

1 Q And he'd use those proceeds --

2 A The bank where I bank knew him, too, and
3 they knew he was representing me, you know. So he had no
4 problem cashing a check.

5 Q Did he have a bank account some place?

6 A I couldn't tell you that.

7 Q Okay.

8 A I don't think he did though. I honestly
9 don't think he did. Because I never seen a checkbook
10 around the house.

11 Q And you didn't know where his money was
12 coming from.

13 A No.

14 Q Except what he got paid at Gold's Gym. Do
15 you know how much he got paid there?

16 A I have no idea.

17 Q Do you have any idea of what he would be?

18 A It appeared to be pretty much.

19 Christ, he even bought a house.

20 Q Is that right?

21 A He even bought a house. I don't know how
22 he bought a house.

23 Q Did you ever sit him down and ask him,
24 Pete?

25 A No.

1 Q Why not?

2 A Because he wasn't bothering me. He wasn't
3 bothering me. He wasn't -- you know, most of my
4 conversation with him was on the phone.

5 And, you know, he was still nice to me. He
6 was nice to my family. So, you know. I talk to his mom
7 all the time. His brother even came to stay with us one
8 time; Joe.

9 I thought he was just financing everything.
10 And he had a good steady job. I don't know what the hell
11 the job paid. Probably paid three-fifty, four hundred a
12 week I guess. I don't know. I don't see how it would pay
13 much more.

14 Q When did you first meet Don Stenger?

15 A Probably about the same -- I met him before
16 Janszen because it seemed to me that whenever Tommy was at
17 the Gold's Gym, Don Stenger was there. It was like Mutt
18 and Jeff. You know, Don's about six-five and Tommy's about
19 five-five.

20 And they just were all -- they were
21 inseparable. They always hung together; they always worked
22 out together.

23 Q Gio and Stenger?

24 A Yes, they just spotted for each other. But
25 I don't know what Don did when he left the Gym. He always

1 had a girlfriend with him.

2 Q Was Don an investor in the Gym?

3 A I couldn't tell you. I couldn't tell you.
4 Don was one of those guys that -- he won a lot of those
5 contests. So I don't know if he even paid to work out. He
6 was real good friends with Matt Mendenhall, who was the
7 brother-in-law of Joe Fry, who supposedly owned Gold's Gym.
8 Matt Mendenhall was a World Champion.

9 Q I see.

10 A And, you know, they were pretty good
11 friends. I couldn't tell you if Don Stenger was part owner
12 of that place.

13 Q Did you ever take Stenger on the road with
14 you; a road game, baseball season?

15 A Not to my knowledge. Not to my knowledge.

16 Q By the way, Pete, I forgot to ask you. The
17 records of the Reds reflect that, at least under your name,
18 Ron Peters had tickets to the Cincinnati Reds ball games.

19 Do you know how that could happen? I mean
20 you'd have to ordered them; wouldn't you?

21 A No. Hell, I could put your name down
22 tomorrow night if you wanted tickets. Tommy might have
23 called and said I need two tickets for Ron Peters, before I
24 met him, I don't know.

25 All I do is put, "Rose 2 Peters". And they

1 go to Gate 13 and pick them up. I mean on the way up here
2 Reuven Katz called and said he needs four for Stu Katz
3 tomorrow night. I mean we're allowed, you know, tickets
4 per day.

5 Q I know. But are you the guy that's got to
6 put in for them?

7 A You have a pass list.

8 Q I mean Gio can't call the front office and
9 say I want two tickets under Pete Rose's name; can he?

10 A No. No.

11 Q That's what I'm talking about. The Reds'
12 records --

13 A But he could call me.

14 Q Well, that's what I'm saying.

15 A Yes. I don't remember doing it, but he
16 could have called me. I mean I used to leave tickets for
17 Janszen all the time.

18 Q Right. But I'm talking about Ron Peters
19 now.

20 A I can't remember --

21 Q The Reds' records show in '86 he went to a
22 ball game. It says Peters, ordered by Pete Rose. '87 it
23 says Peters, ordered by Pete Rose.

24 A Well, that's -- like I say, that's totally
25 possible.

1 Q Okay.

2 A I mean if Tommy asked me for -- I don't
3 think the records say that Ron Peters called and asked me
4 for them tickets.

5 Q No. Pete, I don't know who called and
6 asked. All I know is Pete Rose is telling the front office
7 give me a couple tickets for Peters.

8 A No, no, I don't -- you don't do it that
9 way. All you do --

10 Q Well, tell me how you do it.

11 A Every day we go in there, there's a piece
12 of paper about as big as that green thing (indicating.)

13 Q Yes.

14 A And you just put names. Rose 2 Peters.

15 Q Okay.

16 A Rose 2 Dowd.

17 Q All right.

18 A And you get two tickets.

19 Q All right, I just want to know. I don't
20 know how you do it. I just wanted you to know that's what
21 their records show.

22 A And I'd have to see that to believe that.
23 Because I usually don't put the full name. I mean, you
24 know, I would put Rose 2 Peters.

25 Q Let me see if I can get it for you and

1 we'll let you take a look at it.

2 A Okay. Or I would put Rose 2 R. Peters.

3 Q Okay, well, we'll show it to you and you
4 can take a look at it and see if it helps you.

5 Did Don Stenger ever loan you any money?

6 A Not at all.

7 Q Not a dime?

8 A No.

9 Q How about Mike Fry?

10 A Never.

11 Q Did he ever give you seventeen thousand
12 dollars?

13 A Mike Fry?

14 Q Yes, sir.

15 A He didn't give me nothing. There would be
16 no reason for him to give me -- could I see that?

17 Q Yes, sure. Exhibit 6 which is -- let me
18 just describe it for the record, Pete. It's a courtesy
19 ticket request. You have to look at it closely because the
20 copying is not too good.

21 MR. DOWD: What's the date on that? Do we
22 have a date on this one, Terry?

23 MR. LYNAM: Yes, we have to match it. It's
24 5-30-86.

25 MR. DOWD: 5-30-86, okay.

1 (Whereupon, Exhibit Number 6 was marked.)

2 THE WITNESS: How come the first four are
3 so clear and the other ones ain't?

4 MR. MAKLEY: I don't know. I wondered that
5 myself. Did you notice that? The first four names
6 on there are perfectly clear and the last two are
7 --

8 MR. DOWD: Right.

9 MR. MAKLEY: -- very unclear.

10 MR. DOWD: That's the way we received it.
11 We'll be happy to go back to the Reds and ask to
12 take a look at the -- have we got the originals or
13 the Reds kept the originals?

14 MR. MAKLEY: I was just wondering, John, is
15 that the -- was it that way on the original or is
16 that just the way it copied?

17 MR. LYNAM: That's the way we got it.

18 MR. DOWD: That's the way we got it. And I
19 think we got copies. But I'll be happy to...

20 MR. PITCAIRN: Have you got another one you
21 want him to look at?

22 THE WITNESS: Are they saying on this that
23 I left all these tickets right here?

24 MR. DOWD: Pete, all I can tell you is what
25 the form says.

1 THE WITNESS: I mean what is the form
2 saying? That's what I'm asking.

3 MR. DOWD: Well, as I understand it --

4 THE WITNESS: Because we're only allowed
5 four tickets a game. I mean this has got down
6 four, eight, eleven, fifteen, nineteen tickets.
7 I've never left nineteen tickets at home.

8 BY MR. DOWD:

9 Q Look at the top, it says for -- see at the
10 top box there on the left? Rose.

11 MR. MAKLEY: He's talking about up here,
12 Pete.

13 A Let me tell you something else. Now, I'm
14 not denying this Peters thing.

15 Q I know you're not.

16 A Let me tell you something else.

17 Q Sure.

18 A That if you, you, you and you want to go to
19 the game tomorrow night, okay? I could go ask Helms,
20 Perez, May and Rose for tickets. And I can put your name
21 down.

22 I can guarantee you that I never left
23 nineteen tickets for any home game.

24 Q Okay.

25 A And that's what it says right there. I

1 left nineteen tickets.

2 Q All right. All right.

3 A So --

4 Q I hear you.

5 A That's all I'm trying to tell you.

6 Q All right. Okay, now that's the '86, Pete.
7 And I'll tell you what we'll do. Kevin, if we could try to
8 get a hold of the originals and look at them and --

9 A Because I would think I would --

10 MR. DOWD: I might just send them to you,
11 Rog, take a look at and you sent it back to me. So
12 you can see it.

13 MR. MAKLEY: Yes, I was just curious of
14 whether that was the copying --

15 MR. DOWD: This is the way we got it.

16 THE WITNESS: I mean I would think I would
17 recognize one of the other names on there. You
18 know, all those other names are just...

19 MR. BUCHANAN: I examined the original.
20 That's the way it is and it's not that much clearer
21 than that.

22 MR. MAKLEY: Is that right?

23 (Whereupon, Exhibit Number 7 was marked.)

24 BY MR. DOWD:

25 Q This is '87, 6-5-87, Reds versus Dodgers.

1 And, Pete, look down right about here (indicating). It
2 says Peters.

3 Tell me if you recognize it.

4 A Yes, but, see, that's what I said. Didn't
5 I say that? When I just talked to you a minute ago.

6 Q You did.

7 A That I only put Peters, I don't put Ron
8 Peters down.

9 Q Yes.

10 A What's it got there?

11 Q It says Peters.

12 A Peters.

13 Q Right.

14 A This guy here owns -- Randy Ruppert owns a
15 dealership and this guy is the announcer at River Downs.

16 Q Wait a minute, you've got to give the name
17 so the record gets it, Pete.

18 A Randy Ruppert.

19 Q These are tickets that you're --

20 A As you can see, the Dodgers are a popular
21 team.

22 Q Yes, sir. Is that your handwriting, Pete?
23 That says Rose --

24 A Some of it.

25 Q -- 2 Peters?

1 MR. MAKLEY: What are you referring to,
2 John?

3 MR. DOWD: Where is says Rose, circle 2,
4 Peters.

5 A Well, some of it's written and some of it's
6 printed.

7 Q Right.

8 A Like my brother's name is written; Peters
9 is printed. I don't know who Burgess is.

10 MR. MAKLEY: He's asking you if that's your
11 handwriting.

12 A I don't know.

13 MR. DOWD: We'll still get the originals so
14 you can look at them. I don't want you to have any
15 doubts about what we've handed you here.

16 BY MR. DOWD:

17 Q Did you ever see Mike Fry give Gio money in
18 your presence; cash?

19 A No.

20 Q At any time?

21 A No. No time.

22 Q In the clubhouse?

23 A Clubhouse?

24 Q Yes, sir.

25 A No.

1 Q Mike Fry ever in the clubhouse?

2 A Not to my knowledge.

3 MR. PITCAIRN: John, let us know when you
4 get to a breaking point.

5 MR. DOWD: Yes, just give me a few more
6 minutes here.

7 MR. PITCAIRN: That's fine.

8 MR. DOWD: We're doing well.

9 BY MR. DOWD:

10 Q Did you ever ask Fry to look after the
11 Corvette you won after you broke Ty Cobb's record, Pete?

12 A Ask him to look after it?

13 Q Yes, hold it, take care of it for a while?

14 A No. I think what happened there is Gio
15 told me that he had a spare garage. Because I didn't have
16 no garage space. And he was going to just put it in a
17 garage for me for, what, a week or so with a cover on it.

18 I think he had a cover made in California
19 with 4192 on it.

20 Q So that was Gio, not Fry?

21 A To my knowledge it was. Fry didn't drive
22 that car.

23 MR. DOWD: Okay, Pete, let's break and see
24 you in the morning, all right?

25 (Whereupon, at 7:04 o'clock p.m. the

deposition was adjourned until 8:30 o'clock a.m.,
April 21, 1989, in the same location.)

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C E R T I F I C A T E

STATE OF OHIO)
) SS.
COUNTY OF HAMILTON)

I, Gary L. Baldwin, the undersigned, a duly qualified and commissioned Notary Public within and for the State of Ohio, do hereby certify that before the giving of his aforesaid deposition the said PETER EDWARD ROSE was by me first duly sworn to depose the truth, the whole truth and nothing but the truth; that the foregoing is the deposition given at said time and place by the said PETER EDWARD ROSE; that said deposition was taken by me in stenomask and transcribed by me into typewriting; that I am neither relative of nor attorney for any of the parties for this cause, nor relative of nor employee for any of their counsel and have no interest whatever in the result of this action.

IN WITNESS WHEREOF, I hereunto set my hand and official seal of office, at Cincinnati, Ohio, this

24th day of April, 19 89.

Gary L. Baldwin
Gary L. Baldwin
Notary Public, State of Ohio

My Commission expires:
February 26, 1993

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APPEARANCES (CONTINUED)

ROBERT A. PITCAIRN, JR., Esq.
Counsel for Peter E. Rose
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Also Present:
Ms. Chris B. Twehues, Paralegal
Mr. Joseph E. Daly, Manager, BRI
Mr. Kevin Hallinan, Major League Security

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I N E D X T O E X H I B I T S

NUMBERS:	DESCRIPTION	MARKED
1		
2		
3	No. 8	172
4	No. 9	173
5	No. 10	174
6	No. 11	176
7	No. 12	188
8	No. 13	190
9	No. 14	202
10	No. 15	203
11	No. 16	208
12	No. 17	218
13	No. 18	245
14	No. 19	245
15	No. 20	245
16	No. 21	245
17	No. 22	252
18	No. 23	284
19	No. 24	286
20	No. 25	287
21	No. 26	293
22	No. 27	293
23	No. 28	297
24		
25		

P R O C E E D I N G S

1
2 Whereupon,

3 PETER EDWARD ROSE

4 having been first duly sworn, was called as a witness
5 herein, was examined and further testified as follows:

6 EXAMINATION

7 BY MR. DOWD:

8 Q Pete, is there any testimony that you gave
9 yesterday that you'd like to change or add to or modify?

10 A No.

11 Q Okay. I want you to know that if there is
12 as we go along today, feel free to say so; okay?

13 A Okay.

14 Q Pete, I'm going to, just so you have some
15 idea where I'm going today, we made good progress yesterday
16 thanks to you. And I'm going to cover some points that we
17 covered yesterday.

18 And I want you to understand that it's not
19 to have you repeat stuff, but your answers generate
20 questions and I want to make sure that I've got it clear.

21 A Okay.

22 Q All right?

23 So if it seems like it, just bear with me
24 and I'll do the best I can.

25 I want to go back to Florida, spring

1 training 1987, Janszen and this fellow named Steve. Do I
2 understand you to say that you did introduce Janszen to
3 Steve?

4 A No, I don't think I said that at all. I
5 think what I said is Steve -- Janszen probably met Steve
6 the same time I met Steve and probably Howie introduced
7 both of us.

8 Because the only time I've ever met Steve
9 is in Howie's presence. And I would think that that was
10 one of the days that Paul happened to go to the track with
11 me and we sat at Howie's table and Steve was sitting with
12 him.

13 So I don't know for sure, but I'd have to
14 say that he had to meet him the same time I did. And if he
15 did, it was through the introduction of Howie Bernstein.

16 Q Had you met Steve prior to that?

17 A No.

18 Q 1987?

19 A No.

20 Q And did I understand that -- you know, we
21 were talking about going to the track with Janszen. Did I
22 understand you correctly that after March 19th you really
23 couldn't go to the track because you had ball games?

24 And I'm not holding you to that date --

25 A No, I don't think I said that either.

1 Q Okay.

2 A I thought I said somewhere around the 6th,
3 7th, 8th or 9th.

4 It's easier, John, if you want to put it on
5 the record, that I did not patronize the track once the
6 games started.

7 Q That's what I'm trying to get clear. And
8 I'm not trying to hold you to that date.

9 A It wasn't the 19th of March though.

10 Q Okay.

11 A The 19th of March is ten games into the
12 season.

13 Q All right. Give me the date then because
14 all I --

15 A I don't know the date. I would say
16 anywhere --

17 Q Approximately. I'm not worried about any
18 dates.

19 A From the first week of March.

20 Q All right, the first week of March.

21 A Unless, like I said, unless we had a
22 rainout.

23 Q Okay.

24 A And if we had a rainout and it was a home
25 rainout where it was called before one o'clock or so, then

1 it's possible I could go to the track. But any time there
2 was a game, I never went to the horse track.

3 Q While Janszen was with you down there, was
4 he betting with Chevashore?

5 MR. MAKLEY: Chevashore now is Steve?

6 Q Steve; I'm sorry. Steve.

7 MR. MAKLEY: When he said Chevashore, he's
8 talking about Steve.

9 A Well, I couldn't tell you. He was betting
10 at the race track.

11 Q Well, was he betting with Steve on sports
12 action?

13 A No. Not to my knowledge.

14 Q Pete, I have information that he was and I
15 have information that he was doing it on your behalf.

16 A Well --

17 Q Let me just finish so you understand. You
18 know, it's just the same thing I said at the beginning of
19 this. I just want to put it out there, give you an
20 opportunity to address it, deny it, talk about it, whatever
21 you want to do; okay?

22 And that Chevashore was then placing these
23 bets with a bookmaker named Val in New York. Have you ever
24 heard of a bookmaker named Val?

25 A No.

1 MR. MAKLEY: Val did you say?

2 MR. DOWD: Val. V-a-l.

3 A Val? I don't know no Val in New York.

4 Q Staten Island, New York.

5 Did you ever talk to a person on Staten
6 Island, New York by the name of Val?

7 A No. I'm trying to think where Mikey lives
8 now. I think he lives in Staten Island.

9 Q All right. I'm not talking about Mike
10 Bertolini.

11 A Well, that's the only one I've talked to
12 from Staten Island.

13 Q And I'm told that Janszen was betting with
14 Chevashore on your behalf and that -- on sports action, and
15 that they had to settle up every Monday with Val in New
16 York.

17 Do you know anything about that?

18 A Nothing.

19 Q And I'm also told that you were behind in
20 your debts and that you gave Janszen and Chevashore checks
21 of yours to pay that sports action. And that some of those
22 checks bounced and Howard Bernstein helped get them cashed.

23 Do you know anything about that?

24 A I don't know anything about no checks
25 bouncing with my name on it.

1 Q Okay. Let me show you some checks. I've
2 got a whole series of them and I'm just going to -- I'm
3 going to hand you Exhibit 8 and I'll describe it for the
4 record.

5 Pete Rose's account, First National Bank,
6 Cincinnati. It says Pete Rose check. I take it that's a
7 personal account?

8 A I don't know.

9 Q Where it just says Pete Rose at the top?
10 Well, anyway --

11 A What office is it?

12 Q Center Office.

13 A No way that check would ever bounce.

14 Q Well, hang on. I'll show you the account
15 slip; okay?

16 March 29th, '87, payable to cash, twenty-
17 five hundred dollars. And there's an indorsement on it
18 Tampa Bay Downs, March 29th. And ask you if you recognize
19 that check.

20 (Whereupon, Exhibit Number 8 was marked.)

21 A I've cashed a lot of checks at Tampa Bay
22 Downs.

23 Q Do you recognize that Exhibit 8?

24 A That looks like my check.

25 Q Okay.

1 (Whereupon, Exhibit Number 9 was marked.)

2 BY MR. DOWD:

3 Q Now, let me hand you Exhibit 9, Pete. And
4 there are three checks here. Starting from the top there's
5 check number 446, dated March 31, '87, to cash, six
6 thousand dollars. It appears to be signed by Pete Rose.

7 Check number 447, dated April 3rd, 1987, to
8 cash, six thousand dollars.

9 Check number 444, dated March 26th, 1987,
10 pay to the order of cash, five thousand dollars. Appears
11 to be signed by Pete Rose.

12 The two six thousand dollar checks, Pete,
13 appear to be cashed at the dog track. Remember we talked
14 about the Kennel Club? Is it the St. Petersburg --

15 A No, it's a different one. It's the St.
16 Pete dog track.

17 Q Is it St. Pete?

18 A Yes, sir.

19 Q All right.

20 A The other one was Tampa Bay.

21 Q And the other check was Tampa Bay, the five
22 thousand.

23 Take a look at Exhibit 9 and, first, tell
24 me whether you recognize those checks.

25 A Yeah, they're my checks.

1 Q Is that your signature on those checks?

2 A It looks like it, right.

3 Q And that's your signature on check number

4 -- Exhibit Number 8; is that correct?

5 The one in Roger's hand.

6 MR. MAKLEY: I just note and my own
7 reaction of looking at these signatures of Pete
8 Rose on these various checks, the signatures
9 appear, to me, to be different.

10 THE WITNESS: Well, it's a different -- I
11 think it's a different --

12 MR. MAKLEY: Well, I mean that signature
13 there is so much smaller. There it's so much
14 larger and looks like you pressed down very
15 heavily.

16 Here it looks like you didn't. That's
17 purely my personal observation.

18 MR. DOWD: Okay.

19 THE WITNESS: Well, I just think it's a
20 different pen.

21 (Whereupon, Exhibit Number 10 was marked.)

22 BY MR. DOWD:

23 Q Okay. Pete, I'm going to hand you Exhibit
24 10. And what I'm concerned about is check number 449 at
25 the top dated April 6th, 1987, to cash for seven thousand

1 five hundred dollars.

2 And this check has an indorsement, "Pete
3 Rose, for deposit only, City Bank, 114-29, 135th Avenue
4 Realty". It appears to be in New York; City Bank, Queens,
5 New York.

6 And ask you if you recognize that. Could I
7 have those back, Rog?

8 (Exhibits 8 and 9 were returned to Mr. Dowd
9 by Mr. Makley.)

10 BY MR. DOWD:

11 Q Do you recognize that check, Pete?

12 A Hey, they all look alike to me.

13 Q Okay. I have to ask you for the record.

14 A Yes.

15 Q Is that your check; your signature?

16 A This one looks like my -- I remember making
17 this one out. That's from --

18 Q I'm just concerned with 449 at the top on
19 Exhibit 10.

20 A Okay.

21 MR. MAKLEY: Now when you say "this one",
22 make sure you state for the record --

23 THE WITNESS: The top one, yeah.

24 MR. MAKLEY: -- which one you mean.

25 Q Just so it's clear, the top one you

1 recognize that check?

2 A No, I said I recognized this one.

3 Q Okay, you don't recognize the top one?

4 A I said it looks like the other ones. I
5 mean, I --

6 Q Okay.

7 A Hey, you're showing me eight checks. I
8 obviously can't remember something from 4-6-87.

9 Q Pete, bear with me. All I'm asking for is
10 do you recognize the check and the signature. That's all
11 I'm asking for right now.

12 A The check and the signature look -- that's
13 my check.

14 Q Okay. That's all I'm asking for.

15 MR. DOWD: Can I have that one back, Bob?

16 (The Exhibit was returned to Mr. Dowd.)

17 MR. DOWD: Thank you.

18 (Whereupon, Exhibit Number 11 was marked.)

19 BY MR. DOWD:

20 Q Pete, if you don't mind I'm just going to
21 come around. I want to show you the account statement that
22 I mentioned before so you can sort of follow along.

23 And that's Exhibit 11, this one I'm showing
24 you. Do you agree that's an account statement, First
25 National Bank? That I'm reading correctly here.

1 A Right.

2 Q Okay. These two, I'm pointing to 445 and
3 444; 445 is the twenty-five hundred dollar check, 444 is
4 the five thousand dollar check.

5 They appear to have cleared the bank both
6 on March 31. You tell me if I'm not reading correctly
7 here. This one right here.

8 A All right.

9 Q And the items were paid but there were
10 insufficient funds. See, "items paid, 2, 7500,
11 insufficient funds". And then you made a deposit of ten
12 thousand.

13 Then the six thousand, yes, 446 and 447, I
14 think there are two of them here; one here and one here.
15 Again, insufficient funds. But they were paid and then you
16 made a deposit to cover that.

17 That's what I was referring to earlier. So
18 that's why -- I just wanted to show you that.

19 A Do you want me to explain that?

20 Q If you can, yeah, that would be great.

21 A I think it's simple.

22 Q All right.

23 A Obviously when you have a checking account
24 you don't carry a lot of money in your checking account.

25 Q I see.

1 you --

2 THE WITNESS: That's not true for the
3 record, the dog track is in St. Pete. Where these
4 checks were cashed. It's St. Pete.

5 BY MR. DOWD:

6 Q That's the two six thousand dollar checks.

7 A St. Pete Kennel Club. Right, it's not in
8 Tampa.

9 Q But only the two six thousand dollar;
10 right?

11 A No, any check that was cashed in April at a
12 dog track had to be in St. Pete.

13 Q Well, that's fine. But that's the two six
14 thousand dollar checks, that's not the other checks.

15 The twenty-five hundred dollar check is
16 cashd at Tampa Bay Downs; correct?

17 A Okay.

18 Q And the five thousand dollar check, 444, is
19 cashd at Tampa Bay Downs; correct?

20 A Okay. Okay.

21 Q And this one is deposited in some account
22 in New York. Do you know what that account is?

23 A No idea.

24 MR. DOWD: What's the number on that check,
25 Rog, just so the record is clear?

1 MR. MAKLEY: On --

2 MR. DOWD: The one you're looking at.

3 MR. MAKLEY: 449.

4 BY MR. DOWD:

5 Q What I was going to say, Pete, is --

6 A The only thing I'd have to look on on this
7 check here, not knowing anything about it, I'd have to see
8 if that has anything to do with Mikey's bank.

9 Q Okay.

10 A Because any check that might be cashed in
11 New York, obviously, is going to be Mikey's check.

12 Q Did he have an account at City Bank; do you
13 know?

14 A I don't know.

15 Q Okay.

16 A I don't know.

17 Q But I wanted to explain to you --

18 A Who signed that check?

19 Q Pardon?

20 A Who cashed that check?

21 Q Well, it appears to be indorsed, someone
22 writing the name "Pete Rose".

23 Do you recognize that signature?

24 A That looks like my signature.

25 Q Okay.

1 Excuse me one second. In reference to the
2 earlier remark I made about insufficient funds, I simply
3 wanted to show you Exhibit 11 as to the basis for my
4 comment.

5 A Okay.

6 Q Okay? Rog is right, it has a stamp.

7 MR. MAKLEY: The checks, as such, do not
8 show that they were rejected for non sufficient
9 funds.

10 MR. DOWD: That's correct. But they were
11 paid.

12 MR. MAKLEY: Okay.

13 THE WITNESS: Well, what that amounted to
14 was someone calling me and me having to call Bob to
15 tell him, you know, cover the checks. Because the
16 guy didn't let them go through.

17 Usually the guy that will not let them go
18 through, he'll call Bob and say, hey, we need some
19 funds for these checks.

20 BY MR. DOWD:

21 Q Pete, I think you've already answered, on
22 449 you don't know what that's for --

23 A No idea.

24 Q -- but it may be Mike Bertolini with a New
25 York deposit?

- 1 A It could be.
- 2 Q Okay. But you don't know?
- 3 A I really can't tell you.
- 4 Q And the five thousand dollar check cashed
5 at Tampa Bay Downs, do you know what that was for?
- 6 A I don't know.
- 7 Q Was that to pay gambling losses?
- 8 A Pay gambling losses?
- 9 Q Yes, sir.
- 10 A It could be. Race track gambling.
- 11 Q Race track gambling?
- 12 A Yes.
- 13 Q Would you lose that much in one day?
- 14 A Well, what you have to realize, I might
15 have lost half that but I might have wanted some money to
16 go to the dog track that night. So what's the sense of
17 writing two checks, just write one check. Because they're
18 going to cash it.
- 19 Q Okay.
- 20 A See, because it's not unusual to go to the
21 horse track during the day and if I'm going to go -- check
22 to see if that was a Saturday, I might be going to the dog
23 track, too.
- 24 Q All right.
- 25 A And it just saves me writing a check at the

1 dog track.

2 Q But, Pete, aren't you playing ball games on
3 March 26th, '87?

4 A I don't know. Hey, that might have been a
5 rainout day. I can't sit here and honestly tell you that.

6 Q Okay. And this twenty-five hundred dollar
7 check of March 29th, '87, is that to pay gambling losses?

8 A I can't honestly say that.

9 Q Okay. Do you have any recollection of
10 having any difficulty getting a check cashed the end of
11 March 1987, spring training?

12 A Difficulty getting a check cashed?

13 Q Yeah, do you have any recollection of such
14 an occurrence or incident?

15 A No.

16 Q Pete, in gambling parlance, what does a
17 dime mean?

18 A A dime?

19 Q Yes.

20 A Ten.

21 Q Ten? It doesn't mean a thousand?

22 A It don't to me.

23 Q How about a nickel?

24 A It means five.

25 Q Five? It doesn't mean hundreds?

1 A It could mean five hundreds.

2 Q I'm talking in gambling parlance, as it's
3 used in the gambling activity.

4 A I don't know.

5 Q Other than the track, did you ever witness
6 Paul Janszen betting on other sports?

7 A Did I?

8 Q Yes, sir.

9 A Paul Janszen, no.

10 Q On baseball, Pete, did anybody in
11 association with you bet on baseball or talk about betting
12 on baseball in 1984 to 1988?

13 A I don't know what you mean talk about
14 betting on baseball. No one bet baseball around me.

15 Q That's what I want to know. Did anybody
16 discuss --

17 A I don't understand what you mean talking
18 about it.

19 Q Discuss it. Did they say, hey, Pete, you
20 know, should I bet on the Reds today?

21 A No --

22 Q Should I bet on the Dodgers? Should I bet
23 on the Yanks? What do they look like? Who's pitching?

24 A No.

25 Q Any -- ever any discussion like that?

1 A No. No way.

2 Q Anybody ever ask you for advice or
3 direction as to how they ought to place bets on
4 professional major league baseball?

5 A No.

6 Q And I take it you didn't offer it. You
7 never volunteered it to anybody.

8 A I wouldn't know how to do it.

9 Q But you didn't do it?

10 A Did not do it. I did not do it.

11 Q Right. 1984 to 1988, you never did it?

12 A No, I never did it ever. 1974; 1964.

13 Never.

14 Q Fine.

15 A Not just '84 to '88.

16 Q All right.

17 MR. MAKLEY: John, could I just make one
18 observation? That's such an open-ended question.
19 I could conceive of a comment being made by
20 somebody in jest or as a passing comment, not as a
21 serious matter; hey, you going to win today?
22 Should we bet on you? Or something like that.

23 You're not talking about that kind of --

24 MR. DOWD: I'm not talking about that, Rog.

25 MR. MAKLEY: You're talking about a serious

1 comment.

2 MR. DOWD: Pete knows what I'm talking
3 about.

4 MR. MAKLEY: All right, I just want -- I
5 want the record to be clear because it was an open-
6 ended question.

7 MR. DOWD: That's fine. Fine. I'm happy
8 to have your contribution on that.

9 MR. MAKLEY: All right.

10 MR. DOWD: We're not talking about, hope
11 you win today.

12 MR. MAKLEY: Yeah, that kind of comment.

13 MR. DOWD: Right. I'm talking about
14 someone around Pete, using the phone, placing bets,
15 talking about betting on major league baseball,
16 betting on the Cincinnati Reds, or information that
17 has to do with -- that might affect someone's
18 judgment in making a bet.

19 As I understand Pete's testimony, that
20 never happened.

21 MR. MAKLEY: Ask Pete.

22 THE WITNESS: That never happened.

23 MR. DOWD: All right.

24 THE WITNESS: That's why I was sort of
25 surprised to read the statements by Mike Fry in the

1 Sports Illustrated. On where in the hell he got
2 those statements at.

3 BY MR. DOWD:

4 Q And what statements were those, Pete?

5 A That I -- he quoted me as saying, well, I
6 like to bet on the Reds and I like to bet on baseball.

7 This would be a good day to bet. That's a bunch of
8 bullshit.

9 Q Okay.

10 A To my knowledge, Mike Fry wasn't even a
11 bettor, a gambler.

12 Q Mike Fry wasn't?

13 A Not to my knowledge.

14 Q I want to go back to the Pik-Six for a
15 minute.

16 A Sure, go ahead.

17 Q There was a Pik-Six January 16th, 1987.

18 Did you win it?

19 A No, I didn't win it.

20 Q Did you win any part of it?

21 A The only Pik-Six I won over there was the
22 one with Jerry Carroll.

23 John, honestly I don't know where I was at
24 January the 16th, 1987.

25 Q Well, let me show you a couple documents

1 and see if it helps you.

2 A Okay.

3 (Whereupon, Exhibit Number 12 was marked.)

4 BY MR. DOWD:

5 Q Pete, I'm going to hand you check number
6 436, January 16th, 1987, to cash, ten thousand dollars. It
7 appears to have your signature on it.

8 And it's indorsed on the back, "Pay to the
9 Order of Boone State Bank, For Deposit Only, Latonia Race
10 Course, Inc."; is that right?

11 A That's Turfway now.

12 Q Is that Turfway?

13 A Yes, sir.

14 Q Okay, I get confused. Take a look at that
15 and tell me whether -- what Exhibit number is that, Pete?

16 MR. MAKLEY: Twelve.

17 A Twelve.

18 Q Twelve, thank you.

19 A Well, that's good. That's great. That
20 answers the question right there.

21 Q So you were at the race track --

22 A No. Because I was there and obviously I
23 didn't hit the Pik-Six or I wouldn't have cashed a ten
24 thousand dollar check. If I hit the Pik-Six I wouldn't
25 have needed money.

1 I'm glad you showed me that. That looks
2 like a bad night.

3 MR. DOWD: What was the number on that
4 check, Bob?

5 MR. PITCAIRN: 436.

6 BY MR. DOWD:

7 Q Pete, when you buy into a Pik-Six, what
8 does it cost you?

9 A Well, when you buy into a Pik-Six, John,
10 it's according to how many partners you have. And I
11 usually have one.

12 Q Okay.

13 A And sometimes I might be the only guy and I
14 might let someone like Mike Battaglia pick the horses.

15 Q Who is Mike Battaglia?

16 A He's the announcer.

17 Q Out there at Turfway?

18 A Turfway.

19 Q Okay.

20 A And it could cost you -- I've bought Pik-
21 Six tickets for four hundred dollars. And I put up a
22 couple thousand to be a partner on one at Churchill Downs.

23 It's all according to how big the pot is
24 and how much you're going to try to put up to win.

25 Q I was going to ask you about --

1 A I put up a lot at the dog track the other
2 day when it got up to five hundred thousand.

3 Q I remember you told me. The Churchill
4 Downs Pik-Six, was that October/November '87?

5 A I don't know when it was. It had to be in
6 November. They had a run there of about a week where it
7 really got up high. I think the final thing was a million-
8 three.

9 Q Did you win any part of that?

10 A No. We had five out of six about four
11 straight days.

12 Q Who is we?

13 A Me and Mike.

14 Q Mike Bertolini?

15 A No, Mike Battaglia.

16 Q Mike Battaglia?

17 A And Arnie.

18 (Whereupon, Exhibit Number 13 was marked.)

19 Q Okay. Let's go back to Turfway, January
20 16th, '87. I've got another check, number 435, ten
21 thousand dollars. It appears to be cashed at the same
22 place. That's the bottom check, Pete. Then I'm going to
23 ask you about the top two.

24 A Is that the same day?

25 Q It appears to be the same day. Take a look

1 at that check.

2 A Okay, what are you asking me?

3 Q Does that refresh your recollection about
4 the Pik-Six on that day?

5 I mean that makes a total of twenty
6 thousand.

7 A That's a one hundred percent possibility.
8 See, I don't know the days you're talking about. Because I
9 could have --

10 Q You mean the day of the week?

11 A No, no. That has nothing to do with the
12 day of the week. Because I can have a period of time where
13 if I'm out doing things, you know, away from Cincinnati and
14 I want to bet on a horse, I can call and listen to the race
15 and bet.

16 Q I see.

17 A And when I come back home, they'll let me
18 pay. So I might have had a balance over there of ten or
19 eleven thousand dollars I had to pay.

20 And I don't know if that was the time. I
21 mean I can almost guarantee it because I'm not going to
22 lose no twenty thousand dollars at no race track.

23 Do you understand what I'm saying?

24 Q I hear you. I hear what you're saying.

25 A I mean they -- I can owe them money --

1 Q And I do understand what you're saying.

2 A I can owe them money as long as I pay it up
3 before the meet is over.

4 Q All right. So there is credit extended to
5 you?

6 A To me there can be.

7 Q At Turfway. Who makes that decision over
8 there?

9 A Well, obviously the owner of the track.
10 And I've never let him down yet, so there's no reason --
11 and he's a little hesitant on that because he did it for
12 some guy last year and the guy had a heart attack and died
13 and owed him like fifteen thousand dollars or something.

14 Q Pete, do you recall being at the track that
15 day? What's your best recollection?

16 A I really don't recall but I'd have to agree
17 with you I was there if I cashed a check there.

18 Q Okay. Two checks; right?

19 A Yes.

20 Q On Exhibit 13 is check number 434 to Mike
21 Bertolini. Would you take a look at that?

22 A Okay.

23 Q And the date on that is January 15th, '87?

24 A Uh-huh.

25 MR. PITCAIRN: John, before you move on to

1 that, I think one of your previous questions was
2 did that second ten thousand dollar check refresh
3 his recollection about the Pik-Six.

4 MR. DOWD: Uh-huh.

5 MR. PITCAIRN: And I wasn't clear what his
6 answer was on that.

7 MR. DOWD: Pete, go ahead and answer your
8 counsel's question. He's not clear what your
9 answer is. I meant to give him both at the same
10 time.

11 THE WITNESS: I don't know what my answer
12 is. I don't know what the -- because --

13 BY MR. DOWD:

14 Q You think you were there? Best
15 recollection?

16 A Bob, the only thing I can tell you is I've
17 never lost twenty thousand dollars at a race track.

18 MR. PITCAIRN: But you don't think --

19 THE WITNESS: I can't remember cashing two
20 ten thousand dollar checks; unless I did what I had
21 to do, what I just told you --

22 MR. PITCAIRN: But this would indicate to
23 you that you were not a winner of the Pik-Six?

24 THE WITNESS: Well, I obviously I wouldn't
25 have won a Pik-Six if I'm cashing twenty thousand

1 dollars worth of checks.

2 MR. PITCAIRN: All right.

3 THE WITNESS: And obviously I must have bet
4 a pretty big ticket that night.

5 MR. PITCAIRN: Okay, that's fine.

6 BY MR. DOWD:

7 Q When did --

8 A I could have lost five thousand on one race
9 that night betting a Pik-Six ticket.

10 Q Uh-huh.

11 A And the size of these checks, you're
12 convincing me that's what I did.

13 Q When you're at the track, when do you know
14 who wins the Pik-Six?

15 A Right after the conclusion of the eighth
16 race.

17 Q Is that the last race?

18 A Third; fourth; fifth; sixth -- no.

19 Q The eighth race?

20 A Right. So you still have two after that.
21 The Pik-Six is a --

22 Q Third, fourth, fifth, sixth, seventh --

23 A Eighth.

24 Q -- eighth. Okay.

25 A Six races.

1 Q All right.

2 A They have the daily double the first two
3 and the late double the ninth and tenth; and the Pik-Six is
4 three through eight.

5 Q Okay. And if you win, when do you collect?

6 A Right after the eighth race if you've got
7 the ticket.

8 Q Okay, it's not at the end of the night?

9 A It can be. I mean we told you the other
10 day we waited two days to cash the one this past year.

11 MR. DOWD: Does that answer your question,
12 Bob?

13 MR. PITCAIRN: Yes, sir, thank you.

14 MR. DOWD: All right.

15 BY MR. DOWD:

16 Q Pete, that five thousand dollar check to
17 Bertolini; can you tell me what that's for?

18 A I have no idea.

19 Q Take a look at the back of it. Take a look
20 at the indorsement on it. Do you recognize those
21 signatures?

22 MR. MAKLEY: He's talking about these two
23 indorsements here.

24 Q The signatures. Do you recognize them?

25 A Who's the top signature?

1 MR. MAKLEY: I can't read the signature but
2 he's asking you if you recognize that for whatever
3 it is.

4 A I know a fellow that works with Mikey, or
5 used to work with Mikey at Renatta Galasso, named Bruno,
6 but I don't know his last name.

7 MR. MAKLEY: He's asking about the top
8 indorsement.

9 THE WITNESS: I have no idea who that is.

10 Q I'm asking both. Is that --

11 A I can't even read the top one.

12 Q Okay.

13 A Can you?

14 Q Does that look like Bertolini's -- have you
15 ever seen Bertolini's signature? Does that look like his?

16 A It might be.

17 Q All right.

18 A I didn't think about that.

19 Q Take a look at it.

20 A It probably is if that's who I made the
21 check out to.

22 Q All right. But you're not sure? You don't
23 recognize it?

24 A No. No.

25 Q Okay. And you know this Bruno --

1 A Because the checks he pays guys with, I
2 sign. I know Bruno, sure.

3 Q Tell me who Bruno --

4 A Bruno works with Mike.

5 Q What does he do?

6 A Coordinates card shows.

7 Q How long have you known Bruno?

8 A Almost as long as I've known Mikey.

9 Q And that's since when?

10 A Five, six years I guess. Bruno used to
11 work with Renatta Galasso, which is a card company in New
12 York.

13 Q They do shows for Renatta Galasso?

14 A Yes. They're big with Topps in the card
15 business.

16 Q Is that the name of a woman?

17 A Absolutely. She owns the company. She
18 used to be married to Bill Hungash and I think they've
19 divorced.

20 Q Okay.

21 A I knew them both; did a lot of business
22 with them when they were husband and wife.

23 Q What years was that?

24 A Geez, all through the '80s.

25 Q Did it stop at a point, some point?

1 A Yeah, it stopped a couple years ago when I
2 signed a deal with them, it's on file with Hayes, a card
3 deal and they stiffed me for seventy-five thousand.

4 Q Who stiffed you?

5 A Renatta Galasso. And she's had letters
6 written to her two months ago, when she's going to pay the
7 money. Because they're still selling the card sets.

8 Q Who wrote the letter?

9 A Bill Hayes, my agent. Taft Merchandising,
10 Cincinnati, Ohio. 421-9611.

11 Q Thank you.

12 A Phone number.

13 Q All right, thanks. What other business did
14 you do with them?

15 A That's it.

16 Q Do they run shows for you?

17 A I believe I said yesterday, if I'm not
18 mistaken, that the show in Brooklyn, Mikey and Galasso were
19 partners.

20 Q Okay.

21 A I think I said that yesterday.

22 Q You did. You said Mike. I don't know that
23 we got the other partner. I think you mentioned that he
24 had a partner.

25 A I said Bill Hungash.

1 Q Oh, okay. Forgive me, I forgot.

2 A The reason I said that, because I remember
3 Bill being up on the stage with Renatta's father and he was
4 sort of, you know, running the thing.

5 Q Okay. Bear with me. I'm still getting
6 educated --

7 A Yeah.

8 Q -- in some of these businesses.

9 Pik-Six, January '89. Pete, if Bart
10 Giamatti told me that you told him on February 20th that
11 you were not involved in that winning of the Pik-Six in
12 January '89, would he be lying to me?

13 A I don't remember.

14 You know, when I sit here and think about
15 being with Bart Giamatti and Peter Ueberroth, they didn't
16 seem to give a shit what I did other than baseball.

17 Mr. Ueberroth looked me right in the eye
18 and said, I don't give a shit what you -- I don't give a
19 damn what you do. He said, did you ever bet on baseball?
20 And I said no. He said you can talk about horses and all
21 that other stuff, I don't want to know about it.

22 And I thought Ueberroth --

23 Q We're not talking about Ueberroth now. I'm
24 talking about Giamatti, the present Commissioner.

25 A Well, I don't know. I was listening to

1 Ueberroth that day.

2 MR. MAKLEY: John, let me just make an
3 observation. You put that in very strong terms.
4 That the only possibility, and I wasn't there, so I
5 don't know what happened, is that Giamatti was
6 lying to you.

7 There are other possibilities. That he
8 could have been mistaken or some other explanation
9 other than the fact that he was lying to you. I
10 think the record should show that.

11 MR. DOWD: Well, why don't you let me
12 continue my examination and --

13 MR. MAKLEY: Okay. But I just think that's
14 --

15 MR. DOWD: -- let me go here.

16 MR. MAKLEY: I think that should be noted
17 for the record. You put that in very strong terms.

18 MR. DOWD: Let me get through and you can
19 note whatever you want for the record.

20 MR. MAKLEY: Okay.

21 BY MR. DOWD:

22 Q Pete, did you ever tell the press you
23 weren't involved in the Pik-Six, January '89?

24 A Probably. Probably.

25 Q When you told them that, was that the truth

1 or a lie?

2 A Well, I didn't -- first of all, it's my
3 business if I hit the Pik-Six or not.

4 Q That wasn't my question. My question was
5 --

6 A Well, I'm going to explain your question.

7 Q Well, I want you to answer my question and
8 then you can explain it.

9 MR. MAKLEY: Give him a chance to answer,
10 John.

11 MR. DOWD: No, I want him to answer my
12 question and then you can explain it.

13 MR. MAKLEY: You allow him to answer. He's
14 here to tell you and you can ask him whatever you
15 want, but at least allow the man to answer.

16 MR. DOWD: I will.

17 THE WITNESS: I told you yesterday --

18 MR. MAKLEY: If you're not satisfied with
19 the answer, ask him another question.

20 MR. DOWD: No, he didn't answer the
21 question. The question was, what you told the
22 press about the Pik-Six in January '89, was it the
23 truth or a lie? And then you can explain. But
24 answer my question first.

25 THE WITNESS: Okay, what press we talking

1 about? If you want to get specific.

2 BY MR. DOWD:

3 Q The Cincinnati Enquirer.

4 A No one from the Enquirer ever asked me
5 about the Pik-Six.

6 The only guy from the press that ever
7 mentioned it was Dennie Jansen on WCPO.

8 Q And what did you tell him?

9 A He said I hit it. I didn't tell him a damn
10 thing.

11 You're not going to put me through the last
12 three and a half, four weeks of reading the press and
13 getting me to believe something that's in the press.

14 Q I asked you this --

15 A That's about as accurate as this table
16 right here.

17 Q Well, fine. Did you tell the press you
18 weren't involved? I thought your answer was yes.

19 A I said I didn't remember.

20 My answer was, whose business is it if I
21 did hit the Pik-Six?

22 MR. DOWD: Mark this as an exhibit.

23 (Whereupon, Exhibit Number 14 was marked.)

24 BY MR. DOWD:

25 Q Were you asked by the Cincinnati Post?