A. I THINK SO.
Q. OKAY.
A. SHE COULD REPEAT IT.
MR. PARKER: SHE CAN ANSWER, AND THEN WE'RE TAKING A BREAK, AND THEN YOU MIGHT FIND IT'S ALL CLEARED UP AND WE'VE WASTED SOME TIME.
GO AHEAD, HEATHER.
(THE RECORD WAS READ BY THE REPORTER AS FOLLOWS:
"QUESTION: AND THAT WAS MY QUESTION, WAS YOU -- IT IS A SUBJECT MATTER ON WHICH YOU COULD TESTIFY IF YOU WERE ADEQUATELY PREPARED AND YOU HAD THE OPPORTUNITY TO REVIEW DOCUMENTS OR TALK WITH PEOPLE OR DO WHATEVER YOU DO TO GET PREPARED SO YOU COULD LEARN ABOUT THIS SUBJECT MATTER; IS THAT RIGHT?")
MR. PARKER: IT'S YES OR NO, RIGHT OR WRONG.
THE WITNESS: YES.
MR. PARKER: OKAY. LET'S TAKE A FIVE-MINUTE BREAK.
THE REPORTER: OFF THE RECORD?
MR. FISHBACK: OFF.
(WHEREUPON A RECESS WAS TAKEN FROM 4:26 P.M. *UNTIL 4:40 P.M.*)
MR. PARKER: BACK ON THE RECORD.

0257

I'VE HAD A BRIEF DISCUSSION WITH MISS DUNCAN. IT'S CLEAR THAT SHE WAS SIMPLY CONFUSED, I THINK, INADVERTENTLY BY THE LANGUAGE THAT WAS IN HERE, WHICH IS WHAT I THOUGHT.
SHE CAN EXPLAIN TO YOU THAT SHE HAS INFORMATION ON THESE SUBJECTS AND IS AVAILABLE TO ANSWER YOUR QUESTIONS ABOUT THEM AND IS MORE THAN WILLING TO DO SO RIGHT NOW.
MR. FISHBACK: I'M NOT INTERESTED TO FIND OUT WHAT SHE'S LEARNED AFTER HER DISCUSSION WITH COUNSEL. THAT IS WHY I INSISTED ON GETTING THE ANSWERS BEFORE SHE HAD THE DISCUSSION WITH YOU, AND I MEANT VERY CLEARLY THE WORD "ORIENT," WHICH I SUSPECT HAS HAPPENED OVER THE BREAK, AND I'M GOING TO MOVE ON.
MR. PARKER: OKAY. THEN I'M GOING TO MAKE IT VERY CLEAR, AS I SAID A MOMENT AGO, THAT --
MR. FISHBACK: YOU CAN ASK QUESTIONS WHEN I'M DONE. AT THE END OF MY DEPOSITION, YOU CAN ASK WHATEVER QUESTIONS YOU WANT.
MR. PARKER: I MAY OR MAY NOT ASK QUESTIONS. BUT SHE IS MORE THAN PREPARED TO ANSWER THE QUESTIONS THAT -- INCLUDING THE FIRST ONE THAT YOU WENT TO, CATEGORY 7, "ALL INFORMATION REGARDING SUPPLY OF VICTOR GASKETS," ET CETERA, ET CETERA.
I THINK THAT THE WAY YOU'RE ASKING YOUR

0258

QUESTIONS -- AND I'M NOT ACCUSING YOU OF ANYTHING -- I THINK IT DID CONFUSE HER, AND SHE HAS HAD A CHANCE TO LOOK AT, WE TOOK A VERY BRIEF BREAK. AND SHE UNDERSTANDS WHAT HAPPENED, AND SHE'S PREPARED TO DO IT.
IF YOU DON'T WANT TO FOLLOW UP OR ASK HER ABOUT THAT, YOU'RE THE ONE THAT'S WAIVING IT.
MR. FISHBACK: DO YOU WANT TO WAIVE YOUR ATTORNEY-CLIENT PRIVILEGE WITH RESPECT TO THE CONVERSATIONS YOU HAD IN THE HALL WITH YOUR CLIENT?
MR. PARKER: NO.
MR. FISHBACK: THEN I'LL MOVE ON.