

1 further solemnly swear or affirm that you will not  
2 divulge any portion of your testimony before this  
3 grand jury except when legally called upon to do  
4 so?  
5 DAN: Yes.  
6 MR. NEGANGARD: I'm showing you what's marked for identification as  
7 Grand Jury Exhibit 123 and ask if you recognize  
8 that.  
9 DAN: Yes I do.  
10 MR. NEGANGARD: And is that your signature, on the second (2<sup>nd</sup>) page,  
11 is that your signature?  
12 DAN: Yes it is.  
13 MR. NEGANGARD: Okay. I'm going to read that for the record. I,  
14 Daniel Brewington, knowingly and fully understand  
15 that the Grand Jury of Dearborn County, Indiana is  
16 now in session, in Dearborn County, Indiana, do  
17 hereby fully agree voluntarily to appear and present  
18 myself before said Grand Jury now in session for  
19 the January, February, March, April, May, June,  
20 2011 term in Lawrenceburg, Indiana, there to give  
21 testimony in connection with said investigation.  
22 Hereby representing and state that I'm appearing  
23 before said Grand Jury voluntarily and of my own  
24 free will and accord and I'm fully aware and  
25 cognizant of the constitutional rights which I have

1 under the constitution in the State of Indiana and the  
2 constitution in the United States to refuse to testify  
3 and I am also fully aware and cognizant of the fact  
4 that any and all statements that I may make or any  
5 testimony that I may make may and it can be used  
6 against me by said Grand Jury, fully conscious of  
7 the foregoing facts. I do hereby expressly waive any  
8 and all state and constitutional rights to testify and I  
9 further waive any and all immunities from the  
10 punishment for any crime or crimes arising from  
11 and growing out of the alleged charge or charge  
12 which is now being investigated for which a true  
13 bill or indictment made thereafter be returned by  
14 said Grand Jury and it is signed by you and  
15 witnessed by myself and Michael Kreinhop. Is that  
16 your signature?  
17 DAN: Yes it is.  
18 MR. NEGANGARD: Okay and you understand this document?  
19 DAN: Yes I do.  
20 MR. NEGANGARD: Okay. Would you please state your name for the  
21 record please?  
22 DAN: Daniel Paul Brewington.  
23 MR. NEGANGARD: And you received a target letter in this case. Is that  
24 correct?  
25 DAN: Correct.

1 MR. NEGANGARD: And do you have anything you want to say before  
2 we get started?

3 DAN: In terms of?

4 MR. NEGANGARD: Just regarding the nature of the allegations against  
5 you.

6 DAN: Yell most of what we're talking about, pretty much  
7 all of it deals with just first amendment speech on  
8 the internet. It's a public domain, uh, it's people  
9 have the choice to go there, to not go there, uh,  
10 challenge the system that doesn't like to be  
11 challenged so that's my main purpose. It's not to  
12 annoy, harass or anything like that. It's just to get a  
13 public opinion out, a political opinion and as I said  
14 it's a constitutional right and that's what I have  
15 done and through the course of representing myself  
16 in a divorce, obviously I'm not a lawyer so any  
17 mishaps or anything of that sort while you know  
18 during the course of representing myself, you know,  
19 I'm not sure if there's any kind of boundaries or  
20 whatever that I could cross or anything like that but  
21 anything on the world-wide web is just an  
22 expression of my political views and uh, kind of a  
23 story, just telling the story of my situation and that  
24 kind of raps it up.

25 MR. NEGANGARD: Well let's start then with uh, you first hired Amy



1     DAN:                             Uh, yes I did.

2     MR. NEGANGARD:               What did the sign say?

3     DAN:                             It said Amy Streator of Kellerman Law Firm

4                                       misrepresented me, which she did because she

5                                       misrepresented facts in the case. Like I said, that

6                                       was in Ripley County.

7     MR. NEGANGARD:               Did you get a permit for that?

8     DAN:                             Uh, no. I am not aware of any permits that you need

9                                       in Dearborn County, or in Ripley County or

10                                      Batesville.

11    MR. NEGANGARD:               And Judge Taul had to get off the case?

12    DAN:                             That was due to the ex-parte communication with

13                                      Dr. Edward J. Conner. They had uh, I have copies

14                                      of it, all the ex-parte communications or most of

15                                      them if anybody would like to see those, mostly

16                                      about the release of Dr. Conner's custody evaluation

17                                      case file.

18    MR. NEGANGARD:               Okay, so did you file a complaint against Judge

19                                      Taul?

20    DAN:                             No I didn't.

21    MR. NEGANGARD:               Did you raise the ex-parte communication?

22    DAN:                             Yes I did.

23    MR. NEGANGARD:               And there was a change in Judge. Correct?

24    DAN:                             Yes. I filed a change of Judge Motion per Gerard

25                                      vs. Stone, if a Judge considers or receives ex-parte

1 communication, they must recuse if a party...files a  
2 motion under Indiana Trial Rule 9 or 79, I'm sorry.  
3 MR. NEGANGARD: So you're familiar with the judicial cannons?  
4 DAN: Yell, yell...  
5 MR. NEGANGARD: You're familiar with the judicial cannons?  
6 DAN: Yell ex-parte communication violation, 2.9.  
7 MR. NEGANGARD: And you're familiar then also with the uh, rules of  
8 professional responsibility?  
9 DAN: Not really. I mean those are pretty long.  
10 MR. NEGANGARD: Okay so you...  
11 DAN: ...I just...  
12 MR. NEGANGARD: ...are familiar with the judicial cannons?  
13 DAN: Yell, yell.  
14 MR. NEGANGARD: Okay. And then you had Tom Blondell for a period  
15 of time.  
16 DAN: Correct.  
17 MR. NEGANGARD: And then who terminated that relationship?  
18 DAN: He did.  
19 MR. NEGANGARD: Why did he terminate that relationship?  
20 DAN: He went to, he went to Amy Streater's father's bar  
21 service, I guess lawyers have uh, funeral services for  
22 each other, or whatever and somehow it came up  
23 that I had picketed her office and Mr. Blondell took  
24 offense to that and so he fired me shortly after and I  
25 had asked Mr. Blondell if he could anything in

1 terms of representing me against her, but attorneys  
2 don't like to go against other attorneys so he  
3 declined and it was about a year later that, that he  
4 wanted to get involved after he found out that I was,  
5 well I had even asked him if I could, if you mind if I  
6 took action, he said no but I guess he didn't  
7 understand that I was just, that I, you know, was  
8 taking a different action.

9 MR. NEGANGARD: Did you send letters to him after he terminated that  
10 relationship indicating that um, you would expose  
11 his relationship or his membership in a first  
12 amendment rights organization as to his church as  
13 one that supports pornography?

14 DAN: No I didn't say that. Supposedly I asked him about  
15 the relationship because he's the one who brought it  
16 up and I had the e-mails from Mr. Blondell. He said  
17 he was a member of the first amendment of  
18 attorneys association or something like that based  
19 out of Chicago, Illinois, and he said it was a group  
20 of a hundred and fifty (150) attorneys and the way  
21 that came up is uh, he asked me if I picketed Amy  
22 Streater's office and I said well it's a first  
23 amendment right and then he started bragging on  
24 that and when I did research I uh, you know,  
25 questioned him about it. I didn't threaten to release

1 information but I just, he's on the St. Lawrence  
2 school board and the first amendment attorney's  
3 association does a lot of stuff with uh, like, sexual  
4 bondage shows and like representing people in that  
5 and also Mr. Blondell sent me a disturbing e-mail  
6 prior to that which was a little, I mean, of uh, like,  
7 with a juvenile shooting bottle rockets out of their  
8 butts for a better word, video which I still have, you  
9 know on CD and it's, and it was just a disturbing  
10 thing and then all of a sudden he was attacking me  
11 because I picketed another lawyers firm which he  
12 should be for because he's a member of this first  
13 amendments attorney's club or whatever it was.

14 MR. NEGANGARD: Okay, so you confronted him with his membership  
15 in that and said how it supported pornography and  
16 that you were going and he shouldn't be on the  
17 school board. Is that how it was worded?

18 DAN: I don't think it said that he shouldn't be on the  
19 school board. I said, it might be a conflict with  
20 Indiana Archdiocese or they might have a problem  
21 with it. I told them that you might want to check  
22 out his association that he's involved with. Like I  
23 said, I can pull up, uh, it's right there.

24 MR. NEGANGARD: Sure.

25 DAN: Yell, because he told me that he was uh, a member



1 of that association and then when I brought it up, he  
2 later told me that it was none of my business who he  
3 was associated with when he was the person who  
4 uh, first raised the issue to begin with. And he did  
5 drop me over e-mail and he never did talk to me  
6 personally before he dropped me, uh, more like an  
7 eighth (8<sup>th</sup>) grade break up or something like that,  
8 by letter, where he needed to have a professionalism  
9 to return calls or call me. It was just after Amy  
10 Streater told him that he uh, that I picketed his  
11 office that he just didn't want to represent me  
12 anymore. He didn't support those kind of first  
13 amendment rights.

14 MR. NEGANGARD: I'm showing you what's been marked as Grand Jury  
15 Exhibit 124. Is that a copy of the e-mails that you  
16 received?

17 DAN: Yes.

18 MR. NEGANGARD: I'll show 124 is admitted. Why did you think that  
19 was your responsibility to raise to him a conflict  
20 with the Indiana Archdiocese?

21 DAN: Well if you read it, he started uh, actually kind of an  
22 aggressive speech because he asked me... a year  
23 before, a year prior to that, it was almost a whole  
24 year was when I first retained his services and I  
25 asked him if he would be interested in you know,

1 writing, filing a complaint, writing something, on  
2 my behalf for Amy Streater and he said no and he  
3 said that uh, I asked him where to file a complaint  
4 and he said he wasn't sure. He said maybe the bar  
5 association. Well attorneys know that. He, you  
6 know, didn't tell me the truth. He said that it was  
7 uh, and I knew at the time but I understand, you  
8 know, attorneys don't like to step on other  
9 attorney's toes so but it was the Indiana Supreme  
10 Court disciplinary commission where you're really  
11 supposed to file the complaints. So a year later, he  
12 didn't have any interest in it until he found out that I  
13 had picketed the attorney's firm and it says right  
14 there that I said I thought you weren't concerned  
15 about it and he said well I am concerned if you're  
16 picketing another lawyer's office. And it's like well  
17 why - because it wasn't his office. It wasn't even in  
18 his county. It was in Ripley, it didn't even occur in  
19 Dearborn County. It occurred in Ripley County so  
20 for some reason, he's got a problem with me  
21 because there's not a whole lot you can do to  
22 attorneys. I mean, you can't sue them because you  
23 know, that's difficult. You can file a complaint.  
24 You can do whatever. But you know, they take  
25 your money. They don't do their job. They don't

1 do it...you know, there's not a whole lot you can  
2 do, so I took to the streets and obviously it made  
3 people mad or it got some kind of point across  
4 because well we're sitting here talking about it  
5 today and that's I mean, but he's the one who  
6 started to get hostile in his e-mails. Well then now  
7 all of a sudden it becomes a subject because he's  
8 telling me what organizations that he belongs to and  
9 I just basically tell what his organizations do. I  
10 didn't threaten to you know, I'm going to report this  
11 if you do this.

12 MR. NEGANGARD: So you said there's not anything you can do when  
13 attorneys mess up? You can sue them for illegal  
14 mal-practice. Correct?

15 DAN: Yell, yell if you can find a lawyer.

16 MR. NEGANGARD: But you can...

17 DAN: Well no, okay.

18 MR. NEGANGARD: ...you can report them to the disciplinary  
19 committee.

20 DAN: Yell in a figure of sense. Yes you can.

21 MR. NEGANGARD: In a figured of sense?

22 DAN: Well no. You can report them to the disciplinary  
23 commission. I mean because I filed one before but  
24 with the situation with Amy Streater, uh, she had  
25 written me just a smug letter in terms of you know, I

1 feel I did everything to represent you properly, you  
2 know and just went on about it and like the court  
3 record demonstrates that the numbers don't even  
4 match up and I wasn't given the opportunity to  
5 correct it and uh, and that's the way that you know,  
6 that's the way our country's founded. I mean if you  
7 people go out, people go out and protest and you  
8 know it was quiet or whatever but it got people's  
9 attention because it was just something that was  
10 wrong.

11 MR. NEGANGARD: Now um, so Tom Blondell terminated that  
12 relationship and um...

13 DAN: ...and he didn't tell...

14 MR. NEGANGARD: ...but you said something like you knew he lied a  
15 year before and you hired him anyway. I'm kind of  
16 confused about that.

17 DAN: Well he said...I hired him and uh, he told, well I  
18 didn't know that he wasn't being honest with me at  
19 that time. I...

20 MR. NEGANGARD: Because earlier, just a few minutes ago...

21 DAN: ...yell...

22 MR. NEGANGARD: ...you indicated that you knew at the time he was  
23 lying to you.

24 DAN: Well he said that he didn't do malpractice and he  
25 said that you could take it up with the bar

1 association and it wasn't at that time, you know,  
2 exactly at that time I realized that it was not even  
3 the bar association, it's the Indiana Supreme Court  
4 Disciplinary Commission. But it was shortly after  
5 that, but that's one of those things, you know I  
6 wasn't going to fire an attorney because he didn't  
7 want to step on another attorney's toes. I mean it's  
8 like a doctor giving a recommendation of your own  
9 doctor. I mean sometimes if you confront them, you  
10 know for some reason it makes them angry and they  
11 want to drop you or not, you know, plus there's a lot  
12 of fear at that point. Because I was going through a  
13 divorce and you know, you had to rely on lawyers.

14 MR. NEGANGARD: When Tom Blondell terminated, did you post  
15 anything on the internet about him?

16 DAN: Yes, I um, well, I didn't have a web-site or a blog  
17 until it was September, I developed  
18 dan'sfamilycourtexperience.com which isn't, well  
19 the name of it is but there isn't (indiscernible)  
20 content but I developed that in September of 2008  
21 and I didn't really make any negative comments  
22 about him. I just put the dialog like those e-mails. I  
23 put that information up just to let people know that  
24 if you know, if you're going to go to this person,  
25 this is what you're going to get.

1 MR. NEGANGARD: So you posted your guys e-mails on the internet?  
2 DAN: Correct. Yell.  
3 MR. NEGANGARD: Was he running for judge at the time?  
4 DAN: Uh, well that, yell, yell, no, no, not at the time, uh,  
5 not at the time I posted them because he had lost in  
6 uh, the primary to uh, I think Barbara Wyly. He lost  
7 in the primary in May of 2008 and I posted them  
8 after that.  
9 MR. NEGANGARD: Did you post anything while he was running, against  
10 Tom Blondell?  
11 DAN: Uh, I think I posted a few things on uh, again, some  
12 public web-site or something like that. I can't  
13 remember the specific one. I think it was one of the  
14 Dearborn County web-sites maybe. I think it used  
15 to be a yahoo site but then they switched, maybe  
16 turned it over to a google blog spot site. I'm not  
17 sure.  
18 MR. NEGANGARD: Okay, did you submit to a custody evaluation to Dr.  
19 Conner?  
20 DAN: Yes I did.  
21 MR. NEGANGARD: And did you, uh, he was agreed upon by you and  
22 Melissa. Correct?  
23 DAN: Correct.  
24 MR. NEGANGARD: And um, after you submitted to that...  
25 DAN: ...yes...

1 MR. NEGANGARD: ...evaluation, um, you began uh, sending  
2 correspondence to Dr. Conner, asking for the full  
3 case file. Is that correct?  
4 DAN: Yes because his uh, file said that he was, that the  
5 parties were entitled to it on August or on April 16,  
6 2008, he said the parties were entitled to it but he  
7 was not going to give it to me because I was not an  
8 attorney and there was no protective order against  
9 that -- releasing it.  
10 MR. NEGANGARD: But the judge has never allowed that to be  
11 submitted. Correct?  
12 DAN: What submitted?  
13 MR. NEGANGARD: Allowed you to have full access to your wife's  
14 medical history and so on and so forth?  
15 DAN: Well there, there, there's no way to determine if her  
16 medical history, I never requested her medical  
17 history.  
18 MR. NEGANGARD: You seemed to have been stuck on the aspect that  
19 the full case file was necessary for you, for this  
20 opinion to be admissible. Is that correct?  
21 DAN: Uh yes.  
22 MR. NEGANGARD: And no court has agreed with you on that.  
23 DAN: Well the problem is, is that the courts have tried to  
24 say that I was after her medical records. Uh,  
25 actually the Indiana Appellate Court said that uh, all

1 of the information, they said Indiana Code 31-17-2-  
2 12 indicates that I'm entitled to the investigator's  
3 file of underlying data and reports but then they said  
4 that doesn't include Dr. Conner's case file but at the  
5 same time, Dr. Conner testified that he didn't give  
6 me the names of two professionals which is a  
7 requirement under that code. He didn't give me the,  
8 uh, he testified he didn't give me uh, uh, uh, some  
9 of the contents, or some of the opinions, or I'm  
10 sorry, or some of the custody evaluation history  
11 sheets that I filled out and for a note, also that  
12 during the time my case was in the Appellate Court  
13 and the Supreme Court, the Indiana Supreme Court  
14 was visiting my web-site and I do have those IP  
15 addresses if anybody would be interested in looking  
16 at it. The Indiana Supreme Court IP address has  
17 two hundred and twenty-seven (227) hits on forty-  
18 three (43) pages during the course of my appeal and  
19 many of them corresponded to the day that, uh, the  
20 day that my uh, you know, that they ruled on the  
21 appeal, the day things were filed. So you know, the  
22 way that it appears, is that the Indiana Supreme  
23 Court was investigating the web-site which none of  
24 the contents, that web-site was created in December  
25 of 2009. None of that web-site appears on the court



1 records so whatever they saw was ex-parte  
2 communication.  
3 MR. NEGANGARD: Well it's not um, I'm not going to argue with you  
4 but you just said how you posted it exercising your  
5 first amendment rights. That means anybody can  
6 look at it.  
7 DAN: Yell that's true but...  
8 MR. NEGANGARD: ...so anybody can look at it.  
9 DAN: But it's still, but the judges, uh, the Indiana  
10 Supreme Court judges...  
11 MR. NEGANGARD: ...so you're saying that you did an investigation and  
12 you determined that Chief Justice Randall Shephard  
13 looked at your web-site?  
14 DAN: I didn't say Chief Justice Randall...  
15 MR. NEGANGARD: You said the Supreme Court.  
16 DAN: I said the Supreme Court.  
17 MR. NEGANGARD: Okay, well there's five (5) guys on the Supreme  
18 Court.  
19 DAN: Well then, I can...  
20 MR. NEGANGARD: ...all five (5) of them, one (1) of them, two (2) of  
21 them, three (3) of them?  
22 DAN: Well it said, well it said the Indiana Supreme Court  
23 and the rules are like the judicial impropriety and  
24 things of that sort, uh the test for improprieties is  
25 what appears to be improper. Well I got it and uh, if

1                   you want to take these, I would be happy to give  
2                   them to you. It says Indiana Supreme Court IP  
3                   address, uh, I got a log of them when they were on  
4                   there. I also have Dr. Conner's IP address that he  
5                   frequents my web-site. There's two (2) IP  
6                   addresses. Both of them are in there.

7   MR. NEGANGARD:       Can I make a copy?

8   DAN:                Uh, I have copies of all that stuff as long as I write it  
9                   down. But that's part of the, that was also part of  
10                  my messages, question why because that would be  
11                  ex-parte communication or evidence if they're  
12                  seeking it, regardless, uh, because some of those,  
13                  there's referrals on there where they actually, it  
14                  shows you how it was referred. Some of them were  
15                  referred from my blog. Some, uh, occasionally they  
16                  typed in danhelpskids.com which wasn't even, it  
17                  doesn't even appear on the record so they would  
18                  have had to at some point search that out to find it  
19                  and they've made you know, like I said, they've  
20                  made numerous hits on the web-site so sure if you  
21                  can make a case that oh, you know, they just  
22                  happened to come across it, well, apparently they  
23                  kept researching it because they did two hundred  
24                  and twenty seven (227) hits.

25   MR. NEGANGARD:       So this is your evidence that, uh, so you're saying

1 that the Supreme Court Justice, or someone from  
2 the Supreme Court?  
3 DAN: Someone from the Supreme Court.  
4 MR. NEGANGARD: Okay, so that might not be a Supreme Court Justice.  
5 DAN: No it might not but the court encompasses...  
6 MR. NEGANGARD: Well they didn't actually issue an opinion on your  
7 case.  
8 DAN: No, no. They...  
9 MR. NEGANGARD: Is that correct?  
10 DAN: Yell, they didn't and that's an interesting fact as  
11 well. Uh, the Indiana Appellate Court ruled panel  
12 Per curiam on my case and panel Per curiam means  
13 that the whole, the court as a whole rules on it from  
14 my understanding rather than uh, a panel of three  
15 (3) judges. Uh and in the year of 2010, there was  
16 nine hundred and twenty (920) petitions to transfer  
17 from the Indiana Supreme or from the Indiana  
18 Appellate Court to the Indiana Supreme Court. In  
19 that entire year, there was only one (1) ruling where  
20 they ruled Panel Per curiam and that was in my  
21 case. That wasn't even a published opinion so I  
22 have no idea other than, well they also had some  
23 incorrect information about the IP address or not the  
24 IP address but the web-sites and how they played a  
25 role in the trial court.

1 MR. NEGANGARD: So the Indiana Court of Appeals showed nine  
2 hundred and twenty (920), you're saying they, I'm  
3 confused on this Per curiam.  
4 DAN: Uh, the, the Court ruled, the Court ruled panel per  
5 curiam and that means that, from my understanding  
6 anyway, that the entire court ruled rather than a  
7 three (3) judge panel which is what normally  
8 happens. From the Indiana Appellate Court to the  
9 Indiana Supreme Court, there was approximately  
10 nine hundred and twenty (920) petitions to transfer.  
11 Now that doesn't mean that they were accepted by  
12 the Supreme Court, denied, granted or whatever but  
13 nine hundred twenty (920) cases petitioned to  
14 transfer and out of those nine hundred and twenty  
15 (920) cases, only one (1) of them did the Appellate  
16 Court ruled panel Per curiam and that was my case.  
17 And they seemed to have a very big problem with  
18 my internet content and wrote information that just  
19 wasn't in the opinion, wrote information that was  
20 just blatantly false. I could go over that with you if  
21 you would like. Oh and uh, if you don't have a  
22 copy of this, I can provide you with this. On uh,  
23 well for one thing, they went on and on about my  
24 attempts to obtain my wife's medical records.  
25 There's absolutely no, at no point did I ever uh

1 request her medical records which Judge Taul at the  
2 very beginning, the transcripts were filed so I have,  
3 says that I'm entitled to her medical records, maybe  
4 just not through Dr. Conner.

5 MR. NEGANGARD: Didn't you post confidential information from the  
6 custody evaluation on the internet?

7 DAN: Uh that was addressed, well I'll get to that real  
8 quick uh...

9 MR. NEGANGARD: ...well I mean it's just yes or no.

10 DAN: Oh yell, okay.

11 MR. NEGANGARD: Did you post it?

12 DAN: No, I mean, it wasn't any, the Court didn't find  
13 anything wrong with it because there was a hearing  
14 on April 29<sup>th</sup>.

15 MR. NEGANGARD: Well I'm not asking what the Court found. I'm  
16 asking did you post information...

17 DAN: No....there wasn't...

18 MR. NEGANGARD: ...from the...

19 DAN: ...from the custody evaluation yes...

20 MR. NEGANGARD: ...and that's confidential.

21 DAN: Well it wasn't sealed.

22 MR. NEGANGARD: Correct?

23 DAN: If it was sealed, yell it would have been...

24 MR. NEGANGARD: ...alright well it wasn't sealed, but doesn't it say it's  
25 confidential?

1     DAN:                                 Yes but so does any kind of correspondence from an  
2   attorney, you know, anything that says confidential.  
3     MR. NEGANGARD:                     And you posted it on the internet?  
4     DAN:                                 Uh not any, well there wasn't any information about  
5   the mother of the children or anything like that.  
6     MR. NEGANGARD:                     You posted information about your, the mother of  
7   your children on there?  
8     DAN:                                 Yes, yes and she lives in Hamilton County.  
9     MR. NEGANGARD:                     Have you posted it on there?  
10    DAN:                                 Well, most of it had to do with the fact...  
11    MR. NEGANGARD:                     ...but you still posted it?  
12    DAN:                                 Uh, well I don't know if it was about her.  
13    MR. NEGANGARD:                     From a confidential um, custody evaluation, you  
14   posted it?  
15    DAN:                                 Well if it was her information tied into mine, then  
16   there was some of it that had to be. Just because the  
17   whole situation is, is that that...  
18    MR. NEGANGARD:                     Why did it have to be posted?  
19    DAN:                                 Because the problem is, is that on February 21<sup>st</sup>,  
20   2008, Dr. Conner wrote me a letter or didn't contact  
21   me, or let me back up just a hair. On February 19,  
22   2008, I dropped off a packet of information to Dr.  
23   Edward J. Conner who wasn't a court expert, who  
24   wasn't even licensed in the State of Indiana so he  
25   couldn't have been...

1 MR. NEGANGARD: You went to Ohio, Kentucky for the evaluation.  
2 Correct?  
3 DAN: Correct, correct, yell.  
4 MR. NEGANGARD: Alright so he didn't...  
5 DAN: ...yell...  
6 MR. NEGANGARD: ...have to be licensed in Indiana.  
7 DAN: Yell, yell, but that's what I'm saying is that he  
8 wasn't licensed.  
9 MR. NEGANGARD: But you accused him of criminal conduct because  
10 he wasn't licensed in the state of Indiana and you  
11 went to Kentucky to do the evaluation so I mean,  
12 how can you sit there...you don't get to lie...  
13 DAN: ...well no, no, sorry I didn't lie, I talked to the  
14 people at the Indiana Board of Psychology and they  
15 said that he couldn't, if you would read the rules in  
16 the Indiana Psychology guidelines, it says that a  
17 person may not offer psychological services  
18 where...  
19 MR. NEGANGARD: He wasn't offering psychological services.  
20 DAN: Well it says, if you read in the uh...  
21 MR. NEGANGARD: ...if there was any merit to that, he would not have  
22 been able to get licensed after that. That's because  
23 there is not merit to that.  
24 DAN: And you, if you, if you look at the uh...  
25 MR. NEGANGARD: ...well I know that you think...

1     DAN:                                 ...well you're also not allowing me to speak....

2     MR. NEGANGARD:                 ...you also thought that you...

3     DAN:                                 ...if you let me talk, it says thank you for referring

4   this case to us and he said that to the Court and also

5   addressed the Court but also uh, he has a history of

6   being appointed here, uh, you know before...

7     MR. NEGANGARD:                 But you went to the state of Kentucky...

8     DAN:                                 Yes.

9     MR. NEGANGARD:                 ...to have the custody evaluation. Correct?

10    DAN:                                 Yes, yes.

11    MR. NEGANGARD:                 And the State, and you agreed to use him as part of

12   the custody evaluation. Correct?

13    DAN:                                 Yes I did.

14    MR. NEGANGARD:                 And when he issued an opinion that you didn't

15   agree with, you accused him of criminal conduct.

16    DAN:                                 That's absolutely false.

17    MR. NEGANGARD:                 You did not accuse him of criminal conduct?

18    DAN:                                 No it wasn't the opinion that I didn't agree with

19   him. He said and I have that right here.

20    MR. NEGANGARD:                 Well the question is that he issued an opinion that

21   you did not agree with in February, in uh, August of

22   2007. Correct?

23    DAN:                                 No, no that's not, that wasn't it. I just, because uh,

24   the biggest dilemma was the fact that he didn't give

25   me the case file which his contract was said I'm



1 entitled to, uh, and that, and uh, and that Indiana  
2 law, Indiana uh, I mean Kentucky law said I'm  
3 entitled to and that's when I started looking into, the  
4 criminal conduct wasn't about so much about the  
5 uh, so much about the uh, uh, the custody, or not  
6 being licensed, Dr. Conner, I mean, he wasn't, this  
7 whole thing didn't bother him this bad because he  
8 forgot everything about my case or about like the  
9 information in my case file or whatever by 2009.  
10 He didn't have any recollection that uh, you know  
11 off hand, that there wasn't, that there was a problem  
12 with the case file, or that I tried to get a copy of the  
13 case file because he told a Hamilton County, Ohio  
14 court that he forgot about, or he said he was going  
15 to release the file and he said that after a cursory  
16 review of the documents, he discovered that there  
17 was confidential information. Now I would imagine  
18 that we've talked, you guys probably talked about  
19 this for some amount of time and I have that along  
20 here, I have that here with me, the letter he wrote to  
21 a Hamilton County Court where he said, he's  
22 claiming that I've harassed, that I've, you know  
23 bothered him, that I've done all this stuff and then  
24 all of sudden in October, October 22, 2009, he's  
25 writing to a Hamilton County Court that he doesn't,

1                   you know, he didn't know that there was  
2                   confidential information about other people in the  
3                   evaluation or he had forgotten. Do you want a copy  
4                   of that?

5   MR. NEGANGARD:       Sure.

6   DAN:                 Sorry if I get a little fast. I'm just trying to get  
7                   everything in, I know...uh, (indiscernible), just real  
8                   quick, so you know what page I'm talking about.  
9                   Uh, here, sorry, uh, well he talks about I received,  
10                  my attorney at the time, Robert G. Kelly, I received  
11                  a letter from Mr. Kelly dated 9/15 requesting all  
12                  records in my possession pertaining to Mr.  
13                  Brewington as well as copies of all correspondence  
14                  between Mr. Brewington and me. None of these,  
15                  the signature...he accused...like he's alleging that I  
16                  wrote the letter because he said that the initials were  
17                  D.D. and my name's Dan Brewington but my  
18                  attorney's secretary's name is actually Dee and her  
19                  last name starts with D. I responded and informed  
20                  Mr. Kelly that Dan Brewington was already in  
21                  possession of copies of all his individual records  
22                  and correspondence so he said I had all of my  
23                  records anyway. Mr. Kelly sent a second letter  
24                  requesting the records which again lists the typist  
25                  initials of D.D. I responded to Mr. Kelly's second

1 letter stating I would copy Mr. Brewington's records  
2 and forward them to him. My staff copied nine  
3 hundred and forty (940) pages of records including  
4 voluminous amounts of correspondence from Mr.  
5 Brewington as well as the notes and tests previously  
6 provided to him. Upon conducting a cursory review  
7 of the copied records before releasing them, I  
8 discovered that they contained identifying  
9 information and multiplying references and photos  
10 of the other parties in the custody case, namely the  
11 mother and children. I sent a letter to Mr. Kelly that  
12 I could not release the records containing  
13 confidential information about other parties and  
14 received a rather tense, (indiscernible) a non-  
15 professional response from him in return. And he  
16 so, at one point, he's saying that you know, I've  
17 bothered him, I pestered him, I've done everything  
18 like that and at another point he's saying you know,  
19 there's confidential information in here. Then he  
20 later goes on to say that uh, like he's made this  
21 claim that there's a protective order that prevents  
22 him from releasing the file. You can read in there  
23 where he actually says that uh, that Dr. Conner said  
24 he can't release the file unless he receives a court  
25 order or a request, or a consent from the mother.

1 Well there's no court order out there that says Dr.  
2 Conner's allowed to release it if, I mean he's not  
3 allowed to release it unless there's consent from the  
4 mother. You know there's nothing that says he  
5 can't release it.  
6 MR. NEGANGARD: But this has gone up clear to the Supreme Court and  
7 no one has said that you're entitled to that case file  
8 and it seems to me you still can't let that go.  
9 DAN: Well why...do I have to? I mean, am I allowed to  
10 pursue that?  
11 MR. NEGANGARD: No...  
12 DAN: ...but my options aren't over either because I have  
13 until May 17<sup>th</sup> of this year to appeal to the uh,  
14 appeal to the U.S. Supreme court about the issue.  
15 Because I was, uh, I had a uh...  
16 MR. NEGANGARD: Wait a minute. That's not in response to any  
17 question. So the only thing that you're mad at Dr.  
18 Conner about is the fact that he wouldn't release the  
19 case file?  
20 DAN: No. It also had to do with the office policy  
21 statement.  
22 MR. NEGANGARD: And it had nothing to do with his custody evaluation  
23 decision?  
24 DAN: Not the decision.  
25 MR. NEGANGARD: It had nothing to do with his report?

1 DAN: Well the fact that it contained errors in it, which he  
2 said it contained numerous errors and oversights. I  
3 mean he wrote the letter to Judge Carl Taul, which  
4 is an ex-parte letter. I mean he contacted the Court  
5 directly and if you want a copy of that letter, I have  
6 that one. And then I have a copy of the February  
7 25<sup>th</sup> letter where he said that he had a phone  
8 conversation with Judge Taul which you know,  
9 wasn't, doesn't appear on the record and then a lot  
10 of his other letters don't appear on the record as  
11 well. So that's the problem. Judge Taul had to  
12 recuse himself because he violated judicial cannon  
13 2.9 yet...

14 MR. NEGANGARD: Okay so it went to a different judge.

15 DAN: Yell.

16 MR. NEGANGARD: And you didn't like his opinion either.

17 DAN: Well because, who?

18 MR. NEGANGARD: Judge Humphrey.

19 DAN: Well Judge Humphrey, well the problem was...

20 MR. NEGANGARD: Yes or no. Did you like Judge Humphrey's...

21 DAN: Well which opinion are you talking about?

22 MR. NEGANGARD: His final order.

23 DAN: The final order?

24 MR. NEGANGARD: Yes.

25 DAN: He terminated my parenting time with what Dr.

1 Conner said...

2 MR. NEGANGARD: Well actually he didn't terminate your parenting  
3 time.

4 DAN: Yes he did.

5 MR. NEGANGARD: Did he?

6 DAN: Yes.

7 MR. NEGANGARD: No, he said, all you have to do, he said you have  
8 parenting time pursuant to, all you have to do is get  
9 a custody, is get a psychiatric evaluation.

10 DAN: That's why my case was on appeal. He said that he  
11 didn't have jurisdiction any more.

12 MR. NEGANGARD: He said all you have to do was get a psychiatric  
13 evaluation.

14 DAN: Yes and I was, I was, I tried to get a hearing for that  
15 and my hearing was set for June, June 14<sup>th</sup>...

16 MR. NEGANGARD: ...you never got a psychiatric evaluation. Correct?

17 DAN: It just got approved. It's Dr. Longmore and uh, uh,  
18 well, let me back up. I had a hearing set for June  
19 14<sup>th</sup>, it took a, by the final decree in my divorce, by  
20 the way there was no mentioning of terminating my  
21 parenting time.

22 MR. NEGANGARD: There was no mention of terminating your parenting  
23 time in the final decree.

24 DAN: Okay, what's the final decree say? Do I get any  
25 parenting time?

1 MR. NEGANGARD: That you're not entitled to visitation. It doesn't say  
2 terminating visitation, now does it?  
3 DAN: What's that mean? Did he terminate my visitation?  
4 MR. NEGANGARD: No. Until you undergo a mental health evaluation.  
5 What is wrong with that?  
6 DAN: Okay, then he terminated then...  
7 MR. NEGANGARD: If you really cared about your children, why  
8 wouldn't you have gotten the evaluation?  
9 DAN: Well because the burden of proof shouldn't be on  
10 me...  
11 MR. NEGANGARD: ...if you really cared...  
12 DAN: ...I did get an evaluation....  
13 MR. NEGANGARD: ...about your children...  
14 DAN: ...here's the problem...  
15 MR. NEGANGARD: ...you didn't get an evaluation...  
16 DAN: Yes I did.  
17 MR. NEGANGARD: No you didn't.  
18 DAN: Because on March 13<sup>th</sup>, March 17<sup>th</sup>, I had an  
19 attorney, well up until then, Judge Humphrey said  
20 he didn't...  
21 MR. NEGANGARD: ...you represented yourself. Correct?  
22 DAN: Well yell up until then, March 17<sup>th</sup>, Judge  
23 Humphrey said he didn't have jurisdiction of the  
24 case because it was in appeal. I got an attorney. He  
25 filed a motion so we had a motion to approve a

1 psychiatrist, a Dr. Henry Waite in Cincinnati where  
2 both me and my ex-wife reside and Judge  
3 Humphrey set a date, in fact, June 14, 2009 or 2010.  
4 Five days before that, Judge Humphrey recused  
5 himself because of, this investigation I guess  
6 because I guess you spoke with him or somebody  
7 did.  
8 MR. NEGANGARD: That was a long time after this order was issued.  
9 DAN: Yell because he said that...  
10 MR. NEGANGARD: You had plenty of time to get a psychiatric  
11 evaluation but instead you chose to appeal it.  
12 Correct?  
13 DAN: Well that's the other thing it was he said I had to  
14 pay a hundred and twenty-two thousand dollars  
15 (\$122,000.00) for the future interest of a trust in  
16 farmland that I'm not entitled to so...  
17 MR. NEGANGARD: But that wouldn't prevent you from getting a  
18 psychiatric evaluation so you could get your  
19 visitation...  
20 DAN: Well I got a psychiatric evaluation. I got two (2) of  
21 them. I got one from a Hamilton County Court. I  
22 got one from Dr. Henry Waite. I wasn't allowed to  
23 bring those because I couldn't approve it. Here I  
24 got that...  
25 MR. NEGANGARD: Isn't it true in your internet writings you said how



1                   you would not submit to a psychiatric evaluation?

2     DAN:                 That was at the very beginning because I was

3                   concerned. Okay, let's back up. The problem was,

4                   I wasn't given a copy of Dr. Conner's case file,

5                   which is...

6     MR. NEGANGARD:      You got several documents...

7     DAN:                 Okay.

8     MR. NEGANGARD:      ...you didn't get what you wanted. You didn't get

9                   your wife's stuff that you wanted to post on the....

10    DAN:                 I didn't get everything...

11    MR. NEGANGARD:      ...internet.

12    DAN:                 ...I didn't get everything...

13    MR. NEGANGARD:      Correct?

14    DAN:                 No. It had...

15    MR. NEGANGARD:      ...so what...

16    DAN:                 ...nothing to do with that.

17    MR. NEGANGARD:      So what, you had this evaluation, you couldn't do a,

18                   you couldn't...

19    DAN:                 Mr. Negangard you got...

20    MR. NEGANGARD:      ...no, I want you to try...

21    DAN:                 ...your facts wrong...

22    MR. NEGANGARD:      ...and finally wake up. Everybody's at fault –

23                   Judge Humphrey's at fault, Dr. Conner's at fault,

24                   Amy Streater's at fault, Tom Blondell's at fault,

25                   Mike Kreinhop's at fault...

1     DAN:                                 ...see this is what he does...

2     MR. NEGANGARD:                 ...I'm at fault, the Court of Appeals is...

3     DAN:                                 ...that's what he does...

4     MR. NEGANGARD:                 ...at fault, the Indiana Supreme Court is at fault...

5     DAN:                                 ...because that's what people like this do. They...

6     MR. NEGANGARD:                 ...is that whose all...

7     DAN:                                 ...point at the person and say they're crazy.

8     MR. NEGANGARD:                 ...is that whose all at fault?

9     DAN:                                 Well hold on.

10    MR. NEGANGARD:                 I mean because you've stated in your testimony that

11   all those people are wrong and you're the only one

12   that's right. Correct?

13    DAN:                                 Let me just read this stuff real quick. Here's the

14   history...

15    MR. NEGANGARD:                 Well answer the question. Are all those people

16   wrong and you're the only one that's right?

17    DAN:                                 All on what? The fact is I wasn't given the

18   opportunity, first of all, nobody said that I

19   was...okay as a lawyer isn't the burden of proof

20   supposed to be on the other side. I mean, I didn't

21   have any, nobody accused me of not being a good

22   parent. Dr. Conner said, Dr. Conner's evaluation

23   said that I was a capable parent. His testimony said

24   that I could do it. If you want to read that, you can.

25   Judge Taul, or I'm sorry Judge Humphrey, if I was

1 so dangerous the final hearing on my divorce was  
2 June 3, 2008, or 2009, I'm sorry, he waited, I had  
3 my children for two and a half (2 ½) years at least  
4 three (3) days a week, overnights when it started.  
5 He waited two and a half (2 ½) months to terminate  
6 my parenting time. So if I was so dangerous, he just  
7 allowed them to go off, uh, to go off with me and  
8 his main concern was, he wrote the Court is the  
9 most concerned about husband's irrational behavior  
10 and attacks on Dr. Conner. Now we never had  
11 hearings on that. The only hearing we had on the  
12 internet content was a motion for restraining order  
13 by my uh, by my ex-wife and it was denied because  
14 there wasn't any content that was damaging. But  
15 what we have here is like the office policy statement  
16 for Dr. Conner which people just don't want to  
17 acknowledge. On September, on June 13, 2008, my  
18 ex-wife submitted an office policy statement for  
19 individual psychological service by Dr. Conner at  
20 their own hearing on the release of Dr. Conner's  
21 case file. I didn't get a copy, I wasn't sure at the  
22 time, it had been a year, I wasn't sure if I got a copy  
23 of that. I requested the file from Dr. Conner. He  
24 didn't respond. I kept requesting it and finally on  
25 September 9<sup>th</sup>, 2008, he sends me a letter that says

1 which you know I have right here, he says, the  
2 office, I'm sorry, uh, with regards to the office  
3 policy statement we do not have a signed office  
4 policy statement for you on file. It appears you  
5 were not provided with this document when you  
6 initially came into our office which was an  
7 oversight on the part of the office staff.  
8 Nevertheless, the office policy statement is simply  
9 an adjunct document to the Court order to which  
10 you and Mrs. Brewington agreed to participate fully  
11 in a custody evaluation to be conducted at this  
12 office. He said it was a, a adjunct document  
13 through a court order. On May 17<sup>th</sup>, or on May 27<sup>th</sup>,  
14 he said that there was a mistake that they had my  
15 ex-wife sign the document and it was not an adjunct  
16 document to the court, uh, court order. And  
17 specifically he said that uh, uh...  
18 MR. NEGANGARD: Mr. Brewington, we're really not interested in this  
19 case file issue, okay the case file issue is...  
20 DAN: ...well no but...  
21 MR. NEGANGARD: ...isn't irrelevant...  
22 DAN: ...well is it but it isn't because...  
23 MR. NEGANGARD: ...okay...  
24 DAN: ...you're saying you're criticizing me for talking  
25 about Dr. Conner. You're not allowing me to tell

1 you know, what Dr. Conner said.

2 MR. NEGANGARD: Not but what you accused Dr. Conner of was, you

3 accused Dr. Conner of um, child abuse. Correct?

4 DAN: No, well actually...

5 MR. NEGANGARD: Did you not, did you accuse Dr. Conner of child

6 abuse?

7 DAN: I thought I did that to Judge Humphrey.

8 MR. NEGANGARD: Did you accuse Dr. Conner of child abuse?

9 DAN: I can't remember, but it might have been...

10 MR. NEGANGARD: You might have...

11 DAN: ...might have been, what?

12 MR. NEGANGARD: You might have?

13 DAN: Uh, uh, I might have.

14 MR. NEGANGARD: Well if it's on your web-site you might have. If it's

15 on your web-site you might have accused him...

16 DAN: ...if it's on the web-site, I did. I mean...

17 MR. NEGANGARD: Okay.

18 DAN: ...I'll take full, I'll take full responsibility for that.

19 MR. NEGANGARD: Alright, so, don't you think not giving case files and

20 child abuse are two (2) separate things?

21 DAN: The case file and the child abuse doesn't have

22 anything to do with one another.

23 MR. NEGANGARD: Okay, so why would you accuse Dr. Conner of child

24 abuse?

25 DAN: Because Dr. Conner attacked me and tried to hinder

1 my abilities as a father, because he was, because he  
2 got in trouble, he got caught with his hand in the  
3 cookie jar with his office policy statement.  
4 MR. NEGANGARD: He didn't get in trouble, did he?  
5 DAN: Well he got his hand caught in the cookie jar.  
6 MR. NEGANGARD: He didn't get in trouble, did he?  
7 DAN: Okay maybe he didn't get in trouble.  
8 MR. NEGANGARD: Okay.  
9 DAN: Okay, let's listen to this...  
10 MR. NEGANGARD: So...  
11 DAN: ...I didn't have a copy, I didn't have a copy of the  
12 transcripts...  
13 MR. NEGANGARD: ...so did you get on the internet and talk about  
14 where Dr. Conner lived?  
15 DAN: No. No, I didn't.  
16 MR. NEGANGARD: You didn't say I live a few, or I visited a family a  
17 few houses down from where you live and you've  
18 got a nice neighborhood.  
19 DAN: Oh, well I put...  
20 MR. NEGANGARD: ...what a nice neighborhood.  
21 DAN: ...is that what I, is that exactly, is that the exact  
22 quote?  
23 MR. NEGANGARD: Something to that effect.  
24 DAN: Well something that I quote, no, I said I had family  
25 in the area, which I do.

1 MR. NEGANGARD: Did you tell him that he lived in a nice  
2 neighborhood?  
3 DAN: Well it's Triple Crown. I mean somebody told me  
4 that because they got kids who live...  
5 MR. NEGANGARD: Why did you feel the need to post about where he  
6 lived on the internet?  
7 DAN: Because it's a status like God is high, like high on  
8 the hill and here he is taking advantage of people.  
9 MR. NEGANGARD: Right, but you wanted to make sure that people who  
10 were reading all your internet and rantings knew  
11 where Dr. Commer lived?  
12 DAN: Well its public record. I mean you could go...  
13 MR. NEGANGARD: Yell but you wanted to make sure they did?  
14 DAN: Well Triple Crown's a good place, but...  
15 MR. NEGANGARD: And then did you hack into someone's facebook and  
16 post a picture of him at a wedding dancing?  
17 DAN: No.  
18 MR. NEGANGARD: You didn't do that?  
19 DAN: No. I got a picture of him. I didn't hack into  
20 anybody's account.  
21 MR. NEGANGARD: Did you post a picture of him dancing?  
22 DAN: Did somebody accuse me of hacking into  
23 somebody's account?  
24 MR. NEGANGARD: Did you post a picture of...  
25 DAN: Yes I did.

1 MR. NEGANGARD: Okay.

2 DAN: Because it was on a public domain.

3 MR. NEGANGARD: Okay, so you posted a picture of him on the internet.

4 DAN: Yell, I've got, you want a copy of it?

5 MR. NEGANGARD: Why? Why would you post a picture of him

6 dancing?

7 DAN: Because it's a free world, it's a free country. I

8 mean...

9 MR. NEGANGARD: No but it isn't, it isn't, you don't have an

10 opportunity to continue to harass someone. You

11 have to have a point...

12 DAN: I do.

13 MR. NEGANGARD: What is the point of posting on the internet...

14 DAN: ...well that's funny because you won't let me finish

15 it because Dr. Conner and I went to...

16 MR. NEGANGARD: ...no I think we've let you go on and on and on.

17 DAN: ...see no, no, but you haven't because in November,

18 in November, I went to a hearing because a guy had

19 contacted me, uh, his name was Greg Moorehead.

20 He contacted me and said that he had a hearing

21 involving Dr. Conner and he asked me if I wanted

22 to go to support him. Yell, I went. Well what

23 happened is Dr. Conner, and this is a year and a half

24 (1 ½) after, well it was in November, almost a year

25 and a half (1 ½) afterwards, Dr. Conner calls my ex-



1 wife's attorney. Dr. Conner had ex-parte  
2 communication with Judge Humphrey or at least the  
3 Circuit Court but that's what he keeps doing. He,  
4 he, he broke...  
5 MR. NEGANGARD: Well what's that got to do with posting a picture of  
6 him dancing?  
7 DAN: So people see who he is...  
8 MR. NEGANGARD: ...so...  
9 DAN: ...so if people go to his office and...  
10 MR. NEGANGARD: Okay that's clear. You've answered that.  
11 DAN: Yell.  
12 MR. NEGANGARD: Alright so now with regard to uh, Judge Humphrey.  
13 DAN: Yell.  
14 MR. NEGANGARD: Okay, as soon as he issued a decision that you didn't  
15 agree with, you went on the internet attacking him.  
16 Correct?  
17 DAN: Oh yell, yell, because like I said...  
18 MR. NEGANGARD: I didn't ask you 'cause...  
19 DAN: ...well that's fine.  
20 MR. NEGANGARD: I said you went on the internet attacking him.  
21 Correct?  
22 DAN: Yell, first amendment speech.  
23 MR. NEGANGARD: Yell but you don't get to lie.  
24 DAN: I don't lie.  
25 MR. NEGANGARD: You don't lie?

1 DAN: No.

2 MR. NEGANGARD: Okay. We'll see about that.

3 DAN: Yell, see about that.

4 MR. NEGANGARD: I'm showing you Grand Jury Exhibit 122. This is

5 the letter that you sent to Dr. Conner. You said

6 you're an attorney.

7 DAN: Well I was representing myself.

8 MR. NEGANGARD: Are you an attorney?

9 DAN: If you look it up, no I'm not an attorney at law. But

10 if you look it up in the dictionary, attorney is

11 somebody who represents somebody. So it's a, you

12 know it's an interpretation but I'm not an attorney at

13 law.

14 MR. NEGANGARD: It's an interpretation?

15 DAN: I'm not a lawyer.

16 MR. NEGANGARD: Okay.

17 DAN: But so, yell, I don't lie.

18 MR. NEGANGARD: No, that was misleading. You're not an attorney.

19 DAN: Okay, well in the case of, in the case of...

20 MR. NEGANGARD: You're not an attorney...

21 DAN: ...but did he believe that?

22 MR. NEGANGARD: ...you're not an attorney.

23 DAN: Okay.

24 MR. NEGANGARD: Correct?

25 DAN: Whatever.

1 MR. NEGANGARD: Are you an attorney?  
2 DAN: I was representing myself.  
3 MR. NEGANGARD: Are you an attorney?  
4 DAN: Look it up in the dictionary.  
5 MR. NEGANGARD: Are you an attorney?  
6 DAN: An attorney at law? I'm not an attorney at law.  
7 MR. NEGANGARD: Are you an attorney?  
8 DAN: In the dictionary...  
9 MR. NEGANGARD: Answer the question. Are you an attorney?  
10 DAN: In the dictionary, in the dictionary and in the  
11 dictionary thing I saw...  
12 MR. NEGANGARD: Answer the question. Are you an attorney?  
13 DAN: In the dictionary explanation it could be perceived  
14 as that.  
15 MR. NEGANGARD: Answer...the question...that's not the question.  
16 The question is, are you an attorney?  
17 DAN: Am I an attorney? Yell, in the dictionary...  
18 MR. NEGANGARD: Yes, okay.  
19 DAN: ...then I was. I mean...  
20 MR. NEGANGARD: So it's your testimony under oath that you're an  
21 attorney.  
22 DAN: Not an attorney at law.  
23 MR. NEGANGARD: In the um, test results from the child custody  
24 evaluation, Dr. Conner's testimony indicated that  
25 you have a degree of psychological disturbance that

1 is concerning and does not lend itself to proper  
2 parenting, that you're paranoid and manipulative  
3 exhibit a manic-like existence unwilling to accept  
4 responsibility for his behavior, self-centered, has  
5 difficulty seeing an issue from another prospective,  
6 likes to do things on his own as opposed to being  
7 more cooperative, not compromising when needed  
8 and does not handle criticism well. Would you  
9 agree that appears to be an accurate description of  
10 you?  
11 DAN: No.  
12 MR. NEGANGARD: No, you don't agree with that?  
13 DAN: No. Well I mean, the thing is...  
14 MR. NEGANGARD: Explain one time in this entire proceeding where  
15 you've been cooperative and compromising.  
16 DAN: My whole point is...  
17 MR. NEGANGARD: Explain one time in this entire proceeding...  
18 DAN: Well but, okay...  
19 MR. NEGANGARD: Answer my question.  
20 DAN: Okay.  
21 MR. NEGANGARD: I mean I get to ask the questions.  
22 DAN: Okay, I'm not sitting back, I'm not going to sit back  
23 and let people tell me that I'm not entitled...  
24 MR. NEGANGARD: You're going to answer the questions...  
25 DAN: ...that I'm not entitled...

1 MR. NEGANGARD: You're going to answer the questions. Name one  
2 time when you were cooperative and compromising  
3 during these proceedings -- one time.  
4 DAN: The whole time with dealing with the children?  
5 MR. NEGANGARD: The whole time.  
6 DAN: With the children?  
7 MR. NEGANGARD: The whole time.  
8 DAN: With the children, I mean, the children, I mean you  
9 won't find anywhere in the record where like, like  
10 where we, weren't any fights and even Detective  
11 Kreinhop, well now it's Sheriff Kreinhop, even he  
12 said that he was uh, when he visited my house in  
13 Norwood, Ohio, even he said that he was surprised  
14 that there weren't any allegations of sexual abuse,  
15 drug abuse, you know, any kind of fighting or  
16 screaming or anything like that during the divorce.  
17 MR. NEGANGARD: What's that got to do with anything? The, you uh,  
18 there were seventy-four (74) pediatrician visits, you  
19 attended um, nine (9) of those.  
20 DAN: I worked. And see...  
21 MR. NEGANGARD: You worked? It's my understanding that you have  
22 been unemployed since December or since October  
23 of 2006.  
24 DAN: Since when?  
25 MR. NEGANGARD: October of 2006.

1     DAN:                                 Yes, she filed for divorce in 2007. She took the  
2   children to like, she took the children to the  
3   pediatrician. But you can also see that I took, Dr.  
4   Conner even testified that, yell, it was a medical  
5   emergency and I handled it properly.

6     MR. NEGANGARD:                     In December of 2006, you didn't attend an ear  
7   surgery. Is that correct?

8     DAN:                                 Because it was a very contentious time. You know,  
9   I was worried about...

10    MR. NEGANGARD:                     You didn't attend any speech therapy sessions with  
11   your daughter. Correct?

12    DAN:                                 I was at work.

13    MR. NEGANGARD:                     You didn't have a job since October 2006.

14    DAN:                                 Well when was that? When was that? When were  
15   those things?

16    MR. NEGANGARD:                     She wasn't at work. She didn't have a job?

17    DAN:                                 She worked three (3) days a week. She's a nurse.  
18   When were those? When were those ear  
19   appointments Mr. Negangard?

20    MR. NEGANGARD:                     I assume during the course of your marriage.

21    DAN:                                 Yell, well I worked during the course of that. I  
22   worked...

23    MR. NEGANGARD:                     You worked on and off. You didn't work  
24   continuously from the time you got married 'til  
25   October of 2006 or is that your testimony?

1     DAN:                                 Well...

2     MR. NEGANGARD:                 I'll tell you what. Why don't you tell us when you

3   worked?

4     DAN:                                 Okay. I worked from uh...

5     MR. NEGANGARD:                 Starting from 1999.

6     DAN:                                 See this is the difficult thing. Because my dad, my

7   father died of cancer in 1998 and there was two

8   hundred and forty-one (241) acres of farmland and

9   so uh, you know, he had a month to live so we, as a

10   family, we didn't have the opportunity to just say...

11    MR. NEGANGARD:                 Starting in 1999, where were you working?

12    DAN:                                 we'll just, that's...well...why's '99?

13    MR. NEGANGARD:                 Were you working in '99?

14    DAN:                                 I wasn't married.

15    MR. NEGANGARD:                 I don't think that's too complicated of a question.

16    DAN:                                 That's what I'm getting at.

17    MR. NEGANGARD:                 Where did you work in 1999?

18    DAN:                                 I said that I had to work on our family farm because

19   it was my brother...

20    MR. NEGANGARD:                 ...okay, you worked on the family farm...

21    DAN:                                 ...and my brother...

22    MR. NEGANGARD:                 ...when did that end?

23    DAN:                                 I always had responsibilities there because we had

24   rental houses.

25    MR. NEGANGARD:                 And when did you get uh, when did you become

1 employed by someone other than the family farm?

2 DAN: Uh, uh, in, well I worked for Hillrom in uh, '98 to,

3 '99 I believe and uh then 2000 but then I got

4 computer training and I went to work for...

5 MR. NEGANGARD: Wait a minute, so from when in 1998 until when,

6 whenever did you work at Hillrom?

7 DAN: I think it was maybe August of '98 until November

8 of '99. I started working on getting my A plus

9 certification for computers and then in 2000 I went

10 to work for CompUSA.

11 MR. NEGANGARD: November, okay, so November of '99 to...

12 DAN: ...I just, well I don't have my resume.

13 MR. NEGANGARD: ...when were you, when did you go to work at

14 CompUSA approximately?

15 DAN: Uh, I think the Spring of probably 2000.

16 MR. NEGANGARD: Spring of 2000?

17 DAN: Yell and then I got laid off in May of 2001.

18 MR. NEGANGARD: Okay so you were unemployed in May of 2001.

19 Correct?

20 DAN: But then okay, we bought a house uh, you might

21 have seen it on the news. It was run down with cats.

22 It had fifty some cats in it and it was condemned. It

23 was one of those orders. We bought a condemned

24 house and totally redid it with all new stuff and then

25 sold it and then uh, from then on...



1 MR. NEGANGARD: So when did you, from May of 2001 until when...  
2 DAN: ...about a year...  
3 MR. NEGANGARD: ...you got a job. So you were unemployed for a  
4 year.  
5 DAN: Well no. I was working on the house.  
6 MR. NEGANGARD: You were working on some cat house but other than  
7 that, you were unemployed for a year.  
8 DAN: Yell, I'll bring the pictures in for you next time or  
9 actually if you go on the internet it's for sale...  
10 MR. NEGANGARD: Now so when did you get employed again?  
11 DAN: Uh, well then, I was uh, I started working, well I've  
12 always worked on the farm, I was doing, uh,  
13 working on the farm house that we were also fixing  
14 up and so then I did that as a stay at home dad. I  
15 started for Secure, doing subcontract work for  
16 Secure America in November of 2004, I believe and  
17 then uh, I lost, I just lost the contract work because  
18 the housing market you know, fell out of sight.  
19 MR. NEGANGARD: So how long did that last? And that was just  
20 contract work?  
21 DAN: Until 2006, yell. And then the housing market you  
22 know, took a dive.  
23 MR. NEGANGARD: Okay. Wasn't there periods of time when you were  
24 unemployed or when you were unemployed and you  
25 worked at home and your wife paid for daycare?

1     DAN:                                 Yell.

2     MR. NEGANGARD:                 And you didn't have any income?

3     DAN:                                 Uh, not at that time. I was unemployed. But when I

4   was unemployed...

5     MR. NEGANGARD:                 But since October of 2006, you haven't held a job?

6     DAN:                                 Well because I just, I was working on...no I haven't

7   had a job since then.

8     MR. NEGANGARD:                 Since October of 2006, you haven't had a job?

9     DAN:                                 No.

10    MR. NEGANGARD:                 Your mom's paid your bills?

11    DAN:                                 Yell. Well while I was with my family. I've taken

12   out loans because I've been doing stuff.

13    MR. NEGANGARD:                 You've been harassing people on the internet.

14    DAN:                                 Well you could call it that.

15    MR. NEGANGARD:                 Okay.

16    DAN:                                 Well, you know...

17    MR. NEGANGARD:                 Um...

18    DAN:                                 ...I don't call it that. I call it exercising my rights to

19   free speech, because I have a message and, you

20   know, I have no qualms about that.

21    MR. NEGANGARD:                 Your message...

22    DAN:                                 I've been very public about it.

23    MR. NEGANGARD:                 ...is that Judge Humphrey abuses children.

24    DAN:                                 Yell I said that because Dr. Conner stated in his

25   testimony that...

1 MR. NEGANGARD: Now your message is...

2 DAN: ...well...

3 MR. NEGANGARD: ...just answer the question.

4 DAN: Yell, yell, alright.

5 MR. NEGANGARD: Your message is, Judge Humphrey abuses children.

6 DAN: Yell, if you don't want an explanation, no, well

7 that's fine.

8 MR. NEGANGARD: Well I don't think it warrants an explanation.

9 DAN: Okay.

10 MR. NEGANGARD: You accused Judge Humphrey of abusing children.

11 DAN: Yes.

12 MR. NEGANGARD: Correct?

13 DAN: Yell.

14 MR. NEGANGARD: You posted his wife's name on the internet.

15 DAN: I didn't know it was his wife. She was the Ethics of

16 Professionalism Committee advisor for the Indiana

17 Supreme Court Ethics and Professionalism

18 Committee.

19 MR. NEGANGARD: Not in 2009, she wasn't.

20 DAN: What's that?

21 MR. NEGANGARD: Not in 2009 she wasn't.

22 DAN: In 2009, she wasn't?

23 MR. NEGANGARD: No.

24 DAN: She wasn't, well I got something that says different.

25 MR. NEGANGARD: Where do you have that?

1     DAN:                     Uh, let me see here, that folder, because she was  
2                                 removed, uh, page over there, oh here it is. Indiana  
3                                 Ethics and Professional Committee, that one she  
4                                 was not on there on 12/13/09, uh, let's see, and this  
5                                 was 8/22/09 and it says (inaudible), so for all sakes  
6                                 and purposes, she was on the board at that time.

7     MR. NEGANGARD:         Okay, so you looked this up on the internet.  
8                                 Correct?

9     DAN:                     Yell.

10    MR. NEGANGARD:         Did you also look up how to file an ethics  
11                                 complaint?

12    DAN:                     Against judges?

13    MR. NEGANGARD:         Mm hmm.

14    DAN:                     I never really, I mean that was one of the first things  
15                                 I did. I just sent it to the Ethics and  
16                                 Professionalism...

17    MR. NEGANGARD:         It doesn't say that you sent complaints to the Ethics  
18                                 and Professionalism Committee. It doesn't say that  
19                                 anywhere on that. Does it?

20    DAN:                     It says Ethics and Professionalism Committee.

21    MR. NEGANGARD:         It doesn't say anywhere on there that you sent  
22                                 complaints to the Ethics and Professionalism  
23                                 Committee. Correct?

24    DAN:                     Not on that page.

25    MR. NEGANGARD:         No, and it doesn't have her address on it. Does it?

1 DAN: No. Do you want the other one where she was  
2 taken off in the same year?  
3 MR. NEGANGARD: No.  
4 DAN: Alright.  
5 MR. NEGANGARD: Um, and...  
6 DAN: ...but she was on there then? I mean you're  
7 correcting your statement? She was...  
8 MR. NEGANGARD: What?  
9 DAN: ...on the committee then in 2009?  
10 MR. NEGANGARD: I don't think she was.  
11 DAN: Oh, okay, then because the Indiana Supreme Court  
12 didn't update their web-site then.  
13 MR. NEGANGARD: So um, where did you get her address?  
14 DAN: On the Indiana, Dearborn County tax assessor web-  
15 site.  
16 MR. NEGANGARD: That would have her name and Judge Humphrey's  
17 name?  
18 DAN: It had James Humphrey.  
19 MR. NEGANGARD: Okay, so is it your testimony...you just testified that  
20 you didn't know that that was Judge Humphrey's  
21 home address?  
22 DAN: it, it, you know...  
23 MR. NEGANGARD: You just testified...  
24 DAN: ...no, I didn't say...  
25 MR. NEGANGARD: ...you knew it was Judge Humphrey's...

1     DAN:                                 ...I didn't say, I didn't say...

2     MR. NEGANGARD:                 ...yes you did. You said that you didn't know...

3     DAN:                                 ...can I say that I cannot say for sure if it was.

4   Could it have been? I don't know but the

5   Humphrey conflict of interest...

6     MR. NEGANGARD:                 ...you knew it was Judge Humphrey...

7     DAN:                                 ...has nothing to do with...

8     MR. NEGANGARD:                 ...sure it does.

9     DAN:                                 No I did. What's that?

10    MR. NEGANGARD:                 Sure it does.

11    DAN:                                 Are there any more Humphrey's in Indiana or in

12   the...

13    MR. NEGANGARD:                 It said James Humphrey who happens to be the

14   name of your judge and you're under oath and

15   you're actually expecting this Grand Jury to believe

16   that you didn't know that that was his wife?

17    DAN:                                 Oh, it very well could be a possibility. I'm not from

18   Dearborn County. I don't know but the thing is...

19    MR. NEGANGARD:                 ...you...wait a minute. Now you look on the

20   internet. You um, looked up the Ethics and

21   Professionalism Committee which meant that you

22   would have had to pass over the proper procedure...

23    DAN:                                 ...I was shocked that there was Ethics...

24    MR. NEGANGARD:                 ...to file an ethics complaint...

25    DAN:                                 ...an Professionalism Committee in Dearborn

1 County. That's why I contacted...

2 MR. NEGANGARD: ...It doesn't say it was an Ethics and

3 Professionalism Committee in Dearborn County.

4 DAN: No.

5 MR. NEGANGARD: It just lists where she's from.

6 DAN: She was the advisor in Dearborn County.

7 MR. NEGANGARD: No it just says where she's from.

8 DAN: Well if you read it, it appears that she's the Ethics

9 and Professionalism...

10 MR. NEGANGARD: No because that would have meant you would have

11 had to pass over all the web-sites, all the pages that

12 would have said how you file a complaint against a

13 judge. Doesn't the internet say how you file a

14 complaint against a judge?

15 DAN: That's before I got into looking at it. I know where

16 you do it now.

17 MR. NEGANGARD: Okay so you got into it, you found her on the Ethics

18 and Professionalism Committee web-site, you just

19 happened to find her, you went to the web-site and

20 it said...

21 DAN: ...no, no, I'm not saying it's that naïve.

22 MR. NEGANGARD: ...Dearborn County records...take Dearborn County

23 records, take Dearborn County records and you

24 happen to find um, you just happen to find James

25 Humphrey and Heidi Humphrey and oh, I didn't

1 have any idea about it.

2 DAN: No, I didn't say I didn't have any idea...

3 MR. NEGANGARD: Is that what you said?

4 DAN: Because the thing that...

5 MR. NEGANGARD: You said you didn't know...your testimony...

6 DAN: I said that I was...okay I wasn't sure. I mean...

7 MR. NEGANGARD: Now you knew it, you knew it was his wife. Isn't

8 that correct?

9 DAN: No, not for sure.

10 MR. NEGANGARD: Okay...

11 DAN: ...I mean in probability, maybe...

12 MR. NEGANGARD: ...no, no, no...

13 DAN: ...you know but...

14 MR. NEGANGARD: ...you knew...

15 DAN: ...did I know that he lives there?

16 MR. NEGANGARD: ...you didn't know it was for sure but you had a

17 pretty...

18 DAN: ...I don't know if he has any kids...I don't know...

19 MR. NEGANGARD: ...pretty close. Right?

20 DAN: Yell. It could have been.

21 MR. NEGANGARD: And that's why you posted it. Correct?

22 DAN: Well I...

23 MR. NEGANGARD: You posted it because you thought it was Heidi

24 Humphrey. You thought it was the wife...

25 DAN: ...if you also see...



1 MR. NEGANGARD: ...of Judge Humphrey. Now answer my question...

2 DAN: ...if you also see...

3 MR. NEGANGARD: You posted it because you thought it was Heidi

4 Humphrey. You thought it was his wife and you

5 wanted to put his wife and his address on the

6 internet. Correct?

7 DAN: Wrong. I contacted many, many people,

8 government officials about this thing.

9 MR. NEGANGARD: And that's now how you file a complaint against a

10 judge...

11 DAN: ...well...

12 MR. NEGANGARD: ...you know that, you know that. You know how to

13 file a complaint against a judge...

14 DAN: ...I do now...

15 MR. NEGANGARD: Correct?

16 DAN: I do now.

17 MR. NEGANGARD: Alright, so you...

18 DAN: ...but the Ethics and Professionalism Committee...

19 MR. NEGANGARD: ...knew that wasn't, you knew that wasn't...there is

20 no...this doesn't say. Does it give an address?

21 DAN: She's an advisor. No I looked it up.

22 MR. NEGANGARD: Does it give an address?

23 DAN: It's a public record.

24 MR. NEGANGARD: No it says, it says the Ethics and Professional...

25 DAN: ...yell...

1 MR. NEGANGARD: ...meets at the request to give judicial  
2 (indiscernible) on ethical issues and addresses  
3 judicial wellness and judicial families. In addition,  
4 this committee makes recommendations for  
5 education programs on ethics topics, judicial  
6 wellness and dealing with ethics. It doesn't have a  
7 dag gone thing to do um, reporting a judge and you  
8 knew that. You knew that it didn't have anything to  
9 do with reporting a judge...

10 DAN: Did I request...

11 MR. NEGANGARD: ...because to get to that, oh you didn't read the top  
12 of it is what it was for?

13 DAN: ...well let me ask you this...

14 MR. NEGANGARD: ...you just scanned through...

15 DAN: ...did I send a complaint to that

16 MR. NEGANGARD: ...happened to find Heidi Humphrey...

17 DAN: Did I send a complaint to that place? Did I send a  
18 complaint? No I did not contact them. I did not  
19 send a complaint.

20 MR. NEGANGARD: No, because all you really wanted to do was put  
21 Heidi Humphrey's name and address on the internet  
22 to intimidate the judge.

23 DAN: No actually people, I wanted the people to get their  
24 own prospective to the Ethics and Professionalism  
25 Committee because if they wanted to make any

1 changes...

2 MR. NEGANGARD: ...but that's not who they make changes to. That's

3 not the vehicle and you knew that.

4 DAN: No I didn't.

5 MR. NEGANGARD: Yes you did.

6 DAN: I knew that...

7 MR. NEGANGARD: ...you knew Heidi Humphrey was his...do you

8 really expect, you're under oath...

9 DAN: I know I'm under oath.

10 MR. NEGANGARD: ...and you're really expecting us to believe that you

11 just happened to find her name and then you

12 happened to cruise over her name and then you went

13 to the web-site of the Dearborn County Tax

14 Records...

15 DAN: ...no I'm not expecting that...

16 MR. NEGANGARD: ...to find and it matched up with Jim Humphrey and

17 Heidi Humphrey and then you just happened to post

18 her name?

19 DAN: No, I didn't.

20 MR. NEGANGARD: Is that your testimony?

21 DAN: No, I, actually, I posted, I didn't just post it. I sent it

22 out to other people. It was just at the very end

23 that...

24 MR. NEGANGARD: You posted it?

25 DAN: Yell,

1 MR. NEGANGARD: You posted her name and address?  
2 DAN: Yes, because...  
3 MR. NEGANGARD: And you looked up her name...  
4 DAN: ...because I wanted to...  
5 MR. NEGANGARD: ...on the...because why?  
6 DAN: Because I wanted to let her know...  
7 MR. NEGANGARD: You wanted to let her...you wanted to let everyone  
8 know where Judge Humphrey and his family lived.  
9 Correct?  
10 DAN: No. (inaudible)...  
11 MR. NEGANGARD: ...you wanted to let Judge Humphrey know you  
12 knew where he lived. Correct?  
13 DAN: What's that?  
14 MR. NEGANGARD: You wanted to Judge Humphrey to let him know  
15 where he lived, that you knew where he lived.  
16 DAN: I don't care where he lived. I mean, I'm not a  
17 stalker or anything. I haven't just like driven past  
18 his house, done anything like that. There's no  
19 complaints of stalking, anything like that, or like  
20 following people or something even in the two and  
21 half year (2 ½) divorce decree or the course of the  
22 two and a half (2 ½) year divorce when I showed up  
23 at like peoples work, people's...  
24 MR. NEGANGARD: ...I just didn't think you were here for stalking.  
25 DAN: What?

1 MR. NEGANGARD: Didn't think you were here for stalking.  
2 DAN: Yell.  
3 MR. NEGANGARD: It wasn't on the target notice.  
4 DAN: Well that's good. I mean but that's...  
5 MR. NEGANGARD: ...alright so..  
6 DAN: ...the thing. Because there's an address there, it  
7 means something. I mean its public information.  
8 MR. NEGANGARD: It does mean something.  
9 DAN: Okay.  
10 MR. NEGANGARD: It does mean something.  
11 DAN: Alright.  
12 MR. NEGANGARD: And you're, is it your testimony you don't think it  
13 means anything? Is that what you're saying?  
14 DAN: No I'm saying it's a public official which she is.  
15 MR. NEGANGARD: You went through the trouble of finding, going to  
16 the Dearborn County Tax web-site finding where  
17 she lived. Obviously if they meant for you to send a  
18 letter to her, you wouldn't have to go the Dearborn  
19 County Tax Records to get it now would you?  
20 Would you?  
21 DAN: Well not if it was, no, if it was on there.  
22 MR. NEGANGARD: If it was meant to get correspondence. The fact is  
23 you knew it wasn't meant for to get correspondence.  
24 You knew that you were putting Judge Humphrey's  
25 wife's name and address on there and you did it for

1 a reason. Isn't that correct?

2 DAN: I did it so people could contact the Ethics and

3 Professionalism Committee...

4 MR. NEGANGARD: ...no you didn't...

5 DAN: ...Advisor...

6 MR. NEGANGARD: Is that your testimony?

7 DAN: Yes that is.

8 MR. NEGANGARD: Are you going to stick to that story?

9 DAN: That is because people contacted her.

10 MR. NEGANGARD: How do you know that?

11 DAN: Because I got copies of letters.

12 MR. NEGANGARD: How many people?

13 DAN: Off hand, I know of, I think three (3) that actually

14 sent me copies. Like my mother, you know my

15 mother got copies of letters from her friends that

16 they sent.

17 MR. NEGANGARD: How many?

18 DAN: One (1) or two (2) I think.

19 MR. NEGANGARD: And um, so friends of your moms sent a letter to the

20 Judge's wife whose decision ruled off on and you

21 said he abused children and you're expecting us all

22 to believe that that's just a coincidence?

23 DAN: What? No because they got a copy of that letter I

24 sent.

25 MR. NEGANGARD: Pardon?

1     DAN:                   They got a copy of the letter. I mean it wasn't just  
2                            coincidence. I sent it to you. I've got a copy of it  
3                            right here.  
4     MR. NEGANGARD:       Okay you sent it to people and you posted it on the  
5                            internet.  
6     DAN:                   Yell.  
7     MR. NEGANGARD:       Correct? You posted it on the internet.  
8     DAN:                   I sent it to, because, that was just, it was a five (5)  
9                            page letter I think or maybe it was six (6) pages and  
10                           it just explained the situation. It was six (6) pages  
11                           and uh at the very end I just put, you know, if there  
12                           was any...  
13    MR. NEGANGARD:       Angela Loechel.  
14    DAN:                   What's that?  
15    MR. NEGANGARD:       Angela Loechel -- you called her husband and asked  
16                           him to train you for firearms. Correct?  
17    DAN:                   No. I never did that. I never called and asked him  
18                           to train me for firearms.  
19    MR. NEGANGARD:       What did you call him for then?  
20    DAN:                   I was calling him for like gun safety classes for kids.  
21    MR. NEGANGARD:       So you called the husband of the attorney on the  
22                           other side and asked for him to do gun safety  
23                           classes?  
24    DAN:                   It was K-TAC Incorporated on the internet. I did a  
25                           google search. There was On Target in Cincinnati

1 or Target World in Cincinnati and there was K-TAC  
2 Incorporated and then there wasn't any other place  
3 like nearby that any kind of shooting. But they  
4 didn't do that.

5 MR. NEGANGARD: So you called Angela Loechel's husband and you're  
6 expecting us to think that was just a random act?

7 DAN: Well he was in the phone book.

8 MR. NEGANGARD: Just a coincidence?

9 DAN: Well, fine, because On Target was too.

10 MR. NEGANGARD: It was just a coincidence?

11 DAN: Yell.

12 MR. NEGANGARD: Is that your testimony?

13 DAN: Yell.

14 MR. NEGANGARD: Okay.

15 DAN: Do you want a copy of the letter? Or do you have  
16 the letter?

17 MR. NEGANGARD: Sure. I got it but we'll get a copy. You threatened  
18 Dr. Malowski with uh, that you would subpoena  
19 him if he treated your children.

20 DAN: No.

21 MR. NEGANGARD: No, that's not what you did?

22 DAN: I said, I said that if, if, I just, because the whole  
23 thing is the confidentiality thing. You know, I was  
24 told I was able to get a copy of Dr. Conner's  
25 records...



1 MR. NEGANGARD: ...so now we're going back to Dr. Conner's copy of  
2 the case file...

3 DAN: ...no if you'll just let me explain. Okay, be  
4 condescending. Here's the thing. When I went to  
5 uh, when I went to this uh other, when I went to this  
6 other evaluator or when we were going to the child  
7 psychologist, I just explained the situation and it  
8 was a, it was a, just, you know, just the bad nature  
9 of the evaluation or whatever and I just wanted to be  
10 upfront that if he, you know if he did, if he uh,  
11 treated my daughter, then I would probably have to  
12 depose him. Why, because that's what happens in  
13 divorces when kids aren't, I mean, like you said, I  
14 mean, you know, my children...

15 MR. NEGANGARD: Why did you go through it? Why did you go to  
16 him? They needed treatment because they were in  
17 the middle of a divorce and you thought you needed  
18 to tell him he was going to be subpoenaed if he  
19 treated your kids.

20 DAN: No, he sent me some information that, you know I  
21 was talking to him and I just, you know, I sent him  
22 information, I just told him that...

23 MR. NEGANGARD: ...wait a minute...

24 DAN: ...to get it out front because a lot of the times...

25 MR. NEGANGARD: ...if he treated your children, then you were going to