

FILED

SEP 29 1998

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

NANCY DOHERTY, CLERK

BY Deputy *TDS*

1	UNITED STATES OF AMERICA	.	Civil No.
2		.	3:95-CV-550-X
3	vs.	.	
4		.	Dallas, Texas
5	TEXAS DATA CONTROL, et al	.	August 25, 1998
6		.	
7	

VOLUME 3-C
TRANSCRIPT OF TRIAL
[Testimony of John Battaglia]
BEFORE THE HONORABLE JOE KENDALL,
UNITED STATES DISTRICT JUDGE,
and a Jury

APPEARANCES:

For the Government:

Ms. Katherine Savers McGovern
Assistant United States Attorney
U.S. Courthouse, Third Floor
1100 Commerce Street
Dallas, Texas 75242
(214) 659-8600

Mr. Robert P. Fletcher
Attorney at Law
Nixon Hargrave Devans & Doyle
One Thomas Circle, Suite 800
Washington, D.C. 20005
(202) 457-5323

For the Relator:

Mr. Robert M. Clark, Jr.
Attorney at Law
Eddleman, Clark & Rosen
4627 North Central Expressway
Knox Central Place, Suite 2000
Dallas, Texas 75205-4017
(214) 528-2400

Mr. James F. Lane, P.A.
Attorney at Law
823 Parkway Street, P.O. Box 2091
Conway, AR 72033-2091
(501) 329-7749

438

km

1	For Defendant TDC:	Mr. Michael Lynn Mr. Thomas M. Melsheimer and Ms. Renee Skinner Attorneys at Law Lynn, Stodghill, Melsheimer, Tillotson, L.L.P. 750 N. St. Paul Street, Suite 1400 Dallas, Texas 75201 (214) 981-3800
2		
3		
4		
5		
6	For Defendant FIServ/ Data Line:	Mr. Edward Soto and <i>CAYNALE METHYAN?</i> Mr. Robert Santiago Attorneys at Law Weil, Gotshal & Manges L.L.P. 701 Brickell Avenue, Suite 2100 Miami, Florida 33131-2861 (305) 577-3177
7		
8		
9		
10	For Defendants CSC and CSC Logic:	Mr. James C. Dougherty Attorneys at Law Gibson, Dunn & Crutcher L.L.P. 1050 Connecticut Avenue, NW Washington, D.C. 20036-5306 (202) 955-8679
11		
12		
13		
14		Mr. Timothy J. Hatch Attorney at Law Gibson, Dunn & Crutcher L.L.P. 333 South Grand Avenue Los Angeles, California 90071-3197
15		
16		
17		
18	For Defendants Telacu/ Carpenter and Carpenter & Company:	Mr. David Elson Attorney at Law Manatt, Phelps & Phillips 11355 W. Olympic Boulevard Los Angeles, California 90064 (310) 312-4151
19		
20		
21		
22	For Defendants First Mortgage Associates, First Mortgage Corporation and Mitchell Sweet & Associates Educational, Inc.:	Mr. James Armstrong Attorney at Law Sacks Tierney, P.A. 2929 North Central Ave., 14th Floor Phoenix, Arizona 85012 (602) 279-4900
23		
24		
25		

1 Official Court Reporter: Deborah M. Roberts, CSR
2 1100 Commerce Street, Rm. 14A20
3 Dallas, Texas 75242
4 Metro (817) 239-2037

5 Proceedings recorded by mechanical stenography, transcript
6 produced by computer-aided transcription.
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEXRELATOR'S EVIDENCE

Witnesses:	Direct	Cross	Redirect	Recross	Voir Dire	Court
John D. Battaglia	5	57	--	--	--	--
	--	62	--	--	--	151

RELATOR'S DOCUMENTARY EVIDENCE

<u>Exhibit</u>	<u>Offered</u>	<u>Admitted</u>
9	17	16
14	18	18
15	19	19
16	20	21
17	24	24
23 - 27	27	27
30 - 33	27	27

DEFENDANT TDC'S DOCUMENTARY EVIDENCE

<u>Exhibit</u>	<u>Offered</u>	<u>Admitted</u>
760	144	146