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1 THE CLERK: BE SEATED, PLEASE, AND STATE YOUR NAME  
2 FOR THE RECORD.

3 THE WITNESS: MARTY CRAWFORD.

4 DIRECT EXAMINATION

5 BY MR. MOYE:

6 Q. MR. CRAWFORD, WOULD YOU SPELL YOUR LAST NAME FOR THE COURT  
7 REPORTER?

8 A. C-R-A-W-F-O-R-D.

9 Q. MR. CRAWFORD, HOW ARE YOU EMPLOYED?

10 A. FIRST UNION BANK, CUSTODIAN OF RECORDS.

11 Q. AND FIRST UNION BANK NOW OWNS WHICH OTHER BANKS THAT USED  
12 TO WORK IN THIS AREA?

13 A. DECATUR FEDERAL AND GEORGIA FEDERAL.

14 Q. ARE YOU ALSO A CUSTODIAN OF RECORDS FOR THE RECORDS OF  
15 WHAT WAS DECATUR FEDERAL AND GEORGIA FEDERAL?

16 A. YES.

17 Q. PRIOR TO FIRST UNION ACQUIRING ALL OF THESE BANKS, WHERE  
18 DID YOU WORK?

19 A. WITH FIRST UNION BANK.

20 Q. ARE YOU FAMILIAR WITH THE BOOKKEEPING SYSTEMS THAT WERE  
21 MAINTAINED AT ALL OF THESE BANKS?

22 A. TO SOME EXTENT.

23 Q. HAVE YOU, AS CUSTODIAN OF RECORDS, HAVE YOU HAD TO DEAL  
24 WITH RECORDS FROM EACH ONE OF THE BANKS THAT NOW ARE A PART OF  
25 FIRST UNION?

1 A. YES.

2 Q. HOW LONG HAVE YOU HELD THIS JOB?

3 A. I HAVE BEEN CUSTODIAN FOR ABOUT A YEAR. I HAVE BEEN WITH  
4 FIRST UNION FOR NINE YEARS.

5 Q. LET ME HAND YOU FIRST, MR. CRAWFORD, GOVERNMENT EXHIBIT  
6 73-C, AND ASK YOU IF YOU RECOGNIZE THIS DOCUMENT?

7 A. YES, I DO.

8 Q. NOW, THAT DOCUMENT IS FROM WHAT BANK?

9 A. GEORGIA FEDERAL.

10 Q. NOW, THE DOCUMENT ITSELF, WAS IT PREPARED IN THE ORDINARY  
11 COURSE OF BUSINESS OF GEORGIA FEDERAL?

12 A. YES, IT WAS.

13 Q. AND IS IT NOW MAINTAINED AS PART OF THE ORDINARY COURSE OF  
14 BUSINESS OF FIRST UNION?

15 A. YES, IT IS.

16 Q. AND WHAT KIND OF DOCUMENT IS IT?

17 A. A CASHIER'S CHECK.

18 MR. MOYE: YOUR HONOR, I TENDER GOVERNMENT'S 73-C.

19 THE COURT: ANYBODY OBJECT?

20 LET IT IN.

21 BY MR. MOYE:

22 Q. WHAT IS THE DATE ON THE CHECK?

23 A. 3/12/91.

24 Q. AND WHAT IS THE AMOUNT OF THE CHECK?

25 A. \$2,500.

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1 Q. CAN YOU TELL FROM LOOKING AT THE CHECK HOW THE CHECK WAS  
2 PURCHASED?

3 A. NOT BY LOOKING AT THE CHECK. BUT IT'S MY UNDERSTANDING  
4 THAT WITH GEORGIA FEDERAL, IT IS MY UNDERSTANDING THAT THE  
5 PERSON OR INDIVIDUALS THAT PURCHASED THIS CHECK --

6 Q. HAVE YOU RESEARCHED THE RECORDS YOURSELF TO DETERMINE HOW  
7 THIS CHECK WAS PURCHASED?

8 A. NO.

9 Q. WHO WAS THE PAYEE ON THE CHECK?

10 A. TOM JUMPER CHEVROLET.

11 Q. WHO WAS THE PURCHASER OF THE CHECK?

12 A. ROBERT WARD AND DANNY SMITH.

13 Q. LET ME HAND YOU GOVERNMENT EXHIBITS 109-B-2, 3, 4 AND 5,  
14 AND ASK YOU IF THOSE ARE RECORDS THAT WERE PREPARED IN THE  
15 ORDINARY COURSE OF BUSINESS OF GEORGIA FEDERAL AND ARE NOW  
16 MAINTAINED AS PART OF THE ORDINARY COURSE OF BUSINESS OF FIRST  
17 UNION?

18 A. YES, THEY ARE.

19 MR. MOYE: YOUR HONOR, I TENDER GOVERNMENT'S 109-B, I  
20 BELIEVE IT'S 2 THROUGH 5.

21 THE COURT: ANY OBJECTION?

22 LET IT IN.

23 BY MR. MOYE:

24 Q. MR. CRAWFORD, CAN YOU TELL US WITH REGARD TO THOSE CHECKS  
25 109-B-2, WHAT WAS THE DATE OF THE CHECK?

- 1 A. AUGUST 4TH, 1989.
- 2 Q. WHO WAS THE PURCHASER?
- 3 A. HIGH'S REALTY.
- 4 Q. WHAT WAS THE AMOUNT?
- 5 A. \$5,000.
- 6 Q. WHO WAS THE PAYEE?
- 7 A. DAVID GLENN.
- 8 Q. 109-B-3, DO YOU HAVE THAT?
- 9 A. YES.
- 10 Q. WHAT WAS THE DATE OF THAT CHECK?
- 11 A. AUGUST 3RD, 1989.
- 12 Q. AND WHAT WAS THE AMOUNT?
- 13 A. \$5,000.
- 14 Q. WHO WAS THE PURCHASER?
- 15 A. HIGH'S REALTY.
- 16 Q. WHO WAS THE PAYEE?
- 17 A. SHERRI WHITE.
- 18 Q. DO YOU HAVE 109-B-4?
- 19 A. YES.
- 20 Q. WHAT WAS THE DATE OF THAT CHECK?
- 21 A. AUGUST 7TH, 1989.
- 22 Q. WHO WAS THE PURCHASER?
- 23 A. HIGH'S REALTY.
- 24 Q. WHAT WAS THE AMOUNT?
- 25 A. \$5,000.

1 Q. WHO WAS THE PAYEE?

2 A. RICO PETTY.

3 Q. DO YOU HAVE 109-B-5?

4 A. YES.

5 Q. WHAT'S THE DATE OF THAT CHECK?

6 A. AUGUST 4TH, 1989.

7 Q. WHAT WAS THE AMOUNT?

8 A. \$5,000.

9 Q. WHO WAS THE PURCHASER?

10 A. HIGH REALTY.

11 Q. WHO WAS THE PAYEE?

12 A. DAVID JONES.

13 Q. CAN YOU TELL BY LOOKING AT THE CHECKS HOW THESE CHECKS  
14 WERE PURCHASED?

15 A. NO.

16 Q. HAVE YOU PERSONALLY RESEARCHED YOUR RECORDS TO DETERMINE  
17 HOW THOSE CHECKS WERE PURCHASED?

18 A. NO.

19 Q. I HAND YOU GOVERNMENT EXHIBIT 109-C-2, 3 AND 4, AND ASK  
20 YOU, SIR, IF THOSE ARE RECORDS OF FIRST UNION THAT WERE  
21 PREPARED IN THE ORDINARY COURSE OF BUSINESS OF DECATUR FEDERAL  
22 AND ARE NOW MAINTAINED AS PART OF THE ORDINARY BUSINESS OF  
23 FIRST UNION?

24 A. YES, THEY ARE.

25 MR. MOYE: I TENDER GOVERNMENT'S 109-C, YOUR HONOR, I

1 THINK IT IS 2 THROUGH 4.

2 MR. MORRISON: NO OBJECTION.

3 THE COURT: LET THEM IN.

4 BY MR. MOYE:

5 Q. WITH REGARD TO 109-C-2, MR. CRAWFORD, CAN YOU TELL US WHAT  
6 WAS THE DATE OF THAT CHECK?

7 A. AUGUST 3RD, 1989.

8 Q. AND THE AMOUNT?

9 A. \$5,000.

10 Q. THE PURCHASER?

11 A. HIGH'S REALTY.

12 Q. IS THAT THE PURCHASER OR THE PAYEE?

13 A. THAT'S THE PAYEE, I AM SORRY.

14 Q. WHO WAS THE PURCHASER?

15 A. TONYA SMITH AND SHERRI WHITE.

16 Q. 109-C-3, WHAT'S THE DATE?

17 A. AUGUST 5TH, 1989.

18 Q. AND THE AMOUNT?

19 A. \$5,000.

20 Q. AND THE PURCHASER?

21 A. RICO DERAN PETTY.

22 Q. AND THE PAYEE?

23 A. HIGH'S REALTY.

24 Q. AND 109-C-4, WHAT WAS THE DATE?

25 A. AUGUST 5TH, 1989.

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1 Q. AND THE AMOUNT?

2 A. \$5,000.

3 Q. AND THE PURCHASER?

4 A. E.H. PETTY.

5 Q. AND THE PAYEE?

6 A. HIGH'S REALTY.

7 Q. CAN YOU TELL OR HAVE YOU RESEARCHED OR DETERMINED HOW  
8 THOSE CHECKS WERE PURCHASED?

9 A. NO. THERE IS A CODE ON THOSE CHECKS THAT TELLS HOW THEY  
10 WERE PURCHASED.

11 Q. THE CODE, IS THAT CODE ONLY ON THE DECATUR FEDERAL CHECKS?

12 A. RIGHT.

13 Q. CAN YOU TELL BY LOOKING AT THE CODE HOW THEY WERE  
14 PURCHASED?

15 A. CODE CS/EX MEANS CASH CHECK EXCHANGE, WHICH MEANS THERE  
16 WAS A CHECK EXCHANGED FOR CASH.

17 Q. IS THAT TRUE WITH REGARD TO 109-C-2, C-3 AND C-4?

18 A. RIGHT.

19 Q. LET ME HAND YOU GOVERNMENT EXHIBIT 116-G-2, 3 AND 4, AND  
20 ASK YOU, SIR, IF THOSE ARE CASHIER'S CHECKS THAT WERE PREPARED  
21 IN THE ORDINARY COURSE OF BUSINESS OF GEORGIA FEDERAL BUT ARE  
22 NOW MAINTAINED IN THE ORDINARY COURSE OF BUSINESS OF FIRST  
23 UNION?

24 A. YES, THEY ARE.

25 MR. MOYE: I TENDER GOVERNMENT'S 116-G-2, 3 AND 4.

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1 YOUR HONOR.

2 MR. ROSEN: MAY I TAKE A LOOK AT THOSE?

3 THE COURT: ALL RIGHT.

4 MR. ROSEN: NO OBJECTION.

5 THE COURT: LET THEM IN.

6 BY MR. MOYE:

7 Q. MR. CRAWFORD, WITH REGARD TO 116-G-2, THAT CASHIER'S  
8 CHECK, WHEN WAS IT PURCHASED?

9 A. AUGUST 18TH, 1989.

10 Q. WHAT WAS THE AMOUNT?

11 A. \$4,000.

12 Q. AND CAN YOU TELL US WHO THE PAYEE WAS?

13 A. VIRGINIA HIGH.

14 Q. AND THE PURCHASER?

15 A. TERRY L. MOSS.

16 Q. AND WHAT WAS THE AMOUNT?

17 A. \$4,000.

18 Q. AND GOVERNMENT'S 116-G-3, WHAT WAS THE DATE OF THE  
19 PURCHASE?

20 A. AUGUST 21ST, 1989.

21 Q. AND THE AMOUNT?

22 A. \$8,000.

23 Q. AND THE PURCHASER?

24 A. VIRGINIA HIGH.

25 Q. AND THE PAYEE?



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- 1 A. ATTORNEY ROBERT -- I CAN'T READ THE LAST NAME.
- 2 Q. CAN YOU SPELL WHAT YOU CAN SEE THERE?
- 3 A. ATTORNEY ROBERT BURROUGHS.
- 4 Q. MR. CRAWFORD, REFERRING TO GOVERNMENT'S 116-G-4, WHAT IS
- 5 THE DATE OF THE CHECK?
- 6 A. SEPTEMBER 11TH, 1989.
- 7 Q. AND THE AMOUNT?
- 8 A. \$8,000.
- 9 Q. THE PURCHASER?
- 10 A. BETTY ALSBROOK.
- 11 Q. AND THE PAYEE?
- 12 A. VIRGINIA C. HIGH.
- 13 Q. CAN YOU TELL BY LOOKING AT THOSE THREE CHECKS HOW THEY
- 14 WERE PURCHASED?
- 15 A. NO.
- 16 Q. HAVE YOU DONE ON YOUR OWN ANY RESEARCH TO DETERMINE HOW
- 17 THEY WERE PURCHASED?
- 18 A. NO.
- 19 Q. I HAND YOU GOVERNMENT EXHIBIT 116-J-2 AND 3, AND ASK YOU,
- 20 SIR, IF THOSE ARE CASHIER'S CHECKS WHICH WERE PREPARED IN THE
- 21 ORDINARY COURSE OF BUSINESS OF DECATUR FEDERAL BUT ARE NOW
- 22 MAINTAINED AS PART OF THE ORDINARY COURSE OF BUSINESS OF FIRST
- 23 UNION?
- 24 A. YES, THEY ARE.
- 25 MR. MOYE: I TENDER GOVERNMENT'S 116-J-2 AND 3, YOUR

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1 HONOR.

2 THE COURT: ANY OBJECTION?

3 LET THEM IN.

4 BY MR. MOYE:

5 Q. MR. CRAWFORD, WITH REGARD TO 116-J-2, WHAT WAS THE DATE OF  
6 THE CHECK?

7 A. SEPTEMBER 11TH, 1989.

8 Q. WHAT WAS THE AMOUNT?

9 A. 8,000.

10 Q. THE PURCHASER?

11 A. TODD CHAMBERS.

12 Q. AND THE PAYEE?

13 A. VIRGINIA C. HIGH.

14 Q. AND WITH REGARD TO 116-J-3, WHAT WAS THE DATE OF THE  
15 PURCHASE?

16 A. AUGUST 21ST, 1989.

17 Q. THE AMOUNT?

18 A. \$8,000.

19 Q. THE PURCHASER?

20 A. VIRGINIA C. HIGH.

21 Q. THE PAYEE?

22 A. ATTORNEY ROBERT BURROUGHS.

23 Q. CAN YOU TELL BY LOOKING AT THE CHECKS HOW THESE CHECKS  
24 WERE PURCHASED?

25 A. YES.

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1 Q. HOW WERE THEY PURCHASED?

2 A. WITH CASH.

3 Q. CAN YOU TELL WHETHER THEY WERE PURCHASED AT THE SAME  
4 BRANCH?

5 A. NO.

6 Q. MR. CRAWFORD, I HAND YOU GOVERNMENT EXHIBITS 109-G-2, 3  
7 AND 4, AND ASK YOU, SIR, IF THOSE ARE CASHIER'S CHECKS THAT  
8 WERE PREPARED AND MAINTAINED IN THE ORDINARY COURSE OF BUSINESS  
9 OF FIRST UNION BANK?

10 A. YES, THEY ARE.

11 MR. MOYE: YOUR HONOR, I TENDER GOVERNMENT'S 109-G-2,  
12 3 AND 4.

13 THE COURT: ANY OBJECTION?

14 LET THEM IN.

15 BY MR. MOYE:

16 Q. MR. CRAWFORD, GOVERNMENT'S 109-G-2, CAN YOU TELL WHEN THAT  
17 WAS PURCHASED?

18 A. AUGUST 4TH, 1989.

19 Q. CAN YOU TELL WHO THE PAYEE WAS?

20 A. HIGH'S REALTY.

21 Q. THE PURCHASER?

22 A. MICHAEL JONES.

23 Q. WHAT WAS THE AMOUNT?

24 A. THERE IS TWO ON HERE FOR \$5,000 EACH.

25 Q. AND CAN YOU TELL HOW THE TWO CHECKS WERE PURCHASED?

- 1 A. WITH CASH.
- 2 Q. 109-G-3, HOW MANY CASHIER'S CHECKS ARE ON THAT EXHIBIT?
- 3 A. ONE.
- 4 Q. WHAT AMOUNT AND DATE?
- 5 A. \$5,000, AUGUST 4TH, 1989.
- 6 Q. AND THE PURCHASER?
- 7 A. LOOKS LIKE TONY WHITE.
- 8 Q. WHO WAS THE PAYEE?
- 9 A. HIGH'S REALTY.
- 10 Q. HOW WAS THE CHECK PURCHASED?
- 11 A. WITH CASH.
- 12 Q. GOVERNMENT'S EXHIBIT 109-G-4, HOW MANY CHECKS ARE ON THAT
- 13 EXHIBIT?
- 14 A. THREE.
- 15 Q. AND THOSE THREE CHECKS, CAN YOU TELL ON WHAT DATE THEY
- 16 WERE PURCHASED?
- 17 A. AUGUST 4TH, 1989.
- 18 Q. WERE THEY ALL PURCHASED ON THAT DAY?
- 19 A. YES.
- 20 Q. CAN YOU TELL WHETHER OR NOT THEY WERE PURCHASED AT THE
- 21 SAME BRANCH OR DIFFERENT BRANCHES OF THE BANK?
- 22 A. TWO WERE PURCHASED AT THE SAME BRANCH AND ONE WAS NOT, AT
- 23 A DIFFERENT BRANCH.
- 24 Q. WHAT IS THE AMOUNT OF EACH ONE?
- 25 A. \$5,000 EACH.

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1 Q. AND WHO WAS THE PURCHASER ON EACH CHECK?

2 A. MICHAEL JONES.

3 Q. WHO WAS THE PAYEE ON EACH CHECK?

4 A. HIGH'S REALTY.

5 Q. HOW WERE THE CHECKS PURCHASED?

6 A. I CAN'T TELL BY LOOKING AT THESE, WHAT IS ON HERE.

7 Q. LET ME HAND YOU GOVERNMENT'S 116-H-2, AND ASK YOU IF THAT  
8 IS A CASHIER'S CHECK THAT WAS PREPARED AND MAINTAINED IN THE  
9 ORDINARY COURSE OF BUSINESS OF FIRST UNION BANK?

10 A. YES, IT IS.

11 MR. MOYE: I TENDER GOVERNMENT'S 116-H-2, YOUR HONOR.

12 THE COURT: ANYBODY OBJECT?

13 LET IT IN.

14 BY MR. MOYE:

15 Q. MR. CRAWFORD, WHAT WAS THE DATE THAT THAT CHECK WAS  
16 PURCHASED?

17 A. AUGUST 18, 1989.

18 Q. WHAT WAS THE AMOUNT OF THE CHECK?

19 A. \$8,000.

20 Q. AND WHO WAS THE PURCHASER OF THE CHECK?

21 A. IT DOESN'T SAY.

22 Q. WHAT WAS THE -- WHO WAS THE PAYEE OF THE CHECK?

23 A. VIRGINIA C. HIGH.

24 Q. CAN YOU TELL HOW THE CHECK WAS PURCHASED?

25 A. WITH CASH.

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1 Q. NOW, I HAND YOU GOVERNMENT EXHIBITS 116-H-4, 5, 6 AND 7,  
2 AND ASK YOU, SIR, IF THOSE ARE CASHIER'S CHECKS PREPARED AND  
3 MAINTAINED IN THE ORDINARY COURSE OF BUSINESS OF FIRST UNION  
4 BANK OF GEORGIA?

5 A. YES, THEY ARE.

6 MR. MOYE: I TENDER GOVERNMENT'S 116-H-4, 5, 6 AND 7,  
7 YOUR HONOR.

8 THE COURT: ANY OBJECTION?

9 MR. ROSEN: NO OBJECTION.

10 THE COURT: LET THEM IN.

11 BY MR. MOYE:

12 Q. MR. CRAWFORD, LOOKING AT GOVERNMENT'S 116-H-4, WHAT WAS  
13 THE DATE OF THE CHECK?

14 A. AUGUST 18TH, 1989.

15 Q. THE AMOUNT OF THE CHECK?

16 A. \$8,000.

17 Q. THE PAYEE ON THE CHECK?

18 A. VIRGINIA HIGH.

19 Q. AND THE PURCHASER OF THE CHECK?

20 A. TERRY L. MOSS.

21 Q. HOW WAS THE CHECK PURCHASED?

22 A. CASH.

23 Q. LOOKING AT 116-H-5, WHAT WAS THE DATE OF THE CHECK?

24 A. AUGUST 22ND, 1989.

25 Q. WHAT WAS THE AMOUNT OF THE CHECK?

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- 1 A. \$8,000.
- 2 Q. THE PURCHASER ON THE CHECK WAS WHO?
- 3 A. VIRGINIA C. HIGH.
- 4 Q. AND THE PAYEE ON THE CHECK?
- 5 A. ATTORNEY ROBERT BURROUGHS.
- 6 Q. HOW WAS THAT CHECK PURCHASED?
- 7 A. WITH CASH.
- 8 Q. GOVERNMENT'S 116-H-6, WHAT WAS THE DATE OF THAT CHECK?
- 9 A. SEPTEMBER 11, 1989.
- 10 Q. THE AMOUNT OF THE CHECK?
- 11 A. \$3,600.
- 12 Q. THE PURCHASER OF THE CHECK?
- 13 A. TERRY YUNKER.
- 14 Q. AND THE PAYEE OF THE CHECK?
- 15 A. VIRGINIA C. HIGH.
- 16 Q. HOW WAS THAT CHECK PURCHASED?
- 17 A. WITH CASH.
- 18 Q. GOVERNMENT'S 116-H-7, WHAT WAS THE DATE OF THE CHECK?
- 19 A. NOVEMBER 15, 1989.
- 20 Q. THE AMOUNT OF THE CHECK?
- 21 A. \$8,000.
- 22 Q. THE PURCHASER OF THE CHECK?
- 23 A. BENNY JOHNSON.
- 24 Q. AND THE PAYEE ON THE CHECK?
- 25 A. VIRGINIA C. HIGH.

1 Q. HOW WAS THE CHECK PURCHASED?

2 A. WITH CASH.

3 Q. I HAND YOU GOVERNMENT EXHIBITS 121-A-2 AND A-3, AND ASK  
4 YOU, SIR, IF THOSE ARE CASHIER'S CHECKS THAT WERE PREPARED AND  
5 MAINTAINED IN THE ORDINARY COURSE OF THE BUSINESS OF FIRST  
6 UNION BANK?

7 A. YES, THEY ARE.

8 MR. MOYE: YOUR HONOR, I TENDER GOVERNMENT EXHIBITS  
9 121-A-2 AND A-3.

10 THE COURT: ANY OBJECTION?

11 LET THEM IN.

12 BY MR. MOYE:

13 Q. MR. CRAWFORD, WITH REGARD TO GOVERNMENT'S 121-A-2, WHAT  
14 WAS THE DATE OF THE CHECK?

15 A. JUNE 19, 1990.

16 Q. WHO WAS THE PURCHASER OF THE CHECK?

17 A. WINSTON CHARLES.

18 Q. WHAT WAS THE AMOUNT OF THE CHECK?

19 A. \$5,000.

20 Q. WHO WAS THE PAYEE ON THE CHECK?

21 A. VIRGINIA C. HIGH.

22 Q. HOW WAS THE CHECK PURCHASED?

23 A. WITH CASH.

24 Q. GOVERNMENT'S EXHIBIT 121-A-3, WHAT WAS THE DATE OF THE  
25 CHECK?



- 1 A. JUNE 18, 1990.  
2 Q. AND THE AMOUNT OF THE CHECK?  
3 A. \$8,000.  
4 Q. PURCHASER OF THE CHECK?  
5 A. EUGENE JACOB.  
6 Q. AND THE PAYEE ON THE CHECK?  
7 A. VIRGINIA C. HIGH.  
8 Q. HOW WAS THE CHECK PURCHASED?  
9 A. WITH CASH.

10 MR. MOYE: YOUR HONOR, THAT'S ALL THE QUESTIONS I  
11 HAVE OF MR. CRAWFORD ON DIRECT EXAMINATION.

12 THE COURT: MR. MORRISON?

13 MR. MORRISON: NO QUESTIONS.

14 THE COURT: MR. ABBOTT?

15 MR. ABBOTT: NO QUESTIONS.

16 THE COURT: MR. ROSEN?

17 MR. ROSEN: NO QUESTIONS.

18 MR. AXAM: NO QUESTIONS.

19 THE COURT: MR. CRAWFORD, YOU CAN STEP DOWN.

20 (WHEREUPON, THE WITNESS WITHDREW FROM THE  
21 WITNESS STAND.)

22 THE COURT: SOMEBODY ON THE JURY IF YOU TELL ME YOU  
23 NEED A BREAK, I WILL TAKE A BREAK. (IF YOU DO, STAND UP.

24 (WHEREUPON, THE JURY RETIRED FROM THE  
25 COURTROOM, AND A SHORT RECESS WAS HAD.)

1 (WHEREUPON, THE JURY RETURNED TO THE COURTROOM,  
2 AFTER WHICH THE FOLLOWING PROCEEDINGS WERE HAD.)

3 THE COURT: WHO DO YOU CALL NEXT?

4 MR. MOYE: CALL LADORIS CHANDLER.

5 THE COURT: COME AROUND, MS. CHANDLER.

6 LADORIS CHANDLER,

7 BEING FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

8 THE CLERK: BE SEATED, PLEASE, AND STATE YOUR NAME  
9 FOR THE RECORD.

10 THE WITNESS: LADORIS CHANDLER.

11 DIRECT EXAMINATION

12 BY MR. MOYE:

13 Q. MS. CHANDLER, HOW ARE YOU EMPLOYED?

14 A. SOUTH TRUST BANK.

15 Q. WHERE IS YOUR OFFICE?

16 A. 2000 RIVEREDGE PARKWAY.

17 Q. MS. CHANDLER, HOW LONG HAVE YOU BEEN WITH SOUTH TRUST?

18 A. WITH SOUTH TRUST SINCE APRIL 30TH OF 1992.

19 Q. HOW WERE YOU EMPLOYED PRIOR TO THAT TIME?

20 A. FIRST AMERICAN BANK.

21 Q. HOW LONG WERE YOU WITH FIRST AMERICAN BANK?

22 A. WELL, WITH FIRST AMERICAN AND THE NATIONAL BANK OF GEORGIA  
23 SINCE 1972.

24 Q. AND IN WHAT CAPACITY ARE YOU NOW EMPLOYED AT SOUTH TRUST?

25 A. OPERATION OFFICER AND CUSTODIAN OF RECORDS.

1 Q. AND WHEN YOU WERE EMPLOYED AT FIRST AMERICAN AND EVEN  
2 PRIOR TO THAT AT NATIONAL BANK OF GEORGIA, HOW WERE YOU  
3 EMPLOYED?

4 A. SAME.

5 Q. ARE YOU FAMILIAR WITH THE RECORDKEEPING SYSTEMS FOR FIRST  
6 AMERICAN BANK AS WELL AS FOR SOUTH TRUST?

7 A. YES, I AM.

8 Q. DOES SOUTH TRUST NOW OWN WHAT WAS DEKALB FEDERAL AND THEN  
9 BECAME PRIME BANK?

10 A. THAT'S TRUE.

11 Q. HOW LONG HAS SOUTH TRUST OWNED THAT BANK?

12 A. WE PURCHASED PRIME FEBRUARY 17TH, 1993.

13 Q. ARE THE RECORDS FOR THE THREE INSTITUTIONS NOW  
14 CONSOLIDATED?

15 A. I DON'T KNOW WHEN DEKALB -- PRIME ACTUALLY PURCHASED  
16 DEKALB OR THE NAME CHANGED OR WHATEVER IT REALLY WAS, BUT WE  
17 RETAINED ALL OF THE RECORDS FROM PRIME.

18 Q. AND DO YOU HAVE ALL OF THOSE IN A CENTRAL LOCATION?

19 A. YES.

20 Q. ARE YOU THE CUSTODIAN OF ALL OF THOSE RECORDS?

21 A. YES.

22 Q. ARE YOU FAMILIAR AT ALL FROM -- NOT NECESSARILY FROM  
23 PARTICIPATION AT PRIME BANK, BUT FROM REVIEW OF RECORDS FROM  
24 PRIME BANK, WITH THEIR RECORDKEEPING SYSTEMS?

25 A. YES.

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1 Q. LET ME SHOW YOU GOVERNMENT EXHIBIT NO. 79-C, AND ASK YOU,  
2 MA'AM, IF THIS IS A CASHIER'S CHECK THAT WAS PREPARED IN THE  
3 ORDINARY COURSE OF THE BUSINESS OF FIRST AMERICAN BANK OF  
4 GEORGIA AND IS NOW MAINTAINED IN THE ORDINARY COURSE OF THE  
5 BUSINESS OF SOUTH TRUST?

6 A. YES, IT IS.

7 Q. AND THAT CHECK, WHAT WAS THE DATE OF THE CHECK?

8 A. DECEMBER 13TH, 1990.

9 MR. MOYE: YOUR HONOR, I TENDER GOVERNMENT'S 79-C.

10 THE COURT: ANY OBJECTION?

11 MR. MORRISON: NO OBJECTION.

12 MR. ROSEN: NO OBJECTION.

13 THE COURT: LET IT IN.

14 BY MR. MOYE:

15 Q. MS. CHANDLER, WHAT WAS THE AMOUNT OF THE CHECK?

16 A. THE CHECK IS FOR \$5,000.

17 Q. WHO WAS THE PURCHASER?

18 A. GEORGIA HOME IMPROVEMENT COMPANY.

19 Q. WHO WAS THE PAYEE?

20 A. ALEX GRACIA.

21 Q. CAN YOU TELL US FROM LOOKING AT THE CHECK HOW THE CHECK  
22 WAS PURCHASED?

23 A. FROM LOOKING AT THE CHECK I CANNOT.

24 Q. CAN YOU FROM RESEARCH THAT YOU HAVE DONE INDEPENDENTLY  
25 TELL US HOW THE CHECK WAS PURCHASED?

1 A. YES.

2 Q. HOW WAS IT PURCHASED?

3 A. WITH CASH.

4 Q. I HAND YOU, MS. CHANDLER, GOVERNMENT EXHIBITS 109-E-2, 3,  
5 4 AND 5, AND ASK YOU, MA'AM, IF THOSE ARE CASHIER'S CHECKS THAT  
6 WERE PREPARED IN THE ORDINARY COURSE OF BUSINESS OF FIRST  
7 AMERICAN BANK OF GEORGIA AND ARE NOW MAINTAINED IN THE ORDINARY  
8 COURSE OF THE BUSINESS OF SOUTH TRUST?

9 A. YES, THEY ARE.

10 MR. MOYE: I TENDER THE DOCUMENTS, 109-E-2 THROUGH 5.

11 THE COURT: ANY OBJECTION?

12 MR. MORRISON: NO OBJECTION.

13 THE COURT: LET THEM IN.

14 BY MR. MOYE:

15 Q. MS. CHANDLER, GOVERNMENT EXHIBIT 109-E, WHAT WAS THE DATE  
16 AND AMOUNT OF THE CHECK?

17 A. DATE IS AUGUST 4, 1989. IT'S FOR \$5,000.

18 Q. WHO WAS THE PURCHASER AND WHO WAS THE PAYEE?

19 A. THE PURCHASER -- I'LL SPELL IT, D-E-J-U-A-N-D-A LEWIS.  
20 AND IT WAS PAYABLE TO HIGH'S REALTY.

21 Q. CAN YOU TELL HOW THE CHECK WAS PURCHASED?

22 A. NOT FROM JUST LOOKING AT THE CHECK, BUT FROM GOING BACK TO  
23 THE RECORDS.

24 Q. HAVE YOU RESEARCHED THE RECORDS YOURSELF TO DETERMINE HOW  
25 THE CHECK WAS PURCHASED?

- 1 A. YES, I DID.
- 2 Q. HOW WAS IT PURCHASED?
- 3 A. IT WAS PURCHASED WITH CASH ALSO.
- 4 Q. GOVERNMENT EXHIBIT 109-E-3, CAN YOU TELL US THE DATE AND
- 5 THE AMOUNT, THE PURCHASER AND THE PAYEE?
- 6 A. THE DATE WAS AUGUST 4, 1989 FOR \$5,000, PURCHASED BY ERIKA
- 7 SMITH, PAYABLE TO HIGH'S REALTY.
- 8 Q. FROM LOOKING AT THE CHECK OR FROM YOUR OWN PERSONAL
- 9 RESEARCH CAN YOU TELL US HOW THE CHECK WAS PURCHASED?
- 10 A. PURCHASED WITH CASH ALSO.
- 11 Q. GOVERNMENT EXHIBIT 109-E-4, CAN YOU TELL US THE DATE OF
- 12 THE CHECK, THE AMOUNT OF THE CHECK, PURCHASER OF THE CHECK AND
- 13 THE PAYEE OF THE CHECK?
- 14 A. THE CHECK WAS DATED AUGUST 4, 1989 FOR \$5,000, PURCHASED
- 15 BY MIKE WALTERS, PAYABLE TO HIGH'S REALTY.
- 16 Q. CAN YOU TELL BY LOOKING AT THE CHECK OR FROM RESEARCH YOU
- 17 HAVE CONDUCTED HOW THE CHECK WAS PURCHASED?
- 18 A. IT WAS PURCHASED BY CASH ALSO.
- 19 Q. GOVERNMENT EXHIBIT 109-E-5, WHAT WAS THE DATE OF THE
- 20 CHECK, THE AMOUNT OF THE CHECK, THE PURCHASER AND THE PAYEE OF
- 21 THE CHECK?
- 22 A. THIS WAS DATED AUGUST 4, 1989 FOR \$5,000. IT WAS
- 23 PURCHASED BY TIFFANY GRIFFIN, PAYABLE TO HIGH'S REALTY.
- 24 Q. CAN YOU TELL FROM LOOKING AT THE CHECK OR FROM YOUR OWN
- 25 RESEARCH HOW THE CHECK WAS PURCHASED?

1 A. BY CASH.

2 Q. I HAND YOU GOVERNMENT EXHIBIT 109-D-2, AND ASK YOU IF THAT  
3 IS A CASHIER'S CHECKS THAT WAS PREPARED IN THE ORDINARY COURSE  
4 OF THE BUSINESS OF DEKALB FEDERAL BUT IS NOW MAINTAINED IN THE  
5 ORDINARY COURSE OF BUSINESS OF SOUTH TRUST?

6 A. THIS IS A DEKALB FEDERAL SAVINGS AND LOAN ASSOCIATION  
7 CASHIER'S CHECK, YES.

8 Q. ALL RIGHT.

9 A. AND THIS WAS -- I DID NOT GIVE YOU A COPY OF THIS. THIS  
10 WAS GIVEN TO YOU BY PRIME, THE PEOPLE AT PRIME.

11 Q. IS THE ORIGINAL OF THIS CHECK OR THE BUSINESS RECORD COPY  
12 OF THIS CHECK THAT IS MAINTAINED BY THE BANK NOW MAINTAINED BY  
13 YOU?

14 A. YES.

15 MR. MOYE: I TENDER, YOUR HONOR, GOVERNMENT EXHIBIT  
16 109-0-2.

17 THE COURT: ANYBODY OBJECT?

18 LET IT IN.

19 BY MR. MOYE:

20 Q. THE CHECK ITSELF, CAN YOU TELL US DATE, AMOUNT, PURCHASER  
21 AND PAYEE, PLEASE, MA'AM?

22 A. THIS WAS DATED AUGUST 4, 1989 FOR \$5,000. THE REMITTER  
23 WAS E.H. PETTY, AND IT WAS PAYABLE TO HIGH'S REALTY.

24 Q. HAVE YOU DONE ANY RESEARCH TO DETERMINE HOW THE CHECK WAS  
25 PURCHASED?

1 A. NO, I HAVEN'T.

2 Q. CAN YOU TELL BY LOOKING AT THE CHECK HOW IT WAS PURCHASED?

3 A. I CANNOT.

4 Q. I HAND YOU 105-A, AND ASK YOU IF THIS IS A CASHIER'S CHECK  
5 PREPARED IN THE ORDINARY COURSE OF BUSINESS OF DEKALB FEDERAL  
6 BUT WHICH IS NOW MAINTAINED IN THE ORDINARY COURSE OF BUSINESS  
7 OF SOUTH TRUST?

8 A. YES.

9 MR. MOYE: I TENDER THE DOCUMENTS, YOUR HONOR,  
10 GOVERNMENT'S 105-A.

11 THE COURT: ANYBODY OBJECT?

12 LET IT IN.

13 BY MR. MOYE:

14 Q. MS. CHANDLER, CAN YOU TELL US DATE, AMOUNT, PURCHASER AND  
15 PAYEE ON THE CHECK?

16 A. THIS IS DATED JUNE 21ST, 1989 FOR \$5,000, AND THE REMITTER  
17 WAS TONYA ROSS, PAYABLE TO HIGH'S REALTY.

18 Q. AND EITHER FROM LOOKING AT THE CHECK OR FROM YOUR OWN  
19 RESEARCH INDEPENDENT OF THE CHECK, CAN YOU TELL US HOW THE  
20 CHECK WAS PURCHASED?

21 A. I CANNOT.

22 Q. I HAND YOU GOVERNMENT EXHIBIT 116-E-2, 3, 4 AND 5, AND ASK  
23 YOU, MS. CHANDLER, IF YOU RECOGNIZE THESE AS CASHIER'S CHECKS  
24 THAT WERE PREPARED IN THE ORDINARY COURSE OF BUSINESS OF FIRST  
25 AMERICAN BANK OF GEORGIA BUT NOW MAINTAINED IN THE ORDINARY



1 COURSE OF BUSINESS OF SOUTH TRUST?

2 A. YES.

3 MR. MOYE: YOUR HONOR, I TENDER GOVERNMENT EXHIBIT  
4 116-E-2 THROUGH 5.

5 THE COURT: ANY OBJECTION?

6 LET IT IN.

7 BY MR. MOYE:

8 Q. MS. CHANDLER, LOOKING AT GOVERNMENT EXHIBIT 116-E-2, CAN  
9 YOU TELL US THE DATE, THE AMOUNT AND WHO WERE THE PURCHASERS  
10 AND PAYEES?

11 A. DATED AUGUST 11, 1989 FOR \$4,944. IT WAS PURCHASED BY  
12 R. F. ELLIS, PAYABLE TO VIRGINIA HIGH.

13 Q. CAN YOU TELL BY LOOKING AT THE CHECK OR BY RESEARCH  
14 INDEPENDENT HOW IT WAS PURCHASED?

15 A. IT WAS PURCHASED BY CASH.

16 Q. GOVERNMENT'S EXHIBIT 116-A-3?

17 A. THIS CHECK WAS DATED AUGUST 23RD, 1985 FOR \$9,000. THE  
18 REMITTER IS VIRGINIA C. HIGH. IT WAS PAYABLE TO ATTORNEY  
19 ROBERT BURROUGHS.

20 Q. AND CAN YOU TELL HOW THE CHECK WAS PURCHASED?

21 A. IT WAS PURCHASED BY CASH, THROUGH RESEARCH.

22 Q. GOVERNMENT EXHIBIT 116-E-4, CAN YOU TELL US THE DATE, THE  
23 AMOUNT, THE PURCHASER AND THE PAYEE?

24 Q. THIS CHECK WAS DATED AUGUST 24TH, 1989 FOR \$2,000. IT HAS  
25 THE REMITTER FIRST AMERICAN BANK AND IT WAS PAYABLE TO VIRGINIA

1 C. HIGH.

2 Q. HOW WAS THE CHECK PURCHASED?

3 A. I REALLY AM NOT SURE ON THAT ONE.

4 Q. GOVERNMENT'S EXHIBIT 116-E-5, CAN YOU TELL US THE  
5 PURCHASER, THE PAYEE, THE DATE AND THE AMOUNT OF THAT CHECK?

6 A. THIS ONE WAS DATED JANUARY 8, 1989 FOR \$6,000. THE  
7 REMITTER IS VIRGINIA C. HIGH, PAYABLE TO ATTORNEY ROBERT  
8 BURROUGHS. AND THE RECORDS WAS IT WAS PURCHASED BY CASH.

9 Q. I HAND YOU 116-I-1, AND ASK YOU IF THIS IS A CASHIER'S  
10 CHECK THAT WAS PREPARED IN THE ORDINARY COURSE OF BUSINESS OF  
11 DEKALB FEDERAL AND IS NOW MAINTAINED AS PART OF THE ORDINARY  
12 COURSE OF BUSINESS OF SOUTH TRUST?

13 A. YES.

14 MR. MOYE: I TENDER GOVERNMENT'S EXHIBIT 116-I-1,  
15 YOUR HONOR.

16 THE COURT: ANY OBJECTION?

17 LET IT IN.

18 BY MR. MOYE:

19 Q. MS. CHANDLER, CAN YOU TELL US DATE, AMOUNT, PURCHASER AND  
20 PAYEE, PLEASE, MA'AM?

21 A. THIS WAS AUGUST 18, 1989 FOR \$8,000. THE REMITTER WAS  
22 JAMES MIDDLEBROOK AND IT WAS PAYABLE TO VIRGINIA C. HIGH.

23 Q. CAN YOU TELL FROM EITHER THE CHECK OR FROM INDEPENDENT  
24 RESEARCH HOW THAT CHECK WAS PURCHASED?

25 A. NO, I CAN'T.

1 MR. MOYE: THANK YOU, MS. CHANDLER.

2 YOUR HONOR, I HAVE NO FURTHER QUESTIONS ON DIRECT  
3 EXAMINATION.

4 THE COURT: MR. MORRISON?

5 MR. MORRISON: NO QUESTIONS.

6 THE COURT: MR. ABBOTT?

7 MR. ABBOTT: NO QUESTIONS, YOUR HONOR.

8 THE COURT: MR. ROSEN?

9 MR. ROSEN: NO QUESTIONS.

10 THE COURT: MR. AXAM?

11 MR. AXAM: NO.

12 THE COURT: STEP DOWN, MS. CHANDLER.

13 (WHEREUPON, THE WITNESS WITHDREW FROM THE  
14 WITNESS STAND.)

15 MR. MOYE: CALL MR. JEFFREY DURAN.

16 JEFFREY DURAN,

17 BEING FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS FOLLOWS:

18 THE CLERK: BE SEATED, PLEASE, AND STATE YOUR NAME  
19 FOR THE RECORD.

20 THE WITNESS: MY NAME IS JEFFREY J. DURAN.

21 DIRECT EXAMINATION

22 BY MR. MOYE:

23 Q. MR. DURAN, HOW ARE YOU EMPLOYED?

24 A. LINEMAN WITH GEORGIA POWER.

25 Q. MR. DURAN, WHERE DO YOU LIVE?