

18 Q. Would you tell the members of the jury when you
last spoke
19 to your mother.

20 A. Easter Sunday.
21 Q. All right. Describe that conversation.
22 A. We talked about -- she was going to come over for
Easter
23 dinner, and she was talking about how she wasn't going
to be
24 able to because of her -- she was having knee problems
and --
25 and so she was kind of flat -- she was flat on her back
and she

15155

Chris Cregan - Direct

1 really couldn't get around. She was telling me how she
2 wasn't -- she was trying to get out of jury duty. She
was
3 supposed to be on jury duty on that -- starting Monday,
and she
4 was going to get a doctor's statement.

5 Q. Did your mother have some health problems in the
spring of
6 '95?

7 A. Yes, she did. She had been ill most of my life.

8 Q. All right.

9 A. And so she had to be fed through a port in her
chest.

10 Q. And despite those health conditions, did she report
to work
11 and serve at the Social Security Administration?

12 A. Yes, she did.

13 Q. All right. What was her time of entry to the job?
What
14 time of day did she go to work?

15 A. She usually went in about 6:45 and -- and worked
till 3,
16 3:30, I believe.

17 Q. Now, in the spring of 1995, was she living alone,
or with
18 anyone else?

19 A. She was living with my middle brother at the time.

20 Q. All right. And had he experienced some personal
problems
21 and needed to take shelter with your mother?

22 A. Yes. Yes, he did.

23 Q. All right. Mr. Cregan, would you tell the jury
where you
24 were on the day of the bombing and how you first came
to know
25 of that event.

15156

Chris Cregan - Direct

1 A. I was at work. And I was just -- I was at my desk,
and
2 then I heard a big blast and it shook the -- the
pictures on
3 the wall. And so I just went and got coffee and come
back.

4 And we looked outside and seen it wasn't thunder -- no
clouds
5 out, so we didn't think it was thunder. So I went back
to my
6 desk. And then my secretary come in and said that, you
know,
7 they had heard there had been a blast at the
courthouse.

Oklahoma
8 Q. What distance was your building from downtown
9 City?

10 A. About 10 miles.

11 Q. All right. And you could -- you felt the blast?

12 A. I felt it and heard it.

13 Q. Where was Sondra's place of business or place of
work?

14 A. She was three blocks away.

15 Q. In downtown Oklahoma City?

16 A. In downtown Oklahoma City.

17 Q. And did you talk to Sondra that morning?

18 A. Yes, she (sic) did. She was the one that called --
that

19 called me to tell me that it was my mom's building and
I needed

20 to get down there.

21 Q. All right. Had she gone out to investigate the
blast and

22 saw that it was your mother's building?

23 A. Yeah. She went down -- there was some -- some of
the

the 24 architects in her firm that had got to the corner of
there 25 federal courthouse and stopped her and told her to wait

15157

Chris Cregan - Direct

told 1 until they went up and checked it out and come back and
called me. 2 her, "You need to go call your husband now." She

the site 3 Q. When you learned that your mother's building was
4 of the blast, what did you do, Mr. Cregan?

and 5 A. I immediately left work and -- and got in the car
6 headed -- headed that way.

home? 7 Q. And did you route yourself, then, to your mother's

home phone 8 A. Yes, I did. I was getting -- I was calling her

then I 9 number and I -- I was getting a busy signal. And so

was 10 decided to -- to go to her house, because I knew if she

upset 11 there, at least I knew she was there and she would be

with 12 over what had happened. And I seen my brother who lived

him. So I 13 her was at work, at his job, so I thought it wasn't

telling 14 just went ahead and went there. And too, they were
were 15 us -- people not to come downtown unless, you know, you
16 emergency medical personnel.

home 17 Q. Why did you hope that your mother had -- was at
18 instead of in the building that morning?

she was -- 19 A. Because I -- I just didn't want to find out that

that 20 because I knew where her floor was and I -- you know,

would be 21 building. I just knew that if something happened, she
22 close.

home, 23 Q. When you discovered that your mother was not at her

24 did you and Sondra then go downtown to Oklahoma City?

25 A. Yes. Me and Sondra -- me and my wife and my oldest

15158

Chris Cregan - Direct

her, 1 brother -- we went downtown and started searching for
2 trying to get information and --

3 Q. How close were you able to get to the building?

the 4 A. 9th and Hudson. About four blocks away. They had

5 perimeter pushed out that far at that point.

6 Q. All right. Were you able to get a glimpse, at
least in
7 your visit downtown, of the building itself?
8 A. Yes, I did.
9 Q. And what was your reaction?
10 A. Shock. I just -- I just didn't think anybody
walked out
11 alive. I just knew at that time, kind of felt that she
was
12 gone.
13 Q. Mr. Cregan, how many days did you and other family
members
14 wait to hear the news of your mother's death?
15 A. I waited four days.
16 Q. All right. And can you describe to the jury what
that
17 waiting period was like?
18 A. It is the hardest thing I'd ever been through in my
life,
19 wondering -- you know, at that point, you're just
hoping you
20 get -- you know, get her back. And it was a -- it's
hard to
21 describe. It was the hardest anything -- I wouldn't
wish it on
22 nobody.
23 Q. Mr. Cregan, would you tell members of the jury and
his
24 Honor who Kathy Cregan was.
25 A. She was a very compassionate, very loving mother.
She

15159

Chris Cregan - Direct

1 would do -- she would give a stranger the shirt off her
back.

2 She would always take in -- you know, she would take in
stray

3 animals; and she was just a very, very loving mother.
Always

4 took care of us. Always -- we always came first.

5 Q. I want to show you a photograph.

6 MR. MACKEY: Government Exhibit 2216 that I'll
offer

7 into evidence.

8 MR. TIGAR: No objection, your Honor.

9 THE COURT: Received. May be published.

10 BY MR. MACKEY:

11 Q. The jury is now looking at that photograph, Mr.
Cregan.

12 Who's in that photograph?

13 A. That's my mom.

14 Q. All right. Mr. Cregan, a final question, please:
Would

15 you describe for yourself, as well as your brothers,
the impact

16 of the death of your mother.

17 A. It's -- it's been a major impact. I mean, it's
changed my

18 life forever. I've lost that sense of security that,
you know,
19 my mom -- I always knew she was there. She would
always be
20 there. If anything happened to -- if me and my wife
were ever
21 in a car wreck and my wife was killed, I always knew my
mom was
22 there. She would always be there to take care of me.
So you
23 lose that sense of security. Plus, you know, you just
can't
24 replace a mom.
25 Q. In your case, Mr. Cregan, has the death of your
mother

15160

Chris Cregan - Direct

1 caused separation among your brothers?
2 A. Yes, it has. It's divided our family. So I've
lost my
3 brothers over this, too.
4 MR. MACKEY: Thank you so much.
5 MR. TIGAR: No questions.
6 THE COURT: Any questions?
7 You may step down. You're excused.
8 I think we'll take our morning recess at this
time,
9 members of the jury, for the usual about 20-minute
break. And

10 of course, as usual, please keep open minds and avoid
11 discussion of the proceedings here among yourselves and
with
12 all others, and continue to avoid anything outside of
the
13 information being provided you and the evidence that
was
14 provided you, to be certain that you can decide this in
15 accordance with the instructions that will be given to
you as
16 you decide on the basis of what you see and hear in the
17 courtroom.

18 You're excused now. 20 minutes.

19 (Jury out at 10:11 a.m.)

20 THE COURT: We'll be in recess.

21 (Recess at 10:12 a.m.)

22 (Reconvened at 10:30 a.m.)

23 THE COURT: Be seated, please.

24 You have a matter, Mr. Tigar?

25 (At the bench:)

15161

1 (Bench Conference 146B2 is not herein transcribed
by court
2 order. It is transcribed as a separate sealed
transcript.)

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1 (In open court:)

2 (Jury in at 10:32 a.m.)

3 THE COURT: Next witness, please.

4 MR. MACKEY: Judge, we'll call David Florence.

5 THE COURTROOM DEPUTY: Raise your right hand,
please.

6 (David Florence affirmed.)

7 THE COURTROOM DEPUTY: Would you have a seat,
please.

8 Would you state your full name for the record
and

9 spell your last name.

10 THE WITNESS: It is John David Florence, II.
It's

11 F-L-O-R-E-N-C-E.

12 THE COURTROOM DEPUTY: Thank you.

13 MR. SENDEL: Thank you, your Honor.

14 DIRECT EXAMINATION

15 BY MR. SENDEL:

16 Q. Would you tell us where you live, please, Mr.
Florence.

17 A. I live in Oklahoma City.

18 Q. Who do you live with?

19 A. Right now I live in my parents' home with my son,
Tray.

20 They help take care of him for me.

21 Q. Where is that located?

there 22 A. It's in the northwest part of town. They've lived
23 all my life -- or I've been there all my life.
with your 24 Q. How long have you and your son been living there
25 parents?

15166

David Florence – Direct

1 A. Since April 19.
2 Q. Of 1995?
3 A. Of 1995, yes, sir.
4 Q. Are you employed, Mr. Florence?
5 A. Yes. I work at Fred Jones Manufacturing in
Oklahoma City.
6 Q. How long have you had that job?
7 A. I've been with Fred Jones 21 years now.
8 Q. Did you lose your wife in the Oklahoma bombing?
9 A. Yes, sir, I did.
10 Q. What was her name?
11 A. Linda Florence.
12 Q. Where did Linda work?
13 A. She worked for the Department of HUD on the 7th
floor of
14 the Murrah Building.
15 Q. What was her job with HUD?

HUD 16 A. She was a secretary for the multifamily division of

17 and --

18 Q. How long had she been there?

19 A. Oh, about five years, a little over five years.

Murrah 20 Q. And in addition to your wife's job there in the

Murrah 21 Building, was she also involved in activities in the

22 Building?

23 A. Yes. She was part of the Federal Women's Group
there. She

24 was the historian of the group, and she had been doing
that for

25 a couple years.

15167

David Florence - Direct

Women's 1 Q. And what was your understanding of what the Federal

2 Group did?

3 A. They did projects like fundraisers for, oh,
scholarships

4 for students. They would have parties like for the day
care,

5 just different projects. She did a project for the
Federal

6 Women's where she was the -- helped put on the
presentation for

7 the women of the federal government, and she had done

that.

8 Q. In April of 1995, how long had you and Linda been
married?

9 A. Almost 17 years.

10 Q. You mentioned earlier your son, Tray. What is his
full

11 name?

12 A. It's John David Florence, III, and Linda wanted to
call him

13 that and then call him Tray as a nickname.

14 Q. When was Tray born?

15 A. He was born October 22, 1995 -- '93. I'm sorry.

16 Q. Now, prior to the birth of your son, Tray, had you
and

17 Linda tried to have children before?

18 A. We had tried for 10 years to have a child, and we
had no

19 success doing that. And then we decided we would try
to adopt;

20 and in December of '92, adoption agency approved us.
And --

21 and then in February --

22 Q. Did you find in February that you were going to
have a

23 child?

24 A. Yes. She came home. And I was home from work
before she

25 did; and she came home and I was sitting on the couch
reading

15168

David Florence – Direct

1 the paper. And she says, "You're not going to believe
this."

2 I said, "What's that?"

3 And she says, "I'm pregnant."

4 And after all the trying to get pregnant all
the

5 years, it was such a joy. And he's our miracle baby.

6 Q. I'd like to show you a photograph we've marked as
Exhibit

7 2207. If you'd look at the screen in front of you,
please,

8 Mr. Florence. And who do we see in that picture?

9 A. That's Linda and our son, Tray.

10 MR. SENDEL: Your Honor, I'm going to offer
2207.

11 MR. TIGAR: No objection, your Honor.

12 THE COURT: Received, may be shown.

13 BY MR. SENDEL:

14 Q. If you would again, please, Mr. Florence, identify
the

15 people we see in the photograph.

16 A. There is myself, and there is Linda. She was so
happy that

17 day. And then our son, Tray.

18 Q. About how old was Tray when this picture was taken?

19 A. He would have been 18 months old the 22d of that
month, and

20 that was in April.

21 Q. Outside of work and your family, did your wife,
Linda, have

22 some hobbies that she enjoyed?

23 A. Yes. She liked sewing and needlepoint, cooking.
She liked

24 to -- make and decorate cakes. She loved to read. She
just

25 read all the time, and she enjoyed that very much.

15169

David Florence - Direct

1 And photography, and she was just -- did a lot
of

2 things.

3 Q. How did you first hear about the bombing at the
Murrah

4 Building, Mr. Florence?

5 A. I was at work that morning, and I called downtown.
I was

6 at the other plant, and we were having trouble with our
Information
7 computers, and I had called downtown and to the

8 Services to see if I could get some help. And Tommie
answered

9 the phone down there, and she hung up on me and said
there was

10 some kind of explosion.

11 So I called back another one of my employees

that was

12 up on the 4th floor, Viola, and I said, "What's going
on?"

13 And she said, "Well, there has been --
something has

14 happened, an explosion." And she said, "Maybe it's at
the new
15 County Jail because of all the trouble they had there."

16 And so I got off the phone and I walked up to
the

17 front office, and they had the television on. And
first I

18 didn't recognize what was going on in the building, and
then it

19 just kind of hit me. And I tried to call Linda.

20 Q. After you realized it was the Murrah Building, did
you then

21 go downtown?

22 A. Yes. Loren, another supervisor there, we got in
the car

23 and we drove down and got as close as we could.

24 And then I got out of the car because of the
traffic

25 was all backed up and I got -- I started on foot. And
I worked

15170

David Florence - Direct

1 my way up around to the front of the building, and it
was gone.

2 Q. After you got to the front of the building, Mr.
Florence,
3 did you get some word that you thought maybe Linda
might be in
4 a local hospital?

5 A. Well, they -- we went kind of corner -- from corner
to
6 corner, and I ran into Steve Nix, another employee of
Fred
7 Jones; and his wife worked for HUD, too. And we worked
our way
8 to St. Anthony's, and we spent the day there and until
they
9 closed that. And then we went to the First Christian
Church
10 where they took information about Linda.

11 And that night after I got home -- well, over
my
12 parents' home, our next-door -- their next-door
neighbor, Mary,
13 came over -- and it was about midnight -- and said that
her
14 name was on a list; that she was at St. Anthony's.

15 We went to St. Anthony's then, and I went up
to the
16 reception and asked if she was there, and she wasn't.

17 Q. How long did you have to wait, Mr. Florence, before
Linda's
18 body was identified?

19 A. I received a phone call about 4:00 on the following
20 Wednesday to come down to the First Christian Church
where they

21 notified me of her -- of her then.

22 Q. Would you tell us, please, Mr. Florence, the effect
the

23 loss of your wife, Linda, has had on you and your son,
Tray?

24 A. Well, we lost our life, too. We've had to build a
new

25 life, or we're trying to. We don't live in our own
home, and

15171

David Florence - Direct

1 we're trying to go forward.

2 Q. Mr. Florence, you mentioned to us that one of the
hobbies

3 your wife enjoyed was photography?

4 A. Yes.

5 Q. While you were waiting for word of your wife, did
you go to

6 see if she had left some pictures to be developed?

7 A. Well, it was kind of a fluke that I even thought
about it.

8 I had to go to Hyde's Drug to get a prescription. And
while I

9 was there, I just happened to ask about this roll of
film that

10 we had finished up on Easter, and I had given it to her
and she

11 had put it in her purse. And so I walked over to the
counter

12 where the film was; and I asked, and it was there. And
she had

13 put it in on the 18th on the way home from work.

14 Q. And did you pick up the pictures that had been
developed?

15 A. Yes, I picked them up.

16 Q. I'd like you to --

17 MR. TIGAR: May we approach, your Honor?

18 THE COURT: Yes.

19 (At the bench:)

20 (Bench Conference 146B3 is not herein transcribed
by court

21 order. It is transcribed as a separate sealed
transcript.)

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25

15175

David Florence - Direct

1 (In open court:)

2 MR. SENDEL: I'd like to show --

3 THE COURT: You may continue.

4 BY MR. SENDEL:

5 Q. I'd like to show you what we've marked as Exhibit
1485. If

6 you'd look at the photograph in front of you, Mr.
Florence.

7 A. Yes, I see it.

8 Q. Is this one of photographs that your wife took?

9 A. It was one of them on the roll of that film.

10 MR. SENDEL: Your Honor, I'm going to offer
1485.

11 MR. TIGAR: No objection, your Honor.

12 THE COURT: It's received.

13 BY MR. SENDEL:

14 Q. When was this photograph taken?

15 A. It was taken Good Friday in the Murrah Building.
The

16 kids -- the women's group that she was with had an
Easter party

17 for the kids.

18 Q. This photograph: Did you see that it was later
made

19 available to the parents of the children in the day
care?

20 A. Yes. Our pastor's wife, because I didn't know what
to do

21 with them -- and she took them; and the parents that
had lost

22 children were meeting. And she had taken the pictures
and laid

23 them out on the table and let them pick what ones they
would

24 like and then had copies of them made for them so they
would

of 25 have pictures, because they may have been the last ones

15176

David Florence – Direct

1 their children.

no 2 MR. SENDEL: Thank you, Mr. Florence. I have

3 further questions.

4 MR. TIGAR: No questions, your Honor.

excused. 5 THE COURT: You may step down. You're

6 THE WITNESS: Thank you, your Honor.

7 THE COURT: Please.

8 MR. MACKEY: Martha Ridley.

right 9 THE COURTROOM DEPUTY: Would you raise your

10 hand.

11 (Martha Ridley affirmed.)

please. 12 THE COURTROOM DEPUTY: Would you have a seat,

and 13 Would you state your full name for the record

14 spell your last name.

spelled 15 THE WITNESS: My name is Martha Ridley. It's

16 R-I-D-L-E-Y.

17 THE COURTROOM DEPUTY: Thank you.

18 THE COURT: Mr. Goelman.

19 DIRECT EXAMINATION

20 BY MR. GOELMAN:

21 Q. Good morning, Ms. Ridley.

22 A. Good morning.

23 Q. Are you here today to talk a little bit about your
24 daughter, Kathy, who died in the Oklahoma City bombing?

25 A. Yes, sir, I am.

15177

Martha Ridley - Direct

1 Q. Where do you live?

2 A. I live in Del City, Oklahoma.

3 Q. Can you describe your education, briefly.

4 A. I have a master's degree in business education.

I'm a

5 former teacher. I'm employed now. I work full-time.

6 Q. Where do you work?

counter

7 A. I work for a company called The Mail Room. We're

have a tag

8 agents for Fed Ex, UPS, and the Post Office; plus we

9 agency in the business, also.

10 Q. Do you work up in Del City?

at

11 A. No, I don't. I work up in The Village, which is up

12 104th and Main.

13 Q. Is that in Oklahoma City?

14 A. Yes, sir, it is.

15 Q. I want to show you Government's Exhibit 2213.

16 MR. GOELMAN: I offer it, your Honor.

17 MR. TIGAR: No objection, your Honor.

18 THE COURT: Received.

19 BY MR. GOELMAN:

20 Q. Could you please identify who the people in this
picture

21 are, Ms. Ridley.

22 A. It's my father, my son, my daughter and myself.

23 Q. Okay. And your daughter: Is she on the back
right-hand --

24 A. She is in the right-hand corner. Her name is
Kathryn

25 Elizabeth Ridley, and she was 24 years old when she got
killed.

15178

Martha Ridley - Direct

1 Q. Would you briefly describe what Kathy was like.

2 A. She was a very vivacious, outgoing person. She
liked

3 music, she liked to sing, she liked to draw, and she
was a very

4 easy, outgoing-type person.

5 Q. You said that she was 24 when she died?

6 A. Yes, sir.

7 Q. Had she had to battle through some adversity in her
life?

8 A. Yes, she did. She was highly intelligent, but
school was

9 not her favorite subject. She enjoyed most of it, but
she did

10 not graduate from high school. I had three sons that
graduated

11 but she did not. And she had a few problems that she
tried to

12 overcome, and she had gotten to the point where she was
in the

13 Job Corps and she was trying to get her life together
and

14 further education and be able to go on to be able to
make a

15 life for herself and two little girls.

16 Q. She had two little girls?

17 A. Yes.

18 Q. How old were they when she was killed?

19 A. At the time when she was killed, her oldest
daughter was

20 just a little over 4 years old, and the baby was 4
months and 4

21 days old.

22 Q. And you mentioned something about Job Corps?

23 A. Yes. She was -- she had just come off from
maternity leave

24 to go back to the Job Corps up in Guthrie. And she had
about 4

25 to 6 months of her training to complete and she would
have been

15179

Martha Ridley - Direct

1 a -- she wanted to become a welder, a certified welder.

2 Q. What is the Job Corps?

3 A. The Job Corps is a retraining program for young
people that

4 have dropped out of high school or have had problems
getting

5 through school. And it offers them a vocational
education.

6 Training-type program is what it is. It's a very good
one.

7 Q. It's a government program?

8 A. Yes, sir, it is.

9 Q. You said that Kathy had not graduated from high
school?

10 A. No, sir, she did not.

11 Q. Had she ever gone back to school to get her
diploma?

12 A. No, she didn't, but she completed her GED while she
was in

13 the Job Corps.

14 Q. And when did she first enter the Job Corps?

15 A. She went into the Job Corps in March of 1994. She
was in

16 Job Corps until that October. She became involved with
an

17 individual that worked on the Job Corps site. She got
18 pregnant, and they let her stay until, I think, around
the
19 middle of October of '94. And the baby was born the
15th of
20 December of '94. And she was on maternity leave and
had just
21 been granted permission to go back.

22 Q. And that was in April, 1995?

23 A. Yes, sir.

24 Q. Was there some urgency for Kathy to go back to the
Job
25 Corps right then?

15180

Martha Ridley - Direct

1 A. Yes, there was, because she was getting near the
age where
2 that by the time she would have completed her training,
she
3 would have been past the age limit and she had to go
back then.
4 If she hadn't have, they would not have let her go back
in to
5 finish her training because she would have been 25 that
6 following December, and that's the maximum age limit
for the
7 Job Corps.

8 Q. When was Kathy initially supposed to go back to the

Job

9 Corps?

10 A. She had been to the Job Corps about a week before
that, and

11 she went up there and spent the day; and they had lost
her

12 records, and they couldn't find her records, so they
sent her

13 back home the same day that she had gone up there. And
then

14 they found her records within the next few hours after
that,

15 apparently; and then they told her to be ready to go
back on

16 the 19th.

17 Q. On April 19?

18 A. Yes, sir.

19 Q. What did you do on the morning of April 19?

20 A. Well, morning of April 19, we got up. We had both
the

21 little girls. I had the girls in day care. She had
given me

22 sole custody of the girls on the 21st of March, and I
had the

23 girls enrolled in day care. And we got up, we took the
girls

24 to day care first; and I was driving down Shields
Boulevard and

25 had just crossed the downtown area. And I had to pull
over

15181

Martha Ridley - Direct

1 into a parking lot which was the old Santa Fe train
station.

2 I'm not sure of the exact name of the street there.
And I had

3 her things. She had everything she had with her. She
was

4 headed back to Job Corps. I had everything in the
trunk of my

5 car, so I had to stop there to let her out. And she
got

6 everything out of there and she got out of the car, and
I told

7 her, "Call me when you get to Job Corps." And --
because I

8 didn't know if they had changed anything around or not.

9 And I got back in my car and I headed up to
5th and

10 went over east and took 77 and went on to work,
because I

11 work up at Hefner and May, and that's the fastest way
for me to

12 get up there.

13 Q. Mrs. Ridley, what was Kathy's plan to do that
morning in

14 Oklahoma City?

15 A. Well, she was going to the -- drop her bag and her
things

16 off at the Job Corps office, which was in the Athenian

17 Building.

18 Q. Where was the Athenian Building located?

19 A. It was just northwest of the Murrah Building.

20 Q. Was there a parking lot in between the Athenian
Building?

21 A. There was a parking lot there, and I don't know --
I don't

22 think she ever made it to the Job Corps site, because I
was at

23 work -- I had just gotten into work and I wasn't at
work less

24 than 1 or 2 minutes and we heard the explosion.

25 Q. And she never called you?

15182

Martha Ridley - Direct

I 1 A. She never called me, no. And what had happened was

2 waited most of the day. I felt in my heart she was in
it, but

3 I couldn't prove it. And I waited most of the day. I
called

4 the Job Corps. They had no record of her being up
there, and

5 they couldn't find her, and it was just one of those
things

6 that you just sat and you wait and you wait and you
wait, and

7 that's what I had to do.

8 Q. Did there come a time when your daughter's body was

9 positively identified?
10 A. Yes, sir. It was identified -- I think it was on
the 28th
11 of October (sic), the prior Monday. The Medical
Examiner had
12 called my daughter -- daughter-in-law and asked for
Kathy's
13 dental records from the Job Corps.

14 They got them that Monday; and that Thursday,
they
15 positively identified her.

16 Q. Did they tell you why they needed her dental
records to
17 identify her?

18 A. Yes. Because the top of her head had been blown
off, and I
19 believe one of her feet were missing, also.

20 Q. Did you recover any possessions that your daughter
had with
21 her that morning?

22 A. The only thing that I recovered when they called us
up to

23 the church was a manila envelope with two rings in it.
And

24 when I -- and they found a -- it had a -- there was a
ballpoint

25 pen in there that they thought was hers. And the pen
was not

Martha Ridley – Direct

1 hers because from where she was at in the intensity of
it, the
2 pen wouldn't have been there, either, but the pen
belonged to
3 someone else. But all I got back was two rings. I
opened up
4 the envelope, and there was charred flesh on the inside
of the
5 rings. This came out in my hands when I got the rings
out.

6 Q. You mentioned that you have three sons.

7 A. Yes, sir. I have my oldest son -- is deceased. I
have a
8 son in Chicago, Illinois, who is in his mid 30's; and
then my
9 son James is in Oklahoma City with me. And as far as
my family

10 in Oklahoma City is concerned, I have three
granddaughters, my
11 two granddaughters that belonged to my daughter, and my
son has
12 a daughter; so there is just five of us in Oklahoma
City.

13 Q. Was Kathy your only daughter?

14 A. Yes, sir. She was my youngest child and my only
daughter.

15 Q. How did her death impact you and her two children?

16 A. Well, it just left a gaping hole in everybody's
life,
17 because No. 1, there are no fathers involved with the
two

of a 18 granddaughters. My oldest granddaughter was a product
time 19 rape when she was 19 years old. Kathy had a very hard
her name 20 dealing with that. So I had Marty, the oldest one --
months 21 is Martha Elizabeth. I've had her since she was 4 1/2
Texas, six 22 old. And the baby's father was killed in Houston,
involved, 23 weeks before she was born. So there are no fathers
than the 24 and my son and I are the only two family members other
25 girls in Oklahoma City.

15184

Martha Ridley - Direct

1 Q. Is there anything about raising your two
granddaughters
2 that reminds you of the loss of your own daughter?
3 A. Yes, because my oldest grandchild, Marty, is the
spitting
4 image of her mother and she remembers her mother, she
talks
5 about her every day. The baby, of course, does not
realize
6 who -- I'm mom to her and -- but she talks to Katie,
who just
7 turned three years old on the 15th of December. Marty
turned 7

of 8 on the 27th. My daughter would have been 27 on the 2d
She sees 9 December, and Marty talks about her mother every day.
the pain 10 things around the house that reminds her of her, and
there. 11 and the memory -- nothing ever goes away. It's always

all I 12 MR. GOELMAN: Thank you, Mrs. Ridley. That's
13 have.

14 MR. TIGAR: No questions, your Honor.

15 THE COURT: You may step down, and you're
excused.

16 MR. MACKEY: Donald Clark.

17 THE COURTROOM DEPUTY: Would you raise your
right 18 hand, please.

19 (Donald Clark affirmed.)

20 THE COURTROOM DEPUTY: Would you have a seat,
please.

21 Would you state your full name for the record
and 22 spell your last name.

23 THE WITNESS: And spell my last name?

24 THE COURTROOM DEPUTY: Yes.

25 THE WITNESS: It's Donald Martin Clark, C-L-A-
R-K.

DONALD CLARK – Direct

1 THE COURTROOM DEPUTY: Thank you.

2 DIRECT EXAMINATION

3 BY MR. ORENSTEIN:

4 Q. Good morning, Mr. Clark.

5 A. Good morning.

6 Q. Would you tell the jury where you're from, please.

7 A. I live in Owasso, Oklahoma.

8 Q. That's W-A-S-S-O, Oklahoma?

9 A. O-W-A-S-S-O, yes.

10 Q. I'm sorry. And where did you grow up?

11 A. I grew up in Midwest City, Oklahoma, which is a
suburb of

12 Oklahoma City.

13 Q. What do you do for a living, sir?

14 A. I am a communications tech for Southwestern Bell
Telephone

15 Company.

16 Q. Is that in Oklahoma City that you are working?

17 A. Yes, sir.

18 Q. Do you have any children?

19 A. Yes. Three.

20 Q. And what are their names?

21 A. Chris, Carrie, and Laurie.

22 Q. Do you have any brothers or sisters?

23 A. Yes, I have a brother, Dale Clark; and I had a

sister,

24 Kimberly Kay Clark.

25 Q. And did your sister, Kimberly, die in the bombing
in

15186

Donald Clark - Direct

1 Oklahoma City?

2 A. Yes, sir. Yes.

3 Q. Were you and Dale and Kimberly the natural children
of your
4 parents?

5 A. No, sir. We were not.

6 Q. You were all adopted?

7 A. Yes.

8 Q. Where was Kim living when she was adopted by your
parents?

9 A. She was born in Hong Kong and came to the United
States in

10 August of 1959.

11 Q. She had been orphaned in Hong Kong?

12 A. She was left in an orphanage there in Hong Kong.

13 Q. How old was she when your parents adopted her?

14 A. She was three.

15 Q. Had your parents already adopted you and your
brother by

16 that time?

1958. 17 A. Yes. They adopted my brother in 1949 and me in

18 Q. What was Kimberly's job at the time of her death?

19 A. She was a paralegal in HUD.

20 Q. And how long had she been working for HUD?

21 A. I think approximately five years.

22 Q. Did she enjoy her work there?

23 A. Yes, she did.

with? 24 Q. Was she close to some of the people she worked

25 A. Yes, she was.

15187

Donald Clark - Direct

1 Q. I'd like to show you a picture --

your 2 MR. ORENSTEIN: This is already in evidence,

3 Honor. Government's Exhibit 2217.

4 BY MR. ORENSTEIN:

5 Q. Do you recognize that picture?

6 A. Yes, sir, I do.

it? 7 Q. Mr. Clark, do you recognize the people who are in

8 A. Yes, sir, I do.

tell them 9 Q. Would you tell the jury who those folks are and

10 what their relationship was with your sister.

sister,
11 A. Up front in the dark -- with the dark hair is my
Mike
12 Kim. Over to the right is Lee Sells. Beside her is
is
13 Weaver. Next to him is Susan Ferrell, and next to her
14 Clarence Wilson.

left?
15 Q. Just for the record, that's Kim, second from the

16 A. Yes.

17 Q. And were these folks that she worked with?

18 A. Yes, sir, they were.

19 Q. Was she particularly close with any of them?

Lee
20 A. Yes. She was particularly close with Lee Sells.

for Kim
21 always would talk to us if we called up to the office

with us
22 and Kim didn't answer her phone. Then Lee would visit

they were
23 for a little bit. If we came up to visit, then yes,

24 close friends, yes.

several
25 Q. You told us that your sister had been with HUD for

15188

Donald Clark - Direct

1 years. What kinds of jobs had she had before that?

worked
2 A. She had worked for the State of Oklahoma. She had

3 for the FBI. She worked at the El Reno Penitentiary.
She

4 worked at the VA Hospital. She worked for a short
while for

5 Kerr-McGee Oil Company, and she worked for the
Department of

6 Social Security.

7 Q. And with the exception of the time she was at Kerr-
McGee,

8 all those jobs, she was a public servant?

9 A. Yes, sir, she was.

10 Q. And in what state did she work in all those jobs?

11 A. In Oklahoma.

12 Q. Did you ever hear about her talking about leaving
Oklahoma?

13 A. Yeah. She used to -- she used to say all the time
that she

14 was interested in moving to like Dallas or Atlanta or
maybe Los

15 Angeles or somewhere. Yes.

16 Q. Why was she thinking about that?

17 A. Because she thought there might be more men
available out

18 there.

19 Q. Your sister wanted to get married?

20 A. Yes. Very much so. Yes.

21 Q. As it turned out, did she find a good man right at
home in

22 Oklahoma?

23 A. Yes, sir, she did.

24 Q. Had she gotten married at the time of her death?

25 A. No, sir, she had not.

15189

Donald Clark - Direct

engaged? 1 Q. About how long before she died did she become

2 A. She became engaged December of '94.

3 Q. And when was she planning to get married?

4 A. May of '95.

about 5 Q. Mr. Clark, I'd like you to talk to us a little bit

6 the month before May of '95.

7 A. Sure.

April 19? 8 Q. April of '95. Where were you on the morning of

office. I 9 A. I was at -- at work at Southwestern Bell at an

10 worked in the SEC, which was housed in a central office

11 building at 23d and Ollie.

12 Q. That's about half a mile from the Murrah Building?

13 A. Yes.

14 Q. Did your wife work there, too?

15 A. Yes. My wife also worked there in the SEC.

that 16 Q. How did you and your wife learn about the bombing

17 morning?
18 A. My wife was -- her station was across the room from
where I
19 was; and when I got to work, I usually wandered over
there
20 about 8:30 or 9:00 after I had kind of settled in and
logged
21 in. I went over there and she was working with some
people
22 from Tulsa and from the -- and some special circuit
testers
23 from the Southwestern Bell offices that are located on
Dean A.
24 McGee.
25 One of the testers said something just
happened and

15190

Donald Clark - Direct

1 excused herself on the phone and went to a window to
look and
2 see.
3 I was standing by my wife's desk, and
apparently the
4 tester came back and said something has blown up.
5 They mentioned something about the Federal
Reserve,
6 and they -- so I went back across over into my work
area, and
7 we took a look at the Federal Reserve's DID trunks,
which are

8 direct, inward-dial trunks for people to call the
Federal
9 Reserve. They were all up and operational.
10 I went back over to my wife's desk and I said,
"Well,
11 those are in service."
12 And about that time she said, "Well, somebody
says
13 it's one of the federal buildings downtown."
14 She had her keys laying right there on her
desk, and I
15 picked them up and I said, "I'm going downtown." And I
left
16 and headed downtown.
17 Q. When you arrived downtown, where did you go?
18 A. I -- I parked on 6th Street next to the federal
credit
19 union in their parking lot, which is about a block and
a half
20 from Robinson. I could see smoke, but I couldn't
really tell
21 what was, you know -- what had happened; and so I ran
up the
22 block and made it to Robinson, where I turned south.
And I got
23 to the corner of the YMCA, and I looked up and I saw
the
24 building; and where Kim's office had been was where
this hole
25 was. And there wasn't -- I mean, it was gone. There
were no

15191

Donald Clark - Direct

1 offices there at all.

2 Q. When you saw what the building looked like, did you
expect

3 to see your sister again?

4 A. No. I think I -- I knew that she was gone.

5 Q. How long did it take before you and the rest of
your family

6 learned for sure?

7 A. The following Monday at 5:00, we received word that
she had

8 been found.

9 Q. Can you tell the jury what those five days were
like for

10 you and your family.

11 A. They were extremely long. They were extremely
frustrating

12 and sad. A lot of time we spent praying, even though I
knew

13 that she was gone; but, you know, times like that, you
made --

14 you try to make a lot of deals with God, but
unfortunately, you

15 can't always -- always come through with every deal
that we

16 want him to, so it was -- it was very long and very,
very

17 frustrating.

18 Q. Mr. Clark, tell us what kind of person Kimberly
Clark was.

19 A. My sister was a very innocent person. She believed
that

20 everybody was extremely, extremely kindhearted and
good. She

21 always tried to help everybody that she possibly could.

22 She always befriended people that maybe were
sometimes

23 a little bit different from what you might say was the
norm.

24 If someone might be an outcast, then she made sure that
she was

25 their friend.

15192

Donald Clark - Direct

1 She -- I had a man tell me shortly after she
died that

2 he had come to school in the 7th grade and spoke very
little

3 English, and he had no friends because no one would
talk to

4 him. He came from Italy. And he told me that she
would sit

5 and visit with him at lunch and when she could and that
she was

6 his only friend.

7 And I thought that was so remarkable that
somebody

to -- 8 would 26 years later think that it was important enough

9 to tell me that.

10 Q. Did Kimberly have a neighbor who had some
difficulties in

11 life?

12 A. Yes. She lived in my grandfather's house after he
passed

13 away, and there was a man and his mother. And the man
is

14 mentally retarded and somewhat deformed, and his mother
was

15 extremely elderly. And she would take them to the
store or go

16 to the store for them, and on Thanksgiving she made
sure that

17 they had Thanksgiving dinner. She always did things
like that

18 for people. I mean -- I mean it's unbelievable the
number of

19 people that she touched and helped. It's -- it really
was

20 unbelievable that somebody could touch so many people
in such a

21 short time.

22 Q. Your sister was employed by the government, you
told us.

23 Did she also do some military service?

24 A. Yes. She was in the U.S. Naval Reserve. She
joined after

25 she was already 30 years old. She loved it. She loved
the

15193

Donald Clark - Direct

lots of
duty to
paralegal for

1 travel. She met many, many people, made lots of --
2 friends and worked even outside her Saturday and Sunday
3 do things for the Naval Reserve, where she was a
4 them, also.

Kimberly,

5 Q. Mr. Clark, as you look back on your life with
6 what was the happiest time in her life?

that she
getting
ours
-- they
married, and
way of
give up
and

7 A. The happiest time of her life was from the time
8 met her fiance, Namat Moeini, and with her plans for
9 married. She -- on Easter Sunday, she told a cousin of
10 that's a year younger than I who is not married -- she
11 were talking about the fact that Kim was getting
12 she -- she told my cousin, she said -- she always had a
13 either patting or tapping you, and she said, "Don't
14 hope. I got one." And she was very, very happy.
15 Q. Finally, Mr. Clark, would you tell us what effect
16 impact Kimberly's death has had on you and the members

of your

17 family.

comment that

18 A. It's been a great loss. My mom has made the

here from

19 she feels bad sometimes that they brought her -- Kim

20 Hong Kong for her to end up like that.

was a

21 We've told her that Kim had a happy life and

parents.

22 good person and was very, very devoted to both my

touched all

23 She -- she was a remarkable person. She

inspiration

24 of my children, my brother's children. She was an

can even

25 to them all and an excellent role model; that if they

15194

Donald Clark - Direct

certainly

1 by one-tenth live up to her standard, then they will

2 be good citizens and wonderful people.

3 MR. ORENSTEIN: Thank you, Mr. Clark.

4 THE WITNESS: Thank you.

5 MR. ORENSTEIN: That's all I have.

6 MR. TIGAR: That's all I have, your Honor.

excused.

7 THE COURT: You may step down. You're

8 MR. MACKEY: Mr. Don Ferrell.
9 THE COURT: All right.
10 THE COURTROOM DEPUTY: Raise your right hand,
please.
11 (Donald Ferrell affirmed.)
12 THE COURTROOM DEPUTY: Would you have a seat,
please.
13 Would you state your full name for the record
and
14 spell your last name.
15 THE WITNESS: Donald F. Ferrell, F-E-R-R-E-L-
L.
16 THE COURTROOM DEPUTY: Thank you.
17 THE COURT: Mr. Mearns.
18 DIRECT EXAMINATION
19 BY MR. MEARNS:
20 Q. Good morning, Mr. Ferrell.
21 A. Good morning.
22 Q. Where do you live, sir?
23 A. Chandler, Oklahoma.
24 Q. How long have you lived in Oklahoma?
25 A. All my life.

15195

Donald Ferrell - Direct

1 Q. Are you married, sir?
2 A. Yes, sir.

3 Q. What's your wife's name?

4 A. Sally.

5 Q. How long have you been married?

6 A. 44 years.

7 Q. You and Sally have any children?

8 A. Yes, sir.

9 Q. How many children do you have?

10 A. We had two.

11 Q. Did you lose one of your daughters in the bombing
in
12 Oklahoma City?

13 A. We did.

14 Q. I'd like you to look, if you would, at your screen
at
15 Government's Exhibit 1469.

16 MR. MEARNS: And we'll offer that exhibit at
this
17 time, your Honor.

18 MR. TIGAR: No objection, your Honor.

19 THE COURT: The exhibit is received, may be
displayed.

20 BY MR. MEARNS:

21 Q. Mr. Ferrell, would you tell us who the people in
the
22 picture are.

23 A. On the left is our daughter Cindy. That's me in
the middle
24 and daughter Susan.

25 Q. Which of your two daughters did you lose in the
bombing in

15196

Donald Ferrell - Direct

1 Oklahoma City?

2 A. Susan.

3 Q. And how old was Susan when she was killed?

4 A. 37.

5 Q. And how old is your daughter Cindy?

6 A. 37.

7 Q. She's 37 now?

8 A. Now.

9 Q. Where were you on April 19, 1995?

10 A. We were in Fort Worth, Texas, in a hotel room; and
we were

11 getting ready to go out for the day. And my wife -- we
were

12 watching CNN. My wife said, "There has been an
explosion in

13 the courthouse in Oklahoma City."

14 And I assumed it was a boiler explosion. We
thought

15 it was the county courthouse.

16 Pretty soon, they said it was the Federal
Courthouse

17 and then they said it was the Murrah Building. And we
called

18 home. We called Susie's home phone, thought perhaps
she might
19 still be at home, got her office phone, got an
answering
20 machine. So we called Cindy at her office, and she had
just
21 heard the thing and she was all upset and getting ready
to
22 drive to Oklahoma City.
23 We told her we would stay in the hotel room
till we
24 heard from her.
25 And then a few minutes later, they had live
video from

15197

Donald Ferrell - Direct

1 the Murrah Building, saw the cars on fire and the
building
2 blown up.

3 So we packed up and left for Oklahoma City.

4 Q. In April of 1995, your daughter Susan was working
in the
5 Murrah Building?

6 A. Yes, sir.

7 Q. Who did she work for at that time?

8 A. She was a lawyer in HUD legal division, Housing and
Urban
9 Development department.

10 Q. So on April 19, did you return to Oklahoma City?

11 A. We drove back to Oklahoma City as fast as we could.

12 Q. And when were you notified that Susan's body had
been found

13 and identified?

14 A. We were notified Saturday night following the
Wednesday.

15 About 5:00 Saturday evening.

16 Q. So approximately three days after the bombing?

17 A. Yes, sir.

18 Q. How long had Susan been working for HUD as of
April, 1995?

19 A. August would have been 10 years.

20 Q. And August of 1995?

21 A. August of 1995 would have been 10 years. I believe
that's

22 correct, yes.

23 Q. What kind of area of law did she practice in with
HUD?

24 A. Real estate law, and she did quite a bit of work
with

25 Indian tribes, Indian housing. That was kind of her
field.

15198

Donald Ferrell - Direct

1 Q. Did she participate in any educational symposiums
about

2 Indian law?

before
Tulsa.
Thomas
in 1994,
the one
for the
other
champion

3 A. Yes. She took part in -- she had a paper the year
4 at sovereignty symposium which is held every year in
5 She helped organize a sovereignty symposium at St.
6 University in Miami, Florida. She helped organize one
7 and she was helping plan the one for -- well, she did
8 in 1995, early '95, and she was helping plan the one
9 following January.

10 Q. In addition to those professional activities, what
11 kinds of things did your daughter Susan like to do?

12 A. She was involved in about everything. She was a
13 of every good cause that came along, and she was a very
14 supportive person, interested in other people and other
15 problems.

16 Q. Would you tell us about a few of those, please.

she'd
women's
phones
phones.

17 A. Well, quite often we'd call her house at night and
18 answer the phone "Women's Hot Line." She worked with
19 abuse organization there, and she took turns having the
20 transferred to her house at night. She'd answer the

service 21 And then she coerced a cousin to provide a lot of legal
22 for free for women who needed help.
23 Q. Was she involved in any other causes or charitable
24 activities?
in 25 A. Oh, yes. Just quite a few. She supported a thing

15199

Donald Ferrell - Direct

1 Oklahoma City called the Peace House and the Jesus
House. They 2 were shelters.
3 She was active in her church, the Unitarian
church. 4 And the list goes on. Since I've been handling her
mail, I 5 keep getting these requests to renew her pledges to all
sorts 6 of organizations.
7 Q. Could you tell us what type of person Susan was to
her 8 co-workers and the people around her.
9 A. Well, the last thing she planned, the big thing the
week of 10 the bombing was she was to have a wedding shower for
Kimberly 11 Clark, a young woman in her office. And that was the
thing she 12 did all that last week, and we found the house full of

party

13 food and flowers she was planning and wedding presents
for

14 Kimberly Clark; and I guess they found her body Friday
night

15 about the time -- about the time she would have been
hosting

16 the party.

17 Q. Tell us, if you would, a little bit about your
daughter

18 Susan's relationship with her sister, Cindy?

19 A. She and Cindy were very close. They saw each other
a lot.

20 They were really good friends, and that always pleased
me that

21 they -- Susan sort of guided Cindy into the legal
profession.

22 Cindy is a lawyer, also. And she was very close to
Cindy's two

23 children. We have a little boy, Donald, who will be 9
next

24 month and Rachel, the girl, was 4. And Susie was very
close.

25 She was there when both were born. She was coaching
her

15200

Donald Ferrell - Direct

1 through the birth process, and she'd been there at the
birth

2 and all the birthdays and very close to the two

children and to

3 Cindy as well.

4 Q. I'd like you to take a look, if you would --

5 MR. MEARNS: And, your Honor, at this time we
would

6 offer Government's Exhibit 1471.

7 MR. TIGAR: No objection, your Honor.

8 THE COURT: Received, may be displayed.

9 BY MR. MEARNS:

10 Q. Mr. Ferrell, could you tell us who is in that
photograph,

11 sir.

12 A. That's Susan holding my two grandchildren, Cindy's
two

13 children. That's Rachel on the left and Donald Thomas
Ashwood

14 on the right.

15 Q. So those are Susan's nieces and nephews?

16 A. Yes. That's right. That was taken Easter Sunday
at

17 Cindy's house, Cindy and Albert, her husband, their
house. And

18 that was probably the last photograph made of Susan.
That was

19 three days before the bombing.

20 Q. Tell us, if you would, what effect Susan's death
has had on

21 Cindy and Cindy's two children.

22 A. I notice a preoccupation with Cindy. She has
trouble

the two 23 focusing on her work, and it really hurts me to watch
since 24 kids. Donald is a bright kid, did well in school; and
well in 25 this happened, he's had trouble -- he's not done as

15201

Donald Ferrell - Direct

what's 1 school. He's had trouble paying attention; and he's --
house 2 really disturbing to me, he can't stand to be in the
where 3 without somebody in the same room. He's got to know
wants to 4 everybody is. If somebody walks out of the room, he
5 know where they're going.

Aunt 6 He worried for a long time after he lost his
or his 7 Susan that something was going to happen to his mother
tough 8 father or us. He's asked about that. He asks these
9 questions like, "Will we ever see Aunt Susie again?"

while 10 And Rachel -- she was playing with her dolls a
were her 11 back. She had two little dolls, and she said those
and 12 sons and she was going to Oklahoma City for the bombing

are 13 they were going to be killed; and it's things like that

14 hard to live with.

15 Q. What type of relationship did your daughter Susan
have with

16 your wife, Sally?

17 A. Well, they were close friends and they were a lot
alike.

18 They were both sort of enthusiastic about their causes
and they

19 shared a lot of the same causes, and they were together
quite a

20 bit.

21 Q. And tell us, if you would, about your relationship
with

22 Susan.

23 A. Well, Susie and I were buddies. She was the first
child,

24 and we were together a lot. I would -- every week or
so, I

25 tried to have lunch with her. I'd pick her up at the
Murrah

15202

Donald Ferrell - Direct

Ryder 1 Building, pull in and park in the same place that the

2 truck parked later. And we tried to do that quite a
bit. We

3 talked on the phone quite often.

wife? 4 Q. What effect has Susan's death had on you and your

5 A. Well, it's the first thing you think about every
morning

6 and the last thing you think about at night. I think
it's safe

7 to say it killed a little bit of us. We'll never be
the same.

8 Just can't forget it.

9 MR. MEARNS: Thank you, Mr. Ferrell.

10 MR. TIGAR: No questions, your Honor.

11 THE COURT: You may step down. You're
excused.

12 THE WITNESS: Thank you, sir.

13 THE COURT: Next, please.

14 MR. MACKEY: Yes, your Honor. We'll call Ruth
15 Hightower.

16 THE COURTROOM DEPUTY: Would you raise your
right

17 hand, please.

18 (Ruth Hightower affirmed.)

19 THE COURTROOM DEPUTY: Would you have a seat,
please.

20 Would you state your full name for the record
and

21 spell your last name.

22 THE WITNESS: My name is Ruth Brown Hightower,

23 H-I-G-H-T-O-W-E-R.

24 THE COURTROOM DEPUTY: Thank you.

15203

Ruth Hightower – Direct

1 BY MS. WILKINSON:

2 Q. Good morning, Mrs. Hightower.

3 A. Good morning.

4 Q. Could you tell the jury where you live.

5 A. I live at 2001 Alston Street, A-L-S-T-O-N, Fort
Worth,
6 Texas.

7 Q. How long have you lived in Fort Worth, Texas?

8 A. About 46 years.

9 Q. And would you mind telling the jury how old you
are.

10 A. 60 years old.

11 Q. Do you have children?

12 A. Yes.

13 Q. How many children do you have?

14 A. I have three now.

15 Q. What are their names?

16 A. Joyce Brown, Waymon Brown, and Harry Hightower.

17 Q. Did you have another child?

18 A. Yes.

19 Q. What was her name?

- 20 A. Anita Christine Hightower.
- 21 Q. Was she killed in the bombing?
- 22 A. Yes.
- 23 Q. How old was Anita when she died?
- 24 A. 27.
- 25 Q. How old?

15204

Ruth Hightower – Direct

- 1 A. 27.
- 2 Q. Was she the youngest child?
- 3 A. Yes.
- 4 Q. Mrs. Hightower, did Anita have children of her own?
- 5 A. Yes.
- 6 Q. How many children did she have?
- 7 A. Two.
- 8 Q. How old were they at the time she was killed?
- 9 A. Ashley was 8, and Antoinette was 10.
- 10 Q. Now, can you tell us where those children are
today.
- 11 A. They're at my house.
- 12 Q. Are you raising them?
- 13 A. Yes, I am.
- 14 Q. Are you raising any of your other grandchildren?
- 15 A. Yes.

16 Q. How many?

17 A. I have five in all.

18 Q. So you're responsible for five --

19 A. Yes.

20 Q. -- small children today?

21 You're responsible for five children in your
home

22 today?

23 A. Yes. My grandsons -- two of them graduated, and I
have the

24 three girls that's still in school.

25 Q. Could you tell us a little bit about Anita and
where she

15205

Ruth Hightower - Direct

1 was employed at the time of the bombing.

2 A. She lived in Oklahoma City, and she worked for the
Job

3 Corps.

4 Q. Do you know where the Job Corps was located in
downtown

5 Oklahoma City at the time of the bombing?

6 A. Yes. It was across the street from the federal
building

7 and the Athenian Building.

8 Q. Had you ever visited Anita at her office there?

9 A. No, I hadn't.

10 Q. But knew that's where she worked at the time of the
11 bombing?

12 A. Yeah, her daughter -- the one that was 8 at the
time, she
13 showed me where it was.

14 Q. Let's turn to April 19. Did you hear about the
bombing
15 that morning?

16 A. Yes. I was listening to the radio -- I mean I was
in the
17 kitchen and I went back in my bedroom where the radio
was on,
18 and I heard about the bombing in Oklahoma City. And I
went to
19 the phone to call Anita, and the phone just rang and
rang.

20 Q. Do you know how long she had been working for the
Job
21 Corps?

22 A. I think since November.

23 Q. And when you couldn't reach her at the Athenian
Building,
24 what did you do?

25 A. I tried to call her at home, and I didn't get her.

15206

Ruth Hightower - Direct

1 Q. At that time, on the morning of April 19, did you
have any

P. 2 idea how close the Athenian Building was to the Alfred

3 Murrah Building?

4 A. No, I didn't.

5 Q. How did you find that out?

6 A. I called -- I called -- and I called and I never
did get an

7 answer. And about 11:00 that morning, her friend, Rita
Thomas,

8 called me and told me that the building where she
worked had

9 blew up. And everybody got out but her.

10 Q. Did you decide to travel to Oklahoma City then?

11 A. Yes. I -- it was a storm in Fort Worth that day,
so I had

12 to wait till the next morning. And my daughter -- my
oldest

13 daughter, Joyce, she -- we left about 5:30 that
morning, and

14 she took me to Oklahoma City.

15 Q. Did you try to go downtown and get to the Athenian
Building

16 where your daughter worked?

17 A. Yes, because I had asked people where was the
building

18 where she worked, and I couldn't get nobody to tell me
where

19 she worked. And then -- this was on Thursday. And
then that

20 Friday -- that Friday afternoon, I talked to a lady I
think

21 worked for the sheriff department, and she told me --
she took
22 me to the FBI, and they -- this man was getting another
crew
23 ready to go in, and he told me that he would go over to
that
24 building where she worked.

25 Q. Now, when you first got to Oklahoma City and you
tried to

15207

Ruth Hightower - Direct

1 get people's attention, were they focusing on the
Murrah
2 Building?

3 A. They were just focusing on the Murrah Building.
They
4 wasn't focusing on that building where she worked
because it
5 was across the street.

6 Q. And did you keep trying to bring people's attention
to the
7 Athenian Building?

8 A. Yes, I did. I went over to the -- this lady that
was
9 taking me around, because I didn't know that much about
10 Oklahoma City. And she took me to the FBI office. And
then
11 they told me to go back over there, and I went over
there; and

12 this is when this lady really got me into this.

13 And he sent somebody over there and -- I think
it was

14 that Friday evening. I guess they found her body then.
She

15 worked on the 2d floor.

16 Q. They found her in the Athenian Building?

17 A. Yes. They found -- they found her body in the
basement

18 that Friday.

19 Q. Mrs. Hightower, from that time on, did you take
care of

20 your two granddaughters --

21 A. Yes, I did.

22 Q. -- Antoinette and Ashley.

23 And could you share with us the impact of her
death on

24 her two daughters?

25 A. The oldest one -- I mean she won't even talk about
it.

15208

Ruth Hightower - Direct

1 Q. That's Antoinette?

2 A. Antoinette. She won't even talk about. And Ashley
--

3 every time I have to come to court, she gets sick; and
every

over 4 time she hears something about it on the news, she come

5 and she grab me and she hugs me.

briefly what 6 Q. Mrs. Hightower, could you just tell the jury

7 impact it's been on you to lose your daughter, Anita.

girls, they 8 A. I miss my daughter. She was my baby. And the

to try to 9 ask me what happened; and I mean, I do the best I can

10 tell them what happened.

pray, 11 And -- and all we do is just get together and

12 ask God to give us strength.

Hightower. 13 MS. WILKINSON: Thank you very much, Mrs.

14 MR. TIGAR: I don't have any questions for

15 Mrs. Hightower.

excused. 16 THE COURT: You may step down. You're now

move into 17 MR. MACKEY: Your Honor, at this time we'd

footage of 18 evidence Government's Exhibit 1444, which is video

jury. 19 area hospitals and ask permission to play it for the

is no 20 THE COURT: All right. 1444 is a tape. There

21 audible -- I mean there is no voice.

Honor. 22 MR. MACKEY: There is no narration, your

23 THE COURT: There are noises.
24 MR. MACKEY: That's correct.
25 THE COURT: Okay. Well, play it.

15209

1 (Exhibit 1444 played.)

2 THE COURT: All right. Next witness.

3 MR. MACKEY: We'd like to call Melissa
Webster.

4 THE COURTROOM DEPUTY: Would you raise your
right

5 hand, please.

6 (Melissa Webster affirmed.)

7 THE COURTROOM DEPUTY: Would you have a seat,
please.

8 Would you state your full name for the record
and

9 spell your last name.

10 THE WITNESS: Melissa Webster, W-E-B-S-T-E-R.

11 THE COURTROOM DEPUTY: Thank you.

12 THE COURT: Mr. Sengel.

13 MR. SENDEL: Thank you your Honor.

14 DIRECT EXAMINATION

15 BY MR. SENDEL:

16 Q. Would you tell us where you live, please, Mrs.
Webster.

17 A. In Oklahoma City.
18 Q. You live there with your family?
19 A. Yes, I do.
20 Q. Who is in your family?
21 A. I have two children, ages 4 and 8.
22 Q. You work in Oklahoma City?
23 A. Yes, I do.
24 Q. Where do you presently work?
25 A. I'm working for EPBS. It's an Emergency Physicians

Billing

15210

Melissa Webster – Direct

1 Service.
2 Q. How long have you had that position?
3 A. Since August of this year.
4 Q. Prior to that, where did you work?
5 A. I worked for the ambulance service in Oklahoma
City. It's
6 called EMSA.
7 Q. The EMSA or ambulance service you worked for: Were
you
8 working there in April of 1995?
9 A. Yes, I was.
10 Q. In April of 1995, what was your job with EMSA?
11 A. My primary job was scheduling coordinator. I
scheduled

12 medics on the ambulances. I was also -- I'm also an
13 intermediate paramedic, so I can still go out in the
streets
14 and work on the trucks, and we kept trucks there at
15 headquarters. Some of the other administrative people
were
16 paramedics, also; and when our system gets busy, we'll
send out
17 extra trucks. And we always have a truck sitting there
waiting
18 on us.

19 Q. You mentioned intermediate paramedic. I take it
there are
20 various levels of paramedic training?

21 A. Yes, there are three levels: basic, intermediate
and then
22 paramedic.

23 Q. Were you at the offices of EMSA at the time of the
bombing
24 on April 19?

25 A. Yes, I was.

15211

Melissa Webster - Direct

1 Q. How did you become aware of the bombing?

2 A. I just sat down at my desk and I heard this real
loud
3 explosion. And it rumbled, and our building shook.

Some of

4 the ceiling tiles fell down, and you could hear glass
breaking.

5 Me and several of the other people in the office, you
know, we

6 just -- it shocked us, so we ran outside to get out of
the

7 building because we assumed it was our building that
exploded.

8 Once we got outside, we saw this big, black
column of

9 smoke coming from downtown.

10 Q. Where was the EMSA office located?

11 A. It was at 10th and North Walker.

12 Q. And approximately how far is that away from the
location of

13 the Murrah Building?

14 A. It's about six blocks.

15 Q. After you saw the smoke downtown, what did you do?

16 A. I started to run back into our building to get the
keys to

17 our ambulance, and I met my partner at the door. He
was on his

18 way out and he had the keys, so we went and got in the

19 ambulance.

20 And there was an advanced cardiac life-support
class

21 that was going on there at headquarters, so we had
about seven

22 or eight other paramedics in plain clothes that were
there.

23 And they also got in the back of our truck, and we
headed that
24 way, weren't real sure where we were going. We just
knew we
25 needed to head towards the smoke.

15212

Melissa Webster - Direct

1 Q. And where did you go in the downtown area?
2 A. We went down 10th Street to Robinson, and we headed
south
3 on Robinson. And we got to -- we were approaching 6th
Street.
4 We still hadn't received any word from our dispatch as
to what
5 was going on or where exactly it was. And as we
approached 6th
6 Street, there were hundreds of people in the street.
There was
7 debris everywhere, concrete chunks and rebar in the
street.
8 And we really couldn't go any farther because of the
people.
9 And we pulled up in front of the -- as we approached,
we saw
10 the Journal Record Building, and we assumed that was
the
11 building that had exploded because it -- just looking
at it,
12 you know, window casings and everything were blown out,
13 curtains were hanging out of the windows and glass was

still

14 falling. And there was a -- this column of smoke was
coming
15 from behind it, so we assumed that something behind it
had
16 blown up, and that's where it was.

17 Q. The smoke: Was it so thick you couldn't see the
Murrah
18 Building?

19 A. No, we couldn't.

20 Q. When you stopped there thinking it was at the
Journal
21 Record Building, what did you do?

22 A. My partner and I -- we made a quick comment that
"This is a
23 disaster. We're going to set up our triage area."

24 So we got out of our truck, and we were
immediately

25 bombarded with patients. Everybody was bleeding and
asking for

15213

Melissa Webster - Direct

1 help, and we told them just to hang on, we needed to
get an
2 area set up to where we could put them into different
3 categories.

4 Q. I'd like to stop you for a moment. I want to show
you a

look at 5 photograph we've marked as Photograph 1382, if you'd
this show 6 that screen in front of you, Mrs. Webster. And does
7 the triage area you're referring to?

8 A. Yes, it does.

9 MR. SENDEL: Your Honor, we'll offer 1382.

10 MR. TIGAR: No objection, your Honor.

11 THE COURT: Received. It may be displayed.

12 BY MR. SENDEL:

mentioned of 13 Q. If you would, please, please tell us -- you
14 course the triage area. What does "triage" mean?

15 A. That's a -- it means sorting patients into
categories based

four 16 on their severity of injuries. We have four sections,

what we 17 sectors in the triage: The green section, which is

treated but 18 call the "walking wounded" who are people that need

19 they can wait.

for 20 And then we have the yellow section. That is

still wait, 21 people that are more severely injured, yet they can

be 22 too, you know, up to an hour or so before they have to

23 transported.

the 24 And then we have the red section, which are

away. 25 critically injured that need to be transported right

15214

Melissa Webster - Direct

1 And then the fourth section is the black
section,

2 which is where we would put the deceased.

3 Q. How long had you been at this location before you
realized

4 that it was the Murrah Building that was damaged?

5 A. I was there for right at an hour before I realized
it

6 wasn't even that building.

7 Q. As you set up your triage area after you had
established

8 it, were there any children brought to you?

9 A. There was, not right away. I didn't realize
children were

10 even involved. It was, you know, several -- I don't
know how

11 long; but after a while, yes, I did get a child.

12 Q. Who was that?

13 A. His name was James Green. I was bandaging some
people

14 there in the triage area, and I heard someone yell that
they

15 had a child. And it caught my attention because I
didn't know

walked 16 there were children involved. And so I stood up and I
couldn't 17 over. This man handed me this little boy, and he -- I
because 18 really tell the severity of his injuries at that point
of me and 19 he -- as soon as he handed him to me, he grabbed hold
to 20 just kind of hugged. And I knew I had to lay him down
looking 21 assess his injuries. And so I turned around and was
him down, 22 for a backboard, and I found one. And I went to lay
23 and he wouldn't let go of me. He was -- he was very
24 frightened.

wouldn't let 25 And I tried again to lay him down, and he

15215

Melissa Webster - Direct

1 go. And I saw a woman really intent on -- watching me
she said 2 intensely, and I asked her if she knew who he was; and
asked 3 yes; that she was his teacher from the YMCA. And so I
her and 4 her if she would get down in his face so he could see
5 maybe he would let go of me then.

see her, 6 So she did. She got behind me where he could

7 and he finally released me and I laid him down on the
8 backboard.

9 And he had some lacerations to his face, and
one of
10 his eyes was messed up. And I was bandaging him and
getting
11 him strapped to this backboard, and this woman asked me
if I
12 knew where his brother was.

13 And I said, "No, this is the first child I've
had."

14 And we both kind of looked up, and there was a
man
15 standing about 5 foot from us with another little boy
in his
16 arms, and she said, "That's him."

17 I said, "Go get him."

18 So she went and got him. And he was real
small, too,

19 and I wanted to keep them together. So I put him on
the other

20 end of the backboard and strapped him to the same
backboard so

21 we could keep them together. He also had head and
facial

22 injuries; and we got them strapped to the board and put
them in

23 the ambulance.

24 Q. What other types of injuries were you seeing at the
triage

25 area that you had set up?

15216

Melissa Webster - Direct

1 A. We had a -- had one woman that once again one of my
2 co-workers yelled at me and said that she had a real
critical
3 patient. So I stopped what I was doing and walked over
to
4 where she was, and there was a woman on the backboard.
She was
5 very combative. She was flailing her arms and
screaming, and
6 she wasn't really conscious. She was just kind of out
of it.
7 And they laid her down, and she said that she
had
8 brought her out from underneath the parking garage in
the
9 federal building. And they laid her down on the
ground, and I
10 had several bystanders helping me; and they hadn't had
an
11 opportunity to put a cervical collar on her neck yet,
so I
12 wanted to maintain the cervical spine immobilization.
So I
13 couldn't get to the head of her because there were so
many
14 people around; so I went to the side of her and I
slipped my
15 hand under her head while the other people were trying

to strap

16 her arms down, because she was still real combative.
And at

17 that point I realized that the back of her head was
crushed and

18 that that was why she was flailing around so much,
because she

19 had a real bad head injury.

20 We finally got her injuries -- I mean the
bleeding

21 stopped and got her wrapped up and put her in the next
22 ambulance that went out because she was a critical
patient.

23 Q. Did that woman survive?

24 A. No. We called the hospital later, because I mean
after

25 that first day we felt like we needed to -- needed to
find

15217

Melissa Webster - Direct

1 someone that survived because it was really tough.

2 And so we called the hospital and described
her

3 injuries, and they said that they had taken her to
surgery and

4 she had died in surgery.

5 Q. Now, you mentioned you set up the black area for
those that

6 looked like they were either dead or going to die. Did

you

7 have patients that were brought there to be placed in
the black

8 area at the triage?

9 A. Yes. We not long after that -- they -- some
bystanders

10 started yelling that they had a real bad one. And I
turned

11 around and they were bringing a woman out on a
backboard, and I

12 started that way; and they laid her down on the ground.

13 And the closer I got to her, the more I
thought, well,

14 she's dead. Her injuries were very massive. She had
massive

15 facial trauma.

16 I went ahead and laid her down on the ground,
and I

17 knelt down beside her; and one of the first things you
do when

18 you have an unconscious patient is to check for
breathing. And

19 I could just tell by looking at her -- I mean she had
so much

20 facial trauma and her mouth was filled with blood and
debris,

21 and I knew she wasn't breathing but I knelt down anyway
just to

22 make sure; and she wasn't.

23 And I looked up, and everybody was just
looking at me

24 and saying, "Is she dead? Is she dead?"

25 And I said, "Well, she's not breathing."

15218

Melissa Webster - Direct

1 And my hand kind of automatically went to her
neck to
2 feel for a pulse, and it really shocked me because she
did have
3 a pulse.

4 Q. Did you call for someone else to help you when you
found a
5 pulse?

6 A. I did. In disaster situations, you don't work her.
I mean
7 she wasn't breathing. You don't -- need to save as
many people
8 as you can. And I didn't feel comfortable calling her,
even
9 though I knew I should have --

10 Q. You mentioned "calling her." What do you mean
"calling
11 her"?

12 A. I mean pronouncing her dead.

13 One of my co-workers who was a paramedic ran
-- was
14 running by, and I hollered at him and I asked him if he
would
15 come check her because I didn't want to do it.

16 And he came over there, and he knelt down and

he

17 goes -- he said, "She's not breathing, is she?"

18 And I said no.

19 And he said, "You need to put her in the black
20 section," and he went on.

21 Q. Did you put her in the black section?

22 A. No, I didn't. No. My hand was still on her pulse,
and it
23 was still beating; and another co-worker, a paramedic
came by
24 and I had him check her and he said, "She's not
breathing, is
25 she?"

15219

Melissa Webster - Direct

1 And I said, "No."

2 And he said, "You need to put her in the black
3 section."

4 At that point, I knew I needed to; and I
looked up and

5 there was an ambulance real close to me with the back
doors

6 open and there was a paramedic working on a patient
that was on

7 the cot but we have a bench seat in there, too, so I
said,

8 "Let's put her in there."

9 So I had some of the bystanders help put her
in the
10 ambulance, and we laid her on the bench seat. I had
told the
11 paramedic in there -- I said, "I'm sorry to do this to
you.
12 She's not breathing, but her pulse is as strong as
mine. Let's
13 give her a chance."
14 He said, "Okay. Get me someone to bag her,"
which
15 means to ventilate her, to help her breathe.
16 So I jumped out, and one of our medics ran by
and I
17 told him to get in; that he needed to help. And so he
jumped
18 in, and I shut the doors and they took off.

19 Q. Did she survive?

20 A. Yes, she did.

21 Q. And did you later meet her?

22 A. I did.

23 Q. And what was her name?

24 A. Royia Sims.

25 Q. I'd like to show you a photograph we've marked as
Exhibit

15220

Melissa Webster - Direct

1 1392. This is a picture of Royia Sims before April 19?

2 A. Yes, it is.

Exhibit

3 MR. SENDEL: Your Honor, I'm going to offer

4 1392.

5 MR. TIGAR: No objection, your Honor.

6 THE COURT: Received.

7 BY MR. SENDEL:

her

8 Q. You mentioned that she had at the time that you saw

show you a

9 extensive injuries to her face, and I'd also like to

10 photograph we've marked as Exhibit 1394.

19,

11 Is this a photograph of Royia Sims after April

12 1995?

13 A. Yes, it is.

Exhibit

14 MR. SENDEL: Your Honor, I'm going to offer

15 1394.

Honor?

16 MR. TIGAR: Our objection is noted, your

17 THE COURT: Yes. It's received, may be shown.

18 BY MR. SENDEL:

the face

19 Q. And Royia, as you said, had extensive injuries to

20 at this time you saw her?

arms are

21 A. Yes, she had massive injuries to the face, and her

22 real bad messed up, too. She was messed up pretty much

her

23 entire body.

24 Q. During the time that you had set up your triage
area near

25 the Murrah Building, approximately how many people did
you see

15221

Melissa Webster - Direct

1 in your triage?

2 A. Oh, probably 250, 300 people.

3 Q. And of those that you saw, about how many were
transported

4 to hospitals?

5 A. We transported over 100 out of that one triage area
that

6 first hour.

7 MR. SENDEL: Thank you. I have no further
questions,

8 your Honor.

9 THE COURT: Do you have any questions?

10 MR. TIGAR: No, we have no questions. Thank
you.

11 THE COURT: You may step down. You're
excused.

12 Next, please.

13 MR. MACKEY: Carla Wade, please.

14 THE COURTROOM DEPUTY: Would you raise your
right

15 hand, please.

16 (Carla Wade affirmed.)

17 THE COURTROOM DEPUTY: Would you have a seat,
please.

18 Would you state your full name for the record
and
19 spell your last name.

20 THE WITNESS: Carla, with a C, W-A-D-E, Wade.

21 THE COURT: Mr. Ryan.

22 MR. RYAN: Thank you, your Honor.

23 DIRECT EXAMINATION

24 BY MR. RYAN:

25 Q. Ms. Wade, where do you live?

15222

Carla Wade - Direct

1 A. I live in Edmond, which is a suburb north of
Oklahoma City.

2 Q. Are you employed?

3 A. Yes, I am.

4 Q. Where are you employed?

5 A. I work at KOKH Fox 25 News in Oklahoma City.

6 Q. Was your father Johnny Wade?

7 A. Yes, he was.

8 Q. What did he do for a living?

9 A. He was a civil engineer with the Federal Highway

10 Administration.

would, 11 Q. Tell me about -- tell us about your family, if you
12 please.

13 A. I'm the oldest child. I'm 23. I'll be 24 next
week. I

14 have a younger brother. He's 20. He attends college
at the

15 University of Oklahoma, where I was attending school
when the

16 bombing happened. And my mother -- she's a medical

17 technologist in -- so we were very close, the four of
us.

18 Q. Let me show you what's been marked as Exhibit
1113A. Can

19 you see that on the screen there?

20 A. Uh-huh.

21 MR. RYAN: Your Honor, we would offer this
exhibit in

22 evidence.

23 MR. TIGAR: No objection, your Honor.

24 THE COURT: Received, may be shown.

25 BY MR. RYAN:

15223

Carla Wade - Direct

1 Q. Who is this?

2 A. That's my father.

3 Q. Tell us a little bit about your father.

4 A. My dad was a very intelligent person, and he was
very -- he
5 really liked to joke around a lot. I guess that was
the thing
6 that I would remember most about his personality, is
that he
7 always had something to rib everyone that he was -- It
was his
8 way, I guess, of showing affection. He always --
growing up,
9 would tease us about things.

10 He liked to talk with my friends. If my
friends
11 called the house to say hi to me, my dad would get them
into a
12 long conversation asking them about their boyfriends
and how
13 they were doing in school, and he did the same thing
with my
14 brother's friends, also. He loved to joke and he loved
to talk
15 and he loved to laugh, and he was just really -- I
guess you
16 could call him high on life a lot.

17 Q. When you were in high school, did he help you
screen your
18 boyfriends?

19 A. Yeah. He did more than screen. He almost -- when
a guy --
20 because I grew up in the kind of household where a boy
had to

he had 21 come to your house before you could go out with him and
remember 22 to sit down and talk to my parents; and my dad -- I
see one 23 the most embarrassed I've ever been is when he asked to
that he 24 of my potential date's driver's license to make sure
25 actually had indeed had a license and could drive.

15224

Carla Wade - Direct

1 Q. Was he a concerned and loving father?
2 A. Oh, yeah. Most people probably would describe him
as being 3 very over-protective. He always -- I was in school.
We 4 were -- me and my brother were only 45 minutes away
from home 5 at the University of Oklahoma, but we probably talked
to him at 6 least threetimes a week. He'd call us from work, and
he 7 always wanted us to be home on the weekends whenever we
could 8 just to see us. He just -- anything that we needed, he
was 9 always going to make sure that we had it and try and be
there.
10 Q. Did he have values?

11 A. Yeah. My dad was very big on character and just
seeing the
12 good in people. He really always stressed to us that
it was
13 very important to pick your friends and the people
around you
14 based on their goodness and not superficial qualities.

15 Q. Did he try to instill those qualities in you and
your
16 brother as you were growing up?

17 A. Oh, I know he did. Always that -- that we were
always -- I
18 know that we were always taught in our house to be
charitable

19 to other people. If our friends came over, you know,
it was
20 never a problem to have them, you know -- for them to
stay for

21 dinner; or if we were all going out to dinner, my
parents would

22 ask them to come along, especially my dad. If we went
out to a
23 restaurant and our friends were there, he'd bring them
along.

24 It was just always that it was very important for us to
be -- I

25 know that he stressed more than anything -- was for us
to be

15225

Carla Wade - Direct

1 good people.

2 Q. When you were growing up in the house, did your
father give

3 you literature, books to read, that stressed equality
and

4 fairness?

5 A. Oh, yeah. When I was about -- I was probably 11 or
12

6 years old and in the summertime, we would stay home
from

7 school. Of course, we'd be out of school. And my dad
always

8 wanted us to be doing something productive; and so he
would

9 have me -- I know one summer I read essays by JFK,
Martin

10 Luther King, and Malcolm X. One in particular is about
the

11 role of young people and political and social
discourse, and he

12 would have me read those things and then we'd talk
about it

13 together. He'd ask me what I thought about it and what
I

14 thought it meant for my life in the world.

15 Q. Where were you on April 19 when the explosion
occurred in

16 downtown Oklahoma City?

17 A. I was at work at the time. I was working at a
station near

18 downtown Oklahoma City at a radio station, and I was on
the

19 air.

20 Q. Were you hosting a talk show?

21 A. Yes, I was co-hosting a talk show.

22 Q. Is that how you learned what happened in downtown
Oklahoma
23 City?

24 A. Right. I learned when -- well, first when a caller
had
25 called in and someone had said that a gas -- they
thought a gas

15226

Carla Wade - Direct

1 main had exploded or something like that. And we kind
of, you
2 know -- kind of played it off at first and went on to
the next
3 caller, until a woman called and she was just
hysterical. She
4 was downtown when it happened. She was crying.

5 And I remember at first they had said that it
was the
6 Federal Courthouse, but then as more people were
calling in and
7 then we had turned on the TVs and other radios in the
station
8 and the secretary had come in, and they said that it
was the
9 federal building.

10 And as soon as they said it was the federal

building,

11 that's when I immediately thought that I had to check
on my

12 dad.

13 Q. Was there a time that you and your mother and your
brother

14 thought that perhaps he was not in the building?

15 A. Right. Right. When we at first -- I called my mom
from

16 work, and we had heard on the radio that they were
taking the

17 first people that were inside the building to St.
Anthony

18 Hospital. And when we got there, we ran into one of my

19 father's co-workers; and he said, "Your father was
supposed to

20 be in Tulsa this morning at a meeting at 9," either
9:30 or

21 9:00. I can't remember which. And so we really were
thinking

22 he's in Tulsa, so he's going to be okay; he wasn't
there.

23 Q. How long did you and your mother and your brother
wait?

24 A. I think it was about five -- about five days. We
didn't

25 hear until the next Monday when his body was actually

15227

Carla Wade - Direct

1 identified.

2 Q. Now, at the time of your father's death, were you a
3 student?

4 A. Yes, I was.

5 Q. And you were a student at the University of
Oklahoma?

6 A. Right.

7 Q. What year were you in?

8 A. I was in my junior year.

9 Q. Setting modesty aside, you were a national merit
scholar;

10 is that correct?

11 A. Yes, I was.

12 Q. And you were on scholarship at the University of
Oklahoma?

13 A. Right.

14 Q. Tell the -- tell us all, if you would, about what
effect

15 your father's death had upon you and your school work
that

16 year.

17 A. Well, of course, I missed April -- finals are at
the

18 beginning of May at the University of Oklahoma, and so
I missed

19 several days of classes towards the end of April, and
so I

20 didn't take four finals -- no, I took -- I didn't take
three

21 finals.

took it 22 One final I did take, and I made a D because I

23 as soon as I got back from my father's funeral.

one over 24 And then the rest of them -- I had to make up

up other 25 the summer; and then the next semester, I had to make

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Carla Wade - Direct

journalism 1 exams that I had missed and projects because I was a

and 2 major, so a lot of our course work entails doing taped

that I 3 video-type projects that would have taken a lot of time

4 just didn't get to do the next semester.

you know, 5 And so my course work fell off a whole lot,

hard time 6 just from the additional work and just I had a really

such a 7 getting back into school after that because my dad was

expected 8 big motivator for me as far as doing well. He always

found 9 the best of us. And after the bombing happened, I just

same way 10 it really difficult to go to school and still feel the

11 about it that I did before that happened.

12 Q. Was it necessary for you to begin some counseling?

13 A. Yes, it was.

14 Q. And you go to counseling today?

15 A. Yes, I'm still going.

16 Q. Have you gone continuously for the last two-and-a-
half
17 years?

18 A. Pretty much just about.

19 Q. And how often did you go?

20 A. Once a week.

21 Q. Does your brother go to counseling as well?

22 A. No. My brother -- I think he's dealt with it a lot
23 differently than I have. He and my father were very
close, and
24 I don't think -- and he's kind of a typical male in
that he
25 doesn't really like to talk about it a lot. But I know
that it

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Carla Wade - Direct

1 has made him feel that he has to be a lot more mature
than he
2 was before.

3 And I know I've felt like I've aged. I feel
like a

4 42-year-old woman walking around in a 23-year-old body,
just

5 from the experience. I think we both grew up a lot.

6 Q. If you would -- and finally -- talk to us about the
impact
7 of your father's death on you and your family.

8 A. I think it's just -- take away -- took away a lot
of our
9 security. I mean I think my father was a great deal of
what we
10 viewed, I guess, as he kept us safe because he was so
very
11 protective of us; and, you know, it's hard to imagine
that one
12 day someone can get up to go to work and die in such a
terrible
13 way and never come back. And so I think it's been very
14 difficult for us to deal with that loss of security,
this
15 feeling that we're safe.

16 I mean, it's funny my father took the job in
Oklahoma
17 City, because we're not from Oklahoma. He was
transferred,
18 being a federal government employee; and throughout the
years,
19 he had a lot of opportunities to go to a lot of
different
20 places. And, you know, I always wanted to go to a big
city
21 like Chicago, or one time there was a job in Hawaii;
but my dad
22 always wanted for us to go somewhere that he thought
was safe

23 with good schools, where we wouldn't have to worry
about crime

24 or any harm coming to us. And he chose Oklahoma City.

25 Q. Did there come a time following your father's death
when an

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Carla Wade - Direct

1 Oklahoma City police officer by the name of Ed Moore
came to

2 your home?

3 A. Right.

4 Q. What did Officer Moore tell you and your mom?

5 A. He told us that he was one of the first officers
that were

6 on the scene that morning and my -- my father's office

7 overlooked the day-care center and that my father was
in the

8 window and he was trying to hold himself up from
falling. He

9 said he thought that he may have still been conscious
but the

10 back of his head had been partially kind of blown away
from the

11 explosion and his legs were broken, and he wasn't
really -- he

12 said he was not very coherent but that he was alive
when they

13 first got there but he had to go -- my dad was kind of
a big

14 man and he couldn't lift him, so he had to go get
another
15 officer to assist him; and when he came back, he was
gone.

16 MR. RYAN: That's all I have, your Honor.

17 MR. TIGAR: No questions. Thank you.

18 THE COURT: You may step down. You're
excused.

19 We'll take the recess at this time, members of
the

20 jury; and, of course, continue to follow the regularly
given

21 cautions, which are, of course, important that you
avoid

22 discussion of the things that you've heard and seen
here and

23 wait till you've heard it all and seen it all and get

24 instructed on how you should approach your decision in
this

25 case before discussing it or even in your own minds
forming any

15231

1 opinions about it. So you're excused now till 1:35.

2 (Jury out at 12:05 p.m.)

3 THE COURT: We'll be in recess.

4 (Recess at 12:05 p.m.)

5 * * * * *

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13 PLAINTIFF'S EXHIBITS

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10 * * * * *

11 REPORTERS' CERTIFICATE

12 We certify that the foregoing is a correct
transcript from

13 the record of proceedings in the above-entitled matter.
Dated

14 at Denver, Colorado, this 30th day of December, 1997.

15

16

Paul Zuckerman

17

18

Bonnie

Carpenter

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22

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