

1 the incident where you picked her up driving down the highway
2 at the time of her arrest?

3 A. No, sir. At the time of the events in St. Louis and in
4 Bettendorf, Iowa, we had not identified who Pam, Tammy, was.
5 It was later learned through checking records at Eastern
6 Airlines and at Rupert's that we discovered her full name.

7 Q. At some point in this investigation, Mr. Donald
8 Hendrickson, who was your informant, --

9 A. Yes, sir.

10 Q. -- attempted to make a drug deal with Mr. Lambros?

11 A. That's correct. They met on a number of occasions.

12 Q. Could you tell us, in the time frame between the time of
13 Pebbles' arrest in February, 1988 and the beginning of this
14 knowledge that you had, when that was?

15 A. The two specific meetings that I recall were both in
16 January of 1988, January 12th and I believe January 28th. Mr.
17 Hendrickson and Mr. Lambros met and discussed drug
18 transactions involving marijuana and cocaine.

19 And there came a time that it was more or less left --
20 there were drugs to be coming in, and they would talk later
21 about the deal. They had arranged a place to exchange drugs,
22 but then the events in February took place and nothing of that
23 sort happened.

24 There was a time, in speaking with Mr. Pebbles, and I
25 believe he spoke about it here, that when Mr. Lambros and Mr.

1 Pebbles talked, they talked about their mutual distrust of Mr.
2 Hendrickson. So there was no further contact.

3 Q. Mr. Hendrickson was never able to get Mr. Lambros to
4 actually do a drug deal?

5 A. No, sir. There was discussion of amounts, the type of
6 drug, cocaine, a place to make an exchange of kilograms, but
7 it never took place.

8 Q. Is it possible, sir, that Mr. Lambros was playing Mr.
9 Hendrickson along for some other purpose?

10 A. I can't imagine why someone would have those
11 conversations and do what Mr. Lambros did with Mr. Hendrickson
12 and discuss multi-kilogram cocaine deals to play someone
13 along. It wouldn't make sense to me to do that.

14 Q. What if he wanted to gather information about what Mr.
15 Hendrickson was doing?

16 A. For whom?

17 Q. For anyone.

18 A. My past experience would indicate to me that's highly,
19 highly unlikely. But it just doesn't make sense to have Mr.
20 Lambros sit with a government informant, although he didn't
21 know at the time, although he suspected.

22 He searched Mr. Hendrickson at one point, missed the
23 device we had placed on Mr. Hendrickson, was very cautious
24 about his conversations. And in that regard I would suspect
25 it was the opposite, that he wasn't gathering information for

1 anyone other than himself. The deal just never took place.

2 Mr. Pebbles and Mr. Lambros talked about Mr. Hendrickson.
3 Mr. Pebbles was already suspicious of him and never did
4 another drug deal with him after the March 4th thing. And it
5 would be my assessment that he wasn't gathering information
6 for anyone other than himself.

7 Q. On both occasions, though, it was Mr. Hendrickson that
8 approached Mr. Lambros, wasn't it?

9 A. Yes, sir, that's correct.

10 Q. And that was at your direction?

11 A. Myself and other agents, yes.

12 Q. Were those conversations monitored?

13 A. The one in particular where I spoke about him being
14 searched, Mr. Hendrickson had a recording device on him in a
15 jacket pocket that Mr. Lambros missed when he searched him.
16 He fanned his jacket back, patted him down, his body, his
17 pants, all the way down to his shoes. There was a recording
18 made of that. And at other meetings --

19 Q. Well, let's just talk about that one. What happened to
20 that recording?

21 A. We have it somewhere. I'm not sure exactly where it is
22 at this time. The recording takes place in a downtown office
23 building -- I'm not sure exactly at this point which building
24 it was -- and ends in the garage where they get in the car.

25 And Mr. Lambros begins the search of Mr. Hendrickson.

1 Q. Did Mr. Lambros and Mr. Hendrickson also talk about some
2 stock transactions?

3 A. Yes, sir, they did.

4 Q. And Mr. Lambros was trying to get Mr. Hendrickson to put
5 some money into some stock transactions?

6 A. That was part of the conversation, yes. He had suggested
7 to Mr. Hendrickson that Mr. Hendrickson provide his brother's
8 name and social security to Mr. Lambros, and they would put
9 the stock in Mr. Hendrickson's brother's name.

10 Q. Is it correct that Mr. Hendrickson's brother at the time
11 was quite ill?

12 A. He was terminally ill at that time. I believe he's
13 passed on.

14 Q. And his brother was -- Mr. Hendrickson was not the
15 guardian, but he was taking care of his brother?

16 A. Yes, he was.

17 Q. So Mr. Hendrickson didn't approach Mr. Lambros until
18 January of 1988, is that right?

19 A. The two meetings I recall were the dates I just told you.
20 There were other meetings, and they may have been in December
21 or earlier in January. But it was in that time frame, within
22 a month or six weeks, I believe was the time frame.

23 Q. And in none of these instances were any drugs exchanged?

24 A. Yes. Mr. Hendrickson had provided a sample of marijuana
25 to Mr. Lambros for his purpose to test it to see if it was

1 marketable. They spoke later on about that at the meeting on
2 the 22nd at the restaurant.

3 Q. So Mr. Hendrickson gave Mr. Lambros some marijuana?

4 A. That's correct. It was a sample provided by Mr.
5 Hendrickson to Mr. Lambros so Mr. Lambros could see if he
6 could market larger quantities.

7 Q. And Mr. Lambros never returned the sample, is that right?

8 A. He never returned the sample, and there was discussion
9 about what a third party thought of the sample.

10 Q. Did Mr. Hendrickson have any meetings during this time
11 period with Mr. Angelo?

12 A. No, sir.

13 Q. But you knew about Mr. Angelo during this time period?

14 A. Oh, yes, we did.

15 Q. And was Mr. Angelo, during this time period at the end of
16 1987, beginning of 1988, driving and selling seafood and meat?

17 A. I don't know during that time frame. On the March 4,
18 1987 transaction, he had the truck then. I don't know what
19 Mr. Angelo was doing during the time frame we're speaking of
20 now in early '88.

21 Q. Now, you described for us earlier the process of taking a
22 kilogram of cocaine and breaking it down into dealer
23 quantities?

24 A. Yes, sir.

25 Q. And is it fair to say, sir, that that process requires

1 things that I'm hoping they'll bring up, but I want these
2 individuals coming on the stand. In the first place, I want
3 Mr. Fisk to go before I bring in Mr. Pagel. And there's a
4 reason for my madness.

5 THE COURT: Okay. Just bear with me here. Let's go
6 through the order that I've indicated, and we'll hear what the
7 Government has to say about the situation with these people,
8 and so on, and then you can give your position.

9 Mr. Faulkner, if you'd mention first those people
10 who are desired to be called who you believe are fugitives.

11 MR. FAULKNER: Your Honor, there are two witnesses
12 who I understand from the Government are fugitives. They are
13 Rebecca and Roger Lewis. Mr. Lewis' name, as the Court is
14 aware, came up this morning. And I've had ongoing discussions
15 with Mr. Peterson, and he's always indicated to me that they
16 were unavailable because they didn't know where they were.

17 The next witness, Your Honor, that I would call, if
18 I could, would be Donald Hendrickson. And although I
19 understand that Mr. Hendrickson was seen sometime within the
20 last several weeks, I cannot locate him. And I understand Mr.
21 Peterson doesn't know where he is either.

22 I have reason to believe he lives somewhere in
23 northern Minnesota. Frankly, I've searched the Duluth area in
24 terms of trying to find him. Duluth is his hometown. He has
25 no listed phone number or address. I'm unable to locate him.

1 Mr. Hendrickson, as the Court is aware, his name
2 comes up as an informant that was working with the Bureau of
3 Criminal Apprehension. I am aware that Mr. Hendrickson was in
4 a mental institution, specifically the Anoka Regional
5 Treatment Center, for a period of time after this
6 investigation.

7 Unfortunately, the records of a person's locations
8 in any of those treatment centers are confidential under the
9 state Data Privacy Act. I understand that he escaped from
10 that institution and has not gone back there. That's what the
11 Hennepin County Court records indicate.

12 Your Honor, I also was interested -- I should say my
13 client was interested -- and told me about calling Mr. Robert
14 Wood, who was a defendant in a criminal case involving Michael
15 Ayd. My client informed me that Mr. Wood was in Florida, in
16 the country.

17 I determined, after I learned that from my client,
18 that he, in fact, had left the country and was on his way back
19 to Germany. He's employed at a university in Germany. He's a
20 professor there.

21 THE COURT: In what capacity, do you know?

22 MR. FAULKNER: In chemistry or biomedical technology
23 of some sort.

24 Those are the witnesses, Your Honor, that I'm aware
25 of that are not available. The only other person that I would

1 have called is Mr. George Angelo, but the Government has been
2 seeking him for some period of time, and we certainly don't
3 have any idea where he is.

4 THE COURT: Okay. Let's get the Government's
5 response on these witnesses, then, starting with the Lewises.

6 MR. PETERSON: I know that there is an outstanding
7 warrant for Mr. Lewis; I believe it's out of Ramsey County,
8 Minnesota. There may also be an outstanding warrant on
9 Rebecca Lewis. I'm not as confident of that.

10 In any event, since at least the week before
11 Christmas -- it was around the time we received the notice of
12 the trial date, and that was sometime the second or third week
13 of December -- I have asked both the BCA and also a newly set
14 up Fugitive Task Force to attempt to locate the Lewises,
15 because I believe they have testimony, or could offer
16 testimony, adverse to the defendant. My knowledge is, they
17 have not been found and that they remain fugitives at this
18 time.

19 THE COURT: Mr. Hendrickson?

20 MR. PETERSON: Donald Hendrickson -- I have asked
21 Mr. Boulger for the last few weeks to attempt to locate Donald
22 Hendrickson, because, again, I believe he had some contact
23 with the defendant and could provide information adverse to
24 his interests. The only contact that I'm aware of between Mr.
25 Hendrickson and the Government is that about a month ago,

1 maybe three weeks ago, I understand, he stopped in to the BCA
2 at one point to meet with somebody unrelated to this case and
3 did not stop in to see John Boulger.

4 Since that time, we've checked to see if that person
5 or those folk know about Mr. Hendrickson's whereabouts.
6 Nobody does. I've been trying to locate him as well, because
7 he's on my list; I was interested in using him. And we have
8 not had any success and do not know his whereabouts.

9 THE COURT: Mr. Wood?

10 MR. PETERSON: I think you're talking about John
11 Wood rather than Robert Wood. He was the defendant in Judge
12 Rosenbaum's case, the professor from the University of
13 Minnesota who was acquitted. And Michael Ayd provided some
14 very limited testimony against Professor Wood in that case.

15 There was not much contact between Mr. Ayd and
16 Professor Wood. It was more between Mr. Ayd's co-defendants
17 and Professor Wood. I've supplied Mr. Faulkner with a copy of
18 Michael Ayd's testimony in the Wood case.

19 I know nothing about the whereabouts of Mr. Wood.
20 What Mr. Faulkner tells me makes some sense, knowing what I
21 know about his career. The comment I have there is that I
22 cannot envision any way in which that testimony is relevant to
23 this case involving John Lambros. I know of nothing that
24 Professor Wood knows about John Lambros, and I don't think Mr.
25 Faulkner is aware of any information.