

1 A I don't remember who I was asked by.

2 Q Okay. Let me show you an article. You
3 tell me whether it's accurate or not.

4 The Cincinnati Post, February 22nd, 1989.

5 (The document was handed to the witness for
6 examination.)

7 A Who wrote the article? You don't have a --
8 is that Jerry Crasnick? I don't remember.

9 Q Okay.

10 A Where's the Enquirer? Can we look at that
11 one since they asked me about it?

12 Q Sure. Sure.

13 .(Whereupon, Exhibit Number 15 was marked.)

14 BY MR. DOWD:

15 Q Exhibit 15. Where it's yellowed in there,
16 Pete.

17 (The document was handed to the witness for
18 examination.)

19 A Well, that's the good old Associated Press.
20 Nobody signs it. I don't see any name on it.

21 Q Did you make that statement that's yellowed
22 in?

23 A I don't remember. I don't remember. I
24 don't know anybody in the Associated Press.

25 Q Did you make that statement to the

1 Cincinnati Enquirer?

2 A Not to my knowledge.

3 Q Okay. Yesterday when we were talking about
4 the money that you won on the Pik-Six in January '87, you
5 told me that --

6 A Wait a minute. Wait a minute. What did
7 you say?

8 Q The money you won on the Pik-Six, January
9 1989.

10 A You just said '87. Okay.

11 Q Forgive me, '89.

12 A Okay.

13 Q Thank you. That it was somewhere in the
14 neighborhood of a hundred thousand dollars plus.

15 A Somewhere in the neighborhood.

16 Q Okay. It was more than a hundred thousand
17 dollars; correct?

18 A I think I said a hundred and nine.

19 Q That's more than a hundred thousand;
20 correct?

21 A But I think I said I gave Arnie Metz some
22 money.

23 Q How much --

24 A So when I left the track I didn't have over
25 a hundred thousand.

1 Q Did you give Arnie Metz fifteen percent?

2 A No, not quite. I probably gave him
3 somewhere in the neighborhood of seven to nine thousand.

4 Q Well wasn't that the deal, fifteen percent?

5 A Total. So my half was only seven and a
6 half percent.

7 Q Okay.

8 A Jerry Carroll has got an obligation to him,
9 too.

10 Q Okay. Has Jerry Carroll paid him?

11 A I couldn't tell you.

12 Q Okay. You put the --

13 A I would think so though.

14 Q You put that money in a satchel.

15 A Yes, a bag.

16 Q And you went to Boston?

17 A No, I went home.

18 Q You went home. Did you take the money
19 home?

20 A Yes.

21 Q Did you leave the money at home?

22 A Certainly.

23 Q When you came back from Boston, what did
24 you do with the money?

25 A The money I had from Boston?

1 Q No, the money you had in the satchel; a
2 hundred thousand dollars.

3 A I took it to spring training.

4 Q And what did you do with it?

5 A Well, first of all, I paid twenty-three
6 thousand the Saturday before I left for my wife's ring I
7 got her for Christmas. In spring training a bought a golf
8 cart for thirty-six hundred. These are all things you can
9 get checked and verified.

10 I paid twenty-four thousand for a tennis
11 court that I paid cash for in spring training. And I still
12 have like twenty-five thousand. And the rest I used in
13 Florida to do whatever I wanted to do.

14 I went to the Gulf Stream Park a couple
15 times. If you'd like to see the tickets that I lost in the
16 programs, I can supply them for you.

17 Q I'd be delighted. I wish you would.

18 A Okay.

19 Q And the tennis court receipt, invoice.

20 A I'm sure my wife does.

21 Q Okay. Any other documentation on that
22 would be helpful, Pete. If you can have --

23 A I can almost explain every bit of the
24 money. Plus I give my wife several thousand dollars.

25 Q Okay.

1 A As a matter of fact, I gave her six or
2 seven thousand the other day before we went on the road
3 trip.

4 And if you look at my check stubs, which
5 you have, you'll see I haven't written many checks in
6 spring training this year.

7 Q Okay.

8 A Because I had cash.

9 Q Yesterday you indicated to me that you
10 didn't know -- you never borrowed any money from Mike Fry.

11 A To my knowledge I haven't. I can't imagine
12 why I would borrow money from Mike Fry.

13 Q Did Gio, on your behalf, borrow any money
14 from Mike Fry?

15 A Gio borrow -- Gio could have borrowed from
16 anybody.

17 Q But on your behalf?

18 A Not on my behalf.

19 Q To pay gambling debts?

20 A Hell, no.

21 Q Seventeen thousand --

22 A I pay my owe gambling debts.

23 Q -- thirty thousand.

24 A What's that?

25 Q Seventeen thousand; thirty thousand.

1 A No.

2 Q Did you ever pay Mike Fry any money?

3 A Pay Mike Fry money?

4 Q Yeah.

5 A Absolutely not.

6 (Whereupon, Exhibit Number 16 was marked.)

7 BY MR. DOWD:

8 Q Pete, I'm going to show you a series of
9 checks and let me describe them for the record.

10 This is a document that has a number of
11 pages to it. And if I get it on the record then when you
12 and I talk about it, we'll know what -- the record will
13 reflect what we're talking about.

14 For the moment I want to concentrate on
15 checks dated February 5th, 1986.

16 A Okay.

17 Q All right?

18 A '86?

19 Q Yes, sir. February 5th, 1986. The first
20 one is number 365. I'll tell you what, why don't you
21 follow along as I describe these in Exhibit 16. And,
22 again, if I make a mistake, correct me.

23 The first check I'm reading from is number
24 365, Pete Rose's account at First National Bank, Center
25 Office, payable to Mike Fry, eight thousand dollars.

1 Do you recognize that check, Pete?

2 A It looks like the rest of them to me.

3 Q Just bear with me. We've got to make a
4 record here, Pete.

5 A Okay.

6 Q I want to make sure it's clear.

7 A All right.

8 Q Eight thousand dollars, number 365. That's
9 your signature and that's your check?

10 A It looks like it.

11 Q The next check is number 366, 2-5-86,
12 payable to Tommy Gioiosa. It appears to be signed by Pete
13 Rose.

14 Is that your signature, Pete?

15 A It looks like it.

16 Q First National Bank, Center Office.

17 The next check is number three sixty --
18 let's take the bottom one since it's in order, Pete, 367.
19 I'll come back to the indorsements in a minute.

20 367, 2-5-86, to cash, eight thousand
21 dollars, Pete Rose. Is that your check and that your
22 signature?

23 A It looks like it.

24 Q And at the top, number 368, 2-5-86, cash,
25 eight thousand dollars; Pete Rose, First National Bank,

1 Center Office. Is that your check and is that your
2 signature?

3 A It looks like the rest of them.

4 Q But that doesn't answer my question. Is
5 that your check and is that your signature?

6 A That's my check.

7 Q And your signature?

8 A Yes.

9 Q Okay. Now, Pete, let's go back to 365 for
10 a moment. And the back of it is on that next page.

11 A Three sixty what?

12 Q Three sixty five.

13 A Okay.

14 Q Let's go to the front again.

15 A All right.

16 Q And you see the middle check, the
17 indorsement?

18 A Uh-huh.

19 Q Mike Fry.

20 A Yeah, I see it.

21 Q You see that?

22 And then the next one is the one made out
23 to Tommy Gioiosa. Is that Tommy Gioiosa's signature, Pete?

24 A It looks like it.

25 Q And then it's indorsed again by Mike Fry;

1 is that correct?

2 A It looks like it, right.

3 Q All right. Let's go to 368 and then sort
4 of turn the page and we'll take them in order.

5 A Tommy Gioiosa again.

6 Q Yes, Tommy Gioiosa and Mike Fry indorsed
7 that. See down about the middle?

8 A Yeah.

9 Q Okay. Then 367, a check to cash, indorsed
10 by Mike Fry.

11 Could you tell me what these checks are
12 for?

13 A Well, it's kind of obvious. They were to
14 pay off gambling losses. And probably what happened is
15 Mike Fry owning Gold's Gym and Tommy went to Mike Fry's
16 bank to cash them. And that's why they co-signed them.

17 Q So Tommy couldn't go to the bank and cash
18 it?

19 A Well, I don't know about that bank. He
20 could go to my bank. But he couldn't go to that bank.
21 That looks like the bank that Mike Fry does his banking
22 with.

23 Q Okay.

24 A You've got to remember, he's the guy that
25 owns the Gold's Gym and there's a lot of money flow into

1 Gold's Gym. So --

2 Q What you're saying, he has a credit
3 relationship with the bank and is able to get checks
4 cashed?

5 A Well, I'm sure that they financed his
6 Gold's Gym. I mean, he would do banking there.

7 Q Okay.

8 A And Tommy, being the manager of the place,
9 probably did banking there, too.

10 Q All right. Do you recall a discussion with
11 Mike Fry about these checks and cashing them?

12 A No, not at all.

13 Q Who told you to fill out the checks this
14 way? To Mike Fry; Gioiosa; and cash.

15 A I don't remember that. I don't remember
16 that at all.

17 Q Why are they filled out at eight thousand
18 dollars apiece?

19 Do you know what the amount of the debt
20 was?

21 A No, I really don't. But it seems like it
22 -- it seems like that's right around where the Super Bowl
23 was; February the 4th. The Super Bowl is the last week of
24 January.

25 Q Did you lose money on the Super Bowl?

1 A Probably.

2 Q How much did you lose?

3 A I don't remember.

4 Q Do you remember how much --

5 A I don't remember which Super Bowl it was.

6 Q Do you remember how much the debt was?

7 A No.

8 Q Was the eight thousand for Mike Fry?

9 A There's no way of me knowing that.

10 Q Well, did you owe him money?

11 A No.

12 Q Did you gamble with him?

13 A Not at all.

14 Q Was he a bookmaker?

15 A Is he a bookmaker?

16 Q Was he a bookmaker --

17 A Not to my knowledge.

18 Q -- in 1986?

19 A I think I said a little while ago, to my
20 knowledge Mike Fry has never gambled. To my knowledge. I
21 don't know.

22 Q Pete, forgive me. I sometimes have to ask
23 questions in different forms. I don't mean to make you
24 repeat yourself, but you get different circumstances and
25 different checks, so I have to ask you again.

1 So to the best of your knowledge, this
2 isn't money that Mike Fry kept. He's doing a service --

3 A No, he probably cashed this check and gave
4 the money to Tommy is probably what he did.

5 Q Okay. So we've got a total of thirty-two
6 thousand here. Tommy paid it to the bookmaker?

7 A Yes. That's who I bet with. I bet with
8 Tommy Gioiosa.

9 Q Okay, but he was a runner. He wasn't a
10 bookmaker.

11 A I couldn't tell you who he called. I'd
12 have no idea who he called.

13 Q All right. You've learned subsequently it
14 was Ron Peters?

15 A That's what I read but I don't always
16 believe everything I read.

17 Q All right. Pete, take that Exhibit 16 if
18 you don't mind, again, and look at the back page.

19 Cash deposit, thirty-five thousand.

20 A Okay.

21 Q Is that cash or check or what was it?

22 A I have no idea.

23 Q And do you think that was to cover these
24 two checks? And you can look at the back page if you want
25 to. That's the account statement.

1 A Well, I have to believe if I wrote four
2 eight thousand dollar checks, which is thirty-two, it would
3 make sense that you'd put thirty-five in to cover the
4 checks.

5 Q Okay.

6 A Now where I got the thirty-five, I couldn't
7 tell you. I must have got it from Bob Chaiken. Who is my
8 CPA.

9 Q When you get a check like that from Bob
10 Chaiken, do you tell him what it's for?

11 A I don't usually get a check like that,
12 John. What he does is he just puts it in the account.

13 MR. PITCAIRN: John, for purposes of
14 clarifying, let me tell you how I understand this.

15 When checks come in to this bank and
16 there's not sufficient funds to cover them, the
17 bank automatically calls Chaiken. Chaiken makes
18 the deposit. I don't think Pete --

19 THE WITNESS: I said that twenty minutes
20 ago.

21 MR. DOWD: Yeah, you did. Right.

22 BY MR. DOWD:

23 Q But I asked a little different question. I
24 want to know if you discuss it with Chaiken and I take it
25 your answer is no. In other words, it's done

1 automatically.

2 A If I'm going to write a check to buy a car
3 or something I'll call him and tell him, I'm going to do
4 this; cover this.

5 Q Okay.

6 A To get ready for it.

7 Q Do you recall in this instance --

8 A No, I really don't.

9 Q -- talking to Bob Chaiken about it?

10 A I really don't.

11 Q Okay. That's all my question was.

12 Pete, why are the checks made out in eight
13 thousand dollar denominations? Why not just write a check
14 for thirty-two thousand dollars?

15 A Well, I think I went over that yesterday.

16 Q Well, I'd like you to go over it again
17 because I want to explore that a little bit.

18 A It hasn't changed since yesterday though.

19 Q Good.

20 A Because it just saves you filling things
21 out at the bank.

22 Q You mean a currency transaction report?

23 A A ten thousand dollar check, you've got to
24 fill out a thing. It's no big deal but some people don't
25 like to do it.

1 Q Would you have to fill it out or would
2 Gioiosa have to fill it out?

3 A Whoever cashes the check does.

4 Q Okay. You didn't want them to fill that
5 out?

6 A Well, I didn't care if they did. They said
7 they would rather not do that.

8 Q Who said that?

9 A I could have made it out for nine.
10 Tommy Gioiosa said that.

11 Q Do you recall a discussion with him? That
12 he wanted it in eight thousand dollar denominations?

13 A No, I just said I'll make the checks out.
14 I'll make the checks out under ten thousand. I don't know
15 why I picked eight.

16 I guess because nine didn't go into thirty-
17 two equal; eight did.

18 Q Okay. Pete, we're going to talk about the
19 thirty-four thousand dollar check in a few minutes, okay?

20 Remember we talked about that yesterday?

21 A A little bit, yeah.

22 Q March 12th?

23 A Right.

24 Q And is my recollection correct that that
25 was a debt to the bookmaker?

1 A Yeah, it was many debts; for a long period
2 of time. All through January and the NCAA tournament.

3 (Whereupon, Exhibit Number 17 was marked.)

4 Q Pete, I'm going to hand you Exhibit 17.
5 Pete, the first two pages are the same. Someone helpfully
6 put the same page -- copied it twice.

7 The third page, watch the check at the
8 bottom. It's check number 358. I'll go through it with
9 you.

10 And, again, the first check is duplicated
11 but it has a check stub on it. And an MFG Group receipt
12 here. I tried to put all the documents together that we
13 found in your documents pertaining to this transaction.
14 Just so that you'd have the benefit of that.

15 Why don't you take a couple minutes to look
16 at it.

17 (The exhibit was handed to the witness for
18 examination.)

19 BY MR. DOWD:

20 Q That's Exhibit 17. Pete, let's just, for
21 the record, describe what we've got in here. Again, you
22 correct me if I don't read right, but on the first page --
23 we'll ignore the second page because it's the same -- is
24 check number 380 drawn on the Provident Bank, Cincinnati,
25 Ohio. The check is in the name of Peter E. Rose, 105 East

1 Fourth Street, Suite 800, Cincinnati, Ohio 45202, 4th
2 Street Income Trust. Pay to the Order of Tommy Gioiosa
3 the amount of thirty-four thousand dollars.

4 It appears to be signed by Reuven Katz.

5 And is that Robert Pitcairn's --

6 A Robert Chaiken.

7 Q Robert Chaiken, I'm sorry.

8 -- signature?

9 A Right.

10 Q Pete, what's the 4th Street Income Trust?

11 MR. PITCAIRN: Do you know?

12 A No.

13 Q You don't know?

14 A I don't know.

15 Q Can you tell me why Mr. Katz and Mr.

16 Chaiken sign this account?

17 A Why they sign this account?

18 Q Yeah.

19 A Mr. Katz has a power of attorney to sign
20 any of my checks.

21 Q So he's authorized --

22 A And the other gentleman is, too.

23 Q I take it this is your money that's in the
24 4th Street Income Trust?

25 A Absolutely.

1 Q And this is a trust account that Mr. Katz
2 and Mr. Chaiken --

3 A And they both have the right to sign it.

4 Q Okay, but it's your money.

5 A Right.

6 Q Okay.

7 MR. PITCAIRN: I think, John, that's the
8 Midwest Income account.

9 MR. DOWD: Okay.

10 THE WITNESS: It is. The Midwest Group.

11 BY MR. DOWD:

12 Q Pete, let's take a look at the back of that
13 check. If you'd just flip it over there.

14 A Okay.

15 Q That's indorsed by Tommy Gioiosa?

16 A Right.

17 Q And it appears to have been cashed; is that
18 correct?

19 A I don't know.

20 Q It doesn't look like it's deposited; is it?

21 A Sir?

22 Q It's not deposited into an account.

23 A No, it's signed. But...

24 Q It's signed Gioiosa; he indorsed it.

25 A There's no stamp on it anywhere or nothing.

1 Q Right. It says "OK per Tom Westerfield at
2 Midwest". Do you know Tom Westerfield at Midwest?

3 A No, I don't. No.

4 Q It might be somebody that Mr. Katz, Mr.
5 Chaiken know?

6 A It could be.

7 Q Pete, where were you on March 12th, 1987?

8 A Tampa, Florida.

9 Q Managing the team; Cincinnati Reds?

10 A Right.

11 Q And can you tell me what occurred here and
12 what caused this check to be drawn, written and cashed by
13 Tommy Gioiosa?

14 A Well, Tommy called and said that the bookie
15 wanted his money. I said, well, I'll be home in a couple
16 weeks. You know, he said he was going to burn my house
17 down and do this and do that.

18 I said, okay, I'll call Reuven and get the
19 check for you.

20 Q And what did you say to Reuven?

21 A I told him what I needed the money for.

22 Q Did you tell him the bookie was going to
23 burn your house down?

24 A No, not really. I don't think so. Because
25 I wasn't worried about that.

1 Q You didn't call the police or the FBI?

2 A No. I told you yesterday about how bookies
3 grumble.

4 Q And cry?

5 A Yeah, they cry. Always cry poverty.

6 The guy probably had a bad week so he
7 wanted to get paid.

8 Q Pete, turn to the third page and look at
9 check number 358. At the bottom.

10 And this is check number 358 drawn on the
11 Provident Bank, Cincinnati, Ohio; Pete Rose Enterprises,
12 Incorporated.

13 A Okay.

14 Q And it's payable to you.

15 A Right.

16 Q Thirty-four thousand dollars. Again, it's
17 signed by Mr. Chaiken and Mr. Katz; is that correct?

18 A Right.

19 Q Down in the bottom left hand column it says
20 "loan 2-1178-6".

21 Can you tell me what that's all about?

22 A I really can't. You probably could, Bob.

23 MR. PITCAIRN: Not off the top of my head,

24 Pete.

25 A They probably borrowed money out of my

1 Incorporation to put it into the...

2 Q So they'd make a loan from Pete Rose
3 Enterprises to the 4th Street Income Trust?

4 A I really don't know.

5 MR. PITCAIRN: I don't have any knowledge
6 at all.

7 A Mr. Katz would have to answer that
8 question.

9 Q Okay. Pete, look on the back of that
10 check. And maybe that will help you out a little bit more.

11 Is that your signature, Peter E. Rose?

12 A No, it's not my signature.

13 Q Do you know whose it is?

14 A No.

15 Q When you talked to Reuven, did he ask you
16 what this money was for?

17 A Did Reuven tell -- I didn't hear the
18 question.

19 Q When you talked to Reuven about paying
20 Gioiosa --

21 A No. I told Reuven I needed thirty-four
22 thousand to pay Tommy Gioiosa.

23 Q Did he ask you what it was for?

24 A No, I don't believe he did.

25 Q Did you tell him what it was for?

1 A I don't remember.

2 Q Did you tell him it was for gambling debt?

3 A I don't remember.

4 Q Do you know who the beneficiary is of the
5 4th Street Income Trust?

6 A I can't honestly say I do.

7 Q Is this Reuven Katz' handwriting, Peter E.
8 Rose on the back of this check on page three?

9 A I --

10 MR. PITCAIRN: It doesn't look like it,
11 John.

12 Q Is that -- Mr. Chaiken's first name is?

13 A Bob.

14 Q Bob. Does that look like his?

15 A I don't know. I don't know either guy's
16 handwriting.

17 Q Did you authorize anybody to sign your
18 name?

19 A They both have the power to do that.

20 Q Okay. They have the power to sign your
21 name?

22 A Power of attorney, right. Sign my name on
23 checks.

24 Q The fourth page, Pete, is similar to -- the
25 same check we've mentioned that's on page one, and it's

1 check stub. Tommy Gioiosa.

2 The fifth page appears to be some
3 transaction involving shares in the MGF Service
4 Corporation, Midwest Group Tax Free/Money Market. Is that
5 where they took the money from -- or put the money in
6 rather?

7 It looks like purchase of thirty-four
8 hundred shares.

9 A John, really I...

10 Q I just want to ask you.

11 A I don't want to appear ignorant but I just
12 -- I don't know. I don't know what all this is.

13 All I asked for was thirty-four thousand.
14 This obviously was their way of getting the thirty-four
15 thousand.

16 Q This is the way they do it?

17 A It's the way they did this.

18 Q Did this one. That's what I meant.

19 A I can assure you that everything they did
20 here was legal, knowing the two individuals that did it.

21 Q Tommy Gio managed Gold's Gym in 1986; is
22 that correct?

23 A He managed it. I don't know really what
24 year he went to Arizona. I don't know the years.

25 Q Well, we know from the previous exhibits a

1 few minutes ago that he was getting checks cashed --

2 A I don't know the years.

3 Q -- in February of '86; correct?

4 A He probably did.

5 Q Well, he was taking bets for you --

6 A Yeah.

7 Q -- while he was at Gold's Gym; correct?

8 You would call him over there?

9 A No, not very often.

10 Q You wouldn't call him over there?

11 A Not to bet, no.

12 Q Not to bet. Where would --

13 A Because he didn't work on weekends.

14 Q How about during the week?

15 A He worked during the week.

16 Q You didn't call him over there to place
17 bets during the week?

18 A I can't honestly say I never called over
19 there. But I didn't call very much.

20 Q Did there come a time in late '86 when he
21 was fired as manager of Gold's Gym, Pete?

22 A I don't know about that.

23 Q Did you have a falling out with Gioiosa in
24 late '86, early '87?

25 A Not really. I told you yesterday I didn't

1 like what he did at the track that night.

2 Q And that occurred in the spring of '87;
3 correct?

4 A I don't remember. I think so.

5 Q I think that's what you testified to.

6 A I think so.

7 Q And Gio was the fellow that introduced you
8 to Janszen; didn't he?

9 Brought him around to your house?

10 A No, I met Janszen at Gold's Gym.

11 Q Well, I know you met him --

12 A When I was working out with Gio. He might
13 have. He might have. Everyone knew Paul.

14 Q Pete, can you tell me -- take a look at the
15 front of that exhibit again. Keep it in front of you for a
16 few more minutes.

17 Where are these checks kept after they're
18 cashed and the bank returns them? Where are they kept?

19 MR. PITCAIRN: Which exhibit are you
20 talking about?

21 MR. DOWD: I'm talking about Exhibit 17,
22 the bottom of the page.

23 THE WITNESS: Provident Bank.

24 MR. DOWD: Check number 380.

25 A They must be kept in Chaiken's office. I

1 don't know.

2 Q Do you keep them at home?

3 A Do I keep them?

4 Q Yeah, this check. Did you keep it at home?

5 A No.

6 Q Okay. Can you tell me how Paul Janszen got
7 a copy of that check in May of 1987?

8 A I couldn't tell you.

9 Q Could you tell me how Ron Peters got a copy
10 of that check in May 1987?

11 A I couldn't tell you.

12 Q Did you give it to them?

13 A No, I didn't give them no check.

14 Q Did Peters have access to Bob Chaiken and
15 your checks?

16 A Not to my knowledge.

17 Q Did you ever authorize Janszen to go down
18 to Chaiken's office and get a copy of this check?

19 A No.

20 Q Did you ever tell Peters he could have a
21 copy of that check?

22 A Tell who?

23 Q Peters. He could go down to Chaiken's
24 office and get a copy of that check.

25 A No.

1 MR. PITCAIRN: John, the way this is set
2 up, that check should never have gone back to Pete.
3 That's not an account that he keeps --

4 BY MR. DOWD:

5 Q Did you ever ask for a copy of this check
6 from --

7 A I don't remember. I don't know why I would
8 ask for a copy of the check.

9 Q -- from Katz or Chaiken?

10 A I don't remember.

11 Q Isn't it a fact, Pete, that this thirty-
12 four thousand dollar debt was incurred in 1986 with Mr.
13 Peters through Mr. Gioiosa?

14 A It was incurred by Mr. Gioiosa. I don't
15 know if it was Mr. Peters.

16 Q But on your behalf?

17 A I think I already said I lost the money in
18 a period of time. I think I've said that.

19 Q So the answer is yes?

20 A Yes.

21 MR. MAKLEY: Wait a minute. I'm not sure
22 -- the answer is yes to what?

23 MR. DOWD: To the question.

24 MR. MAKLEY: And the question was -- can he
25 read it back?

1 MR. DOWD: Sure. Read the question back.

2 REPORTER: The last question was, "But on
3 your behalf?" Do you want the question before
4 that?

5 MR. MAKLEY: Yeah, I want to know what he
6 was saying yes to.

7 REPORTER: Sure.

8 MR. MAKLEY: John asks rather wide ranging
9 questions and then says the answer is yes. I don't
10 know what the question was.

11 MR. DOWD: Well, that's because Pete says
12 I've already said something. I'd like to get an
13 answer to the question instead of saying I've
14 already said that.

15 MR. MAKLEY: John, you keep going back and
16 asking him about the same thing time and time
17 again.

18 MR. DOWD: You bet I do. And I have no
19 apology for doing so and I explained to Pete that I
20 was going to do that.

21 MR. MAKLEY: All I'm saying -- I'm saying
22 --

23 MR. DOWD: Well, I'm going to keep doing it
24 until I get a clear answer.

25 MR. MAKLEY: What's going to happen, John,

1 what's going to happen, is you're going to create
2 confusion in the record. And if that's what you
3 want, that's fine. But all I'm saying --

4 MR. DOWD: Yes, I told you --

5 MR. MAKLEY: Wait a minute. I want to hear
6 the question read back so I know that you
7 understand what question you're answering.

8 THE WITNESS: Well, I know what he just
9 did. What he did, he just in a real fast way added
10 '86.

11 MR. MAKLEY: That's what I think he did,
12 yes. That's what I think he did.

13 THE WITNESS: That's what he did. You're
14 exactly right. You're exactly right.

15 MR. MAKLEY: And I don't think that's fair,
16 John, if that's what you did; if that's what you
17 meant to do. Now that's all I'm asking; get the
18 question cleared up.

19 THE WITNESS: Because I told him --

20 MR. MAKLEY: He can give you whatever
21 answer he wants, but let him understand the
22 question.

23 THE WITNESS: Because I told you it was for
24 January and the NCAA.

25 MR. DOWD: Right. And I said isn't it a

1 fact that it was in '86.

2 THE WITNESS: That's not a fact. It was in
3 '87.

4 MR. MAKLEY: So that's the question.

5 MR. DOWD: Read it back.

6 MR. MAKLEY: The answer is not yes.

7 MR. DOWD: Read it back.

8 MR. MAKLEY: Okay.

9 (Whereupon, the reporter read back the
10 following:)

11 "Q Isn't it a fact, Pete, that this thirty-
12 four thousand dollar debt was incurred in 1986 with Mr.
13 Peters through Mr. Gioiosa?

14 A It was incurred by Mr. Gioiosa. I don't
15 know if it was Mr. Peters.

16 Q But on your behalf?

17 A I think I already said I lost the money in
18 a period of time. I think I've said that.

19 Q So the answer is yes?

20 A Yes.

21 MR. MAKLEY: Wait a minute. I'm not sure
22 -- the answer is yes to what?"

23 (End of reporter readback.)

24 MR. DOWD: I'll go over it again.

25 MR. MAKLEY: Pardon me?

1 MR. DOWD: I'll go over it again.

2 THE WITNESS: Simple. Yes, but not for

3 '86.

4 BY MR. DOWD:

5 Q Was Gio placing your bets with more than
6 one bookmaker, Pete?

7 A Couldn't tell you.

8 Q Did he ever tell you?

9 A No. Didn't want to know.

10 Q Back to the Exhibit 17, Pete. Did you, in
11 or about May of 1987, obtain a copy of that check from
12 either Mr. Katz or Mr. Chaiken?

13 A I don't remember.

14 Q Do you remember giving a copy of that check
15 to Mr. Janszen?

16 A I don't remember.

17 Q Do you remember giving a copy to Mr.
18 Peters?

19 A Don't remember.

20 Q All in May of 1987.

21 A No.

22 Q Do you remember? No?

23 A I don't remember.

24 Q If Mr. Gioiosa told Mr. Peters in nineteen
25 -- late 1986 that you couldn't pay Mr. Peters because you

1 were indebted to a New York bookmaker at the same time,
2 would Mr. Gioiosa be lying?

3 A Certainly.

4 Q Now, let's go back to Mr. Bertolini. Tell
5 me when you first met this young man and how you got to
6 know him.

7 A I don't remember how many years ago it was.
8 He was just a young kid that was in the lobby of the hotel
9 in New York getting autographs. A young kid, maybe sixteen
10 or seventeen.

11 Q Do you know how old he is today, Pete?

12 A Twenty three or four probably.

13 Q And I take it this relationship with
14 Bertolini developed --

15 A Yes.

16 Q -- to a business relationship?

17 A Well, being around him, once I understood
18 -- and he asked me to do a couple of shows. And you
19 understand how much he knows about it and how many people
20 he knew in that business, so I try to help him out.

21 Q Do you remember the eighty thousand that we
22 looked at yesterday?

23 A I remember it.

24 Q Is that the first monies you ever gave to
25 Mike Bertolini?

1 A I don't remember.

2 Q Invested with him or --

3 A I don't really -- I don't remember.

4 Q Remember we talked about the Brooklyn show
5 with you and Mickey Mantle?

6 A Right.

7 Q Did you get Mantle to come to that show?

8 A No, Bill Hungash got Mantle.

9 Q How much did Mantle want?

10 A I have no idea.

11 Q Pete, would Mickey Mantle refuse to take a
12 check from you for coming to that show?

13 A Refuse to take a check from me?

14 Q A Pete Rose check.

15 A There would be no reason for me to offer
16 him a check for coming to that show. That was not my show.

17 Q Okay.

18 A I was a participant in that show the same
19 way Mickey Mantle was.

20 Q Oh, forgive me. I understood that you sent
21 the eighty thousand to Bertolini to get the ball players to
22 come to the show because they had to get paid up front.

23 A Yeah, you're absolutely --

24 Q And you said Mickey Mantle cost a lot of
25 money.

1 A He does.

2 Q Okay. So I'm turning it around. Why
3 couldn't you just give a check to Mickey Mantle? And I'm
4 trying to understand. Maybe I don't understand --

5 A Because it's not my show, John.

6 Q Okay.

7 A I wasn't the promoter of the show.

8 Q But you're an investor in the show?

9 A For all I know, Mike might have used that
10 money to rent the hall.

11 Q It costs eighty thousand to rent a --

12 A When I said Mickey Mantle costs a lot of
13 money, I was talking more or less the show in January that
14 I was part promoter of.

15 Q The Trop/World Show?

16 A Yes.

17 Q Okay. How about the Brooklyn show?

18 A I was no part of that show except a signee.
19 I was a signee.

20 Q But you gave money to Bertolini --

21 A I sent Mike money, yes.

22 Q Eighty thousand dollars.

23 A And he was part owner of that show.

24 Q Right. But eighty thousand dollars, part
25 of which was --

1 A Well, I can't sit here and tell you that he
2 used the whole eighty thousand for that show. I really
3 don't know.

4 Q Did he ever tell you what he used the money
5 for?

6 A As long as I get paid back I don't care
7 what he used it for.

8 Q And did he pay you back the eighty
9 thousand?

10 A He certainly has.

11 Q When?

12 A Different times.

13 Q Tell me when and how much.

14 A He pays me back when he has shows and when
15 he makes money on memorabilia sales.

16 Q Does he pay you in cash or check?

17 A Usually. He pays me in cash.

18 Q And how do you know he's paid the eighty
19 thousand back? I mean how do you keep track of it?

20 Where's it accounted for?

21 A In my mind.

22 Q Mr. Bob Chaiken keep track of it?

23 A No, not at all.

24 Q Why not?

25 A Because he didn't loan him the money, I

1 did.

2 Q Mr. Chaiken in charge of all your accounts?
3 Including the Pete Rose account, Center Office, First
4 National Bank?

5 A He's in charge of my accounts. I'm a big
6 boy, I can handle cash.

7 Q You give a young fellow eighty thousand
8 dollars -- is Bertolini wealthy in his own right?

9 A No.

10 Q Does he have any assets or credit to speak
11 of?

12 A He's got a kind heart.

13 Q But did he have any assets or credit to
14 your knowledge?

15 A No. That's probably one reason why I
16 helped him out. Because I had credit.

17 Q Did he ever give you a financial statement?

18 A No. I never asked for one.

19 Q Did there come a time in either 1987 or
20 1988 when you were indebted to Mike Bertolini?

21 A Indebted to him?

22 Q Yeah.

23 A No, not at all.

24 Q Did you ever owe him a dime in 1987 or
25 1988?

1 A I don't owe him anything.

2 Q I'm sorry?

3 A I don't owe him anything.

4 Q Did you --

5 MR. MAKLEY: He said did.

6 Q -- in 1987 --

7 A Did? No.

8 Q -- or 1988 owe Mike Bertolini any money?

9 A No.

10 Q So if he said you did, he'd be lying?

11 A Yeah, he'd be lying. He'd be lying. Or

12 somebody would be lying.

13 Q How many shows did you do with Bertolini,

14 either Bertolini running it or as a participant in it?

15 A And let's --

16 Q I really don't know. A lot.

17 Q Approximately. Let's take '86/'87 --

18 A What year are you talking about?

19 Q Let's take '86/'87.

20 A I just filled it out on my income tax the

21 other day. '86 and '87 was four.

22 Q Four shows?

23 A Four. And I can't sit here and tell you

24 they were all involved with Mike Bertolini. Although if he

25 didn't promote the show, he usually got me for the person

1 who was doing the show. So I'm saying four in '86.

2 Q Does he get a fee for that?

3 A I couldn't tell you. He don't from me.

4 I think the answer was four in '86.

5 Q You gave him eighty thousand the end of
6 '86. You saw a five thousand dollar check a few minutes
7 ago, January 5th, '87. And I understand that he borrowed
8 some money at a bank in Cincinnati and you co-signed the
9 note?

10 A A couple different times.

11 Q Can you tell me how much they were?

12 A I think the first one was like forty/forty-
13 three thousand.

14 Q And when was that?

15 A I can't remember.

16 Q Was that June 1987?

17 A It may have been.

18 Q Sound about right?

19 A It may have been, I don't know.

20 Q Mr. Pitcairn is trying to retrieve some of
21 that paper for me so we can have it and we'll let this
22 paper speak for itself. But just do the best you can.
23 About forty-three thousand.

24 Any other loans in '87?

25 A I don't remember. I mean I think I've

1 signed three notes for Mike. And the last one was just
2 recently. It was a hundred and twenty-five thousand. And
3 that was to clear up the Atlantic City show.

4 Q Now is that in addition to the loans in
5 '87?

6 A Yes.

7 Q Do you know what the total is, Pete, that
8 you're on the notes for?

9 A No, they're paid off.

10 Q They're paid off?

11 A He's paid all but the one.

12 Q When were they paid off?

13 A Sharon Menike can give you all that
14 information from the Star Bank.

15 Q She can?

16 A Yes, she certainly can because she was in
17 charge of all three notes.

18 Q Okay. Would you authorize your counsel to
19 tell her that -- I can't just go talk to her, Pete. I
20 don't have the power to do that. It's only if you
21 authorize these gentlemen to tell her that she's free to
22 talk to me about that. Can I do that.

23 A I have no reason why they wouldn't.

24 Q Okay. But would you please authorize your

25 --

1 MR. MAKLEY: You can consider that you have
2 the authorization.

3 MR. DOWD: Okay. That would be very
4 helpful.

5 THE WITNESS: Absolutely.

6 MR. DOWD: Because I know Bob's been
7 working on it for some time to try to get it.

8 MR. PITCAIRN: Good. Now you try to get
9 it.

10 MR. DOWD: Well, I can only do it if Pete
11 authorizes you guys to tell that and she knows
12 she's authorized by Pete to tell me. I can't
13 otherwise do it.

14 MR. PITCAIRN: You call her up and tell her
15 that and if she needs authority more than just your
16 word for it, have her call me.

17 MR. DOWD: Okay. But it's just helpful if
18 someone passes the word to her.

19 THE WITNESS: When the notes were signed,
20 John, they were out of the Evendale Office. But
21 since that time she has transferred to the Star
22 Bank down off of 275 in Milford.

23 MR. PITCAIRN: John, let me finish. If
24 that's not okay, I mean we'll alert her in the
25 meantime, but if you have a problem --

1 MR. DOWD: It would be helpful.

2 MR. PITCAIRN: -- we'll get Pete to call
3 her directly.

4 BY MR. DOWD: M

5 Q All right. And where is she located, Pete?

6 A Star Bank in Milford.

7 Q In Milford. And give me her name again?

8 Sharon?

9 A Sharon Menike.

10 Q And do you know how to spell that?

11 A M-e-n-i-k-e.

12 Q Okay.

13 A She's the manager.

14 Q All right. Again, what was the total that
15 was owed?

16 A You know, I can't really tell you because I
17 forgot how much the second note was for.

18 Q A hundred and twenty-five thousand?

19 A That was the last one.

20 Q That's the last one?

21 A That was the last one and I think the first
22 one was forty or forty-three and I don't know what the
23 second one was. I'd be out of school if I tried to guess.

24 It wasn't near like the hundred and twenty-
25 five. It was more in the forty range.

1 Q Do you know what Bertolini did with the
2 money that he borrowed from the bank?

3 A Yeah, I know what he did with the last and
4 I know what he did with the second and I know what he did
5 with the first.

6 The first -- he'll have a hard time
7 explaining the first to you. Because that was a period of
8 time when he got hooked up with some whore in Tampa and he
9 blew the money on her.

10 Q Okay. Is that Tammy Apple?

11 A Tammy Apple. Absolutely right. And he
12 went through a whole summer of her. There's a long story
13 behind that and I'll make it short.

14 Here's a guy that went to spring training
15 that year and he met her and he weighed 360 pounds. And in
16 the next year, because of that girl, he lost 160 pounds.
17 And he just fell in love and she put him through the mill.
18 He bought her everything that he possibly could buy her.
19 And got away from his business and everything.

20 The other two was used for shows --

21 Q So he spent the money on her?

22 A Yes, sir. That's what I -- I have to
23 believe he did that. I have to believe that.

24 Q You've never seen the records?

25 A No.

1 Q Well, he won't turn the records over to the
2 Commissioner, so we haven't seen them either.

3 A I guarantee you that Sharon Menike can give
4 you a pretty good statement along those lines because he
5 (sic) was real close to Mikey and met Tammy and the whole
6 ball of wax.

7 And being his banker, she was aware of what
8 was going on.

9 MR. DOWD: Okay. Why don't we take five
10 minutes.

11 (Whereupon, the deposition was recessed
12 from 9:58 o'clock a.m. to 10:06 o'clock a.m.)

13 (Whereupon, Exhibit Numbers 18 through 21
14 were marked.)

15 BY MR. DOWD:

16 Q Pete, let me show you Exhibit 18, which are
17 the checks you and I have talked about a couple of times
18 that you testified went to Mike Bertolini.

19 A Okay.

20 Q Oh, I'm sorry, Pete. These are all
21 separately numbered. Exhibits 18 through 21. Each page
22 has got a separate exhibit number.

23 A What's that? What do you want me to look
24 at?

25 Q Let's just take -- I didn't realize they

1 were all -- each page was separately numbered. Let's take
2 Exhibit 18 first.

3 And ask you if you recognize those checks.
4 Checks number 182, 183 and 184.

5 A Yeah.

6 Q This is on the Oak Hills Savings and Loan,
7 Pete Rose's account. Do you recognize those checks, sir?

8 A Uh-huh.

9 Q Is that your --

10 A Yes.

11 Q Is that your handwriting?

12 A Yes.

13 Q Who's Mike Warren?

14 A I don't know.

15 Q Where did you get that name?

16 A Either Mikey told me to make up the name or
17 he gave it to me; one of the two.

18 Q Okay. Dave Smiley; where did you get that
19 name?

20 A The same. The same.

21 Q Mike made it up?

22 A Either one of us.

23 Q Herbie Lee?

24 A The same.

25 Q Okay. If you'll look at the back of

1 Exhibit 18, you'll see they're indorsed in the name of the
2 individual that's on the front.

3 A Right.

4 Q Do you know whose handwriting that is?

5 A No, sir.

6 Q Is that yours?

7 A No.

8 Q Does it look like Bertolini's?

9 A These three all look different.

10 Q Okay. And it says For Deposit Only, Rosic,
11 R-o-s-i-c, Trading Corporation on all three checks.

12 MR. MAKLEY: Pete, he's talking about these
13 three checks. You're looking at those others.
14 When he asks you a question about an exhibit, look
15 at the exhibit.

16 THE WITNESS: Okay.

17 A What was the question?

18 Q I'll start over again. The indorsements on
19 the back of 18, do you recognize any of the handwriting on

20 --

21 A No, I don't recognize any of the names.

22 Q Let me finish the question so that he can
23 get us both. I'm moving as fast as I can, okay?

24 And they're all -- there's a stamp, am I
25 correct, For Deposit Only, Rosic Trading Corporation?

1 A Right.

2 Q Pete, let's look at Exhibit 19. These are
3 three checks on Oak Hills Savings and Loan, your account.
4 Checks numbered 185, 186 and 187. Is that correct?

5 A Right.

6 Q Who's Bob Brown?

7 A I don't know.

8 Q Is it a real person as far as you know?

9 A No.

10 Q Did you write his name on that check?

11 A Yes.

12 Q Paul Frey, F-r-e-y. Do you know who Paul
13 Frey is?

14 A No.

15 Q You wrote that name on that check?

16 A Right.

17 Q And Mike Nesi?

18 A Nesi, yeah.

19 Q N-e-s-i. Is that a real person to your
20 knowledge?

21 A That's just a fictitious name.

22 Q Okay. Let's look at the back of 19, Pete,
23 and ask you if you -- the handwritten indorsements, do you
24 recognize any of the handwriting?

25 A No.

1 Q Is it yours?

2 A No.

3 Q Is it Bertolini's?

4 A I can't tell you for sure. I doubt it.

5 Q All right. Did Bertolini tell you that any
6 one of these three individuals whose names appear on
7 Exhibit 19, are real individuals?

8 A I don't remember that.

9 Q And again, these three checks are deposited
10 to the account of Rosic Trading Corporation?

11 A Right, I see that.

12 Q Let's take Exhibit 20, Pete. Three checks
13 on Oak Hills Savings and Loan Company, numbers 188, 189 and
14 190. Is that correct?

15 A Right.

16 Q Your account; is that correct?

17 A Yes.

18 Q And you filled out each one of these
19 checks?

20 A Yes.

21 Q Let's take the first two. Herb Smith,
22 eight thousand dollars. Who is Herb Smith?

23 A I have no idea.

24 Q A fictitious person as far as you know?

25 A Right.