

1
2 UNITED STATES DISTRICT COURT
3 FOR THE DISTRICT OF NEW JERSEY
4 CIVIL ACTION NO. 2:06-cv-01051-DMC-MF

4 NXIVM CORPORATION, f/k/a
5 EXECUTIVE SUCCESS PROGRAMS, INC.
6 and FIRST PRINCIPLES, INC.,
7 Plaintiffs,

7 v.

8 MORRIS SUTTON, ROCHELLE SUTTON,
9 THE ROSS INSTITUTE, RICK ROSS,
10 a/k/a "RICKY" ROSS, STEPHANIE
11 FRANCO, PAUL MARTIN, Ph.D., and
12 WELLSRING RETREAT, INC.,
13 Defendants.

12 RICK ROSS,
13 Counterclaim-Plaintiff,

14 v.

15 KEITH RANIERE, NANCY SALZMAN,
16 KRISTIN KEEFFE, INTERFOR, INC.,
17 JUVAL AVIV, ANNA MOODY, JANE DOE
18 and JOHN DOES 1-10,

19 Counterclaim-Defendants.

20 DAY II DEPOSITION OF NANCY SALZMAN
21 Newark, New Jersey
22 Tuesday, June 9, 2009
23
24

25 Reported by:
JOMANNA DeROSA, CSR

June 9, 2009
10:10 a.m.

Day II Deposition of NANCY SALZMAN,
held at the offices of Tompkins McGuire, 100
Mulberry Street, Newark, New Jersey,
pursuant to Notice, before Jomanna DeRosa, a
Certified Shorthand Reporter and Notary
Public of the State of New York.

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IT IS HEREBY STIPULATED AND AGREED, by
and between the attorneys for the respective
parties herein, that filing and sealing be
and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED
that all objections, except as to the form
of the question, shall be reserved to the
time of the trial.

IT IS FURTHER STIPULATED AND AGREED
that the within deposition may be sworn to
and signed before any officer authorized to
administer an oath, with the same force and
effect as if signed and sworn to before the
Court.

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1 SALZMAN - DAY II
2 NANCY SALZMAN, called as a witness,
3 having been previously duly sworn by a
4 Notary Public, was examined and testified
5 further as follows:
6 CONTINUED EXAMINATION BY
7 MR. KOFMAN:

8 Q. Good morning, Ms. Salzman.
9 We're going to continue the
10 deposition that we started yesterday. The same
11 rules apply, the same instructions that Mr. Landy
12 and I gave you.

13 I want you to turn back to Salzman
14 17, please. And that was Exhibits A, B and C
15 attached to the August 26th, 2005 letter from
16 Michael Quinn.

17 Looking on the second page, which
18 is Exhibit A.

19 A. Yes.
20 Q. Do you see on the first paragraph,
21 the last sentence of the first paragraph states:
22 "Plaintiffs estimated per capital
23 loss of revenue of \$38,500, which is broken down
24 as follows: One, 6,000 in revenue for the courses
25 that the person would have taken himself; and,

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SALZMAN - DAY II

1 two, 32,500 in revenue for referrals that the
2 person would have made."

3 Do you see that?

4 A. Yes.

5 Q. And am I correct that NXIVM
6 estimates that for each person listed on Exhibit
7 A, it suffered \$38,500 in net loss?

8 A. That's correct.

9 Q. Okay. And that 38,500 consists of
10 \$6,000 that the person themselves would have spent
11 and \$32,500 in referrals that the person would
12 have made?

13 A. Yes.

14 Q. Okay. How did NXIVM calculate that
15 each person would have taken an additional \$6,000
16 worth of courses?

17 A. What NXIVM did was it evaluated
18 retrospectively the past enrollments at -- in
19 total, and evaluated, based on that, what it would
20 be per person.

21 Q. Okay. How did it involve -- who
22 did that evaluation?

23 A. The actuary in our company, Karen
24 Unterriener.

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SALZMAN - DAY II

1 Q. Okay. How did Ms. Unterriener
2 evaluate past enrollments?

3 A. I think she did them in total, but
4 I don't have very specific information.

5 Q. Okay. Did she determine that each
6 person who takes a NXIVM class spends \$6,000?

7 A. That's the cost of an intensive, so
8 I imagine she was calculating that as an average,
9 but I'm not sure.

10 Q. Does NXIVM keep statistics about
11 the average amount that a person spends?

12 A. Karen is an actuary, and she's
13 worked with these figures on more than one
14 occasion to come up with this. And I don't have a
15 great in-depth knowledge of actuarial skills, but
16 I know that she's fully certified.

17 Q. Okay. Do you, as you sit here
18 today, have knowledge about how much each person
19 the average student, spends at NXIVM?

20 A. I think that an average student,
21 over the totality of our enrollments, this is it.

22 Q. Okay. On what basis did
23 Ms. Unterriener determine that each person would
24 have spent \$6,000 more than they already had?

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SALZMAN - DAY II

1 MR. MC GUIRE: Aren't these
2 questions more properly directly to
3 Karen Unterriener?

4 A. Yes, I think probably I would like
5 to forfeit any really specifics to her because she
6 can give you better data than I can.

7 MR. KOFMAN: Well, counsel, we can
8 move on, but she was designated as --
9 Ms. Salzman has been designated as the
10 30(b)(6) witness on damages.

11 Q. Let me now turn to the number of
12 \$32,500 in revenue for referrals.

13 How was that calculated?

14 A. I believe the average person who
15 comes into our program has a certain number of
16 referrals, which is usually two, I believe, to the
17 best of my knowledge.

18 Q. So, it's your understanding, as you
19 sit here today, that the average person refers two
20 individuals to NXIVM?

21 A. Correct. That's my belief.

22 Q. And my question would be if the
23 average was two referrals, wouldn't that lead to
24 \$12,000 in revenue, rather than 38,000 -- or

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SALZMAN - DAY II

1 \$32,500?

2 A. We have multiple products. Many
3 people take more than one course. Not everyone,
4 though.

5 Q. Who performed the calculations that
6 led to the \$32,500 number?

7 A. Karen Unterriener.

8 Q. Did you supervise her in doing
9 that?

10 A. I asked her to do it. She's an
11 actuary. I know that she's fully certified. I
12 assumed the results she gave me were good. And I
13 also know that we are submitting her results to
14 experts.

15 Q. Do you know what statistics
16 Ms. Unterriener looked at to compute the \$6,000
17 number in the \$32,500 number?

18 A. I don't.

19 Q. In looking at Exhibit A, I noticed
20 that there are certain names that are duplicated.

21 For example, if you look at the
22 name on number 23 on Exhibit A, Bruce McClellan is
23 identified, and then he's also identified under
24 Exhibit C as No. 2.

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SALZMAN - DAY II

And my question is do you know on what basis he appears on both lists?

A. Yes.

A. One would be from -- to the best of my knowledge, reading this one, it would be individually, and then in a professional capacity.

MR. KOFMAN: Let's mark this as Salzman 22 for identification. (Exhibit Salzman 22 marked for identification.)

Q. During your deposition yesterday, I asked you questions about the amount of money that Sara Bronfman had contributed to payment of NXIVM's legal fees.

MR. KOFMAN: And, for the record, Salzman 22 is a one-page document. The heading says:

A. Yes.

"Nancy Salzman, President of Executive Success Programs."

Q. Do you have that information?

And it's been produced in discovery, Bates Stamp No. P000004778.

A. Yes. She's contributed none.

Q. Okay. Has she contributed money to NXIVM's expenses?

Q. Ms. Salzman, do you recognize this document?

A. I don't have that information.

A. Yes.

Q. Okay. Are you aware of newspaper articles that indicate that Clare and Sara Bronfman have purchased townhouses for your use?

Q. And what is this?

A. I don't believe that's true.

A. This is a bio on me.

Q. Okay. Are you aware of articles that say that?

Q. And did you review this biography?

A. Yes.

A. Just now?

Q. And it's your testimony that that's incorrect?

Q. No, at some point in the past.

A. At some point in the past.

Q. To the best of your knowledge, is everything on this bio about you accurate?

A. Yes.

SALZMAN - DAY II

SALZMAN - DAY II

MR. MC GUIRE: Why don't you read it?

Q. You can take the time to read it, just to make sure.

A. I think it's true.

Q. Okay. Looking at the bottom, there's a stamp that says highly confidential.

Why did NXIVM mark this document as highly confidential?

A. I don't think I know.

Q. Okay. Getting back to the biography, in the first sentence it says that you've had:

"Over 20 years of intensive study and practice in the fields of."

And it says "human potential and human empowerment."

Can you tell me what -- can you describe for me your 20 years of study in human potential and human empowerment?

A. I studied Ericksonian techniques and brief, solution-based models of therapy for the first ten years of my career. And then I studied neurolinguistic programming for a number

of years, and I became a trainer in the field of neurolinguistic programming, and I studied Gestalt techniques. I studied transactional analysis. I studied a series of different models over the years, and then I worked with individuals individually for a number of years.

And then I worked for a seminar company that was based in Hawaii, and I traveled all over the United States and Canada teaching goal-setting seminars as a trainer of neurolinguistic programming.

Q. What was the seminar company in Hawaii that you worked for?

A. Advanced Neurodynamics.

Q. Okay. I'm going to back up and ask you a few questions.

First of all, what do you mean by the phrase "human potential"?

A. It refers to a series of techniques that were developed in the '80s that are designed to enhance what an individual's potential for producing results in the world are, depending on, you know, what it is that they want to do.

Q. And am I correct that NXIVM is in

SALZMAN - DAY II

1 the field of human potential?

2 A. That's correct.

3 **Q. What is human empowerment, if it's**
4 **anything different from human potential?**

5 A. I think they're similar ways of
6 describing the same thing.

7 **Q. Okay.**

8 A. It has to do with one's individual
9 understanding of one's own ability, and then
10 expressing that in the world.

11 **Q. You said that the human potential**
12 **movement began in the 1980s. Who were some of the**
13 **people responsible for starting it; if you know?**

14 A. Virginia Satir, Fritz Perls. They
15 were two of the main ones that I personally
16 studied, but there are a whole number of different
17 models that were produced in the '80s. Landmark
18 Education might be considered one. It was EST in
19 the early days. Even scientology, I think, may be
20 considered to be that sort of a model, but I don't
21 know much about it.

22 **Q. Have you studied scientology?**

23 A. I have not.

24 **Q. Did you take any classes at**

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SALZMAN - DAY II

1 **Landmark or EST?**

2 A. I took one class.

3 **Q. Was that at Landmark or when it was**
4 **called EST?**

5 A. It was when it was called EST.

6 **Q. Did Virginia Satir or Fritz Perls**
7 **publish anything on the field of human potential?**

8 A. Virginia Satir published a number
9 of books in family systems therapy, and Fritz
10 Perls created Gestalt techniques, and they were
11 very popular in the '80s. Both of them were very
12 popular in the '80s.

13 **Q. Is there any text that's considered**
14 **definitive in the field of human potential or**
15 **human empowerment?**

16 A. I don't think so. I think there
17 are a series of texts.

18 **Q. And one of the things you mentioned**
19 **earlier was neurolinguistic programming. What is**
20 **that?**

21 A. It's a blend of behavioral and
22 cognitive psychology, and it's modeled after the
23 work of Milton Erickson. Milton Erickson was a
24 psychologist and a psychiatrist. He had a double

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SALZMAN - DAY II

1 degree. And he was considered to be the creator
2 of brief, solution-based models of therapy in the
3 United States.

4 **Q. That's brief, solution-based?**

5 A. Yes. It's a non-traditional
6 approach to therapy. The more traditional
7 approach would be a more Freudian approach, which
8 is a psychoanalyst analyzing someone, which is a
9 very time consuming process and the person who
10 would undergo such a process would do multiple
11 visits a week, whereas brief, solution-based
12 models of therapy were designed to create change
13 in a short period of time. Much of the human
14 potential movement is based on those types of
15 theories.

16 **Q. The theory that human behavior can**
17 **be changed in a short period of time?**

18 A. Exactly. Milton Erickson was the
19 first practitioner who believed that in a short
20 number of sessions, maybe six to ten sessions,
21 change could be created.

22 **Q. Now, was NLP done on a one-to-one**
23 **basis with a teacher and one student, or was it**
24 **done in a group?**

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SALZMAN - DAY II

1 A. Both. There is a training which
2 teaches individuals a series of techniques, and
3 then there are the techniques that they teach.
4 So, one can take a training and learn a series of
5 strategies, techniques, tools, language patterns.

6 So, Milton Erickson did a certain
7 type of work. Also, Virginia Satir and Fritz
8 Perls did different types of work. And Bandler --
9 and Richard Bandler and John Grinder worked
10 together in California at the University of
11 California back in 1975.

12 Richard Bandler was a student of
13 John Grinder in linguistics, and he was also a
14 student of mathematics. And what Bandler did was
15 he came up with a theory, and the theory that he
16 brought to his linguistics professor was that
17 Virginia Satir, Milton Erickson, and Fritz Perls
18 were all doing very similar things. And if they
19 could be broken down into processes that could be
20 taught to people, it could increase their
21 effectiveness.

22 And that was the whole basis of
23 neurolinguistic programming, and the basis of
24 modeling, which is what he believed that children

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SALZMAN - DAY II

1 did anyway naturally. And he believed that you
2 could create a series of processes to teach people
3 these techniques. They could then become much
4 more effective in anything that they did.

5 **Q. Did Dr. Erickson publish books or
6 articles concerning his research?**

7 **A.** Milton Erickson wrote a number of
8 books. His main student was Ernest Rossi. He and
9 Ernest Rossi worked together for the last ten
10 years of Erickson's life to the point where Ernest
11 Rossi had enough data codified from his time with
12 Milton Erickson that he wrote 10 additional books
13 with Erickson after his death.

14 So, Erickson himself wrote a series
15 of books that documented his work. Several other
16 therapists wrote books with him and about his
17 work, and he is the person who took things like
18 brief, solution-based therapy and hypnosis, and
19 created the American Medical Association looking
20 at those things as therapeutic tools in the
21 practice of medicine.

22 **Q. When did you first become
23 introduced to -- NLP I'll call it for short?**

24 **A.** In the '80s, after Erickson's

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SALZMAN - DAY II

1 death.

2 **Q. How did you become introduced to
3 NLP?**

4 **A.** Through Erickson's work. Milton
5 Erickson had a certain amount of time that he
6 spent with Bandler and Grinder, which was rather
7 limited, but he found their approach to be very
8 effective in evaluating his techniques, more
9 effective in some ways than other practitioners
10 who tried to model him or recreate his work.

11 **Q. And where did you learn NLP?**

12 **A.** I learned it mostly from Richard
13 Bandler, who was one of the creators of NLP, and
14 then I learned it from some of the students,
15 including Robert Dilts, who is their main student.

16 Robert Dilts studied with Bandler
17 and Grinder. He was a student when they first
18 partnered back in the mid '70s, and he created an
19 institute in California, and then he traveled all
20 over the United States teaching seminars.

21 I took a number of seminars with
22 Robert Dilts. And then I took a number of
23 seminars with Linda Sommers and Joe Yeager, who
24 had an institute in Pennsylvania.

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1 And then I studied with Wyatt
2 Woodsmall. He had an institute in Washington,
3 D.C. I studied with Tad James, who is the person I
4 ended up working with in his company that was
5 Advance Neurodynamics. His company was based in
6 Hawaii. And I also took a limited number of
7 courses with John Grinder.

8 **Q. Does NLP focus on the language
9 someone uses to try and ascertain patterns of
10 behavior?**

11 **A.** I'm not sure I understand the
12 question.

13 **Q. The name implies that there's a
14 focus on linguistics. What is the use of
15 linguistics or communications theory, if that's an
16 accurate description?**

17 **A.** I think if you really look at
18 neurolinguistic programming, in the early days
19 when John Grinder and Richard Bandler created
20 neurolinguistic programming, they looked at a
21 model for transformational grammar that was
22 developed by Noam Chomsky. And what Noam Chomsky
23 said in his paper that they modeled NLP after was
24 the map is not the territory.

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1 And what they were talking about
2 was each of us, when we experience the world,
3 looks at the world, and we take in data. And you
4 can kind of think of the mind as a computer, but
5 the way that the human mind takes in data is
6 through visual, auditory, and kinesthetic input,
7 and also olfactory -- meaning we see, we hear, we
8 feel, we taste, and we smell.

9 What Chomsky was doing was he was
10 looking at if there is an external event in the
11 world that occurs, multiple people will have
12 different understandings of that event.

13 In other words, if you and I have
14 the same experience, you have one understanding of
15 that experience, I have a separate understanding,
16 and then maybe Bill or Bob would have another
17 understanding of that.

18 So, what Chomsky was seeking to do,
19 and in his paper, was to understand how it was
20 that different human beings could have the very
21 same experience externally, but internally have a
22 very different experience.

23 And so, he began to look at that.
24 And what he came up with was an understanding that

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SALZMAN - DAY II

we create internally an internal representation of the external events of the world. And what he began to look at was the fact that the internal representation is not the external event. And most of the problems that were created for human beings have to do with the confusions between the internal representation and the external event. Most people think their internal representation is the external event.

Now, neurolinguistic programming was designed to break apart or somehow figure out a way of reprogramming or changing the confusions that occur.

Q. So, that somebody's internal representation would be integrated with the external event?

A. No. They confuse the internal representation with the external event.

Q. But NLP sought to have people integrate the -- or have the internal representation equal the external event?

A. I think they sought to teach strategies and tools to correct those misunderstandings.

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Q. Okay. Is there one definitive book on neurolinguistic programming?

A. No. Richard Bandler wrote a series of books with John Grinder. They wrote -- the very first books they wrote probably were the best books that they wrote. And what they did in their very first books were a series of -- they created a series of tools that could be used by different practitioners. I think they were trying to create some sort of reproducible results.

But what they did, and probably the best books that they have are they evaluated -- they made a linguistic model. In other words, they took linguistic categories, and they studied the work of Milton Erickson, and the work of Virginia Satir and Fritz Perls.

And what they found was that they could look at the patterns that Milton Erickson used in his work, the patterns that Virginia Satir used in her work, and the patterns that Fritz Perls used in his work. And what they found was that on one side of the spectrum, Milton Erickson was using patterns that seemed abstract in nature.

On the other side, Virginia Satir

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SALZMAN - DAY II

and Fritz Perls used linguistic patterns that seemed much more specific and brought about specificity. And each of them believed that through using these different patterns, they could create results that would give someone insight into their own process through a series of questions that they could apply, or that practitioners could apply in a very consistent way.

Q. When you taught neurolinguistic programming, was there a manual or a book that you used to teach it?

A. I read the books that Bandler and Grinder wrote. I read the books that other authors wrote with them. I studied a lot of Ericksonian work before that. And as a result of that, I wrote my own manuals and created my own versions of those things, or I worked with other people who had done that, and I experimented with theirs or worked with theirs.

Like when I worked for Tad James, he had a series of ways that he developed of using the model with Richard Bandler because he partnered with Richard Bandler for a number of

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SALZMAN - DAY II

years. He taught me the methods that he used, and then I used those methods for a while and worked for him and taught seminars all over the United States and Canada.

Q. When did you write manuals?

A. My own manuals?

Q. Yes.

A. After I left Tad James.

Q. Have you retained copies of the manuals that you wrote?

A. I don't know. I did for a while, and then after I met Keith I didn't really find them very valuable anymore. I may still have them, but I don't know.

MR. KOFMAN: Okay. I'll make a request, and I'll follow it up with a letter, for copies of any manuals that Nancy Salzman wrote.

Q. And, by the way, have you ever been licensed by any state as a psychotherapist or psychiatrist or psychologist?

A. To be a psychologist in the State of New York, you have to have a Ph.D., and six years of -- or two years of supervision, and I

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1 SALZMAN - DAY II

2 don't have that degree.

3 **Q. How about as a psychotherapist?**

4 A. A psychotherapist doesn't have
5 licensure in the State of New York.

6 **Q. Okay. How about in any other
7 state? Have you ever been licensed as a
8 psychotherapist?**

9 A. I've lived in New York State.

10 **Q. Okay. Do you hold a master's
11 degree?**

12 A. I don't.

13 (The requested portion of the
14 record was read.)

15 **Q. Have you ever represented to anyone
16 that you held a master's degree?**

17 A. No.

18 (The requested portion of the
19 record was read.)

20 **Q. You mentioned yesterday a company
21 that you had, The Institute For -- and it went
22 through some different names. International
23 Center For Change was one of the names.**

24 **Was that a company that you
25 operated to teach NLP?**

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1 SALZMAN - DAY II

2 A. Yes.

3 **Q. How long was International Center
4 For Change an active company?**

5 A. Probably 1988, or 1986 through
6 1997.

7 **Q. Did you do anything with
8 International Center For Change after 1997?**

9 A. No. I stopped using it.

10 **Q. Do you know if it remained an
11 active corporation?**

12 A. I think it stopped being an active
13 corporation in 1999.

14 **Q. But between 1997 and 1999, you
15 didn't do anything with it?**

16 A. No, I didn't.

17 **Q. Did you continue teaching at NLP
18 after you became involved with Executive Success
19 Programs?**

20 A. No, I did not.

21 **Q. Okay. By the way, the company that
22 was formed as Executive Success Programs, is that
23 company now known as NXIVM Corp.?**

24 A. Yes, it is.

25 **Q. Okay. So, I can use those**

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1 SALZMAN - DAY II

2 interchangeably?

3 A. You can.

4 **Q. At the time that you were
5 teaching -- strike that.**

6 **Was there one organization or
7 company that was responsible for licensing NLP
8 materials?**

9 A. There was not.

10 **Q. Okay. Did you have any non-compet
11 or confidentiality agreements relating to your
12 teaching of NLP?**

13 A. I did not.

14 **Q. Have you ever taken any classes
15 with Tony Robbins?**

16 A. Only one.

17 **Q. When was that?**

18 A. Somewhere around -- somewhere in
19 the late '90s, maybe '96.

20 **Q. Is Tony Robbins involved in the
21 field of human potential?**

22 A. He is.

23 **Q. What technique does he use; if you
24 recall?**

25 A. Tony Robbins took a basic NLP

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1 SALZMAN - DAY II

2 course, and he uses the techniques in his
3 training, but, to the best of my knowledge, he's
4 doing new and different things now, and he's
5 incorporated other models.

6 He's worked with other
7 practitioners through the years. And my
8 understanding of this happened because I
9 participated in a seminar recently where he did a
10 presentation there, and he talked about some of
11 the new things that he's doing. So, he's not
12 doing just neurolinguistics, but years ago, when I
13 took the course, he was utilizing techniques that
14 I would say were from the field of early -- very
15 basic NLP.

16 **Q. Is it fair to say that nobody --
17 that there was no business that had a proprietary
18 ownership of the NLP concepts?**

19 A. That's true. Actually, I think
20 both John Grinder and Richard Bandler both voiced
21 regret that they hadn't ever done that in the
22 early days of their model.

23 **Q. You mentioned that you met Keith
24 Ranieri in late 1997?**

25 A. That's correct.

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1 SALZMAN - DAY II

2 **Q. Was it Toni Natalie who introduced**
3 **you to him?**

4 A. No, it was not.

5 **Q. Who was it?**

6 A. Sandy Padilla, P-A-D-I-L-L-A.

7 **Q. And Mr. Ranieri had taught you**
8 **rational inquiry method?**

9 A. He did.

10 **Q. When did he start teaching you**
11 **that?**

12 A. I would say about six weeks after
13 we met, six weeks to eight weeks after we met.

14 **Q. And at the same time -- was that**
15 **the same time that the idea of forming Executive**
16 **Success Programs arose?**

17 A. No. We had no thought of that at
18 all.

19 **Q. When did the idea of forming**
20 **Executive Success Programs arise?**

21 A. July 4th, 1998.

22 **Q. How did it arise?**

23 A. On a walk with him that lasted
24 about four hours of discussion about our results
25 in the first months of our work together.

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1 SALZMAN - DAY II

2 **Q. And what was the discussion about**
3 **forming Executive Success Programs that you had**
4 **with him?**

5 A. I met Keith in 1997, and I had
6 three conversations with him about our work
7 together. And he explained to me what it was that
8 he thought might be possible, which I believed
9 didn't exist in my field or in any of the things
10 that I studied. And I became interested in
11 studying his hypothesis with him.

12 And so, for the first several
13 months, we were studying his hypothesis. And
14 after -- from the time in between February to
15 July, he showed me something that caused me to
16 believe it was possible to do what he wanted to
17 do, and that led to the concept of Executive
18 Success Programs.

19 **Q. Okay. Before Mr. Ranieri began**
20 **teaching you the rational inquiry method, did he**
21 **ask you to sign any confidentiality agreement?**

22 A. We spent several weeks where we had
23 several very long discussions. And at the end of
24 about six -- I think it was somewhere about six
25 weeks, he had demonstrated to me that he could do

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1 SALZMAN - DAY II

2 something that I had never seen before in a -- in
3 a verbal interaction with respect to beliefs. And
4 I asked him if he would mentor me.

5 I had talked to him a lot about why
6 he thought he could do this, and what he thought
7 it was, and then I watched him work with some
8 individuals. And after that, I asked him if he
9 would mentor me. And when I asked him to mentor
10 me, he said that if he mentored me, I would never
11 be able to resume my career in the same way.

12 And he told me that I would -- if I
13 didn't want to continue to work with him, that I
14 would have a problem because he would make it
15 impossible for me to -- through the education that
16 he gave me, to go back to doing what I was
17 currently doing. And, therefore, I had to agree
18 either to consistently use his model or figure out
19 another way of sustaining myself.

20 **Q. What did you understand he meant**
21 **when he said that he would make it impossible for**
22 **you to go back to what you were doing?**

23 A. Well, in my own mind, he had
24 already made it impossible for me to go back to
25 what I was doing, because he showed me what he had

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1 SALZMAN - DAY II

2 was far superior to anything that I had ever seen
3 before. And he was able to do it in a consistent
4 way. And I had never seen that in my field. And
5 I believed that he had an ability that might have
6 been unique, but might have been something that
7 was teachable, reproducible, verifiable, and
8 measurable. And if it was, it would be science.

9 And the idea of a reproducible
10 model that was quantifiable, measurable and
11 consistent, to me, was what I was trying to find
12 my entire career. And if he hadn't, I was willing
13 to invest the rest of my life in helping him
14 develop it. And if he didn't have it, I decided I
15 was going to find a new career.

16 **Q. Okay. Did he say saying to you**
17 **about the confidentiality of what he was going to**
18 **teach you?**

19 A. He did.

20 **Q. What did he say?**

21 A. Well, he said multiple things. In
22 fact, when he first -- in our very first
23 interaction he began to explain to me that he had
24 developed a couple of things that if he shared
25 them with me would change the way that I saw

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SALZMAN - DAY II

1 things or experienced things. And he asked me if
2 I was the kind of person who would recognize when
3 somebody had given me something that I didn't own
4 or didn't belong to me and give them credit for
5 it, or was I the kind of person that just assumed
6 that because somebody taught me something I had
7 the right to use it or own it.

8
9 And he began to show me that his
10 intellectual property really was his intellectual
11 property. And that if I intended to use it, I had
12 a limited -- it was up to him how I could use it
13 or he didn't want to teach it to me.

14 **Q. Did he -- at any point did you sign**
15 **a confidentiality agreement with him?**

16 A. No. I believe he filmed me. He
17 filmed most of our early interactions with a video
18 camera.

19 **Q. Does NXIVM have copies of those**
20 **videotapes?**

21 A. I don't have them. I've never seen
22 them. They were something that he had, and I've
23 never seen where he stores them or how he stored
24 them or what he did with them. I don't know where
25 they are, but I know that I made those agreements

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SALZMAN - DAY II

1 with him.

2 **Q. Okay. And when in the process did**
3 **you make those agreements, before he started**
4 **teaching you the method?**

5 A. Well, the first day that we even
6 began speaking, he offered me a document to read,
7 which I didn't take with me because I really
8 wanted to think it through. And then the second
9 day he offered me the document to read again, and
10 I didn't take it with me because I just -- it
11 seemed like he was asking something of me that I
12 wasn't sure what -- how to handle.

13
14 And then the third day he gave me
15 the document, I took it with me and I didn't read
16 it because I wasn't sure what to do with it, for
17 about a week. And then when I went back and we
18 discussed it some more, I had an understanding of
19 what he was asking me, but he was very, very clear
20 on his requirements for teaching me.

21 **Q. Briefly, what is rational inquiry**
22 **method?**

23 A. I'm not sure how to explain it
24 briefly. Because it is a method that creates a
25 series of perceptual shifts that changes one's
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SALZMAN - DAY II

1 understanding and experience of their existence.
2 And in doing so, a person, it appears, becomes
3 less troubled, more joyous, less burdened with
4 thought patterns or types of limitations.

5 So, it consistently seems to help
6 people think differently so they become less
7 linear thinkers and more systems thinkers.

8
9 **Q. Does it seek to have people's**
10 **internal perceptions of events match the external**
11 **reality?**

12 A. It does.

13 **Q. Okay. Does NXIVM -- strike that.**
14 **Does NXIVM teach rational inquiry**
15 **method?**

16 A. Does it teach the method?

17 **Q. Right.**

18 A. Itself? I'm not sure -- I don't
19 understand the question.

20 **Q. Is NXIVM -- is rational inquiry**
21 **method a tool that NXIVM uses to obtain the**
22 **results that you described?**

23 A. The modules employ the method, so
24 the method is used in teaching, and the method is
25 used in every area of the training itself. And

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SALZMAN - DAY II

1 there are different trainings that teach
2 different -- that have different objectives.

3 **Q. So that the method itself is not**
4 **what's taught, but it's a means of teaching?**

5 MR. MC GUIRE: Object to the form
6 of the question.

7 A. The method itself is not taught in
8 the basic curriculum. It's a means of teaching
9 the basic curriculum. In the higher levels, there
10 are aspects -- you know what?

11 Can you read back the question?

12 (The requested portion of the
13 record was read.)

14 A. It's a means of teaching.

15 **Q. What is the basic curriculum that**
16 **you're referring to?**

17 A. The Ethos curriculum.

18 **Q. Is that what's taught in the 16-day**
19 **intensive?**

20 A. Yes. The Ethos and the Origins
21 curriculums are both taught in the 16-day
22 intensives, and those are both very basic
23 curriculum.

24 **Q. What are the advanced curriculum --**
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SALZMAN - DAY II

1 what is the advanced classes in which the method
2 is taught?

3 A. I'm not sure that we ever teach the
4 method. I clarified that on purpose.

5 I think the method is used to teach
6 the entire model, but I don't think we ever teach
7 the method.

8 **Q. Does NXIVM, in the basic
9 curriculum, use -- strike that.**

10 **Does NXIVM, in the basic
11 curriculum, employ means of teaching other than
12 the rational inquiry method?**

13 A. I don't understand the question.

14 **Q. Does NXIVM use anything that you
15 learned in NLP in teaching the basic curriculum?**

16 A. In the module communication and
17 being at cause, which is one of 600 modules, there
18 is a portion that is a compilation of some of the
19 information that I learned in NLP. I would say
20 about 60 percent of that one module.

21 And then there's another module
22 called assumptions of presuppositions that I
23 worked on that has a series of assumptions and
24 presuppositions that are linguistic in nature that

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SALZMAN - DAY II

1 I learned when I was studying NLP. I would say --
2 also the rapport module, which is a half of a
3 module.

4 **Q. That's rapport, R-A-P-P-O-R-T?**

5 A. Yes, the rapport module. I would
6 say the rapport techniques I learned in NLP.
7 Other than that, I don't think so.

8 **Q. Is there anything used besides NLP
9 and rational -- strike that.**

10 **Other than what you've described as
11 things you took from -- or things that you learned
12 in NLP, are there any other tools that are used in
13 NXIVM's curriculum that you had learned before
14 meeting Keith Raniere?**

15 A. Even though the modules that I
16 described have information that I learned in NLP,
17 the application is different because Keith's
18 method, the rational inquiry method, is a
19 different -- utilizes a different process.

20 So, although the material seemed
21 similar to what I learned and what I taught at
22 NLP, the rapport module, for instance, I used to
23 teach an entire weekend of rapport, and now it's a
24 one-hour module. And communication and being at

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SALZMAN - DAY II

1 cause was an entire weekend. I would teach it for
2 two or three days, and now I teach it -- it's 40
3 percent of one two-hour module.

4 The application of all of the data
5 has elements of other things from different
6 fields, but the way that it's taught, the method
7 that is taught, is the method of rational inquiry,
8 which I've never seen anything like it anywhere.

9 **Q. To this day?**

10 A. Yes.

11 **Q. Do you know if Keith Raniere had
12 ever studied NLP?**

13 A. I think he took a portion of a
14 course in -- when he was involved in developing
15 CVI, and the way that I know that is because one
16 of his sales reps came to my office and tried to
17 introduce me to Keith to teach him a course ten
18 years before I met him, and then he found somebody
19 else to teach him the course because I didn't call
20 him back.

21 (Exhibit Salzman 23 marked for
22 identification.)

23 MR. KOFMAN: For the record,
24 Salzman 23 is a one-page document entitled "We
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SALZMAN - DAY II

1 Teach Logic and Critical Thinking," Bates
2 Stamp No. P000004779.

3 **Q. Do you recognize this document?**

4 A. Yes.

5 **Q. What is this?**

6 A. This was something that we put
7 together in the early days of the company to try
8 to describe what we do.

9 **Q. Is this something that you would
10 give to people who might be interested in taking
11 NXIVM classes?**

12 A. Back then.

13 **Q. Back then. And this is copyright
14 2003, so back in that time period?**

15 A. Yes.

16 **Q. Okay. Do you know why this has
17 been stamped highly confidential?**

18 A. I don't know.

19 **Q. Okay. About halfway down in the
20 second paragraph, it says:**

21 "In light of this, we provide a
22 series of tools that people can use to become
23 critical, independent thinkers. These tools
24 include."

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1 SALZMAN - DAY II

2 And then it lists seven things by
3 bulletpoints.

4 Does that indicate that NXIVM uses
5 seven tools in teaching its students?

6 MR. MC GUIRE: Object to the form
7 of the question. Are you asking present?

8 MR. KOFMAN: At the time of this
9 document.

10 Q. Is that supposed to indicate that
11 there are -- is that supposed to communicate that
12 there are seven tools that NXIVM uses in teaching?

13 A. No.

14 MR. MC GUIRE: Object to the form
15 of the question. If you can answer, go ahead.

16 MR. KOFMAN: Strike that.

17 Q. What did NXIVM mean that "these
18 tools include" and then the seven items listed
19 here?

20 A. I think it means these tools
21 include the seven items listed here.

22 Q. So, there might be additional tools
23 besides this?

24 A. Yes.

25 Q. Okay. And these seven items all
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1 SALZMAN - DAY II

2 constitute tools that NXIVM uses in teaching or
3 used in teaching at this time?

4 A. Yes.

5 Q. Which of these tools did Keith
6 Ranieri develop?

7 A. Rational inquiry.

8 Q. He did not develop scientific
9 method. Correct?

10 A. He did not.

11 Q. And communications theory, does
12 that include NLP?

13 A. NLP teaches some communications
14 theories. NLP is a model that also teaches
15 communication theory.

16 Q. Any other types of communication
17 theory that NXIVM uses as a tool, besides NLP?

18 A. Well, you would have to define
19 "communications theory" to me because it's a
20 pretty broad scope.

21 Q. And what was meant by
22 "communication theory" in this document?

23 A. It was meant by the pretty broad
24 scope of communications theories.

25 Q. I'm correct in -- are -- none of
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1 SALZMAN - DAY II

2 these communication theories were developed by
3 Keith Ranieri?

4 A. I think he utilized all of these
5 processes in his development, and in our teaching
6 they are used.

7 (Exhibit Salzman 24 marked for
8 identification.)

9 (Recess taken.)

10 Q. The document that we've just marked
11 as Salzman 24, do you recognize this?

12 MR. MC GUIRE: Take as much time as
13 you want to look at it.

14 A. I actually do recognize it.

15 Q. What is it?

16 A. It is an analysis by Kathy Russell,
17 who is the controller of my company from a number
18 of years ago when we were evaluating how the
19 company had been put together.

20 I think it was when I was working
21 with her, and Joe O'Hara might have been there at
22 that time, and we were looking at how we put the
23 company together in the beginning.

24 Q. Did you ask Ms. Russell to prepare
25 this?

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1 SALZMAN - DAY II

2 A. We had a number of conversations,
3 and she did it because she wanted to document our
4 understanding.

5 Q. Okay. Looking back -- looking at
6 this document, do you see the entry under
7 1997/1998, PC markets rational inquiry?

8 A. Yes.

9 Q. Who is PC?

10 A. Pam Cafritz. I believe it's Pam
11 Cafritz.

12 Q. And is she a part of your company?

13 A. Yes.

14 Q. What is her role in your company?

15 A. She's in charge of ethics.

16 Q. Okay. What does the phrase "PC
17 markets rational inquiry" mean?

18 MR. MC GUIRE: If you know.

19 A. To the best of my memory, Pam had
20 been working with Keith for a number of years in
21 his first company, CVI, with the current endeavors
22 he was doing when I met him. And Pam and I have
23 been working together since I met Keith and I met
24 her. She's worked with him for in excess of 20
25 years.

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1 SALZMAN - DAY II

2 **Q. What did it mean that she was**
3 **marketing rational inquiry?**

4 MR. MC GUIRE: If you know.

5 A. I think he may have licensed -- I
6 don't know. I could just be guessing. So, I'm
7 not going to guess.

8 MR. MC GUIRE: Don't guess.

9 **Q. The next entry is -- do you know if**
10 **she showed rational inquiry materials to**
11 **third-parties to try and get them interested in**
12 **it?**

13 A. No.

14 **Q. You don't know?**

15 A. She didn't.

16 **Q. Okay. And under 7/1/98 there is a**
17 **Letter of Intent between PC and NS, rational**
18 **inquiry. Are you NS?**

19 A. I am.

20 **Q. What's the Letter of Intent that's**
21 **referred to here?**

22 A. My intent to undergo learning and
23 recreating the model to be reproducible in the
24 context of Executive Success Programs.

25 **Q. Okay. Was this a written document,**
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1 SALZMAN - DAY II

2 the Letter of Intent?

3 A. I don't remember.

4 **Q. Okay. Do you know if NXIVM has a**
5 **copy of that Letter of Intent?**

6 A. I can look.

7 MR. KOFMAN: Okay. I'll make a
8 request.

9 **Q. On 7/21/98 it says:**

10 "Letter of agreement between PC and
11 ESP."

12 **Do you know what that refers to?**

13 A. I'm going to -- I can't remember.

14 **Q. And next to that is:**

15 "N. Salzman forms First
16 Principles."

17 **What is First Principles?**

18 A. It's the company that licenses the
19 rights to rational inquiry to other entities.

20 **Q. And to whom does it license the**
21 **rights to rational inquiry?**

22 A. Executive Success Programs, Jness,
23 Rainbow Gardens, and Nataraja.

24 **Q. What's the last one?**

25 A. Nataraja.

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1 SALZMAN - DAY II

2 **Q. What is Jness?**

3 A. Jness is an organization that is a
4 women's organization that has its own curriculum
5 that was developed based on rational inquiry.

6 **Q. When was that founded?**

7 A. I believe 2005.

8 **Q. And are you involved with Jness?**

9 A. I'm the spokeswoman for Jness.

10 **Q. Who is the president?**

11 A. Pam Cafritz.

12 **Q. And who owns Jness?**

13 A. Pam Cafritz.

14 **Q. Okay. What is Rainbow Garden?**

15 A. It is a children's education
16 program, which is developing its own curriculum
17 based on rational inquiry.

18 **Q. When was the rational inquiry**
19 **method licensed to Rainbow Garden?**

20 A. I believe 2006, but it may have
21 been 2007. It was right around -- I think 2006.

22 **Q. And the last one is Nataraja. What**
23 **is that?**

24 A. Nataraja is a studio that is owned
25 by Ivy Nevares, and it teaches a curriculum called

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2 Ultima, which is a derivative of rational inquiry
3 as well.

4 **Q. To whom does it teach Ultima?**

5 A. People who sign up and take that
6 training.

7 **Q. How does that differ from ESP?**

8 A. It's a different company, and it's
9 a different curriculum.

10 **Q. How does the curriculum differ?**

11 A. That particular curriculum has more
12 physical applications, and it's applied more to
13 artists that do dance, athletics; things like
14 that.

15 **Q. Are you involved with either**
16 **Nataraja or Rainbow Gardens?**

17 A. No, not involved in that I teach,
18 but I help administrate them.

19 **Q. Who owns Nataraja and Rainbow**
20 **Gardens?**

21 A. Ivy Nevares owns Nataraja, and
22 Rainbow Gardens is owned by my daughter, Lauren
23 Salzman.

24 **Q. What age children are taught by**
25 **Rainbow Gardens?**

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1 SALZMAN - DAY II

2 A. It will be eventually, when we
3 develop the full curriculum, everything:
4 Preschool, elementary education, and whatever you
5 call junior high.

6 **Q. Middle school?**

7 A. Right. Middle school. It right
8 now is focused on preschool children. Our
9 programs usually are kind of organic in nature,
10 and they start from the basic and work their way
11 up.

12 **Q. Is the idea to have this function
13 as an elementary school and a junior high school
14 or is it to be an after school program?**

15 A. I think it will function as its own
16 school system, but it's not there yet, so that
17 would be my hypothesis.

18 **Q. Understood. Do you know if
19 students at Jness are required to sign
20 confidentiality agreements?**

21 A. They are.

22 **Q. How about teachers of Rainbow
23 Gardens?**

24 A. They are.

25 **Q. And how about students at Nataraja?**

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1 SALZMAN - DAY II

2 A. They are.

3 **Q. Does First Principles pay a fee
4 to -- strike that.**

5 **Does NXIVM pay fees to First
6 Principles to license the material -- rational
7 inquiry method?**

8 A. It does.

9 **Q. Okay. Looking at Salzman 24, do
10 you know why there are various agreements between
11 Ms. Cafritz and First Principles ESP for
12 licensing?**

13 A. Because she had originally -- it's
14 my understanding that she was the first person who
15 Keith gave rights to his model to.

16 **Q. And those rights now are held by
17 First Principles, among -- and I guess these other
18 three organizations that you just mentioned?**

19 A. First Principles.

20 **Q. First Principles?**

21 A. First Principles can license the
22 material.

23 **Q. Okay. What is Buyer's Advocate?**

24 A. It was a company that Pamela owned.

25 **Q. Is it still in business?**

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1 SALZMAN - DAY II

2 A. It's not active.

3 **Q. Okay. What did it do?**

4 A. It originally taught people sales
5 skills and how to market.

6 **Q. Did it use rational inquiry?**

7 A. You know, it was before my work
8 with Keith. My hypothesis is it was designed to
9 do that, but we decided not to use it in -- it was
10 an early iteration of an enrollment company.

11 **Q. So, as far as you know, it never
12 used rational inquiry?**

13 A. No.

14 **Q. What are the terms in which Keith
15 transferred ownership of rational inquiry to First
16 Principles?**

17 A. We have an agreement, a licensing
18 agreement.

19 **Q. And what did -- did First
20 Principles pay Keith for the rational inquiry
21 method?**

22 A. No, not in money.

23 **Q. How did it pay him?**

24 A. It was an agreement to uphold a
25 standard that he -- an ethical standard that he

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1 SALZMAN - DAY II

2 wanted.

3 **Q. Does Keith Ranieri have the right
4 to take back ownership of rational inquiry if he
5 doesn't believe that First Principles or the other
6 companies are upholding that standard?**

7 MR. MC GUIRE: Object to the form
8 of the question. Go ahead and answer.

9 A. He does.

10 **Q. It's your understanding that if he
11 asked you to convey it back, that you would do so?**

12 A. I would.

13 **Q. Okay. Have any payments been made
14 to Mr. Ranieri by NXIVM or First Principles?**

15 A. No.

16 **Q. Has the rational inquiry method
17 been patented?**

18 A. It has a patent pending.

19 **Q. Do you know what the status of that
20 patent application is?**

21 A. Pending.

22 **Q. Has the patent application ever
23 been rejected?**

24 A. It has not.

25 **Q. How long has that application been**

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SALZMAN - DAY II

1 pending?

2 A. Since 2003.

3 **Q. Does First Principles have any**
4 **sources of income other than the licensing fees it**
5 **receives from rational inquiry method?**

6 MR. MC GUIRE: If you know.

7 A. I don't believe so.

8 **Q. Okay. Just to confirm, you're the**
9 **president and sole owner of First Principles?**

10 A. Correct.

11 **Q. Does First Principles pay any**
12 **licensing fees to third parties?**

13 A. Does it pay licensing fees? No.
14 (Exhibit Salzman 25 marked for
15 identification.)

16 MR. KOFMAN: And Salzman 25 is a
17 document that was -- a two-page document
18 produced to us in discovery, Bates Stamp Nos.
19 SP-2278 through SP-2279.

20 **Q. Do you recognize this document?**

21 A. I don't think I've ever seen it
22 before.

23 **Q. Who is Fruci & Associates?**

24 A. They are an accounting firm that we
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SALZMAN - DAY II

1 use.

2 **Q. Do you review income statements for**
3 **First Principles?**

4 A. Karen Unterriener goes over those
5 with me, but she reviews them and then reports to
6 me.

7 **Q. Do you see on the second page,**
8 **under the column "expenses," it says licensing**
9 **fees at 782,246.32?**

10 A. It does say licensing fees.

11 **Q. Do you know what that refers to?**

12 A. I don't.

13 **Q. Okay.**

14 A. I don't.

15 **Q. Did anyone besides Keith Raniere**
16 **develop rational inquiry?**

17 A. He developed the concepts, and I
18 developed the modules, the educational modules
19 that teach.

20 **Q. Anyone else that you're aware of**
21 **involved in the creation of rational inquiry?**

22 A. Ivy Nevares participated, I think,
23 in the development of the Ultima curriculum.

24 **Q. The Ultima curriculum?**

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SALZMAN - DAY II

1 A. Yes, in the same way that I did in
2 the other curriculums.

3 (Exhibit Salzman 26 marked for
4 identification.)

5 **Q. Do you recognize this document?**

6 A. I think I saw it. I've seen it
7 before.

8 **Q. Turning to page 7.**

9 A. That's my signature.

10 **Q. That saved me a question. I'd like**
11 **you to take a look at Paragraph 9, which is on the**
12 **top of the third page.**

13 MR. SKOLNIK: This is Salzman 25?

14 MR. KOFMAN: Yes.

15 MR. MC GUIRE: 26.

16 **Q. Turning to the top of the third**
17 **paragraph, Paragraph 9, it says:**
18 **"The first full training materials**
19 **for the training program are written materials**
20 **developed by NXIVM and its consultants using the**
21 **pending patents of First Principles, Inc."**

22 **And then it goes on. Who were the**
23 **consultants that you were referring to in**
24 **Paragraph 9?**

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SALZMAN - DAY II

1 A. Myself, Ivy Nevares, Lauren
2 Salzman, and Karen Unterriener.

3 **Q. They were all involved in creating**
4 **the manuals?**

5 A. Not writing them, the rational
6 inquiry model, but in the manuals to teach the
7 writing effort.

8 **Q. So, they all took the rational**
9 **inquiry method and used that to create the**
10 **teaching, the student manuals?**

11 A. They took the modules that I wrote
12 and created manuals out of those modules. They
13 edited them, looked for consistency, worked to
14 create and put together, based on my direction.
15 And possibly Nicki Clyne.

16 **Q. Nicki Clyne?**

17 A. Yes.

18 **Q. Has NXIVM ever posted any of its**
19 **course materials on the Internet?**

20 A. I don't believe so.

21 **Q. Has the mission statement ever been**
22 **posted on the Internet?**

23 A. I believe it was posted for a very
24 short period of time, but I'm not sure.

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1 SALZMAN - DAY II

2 Q. Do you know when that was?

3 A. I don't.

4 Q. Do you know who might have
5 knowledge of that?

6 A. Karen Unterriener.

7 Q. Do you know whether anything else
8 was posted on the Internet?

9 A. Anything else?

10 Q. Any other materials, NXIVM course
11 materials?

12 A. I don't believe so.

13 Q. Do you know why it was posted?

14 MR. MC GUIRE: Object to the form
15 of the question. She didn't say it was.

16 MR. KOFMAN: Okay.

17 A. To the best of my memory, someone
18 from our commerce department liked it and thought
19 it was a good idea, and didn't go through the
20 proper channels. And as soon as it was posted, we
21 took it down.

22 Q. How long was it up?

23 A. A number of days. And that's to
24 the best of my knowledge and recollection of the
25 events that occurred.

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1 SALZMAN - DAY II

2 Q. In connection with this litigation,
3 has NXIVM compiled a list of its competitors?

4 A. I don't know if we ever compiled a
5 complete list.

6 Q. Have you compiled a partial list?

7 A. I don't know that we've ever
8 compiled a partial list. We've considered who our
9 competitors are.

10 (Exhibit Salzman 27 marked for
11 identification.)

12 Q. Ms. Salzman, do you recognize this
13 document?

14 A. I have seen it before.

15 Q. I'd like you to turn to
16 Interrogatory No. 33.

17 A. What page is that?

18 Q. It starts on page 31 and it
19 continues.

20 (Recess taken.)

21 Q. Ms. Salzman, have you had a chance
22 to review Interrogatory No. 33?

23 A. Not the whole thing.

24 Q. Does this represent a list of all
25 of the entities, all of the people that NXIVM

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1 SALZMAN - DAY II
2 considers competitors?

3 A. We're not sure if it's all, but
4 it's a pretty good list.

5 Q. Are you aware of any competitors of
6 NXIVM that aren't on that list?

7 A. I didn't read it all. Do you want
8 me to read it all?

9 Q. We can do that maybe later in the
10 dep. How was this list compiled?

11 A. We started looking at types of
12 organizations that did things that are -- modeled
13 us, and would compete in the same market, for the
14 same people.

15 Q. What is NXIVM's market?

16 A. These different subtitles. It says
17 it right here in the third paragraph. Do you want
18 me to read that?

19 Q. If you could.

20 A. It says:
21 "Without waiving and foregoing
22 objections, or those stated in general objections,
23 plaintiffs state that they have not conducted such
24 an analysis on their own. However, plaintiffs
25 believe that their competitors include companies

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1 SALZMAN - DAY II

2 that provide services included but not limited to
3 the following: Behavior change, business
4 consulting, change management, cognitive therapy,
5 communications specialists, communications theory,
6 corporate restructuring, corporate strategy,
7 corporate turnaround, cost reduction, value
8 optimization, consulting nonmedical, creative
9 thinking, and innovative thinking workshops,
10 creative thinking consulting, critical thinking
11 analysis, entrepreneurship, ethics, ethics
12 consulting for business, ethics consulting for
13 government, executive coaching, executive
14 training, existential humanistic psychology,
15 financial restructuring, goal-oriented brief
16 therapy, goals achievement, government consulting,
17 government streamlining, holistic health, human
18 perception, human performance, human resource
19 consulting, outsourcing, humanistic psychology,
20 hypnotherapy, innovative R&D leadership training,
21 motivational speaking, optimal functional
22 training, personal coaching, personal development,
23 personal development coaching, personal growth,
24 positive psychology, problem solving coaching,
25 problem solving consulting, problem solving

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SALZMAN - DAY II

workshops, professional coaching for business, psychology, psychiatry, self-help, social work, sports performance, sports psychology, succession in governance, systems design, systems sustainable, systems analysis, systems thinking, team building, team development, team integration, think tanks, and training and seminars in persistence and motivation.

Q. Does NXIVM perform all of those services?

A. Our training develop people who can perform those services.

Q. Does NXIVM engage in psychiatry?

A. It does not.

Q. Then why would you say that psychiatry is a -- people who engage in psychiatry are competitors?

A. Often times people who engage psychiatrists engage psychiatrists because they have an inability to make decisions effectively, as opposed to a medical reason.

If they had more effective decision making strategies, they might not believe they need to go to a psychiatrist.

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SALZMAN - DAY II

Q. Would the same be true for your listing of psychologists?

A. Yes.

Q. How about corporate turnaround?

Does NXIVM perform corporate turnaround work?

A. Keith has developed a model called RMS, and RMS is Raniere Management System, and it has outlined that model.

Q. Is that taught at NXIVM?

A. It's used at NXIVM. And I developed it with Keith back in 1998 when he was mentoring me and I was working at ConEdison in their nuclear power plant, Indian Point 2.

Q. Are all psychiatrists competitors of NXIVM?

A. I don't know.

Q. What types of psychiatrists would be competitors of NXIVM?

A. Psychiatrists who see clients who have problems with decision making.

Q. And that's because NXIVM believes that it can help people who have problems with decision making?

A. Correct.

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SALZMAN - DAY II

Q. Is there any geographical limitation to whom NXIVM considers a competitor?

A. Anywhere where someone might come to take our programs that knows someone else who had taken our programs that would invite them.

Q. So, that potentially is worldwide. Correct?

A. It could be.

Q. Who from NXIVM put together this list or how was it put together? Strike that. Let me make it clear. How was the list put together?

A. There were a series of -- I think it was a brainstorming session, where a group of people sat down and created this.

MR. LEONARD: Did that group include lawyers?

THE WITNESS: I believe it did.

Q. You also mentioned social workers in that list. How do social workers compete with NXIVM?

A. Social workers will often work with people who have different types of personality issues that they feel limited in resolving, and,

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SALZMAN - DAY II

therefore, their beliefs limit them. Social workers will often engage in individual work or group work with people who have problems with decision making.

Q. You mentioned succession in governments. What's that?

A. Succession planning?

Q. Yes.

A. It's how to plan to recreate yourself after you are gone, so that whatever it is that you're doing can be reproduced by someone else.

Q. That's at a business?

A. Yes. It's called succession planning. If you don't plan properly, then when you leave, there's a -- you can't continue to do the business in the way the business was being done when you were there, and, therefore, you make yourself indispensable, as opposed to making a model that can be reproduced again and again.

Q. Does NXIVM teach succession planning?

A. Yes.

Q. And is that part of the curriculum?

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SALZMAN - DAY II

1 A. Yes.

2 **Q. Okay. Does NXIVM teach hypnosis?**

3 A. No.

4 **Q. How are organizations that teach hypnosis competitors of NXIVM?**

5 A. People who engage in going to
6 hypnotherapists are usually dealing with
7 problematic areas in their life that could be
8 addressed in other ways. Mostly it's decision
9 making again.

10 **Q. So, anyone in any organization that's trying to get to the same end as NXIVM is a competitor?**

11 A. I would think so, because we would
12 be competing for the same market.

13 **Q. Before students takes classes at NXIVM, are they asked whether they have any experience in any of these types of organizations?**

14 A. They are.

15 **Q. When in the process are they asked?**

16 A. By the person who introduces them
17 to the program or to the field trainer.

18 **Q. So, the person who introduces them to the program, how do they know to ask somebody**

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SALZMAN - DAY II

1 **whether they have experience with one of these types of organizations?**

2 A. It's a fact that we -- that we
3 perpetuate within the organization. I mean, it's
4 a company that you have to be invited to come to
5 one of its programs.

6 **Q. And if I were a NXIVM student who wanted to refer another student to the class, how would I know to ask them whether they've had any experience with, say, hypnotherapy?**

7 A. Because we teach that to them. We
8 let me them know, if they're interested in
9 bringing their friends, who would be somebody who
10 would be able to take the program or fit the
11 criteria.

12 **Q. When are they taught that?**

13 A. If they have a desire to enroll --
14 because we don't do that in classes, but if they
15 have a desire to enroll, they can meet with a
16 field trainer who helps them understand who would
17 fit the program and what it would mean to enroll
18 in the program.

19 **Q. Now, let's say I've taken a class, and I've referred somebody to NXIVM.**

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SALZMAN - DAY II

1 **What does NXIVM -- does NXIVM do anything to make sure that I've done this screening for the person.**

2 A. Yes, we do.

3 **Q. What do you do?**

4 A. The field trainer -- the way that
5 an application is processed, it has to go through
6 a field trainer, and the field trainer does a
7 check on that. And if the person seems to be
8 involved in one of these fields, the person has to
9 have the interview, and then if they are in this
10 field, we explain to them what the -- there's a
11 discussion that ensues, and we make a
12 determination whether this would conflict with
13 their gainful employment or not.

14 **Q. So, NXIVM's field trainers review the applications to determine whether there's anything that reveals whether they've had --**

15 A. Every --

16 **Q. Let me finish the question.**

17 **NXIVM looks at the field trainers who look at the applications to see whether or not someone has had experience with one of these types**

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SALZMAN - DAY II

1 **of groups?**

2 A. Yes, because it's a personal
3 recommendation. The field trainers discuss, with
4 the people in their organization, who's coming in.

5 **Q. What is the field trainers' organization? What do you mean by that?**

6 A. Each one of the -- every
7 application that is submitted for a new
8 participant in our program has to be submitted by
9 a field trainer. So, the field trainer can
10 interview anyone in their own organization.

11 So, when you -- if you are someone
12 who wants to enroll someone, you have to choose a
13 field trainer, and then you have to tell the field
14 trainer who you're bringing in.

15 **Q. Are the field trainers given a list similar to the list that you just read of the types of organizations that NXIVM considers to be competitors?**

16 A. No.

17 **Q. How would a field trainer know that corporate turnaround is considered a competitive field for NXIVM?**

18 A. To be a field trainer in my

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1 SALZMAN - DAY II
2 organization, you have to go through a very
3 rigorous training and meet a series of criteria,
4 and through that criteria, they learn this.

5 **Q. Have psychiatrists and
6 psychologists become students at NXIVM?**

7 A. They have.

8 **Q. Can you estimate how many?**

9 A. Very few. Maybe under ten.

10 **Q. Under ten? And that's because of
11 the screening process that you just described?**

12 A. If a psychologist or a psychiatrist
13 has a private practice, and this would interfere
14 with the way that they do therapy, then we advise
15 them not to come in.

16 If they do something else, and they
17 don't have a private practice as a way of earning
18 money, and they want to learn the model, it's more
19 appropriate for them to study.

20 MR. KOFMAN: Please mark this with
21 the next number.

22 (Exhibit Salzman 28 marked for
23 identification.)

24 **Q. Are you familiar with this
25 document?**

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1 SALZMAN - DAY II

2 A. I was just reading. Yes.

3 **Q. Are you familiar with that
4 document?**

5 A. Yes.

6 **Q. What is that?**

7 A. It is a directive that went out
8 throughout my company after the article broke
9 about Kristin Snyder's death, a year after her
10 death.

11 **Q. Who drafted it?**

12 A. I did.

13 **Q. Okay. Did you try to make sure
14 that everything in this was accurate?**

15 A. I did.

16 **Q. And to the best of your knowledge,
17 is everything in here accurate?**

18 A. Yes. Just to clarify, we've had
19 many medical doctors take our program, very few
20 psychologists or psychiatrists.

21 **Q. Okay. Although that statement that
22 you issued said "we've had numerous doctors,
23 psychiatrists and psychologists," what you meant
24 there, that you had had only numerous doctors?**

25 A. I think it was misquoted.

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1 SALZMAN - DAY II

2 **Q. What do you mean by "misquoted"?**

3 A. I think I probably gave that
4 information to someone over the phone, and I don't
5 believe it's accurate with respect to
6 psychiatrists and psychologists, although it is
7 with respect to doctors.

8 We have had psychiatrists and
9 psychologists take our program, but very few. I
10 think in addition, the reason that this may have
11 been misquoted was because there was a
12 psychiatrist who took a class with Kristin, and he
13 didn't recognize anything unusual about her
14 behavior.

15 **Q. Okay. Are you familiar with the
16 form application that NXIVM uses for new students?**

17 A. The short form?

18 **Q. Yes.**

19 A. Yes.

20 **Q. That's a one-page document that has
21 writing on the front and the back?**

22 A. Correct.

23 **Q. Who drafted that or did you have
24 any involvement in the drafting of that document?**

25 A. I believe Karen Unterriener drafted

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1 SALZMAN - DAY II

2 that document with Arlin Olsen.

3 **Q. Okay. Does NXIVM require a student
4 to sign an application for each class that the
5 student attends?**

6 A. Each class?

7 **Q. Yes. For example, each session of
8 classes — for example, if I take a 16-day
9 intensive and then a five-day intensive, am I
10 required to sign the application before both
11 classes, the short form application?**

12 A. Yes.

13 **Q. So, if I take four sets of classes,
14 I'm required to sign four applications?**

15 A. It's the application to get into
16 the class, so, yes.

17 **Q. Okay. Are there any instances
18 where a student would not be required to sign an
19 application before taking a particular class?**

20 A. It's the enrollment application
21 that the administrative office uses, so I think
22 that it's necessary.

23 **Q. Okay. When in the process of
24 enrolling a student does NXIVM require the student
25 to take the — to sign the application?**

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SALZMAN - DAY II

1
2 A. When they're applying to take the
3 program.

4 **Q. Before they start taking the
5 program?**

6 A. That's correct.

7 **Q. Does NXIVM provide the student with
8 materials before they've signed the application?**

9 A. Not routinely.

10 **Q. What about any promotional
11 materials? You mentioned the Ethos brochure.**

12 A. Not routinely.

13 **Q. On occasion?**

14 A. On occasion.

15 **Q. What does NXIVM do once it receives
16 a signed application? What does it do with the
17 application?**

18 A. When we get it up from the field
19 training in corporate?

20 **Q. Yes.**

21 A. They process it. They enter it
22 into a database. They're assigned a student
23 number, and they're added to a list for whatever
24 program they're going into.

25 **Q. You mentioned that Ms. Unterriener**

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SALZMAN - DAY II

1
2 **and Mr. Olsen were involved in the drafting of the
3 agreement. Did you review and approve the
4 language after it was drafted?**

5 A. I read it over, but I let Arlin
6 make the final decision.

7 **Q. You did not have any changes to
8 the language or any of the -- strike that.**

9 **You didn't have any objections to
10 the language that's presently used. Correct?**

11 A. I did not.

12 **Q. Does NXIVM require students to
13 return course materials after they've taken --
14 after they leave the group?**

15 A. At times.

16 **Q. When?**

17 A. When we determine that it's
18 important that they do.

19 **Q. Can you think of examples when
20 that's happened?**

21 A. The -- some of the people who most
22 recently left the company, we asked them to return
23 the materials.

24 **Q. That's Ms. Bouchey and the seven
25 others I think you mentioned?**

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SALZMAN - DAY II

1
2 A. That's correct.

3 **Q. Can you think of any examples other
4 than those?**

5 A. On some occasions, students have
6 given them back to me because they wanted not to
7 keep them.

8 **Q. Any other examples that you can
9 think of?**

10 A. Yes. There were a limited number
11 of people who came to intensives who were asked to
12 leave, and we asked them to get the -- in the
13 first five days. And in those circumstances, we
14 asked for the materials back.

15 **Q. Why were they asked to leave?**

16 A. We didn't think they were
17 appropriate for our program. Actually, we didn't
18 think our program was appropriate for them.

19 (Exhibit Salzman 29 marked for
20 identification.)

21 **Q. Ms. Salzman, do you know what the
22 document marked as Salzman 29 is?**

23 A. Yes. This is our confidentiality
24 agreement.

25 **Q. This is also known as the long form**

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SALZMAN - DAY II

1
2 **confidentiality agreement?**

3 A. That's correct.

4 **Q. Did you have any role in drafting
5 this?**

6 A. Yes.

7 **Q. What role did you have?**

8 A. I participated with Keith Ranieri
9 and Arlin Olsen in its creation.

10 **Q. When was that?**

11 A. In the very beginning before we
12 started teaching classes.

13 **Q. What is the purpose of this
14 agreement?**

15 A. To protect our intellectual
16 property.

17 **Q. Does NXIVM require a student to
18 sign a long form confidentiality agreement before
19 each class that they take?**

20 A. No.

21 **Q. When is it required?**

22 A. Before intensives and before
23 classes in our Ethos program.

24 **Q. So, before each intensive a student
25 takes, they're required to sign a long form**

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1 **SALZMAN - DAY II**
2 **confidentiality agreement?**

3 A. No. They need to sign this one
4 before their intensives.

5 **Q. So, if they take two intensives,**
6 **they're only required to sign this once?**

7 A. It's binding in all of their
8 intensives.

9 **Q. Okay. Does this**
10 **agreement provide -- to the best of your**
11 **knowledge, does this agreement provide any**
12 **protection to NXIVM that isn't provided by the**
13 **application?**

14 MR. MC GUIRE: Object to the form
15 of the question. Go ahead.

16 A. I'm not a lawyer, and I -- I don't
17 know specifically, but I wanted an agreement that
18 would protect us so that the students had an
19 understanding, a greater understanding. And I
20 thought that the long form better explained to
21 them what was -- what they were being asked of in
22 the intensive.

23 **Q. After -- when in the process does a**
24 **student ordinarily sign the long form**
25 **confidentiality agreement?**

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1 **SALZMAN - DAY II**

2 A. If they are a student who meets
3 directly with someone who has the long form when
4 they first sign up, they're asked to sign it.

5 After they complete the short form, they get this
6 in a packet. If on occasion -- and almost always
7 that happens, before an intensive, or before the
8 Ethos program they're asked to bring it. Some of
9 them don't bring it with them, and then they have
10 to sign it when they come to the first class.

11 **Q. What does NXIVM do with the signed**
12 **confidentiality agreements after they receive**
13 **them?**

14 A. They're filed.

15 **Q. Where?**

16 A. We have file cabinets in the
17 document room.

18 **Q. Is the document room locked after**
19 **business hours?**

20 A. It is.

21 **Q. And who has keys to that?**

22 A. Kristin Keeffe and members of our
23 legal team. Karen Unterriener and selected
24 members of her team.

25 **Q. Was that true in 2001?**

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1 **SALZMAN - DAY II**

2 A. They were stored in a different
3 room back in 2001, but now because we have so
4 many, they're stored with the other things -- the
5 other legal documents.

6 **Q. Where were they stored in 2001?**

7 A. They were stored in the proctor
8 room.

9 **Q. Where's the proctor room?**

10 A. That's where we store the student
11 notes and the curriculum. It was outgrown, and
12 also our curriculum now is larger, so we needed
13 more room for other things. So, we shifted things
14 around about three years ago.

15 **Q. Who had access to the proctor room**
16 **in 2001?**

17 A. That would be proctors.

18 **Q. And only proctors?**

19 A. Only proctors.

20 **Q. Was it locked at night?**

21 A. It was.

22 **Q. Okay. How about --**

23 A. It's actually locked all day long.
24 You have to know a combination to get in.

25 **Q. Did you have access to it?**

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1 **SALZMAN - DAY II**

2 A. I did.

3 **Q. So, proctors and above?**

4 A. Proctors and above, yes. Oh, I'm
5 sorry. Yes. Proctors and above.

6 **Q. And that was also where the**
7 **curriculum was kept?**

8 A. That's correct.

9 **Q. Would that include facilitator**
10 **notes and coach's notes?**

11 A. That's correct.

12 **Q. Okay. What is an exploration of**
13 **meaning?**

14 A. An exploration of meaning is the
15 term that is used to describe the individual
16 process that we use when somebody has a limiting
17 belief and they want to disconnect the stimulus
18 response.

19 **Q. Is that -- is an exploration of**
20 **meaning something that is unique to NXIVM?**

21 A. To the best of my knowledge, it is
22 something that is unique to NXIVM or unique to
23 rational inquiry.

24 **Q. Is it part of the rational inquiry**
25 **method?**

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SALZMAN - DAY II

1 A. Yes.

2 **Q. It is part of it. And to the best**
3 **of your knowledge, no competitors are engaged in**
4 **explorations of meaning?**

5 A. I've never been shown anything
6 that's remotely like it from any other model.

7 **Q. Are you familiar with someone named**
8 **Helen Sobie?**

9 MR. MC GUIRE: You have the wrong
10 name, I think.

11 **Q. Are you familiar with a Helen**
12 **Sobie?**

13 A. I believe she was a student a
14 number of years ago, or a participant in my
15 program.

16 **Q. Did she leave the group?**

17 A. I believe she did.

18 **Q. What were the circumstances?**

19 A. If she's the person that I think
20 you're speaking about -- and the reason I'm having
21 difficulty is because she had a Sanskrit name that
22 she went by, and I didn't know her real name.

23 **Q. Is it Nirbhaya Sobie?**

24 A. That would be it. Nirbhaya worked
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SALZMAN - DAY II

1 for a woman named --

2 MR. MC GUIRE: There was no
3 question.

4 **Q. Who was Nirbhaya Sobie?**

5 A. She was a participant in the
6 program.

7 **Q. Okay. Did she ever hold a -- was**
8 **she ever a facilitator?**

9 A. I don't remember.

10 (Exhibit Salzman 30 marked for
11 identification.)

12 MR. KOFMAN: And these are
13 documents that were produced to us in
14 discovery. They bear Bates Stamp Nos. SP-1199
15 through SP-1202.

16 **Q. Are you familiar with these**
17 **documents?**

18 A. Yes.

19 **Q. The first page is a letter -- the**
20 **second page, actually, is a letter from an**
21 **attorney, from Ms. Sobie, to you, dated June 22nd**
22 **2002. Did you receive that letter in 2002?**

23 A. I did.

24 **Q. And was it your understanding that**
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SALZMAN - DAY II

1 Ms. Sobie was making a claim for commission she
2 thought she'd earned?

3 A. That's true. That's what she
4 thought.

5 **Q. Well, what did you do after you**
6 **received the letter?**

7 A. I gave it to my legal team.

8 **Q. Who was that?**

9 A. At the time, I gave it to Les
10 Apple, who was my attorney.

11 **Q. Was he the attorney for NXIVM?**

12 A. He was.

13 **Q. The front page is a letter dated**
14 **July 23rd, 2002, from Karen Unterriener to**
15 **Mr. Apple?**

16 A. Correct.

17 **Q. Have you seen that before?**

18 A. I saw it in preparing for this
19 case.

20 **Q. For this deposition?**

21 A. Uh-huh.

22 **Q. Did you see it back then?**

23 A. I probably did.

24 **Q. Do you see the reference to --**
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SALZMAN - DAY II

1 under the paragraph "I have included the following
2 documents," the last bulletpoint is:

3 "Ms. Sobie should have been
4 required to sign the confidentiality agreement.
5 I've been unable to locate our copy of that
6 agreement. I will forward it to you if I can
7 locate it."

8 Do you see that?

9 A. Yes.

10 **Q. Did NXIVM ever locate a copy of the**
11 **confidentiality agreement signed by Ms. Sobie?**

12 A. I don't know.

13 **Q. Okay. The next sentence it says:**
14 **"Several points to note: Ms. Sobie**
15 **never signed her application."**

16 A. That refers to the application for
17 the terms of three and it's free. It's a program
18 we had.

19 **Q. It was not a student application?**

20 A. It was not.

21 **Q. Okay. The last page of SP-1202**
22 **contains what purports to be a student enrollment**
23 **application for Ms. Sobie.**

24 Can you see that that document is

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1 SALZMAN - DAY II
 2 not signed?
 3 A. I do see that.
 4 Q. Do you know whether NXIVM has a
 5 signed application for Ms. Sobie?
 6 A. I do not.
 7 Q. In the first paragraph it refers
 8 to:
 9 "We would like for the response to
 10 include a suit for malicious tort that she has
 11 told will be filed with the matters unresolved."
 12 What did NXIVM contend Ms. Sobie
 13 had done?
 14 A. Ms. Sobie was an employee of one of
 15 our representatives, Jeanie Sterner, and she was
 16 receiving compensation from Ms. Sterner for her
 17 work and wanting to be recompensated by us, when
 18 Ms. Sterner was being compensated for those sales.
 19 Q. Was there anything else that NXIVM
 20 thought constituted a malicious tort?
 21 A. She was perpetuating, I think, this
 22 information throughout the organization.
 23 Q. What information?
 24 A. That it was unethical that she
 25 couldn't get recompensated, but I think there were
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1 SALZMAN - DAY II
 2 other things too, and I don't remember them all.
 3 MR. KOFMAN: Let's mark this as
 4 Salzman 31.
 5 (Exhibit Salzman 31 marked for
 6 identification.)
 7 MR. MC GUIRE: Let the record show
 8 that Salzman 30, the July 23, 2002 letter, may
 9 have been something that was inadvertently
 10 produced. It seems to me that that's clearly
 11 protected by the attorney/client privilege.
 12 MR. KOFMAN: I think it's probably
 13 been waived as to that document. We can fight
 14 about that later.
 15 MR. MC GUIRE: Okay. I just want
 16 the record to note my observation.
 17 MR. KOFMAN: And, for the record,
 18 Salzman 31 is a three-page document marked
 19 Bates Stamp Nos. SP-1204 through SP-1206.
 20 MR. MC GUIRE: As well as?
 21 MR. KOFMAN: As well as a pair of
 22 Bates Stamp Nos. JJO-00097 through JJO-00097.
 23 It's an interesting method.
 24 MR. MC GUIRE: I think there is a
 25 digit left off.
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1 SALZMAN - DAY II
 2 MR. KOFMAN: Yes, that might be it.
 3 MR. MC GUIRE: And Salzman 30 also
 4 contained a JJO number. Correct?
 5 MR. KOFMAN: That's correct.
 6 Q. Ms. Salzman, are you familiar with
 7 this document?
 8 A. No, I'm not.
 9 Q. Did you ever see this back in 2002?
 10 A. I don't think that I did.
 11 Q. Who are Barbara Jeske and Carole
 12 Bergeron?
 13 A. Barbara Jeske was the field trainer
 14 who enrolled Jeanie Sterner and her organization.
 15 And Carole Bergeron, I think, worked with Barbara
 16 Jeske.
 17 Q. Are they both still involved with
 18 NXIVM?
 19 A. Barbara Jeske is a very high-level
 20 participant in the program. She has the highest
 21 level -- she holds the highest level. She's been
 22 around since we started the company. And Carole
 23 Bergeron is a proctor.
 24 Q. Okay. What's Barbara Jeske's level
 25 called?
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1 SALZMAN - DAY II
 2 A. Senior counselor.
 3 Q. Turning to the last page of this
 4 document, under "Testimony of Carole Bergeron."
 5 A. Yes.
 6 Q. It says:
 7 "Nirbhaya also shared with me that
 8 while she and others were slandering the company,
 9 and the technology, and the people in it, they
 10 were also breaching contracts that they had signed
 11 by using the very technology that they were
 12 speaking with dishonor about by having regular EM
 13 parties (a technical part of the technology is an
 14 EM or exploration of meaning.) I explained to her
 15 that this was a serious ethical breach, as well as
 16 a legal breach of contact, and she said she knew
 17 that.
 18 Were you aware, in 2002, that
 19 Nirbhaya Sobie was slandering the company?
 20 A. I think back then I was aware of
 21 it. I think I just said that.
 22 Q. And what was she saying about the
 23 company that you were aware of?
 24 A. Back then she was questioning the
 25 ethics of the company, and the practices of the
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1 SALZMAN - DAY II

2 company in a way that I believed was slanderous.

3 Q. Was she doing it in public?

4 A. With these groups of people.

5 Q. And were you aware, in 2002, that
6 she was using the technology to conduct EM
7 parties?

8 A. I don't remember now.

9 Q. What was Barbara Jeske's rank in
10 2002?

11 A. She was either a senior proctor or
12 a counselor.

13 Q. How about Carole Bergeron? Was she
14 a proctor back in 2001?

15 A. I think she was a coach.

16 Q. Okay. How did the situation with
17 Ms. Sobie resolve?

18 A. She resigned and left the company.

19 Q. Was a commission ever paid to her?

20 A. No.

21 Q. Did NXIVM ever take any action
22 about the allegation that she was conducting EM
23 parties?

24 A. Yes. We asked her to stop. Not
25 legal action, no, and she said she would.

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1 SALZMAN - DAY II

2 Q. And she said she would?

3 A. And she resigned.

4 Q. There's some other people who are
5 mentioned in these letters. There's a Michael
6 VanderHoof?

7 A. Yes.

8 Q. Are you familiar with him?

9 A. I am.

10 Q. Do you know if he was involved in
11 these EM parties?

12 A. He was. Well, he was involved with
13 her. I don't know if he was involved in the EM
14 parties.

15 Q. Okay. Did NXIVM ever ask him to
16 stop doing anything?

17 MR. MC GUIRE: I object to that
18 question. There's no basis in this paper.

19 A. Does it say that he was involved
20 in the EM parties?

21 Q. Do you know who the others were
22 that were slandering the company in this last
23 paragraph besides Nirbhaya?

24 A. You know what? Back then I
25 remember knowing who were they were because they

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1 SALZMAN - DAY II

2 were recently trained, but it's been a long time.
3 (Luncheon recess: 12:45 p.m.)

4 THE WITNESS: This document was in
5 the documents that Joe O'Hara created, and it
6 was never sent out.

7 Q. And by "this document," to what are
8 you referring?

9 A. Exhibit 28.

10 Q. Okay. I believe you testified this
11 was something that you wrote or dictated. Is that
12 the case?

13 A. Yes. And he wrote this up as a
14 result of that, and it was never sent. It was
15 never approved.

16 Q. Okay. So, you dictated something
17 to him, he wrote it up, but it was never approved
18 for dissemination?

19 A. I dictated a series of notes, and
20 he wrote this up as a result of what I dictated,
21 which was his interpretation of that, and his
22 ideas.

23 Q. Okay.

24 A. And I didn't agree, and it never
25 went out.

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1 SALZMAN - DAY II

2 Q. Looking at the document we marked
3 as Salzman 30, do you know why there are two sets
4 of Bates Stamp numbers on there? There's SP-1199
5 and then through SP-1202, and also Bates Stamp
6 numbers with a JJO number?

7 MR. MC GUIRE: I can explain that.
8 I'm not sure she would.

9 MR. KOFMAN: Okay.

10 MR. MC GUIRE: JJO documents were
11 produced in this case, and there was a
12 supplemental production made by NXIVM after
13 that, which included the JJO documents that
14 had been served.

15 MR. KOFMAN: Okay.

16 MR. MC GUIRE: That's my
17 understanding of how that happened.

18 MR. KOFMAN: Okay. Thank you,
19 counselor.

20 MR. MC GUIRE: You're welcome.

21 (Exhibit Salzman 32 marked for
22 identification.)

23 MR. KOFMAN: Salzman 32 is a
24 document produced to us in discovery. It
25 bears Bates Stamp Nos. P000004110 and 4111,

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1 SALZMAN - DAY II
2 and it purports to be a student enrollment
3 application for Stephanie Franco.

4 **Q. Ms. Salzman, is this the form of**
5 **application that you were testifying about earlier**
6 **this morning, the application form?**

7 A. Yes, this is the application form.

8 **Q. And was that the application form**
9 **that NXIVM used in 2001?**

10 A. It is.

11 **Q. Has NXIVM changed the language of**
12 **the application form since 2001?**

13 A. I'm not sure.

14 **Q. Okay. Looking at Paragraph 1 under**
15 **student terms and conditions, are you familiar**
16 **with that language?**

17 A. Yes.

18 **Q. And that's language that you**
19 **reviewed?**

20 A. Yes.

21 **Q. Okay. What does the -- in the**
22 **sentence "these materials, methods and information**
23 **cannot be copied, duplicated, transmitted, taught**
24 **or otherwise used in part or in whole," what is**
25 **the phrase "otherwise used" mean?**

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1 SALZMAN - DAY II

2 MR. MC GUIRE: Object to the form
3 of the question, but you can ask her
4 understanding.

5 **Q. What's your understanding of the**
6 **phrase "otherwise used"?**

7 A. That anything like that otherwise
8 used would be included, duplicating them,
9 transmitting them, any way that you would do that.

10 **Q. Okay. What are the methods -- I**
11 **understand the materials, the phrase "these**
12 **materials." What were you referring to or what is**
13 **NXIVM referring to as to the term "methods"?**

14 A. The processes that they learn in
15 ESP or any of the other companies.

16 **Q. Okay. And how about the word**
17 **"information"? What does information mean in that**
18 **sentence, to your understanding?**

19 A. To my understanding, anything that
20 they learned that is new to them that is taught by
21 our technology.

22 **Q. So, anything that they would hear**
23 **at a NXIVM training class that is new to them?**

24 A. That's right.

25 **Q. Okay. How would -- strike that.**

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1 SALZMAN - DAY II

2 **What would be an indirect use of**
3 **the materials that would be prohibited by this**
4 **agreement?**

5 MR. MC GUIRE: Same objection as to
6 form.

7 MR. KOFMAN: Okay.

8 A. Where is that?

9 **Q. The sentence that I read to you**
10 **said:**

11 **"These materials, methods and**
12 **information cannot be copied, duplicated,**
13 **transmitted, taught or otherwise used, in part or**
14 **in whole, directly or indirectly, without express**
15 **written permission of ESP."**

16 **My question is what would be an**
17 **indirect use?**

18 A. To give it to someone else that
19 would disseminate it.

20 **Q. Okay. Would this language prohibit**
21 **someone from -- strike that.**

22 **Would a student discussing the**
23 **NXIVM materials to someone outside the group in a**
24 **negative fashion be prohibited by these terms and**
25 **conditions?**

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1 SALZMAN - DAY II

2 MR. MC GUIRE: Same objection.

3 A. I don't understand the question.

4 **Q. Would this agreement prohibit a**
5 **student from discussing NXIVM's materials in a**
6 **negative way with someone outside the group?**

7 A. If they're voicing an opinion about
8 the information, as opposed to teaching the
9 information, it wouldn't be prohibited. People
10 are entitled to have opinions.

11 **Q. What if someone said, you know, I**
12 **learned about these explorations of meaning,**
13 **here's how you do it, and I think it's bunk?**

14 **Would that be prohibited?**

15 MR. MC GUIRE: Same objection.

16 A. If they're teaching?

17 **Q. Yes. If they explain what an**
18 **exploration of meaning is?**

19 A. If they explain what an exploration
20 of meaning is without teaching it.

21 **Q. Okay.**

22 A. If I'm teaching it, attempting to
23 teach how to do it, or teaching someone else how
24 to do it, that's very different than saying this
25 is what it is.

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1 SALZMAN - DAY II

2 **Q. And how about -- strike that.**

3 **So, the use that would be**
4 **prohibited would be the teaching of the materials?**

5 A. Yes, or disseminating the
6 information itself that is included in it.

7 **Q. Okay. Would disseminating the**
8 **information for the purpose of trying to get**
9 **someone to join NXIVM be prohibited?**

10 A. Yes.

11 **Q. So, if someone said I took this**
12 **class, they had exploration of meanings where you**
13 **do this to get this result, that might be**
14 **prohibited?**

15 A. No, that's fine.

16 **Q. Okay. What would be a prohibited**
17 **use of the materials other than teaching?**

18 A. Let's say I was writing an article,
19 and I included the concepts within the article as
20 though they were my concepts.

21 **Q. Okay. How about if I mention that**
22 **these were NXIVM concepts?**

23 A. You would have to have permission.

24 **Q. And why would permission be**
25 **required?**

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1 SALZMAN - DAY II

2 A. I think it's included in this.

3 **Q. Okay. Would someone telling a**
4 **friend here's what NXIVM thinks about money, let's**
5 **say, would that be prohibited?**

6 MR. MC GUIRE: Same objection as
7 before. You're asking for a legal conclusion.
8 You can ask for her understanding. But that
9 calls for a legal conclusion.

10 **Q. I'm asking your understanding.**

11 A. My understanding is that we don't
12 share the specific definitions in ESP because
13 they're part of the technology itself.

14 **Q. And so, whether that information is**
15 **being used to persuade or dissuade someone from**
16 **joining NXIVM, it would make no difference as to**
17 **whether it was prohibited?**

18 A. It's prohibited to disclose the
19 specifics that are taught within the modules.

20 **Q. So, the answer would be yes if it**
21 **disclosed the information that was in the modules?**

22 A. Whether to promote it or dissuade
23 people.

24 **Q. Okay. You mentioned earlier a**
25 **policy that NXIVM has to ask prospective students**

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1 SALZMAN - DAY II

2 **whether they are in a business engaged in**
3 **something with a type of competitor. Is that**
4 **policy of NXIVM written down anywhere?**

5 A. I don't think it is.

6 **Q. Okay. What is a facilitator at**
7 **NXIVM?**

8 A. A facilitator is someone who leads
9 discussion groups within educational modules.

10 **Q. Am I correct that during the course**
11 **of an intensive, there are breakout sessions where**
12 **smaller groups discuss the materials?**

13 A. That's correct.

14 **Q. And is that where a facilitator has**
15 **a role, in those breakout sessions?**

16 A. That's where the facilitator has a
17 role.

18 **Q. What does the facilitator do in**
19 **those breakout groups?**

20 A. They facilitate the questioning.

21 **Q. Meaning what?**

22 A. They ask questions and direct the
23 students and their ideas. They also keep the
24 students within a certain parameter, as opposed to
25 getting lost and going off and discussing things

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1 SALZMAN - DAY II

2 that aren't part of the discussion group's
3 purpose.

4 **Q. What is a coach at NXIVM?**

5 A. A coach is a rank in ESP that is an
6 apprentice learning to facilitate -- depending on
7 the level of the coach, they learn to facilitate
8 individuals and groups, set goals, and they learn
9 a body of knowledge that allows them to get to a
10 level where they can be a professional at that,
11 which is called a proctor.

12 **Q. Okay. Does one -- along the path**
13 **of development at NXIVM, does one become a coach**
14 **first or a facilitator first?**

15 A. You become a coach first.

16 **Q. So, one becomes a facilitator after**
17 **they already served as a coach?**

18 A. Part of the coaching curriculum
19 includes facilitation training.

20 **Q. Okay. And the coaching curriculum**
21 **is taught after one has become a coach or in order**
22 **to become a coach?**

23 A. After one becomes a coach.

24 **Q. They then take the coaching**
25 **curriculum?**

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SALZMAN - DAY II

A. That's correct. They qualify to take the coaching curriculum.

Q. Okay. And the coaching curriculum involves what?

A. A series of modules that are -- educational modules that give them all the skills necessary to be a full coach.

Q. Do they start out as full coaches when they have this or do they start out as apprentice coaches?

A. They start out as a provisional coach and then they work their way through to become a full coach.

Q. And in the course of the coach's curriculum, they also learn how to facilitate?

A. That's correct.

Q. The modules that are taught in the coaching curriculum, are they the same modules that are taught as part of an intensive?

A. No.

Q. Are they entirely different modules or are they the same modules taught from a different perspective?

A. They're an entirely different

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SALZMAN - DAY II

curriculum.

Q. Is there a list of the coaching curriculum somewhere that NXIVM keeps?

A. There is.

Q. What is taught in the coaching curriculum, or what are the modules that are taught?

A. There are three levels of modules taught in the coaching curriculum. The first level teaches facilitation skills. It teaches the structure and nature of emotions, and how facilitators can work with emotions. It teaches protocol. It defines what -- it defines professionalism and coaching, and it teaches certain skills of listening and redirecting for a more accurate understanding of data.

The next two levels are levels that teach EM technology.

Q. Are these three levels taught at the same time, or are they taught one at a time with some gulf of time in between them?

A. They're taught -- they're pre and co-requisites in that matrix of modules, and there are certain educational requirements and personal

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SALZMAN - DAY II

requirements that the participant has to be tested and pass certain certifications to get to.

So, you qualify for the ability to be taught or to learn different levels of curriculum in the coaching.

Q. Okay. How does one qualify to take the first level of coaching in the coaching curriculum?

A. It's a series of personal behavioral ability, and there is an enrollment qualification and an interview, which has to do with meeting an ethical standard.

Q. What is the enrollment qualification for taking the first level of the coaching curriculum?

A. We have to enroll two people in the program.

Q. And those are two people who actually take classes?

A. That's correct.

Q. What is the educational requirement that they have to satisfy to get to this first level?

A. They have to go through the basic

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SALZMAN - DAY II

curriculum, which has three levels as a student, and they have to be able -- they have to have a well-integrated knowledge of those three levels.

Q. Would that be the -- the three levels are what? What are the three levels?

A. Level I, Level II and Level III. They're pre and co-requisites, and there's certifications in between.

Q. Would someone who took the 16-day intensive have satisfied the three levels?

A. No. No.

Q. What, in addition to the 16-day intensive, would somebody have had to take to satisfy the educational requirement?

A. They usually need to -- now they need to take that at least two times to have an integrated understanding of the curriculum. And now there are certification tests in place.

Q. When was the certification test put in place?

A. Recently.

Q. Did the requirement of taking the intensive twice, is that new?

A. It's something that over the years

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SALZMAN - DAY II

1 since we've been developing the model we've come
2 to understand allows the coach to move through
3 coaching faster and more effectively through the
4 different levels.

5 **Q. What was the educational
6 requirement, in 2001, to get to the first level of
7 the coaching curriculum?**

8 **A. I believe back then you had to go
9 through the entire curriculum once and the
10 five-day once.**

11 **Q. So, the entire 16-day intensive and
12 then a five-day?**

13 **A. I believe that was the requirement
14 back then.**

15 **Q. Okay. And then what would -- would
16 there be a test at the end of the five-day to see
17 whether you can move on?**

18 **A. We didn't have a test back then.**

19 **Q. There was no certification
20 requirement at that point?**

21 **A. Correct.**

22 **Q. Was there still the enrollment
23 requirement -- the requirement that someone enroll
24 two people?**

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SALZMAN - DAY II

1 **A. If you wanted to be a coach, yes.
2 Not if you wanted to go on to higher levels or a
3 different curriculum. But if you wanted to be a
4 coach specifically, that's a very specific
5 curriculum.**

6 **Q. So, if you wanted to take the first
7 level of the coaching curriculum, you had to
8 enroll two people?**

9 **A. Right. Because that was a
10 necessary pre-requisite in that program.**

11 **Q. What were the requirements for
12 taking the second level of the coaching
13 curriculum?**

14 **A. There were -- they had to go
15 through -- they have to now go through a series of
16 tests at the end of each module so that they have
17 a well-integrated understanding of them. They
18 have to facilitate a certain number of modules
19 effectively and be able to -- before they can go
20 on to Level II, they have, I believe, be able to
21 facilitate all of the basic modules effectively.**

22 **They have to understand their life
23 issue as it relates to their current limitations,
24 and develop a plan for how they're going to work
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SALZMAN - DAY II

1 with that to evolve it.

2 **Q. Are these tests in writing to go on
3 to the next level?**

4 **A. Some of them are in writing and
5 some of them are observed by facilitators and
6 evaluated based on that.**

7 **Q. So, someone would actually
8 facilitate a module before they became a
9 facilitator. Is that correct?**

10 **A. They're called a shadow coach at
11 first, and they work with another coach and they
12 facilitate under the guidance of someone else.**

13 **Q. And they would facilitate these
14 breakout sessions under the guidance of someone
15 else?**

16 **A. That's correct.**

17 **Q. Okay. And one of the things that's
18 required to get to the second level of the
19 coaching curriculum is -- strike that.**

20 **Was that requirement in place in
21 2001, or what was the requirement in 2001 to take
22 the second level of coaching curriculum?**

23 **A. I'm not sure we had the requirement
24 in place -- the requirements in place. I don't
25**

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SALZMAN - DAY II

1 think we had the requirements in place. I think
2 we learned we needed to put them in place as time
3 went on.

4 **Q. So, in 2001, how would someone take
5 the second -- strike that.**

6 **In 2001, what would NXIVM require
7 of a student before they could take the second
8 level of the coaching curriculum?**

9 **A. They were evaluated by other
10 coaches and proctors, but they weren't evaluated
11 in a test that had a standardized format. Those
12 were developed as we developed the curriculum. I
13 think back in 2001 we were still developing the
14 coaching curriculum.**

15 **Q. Okay. So, they were observed?**

16 **A. They were observed, yes.**

17 **Q. And could someone go from taking
18 the -- strike that.**

19 **How long were the first level of
20 coaching curriculum? How long did it take to
21 teach that, in 2001?**

22 **A. You know, I can't give you a time,
23 even now, because it's not so much a time. It's
24 more a matter of the learning style of the person,
25**

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SALZMAN - DAY II

1
2 how committed they are, how much time they put
3 into it. And it also has certain things to do
4 with their personality, and the other things that
5 they've done in their life.

6 So, it's some of the things about
7 facilitating have to do with rapport skills, have
8 to do with skills that some people seem to come by
9 more naturally than others or need to be trained
10 in. So, a lot of these things are specific to the
11 individual. That's why I said a lot of the tests
12 aren't so much written tests because, you know,
13 just to do facilitation, it's a skill that someone
14 has to do in real time.

15 **Q. Could someone take the 16-day**
16 **intensive, then take that extra five days, and**
17 **then the very next day start the coaching**
18 **curriculum, or does there have to be some interval**
19 **of time?**

20 A. Back then?

21 **Q. Right.**

22 A. Yes.

23 **Q. There had to be some time interval?**

24 A. No.

25 **Q. They could go right from that**

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SALZMAN - DAY II

1 **five-day to the coaching curriculum?**

2 A. Depending on how they did in it,
3 yes. If they exhibited good rapport skills, and
4 if any they exhibited a good ability to work with
5 people, and they seemed to have a good level of
6 integration of the material, we probably would
7 have let them.

8 **Q. In that five-day period, are**
9 **they -- did they facilitate breakout groups during**
10 **that five-day period?**

11 A. Back then it was possible we may
12 have let them.

13 **Q. And who would make the**
14 **determination if they would be allowed to**
15 **facilitate?**

16 A. The person who was teaching the
17 training based on their evaluation of how the
18 person did learning the curriculum itself. That's
19 true.

20 **Q. So, they may have been allowed to**
21 **facilitate, even though they weren't in the**
22 **coaching curriculum at that point?**

23 A. That's true.

24 **Q. Okay. Now, would there be a**

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SALZMAN - DAY II

1 **requirement of an interval in time between the**
2 **first level of the coaching curriculum and the**
3 **second level?**

4 A. This program has been organic in
5 nature, meaning we were developing it and testing
6 it as we were doing it. So, we recognized based
7 on the way our facilitation went and how much
8 training they needed and would create more modules
9 at the time. We were still creating the coaching
10 curriculum at that time.

11 So, back then I don't think it was
12 as formalized as it is now. So, there wasn't such
13 a pre-requisite but now there is.

14 **Q. Now, I understand that NXIVM uses**
15 **sashes to denote rank within the group.**

16 **Is that correct?**

17 A. Yes.

18 **Q. What rank would someone who is in**
19 **the -- accepted into the coaching curriculum have**
20 **attained?**

21 A. A yellow sash.

22 **Q. Could one receive a yellow sash**
23 **before they had been accepted into the coaching**
24 **curriculum?**

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SALZMAN - DAY II

1 A. No.

2 **Q. Okay. A student who was taking**
3 **the -- this -- had taken the 16 days, and was**
4 **taking the five-day course, what sash -- would**
5 **color sash would they have?**

6 A. It depends on what happened during
7 that 16-day and after it.

8 **Q. Could they have been awarded a**
9 **yellow sash?**

10 A. They could have.

11 **Q. Even if they were not yet in the**
12 **coaching curriculum?**

13 A. Yes.

14 **Q. So, one could have the yellow sash**
15 **without being in the coaching curriculum?**

16 A. Yes. It could be a provisional
17 thing until they finish the basic curriculum.

18 **Q. Okay. And by the basic curriculum**
19 **you mean the 16 days plus the five days, or just**
20 **the 16 days?**

21 A. I believe they couldn't have it
22 until they had finished the 16-day.

23 **Q. On a provisional basis?**

24 A. Exactly.

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1 SALZMAN - DAY II

2 **Q. And someone who completed the first**
3 **level of the coaching curriculum, what would they**
4 **receive, in terms of a sash?**

5 A. They may or may not receive
6 anything else. It depends on meeting certain
7 other objectives.

8 In other words, they could have no
9 stripe and it's just a yellow sash, and have
10 completed the whole first level of coaching
11 curriculum.

12 (Exhibit Salzman 33 marked for
13 identification.)

14 MR. KOFMAN: Ms. Salzman, for the
15 record, this is a two-page document that was
16 produced by my client -- my clients in this
17 litigation. I'm sorry. It's a three-page
18 document. It's got Bates Stamp Nos. SF00012
19 through SF00014.

20 **Q. Are you familiar with this**
21 **document?**

22 A. I am.

23 **Q. What is this?**

24 A. This is the qualification to reach
25 stripes for a promotion at the basic levels of
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1 SALZMAN - DAY II

2 coach.

3 **Q. And what is an apprentice at NXIVM?**
4 **Or what was an apprentice as of 2001?**

5 A. It was someone who was awarded a
6 yellow sash who was what I call a provisional
7 coach.

8 **Q. Okay. And that would have been**
9 **awarded the yellow sash before they completed the**
10 **16-day and the five-day?**

11 A. Before or after.

12 **Q. Okay. What is the -- on the**
13 **right-hand side next to that it says:**

14 "Min. time, 12 weeks."

15 **What does that mean?**

16 A. This would be if somebody was
17 taking the Ethos program, which is the program
18 where you take the two-hour modules, one at a
19 time, as opposed to an intensive. That's what
20 this was designed for.

21 So, what that meant was, and what
22 it still means is that you have to be a part of
23 that program for 12 weeks. We later developed --
24 this was an older document before we developed the
25 intensive. We developed the intensive after this

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1 SALZMAN - DAY II

2 document.

3 **Q. Okay. Although it's still required**
4 **an enrollment of two, that same requirement that**
5 **you mentioned?**

6 A. It's still the same requirement for
7 Ethos. This isn't the intensive requirement.

8 **Q. Okay. What does "people on stripe**
9 **path" mean under "config." or in the column after**
10 **the phrase "config." It says "people on stripe**
11 **path."**

12 A. In the program it is necessary --
13 in this particular program, this is a specific
14 curriculum intended for a specific objective. The
15 coach needs to enroll two people, and they don't
16 need to have anybody else who wants to be a coach.
17 They just need to enroll two people.

18 **Q. Okay.**

19 A. If somebody is on the stripe path,
20 that's somebody who wants to be a coach.

21 **Q. Okay. The next category is "One**
22 **Stripe (Coach)." Is that the requirements in**
23 **order -- does that set forth what the requirements**
24 **were in 2001 to get into the coaching curriculum?**

25 A. No. That satisfies the requirements

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1 SALZMAN - DAY II

2 to actually begin coaching or facilitate.

3 **Q. Okay. And so, the requirements**
4 **would be three enrollments and one person on the**
5 **stripe path in the configuration.**

6 **Is that correct?**

7 A. That's correct.

8 **Q. What are facilitator notes?**

9 A. They're notes that accompany the
10 educational modules, and they're the ones that the
11 facilitators refer to, to guide them through
12 facilitating a module, an educational module.

13 **Q. Does NXIVM give the facilitator**
14 **notes to someone who is not yet a facilitator?**

15 A. A facilitator's notes are never
16 supposed to leave the building. Unless somebody
17 takes them, they don't leave the building.

18 **Q. Okay. Well, my question was:**
19 **Would someone be given them for use -- strike**
20 **that.**

21 **Would someone be given those for**
22 **use in a course inside the building if they**
23 **weren't yet a facilitator?**

24 A. Yes.

25 **Q. Under what circumstances?**

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SALZMAN - DAY II

1
2 A. If they're facilitating a module.

3 **Q. And that would be perhaps as part**
4 **of their shadow coaching responsibilities?**

5 A. Or coaching responsibilities.

6 Also, they are used during the coaching
7 facilitation training.

8 **Q. Does someone at NXIVM have**
9 **responsibility for collecting the facilitator**
10 **notes at the end of each day?**

11 A. Yes.

12 **Q. Who is the person -- what's the**
13 **rank of the person who has that responsibility?**

14 A. Proctor.

15 **Q. And what does the proctor do to**
16 **make sure that the materials are collected?**

17 A. They're now numbered, and the
18 proctor signs them out and has to sign them back
19 in at the end of the module, or at the end of the
20 day if it's an intensive.

21 **Q. Was that a practice followed in**
22 **2001?**

23 A. I don't believe it was.

24 **Q. What practice was followed in 2001**
25 **to keep track of the facilitator notes?**

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SALZMAN - DAY II

1
2 A. The proctor in charge was supposed
3 to keep track of them. I think we began numbering
4 them right after that.

5 **Q. Right after 2001?**

6 A. Yes.

7 (The requested portion of the
8 record was read.)

9 **Q. How many people have served as**
10 **facilitators who had the title facilitator at**
11 **NXIVM?**

12 MR. MC GUIRE: When?

13 MR. KOFMAN: In its history.

14 A. I would have to guess.

15 **Q. What's your approximation?**

16 MR. MC GUIRE: Is it a guess or is
17 it an approximation?

18 A. I can give you an approximation.

19 **Q. Sure.**

20 A. One in ten people becomes a coach.
21 One in ten people who take the course becomes a
22 coach. And I would say about half of them
23 facilitate.

24 **Q. Okay. So, am I correct that**
25 **there's been about 7,000 students at NXIVM?**

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SALZMAN - DAY II

1
2 A. Correct.

3 **Q. So, about 700 have become coaches?**

4 A. I would say that's true.

5 **Q. And out of those, perhaps 350 have**
6 **become facilitators?**

7 A. Did I say one in two? About 350.

8 **Q. Yes.**

9 A. I would say about 350 have
10 facilitated.

11 **Q. And all of those 350 have used**
12 **facilitator notes in trainings?**

13 A. Yes.

14 **Q. And all of the coaches also used**
15 **facilitator notes in training?**

16 A. Anyone who is facilitating is
17 considered a facilitator.

18 **Q. So, every coach, in the course of**
19 **their coaching curriculum, would have facilitated?**

20 A. That's right, if they get up to one
21 stripe.

22 **Q. Also, it's possible that**
23 **individuals who were not in the coaching**
24 **curriculum, but who were considering it, may have**
25 **been allowed to facilitate?**

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SALZMAN - DAY II

1
2 A. You mean the apprentices?

3 **Q. Yes.**

4 A. Yes.

5 **Q. Okay. Is there something called**
6 **coaches notes?**

7 A. They're the same as the facilitator
8 notes.

9 **Q. They're the same as the facilitator**
10 **notes.**

11 **Ms. Salzman, when did you meet**
12 **Michael Sutton?**

13 A. Michael Sutton, I believe, took a
14 weekend intensive in 2000.

15 **Q. Did you have some role in that**
16 **intensive?**

17 A. I believe I taught the whole thing.

18 **Q. Was that up in Albany?**

19 A. Yes.

20 **Q. Was Michael the first member of his**
21 **family that you had met?**

22 A. Yes.

23 **Q. Did there come a time where you**
24 **learned about Stephanie Franco?**

25 A. Yes.

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SALZMAN - DAY II

1 Q. How did you first hear about
2 Stephanie?

3 A. Michael told me that he had a
4 sister that he thought was struggling with her
5 career, and he thought that she would really love
6 this program.

7 Q. When did he have this conversation
8 with you?

9 A. He had that conversation with me
10 very early in the time that I knew him.

11 Q. Sometime in 2000?

12 A. I believe so.

13 Q. Did he tell you what her career
14 was?

15 A. He told me that she taught classes
16 at Rutgers.

17 Q. Did he tell you what types of
18 classes she taught?

19 A. He told me that she was a social
20 worker.

21 Q. Did he mention to you that she had
22 been a therapist?

23 A. Yes, he did.

24 Q. What did he say about her therapy
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SALZMAN - DAY II

1 practice?

2 A. He didn't think that she felt like
3 she wanted to keep doing that. I don't think she
4 felt like she was effective.

5 Q. Did he indicate to you that she was
6 still involved in her therapy practice?

7 A. I don't know if we discussed that
8 much of it when he first talked to me about her.
9 As time went on, I knew that she had a therapy
10 practice.

11 Q. And was that from Michael that you
12 learned that?

13 A. Michael talked to me about
14 Stephanie a number of times.

15 Q. What else did he tell you about
16 Stephanie?

17 A. Mainly that he really loved her,
18 that he thought that she was really wonderful, and
19 he thought she would just love this.

20 Q. Did he indicate to you that she had
21 taken other classes in human potential?

22 A. No.

23 Q. Did he mention - strike that.
24 Did he mention his family's
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SALZMAN - DAY II

1 economic circumstances to you?

2 A. No.

3 Q. Okay. Did he mention something
4 called Center For Personal Growth?

5 A. I don't remember.

6 Q. After Michael talked to you about
7 Stephanie, did you decide to attempt to get
8 Stephanie to enroll?

9 A. He asked me if I would meet her.

10 Q. When did he ask you that?

11 A. Somewhere in the first few months
12 of knowing him.

13 Q. Sometime in 2000?

14 A. I think so.

15 Q. Did he mention you meeting his
16 parents?

17 A. He wanted me to meet everyone.

18 Q. What did he say about you meeting
19 his parents?

20 A. He said they would love me.

21 Q. Did there come a time where you met
22 Stephanie Franco?

23 A. Yes.

24 Q. When was that?
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SALZMAN - DAY II

1 A. I visited Deal with him, Deal, New
2 Jersey, and he brought me to the family home, and
3 I met his parents, and I met Stephanie.

4 Q. Do you remember what time of year
5 that was?

6 A. I went a couple of times. I think
7 it was winter.

8 Q. Okay. Anybody besides you and
9 Michael go to the family home?

10 A. Not that I recall.

11 Q. Did you travel from Albany to Deal
12 to meet the Suttons and Ms. Franco?

13 A. I don't know if I went specifically
14 for that. My family lives in New Jersey. I may
15 have just come to meet them because Michael asked
16 me to.

17 Q. So, you're not sure if you combined
18 that with a visit with your family or just went
19 straight there?

20 A. I think I combined it with a visit.
21 I think I was here and he asked me to come meet
22 his family.

23 Q. And did you have dinner at Mr. and
24 Mrs. Sutton's house?
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1 SALZMAN - DAY II

2 A. Yes.

3 **Q. Who else was there?**4 A. You know, there were a number of
5 different people who came and went. I was there
6 like for a day, like an afternoon, all the way --
7 I may have even spent the night.8 **Q. Were Aaron and Leslie Kasson there?**9 A. Yes, I met Aaron and Leslie as
10 well.11 **Q. On that same trip?**12 A. I think I met the whole family on
13 that trip.14 **Q. Was it unusual for you to visit the
15 family of a student?**

16 A. Outside of Albany?

17 **Q. Yes.**18 A. I think it was. I think Michael
19 made it a point. And because I was in New Jersey
20 visiting my family, it was something easy for me
21 to do. I think it -- you know, it was something
22 that would have -- if I had to travel, it might
23 not have been as easy a thing to do, whereas in
24 Albany, I met the family of my students from time
25 to time.

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1 SALZMAN - DAY II

2 **Q. During the course of this day, did
3 you discuss -- strike that.**4 **Did Michael tell you that Morris
5 and Rochelle Sutton might be interested in NXIVM?**6 A. Michael really loved our curriculum
7 and found it of great value in the way that he
8 spoke of it to me. And he told me that he thought
9 it would be of great value in his community, and
10 he wanted me to tell his parents about it.11 **Q. What did you understand he meant by
12 the term "his community"?**13 A. He lived in an area with people who
14 are all Sephardic Jews, and his family is very
15 active in that community. And Michael believed
16 that our model would be something that that
17 community would really like.18 **Q. Did he tell you why he thought
19 that?**

20 A. Because he liked it, I think.

21 **Q. Did he tell you what the
22 socioeconomic circumstances were of that
23 community?**24 A. I don't know that we discussed it
25 ever, but I think when I was there, I became aware

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1 SALZMAN - DAY II

2 of what it was.

3 **Q. And what were the socioeconomic
4 circumstances?**5 A. Well, I didn't know exactly, but I
6 could tell that it was a very successful --
7 economically successful community.8 **Q. Okay. Were the Suttons cordial to
9 you at that meeting?**10 A. Cordial, yes. Mrs. Sutton was very
11 warm, very friendly, very inviting. She was
12 extremely friendly.13 Mr. Sutton was very serious.
14 Although I didn't think he minded that I was
15 there, I don't think he was particularly excited
16 by my visit.17 **Q. Were either of the Suttons hostile
18 to you?**

19 A. Oh, no.

20 **Q. Are you aware that Michael had a
21 child out of wedlock?**

22 A. I was.

23 **Q. Do you know if by the time of this
24 meeting he had told his parents about that child?**

25 A. I don't believe he had.

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1 SALZMAN - DAY II

2 **Q. Do you know when he told his
3 parents about that?**

4 A. When or what?

5 **Q. When.**6 A. It took Michael a while to feel
7 comfortable telling his parents. I think one of
8 the things he was struggling with the most was how
9 to tell his parents that, and I think it took him
10 about a year.11 **Q. So, you think it would have been
12 sometime in 2001?**

13 A. It may have been later.

14 **Q. Okay. What did you say about NXIVM
15 at this meeting, or at this -- "meeting" sounds
16 too formal -- at this gathering at the Suttons'
17 home?**18 A. I talked about my experiences with
19 Keith, and in the field with other things that I
20 had taught, and why I thought this was superior.21 **Q. Did you bring any materials,
22 written materials, with you?**

23 A. I may have.

24 **Q. Do you recall one way or the other?**

25 A. No.

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1 SALZMAN - DAY II

2 **Q. Is it your practice to hand out**
3 **materials to potential students of NXIVM?**

4 A. It isn't now, and it hasn't been in
5 a while, and I don't remember if it ever was.

6 **Q. Okay.**

7 A. I know that a lot of our
8 participants want to give things to other people.
9 It's not really something that either Keith or
10 myself think is necessary.

11 **Q. Did you indicate, during your**
12 **discussion with the Suttons, that NXIVM was a**
13 **science?**

14 A. I probably talked about -- that it
15 was our attempt to make a reproducible,
16 quantifiable, measurable model.

17 **Q. When you say you probably talked**
18 **about it, does that mean you don't recall**
19 **specifically what you said?**

20 A. To the best of my recollection,
21 that's how I always have spoken about it.

22 **Q. Did you talk about results that**
23 **NXIVM had achieved?**

24 A. I'm not sure. Sometimes people ask
25 me about my experience with the model and all.

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1 SALZMAN - DAY II

2 I'll tell them about my experiences.

3 **Q. What did you say about Keith**
4 **Raniere?**

5 A. I don't remember.

6 **Q. Okay. Did you indicate that one of**
7 **the goals of NXIVM was to change the world?**

8 A. I think one of the goals of NXIVM
9 is to change the way people relate to each other
10 in the world, which I think would change the way
11 the world is for people.

12 **Q. Is that something you mentioned at**
13 **this dinner?**

14 A. I don't know.

15 **Q. Do you recall a discussion with**
16 **Morris Sutton, where he expressed some skepticism**
17 **about NXIVM's desire to change the world?**

18 A. He was sort of skeptical. I think
19 that's how he is.

20 **Q. What did he express skepticism**
21 **about?**

22 A. Most things that were discussed at
23 dinner that night.

24 **Q. Did you -- strike that.**

Did you discuss with Stephanie

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1 SALZMAN - DAY II

2 **her -- anything about her background during that**
3 **gathering?**

4 A. Stephanie didn't come to dinner.
5 She came later.

6 **Q. After dinner she was there?**

7 A. That's right.

8 **Q. As part of the same visit while you**
9 **were there. Correct?**

10 A. Right. I remember -- the way that
11 I remember it was that Stephanie came after most
12 people left, and I ended up having a conversation
13 with Stephanie. I think it was just Michael and
14 Stephanie, or just Stephanie.

15 **Q. What was discussed during that**
16 **conversation?**

17 A. Stephanie was talking about --
18 well, she was asking me a lot of questions about
19 the model, and she was telling me that she was
20 thinking of taking a course or some other
21 education. She wasn't really sure what she wanted
22 to do with her life and she was looking for
23 something new. She talked to me about her
24 divorce. She talked to me about her teaching.
25 Things like that I remember.

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1 SALZMAN - DAY II

2 **Q. Did she tell you about any of the**
3 **other courses that she had taken?**

4 A. Outside of academic courses?

5 **Q. Yes.**

6 A. I don't remember her telling me
7 that she took courses outside of her academics.

8 **Q. Did she indicate to you that she**
9 **was familiar with NLP?**

10 A. I don't remember her telling me
11 that, and I usually sorted for those things. And
12 I don't remember that she knew anything about NLP.
13 So, if she took it, I don't remember her ever
14 telling me that she took it.

15 **Q. If it's Stephanie's recollection**
16 **that she told you that, would you say that's**
17 **incorrect?**

18 A. You know, I usually look for people
19 who have studied NLP because it's a common thing,
20 and I usually kind of keep track of them in my
21 mind because it's a common thing to discuss. I
22 don't ever remember Stephanie telling me that. It
23 doesn't mean it didn't happen, but I really don't
24 remember it at all.

25 **Q. Did she mention that she had taken**

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SALZMAN - DAY II

1 EST?

2 A. Yes.

3 Q. Was that in that conversation she
4 mentioned that?

5 A. Well, I had a couple of
6 conversations with her, and I remember that she
7 said she took EST.

8 Q. You mentioned that she said to you
9 that she was interested in taking another course.

10 What course did she say she was
11 interested in taking?

12 A. She said she was thinking of taking
13 a course that would teach her how to do coaching.

14 Q. Did she say who was giving that
15 course?

16 A. I don't remember if she told me,
17 and if she told me, I wasn't familiar with it, so
18 it didn't mean much to me.

19 Q. Was it Tabie Keller?

20 A. If she told me, that's -- I'm sure
21 that's what she told me. But I've heard that
22 since then, so I'm not sure that she told me.

23 Q. What was your response when she
24 said that she was interested in taking a course

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SALZMAN - DAY II

1 about coaching?

2 A. I told her to take ours. When I
3 heard she was interested in taking a course, I
4 just assumed that it would be better for her to
5 take ours. And so I am certain that I told her if
6 she was going to take a coaching course, I would
7 like her to take ours. I liked her.

8 Q. You felt that you hit it off with
9 her?

10 A. Yes.

11 Q. And did you tell her that you
12 thought she'd be a good fit?

13 A. Yes.

14 Q. Did she mention anything -- what
15 did she tell you about the courses that she
16 taught?

17 A. She said that she wanted to learn
18 something that would help her help people better.

19 Q. Did she say what courses she had
20 taught?

21 A. No.

22 Q. Did she say where she taught them?

23 A. Rutgers. She did say that she
24 didn't -- she wasn't sure if she wanted to

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SALZMAN - DAY II

1 continue to work there.

2 Q. Did she mention anything about the
3 Center For Personal Growth?

4 A. You know, when you say the name of
5 it, I don't know if it's just a common center that
6 people call their place, or I've heard it from
7 her, but I've heard that term before, that name.
8 I just don't place it with her. I don't know if
9 she had a center for personal growth, or I've seen
10 it in the literature. I don't remember.

11 Q. I can't answer you.

12 A. Yes. I don't remember.

13 Q. Did she indicate to you that she
14 had done work as a therapist?

15 A. Yes.

16 Q. And what did she tell you about her
17 therapy practice?

18 A. She told me that it was small, and
19 she wasn't sure she wanted to continue to do it
20 because she didn't think she was effective.

21 Q. What did you say in response?

22 A. That I understood. The reason that
23 I was studying this with Keith Raniere and working
24 in this is because before I learned this model, I

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SALZMAN - DAY II

1 had the same feelings about most of the things
2 that I had learned.

3 Q. How did you leave your conversation
4 with Stephanie about her potential involvement
5 with NXIVM?

6 A. Well, I liked her, and I thought
7 she would be a wonderful person to have in our
8 program. And I let her know that I really thought
9 that she would be -- that she would not only like
10 it, but that I would like having her.

11 Q. Did you make any plans at the
12 conclusion of that gathering with Stephanie
13 Franco?

14 A. Stephanie -- I think Stephanie
15 liked me as well, and I don't think she wanted to
16 commit to taking the program or not taking the
17 program. But she said she was interested in
18 getting together again.

19 Q. And what did you say?

20 A. I said great.

21 Q. Did you have any discussions with
22 Morris Sutton or Rochelle Sutton about them taking
23 the program?

24 A. Michael did.

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1 SALZMAN - DAY II

2 **Q. At that -- at the meeting that you**
3 **were -- at the gathering that we're talking about**
4 **now?**

5 A. Michael wanted everybody to take
6 the course. He was very excited about the course.
7 But I believe he thought that if they took the
8 course, it would make it easier for him to share
9 the information he needed to share with them about
10 his child. I think that that was probably his
11 intent for inviting his family and asking me to
12 come.

13 **Q. Did Michael ever tell you that**
14 **Stephanie might be able to get other people rolled**
15 **in NXIVM?**

16 A. He was more interested in her being
17 a facilitator and coach, and figuring out
18 something that would be more satisfying for her to
19 do with her life than what she was currently
20 doing, than enrolling people in the program.

21 **Q. Did she mention that she might be**
22 **able to enroll people in the program?**

23 A. He said that he believed that
24 people respected Stephanie in the community and
25 that if Stephanie did this, she might want to open

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1 SALZMAN - DAY II

2 a center within the community, and then that would
3 help the community. And he thought that -- I
4 think Michael loved his community, and he wanted
5 something good for his community, and he thought
6 this was something good.

7 **Q. And was that something that would**
8 **be attractive to NXIVM, to have her open a center**
9 **in the community?**

10 A. Well, I think what we want to do is
11 we want as many people as find our model
12 beneficial to take it because we think it's a good
13 thing in the world.

14 Also, it's a business. And if I
15 didn't say I wanted to promote my business, I
16 wouldn't be a very good entrepreneur; would I?

17 **Q. Did there come a time where you**
18 **taught a class at the home of Aaron and Leslie**
19 **Kasson?**

20 A. Yes.

21 **Q. When was that?**

22 A. It was within probably a year of
23 meeting the Suttons.

24 **Q. Do you remember what year this was?**

25 A. I'm sorry. I'm not good with that.

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1 SALZMAN - DAY II

2 **Q. Can you be any more definite than**
3 **within a year?**

4 A. I think it was 2001.

5 **Q. Do you remember what part of the**
6 **year?**

7 A. I think it was winter.

8 **Q. So, perhaps early 2001?**

9 A. It may have been late in the year.
10 It may have been like November, December.

11 **Q. Had Stephanie Franco been a student**
12 **at NXIVM already at the time that this class took**
13 **place at the Kassons' home?**

14 A. No.

15 **Q. So, it was before Stephanie came**
16 **for an intensive?**

17 A. Yes. It was probably early then.

18 **Q. How did it come about that you**
19 **taught a class at the Kassons' home?**

20 A. They invited me. Michael asked --
21 Michael wanted to enroll people in the community,
22 and he asked me if he got enough people together,
23 would I bring the staff there, rather than making
24 all of the people go there, because it was less
25 people traveling in one direction.

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1 SALZMAN - DAY II

2 **Q. And did you agree to teach the**
3 **class?**

4 A. I did.

5 **Q. And you came down from Albany for**
6 **the purpose of teaching this class?**

7 A. I did.

8 **Q. How many people from NXIVM came**
9 **with you?**

10 A. Probably about six.

11 **Q. Do you remember who they were?**

12 A. I don't.

13 **Q. Do you remember anybody who was**
14 **with you?**

15 A. Probably Barbara Jeske was with me,
16 my daughter, Lauren, was probably with me. I
17 think Carole Bergeron was probably with us.
18 That's all I can remember now; maybe Lisa Durkes.

19 **Q. How many attendees were there at**
20 **this class?**

21 A. There were 20.

22 **Q. What was the class that you taught?**

23 A. It was -- we used to call it a
24 one-day. And what it was, was we have programs.
25 We have the Ethos program and we have the Origins

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SALZMAN - DAY II

1 program. The Ethos program has a curriculum where
2 you get a membership, and then classes are taught
3 several times a week and you can take as many as
4 you want.

5 The Origins program is more of an
6 introspective program, where you take usually one
7 class a week, and each Origins integration
8 consists of four classes. The one day was the
9 first four classes of that.

10 **Q. So, the one day was the first four**
11 **classes of the --**

12 A. The Origins program.

13 **Q. -- the Origins program. Do you**
14 **remember what modules that would include?**

15 A. There is an introduction, there's a
16 communications module, an honesty module, and then
17 an emotional module.

18 **Q. Did the participants of this module**
19 **have to sign an application?**

20 A. They did.

21 **Q. Do you remember how much NXIVM**
22 **charged?**

23 A. I believe we charged \$200 a person.

24 **Q. Did NXIVM distribute any materials**

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SALZMAN - DAY II

1 **at this one-day event at the Kassons' home?**

2 A. There were student notes,
3 participant notes that went along with each
4 of the -- probably two of their modules and
5 probably an introduction.

6 **Q. Did the information that was**
7 **distributed include elements of rational inquiry?**

8 A. Well, the student notes.

9 **Q. That's a yes with the student**
10 **notes?**

11 A. Yes, the student notes.

12 **Q. Did Rochelle Sutton attend that**
13 **gathering?**

14 A. I believe she did.

15 **Q. Did NXIVM obtain an application**
16 **from Rochelle Sutton?**

17 A. I believe we did.

18 MR. KOFMAN: I represent that we've
19 never seen a copy of the application that
20 Rochelle Sutton signed, and we request it
21 specifically. I'll repeat the request now.

22 **Q. Do you remember any of the other**
23 **attendees at the one-day?**

24 A. Leslie and Aaron Kasson were there.

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SALZMAN - DAY II

1 I don't really remember the others.

2 **Q. Okay. Was Stephanie Franco there?**

3 A. She just stopped in.

4 **Q. Do you know why she didn't attend?**

5 A. She was going on a trip.

6 **Q. Did she indicate what trip she was**
7 **going on?**

8 A. No.

9 **Q. Did she indicate to you that she**
10 **was on her way to Tabie Keller?**

11 A. No.

12 **Q. Do you recall her telling you**
13 **anything about where she was going?**

14 A. No. She said she was going away for
15 the weekend, for the week. It was a Sunday.

16 **Q. Did NXIVM let the people who took**
17 **this one-day class keep the materials that had**
18 **been distributed?**

19 A. The materials that are distributed
20 in the one-day are for them to keep.

21 **Q. Okay. Did NXIVM obtain a list of**
22 **the attendees?**

23 A. Yes, I'm sure we did.

24 **Q. Does NXIVM still have that list?**

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SALZMAN - DAY II

1 A. I'm sure it's in our enrollment
2 information. All the students that have ever
3 taken are in it.

4 MR. KOFMAN: Okay. I'd like to
5 make a request for that. It hasn't been
6 produced, despite being requested.

7 MR. MC GUIRE: Have any student
8 applications been given to you?

9 MR. KOFMAN: They have been, but
10 among them was not Rochelle Sutton. There's
11 nothing that's a list indicating who was at
12 that specific event.

13 MR. MC GUIRE: Maybe I
14 misunderstood. I mean, she said she had the
15 list. She had the application is what I
16 thought she said.

17 **Q. Do you have a list of the**
18 **attendees?**

19 A. I could try to go back and put it
20 together.

21 **Q. I appreciate that.**
22 **Was the seminar videotaped or audio**
23 **taped?**

24 A. I don't remember.

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SALZMAN - DAY II

1
2 **Q. Would it have been your practice to**
3 **videotape or audio tape a one-day?**

4 A. I know that we do that now. I know
5 that we always try to do that. So, my guess is
6 that we did do it back then, as long as we had the
7 technology off premises to do it.

8 **Q. Did any of the attendees**
9 **subsequently take more classes with NXIVM, other**
10 **than Aaron and Leslie Kasson?**

11 A. I don't remember who came. I'm
12 sorry. It was a long time ago.

13 **Q. Were you familiar with Tabie Keller**
14 **in 2001?**

15 A. No.

16 **Q. When did you first become aware of**
17 **Tabie Keller?**

18 A. I think at the beginning of this
19 lawsuit.

20 **Q. Okay. Did Rochelle Sutton ever**
21 **attend an intensive with NXIVM?**

22 A. No.

23 **Q. Have you ever spoken to Rochelle**
24 **Sutton after this one-day event at the Kassons'**
25 **home?**

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SALZMAN - DAY II

1 A. Yes.

2 **Q. When?**

3 A. Stephanie invited me to a charity
4 event that occurred at the home next to the
5 Suttons that was a community event, and she asked
6 me to be a speaker there.

7 **Q. And Rochelle Sutton was there?**

8 A. And Rochelle Sutton came.

9 **Q. What did you and Rochelle Sutton**
10 **discuss?**

11 A. I don't think we had a lot of time
12 together. I don't remember.

13 **Q. What this at the home of someone**
14 **named Ms. Carrie (phonetic)?**

15 A. Yes.

16 **Q. Okay. Did Stephanie introduce you**
17 **at that event?**

18 A. Stephanie invited me. I was her
19 guest, and she did introduce me.

20 **Q. Was this in the summer of 2001?**

21 A. It was.

22 **Q. Was Morris Sutton there?**

23 A. No. I think it was a women's event.

24 **Q. Okay. Have you ever spoken to**
25

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SALZMAN - DAY II

1 **Morris Sutton after this one-day gathering at his**
2 **house?**

3 A. I think I was in his house one
4 other time, and I'm certain that I said hello to
5 him, but I don't think we've ever had any long
6 discussions.

7 **Q. Do you recall the circumstances**
8 **where you might have been in his house?**

9 A. I think it was when I went down for
10 that event, and I believe Stephanie brought me
11 next door because it was in the home right next
12 door to theirs.

13 **Q. After the event at the Kassons'**
14 **home, when is the next time you spoke to Stephanie**
15 **Franco?**

16 A. I don't remember. I remember that
17 I spoke to Stephanie from time to time.

18 **Q. This would be by phone?**

19 A. I probably didn't see her again
20 until she came to the intensive, but I don't
21 remember.

22 **Q. Did you have phone conversations**
23 **with her between the time that you first met her**
24 **and the time she came to the intensive?**
25

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SALZMAN - DAY II

1 A. I can't remember.

2 (Recess taken.)

3 (Exhibit Salzman 34 marked for
4 identification.)

5 MR. KOFMAN: Ms. Salzman, we've
6 marked document Salzman 32, Bates Stamp No.
7 P000004109.

8 **Q. Are you familiar with this**
9 **document?**

10 A. This is an enrollment application.

11 **Q. For Stephanie Franco?**

12 A. Yes.

13 **Q. And does this indicate that she's**
14 **enrolled for an intensive starting June 23rd in**
15 **Albany?**

16 A. Yes, it is.

17 **Q. Do you know why this document is**
18 **Bates stamped highly confidential?**

19 A. No, but it seems as though it's a
20 pattern. Everything we've given you says highly
21 confidential.

22 **Q. Okay. Was this the application for**
23 **the first class that Ms. Franco signed up to take?**
24

25 A. I think it was.

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1 SALZMAN - DAY II

2 **Q. And she signed up to take a**
3 **five-day class?**

4 A. Yes.

5 **Q. Do you know what the -- on the top**
6 **left-hand corner there's the letter F circled.**

7 **Do you know what that means?**

8 A. I don't.

9 **Q. And do you know whose handwriting**
10 **appears in the middle at the top, "set up grade"**
11 **and it looks like "attached"?**

12 A. I don't know.

13 **Q. Do you know what that means?**

14 A. No.

15 **Q. Okay. So, this indicates that she**
16 **had signed up for a five-day intensive beginning**
17 **June 23rd, and that the cost was \$2,160?**

18 A. That's correct.

19 **Q. Okay. Do you know how Stephanie**
20 **Franco came to sign up for this or what led her to**
21 **sign up for this intensive?**

22 A. I assume she had further
23 discussions with people, including Michael.

24 **Q. Did she have further discussions**
25 **with you?**

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1 SALZMAN - DAY II

2 A. I want to say yes.

3 **Q. Do you recall any of those**
4 **discussions?**

5 A. I remember knowing she was coming,
6 and I remember looking forward to seeing her, so I
7 knew that she was coming, and I think I knew that
8 because she told me.

9 **Q. Okay. And this indicates that**
10 **Michael Sutton was the person who referred her to**
11 **the group?**

12 A. That's correct.

13 **Q. Did Michael Sutton receive a**
14 **commission for Stephanie's enrollment?**

15 A. I don't know if he was a
16 salesperson at that time or he just enrolled her.
17 There was a requisite of how many people you had
18 to enroll to become a salespeople.

19 **Q. Would somebody who was not a**
20 **salesperson receive a commission for enrolling**
21 **people?**

22 A. No.

23 **Q. Okay. So, it was only salespeople**
24 **who received commissions?**

25 A. That's correct.

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1 SALZMAN - DAY II

2 **Q. Did you have any communications**
3 **with Stephanie between the date of this**
4 **application, which is May 5th, 2001, and June**
5 **23rd, 2001, when she arrived at the intensive?**

6 A. I don't remember.

7 **Q. Okay. After Stephanie arrived at**
8 **the intensive, do you recall going out to dinner**
9 **with her?**

10 A. I probably did. I believe that I
11 went out to dinner with her at some point, and it
12 may have been during the intensive.

13 **Q. Okay. Was that a common practice**
14 **of yours, to go out to dinner with students?**

15 A. I had met Stephanie prior to that
16 and we liked each other. I will often go out with
17 people who are either students that I like or
18 students that there's a special consideration.
19 And Stephanie was a therapist. So, there was a
20 special consideration to let her into the program
21 at all. And so, for me to check in with her would
22 not be unusual, under those circumstances.

23 **Q. When you say there was a special**
24 **consideration, that's the fact that Stephanie was**
25 **a therapist?**

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1 SALZMAN - DAY II

2 A. That's correct.

3 **Q. You mentioned before that NXIVM**
4 **does a screening before letting psychiatrists,**
5 **psychotherapists, psychologists in. What was the**
6 **nature of that screening that was done with**
7 **Stephanie?**

8 A. I remember discussing with her the
9 reason why we didn't let people who were
10 therapists normally take the program, and under
11 what circumstances I would let her take the
12 program.

13 **Q. And what did you say was the reason**
14 **you don't like therapist to take the program**
15 **ordinarily?**

16 A. Because once they take the
17 program -- because of the nature of the material
18 and how the model works, it's hard for them to not
19 use what they've learned. So, rather than have
20 them have to have the dilemma trying to figure out
21 what they knew before the program and what they
22 learned in the program, and rather than taking the
23 material and accidentally incorporating it in and
24 watering it down in some way, we want to keep the
25 material very clean and teach it.

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1 SALZMAN - DAY II

2 **Q. When did you have that discussion**
3 **with Stephanie?**

4 A. The first night I met her.

5 **Q. That was at the Suttons' home?**

6 A. Yes. And I believe that I had it
7 with her again at least one other time before she
8 decided to take the program. And I don't remember
9 if it was a phone conversation or if I saw her
10 again. I have a vague recollection of actually
11 seeing her a second time before.

12 **Q. And what did she say in response?**

13 A. She said that was fine and she
14 understood.

15 **Q. Did she indicate that she was**
16 **thinking of giving up her therapy practice anyway?**

17 A. She did.

18 **Q. Did you mention, at the dinner,**
19 **that you went out -- strike that.**

20 **Did you take any other students out**
21 **to dinner at the same time as Stephanie?**

22 A. I don't remember.

23 **Q. Do you remember who else attended**
24 **the dinner?**

25 A. I don't remember.

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1 SALZMAN - DAY II

2 **Q. Was your daughter, Lauren, there?**

3 A. She might have been.

4 **Q. Are you aware that Lauren Salzman**
5 **became Stephanie's coach?**

6 A. I think she liked my daughter a lot
7 and I think she asked for her to be her coach.

8 **Q. Who's responsible for selecting**
9 **coaches for students? Strike that.**

10 **Does each student get a coach?**

11 A. Yes, they do.

12 **Q. And who is responsible for the**
13 **selection of coaches?**

14 A. Normally there's a committee that
15 decides.

16 **Q. And who was on that committee in**
17 **2001?**

18 A. Probably Pam Cafritz headed up that
19 committee. And I believe back then Barbara Jeske
20 was on that committee, and Lauren, my daughter,
21 would have been on that committee.

22 **Q. Did you have any involvement?**

23 A. I did because of Stephanie being a
24 therapist.

25 **Q. So, you -- and did you agree that**

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1 SALZMAN - DAY II

2 **Lauren should coach Stephanie?**

3 A. When she asked for Lauren and
4 voiced her intent to not only become a coach but
5 to become a proctor I told her that she could have
6 Lauren, she wouldn't normally have gotten Lauren
7 because Lauren's rank would have not been someone
8 who would have been coaching Stephanie, unless it
9 was a special circumstance.

10 But Stephanie made assertions that
11 she wanted to move through the program quickly
12 because she wanted to be able to learn the
13 technology.

14 **Q. When did she make those assertions?**

15 A. Right in the beginning, when she
16 starting taking the class and liked it.

17 **Q. Was that at the dinner that you**
18 **attended?**

19 A. It was before the end of that
20 intensive.

21 **Q. Before the end of that intensive**
22 **that she signed up for?**

23 A. Yes.

24 **Q. But you're not certain where within**
25 **that intensive -- when within that intensive she**

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1 SALZMAN - DAY II

2 **made the statement?**

3 A. We normally assign the coach the
4 last day of the intensive.

5 **Q. Okay. Oh, the coach is not**
6 **assigned on the first day of the intensive, it's**
7 **after?**

8 A. Always. We try to get to know the
9 student and what they're interested in and what
10 their goals and objectives are during the five-day
11 and then match them to a coach that can best coach
12 them.

13 **Q. Did you indicate, during this**
14 **dinner, that you had plans for Stephanie within**
15 **the organization?**

16 A. I indicated to Stephanie that if
17 she liked the model, because of her prior
18 education, and there were very few people, whoever
19 came into the program with her prior education,
20 that I saw it as an advantage to us and to her
21 because I thought she'd move through it quickly,
22 and I thought she would learn it easily, and that
23 obviously she enjoyed that sort of thing because
24 that's what she picked as her career. And so, if
25 she wanted to do that, I thought that this -- if

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1 SALZMAN - DAY II

2 she liked it, this would be perfect.

3 **Q. What prior education were you**
4 **referring to in your answer that you thought made**
5 **her well-suited?**

6 A. Well, she liked social work, and
7 she really enjoyed working with people, which I
8 think coaching is working with people.

9 **Q. Did you discuss with her the**
10 **prospect of her opening a school?**

11 A. I don't know if I did it then, but
12 I knew that Michael wanted to have a school in his
13 community.

14 **Q. And he thought that Stephanie might**
15 **be a good person to run it?**

16 A. She was looking for a new career or
17 something else to do. So, it seemed like that
18 would be a good fit. And I know that at some
19 point we discussed that if she liked it, that
20 would be -- she wouldn't have to move to Albany to
21 do it. She could do it right there.

22 **Q. Did you ever have discussions with**
23 **Michael about him opening a school?**

24 A. Michael is in New York City. He
25 lives in New York City, and he's very active in
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1 SALZMAN - DAY II

2 the center in New York City. I don't know about
3 ever asking him to open one, but I know that he
4 was very active in helping with facilitation in
5 that one.

6 **Q. Do you recall an issue concerning**
7 **Stephanie's long form confidentiality agreement?**

8 A. Yes, there was quite an ordeal
9 about her long form, which was in Albany.

10 **Q. Did you personally see her sign the**
11 **long form confidentiality agreement?**

12 A. I did.

13 **Q. You witnessed it?**

14 A. I did.

15 **Q. Where did you see --**

16 A. I didn't witness her signing it. I
17 witnessed her giving it.

18 **Q. Okay. Who did you see her give it**
19 **to?**

20 A. Lisa Durkes.

21 **Q. When was this?**

22 A. The fourth day.

23 **Q. Was this after you had gone to**
24 **dinner with her or before?**

25 A. I'm not quite sure.

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1 SALZMAN - DAY II

2 **Q. Did you see a copy of the long form**
3 **confidentiality agreement with her signature on**
4 **it?**

5 A. I did.

6 **Q. Where did you see it?**

7 A. It was an ordeal because the first,
8 day that she came, she was late, and she hadn't
9 signed it, and we asked her to sign it and she
10 wanted to get into the class, and she was reading
11 it, and she determined that there was something in
12 the agreement that caused her to not want to sign
13 it until she showed it to her attorney.

14 I guess Lisa offered her the
15 opportunity to call her attorney, but she said
16 that it was Sabbath, and she couldn't call her
17 attorney until after Sabbath. So, the next day
18 came, and it was Sunday, and she said she couldn't
19 reach her attorney because it was Sunday, so we
20 made a special consideration and said that on
21 Monday you need to call your attorney.

22 And on Monday we asked her for the
23 long form, and she said that she was getting in
24 touch with her attorney. By the end of Monday we
25 still didn't have it, and we told her that she

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1 SALZMAN - DAY II

2 couldn't come back to class the next day unless
3 she had it because we had already waited three
4 days, and we couldn't wait any longer, and she
5 couldn't come back to class without it. She gave
6 it back to us on the fourth day.

7 **Q. Okay. And she gave it to Lisa**
8 **Durkes?**

9 A. Yes.

10 **Q. Who was Lisa Durkes in 2001?**

11 A. She was the chairman of the
12 intensive committee, and she oversaw the
13 administration of the intensive itself.

14 **Q. How did it happen that you saw her**
15 **give it to Lisa Durkes?**

16 A. I was teaching that morning.

17 **Q. And when did you see the agreement**
18 **signed by Stephanie or with Stephanie's signature?**

19 A. The other thing was that she wanted
20 to come to a forum that Keith was giving, and she
21 couldn't come to the forum without it. And so, in
22 the morning, I wanted to be sure that I had the
23 agreement because there was a decision as to
24 whether Keith was going to come and do a forum or
25 not, and whether we were going to let her stay or

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SALZMAN - DAY II

1 not, because she was Michael's sister, and there
2 were a series of things that were going on where
3 Stephanie got special consideration because of
4 being Michael's sister.

5 **Q. Okay. So, you physically saw the**
6 **agreement signed by her?**

7 **A. I did.**

8 **Q. How do you recall that?**

9 **A. Well, I looked for it.**

10 **Q. Where did you look for it?**

11 **A. When she came in that morning, I**
12 **was looking for it and I asked her for it, and I**
13 **saw her give it to Lisa, and then I looked at it.**

14 **Q. While Lisa had it?**

15 **A. Correct.**

16 **Q. What did Lisa do with it?**

17 **A. Lisa had a series of folders much**
18 **like this, where every student had a name. And**
19 **she had one in each, and she had it in her bag,**
20 **and she was carrying it because there**
21 **were certain -- there are certain documents in**
22 **each intensive for each student, and the**
23 **facilitators fill out certain forms, and they're**
24 **added to the files, so the files are out. And the**

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SALZMAN - DAY II

1 confidentiality was in there at the end of the
2 five-day. At that point, they were filed.

3 **Q. And where were they filed?**

4 **A. In the room where we lock them.**

5 **Q. Is that the proctor room?**

6 **A. That's correct.**

7 **Q. So, they were in Lisa Durkes'**
8 **possession during that day?**

9 **A. Yes.**

10 **Q. And that was the fourth day?**

11 **A. Yes.**

12 **Q. Did she put them in the room that**
13 **night or would it be after the fifth day?**

14 **A. After the fifth day.**

15 **Q. But they were in her bag?**

16 **A. They were in her bag.**

17 **Q. Do you have any idea whether Lisa**
18 **left her bag unattended at any point?**

19 **A. Lisa left her bag unattended at**
20 **some point. She walked out of the room.**

21 **Q. Did you ever see Stephanie take the**
22 **file?**

23 **A. No, I didn't.**

24 **Q. Do you know whether the agreement**

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SALZMAN - DAY II

1 **was ever placed in the proctor room?**

2 **A. According to Lisa, when they went**
3 **to file it, the long form wasn't there.**

4 **Q. When did they go to file it?**

5 **A. At the end of the 16-day.**

6 **Q. Did she tell you that at the end of**
7 **the 16-day?**

8 **A. She did not.**

9 **Q. When did she tell you?**

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

11 **Q. Was it before or after this lawsuit**
12 **was filed?**

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

14 **Q. What did you do after she told you?**

15 **A. I asked if they had followed up or**
16 **ever called her or tried to get another one.**

17 **Q. And what did she say?**

18 **A. She said no.**

19 **Q. Okay. Just so I'm clear, Lisa**
20 **believes that the material was put in the proctor**
21 **room, or believes that it was not, that that**
22 **application went into the proctor room?**

23 **A. No. She said when she went to file**
24 **it, it wasn't there.**

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SALZMAN - DAY II

1 **Q. Okay. Now, you mentioned a 16-day.**
2 **Stephanie originally signed up for a five-day**
3 **intensive starting June 23rd.**

4 **Did it turn out that she stayed for**
5 **a full 16 days?**

6 **A. I believe she stayed through the**
7 **whole training. She may have gone home and come**
8 **back. My recollection was that she ended up**
9 **finishing it, that intensive.**

10 **Q. So, she finished those 16 days?**

11 **A. That's my recollection.**

12 **Q. Do you remember what led her to**
13 **extend her stay from five days to 16 days?**

14 **A. I think she liked it.**

15 **Q. Did you attempt to persuade her to**
16 **stay the full 16 days?**

17 **A. I'm sure I was optimistic about it.**
18 **I liked Stephanie. I wanted her to stay. I**
19 **wanted her to like it.**

20 **Q. Do you see that short form**
21 **application?**

22 **A. Yes.**

23 **Q. And it's dated June 27th, 2001?**

24 **A. Yes.**

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1 SALZMAN - DAY II

2 Q. That would have been the fifth day
3 of her intensive?

4 A. Yes.

5 Q. And is that her application to
6 extend her stay for the full 16 days?

7 A. It appears it is.

8 Q. And the fee for that was \$4,590?

9 A. That's correct.

10 Q. And so, she stayed through, I
11 guess, 11 days plus June 27th?

12 A. That's correct.

13 Q. Okay. Does NXIVM have any other
14 applications for Stephanie Franco?

15 A. These two.

16 Q. Are you aware of any others?

17 A. I don't know. I'm not a lawyer.

18 Q. Okay. During the 16-day intensive
19 that Stephanie Franco attended, did NXIVM present
20 her with any materials beyond what a student would
21 ordinarily receive?

22 A. Not that I recall.

23 Q. Did it give her facilitator notes
24 during those 16 days?

25 A. Not that I recall.

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1 SALZMAN - DAY II

2 Q. Would that have been contrary to
3 NXIVM's practice to give facilitator notes to a
4 student taking their first 16-day intensive?

5 A. Well, it would be because they
6 wouldn't be prepared for them.

7 Q. Did Stephanie advance in rank at
8 NXIVM as a result of completing the 16-day
9 intensive?

10 A. She met the requirements, in
11 addition to completing the intensive. Oh, you can
12 advance in rank. You can get a couple of stripes
13 as a student, but not a coaching sash.

14 Q. You can get your couple of stripes
15 on your white sash?

16 A. That's correct.

17 Q. Did she; do you know?

18 A. She probably got at least one, and
19 she may have gotten two, but she would have had to
20 enroll someone to get the second one.

21 Q. Did Stephanie enroll people at
22 NXIVM?

23 A. She became a coach, so that means
24 she enrolled at least two.

25 Q. That's what I was going to ask you.

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1 SALZMAN - DAY II

2 Did she obtain the rank of coach at NXIVM?

3 A. She did.

4 Q. Did she take the coaching
5 curriculum?

6 A. She did.

7 Q. Did she complete the coaching
8 curriculum?

9 A. I don't believe she completed it.

10 Q. How did she become a coach without
11 completing the coaching curriculum?

12 A. You take the coaching curriculum
13 while you're a coach, and then you work your way
14 up. You get stripes and things, which I don't
15 think she ever did.

16 Q. And so, you become a coach after
17 you take the five-day -- that five-day intensive?

18 A. You don't normally. If you choose
19 to, you do.

20 Q. Okay.

21 A. It's a different -- you're entering
22 a different program. It's a different curriculum.
23 There are several different curriculums you can
24 take after you take your first 16-day.

25 Q. And to enter the coaching

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1 SALZMAN - DAY II

2 curriculum, she would then have had to have
3 completed the 16-day and then completed another
4 five days?

5 A. To enter the coaching curriculum?

6 Q. Yes.

7 A. She may have been able to take some
8 of the early coaching modules while she was
9 finishing the pre-requisites for the second
10 five-day.

11 Stephanie traveled to Albany, in my
12 recollection, a couple of times to take modules
13 outside of intensives in our Ethos program.

14 Q. Okay.

15 A. And, also, I believe that there
16 were some modules that were taught in Deal with
17 some of the students. And I don't remember what
18 the circumstances were, but I do remember that a
19 facilitator went down and taught a couple.

20 Q. Who was the facilitator who went
21 down and taught?

22 A. I think Barbara Jeske went down and
23 taught. And I remember also that I stopped in and
24 visited, but I don't think I was the one who was
25 teaching those classes.

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SALZMAN - DAY II

1 Q. When did you stop in and visit?

2 A. During that time that Barbara was
3 doing something in Deal with Stephanie.

4 Q. Was that at the time you were at
5 this event at the next door neighbor's house?

6 A. I think it was at the same time. I
7 remember Stephanie wanted us to teach the
8 curriculum. She seemed to be -- have a strong
9 desire to learn as much as she could, as fast as
10 she could.

11 Q. And did -- were applications
12 required for the Ethos classes that she may have
13 taken in Deal?

14 A. Probably not.

15 Q. Why not?

16 A. Stephanie made strong assertions
17 that she wanted to become a coach. My guess was
18 because she signed up for the next five-day, she
19 signed up for another five-day, she was permitted
20 to take some of those classes because they were
21 just repeated classes from the previous intensive.
22 And what she was really trying to do was qualify
23 for the coaching curriculum.

24 Q. What was taught at the next

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SALZMAN - DAY II

1 five-day that she attended?

2 A. The same thing as the first
3 five-day but the second time around it has a
4 different meaning to you.

5 Q. Okay. But as you sit here today,
6 you're not aware of an application she filled out
7 for that second five-day?

8 A. I don't know. I would have to go
9 back and look and see if she did or she didn't.

10 MR. KOFMAN: Okay. And I represent
11 that none has been produced here.

12 Q. Did you teach the second five-day
13 that she attended?

14 A. I don't remember. I wasn't
15 teaching all of the intensives back then. I only
16 taught some, you know, selected classes usually at
17 that point.

18 (Exhibit Salzman 35 marked for
19 identification.)

20 Q. By the way, did Stephanie ever
21 become a facilitator at NXIVM?

22 A. I don't think so.

23 Q. Looking at Salzman 35, do you
24 recognize this document?

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SALZMAN - DAY II

1 A. This was a document that I think
2 classified the people that she enrolled in her
3 organization. It also told who her upline proctor
4 was, and her coach, and her field trainer.

5 Q. Okay. Let's go through this.

6 First of all, "signer Michael
7 Sutton." That refers to the person who brought
8 her into the group?

9 A. Yes.

10 Q. "Parent Michael Sutton." What do
11 you mean by "parent"?

12 A. Isn't that funny? I was thinking
13 the same thing. I wonder who created this. I
14 guess that is the person who brought her in.

15 Q. Okay. What's the reference to
16 "field trainer Barbara Bouchey"?

17 A. Your field trainer is the person
18 who is the sales expert whose organization you're
19 in.

20 Q. Is Barbara Bouchey the person who
21 conducted that five-day training that Stephanie
22 had --

23 A. No.

24 Q. -- after the 16-day?

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SALZMAN - DAY II

1 A. A field trainer is not a head
2 trainer. A field trainer is a salesperson.

3 Q. And "proctor Carole Bergeron," what
4 does that refer to?

5 A. Carole Bergeron was, I guess, a
6 proctor at that time. And Carole Bergeron is the
7 person who brought Michael Sutton in. So,
8 Stephanie was in Carole Bergeron's organization
9 because she was in Michael's organization.

10 Q. Okay. And "coach Lauren Salzman"
11 we've already gone over. What is "first child"?

12 A. Well, if I look at this, the two
13 people she brought in were Jo Ann and Jennifer. I
14 don't understand. I'm not really quite sure. We
15 don't use this anymore.

16 Q. Do you know who was responsible for
17 entering in student information in 2001?

18 A. It might have been Angel Smith.

19 Q. Is he still with the group?

20 A. She.

21 Q. She. I'm sorry.

22 A. Yes, she is. And I believe she's
23 still doing the same job.

24 Q. Do you know who Linda Hidarq is?

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SALZMAN - DAY II

A. I don't, but I'm going to imagine that Stephanie brought them both in.

Q. And then it says:

"Per students personally sponsored to Jo Ann Levy and Jennifer Ancona."

A. I'm going to guess that Stephanie enrolled Jo Ann and Jennifer, and that Jo Ann enrolled Linda, and that's why I think it says it that way.

Q. That's what made Linda next sibling?

A. I think so. In other words, they're in the same level, not underneath.

Q. Do you know if Jo Ann Levy and Jennifer Ancona were students at NXIVM?

A. The fact that it says "personally sponsored" by Stephanie would cause me to think so, but I would have to check to be sure.

Q. Would they actually have had to have been students for her to qualify for the fast track for the coaching curriculum?

A. Yes. I'm not questioning whether she did it or not. I'm questioning whether they were the ones that are why she did it.

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SALZMAN - DAY II

Q. Okay. Does NXIVM have a list of its coaches that it keeps somewhere?

A. It has a list of all of its students and the rank that they've achieved.

Q. Is that kept on a computer somewhere?

A. Yes.

Q. So, for Stephanie Franco there should be a document that indicates that she was a coach?

A. Yes.

Q. Whose responsibility was it to enter that information? Would that have been Angel Smith?

A. That's what Angel Smith used to do, although it may have been -- some of the information in that may have been also the responsibility of her proctor.

Q. Who was the proctor who -- and her proctor being Carole Bergeron?

A. Correct.

Q. Who was the proctor at the five-day intensive that Stephanie attended?

A. The proctor? It could have been a
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SALZMAN - DAY II

series of proctors. I don't know who you're referring to.

Q. You mentioned before that the person who is responsible for collecting facilitator materials at the end of each day is a proctor. Do you know who the proctor was?

A. At that intensive?

Q. At that intensive.

A. I don't know offhand, and it's probably in the documentation somewhere.

Q. I was going to ask that. Does NXIVM have documentation that shows who would be the proctor?

A. I can look and see who the head proctor of that intensive was. If it's kept, it was a long time ago.

MR. KOFMAN: If you could, I'd appreciate that, and maybe mention it tomorrow.

Q. Did you attend the five-day session that Stephanie attended?

A. I attended it, and I taught some of the classes.

Q. But not all of them?

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SALZMAN - DAY II

A. I don't think I taught all of them. I may have, but I don't think that I did.

Q. By the way, did you ever do an exploration of meaning with Stephanie before she had taken any classes there?

A. Not that I remember.

Q. It's possible that you did?

A. It's possible. Sometimes I did.

Q. Does NXIVM videotape its breakout sessions?

A. No.

Q. Did NXIVM give Stephanie facilitator notes during the five-day training that she attended?

A. I wouldn't know.

Q. Who would know?

A. I don't know what she did in that five-day training. If she was coaching, she may have had facilitator notes. If she was a student, she wouldn't have had facilitator notes.

Q. Okay. Did Kristin Keefe have any involvement with that five-day training?

A. I don't remember, but it's possible she could have because back then she used to do

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1 SALZMAN - DAY II

2 that as a function.

3 **Q. And, by the way, just to get a time**
4 **frame, is it your recollection that the five-day**
5 **training was in August of 2001?**

6 A. The second one?

7 **Q. Yes.**

8 A. Yes.

9 MR. MC GUIRE: The second five-day?

10 THE WITNESS: Yes. The first one
11 was in June.

12 **Q. Did Stephanie complete the second**
13 **five days of training?**

14 A. I believe she did. I think -- I
15 have a vague recollection that somebody died in
16 her family during that training, or somebody close
17 to her, and she needed to leave at a certain
18 point. And I can't remember if it was at the end
19 or she left in the middle and came back. But I do
20 remember that there was some reason that she had
21 to leave.

22 **Q. Was she supposed to stay longer**
23 **than the five days?**

24 A. Not that I recall.

25 **Q. Did there come a time when she**

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1 SALZMAN - DAY II

2 **ended her relationship with NXIVM?**

3 A. Well, yes, she did end her
4 relationship.

5 **Q. When was that?**

6 A. She did her five-day, and during
7 the five-day she seemed very positive and wanting
8 to do more. And so I invited her to come to an
9 intensives we were teaching in Mexico, which she
10 was very excited to come to because she said she
11 spoke Spanish and she thought it would be great.

12 It was our first intensive in
13 Mexico, and we were very excited about it. And
14 she asked if she could come, and I thought it
15 would be great for her to come and have that
16 experience. And she said she was going to come
17 and she seemed very positive about it, and that
18 she was going to come. And the last that I spoke
19 to her, I assumed she was coming, and then we got
20 there and she never showed up.

21 **Q. You expected her to be there in**
22 **Mexico?**

23 A. Yes.

24 **Q. Who raised the idea of her going to**
25 **Mexico? Was it her or you?**

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1 SALZMAN - DAY II

2 A. It may have been her and it may
3 have been me. I remember at the time it was sort
4 of an exciting possibility and everyone wanted to
5 go.

6 **Q. And this was the first time you had**
7 **taught in Mexico?**

8 A. This was the first time we had
9 taught in Mexico, and it was a large intensive,
10 and we were all excited about the possibility.

11 But the reason that she said that
12 she thought it would be really fun for her to go
13 was because she spoke Spanish.

14 **Q. Okay. After she left, did you make**
15 **any attempt to contact Stephanie to get her to**
16 **come back to NXIVM?**

17 A. I tried to contact her to make sure
18 everything was all right because it seemed odd to
19 me that she didn't show up.

20 **Q. And would this have been sometime**
21 **in August or September of 2001?**

22 A. That intensive happened in
23 September, at the very beginning, because we were
24 there during 9/11.

25 **Q. And so, you tried to contact her**

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1 SALZMAN - DAY II

2 **somewhere around September of 2001?**

3 A. Yes, because she didn't come and I
4 thought maybe something had happened, and I was
5 worried about her.

6 **Q. And did you ever speak to her?**

7 A. I don't remember whether she took
8 my call, but I remember leaving -- I remember
9 looking for her and trying to find her because I
10 couldn't understand what had happened.

11 **Q. Do you remember leaving her a**
12 **message that her failure to complete NXIVM was**
13 **indicative of other problems she had in her life?**

14 A. I don't remember saying that, but
15 it may have matched a pattern that she was working
16 on.

17 **Q. And so, you might have pointed out**
18 **that this matched a pattern in her life?**

19 A. I might have.

20 **Q. When was the last time you tried to**
21 **contact her?**

22 A. I think it was during that
23 intensive from Mexico. I don't know if I did when
24 I came home or not.

25 **Q. Did you ever discuss with Michael**

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1 SALZMAN - DAY II
2 why she left?

3 A. I'm sure I did.

4 Q. Do you recall what he said?

5 A. I don't.

6 (Exhibit Salzman 36 marked for
7 identification.)

8 MR. KOFMAN: For the record, this
9 is a document that we produced in discovery
10 that bears Bates Stamp SF 00042.

11 Q. Do you recognize this document?

12 A. I do.

13 Q. What are projective questions for
14 facilitators?

15 A. They are part of the coaching
16 curriculum. They're a high level of coaching
17 curriculum.

18 Q. When in the coaching curriculum are
19 they taught? Which of the three levels?

20 A. Now?

21 Q. Back in 2001.

22 A. We hadn't designated the three
23 levels back then.

24 Q. When would they be provided? When
25 in the coaching curriculum would they be provided?

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1 SALZMAN - DAY II

2 A. Back then?

3 Q. Yes.

4 A. This had just been developed back
5 then. I think that she was one of the first and
6 only students to ever take this class.

7 Q. What class was this taught in?

8 A. Projective questions.

9 Q. Did NXIVM, at some point, stop
10 teaching projective questions?

11 A. We developed the curriculum and
12 then we created -- we finished creating the matrix
13 of how the classes would be taught, and we
14 didn't -- we haven't yet taught this again.

15 Q. How long was -- what period of time
16 was this taught in?

17 A. This was taught in -- well, right
18 then, when Stephanie was there. That's when we
19 were first developing it.

20 Q. Sometime in 2001?

21 A. That's correct.

22 Q. And when was it discontinued?

23 A. It wasn't discontinued. It's just
24 that it's in a part of the curriculum that's a
25 high level that very few students have. It's not

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1 SALZMAN - DAY II
2 that we've never taught it, but there are only
3 very few students who have gotten to that level.

4 Q. Right. But at the time that
5 Stephanie took the classes, it was not part of
6 that high level?

7 A. We were looking for people who
8 wanted to learn the tech, how to use it with other
9 students, the EM technology, and Stephanie made
10 assertions that she really wanted it and asked if
11 she could be included in that class.

12 Q. This is part of the exploration of
13 meaning technology?

14 A. Correct.

15 Q. Do students who complete the
16 coaching curriculum, are they exposed to this
17 material now?

18 A. If they reach a certain level with
19 the EM technology.

20 Q. And how many people have reached
21 that level?

22 A. Under 25.

23 Q. Do you have a list of who those
24 people are?

25 A. I probably could assemble one, but

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1 SALZMAN - DAY II

2 I know there aren't more than 25.

3 Q. And that's because most other
4 students don't want to take this level of
5 technology?

6 A. No. It's because they haven't
7 reached a level where they test beyond this level,
8 to get to this level.

9 Q. Since 2001 you've put certain
10 obstacles before students can get to this level,
11 is that fair to say, or requirements?

12 A. Yes. Having developed the
13 curriculum and understanding better how it works
14 in the development of it, it appears that teaching
15 this too soon makes it harder, not easier, for
16 them to learn the pre-requisites.

17 So, it's easier, once they've
18 completed those, to then introduce this, than to
19 introduce it earlier, in terms of learning style.

20 Q. Who are some of the other people
21 who have been taught this?

22 A. I would say Lauren Salzman -- off
23 the top of my head, Lauren Salzman, Karen
24 Unterriener, Tracy Christopher, Lisa Durkes,
25 Kristin Keffe, Pam Cafritz, Shavone Hoteling

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1 SALZMAN - DAY II

2 (phonetic), probably Edgar Boone. Loretta Garza,
3 Daniela Padilla, Marcello Ortez.

4 I can't remember others, but I know
5 that there are more than that, just off the top of
6 my head.

7 **Q. Can one be a field trainer without
8 having taken this class?**

9 A. Field trainer has nothing to do
10 with EM technology. Head trainer does.

11 **Q. Did Barbara Bouchey have access to
12 this?**

13 A. She probably did.

14 **Q. How about Susan Dones?**

15 A. I don't think so.

16 **Q. Okay. I note that at the bottom it
17 says:**

18 "Copyright 2000 Executive Success
19 Programs, Inc."

20 **Did NXIVM register a copyright on
21 this?**

22 A. Yes.

23 **Q. Did it submit this to the copyright
24 office?**

25 A. Yes.

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1 SALZMAN - DAY II

2 **Q. What are -- you mentioned where
3 this fits in. What are the projective questions
4 for students? What are these used for?**

5 A. They're used for the process of
6 exploration of meaning.

7 **Q. This is to help someone guide a
8 student through an exploration of meaning?**

9 A. Correct.

10 **Q. And this indicates questions that
11 might be used to guide them through?**

12 A. It does.

13 **Q. Could someone who had this piece of
14 information conduct an exploration of meaning, or
15 would they need something else?**

16 A. Well, it wouldn't be -- they could
17 explore meaning with this, but it wouldn't be, in
18 my opinion, the best first thing to teach somebody
19 in teaching them the exploration of meaning.

20 **Q. So, someone who had this and just
21 asked these questions, how would they go about
22 doing an exploration of meaning?**

23 A. Someone who understood the nature
24 of projection and had these questions could
25 explore someone's deep structure.

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1 SALZMAN - DAY II

2 **Q. But they would have to have had
3 some background in projection?**

4 A. Psychology, yes.

5 **Q. So, someone in psychology?**

6 A. Or understand the nature of

7 projection.

8 **Q. Okay. Does everyone who -- do all
9 NXIVM students undergo an exploration of meaning?**

10 A. If they choose to. It's not a
11 pre-requisite.

12 **Q. It's not a necessary requirement
13 for an intensive?**

14 A. If someone chose not to have it,
15 they wouldn't have to.

16 **Q. Each student can make their own
17 decision?**

18 A. Absolutely.

19 **Q. Does the exploration of meaning
20 help NXIVM market itself? Do you market yourself
21 as conducting these exploration of meanings or
22 tell prospective students about them?**

23 A. One of the things that is probably
24 unique to us is the process of exploration of
25 meaning, and it's a very effective process. So,

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1 SALZMAN - DAY II

2 it might be described to an incoming student, and
3 very likely would be.

4 **Q. And so, this is something that they
5 might make their decision whether or not to attend
6 classes on?**

7 A. Yes. In my opinion, yes.

8 **Q. And it's explained to them before
9 they take the classes or after they've signed up?**

10 A. It isn't traditionally explained,
11 but it could be.

12 **Q. And when could it be explained?**

13 A. One of the things that our program
14 does well is if one has a limiting belief, that
15 belief is an area of their life where they feel
16 limited where they're not actually limited.

17 An exploration of meaning will
18 uncover the fact that they're not actually limited
19 and show them that it was just -- that it was an
20 area of inconsistency in their belief system.

21 **Q. But in order to do that, somebody
22 would need to know more than just this, this
23 document. They'd need to know a projection. And
24 would they also need to know other elements of
25 rational inquiry? Strike that.**

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SALZMAN - DAY II

1 Is this an element of rational
2 inquiry?

3 A. This is an element of rational
4 inquiry.

5 Q. Would they need to know more
6 elements of rational inquiry besides this to
7 conduct a valid exploration of meaning?

8 A. That would depend on how you would
9 define a valid exploration of meaning.

10 Q. Would they need to know more
11 elements of rational inquiry than this to conduct
12 a useful exploration of meaning?

13 A. I don't know. I'm not sure.
14 (Exhibit Salzman 37 marked for
15 identification.)

16 Q. Ms. Salzman, are you familiar with
17 this document?

18 A. I don't think that I ever saw this
19 document.

20 Q. Okay. Do you know if the Lauren
21 here is Lauren Salzman?

22 A. I'm sure it is.

23 Q. Do you know who Karen is?

24 A. Karen Unterriener.

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SALZMAN - DAY II

1 Q. Were you aware that Stephanie
2 Franco had requested a refund for a course that
3 she had attended?

4 A. I don't remember.

5 Q. Okay. Do you see that the letter
6 says, in the second paragraph:

7 "In reviewing her request for
8 refund, I was unable to locate Stephanie's long
9 form confidentiality agreement."

10 Do you see that?

11 A. Yes.

12 Q. Is that how NXIVM learned that the
13 signed long form confidentiality agreement was
14 missing?

15 A. I don't know.

16 Q. Okay. You believed that Ms. Durkes
17 had told you that earlier?

18 A. I do.

19 Q. Okay. Put this aside.

20 When did you learn that Rick Ross
21 had been hired to conduct an intervention with
22 Michael Sutton?

23 A. It was Thanksgiving of that year.

24 Q. What year?

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SALZMAN - DAY II

1 A. 2002, I believe.

2 Q. And how did you learn that?

3 A. Michael called me from Florida.

4 Q. And what did Michael say?

5 A. That he was on vacation with his
6 family, and that there was this guy there who was
7 a cult deprogrammer, and he was attempting to
8 deprogram Michael.

9 Q. Had you ever heard of Rick Ross
10 before?

11 A. I don't think I had.

12 Q. How many times during the course of
13 the time he was on vacation in Florida did you
14 speak to Michael?

15 A. I think I spoke to him more than
16 once, and I know others in the organization had
17 been speaking to him as well.

18 Q. While he was down in Florida?

19 A. Yes. I believe he made a number of
20 calls.

21 Q. Who did he call; if you know?

22 A. I believe he called Pam Cafritz,
23 because I remember that Pamela told me that
24 Michael was in Florida, and that she had gotten a

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SALZMAN - DAY II

1 phone call that she thought was odd.

2 Q. What did -- do you know anyone else
3 that he called?

4 A. I can remember that a number of
5 people knew, but I can't remember who specifically
6 it was. It was a long time ago.

7 Q. Who -- what did you tell Michael
8 when you spoke to him?

9 A. Well, I don't think I took it
10 seriously. It seemed odd to me, and it seemed
11 kind of like not, you know, something that would
12 be real. I mean, we're not a cult. There's
13 nothing about us that's cult-like. And the
14 thought of somebody thinking it was a cult, I
15 thought it was kind of humorous.

16 But then I realized it was serious
17 when I realized that he said that this man was
18 spending a lot of time with him and asking him a
19 lot of questions, and pursuing -- it was like a
20 problem.

21 Q. Was that all in the course of --
22 did he tell you that this man was spending a lot
23 of time while he was still down in Florida?

24 A. He called me the first time, and at

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SALZMAN - DAY II

1 first I didn't take it all that seriously because
2 he was sort of laughing and joking about it, but
3 then by the next day I realized that he had called
4 other people too and he wasn't laughing anymore.

5 **Q. Did you give Michael any suggestions as to what he should say to Mr. Ross?**

6 A. I asked him to just find out as
7 much information as he could, because I hadn't
8 ever had any experience with anything like this
9 before.

10 **Q. Did you do anything as a result of hearing that Rick Ross was trying an intervention with Michael?**

11 A. I believe I started to try to
12 figure out what it was all about. I think I
13 started to try to figure out what it meant to
14 do an intervention, who was doing this
15 intervention, was he a therapist. I remember
16 asking those kinds of questions.

17 **Q. To whom did you ask those questions?**

18 A. I think I asked Michael what he
19 was. I had never heard of it.

20 **Q. Did you do any research on Rick**
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SALZMAN - DAY II

1 **Ross?**

2 A. I actually -- I think -- I remember
3 discussing it with my daughter, and my daughter
4 started doing some research on it.

5 **Q. On the computer?**

6 A. On the computer and also she
7 started looking up books and things that she could
8 find out what this cult deprogramming was.

9 **Q. And what did she tell you about Rick Ross?**

10 A. She didn't tell me much then. It
11 was later that I found more out about Rick Ross.
12 But back then it sort of didn't seem all that
13 serious.

14 **Q. When you say "later," what do you mean by "later"?**

15 A. Well, I remember that I think when
16 Michael came home, he seemed more concerned. So
17 I mean, at first it wasn't something that I knew
18 was serious or thought was serious. And at first
19 he was laughing when he told me about it, and it
20 seemed like a joke.

21 **Q. When did you first believe it was serious?**

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SALZMAN - DAY II

1 A. I don't remember, but it was after
2 he came home.

3 **Q. Okay. Did you have any discussions with Michael about the possibility of hiring an expert to evaluate NXIVM?**

4 A. I remember back then when it seemed
5 like it was a real question as to whether we were
6 a cult we thought it would be a good idea if
7 someone evaluated us so that they would know we
8 weren't a cult.

9 **Q. Did you say that to Michael?**

10 A. Yes.

11 **Q. And do you know if -- did you have any suggestions as to who could be hired?**

12 A. No.

13 **Q. Did Michael or did you have -- were any names presented to you by Michael or anyone else of potential experts?**

14 A. I don't think so at that time, but
15 I do remember it was more of a problem Michael was
16 having, and that was more of a solution we thought
17 might be good for Michael to figure out.

18 **Q. Did you encourage Michael to discuss hiring an expert?**

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SALZMAN - DAY II

1 A. We discussed with Michael that if
2 he had concerns, it might be a good way to
3 alleviate the concerns.

4 **Q. When you say "we," who is we?**

5 A. I think there were a number of us
6 in the organization who when Michael posed this as
7 a real problem in his family, and was trying to
8 figure out what to do with it, that that became
9 sort of the solution we thought was a good one.

10 **Q. This was after he came back from Florida?**

11 A. Yes, to the best of my
12 recollection.

13 **Q. Was this a discussion you had on the phone or in person with Michael?**

14 A. It was probably in person. He used
15 to come up pretty frequently back then.

16 **Q. Who were some of the people involved in those discussions besides you and Michael?**

17 A. Probably Barbara Jeske and Carole
18 Bergeron. Keith might have been involved because
19 I remember that we had a few of these discussions
20 at volleyball.

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1 SALZMAN - DAY II

2 **Q. Did Michael ever tell you what**
3 **happened with the suggestion about hiring an**
4 **independent expert?**

5 A. I knew he didn't, but I knew that
6 later as time went on.

7 **Q. Did you and Michael talk about what**
8 **the independent expert would have to do to make an**
9 **evaluation?**

10 A. No. It never got that far.

11 **Q. Okay. Did Michael ever tell you**
12 **that Ross was asking him for course materials?**

13 A. I think he did tell us that. I'm
14 pretty sure he did tell us he asked him for course
15 materials.

16 **Q. Do you remember when you had that**
17 **discussion?**

18 A. I think it was right after he got
19 back from Florida.

20 **Q. And what was your response?**

21 A. Did you give them to him?

22 **Q. And what did you say?**

23 A. No.

24 **Q. After Michael got back from**
25 **Florida, what was the next thing you heard about**
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1 SALZMAN - DAY II

2 Rick Ross?

3 A. I think it was a while. I don't
4 think I heard much about it until the spring or
5 summer of the next year. I can't really remember.

6 **Q. Of 2003?**

7 A. Right.

8 **Q. Did you hear anything about Ross**
9 **before the Hochman and Martin articles appeared on**
10 **the website?**

11 A. I don't remember that I did. But I
12 don't remember.

13 **Q. Did you take notes of any of your**
14 **conversations with Michael?**

15 A. I didn't.

16 (Recess taken.)

17 (Exhibit Salzman 38 marked for
18 identification.)

19 **Q. What's your understanding of how**
20 **Mr. Ross obtained the materials?**

21 A. I was told that --

22 MR. MC GUIRE: Were you told by
23 attorneys?

24 THE WITNESS: No.

25 MR. MC GUIRE: Okay. Go ahead.

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1 SALZMAN - DAY II

2 A. You know, I don't know who told me.
3 I believe it was Michael.

4 **Q. What did Michael tell you?**

5 A. That Stephanie gave her materials
6 to Michael's younger brother, Jeffrey, and Jeffrey
7 gave them to Ross.

8 **Q. Did he tell you why Stephanie had**
9 **done that?**

10 A. It was Aaron Kasson who told me.

11 **Q. Oh, it was Aaron Kasson and not**
12 **Michael?**

13 A. Yes.

14 **Q. Did Aaron tell you why Stephanie**
15 **had turned over the materials?**

16 A. He didn't tell me why she did it.
17 He told me that she did it.

18 **Q. Do you have any understanding, one**
19 **way or the other, as to why Stephanie Franco**
20 **turned over materials?**

21 A. No, I don't.

22 **Q. Okay. We previously marked an**
23 **affidavit of yours. We had marked it as 26. I'd**
24 **like you to read Paragraph 13, which is on page 3**
25 **and carries over to page 4.**

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1 SALZMAN - DAY II

2 A. Exhibit 3?

3 **Q. No, no, no. It's page 3 and page 4**
4 **of your affidavit.**

5 A. Do you want me to read 13?

6 **Q. Yes, Paragraph 13.**

7 **Who are the third parties that you**
8 **contend in that paragraph paid Rick Ross to obtain**
9 **the materials?**

10 A. Michael told me his father did.

11 **Q. What did Michael tell you?**

12 A. He told me that his father paid
13 Rick Ross to get those materials and to get him
14 out of the organization.

15 **Q. Did he specifically say to you that**
16 **his father paid to get the materials?**

17 A. He specifically said his father
18 hired Rick Ross and that Rick Ross wanted the
19 materials.

20 **Q. But did he say to you that Rick**
21 **Ross had been paid to get the materials?**

22 A. He said that his father promoted
23 the getting of the materials by encouraging
24 Stephanie to give them.

25 **Q. Were those the words that he used?**

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SALZMAN - DAY II

A. No, those are my words.

Q. Okay. Do you remember what he specifically said?

A. That he and Stephanie decided to give them Stephanie's materials, and that his father -- it's something to the effect of promoting Stephanie giving the materials to Ross.

MR. MC GUIRE: When you say "he" --

Q. When you said "he and Stephanie decided to give the materials," who is the "he" in that sentence?

A. Stephanie's father, Morris Sutton, and Stephanie.

Q. Did Morris Sutton have any materials?

A. No.

Q. Okay. Other than -- when did Michael tell you this?

A. A number of years ago.

Q. Other than what Michael told you, do you have any other information that the Suttons -- that Morris Sutton paid to -- paid Ross to obtain the materials?

A. Aaron Kasson told me also that his
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SALZMAN - DAY II

father-in-law paid Ross, and that Ross came to his house to try to get his materials, and that he, Aaron Kasson, told Ross that they were protected and he couldn't have them.

Q. Did Aaron Kasson tell you that his father had paid Ross to get the materials or just that he paid Ross?

A. That he paid Ross.

Q. Okay. Other than what Michael and Aaron have told you, do you have any other evidence that Morris Sutton paid Ross to get the materials?

A. I don't.

Q. Do you have any other information that Morris Sutton encouraged Stephanie to turn over the materials?

A. I don't.

Q. Do you know whether Rochelle Sutton encouraged Stephanie to turn over materials to Ross?

A. I don't.

Q. Do you know whether Rochelle Sutton encouraged Stephanie to turn over materials?

A. No, I don't know.

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SALZMAN - DAY II

Q. Okay. Do you know -- strike that. Do you know, one way or the other, whether the Suttons were aware that Stephanie had a confidentiality agreement with NXIVM?

A. I don't have firsthand knowledge of that.

Q. Do you have any knowledge?

A. I believe that Aaron told me that they knew. I believe that Aaron told me that he told them.

Q. When did Aaron tell you that they knew?

A. It was when this first started happening. I had a conversation with Aaron when he came to Albany once.

Q. And Aaron told them -- says he told them what?

A. That the material -- that he had signed a confidentiality agreement, that all the students who came to NXIVM signed them, and that the materials were protected.

Q. Did he say that he told that to Rick Ross?

A. Yes, he did.

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SALZMAN - DAY II

Q. Did he say he told that to Morris Sutton?

A. Yes, he did.

Q. Did he say he told that to Rochelle Sutton?

A. I don't remember.

Q. Do you know whether that conversation took place before or after Stephanie had given materials to Ross?

A. My conversations with Aaron?

Q. His conversation with Morris Sutton.

A. I can't remember. I do know that it happened when Ross asked Aaron for the notebook. He said that he told his father-in-law then.

Q. And that's your understanding, based on what Aaron had told you at some point?

A. That's correct.

Q. Okay. When did you first learn that materials -- strike that.

Do you know, one way or the other, as to whether Stephanie gave the materials to Ross or to her brother, Jeffrey?

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SALZMAN - DAY II

1 A. I don't have firsthand information.
2 I only have information from Aaron and Michael.

3 **Q. And what did Aaron and Michael tell**
4 **you?**

5 A. That she gave them to Michael's
6 younger brother, Jeffrey, who gave them to Ross.

7 **Q. Okay. When did you first learn**
8 **that materials had been given to Hochman and**
9 **Martin?**

10 A. I guess it was after the articles
11 came out.

12 **Q. And when was that?**

13 A. I think it was sometime in the
14 spring of 2003.

15 **Q. Is it possible it was later than**
16 **that?**

17 A. I think it was before the Forbes
18 article came out. I believe that, if I remember
19 correctly, the Forbes reporter started trying to
20 contact me. And at that time, when he started
21 contacting me, I started wondering why he was
22 contacting me, if it was a good thing or not a
23 good thing. And that's when I believe Kristin
24 first showed me the article.

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SALZMAN - DAY II

1 **Q. Which article?**

2 A. On the website. I think she showed
3 me Hochman's article on the website, or she had it
4 printed it up and she gave it to me.

5 **Q. I'll represent to you that the**
6 **first lawsuit against Stephanie Franco was filed**
7 **in early August 2003.**

8 **Do you know how soon before that**
9 **you were aware of an article being posted on the**
10 **Ross website?**

11 A. Well, it was before my birthday.

12 **Q. When is that?**

13 A. It's in July. It was in the
14 spring.

15 **Q. What did you do after you saw the**
16 **Hochman article?**

17 A. I read it.

18 **Q. Did you do anything else?**

19 A. I don't believe there was anything
20 to do.

21 **Q. Did you show it to anybody?**

22 A. I think Kristin showed it to me and
23 to Keith at the same time.

24 **Q. To Keith Ranieri?**

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SALZMAN - DAY II

1 A. Yes.

2 **Q. And what was Mr. Ranieri's**
3 **reaction?**

4 A. He said it was inaccurate.

5 **Q. Did you know, at that point, how**
6 **Hochman had gotten the materials?**

7 A. No.

8 **Q. Did you have a discussion with --**
9 **strike that.**

10 **Did you decide to take any action**
11 **after seeing the Hochman article?**

12 A. I'm not sure when we decided that
13 it would be good to take the action. I think I
14 was waiting to see what kind of a reaction would
15 be generated by the article.

16 **Q. When did you become aware of the**
17 **Martin articles?**

18 A. It was later.

19 **Q. How much later?**

20 A. I can't remember. I'm sorry.

21 **Q. Okay. Did you have a discussion**
22 **with Michael Sutton about trying to find out from**
23 **Stephanie Franco how Hochman had gotten the**
24 **articles?**

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SALZMAN - DAY II

1 A. The material?

2 **Q. Yes.**

3 A. I think there were ongoing
4 discussions with Michael while I was finding all
5 of these things out.

6 **Q. At any point did you and Michael**
7 **discuss the prospect of him tape-recording a**
8 **conversation with his sister?**

9 A. No.

10 **Q. Did you ever have a discussion with**
11 **him where the subject of him tape-recording a**
12 **conversation with his sister was raised?**

13 MR. MC GUIRE: Was that with a
14 meeting? Or strike that. Was any attorney
15 present if the answer to that is "yes"?

16 A. I don't remember having a
17 discussion with him about taping a meeting with
18 Stephanie.

19 **Q. Were you ever aware that he made a**
20 **tape of a conversation he had with Stephanie?**

21 A. I heard that he had.

22 **Q. How did you hear that if it wasn't**
23 **from an attorney?**

24 A. I think he told me.

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1 SALZMAN - DAY II

2 **Q. Did you ever hear the tape?**

3 A. I never heard the tape.

4 **Q. Did you ever see the tape?**

5 MR. MC GUIRE: See the tape?

6 **Q. The physical tape.**

7 A. I know he gave it to Kristin

8 Keeffe, and I do believe I actually saw the tape.

9 **Q. How do you know he gave it to**

10 **Kristin?**

11 A. I was -- it was at volleyball, I
12 believe, or she told me he gave it to her. But
13 she had it, and she was going to listen to it.

14 **Q. Had you ever heard of Dr. Hochman**
15 **before seeing the article?**

16 A. No, I never heard of Hochman.

17 **Q. How about Martin?**

18 A. No, I never heard of him either.

19 **Q. Am I correct that NXIVM had settled**
20 **a lawsuit with Dr. Hochman?**

21 A. Yes.

22 **Q. As part of that settlement, did**
23 **NXIVM require Dr. Hochman to return any materials**
24 **he had in his possession?**

25 A. I can't remember.

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1 SALZMAN - DAY II

2 **Q. Is that agreement set forth in**
3 **writing?**

4 A. Yes, it is.

5 MR. KOFMAN: I'd like to repeat a
6 request that's been made several times for
7 that settlement agreement. We'll follow it up
8 in the letter.

9 MR. MC GUIRE: When I get the
10 settlement agreement between Mr. Ross' client
11 and Mr. Mandy's client, I'll consider it.

12 **Q. Do you know whether Morris or**
13 **Rochelle Sutton had anything to do with the**
14 **posting of the Hochman and Martin articles on the**
15 **website?**

16 MR. MC GUIRE: You mean directly or
17 indirectly?

18 MR. KOFMAN: Well, let her answer
19 the question.

20 A. I was going to say do you mean do I
21 have direct knowledge from them?

22 **Q. Yes. Do you have any knowledge**
23 **that they were aware that the material was going**
24 **to be posted on the website before it happened?**

25 A. No.

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1 SALZMAN - DAY II

2 **Q. Have you ever heard from anyone**
3 **that the Suttons were aware that it was going to**
4 **be posted on the website?**

5 A. Not the way that you just stated
6 it.

7 **Q. Well, have you ever heard that the**
8 **Suttons encouraged Ross to put materials on his**
9 **websites?**

10 A. No.

11 **Q. Have you ever heard that the**
12 **Suttons were aware that Ross had websites?**

13 A. From?

14 **Q. From anyone.**

15 A. I don't know that I ever had a
16 discussion like that.

17 **Q. Do you know whether Stephanie**
18 **Franco was aware, before it happened, that the**
19 **Hochman and Martin articles were going to be put**
20 **on the website?**

21 A. I don't think I ever had a
22 discussion like that either.

23 **Q. Okay. Did NXIVM's filing of this**
24 **lawsuit generate articles in the press concerning**
25 **NXIVM?**

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1 SALZMAN - DAY II

2 MR. MC GUIRE: Object to the form
3 of the question. Go ahead.

4 A. Not that I remember.

5 **Q. Do you have any understanding as to**
6 **whether the Suttons or Ms. Franco had any**
7 **involvement -- had any involvement with the Forbes**
8 **article?**

9 A. Do I have direct knowledge of that?

10 **Q. Yes.**

11 A. I don't have direct knowledge of
12 that, no.

13 **Q. Has anyone ever told you that they**
14 **were responsible for the Forbes article?**

15 A. Not the Suttons.

16 **Q. How about Ms. Franco?**

17 A. No.

18 MR. KOFMAN: Let me check my notes.
19 I may be done.

20 (Discussion off the record.)

21 **Q. Are you familiar with the Hochman**
22 **and Martin articles?**

23 A. I've read the Hochman and the
24 Martin articles a couple of times.

25 **Q. Do you know whether any of the**

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SALZMAN - DAY II

1 facilitator materials are -- strike that.

2 Do you know whether any of NXIVM's
3 facilitator materials appear in the Hochman and
4 Martin articles?
5

6 A. I would go back and check that, but
7 I believe in Martin's articles they appear.

8 Q. In one article or both article?

9 A. I think it's one.

10 Q. Okay. And that's one section --
11 strike that.

12 Is that the facilitator projection
13 notes that I showed you earlier?

14 A. I believe it is.

15 Q. Are there any other facilitator
16 materials or coaching materials that appear in
17 those articles?

18 A. Not that I remember. I would have
19 to look again, but I'm pretty sure that's the
20 main.

21 MR. KOFMAN: Okay. I have no
22 further questions. I'll reserve my time for
23 after Peter and see what that comes to. But,
24 Ms. Salzman, thank you very much for your time
25 the last day and a half.

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SALZMAN - DAY II

1 MR. MC GUIRE: Peter, you indicated
2 before -- that's when Mr. Kofman said he
3 thought he'd be finished around 4:00 -- that
4 you thought you'd finish tomorrow.
5

6 Is that still true?

7 MR. SKOLNIK: Yes, we'll still be
8 finished tomorrow.

9 MR. MC GUIRE: Okay. Because I'm
10 prepared to stay late tonight if you --

11 MR. SKOLNIK: Oh, we'll never
12 finish tonight, but we'll certainly --

13 MR. MC GUIRE: No, I meant if you
14 didn't think you were going to finish
15 tomorrow.

16 EXAMINATION BY MR. SKOLNIK:

17 Q. Ms. Salzman, I'm Peter Skolnik. I
18 represent Rick Ross and the Ross Institute and
19 Dr. Martin and Wellspring.

20 Let me show you a document that has
21 been previously marked as NXIVM 1.

22 And I think you told us, at the
23 beginning of yesterday's session, that you were
24 prepared to testify with respect to Items 11 and
25 12 in NXIVM 1.

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SALZMAN - DAY II

1 MR. LANDY: Peter, you may want to
2 go back into that since I only asked questions
3 concerning the Interfor notice.
4

5 A. Yes.

6 Q. You are prepared to testify about
7 this?

8 A. Yes.

9 MR. MC GUIRE: Let the record show
10 I think she has.

11 MR. LEONARD: At great length.

12 Q. Well, let me urge you, during the
13 course of the break that we're going to take
14 fairly soon, going over to tomorrow, that you
15 review the precise wording of Nos. 11 and 12, and
16 satisfy yourself that you have indeed done
17 everything necessary to make yourself prepared to
18 testify on behalf of NXIVM with respect to
19 Subjects 11 and 12.

20 And that means not just your
21 personal knowledge, but you are obligated -- and
22 your counsel can explain to you -- you are
23 obligated to speak to anybody you need to within
24 the organization to have precise answers to
25 Subjects 11 and 12.

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SALZMAN - DAY II

1 I was listening to your testimony
2 today about the relationship between rational
3 inquiry and NXIVM's teaching and its methods of
4 teaching?
5

6 And let me make sure I understand.

7 Is it your position that the way that NXIVM
8 teaches everything that it teaches is unique to
9 NXIVM because of the power of the rational inquiry
10 method?

11 A. Because of the method -- the power
12 of the method, I don't understand.

13 Q. Well, okay. Delete the word
14 "power" then. Is it your position that the way
15 that NXIVM teaches everything it teaches is unique
16 to NXIVM because of the rational inquiry method?

17 A. Yes.

18 Q. And is it -- the way that NXIVM
19 teaches its materials using the rational inquiry
20 method that makes NXIVM unique?

21 A. Could you repeat the question?

22 Q. Is it the way that NXIVM teaches
23 its material, through the use of the rational
24 inquiry method, that makes NXIVM unique?

25 MR. MC GUIRE: Object to the form

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1 SALZMAN - DAY II

2 of the question.

3 A. It's a little hard to understand.
4 The way that it teaches -- I'm sorry --

5 **Q. Well, you testified that NXIVM uses
6 the rational inquiry method as a tool in its
7 teaching. Correct?**

8 A. Yes.

9 **Q. Okay. And my question is -- is the
10 way in which the rational inquiry method is used
11 to form the way that NXIVM teaches, is that the
12 thing that makes NXIVM unique?**

13 A. That's one of the things that makes
14 NXIVM unique.

15 **Q. That's one of them. Okay. You
16 were here during all of Mr. Ranieri's deposition.
17 Is that correct?**

18 A. I was.

19 **Q. Now, during his deposition, he
20 identified you as the person at NXIVM who is most
21 knowledgeable about NXIVM's trade secrets.**

22 **Do you agree with that assessment?**

23 A. I think he said that he was most
24 knowledgeable about trade secrets, and next to him
25 it would be me.

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1 SALZMAN - DAY II

2 **Q. Well, okay. I think he actually
3 said he's most knowledgeable about rational
4 inquiry, and you about the trade secrets, but are
5 you knowledgeable about NXIVM's trade secrets?**

6 A. Well, I'm not an attorney, so I
7 don't really know what a trade secret is.

8 **Q. Well, you do understand that you're
9 the president of a corporation who is suing for
10 theft of trade secrets.**

11 A. I do.

12 **Q. One would think that you would know
13 what trade secrets you're claiming have been
14 stolen.**

15 MR. LEONARD: Object to that tone.

16 Be civil.

17 MR. MC GUIRE: Objection.

18 **Q. Are you familiar with NXIVM's trade
19 secrets?**

20 A. I'm familiar with the fact that
21 rational inquiry has trade secrets, and that it's
22 my responsibility to protect them.

23 **Q. Is there anyone at NXIVM, other
24 than Mr. Ranieri, who is more familiar with
25 NXIVM's trade secrets than you?**

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1 SALZMAN - DAY II

2 MR. MC GUIRE: Object to the form
3 of the question. Go ahead.

4 A. No.

5 **Q. Okay. Now, Mr. Ranieri defined
6 trade secrets as something that NXIVM believes is
7 unique that NXIVM keeps as a secret, and that if
8 it were not kept secret, would be a disadvantage
9 to you. Do you accept that definition?**

10 A. Yes.

11 **Q. Mr. Ranieri also testified that he
12 understands that anything that NXIVM has made
13 publicly available, whether by posting it to the
14 copyright office, in court filings, on NXIVM's
15 website, or in it's publicly-available patent
16 application, is not a trade secret because it has
17 been released to the public.**

18 **Do you have that same
19 understanding?**

20 MR. LEONARD: Object to the form of
21 the question.

22 MR. MC GUIRE: So do I.

23 A. Did he say that exactly that way?

24 **Q. I'm asking you the question.**

25 MR. LEONARD: I'm interposing an

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1 SALZMAN - DAY II

2 objection. It's improper and inappropriate.

3 MR. SKOLNIK: Your objection is
4 noted. The witness can answer the question.

5 MR. LEONARD: You're not
6 instructing the witness to do anything.
7 Mr. McGuire can do that. You
8 can't.

9 MR. MC GUIRE: I'm objecting to the
10 form of the question. If the witness
11 understood the question, she can answer it.

12 A. It wasn't my understanding that
13 that's what he said.

14 **Q. All right. Let me ask you this:
15 Do you understand that if NXIVM has made some of
16 its material publicly available through filing of
17 the copyright office, that that material is no
18 longer a trade secret?**

19 MR. MC GUIRE: I object to the form
20 of that question. That it calls for a legal
21 conclusion.

22 MR. SKOLNIK: I'm asking for her
23 understanding.

24 MR. MC GUIRE: She's not a lawyer.

25 MR. SKOLNIK: I don't care if she's

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1 SALZMAN - DAY II
2 a lawyer, Bill.

3 MR. MC GUIRE: If you don't care,
4 okay. It's like asking the president of
5 General Motors or General Electric whether he
6 or she is aware of every trade secret and what
7 it is.

8 A. I can't say that I understand
9 fully, legally what the term "trade secret" means,
10 and, therefore, I can't answer the question.

11 Q. All right. Are you aware that
12 NXIVM has posted several of its modules and other
13 materials at the copyright office?

14 A. Yes.

15 Q. Are you aware of the fact that once
16 they are posted at the copyright office, they are
17 available to anyone who wants to go into the
18 Library of Congress and read them?

19 MR. MC GUIRE: Well, that calls for
20 a legal conclusion also.

21 MR. SKOLNIK: I'm asking her
22 awareness, Bill.

23 MR. MC GUIRE: You can ask. I'm
24 not directing her not to answer, Peter. I'm
25 preserving my record.

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1 SALZMAN - DAY II

2 A. Well, I know that by patenting it
3 does release the information within the patent.

4 Q. Okay. And now I'm also asking
5 about the copyright office. Are you aware that
6 when you filed materials with the copyright
7 office, they are made publicly available?

8 MR. MC GUIRE: Same objection.

9 A. I don't -- I don't know that I knew
10 that exactly in that way.

11 Q. Are you aware of the fact that
12 NXIVM's attorneys attached to its court filings in
13 the Northern District of New York several of
14 NXIVM's modules?

15 MR. MC GUIRE: Were they marked
16 confidential or filed under seal?

17 MR. SKOLNIK: That were not filed
18 under seal.

19 MR. MC GUIRE: Object to the form
20 of the question.

21 Q. Are you aware that your lawyers
22 filed several modules at the Northern District of
23 New York?

24 A. For patenting?

25 Q. No. In connection with your

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1 SALZMAN - DAY II
2 lawsuit against Mr. O'Hara.

3 A. I don't know exactly what they --

4 Q. Or in connection with this lawsuit.

5 MR. MC GUIRE: Same objection. In
6 order to save time, can I have a standing
7 objection to the entire line, Peter, or do you
8 want me to object to each one?

9 MR. SKOLNIK: Your objection to the
10 entire line is noted.

11 A. I didn't know that.

12 Q. You didn't know that.

13 A. Or I don't remember.

14 Q. And I think you told us today that
15 you know that the 12-point mission statement was
16 posted on NXIVM's own website for a brief period
17 of time?

18 A. Yes, I did know that.

19 MR. SKOLNIK: Okay. Let me
20 introduce three exhibits, in that order.

21 MR. KOFMAN: I had her mark 38, but
22 never showed it to the witness.

23 (Exhibit Salzman 39 through Salzman
24 41 marked for identification.)

25 Q. Ms. Salzman, you heard, during

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1 SALZMAN - DAY II

2 Mr. Ranieri's testimony, his several references to
3 the appearance of what he characterized as windows
4 into NXIVM's trade secrets in these articles.

5 Is that correct?

6 A. I did.

7 Q. What I am going to ask you to do,
8 and we're going to stop for the day so that you
9 can be prepared to testify about this in the
10 morning, is I would like you to go through these
11 three articles and identify, to the best of your
12 ability, every actual trade secret -- not window
13 to a trade secret, but every actual trade secret
14 that is revealed in these three articles, and
15 we'll talk about them tomorrow.

16 MR. LEONARD: Just so you know, and
17 I'm not speaking for the witness or Mr.
18 McGuire, I object to this request. I think
19 it's inappropriate. I don't think you're in a
20 position to assign homework to this witness.

21 We've been through this testimony
22 previously. And what Mr. McGuire is going to
23 choose to do is one thing, but I think it's
24 absolutely inappropriate, and, therefore, I
25 object.

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1 SALZMAN - DAY II

2 MR. SKOLNIK: Okay. We certainly
3 haven't been through this with this witness.

4 MR. LEONARD: Understood.

5 MR. SKOLNIK: And the whole point
6 of doing this now and asking the witness to
7 review it overnight is to avoid everybody
8 sitting around for a half an hour at a time,
9 as we did with Mr. Ranieri, while he read it.

10 MR. LEONARD: The whole exercise is
11 inappropriate, in my opinion.

12 MR. SKOLNIK: All right. That's
13 fine. And if you order the witness, or if
14 Mr. McGuire orders the witness not to do it,
15 the record will so reflect. But that is my
16 request, and that's what I'm intending.

17 MR. MC GUIRE: I join in the
18 objection. I also believe that this was part
19 of the subject matter of Mr. Kofman's
20 examination. So, it would be repetitive.

21 MR. SKOLNIK: Mr. Kofman did not
22 ask the witness to identify every trade secret
23 in these articles. That's what I'm asking her
24 to do.

25 MR. MC GUIRE: Oh, I think he did.

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1 SALZMAN - DAY II

2 I think he asked about trade secrets in these
3 articles, but the record will speak for
4 itself.

5 MR. SKOLNIK: It will.

6 (Time Ended: 5:03 p.m.)
7
8
9

10 NANCY SALZMAN
11

12 Subscribed and sworn to
13 before me this day
14 of June, 2009
15
16
17

TSG Reporting - Worldwide (877) 702-9580

1 INDEX:

2 WITNESS EXAM BY: PAGE:
3 N. Salzman Mr. Kofman 5
4 Mr. Skolnik 382
5

6 EXHIBITS

7 Exhibit No. Page
8 Exhibit Salzman 22 Biography 178
9 Bates No. P00004778
10 Exhibit Salzman 23 Program Description 207
11 Bates No. P00004779
12 Exhibit Salzman 24 Timeline 211
13 Bates No. SP1167
14 Exhibit Salzman 25 Statement of Income 221
15 Dated 12/31/03
16 Bates No. SP2278 -
17 SP2279
18 Exhibit Salzman 26 Affidavit 223
19 No Bates Number
20 Exhibit Salzman 27 Second Amended 226
21 Responses to Second
22 Set of Interrogatories
23 Dated 11/28/05
24 No Bates Number
25 Exhibit Salzman 28 Statement Dated 2/2/04 237
Bates No. SP1573
26 Exhibit Salzman 29 Confidentiality 243
27 Agreement
28 Bates No. P000004133 -
29 P000004139
30 Exhibit Salzman 30 Letter dated 7/23/02 250
31 Bates No. SP1199 -

TSG Reporting - Worldwide (877) 702-9580

1 EXHIBITS

2 Exhibit No. Page
3 Exhibit Salzman 31 Statement of Testimony 254
4 Dated 7/15/02
5 Bates No. SP1204 -
6 SPI206
7 Exhibit Salzman 32 Executive Success 260
8 Program Student
9 Enrollment Application
10 Bates No. P000004110 -
11 P000004111
12 Exhibit Salzman 33 Sash Descriptions 281
13 Bates No. SF00012 -
14 SF00014
15 Exhibit Salzman 34 Executive Success 316
16 Program Student
17 Enrollment Application
18 Bates No. P000004109
19 Exhibit Salzman 35 Student Organization 338
20 Information Page
21 Bates No. P000004098
22 Exhibit Salzman 36 Projective Questions 349
23 For Facilitators
24 Bates No. SF00042
25 Exhibit Salzman 37 Letter dated 10/31/01 357
Bates No. P000004122
26 Exhibit Salzman 38 Declaration 366
27 No Bates Number
28 Exhibit Salzman 39 Evaluation 392
29 Dated February 2003
30 Bates No. NXR00035 -
31 NXR00037
32 Exhibit Salzman 40 Criteria of 392
33 Thought Reform
34 Dated 2/12/03
35 Bates No. NXR00047 -
NXR00057

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1
2
3
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EXHIBITS
Exhibit No. Page
Exhibit Salzman 41 Critical Analysis of 392
Executive Success
Programs, Inc.
Dated 2/12/03
Bates No. NXR00038 -
NXR00046

1
2
3
4
5
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13
14
15
16
17
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LITIGATION SUPPORT INDEX
DIRECTION TO WITNESS NOT TO ANSWER
Page Line Page Line
(NONE)
REQUEST FOR PRODUCTION OF DOCUMENTS
Page Line Page Line
192 16 214 7
310 23 312 9
378 10
INFORMATION TO BE FURNISHED
Page Line Page Line
(NONE)
QUESTIONS MARKED FOR A RULING
Page Line Page Line
(NONE)

1
2
3
4
5
6
7
8
9
10
11
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CERTIFICATE
STATE OF NEW YORK)
)ss:
COUNTY OF NEW YORK)
I, JOMANNA DeROSA, a Certified
Shorthand Reporter and Notary Public within
and for the State of New York, do hereby
certify:
That NANCY SALZMAN, the witness whose
deposition is hereinbefore set forth, was
duly sworn by me and that such deposition is
a true record of the testimony given by such
witness.
I further certify that I am not
related to any of the parties to this action
by blood or marriage, and that I am in no
way interested in the outcome of this
matter.
In witness whereof, I have hereunto
set my hand this 19th day of June, 2009.

JOMANNA DeROSA

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ERRATA SHEET
NAME OF CASE: NXIVM v. Sutton
DATE OF DEPOSITION: 6/9/09
NAME OF WITNESS: N. Salzman
Reason codes:
1. To clarify the record.
2. To conform to the facts.
3. To correct transcription errors.
Page _____ Line _____ Reason _____
From _____ to _____
Page _____ Line _____ Reason _____
From _____ to _____
Page _____ Line _____ Reason _____
From _____ to _____
Page _____ Line _____ Reason _____
From _____ to _____
Page _____ Line _____ Reason _____
From _____ to _____
NANCY SALZMAN

A	173:24 174:13 176:12	217:20 218:10	392:3	article (16)
Aaron (22)	added (2)	246:12	appeared (1)	238:8 265:18,19
293:8,9 306:18	241:23 329:25	ahead (6)	366:9	373:19,25 374:2,4
310:25 313:10	addition (3)	209:15 220:8 245:15	appears (5)	374:10,17 375:12
367:10,11,14	239:10 272:13 334:11	366:25 380:3 387:3	177:3 203:3 317:10	375:16 377:15
369:25 370:4,6,11	additional (3)	Albany (10)	333:7 352:14	380:8,14 381:8,8
371:9,10,12,15,17	173:16 185:13 209:22	288:18 292:12 293:16	Apple (2)	articles (20)
372:11,15,19 373:3	addressed (1)	293:24 308:5	251:11,16	177:18,21 185:7
373:4	233:10	316:16 325:20	application (44)	366:9 373:11
ability (6)	ADELMAN (1)	326:9 336:11	206:18 207:5 220:20	375:18,25 378:14
181:10 200:5 271:4	170:15	371:16	220:22,25 235:8	379:19,24 380:22
271:11 278:5	administer (1)	allegation (1)	236:9 239:16 240:4	380:24 381:5,7,17
392:12	171:14	257:22	240:10,11,15,19,20	392:4,11,14 393:23
able (10)	administrate (1)	alleviate (1)	240:25 241:8,16,17	394:3
199:11 200:3 234:15	216:18	364:4	245:13 252:16,17	artists (1)
272:3 274:20,21	administration (1)	allowed (3)	252:20,24 253:5	216:13
305:14,22 323:12	328:13	278:15,21 287:25	261:3,5,6,7,8,12	ascertain (1)
336:7	administrative (1)	allows (2)	309:20 310:16,20	187:10
absolutely (2)	240:21	268:9 273:3	312:16 316:11,23	aside (1)
355:18 392:24	advance (3)	Amended (1)	319:4 331:23	358:20
abstract (1)	187:6 334:7,12	395:17	332:22 333:5 338:7	asked (39)
190:24	advanced (3)	American (1)	387:16 396:7,12	176:11 177:8 199:4,8
academic (1)	180:15 204:25 205:2	185:20	applications (7)	199:9 201:2 220:11
300:4	advantage (1)	amount (3)	216:12 235:18,24	233:18,21 242:22
academics (1)	324:20	174:12 177:8 186:6	240:14 312:9	243:11,12,14,15
300:7	advise (1)	analysis (6)	333:14 337:12	245:21 246:4,8
accept (1)	237:14	180:4 211:16 227:24	applied (1)	257:24 291:10
387:9	Advocate (1)	228:11 229:6 397:3	216:12	292:16,22 307:20
accepted (2)	218:23	analyzing (1)	apply (3)	307:22 314:6 322:7
279:20,24	affidavit (3)	183:9	172:11 191:8,9	323:3 327:9,22
access (3)	367:23 368:4 395:16	Ancona (2)	applying (1)	329:13 331:16
247:15,25 353:11	afternoon (1)	341:6,16	241:2	346:14 351:10
accidentally (1)	293:6	Angel (3)	appreciate (2)	354:21 361:8,23
320:23	age (1)	340:19 342:15,16	312:22 343:19	365:14 372:15
accompany (1)	216:24	Ann (5)	apprentice (4)	383:3 394:2
284:9	ago (8)	340:14 341:6,8,8,15	268:6 269:11 282:3,4	asking (18)
accounting (1)	196:12 211:18 247:14	Anna (2)	apprentices (1)	202:12,19 209:7
221:25	249:15 313:12	168:16 170:16	288:2	266:7,10 299:18
accurate (6)	343:17 360:7	answer (12)	approach (4)	305:11 326:3
178:24 187:17 238:14	369:20	209:15 220:8 266:20	183:7,8,8 186:8	360:19 361:20
238:17 239:5	agree (5)	303:12 325:4	appropriate (3)	365:12 387:24
270:17	199:17 259:24 308:2	376:16 378:18	237:19 243:17,18	388:22 389:4,21
achieved (2)	322:25 385:22	388:4,11 389:10,24	approve (1)	390:4 393:6,23
297:23 342:5	AGREED (3)	398:3	242:3	aspects (1)
achievement (1)	171:3,7,11	answers (1)	approved (2)	204:11
228:16	agreement (37)	383:24	259:15,17	assemble (1)
action (6)	198:21 201:15 214:10	anybody (5)	approximation (3)	351:25
168:3 257:21,25	219:17,18,24 242:3	283:16 292:9 308:13	286:15,17,18	assertions (4)
375:11,14 399:10	243:24 244:2,14,18	374:22 383:23	area (4)	323:10,14 337:17
active (7)	245:2,10,11,17,25	anymore (3)	203:25 294:13 356:15	351:10
194:4,11,12 219:2	252:5,7,12 263:4	192:14 340:16 361:5	356:20	assessment (1)
294:15 325:25	264:4 326:7,11	anyway (2)	areas (1)	385:22
326:4	327:3,12 328:17,23	185:2 321:16	233:9	assign (2)
actual (2)	329:7 330:25	apart (1)	Arlin (3)	324:3 392:20
392:12,13	358:10,14 371:5,20	189:12	240:2 242:5 244:9	assigned (2)
actuarial (1)	378:2,7,10 395:22	appear (3)	arose (1)	241:22 324:6
174:16	agreements (6)	381:4,7,16	197:16	Associates (1)
actuary (3)	195:11 201:25 202:4	appearance (1)	arrived (2)	221:24
			319:5,7	Association (1)

185:20	390:7	329:20 330:16,17,19	182:22 271:11	better (5)
assume (1)	Avenue (2)	330:20	beings (2)	175:7 245:20 302:5
317:22	170:5,9	Bandler (13)	188:21 189:7	302:19 352:13
assumed (4)	average (7)	184:9,10,13,15 186:7	belief (5)	beyond (2)
176:13 201:6 302:5	174:9,12,20,21	186:14,17 187:20	175:22 248:17 356:14	333:20 352:7
346:19	175:15,20,24	190:4 191:14,24,25	356:15,20	BIDDLE (1)
assumptions (2)	Aviv (2)	196:20	beliefs (2)	170:12
205:23,24	168:16 170:15	Barbara (14)	199:3 232:2	Bill (3)
athletics (1)	avoid (1)	255:11,13,15,19,24	believe (59)	188:17 389:2,22
216:13	393:7	257:9 308:15	175:15,17 177:20	binding (1)
attached (3)	awarded (3)	322:19 336:22	198:16 201:16	245:7
172:15 317:11 390:12	280:9 282:5,9	337:3 339:17,21	212:10 215:7,20	bio (2)
attained (1)	aware (29)	353:11 364:22	220:5 221:8 224:21	178:18,24
279:21	177:17,21 222:21	BARRY (1)	224:24 225:12	biography (3)
attempt (4)	227:5 256:18,20,23	170:18	227:25 229:24	178:19 179:13 395:9
291:8 297:15 332:16	257:5 294:25	based (11)	231:19 239:5,25	birthday (1)
347:15	295:20 313:16	173:20 180:9 183:15	249:14,18 259:10	374:12
attempting (2)	322:4 333:16 338:7	187:6 215:5,17	273:9,14 274:21	blend (1)
264:22 359:8	358:2 371:4 374:10	224:15 275:7	280:22 285:23	182:22
attend (5)	375:17 376:20	278:18 279:7	288:13,17 289:13	blood (1)
310:13 311:5 313:21	378:23 379:3,12,18	372:19	295:25 305:7	399:11
343:21 356:5	389:6,11,15 390:5	basic (15)	309:24 310:15,18	Bob (1)
attended (10)	390:11,21	195:25 196:15 204:9	315:11 319:10	188:17
321:23 323:18 333:19	awareness (1)	204:10,16,23 205:9	321:6 322:19 332:7	body (1)
338:2,14 342:24	389:22	205:11,16 217:10	335:9 336:15	268:9
343:22,23 344:15	a.m (1)	271:25 274:22	340:23 345:14	book (2)
358:4	169:5	280:18,19 281:25	359:2,20,23 361:15	190:2 191:12
attendees (5)	a/k/a (1)	basis (7)	362:24 367:3 371:9	books (14)
308:19 310:24 311:23	168:9	174:23 177:3 183:24	371:10 373:19,24	182:10 185:6,9,13,16
312:19 313:8		184:23,24 258:18	374:20 377:8,12	185:17 190:5,6,7,8
attends (1)	B	280:24	381:7,14 393:18	190:13 191:14,15
240:5	B (2)	Bates (33)	believed (10)	362:8
attorney (12)	170:21 172:14	178:13 208:2 221:19	183:20 184:25 185:2	Boone (1)
250:22 251:11,12	back (60)	250:15 254:19,22	191:4 198:8 200:5	353:2
327:13,15,17,19,21	172:13 179:12 180:16	260:4,5,25 281:18	257:2 294:15	bottom (2)
327:24 376:15,24	184:12 186:19	316:7,19 349:10	305:23 358:17	179:7 353:16
386:6	199:16,22,24	395:9,11,12,14,16	believes (4)	Bouchey (4)
attorneys (8)	202:17 204:12	395:19,21,23,25	230:22 331:21,22	242:24 339:17,21
170:4,8,12,15,19	207:21 208:13,14	396:4,7,9,12,14,16	387:6	353:11
171:4 366:23	208:15 212:5 220:4	396:18,19,21,24	belong (1)	brainstorming (1)
390:12	220:11 230:12	397:5	201:5	231:15
attorney/client (1)	239:21 243:6,14	bear (1)	beneficial (1)	breach (2)
254:11	247:3 251:23 255:9	250:15	306:12	256:15,16
attractive (1)	256:20,24 257:14	bears (2)	Bergeron (11)	breaching (1)
306:8	258:24 273:9,15,19	260:25 349:10	255:12,15,23 256:4	256:10
audio (2)	276:14 277:20	began (8)	257:13 308:17	break (2)
312:23 313:3	278:12 279:12	181:13 188:24 189:4	340:4,6,7 342:21	189:12 383:13
auditory (1)	285:18 312:20	198:19 200:23	364:23	breakout (6)
188:7	313:6 322:19 328:2	201:9 202:7 286:3	Bergeron's (1)	267:11,15,19 275:15
August (4)	328:5,6 332:9	beginning (7)	340:9	278:10 344:10
172:15 345:5 347:21	338:10,16 344:25	211:23 244:11 313:18	best (18)	brief (7)
374:8	345:19 347:16	317:16 323:15	175:18 177:4 178:23	179:23 183:3,5,12
authorized (1)	349:21,23 350:2,4	347:23 382:23	190:6,13 196:3	185:19 228:15
171:13	362:14 363:7	behalf (1)	212:19 225:17,24	391:16
authors (1)	364:11,18 365:19	383:18	238:16 245:10	briefly (2)
191:16	365:24 381:6 383:3	behavior (4)	248:21 249:3	202:21,24
available (4)	background (2)	183:17 187:11 228:3	297:20 324:11	bring (4)
387:13 388:16 389:17	299:2 355:3	239:14	354:18 364:13	246:8,9 296:21
	bag (5)	behavioral (2)	392:11	

307:23 bringing (2) 234:14 236:16 broad (2) 210:20,23 Broadway (1) 170:16 brochure (1) 241:11 broke (1) 238:8 broken (2) 172:23 184:20 Bronfman (2) 177:9,19 brother (3) 367:6 372:25 373:7 brought (9) 184:17 191:3 292:3 315:11 339:8,15 340:8,14 341:3 Bruce (1) 176:23 building (4) 229:7 284:16,17,22 bulletpoint (1) 252:3 bulletpoints (1) 209:3 bunk (1) 264:13 burdened (1) 203:4 business (12) 196:17 218:25 228:3 228:12 229:2 232:14,18,18 246:19 267:2 306:14,15 Buyer's (1) 218:23	calculations (1) 176:6 California (3) 184:11,12 186:20 call (12) 185:24 207:20 217:5 282:6 303:7 308:23 327:15,16,21 348:8 359:22 360:2 called (18) 172:2 182:5,6 205:23 215:25 230:7 232:15 255:25 268:11 275:11 288:5 291:5 331:17 359:4,23 360:4,25 361:4 calls (4) 266:9 359:21 388:20 389:19 camera (1) 201:18 Campus (1) 170:13 Canada (2) 180:10 192:5 capacity (1) 177:6 capital (1) 172:22 care (2) 388:25 389:3 career (8) 179:24 199:11 200:12 200:15 289:6,14 324:24 325:16 Carole (12) 255:11,15,22 256:4 257:13 308:17 340:4,6,7,9 342:21 364:22 Carrie (1) 314:15 carries (1) 367:25 carrying (1) 329:21 case (4) 251:20 259:12 260:11 400:3 categories (1) 190:15 category (1) 283:21 cause (3) 205:18 207:2 341:18 caused (2) 198:15 327:12	center (11) 170:19 193:23 194:3 194:8 291:5 303:4,6 303:10 306:2,8 326:2 certain (20) 175:16 176:21 184:7 186:6 267:24 270:16,25 271:3 274:19 277:3 281:6 302:6 315:5 323:24 329:22,22,24 345:17 351:18 352:9 certainly (2) 382:12 393:2 CERTIFICATE (1) 399:2 certification (2) 272:19,20 certificational (1) 273:20 certifications (2) 271:3 272:9 certified (4) 169:12 174:17 176:12 399:4 certify (2) 399:6,10 chairman (1) 328:11 chance (1) 226:21 change (12) 183:13,22 193:23 194:4,8 200:25 228:3,4 298:7,9,10 298:17 changed (2) 183:18 261:11 changes (2) 202:25 242:7 changing (1) 189:13 channels (1) 225:20 characterized (1) 392:3 charge (2) 212:15 286:2 charged (2) 309:23,24 charity (1) 314:4 check (5) 235:10 319:21 341:19 380:18 381:6 child (4)	295:21,24 305:10 340:12 children (3) 184:25 216:24 217:8 children's (1) 215:15 Chomsky (4) 187:23,23 188:10,19 choose (4) 236:14 335:18 355:10 392:23 chose (1) 355:14 Christopher (1) 352:24 circled (1) 317:6 circumstance (1) 323:9 circumstances (10) 243:13 249:19 284:25 291:2 294:22 295:4 315:8 319:22 320:11 336:18 City (3) 325:24,25 326:2 civil (2) 168:3 386:16 claim (1) 251:2 claiming (1) 386:13 Clare (1) 177:18 clarified (1) 205:5 clarify (2) 238:18 400:7 class (32) 174:7 182:3 234:9,24 239:12 240:4,6,16 240:19 244:19 246:10 262:23 265:12 306:18 307:12,19 308:3,6 308:20,22 309:8 311:18 316:24 317:3 323:16 327:10 328:2,5 350:6,7 351:11 353:8 classes (31) 181:25 195:14 205:2 208:12 233:17 234:19 240:8,11,13 244:12,23 271:20 289:16,19 290:22 309:3,9,10,12 313:9 336:25 337:13,21	337:22 338:17 343:24 344:6 350:13 351:5 356:6 356:9 classified (1) 339:3 clean (1) 320:25 clear (3) 202:19 231:12 331:20 clearly (1) 254:10 client (3) 281:16 378:10,11 clients (2) 230:20 281:16 close (1) 345:16 Clyne (2) 224:16,17 coach (46) 257:15 268:4,5,7,13 268:15,17,21,22,23 269:8,13,14 273:3 274:2,5 275:11,12 282:2,7 283:15,16 283:20,22 286:20 286:22 287:18 305:17 322:5,7,10 323:2,4 324:3,5,11 324:11 334:23 335:2,10,13,16 337:18 339:5 340:11 342:11 coaches (9) 269:9,11 276:11 287:3,14 288:6 322:9,13 342:3 coaching (68) 228:13,22,23,24 229:2 268:18,20,24 269:3,4,19 270:3,6 270:10,15 271:6,8,8 271:16 273:4,8 274:8,13 275:20,23 276:9,15,21 277:17 278:2,23 279:3,10 279:20,24 280:13 280:16 281:3,10 283:24 284:2 285:4 285:5,6 287:19,23 301:14 302:2,7 323:8 325:8 334:13 335:4,7,11,12,25 336:5,8 337:24 341:22 344:19 349:15,16,18,25 351:16 381:16 coach's (2)
C (4) 170:2 172:2,14 176:25 cabinets (1) 246:16 Cafritz (8) 212:10,11 215:11,13 218:11 322:18 352:25 359:23 calculate (1) 173:15 calculated (1) 175:14 calculating (1) 174:9	C			

248:10 269:15	210:16,22 211:2	concepts (5)	329:4	301:4 304:4 321:9
codes (1)	communications (9)	196:18 222:18 265:19	considered (7)	371:15 372:9,12
400:6	187:16 210:11,13,19	265:20,22	181:19,21 182:14	376:9,13,21
codified (1)	210:24 228:5,5	concerned (1)	183:2 226:8 236:23	conversations (6)
185:12	309:17 319:2	362:19	287:17	198:6 212:2 301:7
cognitive (2)	community (15)	concerning (4)	considering (1)	315:23 366:14
182:23 228:4	294:9,12,15,17,23	185:7 326:6 379:24	287:24	372:11
collected (1)	295:7 305:24 306:2	383:4	considers (3)	convey (1)
285:16	306:3,4,5,9 307:21	concerns (2)	227:2 231:3 236:19	220:11
collecting (2)	314:6 325:13	364:3,4	consistency (1)	copied (2)
285:9 343:5	companies (3)	conclusion (5)	224:14	261:23 263:12
color (1)	220:6 227:25 262:15	266:7,9 304:13	consistent (3)	copies (3)
280:6	company (33)	388:21 389:20	191:9 200:3,11	192:10,18 201:19
column (2)	173:24 180:9,13	conditions (2)	consistently (2)	copy (5)
222:9 283:9	187:5,6 193:20,24	261:15 263:25	199:18 203:6	214:5 252:6,11
combination (1)	194:4,21,23 195:7	conduct (5)	consists (2)	310:20 327:2
247:24	208:8 211:17,19,23	257:6 354:14 357:8	173:10 309:9	copyright (10)
combined (2)	212:12,14,21	357:12 358:22	constitute (1)	208:14 353:18,20,23
292:18,21	214:18 216:8	conducted (2)	210:2	387:14 388:17
come (31)	218:24 219:10	227:23 339:22	constituted (1)	389:13,16 390:5,6
174:15 231:4 234:6	234:6 238:8 242:22	conducting (2)	253:20	cordial (2)
237:15 246:10	255:22 256:8,19,23	257:22 355:21	consultants (2)	295:8,10
273:2 277:8 288:23	256:25 257:2,18	ConEdison (1)	223:21,24	corner (1)
291:22 292:16,22	258:22	230:13	consulting (8)	317:6
299:4 305:12	compensation (1)	confidential (6)	228:4,8,10,12,12,16	Corp (1)
306:17 307:18	253:16	179:8,10 208:18	228:19,25	194:23
328:2,5,20,21,24	compensated (1)	316:19,22 390:16	consuming (1)	corporate (7)
332:8 345:25 346:8	253:18	confidentiality (22)	183:10	228:6,6,7 230:5,6
346:10,14,15,16,18	compete (2)	195:11 198:21 200:17	contact (6)	236:23 241:19
347:16 348:3	227:13 231:21	201:15 217:20	256:16 347:15,17,25	corporation (4)
364:18	competing (1)	243:23 244:2,18	348:21 373:21	168:4 194:11,13
comes (2)	233:16	245:2,25 246:12	contacting (2)	386:9
175:16 381:23	competitive (1)	252:5,12 326:7,11	373:22,23	correct (55)
comfortable (1)	236:23	327:3 330:2 358:10	contained (1)	173:6,9 175:22
296:7	competitor (3)	358:14 371:5,20	255:4	180:25 181:3
coming (4)	231:3 233:14 267:3	395:22	contains (1)	189:24 196:25
236:5 318:5,7 346:19	competitors (11)	config (2)	252:23	210:9,25 221:11
commerce (1)	226:3,9 227:2,5,25	283:9,10	contend (2)	230:25 231:8
225:18	229:18 230:15,19	configuration (1)	253:12 368:8	239:22 241:6
commission (4)	233:6 236:20 249:4	284:5	context (1)	242:10 243:2 244:3
251:2 257:19 318:14	compilation (1)	confirm (1)	213:24	248:8,11 251:17
318:20	205:19	221:9	continue (6)	255:4,5 267:10,13
commissions (1)	compiled (5)	conflict (1)	172:9 194:17 199:13	269:2,17 271:21
318:24	226:3,4,6,8 227:10	235:15	232:17 303:2,20	273:22 275:10,17
commit (1)	complete (6)	conform (1)	CONTINUED (1)	279:17 284:6,7
304:17	226:5 246:5 335:7	400:7	172:6	286:24 287:2 299:9
committed (1)	345:12 348:12	confuse (1)	continues (1)	317:18 318:12,25
277:2	351:15	189:18	226:19	320:2 329:16 330:7
committee (6)	completed (7)	confusions (2)	contracts (1)	333:9,12 334:16
322:14,16,19,20,21	281:2,10 282:9 335:9	189:7,13	256:10	342:22 350:21
328:12	336:3,3 352:18	Congress (1)	contrary (1)	351:14 354:9
common (4)	completing (3)	389:18	334:2	372:20 377:19
300:19,21 303:6	334:8,11 335:11	connection (3)	contributed (3)	385:7,17 392:5
319:13	compute (1)	226:2 390:25 391:4	177:9,13,14	400:8
communicate (1)	176:17	consider (1)	controller (1)	correctly (1)
209:11	computer (4)	378:11	211:17	373:20
communication (6)	188:5 342:6 362:6,7	consideration (5)	conversation (13)	cost (3)
205:17 206:25 210:15	concept (1)	319:18,20,24 327:20	289:8,10 299:12,16	174:8 228:7 317:17
	198:17			counsel (2)

175:8 383:22 counselor (3) 256:2 257:12 260:19 Counterclaim-Defe... 168:17 Counterclaim-Plai... 168:13 COUNTY (1) 399:4 couple (8) 200:24 292:7 301:6 334:12,14 336:12 336:19 380:24 course (33) 176:4 196:2,13 207:15,18,20 224:20 225:10 242:13 267:10 269:15 280:5 284:22 286:21 287:18 294:2 299:20 301:10,11 301:14,16,25 302:4 302:7 305:6,6,8 358:3 359:13 360:22 365:12,14 383:13 courses (8) 172:24 173:17 187:8 300:3,4,7 302:16,20 court (4) 168:2 171:16 387:14 390:12 co-requisites (2) 270:24 272:8 create (8) 183:13 185:3 189:2 190:10 191:6 224:10,15 279:9 created (13) 182:11 183:22 185:20 186:19 187:20 189:6 190:8 191:18 224:13 231:16 259:5 339:14 350:12 creates (1) 202:24 creating (3) 224:4 279:10 350:12 creation (2) 222:22 244:9 creative (2) 228:8,10 creator (1) 183:2 creators (1) 186:14 credit (1)	201:5 criteria (4) 234:16 237:3,4 396:23 critical (4) 208:2,24 228:10 397:3 CSR (1) 168:25 cult (6) 359:8 360:13,15 362:9 363:9,11 cult-like (1) 360:14 current (2) 212:21 274:24 currently (2) 199:17 305:19 curriculum (89) 204:9,10,16,18,24,25 205:10,12,16 206:14 215:4,16,25 216:9,10,11 217:3 222:24,25 232:25 247:11,12 248:7 268:18,20,25 269:3 269:4,16,19 270:2,4 270:7,10 271:6,9,16 272:2,18 273:8,10 274:4,6,8,14 275:20 275:23 276:9,13,15 276:21 277:18 278:2,19,23 279:3 279:11,20,25 280:13,16,18,19 281:3,11 283:14,24 287:19,24 294:6 309:2 335:5,8,11,12 335:22 336:2,5 337:9,24 341:22 349:16,17,18,25 350:11,24 351:16 352:13 curriculums (3) 204:22 223:3 335:23 CVI (2) 207:16 212:21	207:5 270:17 database (1) 241:22 date (2) 319:3 400:4 dated (12) 250:22 251:14 332:24 395:14,19,20,24 396:4,17,21,24 397:5 daughter (7) 216:22 308:16 322:2 322:6,20 362:4,4 day (255) 168:20 169:8 172:1 173:1 174:1 175:1 176:1 177:1 178:1 179:1 180:1 181:1 182:1 183:1 184:1 185:1 186:1 187:1 188:1 189:1 190:1 191:1 192:1 193:1 194:1 195:1 196:1 197:1 198:1 199:1 200:1 201:1 202:1,6 202:10,14 203:1 204:1 205:1 206:1 207:1,10 208:1 209:1 210:1 211:1 212:1 213:1 214:1 215:1 216:1 217:1 218:1 219:1 220:1 221:1 222:1 223:1 224:1 225:1 226:1 227:1 228:1 229:1 230:1 231:1 232:1 233:1 234:1 235:1 236:1 237:1 238:1 239:1 240:1 241:1 242:1 243:1 244:1 245:1 246:1 247:1 247:23 248:1 249:1 250:1 251:1 252:1 253:1 254:1 255:1 256:1 257:1 258:1 259:1 260:1 261:1 262:1 263:1 264:1 265:1 266:1 267:1 268:1 269:1 270:1 271:1 272:1 273:1 274:1 275:1 276:1 277:1,17 278:1 279:1 280:1 281:1 282:1 283:1 284:1 285:1,10,20 286:1 287:1 288:1 289:1 290:1 291:1 292:1 293:1,6 294:1,2 295:1 296:1 297:1	298:1 299:1 300:1 301:1 302:1 303:1 304:1 305:1 306:1 307:1 308:1 309:1,9 309:11 310:1 311:1 312:1 313:1 314:1 315:1 316:1 317:1 318:1 319:1 320:1 321:1 322:1 323:1 324:1,4,6 325:1 326:1,22 327:1,8,17 328:1,2,6 329:1 330:1,9,11,14,15 331:1 332:1 333:1,2 334:1 335:1 336:1 337:1 338:1 339:1 340:1 341:1 342:1 343:1,6 344:1 345:1 346:1 347:1 348:1 349:1 350:1 351:1 352:1 353:1 354:1 355:1 356:1 357:1 358:1 359:1 360:1 361:1,4 362:1 363:1 364:1 365:1 366:1 367:1 368:1 369:1 370:1 371:1 372:1 373:1 374:1 375:1 376:1 377:1 378:1 379:1 380:1 381:1 381:25 382:1 383:1 384:1 385:1 386:1 387:1 388:1 389:1 390:1 391:1 392:1,8 393:1 394:1,13 399:13 days (24) 181:20 187:19 196:22 207:3 208:8 225:23 243:13 277:16 280:4,20,20,21 328:4 332:6,11,14 332:14,17 333:6,11 333:24 336:4 345:13,23 Deal (6) 292:2,2,12 336:16 337:4,14 dealing (1) 233:8 death (4) 185:14 186:2 238:9 238:10 December (1) 307:10 decide (2) 291:8 375:11 decided (6) 200:14 219:9 321:8	369:5,11 375:13 decides (1) 322:15 decision (9) 229:23 230:21,24 232:5 233:10 242:6 328:23 355:17 356:5 decisions (1) 229:21 Declaration (1) 396:19 deep (1) 354:25 Defendants (1) 168:11 define (2) 210:18 357:10 defined (1) 387:5 defines (2) 270:14,14 definite (1) 307:2 definition (1) 387:9 definitions (1) 266:12 definitive (2) 182:15 190:2 degree (4) 183:2 193:2,11,16 Delete (1) 384:13 demonstrated (1) 198:25 denote (1) 279:16 dep (1) 227:10 department (1) 225:18 depend (1) 357:9 depending (3) 180:23 268:6 278:3 depends (2) 280:7 281:6 deposition (11) 168:20 169:8 171:12 172:10 177:7 251:21 385:16,19 399:7,8 400:4 deprogram (1) 359:9 deprogrammer (1) 359:8 deprogramming (1)
--	--	---	---	---

deprogramming (1) 362:9	died (1) 345:15	discuss (10) 236:4 267:12 294:3 298:25 300:21 314:11 325:9 348:25 363:25 376:8	281:21 282:24 283:2 316:7,10,18 338:25 339:2 342:10 349:9,11 356:23 357:18,20 382:20	E
derivative (1) 216:2	differ (2) 216:7,10	discussed (7) 202:18 290:8 294:24 298:22 299:15 325:19 364:2	documentation (2) 343:11,13	E (2) 170:2,2
DeROSA (4) 168:25 169:11 399:4 399:15	difference (1) 266:16	discussing (5) 263:22 264:5 267:25 320:8 362:4	documented (1) 185:16	earlier (6) 182:20 261:5 266:24 352:19 358:18 381:13
describe (3) 179:20 208:9 248:15	different (36) 180:5 181:5,17 184:9 188:13,21,23 190:9 191:5 193:22 196:4 204:2,3,3 206:18,20 206:20 207:6 216:8 216:9 227:16 231:24 247:2 264:24 269:22,24 269:25 271:5 273:5 274:4 293:5 335:21 335:22,22,23 338:5	discussion (17) 197:24 198:2 235:14 267:9 268:2 297:12 298:15 321:2 364:15 365:17 375:9,22 376:11,18 379:16,22 380:20	documents (9) 247:5 250:14,18 252:3 259:5 260:10 260:13 329:22 398:5	early (12) 181:20 187:19 196:14 196:22 201:17 208:8 219:10 289:11 307:8,17 336:8 374:8
described (5) 203:22 206:11,17 237:11 356:2	differently (1) 203:7	discussions (11) 198:23 304:22 315:7 317:23,24 318:4 325:22 363:4 364:20,24 376:5	DOE (1) 168:16	earned (1) 251:3
describing (1) 181:7	difficulty (1) 249:22	dishonor (1) 256:12	doing (24) 176:9 184:19 188:10 196:4,11,12 199:16 199:17,22,25 203:3 212:22 232:12 257:3 258:16 279:7 290:4 305:20 337:4 340:24 354:22 361:18 362:5 393:6	earning (1) 237:17
description (2) 187:17 395:10	digit (1) 254:25	disseminate (1) 263:19	DOLAN (1) 170:11	easier (3) 305:8 352:15,17
Descriptions (1) 396:9	dilemma (1) 320:20	disseminating (2) 265:5,7	Dones (1) 353:14	easily (1) 324:22
design (1) 229:5	Dilts (3) 186:16,17,23	dissemination (1) 259:18	door (3) 315:12,13 337:6	easy (2) 293:20,23
designated (3) 175:9,10 349:22	dinner (14) 292:24 298:13,23 299:4,6 319:8,11,14 321:18,21,24 323:17 324:14 326:24	dissuade (2) 266:15,22	Dr (5) 185:6 377:14,20,23 382:19	economic (1) 291:2
designed (5) 180:21 183:13 189:12 219:8 282:20	direct (4) 267:22 378:21 380:9 380:11	distribute (1) 309:25	double (1) 182:25	economically (1) 295:7
desire (4) 234:18,20 298:17 337:10	directing (1) 389:24	distributed (3) 310:8 311:19,20	drafted (4) 238:11 239:23,25 242:4	Edgar (1) 353:2
despite (1) 312:7	direction (3) 224:15 307:25 398:3	District (4) 168:2,2 390:13,22	drafting (3) 239:24 242:2 244:4	edited (1) 224:14
determination (2) 235:15 278:15	directive (1) 238:7	divorce (1) 299:24	DRINKER (1) 170:12	education (8) 181:19 199:15 215:15 217:4 299:21 324:18,19 325:3
determine (4) 174:6,24 235:18 242:17	directly (4) 175:3 246:3 263:14 378:16	doctors (4) 238:19,22,24 239:7	Drive (1) 170:13	educational (9) 222:19 267:9 269:7 270:25 271:22 272:15 273:6 284:10,12
determined (1) 327:11	disadvantage (1) 387:8	document (53) 178:8,15 179:9 202:7 202:10,15 207:25 208:4 209:9 210:22 211:10 212:3,6 213:25 221:18,18 221:21 223:6 226:13 237:25 238:4 239:20,24 240:2 243:22 246:17,18 252:25 254:13,18 255:7 256:4 259:4,7 260:2 260:24 281:15,18	duly (2) 172:3 399:8	effect (2) 171:15 369:7
develop (7) 200:14 210:6,8 217:3 222:17 229:12 274:25	disclose (1) 266:18	document (53) 178:8,15 179:9 202:7 202:10,15 207:25 208:4 209:9 210:22 211:10 212:3,6 213:25 221:18,18 221:21 223:6 226:13 237:25 238:4 239:20,24 240:2 243:22 246:17,18 252:25 254:13,18 255:7 256:4 259:4,7 260:2 260:24 281:15,18	drive (1) 170:13	effective (7) 185:5 186:9,10 229:23 290:5 303:21 355:25
developed (19) 180:21 187:23 191:23 200:24 211:2 215:5 222:18,19 223:21 230:7,12 276:13,13 282:23,24,25 350:4 350:11 352:12	disclosed (1) 266:21	document (53) 178:8,15 179:9 202:7 202:10,15 207:25 208:4 209:9 210:22 211:10 212:3,6 213:25 221:18,18 221:21 223:6 226:13 237:25 238:4 239:20,24 240:2 243:22 246:17,18 252:25 254:13,18 255:7 256:4 259:4,7 260:2 260:24 281:15,18	duplicated (3) 176:21 261:23 263:12	effectively (4) 229:21 273:4 274:20 274:22
developing (6) 207:15 215:16 273:2 276:14 279:6 350:19	disconnect (1) 248:17	document (53) 178:8,15 179:9 202:7 202:10,15 207:25 208:4 209:9 210:22 211:10 212:3,6 213:25 221:18,18 221:21 223:6 226:13 237:25 238:4 239:20,24 240:2 243:22 246:17,18 252:25 254:13,18 255:7 256:4 259:4,7 260:2 260:24 281:15,18	duplicating (1) 262:8	effectiveness (1) 184:22
development (7) 211:5 222:24 228:22 228:23 229:7 268:13 352:14	discontinued (2) 350:22,23	document (53) 178:8,15 179:9 202:7 202:10,15 207:25 208:4 209:9 210:22 211:10 212:3,6 213:25 221:18,18 221:21 223:6 226:13 237:25 238:4 239:20,24 240:2 243:22 246:17,18 252:25 254:13,18 255:7 256:4 259:4,7 260:2 260:24 281:15,18	Durkes (8) 308:18 326:20 328:8 328:10,15 330:8 352:24 358:17	effort (1) 224:8
dictated (4) 259:11,16,19,20	discovery (5) 178:13 221:19 250:15 260:24 349:9	document (53) 178:8,15 179:9 202:7 202:10,15 207:25 208:4 209:9 210:22 211:10 212:3,6 213:25 221:18,18 221:21 223:6 226:13 237:25 238:4 239:20,24 240:2 243:22 246:17,18 252:25 254:13,18 255:7 256:4 259:4,7 260:2 260:24 281:15,18	D.C (1) 187:4	eight (1) 197:13

319:17 377:18 379:22	334:24 339:3 341:8 341:9	170:6,10,11,14,17,21	example (3) 176:22 240:7,8	201:2
Electric (1) 389:5	enrolling (3) 240:24 305:20 318:20	EST (6) 181:19 182:2,5,6 301:2,8	examples (3) 242:19 243:3,8	experiences (2) 296:18 298:2
element (2) 357:2,4	enrollment (13) 219:10 240:20 252:23	estimate (1) 237:8	excess (1) 212:24	experimented (1) 191:20
elementary (2) 217:4,13	261:2 271:11,14	estimated (1) 172:22	excited (5) 295:15 305:6 346:10 346:13 347:10	expert (5) 339:19 363:6,25 365:4,8
elements (5) 207:6 310:8 356:24 357:7,12	273:23 283:4 312:2 316:11 318:14 396:7,12	estimates (1) 173:7	exciting (1) 347:4	experts (2) 176:15 363:19
EM (11) 256:12,14 257:6,22 258:11,13,20 270:19 351:9,19 353:10	enrollments (4) 173:19 174:3,22 284:4	ethical (3) 219:25 256:15 271:13	executive (16) 168:4 178:11 194:18 194:22 197:15,20 198:3,17 213:24 214:22 228:13,13 353:18 396:6,11 397:4	explain (7) 200:23 202:23 235:13 260:7 264:17,19 383:22
emotional (1) 309:18	ensues (1) 235:14	ethics (5) 212:15 228:11,11,12 256:25	Exhibit (48) 172:18 173:7 176:20 176:23,25 178:5 207:22 211:7 221:15 223:4 226:10 237:22 243:19 250:11 254:5 259:9 260:21 281:12 316:4 338:19 349:6 357:15 366:17 368:2 391:23 395:8 395:9,10,12,13,16 395:17,20,22,24 396:2,3,6,9,11,13 396:15,17,19,20,23 397:2,3	explained (6) 198:7 245:20 256:14 356:8,10,12
emotions (2) 270:12,13	enter (4) 241:21 335:25 336:5 342:14	Ethos (11) 204:18,21 241:11 244:23 246:8 282:17 283:7 308:25 309:2 336:13 337:13	exercise (1) 393:10	exploration (22) 248:12,14,19 256:14 264:18,19 265:12 344:5 351:12 354:6 354:8,14,19,22 355:9,19,21,24 356:17 357:8,10,13
employ (2) 203:23 205:12	entering (2) 335:21 340:18	evaluate (2) 174:3 363:6	Exhibit (48) 172:18 173:7 176:20 176:23,25 178:5 207:22 211:7 221:15 223:4 226:10 237:22 243:19 250:11 254:5 259:9 260:21 281:12 316:4 338:19 349:6 357:15 366:17 368:2 391:23 395:8 395:9,10,12,13,16 395:17,20,22,24 396:2,3,6,9,11,13 396:15,17,19,20,23 397:2,3	explorations (2) 249:5 264:12
employee (1) 253:14	entire (8) 200:12 205:7 206:24 207:2 273:10,12 391:7,10	evaluated (7) 173:18,20 190:13 275:7 276:10,11 363:10	Exhibit (48) 172:18 173:7 176:20 176:23,25 178:5 207:22 211:7 221:15 223:4 226:10 237:22 243:19 250:11 254:5 259:9 260:21 281:12 316:4 338:19 349:6 357:15 366:17 368:2 391:23 395:8 395:9,10,12,13,16 395:17,20,22,24 396:2,3,6,9,11,13 396:15,17,19,20,23 397:2,3	explore (2) 354:17,25
employment (1) 235:16	entirely (2) 269:22,25	evaluating (2) 186:9 211:18	evaluation (4) 173:23 278:18 365:9 396:20	exposed (1) 351:16
empowerment (4) 179:18,21 181:4 182:16	entities (2) 214:19 226:25	evaluation (4) 173:23 278:18 365:9 396:20	event (18) 188:11,13 189:5,8,10 189:17,19,22 310:2 312:13 313:24 314:5,6,18,24 315:11,14 337:6	express (2) 263:14 298:20
encourage (1) 363:24	entitled (2) 207:25 264:10	eventually (1) 217:2	everybody (2) 305:5 393:7	expressed (1) 298:16
encouraged (4) 370:16,20,24 379:8	entrepreneur (1) 306:16	events (3) 189:3 203:10 225:25	evidence (1) 370:12	expressing (1) 181:11
encouraging (1) 368:23	entrepreneurship (1) 228:11	eventually (1) 217:2	evolve (1) 275:2	extend (2) 332:14 333:6
endeavors (1) 212:21	entry (2) 212:6 213:9	everybody (2) 305:5 393:7	exactly (6) 183:19 280:25 295:5 387:23 390:10 391:3	external (9) 188:11 189:3,5,8,10 189:17,19,22 203:10
ended (5) 187:5 299:12 332:9 346:2 394:6	equal (1) 189:22	evidence (1) 370:12	exist (1) 198:9	externally (1) 188:22
engage (6) 229:14,17,19,20 232:3 233:7	Erickson (14) 182:24,24 183:19 184:7,18 185:6,8,13 185:14,15 186:6 190:16,19,23	evolve (1) 275:2	existence (1) 203:2	extra (1) 277:16
engaged (2) 249:4 267:2	Ericksonian (2) 179:22 191:17	examination (3) 172:6 382:16 393:20	existential (1) 228:14	extremely (1) 295:12
enhance (1) 180:22	Erickson's (3) 185:11,25 186:5	examined (1) 172:4	expected (1) 346:21	
enjoyed (2) 324:23 325:7	Ernest (3) 185:9,10,11		expenses (2) 177:15 222:9	F (1) 317:6
enroll (15) 234:18,20,22 236:14 271:17 273:24 274:9 283:15,17 291:9 305:22 307:21 318:18 334:20,21	ERRATA (1) 400:2		experience (13) 188:3,15,16,22,23 203:2 233:19 234:2 234:11 235:25 297:25 346:16 361:10	facilitate (15) 267:20 268:6,7 269:16 274:19,22 275:9,13,14 278:10 278:16,22 284:2 286:23 287:25
enrolled (7) 255:14 316:15 318:16	errors (1) 400:8		experienced (1)	
	ESP (7) 214:11 216:7 218:11 262:15 263:15 266:12 268:5			
	ESQ (6)			

facilitated (2) 287:10,19	fashion (1) 263:24	329:25,25	347:6,8 350:5,19	243:25 244:18,25
facilitating (4) 277:7 284:12 285:2 287:16	fast (2) 337:10 341:21	filing (3) 171:5 379:23 388:16	354:18 360:25	245:14,20,24 246:3
facilitation (6) 268:19 270:11 277:13 279:8 285:7 326:4	faster (1) 273:4	filings (2) 387:14 390:12	361:2 362:20,21,24	246:5 261:4,6,7,8
facilitator (36) 248:9 250:9 267:6,8 267:14,16,18	father (8) 368:10,12,16,17,22 369:7,13 370:7	fill (1) 329:24	371:14 372:21	261:12 262:2 263:6
268:14,16 275:10	father-in-law (2) 370:2 372:16	filled (1) 338:7	373:8,25 374:7	326:7,9,11 327:2,23
284:8,13,14,23	February (2) 198:14 396:21	filmed (2) 201:16,17	firsthand (2) 371:6 373:2	331:4 332:21
285:9,25 286:10	fee (2) 218:3 333:8	final (1) 242:6	fit (4) 234:15,22 302:13 325:18	358:10,14 380:2
287:12,15,17 288:7	feel (4) 188:9 231:25 296:6 356:15	financial (1) 228:15	234:15,22 302:13 325:18	384:25 385:11
288:9 305:17	feelings (1) 304:2	find (8) 192:13 200:11,15 306:11 348:9 361:8 362:9 375:23	fits (1) 354:3	387:2,20 388:10,19 390:19
333:23 334:3	fees (7) 177:10 218:5 221:5 221:13,14 222:10 222:11	finding (1) 376:5	five (7) 243:13 277:16 280:20 332:14 336:4 345:13,23	formal (1) 296:16
336:19,20 338:22	felt (3) 290:3,5 302:9	finish (5) 235:22 280:18 382:5 382:12,14	five-day (33) 240:9 273:11,13,17 278:2,9,11 280:5 282:10 317:3,16 324:10 330:3 332:3 335:17,17 336:10 337:19,20 338:2,4,8 338:13 339:22 342:23 343:21 344:14,19,23 345:4 345:9 346:6,7	formatted (1) 279:13
343:6 344:14,20,21	field (36) 180:2 181:2 182:8,15 195:21 196:14 198:9 200:4 233:23 234:21 235:7,9,9,13 235:17,23 236:4,6 236:11,11,15,15,17 236:22,24,25 241:18 255:13 296:19 339:5,17,18 340:2,3 353:7,9	finished (5) 280:23 332:11 350:12 382:4,8	Florida (8) 359:4,14,19,25 360:24 364:12 365:19,25	format (1) 276:12
381:2,4,12,15	fields (3) 179:16 207:7 235:11	finishing (2) 332:10 336:9	Florham (1) 170:13	formed (1) 194:22
facilitators (8) 270:13 275:6 284:11 286:10 287:6 329:24 349:14 396:16	fifth (3) 330:14,15 333:2	firm (1) 221:25	forming (3) 197:15,19 198:3	forming (3) 197:15,19 198:3
facilitator's (1) 284:15	fight (1) 254:13	first (90) 168:5 172:20,21 179:13,24 180:18 183:20 185:23 186:18 190:6,8 197:25 198:12 200:22,22 202:6 212:21 214:15,17 218:3,5,11,14,17,19 218:20,21 219:15 219:19 220:5,14 221:4,10,12 222:4 223:19,22 243:13 246:4,10 250:20 253:7 268:14,14,15 270:10 271:8,15,23 273:7 274:7 275:12 276:20 279:3 281:2 281:10 288:20 289:2 290:9 291:12 309:10,11 313:16 315:24 316:24 321:4 324:6 327:7 334:4 335:24 338:3 339:7 340:12 345:10 346:12	forms (2) 214:15 329:24	forms (2) 214:15 329:24
fact (9) 189:4 200:22 234:4 319:24 341:17 356:18 386:20 389:15 390:11	figure (7) 189:12 199:18 320:20 361:16,17 363:23 364:9	first (90) 168:5 172:20,21 179:13,24 180:18 183:20 185:23 186:18 190:6,8 197:25 198:12 200:22,22 202:6 212:21 214:15,17 218:3,5,11,14,17,19 218:20,21 219:15 219:19 220:5,14 221:4,10,12 222:4 223:19,22 243:13 246:4,10 250:20 253:7 268:14,14,15 270:10 271:8,15,23 273:7 274:7 275:12 276:20 279:3 281:2 281:10 288:20 289:2 290:9 291:12 309:10,11 313:16 315:24 316:24 321:4 324:6 327:7 334:4 335:24 338:3 339:7 340:12 345:10 346:12	forth (3) 283:23 378:2 399:7	forming (3) 197:15,19 198:3
facts (1) 400:7	figures (1) 174:14	finished (5) 280:23 332:11 350:12 382:4,8	forum (3) 328:20,21,24	forms (2) 214:15 329:24
failure (1) 348:12	figuring (1) 305:17	finishing (2) 332:10 336:9	forward (2) 252:7 318:6	forms (2) 214:15 329:24
fair (2) 196:16 352:11	file (5) 246:16 330:23 331:4 331:5,24	firm (1) 221:25	found (6) 186:8 190:18,22 207:19 294:7 362:13	forms (2) 214:15 329:24
fairly (1) 383:14	filed (10) 246:14 253:11 330:3 330:4 331:13 374:7 390:6,16,17,22	first (90) 168:5 172:20,21 179:13,24 180:18 183:20 185:23 186:18 190:6,8 197:25 198:12 200:22,22 202:6 212:21 214:15,17 218:3,5,11,14,17,19 218:20,21 219:15 219:19 220:5,14 221:4,10,12 222:4 223:19,22 243:13 246:4,10 250:20 253:7 268:14,14,15 270:10 271:8,15,23 273:7 274:7 275:12 276:20 279:3 281:2 281:10 288:20 289:2 290:9 291:12 309:10,11 313:16 315:24 316:24 321:4 324:6 327:7 334:4 335:24 338:3 339:7 340:12 345:10 346:12	found (6) 186:8 190:18,22 207:19 294:7 362:13	forms (2) 214:15 329:24
familiars (19) 237:24 238:3 239:15 249:8,12 250:17 255:6 258:8 261:15 281:20 300:9 301:18 313:13 316:9 357:17 380:21 386:18,20 386:24	files (2)	finished (5) 280:23 332:11 350:12 382:4,8	forum (3) 328:20,21,24	forms (2) 214:15 329:24
family (16) 182:10 288:21 292:3 292:10,15,19,23 293:12,15,20,24 294:14 305:11 345:16 359:7 364:8		finishing (2) 332:10 336:9	forward (2) 252:7 318:6	forms (2) 214:15 329:24
family's (1) 290:25		firm (1) 221:25	forward (2) 252:7 318:6	forms (2) 214:15 329:24
far (3) 200:2 219:11 365:10		first (90) 168:5 172:20,21 179:13,24 180:18 183:20 185:23 186:18 190:6,8 197:25 198:12 200:22,22 202:6 212:21 214:15,17 218:3,5,11,14,17,19 218:20,21 219:15 219:19 220:5,14 221:4,10,12 222:4 223:19,22 243:13 246:4,10 250:20 253:7 268:14,14,15 270:10 271:8,15,23 273:7 274:7 275:12 276:20 279:3 281:2 281:10 288:20 289:2 290:9 291:12 309:10,11 313:16 315:24 316:24 321:4 324:6 327:7 334:4 335:24 338:3 339:7 340:12 345:10 346:12	forward (2) 252:7 318:6	forms (2) 214:15 329:24

friend (1) 266:4	geographical (1) 231:2	343:12 346:16,18 346:24 377:13	213:6	harder (1) 352:15
friendly (2) 295:11,12	Gestalt (2) 180:3 182:11	378:20,23 379:3,19 382:14 383:13,14 392:7,8,22	guest (1) 314:20	HAROLD (1) 170:6
friends (1) 234:14	getting (5) 179:12 267:25 304:19 327:23 368:23	good (22) 172:8 176:13 225:19 227:4 278:4,5,6 302:13 306:5,6,12 306:16,25 325:15 325:18 363:9,23 364:3,10 373:23,24 375:14	guidance (2) 275:13,15	Hawaii (3) 180:9,14 187:7
Fritz (8) 181:15 182:7,10 184:8,18 190:17,21 191:2	give (21) 175:7 191:6 201:5 208:11 263:18 269:7 276:23 284:13 286:18 297:8 326:18 328:15 329:14 333:23 334:3 344:13 361:6 365:21 368:24 369:6,11	gotten (6) 323:6 334:19 351:3 359:25 375:7,24	guide (3) 284:11 354:7,11	head (5) 340:2 343:15 352:23 353:6,10
front (2) 239:21 251:14	given (10) 201:4 236:17 243:6 284:19,21 312:9 316:21 372:10 373:9 399:8	government (1) 229:5	GUIRE (64) 175:2 179:2 204:6 209:6,14 211:12 212:18 213:4,8 220:7 221:7 223:16 225:14 245:14 249:10 250:3 254:7 254:15,20,24 255:3 258:17 260:7,10,16 260:20 262:2 263:5 264:2,15 266:6 286:12,16 312:8,14 345:9 366:22,25 369:9 376:14 377:5 378:9,16 380:2 382:2,9,13 383:9 384:25 386:17 387:2,22 388:9,19 388:24 389:3,19,23 390:8,15,19 391:5 393:17,25	headed (1) 322:18
Fruci (1) 221:24	giving (5) 301:15 321:16 326:17 328:20 369:8	governments (1) 232:7	guy (1) 359:7	heading (1) 178:9
full (8) 217:3 223:19 269:8,9 269:14 332:6,17 333:6	go (37) 199:16,22,24 209:15 220:8 225:19 229:25 235:8 237:2 245:15 271:25 273:9 274:3,15,16 274:20 275:3 276:18 277:25 292:10 307:24 312:20 319:14,16 331:5 338:9 339:6 347:5,12 354:21 366:25 380:3 381:6 383:3 387:3 389:17 392:10	grade (1) 317:10	gulf (1) 270:22	Headquarters (1) 170:5
fully (3) 174:17 176:12 389:9	goal-oriented (1) 228:15	grammar (1) 187:22	guy (1) 359:7	health (1) 228:17
fun (1) 347:12	goals (5) 228:16 268:8 298:7,8 324:10	great (7) 174:16 294:7,9 304:21 346:11,15 383:11	half (4) 206:3 286:22 381:25 393:8	hear (6) 188:8 262:22 289:2 366:8 376:23 377:2
function (3) 217:12,15 345:2	goal-setting (1) 180:11	greater (1) 245:19	halfway (1) 208:20	heard (17) 301:22 302:4 303:7,8 359:10 361:24 365:25 366:4 376:22 377:3,14,16 377:18 379:2,7,11 391:25
functional (1) 228:21	goes (2) 222:5 223:23	Grinder (9) 184:10,14 186:7,18 187:8,20 190:5 191:15 196:20	hand (2) 297:2 399:13	hearing (1) 361:13
funny (1) 339:13	going (37) 172:9 180:16 200:15 200:17 213:7 214:13 233:7 241:24 267:25 274:25 302:7 311:6 311:8,14,15 319:8 328:24,25 329:3 334:25 341:2,7	group (12) 183:25 231:15,17 232:4 242:14 249:17 263:23 264:6 279:16 318:11 339:9 340:20	handle (1) 202:13	held (3) 169:9 193:16 218:16
FURNISHED (1) 398:8	goal-oriented (1) 228:15	groups (7) 236:2 257:4 267:9,12 267:19 268:8 278:10	handwriting (1) 317:9	Helen (2) 249:9,12
further (7) 171:7,11 172:5 317:22,24 381:22 399:10	goal-setting (1) 180:11	group's (1) 268:2	happen (2) 300:23 328:14	hello (1) 315:5
f/k/a (1) 168:4	goes (2) 222:5 223:23	growth (4) 228:23 291:5 303:4 303:10	happened (11) 196:8 242:20 260:17 280:7 347:22 348:4 348:10 365:3 372:15 378:24 379:18	help (8) 203:6 216:18 230:23 302:19,19 306:3 354:7 355:20
G	generals (3) 227:22 389:5,5	guess (13) 213:7,8 218:17 286:14,16 313:5 327:14 333:11 337:18 339:15 340:6 341:7 373:11	happening (1) 371:15	helping (2) 200:13 326:4
gainful (1) 235:16	generate (1) 379:24	guessing (1)	hard (2) 320:18 385:3	helps (1) 234:21
Garden (2) 215:14,19	generated (1) 375:16			hereinbefore (1) 399:7
Gardens (6) 214:23 216:16,20,22 216:25 217:23				hereunto (1) 399:13
Garza (1) 353:2				Hidarq (1) 340:25
Gateway (1) 170:19				high (5) 217:5,13 349:16 350:25 351:6
gathering (6) 296:16 299:3 304:13 305:3 310:14 315:2				higher (2) 204:10 274:3
general (3) 227:22 389:5,5				highest (2) 255:20,21
generate (1) 379:24				highly (5) 179:8,10 208:18
generated (1) 375:16				

316:19,21 high-level (1) 255:19 hired (3) 358:22 363:15 368:18 hiring (3) 363:5,25 365:3 history (1) 286:13 hit (1) 302:9 Hochman (15) 366:9 373:9 374:17 375:7,12,24 377:14 377:16,20,23 378:14 379:19 380:21,23 381:4 Hochman's (1) 374:4 hold (2) 193:10 250:8 holds (1) 255:21 holistic (1) 228:17 home (17) 292:3,10 296:17 306:18 307:13,19 310:2 313:25 314:5 314:14 315:12,15 321:5 332:8 348:24 362:19 363:3 homework (1) 392:20 honesty (1) 309:17 hostile (1) 295:17 Hoteling (1) 352:25 hour (1) 393:8 hours (2) 197:24 246:19 house (6) 292:25 315:3,4,9 337:6 370:3 human (22) 179:17,18,20,21 180:19 181:2,4,5,12 182:8,15,16 183:14 183:17 188:6,21 189:6 195:21 228:17,18,18 290:22 humanistic (2) 228:14,19 humorous (1) 360:16	HYLAND (1) 170:3 hypnosis (3) 185:19 233:3,6 hypnotherapists (1) 233:8 hypnotherapy (2) 228:20 234:11 hypothesis (4) 198:11,13 217:17 219:8 <hr/> I <hr/> idea (8) 197:15,19 200:9 217:12 225:19 330:18 346:24 363:9 ideas (2) 259:22 267:23 identification (19) 178:4,6 207:23 211:8 221:16 223:5 226:11 237:23 243:20 250:12 254:6 260:22 281:13 316:5 338:20 349:7 357:16 366:18 391:24 identified (3) 176:24,24 385:20 identify (2) 392:11 393:22 II (227) 168:20 169:8 172:1 173:1 174:1 175:1 176:1 177:1 178:1 179:1 180:1 181:1 182:1 183:1 184:1 185:1 186:1 187:1 188:1 189:1 190:1 191:1 192:1 193:1 194:1 195:1 196:1 197:1 198:1 199:1 200:1 201:1 202:1 203:1 204:1 205:1 206:1 207:1 208:1 209:1 210:1 211:1 212:1 213:1 214:1 215:1 216:1 217:1 218:1 219:1 220:1 221:1 222:1 223:1 224:1 225:1 226:1 227:1 228:1 229:1 230:1 231:1 232:1 233:1 234:1 235:1 236:1 237:1 238:1 239:1 240:1 241:1	242:1 243:1 244:1 245:1 246:1 247:1 248:1 249:1 250:1 251:1 252:1 253:1 254:1 255:1 256:1 257:1 258:1 259:1 260:1 261:1 262:1 263:1 264:1 265:1 266:1 267:1 268:1 269:1 270:1 271:1 272:1,7 273:1 274:1 274:21 275:1 276:1 277:1 278:1 279:1 280:1 281:1 282:1 283:1 284:1 285:1 286:1 287:1 288:1 289:1 290:1 291:1 292:1 293:1 294:1 295:1 296:1 297:1 298:1 299:1 300:1 301:1 302:1 303:1 304:1 305:1 306:1 307:1 308:1 309:1 310:1 311:1 312:1 313:1 314:1 315:1 316:1 317:1 318:1 319:1 320:1 321:1 322:1 323:1 324:1 325:1 326:1 327:1 328:1 329:1 330:1 331:1 332:1 333:1 334:1 335:1 336:1 337:1 338:1 339:1 340:1 341:1 342:1 343:1 344:1 345:1 346:1 347:1 348:1 349:1 350:1 351:1 352:1 353:1 354:1 355:1 356:1 357:1 358:1 359:1 360:1 361:1 362:1 363:1 364:1 365:1 366:1 367:1 368:1 369:1 370:1 371:1 372:1 373:1 374:1 375:1 376:1 377:1 378:1 379:1 380:1 381:1 382:1 383:1 384:1 385:1 386:1 387:1 388:1 389:1 390:1 391:1 392:1 393:1 394:1 III (1) 272:7 imagine (2) 174:9 341:2 implies (1) 187:14 important (1)	242:18 impossible (3) 199:15,21,24 improper (1) 388:2 inability (1) 229:21 inaccurate (1) 375:5 inadvertently (1) 254:9 inappropriate (4) 388:2 392:19,24 393:11 include (10) 208:25 209:18,21 210:12 227:25 231:18 248:9 253:10 309:15 310:8 included (8) 228:2 252:2 260:13 262:8 265:6,19 266:2 351:11 includes (1) 268:19 including (2) 186:16 317:23 income (3) 221:5 222:3 395:13 incoming (1) 356:2 inconsistency (1) 356:20 incorporated (1) 196:5 incorporating (1) 320:23 incorrect (2) 177:25 300:17 increase (1) 184:21 independent (3) 208:24 365:4,8 INDEX (2) 395:2 398:2 Indian (1) 230:14 indicate (14) 177:18 209:4,10 290:6,21 297:11 298:6 300:8 303:14 311:7,10 316:14 321:15 324:13 indicated (2) 324:16 382:2 indicates (4) 317:15 318:9 342:10	354:10 indicating (1) 312:12 indicative (1) 348:13 indirect (2) 263:2,17 indirectly (2) 263:14 378:17 indispensable (1) 232:20 individual (4) 181:9 232:3 248:15 277:11 individually (2) 177:6 180:7 individuals (6) 175:21 180:6 184:3 199:8 268:8 287:23 individual's (1) 180:22 information (33) 174:5 177:12,16 205:20 206:17 239:4 253:22,23 261:22 262:17,17 263:12 264:8,9 265:6,8 266:14,21 305:9 310:7 312:3 340:18 342:14,18 354:14 361:9 369:22 370:15 373:2,3 390:3 396:14 398:8 innovative (2) 228:9,20 input (1) 188:7 inquiry (49) 197:8 198:20 202:21 203:14,20 205:13 206:19 207:8 210:7 212:7,17 213:3,10 213:18 214:19,21 215:5,17,18 216:2 218:7 219:6,12,15 219:20 220:4,16 221:6 222:17,22 224:7,10 248:23,24 310:8 356:25 357:3 357:5,7,12 384:4,9 384:16,19,24 385:6 385:10 386:4,21 inside (1) 284:22 insight (1) 191:6 instance (1) 206:23
--	---	---	--	--

instances (1) 240:17	301:10,12,25 302:4 304:18 305:16 324:9 399:11	235:11 242:2 255:17 258:10,12 258:13,19 290:7 364:20,23	340:24 Joe (3) 186:24 211:21 259:5	320:24 keeps (3) 270:4 342:3 387:7
institute (7) 168:8 170:8 186:20 186:25 187:3 193:21 382:18	interesting (1) 254:23	involvement (6) 239:24 304:5 322:22 344:23 380:7,7	John (7) 168:16 184:10,14 187:8,20 190:5 196:20	Keith (30) 168:15 170:12 192:13 196:23 198:5 206:15 207:12,18 210:5 211:3 212:20 212:23 218:15 219:8,14,20 220:3 222:16 230:7,12 244:8 296:19 297:9 298:3 303:24 328:20,24 364:23 374:24,25
instructing (1) 388:6	interfere (1) 237:13	involves (1) 269:5	join (2) 265:9 393:17	Keith's (1) 206:18
instructions (1) 172:11	Interfor (3) 168:15 170:15 383:4	in-depth (1) 174:16	joining (1) 266:16	Keller (4) 301:20 311:11 313:13 313:17
integrate (1) 189:21	internal (8) 189:2,4,8,9,15,18,21 203:10	issue (2) 274:24 326:6	joke (1) 362:23	kept (4) 248:7 342:6 343:16 387:8
integrated (2) 189:16 272:18	internally (2) 188:22 189:2	issued (1) 238:22	joking (1) 361:3	keys (1) 246:21
integration (3) 229:7 278:7 309:8	International (3) 193:22 194:3,8	issues (1) 231:25	Jomanna (4) 168:25 169:11 399:4 399:15	kind (8) 188:5 201:3,6 217:9 300:20 360:12,16 375:15
intellectual (3) 201:10,10 244:15	Internet (3) 224:20,23 225:8	items (4) 209:18,21,25 382:24	joyous (1) 203:4	kinds (1) 361:20
intended (2) 201:11 283:14	interposing (1) 387:25	iteration (1) 219:10	July (5) 197:21 198:15 251:15 254:8 374:14	kinesthetic (1) 188:7
intending (1) 393:16	interpretation (1) 259:21	Ivy (4) 215:25 216:21 222:23 224:2	June (12) 168:21 169:4 250:22 316:15 317:17 319:4 332:4,24 333:11 345:11 394:14 399:13	knew (15) 256:16 289:11 290:10 300:12 318:7,7 320:21 325:12 360:6 362:20 365:5 365:5 371:10,13 390:9
intensive (59) 174:8 179:15 204:20 240:9,9 244:24 245:22 246:7 267:11 269:20 272:11,14,24 273:12 277:16 282:19,25,25 283:7 285:20 288:14,16 307:16 313:21 315:21,25 316:15 317:16,21 319:5,8 319:12 323:20,21 323:25,25 324:4,6 328:12,13 329:23 332:4,10 333:3,18 334:4,9,11 335:17 337:22 342:24 343:8,9,16 346:12 347:9,22 348:23 355:13	Interrogatories (1) 395:18	<hr/> J <hr/>	juvenile (2) 217:5,13	know (150) 174:17 176:12,14,16 177:2 179:11 180:24 181:14,22 192:12,15 194:10 201:24,25 204:11 207:12,16 208:17 208:19 212:18 213:4,6,9,14 214:4 214:12 217:18 218:10 219:7,11 220:19 221:7 222:12 225:2,4,7,13 226:4,7 230:17 233:25 234:10,13 236:22 243:21 245:17 247:24 249:23 252:13 253:4 258:10,13,21
intensive (9) 204:23 243:11 244:22 245:4,5,8 336:13 338:16 346:9	Interrogatory (2) 226:16,22	James (3) 187:4 191:22 192:9	Juval (2) 168:16 170:15	
intent (7) 213:17,20,22 214:2,5 305:11 323:4	interval (3) 277:18,23 279:2	JANE (1) 168:16	<hr/> K <hr/>	
interaction (2) 199:3 200:23	intervention (4) 358:22 361:13,18,19	Jeanie (2) 253:15 255:14	KAPLAN (1) 170:15	
interactions (1) 201:17	interview (3) 235:12 236:12 271:12	Jeffrey (4) 367:6,6 372:25 373:7	Karen (13) 173:24 174:13 175:4 176:8 222:5 224:3 225:6 239:25 246:23 251:15 352:23 357:24,25	
interchangeably (1) 195:2	introduce (6) 207:18 314:17,20 352:18,19 391:20	Jennifer (4) 340:14 341:6,8,16	Kasson (9) 293:8 306:19 310:25 313:10 367:10,11 369:25 370:4,6	
interested (13) 198:10 208:11 213:11 234:13 294:5	introduced (3) 185:24 186:3 197:2	Jersey (10) 168:2,20 169:10 170:6,10,13,20 292:3,15 293:19	Kassons (5) 307:13,19 310:2 313:24 315:14	
	introduces (2) 233:22,24	Jeske (8) 255:11,13,16,19 308:15 322:19 336:22 364:22	Kathy (1) 211:16	
	introduction (2) 309:16 310:6	Jeske's (2) 255:24 257:9	Keeffe (5) 168:15 246:22 344:22 352:25 377:8	
	introspective (1) 309:7	Jews (1) 294:14	keep (10) 174:11 243:7 267:23 285:25 286:3 290:4 300:20 311:18,21	
	invest (1) 200:13	JJO (4) 255:4 260:6,10,13		
	invite (1) 231:6	JJO-00097 (2) 254:22,22		
	invited (5) 234:6 307:20 314:4 314:19 346:8	Jness (7) 214:22 215:2,3,8,9,12 217:19		
	inviting (2) 295:11 305:11	Jo (5) 340:14 341:6,8,8,15		
	involve (1) 173:22	job (1)		
	involved (18) 194:18 195:20 207:15 215:8 216:15,17 222:22 224:4			

258:24 260:3	343:18 349:8 378:5	learn (19)	250:20,21,23 251:7	limit (1)
264:11 276:23	378:18 380:18	184:5 186:12 237:4	251:14 254:8 317:6	232:2
277:12 290:8	381:21 382:3	237:18 262:14	358:6 378:8 395:24	limitation (1)
292:14 293:4,21	391:21 393:21	268:7,8 269:16	396:17	231:3
294:24 295:5,23	395:4	271:5 302:18	letters (1)	limitations (2)
296:2 297:7 298:14	Kofman's (1)	323:12 324:22	258:5	203:5 274:24
300:18 303:5,6,9	393:19	337:10 351:8	letting (1)	limited (9)
304:9 311:5 313:4,4	Kristin (10)	352:16 358:21	320:4	186:8 187:7 201:12
316:18 317:5,7,9,12	168:15 238:9 239:12	359:3 372:21 373:8	let's (6)	228:2 231:25
317:13,19 318:15	246:22 344:22	learned (20)	178:3 234:24 254:3	243:10 356:16,16
324:8 325:11,18	352:25 373:24	186:13,15 205:16,20	265:18 266:4 339:6	356:18
326:2,3 330:25	374:23 377:7,10	206:2,7,12,14,17,22	level (38)	limiting (2)
333:17 334:17	L	262:20 264:12	255:21,21,24 268:7	248:16 356:14
338:9,17 340:17,25	L (3)	276:3 288:24	268:10 270:11	Linda (4)
341:15 343:2,7,10	170:6,10 172:2	290:13 303:25	271:8,15,24 272:7,7	186:24 340:25 341:9
344:16,17,18	Landmark (3)	304:3 320:19,22	272:7 273:7 274:8	341:11
348:23 352:2 353:4	181:18 182:2,4	358:13	274:13,21 275:4,19	line (17)
356:22,23,24 357:6	Landy (3)	learning (5)	275:23 276:9,20	391:7,10 398:3,3,5,5
357:11,14,21,24	170:17 172:11 383:2	213:22 268:6 276:25	278:6 279:3,4 281:3	398:8,8,10,10 400:9
358:16 359:17,22	language (9)	278:19 352:19	281:10 341:14	400:11,13,15,17,19
360:3,12 363:10,14	184:6 187:9 242:4,8	leave (10)	349:16 350:25	400:21
367:2,2 370:19,23	242:10 261:11,16	232:17 242:14 243:12	351:3,6,18,21 352:4	linear (1)
370:25 371:2,3	261:18 263:20	243:15 249:17	352:7,7,8,10	203:8
372:8,14,23 374:9	large (1)	284:16,17 304:4	levels (16)	linguistic (4)
375:6 377:7,9	347:9	345:17,21	204:10 270:9,18,18	190:14,15 191:2
378:12 379:15,17	larger (1)	leaving (2)	270:20 271:5 272:2	205:25
380:25 381:3 386:7	247:12	348:8,11	272:4,6,6,11 273:5	linguistics (4)
386:12 390:2,9	lasted (1)	led (4)	274:3 281:25	184:14,17 187:15,16
391:3,11,12,15,18	197:23	176:7 198:17 317:20	349:19,23	Lisa (16)
392:16	late (5)	332:13	Levy (2)	308:18 326:20 327:14
knowing (3)	195:19 196:24 307:9	left (10)	341:6,15	328:7,10,15 329:14
258:25 291:13 318:5	327:8 382:10	192:9 242:22 254:25	Library (1)	329:15,17,18 330:8
knowledge (21)	laughing (3)	257:18 299:12	389:18	330:18,20 331:3,20
174:16,19 175:18	361:3,5 362:22	330:19,20 345:19	license (3)	352:24
177:5 178:23 196:3	Lauren (15)	347:14 349:2	214:20 218:6,21	list (23)
225:5,24 238:16	216:22 224:2 308:16	left-hand (1)	licensed (4)	226:3,5,6,8,24 227:4
245:11 248:21	322:2,4,20 323:2,3	317:6	192:21 193:7 213:5	227:6,10 231:11,12
249:4 268:9 272:4	323:6,6 340:11	legal (10)	215:19	231:21 236:17,18
371:6,8 378:21,22	352:22,23 357:21	177:10 246:23 247:5	licenses (1)	241:23 270:3
380:9,11 383:21	357:22	251:8 256:16	214:18	311:22,25 312:12
knowledgeable (4)	Lauren's (1)	257:25 266:7,9	licensing (8)	312:16,18 342:2,4
385:21,24 386:3,5	323:7	388:20 389:20	195:7 218:12 219:17	351:23
known (2)	lawsuit (7)	legally (1)	221:5,13,14 222:9	listed (3)
194:23 243:25	313:19 331:12 374:7	389:9	222:11	173:7 209:18,21
knows (1)	377:20 379:24	length (1)	licensure (1)	listen (1)
231:5	391:2,4	383:11	193:5	377:13
Kofman (43)	lawyer (4)	LEONARD (10)	life (10)	listening (2)
170:6 172:7 175:8	245:16 333:17 388:24	170:14 231:17 383:11	185:11 200:13 233:9	270:16 384:2
178:3,7 192:16	389:2	386:15 387:20,25	274:23 277:5	listing (1)
207:24 209:8,16	lawyers (2)	388:5 392:16 393:4	299:22 305:19	230:3
214:7 221:17	231:18 390:21	393:10	348:13,18 356:15	lists (2)
223:15 225:16	lead (1)	Les (1)	light (1)	177:3 209:2
237:20 250:13	175:24	251:10	208:22	literature (1)
254:3,12,17,21	leadership (1)	Leslie (5)	liked (14)	303:11
255:2,5 260:9,15,18	228:20	293:8,9 306:18	225:18 294:20 302:8	litigation (3)
260:23 263:7	leads (1)	310:25 313:10	304:7,16 319:16	226:2 281:17 398:2
281:14 286:13	267:8	letter (18)	322:6 323:16	little (1)
310:19 312:5,10		172:15 192:17 213:17	324:17 325:2,6,19	385:3
316:6 338:11		213:20 214:2,5,10	332:15,19	lived (2)

193:9 294:13	299:18 314:12	markets (2)	220:7 221:7 223:16	medicine (1)
lives (2)	322:6 360:19,20,23	212:7,17	225:14 245:14	185:22
292:15 325:25	love (3)	marriage (1)	249:10 250:3 254:7	meet (8)
Livingston (1)	289:6 290:20 291:21	399:11	254:15,20,24 255:3	234:20 237:3 288:11
170:9	loved (3)	Martin (12)	258:17 260:7,10,16	291:10,18 292:13
LLP (2)	290:18 294:6 306:4	168:9 170:8 366:9	260:20 262:2 263:5	292:16,22
170:3,12	LOWENSTEIN (1)	373:10 375:18	264:2,15 266:6	meeting (13)
locate (4)	170:7	377:17 378:14	286:12,16 312:8,14	206:15 271:13 281:6
252:6,8,11 358:9	Luncheon (1)	379:19 380:22,24	345:9 366:22,25	291:16,19 295:9,24
lock (1)	259:3	381:5 382:19	369:9 376:14 377:5	296:15,15 305:2
330:5	M	Martin's (1)	378:9,16 380:2	306:23 376:15,18
locked (3)		381:7	382:2,9,13 383:9	meets (1)
246:18 247:20,23	M (2)	master's (2)	384:25 386:17	246:2
Logic (1)	170:14 172:2	193:10,16	387:2,22 388:9,19	member (1)
208:2	main (4)	match (2)	388:24 389:3,19,23	288:20
long (28)	181:16 185:9 186:16	203:10 324:11	390:8,15,19 391:5	members (2)
194:3 198:23 220:25	381:20	matched (2)	393:17,25	246:22,24
225:22 243:25	making (8)	348:15,18	McClellan (1)	membership (1)
244:18,25 245:20	229:24 230:21,24	material (15)	176:23	309:3
245:24 246:3	232:5,20 233:11	206:21 218:6,22	McGuire (7)	memory (2)
247:23 259:2	251:2 307:23	278:7 320:17,23,25	169:9 170:18,21	212:19 225:17
276:20,21 313:6,12	malicious (2)	331:21 351:17	388:7 392:18,22	mention (12)
315:6 326:7,9,11	253:10,20	371:19 376:2	393:14	265:21 289:22 290:24
327:2,23 331:4	man (2)	378:23 384:23	mean (24)	290:25 291:4,16
343:17 350:15	360:18,23	388:16,17	180:18 209:17 212:17	300:25 302:15
358:9,14 360:7	management (2)	materials (69)	213:2 234:5,22	303:3 305:21
longer (3)	228:4 230:8	195:8 213:10 223:19	236:7 239:2 261:25	321:18 343:19
328:4 345:22 388:18	Mandy's (1)	223:20 224:20	262:17 280:20	mentioned (19)
look (15)	378:11	225:10,11 241:8,11	282:15 283:9 288:2	182:19 193:20 196:23
176:22 187:18 188:24	manual (1)	242:13,23 243:14	297:18 300:23	218:18 231:20
189:4 190:19	191:12	261:22 262:11,12	301:19 312:15	232:6 241:11,25
211:13 214:6	manuals (9)	263:3,11,23 264:5	339:12 360:13	242:25 258:5
223:12 235:24	191:18 192:6,7,11,18	265:4,17 267:12	362:17,20 378:16	266:24 283:5
300:18 329:11	224:5,7,11,13	285:16 296:21,22	378:20	298:12 301:5,9
338:10 340:13	map (1)	297:3 309:25	meaning (27)	320:3 332:2 343:4
343:15 381:19	187:25	311:18,20 333:20	188:8 248:13,14,20	354:2
looked (5)	Marcello (1)	343:6 365:12,15	249:5 256:14	mentor (3)
176:17 187:21 224:14	353:3	366:20 367:5,15,20	264:12,18,20	199:4,9,9
329:10,14	mark (5)	368:9,13,16,19,21	267:21 279:6 338:5	mentored (1)
looking (20)	178:3 179:9 237:20	368:23 369:6,8,11	344:5 351:13 354:6	199:10
172:17 176:20 179:7	254:3 391:21	369:16,24 370:3,7	354:8,14,17,19,22	mentoring (1)
185:20 188:11	marked (28)	370:13,17,20,24	355:9,19,25 356:17	230:13
211:22 212:5,5	178:5 207:22 211:7	371:22 372:10,22	357:8,10,13	message (1)
218:9 227:11 260:2	211:10 221:15	372:24 373:9 375:7	meanings (2)	348:12
261:14 299:22	223:4 226:10	377:23 379:8 381:2	265:12 355:21	met (20)
318:6 325:16	237:22 243:19,22	381:4,16,16 384:19	means (11)	192:13 196:23 197:13
329:13 338:24	250:11 254:5,18	389:13 390:6	204:5,9,15 205:12	197:13 198:5
348:9 351:7 362:8	260:2,21 281:12	mathematics (1)	209:20 282:22	207:19 212:22,23
looks (3)	316:4,7 338:19	184:15	317:7,13 334:23	212:23 288:21
188:4 235:23 317:11	349:6 357:15	matrix (2)	383:20 389:9	291:22 292:4,4
Loretta (1)	366:17 367:22,23	270:24 350:12	meant (8)	293:9,12,24 315:24
353:2	382:21 390:15	matter (3)	199:20 210:21,23	319:15 321:4
loss (2)	391:24 398:10	276:25 393:19 399:12	238:23 282:21	334:10
172:23 173:8	market (6)	matters (1)	294:11 361:17	method (39)
lost (1)	219:5 227:13,15	253:11	382:13	197:8 198:20 202:5
267:25	233:16 355:20,20	MC (64)	measurable (3)	202:22,24 203:15
lot (11)	marketing (1)	175:2 179:2 204:6	200:8,10 297:16	203:16,21,23,24,24
191:16 199:5 277:10	213:3	209:6,14 211:12	medical (3)	204:4,8 205:2,5,6,8
277:11 297:7		212:18 213:4,8	185:20 229:22 238:19	205:13 206:19,19

207:7,8 210:9 215:19 218:7 219:21 220:16 221:6 224:10 248:25 254:23 384:10,11,12,16,20 384:24 385:6,10	358:15 mission (2) 224:22 391:15 misunderstandings ... 189:25 misunderstood (1) 312:15 model (27) 181:21 186:11 187:22 190:14 191:24 196:22 199:18 200:10 205:7 210:14 213:23 218:15 224:7 230:7 230:9 232:21 237:18 249:7 273:2 294:16 297:16,25 299:19 303:25 306:11 320:18 324:17 modeled (3) 182:23 187:24 227:12 modeling (1) 184:25 models (6) 179:23 180:5 181:18 183:3,13 196:5 module (19) 205:17,21,22 206:3,4 206:6,23,25 207:4 274:17 275:9 284:12,12 285:2,19 309:17,17,18,19 modules (32) 203:23 205:18 206:16 222:19,19 224:12 224:13 266:19,21 267:9 269:6,7,18,19 269:22,23 270:7,9 270:24 274:19,22 279:9 282:18 284:10 309:15 310:5 336:8,12,16 389:12 390:14,22 Monday (3) 327:21,22,24 money (5) 177:8,14 219:22 237:18 266:4 months (3) 197:25 198:13 291:12 Moody (2) 168:16 170:16 morning (6) 172:8 261:6 328:16 328:22 329:12 392:10 Morris (15) 168:8 170:4 294:4	298:16 304:23 314:23 315:2 369:13,15,23 370:12,16 372:2,12 378:12 Morristown (1) 170:6 motivation (1) 229:9 motivational (1) 228:21 Motors (1) 389:5 move (6) 175:9 273:3,18 323:11 324:21 325:20 movement (2) 181:13 183:15 Mulberry (2) 169:10 170:20 multiple (4) 176:3 183:11 188:12 200:21 <hr/> N (7) 170:2 172:2,2,2 214:15 395:4 400:5 name (10) 176:23 187:14 249:11 249:22,23 303:5,8 329:19 400:3,5 named (3) 249:8 250:2 314:15 names (4) 176:21 193:22,23 363:18 Nancy (9) 168:15,20 169:8 170:19 178:10 192:18 394:10 399:7 400:24 Natalie (1) 197:2 Nataraja (8) 214:23,25 215:22,24 216:16,19,21 217:25 naturally (2) 185:2 277:9 nature (9) 190:24 205:25 217:9 270:12 279:6 320:6 320:17 354:23 355:6 necessary (7) 240:22 269:8 274:11 283:12 297:10	355:12 383:17 need (15) 229:25 245:3 272:16 272:17 277:9 283:16,17 327:21 354:15 356:22,23 356:24 357:6,11 383:23 needed (5) 247:12 276:3 279:9 305:9 345:17 needs (1) 283:15 negative (2) 263:24 264:6 neighbor's (1) 337:6 net (1) 173:8 Neurodynamics (2) 180:15 187:6 neurolinguistic (10) 179:25 180:3,12 182:20 184:24 187:19,21 189:11 190:3 191:11 neurolinguistics (1) 196:12 Nevaras (4) 215:25 216:21 222:23 224:2 never (25) 199:2,10 200:4 201:21,23 207:9 219:11 249:6 252:16 259:6,14,15 259:17,24 284:15 310:20 346:20 351:2 361:24 365:10 377:3,16,18 382:11 391:22 new (34) 168:2,20 169:10,13 170:6,10,13,17,17 170:20 192:24 193:5,9 196:4,11 200:15 236:9 239:16 262:20,23 272:24 292:2,15 293:19 299:23 325:16,24,25 326:2 390:13,23 399:3,4,5 Newark (3) 168:20 169:10 170:20 newspaper (1) 177:17 Nicki (2) 224:16,17 night (5)	247:20 293:7 298:23 321:4 330:14 Nirbhaya (6) 249:24,25 250:5 256:7,19 258:23 NLP (31) 183:23 185:24 186:4 186:12,14 187:9,24 189:20 193:25 194:17 195:7,12,25 196:15,18 205:16 205:20 206:2,7,9,13 206:17,23 207:13 210:12,13,14,17 300:9,12,19 Noam (2) 187:23,23 nonmedical (1) 228:8 non-compete (1) 195:10 non-traditional (1) 183:6 normally (5) 320:10 322:14 323:6 324:3 335:18 Northern (2) 390:13,22 Nos (7) 221:19 250:15 254:19 254:22 260:25 281:18 383:15 Notary (3) 169:12 172:4 399:5 note (3) 252:15 254:16 353:16 notebook (1) 372:16 noted (2) 388:4 391:10 notes (28) 247:11 248:10,10 259:19 284:8,9,14 284:15 285:10,25 287:12,15 288:6,8 288:10 310:3,4,9,11 310:12 333:23 334:3 344:14,20,21 366:13 380:18 381:13 notice (2) 169:11 383:4 noticed (1) 176:20 November (1) 307:10 NS (2) 213:17,18 nuclear (1)
--	---	---	---	--

230:14	305:15 306:8	393:18	194:21,25 195:10	241:15 245:6 273:10
number (36)	307:12 308:8	objections (4)	198:19 200:16	273:11 320:16
175:12,16 176:7,18	309:22,25 310:16	171:8 227:22,22	202:3 203:13	352:17 359:17
176:18,23 179:25	311:17,22,25 313:9	242:9	208:17,20 209:25	371:16 389:15
180:7 181:17 182:9	313:21 320:3	objective (1)	212:5,16 213:16,25	ones (3)
183:21 185:8	333:13,19 334:8,22	283:14	214:4,7 215:14	181:16 284:10 341:25
186:22,23 187:7	335:2 338:22	objectives (3)	218:9,23 219:3	one's (3)
191:25 211:17	341:16 342:2	204:3 281:7 324:10	220:13 221:9	181:9,10 202:25
212:2,20 225:23	343:13 344:10,13	obligated (2)	222:14 225:16	one-day (8)
237:21 241:23	346:2 347:16	383:21,23	233:3 238:13,21	308:24 310:2,24
243:10 249:15	348:12 350:9	observation (1)	239:15 240:3,17,23	311:18,21 313:3,24
255:4 260:6 274:19	353:20 355:9,20	254:16	245:9 247:22	315:2
290:15 293:4	358:13 363:6 371:5	observed (3)	248:12 250:8	one-hour (1)
359:20 360:5 364:6	371:21 377:19,23	275:6 276:16,17	252:14,22 254:15	206:25
369:20 395:16,19	379:25 382:21,25	obstacles (1)	255:24 257:16	one-page (3)
396:19	383:18 384:7,9,15	352:10	258:15 259:10,16	178:8 207:25 239:20
numbered (1)	384:16,18,20,22,24	obtain (6)	259:23 260:9,15,18	one-to-one (1)
285:17	385:5,11,12,14,20	203:21 310:16 311:22	261:14,21 262:10	183:23
numbering (1)	386:23 387:6,7,12	335:2 368:8 369:24	262:16,25 263:7,20	ongoing (1)
286:3	388:15 389:12	obtained (1)	264:21 265:7,16,21	376:4
numbers (2)	400:3	366:20	266:3,24 267:6	open (3)
260:4,6	NXIVM's (20)	obviously (1)	268:12,20 269:4	305:25 306:8 326:3
numerous (2)	177:10,15 206:14	324:23	271:7 273:16	opening (2)
238:22,24	227:15 235:17	occasion (4)	275:18 276:16	325:10,23
NXIVM (169)	264:5 298:17 334:3	174:15 241:13,14	278:25 280:3,19	operated (1)
168:4 173:6,15,18	379:23 381:3 384:4	246:6	282:8,12 283:3,8,18	193:25
174:7,11,20 175:21	385:21 386:5,18,25	occasions (1)	283:21 284:3,18	opinion (4)
179:9 180:25	387:14 390:12,14	243:5	286:24 288:5 291:4	264:7 354:18 356:7
194:23 201:19	391:16 392:4	occur (1)	292:9 295:8 296:14	393:11
203:13,14,20,21	NXR00035 (1)	189:14	297:6 298:6 311:3	opinions (1)
205:9,11,15 208:12	396:21	occurred (2)	311:22 312:5	264:10
209:4,12,17 210:2	NXR00037 (1)	225:25 314:5	313:20 314:17,25	opportunity (1)
210:17 214:4 218:5	396:22	occurs (1)	316:23 317:15,19	327:15
220:14 223:21	NXR00038 (1)	188:12	318:9,23 319:7,13	opposed (5)
224:19 225:10	397:5	odd (3)	324:5 326:18 328:7	229:22 232:20 264:8
226:3,25 227:6	NXR00046 (1)	347:18 360:2,11	329:6 331:20 332:2	267:24 282:19
229:10,14 230:6,10	397:6	offered (3)	333:13,18 335:20	optimal (1)
230:11,16,19,22	NXR00047 (1)	202:7,10 327:14	336:14 338:6,11	228:21
231:3,10,22 232:22	396:24	offhand (1)	339:6,16 340:11	optimistic (1)
233:3,6,13,18 234:8	NXR00057 (1)	343:10	342:2 344:22	332:18
234:25 235:2,2,23	396:25	office (9)	347:14 353:16	optimization (1)
236:19,24 237:6	O	207:17 240:21 353:24	355:8 357:21 358:6	228:8
239:16 240:3,24	oath (1)	387:14 388:17	358:17,20 363:4	ordeal (2)
241:7,15 242:12	171:14	389:13,16 390:5,7	365:11 366:25	326:8 327:7
244:17 245:12	object (18)	officer (1)	367:22 369:3,18	order (6)
246:11 248:20,22	204:6 209:6,14 220:7	171:13	370:10 371:2	268:21 283:23 356:21
251:12 252:11	225:14 245:14	offices (1)	372:21 373:8	391:6,20 393:13
253:4,12,19 255:18	258:17 262:2 380:2	169:9	375:22 379:23	orders (1)
257:21 258:15	384:25 386:15	Oh (7)	381:10,21 382:9	393:14
260:12 261:9,11	387:2,20 388:19	248:4 295:19 324:5	384:13 385:9,15	ordinarily (3)
262:13,23 263:23	390:19 391:8	334:11 367:11	386:2 387:5 389:4	245:24 320:15 333:21
265:9,22 266:4,16	392:18,25	382:11 393:25	390:4 391:19 393:2	organic (2)
266:25 267:4,7	objecting (1)	okay (166)	older (1)	217:9 279:5
268:4,13 270:4	388:9	173:10,15,22 174:2,6	282:24	organization (21)
276:7 279:15 282:3	objection (12)	174:18,23 177:14	olfactory (1)	195:6 215:3,4 233:12
284:13 285:8	263:5 264:2,15 266:6	177:17,21 179:7,12	188:8	234:5 236:5,7,12
286:11,25 294:5	386:17 388:2,3	180:16 181:8 190:2	Olsen (3)	237:2 253:22
296:14 297:3,12,23	390:8 391:5,7,9	192:16 193:6,10	240:2 242:2 244:9	255:14 324:15
298:7,8 304:6			once (9)	

339:4,19 340:9,10 359:17 364:7 368:14 383:24 396:13 organizations (6) 218:18 227:12 233:5 233:19 234:3 236:19 originally (3) 218:13 219:4 332:3 Origins (6) 204:21 308:25 309:6 309:8,13,14 Ortez (1) 353:3 outcome (1) 399:11 outgrown (1) 247:11 outlined (1) 230:9 outside (6) 263:23 264:6 293:16 300:4,7 336:13 outsourcing (1) 228:19 overnight (1) 393:7 oversaw (1) 328:12 owned (3) 215:24 216:22 218:24 owner (1) 221:10 ownership (3) 196:18 219:15 220:4 owns (3) 215:12 216:19,21 O'Hara (3) 211:21 259:5 391:2	400:21 paid (12) 257:19 368:8,12,16 368:21 369:23,23 370:2,7,8,9,12 pair (1) 254:21 Pam (9) 212:10,10,19,22 215:11,13 322:18 352:25 359:23 Pamela (2) 218:24 359:24 paper (3) 187:24 188:20 258:18 paragraph (16) 172:20,21 208:21 223:12,18,18,25 227:17 252:2 253:7 258:23 261:14 358:7 367:24 368:6 368:8 parameter (1) 267:24 parent (2) 339:11,12 parents (8) 291:17,20 292:4 294:10 295:24 296:3,7,9 Park (1) 170:13 part (21) 212:12 232:25 248:24 249:3 256:13 261:24 263:13 266:13 268:2,18 269:20 282:22 285:3 299:8 307:5 349:15 350:24 351:5,12 377:22 393:18 partial (2) 226:6,8 participant (6) 236:10 249:15 250:6 255:20 271:2 310:4 participants (2) 297:8 309:19 participated (3) 196:9 222:23 244:8 particular (3) 216:11 240:19 283:13 particularly (1) 295:15 parties (10) 171:5 221:13 256:13 257:7,23 258:11,14 258:20 368:7	399:10 partnered (2) 186:19 191:25 pass (1) 271:3 patent (5) 220:18,20,22 387:15 390:3 patented (1) 220:17 patenting (2) 390:2,24 patents (1) 223:22 path (5) 268:12 283:9,11,19 284:5 pattern (3) 316:21 348:15,18 patterns (9) 184:6 187:10 190:19 190:20,21,24 191:2 191:5 203:5 Paul (2) 168:9 170:8 pay (6) 218:3,5 219:20,23 221:12,14 payment (1) 177:9 payments (1) 220:13 PC (6) 170:7 212:7,9,16 213:17 214:10 pending (4) 220:18,21 221:2 223:22 Pennsylvania (1) 186:25 people (83) 176:4 181:14 184:21 185:3 188:12 189:9 189:20 191:20 203:7 208:11,23 216:5 219:4 226:25 227:14 229:12,17 229:19 230:23 231:16,24 232:4 233:7 236:5 242:21 243:11 256:9 257:4 258:4 264:9 266:23 271:17,19 273:25 274:9 277:8 278:6 283:8,10,15,17 286:9,20,21 293:5 294:13 297:8,24 298:9,11 299:12 300:18 302:19	303:7 305:14,20,22 305:24 306:11 307:21,22,24,25 308:8 311:17 317:23 318:17,21 319:17 320:9 324:18 325:7,8 334:21 339:3 340:14 351:7,20,24 352:20 360:6 361:5 364:19 people's (1) 203:9 percent (2) 205:21 207:4 perception (1) 228:18 perceptions (1) 203:10 perceptual (1) 202:25 perfect (1) 325:2 perform (3) 229:10,13 230:6 performance (2) 228:18 229:4 performed (1) 176:6 period (8) 183:14,18 208:15 224:25 278:9,11 350:15 391:16 Perls (8) 181:15 182:7,11 184:9,18 190:17,22 191:2 permission (3) 263:15 265:23,24 permitted (1) 337:20 perpetuate (1) 234:5 perpetuating (1) 253:21 PERRETTI (1) 170:3 persistence (1) 229:9 person (45) 172:25 173:3,7,11,12 173:16,21 174:7,12 174:19,24 175:15 175:20 183:10 185:18 187:4 201:3 201:6 203:3 218:14 233:22,24 235:4,10 235:11 249:20 276:25 278:17,19	284:4 285:12,13 304:8 309:24 318:10 325:15 339:8,15,18,21 340:8 343:5 364:16 364:17 385:20 personal (11) 228:22,22,23,23 236:3 270:25 271:10 291:5 303:4 303:10 383:21 personality (2) 231:24 277:4 personally (4) 181:16 326:10 341:5 341:17 perspective (1) 269:24 persuade (2) 266:15 332:16 Peter (7) 170:10 381:23 382:2 382:17 383:2 389:24 391:7 phone (6) 239:4 315:19,23 321:9 360:2 364:16 phonetic (2) 314:15 353:2 phrase (6) 180:19 212:16 261:25 262:6,11 283:10 physical (2) 216:12 377:6 physically (1) 329:6 Ph.D (2) 168:9 192:24 picked (1) 324:24 piece (1) 354:13 place (11) 272:19,21 275:21,25 275:25 276:2,3 303:7,9 307:13 372:9 placed (1) 331:2 plaintiffs (4) 168:6 172:22 227:23 227:24 plan (3) 232:10,16 274:25 planning (3) 232:8,16,23 plans (2) 304:12 324:14 plant (1)
P				
P (2) 170:2,2 packet (1) 246:6 Padilla (2) 197:6 353:3 page (35) 172:17 222:8 223:9 223:13 226:17,18 250:20,21 251:14 252:22 256:3 367:24,25 368:3,3 395:3,8 396:2,14 397:2 398:3,3,5,5,8 398:8,10,10 400:9 400:11,13,15,17,19				

230:14 Plaza (1) 170:5 please (2) 172:14 237:20 plus (2) 280:20 333:11 point (20) 178:21,22 185:11 201:14 230:14 273:21 278:23 293:19 319:11 325:19 330:3,19,21 338:18 345:18 350:9 372:19 375:6 376:7 393:5 pointed (1) 348:17 points (1) 252:15 policy (2) 266:25 267:4 popular (2) 182:12,13 portion (6) 193:13,18 204:13 205:19 207:14 286:7 posed (1) 364:7 position (3) 384:7,14 392:20 positive (3) 228:24 346:7,17 possession (2) 330:9 377:24 possibility (3) 347:4,10 363:5 possible (8) 198:8,16 278:12 287:22 344:8,9,24 373:16 possibly (1) 224:16 posted (12) 224:19,23,24 225:8 225:13,20 374:10 378:24 379:4 389:12,16 391:16 posting (2) 378:14 387:13 potential (15) 179:17,21 180:19,22 181:2,5,12 182:8,15 183:15 195:21 290:22 297:3 304:5 363:19 potentially (1) 231:7	power (4) 230:14 384:9,11,14 practice (15) 179:16 185:22 237:13 237:17 285:21,24 290:2,7,11 297:2 303:18 313:2 319:13 321:16 334:3 practices (1) 256:25 practitioner (1) 183:20 practitioners (4) 186:10 190:10 191:9 196:7 pre (2) 270:23 272:8 precise (2) 383:15,24 premises (1) 313:7 prepare (1) 211:24 prepared (6) 334:6 382:10,24 383:6,17 392:9 preparing (1) 251:19 preschool (2) 217:4,8 present (3) 209:7 333:19 376:16 presentation (1) 196:10 presented (1) 363:18 presently (1) 242:10 preserving (1) 389:25 president (5) 178:10 215:10 221:10 386:9 389:4 press (1) 379:24 presuppositions (2) 205:23,25 pretty (6) 210:20,23 227:4 364:18 365:14 381:19 previous (1) 337:22 previously (4) 172:3 367:22 382:21 392:22 pre-requisite (3)	274:11 279:14 355:11 pre-requisites (2) 336:9 352:16 Principles (19) 168:5 214:16,17 218:3,6,11,17,19,20 218:21 219:16,20 220:5,14 221:4,10 221:12 222:4 223:22 printed (1) 374:5 prior (4) 319:15 324:17,19 325:3 private (2) 237:13,17 privilege (1) 254:11 probably (31) 175:5 190:6,12 194:5 239:3 251:24 254:12 278:7 297:14,17 305:10 306:22 307:17 308:10,15,16,17 310:5,6 315:20 319:10 322:18 334:18 337:15 343:11 351:25 353:2,13 355:23 364:17,22 problem (7) 199:14 228:24,25,25 360:21 363:21 364:8 problematic (1) 233:9 problems (5) 189:6 230:21,23 232:4 348:13 process (14) 183:10,11 191:7 202:3 206:20 233:21 237:11 240:23 241:21 245:23 248:16 354:5 355:24,25 processed (1) 235:8 processes (4) 184:20 185:3 211:5 262:14 proctor (28) 247:7,9,15 255:23 257:11,14 268:11 285:14,15,18 286:2 323:5 330:6 331:2 331:21,23 339:4	340:4,7 342:19,20 342:21,23,25 343:7 343:7,14,16 proctors (8) 247:17,18,19 248:3,4 248:5 276:11 343:2 produced (11) 178:12 181:18 221:19 250:14 254:10 260:11,24 281:16 312:7 338:12 349:9 producing (1) 180:23 production (2) 260:12 398:5 products (1) 176:3 professional (3) 177:6 229:2 268:10 professionalism (1) 270:15 professor (1) 184:17 program (61) 175:16 215:16 217:14 223:20 233:23,25 234:15,22,23 236:10 238:19 239:9 241:3,5,24 243:17,18 244:23 246:8 249:16 250:7 252:18 255:20 271:18 274:11 279:5 282:17,17,23 283:12,13 289:7 304:9,17,18,24 305:20,22 308:25 309:2,2,6,7,13,14 319:20 320:10,12 320:14,17,21,22 321:8 323:11 324:19 335:22 336:13 356:13 395:10 396:6,11 programming (10) 179:25 180:3,12 182:20 184:24 187:19,21 189:11 190:3 191:12 programs (17) 168:4 178:11 194:19 194:22 197:16,20 198:3,18 213:24 214:22 217:9 231:5 231:6 234:7 308:24 353:19 397:4 prohibit (2) 263:20 264:4 prohibited (11)	263:3,24 264:9,14 265:4,9,14,16 266:5 266:17,18 projection (5) 354:24 355:3,7 356:23 381:12 projective (5) 349:13 350:8,10 354:3 396:15 promote (2) 266:22 306:15 promoted (1) 368:22 promoting (1) 369:8 promotion (1) 281:25 promotional (1) 241:10 proper (1) 225:20 properly (2) 175:3 232:16 property (3) 201:10,11 244:16 proprietary (1) 196:17 prospect (2) 325:10 376:8 prospective (2) 266:25 355:22 protect (3) 244:15 245:18 386:22 protected (3) 254:11 370:4 371:22 protection (1) 245:12 protocol (1) 270:14 provide (5) 208:22 228:2 241:7 245:10,11 provided (3) 245:12 349:24,25 provisional (4) 269:12 280:17,24 282:6 psychiatrist (5) 182:25 192:22 229:25 237:12 239:12 psychiatrists (11) 229:20,20 230:15,18 230:20 237:5 238:20,23 239:6,8 320:4 psychiatry (4) 229:3,14,17,17 psychoanalyst (1)
--	--	---	--	--

183:9	396:18	raised (2)	realized (3)	178:7 193:14,19
psychologist (4)	P000004133 (1)	346:24 376:13	360:17,18 361:4	204:14 207:24
182:25 192:22,23	395:23	Raniere (21)	really (22)	254:7,16,17 281:15
237:12	P000004139 (1)	168:15 170:12 196:24	175:6 187:18 192:13	286:8 349:8 380:20
psychologists (7)	395:23	197:7 198:19	201:10 202:8 289:6	383:9 389:25
230:3 237:6 238:20	P000004778 (2)	206:15 207:12	290:18,19 294:6,17	393:15 394:3 399:8
238:23 239:6,9	178:13 395:9	210:6 211:3 220:3	297:9 299:21	400:7
320:5	P000004779 (2)	220:14 222:16	300:23 304:9 311:2	recreate (2)
psychology (8)	208:3 395:11	230:8 244:8 298:4	325:7 337:23	186:11 232:10
182:23 228:14,19,24	Q	303:24 374:25	340:15 347:12	recreating (1)
229:3,4 355:4,5		386:24 387:5,11	351:10 366:5 386:7	213:23
psychotherapist (4)	qualification (3)	393:9	reason (16)	redirecting (1)
192:21 193:3,4,8	271:12,15 281:24	Raniere's (3)	229:22 239:10 249:21	270:16
psychotherapists (1)	qualify (5)	375:3 385:16 392:2	303:23 320:9,13	reduction (1)
320:5	269:2 271:4,7 337:23	rank (10)	345:20 347:11	228:7
public (5)	341:21	257:9 268:5 279:16	400:6,9,11,13,15,17	refer (3)
169:13 172:4 257:3	quantifiable (2)	279:19 285:13	400:19,21	234:9 284:11 340:5
387:17 399:5	200:10 297:16	323:7 334:7,12	REATH (1)	reference (2)
publicly (3)	question (36)	335:2 342:5	170:12	251:25 339:16
387:13 388:16 390:7	171:9 175:23 177:2	rapport (8)	recall (15)	references (1)
publicly-available (1)	187:13 203:19	206:3,5,6,7,23,24	195:24 292:11 296:24	392:2
387:15	204:7,12 205:14	277:7 278:4	297:18 298:15	referrals (5)
publish (2)	209:7,15 220:8	rational (50)	311:13 315:8 318:3	173:2,12 175:13,17
182:8 185:6	223:11 225:15	197:8 198:20 202:21	319:8 326:6 329:9	175:24
published (1)	235:22 245:15	203:14,20 205:13	333:22,25 345:24	referred (3)
182:9	250:4 258:18 262:3	206:10,19 207:8	349:4	213:21 234:25 318:10
purchased (1)	263:16 264:3	210:7 212:7,17	receive (8)	referring (7)
177:19	284:18 363:8	213:3,10,17 214:19	246:12 250:23 279:23	204:17 223:24 259:8
purports (2)	378:19 380:3	214:21 215:5,17,18	281:4,5 318:13,20	262:12,13 325:4
252:23 261:2	384:21 385:2,9	216:2 218:6 219:6	333:21	343:3
purpose (5)	387:3,21,24 388:4	219:12,15,20 220:4	received (2)	refers (7)
205:5 244:13 265:8	388:10,11,20	220:16 221:6	251:7 318:24	175:20 180:20 214:12
268:3 308:6	389:10 390:20	222:17,22 224:6,9	receives (2)	222:12 252:17
pursuant (1)	questioning (4)	248:23,24 310:8	221:6 241:15	253:7 339:8
169:11	256:24 267:20 341:23	356:25 357:2,4,7,12	receiving (1)	reflect (1)
pursuing (1)	341:24	384:3,9,16,19,23	253:16	393:15
360:20	questions (20)	385:6,10 386:3,21	recess (5)	Reform (1)
put (17)	175:3 177:8 180:17	reach (3)	211:9 226:20 259:3	396:23
208:7 211:19,22	191:8 267:22	281:24 327:19 351:18	316:3 366:16	refund (2)
224:15 231:10,11	299:18 349:13	reached (2)	recognize (11)	358:3,9
231:12 272:20	350:8,10 354:3,10	351:20 352:7	178:14 201:3 208:4	register (1)
276:3 277:2 312:20	354:21,24 360:20	reaction (2)	211:11,14 221:21	353:20
330:13 331:21	361:20,22 381:22	375:4,15	223:6 226:12	regret (1)
352:9 358:20 379:8	383:3 396:15	read (24)	239:13 338:25	196:21
379:19	398:10	179:2,4 191:14,15	349:11	regular (1)
P-A-D-I-L-L-A (1)	quickly (2)	193:14,19 202:7,10	recognized (1)	256:12
197:6	323:11 324:21	202:15 204:12,14	279:7	rejected (1)
p.m (2)	Quinn (1)	227:7,8,18 236:18	recollection (10)	220:23
259:3 394:6	172:16	242:5 263:9 286:8	225:24 297:20 300:15	relate (1)
P000004098 (1)	quite (3)	367:24 368:5	321:10 332:9,12	298:9
396:14	326:8,25 340:15	374:18 380:23	336:12 345:4,15	related (1)
P000004109 (2)		389:18 393:9	364:14	399:10
316:8 396:12	R	reading (3)	recommendation (1)	relates (1)
P000004110 (2)	R (1)	177:5 238:2 327:10	236:4	274:24
260:25 396:7	170:2	real (5)	recompensated (1)	relating (1)
P000004111 (1)	Rainbow (8)	249:23 277:14 360:13	253:17	195:11
396:8	214:23 215:14,19	363:8 364:8	recompensed (1)	relationship (3)
P000004122 (1)	216:16,19,22,25	reality (1)	253:25	346:2,4 384:3
	217:22	203:11	record (18)	

<p>release (1) 390:3</p> <p>released (1) 387:17</p> <p>remained (1) 194:10</p> <p>remember (91) 214:3,13 250:10 254:2 257:8 258:25 291:6 292:5 297:5 298:5 299:10,11,25 300:6,10,12,13,22 300:24 301:7,17 303:11,13 306:24 307:5 308:11,13,18 309:15,22 310:23 311:2 312:25 313:11 314:13 315:17,17,22 316:2 318:5,6 319:6 320:8 321:8,22,23,25 331:11,14 332:13 336:17,18,23 337:8 338:15 344:7,24 345:18,20 347:3 348:7,8,8,11,14 353:4 358:5 359:24 360:5,6 361:19 362:3,18 363:2,7,21 364:24 365:16 366:5,11,12 369:3 372:7,14 373:19 375:21 376:17 377:25 380:4 381:18 391:13</p> <p>remotely (1) 249:7</p> <p>repeat (3) 310:22 378:5 384:21</p> <p>repeated (1) 337:22</p> <p>repetitive (1) 393:20</p> <p>Reported (1) 168:24</p> <p>reporter (3) 169:12 373:20 399:5</p> <p>reports (1) 222:6</p> <p>represent (5) 226:24 310:19 338:11 374:6 382:18</p> <p>representation (7) 189:2,5,8,9,16,19,22</p> <p>representatives (1) 253:15</p> <p>represented (1) 193:15</p> <p>reproduced (2)</p>	<p>232:12,21</p> <p>reproducible (5) 190:11 200:7,9 213:23 297:15</p> <p>reprogramming (1) 189:13</p> <p>reps (1) 207:17</p> <p>request (10) 192:17 214:8 310:21 310:22 312:6 358:8 378:6 392:18 393:16 398:5</p> <p>requested (6) 193:13,18 204:13 286:7 312:7 358:3</p> <p>require (6) 240:3,24 242:12 244:17 276:7 377:23</p> <p>required (12) 217:19 240:10,14,18 244:21,25 245:6 252:5 265:25 275:19 283:3 337:13</p> <p>requirement (16) 271:22 272:15,23 273:7,14,21,24,24 275:21,22,24 279:2 283:4,6,7 355:12</p> <p>requirements (12) 202:20 270:25 271:2 274:12 275:25 276:2 283:22,23,25 284:3 334:10 352:11</p> <p>requisite (1) 318:17</p> <p>research (3) 185:7 361:25 362:5</p> <p>reserve (1) 381:22</p> <p>reserved (1) 171:9</p> <p>resigned (2) 257:18 258:3</p> <p>resolve (1) 257:17</p> <p>resolving (1) 231:25</p> <p>resource (1) 228:18</p> <p>respect (5) 199:3 239:5,7 382:24 383:18</p> <p>respected (1) 305:24</p> <p>respective (1)</p>	<p>171:4</p> <p>response (6) 248:18 253:9 301:24 303:22 321:12 365:20</p> <p>Responses (1) 395:18</p> <p>responsibilities (2) 285:4,5</p> <p>responsibility (5) 285:9,13 342:13,19 386:22</p> <p>responsible (7) 181:14 195:7 322:8 322:12 340:17 343:5 380:14</p> <p>rest (1) 200:13</p> <p>restructuring (2) 228:6,15</p> <p>result (6) 191:17 259:14,20 265:13 334:8 361:12</p> <p>results (8) 176:13,14 180:23 190:11 191:6 197:24 203:22 297:22</p> <p>resume (1) 199:11</p> <p>retained (1) 192:10</p> <p>Retreat (2) 168:10 170:9</p> <p>retrospectively (1) 173:19</p> <p>return (3) 242:13,22 377:23</p> <p>revealed (1) 392:14</p> <p>reveals (1) 235:19</p> <p>revenue (5) 172:23,24 173:2 175:13,25</p> <p>review (7) 178:19 222:3 226:22 235:18 242:3 383:15 393:7</p> <p>reviewed (1) 261:19</p> <p>reviewing (1) 358:8</p> <p>reviews (1) 222:6</p> <p>Richard (8) 184:10,13 186:13</p>	<p>187:20 190:4 191:24,25 196:20</p> <p>Rick (17) 168:8,12 170:8 358:21 359:10 361:13,25 362:11 362:13 366:2 368:8 368:13,18,18,20 371:24 382:18</p> <p>RICKY (1) 168:9</p> <p>right (27) 201:8 203:17 215:21 217:7,7 220:3 227:17 262:24 274:10 277:21,25 286:4,5 287:20 299:7,10 315:12 323:15 325:21 347:18 350:17 351:4 365:18 366:7 388:14 389:11 393:12</p> <p>rights (4) 214:19,21 218:15,16</p> <p>right-hand (1) 282:13</p> <p>rigorous (1) 237:3</p> <p>RIKER (1) 170:3</p> <p>RMS (2) 230:8,8</p> <p>Robbins (3) 195:15,20,25</p> <p>Robert (5) 170:14,17 186:16,17 186:23</p> <p>Rochelle (17) 168:8 170:4 294:5 304:23 310:13,17 310:21 312:11 313:20,23 314:8,9 314:10 370:19,23 372:5 378:13</p> <p>role (6) 212:14 244:4,7 267:15,17 288:15</p> <p>rolled (1) 305:14</p> <p>room (14) 246:17,18 247:3,8,9 247:13,15 330:5,6 330:13,21 331:2,22 331:23</p> <p>Roseland (1) 170:10</p> <p>Ross (44) 168:8,8,9,12 170:8,8</p>	<p>358:21 359:10 361:7,13 362:2,11 362:13 365:12 366:2,8,20 367:7 368:8,13,18,18,21 369:8,23 370:2,2,4 370:7,8,9,12,21 371:24 372:10,15 372:24 373:7 374:11 378:10 379:8,12 382:18,18</p> <p>Rossi (3) 185:9,10,12</p> <p>routinely (2) 241:9,12</p> <p>rules (1) 172:11</p> <p>RULING (1) 398:10</p> <p>run (1) 325:15</p> <p>Russell (2) 211:16,24</p> <p>Rutgers (2) 289:17 302:24</p> <p>R&D (1) 228:20</p> <p>R-A-P-P-O-R-T (1) 206:5</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>S (4) 170:2,11,17 172:2</p> <p>Sabbath (2) 327:16,17</p> <p>sales (4) 207:17 219:4 253:18 339:19</p> <p>salespeople (2) 318:18,23</p> <p>salesperson (3) 318:16,20 340:3</p> <p>Salzman (313) 168:15,20 169:8 170:19 172:1,8,13 173:1 174:1 175:1 175:10 176:1 177:1 178:1,4,5,8,10,14 179:1 180:1 181:1 182:1 183:1 184:1 185:1 186:1 187:1 188:1 189:1 190:1 191:1 192:1,18 193:1 194:1 195:1 196:1 197:1 198:1 199:1 200:1 201:1 202:1 203:1 204:1 205:1 206:1 207:1 207:22,25 208:1</p>
--	---	--	--	--

209:1 210:1 211:1,7 211:11 212:1 213:1 214:1,15 215:1 216:1,23 217:1 218:1,9 219:1 220:1 221:1,15,17 222:1 223:1,4,14 224:1,3 225:1 226:1,10,12 226:21 227:1 228:1 229:1 230:1 231:1 232:1 233:1 234:1 235:1 236:1 237:1 237:22 238:1 239:1 240:1 241:1 242:1 243:1,19,21,22 244:1 245:1 246:1 247:1 248:1 249:1 250:1,11 251:1 252:1 253:1 254:1,4 254:5,8,18 255:1,3 255:6 256:1 257:1 258:1 259:1 260:1,3 260:21,23 261:1,4 262:1 263:1 264:1 265:1 266:1 267:1 268:1 269:1 270:1 271:1 272:1 273:1 274:1 275:1 276:1 277:1 278:1 279:1 280:1 281:1,12,14 282:1 283:1 284:1 285:1 286:1 287:1 288:1,11 289:1 290:1 291:1 292:1 293:1 294:1 295:1 296:1 297:1 298:1 299:1 300:1 301:1 302:1 303:1 304:1 305:1 306:1 307:1 308:1 309:1 310:1 311:1 312:1 313:1 314:1 315:1 316:1,4 316:6,7 317:1 318:1 319:1 320:1 321:1 322:1,4 323:1 324:1 325:1 326:1 327:1 328:1 329:1 330:1 331:1 332:1 333:1 334:1 335:1 336:1 337:1 338:1,19,24 339:1 340:1,11 341:1 342:1 343:1 344:1 345:1 346:1 347:1 348:1 349:1,6 350:1 351:1 352:1 352:22,23 353:1 354:1 355:1 356:1 357:1,15,17,22 358:1 359:1 360:1	361:1 362:1 363:1 364:1 365:1 366:1 366:17 367:1 368:1 369:1 370:1 371:1 372:1 373:1 374:1 375:1 376:1 377:1 378:1 379:1 380:1 381:1,24 382:1,17 383:1 384:1 385:1 386:1 387:1 388:1 389:1 390:1 391:1 391:23,23,25 392:1 393:1 394:1,10 395:4,9,10,12,13,16 395:17,20,22,24 396:3,6,9,11,13,15 396:17,19,20,23 397:3 399:7 400:5 400:24 SANDLER (1) 170:7 Sandy (1) 197:6 Sanskrit (1) 249:22 Sara (2) 177:9,18 sash (13) 279:22,23 280:5,6,10 280:15 281:4,9 282:6,9 334:13,15 396:9 sashes (1) 279:16 sat (1) 231:16 Satir (8) 181:15 182:7,9 184:8 184:18 190:17,20 190:25 satisfied (1) 272:11 satisfies (1) 283:25 satisfy (3) 271:23 272:15 383:16 satisfying (1) 305:18 save (1) 391:6 saved (1) 223:11 saw (11) 200:25 223:7 251:19 321:9 324:20 328:14 329:6,14 357:19 374:16 377:8 saying (4)	200:16 256:22 264:24 348:14 says (22) 178:9 179:8,13,17 208:21 214:9 222:9 223:18 227:16,20 252:14 256:6 258:19 282:13 283:10 316:21 341:4,9,17 353:17 358:7 371:17 SCHERER (1) 170:3 school (9) 217:6,7,13,13,14,16 325:10,12,23 science (2) 200:8 297:13 scientific (1) 210:8 scientology (2) 181:20,23 scope (2) 210:20,24 screening (4) 235:4 237:11 320:4,6 seal (2) 390:16,18 sealing (1) 171:5 second (23) 172:17 202:9 208:21 222:8 250:21 274:13 275:19,23 276:6,8 279:4 321:11 334:20 336:9 338:4,8,13 345:6,9,12 358:7 395:17,18 secret (11) 386:7 387:7,8,16 388:18 389:6,9 392:12,13,13 393:22 secrets (12) 385:21,24 386:4,5,10 386:13,19,21,25 387:6 392:4 394:2 section (1) 381:10 see (31) 172:20 173:4 188:8 212:6 222:8 230:20 235:24 251:23,25 252:9,25 253:3 255:9 273:17 315:20 326:10,15 326:18 327:2,6 328:17 330:22	332:21 338:10 343:15 358:6,11 375:15 377:4,5 381:23 seeing (4) 318:6 321:11 375:12 377:15 seek (1) 203:9 seeking (1) 188:19 seen (12) 199:2 200:2,4 201:21 201:23 207:9 221:22 223:7 226:14 251:18 303:10 310:20 SEILER (1) 170:15 selected (2) 246:23 338:17 selecting (1) 322:8 selection (1) 322:13 self-help (1) 229:3 seminar (4) 180:8,13 196:9 312:23 seminars (6) 180:11 186:21,22,24 192:4 229:8 senior (2) 256:2 257:11 sent (2) 259:6,14 sentence (7) 172:21 179:13 252:14 261:22 262:18 263:9 369:12 separate (1) 188:16 Sephardic (1) 294:14 September (3) 347:21,23 348:2 series (24) 180:5,20 182:18 184:3,5 185:3,15 190:4,8,9 191:7,23 202:25 205:24 208:23 231:14 237:3 259:19 269:6 271:10 274:16 329:3,18 343:2 serious (7) 256:15 295:13 360:17 362:15,21,21,25	seriously (2) 360:11 361:2 served (3) 260:14 268:17 286:9 services (3) 228:2 229:11,13 session (4) 231:15 240:7 343:21 382:23 sessions (6) 183:21,21 267:11,15 275:15 344:11 set (7) 268:8 283:23 317:10 378:2 395:18 399:7 399:13 sets (2) 240:13 260:3 settled (1) 377:19 settlement (3) 377:22 378:7,10 seven (7) 209:2,5,12,18,21,25 242:24 SF (1) 349:10 SF00012 (2) 281:18 396:9 SF00014 (2) 281:19 396:10 SF00042 (1) 396:16 shadow (2) 275:11 285:4 share (3) 266:12 305:8,9 shared (2) 200:24 256:7 Shavone (1) 352:25 SHEET (1) 400:2 she'd (3) 251:3 302:13 324:21 shifted (1) 247:13 shifts (1) 202:25 short (9) 183:14,18,20 185:24 224:25 239:17 240:11 246:5 332:21 Shorthand (2) 169:12 399:5 show (7) 201:9 254:7 347:19
---	--	---	---	---

356:19 374:22 382:20 383:9 showed (10) 198:15 199:25 213:10 327:13 346:20 373:25 374:3,23 381:13 391:22 shown (1) 249:6 shows (1) 343:13 sibling (1) 341:12 side (3) 190:23,25 282:13 sign (25) 198:21 201:14 216:5 217:19 240:4,10,14 240:18,25 244:18 244:25 245:3,6,24 246:4,4,10 252:5 285:18 309:20 317:20,21 326:10 327:9,12 signature (3) 223:10 327:3 328:18 signed (25) 171:13,15 241:8,16 246:11 252:12,16 253:2,5 256:10 310:21 316:24 317:2,16 323:22 327:9 328:18 329:7 332:3 337:19,20 356:9 358:14 371:20,21 signer (1) 339:7 signing (1) 326:16 signs (1) 285:18 similar (4) 181:6 184:19 206:22 236:18 sister (5) 289:5 329:2,5 376:9 376:13 sit (3) 174:18 175:20 338:6 sitting (1) 393:8 situation (1) 257:16 six (7) 183:21 192:24 197:12 197:13 198:24,24 308:10 skeptical (1)	298:18 skepticism (2) 298:16,20 skill (1) 277:13 skills (8) 174:16 219:5 269:7 270:11,16 277:7,8 278:4 Skolnik (19) 170:10 223:14 382:7 382:11,16,17 388:3 388:22,25 389:21 390:17 391:9,19 393:2,5,12,21 394:5 395:5 slandering (3) 256:8,19 258:22 slandorous (1) 257:2 small (1) 303:19 smaller (1) 267:12 smell (1) 188:9 Smith (3) 340:19 342:15,16 Snyder's (1) 238:9 Sobie (15) 249:9,13,24 250:5,22 251:2 252:4,12,15 252:24 253:5,12,14 256:19 257:17 social (7) 229:3 231:20,21,23 232:2 289:20 325:6 socioeconomic (2) 294:22 295:3 sole (1) 221:10 solution (2) 363:22 364:10 solution-based (5) 179:23 183:3,5,12 185:19 solving (3) 228:24,25,25 somebody (18) 201:4,7 207:19 233:25 234:14,25 248:16 272:14 282:16 283:19,20 284:16 318:19 345:15,16 354:18 356:21 360:15 somebody's (1) 189:15	someone's (1) 354:25 Sommers (1) 186:24 soon (4) 225:20 352:15 374:9 383:14 sorry (7) 248:5 281:17 306:25 313:12 340:22 375:21 385:4 sort (8) 181:21 190:11 298:18 324:23 347:3 361:3 362:14 364:10 sorted (1) 300:11 sought (2) 189:20,23 sounds (1) 296:15 sources (1) 221:5 Spanish (2) 346:11 347:13 speak (4) 348:6 359:15 383:23 394:3 speaker (1) 314:7 speaking (6) 202:7 228:21 249:21 256:12 359:18 392:17 special (6) 319:18,20,23 323:9 327:20 329:4 specialists (1) 228:5 specific (8) 174:5 191:3 266:12 274:5 277:10 283:13,14 312:13 specifically (9) 245:17 274:5 292:14 297:19 310:22 360:6 368:15,17 369:4 specificity (1) 191:4 specifics (2) 175:6 266:19 spectrum (1) 190:23 Speedwell (1) 170:5 spending (2) 360:19,23	spends (3) 174:7,12,20 spent (5) 173:11 174:25 186:7 198:22 293:7 spoke (8) 294:8 315:15,18 346:11,18 347:13 359:16 360:9 spoken (3) 297:21 313:23 314:25 spokeswoman (1) 215:9 sponsored (2) 341:5,18 sports (2) 229:4,4 spring (3) 366:4 373:15 374:15 SP-1199 (2) 250:15 260:4 SP-1202 (3) 250:16 252:22 260:5 SP-1204 (1) 254:19 SP-1206 (1) 254:19 SP-2278 (1) 221:20 SP-2279 (1) 221:20 SP1167 (1) 395:12 SP1199 (1) 395:25 SP1204 (1) 396:4 SP1206 (1) 396:5 SP1573 (1) 395:21 SP2278 (1) 395:14 SP2279 (1) 395:15 ss (1) 399:3 staff (1) 307:23 stamp (13) 178:13 179:8 208:3 221:19 250:15 254:19,22 260:4,5 260:25 281:18 316:7 349:10 stamped (2) 208:18 316:19 standard (4)	219:25,25 220:6 271:13 standardized (1) 276:12 standing (1) 391:6 start (7) 197:10 217:10 241:4 269:9,10,12 277:17 started (13) 172:10 202:4 227:11 244:12 255:22 361:15,17 362:5,8 371:14 373:20,21 373:22 starting (4) 181:14 316:15 323:16 332:4 starts (1) 226:18 state (9) 169:13 192:21,23 193:5,7,9 227:23 399:3,5 stated (2) 227:22 379:5 statement (7) 224:22 238:21 324:2 391:15 395:13,20 396:3 statements (1) 222:3 states (6) 168:2 172:21 180:10 183:4 186:21 192:5 statistics (2) 174:11 176:16 status (1) 220:19 stay (7) 328:25 332:14,17,19 333:6 345:22 382:10 stayed (3) 332:5,7 333:10 Stephanie (102) 168:9 170:4 261:3 288:24 289:3 290:15,17 291:8,9 291:23 292:4 298:25 299:4,11,13 299:14,14,17 300:22 304:5,13,15 304:15 305:14,24 305:25 307:11,15 311:3 314:4,17,19 315:11,15,18 316:12 317:19 319:3,7,15,19,24
---	--	--	--	--

320:7 321:3,21 322:23 323:2,8,10 324:14,16 325:14 328:18 329:4 330:22 332:3,19 333:14,19 334:7,21 336:11 337:4,8,17 338:21 339:22 340:9 341:3,7,18 342:9,24 343:22 344:5,13 345:12 347:15 350:18 351:5,9 358:2 367:5 367:8,14,19 368:24 369:5,8,10,14 370:16,20,24 371:4 372:9,24 374:7 375:24 376:19,21 379:17	276:19 284:19 290:24 294:3 298:24 321:19 322:9 356:25 371:2 372:22 375:10 376:15 381:2,11 stripe (7) 281:9 283:8,10,19,22 284:5 287:21 stripes (4) 281:25 334:12,14 335:14 strong (2) 337:9,17 structure (2) 270:12 354:25 struggling (2) 289:5 296:8 student (55) 174:20,21 183:24 184:13,15 185:9 186:16,18 224:11 234:8,9 240:3,5,18 240:24,24 241:7,22 244:17,24 245:24 246:2 247:10 249:14 252:20,23 261:2,15 263:22 264:5 272:2 276:8 280:3 293:15 307:11 310:3,9,10 310:12 312:8 322:10 324:9 329:19,23 333:20 334:4,13 340:18 344:20 354:8 355:16 356:2 396:6 396:11,13 students (38) 186:15 209:5 217:19 217:25 233:17 237:6 239:16 242:12 243:5 245:18 266:25 267:23,24 286:25 293:24 297:3 312:3 319:14,17,18 321:20 322:9 336:17 341:5,16,21 342:5 350:6,25 351:3,9,15 352:4,10 354:4 355:9,22 371:21 studied (15) 179:22,25 180:3,4,5 181:17,23 186:17 187:2,4 190:15 191:16 198:10 207:13 300:19	studio (1) 215:24 study (3) 179:15,20 237:19 studying (4) 198:11,13 206:2 303:24 style (2) 276:25 352:19 subject (2) 376:12 393:19 Subjects (2) 383:19,25 submit (1) 353:23 submitted (2) 236:9,10 submitting (1) 176:14 Subscribed (1) 394:12 subsequently (1) 313:9 subtitles (1) 227:16 Success (14) 168:4 178:11 194:18 194:22 197:16,20 198:3,18 213:24 214:22 353:18 396:6,11 397:4 successful (2) 295:6,7 succession (5) 229:4 232:6,8,15,22 suffered (1) 173:8 suggestion (1) 365:3 suggestions (2) 361:7 363:15 suing (1) 386:9 suit (1) 253:10 Suite (1) 170:20 summer (2) 314:21 366:5 Sunday (3) 311:16 327:18,19 superior (2) 200:2 296:20 supervise (1) 176:9 supervision (1) 192:25 supplemental (1)	260:12 SUPPORT (1) 398:2 supposed (5) 209:10,11 284:16 286:2 345:22 sure (39) 174:10 179:5 187:12 202:13,16,23 203:18 205:4 224:25 227:3 235:3 238:13 260:8 261:13 275:24 285:16 286:19 292:18 297:24 299:21 301:21,23 302:25 303:20 311:24 312:2 326:25 328:22 332:18 340:15 341:19 347:17 349:3 357:14,23 365:14 375:13 381:19 384:6 Susan (1) 353:14 sustainable (1) 229:6 sustaining (1) 199:19 Sutton (42) 168:8,8 170:4,4 288:12,13 294:5 295:10,13 298:16 304:23,23 310:13 310:17,21 312:11 313:20,24 314:8,9 314:10,23 315:2 318:10,13 339:8,11 340:8 358:23 369:13,15,23 370:12,16,19,23 372:3,6,13 375:23 378:13 400:3 Suttons (15) 292:13 295:8,17 296:16 297:12 306:23 314:6 321:5 369:23 371:4 379:3 379:8,12 380:6,15 Sutton's (1) 292:25 sworn (5) 171:12,15 172:3 394:12 399:8 system (3) 217:16 230:8 356:20 systems (6) 182:10 203:8 229:5,5	229:6,6 <hr/> T <hr/> Table (4) 301:20 311:11 313:13 313:17 Tad (3) 187:4 191:22 192:9 take (71) 176:4 179:4 181:25 184:5 188:4 202:8 202:11 211:12 216:5 220:4 223:12 231:5 234:15 238:19 239:9 240:8 240:13,25 241:2 244:19 245:5 257:21 268:24 269:3 271:7,20 272:14,17 274:7 275:22 276:5,8,21 277:15,16 282:18 286:21 302:3,6,7,8 305:5 306:12 309:4 309:7 313:9 316:24 317:2 320:10,11,14 320:16 321:8,20 330:22 335:4,12,17 335:24,24 336:7,12 337:21 350:6 352:4 356:9 361:2 366:13 375:11,14 383:13 taken (18) 172:25 173:16 195:14 211:9 226:20 231:6 234:24 242:13 280:4 290:22 300:3 300:25 312:4 316:3 337:14 344:6 353:8 366:16 takes (5) 174:7 188:6 233:17 244:25 284:17 talk (3) 297:22 365:7 392:15 talked (10) 196:10 199:5 290:9 290:14 291:7 296:18 297:14,17 299:23,24 talking (3) 188:2 299:17 305:3 tanks (1) 229:8 tape (8) 313:3 376:21 377:2,3 377:4,5,6,8 taped (1) 312:24
---	--	---	--	--

<p>tape-recording (2) 376:8,12</p> <p>taping (1) 376:18</p> <p>taste (1) 188:9</p> <p>taught (62) 184:21 191:11 192:2 192:4 197:7 201:7 204:5,8,19,22 205:3 206:22 207:7,8 216:24 219:4 230:10 234:17 261:23 262:20 263:13 266:19 268:21 269:18,20 269:23 270:6,8,10 270:20,21,23 271:5 288:17 289:16,19 296:20 302:17,21 302:23 306:18 307:19 308:22 309:3 336:16,19,21 336:23 337:25 338:17 343:23 344:2 347:7,9 349:19 350:7,13,14 350:16,17 351:2 352:21</p> <p>teach (36) 184:4 185:3 189:23 191:13 193:25 200:18 201:13 203:14,16 204:2 205:4,6,7 206:24 207:2,3,18,20 208:2 216:4,17 222:20 224:7 232:22 233:3 233:5 234:12 264:23 270:19 276:22 301:14 308:2 320:25 337:8 338:13 354:18</p> <p>teachable (1) 200:7</p> <p>teacher (1) 183:24</p> <p>teachers (1) 217:22</p> <p>teaches (16) 184:3 210:13,14 215:25 270:11,11 270:13,15 384:8,8 384:15,15,19,22 385:4,11</p> <p>teaching (42) 180:10 186:21 194:17 195:5,12 197:10 198:20 202:5,20</p>	<p>203:24 204:5,9,15 205:12,16 209:5,12 210:2,3 211:5 224:11 244:12 264:8,16,20,22,23 265:4,17 278:17 299:24 308:6 328:16 336:25 338:16 346:9 350:10 352:14 354:19 384:4,5 385:7</p> <p>team (6) 229:7,7,7 246:23,24 251:8</p> <p>tech (1) 351:8</p> <p>technical (1) 256:13</p> <p>technique (1) 195:23</p> <p>techniques (12) 179:22 180:4,20 182:11 184:3,4,6 185:4 186:9 196:2 196:13 206:7</p> <p>technology (14) 256:9,11,13 257:6 262:21 266:13 270:19 313:7 323:13 351:9,13,19 352:5 353:10</p> <p>tell (37) 179:19 236:15 289:14 289:18 290:16 294:4,10,18,21 295:6 296:9 298:2 300:2 302:12,16 303:17 305:13 331:7,10 355:22 360:8,23 362:10,12 365:2,11,13,14 367:4,8,14,16 368:11 369:19 370:6 371:12 373:4</p> <p>telling (8) 266:3 296:7 299:19 300:6,10,14,22 311:13</p> <p>ten (8) 179:24 183:21 185:10 207:18 237:9,10 286:20,21</p> <p>term (5) 248:15 262:13 294:12 303:8 389:9</p> <p>terms (6) 219:14 252:18 261:15 263:24 281:4</p>	<p>352:19</p> <p>territory (1) 187:25</p> <p>test (5) 272:20 273:17,19 276:12 352:7</p> <p>tested (1) 271:2</p> <p>testified (4) 172:4 259:10 385:5 387:11</p> <p>testify (4) 382:24 383:6,18 392:9</p> <p>testifying (1) 261:5</p> <p>testimony (7) 177:24 256:4 384:2 392:2,21 396:3 399:8</p> <p>testing (1) 279:6</p> <p>tests (5) 272:19 274:17 275:3 277:11,12</p> <p>text (1) 182:14</p> <p>texts (1) 182:18</p> <p>thank (2) 260:18 381:24</p> <p>Thanksgiving (1) 358:24</p> <p>theft (1) 386:10</p> <p>theirs (3) 191:21,21 315:13</p> <p>theories (4) 183:16 210:14,24 211:2</p> <p>theory (10) 183:17 184:16,16 187:16 210:11,15 210:17,19,22 228:5</p> <p>therapeutic (1) 185:21</p> <p>therapist (7) 289:23 303:15 319:19 319:25 320:14 322:24 361:19</p> <p>therapists (2) 185:17 320:10</p> <p>therapy (14) 179:23 182:10 183:3 183:7,13 185:19 228:4,16 237:14 289:25 290:7,10 303:18 321:16</p>	<p>They'd (1) 356:23</p> <p>thing (18) 181:7 226:23 280:18 288:17 293:23 300:19,21 306:13 324:23 328:19 338:3 339:14 354:18 365:25 373:23,24 385:12 392:23</p> <p>things (42) 182:19 184:19 185:18 185:21 191:19 196:4,11 198:9 200:21,24 201:2,2 206:12,12 207:6 209:2 216:13 227:12 247:4,13,13 254:2 267:25 275:18 277:3,4,6,10 296:8,19 297:8 298:22 299:25 300:11 304:2 329:3 335:14 355:23 356:13 362:8 376:6 385:13</p> <p>think (158) 174:4,21 175:5 179:6 179:11 181:6,20 182:17,17 187:18 188:5 189:9,23 190:10 194:12 196:19 198:24 202:9 203:7 205:6,7 206:8 207:14 209:20 211:4,20 213:5 215:21 217:15 221:22 222:23 223:7 229:8 231:14 233:15 238:25 239:3,10 240:21 242:19,25 243:3,9,16,18 249:11,20 253:21 253:25 254:12,24 255:10,15 256:20 256:21 257:15 264:13 266:2 267:5 276:2,2,14 279:12 286:3 290:3,4 291:15 292:7,21,22 293:12,18,18,21 294:20,25 295:14 295:15 296:7,9,11 297:10 298:8,10,18 299:13 303:21 304:15,16 305:10 306:4,10,12 307:4,7</p>	<p>308:17 313:18 314:12,24 315:4,6 315:10 316:25 318:7 322:6,7 325:8 332:15 335:15 336:22,24 337:7 338:23 339:2 341:9 341:13,18 344:2,3 345:14 348:22 350:5 353:15 357:19 359:12,16 360:10 361:16,23 362:3,18 363:20 364:6 365:13,18 366:3,4 373:14,18 374:3,23 375:14 376:4,25 379:21 381:9 382:14,22 383:10 385:23 386:2,12 391:14 392:18,19,23 393:25 394:2</p> <p>thinkers (3) 203:8,8 208:24</p> <p>thinking (11) 208:2 228:9,9,10,10 229:6 299:20 301:13 321:16 339:13 360:15</p> <p>thinks (1) 266:4</p> <p>third (6) 202:14 221:13 223:13 223:17 227:17 368:7</p> <p>third-parties (1) 213:11</p> <p>THOMAS (1) 170:11</p> <p>thought (43) 197:17 198:8 199:6,6 203:5 225:18 245:20 251:3,5 253:20 289:5,6 290:19,20 294:8,18 296:20 302:13 304:7,9 305:7 306:3 306:5 312:17 324:21,22,25 325:4 325:14 346:11,14 347:12 348:4 360:2 360:15,16 362:21 363:9,22 364:10 382:4,5 396:23</p> <p>three (19) 198:6 207:3 218:18 247:14 252:18 270:9,20 272:2,4,5 272:6,11 284:4</p>
---	--	--	--	--

328:3 349:19,22 391:20 392:11,14 three-page (2) 254:18 281:17 time (85) 171:10 179:4 183:10 183:14,18 185:12 186:6 195:4 197:14 197:15 198:14 208:15 209:8 210:3 211:12,22 224:25 251:10 259:2 270:21,21,22 276:3 276:23,24 277:2,14 277:19,23 279:2,10 279:11 282:14,19 288:23 289:11 290:10 291:22 292:5 293:24,25 295:23 306:17 307:12 313:12 314:12 315:5,15,18 315:18,24,25 318:16 321:7,11,21 337:3,5,7 338:4 340:7 343:17 345:3 345:25 347:3,6,8 348:20 350:15 351:4 359:14 360:7 360:19,24,25 363:20 365:6 373:21 374:24 381:22,24 391:6,17 393:8 394:6 Timeline (1) 395:12 times (10) 229:19 242:15 272:17 290:15 292:7 309:4 336:12 359:13 378:6 380:24 title (1) 286:10 today (5) 174:19 175:20 338:6 384:3 391:14 told (51) 199:12 253:11 289:4 289:16,20 294:8 295:24 296:2 300:16 301:17,18 301:21,22,23 302:3 302:6 303:19 318:8 323:5 327:25 331:15 339:4 358:18 359:24 362:22 366:21,22 367:2,10,17 368:10 368:12 369:21,25	370:4,11 371:9,10 371:11,17,17,23 372:2,5,16,19 376:25 377:12 380:13 382:22 391:14 tomorrow (6) 343:20 382:5,8,15 383:14 392:15 Tompkins (2) 169:9 170:18 tone (1) 386:15 Toni (1) 197:2 tonight (2) 382:10,12 Tony (3) 195:15,20,25 tool (3) 203:21 210:17 385:6 tools (14) 184:6 185:21 189:24 190:9 206:13 208:23,24 209:5,12 209:18,20,22 210:2 210:5 top (6) 223:13,17 317:5,10 352:23 353:5 tort (2) 253:10,20 total (2) 173:20 174:4 totality (1) 174:22 touch (1) 327:24 townhouses (1) 177:19 track (4) 285:25 286:3 300:20 341:22 Tracy (1) 352:24 trade (21) 385:21,24 386:4,5,7 386:10,13,18,21,25 387:6,16 388:18 389:6,9 392:4,12,13 392:13 393:22 394:2 traditional (1) 183:7 traditionally (1) 356:10 trained (2) 259:2 277:9 trainer (23)	180:2,11 233:23 234:21 235:7,9,9 236:11,11,15,16,22 236:25 255:13 339:5,17,18 340:2,3 340:3 353:7,9,10 trainers (5) 235:17,23 236:4,6,17 training (28) 184:2,5 196:3 203:25 216:6 223:19,20 228:14,20,22 229:8 229:12 237:3 241:19 262:23 268:19 278:18 279:9 285:7 287:15 332:8 339:22 344:14,19,23 345:5 345:13,16 trainings (2) 204:2 287:12 transactional (1) 180:4 transcription (1) 400:8 transferred (1) 219:15 transformational (1) 187:22 transmitted (2) 261:23 263:13 transmitting (1) 262:9 travel (2) 292:12 293:22 traveled (3) 180:9 186:20 336:11 traveling (1) 307:25 trial (1) 171:10 tried (6) 186:11 207:17 331:17 347:17,25 348:20 trip (4) 293:11,13 311:6,7 troubled (1) 203:4 true (11) 177:20 179:6 196:19 230:2 246:25 251:4 278:20,24 287:4 382:6 399:8 try (10) 187:10 208:8 213:11 238:13 312:20 313:5 324:8 361:15 361:17 370:3 trying (11)	190:10 200:11 233:13 265:8 320:20 337:23 348:9 361:13 364:8 373:20 375:23 Tuesday (1) 168:21 turn (7) 172:13 175:12 226:15 332:5 370:16,20,24 turnaround (4) 228:7 230:5,6 236:23 turned (2) 367:15,20 Turning (3) 223:9,17 256:3 twice (1) 272:24 two (24) 173:2 175:17,20,24 181:16 192:25 207:3 245:5 260:3 270:18 271:17,19 272:17 273:25 274:9 283:4,15,17 287:7 310:5 333:15 334:19,24 340:13 two-hour (2) 207:4 282:18 two-page (2) 221:18 281:15 type (2) 184:8 267:3 types (12) 183:15 184:9 203:5 210:16 227:11 230:18 231:24 233:19 234:3 235:25 236:19 289:18	234:21 262:11 264:3 273:3 274:23 279:15 294:11 340:15 348:10 355:6 384:6,12 385:3 386:8 388:15 389:8 understanding (34) 175:19 181:10 188:15 188:16,18,25 196:8 202:18 203:2 212:4 218:14 220:10 245:19,19 250:25 260:17 262:4,5,18 262:19 266:8,10,11 270:17 272:18 274:18 352:13 366:19 367:18 372:18 380:5 387:19 388:12,23 understandings (1) 188:13 understands (1) 387:12 understood (6) 217:18 303:23 321:14 354:23 388:11 393:4 unethical (1) 253:24 unique (12) 200:6 248:20,22,22 355:24 384:8,15,20 384:24 385:12,14 387:7 United (5) 168:2 180:10 183:4 186:21 192:4 University (1) 184:11 unresolved (1) 253:11 Unterriener (15) 173:25 174:2,24 175:4 176:8,17 222:5 224:3 225:6 239:25 241:25 246:23 251:15 352:24 357:25 unusual (3) 239:13 293:14 319:22 uphold (1) 219:24 upholding (1) 220:6 upline (1) 339:4 urge (1) 383:12
---	---	--	---	---

<p>use (25) 177:19 187:15 194:25 195:23 199:18 201:8,11,12 205:10 205:15 208:23 219:6,9 222:2 248:16 263:2,17 265:3,17 284:19,22 320:19 340:16 351:8 384:23</p> <p>useful (1) 357:13</p> <p>uses (11) 187:10 196:2 203:21 209:4,12 210:2,17 239:16 240:21 279:15 385:5</p> <p>usually (9) 175:17 217:9 233:8 272:16 300:11,18 300:20 309:7 338:17</p> <p>utilized (1) 211:4</p> <p>utilizes (1) 206:20</p> <p>utilizing (1) 196:13</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>v (3) 168:7,14 400:3</p> <p>vacation (2) 359:6,14</p> <p>vague (2) 321:10 345:15</p> <p>valid (2) 357:8,10</p> <p>valuable (1) 192:14</p> <p>value (3) 228:7 294:7,9</p> <p>VanderHoof (1) 258:6</p> <p>various (1) 218:10</p> <p>verbal (1) 199:3</p> <p>verifiable (1) 200:7</p> <p>versions (1) 191:19</p> <p>video (1) 201:17</p> <p>videotape (2) 313:3 344:10</p> <p>videotaped (1) 312:23</p>	<p>videotapes (1) 201:20</p> <p>Virginia (8) 181:15 182:7,9 184:8 184:18 190:17,20 190:25</p> <p>visit (6) 292:19,21 293:14 295:16 299:8 337:2</p> <p>visited (2) 292:2 336:24</p> <p>visiting (1) 293:20</p> <p>visits (1) 183:12</p> <p>visual (1) 188:7</p> <p>voiced (2) 196:20 323:4</p> <p>voicing (1) 264:7</p> <p>volleyball (2) 364:25 377:11</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>WACHENFELD (1) 170:18</p> <p>wait (1) 328:4</p> <p>waited (1) 328:3</p> <p>waiting (1) 375:15</p> <p>waived (2) 171:6 254:13</p> <p>waiving (1) 227:21</p> <p>walk (1) 197:23</p> <p>walked (1) 330:21</p> <p>want (22) 172:13 180:24 199:13 201:13 211:13 227:7,17 237:18 248:17 254:15 297:8 305:25 306:10,11 309:5 318:2 320:24 327:12 352:4 368:5 383:2 391:8</p> <p>wanted (38) 198:16 202:9 212:3 220:2 234:9 243:6 245:17 274:2,3,4,7 290:4 291:18 294:10 299:21 302:18,25 303:20</p>	<p>304:16 305:5 306:4 306:15 307:21 323:11,12 324:25 325:12 327:10 328:19,22 332:19 332:20 337:8,18 347:4 351:8,10 368:18</p> <p>wanting (2) 253:17 346:7</p> <p>wants (4) 236:14 283:16,20 389:17</p> <p>warm (1) 295:11</p> <p>Washington (1) 187:3</p> <p>wasn't (15) 202:13,16 279:13 299:21 301:18 302:25 303:20 331:4,25 338:15 350:23 361:5 362:20 376:23 388:12</p> <p>watched (1) 199:7</p> <p>watering (1) 320:24</p> <p>way (50) 188:6 189:13 191:10 192:20 194:21 199:11,19 200:4,25 207:7,16 217:10 223:2 232:18 235:7 237:14,17 257:2 262:9 264:6 269:13 279:8 293:6 294:7 296:24 298:9,10 299:10 311:11 320:24 335:13 338:21 341:10 344:4 345:3 364:3 367:19 371:3 372:23 379:5 384:7 384:14,18,22 385:4 385:10,11 387:23 390:10 399:11</p> <p>ways (4) 181:6 186:10 191:23 233:10</p> <p>website (10) 366:10 374:3,4,11 378:15,24 379:4,20 387:15 391:16</p> <p>websites (2) 379:9,12</p> <p>wedlock (1) 295:21</p>	<p>week (5) 183:12 202:17 309:4 309:8 311:16</p> <p>weekend (4) 206:24 207:2 288:14 311:16</p> <p>weeks (7) 197:12,13,13 198:22 198:25 282:14,23</p> <p>welcome (1) 260:20</p> <p>Wellspring (3) 168:10 170:9 382:19</p> <p>well-integrated (2) 272:4 274:18</p> <p>well-suited (1) 325:5</p> <p>went (23) 193:21 202:17 238:7 249:23 259:25 276:4 279:8 290:10 292:7,14,19 293:5 310:4 315:10 319:11 321:19 331:3,23,24 336:19 336:20,22 365:6</p> <p>weren't (4) 276:11 278:22 284:23 363:11</p> <p>we'll (5) 378:7 382:7,11,12 392:15</p> <p>we're (6) 172:9 227:3 305:3 360:13 383:13 392:8</p> <p>we've (14) 211:10 226:7,8 238:18,22 273:2,2 310:19 315:6 316:6 316:21 340:12 351:2 392:21</p> <p>whereof (1) 399:13</p> <p>white (1) 334:15</p> <p>WILLIAM (1) 170:21</p> <p>willing (1) 200:12</p> <p>window (1) 392:12</p> <p>windows (1) 392:3</p> <p>winter (2) 292:8 307:7</p> <p>witness (25) 170:19 172:2 175:11 231:19 259:4</p>	<p>326:16 345:10 366:24 388:4,6,10 391:22 392:17,20 393:3,6,13,14,22 395:3 398:3 399:7,9 399:13 400:5</p> <p>witnessed (2) 326:13,17</p> <p>woman (1) 250:2</p> <p>women's (2) 215:4 314:24</p> <p>wonder (1) 339:14</p> <p>wonderful (2) 290:19 304:8</p> <p>wondering (1) 373:22</p> <p>Woodsmall (1) 187:3</p> <p>word (2) 262:16 384:13</p> <p>wording (1) 383:15</p> <p>words (6) 188:14 190:14 281:8 341:13 368:25 369:2</p> <p>work (34) 182:24 184:8,9 185:16,18 186:5,11 190:16,16,20,21,22 191:17 197:25 198:6 199:7,13 217:10 219:7 229:3 230:6 231:23 232:3 232:4 253:17 269:13 270:13 274:25 275:12 278:5 303:2,15 325:6 335:13</p> <p>worked (16) 174:14 180:6,8,14 184:10 185:10 191:19,21,22 192:3 196:6 205:24 212:24 224:14 249:25 255:15</p> <p>worker (1) 289:21</p> <p>workers (4) 231:20,21,23 232:3</p> <p>working (9) 187:5 211:20 212:20 212:23 230:13 303:24 325:7,8 348:15</p> <p>works (2) 320:18 352:13</p>
---	--	---	---	--

workshops (2) 228:9 229:2	yesterday (3) 172:10 177:7 193:20	100 (2) 169:9 170:20	194:13,14	395:13
world (11) 180:23 181:11 188:3 188:4,12 189:3 298:7,10,11,17 306:13	yesterday's (1) 382:23	10019-6708 (1) 170:17	<hr/> 2 <hr/>	223 (1) 395:16
worldwide (1) 231:7	York (14) 169:13 170:17,17 192:24 193:5,9 325:24,25 326:2 390:13,23 399:3,4,5	11 (5) 333:11 382:24 383:15 383:19,25	2 (3) 176:25 230:14 400:7	226 (1) 395:17
worried (1) 348:5	younger (2) 367:6 373:7	11/28/05 (1) 395:19	2/12/03 (2) 396:24 397:5	23 (6) 176:23 207:22,25 254:8 395:10 398:6
worth (1) 173:17	<hr/> Z <hr/>	12 (6) 282:14,23 382:25 383:15,19,25	2/2/04 (1) 395:20	23rd (5) 251:15 316:15 317:17 319:5 332:4
wouldn't (11) 175:24 264:9 306:16 323:6 325:20 334:6 344:16,21 354:16 354:17 355:15	Z (1) 172:2	12-point (1) 391:15	2:06-cv-01051-DM... 168:3	237 (1) 395:20
write (1) 192:6	<hr/> \$ <hr/>	12/31/03 (1) 395:14	20 (4) 179:15,20 212:24 308:21	24 (4) 211:7,11 218:9 395:12
writing (7) 224:6,8 239:21 265:18 275:3,5 378:3	\$12,000 (1) 175:25	12:45 (1) 259:3	2000 (4) 288:14 289:12 291:14 353:18	243 (1) 395:22
written (6) 213:25 223:20 263:15 267:4 277:12 296:22	\$2,160 (1) 317:17	13 (3) 367:24 368:5,6	2001 (36) 246:25 247:3,6,16 257:14 261:9,12 273:7 275:22,22 276:5,7,14,22 282:4 283:24 285:22,24 286:5 296:12 307:4 307:8 313:14 314:21 319:4,5 322:17 328:10 332:24 340:18 345:5 347:21 348:2 349:21 350:20 352:9	25 (6) 221:15,17 223:14 351:22 352:2 395:13
wrong (1) 249:10	\$200 (1) 309:24	16 (10) 280:4,20,21 332:6,11 332:14,17 333:6,24 398:6	2002 (9) 250:23,23 251:15 254:8 255:9 256:18 257:5,10 359:2	250 (1) 395:24
wrote (18) 185:8,13,15,17 190:4 190:5,6,7 191:15,16 191:18 192:11,19 224:12 259:11,13 259:17,20	\$32,500 (5) 173:12 175:13 176:2 176:7,18	16-day (19) 204:19,22 240:8 272:10,13 273:12 277:15 280:8,23 282:10 331:6,8 332:2 333:18 334:4 334:8 335:24 336:3 339:25	2003 (6) 208:15 221:3 366:6 373:15 374:8 396:21	254 (1) 396:3
Wyatt (1) 187:2	\$38,500 (2) 172:23 173:8	1633 (1) 170:16	2005 (2) 172:15 215:7	26 (4) 223:4,16 367:23 395:16
<hr/> Y <hr/>	\$4,590 (1) 333:8	17 (1) 172:14	2006 (2) 215:20,21	26th (1) 172:15
Y (1) 172:2	\$6,000 (5) 173:11,16 174:7,25 176:17	178 (1) 395:9	2007 (1) 215:21	260 (1) 396:6
Yeager (1) 186:24	<hr/> 0 <hr/>	19th (1) 399:13	2009 (4) 168:21 169:4 394:14 399:13	27 (2) 226:10 395:17
year (11) 238:9 292:5 296:10 306:22,24 307:3,6,9 358:24,25 366:5	00042 (1) 349:10	192 (1) 398:6	2003 (6) 208:15 221:3 366:6 373:15 374:8 396:21	27th (2) 332:24 333:11
years (20) 179:15,20,24 180:2,6 180:7 185:11 192:2 192:25,25 196:7,12 207:19 211:18 212:20,25 247:14 249:15 272:25 369:20	07068 (1) 170:10	1975 (1) 184:12	2005 (2) 172:15 215:7	28 (3) 237:22 259:9 395:20
yellow (7) 279:22,23 280:10,15 281:9 282:6,9	07102 (1) 170:20	1980s (1) 181:13	2006 (2) 215:20,21	281 (1) 396:9
	07932-1047 (1) 170:13	1986 (1) 194:5	2007 (1) 215:21	29 (3) 243:19,22 395:22
	07962-1981 (1) 170:6	1988 (1) 194:5	<hr/> 3 <hr/>	3 (4) 367:24 368:2,3 400:8
	<hr/> I <hr/>	1997 (5) 194:6,8,14 196:24 198:5	2009 (4) 168:21 169:4 394:14 399:13	30 (5) 250:11 254:8 255:3 260:3 395:24
	1 (4) 261:14 382:21,25 400:7	1997/1998 (1) 212:7	207 (1) 395:10	30(b)(6) (1) 175:11
	1-10 (1) 168:16	1998 (2) 197:21 230:12	211 (1) 395:12	31 (5) 226:18 254:4,5,18 396:3
	10 (2) 185:13 398:7	1999 (2) 169:5	214 (1) 398:6	310 (1) 398:6
	10/31/01 (1) 396:17		22 (4) 178:4,5,8 395:9	312 (1)
	10:10 (1) 169:5		22nd (1) 250:22	
			221 (1)	

398:6			
316 (1)	5 (2)		
396:11	170:20 395:4		
32 (4)	5th (1)		
260:21,23 316:7	319:4		
396:6	5:03 (1)		
32,500 (1)	394:6		
173:2	500 (1)		
33 (4)	170:13		
226:16,22 281:12			
396:9	6		
338 (1)	6,000 (1)		
396:13	172:24		
34 (2)	6/9/09 (1)		
316:4 396:11	400:4		
349 (1)	60 (1)		
396:15	205:21		
35 (3)	600 (1)		
338:19,24 396:13	205:18		
350 (4)	65 (1)		
287:5,7,9,11	170:9		
357 (1)			
396:17	7		
36 (2)	7 (2)		
349:6 396:15	223:9 398:6		
366 (1)	7,000 (1)		
396:19	286:25		
37 (2)	7/1/98 (1)		
357:15 396:17	213:16		
378 (1)	7/15/02 (1)		
398:7	396:4		
38 (3)	7/21/98 (1)		
366:17 391:21 396:19	214:9		
38,000 (1)	7/23/02 (1)		
175:25	395:24		
38,500 (1)	70s (1)		
173:10	186:19		
382 (1)	700 (1)		
395:5	287:3		
39 (2)	782,246.32 (1)		
391:23 396:20	222:10		
392 (3)			
396:20,23 397:3	8		
	80s (5)		
4	180:21 181:18 182:12		
4 (2)	182:13 185:25		
367:25 368:3			
4th (1)	9		
197:21	9 (6)		
4:00 (1)	168:21 169:4 223:12		
382:4	223:18,25 398:6		
40 (2)	9/11 (1)		
207:3 396:23	347:24		
41 (2)	90s (1)		
391:24 397:3	195:19		
4111 (1)	96 (1)		
260:25	195:19		