

**CONDENSED TRANSCRIPT**

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

UNITED STATES SECURITIES  
AND EXCHANGE COMMISSION,

Plaintiff,

v.

CAUSE NO. IP 01-0259C H/G

JOHN E. BRINKER, JR., GARY J. BENTZ,  
CASTLEROCK CONSULTING, LLC,  
GUARDIAN FIRST LIMITED, INC.  
(A NEVADA CORPORATION, GUARDIAN FIRST LIMITED, INC.  
(A GRENADA CORPORATION, WELLINGTON BANK AND TRUST, LTD.,  
WELLINGTON CAPITAL HOLDINGS, LTD, INC.,  
WELLINGTON CAPITAL HOLDINGS, LTD.,  
WELLINGTON INTERNATIONAL INVESTMENTS, INC.,  
WELLINGTON FIRST INTERNATIONAL INVESTMENTS, INC.  
and ALL SUBSEQUENTLY NUMBERED WELLINGTON  
INTERNATIONAL INVESTMENTS, INC. ENTITIES,

Defendants,

and

ALPHA ADVANTAGE II, INC.,  
ELEVEN EIGHTY-FIVE, LP and  
STEADFAST MINISTRIES, INC.,

Relief Defendants.

~~~~~  
The deposition upon oral examination of  
**JULIEANN BRINKER**, a witness produced and sworn before me,  
Don Oakes, Notary Public, in and for the County of  
Marion, State of Indiana, taken on behalf of the  
Court-appointed Receiver and Examiner, James A. Knauer,  
in the law office of Kroger Gardis & Regas, 111 Monument  
Circle, Suite 900, Indianapolis, Indiana, on July 27,  
2001, pursuant to Notice and the Federal Rules of Civil  
Procedure.



**(317) 231-9004**

**FAX (317) 231-1950**

**111 Monument Circle • Circle Center • Suite 582 • Indianapolis, IN 46204**  
**BaynesandShirey@Earthlink.net** **www.BaynesandShirey.com**

DEPOSITION OF JULIEANN BRINKER - JULY 27, 2001

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1                    APPEARANCES  
 2  
 3 FOR THE PLAINTIFF:  
 4     Brett R. Fleitz  
 5     KROGER GARDIS & REGAS  
 6     111 Monument Circle  
 7     Suite 900  
 8     Indianapolis, IN 46204  
 9  
 10 FOR ALL DEFENDANTS and RELIEF DEFENDANTS  
 11     Except Gary J. Bentz:  
 12     Peter B. Schaeffer  
 13     135 S. LaSalle Street  
 14     Chicago, IL 36060  
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1                    INDEX  
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 3                    DIRECT EXAMINATION                    Page                    4  
 4                    Questions By: Mr. Fleitz  
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1                    DEPOSITION OF JULIEANN BRINKER  
 2                    July 27, 2001  
 3                    JULIEANN BRINKER, having been first  
 4                    duly sworn to tell the truth, the whole  
 5                    truth, and nothing but the truth, took the  
 6                    stand and testified as follows:  
 7                    DIRECT EXAMINATION  
 8                    BY-MR.FLEITZ:  
 9                    Q. Please state and spell your full name  
 10                    for the Reporter.  
 11                    A. Julieann, J-U-L-I-E-A-N-N Brinker,  
 12                    B-R-I-N-K-E-R.  
 13                    Q. What is your Social Security Number,  
 14                    Ms. Brinker?  
 15                    [REDACTED]  
 16                    Q. Have you ever had your deposition  
 17                    taken before?  
 18                    THE WITNESS: I decline to answer on  
 19                    the grounds of the Fifth Amendment.  
 20                    Q. And you do that on the advice of your  
 21                    counsel, Mr. Schaeffer?  
 22                    A. Yes.  
 23                    Q. Please tell me about your educational  
 24                    background?  
 25                    THE WITNESS: I decline to answer on

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1                    the grounds of the Fifth Amendment.  
 2                    Q. You do that on the advice of your  
 3                    counsel?  
 4                    A. Yes.  
 5                    Q. Do you own a residence at 4287  
 6                    Wellington Drive. Cincinnati, Ohio?  
 7                    THE WITNESS: I decline to answer on  
 8                    the grounds of the Fifth Amendment.  
 9                    Q. Do you own a condominium at 13606  
 10                    Meeker Road. Mt. Orab, Ohio?  
 11                    THE WITNESS: I decline to answer on  
 12                    the grounds of the Fifth Amendment.  
 13                    Q. And you would decline to answer any  
 14                    follow-up questions about those two parcels  
 15                    of real property?  
 16                    A. Yes.  
 17                    Q. And you would decline to answer on  
 18                    the basis of your Fifth Amendment rights?  
 19                    A. Yes.  
 20                    Q. Are you familiar with the litigation  
 21                    pending against John E. Brinker, Jr., Gary  
 22                    Bentz, and numerous entity Defendants?  
 23                    THE WITNESS: I decline to answer on  
 24                    the grounds of the Fifth Amendment.  
 25                    Q. Do you work for any of the entity

DEPOSITION OF JULIEANN BRINKER - JULY 27, 2001

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1 Defendants in that litigation?  
 2 THE WITNESS: I decline to answer on  
 3 the grounds of the Fifth Amendment.  
 4 Q. Where do you presently maintain your  
 5 savings and checking accounts?  
 6 THE WITNESS: I decline to answer on  
 7 the grounds of the Fifth Amendment.  
 8 Q. Are you presently employed?  
 9 THE WITNESS: I decline to answer on  
 10 the grounds of the Fifth Amendment.  
 11 Q. Where do you presently reside?  
 12 A. [REDACTED]  
 13 [REDACTED]  
 14 Q. What was the source of monies  
 15 utilized to purchase the household  
 16 furnishings and personal property presently  
 17 in storage with Dale J. Cook Moving &  
 18 Storage in North Charlestown, South Carolina?  
 19 THE WITNESS: I decline to answer on  
 20 the grounds of the Fifth Amendment.  
 21 Q. Do you think to answer that question  
 22 would be incriminating?  
 23 MR. SHAEFFER: She does not have to  
 24 answer that question. She has taken her  
 25 Fifth Amendment and she is not going to

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1 answer any questions about incrimination.  
 2 MR. FLEITZ: For the record, I will  
 3 simply reply that pursuant to Southern  
 4 District of Indiana Local Rule 30.1, it is  
 5 provided that if a claim of privilege has  
 6 been asserted as a basis for an instruction  
 7 not to answer, the attorney seeking  
 8 disclosure shall have reasonable latitude  
 9 during the deposition to question the  
 10 feasibility to establish relevant information  
 11 concerning the legal appropriateness of the  
 12 assertion of the privilege, including:  
 13 The applicability of the privilege  
 14 being asserted.  
 15 The circumstances that may result in  
 16 the privilege having been waived.  
 17 The circumstances that may overcome a  
 18 claim of qualified privilege.  
 19 With that statement, I will proceed  
 20 with the questioning and will likely confer  
 21 with the Court-appointed Examiner and  
 22 Receiver, and for that reason will likely  
 23 hold the deposition open at the conclusion of  
 24 the deposition today.  
 25 Q. Do you have any intention to recover

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1 the personal property and furnishings  
 2 presently in storage with Dale J. Cook Moving  
 3 & Storage in North Charlestown, South  
 4 Carolina?  
 5 THE WITNESS: I decline to answer on  
 6 the grounds of the Fifth Amendment.  
 7 Q. Do you know about the investments  
 8 offered by any of the Defendants in this  
 9 particular lawsuit?  
 10 THE WITNESS: I decline to answer on  
 11 the grounds of the Fifth Amendment.  
 12 Q. Do you know whether any funds are  
 13 presently on deposit for the benefit of any  
 14 Defendant in this case?  
 15 THE WITNESS: I decline to answer on  
 16 the grounds of the Fifth Amendment.  
 17 Q. Do you know whether any accounts  
 18 receivable are owing to any Defendant in this  
 19 case?  
 20 THE WITNESS: I decline to answer on  
 21 the grounds of the Fifth Amendment.  
 22 Q. Have you discussed this lawsuit with  
 23 any of the Defendant investors since the  
 24 initiation of this lawsuit?  
 25 THE WITNESS: I decline to answer on

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1 the grounds of the Fifth Amendment.  
 2 MR. FLEITZ: Subject to my prior  
 3 statement concerning the propriety of the  
 4 assertion, I would show the deposition  
 5 concluded for the time being, but technically  
 6 held open until further consultation with the  
 7 Examiner and Receiver and the determination  
 8 about the propriety of the assertion.  
 9 MR. SHAEFFER: Thank you Mr. Fleitz.  
 10 AND FURTHER DEPONENT SAITH NOT  
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1 STATE OF INDIANA  
2 COUNTY OF MARION

3 I, Don Oakes, a Notary Public in and  
4 for said County and State, do hereby certify  
5 that the deponent herein was by me first  
6 duly sworn to tell the truth, the whole  
7 truth, and nothing but the truth in the  
8 aforementioned matter;

9 That the foregoing deposition was  
10 taken on behalf of the Court- appointed  
11 Receiver and Examiner James A. Knauer; that  
12 said deposition was taken at the time and  
13 place heretofore mentioned between the hours  
14 of 8:00 a.m. and 6:00 p.m.;

15 That said deposition was taken down  
16 in stenograph notes and afterward reduced to  
17 typewriting under my direction; and that the  
18 typewritten transcript is a true record of  
19 the testimony given by said deponent;

20 And that the reading and signature by  
21 the deponent to the deposition were waived on  
22 behalf of the parties by their respective  
23 counsel, the witness being present and  
24 consenting thereto, the deposition to be read  
25 with the same force and effect as if signed

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1 by said deponent.

2 I do further certify that I am a  
3 disinterested person in this cause of action;  
4 that I am not a relative of the attorneys  
5 for any of the parties.

6 IN WITNESS WHEREOF, I have hereunto  
7 set my hand and affixed my notarial seal  
8 this 29th day of July, 2001.

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DON OAKES, Notary Public  
My Commission Expires:  
July 10, 2008