

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF ARIZONA

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4
5 Nina Alley, as Guardian and)
6 Conservator for and on behalf)
7 of Louis Taylor, a single man,)

8 Plaintiff,)

9 vs.)

No. 15-cv-00152-TUC-RM

10 Pima County, a body politic;)
11 the City of Tucson, a body)
12 politic,)

13 Defendants.)
14)

15 VIDEOTAPED DEPOSITION OF LAURA CONOVER

16 September 26, 2023

17 8:02 a.m.

18 Tucson, Arizona

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20
21
22 MARY MEYER, R.P.R.
23 Certified Reporter 50225
24 MEYER, LUMIA & ASSOCIATES
25 6095 East Grant Road
Tucson, Arizona 85712
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1 Q. So all of that was at the front of the
2 conversation?

3 A. Correct.

4 Q. And how long was the total conversation?

5 A. Like five to seven minutes.

6 Q. Five to seven minutes. Did I specifically
7 threaten you during that phone call?

8 A. No, not to -- not to -- I did not take it that
9 way.

10 Q. I believe that your testimony in response to Mr.
11 Leader's question was that I did not reference a bar
12 complaint. Is that accurate?

13 A. Correct. I don't remember the word "complaint".

14 Q. Did I tell you that I was going to file a bar
15 complaint?

16 A. No.

17 Q. Did I tell you that I was going to contact the
18 state bar?

19 A. No.

20 Q. So, what is it that you recall me saying about
21 the state bar? Those are the words that I remember from
22 your earlier testimony. What do you recall, what is
23 clear in your mind that I said?

24 A. That the state bar would have a firm opinion
25 about this, about me filing a 24.2(e) motion.

1 Q. I believe you said earlier that "the state bar
2 would have something to say about this". So did I say,
3 and I know this was a long time ago, in my view of it,
4 was it that "they would have a firm opinion about this"
5 or that "they would have something to say about this"?
6 Do you remember which of those it was?

7 A. It just was clear that the state bar would weigh
8 in, that that was your -- that was your thinking.

9 Q. But I never told you that I or Pima County would
10 be taking any action --

11 A. No.

12 Q. -- correct?

13 A. No.

14 Q. And as far as you're aware, has Pima County or
15 myself or my firm filed anything with the state bar
16 against you?

17 A. Not that I know of.

18 Q. Has David Berkman filed a bar complaint against
19 you?

20 A. Oh, yes.

21 Q. Has he filed multiple bar complaints against you?

22 A. Possibly.

23 Q. Did you talk to him on May 27, 2022?

24 A. Oh, heavens no.

25 Q. Did you talk to him personally at any time before

1 that date, about --

2 A. Oh, about Taylor.

3 Q. -- about --

4 A. Sorry.

5 Q. -- about your review of Taylor's case?

6 A. No. No. No. He -- he's no longer employed at
7 the office.

8 Q. Is there a pending bar complaint against you from
9 David Berkman?

10 A. Yes.

11 Q. Did my conversation with you on May 27th
12 influence in any way your decision to not take action on
13 Louis Taylor's motion to vacate?

14 A. Criminal case. No, it did not.

15 Q. You testified that you actually laughed about our
16 conversation later that night. Is it fair to assume
17 that the conversation we had did not bother you?

18 A. I certainly wasn't -- I don't mean to be
19 dismissive, but I just find the dark humour in
20 everything, and it -- I'm accustomed in both my career
21 and certainly now in the position that I'm in, that
22 everyone has strident opinions about everything. And
23 that doesn't even include social media.

24 Q. In your view, was I, during our conversation,
25 vigorously representing my client, Pima County?

1 A. Most certainly.

2 Q. And you can appreciate that, right?

3 A. Yes, absolutely. In some ways, it was nothing
4 more than just two very different styles of
5 communication.

6 Q. I'd like to show you Nina Trasoff's exhibit,
7 which I believe is already marked.

8 MR. LEADER: Yeah. It's probably in that stack
9 over there.

10 THE WITNESS: Oh, sorry, yes.

11 MR. LEADER: Yes.

12 THE WITNESS: Thank you, John.

13 Q. (By Mr. Acedo) It is number 10.

14 THE VIDEOGRAPHER: If you can put on your
15 microphone.

16 MR. ACEDO: It hasn't been on all this time?

17 THE VIDEOGRAPHER: Yeah, but I can hear you.

18 Q. (By Mr. Acedo) If you'd turn to paragraph 31, I
19 don't think that Mr. Leader asked you any questions
20 about paragraph 31, to my knowledge.

21 So you just testified that I did not threaten
22 you, is that correct, I did not threaten you during our
23 May 27th phone call?

24 A. Correct.

25 Q. And you just testified that I did not reference a

1 bar claim or bar charge. Is that correct?

2 A. Correct.

3 Q. And in this affidavit Ms. Trasoff says: When I
4 talked to Ms. Conover on this matter after her
5 August 2022 contrary statement, she told me she had not
6 gone forward with the original press release which had
7 been scheduled for May 28 because Phoenix lawyers had
8 threatened bar discipline and possible disbarment if she
9 went forward with the plan to exonerate Mr. Taylor.

10 Did I read that accurately?

11 A. You did.

12 Q. And did you tell that to Ms. Trasoff?

13 A. To the absolute best of my knowledge, I did not
14 tell her that.

15 Q. Do you have any idea what she's talking about?

16 A. The reason why I'm so firm about it is because, I
17 am exactly her children's age, there's a maternal aspect
18 to the relationship, and she gets concerned about my job
19 at times, and I -- so I wouldn't even give her this kind
20 of negative news, because it would be so upsetting to
21 her. So that -- and that -- that informs my memory.

22 Q. Okay.

23 A. So I -- if she holds this belief, I don't
24 think -- it didn't come from me.

25 Q. Do you know who she would be referring to?

1 A. No. I mean, it says "she told me," and I just --
2 I don't -- I feel certain that's not right.

3 Q. But when she refers to "Phoenix lawyers," do you
4 know --

5 A. Oh.

6 Q. -- who she's referring to when she says "Phoenix
7 lawyers"?

8 A. Oh, I misunderstood you. No, I don't know what
9 she's talking about.

10 Q. Do you think it was appropriate for Taylor's
11 counsel to approach Ms. Trasoff and solicit this
12 affidavit from her?

13 MR. LEADER: Object to the form of the question.

14 A. I have a very strong opinion about that.

15 Q. (By Mr. Acedo) What is that opinion?

16 A. I am dismayed that a woman in her late 70s was
17 approached in her own home, knowing that she had no
18 attorney present, by more than one person, knowing she
19 had already sworn out an affidavit under oath, to see if
20 she would do a second, relying on a lifetime
21 relationship.

22 Q. And you know that it was Stanley Feldman and
23 Peter Limperis that went to her house? Do you know
24 that?

25 A. Apparently.