

COURT OF COMMON PLEAS

HAMILTON COUNTY, OHIO

- - -

JERRY SCHUTZMAN,

:

Plaintiff,

:

vs.

:

CASE NO. A 8108370

GEORGE EYRICH, et al.,

:

Defendants.

:

- - -

Deposition of LEONARD T. GATES, a witness  
herein, taken by the plaintiff as upon direct examination  
pursuant to the Ohio Rules of Civil Procedure and pursuant  
to agreement between counsel as to the time and place, and  
stipulations hereinafter set forth, at the offices of James  
W. Harper, Assistant Prosecuting Attorney, 419-420 Hamilton  
County Court House, 1000 Main Street, Cincinnati, Ohio, at  
2:00 p.m. on Wednesday, October 28, 1987, before Karla  
Lester, RPR, CM, a notary public within and for the State of  
Ohio.

- - -

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216 EAST NINTH STREET CINCINNATI, OHIO 45202  
513-241-3200

8-71445

## 1 APPEARANCES:

2 On behalf of the plaintiff:

3 James J. Condit, Esq.  
4 of  
5 Condit & Dressing Co., L.P.A.  
6 305 Dixie Terminal Building  
7 Cincinnati, Ohio 45202

8 On behalf of the defendants:

9 James W. Harper, Esq.  
10 Assistant Prosecuting Attorney  
11 419-420 Hamilton County Court House  
12 1000 Main Street  
13 Cincinnati, Ohio 45202

14 On behalf of Cincinnati Bell, a non-party:

15 Pierce E. Cunningham, Esq.  
16 of  
17 Frost & Jacobs  
18 2500 Central Trust Center  
19 201 East Fifth Street  
20 Cincinnati, Ohio 45202

21 Also present:

22 James G. Clifton, Cincinnati Bell

23 - - -

24 S T I P U L A T I O N S25 It is stipulated by and between counsel for the  
26 respective parties that the deposition of LEONARD T. GATES,  
27 a witness herein, may be taken at this time by the plaintiff  
28 as upon direct examination and pursuant to the Ohio Rules of  
29 Civil Procedure, all other legal formalities being waived by  
30 agreement; that the deposition may be taken in stenotypy by

— — —

## I N D E X

Witness

Direct examination

LEONARD T. GATES

by Mr. Condit

4

— — —

1 MR. CONDIT: I am James J. Condit, attorney for  
2 plaintiff Jerry Schutzman in this case. I have  
3 objected to the presence of Cincinnati Bell's  
4 representative, and its counsel, Pierce Cunningham,  
5 at today's deposition.

6 My reasons, primarily, are that we had an  
7 agreement, Mr. Harper and I, to take this deposition  
8 here. Nothing -- no part of that agreement recited,  
9 or put me on notice, that non-parties would be  
0 present, and for reasons of the pending litigation  
1 that Mr. Gates has against Cincinnati Bell in the  
2 federal district court concerning his termination, in  
3 which case I represent him, I'm objecting to their  
4 presence today.

5 Mr. Gates is not represented in this  
6 proceeding, and, if you want, Mr. Gates, you're  
7 entitled to say what you want on the record.

8 MR. GATES: I just feel that it is very  
9 intimidating. I was told by Mr. Condit that it was a  
0 thing with the prosecuting attorney, Mr. Harper, and  
1 I feel that it was very, very intimidating to walk in  
2 to see one of my ex-workers that I had worked with  
3 for years, and this gentleman, who I didn't really  
4 know, from Frost & Jacobs.

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1 MR. HARPER: Mr. Cunningham, do you have  
2 anything you would care to say?

3 MR. CUNNINGHAM: Are you asking us to leave?

4 MR. CONDIT: I'd rather not personalize it, but  
5 I, indeed, am asking you to leave.

5 MR. CUNNINGHAM: What about you, Mr. Gates?

7 MR. GATES: Yes, I definitely am asking you to  
3 leave.

9 MR. HARPER: James Harper, assistant  
0 prosecuting attorney. The deposition is being  
1 conducted pursuant to the order of Judge Niehaus to  
2 preserve and perpetuate testimony relating to Mr.  
3 Gates' employment activities with Cincinnati Bell.

4 The reason representatives of Bell are here is  
5 to supplement my knowledge and to make me able to  
6 effectively cross-examine Mr. Gates. I know of no  
7 reason under the Civil Rules why these gentlemen  
8 should not be present, and, quite simply, reject the  
9 arguments, other than the fact that I did agree with  
0 Mr. Condit that the deposition would be conducted in  
1 my office, and no mention during the course of that  
2 agreement was made to any other persons being  
3 present.

4 For that reason, I am not going to insist on

the presence of the representatives of Bell, but I certainly reject the argument of the law as far as the exclusionary principles. For that reason, I believe, at this time, Mr. Cunningham and the representative of Cincinnati Bell will part. Thank you for your presence.

MR. CUNNINGHAM: Well, we always like to cooperate with our prosecutor.

MR. HARPER: I appreciate it, Pierce. Thank you.

(At this point, Mr. Pierce Cunningham and Mr. James Clifton left the deposition.)

MR. HARPER: I believe Mr. Condit has arranged for this deposition, and he is going to examine Mr. Gates, at which time, since he is calling him as a witness, I will cross-examine him.

MR. CONDIT: That's right.

LEONARD T. GATES

of lawful age, a witness herein, being first duly sworn as hereinafter certified, was examined and deposed as follows:

DIRECT EXAMINATION

BY MR. CONDIT:

Q. Mr. Gates, for the record, give us your full name, residence address --

THE WITNESS: Could you scoot a little closer?

I can't hear.

MR. CONDIT: Sure.

Q. -- residence address, and Social Security number.

A. My name is Leonard T. Gates. I live at 7365 State Road, Cincinnati, 30. My Social Security number is

**[REDACTED]** I forgot my Social Security number.

Q. Take your time.

A. Let me get it out. **[REDACTED]**

Q. And, Mr. Gates, what is your date of birth?

A. June 21, 1943.

Q. Now, as you've just indicated, you've been through depositions before, and we are deposing you as our intended witness, which means that I'll be asking you questions on direct examination.

Mr. Harper will then have the right to cross-examine you. I think it's true with either one of us, if anything we ask you is not clear, don't hesitate to ask. You're not under any time pressure to do or say anything. In terms of this deposition, can we clarify for the record that you are not represented by counsel?

A. That's correct.

Q. And that has been your decision to not be

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represented by counsel in this deposition?

A. That's correct.

Q. At the same time, I am your counsel in the action now pending in the federal district court, the United States District Court for the Southern District of Ohio, an action in which you, individually, have sued Cincinnati Bell in a case which is based upon their alleged wrongful termination of you; is that correct?

A. Yes, sir, that's correct.

Q. And that case is assigned, at the present time, to Magistrate Steinberg?

A. Yes, sir.

Q. And there have been no court appearances, but you've been through -- did you say eight days of depositions?

A. Eight and a half days.

Q. And counsel for Bell, deposing you in that case, is the firm of Frost & Jacobs?

A. Yes, sir.

Q. And specifically Debbie Adams?

A. And there was a gentleman named George Yund. Y U N D, I think is how he spells his name.

Q. Let me quickly touch your life, your background, if you will. How long have you been a resident

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1 of this community?

2 A. 43 years.

3 Q. And, quickly, run through your educational  
4 background for us touching grade school, if you will?

5 A. I went to kindergarten at Haberlie School down  
6 on the west end. Then I went to St. Augustine Grade School.  
7 Then I went to Roger Bacon High School, and I graduated from  
8 Amelia High School. My mother and father moved out to the  
9 country, and I graduated from Amelia High School. I have a  
10 few credit hours at UC Evening College, and I have extensive  
11 courses from AT&T and Cincinnati Bell in the  
12 telecommunications field, something like 16 or 17 of them,  
13 training courses.

14 Q. Okay. Now, Cincinnati Bell was your employer  
15 from approximately what date to approximately what date?

16 A. Approximately January 29, 1963, to  
17 approximately May 15 -- it may have been the 25th, but I  
18 believe it was May the 15th of 1986.

19 Q. Which is what? About 23 years?

20 A. Yes, sir.

21 Q. And what was your job title when you terminated  
22 with Bell?

23 A. I was a staff associate in management at the  
24 Atrium One Building for Cincinnati Bell.

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1 Q. Now, I take it from that job title that you  
2 were part of management as opposed to an hourly or line  
3 worker?

4 A. Yes. That's what I said. I was part of a  
5 management team.

6 Q. Now, would you tell us how long you had been in  
7 a management position with Bell?

8 A. Since 1980.

9 Q. Okay. And could you verbalize what that has  
10 meant in terms of your duties and your supervision of  
11 others?

12 A. Yes, sir. I went from the Norwood Test Center  
13 to line supervisor at the Batavia garage. I was moved from  
14 a line supervisor to a test center foreman, each time being  
15 over eight to ten people.

16 I was moved from outside line supervisor and  
17 installation supervisor to telephone stores, which I had two  
18 stores. One was on the north side and one was in Surrey  
19 Square. I oversaw them for approximately six months.

20 Then I was put into the staff position, management  
21 staff position, for Cincinnati Bell. From the management  
22 staff position, I went to Seventh Street as a test center  
23 foreman. I went from test center foreman on Seventh Street  
24 to a Repair Service Bureau foreman on Seventh Street, which,

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1 I was approximately over 30 people there, all of them  
2 being -- or the majority of them being women.

3 And I went from there to the Reading garage, over an  
4 installation group of approximately eight people. And from  
5 the Reading garage, I went to the Dana garage, over  
6 approximately eight people. And then from the Dana garage,  
7 I went to the Atrium building, and then I was terminated  
8 from my job at the Atrium One Building.

9 Q. Now, are you related in any way, by blood or  
10 marriage, to anyone in this litigation?

11 A. No, sir.

12 Q. Nor to any attorney in this litigation?

13 A. No, sir.

14 Q. And focusing back on what you did for Bell,  
15 would your duties have been more field or mechanically  
16 oriented, or more office oriented?

17 A. No, sir. I was definitely a technician, an  
18 outside person, even in my management skills. I did some  
19 training of the outside people.

20 Q. Okay.

21 A. In fact, the gentleman that was sitting in here  
22 from Frost & Jacobs, I had worked with him on occasion.

23 Q. Mr. Clifton?

24 A. Right.

1 Q. Did he have comparable skills to you?

2 A. Yes, sir, he did.

3 Q. Okay.

4 A. Mr. Clifton broke me in as an installer when I  
5 first went into installation at the telephone company at the  
6 Northbend garage. I worked right with Mr. Clifton.

7 Q. And about what year was that?

8 A. It was approximately 1968, somewhere around  
9 there -- 1968 or '66.

10 Q. Now, I'm going to focus the deposition on your  
11 duties as they related to personnel with Cincinnati Bell.  
12 I'm going to ask you what if any relationship or contact you  
13 had with one, Jim West.

14 A. I had a very good relationship with Mr. West.  
15 Mr. West was one of our security people, and Mr. West -- he  
16 wasn't always in security, but my relationship with him --  
17 during my working relationship, he was always my  
18 subordinate -- or I mean he was always over me, I should  
19 say.

20 Q. Was he a supervisor?

21 A. Yes, he was.

22 Q. Was he -- so that we understand, was he a step  
23 above you in the management level at Bell?

24 A. Yes, sir, he was.

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1 Q. And the other gentleman is Mr. Gabor?

2 A. Pete Gabor, yes, sir.

3 Q. Okay. Would you define your relationship with  
4 him, and what his duties were in relation to yours and so  
5 on?

6 A. Mr. Gabor -- my relationship with Mr. Gabor --  
7 he was the security coordinator for Cincinnati Bell through  
8 my complete relationship with him.

9 Q. And, if you know, what does that mean,  
10 "security coordinator"?

11 A. He was over the security department, and he was  
12 the doer and the mover of things when they needed to get  
13 something done in the security department, and he was the  
14 in-between person for the FBI and the Cincinnati Police. He  
15 would run interference for the executives at the phone  
16 company.

17 Q. Okay. Would you explain what you mean by that,  
18 when you say "run interference"?

19 A. If there was a problem, he would see if he  
20 could get to the bottom of it. If it was a problem where it  
21 would involve, say, the police department, or the FBI,  
22 his -- I shouldn't say his expertise, but his buddy-buddy  
23 system -- like, you know, I was told by Mr. Richard Dugan  
24 that he would run interception for them with the

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1 departments, as kind of a public relation type person with  
2 the other departments.

3 Q. Now, who was Richard Dugan?

4 A. Richard Dugan was the president of Cincinnati  
5 Bell.

6 Q. Are you able to place that in some kind of a  
7 time frame for us, when Mr. Dugan was head of Cincinnati  
8 Bell?

9 A. I can't place it in an exact time frame, but I  
10 had talked to Mr. Dugan in -- I believe in 1976 and in '78,  
11 and in '79 and '80, I believe, and '81.

12 Q. Okay.

13 A. I may have talked to him in '82; I don't  
14 remember. Mr. Dugan was having some problems. He was sick,  
15 and, you know, he wasn't always available.

16 Q. When you were describing these communications  
17 with him, are these situations where you went to him or he  
18 came --

19 A. Oh, no, sir. It was situations where I went to  
20 him.

21 Q. Okay. Now, what if any contact have you had  
22 with Bell's operations insofar as they related, in any way,  
23 to the Regional Computer Center or the Board of Elections?

24 A. In 1977, Mr. Jim West from Cincinnati Bell

1 security authorized and told me to put what we call a half  
2 tap on some full period lines going to the regional data  
3 center. Full period lines in telecommunications are lines  
4 that would be used for data circuits going into computers  
5 and that.

6 Q. Now, when you said "the regional data  
7 center" --

8 A. Yes, sir.

9 Q. -- is that something different than the  
10 Regional Computer Center?

11 A. No. It's the same thing.

12 Q. Okay.

13 A. It's the same thing. I looked up the line  
14 cards on some of the things that I was involved with Mr. Jim  
15 West on, and on the line cards, it had -- I'm not real sure,  
16 but it was either the seventh or the ninth floor of the  
17 Temple Bar Building at Court and Main Streets.

18 Q. Okay. Now, we happen to be sitting in Mr.  
19 Harper's office. Are you able to look out and identify  
20 whether the building you've just talked about is --

21 A. That's the building right across the street,  
22 where it says "County Administration Building."

23 Q. Okay. Now, you were testifying about 1977.

24 A. I believe the building used to be gray, though.

1 Q. Okay. All right. Now, staying with that  
2 point, then, whatever you did, you did under the supervision  
3 of Mr. West?

4 A. Under the supervision of Mr. West and Mr.  
5 Gabor.

6 Q. Okay. Does that mean that one or both of them  
7 talked to you about this particular undertaking in 1977?

8 A. In 1977, Mr. West talked to me. In 1978, Mr.  
9 Gabor dealt with me. In 1979, Mr. West dealt with me, and  
10 in '80 and '81, I don't remember which one it was, to be  
11 honest with you, but one of them had dealt with me.

12 Q. When you say that they dealt with you, does  
13 that mean they talked with you? Does that mean they told  
14 you what to do? What do you mean by that?

15 A. They instructed me what to do. I was working  
16 under their supervision.

17 Q. Okay. Now, you mentioned 1979. Let me  
18 specifically ask you what Mr. West told you to do in 1979 in  
19 relationship to the RCC computers, or the Board of  
20 Elections?

21 A. Are we talking about in September? In October?  
22 In November? Do you want me to go through the whole year?

23 Q. Well, no. Let me begin my question by focusing  
24 on November of 1979.



1 A. Okay. At that point in time, Mr. West had  
2 called me up and told me that he was going to send me  
3 something in the mail, and that they were changing the full  
4 period or the -- I call it a data link -- to a dial-up  
5 access, and they wanted me to go down and wire some jacks  
6 for them -- have the lines half-tapped and wire some jacks  
7 for them into a room up in the building.

8 Q. Did you receive such a writing?

9 A. Yes, sir, I received it in the mail.

10 Q. All right. And that followed the conversation  
11 that you had with Mr. West?

12 A. Yes, sir, it did.

13 Q. All right. And would you describe what he  
14 provided you?

15 A. He provided me with the circuits going to the  
16 Temple Bar Building, and he provided me with another dial-up  
17 access line, and I just made half-taps on some other lines  
18 that were in that room, and he'd killed the lines that were  
19 in that room and used them wires to put his lines on in the  
20 room.

21 Q. Now, none of us, Mr. Gates, are technically  
22 familiar with those terms, as you are. Let's start with  
23 "half-tap." He instructed you to do a half-tap; is that  
24 what you said?

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1 A. Yes, sir.

2 Q. Okay. Now, specifically, mechanically, what  
3 did you do to accomplish a half-tap, and what is the  
4 half-tap?

5 A. Half-tap is common telephone terminology. It's  
6 a common thing. They use it every day. They use it  
7 hundreds of times. The average public doesn't know that.  
8 If you lived on, say, Main Street, and you were moving over  
9 to Vine Street, and you wanted your phones to be the same  
10 number, working in the same location, through the interim  
11 period while you were moving, we would put a half-tap on  
12 that line. Actually, at that point, that line would go to  
13 other cable pairs to make that phone work in both locations.

14 Q. All right. So when you did a half-tap, under  
15 the instructions of Mr. West, what were the two locations  
16 involved or affected?

17 A. Well, the locations involved lines working in  
18 the Temple Bar Building and the lines at Seventh Street.  
19 The telephone company building is Seventh and Elm.

20 Q. Now, what did you specifically do, if you could  
21 describe that for us? What did you specifically do and  
22 where did you do it to effectuate a half-tap at that time?

23 A. Okay. Mr. West had had several conversations  
24 with me, and he had been playing with the computers for a

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1 couple of years, and he had me, at that time, half-tap a  
2 line going to the Regional Computer Center at Court Street,  
3 and then he had me half-tap into another line.

4 And a day or so later, I had looked up both lines on  
5 their line cards. I found the line going to the regional  
6 data center, but there was no record of the other line which  
7 they were using to dial the access.

8 Q. You used "regional data center" again.

9 A. Well, the Regional Computer Center, yes.

10 Q. Okay.

11 A. I call it a data center.

12 Q. Now, are you able to identify, if not the date,  
13 the day that you did this half-tap?

14 A. Yes.

15 Q. I'm just asking you when you received this  
16 diagram. When was that in the month of November?

17 A. That was right -- it was on the eve of the  
18 elections, when I received it. Well, I received it actually  
19 the day before, but I actually did the work on it up through  
20 election eve.

21 Q. Okay. And you did that work, as you call it,  
22 where?

23 A. It was done at the Seventh Street building. I  
24 didn't physically have to do it. I had the capability of

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1 calling it in and having it half-tapped. We were never  
2 questioned on anything. I mean, I knew all the -- I was  
3 given cables and line numbers and everything by Mr. West.

4 Q. Okay. Now, having been given the order to do  
5 that, did you take steps to verify that the tap was  
6 accomplished?

7 A. Oh, yes, sir. I got on the vacant line and  
8 dialed up the other number that he had given me that was  
9 going to the regional data center -- or Regional Computer  
10 Center -- and shorted it out. You can hear the click on  
11 your test set, and you know that the circuit is -- you know  
12 that it is leaving, and you're on the right circuit.

13 Q. And did you say the test involved shorting it  
14 out?

15 A. Right. I just took a pair of wire cutters and  
16 shorted across the lines, and it's just like somebody  
17 picking a receiver up.

18 Q. That was election eve. When was the next  
19 contact or involvement you had with that particular job that  
20 Mr. West had given you?

21 A. Well, I had wired the jack up in the room that  
22 they told me to put it in, which we had used that room  
23 before. And I guess about 8:30 the next evening, which was  
24 election evening, Mr. West called me. I was working at the

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test center in Norwood -- it's not there any longer -- and he was panicking. He said we had done something to screw up the voting processor down there, or the voting computer.

He said, "You must have done something wrong." And I said -- he wanted me to leave my work location and go down there and disconnect everything. And I told him, I said, "Jim, you better get it together. All I've got to do is make a call and have the half-tap killed. If we did it, and that's the trouble, when I have the half-tap killed, it's going to take it off."

So what I did is, I called down and had them remove the half-tap. When I got off of work that evening, I went down, got into the building, went up and disconnected all the equipment. And I told him --

Q. "Him" being?

A. -- Jim West, that I felt -- I showed him the wiring diagram I guess a week later, and he had given me the wiring diagram to wire the jack up, and it didn't make any sense when I was putting it up, because if you would wire it up straight -- most cords that plug in are wired straight, and he had both of the rings together, where the lines would actually cross once they activated, and it -- you know, it just didn't make any sense.

Q. Now, what effect did that have? I mean, Mr.

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22

West called you and said that something had happened to the --

A. He said we shut it down, is what he said.

Q. And what do you know about that shut down? Was there a shut down?

A. I don't -- I was really not sure, to be honest with you. It was minor to me, you know.

Q. What knowledge do you have of any problems with the voting computer at RCC that occurred on election night, 1979?

MR. HARPER: Objection. Excuse me. Go ahead. And I'd have a continuing objection to the hearsay, incidentally. Go ahead.

MR. CONDIT: The way these go, as you know, the attorneys object, and then you proceed.

THE WITNESS: Yes. Go ahead. What was the question again?

MR. CONDIT: Would you mind giving us the question?

(The record was read back by the court reporter.)

A. All I have is Mr. West telling me that we had shut it down --

Q. Okay.

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1 A. -- and I had disconnected the equipment. And I  
2 think there was something in the newspaper on it the next  
3 day or something. I didn't -- you know, it was really minor  
4 to me at the time. He seemed to be very upset, but it was  
5 just --

6 Q. Did you have any other conversation with Mr.  
7 West on that occasion about starting up the equipment again,  
8 or who should do it?

9 A. I had conversations with Mr. West all the way  
10 through 1982, 1983, and '84 on that, and --

11 Q. Well, I was focusing, if you will --

12 A. On '79?

13 Q. Yes.

14 A. Just that the wiring diagram was wrong.

15 Q. Okay.

16 A. And he did take the wiring diagram back, and he  
17 said that I was -- at first, he started out that I was a  
18 dumb son of a bitch, you know. "You wired it up wrong."  
19 And I said, "Hey, I wired it like you told me. It didn't  
20 look right to me, but I wired it. You told me not to call  
21 you unless it was an absolute emergency, and it just" -- you  
22 know, "I was just wiring the jack up for you to use the  
23 equipment on."

24 Q. Did Mr. West have any other involvement or

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1 express to you that he wanted any other involvement in that  
2 night's transactions?

3 A. Yes. Mr. West made some comment about the --  
4 there were a few issues on there that they had --

5 Q. They?

6 A. Mr. West or the security department or whoever  
7 was involved with it. They had the ability to actually  
8 alter what was being done with the votes.

9 Q. Okay. And Mr. West told you that himself?

10 A. Yes, sir. Yes, sir. He was very upset through  
11 some of the elections with a gentleman named Blackwell, and  
12 he seemed to be very upset when Mr. Blackwell would get in.  
13 I don't know what the problem was, but, you know, he would  
14 get very upset.

15 Q. Now, you've spoken of Seventh Street, and are  
16 you talking about a facility on Seventh Street of Cincinnati  
17 Bell? Would you clarify what you're talking about?

18 A. Yes. It's a switching control center --

19 Q. What does that mean?

20 A. -- of Cincinnati Bell. That's where all your  
21 telephone lines in Cincinnati terminate into the downtown  
22 Cincinnati area, and all your data circuits or anything --  
23 you have to understand, the telephone company is the only  
24 common denominator between all of us in the room. Everybody

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has a telephone and -- I mean, it's the only thing that reaches everybody.

Q. What relationship, based upon your knowledge and experience, does the telephone system have to the computer system?

A. Well, the computer systems, regardless of what computer system it be -- television or radio or anything -- has to go through the Bell lines. Some of the questions I got into with Mr. West was, you know, what about hackers. That's the reason they have what they call data link, which is a closed system.

And he says, "We don't care about that," because we actually are into the system regardless of whether we record the data, transmit the data, or write history on the data -- you know, once you get access into a computer, you can actually rewrite the history of that computer, if you can get into them tapes.

Q. Was there any communications that evening -- again, I'm focusing on November 1979, election night or election eve -- with Mr. Gabor, if you recall?

A. No.

Q. Now, getting back to the Bell facility at Seventh and Elm, where you said all the lines terminate, did you, yourself, carry out any part of this in any part of

that building?

A. Yes, sir, I did, on the third floor in the new building.

Q. What did you do there?

A. I wired the jack up. I had made the lines available to that room.

Q. And are you able to be any more specific in describing the room or what it's called?

A. It was a conference room about this size, and it had a closet off of the end of it with a lock on it. Mr. West had given me a key to get into the closet.

Q. Now, you say that's where you went beforehand to do whatever you did on this at that point?

A. Right.

Q. Did you return to that room at all on election day or after election day to do anything else?

A. I went down at approximately -- maybe 11:00 -- and went up the back steps to the room and disconnected my stuff and put everything back to normal and stuffed the boxes and the keyboards and all that back in the cupboard.

Q. You said 11:00. What are we talking about? 11 p.m.?

A. Yes, sir, 11:00 at night. My shift was from 2:00 to 10:00. That's what I said earlier. Mr. West just

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wanted me to leave my job at 8:30, and if an emergency would have come in critical to a hospital or something, I wouldn't have been near to cover, and it just -- you know, it was unnecessary anyway. It was dumb.

Q. Now, you say that you went back to this room, and did you say you put away equipment or boxes? I wasn't clear on what you said.

A. Yes. I re-wired -- there were two lines working in that room, okay? There were two lines working. There were two telephones sitting there, and what I did is, I used them wires going to the mainframe which gave me access -- all I had to do is have them jumpers turned back and killed, and they'd run the half-taps on them wires coming to that room. It was what we called a house cable.

Q. Now, did any other human being -- was there any other human being involved in that process that you've described here, other than you and Mr. West?

A. Sir, I had asked Mr. West on several occasions -- even though I was doing it for Cincinnati Bell, and under their authority and everything, it was very shady. I felt that it was very shady, okay? And I'd asked him on several occasions, you know. But I mean, they've done shadier things in the past.

Q. Let's stick with this, though. You asked him,

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1 and you had a feeling it was shady. What did he respond to  
2 your request?

3 A. Well, I asked him about -- I'm not a computer  
4 expert, but I had asked him about the -- I said, "Jim, for  
5 two years we ran it on a data link," which was a four-wire  
6 circuit, which would mean it was a closed circuit.

7 "Now you're coming up with a dial-up access." I  
8 said, "Hell, somebody would be able to get into the computer  
9 and change the programming. That host computer would have  
10 to be able to see these satellite terminals or satellite  
11 mini-processors out here to accept the data."

12 I said, "This shit don't even make sense to me." And  
13 he says, "You don't worry about that." He said, "That's all  
14 taken care of." So I said, "Well, what do the people at the  
15 Board of Elections say about all of this?" He says, "They  
16 don't know a thing about it."

17 He told me that -- I asked him then about the  
18 program. I said, "Well, how in the hell is the programming  
19 done?" He said the programming was obtained out of  
20 California, and that the programming had been obtained  
21 through the FBI, and all this kind of stuff, and that was  
22 about it.

23 I had asked him several times about that, and I think  
24 I was getting on his nerves, and that's the reason I looked

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1 up the line cards, because I -- to change it from a data  
2 link to a dial-up access, I knew enough about computers that  
3 it just wasn't making a whole lot of sense, unless he was  
4 getting into two different data banks or two different  
5 computers.

6 Q. Now, you're getting technical again on us. Let  
7 me see if I can clear this up. The data line card, is that  
8 the company's record of the lines?

9 A. Right. Right.

10 Q. All right. And you say that you went to those  
11 records on this occasion?

12 A. Well, I went to them a few days after it was  
13 all done.

14 Q. A few days after the elections?

15 A. Yes.

16 Q. And you looked them up to determine what,  
17 please?

18 A. To determine the location of them, because I  
19 felt that it was very, very shaky.

20 Q. And what -- excuse me.

21 A. After that, when I did find out the location of  
22 them, I did call up Mr. Dugan sometime after that, in a very  
23 short interval, and asked to talk to him. And I went down  
24 and talked to him down at the Atrium building.

1 Q. Well, what did the record tell you about the  
2 line? The record at Seventh and Elm, when you looked it up,  
3 what did it tell you?

4 A. It told me that the line went to the Temple Bar  
5 Building. It had the address and everything at Ninth and  
6 Main Street, and the floor, and then the data center. I  
7 call it data center; you call it computer center. And it  
8 even gave the terminal rooms and everything, the location of  
9 terminal rooms, and the binding posts, which is what it's  
10 supposed to do.

11 Q. Okay. Now, you mentioned one or two terms.  
12 "Data link" is one term you mentioned.

13 A. Right.

14 Q. And then you compared that to some other kind  
15 of --

16 A. To a dial access.

17 Q. Just tell us, what do you mean by "data link"?

18 A. Well, "data link" is -- this is just a  
19 hypothetical situation, okay? Say we had a computer here, a  
20 satellite computer, or a terminal over here, and we were  
21 going to the Temple Bar Building, okay? It would be a line  
22 designed and designated from this room here to that building  
23 where it was going, over there. And it's usually a  
24 four-wire circuit: two wires to transmit on and two wires

1 to receive on.

2 Q. An actual physical wire that runs from point A  
3 to --

4 A. Point B, right. The thing about it is, nobody  
5 from the outside can dial into that because it's not a  
6 telephone line; it's a designed circuit. Okay?

7 Q. Okay.

8 A. A dial access -- if we had a dial access  
9 sitting here, and we knew how to dial into it, we knew the  
10 telephone number to dial into it, and the access codes, we  
11 could access it off any smart modem or dumb modem from  
12 anywhere --

13 Q. Okay.

14 A. -- even long distance, if you really would get  
15 into it.

16 Q. You don't need any wires in this latter  
17 process?

18 A. Well, you'd have to have a connection. You  
19 would still have to have the telephone connection.

20 Q. Okay. You mentioned the word "modem." What do  
21 you mean by that?

22 A. A modem is like an interface between the  
23 telephone and the computer. It sends tones over it. You  
24 can hear it if you've got one of their test sets.

1 Q. You mentioned "host computer."

2 A. Right.

3 Q. What were you referring to when you said "host  
4 computer"? Where was it and -- go ahead.

5 A. The host computer that we were dealing with --  
6 you're still talking about '79, right?

7 Q. Yes. I'm focusing your testimony on '79, and  
8 that election night.

9 A. The host computer that we were dealing with was  
10 at the Temple Bar Building. The host computer is the main  
11 computer. You can have front-end computers onto that host,  
12 like mini-computers. Say the host would go down, then your  
13 mini-computers could back it up. You could have hundreds of  
14 terminals off of it, depending on the type of computer it  
15 was.

16 Q. Okay.

17 A. Some of the other questions that I had asked  
18 Mr. West that was very strange to me, Mr. West said that --  
19 I asked him about the language of the computer, and he told  
20 me not to worry about that. Different computers speak  
21 different languages, and you have to be into that system.  
22 We couldn't take, say, a bubble memory and put it onto a  
23 Cobalt memory. It would just shut itself down. It wouldn't  
24 go nowhere.



1 Even though -- let me explain something else to you.  
2 On a data link, you usually still have to have an access  
3 code to access the host, or one of the front-end computers,  
4 or both of them. You could have a series -- say this is --

5 THE WITNESS: Can I move these papers?

6 MR. HARPER: Sure.

7 A. -- say this is a host computer. You could have  
8 a series of front-end computers onto it to hold data.

9 Q. Okay. Now, you testified going to Mr. Richard  
10 Dugan, as I recall. Did you go to him in this time frame  
11 here?

12 A. Yes, sir, I did.

13 Q. Your concern -- excuse me. Go ahead.

14 A. I don't know exactly what day it was, but I had  
15 called him, and I had met him down in the lobby.

16 Q. Of the Atrium?

17 A. Yes, sir.

18 Q. And could you give us a year on that?

19 A. Oh, it was approximately a month or so, or  
20 maybe a couple of weeks even, either way.

21 Q. After the November general election?

22 A. Right, right.

23 Q. Okay. And was the essence of that conversation  
24 that you reported your concerns about --

1           A.     Well, Cincinnati Bell had made us sign a bunch  
2 of papers about wiretapping, and, you know, the illegal  
3 specifics of wiretapping, that you could be terminated for  
4 wiretapping. And I knew that we did do certain things under  
5 certain court directions, under certain court orders, and I  
6 just didn't see where they would have a court order to get  
7 into that, and I expressed my concern to Mr. Dugan.

8           Mr. Dugan said it was a very gray area, and that they  
9 were into like New York and Atlanta, Georgia, and to the  
10 other computers, you know. This was just small compared to  
11 what was going on. He told me just -- if I had a problem,  
12 to talk to him and everything would be okay, but everything  
13 was under control. He made me feel -- he was a pretty  
14 decent guy, and he made me feel okay. My main concern was  
15 what was going on, you know.

16           Q.     In connection with this same general election  
17 in 1979, did you talk to any other authority about this  
18 problem?

19           A.     Yes, sir. I talked to the FBI. I called the  
20 FBI.

21           Q.     Which office of the FBI?

22           A.     Cincinnati.

23           Q.     Do you recall, specifically, the name of any  
24 person that you talked to?

1           A.     No, I don't, sir. I don't, but I did explain  
2 to them that it was some -- I felt there was improprieties  
3 in some of the -- I told them that I was an employee of  
4 Cincinnati Bell, and I told them that I felt there was some  
5 improprieties in some of the wiretapping on some of the  
6 special things in Cincinnati. I didn't specifically say the  
7 voting, or whatever. And I offered -- I said I would be  
8 glad to meet with them and talk to them, and I would sign  
9 them into the building and let them come in and see if  
10 they're legitimate or not.

11           Q.     What building?

12           A.     Into the Seventh Street telephone building.  
13 It's a locked and secured building.

14           Q.     That's the building you testified before that  
15 you went to --

16           A.     Right.

17           Q.     -- to take care of this?

18           A.     Right. See, we could go in there right now.  
19 Mr. Harper could give us an order to go in there right now.  
20 You wouldn't have any idea. No one would have any idea. As  
21 much expertise as I have, I would have no idea what I was  
22 looking for. There are hundreds and thousands of miles of  
23 wires and connections. Unless you knew specifically what  
24 you were looking for, by the time you even got access into

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1 the building past the security and found the location where  
2 you wanted to go, it would probably take you 45 minutes.

3 Q. Is that -- is that where Mr. West's diagram  
4 came into play?

5 A. Right. In that building, right. Mr. West  
6 always -- the technology of the communications systems in  
7 the United States and the world, especially in the United  
8 States -- he says the legislation hasn't kept up with the  
9 technology.

10 Q. Now, what, if anything, happened as a result of  
11 your call to the local FBI about this?

12 A. Well, the guy -- he wanted my name, and he told  
13 me he was going to give it to the security department, and  
14 he really kind of intimidated me and scared me just a little  
15 bit, because I -- you know, it could have been anything. I  
16 mean, I didn't know what I was even really dealing with.

17 Q. Was there any other authority, police agency,  
18 or government person that you talked to about your concerns  
19 at this time?

20 A. Not at that time, but I have talked to  
21 Congressman Gradison's office. Phil Grone, in Washington  
22 D.C., had flown in from Washington and had talked to me at  
23 the Greater Cincinnati Airport with one of my attorneys, and  
24 I have corresponded -- or they have corresponded with Mr.

1 Gradison on some of the different things going on.

2 Q. Did you communicate to Mr. Gradison either  
3 directly or through his assistant, Mr. Grone, what you've  
4 testified here today about what you did?

5 A. In '79?

6 Q. What you did as to these computers, as to this  
7 equipment?

8 A. Yes, sir, I did. I didn't testify under oath,  
9 but they had talked to me about it at the Greater Cincinnati  
10 Airport, and this has been some time back.

11 Q. Okay.

12 A. I was still working for Bell at this time --

13 Q. Okay.

14 A. -- or I believe I was. It was right in that  
15 interim period there.

16 Q. Am I correct that before you went to the  
17 outside, to the police authorities, you first went to Mr.  
18 Dugan --

19 A. Yes.

20 Q. -- who was president of the company?

21 A. Yes.

22 Q. Did you express concerns to anyone else within  
23 the company?

24 A. Well, to Jim West and to Pete Gabor.

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1 Q. Okay.

2 A. I mean, they just kind of shrugged it off and  
3 said that they have their own -- they slept together, is  
4 what they said. They slept with the police authorities here  
5 in Cincinnati and the FBI, and that everything was under  
6 control.

7 Q. Okay. Now, earlier in your testimony, I  
8 thought you started to itemize other years that you did  
9 similar things with the RCC computer; is that correct?

10 A. It was in '77, '78, '79, '80, and '81, and I  
11 don't know if I did it in '82 and '83 or not. I can't  
12 really exactly remember, but I did it several times. They  
13 had -- the strangest thing that I have trouble with is they  
14 were jumping back and forth between this data link and this  
15 dial access.

16 Q. Now, did any supervisor or manager of Bell,  
17 other than West and Gabor, instruct you to do this in any of  
18 these other years?

19 A. No, but I had talked to a Mr. Fedrich. He was  
20 the vice president there.

21 Q. Vice president of Cincinnati Bell?

22 A. Cincinnati Bell, yes. And he told me that they  
23 had their connections, and the best thing I could do is just  
24 shut up.

1 Q. Do you know what year you talked to Mr.  
2 Fedrich?

3 A. I believe it was in --

4 Q. If you don't know, that's all right.

5 A. I don't really remember, sir, because there was  
6 a slot within the company then, and Mr. Fedrich was moved  
7 out of that system into another area.

8 Q. In your conversation with Fedrich, did you tell  
9 him about this election RCC thing that you were doing?

10 A. I told him about that and some other things,  
11 and he said that it was a gray area, and I said, "Well, do  
12 you have a blanket court order on this or what?" And he  
13 kind of weasel-worded me, to be honest with you. He said,  
14 "Well, our relationship with the FBI is very, very close.  
15 Just don't worry about it. Worry about something else."

16 Q. What was the latest election -- the latest  
17 general election that you recall doing any of these  
18 mechanical things?

19 A. I believe it was '83, sir, but I can't  
20 remember, but I believe it might have been '83.

21 Q. Can you remember in that latest year that you  
22 did it whether it was West or Gabor that instructed you?

23 A. The last time I did it, it was for Mr. Gabor,  
24 and he told me he may be out of town, and he would call me

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1 direct out of town.

2 Q. And did he?

3 A. No. There was no need to. There were no  
4 problems. He said if there were problems he would call me.

5 Q. And did you do, essentially, the same thing on  
6 that last occasion?

7 A. Yes, just basically the same thing.

8 Q. Did you do it also at Seventh and Elm?

9 A. Yes, sir. It was the only place you could get  
10 access to it.

11 Q. Did you run the same test that you described  
12 earlier to determine that you had reached the RCC computer?

13 A. Yes, sir.

14 Q. Okay. And, again, how did you do that testing?

15 A. Well, I got on the line, and I couldn't find  
16 any -- they gave me a telephone number, and when I looked up  
17 the telephone number, it showed it as a dead line. But I  
18 mean, it was activated. It was working. And I couldn't  
19 find any locations on it or anything, even in the assignment  
20 records. So someone had to have that line activated. I got  
21 on that line with the test set and dialed up the telephone  
22 number that was appearing in the computer room and shorted  
23 it out.

24 Q. Okay. And the short-out was indicative that



1 the connection was --

2 A. Well, that was the line right there. That was  
3 the line according to all the records and everything.

4 Q. If you know, did that connection --

5 A. I did put an ohm meter on that line. I  
6 disconnected it and put an ohm meter on that line.

7 Q. What meter?

8 A. A KS meter.

9 Q. That doesn't help me.

10 A. I had them pull coils on it and put a KS meter  
11 on it.

12 Q. What's a KS meter?

13 A. It shows resistance on lines, an ohm meter. I  
14 had tried to look for a set of ringers. You can see  
15 ringers, and I guess -- when I opened the coils, I opened  
16 the circuit, and I couldn't see anything. I just seen wire.

17 I had another problem with it, too, in 1978, I  
18 believe. They had put it -- it wasn't going to be in that  
19 building. They had tried to put it in another building, and  
20 they couldn't figure out what the problem was, but I think  
21 we had too much resistance on the wires, if I'm not  
22 mistaken.

23 It was half-tapped to the Atrium One Building, and I  
24 think that the extra resistance on the wires had shut the --

1 you know, the system wasn't coming up like they had expected  
2 it to. We corrected it.

3 Q. Now, if you know, what did the tap that you  
4 described that you put on between Seventh and Elm and the  
5 RCC computer -- what did that enable you to do in terms of  
6 listening to, monitoring, or affecting the computer in RCC?

7 A. Well, if they got into the data banks, they  
8 could alter whatever they wanted to alter. They could  
9 rewrite history in the computer if they happened to -- if  
0 they knew the access codes, and the codes to get into it,  
1 and, apparently -- I was told by Mr. West that they did.

2 Q. Rewrite history?

3 A. Well, I say "history." I'm saying, if  
4 something was in that data bank, and you would add something  
5 to it or change it, what is in that data bank at present is  
6 history, okay? It's past. You would rewrite that, go in  
7 there and change that.

8 Q. Now, the data bank you're referring to in your  
9 testimony now is the data bank at the RCC center?

10 A. Right. Right.

11 Q. Your testimony is that, from Seventh and Elm,  
12 that computer could be impacted as a result of the tap that  
13 you did?

14 A. That's what I was told, yes, sir.

1 Q. Who told you that?

2 A. Mr. West and Mr. Gabor. I also had -- there  
3 were some lines that I had tapped down there like in  
4 September. They had me run a couple of taps down there and  
5 run them to someplace else in the city.

6 Q. And when you say "in September," you mean of  
7 1979?

8 A. Right.

9 Q. They had you run half-taps from where to where?

10 A. Just some telephone lines that were appearing  
11 down there in the Temple Bar Building. And when I pulled  
12 the line cards, it said, "the Board of Elections." And I  
13 mean, there was no election going on at the time. So it  
14 must have just been a standard monitoring. They may have  
15 had a court order for it or something. I don't know.

16 Q. Now, I think you've indicated that, in this  
17 last year that you did whatever you did, which you thought  
18 was '83, that Mr. Gabor, Pete Gabor, supervised and ordered  
19 it done; is that correct?

20 A. Right. Right.

21 Q. Do you recall what he --

22 A. See, Mr. West wasn't always -- Mr. West was --  
23 from the period of time that I had worked for him, he was an  
24 installation foreman. He was over their Prank Call Bureau,

1 and then he was in the security department toward the end,  
2 but it all fell under the security department. The Prank  
3 Call Bureau, he was in for a long time. He was my main  
4 contact, when he was there, for an awful long time.

5 Q. In the hierarchy of the company, was Mr. Gabor  
6 above West and you?

7 A. Yes, sir. He was the security coordinator.

8 Q. In 1983 -- I started asking you this before.  
9 The last year that you carried out these mechanical duties  
10 as to this election process, what, if anything, did Gabor  
11 say to you, and you to him, concerning your carrying that  
12 out? What did he say?

13 A. Well, he just told me to hook it up, you know,  
14 and I hooked it up. And he said if there was a problem with  
15 it, he would let me know, but he might be out of town. And  
16 my concern was, if he was out of town, how was he going to  
17 know if there was a problem with it. And I had told him, I  
18 said, "Sometimes you people don't make no sense."

19 Q. Let me ask -- as I draw a conclusion here --  
20 what kind of technical training or schools did you go to  
21 while in the employ of Bell which had a bearing on these  
22 things that you were doing and your skills with the company?

A. I went through resident installation school,  
business installation school, resident repair school,

1 business telephone repair school, cable splicing school,  
2 advanced cable splicing school, test center school, test  
3 desk school, advanced test desk school.

4 Q. In terms of your -- in terms of your separation  
5 from the company, when, again, did that occur?

6 A. That occurred on May 15, 1986 --

7 Q. Okay.

8 A. -- I believe, on or about that day.

9 Q. Was there ever a time, while you were in the  
10 employ of Bell, obviously prior to that dismissal, that you  
11 had refused to carry out a duty?

12 A. Yes, sir, there was.

13 Q. Would you tell us about that?

14 A. It doesn't pertain to this.

15 Q. It doesn't pertain to this?

16 A. No.

17 Q. Okay. By "this," you mean the election  
18 process?

19 A. Yes, sir.

20 Q. The first time that you met me or any member of  
21 my family was when?

22 A. I was laying down watching television. On the  
23 11:00 news, I seen a thing come on about voting fraud, and  
24 they had Mr. Condit, Jr., on there.

1 Q. Do you know when that was?

2 A. It was last year, 1986. And I had gotten up  
3 and called the TV station to find out -- I thought it would  
4 maybe be a tie-in and give me more supportive evidence,  
5 because I had felt there was something wrong.

So I had called the -- they didn't give his number or  
anything. So I called the TV station, and they gave me a  
number where I could reach him, and I contacted him, and I  
met him at the Queensgate Frisch's, and he started telling  
me about these old ladies with these picks, and I think he  
was a little surprised.

I said, "Well, you know, what I have is completely  
different than what you have." I said, "You know, as far as  
I'm concerned, the people at the Board of Elections don't  
even know what's going on." I told him my mother worked at  
the Board of Elections in Hamilton County for years, and my  
mother would die before she would let anybody do anything  
wrong.

MR. CONDIT: I have nothing further.

(Whereupon, a short recess was taken from 3:15  
p.m. to 3:26 p.m.)

MR. CONDIT: I meant to tell you on the record  
that you have a right to review and sign this, or you  
can waive that right, so you should state that on the

1 record.

2 THE WITNESS: Well, I've told the same thing to  
3 the FBI, or the Justice Department, so I don't have  
4 any reason to sign it.

5 MR. CONDIT: So you're saying that you waive  
6 the right to sign it?

7 THE WITNESS: Yes.

8 MR. CONDIT: He's now going to question you.

9 THE WITNESS: That's fine.

10 MR. CONDIT: Were you going to say something?

11 THE WITNESS: Well, before, you had asked me a  
12 question pertaining to people that I had talked to,  
13 and I had talked to the Justice Department about this  
14 matter.

15 MR. CONDIT: Will you ask about that, Jim?

16 MR. HARPER: When we're ready to go, I have a  
17 statement for the record --

18 MR. CONDIT: Okay.

19 MR. HARPER: -- that I need to make.

20 MR. CONDIT: Well, let me give him an  
21 opportunity to supplement.

22 BY MR. CONDIT:

23 Q. During the break, you indicated that you wanted  
24 to add something to your prior testimony.

A. No, I just wanted to add that -- you asked me a question, and I didn't give you a complete answer. I had also talked to the Justice Department here in Cincinnati, and I believe there was an FBI agent that was sitting there when I talked to them with my attorneys.

Q. Can you give us any names?

A. Ms. Brinkman, and the gentleman from the FBI was a gentleman named Love. I used to play handball with him, and I knew him.

Q. And that conversation occurred recently?

A. Yes, sir. It's recurred in the last few months.

MR. CONDIT: Okay.

MR. HARPER: I'm James W. Harper, and I'm assistant county prosecutor for Hamilton County. This deposition is being taken pursuant to a court order by Judge Niehaus in the case of Schutzman versus Eyrich -- I believe you have the caption -- which is a civil action involving questions concerning procedures which the Board of Elections uses in counting votes.

And Mr. Gates, we were led to believe by Mr. Condit, had testimony concerning procedures used by the Board, and whether the computer could be



accessed. Since I have listened to Mr. Gates' testimony to this point, I'm going to have to defer any questioning I have of Mr. Gates, because, quite frankly, the information which has been provided here, if true, may lead to questions of whether illegal acts have been conducted.

Quite simply, I am not prepared to proceed, nor do I wish to question Mr. Gates until I've had an opportunity to discuss the matter with the county prosecutor, and to be sure that Mr. Gates is afforded whatever counsel may be necessary, and whatever other parties may be implicated by his testimony, because it is under oath, and it is directed to, clearly, some very, very serious allegations.

So, for that reason, I'm going to defer any questioning I may have to a later date. Whatever purposes the testimony elicited by Mr. Condit may have, those will remain for whatever judicial interpretation is necessary. I would like an expedited copy of this transcript at the earliest convenience, as soon as you can get it to me. I have nothing further.

MR. CONDIT: So that we're continued in progress until the point at which you decide that

you're prepared to go forward with questioning?  
We're not adjourning the deposition?

MR. HARPER: No, we're not adjourning it. I just quite simply cannot examine Mr. Gates absent counsel, absent whatever rights he may be entitled to here. I am not a criminal assistant, but I have heard enough to know that this office is not going to examine Mr. Gates until such time as those who are qualified in this area have had an opportunity to deal with the questions.

MR. CONDIT: Sure.

THE WITNESS: Can I add something?

MR. HARPER: Sure.

THE WITNESS: I'm off on Wednesdays and Thursdays, if you could -- I'll accommodate you in any way, but --

MR. CONDIT: Wednesday you're off?

THE WITNESS: Yes, sir. I've been given all my Wednesdays and Thursdays for a couple months, so a couple more won't matter. I could probably make it other day, but I don't want to --

MR. CONDIT: I understand.

(Signature Waived.)  
LEONARD T. GATES

- - -  
DEPOSITION CONTINUED IN PROGRESS AT 3:31 P.M.  
- - -

ACE REPORTING SERVICES

216 EAST NINTH STREET CINCINNATI, OHIO 45202  
513-241-3200


C E R T I F I C A T E

STATE OF OHIO :  
COUNTY OF WARREN : SS

I, Karla Lester, the undersigned, a duly qualified and commissioned notary public within and for the State of Ohio, do hereby certify that before the giving of his aforesaid deposition, LEONARD T. GATES was by me first duly sworn to depose the truth, the whole truth and nothing but the truth; that the foregoing is the deposition given at said time and place by LEONARD T. GATES; that said deposition was taken in all respects pursuant to stipulations of counsel hereinbefore set forth; that I am neither a relative of nor attorney for any of the parties to this cause, nor relative of nor employee of any of their counsel, and have no interest whatever in the result of the action.

IN WITNESS WHEREOF, I hereunto set my hand and official seal of office at Cincinnati, Ohio, this 29th day of October, 1987.

My commission expires:  
September 19, 1989.

  
Karla Lester, RPR, CM  
Notary Public - State of Ohio.

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