

PART I

TAPE OF CINDY QUESTIONING RYAN (AGE 9) AND DAMON (AGE 6)

RYAN: Mom, what does smuggle mean?

CINDY: What? I don't know what this is. Ohh.. a smuggler is somebody who steal things and takes it places where they are not supposed to.

RYAN: And umm...is _____ the same word?

CINDY: Is what?

RYAN: Is _____ the same word?

CINDY: No it is a different word.

RYAN: Umm, what's a study?

CINDY: A study?

RYAN: Yeah.

CINDY: It's a room where you have lots of books.

RYAN: Oh.

CINDY: You know what. I'm trying to figure out this thing that you said about Dad. So, I'm wondering about ...

RYAN: What?

CINDY: Of him standing up over Damon in the middle of the night? Do you ...

RYAN: Ohhh

CINDY: About what time was it?

RYAN: Ohh... he stands on my bed to get up to Damon. I don't know what time. I didn't

check my watch. I was too sleepy. I probably couldn't read because...

CINDY: Yeah...so you were half asleep and it was dark?

RYAN: Uh huh...

CINDY: So it was probably in the middle of the night?

RYAN: Yeah, close to it.

* DAMON: ~~(inaudible) Damon and Cindy talk at the same time.~~ *And I felt the metal.*

RYAN: Dad does that even at night

CINDY: He does it at night?

RYAN: When, umm, I'm awake.

CINDY: Ohh! And you were asleep this time when he was in there? What were you going to say Damon?

DAMON: And I...and I felt a metal thing waving across me.

CINDY: You felt a metal thing waving across you?

RYAN: I bet I know what it was.

CINDY: What?

RYAN: It was probably the blankets.

CINDY: That doesn't feel like metal. You said you felt something going from your bottom? Is that where?? Like up your back or something? Some metal thing?

DAMON: No, up my whole body.

CINDY: Your whole body?

DAMON: Metal!

CINDY: It felt like...

DAMON: Waving!

CINDY: Felt like something waving? Like metal waving?

DAMON: Yeah across my whole body.

RYAN: Was it cold?

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EXHIBIT A

CINDY: It felt kind of...

DAMON: It felt like metal.

CINDY: Did it feel hard?

DAMON: Yeah. Felt like the walls of this house.

CINDY: Felt like the walls of the house? Kind of pressing down on you?

DAMON: Yeah.

CINDY: And how long did you feel it for?

DAMON: About like seven seconds.

CINDY: You don't know how long seven seconds is. So it woke you up?

* DAMON: No, I know how long seven seconds is. ~~It~~ I was actually counting in my mind to see ~~how~~ ^{how} long it would be.

CINDY: Oh! You counted to see how long it lasted?

DAMON: Uh huh.

CINDY: And then it went away?

DAMON: In seven seconds.

RYAN: That means it was probably the blanket.

CINDY: Well blankets aren't hard and don't feel like that. Was...was Dad...

RYAN: Well maybe he was half asleep and couldn't really feel that?!

DAMON: No.

RYAN: 'Cause sometimes you feel a little weird and you don't feel...

* DAMON: ~~I wasn't half asleep then~~ → I wasn't even half asleep then, Ryan.

CINDY: You weren't even half asleep? ~~Were you~~ kind of awake?

DAMON: Yeah. ~~So you were~~

CINDY: Did you call for Dad to see if he could help you?..or.. Was he there? Was he in the room?

DAMON: Umm...yeah.

CINDY: He was in...

DAMON: I saw him.

CINDY: You saw him in the room?

RYAN: Did you see him standing on my bed?

DAMON: Uh. I don't know if he was standing on my bed, but I did see him on the back corner of me.

CINDY: The back corner of you?

DAMON: Of my bed.

CINDY: Of your bed?

RYAN: No, I saw him (inaudible)

CINDY: And after you felt...

RYAN: The reason I picked the bottom bunk is because it's bigger than the top.

CINDY: Ohh, I see.

RYAN: And I need a lot of room.

DAMON: Why is it bigger than the top?

RYAN: 'Cause sometimes you have to step on the bottom bed to get up to the top. So they make it bigger.

CINDY: So you felt this heavy thing on you and Dad was on the back corner of your bed? Did you ask him...?

DAMON: I forget which corner.

CINDY: You forget which ...

DAMON: I remember it was a corner. That's all.

CINDY: (inaudible)

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DAMON: I felt Dad's hand in the corner of my head but I forget which corner.
 CINDY: You felt his hand in the corner of the bed...or on you?
 DAMON: On the corner of me... which I forget which corner.
 CINDY: On the corner of you (laughing) ...
 RYAN: Was it in the back...?
 CINDY: The back corner
 DAMON: The back of me, then it would be my toes and ~~me~~ if it was the front it would be the two sides of my head
 CINDY: The two sides of your head maybe?
 RYAN: (inaudible)
 CINDY: That's when you felt a heavy kind of thing on top of you
 DAMON: Yeah.
 CINDY: The metal thing?
 DAMON: Yeah.
 CINDY: Do you remember anything else that you felt?
 DAMON: Umm.
 RYAN: That's probably Dad's hand, Dad's hand...Dad comes in ...(inaudible)... sometimes.
 CINDY: ~~So~~ why would he come in in the middle of the night?
 RYAN: I don't know.
 CINDY: You don't know? **EVERY MIDDLE OF THE NIGHT**
 *DAMON: ~~It was in the middle of the night.~~ I wasn't even close to waking up (inaudible). But I was sort of woke up. But I know that I feel _____ 'cause I felt covered. I felt my covers _____. I felt my bed, like, around me.
 CINDY: You felt your bed around you?
 DAMON: Kind of ...
 CINDY: Why do you say it felt like metal? Did it feel...Because it felt hard or because it felt cold or because it...
 DAMON: ...felt hard.
 CINDY: It felt hard. And you say that it felt like it was kind of waving around you?
 *DAMON: On top of me in a stra... a straight line. From right here...from right here it went (puff), (puff), (puff), (puff) * **Breathes in & out 4 times**
 *CINDY: ~~So it felt kind of up and down?~~ **Did it go kind of up and down?**
 DAMON: Yeah.
 CINDY: It went up and down?
 DAMON: (inaudible).
 CINDY: You know what? I'm get going to bed now. I'm going to give you a kiss goodnight.
 DAMON: Are you folding anything?
 CINDY: No. Good night Ryan. I love you sweethearts, Sleep well. Sweet dreams. Sweet dreams honey.
 RYAN: Mom?
 CINDY: What?
 RYAN: (inaudible)...know a boy who actually knows a lot.
 CINDY: You actually(?) know a boy who knows a lot?
 RYAN: Yeah... (inaudible).

Tape stops – lengthy gap follows.

PART TWO: CINDY QUESTIONING RYAN (9 YEARS OLD)

CINDY: Oh... I like that red one the best.
RYAN: This one?
CINDY: No, that one.
RYAN: This one? Oh this one. This is pink.
CINDY: Pink, okay.
RYAN: I like..oh you can like more than one.
CINDY: Okay. Which one do you like best?
RYAN: I like...this one pretty much because I found this one but I didn't ... (inaudible).
CINDY: Ohh!?
RYAN: Oh...no... I know where I found it.
CINDY: Where?
RYAN: I found it in ...umm. Once Dad and I and Evan and Damon, we went...we went to the beach, and I found this rock. I thought was cool.
CINDY: Um huh
RYAN: I lost it. Then I found it.
CINDY: Oh really?!

RYAN: It's really special.
CINDY: All right.
RYAN: It's good luck.
CINDY: Hey, you know what you were telling me last night?
RYAN: What?
CINDY: About waking up in the middle of the night?
RYAN: Oh.
CINDY: And how you were sleepy?
RYAN: Yeah.
CINDY: You know what? I was just thinking about it, you know how I put your blankets on and everything, you're so hard to wake up. I mean I couldn't wake you up if I wanted to. So, I want you to think real *hard*. And think if you can think of what woke you up...what could *possibly* wake you up in the middle of the night?
RYAN: I probably had to use the restroom but I didn't know. I didn't notice it.
CINDY: But you didn't.... Did you use it?
RYAN: No.
CINDY: So it was something else? So can you remember, like was there a loud noise?
* RYAN: ~~No~~ It was probably Dad getting up on my bed.
CINDY: Oh, it was Dad getting up on your bed ...
RYAN: Probably
CINDY: Probably woke you up?
RYAN: Probably, um hum. 'Cause it makes it sort of like bend down ^{4 up} and I was like right here and I went ...ummmmm...

CINDY: And then what happened? Did you talk?
RYAN: No. I just went back to sleep.
CINDY: You went back to sleep.
RYAN: (inaudible).(pretty quick?)..You know how you like wake up and you... you want to get back to sleep but you have to think something to get back to sleep?
CINDY: Um hum
RYAN: Pretty weird.

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CINDY: So why do you think Dad was getting up on your bed...to get up to Damon's?
 RYAN: Um hum.
 CINDY: Oh
 RYAN: He usually does that. He always does that.
 CINDY: He always does that?
 RYAN: Um hum. I 'm used to it.
 CINDY: Oh.
 RYAN: Only not at night.
 CINDY: Not at night?
 RYAN: Um um. (negative response)
 CINDY: Not in the middle of the night you mean?
 RYAN: No, not in the middle of the night. Mom, I like...
 CINDY: So does he... did he climb up on Damon's bed?
 RYAN: No. He just... well he goes up to Damon's bed and like does something. I don't know what he was doing. I was too sleepy to look.
 CINDY: But you can hear? What did you hear?
 RYAN: Well I didn't really hear anything.
 CINDY: Oh.
 RYAN: He's really quiet sometimes.
 CINDY: Oh, he was really quiet?
 RYAN: And then...then other times he's really talkative.
 CINDY: Oh, but that time he was real quiet?
 RYAN: Yeah. I like this one
 CINDY: So it was so quiet that you just went back to sleep?
 RYAN: Um hum. He wasn't making any loud noises. I like this one...I like all of them!! They're all my favorite!
 CINDY: They're really nice. That blue rock is real nice.
 RYAN: This one?
 CINDY: Yeah.
 RYAN: I like it also.
 * CINDY: So that's all you remember? This is so weird to wake up right in the ~~right in the~~ middle of the night isn't it?
 RYAN: I know. And I go right back to sleep.
 CINDY: I know...that's weird.
 RYAN: Mom, I think this might be a tiger's eye...I can't tell. I think it is.
 CINDY: So usually when he goes to Damon's bed it's not the middle of the night?
 RYAN: I bet he goes sometimes but I'm like on the other side of the bed or something.
 CINDY: Oh
 RYAN: It's a really big bed like I told you. And it doesn't...it's bigger than this bed.
 CINDY: Ohh! Oh it's that kind of bunk bed that has a bigger bottom bed and a smaller top bed?
 RYAN: Yeah.
 CINDY: So you kind of go over to the side?
 RYAN: Yeah, sometimes I like roll way over. I don't know but maybe Dad gets up then? Or maybe...umm..or maybe Damon gets up in the middle of the night and maybe he was talking but I just couldn't hear it because they were whispering ...
 CINDY: Oh.
 RYAN: or something.

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CINDY: Sometimes that happens?

RYAN: I don't know.

CINDY: You don't know? You're just guessing on that?

RYAN: I'm just guessing on all of this thing! Well not all every single one, but. ..I'm looking for a lot of good rocks.

CINDY: Well no. This is important though. Cause I just...ummm... I just can't believe that...

RYAN: I know.

CINDY: ...that in the middle of the night I try to wake you up sometimes. You know to turn you over cause your snoring or something.

RYAN: Maybe it was that.

CINDY: ...or when you're snoring or something.

RYAN: Mom, we have like little blinds that come down (?). He has like a bar that has like a cloth over it or something.

CINDY: Oh. A bar... oh, you mean for curtains?

RYAN: Yeah for curtains.

CINDY: Oh okay.

RYAN: He has like blinds. *But I mean*

* CINDY: ~~Tell me~~ what does he do when he goes up in Damon's bed? Does he just comfort him or something?

RYAN: I guess. That or he just adjusts the covers.

CINDY: What?

EVAN: (inaudible)...hurts... (inaudible) (Apparently Evan, age 10, just walked into room.)

CINDY: Oh. Is it itching?

EVAN: No it hurts.

RYAN: Evan, I like this rock.

CINDY: There's no bump or anything. It looks okay.

EVAN: It just hurts.

CINDY: I'll be right back.

DAMON: Mom?

CINDY: Yeah.

Static - break in tape?

PART III.

CINDY QUESTIONS DAMON (6 YEARS OLD).

DAMON: Do you have to go to the doctor when you're sick?

CINDY: Yes. Well not when you just have a cold you don't have to. Sounds like you just have a little cold. Hey, you know I want to...talk to you a little bit more about that metal thing that was on you? Show me where on your body that it was on you?

DAMON: It was from here up to here.

CINDY: From your bottom here... up to your head?

DAMON: Yeah... going straight.

CINDY: Going straight? Right in the middle you mean?

DAMON: Yeah.

CINDY: Okay...and it lasted seven seconds? Did you feel anything after it?

DAMON: Uhh yeah?

CINDY: What?

DAMON: I felt something like a book laying on top of my legs on each side, one book on each leg. Felt weird.

CINDY: Like a book laying on the side or on top of your legs?

DAMON: Yeah.

CINDY: You mean something heavy?

DAMON: A big book.

CINDY: A big book?

DAMON: 'Cause when I put my toes up to see if there was a book, I felt two things on top and on bottom.

CINDY: When you ... what?

DAMON: When I put my toes up like this, to see what it was, I ... I was, I felt something on top and on bottom.

CINDY: On top and on bottom? Were you lying on your back or on your tummy?

DAMON: My back... My back was up.

CINDY: Your back was up...like that? And then you felt something down here on you?

Remember when you said you felt your Dad's hand? You remember where his hand was? You said it might have been up near your head?

DAMON: It could be right here, here, here, or here.

CINDY: Ohhh. Did you think to ask Dad what the metal thing was? What was going on?

DAMON: I didn't think he was doing anything. I thought he was just fixing...putting something up from the window.

CINDY: Putting something up on the window because it was on top of your bed?

DAMON: No, the window is not on the top of my bed. The window is on the edge of my bed.

The top of the window...(whisper) (inaudible)

CINDY: Ohh

DAMON: He puts up this like thing...(inaudible).

CINDY: But when he...that was when he was on...on your bed doing that that you felt the metal thing?

DAMON: Um huh.

CINDY: Yeah?

DAMON: Yeah.

CINDY: Yeah?...Was... Did it...?

DAMON: I thought he was doing that when I felt the metal thing.

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CINDY: You thought he was doing that when you felt the metal thing? Did it hurt? Or did he just...how did it feel?

DAMON: It felt like...ohh.. I don't know. I forget, I think... (inaudible)?

CINDY: It didn't hurt?

DAMON: No

CINDY: Not really? It just felt like pressure, you said it felt like the walls were coming in on you or something?

DAMON: It felt like the walls were going like this...across.

CINDY: Oh, across you? Oh. And how long did you say it lasted for?

DAMON: Seven seconds.

CINDY: Ohh. And you thought it might be Dad?

DAMON: Um hum.

CINDY: Yeah? But it didn't hurt?

DAMON: Yeah.

CINDY: He didn't hurt you? No. 'Kay, turn over let me see you for a second. Okay.

DAMON: You see my fart. (laughing)

CINDY: Stop! I'm checking your ... to see if you have any rashes on your bottom. That's what I'm checking. No rashes. You look good. So after the seven seconds were done, what happened? Did you feel anything else...after?

DAMON: Mom, I have to go to the bathroom.

CINDY: Did you feel anything else after the seven seconds were up?

DAMON: I don't think so.

CINDY: No?

DAMON: I don't remember. I just remember the seven seconds.

CINDY: Ohh. Did Dad leave then after the seven seconds?

* DAMON: ~~I don't know if Dad left me...~~ (inaudible)? (Toilet flushes) *Dad was still touching m*

CINDY: Wait I...I couldn't hear you. What did you say? Dad's hand was what?

DAMON: Was touching me.

CINDY: He was still touching you? Where?

DAMON: On the place it was.

CINDY: Where was...

DAMON: I told you before.

CINDY: Where was he touching you before?

DAMON: In the corner!

CINDY: In the corner??

DAMON: In a corner.

CINDY: In a corner?!

DAMON: I forget which corner.

CINDY: You forget which corner? Can you try and remember?

DAMON: Yeah I remember which corner.

CINDY: Oh yeah?

DAMON: This corner right here.

CINDY: Up on your head?

DAMON: Right here. He was touching me right here.

CINDY: He was just touching you right here on your head...on your hair.

DAMON: Umm...after seven seconds, I felt only Dad's hand.

CINDY: You only felt his hand?

DAMON: I didn't feel any covers. I just felt his hand.

CINDY: You didn't feel any covers?

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DAMON: No.
 CINDY: You mean you just felt your skin?
 DAMON: I felt...I felt (inaudible)
 CINDY: That's the only thing you could feel was his hand after the seven seconds?
 DAMON: Yeah.
 CINDY: Oh, oh, because I was asking you what you could feel. You didn't feel...did you feel anything wet? Or?
 *DAMON: No. I didn't feel ^{it} anything.
 CINDY: Nothing wet? And then what happened?
 DAMON: Um, like ...
 CINDY: Did Dad say anything?
 DAMON: No, he didn't say anything.
 CINDY: Did he just stay there for a little while and then get up and go? Or what?
 *DAMON: ~~(inaudible)~~ He didn't get out.
 CINDY: Oh, yeah...yes you have a little bit of a cold, huh? Do you feel okay? You look like you feel okay even though you have a runny nose. So when did Dad leave? Did he stay with you? In bed with you? Or did he leave?
 DAMON: He stayed in bed with me.
 CINDY: For how long? Did he sleep with you?
 DAMON: I think so. Even though he has his own bed.
 CINDY: Even though he had his own bed, you think he stayed in yours? So does he like to sleep with you? Has he slept with you before in your bed?
 DAMON: But I not...I miss that. I wish that. I don't know if he was sleeping in my bed but I felt him on the side of me
 CINDY: You felt him on one side of you?
 DAMON: Yeah, I felt him on one side of me.
 CINDY: So he was laying on the side of you? Kind of?
 DAMON: Yeah.
 CINDY: Was he naked? Or...what...did he have his clothes on or was he naked?
 *DAMON: ~~It felt like he had clothes on.~~ I forget how he was.
 CINDY: It felt like he had clothes on? What about that night when you...this weekend when you felt the metal thing?
 DAMON: No.
 CINDY: You didn't really.
 DAMON: After the ... (inaudible)... after the seven seconds ... after the seven seconds.
 CINDY: I thought you felt the metal thing on you for seven seconds?
 DAMON: I know, and then after the seven seconds of the metal thing that happened.
 CINDY: Oh, him laying next to you? Yeah. Well it was the middle of the night so you were kinda' half asleep? Weren't you? No? You woke up? That woke you up?
 DAMON: Yeah, the metal thing woke me up.
 CINDY: (laughing) The metal thing woke you up? 'Cause it was hard?
 DAMON: Yeah.
 CINDY: Yeah. So, do you feel like you have a cold right now? Yeah? You sound pretty sniffley. Okay, well. Let's get this on.

END OF TAPE PROVIDED.