

BEFORE THE OFFICE OF TAX APPEALS

STATE OF CALIFORNIA

IN THE MATTER OF THE APPEAL OF,)
)
T. FISHER and C. HICKLAND,) OTA NO. 21088422
) 21088423
)
) APPELLANT.
)
)

TRANSCRIPT OF PROCEEDINGS

Cerritos, California

Wednesday, October 15, 2025

VOLUME I

Reported by:
ERNALYN M. ALONZO
HEARING REPORTER

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Transcript of Proceedings,
taken at 12900 Park Plaza Drive, Suite 300,
Cerritos, California, 90703, commencing at
1:00 p.m. and concluding at 4:59 p.m. on
Wednesday, October 15, 2025, reported by
Ernalyn M. Alonzo, Hearing Reporter, in and
for the State of California.

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APPEARANCES:

Panel Lead: ALJ KEITH T. LONG

Panel Members: HEARING OFFICER ERICA PARKER
ALJ KENNY J. GAST

For the Appellant: T. FISHER
C. HICKLAND
LYDIA TURANCHIK

For the Respondent: STATE OF CALIFORNIA
FRANCHISE TAX BOARD

RON HOFSDAL
ELLEN SWAIN

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I N D E X

E X H I B I T S

(Appellant's Exhibits 1-30 were received into evidence at page 9.)

(Department's Exhibits A-G and AA-GG were received into evidence at page 10.)

OPENING STATEMENT

PAGE

By Ms. Turanchik

12

APPELLANT'S
WITNESSES:

DIRECT

CROSS

REDIRECT

RECROSS

T. Fisher

24

105

1 Cerritos, California; Wednesday, October 15, 2025

2 1:00 p.m.

3
4 JUDGE LONG: We are opening the record in the
5 Appeal of Fisher and Hickland. The OTA case number is
6 210088422. This matter is being held before the Office of
7 Tax Appeals. Today's date is October 15th, 2025, and the
8 time is approximately 1:00 p.m. The hearing is being
9 convened in Cerritos, California.

10 This hearing, which will begin today and continue
11 on October 16th, 2025, is being heard by a three-member
12 panel. My name is Keith Long. As indicated in the
13 revised Notice of Panel, I'm replacing Judge Amanda
14 Vassigh as the lead Administrative Law Judge in this
15 hearing. Judge Kenny Gast and Hearing Officer Erica
16 Parker are the other members of this tax appeals panel.
17 The parties were similarly notified of Judge Gast's
18 addition to the panel in OTA's revised Notice of Panel.
19 All three panel members will meet after the hearing and
20 produce a written decision as equal participants.
21 Although I will conduct the hearing, any member of this
22 panel may ask questions or otherwise participate to ensure
23 that we have all the information needed to decide this
24 appeal.

25 As a reminder, the Office of Tax Appeals is not a

1 Tax Court. It is an independent appeals body. The panel
2 does not engage in ex parte communications with either
3 party. OTA will issue an opinion based on the parties'
4 arguments, the admitted evidence, and the relevant law.

5 For the record, will the parties please state
6 their name and who they representative, starting with the
7 representatives for FTB.

8 MS. SWAIN: Good afternoon, Judge Long. My name
9 is Ellen Swain for the Franchise Tax Board.

10 MR. HOFSDAL: And good afternoon. My name is Ron
11 Hofsdal, and I represent the Franchise Tax Board as well.

12 JUDGE LONG: Thank you.

13 And for Appellants.

14 MS. TURANCHIK: Good afternoon, Judge Long. My
15 name is Lydia Turanchik, and I represent Appellants Todd
16 Fisher and Catherine Hickland.

17 MR. FISHER: My name is Todd Fisher, and I'm one
18 of the Appellants.

19 MS. HICKLAND: I'm Catherine Hickland, and I am
20 one of the Appellants.

21 JUDGE LONG: Thank you.

22 And Mr. Hickland -- Mr. Fisher -- sorry -- when
23 you speak into microphone if you can just move it a little
24 closer to you. You're a little quiet.

25 MR. FISHER: I think you're the first person to

1 ever accuse me of that.

2 JUDGE LONG: My understanding of the issues today
3 is that there are three possible issues in this appeal.
4 They are: One, whether Appellants have shown error in
5 FTB's determination that Appellant-husband was a resident
6 of California during the period at issue; two, if
7 Appellant-husband was not resident of California during
8 the period at issue, whether the income at issue was
9 California-sourced income; and three, whether Appellants
10 are entitled to further interest abatement.

11 However, as document in OTA's Minutes and Orders,
12 FTB now concedes that Appellants are entitled to interest
13 abatement for the period March 2nd, 2017 through
14 July 28th, 2019. At the prehearing conference,
15 Appellants' representative indicated that the issue of
16 interest abatement may be withdrawn.

17 Can Appellants please confirm whether interest
18 abatement is still at issue in this appeal?

19 MS. TURANCHIK: We will leave interest abatement
20 on the table. We are not producing additional evidence
21 today with respect to that issue.

22 JUDGE LONG: Thank you.

23 With respect to witnesses, my understanding is
24 that there will be a potential of five witnesses for this
25 hearing. Witness testimony will take place during both

1 sessions of this hearing. The identified potential
2 witnesses include Mr. Fisher, Ms. Hickland, Henry Cutrona,
3 David De Salvo, and Fred Walecki. As discussed in the
4 Minutes and Orders, Appellants will be given a total of
5 four hours for witness testimony. An additional
6 two-and-a-half hours is scheduled for cross-examination by
7 FTB and questions from three panel members.

8 Is Appellant able to confirm which witnesses will
9 appear tomorrow?

10 MS. TURANCHIK: Judge Long, it's my understanding
11 that Mr. Fisher and Ms. Hickland are here and can testify
12 today. We do anticipate Mr. Cutrona and Mr. De Salvo and
13 Mr. Walecki all being here tomorrow for their testimony.
14 As I indicated in the prehearing, Mr. De Salvo is a CPA.
15 As this panel is obviously very aware, today is
16 October 15th. This is a brutal tax deadline in L.A.
17 County. It is possible that Mr. De Salvo may not be able
18 to be here tomorrow if an emergency comes up. But, at
19 this moment, I anticipate him being here.

20 JUDGE LONG: Okay. Thank you.

21 Regarding exhibits, the exhibits for this appeal
22 consist of Appellants' Exhibits 1 through 30. As
23 discussed at the prehearing conference, OTA's Minutes and
24 Orders, and OTA's email correspondence, dated
25 October 8th, 2025, Exhibits 12 and 14 include lists of the

1 main items relevant to Appellants' argument. However,
2 they do not supplant exhibits included in the
3 administrative records, such as catalogs of memorabilia.
4 At the prehearing conference, FTB did not have any
5 objection to Appellants' exhibits.

6 Can FTB please confirm that there no objections
7 currently?

8 MS. SWAIN: Yes, Judge. We have no objections.
9 Thank you.

10 JUDGE LONG: Thank you.

11 Exhibits 1 through 30 are admitted into the
12 record.

13 (Appellant's Exhibits 1-30 were received into
14 evidence by the Administrative Law Judge.)

15 JUDGE LONG: Prior to the prehearing conference,
16 FTB submitted Exhibits A through Z. Appellants did not
17 have any objections to Exhibits A through Z.

18 Can Appellants please confirm whether there are
19 objections to A through Z?

20 MS. TURANCHIK: There are no objections pending
21 how they're used in this hearing.

22 JUDGE LONG: Okay. After the prehearing
23 conference, FTB timely submitted Exhibits AA through GG.

24 Do Appellants have any objections to these
25 exhibits?

1 MS. TURANCHIK: We do not. Same statement.

2 JUDGE LONG: Thank you.

3 Exhibits A through G and AA through GG are
4 admitted into the record.

5 (Department's Exhibits A-G and AA-GG
6 were received into evidence by the
7 Administrative Law Judge.)

8 JUDGE LONG: Finally, FTB's correspondence dated
9 October 7th, 2025, include selected pages from the
10 memorabilia catalog. FTB's correspondence states that
11 these pages are not a new exhibit. However, these pages
12 do not appear to be included in any of the already
13 admitted exhibits, nor do they appear to be a part of the
14 existing administrative record. Instead, the select pages
15 appear to be related to a series of web links provided by
16 Appellants. I understand the reasons that Appellants did
17 not provide the entire catalog of auctioned memorabilia.

18 However, for the purpose of this hearing, did FTB
19 wish to include these pages an exhibit?

20 MS. SWAIN: Yes, Your Honor. I think that it
21 makes sense to consider it. I think that the issue with
22 the link that was included in the Appellants' brief was
23 that, at this point, it had just become a dead link. And
24 so we would be really supplementing their opening brief by
25 including those select pages. But we can include them as

1 an exhibit if that's easier for administrative purposes.

2 JUDGE LONG: I would say just for ease of
3 reference --

4 MS. SWAIN: Sure.

5 JUDGE LONG: -- it might be okay. Better to
6 include them as an exhibit.

7 Do Appellants have any objection to that?

8 MS. TURANCHIK: We do not.

9 JUDGE LONG: Okay. Then the pages attached to
10 FTB's correspondence dated October 7th, 2025, consisting
11 of select pages from the auction catalog will be labeled,
12 for the purpose of this hearing, Exhibit HH.

13 Sorry. I may have a typographical error.
14 October 6th, I'm being told. Either way, I think we all
15 agree to the pages.

16 This appeals hearing is anticipated to take
17 8 hours and 15 minutes. Appellants' presentation is
18 intended to take 45 minutes for the presentation and
19 scheduled for 4 hours of total witness testimony. I
20 understand that will be spread across the two days.
21 Cross-examination and panel questions for 2 hours and
22 35 -- or 30 minutes, then FTB's presentation will take
23 approximately 45 minutes. I do anticipate taking periodic
24 breaks throughout this hearing occurring approximately
25 every two hours. For everyone's sake I think that's a

1 good idea.

2 And Appellants, you may begin it with your
3 opening presentation.

4 Oh, sorry. One last thing regarding the podium.
5 Our stenographer has asked that during witness testimony
6 we take a break to move the podium to the side of the room
7 so that she's able to see the witnesses as they testify.
8 So we will be doing that after Appellants' opening
9 presentation.

10 And with that, you may begin when ready.

11 MS. TURANCHIK: Thank you, Judge Long.

12

13 PRESENTATION

14 MS. TURANCHIK: Thank you to the panel, and thank
15 you Judge Long.

16 I'd like to introduce my clients as they have
17 been already. This is Todd Fisher and Catherine Hickland.

18 Let's start with some brief background here.

19 There are two years at issue here, 2011 and 2012. And
20 just want to note for the record to be clear, we're
21 talking about facts that happened more than a decade ago
22 at this point. All of the proposed California income at
23 issue was generated from the sale of memorabilia owned by
24 Todd Fisher at two memorabilia auctions held at the Paley
25 Center in Beverly Hills in June and December 2011.

1 2012 is an issue only because he received a
2 payment from a December 2011 auction during the following
3 year. We have it stated by Judge Long two primary issues
4 for consideration today. When did Todd cease being a
5 California resident and domiciliary? Our position on this
6 is clear, and we say supported by evidence. Todd moved to
7 Las Vegas, Nevada in January of 2010 and never looked
8 back.

9 The second issue, if Todd was not a resident and
10 domiciliary of California, does the sale of the auction
11 items in California subject that tangible personal
12 property to California income tax? Our position on this
13 is also clear. The movement of tangible personal property
14 into a state for the sole purpose of sale does not render
15 it subject to California -- I'm sorry -- does not render
16 it California source income. And the FTB's position on
17 this issue violates both the plain language of the
18 statutory and regulatory provisions.

19 There's also an element to this case we do have
20 to address upfront, and that is the celebrity factor.
21 Todd Fisher is Hollywood royalty. He's the son and
22 brother of Hollywood icons, and a respected collector,
23 sound and video engineer in his own right. His life
24 wasn't normal. This wasn't Leave It to Beaver, which dad
25 working 9 to 5, mom staying at home, two-and-a-half kids,

1 and one two-week vacation represented the only time the
2 family left home.

3 Todd's life was dramatically different, both as a
4 child and as an adult. This fact has to be considered
5 here. Certain things that might be normal for the rest of
6 us are simply not part of his equation. Todd's parents'
7 divorce was front-page news, as it involved America's
8 sweetheart in the form of Debbie Reynolds and
9 villain/vixen Elizabeth Taylor. Todd's sister, Carrie
10 Fisher, became an overnight sensation with her role in one
11 of the most popular movie franchises ever in Star Wars.
12 The fraught relationship between mother and daughter was a
13 topic of a major motion picture, Postcards from the Edge.
14 And the almost contemporaneous deaths of mother and
15 daughter in December 2016 were fodder for mainstream
16 media, the tabloids, and industry rags for weeks.

17 Even Todd's wife, a soap star, an acclaimed
18 actress, and hypnotist in her own right was a significant
19 part of the Hollywood scene based on her own work; but
20 also, and somewhat ironically, because of her prior
21 marriages to David Hasselhoff and Michael Knight.

22 And I have to say, Cat, I find it hysterical that
23 your second husband had the screen name of your first
24 husband's.

25 They lived complicated lives in the limelight.

1 And this must be remembered when discussing such typically
2 benign topics as home or where we maintain expensive
3 items. For most of us, this calculation is clear. For
4 some, like Todd and Catherine, it's a bit more
5 complicated.

6 With that, let's turn to the issues at hand;
7 first, residency and domicile. I'm not going to spend a
8 lot of time going over the legal standards for those. You
9 guys know those standards well. FTB counsel know the
10 standards well. We're all familiar with them. But I do
11 think it's worth referencing the core standard for each.
12 First, the change in domicile requires residency in a
13 locality and an intent to remain there. Domicile is a
14 matter of taxpayer's intentions as evidenced by his
15 actions. In other words, a change in domicile requires a
16 union of act and intent. To establish a change in
17 residency, as relevant here, a taxpayer must establish
18 that they're outside of California for more than a
19 temporary or transitory purpose.

20 Todd will present the chronology on this, and I
21 am allocating some of my presentation time to his
22 testimony since what comes out of my mouth is not
23 evidence, but what comes out of his is. But the facts do
24 establish that Todd departed California in January of 2010
25 with intent to move permanently to Nevada to live with his

1 then girlfriend, then fiancé, then wife, Catherine
2 Hickland. His actions over 2010 manifested this clear
3 intent, and there's no intent to return to California in
4 any later year. Todd ceased being a California resident
5 in that year and never looked back. He continues to
6 reside in the same property in Nevada to this day.

7 We will discuss the genesis of Todd's move to Las
8 Vegas in 2010, which started with the death of his wife
9 Christi in 2008, and his random reintroduction to
10 Catherine Hickland in 2009 by Henry Cutrona. We will
11 discuss Todd's desire to leave the ranch after his wife
12 died. When he met Catherine, Las Vegas became the only
13 option. We will discuss from several different viewpoints
14 from several different witnesses the intense beginning to
15 Todd's relationship with Catherine, and the clear belief
16 of all who knew them that in 2000 time -- in 2010 --
17 excuse me -- he left his life in California behind. We
18 will discuss why the decisions were made to into
19 Catherine's house in 2010, and then sell that house and
20 rent while searching the perfect property in Las Vegas.

21 We will discuss the eventual find of that new
22 property and the creation of the family compound for
23 Debbie and Todd and Catherine. We learn how the ranch was
24 maintained in California, only at the behest of Todd's
25 mother, who still had memorabilia to be stored. We will

1 discuss the reasons for Todd's return to California in
2 2011 to deal with the implosion of the museum's dream and
3 the auction of a museum and family memorabilia. Finally,
4 we will establish with certainty that Todd clearly
5 manifested the necessary union of act and intent in his
6 departure from Creston and his new life in Las Vegas.

7 We will also establish that this has become a bit
8 of a side issue, but Debbie's residence remained in Las
9 Vegas during the years in issue. She spent dozens of
10 years on the road. But when Debbie was not touring, she
11 resided in Vegas during this time frame, visiting Carrie
12 in LA infrequently. We will learn that it was after the
13 years in issue here that Debbie began slowing down and
14 spending more time in California with Carrie. This is
15 memorialized in the documentary Bright Lights, which the
16 FTB apparently misconstrues have occurred in earlier
17 years.

18 Now, with regard to these issues, we do
19 acknowledge two points. First, certain steps were not
20 taken as quickly as the FTB might have preferred. For
21 example, the obtaining of Todd's driver's license in July
22 of 2011.

23 JUDGE LONG: Can you slow down a little bit?

24 MS. TURANCHIK: Yes.

25 JUDGE LONG: Thank you.

1 MS. TURANCHIK: But the irony of the FTB's
2 position is somewhat rich here in that if Todd had
3 immediately dotted I's and crossed T's and accomplished
4 all the brag factors, the FTB would have simply said he
5 was doing it to satisfy those brag factors. And it really
6 wasn't his intent to leave. They would make a form over
7 substance argument as they have in many other cases. And
8 in many of those other cases they are correct. Taxpayers
9 often, when trying to depart California, they do dot the
10 I's and cross the T's. That doesn't mean they intended to
11 leave.

12 The evidence here shows Todd actually intended to
13 leave California. Put differently, the FTB's position
14 ignores real life. Yes, he waited a bit to transfer his
15 driver's license and certain other mundane items, just as
16 I did when I moved to California from Virginia. So while
17 the standards espoused by the FTB, which even they admit
18 are bit out of date, may state differently. These
19 tangential items, when you're making a major across state
20 lines move, are simply not a priority and do not detract
21 in any way from his intent to leave the state.

22 Second, we do acknowledge that Todd did spend
23 significant time in California in 2011. There's no
24 question, but the why is critical. Why? Because the
25 auctions were being held in California under the auspices

1 of the bankruptcy court. He had to be there. The family
2 memorabilia had to be transitioned to California, and the
3 museum memorabilia had to be the extracted from storage.
4 This also includes the movement of much of the memorabilia
5 back to Vegas and then to back to Creston from the
6 Tennessee museum. All of these pieces had to be
7 reassembled, photographed, and cataloged.

8 You will see pictures of the Herculean effort
9 that was undertaken here, and it just took time. Once
10 this process was completed, the entire collection,
11 including both the museum memorabilia and the family
12 memorabilia, was moved to Beverly Hills in the Paley
13 Center where another Herculean task was undertaken to set
14 up the exhibits. This is the only reason Todd was in
15 California as extensively as he was. It had nothing to do
16 with where he lived or where home was. That was a Vegas.
17 California was a work project in 2011, and nothing more.
18 We will present evidence establishing the required union
19 between act and intent in Todd's transition to Vegas and
20 his permit departure from California in 2011.

21 Now, with regard to the sourcing issue, if Todd
22 is not a resident or domiciliary of California, the FTB
23 may only tax the proceeds received by Todd pursuant to the
24 sale of personal tangible items that they are sourced to
25 California. The applicable statutory provision

1 establishes that in the case of nonresident taxpayers
2 gross income includes only the gross income from sources
3 within the state. The regulations define sources from
4 within the state as income from real or personal property
5 located in the state. The regulation further provide
6 income from sources within the state includes rents from
7 real or tangible personal property in the state, gains
8 realized from the sale or transfer of such property
9 regardless of where the sale or transfer is consummated.

10 Put simply, for California to impose tax on the
11 sale of memorabilia at issue and satisfy both the
12 statutory and regulatory requirements, it has to be
13 established the personal was located in California,
14 regardless of where the sale is consummated. This means
15 the location of the sale for -- of such property cannot
16 serve as the basis for taxation. Otherwise, the fact the
17 sale was in California and the memorabilia was brought
18 into California for sale cannot be the basis for taxation.

19 Here, the FTB pauses at the presence of
20 memorabilia in California for purposes of the auction,
21 even for one day, is sufficient as it is therefore,
22 located in California. Perhaps recognizing the standard
23 leads to absurd results and is possibly inconsistent with
24 the applicable regulations regarding non-taxability of
25 based on a location of sale, they spend much of their

1 briefing arguing the cost into the long-term presence in
2 California and thus, satisfy the requirements of the
3 statute.

4 To the contrary, we assert the memorabilia cannot
5 be sourced to California as it has no physical presence in
6 California, except for purposes of sale. We look to
7 support for this argument in analogous, admittedly not
8 binding case, out of New York called Ittelson; which also
9 has a substantial auction house presence and thus, some of
10 the same motivations as in California, to perhaps not
11 taxed based on one-day standard. We also assert, via an
12 analogy, that unlike real property, which has a fixed
13 location and thus, source in California, the location of
14 personal tangible property, like memorabilia, is more
15 similar to the presence of human beings; both removable,
16 malleable, and subject to taxation only where and when in
17 the state for non-temporary or non-transitory purpose. As
18 a result, there is no factual basis to the FTB's assertion
19 that the property should be sourced to California in this
20 matter.

21 The evidence will establish that Todd's
22 memorabilia, being predominantly the Ascot dress, various
23 cameras, and military costumes, were not maintained in
24 California but rather, in Nevada. You will hear multiple
25 individuals testify as to locations of the family

1 memorabilia, including its most famous piece, the subway
2 dress. You will also hear the truth about the backdrop to
3 the Antiques Roadshow episode, which highlighted the
4 subway dress and the Wizard of Oz ruby slippers, as well
5 as numerous references and articles and other sources that
6 came up prior to the auctions relating to these items. It
7 will be clear that the memorabilia at issue was not, in
8 fact, stored in California, and only entered California
9 for purposes of their sale at auction.

10 An important component of this sourcing issue is
11 the background; the Hollywood Memorabilia Museum, a dream
12 of Debbie Reynold's. It started with her attendance at
13 MGM auctions in 1960s and 1970s and culminated with the
14 largest collection of Hollywood memorabilia. The
15 implosion of this museum dream was caused by two
16 significant financial crisis, beginning with the terrorist
17 attacks in 9/11, and culminating with the 2008 global
18 financial crisis, and the demise of Countrywide Financial.
19 We will discuss the attempts to keep the museum afloat
20 with Todd spending a substantial amount of time in
21 Tennessee, with the governor and its congressional
22 delegation, attempting to save the museum in Tennessee.
23 Nothing worked, and the dream ended with the bankruptcy
24 filing in 2009 and the ultimate sale of memorabilia in
25 2011.

1 Bankruptcy was required in this matter. And this
2 is a critical component because the primary creditor,
3 Gregory Orman, was demanding repayment at outrageous terms
4 on the debt that was owed him, and there eventually no
5 alternative but to file for bankruptcy. We will that, in
6 fact, the relevant family memorabilia was predominantly
7 located outside of California, brought into the state only
8 for these presentations, such as auction, such as the
9 Antiques Roadshow, and then ultimately the auction. We
10 will establish that storing the expensive items in Nevada
11 made far more sense than keeping them in the warehouse in
12 Creston.

13 In closing, put simply, the evidence will show
14 that Todd moved out of the California in 2010 and never
15 looked back. His life in Nevada began that year and
16 continues in Nevada to this day. Todd returned to
17 California solely for the sale of the memorabilia. And on
18 that note, the same holds true for the memorabilia. The
19 costumes and equipment at issue here were maintained in
20 Nevada or Tennessee with the family and brought into
21 California solely for purpose of the auction. Taxation of
22 the sale of the memorabilia, based only on its presence in
23 California for sale, violates both the plain language of
24 the statute and the regulations.

25 And with that, we're going to reserve our

1 remaining presentation time for Todd's testimony and also
2 for our closing.

3 Thank you.

4 JUDGE LONG: Thank you.

5 I guess we'll take five minutes to move the
6 podium.

7 (There is a pause in the proceedings.)

8 JUDGE LONG: We'll reopen the record.

9 Mr. Fisher, since you'll be testifying, if you
10 could please raise your right hand.

11

12 T. FISHER,

13 produced as a witness, and having been first duly sworn by
14 the Administrative Law Judge, was examined, and testified
15 as follows:

16

17 JUDGE LONG: Thank you.

18 You may proceed with your testimony.

19 MS. TURANCHIK: Thank you.

20

21 DIRECT EXAMINATION

22 BY MS. TURANCHIK:

23 Q Mr. Fisher, we're going to walk through a story
24 here. We're going to tell this panel and Franchise Tax
25 Board exactly what's going on in your life as we

1 transition from childhood.

2 MS. TURANCHIK: I'm not -- I promise we're not
3 going to spend a lot of time on the history. I just want
4 to build the background because it is very relevant to
5 what happened to Todd and the bankruptcy in the museums,
6 first in the early 90s and then in 2009.

7 BY MS. TURANCHIK:

8 Q So Todd, if we could start with this photo
9 history that you have in front of you -- which you have
10 put together -- to sort of walk through your background in
11 terms of what was going in your life. Why this
12 attraction, this -- this fascination with costume, with
13 memorabilia, with movie paraphernalia?

14 A So my mother is an actress by the name of Debbie
15 Reynolds. She was a star, really, in the 50s and 60s,
16 although her first film was in the 40s. Her career span
17 seven decades. She was a fan, even as much she became a
18 star later, but she was a fan before she became a star.
19 So in 1970 -- she became a contract player, by the way,
20 starting in 50s at MGM. Which means that you effectively
21 were an employee of MGM. And she made about 70 moves up
22 and through the 60s. And in the 70s she found out they
23 were going to liquidate MGM studios.

24 So Kirk Kerkorian -- you've probably heard that
25 name before. He was a founder of the MGM casinos you

1 might be aware of -- decided -- he had taken over the MGM
2 Studios and decided to break it up for pieces -- sell off
3 the real estate, which was very valuable. There were
4 about 300 acres in Culver City -- but also to sell off the
5 collection of films, which Ted Turner purchased -- and
6 also --

7 Am I going to quick?

8 THE HEARING REPORTER: Yes.

9 MR. FISHER: Okay. I was just looking at the way
10 you were looking at me.

11 And my mother was the largest purchaser of
12 costumes, props, furniture with the intent of starting a
13 Hollywood museum. For some reason, she became obsessed
14 with this in many ways and -- because of being a fan. But
15 also her friendship with others that had come before her,
16 such as Mary Pickford who was a silent film star, started
17 a company by the name of United Artists. And that -- she
18 had tried to build a Hollywood museum in the 60s and was
19 not able to do so. My mother tried to help her.

20 So this was a chance, though uniquely, to save
21 this memorabilia. These were the greatest films that had
22 ever been made in the history of film industry; the
23 greatest stars, you know, what you'd call from the Golden
24 Era. And it was all going to be sold off and scattered
25 around the world, and she freaked out about this and said

1 we need this to be kept in this country and to be in a
2 Hollywood museum. That became her quest for five decades.

3 I was a teenager at the time. In fact, we even
4 have -- there's the catalogs. David Weisz handled the
5 auctions. There were thousands of items.

6 Picture in the upper corner. I guess -- there it
7 is. That's her at the auction. She became -- the -- the
8 newspaper said she was crazy. Like, why were you there
9 saving all this stuff? What are you doing? Debbie
10 Reynolds has lost her mind. Well, that's the brass bed
11 from the Unsinkable Molly Brown, for example. This was
12 something that helped make her career, make her very
13 famous. She was nominated for an Academy Award for that
14 role. Here they are selling off a key artifact from that
15 movie, as well as all the costumes. So she saved most of
16 these things. Everything from the ruby slippers to Judy
17 Garland's gingham dress. You can see a lot of different
18 things here.

19 This was pictures -- I'm going quickly because I
20 know you guys have time.

21 But wardrobe department was a like a football
22 field. There were thousands of costumes. In the end,
23 just from the MGM auction she acquired approximately 2,000
24 costumes. I mean, it's -- maybe it doesn't sound big, but
25 it's a huge thing to do.

1 Now, there's a picture of me so you can get an
2 idea of how old I am at the auction with her. The guy in
3 the background -- this is a spelling one for you -- is
4 Jerry Wunderlich, just phonetic, W-u-n-d-e-r-l-i-c-h.
5 Yeah. And he was a famous set decorator. And he was with
6 her helping her choose famous furniture pieces for the
7 museum, and I happen to be with her. There's a pic -- a
8 lady in the left-hand corner. That's my grandfather, my
9 mother's mother. So the whole family kind of is getting
10 caught up in this. Carrie and I both were at these
11 auctions, and we watched my mother amass all of this
12 stuff.

13 Well, now that you've bought all this stuff, what
14 do you do with it? Now, you have like massive amounts of
15 stuff. Imagine what you could -- like, 2,000 costumes
16 doesn't fit in here -- in this room we're in. We lived at
17 813 Greenway Drive. This is our home in Beverly Hills.
18 We spent 13 years of our lives there. Carrie and I grew
19 up there. My sister referred to it as -- she says it
20 looks like mausoleum or a museum. It's funny. It would
21 actually become the place where the museum artifacts were
22 initially going to be stored. They were stored at that
23 house. There's a picture of my mother actually in the
24 room where things were stored at that house.

25 Now, it became pretty clear pretty fast that you

1 can't -- you know, the purpose of this is not to put it in
2 your basement. And just so you understand, in -- in my
3 lifetime growing up throughout my entire life until much
4 later in life, there was not one piece of Hollywood
5 memorabilia on display in our homes. Way later in life my
6 mother decided -- when we weren't doing a museum -- to put
7 out a pair of the ruby slippers and the Maltese Falcon and
8 a couple of things, but never costumes, posters. Nothing
9 was ever on display. Why is that? Because she had
10 collected it for all of us. She had collected it to save
11 it so we would have a Hollywood museum.

12 Now, starting in the 70s very early on, many
13 locations became under consideration. This is Pan-Pacific
14 building, currently where the Beverly Center is. This was
15 offered up by the City of Los Angeles as to be a museum
16 location. And we had plans drawn up to put the museum in
17 there, and it was like this is going to happen. But like
18 what happened many times over five decades, something
19 always went wrong and -- last minute the funding was not
20 there. The industry, most of the movie stars, really
21 didn't care about this dream 'cause they were not really
22 fans like she was. They were just movie stars. I say
23 "just".

24 There's a familiar building. This eventually
25 becomes the Academy Museum, but it was offered again back

1 in the 70s to my mother and her people to put the
2 Hollywood Museum into that location. Now, in the middle
3 of all of these different locations -- this is what was
4 called the cars building and other thing. In the middle
5 of all of this, it becomes clear that -- that there's a
6 struggle in making this happen. So she's soliciting help
7 from, you know, the industry, which really had no
8 interest. And the problem is where do you keep all of
9 this stuff? How do you keep it safe? What do you -- what
10 do you do with it?

11 Now, at the Greenway house, which is the house I
12 said we grew up in, which is where this stuff was stored
13 right up to this point. We had problems. The subway
14 dress, which is something that's become a focal point of
15 this hearing, had been stolen while it was at our home at
16 the Greenway house; and the FBI was called in. There were
17 sever pieces stolen, including the subway dress, and my
18 mother was undone. This is -- she knew at that moment
19 that that this is probably one of the most famous -- will
20 be, perhaps, the most famous costume in film history. And
21 the FBI called everybody together like an Agatha Christie
22 movie and questioned all the help and said if this stuff
23 reappears in the next 24 hours, you know, we'll drop this
24 matter. Well, in 24 hours that dress came back.

25 My mother, though, never got over that, and she

1 started to treat different parts of the collection
2 differently. It was obvious to her that some parts of the
3 collection were extras costumes, let's say. Maybe they're
4 magnificent extras costumes with gold and silver thread,
5 but they're not hero costumes. They're not worn by the
6 big stars. They're not Monroe, Betty Davis, Katharine
7 Hepburn, Gary Cooper. They're not those big names. So at
8 a certain point, my mother started deciding what she
9 thought was important to her, and she didn't want to see
10 missing for any reason, and started to put that -- keep it
11 with her wherever she might be. And so one of the goals
12 became, we can't have this stuff at the Greenway house
13 anymore. We need to have a permanent home.

14 So she went shopping and bought a post office
15 depo in North Hollywood. This also became the Debbie
16 Reynolds dance studio, quite by accident. Initially, it
17 was just a depository where we were putting the collection
18 as a place to try to keep it safe where it could be
19 secured. But she decided well, you know, this other area
20 over here, I could rehearse for my next Vegas show over
21 here if we set this. We're not using all the square
22 footage. It was a big building. It was 18,000 square
23 feet. So we set it. She started rehearsing her shows
24 there, and then other people said, well, can I use that
25 room -- that rehearsal room? And she -- like Ann-Margaret

1 and Shirley MacLaine, and other people that were doing
2 Vegas acts.

3 And pretty soon DR Studios was born
4 simultaneously just because it was going to be a storage
5 building, and it started to become a rehearsal studio. So
6 pretty soon the collection is getting pushed into
7 different areas in this building, and other parts of the
8 building are being converted into rehearsal space.
9 Eventually, this became the most famous dance studio ever.
10 And everybody from Fred Astaire to Michael Jackson danced
11 in that studio, rehearsed in that studio. The Thriller
12 album of Michael Jackson was rehearsed and choreographed
13 inside of that building; right behind those very walls, in
14 fact. So this -- this became the home for many years of
15 where this collection was going to be housed while we were
16 looking for a permanent museum to put it in. So I was --
17 sort of a segue.

18 One after another these other places came up.
19 Where does the -- that was taken in DR Studios. The
20 collection at this point was not being stored at what
21 we'll call archival museum levels. We didn't really
22 understand at this point how to preserve textiles. So we
23 did our best. I was not really involved, by the way, at
24 this point, at the DR Studios. I was building a recording
25 studio in that very building and wasn't paying very much

1 attention to where this collection was being stored.

2 So this lead us to kind of a jump forward. But
3 you can imagine there were about five failed attempts to
4 build a museum. I mentioned the Pan-Pacific building, the
5 cars building. The cars building was a building right
6 next to Grauman's. It was like a great location for this.
7 She actually moved big chunks of the collection there. It
8 didn't happen. There was a flood. It was -- it all
9 turned out there was always some kind of a problem
10 historically. This leads us up to something that we had
11 control of. My mother calls me one day from Las Vegas,
12 and she says, "I'm going to buy a hotel casino in
13 Las Vegas."

14 And I'm like, "What?"

15 Now, just to back up a little bit, Carrie and I
16 had spent our lives with her in Las Vegas. Starting in
17 19 -- in the 60s -- my mother in 1963 began performing in
18 Las Vegas. Carrie and I with her when this used to go on.
19 We actually -- Carrie and I both sort of considered
20 ourselves to be what we used to call dual citizen of Vegas
21 and Beverly Hills, 'cause we really spent a lot of our
22 time in Vegas growing up. And we eventually performed in
23 my mother's show, starting when were 7, 8, 9, 10, all the
24 way up into our teenage years. So -- but at a certain
25 point I decided I didn't like that side of things. And

1 you can imagine my sister did like those side of things.
2 I'm glad she did, because without that we wouldn't have
3 Princess Leia. So she chose that path. I chose behind
4 the scenes. That's why my mom called me. She said, "I
5 bought a casino. I would like you to build and design the
6 showroom for me."

7 So I went to the Vegas. This is what was the old
8 Paddlewheel Hotel that became the Debbie Reynolds Hotel
9 and Casino. It's on Convention Center Drive. No longer
10 there. It was six-and-a-half acres, 220 hotel rooms, and
11 quite a bit of square footage that wasn't being used for
12 as of a casino as could be there, which would later become
13 our museum. So we started moving -- we decided in '93,
14 after we got the showroom open, we decided you know what?
15 We need to build a museum ourself. No one else is going
16 to do this. Let's just go for it. So myself and my mom,
17 we raised the money to build a 10,000 square foot
18 Hollywood Museum inside that building. We also acquired a
19 pickup truck and this trailer to move the contents from
20 Debbie Reynolds' dance studio, which is where it had been
21 store, really, since of those failed attempts; but let's
22 just say from the MGM Auction forward.

23 And we started bringing everything to a new room
24 that I had constructed inside the hotel. This is in 1993,
25 '94. Everything was there. The museum opened in '84. It

1 was a huge success, the museum and the casino. If it
2 was -- the only problem was that here husband, my mother's
3 third husband, extorted \$10,000,000 from the hotel,
4 gaining control of certain areas in the hotel. We have
5 ended up with a judgement against him for \$10,000,00 in
6 the Nevada courts. We ran him into bankruptcy. He ran
7 back to Virginia. It turned into a fiasco. We really
8 collected very little from him, but he effectively ran
9 this company into jeopardy and eventually had to file
10 bankruptcy protection because of so much had been stolen.

11 Q Todd, can I stop you for one second?

12 A Yes.

13 Q While we're in this 1990, 1994, '95 time frame,
14 can you discuss what was going on in your life personally
15 and your own residency issues in that time frame?

16 A Good point. When my mother asked me to come to
17 the hotel, it was initially just to build a designer
18 showroom for her. So I was like, sure. So that -- what
19 does that mean? Like, I'll come in for a couple of
20 months, six months max. We'll build a showroom, and I'm
21 gone.

22 Well, what happened, because of this money being
23 stolen from the hotel, the lender, which was the main
24 lender bank for the hotel, said unless you get somebody in
25 here to run this thing right now, we're going to have to

1 foreclose on this property the way it sits. They -- they
2 said me. I didn't want to do it, but they put me up as
3 CEO in charge of this hotel. It was a public company at
4 the same time, so I had to take over the public company.
5 I had to take over -- what was it? -- a partial timeshare
6 business on the top floors. And then we had the hotel,
7 the casino, the bars, everything else. And I had to get
8 my gaming license and liquor license and all of this.

9 Well, that meant a change for me, 'cause that
10 meant I'm not going back to California. Now, I had
11 purchased the "ranch," quote, unquote, in about 19 -- I
12 think I optioned it in 1988. But by 1989, I purchased a
13 ranch in San Luis Obispo County, 44 acres, and that was
14 with my wife at the time. We didn't actually get married.
15 We were -- I guess you call it -- community -- what do you
16 call that? What is it called. There's a name for it.
17 I'm not sure what it is, the legal term.

18 But anyway, she had three children, and we raised
19 those children on that property all the way up through
20 till she passed away in 2008. But that ranch was where I
21 was at this time. David De Salvo, who you're going to
22 meet tomorrow, has been my family CPA for decades. In
23 fact, he even had an office at DR Studios right next to
24 the memorabilia at one time.

25 De Salvo, D-E-S-A-L-V-O. Does that help? Okay.

1 Just checking.

2 David was doing my taxes at this time. And when
3 I was at the hotel, he said, "Well what's going on?"

4 I said, "Well, you know. I've just taken over as
5 CEO. I'm going to be here for a long time."

6 And he's like, "Okay. Well, we'll switch your
7 residency over to Nevada."

8 And I -- I said okay. Well, you're the man. You
9 know, my whole family had trusted him to do all of the
10 trust, my mother personal, my sister personal, everybody.
11 So I became for the first time a Nevada resident. Now,
12 that very year, after he filed, we were challenged by the
13 Franchise Tax Board as a residency issue. David handled
14 the challenge at that time, and they after whatever -- I
15 don't even know what happened 'cause David handled it.
16 But very quickly they dropped that case. Seeing as that I
17 had -- now keep in mind, I still own this farm in
18 California. It's an operating farm with my wife and these
19 three stepchildren. But I'm working in Nevada running my
20 mom's hotel. I don't own property in Nevada at this time,
21 but I became a resident. The Franchise Tax Board accepted
22 my residency at that time.

23 I did buy a house about a year later just as a
24 side issue in Nevada. My mother, of course, had a home in
25 Nevada since the 70s, really the late 60s. So whenever we

1 would visit --

2 JUDGE LONG: Mr. Fisher?

3 MR. FISHER: Yes, sir.

4 JUDGE LONG: I'm sorry to interrupt. Just so I
5 have a timeline, when did you buy the Nevada house?

6 MR. FISHER: The Nevada house was purchased in
7 1994.

8 JUDGE LONG: Okay. Thank you. And then how long
9 did you have that house for?

10 MR. FISHER: I kept it to about 2000.

11 JUDGE LONG: Okay. Thank you.

12 MR. FISHER: I might as well finish that little
13 part of the story. Because when the hotel filed for
14 bankruptcy, which was in late 2007, early -- excuse me --
15 1997 to 1998, we were -- we filed Chapter 11 to reorganize
16 the hotel. We had a reorganization plan that was rejected
17 by the unsecured creditors, and the hotel was liquidated.
18 Right at the filing time, we moved the collection from the
19 hotel itself into storage in Las Vegas, right down the
20 street from my mother's condominium, which she had had
21 since the 70s. This was a big building because -- about
22 6,000 square feet because the entire contents of the
23 storage, plus the entire contents of what was on display
24 in the museum and around the hotel had to be stored.

25 The reason why this was done us that the

1 attorneys were concerned that the creditors might go after
2 this collection, even though there were different owners
3 of the collection. But they were afraid, so they had to
4 segregate it. Now, this brings up an interesting point is
5 the terminology. There are a lot of terminology problems
6 that have come up in this case. Collection is one of
7 them. When I say the collection, I'm talking about the
8 entire collection, 3,000 costumes, 10,000 artifacts. But
9 it's owned by several entities. There's a 501(c)(3)
10 nonprofit that was started in the 1970s that my mother had
11 been donating things into over the years.

12 There was then Debbie Reynolds Studios, D. R.
13 Studios where I mentioned everything got stored. She
14 eventually had put ownership of many of these costumes
15 into DR Studios. Side note, she also established the
16 Children's Trust at this time. The beneficiaries of the
17 Children's Trust is Todd Fisher and Carrie Fisher. We
18 owned DR Studios. So, effectively, not only the building,
19 but the contents and the collection that was maintained at
20 DR Studios was in the Children's Trust. This is how it
21 stayed out of the hotel bankruptcy at that time.

22 So the --the end of this is the collection is
23 stored in these buildings. My mother comes to me, and she
24 says, "We can't just rent this building here forever."

25 I said, "Let me build a storage building at the

1 farm for the collection. I can build it."

2 And at the time, by the way, it was -- I probably
3 spent maybe \$100,000. It wasn't very much. You put a
4 foundation, and we built a, you know, a metal building
5 like you see on TV. This became -- when it was ready, we
6 moved the collection, for the most part, especially, the
7 part of the collection that belonged to the nonprofit. We
8 moved everything to California at that point. So this is
9 1999. Let's just use that as a time frame. My mother,
10 though, kept maintaining things that she felt were
11 important in her condominium in Vegas. This is something
12 she had been doing literally going way back, but she
13 started doing it more particularly when she was concerned
14 about things happening to these artifacts, especially
15 Marilyn Monroe.

16 BY MS. TURANCHIK:

17 Q Why don't you roll the slides forward a little
18 bit, pick up some of the actual displays of this.

19 A Sure. So this is -- there's that trailer again,
20 by the way, with the truck. That was the truck and the
21 trailer that we used to move the collection from DR
22 Studios. That was also the truck that was used to move
23 the collection back to the ranch in 1999.

24 If you notice on the next slide, or you see it
25 right there, those are what we call gondolas. We

1 eventually built ways to store the collection and to
2 transport using these rolling gondolas. You could hold 25
3 to 40 costumes inside of a rolling cart.

4 That was the showroom in Vegas that I built and
5 designed for my mother. Obviously, that was different.
6 That should have been probably earlier.

7 This is out in front, in the hallway, going into
8 the movie museum or up to the Star Theater. Shot from the
9 hotel.

10 Okay. There's the bankruptcy. You're right.
11 I'm catching up with myself. I think I talk faster than
12 the slide show.

13 There was the hotel when it went up to auction.
14 That's when it -- so there we are. The warehouse wasn't
15 finished until -- I'm going to say, you know, like I said
16 '89 to '90. Debbie had always maintained -- what I'll
17 say -- things that were important to her, and kept certain
18 things with her; the ruby slippers, fairly small things.
19 I mean, you could move everything that she had segregated
20 in one car. Although the DR Studios always maintained a
21 van. We always kept a van. And there some -- she had
22 assistants over the years that handled moving her stuff
23 around for her, whatever that might be.

24 But Vegas, at one point, had almost everything.
25 DR Studios had some stuff, residual leftover from the

1 hotel days. But the goal was to get everything that we
2 could, especially that was owned by the nonprofit into the
3 warehouse at the ranch, which is what was done. I
4 maintained -- I had different little collections of my
5 own. I collect cameras and lenses. I collect certain
6 weapons. When my mother was collecting costumes -- you
7 saw how old I was -- I said, hey -- I mean, you know,
8 like, the guys are not gonna -- where -- where's the
9 swords and guns. The guys are gonna want to see the
10 swords and the guns. I mean -- and she's like, yeah,
11 you're right. We should have those. So she started
12 allowing me to collect things that went with the big
13 collection. And then I talked her into the cameras. I
14 said well, hey, what about the camera that made the movie?
15 Wouldn't that be kind of important to be able to show
16 people the types of cameras that made these movies?

17 She loved history and loved preservation, and so
18 she was an easy sell on this. And that's also how you
19 roped me into this. So there's the finished building that
20 was built in Creston. It was 6,000 square feet. It -- it
21 really -- if you look at the next slide, it's really --
22 it's just a steal building -- what they call a butler
23 building by some terminology. But you'll notice, you
24 know, it's -- it's made out of TGI beams and whatever.

25 And this is an early picture taken where

1 everything was sort of just dumped there. We over time
2 got more and more organized to try to get things more and
3 more focused so we would be able to more properly
4 preserve.

5 In fact, here's the next slide. Oh, it's stuck.
6 It' in the note mode. Why is that? Let's see. There it
7 is.

8 Okay. So you could see like by -- this is where
9 we started to get a little bit more organizing. We had a
10 fairly large film library as well, and all the films and
11 archives were kept at the same location. And then you
12 notice also on the left side of the right-hand picture
13 there are banker boxes and things of that nature. So my
14 mother started sending records and things over to this
15 warehouse as well. So the -- at some point the family
16 archives and tax records and -- just archives, contracts,
17 whatever. Paper archives is a good way to put it. But
18 there were also things that were memorabilia, scripts,
19 things like that.

20 Okay. So, obviously, the end goal is not to end
21 up on a farm in Creston, California, which is San Luis
22 Obispo County in the middle of nowhere. We -- obviously,
23 she always wanted the Hollywood museum to become a
24 reality. So I was approached by Hollywood and Highland.

25 I'm not going to do this name for you. It's a

1 horrible name. The developer was called Trizechahn.

2 Q Let me spell that because I actually did look it
3 up because --

4 A You looked it up?

5 Q -- you were struggling. T-r-z-e-c-h-a-h-n.

6 A The developer was building a huge retail
7 mixed-use complex on the corner of Hollywood and Highland.
8 Now this is year 2000. They made us an offer we couldn't
9 refuse. They offered to give us the entire nose of that
10 building, which you see here in glass. Three stories
11 tall, represented about 30-some-odd-thousand square feet,
12 which was dream for us because we'd always been jammed
13 into about 10,000. Now to give you an example, when we
14 had the hotel, we had approximately 400 costumes on
15 display at any one time, but there's 3,000 costumes in the
16 collection. Now, granted some of these are more famous
17 than others, obviously. Bu the truth is we could only
18 display approximately 10 percent of what we had on hand.
19 This was going to allow us to put about 30 percent of the
20 collection on display. So we began construction on this.

21 Now, we also at this time had to take on debt in
22 order to help with our end of the deal. They were paying
23 for certain things, and we had to pay for other things.
24 So we went to Gregory Orman, O-r-m-a-n, who was a friend
25 of mine from Las Vegas days, and we borrowed a million

1 dollars from him, which is what we needed as our
2 obligation to fulfill as tenants to this building. We had
3 a 25-year lease. We had a lot of very favorable terms.
4 They were paying for all the build out. And everything
5 was going great, and then 9/11 hit, and they went under.
6 It put that developer out of business, and it left us
7 holding the bag on that property.

8 Now, the collection had not been moved, unlike
9 what happened in Tennessee where we were just building
10 here. But there are very elaborate pictures you can see.
11 There's our board of directors. That's Robert Stack on
12 the right, Janet Leigh. You see my sister next to my mom.
13 Jackie Lee Jr. on the far left.

14 Am I going too fast again? Okay.

15 At any rate, you know, we had the support of the
16 entire Hollywood community. We had the support of the
17 City of Los Angeles. I mean, everything was going great,
18 but with the developer going under, that -- that cratered
19 that deal. And so just as fast that we we're all thinking
20 we -- we're finally going to get this museum, it didn't
21 happen. And that was after the build out was
22 substantially done. So that left us holding the bag on
23 that debt.

24 So about for about a year or so we were looking
25 for a new location, and I could not find anything. And I

1 was thinking man, this is not good 'cause I don't know
2 where we're going to get this million dollars. And keep
3 in mind the museum, the nonprofit, had really been the
4 lender. But the other entities, meaning the Children's
5 Trust and Debbie personally had guaranteed this note, this
6 million dollars. So it was cross chat lied with the whole
7 collection including the subway dress even though the
8 subway dress never at the ranch at that moment he knew
9 about it. Everything had been cross collateralized with
10 the whole collection, including the subway dress. Even
11 the subway dress wasn't at the ranch at the moment, he
12 knew about it. He wanted that as part of his collateral.
13 So everything had been cross collateralized.

14 So I get a call from a developer in Pigeon Forge,
15 Tennessee. Now, I don't know about you, but someone says
16 they're calling from Pigeon Forge, Tennessee, you don't
17 really take the call seriously. So I blew the guy off
18 because I don't know what Pigeon Forge, Tennessee is.
19 I -- I thought it was a joke. He kept bugging me and
20 calling and calling. Finally, he -- he explained what it
21 was, and he dropped Dolly Parton's name. He said well,
22 Dolly Parton has Dollywood here. And I'm like, okay, now
23 run this by me again. He said, look, if you agree to come
24 here and agree to be one of our anchor tenants, we will
25 take on that debt for you, and we will pay for any

1 building you want to build here up to -- I think he said
2 \$8 millions. And I'm like, okay. I'm going to come on
3 down to Pigeon Forge, Tennessee.

4 So I flew to Pigeon Forge, Tennessee. I made
5 that deal. And there's the island before anything was
6 built. It was surrounded by water on two sides, which is
7 why they called it an island. Although it wasn't really
8 on a major river, it was a piece of property. There's a
9 rendering in the early days of what was proposed for the
10 museum itself. And so very quickly I had to spend a ton
11 of time there because I'm now going to build 115,000
12 square foot building, and it's big for me. This is the
13 biggest thing I've ever built. It has three theaters.
14 It's just the biggest thing I've ever designed or built.

15 So I bought an RV, and you see it in that picture
16 right there, and there it is in that picture there. And
17 that became my -- where I lived while we were building and
18 designing this project. Now, you notice there's trailers
19 and containers there. We also began moving parts of the
20 collection that were going to be needed for the opening
21 and for the early -- and for the early exhibits. The way
22 that museum was designed -- I don't know if I have a
23 picture of it later. That's some of the memorabilia.
24 They've been moved to the office. There's a -- there's
25 parts of the collection.

1 So a lot -- really, everything that -- let me see
2 if I can -- okay. So looking at this, there's the
3 riverboat in the middle there at 90 percent complete.
4 It's -- it's 130 feet tall. So it's 13 stories tall, but
5 there are three huge theaters in it. I mean, it was --
6 this is the crowning jewel of anybody's. It's a dream.
7 My mother's dream had finally come through true. We were
8 so elated. So within that Exhibit 3, there were three
9 theaters that were themed. For example, there was a thing
10 called the Epics Theater. An epic is a film which I could
11 call like in epic movies. Even Star Wars is an epic, of
12 course. But Ben Hur, Mutiny on the Bounty or certain
13 movies, Cleopatra. These movies were epics, and the films
14 were huge and shot wide screen format. So we were going
15 to show people these films in their original formats while
16 looking at these costumes on display.

17 So we very quickly started outlining, not only
18 what was gonna go in the theaters, but what was gonna go
19 on display in the pavilion. Now, there were themed
20 pavilions, such as comedy, such as war, such as westerns.
21 Obviously, what goes into the western's pavilion are
22 western movies. Comedies are movies that are comedies,
23 romance, et cetera. So there's only so much square
24 footage, even though that sounds huge, where you're still
25 are only going to send about 30 percent of the collection.

1 But even 30 percent of the collection is going to take
2 some time.

3 So we began very early transporting the
4 collection. That's why I was showing pictures of these
5 trailers and things arriving, you know, with pieces of the
6 collection and how it was being stored. Things -- some
7 things were going inside. Some things were being put into
8 air conditioned rooms. There's the opening supposedly in
9 '08. There's the island, really, in '08. And then all of
10 a sudden we have the economic collapse of '08. Now, the
11 really bad news here is that the construction lender
12 Countrywide. And if you guys probably remember -- maybe
13 you do, maybe you don't -- Countrywide went under. That
14 caused a big problem because they were the bulk lender.
15 Regions Bank owned the title on the land and some of --
16 some of the -- some of the liens, let's call it. But the
17 main lender was Countrywide, and they went under. And
18 Bank of America, as you might remember, took them over,
19 and they refused go forward with any deal that they had on
20 the table.

21 So this was cancelled. I went to the governor.
22 I went to the senators. I went everywhere. And I said,
23 hey, let's -- let's float a bond. Let's do whatever we
24 have to do. You're 90 percent complete. Remember Obama,
25 at the time, is going shovel-ready projects qualify,

1 right. I'm like, dude, this thing is 85 percent done.
2 It's going to employ 3,000 people. Let's get this thing
3 finished. So I had a lot of politicians on board, but
4 everybody was very gun shy in the middle of that collapse,
5 and I don't think people really knew that the collapse was
6 done collapsing. So it was impossible to secure the
7 financing.

8 Now, in the meantime, the lender has been
9 trailing his debt for several years now with promises to
10 be paid. He is using compounding interest rates and other
11 things. I was able to hold him off in the California
12 courts. They have a fantastic law in California. And I'm
13 not a big fan of certain laws in California, but this one
14 I really like. It's the usury laws. In California they
15 have maximum interest rates that can be charged on a loan.
16 So we went in there and said this guy can't possibly
17 charge us. And the courts agreed with us, and they
18 essentially said, sorry buddy, you can have your original
19 money and plus this rate. And we bought a lot of time
20 doing that, but in the end he ran back to Kansas City.
21 And in Kansas City, they still wear cowboy hats and boots
22 in the courts, and they didn't care about usury laws.
23 They're like, hey, man, whatever. You owe him \$8 million,
24 the number I think he was trying to collect.

25 I had no choice but to file for Chapter 11 for

1 the nonprofit. In particular, that led to my mother
2 filing bankruptcy as well. So we had -- in order to keep
3 him at bay, so to speak, we had to file bankruptcy. Now,
4 right at the same time -- this is literally what happened.
5 That's me by the way in the museum. You can see the
6 interior is already in its build-out stage where we're
7 literally hanging drywall, getting ready to decorate
8 certain floors. Now, what happens in bankruptcy court,
9 Orman and I get -- now -- now Cat and I --

10 Q Let me -- let me stop you here --

11 A Yeah.

12 Q -- because we're kind of at a juncture for a
13 couple of different things. So we're professionally, we
14 are at your bankruptcy for the museum in 2009. Let's talk
15 personally. What else was going on in your life in 2007,
16 2008?

17 A So in 2007, which is really in the middle of --
18 of some of this stuff, my -- Christi, my late wife was
19 diagnosed with esophageal cancer. And, basically, until
20 the summer of '08, you know, she suffered pretty horribly
21 from that disease, and we kept -- you know, a lot of
22 things were in emotion. The world didn't stop. But
23 needless to say that caused some serious up hurdles within
24 the family.

25 Now, you got to remember that I really didn't get

1 into details, but when I bought this ranch in California
2 back in '89, it was because I was with Christi, and she
3 was a rancher. Now, you might ask yourself what was --
4 what were my skill in 1989? Well, they surely were
5 nothing to do with ranching, other than I'd seen a lot of
6 movies about ranchers. So I was attracted to, like, John
7 Chisum, you know, when John Wayne played that character.
8 And I also needed -- wanted a black and white Paint horse
9 because that's what Little Joe Cartwright had. So I went
10 promptly out and bought myself a horse and got thrown off
11 almost immediately.

12 But she was the rancher. The dream was to build
13 a ranch, and that is what happened. She continued to
14 build a -- we'll call it a working farm/ranch. It became
15 an organically certified farm. It actually had contracted
16 the United States Government for crop testing with canola
17 crop and some other crops that she had in the experimental
18 phases with the United States government. And it was --
19 it was a -- you know, and it was very unique to me be
20 involved in it, and I've -- you know, it was challenging.
21 But it was really her dream, which became sort of my dream
22 to make that happen for her. This is sort of what you do
23 when you have a -- a person that you're with.

24 So when she passes away in '08, we had already --
25 she and I had already discussed selling the farm all the

1 way back in '06 even. I like to say it like this. I
2 bought the ranch when I was 30, and it was a great idea.
3 When I was 40, it was starting to turn into a little bit
4 of work. By 50, it's major work to own a ranch, a lot of
5 work. And now, of course, I'm substantially older and
6 it's just like, forget it. So she and I had already
7 talked about getting out of that business even before she
8 died. Now, once she got cancer, then it was obviously a
9 no brainer. If she survived that, we would have sold the
10 ranch for sure. But anyway, she stayed there until the
11 very end.

12 That's what you wanted me to go back and cover,
13 right?

14 Q Yes. Thank you.

15 A Okay. So that -- but that -- what's interesting
16 about that is, it does lead us up to where we are here,
17 where we're now filing bankruptcy. It's also leading up
18 to me meeting Cat and -- you want me -- am I heading that
19 path?

20 Q Yeah. Let me -- let's just focus on the
21 bankruptcy for just a second because this is obviously
22 important. You've discussed before this idea of a domino
23 effect, and the idea that 9/11 sort of caused this whole
24 thing. Can you just explain that a little bit further?

25 A Well, as I mentioned, there's like a history of

1 this thing just not being able to happen. But when 911
2 hit, that wiped out Hollywood and Highland. But, you
3 know, the idea that the entire lending system was upended,
4 to was to me almost like unconscionable. I -- I -- we
5 were stunned, and no one could imagine such a thing
6 happening; and the idea that we found ourself back in a
7 position where we had to protect ourself again to protect
8 the collection, et cetera. There's only one problem.
9 This is the first time the collection was ever in
10 jeopardy. Never before in history has the collection ever
11 been used as collateral. Never before had it been in
12 jeopardy under any -- really, in any time. But this time,
13 there was actually a UCC filing against the collection.

14 So, you know, when we filed for bankruptcy, I
15 became the trustee. One of the first things that became
16 of issue is how are you going to raise this money to pay
17 off this debt and what is the debt? So we were going to
18 do a knock down drag out, with the judge eventually gonna
19 decide on how much is really owed. But in the middle of
20 all that, Greg Orman and I went into the back room, and
21 we -- we slugged out a deal where we wouldn't have to
22 waste the court's time and everything out. And we've --
23 and I forgot the amount right now, but it was 6 or
24 4 million. Pick a number. I don't recall.

25 But we picked a deal that was -- I could -- I

1 could swallow, and that he wanted. So we came back into
2 the court and we said, judge. Okay. She's like, holy
3 mackerel. I'm thrilled that you guys, you know, saved me
4 a lot of time here. And -- okay. So how are you going to
5 pay the debt? And then -- then the fight became how we
6 would liquidate the collection. My mother basically said,
7 if we're going to liquidate the collection to that extent,
8 to raise that kind of money, we have to face facts, and
9 for five decades I've been trying to do this. It's --
10 it's just not going to happen. Even though it was my
11 dream and I appreciate that you have stuck with me in the
12 trenches on this and fought to the death, we got to face
13 facts.

14 So we decided that we would sell the entire
15 collection at that point, wherever the collection was.
16 Now, at that moment in time, a lot of the collection is
17 still sitting in Tennessee. A lot of the collection some
18 things my mother still has and a lot of stuff is still at
19 the ranch. But it's decided we are going to hold a big
20 auction. So we choose a company Profiles in History,
21 which subsequently been acquired by a different company
22 called heritage out of Texas. But they came in with the
23 best deal for us and gave us the most control. I was
24 ordered by the bankruptcy court to supervise the
25 gathering, the preparation, the displaying, and the

1 auctioning of this -- of the collection and, of course, to
2 ensure that the creditors are paid.

3 So when she was talking earlier, I hadn't heard
4 it quite phrased that way before. But, you know, in
5 effect, the only reason why I was there doing what I was
6 doing, is 'cause that's the only way we could -- the
7 collection maintained properly, sold properly,
8 photographed properly, represented. And if you look at
9 some of the exhibits, some of which is provided by the
10 Franchise Tax Board, you'll see how lovely the photography
11 was. You'll also see, ironically, my mother's dream in
12 some really weird way had come true. We had decorated the
13 Paley Center into a Hollywood Motion Picture Museum, and
14 it was drawing crowds around the block. Thousands of
15 people from around the world came to see this collection,
16 knowing that it was possibly going to be scattered to the
17 four corners of the earth, but they had -- they just
18 showed up in droves. And my mother was gratified, at
19 least in that respect, but she was also panicking that we
20 weren't going to raise enough money to even pay off Orman,
21 she would end up with nothing, and collection would be
22 gone.

23 Q Todd, let me -- let stop you here while you're
24 taking a breathe. Let's focus in now. We are now in this
25 2000 -- end of 2009, 2010 time frame. What happens in

1 your personal life?

2 A Well, the last trip I took to Tennessee was with
3 this little girl here. And what had happened is we had a
4 mutual very close friend, Henry Cutrona, C-u-t-r-o-n-a,
5 and he will be testifying tomorrow. Henry also happened
6 to be her paster and a person that I cofounded a church
7 with back in the 1980s -- early 1980s. I called up Henry
8 one day and -- because we're best friends. And I say hey,
9 what's going on? He lived -- by the way Henry had come to
10 work at the hotel with me back when I took over the hotel.
11 He became the chief operations officer. He's incredible
12 with people, obviously, and he became a sort of operations
13 and human resources person. Si he worked at the hotel.
14 So he moved to Vegas.

15 Well, interestingly enough, he meets his wife
16 over there while the hotel is going. He's with her to
17 this day. But he's got a little recording studio at his
18 house, and I call him just to check in with him. And this
19 is basically 2009, and I -- late '09, I'm guessing. And
20 I -- I called him and I said, "Hey, what are you doing?"

21 He says, "Oh, I'm sitting here with Catherine
22 Hickland, and we're working on her show -- for her
23 hypnotism show she's going to take to off Broadway. Do
24 you remember her?"

25 And I'm like, "Not really."

1 He goes, "Oh, yeah. You'd remember if you saw
2 her pictures."

3 So he gets me to look her up on Facebook, and I
4 look at her picture, and I go, oh, she's beautiful. And
5 he says something to me like, yeah, you know, and she's
6 single, you know. And so the wheels are turning in my
7 mind. I thought well -- now, I've been a year-and-a-half
8 out of the circulation since the death of my wife. My
9 sister is bugging me to death about knowing that I'm not a
10 person that should be alone and all of this nonsense. And
11 so she was trying to set me up with people. So was my
12 friend Fred Walecki, W-a-l-i-c-k-i. He will be here
13 tomorrow.

14 Q W-a-l-e-c-k-i.

15 A E-c-k-i.

16 Q I got in trouble for that spelling in the
17 briefing.

18 A Did he jump you?

19 Anyway, Fred has been my friend for decades as
20 well, and he was trying to find a wife for me. I got
21 everybody out shopping for me. But anyway I looked her
22 up, and we started to communicate over Facebook. And I
23 never in my life have communicated with anybody over
24 social media ever. And so it just turned into -- that
25 into phone calls, and eventually I'm like look, we've got

1 to meet, you know. This we want on for many, many weeks,
2 in fact, of just communicating.

3 And she -- she -- I said, well -- she didn't want
4 to get -- she did not want to meet right then because she
5 had a broken foot, and she had a cast on her foot or one
6 of those boots. And she wanted to wait until she was in
7 better shape, and I could not just wait based on
8 everything that had been said and everything that was
9 going on. I said, look, I'm going coming to Henry's house
10 with my RV. I'm going to park in front. If you want to
11 see me, great, come on down. Otherwise, you know,
12 whatever. I'll -- I'll just wait until your boot comes
13 off. I mean, I'm used to hanging in Vegas. I've spent
14 most of my life coming back and forth to Vegas for various
15 reasons.

16 By the way, when I moved back to the ranch in
17 1998, David De Salvo came to me and he said, ah, so you're
18 back at the ranch? Yes. How much time are you spending
19 in Vegas. I said not a lot. You know, I have the house
20 there, this, and that. So what does David De Salvo do?
21 He says we need to switch your residency back to
22 California. So immediately as it's -- the rules go, we
23 switch me back to a California resident starting in 1988.
24 David De Salvo, you'll find one, is one of the most
25 annoying sticklers for the rules that I have ever met in

1 my life. He drives me crazy. Every time I say I want to
2 write something off, he tells me I can't or whatever the
3 case may be. He is just one of those guys. But he's
4 great at what he does, and that's why my mother trusted
5 him for so many years and I did to this day. He just did
6 my taxes. Finished a few days ago.

7 So I come to Las Vegas, and she, of course, could
8 not wait. Now, I'm speaking for her. No. She went.
9 She -- she was like I -- well, he's there. I'm going to
10 have to go see him. I'm speaking for her. I'm sure
11 she'll have her own version of the story. But all I can
12 tell you is like I never -- I would not be a person that
13 would ever tell you there is anything in reality about
14 love at first sight or any of that. I would have said
15 B.S. That's just in the movies. I've been writing about
16 this stuff for years. I've seen that movie. That's
17 Hollywood. Well, I could just tell you for sure, from my
18 perspective, the moment I laid eyes on her it was like a
19 cartoon. I mean, we immediately connected. We already
20 sort of laid the ground work for some of the basic stuff,
21 of course, starting a relationship later in life.

22 In fact, one of the things she did to me, which I
23 think is brilliant, now that I look back on it, but at the
24 time I wasn't so sure. Early on she said, you know, we're
25 getting older and I think, you know, to see if this is

1 really -- if we're really compatible, I'd like to do a
2 disclosure statement with you. I said okay, you mean like
3 corporate nondisclosure agreement? Something like that
4 where you're going to tell me everything about you that
5 I'm like and everything about you that I'm going to hate
6 or you think I might hate. So we exchanged that list, and
7 that became the framework of an understanding at an older
8 mature age as to what you're going to build this
9 relationship on.

10 Now, it turns out that list didn't look that bad
11 to me. Like the worse thing on her list was the fact that
12 she loses her keys all the time. Well, that still goes on
13 to this day. Now, how do we fix that? We buy an air tag.
14 You know, it's the easiest solution with technology. But
15 this is what led up to the moment of in -- I -- I guess,
16 you know sort of that -- all expectation. Within a matter
17 of days, you know, from at that moment, Henry was there at
18 the same time. We had a meal together, and he was like
19 man, what is going on with you guys? And, you know, it --
20 it really was love at first sight, if you can say cliché.
21 I know, but it was very intense. And we immediately
22 started living together. And this led to a couple of
23 things, but it led to an RV trip, because she has -- she
24 wrote a book. It's called "The 30-day Heartbreak Cure,"
25 and she's a relationship expert therapist. So, you know,

1 you got to listen to what she has to say about
2 relationships. You know, I'm going to hear that anyway.

3 So she says I have a rule that people, you know,
4 need to like be with -- I'm going to butcher this I know
5 'cause I -- you know, I didn't read the book. I just
6 paraphrased it. But, essentially, you have to spend time
7 together in close quarters uninterrupted, undisputed time.
8 I said the RV is how you can do this. I mean, you know,
9 you can't get any closer, of course, than an RV. And I --
10 I mention the word RV and camping. And she said oh, yeah.
11 You know, I don't do camping, you know. So I sent her a
12 picture of that RV you guys just saw, the big brown RV.
13 And she goes, oh, maybe I can hang with that.

14 Her idea, you know, of roughing it, you know, it
15 was -- is room service I think is what she said, something
16 like that. So long story short, we went on an RV trip
17 that was supposed to last just a few weeks. We were out
18 three months. Now, we went and met her mother. I wanted
19 to meet her mom. You know, this relationship is getting
20 pretty -- getting pretty tight her pretty quick.

21 Now, did you meet my mom before we left or after?
22 I'm not sure.

23 Can't you do that right.

24 Anyway, we were starting to want to introduce our
25 parents and family to each other. So we said I got to go

1 back to Tennessee anyway 'cause we're trying to save this
2 deal. She was there. Right at that photo you saw of the
3 island. She was there at the -- on the island with me
4 with my dog Yippi, Y-i-p-p-i. And we were on that island
5 together, and she saw all that. But we spent time
6 traveling for three-and-a-half month together. She met
7 Greg Orman. I meet Greg Orman in Kansas City in a bar to
8 try to settle this deal before we went into bankruptcy
9 court.

10 Q Why don't you -- you've gotten ahead of your
11 pictures again. Why don't you roll through some of these?

12 A Okay. We're talking about that, aren't we?

13 The meeting I'm talking about was January of '10,
14 the first big get together. I mean, we were communicating
15 before that, but that was the big one. That's my dog
16 Yippi and her dog, and that was one of the first pictures
17 that was taken of us together, literally, like within a
18 day of us being together. And -- and she -- and so
19 there's Henry, by the way, on the right. But like this,
20 within a matter of few weeks, we already had the
21 discussion that we're engaged, and we're planning to live
22 together and game over. I'd given her a little engagement
23 thing. It was something my sister had given me. It was a
24 jade green fish, and I gave her that and then eventually a
25 ring followed.

1 Shortly after that, she met my mother. Now, my
2 mother was playing Vegas regularly. She, you know, would
3 visit there regularly as well, but she's playing there a
4 lot. And so she says, well I -- my mother is very
5 protective of my, and we are very tight. We've been
6 through a lot together. I've always protected my mother
7 and my sister, and I'm fairly well known for that. And --
8 but it was -- it was just due to how close we were and how
9 many difficult things we had been through. My mother, as
10 you might or might not know, had been through a very
11 tumultuous divorce very early in her life with my father
12 Eddie Fisher. This led to a horrible divorce with her
13 second husband Harry Karl that resulted in her losing a
14 lot of money. But I was older then, and I started to
15 understand that I needed to be by her side and protect
16 her.

17 So she felt the same way about me. So when she
18 sees me disappear for like all this time and then me then
19 saying, like, in this short period of time, that's it.
20 We're engaged. We're going to be together. My mother is
21 like, ho, ho, hold everything here. You know, we don't
22 have a good history in this family. You know, I'm gonna
23 check this out for myself. So there's the picture of my
24 mother and her together. And, you know, it's funny after
25 this meeting. My mother so was kind like -- I was like,

1 so what do you think, you know? 'Cause I knew she was
2 going to give her the third degree, so to speak. She
3 says, "She's a good girl." So I knew I'd made a good
4 choice.

5 Now, this is where Cat lived. This Cat,
6 Catherine. If I say "Cat", it's because everybody calls
7 Catherine "Cat." There's my RV parked out in front of
8 Catherine's house. She owned this house. She'll tell you
9 her own story about how that came to be. But you'll
10 notice to the right of the frame there's a white truck.

11 Can you see that okay? See the white truck in
12 the picture up there? Okay. I want everybody to see
13 that. It's really important.

14 There's an F-450 pick up truck, the same one you
15 saw that was used to move the museum. Same that -- to and
16 from Vegas is now sitting in her driveway. There's a
17 reason for that, because the move had begun. Now, this
18 photo is date stamped April 20th, 2010. That truck never
19 got used except for moving. That's what it was for. So
20 it just so happens I happen to have found this picture.
21 It just so happens in the background -- 'cause I was asked
22 early on by the Franchise Tax Board. They have a thing.
23 It's very difficult to prove something that you say. At
24 least it is them, 'cause they're essentially have called
25 into question anything and everything I've ever said since

1 day one. There's absolutely no time where they said oh,
2 he's telling the truth. It's always presumed that I'm
3 lying. That's how I feel based on every paper I've ever
4 read.

5 Well, these are really nice moments when you find
6 a photo like this because there's a date where I'm moving
7 into Cat's house, which presumably didn't happen and all
8 of that. So it backs up some of the things that I have
9 said. Now, there are -- there are, you know, in the world
10 of which she was talking with -- which Lydia was talking
11 about earlier where you -- you're having to make this
12 case. Where do I live? You know, what is home to me?
13 Well, for me I've grown up in a world where we've had five
14 homes at one time, plus we travel 48 weeks a year. Home
15 is where I am staying at that moment. It's just not --
16 it's -- it's used in a different vernacular than it is
17 being used by them. They use the term "home" the way you
18 would use it in a -- in a movie or Leave It to Beaver or
19 Father Knows Best where you live in a little neighborhood
20 and everybody has one house that they go to, and they have
21 a regular job and all that.

22 Now, that is not, nor has it ever been my world.
23 I've spent my life traveling. And if I'm at some other
24 place in the world and we say, "I'll see you at home," it
25 might mean the Savoy Hotel. I've been -- I've worked in

1 documentary films for decades of my life. All over the
2 world I've traveled. Home might be, you know, Afghanistan
3 or Turkey or wherever I happen to be working. I'll see
4 you at home.

5 Now, some other person might say home is -- is
6 your actual house that you reside in. Well, I've had that
7 in my life. And even when these things are going on here,
8 I actually have, even at that exact moment, four homes
9 that are properties that I own a piece of. So if you say
10 what's your home? For me, it's wherever I am at that
11 moment. Now, if you're asking me the legal definition of
12 it, I really don't know. I'm not a lawyer, but obviously,
13 what's that one of the things that's been challenged here,
14 is what is that definition? Well, for me it's where my
15 heart is. It's where I've decided to live with my future
16 wife, who I live with at that address to this day. Now,
17 there it is with the moving to Vegas.

18 Now, the first thing that happens is we realize
19 that my lifestyle is big, and this is overwhelming to her,
20 and I have a lot of stuff. Now, this had a big basement
21 and a three-car garage and all that. We even parked the
22 RV and made full hookups to the R on the right side of
23 that house. But even that is not going to cut it. Also,
24 it really isn't even going to cut it for her 'cause we're
25 getting written up every other day because she has too

1 many pets. So these homeowners associations are driving
2 us absolutely crazy. We literally are getting three and
3 four and five stickers deep of complaints about too many
4 pets, RV in the driveway, truck in the driveway, trailer
5 in the driveway.

6 So we right away realize we have got to get a
7 proper property here, and it cannot be a homeowners
8 association. So we immediately get together. Now, this
9 happened at the Oasis RV Park in Las Vegas in a jacuzzi
10 where we had a discussion about what it is we need to
11 have. What are we going to buy together, and how's this
12 going to work? Now, the first thing I did is I talked
13 about all the negative things about Las Vegas, like Lake
14 Mead is running dry. But me being an engineer background
15 person, I said let's buy a property with a well and backup
16 power and this and that. So as much as I was scaring her
17 a little bit about the potential causes and effects of
18 living in Las Vegas, it's a workaround. I'm like, these
19 are engineering problems.

20 So but the -- but we determined after that --

21 JUDGE LONG: Mr. Fisher?

22 MR. FISHER: Yeah.

23 JUDGE LONG: I'm sorry to interrupt. I
24 understand that you're the Appellant, and I want to make
25 sure that you're heard --

1 MR. FISHER: I get my chance.

2 JUDGE LONG: -- but we do have limited time.

3 There are five witnesses over the next two days, and I
4 want to make sure that we leave ample time for you and for
5 everyone else to have their turn. And so just please keep
6 in mind that we're about -- we've used up the opening
7 presentation, 45 minutes, and we're just about a half hour
8 into the witness testimony time. So I want to make sure
9 that, you know, we stay focused and get moving forward.

10 MS. TURANCHIK: I appreciate that, Judge Long.

11 JUDGE LONG: Thank you.

12 MS. TURANCHIK: We -- we are -- he is our primary
13 witness. The other witnesses will not be taking anywhere
14 near as long as Mr. Fisher's testimony.

15 MR. FISHER: Right. But also, you know, these
16 are points that are -- I mean, if, in fact, what Lydia is
17 saying is true that the intent of the person is relevant,
18 then that is why I'm taking the moment to explain when
19 these decisions were made and why and how and what
20 happened. Now, I'm going to move pretty quick through
21 this. I mean, we're way into this.

22 JUDGE LONG: Sure. No. I understand. I just
23 want to make sure that --

24 MR. FISHER: Yeah. But just --

25 JUDGE LONG: -- everyone that you brought gets

1 the time you want them to have.

2 MR. FISHER: I think -- I'm as -- I mean, even if
3 I were to go on for another half hour, I think we'd still
4 have plenty of time for everybody else. Because I don't
5 think anybody -- I'm -- I'm covering sort of this broad
6 overview and hoping she will fill in her version of what
7 happened, and I've already covered a part of her version,
8 or I'm in the middle of it. But the other ones will fill
9 in their little blanks and hopefully, it just amplifies.

10 I'm sure. You know, what I'm obligated to do is
11 to justify and to sort of reinforce my words. Because in
12 the past my -- my declarations have actually been met with
13 these words. Little or no weight can be given to these
14 words. That's a quote. So if -- if you say to me, after
15 I talk to you, "Little or no weight can be given to your
16 words," what are you saying to me? I don't appreciate it.
17 Let's put it that way. So I've never been happy about the
18 way all of our witnesses were treated in regard to their
19 declarations. So we are taking the time to discuss things
20 that deal with that, in effect. And so I'll amplify with
21 my other witnesses things that were said by me, and then
22 I'll let them amplify it to prove it even further; because
23 there are not going to be any controversial live testimony
24 that exist. It's me and my friends and people.

25 JUDGE LONG: Okay.

1 MR. FISHER: But I appreciate you -- I'll move
2 it. I'm -- I'm pretty good at telling stories fast. I'm
3 known for it.

4 JUDGE LONG: Fair enough. All right. Continue.

5 MR. FISHER: So a decision was made that we
6 needed to find a piece of property that would suit us and
7 could store my memorabilia. She has her own memorabilia.
8 She was in Knight Rider, the show. You remember the show
9 with the car. So she has a K.I.T.T. car. So all of a
10 sudden we have more memorabilia 'cause she has her own
11 memorabilia. She collects autographs and other
12 memorabilia. So you're putting collections together all
13 of a sudden. I'm not trying to move everything I own.
14 Just so you guys know as well, I didn't move everything I
15 own from the ranch over to this house. I just moved
16 certain things that I wanted around me or I wanted to
17 protect, such as firearms, things like that. There were
18 cameras, some things. I did not move everything that I
19 owned into her house over time.

20 So this -- it became quick that this house was
21 not going to do for us. So we went out looking for new
22 houses. Now, if you look at the date of all this, this is
23 rough time for sales of houses in Las Vegas. There were a
24 lot of short sales. We actually had four different houses
25 in escrow. None of them went through, and these were

1 offers written at par. Some of them were short sales
2 where the bank lost possession and the owners took back
3 over. Bur for a variety of reasons, everything we wanted
4 fell apart. In the meantime, her house sells 'cause we
5 knew what we were gonna -- for her to put up her part. We
6 were going to be partners on this. Three-way partnership,
7 my mother, Cat, and I were going to partner and buy a
8 property big enough that could be a family compound and
9 handle all of our material needs for being in Vegas.

10 So we looked and we looked, and everything fell
11 apart. One day I get this phone call from her. She's
12 outs looking for houses, and I happen to get on my
13 computer at that moment and do a search. And I said, have
14 you been to this house -- one particular house?

15 That was the trip to Cat's mom. We don't need
16 to -- you know. We -- these -- there were -- I'm going to
17 skip over this just for the sake of time, but I skipped
18 over these slides, but these are just our travels
19 together. When I said we were out for three months, you
20 know, these were what went on. I took her up to my ranch
21 in Montana that I owned with my father-in-law. And by the
22 way, if there was ever another resident for me, that would
23 be it. I mean, I loved that place more than anywhere
24 else. So I spent a lot of time in Montana. But I wanted
25 to move up to -- that's Cat and her -- my father died. I

1 had to move him. Now, that happened in 2010.

2 2010 was a busy year. In fact, if you really
3 analyze what the dates I've shown you from 2008 forward,
4 these -- these dates are, you know, jamming up on us here.
5 There's the reorganization. We talked about that. Where
6 I'm skipping up to -- that's just the family getting
7 together. More road trips. We did several road trips
8 together. It's something we really love to do to each
9 other. There's the auction. Now, what I was skipping up
10 to, and I'll just come back to it. When I called her that
11 day, I said have you seen this house, and she says no. I
12 said go over there right now. They just lowered the
13 price. She goes over to this house -- which is the home
14 we live in now -- and she says, oh, my God. This is my
15 dream house.

16 Now, she doesn't talk like that, you know. So I
17 was like, show me a couple of pictures. She did. Put in
18 an offer in at par, no conditions that day. Closed in
19 30 days. So we finally found the house. Now, just
20 dropping backwards, while all this is going on, we're
21 looking for houses and all that, I'm -- I obviously have
22 to prepare for this big auction that we're having at the
23 Paley Center. And so these are pictures of my mother and
24 I. These photographs are taken at the ranch on the sound
25 stage area with her preparing costumes for photography

1 that are going to be used in the main auction.

2 Now, every single costume has to be handled a
3 certain way. By this point, we've learned how to handle
4 textiles from the Victorian Albert Museum in England.
5 They trained us on how to handle textiles so that our
6 textiles would be around for hundreds of years. You may
7 not know this, but I didn't know it. But they have --
8 they have coronation outfits that are 4 and 500 years old.
9 Mint condition clothing that you would think how could
10 that? I want to make sure that these other costumes are
11 around in 4 to 500 years. They said come on over, and
12 they -- and I spent two weeks in England with another
13 person and myself, and they taught us how to do it.

14 So there -- there is a -- the date that Cat's
15 home sells. It was kind of inconvenient in certain
16 respects because we thought by then we would have already
17 had another house that we could move into. So we were in
18 a bad way at that moment. We had to go rent a house
19 because we -- and -- and storage units because we -- we
20 were -- you know, the timing was wrong. I mean, we -- we
21 thought we had timed it perfectly, but these short sales
22 kept falling apart. So we rented that house there. So I
23 rent 10922 Dornoch Castle. So I rented that house.
24 Prepaid it for a year.

25 Now, for the next six months we kept going around

1 and around in a circle. But finally -- there's Carrie.
2 That's Cat and Yippi over -- now that's in the house.
3 Now, the reason why that's relevant for you guys is that's
4 May of '11. We're still in Cat's house there. Now,
5 there's the house we rented and not big enough, even
6 worse. Her house was twice that size. So we had two
7 storage units in Southern Highlands during this time.
8 Now, you get into the auctions.

9 You want me to get into more detail on that?

10 BY MS. TURANCHIK:

11 Q Oh, yeah. We obviously have to talk about the
12 auction, but let me quickly stop you there because that
13 rental is an interesting point. Why would you bother to
14 rent a house in Las Vegas and put Cat's stuff in storage
15 when you could have gone to Creston?

16 A Hey, that's a good point. This is why she's the
17 attorney. You see.

18 What happened is we had made a deal that neither
19 one of us wanted to be at the ranch anymore. I told you
20 about the time in the Oasis Spa. We had decided we wanted
21 to live in Vegas. We wanted to find a house that we could
22 do together. So we -- and -- and she had no intentions of
23 every living at the ranch. That doesn't say -- that's not
24 to say that we don't care about the ranch. That's not to
25 say there aren't important things at the ranch. It's just

1 to say that that's not the future. I built that life with
2 Christi who had passed away. We are now building a life
3 together. I don't think there's anybody that could not
4 understand what I'm saying.

5 So we found -- we were looking for that new
6 property to build our life together. We couldn't find it
7 instantaneously, and we wanted to be Vegas. Now, I'm
8 spending a lot of time during that timeframe in
9 California. But when I'm not doing the Paley Center, I'm
10 coming back to Vegas, and that's why we wanted that house.
11 She wanted that Vegas house no matter what. She wanted
12 her Vegas presence. We both love Vegas. I could show a
13 picture of myself in Vegas, you know, throughout my entire
14 life. We've always felt a certain way about Las Vegas.
15 Not to say that I don't California. California is an
16 amazing state. It's not just where our life was going to
17 be any further.

18 The auction, it goes on in June of '11 at the
19 Paley Center. It was the cream of the crop of my mother's
20 collection. This the best items that were in the
21 collection. There was some concern that we were not
22 raising enough money to payoff the debt. So we had to
23 overload the auction with items to make sure we were gonna
24 raise enough money. Nobody dreamed it would raise
25 \$20 million. So that was stunning, you know, that these

1 items went for these enormous amount of money. We -- my
2 mother was afraid the night before that we weren't even
3 gonna payoff the debt, and she'd have absolutely nothing.
4 And I said I did not feel that way. I knew this would be
5 successful, and the people turned out, and the auction was
6 hugely successful.

7 There's a picture of the auction catalog.
8 There's a picture of my mother talking at the auction,
9 which was heartbreaking to watch, knowing that she had
10 spent 50 years amassing this collection just to see it
11 finally having to be dispersed. And lot of the collection
12 went to South Korea and Saudi Arabia, and places that were
13 my worse nightmare. Not that there's anything wrong with
14 South Korea or those places, but these were -- these is
15 part of the American fabric of this country. This -- this
16 is the Hollywood Motion Picture Museum. Movies -- the
17 greatest movies made in this country, and that collection
18 needed to stay here and be displayed in this country, not
19 in South Korea. Other than that, I have not feelings
20 about it.

21 Q Let's take a step back for a second, especially
22 if you're about to hit these key items. We've talked at
23 some length about the separation of the collection, of the
24 different entities that own each piece. Can you, again,
25 describe for the panel, in the run up to the auction being

1 the -- the sort of closure of Belle Island in 2008 through
2 the auctions at 2011, where were the various pieces of
3 memorabilia owned by these various entities?

4 A I've gotta back up a hair further. It -- when we
5 were at the hotel, we started to database the entire
6 collection for the first time. The collection prior to
7 that had been handwritten, effectively, typed out lists of
8 inventories. When my mother would contribute some
9 costumes to the nonprofit, there would be a schedule of
10 tax, a tax return. That would get copied, and added to
11 the inventory. The museum was pretty primitive accounting
12 of -- who had what. But when we went to the hotel,
13 because we were moving everything, it was a grand
14 opportunity to really update this.

15 So there was a company called FileMaker that
16 makes a original database program that allowed me to enter
17 all the information about every costume, not only who, but
18 who might have owned it, where it was, who wore it, what
19 movie it was used, and the condition of it. All these
20 particulars could be brought into play. A couple of years
21 into the hotel operation, that program was updated to
22 FileMaker Pro where it allowed you to put an image with
23 the item. So now we all of a sudden had the picture of
24 the artifact, plus the descriptions and the ownership.
25 Now, during the hotel days is when I got my mother to

1 really get into who owned what, when, where, 'cause only
2 she knew at that point. I didn't know. Nobody knew.

3 The accountants knew what was attached to the tax
4 returns. Beyond that, he had to ask her, you know, what
5 entity owns what. So we got her to sit and go through
6 these databases over time with us and to update them. And
7 that is the beginning of, sort of, the really
8 understanding who owned what and where it was 'cause there
9 were still things at DR Studios in there in those days.
10 There certainly was mass amounts of stuff at the museum
11 itself, and there were still stuff at her home, the condo.

12 So the next thing that happens is we -- we start
13 to get to -- now that program is in play, and it gets
14 updated over the years. And so it's being used in
15 Tennessee and everywhere else. So if something gets moved
16 to Tennessee, you would go into the database and say this
17 item has been moved to Tennessee, and we would have
18 updated it. And then when it was moved out of Tennessee,
19 say it came back to Las Vegas, it would have said "Back to
20 Debbie's house in Vegas." So a lot of this stuff was
21 tracked pretty carefully on this database throughout these
22 years.

23 In addition to that, the ownership of who owned
24 what was also very well established there. And, in fact,
25 that is the ownership records that were used for tax

1 purposes after the auctions throughout the three, four
2 sales. So the database became the foundation for tax
3 accounting of who owned what, when, where.

4 That -- that's sufficient?

5 Q Again -- let me just -- yes. But let me just
6 clarify a little bit further for the panel?

7 A Sure.

8 Q We have discussed the separation of the
9 memorabilia that Creston house predominantly the museum
10 memorabilia. Because you referred -- and I think it's
11 confusing to FTB. You referred to the collection as
12 the --

13 A Yes.

14 Q -- amorphous entire collection, and I think we
15 want to be really careful here that but for some lesser
16 pieces, Creston housed the museum memorabilia?

17 A Well, let me -- let me explain it. The -- I had
18 things that I kept in Creston. There was a camera crane,
19 for example, that was too big for me to drag anywhere
20 else. Once it came from Las Vegas to Tennessee, instead
21 of it going back to Vegas where I had no place for a
22 camera crane -- it would barely fit in this room -- it
23 went back to Creston. So there are examples of things
24 that were moved and maintained. Even though I owned that
25 camera crane, it was stored at the ranch.

1 She brings up a great point. Literally,
2 80 percent, quantitatively, speaking, of the collection
3 was stored in Creston. Because as I told you, 2,000
4 costumes were owned by the museum by the nonprofit. So it
5 had a bulk of the space. It had a bulk of the -- it
6 occupied the bulk of the space. But that's not to say
7 that we didn't you -- we didn't bring things there. I
8 mean, great example -- they actually brought up the
9 example of the Antiques Roadshow. Antiques Roadshow was a
10 TV show. They called me up and they said we'd love to do
11 a show on you. This is around the time, and we're wanting
12 to promote the museum. And we're like, shoot that's a
13 great show. We'd love to do it. What do you want? And
14 they said we want this, this, and this, and it included
15 the subway dress and the ruby slippers.

16 Well, they had to be moved from Vegas to Creston
17 so we could film them at the location where they were
18 coming where they wanted to film five or six other things.
19 So in the movie business this is what you do. You're --
20 you know, you have what's called set dressing or prop
21 dressing or costume dressing. These things are brought to
22 place so you can pull off the show that is desired. In
23 this case, the Antique Roadshow wants to do a show, and
24 they want flashy items. Well, I had to get my mother to
25 approve that. You couldn't move that subway dress without

1 my mother approving it. You couldn't touch it. I mean,
2 she was very protective; given the history of it being
3 stolen, given what she knew the value would, you know, be.
4 She never dreamed it would be \$5 million. She dreamed it
5 would \$2 million at best.

6 So needless to say, these items are moved around
7 as need be. I took the subway dress to Japan at one time.
8 There was a television show there that wanted it, similar
9 kind of an antique road show. They kept calling and
10 offered me money, and I kept telling my mother, and she's
11 like no. I don't -- no. We're not gonna drag that costume
12 all the way to Japan and put that at risk. And the number
13 kept going up higher and higher, and finally it hit like a
14 hundred grand or some number like that, and she said I
15 guess you're going to Japan, you know. So I picked up the
16 costume. Actually, Donald Light, L-i-g-h-t, was her
17 assistant at that time, and he drove the costume to where
18 I was, and then I flew to Japan with that costume and did
19 the show. This is how it's done. We did that 30 times.
20 There were 20 different shows, magazines. We're not
21 even -- I mean, they've uncovered one or two. I could
22 tell you 20 more where we move stuff around.

23 So -- so this notion that just because the subway
24 dress is sitting in Los Angeles -- sitting at the ranch
25 during the Antiques Roadshow somehow indicates where it

1 was living is not the case. What you'll understand is my
2 mother knew the Monroe pieces, by this point, were the
3 most valuable parts to the collection. They were the most
4 famous. They were the most potentially valued. We didn't
5 know exactly how much. So she had kept very close care of
6 those. She always kept the ruby slippers with her. Those
7 always had to be moved. She always kept the Maltese
8 falcon with her. So that always had to be moved. So
9 anytime somebody needed or wanted some of these things,
10 they had to be brought from Las Vegas to L.A. Not a big
11 problem. You put them in a car, and you roll.

12 This has been misunderstood by them because
13 they -- their only context is searching the internet for
14 information because anything we say could not possibly
15 have credibility. So the end of the story on the auction
16 is all of these items, and I'll show you some of them.
17 There's the gingham dress of Judy Garland. That -- I
18 don't know the exact amounts at this point. I do know
19 that, once again, my mother had determined years ago where
20 these costumes would reside. Now, that Cleopatra costume
21 there on the right was actually given to the museum by
22 Elizabeth Taylor, who was my mother's very close friend.
23 Now, on the left, you'll see a Marilyn Monroe, There's No
24 Business Like Show Business. That was stored in Las
25 Vegas. Those are examples of that. The ran -- the Rudolf

1 Vanlentino, Suit of Light, my mother -- we bought that
2 later on in our collecting days, and that was all silver
3 bullion.

4 She decided that was a super important piece,
5 given it was from 1924 and belonged to Rudolf Valentino.
6 That never left her side. The Marlon Brando Desiree
7 costume traveled around. I could show you, you know,
8 slide after slide. Actually, they have more slides than I
9 do even. But the catalog is actually online, the whole
10 catalog. You can -- it's a public domain information. So
11 there's -- you could see it. There were a lot of amazing
12 pieces, of which up it was up to my mother, essentially,
13 to determine what was important to her, and where it would
14 reside. Now, when we had the hotel, it was great because
15 everything was in Vegas.

16 Q Todd, why don't you jump that Montana picture and
17 go to the pictures for the second auction --

18 A Right.

19 Q -- and, again, focusing in on what this is?

20 A Right. So if you notice in the foreground there
21 is plastic bins. There's also blue boxes. Now, those are
22 acid-free cardboard boxes. Those are very expensive
23 costumes in there that would have been archivally wrapped
24 and protected. Now, if you look at those bins, for
25 example, on the floor -- actually, I'm looking -- those

1 are examples of a full-size costume in a plastic bin. Now
2 in it -- in our little van -- we had a little van at this
3 time.

4 You could literally -- if you look in the
5 background you see the purple gondola I call it. You
6 could -- in the van would hold four gondolas and about 40
7 boxes. You could move a lot of stuff around the van. But
8 when it got past the van -- you saw that red trailer
9 earlier in the picture with the white pickup truck. That
10 trailer could hold eight gondolas and probably 50 of these
11 bins. So you could move a huge amount of the collection
12 around with that red trailer or the van and the red
13 trailer. So everything was brought quickly to this
14 location where it was organized for the auction.

15 So things were still at DR Studios. Things were
16 in Tennessee. Things were in Vegas. Everything had to be
17 brought here as a central location. We talked to the
18 auctioneer, and -- and they were like, we don't have the
19 facilities to even do this. We need a huge space where we
20 can lay this it, organize it. We have to authenticate.
21 We have to get everything prepared for the action before
22 it even gets shipped down to Beverly Hills for the
23 auction. We gotta go through all this stuff and
24 photograph it. And -- and so they ended up using our
25 space to do that, and they requested that everything be

1 moved to the ranch in Creston, the farm, whatever you want
2 to call it. And literally, things from all around began
3 to culminate into -- this was for both auctions by the
4 way.

5 Everything was really brought in for the first
6 auction. Five-hundred items were selected. You
7 understand that these auctions in those days particularly
8 didn't want to have a thousand lots. So they would say we
9 want 500 of the best items. So everything was brought to
10 the farm. Many things were rejected, and they were left
11 there until the second auction, but they still ended up at
12 the Paley Center because everything went on display at the
13 Paley Center. Even after the first auction was over, we
14 immediately went in and redecorated the entire Paley
15 Center into another museum. And I'll show you. There's a
16 picture of the Paley Center decorated for the second
17 museum.

18 Now, you'll notice right here -- an item that's
19 been brought up by the Franchise Tax Board -- on the right
20 is the Bus Stop dress. Now, this costume was one of my
21 mother's favorites. It's an amazing little scene where
22 Marilyn Monroe sings "Old Black Magic," and it just can't
23 be Marilyn Monroe stuff. So that was always with her.
24 The one up in the front there, see the blue one in the
25 front, that is "Let's Make Love." All of these costumes

1 had to be brought in from my mother's home. They were set
2 up in Creston, photographed in Creston, immediately
3 brought to the Paley Center for display, and
4 subsequently -- this auction I believe was December?

5 Q Yes.

6 A -- was in December of that same year. So within
7 a 12-month period, you know, everything that had been
8 moved was certainly liquidated at one time or another.
9 But not everything could go could go in that first sale.

10 There's my camera collection that was sold in the
11 second auction. This brings up a really good point. That
12 camera in the middle there, the white one with the -- it
13 says "Panavision". I don't know if you could read that or
14 not. That camera is the camera that shot Star Wars. And
15 it, by some fluke, that camera was even saved because
16 Panavision destroyed all those cameras. But a friend of
17 mine found that camera and came to me and partnered up
18 with me and effectively, I brokered the sale of that
19 camera. So there was an issue here, again, about
20 sourcing, if that's a word that we could use. This guy
21 was from Ohio. The camera was brought to me to put on
22 display for the second auction, to sell at the second
23 auction. When it sold, I received a percentage of the
24 proceeds. It was a sliding scale depending on how much
25 was received. But, you know, not recognized. I never

1 owned the camera. I just merely received a commission for
2 it.

3 Q Todd, can you go back to the prior picture for a
4 second. One thing I want to focus in on is something you
5 keep mentioning, which is the notion of these costumes
6 being maintained at Debbie's house.

7 A Yeah.

8 Q Could you talk about why it made sense to store
9 these costume at Debbie's condo in Las Vegas?

10 A Well, the first thing has to do with, in her mind
11 where is -- where can I control, and how can I control
12 this? How -- how can I make sure that this doesn't get
13 stolen again? I -- I glossed over the fact that during
14 the Greenway house days, my mother had 450 costumes stolen
15 from the collection at that time. How do I know that?
16 Because I recovered them years later in Boston at a museum
17 that was displaying them. I got the courts to step in. I
18 froze the collection and recovered every last costume.
19 And a guy that had stolen them was a guy who had worked
20 for her.

21 So the paranoia that she had was very real that
22 this collection had to -- people were wanting to steal
23 this stuff. So she started to want to do that. Now, the
24 house that she, the condo that my mother lived; she was in
25 Country Club Towers in Las Vegas on the Las Vegas Country

1 Club. In order to get to the building, you have to go
2 through a guard gate, and you have to drive approximately
3 half a mile to where you drive up, and you are now met
4 with a doorman, and you have to get past him. Why are you
5 here? What's going on? Then you have to go inside and
6 obtain further clearance to get on the elevator.

7 So needless to say, it's -- she loved that about
8 the building. A lot of celebrities lived in the building
9 because it was a high-security building. She felt --
10 nobody stayed in the apartment, or very close friends did.
11 I -- I won't say nobody because she did have to. I've
12 stayed there during different conventions and things like
13 that, not nobody. But she had some of her very favorite
14 stuff there, and I don't mean just costumes; I mean, some
15 of her best antiques, some of her best personal
16 possessions. She chose to keep those in her Vegas house.
17 It was her private domain. Everything else in her life
18 had been lost if you think about it. It's been lost to
19 divorces, liquidated. When she got divorced from Harry
20 Karl back in the 70s, they -- they liquidated all of her
21 collections. They -- they tried to liquidate the museum,
22 but she gave everything else up to stop that from
23 happening. She had to give up all her other art objects
24 in exchange for preserving this collection 'cause they
25 wanted to liquidate this too. It was community property

1 at the time. This is before -- you know, I'm going back
2 in 1974.

3 So anyway that's what you wanted me to cover?

4 Q It is thank. Thank you, Todd.

5 A Okay.

6 JUDGE LONG: Sorry. Before we continue, we do
7 need to take a break at this time. So we'll take a
8 10-minute break, if everyone could come back at --

9 MR. FISHER: Thank you.

10 JUDGE LONG: And then we'll also be taking a
11 subsequent break the 4:00 o'clock.

12 (There is a pause in the proceedings.)

13 JUDGE LONG: All right. Mr. Fisher, ready, set,
14 go.

15 MS. TURANCHIK: Thank you, Judge Long. Don't
16 encourage him.

17 BY MS. TURANCHIK:

18 Q Todd, if you could continue working through these
19 slides, there's a couple ahead of this that I'd like to
20 get to -- to just clean up a couple of points.

21 A Back or ahead?

22 Q Ahead. Okay. So here -- yes. Let's first --
23 just quickly on this. That was the purchase of the new
24 purchase; correct?

25 A Right. So this house was purchased. It closed

1 on January of '12. We, as I said, had struggled to find
2 something like this. Now, the unique thing about this
3 property --

4 Q Todd, hang one second.

5 A Gotta go there.

6 Q Why don't you go there. Thank you.

7 A Well, there -- and then there's us in front of
8 the house. So that's January 16. That's when we took
9 possession of the house. This is -- that's showing the
10 house. It's a pretty good size house. It's just under
11 7,000 square feet, but this has big out buildings, and
12 it's sitting on an acre-and-a-quarter of a land. It has
13 its own well. It has it's own septic systems. So very
14 quickly, the first thing we did is we installed solar
15 back-up power systems, automatic transfer switches, making
16 the house more to protect her as well. She's home alone.
17 I want the house to be able to maintain itself, although
18 we've never really had any major outages in -- in Nevada.

19 Q And, Todd, can you move forward to slides 101 to
20 104. It should be the next set coming up. And, again,
21 can you discuss this?

22 A Oh, well, so there's the -- we talked about this
23 earlier. That's the Country Club Towers that belonged to
24 my mom. She was on the 12th floor of that building. The
25 one thing that happened when we bought this house is we

1 all put up the money for this. The house was vested title
2 Catherine Hickland, Todd Fisher, and Debbie Reynolds. And
3 we tried to get my mother to move into the house, and then
4 she gave us the speech about how two things start to smell
5 after three days, fish and guest. And she looked at
6 herself like she was going to be a guest in this house.
7 I'm like, you don't understand. We dig you no matter
8 what.

9 Well, anyway, it prompted us to build her her own
10 house. Really, it's a -- it's a sitting room and a
11 bedroom. It's about 1,200 square feet. There's the house
12 finished. And this -- she began to move everything from
13 the condo, all of a sudden, into this house. Now, you
14 gotta remember. This is 2012. We're past the second
15 auction. There are no more Marilyn Monroe costumes.
16 However, all of her best stuff, to this day, is sitting in
17 that house exactly the way she left it. When she
18 decorated this house, we left it.

19 If you walk into her house to this day and you
20 pull up on her drawer, you'll find her eyebrow pencil
21 exactly where she left it. You'll see the paintings that
22 she hung on the wall exactly where she hung them. We --
23 it's sort of a tribute to her, but that was built for her.
24 And you can notice on the upper-right corner, there are
25 solar panels. That house was completely solar powered as

1 well.

2 Q And, Todd, can we can focus this on this for a
3 second because another point that the Franchise Tax Board
4 has raised is the Bright Lights documentary.

5 A Bright Lights.

6 Q And the notion that somehow Debbie did not, in
7 fact, return home to Las Vegas when she was on the road.
8 But during -- again, focusing on these years in issue that
9 Debbie was going to Los Angeles with Carrie, can you
10 explain why that's incorrect?

11 A Right. So my -- my mother and sister had a very
12 famous tumultuous relationship. In fact, the movie is --
13 is written about it. And the -- Meryl Streep plays my
14 sister, and Shirley MacLaine plays my mother, and it's
15 called Postcards From the Edge. Now, in this movie it's
16 about the mother/daughter not getting along. Well, the
17 reality is, for 10 straight years my mother and sister did
18 not get along. I was the intermediary, and -- and it was
19 like out of a movie where my mother would say, "Would you
20 tell her that I would like to get together for Christmas."

21 And I'd turn over, and I'd say, "Carrie, mom
22 would like to get together on Christmas."

23 She'd, "You tell her that I said okay.

24 She says, "Okay."

25 I'm it was literally I was this sort of middle

1 person that had to translate.

2 Well, later on, after the Hollywood and Highland
3 debacle, my sister really got on board with the museum at
4 that time. And she also was maturing a little bit in her
5 own self because she was becoming a fairly famous writer.
6 So the competition was slowing between them. And this
7 around the time when she acquired this house in Beverly
8 Hills that was originally part of Carrie's property.

9 Carrie lived at 1700 Coldwater Canyon. This was
10 Edith Head's old estate. It's five acres in Beverly
11 Hills. This -- Edith Head was a famous costume designer.
12 Elizabeth Taylor lived in this house back in the 30 and
13 40s -- or not 30s, but 40s. And this house was sort of
14 famous in its own right. Carrie really loved this house.
15 It was like, this is so cool. I've got Edith Head's
16 house. Now, many years ago back in the 70s, it sold off
17 the two front parcels, and they had been separated for
18 decades. So when this property -- one of the properties
19 came up for sale, it would bring the old guest house back
20 into the property. So my mother acquired that house on
21 Coldwater.

22 Now, in her mind, Carrie was having a child, and
23 she was thinking wouldn't it be nice if I could have this
24 great relationship with my daughter and help raise my
25 grandchild, you know. And if you're writing the script,

1 this would be a great thing. But the reality is nobody
2 predicted that Carrie's baby-father would turn around and
3 say he's gay. And all of a sudden, no, their house is
4 split, and you're raising the child. He's raising the
5 child somewhere else and -- and -- I mean, just life
6 doesn't work out they way you planned. So it was a dream
7 of hers to -- to really have that relationship with Carrie
8 and live in that house.

9 Now, when we made the documentary Bright Lights,
10 things were changing. My mother was not on the road as
11 much. My mother spent approximately 48 weeks a year, for
12 real, on the road.

13 Q Todd, can you just confirm when Bright Lights was
14 actually filmed?

15 A So it was -- that's a good question. I don't
16 know the exact date, but I'm going to say it would have
17 been -- let's see.

18 Q Oh, it was out in 2016. Does that help?

19 A Yeah, well, that -- it wasn't even finished in --
20 so in '16, you know, my mother and sister passed away in
21 December. But the documentary wasn't really done yet
22 entirely. So we scramble to get it finish to get that
23 released. This is an HBO documentary that we did on the
24 family. But in this documentary Carrie and my mother are
25 really having this cool relationship. And it's really

1 neat that they're becoming friends again. Now, this had
2 happened, really, for several years even prior to that. I
3 would say maybe two years prior to Bright Lights. Let's
4 just say '14 would be -- probably a good date.

5 My mother is starting to spend more time home.
6 So what's home for Debbie? Well, she's a Nevada resident,
7 right. So it home the tower that I showed you, or is home
8 the new house in Coldwater Canyon. Well, whatever the
9 accountant's calculations were is what Debbie's home was.
10 I honestly don't know what her situation was, but I know
11 she maintained her Nevada residency to the end. But she
12 was spending a lot more time with Carrie. They were
13 starting to become close friends again, which I thought
14 fantastic. She never got to be that close with her -- her
15 granddaughter because of this split between Carrie and the
16 father, but it was nice to see them become friends again.

17 Q I want to sort of go back to a couple of points
18 that got kind of glossed over, and then sort of hopefully
19 put an end to this. The first is, one of the issue is the
20 movement of memorabilia, and there's been some challenge
21 as to how you could possibly have done that on own with
22 friends, with employees of DR Studios. Can you explain
23 why that came to fruition, both logistically but also
24 financially?

25 A Well, we're the kind of people that like to do

1 things ourselves. I mean -- I mean, I build and design
2 big things. You saw some of the things I build and
3 design. You know, my grandfather raised us all a certain
4 way. My grandfather worked for the Southern Pacific
5 Railroad. He was an old Texas man, very practical, sort
6 of no-sense guy. He drilled into all of our minds when we
7 were youngest, no such word as can't in your vocabulary,
8 and he did that to my mother. He did it to me. So we
9 like doing things ourselves.

10 Sometimes you have design something yourself to
11 get what you want. Now, when it comes to moving things,
12 my mother insisted that certain things be moved by us
13 personally or people that we trusted in vehicles. That
14 red trailer was custom built just to move Hollywood
15 memorabilia, our collection. Literally the shelves are --
16 were built in there were made to move the collection,
17 pieces of the collection. So we had vehicles that were
18 made to move the collection. We never hired, ever,
19 anybody to move the collection. We moved the collection
20 with that F-450 pickup truck. And we had two different
21 vans over the years, but we have a regular van, and then
22 later we had a Sprinter van.

23 So we always moved the collection ourself. It
24 had to do with control. It had to do also with handling
25 things. If you leave things -- you can't leave things in

1 the sun. These thing are temperature sensitive. They --
2 they -- they -- dirt, other things that are a major
3 factor. You can't leave it overnight. Let's say you're
4 traveling to Tennessee. You know, we had that red trailer
5 built so that, you know, it was sealed. You can leave
6 that collection and travel, but we -- we drove straight
7 through with those trailers. We had two drivers, and it
8 goes all the way through. So I'm -- that's why the
9 collection was handled by us.

10 Over the years, my mother way early on used North
11 American Van Lines and storage to move things and to pay
12 storage, and she learned real quick how expensive that
13 got. And as you can imagine when you have a collection
14 this big, and this thing get -- will eat you alive; and it
15 did. And in the end, where we were when we were sitting
16 at that bankruptcy, and we were sitting in that Santa
17 Barbara bankruptcy court, we had been eaten alive by the
18 cost to maintain this collection, by the deals that had
19 failed, by the people that had failed, by the people that
20 had stolen. Took it's toll on all of us.

21 Q Okay. Todd, I'm going to ask you now very
22 quickly -- because I know it's important to you -- move
23 through the remainder of these slides and just sort of
24 explain the importance.

25 A Well, there's Cat with her pet goose in Vegas.

1 Obviously, Cat had pets in both locations. Some were my
2 old pets that lived on the farm. There are still pets to
3 this day, by the way, that still live on the property,
4 even though sold three years ago. There are still some of
5 our pets living there, generations of peacocks and other
6 animals that still live there.

7 Q Todd, can you explain why that is before we get
8 the wrong impression there? --

9 A Sure.

10 Q -- because of who purchased the farm?

11 A So the farm, after being tried to be sold for
12 years -- we were in escrow numerous times, fell in and out
13 of escrow. It was in escrow one time for like six months,
14 and the guy kept paying to keep it in escrow. The deals,
15 none ever went through. Finally, three years ago, in like
16 December -- so almost three years ago. Indefensible
17 Animals, it's a nonprofit organization came along and
18 went, wow, this is perfect for us to build an animal
19 rescue operation and, by the way, we would like to keep
20 any and all animals that you would like to leave -- live
21 here, especially, ones you're willing to continue to pay
22 for.

23 So I have a miniature donkey that still lives
24 there that I pay for. The peacocks and some of the other
25 birds have been there for generations. The cattle -- they

1 took on all the cattle operation that was there since the
2 Christi days we we're talking about. So that's what
3 happened when we sold that farm. Now, you could see it in
4 these pictures here, these are just various pets. If you
5 look at the picture on the right, that was my bird. He
6 would travel with me all over. He was in my RV. Wherever
7 I went, he went. Cat had a similar menagerie of pets that
8 traveled with her.

9 Now, the lady -- I have this pic. My mother was
10 working on a movie called "Behind the Candelabra." It's
11 the life story of Liberace. She plays Liberace's mother.
12 So she's now living in Vegas with us working on this
13 movie. Somebody sends me this picture, and it came on my
14 phone. And I said, why is somebody sending me this random
15 image of this old woman, because that is not my mother.
16 She -- the make up was so good that it blew my mind. I
17 didn't even know my own mom.

18 There's the ranch up in Montana in October.
19 There's Cat and I getting married on December 22 at '12 at
20 my sister's house. And there's Henry Cutrona who you will
21 see tomorrow, who is Cat's original paster, they guy I
22 started a church with. He was the -- officiated the
23 wedding, and Carrie is my best man on your far side, your
24 left. That's more wedding pictures. That's Carrie, my
25 mother, myself at the wedding.

1 May of '14 there's a third auction that goes on.
2 This is sort of clean up auction. We had stuff that we
3 kept uncovering at DR Studios, all over the place. So
4 this auction was actually held at DR Studio. That's
5 Studio D at DR Studios. So again, more pieces were drug
6 out for -- some of them from the ranch. Some of them from
7 Vegas. Some of them from Tennessee had been returning.
8 So all of this stuff is, what I'll call the clean-up
9 auction. That's why it was called the finale. We decided
10 that's it. We've had enough of this. And that -- so that
11 didn't raise as much money, but that was that auction.

12 There we are at the meet and greet; what they
13 call a step and greet. There is one of Cat's pets,
14 Nugget, her rooster that traveled all the over the country
15 with her, literally. I know that's weird, but here it is.
16 There is the Telluride Film Festival in -- so there's
17 September of '16. We were looking for a date. There's
18 when the documentary was out. So September of '16 the
19 documentary is -- does that sound right to you?

20 Q Yes.

21 A Yeah. -- is -- is being released into the
22 Telluride Film Festival. And there's Carrie up on stage
23 with me in the corner. But by December of '16, we're at
24 Forest Lawn with my mother and sister being laid to rest.
25 That brought on a whole lot of new problems, one of which

1 was DR Studios. Debbie Reynolds Dance Studios had been
2 owned by the Children's Trust. However, there was a
3 partnership that owned 10 percent of DR Studios that was
4 still owned by my mother. The IRS came in, calculated a
5 tax on it, and asked for a million dollars to be paid.
6 And the studio was losing money. There was no way it
7 could do it, so the studio had to be sold.

8 So whatever was left at DR Studios, these
9 containers and other things, was moved to Las Vegas.
10 That's the -- one of our lots. We have two-and-a-half
11 acres of additional land next to the house in Las Vegas.
12 It is filled with shipping containers and trailers. This
13 was a studio that we have -- had on Tenaya Way where we
14 were moving some of the filming equipment. This is where
15 some of the memorabilia went. You could see, to this day,
16 we have many of these items with us in Vegas on display.
17 Actually, it ended up being in our house. If you see that
18 picture with all the bins on the right -- upper right
19 corner, you'll notice those are all the costumes still in
20 the collection at this point.

21 So by '17, we still have quite a -- probably 100,
22 150 costumes, of which a lot of them are my mother's. My
23 mother elected many years ago to give me all of her
24 costumes -- her costumes. And I don't know exactly why,
25 but when big auctions were going on, she said you should

1 sell all these costume. You'll never get a better price
2 than now. I said I'm not going to sell your costumes, and
3 she's like, why? What are you going to do with them.
4 We're not doing the museum. What are you going to do with
5 these costumes? I said I don't know.

6 Well, I still don't exactly know, except that
7 right now some of these costumes are on loan to other
8 museums. The ruby slippers that were bore into my mother
9 are actually on loan to the Sphere where the OZ exhibit is
10 in Las Vegas, and some other pieces that we have. So
11 the -- the parts and pieces of the collection that remain
12 are being -- I've loaned things to the academy recently.
13 I have lenses on display. Right now as we speak, I have
14 major pieces on display at the Reagan Library down here
15 in -- what's that called, that area? Calabasas? What do
16 you call that? Is that it? No, not Calabasas. Reagan
17 Library. You know what I'm talking about, right? Okay.
18 So they have a museum. They're doing a n western exhibit
19 there. We have stuff from How the West was Won, Annie Get
20 Your Gun, other thing.

21 So there's DR Studios. It got torn down. The
22 property was sold and torn down. There is where the
23 collection is right now, the bulk of it, in my entry hall
24 in Las Vegas. This was a big exhibit we did, at the
25 Reagan Library, all about Star Wars. We had literally --

1 I have -- I have one of the largest private collections of
2 Star Wars memorabilia; Carrie's weapons, Carrie's dresses,
3 her metal bikini. That's stuff -- some of that is stuff I
4 acquired more recently. Other stuff is stuff that Carrie
5 gave me many years ago that I've kept with me.

6 There's me in Japan acting -- they actually --
7 they told me what to say in Japanese, so I just mimic
8 their words. So then they thought I spoke Japanese.
9 That's the subway dress in Japan, though. They asked for
10 it to be there. I told you about that.

11 End of slide show. See?

12 Q That's it. Thank you, Todd.

13 MS. TURANCHIK: I will reserve additional time
14 for redirect.

15 MR. FISHER: To redo it?

16 MS. TURANCHIK: Oh, no.

17 MR. FISHER: I'll start again. Let me go back to
18 the top.

19 JUDGE LONG: Thank you.

20 Franchise Tax Board, do you have any questions
21 for Mr. Fisher?

22 MR. HOFSDAL: We do, but I just need to get the
23 microphone.

24 MR. FISHER: You stole his microphone.

25 Do you want any my of my slides?

1 MR. HOFSDAL: We'll be looking at some of the
2 slides.

3 MR. FISHER: Okay. Did you Catch the numbers as
4 we were flying by?

5 MR. HOFSDAL: I think -- the numbers weren't up,
6 but I think --

7 MR. FISHER: Okay.

8 MR. HOFSDAL: -- I think I have a good idea.

9 MR. FISHER: Okay.

10

11 CROSS-EXAMINATION

12 BY MR. HOFSDAL:

13 Q Mr. Fisher, good afternoon. My name --

14 JUDGE LONG: Mr. Hofsdal?

15 MR. HOFSDAL: Yes.

16 JUDGE LONG: Hold on one moment.

17 MR. HOFSDAL: Ah, she's blocked. I'll try to
18 look forward too.

19 BY MR. HOFSDAL:

20 Q Mr. Fisher, good afternoon. My name is Ron
21 Hofsdal. We met a couple of years ago, I think, on a
22 Teams chat.

23 A Yes, sir.

24 Q And i have a couple of questions for you.
25 Actually, more -- more than a couple.

1 A Okay.

2 Q So we'll go ahead and just get into it. If you
3 need to take a break, I know we're breaking at -- in about
4 a half hour.

5 A I'm fine.

6 Q If you need to take before then, go ahead and let
7 me know.

8 Before we get started, you know, as part of this
9 dispute you had submitted a couple of declarations. Is
10 there anything in reviewing is there anything you would
11 like to change in any of those before we get started?

12 A Not that I'm aware of.

13 Q Okay. Great. Just to talk a little bit about
14 the slides a little bit. And probably just the last slide
15 when you showed the Telluride --

16 A The film festival?

17 Q -- Festival, does that refresh your recollection
18 as to when the -- the filming of Bright Lights that may
19 have occurred since it was premiering on that date?

20 A So -- so it would have been going on from --
21 let's just -- a minimum of a year before that, you know.
22 It would had to begun, let's say, by same -- roughly the
23 same time frame but in '15. Possibly even earlier than
24 that.

25 Q Fair enough. And then in slide number 54 -- I

1 know you just glanced it over it kind of quick -- when
2 you're talking about that first Montana trip. There's
3 something there about three months. Are you taking a
4 position in that you were in Montana for that three-month
5 period?

6 A No. 54? I was at -- well -- so it was --

7 Q Yeah, I believe it was slide 54, but I could
8 be --

9 A Probably not, but it's this one right there.
10 Like that?

11 Q It has like a little narrative on the bottom.

12 A Well, so let me just say this.

13 Q Okay.

14 A At that time, the reason why I've selected some
15 of these slides actually, it wasn't just the picture. It
16 was because there was a date stamped.

17 Q Okay.

18 A As you know, the technology --

19 Q Sure?

20 A -- hasn't always been there to date stamp.

21 THE HEARING REPORTER: Okay. Please, one at a
22 time. If he's talking don't interrupt. Wait for each
23 other to finish their sentences.

24 MR. HOFSDAL: Sure.

25 MR. FISHER: You get him.

1 So I chose pictures that were relevant because
2 for their dates, generally, to help with the story itself.
3 So what had happened at this time is we had gone on this
4 journey together that lasted three months. So if you
5 looked at the earlier -- there was an earlier photo. So
6 there's -- there we are meeting her mother in April that
7 same trip. That's in Florida. And there we are in Vegas
8 in April '20th. So by late April we're in Florida to meet
9 her mom, and then we're making this big loop to Belle
10 Island, and then we're going back around to Montana to
11 meet my father-in-law; and even in Colorado in June
12 of '10.

13 So we were making -- in a way, what you see is
14 happening here is I'm showing her my world. These are the
15 things that I did every year of my life. I mean, I went
16 to Colorado or Montana every single year. Sometimes I
17 would just go skiing, and maybe I go up for a month to
18 Colorado and go jeeping. But I -- one of my favorite
19 people on the planet was Larry Zabel, the guy that owned
20 the ranch, my ex-father-in-law. And -- and he and I
21 became partners on that property. I ended up owning
22 three-quarters of it at one point. And I -- I, you know,
23 not only with -- I loved being with him and Cat, and he
24 got along. And, you know, it was a really important thing
25 for me for her to meet him and get along. So that was

1 part of that first three-month trip. But we went up
2 subsequently several times.

3 Q Fair enough. Thanks for the clarification. Now
4 as part of the audit, you provided a day calendar --

5 A Yes.

6 Q -- is that true? Right. And for clarification
7 on any of the dates, would that be the most accurate?

8 A I -- well, that was built from my assistant's --
9 she had a big calendar on her desk, and she would take
10 some notes that we worked off of. I had my own calendar
11 that was in my computer, the iCal Apple calendar. And
12 then later would have been to cross-reference against
13 photos that had proper date stamps. I mean, like
14 70 percent of my photos do have date stamps. So if there
15 was a contradiction, I would lean on the photos probably
16 more than potentially an error in something that was
17 written in a calendar. But, in fact, some of these
18 picture reminded me of things, you know, just as I went
19 back. You guys kind of forced me through memory lane.

20 Q And then on the calendar, and you indicated dates
21 that you worked on the museum auction --

22 A Yes.

23 Q -- is that true? And those dates would be
24 reflective of the time you put on the project?

25 A Yes, I believe. And we were pretty careful about

1 trying to recreate that. And the we recreated that,
2 'cause we didn't have picture for all of that, is we
3 probably worked off of like receipts from the -- the
4 restaurants and stuff in Beverly Hills. 'Cause the whole
5 time I'm at the Paley Center, I'm living at Beverly Hills,
6 which is something I hadn't done since I was a teenager.
7 So -- but we were keeping track of that.

8 Q Right. Now, I want to move a little bit now to
9 the bankruptcy and the auctions. Now. It's my
10 understanding from your testimony earlier that the -- the
11 actual bankruptcy debt was actually around \$4 million. Is
12 that what you testified to?

13 A Yeah. So by the way we were finished, it started
14 at a million. And then when you added in years of
15 compounding interest, that's -- I think he even wanted
16 more than \$4 million, but I believe that we ended up
17 settling around that number. That -- David De Salvo will
18 be able to probably tell you that.

19 Q Right. And then your proceeds from the first
20 auction was a little bit over \$22 million?

21 A That's correct.

22 Q So was all the bankruptcy debt satisfied after
23 the first auction?

24 A Yes. But it had to be cross -- because it was
25 cross collateralized, there wasn't enough money in what we

1 had sold in the museum's name. So if you looked at the
2 receipts, the museum itself didn't raise enough money to
3 pay him off in the first round. So the Children's Trust,
4 thus DR Studios, had to step in and pay him off the
5 balance.

6 Q And then there was an agreement between the
7 auction house and yourself for you to receive the payment
8 within 30 days; true?

9 A Yes. You're talking about the proceeds?

10 Q Yes.

11 A Yes. There was actually several deals. One was
12 an advance as well.

13 Q And was the advance part of the first auction or
14 the second auction?

15 A First auction.

16 Q First auction.

17 MR. HOFSDAL: Could I take one break for one
18 second, please?

19 BY MR. HOFSDAL:

20 Q And just for clarification, I know you negotiated
21 it down to \$4 million, but the outstanding liability, at
22 least in the bankruptcy, the records was about
23 \$7.2 million; true?

24 A So that's what I was saying in my story when I
25 said that he was ask -- I think I used the word \$8

1 million. You know, he had asked. That's what he was
2 trying to collect in the California courts. That's what
3 he was trying to collect in Kansas. That's what forced
4 the bankruptcy was that amount. He and I cut the deal
5 down to the amount that you're talking about, the
6 \$4 million.

7 Q Great. And do you have copy of the exhibits?

8 A Their exhibits you mean?

9 MS. TURANCHIK: We can.

10 MR. HOFSDAL: I have copies.

11 MR. FISHER: Yes, I travel with them in my
12 mini-pocket edition.

13 MR. HOFSDAL: Well, I didn't know if you had them
14 on your computer or not. So --

15 MR. FISHER: No. I keep them right here. Now I
16 do.

17 MR. HOFSDAL: Fair enough.

18 BY MR. HOFSDAL:

19 Q And if you could just turn to your Exhibit 30.
20 It's - it's kind of towards the end there?

21 A Is it -- oh, Exhibit 30 or page 30?

22 Q Yeah. It's -- it's towards the end of the
23 packet.

24 A Oh, towards the end. Exhibit L?

25 Q Yes, it might be --

1 A Oh, I got it. It's before that.

2 Q Yeah.

3 A Oh, I got it. Well, no. Can you give me a page
4 number?

5 Q It's the last two pages of the packet I gave you.

6 A Oh, well, that's -- that's -- that I can handle.

7 Q All right.

8 A Okay. I'm with you.

9 Q Okay. Now, this is the document that you
10 provided to FTB to reflect when you were paid the proceeds
11 from the second auction; true?

12 A Yeah. This is prepared by David De Salvo
13 actually.

14 Q Yes. And on this document here, is this -- is
15 this just a spreadsheet you provided?

16 A So David De Salvo loves profit and loss --

17 Q Okay.

18 A -- statements. So yes, he prepared this
19 statement. This would have been, of course, prepared for
20 other people as well. There were a lot of people sort of
21 looking over what had happened here, and I'm -- and this
22 was intended to educate all of us as to how these things
23 were being handled.

24 Q Now, this document it reflects that the trust
25 received the \$1.4 million from Profiles in History on

1 January 20th.

2 A Yes. I have no reason to dispute that, I would
3 say.

4 Q An January 20th was more than 30 days passed when
5 the auction took place and the agreement you had with
6 them; true?

7 A Yes. I mean, I -- I don't have anything negative
8 to say. They're not the most prompt, let's just put it at
9 that.

10 Q Okay.

11 A They paid. Nobody was too upset about the
12 missing of a deadline.

13 Q Okay. The question I have is if you go down to
14 the bank fees. The first one, it shows a -- a wire fee of
15 \$25 on January 3rd, 2012, but I don't see any
16 corresponding money in or money out on that date. Do you
17 have any explanation of where that January 3rd date came
18 from?

19 A No. I mean, again, this is pretty old. And
20 if -- if money is being wired, there would probably be
21 another spreadsheet, and you could see the ones -- you
22 know, it would -- you see, a wire -- all of the banking I
23 think, at this point, was being done by First Bank, and we
24 just started working with J.P. Morgan, I think around the
25 same time. So there are not too many places that would be

1 going. So if there's a lot of different wires, it means
2 it going to maybe different people.

3 Q Now, isn't it true that during the auction, when
4 the proceeds were received from the auction house, that
5 you were the one who actually received that income?

6 A Yes. The checks were -- it was either wires or
7 checks. I think actually it was -- I can't remember which
8 to be honest with you. But the -- the money, I filtered
9 the money.

10 Q Right. And that money was put into your Citibank
11 account; true?

12 A I never had a Citibank account. It would have
13 had -- my mother had a Citibank account, but I didn't.
14 If -- if money came to me, it would have been in J.P.
15 Morgan. I did use J.P. Morgan quite often.

16 Q I might have my C's confused. Yeah.

17 A It's probably J.P. Morgan.

18 Q Chase?

19 A Yeah, Chase. J.P. Morgan Chase, yes.

20 Q Okay.

21 A That's -- so anything you see that's J.P. Morgan
22 Chase would probably be me directly.

23 Q Okay. Okay. So how did the money get from your
24 Chase account into this First Bank account?

25 A I would've had to send a wire or -- I -- I

1 wouldn't have written a check. I probably would've wired.

2 Q Right.

3 A Dennis King, who was managing my mother at the
4 time, was very involved in making sure the distributions
5 were be handled. So he would request to me. He would
6 say, hey, this is how -- 'cause he also was the guy that
7 was handling the trust. In fact to this day, he's still
8 the -- one of the -- what do you call it? -- the executive
9 trustee on the Debbie Reynolds Trust.

10 Q Right.

11 A So he was making sure that everything --
12 overseeing, I guess a good way to put it.

13 Q Right. And that might explain the January 3rd
14 wire fee is when you had actually transferred that money
15 from --

16 A It could.

17 Q Yeah. And if can go to Exhibit J?

18 A Okay. Where is that in the pile?

19 Q They should be in order. So it's about a third
20 of the way from the back?

21 A Okay. I see L. Oh, so J, K, L maybe. J -- you
22 said -- there's a lot of J's here.

23 Q Yeah.

24 A How many J's am I looking for?

25 Q Just go to -- to page 1.

1 A Okay.

2 Q Yeah.

3 A I got it.

4 Q Yeah. Yeah.

5 A Is it okay if I break this open? Can I open
6 this?

7 Q Yeah. Yeah. Yeah.

8 A It's hard for me --

9 Q You can keep that. That's fine.

10 A Okay. No. It's easier to flip it.

11 Q Yeah. And this is the Chase account you just
12 talked about; true?

13 A Yes.

14 Q And you opened this up, perhaps, to receive the
15 proceeds from profiles; is that true?

16 A It's possible. I mean, like I said, there
17 were -- no. So if it's a Todd account, that's just my
18 personal account.

19 Q Yeah.

20 A So I probably wouldn't have opened -- that
21 would've already been there probably. But I'm not exactly
22 sure, but we opened up new accounts for the different
23 entities right after we were doing this distribution.

24 Q And then on the first thing it shows like zero
25 balance on --

1 A Right.

2 Q -- on page 1. And then an entry deposit of \$50.

3 Does that --

4 A Yeah. So that would --

5 Q -- refresh your memory as to when you opened the

6 account up?

7 A Well, I mean, that would tell the story to me.

8 Q Yeah. Yeah. And then it shows that that you

9 actually had received the first payment or a payment on

10 September 15th -- or excuse me -- on July 15th?

11 A Are we on the same page still?

12 Q Yes.

13 A Yeah. I see that, the \$200,000.

14 Q Yeah. And that was approximately like 1 month

15 and 10 days after the -- after the first auction; true?

16 A That would have been just after. Now, so the

17 first auction -- did it -- is the year on here? Eleven.

18 So -- so we're in -- yeah. So that's -- you know, is

19 that -- that's inside the wire. Remember what I

20 mentioned? There was a million dollars though, advance.

21 Q Right.

22 A So this may be part of the advance.

23 Q Okay. I gotcha. And then the address on this

24 new account that you opened up on/or about July 5th is

25 your Creston, California --

1 A Yes --

2 Q -- is that true?

3 A -- 'cause that's where the bookkeeper and David
4 were.

5 Q And then it looks like, if you go to page 3, it
6 looks like on/or about the same -- same date you actually
7 opened up a saving account as well; is that true?

8 A Let's see. I got the dates here. Where is the
9 date? I think the date is kind of blocked here. Well,
10 1971 is still my personal checking account.

11 Q Okay.

12 A So it stands to reason that's still my savings
13 account.

14 Q Okay. Fair enough. Okay. Great. And then just
15 to confirm what you said earlier, if you go to page 6, it
16 shows you receiving additional income from profiles; true?

17 A Well, yeah. Down here at the bottom, yes.

18 Q Yeah. Yeah. And then just to go back to what
19 you were talking about earlier --

20 A You understand how the process was working here?

21 Q Yeah.

22 A We were -- the accountants had to do the
23 breakdown first.

24 Q Right.

25 A That's why there would have been delay.

1 Q Yeah.

2 A This didn't happen immediately 'cause they're
3 trying to figure out who gets what.

4 Q Who gets what. Yeah. I understand. And then
5 this will be the last page, I think we'll look at. If you
6 go to page 8 --

7 A Okay.

8 Q -- that shows you receiving with the money and
9 also making distributions to your mother; true?

10 A Well, yes. It has her name there on that one,
11 and it -- and the other one it's a transfer over -- maybe
12 that's part of the same transaction. I'm not sure. But,
13 yes, we definitely were distributing money at that point.
14 I'm -- I'm trying to think. Now, this is -- well,
15 there -- did you want me to get into the -- the Carrie
16 Trust thing? So the question is -- I assume we're talking
17 about possibly the subway dress revenue here at this
18 point?

19 Q No, no. I'm just trying to clarify just the
20 chain of control.

21 A Oh, I see.

22 Q You've already testified to the fact that you
23 received the money, and then you distributed it out. I'm
24 just trying to figure out now when you made direct
25 payments to Debbie, what was that for --

1 A Oh, well --

2 Q -- versus you paying First Bank for another --

3 A Well, as you --

4 Q -- distribution.

5 A Excuse me.

6 Q Yeah.

7 A I almost did it. The -- once the determination
8 was made by the accountants, something needed to be
9 distributed a certain way, then I would react accordingly.
10 These were not unilateral decisions made by me. The money
11 is sent to me. I was sort of distributing it, including,
12 as you'll see, to Carrie and other, you know, other people
13 as well; especially, the people that had consigned things
14 or whatever. But, yes, I'm -- I'm the mediator of all the
15 distributions.

16 Q So in light of like bank the records in
17 reflecting when you received the money and where it went
18 out, why did you choose to produce Exhibit 30 to
19 demonstrate that, as opposed to just providing the bank --
20 the records?

21 A You're saying I gave you 30?

22 Q Yeah.

23 A Okay. So you want me to look at 30?

24 Q Yeah, Exhibit 30. We've already looked at that.

25 That's the --

1 A Oh.

2 Q Yeah. Yeah. That's the last two pages.

3 A Ah, well, let me -- oh, you mean that's all I
4 gave you these?

5 Q Yes. You didn't give any bank the records
6 reflecting when you had received the money, and when you
7 had distributed it.

8 A Well --

9 Q You only gave us this --

10 A -- again, these would have been -- anything
11 requested like that, clearly would be done through my
12 account.

13 Q Okay.

14 A So I don't generate spreadsheets like that, you
15 know. But just -- not to say I don't know how to read it.
16 I'm just saying that that's not -- it would be requested
17 by me possibly. If Dennis King were to request a
18 distribution and money was coming in, there would be a
19 pow-wow, and the distribution would be arranged. But
20 there would have been a spreadsheet generally. There's
21 more spreadsheets around and than that.

22 Q Yeah.

23 A That can't be the only spreadsheet.

24 Q Yeah. Let me re -- let me restate the question
25 again.

1 A Did -- let me just ask you a quick question,
2 though.

3 Q Yeah.

4 A Is that the only spreadsheet you got --

5 Q No.

6 A -- for distributions?

7 Q No.

8 A Okay.

9 Q But this is the spreadsheet that you provided to
10 demonstrate when you received the funds from the auction
11 house.

12 A I see. I'm -- I'm sure it was just trying to
13 this is an example of.

14 Q Okay.

15 MS. TURANCHIK: Let me just clarify funds from
16 the auction house for 2012.

17 MR. HOFSDAL: 2012.

18 MS. TURANCHIK: That was the specific question
19 asked by the Board.

20 MR. HOFSDAL: 2012.

21 MS. TURANCHIK: Yes.

22 MR. FISHER: So in -- yeah. So in -- obviously,
23 that's in '12. Now, we're talking about the subway dress
24 now, though, once you get to '12.

25 BY MR. HOFSDAL:

1 Q No.

2 A Okay. Oh, because none of the -- none of the
3 proceeds -- no. The first auction proceeds would have
4 been delivered in '11.

5 Q Yeah. I understand that. But when asked to
6 produce documents demonstrating when you received the
7 income from the auction house, you provided Exhibit 30.

8 A Just one sheet of paper?

9 Q Yes.

10 A Well, I would -- if I were you, I wouldn't have
11 been happy with that.

12 Q Yeah.

13 A I would have asked for more. I did not know
14 that's all you got. But maybe we were thinking you just
15 wanted an example of how the distributions are made, not
16 every transaction.

17 Q I don't believe that I was the one that asked
18 for --

19 A No. I don't mean you.

20 Q I thought the Office of Tax Appeals asked --
21 asked for --

22 A I didn't mean you individually. But it seems to
23 me that a request should have been made for more detail.
24 I -- to me I would have said this is an example of how we
25 did the distribution?

1 Q Okay.

2 A If you want to see the all the distributions -- I
3 remember there being a conversation going way back -- long
4 before you -- where we were like, well, wait a minute.
5 What do these other entities have to do with any of this,
6 and are you really entitled to all this other information?
7 That did come up at one point. I don't know if that
8 short -- you know, short-circuited some further
9 spreadsheets, but I could tell you I've seen many more
10 spreadsheets than that one.

11 Q Sticking with Exhibit 30 for a minute, Exhibit 30
12 shows that you had received a distribution of a million
13 dollars from the trust. Did you report that million
14 dollars on your 2012 tax return?

15 A I'm not sure when it was reported. That would
16 have been up to David to decide how when.

17 Q Okay.

18 A I mean, you got to remember he -- you know, we --
19 all of this is a long time ago, and I don't remember the
20 sequence of events. It would have been reported, when
21 appropriately, by him.

22 Q So would you be surprised to find out that that
23 million dollars was not reported on your 2012 income tax
24 return?

25 A Not necessarily, because --

1 MS. TURANCHIK: I'm going to object to that.
2 That lacks truth. I mean, there's no facts in evidence
3 that establish that. Because we heard Mr. Fisher testify
4 some of the income that he earned in 2012 was consignment
5 income, and that's clearly indicated in Mr. De Salvo's
6 records. All that \$4 million was not allocable fully to
7 Todd as he has explained. So as to the Panavision camera
8 that he specifically pointed out was a consignment camera
9 to which he had to turn around and pay that individual
10 part of those proceeds.

11 MR. HOFSDAL: Well, your objection is not well
12 taken.

13 BY MR. HOFSDAL:

14 Q And Mr. Fisher, if you will go to the last page,
15 the first line --

16 JUDGE LONG: Mr. Hofsdal --

17 MR. HOFSDAL: Yes.

18 JUDGE LONG: -- and Appellants, if we could just
19 keep it civil.

20 MR. HOFSDAL: Sure.

21 JUDGE LONG: And then also, if we can maybe get
22 the point of this Exhibit 30 discussion, that would be
23 great.

24 MR. HOFSDAL: Sure. Yeah.

25 BY MR. HOFSDAL:

1 Q On -- on the last page --

2 A Yes.

3 Q -- it reflects that you received a million
4 dollars from the liquidating trust; true?

5 A Yes, I see that.

6 Q Yeah. And my question to you is, did you report
7 that \$1 million on your 2012 tax return?

8 A I have no idea. You'd have to ask David De
9 Salvo.

10 Q And we will. Thank you. If we can move to
11 Exhibit E, which is your tax returns, the first page?

12 A First page. That's easy.

13 Q Yeah.

14 A I like that.

15 Q And page 5. Okay. On line 5 of the form
16 CA 540NR, you reported that you were in California for a
17 total of 13 days. Were you -- were you truthful when you
18 made that statement?

19 A At the time this was made, that would have been
20 my understanding without doing an forensic analysis like
21 we might have done later.

22 Q But it's true that you spent much more than
23 13 days in California --

24 A I can't say for sure.

25 Q -- for 2013?

1 A I can't say that. I mean, I'd have to go back
2 and look at some of the documents, you know. They were --
3 the calendars that were generated later would probably be
4 a better representation.

5 Q So if those calendars reflected, that you
6 produce, that you were actually in California for well
7 over a 150 days, which they do, do you agree that it was
8 an error for you to report that you were in California for
9 13 days on your California CA 540NR?

10 A What I would say is that -- that David De Salvo
11 was unaware of the amount of time the preparation was
12 taking for the second auction. 'Cause now we're talking
13 about the second auction?

14 Q This is 2010. So this was before even the first
15 auction?

16 A Yeah. There's -- there's no way I spent that
17 much time there. So that's a mistake.

18 Q So you're saying you spent less than 13 days
19 in --

20 A No. No. I'm saying the -- this -- that other
21 number you tossed was very big. For 10, it's impossible.

22 Q Okay.

23 A It would be totally impossible just based on my
24 driving calendar alone that I could even had that many
25 spare days.

1 Q But -- but you agree that it was way more than
2 13 days?

3 A I don't agree. I would have to look. I can't
4 say where -- this is where I sit. As I've had a chance,
5 as you know, to evaluate the calendar years ago. I
6 haven't seen that calendar in 12 years. But what I
7 remember is we spent quite a bit of time trying to make
8 that calendar accurate because it was asked of us to do
9 so. When this document was prepared, there was
10 discussions between David and I that we would have had
11 typical of any tax year, and that's how this form was
12 generated.

13 Q If you could --

14 A I don't fill these out, as you can imagine.

15 Q If you could go to line 7 of that same page?

16 A Yes.

17 Q It reflects that that you had salary and wages of
18 \$72,800.

19 A Sure.

20 Q And you sourced all that income to California;
21 true?

22 A If he put it there then -- there's a -- this was
23 a -- I believe the time where my mother was actually
24 paying me. I think that money probably came from Ray Max
25 Productions or whatever production companies. But if he

1 put it on a California return, there's a reason. It's
2 there for a reason. I'm not gonna challenge that.

3 Q So, in other words, you earned that income while
4 working in California; true?

5 A My mother paid me from a California production
6 company. So it was probably done because that's where it
7 came from. I wouldn't say I was in California earning
8 that money because I was traveling a lot bringing things
9 back and forth too.

10 Q And if you can turn to page 8 -- excuse me --
11 page 7?

12 A Page 7.

13 Q Now, this is form FTB 4803E, which is what
14 somebody files when they claim head of household. In
15 2010, you claimed head of household for Brandon
16 Ramestella-Rivers; true?

17 A Yes.

18 Q And on Box 6, and you acknowledge in that he
19 lived the entire year with you in 2010; true?

20 A Yes. He lived on the ranch.

21 Q Okay. But question 6 asked did your qualifying
22 person lived with you the entire year in 2010, and you
23 checked yes; true?

24 A Well, that would not be entirely true because I
25 was traveling most of that year. So he was living on my

1 property, and that's what I interpreted that to mean. He
2 was dependent of mine living on the ranch, taking care of
3 the ranch. Stepson, he was -- that's who he was. So he
4 was living there. So, no, he was not living with me.
5 Again, these are semantics, and if you use these words,
6 you can take that several ways. He's not traveling with
7 me while I'm traveling. I was not in California very
8 often. When I was on the ranch, then he would have been
9 with me.

10 Q I certainly understand that. There's also an
11 explanation that you are outside for a temporary or
12 transitory purpose, and that's why it was okay to check
13 that box?

14 A I know you'd like to think that, but by this
15 point I was already living in Las Vegas. I mean, I was --
16 that was -- we were already well into our relationship. I
17 know that's where you're going. That's your job to try to
18 take us there.

19 Q I'm just trying to understand your tax return and
20 why you took positions that might be inconsistent --

21 A Well, I think it's also important --

22 JUDGE LONG: Hi.

23 MR. FISHER: Hi there.

24 JUDGE LONG: Let's just move forward, please.

25 MR. FISHER: Okay.

1 BY MR. HOFSDAL:

2 Q If you can go to page 15?

3 A Fifteen. Got it.

4 Q Yeah. And on that page you identified yourself
5 as a museum executive; true? On the bottom.

6 A Yes. Well, yeah, I see it. Yes.

7 Q And the museum was at Creston ranch during the
8 2010 tax year; true?

9 A The Hollywood Motion Picture Museum was, but the
10 museum was in Tennessee.

11 Q And then if you can go --

12 A The storage facility in Creston, as you know.

13 Q If can go to page 17?

14 A I'm with you.

15 Q Okay. This is a profit and loss from business
16 for Fisher Electric; true?

17 A True.

18 Q And it shows that you had gross receipts of
19 \$51,863; true?

20 A I see that.

21 Q Now, there was some indication that in your
22 declaration and in the brief that you hadn't done any
23 electrical work since 2018 or so on a solar project; true?

24 A True.

25 Q How do you explain a \$51,863 gross receipts for

1 Fisher Electric in 2010?

2 A Because Fisher Electric did consulting as well.
3 You don't have to build anything. I'm -- I'm an
4 electrical engineer, so I can tell you how to do something
5 and that cost money too.

6 Q Sure. Can you go to page 39?

7 A Yup.

8 Q We're now in the 2011 tax year.

9 A Okay.

10 Q On line 5, you say that you were in California
11 for any purpose for 75 days; true?

12 A I see that.

13 Q Was that an accurate reflection of how many days
14 you were in California for 2011?

15 A I would say when this was filled out that was
16 exactly what we thought.

17 Q Okay. And then again, you have wages -- I'm on
18 line 7 now. Again, you have wages of \$72,800.

19 A I see that.

20 Q And you source all that to California; true?

21 A It's on a California return, then I have to say
22 yes.

23 Q Go to page 41. This is basically the same -- the
24 same FTB 4803E --

25 A I'm with you.

1 Q -- and again on -- online 6 you checked the box
2 and that he lived with you the entire year; true?

3 A We checked the box, but he -- he lived on the
4 ranch, not with me.

5 Q If you go to page 48, which is your federal
6 return.

7 A 48?

8 Q Yes.

9 A Okay. Got it.

10 Q And just to make it clear, you had identified two
11 dependents and both of those dependents were living on the
12 ranch; true? Both --

13 A Yes, both of them were taking care of the ranch.

14 Q And again, if you look at box number 4 above, and
15 you claimed head of household for that year as well; true?

16 A Yes.

17 Q Go to page 68.

18 A Got it.

19 Q Page 68, it reflects, at least, the auction
20 proceeds from the first auction.

21 A Okay.

22 Q Okay. The question I have was, it's my
23 understanding that the Ascot dress sold for \$3.7 million;
24 true?

25 A Correct.

1 Q And that would have to be reflected on either one
2 of these categories A or B; true?

3 A Assuming the money was paid in this tax period,
4 yes.

5 Q And looking at the property A and property B,
6 there's only one Category that the Ascot dress would flow
7 into, and that would be property B; true?

8 A Let me see if that's -- yeah, sot it's in B.
9 Isn't that where it is?

10 Q Yes.

11 A Yeah.

12 Q Well, I mean, I'm asking you.

13 A Well, I'm -- as -- as any taxpayer will tell you,
14 even though I'm a fairly intelligent guy, these forms are
15 very complicated. Now, I'm -- I do -- I can read numbers.
16 So I see on line 24 there's a \$3.7 million entry. Is that
17 correct, line 24?

18 Q Yes.

19 A So the gross -- the gross income from all the
20 items sold at the auction was \$4.1. That's the way I read
21 this.

22 Q Okay?

23 A And then -- then he subtracted basis, et cetera,
24 and that's how we got down to the 3.7.

25 Q So the question I have for you is, if you look at

1 the above -- above that in Section 19, it has a margin.

2 A I see it.

3 Q And you identified property B as being museum
4 rental property; true?

5 A Yes, we had both. And the reason why that is, is
6 because all of the things that were owned outside of the
7 nonprofit were going to be rented to Tennessee for the
8 museum. So every single item, every costume that was
9 owned by DR Studios, myself, my mother, anything outside
10 of the 501(c)(3) was going to be rented back. We started
11 an LLC by the name of TD Productions, short for Todd and
12 Debbie. TD Productions was going to be a limited
13 liability company for rental purposes of museum artifacts
14 to the new museum in Tennessee.

15 Q Now, this is 2011, and by 2011 the whole
16 Tennessee project was pretty much gone; true?

17 A The -- yes. But the intent was always that
18 memorabilia -- David had already established the idea
19 that -- David De Salvo, the accountant, had already
20 established the idea that we were going to be in -- in the
21 memorabilia rental and the memorabilia sales department.
22 And we, to this day, are. I'm renting things right now,
23 as I mentioned, to the Sphere in Las Vegas. So rental was
24 always an intent for the things that you were going to
25 hold onto, and we were also going to sell things.

1 We're very good at -- you know, we broke three
2 Guinness World Records in selling some of the memorabilia
3 we sold. You know, it was very successful. We're good at
4 selling, but we're also pretty good at -- at preserving
5 and renting the stuff as well.

6 Q And if you can move to Exhibit 79?

7 A Okay.

8 JUDGE LONG: I'm sorry. Where is Exhibit 79?

9 MR. HOFSDAL: I'm sorry. Page 79. I'm sorry.
10 Thank you. Exhibit -- page 79.

11 MR. FISHER: I just assumed he meant 79 pages.

12 BY MR. HOFSDAL:

13 Q Yeah.

14 A I'm with you.

15 Q Okay. And on line 5, when you identified the
16 amount of days you were in California, you identified
17 zero?

18 A There's no days put in there at all.

19 Q So did you spend days in California in 2012?

20 A I'm sure there were some days.

21 Q And then on line 7 is the first time, and we're
22 showing some of the income being sourced to Las Vegas;
23 true?

24 A So we're at '12. What was happening in '12?
25 Yeah, I mean, it just depends. I mean, I consult with

1 people all over the country. It was up to David to
2 decide, you know, how it would be sourced to what part of
3 the return. I see he's got capital gains in there. So
4 by '12 that -- was that -- is '13 the second auction? Are
5 we -- you think that's where we are at that point?

6 Q Yeah. I think we're --

7 A Okay.

8 Q I -- I think we're around there.

9 A Okay.

10 Q If we can go to page 91?

11 A Got it.

12 Q This is you're federal return; true?

13 A Yes.

14 Q And you identified Eugene Shlugleit as a
15 dependent again; true?

16 A True.

17 Q And during 2012, this is the first year you filed
18 a married return; true?

19 A True.

20 Q Okay. Did --

21 A Even though it was only nine day.

22 Q Yeah.

23 A We're not going to let that go.

24 Q Yeah. Did Eugene live you for the entire year?

25 A No. He lived on the farm.

1 Q Now, if you can go to line 13 of -- of this form?

2 A Okay.

3 Q Where it shows capital gains?

4 A Yes.

5 Q It shows capital gain of \$582,180; true?

6 A True.

7 Q Now, I want to go back to Exhibit 30?

8 A Exhibit 30.

9 Q And the point that -- it's the last page of the

10 packet I gave you.

11 A Right. You're saying it's not going to reflect

12 all the -- that detail. Is that where you're going? Is

13 this 30?

14 Q Yeah.

15 A Oh.

16 Q Yes. So is that million dollars reflected in the

17 capital gain?

18 A I don't think that has anything to do with that.

19 I don't think they're connected. First of all, David

20 doesn't work in round numbers like this unless there's a

21 reason to. So when you see on a tax return an odd number

22 like that, that \$582,180, that's accountant's entry. I

23 mean, you know, he's done some work to get to that. So

24 that's been a calculated number. This number up here is a

25 on a -- is a worksheet on how to allocate and distribute

1 the funds. This is not a tax return. You know, this is a
2 worksheet for how he was -- so there were times where
3 there were issues of how to distribute the funds.

4 So you have an auction. Who owns what? Okay.
5 We've got to go back to the database to find out who owns
6 what in this. And this went on for quite some time. It
7 was not an instantaneous thing. They worked on it for
8 months. That's why there's sometimes a delay past the
9 payment period. The money might have sat and couldn't be
10 distributed until we could get an accurate accounting of
11 where it belonged.

12 Q So just to be clear, this Exhibit 30 that
13 produced in response to the Office of Tax Appeals, in your
14 opinion is not an accurate reflection of the amount of
15 money you received?

16 A I'm saying it's part of a worksheet. It's part
17 of a profit and loss detail. It is not complete. I can
18 assure you. I mean, I know there were more pages than
19 that this, and I know that's part of worksheet, which I've
20 seen. This is very typical of something that would come
21 pretax -- pretax filing to discuss distribution of income.

22 Q Now, if you go to page 105 -- and you may not
23 have a copy of that here. So I don't know if I have it
24 online. But Exhibit E, page 105, you may need to pull it
25 up.

1 A I don't have that. It stops at 90.

2 Q Yeah. Can you pull it up on yours?

3 A No wonder you have a six-inch notebook.

4 Q One-O-five?

5 A She's got it. I see it.

6 Q Now, in order to get the money that was
7 identified on Schedule D, it shows on line 10 that you
8 received \$312,000. Do you see that?

9 A I see it. Sorry. I didn't talk into the
10 microphone.

11 Q And the cost of basis of that is -- is zero;
12 true?

13 A That is a zero.

14 Q Okay. And then your overall gain is \$264,898;
15 true?

16 A Two-hundred-and-sixty-four thousand, yeah.

17 Q So that \$1 million gain from Exhibit 30 is not
18 reflected on Schedule D as far as you know?

19 A Once again, they're not connected. I mean,
20 they're indirectly connected, and one is a calculated --
21 one is a form being used to try to figure out what is
22 supposed to be where, what is -- you know, I mean,
23 clearly, he's working on distributions of capital here.
24 The tax forms have to be used, obviously, as the holy
25 grail because that's -- you're -- you're definitive by you

1 hit this point. Unless you have an amended tax return,
2 that's -- that's it.

3 Q Right. But the distribution, you agree, would be
4 taxable income; true?

5 A Of course.

6 Q So if you received a million dollars, it should
7 be reflected on your 2012 tax return; true?

8 A I'm sure he -- as I said, these are worksheets.
9 He's estimating an amount. Now, you have to -- you can
10 ask David if it's this amount plus the other amount does
11 come up to roughly a million dollars. Maybe that's what
12 he's doing here. Maybe he's saying those two together is
13 a million, so we're looking at a million dollars. But I
14 don't -- I don't know. You're going to have to ask David.
15 I did not generate this sheet.

16 Q Okay.

17 A I've looked at a lot of them.

18 Q So is it your opinion that your tax return would
19 be more accurate than what you produce as Exhibit 30?

20 A Well, it's certain -- as I say, tax returns, in
21 my view, are definitive. Barring a -- someone filing an
22 amended tax return, that they would be definitive.

23 Q If you can go to page 121?

24 A Is that in hers, or do I have that?

25 Q You may need to look on that. I'm sorry.

1 JUDGE LONG: I'm going to interrupt --

2 MR. HOFSDAL: Sure.

3 JUDGE LONG: -- actually. So my understanding is
4 that the assessed amount isn't actually in dispute. It's
5 a question of whether it's sourcing a California source
6 income and whether Mr. Fisher was a California resident
7 and --

8 MR. FISHER: That's true.

9 JUDGE LONG: -- I just want to make sure that we
10 are staying on track with respect to the actual things
11 that are in dispute in this appeal. And it's unclear to
12 me where we're going with this, and we're just -- I want
13 to make sure we have enough time to get through it.

14 MR. HOFSDAL: Sure. Sure. Sure. I certainly
15 understand that. I just wanted to have a record of the
16 fact that there's a date January 20th, and the question is
17 whether or not the money may have been received before or
18 after that date. The only document in the record that
19 supports a date of receiving those documents prior to
20 January 20th is the Exhibit 30.

21 MS. TURANCHIK: And may I point out Exhibit 30
22 was produced in direct response to the OTA's question
23 regarding when payment was physically received by
24 Mr. Fisher. Hence, why that one page or two page, I think
25 it is, exhibit was provided. It has nothing to do with

1 what was put on the tax return. It's literally in direct
2 response to the questions that we received as to what was
3 the date of receipt of payment. And our position is Todd
4 received that payment, and I think it was April --
5 whatever the date is.

6 MR. FISHER: It shows --

7 MS. TURANCHIK: That's the only relevance of this
8 particular document. It's got nothing to do with the
9 reporting of tax return.

10 JUDGE LONG: Okay. And yeah, I think we
11 understand FTB's position that this million dollars wasn't
12 reported. Let's move on, please.

13 MR. HOFSDAL: Okay. And just one more question
14 on the tax return, and I apologize.

15 BY MR. HOFSDAL:

16 Q This is a little bit more date relevant, and I'm
17 going looking at page 121.

18 A I'm going to let David answer that one.

19 Q And if you could just give us an understanding of
20 what sale of display items were. What did you actually
21 sell that fits in that category, sale of display items?

22 A Sale of display items, I see the dates. The
23 gross sales is \$391.

24 Q Yeah.

25 A So in the -- in the collection, there are

1 mannequins, display cases. Every single display had a
2 video monitor. It also had video playback devices that
3 went with it. Set decorations, you know, you know, trim
4 stages, risers, platforms; there's a lot of apparatus that
5 goes into presenting a museum in a 25,000 square foot
6 building, which is what the Paley Center was. So much of
7 that belonged to us. Some of it was probably liquidated.

8 Q And prior to the Paley auction, where was all of
9 this risers and all this stuff?

10 A A lot of it was actually purchased for the Paley
11 Center and then sold after because we were not going to do
12 a museum. It was just bought for the purposes of the
13 museum.

14 Q And you received a profit based on those items
15 you bought for the Paley --

16 A It's hard to say. There's no way he's going to
17 report a profit unless there was one. So I'm assuming
18 there's enough things in here where there was things that
19 were being calculated in there that did show a profit.

20 Q Yeah. Because if you go to line 24 it just shows
21 a gain. That's what I'm asking.

22 A Well, I'm very good at buying things at auction.
23 So a lot of things that I do buy are at auction. And then
24 when I flip them, there is a -- this argument goes on
25 between Dave and I a lot. I can assure you.

1 Q Sure.

2 MR. HOFSDAL: Can I take a break for a couple of
3 minutes?

4 JUDGE LONG: Well, we're actually going to take a
5 break at 4:30. So we should just power through.

6 MR. HOFSDAL: Sure.

7 BY MR. HOFSDAL:

8 Q Now, I want to talk a little bit about the homes
9 at 1700 and 1720 Coldwater Canyon Road?

10 A Sure.

11 Q Who owned the 1700 address?

12 A At what point?

13 Q 2010, 2011, 2012?

14 A Carrie.

15 Q And who owned 1720?

16 A Eventually, my mother bought it from whoever, the
17 realtor. You know, I don't know the prior owner, but my
18 mother bought later. That would have been later.

19 Q Right. And what year did your mother purchase
20 1720?

21 A I don't know the exact date. It was the latter
22 end of the -- I guess -- I don't know the exact date. I'd
23 be reaching. It's just so long ago.

24 Q Other than the owners of 1700 and 1720, is there
25 anybody else who lived at those properties?

1 A Well, 1700, Carrie's house, was purchased by me,
2 and then moved into -- and then I put it into the Carrie
3 Fisher Living Trust. That happened in '12. You probably
4 know this better than I do. I don't remember the exact
5 date. That was done because my mother was very concerned
6 about Carrie's mental illness, and was concerned she could
7 lose the house. So it was determined that if we paid off
8 the mortgage on the house, and then we contributed the
9 house to a trust, no matter what happened Carrie couldn't
10 lose her house.

11 That was really important to my mother in her
12 latter days. Especially after the auction, she wanted to
13 make sure Carrie was settled. So in that respect, it was
14 owned by me for a minute, and was then by the --
15 eventually, to this day, it's still own by the trust.

16 Q But my question was, other than the owners, who
17 occupied that --

18 A Oh, who occupied that with Carrie? Nobody lived
19 with Carrie. And my mother had a personal assistant that
20 lived with her later -- much later on. And he's kind of
21 house sitter as well. His name was Donald Light,
22 L-i-g-h-t.

23 I'm treating you right over there.

24 Q And -- and when did Donald light move into or
25 lived in 1720?

1 A So Donald Light ran the gift shop at the hotel
2 from 1994 through 1997 or 8. And when that was over, he
3 assisted in moving and closing everything down. And then
4 he became my mother's personal assistant. He didn't live
5 with her, though, until she purchased that Coldwater
6 house, then he became sort of the house sitter. He also
7 moved things around for my mother all the time. So he
8 would have been responsible -- if my mother is, say,
9 coming home to a certain house, he would be responsible to
10 move the things she needed to that house. That include
11 the ruby slippers or anything that my mother might want.
12 And those things got moved around a lot.

13 Q Going back to the two properties in your -- the
14 licenses as an electrical contractor, did you ever perform
15 any electrical work on either of those homes that required
16 you to pull a permit from the City of Los Angeles?

17 A Not that I recall. I did do something for my
18 mother's house where we upgraded her panel. So might have
19 pulled a permit for her panel, possibly. We did changer
20 her electrical panel in that house. It was old from
21 the -- you know, from the 1930s.

22 Q Yeah. And looking at the -- at the permit, it
23 looks like that was done in 2006.

24 A Oh, so it did happen. There you go.

25 Q And that happened in 2006; true?

1 A That could be.

2 Q All right. So again, going back --

3 A Actually, the -- the '06 might have been
4 something I might have done for Carrie.

5 Q Okay.

6 A Because Carrie also had to have a panel upgrade
7 because her house was built in 1932.

8 Q Okay. Okay. And that would have been around the
9 same time when you pulled the permits like --

10 A No. Debbie's was after.

11 Q Okay.

12 A It was -- we had blackout during one of Carrie's
13 birthday parties, and that required immediate intervention
14 so that's how that happened.

15 Q Right. So in light of that, would you change any
16 of your prior testimony with regards to when the last time
17 and you worked under your contractor's permit?

18 A No, because I don't consider working for family
19 business work. I didn't get paid for it. I should have
20 charged her, but I didn't.

21 Q You did pull a permit though; true?

22 A I did. You have to do that when you're going to
23 disconnect the utility. So you know how that work.

24 Q And you used your contractor's -- the license in
25 order to get the permit to do that work; true?

1 A I've maintained that license since the 80s, yes.

2 Q Okay.

3 A I still have that license active.

4 Q I want to talk a little bit; you had mentioned it

5 earlier about the -- about the Bright Lights documentary?

6 A Sure. Sure.

7 Q If you go to our Exhibit AA, let's take a look at

8 it. You may know, and may not --

9 A Where is that in the pile?

10 Q It's right before your Exhibit 30.

11 A Oh, okay. Got it.

12 Q Bright Lights was nominated in the Emmy's for --

13 let's go to the year -- 2017 for --

14 A Documentary.

15 Q -- documentary; true?

16 A Yeah.

17 Q And nonfiction programming and all that kind of

18 stuff; true?

19 A Yeah. Correct.

20 Q And there's no doubt in your mind that it was a

21 documentary; true?

22 A It's -- it's -- I used to say that it's -- it

23 really is a documentary. It doesn't conform to all of the

24 rules of documentary, but we do allow the penguins to get

25 eaten by the sharks in the story. Which means that we

1 tell story -- we -- we expose a lot of truths that
2 otherwise be uncomfortable. So I would say it is a -- in
3 many ways it conforms to a true long-form documentary.

4 Q Sure. And prior to premiering on Cinemax --

5 A HBO.

6 Q -- or HBO, it was on various festivals, including
7 the Hot -- the Hot Springs Documentary Film Festival?

8 A Yeah. It went to 30 --

9 Q Cannes and --

10 A Yeah. A lot of places.

11 Q A bunch of places. True. Yeah. A couple of
12 quotes from the movie, as your aware of, and this is in --
13 in Bright Lights at 4 minute and 14 minute mark. And your
14 sister Carrie said, "Mother and I live next door to each
15 separated by one daunting hill. I usually come to her
16 house. I always come to her."

17 A I always come to her. She says it twice.

18 Q She says it twice. Was your sister truthful when
19 she said that she was living next door to each other?

20 A So as I testified earlier, this is later in my
21 mother's life where she's very ill. She could not travel
22 and tour as much, and she is spending considerable more
23 time with Carrie. And in the literal sense, they were
24 separated by a daunting hill. And that is true. Carrie
25 did have to come to her 'cause my mother couldn't -- was

1 not in good enough physical condition to make the hill up
2 to Carrie's house, which was tough. It's a big hill.
3 But, at this point, they're becoming, you know, pretty
4 good friends. And as I testified, it was a nice thing to
5 see after decades of struggle.

6 Q Okay. And then at the 30-minute, 38-second mark,
7 you were quoted as saying, "My mother has always liked the
8 idea of living in the compound. It has actually turned
9 out pretty good. She has been there a very long time, and
10 they've obviously survived the decades of being there."
11 Do you recall saying that?

12 A Sure.

13 Q Were you truthful when you said that?

14 A Well, which compound do you think I'm talking
15 about?

16 Q The --

17 A There are three.

18 Q The Can -- the -- the Canyon, the place where
19 Carrie was living and your mom --

20 A I know what you're --

21 Q Yeah.

22 A What you want it to be.

23 Q Yeah.

24 A But what I'm telling you is I'm not referring --

25 Q Okay.

1 A I'm referring to generically speaking the
2 compound living that my mother liked.

3 Q Okay.

4 A My mother, in effect, built compounds in three
5 locations. Carrie's house was one of the compounds.
6 Vegas was a compound. Carrie spent a lot of time in
7 Vegas. Especially as my mom got ill and had a stroke,
8 Carrie moved into our house. In fact, to this day, I have
9 Carrie's bed in one of my bedrooms there 'cause she had
10 moved in there as well. So when I -- what I'm talking
11 about in that documentary is my mother loved the compound
12 lifestyle. She always did. And she was spending a lot
13 more time with Carrie because of that. And because she
14 was so ill, she was be able to spend more time with her.

15 So I'm not really challenge what I said, but I'm
16 telling you there are three compounds. So this is a part
17 of what we were talking about in the early part of my or
18 her testimony -- as Lydia's testimony as well. When we
19 say house, we mean something perhaps different than your
20 traditional definition that you might use. When I say
21 compound, I said to you what? Which one? It's all I'm
22 saying. You can't assume that I was only referring to the
23 Vegas one.

24 Q And the -- and we all agree that the Bright
25 Lights reflects the living situation, at the time it was

1 filmed, between your mom and your sister; true?

2 A I -- I've said before. That was the time they
3 spent the most time together. She traveled the very --
4 the least, but she was spending more time there than ever.
5 I mean, you guys have pretty good records. I know because
6 you're bringing up some obscure stuff. So you know my
7 mom's schedule. You certainly know her tax returns for
8 decades, and you could -- I -- you probably know off the
9 top of your head. How many years was she a Nevada
10 resident? Probably like 50. It's a lot. It's a big
11 number.

12 JUDGE LONG: We have to take our break here. But
13 before we do, similar to my reminder to Mr. Fisher, I do
14 want point out that we aside two-and-a-half hours for
15 cross-examination. We are at the hour mark now. I do
16 want make sure that you have the time that -- or that you
17 have time to ask questions of the other witnesses.

18 So if we could take a 15-minute break, and when
19 come back hopefully we'll wrap up cross-examination of
20 Mr. Fisher. We will go till 5:30 this evening. So
21 hopefully we'll have time for redirect. And also, I know
22 that I have questions, and I'm sure that my co-panelists
23 have questions as well. So it's perhaps an ambitious
24 schedule for the next hour, but we'll do what we can.

25 MR. FISHER: Let's go for it.

1 JUDGE LONG: I will see everyone at 4:45.

2 (There is a pause in the proceedings.)

3 JUDGE LONG: All right. Let's reopen the record.

4 Mr. Hofsdal, I realize I kind of missed the line
5 on our last break so, in this case, action.

6 MR. HOFSDAL: Fair enough. We're done with our
7 questions for Mr. Fisher.

8 JUDGE LONG: Thank you.

9 Would you like to do redirect?

10 MS. TURANCHIK: The only issue that we have is
11 the question of the specific pieces of memorabilia that
12 are being sourced to Todd. There's no disagreement in
13 terms of who owns what. There's obvious disagreement in
14 terms of where these things were. Todd can go through
15 this item by item and identify what was where. That
16 process will take some significant time.

17 So we'd prefer, if FTB would agree, to allow us
18 to simply submit a declaration where Todd says: Lot 1
19 Vegas, lot 10 Creston, lot 15 Tennessee. Just so we don't
20 have to walk through this whole procedure.

21 MR. FISHER: Or hit the highlights.

22 MS. TURANCHIK: Well, I have already teed you up
23 to do the ones valued over \$10,000 but again, that would
24 still leave some of the smaller item out there. So I'm
25 curious if FTB would be willing to allow us to do that via

1 declarations so we don't have to walk through every single
2 item, and where our position is in terms of where it was
3 located.

4 MS. SWAIN: When you say declaration, what
5 exactly do you mean?

6 MS. TURANCHIK: Just to supplement this record
7 with a statement from Todd saying: Lot 1, June 2011
8 auction was located in Creston; lot 10, 2011 auction was
9 located in Vegas. Just so I don't have to put him through
10 the-- walking through those paces now.

11 MS. SWAIN: Yeah. I mean, I think --

12 MS. TURANCHIK: And then obviously you would have
13 an opportunity if you wanted to challenge it and come back
14 for additional information.

15 MS. SWAIN: Yeah. Yeah. I don't think we would
16 object to that, if the -- if the panel wanted to go
17 forward with keep -- I think it would involve keeping the
18 record open --

19 MS. TURANCHIK: Yes.

20 MS. SWAIN: -- if you think that would be the
21 most efficient way to do that. I think that, at this
22 point, you know, maybe there's another solution that we
23 can come up with is if we say, you know, we're talking
24 about items that were above \$500,000 or something along
25 those lines, or \$200 and above. Because I think that's

1 just a significantly smaller number. We could do that.

2 MS. TURANCHIK: And that's the problem I'm
3 dealing with. Just so you guys understand. We have about
4 15 to 20 items that are valued more than \$10,000, which we
5 could easily deal with. There's another 100 or so that
6 are \$200 posters here, there, everywhere. So that's my
7 concern. I don't want the record to be completely deplete
8 of what our position is on the location of these.

9 Because as Mr. Fisher testified, we do
10 acknowledge that some of these smaller items, some of the
11 easier compactible things, primarily posters, some of that
12 was maintained in Creston. So we don't want there to be
13 this perception we're all or nothing here. That if we end
14 up having to try and source this, we want to make sure the
15 record is clear in terms of what the agreements are
16 between us on that sourcing. And I think maybe it sounds
17 like we could discuss this overnight and maybe get a
18 resolution that way?

19 MS. SWAIN: I think so. I think so. I think
20 we -- we could certainly do that if -- if the interest is
21 to try to close the record tomorrow as well.

22 JUDGE LONG: Okay. Yeah. That sounds like a
23 good idea.

24 I also -- Ms. Swain, if you could speak a little
25 closer to the microphone when you talk into it.

1 MS. SWAIN: Sorry, Judge.

2 JUDGE LONG: It's all right.

3 And then I do want to ask, though, follow up. I
4 understand your position with respect to bringing items
5 into California for the purpose of the sale does not
6 constitute being located in California for the purposes of
7 reporting income taxes. But is there any dispute that the
8 items were physically in California at the time of the
9 auction?

10 MS. TURANCHIK: There is none. Every item that
11 is identified on -- as allocable to Todd was located in
12 California for purposes of the auction during 2011, yes.

13 JUDGE LONG: Okay. Thank you. Did you have any
14 further redirect then?

15 MS. TURANCHIK: We do not, not based on
16 examination.

17 JUDGE LONG: Okay. Then very quickly I am going
18 to turn things over to my co-panelists and see if they
19 have any questions.

20 Hearing Officer Parker, do you have any
21 questions?

22 HEARING OFFICER PARKER: I have no questions at
23 this time.

24 JUDGE LONG: Thank you.

25 Judge Gast, do you have any questions?

1 JUDGE GAST: I will ask questions tomorrow. They
2 are related to the tax return stuff. Thank you.

3 JUDGE LONG: I do have a few questions. My
4 understanding is Mr. Fisher and Ms. Hickland, you met
5 in -- re-met in early 2010; is that correct?

6 MR. FISHER: Yes.

7 JUDGE LONG: And the timestamp on the photo is --
8 for your move-in date photo is April 20th, 2010, and then
9 Ms. Hickland's Las Vegas home sells May 2011. I'm
10 presuming you lived, resided in -- or at least you're
11 asserting you resided in Ms. Hickland's home during that
12 period of April 20th through May 2011?

13 MR. FISHER: Yes.

14 JUDGE LONG: Okay. And then earlier you
15 mentioned that you prepaid the lease for the Dornoch?

16 MR. FISHER: Once her house sold --

17 JUDGE LONG: Okay.

18 MR. FISHER: -- I -- I prepaid the lease on that
19 myself.

20 JUDGE LONG: And then is the lease paperwork or
21 any record of the prepayment in the exhibit?

22 MR. FISHER: We -- we tried to find that at one
23 point. I'm not saying it's -- we -- we ended up holding
24 on to a lot of things you normally wouldn't hold onto
25 because of this ongoing endless, you know, amount of time.

1 So we do -- we did keep records way past, so there could
2 be something. But I think, you know, she can testify to
3 the same thing. Hopefully that would be adequate. But
4 you know, that is what happened. I mean, we could track
5 it somehow maybe. When it first came up I want to say --
6 I don't know if you were involved in that. But somebody
7 from the FTB brought that up awhile ago, and we were not
8 able to find it way early on in the investigation. But
9 this is way -- this is like '14, '13.

10 JUDGE LONG: Sure I understand. And then I just
11 want to turn my attention -- I believe it was answered,
12 but I just want to verify regarding your stepson, that he
13 definitely lived in California in 2010 and 2011 because he
14 lived at the ranch; right?

15 MR. FISHER: Yes.

16 JUDGE LONG: Okay. And then my understanding of
17 the contentions is here is that the bankruptcy court
18 required you to have the auction in California. Is that
19 accurate?

20 MR. FISHER: Actually, they wanted me to manage.
21 I mean, that was the order. The written order from the
22 judge was that I manage the affair, and that we choose an
23 auctioneer that had to be approved by the court and also
24 by the creditors. So four different auction houses were
25 provided as alternates, and I gave my opinion as an expert

1 in that field. And the court said we want to go with what
2 you think is best. You're the best person to manage this.
3 And that's when I got essentially stuck managing it. And
4 I'm not complaining about the fact that I had to manage it
5 'cause in the end I was the best person to make sure that
6 we maximize the value the way that we did.

7 JUDGE LONG: Okay. And then so then initially
8 the bankruptcy provided a plan to use Christie's. Was
9 that just not one of the options allowed by the court
10 or --

11 MR. FISHER: That was one of the four that
12 submitted. Sotherby's, Christie's, Profiles, and Heritage
13 all submitted plans. The best deal we -- the long and the
14 short of it is zero percent seller commission. Pretty
15 much unheard of. So the seller -- now the buyers who
16 bought had a commission that they had to pay, but the
17 sellers normally get charged up to 20 percent or more. It
18 depends on the situation but minimum 10, 15 percent. We
19 had a zero percent sellers fee for selling in this
20 auction. That's remarkable. That was a deal that was
21 hard to come by.

22 JUDGE LONG: Okay. And then I just want to ask a
23 clarifying question. I'm sorry to turn our attention back
24 to the tax returns. But -- so with the 2011 return, you
25 did report 75 days, and then you provided a calendar

1 showing 151 days. Is there just -- is there an
2 explanation for those differences?

3 MR. FISHER: Well, when -- when these tax returns
4 are put in front of me, it was long before anybody asked
5 to generate a calendar. So at the time that tax return
6 was done, I'm sure that was our best understanding at that
7 moment. If I generated a calendar later that showed the
8 150, which I can't -- I'd have to see the document. I,
9 you know, I'm sure you might have it somewhere. But it
10 was -- I would -- I would say the only time I spent that
11 much time in California was due to auction. Because I can
12 guarantee you in 2010, not a chance.

13 I mean, I -- I just showed pictures where we're
14 all over the country month after month after month after
15 being in Vegas before that. I mean, there's just no
16 chance. So if that's what it -- if that's truly what it
17 reflects, then that would be inaccurate. And I'd have to
18 look at that again, but I would be surprised. And '12,
19 during the auction period, when we were building the
20 auction up, building the museum in Paley Center, it
21 wouldn't shock me if I spent that much time in California.
22 Now, I had no option.

23 JUDGE LONG: Okay.

24 MS. TURANCHIK: Judge Long, can I just clarify
25 with FTB what exhibit they're referring to when they

1 reference this 150 days claimed by Todd residency?

2 MR. FISHER: It's -- it's in the packet. I
3 believe it's Exhibit L.

4 MS. TURANCHIK: Exhibit L. And that's -- that's a
5 Todd calendar?

6 JUDGE LONG: Yeah, L is the is the blog post,
7 actually.

8 MR. HOFSDAL: Oh, no. Excuse me. I'll look it
9 up. It's in the packet I provided to Mr. Fisher. I
10 believe it is -- bear with me a moment.

11 MR. FISHER: I did see a calendar somewhere.

12 MR. HOFSDAL: It's -- it's the colored -- I --
13 Exhibit I. I'm sorry.

14 MS. TURANCHIK: Thank you, Ron.

15 MR. HOFSDAL: Yes.

16 MR. FISHER: You know, I'd be happy to -- I
17 haven't seen this document in 10-plus years. You know,
18 I'd be happy to look it over and see what it is. A lot of
19 trouble was -- went into generating this calendar later at
20 the request of FTB. So I would suggest that the calendar
21 is accurate and was generated against receipts and
22 different things that we used at the time. However, if I
23 found something on the calendar that subsequently did not
24 reflect the photo record, which I didn't get into until
25 recently, we generated these photo inventory -- whatever

1 you want -- timeline as it were.

2 Then I'd have to -- I would have to refer to the
3 photos as being the definitive guide. Whatever we used
4 here compared to that, I mean, this to me is a pretty
5 solid source. Those are date and timestamps on the
6 photographs. Good or bad, they are what they are.

7 JUDGE LONG: Thank you.

8 I don't have any further questions.

9 What I think at this time we should do --
10 Ms. Hickland, you'll be here tomorrow, right?

11 MS. HICKLAND: Yes.

12 JUDGE LONG: I doubt -- I don't think we have
13 time to do a full witness testimony and cross-examination
14 in the next half hour, so let's call it a night. We'll
15 come back tomorrow, and we will hear from Ms. Hickland and
16 then other witnesses.

17 And that concludes our hearing for the day. We
18 will resume at 9:30 tomorrow Thursday, October 16th, 2025.

19 Thank you.

20 We're off the record.

21 (There is a pause in the proceedings.)
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HEARING REPORTER'S CERTIFICATE

I, Ernalyne M. Alonzo, Hearing Reporter in and for
the State of California, do hereby certify:

That the foregoing transcript of proceedings was
taken before me at the time and place set forth, that the
testimony and proceedings were reported stenographically
by me and later transcribed by computer-aided
transcription under my direction and supervision, that the
foregoing is a true record of the testimony and
proceedings taken at that time.

I further certify that I am in no way interested
in the outcome of said action.

I have hereunto subscribed my name this 1st day
of December, 2025.

ERNALYN M. ALONZO
HEARING REPORTER