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

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

v.

MORRIS SUTTON, ROCHELLE SUTTON,
THE ROSS INSTITUTE, RICK ROSS,
a/k/a "RICKY" ROSS, STEPHANIE
FRANCO, PAUL MARTIN, Ph.D., and
WELLSPRING RETREAT, INC.,
Defendants.

RICK ROSS,
Counterclaim-Plaintiff,

v.

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

Counterclaim-Defendants.

INTERFOR, INC., JUVAL AVIV and
ANNA MOODY,

Cross-Claimants,

-against-

NXIVM Corporation, KEITH RANIERE,
NANCY SALZMAN and KRISTIN KEEFFE,

Cross-Claim Defendants.

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June 8, 2009
10:18 a.m.

Day I 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.

DAY I DEPOSITION OF NANCY SALZMAN
Newark, New Jersey
Monday, June 8, 2009

Reported by:
JOMANNA DeROSA, CSR
JOB NO. 23146

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3 IT IS HEREBY STIPULATED AND AGREED, by
4 and between the attorneys for the respective
5 parties herein, that filing and sealing be
6 and the same are hereby waived.
7 IT IS FURTHER STIPULATED AND AGREED
8 that all objections, except as to the form
9 of the question, shall be reserved to the
10 time of the trial.
11 IT IS FURTHER STIPULATED AND AGREED
12 that the within deposition may be sworn to
13 and signed before any officer authorized to
14 administer an oath, with the same force and
15 effect as if signed and sworn to before the
16 Court.
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1 SALZMAN - DAY I
2 (Exhibit Salzman 1 marked for
3 identification.)
4 N A N C Y S A L Z M A N, called as a witness,
5 having been duly sworn by a Notary
6 Public, was examined and testified as
7 follows:
8 EXAMINATION BY
9 MR. LANDY:
10 Q. Good morning, Ms. Salzman. My name
11 is Robert Landy. I'm an attorney at Friedman
12 Kaplan Seiler & Adelman, and I represent Interfor,
13 Incorporated and Juval Aviv.
14 Before we get started today, I'm
15 just going to go over a few fairly simple ground
16 rules for how a deposition proceeds. The first is
17 when I ask you a question, you need to give me an
18 answer in words. Since this is being recorded by
19 a stenographer, nodding of the head, sounds like
20 uh-huh, or uh-uh can't be transcribed into answers
21 on the transcript. So, therefore, we need to
22 speak.
23 Also, let's try to -- I'll do my
24 best to not cut off your answers, and I would ask
25 the same courtesy with respect to my questions.

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1 SALZMAN - DAY I
2 You may know what I'm asking when I get two-thirds
3 of the way through the question, but for the
4 purposes of the transcript, just allow me to
5 finish the question and then give your answer.
6 Do you understand this?
7 A. Yes.
8 Q. If you need to take a break, just
9 tell me. This is not a marathon or an endurance
10 contest. I just ask that if there's a question
11 pending, answer that question, and then we can
12 take a break. All right?
13 Now, we are starting with what you
14 have in front of you that's been marked already as
15 Salzman Exhibit 1. Have you ever seen this
16 before?
17 MR. MC GUIRE: Bear with me a
18 second, Mr. Landy.
19 (Discussion off the record.)
20 (Exhibit Salzman 2 marked for
21 identification.)
22 Q. Now, we've marked Salzman 2,
23 Ms. Salzman, and I ask you to direct your
24 attention to what is Exhibit A to that letter.
25 And that would be the document that I'd like to

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1 SALZMAN - DAY I
2 know if you've seen before.
3 A. I believe my attorney showed me
4 this. I believe so.
5 Q. Do you understand that you're
6 testifying here today both in your individual
7 capacity, as well as on behalf of NXIVM
8 Corporation?
9 A. Yes.
10 Q. Do you understand in your capacity
11 as the representative of NXIVM in this deposition
12 you're responsible to answer questions relating to
13 the topics outlined in Exhibit A to Salzman
14 Exhibit 2?
15 A. Yes.
16 Q. Are you prepared to answer
17 questions concerning each of those three topics?
18 A. Yes.
19 Q. As you're testifying today in both
20 your individual capacity, as well as your capacity
21 as a corporate representative, we're going to
22 understand your answers to be given in both
23 capacities, both as to your personal recollection
24 and on behalf of the company, unless you say
25 otherwise. Does that make sense?

1 SALZMAN - DAY I

2 A. Yes.

3 Q. What is your full legal name?

4 A. Nancy Salzman.

5 Q. Has that always been your legal
6 name?

7 A. Since I was married 33 years ago.

8 Q. Could you please describe your
9 educational history for me, starting with after
10 graduation from high school?

11 A. I went to Union College, and I got
12 an associate's degree there. And then it was a
13 combined program with Muhlenberg Hospital School
14 of Nursing, and I got a professional nursing
15 degree there as well.

16 Q. Anything else?

17 A. Post-graduate courses that were not
18 academic, not that type of academic course, not a
19 degree course.

20 Q. Could you give me a very brief
21 overview of your employment history, starting
22 after obtaining your nursing degree?

23 A. I worked at Waterbury Hospital --
24 St. Mary's Hospital in Waterbury, Connecticut for
25 a year. And then I worked for myself doing

1 SALZMAN - DAY I

2 various different types of individual work with
3 patients at first who had chronic pain problems,
4 and then later I worked as a business consultant.
5 I worked as a seminar leader. And then I started
6 another company with Keith Raniere as a conceptual
7 founder, its executive success programs at NXIVM.

8 Q. Before we get to that, you said you
9 worked for yourself, and there are a number of
10 different things you did.

11 A. Yes.

12 Q. Were there companies that were
13 formed that you did that work through?

14 A. I had a company -- it's a long time
15 ago, so let me think this through. I had a
16 company called -- it started out being called the
17 Center For Change, and then I changed it to the
18 International Center For Change over a period of
19 years that I did that. And I did consulting
20 during that time for other seminar companies
21 through them.

22 Q. The consulting work is through the
23 Center For Change or the Center For International
24 Change?

25 A. That's correct.

1 SALZMAN - DAY I

2 Q. Were there any other companies that
3 you formed? We're talking about the period prior
4 to -- prior to ESP and NXIVM.

5 A. No, I think that was it. I'm
6 trying to remember. Oh, my original company, I
7 think, was called the Grief Therapy Center, and
8 then it changed into the Center For Change and
9 then the International Center For Change. It was
10 the same company. It's sort of had several
11 iterations.

12 Q. Now we can move on to ESP and
13 NXIVM, and I'll use those interchangeably because
14 I understand that the name may have changed across
15 time.

16 A. It did.

17 Q. Let's try to let me finish. What
18 is NXIVM?

19 A. It's a human potential company.

20 Q. When did you first become involved
21 in NXIVM?

22 A. 1998.

23 MR. MC GUIRE: You're using that
24 term interchangeably with ESP?

25 MR. LANDY: Yes.

1 SALZMAN - DAY I

2 MR. MC GUIRE: Okay. Fair enough.

3 Q. And in what capacity were you
4 involved with NXIVM in 1998?

5 A. I was the owner of the company. I
6 was the president of the company.

7 Q. Were you the sole owner of the
8 company?

9 A. I was.

10 Q. Are you still the sole owner of the
11 company?

12 A. Yes, I am.

13 Q. What was the legal name of NXIVM in
14 1998 when it was formed?

15 MR. MC GUIRE: Object to the form
16 of the question. Go ahead and answer.

17 A. Executive Success Programs,
18 Incorporated. Oh, wait. I think Executive
19 Success Programs, Inc.

20 Q. And did the name ever change? Did
21 the name of the company ever change?

22 A. We changed it to NXIVM.

23 Q. When did you do that?

24 A. I believe in 2004, in the summer,
25 but I'm not sure.

SALZMAN - DAY I

Q. Do you currently hold a position at NXIVM?

A. I do.

Q. And what is that?

A. I'm president of NXIVM.

Q. Is that the only position that you hold?

A. The only titled position?

MR. LANDY: I'll rephrase the question.

Q. Do you currently hold any titles at NXIVM?

MR. MC GUIRE: You mean other than president?

MR. LANDY: Yes.

A. No. I guess president would be it.

Q. What are your responsibilities in your role as president?

A. I oversee the executive committees of the company. I develop curriculum for the company. I do professional mentoring and coaching. And I teach classes, seminars, and I do consulting from time to time.

Q. You testified that you oversaw

SALZMAN - DAY I

A. They're the executive committee, and their function now is to operate the company.

Q. Does the executive committee have responsibilities in the day-to-day management of the company?

A. They oversee the other committees that run -- that do the day-to-day operations.

Q. Are you compensated for your work at NXIVM?

A. Yes.

Q. I'm not going to ask you how much you're compensated by, but I'd like to know the form in which you're compensated.

A. I get a paycheck that I think I get every other week.

Q. So, you get a salary?

A. I do.

Q. Okay. Do you receive bonuses?

A. I don't think so.

Q. Do you ever receive dividends?

A. I have not.

Q. Any form of profit sharing?

A. I have not.

Q. Who sets your compensation?

SALZMAN - DAY I

executive committees. How many executive committees are there?

A. Currently we have an executive -- we have a main executive committee, and then we have an enrollment committee, which is an executive committee, an educational committee, an ethics committee, a communication committee, and a humanities committee.

Q. Does NXIVM have a Board of Directors?

A. We have an executive committee, which is the main executive committee. We don't have a Board of Directors.

Q. Who is on the main executive committee?

A. Mark Vicente, Alex Betancourt, Clare Bronfman, Emiliano Salinas, and Karen Unterriener.

Q. Do you have any people that report directly to you in your role as president?

A. Those board members report directly to me.

Q. Do they function as a staff for you?

SALZMAN - DAY I

A. I do.

Q. Is it part of your responsibilities to keep yourself informed as to the status of any litigations in which NXIVM is a party?

A. Could you repeat that?

(The requested portion of the record was read.)

A. Yes.

Q. How many litigations is NXIVM currently a party to? We can count this one as one.

A. We can count this one as one?

Q. Yes.

A. I'm not sure. Let me think. I think there are two others besides this one.

Q. Do you recall what courts they're pending in?

A. One in Niagara, and I think one in Albany. I'm not sure. I'm not sure of the status of them.

Q. Who is Keith Raniere?

A. He is the conceptual founder of my company.

Q. What do you mean by "conceptual

1 SALZMAN - DAY I
 2 founder"?

3 A. The concepts that he has developed
 4 are used in my company, and the company itself is
 5 one of his concepts.

6 Q. When did you first meet him?
 7 A. November 1997.

8 Q. And what were the circumstances of
 9 your meeting?
 10 A. A friend introduced us at a
 11 business that he had an office in, that I think he
 12 was the conceptual founder of as well.

13 Q. And what was that business?
 14 A. National Health Outlet.

15 Q. When did you first start working
 16 with Mr. Raniere?
 17 A. When you say "working with him" --
 18 MR. MC GUIRE: Do you understand
 19 the question?
 20 A. Well, do you mean working in a --
 21 well, I would say in 1998.

22 Q. And what was the nature of the work
 23 you did with him in 1998?
 24 A. He began to mentor me.
 25 Q. Have you ever worked in a

1 SALZMAN - DAY I
 2 professional capacity in a company in which
 3 Mr. Raniere was also working in a professional
 4 capacity?
 5 MR. MC GUIRE: What do you mean by
 6 "professional"?
 7 MR. LANDY: Well, we're trying to
 8 define "work."
 9 MR. MC GUIRE: Yeah. If you
 10 understand the question, answer it.
 11 A. Do you mean -- I'm not sure I
 12 understand the question. Do you mean a company
 13 that he was working in and I was working in?
 14 Q. Correct.
 15 A. Never.
 16 Q. Does Mr. Raniere have a present
 17 role at NXIVM?
 18 A. He's the conceptual founder of
 19 NXIVM. When you say "role" --
 20 Q. No. Present, though. What does he
 21 do at NXIVM now?
 22 A. He -- when he's invited,
 23 occasionally he will do a forum where he asks
 24 questions, and if -- he has a role -- he still
 25 mentors me, so I use him as a mentor, personally

1 SALZMAN - DAY I
 2 and professionally. And he still develops
 3 concepts that I develop trainings around.

4 Q. Is he compensated for any of that
 5 work?
 6 A. No, not -- not in money.

7 Q. Is he compensated in any other
 8 form?
 9 A. I think it upholds a certain value
 10 that he believes in, in the world.

11 Q. Who's Joseph O'Hara?
 12 A. Joseph O'Hara is a lawyer and a
 13 business consultant who lives in, I believe,
 14 somewhere in the capitol district in New York
 15 State.

16 Q. Have you ever personally met
 17 Mr. O'Hara?
 18 A. Many times.
 19 Q. When was the first time?
 20 A. I think it was in October of 2003.
 21 Q. And what were the circumstances of
 22 that meeting?
 23 A. A participant in my program, Dee
 24 Dee Mitzen, introduced me to Joe O'Hara.
 25 Q. Has Mr. O'Hara ever had a

1 SALZMAN - DAY I
 2 relationship with NXIVM?
 3 A. Yes, he has.

4 Q. What was the nature of that
 5 relationship?
 6 A. He was an attorney and a business
 7 consultant.
 8 Q. We'll split that into two.
 9 During what period of time was
 10 Mr. O'Hara an attorney for NXIVM?
 11 A. When I hired Mr. O'Hara, I believed
 12 he was an attorney. I believed he was an attorney
 13 through the whole time he was working for my
 14 company.
 15 Q. All right. Let me rephrase the
 16 question. I realize I'm getting into another
 17 issue that I'm not intending to get into here.
 18 When did you hire Mr. O'Hara as an
 19 attorney?
 20 A. I believe it was October of 2003.
 21 Q. And did there come a time where his
 22 services as an attorney to NXIVM ended, in your
 23 understanding?
 24 A. Yes.
 25 Q. And when was that?

1 SALZMAN - DAY I

2 A. I believe it was January of 2005.

3 Q. During that time frame, October of
4 2003 to January of 2005, did Mr. O'Hara act on
5 NXIVM's behalf in any other role, other than
6 attorney?

7 A. And business consultant?

8 Q. Let's go into business consultant.
9 What did he do as a business consultant?

10 A. He gave me advice about the
11 company. He interfaced with other consultants for
12 the company, and suggested who they -- he
13 suggested them, and then introduced me to them,
14 and then oversaw them. And he also did that with
15 attorneys, but I guess that's the attorney
16 capacity.

17 Q. During what time frame was he a
18 business consultant to NXIVM?

19 A. I think he did both things at the
20 same time.

21 Q. Are you familiar with a man by the
22 name of Rick Ross?

23 A. I am.

24 Q. When was the first time you heard
25 of Rick Ross?

1 SALZMAN - DAY I

2 A. 2002, I believe.

3 Q. And what did you learn about
4 Mr. Ross in 2002?

5 A. I received a phone call from
6 Michael Sutton, who was away on a family vacation,
7 and during that time he called me and told me that
8 he had met Mr. Ross, and who Mr. Ross was.

9 Q. Did he say anything else?

10 A. He said that Mr. Ross was doing a
11 series of discussions with him that he didn't know
12 were going to happen on this family vacation, but
13 he wanted me to know.

14 Q. What were those discussions about?
15 Let me rephrase the question.

16 What did Mr. Sutton tell you those
17 discussions were about?

18 A. He told me that Mr. Ross was a cult
19 deprogrammer, and that he was attempting to
20 deprogram Michael.

21 Q. Have you ever heard of Interfor,
22 Incorporated?

23 A. I have.

24 Q. When was the first time you heard
25 about Interfor?

1 SALZMAN - DAY I

2 A. My attorneys, Nolan & Heller.
3 Justin Heller and Rich Weiner suggested that I
4 hire Interfor.

5 Q. And when was this?

6 A. I believe it was right after I
7 hired Joe O'Hara in 2003.

8 Q. Have you ever heard of Juval Aviv?

9 A. Yes, I have.

10 Q. Who is Juval Aviv?

11 A. I believe Interfor is his company.

12 Q. Did there come a time when NXIVM
13 hired Interfor to perform an investigation?

14 A. Yes.

15 Q. Let me back up. Strike that.
16 When was that?

17 A. I believe it was through Nolan and
18 Heller at that same time.

19 Q. Who made the ultimate decision to
20 hire Interfor?

21 A. It was a decision that I made with
22 the attorneys.

23 Q. Was Keith Raniere involved?

24 A. I don't remember discussing it with
25 him.

1 SALZMAN - DAY I

2 Q. Was Interfor the -- let me start
3 again.

4 What is your understanding of what
5 Interfor -- what the nature of Interfor's business
6 is?

7 A. I believe they're corporate
8 investigation -- corporate information gathering,
9 private investigator.

10 Q. Was Interfor the only corporate
11 investigation or private investigation company
12 that NXIVM hired in the 2003, 2004, 2005 time
13 frame?

14 A. I think so. I hired another
15 company before I hired them. It may have been
16 2003.

17 Q. What was the name of the other
18 company?

19 A. I can't remember.

20 Q. Ms. Salzman, I'm going to show you
21 a document that has previously marked as NXIVM
22 Exhibit 15.

23 MR. LANDY: For the record, NXIVM
24 Exhibit 15 bears the Bates Nos. Interfor 00108
25 through 00114.

1 SALZMAN - DAY I

2 Q. Ms. Salzman, NXIVM Exhibit 15
3 appears to be a compilation of two documents, a
4 faxed cover letter from Joseph O'Hara to Anna
5 Moody, and then an attached engagement letter.

6 I'm going to focus your attention
7 on just the engagement letter portion of this.
8 And my first question is whether you've seen it
9 before.

10 A. I have.

11 Q. When was the first time you saw it?

12 A. I saw it during this case. I don't
13 remember if I saw it previous to the case.

14 Q. I'm going to turn to the page
15 marked Interfor 00113. It's the page with the
16 signature lines. You'll see that there's a
17 signature above the line Joseph O'Hara.

18 Do you recognize that signature?

19 A. Yes, I do.

20 Q. Is that Mr. O'Hara's signature?

21 A. I believe it is.

22 Q. Have you ever seen an unsigned copy
23 of this retainer letter?

24 A. I don't know if I have.

25 Q. Were you asked to approve a \$12,000

1 SALZMAN - DAY I

2 to make a representation to you concerning
3 this document, because it's not a document I
4 would have expected you to see in the normal
5 course of your business.

6 This is an internal document
7 produced by Interfor in this litigation, which
8 reflects payments from a client that is
9 identified as Client 653.

10 And I'll further make a
11 representation to you that Client 653 is
12 NXIVM.

13 MR. MC GUIRE: You're referring to
14 the 653-04?

15 MR. LANDY: Here it appears as
16 653-04, 653-04/A. Internally, if it's 653,
17 that means NXIVM. I'm not making any
18 representation as to what the figures after
19 the dash mean.

20 Q. Ms. Salzman, on the left-hand side
21 of Salzman Exhibit 3 you'll see indications that
22 suggest a number of payments were made from Client
23 653 to Interfor, Incorporated, the first one being
24 a \$12,000 retainer.

25 With respect to the other payments

1 SALZMAN - DAY I

2 retainer to Interfor on or about September 2nd,
3 2004?

4 A. I believe I was.

5 Q. In your role as president, is it
6 your job to approve payments to vendors or
7 consultants?

8 A. Yes.

9 Q. Do you approve all of them?

10 A. Overall. Not on a monthly basis,
11 but I -- yeah, I do.

12 Q. And when you say "not on a monthly
13 basis" --

14 A. I approve the budgets, I do.

15 Q. Okay. Do you recall if you were
16 asked to approve any other payments to Interfor?

17 A. Yes, I was.

18 Q. Do you recall how many?

19 A. Not off the top of my head.

20 MR. LANDY: I'm going to mark as
21 Salzman Exhibit 3 a one-page document bearing
22 the Bates No. Interfor 00228.

23 (Exhibit Salzman 3 marked for
24 identification.)

25 MR. LANDY: Ms. Salzman, I'm going

1 SALZMAN - DAY I

2 here, do you recall approving the payment of these
3 amounts on or about the dates that are listed?

4 A. I think I do.

5 Q. Do you have any reason to believe
6 that NXIVM did not pay any of the amounts listed
7 on NXIVM -- or on -- pardon me -- Salzman Exhibit
8 3 -- on or about the dates that are listed?

9 A. No, I don't have any reason to
10 believe that.

11 Q. Put the document aside. Have you
12 ever spoken to Juval Aviv?

13 A. I have.

14 Q. When was the first time?

15 A. It was after my company hired him.

16 Q. Was it an in-person meeting?

17 A. The first time I spoke with him I
18 believe it was an in-person meeting.

19 Q. Where did it take place?

20 A. I believe it took place in the
21 corporate office.

22 Q. What did you discuss?

23 A. I went there to meet with him, and
24 to hear what he thought about Kristin Snyder, and
25 the situation that surrounded her death, and Rick

1 SALZMAN - DAY I

2 Ross and his relationship with my company.

3 Q. What did Mr. Aviv say concerning
4 Mr. Ross?

5 A. I don't remember if it was in this
6 meeting. It was a long time ago, and I had a
7 couple of meetings with him. But I remember that
8 he said that he had a prior relationship with Rick
9 Ross, and that he knew him. I remember that he
10 didn't think highly of Rick Ross, that he believed
11 that he could gather information that my attorneys
12 wanted for the case.

13 Q. Do you mean concerning Mr. Ross?

14 A. Yes.

15 Q. What information did he say he
16 could gather?

17 A. He said that he could find out what
18 things Mr. Ross was saying about my company. He
19 believed he could find out who had hired Ross and
20 who was funding his effort.

21 Q. Did there come a time when Interfor
22 began an investigation of Mr. Ross?

23 A. I believe there was a time.

24 Q. And when was that?

25 A. I think it was after we hired him

1 SALZMAN - DAY I

2 to investigate Kris Snyder, and her death, her
3 disappearance.

4 Q. Do you recall the year?

5 A. 2004.

6 Q. When did you first learn that
7 Interfor would investigate Mr. Ross?

8 A. I don't remember exactly, but I
9 think it was early in the time that he started
10 working for us.

11 Q. Who did you learn it from?

12 A. I believe I had learned it from
13 Kristin Keeffe when she reported to me, and also
14 Joe O'Hara.

15 Q. Who is Kristin Keeffe?

16 A. Kristin Keeffe works for my
17 company. She now is the legal liaison for my
18 company.

19 Q. Did she work for NXIVM in 2004?

20 A. She did.

21 Q. Did Ms. Keeffe have any
22 responsibilities in connection with Interfor's
23 investigations?

24 A. She did.

25 Q. And what were they?

1 SALZMAN - DAY I

2 A. She coordinated between Joe O'Hara,
3 and the attorneys, and Interfor.

4 Q. Do you know who suggested that
5 Interfor investigate Rick Ross?

6 MR. MC GUIRE: Wasn't it asked and
7 answered? Maybe I'm wrong. You can answer
8 that, Ms. Salzman.

9 A. I don't know how it came about.

10 Q. When you first learned of the Ross
11 investigation, did you have an understanding of
12 what the scope of that investigation was to be?

13 MR. MC GUIRE: When she first
14 learned about it?

15 MR. LANDY: When she first learned
16 about it.

17 A. No.

18 Q. Did you ask anybody?

19 A. When I started to receive
20 information about it, it was more than I assumed
21 it would be, and I wasn't quite sure why we were
22 gathering that data or what the purpose of it was.

23 Q. What information did you receive?

24 A. Kristin Keeffe told me of a report
25 that was done, and it had information about his

1 SALZMAN - DAY I

2 finances, and I wasn't sure why we needed that or
3 what the purpose of even doing that was.

4 Q. Did you ever see that report?

5 A. I've seen it now.

6 Q. When did Ms. Keeffe tell you about
7 the report?

8 A. I imagine she told me about -- I
9 can't remember exactly, but I imagine she told me
10 about the report shortly after she learned about
11 the report herself.

12 Q. I'm going to show you, for
13 everybody's ease, what's been previously marked as
14 NXIVM 18.

15 The first question is, is this the
16 report that you're referring to?

17 A. This is the report.

18 Q. What did you discuss with
19 Ms. Keeffe concerning the report?

20 A. She told me about his criminal
21 record. She told me about Nancy Ammerman's
22 investigation. She mentioned that there was bank
23 information, and that he had had a bankruptcy.
24 That's all I remember.

25 Q. Do you recall any discussions

1 SALZMAN - DAY I
 2 concerning Mr. Ross' communications, to the extent
 3 that they were reflected in the report?
 4 A. I don't remember that, no.
 5 Q. After Ms. Keeffe discussed the
 6 report with you, did you discuss it with anybody
 7 else?
 8 A. I probably discussed it with Keith
 9 Raniere.
 10 Q. Did you discuss it with Mr. Aviv?
 11 A. No, I don't think I did. I
 12 probably also discussed it with Joe O'Hara.
 13 Q. Have you ever spoken to a person of
 14 the name of Anna Moody?
 15 A. When I went to meet Juval Aviv, I
 16 met Anna Moody the same day.
 17 Q. Did you ever discuss this report
 18 with Ms. Moody?
 19 A. Not that I can remember.
 20 Q. Did you ever discuss this report
 21 with anybody that you understood to work at
 22 Interfor, Incorporated?
 23 A. Not that I remember.
 24 Q. You'll see that the report is dated
 25 November 23, 2004. Do you believe that your

1 SALZMAN - DAY I
 2 conversation with Ms. Keeffe was in and around
 3 that time frame?
 4 A. I do.
 5 MR. LANDY: We may come back to it,
 6 but you can put it aside.
 7 Q. How many times in total did you
 8 visit Interfor's offices?
 9 A. I'm not sure. I think maybe three,
 10 maybe two. Two or three. I'm sorry. It was a
 11 long time ago. I don't really remember.
 12 Q. Do you recall when the last time
 13 was?
 14 A. No, I don't.
 15 Q. Do you know what year it was in?
 16 A. Well, if I look at the dates of
 17 this -- I'll guess it was 2005.
 18 Q. Did there come a time when you
 19 learned that Juval Aviv would contact Rick Ross
 20 directly?
 21 A. Yes.
 22 Q. When did you learn that that would
 23 happen?
 24 A. I'm not sure exactly. Sometime
 25 while this was -- while he was working with us.

1 SALZMAN - DAY I
 2 Q. Do you recall whether it was before
 3 or after you heard of the report from Ms. Keeffe?
 4 A. I don't recall.
 5 Q. Did you ever discuss the idea that
 6 Mr. Aviv would contact Mr. Ross with anybody?
 7 A. I don't think so.
 8 Q. How did you learn about it?
 9 A. I think it was in the reports. I
 10 would get reports from either Joe or Kristin,
 11 mostly Kristin, and I think it was just mentioned.
 12 Q. You say it was in the reports.
 13 Were these written reports?
 14 A. No. They were just reports. I had
 15 weekly reports.
 16 Q. Was it your understanding -- strike
 17 that.
 18 What did you hear in those reports
 19 concerning a contact between Mr. Aviv and
 20 Mr. Ross?
 21 A. I believe that Mr. Aviv believed
 22 that he could find out what Mr. Ross was saying
 23 about our company, and he was going to gather that
 24 information.
 25 Q. Did he say how he was going to

1 SALZMAN - DAY I
 2 gather that information?
 3 A. I remember that he was going to --
 4 he asked me if he could use a member of my company
 5 to gather that information, and I told him that I
 6 didn't think that that was a good idea.
 7 Q. Did there come a time when you
 8 understood -- strike that. We'll come back to it.
 9 Did there ever come a time that you
 10 learned that Mr. Ross claimed to be in possession
 11 of material of a very personal nature concerning
 12 Mr. Raniere?
 13 A. Yes.
 14 Q. What was the nature of the
 15 material?
 16 A. Photographs.
 17 Q. Was it only photographs? Was there
 18 anything else?
 19 A. I don't think so.
 20 Q. When did you learn this?
 21 A. Kristin Keeffe told me that
 22 Mr. Aviv told her that Ross claimed to have a
 23 large library of photographs of Keith in a
 24 comprising situation.
 25 Q. Do you recall when this was?

1 SALZMAN - DAY I

2 A. Sometime between 2004 and 2005.

3 Q. Did Mr. Ross' claims concern you?

4 A. It concerned me that he was saying
5 that.

6 Q. Did you ever become aware of
7 something that I've referred to in this litigation
8 as the sting or the sting operation?

9 A. Did I ever become aware of it?

10 Q. Yes.

11 A. I did.

12 Q. What is your understanding of what
13 "the sting" is?

14 A. I think the sting is that Mr. Aviv
15 was going to bring a deprogramming case to Rick
16 Ross, and that through that process, he was going
17 to find out what Mr. Ross did in deprogramming
18 people with respect to my company.

19 Q. Do you know whether that, in fact,
20 happened?

21 A. I know that he had an interview
22 with a person in his office who was not related to
23 my company, and gathered a bunch of information.
24 I read that it was an hour long interview.

25 Q. Is it your understanding that

1 SALZMAN - DAY I

2 Mr. Ross, or the meeting, was recorded?

3 A. I heard that it was recorded.

4 Q. Did you ever hear the actual
5 recording?

6 A. I did not.

7 Q. Okay. When did you first learn
8 that the meeting had been recorded?

9 A. I don't remember.

10 Q. Who did you learn it from?

11 A. I don't remember that either.

12 Q. Did you ever discuss the recording
13 with Kristin Keeffe?

14 A. The fact that it had been
15 recorded or -- I remember discussing the meeting
16 with her. I don't know -- I don't remember
17 discussing a recording of it.

18 Q. Did you ever discuss the fact that
19 the meeting was recorded with Mr. Raniere?

20 A. I don't think so.

21 Q. When you spoke to Mr. Raniere
22 concerning what went on at the meeting, how
23 long -- did you have an understanding of how long
24 after the actual meeting this was?

25 A. Wait, I'm thinking about it. She

1 SALZMAN - DAY I

2 Mr. Ross was at this interview?

3 A. It is my understanding.

4 Q. When did you first learn about it?

5 A. After it had occurred.

6 Q. Did you ever discuss it with
7 Mr. Raniere?

8 A. I'm sure I did.

9 Q. Do you recall any of those
10 discussions?

11 A. I recall one of those discussions.

12 Q. When did that discussion take
13 place?

14 A. It was after I was told about the
15 material concerning him. And that in that meeting
16 is when I found out about those pictures, I
17 believe, and then I just brought that to Keith's
18 attention.

19 Q. When you say "in that meeting,"
20 what meeting are you referring to?

21 A. Kristin told me that Ross was
22 claiming to have a number of pictures of Keith in
23 comprising situations.

24 Q. Do you have an understanding as to
25 whether the interview between Mr. Aviv and

1 SALZMAN - DAY I

2 must have told me that it was recorded. I'm
3 thinking that probably she did mention that it was
4 recorded.

5 Q. In the same conversation where she
6 told you the contents of the meeting.

7 Is that correct?

8 A. Yes.

9 Q. How long after your conversation
10 with Ms. Keeffe did you have the conversation with
11 Mr. Raniere concerning what you had learned from
12 Ms. Keeffe?

13 A. Soon after that meeting.

14 Q. By "soon," do you mean a number of
15 hours, days, weeks?

16 A. It would certainly be within a day,
17 I would imagine.

18 Q. Okay. Did you have an
19 understanding at that point as to when the meeting
20 had taken place?

21 MR. MC GUIRE: Which meeting?

22 MR. LANDY: I'm sorry. I'm not
23 being clear.

24 Q. When you spoke to Ms. Keeffe
25 concerning Mr. Aviv's meeting with Mr. Ross, did

1 SALZMAN - DAY I

2 you have an understanding of when Mr. Aviv's
3 meeting with Mr. Ross had taken place?

4 A. I guess. I must have. She must
5 have told me when it took place. I don't remember
6 her -- when it taking place. I knew that it took
7 place.

8 Q. I'm trying to establish some form
9 of a timeline here. So, do you recall whether it
10 had taken place days ago, weeks ago, months ago?

11 A. My recollection was he reported it
12 to her shortly after it happened, and she reported
13 it to me shortly after she got that report.

14 (Recess taken.)

15 Q. Ms. Salzman, I'm going to go back
16 and ask you a few more questions concerning the
17 document that's marked as NXIVM Exhibit 18, which
18 is the status report.

19 I understand that you testified
20 earlier that you believe you discussed the report
21 with Mr. O'Hara. Is that correct?

22 A. I believe I did.

23 Q. Do you recall that conversation?

24 A. I had a few conversations with
25 Mr. O'Hara about Mr. Aviv's work.

1 SALZMAN - DAY I

2 Q. Okay. What did you discuss in the
3 first one -- well, let me rephrase that.

4 Were any of the discussions you had
5 with Mr. O'Hara concerning Mr. Aviv's
6 investigation of Rick Ross?

7 A. Yes.

8 Q. Okay. The first time you discussed
9 Mr. Aviv's investigation of Rick Ross with
10 Mr. O'Hara, what did you discuss with him?

11 A. We went to Mr. Aviv to have him
12 investigate Kristin Snyder's disappearance and
13 possible death.

14 As a result of that, the scope of
15 what he was doing seemed to be expanding into an
16 area that I hadn't originally anticipated, nor was
17 I feeling positive about it. So, that's what we
18 discussed.

19 Q. And what did Mr. O'Hara say?

20 A. He thought it was necessary and
21 important.

22 Q. Did you accept that advice?

23 A. Ultimately.

24 MR. MC GUIRE: Let the record show
25 that Mr. Skolnik sent me an e-mail -- I think

1 SALZMAN - DAY I

2 it was an e-mail, rather than a letter last
3 week, where we would abide by the same
4 stipulation we had at the Raniere deposition.
5 I think I responded to Mr. Skolnik saying we
6 would.

7 MR. SKOLNIK: You did.

8 MR. MC GUIRE: I want the record to
9 reflect my continuing objection rather than
10 have to object each time there's a
11 conversation between O'Hara and Ross. So,
12 everybody understands that I'm observing my
13 right to challenge that.

14 MR. LANDY: You mean between O'Hara
15 and NXIVM?

16 MR. MC GUIRE: I beg your pardon.
17 Between O'Hara and any reference to that. Is
18 that understood, so I don't have to object
19 each time?

20 MR. SKOLNIK: Understood.

21 MR. MC GUIRE: Or do you want me to
22 object each time?

23 MR. LANDY: It's understood.

24 MR. SKOLNIK: Understood.

25 MR. KOFMAN: That's fine.

1 SALZMAN - DAY I

2 MR. MC GUIRE: All right.

3 Q. You had also previously testified
4 that you personally did not speak to anyone who
5 worked at Interfor concerning this report.

6 Is that correct?

7 A. I don't believe that I did.

8 Q. Did anyone from NXIVM speak to
9 someone at Interfor concerning the report?

10 MR. MC GUIRE: You mean to her
11 knowledge?

12 A. To my knowledge?

13 Q. The question is anyone at NXIVM.
14 And this is directly on one of the topics.

15 A. I imagine Kristin Keeffe did. And
16 I can say I'm pretty sure she did.

17 Q. Do you know what the content of
18 that conversation was?

19 A. No.

20 Q. Have you ever heard of a company
21 called Sitrick & Co.?

22 A. Yes, I have.

23 Q. Was Sitrick ever retained to
24 perform work for NXIVM?

25 A. They were.

1 SALZMAN - DAY I

2 Q. All right. Okay. Do you recall
3 when that happened?

4 A. I believe it was after we -- and
5 during the time that we were working with
6 Interfor.

7 Q. What was Sitrick retained to do?

8 A. Public relations.

9 Q. Was Sitrick retained to do public
10 relations work in general or with respect to any
11 specific topics?

12 A. Public relations with respect to
13 NXIVM and our public image.

14 Q. Had Sitrick been retained as of
15 November 23, 2004?

16 A. You know, I can't remember. I know
17 that he was hired at the same time that we were
18 working with Interfor. That's the best of my
19 recollection. I think we hired Interfor first,
20 but I'm not sure.

21 Q. Do you recall if anyone suggested
22 that NXIVM hire Sitrick & Company?

23 A. I know that someone did. My memory
24 was that it all happened around the same time.
25 And it may have been Juval Aviv.

1 SALZMAN - DAY I

2 Q. Was Sitrick asked to perform any
3 work concerning statements made by Rick Ross?
4 I've got a whole list. I'm going to break it down
5 to just Rick Ross.

6 A. My recollection about Sitrick is
7 that they were going to improve our public image,
8 that somebody at Sitrick had a relationship with
9 Forbes Magazine, and they were going to attempt to
10 get another article written that would improve our
11 public image by it being a more positive article
12 than the first one. And I remember that that was
13 why I wanted to use Sitrick.

14 Q. Did you ever discuss NXIVM Exhibit
15 18 with anybody at Sitrick?

16 A. I don't think so.

17 Q. Can you turn to page 6 of NXIVM
18 Exhibit 18, which bears the Bates No. NXR 00173?
19 There's a paragraph with the heading
20 "communications." I'd like you to review the
21 paragraph.

22 A. At the top?

23 Q. The paragraph with the heading
24 "communications."

25 A. Oh, I'm sorry.

1 SALZMAN - DAY I

2 Q. Do you recall having any
3 discussions concerning the information in that
4 paragraph with anybody at NXIVM?

5 A. I can't remember.

6 MR. LANDY: Okay. Let's put that
7 aside.

8 Let us mark as Salzman Exhibit 4 a
9 three-page document bearing the somewhat
10 strange Bates Nos. Interfor 00168, Interfor
11 00168-A and Interfor 00169.

12 (Exhibit Salzman 4 marked for
13 identification.)

14 Q. Ms. Salzman, do you recognize
15 Salzman Exhibit 4?

16 A. I do.

17 Q. Okay. What is it?

18 A. It's an indemnity agreement between
19 Juval and my company; Juval Aviv.

20 Q. On the last page of the exhibit
21 there is a signature over the line "Nancy
22 Salzman." Is that your signature?

23 A. That is my signature.

24 Q. Okay. Do you recall signing this
25 agreement?

1 SALZMAN - DAY I

2 A. I do.

3 Q. And was that on November 23rd,
4 2004?

5 A. I think it was.

6 Q. Back just to the front page of the
7 exhibit.

8 A. Yes.

9 Q. Is this a form of a fax cover sheet
10 that you use?

11 A. It appears to be.

12 Q. Okay. Is the fax number for you
13 correct?

14 A. Yes, it is.

15 Q. Correct as of November 23rd, 2004?

16 A. Yes, it is.

17 Q. Okay. I'm going to ask you a
18 couple of questions concerning this document. If
19 the answers relate to conversations you had with
20 your own counsel, I don't want those answers.

21 A. Okay.

22 Q. When was the first time you saw a
23 form of this agreement?

24 A. Around November 23rd, 2004.

25 Q. All right. Did you review any

1 SALZMAN - DAY I
2 drafts before you signed this?
3 A. Not that I recall.
4 Q. Did you have any discussions
5 concerning this agreement with anybody at NXIVM?
6 A. I believe that I discussed this
7 with Kristin Keeffe.
8 Q. What did you discuss?
9 A. What it was.
10 Q. What did she say?
11 A. She said it was an agreement with
12 Interfor that we needed to sign, to take
13 responsibility should there be a problem with the
14 work that Juval Aviv or his company did; something
15 like that.
16 Q. Did you have an understanding as to
17 why you were being asked to sign this agreement on
18 or about November 23rd, 2004?
19 A. I was told by Kristin that he had
20 all of his clients sign this.
21 Q. It's correct that as of November
22 23rd, 2004, Interfor had already been retained for
23 some period of time?
24 A. That's correct.
25 Q. Did you ask anyone why you were

1 SALZMAN - DAY I
2 not -- let me start again.
3 Did you ever speak to Juval Aviv
4 concerning this agreement?
5 A. I don't believe that I did.
6 Q. Did you ever speak to Anna Moody
7 concerning the agreement?
8 A. I don't believe that I discussed it
9 with anyone other than Kristin and Joe O'Hara.
10 Q. Did you discuss any of the
11 particular provisions in the agreement with
12 Ms. Keeffe?
13 A. I don't think so.
14 Q. Did you ask Ms. Keeffe to get any
15 more information for you, when you spoke to her?
16 A. I believe I checked it with Joe
17 O'Hara, what she had said to me.
18 Q. How much time elapsed between when
19 you first saw this agreement and when you signed
20 it?
21 A. I don't think there was a lot of
22 time. I think they wanted it signed.
23 Q. Hours, days; do you know?
24 A. It was days.
25 Q. Did you send the fax?

1 SALZMAN - DAY I
2 A. It was sent from my home.
3 Q. Does anyone else at your home use
4 the fax machine for NXIVM business besides you?
5 A. Yes.
6 Q. Who is that?
7 A. Anyone who needs to send a fax who
8 is at my home. I do a lot of business out of my
9 home.
10 Q. Do you have an understanding as to
11 whether Interfor asked NXIVM to sign an indemnity
12 agreement when it was first retained?
13 A. To the best of my knowledge, it was
14 supposed to be done. I didn't find that out,
15 though, until close to the time I signed this.
16 MR. LANDY: Put that aside. Let's
17 move on. I'm going to show you a document
18 that has been previously marked as NXIVM
19 Exhibit 24.
20 I'll first ask if you recognize the
21 document in general, and then I'm going to
22 point you to the specific portion of it. If
23 you feel you need to take the time to read the
24 entire document, you can, but I will lead you
25 to the paragraph that I'm interested in.

1 SALZMAN - DAY I
2 A. I recognize the document.
3 Q. Okay. What is it?
4 A. It's a article from Metroland.
5 It's a local newspaper.
6 Q. When did you first see it?
7 A. To the best of my knowledge, I saw
8 it the week that it was published.
9 Q. Would that be sometime on or around
10 August 10th, 2006?
11 A. I would say yes.
12 Q. If you would turn to page 5 of 8.
13 There are a number of page numbers on this. The
14 page numbers I'm referring to are in the top
15 right-hand corner. It's either 5 of 8 or 18 to
16 24.
17 And I'd like you to read to
18 yourself, starting from the third paragraph from
19 the bottom, which begins "Ross is on the phone
20 with a reporter" through on the following page
21 there's a paragraph about halfway down the page
22 that begins "the plan fell apart after Ross made
23 it clear." Just review that section.
24 MR. MC GUIRE: What page are you
25 on?

1 SALZMAN - DAY I

2 MR. LANDY: It runs from 5 of 8 to
3 6 of 8 or in the court document numbering,
4 it's 18 to 24 to 19 to 24.

5 MR. MC GUIRE: Fine. Should she
6 read some information before that to put that
7 into perspective?

8 MR. LANDY: If she needs to read
9 the whole document, that's fine. I'm only
10 going to have a few --

11 MR. MC GUIRE: Yes. It only took
12 me --

13 MR. LANDY: I'm only going to have
14 a few short questions.

15 MR. MC GUIRE: It only took me a
16 short time.

17 MR. LANDY: And in case it helps
18 the witness with her review, the only
19 questions I expect to ask is whether she
20 recalls reading that section before and
21 whether she discussed it with anybody.

22 MR. MC GUIRE: I was unaware of
23 that.

24 Q. Okay. So, the first question
25 pertaining to the section that I mentioned is

1 SALZMAN - DAY I

2 to show you what I'll ask the court reporter
3 to mark as Salzman Exhibit 5, which is a
4 multiple-page document bearing the Bates Nos.
5 Interfor 0564 through 0566.

6 (Exhibit Salzman 5 marked for
7 identification.)

8 Q. Ms. Salzman, could you please
9 review the document? And as always, my first
10 question will be whether or not you recognize it.

11 A. Yes.

12 Q. What is it?

13 A. It's your retainer agreement.

14 Q. And for the record, what do you
15 mean by "your"?

16 A. Friedman Kaplan Seiler & Adelman,
17 LLP.

18 Q. If you would turn your attention to
19 the third page of the document, which bears the
20 Bates No. Interfor 0566, you'll see a number of
21 signatures.

22 Is that your signature above the
23 line where it states "Nancy Salzman"?

24 A. It is.

25 Q. Okay. Do you recall signing this

1 SALZMAN - DAY I

2 whether you recall reading that section before.

3 A. You know, oddly enough, I don't
4 remember it. Oddly enough, I thought I read this
5 article.

6 Q. All right. Then I guess we'll move
7 on.

8 I'm just going back very briefly to
9 the indemnity agreement, which is Salzman Exhibit
10 4. Do you recall there being any connection
11 between Interfor's request that the agreement be
12 signed and Juval Aviv's meeting with Rick Ross?

13 A. I'm sorry.

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

16 A. No.

17 Q. Do you know when -- do you recall
18 when the meeting with Mr. Ross -- strike that.
19 Start again.

20 I may have asked this before, but
21 do you know now when the meeting between Mr. Ross
22 and Mr. Aviv occurred, the first meeting?

23 A. The date? I don't remember.

24 (Discussion off the record.)

25 MR. LANDY: Ms. Salzman, I'm going

1 SALZMAN - DAY I

2 document?

3 A. I do.

4 Q. Did you sign it on or around August
5 11, 2006?

6 A. I did.

7 Q. Below your signature there is a
8 handwritten paragraph. Is that your handwriting?

9 A. It is.

10 Q. Do you recall writing it?

11 A. I do.

12 Q. At the end of the handwritten
13 paragraph, there is -- there are two initials, one
14 of which appears to say the "NS."

15 Are those your initials?

16 A. Those are my initials.

17 Q. Do you know whose initials the
18 other set of initials are?

19 A. You know, I can't remember.

20 Q. Fine. Let's move forward. In the
21 handwritten section, starting in the middle of the
22 third line, continuing through the end of the
23 fourth line, you have the phrase:

24 "Without prejudice to any
25 indemnification agreements that may exist between

1 SALZMAN - DAY I
 2 NXIVM and Interfor."
 3 Did I read your handwriting
 4 correctly?
 5 A. Yes.
 6 Q. Is that phrase a reference to the
 7 October 23rd, 2004 indemnification agreement that
 8 we previously marked as Salzman Exhibit 4?
 9 A. I believe it is.
 10 Q. Are there any other indemnification
 11 agreements that you're aware of between NXIVM and
 12 Interfor?
 13 A. Not that I recall.
 14 Q. Did NXIVM hire Friedman Kaplan
 15 Seiler & Adelman to represent Interfor in
 16 connection with this present lawsuit?
 17 MR. MC GUIRE: Did NXIVM hire?
 18 Q. Did NXIVM hire Friedman Kaplan
 19 Seiler & Adelman to represent Interfor in
 20 connection with this lawsuit?
 21 A. I believe we agreed to pay them in
 22 connection with this lawsuit.
 23 Q. Why did NXIVM agree to pay in
 24 connection with this lawsuit?
 25 A. I believe that I was advised

1 SALZMAN - DAY I
 2 because of the indemnity agreement, I was required
 3 to.
 4 Q. Who advised you of that?
 5 A. I believe it was the attorneys that
 6 were attorneys at this time.
 7 MR. MC GUIRE: When you say
 8 "attorneys," during the course of this
 9 litigation I would move that that be stricken.
 10 I was assuming that --
 11 MR. LANDY: Well, let's see. We're
 12 referring to -- what side of the bargain we're
 13 talking about.
 14 MR. MC GUIRE: Right. Why don't
 15 you ask her which attorneys?
 16 Q. Did you receive advice -- I won't
 17 ask you what the advice was -- concerning NXIVM's
 18 agreement or NXIVM's obligation to pay Interfor's
 19 legal fees from an attorney?
 20 A. I believe I did.
 21 Q. Was that NXIVM's attorney or
 22 Interfor's attorney?
 23 A. I don't remember.
 24 Q. Did NXIVM, in fact, pay any of
 25 Interfor's legal fees in connection with this

1 SALZMAN - DAY I
 2 lawsuit?
 3 A. I believe we did for a period of
 4 time.
 5 Q. Looking back at Salzman Exhibit 5,
 6 did NXIVM ever terminate this agreement?
 7 A. I believe we did.
 8 Q. When?
 9 A. I believe it was in 2007.
 10 Q. How did you do it?
 11 A. I believe I wrote a letter and gave
 12 three days' notice.
 13 Q. Who did you write the letter to?
 14 A. I don't recall. I think it was
 15 Friedman & Kaplan.
 16 Q. Did you retain a copy of that
 17 letter?
 18 A. I believe we did.
 19 MR. LANDY: Okay. To the extent
 20 such a letter has not been produced,
 21 Mr. McGuire, we ask that it be produced.
 22 MR. MC GUIRE: I think it was
 23 produced. During the luncheon break, I'll try
 24 to identify that.
 25 MR. LANDY: Okay. I'm going to

1 SALZMAN - DAY I
 2 mark a number of documents.
 3 (Exhibit Salzman 6 through 13
 4 marked for identification.)
 5 MR. LANDY: I've asked the court
 6 reporter to mark eight exhibits as Salzman 6
 7 through 13.
 8 Salzman Exhibit 6 is a
 9 multiple-page document bearing the Bates Nos.
 10 Interfor 0364 through 0365.
 11 Salzman Exhibit 7 is a
 12 multiple-page document bearing the Bates Nos.
 13 0367 through 0368.
 14 Salzman Exhibit 8 is a
 15 multiple-page document bearing the Bates Nos.
 16 Interfor 0374 and 0375.
 17 Salzman Exhibit 9 is a
 18 multiple-page document bearing the Bates Nos.
 19 Interfor 0377 and 0378.
 20 Salzman Exhibit 10 is a
 21 multiple-page document bearing the Bates Nos.
 22 Interfor 0380 and 0381.
 23 Salzman Exhibit 11 is a
 24 multiple-page document bearing the Bates Nos.
 25 Interfor 0383 and 0384.

1 SALZMAN - DAY I

2 And Salzman Exhibit 12 bears the
3 Bates Nos. Interfor 0389 through 0393.

4 And Salzman Exhibit 13 bears the
5 Bates Nos. Interfor 0395 through 0397.

6 Q. Ms. Salzman, have you seen any of
7 these documents before?

8 A. I don't think.

9 Q. In your capacity as president of
10 NXIVM, are you involved in the payment of legal
11 bills?

12 A. I'm involved in that.

13 Q. Were you involved in the payment of
14 Interfor's legal bills?

15 A. I was.

16 Q. Was it your responsibility to
17 approve the payment of such bills?

18 A. Yes.

19 Q. Okay. Did you approve the payment
20 of a \$25,000 retainer to Friedman Kaplan Seiler &
21 Adelman in connection with its representation of
22 Interfor?

23 A. Is that represented in one of
24 these?

25 Q. These are just invoices, they're

1 SALZMAN - DAY I

2 not retainers. This is a question from your
3 recollection.

4 A. I don't recall.

5 Q. I refer you back to Salzman Exhibit
6 5, which is the retainer letter. If you look on
7 the second page of that document, the second
8 paragraph states -- or the final paragraph of the
9 second page says.

10 "We asked Steve to confirm your
11 agreement with the foregoing by signing a copy of
12 this letter and returning it to us, in NXIVM's
13 case, with a check in the amount of \$25,000. We
14 appreciate the opportunity to be of service to
15 Interfor."

16 Does that refresh your recollection
17 as to whether or not you approved the payment of a
18 \$25,000 retainer to Friedman Kaplan Seiler &
19 Adelman?

20 A. It does. It appears I did. Thank
21 you.

22 Q. All right. If you would look at
23 Salzman Exhibit 8, which is the third in the
24 series of invoices. The second page of that
25 document, Interfor 0375, states that there is a

1 SALZMAN - DAY I

2 current invoice due of 40,794.76.

3 Did you approve such a payment?

4 A. I don't recall.

5 Q. Do you have any reason to believe
6 that NXIVM did not make such a payment?

7 A. I don't.

8 Q. Moving on to Exhibit 9. I'll focus
9 your attention on the second page of that
10 document, Interfor 0378. The question is did you
11 approve a payment of \$25,587.03 in connection with
12 this invoice? Strike that. You haven't seen the
13 invoices, so it doesn't matter.

14 Did you approve a payment of
15 \$25,587.03 on or around December 2006?

16 A. I can't remember. I imagine I did.

17 Q. Do you have any reason to believe
18 that NXIVM did not make such a payment?

19 A. I don't.

20 MR. LANDY: All right. To shorten
21 the time, I have the same sets of questions
22 with respect to Salzman Exhibit 10 and Salzman
23 Exhibit 11, which is a January 11th invoice,
24 January 11th, 2007, for 14,000 -- hold it.
25 The January 11th invoice states a current

1 SALZMAN - DAY I

2 invoice due of \$14,870.50, and the February
3 14th states a current invoice due of
4 \$59,366.89?

5 MR. MC GUIRE: What number is that?

6 MR. LANDY: I'm looking at 10 and
7 11, which are January 11, '07 and February 14,
8 '07.

9 Q. The question is whether you
10 approved the payment of those invoices and whether
11 you have any reason to believe that NXIVM did not?

12 A. I believe I did, and I don't have
13 reason to believe I didn't.

14 Q. All right. With respect to Salzman
15 Exhibit 13, which is the May 7, 2007 invoice, if
16 you -- let's look at 13 first.

17 If you look at the last page,
18 you'll see that there is a total balance due of
19 56,027.29.

20 With the exception of that total
21 balance due, did NXIVM pay the entirety of the
22 amounts due under all previous invoices under the
23 retainer agreement?

24 A. I believe --

25 MR. MC GUIRE: Object to the form

1 SALZMAN - DAY I

2 of that question.

3 (The requested portion of the
4 record was read.)

5 Q. That is to say in the May 7th, 2007
6 bill there is a total balance payable of
7 \$56,027.29. My question is with respect to
8 everything prior to that total balance due.

9 MR. MC GUIRE: To the 56,000?

10 MR. LANDY: Yes. That 56,000
11 represents an amount due and owing. There
12 were a number of bills before that amount
13 accrued. The question relates to the sums
14 that are detailed in the invoices prior to
15 that amount being due, and whether or not --
16 so, the question is --

17 MR. MC GUIRE: If you know, you can
18 answer.

19 A. I believe we did.

20 Q. All right. Do you have any reason
21 to believe you did not?

22 A. No.

23 Q. Okay. If you would put in front of
24 you the April 6th, 2007 invoice, which is Salzman
25 Exhibit 12. And you can do this just by looking

1 SALZMAN - DAY I

2 at the last page of that.

3 A. Okay.

4 Q. As well as the May 7, 2007 invoice,
5 which is Salzman Exhibit 13, which are Interfor
6 0393 and then Interfor 0397.

7 What I'd like you to do,
8 Ms. Salzman, is using the calculator we provided
9 you, which I'll make representation has not been
10 rigged, determine the difference between the total
11 balance due on the April 6th, 2007 invoice and the
12 total balance due on the May 7, 2007 invoice.

13 A. \$55,010.51.

14 Q. I gave you the wrong number to do.
15 Sorry. The difference that we need is the
16 difference between the total balance due on April
17 6th, and the previous balance due on May 7th,
18 which is 111,037.80 minus 51,670.91.

19 MR. MC GUIRE: Where does the 51
20 come from?

21 MR. LANDY: The previous due on May
22 7th, 2007.

23 A. You want me to take the total.

24 MR. LANDY: Hold on one second.
25 I'll look at this over lunch.

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2 (Luncheon recess: 12:49 p.m.)

3 (Exhibit Salzman 14 marked for
4 identification.)

5 Q. Ms. Salzman, prior to the lunch
6 break, we were discussing a number of payments
7 made by NXIVM to Friedman Kaplan Seiler & Adelman.

8 Do you recall that?

9 A. Yes.

10 Q. Okay. Were those payments made
11 under the indemnity agreement, which was marked as
12 Salzman Exhibit 4?

13 A. They were.

14 Q. We have marked as Salzman Exhibit
15 14 documents entitled "Verified Counterclaim,"
16 which is Document No. 70 filed in this action.

17 Do you recognize this document?

18 A. I do.

19 Q. When was the first time you saw it?

20 A. I think somewhere in the beginning
21 of 2007. I'm not sure. Is that when it was
22 filed?

23 Q. I can represent to you that it was
24 filed on January 11th, 2007.

25 A. I believe it was in the beginning

1 SALZMAN - DAY I

2 of that year.

3 Q. Was it before April of 2007?

4 A. I think it was, but I'm not sure.
5 I think it was.

6 Q. Did you ever discuss this document
7 with anyone at Interfor?

8 A. I did not.

9 Q. Did anyone at NXIVM discuss this
10 document with anyone at Interfor?

11 MR. MC GUIRE: To your knowledge.

12 A. I don't believe so.

13 Q. All right. I'm going to show you a
14 document that's been previously marked as NXIVM
15 Exhibit 9.

16 Have you ever seen this document
17 before?

18 A. I have.

19 Q. When did you first see it?

20 A. At Keith Raniere's deposition.

21 Q. Notwithstanding when you saw the
22 document, I'm going to direct your attention to
23 the third paragraph, the bracketed statement,
24 which says:

25 "Note, this specifically includes,

1 SALZMAN - DAY I

2 but is not limited to the 'sting operation' that
3 Keith has proposed having Interfor undertake with
4 respect to Mr. Ross."

5 We've already talked about that.

6 Strike the question.

7 Did you ever become aware of a
8 proposed second stage of the sting operation where
9 Ross would perform an intervention to convince a
10 young woman to leave NXIVM?

11 MR. MC GUIRE: I'll object to the
12 form of that question. If you understood it,
13 you can answer.

14 A. I don't understand the question.

15 Q. Okay. Did you ever -- did there
16 come a time when you understood or learned that as
17 part of the sting operation, Interfor would
18 arrange for Ross to meet with a young woman, where
19 it would be -- where Ross would be told that it
20 was his job to attempt to convince that woman to
21 leave NXIVM?

22 A. When Ross posed the sting
23 operation, or when I first heard about the sting
24 operation, I believe the sting operation was that
25 there would be a mother and a daughter, that the

1 SALZMAN - DAY I

2 concerning the possibility of Ms. Keeffe posing as
3 the young woman with anybody else?

4 A. I don't remember having any other
5 discussions about it. I don't think Joe O'Hara
6 was there.

7 Q. When you say "not there," do you
8 mean this may have been after he was no longer --

9 A. No, in the discussion about
10 Kristin.

11 Q. Okay.

12 A. I don't remember when it occurred.
13 I don't remember Joe O'Hara being there. I do
14 remember that she brought the idea up, though.

15 Q. "She" meaning Kristin?

16 A. Correct.

17 Q. Do you have an understanding of
18 what the purpose of that portion of the sting was?

19 A. No, not really. I don't think I
20 ever understood the sting. I still don't think I
21 understand the sting.

22 Q. What were the purposes of the
23 overall Ross investigation?

24 A. I originally hired Ross to --

25 Q. You mean you originally Interfor?

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2 mother would be distraught because the daughter
3 was a member of the "cult." That he would be
4 hired by the mother, and then he would deprogram
5 the daughter.

6 They asked me if they could use
7 members of my organization, and I was completely
8 opposed to it, and I didn't like the idea. I
9 never liked the idea. I didn't want them to do
10 it.

11 Q. Did Mr. Ross ever meet with the
12 supposed daughter?

13 MR. MC GUIRE: To your knowledge.

14 A. No.

15 Q. Do you recall any conversations
16 concerning whether Kristin Keeffe would pose as
17 that daughter?

18 A. I do recall a conversation.

19 Q. Who was that with?

20 A. Kristin Keeffe.

21 Q. And what did Ms. Keeffe say to you?

22 A. That she wanted to do that.

23 Q. And what did you say?

24 A. I didn't think it was a good idea.

25 Q. Did you have any discussions

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2 A. I originally hired Interfor at
3 O'Hara and Rich Weiner's request to get
4 information on Kristin Snyder. Everything else
5 came after that as a result of meetings that
6 occurred with Mr. Juval Aviv, who brought a series
7 of data points to us that inspired continuing to
8 use his services.

9 I was adverse to using his services
10 because none of the data that I received from him
11 seemed to be documented in any way that could be
12 verified in any way. Although his allegations
13 seemed to bring up an awful lot of concern in me,
14 in case any of them were true. And I consistently
15 was unhappy with the fact that nothing could be
16 verified, and that he expanded the scope of the
17 investigation by bringing multiple allegations of
18 other things that I didn't ask him to do, nor did
19 I hire him to do.

20 Q. Did you ever express this
21 discontent to Mr. Aviv?

22 A. I didn't see him. Many times I
23 expressed it to Kristin and to Joe O'Hara, and to
24 my attorneys, because it kept seeming to get
25 larger and larger to me, and I wasn't sure how

1 SALZMAN - DAY I

2 that was happening, but it was of concern, and not
3 verifiable.

4 Q. Did NXIVM ever refuse to pay one of
5 Interfor's invoices?

6 A. I don't remember refusing to pay
7 one of his invoices, but I do remember, at a
8 certain point, saying that I didn't want to do it
9 anymore and cutting off contact.

10 Q. Was that in and around May of 2005?

11 A. I believe it was; between April and
12 May.

13 Q. Did Kristin Keeffe ever tell you
14 that she had obtained a list of telephone numbers
15 that Mr. Ross had called?

16 A. That she had obtained --

17 Q. A list of telephone numbers that
18 Mr. Ross had called.

19 A. I believe I read that in that
20 report. There was a list of people.

21 Q. The question relates to phone
22 numbers, not people.

23 A. I don't think so.

24 Q. Have you ever spoken to anyone you
25 understand to work for the Church of Scientology?

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2 A. To work for them?

3 Q. To work for.

4 A. I don't think so.

5 Q. Have you ever spoken to anyone you
6 understand to be a representative of the Church of
7 Scientology?

8 A. I don't understand the question
9 "representative."

10 Q. I'm making the distinction of
11 people who may be scientologists and people who
12 are actually part of the establishment?

13 A. No, I've never met anyone who is
14 part of the establishment of scientology.

15 Q. Have you ever met anyone that you
16 understood to be involved with or a member of the
17 Church of Scientology?

18 A. Yes.

19 Q. Have you ever had a conversation --
20 we'll just refer to them as a scientologist.

21 Have you ever had a conversation
22 with a scientologist concerning Rick Ross?

23 A. No.

24 Q. Are you aware of -- strike that.
25 How often was Kristin Keeffe in

1 SALZMAN - DAY I

2 contact with Interfor in the period of fall 2004
3 to the spring of 2005?

4 A. I'm not sure.

5 Q. Was she responsible to attend to
6 the day-to-day affairs of Interfor's
7 investigations on NXIVM's behalf?

8 A. I don't understand the question.

9 Q. You previously testified that her
10 job was to coordinate between counsel and
11 Interfor. Is that correct?

12 A. That's correct.

13 Q. Was anyone else at NXIVM -- did
14 anyone else at NXIVM have the responsibility of,
15 for lack of a better term, dealing with Interfor,
16 other than her?

17 A. No.

18 Q. Did Ms. Keeffe ever express
19 concerns to you over Interfor's actions in
20 connection with the Ross investigation?

21 A. Not that I remember.

22 Q. Did Ms. Keeffe tell you that
23 Interfor had collected Mr. Ross' trash as part of
24 the investigation?

25 A. The first that I heard of the

1 SALZMAN - DAY I

2 collection of trash was when those papers came
3 out.

4 Q. Do you remember who you heard it
5 from?

6 A. I'm going to assume it was Kristin
7 Keeffe.

8 Q. Did you ever speak to anybody at
9 Interfor concerning the collection of Mr. Ross'
10 trash?

11 A. No.

12 Q. Did anyone at NXIVM speak to anyone
13 at Interfor concerning the collection of Mr. Ross'
14 trash?

15 A. I don't think so. I don't know,
16 though.

17 Q. Did you ever discuss an article
18 written by John Hochman while at a meeting at
19 Interfor's offices?

20 A. I don't know if I did. I'm sure
21 that it was discussed with him, but I'm not sure
22 that I discussed it with him personally. I don't
23 remember discussing it.

24 Q. Do you have any recollection of
25 saying that you would provide a written rebuttal

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2 directly to the Hochman report to both Sitrick and
3 Interfor?

4 A. I remember that we were preparing
5 one, and I remember now reading it. I did offer
6 it. It was requested of me. Somebody -- it was
7 requested of me at a certain point, and I was
8 putting it together. And I know that I or Kristin
9 offered that I would do it, that I would send it
10 when it was complete.

11 Q. Did you ever attend a meeting at
12 Interfor's offices where Kristin Keeffe was
13 present?

14 A. Yes.

15 Q. At any of those meetings did
16 Kristin Keeffe state that she had learned that
17 Mr. Ross had an Indonesian boyfriend?

18 A. I read that in some notes.

19 Q. The question is what Ms. Keeffe
20 said.

21 A. I don't remember her saying that,
22 because I don't remember that he was Indonesian,
23 but --

24 Q. Do you remember her saying that she
25 had learned that Rick Ross had a boyfriend?

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2 A. Yes.

3 Q. Was this at a -- did she say this
4 at a meeting at Interfor's offices?

5 A. She may have. I don't remember
6 when I first heard it.

7 Q. Do you recall Ms. Keeffe ever
8 stating that she had obtained all of Mr. Ross'
9 boyfriend's communications through July of 2004?

10 A. Can I have the question again?

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

13 A. I can't remember when I learned
14 that. I know that I know it now. I don't know
15 when I first heard it.

16 Q. What do you -- you say that you
17 know it now. You know what?

18 A. That that statement was in some of
19 the documents that I read.

20 Q. That's not the question.

21 A. I know. I can't remember when I
22 first heard it, and I -- that's -- I don't
23 remember first hearing it.

24 I don't remember being in a meeting
25 where it was said, although -- I remember reading

1 SALZMAN - DAY I

2 a document that appears as though I was at that
3 meeting.

4 Q. Do you know whether or not
5 Ms. Keeffe, in fact, did possess communications
6 from Mr. Ross' boyfriend?

7 A. I believe that she may have gotten
8 some data from Joe O'Hara. And if they were those
9 communications, it could have been that, but my
10 memory of it is not clear.

11 Q. Do you know whether she offered to
12 give the -- give that data or those data to
13 Interfor?

14 A. I do remember being in a meeting
15 where she offered to give some of that data to
16 Juval Aviv.

17 Q. Has Juval Aviv ever met Keith
18 Raniere in person?

19 A. Yes.

20 Q. When was that?

21 A. It was at a dinner in my house.

22 Q. How long did that dinner last?

23 A. Well, it was an evening. It was a
24 whole dinner, including dessert. A couple of
25 hours.

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2 Q. Somewhere between two and four
3 hours?

4 A. I would say.

5 Q. Okay. Was Mr. Ross discussed at
6 that dinner?

7 A. Not that I remember.

8 Q. Was any of the work that Interfor
9 had done in the course of the investigation of
10 Mr. Ross discussed at that dinner?

11 A. No.

12 Q. When was this dinner?

13 A. I believe it was fairly early from
14 the time that we retained Mr. Aviv. I think it
15 was probably in the first two months, maybe three.

16 Q. Has Mr. Aviv ever been to -- I'm
17 going to refer to it as the NXIVM center, but it's
18 NXIVM's offices in Albany, New York or NXIVM's
19 location in Albany, New York -- to your knowledge?

20 A. I think he was. When he came to my
21 house for dinner, I believe Kristin took him to
22 the center and gave him a tour.

23 Q. Did you accompany them?

24 A. I don't remember being there.

25 Q. Have you ever heard of a person

1 SALZMAN - DAY I

2 named Phil Robertson?

3 A. I have.

4 Q. Who is Phil Robertson?

5 A. It's not his real name. His real
6 name is Frank Parlato.

7 Q. Who is Frank Parlato?

8 A. Frank Parlato is a -- I think he's
9 a businessman who also does public relations that
10 I was introduced to through Steve Pigeon, who is a
11 consultant to NXIVM.

12 Q. Why does Mr. Parlato go by the name
13 Phil Robertson?

14 A. I don't know.

15 Q. When did you learn that he used the
16 alias Phil Robertson?

17 A. When I first read that article that
18 you just --

19 MR. LANDY: Let's make the record
20 clear. And I will distribute what has been
21 previously marked as NXIVM Exhibit 14.

22 Q. Do you recognize this document?

23 A. I do.

24 Q. Is this the article you were just
25 referring to?

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2 A. It is.

3 Q. When did you first see this? And
4 by "this" I mean NXIVM Exhibit 14.

5 A. I believe that Kristin Keeffe
6 brought me a copy of it shortly after it came out.

7 Q. Did Mr. Parlato ever work for
8 NXIVM?

9 A. I don't think that he did.

10 Q. Was he ever a paid consultant?

11 A. I don't believe that we ever paid
12 him.

13 Q. Have you ever spoken to Mr. Parlato
14 about Rick Ross?

15 A. I think I did.

16 Q. How many times?

17 A. I didn't speak to him many times,
18 maybe three or four in total. I think only once.

19 Q. And what did you discuss?

20 A. I discussed the problems that we
21 had with the media, with the Internet; mainly our
22 public relations issues.

23 Q. What did he say?

24 A. He wanted me to hire him, in that
25 conversation, to help us with our public relations

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2 problems. He seemed to have investigated pretty
3 thoroughly and read all of the articles, looked at
4 the Internet. He seemed to know a great deal
5 about us by the time I met him. And he led me to
6 believe that he could change our public image.

7 Q. Did you ever speak to him about
8 Juval Aviv or Interfor?

9 A. I don't think I did.

10 Q. In 2007, who was responsible for
11 responding to inquiries from the press at NXIVM?

12 A. We rarely responded to the press
13 for most of the time we've been in business. When
14 the press contacted us, if I was in town, I would
15 be advised. Most of the time we didn't -- I'd
16 make no responses. There were periods when we had
17 public relations people in place, but if I was not
18 in town, probably Kristin would be called because
19 she knew what was going on with legal and would
20 advise the attorneys.

21 Q. Does NXIVM have a general listed
22 phone number?

23 A. I don't think so. Well, maybe it
24 does.

25 Q. Does it have a main phone number?

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2 A. I think it has a main phone number.

3 Q. Who answers the phone?

4 A. I think the phone rings in our
5 accounting office.

6 Q. Who would be there? Let me back
7 this up. I'll give you a time frame.

8 In fall of 2007, whose phone was
9 that?

10 A. The administrative offices will
11 answer the phone.

12 Q. Is that any particular person?

13 A. A series of people.

14 Q. Are any of them authorized to
15 respond to inquiries from the press?

16 A. No.

17 Q. So, is there any procedure for what
18 is to be done if that phone receives an
19 unsolicited inquiry from the press?

20 A. They would either advise legal or
21 they advise me.

22 Q. And legal being Kristin Keeffe?

23 A. She's the liaison.

24 Q. I direct your attention back to
25 Exhibit 14. And I'm going to show you -- I'm

1 SALZMAN - DAY I

2 going to direct your attention specifically to the
3 pages marked Interfor 0452 and 0453. I realize
4 this is, unfortunately, in fairly small type.

5 A. Okay.

6 Q. I'm going to read a couple of the
7 statements from here and then I'll ask you a
8 series of questions.

9 Starting at the bottom of page 452,
10 the last paragraph states:

11 "According to NXIVM spokesperson
12 Robertson, company leaders were appalled to learn
13 what Aviv was up to."

14 Do you know what that refers to?

15 MR. MC GUIRE: Don't guess. If you
16 know, you can answer.

17 A. No.

18 Q. Continuing on to the following
19 page, I'd like you to read the first full
20 paragraph that starts "Robertson says that NXIVM"
21 to yourself. Then I'll ask you a question or two.

22 A. Okay.

23 Q. Do you see in those paragraphs
24 there are a number of statements attributed to
25 Robertson? Did you ever discuss any of those

1 SALZMAN - DAY I

2 I did not authorize him to speak to this
3 publication on our behalf.

4 Q. Who hired Mr. Parlato?

5 A. I believe it was Clare Bronfman.

6 Q. And Ms. Bronfman is a member of the
7 executive committee of NXIVM. Is that correct?

8 A. She is now. She wasn't then.

9 Q. When did she become a member of the
10 executive committee?

11 A. In September.

12 Q. Do you have any understanding as to
13 how Mr. Parlato got in touch with "The Village
14 Voice"?

15 A. I don't know how -- I was never
16 able to figure out the chain of events that he got
17 in touch with "The Village Voice."

18 Q. Did you know that this article was
19 going to be published before it was, in fact,
20 published?

21 A. I had no knowledge of it before it
22 was published.

23 Q. To your understanding, did anyone
24 at NXIVM know this article was going to be
25 published before it was, in fact, published?

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2 statements with Mr. Parlato?

3 A. I did not.

4 Q. Did anyone at NXIVM ever discuss
5 this with Mr. Parlato?

6 A. I don't know.

7 Q. Is it your understanding that
8 Mr. Parlato made those statements?

9 A. It is.

10 Q. How did you learn that?

11 A. After a conversation with Kristin
12 Keffe.

13 Q. Has Mr. Parlato ever appeared in
14 court in this action? Let me rephrase that.

15 Has Mr. Parlato ever attended a
16 court proceeding in this action accompanying NXIVM
17 or accompanying you?

18 A. I don't remember. He may have. I
19 don't remember.

20 Q. Is Mr. Parlato authorized to make
21 any of these statements on NXIVM's behalf?

22 A. Mr. Parlato was hired by someone
23 who was a participant in my program for a period
24 of time. During that time, I believe he spoke
25 with some of the participants within the program.

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2 A. I don't remember. I know I didn't
3 have any idea this was coming out, or that they
4 had contacted us or anything about this.

5 Q. Is it your understanding as to
6 whether Ms. Keffe knew this article would be
7 published before it was, in fact, published?

8 A. No, I don't remember now if she
9 told me she knew it was going to happen or not,
10 but I think when she showed it to me, she told me
11 she did know.

12 Q. She did?

13 A. She did -- I can't remember. You
14 know what? I can't remember.

15 Q. Going back to the paragraph we were
16 discussing here, there's a statement attributed to
17 Mr. Robertson.

18 "We knew nothing here about a
19 sting."

20 Did NXIVM know anything about a
21 sting?

22 A. Yes. I knew about a sting. I
23 mean, I knew that it had been proposed.

24 Q. Do you have any -- there's a
25 statement -- let me start again.

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 2 Slightly further on in that
 3 paragraph there's the statement:
 4 "What we saw was a corrupt attorney
 5 hires a corrupt private investigator."
 6 At the time, was it NXIVM's
 7 position that Interfor was a corrupt private
 8 investigator?
 9 MR. MC GUIRE: Could I have read
 10 that back, please?
 11 (The requested portion of the
 12 record was read.)
 13 A. Was it NXIVM's position?
 14 Q. Yes.
 15 A. I never said that. I don't think
 16 NXIVM ever said that. I think that was his
 17 opinion.
 18 Q. And by "his," you mean Frank
 19 Parlato?
 20 A. Yes.
 21 (Recess taken.)
 22 THE WITNESS: I wanted to clarify a
 23 point. And the point was that when Kristin
 24 Keeffe agreed to give Juval Aviv information
 25 that she had, I don't know what the

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 2 information was about, and I didn't at the
 3 time either. They seemed to know what they
 4 were both talking about.
 5 Q. So, to be clear, Ms. Salzman, is it
 6 your testimony that while at a meeting in
 7 Interfor's offices, Ms. Keeffe offered to give
 8 some information to Mr. Aviv -- some information
 9 to Mr. Aviv, but the nature of the information was
 10 not discussed?
 11 A. Yes. It appeared that they both
 12 knew what they were talking about, and they agreed
 13 that she would give it to him. So, I assumed that
 14 they had had previous discussions about this,
 15 whatever it was.
 16 Q. When you say "they," do you mean
 17 Kristin Keeffe and Juval Aviv?
 18 A. Yes.
 19 Q. Who made the ultimate decision to
 20 hire Interfor?
 21 A. I did.
 22 Q. Did you ever have any
 23 communications with anyone at Interfor wherein you
 24 objected to something you learned that they had
 25 done?

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 2 MR. MC GUIRE: You mean any time?
 3 MR. LANDY: Any time.
 4 A. No. I didn't have that many direct
 5 discussions with people at Interfor.
 6 Q. Did anyone at NXIVM?
 7 A. Object?
 8 Q. Yes.
 9 A. I don't know.
 10 Q. When was the last time you spoke to
 11 anyone at Interfor?
 12 A. May of 2005.
 13 Q. Who did you speak to?
 14 A. It may have been Anna Moody. I
 15 don't remember. I remember going to a meeting at
 16 the end where I don't think Juval Aviv was there.
 17 Q. Did you discuss the Ross
 18 investigation at that meeting?
 19 A. I don't remember.
 20 Q. When you first saw "The Village
 21 Voice" article, which is NXIVM Exhibit 14, did it
 22 concern you?
 23 A. Yes.
 24 Q. Why?
 25 A. I thought it was terrible. I

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 2 thought what was said -- I thought the whole
 3 article was horrible, but I thought that somebody
 4 claiming to be somebody named Phil Robertson was
 5 terrible, and I thought the things that he said
 6 that represented us were terrible. And the fact
 7 that he represented us I was very disturbed about.
 8 Q. Did you discuss those concerns with
 9 anybody?
 10 A. I think I discussed them with
 11 Kristin. And I am pretty sure I discussed them
 12 with Frank Parlato.
 13 Q. But you don't recall whether
 14 Kristin told you that she knew the article would
 15 come out in advance?
 16 A. I'm sorry, but I don't remember
 17 what she told me about "advance."
 18 MR. LANDY: All right. Reserving
 19 my right to any cross-examination that may be
 20 necessary, I'm through. No more further
 21 questions. Thank you very much for your time.
 22 EXAMINATION BY MR. KOFMAN:
 23 Q. Ms. Salzman, my name is Harold
 24 Kofman. I'm an attorney at Riker Danzig Scherer
 25 Hyland & Peretti. And we represent Morris Sutton,

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 2 Rochelle Sutton, and Stephanie Franco in this
 3 litigation.
 4 The instructions that Mr. Landy
 5 gave you this morning are still operative. Again,
 6 if you need a break, please let me know. Just a
 7 follow up on a couple of things that you and
 8 Mr. Landy discussed.
 9 Did you ever authorize Frank
 10 Parlato to communicate settlement discussions with
 11 the Sutton/Franco lawyers? Strike that.
 12 Did NXIVM ever authorize Frank
 13 Parlato to discuss settlement of this litigation
 14 on its behalf?
 15 A. I don't remember.
 16 Q. It might have?
 17 A. There was a period of time -- I
 18 don't remember.
 19 Q. Was there a period of time in which
 20 Mr. Parlato was authorized to speak on behalf of
 21 NXIVM?
 22 A. There was a period of time when he
 23 was consulting with us, as I said, when he was
 24 hired by Clare Bronfman. He was working with
 25 Kristin Keeffe at that time, and I had a few

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 2 limited conversations with him.
 3 I don't remember authorizing him to
 4 have settlement discussions, and I don't remember
 5 whether he was consulting with our attorneys, but
 6 that seems like something our attorneys would
 7 handle.
 8 Q. Do you know how much Ms. Bronfman
 9 paid to Mr. Parlato?
 10 A. I don't.
 11 Q. Has Ms. Bronfman paid any of the
 12 legal fees for NXIVM in this litigation?
 13 MR. MC GUIRE: Don't answer that
 14 question.
 15 MR. KOFMAN: Why not?
 16 MR. MC GUIRE: It's totally
 17 irrelevant. I'll tell you what? Are we going
 18 to find out who is paying your legal fees and
 19 any legal fees for anybody else in the case?
 20 I don't want to hear objections from other
 21 people.
 22 MR. KOFMAN: We know that Michael
 23 Sutton paid for, it goes to credibility. We
 24 know that Ms. Bronfman might be a witness in
 25 this case.

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 2 MR. SKOLNIK: I have no problem
 3 disclosing who is paying my legal fees.
 4 MR. MC GUIRE: All of them?
 5 MR. SKOLNIK: All of them.
 6 MR. LANDY: I don't have an
 7 objection.
 8 MR. MC GUIRE: Do you mind if I
 9 speak with the witness just for a second?
 10 MR. KOFMAN: Sure.
 11 (Discussion off the record.)
 12 Q. Ms. Salzman, during the break we
 13 just had, did you consult with anyone about my
 14 question?
 15 A. I did.
 16 Q. Who did you consult with?
 17 A. Clare Bronfman.
 18 Q. Okay. Did you speak to Keith
 19 Ranieri?
 20 A. No.
 21 Q. Okay. Did NXIVM ask Ms. Bronfman
 22 to hire Frank Parlato?
 23 A. No.
 24 Q. Has Ms. Bronfman paid other
 25 expenses of NXIVM?

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 2 MR. MC GUIRE: Don't answer that
 3 question just yet.
 4 MR. KOFMAN: Okay.
 5 Q. After you read "The Village Voice"
 6 article, you indicated that you were concerned
 7 about statements -- with the statements attributed
 8 to Phil Robertson a/k/a Frank Parlato.
 9 Did you express that concern to
 10 Mr. Parlato?
 11 A. I did.
 12 Q. What did you tell him?
 13 A. That I didn't agree with the things
 14 that he said, and I didn't agree that that
 15 represented NXIVM's points of view, and that I
 16 didn't want him doing that anymore.
 17 Q. When you said you "didn't want him
 18 doing it anymore," what do you mean?
 19 A. I wanted him to discuss with me, in
 20 advance of discussing anything with anyone, that
 21 would go in the press.
 22 Q. Do you remember a settlement
 23 conference that took place down the street in
 24 Newark before Magistrate Judge Falk in December of
 25 2007?

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 2 A. I do remember that.
 3 Q. Do you remember that you were there
 4 and Keith Raniere?
 5 A. Yes.
 6 Q. Was Mr. Parlato also there?
 7 A. He may have been.
 8 Q. Okay. Was Mr. Parlato authorized
 9 by NXIVM to be there on its behalf?
 10 MR. MC GUIRE: Object to the form
 11 of the question.
 12 Q. Did Mr. Parlato appear on NXIVM's
 13 behalf at that conference?
 14 A. I believe he did come to that
 15 conference.
 16 Q. Was he authorized by NXIVM to be
 17 there?
 18 A. I think he came with us, yes.
 19 Q. When did NXIVM's relationship with
 20 Mr. Parlato end?
 21 MR. MC GUIRE: Object to the form
 22 of that question.
 23 MR. KOFMAN: Strike that.
 24 Q. Did NXIVM ever sever its
 25 relationship with Mr. Parlato?

1 SALZMAN - DAY I
 2 A. Yes.
 3 Q. When was that?
 4 A. I believe it was early -- I'm
 5 trying to remember the date of this article.
 6 Early in 2008.
 7 Q. What were the circumstances under
 8 which the relationship with Mr. Parlato ended?
 9 A. There were a series of things that
 10 occurred. Mr. Parlato was very independent in the
 11 way that he did things, and we had many
 12 differences of opinion, and I couldn't work with
 13 him any longer.
 14 Q. What were the things that -- strike
 15 that.
 16 Was one of the reasons the article
 17 that appeared in "The Village Voice"?
 18 A. Among other things.
 19 Q. What were some of the other things?
 20 A. The fact that he was very
 21 independent and didn't work as a team member. He
 22 was sort of an independent force. He took things
 23 on himself. He didn't advise me of what he was
 24 doing and he didn't follow what it was that I
 25 wanted done.

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 2 Q. What did he take on by himself that
 3 he did not advise you about?
 4 A. Well, this article, for one thing.
 5 Almost everything he participated in he was very
 6 independent in his action.
 7 Q. What were some of the other things
 8 he participated in?
 9 A. He participated in -- well, the
 10 other thing that he did was he agreed to do a
 11 public relations campaign for us, including
 12 developing a website, doing a series of writing
 13 projects, and making sure that he changed our
 14 image on the Internet. And he never followed
 15 through on those things.
 16 He started a number of things,
 17 never did the writing projects, never did the job,
 18 and then became involved or tried to become
 19 involved in things that I didn't ask him to be
 20 involved in, in the company.
 21 Q. Such as?
 22 A. There was a project that I was
 23 involved in, in California, that I didn't ask him
 24 to consult in, and he decided to consult in
 25 that -- he decided he wanted to participate in

1 SALZMAN - DAY I
 2 that. He discussed that with other members of the
 3 team, and then also with Clare Bronfman.
 4 And then he began to work with
 5 Clare more directly. And I think while he was
 6 doing those things, both she and I both had
 7 similar experiences, and he wasn't following
 8 through on the things that I had asked him to do
 9 for the website, and that was what I hired him to
 10 do. And he wasn't doing that at all. And so, we
 11 just ended our relationship.
 12 Q. What was the California project?
 13 What did that involve?
 14 A. It involved real estate.
 15 Q. Were there any other instances
 16 besides the article in the California project
 17 where he tried to get involved in things without
 18 authorization?
 19 A. It was my understanding that he
 20 tried to get involved in just about every area of
 21 the company. He wanted to help us -- changing our
 22 public image extended to a lot of different areas
 23 of the company for Frank, and he -- he was hard to
 24 manage.
 25 Q. Did he ever undertake an

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2 investigation of the Suttons?

3 A. I don't know. I can't remember him
4 taking -- I can't remember that off the top of my
5 head now.

6 Q. Did he ever undertake an
7 investigation of Stephanie Franco?

8 A. I'm not remembering that.

9 Q. Did NXIVM ever hire anyone to
10 undertake an investigation of the Suttons?

11 A. I don't know if Mr. Aviv did that.
12 I'm not sure.

13 I do remember that -- I don't know
14 if Michael told me things about his family. I
15 don't think we did.

16 Q. Did Interfor ever investigate the
17 Suttons?

18 MR. LANDY: Objection. We're now
19 going to a point that's beyond the stipulation
20 concerning what is and what is not privileged.
21 Judge Treece's opinion allows for questions to
22 be asked concerning Interfor's work on behalf
23 of NXIVM with respect to the Ross
24 investigation.

25 It's fairly clear that any other

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2 investigations it does not touch. And I
3 understand that to be the nature of the
4 stipulation we all agreed to.

5 MR. SKOLNIK: This has nothing to
6 do with O'Hara, or conversations with any
7 alleged attorney. This is Nancy Salzman's
8 personal knowledge of investigations of the
9 Sutton family.

10 MR. LANDY: To the extent that
11 there's any privilege, it's NXIVM's and
12 Mr. McGuire's. But if an attorney
13 representing NXIVM hired an investigator to
14 assist it in connection with the litigation,
15 it's privileged. Of course, it's yours to
16 assert.

17 MR. KOFMAN: Well, I think that
18 Judge Treece's opinion -- I'd agree that only
19 goes to communications involving O'Hara, that
20 that is an area -- I don't think this -- you
21 know, if there was an investigation that was
22 done, which we don't know if there was, I
23 don't see what privilege attaches to that.

24 Now, any communications involving
25 an attorney in that investigation may be

1 SALZMAN - DAY I

2 different.

3 MR. LANDY: Communications that
4 anyone at NXIVM had with the agent of an
5 attorney that was hired by the attorney to
6 assist in the litigation would be covered by
7 the privilege.

8 To the extent that it's not covered
9 by the Treece opinion, that's because the
10 Treece opinion only covers what is not
11 privileged, not what is privileged.

12 MR. KOFMAN: Well, I think what
13 we're talking about here is the work product
14 privilege, not an attorney/client privilege.
15 And the first thing is whether or not there is
16 any investigation is not covered. If we get
17 into a question about the substance, then you
18 might have a point there.

19 MR. LANDY: In the end, this is a
20 privilege that belongs to NXIVM. So, to the
21 extent that it's going to be asserted, it
22 will. I believe I've made a sufficient
23 record.

24 MR. MC GUIRE: Mr. Kofman, I will
25 allow the witness to answer the question yes

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2 or no. Beyond that, I will impose the work
3 product privilege.

4 MR. KOFMAN: Okay. Can you read
5 back the question, please?

6 (The requested portion of the
7 record was read.)

8 A. Not to the best of my knowledge. I
9 don't remember him doing that. I don't remember
10 ever getting a report on that.

11 Q. And would the same answer be true
12 for Ms. Franco?

13 A. To the best of my knowledge, I
14 don't ever remember asking for that or getting a
15 report on that.

16 Q. Did NXIVM ever ask any private
17 investigator to investigate the Suttons or
18 Ms. Franco?

19 A. No.

20 Q. You mentioned, during questioning
21 by Mr. Landy, Kristin Snyder. Can you tell me who
22 Ms. Snyder is?

23 A. She's a young woman who lived in
24 Anchorage, Alaska who came and took training with
25 us at a seminar in Alaska, a five-day seminar.

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2 And then I think she took an 11-day seminar after
3 that. And then I believe she began repeating that
4 program about a year later, also in Anchorage,
5 Alaska, and she disappeared during that training.

6 Q. Did she ever take training in
7 Albany?

8 A. She visited Albany, but I don't
9 believe she took training there. I believe she
10 was there during the training, but she wasn't a
11 student in that training.

12 Q. Did you meet her?

13 A. I did.

14 Q. Did her disappearance generate
15 newspaper articles in Alaska and Albany?

16 A. At the time of her disappearance, I
17 believe that there were newspaper articles, and
18 then a year later, an article surfaced in Albany.
19 (Recess taken.)

20 Q. Ms. Salzman, just to close the
21 loop, when you said that articles appeared at the
22 time of her disappearance, those were articles in
23 the press in Alaska?

24 A. Correct.

25 Q. Okay. Have you spoken to

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2 MR. SKOLNIK: Nor I.

3 Q. What did Ms. Bronfman tell you?

4 A. She's never paid for any of my
5 legal bills.

6 Q. How much did she pay Mr. Parlato?

7 A. I didn't ask her that.

8 Q. That wasn't the question. That was
9 one of the questions pending.

10 A. I'm sorry. I didn't ask her how
11 much she paid him.

12 Q. Has she paid other expenses of
13 NXIVM?

14 A. No.

15 Q. Do you recall Mr. Ranieri
16 testifying, several weeks ago, about a trip that
17 you and he and some others took to Dharmala to
18 India to see the Dalai Lama?

19 A. Dharamsala?

20 Q. Dharamsala.

21 A. Yes.

22 Q. Who paid for that trip?

23 A. I believe Sara Bronfman did.

24 Q. Okay. Has Sara Bronfman paid for
25 expenses of NXIVM?

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2 Ms. Bronfman about the issue that we discussed
3 earlier, the payment of expenses for NXIVM?

4 A. I have.

5 Q. And what did Ms. Bronfman say?

6 MR. MC GUIRE: Now, I want you to
7 understand if this opens the door for me to
8 ask questions -- I don't want to be confronted
9 by -- if I ask Mr. Ross or Mr. Sutton or
10 anybody else about payment of expenses.

11 MR. KOFMAN: Okay.

12 MR. MC GUIRE: Is everybody in
13 agreement with that? Because, otherwise, I'm
14 not going to have this witness answer that
15 question. I don't want to be confronted with
16 an objection from Mr. Skolnick. I don't think
17 it'll go to Mr. Landy, but it might go to your
18 clients. And I don't want to hear objections.

19 If you're going to object to that
20 question, let me know right now. What's good
21 for the goose is good for the gander.

22 MR. LANDY: I'm not going to
23 object.

24 MR. KOFMAN: I'm not going to
25 object.

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2 MR. MC GUIRE: Well, I'm going to
3 object now because it's a matter of personal
4 privilege on her part. And nobody has asked
5 her whether -- that question has not been
6 directed to her. Your question was directed
7 to Clare. If you want, we'll clear that with
8 her this evening.

9 MR. KOFMAN: We can get back into
10 it this evening, or tomorrow rather.

11 (Exhibit Salzman 15 and 16 marked
12 for identification.)

13 Q. Ms. Salzman, do you recognize
14 Salzman 15 and Salzman 16?

15 A. Yes.

16 MR. KOFMAN: Okay. For the record,
17 these are -- Salzman 15 is a notice of
18 deposition of NXIVM Corporation pursuant to
19 Federal Rule of Civil Procedure 30(b)(6), and
20 Salzman 16 is amended notice of deposition of
21 First Principles, Inc. pursuant to Federal
22 Rule of Civil Procedure 30(b)(6).

23 Q. Ms. Salzman, has NXIVM designated
24 you to testify concerning the matters listed in
25 Salzman 15 and 16?

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A. Yes.

MR. MC GUIRE: There was a deposition of Ms. Keeffe, in which many of these subject matters were handled by Ms. Keeffe. It was 11 and 12 of Mr. Skolnik's notice, but you had the opportunity to examine her. I think you did, in fact, cross-examine Ms. Keeffe and some of the subject matters in these -- the one I'm looking at now, I don't have my notes on it here, my recollection is that you examined Ms. Keeffe on a number of these issues.

MR. KOFMAN: That's incorrect. Ms. Keeffe was identified -- we served a document 30(b)(6) relating only to document issues. Ms. Keeffe was designated by the company as to testify as to those matters, nothing as to substantive.

She had two depositions, one a 30(b)(6) on documents, one substantive where she was not designated for any purpose. This is completely separate. These are notices directed to the substance, not documents.

MR. MC GUIRE: You went into the

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substance of these things with her.

MR. KOFMAN: Not her 30(b)(6). And she was not designated by the company. And as you recall, I did not complete her deposition.

MR. MC GUIRE: I understand you didn't complete her deposition, but you're not going to have it both ways. You're not going to call Keeffe back on 30(b)(6) issues that were raised when Mr. Skolnik or Mr. Norwick. It was Mr. Norwick, wasn't it, Peter?

MR. SKOLNIK: Yes.

MR. MC GUIRE: Conducted an extensive examination of Ms. Keeffe on those issues. I think they were 12 paragraphs in Mr. Skolnik's or the Lowenstein notice. And of those 12 subjects, a goodly number of these were exactly the same. And Ms. Keeffe testified whether the 30(b)(6) or a substantive deposition, or I think both, about those issues.

So, you went into many of those. And I'm not going to sit here and have you go through them again with Ms. Salzman because Ms. Salzman is here. We've given you one

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extra day, today, tomorrow and Wednesday. But I'm not going to have Ms. Salzman repeat everything that Ms. Keeffe testified to during her 30(b)(6), or the substantive one, where you participated and you had her for quite a while.

MR. KOFMAN: Bill, that's plain incorrect. First of all, her 30(b)(6) as to the Ross defendants, and as to me, only concern documents, her role as custodian of documents.

Are you telling me that if I take a fact witness' deposition, that I can't also have somebody who binds the corporation?

MR. MC GUIRE: No.

MR. KOFMAN: Ms. Keeffe was never designate to bind the corporation. As a matter of fact, I only had about an hour and a half of substantive, and we're going to finish hers. However, nobody has ever been designated by the corporation to testify as to the matters in Salzman 15 and 16.

MR. MC GUIRE: Because most, if not all, of the subsections were subsumed in the

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Lowenstein notice.

MR. KOFMAN: They were not.

MR. MC GUIRE: Let me get the Lowenstein notice. But go ahead, ask your questions. I may not have the objections to them. But let the record show that if there is duplication in these things which prolongs the Salzman deposition, I will object at the right time. But go ahead.

Q. Ms. Salzman, is it the intention of NXIVM's First Principles that they suffered damages as a result of the actions of my clients, Morris and Rochelle Sutton and Stephanie Franco?

A. Yes.

Q. And is it the content of First Principles that it suffered damages as a result of the actions of Morris and Rochelle Sutton and Stephanie Franco?

A. Yes.

Q. Please tell me all types of financial harm that NXIVM and First Principles have suffered as a result of my clients -- what you contend are my clients' actions.

A. The damages that were served in the

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 2 original papers, A, B and C -- Exhibits A, B and
 3 C, would document all of that.
 4 Q. Is there any other type of
 5 financial harm other than what's listed in A, B,
 6 and C that you're claiming?
 7 A. Well, that's what we've claimed in
 8 this lawsuit up to date -- up until when those
 9 papers were served.
 10 Q. Okay.
 11 (Exhibit Salzman 17 marked for
 12 identification.)
 13 MR. KOFMAN: For the record,
 14 Salzman 17 is a letter -- the first page is a
 15 letter dated August 26th, 2005 from Michael
 16 Quinn to Anthony Sylvester and Thomas Gleason.
 17 And attached to that are several pages of
 18 documents.
 19 Q. Ms. Salzman, do you recognize the
 20 document that we've marked as Salzman 17?
 21 A. I do.
 22 Q. What is Salzman 17?
 23 A. It is the Exhibit A, B, and C that
 24 outline the losses that we've incurred as a result
 25 of this lawsuit.

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 2 Q. Okay. Can you tell me what Exhibit
 3 A represents?
 4 A. Loss of existing clients.
 5 Q. Those were people who were existing
 6 clients of NXIVM who stopped taking classes
 7 because of the actions alleged?
 8 A. That's correct.
 9 Q. What is Exhibit B?
 10 A. That's a class of perspective
 11 clients.
 12 Q. And what are those?
 13 A. Those are clients who would have
 14 taken the program had it not been for the -- the
 15 events that occurred concerning this lawsuit.
 16 Q. And what is Exhibit C?
 17 A. They are individuals of
 18 professional firms that have refused to provide
 19 services to us as a result of the same thing; in
 20 this lawsuit.
 21 Q. Has NXIVM ever supplemented
 22 Exhibits A, B and C since August 26th, 2005?
 23 A. We have hired -- we have, at the
 24 advice of counsel, hired another firm to evaluate
 25 our losses.

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 2 Q. What other firm have you hired?
 3 MR. MC GUIRE: I object. That's
 4 improper. I object to that. That would be
 5 the subject of expert disclosures.
 6 MR. KOFMAN: Mark this please as
 7 Salzman 18.
 8 (Exhibit Salzman 18 marked for
 9 identification.)
 10 MR. MC GUIRE: Is this a document
 11 that's been previously identified?
 12 MR. KOFMAN: Excuse me?
 13 MR. MC GUIRE: Was this a document
 14 that has previously been identified by anybody
 15 in this case?
 16 MR. KOFMAN: No.
 17 MR. MC GUIRE: Where did it come
 18 from?
 19 MR. KOFMAN: It's got your Bates
 20 Stamp number on it.
 21 MR. MC GUIRE: Oh, I beg your
 22 pardon. I missed that on the left.
 23 MR. KOFMAN: For the record,
 24 Ms. Salzman, what we've marked as Salzman 18
 25 is identified by Bates Stamp Nos. SP-2302

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 2 through SP-2309. It's a document that was
 3 produced to us in discovery in July 2008 by
 4 your counsel.
 5 Q. Do you recognize this document?
 6 A. You know what? I don't.
 7 Q. Do you know what this document
 8 represents?
 9 A. It appears to be a list of people
 10 who are reported in the company who have cancelled
 11 their enrollment or have not come in because of
 12 these same issues.
 13 Q. Do you know whether this was
 14 intended to supplement Exhibits A, B and C?
 15 A. I imagine that it was.
 16 Q. Does Salzman 17 and Salzman 18
 17 constitute the entire universe of people who
 18 stopped taking NXIVM classes because of the
 19 actions of my clients?
 20 MR. MC GUIRE: As of when?
 21 MR. KOFMAN: Well, let me just ask
 22 as of today.
 23 A. I imagine, yes. I think the answer
 24 is yes.
 25 Q. Okay. Does Salzman 17 and Salzman

1 SALZMAN - DAY I

2 18 constitute the entire universe of people who
3 NXIVM claims did not take its classes because of
4 the actions of my clients?

5 A. I'm not sure because I don't know
6 when this was compiled, and that still continues
7 to happen even now.

8 Q. As of the date it was produced,
9 does this constitute the entire universe of people
10 who NXIVM is aware of who didn't take the classes?

11 A. To the best of my understanding,
12 yes.

13 Q. And does this constitute the --
14 does Exhibit -- strike that.

15 Does Salzman 17 and Salzman 18
16 constitute the entire universe of vendors who
17 refuse to provide services to NXIVM because of the
18 actions of my client?

19 A. I would -- to the best of my
20 knowledge, yes.

21 Q. Okay. Let's focus on Salzman 17
22 for a little bit. How did NXIVM compile the
23 information -- strike that.

24 Do you know who compiled the
25 information that's contained in Salzman 17?

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2 who assisted in the preparation of Salzman 17?

3 A. Edgar Boone, Dawn Morrison, Barbara
4 Bouchey, Alex Betancourt, Esther Chiappone and
5 Susan Dones.

6 (The requested portion of the
7 record was read.)

8 A. There's one more. Barbara Jeske.
9 I'm sorry.

10 Q. Are all of these individuals still
11 field trainers at NXIVM?

12 A. No.

13 Q. Who among this group is no longer a
14 field trainer?

15 A. Dawn Morrison is no longer a field
16 trainer, and Barbara Bouchey is no longer a field
17 trainer.

18 Q. Okay. Is Dawn Morrison still
19 affiliated with NXIVM?

20 A. She is.

21 Q. How about Barbara Bouchey?

22 A. She is not.

23 Q. When did she leave NXIVM?

24 A. In April.

25 Q. Of this year?

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2 A. I think the person who oversaw
3 producing this was Karen Unterriener.

4 Q. And did Ms. Unterriener oversee
5 producing Salzman 18?

6 A. I don't know. I'm not sure. This
7 is a new document to me, so I'm not sure. I can
8 find out, though.

9 Q. I would like you to follow up since
10 you have been designated by the company.

11 A. I'm sorry. For some reason, this
12 one got by, and I didn't see this one. I will get
13 you that data, though.

14 Q. Thank you. Turning back to Salzman
15 17, who worked with Ms. Unterriener on compiling
16 this information, if anybody?

17 A. My belief is that all of the field
18 trainers in the company, the people who are
19 directly responsible for enrollment, were involved
20 in this.

21 Q. How many field trainers are there?

22 A. Then?

23 Q. Yes.

24 A. I think there were six.

25 Q. And who were those field trainers

1 SALZMAN - DAY I

2 A. Correct. Also, Susan Dones is not
3 a field trainer any longer. And she left in April
4 as well.

5 Q. Left the group?

6 A. Yes.

7 Q. What is Dawn Morrison's current
8 role with NXIVM?

9 A. She is on the communications board.
10 She's on the communications board. She works in
11 communications now.

12 Q. Was that a promotion within the
13 organization or a lateral move?

14 A. It was a lateral move.

15 Q. Okay. How did Ms. Unterriener
16 coordinate the gathering of information for
17 Salzman 17?

18 MR. MC GUIRE: If you know.

19 A. When the events began to transpire
20 in the company, and people began to leave, she was
21 assigned to compile a list of all of the people
22 who resigned from the company or left the company.
23 And she was also assigned to follow up with the
24 commerce division whenever there was a report of
25 someone who expressed that the reason that they

1 SALZMAN - DAY I
 2 weren't taking the training had to do with any of
 3 these events.
 4 Q. By the way, did Kristin Keeffe have
 5 any role in compiling Exhibits A, B, and C?
 6 A. I believe that Kristin Keeffe
 7 worked very closely with Karen Unterriener, and
 8 also with the field trainers.
 9 Q. Okay. Who asked Karen Unterriener
 10 to keep track of people who left NXIVM?
 11 A. I did.
 12 Q. And was that sometime in 2003?
 13 A. Yes, it was.
 14 Q. And do you know what
 15 Ms. Unterriener did to keep track of that
 16 information?
 17 A. Ms. Unterriener is an actuary. So,
 18 I didn't -- I know that she had a report that she
 19 created that was filled out by the individuals
 20 that were involved. And I know that she had files
 21 that she kept and oversaw over the years, which
 22 she still has.
 23 Q. Okay. Have you seen those files?
 24 A. I have. I've seen where she keeps
 25 them, and I've seen some of them when she was

1 SALZMAN - DAY I
 2 working on them recently.
 3 Q. Where does she keep those files?
 4 A. She has an office. And in that
 5 building, we have a locked room where we keep
 6 legal documents.
 7 Q. Did Ms. Unterriener send any
 8 documents out to field trainers to help them
 9 compile the information?
 10 A. I know that she met with them on a
 11 number of occasions. Whether she gave them to
 12 them in person or sent them out, I'm not sure.
 13 Q. And do her files include all
 14 information that NXIVM has concerning the people
 15 identified in Exhibits A, B and C?
 16 A. I believe that her files do. I
 17 believe that Karen oversees that entire project.
 18 Q. So, any information that NXIVM has
 19 concerning lost business, including existing
 20 clients, potential clients or vendors, would be in
 21 Ms. Unterriener's files?
 22 A. Ultimately, it goes to
 23 Ms. Unterriener, and she is in charge of that
 24 data.
 25 Q. And then that information was

1 SALZMAN - DAY I
 2 compiled into Salzman 17 and 18?
 3 A. Yes.
 4 (Exhibit Salzman 19 marked for
 5 identification.)
 6 MR. KOFMAN: For the record,
 7 Salzman 19 are documents that were produced to
 8 us in discovery, again, I believe in July of
 9 last year, by NXIVM. They're marked with
 10 Bates Stamp Nos. SP-2049 and SP-2230.
 11 Q. Ms. Salzman, do you recognize these
 12 documents?
 13 A. Yes.
 14 Q. Is this the content of
 15 Ms. Unterriener's files concerning lost business?
 16 MR. MC GUIRE: Is it a part of it?
 17 A. This is a part of it.
 18 Q. Is there more to the file than
 19 this?
 20 A. I'm not sure, but this is certainly
 21 a part of it.
 22 Q. And is it your understanding that
 23 Ms. Unterriener's files have been produced in this
 24 litigation?
 25 A. Up until recently.

1 SALZMAN - DAY I
 2 Q. Up until the date of production?
 3 A. Right.
 4 MR. KOFMAN: Okay. And I would
 5 just note that there's a continuing obligation
 6 to produce. And so, if there's anything new
 7 that's been added, that that should be
 8 produced.
 9 Q. But as of a certain date, the date
 10 that the second list came in, this would be the
 11 entire set of files?
 12 A. I think, likely.
 13 Q. Okay.
 14 MR. KOFMAN: Mark this as Salzman
 15 20.
 16 (Exhibit Salzman 20 marked for
 17 identification.)
 18 Q. Do you recognize this document?
 19 A. I do.
 20 Q. And what is this?
 21 A. This is the form that Karen uses,
 22 or the people that Karen works with uses.
 23 Q. So, Karen sent this to the field
 24 trainers?
 25 A. I believe that she either gave it

1 SALZMAN - DAY I

2 to them or sent it to them.

3 Q. What instructions did she give to
4 the field trainers about getting information for
5 her?

6 A. She asked them to keep track of
7 anybody who fit any of these categories, and to
8 please fill these out, and to return them to
9 corporate. Either to have their people and
10 themselves do it, or people do it and give it to
11 them, and then they give it to corporate or give
12 it directly to her.

13 Q. Did she ask the field trainers to
14 keep a list of people who left NXIVM or didn't
15 take classes for any reason whatsoever, or just
16 affiliated with what defendants in this litigation
17 are alleged to have done?

18 A. It was just in this litigation.

19 Q. So, she specifically said we only
20 are interested in people who left because of
21 something that was alleged in this litigation, not
22 for people who left for other reasons?

23 A. That's correct.

24 Q. And so, Exhibits A, B and C, as
25 supplemented, only include people who left for

1 SALZMAN - DAY I

2 who came to help be sure that everything was
3 covered.

4 Q. Did you have any conversations
5 yourself with any of the people on Exhibit A as to
6 why they left NXIVM?

7 A. Yes. The ones that I was directly
8 related with, who spoke with me directly.

9 Q. Who was that?

10 A. After this began to happen, Stephen
11 Cooper, who was the CEO of Enron, called me, and
12 discontinued our coaching relationship and my
13 relationship consulting with his company. Sheila
14 Johnson called me. Adam Glassman called me. He
15 is the creative design editor of O magazine.

16 I think there are more, but there
17 were people who I was directly coaching who called
18 me who were corporate clients at the time.

19 These are people who left you're
20 asking me or you're asking me --

21 Q. Correct.

22 A. Okay. Some of the people in my
23 organization, Peter Fallon talked to me directly.
24 I spoke with Mary O'Donnell. She's a developer up
25 in Boston. She spoke with me directly. Antonio

1 SALZMAN - DAY I

2 reasons relating to this lawsuit. Correct?

3 A. That's correct.

4 Q. Okay. Other than supervising
5 Ms. Unterriener, did you have any role in
6 compiling the information that went into Exhibits
7 A, B and C?

8 A. I did.

9 Q. What was your role?

10 A. I went to a number of meetings to
11 inspire my staff to -- to do this work, to help
12 Ms. Unterriener get this together, and to make
13 sure that I communicated the magnitude of
14 importance of following through with this.

15 Q. The staff who attended this
16 meeting, was that the field trainers?

17 A. It was the field trainers, and they
18 brought their key people with them at times.

19 Q. Sure. Do you know who some of the
20 other key people were who were involved in the
21 preparation of A, B and C?

22 A. There were a few of the proctors in
23 my organization, or senior proctors who are not
24 specifically involved in sales themselves, but
25 have large organizations within the organization

1 SALZMAN - DAY I

2 Novello, who is the commissioner of health for the
3 State of New York, spoke to me directly. Michael
4 Gerber spoke to me. Leonard LoBiondo spoke to me.
5 He was the COO of Kroll Zolfo Cooper. And Michael
6 France, who was also a COO of that company.
7 Alejandro Junco, who is the publisher of a whole
8 series of newspapers in Mexico.

9 I think those were the major ones
10 that I spoke to directly that I was working with.

11 Q. And did you contribute those names
12 to Ms. Unterriener?

13 A. I did.

14 Q. By the way, you mentioned earlier
15 Barbara Boucheley leaving the group. Did her
16 leaving have anything to do with the actions of
17 defendants in this case?

18 MR. MC GUIRE: Do you understand
19 the question?

20 MR. KOFMAN: Strike that.

21 Q. Why did Barbara Boucheley leave the
22 organization?

23 A. She was unhappy with a number of
24 things about the way the company was being managed
25 and run.

1 SALZMAN - DAY I

2 Q. Does NXIVM contend that the
3 defendants in this action are responsible for her
4 leaving?

5 MR. MC GUIRE: Can I hear that back
6 again, please? Does NXIVM contend?

7 MR. KOFMAN: That defendants in
8 this action are responsible for her leaving.

9 MR. MC GUIRE: How would she know.

10 MR. KOFMAN: She is NXIVM. She is
11 the designated person on damages.

12 A. I don't believe so.

13 Q. And the other person I think you
14 mentioned --

15 A. Susan Dones.

16 Q. Susan Dones. Why did she leave the
17 company?

18 A. The same reason.

19 Q. Was their leaving amicable?

20 A. No.

21 Q. In what way was it not amicable?

22 A. They wrote me a letter making a
23 demand for money, and they included, within the
24 demand, that within 24 hours of receiving the
25 letter, they wanted me to acknowledge receipt of

1 SALZMAN - DAY I

2 a couple of other people who appear on Exhibits A,
3 B and C?

4 A. Yes. Fritjof Capra is one of them.
5 And Michael Gerber.

6 Q. Did anyone else leave NXIVM at the
7 same time as Ms. Dones and Ms. Bouchey?

8 A. Yes.

9 Q. Who?

10 A. Nina Cowell, Angela Oochi, Ellen
11 Gibson, Kim Woolhouse, Sheila Cody and Kathy
12 Ikver.

13 Q. What title did each of these
14 individuals hold in the organization?

15 A. Barbara was a field trainer. Susan
16 was a field trainer. Angela Oochi was a head
17 trainer in training. Kim Woolhouse was a proctor
18 in the organization. And the others were coaches.

19 Q. Did they all sign the letter that
20 you said you received from Ms. Dones and
21 Ms. Bouchey?

22 A. They did.

23 Q. What did that letter threaten to
24 reveal about NXIVM?

25 A. It didn't say.

1 SALZMAN - DAY I

2 the letter.

3 Within 48 hours of receipt of the
4 letter, they wanted me to agree to the terms of
5 their demand. And within five days they wanted a
6 certified check in the amount of \$2,000,080 or
7 they were going to the press.

8 Q. \$2,000,080?

9 A. Yes.

10 Q. Cab fare, I guess.

11 A. I guess.

12 Q. Have they spoken to the press; do
13 you know?

14 A. They have not.

15 Q. Okay. How long had Ms. Bouchey
16 been with the organization?

17 A. Eight years.

18 Q. And how about Ms. Dones?

19 A. I think about seven.

20 Q. And both of them had been field
21 trainers. Correct?

22 A. That's correct.

23 (Recess taken.)

24 Q. Ms. Salzman, I believe you
25 mentioned that you think you may have spoken with

1 SALZMAN - DAY I

2 Q. Did it say what they would go to
3 the press about?

4 A. The things that they were disturbed
5 about. They had a series of meetings, four
6 meetings with Keith Raniere, earlier that week,
7 and I was not invited to those meetings, nor did
8 they disclose what they were discussing with him
9 with me. And then at the end of that week and a
10 half, or two weeks, they wrote that letter.

11 Q. Did Mr. Raniere tell you what they
12 discussed with him?

13 A. He told me that the things that
14 they were discontent about had to do with the way
15 the company was being run.

16 Q. Did any of these other people's
17 decision, Ms. Oochi and so forth, the names that
18 you gave me, did any of their -- did their leaving
19 have anything to do with the allegations against
20 defendants in this lawsuit?

21 A. I don't believe so.

22 Q. Okay. Did all of these people have
23 access to NXIVM trade secret material?

24 A. "Access" meaning they were all
25 participants in the program and they all received

SALZMAN - DAY I

1 student notes or worked with facilitator notes,
2 yes.

3 Q. Did they all have copies of
4 facilitator notes?

5 A. No.

6 Q. Did any of them have copies of
7 facilitator notes?

8 A. No. No one has copies of
9 facilitator notes.

10 Q. Did NXIVM ask any of these
11 individuals to return any of the material they had
12 in their possession?

13 A. Yes.

14 Q. When did they make that request?

15 A. As soon as we got the letter.

16 Q. And have any of these people
17 returned material?

18 A. Yes. I don't know if all of them
19 have, but most of them have. To the best of my
20 knowledge, almost all of them have. I believe all
21 of them have.

22 Q. Does NXIVM have records of what
23 they returned?

24 A. I imagine. I think we have what
25

SALZMAN - DAY I

1 they returned.

2 Q. Let's go back to some of the people
3 you said you spoke to. Stephen Cooper was the
4 first name you mentioned. And you said that he
5 was involved with Enron?

6 A. He was appointed -- he was the
7 owner of Zolfo Cooper and Kroll bought them, so it
8 became Kroll Zolfo Cooper.

9 Q. Okay.

10 A. And he was appointed as the acting,
11 I think, CEO of Enron during the time I was
12 coaching him.

13 Q. And how many NXIVM -- strike that.
14 How many NXIVM classes did he
15 attend?

16 A. He had a five-day intensive, and I
17 began to coach him, and then he hired me to do
18 training within his company.

19 Q. Within Enron?

20 A. Within Kroll Zolfo Cooper.

21 Q. Okay. Did he hire you or NXIVM?

22 A. NXIVM.

23 Q. Okay. When was that?

24 A. I believe it was early in 2003.
25

SALZMAN - DAY I

1 Q. And is that when you did the
2 training for Kroll Zolfo?

3 A. Yes, I believe so.

4 Q. Where did that training take place?

5 A. In New York City.

6 Q. How many people attended?

7 A. 40.

8 Q. And they were all Kroll Zolfo
9 employees?

10 A. They were all account managers.

11 Q. Did you continue to coach
12 Mr. Cooper after doing that presentation?

13 A. I did.

14 Q. How long did you coach him for?

15 A. I believe it was about a year and a
16 half in total.

17 Q. And this coaching was outside of
18 NXIVM training sessions? It was just one-on-one?

19 A. Yes.

20 Q. And when did you have this phone
21 conversation with him about his leaving NXIVM?

22 A. It was probably the beginning of
23 November 2003.

24 Q. Did he call you?
25

SALZMAN - DAY I

1 A. He did.

2 Q. Did you take notes of the
3 conversation?

4 A. I think I did.

5 Q. What did he say to you?

6 A. He said that because we were
7 becoming controversial, he was told to discontinue
8 his relationship with me, and that the trainings
9 that we had been discussing with Kroll would not
10 take place, and that he was sorry, but that he
11 needed to discontinue our coaching relationship
12 and all of our communication.

13 Q. Have you spoken to him since that
14 call?

15 A. Yes.

16 Q. When?

17 A. Within the first 12 months of that
18 call, I made a phone call just to see how he was.
19 It was just a friendly call, an off-the-record
20 kind of a call. After I ran into Leonard
21 LoBiondo, who is an associate of his, who told me
22 that he thought Steve would be fine if I just
23 called to say hello. And then I ran into Steve
24 about a year ago in an airport.
25

1 SALZMAN - DAY I

2 Q. In either of these conversations,
3 did you discuss him coming back to NXIVM or
4 coaching with you?

5 A. No.

6 Q. So, what Mr. Cooper told you his
7 reason for leaving was that the group had become
8 controversial and he was told to discontinue?

9 A. Yes. It was too charged a topic
10 for him to be involved in.

11 Q. Did he say who had asked him to
12 discontinue or told him to discontinue his
13 relationship?

14 A. Julian Kroll.

15 Q. Did he explain what he meant by
16 "too controversial"?

17 A. I think it was implied.

18 Q. Did he mention the Ross -- the
19 Martin or Hochman articles?

20 A. He mentioned the article in Forbes
21 Magazine that mentioned the Hochman article.

22 Q. Okay. And the article in Forbes
23 Magazine had appeared when?

24 A. October 2003.

25 Q. Is it your understanding that

1 SALZMAN - DAY I

2 Q. How did Forbes learn that Stephen
3 Cooper was a student of NXIVM?

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

6 Q. Did you tell Forbes that Stephen
7 Cooper had taken classes?

8 A. No.

9 Q. Did Mr. Raniere?

10 A. No.

11 Q. Do you know how Forbes learned that
12 information?

13 A. No.

14 Q. Did NXIVM ever use Mr. Cooper's
15 name on any promotional material?

16 A. I don't believe so.

17 Q. Had Sheila Johnson ever given NXIVM
18 permission to use her name?

19 A. No.

20 Q. And so, getting back to this
21 conversation with Sheila Johnson, she said that
22 she was upset that her name had been used in the
23 Forbes article?

24 A. Yes.

25 Q. Was there anything else she said?

1 SALZMAN - DAY I

2 that's what prompted his call?

3 A. Yes. His name was mentioned in
4 that article.

5 Q. Okay. The next person you
6 mentioned having a call with was Sheila Johnson.

7 A. Yes.

8 Q. What was Sheila Johnson's
9 involvement with NXIVM?

10 A. She came to, I think, two VIP
11 trainings that I taught, and I was coaching her.

12 Q. And how long had you been coaching
13 her?

14 A. It was a number of months, maybe a
15 year.

16 Q. When did you speak to Ms. Johnson
17 about her leaving NXIVM?

18 A. She was also mentioned in the
19 Forbes article. And she was very disturbed by
20 that. She was very private, and she told me that
21 it was very distressing to her.

22 Q. Had Stephen Cooper ever given NXIVM
23 permission to use his name as somebody who had
24 taken NXIVM classes?

25 A. I don't think so.

1 SALZMAN - DAY I

2 A. She asked me to please keep our
3 coaching relationship confidential. She told
4 me -- basically, she was upset. It was an upset
5 phone call. She had asked me, in advance, not to
6 disclose, and she had asked the people in her
7 training not to disclose that she was there. I'm
8 not sure how that got out.

9 Q. Is there anything else that you
10 remember that Ms. Johnson said to you?

11 A. No.

12 Q. Have you spoken to her since that
13 call?

14 A. I believe that I have.

15 Q. When?

16 A. I think it was probably about two
17 years ago.

18 Q. What was the nature of the call?

19 A. She called me and she asked me to
20 keep it confidential.

21 Q. To keep that call confidential?

22 A. To keep what she was discussing
23 with me on the call confidential.

24 Q. Did it have to do with this
25 lawsuit?

1 SALZMAN - DAY I
 2 A. Well, the confidential part did.
 3 She didn't want to read about it in a newspaper or
 4 in a magazine.
 5 Q. So, two years ago she called you on
 6 a personal matter?
 7 A. Yes.
 8 Q. Okay. Are you presently coaching
 9 her?
 10 A. No. I haven't -- I haven't been
 11 coaching her in a couple of years.
 12 Q. Okay. The next person I believe
 13 you mentioned is Adam Glassman.
 14 A. Yes.
 15 Q. Who is Mr. Glassman?
 16 A. He's the creative design editor of
 17 O magazine.
 18 Q. And what was his relationship with
 19 NXIVM?
 20 A. He had taken a VIP training and I
 21 was coaching him.
 22 Q. When did he call you?
 23 A. After the article.
 24 Q. Which article?
 25 A. The Forbes article.

1 SALZMAN - DAY I
 2 Q. And what did he say?
 3 A. Just that he didn't want his name
 4 to be affiliated with our company. It could be a
 5 problem for him.
 6 Q. Was his name mentioned in the
 7 Forbes article?
 8 A. It wasn't, but he wanted to be sure
 9 that it wasn't on any list or that he wouldn't
 10 read about it.
 11 Q. And did he stop taking classes and
 12 having a coaching relationship with you after
 13 that?
 14 A. Yes. He didn't say it in the phone
 15 call, but it ended after that.
 16 Q. Okay. Now, Peter Fallon was the
 17 next name you mentioned. He was a coach at NXIVM?
 18 A. He was a coach.
 19 Q. Was he involved at a business --
 20 strike that.
 21 Was Mr. -- did Mr. Fallon work at a
 22 company; are you aware?
 23 A. He had his own company.
 24 Q. What was his company?
 25 A. He had a -- it's a pharmacy, but

1 SALZMAN - DAY I
 2 it's a specialized type of pharmacy.
 3 Q. Do you recall the name?
 4 A. Fallon's Pharmacy.
 5 Q. When did you speak to Mr. Fallon
 6 about his reason for leaving?
 7 A. It was within a year of what was
 8 going on.
 9 Q. Did this conversation take place in
 10 person or on the phone?
 11 A. It was a person-to-person
 12 conversation.
 13 Q. What did he tell you?
 14 A. He told me he was leaving.
 15 Q. Did he say why?
 16 A. Yes.
 17 Q. What did he say?
 18 A. His wife had been very disturbed by
 19 the Rick Ross website and the things that were
 20 alleged in the Rick Ross website, and that she had
 21 a couple of conversations with Rick Ross, and that
 22 he was -- he thought it was becoming a problem in
 23 his marriage. And in order for his marriage to be
 24 okay, we had to leave.
 25 Q. Did you try to talk Mr. Fallon out

1 SALZMAN - DAY I
 2 of his decision?
 3 A. No.
 4 Q. Has he ever come back to NXIVM?
 5 A. No.
 6 Q. Did he mention anything else other
 7 than his wife having seen the Rick Ross -- or read
 8 the Rick Ross website and speaking to Mr. Ross?
 9 A. He told me --
 10 (Recess taken.)
 11 (The requested portion of the
 12 record was read.)
 13 A. Peter is sort of a pillar of the
 14 community. He has a business within the Albany
 15 community, and everybody knows Peter. And he told
 16 me that what was happening with our reputation in
 17 the community was really bad, and that it was
 18 affecting his business to be affiliated with us,
 19 and that he, if he continued to be affiliated with
 20 us, would lose his business, he believed.
 21 And he let me know the magnitude of
 22 the damage that was done in the community.
 23 Q. Is that the only conversation
 24 you've had with Mr. Fallon about his reasons for
 25 leaving the group?

1 SALZMAN - DAY I

2 A. We had a series of conversations.

3 Q. Did that testimony summarize those
4 conversations?

5 A. Yes.

6 Q. Okay. The next name you gave me
7 was Mary O'Donnell. Who is Ms. O'Donnell?

8 A. Mary O'Donnell was from Boston,
9 Massachusetts. She had a large construction
10 company in Boston.

11 Q. What type of company did she have?

12 A. Construction.

13 Q. And what was her relationship with
14 NXIVM?

15 A. She was a student, a participant.
16 I don't think she was a coach, but she took many
17 trainings, and was coached, and she sent many
18 people to our organization.

19 Q. Were you her coach?

20 A. I don't think I coached her
21 personally.

22 Q. When did you have a conversation
23 with Ms. O'Donnell about her reason for leaving?

24 A. I called her.

25 Q. When was that?

1 SALZMAN - DAY I

2 A. She was somebody I had called
3 because she had resigned from the organization, I
4 think, in early 2004.

5 Q. How did she make her resignation
6 known?

7 A. She wrote -- I believe she wrote a
8 note to the person who brought her in.

9 Q. Who was that?

10 A. Carole Burgeron.

11 Q. Do you know if Ms. Burgeron turned
12 that note over to Ms. Unterriener?

13 A. I don't know, but I can find out.

14 Q. Okay. So, when did you call her,
15 Ms. O'Donnell?

16 A. I think it was early in 2004, like
17 around the first of the year.

18 Q. And what did she say?

19 A. She said that her family was deeply
20 disturbed by what was on the Internet, and they
21 were researched, and they were concerned about her
22 affiliation with our organization, and they put a
23 lot of pressure on her and she didn't want to have
24 to fight with them anymore.

25 Q. Did she specify what on the

1 SALZMAN - DAY I

2 Internet they had looked at?

3 A. The Ross website.

4 Q. And did she indicate what research
5 her family had done?

6 A. I guess they had researched the
7 Ross website, and then anything they could link to
8 as a result of that, the articles.

9 Q. Well, did she tell you that or is
10 that an assumption on your part?

11 A. Oh, no. She told me they had
12 all -- her children, and her mother, and her
13 siblings had all created some sort of family
14 intervention around this whole thing.

15 Q. Am I correct that Antonio Novello
16 was, at one time, surgeon general of the United
17 States?

18 A. Yes, she was.

19 Q. How many NXIVM courses had she
20 taken?

21 A. She hired me to train her entire
22 staff shortly after I started the company.

23 Q. That was back in 1998 she hired
24 you?

25 A. No. She hired me like around 2000.

1 SALZMAN - DAY I

2 Q. Okay. And this was her staff
3 where?

4 A. It was for the Department of
5 Health.

6 Q. New York State?

7 A. That's right.

8 Q. And did she hire you personally or
9 NXIVM?

10 A. NXIVM Corporation.

11 Q. And did you train her staff?

12 A. Well, it was Executive Success back
13 then.

14 Q. Okay. Did you train her staff?

15 A. Yes, I did.

16 Q. When did that training take place?

17 A. I think it was 2000.

18 Q. Did you have any dealings with
19 Ms. Novello after 2000?

20 A. I did.

21 Q. What were the nature of those?

22 A. I coached her.

23 Q. Oh, do you continue to coach her?

24 A. On and off.

25 Q. When was the last time you coached

1 SALZMAN - DAY I
 2 her?
 3 A. I actually coached her on and off
 4 for a number of years, and I don't think that I
 5 coached her beyond the summer of 2003, but she
 6 called me after the article came out in Forbes
 7 Magazine.
 8 Q. Did Ms. Novello ever give NXIVM
 9 permission to use her name or identify her as a
 10 student?
 11 A. No.
 12 Q. When did she call you?
 13 A. Right after the Forbes article came
 14 out.
 15 Q. And what did she say?
 16 A. She said that Governor Pataki had
 17 given them a directive to not inspire any
 18 publicity at all as commissioners, and that the
 19 publicity of this article was a problem for her.
 20 Q. And that was because the article
 21 mentioned her name?
 22 A. That's correct.
 23 Q. So, the fact that the article
 24 mentioned her name created problems for her?
 25 A. That's correct.

1 SALZMAN - DAY I
 2 Q. Did she say anything else during
 3 that conversation about why she was leaving?
 4 A. She said it was the controversy,
 5 and that she couldn't afford to have that because
 6 it would directly impact her relationship with the
 7 governor.
 8 Q. Have you coached her since then?
 9 A. I have not.
 10 Q. Who is Michael Gerber?
 11 A. He has written a series of books
 12 called the E-Myth, and a series of E-Myth
 13 spinoffs.
 14 Q. And what was his relationship with
 15 NXIVM?
 16 A. He took a training that I taught,
 17 and we were discussing working together.
 18 Q. When did he take a training with
 19 you?
 20 A. I think he took the training
 21 originally in 2003, in the beginning, maybe in the
 22 spring.
 23 It may have been late in 2002, but
 24 I think it was the spring. It was in California,
 25 so I can't remember.

1 SALZMAN - DAY I
 2 Q. What did he say when he called you?
 3 A. He said that he would rather not
 4 continue our relationship.
 5 Q. Did he say why?
 6 A. He said the controversy of the
 7 organization was something he didn't want to be
 8 affiliated with.
 9 Q. Did he say how he learned about the
 10 controversy?
 11 A. The Forbes article.
 12 Q. When did you first see the Forbes
 13 article?
 14 A. I had a meeting that day with the
 15 local newspaper, the Times Union. And they
 16 advised me that the Forbes article was coming out
 17 that day, and I went and looked for the magazine.
 18 Q. What was your reaction when you
 19 read the article?
 20 A. I was disturbed.
 21 Q. Did you believe it was a negative
 22 thing for NXIVM?
 23 A. I did.
 24 Q. Did you meet with a reporter from
 25 Forbes prior to the article's appearance?

1 SALZMAN - DAY I
 2 A. I did.
 3 Q. And was Keith Raniere at that
 4 meeting?
 5 A. I met with him in New York City for
 6 the first time, and we had a two-hour discussion,
 7 and then he asked me if he could meet with Keith
 8 Raniere. And I arranged for that meeting, and I
 9 went to that meeting as well.
 10 Q. Was that in Albany?
 11 A. That meeting he came to Albany and
 12 we met with him.
 13 Q. Were either of the meetings
 14 recorded?
 15 A. I brought a tape recorder to the
 16 meeting that I met with him in the restaurant in
 17 New York City. It was a very noisy restaurant and
 18 it was not audible. The -- he taped the meeting
 19 that he had with Keith, and he was going to give
 20 us a copy of the tape, but he never did. We
 21 brought a video camera, but he wouldn't allow us
 22 to videotape him.
 23 Q. Okay. So, he wouldn't allow the
 24 videotape to be made?
 25 A. That's correct.

1 SALZMAN - DAY I

2 Q. Did you have somebody who you had
3 brought to the meeting to work the videotape?

4 A. We brought the camera and we set it
5 up, and Arlin was going to turn it on.

6 Q. That's Arlin Olsen?

7 A. Yes.

8 Q. Okay. The next name was Leonard
9 LoBiondo of Kroll Zolfo.

10 A. Leonard LoBiondo was the COO of
11 Steve Cooper's organization.

12 Q. Okay. And what was NXIVM's
13 relationship with Mr. LoBiondo, if it had one
14 individually with him?

15 A. When I was coaching Steve Cooper,
16 his two partners, Leonard and Mike France, I was
17 working with both of them as well, and I was doing
18 training with the three of them and consulting in
19 their company. And I was working with the three
20 of them.

21 Q. And did you have a conversation
22 with Mr. LoBiondo, where he said he was not going
23 to have anything further to do with NXIVM?

24 A. Yes.

25 Q. Was that a phone conversation?

1 SALZMAN - DAY I

2 Q. And he runs a newspaper in Mexico?

3 A. He runs a newspaper called the
4 Reforma, and then he has several smaller
5 newspapers in other cities.

6 Q. And what was his relationship with
7 NXIVM?

8 A. Alejandro Junco asked to have a VIP
9 training for himself, his wife, his three children
10 and their spouses.

11 Q. And was that training done?

12 A. In New York City, yes.

13 Q. When was that?

14 A. I believe it happened in the spring
15 of 2003.

16 Q. Okay. Did there come a time where
17 he had a conversation with you, where he said he
18 didn't want to have anything further to do with
19 NXIVM?

20 A. I visited him several times in
21 Mexico after that, and I was doing coaching
22 sessions with him, and he cancelled.

23 Q. When was that?

24 A. He became concerned about the
25 allegations.

1 SALZMAN - DAY I

2 A. It might have been a face-to-face
3 conversation.

4 Q. And what did he say?

5 A. He was sorry.

6 Q. Did he say why he was not going to
7 have anything further to do with them?

8 A. He said he was told not to by Steve
9 Cooper.

10 Q. And that relates to the Forbes
11 article?

12 A. They were told that they needed to
13 discontinue their relationship with us.

14 Q. Okay. The next name was Michael
15 France. Is that the other partner at Kroll Zolfo?

16 A. Yes.

17 Q. And what was his conversation with
18 you?

19 A. The same one.

20 Q. That he had been told not to have
21 anything to do because of the Forbes article?

22 A. Correct.

23 Q. Okay. And the next one is
24 Alejandro Junco, J-U-N-C-O.

25 A. Correct.

1 SALZMAN - DAY I

2 Q. When did he cancel?

3 A. It was probably between October and
4 December in 2003.

5 Q. Did he tell you he was concerned
6 about the allegations?

7 A. In Forbes Magazine mostly.

8 Q. Did he mention anything besides
9 Forbes Magazine?

10 A. He didn't. No, I think it was
11 Forbes Magazine.

12 Q. Okay. The last name I think you
13 gave me was Capra, Fritjof?

14 A. Fritjof Capra.

15 Q. Okay. Capra. And who is that?

16 A. He's a scientist. He's a
17 physicist.

18 Q. And what was his relationship with
19 NXIVM?

20 A. He signed up for training. I met
21 him on a couple of occasions. He wrote probably
22 about 10 books on quantum mechanics and physics.
23 He was somebody who I met on a number of occasions
24 and was very excited that he was coming.

25 When he learned about our model,

1 SALZMAN - DAY I

2 and I explained to him how it worked, and what it
3 was about, he became excited about it and invited
4 some other scientists that he thought would enjoy
5 it and would want to work with us on a project
6 that I wanted to do with him.

7 And then after we arranged the
8 training, and planned, and I met several of the
9 people that he suggested would be good, he had a
10 conversation with one of the people who found the
11 Rick Ross website and inspired him to believe it
12 would be horrible for him to be associated with
13 us. And he called me, very angry that I didn't
14 tell him about it.

15 Q. So, he never took any training with
16 NXIVM?

17 A. No. He cancelled about a week
18 before the training was scheduled to happen.

19 Q. Did he tell you who had told him
20 that they found the Rick Ross website?

21 A. He did. Her name was -- you know,
22 I can't remember her name, but I could find it for
23 you.

24 Q. Okay. And did he say what about
25 the Rick Ross website had disturbed him?

1 SALZMAN - DAY I

2 Q. Do you know if the reporter from
3 Forbes spoke to anybody from your organization,
4 other than you and Mr. Ranieri?

5 A. I don't recall.

6 Q. Are you quoted in the Forbes
7 article as saying there's probably no discovery
8 since writing as important for human kind as
9 Mr. Ranieri's technology?

10 A. I don't remember.

11 Q. Does it sound like something you
12 said?

13 A. I recognize the quote. I don't
14 remember it was attributed to me.

15 Q. Have you said something like that?

16 A. I think it's an amazing discovery.
17 I don't know that I've ever said that.

18 Q. Getting back to the Kroll training
19 with account managers. Did account managers
20 provide feedback to NXIVM about what they thought
21 of the training?

22 A. What they thought of?

23 Q. The training?

24 A. Personally?

25 Q. Yes. First of all, does NXIVM,

1 SALZMAN - DAY I

2 A. He told me that he thought I was
3 legitimate, and it invalidated the legitimacy of
4 what I had told him.

5 Q. Did he say what on the Rick Ross
6 website in particular had that effect?

7 A. The articles.

8 Q. Which articles?

9 A. The Hochman and Martin articles.

10 (Exhibit Salzman 21 marked for
11 identification.)

12 MR. KOFMAN: Salzman 21 is a
13 document produced to us in discovery. And
14 it's marked by Bates Stamp Nos. P-000004811.

15 Ms. Salzman, are you familiar with
16 this document?

17 A. I don't know who would make this
18 document. I've never seen this before.

19 Q. Are you involved in promoting NXIVM
20 to potential students?

21 A. Yes.

22 Q. Does NXIVM have any promotional
23 materials that it uses?

24 A. We have an Ethos brochure, but
25 that's all. I've never seen this before.

1 SALZMAN - DAY I

2 when it does corporate training, ask people for
3 evaluations of the training, the people who take
4 the training?

5 A. Yes. Not always, but at times.

6 Q. Did you ask Kroll Zolfo?

7 A. Yes.

8 Q. Do you remember what the responses
9 were?

10 A. I remember in retrospect, 90 days
11 after the program, in a meeting they were all
12 sitting around talking, and they had the
13 realization that all of them had had very positive
14 results that they couldn't attribute to anything
15 but the training.

16 And 90 days later, called my -- one
17 of the people called my office to tell me that
18 they all determined that it was a very beneficial
19 training. I usually, at the end of such a
20 training, have people fill out a comment sheet.
21 And my guess is -- and I don't remember exactly
22 doing it, but I remember that that was
23 traditionally what I did do back then. I probably
24 have those.

25 Q. You have the comment sheets?

1 SALZMAN - DAY I
 2 A. I probably have them somewhere in
 3 the notes from that training.
 4 MR. KOFMAN: I'd like to make a
 5 request for it. I'll send you a letter.
 6 MR. MC GUIRE: I thought written
 7 discovery was over?
 8 A. If I have them. If I have them. I
 9 think if I took them, I have them. I can show you
 10 what I have.
 11 Q. Did you incorporate any of these
 12 conversations that you've just testified to with
 13 Mr. Cooper and others in any documents you
 14 provided to Ms. Unterriener?
 15 A. The conversations?
 16 Q. Yes.
 17 A. I just gave her the names of the
 18 people as I got them.
 19 Q. Okay. Other than you, do you know
 20 if anybody gave Ms. Unterriener information only
 21 verbally, or did everybody else give her documents
 22 or give her information on those forms that she
 23 prepared?
 24 A. I think most people wrote lists,
 25 and gave her the list, and they're compiled here.

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 Interfor 0378

1 SALZMAN - DAY I
 2 Q. Do you know anyone else who only
 3 gave her verbal information?
 4 A. I doubt it.
 5 MR. KOFMAN: Okay. This is a good
 6 time to break.
 7 (Time Ended: 5:11 p.m.)
 8
 9
 10 _____
 11 NANCY SALZMAN
 12
 13 Subscribed and sworn to
 14 before me this day
 15 of June, 2009
 16
 17 _____
 18
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1
2 ***ERRATA SHEET***
3 NAME OF CASE: NXIVM v. Sutton
4 DATE OF DEPOSITION: 6/8/09
5 NAME OF WITNESS: N. Salzman
6 Reason codes:
7 1. To clarify the record.
8 2. To conform to the facts.
9 3. To correct transcription errors.
9 Page _____ Line _____ Reason _____
From _____ to _____
10
11 Page _____ Line _____ Reason _____
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24 _____
NANCY SALZMAN

1
2
3 CERTIFICATE
4 STATE OF NEW YORK)
5)ss:
6 COUNTY OF NEW YORK)
7 I, JOMANNA DeROSA, a Certified
8 Shorthand Reporter and Notary Public within
9 and for the State of New York, do hereby
10 certify:
11 That NANCY SALZMAN, the witness whose
12 deposition is hereinbefore set forth, was
13 duly sworn by me and that such deposition is
14 a true record of the testimony given by such
15 witness.
16 I further certify that I am not
17 related to any of the parties to this action
18 by blood or marriage, and that I am in no
19 way interested in the outcome of this
20 matter.
21 In witness whereof, I have hereunto
22 set my hand this 18th day of June, 2009.
23
24 _____
JOMANNA DeROSA
25

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