

In The Matter Of:
Robert M.A. Nadeau v.



Lynnann Frydrych
April 15, 2011

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THE STATE OF NEW HAMPSHIRE

ROCKINGHAM, SS.

SUPERIOR COURT

DOCKET NO. 10-Cv-577

ROBERT M.A. NADEAU,)
)
 Plaintiff,)
)
 v.)
)
 ██████████,)
)
 Defendant.)
 _____)

DEPOSITION OF LYNNANN FRYDRYCH

This deposition taken pursuant to notice at the
 offices of ██████████, Boston North Technology Park,
 110 Haverhill Road, Suite 344, Amesbury, Massachusetts,
 on Friday, April 15, 2011, commencing at 9:13 a.m.

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Deposition of Lynnann Frydrych 4/15/11

1 APPEARANCES:

2 For the Plaintiff:

3 Nadeau Legal, PLLC
4 BY: Robert M.A. Nadeau, Esq.
5 38 South River Road
6 Bedford, NH 03110

7 Law Offices of [REDACTED]
8 BY: [REDACTED]
9 110 Haverhill Road, Ste. 344-345
10 Amesbury, MA 01813

11 For the Defendant:

12 In Pro Per
13 BY: [REDACTED]
14 53 Saratoga Way
15 Portsmouth, NH 03801

16 Court Reporter:

17 Camille M. Palladino-Duffy
18 RPR, LCR No. 105

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STIPULATIONS

It is agreed that the deposition shall be taken in the first instance in stenotype and when transcribed may be used for all purposes for which depositions are competent under Massachusetts practice.

Notice, filing, caption and all other formalities are waived. All objections except as to form are reserved and may be taken in court at time of trial.

It is further agreed that if the deposition is not signed within thirty (30) days after submission to counsel, the signature of the deponent is waived.

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EXHIBITS

(All exhibits retained by Attorney Nadeau.
Exhibits 5-15 were marked, but not entered.
Exhibit 11 was not marked, nor entered.)

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1	Subpoena Duces Tecum	9
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1 LYNNANN FRYDRYCH,
2 having been identified by a driver's license,
3 and duly sworn by Ms. Palladino-Duffy,
4 was deposed and testified as follows:

5 EXAMINATION

6 BY MR. NADEAU:

7 Q. All right. You're Lynnann Frydrych; correct?

8 A. I just want to state on the record before anything
9 goes any further today: A. Again, if Attorney
10 Nadeau asks me all of the frivolous, ridiculous
11 questions that he did last time I was here two
12 weeks ago, as you know, I am prepared to fully walk
13 out this door. I just wanted to put that on the
14 record. First of all, this is just clear, utter
15 harassment of me. I told you in my last deposition
16 I had absolutely nothing to offer as far as [REDACTED]
17 [REDACTED]'s case was concerned, just as I had nothing
18 to offer really in Nancy Madore [REDACTED]'s case. And
19 this is obviously nothing more than an abuse of
20 process, and Attorney Nadeau should know better.
21 And I have every reason to believe that I am only
22 being here again to be harassed by Attorney Nadeau.

23 And so, I just want that on the record. So,

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1 again, if this all goes into these ridiculous
2 questions that have absolutely no basis of being
3 asked or anything to do with Attorney ██████'s
4 case, I am planning to just leave so --

5 Q. Very well.

6 MR. ██████: I'm informed that ██████ has
7 sent me the notice.

8 MR. NADEAU: Off the record.

9 (Discussion off the record.)

10 MR. NADEAU: Let's get back on the record.

11 Q. All right. She's been sworn?

12 THE COURT REPORTER: Yes.

13 Q. Ms. Fry --

14 A. (Inaudible).

15 THE COURT REPORTER: I can't hear you.

16 A. I'm sorry. I'm asking Attorney ██████.

17 MR. ██████: Frankly, I just wanted to make
18 sure that I have copy of this in hand. Bob seemed
19 to indicate that there was some other document that
20 would have been a notice of my deposition as
21 opposed to the subpoena.

22 THE COURT REPORTER: Excuse me. ██████, I can
23 hardly hear you.

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1 MR. [REDACTED]: My apologies. Is this on the
2 record?

3 THE COURT REPORTER: We're back on the record
4 as far as I know.

5 MR. [REDACTED]: Excellent. Basically, I had
6 asked for the production of the notice of
7 deposition. Mr. Nadeau seemed to indicate that
8 there was a distinction between the subpoena duces
9 tecum in this matter for this deposition and the
10 notice of deposition.

11 Although I asked for the notice of deposition
12 to be provided, what was handed to me was actually
13 the notice of my deposition to occur on November
14 22. My understanding is that if there is a notice
15 of this deposition, that it will be supplied to me
16 at some later time.

17 MR. NADEAU: That's correct.

18 MR. [REDACTED]: For now, what we have in front of
19 us is the subpoena duces tecum.

20 (Witness and Attorney [REDACTED] confer.)

21 A. Do you understand my point?

22 MR. [REDACTED]: No. If you'd like to offer
23 something for the record, go ahead.

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1 A. My notice for this deposition is actually stating
2 that I'm here on behalf of the case of Nadeau
3 versus Nancy Madore [REDACTED], not Attorney [REDACTED].
4 That it was the purpose of actually having that
5 deposition notice because in my e-mail, which was
6 provided to me so courteously from the Nadeau
7 office, actually states that I'm here on behalf of
8 Nancy Madore [REDACTED]'s case, not [REDACTED]. And,
9 in reality, I really have no questions to answer
10 because I really haven't been subpoenaed regarding
11 [REDACTED]'s case, but --

12 MR. NADEAU: First of all, for the record, I'm
13 reading a text from my associate, Attorney [REDACTED]
14 [REDACTED] just sent to Attorney [REDACTED], who is in
15 this room. It reads, "I sent you everything
16 I have. [REDACTED] was cc'd on the subpoena and was
17 told about it in subsequent correspondence."

18 In so far as the subpoena Ms. Frydrych is
19 referring to is concerned, she's correct. There is
20 a typographical error in the subpoena. It
21 indicates that she's here to testify relating to
22 lawsuit filed by me against Nancy Madore [REDACTED],
23 although the case caption pertinent to this

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1 subpoena duces tecum correctly refers to the
2 Rockingham County Superior Court in New Hampshire,
3 and to the case entitled, Robert M.A. Nadeau versus
4 [REDACTED].

5 The testimony sought today relates to that
6 case. And, for the record, that will be noted. I
7 am going to line out the words "Nancy Madore [REDACTED]"
8 on this subpoena, on the copy of the subpoena. I
9 will place my initial on it and I will label that
10 document as Exhibit 1.

11 (Exhibit No. 1 was marked for identification.)

12 MR. NADEAU: Did I give you the -- I just gave
13 you a copy.

14 MR. [REDACTED]: I would actually like to make some
15 comments for the record, as well before we begin,
16 or, I suppose now that we have begun.

17 First of all, I note that Attorney [REDACTED]
18 appears to be absent from this room, and if I
19 understand what was just said, Nadeau has been, or
20 through Attorney [REDACTED], has been in communication
21 with [REDACTED] at some other site in the present
22 room.

23 My understanding is that Mr. Nadeau is

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1 actually a party in this matter who is represented
2 by counsel, specifically Attorney [REDACTED]. I
3 notice that on page two of the subpoena duces tecum
4 plaintiff actually lists [REDACTED],
5 Esquire, as being apparently his counsel in this
6 matter and, yet, she is not present for the taking
7 of this deposition.

8 To my knowledge, Attorney [REDACTED] has not been
9 accepted, so far as counsel in this matter before
10 the Courts of New Hampshire, even though the
11 deposition is taking place in his office. My
12 understanding is also that Ms. Frydrych, the
13 deponent in this case, has already been deposed at
14 this law office a few weeks ago with respect to
15 Nancy Madore [REDACTED].

16 I'll also submit that although Mr. Nadeau has
17 described her name, in other words, Nancy Madore
18 [REDACTED]'s name on the subpoena duces tecum as a
19 typographical error, it is such a typographical
20 error as to cause confusion to both myself and, I
21 would suppose, to the deponent as well.

22 So, given that the subpoena duces tecum
23 actually asks her to give evidence, and I quote,

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1 "To give evidence of what you know relating to a
2 lawsuit filed by Robert M.A. Nadeau against Nancy
3 Madore ()," end quote, I believe it's too late
4 in the game, as far as sitting here today, now that
5 all parties are present, to go ahead and call that
6 a typographical error, as though we were expected
7 to be prepared to answer -- well, not we, but the
8 deponent would be expected to answer anything aside
9 from the lawsuit filed by Robert M.A. Nadeau
10 against Nancy Madore ().

11 MR. NADEAU: All right. Are you asking for a
12 postponement, counsel? You want everybody to come
13 back here to do this again after I amend the
14 subpoena to correct the identification of the party
15 against whom this proceeding involves consistent
16 with the caption of the case, or are you ready to
17 proceed now?

18 MR. (): I'm here to proceed within the
19 scope of what has been subpoenaed. I'll note that
20 I'm not the deponent here, so really I would turn
21 that question to Ms. Frydrych. My curiosity is
22 actually on a couple of different levels.

23 First of all, I would ask why is your counsel

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1 not present, Mr. Nadeau?

2 MR. NADEAU: First of all, my counsel knows
3 that I'm here, authorizes me to be here and to
4 proceed with this deposition myself, in as much as
5 I know more about this case factually speaking at
6 this point with respect to this deponent than she
7 does. All right. So for our purposes it's
8 efficacious.

9 Secondly, I, too, am an attorney-at-law,
10 licensed to practice law in the State of New
11 Hampshire where this case is pending. All right.

12 Thirdly, Mr. [REDACTED] is here because he is a
13 subject of a pending motion in that court which,
14 frankly, I expect to be granted but, in any event;
15 therefore, he is here appropriately. He is also my
16 counsel now in the Madore [REDACTED] case.

17 MR. [REDACTED]: I need to just be very clear if I
18 want to be sure that I understand what you are
19 saying. First on all, do you intend to be the
20 examiner during this deposition?

21 MR. NADEAU: During this deposition, I do.

22 MR. [REDACTED]: And was there any indication that
23 you would be the examiner given to either myself or

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1 to Ms. Frydrych?

2 MR. NADEAU: I don't know. There was -- I
3 don't think it's relevant, but I don't know.

4 MR. [REDACTED]: Are you the attorney of record
5 representing yourself in this matter?

6 MR. NADEAU: I am an attorney of record in
7 this case. Attorney Tumminelli is also my attorney
8 of record in this case.

9 MR. [REDACTED]: Has [REDACTED] -- Attorney
10 [REDACTED], to your knowledge, spoken to me about
11 authorizing you to be the examiner in this matter?

12 MR. NADEAU: I do not know and, frankly, it's
13 not necessary. Now, are we going to proceed or are
14 you going to obstruct this deposition?

15 MR. [REDACTED]: I need this to be clear on the
16 record just because there's various allegations
17 about me and my professionalism and my following
18 bar rules.

19 Now, if I understand bar rules correctly, when
20 a party is being represented by an attorney, it's
21 my obligation to actually deal with the attorney of
22 record rather than the party directly. Are you
23 familiar with such bar rules?

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1 MR. NADEAU: Yes. Are you familiar with the
2 exception that states that that only applies to the
3 extent that that requirement is not waived by
4 counsel of record. Ms. [REDACTED] has waived that
5 requirement with respect to the conduct of this
6 deposition.

7 MR. [REDACTED]: Sir, to be fair, I just asked you
8 whether or not you knew whether Attorney [REDACTED]
9 had communicated to me that you would be acting in
10 this capacity. And you said you did not;
11 therefore, you have no awareness of any waiver, not
12 by you, but by her.

13 MR. NADEAU: Do you want to get on the phone
14 and talk to her? Why don't you just call her now.
15 We can let her talk to Mr. [REDACTED].

16 (Pause in proceedings.)

17 MR. NADEAU: You're wasting time, counsel.

18 MR. [REDACTED]: You do understand the distinction

19 --

20 A. You are wasting everyone's time, counsel.

21 MR. NADEAU: I'll deal with you later.

22 A. I take that as a threat and I want that on the
23 record. Thank you.

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1 MR. [REDACTED]: May I ask what that was meant?

2 MR. NADEAU: We are going to be questioning her
3 today.

4 A. I'm sure that's not what that means. I would also
5 like on the record that I am terrified of this man
6 and he is clearly just an emotional and a mental
7 abuser and is actually trying to abuse Attorney
8 [REDACTED] right now in front of us.

9 MR. NADEAU: Anything not relevant to this
10 deposition is being stricken and will be so moved.

11 A. Okay, counsel.

12 MR. [REDACTED]: Just to be clear, you do not have
13 the capacity to deem anything. You can note your
14 objection, if you'd like.

15 MR. [REDACTED]: You'll be on the speakerphone in
16 one minute, okay?

17 MR. NADEAU: You got a speakerphone? Great.

18 [REDACTED], are you here?

19 MS. [REDACTED]: I can hear you.

20 MR. NADEAU: Mr. [REDACTED] has raised the issue
21 as to whether you authorize me to take Ms.
22 Frydrych's deposition. His position appears to be
23 that without your authorization, I am unable to do

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1 that or disqualified from doing it. Do I have your
2 authorization to fully deal with Mr. [REDACTED] without
3 your presence today and to take the deposition of
4 Ms. Frydrych without your presence today?

5 MS. [REDACTED]: Yes, you do.

6 MR. NADEAU: All right. Mr. [REDACTED], do you
7 have any questions?

8 MR. [REDACTED]: I do. First, my question is: are
9 you able to capture for the record, Ms. [REDACTED]
10 on the telephone?

11 THE COURT REPORTER: Yes.

12 MR. [REDACTED]: Okay. My next question is:
13 Attorney [REDACTED], had you given me prior notice
14 that you would not be present at this deposition?

15 MS. [REDACTED]: Yes, we did.

16 MR. [REDACTED]: Okay. And when did that notice
17 come to me?

18 MS. [REDACTED]: We sent you a letter on March
19 25. And, for the record, the name is [REDACTED].

20 MR. [REDACTED]: Thank you. Do you have that
21 letter available?

22 MS. [REDACTED]: Yes, I sent it to Attorney
23 [REDACTED].

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1 MR. [REDACTED]: Okay. And has Attorney [REDACTED]
2 actually shown that to me today?

3 MS. [REDACTED]: I am not sure.

4 MR. [REDACTED]: Apparently Attorney [REDACTED] --
5 and I apologize if I incorrectly pronounce your
6 name. Apparently, she is saying that she sent you
7 a letter dated 3/25/11.

8 MR. [REDACTED]: Why don't we suspend this,
9 [REDACTED], and I can go look.

10 MR. NADEAU: Yeah, we'll suspend it, but what
11 I'm going to say, Mr. [REDACTED], is, at this point, we
12 are going to proceed with this deposition when we
13 resume. You can make any objections you want to
14 make on the record, but then we are moving forward;
15 do you understand that?

16 MR. [REDACTED]: Well --

17 MR. NADEAU: If you say you're going to it,
18 walk out or object, you can do that. We're going
19 to put that on the record. All right? And then
20 you do so at your peril. That's your choice.

21 MR. [REDACTED]: The circumstances might occur
22 where that might become necessary. However, of
23 now, I have Attorney [REDACTED]'s, at least verbal

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1 acknowledgment that I am permitted to be dealing
2 with Mr. Nadeau, who is a party in this matter
3 directly for today's purposes. I just wanted to
4 make sure that the record was clear about that,
5 given the state of allegations that Mr. Nadeau has
6 already been alleging against me. So thank you
7 very much, Attorney [REDACTED]. Is there anything
8 else --

9 MR. NADEAU: [REDACTED], one other issue here.
10 You may notice from your subpoena -- from the
11 subpoena duces tecum that was served upon Ms.
12 Frydrych in connection with this case dated March
13 24, 2011, that in the introductory paragraph it
14 ends with the words, "To give evidence of what you
15 know relating to a lawsuit filed by Robert M.A.
16 Nadeau against Nancy Madore [REDACTED]."

17 I've represented on the record that that was a
18 typographical error with respect to the reference
19 to Nancy Madore [REDACTED]. And that, in fact, the
20 reference was meant to be to [REDACTED].

21 First of all, is that correct?

22 MS. [REDACTED]: Yes, that's correct.

23 MR. NADEAU: Secondly, is -- did you

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1 specifically inform Mr. [REDACTED] that this deposition
2 of Ms. Frydrych today pertained to the litigation
3 against Mr. [REDACTED] and that the questions would
4 relate to that case?

5 MS. [REDACTED]: Yes, twice.

6 MR. NADEAU: All right.

7 MS. [REDACTED]: A copy of the subpoena, as
8 well as the subsequent letter.

9 MR. NADEAU: All right.

10 THE WITNESS: Well, I never received either of
11 those revised versions so, really, I'm actually the
12 person being deposed here today.

13 MR. NADEAU: All right. Anything else?

14 MR. [REDACTED]: Yes, Attorney [REDACTED], you
15 just --

16 THE WITNESS: [REDACTED].

17 MR. [REDACTED]: [REDACTED].

18 THE WITNESS: Yes.

19 MR. [REDACTED]: You've just made mention that you
20 believe that the description of the subpoena
21 wherein Ms. Frydrych is to give evidence as to what
22 she knows relating to a lawsuit filed by Robert
23 M.A. Nadeau against Nancy Madore [REDACTED], you seemed

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1 to indicate that that was an error; is that
2 correct?

3 MS. [REDACTED]: Mr. [REDACTED], the case caption
4 is clear. It says, Robert M.A. Nadeau versus [REDACTED]
5 [REDACTED]. That is the case that is being -- the
6 deposition is being taken under at this time.

7 MR. [REDACTED]: I do note that and -- and, you
8 know, as far as the caption goes, that is exactly
9 why I am present; however, I will note that the
10 description of what the testimony is about involves
11 Nancy Madore [REDACTED].

12 MS. [REDACTED]: Mr. [REDACTED], if I can
13 interject, the case caption is clear. It was a
14 typographical error and all the documents that were
15 requested of Ms. Frydrych pertain to you and
16 nothing pertains to Ms. [REDACTED].

17 MR. [REDACTED]: Okay. Now --

18 MS. [REDACTED]: So it was a clear
19 typographical error.

20 THE WITNESS: Well, that's a clear, very huge
21 typographical error because if I actually had
22 anything to produce today, which I don't, I would
23 have obviously brought a whole truckload of papers

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1 regarding Nancy Madore [REDACTED]'s case, but that's
2 accurate.

3 MS. [REDACTED]: Well, none of the document
4 requests pertain to Madore [REDACTED], so I'm not sure
5 why you would have brought any of those documents.

6 THE WITNESS: Well, your boss clearly deposed
7 me two weeks ago in that Nancy Madore [REDACTED] case,
8 and clearly asked me enough questions about
9 Attorney [REDACTED], so --

10 MR. NADEAU: All right. Let me --

11 THE WITNESS: So it isn't actually clear.

12 MR. NADEAU: Let me follow-up on Ms. Frydrych's
13 statement.

14 Q. Let me just assume for the moment, Ms. Frydrych
15 that you were under the misapprehension that this
16 case related to testimony involving Nancy Madore
17 [REDACTED]. You said just a moment ago that you have a
18 truck load of documents --

19 A. Um, actually, Attorney Nadeau, as you always
20 rewrite history and get it wrong, I did not say
21 that. I said if I had a truck load of papers, I
22 would have put that together.

23 MR. NADEAU: All right. Thank you, Ms.

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1 [REDACTED].

2 THE WITNESS: Yes, thanks.

3 MR. NADEAU: We will adjourn for a moment.

4 MR. [REDACTED]: Excuse me, is she still on the
5 phone?

6 MR. NADEAU: Are you still on the phone?

7 MS. [REDACTED]: I am.

8 MR. [REDACTED]: Ms. [REDACTED], I need to ask you,
9 the subpoena is actually signed by Mr. Nadeau. Was
10 this prepared by you or Mr. Nadeau?

11 MS. [REDACTED]: It was prepared by me, yes.

12 MR. [REDACTED]: Okay. And so why is that Attorney
13 Nadeau's signature on it?

14 MS. [REDACTED]: If you notice, we're both
15 named as counsel of record and Attorney Nadeau is
16 an attorney. If you feel more comfortable, you can
17 leave me on speakerphone for the entire course of
18 the deposition and pay for my cell phone bill, so
19 that I can be present and you can feel more
20 comfortable.

21 MR. [REDACTED]: I apologize if this is on your
22 personal device. No, that's the only question that
23 I have left remaining, you know, if you are

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1 comfortable being here, away from your client while
2 he engages in this deposition, that's fine. Thank
3 you so much for your time.

4 MS. [REDACTED]: Thank you.

5 MR. NADEAU: All right. We're going to take a
6 recess. Attorney [REDACTED] and Attorney [REDACTED] are
7 going to be speaking outside his office for a
8 moment.

9 MR. [REDACTED]: We can move to my office.

10 (A break was taken.)

11 MR. NADEAU: Back on the record.

12 Q. Ms. Frydrych, first of all --

13 A. I just want to interject here, first of all. On
14 the record, asking why exactly Attorney [REDACTED] is
15 present in this room, if he has now been named as
16 counsel regarding my best friend's case, Nancy
17 Madore [REDACTED]? I don't feel like anything I'm going
18 to say today should be shared with his counsel
19 regarding that case. So he could then further,
20 what, try to use it against me in her case? So I'm
21 questioning that, not to mention that when I worked
22 at Attorney Nadeau's office, Attorney [REDACTED] was
23 former client of Attorney Nadeau, which I feel

1 there's bias there right there.

2 Secondly, I know everything about Attorney
3 ██████████ in his disbarment, his former employment at
4 ██████████'s office, and the report mess, his
5 psychiatric file regarding him outside of his
6 ex-wife's home with a knife. So I feel like I
7 really don't want Attorney ██████████ in this room.
8 And I'm actually intimidated by having both of
9 these people sitting across the table from me that
10 I feel are unstable.

11 Q. Your objection is noted, ma'am. Your inquiry will
12 be responded to as follows: First of all, Mr.
13 ██████████ is the subject of a pending motion in this
14 particular proceeding for his admission on a pro
15 hoc vice basis to serve as my counsel in this case.

16 Secondly, as you already know, he's also my
17 counsel with respect to the litigation in which you
18 testified a few weeks ago in the Madore ██████████ case,
19 so we're going to move forward.

20 A. I don't really know if that answer my question
21 since I'm not an attorney.

22 Q. Mr. ██████████ has been readmitted to the practice of
23 law.

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1 A. Yes, obviously.

2 Q. He was not disbarred. No. He was suspended. The
3 information you obtained from --

4 A. I didn't say he was disbarred. I said his
5 involvement with his disbarment is what I said,
6 actually. I didn't say he was disbarred.

7 Q. Yes, you did.

8 A. No, actually, I didn't.

9 Q. In any event --

10 A. Actually, no. One person that I know should have
11 been disbarred, God willing, I hope you are in the
12 future.

13 MR. [REDACTED]: You know --

14 MR. NADEAU: Let's move on.

15 MR. [REDACTED]: I do need to ask, for the record,
16 just because of the peculiar nature of your being
17 both the party and the examiner in this instance
18 outside of your counsel. Because there is a prior
19 history between yourself and the deponent, I think
20 it fair for the record to actually reflect that.
21 So I'm going to ask you, Mr. Nadeau, to please
22 describe for the record the nature and extent of
23 your prior involvement with Ms. Frydrych.

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1 MR. NADEAU: That's not what we are here for,
2 counsel. If you want to make an issue of that you
3 know how to use the court process to file an
4 appropriate motion to deal with whatever issue you
5 feel is germane to this proceeding, but we're not
6 here for that today, and I'm not going to indulge
7 with you with respect to that inquiry at this
8 point.

9 MR. [REDACTED]: Okay.

10 MR. NADEAU: I'm not the deponent.

11 THE WITNESS: But I am. So, as, on the
12 record, I would like to show that Attorney Nadeau,
13 as always, again, is abusing his process of
14 obtaining a law license to terrorize my life. By
15 not answering that question, he is showing his
16 malice, threatening, harassing, stalking, obsessive
17 behavior toward me. By asking him to file a motion
18 so he could still indulge his sick behavior, by
19 asking me, a stack full of papers' worth of
20 ridiculous questions again like he did two weeks
21 ago, is exactly what he's saying by his answer.

22 Okay?

23 Q. All right. Your comments are noted. Ms. Frydrych,

1 first of all, this particular proceeding involving
2 Mr. [REDACTED] is a matter pending in the New Hampshire
3 Superior Court, specifically in Rockingham County.
4 Discovery under the New Hampshire Superior Court
5 Rules of Procedure is identified in Rule 35B.

6 Rule 35B, just so we're clear to get started
7 reads in part as follows: "It is not ground for
8 objection that the information sought will be
9 inadmissible at the trial if the information sought
10 appears reasonably calculated to lead to the
11 discovery of admissible evidence."

12 Having said that, it is very common in
13 proceedings for deponents not to understand --

14 A. Well, I understand.

15 Q. -- what may lead to discovery of admissible
16 evidence or to, in fact, take the position that
17 this could not possibly be relevant and could not
18 possibly lead to admissible evidence. Ultimately,
19 that would be for a court to decide.

20 A. And I'd let the court decide that.

21 Q. Please let me finish. We have a court reporter
22 here.

23 A. I know.

1 Q. And to the extent you are not represented by
2 counsel today; is that correct?

3 A. Yes, correct.

4 Q. To the extent that you elect your right not to
5 answer a question, you do so subject to review by a
6 court. If a motion to compel needs to be filed
7 concerning your refusal to answer any question, and
8 if that motion to compel is granted, the court will
9 have the authority, and such authority being
10 exercised will be requested that sanctions be
11 imposed due to your refusal answer questions that
12 the court may deem should have been answered. I
13 simply want to place that on the record, so that
14 you understand sanctions include, but are not
15 limited to financial sanctions and other course of
16 measures.

17 MR. [REDACTED]: I'm going to object to --

18 A. Um --

19 MR. [REDACTED]: Hold on a second. I'm going to
20 object to this statement on the record by Attorney
21 Nadeau.

22 A. He's trying to intimidate a witness. That's
23 exactly what he's trying to do.

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1 MR. [REDACTED]: Thank you.

2 A. You're welcome.

3 Q. That was simply stated because you stated at the
4 beginning of this deposition --

5 A. That you conveniently had all these copies made
6 with the highlighted thing that you wanted to point
7 out before you started asking me all these
8 frivolous questions?

9 Q. Yes, ma'am.

10 A. How convenient.

11 Q. Because you already made it known in this
12 deposition and there was some indications in
13 connection with your deposition in the Madore [REDACTED]
14 case, that you did not feel that there were
15 questions you needed to answer. So you have the
16 right --

17 A. Oddly enough --

18 Q. Please let me finish.

19 A. -- someone who actually practices law, which was
20 Scott Gleason, who was here that day, who is beyond
21 the attorney that you could ever in your wildest
22 dream ever play on TV, Bob, thought everything that
23 you asked was the most ridiculous, threatening,

1 stalking, obsessive, lunatic question that you
2 could have asked which had no basis as in the Nancy
3 Madore case whatsoever. And you are going to
4 attempt, as I know you are, with your whole stack
5 of papers here and your highlighting and your
6 Post-it's that you are going to attempt to do the
7 same exact thing regarding Attorney [REDACTED]. And
8 I'm just going to state on the record that I'm not
9 going to allow that to happen.

10 Q. Secondly, just so you are clear, any responses that
11 you give in this deposition that exceed the scope
12 of what is asked for, and any information that you
13 provide that is not based on your personal
14 knowledge, will be the subject of appropriate
15 motions within this proceeding later on. It will
16 be noted. We will not tolerate rants, screaming or
17 threatening conduct that you engaged in in the
18 prior deposition.

19 A. Really.

20 Q. Nor talking over me when I'm speaking and I will do
21 you the courtesy of not talking over you when you
22 are speaking so the court reporter can keep -- get
23 everything down that is said by anyone here. All

1 right?

2 A. I appreciate that and, for the record, my conduct
3 in my last deposition was brought on by your
4 harassing, threatening abuse of a law license. So
5 I'm sure that if that also comes about, which I
6 know it will, I cannot really be responsible for my
7 reaction.

8 Q. All right. Ms. Frydrych, on the day of the
9 deposition --

10 (Discussion off the record.)

11 Q. On the day of the deposition following its conduct
12 or sometime during its conduct, I will represent to
13 you that Attorney [REDACTED]'s vehicle was subjected
14 to the placement of this screw I'm holding in the
15 courtroom.

16 A. Are you fucking kidding?

17 Q. In front of a tire, and I'm showing you what's been
18 marked --

19 A. Am I suppose to know what car Steve [REDACTED] drives
20 now?

21 (Exhibit No. 16 was marked for identification.)

22 Q. I'm showing you what's been marked as Exhibit 16.

23 A. Okay.

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1 Q. You were present that day with other persons;
2 correct?

3 A. All right. I could just walk out at this moment.
4 If this is already going to start down this path.

5 Q. I have some questions.

6 A. I have absolutely no idea about any of this.

7 Q. No one discussed anything with you about
8 Mr. ██████'s --

9 A. Oh, my God. I wouldn't be surprised, Bob, if you
10 put it there, you fucking lunatic. Okay?

11 Q. Thank you. Thank you.

12 A. I wouldn't be surprised.

13 Q. Thank you. So no one discussed anything about
14 Mr. ██████'s car; correct, on that day?

15 A. No.

16 Q. Either Ms. Madore ██████ or Mr. Gleason? Then or at
17 any other time?

18 A. God, I hope they disbar you next month at the bar.
19 God, I do.

20 Q. Are you aware of something that's pending?

21 A. Oh, I'm sure the world is when it's on line, Bob.

22 Q. Okay.

23 MR. WANNER: Before we move on, just because

1 this has been admitted as an exhibit, I would make
2 the observation that this is my first time to
3 Attorney ██████'s office, that the office is at an
4 office park, which is actively engaged in
5 construction activities where I can actually see
6 tools, materials, and probably screws and other
7 such items that are typically associated with
8 construction in this area and in the parking lot.

9 Q. Ms. Frydrych, prior to the start of the deposition
10 today while sitting here in the room, you and
11 Mr. ██████ passed notes that you wrote. Do you
12 have that note or notes with you?

13 A. No, I don't.

14 Q. What happened to them?

15 A. It's none of your God-damned business what happened
16 to them.

17 Q. What happened to them? Is he your attorney?

18 A. No, he's not my attorney. He's my friend.

19 Q. All right. So they are not privileged
20 communications. Then what happened to the notes?
21 Where are they?

22 A. I don't know, Bob.

23 MR. WANNER: Can I just mention that this is

1 outside the scope of this deposition.

2 A. And he's harassing me already.

3 MR. [REDACTED]: Exactly.

4 A. He is harassing the witness. He is intimidating a
5 witness.

6 Q. Those notes were in connection with this deposition
7 --

8 A. Um, actually, they weren't.

9 Q. They were taken, written right here at the
10 deposition table. What did you say in the notes?

11 A. What did you say in your note? What did [REDACTED]
12 [REDACTED] say in his note?

13 Q. You're the -- I'm asking the question.

14 A. I'm asking the question.

15 Q. You have to answer.

16 A. I don't have to do anything.

17 Q. Should we suspend and file a motion with the court?
18 I'm getting --

19 A. Feel free.

20 Q. -- lack of cooperation here.

21 A. Because when you do, they will throw it out when
22 they look at my last deposition. I will have the
23 court.

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1 MR. NADEAU: We're going to suspend.

2 A. Go ahead.

3 MR. NADEAU: We are going to take a recess.

4 Mr. Wanner, come on outside.

5 THE WITNESS: Yeah, you go do that, Mr.

6 Wanner.

7 (A break was taken.)

8 MR. NADEAU: Back on the record. All right.

9 During the recess, Attorney [REDACTED], Mr. [REDACTED] and
10 I had a discussions.

11 First of all, it was brought to my attention
12 that Mr. Wanner has been tape recording this
13 deposition, and that he provided neither Mr.
14 [REDACTED], nor me, and I don't know if he provided
15 Ms. Frydrych with notes as to that. It's a
16 violation of law. It's a criminal offense in the
17 State of Massachusetts for anyone to be recording
18 someone else's conversations without their advance
19 -- without their permission.

20 Mr. [REDACTED], do you deny that you were
21 recording this deposition earlier this morning?

22 MR. [REDACTED]: No. And I'll be blunt. It was in
23 full view of everyone, which is apparently why it

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1 was something of your attention. So --

2 MR. NADEAU: Where is it?

3 MR. [REDACTED]: This is my phone.

4 MR. NADEAU: And it has a recording function?

5 MR. [REDACTED]: Correct.

6 MR. NADEAU: Your cell phone on the table has a
7 recording function. How was I suppose to know that
8 it was on record code?

9 MR. [REDACTED]: Mr. [REDACTED], how did you know?

10 MR. [REDACTED]: I saw it and I tried to call it
11 to your attention.

12 MR. NADEAU: And you -- okay. He tried to call
13 it to your attention.

14 MR. [REDACTED]: But he saw it is the important
15 thing. In other words, it was in open view. Now,
16 further, I will mention that, at a prior deposition
17 on my own sake, I was never provided a copy of the
18 transcript, and so those things are frankly, quite
19 expensive. So I just wanted to make sure that I
20 had available to me the deposition contents, as it
21 were.

22 Also, I have my own responsibilities to make a
23 filing to the Maine Board of Bar Overseers relative

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1 to this deposition according to Mr. Nadeau's own
2 allegations, so I wanted to make sure that I had
3 that material available to me for those purposes.

4 Thirdly, I do want to mention that this is not
5 a privileged conversation between Mr. Nadeau and
6 myself. Rather, it's an open discussion of five
7 people in a room where there is a recording being
8 made, which Mr. Nadeau was aware of, which is also
9 going to be turned into a transcript. And so,
10 there really is a kind of falsity for him to
11 pretend that some sort of criminal involvement is
12 taking place. That's all I have to say.

13 MR. NADEAU: Do you agree that you did not
14 inform me that you were recording this deposition
15 separately?

16 MR. [REDACTED]: No. Like I said, I believe it was
17 an open and obvious location on the table, such
18 that, for instance, Mr. [REDACTED] says I saw it,
19 so --

20 MR. NADEAU: I will tell you that I did not
21 know it and you did not have my permission.

22 MR. [REDACTED]: Well, I believe that there is a
23 subpoena for this deposition to take place to

1 generate a public record in a matter where I am a
2 party, so --

3 MR. NADEAU: And we have a person here
4 pursuant to court rules authorized to generate that
5 public record. You are not that person.

6 MR. [REDACTED]: Okay.

7 THE COURT REPORTER: Can we go off the record
8 for a second?

9 (Discussion off the record.)

10 MR. NADEAU: We're back on the record.

11 Q. Ms. Frydrych, I'm happy to suspend this deposition
12 if that's what you want. My purpose is simply to
13 ask questions that are authorized within the scope
14 of this particular case. It is not my purpose, nor
15 my interest in any way whatsoever to harass you,
16 though many of the questions I may ask may feel to
17 you as though they are harassing. They are germane
18 to this litigation and to the scope of discovery
19 that I've shared with you earlier. And is it is
20 solely for that purpose that these questions are
21 being asked. I have no interest in knowing what
22 you do today --

23 A. Really.

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1 Q. -- where you live or anything else about your life.

2 A. Is that because you asked me all these questions
3 two weeks ago when you terrorized me then?

4 Q. Ms. Frydrych, there were many questions that were
5 asked that you refused to answer in that prior
6 deposition. Because those questions were arguably
7 not relevant to the Madore [REDACTED] litigation, the
8 questions that will be asked of you today pertain
9 to the litigation in which Mr. [REDACTED] is a
10 defendant. They are relevant or likely to lead to
11 the discovery of relevant information. --

12 A. I'm sure, Bob.

13 Q. -- in this case. That will ultimately be left to a
14 judge to decide.

15 A. Yes.

16 Q. You are simply required today to answer questions.
17 To the extent that questions may be deemed
18 inadmissible, Mr. [REDACTED], during the course of the
19 on-going proceeding, will have the right to file
20 appropriate objections and any other pleadings he
21 may wish to exclude testimony. Discovery is a
22 mechanism that is much broader in terms of what may
23 be inquired into and answered and provided than

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1 what constitutes the scope of a trial.

2 All right. Having said all of that, before we
3 last recessed --

4 A. I'm sorry. Can I ask you one question on the
5 record?

6 Q. Yes.

7 A. Very quickly? When you are claiming that he
8 just -- that there was a criminal act involved in
9 taping people when they don't know they are being
10 taped and then trying to actually use that
11 information, isn't that kind of like when my
12 ex-husband made tapes of me without my knowledge on
13 my home phone number and you threatened to
14 distribute those tapes to other people after you
15 already knew all of this when you were representing
16 me as my attorney and I was paying you as my
17 attorney, you went to the other side of that case
18 and actually threatened me with giving those tapes
19 to a Dr. [REDACTED], amongst other people, my
20 ex-mother-in-law; is that accurate, what I just
21 said?

22 Q. Frankly, ma'am I'm asking the questions and not
23 you.

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1 A. Okay. So I'll just take that as an admission --

2 Q. No, it's not --

3 A. Because it's true, but I have it in writing from
4 you also, but I just wanted to put that on the
5 record that you are trying to act like --

6 Q. No, and you are misconstruing a lot, but it's
7 not --

8 (Parties speaking over each other.)

9 Q. It's not what we are here for.

10 A. I'm really not, but continue and I'll answer your
11 questions.

12 Q. Earlier today at this deposition table you and
13 Mr. Wanner passed notes. You initiated the note
14 passing. You wrote something down on a sheet of
15 paper. You handed it to him. He wrote back.
16 Handed the note to you. You wrote back again.
17 What was stated in the note?

18 A. I don't remember.

19 Q. Where is the note?

20 A. I don't know.

21 MR. [REDACTED]: I do recall being --

22 MR. NADEAU: Where is the note, counsel?

23 MR. [REDACTED]: Oh, I don't know. I didn't have

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1 possession of it. What I will say though is that I
2 do remember Lynn writing on the paper whether or
3 not [REDACTED] was Mr. Nadeau's counsel.

4 A. Exactly. Thank you.

5 MR. [REDACTED]: And I --

6 A. Do I really have to tell him that?

7 MR. [REDACTED]: I don't believe you do, but just
8 to get on with this, and I believe I wrote that I
9 didn't know, but that I didn't think so.

10 A. Are you happy now, Bob?

11 MR. NADEAU: There was nothing else on the
12 note?

13 A. No. Sorry.

14 MR. [REDACTED]: That's the communication I recall.

15 MR. NADEAU: You gave a nonverbal response to
16 her second question. What was that about?

17 MR. [REDACTED]: I don't recall, but it might have
18 been whether you were going to be asking questions.

19 Q. All right. Ms. Frydrych, you have two children,
20 [REDACTED] and [REDACTED]; is that right?

21 A. Yes.

22 Q. How old are they now?

23 A. What does this have to do with [REDACTED]?

1 Q. It's preliminary identification information for the
2 record. How old are they now?

3 A. It has nothing to do with the case. My children's
4 lives, their ages, my, anything about me has
5 nothing to do with this case. Please ask questions
6 pertinent to Attorney [REDACTED]'s lawsuit that you
7 have against him.

8 Q. What is the latest level of your education?

9 A. I'm not answering any of these questions.

10 MR. [REDACTED]: Do you believe that's likely to
11 lead to the --

12 MR. NADEAU: It's preliminary, and, yes, it
13 is.

14 A. It's not likely.

15 Q. Someone's level of education is something that a
16 fact finder normally takes into account when
17 assessing weight to be assigned to someone's
18 testimony.

19 A. I'm not answering any of these questions about my
20 personal life, so please ask a question regarding
21 Attorney [REDACTED] and move on.

22 Q. All right. I'm going to be keep going, but it's
23 going to be noted that you refused to answer

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1 questions relating to preliminary matters such as
2 the ages of your children --

3 A. That's personal information.

4 Q. Your education, your occupation or employer.

5 A. It is personal information that you do not need
6 from me.

7 Q. All right. You made that clear on the record.

8 A. Okay.

9 Q. Do you plan on any change of address within the
10 next 12 months?

11 A. I don't have a crystal ball.

12 Q. All right. If you do change your address, will you
13 let either my office or the court know that you --

14 A. I'm sure I will contact the court if that is
15 necessary.

16 Q. Thank you. Do you know the defendant, [REDACTED]
[REDACTED]?

18 A. I do.

19 Q. How did you first -- what do you remember about how
20 you first came to meet him and where?

21 A. That's an improper question, I believe.

22 Q. How did you meet him, where?

23 A. I met him at Nadeau and Associates in Wells, Maine.

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1 Q. All right. Do you remember exactly where you met
2 him in that office?

3 A. I standing inside of his office, his new office.
4 You introduced us.

5 Q. All right. And what were your impressions at that
6 time of Mr. [REDACTED]?

7 A. Nice guy. I don't think I had really an impression
8 about it.

9 Q. Prior to today, when was the last time that you saw
10 Mr. [REDACTED]?

11 A. I haven't seen [REDACTED] in years.

12 Q. When was the last time you saw him?

13 A. I haven't seen him since -- I don't know.

14 Q. Do you recall in your deposition in the Madore
15 [REDACTED] case that you stated that you planned to see
16 him the following evening after that deposition was
17 taken?

18 A. No. I did not say that.

19 Q. You did not say that. Okay.

20 A. If I did, I'm sure it was facetious just me being
21 funny.

22 Q. All right. Well, I'm going to encourage you,
23 ma'am, in fact, I'm going to specifically ask you

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1 not be facetious today. This is serious business.
2 Questions are asked, and I am seeking accurate,
3 honest answers, not with spins, not with sarcasm,
4 not with facetiousness. All right.

5 A. Okay. Well, I'm expecting to have clear, concise
6 legal, factual questions asked to me.

7 Q. You will get that.

8 A. And if they are not --

9 Q. I will do my --

10 A. -- then I will feel free not to answer them.

11 Q. I will do my very best, ma'am.

12 A. Thank you because, as you said, this is serious
13 business.

14 Q. Now, do you recall when it was and where it was
15 that you last saw Mr. [REDACTED] prior to today?

16 A. No, I don't recall.

17 Q. When was the last time you communicated with
18 Mr. [REDACTED]?

19 A. I spoke to him this morning.

20 Q. Prior to entering this deposition room?

21 A. Yes.

22 Q. All right. In what manner and how did you
23 communicate, by cell phone?

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1 A. Yes.

2 Q. All right. Who called whom?

3 A. Scott called me simply asking the address of [REDACTED]
4 [REDACTED]'s law office because he mistakenly was
5 driving to Attorney Nadeau's Manchester office and
6 had put it in his GPS.

7 Q. Did you discuss anything else about your testimony
8 to that conversation?

9 A. No.

10 Q. All right. Prior to that communication, when was
11 the last time that the two of you spoke?

12 A. I don't recall. A week ago.

13 Q. A week ago. And --

14 A. Two weeks ago. I don't know.

15 Q. What mode of communication was used in that
16 instance?

17 A. The telephone, Bob.

18 Q. Who called whom?

19 A. I don't remember.

20 MR. [REDACTED]: May I ask, do you think these
21 questions will lead to discovery of admissible
22 evidence?

23 MR. NADEAU: They may well, counsel. And I

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1 don't know, a judge doesn't know and that's why a
2 judge is, as I think you know by now, is going to
3 say, answer the question. Okay?

4 MR. [REDACTED]: I'll give you some leash here, but
5 if you continue asking questions that don't relate
6 to this suit, then --

7 MR. NADEAU: That's your choice, counsel. And
8 you know --

9 MR. [REDACTED]: I'll put my objection on the
10 record.

11 MR. NADEAU: -- how we will deal with that to
12 the extent that you do that. All right? You
13 certainly have the right to do what you deem you
14 need to do, but we have the right to address it.

15 Q. Back to the question. You say that your prior
16 communication with Mr. -- your most recent prior
17 communication with Mr. [REDACTED] occurred some two to
18 three weeks ago and it was by telephone; correct?

19 A. I said I didn't really remember when, but, yes, it
20 was on a cell phone.

21 Q. Okay. And you do not recall who called whom?

22 A. I just answered that.

23 Q. What was discussed? Tell me everything that was

1 discussed.

2 A. I don't have to tell you everything that I
3 discussed about anything, Bob.

4 Q. Are you refusing to answer the question?

5 A. I'm not refusing to answer the question, but it's
6 really a kind of a ridiculous question. Everything
7 that we discussed? I don't know. What I had for
8 breakfast that morning?

9 Q. No.

10 A. I'm not sure what I discussed.

11 Q. Ma'am, I'm looking for facetiousness.

12 A. I'm not being facetious. I'm being honest.

13 Q. Think very hard about what you discussed.

14 A. I don't recall.

15 Q. And tell me what you discussed?

16 A. I don't even recall what we discussed.

17 Q. Did you discuss this case at all?

18 A. I don't believe so, no.

19 Q. You just happened to call for social reasons?

20 A. Oh, I know it's so, just, who could possibly just
21 use the phone for social reasons.

22 Q. At any time, did you and Mr. [REDACTED] discuss this
23 case?

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1 A. I believe I asked him briefly what the lawsuit, the
2 frivolous lawsuit that I knew was frivolous because
3 it's filed by you was about, because I had been
4 subpoenaed in it which, I told you in my last
5 deposition to definitely not subpoena me in this
6 because I had no information other than what you
7 had already asked me when you were trying to try
8 two cases at the same time, but you did anyway.
9 That's what we discussed.

10 Q. All right. And was it in that conversation that
11 you discussed this case?

12 A. I just told you we didn't discuss the case. I
13 asked what the case was -- what the lawsuit was.

14 Q. What did he tell you?

15 A. Basically, that you were trying to claim that he
16 mishandled some cases when you were really still
17 the attorney on record as far as I'm concerned you
18 were, but I'm not really sure.

19 Q. That's all he told you, that this case related to
20 cases that I say he mishandled?

21 A. Yes.

22 Q. Did he tell you that any of those cases involved
23 me?

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1 A. I think I just said that.

2 Q. I don't recall that. So they did involve me,
3 according to your recollection?

4 A. Don't ask me what my recollection is because
5 that -- I don't really recall. I mean, so many
6 things have happened, Bob, that you've dumped onto
7 my life so it's like I can't really remember case
8 numbers and files and --

9 Q. Understood. It sounds to me though that it was
10 important for you to ask that question. Obviously,
11 it doesn't seem to me that you would have otherwise
12 bothered to ask; would you agree that you asked for
13 a reason?

14 A. I would ask for the reason and the purpose of
15 knowing why again I'm being harassed and stalked by
16 you to be subpoenaed in another frivolous lawsuit
17 that you filed against someone else who was in my
18 personal life, which I know nothing about. So any
19 normal, rationale person is, of course, going to
20 ask the person that they know whose being sued by
21 the abominable person that we all know, what it
22 would about. Wouldn't that be a logical thing to
23 do?

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1 Q. All right. What, if anything, did he tell you in
2 response regarding what cases the litigation
3 referred to?

4 A. I didn't ask him what cases they were.

5 Q. All right. What, if anything, did he tell you
6 about who the person or persons --

7 A. I didn't ask.

8 Q. -- involved in the cases?

9 A. I didn't ask and he didn't tell me.

10 Q. He did not tell you. So what information, if any,
11 did he give you about what this case was about?

12 A. Asked and answered.

13 Q. He simply said he's been sued?

14 A. Now, you are just harassing me. I just answered
15 that question twice now.

16 Q. Ma'am, in a course of a deposition, it is not --

17 A. Do not enlighten to the rules of practicing law,
18 counselor. Okay.

19 Q. Thank you.

20 A. Don't.

21 Q. Are you done?

22 A. Don't bother.

23 Q. All right. It is not inappropriate to seek

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1 clarification. That is what I've been doing.

2 A. Right, Bob, okay.

3 Q. All right. Did he tell you anything about any
4 other proceedings pending concerning him?

5 A. No.

6 Q. Did he mention anything about a bar proceeding?

7 A. I don't remember. I don't.

8 Q. You don't remember. You wouldn't remember
9 something that significant; is that your testimony?

10 A. Yeah.

11 Q. Prior to that communication, when was the last time
12 you spoke with him?

13 A. I really don't remember.

14 Q. Did you communicate at any time with him by e-mail
15 within the past year?

16 A. No.

17 Q. By text?

18 A. No.

19 Q. So is it your testimony that your communications
20 with Mr. [REDACTED] were limited to telephonic
21 communications within the past year?

22 A. Within the past month or so, yes.

23 Q. Okay. Were there any communications between you

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1 and Mr. [REDACTED] earlier than one month ago or prior
2 to one month ago?

3 A. What? I just literally said --

4 Q. Fair enough. Let me withdraw that question. I'll
5 see if I can help you here.

6 MR. NADEAU: Yes, I know I'm out of order
7 here. So I'm going to do 17.

8 (Exhibit No. 17 was marked for identification.)

9 Q. Ma'am, I'm going to show you what's been marked as
10 Exhibit 17 and ask you if you are familiar with
11 that document?

12 A. Yes, I'm very familiar with it. I'm sorry I wrote
13 it. I think you'll find this very interesting,
14 actually.

15 MR. [REDACTED]: Do you mind if I take a moment to
16 look at it.

17 MR. NADEAU: Go ahead. You can look at it while
18 I'm asking the questions.

19 A. No, actually, I prefer that Attorney [REDACTED] read
20 this before I answer any of your questions.

21 MR. [REDACTED]: I would like to go ahead and put
22 a pause in the transcript while we take a look at
23 number 17. It's a lengthy three-page document.

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1 THE COURT REPORTER: Is that okay?

2 MR. NADEAU: Yeah.

3 (Pause in proceedings.)

4 MR. NADEAU: Back on the record.

5 Q. Ms. Frydrych, with respect to Exhibit 17, do you
6 agree that this document consists of e-mail
7 communication between you and me on January 19,
8 2011 and January 21, 2011?

9 A. Yes, you sent me a threatening e-mail, so I
10 responded to it.

11 Q. All right. You characterize this e-mail as
12 threatening; is that correct?

13 A. I do. It is.

14 Q. Now, with respect to your response on the first
15 page of Exhibit 17, you write, "And as far as [REDACTED]
16 goes, he called," I think you meant to say me,
17 "weeks ago, and I told him to tell the truth and
18 that I could care less. It was four years ago;" is
19 that correct?

20 A. Yes.

21 Q. That's what you wrote. All right.

22 A. I also followed that up by saying you are the only
23 one that is so obsessed with it and clearly still

1 is --

2 Q. Thank you.

3 A. Which, that's obvious.

4 Q. With respect to this e-mail of yours dated January
5 21, 2011, how many weeks ago prior to that date
6 were you referring to?

7 A. Probably a couple because it was obviously after
8 Christmas and after New Years. I don't really
9 recall when it was.

10 Q. It was after Christmas?

11 A. I believe so.

12 Q. Okay. Before New Years or after New Years?

13 A. I just said I don't remember.

14 Q. Okay. And when he called you, what did he say?
15 Tell me everything he said.

16 A. I love it when you preference it with tell me
17 everything he said as if there's so much to gain,
18 so much there. He clearly, he just told me he had
19 a deposition coming up and that you were obviously
20 going to ask him if we had sex, and I told him to
21 tell you and tell the truth. He would have told
22 the truth anyway. He's under oath, of course, and
23 he's an attorney. Not every attorney is, you know,

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1 you, Bob. So they are honest and forthright,
2 but --

3 Q. Did he say why he felt he needed your permission
4 first to talk about that?

5 A. Actually, he didn't need my, so much my permission.
6 He actually called me and asked if you knew where
7 to find me because after he, obviously, tells the
8 truth, which he intended to do in this deposition
9 about this matter which, of course, he knew you
10 were going to ask him about, he thought you were
11 probably going to come kill me and they'd find me
12 in a dumpster, which is, every one who knows you
13 and myself, their impression; correct?

14 Q. So when he asked you that question, did he tell you
15 what the litigation -- was this the first time you
16 heard about my litigation --

17 A. Yes.

18 Q. -- involving him?

19 A. Yes, it is.

20 Q. What did he tell you about it on that occasion?

21 A. The exact same thing. I said what is this about?
22 He said he's claiming that I mishandled cases or
23 something like that. I don't really remember.

1 MR. [REDACTED]: I need to continue my objection to
2 this kind of questioning --

3 A. Feel free.

4 MR. [REDACTED]: -- that's been going on for quite
5 some time and is clearly not related to any of the
6 matters alleged in this suit that's been brought
7 against me.

8 A. Well, wait until you really see what's going to
9 happen.

10 MR. NADEAU: Your objection is noted.

11 MR. [REDACTED]: Okay. If you could explain for
12 the record at this time how you think this may lead
13 to the discovery of admissible evidence, I'd like
14 to know.

15 MR. NADEAU: I'm not going to do that,
16 counsel.

17 A. I would like to know.

18 MR. NADEAU: It's obvious and I am not going
19 to suggest testimony or put this case in a position
20 which testimony will be in any way fabricated.

21 A. Obvious to whom exactly? And we are both clearly
22 baffled as to why our sex lives have anything to do
23 with him being an attorney.

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1 MR. NADEAU: Ma'am, you are not an attorney.

2 A. Neither are you, Bob, as far as I'm concerned.

3 Unfortunately, on paper you are.

4 MR. [REDACTED]: To be clear, my objection is
5 regarding several questions that have occurred
6 about my communications with Ms. Frydrych, far
7 beyond the time of my employment specifically in
8 the last month or so. And I don't think it's
9 related to any of the allegations that have been
10 brought against me in the suit. If that's not so,
11 please please let me know.

12 MR. NADEAU: Counsel, your objection is noted
13 counselor. And you have the opportunity to
14 cross-examine this witness when I'm finished. You
15 also have the opportunity to testify yourself
16 regarding the substance of these conversations. I
17 will remind you also that in your second
18 deposition, you insisted that you had not
19 communicated with Ms. Frydrych at all up until that
20 time. I will remind you of that, so I am
21 suggesting to you that you should be very careful
22 about what you want to say on the record right now

23 MR. [REDACTED]: I'm not accepting any

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1 characterization by you of the record. But, again,
2 if you could explain why these communications have
3 any significance, I would appreciate it.

4 MR. NADEAU: All right.

5 Q. Ms. Frydrych, getting back to the question about
6 his phone conversation to you --

7 A. Apparently, he doesn't feel he has to explain why
8 it's relevant, so he'll keep asking these
9 irrelevant questions.

10 Q. Okay. Getting back to that phone call to you, how
11 long did the phone call last, roughly?

12 A. I don't know.

13 Q. Few minutes?

14 A. If I don't even remember when it was, how can I
15 tell you that it was three minutes and 41 seconds,
16 truly.

17 Q. Is it your testimony that this phone call from him
18 did not relate to something you thought was rather
19 significant in your life?

20 A. Actually, I've tried to get away from you as far as
21 possible if I could live in Singapore, I would get
22 on a slow boat today. Furthermore, it had nothing
23 to do with me. But he, obviously, felt strongly

1 enough of the fact that you were obviously a threat
2 to me, stalk and harass and obsess over this
3 bullshit nonsense, because you do, and we're all
4 sitting here again as I stated on the record two
5 weeks ago in Nancy's case, talking about the exact
6 same thing that has no relevance legally to your
7 case against Nancy or your case against [REDACTED].

8 Q. Can I have that exhibit back, please? Push it my
9 way.

10 A. Why?

11 Q. Because we have to hold onto these exhibits for the
12 court reporter and for the record.

13 A. Oh, so you're done asking questions about --

14 Q. Apparently, I am on this particular matter.

15 A. All right. That would probably be wise on your
16 behalf.

17 MR. [REDACTED]: for the record, I do want it
18 noted that Exhibit 17 includes Bob's own lengthy --

19 A. Threatening e-mail?

20 MR. [REDACTED]: Lengthy and threatening e-mail,
21 which includes comments about Ms. Frydrych being
22 called quote, "slut, white trash, homely, having a
23 big, ugly nose, being a manipulator, very

1 narcissistic, very immature, very insecure, despite
2 your posturing to the contrary, a vamp, a user and
3 most importantly, an utter liar and fraud, with
4 very little meaning to tribute to anyone else's
5 life." It goes on and on and on in this fashion,
6 but that's a direct quote from page two of Bob's
7 e-mail to the witness. And, again, this is dated
8 January 19, 2011 during the proceedings that are
9 taking place now.

10 A. Can I also note, for the record, that Attorney
11 Scott Gleason also made this exact characterization
12 of Attorney Nadeau sending me a threatening,
13 harassing, insulting e-mail, and this is prior to
14 me knowing that there were any lawsuits up against
15 my best friend Nancy regarding Attorney Nadeau and
16 that he was going to subpoena me as a witness in
17 any of these cases. So if anybody could be more
18 clear about trying to intimidate or harass a
19 witness, a witness that they actually called
20 themselves, please turn in your license to practice
21 law, really, and just save the world more paper and
22 copies and depositions.

23 Q. Will you agree when this e-mail was sent to you,

1 you were not under subpoena, you were not asked to
2 be a witness in any particular case, in this case
3 --

4 A. Do you understand that you already knew and were
5 formulating the plan of calling me as a witness and
6 that is so obvious to everyone involved in this?

7 Q. Yep. All right. Ma'am that's not correct, but my
8 question is --

9 A. It is correct.

10 Q. -- do you have any -- were you served with a
11 subpoena at the time that these e-mails were
12 exchanged?

13 A. I was not.

14 Q. Thank you.

15 A. As you know.

16 Q. Thank you.

17 A. But then you, using your abuse of the legal system
18 as always, not only sent me this horrific e-mail
19 trying to intimidate and threaten me because he
20 told you we had sex, you are going to put an entire
21 blog on the internet about it, and then you
22 actually have the audacity to subpoena me as a
23 witness to facts. What facts exactly am I here to

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1 answer?

2 Q. Ma'am, between the time that Mr. [REDACTED] left Nadeau
3 Law in late October 2007 and the times within the
4 past few months that you communicated, did you
5 spend any time with Mr. [REDACTED] anywhere?

6 A. No, I have not.

7 Q. So all of your time with Mr. [REDACTED] was spent while
8 he was still employed at my former law firm in
9 Wells?

10 A. I did not say that either.

11 Q. Well, we need to be clear one way or the other.
12 Did you spend any time with him after October of
13 2007 prior to meeting him here today?

14 A. I don't believe so.

15 Q. Okay. Between the time that you first met Mr.
16 [REDACTED] at my law firm in Wells, Maine and the time
17 when you filed a protection from abuse case in late
18 July 2007 against me, had you had any sexual
19 relations with Mr. [REDACTED]?

20 A. I already asked and answered all these questions in
21 Nancy Madore [REDACTED]'s case.

22 Q. We're in a different -- ma'am, I appreciate that.
23 We are in a different case. I respectfully submit

1 you did not answer all the questions. You refused
2 to answer.

3 A. Well, I'm going to refuse to answer them now, too.

4 Q. You are?

5 A. Hm-hm.

6 Q. We are going to have to suspend. I'm going to have
7 to file a motion.

8 A. You aren't going to have to do anything. Ask some
9 relevant questions --

10 Q. I am --

11 A. -- to the case regarding this man.

12 Q. Let the record reflect --

13 A. Show that I'm screaming.

14 Q. -- that the witness is screaming.

15 A. I am.

16 Q. Ma'am, I'm going to reask the question. I'm going
17 to give you one more opportunity to answer this
18 question.

19 A. Oh, God. Actually, I did ask and answer -- I did
20 answer this question. And it was no, okay?

21 Q. You say you had no --

22 A. So do you want to run around the room now, Bob?

23 Q. All right. So your testimony is you had no sex

1 with him between the time you first met him and the
2 time the protection from abuse case was filed in
3 late July of 2007; is that right?

4 A. I already answered this.

5 Q. Your answer --

6 A. I answered all these questions.

7 Q. Let the record reflect that the witness said that
8 there was no sex during that time.

9 A. Let the record also reflect that my sex life has
10 absolutely nothing to do with this man and his
11 ability of being an attorney, [REDACTED]. Okay?

12 Q. That will be for the court to decide.

13 A. I'm sure it will and I can't wait for them to laugh
14 your ass out of the entire courthouse.

15 Q. I appreciate your position.

16 A. That is my position.

17 Q. All right. So is it fair for me to assume that any
18 sex that occurred between you and Mr. [REDACTED]
19 occurred after the PFA was filed in July 2007, but
20 before he terminated in his employment in late
21 October 2007?

22 A. I'm not answering these questions.

23 Q. You're saying you're not answering the question?

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1 A. You only brought me here to try to embarrass,
2 intimidate and, whatever, me in front of this guy
3 and talk about our sex life and it's ridiculous --

4 Q. Ma'am, ma'am.

5 A. You look ridiculous and you are abusing the process
6 of law.

7 Q. These --

8 A. I'm sitting across from you looking at you. These
9 questions have nothing to do with it. I know that.
10 He knows that. She even knows that and she's not a
11 lawyer either. Everybody knows.

12 Q. Have you seen --

13 A. That this is about him sleeping with me.

14 Q. Did Mr. [REDACTED] show you the lawsuit?

15 A. No.

16 Q. All right.

17 A. But I know it's not about us having sex, I know
18 that.

19 Q. You do know that, huh? All right.

20 A. Who wouldn't? Oh, is Bob going to sue you because
21 you slept with me now? I mean, I know the other
22 part is frivolous, too, but if he could, he
23 probably would.

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1 Q. Why don't we --

2 A. Unbelievable.

3 Q. Right. I know that, too. I think we're going to
4 have to take another recess and get a copy of the
5 pleadings and allow this witness to review the
6 pleadings so that she can see the relevance of
7 these questions to the case before the court.

8 A. There's no relevance.

9 Q. Mr. [REDACTED], maybe you can short-circuit this. And
10 I'm going to give you an opportunity to do that.

11 MR. [REDACTED]: I could. Do you mind if we can
12 off the record? Or would you like us to be on the
13 record.

14 A. Actually be on the record.

15 MR. NADEAU: All right. That's fine. I'll
16 let you go off the record.

17 A. I prefer you, no, be on the record.

18 MR. [REDACTED]: I'll put this on the record.

19 THE COURT REPORTER: So are we on or off?

20 A. No, you're on the record.

21 MR. [REDACTED]: And, again, this is, first of
22 all, I do not -- I hope that whatever I'm about
23 about to say isn't misconstrued as my replacing the

1 record that exists. Obviously, there are documents
2 on file and those are actually the constituent
3 documents for the suit. I would characterize them
4 as Mr. Nadeau having filed suit against me in the
5 State of New Hampshire for violating two statute of
6 limitations. One against a client named [REDACTED],
7 and another one against a client named [REDACTED].
8 He also alleges that I had represented him in
9 multiple capacities, and that my having a
10 relationship with Ms. Frydrych has somehow violated
11 obligations that I may have had to Mr. Nadeau in
12 any representational capacity that I did have.

13 Again, I want to insist on the record that my
14 saying this is neither an admission of any of those
15 allegations brought against me. It's just simply
16 to, as Mr. Nadeau described, short-circuit the need
17 to review filings. Thank you.

18 MR. NADEAU: And, for the record, I will state
19 that Mr. [REDACTED]'s statement, although not a
20 complete -- completely accurate characterization of
21 the pleadings, is not for purposes of this
22 deposition to be construed as an admission.

23 MR. [REDACTED]: Thank you.

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1 Q. Now, Ms. Frydrych, a very significant part of this
2 lawsuit involving Mr. [REDACTED] relates to his ethical
3 obligation as an attorney while representing me in
4 a variety of different cases, including my divorce
5 and post divorce case, including my bankruptcy
6 case, which included a dispute involving ownership
7 of rings, and in connection with collections
8 actions against a person named Nancy Madore [REDACTED].

9 A. I see.

10 Q. And matters relating to that. They also relate to
11 his obligation as an employee under the bar rules.

12 A. He wasn't my employee.

13 Q. He was my employee, and we are the litigants. You
14 are here to testify, therefore, about matters that
15 are relevant or likely to lead to the discovery of
16 information relevant to those matters that are
17 before the court that the court has already
18 recognized as being meritorious in the subject of
19 inquiry that Mr. [REDACTED] had to comply with. All
20 right? And we are now here with respect to you.

21 A. I see.

22 MR. [REDACTED]: I do need to object to the phrase
23 "meritorious." They, perhaps, are colorable, but

1 no evaluation of merits has occurred at all.

2 A. I was actually going to on say that, but --

3 Q. That is fine. That will be up to the finder of
4 fact and that's what the court process is about.

5 A. I find the court process fascinatingly interesting,
6 considering we're now discussing your ethics and
7 morals as his attorney during his divorce when he
8 was sleeping would me when he was mine.

9 Q. We are going to deal with the case that's before
10 the court right now. All right?

11 A. Okay. Well --

12 Q. And you would do everyone a big favor if you would
13 try to focus on answering the questions so that we
14 can --

15 A. It's very hard to focus --

16 Q. -- sooner rather than later.

17 A. -- looking at Satan himself who has destroyed my
18 life, just by me walking into your legal office,
19 you rotten, son of a bitch.

20 Q. I --

21 A. Dispute of ring. Shove that ring up your ass, Bob.
22 I wish I had it. I'd do it for you.

23 Q. All right. So when was the first time that you had

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1 sex with Mr. [REDACTED]?

2 A. I don't really recall the date. I'm sorry.

3 Q. What happened on that day or evening?

4 A. I don't really know.

5 Q. How did you meet; where did you meet?

6 A. I don't remember.

7 Q. You don't remember?

8 A. I really don't.

9 Q. Well, let's take it in a general sense then.

10 A. Okay.

11 Q. Where do you remember having sex?

12 A. I'm not going to answer that.

13 Q. You are refusing to answer that question?

14 A. It's a ridiculous question.

15 Q. Did you have sex with Mr. [REDACTED]?

16 A. You already know that I did.

17 Q. All right. Where did you have sex with Mr. [REDACTED]?

18 A. A lot of places.

19 Q. All right. Tell me what those places included.

20 A. I did in my last deposition.

21 Q. You mentioned one time at his apartment, you

22 mentioned at the beach in your car.

23 A. You mentioned at the beach, which you got most of

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1 those details wrong and I did say I had sex with
2 him at his apartment, yes, I did.

3 Q. All right. How many times -- how many different
4 occasions --

5 A. It doesn't matter.

6 Q. How many occasions?

7 A. It doesn't matter.

8 Q. You are refusing to answer that question?

9 A. I am.

10 Q. You are willing to you -- you are challenging me to
11 ask a judge to force me to ask you the question?

12 A. I do. Feel free.

13 Q. That's noted on the record.

14 A. No judge is going to -- a judge is going to look at
15 this and know that you are only doing it because he
16 slept with your girlfriend. They are going to
17 laugh you out of the court and when they do, I'll
18 be sitting in the back row with popcorn.

19 Q. All right. Your statement's noted on the record.
20 The judge will read this transcript --

21 A. I'm sure he will. Yes, he will. And know that
22 that's why we are all here because you are asking
23 these questions.

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1 Q. All right. Did you have sex with him in your
2 vehicle.

3 A. I did, yes.

4 Q. All right.

5 A. I think it was your vehicle.

6 Q. You believe it was Mr. [REDACTED]'s vehicle?

7 A. I don't remember. That's all insignificant
8 requests, these, you know.

9 Q. You had sex in his residence?

10 A. Yeah, I did.

11 Q. Did you have sex with him at any other locations?

12 A. I don't think so.

13 Q. You don't recall?

14 A. No.

15 Q. Do you ever have sex with him in his office?

16 A. No, I had sex with you in your office.

17 Q. Did you ever kiss him in his office?

18 A. No, I don't think so. Nothing ever happened at the
19 office. Don't get on that road.

20 Q. All right. In the parking lot while having smokes?

21 A. No. I know what you are trying to do here.

22 Q. And it's your testimony that your sexual activities
23 with Mr. [REDACTED] occurred after the PFA, but before

1 he left his employment in late October 2007 at
2 Nadeau Law; correct?

3 A. I don't really recall. It was definitely after the
4 PFA. I don't know.

5 Q. All right. If Mr. [REDACTED] testified that it was in
6 late February or early March of 2007 when you
7 picked him up outside the office in your vehicle
8 and drove to the beach and climbed over onto the
9 passenger side --

10 A. Oh, please --

11 Q. -- and had sex with him --

12 A. Don't be a sick asshole, which you are going to be.

13 Q. -- would you say that that was incorrect?

14 A. Yes, I would.

15 Q. It did not happen -- what about it was incorrect?

16 A. Please ask a factual question about this case.

17 Q. I'm asking you ma'am.

18 A. No, you're not. It doesn't matter where I had sex
19 with him and what -- who climbed on top of who.

20 Okay? Ask a question that has to do with this
21 case.

22 Q. Did you have sex with him --

23 A. I had sex with him. We already --

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1 Q. -- in your vehicle --

2 A. -- we already went through this whole thing. We
3 had sex. Okay.

4 Q. Timing is important.

5 A. No.

6 Q. He said it occurred --

7 A. Locations and this and that and missionary or
8 standing up, that's where you are going and it has
9 nothing to do with this case.

10 Q. I'm not going there, ma'am.

11 A. Well, you are, actually.

12 Q. My question very simply is, he indicated, he
13 stated, he testified under oath that it occurred,
14 to the best of his recollection in late February or
15 early March 2007; does that sound --

16 A. I don't know when it was. I don't have a
17 recollection of when it was.

18 Q. Could that be accurate?

19 A. Anything could be accurate. I just told you I
20 don't know.

21 Q. All right. Can you give me an approximate number
22 of times that you and he met to have sex while he
23 was employed by me?

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1 A. No, I couldn't.

2 Q. You have no idea?

3 A. No, I don't.

4 Q. We know about once at the beach, and at least once
5 at his house. Could it be more than those two
6 times?

7 A. You really need to go back on your medication.

8 Q. Please answer the question, ma'am.

9 A. I just did.

10 Q. Could it be more than two times?

11 A. Oh, I'm definitely confident it's more than two
12 times.

13 Q. Okay. And were you wearing your engagement rings
14 when those events occurred?

15 A. No, I was wearing a tutu and a tiara, I believe.

16 Q. Were you wearing the rings?

17 A. I don't recall.

18 Q. You may have been, you may not have been?

19 A. Bob.

20 Q. Is that your testimony?

21 A. What were you wearing when you were on-line dating
22 sites, you tell me.

23 Q. Ma'am, please answer my question.

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1 A. I'm answer your question. I'm answering your
2 question. The ridiculous question is getting a
3 ridiculous answer because it's all --

4 Q. Your testimony is that you may have been, you may
5 not have been wearing them; is that right, you are
6 not sure; is that your testimony?

7 A. I don't know. I don't know if I was wearing them.
8 Would it really matter if I was?

9 Q. Did you ever have any conversations with Mr. [REDACTED]
10 while you were having sex about your engagement to
11 me or in connection with it?

12 A. No, I don't think much talking went on.

13 Q. Okay.

14 A. That's usually how it works.

15 Q. Yeah. When you left his house, do you recall when
16 you went to go home and sleep or to do anything, to
17 see your children again?

18 A. No, I don't recall.

19 Q. Do you believe that you went home after leaving his
20 house on the occasion or occasions you had sex in
21 his apartment or house?

22 A. I'm sure I did wind up at home somewhere.

23 Q. All right. Do you recall ever leaving his house

1 after having sex and driving back to [REDACTED]

2 [REDACTED] in Wells?

3 A. I like how you keep preference it by saying after
4 having sex. We didn't have sex every time we saw
5 each other, actually. You're very imaginative
6 imagination precedes you in everything you say and
7 do.

8 Q. After you saw Mr. [REDACTED] at his house, do you
9 recall driving back to [REDACTED]?

10 A. I don't know. I just told you I don't recall.

11 Q. Do you recall on occasion coming back to [REDACTED]
12 [REDACTED] after the sun had risen?

13 A. No, I don't.

14 Q. You don't recall that?

15 A. No. And that has anything to do with [REDACTED]
16 [REDACTED]'s case, I assume

17 Q. I don't know. That's why I'm asking the question.

18 A. No, you are asking frivolous, stupid questions --

19 Q. My question --

20 A. -- to get me to get all worked up so I wind up
21 screaming again so you can put it on the record I'm
22 screaming.

23 Q. When you were driving home at three a.m. in the

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1 morning or sometimes after the sun came up, do you
2 know where you were driving from?

3 A. Bob, you're such a liar.

4 Q. Do you remember where you were driving from?

5 A. You are lying. These things didn't even occur.
6 They are things that you make up and tell people
7 and then you believe yourself.

8 Q. All right. After you --

9 A. All right?

10 Q. After you visited with Mr. [REDACTED], do you recall
11 ever where you drove back to see, to be with your
12 children?

13 A. I already answered this.

14 Q. Do you believe it was [REDACTED]?

15 A. I just told you I don't recall.

16 Q. Do you believe it was some other place?

17 A. I just literally said six times I don't recall.

18 Q. So it could have been [REDACTED]?

19 A. Can you not throw in an objection here or
20 something?

21 Q. He can, but we're moving on anyway. Are you able
22 to say whether it was or was not --

23 A. I just said I don't know. I just literally said it

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1 eight times already.

2 Q. So it may have been, it may not have been; correct?

3 A. And this has to do with [REDACTED]'s case.

4 Q. Yes.

5 A. Okay. Show me the relevance of why. Tell me right
6 now why and I'll answer your question.

7 Q. I'm not going to do that, ma'am.

8 A. Of course, you're not because there's no relevance.
9 Any judge will see that so that's why I don't care
10 if I answer them or not.

11 Q. And that will be for Mr. [REDACTED] and I or my counsel
12 to deal with the judge about. I'm asking you a
13 simple question.

14 A. Do you know what these judges think of you, Bob?

15 Q. What do you know about what judges think of me,
16 ma'am?

17 A. They all think you are a raving lunatic asshole.

18 Q. Who are you referring to --

19 A. All of them.

20 Q. Give me a name, please.

21 A. I will not indulge you with that, sorry.

22 Q. Just one name, ma'am. Your credibility's on the
23 line here. Tell me. Give me a name.

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1 A. My credibility's on the line?

2 Q. Yes, it is. Give me a name.

3 A. Okay. If want to go tit for tat on credibility.

4 Q. One judge, ma'am. Just one.

5 A. I don't know any judges in Maine. I'm just
6 saying --

7 Q. Thank you.

8 A. -- in general.

9 Q. Thank you. Okay.

10 A. I've heard. Let's just put it that way.

11 Q. You've heard.

12 A. Yeah. I hear a lot of things.

13 MR. [REDACTED]: I am going to object to the
14 belligerent nature of the back and forth between
15 the --

16 A. Thank you.

17 Q. If you'll please just listen to my question and
18 answer it, we can move on.

19 A. Is he harassing me as a witness by asking these
20 ridiculous questions, in your opinion?

21 MR. [REDACTED]: The repetition is getting to the
22 point where it is harassment, I would say.

23 MR. NADEAU: There would not need to be

1 repetition if I could simply get an answer to the
2 question.

3 MR. [REDACTED]: It's my believe beef that the last
4 actual questions has been answered with the phrase,
5 "I don't recall" or "I don't know."

6 MR. NADEAU: And as a follow-up to that
7 question, I said then does that mean that it may
8 have occurred -- you may have driven back to
9 [REDACTED] after having -- after being at
10 Mr. [REDACTED]'s residence or it may have been
11 somewhere else; is that a fair characterization of
12 what --

13 A. And I also said I don't recall and you kept asking
14 me again, six times, the same question.

15 Q. Yes, you are saying I don't recall.

16 A. I don't recall.

17 Q. Does that mean, then that it could have been that
18 you drove to [REDACTED]?

19 A. Anything could be.

20 Q. Thank you.

21 A. We're not talking about what could be or couldn't
22 be.

23 Q. All right.

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1 A. We're talking about legal facts. Okay? And you
2 did the same thing last time I was here.

3 Q. You've answered the question. Now, you were once
4 engaged to and living with me; is that correct?

5 A. Oh, my God. We also went through this in the last
6 deposition.

7 Q. We need to make a record in this case, ma'am. I
8 apologize for that, but if you would --

9 A. Do you not understand that you are harassing me?

10 Q. Ma'am, would you please just answer the question?
11 We can get things through, I assure you, a lot
12 faster if you do.

13 A. Those are two frivolous lawsuits.

14 Q. Thank you, ma'am.

15 A. And you shouldn't be a practicing attorney.

16 Q. Were you once engaged to me?

17 A. Yes, we all know. Unfortunately, God forbid. I
18 wish it never happened, yes.

19 Q. When did the engagement cease, to the best of your
20 recollection?

21 A. As I testified last time in my depo, when you got
22 tossed in the loonie bin, Bob. That's when I
23 looked at things like they were over. Actually, I

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1 think it was more like when I found out you were
2 on-line dating. I think I testified to that, to.

3 Q. All right. You continued to live with me after the
4 on-line dating until the PFA?

5 A. Yeah. I had no where else to go.

6 Q. You continued to wear the engagement and wedding
7 rings; correct?

8 A. I don't believe I did.

9 Q. You don't believe you did?

10 A. I don't recall.

11 Q. Did you ever tell me you did not?

12 A. Oh, my God.

13 Q. Did you continue --

14 A. Bob, Hi, I'm at the supermarket. I'm not wearing
15 my ring right now. Okay. Bye.

16 Q. All right. You continued to reside with me at [REDACTED]
[REDACTED]; correct?

18 A. Bob, I think you were in the in-law suite throwing
19 one of your tantrums. It happened every other day.

20 Q. All right.

21 A. I have to tell you something later.

22 Q. Evidentially, it relates to this case, so what is
23 it, ma'am?

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1 A. Actually, not. If you really want me to put it on
2 this record, I will.

3 Q. Does it relate to me?

4 A. Of course it does.

5 Q. All right. Go ahead. It may be discoverable. Go
6 ahead. What's funny?

7 A. No, it's so not discoverable. Go ahead.

8 Q. I think we could all use a laugh.

9 A. I don't want to humiliate you more than you
10 humiliate yourself, Bob.

11 MR. [REDACTED]: In the interest of time, could we
12 please --

13 A. Yeah, let's go.

14 MR. [REDACTED]: -- proceed with whatever
15 questions are going to happen here?

16 A. Seriously.

17 Q. All right. With respect to the protections from
18 abuse case that was filed on Friday, July 20, 2007,
19 prior to that, had you ever told anyone that you
20 were not going to marry me?

21 A. I don't know. And we already went through this
22 also.

23 Q. Yes. You don't know. Whose idea was it to seek

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1 the PFA?

2 A. Mine.

3 Q. Did you consult with anybody prior to doing it?

4 A. No, I didn't.

5 Q. Who prepared it?

6 A. [REDACTED] prepared it.

7 Q. You had spoken with him and he prepared it?

8 A. I don't even remember, Bob, and none of this has
9 anything to do with Scott, again, or his handling
10 of cases or your divorce.

11 Q. Ma'am, ma'am, that will be for the court to decide.
12 Did Ms. Madore [REDACTED] assist you in any way with
13 respect to that?

14 A. No, asked and answered. You know what? Actually,
15 I think on the record I should say that I really
16 believe that you could probably refer to my
17 deposition of two weeks ago and get all the answers
18 you need to all these questions. And I'm not going
19 to waste five more hours of my life sitting here
20 while you get your jollies off, like, trying to
21 harass the shit out of me. Sorry.

22 Q. When you met with Mr. [REDACTED], was Ms. Madore [REDACTED]
23 present at any of the conversations?

1 A. I don't even remember.

2 Q. She may have been, she may not have been? Do you
3 remember anything?

4 A. You know what? You fried my brain with relentless
5 bullshit for so many years, I don't recall. I
6 don't even know what I ate yesterday for dinner.
7 You have destroyed my life, you fucking bastard.
8 And just sitting here with you and looking at your
9 disgusting face asking me these stupid questions,
10 the bile is literally, like, welling up inside of
11 me. That's your answer.

12 Q. With respect to Ms. Madore (), do you agree that
13 I had discussed with you while we were living
14 together and you agreed a few months prior to the
15 PFA to cease communicating with her?

16 A. Yes, Bob. Look at Nancy Madore ()'s deposition.

17 Q. Yeah. What was your understanding as to why I
18 asked that of you?

19 A. If you are here trying Nancy's case, then try her
20 case. I'm here answering questions about ()'s
21 case.

22 Q. Ms. Madore's case --

23 A. Has nothing to do with it.

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1 Q. Is one of the issues --

2 A. It has nothing to do with this.

3 Q. -- in this particular litigation. Yes, it is,
4 ma'am.

5 A. I don't think it has nothing to do with it.

6 MR. [REDACTED]: Just for the record, Attorney
7 Scott Gleason is not present.

8 A. Right.

9 MR. [REDACTED]: Neither is Nancy Madore [REDACTED],
10 and, Mr. Nadeau, if you are actually going to say
11 that you are asking questions that you are thing
12 are establishing a record relevant to that case, I
13 want to know why they were not informed about this
14 deposition or present.

15 MR. NADEAU: These questions are relevant to
16 your case.

17 A. You should have actually been here the last time.

18 MR. NADEAU: I attempted to ask these
19 questions in connection with their litigation, all
20 right? They objected. Ms. Frydrych objected.
21 They had their opportunity, but as you well know,
22 the Madore [REDACTED] litigation and your involvement in
23 that litigation, is one of the issues specifically

1 involved in our litigation. And my questions,
2 therefore, regarding that matter are relevant to
3 this case. Notwithstanding their position with
4 respect to these same questions during Ms. Madore
5 ██████'s case.

6 MR. ██████: My question is: Did you actually
7 put them on notice that this deposition was
8 occurring?

9 MR. NADEAU: No, nor am I obligated to do that,
10 counselor. This is a separate proceeding. You are
11 welcome to contact them if you want to. All right?
12 And they are welcome to assert any rights they
13 believe they have. But you are not here, I'm
14 assuming, unless you want to correct me on this, to
15 advocate for their rights. You are here
16 representing yourself. You are not representing
17 them and I assume you are representing Ms.
18 Frydrych. Do I have all of that correct?

19 MR. ██████: Okay. Please refrain from
20 lengthy, you know, speaking nonobjections. I have
21 made no pretense to be their counsel. I do want to
22 be clear from you, though, you just commented that
23 these questions are relevant to the Nancy Madore

1 ██████████ case.

2 MR. NADEAU: They are relevant to your
3 involvement in connection with the Nancy Madore
4 ██████████ case and your duties toward me as your
5 employer, as well as your client.

6 MR. ██████████: Go on.

7 MR. NADEAU: Thank you, counselor.

8 A. Actually, for the record, I just want to say that
9 Attorney Nadeau is clearly misrepresenting the
10 entire deposition of two weeks ago when he asked me
11 many questions regarding ██████████ and ██████████
12 ██████████ was, obviously, not put on notice that that
13 deposition was taking place, nor was he here to
14 object to any of the questions that were asked
15 regarding his case.

16 MR. NADEAU: That's a good point. The good
17 thing about this deposition is now he has the
18 opportunity to hear some of those questions and
19 many more that are directly relevant to his case
20 and participate. So let's proceed.

21 A. Hm.

22 Q. I don't remember what the last question was before
23 we engaged in all of this colloquy.

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1 A. Was Nancy with me when I went to [REDACTED]'s
2 office, which has nothing to do with [REDACTED].

3 Q. Yes, was she?

4 A. I don't remember if she was. And you said, do you
5 remember anything like a smart ass but, you know
6 what? I don't, actually. I don't remember a lot
7 of it because I don't sit around with my stacks and
8 highlights like you do. Don't you have a life to
9 live?

10 Q. I think the question that we had asked after that
11 ma'am, related to our agreement that she would that
12 you would cease communicating with her while we
13 were living together?

14 A. Right, Bob.

15 Q. You acknowledge that we had that agreement;
16 correct?

17 A. Yeah, great.

18 Q. And you'll acknowledge that at the PFA you
19 testified under oath and admitted that, in fact,
20 you had ignored that agreement, you had continued
21 to communicate with her and she was your best
22 friend; correct?

23 A. Oh, I know. And last time I was here I told you

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1 also it says volumes more so about you trying to
2 not let me have one friend in the world because you
3 are nuts.

4 Q. Okay.

5 A. Imagine someone telling you you can't speak to your
6 best friend in the world because they are so
7 insecure they can't handle it?

8 MR. ████████: I find it crazy.

9 A. It is crazy, that's why.

10 (Exhibit No. 2 was marked for identification.)

11 MR. NADEAU: All right. I'll show you what's
12 been marked as Frydrych Exhibit 2.

13 A. It's, like, why am I on trial here?

14 Q. And ask you --

15 A. Again, why do you keep putting these things in
16 writing, Bob?

17 Q. I ask you if you are familiar with that document?

18 A. I'm not familiar with it. You showed it to me last
19 time.

20 Q. All right. So you had seen it before? In that
21 e-mail of May 10, 2007 from me to Ms. Madore?

22 A. I can't remember four years an e-mail.

23 Q. I wrote to Nancy Madore, "As I understand, Lynn has

1 informed you your brother [REDACTED] has failed to pay
2 his long-standing bill to my firm despite your
3 personal assurances from the beginning that I and
4 my firm would be paid."

5 Do you see that sentence?

6 A. I do, and as in my last deposition, I'll also bring
7 to your attention that I am not you, and why you'd
8 be sending her something from your personal e-mail
9 regarding a case is ridiculous. And I'm not your
10 advocate for your law firm.

11 Q. I understand.

12 A. If she didn't pay her bill, you should have sent
13 her a legal paper --

14 Q. There's no question before you, ma'am.

15 A. Thanks, Bob.

16 Q. But I will ask you a question when you are
17 finished. All right?

18 A. Okay. Thanks, Bob. "Lynn now claims that you had
19 nothing to do" -- I mean, aren't these things all
20 ridiculous and hearsay? Even you as an attorney,
21 wouldn't you know that since you are such a sucky
22 attorney, you think you would at least know
23 something

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1 Q. Thank you, ma'am. With reference to that first
2 sentence that I just read on the record, do you
3 have any idea as to where I got the information
4 that Lynn had actually informed her of what I
5 indicated you had informed me about; do you agree,
6 in other words, that you had informed me that I had
7 complained to you about nonpayment of the bill?

8 A. Yes, you terrorized me daily that she didn't pay
9 the bill. We already went through all of this,
10 like I said.

11 Q. Do you recall your response to me about that?

12 A. No, I don't recall, Bob, because I don't care about
13 any of it.

14 (Exhibit No. 3 was marked for identification.)

15 Q. I will next show you what's been marked as Frydrych
16 Exhibit 3?

17 A. Oh, it just keeps coming and coming. I don't think
18 I have enough therapy in my future. I like how Bob
19 just keeps giving me more things to look at so I
20 could be more traumatized. Yeah, let's look at
21 this. Hey, "Dear Dr. [REDACTED], I'm a Maine
22 attorney and part-time elected judge" --

23 Q. Ma'am, let --

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1 A. "Like you, I'd directly and indirectly my wife,
2 children others affected by -- he's a victim of my
3 sexual, adulterous prowess" I hope you don't sue
4 me next, [REDACTED], since that was, you know --

5 Q. All right. Let me ask questions about this.

6 A. Please, feel free.

7 Q. You've seen Exhibit 3 before; correct?

8 A. Ah, yeah. I've had nightmares since two weeks ago.

9 MR. [REDACTED]: I have not --

10 A. Yeah, take a look.

11 MR. [REDACTED]: Can I be given at least one
12 moment to go off the record and see what's --

13 A. This is Nancy's bar complaint. You know, like,
14 where Bob is talking to my ex-husband about the
15 other side of my case, you know, and dear Dr.
16 [REDACTED], this guy I slept with while I was
17 married that told Bob when he was my lawyer and
18 it's very interesting stuff. You should take a
19 look.

20 MR. [REDACTED]: Are we off the record?

21 A. Yes.

22 THE COURT REPORTER: I was waiting for
23 acknowledgement first.

1 A. Okay. Good. I'm glad you do.

2 MR. [REDACTED]: Again, I'm requesting to go off
3 the record. I've just been handed deposition
4 Exhibit number 3, which is a document I haven't
5 seen. I'm going to estimate that it's about 32
6 pages long, single spaced and comprised of a bar
7 complaint. I would like to have a moment to review
8 its contents, even though I'm not asking to read it
9 fully at this time. Is that permitted?

10 MR. NADEAU: You can take a recess, sure. I
11 mean, we'll be here as long as we have to be here.

12 A. Of course you will because you don't have a law
13 firm to run.

14 (Off the record.)

15 MR. NADEAU: All right. We're back on the
16 record. Mr. [REDACTED] you'd had an opportunity to
17 review Exhibit 3. We're ready to go?

18 MR. [REDACTED]: I would like to make some
19 comments. First of all, I cannot claim to have
20 read this. It is far too lengthy in the brief
21 amount of time that I had. I have flipped through
22 it and I can say that it is comprised of contents
23 that I have not seen before. I do think that this

1 probably would have fallen within some discovery
2 responsibility on Mr. Nadeau's part to previously
3 provide it to me, so I find it shocking that he
4 think it both relevant and has not produced it to
5 me prior to just being handed it now.

6 I will also comment that some of the contents
7 appear to be communications between Mr. Nadeau and
8 Ms. Frydrych's ex-husband or maybe current husband
9 at the time, which would seem to be highly
10 inappropriate professional conduct for somebody who
11 is representing Ms. Frydrych in a divorce, so if
12 that is the subject of the bar complaint, I just
13 have a difficult time understanding why Nancy
14 Madore [REDACTED] is bringing this regarding such
15 information, but I will observe the questions.

16 MR. NADEAU: Thank you. You last comment was
17 very apt with respect to the confusion you've
18 articulated. The documents all relate to a prior
19 bar proceeding Ms. Frydrych had filed against me.
20 These documents were all exchanged and they were
21 the subject matter of what was before bar counsel
22 at the time that that proceeding was pending. That
23 proceeding was later dismissed. The matters,

1 therefore, that this all relates to, all of the
2 subject matter had already been subject of a prior
3 bar proceeding against me. Notwithstanding that,
4 consistent with what Mr. [REDACTED] has just
5 represented, Ms. Madore [REDACTED], by letter dated June
6 13, 2007, attempted to resurrect all of that
7 material pursuant to what is now Exhibit 3.

8 A. Can I have on the record that Attorney Nadeau is
9 completely misrepresenting this entire document as
10 being something that the Bar of Overseers had
11 already seen, because actually, prior to my
12 retraction of his bar complaint, which was filed
13 because he was my attorney and acted immorally and
14 unethically, by having a sexual relationship with
15 his client, these were all communications between
16 him, my ex-husband, other people in my life, in my
17 past. My prior doctor and various other people
18 that I had not seen before retracting that bar
19 complaint that I had filed. So, actually, he was
20 totally misrepresenting this and he knows that he
21 is.

22 Q. Ms. Frydrych, we will have to agree to disagree
23 with respect to that --

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1 A. No --

2 Q. -- but you are certainly entitled to place what you
3 did on the record. Let me ask you a question about
4 this Exhibit 3. The fourth page of the exhibit,
5 which bears number 19 in the bottom right, contains
6 documentation that appears to be a portion of an
7 e-mail or e-mail string between myself and someone
8 named Dr. [REDACTED].

9 A. Yes. It's very interesting.

10 Q. Now, when you and I reunited in late June 2007, or
11 2005, early July 2005, did you thereafter have
12 access to my e-mails on my home computer?

13 A. We already went through this whole shooting match.

14 Q. Thank you, ma'am, but we're in a different
15 deposition now. We need to make a record for this
16 case, so please indulge me. We'll get through this
17 as quickly as we can.

18 Did you have access to my computer?

19 A. Yes, I did.

20 Q. All right. You had my password; correct?

21 A. Yes, and you had mine.

22 Q. All right. You had access then to all e-mail
23 content within my computer; correct?

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1 A. Not all. No, I'm not going to say that.

2 Q. All right. And you communicated with Ms. Madore
3 shortly after you and I had reunited and shared
4 with her some e-mails that I had written to persons
5 while that bar proceeding had been pending? That
6 is communications to your ex-husband? He was your
7 ex-husband at the time; correct?

8 A. I really don't know. I haven't checked the days.

9 Q. When were you divorced?

10 A. Because you did such a horrible job, it wound up
11 going on to July of 2004.

12 Q. Thank you.

13 A. Yeah. Thank you for getting me absolutely nothing.

14 Q. So in May of 2005 you and Mr. [REDACTED] were no
15 longer married; correct?

16 A. Yes, that's correct.

17 Q. All right.

18 A. But I will put on the record that my bar complaint
19 against Attorney Nadeau was very much still pending
20 and I had just appeared at the bar hearing to
21 testify.

22 Q. And how did you -- first of all, when Ms. Madore
23 [REDACTED] prepared this letter of June 13, 2007 to the

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1 Board of Overseers of the Bar, labeled Exhibit 3 in
2 this deposition, did she tell you that she was
3 doing that?

4 A. I already told you I didn't remember.

5 Q. You don't recall. Do you recall how she acquired
6 the documents that were appended to her letter?

7 A. As I testified before, you supplied her with more
8 than 90 percent of them yourself.

9 Q. Let's talk specifically about this e-mail between
10 Dr. [REDACTED] and me --

11 A. Let's discuss it.

12 Q. How did she get that, if you know?

13 A. I don't know.

14 Q. Okay.

15 A. But more accurate and interesting, I would think
16 is, why did you write such a letter to this person
17 in my past that I told you about while you were
18 representing me as my lawyer?

19 Q. Yep. Do you recall --

20 A. Yep.

21 Q. -- during that bar proceeding that you were
22 specifically asked by a person named [REDACTED]
23 (phonetic) about your prior relationship with Dr.

1 [REDACTED]?

2 A. Yes.

3 Q. All right. So that does give you an idea that the
4 bar was already aware of the information having
5 been exchanged between Dr. [REDACTED] and me?

6 A. Actually, no, Bob.

7 Q. Okay.

8 A. That's not accurate.

9 Q. All right.

10 A. At all.

11 Q. What is accurate, then?

12 A. What is accurate is that you were already talking
13 to my ex-husband who informed you that he wanted me
14 to file a complaint against him and I did not do
15 so. So you, of course, tried to interject that
16 into your own, like, I'm so malicious looking at
17 professional people to take advantage, isn't that
18 -- that's what I recall. And I'm sure if I
19 contacted the Bar today and talked to [REDACTED],
20 I'm sure that's what he would recall.

21 Q. Okay.

22 A. Hmm. Yeah. Let's just scratch that one.

23 Q. You are aware also that during that time I was

1 represented by counsel?

2 A. Yes. [REDACTED], as I recall.

3 Q. All right. And you are aware that she was also
4 communicating with Dr. [REDACTED] on my defense?

5 A. All I know is, you are the sickest mother fucker
6 I've ever seen on the entire planet earth. That's
7 what I know.

8 Q. Okay.

9 MR. [REDACTED]: I am going to object to the
10 relevancy of these last questions.

11 A. Yeah.

12 MR. [REDACTED]: Is there any --

13 MR. NADEAU: You'll find out at trial or if
14 you want to ask discovery that is pertinent to
15 that, you'll get that information at that point,
16 counsel.

17 A. Trust me, counsel. There's no reason.

18 MR. NADEAU: All right. Frankly, I think you
19 already know some of the relevance and I'm
20 surprised that you profess not to because it's my
21 understanding that a certain confidential matter
22 has been forwarded to you for a response that
23 provides a great deal of detail with respect to a

1 number of things, including your involvement with
2 Ms. Madore [REDACTED]. All right? And this relates to
3 that.

4 A. No, this relates to Attorney --

5 (Parties speaking over each other.)

6 MR. NADEAU: Beyond that, you are eligible to
7 engage in your right to discovery.

8 MR. [REDACTED]: For the record, I am going to
9 object to any line of questioning that involves,
10 for instance, Dr. [REDACTED] or Lynnann Frydrych's
11 ex-husband, et cetera.

12 A. Thank you.

13 MR. NADEAU: I'm done with that. All right.

14 MR. [REDACTED]: Thank you.

15 A. Oh, yes, now you are done with it, of course. You
16 are always done with it when someone shoves it down
17 your throat because you are wrong. You are so
18 wrong. It's beyond -- you're so disgusting. I
19 hate you. Oh, my, God.

20 Q. Thank you, ma'am.

21 A. Please enter more into evident to fry your own ass.
22 I think the Bar told you that five years ago, too.

23 Q. Did you give Ms. Madore [REDACTED] authorization to use

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1 any of the documents that were included with her
2 grievance of June 13, 2007?

3 A. She didn't need my authorization

4 Q. Did she ask for it?

5 A. No. I don't recall her asking it, no. She didn't
6 need it though. And if she had asked me, I'm sure
7 I would have told her yes.

8 Q. Did she tell you that she was about to file it?

9 A. I don't remember. I already said this ten times.

10 Q. Do you recall whether she was upset at the time
11 about being billed for an unpaid bill to my law
12 firm?

13 A. Bob, let me sum this whole thing up for you.
14 Before you ask the next twenty questions that have
15 nothing to do with anything. You are about as
16 transparent as a pane of glass and everybody sees
17 it. Every legal person sees it. Every person on
18 the street sees it. Small children can see what
19 you are trying to do. And what you are taking to
20 do is act like this one, Nancy, and myself all
21 conspired for years of how we would possibly, what,
22 take down on the illustrious Judge Nadeau? I mean,
23 that's what you are trying to do. And it didn't

1 happen. None of this ever happened. You're a
2 wrong son of a bitch who abuses the process of
3 legal -- of the law. I mean, it's so apparent to
4 anyone. So you could sit there blinking at me with
5 a, like, blank look on your face like you don't
6 know what I'm talking about, but everybody knows
7 what you are trying to do.

8 Q. Thank you, ma'am. Now let's get back to the
9 question. With respect --

10 A. Okay. Looks, she didn't ask me. I didn't tell her
11 to do anything. She filed it on her own because
12 she thinks you are an unethical piece of shit,
13 which you are, and we already went through all
14 this.

15 Q. When --

16 A. Last depo. Why am I here?

17 Q. Did you -- because we need to make a record for
18 this case.

19 A. Yeah. Uh-huh.

20 Q. Did you at some point become aware that she had
21 filed a bar complaint against me?

22 A. Yes, I became aware of it.

23 Q. Do you recall whether we were still living

1 together?

2 A. I don't recall when I found out or where I lived.

3 Q. All right. Do you recall where you had a reaction
4 when you learned that news?

5 A. What would my reaction be? Good?

6 Q. Were you concerned at all?

7 A. Why would I been concerned?

8 Q. So --

9 A. Oh, I'm admitting, what am I admitting?

10 Q. So you had no reaction, right?

11 A. My reaction would be great. He totally should have
12 have gotten disbarred years ago.

13 Q. Yeah. Okay.

14 A. And everyone still agrees with that, too.

15 (Exhibit No. 4 was marked for identification.)

16 Q. I'll show you next what's been marked as Exhibit 4
17 and, by the way, counselor, so you know,
18 Mr. [REDACTED], it was my understanding that these
19 particular exhibits you are seeing, these bar
20 grievances were, one, documents you were well aware
21 of when you were representing me. You may deny
22 that.

23 Two, that they were included in certain

1 confidential matters among a number of other
2 exhibits. And that, therefore, my simple reference
3 in response to your recent discover request for
4 production of documents to that separate
5 confidential production, provided you with these
6 documents already.

7 To the extent that that did not occur, I
8 apologize and they are here. To the extent that
9 they were within the scope of your discovery
10 response, and I don't know whether that's so or not
11 at this point. In any event, they are here. All
12 right?

13 MR. [REDACTED]: I will say just that I deny both
14 of those claims. First of all, that I would have
15 had access to this sometime during my employment or
16 that I received it during the course of either a
17 confidential matter that he's referring to
18 cryptically or the lawsuit he has filed in New
19 Hampshire.

20 MR. NADEAU: Very well.

21 Q. Ms. Frydrych, I handed to you what's been marked as
22 Exhibit 4 in this deposition.

23 A. I mean, are we --

1 Q. You've seen this before?

2 A. You just gave this to me two weeks ago at the other
3 ridiculous deposition.

4 Q. So you saw it at that different deposition in Ms.
5 Madore ██████'s case; correct?

6 MR. ██████: I would like the state for the
7 record, that this is the third exhibit I've been
8 handed which I'm not familiar with, but all of them
9 include exhibit stickers bearing the date
10 3/16/2011.

11 A. Right.

12 MR. ██████: So they have apparently been the
13 subject of another deposition. In the interest of
14 speeding this along and trying not to waste
15 everybody's time and generate too large a
16 transcript, I would offer that anything that is
17 actually obtained on the record in the previous
18 deposition be considered answers that are
19 appropriate for the use in this matter.

20 A. Exactly.

21 MR. NADEAU: Why don't we take a brief break.
22 What I'm going to do is, counselor, is I'm going to
23 pull out the remaining exhibits and give you a copy

1 of each of the remaining exhibits that will be used
2 in this deposition so that you will have an
3 opportunity to review whatever it is that you
4 believe you have not yet seen, so that we can then
5 hopefully be more efficient. Okay?

6 MR. [REDACTED]: I would appreciate that.

7 MR. NADEAU: All right.

8 A. It's not even about what you haven't seen. I've
9 already answered all these questions.

10 (A break was taken.)

11 MR. NADEAU: All right. We're back on the
12 record.

13 Q. I'm actually going to hold off on my questions
14 regarding Exhibit 4 for a moment, ma'am.

15 MR. [REDACTED]: I actually would like to make a
16 statement for the record. I've just been handed
17 more than a dozen exhibits that apparently the
18 examiner intends to introduce as exhibits and
19 conduct questioning on with respect to the
20 deponent.

21 Of those more than a dozen documents, it is my
22 recollection to have previously seen only three of
23 them. And the three that I have seen are three of

1 the shortest of the exhibits. The remaining ten or
2 so exhibits that are intended to serve as
3 deposition exhibits are quiet copious and, as a
4 stack, actually are comprised of, what I'm going to
5 assume, is something towards of hundred pages of
6 single spaced text.

7 Given that I have not seen these documents
8 prior to today, and given that this deposition is
9 supposedly with respect to my lawsuit, I would ask
10 this we adjourn for the day in order to allow me to
11 digest the contents and resume some other day.

12 MR. NADEAU: Fine with me. It's, Ms. Frydrych,
13 it's up to you. Mr. [REDACTED] is asking for an
14 adjournment, which means you will have to return to
15 finish this deposition.

16 A. I really --

17 MR. [REDACTED]: Unfortunately, and I'll say this
18 for the record, I worry that there are contents in
19 these documents that may have some significance for
20 the lawsuit that I am a defendant in. I do think
21 that my being present for examination regarding
22 their contents might lead to the false impression
23 that I understood the matters that are discussed in

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1 the documents. I can't pretend to do that. And I
2 do not want to generate confusion on the record,
3 nor do I want to be unprepared to offer objections
4 where they are appropriate based on the nature of
5 the questioning and it's relevance to the suit I am
6 a defendant in.

7 MR. NADEAU: Well, in fairness to Mr. [REDACTED], I
8 don't want there to be an assertion that he has not
9 been afforded an adequate opportunity to avail
10 himself of questions in this deposition by virtue
11 of the fact that he has not had an opportunity to
12 review the contents of the exhibits being referred
13 to in this deposition.

14 So I will agree to your request for a
15 postponement and resumption of this deposition.
16 Ms. Frydrych, do you anticipate being away from
17 this area within the next 40 or 45 days?

18 A. I can literally murder you. No, he'll be at my
19 murder trial when I kill him. I don't believe so,
20 but the fact that this person actually asked you,
21 [REDACTED] asked you for relative documents, you
22 have just only proven yourself that you, obviously,
23 kept this information from him and, for that

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1 purpose. And also, now you are wasting my time and
2 the court's time and everybody else's time again by
3 making me come back and do this again when I know
4 nothing.

5 Q. Well, Ms. Frydrych, there is disagreement, frankly,
6 with respect to what was actually requested in the
7 discovery. You know nothing about what he
8 requested and what I produced. All right? I
9 appreciate your comments, but your suspicions are
10 really based -- are really nothing more than
11 suspicions.

12 A. How about your suspicions, Bob?

13 Q. Yep.

14 A. That the world's against you and we all made this
15 whole thing happen so you can terrorize us for
16 years.

17 MR. NADEAU: Thank you. We're adjourned.

18 MR. [REDACTED]: Thank you.

19 (The deposition adjourned at 11:53 a.m.)

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E R R A T A S H E E T

I, LYNNANN FRYDRYCH, wish to document the following corrections:

Page & Line No.	Correction
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Deposition of Lynnann Frydrych 4/15/11

1 SUBSCRIPTION OF DEPONENT

2 State of _____

3 County of _____

4 I, LYNNANN FRYDRYCH, do hereby certify that I
5 have read the foregoing transcript of my testimony and
6 further certify that said transcript (with/without)
7 suggested corrections on the Errata Sheet is a true and
8 accurate record of said testimony taken at the time and
9 place designated.

10 _____
11 LYNNANN FRYDRYCH

12 Date _____

13 Subscribed and sworn to
14 before me this _____
15 day of _____, 20____.

16 _____
17 Notary Public
18 State of New Hampshire
19 Commission expires:
20 _____

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C E R T I F I C A T E

I, Camille M. Palladino-Duffy, a Licensed Shorthand Reporter for the State of New Hampshire, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes of the proceeding taken at the place and on the date hereinbefore set forth to the best of my skill and ability under the conditions present at the time.

I further certify that I am neither attorney or counsel for, nor related to or employed by any of the parties to the action in which this proceeding was taken, and further that I am not a relative or employee of any attorney or counsel employed in this case, nor am I financially interested in this action.

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