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54	<p>1 fine. But I'm just, you know, I'm a little concerned. 2 And if I had all the time in the world, I would sit 3 here and listen to the whole story. 4 I've read all these documents, so I've -- I'm 5 not uninterested. It's just that I'm trying to fit 6 both people in, in one day, so I'm a little concerned 7 that, you know, the farther afield we go, the less 8 likely we will be able to complete it today. 9 MR. COLON: Again, Ms. Marshall, I think the 10 questions that I've asked are relevant and they clarify 11 the purpose of the documents that you've provided my 12 client, and it avoids drafting an affidavit or doing 13 any other motions to say, this is not what she meant. 14 And the question was limited and these are to the -- 15 the facts that -- or the context in which this question 16 should be addressed. 17 MS. MARSHALL: Okay. So about 15 more 18 minutes? 19 MR. COLON: About 15. 20 MS. MARSHALL: Okay. And then we'll have to 21 have a similar discussion with Mr. Sandoval. I'm not 22 really certain we can finish today. I was not 23 expecting this was going to take as long as it was. 24 MR. COLON: It was my understanding that this 25 process was going to be all day, and I've had my</p>	56	<p>1 MS. MARSHALL: I think it makes sense to have 2 the discussion off the record -- 3 MR. COLON: Sure. 4 MS. MARSHALL: -- unless you would -- 5 MR. COLON: Sure. No. That's fine. I have 6 no objection. 7 MS. MARSHALL: -- prefer -- but I think we 8 should take a quick break and have a discussion off the 9 record. Maybe we can kind of narrow what we are going 10 forward with. 11 So let's do that -- 12 MR. COLON: Sure, yeah. 13 MS. MARSHALL: -- because I think it might 14 help us speed things along. 15 MR. COLON: I agree. 16 MS. MARSHALL: Okay, great. And, obviously, 17 your clients are welcome to come. I don't see the need 18 to have it on the record. 19 (Short recess was taken.) 20 FURTHER EXAMINATION 21 BY MS. MARSHALL: 22 Q. You -- when you were responding to your 23 attorney's questions, you mentioned that Mr. Gann had 24 asked you to file or asked you and your husband to file 25 amended returns for the purposes of audit</p>
55	<p>1 clients block the entire day. 2 MS. MARSHALL: Right. I totally understand. 3 I'm just saying, you know, when I don't know how long, 4 you know, your testimony will take with him, it's 5 harder for me. 6 So, anyway, let's just stop wasting time and 7 continue and try to get this done as soon as possible. 8 MR. COLON: Okay. 9 MS. MARSHALL: And, actually, you know what, 10 Mr. Colon, it might actually make sense for us to have 11 a discussion outside right quick, because I actually 12 think that some of the questions, I see where you are 13 going with, and I actually think if we could discuss 14 what the government is going to contest regarding those 15 allegations or those whatever, you actually might be 16 quite pleased and so -- and not feel it necessary to 17 review all that stuff. 18 MR. COLON: Again, that would be helpful. 19 One of the concerns I had, Ms. Marshall, is because of 20 the answer, I honestly don't know the direction of this 21 case. 22 MS. MARSHALL: Right. 23 MR. COLON: I -- 24 MS. MARSHALL: Right. 25 MR. COLON: And I --</p>	57	<p>1 reconsideration; is that right? 2 A. Yes. 3 Q. And what was the -- when you say audit 4 reconsideration, what was the purpose of your 5 presenting that as an amended return? Did you have an 6 understanding about that? 7 A. What I understood was that Mr. Terry Gann 8 wanted us to pay the money, all the money that we owed, 9 and that -- and then the difference, they were going to 10 return it later. And that's when our lawyer suggested 11 and approximated the sums that we owed. And they 12 weren't exact; they were approximate. 13 Q. Okay. So, for example, if we could just go 14 to page -- page 38. So on 38, it says, amount due, and 15 this is, again, for year 2004. It says, \$109,478.65. 16 Do you see where it says that? 17 A. Yes. 18 Q. So -- so you were saying that Mr. Gann wanted 19 you to pay the full amount and then dispute that 20 amount; and whatever the IRS agreed with, you would be 21 paid back later. Is that what you are saying Mr. Gann 22 wanted you to do? 23 A. Yes. 24 Q. And what -- then you said what you ended up 25 doing was not paying that full a \$109,000, but sending</p>