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OFFICE OF THE COMMISSIONER
MAJOR LEAGUE BASEBALL
350 PARK AVENUE
NEW YORK, NEW YORK
VOLUME I

In the Matter of: :
Peter Edward Rose, Manager, :
Cincinnati Reds Baseball Club :

Deposition of PETER EDWARD ROSE taken in
Dayton, Ohio, on April 20, 1989, at 4:10 o'clock p.m.

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Mr. Joseph E. Daly, Manager, BRI
Mr. Kevin Hallinan, Major League Security

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I N D E X T O E X H I B I T S1
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NUMBERS:	DESCRIPTION	MARKED
No. 1	Ltr from Rose to Balfour	11
No. 2	Check # 509, Star Bank	89
No. 3	Check # 402	119
No. 4	Affidavit	132
No. 5	Photograph	145
No. 6	Ticket Request, 5-30-86	156
No. 7	Ticket Request, 6-5-87	158

P R O C E E D I N G S

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Whereupon,

PETER EDWARD ROSE

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

MR. MAKLEY: John, before we start, I want on the record the representation that I'm going to get a copy of the transcript from you.

MR. DOWD: You certainly are. I represent to you, Mr. Rose, and, Mr. Makley, Mr. Pitcairn, that I've instructed the Court Reporter to send you a full copy of the transcript of Mr. Rose's testimony.

MR. MAKLEY: Together with the exhibits you're using?

MR. DOWD: Yes, sir. And if we're missing copies, we'll make sure copies are made and sent to your office.

MR. MAKLEY: Okay. The only other thing I want to show for the record at this point, Mr. Rose has been traveling through the night and unfortunately, due to the time the plane arrived in Cincinnati and the time he was able to get home due to road construction, he's had very little sleep. In fact he's had about, what, three hours of sleep,

1 Pete?

2 MR. ROSE: An hour and a half.

3 MR. MAKLEY: Okay. So if we gets weary,
4 please bear with him.

5 EXAMINATION

6 BY MR. DOWD:

7 Q Mr. Rose, I want you to know that any time
8 during this examination you would like to stop, take a
9 break, please indicate.

10 If at any time you don't understand my
11 question, you want me to repeat it, please tell me.

12 You have counsel, anytime you want to
13 consult with them, just indicate and you're free to do so.

14 Mr. Rose, your testimony is being taken
15 pursuant to request by the Commissioner of Baseball
16 pursuant to the Rules of Major League Baseball and the
17 rules and procedures under that agreement.

18 You understand that you're under oath?

19 A (The witness nodded his head.)

20 Q Could I have an answer for the record,
21 please?

22 A Yes.

23 Q Thank you. Mr. Rose, would you tell me how
24 old you are, sir?

25 A 48.

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Q And where were you raised?

A Cincinnati, Ohio.

Q And would you tell me something about your education?

A I graduated high school in 1960, Western Hills High School.

Q Okay. And you've played baseball the rest of your life since you graduated from high school?

A Yes, sir.

Q And would you just briefly outline for me your career in baseball? What teams you've played for and --

A Professionally?

Q Yes, sir, please.

A I played for the Geneva Reds in the New York Penn League in 1960 for two months. I played for the Tampa Tarpons in the Florida State League in '61. The Macon Peaches in the Sciota League in '62. And the next 16 years at Cincinnati; the next five at Philadelphia; and three months in Montreal; and then back to Cincinnati for the last five.

Q Okay. What was the last year that you played baseball as a player?

A 1986.

Q Were you a manager at that time also?

1 A Player/manager.

2 Q I'm sorry?

3 A Player/manager.

4 Q You were player/manager.

5 A Yes, August 16 of '84.

6 Q '84?

7 A That's when I become player/manager of the
8 Reds.

9 Q Okay. And --

10 A I was player/manager in '84, the last six
11 weeks; '85; '86; and just become manager in '87 and last
12 year, '88.

13 Q And you're presently -- so from 1984 to
14 1988 you've been the manager --

15 A Right.

16 Q -- of the Cincinnati Reds?

17 A Right.

18 Q Do you know a gentleman by the name of
19 Cambra; Joe Cambra?

20 A Yes, I do.

21 Q Am I pronouncing his name correctly?

22 A Joe Cambra. C-a-m-b-r-a.

23 Q And where is he from?

24 A He's from Somerset, Massachusetts I
25 believe. I met him in West Palm Beach.

1 Q And how long have you known him?

2 A Since I joined the Montreal ball club.

3 Q And that would be what year, sir?

4 A 1984. February '84.

5 Q And you met him in Florida?

6 A Right. He lives in West Palm Beach.

7 That's where the Expos trained.

8 Q Okay. So it was during spring training of
9 1984?

10 A Right.

11 Q And at that time what was Mr. Cambra's
12 occupation?

13 A Baseball fan.

14 Q Did he have any other occupation?

15 A Not to my knowledge.

16 Q Did you know that he was a bookmaker?

17 A Not to my knowledge.

18 Q How about in 1985? Did you know that he
19 was a bookmaker?

20 A No.

21 Q How about 1986?

22 A No.

23 Q Did you know that he had been convicted of
24 bookmaking activities in Massachusetts --

25 A I read that in the paper about two weeks

1 ago.

2 Q -- in 1986?

3 Let me finish my question please and then
4 I'll let you answer.

5 Did you know that he'd been convicted of
6 bookmaking activities in 1986?

7 A No.

8 Q And you learned that -- go ahead and finish
9 your answer. You wanted to tell me when you first learned
10 it.

11 A I read that in the paper, what, a week and
12 a half ago or so.

13 Q Okay. And did you ever borrow any money
14 from him?

15 A No.

16 Q Did you ever give him any money?

17 A Give him money?

18 Q Yes, sir.

19 A Yes.

20 Q And on what occasions?

21 A What occasions?

22 Q Yes, sir.

23 A I gave him money one time. I don't
24 remember when it was. But it was \$19,800. That was for a
25 real estate deal. Because he had a real estate license and

1 he had this piece of property he wanted to buy. And that
2 was half of it.

3 Q And did you give him --

4 A I think that was eighty -- I don't remember
5 when it was.

6 Q Can you give me --

7 A The deal never went through and he give me
8 the money back.

9 Q The deal did not go through?

10 A Right, and he give me the money back.

11 Q And where was the property, sir?

12 A In Somerset.

13 Q Somerset, Massachusetts?

14 A (The witness nodded his head.)

15 Q And was it raw land?

16 Can you describe the property at all?

17 A I never seen the land.

18 Q Did he describe it to you?

19 A He just told me it was a good opportunity
20 to double my money. I said fine.

21 Q And you gave him a check?

22 A That's right.

23 Q All right. Have you given him any other
24 money, sir?

25 A No.

1 Q Is he a close friend of yours?

2 A What's a close friend?

3 Q Well, would you call him a close friend?

4 A He's a friend. He comes to spring training
5 every year to see the Reds play. He's a great Reds fan
6 now. And I guess that's because he's a Pete Rose fan.

7 Q Uh-huh.

8 A He don't stay at my house when he comes.
9 He was at my house three weeks ago, three and a half weeks
10 ago. As a matter of fact, he was there on Good Friday
11 because he went to church for three hours.

12 Q Would you describe him as a dear friend?

13 A Yes, I think so. I think he's really a
14 down-to-earth guy.

15 Q Okay.

16 (Whereupon, Exhibit Number 1 was marked.)

17 BY MR. DOWD:

18 Q Mr. Rose, I'm going to show you a letter
19 here. I take it you've read the paper about this World
20 Series ring --

21 A Uh-huh.

22 Q -- that the papers wrote about.

23 Let me show you a letter and ask you if you
24 recognize it.

25 MR. DOWD: And, Roger, I do not have

1 another copy of it but I represent to you that I
2 will make this Exhibit 1 to Mr. Rose's deposition.

3 And I hand it to Mr. Rose and his counsel
4 for an opportunity to read it.

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

7 MR. DOWD: What I was going to finish to
8 say, Mr. Makley, was that I will make sure you get
9 a copy of that.

10 MR. MAKLEY: Well, I would assume I'll get
11 a copy of everything that's used as an exhibit to
12 the deposition.

13 MR. DOWD: Yes. But I just want you to
14 know I don't have an extra copy here and I just
15 want to be very careful --

16 MR. MAKLEY: I'll accept --

17 MR. DOWD: -- so you understand that you
18 will get a copy.

19 MR. MAKLEY: -- that representation.

20 MR. DOWD: Thank you.

21 THE WITNESS: What's the question on this?

22 MR. MAKLEY: Hold on a minute. Wait until
23 we get done reading it. Bob can read it, too?

24 MR. DOWD: Sure.

25 MR. MAKLEY: Have you read it?

1 THE WITNESS: Yes.

2 MR. MAKLEY: When he gets done, then you
3 can...

4 (Mr. Pitcairn examined the document.)

5 MR. PITCAIRN: Thank you.

6 BY MR. DOWD:

7 Q The question is, Mr. Rose, do you recognize
8 the letter?

9 MR. MAKLEY: Keep it in front of you.

10 MR. DOWD: Just keep it in front of you for
11 a moment.

12 Q Do you recognize the letter?

13 A Yes.

14 Q And did you write the letter?

15 A I wrote the letter.

16 Q And who prepared it for you?

17 A I don't remember.

18 Q Is that your signature on the letter?

19 A Yes.

20 Q Thank you. Can you expand on the letter at
21 all and tell me what that is all about?

22 Let me have the letter for a moment,
23 please.

24 (The document was handed to Mr. Dowd.)

25 A Well, all this is, is Mr. Cambra wanted a

1 World Series ring.

2 Q I see.

3 A In order to have one, you had to get
4 authorization from Balfour. And it happens all the time.

5 Q Okay.

6 A And I happened to know John Scarpellini
7 real well because I did some promotion for him during the
8 '75 and '76 season. And I wrote John -- what I really did
9 is give him permission to do it.

10 Q Okay.

11 A And he did it.

12 Q The problem that -- I guess the problem I
13 have and the question I have is, is the ring that you
14 describe in this letter the 1975 World Series ring of
15 yours?

16 A (No response.)

17 Q In other words --

18 A No, it --

19 Q -- the Reds won --

20 A Wanted to duplicate that ring. Want to
21 duplicate the '75 ring. That's what he's going to do.
22 He's going to make a ring like the '75 World Series ring.

23 Q All right. The reason --

24 A That's what that letter's for, telling him
25 it's okay to make a ring like the one I have.

1 Q Okay. The problem is, the ring that you
2 describe in this letter, according to Balfour, is not the
3 same as the 1975 World Series ring that you won on the ball
4 field.

5 A Well, they won't do it. They won't do it a
6 hundred percent. They can't do that.

7 Q Okay.

8 A I mean everybody in the world could get
9 one.

10 Q I'm just trying to clarify this thing,
11 that's all.

12 And was this a gift from you to Mr. Cambra?

13 A No. To my knowledge he paid \$3150 for that
14 ring. That's what I was told.

15 Q Okay.

16 A Which is about right.

17 Q Mr. Rose, had you lost your '75 World
18 Series ring?

19 A No.

20 Q Okay. Do you still have it?

21 A (The witness nodded his head.)

22 Q And where is it, sir?

23 A My 1975 World Series ring?

24 Q Yes, sir.

25 A It's in a gentleman's house.

1 Q Okay. Can you tell me who that gentleman
2 is?

3 A Barry Halper.

4 Q And who is he, sir?

5 A He's a memorabilia collector.

6 Q And how did he come into possession of that
7 ring?

8 A Well, he traded me a Ty Cobb bust that I
9 have at home. A big huge bust of Ty Cobb.

10 Q All right.

11 A There's only two of its kind in the world.

12 Q I see. So you traded your 1975 World
13 Series ring to Barry Halpen?

14 A Halper.

15 Q How do you spell that?

16 A H-a-l-p-e-r. He's part owner of the
17 Yankees.

18 Q Halper?

19 A Yes.

20 Q Okay, excuse me. The reason I ask that
21 question, just so you know, I ask about that is, that Mr.
22 Scarpellini, who is the Vice President of Balfour, was told
23 that you had lost your 1975 World Series ring.

24 So I just wanted you to know why I asked
25 that question, okay? And --

1 A Who told him that? Or am I suppose to ask
2 questions?

3 MR. MAKLEY: No, you can --

4 MR. DOWD: All right.

5 MR. MAKLEY: If you didn't, I was going to.
6 Who supposedly told him.

7 BY MR. DOWD:

8 Q The supervisor in the ring that's related
9 to -- in the plant that's related to Joe Cambra told Mr.
10 Scarpellini that you had lost your '75 World Series ring
11 and that you, Mr. Pete Rose, wanted to give to Mr. Joe
12 Cambra the '75 duplicate, or whatever, the recreation of
13 it, to Mr. Cambra for his birthday.

14 A That's not true.

15 Q That's not true.

16 A Because if I was going to do that, the ring
17 that Joe would have would have "Rose" on it. Not "Cambra".
18 And I believe the ring he has, has "Cambra"
19 on it.

20 Q Okay. And I've never seen a World Series
21 ring, Mr. Rose, so you can just -- it has your name on it?

22 A It's just like this one here but it's got a
23 diamond in the middle.

24 Q Okay.

25 A Yes, everyone has their own name on it.

1 Q Okay.

2 A Including the scouts, front office people.

3 Q All right, I didn't know that. I've never
4 had a chance --

5 A So each team that gives out World Series
6 rings will probably give out a hundred and fifty rings.

7 Q I see.

8 A Some have bigger diamonds than others.
9 That's really what it boils down to.

10 Q Okay. Let me ask you a few more questions
11 about Mr. Cambra.

12 Have you ever bet with Mr. Cambra?

13 A Bet with him?

14 Q Yes, sir.

15 A No, sir.

16 Q Have you ever gone to the track with him?

17 A No.

18 Q Has he ever given you any money?

19 A No.

20 Q Has he ever loaned you any money?

21 A Well --

22 Q Go ahead. Take your time.

23 A He gave me the return of my money.

24 Q He returned the \$19,000 check?

25 A Nineteen eight hundred; nineteen thousand

1 eight hundred.

2 Q Right. The check you referred to earlier.

3 A Yes.

4 Q Nineteen thousand dollar eight hundred
5 (sic).

6 Did he return the check that you send him?

7 A No, he returned it in cash.

8 Q He returned it in cash.

9 And when did he do that, sir?

10 A I don't remember. I know he brought it to
11 Montreal is all I could tell you. So it had to be in '84
12 sometime.

13 Q All right.

14 A It probably was a couple months after he
15 got it.

16 Q All right. And what did you do with the
17 cash?

18 A Put it in my pocket.

19 Q What did you do with it after that, sir?

20 A I don't remember.

21 Q Did you spend it?

22 A I don't remember.

23 Q Has Mr. Cambra been a guest of yours in
24 Florida while you've been Manager of the Cincinnati Reds?

25 A A guest of mine? Like I said before, Mr.

1 Cambra likes me.

2 Q I gather, yes, sir.

3 A All right. His allegiance was Montreal
4 because he lived in West Palm. And when I went to
5 Cincinnati, he became a Cincinnati fan.

6 Now, all Joe -- I see Joe Cambra five to
7 six days a year. And that's in spring training. And when
8 he comes to Florida, I ask the Traveling Secretary to get
9 him a room at the headquarters.

10 Q Okay.

11 A I don't ask for no rate. I ask for a room
12 for him.

13 And last year -- or excuse me, this year,
14 as you're aware, there's only one hotel in Plant City.

15 Q I think so. I've never been to Plant City.

16 A The Holiday Inn. It's the only one in the
17 whole town.

18 Now, last year Brad DelBarba was the
19 Traveling Secretary. He got him a room there. The year
20 before that they got him a room at the Hilton in Tampa.
21 That was the headquarters of the Reds.

22 Because it's a lot easier for him to go
23 back and forth from the ball park because the headquarters
24 are all more convenient than other hotels.

25 Q Yes, sir.

1 A And he spends his four or five days and he
2 goes back. And he always waits till a period of time when
3 we have a lot of home games. Because he likes to watch the
4 Reds play.

5 And I don't pick him up, take him to the
6 ball park; I don't take him home from the ball park. All I
7 do is give him passes.

8 And this past year, we got a new house in
9 Florida, he came over and ate with us on Good Friday and
10 ate with us the Thursday before. And there was a whole
11 crew of people there. There was Cris Collinsworth. The
12 WLW TV crew was there doing a special on me and Joe set
13 there and watched it.

14 Jeff Ruby was there; his wife was there.
15 There was about ten people there.

16 Q So it would be from eight --

17 A Rennie Longfrey was there.

18 Q Okay.

19 A As a matter of fact, Rennie Longfrey and
20 Joe Cambra went to church. Because when they got back the
21 food was cold.

22 That's my relationship with Joe Cambra.

23 Q Okay.

24 A He's sick. He's getting old.

25 Q At any time -- so you've seen him in

1 Florida eighty --

2 A Eighty four, five, six, seven and eight and
3 nine.

4 Q And nine.

5 At any time that he came to Florida for the
6 five or six days that you just talked about, did he collect
7 any money from you?

8 A Collect money from me?

9 Q Yes, sir.

10 A No.

11 Q If he told someone he did, would he be
12 lying?

13 A Yes.

14 Q Okay. Has Mr. Cambra ever been in the
15 clubhouse?

16 A Well, it's all according to what your
17 definition of the clubhouse is.

18 Q You know it better than I do, Mr. Rose.
19 I'm --

20 A You mean where the players are?

21 Q Yes, sir.

22 A No.

23 See, in Florida you walk in the door and my
24 office is right there, then where they fix the food is
25 there, then there's another door and another door and

1 that's the clubhouse. And he's never been in the -- he's
2 been in my office. He's been in my office.

3 Q Okay.

4 A But he's never been, to my knowledge, in
5 the clubhouse.

6 Q Do you know a gentleman by the name of
7 Arnie Metz?

8 A Very well.

9 Q How long have you known Arnie?

10 A Probably 14, 15 years.

11 Q And how did you come to know him?

12 A He worked at the Cincinnati Reds.

13 Q What did he do there, sir?

14 A Stadium operations.

15 Q Take care of the ball field and the
16 stadium?

17 A Yes. Worked for maintenance.

18 Q Is Arnie Metz still with the Reds or has he
19 got some other job?

20 A No, sir, he don't have a job right now.

21 Q When was his last year with the Reds?

22 A Two years ago maybe. Two years -- I
23 believe two years ago.

24 Q Okay.

25 A He was part of Marge's cutback.

1 Q Is he a wealthy man?

2 A Wealthy?

3 Q Yes, sir.

4 A No, he's not a wealthy man.

5 Nobody in baseball is wealthy but owners

6 and players.

7 Q Does Arnie Metz run bets for you, Mr. Rose?

8 A Run bets for me. Would you explain that to

9 me?

10 Q Sure. Does he --

11 A If I'm at the track and he's there, you

12 mean go to the window for me?

13 Q Yes, sir.

14 A Yes.

15 Q And how long has he done that?

16 A Several years.

17 Q Five? Six?

18 A I don't remember.

19 Q Has he done it as long as you've known him?

20 A No, not as long as I knew him.

21 Q Tell me what --

22 A Six or seven years probably.

23 Q All right. Can you tell me what tracks

24 that he has run bets for you?

25 A Turfway Park and River Downs.

1 Q Has he ever done --

2 A And --

3 Q Go ahead.

4 A I just thought of spring training. Tampa
5 Bay Downs.

6 Q Okay. I want to direct --

7 A He does not get paid to do that by the way.

8 Q Now, when -- does he purchase the tickets
9 for you at the track?

10 A Well, see there's -- if my wife is there,
11 my wife does it. But if my wife isn't there and he's
12 there, he'll do it.

13 Q Okay.

14 A And I do that because he's honest.

15 Q Okay.

16 A And he don't make mistakes. And he don't
17 get shut out.

18 Q What does that mean, "shut out"?

19 A You know, if you don't -- if the wrong
20 people do that, they'll go up and tell you they got shut
21 out and your horse wins and they'll go around to the back
22 and cash the ticket.

23 What I'm saying, he's honest.

24 Q Okay. He doesn't run off --

25 A He's never made a mistake. He's never bet

1 the wrong horse. If I say 2, he don't go get 3.

2 Q Okay. And he doesn't run off with the
3 money or --

4 A No, he's not going to run off.

5 Q Okay. But I'm trying to understand what
6 shut out means.

7 He does things properly; is that what
8 you're saying?

9 A That's right.

10 Q He gets to the window, gets the ticket,
11 cashes the ticket in right, brings the money back, bets the
12 right horse.

13 Am I correct? Is that what --

14 A Absolutely.

15 Q -- not being shut out means?

16 A You see, don't overreact to that because

17 --

18 Q No, I'm just trying to understand it.

19 A Let me explain something here.

20 Q I'm not an expert in it.

21 A Well, there are no experts in horse racing.

22 Q Okay. Well, I don't go to the track, so
23 I'm not familiar with it.

24 A Then let me explain something to you --

25 MR. MAKLEY: I thought you were an expert

1 in all this, John. You were an expert at organized
2 crime and racketeering and gambling. I'm surprised
3 to hear you say you're not an expert at gambling.

4 MR. DOWD: No, I'm not. I've never handled
5 a gambling case before.

6 THE WITNESS: John, I can --

7 MR. MAKLEY: I'm surprised. I thought you
8 were.

9 MR. DOWD: No.

10 A We can go to Turfway Park --

11 Q All right.

12 A -- and I can sit upstairs, they have a
13 private place where I can sit so I'm not hounded, and I can
14 call or Arnie can call and make a bet.

15 Q Okay.

16 A You know, just call the window. That way
17 you're guaranteed to get on and after the race you just
18 take your money down to the guy.

19 So to say he runs bets all the time, he
20 always don't run bets. If it's convenient --

21 Q I'm not saying all the time, Mr. Rose --

22 A If it's convenient to do it the other way,
23 you do it.

24 Q I don't --

25 A Please, call me Pete. Mr. Rose is my dad.

1 Q I'm sorry. Okay. I'm sorry. I'm trying
2 to be respectful. And I don't mean to be disrespectful.

3 A I know. I understand that. I'm going to
4 call you John.

5 Q Good. I don't mean to be presumptuous.

6 A Because I hear your name every day for the
7 last six weeks.

8 Q I know you have.

9 A I haven't heard yours or yours though
10 (indicating).

11 Q Pete, I'm not drawing any conclusions about
12 "always". I don't know. I'm asking you to find out.

13 A Right.

14 Q Please understand, as I told you in
15 Florida, I have information -- let me just stop for a
16 minute so you understand. I'm going to tell you the same
17 thing I told you in Florida.

18 I have information in a variety of forms,
19 okay? I think it serves both you and the Commissioner and
20 the game for me to ask you.

21 A Okay.

22 Q Don't presume that I have made any
23 judgments at all. I have not. Okay?

24 A You're the boss, John.

25 Q And when I ask you, I'm just trying to get

1 your knowledge, your memory, et cetera. Okay?

2 I don't want to compete with you here. I
3 want to be fair and square. If I'm not fair and square, I
4 think you'll tell me. I think Roger Makley will tell me.
5 Okay?

6 I'm doing the best I can and I'm going to
7 give it everything I've got and that's what I've given for
8 the last six weeks. All right?

9 A Okay.

10 Q And --

11 MR. MAKLEY: That's right, Pete. John has
12 talked to Bob and myself. So you understand, he's
13 conducting the investigation. He's assured us, has
14 he not, Bob, that he's doing this in a fair and
15 impartial way and he's just trying to get
16 information so that information can be checked out.
17 That's why he's asking you the questions and that's
18 why he's looking for your cooperation. He's
19 assured us, and I have no reason to doubt, that he
20 has no preconceptions; he's not prejudged the
21 matter. He's told us he'll be fair about it.
22 He'll collect the information and as -- I don't
23 know what the exact procedure is, but at some point
24 it will be turned over to the Commissioner and the
25 Commissioner will, himself, look at this thing.

1 Himself, I assume, being fair and impartial.

2 MR. DOWD: Right.

3 MR. MAKLEY: Take whatever John has
4 gathered together, take a look at it, make some
5 kind of decision and then we may or may not have
6 some kind of a hearing.

7 But you should cooperate and answer John's
8 questions if you can. This is not the kind of
9 situation where you don't want to do that.

10 If you have any problem, you don't
11 understand what he's asking you, stop and ask him.
12 He'll answer if he can.

13 THE WITNESS: I thought I was answering.

14 MR. MAKLEY: No, I'm just saying --

15 MR. DOWD: You are. You're doing fine.
16 You're doing fine.

17 It's just a matter of giving you a full
18 understanding. I take it you've never had to go
19 through something like this before. I mean you're
20 not -- I mean Roger and I do it for a living. So
21 sometimes we try to be a little bit more careful of
22 folks that don't do it for a living and have to do
23 it.

24 It's not fun; it's not enjoyable. You
25 haven't had much sleep and --

1 THE WITNESS: Back to Arnie Metz again, all
2 right?

3 MR. DOWD: Sure.

4 MR. MAKLEY: Okay.

5 THE WITNESS: Most of the time when I go to
6 the race track, Arnie will go with me.

7 MR. DOWD: Okay.

8 THE WITNESS: One, you know, he knows real
9 good about horses.

10 Two, he does do some bets for me.

11 You have to understand, John, if I go to a
12 race track, I don't know if anybody in this room
13 goes to the race track, and if I go to the window,
14 first of all, everybody at the damn track knows who
15 I am. And everybody thinks I know something and I
16 don't. Even when my wife will go, I mean guys are
17 looking over her shoulder and everything and asking
18 the guy who did I bet on and stuff like that.

19 So it's just more --

20 BY MR. DOWD:

21 Q Why do they think that?

22 A I don't know. I don't know.

23 Q Is it because you know the owner of the
24 track?

25 A That has -- you know, the owner of the

1 track has nothing to do with the horses running. I know
2 the jockeys, too, but I don't know anything that you don't
3 know if you went to the track.

4 But people have a misconception that you
5 do.

6 Q All right.

7 A And just to eliminate a bunch of bullshit,
8 so to speak, you just let someone else do it for you. It's
9 not -- he don't sneak around. He goes to the same guy. I
10 mean he goes to the same window. If it's at this track or
11 that track or this track. He goes to a guy named Don over
12 at Turfway. And it's very simple that way.

13 Q Okay.

14 A It eliminates a lot of problems.

15 Q All right.

16 A It's just like Jerry Carroll won't go to
17 the track -- the window. The owner of the track. He don't
18 go to the window.

19 Q Is that Turfway?

20 A Turfway.

21 Q Where is that located?

22 A Right by the airport. In Latonia.

23 Q In Kentucky?

24 A Yes, sir.

25 Q Okay. Is there a room there that you go to

1 at that track called --

2 A There is and there -- there was and there
3 still is, but I don't like that room. The last year, since
4 they renovated the track, it's really a beautiful track, I
5 sit with the owner now.

6 Q Okay. And does he have a place where he
7 sits?

8 A Right up -- you know, it's a nice box
9 outside where the people are, right below the clubhouse.

10 Q All right. But prior to that there was
11 some room near the press-box?

12 A Well, I used to go in the press-box and
13 they made a rule they didn't want anybody not in the press
14 to sit there. And they made this small room, it's probably
15 from where Bob is to where he is (indicating). But it's
16 right next to the stewards, where the stewards sit.

17 Q I see. Do you ever ask Arnie to run bets,
18 when you're not at the track, to the track?

19 A Not very often.

20 Q But you have?

21 A I might if I have a horse running. My own
22 horse.

23 Q Your own horse?

24 A Yes.

25 Q Okay.

1 A Because I can have Arnie bet the horse and
2 I can call and listen to the race.

3 Q Okay. Let me direct your attention --

4 A Not if I'm not -- not just to -- I don't
5 send money out there just to send money out there. Do you
6 understand?

7 I mean if I'm going to bet on a horse, I
8 want to watch it or hear it.

9 Q Okay. But in order to make the bet, you
10 would ask Arnie to go to the track and --

11 A Oh, yes. That's the only way he can --

12 Q -- buy the ticket?

13 A That's the only way he can do it.

14 Q Right. Okay. Let me direct your attention
15 to January 25th, 1989.

16 And do you recall being at the Turfway
17 track, at Latonia, that evening?

18 A I don't know. Ask me some more questions
19 about it. I don't know the date. I mean was it a
20 Thursday?

21 Q This is the Pik-Six, Pete --

22 A Okay.

23 Q -- on January --

24 A I was there that night.

25 Q -- 25th, 1989.

1 A I was there but I was here until about
2 8:30.

3 Q You were in Dayton?

4 A In Dayton.

5 Q And what time did you get to the track?

6 A I got to the track probably after the fifth
7 race.

8 Q And when you got to the track, who did you
9 see?

10 A Who did I see?

11 Q Did you see Arnie Metz, Jerry Carroll?

12 A Jerry was there; Arnie was there.

13 Q And where were they sitting?

14 A In Jerry's box.

15 Q Okay. And did you have a conversation with
16 Jerry about the Pik-Six ticket?

17 A Well, what happened, let me explain what
18 happened. I walked in and I missed the first three races
19 of the Pik-Six; the third, fourth and the fifth for the
20 Pik-Six. It's the third through the eighth.

21 And Jerry Carroll bought two Pik-Six
22 tickets. And he didn't even know I was coming to the
23 track. And he went like this, and he said, "Do you want in
24 on one of the Pik-Six's?"

25 Q Uh-huh.

1 A And I said, yes. And he said, "Which one
2 do you want in on?" And I said, "This one (indicating)".

3 And he looked at that one and that one had
4 three winners out of three; and this one had two out of
5 three. He said, "Okay, the ticket is twenty-six hundred
6 and eighty bucks, you owe me thirteen hundred and forty".

7 So I gave him thirteen hundred and forty
8 dollars.

9 We set there and the next three races the
10 horse won -- the horses won.

11 Q Okay.

12 A And it was Jerry and myself and Arnie was
13 in on the Pik-Six.

14 Q It was a three way split?

15 A Well, Arnie was in it but not 50/50. He
16 was like 15 percent.

17 Q Okay. Was that discussed at the time --

18 A Yes, I knew.

19 Q That was discussed with Arnie that he was
20 getting 15 percent?

21 A Yes.

22 Q How did that -- can you tell me how that
23 came up or was it just understood?

24 A Jerry just said, "I'm going to put you in
25 and I'm in and Arnie's in. Arnie's in for his fifteen."

1 Q Okay. When you say Arnie's in for his
2 fifteen, is that normal?

3 A Sure. I always put Arnie in on tickets.

4 Q Okay.

5 A Just Arnie.

6 Q Just Arnie.

7 A Or Jerry. Because, you know, you don't
8 want to -- if you're going to buy a ticket for twenty-six
9 hundred bucks you don't want to do it yourself.

10 Q Okay. Why do you put him in for fifteen?

11 A Fifteen I said.

12 Q Fifteen percent, right. Why do you put
13 Arnie in for fifteen?

14 A He does a lot of favors for me. He's a
15 nice guy. I mean, you know.

16 Q I just want to know, that's all.

17 A He picks some of the horses now. I don't
18 know diddly-squat about horses. I mean if this guy's going
19 to pick a couple winners for me, he's deserving of fifteen
20 percent or ten percent or twelve percent, whatever it boils
21 down to.

22 Q Is that fifteen percent of the loss or only
23 fifteen percent of the win?

24 A Fifteen percent of the win.

25 Q Who cashed the ticket?

1 A Arnie cashed the ticket.

2 Q When did he cash the ticket?

3 A I think he cashed it two days later.

4 Q Okay. What happened to the ticket in the
5 meantime, on the night of the 25th and the 26th?

6 A Arnie signed the ticket and left it with
7 the guy -- what the hell do you call him? The Mutuels
8 Clerk, Jerry Kramer. I think he left it with Jerry Kramer.
9 He didn't want to take it home; didn't want to carry it.

10 Q Where is the Mutuels Clerk situated?

11 A He's down in the money room.

12 Q Where the vault is?

13 A I've never been there. But I would assume
14 that. You know, because if you were going to cash a two
15 hundred thousand dollar Pik-Six, you don't go to a window
16 upstairs on the sixth floor.

17 And they'll ask you, do you want cash? Do
18 you want a check? What do you want?

19 Q You didn't sign the ticket?

20 A No.

21 Q Jerry didn't sign the ticket?

22 A No.

23 Q Why not?

24 A Well, we didn't know we had to. I mean,
25 you know, we thought one guy could sign it. I didn't know

1 that anybody that's in on the ticket had to sign it.
2 Because we didn't want the publicity.

3 Every time a Pik-Six is hit over there,
4 it's either me, Jerry Carroll or a guy named Bruce
5 Battaglia. I mean I could be in Japan and the Pik-Six is
6 hit, they say I got it.

7 And Jerry caught some flack over there, you
8 know, because someone had wrote an article in the paper and
9 said that he shouldn't be betting because he could have
10 five out of six and go down in the Jock's room and tell
11 them who should win the sixth race.

12 MR. MAKLEY: Pete, wait a minute. I didn't
13 understand what you just told him. You said that
14 you could be in Japan and you'd win the Pik-Six.

15 THE WITNESS: People would say that.

16 MR. MAKLEY: Oh, okay.

17 THE WITNESS: People would say that.

18 MR. MAKLEY: Oh, okay.

19 MR. DOWD: Yes, that's what he said.

20 BY MR. DOWD:

21 Q Did you --

22 THE WITNESS: I wish I'd win as many Pik-
23 Six's as people say I do.

24 Q Excuse me. Did you tell Arnie to sign the
25 ticket?

1 A No, I didn't tell him.

2 Q Did Jerry tell him to sign the ticket?

3 A Not to my knowledge.

4 Q Why did anybody have to sign the ticket?

5 A You mean to get paid?

6 Q Yes.

7 A You have to sign it to get paid.

8 Q You have to sign it to get paid.

9 A Because they take the taxes out.

10 Q All right.

11 A They took eighty some thousand dollar taxes
12 out of it. Right now.

13 Q So with Arnie's name on the ticket, it
14 appears to everybody that Arnie won the two hundred and
15 sixty-six thousand --

16 A Well, that's the way you'd interpret it
17 because that's the name on the ticket. That's the way it
18 would appear, but that's not the way it appeared to the TV
19 people.

20 Q I don't understand what you just said. How
21 did it appear to the TV people?

22 A Well, it wasn't a big deal if Arnie Metz
23 hit it. It was a big deal if I hit it.

24 Q Okay. And this is to avoid --

25 A I mean I heard I hit it. I didn't even

1 hear Jerry Carroll's name on it. He's worth sixty million
2 dollars.

3 Q You mean Arnie Metz just signed the ticket
4 without any instruction from you and any instruction from
5 Jerry Carroll?

6 A He signed the ticket the night that we hit
7 it and left it with the Mutuels Clerk.

8 Q Right. Let me ask my question again, Pete.

9 A Okay.

10 Q Are you telling me, and telling the
11 Commissioner, that Arnie Metz signed that ticket without
12 any instruction from you --

13 A No, Arnie said, "I'll sign it." He said,
14 "I'll cash it." He said, "Let me cash it." I said, "Fine,
15 cash it."

16 Q So Arnie --

17 A I said I don't want people to know I hit
18 it.

19 Q Okay.

20 A And Jerry said I don't want people to know
21 I hit it either. Hey, nobody knew this guy was going to
22 call the damn TV station and say we hit it. And that's
23 what happened.

24 Q Now, did you instruct Arnie to cash the
25 ticket on the 27th?

1 A No, we decided to cash it then because I
2 was leaving the 28th to go to spring training.

3 Q Okay. Who is "we" decided?

4 A Jerry and me. Said, well, we'll cash it
5 now, cash it on Saturday. Jerry wasn't even there when we
6 cashed it. I called him on the phone said, "When should he
7 cash it?" He said, "He can cash it tomorrow night."

8 Q So you called him on the 26th?

9 A I called him on --

10 Q The 25th was the night of the Pik-Six.

11 A That was a Thursday. I called him on
12 Friday night and he said cash it on Saturday.

13 Q Cash it on Saturday.

14 A And Arnie told Jerry Kramer that so Jerry
15 would have the cash ready.

16 Q Okay, hang on a second now. The 25th is a
17 Wednesday.

18 A I thought it was a Thursday.

19 Q The 26th is a Thursday; the 27th is Friday.

20 A I don't know when he cashed it then. I
21 know I left on --

22 Q It was cashed on the 27th.

23 A All right, I left on a Sunday for spring
24 training.

25 Q All right. You called Carroll one of those

1 nights.

2 A Yes.

3 Q And said when should we cash it?

4 A I said, "What do you want to do with the
5 ticket?" He said, "Is Arnie going to cash it?" I said,
6 "Yes, he said he wanted to cash it." He said, "Well, go
7 ahead and cash it tomorrow then because you're leaving."

8 Q Okay. Did you communicate that to Arnie
9 Metz? To cash it on Friday the 27th?

10 A I don't remember. I don't remember. I
11 honestly don't remember.

12 Q All right. After Arnie cashed the check,
13 did he give you the money?

14 A Cashed the ticket.

15 Q Cashed the ticket, I'm sorry.

16 A He gave me half of the money.

17 Q He gave you half of the money. And how
18 much was that?

19 A It was a hundred and nine thousand.

20 Q In cash?

21 A Cash, yes.

22 Q And what did you do with the money?

23 A I can't say I put it in my pocket. I put
24 it in a satchel.

25 Q All right. And did you deposit the money

1 in a bank?

2 A No.

3 Q What did you do with the money?

4 A Took it to Florida with me.

5 Q Okay. Before you --

6 A And the other hundred and nine stayed there
7 because that was Jerry Carroll's.

8 Q That stayed where, in the --

9 A In the money room.

10 Q In the money room. Did you give Arnie Metz

11 --

12 A I gave him --

13 Q -- seven and a half percent?

14 A I gave him some money.

15 Q How much did you --

16 A I don't remember how much. I give him
17 pretty much.

18 Q Did you give him the fifteen percent of
19 your take or did you give him seven and a half percent of
20 yours?

21 A No, I gave him -- I don't know, I gave him
22 seventy-five or eight thousand dollars or something like
23 that. Might have even gave him more.

24 Q When he delivered it to you?

25 A No, when I left the track that night.

1 Q So he had already been paid on the 25th?
2 Arnie Metz?

3 A Well, I paid him the night he cashed the
4 ticket.

5 Q I'm sorry. The 27th. So after he --

6 A He cashed it before the races started,
7 John.

8 Q Right. That's on Friday night, before you
9 were leaving for Florida. He gets the cash, brings it to
10 you and you hand him eight thousand plus.

11 A Whatever. I handed him a pretty good
12 chunk.

13 Q Okay. But it's at --

14 A I told him, I said, "I'll give you some
15 more when we get to Florida." Because he was going to
16 Florida, too.

17 Q I see. Now, how did you go to Florida?

18 A Delta.

19 Q Do you recall hiring a private jet and
20 going to Boston first and then to Florida?

21 A That's not true. I hired a private jet to
22 go to Boston for a card show. And the private jet went
23 from Boston back to Cincinnati.

24 Q Okay. Did you go to Boston before you went
25 to Florida?

1 A Yes. I don't know if that was the Sunday
2 before. Was it?

3 I don't know.

4 Q You told me --

5 A I went to -- I had a card show in Boston
6 right before I went to spring training but I don't know if
7 it was the day before I left.

8 Q All right, let me help you out a little
9 bit.

10 You told me a few minutes ago that Arnie
11 Metz is an honest man.

12 A Yes.

13 Q Arnie Metz told us that you hired a private
14 jet at Greater Cincinnati Airport, CVG Aviation.

15 A Right.

16 Q And you flew to Boston.

17 A Right.

18 Q Did he go with you?

19 A He absolutely did.

20 Q Okay. And you had the money with you in a
21 satchel.

22 A No, uh-uh.

23 Q You didn't take the money to Boston with
24 you?

25 A No. Hell, no. Why would I take the money

1 to Boston? I was going to get money to go to Boston.

2 Q You went to Boston, flew back to Cincinnati

3 --

4 A Right.

5 Q -- flew Delta to Florida?

6 A Absolutely.

7 Q Okay. I'm just -- I don't know. I'm just
8 asking.

9 A Because I had to come back to get my
10 family.

11 Q Okay. So the money stayed here.

12 A Yes.

13 Q Except whatever you had in your pocket.

14 A The money stayed here, absolutely.

15 Q Okay. Tell me about the card show in
16 Boston. Whose card show was it?

17 A I can't remember. I can give you the
18 details on it.

19 Q Give me whatever you remember.

20 A When I'm saying I can't remember, I can't
21 remember the promoter.

22 Q Okay. Was it Bertolini?

23 A No.

24 Q Was it Thyberg?

25 A I don't think so. All I know is I got the

1 jet, we got to Boston and there was some delay in picking
2 me up, about a half hour. And I was PO-ed because it
3 wasn't in Boston. It was about 45 miles north of Boston.
4 So that put me late.

5 I get to the card show, it's packed. Jose
6 Canseco was there. I go to the place I'm sitting down and
7 sit down for two and a half hours and sign; get up; go get
8 paid; get back on the airplane and go back home.

9 Q And how were you paid?

10 A Cash.

11 Q How much?

12 A Guarantee; seventy-five hundred for a
13 thousand autographs.

14 Q Pete, I want to --

15 A And half of it was used to pay the plane.

16 Q Did you pay for the plane in cash?

17 A I usually do.

18 Q All right.

19 A If I get paid in cash. If I get paid in
20 check I don't pay it until they send me the bill.

21 Q Does the card show pay for any air
22 transportation at all?

23 A Sometimes, but they won't pay that kind of
24 deal. They'll give you a first class ticket.

25 Q Round trip or one way?

- 1 A Round trip.
- 2 Q Okay. And did they do that in this case?
- 3 A I think they only allowed me \$600 for a
- 4 round trip.
- 5 Q Okay.
- 6 A So they give me eighty-one hundred dollars.
- 7 Q Okay. Now, I want to direct your attention
- 8 to February 22nd, 1989, when you met with the Commissioner
- 9 of Baseball in New York.
- 10 Do you remember that meeting, sir?
- 11 A Uh-huh.
- 12 Q Do you remember who was present?
- 13 A Yes, sir.
- 14 Q Who was present?
- 15 A Bart was there and Peter was there, Bob was
- 16 there and Reuven was there. And I forgot the other
- 17 gentleman's name, the number two guy.
- 18 Q Mr. Vincent?
- 19 A Yes. Did he limp?
- 20 Q Yes, he did.
- 21 A Yes. He was there and Mr. Katz was there.
- 22 Q He's now the Deputy Commissioner.
- 23 A Right.
- 24 Q Francis Vincent.
- 25 Q Pete, do you recall telling Commissioner