

1 San Diego, California, Wednesday, October 24, 2018,

2 AM Session

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4 THE COURT: ** start of Robert Young

5 ROBERT OLDHAM YOUNG,

6 Called by the Plaintiff, under Section 776, having been
7 first duly sworn, was examined and testified as follows:

8 THE CLERK: Please state your full name and
9 spell your last name for the record.

10 THE WITNESS: My name is Robert Oldham Young.
11 You spell my last name Y-o-u-n-g.

12 THE CLERK: Thank you.

13 THE COURT REPORTER: And your middle name?

14 THE WITNESS: O-l-d-h-a-m.

15 DIRECT EXAMINATION

16 BY MS. FELL:

17 Q. Good morning, Mr. Young.

18 A. Good morning.

19 Q. You were a defendant in the case of *People of*
20 *the State of California vs. Young*; is that correct?

21 A. Yes.

22 Q. And that case went to trial in 2015?

23 A. I believe the date is correct.

24 Q. In February of 2016, you were convicted on two
25 felony counts of practicing medicine without a license;

1 correct?

2 A. Yes.

3 Q. One of those counts was for changing an IV bag
4 of a patient in an emergency situation?

5 A. No.

6 MS. FELL: Your Honor, I would like to read
7 from Mr. Young's deposition testimony, Page 77, Lines 3
8 through 8.

9 MR. JOYNER: No objection.

10 THE COURT: All right.

11 MS. FELL:

12 "QUESTION: What about the two counts
13 that the jury convicted you for during trial?

14 "ANSWER: Excellent question. The one
15 count which I received the penalty, which I
16 received a full sentence, was for changing an
17 IV bag in an emergency situation."

18 BY MS. FELL:

19 Q. And the other count was for a client who
20 attended a retreat whose husband then claimed that you
21 inserted an IV into his wife's arm?

22 A. Yes.

23 Q. You were convicted of treating Cynthia Ricks
24 without being licensed; correct?

25 A. Yes.

1 Q. You were convicted of treating Genia
2 Vanderhagen without being licensed; correct?

3 A. Changing an IV bag, yes.

4 Q. In April of 2007, you pled guilty to two
5 additional counts of practicing medicine without a
6 license; correct?

7 A. Yes.

8 Q. One of them was for making a recommendation to
9 someone to have an IV; correct?

10 A. Yes.

11 Q. And another was for assisting a nurse to help
12 her verbally, because the doctor was not on the
13 premises, as to how to insert a needle into a patient?

14 A. Yes.

15 Q. You unlawfully diagnosed and treated Dan
16 Barkin?

17 A. No.

18 Q. Did you plead guilty to unlawfully diagnosing
19 and treating Dan Barkin?

20 A. No.

21 Q. Did you plead guilty to unlawfully diagnosing
22 and treating Terri Angiano?

23 A. I did not treat. She was not a patient or a
24 client.

25 Q. Would you open up your booklet to Exhibit 24?

1 MS. FELL: Do you have any objection to
2 publishing Exhibit 2.4, Conrad.

3 MR. JOYNER: No. Let me find it. Shoot. No
4 troubles. Go ahead.

5 MS. FELL: Would you pull up Exhibit 24,
6 page -- let's start with Page 2. I'm sorry. Page 3.
7 Could you zoom in at the top.

8 THE COURT: Any objection?
9 Are you offering that exhibit?

10 MR. JOYNER: I do object because that's
11 illegible. The other thing, too, is we could short
12 circuit this whole process.

13 THE COURT: Not in front of the jury.
14 Ms. Fell, it's not admitted, so don't publish
15 it.

16 MS. FELL: He said there was no objection to
17 publishing it.

18 MR. JOYNER: I thought it was going to be
19 legible. If it's no legible, I object.

20 THE COURT: Do you object to the exhibit?

21 MR. JOYNER: Well --

22 THE COURT: "Yes" or "no"?

23 MR. JOYNER: The one that I can see is
24 legible.

25 THE COURT: Do you object to a legible copy of

1 the exhibit?

2 MR. JOYNER: Well, could we show it, please.

3 MS. FELL: Why don't I do this.

4 THE COURT: Okay.

5 MS. FELL: I move to admit --

6 THE COURT: Just a minute. I assume there's
7 no objection to you reading the exhibit; correct?

8 MS. FELL: Well, it's judicially noticeable.

9 THE COURT: I don't know. I don't know what
10 it is, but apparently there's no objection; correct?

11 MR. JOYNER: Could we go sidebar, please.

12 THE COURT: Okay.

13 (The following proceedings were had out of the
14 hearing of the jury:)

15 MR. JOYNER: It's only a suggestion.

16 THE COURT: Wait, wait.

17 MR. JOYNER: It's only a suggestion. I'm not
18 trying to impede the flow of evidence. I'm trying to
19 help it and what I was going to suggest, it's only a
20 suggestion so that we do this quick and easy, is you
21 might want to show him the charge, you know, it's on
22 this sheet, the charges, right. And it tells what the
23 charge was.

24 MS. FELL: I don't want to do that.

25 THE COURT: Wait, wait, wait.

1 MR. JOYNER: You show him this sheet that
2 shows what he pled guilty to. And then after that, you
3 show him the part where he read the, you know, made
4 those statements.

5 THE COURT: These are documents contained in
6 the criminal file.

7 MS. FELL: Correct.

8 THE COURT: And you want to have the Court
9 take judicial notice of them.

10 MS. FELL: Yes.

11 THE COURT: I don't know what the problem is,
12 but.

13 MR. JOYNER: He pled guilty to four counts.
14 We know what they are. And they are all Business and
15 Professions Code violations, the same violation,
16 treating without a certificate. And they relate to the
17 four different people.

18 THE COURT: What do you want to do?

19 MS. FELL: I want to move to admit Exhibit 24,
20 Pages 1, three, four and five as part of the criminal
21 file.

22 THE COURT: Any objection?

23 MR. JOYNER: I think it just confuses stuff.

24 THE COURT: Any objection? If it's confusing
25 that's good for you. I want to know if there's an

1 objection.

2 MR. JOYNER: If that's the way that you want
3 to do. I thought I had a simpler way for you to do it.

4 MS. FELL: Is it entered?

5 THE COURT: There's no objection, go ahead.

6 (The following proceedings were held in the
7 presence of the jury panel:)

8 BY MS. FELL:

9 Q. Mr. Young, I'm going to show you what's been
10 admitted as Exhibit 24.

11 THE COURT: Well, not yet.

12 MS. FELL: Oh, I move to admit Exhibit 24,
13 Pages 1, three, four and five.

14 THE COURT: And there's no objection?

15 MR. JOYNER: No objection.

16 THE COURT: All right. It's in. You can
17 publish it.

18 (Court's Exhibit 24 received in
19 evidence.)

20 BY MS. FELL:

21 Q. Do you recognize Page 3 of Exhibit 24 as your
22 guilty plea?

23 A. It's been so many years, so I would say it
24 probably is, but I don't remember the document.

25 Q. Well, do you see the initials in the boxes on

1 the right-hand side?

2 A. I do.

3 Q. Are those your initials?

4 A. Yes, they are.

5 Q. I'm now turning to Page 5 of Exhibit 24.

6 Do you see that thumb print there?

7 A. Yes.

8 Q. Do you remember putting your thumb print on
9 your guilty plea?

10 A. I do not.

11 Q. Do you see the initials there?

12 A. Yes.

13 Q. Are those your initials?

14 A. Yes.

15 Q. And Number 15 says, "I now plead guilty/no
16 contest and admit the charges, convictions, and
17 allegations described in Paragraph 1 above. I admit
18 that on the dates charged, I unlawfully diagnosed and
19 treated Dan Barkin and Terri Angiano."

20 Did I read that correctly?

21 A. I would assume that you did, yes.

22 Q. And underneath that it says "the defendant's
23 signature." Is that your signature?

24 A. Yes.

25 Q. In connection with your guilty plea, you made

1 a statement on the record; is that correct?

2 A. Yes.

3 Q. And that statement was under oath in the
4 criminal case; correct?

5 A. That's what I recall.

6 Q. And that oath that you took in the criminal
7 court was the same oath that you took here today in
8 front of this jury; correct?

9 A. Yes.

10 Q. And under oath, the statement that you gave in
11 the criminal case, which is Exhibit 24, Page 1, was:

12 "I, Robert O. Young, declare freely and
13 voluntarily, under penalty of perjury that: I do not
14 have any post high school educational degrees from any
15 accredited schools.

16 "I am not a microbiologist?

17 "I am not a hematologist.

18 "I am not a medical doctor.

19 "I am not a naturopathic doctor.

20 "I am not a trained scientist."

21 That was your statement; correct?

22 A. At that time, yes.

23 Q. You were sentenced to three years and eight
24 months in jail?

25 A. Yes.

1 Q. You are not licensed by the California Medical
2 Board; correct?

3 A. Yes.

4 Q. You are not licensed by the California
5 chiropractic board; correct?

6 A. I am not.

7 Q. You are not licensed by the California
8 naturopathic board; correct?

9 A. I am not.

10 Q. Isn't it true you that on your current
11 Facebook page, you still call yourself Dr. Robert O.
12 Young?

13 A. Yes.

14 Q. Despite the fact that you are not a medical
15 doctor?

16 A. I think a PhD does qualify for using the word
17 "doctor."

18 Q. That wasn't my question.

19 Despite the fact that you are not a medical
20 doctor, you call yourself Dr. Robert O. Young?

21 A. I am not a medical doctor, that is correct.

22 Q. Despite the fact that you gave the statement
23 under oath in the criminal case as part of your
24 sentencing plea, you still call yourself Dr. Robert O.
25 Young on your Facebook page; correct?

1 A. Yes, because I am a doctor.

2 MS. FELL: Move to strike everything after
3 "yes."

4 THE COURT: Denied.

5 BY MS. FELL:

6 Q. When you were engaged in the unlawful practice
7 of medicine, did you believe you were acting lawfully?

8 A. Yes.

9 Q. Did you ever believe that what you were doing
10 in your practice, either here or in Utah, was illegal?

11 A. No.

12 Q. Did you ever have any reason to believe that
13 engaging in the practice that you engaged in is illegal?

14 A. No. Because of SB 577 which allows the
15 practice of medicine without a license.

16 MS. FELL: Move to strike everything after
17 "no."

18 THE COURT: Denied.

19 MS. FELL: Your Honor, I think he opened the
20 door to one of the MILs.

21 THE COURT: Okay. Fine. We'll see.

22 BY MS. FELL:

23 Q. When you were in Utah, you were charged in
24 1996 --

25 MR. JOYNER: Objection. This is exactly the

1 subjects of one of the MILs that was ruled.

2 THE COURT: I think he's opened the door.

3 Go ahead.

4 BY MS. FELL:

5 Q. In 1996 --

6 THE COURT: He's testified that he didn't
7 think what he was doing in Utah was illegal.

8 So go ahead.

9 MR. JOYNER: That was California.

10 THE COURT: No, I don't think so.

11 MR. JOYNER: He referred to SB --

12 THE COURT: Just a minute. I know what the
13 question was and it was whether or not what he did,
14 whatever he did in Utah was illegal, and he said no.

15 MR. JOYNER: That wasn't the question.

16 THE COURT: Can you read back the question.

17 (Record read.)

18 BY MS. FELL:

19 Q. Isn't it true that in 1996 you were charged
20 with one or two counts of practicing medicine without a
21 license in Utah?

22 A. Yes.

23 Q. And in either 1999 or 2000, you were charged
24 again in Utah with practicing medicine without a
25 license; correct?

1 A. Yes.

2 Q. And in 1999 or 2000 you pled guilty to that
3 charge?

4 A. That is inaccurate.

5 MS. FELL: Your Honor, I would like to read
6 from Page 72, Lines 4 through 12.

7 THE COURT: Of what? The deposition?

8 MS. FELL: Of his deposition.

9 THE COURT: Okay.

10 BY MS. FELL:

11 Q. Before I do that, do you recall having your
12 deposition taken in my office?

13 A. Yes.

14 Q. And Mr. Swan was the one who took your
15 deposition?

16 A. Yes.

17 Q. And before that process got started, the court
18 reporter swore you in with an oath?

19 A. Yes.

20 Q. Again, that was the same oath that you took
21 here today in front of this jury?

22 A. Yes.

23 Q. (As read):

24 "QUESTION: Do you want -- so does -- is
25 this familiar to you, that you took blood

1 samples from two women and used the samples
2 that diagnosed illnesses and prescribed the
3 products that you sold?

4 "ANSWER: That sounds familiar, yes.

5 "QUESTION: And I think you said earlier
6 that you recalled pleading guilty to one of
7 the counts as a misdemeanor?

8 "ANSWER: Yes. And paid a fine of \$30."

9 A. Yes, that relates specifically to 1996, not --
10 in direct response to your answer -- question, as it
11 relates to 1999 to 2000, all charges were dropped.

12 Q. So you pled guilty to a misdemeanor in 1996?

13 A. Yes.

14 Q. And at that time you were put under a one-year
15 probation as part of your sentence; correct?

16 A. Yes.

17 Q. In 2001 you were charged with three felony
18 counts of practicing medicine without a license;
19 correct?

20 A. I don't know if it was -- I thought it was
21 earlier than that.

22 Q. Okay. So either 2001 or earlier you were
23 charged with three felony counts for practicing medicine
24 without a license?

25 A. I think they referred to them as "wobblers,"

1 but they could be misdemeanors or felonies. But I
2 was -- I had three counts of either a misdemeanor or a
3 felony.

4 MS. FELL: Your Honor, I would like to read
5 from Mr. Young's deposition, Page 73, Line 1 through 6.

6 THE COURT: Go ahead.

7 MS. FELL: (As read):

8 "QUESTION: And now the 2001 prosecution,
9 you were charged with a felony count of
10 practicing medicine without a license; is that
11 correct?

12 "ANSWER: Three counts."

13 THE COURT: Ms. Fell, would this be a good
14 time to break?

15 MS. FELL: It would be.

16 THE COURT: Ladies and gentlemen, time for
17 lunch. Do not discuss any aspect of the case among
18 yourselves. Have a nice lunch. We'll see you at 1:30.

19 NOON RECESS

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1 San Diego, California, Wednesday, October 24, 2018,

2 PM Session

3 ---000---

4 (The following proceedings were held in the
5 presence of the jury panel:)

6 THE COURT: All right. Mr. Young, you are
7 still under oath.

8 ROBERT OLDHAM YOUNG,

9 Having been previously sworn by the Plaintiff, resumed
10 the stand and testified further as follows:

11 DIRECT EXAMINATION

12 BY MS. FELL:

13 Q. Mr. Young, you were born and raised in Utah?

14 A. Salt Lake City, Utah.

15 Q. You lived there for 50 years?

16 A. Well, I come and go. I still have a place
17 there.

18 Q. You resided there for 50 years prior to moving
19 to San Diego; correct?

20 A. Yes.

21 Q. And you moved to San Diego in 2000?

22 A. Yes, sometime in 2000, yes, yeah.

23 Q. The Clayton School of Natural Healing, that is
24 no longer an accredited school; correct?

25 A. I believe it lost its accreditation in 2009.

1 Q. And at the Clayton School of Natural Healing,
2 it was possible for a student to obtain in an
3 eight-month period of time a bachelor's, a master's, and
4 a doctor of science?

5 A. I think that would be impossible.

6 Q. Well, you sat through your criminal trial;
7 correct?

8 A. Yes.

9 Q. And you listened to all of the witnesses who
10 testified?

11 A. Yes.

12 Q. And so you listened to the faculty advisor of
13 Clayton School of National Healing, Anita Clark, you
14 listened to her testimony?

15 A. Yes.

16 Q. And do you recall her testimony was that it
17 was, in fact, possible at the Clayton school to receive
18 a bachelor's, a master's, and a doctor of science in an
19 eight-month period of time. You heard her say that;
20 right?

21 A. I don't recall.

22 Q. I'm going to show you that portion of her
23 criminal testimony at your criminal trial and see if it
24 refreshes your recollection.

25

1 MS. FELL: May I approach, Your Honor?

2 THE COURT: Sure.

3 THE WITNESS: Thank you.

4 Who is speaking here?

5 Yeah, I do not know Anita Clark, and I don't
6 remember those statements.

7 BY MS. FELL:

8 Q. You were the CEO and president of
9 pH Miracle Living?

10 A. There is no such company as pH Miracle Living.

11 Q. You were the CEO and president of
12 pH Miracle Living incorporated?

13 A. There's no such company as pH Miracle Living
14 incorporated.

15 Q. For what company were you the CEO and
16 president that was operating out of the property that
17 you now live in in Valley Center?

18 A. Could you ask me a specific question? I don't
19 know the answer to your question.

20 Q. You are not able to tell me which companies
21 you were the CEO and president of that were operating
22 out of your Valley Center property?

23 A. At what time? What year?

24 Q. 2012.

25 A. I don't believe I was the CEO of any company

1 in 2012.

2 MS. FELL: Conrad, do you have an objection to
3 170 through 174?

4 MR. JOYNER: One second.

5 170, no objection.

6 171, no objection.

7 172, no objection.

8 173, no objection.

9 One more?

10 MS. FELL: 174.

11 MR. JOYNER: Okay. They are all nice
12 pictures. 174, nice picture. No objection.

13 MS. FELL: Move to admit Exhibits 170, 171,
14 172, 173, 173, 174.

15 THE COURT: And there's no objection?

16 MR. JOYNER: No objection.

17 THE COURT: All right. They are in. You can
18 publish them.

19 (Court's Exhibit 170 received in
20 evidence.)

21 (Court's Exhibit 171 received in
22 evidence.)

23 (Court's Exhibit 172 received in
24 evidence.)

25 ///

1 (Court's Exhibit 173 received in
2 evidence.)

3 (Court's Exhibit 174 received in
4 evidence.)

5 MS. FELL: I would like to read from
6 Mr. Young's deposition, Page 153, Line 125, through 154,
7 Line 4.

8 THE COURT: Very well.

9 MS. FELL: (As read):

10 "QUESTION: All right. So I will ask
11 bluntly, 2012, 2014, were you the president of
12 pH Miracle Living?

13 "ANSWER: I was the CEO.

14 "QUESTION: CEO?

15 "ANSWER: Yes. President, CEO."

16 MS. FELL: Could you put 170 up?

17 BY MS. FELL:

18 Q. Is this a picture from the property that you
19 are currently living in in Valley Center?

20 A. Yes.

21 Q. What's the address of the property?

22 A. 16390 Dia, D-i-a, Del, D-e-l, Sol, S-o-l. The
23 day of the sun. Dia Del Sol, Valley Center, California.

24 Q. We have heard about a property where patients
25 or clients would come for pH Miracle treatments. Is

1 this the same property?

2 A. Patients -- where clients would come? Yes.

3 MS. FELL: Would you publish 171.

4 BY MS. FELL:

5 Q. This is a picture of the pool on the property?

6 A. Yes.

7 MS. FELL: 172.

8

9 Q. Is this a picture of the garage area of the
10 property?

11 A. This is a picture of the commercial kitchen,
12 the garages, and at the end the gymnastics or exercise
13 room.

14 MS. FELL: 173.

15 Q. What are we looking at here?

16 A. It appears that that is a picture just after
17 you enter the foyer. There is a large living room and
18 that's the view from the living room.

19 MS. FELL: And 174.

20 Q. What is this a picture of?

21 A. This is the view of the property up to where
22 you see the Italian Cypress trees on the ridge, and then
23 down the valley and up the hill you see one of the
24 cottages, which we call the guesthouse.

25 MS. FELL: Would you go back to 170?

1 Q. I am putting 170 back up. Is 170 the building
2 on the property where you reside?

3 A. Myself and some of my family members reside.

4 Q. And that was true going back -- going back
5 even to 2010?

6 A. Yes. My family, myself, and on occasion we
7 would have, because we have a guest room, a guest could
8 stay there.

9 Q. When you say "your family and yourself
10 currently reside there," what members of your family
11 reside there with you now?

12 A. Currently, my son Alex, Alex Young. My oldest
13 son Adam Redford Young and his wife, Samoni. And also a
14 small dog lives there. And also a cat named Luke.

15 Q. And is it one of your sons who is here in
16 court today?

17 A. Yes. My son and his beautiful wife are here,
18 Samoni.

19 Q. Would you turn to Exhibit 143 in your trial
20 exhibit binder.

21 Is Exhibit 143 a true and correct copy of
22 pages from your Facebook page?

23 A. Yes.

24 MS. FELL: Your Honor, I move to admit
25 Exhibit 143, Pages 1, 5, 7 through 11, 19 and 21

1 through 22.

2 THE COURT: Any objection?

3 THE WITNESS: Can I look through the other
4 papers, Your Honor?

5 THE COURT: Huh?

6 THE WITNESS: I only saw the front page. You
7 mentioned several others. Is that okay?

8 THE COURT: Sure.

9 THE WITNESS: Thank you so much.

10 THE COURT: Any objection?

11 MR. JOYNER: Well, I think what Dr. Young -- I
12 excuse me. I think he wanted to do was just look
13 through the pages to make sure they are right before
14 we --

15 THE COURT: I just want to know if you have
16 any objection to them.

17 MR. JOYNER: Well, I can't answer Your Honor
18 until he looks through the papers to see if they match.

19 THE COURT: The initial question was: Are
20 these true and accurate copies of his Facebook pages?

21 MR. JOYNER: Right. So I would like to let
22 him look --

23 THE COURT: Okay. So assuming he says yes, is
24 there any objection?

25 MR. JOYNER: Yeah, if he says yes that they

1 are right, then I don't have any objection. I agree.

2 THE COURT: Okay.

3 THE WITNESS: I have a question about this
4 one. I don't recognize that. I don't know what the
5 number is.

6 Is it 143?

7 MS. FELL: 143-005.

8 THE WITNESS: I don't recognize that one.

9 THE COURT: Are these separate Facebook
10 publications?

11 MS. FELL: They are excerpts from his Facebook
12 page.

13 THE COURT: But they're individual -- they are
14 not all at the same date, or are they?

15 MS. FELL: No, they were all printed on the
16 same day.

17 THE COURT: They were all printed on the same
18 day?

19 MS. FELL: Yes.

20 THE COURT: You are making a gesture?

21 THE WITNESS: I'm not sure what she wants me
22 to do now.

23 THE COURT: She wants to know if you
24 recognized that as your Facebook page.

25 THE WITNESS: I recognize -- can we go through

1 each one individually.

2 THE COURT: Well, that's why I asked. I think
3 these are all published on the same day.

4 MS. FELL: They were all taken from his
5 Facebook as it existed on a single day.

6 BY MS. FELL:

7 Q. Is there a page in there that you think is not
8 from your Facebook page?

9 A. Well, I can tell you which ones that I
10 recognized.

11 THE COURT: Are there any pages there that are
12 not from your Facebook page, whether you remember them
13 or not?

14 THE WITNESS: 143, I don't recognize.

15 BY MS. FELL:

16 Q. They are all 143. You have to give me the
17 page number too.

18 A. Oh, I'm sorry.

19 143-005.

20 Q. Okay.

21 A. 143-006.

22 THE COURT: Ms. Fell, without getting into
23 what they are, what do they purport to be?

24 MS. FELL: They are pictures of him.

25 THE COURT: They are admitted.

1 MR. JOYNER: Okay. Thank you.

2 THE COURT: You can publish them.

3 THE WITNESS: Okay.

4 THE COURT: Assuming that they are pictures of
5 him.

6 MS. FELL: Yes.

7 Will you pull up Page 1?

8 BY MS. FELL:

9 Q. 143-1001, that's you in the upper left-hand
10 corner; correct?

11 A. Yes.

12 Q. And this is a screenshot from your Facebook
13 page.

14 Do you recognize it?

15 A. Yes.

16 Q. And the four books that see there at the top
17 banner, are those books that you wrote?

18 A. Yes.

19 Q. And that's "The pH Miracle for Cancer";
20 correct?

21 A. Yes.

22 Q. "The pH Miracle for Weight Loss"?

23 A. Yes.

24 Q. "The pH Miracle"?

25 A. Yes.

1 Q. And "The pH Miracle for Diabetes"?

2 A. Yes.

3 MS. FELL: Now would you pull up 143-005.

4 Q. That's a picture of you on the right-hand
5 side; correct?

6 A. Yes.

7 Q. Wearing your lab coat?

8 A. Yes.

9 Q. When was that picture taken?

10 A. I would just be guessing, but sometime 2006 to
11 2008.

12 Q. The company Forever Young, is that one of your
13 companies?

14 A. It is a corporation. It's one of the
15 companies that I'm involved with, yes.

16 Q. When was Forever Young started?

17 A. 2015, 2016.

18 Q. Forever Young was started after the criminal
19 trial; correct?

20 A. Yes.

21 Q. And this is marketing material for the Forever
22 Young company?

23 A. This is educational information.

24 Q. Have you ever seen this banner before?

25 A. I'm not familiar with that banner.

1 MS. FELL: Would you pull up 143-007.

2 Q. It looks like this is a page where you can
3 click on links to buy products; is that correct?

4 A. Yes.

5 Q. It's cut off, but at the upper left it says
6 "Forever Young." Is that the company that you are
7 involved in?

8 A. Yes.

9 Q. And it's a wholesale company?

10 A. Yes.

11 Q. Forever Young is currently being operated out
12 of the Dia del Sol property?

13 A. Yes.

14 Q. So people can click on links, order products,
15 and have them shipped to them through Forever Young;
16 correct?

17 A. No. They have to qualify as a wholesaler.

18 Q. Okay. So those people who qualify as a
19 wholesaler can go online, click "Order" and have
20 products shipped to them from Forever Young?

21 A. Yes.

22 MS. FELL: Would you pull up 8, Page 8.

23 Q. And if you look at the right-hand side of
24 Page 8, those two products, are those two products that
25 Forever Young sells?

1 A. Yes.

2 MS. FELL: 143-9.

3 Q. The two products on the right-hand side of the
4 page of 143-9, those are also products that Forever
5 Young sells?

6 A. Yes.

7 MS. FELL: 143-10, please.

8 Q. And if you look at the 143-10, in the upper
9 right-hand corner, it says "Click to order these and
10 other products." And underneath it, there is a retail
11 option and a wholesale option; correct?

12 A. I have never ordered from there, but if there
13 is, then, great. No problem.

14 Q. Is it your testimony though that Forever Young
15 only offers wholesale products?

16 A. That's what the whole website was set up for
17 was for wholesale, but if they are offering a retail
18 option, and want to pay full retail, then that's fine.
19 I guess that's what they have done.

20 Q. And under the contact box there, Forever Young
21 has staff that are able to assist people who speak
22 Spanish as well; correct?

23 A. Yes.

24 MS. FELL: 143-11.

25 Q. 143-11 has past events. Was there an event on

1 July 8th this year?

2 A. In July I was in Italy, so, no.

3 Q. Do you know what years these events are from?

4 A. I do not.

5 Q. Do you remember having a pH Miracle Retreat
6 Center grand opening in July with 83 guests or
7 thereabouts?

8 A. It's possible. We have -- we have had, in the
9 past, many events there.

10 Q. And then do you recall a third international
11 conference on pancreatic -- I assume its cancer, but
12 correct me if I am wrong.

13 A. Yes, I was an invited speaker, keynote speaker
14 to speak at the 3rd International Conference on
15 Pancreatic Cancer and Liver Diseases in Rome, Italy. It
16 was their third time, a medical conference, yes.

17 Q. When was that?

18 A. That was in -- June 19th or around that time,
19 June 18th to 19th.

20 Q. Of this year?

21 A. Yes.

22 Q. And then did you have a speaking tour Coast to
23 Coast that started February 5th?

24 A. That, I believe, was in the past. Coast to
25 Coast is a radio show with millions of listeners, but I

1 don't recall doing a Coast to Coast, so that must have
2 been another time, another year.

3 Q. We heard testimony earlier today about IVs.

4 Did you ever give any patient or client an IV
5 on the Dia Del Sol property?

6 A. I hesitate because I want the jury to know the
7 truth.

8 Q. So do I.

9 A. And the answer is I never gave anyone an IV on
10 the ranch with exception. And the exception is if I got
11 a call from the nurse, I assisted that nurse. As a
12 certified phlebotomist and having been trained in
13 phlebotomy, I'm very well aware about IV etiquette or
14 protocol. So they would ask for my assistance, and I
15 would give them verbal instructions on how to do this.

16 Or in an emergency I would -- in the case
17 of -- I think the client was Vanderhagen -- where I was
18 called by June Asisi, who called me at my home late at
19 night, saying, "You've got to -- Doctor, you've got to
20 go down and take off an IV bag on Ms. Vanderhagen."

21 And I said, "Well, where is Dr. Ben? Where
22 are the nurses? Where is Teresa?"

23 "Well, she's intoxicated, so she can't go
24 down. Dr. Ben is not at his place, and you are the only
25 one that can do this."

1 My action was recorded in the nurse's journal
2 that I did not administer an IV, but I removed an IV bag
3 from a port that was implanted prior to her coming to
4 the ranch.

5 Q. That's a situation we talked about earlier
6 that resulted in a conviction; correct?

7 A. Yes, I mean, I -- I thought wrongfully.
8 Wrongfully, I thought. That when the doctor said its
9 okay to do something like this in an emergency, that I
10 would do that. And I --

11 Q. So your testimony here today is that you are a
12 certified phlebotomist?

13 A. That's correct. I am.

14 Q. When did you receive your phlebotomy
15 certification?

16 A. I received my certification in Utah many years
17 ago in the '80s, the '90s. I just recently renewed that
18 going through the courses this year. So I passed all of
19 the course work, and I don't have any plans to use it
20 other than I thought it would be a good idea to renew
21 that certification, so I renewed it in 2017 or 2018.
22 I'm not sure.

23 Q. And that's a certification by the
24 State of California for you to practice phlebotomy in
25 the State of California?

1 A. They are recognized. It is a certification
2 that's recognized by the State of California to practice
3 phlebotomy. And I have no intention of going back into
4 phlebotomy, but I am glad I went through the course. I
5 enjoyed it very much.

6 Q. Are you licensed in the State of California
7 currently to practice phlebotomy?

8 A. No. I am not.

9 Q. And when did you stop seeing clients or
10 patients at the center?

11 A. July 23rd, 2013.

12 Q. After July 23rd, 2013, there were never any
13 other patients or clients that stayed at the center for
14 treatment; is that correct?

15 A. I'm not saying that. This is my best
16 recollection. There may have been one or two, but I am
17 99.9 percent certain that January 23rd, 2014, there were
18 no more clients that came to the ranch for any type of
19 care.

20 Q. You earlier said 2013?

21 A. 2013, July 23rd, 2013.

22 Q. Okay. You said both. You said 2013 and 2014.
23 Was it 2013 or 2014 that you stopped caring
24 for clients or patients at the ranch?

25 A. My best recollection with a hundred percent

1 certainty -- well, I said 99.9 was January 23rd, 2014.

2 Q. And as of that date, were you licensed by the
3 State of California to practice phlebotomy?

4 A. I was certified to practice in those states
5 that don't require a license, so Utah, yes. California,
6 no.

7 Q. From 2010 until July 2014, did you have any
8 license that allowed you to practice phlebotomy in the
9 State of California?

10 A. The only permission that I was basing
11 decisions on was Senate Bill 577 which allows
12 nonlicensed --

13 Q. That wasn't my question. My question was:
14 From 2010 to 2014, did you have a license that allowed
15 you to practice phlebotomy in the State of California?

16 A. I wasn't practicing phlebotomy in the
17 State of California.

18 Q. That wasn't my question either.

19 A. The answer is no.

20 Thank you, Judge.

21 Q. Did you ever instruct any employees of the
22 center to hide IVs?

23 A. Never.

24 Q. Did you ever instruct any employees at the
25 center to put IV supplies into somebody's truck to be

1 carried away and hidden?

2 A. Never.

3 Q. Did you ever hide IV supplies in Rosie
4 Plascencia's shed?

5 A. Never.

6 Q. Were you aware that was happening?

7 A. I learned most of this information during the
8 trial.

9 Q. Were you surprised to learn this?

10 A. I was surprised about a lot of things.

11 Q. Because if employees of the center were hiding
12 IV materials in Rosie Plascencia's shed, you would not
13 have agreed with that?

14 A. There was no reason to hide anything. We had
15 medical doctors. We had licensed people on there.
16 There was no reason to hide anything.

17 Q. And that's why it came as a surprise in the
18 criminal trial?

19 A. Absolutely.

20 Q. Does Rosie Plascencia still work for you?

21 A. She lives on the ranch and she helps out.
22 She's not an employee, though.

23 Q. You didn't fire her for taking IV supplies and
24 hiding them from the authorities?

25 A. I didn't know that that happened until after

1 the fact.

2 Q. Right. But after you found that out, you
3 didn't fire her for doing that?

4 A. She wasn't working for me. She was one of the
5 individuals that was the arrested when I was arrested
6 with Dr. Ben Johnson.

7 Q. She's currently living on the ranch?

8 A. She and her significant other are living on
9 the ranch.

10 Q. Are they paying you rent?

11 A. They do.

12 Q. How much do they pay you?

13 A. They pay \$600 a month.

14 Q. And you mentioned there being a medical
15 professional, Dr. Ben Johnson. He's the one who was in
16 charge of the IVs?

17 THE COURT: John, take it. Take it.

18 THE BAILIFF: Counsel, I will get it.

19 THE COURT: Go ahead.

20 BY MS. FELL:

21 Q. You mentioned a Dr. Ben Johnson. Was he the
22 one who was ordering the IVs, according to your
23 testimony?

24 A. It depends on what time period that you are
25 speaking of.

1 Q. What time period was he the one ordering IVs?

2 A. From June, July of 2012 up to the point of
3 when he was arrested.

4 MS. FELL: Your Honor, I would like to move to
5 admit Exhibit 109 and 111. They are certified copies of
6 an order of decision, the certification and the order of
7 decision from the Medical Board of California.

8 THE COURT: Any objection?

9 MR. JOYNER: No objection.

10 THE COURT: All right. They are in.
11 You can publish them.

12 (Court's Exhibit 109 received in
13 evidence.)

14 (Court's Exhibit 111 received in
15 evidence.)

16 MS. FELL: All right, the first page.

17 BY MS. FELL:

18 Q. Were you aware that Dr. Ben Johnson lost his
19 license to practice medicine in California?

20 A. At what point?

21 Q. Ever. Sitting here today, were you aware of
22 that?

23 A. Yeah. I was aware after. I heard about it
24 after, yes.

25 Q. And were you aware that part of the order was

1 based on negligent treatment of Ms. Kali?

2 A. I didn't know that.

3 Q. Were you aware that part of the order was
4 because he ordered -- or IVs were ordered under his name
5 for Ms. Kali before he ever saw here?

6 A. I was unaware of that.

7 Q. Were you aware that part of the order was
8 because he -- the records reflected that he undertook to
9 treat Ms. Kali without ever examining her?

10 A. I thought he examined. I have no knowledge
11 whatsoever about what he was doing with Ms. Kali.

12 Q. At the Dia Del Sol property; right?

13 A. Whether it be at Dia Del Sol or whether it be
14 somewhere else.

15 Q. Are you aware of Dr. -- sorry, Mr. Johnson
16 ever being involved in treating Ms. Kali anywhere other
17 than at the Dia Del Sol property?

18 A. I have no knowledge -- personal knowledge,
19 what his relationship was with Dawn Kali or what was
20 doing or wasn't doing. That was -- he was a medical
21 doctor, and that was his business.

22 Q. Now I want to talk about the retreats that we
23 heard about.

24 You conducted retreats outside of the
25 United States of America for clients; correct?

1 A. Yes.

2 Q. And one of the places that you conducted these
3 retreats was in Thailand; correct?

4 A. Yes.

5 Q. And Ms. Kali attended one of the retreats?

6 A. Yes.

7 MS. FELL: I would move to admit 409, 411 and
8 413.

9 THE COURT: Any objection?

10 MR. JOYNER: One second.

11 409, yes.

12 411, yes.

13 413, yes.

14 THE COURT: All right. They're in.

15 (Court's Exhibit 409 received in
16 evidence.)

17 (Court's Exhibit 411 received in
18 evidence.)

19 (Court's Exhibit 413 received in
20 evidence.)

21 MS. FELL: All right. Would you publish 409,
22 please.

23 BY MS. FELL:

24 Q. This a picture that I was taken at one of
25 Thailand retreats?

1 A. Yes.

2 Q. Do you recall what year this was?

3 A. I don't remember the exact year. I would just
4 be guessing, but sometime between 2011 and 2013.

5 Q. Do you see Ms. Kali in the photograph?

6 A. I do.

7 Q. Is that her in the gray shirt?

8 A. It is.

9 Q. All right. Would you accomplish 411.

10 Is this a photograph that was also taken at
11 the Thailand retreat?

12 A. I would assume, yes.

13 Q. And that's Ms. Kali on the right?

14 A. Yes.

15 Q. And Ms. Kali's youngest son next to her in the
16 highchair; correct?

17 A. Yes.

18 MS. FELL: 413, please.

19 Q. And that's, again, Ms. Kali in the gray tank
20 top?

21 A. Yes.

22 Q. Okay. Thanks.

23 Do you remember a client named Ida Kolader?

24 A. Yes.

25 Q. She paid \$19,250 to attend a retreat?

1 A. You would have to ask June Asisi that
2 question.

3 Q. Why would I have to ask June Asisi that
4 question?

5 A. Because I don't receive money. I don't
6 account for money. I have other people that do that for
7 me.

8 Q. So you don't know how much Ms. Kolader paid?

9 A. I have no idea.

10 Q. And you never knew how much she paid?

11 A. Well, 19,000 seems excessive to me based on
12 the Thailand retreat, but if that's what she paid, you
13 know, I wouldn't have any knowledge, firsthand
14 knowledge. That would have gone directly to accounting.

15 Q. Not through you?

16 A. Absolutely not. I didn't handle any money.

17 Q. That deposition that we were talking about
18 that you took under oath at my office --

19 A. Okay.

20 Q. -- that was just last month; right?

21 A. Yes.

22 Q. Okay.

23 MS. FELL: Your Honor, I would like to read
24 from Mr. Young's deposition, Page 56,24, to 57,4.

25 THE COURT: All right.

1 MS. FELL: I'm sorry. 56, 10 through 12.

2 "QUESTION: Okay. And I see retreats.
3 There's one number, 19,250, to Ida Kolader;
4 right?

5 "ANSWER: Ida Kolader.

6 "QUESTION: How much did retreats cost
7 for the clients?

8 "ANSWER: It depended on where the
9 retreat was being held and how long they were
10 staying."

11 BY MS. FELL:

12 Q. At the deposition you were shown spreadsheets
13 that you were produced in this case. And you identified
14 that Ms. Kolader in fact paid \$19,250; correct?

15 A. You know, I was just relying on you. You had
16 the information. You were presenting, and I was giving
17 you my best truthful answer. But I would assume, based
18 on the amount, that would be for two weeks, not just for
19 one week.

20 Q. The retreats were \$1,000 to \$2,000 per day?

21 A. You know, it would vary. It would vary
22 depending on who the client was, their ability to pay,
23 you know, whether they were family, friend, you know --
24 you know, it was different for each person.

25 Q. It could be up to \$2,000 a day?

1 A. It could be more than 2,000 or it could be
2 less than 2,000.

3 Q. How much more than 2,000?

4 A. Well, it depends on what types of services
5 that were being provided.

6 Q. The retreats were a minimum of one week, but
7 could go for a month or even up to three months;
8 correct?

9 A. Each client would decide whether or not they
10 could stay a day, a week, or, you know, a year. It was
11 really up to them. And, you know, what they felt they
12 could afford or -- you know, so we would price things
13 accordingly.

14 Q. And that could be for up to three months?

15 A. We had people stay three months.

16 Q. Now let's talk about Dawn Kali.

17 Were you her doctor?

18 A. No.

19 Q. Were you her treater?

20 A. No.

21 Q. Did you ever diagnosis her?

22 A. No.

23 Q. Did you ever do a dry blood analysis on her
24 blood?

25 A. Yes.

1 Q. Did you ever do a live blood analysis on her
2 blood?

3 A. Probably.

4 Q. And when you looked at her blood, did you tell
5 her what blood looked like as to what the quality of her
6 blood was?

7 A. Well, for the benefit of those who are
8 listening to this testimony, the live blood test is a
9 test where you take a finger prick and you take that one
10 drop of blood and you put that on a slide. Then using a
11 compound microscope you look at those cells. And there
12 are specific ways that those particular cells should
13 look. So it's not a quantitative test. It doesn't give
14 you a number, it gives you a view.

15 And since red blood cells are being changed at
16 5 million per second, that picture could evolve
17 different ways over a period of 120 days, which is the
18 life of a red blood cell.

19 So I would take a drop of blood, not for
20 diagnostic purposes, but I would take a drop of blood, I
21 would put that on a slide and allow the client to see
22 the quality of their blood.

23 And based on millions of samples of blood that
24 I have taken over 40 years, it is obvious to someone who
25 has been trained in live and dry blood cell microscopy

1 by one of the greatest scientists in the world --
2 Professor Murray Reicher from Essen, Germany -- that
3 when you are studying looking at blood, it's not to
4 diagnose any disease, but to allow that person to see
5 the quality of the blood and to note changes in that
6 blood if someone is doing lifestyle changes or diet
7 changes. It's been the nature of my research for
8 40 years.

9 And the reason I am invited to many of the
10 major universities of the world viewing live blood in
11 relationship to what you eat, what you drink, what you
12 think, and how it affects the human cell. So it's a
13 simple question and especially a complex science which
14 has been published by a peer reviewed -- by peer review,
15 published in scientific journals, this work continues
16 on.

17 But the answer is: I looked at Dawn's blood
18 and what I said, I can't remember. But I would have
19 commented not quantitatively, but qualitatively. I
20 would show her a picture of what a healthy red blood
21 cell looks like -- which is round and symmetrical, even
22 in color, even in shape, even in size -- and I would
23 show her a picture of what unhealthy blood looks like,
24 which is uneven in shape, uneven in its color, and its
25 form.

1 And, here again, it's not objective science;
2 it's subjective science.

3 MS. FELL: I think we're really beyond the
4 question.

5 THE WITNESS: I'm done.

6 BY MS. FELL:

7 Q. I don't even remember what my question was.
8 But I think it was: When you did a blood analysis on
9 Dawn Kali, did you comment on the quality of her blood
10 to her?

11 A. I comment on anyone who I look at their blood,
12 so it's a natural response for me.

13 Q. And did you comment to Ms. Kali as to whether
14 her blood looked like she may have cancer?

15 A. Absolutely not. You cannot see cancer in live
16 blood. You can see a cell that's deformed or breaking
17 down or maybe even going through pleomorphic stages, but
18 you cannot say, "Oh, that's a cancer cell." So I never,
19 ever tell people based on looking at live blood that
20 that's a cancer cell. It just -- I don't teach it. I
21 don't believe it. It's subjective. It's qualitative,
22 not quantitative.

23 Q. Did you ever tell Ms. Kali after looking at
24 her blood, whether it was live or dry, "I wouldn't be
25 surprised if you told me that you had cancer"?

1 A. Okay. Well, that's a different test.
2 What I was answering to is live blood.
3 Dry blood -- how do I explain this simply?
4 Einstein said it, I can't explain --

5 MS. FELL: Objection. Nonresponsive.

6 THE WITNESS: I'm trying to --

7 THE COURT: I think the question can be
8 answered "yes" or "no" at this point.

9 THE WITNESS: Based on the way that you have
10 framed the question, no.

11 BY MS. FELL:

12 Q. Did you ever review Dawn Kali's labs, her
13 blood work?

14 A. How those were ordered and when they came in,
15 she would want me to look at them, yes.

16 Q. And you would, in fact, look at them to see
17 what her numbers were for cancer markers; correct?

18 A. She would look at them and then point to me
19 what they were. And there's ranges that are already on
20 the report to show low or high.

21 Q. And you would comment to her about where she
22 was in that range; correct?

23 A. It was obvious. It was already there.

24 Q. And you would comment as to whether that
25 number that she was at in the labs should cause her

1 concern; correct?

2 A. It's a subjective number. It can vary.

3 Q. Is that correct that you would comment as to
4 whether the number in the lab should cause any concern?

5 A. I don't recall that, no.

6 Q. Did you ever palpate her breast or her armpit
7 to feel for lumps?

8 A. I can look her in the eye right now and say,
9 "Absolutely not, did I ever touch you physically, ever."
10 And I have no idea why she would even make such a claim.
11 And I'm sorry.

12 Q. So it is your testimony today that you have
13 never told her anything about what you thought her lumps
14 felt like; is that correct?

15 A. I did not physically touch her, absolutely
16 not.

17 Q. That wasn't my question.

18 THE COURT: Repeat the question.

19 BY MS. FELL:

20 Q. Did you ever tell Ms. Kali anything about what
21 you thought her lumps felt like?

22 A. I didn't feel it, so how could I? It's
23 impossible. No. Absolutely not.

24 Q. Did you ever tell Ms. Kali anything about what
25 you thought the lumps in her breast or armpit were?

1 A. Well, I don't have x-ray vision, so that would
2 be impossible for me to do. All I can do is go to a
3 subjective quantitative test or see a 15-3, and those
4 are decisions that she made, what she wanted to do about
5 them. You know, I don't influence clients on what they
6 should do about their conditions.

7 Q. Was Ms. Kali one of your clients?

8 A. She was never my client. She was a friend. I
9 was helping her.

10 Q. So it's your testimony that she was only a
11 friend and was never a client; is that correct?

12 A. She wrote me an e-mail. She was down and out.
13 She had come to my microscopy class. I love helping
14 people. So I made her an offer to come to the ranch and
15 she could stay there.

16 Q. Did you ever charge Ms. Kali for any services
17 received at the ranch?

18 A. None. I charged her nothing. I received no
19 money whatsoever from her. I was paying her. I wasn't
20 taking money from her. I was trying to help her.

21 Q. Ms. Kali received treatment at the ranch;
22 correct?

23 A. Noninvasive, nonmedical treatment. I don't
24 know what Dr. Ben was doing with her or what she was
25 doing on her own.

1 Q. Ms. Kali received IVs at the ranch?

2 A. If she received IVs, that would have been
3 between her and her doctor and rumors about whether she
4 was receiving IVs or not on the ranch.

5 Q. You never gave Ms. Kali an IV on the ranch?

6 A. Absolutely not, never.

7 Q. Did pH Miracle ever pay for thermography or
8 ultrasound services for Ms. Kali?

9 A. That's a good question for June Asisi, but I
10 believe that we did pay for all of her comprehensive
11 medical tests including ultrasounds, thermography. We
12 also paid for her CBCs, which are complete blood counts.
13 We paid for her cancer marker tests. We paid for
14 everything.

15 The reason why, that was my decision. She
16 didn't have money, and I was trying to help her.

17 Q. Did you advise Dawn Kali not to get a biopsy
18 of the lumps in her breast and armpit?

19 A. That was her decision. I never told her not
20 to get a biopsy. Never.

21 Q. Did you ever recommend to her not to get a
22 biopsy?

23 A. Never.

24 Q. Did you ever recommend to her not to get
25 surgery?

1 A. Never. That was her decision in 2007, 2009,
2 2012, even when she went to the doctor in 2013. This is
3 all Dawn Kali.

4 Q. Did you ever recommend to her not to get
5 radiation?

6 A. That subject never came up. I never heard
7 that word, "radiation," coming out of her mouth.

8 Q. Did you ever recommend to her not to get
9 chemotherapy?

10 A. Absolutely not. We had clients that were
11 receiving chemotherapy, and we supported any client and
12 their medical doctors.

13 Q. Did you ever recommend to any of your clients
14 not to get a biopsy?

15 A. That's beyond my belief system. You know --
16 yes, you know, Hippocrates says, you know, do no harm,
17 but the bottom line is the patient is in control of
18 their decisions. It's their decision, not my decision.
19 Absolutely would I -- would I not tell somebody not to
20 do something, especially if they are getting advice from
21 their medical doctor. It's just -- I can't -- I can't
22 oversee that. And that just goes beyond -- beyond my
23 belief system.

24 Q. I didn't understand your answer.

25 Did you ever advise any clients not to get a

1 biopsy?

2 A. Never.

3 Q. Did he ever advise any clients not to get
4 surgery?

5 A. Never.

6 Q. Did you ever advise any clients not to get
7 radiation?

8 A. Never.

9 Q. Did you ever advise any clients not to get
10 chemotherapy?

11 A. No.

12 Q. Did you have a telephone conversation with
13 Dawn Kali in July of 2013?

14 A. What is the date?

15 Q. July of 2013.

16 Do you need me to be more specific?

17 A. Yes, please.

18 Q. Did you ever have a telephone conversation
19 with Dawn Kali in July of 2013 wherein she called you
20 from her oncologist's office?

21 A. I don't know where she was. I mean, she would
22 call me, but I don't recall that specific phone call,
23 no.

24 Q. Do you recall having a conversation with Dawn
25 Kali around July of 2013 where she told you she was

1 diagnosed with Stage IV breast cancer?

2 A. I don't recall that.

3 Q. Did you ever have a conversation with Dawn
4 Kali in July of 2013 where she told you that it was
5 recommended by her oncologist that she undergo
6 chemotherapy?

7 A. And this is when again?

8 Q. July of 2013?

9 A. I'm just trying to remember where I was. I
10 don't even think that I was at the ranch in July.

11 Q. Forgetting the date, do you recall having any
12 conversation with Dawn Kali wherein she told you that
13 her oncologist was recommending that she get
14 chemotherapy?

15 A. If I had that conversation, I would have told
16 her to go ahead with her doctor's advice.

17 Q. In addition to the books that we saw earlier,
18 you have also written a book called "Sick and Tired"?

19 A. That was my dissertation for my PhD in
20 nutrition. I has an abstract in the front, and I turned
21 that abstract into a book and called it "Sick and
22 Tired."

23 Q. Is that a picture of you on the back?

24 A. Yes, without hair.

25 MS. FELL: Your Honor, may I publish the

1 photograph of Mr. Young on the "Sick and Tired" book?

2 THE COURT: Any objection?

3 MR. JOYNER: No objection.

4 THE COURT: All right.

5 (Court's Exhibit 327 received in
6 evidence.)

7 MR. SWAN: 327.

8 MS. FELL: For the record, it's Exhibit 327.

9 BY MS. FELL:

10 Q. That's a picture of you?

11 A. Yes.

12 Q. And who is that that you are with?

13 A. It's my former wife.

14 Q. She's still alive today; correct?

15 A. Yes.

16 Q. The two of you have since divorced?

17 A. Yes.

18 Q. Is it upsetting to you to talk about your
19 former wife?

20 A. After you were married for 43 years with four
21 beautiful children and you are served with papers while
22 you are in jail for a divorce, it's very upsetting.

23 Q. You were married from when to when?

24 A. I knew Shelley when she was in kindergarten.

25 We were high school sweethearts. And we married on

1 March 15th, 1974.

2 Q. And you were served with divorce papers when
3 you were in jail?

4 A. Yes.

5 Q. Didn't you have a son with another women in
6 2010?

7 MR. JOYNER: Objection. 352.

8 THE COURT: Overruled. I think the door is
9 opened.

10 THE WITNESS: I did in 2010. I made a
11 mistake.

12 BY MS. FELL:

13 Q. And you owed that woman over \$200,000?

14 MR. JOYNER: Objection. 352.

15 THE COURT: Overruled.

16 BY MS. FELL:

17 Q. You owe that woman over \$200,000 in back child
18 support; correct?

19 A. I owe back child support, yes. I don't know
20 what the number is.

21 Q. Isn't Dr. Galina Migkalko your girlfriend now?

22 A. She's my business associate and friend.

23 Q. And she was never your girlfriend?

24 A. Dr. Galina Migkalko is a -- we're very close,
25 yes.

1 Q. Okay. Was she ever your girlfriend?

2 A. I would say it's working that direction.

3 Q. Now it says, "About the authors," and it
4 includes both you and Shelley Young; correct?

5 A. Yes. Well, I put her name on it. She wasn't
6 the author, but I included her as one of the authors
7 because she put all of the recipes in the book.

8 In my dissertation, my dissertation did not
9 have recipes. So we took my dissertation from my PhD in
10 nutrition and we added recipes and that became the book
11 "Sick and Tired." So I added her name to the book.

12 Q. Have you made the claim that your
13 pH Miracle diet can regrow hair?

14 A. You can't regrow hair. You can help, you
15 know, support the regrowth of hair. But it's not just
16 the diet, it also includes nutritional support. It also
17 includes light therapy, blue light therapy at 410
18 nanometers. And we have done some pretrial human
19 studies on this and have found great success.

20 Q. Have you ever made the claim that you were
21 able to regrow your hair with your diet, nutritional
22 supplements and your program?

23 A. Well, I have made the claim that hair regrowth
24 can happen if all things are present. A proper
25 environment, maybe some seed in order for new hair

1 growth to take place and the right kinds of shampoos and
2 conditioners.

3 Q. And so did you regrow your hair with your
4 pH Miracle system?

5 A. My hair regrowth and my program in this
6 particular case started with some transplantations of
7 about 1,000 grafts of which, you know, you can count a
8 thousand times. Now I probably have ten times that much
9 hair.

10 Q. And another one of your books that you have
11 written is "Reverse Cancer Now"; is that correct?

12 A. Yes.

13 MS. FELL: And for the record that is
14 Exhibit 323.

15 Q. And on the cover of your "Reverse Cancer Now"
16 book, you say:

17 "Scientifically proven to prevent and reverse
18 cancer."

19 Is that correct?

20 A. Yes.

21 Q. The book was copyrighted in 2013?

22 A. That's what it says, yes.

23 Q. Now I'm going to make some statements from
24 your book, and I want to ask you if you agree. Okay?

25 A. Okay.

1 Q. (As read):

2 "Cancer is not a cell but an acidic liquid
3 that spoils ourselves, whatever acids are not properly
4 eliminated through urination, perspiration, respiration
5 or defecation."

6 Do you agree with that statement?

7 A. Yes.

8 Q. (As read):

9 "Hence, all cancers are the expulsion of acids
10 from the blood and then tissues at different points and
11 are essentially of the same character and evolving from
12 the one cause, namely, systematic acidosis."

13 Do you agree with that?

14 A. Absolutely.

15 Q. (As read):

16 "Breast cancer is the leading cause of death
17 in women, and these fatty tissues, parenthesis, breast
18 areas, are being used by the body to bind or collect the
19 acids in order to protect the organs that sustain life?"

20 Do you agree with that statement?

21 A. Yes.

22 Q. (As read):

23 "If you don't want cancer, if you want to
24 prevent it, you have to pee or eliminate your acid
25 through urination or perspiration. And if you are a

1 cancer sufferer, you have to pee your way to health
2 because cancer is not a cell but a poisoning acidic
3 liquid."

4 Do you agree with that?

5 A. A poisoning acidic liquid of the cells, yes.

6 Q. Of the cells? You mean in the cells?

7 A. No.

8 Can I explain?

9 Q. You'll have a chance when your lawyer --

10 A. I'll explain later. Okay.

11 Q. (As read):

12 "So cancer is a systematic acidic condition
13 that settles in the weakest parts of the body, not a
14 local problem that metastasizes. You see, metastases is
15 localized acid that spoil other cells much like a rotten
16 apple spoiling the bushel of other healthy apples."

17 Do you agree with that statement?

18 A. I do.

19 Q. (As read):

20 "The cure, the prevention, the reversal for
21 cancer is not found in the treatment of tissue but
22 rather in maintaining the alkaline design of the human
23 organism. And the most important test that you can do
24 to determine whether you are in a state of over acidity
25 is testing the pH of the fluids."

1 Do you agree?

2 A. I agree.

3 Q. (As read):

4 "So are tumors bad or good? They are good
5 because they are the expression of the body in
6 preservation mode trying to prevent healthy tissue from
7 spoiling."

8 Agree or disagree?

9 A. I agree.

10 Q. (As read):

11 "So we don't have species-specific bacteria or
12 species-specific yeast or species-specific molds. The
13 molds in yeast and bacteria are transformations of what
14 used to be healthy matter of cells that are transforming
15 to adapt to an oxygen-deprived environment."

16 Do you agree?

17 A. Yes.

18 Q. You heard Dr. Garrett Smith say that would be
19 like a dog turning into a bird turning in a cat.

20 A. No. It would be like a caterpillar turning
21 into a butterfly or tadpole turning into a frog.

22 Q. So a cell -- a normal healthy cell turning
23 into mold turning into cancer would be like a butterfly
24 turning -- or sorry, a caterpillar turning into a
25 butterfly?

1 A. No. It's a different environment. It's
2 cellular. It's conducive to the environment. And the
3 best way to understand it is a metaphor: If the fish is
4 sick, what would you do? Would you treat the fish or
5 change the water.

6 One more time: If a fish is sick in the
7 fishbowl, what do you do, treat the fish or change the
8 water? The fish is only as healthy as the water it
9 swims in.

10 That's the case with our own ocean. We have
11 marine biologists that are testifying the pH of the
12 ocean that are concerned about the acidosis from acid
13 rain from carbon monoxide Monday oxide. Our oceans are
14 being over acidified. It's called acid rain.

15 And I published an article on this. It's a
16 very important article about acid rain not only in the
17 environment but in the internal environment and how it
18 is destroying our bodies from the inside out. The same
19 thing is happening to the fish of our oceans.

20 Q. Are you done?

21 A. Well, I could go on, but, no, I'm done now.
22 Thank you.

23 Q. (As read):

24 "Bacteria is not an entity but a
25 transformation, a new formation of a preceding form."

1 Agree?

2 A. Agree.

3 Q. "Bacteria can then be understood not so much
4 as the cause of a disease, but as a result of an
5 imbalanced overly acidic milyea. A simple example is a
6 packaged loaf of bread beyond its expiration date that
7 is growing mold. It is not an outside invader that has
8 ruined the bread, but an unsuitable environment."

9 Agree?

10 A. Agree.

11 Q. "I would suggest to you that negative thoughts
12 and feelings initially and long-term can lower the pH of
13 the urine by 1,000 times."

14 Agree?

15 A. Agree.

16 Q. "So you are having a thought attack, I would
17 suggest that most heart attacks or cancer are brought on
18 by our thoughts."

19 Agree?

20 A. Agree.

21 Q. "There is no need for a biopsy for this would
22 be like opening Pandora's Box disturbing the tissue."

23 Agree?

24 A. That's my personal belief. Agree.

25 Q. "A tumor is the solution to the problem."

1 Agree?

2 A. Agree.

3 Q. "We don't need any tests to determine that
4 this is cancerous or noncancerous. It is the body in
5 its perfect way to trying to protect itself against our
6 own lifestyle and dietary choices. We are experiencing
7 the consequence of choice."

8 Do you agree?

9 A. Absolutely agree.

10 Q. "Now, as far as monitoring this, we don't need
11 more testing as it pertains to MRIs and CAT scans or
12 mammograms. What we need is to monitor the pH of the
13 fluids, and this is the most inexpensive way for us to
14 monitor our health."

15 Agree?

16 A. Agree.

17 Q. "Regarding cancer, I have never seen a case
18 where those markers are not reversed, if not completely
19 eliminated, if one is willing to follow the program
20 100 percent."

21 Agree?

22 A. Agree.

23 Q. And you are talking about your program;
24 correct?

25 A. I'm talking about my program, but here again,

1 that's -- that's based on your understanding, so we
2 would have to talk about that a little bit further.

3 Q. "All cancerous tissue is curable, not all
4 patients are. I'll say it one more time. All cancerous
5 tissue is preventible, reversible, curable, but not all
6 patients are because they are not willing to do what it
7 takes to bring their body in balance."

8 Do you agree?

9 A. I agree.

10 Q. "Cancerous tissue by any name is nothing more
11 than a consequence of choice."

12 Agree?

13 A. Agree.

14 Q. "Someone doesn't get breast cancer or brain
15 cancer. You have to work on it every day."

16 Agree?

17 A. Agree, with exception. There are things
18 called accidents. Accidents do happen. Any physical
19 disturbance to the human body can cause cellular
20 breakdown, and one cell will cause the breakdown of
21 other cells. So with exception, you know, accidents can
22 lead to trauma.

23 Q. But that's the exception?

24 A. The other exception is if one does not
25 maintain the alkaline design of the internal fluids of

1 the body, then -- we have a word called "epigenetics,"
2 which is referring to the fluids outside the cell, can
3 influence the genetics and then genetics takes over.
4 It's called a genetic trigger where cells start to
5 change, and they respond to it by the epigenetics or the
6 environment.

7 Q. And those two things that you mentioned, you
8 said they were the exception, meaning that's not the
9 general rule?

10 A. Not the general rule, genetics does not play a
11 role in cancer unless you trigger it. Once you trigger
12 it through the environment, then you cause an
13 expression. Genetics does not determine your destiny.
14 You determine your destiny.

15 Q. The stomach is alkaline by design.

16 Do you agree?

17 A. Absolutely.

18 Q. You heard Dr. Smith say it's actually the
19 opposite, acidic by design.

20 Did you hear him say that?

21 A. Yes, and I respect Dr. Smith, but we differ on
22 the biochemistry, which is one of my degrees. It's a
23 doctorate in science.

24 Q. And then in the back of the book, there's an
25 appendix, and the appendix is "an insightful article by

1 Dr. Robert O. Young." You included that in your books;
2 correct?

3 A. You would have to read the title. I haven't
4 looked at that.

5 Q. The title is: "The cure for all cancers,
6 heart disease, diabetes, osteoporosis, lupus, arthritis,
7 Alzheimer's, has been discovered."

8 Is that an article that you wrote?

9 A. I'd have to look at again, but it wouldn't be
10 in the book if I didn't write it, yeah.

11 Q. So if it's in the book, you wrote it?

12 A. Yes. Yes.

13 Q. And then at the very beginning of the article,
14 you talk about disease, but you say "disease, or should
15 we say dis- ease," D-I-S, hyphen, capital E-A-S-E.

16 Correct?

17 A. Is that a question?

18 Q. Yeah.

19 A. Could repeat the question. Thank you.

20 Q. When you talk about disease, but then call it
21 dis-Ease, dis, hyphen, capital E, a-s-e.

22 A. Yes.

23 Q. Is that a term that you came up with?

24 A. Yes.

25 Q. I'm going to read from that article in the

1 back.

2 "In fact, to this day, most doctors and many
3 parents still believe that a cancer is a physical thing,
4 a tumor. In reality, a tumor is the solution of cancer,
5 not its cause. A tumor is simply a physical
6 manifestation of bound up acidic cells so they do not
7 spoil other healthy cells."

8 Do you agree?

9 A. Yes.

10 Q. "The truth is cancer is not a cell, but an
11 acidic, poisonous liquid. When a person, quote, has
12 cancer, what they really have is cancerous tissues or
13 latent tissue acidosis. They are absorbing their own
14 acidic urine."

15 Agree?

16 A. Yes.

17 Q. (As read):

18 "These diseases" -- meaning the ones that you
19 reference in your article -- "cancer, heart disease,
20 diabetes, osteoporosis, lupus, arthritis, Alzheimer's,
21 are simply misnamed and I believe that they are
22 intentionally misnamed to put the jargon out of reach of
23 everyday people. As a result, there's a great deal of
24 arrogance in the language of western medicine. This
25 arrogance furthers the language of separation.

1 Separation never results in healing."

2 You wrote that?

3 A. Yes, I did.

4 THE COURT: Ms. Fell, we are going to be
5 breaking a little early today. Would this with a good
6 time to break and resume again at 3:00?

7 MS. FELL: This would be fine.

8 THE COURT: Ladies and gentlemen, let's take a
9 short break, 10 minutes. Be back at 3:00 and we'll
10 proceed. I think we're going to be breaking a little
11 early today.

12 (Recess.)

13 (The following proceedings were held in the
14 presence of the jury panel:)

15 THE COURT: All right. Mr. Young, you are
16 still under oath.

17 All right, Ms. Fell.

18 BY MS. FELL:

19 Q. Mr. Young, the first thing that I want to do
20 is correct something that I did at the very beginning
21 that was incorrect.

22 Your attorney pointed out to me that the
23 guilty plea that I showed you was one that had been
24 cancelled.

25 So I would like to show you the one that was

1 in effect.

2 A. Okay. Thank you.

3 Q. The guilty plea dated April 12th, 2017, was
4 the one that replaced the one that I showed you earlier;
5 is that right?

6 A. If you say so. I have to trust you on that.

7 Q. Okay.

8 MS. FELL: Your Honor, I would move to admit
9 as 328 the April 12th, 2017, guilty plea.

10 THE COURT: All right.

11 (Court's Exhibit 328 received in
12 evidence.)

13 BY MS. FELL:

14 Q. The only thing that I want to point out to
15 you, again, Mr. Young, is that even though the plea was
16 cancelled and then redone, the plea was to the same
17 thing -- right? -- that we saw earlier today?

18 A. Can you read that. I'm having a hard time
19 seeing it.

20 Q. Sure.

21 "Unlawfully diagnosed and treated Dan Barkin
22 and Terri Angiano."

23 A. Okay.

24 Q. The same plea; correct?

25 A. Yes.

1 Q. And those are your initials?

2 A. Yes.

3 Q. And that's your signature?

4 A. Yes.

5 Q. Okay. Thank you.

6 And based on your research, is it your theory
7 that even the common cold is just the body eliminating
8 excess acidity from its orifices?

9 A. The common cold is not viral. The common cold
10 is the expulsion of acidic waste from the organ called
11 the interstitium or the interstitial fluids to maintain
12 the pH of the blood. So it's an expulsion of increased
13 toxicity.

14 Q. And the same thing with the flu, it's not
15 viral; is that correct?

16 A. The body induces a fever to open up the pores
17 so this organ -- which was just discovered by American
18 science that I have been studying for the last 40 years
19 called the interstitial fluids of the interstitium.
20 Where I studied in Germany, it's called the colloidal
21 connective tissue of the shad. And this is not
22 evaluated by current medical science or American
23 science, but they just discovered this organ.

24 So the flu is the body's way of expulping
25 through the pores of the skin -- this is why we have

1 night sweats, it's why we have flu symptoms -- to remove
2 the acidic waste that has been purified through this
3 organ called the interstitium in order to maintain the
4 delicate pH balance of the internal fluids of the body.

5 Q. So the flu is not viral; correct?

6 A. Absolutely not.

7 Q. And this organ, the inter- --

8 A. The interstitium.

9 Q. You are the first one to recognize this organ?

10 A. Absolutely not. It was first -- it's
11 recognized by other scientists outside of the
12 United States. It was just recognized this year by
13 medical -- the American Medical Association, which they
14 now have published papers on. And no longer is the skin
15 the largest organ of the body. It's now the
16 interstitium, which makes up over 60 percent of our
17 entire fluids, which I have been studying and publishing
18 the pH's and the chemistry and comparing that to the
19 blood chemistry and pH.

20 Q. So you are decades ahead of American
21 scientists and medical practitioners; correct?

22 A. Well, my science and work had been -- is being
23 validated, you know, as the years go on, yes. I
24 wouldn't say that I'm decades ahead. I'm just a
25 contributor, you know, and I don't take all of the

1 credit, you know, because my research is unique to
2 lifestyle and diet and how it impacts the blood and the
3 interstitial fluids of the interstitium.

4 Q. So you are only getting in trouble because you
5 are ahead of your time?

6 A. Well, Gallo -- many scientists have been, you
7 know, problems like this. I mean, I -- you know, I
8 don't know how to answer that question.

9 Q. You claimed to have helped millions of people
10 worldwide?

11 A. My books have sold over 10 million copies.
12 It's a self-help, self-care program. People read it who
13 are challenged with lots of different symptomatology.
14 We don't direct, we don't meet everyone, but I have
15 clients in over 160 countries around the world.

16 Q. Current clients in over 160 countries around
17 the world?

18 A. That's correct, yes.

19 Q. But zero in the United States?

20 A. Clients, no. I talk to people who have read
21 my books. I don't call them clients. They are not my
22 patients, but when I see people who read my published
23 papers, who read my articles, who have read my books.
24 These people call me on occasion, and I'm happy to talk
25 to them.

1 Q. And you talk to them about the theories in
2 your books that you have written about?

3 A. No. I talk to them about whatever questions
4 they may have. I mean, if I attend a lecture at Harvard
5 or if I attend a lecture at Oxford or if I attend a
6 lecture in Milan or if I am invited to the Morehouse
7 College school of medicine to lecture, then I show up.

8 It's an opportunity for me to share what I
9 believe with all of my heart has some -- in fact, let me
10 just sum it up like this: Neil Solomon, who was a PhD
11 medical doctor from John Hopkins University, said this
12 about me -- in fact, it's on the back of the Sick and
13 Tired, "If Dr. Young's principles are proven, they will
14 change the medical and biology worlds as we know them
15 today."

16 And Neil was sent to me in an investigation by
17 Tony Robbins, who has been teaching my principles now
18 for over 20 years and continues to teach my principles.
19 And Neil Solomon was the one who invited me to be part
20 of the United Nations for children to help educate
21 children, and I went to the United Nations many times
22 and teaching children around the world.

23 So when someone calls me, I'm not thinking
24 money. I'm thinking, wow, this is an opportunity for me
25 to share my knowledge with the world, and this has been

1 my mission. And yes, there have been those, you know,
2 that don't agree with me. But it's a very small, small
3 amount of people. So even in the midst of those who
4 have read my books for medical establishments and
5 universities, they still invite me to speak even today.

6 Q. So you are teaching children around the world;
7 is that correct?

8 A. I was part of the counsel on the United
9 Nations to travel and to be part with Neil Solomon, a
10 committee to teach children about food and lifestyle and
11 how it impacts our health and well-being.

12 Q. Under your program, are patients recommended
13 or not recommended to take pain medications?

14 A. If a client or patient is under the doctor's
15 care and they are on medication, I do not disrupt
16 anything that they are currently doing. If they ask me,
17 "Should I get off my medication," I answer, "Absolutely
18 not. You need to coordinate that with your medical
19 doctor."

20 But if you coordinate with your medical
21 doctor, and as you do this, you will find that you are
22 going to use less and less of your medications because
23 your symptoms are going to improve. So if you are
24 taking Prozac for depression, I don't say, "Get off your
25 Prozac." If you are taking an anti-inflammatory or if

1 you are on chemotherapy, I don't tell clients to get off
2 that. I said you need to work with your clients. And
3 this is what Dawn did from 2007 up until the current.
4 She's always had --

5 MS. FELL: Your Honor, nonresponsive.

6 THE COURT: Huh?

7 MS. FELL: Nonresponsive.

8 THE COURT: It is.

9 BY MS. FELL:

10 Q. Does taking pain medications negatively affect
11 the body's alkalinity?

12 A. Current research shows that pain is associated
13 with --

14 MS. FELL: Objection. Motion in limine.

15 BY MS. FELL:

16 Q. Is it your belief that taking pain medications
17 negatively affect a person's alkalinity?

18 A. It depends on what specific drug it is. Some
19 do; some don't.

20 Q. Some pain medications will not negatively
21 affect a person's alkalinity?

22 A. Well, if you are talking about acetaminophen,
23 which is an acid, that does affect the pH, and it can be
24 measured and quantified.

25 Q. You are not aware of anyone who has died at

1 your facility; is that correct?

2 A. Not aware? No. In 2013, in January,
3 Ms. Vanderhagen chose to discontinue the program and she
4 went off all foods, all supplements other than sipping a
5 little -- she called a family meeting. And in speaking
6 with her, she asked me, and her husband asked me, if it
7 would be possible if this could be her resting place,
8 that this is where she wanted to pass.

9 And I had a hard struggle with that. But, you
10 know, Maurice became a friend. His wife became friends.
11 And how could I refuse her request that she wanted to
12 pass quietly and peacefully at the ranch. And I didn't
13 know when she was going to pass. I just know that you
14 can't go without air for four minutes; you can't live
15 without water for less -- for more than three or four
16 days, and you can't live without food for 30 days. So,
17 you know, they made a choice. And I agreed to allow her
18 to continue and pass there on the ranch. So yes,
19 Ms. Vanderhagen did pass at the ranch.

20 Q. Are you aware of anyone who left the ranch and
21 died within a year?

22 A. Out of the 85 cases of terminal disease that
23 were part of the criminal trial, 15 people out of those
24 passed. It was -- this was metastatic terminal cancer
25 who had prognoses that were less than a year to six

1 months. And so there was 15 out of 85. It was an
2 80 percent reverse rate on terminal metastatic cancer.

3 Q. I don't understand the answer to my question.

4 Was -- are you aware of anyone who left the
5 ranch and died within a year?

6 A. No, not specifically. Because I don't have my
7 files. The DA has those in their possession, and I
8 believe they have been destroyed.

9 Q. Right.

10 The DA took those files from you and never
11 returned them; correct?

12 A. I asked for them back for my research, but
13 they wouldn't give them back. And not for science, but
14 for other reasons, they decided to destroy them.

15 Q. In fact the DA advised you that the reason
16 that you couldn't have it back was because, from their
17 perspective, you had no legitimate use for those medical
18 files; correct?

19 A. No. That's not -- they destroyed them because
20 they destroyed history. They destroyed -- they
21 destroyed records which were based on HIPAA. And based
22 on HIPAA, they didn't want me to have those records
23 because it had medical information.

24 But that wasn't the truth with all of the
25 files. Some did, some didn't have HIPAA.

1 Q. And that's the reason the district attorney
2 who prosecuted your case gave you. Am I understanding
3 your testimony?

4 A. This is my best recollection. I don't know
5 all of their reasons for doing it. I just know that
6 they were destroyed.

7 I mean, what can I do? My argument was that I
8 needed those files back, not so that I could treat them
9 but so that I could have the evidence. Even Dawn Kali's
10 file, I could have that file back, which I believe has
11 been destroyed.

12 Q. Did the district attorney give you any other
13 reasons for destroying your file and not giving it back
14 to you?

15 A. Based on my recollection, I believe it was
16 based upon the privacy, based upon HIPAA, and since I
17 was not a medical doctor, that I had no rights to those
18 files.

19 Q. And nothing else?

20 A. Unless you want to share something, that's my
21 best recollection.

22 Q. Was Juan Carlos Estrada one of your clients?

23 A. Juan Estrada came to the ranch when I was out
24 of the country. So I don't know much about
25 Juan Estrada.

1 Q. Was he client of pH Miracle Living?

2 A. He was at the ranch, you know. And what I
3 understand is he left. But other than that, I don't
4 know much about him. I would have to look at the file.

5 Q. He passed away; right?

6 A. I don't have any information. I don't have
7 the file. I don't have any history on Juan Estrada.

8 MS. FELL: Your Honor, I move to admit
9 Exhibit 49, the death certificate of
10 Juan Carlos Estrada.

11 THE COURT: Any objection?

12 MR. JOYNER: 49?

13 MS. FELL: Yes.

14 MR. JOYNER: Well, I can't read this copy, but
15 if it really is a death certificate --

16 THE COURT: Any objection?

17 MR. JOYNER: Answer, no. But I --

18 THE COURT: Okay. It's in.

19 (Court's Exhibit 49 received in
20 evidence.)

21 BY MS. FELL:

22 Q. Was Naima Houder-Mohammed a client of
23 pH Miracle?

24 A. Are you speaking about -- I knew her as -- I
25 believe her name was Nimma? Did you say "Nimma"?

1 Q. N-a-i-m-a?

2 A. From the UK?

3 Q. Yes.

4 A. Yes.

5 Q. And she passed away?

6 A. Yes, she did.

7 MS. FELL: Your Honor, I move to admit
8 Exhibit 50, the death certificate of Naima
9 Houder-Mohammed.

10 THE COURT: Any objection?

11 MR. JOYNER: No, Your Honor.

12 THE COURT: Okay.

13 (Court's Exhibit 50 received in
14 evidence.)

15 BY MS. FELL:

16 Q. Was Cynthia Lunch a client?

17 THE COURT: How many do you have?

18 MS. FELL: About six more.

19 THE COURT: Any objection -- you are going to
20 be introducing the death certificates?

21 MS. FELL: Well, not of the rest of them,
22 unless I can find them by Monday.

23 BY MS. FELL:

24 Q. Is Cynthia Lynch a client?

25 A. Yes. She consulted with me periodically.

1 Q. She passed away?

2 A. Yes.

3 Q. Genia Vanderhagen a client?

4 A. Yes. I spoke about her.

5 Q. She passed away?

6 A. Yes.

7 Q. Tracy Cole is a client?

8 A. Tracy Cole, yes. She passed away, yes.

9 Q. Vicki Felix was a client and she passed away?

10 A. I don't recall Vicki Felix.

11 Q. Moe Felix was her husband. He testified at
12 your criminal trial.

13 A. Oh, yes. Vicki. Yes. Okay.

14 Q. She was a client and she passed away?

15 A. Yes. After she left the ranch, yes.

16 Q. Dan Barkin, he was a client and he passed
17 away?

18 A. Yes.

19 Q. Terri Angiano was a client and passed away?

20 A. No, she's still alive.

21 Q. Mary Kay was a client and she passed away?

22 A. I don't know who Mary Kay is.

23 Q. Daisy Park was a client and she passed away?

24 A. Yes. Several years after, yes. She didn't
25 have cancer, though, it was old age.

1 Q. Is it true that there was only one patient
2 that came into the ranch with cancer and left without
3 it?

4 A. Came to the ranch and left without it? No,
5 there was over 300.

6 Q. Over 300 people came to the ranch with cancer
7 and left cancer free?

8 A. Stage I, Stage II, Stage III, and 81 -- which
9 was a 96 percent reversal. And as metastatic cancer, it
10 was 81 percent and over 70 of those people -- 70-plus
11 people.

12 Q. It's your understanding that those
13 300-something people came to the ranch with cancer and
14 left without it?

15 A. No. It's a process. It's not an event. They
16 come to the ranch, and they continue with the program.

17 One of my most famous patients who came to the
18 ranch is Kris Carr. She had 18 vascular tumors and was
19 part of a Harvard research --

20 MS. FELL: Your Honor, nonresponsive.

21 THE COURT: It is.

22 THE WITNESS: No, many -- many people came to
23 the ranch continue -- and continue to this day in
24 remission.

25 ///

1 BY MS. FELL:

2 Q. The microscopy classes that you teach, they
3 are \$10,000 per class?

4 A. The basic course and the advanced course is
5 \$10,000, yes.

6 Q. Did you collect any money from pH Miracle
7 other than a salary?

8 A. Directly, the only income that I had would be
9 my \$5,000-a-month salary. Indirectly, my expenses were
10 covered, travel expenses. And so I received
11 reimbursements for those.

12 And then I think June testified, which she
13 would probably know better than I do because she was
14 keeping track of this, apparently I received some
15 dividends. I don't remember those, but I don't think
16 they were very much.

17 MS. FELL: Your Honor, I would like to read
18 from Mr. Young's deposition, Page 58, Lines 1 through 7.

19 (As read):

20 "QUESTION: Did you collect any funds
21 from pH Miracle Living?

22 "ANSWER: No, I didn't collect anything
23 other than a salary.

24 "QUESTION: But pH Miracle Living did pay
25 your salary?

1 "ANSWER: Yes."

2 A. Can I correct that?

3 THE COURT: You can, but not now.

4 BY MS. FELL:

5 Q. In 2011 pH Miracle brought in about
6 \$3 million?

7 A. What year?

8 Q. 2011.

9 A. You would have to ask June. I don't know.

10 Q. Didn't you testify just a month ago as to how
11 much pH Miracle brought in in 2011?

12 A. I was just guessing. She was doing the books.
13 I -- you know, I don't know.

14 Q. Your best estimate was in 2011 pH Miracle
15 brought in \$3 million; correct?

16 A. Gross, 3 million.

17 Q. And in 2012 pH Miracle brought in 5 million;
18 correct?

19 A. I believe I testified to that or June
20 testified to that. So I would agree with that. If she
21 said that, it's true.

22 Q. In 2013 pH Miracle brought in 3 million;
23 correct?

24 A. That, I don't know.

25 Q. Did you testify to that at your deposition

1 just a month ago?

2 A. That was a guesstimate.

3 Q. But at the time it was your best estimate;
4 correct?

5 A. It was my best estimate.

6 Q. Okay. 2014, your best estimate was pH Miracle
7 brought in \$2 million; correct?

8 A. That was an estimate, yes.

9 Q. 2015, your best estimate is that pH Miracle
10 brought in \$1 million; correct?

11 A. What year.

12 Q. 2015?

13 A. pH Miracle, Inc. -- or Forever Young then. So
14 it was probably closer to 500,000. That was an
15 estimate, 1 million.

16 Q. That was your best estimate a month ago;
17 correct?

18 A. Yes, I haven't really thought much about it,
19 but as I think about it now, it's probably less than
20 that.

21 Q. In 2016, pH Miracle brought until \$500,000 as
22 your best estimate; correct?

23 A. Yes.

24 Q. 2017, pH Miracle brought in \$400,000 as your
25 best estimate; correct?

1 A. Yes.

2 Q. PHM Life is a separate corporation from
3 pH Miracle?

4 A. Yes.

5 Q. And PHM Life started in 2016 or 2017?

6 A. You'd have to check the, you know, Secretary
7 of State for corporations. I don't know.

8 Q. You testified a month ago at my office that
9 the amounts that we talked about just now for 2015, '16
10 and '17 came from PHM Life. Is that your understanding?

11 A. Yes.

12 Q. And you are paid 10 percent of the gross sales
13 from PHM Life?

14 A. Yes.

15 Q. Matthew Lisonvee runs PHM Life currently?

16 A. His name is Matthew Lisonvee. It's
17 L-i-s-o-n-v-e-e.

18 Q. And he runs --

19 A. He runs and owns PHM Life.

20 Q. That's your daughter's husband?

21 A. That's my daughter's husband, yes.

22 Q. That business does all product sales; correct?

23 A. Yes.

24 Q. You shut down PH miracle during the pendency
25 of this litigation; correct?

1 A. PH miracle Inc. Was shut down, yes.

2 Q. While this lawsuit was pending; correct?

3 A. No. It was shut down probably before -- just
4 during the trial -- what kind of trial I'm trying to
5 think of the word. The felony trial. Is that how you
6 call it?

7 Q.

8 MS. FELL: Your Honor, I would like to read
9 from Mr. Young's deposition, Page 94, lines 3 through 7.

10 THE COURT: Okay.

11 MS. FELL: And this was regarding PH miracle.

12 "Question: When did it stop having
13 clients sales or client services?

14 "Answer: We stopped doing that at the
15 ranch when we -- when we were under this
16 litigation, we just shut everything down."

17 A. This litigation meaning.

18 THE COURT: There's no question.

19 THE WITNESS: No question.

20 THE COURT: Your attorney will get an
21 opportunity to ask you a question.

22 THE WITNESS: Thank you for the clarification.
23 Thank you.

24 BY MS. FELL:

25 Q. What's the value of the Dia Del Soll property?

1 A. Well, I mean its hard to say, it's what
2 someone is willing to pay positive.

3 Q. 2016 you listed for it for \$3.9 million;
4 correct?

5 A. Yes.

6 Q. Who is the owner of the Dia Del Sol property?

7 A. Ranch Del soldier management estates.

8 Q. Who is running Rancho Del Sol Management
9 estates?

10 A. The tree.

11 Q. The trues is your son Adam?

12 A. I did.

13 Q. And you are the beneficiary; correct?

14 A. I'm one of the beneficiaries.

15 Q. You currently rent some of the guest houses on
16 the property out through air B and B?

17 A. Yes.

18 Q. And there are six single house dwellings on
19 the property; correct?

20 A. Are you talking about buildings or are you
21 talking about including motor homes.

22 Q. Well, you tell me, how many buildings, how
23 many motor homes?

24 A. There is a main house, the guest house, the
25 tennis house, the grapefruit house, the salon, yeah and

1 then there's a room or facility that we converted from a
2 garage so that would be Number 6.

3 Q. How many motor homes do you have on the
4 property right now?

5 A. Two.

6 Q. What are those being used for?

7 A. They are used by our caretaker who takes care
8 of the grounds and does repairs.

9 Q. The property has an Avocado ranch on it?

10 A. It used to.

11 Q. No longer?

12 A. No longer.

13 Q. Are there any workers on the property?

14 A. There's one worker and that worker is the one
15 that's managing probably ten acres, but 30 acres are not
16 being managed anymore.

17 Q. When you purchased the house that was in 2000
18 about?

19 A. Yes.

20 Q. You put down over a million dollars on it?

21 A. Yes.

22 Q. And you entered into a stipulated divorce with
23 Shelly young while this case was pending; correct?

24 A. Yes.

25 Q. And you gave her the two properties that you

1 owned together in Utah; correct?

2 A. You are talking about two properties?

3 Q. Correct.

4 A. What properties are those, I know of only one.

5 Q. You only own one property in Utah when you
6 entered into the stipulated divorce with your ex-wife?

7 A. Yeah, we own together the ranch, which is in
8 Valley Center and then the home in Alpine and I gave her
9 the Alpine home.

10 Q. While this litigation was pending; correct?

11 A. While this was pending? I think we signed the
12 agreement, the final agreement a few months ago.

13 Q. Was there an agreement with her that she would
14 pay you \$10 in exchange for getting the Alpine property?

15 A. You know, I don't know how that worked. I do
16 signed the deed over and if there was a dollar or \$10 or
17 a hundred, I don't know.

18 Q. You receive royalties for product sales;
19 correct?

20 A. Yes.

21 Q. In fact, you had brought a case against
22 Quigley Corp. for their failure to pay you royalties;
23 correct?

24 A. Yes.

25 Q. And you settled that case; correct?

1 A. Yes.

2 Q. The settlement included continued payment of
3 royalties for your products; correct?

4 A. Yes.

5 Q. Approximately how much are you receiving a
6 year as royalties for your product from any source?

7 A. Are you talking about accumulated number?

8 Q. An annual number?

9 A. An annual number.

10 Q. Approximately?

11 A. Which I am receiving personally or in
12 aggregate with my wife? -- former wife.

13 Q. You are still receiving that money together
14 with your wife?

15 A. No. I transferred all of that over to her,
16 that was part of our stipulation.

17 Q. Oh, so you gave her the right to receive all
18 of the royalties about a month ago?

19 A. About two months -- yeah, well, it was a
20 stipulation that was entered into, we signed a written
21 thing about six months ago.

22 Q. Okay. So you two together about how much a
23 year before that stipulation was signed were you two
24 together receiving from royalties for products?

25 A. For products, are you talking about just

1 nutritional products.

2 Q. All of the products that you sell for which
3 you get royalties?

4 A. I would say under a hundred thousand dollars,
5 but probably greater than 50 though, so somewhere
6 between that number.

7 Q. Were you ever receiving \$2 million a year in
8 product sales from Quigley in royalties?

9 A. No. 2 million? I was receiving royalties of
10 2 million,; is that correct question.

11 Q. ; right?

12 A. No.

13 MS. FELL: Your Honor, I would like to read
14 from his deposition, Page 90, ten through 19.

15 THE COURT: Okay.

16 MS. FELL:

17 "Question: So then let's say you had a
18 portion all of the funds made from PH miracle
19 Inc. Against those from Quigley that
20 constitute that five and \$3 million, is there
21 a certain ratio or percentage that sticks out
22 in your mind?

23 "Answer: Well, the way that I would look
24 at it to give you the best idea was that the 3
25 million before the 5 million, 3 million, 2

1 million of that would be product sales and 1
2 million would be client services and
3 retreats."

4 BY MS. FELL:

5 Q.

6 THE COURT: How much more do you have. I do
7 want to to make sure that you are not rushed, I want to
8 make sure that your rebuttal witness gets on her plane.

9 MS. FELL: We are breaking at 4:15; is that
10 right.

11 THE COURT: That's the latest.

12 MS. FELL: The latest.

13 MS. FELL: Yeah, can I call the rebuttal
14 witness now.

15 THE COURT: Absolutely.

16 MS. FELL: Let's do that.

17 THE COURT: Because I just think this is going
18 to go on longer that you think.

19 And Mrs. Says has a plane tomorrow at 6:00.

20 MS. FELL: She does.

21 THE COURT: You don't object, do you.

22 MR. JOYNER: No, let's help her get her plain.

23 THE COURT: Huh?

24 MR. JOYNER: Let's help her get on her plane,
25 I do not object.

1 THE COURT: And you want to call her as a
2 rebuttal witness now.

3 MS. FELL: Correct.

4 THE COURT: That's good.

5 Ms. Asisi, you are still under oath.

6 JUNE ASISI,

7 Having been previously sworn by the Plaintiff, resumed
8 the stand and testified further as follows:

9 DIRECT EXAMINATION

10 BY MS. FELL:

11 Q. Ms. Asisi, you were here for Mr. Young's
12 testimony?

13 A. Yes.

14 Q. Did you hear him testify that you called him
15 because Theresa was intoxicated and there was an
16 emergency he needed to take an IV out, did you hear that
17 testimony?

18 A. I did.

19 Q. Are you ever aware of Theresa being
20 intoxicated on the John?

21 A. No.

22 Q. Did you ever call Mr. Young and tell him that
23 he needed to be the one to take out an IV in an
24 emergency?

25 A. No.

1 Q. Did you ever personally JUNE ASISI Mr. Young
2 placing an IV in Dawn Kali's arm?

3 A. Yes, I went to visit Dawn one day in the place
4 that she was staying and Mr. Young was putting an IV in
5 her arm at that time.

6 MS. FELL: Thank you, nothing further.

7 THE COURT: All right.

8 Thank you, Ms. Asisi.

9 MR. JOYNER: I don't get to ask?

10 THE COURT: Oh, sure. Yeah. Okay. I'm
11 sorry.

12 Go ahead.

13 CROSS-EXAMINATION

14 BY MR. JOYNER:

15 Q. Just zeroing in on the -- you personally
16 witnessed Robert Young put an IV into Mrs. Dawn Kali's
17 arm. What was the date?

18 THE COURT: That's two questions.

19 BY MR. JOYNER:

20 Q. I just want to know what the date was?

21 A. I did, but date wise --

22 Q. So you don't know the date?

23 A. I don't know the date.

24 Q. Who did you tell when you saw that?

25 A. No one.

1 Q. Did you make a note of it?

2 A. No.

3 MR. JOYNER: No other questions.

4 THE COURT: Anything further.

5 MS. FELL: Nothing further.

6 THE COURT: All right.

7 She's going to be on a plane to Utah, so if
8 there's anything further.

9 MS. FELL: Yeah.

10 THE COURT: All right.

11 Mr. Young, if you want to resume your -- the
12 stand.

13 ROBERT OLDHAM YOUNG,

14 Having been previously sworn by the Plaintiff, resumed
15 the stand and testified further as follows:

16 DIRECT EXAMINATION (Continued)

17 BY MS. FELL:

18 Q. Forever Young is run out of the Dia Del Sol
19 house?

20 A. No. Out of the warehouse.

21 Q. On the Dia Del Sol property?

22 A. Yes.

23 Q. You have somebody managing it for you?

24 A. Yes.

25 Q. Her name is Elizabeth Ruellas?

1 A. Yes.

2 Q. And the nutritional supplements sold by
3 Forever Young are sold on the Internet?

4 A. Yes.

5 Q. That includes Super Greens, pH drops, alkaline
6 drops and pHour Salts, p-H-o-u-r Salts?

7 A. Yes.

8 Q. Did pH Miracle sells Super Greens?

9 A. No. InnerLight did.

10 Q. InnerLight was a company that you owned?

11 A. Up until 2001.

12 Q. Between 2001 and when Forever Young was
13 created, who was selling your Super Greens product?

14 A. That would be the InnerLight company that
15 moved to Pennsylvania that was owned by the Quigley
16 Corp.

17 Q. The same answers for pH drops?

18 A. Yes.

19 Q. And alkaline drops?

20 A. That doesn't -- that name doesn't sound
21 familiar.

22 Q. Okay. Same answer for the pHour Salts?

23 A. Yes.

24 Q. Do you claim that your only income right now
25 is a thousand dollars in Social Security per month?

1 A. I am receiving Social Security, but I do
2 receive a place at the ranch where I live and I also
3 receive very small amounts of accomodation for speaking
4 fees.

5 Q. How much a year did you receive for speaking?

6 A. It can range from zero up to a thousand
7 dollars.

8 Q. And that's it? Nothing more?

9 A. Plus my accomodation, my meals and travel
10 expenses.

11 Q. Are you receiving income from your book sales
12 on Amazon?

13 A. On Amazon? Some yes; some no.

14 Q. How much do you receive a year for your book
15 sales?

16 A. They pay out quarterly. And it ranges
17 anywhere from a few hundred dollars, maybe 200 or 300,
18 up to 500 or \$600 every quarter.

19 Q. Did you have a GoFundMe account for your
20 litigation fund?

21 A. There was one set up by Carmen Cervantes. And
22 she set up that while I was in incarcerated.

23 MS. FELL: I move to admit Exhibits 129 and
24 130.

25 THE COURT: Any objection?

1 MR. JOYNER: They are not in the exhibit book
2 that I have. I object.

3 I have no objection to 129. No objection to
4 130.

5 THE COURT: All right. They are received.
6 (Court's Exhibit 129 received in
7 evidence.)

8 (Court's Exhibit 130 received in
9 evidence.)

10 MS. FELL: I move to admit Exhibit 142.

11 THE COURT: Any objection?

12 MR. JOYNER: Again, not in the book that they
13 gave me. My book starts at 148.

14 MS. FELL: You have two books.

15 MR. JOYNER: My first book ends at 107 and my
16 next book starts at 148.

17 THE COURT: Tell me if you have any objection.

18 MR. JOYNER: Objection. Well, relevance, lack
19 of foundation --

20 THE COURT: What is it?

21 MR. JOYNER: -- hearsay.

22 MS. FELL: It's his GoFundMe page.

23 THE COURT: Do you want to show it to him?

24 BY MS. FELL:

25 Q. Is this your GoFundMe page?

1 A. That's the GoFundMe that Carmen -- it's
2 Carmen's GoFundMe --

3 THE COURT: You have seen that before?

4 THE WITNESS: I have seen it, yes.

5 THE COURT: All right. It's received.

6 (Court's Exhibit 142 received in
7 evidence.)

8 MS. FELL: August, would you pull up
9 Exhibit 142, please.

10 BY MS. FELL:

11 Q. Did you receive the money that was raised of
12 \$32,567?

13 A. Over time, yes. A little here, a little bit
14 there.

15 MS. FELL: August, would you pull up
16 Exhibit 129.

17 Q. If you would look at the 129 and 130.

18 Is 129 and 130 an email that you sent after
19 you got out of jail?

20 A. This was the first time when I went in for 40
21 days and 40 nights.

22 Q. Right. And you sent that email around after
23 you got out of jail after those 40 days?

24 A. March 28th, if that's the date. Yeah, I think
25 I did send this after.

1 Q. Who did you send it to?

2 A. I'd have to look. I sent it to my family. I
3 sent it to some of my friends, particularly those who of
4 my faith.

5 Q. And you compare yourself to Jesus Christ?

6 A. I wasn't comparing myself to Jesus Christ, I
7 was just thought it was interesting that I was
8 incarcerated for 40 days and 40 nights. And the story
9 of Jesus wandering in the wilderness for 40 days and 40
10 nights fasting. That experience was purifying but also
11 very difficult in many different ways.

12 Q. After you got out in March of 2018, did you
13 send Dawn Kali an apology email?

14 A. I hadn't heard from Dawn Kali. I didn't know
15 what her state was. I think -- I don't know if it was
16 while I was incarcerated, during this 40 days and 40
17 nights, or whether it was -- but I believe I was served
18 a lawsuit while I was incarcerated, from Dawn Kali.

19 Q. Did you send Moe Felix an apology email?

20 A. Moe Felix? I wouldn't know what his email
21 address would be.

22 Q. Did you send --

23 A. But I don't remember sending him an apology
24 letter, no.

25 Q. Did you send the family of Tracy Cole an

1 apology email?

2 A. I did not.

3 Q. Did you send the families of any of the
4 victims from the criminal trial an apology email?

5 A. You mean Dan Barkin or Tracy [sic] Angiano.

6 Q. Sure.

7 A. No, I did not.

8 Q. Do you still have seven foreign bank accounts?

9 A. I think you mentioned them. Some of them I
10 don't know -- I think John Baird set most of those up.

11 Q. How many foreign bank accounts do you have?

12 A. I have one.

13 Q. How much money is in it?

14 A. Probably less than \$3,000.

15 Q. What bank is the located in?

16 A. It's located in London.

17 Q. You don't have any other foreign bank
18 accounts?

19 A. I do not have a bank account. I think you
20 mentioned Spain. And I think you mentioned Norway. I
21 don't have bank accounts in either of those countries.

22 Q. Do you have any bank accounts other than the
23 one that you just mentioned in any foreign country?

24 A. I do not.

25 Q. In the last three years have you done any

1 retreats in Hawaii?

2 A. That would take us back to 2015. No.

3 Q. India?

4 A. I'm sorry. What?

5 Q. India?

6 A. India. That would have been prior, like in
7 2011, 2012.

8 Q. Spain?

9 A. Spain retreats in the last?

10 Q. Since the criminal trial.

11 A. Since I have been out, I've done -- I have
12 vacationed in Spain and -- but I have not done any
13 formalized retreats in Spain.

14 Q. How many times have you vacationed in Spain?

15 A. I went there just after I got out of
16 incarceration. And I went over there for a few weeks.

17 Q. During the course of this litigation, you sent
18 my office emails indicating that you could not appear
19 for deposition because you were in Europe.

20 Do you remember that?

21 A. I have been to Europe several times, yes.

22 Q. Since the start of this litigation, how many
23 times have you gone to Europe?

24 A. When you say the start, you mean when you
25 filed the lawsuit in --

1 Q. December of 2015.

2 A. -- 2015?

3 Without -- I would say it's more than three
4 but less than six times.

5 Q. For vacation or retreats?

6 A. Mainly vacation.

7 Q. How many retreats?

8 A. I did no formal retreats in Spain or any other
9 place.

10 Q. How about informal retreats?

11 A. We have some contacts there that were anxious
12 to see me. And I did lectures and I met with a few
13 people over there.

14 Q. How many times?

15 A. Twice.

16 Q. Any retreats in Thailand since December of
17 2015?

18 A. No.

19 Q. Any retreats in Italy since December of 2015?

20 A. I believe I did one retreat in 2015 at Ticino,
21 Italy, prior to my -- I'm trying to get the dates right.

22 When was the criminal trial?

23 Q. Let's just say since you got out of jail?

24 A. Since I got out of jail, tie San know, no, we
25 closed that facility.

1 Q. And retreats are about 12,000 to 15,000 per
2 week?

3 A. The retreats are 9,850 why you are rose.

4 Q. Do you have any retreats planned in the
5 future?

6 A. I haven't really considered that, but I am
7 going to consider some retreats over in Italy in 2019.

8 Q. And do you have plans together due by in the
9 near future?

10 A. I do.

11 Q. To speak?

12 A. Yes.

13 Q. Are you doing a retreat in due by?

14 A. No. I'm not.

15 Q. Are you seeing clients in due by?

16 A. I'm seeing a friend and I'm lecturing and
17 that's it for now.

18 Q. Are there any other retreats that you have
19 done since you got out of jail that you have not already
20 discussed with us?

21 A. I think that pretty much sums it up, yes.

22 Q. How much cash is in your home safe?

23 A. I think my son counted it, and it amounted to
24 about seven or \$800.

25 Q. When did your son count it?

1 A. I think he did that about a week ago.

2 Q. Do you know for what purpose?

3 A. He was looking for my -- a very important
4 document that I was -- that he was looking for and so he
5 also saw that there was a box full of \$1 bills, I think
6 there was like seven or \$800 in it.

7 Q. Did you move money around because of this
8 litigation?

9 A. There was no money to move around.

10 Q. Did you move assets around because of this
11 litigation?

12 A. No. I wouldn't do that, no.

13 Q. You heard in omit your lawyer said that you
14 are going to continue to teach your teachings until the
15 day that you die; is that right?

16 A. For humanity, absolutely.

17 Q. Do you have any remorse for what you did with
18 respect to Dawn Kali?

19 A. What I did, I pray for Dawn, I love Dawn. It
20 brings tears to my eyes which I think about what's
21 happened to her. I mean I'm a human being. I care
22 about people. I still care about her.

23 Q. Do you have any remorse for what you did to
24 Dawn?

25 A. Dawn Kali I have remorse that she's suffering.

1 Dawn Kali makes her own decisions. Her situation was
2 her own personal choice. You know, from her aunt and
3 her mother to all of it. I tried to help her every way
4 that I can, financially, emotionally.

5 MS. FELL: Objection. Nonresponsive.

6 THE COURT: It is nonresponsive.

7 Do you understand the question?

8 BY MS. FELL:

9 Q. Ask it again, please?

10 Q. Do you have any remorse for what you did with
11 respect to Dawn Kali?

12 A. I'm not sure what I did that would have harmed
13 her in any way.

14 Q. Do you have any remorse with respect to what
15 you did for the victims that you were convicted criminal
16 criminally for treating?

17 A. For Ms. Vanderhagen who at her election ended
18 her life, I supported her in any reverse way, so I have
19 no remorse for that, that was her choice.

20 For Mr. -- I'm trying to think. The other
21 person was -- the first two counts I was found guilty
22 of?

23 Q. It was a Ms. Coal, Mr. Barkin?

24 A. I wasn't found guilty of Ms. Coal.

25 Q. Mr. Barkin?

1 A. Mr. Barkin was a plea. And when he left the
2 ranch, he was in a lot better shape. I felt bad what
3 happened to him, but I have -- you know, as far as
4 remorse, you know, I'm sad for what happened to him.

5 Q. Do you have any remorse for what you did with
6 respect to Dan Barkin?

7 A. I don't know what I did to cause him any harm.
8 He was a terminal cancer patient.

9 Q. Is that a no?

10 A. What's that.

11 Q. Is that a no?

12 A. No, that's a "no."

13 Q. Do you have any remorse with respect to what
14 you did with relation to Ms. Coal?

15 A. I'm not sure what you did that you are talking
16 about specifically. I didn't give Ms. Coal IVs, I
17 provided a place for her to come.

18 Q. Is that a no?

19 A. No.

20 THE COURT: That's a "no."

21 THE WITNESS: It's a no.

22 BY MS. FELL:

23 Q. Do you have any remorse for what you did with
24 respect to Ms. Angle?

25 A. Ms. Angle is still alive, you know. I mean.

1 Q. Is that a no?

2 A. I mean I -- if I recommended an IV.

3 MS. FELL: Nonresponsive.

4 THE WITNESS: I have remorse if I recommended
5 or it was interpreted that I recommended an IV, yes, I
6 have remorse for that, if that's how she interpreted it,
7 yes, I have remorse for that, I have remorse, you know,
8 that I trusted, you know, someone such as
9 Dr. Ben Johnson but I have remorse for anyone who is in
10 pain.

11 BY MS. FELL:

12 Q. I wasn't asking about what Dr. Ben Johnson
13 did. I was asking whether you have remorse for what you
14 did with respect to Ms. Angle?

15 A. No.

16 MS. FELL: Nothing further.

17 THE COURT: All right.

18 Mr. Joyner, what's your pleasure.

19 MR. JOYNER: Its apply Mr. Swan to reverse
20 questioning of Mr. Young until my case in chief.

21 THE COURT: Okay.

22 What do we have -- are we going to break now.

23 MS. FELL: I think we'll break now.

24 THE COURT: Okay.

25 We're on schedule.

1 MS. FELL: We're on schedule tomorrow morning,
2 will be Ms. Kali.

3 THE COURT: And then what?

4 MS. FELL: And then the only remaining witness
5 that I have can only come Monday morning.

6 THE COURT: Okay.

7 MS. FELL: So if we can call him out of order.

8 THE COURT: When in first thing Monday.

9 THE COURT: What are we going to do tomorrow,
10 is Ms. Kali going to take all day tomorrow.

11 MS. FELL: I expect I'll take half a day with
12 her.

13 THE COURT: All right. I don't want to.

14 MR. JOYNER: We don't want to have empty
15 space. We'll try to get witnesses ready. We'll get
16 some witnesses ready to be here in the afternoon just in
17 case so we don't have empty time.

18 THE COURT: Wouldn't it make more sense to
19 have his direct testimony tomorrow?

20 MR. JOYNER: What I would like to do if it
21 please the Court is wait until he hears the other
22 testimony. But that works. I hear what you are saying,
23 so we'll go with --

24 THE COURT: Why don't we call -- you can call
25 him for your direct exam tomorrow and then Ms. Kali

1 after that.

2 Any way, we can discuss it.

3 Ladies and gentlemen, I will release you now,
4 remember do not any discuss any exact of the case with
5 anybody, no tweeting, twittering, no Googling, no
6 independent investigation, have a nice night, take care
7 of yourself, watch a little baseball, but don't talk
8 about the case. See you tomorrow at 9:00.

9 (The following proceedings were held outside
10 the presence of the jury panel.)

11 THE COURT: The only thing that I am mindful
12 is in the motion in limine that you brought with regard
13 to his expert testimony. We have had extensive what
14 could be considered expert testimony. I mean extensive.
15 What is your plan, I can anticipate.

16 MR. JOYNER: I was quite surprised.

17 THE COURT: I know. I know.

18 MR. JOYNER: So my --

19 THE COURT: I'm just asking you, I want to
20 avoid what could be a problem. He's very likely going
21 to repeat the extensive testimony that he gave regarding
22 all of his theories and literature.

23 How long do you plan on taking in his direct?
24 Do you know what I am talking about.

25 MR. JOYNER: Yes, I do. And the point is we

1 shouldn't repeat what he's already been saying.

2 THE COURT: That's one way. That's one way of
3 putting it. I'm just curious, he's given a lot of
4 testimony, the jury is well aware of all of his
5 scientific theories. I do want to know. Is that going
6 to be a problem.

7 MR. JOYNER: I don't want to underestimate, so
8 I might spend another 45 minutes to an hour with
9 Dr Young on what he believes and why he believes it.

10 THE COURT: Okay.

11 MS. FELL: I would just ask for a limiting
12 instruction.

13 THE COURT: I'm not going to do that now, but
14 I would rather you think about it than have -- I don't
15 want to sustain objections if they can avoided.

16 MR. JOYNER: To the extent that I'm --

17 THE COURT: The jury knows what his theories
18 are. Its pretty obvious. And it's up to you, but.

19 MR. JOYNER: Right. And so what I Mr. Swan to
20 do was follow up on the questions.

21 THE COURT: Okay. Fine.

22 MR. JOYNER: That the plaintiff asked. And
23 expand on those things. But stay within those same
24 relative topics.

25 THE COURT: All right. We'll see how it goes.

1 We'll finish him tomorrow morning.

2 MS. FELL: Correct.

3 THE COURT: And then Ms. Kali.

4 MS. FELL: He why.

5 THE COURT: And then you've got one more
6 witness Monday morning.

7 THE COURT: So we should have a full day
8 tomorrow.

9 MS. FELL: Sounds like it.

10 THE COURT: And Monday morning you have got
11 one witness.

12 MS. FELL: Very short witness.

13 THE COURT: And then you are going to rest.

14 MS. FELL: Yes.

15 THE COURT: And then what.

16 MR. JOYNER: Then we have Elizabeth --

17 THE COURT: Are we going to finish testimony
18 Monday?

19 MR. JOYNER: We might, we have three short
20 witnesses. It's possible.

21 THE COURT: Can we have a verdict form and a
22 set of instructions that I can at least take a look at
23 this weekend.

24 MS. FELL: We'll bring it in the morning.

25 THE COURT: Perfect.

1 Anything else?

2 MS. FELL: Oh, one question as we're preparing
3 the verdict form --

4 THE COURT: What?

5 MS. FELL: I think a lot of the issues on our
6 verdict form from CACI are really a motion for directed
7 verdict on them. We're going to make a motion for
8 directed verdict on every issue other than causation and
9 damages. So we'll bring two versions of the verdict
10 form.

11 THE COURT: Okay. All right. But if you have
12 got a written motion, don't hold back.

13 MS. FELL: Okay. I don't know that we have it
14 written, but we'll get it done.

15 MR. SWAN: We'll have it written.

16 THE COURT: I'm inclined to let everything go
17 to the jury, but we'll see.

18 MS. FELL: Okay.

19 MR. JOYNER: I was planning to make a 1580C
20 motion to try to take the issue of punitive damages out.

21 THE COURT: You were going to make a motion to
22 do what?

23 MR. JOYNER: A motion for judgment after close
24 of the plaintiff's case in chief.

25 THE COURT: No, this is a jury trial.

1 So you mean a nonsuit? A motion for judgment
2 is in a bench trial. This is a jury trial.

3 MR. JOYNER: Then I got it mixed up.

4 THE COURT: Okay. Well, bring the motion, but
5 I'm not going to spend a lot of time.

6 You are going to bring a motion for nonsuit?

7 MR. JOYNER: We'll have to check. I thought
8 it was a motion for judgment.

9 THE COURT: It's a motion for nonsuit in a
10 jury trial, isn't it?

11 MS. FELL: Yes.

12 THE COURT: Based on what?

13 MR. JOYNER: No evidence of bad intent by
14 Dr. Young.

15 THE COURT: What about the requests for
16 admission?

17 MR. JOYNER: Those were deemed admitted.

18 THE COURT: Okay. All right. I'll see you
19 tomorrow.

20 (Proceedings adjourned at 4:07 p.m.)

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