

**Statement of**  
**Frank Amodeo**  
**on the 9<sup>th</sup> Day of May, 2008**  
**Transcripts**

# TRANSCRIPT OF PROCEEDINGS

COPY

## STATEMENT OF FRANK AMODEO

DATE: MAY 9, 2008

TIME: 2:00 P.M.

LOCATION: BATES MOKWA, PLLC  
3660 MAGUIRE BOULEVARD  
SUITE 102  
ORLANDO, FLORIDA 32803

BEFORE: SANDRA A. DAWKINS, RPR, FPR

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*Sandra A. Dawkins, President • Professional Reporting Since 1977*



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DATE: MAY 9, 2008  
TIME: 2:00 P.M.  
LOCATION: BATES MOKWA, PLLC  
3660 MAGUIRE BVD., SUITE 102  
ORLANDO, FL 32803  
REPORTED BY: SANDRA A. DAWKINS, RPR, FPR  
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A P P E A R A N C E S

MATTHEW S. MOKWA, ESQUIRE

GOLDBERG BATES, PLLC

3660 MAGUIRE BOULEVARD

SUITE 102

ORLANDO, FLORIDA 32803

FRANK AMODEO

C/O MATTHEW S. MOKWA, ESQUIRE

3660 MAGUIRE BOULEVARD

SUITE 102

ORLANDO, FLORIDA 32803

ALSO PRESENT: NICK BLOTTIE, VIDEOGRAPHER

1 P R O C E E D I N G S

2 VIDEO TECHNICIAN: WE ARE NOW ON THE VIDEO.

3 THE TIME IS 1:40 P.M.

4 MR. AMODEO: HI. I'M FRANK AMODEO. I AM  
5 MAKING THE STATEMENT. I WOULD JUST LIKE TO BE  
6 SWORN, IF I COULD.

7 THE REPORTER: CERTAINLY.

8 FRANK AMODEO,  
9 HAVING BEEN DULY SWORN, WAS EXAMINED AND TESTIFIED AS  
10 FOLLOWS:

11 MR. AMODEO: I AM MAKING THIS STATEMENT IN  
12 ORDER TO PRESERVE A RECORD OF EVENTS THAT HAVE  
13 OCCURRED, WHICH MAY NOT BE GENERALLY -- WHICH I  
14 KNOW ARE NOT GENERALLY KNOWN. SOME OF WHICH MAY  
15 EXIST UNDER VARIOUS PRIVILEGES I HAVE WITH  
16 COUNSEL. BUT I THINK THE RECORD HAS TO BE MADE  
17 FOR A VARIETY OF REASONS. NUMBER ONE,  
18 CONTEMPORANEOUS MEMORY AND NUMBER TWO, SHOULD  
19 SOMETHING HAPPEN TO ME, THE CONSEQUENCE OF THIS  
20 EFFECTS OTHER INDIVIDUALS.

21 TO START WITH, I WANT TO DISCUSS THE RECENT  
22 ATTEMPT -- OR RECENT ACTION BY THE UNITED STATES  
23 TO SEIZE ASSETS, EITHER IN MY POSSESSION OR IN THE  
24 POSSESSION OF ENTITIES OF WHICH I CURRENTLY  
25 CONTROL. AND ACKNOWLEDGE THAT I HAVE BEGUN TO

1 PREPARE A COUNTER AFFIDAVIT, WHICH SIMPLY  
2 CONTRADICTS VIRTUALLY EVERY LINE OF THE AFFIDAVIT  
3 THAT'S FILED.

4 THE DRAFTS OF THOSE STATEMENT ARE TRUE AND  
5 ACCURATE AND SHOULD I NOT BE ABLE TO COMPLETE  
6 THEM, THE ONES THAT HAVE BEEN PREPARED AND  
7 CURRENTLY IN THE POSSESSION OF SHANE WILLIAMS ARE,  
8 IN FACT, ACCURATE.

9 IN ADDITION, I WANT TO DISCUSS THAT I HAVE  
10 -- THE ACTIONS TAKEN DURING THE LAST YEAR FROM MAY  
11 15 TO NOW, HAVE BEEN DONE WITH THE CONSENT AND  
12 CERTAINLY MY BELIEF, THE KNOWLEDGE OF THE U.S.  
13 ATTORNEY'S OFFICE.

14 LAST MAY, THEY HAD REQUESTED -- THEY ASKED  
15 OF ME WHETHER THE GENERAL COUNSEL OF MIRABILIS,  
16 MARK BERNETT, WAS ACTUALLY AN EMPLOYEE OF MINE OR  
17 WHETHER HE REPORTED TO ME. AND MY ANSWER WAS THAT  
18 HE WAS NOT, THAT HE WAS ACTUALLY AN EMPLOYEE OF  
19 MIRABILIS AND THAT, TECHNICALLY SPEAKING, I  
20 COULDN'T FIRE HIM, AND THAT IF HE WANTED TO ACT  
21 INDEPENDENTLY, THERE WAS NOTHING I COULD DO ABOUT  
22 IT. BUT THAT AS A PRACTICAL MATTER, HE PROBABLY  
23 WOULDN'T HANG AROUND THE BUILDING IF I DIDN'T WANT  
24 HIM TO HANG AROUND THE BUILDING BECAUSE HE WAS ON  
25 AN AQ OF MY STRATEGY FLOOR, NOT A MIRABILIS FLOOR,

1 AND MIRABILIS HAD BEEN EVICTED FROM ALL THEIR  
2 PREMISES AT THE TIME.

3 THE NEXT THING I KNOW, THE U.S. ATTORNEY'S  
4 OFFICE DOES ME THE FAVOR, AS THEY HAVE INDICATED,  
5 AND THEY SCARED MR. BERNETT OFF SO HE LEFT  
6 MIRABILIS WITHOUT COUNSEL, BECAUSE HE WAS AFRAID  
7 THAT HE MIGHT GET HIT WITH A MONEY LAUNDERING  
8 CHARGE IF HE CONTINUED TO STAY THERE.

9 IN THE YEAR THAT HAS FOLLOWED --  
10 APPROXIMATELY THE SAME DAY THAT I SEIZED  
11 MIRABILIS' ASSETS THROUGH EXECUTION OF A UCC-1  
12 PROPERLY PERFECTED BY ACME STRATEGY IN 2004 AND  
13 SINCE THAT DAY, I HAVE MANAGED THE LIQUIDATION OF  
14 MIRABILIS AND ALL OF ITS ENTITIES WITH A GROUP OF  
15 STAFF MEMBERS MOST COMPRISE JUST ABOUT EXCLUSIVELY  
16 OF PRIOR MIRABILIS EMPLOYEES, BUT OF THOSE  
17 EMPLOYEES, ALL BUT THREE ARE NON-PROFESSIONALS AND  
18 NONE OF THEM WERE HIGHER RANKED THAN MIDDLE  
19 MANAGEMENT.

20 SO THESE INDIVIDUALS ASSISTED -- EVEN THOUGH  
21 THEY HAD GOTTEN PRETTY SCARED AFTER MR. BERNETT  
22 COME BACK AND TOLD THEM SOME OF HIS PERCEPTIONS  
23 AND BELIEFS -- NONETHELESS THEY ALL STAYED.

24 NONE OF THEM HAD AN EQUITY INTEREST IN THE  
25 OPERATIONS. THEY GOT REGULAR COMPENSATION, NO

1 DIFFERENT THAN THEY WERE PAID BEFOREHAND, SO THEY  
2 WERE JUST THERE TO DO THE RIGHT THING, AND THEY  
3 DID SO.

4 AND THEY SAVED SEVERAL MILLION DOLLARS IN  
5 ASSETS FROM DISAPPEARING. THEY RECOVERED TENS OF  
6 MILLIONS OF DOLLARS IN ASSETS THAT WOULD OTHERWISE  
7 HAVE BEEN TAKEN, AND THEY PREVENTED ASSETS FROM  
8 BEING DISSIPATED OR LOST TO CREDITORS AND THAT  
9 COULD HAVE BEEN \$50 MILLION DOLLARS IN SPECIOUS  
10 JUDGMENTS ENTERED AGAINST THEM.

11 DURING THE ENTIRE PERIOD OF TIME THIS  
12 INFORMATION WAS AVAILABLE TO BOTH THE GOVERNMENT  
13 DIRECTLY OR TO DEFENSE COUNSEL THROUGH ME. SOME  
14 OF IT I KNOW IS PROVIDED TO THE GOVERNMENT AND  
15 APPARENTLY THEY HAVE NOT READ IT. IT'S BEEN  
16 STORED IN A BOX WITH IN TREVERS WITH THE OTHER  
17 BOXES THAT HAVE BEEN DELIVERED AND NOT LOOKED AT.

18 THERE IS A SEPARATE COURT -- THERE'S A  
19 SEPARATE STATEMENT MADE WITH A SUPPORTING  
20 POLYGRAPH BEING DONE AT 3 O'CLOCK THIS AFTERNOON  
21 THAT DEALS WITH THE LIQUIDATION OF THE ASSETS.

22 AND THAT EVIDENCE EXISTS, EITHER THROUGH  
23 DICK KIFFER AS THE POLYGRAPH OR BUTCH SLAUGHTER OR  
24 BRIAN PHILLIPS WILL KNOW WHICH COURT REPORTER  
25 ACTUALLY CONDUCTED THE -- TOOK THE STATEMENT.



1                   NOW, ACCUMULATION OF THE EVIDENCE IS AN  
2                   IMPORTANT STEP.

3                   THE GOVERNMENT BEGINNING IN FEBRUARY OF 2007  
4                   WHEN I WAS INTERVIEWING WITH THEM KNEW THAT THERE  
5                   WERE BOXES OF DOCUMENTS IN STORAGE PODS IN  
6                   JUPITER, IN MIAMI AND AT MIRABILIS AND OTHER  
7                   COMPANIES' LOCATIONS AND THAT IT WAS BECOMING  
8                   INCREASINGLY DIFFICULT TO KEEP THOSE DOCUMENTS  
9                   BECAUSE THE RENTS WEREN'T BEING PAID, AND THE  
10                  LANDLORDS WANTED TO EVICT.

11                  SO ALTHOUGH I MUST HAVE ASKED THEM ON TWO OR  
12                  THREE OCCASIONS SERIOUSLY, AND I POKED FUN AT THEM  
13                  PROBABLY FOUR OR FIVE TIMES ABOUT THE FACT THAT  
14                  THEY SUBPOENAED ALL THE DOCUMENTS AND THEY REFUSED  
15                  TO TAKE THEM, IS A BIT OF A PROBLEM.

16                  THE LIQUIDATION PROCESS IN THE LAST MAY. WE  
17                  HAVE ACCUMULATED ALL THE DOCUMENTS. THEY NOW  
18                  EXIST IN TWO WAREHOUSES. THE WAREHOUSE LOCATIONS  
19                  ARE PUBLIC KNOWLEDGE, AND THEY'VE BEEN DISCLOSED  
20                  IN MULTIPLE LAWSUITS. AND TO THIS DATE, THE  
21                  GOVERNMENT HAS REFUSED TO GO LOOK AT THOSE  
22                  DOCUMENTS.

23                  NOW, HERE'S WHAT THE AGENTS TOLD -- OR AGENT  
24                  MCCABE TOLD ME. HE REALLY DIDN'T WANT TO LOOK AT  
25                  THE DOCUMENTS BECAUSE HE MIGHT UNCOVER EXCULPATORY

1 EVIDENCE THAT HE WOULD HAVE TO TURN OVER TO OTHER  
2 DEFENDANTS AND TARGETS.

3 HE DIDN'T WANT TO LOOK AT THE DVR'S, WHICH  
4 WE PROBABLY HAVE 29,000 HOURS AND I HAVE BEEN  
5 THROUGH PROBABLY HALF OF THEM OR SOMEBODY ON THE  
6 STAFF HAS, BUT THE GOVERNMENT HAS NEVER COME OVER  
7 TO PICK UP A COPY OF THE VIDEOS DURING THE PROCESS  
8 OF THIS INVESTIGATION BECAUSE THEY DON'T WANT TO  
9 HAVE TO WATCH THEM.

10 THEY COMPLAIN THAT UNLESS THEY GET SOME  
11 PRESS THEY DON'T GET ANY BUDGET. IF THEY DON'T  
12 HAVE ANY BUDGET, THEN THEY DON'T HAVE THE TIME TO  
13 REVIEW THE EVIDENCE, WHICH THEY'RE SUPPOSED TO BE  
14 INVESTIGATING.

15 THE FINAL ISSUE I HAVE ON IT IS WE CREATED A  
16 DATABASE WITH MOST -- WITH THE LARGE CHUNK OF THE  
17 PROCEEDS FROM THE LIQUIDATION OF MIRABILIS AND ITS  
18 ENTITIES.

19 THE DATABASE IS IN A SYSTEM CALLED CT  
20 SUMMATION. WE PROVIDED THE U.S. ATTORNEY WITH A  
21 SECURE ACCESS KEY TO OUR SYSTEM SO THAT HE WOULD  
22 BE ABLE TO ACCESS THE SYSTEM PRIVATELY AND  
23 REMOTELY, AND THEY WOULD NOT HAVE TO BUY A  
24 SUMMATION LICENSE, OR WE OFFERED TRAINING TO THE  
25 U.S. ATTORNEY AND HIS AGENTS.

1                   AND THEY HAVE NOT AVAILED THEMSELVES  
2                   REGULARLY OF THE SYSTEM, ONLY IN THE LAST WEEK  
3                   HAVE THEY BEGUN TO TRY TO GET SOME TRAINING SO  
4                   THAT THEY CAN USE IT. AND THIS IS TWO YEARS INTO  
5                   THIS INVESTIGATION.

6                   NOW, DURING THIS TIME PERIOD, AGAIN, I HAVE  
7                   INTERVIEWED WITH THE U.S. ATTORNEY'S OFFICE FOR  
8                   127 HOURS OR MORE. THAT'S JUST WHAT WE HAVE BEEN  
9                   ABLE TO CALCULATE. I PERMITTED AND ASSISTED THEM  
10                  IN SIX UNDERCOVER OPERATIONS. AGAIN, THE BIGGEST  
11                  ISSUE THEY HAD WITH THAT IS THAT MUCH TO THEIR  
12                  CHAGRIN, THE EVIDENCE THAT WAS COMING OUT OF THOSE  
13                  WAS EXCULPATORY AS OPPOSED TO INCULPATORY TO THE  
14                  INDIVIDUALS.

15                  AND I POINTED OUT TO THEM IT WAS A LITTLE  
16                  DISTURBING TO ME, I THOUGHT THEY WANTED TO GET TO  
17                  THE TRUTH AND IF SOME OF THESE PEOPLE AREN'T  
18                  GUILTY THEN THEY SHOULD JUST GET TO THE TRUTH.

19                  THERE IS -- AND FINALLY, ON A REGULAR AND  
20                  REPEATED OCCASION THE AGENTS OR THE U.S. ATTORNEY  
21                  WOULD CALL EITHER BUTCH SLAUGHTER OR MYSELF  
22                  DIRECTLY AND ASK US FOR ADDRESSES AND QUESTIONS SO  
23                  THAT THEY COULD CONTINUE THEIR INVESTIGATION, ALL  
24                  OF WHICH HAVE BEEN COOPERATED WITH IN FULL.

25                  FINALLY, A GOOD DEAL OF THE DISTURBING EVENT

1 OCCURRED ON OR ABOUT MARCH 12. MARCH 12, I BEGAN  
2 A PROCESS OF TAKING POLYGRAPH EXAMINES SO THAT I  
3 COULD CORROBORATE THE REST OF THE HOLES THAT ARE  
4 NOT FILLED IN BY THE MILLIONS OF DOCUMENTS AND  
5 VIDEO RECORDINGS.

6 ON THAT DAY, I WAS SURPRISED THAT I HAD A  
7 THREATENING E-MAIL TO MY COUNSEL FROM THE U.S.  
8 ATTORNEY'S OFFICE, WHICH BASICALLY SAID THAT IF I  
9 DID NOT SIGN A STATEMENT OF FACTS TO BE  
10 INCORPORATED IN A PLEA AGREEMENT IMMEDIATELY, THAT  
11 THEY WOULD DEPRIVE ME OF COUNSEL. THEY WOULD  
12 ATTACK THE FRIENDS -- MY FRIENDS AND ASSOCIATES.

13 ACCORDING TO MY ATTORNEY, NOT TO THEM, THEY  
14 WOULD TAKE THE ASSETS SEIZURE PROCESS IN A WAY  
15 WHICH WOULD BE HUMILIATING TO MY FAMILY, AND SO I  
16 STILL DIDN'T SIGN IT.

17 MY ATTORNEYS, HOWEVER, QUALIFIED IT AND SAID  
18 WHAT THIS REALLY MEANS IS YOU'RE AGREEING THAT THE  
19 GOVERNMENT COULD PROVE THIS AT TRIAL EVEN IF IT  
20 REQUIRES THE GOVERNMENT TO SUB BORN PERJURY FROM  
21 OTHER WITNESSES.

22 WITH THAT QUALIFIER, I AGREED THAT I COULD  
23 SIGN IT AND I WAS TOLD THAT THERE THEY WERE REALLY  
24 USING THIS DOCUMENT FOR IS A PROSECUTORIAL VEHICLE  
25 IN WHICH THEY COULD GET BUDGET INCREASES TO

1 CONTINUE THEIR GRAND JURY INVESTIGATION.

2 SO THE STATEMENTS MADE BECAUSE THESE EVENTS  
3 ARE TRUE. AND SHOULD SOMETHING HAPPENED TO ME,  
4 IT'S IMPORTANT THAT THIS GET DISSEMINATED TO ALL  
5 THE RIGHT INDIVIDUALS BECAUSE THE GOAL FROM THE  
6 VERY FIRST DAY HAS BEEN TO MAKE SURE THE TRUTH IS  
7 KNOWN AND THOSE WHO HAVE TO BE PUNISHED, INCLUDING  
8 MYSELF, WILL HAVE TO BE PUNISHED FOR WHAT THEY DID  
9 AND NOT SOMETHING THAT'S BEING MADE UP.

10 I THINK THAT'S THE ENDS OF MY STATEMENT.

11 VIDEO TECHNICIAN: WE ARE OFF THE VIDEO  
12 RECORD. THE TIME IS 1:51 P.M.

13 (WHEREUPON THE STATEMENT WAS CONCLUDED AT  
14 1:51 P.M.)

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CERTIFICATE OF OATH

STATE OF FLORIDA)

COUNTY OF ORANGE)

I, THE UNDERSIGNED AUTHORITY, CERTIFY THAT  
FRANK AMODEO PERSONALLY APPEARED BEFORE ME AND WAS  
DULY SWORN.

WITNESS MY HAND AND OFFICIAL SEAL THIS 13TH  
DAY OF MAY, 2008.

I, SANDRA A. MOSER, REGISTERED PROFESSIONAL  
REPORTER, CERTIFY THAT I WAS AUTHORIZED TO AND DID  
STENOGRAPHICALLY REPORT THE FOREGOING PROCEEDINGS  
AND THAT THE TRANSCRIPT IS A TRUE RECORD.

I FURTHER CERTIFY THAT I AM NOT A RELATIVE,  
EMPLOYEE, ATTORNEY OR COUNSEL OF ANY OF THE  
PARTIES, NOR AM I FINANCIALLY INTERESTED IN THE  
ACTION.

DATED THIS 13TH DAY OF MAY, 2008.

*Sandra A. Dawkins, RPR, FPR*

SANDRA A. DAWKINS, RPR, FPR  
NOTARY PUBLIC - STATE OF FLORIDA  
MY COMMISSION NO. DD052581

MY COMMISSION EXPIRES: 5/6/10