

FIRST APPENDIX OF SUMMARY
JUDGMENT EVIDENCE

EXHIBIT 1
(continued)

EXHIBIT 1

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

1 IN THE UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF ARKANSAS
3 WESTERN DIVISION

3 TERRY HOBBS)
4 PLAINTIFF,)
5 VS.) NO. 4:09-CV-0008BSM
6 NATALIE PASDAR, INDIVIDUALLY)
7 AND NATALIE PASDAR, EMILY)
8 ROBISON AND MARTHA SEIDEL)
9 d/b/a DIXIE CHICKS)
10 DEFENDANTS.)

11
12 VOLUME I, Pages 1 - 200
13 ORAL DEPOSITION OF
14 TERRY HOBBS
15 JULY 21, 2009
16
17
18
19

20 KELLY D. HILL
21 7010 RICHWOOD ROAD
22 LITTLE ROCK, ARKANSAS 72207
23 (501) 353-2220
24
25

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

1 ANSWERS AND DEPOSITION OF TERRY HOBBS, a
2 witness produced at the request of the
3 Defendants, was taken in the above-styled and
4 numbered cause on the 21st day of July, 2009,
5 9:02 a.m., before Kelly Hill, a Certified Court
6 Reporter, taken at the law offices of Huckabay,
7 Munson, Rowlett & Moore, 400 West Capitol Avenue,
8 Suite 1900, Little Rock, Arkansas, 72207, in
9 accordance with the Federal Rules of Civil
10 Procedure.

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

1 APPEARANCES OF COUNSEL:

2 ON BEHALF OF PLAINTIFF:

3 MR. J. CODY HILAND
4 MR. TED THOMAS
ATTORNEYS AT LAW
5 557 LOCUST AVENUE
CONWAY, ARKANSAS 72034

6
7 ON BEHALF OF DEFENDANT NATALIE PASDAR:

8 MR. DAN D. DAVISON
MS. D'LESLI M. DAVIS
9 FULBRIGHT & JAWORSKI, LLP
2200 ROSS AVENUE, SUITE 2800
10 DALLAS, TEXAS 75201-2784
11 MR. JOHN E. MOORE
MS. MELISSA BANDY
12 MS. SARAH E. GREENWOOD
HUCKABAY, MUNSON, ROWLETT & MOORE
13 400 WEST CAPITOL AVENUE, SUITE 1900
LITTLE ROCK, ARKANSAS 72201

14
15 ON BEHALF OF DEFENDANT THE DIXIE CHICKS:

16 MR. ROBERT WELLENBERGER (VIA TELEPHONE)
THOMPSON, COE, COUSINS & IRONS, LLP
17 700 NORTH PEARL STREET
PLAZA OF THE AMERICAS, 25TH FLOOR
18 DALLAS, TEXAS 75201-2832

19 ALSO PRESENT: TOM HALLUM, VIDEOGRAPHER

20
21
22
23
24
25

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 11

1 A. It does.

2 Q. Because the court reporter has a hard time
3 taking down if both of us talk at the same time.
4 And she also have a very difficult time taking
5 down shakes of the head or uh-huhs or huh-uhs, so
6 if you could answer out loud verbally, that would
7 be helpful; is that agreeable, sir?

8 A. I agree.

9 Q. All right. Now, in Texas, you know, I -- I
10 certainly typically don't have a problem being
11 heard, and I will try to speak up. I do know
12 sir, that you have a tendency to be soft-spoken
13 at times. So even though we're on videotape, if
14 you would try to answer out loud, as forcefully
15 as you can, I think that'll -- that'll help both
16 the videographer, it'll help Mr. Wellenberger who
17 is on the phone, and it'll help the court
18 reporter; is that fair?

19 A. Sounds fair.

20 Q. All right. Mr. Hobbs, could you tell the
21 ladies and gentlemen of the jury why you sued my
22 client?

23 A. For her statements against me that she made
24 on the internet.

25 Q. Anything else?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 12

1 A. And her actions in the -- on the -- here in
2 Little Rock.

3 Q. That's at the rally?

4 A. Yes, sir.

5 Q. All right. Any -- any other reasons that you
6 sued my client?

7 MR. THOMAS: I object to the extent
8 that that calls for a legal conclusion, because
9 it requires him to apply facts to the law.

10 Q. I'm just asking you, sir, for the reasons why
11 you filed a lawsuit against my client. You said
12 the letter on the internet and the rally.
13 Anything else?

14 MR. THOMAS: Continuing objection.
15 You go ahead and answer, Terry.

16 A. Probably -- or not probably -- for the -- all
17 the emotions, distress, the anger.

18 Q. That her statements caused you?

19 A. Correct.

20 Q. Well, they certainly weren't things that you
21 had never heard before, is it?

22 A. No.

23 Q. As matter of fact, they are things that had
24 been said for years and years about you, isn't
25 it?

1 A. Some people say.

2 Q. Well, I mean, you said. You've said in press
3 releases and in the newspaper that these are
4 things that have been said time and time again
5 against you for years and years; isn't that
6 right?

7 A. It is.

8 Q. As a matter of fact, you said you previously
9 testified -- not testified -- you've been quoted
10 in the newspapers as saying that the press was
11 out to get you for years, correct?

12 A. I'd have to see that quote.

13 Q. Well, that's something that you've thought,
14 isn't it, that the press has been out to get you
15 for years and years?

16 A. I had to -- no, I don't think I thought that.

17 Q. Well, you filed a grievance against
18 Mr. Riordan, didn't you?

19 A. I did.

20 Q. And who is Mr. Riordan?

21 A. He's the defense attorney for Damien Echols.

22 Q. All right. And when did you file that
23 grievance against him?

24 A. I'm not sure of the date, but probably '07,
25 '08.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 14

1 Q. All right. And the reason for that is
2 because you think he's out to get you?

3 A. No. I think their actions were out to get
4 me.

5 Q. Well, you said -- isn't it true, Mr. Hobbs,
6 that from basically the time of the murder and
7 the convictions -- the murders and the trial and
8 the conviction and all the appeals that have gone
9 forward since that time, you've been -- you've at
10 least been at the center of this controversy
11 about who killed the boys and were the boys
12 wrongly convicted --

13 MR. THOMAS: Objection. Calls for a
14 legal conclusion.

15 Q. No, that hasn't been a controversy?

16 A. No.

17 Q. What do you say that?

18 A. Why do you say that?

19 Q. Well, I get to ask the questions here, sir,
20 so --

21 A. Because it's not a true statement.

22 Q. Okay. So there's -- there hasn't been an
23 ongoing controversy about whether or not the
24 West Memphis Three killed the three boys?

25 MR. THOMAS: Objection. Calls for a

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 15

1 legal conclusion. Do we need to make the regular
2 stipulations regarding reservation of objections
3 except as to form of the question? I don't know
4 if y'all have a standard stipulation that you do
5 in Texas.

6 MR. DAVISON: We just take them by
7 the rules, that's fine.

8 MR. THOMAS: Okay.

9 Q. Hasn't there been there a controversy since
10 the convictions to whether or not the boy -- the
11 West Memphis Three were wrongfully convicted?

12 A. In some people's mind.

13 Q. Okay. And -- well, there's been national
14 press on the subject, hasn't there?

15 A. There has.

16 Q. And there have been several books written on
17 the subject, hasn't there?

18 A. A few.

19 Q. There have been shows on CNN about it, right?

20 A. There has.

21 Q. There's been shows on Geraldo about it?

22 A. Yes.

23 Q. And there have been shows on America's Most
24 Wanted about it?

25 A. There has.

1 Q. In fact, you've been in all those shows,
2 haven't you?

3 A. A part of them, uh-huh.

4 Q. That's a yes, correct?

5 A. It is a yes.

6 Q. And that's been since the time of the
7 convictions going forward to today, right, that
8 controversy?

9 MR. THOMAS: Object to the extent
10 that it calls for a legal conclusion.

11 Q. You get to still answer. He has to just make
12 objections to preserve them, but --

13 A. Can you repeat the question?

14 MR. DAVISON: Could you read the
15 question back, ma'am?

16 (Requested information was read.)

17 Q. Right?

18 A. I didn't understand that question.

19 Q. All right. Well, the controversy of whether
20 or not the West Memphis Three actually killed the
21 three little boys and whether or not they were
22 wrongfully convicted, that's been a controversy
23 from shortly after the verdict was returned until
24 we sit here today, right?

25 A. Correct, it has.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 18

1 required to define what is or isn't a public
2 controversy, because that's a legal concept, and
3 we're here to take a factual deposition.

4 MR. DAVISON: Yes, we are.

5 Q. Isn't it true, Mr. -- you wrote a journal,
6 did you not, Mr. Hobbs, from May the 5th, 1993
7 forward?

8 A. I have done a lot of writing.

9 Q. Well, you produced a four volume journal to
10 us, correct?

11 A. Correct.

12 Q. And in that journal, don't you state that the
13 press is out to get you?

14 A. No.

15 Q. You don't say that?

16 A. No.

17 Q. Do you think folks are out to get you?

18 A. No.

19 Q. Okay. Mr. Hobbs, how would you describe
20 yourself to the jury, as we sit here today?

21 A. As being a pretty good man.

22 Q. Okay. Well, tell me about yourself.

23 A. I am presently divorced from a marriage that
24 has been interrupted by the death of our child.

25 Q. And that's from Pam Hobbs?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 19

1 A. Correct.

2 Q. Okay. As you sit here today, what do you
3 think your reputation in the community is?

4 A. The people that know me like me.

5 Q. Okay. But generally, what -- if you had to
6 describe your reputation to folks, other than
7 just as good man, what else would it be?

8 A. Hard-working man, good dad, good husband in
9 the past, pretty good man.

10 Q. Are you an honest fellow?

11 A. I try my best.

12 Q. Law-abiding man?

13 A. I do pretty good at it.

14 Q. And that's your reputation today?

15 A. Well, that's -- some people might not think
16 so.

17 Q. Well, what people don't think so?

18 A. Who knows.

19 Q. As we sit here today, do you know of anybody
20 that thinks otherwise of you?

21 A. Yeah. There's people that has asked me
22 questions about all this stuff that shouldn't
23 have never been.

24 Q. And that's been going on for a long time,
25 hasn't it?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 20

1 A. About the past couple of years.

2 Q. When do you first recall being asked those
3 sorts of questions?

4 A. What kind of questions?

5 Q. The questions you just said have been going
6 for the last couple of years?

7 A. People has come up and asked me, did you kill
8 some babies.

9 Q. Who asked you that?

10 A. Friends. People that don't even know me. I
11 don't even know them.

12 Q. And you were asked that question on CNN,
13 right?

14 A. Sure.

15 Q. When were you on CNN?

16 A. Roughly '07, '08.

17 Q. Was that before or after the DNA results?

18 A. After.

19 Q. Was it after?

20 A. I'm guessing after.

21 Q. Well, I don't want you to guess. I mean,
22 that's one of the things -- and I know Ted --

23 A. I don't keep up with the dates.

24 Q. I know Ted doesn't want you to guess.

25 A. I'm not keeping up with the dates.

1 Q. So the first time you were ever asked if you
2 were -- if you had killed the three boys, it's
3 your testimony it was after the DNA results?

4 A. Probably.

5 Q. When were you on Geraldo?

6 A. '94 I think.

7 Q. When were you on Cooper 360?

8 A. '08, '07.

9 Q. Before or after the DNA?

10 A. After.

11 Q. Okay. And Larry King?

12 A. I didn't do Larry King.

13 Q. Was it -- was it your daughter that did Larry
14 King?

15 A. It was.

16 Q. And when did she do Larry King?

17 A. '07, '08.

18 Q. Okay. Did you ask her to go on Larry King?

19 A. I advised her not to.

20 Q. Why did you advise her not to?

21 A. Because I don't want my children drug into
22 this.

23 Q. What do you hope to get out of the lawsuit?

24 A. Justice.

25 Q. How do you define justice?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

1 A. In a court of law.

2 Q. You want money, don't you?

3 A. I want justice as the Courts deem.

4 Q. You're going to ask the Court to award you
5 money, right?

6 A. I ain't asking for nothing.

7 Q. So you're not going to ask the Court to award
8 you money?

9 A. Justice.

10 Q. That's not my question. You're going to
11 sit -- you're going to get on the witness stand
12 and you're going to ask the Court to award you
13 money?

14 A. I don't -- no, I'm not asking for money.

15 Q. You're not asking for money. Then what do
16 you -- how do you define justice?

17 A. Whatever the Court deems necessary.

18 Q. An apology, is that enough?

19 A. Whatever the Courts decide.

20 Q. No, I'm not asking -- I'm asking what you
21 want to get out of this lawsuit, Mr. Hobbs?

22 A. If I would sit here to be honest.

23 Q. Then that's what -- I want you to be totally
24 honest.

25 A. I would sit here and say I'd like to see the

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 32

1 Q. So you don't remember -- you just remember
2 you talked to a criminal attorney in '93, but you
3 don't remember what you talked about; is that
4 right?

5 A. Correct.

6 Q. And it was about the events of the evening of
7 May the 3rd -- May the 5th, correct?

8 A. Uh-huh. Yes.

9 Q. Okay. What did you do to prepare for the
10 deposition today, sir? Anything?

11 A. Read some papers.

12 Q. What did you read?

13 A. Just some papers.

14 Q. What papers?

15 A. I don't know what they are. A bunch of
16 garbage.

17 Q. You have no idea what papers you read?

18 A. Yeah. Some statements.

19 Q. What statements?

20 A. From Sharon Nelson.

21 Q. What statements from Sharon Nelson?

22 A. A bunch of garbage.

23 Q. Well, what did Ms. Nelson say in those
24 statements that you think is a bunch of garbage?

25 A. How she believes that I told her I found the

1 boys' body before the police.

2 Q. When did you -- when did she make those
3 statements, Mr. Hobbs?

4 A. I don't know who she made them to. It's on
5 the paper.

6 Q. I asked -- I asked when she made those
7 statements?

8 A. I don't know.

9 Q. Do you know who she made those statements to?

10 A. Sure don't.

11 Q. Do you know when she made those statements?

12 A. No, sir.

13 Q. You haven't sued her, have you?

14 A. No, sir.

15 Q. Okay. Why not?

16 MR. THOMAS: Objection to the extent
17 that it calls for a legal conclusion.

18 MR. DAVISON: I didn't ask him for a
19 legal conclusion.

20 Q. I'm asking you why --

21 MR. THOMAS: You're asking for a
22 legal strategy. You're asking for why he did
23 stuff, and you're asking for the manner in which
24 he chose to exercise his rights under the law,
25 and that relates to legal strategy.

1 MR. THOMAS: Objection. Calls for
2 speculation. He said he didn't know.

3 Q. I'm not asking --

4 A. I still don't know.

5 Q. Still don't know. You know that your
6 interview is available on the internet, isn't it?

7 A. It is.

8 Q. In fact, the video is available on the
9 internet. You can get on Youtube and look at it,
10 can't you?

11 A. You sure can.

12 Q. How long has that been available on the
13 internet?

14 A. Couldn't tell you.

15 Q. Why did the police want to talk to you?

16 A. Ask the police.

17 Q. Okay. Okay. Other than looking at this
18 half-inch paper that you can't recall, what else
19 did you do to prepare for your deposition, Mr.
20 Hobbs?

21 A. Tried to sleep on it.

22 Q. Tried to get a good night sleep?

23 A. I tried. It didn't happen.

24 Q. I appreciate that. What else did you do?

25 A. Prayed about it.

1 A. I don't care. That's why I'm here today.

2 Q. Were you involved in the murder of the three
3 little boys?

4 A. No, sir. One of them little boys was my
5 stepson.

6 Q. I appreciate that, sir. Do you think the
7 West Memphis Three, the three that were convicted
8 in '94, do you think they did it?

9 A. Sure do.

10 Q. No doubt in your mind?

11 A. Correct.

12 Q. Has there ever been a doubt in your mind?

13 A. No.

14 Q. You would agree with me, sir, that there is a
15 doubt in a lot of other people's minds?

16 A. I don't care about that.

17 Q. You don't want them to get a new trial, do
18 you?

19 A. Justice has taken it's toll, and I appreciate
20 the justice system.

21 Q. My question, sir, is you don't want the West
22 Memphis Three to get a new trial, do you?

23 A. They don't deserve one.

24 Q. Then I take it you don't want them to get a
25 new trial?

1 A. Exactly.

2 Q. And the reason is?

3 A. They killed three little boys.

4 Q. If there's a doubt that they killed -- killed
5 the three little boys, do you think they deserve
6 a new trial?

7 A. There's never been a doubt proven.

8 Q. Not in your mind?

9 A. Or the minds of the justice system.

10 Q. And you realize that those appeals are still
11 underway?

12 A. I don't care.

13 Q. But you understand that?

14 A. I do.

15 Q. Okay. When was the last time you spoke with
16 a criminal lawyer about the killing of the West
17 Memphis -- about the killing of the three little
18 boys?

19 A. A criminal lawyer?

20 Q. Yes, sir.

21 A. Ross Sampson.

22 Q. When did you -- and Mr. Sampson, he's a
23 criminal lawyer you consulted with regard to the
24 three killings, correct?

25 A. He's more than a criminal lawyer.

1 Q. I appreciate that, but you consulted him in
2 conjunction with criminal issues?

3 A. No.

4 Q. Okay. He's a -- he's your spokesman, right,
5 to the public?

6 A. He was at that time.

7 Q. What time are we talking about?

8 A. '07.

9 Q. So in '07 --

10 A. Roughly '07.

11 Q. Mr. -- you retained Mr. Sampson to be your
12 spokesman?

13 A. Mr. Sampson agreed to speak for me.

14 Q. Okay. Speak to you, you mean speak to --
15 speak to the public?

16 A. To the media, to the public.

17 Q. Okay. And is Mr. Sampson still your public
18 spokesperson today?

19 A. No, he is not.

20 Q. At what -- from what period of time was Mr.
21 Sampson your media spokesman?

22 A. During '07, I'm thinking. I'm not sure.

23 Q. Okay. Well, when in '07 did you first
24 contact Mr. Sampson about being your media
25 spokesman?

1 A. I'm not sure.

2 Q. Well, was it spring, winter, fall, summer?

3 A. Fall probably. I'm just guessing the fall.

4 MR. THOMAS: Objection. Calls for
5 speculation.

6 Q. I don't want you to guess. I just want you
7 to give me the best answer that you can.

8 A. I just did.

9 Q. Was it before or after -- did you retain Mr.
10 Sampson to be your media spokesman before or
11 after you were interviewed by the West Memphis
12 police in '07?

13 A. Probably before, if I remember right.

14 Q. Okay.

15 A. I'm guessing again, because I don't remember.

16 Q. Okay. How much did you -- did you have a
17 written agreement with Mr. Sampson?

18 A. Mr. Sampson didn't charge me a penny.

19 Q. That's not my question.

20 A. No, I did not, not on this issue.

21 Q. Not on the being a media spokesperson issue?

22 A. Correct.

23 Q. He was authorized to speak on your behalf?

24 A. I give him the permission.

25 Q. Without getting into the specifics of what --

1 well, let me back up. Was he acting as your
2 lawyer then or just a media spokesman?

3 A. A spokesman.

4 Q. Not a lawyer?

5 A. Correct.

6 Q. He wasn't giving you any legal advice?

7 A. Other than tell me not to talk to them, and
8 that's why I told him -- that's why I'm getting
9 with you. I want you to tell them.

10 Q. So as the media spokes representative or
11 consultant, Mr. Sampson advised you not to speak
12 to the media, right?

13 A. Probably. I don't remember.

14 Q. Well, did he? I mean --

15 A. Ask him.

16 Q. Well, I'm asking you.

17 A. I don't remember.

18 Q. You don't remember if Mr. Sampson told you
19 to -- to or not to --

20 A. I told Mr. Sampson I wasn't going to talk to
21 the media, and I want you to do it for me.

22 Q. Okay.

23 A. So he did.

24 Q. Okay. And he was authorized to do so on your
25 behalf?

1 A. Correct.

2 Q. And did you and he talk about what he should
3 tell the media?

4 A. Yeah.

5 Q. What did you -- what did you guys talk about
6 that he should tell the media?

7 MR. THOMAS: Objection. Calls for
8 privileged communication.

9 MR. DAVISON: He's already said it
10 wasn't in a legal capacity.

11 MR. THOMAS: He's not free to waive
12 that.

13 MR. DAVISON: It's his privilege to
14 waive. He's the only one that can.

15 MR. THOMAS: I instruct him not to
16 answer about any conversations he had with Mr.
17 Sampson.

18 Q. Are you refusing to answer that question?

19 A. I do.

20 Q. Okay. You said that's the only -- that Mr.
21 Sampson didn't charge you for that
22 representation. I take it from your answer that
23 he's charged you in other contexts?

24 A. Uh-huh.

25 Q. You have to answer out loud, Mr. Hobbs.

1 A. Yes.

2 Q. What -- what other representation or how --
3 when else did you hire Mr. Sampson in which he
4 represented you in which you paid him money?

5 A. He did a Hollywood film contract with us.

6 Q. Is that the Dimension Film, or is that a
7 different one?

8 A. It's Dimension Films.

9 Q. And he -- he was your entertainment lawyer I
10 guess?

11 A. That's what he listed in the phone book as.

12 Q. Entertainment lawyer. So he's an
13 entertainment lawyer and also a criminal lawyer?

14 A. He is.

15 Q. Okay. And he represented you when you sold
16 your life story to Dimension Films, right?

17 A. He did.

18 Q. And that was your life story in conjunction
19 with the murders that we refer to as the West
20 Memphis Three, right?

21 A. That's my life story.

22 Q. Well, they were -- they were particularly
23 interested in the West Memphis Three and the
24 murders, correct?

25 A. I'm not sure. I just sold them my life

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

1 story.

2

3

4

5

6

7

8

9 Q. And you anticipated that they were going to
10 make a movie out of that, right?

11 A. We were led to believe that.

12 Q. And you were cool with that, right?

13 A. Well, they presented it in a way that you
14 felt comfortable with it.

15 Q. And you were comfortable having your life
16 story and your involvement with the murders and
17 the trial made into a movie, and that's why you
18 sold them the life story?

19 A. Exactly wrong.

20 Q. Well, why --

21 A. You just sat there and said my involvement
22 with the murders. That's a stupid question.

23 Q. Your involvement, meaning your stepson --
24 whatever your involvement was, whether it be your
25 step -- how you found that he was missing, to the

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 54

1 trial, to the hubabub afterwards. I didn't say
2 that you were involved, Mr. Hobbs. But your
3 involvement, whatever that is, as the stepson, as
4 the stepfather --

5 A. As a parent.

6 Q. As a parent.

7 A. As a parent.

8 Q. You were comfortable with selling your story
9 and having that story made into a movie that
10 would have national release, were you not?

11 A. I guess.

12 Q. Yes or no?

13 A. I guess.

14 Q. I'm sorry. Yes or no?

15 A. We did sign a contract.

16 Q. And you anticipated that a movie with a
17 national release would be made?

18 A. Correct.

19 Q. And you were okay with that?

20 A. At that time we were.

21 Q. All right. And actually you sat down on two
22 separate occasions and gave a detailed interview
23 to Dimension Films, did you not?

24 A. We talked to them, yes.

25 Q. And they asked -- on two separate occasions,

1 at least two separate occasions?

2 A. Seemed like it.

3 Q. And you told them basically what happened
4 that day, right?

5 A. Some. We didn't go into detail like you
6 think.

7 Q. Well, I've read it. I've read the -- I've
8 read the notes.

9 A. Okay.

10 Q. Were you honest and truthful about what
11 happened?

12 A. I try to be.

13 Q. You didn't make stuff up?

14 A. Correct.

15 Q. And what you told those folks actually
16 happened, right?

17 A. Well, I'm not sure what I told them. It's
18 been a while ago.

19 Q. You tried to be truthful at the time?

20 A. I do.

21 Q. Okay. And the journals, the handwritten
22 journals that you produced in this case?

23 A. Uh-huh.

24 Q. Do you remember those?

25 A. I do.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 56

1 Q. You started making those journals May the
2 5th?

3 A. No, sir.

4 Q. When did you start making them?

5 A. Sometime in the nineties, early nineties.

6 Q. In the early nineties?

7 A. Uh-huh.

8 Q. Before or after the murders?

9 A. After.

10 Q. Okay. Do you recall how long after the
11 murders?

12 A. I don't.

13 Q. And in the journals, you set out kind of what
14 happened from your perspective, correct?

15 A. As I seen it that night.

16 Q. And were you truthful and honest in those
17 journals?

18 A. The best I could be and can be.

19 Q. Okay. And so what you put in the journals is
20 how you recall everything came down that night?

21 A. Through my eyes, yes.

22 Q. Okay. And you have attempted to sell those
23 journals to book publishers, have you not?

24 A. Yes.

25 Q. When did you start trying to sell those

1 journals to book publishers?

2 A. I'm not sure.

3 Q. Can you give me a time frame, sir?

4 A. No, sir.

5 Q. Has it been -- when was the last -- do you
6 recall when the first time you did?

7 A. No.

8 Q. Do you recall the last time you did?

9 A. No.

10 Q. Do you recall who you sent it to?

11 A. No.

12 Q. Do you recall how many people you sent it to?

13 A. No.

14 Q. Did anyone -- did you ever get any response
15 from any of the folks that you sent it to?

16 A. No, other than -- yes, I think I did. I
17 think one of them told me to send them \$1200 and
18 they would work on it.

19 Q. Okay. Did you keep any documents or records
20 of the folks that you sent the -- the journals
21 to, the publishers?

22 A. No, not that I can recall.

23 Q. Do you ever recall telling folks that you had
24 a book deal?

25 A. Sure.

1 Q. You were lying?

2 A. No, no, I don't think I said a had a book
3 deal, no.

4 Q. Okay. You never told anybody you had a book
5 deal?

6 A. Maybe not like you're trying to say. I might
7 have told them I was working on one, would like
8 to get one.

9 Q. Okay. But you never told anybody you had a
10 book deal?

11 A. I'm not sure.

12 Q. Well, if you did, that would be a lie,
13 wouldn't it?

14 A. I'm not sure.

15 Q. Well, have you ever had a book deal?

16 A. No.

17 Q. So if you told somebody you had a book deal,
18 that would be a lie?

19 A. I might have told somebody I was working on
20 one at the time.

21 Q. Do you consider yourself an honest man, Mr.
22 Hobbs?

23 A. I try.

24 Q. Who else have you sold your life story to
25 other than Dimension Films?

1 A. Nobody that I can recall.

2 Q. So if you -- if someone else -- so you've
3 never testified to that -- or not testified --
4 you've never said that, that you sold your life
5 story or had a deal to sell your life story to
6 somebody else?

7 A. I'm not sure.

8 Q. You're not sure or you didn't?

9 A. I don't recall saying something like that.

10 Q. And do you recall any other efforts or
11 discussions with folks to sell your story, life
12 story, to other entities, for book deals or movie
13 deals or anything like that?

14 A. Well, we've always talked about books.

15 Q. Uh-huh.

16 A. But I don't know of anyone else that I've
17 talked to to buy it.

18 Q. Okay. What about movies or films?

19 A. The HBO made a couple of documentaries.

20 Q. Right. And that's Paradise Lost and Paradise
21 Lost 2?

22 A. It is.

23 Q. Any other films?

24 A. No.

25 Q. Were you compensated with regard to the HBO

1 films about the murders?

2 A. No, sir.

3 Q. Did you -- you signed releases so that you
4 could appear in those, right?

5 A. I'm not -- I don't remember.

6 Q. You were okay with being in those?

7 A. Well, we -- we all talked about it.

8 Q. Who's we?

9 A. Every family involved.

10 Q. What did you -- of the three little boys?

11 A. Correct.

12 Q. All right. And what do you recall discussing
13 with the family of the three little boys about
14 the two HBO movies?

15 A. Some of us didn't want to do it, some of them
16 wanted to do it.

17 Q. How did you come out on that?

18 A. How did you come out, I don't recall. They
19 were going to do it anyway.

20 Q. Did you watch the video -- the documentaries?

21 A. Well, I did.

22 Q. What do you think of them?

23 A. Totally wrong.

24 Q. In what respects?

25 A. The portrayal.

1 Q. Portrayal of who, you?

2 A. No.

3 Q. Of who?

4 A. The convicted.

5 Q. How was it totally wrong?

6 A. They kind of portray them as being innocent.

7 Q. Okay. How else were the documentaries
8 totally wrong?

9 A. I couldn't tell you.

10 Q. You've never been deposed before, have you,
11 Mr. Hobbs?

12 A. Been where?

13 Q. Deposed, had to do this before?

14 A. No.

15 Q. Okay. Never testified in court before?

16 A. No.

17 Q. Okay. Never been a party to a lawsuit
18 before? You have to answer out loud?

19 A. No.

20 Q. No. Okay.

21 MR. THOMAS: I think he's been a
22 party in a divorce proceeding.

23 MR. DAVISON: I understand that.

24 Q. I meant more of a civil.

25 A. No, sir.

1 Q. Okay. Where did you live before that?
2 A. On Macon Road.
3 Q. What address?
4 A. I don't remember.
5 Q. Is it a house?
6 A. It was.
7 Q. Did you own that house?
8 A. Rented.
9 Q. Who did you rent it from?
10 A. I don't recall his name.
11 Q. Did he live there, too?
12 A. No. He lived in Mississippi.
13 Q. Okay. Was that in Tennessee?
14 A. The Macon Road house was in Tennessee.
15 Q. How long have you lived in Tennessee?
16 A. Since '94.
17 Q. Consistently since that time you've lived
18 there?
19 A. Uh-huh.
20 Q. You have to answer out loud.
21 A. Yes.
22 Q. Okay. Where do you currently work?
23
24 Q. How long have you worked there?
25 A. A little over two years.

1 shows up looking for his son, right?

2 A. Correct.

3 Q. Then what happened?

4 A. We just split up and start looking for them.

5 Q. Okay. Split up --

6 A. Dawn stays at the home and says she'll wait
7 by the phone in case somebody called. I take my
8 daughter over to a friend's home.

9 Q. Who is that?

10 A. David Jacoby and his wife Bobbie, they had
11 little kids also. David goes with me and we
12 start riding around looking for the little boys.
13 At the same time the Byers and Mark and Melissa
14 are riding around looking for their boy, and we
15 continue this for all the way up to the next
16 morning.

17 Q. Okay. I need to fill in a few -- obviously
18 fill in a few -- few blanks. How long were you
19 at Mr. Jacoby's house?

20 A. Long enough to drop my daughter off and see
21 if he'd go help me.

22 Q. And did he go help you?

23 A. He went around with me and we rode around
24 looking, he sure did, all the way up till early
25 in the morning.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 81

1 Q. Well, let's back up. So what -- what time --
2 do you recall what time you left Amanda at Mr.
3 Jacoby's house?

4 A. No, I don't.

5 Q. Do you recall how -- and you and Mr. Jacoby
6 rode around in a car looking?

7 A. We did.

8 Q. Your car or his car?

9 A. Probably mine.

10 Q. What kind of car were you driving?

11 A. I don't remember.

12 Q. Where did you drive around?

13 A. The whole city of West Memphis.

14 Q. Just in your neighborhood or just all --

15 A. The whole city of West Memphis.

16 Q. Okay. Did you play any Guitar Hero while you
17 were at Mr. Jacoby's?

18 A. I don't recall. I don't remember that.

19 Q. You don't remember playing Guitar Hero at Mr.
20 Jacoby's for a while?

21 A. Not that day. I don't remember.

22 Q. You used to play Guitar Hero a lot at his
23 house, right?

24 A. No. Never.

25 Q. Never played Guitar Hero at his house?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 82

1 A. I played guitars at his house.

2 Q. Guitars. I'm sorry.

3 A. But not the game.

4 Q. I apologize. Do you recall playing guitars
5 at his house that night?

6 A. No.

7 Q. You don't recall or you didn't?

8 A. I don't recall.

9 Q. Did you smoke any marijuana while you were at
10 his house?

11 A. No.

12 Q. That night?

13 A. No.

14 Q. Do any other drugs while you were at his
15 house that night?

16 A. No.

17 Q. While you were out looking for the boys,
18 prior to the time that you went to pick Pam up at
19 work, did you ever find the boys?

20 A. No.

21 Q. If somebody testifies that they saw you with
22 the boys that night?

23 A. Do what?

24 Q. If somebody testified that they saw you and
25 the boys, would they be lying?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 84

1 A. Uh-huh, we did.

2 Q. Was it working?

3 A. Sure.

4 Q. Okay. So you and Mr. Jacoby -- so you
5 dropped your daughter Amanda off at Mr. Jacoby's,
6 and you and Mr. Jacoby drove around all over West
7 Memphis looking for the three little boys?

8 A. Good answer.

9 Q. Well, that's not my answer. That's your
10 testimony, right?

11 A. It is.

12 Q. Okay. And you never found them?

13 A. We never.

14 Q. Never saw them?

15 A. Never.

16 Q. At some point, then you -- what time did you
17 stop looking with Mr. Jacoby?

18 A. David had to be at work May the 6th roughly
19 a.m., early a.m. May the 6th.

20 Q. When did you call the police to report that
21 your son was missing?

22 A. When we picked Pam up from work.

23 Q. Which was?

24 A. 9:00 p.m., May the 5th.

25 Q. 9:11 exactly, correct?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 108

1 A. I don't remember that.

2 Q. Was there a point in time when you went home
3 and left Pam at home?

4 A. No.

5 Q. So Pam was with you all night?

6 A. Or her dad and mom, they come down and we
7 went in separate vehicles. There was a time when
8 me and David rode around. There was a time when
9 me and Pam rode around. There was a time we all
10 followed each other around.

11 Q. From -- I want to specifically focus on what
12 happened, say, between 1:00 in the morning and
13 6:00 in the morning. Where were you?

14 A. With family and friends and the police.

15 Q. And there was -- so it's your testimony there
16 was never a point and time when you were alone
17 between 1:00 and 6:00 a.m.; is that your
18 testimony, sir?

19 A. I believe that's correct.

20 Q. Okay. And were you out searching this entire
21 time or were you at home?

22 A. Searching.

23 Q. So you never were at home?

24 A. Well, there was a time we went home. I'm not
25 sure what time, but, yeah, there was a time we

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 109

1 went home.

2 Q. And then after you went home, did you go back
3 out?

4 A. Sure.

5 Q. And did Pam go with you?

6 A. Yeah.

7 Q. Okay. Where did you go searching then?

8 A. Robin Hood, riding around West Memphis, at
9 the school.

10 Q. And did you do -- there's been some
11 discussion in the media over the years about you
12 doing laundry the evening of the 5th or the
13 morning of the 6th; do you recall that?

14 A. Didn't happen.

15 Q. You didn't do any laundry?

16 A. No, I didn't.

17 Q. So if someone were to testify that they saw
18 you doing laundry in the morning of the -- the
19 evening of the 5th or morning of the 6th, beds --
20 bed sheets, drapes, curtains, clothes, all that
21 crap, all that stuff, they would be lying?

22 A. Most definitely.

23 Q. Would you agree with me, that under the
24 circumstances, that if you had done laundry, that
25 that would have been a most unusual time to do

1 nothing wrong with that, is there?

2 A. I don't know.

3 Q. Well, you didn't think you did anything wrong
4 when you repeated what the Medical Examiner said
5 in court, did you?

6 A. That's what he said.

7 Q. Well, did you think you were saying or doing
8 anything when you repeated what was said in
9 court?

10 A. No.

11 Q. Okay. After you divorced Pam, or maybe even
12 before you divorced Pam, you had a girlfriend,
13 didn't you?

14 A. That would have been after.

15 Q. Okay. After you divorced Pam. You had a
16 girlfriend, right?

17 A. I had a lady friend.

18 Q. What was her name?

19 A. One of them was Sharon Nelson.

20 Q. Okay. When you start -- when did you start
21 dating Ms. Nelson?

22 A. I couldn't tell you.

23 Q. Is she an honest lady?

24 A. Well, you might want to ask her.

25 Q. I'm asking you. Do you have an opinion as to

1 whether or not she's an honest and truthful lady?

2 A. I don't know.

3 Q. Do you have any reason to doubt anything that
4 she says?

5 A. Sure do.

6 Q. Why?

7 A. Because of the statement that she made to
8 somebody.

9 Q. And what statement are you referring to?

10 A. The one that you have a copy of.

11 Q. Okay. You don't know what statements I have.
12 What statement are you --

13 A. I do, too.

14 Q. What statement are you referring to?

15 A. The one you have a copy of made by Ms. Sharon
16 Nelson.

17 Q. Well, what did she say that causes you to
18 question whether or not she's an honest and
19 truthful woman?

20 A. She made the statement that I told her that I
21 discovered the boys' body before the police.

22 Q. What else did she say?

23 A. I couldn't tell you.

24 Q. Did you ever tell her that?

25 A. Never, not one time in my life.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 120

1 is, is after the DNA results, you were informed
2 by the DNA results, you picked up or you had
3 somebody pick the phone and call the media
4 yourself, didn't you?

5 A. I don't remember that.

6 Q. You don't remember reaching out to the media
7 to get your story out about the DNA prior to --

8 A. Sure.

9 Q. You did, didn't you?

10 A. After the fact.

11 Q. After what fact?

12 A. That they come up with some new DNA.

13 Q. Right. But it was before the -- it was
14 before you were interviewed by the police that
15 you reached out to the media, isn't it?

16 A. I'm not sure.

17 Q. It was before they filed their habeas corpus
18 that you reached out to the media, wasn't it?

19 A. I'm not sure.

20 Q. Who reached out -- did you reach out to the
21 media or was that Mr. Sampson or someone else?

22 A. The media came looking for me.

23 Q. But didn't you call the media?

24 A. Well, the media came looking for me. I went
25 and got ahold of Mr. Sampson and asked him if he

1 would talk to the media, because I was tired of
2 them.

3 Q. You called Jamie Roach, didn't you -- Janice
4 Broach? You called Janice Broach, didn't you?

5 A. I've called Janice several times.

6 Q. And who is Janice Broach?

7 A. She's Janice Broach. She's a reporter.

8 Q. For who?

9 A. Channel 5 in Memphis.

10 Q. Channel 5. That one of the networks?

11 A. Local TV station.

12 Q. Do they have a network affiliation, like NBC
13 or ABC Fox?

14 A. I'm not sure. Seems like they do, but I'm
15 not sure.

16 Q. Okay. And how many times over the years have
17 you reached out to Ms. Broach?

18 A. I've talked to her a few times, but I'm not
19 sure how many.

20 Q. More than five?

21 A. I imagine.

22 Q. More than so?

23 A. I couldn't tell you.

24 Q. How many times have you called her about a
25 story?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 122

1 A. I'm not sure.

2 Q. Isn't it true, Mr. Hobbs, that prior to the
3 time the D -- that the new DNA results were made
4 public, that you called Ms. Broach, told her
5 about the results, and that you wanted to talk to
6 her about it?

7 A. I'm not sure about that.

8 Q. You did do it, though, didn't you?

9 A. I'm not sure.

10 Q. You or somebody on your behalf?

11 A. I'm not sure.

12 Q. You're not sure. Well, who would know? If
13 Ms. Broach testifies to that, do you think she's
14 a liar?

15 A. No, I like -- I trust her.

16 Q. You think -- so if she said that you did, you
17 think that would be right?

18 A. Well, I don't know what she would say, but --

19 Q. If someone were to testify that you contacted
20 the media, prior to the public release of the
21 DNA, in an effort to get your side of the story
22 out on the DNA, would that be a lie?

23 A. I don't know. I don't recall that.

24 Q. Well, did you contact -- did you contact the
25 media and try to get your side of the story out?

1 A. I did at one point.

2 Q. When was that?

3 A. After all this stuff was going on.

4 Q. What stuff are you talking about?

5 A. They had my DNA supposedly out there, and
6 people were looking at me like he was a suspect.
7 That's when I wanted my story out there.

8 Q. And this was before you were interviewed by
9 the police, right, because the police were
10 responding to all --

11 A. I'm not sure about that.

12 Q. The police were responding to all the
13 questions and public inquiry about whether or not
14 it was your DNA found in the ligature of that
15 little boy, right?

16 A. I'm not sure. The police have never told me
17 that it was my DNA.

18 Q. Well, didn't the police and some of the press
19 say, that, yeah, it was your DNA, but that it got
20 there by -- what do they call it -- transfer?

21 A. Okay.

22 Q. Didn't the police -- didn't the police say
23 that?

24 MR. THOMAS: Objection. That's a
25 hearsay statement.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 125

1 A. Well, you might need to ask them, because I
2 don't know.

3 Q. Do you think it was your hair?

4 A. No.

5 Q. Why not?

6 A. It could have been.

7 Q. Could have been. Do you know what percentage
8 of the population matched that hair?

9 A. Seemed like it was one in -- versus two or
10 three million.

11 Q. One in two or three million?

12 A. I'm just guessing. There were statistics on
13 it.

14 Q. One or two -- two or three million match or
15 one or two in two or three million can be
16 excluded?

17 A. Whichever.

18 Q. Well, there's a big difference, isn't there?

19 A. I'm not sure.

20 MR. THOMAS: Objection, lack of
21 foundation. He's not an expert on DNA or
22 statistics.

23 Q. Who -- who first told you about the DNA
24 match?

25 A. Ron Lax.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 126

1 Q. And who is Mr. Lax?

2 A. He is a -- one of the investigators for
3 Damien Echols.

4 Q. And what did you say when Mr. Lax told you
5 that your DNA was found in the ligature of one of
6 the knots that tied up the three little boys?

7 A. I don't remember what all was said. I
8 probably cussed him.

9 Q. You don't like him, do you?

10 A. I don't know him. I've met him through this.

11 Q. You don't like him, do you?

12 A. I met him through this. He has -- he could
13 have had a better attitude.

14 Q. Would it be fair to say you're not going to
15 exchange Christmas cards?

16 A. Exactly.

17 Q. Do you recall what Mr. Lax told you?

18 A. Oh, yeah.

19 Q. What did he tell you?

20 A. What are you going to do when I sic the dogs
21 on you.

22 Q. Meaning -- meaning what to you?

23 A. Ask him.

24 Q. Well, when he told you, what are you going to
25 do when I sic the dogs on you, what did you

1 Q. Your brother-in-law was shot, though, right,
2 with a handgun?

3 A. He was hit with a bullet.

4 Q. And whose gun did the bullet come from?

5 A. Mine.

6 Q. And who was holding the gun when it went off?

7 A. I was.

8 Q. And the gun was loaded with hollow point
9 bullets, right?

10 A. Correct.

11 Q. And you were charged -- criminal charges were
12 brought against you, right?

13 A. And soon dropped.

14 Q. Were you ever convicted at all on that?

15 A. No, sir.

16 Q. No. What -- we'll come back to that in a
17 little bit, Mr. Hobbs. Who's Jackie Hicks?

18 A. Well, there was a Sr. and a Jr.

19 Q. Okay. I'm talking about the Sr. I'm sorry.

20 A. That's Pam's dad. My ex-father-in-law.

21 Q. What did you think of him?

22 A. I respected him.

23 Q. Honest, truthful fellow?

24 A. Pretty good man.

25 Q. Pretty good man?

1 Q. I'm sorry?

2 A. No. I might have heard she thought I didn't
3 like him or something, but you'll have to ask
4 her.

5 Q. Okay. Who's Judy Saddler?

6 A. Pam has a sister named Judy. I don't know
7 her last name.

8 Q. Younger sister, older sister?

9 A. Younger.

10 Q. Do you like Judy?

11 A. I tried to like them all.

12 Q. Do they like you?

13 A. No.

14 Q. Why -- do you understand why not?

15 A. They think I killed their brother.

16 Q. Jackie, Jr. And they also think you killed
17 Stevie, don't they?

18 A. They do. I've heard that.

19 Q. As a matter of fact, they've been pretty
20 vocal in the press about that, haven't they?

21 A. I've heard that.

22 Q. I'm sorry?

23 A. I have heard that.

24 Q. And they've been pretty vocal in the press
25 for a couple of years, hadn't they?

1 A. They have.

2 Q. And you've had to defend yourself from the
3 press and the media for a couple of years about
4 the Hicks family thinking you killed Stevie,
5 haven't you?

6 A. The Hicks and others.

7 Q. The Hicks and others. For a couple of years,
8 you've had to defend yourself about being a
9 murderer or one of the murderers; isn't that
10 right?

11 A. I have.

12 Q. And this DNA and everything that's come up in
13 the last couple of yours, that's just on top of
14 it; that's just new proof or allegations about
15 the same thing, isn't it?

16 A. Uh-huh.

17 Q. I'm sorry. You have to answer out loud. You
18 have to answer out loud.

19 A. Yes.

20 Q. Yes.

21 A. A lot of people has drug my name into it over
22 this.

23 Q. And that's been -- that's been really since
24 shortly after the convictions, right? The
25 Paradise Lost 2 came out and raised all kinds of

1 questions about who the right -- you know, who
2 the murderers were and --

3 A. Not about me. Not about me.

4 Q. When did you start to get in the press, sir,
5 and having to defend yourself about allegations
6 that you were the murderer or one of the
7 murderers?

8 A. If I had said anything it was within the past
9 couple years.

10 Q. Past couple of years?

11 A. Uh-huh.

12 Q. Okay. Who's Paula Hicks, another sister?

13 A. Pam's sister.

14 Q. Younger or older?

15 A. Younger.

16 Q. Honest -- do you like -- bla-bla-bla. Do you
17 like her? Do you like Paula?

18 A. I try to like them all.

19 Q. Try to like them all. Do they like you --
20 does she like you?

21 A. No.

22 Q. No. Because she thinks you killed Jackie,
23 Jr., and also Stevie, right?

24 A. I guess.

25 Q. I mean, that's what they told you, right?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 144

- 1 A. That's what I heard.
- 2 Q. And that's what they told the press, right?
- 3 A. Uh-huh.
- 4 Q. You have to answer out loud.
- 5 A. I don't know if Paula -- I don't know if
- 6 Paula has said it to the press, but I have heard
- 7 it amongst the family.
- 8 Q. And you've heard it in the community, right?
- 9 A. Well, not really in the community. I just
- 10 heard it on TV, newspapers.
- 11 Q. And that's over the last several years?
- 12 A. No.
- 13 Q. No?
- 14 A. Last couple of years.
- 15 Q. Last couple of years. When you say couple,
- 16 what --
- 17 A. Two. I think this all started in '07.
- 18 Q. When the DNA results came out?
- 19 A. Exactly.
- 20 Q. And at that point, everything just piled on
- 21 top of one another, didn't it?
- 22 A. Yeah.
- 23 Q. Yeah. David Jacoby, good friend of yours?
- 24 A. He still is.
- 25 Q. Do you like him?

1 A. During the trials and after.

2 Q. Came up in the --

3 A. HBO documentary.

4 Q. Came up in some of the books, too?

5 A. Right.

6 Q. How many books have been written about these
7 murders?

8 A. I'm not sure.

9 Q. One, two, three, four, half a dozen?

10 A. I'm not sure.

11 Q. Have you read any of them?

12 A. I read some of the Devil's Knot, but, no, I
13 haven't read more than that piece of that book.

14 Q. What part of the Devil's Knot did you read?

15 A. I don't know. Just starting at the front and
16 read some of it, and tossed it in the trash.

17 Q. You don't own -- you don't have any books --
18 you don't own any books?

19 A. No.

20 Q. Have you sued any of the publishers or
21 authors of those books?

22 A. We put a stop to one during the trials that
23 Commercial Newspaper started. They were taking
24 our story and they made a book about it, and we
25 put a stop to that.

1 this, and then you can come back and talk to me.

2 Q. Was this someone who was a private -- your
3 understanding was a private citizen, or was it
4 someone associated --

5 A. A private investigator.

6 Q. I understand.

7 A. Hired by Lori Davis.

8 Q. Hired by Lori Davis. Okay. What happened?

9 A. Damien Echols' wife.

10 Q. Yes, sir. When did this happen?

11 A. After the Stu incident.

12 Q. Okay. And so this was within the last month
13 or so?

14 A. Last couple of months. Two or three months
15 ago.

16 Q. Okay. And has there been any follow-up with
17 regard -- with the police on that?

18 A. I'm not sure.

19 Q. Do you have any reason to believe the Dixie
20 Chicks or Ms. Pasdar were involved in that at
21 all?

22 A. I don't know.

23 Q. I'm sorry?

24 A. I don't know.

25 Q. You don't know. Okay. Any other reports?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 160

1 A. No, not that I know of.

2 Q. Okay.

3 MR. DAVISON: We would ask for those
4 reports, Cody.

5 Q. Let me hand you what's been marked as Exhibit
6 2, Mr. Hobbs, which is a copy of the lawsuit that
7 you caused to be filed against Ms. Pasdar and the
8 Dixie Chicks, and ask if you have seen that
9 document before?

10 (Deposition Exhibit No. 2 was
11 marked.)

12 A. I have.

13 Q. And when is the first time you saw it?

14 A. When we sat down and put it together.

15 Q. And who is the we?

16 A. My attorneys.

17 Q. Cody?

18 A. And Mr. Ted.

19 Q. I'm sorry?

20 A. Both of my attorneys.

21 Q. Both of your attorneys. Did you look at
22 drafts of it or was it presented to you, here, it
23 is, let's go? My question is, did you see drafts
24 of it before it was filed?

25 A. Huh-uh.

1 Q. I'm sorry. You did not? You have to answer

2 --

3 A. I seen it before it was filed.

4 Q. All right. When you saw it, did you read
5 through it and make sure it was true and correct?

6 A. I did.

7 Q. Did you make any changes to it as -- as it
8 was being drafted?

9 A. No, I don't think so.

10 Q. You don't think so. Is everything in this
11 complaint, to your knowledge, true and correct,
12 sir?

13 MR. THOMAS: Objection. Calls for a
14 legal conclusion.

15 Q. I'm just asking to your knowledge, are you
16 aware of anything in here that's not right?

17 A. Huh-uh.

18 Q. No. So you stand by everything factually
19 that's alleged in this complaint?

20 A. I do.

21 Q. You do. And you authorized it to be filed?

22 A. I did.

23 Q. And you were okay with your lawyer issuing a
24 Press Release about the filing?

25 A. I wasn't aware of that, but I'm okay with it.

1 Q. You're okay with it. All right. Let me go
2 through a couple of things in here, Mr. Hobbs.
3 Paragraph 1 says you're a resident of Memphis,
4 Tennessee. And you've lived in Memphis,
5 Tennessee for a number and number of years, have
6 you not?

7 A. I have.

8 Q. And you work in Memphis, Tennessee?

9 A. I have.

10 Q. And your circle of friends are in Memphis,
11 Tennessee?

12 A. Well, not only that, but there are some.

13 Q. The majority of your friends are there?

14 A. Okay.

15 Q. Is that right?

16 A. Okay.

17 Q. Is that -- is that yes?

18 A. Yes. Yes.

19 Q. All right. And any harm that had been caused
20 or suffered by you as a result of things that are
21 in the complaint would have -- you would have
22 suffered in Tennessee, correct?

23 MR. THOMAS: Objection. Calls for a
24 legal conclusion.

25 Q. You can still answer.

1 A. Well, my name was spread all around Arkansas,
2 all around the country.

3 Q. Uh-huh.

4 A. All around the world by a group of narrow
5 minds.

6 Q. By a group of -- I'm sorry?

7 A. Narrow mind.

8 Q. Narrow minds. What's the group; is that that
9 West Memphis Three website and --

10 A. It's everybody involved.

11 Q. Which would be the West Memphis Three web,
12 the --

13 A. Even your client, sir.

14 Q. Even my client. Okay. But it would be the
15 West Memphis Three, it would be the internet, it
16 would be -- it would be --

17 A. Where this was found.

18 Q. -- Lori. It would be the defense team?

19 A. Seems like this right here was found on the
20 internet, too.

21 Q. And you read it -- when you read it, you were
22 in Tennessee, right?

23 A. Probably.

24 Q. Why did you sue in Arkansas?

25 A. My case originated in Arkansas.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 164

1 Q. How so?

2 A. The murders of our children.

3 Q. So the case really he evolves all the way
4 back to the murders, correct?

5 A. It started in Arkansas.

6 Q. And it's been continuous?

7 A. I've had attorneys tell me in Tennessee, your
8 fight is in Arkansas, take it to Arkansas.

9 Q. Who told you that?

10 A. Attorneys in Tennessee.

11 Q. Which attorneys?

12 A. I couldn't tell you.

13 Q. When?

14 A. So I have done this.

15 Q. When did they tell you?

16 A. When I talked to them about it.

17 Q. When?

18 A. So I had -- I don't know when. So I have
19 done that. I have taken it back across the river
20 to Arkansas where I'm a native of.

21 Q. Okay. And so just so -- your fight is in
22 Arkansas because the murders were in Arkansas?

23 A. And everything else that's happened. You
24 know, your client coming to our state and bashing
25 my name, throwing my name around.

1 MR. DAVISON: I'm not asking him to
2 parse them. I'm just asking what he meant when
3 he said that.

4 MR. THOMAS: He doesn't know what
5 parse is. Read it. You've got a little more
6 education than he does.

7 Q. You can answer the question, Mr. Hobbs.

8 A. I'm not going to answer it.

9 Q. Why not?

10 A. Because my attorneys.

11 MR. THOMAS: You can answer it to
12 the best --

13 Q. He hasn't instructed you not to answer.

14 MR. THOMAS: Answer it to the best
15 of your ability.

16 Q. He'll tell you -- and trust me, he's a good
17 lawyer. He'll tell you when not to answer my
18 questions. So my question is, what did you mean
19 when you said that?

20 A. That he doesn't think that the evidence has
21 anything to do with him and it belongs to
22 somebody else.

23 Q. Well, you understand, from all of the press
24 and all of your dealings, that none of the
25 defendants, the West Memphis Three defendants'

1 DNA were found on any of the victims, were they?

2 A. Correct.

3 Q. The only DNA that was found was DNA that
4 is -- has been publicly linked to you and/or Mr.
5 Jacoby; isn't that right?

6 MR. THOMAS: Objection, lack of
7 foundation.

8 A. Yeah.

9 Q. Well, you understand, from reading the press
10 and talking to the police --

11 A. The police has never told me, that was your
12 hair.

13 Q. But they said it's linked to you. They can't
14 exclude you, can they?

15 A. They said it could be one of.

16 Q. Right. And the percentage of folks that
17 would be -- that would be matched is --

18 A. If it was my hair --

19 MR. THOMAS: Objection, lack of
20 foundation and personal knowledge.

21 Q. I'm sorry?

22 A. If it was my hair?

23 Q. Right.

24 A. I raised that boy.

25 Q. You raised Stevie?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 170

1 A. I did.

2 Q. All right. And so it's possible it's your
3 hair, but it just got there because Stevie was in
4 your house all the time, right?

5 A. He lived with me.

6 Q. He lived with you. As a matter of fact,
7 that's what Mr. Sampson said in the public, isn't
8 it, well, it could be his. I mean, we're not
9 saying it's not, because it could be transfer,
10 and he was -- Stevie lived at the house all the
11 time, right?

12 A. Uh-huh.

13 Q. You have to answer out loud.

14 A. Yes.

15 Q. And you authorized Mr. Sampson -- you know,
16 you said, Mr. Sampson, we need to get this
17 message out; that's what we need to tell folks,
18 right?

19 A. Right.

20 Q. And you've never publicly denied that it's
21 your hair, have you?

22 A. I've never been convinced it was my hair,
23 and, yes, I have said, I don't believe it was my
24 hair.

25 Q. Why do you say that?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 171

1 A. Because I don't believe it was my hair. If
2 it was, I don't care.

3 Q. You don't care if it was your hair, because
4 Stevie was at your house all the time?

5 A. He was my stepson.

6 Q. All right. How do you explain Mr. Jacoby's
7 DNA --

8 A. I don't have no explanation for that.

9 MR. THOMAS: Objection to the
10 characterization that it's his DNA.

11 Q. How do you explain the DNA that's been
12 connected with Mr. Jacoby being found at the
13 crime scene?

14 A. I have no explanation.

15 Q. Because Mr. Jacoby, at least as far -- come
16 out so far was never at the crime scene, so his
17 DNA could never get there, right?

18 A. I couldn't tell you.

19 Q. Couldn't tell you. And you spent -- I mean,
20 we went over this a lot this morning. You spent
21 a lot of time with Mr. Jacoby that day, right?

22 A. That afternoon and evening we did.

23 Q. Looking --

24 A. And through the night.

25 Q. Looking for the boys?

1 A. Yes, sir.

2 Q. Getting out of the car?

3 A. Uh-huh. Yes.

4 Q. Walking around the woods?

5 A. We did.

6 Q. Now, do you -- do you have an explanation for
7 how the DNA that's been associated with you ended
8 up not in Stevie's ligature but Michael Moore's
9 ligature? I can understand perhaps innocent
10 transfer if it was in Stevie's -- if it was in
11 the knots that tied Stevie's --

12 A. I guess secondary --

13 Q. Let me -- remember we talked about earlier,
14 let me finish my question, then you get to
15 answer.

16 MR. THOMAS: Objection.
17 Argumentative.

18 A. You asked me --

19 MR. THOMAS: Ask him a question and
20 don't get in his face.

21 MR. DAVISON: I'm not -- I'm not in
22 his face.

23 Q. I'm just simply trying to say, can you
24 explain to me, sir, how secondary transfer could
25 get from you to the knots in the shoestrings that

1 witness.

2 MR. DAVISON: Yeah, you are. The
3 rules say --

4 MR. THOMAS: If I was coaching the
5 witness, I'd say there was seven percent of the
6 population hasn't --

7 MR. DAVISON: You know what? We're
8 going to stop --

9 MR. THOMAS: -- been excluded from --

10 MR. DAVISON: You want to keep going
11 on this?

12 MR. THOMAS: -- so one of us can't
13 be excluded --

14 MR. DAVISON: Do you want to keep
15 going on this?

16 MR. THOMAS: No, I don't.

17 MR. DAVISON: Okay. Then follow the
18 rules.

19 MR. THOMAS: I'm following the
20 rules.

21 MR. DAVISON: No, you're not.

22 MR. THOMAS: And you're asking
23 questions that he doesn't have a foundation of
24 knowledge to answer. He has no personal --

25 Q. In Paragraph -- in Paragraph 13, Mr. Hobbs,

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 176

1 you say that the case involving the West Memphis
2 Three has attracted national attention focused on
3 the sufficiency of the evidence used in achieving
4 a conviction. What did you mean when you said
5 attracted national attention?

6 MR. THOMAS: Objection. You haven't
7 established the fact that he said it.

8 MR. DAVISON: He looked at the
9 complaint, reviewed it, approved it and
10 authorized it to be filed. These are his words,
11 these are his complaints against my client, and I
12 think I'm entitled to understand what he meant
13 when he said that the case has attracted national
14 attention.

15 So fine. If you want an objection as to
16 form, object as to form, otherwise, let's be
17 quiet and not coach the witness, or we're going
18 to get on the phone and call the judge.

19 MR. THOMAS: I have objected as to
20 form. It's not required to parse legal
21 terminology in pleadings.

22 Q. You can answer the question, Mr. Hobbs.

23 A. All right. Let's read the question again.

24 Q. What did you mean in Paragraph 13 when you
25 said the case is attracting national attention?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 177

1 A. Well, it has.

2 Q. Why do you say that?

3 A. Because it's drawn a lot of attention, it
4 really has. It's brought in HBO. It's brought
5 in the Dixie Chicks. It's brought in other
6 people out there who has doubts, you know, and
7 that's their issues, not mine.

8 Q. When did the case start to draw national
9 attention, from the get-go?

10 A. Probably.

11 Q. Okay. What celebrities are you aware of that
12 have taken up the cause of the West Memphis
13 Three, in addition to Ms. Pasdar?

14 A. No -- I mean, I've heard of some. Johnny
15 Depp, I've heard his name. I've heard of Will
16 Ferrell's name. And I'm not sure of, you know,
17 how many others have, but you hear names from
18 time to time. People see them wearing the Free
19 the West Memphis Three T-shirts, sweatshirts, and
20 you hear that.

21 Q. There's bumper stickers on cars all over
22 town?

23 A. Sure.

24 Q. I saw one driving in this morning. Free the
25 WM3?

1 A. They flew an airplane over Little Rock one
2 time with a banner behind it.

3 Q. Are you aware that the Pearl Jam lead singer
4 is taking up the cause?

5 A. I heard that.

6 Q. Winona Rider is taking up the cause?

7 A. Oh, well.

8 Q. Metallica is taking up the case?

9 A. Oh, well.

10 Q. Oh, well?

11 A. Oh, well.

12 Q. What do you mean by oh, well?

13 A. I could care less.

14 Q. Okay. But you would agree that it is a
15 well-known and controversial issue, right?

16 A. In some people's mind.

17 MR. THOMAS: Objection. Calls for a
18 legal conclusion.

19 Q. And it has been a well-known and
20 controversial issue for a number of years, as a
21 matter of fact, from shortly after the
22 convictions were announced, correct?

23 A. In some people's mind.

24 Q. Right.

25 A. I think there was a jury of 12 people that

1 of the question.

2 MR. DAVISON: That's fine.

3 MR. THOMAS: Because it assumes that

4 --

5 MR. DAVISON: You know what? You
6 just object to form.

7 MR. THOMAS: No, I have to state the
8 basis for my objection.

9 MR. DAVISON: Only if I ask for it.
10 Only if I ask for the basis, and I'm not.

11 Q. So my question, sir, is would you answer my
12 question?

13 A. What was your question?

14 MR. DAVISON: Can you read it back.

15 (Requested information was read.)

16 MR. DAVISON: That's fine.

17 Q. Mr. Hobbs, you would agree with me, that
18 nothing in Ms. Pasdar's letter was new, other
19 than the fact that it came from her, came from
20 Natalie Maines; that's what made it new, isn't
21 it?

22 A. Correct.

23 Q. Correct. Everything else --

24 A. She got in our business when she shouldn't
25 have.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 184

1 Q. Everything else, all of the allegations, all
2 of the statements -- not allegations -- all of
3 the statements that are in there had been said
4 many times in the press before, hadn't they?

5 A. Right.

6 Q. Okay. And it had been said in the national
7 press many times before, right?

8 A. Celebrities tend to draw a different crowd.

9 Q. But my question is, those same facts, those
10 same statements, had been made in the national
11 press many times before, had they not?

12 A. Probably so.

13 Q. I mean, they had, hadn't they?

14 A. Probably so.

15 Q. Probably so. And you had been having to deal
16 with the effects of those statements for many
17 months prior to the time Ms. Pasdar made her
18 letter, had you not?

19 A. Okay.

20 Q. Well, is that a yes or no?

21 A. That's a yes.

22 Q. That's a yes.

23 A. And why is she the type, when someone is
24 down, kick them down a little bit lower, put
25 their foot and smash them down.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 185

- 1 Q. Is that what you think she did?
- 2 A. Exactly. She can stay in Texas and mind her
3 own business.
- 4 Q. What else?
- 5 A. Ain't nothing else to say.
- 6 Q. Nothing else to say. Okay. When you found
7 out about the letter that was posted on the
8 website, Ms. Pasdar's letter, what did you do?
- 9 A. Got a little more mad about it.
- 10 Q. Okay. Just because it's one more celebrity
11 that's trying to get them a new trial?
- 12 A. Taking cheap shots at me.
- 13 Q. What was the cheap shot; what in the
14 letter -- and the letter is attached?
- 15 A. I read the letter.
- 16 Q. All right. Well, I want you to point out to
17 me --
- 18 A. Mention my name about anything.
- 19 Q. I'm sorry?
- 20 A. Cheap shot mentioning my name about anything.
- 21 Q. All right.
- 22 A. It's been done a million times. Tell that
23 woman to mind her own business.
- 24 Q. What else do you want to say?
- 25 A. That's it.

1 Q. How many times does your name appear in this
2 letter?

3 A. I don't remember.

4 Q. What in here is a cheap shot? What in
5 Exhibit A to your complaint, what in there is a
6 cheap shot?

7 A. My name being in there at all.

8 Q. So she just -- you don't think she had the
9 right to bring your name -- to bring your name or
10 get involved in the -- in this debate?

11 A. Exactly.

12 Q. Why didn't she have the right to get involved
13 in the debate, Mr. Hobbs?

14 A. Who give her the right?

15 MR. THOMAS: Objection. Calls for a
16 legal conclusion.

17 Q. What is your -- do you have an understanding
18 of the First Amendment?

19 A. Sure.

20 Q. What is your understanding of the First
21 Amendment of the Constitution?

22 A. Free speech.

23 Q. What does that mean do you?

24 A. People can shoot off if they want to.

25 Q. Okay. Was Ms. Pasdar exercising her First

1 Amendment rights when she sent this letter?

2 MR. THOMAS: Objection. Calls for a
3 legal conclusion.

4 Q. I'm not asking for a legal opinion. I'm
5 asking for your opinion. Was Ms. Pasdar
6 exercising her First Amendment right, freedom of
7 speech?

8 A. Without merit.

9 Q. Without merit, but she was exercising her
10 right?

11 A. Without merit.

12 Q. She has the right to say that she thinks that
13 they're entitled to a new trial; she can say
14 that, can't she?

15 A. She can say anything she wants.

16 Q. Okay.

17 A. But be sure you can back it up.

18 Q. If she simply said, I think that the West
19 Memphis Three are entitled to a new trial, is she
20 entitled to say that?

21 A. Sure.

22 MR. THOMAS: Objection. Calls for a
23 legal conclusion.

24 Q. Do you think that she has done anything wrong
25 to you if she says that?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 188

1 A. Humiliation.

2 Q. But if she just says, I think the West
3 Memphis Three got a raw deal and need a new
4 trial, that's humiliation to you?

5 A. I think that's kind of wrong to say, but
6 people shoot off stuff like that all the time.

7 Q. I mean, that's been going on for almost 18
8 years, hadn't it -- or not 18 -- 16 years?

9 A. Yeah. It's been going on a while.

10 Q. 16 years people have been saying they got a
11 raw deal and they need a new trial?

12 A. They did. They have.

13 Q. And there's nothing wrong with Ms. Hobbs
14 advocating for people to donate money to West
15 Memphis Three fund, is there?

16 A. Sure.

17 Q. So there is something wrong with that?

18 A. Yeah.

19 Q. What's wrong with that?

20 A. I wouldn't think that you should do something
21 like that.

22 Q. You shouldn't say, you can exercise your
23 rights -- rights in America and donate money to a
24 cause that you believe in?

25 A. She don't believe in that cause.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 191

1 time prior to Ms. Pasdar putting the letter on
2 the internet, right?

3 A. It has happened.

4 Q. And they've been saying that a long time
5 prior to the rally on the courthouse steps in
6 Arkansas, right?

7 A. It has happened.

8 Q. Well, it has happened, and it happened a long
9 time prior to the rally on --

10 A. Not with my name. My name come up the same
11 year of the rally.

12 Q. Right. And your name was never mentioned at
13 the rally, was it?

14 A. I wasn't there.

15 Q. Well, you sure as heck sued on it?

16 A. Well, she needs to stay in Texas.

17 Q. She just needs to stay in Texas and mind her
18 own business? That's not my question. My
19 question is, your name was not mentioned one time
20 at the rally in Arkansas, was it?

21 A. No, but it -- read between the lines, sir.

22 MR. THOMAS: Objection, lack of
23 foundation.

24 Q. What between the lines, Mr. Hobbs, about what
25 was said at the rally?

1 of foundation.

2 A. I'm not sure.

3 Q. But you're certainly not aware where you were
4 misquoted?

5 A. Oh, I'm sure that's happened.

6 Q. Where do you recall being misquoted?

7 A. I don't have it in front of me, but I
8 wouldn't doubt if there's misquotations out
9 there.

10 Q. All right. Well, then I guess we'll -- we'll
11 go through the exhibits later and we'll see if
12 you can see where you are misquoted, or if you
13 were.

14 So how did you find out -- the rally you
15 found out because it was on the TV, right?

16 A. And a reporter called me.

17 Q. Who called you?

18 A. Ms. Janice Broach.

19 Q. The same one you called about the DNA earlier
20 in the year?

21 A. I've talked to Janice millions of times.

22 Q. How many times do you call her as opposed to
23 she calls you?

24 A. I don't know.

25 Q. I mean, do you call her as many times as she

1 calls you?

2 A. Well, we don't call each other on a regular
3 basis, no.

4 Q. But when there's something -- something
5 new --

6 A. Back during all these allegations, I talked
7 to Janice.

8 Q. As a matter of fact, Janice, that's the same
9 one we talked about earlier this morning when you
10 called her in the spring to let her know about
11 the DNA results, right?

12 A. I'm not sure.

13 Q. I mean, that's the same Janice, right?

14 A. Janice Broach, Channel 5, Memphis, Tennessee.

15 Q. Why have you talked to her a million times?

16 A. Because I can, because I want to.

17 Q. And she takes your calls?

18 A. Sure.

19 Q. And she takes your calls because it's kind of
20 an ongoing story?

21 A. Probably. And she returns my calls if I need
22 her to.

23 Q. Okay. What -- what do you recall Janice --
24 you and Janice talking about the day of the
25 rally?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 200

1 A. I believe they did, yes.

2 Q. CNN cover it?

3 A. Well, it was all over the airways again.

4 Q. It was all about the court filings that
5 Damien -- not Damien -- that the West Memphis
6 Three had filed though, right; that's what was
7 all over the airways, the new evidence, the DNA
8 filings?

9 A. New evidence.

10 Q. I mean, that's what -- that's what was being
11 covered. It wasn't the rally where Natalie spoke
12 for three minutes, was it?

13 A. Yeah, it was there. It was on the news.

14 Q. It was mentioned, but the focus of the CNN
15 and the time and all those other articles was the
16 substance of the habeas filing, right?

17 A. I guess. I'm not sure.

18 Q. Let me hand you what's been marked as Exhibit
19 3. That, Mr. Hobbs, is a transcript of Ms.
20 Pasdar's statements at the rally, and I would
21 like you to tell me, one, where you're mentioned,
22 and, two, what do you think she said about you
23 that caused you damage?

24 (Deposition Exhibit No. 3 was
25 marked.)

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 201

1 MR. THOMAS: Objection. Calls for a
2 legal conclusion.

3 Q. And we can break it up if you like. Where in
4 there are you mentioned by name, Mr. Hobbs?
5 You're not mentioned, are you?

6 A. Not by name.

7 Q. Where -- what is said -- what does Ms. Pasdar
8 say at the rally that caused you injury?

9 MR. THOMAS: Object to form. I
10 think it calls for a legal conclusion.

11 A. All the evidence.

12 Q. Where are you reading, sir?

13 A. When you see the films and when you go to the
14 website, you'll learn about the case and all the
15 evidence that is there, and this is there now,
16 you just feel like what can I do.

17 Q. Okay.

18 A. We know what she's talking about there. All
19 the new evidence is the crap they come up with
20 about me, which has no merit whatsoever.

21 Q. Anything else that she says that you --
22 during the rally that you believe caused you any
23 injury, sir?

24 MR. THOMAS: Same objection.

25 MR. DAVISON: That's fine.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 202

1 Q. Or is that it? Anything else, Mr. Hobbs?

2 A. I don't know.

3 Q. I'm sorry?

4 A. I don't know.

5 Q. Well, see, this is my one chance where I get
6 to ask you the questions, so if there's something
7 else in this statement that you are complaining
8 about that you think caused you injury, I want to
9 know about it now.

10 MR. THOMAS: Objection. He's not
11 required to lay out legal theories.

12 MR. DAVISON: I'm not asking for
13 legal theories. I'm asking --

14 MR. THOMAS: Sure, you are. You're
15 asking -- you're asking for him to apply the
16 proof of the law, asking for legal strategy. And
17 you're asking him to say that he won't make an
18 argument later on.

19 Q. You can answer the question, Mr. Hobbs.

20 A. Well, I would feel like she's saying her
21 scientifically proven statement is what they come
22 up with the stuff about me.

23 Q. Okay. Anything else?

24 A. No.

25 Q. That's it. All right.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 207

1 of the judge and the jury testifying?

2 A. I do.

3 Q. And you did really well this morning on
4 speaking up and verbally. If I could ask you to
5 continue that this afternoon. I know sometimes
6 in the afternoon people get a little tired, and
7 voices tend to trail off. If you could speak up,
8 I'll try to do the same; is that fair?

9 A. Sounds good.

10 Q. All right. Would it be -- you also spoke
11 with a woman by the name of Cathy Frye at the
12 Arkansas Democrat Gazette, correct?

13 A. I did.

14 Q. As a matter of fact, you reached out and
15 called her, right?

16 A. I think so.

17 Q. And you did, because she was another person
18 in the media that you wanted to contact and get
19 your story out about the DNA, right?

20 A. I didn't know Cathy. I just wanted someone
21 in the media and the newspaper to hear what I had
22 to say, and they assigned Cathy to this.

23 Q. Okay. And you spoke with her several times I
24 assume?

25 A. A few times.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 208

1 Q. A few times. And you spoke with her both
2 before and after Ms. Pasdar's letter appeared on
3 the internet, correct?

4 A. I'm not sure about the time frame.

5 Q. All right. Do you recall when you first
6 spoke with her?

7 A. No.

8 Q. Okay. It was in '07, though, right?

9 A. I'm not sure.

10 Q. Okay.

11 A. I don't know. I'm not sure of the dates.

12 Q. She did -- there was an article in the
13 Arkansas Democrat Gazette that came out in early
14 '08, correct; do you recall that article?

15 A. I'm not sure of the date.

16 Q. Not the date, but you recall that the article
17 came out, right?

18 A. I know we did an article. I'm not sure when
19 it come out.

20 Q. Do you recall how many articles came out in
21 the Arkansas Democrat Gazette?

22 A. No.

23 Q. More than one?

24 A. Oh, yeah.

25 Q. Oh, yeah. How many?

1 A. I don't know.

2 Q. A bunch?

3 A. I don't know. I live in Tennessee.

4 Q. All right.

5 MR. THOMAS: Just by clarification,
6 with respect to which -- the case as a whole or
7 written by Ms. Frye.

8 MR. DAVISON: Fair enough.

9 Q. Let me ask you -- let me show you an article,
10 Mr. Hobbs, if I could. This is -- it's Exhibit
11 39.

12 MR. DAVISON: Ted, to Stipulation
13 No. 1.

14 Q. Mr. Hobbs, this is an article written by
15 Cathy Frye, appeared in the Arkansas Democrat
16 Gazette February 3, 2008, and ask if you -- and
17 this is one of the --

18 A. I remember this.

19 Q. Reputation is ruined, says stepdad of boy
20 killed in '93. And this was one of the articles
21 that Ms. Frye wrote, right?

22 A. Looks like it.

23 Q. Yeah. You have to speak up for everybody to
24 hear.

25 A. It looks like it.

1 Q. Looks like it. And in here talks about,
2 among other things, the DNA report, right?

3 A. Yes.

4 Q. And how you're linked to it, correct?

5 A. Okay.

6 Q. Well, it does that, right; you recall that?

7 A. Very vaguely.

8 Q. Okay. Well, I mean, you -- this is one of
9 the articles you worked with --

10 A. Right. I haven't read it recently, so I'm
11 not really sure.

12 Q. I appreciate that. Do you recall reading it
13 when it came out?

14 A. Sure. I recall doing it.

15 Q. You recall doing it. Working with the
16 reporter on it?

17 A. Right.

18 Q. Okay. And when you were working with the
19 reporter on it and it came out, do you recall
20 reading it when it was published on February 3rd?

21 A. Right.

22 Q. Okay. And when it came out, do you recall
23 anything in there that you said, man, this is
24 wrong?

25 A. I recall some things that was put in there

1 that I wish she hadn't have put in there the way
2 she put it in there, I believe.

3 Q. As you sit here --

4 A. If that's the article I'm thinking about.

5 Q. As we sit here today, do you recall what you
6 wished she hadn't put in there like she put in?

7 A. Her talking about my dad. And I don't know
8 -- sometime I think they pick up some of this
9 stuff from other people and put it in there
10 whenever you're doing an interview with them.

11 Q. There has been -- there has been some
12 discussion in the press about your relationship
13 with your father, hasn't there?

14 A. There has.

15 Q. And some discussion in the press about how
16 perhaps you were abused by your father, correct?

17 A. I was not.

18 Q. But there's been that discussion, correct?

19 A. There has.

20 Q. There has been. You love your father?

21 A. Very much so.

22 Q. And I guess every son loves his father. One
23 of the -- as this article talks about the DNA, it
24 also talks about your linkage to the DNA that's
25 found at the scene. It talks about damage to

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 212

1 your reputation, doesn't it?

2 A. Okay. Yes.

3 Q. I mean, it does. That was one of the things
4 that you really wanted to get out to Ms. Frye,
5 which is how all of this discussion has ruined
6 your reputation, right?

7 A. Right.

8 Q. And February 3, 2008, that was a month and a
9 half after the letter posted -- the letter by Ms.
10 Pasdar, right?

11 A. Okay.

12 Q. The letter by Ms. Pasdar was November 26,
13 '07, right?

14 A. Right.

15 Q. And it was after -- a little more than a
16 month after the rally, because the rally was in
17 December, right?

18 A. Right.

19 Q. And this article is an attempt by you to get
20 out to the public how your reputation has been
21 ruined by the defense allegations, right?

22 A. All of the above.

23 Q. All right. No where in here do you mention
24 at all Ms. Pasdar or the rally or the Dixie
25 Chicks, do you?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 213

1 A. I don't know. I haven't read it in a while.

2 Q. Briefly look through it, sir, and tell me if
3 anywhere when you're trying to get your story out
4 to the press of where your reputation has been
5 ruined by these allegations, where in that story
6 you talk about the rally, the Dixie Chicks or Ms.
7 Pasdar. There's not a single word in there about
8 them, is there?

9 On the second page of the article it talks
10 about how in February that you learned that the
11 DNA has been linked to you, correct, February
12 '07, right?

13 A. That's when them investigators showed up at
14 my house, and they were the ones who told me.

15 Q. Right?

16 A. About that.

17 Q. Right. And that's the first time you knew
18 about it?

19 A. Right.

20 Q. Right.

21 A. In 16 years -- or 15 years at the time.

22 Q. And then it says here in March, March 7, that
23 would be March 7 of '07, right?

24 A. I'm not sure. It doesn't have a year on it.

25 Q. Well, we talk about January -- sorry --

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 214

1 February '07, and then it says on March '07, I'm
2 assuming '07, you suffered an emotional
3 breakdown. Did you suffer an emotional breakdown
4 in March of '07?

5 A. I ain't going to say what year, but, yeah, I
6 had some problems with all this crap.

7 Q. And that was in the spring of '07, right?

8 A. I ain't going to say what year.

9 Q. Well, what year was it? When did you have an
10 emotional breakdown, put a sign in your front
11 yard, putting your contents up for sale, and you
12 lived -- you lived in your yellow Ford pickup
13 with your teenager daughter; that was spring of
14 '07, right?

15 A. Yeah. If that's the date on here, yes.

16 Q. And that -- and so you had the breakdown, you
17 were feeling the effects of all the pressure
18 building up, that was months and months prior to
19 the time that Ms. Pasdar put her letter on the
20 internet or spoke at the rally, right?

21 A. Looks like it.

22 Q. All right. So she certainly didn't have any
23 result -- any -- any cause -- she didn't cause
24 any of that, emotional breakdown in '07 or the
25 living in your pickup truck with your daughter.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 217

1 Q. Who is this friend, former friend?
2 A. Larry Mayno.
3 Q. Where -- where does Larry Mayno live?
4 A. Memphis, Tennessee.
5 Q. Do you have an address for him?
6 A. Not on me.
7 Q. Do you know what part of town he lives in?
8 A. I do.
9 Q. What part of town does he live in?
10 A. I don't know his address.
11 Q. I asked what part?
12 A. East side.
13 Q. East side. Does he work with you?
14 A. No.
15 Q. No. How do you know Larry?
16 A. We had worked in the past together.
17 Q. Where?
18 A. In construction.
19 Q. Okay. How long have you known Larry?
20 A. I don't know. I don't know how many years.
21 Q. Is he a good friend or an acquaintance?
22 A. Has been.
23 Q. Has been. When did -- but you don't recall
24 when you first met him. When did Larry say he
25 didn't want to be your friend anymore?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 218

1 A. He never made the statement like that.

2 Q. Well, how would you describe your
3 relationship with him now?

4 A. I ain't had one with him.

5 Q. Okay. And the reason is because Natalie
6 appeared at the rally?

7 A. The reason -- I ain't going to say the reason
8 is, but the day I went by to visit with him.

9 Q. Uh-huh.

10 A. He told me, he said, Terry, you've got all
11 these people after you, and he called out the
12 Dixie Chicks' name. And it's like he's starting
13 to believe it, because the more people got out
14 there saying my name, the more I felt like he
15 believed them.

16 Q. Okay. Did you try to convince him you didn't
17 have anything to do with it?

18 A. I tried.

19 Q. What did you tell him?

20 A. The truth.

21 Q. Which is? I didn't do it?

22 A. Yeah. I didn't do it, and I don't care what
23 all them yodel brains have got to say about it.

24 Q. And he didn't believe you?

25 A. I felt like he didn't.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 219

1 Q. Okay. Okay. Well, now, the press had been
2 kind of building up or reporting the DNA findings
3 and whatnot for several months -- several months
4 beginning in the spring of '07 going forward
5 until Natalie made her letter, posted her letter,
6 right?

7 A. Okay.

8 Q. Well, I mean --

9 A. Sounds good.

10 Q. Isn't that right? Isn't that what happened?
11 Right? Let's look at document 9 in Stipulation
12 1, which is a July 20, 2007 report from Action
13 News. Action News, that's Janice Broach, right?
14 That's the lady you dealt with, right, wanted to
15 get your story out, right?

16 A. Okay.

17 Q. I mean, that's the same Janice, right?

18 A. It is.

19 Q. Action 5 News?

20 A. Right.

21 Q. Action News 5, that's where she works right?
22 Right?

23 A. Right.

24 Q. Did she -- and this is a report of the -- she
25 reported, did they not, Channel 5 News, on July

1 20, 2007, new DNA testing by the defense shows
2 that none of the genetic material recovered from
3 the murder scene link the West Memphis Three to
4 the scene. Instead, defense attorneys say, the
5 test found DNA from Terry Hobbs, the stepfather
6 of one of the murdered boys. They reported that
7 in July 2007, didn't they?

8 A. Oh, yeah.

9 Q. Okay. Did you -- did you start to get some
10 calls from neighbors or friends when this was
11 reported by Janice?

12 A. Oh, yeah.

13 Q. All right. And was this report, July, 27th
14 report, was this a result of you reaching out to
15 her to try to get your story out? You say, I
16 have to laugh at that and say there's something
17 wrong with someone who would think that. This is
18 part of your trying to get the story out about
19 the DNA, right?

20 A. Probably. It looks like it.

21 Q. It looks like it. In here, this Exhibit 9 to
22 Stipulation 1, did you say all those things in
23 there? Are you accurately quoted, Mr. Hobbs?

24 A. Yeah, I guess. I don't know.

25 Q. Okay. And so you did say, if Michael Moore

1 or Christopher Byers had a piece of my hair on
2 their shoestrings, well, these little boys came
3 to my house and played with our little boy pretty
4 regularly, you said that, right?

5 A. Right.

6 Q. And so it's also reported here by Channel 5
7 News, the DNA results also reveal, according to
8 court documents, that most of the DNA at the
9 crime scene came from the victims, but some of it
10 cannot be connected to the victims or the
11 defendants. I don't know what to make of that,
12 Hobbs said. It's their job to do what they do.

13 A. Uh-huh.

14 Q. You quoted that right -- quoted correctly
15 there?

16 A. Yeah.

17 Q. Yeah. And some of that DNA is also linked to
18 Mr. Jacoby, right?

19 A. I don't know. There's one in so many million
20 that could be him or could not be him. Same as
21 mine.

22 Q. So it's your -- it's your belief and your
23 understanding that the DNA reports show that it's
24 pretty common to have a match like that; is that
25 your understanding?

1 MR. THOMAS: Objection. He can't
2 possibly know what other people thought based on
3 news report.

4 MR. DAVISON: I can ask what he
5 thinks.

6 Q. Do you think it's pretty well known at least
7 your D -- it was out there in the press. The
8 press was reporting that your DNA was linked to
9 the crime scene?

10 A. Right, the press was reporting that.

11 Q. Okay.

12 A. But it still doesn't mean that any of that
13 out there was my DNA.

14 Q. I appreciate that.

15 A. Or it doesn't mean that to me.

16 Q. Did you ever talk to the police about the
17 DNA?

18 A. No.

19 Q. They never asked you about it?

20 A. Oh, I'm not sure. I went and answered some
21 questions for them. I don't remember what kind
22 of questions we had. I done that video with
23 them. I read that thing, and that's a joke.

24 Q. What -- what video? The press -- the press
25 conference?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 225

1 A. No, no.

2 Q. What video, Mr. Hobbs?

3 A. The one that they got me in that room asking
4 me all them questions.

5 Q. That's -- that's part of when the police --
6 West Memphis police then interviewed you again in
7 June of '07?

8 A. Okay.

9 Q. Is that right?

10 A. Sounds close.

11 Q. Now, how many times have you been interviewed
12 by the West Memphis police in conjunction with
13 the murders?

14 A. None probably. This one they did. I'm
15 thinking there might have been one -- one I know
16 I went and done fingerprints and feet prints, and
17 I still -- I'm still never -- not a suspect, and
18 I wasn't one back then. Please note that.

19 And I have made this statement: If you think
20 I'm a suspect, call the police department, and
21 they will set you -- clear that up for you.

22 Q. On Channel 5, July 21st, this is Document No.
23 12 in Stipulation 1, Ms. Broach says, now doing
24 new DNA testing shows a hair from one of the
25 boys' stepfather, Terry Hobbs, was found in

1 shoelaces to tie up the eight year --
2 eight-year-old boys?

3 A. So?

4 Q. So I'm just saying that it was reported
5 widely that your DNA was found, correct?

6 A. Yeah.

7 Q. Okay. And it was reported widely well prior
8 to the time that Ms. Pasdar posted her letter or
9 appeared at the rally, right?

10 A. It was going on at the time she jumped on the
11 bandwagon.

12 Q. On Channel 5 on the 21st, they also talk
13 about finding the knife and the knife that
14 Stevie's grandfather had given him in your stuff?

15 A. So?

16 Q. Did you have any your possession, Mr. Hobbs?

17 A. I don't know. I think I still have his
18 pocketknife.

19 Q. You have Stevie's pocketknife?

20 A. I think so.

21 Q. And is that a pocketknife that Stevie carried
22 with him on a regular basis?

23 A. Until I found it. Until I seen my stepson,
24 who wasn't old enough to have a pocketknife, I
25 felt like. I took the pocketknife from him and

1 put it in a drawer with the rest of our
2 pocketknives.

3 Q. How would you respond to witnesses who would
4 testify that Stevie carried that knife with him
5 up until the time that he disappeared?

6 A. I think you'll find out people will say
7 anything, but they don't have the facts.

8 Q. What facts do you have to prove that you took
9 the knife from Stevie?

10 A. I was his dad. I was acting as a responsible
11 parent. Not letting a six, seven, eight-year-old
12 little boy carry a pocketknife.

13 Q. Aren't you aware that his mommy -- his mother
14 said that he carried the knife with him up until
15 the time that he disappeared?

16 A. She also said I killed the boys, too, and
17 yes, I'm very much aware of all that.

18 Q. The knives were reported in some of the -- in
19 the letter that Ms. Pasdar posted on the
20 internet, wasn't it?

21 A. Okay.

22 Q. That's one of the things, right, that you're
23 complaining about that?

24 MR. THOMAS: Object to the
25 characterization, complaining about the knife. I

1 think the petition said the knives were not used.

2 Q. Document 13 to Stipulation 1, Mr. Hobbs, it
3 is an article from the Crittenden Times written
4 by Laura Smith. Have you seen this one before?

5 A. I don't know.

6 Q. Where is Crittenden, Arkansas?

7 A. Crittenden County.

8 Q. Crittenden. I'm sorry. Where is that?

9 A. West Memphis, Arkansas.

10 Q. It's in West Memphis. And do you remember
11 talking to Laura Smith?

12 A. I have talked to Laura a lot.

13 Q. Talked to her a lot over the years?

14 A. Uh-huh.

15 Q. Over the years from --

16 A. As a friend.

17 Q. As a friend and as a reporter?

18 A. Right.

19 Q. Do you have a relationship with her as a
20 friend as opposed to a reporter?

21 A. Well, she was just being a friend. I think
22 she was a curious reporter.

23 Q. Curious reporter. Who befriended you. Okay.
24 Fair enough. Have you ever been aware that the
25 police department, in light of the -- that the

1 police department has attributed the DNA found on
2 the suspects that is attributed to you to
3 secondary transfer?

4 A. I've heard rumor to that, but I'm satisfied
5 with that.

6 Q. You're satisfied with that?

7 A. Yeah.

8 Q. What do you mean by that, you're satisfied
9 with that?

10 A. Because it happens.

11 Q. Secondary transfer?

12 A. I could walk out of here today with some of
13 your DNA on me.

14 Q. I don't know how to respond to that. Exhibit
15 13 to Stipulation 1, talk about -- talk about the
16 new DNA. The news of the results of the DNA
17 testing on the crime scene evidence is brought
18 local and national attention back to the victims'
19 families for the three men in prison for the
20 murders and West Memphis itself.

21 Would you agree, Mr. Hobbs, that the results
22 of the DNA testing in the summer of '07 brought
23 national and local attention back to the
24 families, the men in prison, West Memphis itself?

25 A. That sounds like that's one reporter's

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 231

1 A. Yeah. You just read it.

2 Q. Okay. Well, I mean, is that what you
3 understood, that in -- that the summer of '07,
4 when the police were asked to comment on the
5 hair, they say, well, it's Mr. Hobbs', but it's
6 secondary transfer. Is that how you read that?

7 A. That's how I just read that.

8 Q. And you agree with that?

9 A. What's that?

10 Q. That it --

11 A. That it is secondary?

12 Q. That it is --

13 A. I ain't going to say it is, because I don't
14 know.

15 Q. Okay. But you agree, that at least in the
16 summer of '07, the police attributed it as your
17 hair, but said it got there by secondary
18 transfer?

19 A. Sound good.

20 Q. Sounds good to you. Here's an article by the
21 American Chronicle August 15, 2007. It's Exhibit
22 14 to Stipulation 1 by a fellow named Frank
23 Brooks. Did you ever talk to Frank Brooks at the
24 American Chronicle?

25 A. No.

1 Chronicle?

2 A. Not yet.

3 Q. Not yet?

4 A. I'll need a copy of that.

5 Q. Well, your lawyers have it. It's been
6 produced. It's been stipulated. This was out
7 there in the public months prior to Ms. Pasdar
8 making the statements that you complain of.

9 A. Just put him on the list.

10 Q. Put him on the list. A little more
11 vengeance. Exhibit 16, Stipulation 1, is
12 something from the internet stipulated to the
13 Democratic Underground.com., entitled Echols
14 attorneys file new motion claiming wrongful
15 conviction in the West Memphis Three case.
16 You're aware that there were many message boards
17 and blogs that talk about the case, right, Mr.
18 Hobbs?

19 A. Sure.

20 Q. As a matter of fact --

21 A. Here's one.

22 Q. Oh, that's actually on the internet. It's
23 not a blog.

24 A. Oh.

25 Q. But fair enough. Fair enough. Have you ever

1 posted on the internet blogs?

2 A. No.

3 Q. About this case?

4 A. No.

5 Q. How about anyone on your behalf, your
6 brothers, your family?

7 A. I have -- I have asked my family not to do
8 this. We don't believe in lowering ourself to
9 this level or this level, if you will.

10 Q. Uh-huh.

11 A. That's how we're -- we are raised.

12 Q. Okay. Do you know if -- if your brothers or
13 others on your behalf have filed and made
14 postings on the blogs?

15 A. I don't know. I don't know that.

16 Q. How about Mr. Sampson when he was acting as
17 your press agent -- or press spokesman?

18 A. I never told him to.

19 Q. Did you tell him not to?

20 A. I'm not sure.

21 Q. Okay. The statement that is in -- on Exhibit
22 16 talks about the evidence in today's filings
23 include, and then there are several -- one, two,
24 three, four, five, six, seven bullet points --
25 I'm sorry -- eight bullet points. Those are the

1 same bullet points that you complained of
2 Ms. Pasdar, right?

3 A. I'm not sure.

4 Q. You even took a point of -- the filing
5 includes a chronology of Hobbs' activity on the
6 night of the crimes when he washed his clothes
7 for no other reason than to hide evidence of the
8 crimes?

9 A. Well --

10 Q. I mean, that's -- I mean, it's almost word
11 for word, isn't it?

12 A. Sounds like it.

13 Q. And this is -- this is over a month prior to
14 Ms. Pasdar's posting, correct?

15 A. And?

16 Q. And I'm just saying these same statements and
17 these same allegations were posted worldwide and
18 the subject of national media attention prior to
19 the time that Ms. Pasdar made the statements that
20 you're complaining of, right?

21 A. Okay.

22 Q. I mean, that's correct, right?

23 MR. THOMAS: Object as to form.

24 It's one publication. He had no personal
25 knowledge as to where the extent of that one

1 publication --

2 Q. Would you agree with me, Mr. Hobbs, that
3 these types of factual statements and allegations
4 were the subject of national and international, I
5 think you said earlier, attention, starting in
6 the spring of '07 basically up and through today?

7 A. Uh-huh. Right.

8 Q. Correct?

9 A. Correct.

10 Q. You didn't sue any of these people, right?
11 Do you need to put them on the list?

12 A. Not yet.

13 Q. Not yet. Well, put them on the list.

14 A. I hope I can deal with every one of them.

15 Q. Arkansas On-Line Press Services, October 30,
16 '07, again, reports, in October of '07 that hair
17 matching your DNA is found in the -- at the crime
18 scene, right? I mean, there are -- there are a
19 bunch -- would it be fair to say --

20 A. I've seen it.

21 Q. -- there would be page after page after
22 page, week after week after week of those
23 allegations; isn't that right?

24 A. Correct.

25 Q. And that all happens -- it happened long

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 237

1 before Ms. Pasdar made her statements, but
2 certainly continues to today, correct?

3 A. Correct.

4 Q. As a matter of fact, here's --

5 A. Are you trying to justify her doing it?

6 Q. I get to ask my questions, sir. As a matter
7 of fact, here's an article from the Los Angeles
8 Times talking about -- and which is Exhibit 18 to
9 Stipulation 1. Talking about your DNA found at
10 the crime scene, another hair found on the tree
11 root at the crime scene contained the DNA of
12 David Jacoby who, according to court documents,
13 was with his friend Hobbs in the hours before an
14 after the victims disappeared. That's true, too,
15 right?

16 A. Probably.

17 Q. Well, probably. It is true, isn't it?

18 A. What? David was with me?

19 Q. David was with you before and after, right?

20 A. Before?

21 Q. And after the victims disappeared?

22 A. He was at home when I went by his house, and
23 he went to work the next morning. He went to
24 work.

25 Q. You can't explain how his hair got there, can

1 Q. Okay. Did you -- I think you said you had
2 internet and had access to the internet, right?

3 A. At the time.

4 Q. At the time. What about today?

5 A. I can always go to the library and get on it.

6 Q. Yes, sir, you can. You're aware that the
7 West Memphis Three defense team held a press
8 conference, are you not?

9 A. When?

10 Q. At the time that the DNA filings -- at the
11 time that the habeas was filed?

12 A. Oh, I'm not sure.

13 Q. Have you ever seen the video of the press
14 conference that's on the West Memphis Three
15 website?

16 A. Probably not. Now, just because we're
17 related to it don't mean we care about everything
18 that goes along with it.

19 Q. Has anyone ever told you about the defense
20 team's press conference at the time they filed
21 the habeas?

22 A. Just the one they done in Memphis.

23 Q. When did they do the one in Memphis?

24 A. I'm asking you. Is that the one you're
25 talking about?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 240

1 Q. Well, what press conferences are you aware --
2 I believe it is. I believe it is.

3 A. Never mind. I don't know if it was or not.

4 Q. Well, did you watch the press -- did watch a
5 video of the press conference that the defense
6 team held in Memphis, Mr. Hobbs?

7 A. Probably. I seen them acting -- seen them
8 doing something on there. I don't know what it
9 was about.

10 Q. About the DNA?

11 A. Uh-huh, it was.

12 Q. About your DNA?

13 A. Yeah.

14 Q. And about Jacoby's DNA?

15 MR. THOMAS: Object to
16 mischaracterization. It's actually opposite of
17 what the video says.

18 Q. And the knives?

19 A. See, when you see this stuff, most of the
20 time I don't watch it.

21 Q. Well, did you watch it or not? I'm not
22 asking about most of the time. I'm asking did
23 you watch the video --

24 A. Probably some of it. Then I don't care much
25 about what anybody on that defense team has to

1 say.

2 Q. Well --

3 A. Or I will turn it.

4 Q. Why did you watch some of it?

5 A. Because people call you up and say, hey, turn
6 it over here and watch this.

7 Q. Okay.

8 A. And you might turn over there and catch a
9 piece of it, and it's over with.

10 Q. Just like your attorney filed a Press Release
11 when he filed this lawsuit, are you aware that
12 the defense team filed a Press Release when they
13 made their habeas filing?

14 A. I just told you.

15 Q. No, you didn't tell me, sir. My question is
16 entirely different, which is, are you aware that
17 there's a difference between a press statement
18 and a press conference? Are you aware, that at
19 the time the defense team filed their habeas,
20 that they issued a written Press Release?

21 A. Probably not.

22 Q. Never seen it?

23 A. I'd have to see it to recognize it.

24 Q. Okay. Let me hand you, Mr. Hobbs, what we'll
25 mark as Deposition Exhibit 4, and ask if you have

1 Q. Would you agree with me, Mr. Hobbs, that the
2 bullet points that are on the first -- those
3 eight bullet points that are on the first and
4 second page on the Press Release are, in fact,
5 the same information that's contained in Ms.
6 Pasdar's November 26th letter?

7 A. Familiar.

8 Q. I'm sorry?

9 A. Looks like it.

10 Q. Okay.

11 A. But you're talking about some wrong
12 statements.

13 Q. Wrong statements that --

14 A. Pasdar made.

15 Q. Well, they're statements that the defense
16 team made that you disagree with --

17 MR. THOMAS: Objection to
18 characterization. We don't know where that
19 document came from. It's not an authentic
20 document.

21 Q. If that is in fact the Press Release and it
22 was issued by the defense team, would you agree
23 with me, Mr. Hobbs, that the statements that Ms.
24 Hobbs -- Ms. Pasdar made are simply the same
25 statements that the defense team said were

1 Q. (By Mr. Davison) Still under oath, right,
2 Mr. Hobbs?

3 A. Yes, sir.

4 Q. When you first saw -- or first learned of the
5 letter that Ms. Pasdar posted on the Dixie
6 Chicks' website in late November or early
7 December of '07, did you make any effort to reach
8 out to Ms. Pasdar or the Dixie Chicks?

9 A. No, sir.

10 Q. Why not?

11 A. Why should I?

12 Q. See why they posted it to get them to retract
13 it. Did you take any effort to communicate with
14 them whatsoever?

15 A. I shouldn't have to. I shouldn't be in that
16 position.

17 Q. So I take it your answer to my question is
18 no?

19 A. Exactly. They interfered in my business, our
20 family's business. We ain't done nothing to
21 them.

22 Q. What else? Anything else?

23 A. No.

24 Q. Why do you think the little boys were
25 murdered?

1 A. I don't know why.

2 Q. How do you think they were murdered?

3 A. I don't know how.

4 Q. When were they murdered?

5 A. I'm not sure about that either.

6 Q. Where were they murdered?

7 A. West -- I think West Memphis. I don't know.

8 Q. Who murdered them?

9 A. The three young men in prison.

10 Q. Is it a matter -- do you believe, sir, that
11 it's a matter of public concern as to who
12 murdered the three little boys?

13 MR. THOMAS: I object to the extent
14 it calls for a legal conclusion.

15 MR. DAVISON: I'm asking his
16 opinion.

17 Q. Does he have an opinion as to whether or not
18 it's a matter of public concern of who murdered
19 the three little boys?

20 A. It doesn't matter what I think. They're
21 going to get involved anyway.

22 Q. That's not my question. Sir, would you
23 answer my question?

24 MR. THOMAS: Same objection.

25 A. Repeat the question.

1 Q. Is it a matter of public concern as to who
2 murdered the three little boys?

3 A. Shouldn't be, but it is.

4 Q. Shouldn't be, but it is. Why shouldn't it be
5 a matter of public concern as to who committed
6 three heinous murders?

7 A. Because there's three bastards sitting in
8 prison for it today.

9 Q. And that was -- and that -- that trial back
10 in '94 was a matter of national and international
11 concern, was it not?

12 A. So?

13 Q. So it was a matter of public concern back
14 when the West Memphis Three were tried and
15 convicted, but it's not a matter of public
16 concern now if there are questions about the
17 sufficiency of the verdict in the trial and the
18 evidence?

19 A. I'm happy with the trial's --

20 Q. I understand that, but my question is, is it
21 your testimony that it was a matter of public
22 concern at the original trial, but it's not a
23 matter of public concern today?

24 A. It doesn't matter to me what the public
25 thinks about it.

1 entirely different opinion?

2 A. Everybody is entitled to their own opinion.

3 Q. And everybody is entitled to express that
4 opinion, are they not?

5 A. To some degree.

6 Q. Okay. And is it -- it is a matter of public
7 concern -- you would agree with me, sir, that
8 it's a matter of public concern about whether or
9 not the West Memphis Three were wrongfully tried
10 and convicted of murder; that can be an issue of
11 public debate, can it not?

12 A. A low mentality public probably.

13 Q. Your wife Pam is entitled to her opinion as
14 to whether or not the West Memphis Three were
15 wrongfully tried and convicted, are they not?

16 A. She is.

17 Q. And you're entitled to your opinion as to
18 whether or not they were wrongfully tried and
19 convicted, correct?

20 A. I am.

21 Q. I'm sorry?

22 A. I am.

23 Q. Your wife Pam is entitled to her opinion as
24 to whether or not you were involved in the --

25 A. She is entitled.

1 Q. Right. And Ms. Pasdar is entitled to her
2 opinion as to whether or not the West Memphis
3 Three were wrongfully convicted, is she not?

4 A. She is.

5 Q. And the Dixie Chicks are entitled to their --
6 to have opinion an opinion as to whether or not
7 the West Memphis Three were wrongfully convicted,
8 correct?

9 A. They are.

10 MR. THOMAS: Are those being offered
11 as deposition exhibits?

12 MR. DAVISON: These are all
13 deposition exhibits. I don't know that I need to
14 offer them other than Federal Rules. They're
15 just exhibits.

16 MR. THOMAS: But they will be
17 attached to the deposition?

18 MR. DAVISON: Oh, absolutely.

19 Q. Paragraph 19 to your complaint, sir, that you
20 reviewed and approved prior to the time it was
21 filed, you state, that Ms. Pasdar's repeated
22 libelous publications concerning involvement of
23 plaintiff, which is you, was, among other things,
24 false and reckless at the time of publication.
25 And my question to you, sir, is what facts --

1 facts do you have to support your belief that her
2 statements were reckless?

3 A. Because she don't know what she's talking
4 about.

5 Q. How do you know that?

6 A. Because she's accusing me.

7 Q. Other than the fact that you don't think she
8 --

9 A. And I know that I didn't do this.

10 Q. Do you know what she looked at?

11 A. I don't even care.

12 Q. You don't care?

13 A. What she looked at.

14 Q. The fact that, in your opinion, she's wrong
15 makes it reckless?

16 A. Sure. Why not?

17 Q. Do you have any reason to believe that she
18 knew that what she was saying was false at the
19 time that she said it?

20 A. I have no have recollection.

21 MR. THOMAS: Object to the extent
22 that it calls for a legal conclusion.

23 Q. I mean, you have no base -- you have not
24 factual basis to say that Ms. Pasdar knew that
25 what she was saying was false at the time she

1 said it, do you?

2 MR. THOMAS: Objection to the extent
3 that it calls for a legal conclusion.

4 MR. DAVISON: I'm asking for facts,
5 Counsel.

6 A. I would think that she probably read the
7 police report where they said that he wasn't a
8 suspect then, he ain't now, and then she just
9 shot off.

10 Q. Do you know that she read the police report?

11 A. I don't. Do you?

12 Q. See, I get to ask the questions. That's the
13 great thing about today, Mr. Hobbs, is I get to
14 ask the questions.

15 A. I don't know if she didn't.

16 Q. Do you know if she looked at the Press
17 Release?

18 A. I don't know what she looked at.

19 Q. Do you know if she watched the press
20 conference?

21 A. I don't know what she watched.

22 Q. Do you know who she talked to, if anyone, on
23 behalf of the defense team?

24 A. I don't know.

25 Q. So as we sit here today, you have no facts

1 that would support your belief that Ms. Hobbs --
2 that Ms. Pasdar knew that what she was saying was
3 false at the time she said it?

4 MR. THOMAS: Same objection as
5 earlier.

6 Q. Right?

7 A. I don't know where she get her information
8 from, but she should have talked to somebody who
9 knew about it.

10 Q. My question -- I need you to answer my
11 question, because it's an important question, Mr.
12 Hobbs, which is, do you have any facts or do you
13 have any documents that support your allegation
14 that Ms. Hobbs -- Ms. Pasdar knew that the facts
15 that she was stating on either her letter or at
16 the rally were false at the time she made it?

17 MR. THOMAS: Same objection.

18 Q. You don't, do you?

19 A. I don't know where she gets her information
20 from.

21 Q. Okay. You just know you didn't do it, and
22 you just know it's not your DNA? Do you know
23 it's not your DNA? You don't know one way or
24 another if it's your DNA, do you?

25 A. Well, I've never been convinced it was mine.

1 Q. And I am sympathetic and appreciate that, I
2 really am. But my question to you, sir, as
3 representing my client, is -- I'm trying to
4 figure out what damage, what emotional damages
5 you have suffered as a result of the statements
6 that my client made as opposed to the national
7 and international scrutiny that's been going on
8 for months and months and months prior to the
9 time that my client had anything to say?

10 MR. THOMAS: Objection to the extent
11 it calls for a legal conclusion.

12 Q. I'm simply asking you what damages you have
13 suffered?

14 MR. THOMAS: Same objection.

15 A. I don't know.

16 Q. Can you sit here -- can you point to me one
17 damage have been separate and apart from all of
18 the things that we talked about in the summer and
19 the spring of '07 that is caused as a result of
20 what Pasdard said?

21 MR. THOMAS: Objection --
22 requires -- to the extent it requires a legal
23 conclusion.

24 MR. DAVISON: I'm not asking for a
25 legal conclusion, Counsel.

1 MR. THOMAS: Sure, you are.

2 MR. DAVISON: I'm asking for the
3 facts.

4 MR. THOMAS: You're asking -- you're
5 asking for him to apply the facts to the law of
6 causation.

7 MR. DAVISON: I'm asking for facts.

8 MR. THOMAS: He doesn't know what
9 proximate cause is.

10 MR. DAVISON: I'm just asking for
11 facts.

12 MR. THOMAS: You're linking the
13 facts you're asking due to causation, which is a
14 legal concept, which he is not required to
15 address.

16 Q. Can you answer the question, Mr. Hobbs?

17 A. No.

18 Q. No. Have you been to any doctors since
19 November of '07?

20 A. I have a doctor friend I call.

21 Q. What doctor friend?

22 A. Mike Mitchell. He wanted me to come in and
23 visit with him. I was aggravated and mad and
24 would not go. I just wanted him to give me
25 something for my blood pressure.

1 until '07.

2 Q. My question is, sir, are you able to separate
3 any injury -- the emotional injury --

4 A. No.

5 Q. -- between the ongoing appeals and what Ms.
6 Pasdar said?

7 A. No. Because they had been going on before
8 she come along.

9 Q. What about the anxiety and the stress and
10 injury that your interaction with the defense
11 team and their investigators has caused you, Ron
12 Lax?

13 A. Caused me a lot of problems.

14 Q. As a matter of fact, you have testified -- or
15 not testified -- you quoted in the newspaper and
16 said they ruined your life?

17 A. They helped.

18 Q. Helped. And the -- Mr. Riordan and the
19 defense counsel, they have ruined your life?

20 A. They had a part of it, too.

21 Q. Are you able to distinguish any of that, the
22 ruining of your life, by the investigators or the
23 defense counsel from the letter that Ms. Pasdar
24 posted on the website or the statement that she
25 made at the rally?

1 A. You put them all together, and I shouldn't
2 have a life, should I.

3 Q. I didn't say that. I certainly didn't say
4 that, and that wasn't my question. My question
5 is --

6 A. That's how it is.

7 Q. My question is can you separate it out?

8 A. I don't have to.

9 Q. Can you? I'm asking you if you can?

10 A. No.

11 Q. Can you separate out the emotional injury
12 that you have suffered as a result of the
13 countless newspaper, media, television articles,
14 about the murder, the appeals, and quite frankly,
15 the recent connection of your DNA to the crime
16 screen, separate and apart from that -- Ms.
17 Pasdar's letter or statement at the rally?

18 A. No.

19 Q. You state any -- other than -- talking about
20 personal injuries. Talked about emotional
21 injury. Any other personal injuries, Mr. Hobbs,
22 or is that pretty much it from the personal
23 injury side?

24 A. I don't know.

25 Q. I'm sorry?

1 A. Yeah, that's it.

2 Q. Yeah, that's it. Okay. Talks about -- the
3 next one, injury to your reputation. How has Ms.
4 Pasdar's statement in the letter or at the rally
5 injured your reputation as compared to --

6 A. Just add injury to injury is what it does.

7 Q. Add injury to injury. Because Ms. Pasdar
8 certainly wasn't saying anything new, was she?

9 A. No.

10 Q. And she -- all it was, it was just one more
11 celebrity --

12 A. Let's kick him while he's down.

13 Q. Well, one more celebrity asking folks to
14 become involved, to send money and make the
15 politicians aware of what was going on; that's
16 what she was doing, wasn't it?

17 A. Wasn't nothing --

18 MR. THOMAS: Object to the
19 characterization of the letter.

20 Q. There wasn't anything going on? They hadn't
21 filed a habeas?

22 A. I don't know.

23 Q. There wasn't --

24 A. Just trying to make a bunch of nothing out of
25 nothing.

1 Q. Well, why would she do that?

2 A. Ask her.

3 Q. Well, I'm asking you. Do you have an opinion
4 as to why --

5 A. I don't know why.

6 Q. -- she thinks she would do that?

7 A. I don't care why. She needs to mind her own
8 business.

9 Q. Because -- because it's none of her business
10 if you were involved?

11 A. I wasn't involved, and her saying I was. You
12 need to understand that.

13 Q. It's none of her business if three innocent
14 teenagers -- what were young teens, now young
15 adults -- sit in jail for crimes they didn't
16 commit; that's not her business, is it?

17 A. Then maybe she needs to address that and
18 leave me out of it.

19 Q. What was your reputation -- I want you to
20 tell me what your reputation was prior to
21 November the 26th, 2007, Mr. Hobbs. Taking into
22 account your whole life experience and everybody
23 that knew you, what was your reputation?

24 A. Pretty screwed up one, ain't it.

25 Q. Is that your answer?

1 A. Yeah, it could get worse.

2 Q. Could be worse?

3 A. The more big-mouths out there shooting off,
4 yeah, it gets worse.

5 Q. You'll agree that you've led a, shall we say
6 a colorful life?

7 A. I've had a good life up until the murders of
8 our little boy.

9 Q. And then it all went south, didn't it?

10 A. It could have been better.

11 Q. Arrested for drug -- drug use and possession?

12 A. Half a joint.

13 Q. Accused of molesting your teenage daughter,
14 divorced, bankruptcy, lawsuits, you shot your
15 brother-in-law, nationally connected through
16 international press in the summer of '07 with
17 DNA -- you DNA at a crime scene, the murder of
18 your little boy and two other little boys?

19 MR. THOMAS: Objection. It's a
20 compound question.

21 A. And?

22 Q. That was your reputation prior to November of
23 '07, wasn't it?

24 MR. THOMAS: Same objection.

25 A. And?

1 Q. And it's the -- how can it get worse?

2 A. Well, it would get better if people would
3 quit jumping on the bandwagon.

4 Q. How could it get worse? How did what Ms.
5 Pasdar say damage your reputation anymore than
6 what the conduct you had led through the last 15
7 years done?

8 A. She just pulls more in -- people influence in
9 that people don't even pay attention until
10 celebrities get on board.

11 Q. So she threw light on the subject?

12 A. She didn't throw light on nothing. She shot
13 off.

14 Q. My question to you, sir, is how did your
15 reputation change, other than the fact that Ms.
16 Pasdar shot off and brought more people to look
17 at the West Memphis Three website and what went
18 on, which is what she said, look at the website,
19 look at the evidence, look -- look at the habeas
20 corpus -- bla -- the court pleadings, and make a
21 judgment for yourself, how is that any different
22 than throwing light on the facts and asking
23 people to make their own minds up; how did that
24 damage your reputation?

25 A. Because people tend to believe celebrities.

1 intentional? You don't have any, do you, other
2 than what you've told me so far?

3 A. You would almost have to think, if she didn't
4 intentionally mean to do something, she would
5 never had got here and did what she did.

6 Q. Have you told me all the facts -- as we sit
7 here today on July the 21st, 2009, have you told
8 me every fact that you know of that you believe
9 supports your allegation that Ms. Pasdar's
10 conduct was intentional with regard to the
11 spreading of lies for falsehoods?

12 A. Well, I think it was intentional.

13 Q. Why do you think that?

14 A. Because she shouldn't have never come in here
15 and did what she did.

16 Q. And that's the only basis you've got for the
17 intentional, that she shouldn't have come in and
18 did -- have done what she did, and the basis --
19 and because of that, she intentionally said
20 things that she knew was false; is that your
21 testimony; is that the basis of your lawsuit?

22 A. I don't know.

23 Q. Well, I mean, this is my chance -- again,
24 this is my chance to --

25 A. I --

1 Q. Would you agree that that's the gist of that
2 part of the letter?

3 MR. THOMAS: Same objection.

4 A. I guess.

5 Q. Is that a yes?

6 A. I haven't read it.

7 Q. Well, I want you to read it.

8 A. Not as of right now, I haven't read it.

9 Q. Well, then I want you -- this is -- you
10 haven't read it till today?

11 A. I have read it before today, but I haven't
12 taken the time to read it today.

13 Q. Okay. I want you to read -- and we can go
14 off the record while you do that so we don't burn
15 up tape. I want you to read from the very top
16 where it says November 26th, 2007 letter, the
17 letter from Natalie Maines, down to where she
18 says, sincerely, Natalie Maines Pasdar.

19 A. I've read it in the past.

20 Q. Do you need to read it again?

21 A. No. I don't even care about it.

22 Q. You don't care about it. All right. Well, I
23 want you to tell me, sir, isn't the gist of that
24 part of the letter where she basically says she
25 thinks the boys were wrongfully convicted, that

1 she encourages people to watch the HBO
2 documentaries, to look at the Court findings, and
3 then contribute to the defense fund? It's really
4 a call, you know, please -- please get involved.
5 You'll agree that that's the gist of the letter,
6 right?

7 MR. THOMAS: Same objection.

8 A. Yeah.

9 Q. Okay. And then from where it says,
10 sincerely, Natalie Maines, from there down, which
11 will roll over to the last page, second page, and
12 those are the eight bullet points that attempt to
13 summarize what's in the recent court filings and
14 which have been publicized for many weeks and
15 months earlier, correct?

16 A. Okay.

17 MR. THOMAS: Objection.

18 Mischaracterizes the evidence.

19 Q. Do you agree with that?

20 A. Yeah.

21 Q. Yeah. That's -- and you may not agree with
22 the characterization, but you'll agree that
23 that's what -- you may disagree with the
24 conclusions that the evidence points to, but
25 you'll agree that that's what's in the findings,

1 form --

2 MR. THOMAS: And assume -- and that
3 you assume facts that aren't evidence.

4 Q. You'll agree with me, won't you, Mr. Hobbs,
5 that the points that are following Ms. Pasdar's
6 signature are the very points that are in the
7 Press Release that I showed you earlier, and
8 which were -- and which were reported in some of
9 the press clippings that I showed you earlier
10 that attempt to summarize some of the defense
11 filings?

12 MR. THOMAS: Object as to form.

13 MR. DAVISON: Thank you.

14 MR. THOMAS: Mischaracterization of
15 a Press Release.

16 MR. DAVISON: Thank you.

17 A. I've seen them before.

18 Q. You've seen them before. And where did you
19 see them before?

20 A. Everywhere.

21 Q. Everywhere. In the Press Releases, right?

22 A. Right.

23 Q. And -- in the newspaper, right?

24 A. Right.

25 Q. On the TV?

1 A. Right.

2 Q. In the court filings?

3 A. I haven't --

4 Q. I haven't read the court filings. Okay. On
5 the -- in the video press -- the press
6 conference?

7 A. I didn't really watch it.

8 Q. But these are the same things they talked
9 about; you know that?

10 MR. THOMAS: Object as to form. He
11 says he didn't read it, and you can't ask him
12 what they say, because he didn't see it.

13 MR. DAVISON: You know, I'd like to
14 know the factual basis -- or not the factual --
15 the basis on which you think you can say anything
16 more than an objection form, because I'm about to
17 seek sanctions from the Court, Ted.

18 MR. THOMAS: Call him up.

19 MR. DAVISON: You know what? We
20 just may. So what's the basis for your belief
21 that you can say anything more than objection
22 form or don't answer the question based --

23 MR. THOMAS: You can state the
24 factual basis of my objection.

25 MR. DAVISON: No. The rules --

1 A. Well, you should have sat in the same trial
2 that I sat in, then you probably wouldn't be
3 thinking like that.

4 Q. So do you think Mr. -- do you think Damien
5 Echols is not entitled to pursue and exhaust his
6 legal rights, sir?

7 A. I think his legal rights should be removed
8 from him from day one after a conviction, but the
9 appeals process allows them to do this kind of
10 stuff right here, which is kind of a system that
11 needs reworked.

12 Q. Okay. Okay. You would agree with me,
13 though, as part of that appellate process that
14 Mr. Echols' team, defense team, made a filing
15 that in October attempted to persuade the judge
16 that he was wrongfully convicted?

17 A. They gave it their best shot.

18 MR. THOMAS: Object as to form, lack
19 of foundation.

20 Q. They gave it their best shot. Would you also
21 agree that the filing that was made in October
22 included DNA evidence that did not link any of
23 the three boys to the crime scene?

24 MR. THOMAS: Object as to form, lack
25 of foundation.

1 Q. I'm just asking from your understanding, sir.

2 A. I've heard that.

3 Q. Okay. You went to the trial, right, every
4 day?

5 A. Every day.

6 Q. And you know that the prosecution claimed
7 that Mr. Echols has sodomized the boys, right?

8 A. One of them.

9 Q. One of them. And none of Mr. Echols' DNA was
10 found on any of the boys, including the one that
11 was allegedly sodomized, correct?

12 A. I believe so.

13 Q. Okay. As a matter of fact, the only DNA that
14 was found on the boys was DNA that couldn't be
15 identified to anyone; isn't that right?

16 A. Okay.

17 Q. Is that right?

18 A. I don't know.

19 Q. Well, other than -- other than yours, of
20 course?

21 A. They have never said nothing about mine. The
22 defense team brought mine up. It wasn't the law.
23 This is what they do.

24 Q. It's what they filed, and they filed and it's
25 public record, correct?

1 MR. THOMAS: Object as to form, lack
2 of foundation.

3 Q. That's your understanding, that the defense
4 team made that public filing in an attempt to
5 persuade the judge that the boys were deserved of
6 a new trial, correct?

7 A. Yeah.

8 Q. Okay. Have you ever spoken with anyone about
9 what was in the habeas corpus filings?

10 A. No, not that I know of.

11 Q. That's fine. I didn't mean to interrupt you,
12 sir. We were going through Exhibit A to Exhibit
13 2, which is your complaint, and asking you, from
14 Ms. Pasdar's signature down, what you felt was
15 false, that was set out in there that was false.
16 And I guess we're up to the second -- the first
17 bullet point on the second page. And I know from
18 your testimony that you disagree with the fact
19 that the DNA show the hair belonging to you was
20 found in the ligature of one of the victim's,
21 correct?

22 A. I've heard that. I still ain't been
23 convinced that it was.

24 Q. Okay. You have heard that that was contained
25 in the -- you have -- even though you have not

1 read, you have heard that that was contained in
2 the filings, correct?

3 A. Right.

4 MR. THOMAS: Object as to form, lack
5 of foundation.

6 Q. And you have heard and you know from reading
7 the various Press Releases -- not Press
8 Releases -- the press articles and the TV reports
9 that that was widely circulated. Beginning in
10 June of '07, that was widely publicized to the
11 public that your DNA was found in the ligature of
12 one of the victims, correct?

13 A. Of course.

14 Q. Of course. And as a matter of fact, we
15 looked at the press article -- the press -- one
16 of the press pieces earlier where the West
17 Memphis police attributed your DNA being found to
18 secondary transfer, right; that's how they
19 explained it?

20 A. Okay.

21 Q. Isn't that right?

22 A. Right.

23 Q. I mean, that's how they explained it, right?
24 Do you recall when we looked at that press
25 article?

1 A. Bunch of quacks.

2 Q. We've got four volumes of stipulations of
3 people from the New York Times to CNN to 360 that
4 say --

5 A. That's a bunch of --

6 MR. THOMAS: Object to the form.
7 False characterization to stipulations.

8 Q. How do you --

9 A. Why don't you call the police department and
10 talk to them. Maybe they'll help you out and
11 point you in the right direction.

12 Q. How do you explain Mr. Jacoby's statement --
13 I mean -- not statement -- Mr. Jacoby's DNA,
14 which is the second bullet point?

15 A. I have no explanation for that.

16 MR. THOMAS: Object as to form, lack
17 of foundation.

18 A. He was in them woods all night.

19 MR. THOMAS: Lack of personal
20 knowledge.

21 Q. You were in those woods all night, just you
22 and Mr. Jacoby?

23 A. No. We done been over that.

24 Q. Yes, we have.

25 A. Did you forget?

1 Q. No, I didn't forget. My question --

2 MR. THOMAS: Objection to the form,
3 lack of foundation.

4 Q. -- were you and Mr. Jacoby in those woods
5 all night?

6 A. Along with other people. I thought we done
7 talked about that.

8 Q. You and Mr. Jacoby, were you guys ever alone
9 when you were searching?

10 A. Probably not.

11 Q. Probably not?

12 A. There was -- might have been a while.

13 Q. Might have been a while?

14 A. Yeah.

15 Q. That you guys were alone?

16 A. Yes.

17 Q. And Mr. -- and it's your testimony Mr. Jacoby
18 was with you all night in the woods?

19 A. We were together quite a bit that night.

20 Q. No, that's not my question. My question is,
21 you testified earlier that you and Mr. Jacoby
22 were together all night in the woods until it was
23 time for him to go to work?

24 A. Exactly.

25 Q. So is that your story or are you changing it?

1 A. No.

2 Q. Have you ever told anybody you did?

3 A. No.

4 Q. The fourth bullet point.

5 A. Is it hard to accept the truth?

6 Q. No, sir, it's not.

7 MR. THOMAS: Don't interact with him
8 like that.

9 THE WITNESS: All right.

10 Q. Anything else you want to tell me?

11 A. No.

12 Q. You sure?

13 A. Positive.

14 Q. This is your chance.

15 A. I'm out of here.

16 Q. Fourth bullet point, Scientific Evidence,
17 some of the nation's leading forensic experts say
18 the wounds on the victims' bodies were caused by
19 animals at the crime scene, not by knives used by
20 the perpetrators. That was part of the filings
21 in the court proceeding, but you're aware of
22 that, right, from reading the press articles?

23 MR. THOMAS: Object as to form, lack
24 of foundation and personal knowledge.

25 Q. It's your understanding, right? You have to

1 answer out loud.

2 A. Yeah.

3 Q. I mean, it's not a secret what's in there.
4 We can all read it. It's right there, right?

5 A. Exactly. It just kind of shoots down the
6 theory that you used while ago about the knives.
7 Now you got forensics.

8 Q. You mean the -- you mean Stevie's knife?

9 A. Yeah.

10 Q. Well, there's a difference between the wounds
11 being caused by knives and someone taking the
12 knife that was on Stevie's -- Stevie's body at
13 the time of the murder and having it in their
14 house after the murder?

15 MR. THOMAS: Object as to form.
16 Assumes facts not in evidence.

17 Q. Did you take the knife from Stevie?

18 A. Years before.

19 Q. Years before. When did he get the knife?

20 A. I don't remember.

21 Q. Do you remember how old he was when he got
22 the knife years before?

23 A. No, I don't.

24 Q. Who gave him the knife, his grandfather?

25 A. It's possible.

1 Q. Well, that kind of gets us to the next bullet
2 point. There were sworn affidavits outlining new
3 evidence by Pam Hobbs about finding the knife --
4 Stevie's knife in Terry's, meaning your, draw,
5 which had been carried by Stevie at all times?

6 MR. THOMAS: Object to form, lack of
7 foundation.

8 Q. You have an understanding from the press --
9 press articles and discussions with folks that
10 that evidence was in the Federal Court filings as
11 well, wasn't it?

12 A. Okay.

13 MR. THOMAS: Form. Lack of personal
14 knowledge.

15 Q. Do you have that understanding that that was
16 in there?

17 A. Yeah.

18 Q. Okay. And how did you get that
19 understanding?

20 A. Reading the papers.

21 Q. Reading the papers. Did you talk to Pam?

22 A. Oh, yeah.

23 Q. Did you talk to Pam and say, Pam -- did Pam
24 tell you, hey, I found Stevie's knife in your
25 drawer, what the heck were you doing with it?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 305

1 (Phone rings.)

2 MR. DAVISON: This may be Bob.

3 MS. DAVIS: Bob?

4 MR. WELLENBERGER: Yes, it's me.

5 MS. DAVIS: Sorry. We're on the
6 record. You ready to go?

7 MR. WELLENBERGER: Ready.

8 MR. DAVISON: Sorry.

9 Q. So maybe I'm confused, Mr. Hobbs. I thought
10 we had established earlier in the day that Pam
11 and her family, formally your family, suspected
12 you of the crime?

13 A. Okay.

14 Q. I mean, isn't that right?

15 A. Correct.

16 Q. Okay. And so several of relatives, meaning
17 Pam and her family, they believe that you were
18 involved in the crime, right?

19 A. Yes.

20 Q. And you in fact told the West Memphis Police
21 Department that?

22 A. Right.

23 Q. Right. When you said relatives, you meant
24 folks that you were currently --

25 A. Pam's side of the family.

1 Q. Okay. Pam's side of the family thinks that
2 you did it?

3 A. Right.

4 Q. Okay. And you told the police that, and that
5 was actually, as you understand it, and it's been
6 reported in the press earlier, that was part of
7 the October Federal Court filings, correct?

8 A. Okay.

9 MR. THOMAS: Object as to form.

10 Q. I mean, do you have that understanding?

11 A. I do.

12 Q. And the last bullet point, there was an
13 affidavit attached to the filings that -- where
14 it said, mother of one of the two girls who
15 testified that they overheard Echols admit to the
16 crime at a softball game now says that Echols'
17 statement was not serious, and neither she nor
18 her daughter believe he committed the crime.
19 There was that declaration of affidavit?

20 MR. THOMAS: Object as the form.

21 Q. To the filings?

22 A. I don't care about that.

23 Q. Had you heard that there was that filing
24 before?

25 A. No.

1 Q. No. Have you heard -- or had you heard,
2 prior to November the 27th, 2007, the mother of
3 one of the two girls making that recant?

4 A. I don't believe so.

5 Q. This is the first time you've heard that?

6 A. No. I've seen this paper before. That's --
7 the first time I seen this is probably the first
8 time I heard that.

9 Q. Okay. All right. Fair enough. Fair enough.
10 And as I understand your complaint, Mr. Hobbs,
11 you are complaining about the letter, complaining
12 about the rally, you also complained that the
13 letter was posted on Ms. Pasdar's My Space
14 account, correct?

15 A. The internet.

16 Q. The internet. We're talking about the same
17 letter, whether it was on the Dixie Chicks --
18 Dixie Chicks' website or Ms. Pasdar's My Space
19 account, it's the same letter, right?

20 A. Okay.

21 Q. Is that right?

22 A. I guess.

23 Q. I'm just trying to figure out what you're
24 suing my folks on?

25 A. Okay.

1 Q. That's fair, isn't it?

2 A. Okay.

3 Q. All right. No other letters that you're
4 complaining about?

5 A. None that I've seen.

6 Q. Okay. Fair enough. We kind of started down
7 this road with the false lie. I started --
8 excuse me, sir -- started down this and we'll
9 talk about false lie.

10 I want you to tell me where in Exhibit A to
11 the complaint you think Ms. Pasdar accuses you of
12 murder?

13 A. Her statements are not any different than
14 anybody else's.

15 Q. Okay. I appreciate that, and I think we've
16 established that. My question to you, sir, is
17 where in there do you believe that statements
18 individually or taken as a whole accuse you of
19 murder of one or more of the three little boys?
20 She doesn't do it, does she?

21 A. Okay.

22 Q. Well, she doesn't, does she?

23 MR. THOMAS: Object as to form, to
24 the extent it calls for a legal conclusion.

25 Q. You can answer the question.

1 A. No, sir.

2 Q. No, sir. She doesn't accuse you of that,
3 does she? All she does is kind of say, here's
4 what Mr. Echols' defense team filed, go read for
5 yourself. Make your own -- make your own
6 conclusions, which is what she says right in
7 here, right? Go look for yourself, read for
8 yourself, educate yourself and make your own --
9 make your own opinion?

10 A. Okay.

11 Q. Own conclusions?

12 A. Okay.

13 Q. That's what she says, isn't it?

14 A. Okay.

15 Q. I mean, do you agree with that?

16 A. I guess.

17 Q. You have an answer out loud. Do you agree --

18 A. I guess.

19 Q. Okay. There's nothing wrong with people
20 being informed about events and what's going on
21 at the public courthouse, is there? That's what
22 an informed elective should do; isn't that right?

23 A. All right.

24 Q. Would you agree with that?

25 A. I guess.

1 you told me -- is that the same mental and
2 emotional distress that we talked about earlier?

3 A. It just went on and on, yes, it is.

4 Q. Any -- but no -- but no new injuries or
5 damages?

6 A. No.

7 Q. Okay. You said here, and other special
8 damages which he is entitled to recover. What
9 other special damages are you seeking?

10 MR. THOMAS: Object to the form.
11 Requires a legal conclusion.

12 Q. I'm trying to figure out what you're suing me
13 for. What other special damages do you seek to
14 recover from the defendants as a result of false
15 libelization as alleged in Paragraph 27?

16 MR. THOMAS: Same objection.

17 Q. You told me -- have you told me all the
18 damages, sir?

19 A. I don't know. I've told you a lot.

20 Q. Can you think of any other damages or special
21 damages that you're seeking to recover, sir?

22 A. Yeah. I'd like to get a public apology.

23 Q. What -- what do you want them to apologize
24 for?

25 A. Sticking their nose in my business.

1 Judge L.T. Lafferty?

2 A. I don't remember.

3 Q. Did you have an attorney who represented you
4 in this?

5 A. The name is right there, Emans.

6 Q. That was your attorney?

7 A. Wayne Emans.

8 Q. Does that look like his signature?

9 A. Yeah.

10 Q. Yeah?

11 A. I guess. I don't know how he writes.

12 Q. Well, do you recall seeing him write when you
13 get letters from him; do you recall that?

14 A. No.

15 Q. No. But that is your signature at the bottom
16 of the first page?

17 A. Yeah, it kind of looks like it.

18 Q. Okay. All right.

19 A. But all this stuff above it.

20 Q. You've got no explanation for any of that?

21 A. I know it did happen.

22 Q. Okay. All right.

23 A. I know I got a \$50 fine, I did get that.

24 Q. Uh-huh.

25 A. And I got 11/29 probation, period.

1 Q. Maybe you should have done time in the
2 workhouse and didn't have to do it?

3 A. For what?

4 Q. The assault. Okay. And it's your testimony
5 that you've never heard of a Mildred French?

6 A. Right. I don't know her.

7 Q. Do you know a place called the Charter House?

8 A. That doesn't ring a bell.

9 Q. Did you ever live at the Charter House?

10 A. No. What's that?

11 Q. Were you ever charged with sexual assault at
12 22, when you were 22, 23, 24, that age?

13 A. No.

14 Q. No?

15 A. No, I don't think so.

16 Q. Did you have to go to counsel -- court
17 ordered counseling when you were early twenties,
18 Mr. Hobbs?

19 A. Huh?

20 Q. Did you have to go to counseling in your
21 twenties as a result of any sort of assault?

22 A. Yeah. We had something happen back then. I
23 forget what it was.

24 Q. What happened?

25 A. I don't remember.

1 Q. Do you recall --

2 A. 30 years ago.

3 Q. Something happened. Criminal justice system
4 get involved?

5 A. I don't remember.

6 Q. You don't remember?

7 A. No.

8 Q. But you know you had to go to some sort of
9 counseling?

10 A. I think.

11 Q. Yeah. You never told Ms. Mildred French that
12 you killed her cat?

13 A. No.

14 Q. And again, talking about your reputation in
15 the community, isn't it true, Mr. Hobbs, that
16 your ex-wife Pam filed complaints against you
17 regarding physical and sexual abuse of Amanda?

18 A. I don't think so.

19 Q. You don't think so? You weren't reported to
20 DHS for physical and sexual abuse by Pam of
21 Amanda?

22 A. Pam told me it was her sister Jolynn that did
23 that.

24 Q. That Jolynn turned you in?

25 A. Right.

1 Q. But you know a complaint was made against DHS
2 for physical and sexual abuse of Amanda?

3 A. Twice.

4 Q. Twice. When was that time?

5 A. After I got custody of my daughter.

6 Q. Okay.

7 A. In my divorce.

8 Q. Which was when?

9 A. I think '04, '05.

10 Q. That was -- when was the second time?

11 A. Same year. Both of them happened months
12 apart.

13 Q. Okay. Isn't it true, Mr. Hobbs, that Amanda
14 herself has previously accused you of sexual
15 assault?

16 A. No, sir.

17 Q. It's not true?

18 A. Not at all.

19 Q. Anybody who says otherwise is lying?

20 A. Most definitely. Kind of a cheap shot.

21 Q. And I apologize for having to ask that
22 question, sir. Down here, Paragraph 30 of the
23 complaint, Mr. Hobbs. And I don't mean to run
24 you through the mud, I really don't, and I
25 apologize for having to ask those questions. I

1 are, to the best of your knowledge, true and
2 correct answers, right, to all of the questions?

3 A. Well, I hope they are.

4 Q. Okay. On Page 7 -- Interrogatory 7 -- not
5 Page 7, Interrogatory 7. It's right here, sir.
6 You state in response to Interrogatory No. 7,
7 Hobbs, members of his family and acquaintances
8 had interaction with people who believe the false
9 allegation of murder. And I'd like to know what
10 members of your family and acquaintances are you
11 referring to and what people have you had
12 interactions with that believe the false
13 allegations. Well, first of all, what members of
14 your family?

15 A. That done what?

16 Q. That had interactions with people who believe
17 Ms. Pasdar's false allegations of murder. Can
18 you identify for me --

19 A. I can't think of them.

20 Q. Anybody?

21 A. No.

22 Q. All right. What acquaintances are you
23 referring to there, and can you identify
24 somebody? You can't, can you?

25 A. Not right off.

1 Q. And can you identify the people that they
2 have had interactions with who believe Ms.
3 Pasdar's false allegations of murder? You can't,
4 can you?

5 A. Not right off.

6 MR. DAVISON: Ted, apparently we did
7 not bring a clean set. This is --

8 MS. DAVIS: I'm trying to get it
9 faxed to us right now.

10 MR. DAVISON: That's okay. All that
11 is is highlighted. You can look at it, and
12 there's no handwritten notations, it's just
13 highlighting.

14 MR. THOMAS: You wanted to question
15 him?

16 MR. DAVISON: Yeah. Well, I was
17 going to actually have it marked. I think the
18 court reporter, when she makes a copy of it --

19 MR. MOORE: We should have a clean
20 copy right here.

21 MR. DAVISON: Okay. Well, let's go
22 ahead and we'll mark it -- is that it?

23 MR. MOORE: I think that's ours.

24 MR. DAVISON: Same problem. No. 6.
25 We'll just mark it and then sub it out with a

1 Q. Had that -- I assume that had absolutely
2 nothing to do with what brings us here today?

3 A. Correct.

4 Q. And other visits to medical providers that
5 are in any way connected with the events that
6 bring us here today?

7 A. No. I don't go to the doctors.

8 Q. Where do you stand in your current efforts to
9 get a book deal?

10 A. On hold.

11 Q. What was the last efforts that you took to
12 secure a book deal?

13 A. I don't know. We did the contract with
14 Hollywood, and that was for a movie, and I think
15 probably book rights to. I think our contract
16 has us bound on the book until the movie, if
17 there ever would be one, was made.

18 Q. I'll hand you what's been marked as Exhibit
19 8, Mr. Hobbs, and ask if that is in fact a true
20 and correct copy -- is that a copy of the
21 Dimension Films agreement? I know this is not
22 signed, but this is the one you produced.

23 (Deposition Exhibit No. 8 was
24 marked.)

25 A. I guess.

1 Q. Do you have a signed copy?

2 A. I'm not sure. Must not have, because that's
3 what I give -- this is what I turned in.

4 Q. That's what you gave Mr. -- your counsel?

5 A. Uh-huh.

6

7

8

9

10

11

12

13

14

15 A. That was wrong.

16 Q. That was wrong. So this was --

17 A. That was --

18 Q. A first draft?

19 A. Yeah, I think.

20 Q. Okay. And so you were negotiating for a
21 better price?

22 A. Ross was.

23 Q. Ross was. And Ross got you a better deal?

24 A. 25.

25 Q. 25 as opposed to 15. That's a pretty good

1 increase?

2 A. Yeah.

3 Q. It says it's dated July 18, 2006. Is that
4 about the time that you did the deal with
5 Dimension, in the 2006 time --

6 A. That was the deal. That's the right date,
7 I'm sure.

8 Q. Okay. But sometime in the summer of 2006,
9 does that sound about right when you did the
10 Dimension Films?

11 A. I thought it was '05, but I can go with '06.

12 Q. You can go with '06. All right.

13 A. Whatever they dated it.

14 Q. And you haven't sold any other rights, any
15 other film rights?

16 A. No.

17 Q. Do you recall there being -- there was a --
18 there's -- I don't want to have to mark this
19 unless I have to, Mr. Hobbs. I can. There's a
20 report on Action 5 News last summer, August the
21 8th, 2008 by Janice Broach that basically says,
22 the man suspected in the West Memphis Three
23 murders 15 years ago is writing a tell-all book?

24 A. Damien?

25 Q. You.

1 A. The man that's suspected in the murders 15
2 years ago, that's Damien Echols. It wasn't me.

3 Q. Do you recall -- are you writing a tell-all
4 book? Have you told folks that you're writing a
5 tell-all book, Mr. Hobbs?

6 A. No, I haven't.

7 Q. Did you ever tell Janice Broach you're
8 writing a tell-all book?

9 A. No. That's not me. You must be talking
10 about Damien. Wasn't one of his books named that
11 while ago that you were showing me?

12 Q. Let me hand you what's been marked Exhibit 9.
13 Do you recall there being a news -- a TV story
14 last summer by Ms. Broach about your efforts to
15 sell the story?

16 (Deposition Exhibit No. 9 was
17 marked.)

18 A. Yeah, but it wasn't no tell-all thing. I've
19 been writing a story about this for a long time.

20 Q. It says, Terry Hobbs said he just may go to
21 that hearing?

22 A. Which one?

23 Q. The hearing about the DNA results. But he
24 also said he's got a book deal. Have you got a
25 book deal?

1 A. No, I don't have a book deal.

2 Q. So --

3 A. See, this was a misquote.

4 Q. Oh, that's a misquote?

5 A. Uh-huh.

6 Q. Either that or --

7 A. I don't have a book deal.

8 Q. Did you tell her you had a book deal?

9 A. No. I may have told her I've been working on
10 a book, and they have known about this for years,
11 because I've never kept this a secret.

12 Q. There's a quote from you down there. Part of
13 it is in the hands of a publisher or a book
14 writer -- not a publisher, a writer. I think
15 we're going to have a pretty good story about
16 this, Hobbs said?

17 A. Right.

18 Q. A video of you saying that?

19 A. Yeah, I said that.

20 Q. Okay. Hobbs said it was about 300, 400
21 pages, and someone in Hollywood wants the
22 rights -- first rights to the book. Who in
23 Hollywood wants the rights to the first book
24 you're writing?

25 A. I'm not sure about that, but I have put

1 together pretty good stories, I feel like. It's
2 something I done.

3 Q. One of the things you want to say in your
4 stories is you're suing the Dixie Chicks; is that
5 part of your book?

6 A. I haven't mentioned them.

7 Q. Do you intend to mention them in your book
8 for your film deal?

9 A. I doubt it.

10 Q. You told the press before 2000 -- the media
11 as well, before 2007 that you were working on a
12 book, did you not?

13 A. I've been working on one, and it hasn't been
14 -- it's nothing new for years. Everybody has
15 known this.

16 Q. Everybody has known that you've been working
17 on a book? Widely reported that you're working
18 on a book, right?

19 A. I've been working on a story.

20 Q. Story. With the hopes of selling it, and
21 making it a book and selling it and making it a
22 movie, right?

23 A. I don't know about the movie part, but the
24 book, there's a story that we have to tell, and
25 one day it will be out there.

1 Q. Okay. Are you aware of a company called
2 Clear Pictures?

3 A. I've heard of that.

4 Q. Have you ever had any dealings with anybody
5 from a company called Clear Pictures?

6 A. I'm not sure.

7 Q. Have you --

8 A. Ain't that part of Dimension Films?

9 Q. I don't know. Is it?

10 A. I'm thinking it might be.

11 Q. Do you have any agreements with a company
12 called Clear Pictures?

13 A. I'm not a sure. I'd have to -- I don't know
14 what you're talking about just yet.

15 MR. DAVISON: Can I have some more
16 stickers, ma'am?

17 Q. Let me hand you what's been marked as Exhibit
18 10, Mr. Hobbs, which is an article that appeared
19 on November the 27th, 2007 right around the time
20 all the DNA stuff was breaking. And turn your
21 attention to the second page of that, sir. The
22 last -- second to the last paragraph, Carter
23 Malone, account supervisor, Kalisa Hyman, said
24 the firm has been hired by Clear Pictures, a
25 Hollywood production company that plans to make a

1 movie based on the West Memphis Three murders.
2 The firm has bought the life stories of several
3 people tied to the case. Hyman says the company
4 has also bought Hobbs' life rights, she said?

5 (Deposition Exhibit No. 10 was
6 marked.)

7 A. Oh, this is that Dimension Films.

8 Q. This is -- this is Dimension Films?

9 A. Contract. Yeah, it's probably something
10 associated with them, but this is that.

11 Q. Okay. You don't have a separate deal with
12 any company called Clear Pictures?

13 A. No.

14 Q. As far as you know?

15 A. Right.

16 Q. Okay.

17 VIDEOGRAPHER: Mr. Davison, we have
18 about two minutes left.

19 MR. DAVISON: Why don't we change
20 tapes then.

21 VIDEOGRAPHER: We are going off
22 record for a tape change at 4:27 p.m.

23 (Off the record.)

24 (Back on the record.)

25 VIDEOGRAPHER: We're back on record

1 after a tape change at 4:30 p.m.

2 Q. (By Mr. Davison) Mr. Hobbs, I just have one
3 or two questions, and then my colleague, Ms.
4 Davis, will have a couple, and then I think
5 Mr. Wellenberger may have a couple of questions
6 as well.

7 In that article, the one that we looked at
8 here, talks about 23 -- some tape --
9 surreptitiously recorded tapes between yours and
10 Mr. Byers. Did you know that Mr. Byers recorded
11 conversations with you?

12 A. No, I didn't know it at that time. That's
13 how I found out, too, on the internet.

14 Q. Have you heard any of those tapes?

15 A. Sure.

16 Q. Sure. What's on those tapes?

17 A. Just us talking.

18 Q. Did you talk about the murders?

19 A. He might have.

20 Q. Did you?

21 A. No. I don't really remember, but you're
22 welcome to listen to them.

23 Q. Do you have them?

24 A. No, I don't.

25 Q. Mr. Byers has them, right?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 352

1 A. I don't know who has them.

2 Q. In that article you talk about yourself as
3 a -- you refer to yourself in a biblical -- let
4 me see -- biblical figure, Job. What did you
5 mean about that?

6 A. Do you know anything about Job?

7 Q. A little. Probably not as much as I should,
8 sir. What did you mean when you referred to
9 yourself as Job?

10 A. Well, read up on Job. It's a pretty good
11 story.

12 Q. Yes, sir. My mama always tries to get me to
13 spend a little time with the good book.

14 A. Doesn't hurt.

15 Q. It can't hurt anybody. What did you mean
16 when you referred to yourself as the biblical
17 figure, Job?

18 A. Well, the story of Job. Job loses
19 everything, everything but his wife and life, and
20 we was probably referring to something like that.

21 Q. Okay. Do you -- I take it you've given a lot
22 of thought over the years about what happened
23 that night on May the 5th, haven't you?

24 A. Sure.

25 Q. Do you -- do you believe that whoever

1 VIDEOGRAPHER: We are back on record
2 after a break at 4:41 p.m.

3 EXAMINATION

4 BY MS. DAVIS:

5 Q. Mr. Hobbs, my name is D'Lesli Davis, and I
6 also represent Natalie Pasdar; do you understand
7 that?

8 A. I do.

9 Q. And you understand you're still oath in the
10 same deposition going forward. No change just
11 because I'm asking questions?

12 A. I do.

13 Q. Okay. We've been talking about the murders.
14 I want to be clear. The murders we've been
15 talking about day in your deposition are the
16 murders of three little boys that occurred in
17 West Memphis, Arkansas on May 5th of 1993,
18 correct?

19 A. Correct.

20 Q. And one of those little boys was your
21 stepson, Stevie Branch?

22 A. Correct.

23 Q. The other two were Michael Moore and
24 Christopher Byers; is that correct?

25 A. Yes, ma'am.

1 Q. And ultimately three teenagers were convicted
2 of the murders, correct?

3 A. Correct.

4 Q. And that's Jessie Misskelley, Damien Echols
5 and Jason Baldwin; is that correct?

6 A. Correct.

7 Q. And those three teenagers that I just listed,
8 those -- those boys became known as the West
9 Memphis Three in the press, correct?

10 A. Right.

11 Q. At the time of the murders you were married
12 to Pam Hobbs, correct?

13 A. Correct.

14 Q. Did you ever adopt Stevie?

15 A. No, ma'am.

16 Q. You were not interviewed by the West Memphis
17 Police Department in 1993; is that correct?

18 A. I was.

19 Q. Okay. And was it a formal interview?

20 A. Right.

21 Q. Do you know if they recorded it?

22 A. I don't remember that.

23 Q. Did they read you your rights?

24 A. No.

25 Q. Do you recall which police officer

1 A. I don't know.

2 Q. Jessie Misskelley -- can you think of any
3 other names as you sit here right now?

4 A. No, but there's lots of people that was
5 there.

6 Q. I understand. But there are no other names
7 that you can provide right now?

8 A. Right.

9 Q. Jessie Misskelley was convicted and sentenced
10 to life plus 40 years; is that correct?

11 A. Correct.

12 Q. And that occurred in 1994?

13 A. Yes.

14 Q. And then Jason Baldwin and Damien Echols were
15 convicted also in 1994 in a joint trial; is that
16 correct?

17 A. Correct.

18 Q. And Baldwin was sentenced to life in prison
19 without the possibility of parole?

20 A. Correct.

21 Q. And Echols was sentenced to death by lethal
22 injection?

23 A. Yes, ma'am.

24 Q. And according to your understanding, the West
25 Memphis Three are currently in prison?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 361

1 A. Right.

2 Q. But they have these various appeals pending?

3 A. Right. I guess.

4 Q. Have you listed through your deposition up to
5 this point all of the persons you can name who
6 actually saw the Natalie Pasdar letter on the
7 internet?

8 A. Oh, I don't -- I don't know who all seen it.

9 Q. Well, you mentioned --

10 A. Lots of people seen it.

11 Q. Sorry. You mentioned your brothers?

12 A. Right.

13 Q. Are there any other persons that you can give
14 us their name?

15 A. My sister.

16 Q. What's her name?

17 A. My aunts.

18 Q. Your sister's name is what?

19 A. Cindy Hobbs.

20 Q. And your aunt's name is what?

21 A. Rita, Linda, Connie.

22 Q. Anyone else --

23 A. My mother.

24 Q. What's her name?

25 A. Edith.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 362

1 Q. Anyone else?

2 A. Cousins.

3 Q. Let's go outside your family. Can you name
4 for me any persons outside your family that saw
5 the Natalie Pasdar letter on the internet?

6 A. Not right off.

7 Q. During the trial, you spoke on camera to the
8 Paradise Lost documentary filmmakers, correct?

9 A. Okay.

10 Q. Is that right?

11 A. Correct.

12 Q. And you went on the Geraldo show in March of
13 1994, Correct?

14 A. Okay. Yes.

15 Q. And you spoke on that show, correct?

16 A. As a guest.

17 Q. And do you recall directly addressing Jessie
18 Misskelley's father on the show?

19 A. No.

20 Q. Were you flown to New York by the Geraldo
21 show and put up at a hotel for that appearance?

22 A. Yes, ma'am.

23 Q. Let me hand you what I'm going to mark as
24 Deposition Exhibit 11, 12, 13 and 14.

25 (Deposition Exhibit Nos. 11, 12,

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 363

1 13 and 14 were marked.)

2 Q. And I'll represent to you that these are
3 copies of your journals that were produced to us
4 in the litigation. Look through those Deposition
5 Exhibits and tell me if those are true and
6 accurate copies of your journals.

7 A. Looks like it, right.

8 Q. And I'll note for you, just for ease of when
9 we're talking about these journals, I have put 1,
10 2, 3 and 4 down there so that we can just refer
11 to which journal entry I'm talking about, okay?

12 A. Okay.

13 Q. Let me show you Deposition Exhibit No. 15,
14 and my question to you would be whether that is a
15 true and correct copy of the interview that you
16 and Pam Hobbs gave to the Dimension Films
17 filmmakers regarding the murders, the effect of
18 the murders on your family, the West Memphis
19 Three, and basically just y'all's lives, and
20 this, again, is a document --

21 (Deposition Exhibit No. 15 was
22 marked.)

23 A. Did you get this from them?

24 Q. I'm not sure, as I sit here right now, where
25 we got this document from. Have you ever seen it

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 365

1 Q. Fair enough.

2 A. We may have --

3 MR. THOMAS: He hasn't seen it
4 before right now.

5 MS. DAVIS: I think we've produced
6 this to you.

7 MR. THOMAS: I believe that's
8 correct.

9 A. It may have been, but I don't recognize this
10 yet.

11 Q. Do you want to take some more time to look at
12 it? All I'm suggesting is that we'll take a
13 break and turn off the video if you need some
14 time to flip through that.

15 A. Well, I'd rather go home.

16 Q. I understand that.

17 A. I've got a three-hour drive.

18 Q. We all -- we all agree with that, but I'm
19 afraid we've got some more to plow through. Are
20 you comfortable, after flipping through
21 Deposition Exhibit No. 15, that that is a copy of
22 the interview that you and Pam Hobbs gave to the
23 Dimension Films filmmakers?

24 A. Okay. That sounds better.

25 Q. And do you recall when that interview

1 occurred?

2 A. '05, '06.

3 Q. When we turn to the four different journals
4 that are Deposition Exhibits 11 through 13, they
5 are not journals like journals I've seen where
6 there's always a date entry before you start
7 writing; would you agree with me about that?

8 A. Right.

9 Q. Is there any way, as you sit here today, that
10 you can tell me when Deposition Exhibit 11 was
11 created, when 12, when 13 or when 14 were
12 created?

13 A. No.

14 Q. Is there any way to glean that at all?

15 A. Probably not, because I started on this back
16 in the early nineties.

17 Q. And I believe you previously testified -- I
18 don't want to go over ground we've already
19 covered. I believe you testified that you
20 started the journal probably in 1993 after the
21 murders?

22 A. Well, sometime after the trials, because the
23 trials went up till '94.

24 Q. Fair enough. '93 or '94 you started the
25 journal?

1 A. Okay.

2 Q. And am I correct that Deposition Exhibit 11
3 is the beginning, would have been the document
4 that was the first journal and the journal that
5 was started in '93 or '94?

6 A. Probably so.

7 Q. And those journals are in your handwriting,
8 correct?

9 A. Yeah. This so far looks like my writing.

10 Q. Now, some places in there, it looks like
11 somebody with different handwriting has come in
12 and either added a word or made a correction?

13 A. Pam.

14 Q. That was Pam Hobbs's handwriting?

15 A. Yeah. She was correcting me.

16 Q. She's correcting your work. Fair enough.
17 And when did Pam go through your journals and
18 correct the work; was that one time, or did she
19 do it periodically?

20 A. No. One time she got mad and she would take
21 off, and she would just take anything that
22 thought was something of mine, and she would take
23 it, and this is one time she took my writings and
24 come back and kept them for years, and when I
25 finally got them back, this is how I got them

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Q. Is it true, that on May 19, 2007, you went to meet with Ronald Lax?

A. Yes.

Q. And that is when he first informed you about the DNA evidence, correct?

A. Correct.

Q. And when you wrote your entry in your journal on May 19 of 2007 about that meeting with Ronald Lax, you didn't make any statements about how it was impossible that your hair would be in the ligature, did you?

A. No. I don't see it there.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 374

1 Q. In fact, the way you've written it, you
2 accept the fact that your hair was found at the
3 crime scene in the knots themselves, correct?

4 A. I ain't going to say I accept it. I wrote it
5 like this.

6 Q. And when you wrote it, you didn't contest
7 whether that hair was yours or not, did you?

8 A. I didn't believe him. I didn't believe Ron
9 Lax.

10 Q. You didn't make any note in your journal that
11 you didn't believe Ron Lax, did you?

12 A. There may be some in there somewhere.

13 Q. On that entry of May 19, 2007 --

14 A. Not on that one.

15 Q. Let me finish my question. I'm sorry. On
16 May 19, 2007, you did not make any notation that
17 you did not believe Ronald Lax, correct?

18 A. Okay.

19 Q. And you did not make any notation that you
20 did not believe that your hair was found in the
21 ligature of Michael Moore's shoestring, correct?

22 A. Okay.

23 Q. And Ronald Lax is an investigator for the
24 West Memphis Three defense team; is that correct?

25 A. Correct.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 375

1 Q. And how many times did you meet with Ron Lax?

2 A. Two or three.

3 Q. And --

4 A. Maybe just two, maybe just one. I'm not
5 sure.

6 Q. Fair enough. And what years were those?

7 A. This.

8 Q. 2007?

9 A. '07.

10 Q. And why did you --

11 A. Seems like -- there was another time. Hang
12 on. There was another time he come to my home,
13 and that's when -- that was twice so far.

14 Q. So at least twice?

15 A. Right.

16 Q. Maybe three times?

17 A. It's possible.

18 Q. And all those visits with Ron Lax were in
19 2007?

20 A. Correct.

21 Q. And you voluntarily spoke to Ron Lax?

22 A. Correct.

23 Q. And why did you agree to voluntarily speak to
24 Ron Lax in 2007?

25 A. I'll tell you like I told Brent Davis. Brent

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 376

1 is the district prosecuting attorney. I wanted
2 to meet what kind of person that would try to get
3 some killers out of prison.

4 Q. And that explains meeting him the first time.
5 Why would you meet him a second and third time?

6 A. Exactly. Same reason. I wanted to see what
7 they was up to and what was on their mind.

8 Q. Did you want to find out what evidence they
9 had?

10 A. I didn't know the evidence. I just wanted --
11 they wouldn't -- if you'll notice, they wouldn't
12 quit calling my phone.

13 Q. There are other West Memphis Three or Damien
14 Echols investigators that you met with besides
15 Ron Lax, correct?

16 A. Yeah. Lori or Rachel somebody.

17 Q. There's a Rachel Geyser?

18 A. Geyser.

19 Q. And did you meet with John Douglas?

20 A. John Douglas.

21 Q. He's a criminal profiler?

22 A. Yeah.

23 Q. How many times did you meet with Rachel
24 Geyser?

25 A. Once or twice.

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 377

1 Q. And how many times did you meet with John
2 Douglas?

3 A. Once or twice. Twice.

4 Q. And what years were those meetings?

5 A. '07.

6 Q. And why did you met with those investigators
7 and profilers?

8 A. To see what they wanted.

9 Q. And see what they knew?

10 A. Or what they wanted.

11 Q. Did you want to get your version of the
12 events out to them as well?

13 A. No. I wanted to see what they wanted. I was
14 going to tell them, and I did, that I wanted to
15 see what they was up to.

16 Q. Any other reason besides wanting to see what
17 the West Memphis Three investigators were up to
18 that you agreed to meet with Ron Lax, John
19 Douglas, Rachel Geyser?

20 A. Not really.

21 Q. Let me show you what I'm going to mark as
22 Deposition Exhibit No. 16, and I'll represent to
23 you that that is a copy of the police file down
24 at the West Memphis Police Department regarding
25 their interview of you in June of 2007. Have you

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 378

1 ever seen these documents before ?

2 (Deposition Exhibit No. 16 was
3 marked.)

4 A. Not really. They might have done this over
5 the phone.

6 Q. On the third page in this exhibit, there
7 begins a transcript of the police interview of
8 you by the West Memphis Police Department on June
9 21st of 2007. Have you seen a transcript of that
10 police interview by you -- of you?

11 A. Yeah, I think.

12 Q. And certainly when you were speaking to the
13 police they had read you your rights; is that
14 correct?

15 A. No.

16 Q. Did they have you sign any rights form? I
17 believe it's Page 2 here. Is that a true and
18 correct copy of your signature?

19 A. Yeah.

20 Q. Are they --

21 A. Rights form. I don't know what that is.

22 Q. Down at the bottom in the last paragraph, I
23 have read this form and or had it read to me, and
24 I understand my rights listed above. I agree to
25 appear and cooperate with law enforcement

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 379

1 authorities at the above noted place. Did they
2 tell you anything about your rights?

3 A. No. I've never had my rights -- I mean, they
4 may have said you have a right with an attorney,
5 but not criminal like you're trying to make it
6 sound.

7 Q. Certainly -- and I'm not trying to
8 characterize it. I'm just trying to find out
9 what happened. Certainly, though, when you were
10 speaking to the police on June 21st, 2007, as
11 reflected in this transcript that is in Exhibit
12 16, you were being honest and truthful with the
13 officers?

14 A. Try to be.

15 Q. And you were attempting to give your best
16 recollection of the facts?

17 A. Okay.

18 Q. Related to the murders and the events
19 surrounding the murders, correct?

20 A. All right.

21 Q. I'm asking you. I'm not just asking you to
22 agree with me. Is that -- is that a correct
23 statement?

24 A. It is.

25 Q. In January of 2008 you filed a grievance

1 against one of the West Memphis Three lawyers,
2 Dennis Riordan; is that correct?

3 A. Yes, ma'am.

4 Q. And I'm going to mark this document as
5 Deposition Exhibit No. 17, and my question to you
6 will be, is this a true and correct copy of that
7 complaint?

8 (Deposition Exhibit No. 17 was
9 marked.)

10 A. The Board of Professional Conduct, Office of
11 Professional, it is.

12 Q. And beginning on Page 2 of Deposition Exhibit
13 No. 17, that is your handwriting?

14 A. It is.

15 Q. And everything you stated in Deposition
16 Exhibit No. 17 is also true and correct?

17 A. It is.

18 Q. And the essence of this grievance form is
19 that you're complaining that Mr. Riordan is
20 wrongfully damaging your name because he is
21 suggesting you were involved in the murders; is
22 that correct?

23 A. Correct. One of the ones.

24 Q. And do you have any understanding of what
25 happened at the Supreme Court of Arkansas Office

1 of Professional Conduct with regard to this
2 grievance?

3 A. Yeah. They referred me to a civil attorney.

4 Q. And do you recall which attorney they
5 referred you to?

6 A. Well, no. They told me to seek advice of a
7 civil attorney.

8 Q. And basically dismissed your grievance?

9 A. Well, so far. They said it was -- they
10 don't -- they sent me a letter about it, but I
11 forget what they say.

12 Q. Did you understand, when you spoke to the
13 various West Memphis Three investigators, that
14 they were recording you?

15 A. No.

16 Q. Did you understand --

17 A. Because I asked them at one point, and they
18 said no.

19 Q. Did you understand that they were going to
20 use your statements, if they could, to help the
21 West Memphis Three get out of jail?

22 A. No, I did not know that.

23 Q. What did you think the West Memphis Three
24 investigators would do with the information you
25 gave them?

1 A. I didn't really give them nothing that I
2 didn't know. I wasn't expecting for them to turn
3 around and slap me upside the head with it.

4 Q. Did you answer questions that they asked you?

5 A. Some.

6 Q. Did you refuse to answer questions?

7 A. Sure.

8 Q. Do you recall what you refused to answer?

9 A. No.

10 Q. Prior to May 5th of 1993, had you ever been
11 to the Robin Hood Hills woods before?

12 A. No.

13 Q. And you understand what I'm talking about
14 when I say the Robin Hood Hills woods?

15 A. Right.

16 Q. Can you describe for the jury what the Robin
17 Hood Hills woods was?

18 A. It's a three-acre patch of woods in West
19 Memphis that was growed up, and it had a 10-mile
20 bayou run through it.

21 Q. Was it sometimes referred to as the Blue
22 Beacon woods or just Robin Hood Hills woods?

23 A. I don't know.

24 Q. Did you know anyone working at the Blue
25 Beacon in 1993?

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

Page 433

1 Q. Can you, are you capable of drawing for me on
2 this map where you went looking for Stevie prior
3 to picking up Pam at Catfish Island?

4 A. No, this don't make sense.

5 Q. Because the map doesn't make sense you can't
6 do it; is that correct?

7 A. I would have -- see, you can go out there now
8 and it's all mowed down. There ain't nothing
9 left.

10 Q. Sir, I'm going to move on, if you just tell
11 me that you cannot draw where you looked for
12 Stevie before picking Pam up at 9:00 p.m. on May
13 5th of 1993 because the map doesn't make sense;
14 is that true? Is my statement correct?

15 A. Sounds good.

16 Q. Now, is it also true that you cannot draw for
17 me where you went looking for Stevie after you
18 picked Pam up from work because the map doesn't
19 make sense to you?

20 A. Right.

21 Q. Do you have any idea why one of the three
22 murdered eight-year-olds was wearing a Cub Scout
23 shirt?

24 A. No.

25 Q. Did the West Memphis Police Department do a

1 good job of investigating the murder of Stevie,
2 Michael and Christopher?

3 A. I hope so --

4 Q. And -- do you think so?

5 A. Yes. Yes.

6 Q. It's your opinion that they did?

7 A. Right.

8 Q. And what do you base that opinion on?

9 A. Two trial.

10 Q. And just to be clear --

11 A. Three convictions.

12 Q. And just to be clear, you believe that the
13 West Memphis Three did in fact commit the murders
14 of the three little boys?

15 A. Yes.

16 Q. Were you abused as a child by your father or
17 your mother?

18 A. No.

19 Q. Were your siblings abused?

20 A. No.

21 Q. And I'm talking physical abuse?

22 A. No.

23 Q. Was there any sexual abuse in your family?

24 A. No.

25 Q. Did your father ever publicly humiliate your

TERRY HOBBS
HOBBS VS. NATALIE PASDAR, ET AL

1 I, TERRY HOBBS, have read the foregoing
2 deposition and hereby affix my signature that
3 same is true and correct, except as noted herein.

4 CORRECTIONS AND/OR CHANGES AND SIGNATURE

5 PAGE LINE CORRECTION REASON FOR CHANGE

6
7
8
9

10
11
12
13
14

15
16
17

18 TERRY HOBBS

19

20 STATE OF ARKANSAS)

COUNTY OF)

21 SUBSCRIBED AND SWORN to before me by the said
TERRY HOBBS, on this the day of

22 , A.D., 2009.

23

24

25 Notary Public in and for
the State of Arkansas

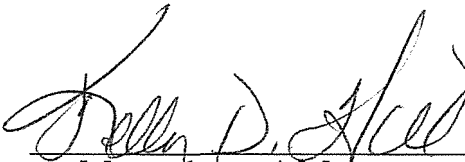
My Commission Expires:

CERTIFICATE

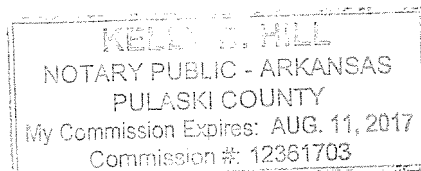
1
2 STATE OF ARKANSAS)
3 COUNTY OF PULASKI) ss:

4 I, KELLY HILL, Certified Court Reporter, a
5 notary public in and for the aforesaid county and
6 state, do hereby certify that the witness, **TERRY**
7 **HOBBS**, was duly sworn by me prior to the taking
8 of testimony as to the truth of the matters
9 attested to and contained therein; that the
10 testimony of said witness was taken by me
11 stenographically, and was thereafter reduced to
12 typewritten form by me or under my direction and
13 supervision; that the foregoing transcript is a
14 true and accurate record of the testimony given
15 to the best of my understanding and ability.

16 I FURTHER CERTIFY that I am neither counsel
17 for, related to, nor employed by any of the
18 parties to the action in which this proceeding
19 was taken; and, further, that I am not a relative
20 or employee of any attorney or counsel employed
21 by the parties hereto, nor financially
22 interested, or otherwise, in the outcome of this
23 action; and that I have no contract with the
24 parties, attorneys, or persons with an interest
25 in the action that affects or has a substantial
tendency to affect impartiality, that requires me
to relinquish control of an original deposition
transcript or copies of the transcript before it
is certified and delivered to the custodial
attorney, or that requires me to provide any
service not made available to all parties to the
action.



Kelly D. Hill
Certified Court Reporter
State of Arkansas
Certification #515



KELLY D. HILL
CERTIFIED COURT REPORTER
(501) 228-5446

1 A That's okay.

2 Q Mr. Hobbs, you appeared on the Maury
3 Povich show in August of 1994; correct?

4 A I'm not sure of the date, but we did a
5 Maury show, yes.

6 Q Do you remember that it was in 1994,
7 about a year after the murders?

8 A Roughly so.

9 (Whereupon, Exhibit No. 20
10 was marked to the testimony
11 of the witness.)

12 Q (By Ms. Davis) Let me show you what
13 I've marked as Deposition Exhibit No. 20, which
14 is an article entitled, "Retrial Sought in '94
15 Slayings, by Cathy Frye, May 31st of 2008." I
16 think there was some discussion of this in your
17 last deposition, but I just wanted to make sure
18 that that's a true and correct copy of an
19 article in which you gave some quotes.

20 (Brief pause.)

21 Q Does that sound right?

22 A I'm not sure if I give quotes on this
23 or not.

24 Q Let me -- let me clarify then. I

1 think in your last deposition you mentioned that
2 you had contacted Cathy Frye in an attempt to
3 talk to her about getting the truth out there
4 about the West Memphis 3. Does that sound
5 familiar?

6 A Out of Little Rock?

7 Q I'm sorry?

8 A Ms. Frye out of Little Rock?

9 Q Yes.

10 A I remember that.

11 Q And I think if you look at Exhibit 20,
12 you can see that this article was written by
13 Cathy Frye.

14 A Okay.

15 Q Does that sound familiar?

16 A That looks familiar.

17 Q I believe you met with her around May
18 of 2008 at a barbecue restaurant ---

19 A Here in Memphis.

20 Q --- in Memphis; correct?

21 A Yes.

22 Q And I've read through that article
23 which is titled, "Retrial Sought," and I've read
24 through some of the notations in your journal

1 and I -- I think I understand what you were
2 testifying to in your last deposition about the
3 reasons that you went to the press on a number
4 of occasions, and I want to make sure that I'm
5 right about that; okay?

6 A Go right ahead.

7 Q When you say that you wanted to get
8 the truth out, there was a lot of conversation
9 through the years about the West Memphis 3
10 deserving a new trial; correct?

11 A There has been.

12 Q And for years there's been discussion
13 about them getting the raw end of the deal in
14 their trials; correct?

15 A There has been.

16 Q And when you talked about wanting to
17 get the truth out, one of the things you were
18 trying to accomplish in talking to the press was
19 to make it clear that you believed that the West
20 Memphis Police and the prosecutors had done a
21 good job in investigating and prosecuting the
22 true killers in the murders; correct?

23 A Correct.

24 Q And that the West Memphis 3 belonged

1 in prison?

2 A Correct.

3 Q And that there was no need for further
4 investigation or further appeals of their
5 convictions; the authorities had the right guys?

6 A In my opinion, they do.

7 Q And you wanted the press and the
8 public and people that were wondering about
9 whether the West Memphis 3 deserved a new trial
10 to understand that that was your opinion on the
11 matter; correct?

12 A Correct.

13 Q And when you agreed to sell your life
14 story to Dimension Films and to sit down with
15 the Dimension Films film makers and talk about
16 the murders and allow Dimension Films to use
17 your life story and the life story of Stevie in
18 a potential motion picture, you also were
19 wanting to make sure that that truth that we
20 just discussed got out to the public and to the
21 authorities; correct?

22 A Probably so.

23 Q And that if there was going to be a
24 movie made about the West Memphis 3 and whether

1 they were wrongfully convicted, you certainly
2 wanted your position on the matter to be clear,
3 and that was that the authorities had tried and
4 prosecuted the killers; correct?

5 A Correct.

6 Q And that they should stay in jail and
7 that there was no further need for investigation
8 of anybody; correct?

9 A Correct.

10 Q And later then, to the extent that
11 anybody was concerned about whether you were
12 involved in the murders and whether there needed
13 to be any investigation of you, you wanted the
14 truth out there that you were not involved --
15 involved in the murders; correct?

16 A Correct.

17 Q And that there didn't need to be any
18 investigation of you; correct?

19 A Correct.

20 Q You have not done any research to
21 determine what specific evidence the Damien
22 Echols defense team will present at a hearing on
23 the habeas corpus filing, have you?

24 A Probably not.

1 Q You haven't reviewed the filing that
2 Damien Echols made to try to get a new trial and
3 get released, have you?

4 A I don't keep up with it like that.

5 Q And I appreciate that; and just to
6 make sure that we're clear, you haven't actually
7 looked at the documents he filed with regard to
8 habeas, have you?

9 A No.

10 Q And you haven't kept up, as you say,
11 with regard to what specific evidence he plans
12 to present at the federal hearing?

13 A Correct.

14 Q We had talked earlier about Deposition
15 Exhibit No. 8, and I've put in front of you all
16 of the deposition exhibits we had at your last
17 deposition. So if for any reason you need to
18 refer to any of those, please do.

19 But Deposition Exhibit No. 8 was the
20 Dimension Films contract that you signed
21 regarding your life story and Stevie's life
22 story. Do you recall that contract?

23 A I did do one with them.

24 Q And, to clarify -- I may have

1 misspoken. That -- the Deposition Exhibit No. 8
2 is not actually a signed copy of that contract.

3 A Correct.

4 Q Do you have a signed copy of that
5 contract?

6 A It's probably somewhere.

7 Q Just don't know where?

8 A Right.

9 Q Is it your best recollection that the
10 only thing wrong with Deposition Exhibit No. 8,
11 the unsigned contract, if you were to compare it
12 to the actual signed contract, is that amount of
13 payment? That's the only difference?

14 A I'm not sure. I would have to read
15 them to both and compare them.

16 Q Would you do that for me? Would you
17 agree to go back and look for the signed version
18 of that contract?

19 A I'm not sure where -- if I can even
20 find it.

21 Q If Ross Sampson has a copy of the
22 signed version of the Dimension Films contract,
23 would it be okay with you if he produced it to
24 us?

1 A Sure.

2 Q A chronology is a description of
3 events and when they occurred. Isn't that
4 correct?

5 A Okay.

6 Q Do you agree with that?

7 A I do.

8 Q I'm sorry. I spoke over you.

9 A I do. I do.

10 Q And based on your understanding -- and
11 I know you're not an expert in DNA and forensic
12 testing, but you do have an understanding that
13 those -- those tests are expensive; correct?

14 A Yes, ma'am.

15 Q We've talked a lot about events that
16 occurred in 2007. I want to pick a time frame,
17 December 31st of 2006. I want to talk about
18 the time frame just real briefly from the date
19 of the murders, May 5th of 1993, to
20 December 31st of 2006. Are you with me on
21 that time frame?

22 A I am.

23 Q During that time, no one ever accused
24 you -- no one in the press ever accused you of

1 being involved in any way in the murders. Is
2 that correct?

3 A Not to my knowledge.

4 Q And other than a few comments that
5 we've discussed regarding Pam Hobbs' family, are
6 there any other persons from the date of the
7 murders to December 31st of 2006 that you know
8 considered that it was possible that you were
9 involved in the murders?

10 A Not that I'm aware of.

11 Q When you met with the West Memphis 3
12 investigators and the criminal profiler, what
13 did they tell you about who they were?

14 A What did they tell me? Ron Lax,
15 defense investigator for the West Memphis 3.

16 Q So he did tell you at least that he
17 was affiliated with and working for the West
18 Memphis 3?

19 A Correct.

20 Q And did Rachel Geyser and John Douglas
21 also tell you that they were affiliated with and
22 working with and for the West Memphis 3?

23 A I believe they did.

24 Q And you understood that Ron Lax and

1 Rachel Geysler and John Douglas were working to
2 help the West Memphis 3 either -- it's kind of
3 back to what we were talking about before -- get
4 a new trial or get out of prison; correct?

5 A To my understanding.

6 Q And you understood that what they were
7 doing, in their attempts to either help the West
8 Memphis 3 get a new trial or get out of prison,
9 was trying to gather evidence that would be
10 favorable to the West Memphis 3?

11 A I do.

12 Q And at no time did Ron Lax, Rachel
13 Geysler or John Douglas ever tell you that your
14 communications with them were confidential;
15 correct?

16 A I had asked them if I -- if I am being
17 recorded or videoed, and I was told, "no."

18 Q But they never told you that the
19 discussions you were having with them were
20 confidential and would not be disclosed to
21 anyone, did they?

22 A I don't believe they did.

23 Q And it seems to me -- and correct me
24 if I'm wrong, but it seems to me that one of the

1 reasons you were also meeting with the West
2 Memphis 3 investigators, Ron Lax, Rachel Geysler,
3 John Douglas, was also part of this mission to
4 get the truth out ---

5 MR. THOMAS: Object to the
6 characterization of his mission to get the truth
7 out.

8 Q (By Ms. Davis) In other words ---

9 COURT REPORTER: I couldn't hear
10 all of that.

11 MR. THOMAS: Object to the
12 characterization of his mission to get the truth
13 out.

14 Q (By Ms. Davis) In other words, you
15 wanted the West Memphis 3 investigators to
16 understand, in the same way that you had wanted
17 the public and the authorities to understand,
18 that you believed -- and I will just break it
19 down -- that the West Memphis Police had done a
20 good job in catching the killers; correct?

21 A They did.

22 Q And you wanted the West Memphis 3
23 investigators to know that as well; correct?

24 A Right.

1 Q And you wanted the West Memphis 3
2 investigators to know that you felt like the
3 prosecutors had done a good job in getting an
4 appropriate conviction of the killers when they
5 convicted the West Memphis 3; correct?

6 A Correct.

7 Q And that to the extent you could
8 impart to those West Memphis 3 investigators
9 that there was no need for further
10 investigation, you wanted to do that; correct?

11 A Well, they -- I did, and there's also
12 something else you're overlooking. I wanted --
13 I mentioned this before to someone. I wanted to
14 go down and see what kind of people that are
15 trying to get some killers out of prison.

16 Q And I -- that's one of the reasons
17 quite frankly that I'm following up on this line
18 of questions. I saw -- I got your transcript
19 back of the first day of the deposition. Did
20 you have an opportunity to look at that?

21 A No.

22 Q Okay. And in reading that, I saw that
23 comment where you said you wonder what kind of
24 people would try to get killers out of prison,