Volume: 1 Pages: 1-56

Exhibits: See Index

### COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

DISTRICT COURT DEPARTMENT OF THE TRIAL COURT

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IN RE: INQUEST INTO THE DEATH \* 2352IN000001

OF SAYED ARIF FAISAL \*

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RE: INQUEST

# (ENTIRE TRANSCRIPT IMPOUNDED)

INITIAL CONFERENCE (VIA ZOOM)
BEFORE THE HONORABLE JOHN F. COFFEY

### APPEARANCES:

For the Commonwealth:

Middlesex District Attorney's Office

By: Carrie Spiros, Assistant District Attorney

By: Caroline Evans, Assistant District Attorney

15 Commonwealth Avenue - Suite 100

Woburn, Massachusetts 01801

For Cambridge Police Officer Liam McMahon: Anderson Goldman Tobin & Pasciucco, LLP

By: Kenneth H. Anderson, Esquire 50 Redfield Street - Suite 201 Boston, Massachusetts 02122

For the Next of Kin:

(No information provided on the docket.)

By: Ms. Duggan, Esquire

Medford, Massachusetts Courtroom 4 February 16, 2023

Court Transcriber: Lisa Marie Phipps, Certified Shorthand Reporter, Registered Professional Reporter, Certified Realtime Reporter

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# EXAMINATION

WITN	ESS:			
(None.)				
	D T T T C			
EXHIBITS:				
(None.)				
FOR	IDENTIFICATION:			

(None.)

# 1 PROCEEDINGS 2 (Court called to order.) 3 (3:04:36 p.m.)4 (Discussion not on the record.) 5 THE COURT: All right. 6 Good afternoon, Attorney Anderson. 7 Nice to see you again. 8 MR. ANDERSON: Good to see you, Judge 9 Coffey. 10 THE COURT: All right. So I -- I just 11 wanted to just have this initial meeting just 12 because I -- I've had some email correspondence 1.3 with the District Attorney, to Attorney Spiros, 14 and I just wanted to -- to go over a few things 15 and kind of -- and what I'll do is, I'll set our 16 agenda and then we can discuss it as we go 17 through, okay? 18 MS. SPIROS: That sounds good. Thank 19 you. 20 THE COURT: All right. 21 And -- and I know Attorney Anderson's 22 been involved in several of these inquests. 23 In fact, the only one I was involved in I 24 was with Attorney Anderson on. 25 Attorney Spiros, you've probably been

involved in some of these as well.

And Attorney Evans, you may have been involved as well.

But just so that we know what everybody is doing -- and, Attorney Duggan, you may have been involved in an inquest in the past, as well.

But I just want to set out for the record -- and, by the way, everything we do here is going to be impounded pursuant to the rules.

So, as everybody knows, this Court makes no recommendation as to a possible prosecution or nonprosecution of any of the people that this Court deems may or may not have been involved in the death or -- of Mr. Sayed Arif Faisal.

And I just want to take this initial conference with the attorneys to first flesh out some logistical issues.

Now, I'll go through them and then we can discuss them point by point.

Attorney Spiros, you may have already addressed some of these in the proposed protective order you sent over earlier.

But I just want to find out the status of the gathering of the reports and witness

statements and any forensics and any video material that -- that may be in the possession of the parties.

I want to inquire about a preinquest report that would include any witness statements, documents, exhibits that may be proposed.

I want to talk to the parties about the length of the hearing.

I want to discuss the parties's calendars. When I say "parties," all the interested persons, including any people who may be the focus of the inquest; any parents or next of kin of Mr. Faisal.

I want to reiterate an imposition of a sequestration order for any witnesses who do appear.

I want to talk to the parties about the possibility of taking a view where this incident occurred.

And, finally, then we will -- can discuss the location of the hearing.

So with that, why don't I turn to

ADA Spiros and why don't -- can you tell me

what -- where you are at with the reports

and/or forensics or any other material that you

deem might be helpful in assisting the Court in its function.

And thank you for the time today.

MS. SPIROS: Yes, your Honor. Thank you.

I -- I can report that the Commonwealth
is, I believe, in very good shape in terms of the

information that we've been able to gather.

We have all police reports written to date by both State Police and Cambridge Police ready to go.

What I've done, your Honor, is compile everything into an initial discovery notice and it will be put on a ShareFile, if that's acceptable to the Court.

If not, I will make hard copies for everyone.

But we have all police reports.

We have multiple video recordings of interviews of witnesses; primarily of witness -- of police witnesses who were present or involved, and one additional recorded civilian witness who lived at the home where the backyard -- where the shooting occurred in the backyard.

I can report to the Court that I have all but one State Police laboratory report. The

outstanding report from the lab is criminalistics. I have the ballistics reports already.

I understand that the postmortem toxicology report is also outstanding but is due by the end of February.

I can also report to the Court that
the -- we've checked in with the medical
examiner's office, and they are, of course,
waiting for toxicology, but I am told early to
mid-April for report from the medical examiner's
office.

We have compiled all of the ICAT sheets, the 911s.

The witness interviews are largely incorporated into the police reports.

There are maps and there are -- I would say about five pieces of video from various locations from where the incident began and where it ended.

None of those videos capture the actual shooting itself but before and after the activity in the area.

We have medical records from MGH that we've already received.

I was not able to get the ambulance records.

I would be seeking at some point an order from this Court to get those.

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They required an order, and I did not have the subpoena power at that point.

And the only other witnesses that we have not interviewed to date are two firefighters who were on the scene that day who refused to be interviewed, and I would be seeking an order from the Court to have them testify at the inquest.

So that's -- that's a large overview.

But we are in very good shape.

THE COURT: Okay.

MS. SPIROS: All of it is ready to be turned over at this point.

THE COURT: All right. Thank you, Attorney Spiros.

And, Attorney Anderson and Attorney Duggan, anything you want to add to that?

MR. ANDERSON: No, not at this point.

THE COURT: Okay. Thank you.

All right. So I think you addressed my second thing, as well as when you talk about a pre -- when I talk about a preinquest report,

you're talking about the -- you have all of that or you are going to compile it into a shared -- share drive?

MS. SPIROS: It's already compiled with an itemized notice of, essentially, discovery.

MS. SPIROS: That's -- that's ready to go.

Okay.

THE COURT:

So as soon as the Court is ready to receive it and the protective order is in place, I'm happy to turn that over.

THE COURT: All right. And when you do get the -- the toxicology report; you are waiting on one other report, as well as the final ME, who is also waiting on the toxicology report, that can be then uploaded; is that what you are saying?

MS. SPIROS: Absolutely. Yep.

THE COURT: All right.

And Attorney Duggan, Attorney Anderson, do you have any -- any issues with that?

MR. ANDERSON: Not with that, no.

THE COURT: All right.

Attorney Spiros, I guess only issue I have with the ShareFile is I am probably the

1 oldest person on this call, and I would prefer if, if it's not too much trouble, a -- a hard 2 3 copy, because it's just easier for me to read. MS. SPIROS: Understood. No problem. 5 THE COURT: I think -- I think a ShareFile is good to have. 6 7 And, Clerk-Magistrate Casey, how would -- because you're going to be -- your 8 office is responsible for compiling all this and 9 10 keeping it. How would you like to receive it? 11 12 MS. SPIROS: Myra, what do you suggest is 13 the best way? 14 THE CLERK: Yes. 15 MS. SPIROS: I mean, we can print some --16 we can print anything off. 17 THE COURT: Yeah. 18 MS. SPIROS: I can't hear you though, 19 Myra. 20 (Echo noise.) THE CLERK: Yeah, I'm trying to unmute. 21 22 I'll unmute. Okay. Okay. 23 So maybe it can be mailed to us. Do you 24 went to receive it by email or -- wait a minute. 25 Why is this -- okay, hold on one second.

Is that -- nope, that's not better. 1 2 MS. SPIROS: Yeah. We can hear you. 3 you -- since that went off. THE CLERK: This one -- but I think this 4 5 one -- can you hear me now? 6 MS. SPIROS: Yes. 7 THE CLERK: Okay. Good. All right. So I'm thinking to maybe have it by 8 standard mail instead of email, having the 9 10 document --MS. SPIROS: If it's possible, may I 11 12 hand -- may we hand deliver it in binders to the 13 Court? 14 UNIDENTIFIED SPEAKER: Absolutely. 1.5 THE CLERK: Yes, absolutely. MS. SPIROS: It's just -- it's voluminous 16 so the mail -- the mail... 17 18 THE CLERK: Okay. Absolutely. 19 THE COURT: No, I understand. 20 THE CLERK: That would be better. 21 THE COURT: And, Attorney Spiros, where 22 I'm sitting up in Lowell, you know, I don't want 23 you to have to travel from where your office is 24 to Lowell, but maybe you could give it to one of 25 your assistants who can deliver it to me?

Would that be possible or -- or would you 1 2 prefer to do it another way? 3 MS. SPIROS: We'll get it to you, your 4 Honor. 5 THE COURT: All right. MS. SPIROS: We will find you up in 6 7 Lowell. 8 THE COURT: All right. Thank you. And, along those lines, a lot of that is 9 10 going to be introduced all -- a lot of those 11 things are going to be introduced. 12 So does it make sense to have premarked 13 exhibits that are agreed upon? 14 MS. SPIROS: I think that's something we 15 could certainly discuss with the lawyers --16 THE COURT: Yeah. Yeah. MS. SPIROS: -- absolutely, once they've 17 18 had a chance to look at everything. 19 THE COURT: Yeah. And just so, you know, Attorney Anderson and Attorney Duggan, who 20 represents the family, if there are things that 21 you want to include, again, you know, I'm here to 22 look at all the relevant material that would 23 24 assist me.

I'm the one who determines what -- no

matter which attorney wants to propose it, whether I feel it's -- it would be helpful to me in making my final decision.

So that doesn't preclude you, as well, from adding to any proposed exhibit list.

Do you understand?

MS. DUGGAN: Your Honor, I just want to mention something that I had said sent in an email earlier, which may not have been noticed, but I -- most likely, I will not be the lawyer representing the family at the inquest.

THE COURT: Oh, okay.

MS. DUGGAN: I'm in the process of trying to get them a lawyer who will take over that piece of the case.

THE COURT: Okay.

MS. DUGGAN: School vacation week is not helping my efforts.

THE COURT: Okay.

MS. DUGGAN: But at some point I will be bowing out and somebody else will be stepping (inaudible).

THE COURT: All right. And so you can just inform -- you can pass that along to them if and when you get new counsel?

1 MS. DUGGAN: Yes, I will do that. 2 THE COURT: All right. And then let 3 Attorney Spiros and Attorney Anderson know and 4 that -- that way we can all be on the same page 5 going forward. 6 MS. DUGGAN: Absolutely. 7 Thank you, your Honor. 8 THE COURT: All right. 9 And, given what you know now, Attorney 10 Spiros, what -- what do you anticipate the length 11 of this hearing going? 12 And my preference will be we go from 9:00 13 to 1:00 and then 2:00 to 4:00 every day. I like 14 to do them on consecutive days. 15 I think that might make it easier for me 16 and probably easier for the witnesses as well, as 17 well as counsel. 18 MS. SPIROS: Your Honor, I see this being 19 three to four days if we are going full days. 20 THE COURT: Yeah. 21 MS. SPIROS: If some of them turn into 22 half days, then, you know, that would extend it. 23 THE COURT: Yeah. Okay. 24 And, Attorney Anderson, what do you 25 think?

1 MR. ANDERSON: Your Honor, I am not 2 exactly sure how this is (indiscernible) will be 3 presented but I think that would probably be the 4 ballpark. 5 I mean, this is the fourth shooting 6 inquest that I've been involved in and they've 7 all kind of been in the three-day range, but this 8 one's a little bit more convoluted and complex. 9 There's more officers involved. There's 10 more witnesses involved. 11 THE COURT: Okay. All right. 12 How many witnesses do you think, Attorney 13 Spiros? 14 MS. SPIROS: So we compiled an initial

MS. SPIROS: So we compiled an initial witness list today, a draft witness list, and we have about 60 people on there.

I don't -- I don't think that that is going to be the number of people we will actually call; but we just wanted to have an -- an outside ballpark figure.

THE COURT: Okay.

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MS. SPIROS: Maybe -- maybe 20 to 25 seems more reasonable.

THE COURT: All right. Okay.

And -- and just so everybody knows, I --

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I know absolutely nothing of this case, because this case, the District Attorney in Middlesex County requested, pursuant to the statute, an inquest, I believe it was back on January 11th, and I was assigned to it on January 12th.

So I know -- I've seen some headlines. I kept myself away from it. So I don't know a lot about -- about this -- this case.

So, with that, I'm going to ask everybody as to whether or not do you think a view would assist the Court?

MS. SPIROS: Your Honor, I -- I do. I can tell you that we've taken extensive video and done extensive mapping of that area.

Our specialized teams came out to do that.

But I was there that night, and I found it extremely helpful --

THE COURT: Okay.

MS. SPIROS: -- to see both where it started and where it ended.

THE COURT: With that, would it be -make sense to do the view before I hear the
testimony?

MS. SPIROS: I think it might be helpful

to hear some of the introductory testimony -
THE COURT: And then maybe break at some
point and take a view?

MS. SPIROS: -- and then --

THE COURT: Okay.

All right. And, with that, I'm sure we've made some -- because I don't anticipate anybody else except the people who are -- who are going to be allowed into the -- the room during the inquest to be at the view, but I do think it would be helpful if we had some police presence there?

MS. SPIROS: Yes.

We can do -- we can do that.

THE COURT: And -- okay. All right.

I guess the last thing before I turn it over to any other issues to discuss is given, Attorney Spiros, where you indicated that it looks like early to mid-April the ME will have the -- their final report compiled, and you should have everything else by that date?

MS. SPIROS: Yes.

THE COURT: Okay. And how does everybody's schedule look like in April and May?

And I just realized when I thought 1 2 mid-April, I'm away from the 24th to the 28th. 3 So... MS. SPIROS: And the week before that is 5 school vacation. THE COURT: Yeah. 6 7 MS. SPIROS: Um, I just -- for the 8 purpose of the record, if you don't mind, your 9 Honor, if I could just say something about the 10 schedule? THE COURT: Sure. 11 Sure. 12 MS. SPIROS: So it's -- it's my office's 13 position that the inquest begin -- begin as soon 14 as possible. 15 THE COURT: Yeah. 16 MS. SPIROS: Obviously there's 17 significant interest in -- in getting this 18 started and moving it along. 19 And we've worked very, very, hard to 20 compile everything in a very quick manner; 21 however, I do understand that the Court -everyone has schedules. 22 23 THE COURT: Yeah. 24 MS. SPIROS: But I -- I just would note, just for purposes of the record, that, you know, 25

we -- we would be ready to begin as soon as the Court wants us to.

THE COURT: Okay. Like I said, I just have to let everybody know, I'm not going to be here on the 24th through the 28th.

MS. SPIROS: Okay.

THE COURT: Okay.

MS. SPIROS: Perhaps we could look at May? Early May?

THE COURT: Yeah.

Again, this is preliminary because I just want you to make sure that I -- I need witnesses -- you know, this is an exercise of futility if your witnesses decide they are not going to show up.

So I just want to get a ballpark.

We're going to have at least one more of these before -- before then -- maybe two.

And I also, Attorney Duggan, the parents or the family, next of kin of Mr. Faisal, you know, they're entitled to be present during the hearing.

So I just want to make sure they -- they are available as well.

And I'm sure they would be, but I just

# LMP Court Reporting - (508) 641-5801

1 want to be cognizant of their schedule, as 2 well. 3 MS. DUGGAN: So, you know, I'd be happy 4 to work around the Court's schedule. 5 Okay. Okay. All right. THE COURT: 6 So why don't we -- why don't we look at 7 that first week in May, all right, and kind 8 of -- which would be the week of the 1st through 9 the 5th. 10 Is --11 MR. ANDERSON: That week is fine with me. 12 If it gets going beyond that, I've got a 13 commitment mid-May. My son's been deployed for 14 the last year --15 THE COURT: Oh, okay. 16 MR. ANDERSON: -- in the Middle East. 17 He's coming back and we've got a family trip 18 planned. 19 THE COURT: Okay. Well, like I said, 20 we'll -- we'll plan on that. We'll try to shoot 21 for that. 22 And I don't know --23 MS. SPIROS: So that would be the week of 24 May 1st? 2.5 THE COURT: May 1st, yes.

### LMP Court Reporting - (508) 641-5801

MS. SPIROS: Your Honor, just two 1 2 points --THE COURT: Sure. 3 MS. SPIROS: -- about other logistics. 4 5 I am aware from speaking with Attorney Duggan multiple times that the family will need a 6 7 translator --8 THE COURT: Okay. 9 MS. SPIROS: -- and an interpreter. And I know there's a particular dialect, 10 but I don't want to misspeak, so I'll let 11 12 Attorney Duggan --13 THE COURT: Okay. MS. SPIROS: -- the exact language is --14 15 they are from Bangladesh. So I know that there are court certified 16 17 interpreters in their language. 18 I just wanted to raise that, because I think that would be very helpful to have someone 19 20 present. 21 THE COURT: Yep. Absolutely. 22 MS. SPIROS: As well as you mentioned the 23 letter requesting the inquest, your Honor. 24 Is it okay with the Court if I share a copy of that letter with both counsel? 25

THE COURT: Oh, sure. Sure.

MS. SPIROS: All right. Thank you.

THE COURT: Okay. And anything -- oh, and the last thing is the location. All right.

Now, it has to be conducted in the jurisdiction where the incident took place or where the body was -- was recovered, according to the statute.

But there could be an issue where we end up over at Third Street in Cambridge, possibly, and -- and I think there's going to be an inquest -- speaking with Clerk-Magistrate Casey, there's an inquest going on in that Medford facility -- the Cambridge/Malden facility -- in March, right? No -- March.

THE COURT: And I haven't been in that facility in a while but it was small when it was just the Cambridge District Court. Now it's the Cambridge/Malden Court.

THE CLERK: Yes.

So, given that, it could end up being held at the Third Street location where the juvenile court is right now in Cambridge, which would be within the jurisdiction of the Cambridge District Court.

1 But I just wanted to make everybody aware 2 of that just because we have -- nothing's been 3 finalized yet, all right. It's -- you know, it's tough to displace 4 5 the regular business of a court, especially if it's going four full days, maybe five full days, 6 7 with all -- you know, so I just want to -- I mean, that would be the preference but we'll have 8 9 to do what we have to do, but it will be in 10 Cambridge, okay. 11 MR. ANDERSON: So, Judge, I'm probably 1.2 dating myself, but is that the court, like the 13 "Spenser for Hire" court? 14 THE COURT: Yes, it is. 15 MR. ANDERSON: Okay. 16 Exactly. Exactly. Yep, the THE COURT: 17 old -- the old courthouse where the Chelsea court took place when there was (indiscernible) --18 19 MR. ANDERSON: Okay. Yep. THE COURT: -- Chelsea District Court, 20 21 yep. 22 MR. ANDERSON: It's been a long time. THE COURT: Yeah. Yeah. It hasn't 23 24 gotten any younger looking, either.

MR. ANDERSON: I've always kind of liked

1 it, but...

THE COURT: It's a nice building. It's a nice building, but...

But that -- I just wanted to make the parties aware of that, all right?

All right. So with that -- and as far as your request for a court order, what you can do if you want to, you can fax me that -- that order for the record for the ambulance.

MS. SPIROS: Okay.

THE COURT: Fax, I just dated myself.

Email me a copy of that order.

And I can -- I can -- as long as -- as there is no strong disagreement from any -- from Attorney Duggan or Attorney Anderson, I will sign that order and I'll -- and I'll get it back to you.

MS. SPIROS: And would you like to work the witness subpoenas in the same way, or should I be going to the clerk for those?

THE COURT: Ah, you need an order; then the subpoena, right?

MS. SPIROS: Right.

THE COURT: So if you send me the order -- so -- so it's just the subpoena for that

# LMP Court Reporting - (508) 641-5801

1 one -- is it the firefighter you said? 2 MS. SPIROS: Yeah. There's -- there's 3 two firefighters that we need (indiscernible) 4 orders for. 5 THE COURT: All right. So if they are 6 the only ones that need the order, then I think 7 we can -- attorney -- Clerk-Magistrate Casey, can 8 we issue that -- those subpoenas from the Court 9 for the date -- once we get the date? 10 THE CLERK: I believe (inaudible). 11 MS. SPIROS: So how -- they would be submitted -- signed -- the order would be signed 12 13 by you. 14 THE COURT: Yeah. And then once we get 1.5 the date for the hearing --16 MS. SPIROS: Yep. 17 THE COURT: -- we'd issue that just so 18 that we -- we could -- actually, it makes sense 19 to have in-hand service from -- is it Cambridge 20 Fire? 21 MS. SPIROS: It is Cambridge Fire, yeah. 22 THE COURT: All right. Would someone 23 from the Cambridge PD make in-hand service for 24 us? 25 MS. SPIROS: We would -- we would

1 probably use one of our State Troopers. 2 THE COURT: Oh, the Trooper, okay, no, 3 that's fine. Okav. 4 And so if you -- what I could do is, if 5 you could just draw up the subpoena pursuant to 6 my order. 7 MS. SPIROS: Uh-hum. 8 THE COURT: And have it served with --9 and then bring the service (inaudible) and file 10 it with the court papers in Cambridge. 11 MS. SPIROS: Okay. 12 THE COURT: Okay. 13 MS. SPIROS: We'll do that. 14 THE COURT: And anything else, Attorney 15 Spiros, from your end? 16 MS. SPIROS: Just two quick things, your 17 Honor. 18 Will this be actually getting a Docket 19 number? 20 THE COURT: It should have an inquest 21 number, like a 23IN... 22 I don't know what the number would be, 23 but you should have that -- should have that for 24 docketing purposes.

MS. SPIROS: Okay. And then I was

wondering if you would be inclined to sign a 1 2 protective order at some point this week. 3 THE COURT: Yeah. 4 So let me ask, Attorney Anderson, 5 Attorney Duggan, any problems with that proposed 6 protective order? 7 No? Attorney --8 MR. ANDERSON: No. 9 Attorney Spiros and I went back and 10 forth. 11 There was something in there that 12 originally said you couldn't copy documents, and 13 then I -- we went back and forth, and I've just 14 been (indiscernible) so that's fine. 15 THE COURT: All right. So that's the 16 last email you sent to her? 1.7 All right. I'll -- I'll sign that today 18 and what I can do is I can send a copy to 19 Cambridge District Court and send email copies to 20 the -- all the attorneys, as well, just so you'd 21 all have a copy, okay. 22 I'll scan it and send it over. 23 MS. SPIROS: Thank you.

number because I didn't know it, so I apologize

And I didn't include the inquest Docket

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1 for that. THE COURT: Yeah. I don't -- I don't 3 know if we have one yet. Do we Clerk-Magistrate Casey? 4 THE CLERK: I am not aware of one, but I 5 will find out for you. 6 7 THE COURT: Okay. Okay. All right. And anything else? 8 I just have a question, MR. ANDERSON: 9 and it may not need to be in this forum, but, ADA 10 Spiros, in terms of the seven police officers --11 there were seven officers that I represented at 12 13 their interviews. Do you intend on calling them live, or is 14 this something you would just play their 15 16 audio/video interview? 17 Have you thought that through? MS. SPIROS: I don't know that I'm quite 18 19 there yet. 20 Certainly, all of the videotaped 21 interviews would go in. Whether or not there would be any need to 22 additionally call them live would be a different 23 question, but I'm certainly happy to discuss that 24

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further with you.

1 MR. ANDERSON: Okay. THE COURT: Is there anything else, 2 3 Attorney Duggan? MS. DUGGAN: I have a basic question. 4 5 THE COURT: Yeah. 6 MS. DUGGAN: I'm in a position where I'm trying to explain a lot of these, you know, legal 7 concepts to a family that is not at all familiar 8 9 with this, let alone the language barrier, and 10 also trying to oftentimes have conversations with 11 outside the family who, let's just say, aren't well-informed or don't -- you know, are spreading 12 13 misinformation. 14 I try to give good information when I 15 can. Am I allowed to say -- I mean, and pardon 16 me for surrounding dumb about this -- but we've 17 had this conversation today. 18 19 This is not -- I can talk about that, 20 right, that we had an initial conversation to map 21 out some ground rules? 22 THE COURT: Yes. 23 This would be the -- this would be the initial conference, inquest conference --24

MS. DUGGAN: Okay.

1 THE COURT: -- prior to taking any 2 evidence. 3 MS. DUGGAN: And then the protective 4 order itself will be impounded, I'm assuming, 5 too? THE COURT: Oh, yeah. 6 Yep. 7 And anything we discuss is impounded, you 8 know. 9 MS. DUGGAN: Yeah. THE COURT: Okay. You know, it's --10 11 MS. DUGGAN: But I can say we talked about this, and we're looking at some dates --12 13 THE COURT: Yeah. MS. DUGGAN: -- sooner than later? 14 THE COURT: Yep. And it's -- it's -- I 1.5 16 don't want to say it's analogous to a grand jury proceeding, but it's analogous to a grand jury 17 18 proceeding. It's secret. 19 And, like I said, the only -- it only 20 becomes public at the end if and -- if something 21 should happen one way. 22 If it doesn't happen the other way, it would take a court order to unseal --23 24 MS. DUGGAN: No, I understand that part 25 of it.

1 It's just trying to offset misinformation 2 about even the procedure. 3 THE COURT: Yeah. MS. DUGGAN: So I just want to be very 4 5 careful; but, I mean, good information is 6 helpful. 7 THE COURT: All right. And whether it's 8 good or bad, any information shared during the 9 hearing --10 MS. DUGGAN: Accurate information. 11 Accurate information. 12 THE COURT: Yeah. 13 Any accurate -- it's still -- and I -- I 14 trust all the lawyers on this call that nothing 15 gets repeated. It's in --16 17 MS. DUGGAN: Right. 18 THE COURT: Whether or not -- because 19 it -- it doesn't help me role. 20 MS. DUGGAN: No, I understand. 21 THE COURT: And, like I said, no matter 22 what I do or decide or not decide, it's -- this 23 is a decision that rests on the District 24 Attorney's Office.

So I'm just the -- the front end, but I'm

not the person who makes any calls. 1 2 MS. DUGGAN: Okay. MR. ANDERSON: Your Honor, can I 3 ask -- can I ask, Attorney Duggan, do you have a 4 copy of the -- like, the rules or the inquest 5 6 procedure rules? 7 Yeah. Yeah. It's these MS. DUGGAN: 8 sorts of things that aren't written out, like what we are talking about. 9 10 You know, I've had to educate myself on 11 inquests. 12 I am in a constant battle to fight the 13 misinformation but not cross any lines. 14 THE COURT: Yeah. Yeah. 15 And, basically, I think the -- you know, 16 just so you know, the purpose is just to 17 determine if a person died -- when, where, and by what means. 18 19 MS. DUGGAN: Right. 20 No, I --21 THE COURT: And all material 22 circumstances. 23 MS. DUGGAN: I can explain that, yeah. 24 THE COURT: Yeah. And that's --25 that's --

1 MS. DUGGAN: Yeah.

THE COURT: That's the purpose of the inquest.

MS. DUGGAN: Yeah.

THE COURT: Okay.

MS. SPIROS: And your Honor, just to be -- to put a very fine point on it, just briefly, the date that this -- that the inquest ultimately gets set for, whether it starts May 1st or somewhere around there, may understanding is that in the past these inquests have appeared on the court daily lists and have been public information in other courts but that people were not permitted to sit into the proceedings.

THE COURT: Oh, yeah. Yeah.

The only people who are going to be allowed in are the attorneys, the next of kin of the -- of Mr. Faisal. That's about it.

And if there's -- if there's -- someone has a family member or one of the -- I guess, Attorney Anderson, your officer has a wife or whatever, you know, I might allow -- if they're not going to testify, I might allow them in, but they'd be under the same orders as everybody else

1 involved.

But I'm cognizant of the fact that this has had some media publicity.

This inquest shouldn't have any media publicity.

And -- because it doesn't help the ultimate determination, which is what I just said, all -- I just have to find all the material circumstances surrounding the death and make a written ruling, make a written finding.

Okay. All right. Anything else?

THE CLERK: So I will confirm the inquest

number. I believe it's going to be 2352IN1.

THE COURT: Okay.

THE CLERK: Just from what I'm finding out what Erica how -- how their's worked.

But I will confirm that for you today, okay?

THE COURT: Okay. Okay.

MS. SPIROS: Thank you.

THE COURT: And why don't we -- Attorney

Spiros, why don't we make you the point person as

far as notifying the clerk's office, as well as

myself and the other attorneys when you do get

those reports in, because if we can get this even

```
1
      earlier, we'll do it -- if we can, we'll do it
2
      earlier, you know.
 3
             I just put that May date because you'd
 4
      indicated mid-April, but if it comes in earlier,
 5
      we can do it in mid-April.
 6
             MS. SPIROS: Understood.
7
             THE COURT: Okay. All right. Anything
      else we have to discuss?
8
             MS. SPIROS: No, thank you.
 9
              THE COURT: All right. And we'll have at
10
      least one more of these before we actually get --
11
12
      get going, okay?
13
             MS. SPIROS: Sounds good.
             MS. DUGGAN:
14
                          Okay.
              MR. ANDERSON: Have a good day.
15
16
              THE COURT: All right. Thank you very
17
      much all for participating.
              MS. SPIROS: Thank you, your Honor.
18
19
              MR. ANDERSON:
                             Thank you.
20
                           Thank you.
              MS. DUGGAN:
21
              THE COURT: Talk to you soon.
22
              MS. SPIROS: Okay. Bye-bye.
23
              THE COURT:
                          Yep.
24
      (Conference concluded 3:33 p.m.)
25
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/	6	ACCURATE [1] - 37 3
	<u> </u>	ACTION [2] - 37 9,
/s [1] - 37 14	<b>60</b> [1] - 15 16	37 10
	<b>641-5801</b> [1] - 37 21	activity [1] - 7 22
0	011 000 / [·] 0. =.	
	7	actual [1] - 7 21
<b>01721</b> [1] - 37 20	/	actually [4] - 15 18,
01801 [1] - 1 14	<b>7/15/2023</b> [1] - 36 10	25 18, 26 18, 35 11
02122 [1] - 1 17	77.10.2020[7] 00.10	<b>ADA</b> [2] - 5 23, 28 10
V2122[1] = 1 17	9	add [1] - 8 20
1	9	adding [1] - 13 5
1	911s [1] - 7 14	additional [1] - 6 21
<b>1</b> [3] - 1 1, 36 13	9:00 [1] - 14 12	additionally [1] -
= =	9.00[1] * 14 12	28 23
1-56 [1] - 1 1	<u>*</u>	
100 [1] - 1 13	Α	ADDRESS [2] - 37 20,
11th [1] - 16 4	- IC41 2 44 4 42	37 23
<b>12th</b> [1] - 16 5	a [61] - 3 14, 4 12,	addressed [2] - 4 22,
<b>15</b> [2] - 1 13, 37 17	5 4, 5 14, 5 18,	8 23
<b>16</b> [2] - 1 21, 37 4	6 13, 8 12, 8 24,	ADMINISTRATIVE [1]
1.00 [1] - 14 13	8 25, 9 2, 10 2,	- 37 6
1	10 5, 10 24, 12 9,	after [1] - 7 22
1st [4] - 20 8, 20 24,	12 10, 12 18,	afternoon [1] - 3 6
20 25, 33 10	13 14, 15 8, 15 15,	
	16 <sup>-</sup> 7, 16 10, 17 3,	again [3] - 3 7, 12 22,
2	18 20, 19 16,	19 11
	20 12, 20 17, 21 6,	agenda [1] - 3 16
<b>2/16/2023</b> [1] - 36 13	·	agreed [1] - 12 13
<b>20</b> [1] - 15 22	21 10, 21 24,	ah [1] - 24 21
<b>201</b> [1] - 1 16	22 18, 23 5, 23 22,	all [58] - 3 5, 3 10,
<b>2023</b> [3] - 1 21, 37 4,	24 2, 24 7, 24 12,	3 20, 5 10, 6 8,
37 17	26 18, 26 21, 27 1,	6 17, 6 24, 7 13,
2352IN000001 [2] -	27 18, 27 21, 28 9,	8 15, 8 17, 8 23,
1 6, 36 12	28 23, 29 4, 29 6,	
1	29 7, 29 8, 30 16,	9:1, 9 12, 9 19,
2352IN1 [1] - 34 13	30 17, 30 23,	9 23, 10 9, 11 7,
<b>23IN.</b> . [1] - 26 21	31 23, 32 4, 32 12,	12 5, 12 8, 12 10,
<b>24th</b> [2] - 18 2, 19 5	32 17, 33 7, 33 21,	12 23, 13 23, 14 2,
<b>25</b> [1] - 15 22	· · · · · · · · · · · · · · · · · · ·	14 4, 14 8, 15 7,
28th [2] - 18 2, 19.5	33 22, 34 9, 34 10,	15 11, 15 24, 17 6,
<b>2:00</b> [1] - 14 13	35 15	17 15, 20 5, 20 7,
* *	<b>A</b> [2] - 37 1, 37 2	22 2, 22 4, 23 3,
3	ability [1] - 36 <sup>,</sup> 20	23 7, 24 5, 24 6,
J	<b>able</b> [2] - 6 7, 8 1	25 5, 25 22, 27 15,
<b>347</b> [1] - 37 19	about [18] - 5 4, 5 7,	27 17, 27 20,
3:04:36 [1] - 3 3	5 17, 7 18, 8 24,	27 17, 27 20, 27 21, 28 8, 28 20,
3·33 [1] - 35 24	8 25, 9 1, 15 16,	
0 00 [1] - 00 24	16 8, 18 9, 21 4,	29 8, 31 7, 31 14,
		32 21, 34 8, 34 11,
4	29 17, 29 19,	35 7, 35 10, 35 16,
4141 4 24	30 12, 31 2, 32 9,	35 17, 36 16
4[1] - 1 21	33 19	allow [2] - 33 23,
<b>4:00</b> [1] - 14 13	absolutely [8] - 9·18,	33 24
	11 14, 11 15,	allowed [3] - 17 9,
5	11 18, 12 17, 14 <sup>-</sup> 6,	29 16, 33 18
	16 1, 21 21	<b>B</b>
<b>50</b> [1] - 1 16	acceptable [1] - 6 14	alone [1] - 29 9
<b>508</b> [1] - 37 21	according [1] - 22 7	along [3] - 12 9,
5th [1] - 20 9		13 24, 18·18
	accurate [3] - 31 10,	already [4] - 4 21, 7 3,
	31 11, 31 13	7 25, 9·4
		<b> </b>
		1

also [5] - 7 5, 7 7,	31 13, 31·21,	19 14, 19 24,
9 15, 19 19, 29 10	32 15, 32 17,	21 15, 21 16, 25 5,
always [1] - 23 25	32 21, 32 24, 33 6,	29 12, 32 9, 33 17,
<b>AM</b> [2] - 37 8, 37 9	33 12, 33 20, 34 6,	33 18
<b>am</b> [7] - 7 10, 9 25,	34 9, 34 21, 34 24,	area [2] - 7 23, 16 14
15 1, 21 5, 28 5,	35 10, 36 7, 36 8	aren't [2] - 29 11, 32 8
29 16, 32 12	AND [2] - 37 3, 37 9	ARIF [3] - 1 <sup>-</sup> 6, 36 11,
ambulance [2] - 8 1,	and/or [1] - 5 25	37 4
24 9	Anderson [12] - 1 15,	Arif [1] - 4 15
AN [1] - 37 2	1 16, 3 6, 3 24,	around [2] - 20 4,
an [20] - 4 6, 5 14,	8 19, 9 20, 12 20, 14 3, 14 24, 24 15,	33 10
6 12, 8 3, 8 5, 8 10,	27 4, 33 22	as [36] - 3 16, 4 1, 4 3, 4 6, 4 11, 4 12,
9 5, 13 8, 15 14,	ANDERSON [17] -	8 24, 9 9, 9 14,
15 19, 16 3, 19 13, 21 9, 22 9, 22 12,	3 8, 8 21, 9 22,	13 4, 14 16, 14 17,
22 13, 24 21,	15 1, 20 11, 20 16,	16 10, 18 13,
26 20, 29 20	23 11, 23 15,	18 14, 19 1, 19 24,
analogous [2] -	23 19, 23 22,	20 1, 21 22, 24 6,
30 16, 30 17	23 25, 27 8, 28 9,	24 13, 27 20,
and [132] - 3 14, 3 15,	29 1, 32 3, 35 15,	33 25, 34 22, 34 23
3 16, 3 21, 4 2, 4 5,	35 19	Ashland [1] - 37 20
4 9, 4.16, 4 19,	Anderson's [1] - 3 21	ask [4] - 16 9, 27 <sup>-</sup> 4,
4 25, 5 1, 5 20,	another [1] - 12 2	32 4
5 23, 6 4, 6 9, 6 12,	antıcipate [2] - 14 10,	ASSESSMENT [1] -
6 21, 7 9, 7 17,	17 7	36 4
7 19, 7 22, 8 5, 8 7,	any [22] - 4 13, 5 1,	assessment [1] - 36 7
8 10, 8 19, 9 10,	5 5, 5 11, 5 12,	<b>assigned</b> [1] - 16 5
9 12, 9 20, 10 1,	5 15, 5 25, 9 21,	assist [2] - 12 24,
10 7, 10 9, 11 21,	13 5, 17 17, 23 24,	16 11
12 9, 12 19, 12 20,	24 14, 27 5, 28 22,	Assistant [2] - 1 12,
13 21, 13 23,	30 1, 31 8, 31 13,	1 13
13 25, 14 2, 14 3,	32 1, 32 13, 34 4	assistants [1] - 11 25
14 9, 14 12, 14 13,	ANY [1] - 37 9	assisting [1] - 6 1
14 16, 14 24, 15 6,	anybody [1] - 17 8	assuming [1] - 30 4
15 8, 15 15, 15 25,	anything [9] - 8 20,	at [26] - 5 24, 6 22
16 5, 16 13, 16 17,	10 16, 22 3, 26 14,	8 3, 8.6, 8 11, 8 16,
16 21, 17 2, 17 3, 17 4, 17 6, 17 15,	28 8, 29 2, 30 7, 34 11, 35 7	8 21, 12 18, 12 23,
17 20, 17 23,	apologize [1] - 27 25	13 11, 13 20, 17 2,
17 24, 18 1, 18 4,	appear [1] - 5 16	17 10, 19·8, 19 17,
18 18, 18 19,	APPEARANCES[1] -	20 6, 22 10, 22 22, 27 2, 28 12, 29 8,
19 19, 19 25, 20 7,	1 10	30 12, 30 20,
20 17, 20 22, 21:9,	appeared [1] - 33 12	35 10, 36 7, 36 18
21 10, 22 3, 22 4,	Applicant [1] - 1 11	Attorney [40] - 1·12,
22 11, 22 17, 24 6,	apply [1] - 36 16	1.13, 3 6, 3 13,
24 13, 24 16,	APPROVED [2] -	3 21, 3 24, 3 25,
24 18, 25:14, 26 4,	37 2, 37 14	4 2, 4 5, 4 21, 8 18,
26 8, 26 9, 26 14,	April [6] - 7 11, 17 19,	8 19, 9 20, 9 <sup>.</sup> 24,
26 25, 27 9, 27 12,	17 24, 18 <sup>-</sup> 2, 35 4,	11 21, 12 20, 14 <sup>.</sup> 3,
27 13, 27 18,	35 5	14 9, 14 24, 15 12,
27 19, 27 22,	<b>are</b> [25] - 5 24, 7 9,	16 2, 17 18, 19 19,
27 24, 28 8, 28 10,	7 15, 7 17, 8 8,	21 5, 21 12, 24·15,
29 9, 29 16, 30 3,	8 13, 9 <sup>,</sup> 2, 9 <sup>,</sup> 13,	26 14, 27 4, 27 5,
30 7, 30 12, 30·15,	9 16, 12 11, 12 13,	27 9, 29 3, 32 4,
30 19, 30.20, 31 7,	12 21, 14 19, 17 8,	33 22, 34.21
Ī	E.	

	attorney [3] - 13 1,	26 22, 27 1, 28 10, 28 22, 28 23, 29 23, 30 4, 31 4, 33 7, 33 17, 33 25, 34 13 because [13] - 3 12, 10 3, 10 8, 16 1, 17 7, 19 11, 21 18, 23 2, 27 25, 31 18, 34 6, 34 25, 35 3 becomes [1] - 30 20 been [15] - 3 22, 3 25, 4 2, 4 6, 4 14, 6 7, 13 9, 15 6, 15 7, 20 13, 22 17, 23 2, 23 22, 27 14, 33 13	26 23, 28 5, 28 10, 28 24, 29 17, 30 11, 30 17, 31 5, 31 25, 32 13, 33 13, 33 24, 34 2, 34 17, 35 4 but [2] - 24 1, 24 3 BY [2] - 37 8, 37 15 By [4] - 1 12, 1 13, 1 16, 1 19 by [9] - 4 9, 4 20, 6 9, 7 6, 10 24, 11 8, 17 21, 25 13, 32 17 bye [2] - 35 22 bye-bye [1] - 35 22
	away [3] - 16 7, 18 2, 36 19	<b>before</b> [7] - 7 22, 16 23, 17 16, 18 4,	С
Market Company of the	B back [6] - 16 4, 20 17,     24 16, 27 9, 27 13,     36 7 background [1] -     36 17 backyard [2] - 6 22,     6 23 bad [1] - 31 8 ballistics [1] - 7.2 ballpark [3] - 15 4,     15 20, 19 16 Bangladesh [1] -     21 15 barrier [1] - 29 9 basic [1] - 29.4 basically [1] - 32 15 battle [1] - 32 12 be [63] - 4 10, 5 2,     5 6, 5 12, 6 1, 6 13,     8 3, 8 9, 8 10, 8 15,     9 16, 10 8, 10 23,     11 20, 12 1, 12 10,     12 11, 13 2, 13 10,     13 20, 13 21, 14 4,     14 12, 15 2, 15 3,     15 18, 16:22,     16 25, 17 9, 17 10,     17 11, 19 -1, 19 4,     19 21, 19 25, 20 1,     20 3, 20 8, 20 23,     21 19, 22 5, 22 -9,     22 11, 22 24, 23 8,     23 9, 24 20, 25 11,     25 12, 26:18,	19 18, 35 11  BEFORE [1] - 1 9  began [1] - 7 19  begin [3] - 18 13, 19 1  being [2] - 14 18,	C [3] - 3 1, 37 1 calendars [1] - 5 10 call [4] - 10 1, 15 19,

Casey [4] - 10 7,	complex [1] - 15 8	15 11, 15 21,
22 13, 25 7, 28 4 CD [2] - 36 8, 36 15	COMPLIANCE [1] - 37 6	15 24, 16 19, 16 22, 17 2, 17 5,
certainly [3] - 12 15,	COMPUTER [1] -	17 15, 17 23, 18 6,
28 20, 28 24	37 15	18 11, 18 15,
certificate [1] - 36 8	concepts [1] - 29 8	18 23, 19 3, 19 7,
certified [1] - 21 16	<b>concluded</b> [1] - 35 24	19 10, 20 5, 20 15,
Certified [2] - 1·22,	<b>conducted</b> [1] - 22 5	20 19, 20 25, 21.3,
1 23	conference [4] - 4 17,	21 8, 21 13, 21·21,
CERTIFY [3] - 37 2, 37 5, 37 8	29 24, 35 24	22 1, 22 3, 22 17, 23 14, 23 16,
chance [1] - 12 18	CONFERENCE [1] - 1 9	23 20, 23 23, 24 2,
channel [1] - 36 20	confirm [2] - 34 12,	24 11, 24 21,
checked [1] - 7 8	34 17	24 24, 25 5, 25 14,
Chelsea [2] - 23 17,	consecutive [1] -	25 17, 25 22, 26 2,
23 20	14 14	26 8, 26 12, 26 14,
cırcle [2] - 36 15,	constant [1] - 32 12	26 20, 27 3, 27 15, 28 2, 28 7, 29 2,
36 16	conversation [2] -	29 5, 29 22, 30 1,
circumstances [2] - 32 22, 34 9	29 18, 29 20 conversations [1] -	30 6, 30 10, 30 13,
civilian [1] - 6 21	29 10	30 15, 31 3, 31 7,
Clerk [4] - 10 7,	convoluted [1] - 15 8	31 12, 31.18,
22 12, 25 7, 28.4	copies [2] - 6 15,	31 21, 32 14,
clerk [1] - 24 20	27 19	32 21, 32 24, 33 2, 33 5, 33 16, 34 14,
CLERK [12] - 10 14,	copy [8] - 10 <sup>-</sup> 3, 21 25,	34 19, 34·21, 35 7,
10 21, 11.4, 11.7,	24 12, 27 12,	35 10, 35.16,
11 15, 11 18, 11 20, 22 16,	27 18, 27 21, 32 5, 36 8	35 21, 35 23, 36 3,
25 10, 28 5, 34 12,	correspondence [1] -	37 2, 37 6, 37 14
34.15	3 12	Court [23] - 1 22, 3 2,
clerk's [1] - 34 23	could [9] - 11 24,	4 11, 4 14, 6 1, 6 14, 6 24, 7 7, 8 4,
Clerk-Magistrate [4] -	12 15, 18 9, 19 8,	8 11, 9 9, 11 13,
10 7, 22 12, 25 7,	22 9, 22 21, 25 18,	16 11, 18 21, 19 2,
28 4 COFFEY [1] - 1 9	26 4, 26 5 couldn't [1] - 27 12	21 24, 22 19,
Coffey [1] - 3 9	counsel [3] - 13 25,	22 20, 22 25,
cognizant [2] - 20 1,	14 17, 21 25	23 20, 25 <sup>-</sup> 8, 27 19,
34 2	COUNSEL [1] - 37 8	37 19
comes [1] - 35 4	County [1] - 16 3	Court's [1] - 20 4 courthouse [1] -
coming [1] - 20 17	course [1] - 7 9	23 17
COMMENTS [1] -	court [11] - 21 16,	Courtroom [1] - 1 21
36 23 commitment [1] -	22 23, 23 5, 23 12, 23 13, 23 17, 24 7,	courts [1] - 33 13
20 13	26 10, 30 23,	criminalistics [1] -
COMMONWEALTH	33 12, 36 7	7 2 <b>cross</b> [1] - 32 13
եզ <sup>4</sup> ա] – <sup>4</sup> , 3	COURT [107] - 1 4,	Closs [1] - 32 13
Commonwealth [3] -	1.4, 3.5, 3.10, 3.20,	D
1·13, 6 5, 36 3 compile [3] - 6 11,	8 14, 8 17, 8 22, 9 6, 9·12, 9·19,	
9 2, 18 20	9 23, 10 5, 10 17,	<b>D</b> [2] - 2 1, 3 1 <b>daily</b> [1] - 33 12
compiled [4] - 7 13,	11 19, 11 21, 12 5,	DATE [3] - 36 10,
9 4, 15 14, 17 20	12 8, 12 16, 12 19,	36 13, 37.17
compiling [1] - 10 9	13 12, 13·16,	date [8] - 6.9, 8 8,
Complete [1] - 36 7	13 19, 13 23, 14 2, 14 8, 14 20, 14 23,	17 21, 25 <sup>.</sup> 9, 25 15,
	17 0, 17 20, 17 20,	
1		
•		

33 8, 35 3	15 12, 16 10,	E
dated [1] - 24·11	16 12, 16 15,	E [5] 24 24 274
dates [1] - 30 12	16 23, 17 10, 17 14, 18 21, 23 9,	E [5] - 2 1, 3 1, 37 1 each [1] - 36 7
dating [1] - 23 12 day [4] - 8 9, 14 13,	24 7, 26 4, 26 13,	earlier [5] - 4:23, 13 9,
15 7, 35 15	27 18, 28 4, 28 14,	35 1, 35 2, 35 4
days [6] - 14 14,	31 22, 32 4, 34 24,	early [3] - 7 10, 17 19,
14 19, 14 22, 23 6	35 1, 35 5	19 9
death [2] - 4 15, 34 9	DO [1] - 37 2 docket [1] - 1 18	easier [3] - 10 3, 14 15, 14 16
<b>DEATH</b> [3] - 1 6, 36 11, 37 4	DOCKET [1] - 36 12	East [1] - 20 16
decide [3] - 19 14,	Docket [2] - 26 18,	Echo [1] - 10 20
31 22	27 24	educate [1] - 32 10
decision [2] - 13 3,	docketing [1] - 26 24	efforts [1] - 13 18
31 23	document [1] - 11 10 documents [2] - 5.6,	either [1] - 23 24 Eliot [1] - 37 19
deem [1] - 6 1 deems [1] - 4 14	27 12	else [9] - 13 21, 17 8,
deliver [2] - 11 12,	does [2] - 12 12,	17 21, 26 14, 28 8,
11 25	17 23	29 2, 33 25, 34 11,
DEPARTMENT [1] -	doesn't [4] - 13 4,	35 8
14	30 22, 31 19, 34 6	<b>EMAIL</b> [1] - 37 23 <b>email</b> [7] - 3 12,
deployed [1] - 20 13	doing [1] - 4 5 don't [20] - 5 22, 5 23,	10 24, 11 9, 13 9,
determination [1] - 34 7	11 22, 15 17, 16 7,	24 12, 27 16, 27 19
determine [1] - 32 17	17 7, 18 8, 20 6,	EMPLOYED [1] - 37 8
determines [1] -	20 22, 21 11,	end [6] - 7 6, 22 10,
12 25	26 22, 28 2, 28 18,	22 21, 26 15,
dialect [1] - 21 10	29 12, 30 16, 34 21, 34 22	30 20, 31 25 ended [2] - 7 20,
dıd [1] - 8 5 dıdn't [2] - 27 24,	done [2] - 6 11, 16 14	16 21
27 25	draft [1] - 15 15	ENTIRE [1] - 1 8
died [1] - 32 17	draw [1] - 26 5	entitled [1] - 19 21
different [1] - 28 23	drive [1] - 9 3	Erica [1] - 34 16
DIRECTIVE [1] - 37 6	due [1] - 7 5 Duggan [12] - 1 19,	especially [1] - 23 5 Esquire [2] - 1 16,
disagreement [1] - 24 14	4 5, 8 20, 9 20,	1 19
discovery [2] - 6 12,	12 20, 19 19, 21 6,	essentially [1] - 9 5
95	21 12, 24 15, 27 5,	<b>Evans</b> [2] - 1 13, 4 2
discuss [9] - 3 16,	29 3, 32 4	even [2] - 31 2, 34 25
4 20, 5 9, 5 20,	<b>DUGGAN</b> [27] - 13 <sup>-</sup> 7, 13 13, 13 17,	every [2] - 14 13, 36 7 everybody [7] - 4 4,
12 15, 17 17, 28 24, 30 7, 35 8	13 20, 14 1, 14 6,	4-11, 15 25, 16 9,
discussion [1] - 3 4	20 3, 29 4, 29 6,	19 4, 23 1, 33 25
displace [1] - 23 <sup>-</sup> 4	29 25, 30 3, 30 9,	everybody's [1] -
DISTRICT [1] - 1 4	30 11, 30 14, 30 24, 31 4, 31 10,	17 24
District [10] - 1 12,	31 17, 31 20, 32 2,	<b>everyone</b> [2] - 6 16, 18 22
1 12, 1 13, 3 13, 16 2, 22 19, 22 25,	32.7, 32 19, 32 23,	everything [5] - 4 <sup>.</sup> 9,
23 20, 27 19, 31 23	33 1, 33 4, 35 14,	6 12, 12 18, 17 21,
do [36] - 3 15, 4 9,	35,20	18 20
5-15, 9 12, 9 21,	dumb [1] - 29 17 during [3] - 17 9,	evidence [1] - 30 2
10 12, 10 23, 12 2,	19 21, 31 8	exact [1] - 21 14 exactly [3] - 15 2,
13 6, 14 1, 14 10, 14 14, 14 24,		23 16
,,		
1		
l		
l e	I	T .

EXAMINATION [1] -	34 15	further [1] - 28 25
22	fine [4] - 20 11, 26 3,	futility [1] - 19 14
examiner's [2] - 7 9,	27 14, 33 7	
7 11	Fire [2] - 25 20, 25 21	G
EXCELLENT [1] - 36 15	firefighter [1] - 25 1	<b>G</b> [1]-31
except [1] - 17 8	firefighters [2] - 8 8, 25 3	gather [1] - 6 7
exercise [1] - 19 13	fırst [2] - 4 17, 20 7	gathering [1] - 4 25
exhibit [1] - 13 5	five [2] - 7 18, 23 6	get [14] - 8 1, 8 4,
exhibits [2] - 5 6,	flesh [1] - 4 17	9 13, 12 3, 13 14,
12 13	focus [1] - 5 12	13 25, 19 16,
Exhibits [1] - 1 2	For [4] - 1 11, 1 15,	24 16, 25 9, 25 14, 34 24, 34 25,
EXHIBITS [1] - 2 6	1 18, 36 7	35 11, 35 12
explain [2] - 29 7,	for [32] - 4 8, 5 15,	gets [3] - 20 12,
32 23 extend [1] - 14 22	6 4, 6 15, 7 10, 7 11, 10 <sup>-</sup> 3, 10 9,	31 15, 33.9
extensive [2] - 16 13,	14 15, 14 16, 18 7,	getting [2] - 18 17,
16 14	18 25, 20 13,	26 18
extremely [1] - 16 18	20 21, 23 13, 24 7,	give [2] - 11 24, 29 14
	24 9, 24 20, 24 25,	given [3] - 14 9,
F	25 4, 25 9, 25 15,	17 17, 22 21
F[2] - 19, 37 1	25 23, 26 23, 28 1,	<b>go</b> [7] - 3 14, 3 16, 4 19, 6 10, 9 8,
facility [3] - 22 14,	28 6, 29 17, 33 9,	14 12, 28·21
22 15, 22 18	34 17, 35 17, 36 7	going [23] - 4 10, 9 2,
fact [2] - 3 23, 34 2	FOR [2] - 2 10, 37.8 FOREGOING [2] -	10 8, 12 10, 12 11,
FAIR [1] - 36 15	37 2, 37 6	14 5, 14 11, 14 19,
FAISAL [3] - 1 6,	forensics [2] - 5 1,	15 18, 16 9, 17 9,
36 11, 37 4	5 25	19 4, 19 15, 19 17,
Faisal [4] - 4 15, 5 13,	FORM [1] - 36 4	20 12, 22 11,
19 20, 33 19	form [1] - 36 7	22 13, 23 6, 24.20, 33 17, 33 24,
famıliar [1] - 29 8 famıly [8] - 12 21,	FORMAT [1] - 37 7	33 17, 33 24, 34 13, 35 12
13 11, 19.20,	forth [2] - 27 10,	Goldman [1] - 1 15
20 17, 21.6, 29 8,	27 13 forum [1] - 28 10	good [12] - 3 6, 3 8,
29 11, 33 21	forward [1] - 14 5	3.18, 6 6, 8 13,
far [2] - 24 6, 34 23	found [1] - 16 17	10 6, 11 7, 29 14,
fax [2] - 24 8, 24 11	four [2] - 14 19, 23 6	31.5, 31.8, 35.13,
FEBRUARY [1] - 37 4	fourth [1] - 15·5	35 15
February [2] - 1 21,	from [21] - 7 1, 7 11,	GOOD [1] - 36 15 got [2] - 20 12, 20 17
7 6 feel [1] - 13 2	7 18, 7 19, 7 24,	gotten [1] - 23 24
few [1] - 3.14	8 4, 8 10, 11 23,	grand [2] - 30 16,
fight [1] - 32 12	13 5, 14 12, 16 7,	30 17
figure [1] - 15 20	18 2, 21 5, 21 15, 24 14, 25 8, 25 19,	ground [1] - 29 21
file [1] - 26 9	25 23, 26·15, 34 15	guess [3] - 9 24,
final [3] - 9 14, 13 3,	FROM [2] - 37 3,	17 16, 33 21
17 20	37 15	TT
finalized [1] - 23 3	front [1] - 31 25	H
finally [1] - 5 20	FTR [1] - 37 15	H [1] - 1:16
FINANCIALLY [1] - 37 9	full [3] - 14 19, 23 6	had [8] - 3 12, 12 18,
find [4] - 4 24, 12 6,	function [1] - 6·2 FURTHER [3] - 37 5,	13 8, 17 11, 29 18,
28 6, 34 8	37 8, 37 9	29 20, 32 10, 34 3
finding [2] - 34 10,	0, 0, 0, 0	half [1] - 14 22
1		

hand [4] 11 10	100 211 2122	30 24, 31-4, 31 5,
hand [4] - 11 12,	18 9, 21 1, 21 23,	
25 19, 25 23	26 17, 32 3, 33 6,	31 13, 31:20,
happen [2] - 30 21,	35 18	31 21, 31·22, 32 3,
30 22	HONORABLE [1] -	32 4, 32 12, 32 15,
happy [3] - 9 11, 20 3,	19	32 20, 32 23,
28 24	how [8] - 10 7, 10 11,	33 21, 33 23,
hard [3] - 6 15, 10 2,	15 2, 15 12, 17 23,	33 24, 34 7, 34 8,
18·19	25 11, 34 16	34 12, 34 13,
has [5] - 18 22, 22 5,	however [1] - 18 21	34 17, 35 3, 37 1,
33 21, 33 22, 34 3	hum [1] - 26 7	37 2, 37 5, 37 8,
hasn't [1] - 23 23		37 8, 37 9
1	Τ	l'd [1] - 20 3
have [52] - 3 11, 4 2,	I	
4.5, 4.14, 4.21, 6.8,	154701 0.4 0.4 0.40	I'II [10] - 3 15, 4 19,
6 17, 6 18, 6 24,	1 [176] - 2 1, 3 1, 3 10,	10 22, 21 11,
7 2, 7 13, 7 24, 8 6,	3 12, 3 14, 3 21,	24 16, 27 17, 27 22
8 7, 8 11, 9 1, 9 21,	3 23, 4 8, 4·16,	l'm [22] - 9 11, 10 21,
9 25, 10 6, 11 8,	4 24, 5 4, 5 7, 5 9,	11 8, 11 22, 12 22,
	5 10, 5 14, 5 17,	12 25, 13 13, 16 9,
11 23, 12 12, 13 9,	5 22, 6 5, 6 6, 6 15,	
15 16, 15 19,		17 6, 18 2, 19 4,
17 19, 17 21, 19 4,	6 24, 7 2, 7 4, 7 7,	19 25, 23 11,
19 17, 21 19, 23 2,	7 10, 7 17, 8 1, 8 3,	28 18, 28 24, 29 6,
23 8, 23 9, 25 19,	8 5, 8 10, 8 23,	30 4, 31 25, 34·2,
26 8, 26 20, 26 23,	8 25, 9:24, 9.25,	34 15
	10 1, 10 5, 10 15,	<b>I've</b> [8] - 3 12, 6 11,
27 21, 28 3, 28 9,	10 18, 11 4, 11 11,	
28 17, 29 4, 29 10,	11 19, 11 22,	15 6, 16 6, 20 12,
32 4, 33 12, 34 4,		23 25, 27 13, 32 10
34 8, 35 8, 35 10,	12 14, 13 2, 13 7,	ICAT [1] - 7 13
35 15	13 8, 13 10, 13 20,	IDENTIFICATION [1] -
haven't [1] - 22 17	14 1, 14 13, 14 15,	2 10
having [1] - 11.9	14 18, 15 1, 15 3,	IDs [1] - 36 23
1	15 5, 15 17, 15 25,	I
he's [1] - 20 17	16 1, 16 4, 16 5,	ıf [34] - 6 13, 6 15,
headlines [1] - 16 6	16 6, 16 7, 16 12,	10 2, 11 2, 11 11,
hear [5] - 10 18, 11 2,	1	12 21, 13 24,
11 5, 16 23, 17 1	16 17, 16 23,	14 19, 14 21,
hearing [6] - 5 8,	16 25, 17 7, 17 10,	17 11, 18 8, 18 9,
5 21, 14 11, 19 22,	17 16, 18 1, 18.7,	19 14, 20 12,
	18 9, 18 21, 18 <sup>.</sup> 24,	21 24, 23.5, 24 8,
25 15, 31.9	19 3, 19 11, 19 <sup>-</sup> 12,	•
<b>HEARING</b> [1] - 37 9	19 16, 19.19,	24 24, 25 5, 26 4,
held [1] - 22 22	19 23, 19 <sup>-</sup> 25,	27 1, 28 3, 30 20,
HELD [1] - 37 4		30 22, 32 17,
help [2] - 31 19, 34 6	20 19, 20 22, 21 5,	33 20, 33 23,
	21 10, 21 11,	34 25, 35 1, 35.4
helpful [7] - 6 1, 13 2,	21 16, 21 18,	ımposition [1] - 5 14
16 18, 16 25,	21 24, 22 11,	
17 11, 21.19, 31 6	22 17, 23 1, 23 7,	IMPOUNDED [1] - 1 8
helping [1] - 13 18	24 4, 24 11, 24:13,	impounded [3] - 4.10,
her [1] - 27 16	24 15, 24 20, 25 6,	30 4, 30 7
here [3] - 4 9, 12 22,		<b>iN</b> [6] - 1 6, 36 11,
1	25 10, 26.4, 26 22,	37 3, 37 6, 37 9,
19 5	26 25, 27 9, 27 13,	37 10
HEREBY [1] - 37 2	27 18, 27 24,	in [60] - 3 22, 3 23,
Hire [1] - 23 13	27 25, 28 2, 28 5,	
hold [1] - 10 25	28 9, 28 12, 28 18,	4 1, 4 6, 4 14, 4 22,
home [1] - 6 22	29 4, 29 14, 29 16,	5 2, 6 1, 6 6, 6 23,
Honor [15] - 6 3, 6 11,		7 8, 7 23, 8 <sup>-</sup> 13,
S .	29 19, 30 11,	9 10, 11 12, 11 22,
12 4, 13 7, 14 7,	30 15, 30 19,	12 6, 13 3, 13 8,
14 18, 15 1, 16 12,		12 0, 10 0, 10 0,
	1	
1		
i .	1	1

13 13, 15 6, 15 7,	inquests [3] - 3 22,	ıt [70] - 3 16, 6 13,
16 <sup>.</sup> 2, 17 24, 18 17, 18 20, 20 7, 20 16,	32 11, 33 11 inquire [1] - 5 4	7 20, 8 15, 9 2, 9 10, 10 10, 10 11,
21 17, 22 5, 22 10,	instead [1] - 34	10 23, 10 24, 11 8,
22 13, 22 15,	intend [1] - 28 14	11 12, 11 24,
22 17, 22 18,	interest [1] - 18 17	11 25, 12 2, 12 3,
22 23, 23 9, 24 19,	INTERESTED [1] -	12 12, 13 1, 13.2,
25 19, 25 23,	37 10	14 15, 14 22, 16 4,
26 10, 27 11,	interested [1] - 5 11	16 5, 16 7, 16 18,
28 10, 28 11,	interpreter [1] - 21 9	16 20, 16 21,
28·21, 29 6, 31·16,	interpreters [1] -	16 22, 16 25,
32 12, 33 11,	21 17	17 10, 17 16,
33 13, 33 18, 33 24, 34 25, 35 4,	interview [1] - 28 16	17 18, 18 18, 20 12, 21 24, 22 5,
35 5	interviewed [2] - 8 8,	22,18, 22 21, 23 9,
in-hand [2] - 25 19,	8 10 interverse [4] = 6 19	23 14, 23 23, 24 1,
25 23	interviews [4] - 6 19, 7 15, 28 13, 28 21	24 16, 25 1, 25 18,
inaudible [1] - 26 9	INTO [3] - 1 6, 36 11,	25 19, 25 21, 26 8,
ınaudıble) [2] - 13 22,	37 3	26 10, 26 20,
25 10	into [6] - 6 12, 7 16,	27 22, 27 25,
incident [3] - 5 18,	9 2, 14 21, 17 9,	28 10, 30 19,
7 19, 22 6	33 14	30 22, 30 25,
inclined [1] - 27 1	introduced [2] -	31 19, 33 7, 33 9, 33 19, 34 6, 35 1,
include [5] - 5 5,	12 10, 12 11	35 4, 35 5, 36 <sup>,</sup> 7
12 22, 27 24, 36 7, 36 16	introductory [1] -	it's [30] - 9 4, 10 2,
including [1] - 5 11	17.1	10 3, 11 11, 11 16,
incorporated [1] -	involved [11] - 3 22,	13 2, 18 12, 22 19,
7 16	3 23, 4 1, 4 3, 4 6, 4 14, 6 20, 15 6,	23 4, 23 6, 23 22,
index [1] - 36 8	15 9, 15 10, 34 1	24 2, 24 25, 30 10,
Index [1] - 1:2	<b>IS</b> [2] - 37 2, 37 6	30 15, 30 16,
indicated [2] - 17 18,	is [53] - 3 15, 4 5,	30 17, 30·18, 31 1,
35 4	4 10, 6 6, 6 11, 7 1,	31 7, 31 13, 31 16, 31 22, 32 7, 34 13
indiscernible [4] -	7 5, 8 15, 9 9, 9 10,	itemized [1] - 9 5
15 2, 23 18, 25 3,	9 15, 9 16, 9 25,	its [1] - 6 2
27 14 inform [1] - 13 24	10 6, 10 9, 10 12,	ıtself [2] - 7 22, 30 4
information [8] -	10 25, 11 1, 11 23,	
1 18, 6 7, 29 14,	12 9, 13 17, 15 2, 15 5, 15 17, 17 17,	J
31 5, 31 8, 31 10,	18 4, 19 11, 19 13,	Innuary [9] 16.4
31 11, 33 13	20 10, 20 11,	<b>Јапиагу</b> [2] - 16 4, 16 5
Informed [1] - 29 12	21 14, 21 24, 22 4,	JOHN [1] - 1 9
initial [7] - 1 9, 3 11,	22 23, 23 12,	Judge [2] - 3 8, 23 11
4 16, 6 12, 15 14,	23 14, 24 14, 25 1,	July [1] - 37 17
29 20, 29 24	25 19, 25 21, 26 4,	jurisdiction [2] - 22 6,
inquest [19] - 4 6, 5 12, 8 11, 13 11,	27 18, 28·14, 29 2,	22 24
15 6, 16 4, 17 10,	29 8, 29 19, 30 7, 31 5, 31 23, 32 16,	jury [2] - 30·16, 30 17
18 13, 21 23,	33 11, 34 7	just [53] - 3 10, 3 11,
22 12, 22 13,	isolate [1] - 36 20	3 14, 4 4, 4 8, 4 16,
26 20, 27 24,	issue [4] - 9 24, 22 9,	4 24, 10 3, 11·16,
29 24, 32 5, 33 3,	25 8, 25 17	12 19, 13 7, 13 24, 15 19, 15 25, 18 1,
33 8, 34 4, 34 12	<b>issues</b> [3] - 4 18,	18 7, 18 9, 18 24,
INQUEST [4] - 1 6,	9 21, 17 17	18 25, 19 3, 19 12,
1 8, 36 11, 37 3	ISSUES [1] - 36 16	
1	1	I

1			-
1			
	19 16, 19 23,	35 11	mailed [1] - 10 23
	19 25, 21 1, 21 18,		
- 1		legal [1] - 29 7	make [12] - 6 15,
-	22 19, 23 1, 23 2,	length [2] - 5 8, 14 10	12 12, 14 15,
-	23 7, 24 4, 24 11,	let [5] - 14 2, 19 4,	16 23, 19 12,
	24 25, 25 17, 26 5,	21 11, 27.4, 29 9	19 23, 23 1, 24 4,
	I	,	
	26 16, 27 13,	let's [1] - 29 11	25 23, 34 <sup>.</sup> 9, 34 10,
	27 20, 28 9, 28 15,	letter [2] - 21 23,	34 22
	29 11, 31 1, 31 4,	21 25	makes [3] - 4 11,
	31 25, 32 16, 33 6,		25 18, 32 1
ı	1	like [13] - 10 11,	•
1	33 7, 34 7, 34 8,	14 13, 17 19,	making [1] - 13 3
1	34 15, 35 3	17 24, 19 3, 20.19,	MANAGEMENT [1] -
	juvenile [1] - 22 23	23 12, 24 18,	36 3
1		26 21, 30 19,	
1	T/	· · · · · · · · · · · · · · · · · · ·	manner [1] - 18 20
	K	31 21, 32 5, 32 8	many [1] - 15 12
	h	liked [1] - 23 25	map [1] - 29 20
	keeping [1] - 10 10	likely [1] - 13 10	mapping [1] - 16 14
1	Kenneth [1] - 1 16		
-	kept [1] - 16 7	lines [2] - 12 9, 32 13	maps [1] - 7 17
	kin [3] - 5 13, 19 20,	<b>LISA</b> [3] - 37 2, 37 5,	March [2] - 22 15
-	* -	37 8	Marie [1] - 1 22
1	33 18	Lisa [2] - 1 22, 36 10	MARIE [3] - 37 2,
	Kin [1] - 1 18	list [3] - 13 5, 15 15	37 5, 37 8
	kınd [4] - 3 15, 15 7,		
	20 7, 23 25	lists [1] - 33 12	MASSACHUSETTS
	know [34] - 3 21, 4 4,	little [1] - 15 8	[1] - 1 3
-		live [2] - 28 14, 28 23	Massachusetts [5] -
1	11 22, 12 19,	lived [1] - 6 22	1 14, 1 17, 1 20,
-	12 22, 14 3, 14·9,	• *	· ·
	14 22, 16 1, 16 6,	LLP [1] - 1 15	36 3, 37 20
	16 7, 18 25, 19 4,	LMP [1] - 37 19	material [5] - 5 2,
	19 13, 19 21, 20 3,	Impreporting@gmail	5 25, 12 23, 32 21,
		.com [1] - 37 23	34 8
	20 22, 21 10,	location [3] - 5 21,	matter [2] - 13 1,
	21 16, 23.4, 23 7,		
	26 22, 27 25, 28 3,	22 4, 22 22	31 21
1	28.18, 29 7, 29 12,	locations [1] - 7 19	may [13] - 4 2, 4 5,
-	30 8, 30 10, 32 10,	log [1] - 36 23	4 14, 4 21, 5 2, 5 6,
	32 15, 32 16,	logistical [1] - 4·18	5 11, 11 11, 11 12,
		logistics [1] - 21 4	13 9, 28 10, 33 10
	33 23, 35 2	· -	May [9] - 17 25, 19 9,
	knows [2] - 4 11,	long [2] - 23 22, 24 13	
-	15 25	look [5] - 12 18,	20 7, 20 13, 20 24,
-		12 23, 17 24, 19 8,	20 25, 33 10, 35 3
-	T	20 6	maybe [8] - 10 23,
1	L	looking [2] - 23 24,	11 8, 11 24, 15 22,
	lab [1] - 7 1		17 2, 19 18, 23 6
		30 12	
	laboratory [1] - 6 25	looks [1] - 17 19	<b>ME</b> [3] - 9 14, 17 19,
	language [3] - 21 14,	lot [4] - 12 9, 12 10,	37 3
	21 17, 29 9	16 7, 29 7	me [14] - 5 23, 10 3,
	large [1] - 8 12	fow [2] - 36 18, 36 18	11 5, 11 25, 12 24,
-	largely [1] - 7 15	" "	13 2, 14 15, 20 11,
1		Lowell [3] - 11 22,	24 8, 24 12, 24 24,
	last [4] - 17 16, 20 14,	11 24, 12 7	, , ,
	22 4, 27 16		27 4, 29 17, 31 19
	later [1] - 30 14	M	mean [5] - 10 <sup>-</sup> 15,
	lawyer [2] - 13 10,	T.A.T.	15 5, 23 8, 29 16,
-	13 14	made [1] - 17 7	31-5
		Magistrate [4] - 10 7,	means [1] - 32 18
i	lawyers [2] - 12 15,		
	31 14	22 12, 25 7, 28 4	Medford [2] - 1 20,
	least [2] - 19 17,	mail [2] - 11 9, 11 17	22 14
		mail [1] - 11·17	media [2] - 34:3, 34 4
-			
- 1			

1		
	40 10 10 10	Ma (2) 1 10 26 22
medical [3] - 7 8,	18 12, 18 16,	No [2] - 1 18, 36 23
7 11, 7 24	18 24, 19 6, 19 8,	noise [2] - 10 20,
meeting [1] - 3 11	20 3, 20 23, 21 1,	36 17
1	21 4, 21 9, 21 14,	none [1] - 7 21
member [1] - 33 21		
mention [1] - 13 8	21 22, 22 2, 24 10,	None [3] - 2 4, 2 7,
mentioned [1] - 21 22	24 18, 24 23, 25 2,	2 11
MGH [1] - 7 24	25 11, 25 16,	nonprosecution [1] -
_ · ·	, ,	
microphone [1] -	25 21, 25 25, 26 7,	4 <sup>-</sup> 13
36 19	26 11, 26 13,	nope [1] - 11 1
mics [1] - 36.21	26 16, 26 25,	NOR [2] - 37 8, 37 9
- "	27 23, 28 18, 29 4,	
mid [6] - 7 11, 17 19,		not [28] - 3 4, 4 14,
18 2, 20 13, 35 4,	29 6, 29 25, 30 3,	6 15, 8·1, 8 5, 8 8,
35 5	30 9, 30 11, 30 14,	8 21, 9 22, 10 2,
1	30 24, 31 4, 31 10,	11 1, 13 9, 13 10,
mid-April [5] - 7 11,	31 17, 31 20, 32 2,	
17 19, 18 2, 35 4,		13 17, 15 1, 16 10,
35 5	32 7, 32 19, 32 23,	19 4, 19 14, 28 5,
	33 1, 33 4, 33 6,	28 10, 28 22, 29 8,
mid-May [1] - 20 13	34 20, 35 6, 35 9,	
Middle [1] - 20 16		29 19, 31 18,
Middlesex [2] - 1 12,	35 13, 35 14,	31 22, 32 1, 32 13,
16 2	35 18, 35 20, 35 22	33,14, 33 24
1	much [2] - 10 2, 35 17	NOT [1] - 37 9
might [5] - 6 1, 14 15,	multiple [2] - 6 18,	
16 25, 33 23, 33 24		note [1] - 18 24
mind [1] - 18 8	21 <sup>-</sup> 6	notes [1] - 36 23
* *	my [7] - 8 23, 13 3,	nothing [2] - 16 1,
minute [1] - 10 24	13 18, 14 12,	
misinformation [3] -	·	31 14
29 13, 31 1, 32 13	18 12, 20 13, 26 6	nothing's [1] - 23 2
misspeak [1] - 21 11	Myra [2] - 10 12,	notice [2] - 6 12, 9 5
4	10 19	
more [6] - 15 8, 15 9,		noticed [1] - 13 9
15 10, 15 23,	myself [5] - 16 7,	notifying [1] - 34.23
19 17, 35 11	23 12, 24 11,	now [6] - 4 19, 11 5,
	32 10, 34 24	14 9, 22 5, 22 19,
most [1] - 13 10		
moving [1] - 18 18	NТ	22 23
MR [17] - 38, 821,	N	NUMBER [1] - 36 12
9 22, 15 1, 20 11,		number [6] - 15 18,
	N [2] - 2 1, 3 1	
20 16, 23 11,	NAME [3] - 36 10,	26 19, 26 21,
23 15, 23 19,	36 11, 37 14	26 22, 27 25, 34.13
23 22, 23 25, 27 8,	· ·	
	need [7] - 19 12, 21 6,	O
28.9, 29 1, 32 3,	24:21, 25 3, 25 6,	I
35 15, 35 19	28 10, 28 22	O [4] 2 4
Mr [4] - 4 15, 5 13,	NEITHER [1] - 37 8	O[1] - 3 1
19 20, 33:19	<b>.</b>	obviously [1] - 18 16
1	new [1] - 13 25	occurred [2] - 5 19,
Ms [1] - 1 19	next [3] - 5 12, 19 20,	1
MS [1] - 1 19 MS [91] - 3 18, 6 3,	• •	6 23
	33 18	6 23 <b>OF</b> [12] - 1 3, 1 4, 1 6,
<b>MS</b> [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18,	33 18 Next [1] - 1 18	6 23
<b>MS</b> [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15,	33 18	6 23 OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13,
<b>MS</b> [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11 <sup>-</sup> 6,	33 18 Next [1] - 1 18	6 23 OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 <sup>.</sup> 6,
<b>MS</b> [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15,	33 18 Next [1] - 1 18 nice [3] - 3 7, 24 2, 24 3	6 23 <b>OF</b> [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 <sup>-</sup> 6, 37 9, 37 10, 37 14
<b>MS</b> [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11 <sup>-</sup> 6,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2,  24 3  night [1] - 16 17	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 <sup>-</sup> 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2,  24 3  night [1] - 16 17  no [17] - 4 12, 8 21,	6 23 <b>OF</b> [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 <sup>-</sup> 6, 37 9, 37 10, 37 14
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2,  24 3  night [1] - 16 17	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37·6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3·22, 4 1, 4 13,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2,  24 3  night [1] - 16 17  no [17] - 4 12, 8 21,  9 22, 10 4, 11 19,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3 · 22, 4 1, 4 13, 4 · 15, 4 22, 4 24,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37·6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3·22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37·6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3·22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12, 5 13, 5·14, 5 18,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21, 15 14, 15 22,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7, 27 8, 30 24, 31 20,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37·6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3·22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21, 15 14, 15 22, 16 12, 16 20,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3 · 22, 4 1, 4 13, 4 · 15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12, 5 13, 5 · 14, 5 18, 5 21, 6 6, 6 18,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10·15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21, 15 14, 15 22, 16 12, 16 20, 16 25, 17 4, 17 13,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7, 27 8, 30 24, 31 20, 31 21, 32 20, 35 9,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3 22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12, 5 13, 5 14, 5 18, 5 21, 6 6, 6 18, 6 19, 6 20, 7 6, 7 9,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21, 15 14, 15 22, 16 12, 16 20,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7, 27 8, 30 24, 31 20,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3:22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12, 5 13, 5:14, 5 18, 5 21, 6 6, 6 18,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21, 15 14, 15 22, 16 12, 16 20, 16 25, 17 4, 17 13,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7, 27 8, 30 24, 31 20, 31 21, 32 20, 35 9,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3 22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12, 5 13, 5 14, 5 18, 5 21, 6 6, 6 18, 6 19, 6 20, 7 6, 7 9,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21, 15 14, 15 22, 16 12, 16 20, 16 25, 17 4, 17 13,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7, 27 8, 30 24, 31 20, 31 21, 32 20, 35 9,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3 22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12, 5 13, 5 14, 5 18, 5 21, 6 6, 6 18, 6 19, 6 20, 7 6, 7 9,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21, 15 14, 15 22, 16 12, 16 20, 16 25, 17 4, 17 13,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7, 27 8, 30 24, 31 20, 31 21, 32 20, 35 9,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3 22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12, 5 13, 5 14, 5 18, 5 21, 6 6, 6 18, 6 19, 6 20, 7 6, 7 9,
MS [91] - 3 18, 6 3, 8 15, 9 4, 9 7, 9 18, 10 4, 10·12, 10.15, 10 18, 11 2, 11·6, 11 11, 11·16, 12 3, 12 6, 12 14, 12 17, 13 7, 13 13, 13 17, 13 20, 14 1, 14 6, 14 18, 14 21, 15 14, 15 22, 16 12, 16 20, 16 25, 17 4, 17 13,	33 18  Next [1] - 1 18  nice [3] - 3 7, 24 2, 24 3  night [1] - 16 17  no [17] - 4 12, 8 21, 9 22, 10 4, 11 19, 12 25, 22 15, 24 14, 26 2, 27 7, 27 8, 30 24, 31 20, 31 21, 32 20, 35 9,	6 23  OF [12] - 1 3, 1 4, 1 6, 36 3, 36 11, 36.13, 37 3, 37 4, 37 6, 37 9, 37 10, 37 14  of [80] - 1 18, 3 15, 3 22, 4 1, 4 13, 4:15, 4 22, 4 24, 4 25, 5 2, 5 8, 5 12, 5 13, 5 14, 5 18, 5 21, 6 6, 6 18, 6 19, 6 20, 7 6, 7 9,

8 15, 9 1, 9 5, 11 9,	on [23] - 1 18, 3 4,	28 6, 29 21, 32 8,
11 24, 12 9, 12 10,	3 24, 6 13, 8 9,	34 16
13 13, 13 15,	9 14, 9 15, 10 1,	OUTCOME [1] - 37 10
14 11, 14 21, 15 7,	10 25, 14 4, 14 14,	outside [2] - 15 19,
15 18, 16 1, 16 14, 17 1, 18 8, 18 25,	15 16, 16 4, 16 5,	29 11
19 13, 19 17,	19 5, 20 20, 22 13, 28 14, 31·14,	outstanding [2] - 7 1, 7 5
19 20, 20 1, 20 8,	31 23, 32 10, 33 7,	over [8] - 3 14, 4 23,
20 23, 21 25,	33 12	8 16, 9 11, 13 14,
22 24, 23 2, 23 5,	ON [2] - 37 4, 37 6	17 17, 22 10, 27 22
23 25, 24 5, 24 12,	once [3] - 12 17, 25 9,	overview [1] - 8 12
26 1, 28 5, 28 11,	25,14	
28 20, 29 7, 30 25, 32 5, 32 8, 33 2,	one [19] - 3 23, 6 21,	P
33 18, 33 19,	6 25, 9 14, 10 25, 11 4, 11 5, 11 24,	P[1]-31
33 21, 34 2, 35 11,	12 25, 19.17, 25 1,	p m [2] - 3 3, 35 24
36 3, 36 7, 36 19	26 1, 28 3, 28 5,	page [2] - 14 4, 36 8
off [2] - 10 16, 11 <sup>.</sup> 3	30 21, 33 21,	Pages [1] - 1 1
office [5] - 7 9, 7 12,	35 11, 36 15, 36 20	papers [1] - 26 10
10 9, 11 23, 34 23	one's [1] - 15 8	pardon [1] - 29 16
OFFICE [2] - 36 3,	ones [1] - 25.6	parents [2] - 5 12,
37 6	only [7] - 3 23, 8 7,	19 19
Office [2] - 1 12, 31 24	9 24, 25 6, 30 19, 33 17	part [1] - 30 24 participating [1] -
office's [1] - 18 12	or [27] - 4 12, 4 14,	35 17
officer [1] - 33 22	4 15, 5 12, 5 25,	particular [1] - 21 10
officers [3] - 15 9,	6 20, 9 2, 10 <sup>.</sup> 24,	PARTIES [1] - 37 9
28 11, 28 12	12 1, 16 10, 19 20,	parties [5] - 5 3, 5 7,
offset [1] - 31·1	22 6, 24 15, 24 19,	5 10, 5 17, 24 5
oftentimes [1] - 29 10	28 14, 28 22,	parties's [1] - 5 9
oh [7] - 13 12, 20·15,	29 12, 31 8, 31 18,	Pasciucco [1] - 1 15
22 1, 22 3, 26 2, 30 6, 33 16	31 22, 32 5, 33 10, 33 21, 33 22, 36 23	pass [1] - 13 24 past [2] - 4 6, 33 11
okay [54] - 3 17, 8 14,	order [20] - 3 2, 4 23,	PD [1] - 25 23
8 22, 9 6, 10 22,	5 15, 8 3, 8 5, 8 10,	PDF [1] - 36 8
10 25, 11 7, 11 18,	9 10, 24 7, 24 8,	people [7] - 4 13,
13 12, 13 16,	24 12, 24 16,	5 11, 15 16, 15 18,
13 19, 14 23,	24 21, 24 25, 25 6,	17 8, 33 14, 33 17
15 11, 15 24, 17 5,	25 12, 26 6, 27 2,	perhaps [1] - 19 8
17 15, 17 23, 19 3, 19 6, 19 7, 20 5,	27 6, 30 4, 30 23 orders [2] - 25 4,	permitted [1] - 33 14
20 15, 20 19, 21-8,	33 25	person [4] - 10 1, 32 1, 32 17, 34 22
21 13, 21 24, 22 3,	original [1] - 36 7	persons [1] - 5 11
23 10, 23 15,	originally [1] - 27 12	Phipps [2] - 1 22,
23 19, 24 10, 26 2,	other [8] - 5 25, 8 7,	36 10
26 3, 26 11, 26 12,	9 14, 17 17, 21 4,	PHIPPS [3] - 37 2,
26 25, 27 21, 28 7, 29 1, 29 25, 30 10,	30 22, 33 13, 34 24	37 5, 37 8
32 2, 33 5, 34 11,	other:remote [1] - 36 20	piece [1] - 13 15
34 18, 34 19, 35 7,	OTHERWISE [1] -	pieces [1] - 7 18
35 12, 35 14, 35 22	37 10	<b>place</b> [3] - 9 10, 22 6, 23 18
Okay [3] - 15 21,	our [3] - 3 15, 16 15,	plan [1] - 20 20
16 19, 34 14	26 1	planned [1] - 20.18
old [2] - 23 17	out [9] - 4·8, 4·17,	play [1] - 28 15
oldest [1] - 10 1	4 24, 13 21, 16·15,	point [11] - 4 20, 8 3,
1		

	**************************************	
1		
8 6, 8 16, 8 21,	Professional [1] -	RECORDED [1] -
13 20, 17 3, 27 2,	1 23	37 15
33 7, 34 22	propose [1] - 13 1	recorded [1] - 6 21
points [1] - 21 2		
1 .	proposed [4] - 4 22,	RECORDING [3] -
police [6] - 6 8, 6 17,	5 6, 13 5, 27 <sup>-</sup> 5	36 13, 37 3, 37 15
6 20, 7 16, 17 <sup>.</sup> 11,	prosecution [1] - 4 12	recordings [1] - 6 18
28 11	protective [5] - 4 23,	records [2] - 7 24, 8 2
Police [4] - 1 15, 6 9,	9 10, 27 2, 27 6,	recovered [1] - 22 7
6 25	30 3	Redfield [1] - 1 16
POOR [1] - 36 15	provided [2] - 1 18,	refused [1] - 8 9
position [2] - 18 13,	36 23	
29 6	PROVIDED [1] - 37 3	Registered [1] - 1 23
possession [1] - 52		regular [1] - 23 5
* *	public [2] - 30 20,	reiterate [1] - 5 14
possibility [1] - 5 18	33 13	<b>RELATED</b> [1] - 37 8
possible [4] - 4 12,	publicity [2] - 34 3,	relevant [1] - 12 23
11 11, 12 1, 18 14	34 5	repeated [1] - 31-15
possibly [1] - 22 <sup>-</sup> 11	purpose [3] - 18 8,	report [13] - 5 5, 6 5,
postmortem [1] - 7 4	32 16, 33 2	6 24, 6 25, 7 1, 7 5,
power [1] - 8 6	purposes [2] - 18 25,	7 7, 7 11, 8 25,
pre [1] - 8 25	26 24	· · · · · · · · · · · · · · · · · · ·
preclude [1] - 13 4		9 13, 9 14, 9 15,
* *	pursuant [3] - 4 10,	17 20
prefer [2] - 10 1, 12 2	16 3, 26 5	Reporter [3] - 1·23,
preference [2] -	put [3] - 6 13, 33 7,	1 23
14 12, 23 8	35 3	Reporting [1] - 37 19
preinquest [2] - 5 4,		reports [7] - 4 25,
8 25	Q	5 24, 6 8, 6 17, 7 2,
preliminary [1] -	<u> </u>	7 16, 34 25
19 11	QUALITY [1] - 36 15	
premarked [1] - 12 12	question [3] - 28 9,	represented [1] -
	28 24, 29 4	28 12
presence [1] - 17 11	quick [2] - 18 20,	representing [1]
present [3] - 6 20,	26 16	13 11
19 21, 21 20	quite [1] - 28 18	represents [1] - 12 21
presented [1] - 15 3	<b>dance</b> [1] - 20-10	request [1] - 24 7
primarily [1] - 6 19	T	requested [1] - 16 3
print [2] - 10 15,	R	requesting [1] - 21 23
10 16	R [2] - 3 1, 37 1	required [1] - 8 5
prior [1] - 30 1	* *	responsible [1] - 10 9
probably [6] - 3 25,	raise [1] - 21-18	
9 25, 14 16, 15 3,	range [1] - 15 7	rests [1] - 31 23
1	<b>RE</b> [4] - 1 6, 1 <sup>.</sup> 8,	right [42] - 3 5, 3 10,
23 11, 26 1	36 11, 37 3	3-20, 8 17, 8 23,
problem [1] - 10 4	read [1] - 10 3	9 12, 9 19, 9 23,
<b>problems</b> [1] - 27 5	ready [5] - 6 10, 8 15,	11 7, 12 5, 12 8,
procedure [2] - 31 2,	97, 99, 191	13 23, 14 2, 14 8,
32 6	realized (1) - 18 1	15 11, 15 24, 17 6,
proceeding [2] -	Realtime [1] - 1 23	17 15, 20 5, 20 7,
30 17, 30 18		22 2, 22 4, 22 15,
proceedings [1] -	reasonable [1] -	22 23, 23 3, 24 5,
33 15	15 23	24 6, 24 22, 24 23,
PROCEEDINGS [2] -	receive [3] - 9 10,	25 5, 25 22, 27 15,
T .	10 11, 10 <sup>-</sup> 24	
37 3, 37 15	received [1] - 7 25	27 17, 28 8, 29 20,
process [1] - 13 13	recommendation [1]	31 7, 31 17, 32 19,
produced [1] - 36 7	-412	34 11, 35 7, 35 10,
PRODUCED [1] -	record [5] - 3 4, 4 9,	35 16
37 15	18 8, 18 25, 24 9	role [1] - 31 19
	10 0, 10 20, 27 0	
1		

room [1] - 17 9	shared [2] - 9 2, 31.8	33 10
rules [4] - 4 10, 29 21, 32 5, 32 6	<b>ShareFile</b> [3] - 6 13, 9 25, 10 6	son's [1] - 20 13 soon [4] - 9 9, 18 13,
ruling [1] - 34 10	sheets [1] - 7 13	19 1, 35 21
Taming (1) O T To	shoot [1] - 20 20	sooner [1] - 30 14
S	shooting [3] - 6 23,	sorts [1] - 32 8
	7 22, 15 5	sounds [2] - 3 18,
\$[1] - 3 1	Shorthand [1] - 1 22	35 13
said [8] - 13 8, 19 3, 20 19, 25 1, 27 12,	should [6] - 17 21,	<b>speaker</b> [1] - 36 23
30 19, 31 21, 34 8	24 19, 26.20,	SPEAKER [1] - 11 14
same [3] - 14 4,	26 23, 30 21	speaking [3] - 21 5,
24 19, 33 25	shouldn't [1] - 34 4	22 12, 36 19
say [7] - 5 10, 7 18,	show [1] - 19 15 sidebar [1] - 36 18	<b>specialized</b> [1] - 16 15
18 9, 29 11, 29 16,	sign [3] - 24 15, 27 1,	speech [1] - 36 19
30 11, 30 16	27 17	spellings [1] - 36 23
Sayed [1] - 4 15	signed [2] - 25 12	Spenser [1] - 23 13
SAYED [3] - 1 6,	significant [1] - 18 17	SPIROS [64] - 3 18,
36 11, 37 4	simultaneous [1] -	6 3, 8 15, 9 4, 9 7,
saying [1] - 9 17	36 19	9 18, 10 4, 10 12,
scan [1] - 27 22 scene [1] - 8 9	since [1] - 11 3	10 15, 10 18, 11 2,
schedule [4] - 17 24,	sıt [1] - 33 14	11 6, 11 11, 11 16,
18 10, 20 1, 20 4	sitting [1] - 11 22	12 3, 12 6, 12 14,
schedules [1] - 18 22	small [1] - 22 18	12 17, 14 18, 14 21, 15 14,
school [2] - 13 17,	so [47] - 3 10, 4 4,	15 22, 16 12,
18 5	4 11, 5 22, 8 12, 8 23, 9 9, 10 23,	16 20, 16 25, 17 4,
second [2] - 8 24,	11 8, 11 17, 12 12,	17 13, 17 22, 18 4,
10 25	12 19, 13 4, 13 23,	18 7, 18 12, 18 16,
secret [1] - 30 18	15 14, 15:25, 16 6,	18 24, 19 6, 19 8,
see [4] - 3 7, 3 8,	16 7, 16 9, 18 12,	20 23, 21 1, 21 4,
14 18, 16 20 Sec [1] 1 2	19 16, 19 23, 20 3,	21 9, 21 14, 21 22,
See [1] - 1 2 seeking [2] - 8 3, 8 10	20 6, 20 23, 21 11,	22 2, 24 10, 24 18,
seems [1] - 15 23	21 16, 22 21, 23 7,	24 23, 25 2, 25 11, 25 16, 25 <sup>-</sup> 21,
seen [1] - 16 6	23 11, 24 6, 24 24, 24 25, 25 <sup>-</sup> 5, 25 11,	25 25, 26 7, 26 11,
send [4] - 24 24,	25 17, 26 4, 27 4,	26 13, 26 16,
27 18, 27 19, 27 22	27 14, 27 15,	26 25, 27 23,
sense [3] - 12 12,	27 20, 27 25, 31-4,	28 18, 33 6, 34 20,
16 23, 25 18	31 25, 32 16, 34 12	35 6, 35 9, 35 13,
sent [3] - 4·23, 13 8,	<b>so</b> [1] - 18 3	35 18, 35-22
27 16	some [17] - 3 12, 4 1,	Spiros [16] - 1 12,
sequestration [1] - 5:15	4 18, 4 22, 8 3,	3 13, 3 25, 4:21, 5 23, 8 18, 9.24,
served [1] - 26.8	10 15, 13 20,	11 21, 14 3, 14 10,
service [3] - 25 19,	14 21, 16 6, 17 1, 17 2, 17 7, 17 11,	15 13, 17 18,
25 23, 26 9	27 2, 29 21, 30·12,	26 15, 27 9, 28·11,
<b>Services</b> [1] - 36:3	34 3	34 22
set [3] - 3 15, 4 8,	somebody [1] - 13 21	<b>spreading</b> [1] - 29 12
33 9	someone [3] - 21 19,	SS [1] - 1·4
seven [2] - 28 11,	25·22, 33 20	stamp [3] - 36 16,
28 12	something [6] -	36 17, 36 20
several [1] - 3 22	12 14, 13 8, 18 9,	standard [1] - 11 9 started [2] - 16 21,
shape [2] - 6 6, 8 13 share [2] - 9 3, 21 24	27 11, 28.15, 30 20 somewhere [1] -	18 18
الماسان	aornewnere [:] -	
1	1	

ļ		
starts [1] - 33 9	12 8, 14 7, 22 2,	9 23, 10 5, 10 14,
State [3] - 6 9, 6 25,	27 23, 34 20, 35 9,	10 17, 10 21, 11 4,
26 1	35 16, 35 18,	11 7, 11 15, 11·18,
statements [2] - 5 1,	35 19, 35 20	11 19, 11 20,
55	THAT [4] - 37 2, 37 5,	11 21, 12 5, 12 8,
status [1] - 4 24	37 8, 37 9	12 16, 12 19,
•	that [118] - 3 18, 4 4,	13 12, 13 16,
statute [2] - 16 3, 22 8	4 13, 5 2, 5 5, 5 6,	13 19, 13 23, 14 2,
STENOGRAPHICALL		
Y [1] - 37 15	5 22, 5 25, 6 5, 6 7,	14 8, 14 20, 14 23,
stepping [1] - 13 21	6 24, 7 4, 7 7, 7 24,	15 11, 15 21,
still [1] - 31-13	8 6, 8 7, 8 9, 8 20,	15 24, 16 19,
Street [4] - 1 16,	9 1, 9 11, 9 15,	16 22, 17 2, 17 5,
22 10, 22 22, 37 19	9 16, 9 21, 9 22,	17 15, 17 23, 18 6,
strong [1] - 24·14	11 1, 11 3, 11 20,	18 11, 18 15,
submitted [1] - 25 12	12 1, 12 9, 12 13,	18 23, 19 3, 19 <sup>-7</sup> ,
subpoena [4] - 8 6,	12 21, 12 23, 13 4,	19 10, 20 <sup>-</sup> 5, 20 15,
24 22, 24 25, 26 5	13 8, 13 14, 13 24,	20 19, 20 25, 21 3,
subpoenas [2] -	14 1, 14 4, 14 15,	21 8, 21 13, 21 21,
24 19, 25 8	14 22, 15 3, 15 6,	22 1, 22 3, 22 16,
•	15 17, 16 9, 16 13,	22 17, 23 14,
SUFFOLK [1] - 1 4	16 14, 16 16,	23 16, 23 20,
suggest [1] - 10 12	16 17, 16 22, 17 6,	23 23, 24 2, 24 11,
Suite [2] - 1 13, 1 16	17 14, 17 18,	24 21, 24 24, 25 5,
sure [10] - 15 2, 17 6,	17 21, 18 4, 18 13,	25 10, 25 14,
18 11, 19 12,	18 21, 18 25,	25 17, 25 22, 26 2,
19 23, 19 25, 21 3,	19 12, 20 7, 20 11,	26 8, 26 12, 26 14,
22 1	20 12, 20 20,	26 20, 27 3, 27 15,
surrounding [2] -	•	28 2, 28 5, 28 7,
29 <sup>.</sup> 17, 34 9	20 21, 20 23, 21 6,	29 2, 29 5, 29 22,
	21 16, 21 18,	30 1, 30 6, 30 10,
T	21 19, 21 25,	
	22 13, 22 17,	30 13, 30 15, 31 3,
T [2] - 37 1	22 21, 23 2, 23 8,	31 7, 31 12, 31 18,
take [4] - 4 16, 13.14,	23 12, 24 4, 24 5,	31 21, 32 14,
17 3, 30 23	24 6, 24 8, 24 12,	32 21, 32 24, 33 2,
taken [1] - 16 13	24 16, 24 25, 25 3,	33 5, 33 16, 34 12,
TAKEN [1] - 37 9	25 6, 25 8, 25 17,	34 14, 34 15,
taking [2] - 5 18, 30 1	25 18, 26 13,	34 19, 34 21, 35 7,
talk [6] - 5 7, 5 17,	26 23, 27 5, 27 11,	35 10, 35 16,
8 24, 8 25, 29 19,	27 17, 28 1, 28 12,	35 21, 35 23,
35 21	28 17, 28:18,	36 11, 37 2, 37 3,
talked [1] - 30 11	28 24, 29 8, 29 19,	37 3, 37 4, 37 6,
talking [2] - 9 1, 32 9	29 20, 30 24,	37 6, 37 9, 37 10,
1	31 14, 31 23, 32 8,	37 14
TAPE [1] - 36 15	32 23, 33 8, 33·11,	The [1] - 36 3
teams [1] - 16 15	33 13, 34 2, 34 17,	the [230] - 1 11, 1 15,
TELEPHONE [1] -	35 3, 36 16	1.18, 1.18, 3.4,
37 22	that's [14] - 6 13,	3-13, 3 23, 4 6, 4 8,
tell [2] - 5 23, 16 13	8 12, 9 7, 11,1,	4 9, 4 10, 4.13,
terms [2] - 6 6, 28 11	12 14, 26 3, 27 14,	4 15, 4 17, 4·22,
testify [2] - 8 11,	27 15, 32 24,	4 24, 4 25, 5 2, 5 3,
33 24	32 25, 33 2, 33 19	57, 58, 59, 510,
testimony [2] - 16 24,	THE [129] - 1 4, 1 6,	5 12, 5 17, 5 21,
17 1		5 24, 6 1, 6 4, 6 5,
than [1] - 30 14	1 9, 3 5, 3.10, 3 20,	66,614,622,
thank [15] - 3 18, 6 3,	8 14, 8 17, 8 22,	1
6 4, 8 17, 8 22,	9 6, 9 12, 9 19,	6 23, 6 24, 6·25,
		1
<b>\</b>		1
	1	1
1		1

8 4, 8 16, 8 21, 71,72,74,76, 34 23, 34 24, 36 7, 10 1, 10 9, 10 25, 77, 78, 711, 713, 368 11 4, 14 11, 14 18, 7 14, 7 15, 7 16, their [5] - 17 20, 20 1, 7 19, 7 21, 7 22, 21 17, 28 13, 28 15 15 2, 15 5, 15 7, 7 23, 8 1, 8 6, 8 7, their's [1] - 34 16 16 1, 16 2, 16 8, 89,811,91,99, 18 17, 19:11, them [10] - 4 19, 4 20, 9 10, 9 13, 9 14, 19 13, 26 18, 27 2, 8 11, 13 14, 13 24, 9-15, 9 25, 10 13, 28 10, 28 15, 29 9, 14 14, 14 21, 11 9, 11 12, 11 17, 29 17, 29 18, 28 14, 28 23, 33 24 12 15, 12 21, 29 19, 29 23, then [17] - 3 16, 4 19, 12 23, 12 25, 30 12, 31.14, 5.20, 9 16, 14 2, 13 10, 13 11, 31 22, 33 8, 34.2, 14 13, 14 22, 17 2, 13 13, 13 15, 14 4, 34 4, 34 25, 36 7 17 4, 19 18, 24 21, THIS [1] - 37 9 14 10, 14 16, 15 3, 25 6, 25 14, 26 9, 15 5, 15<sup>-7</sup>, 15 18, 26 25, 27 13, 30 3 those [7] - 7 21, 8 4, 16 2, 16 3, 16 11, 12 9, 12 10, 24 20, there [17] - 7.17, 16 23, 17 1, 17 8, 25 8, 34 25 12 21, 15 16, 17 9, 17 10, 17 16, though [1] - 10 18 16 17, 17 12, 17 19, 17 20, 18 2, 21 16, 22 9, 23 18, thought [2] - 18 1, 18 4, 18 7, 18 8, 28 17 24 14, 27 11, 18 9, 18 13, 18 21, three [2] - 14 19, 15 7 28 12, 28 19, 18 25, 19 1, 19·5, 28 22, 29 2, 33 10 three-day [1] - 15 7 19 19, 19 20, there's [10] - 159, through [5] - 3 17, 19 21, 20 4, 20 8, 18 16, 21 10, 4 19, 19 5, 20 8, 20 9, 20 14, 20 16, 22 11, 22 13, 25 2, 28 17 20 23, 21 6, 21 14, 33 20 tıme [5] - 6 4, 23 22, 21 22, 21.23, these [8] - 3 22, 4 1, 36 16, 36 17, 36 20 21 24, 22 4, 22.5, 4 22, 19 18, 29 7, times [1] - 21 6 22 6, 22 7, 22 8, 32 7, 33 11, 35 11 **TO** [3] - 37 3, 37.8, 22 14, 22 19, they [9] - 79, 85, 379 22 22, 22 24, 23 5, 19 14, 19 23, to [155] - 32, 37, 38, 23 8, 23 12, 23 16, 19 25, 21 15, 25 5, 3 11, 3 13, 3 14, 23 17, 24 4, 24 9, 25 11 48, 410, 412, 24 19, 24 20, they'd [1] - 33 25 4 16, 4:17, 4 24, 24 22, 24 24, they're [2] - 19 21, 54, 57, 59, 514, 24 25, 25 1, 25 6, 33 23 5 17, 5 22, 6 7, 6 8, 25 8, 25 9, 25 12, they've [2] - 12 17, 6 10, 6 14, 6 24, 25 15, 25 23, 26 2, 77, 710, 81, 84, 156 26 5, 26 9, 26 10, 88, 89, 811, 815, thing [3] - 8 24, 17 16, 26 22, 27 15, 8 20, 9 2, 9 7, 9 9, 22 4 27 20, 27 24, 9 11, 10 3, 10 6, things [5] - 3 14, 28 11, 28:20, 29 9, 10 8, 10 11, 10 21, 12 11, 12 21, 29 11, 29 23, 30 3, 10 23, 10 24, 11 8, 26 16, 32 8 30 19, 30 20, 11 12, 11 23, think [17] - 8 23, 10 5, 30 22, 31 2, 31 8, 11 24, 11:25, 12 2, 11 4, 12 14, 14 15, 31 14, 31 23, 123, 1210, 12.11, 14 25, 15 3, 15 12, 31 25, 32 1, 32 5, 12 12, 12 18, 15 17, 16 10, 32 12, 32·15, 12 22, 13 1, 13 2, 16 25, 17 10, 32 16, 33 2, 33 8, 13 5, 13 7, 13 14, 21 19, 22-11, 25 6, 33 11, 33 12, 13 24, 14<sup>-</sup>13, 32 15 33 14, 33 17, 14 14, 14 19, thinking [1] - 118 33 18, 33 19, 15 18, 15 19, Third [2] - 22 10, 33 21, 33 25, 34.2, 22 22 15 22, 16 3, 16 5, 34 6, 34 8, 34 9, 16 9, 16 10, 16.15, this [43] - 3 11, 4 11, 34 12, 34 22, 16 20, 16 23, 17 1, 4 13, 4 16, 5 18,

17 9, 17 10, 17 17,	trust [1] - 31 14	28 20
17 19, 18 2, 18 19,	try [2] - 20 20, 29 14	view [5] - 5 18, 16 10,
19 1, 19 2, 19 4,	trying [5] - 10 21,	16 23, 17 3, 17 10
19 12, 19 15,	13 13, 29 7, 29 10,	<b>volume</b> [1] - 36 7
19 16, 19 17,	31.1	Volume [1] - 1 1
19 21, 19 23, 20 1, 20 4, 20 20, 21 11,	turn [4] - 5 22, 9 11,	VOLUME [1] - 36 13
21 18, 21 19, 22 5,	14 21, 17 16	voluminous [1] -
22 7, 22 11, 23 1,	turned [1] - 8 16	11 16
23 4, 23 7, 23 9,	<b>two</b> [5] - 8 8, 19 18, 21 1, 25 3, 26 16	W
24 4, 24 8, 24 16,	TYPE [1] - 36 15	
24 18, 24 20,	111 = [1] = 30 10	wait [1] - 10 24
25 19, 26 5, 27 1,	U	waiting [3] - 7 10,
27 16, 27 18,	<u> </u>	9 13, 9 15
27 19, 28 10,	uh [1] - 26 7	want [21] - 4 8, 4 16,
28 22, 28 24, 29 7,	<b>uh-hum</b> [1] - 26 7	4 24, 5 4, 5 7, 5 9,
29 8, 29 10, 29 14,	ultimate [1] - 34 7	5 14, 5 17, 8 20,
29 16, 29 20, 30 1,	ultimately [1] - 33 9	11 22, 12 22, 13 7,
30 16, 30 17,	um [1] - 18 7	19 12, 19·16,
30 23, 31 1, 31·4,	under [1] - 33 25	19 23, 20 1, 21 11,
32 10, 32 12,	understand [6] - 7 4,	23 7, 24 8, 30 16,
32 16, 33 6, 33 7,	11 19, 13 6, 18 21,	31.4
33 14, 33 17,	30 24, 31 20	wanted [6] - 3 11,
33 24, 34 8, 34 13, 35 8, 35 21, 36 20	understanding [1] -	3 14, 15 19, 21 18,
Tobin [1] - 1 15	33 11	23 1, 24 4 wants [2] - 13 1, 19 2
today [5] - 6 4, 15 15,	understood [2] -	was [13] - 3 23, 3 24,
27 17, 29 18, 34 17	10 4, 35 6	8 1, 16 4, 16 5,
TODAY'S [1] - 36 10	UNIDENTIFIED [1] - 11 14	16 17, 22 7, 22 18,
told [1] - 7 10	unmute [2] - 10 21,	23 18, 26 25, 27 11
too [2] - 10 2, 30 5	10 22	<b>WAS</b> [1] - 37 9
took [2] - 22 6, 23 18	unseal [1] - 30 23	way [7] - 4 9, 10 13,
tough [1] - 23 4	up [6] - 11 22, 12 6,	12 2, 14 4, 24 19,
toxicology [4] - 7 5,	19 15, 22 10,	30 21, 30 22
7 10, 9 13, 9 15	22 21, 26 5	we [60] - 3 16, 4 4,
Transcriber [1] - 1:22	uploaded [1] - 9 16	4 9, 4 19, 5 20, 6 8,
TRANSCRIBER [3] -	upon [1] - 12 <sup>-</sup> 13	6 17, 6 18, 7 13,
36 10, 37 2, 37 14	us [3] - 10 23, 19 2,	7 24, 8 7, 8 13,
transcribers [1] -	25 24	10 15, 10 16, 11 2,
36 7	use [1] - 26 1	11 12, 12 6, 12 14,
TRANSCRIPT [5] -		14 4, 14 12, 14 19,
1·8, 36 13, 37 3,	V	15 14, 15 15, 15 18, 15 19,
37 6, 37 15	vacation [2] - 13 17,	15 16, 15 19, 17 11, 17 14, 19 1,
transcript [3] - 36 7, 36 8, 36 8	185	19 8, 20 6, 22 9,
Transcription [1] -	various [1] - 7 18	23 2, 23 9, 25 3,
36 3	very [9] - 6 6, 8 13,	25 7, 25 8, 25 9,
translator [1] - 21 7	18 19, 18 20,	25 14, 25 18,
travel [1] - 11·23	21 19, 31 4, 33 7,	25 25, 27 13, 28 3,
TRIAL [2] - 1 4, 37 6	35 16	28 4, 29 20, 30 7,
trip [1] - 20 17	VIA [1] - 1 9	30 11, 32 9, 34 21,
Trooper [1] - 26·2	<b>video</b> [4] - 5:1, 6 18,	34 22, 34 25, 35 1,
Troopers [1] - 26 1	7 18, 16 13	35 5, 35 8, 35·11
trouble [1] - 10·2	videos [1] - 7 21	we'd [1] - 25 17
TRUE [1] - 37 3	videotaped [1] -	<b>we'll</b> [9] - 12 3, 20 20,

00 0 00 40 00 4		
23 8, 26 13, 35 1, 35 10	why [7] - 5 22, 5 23, 10 25, 20 6, 34 21,	X
we're [2] - 19 17,	34 22	X [1] - 2 1
30 12	wife [1] - 33 22	
we've [8] - 6 7, 7 8,	will [21] - 5 20, 6 13,	Y
7 25, 16 13, 17 7, 18 19, 20 17, 29 <sup>-</sup> 17	6 15, 12 6, 13 10,	yeah [35] - 10 17,
week [7] - 13 17,	13 14, 13 20, 13 21, 14 1, 14 12,	10 21, 11 2, 12 16,
18 4, 20 7, 20 8,	15 2, 15 18, 17 19,	12 19, 14 20,
20 11, 20 23, 27 2	21 6, 23 9, 24 15,	14 <sup>,</sup> 23, 18 6, 18 15, 18 23, 19 10,
well [15] - 4 1, 4 3,	26 18, 28 6, 30 4,	23 23, 25 2, 25 14,
4 7, 8 24, 9 14, 13 4, 14 16, 14 17,	34 12, 34 17 with [28] - 3 13, 3 24,	25 21, 27 3, 28 <sup>-</sup> 2,
19 24, 20 2, 20 19,	4 17, 5 22, 5 24,	29 5, 30 6, 30 9,
21 22, 27 20,	7 8, 9 4, 9 21, 9 22,	30 13, 31 3, 31 12,
29 12, 34 <sup>.</sup> 23	9 25, 12 15, 16 9,	32 7, 32 14, 32.23, 32 24, 33 1, 33 4,
well-informed [1] -	16 22, 17 6, 20 11,	33 16
29 12	21 5, 21 24, 21 25, 22 12, 23 7, 24 6,	year [1] - 20 14
went [4] - 10.24, 11 3, 27 9, 27 13	26 8, 26 10, 27 5,	yep [9] - 9 18, 21 21,
were [4] - 6 20, 8 9,	28 25, 29 9, 29 10,	23 16, 23 19,
28 12, 33 14	36 8	23 21, 25 16, 30 6, 30 15, 35 23
what [22] - 3 15, 4 4,	WITH [1] - 37 6	yes [11] - 6 3, 10 14,
5 24, 6 11, 9 16,	within [1] - 22 24	11 6, 11 15, 14 1,
10 12, 12 25, 14 9, 14 10, 14 24, 23 9,	witness [8] - 4 25, 5 5, 6 19, 6 21,	17 13, 17 22,
24 7, 26 4, 26 22,	7 15, 15 15, 24 19	20 25, 22 16,
27 18, 31 22, 32 9,	WITNESS [1] ~ 2 3	23 14, 29 22
32 18, 34 7, 34 15,	witnesses [9] - 5 15,	yet [3] - 23 3, 28 3, 28 19
34 16	6 19, 6 20, 8 7,	you [106] - 3 7, 3 8,
whatever [1] - 33 23 when [11] - 5 10,	14 16, 15 10, 15 12, 19 13, 19 14	3 19, 4 2, 4 5, 4 21,
8 24, 8 25, 9 12,	Woburn [1] - 1 14	4 23, 5 23, 5 24,
13 25, 18 1, 22 18,	wondering [1] - 27 1	5 25, 6 3, 6 4, 8 17,
23 18, 29 14,	word [1] - 36 8	8 20, 8 22, 8 23, 8 24, 9 1, 9 2, 9 12,
32 17, 34 24	work [2] - 20 4, 24·18	9.13, 9 16, 9 21,
<b>where</b> [18] - 5 18, 5 24, 6 22, 7 19,	worked [2] - 18 19, 34 16	10 11, 10 12,
11 21, 11 23,	would [40] - 5 5, 7 17,	10 18, 10 23, 11 2,
16 20, 16 21,	8 3, 8 10, 10 1,	11 3, 11 5, 11 22, 11 23, 11 24, 12 1,
17 18, 22 6, 22 7,	10 8, 10 11, 11 20,	12 3, 12 6, 12 8,
22 9, 22 22, 23 17, 29 6, 32 17	12 1, 12 23, 13 2,	12 19, 12 22, 13 4,
whether [6] - 13 2,	14 22, 15 3, 16 10, 16 22, 17 11,	13 6, 13 23, 13 24,
16 10, 28 22, 31 7,	18 24, 19 1, 19 25,	13 25, 14 7, 14 9,
31 18, 33 9	20 8, 20 23, 21 19,	14 10, 14 22, 14 24, 15 12,
WHICH [1] - 37 9	22 24, 23 8, 24 18,	16 10, 16 13,
which [5] - 13.1, 13.9,	25 11, 25 12,	17 18, 17 20, 18 8,
20 8, 22 23, 34·7 <b>while</b> [1] - 22.18	25 22, 25 25, 26 22, 27 1, 28 15,	18 25, 19 12,
who [16] - 5 11, 5 15,	28 21, 28 22,	19 13, 19 20, 20 3,
6 20, 6 21, 8 8, 8 9,	28 23, 29 23, 30 23	21 22, 22 2, 23 4, 23 7, 24 7, 24 8,
9 14, 11 25, 12 20,	written [4] - 6 8, 32 8,	24 17, 24 18,
12 25, 13 14, 17 8, 29 11, 32 1, 33 17	34 10	24 21, 24 24, 25 1,
20 11, 42 1, 44 18		25 13, 26 4, 26 <sup>-</sup> 5,

26 23, 27 1, 27 12, 27 16, 27 23, 28 6, 28 14, 28 15, 28 17, 28 25, 29 7, 29 12, 30 7, 30 10, 32 4, 32 10, 32 15, 32 16, 33 23, 34 17, 34 20, 34 22, 34.24, 35 2, 35 9, 35 16, 35 18, 35 19, 35 20, 35 21 you'd [2] - 27 20, 35 3 you're [2] - 9 1, 10 8 you've [1] - 3 25 younger [1] - 23 24 your [22] - 6 3, 6 11, 10 8, 11 23, 11 25, 12 3, 13 7, 14 7, 14 18, 15 1, 16 12, 18 8, 19 14, 21 1, 21 23, 24 7, 26 15, 26 16, 32 3, 33 6, 33 22, 35 18

Z

**ZOOM** [1] - 19