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**COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
OFFICE OF THE DISTRICT ATTORNEY**

**TRANSCRIPT OF INTERVIEW
OF
TAPE RECORDED TELEPHONE CONVERSATIONS
BETWEEN LYLE MENENDEZ AND
NORMA NOVELLI**



CONFIDENTIAL

**GIL GARCETTI
DISTRICT ATTORNEY**

Tape # 11

1 TAPE RECORDED TELEPHONE CONVERSATIONS BETWEEN LYLE MENENDEZ AND
2 NORMA NOVELLI.
3

4 CASE NAME: People v. Lyle & Erik Menendez
5 CASE NO.: BA068880
6 CHARGE: P.C. 187, Murder
7 TAPE NO.: 11
8 DEPUTY D.A.: David Conn
9 D.A. UNIT: Major Crimes Division

10 LEGEND:

11 L - Lyle Menendez
12 E - Erik Menendez
13 N - Norma Novelli
14 U - Unidentified Voice
15 *** Unintelligible

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24 TRANSCRIPT PROVIDED BY

25 Los Angeles County District Attorney's Office

26 March 1995

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And so far it's been established through the -- through the D.A.'s witnesses, that I am like a white knight in a group of dark-circled friends who tried to stab me in the back and were all found out to be liars. That's exactly how I come across at the moment.

I -- I come across incredibly well. Uh, they all said I was -- that I was extraordinarily generous. The jury was looking at me like I was just way too generous with these people who didn't deserve. The -- the guy said that I was trustworthy and caring to a fault -- absolutely.

And, uh, I come across as very emotional. I was reluctant to kick this con artist out of my room. I was crying over it. I was sad. Uhm, I come -- I was too involved with my girlfriends. I cared too much about their feelings. I gave them respect. My dad thought they were bimbos. He yelled at me. And he forced me to get rid of them. I refused.

Uhm, even the bodyguard, I was respectful. I bought him things. I asked his advice. I -- you know, I just come across as this really, really nice kid. And, uh, you know -- and -- and they look at me. And I look the role that they're saying. I look like a nice kid.

And, uh -- and the D.A. has not been able to put a

1 single witness on to say otherwise. Nor would they dare in my
2 presence. Uhm, so that's the image they have of me so far. And
3 I'm sure they're sitting there thinking of themselves, how the
4 fuck did this guy get involved in killing his parents? And
5 we're dying to find out.

6 And, uh, then -- and the other thing that they have is
7 they -- they see us -- my attorneys -- mainly Jill Lansing -- as
8 the absolute bastion of truth, honesty, and -- and with the
9 truth on her side. And -- and of honesty, because of the way
10 she may chastise -- literally chastise and made these witnesses
11 be the liars that they are, and held the marbles.

12 And, uh, they see her as a white knight, which is what
13 we wanted. Uh, they also know, luckily, that a person can sit
14 there and be very convincing and lie their ass off, because they
15 found out that three people just did. They were -- they were
16 convincing on the direct, and they were found out to be absolute
17 liars, because of admissions they made on tape.

18 They didn't realize they were going to come in, and
19 things that they had to admit because we have the evidence, and
20 all this stuff.

21 So, you know, they're -- they're a very shocked jury.
22 And, uh, these are very specific impressions that they have.
23 And now they're going to hear this guy come out and, uh, he's
24 going to say that I'm a psychopath.

25 And, I mean, it's just going to be way out there in
26 left field. I mean -- and the statements that he's making are
27 not believable. And Mike says that, uh, you can make him out to
28 be not believable. Uh, you know, this guy says I came in and

1 that he told me straight out he was afraid of me, and that he --
2 if -- if I threatened him in any way, he'd go to the police and
3 all this.

4 And, I was there for damage control. And that he
5 could help me. And that -- that my sessions with him could --
6 if I ever got arrested -- could be used in my -- to help my
7 defense. This is all he -- he admits all this. And then
8 proceeds to say that I made one threat after another against his
9 life. I said all this stuff from, uh -- I did it for the
10 perfect murder. I'm a psychopath. I have no feelings. Once I
11 start killing, I can't stop. I'm just out of control. My
12 brother -- my brother and I are -- the parts are greater -- the
13 sum is greater than the parts with us.

14 And we can get away with every crime. And that I said
15 all these kind of things. I mean, literally like that too.
16 Uhm, which is like, well, why would I be saying all this to a
17 guy who just said he'd go to the police if he -- if I scared him
18 any more?

19 And to a guy that said, "Hey, these sessions may help
20 you. Let's make these sessions to help you." Like I'm going to
21 be saying all this to this -- I'm actually reasonably thinking
22 this is going to help me. And, uh, you know, the bottom line is
23 that the guy was fucking a girlfriend on the side. And by
24 saying that he was scared and putting his wife in a hotel, he
25 could go to Arizona and fuck his girlfriend. And that's what
26 was happening.

27 And, uh -- and then once he realized that the
28 girlfriend knew too much and was very unstable and was gonna

1 maybe run to the police, he made these tapes to cover his ass.
2 And tell why that he should be afraid enough to go and tell his
3 -- blab to his girlfriend, you know, why he wasn't with his wife
4 in a hotel protecting her is something he'll have to explain,
5 instead of with this girl.

6 But, uh, you know, that's -- that's what was
7 happening, as well as they had me by the balls in blackmail.
8 Uh, but the tape was to save his ass in case the girlfriend
9 fucked up. And, uh, sure enough, he was right. The girlfriend
10 unraveled, fucked up, and this tape is -- he thought was going
11 to save his ass, he thinks, with his wife not pleading the 5th.

12 And, uh, you know, Mike will be able to sell that, I
13 think pretty clearly, but, uh, it's very, very disturbing to me.
14 And I want to more forcefully sell the blackmail motive for
15 those tapes, because that potential was clearly, uh, outlined by
16 him, and is clearly there.

17 The thing that I don't like is that we do not have,
18 like we did with Donovan and Glenn and the bodyguard, uh, clear
19 cut things that we could just point to one after another that
20 they've lied, lied, lied, lied, lied. With this guy, all we
21 have is, uh, bad character evidence -- he raped a patient. He
22 did this. He did that. He did this.

23 Uhm, he's manipulated, you know, he's lied in the
24 past. But, you know, we don't have this bomb to drop on him.
25 Other than this -- the disbelievability of -- that these --
26 anybody would say this to a human being.

27 Uhm, you know, it -- literally, the outlandishness of
28 his statements are the only thing that, uh, give what we're

1 saying credibility. Had he toned them down and made them
2 halfway believable, I'd be in real trouble.

3 But, you know, luckily, it's -- it's not that way.
4 You know the D.A. tries to -- well, we don't want to introduce
5 this sentence and we don't want to introduce this sentence.
6 They're trying -- they're trying to make him credible, because
7 she doesn't believe half the sentences. So, she's trying to
8 pick the ones out that she thinks are obviously not going to be
9 believable.

10 So, Mike said, "Hey, no, no, no. We don't give a
11 fuck. We want it all in. Everything in. Everything he says,
12 it gets said, because we want to show that this is a joke."
13 And, uh, she was like, "Oh." You know -- you know, the judge is
14 helping them every fucking step of the way.

15 N Helping who?

16 E Helping the -- the D.A.'s. Their case is a shambles
17 so far, and he's pissed. He clearly wishes he was prosecuting
18 this case. He clearly feels that they're incompetent. He's
19 very upset. He wants me to go down, so he can look good.

20 And, uh, he's concerned. He sees me winning. And
21 rightly so. I mean, he's concerned, legitimately. And he -- he
22 knows our defense very well. And, uh, you know, he's -- he's
23 trying. He's very upset because they're not going to introduce
24 the burglaries against me. He's tried to give them every hint
25 in the world that he would allow them in, even though I've never
26 even been questioned on it.

27 Uhm, but they won't take it. They said no. Uhm, he
28 thinks that that's the perfect way to show that, uh, this is a

1 perfect crime, that I fucked up the burglaries. My dad
2 ridiculed me. So, I killed him in the appropriate manner. He
3 said something like along those lines.

4 Uh, because that's what Ozeal said I said. And, uh,
5 without the burglary, it -- it has a lot less weight. It's like
6 then all of a sudden I committed this perfect crime out of the
7 blue, a weekend that I just flyed into California, you know.
8 And it just doesn't make sense, really.

9 Uhm, so he's pissed. But, uh, it's too late though.
10 They're not going to use the burglaries against me. But, uh,
11 it's unfortunate the mountain of evidence contrary to what we
12 first thought is against my brother. Uhm, he has the benefits
13 of being the younger brother. And the nice little sensitive
14 kid. But, you know, the weight of evidence is against him
15 unfortunately.

16 I don't in any way think it's enough to convict him.
17 But, uh, it's clearly greater than it is against me.

18 N Is it possible he will be convicted?

19 E Oh, absolutely. Absolutely. The -- the weight of the
20 evidence is against him, you know. I mean, it's -- the
21 burglaries are -- are painful, and clearly tie into this perfect
22 murder theory, which is just so scandalous, that I can't even
23 express to you how -- how utterly ridiculous it is.

24 And, you know, their big thing against me -- the
25 reason my case was so bad, was because of the money. And
26 because they had Donovan and they had Glenn. And they had this
27 bodyguard. And -- and they have severely damaged their case.
28 Jill Lansing has totally destroyed that end of their case.

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And in the process, made me out to be a white knight. And Donovan has, literally, gone as far as to substantiate that my father abused me, and, uh, my brother, in the ways that I've told you, uh, a long time ago. He's said it on tape. Lyle had this conversation with me. I told him I was molested by my uncle, and then he started crying. And he laid out what happened to him on tape.

And, uh, they didn't -- the D.A. didn't know that until the kid got on the stand and said, "Oh, no. Lyle never told me anything." And suddenly this reporter comes forward and goes, "I don't think so. Here's the tape."

And, the -- she freaked. And she's -- she's in big trouble. But, whether that can even come in to support my brother is a question, because it's my statement to him, you know. The D.A. doesn't want to help -- help them out.

But, uh -- but, you know, anyway. I mean that all will help me in the future. But, I want to get through this little obstacle, which is a big obstacle, which is this -- this fucking psychologist. It's so scandalous.

And the psych is not going to be damaged by the fact that their money motive has flown by the wayside. They lost the whole money issue when -- once the kid said that my dad was going to give me \$2 million dollars when I graduated. That was it. That was over with that.

And the jury is like, yeah, right. No way he killed him for money, obviously. And, uh, there's no kid that's going to kill a parent for money unless he's absolutely sure he's in the will. Even if there's a question. If he's going to get two

1 million in four years, you're not going to risk that. So, the
2 money motive is gone.

3 But, Ozeal says that I came in and I told him. This
4 did not happen for money. And Ozeal says he believed it, that
5 it didn't. So, the money -- the destruction of the money motive
6 doesn't hurt Ozeal really, other than that it shows the jury
7 that some of the D.A.'s theories are clearly lies.

8 His -- Ozeal's thrust is that this was a perfect
9 murder. It was done for perfect murder reasons. And because I
10 hated the father because he was basically an asshole and
11 dangerous. And the mother was unstable. That's what -- what
12 he's saying. And, uh -- that's his thrust, you know.

13 And I -- I -- we all felt -- we -- well, Jill Lansing
14 didn't even address Ozeal in her opening statements because she
15 didn't believe that the perfect murder theory is something that
16 a normal rational person would even consider as a possibility in
17 this case.

18 But, you know -- I mean she made a mistake I think,
19 because this -- the way this guy comes across with all this
20 stuff, fucking, uh, you know, it's very extraordinary. It's --
21 it's disturbing. But, uh, thank God, the guy is obviously not
22 too bright, because the statements are kind of ridiculous.

23 He, literally said -- he said on the stand today, in
24 front of like fifty people -- which really pissed me off --
25 that, uh, the plan was to kill my dad, but the mother had to go
26 too, because there was no way that we could figure out to kill
27 my dad, uh -- without killing the mother too. We couldn't
28 figure out how we could do it, because she would probably be

1 around.

2 And then we had some second thoughts that maybe we
3 shouldn't kill the mother, but it was such a perfect plan, we
4 felt if we altered it, it wouldn't be perfect anymore. And the
5 incentive was to do it perfectly.

6 Do you believe he actually said that I said that to
7 him? I'm like, Jill, did -- you tell me, you listened to that
8 -- did -- is that something that somebody would believe? I
9 mean, I'm not a halfwit. And, uh, she said, "No. That's not
10 believable at all. Thank God that he actually said that you
11 said that."

12 I mean, like I couldn't kill my dad out in the fucking
13 parking lot or something? I mean -- I mean, it's just
14 ridiculous. I mean, I've got to be Jeffery Dohmer to just throw
15 my mother in because I didn't feel like taking the time to kill
16 him in the parking lot. I mean, that's -- that's what I mean by
17 the jurors are going to listen to this with their mouths open
18 and go, wait a minute. You know, this -- how can this be? You
19 know?

20 And unless they're just won over by this guy, you
21 know. I mean, it's one or the other. Either you believe this
22 guy and go ahead and send me to the gas chamber, I'm glad to go,
23 and I deserve to go. Anybody that's like that should go. Or
24 -- or -- or this guy is caught completely lying, because there's
25 no in between. This guy's statements are like either psychopath
26 or he's lying.

27 Uhm, which is essentially where we wanted him to be,
28 because I want -- I want to win this case. I don't want to

1 fucking, you know, be somewhere in between. And, uh -- but,
2 it's just amazing that this guy is even involved in this case.
3 Such a liar. So, it was a -- it was a very embarrassing day to
4 have this fucking idiot on the stand saying these things with me
5 in the room.

6 I felt like strangling him. I was so tired though, I
7 -- I should have fell asleep. But, anyway, it wasn't -- uh, it
8 was not a good day. But, I did have a good conversation with
9 Mike, who has calmed me down some and convinced me that we -- we
10 can really carve this guy up, and that the statements are not
11 believable.

12 And, uh -- and, you know, obviously, they're going to
13 know that Ozeal is an untrustworthy asshole, because all his
14 girlfriends are going to come in saying, yeah, he tried to
15 strangle me, he tried to rape me. He did this. He did that.
16 He did this. You know, what are they going to think about this
17 guy. He's -- he's a shit. But, the question is, did they
18 believe that I said these things to him.

19 Uh, if I -- if they believe that, then, uh, you know,
20 there's -- there's nothing I can do, other than get on the stand
21 and they'll look at me and they'll go, "There's no way this kid
22 could say something like that." No way. Even if -- not only
23 could he not say something like that, because he's a very
24 private person and wouldn't say those things to anybody, even if
25 he felt them, but, there's no way this kid could ever feel that
26 way to say these things -- that that could happen.

27 And, uh, I think it's fucking queer. And they have a
28 letter from my brother that shows that that's bullshit. But,

1 uh, you know, I don't know. He's just a prick. That doesn't
2 help. But, anyway, everybody out of jail is telling me how
3 great the case is going. Everybody's calling in and telling
4 Jill how magnificent she's been, and all this stuff.

5 But, uh, it doesn't calm me down. But, anyway, I
6 don't -- I don't mean to burden you with this bullshit.

7 N It's very stressful.

8 JL Well, it is -- it's stressful and overwhelming and
9 stuff, even for me. And I'm in the midst of it. But, I'm not
10 letting this guy -- this -- this guy's a determined witty liar.
11 And, uh, I'm not just going to let him try and fuck me over, and
12 let me just sit here and take it.

13 He's up against, uh, some intellectual firepower and
14 -- and creative determined people, and, uh, the flow of the
15 witnesses I have against him. And, so, uh, you know, I'm --
16 I'm -- I'm giving it a lot of thought. We're going through it.
17 We're going through it, you know. And I will do what I have to
18 do. This fucking guy is a manic. Thank God that we've -- that
19 the D.A.'s case fell apart before he took the stand, so that
20 they already have a very bad taste in their mouth about their
21 case.

22 Thank fucking God. And they -- they think Jill is
23 like a pillar of truth. And -- and I come out to be a what --
24 an angel so far. And thank God, because when they need that
25 cushion, when they hear this fucking guy. They need that. Oh,
26 boy.

27 So, anyway, we made it by. And under it seems like as
28 much pressure as I have. Putting out your little fires there.

1 Hoping your body with all it's bumps are holding up.

2 N That's nice.

3 E Oh, and, uh, I'm not sleeping too well. You think too
4 much.

5 -oo0oo-

6
7 L How are things going? What's up? Yeah, and I'm
8 sleeping better. I'm gonna have to start eating these
9 sandwiches at court too, because the starvation is getting to
10 me.

11 N ***

12 L Yeah, I know. I keep forgetting to, uh, have Jill ask
13 the sarg. I'm not sure what the chances of it are. I think --
14 and I think they're decent. So, uh, -- what -- so, tomorrow,
15 I'm going to have her -- if I can remember to ask. But, there's
16 just so much stuff to go over. You know, the -- the two of them
17 are so good as attorneys. I mean, they're just so good.

18 Uhm, but they're constantly, you know, with a million
19 things on their mind. And, uh -- uh, I -- I haven't had a
20 chance -- I did call the lieutenant today from the jail and --
21 who loves me -- and, "Hey, what's happening, Lyle? I hear it's
22 going good." Yeah, yeah, right.

23 Just keep watching T.V. And, uh, I asked him what's
24 up with the T.V. sets for me here. He said, "You mean, they
25 didn't take care of that yet? That was supposed to be solved."
26 I said, "No, he went on vacation. Nothing happened." He said,
27 "I'll take care of it." And hung up the phone.

28 So -- so, hopefully, they'll do it. I can watch a

1 little T.V. I'm getting you the tape of, uh -- yesterday's day.
2 And if I can get the opening statements. It's unclear as to
3 what is -- didn't they put that. But, I'm gonna send that you
4 to also.

5 N How are you doing that?

6 L Court T.V. Uh, I really should have had Diane tape
7 it. She gets it on Court T.V. And she lives only an hour away
8 from you. But, in any case, uh, Marta's daughter taped it. And
9 so did, uh, a friend of Erik's. Uhm, and, uh -- I'm having it
10 copied Saturday.

11 N Why would you give it to me?

12 L Because it would be fun for you to watch. Uh --

13 N I need to watch something.

14 L Watch these people unravel.

15 N I just feel so incredibly away and, uh, *** said that
16 it's really hard. So, I'm just kind of -- I want to tune out,
17 but, I don't know what else to do.

18 L I know, baby. I know. And I wish I was with you.
19 (Laughing is heard.) I wish to God I was with you. And I could
20 just call in and ask Mike how it's going. But, uh, however, my
21 input doesn't really help him. Definitely, 'cause -- I know --
22 I know the weaknesses in these guys. I -- I helped to totally
23 carve this guy Glenn up, because I knew -- I knew the things
24 that we had purchased together.

25 And once I saw him crumbling and I realized he was not
26 going to lie any more. He was going to admit to everything, I
27 just started rattling off on paper the things. And he admitted
28 to everything. Unbelievable.

1 But, uh -- so, I mean, I have to be there, obviously.
2 But, I wish that -- that I wasn't. Today I definitely wished I
3 wasn't. Uh, Tracy was there with her friend Stacey. And, uh,
4 you know, she thought the guy was a joke, and not believable,
5 and all this stuff.

6 But, still, I was like, yeah, well, you're not on the
7 jury.

8 N How long ***

9 L What's that, baby?

10 N How long is it ***

11 L It's not going to be too long, I think. Uhm -- uh,
12 it's a bit unclear, but I would say a month and-a-half or less.
13 Obviously, it could vary, uhm, we could get to a point where the
14 judge wants to let something in for the prosecution against me,
15 and, uh, it takes a week to litigate the issues, you know.

16 I mean, I don't -- you never know what comes up in
17 this trial. This judge is very reluctant to -- he likes to push
18 everything off. We need to litigate this issue judge. Well, we
19 don't need to do that now. Let's see what happens. Let's see
20 what happens.

21 Uhm, as a result, uh, already their -- their case is
22 supposed to rest on August 3rd. Uhm, next Tuesday, I think it
23 is. And Jill said that she would be surprised if they were done
24 before the weekend. That we would probably start our case the
25 following Monday. That's her guess at this point, because they
26 -- already, we've had to take two days up of just hearings with
27 this guy Ozeal.

28 N That weren't planned?

1 L That, no. None of this was planned. But, they were
2 supposed to be done by, uh -- they were actually supposed to be
3 done by July 31st, and then they supposedly just had this
4 witness that they couldn't get 'til August 3rd, so they were
5 just gonna kind of do filler and this and that.

6 But, what's happened is that, uh, the cross-
7 examinations have taken a lot longer than the D.A. expected.
8 She didn't realize that we could destroy these witnesses, and
9 had so much information against them.

10 And, then, also, uh, we had all these hearings that
11 just suddenly come in. Like, for example, the -- see, they
12 didn't realize the D.A. -- the -- the State Attorney General was
13 going to file charges. We had to have a whole half day hearing
14 on that. They didn't realize that this reporter was going to
15 come forward. And we had to have an entire day's hearing on
16 that.

17 And now these issues against Ozeal are taking an extra
18 day and-a-half. Uhm, but, you know, those are the things. Like
19 I -- like I said before, like, if the -- if the trial's pushed
20 off, it's because -- it happens a day here, a half day here, a
21 half day here, a day here. But it adds up.

22 So, what's happened is that all -- all -- there's a
23 gap that she thought she had from the 31st to the 3rd is now
24 completely filled because of the postponements. And it's
25 actually going beyond the 3rd into the end of the week, into
26 Friday, we think, at the least.

27 They don't have any witnesses really. I mean, we've
28 -- they just had this guy. But, they want to put him -- you

1 know, they -- they waste time with stupid things like the
2 handwriting guy to verify that it was probably Erik's
3 handwriting on the gun records.

4 Leslie said in the opening statement, Erik signed the
5 gun records. We go, why the fuck do we want to waste time
6 putting this guy on the stand? Well, but they have a right to
7 put on their case, even if he's admitted it.

8 Opening statements isn't evidence, you know, really.
9 Please.

10 N So, you're five month defense went to a -- a month
11 and-a-half?

12 L Well, it was four or five months. We figured through
13 November because we didn't -- we felt -- our feeling was that
14 their case was going to be longer. They said six weeks. It
15 turned into two. Uhm, that was something we couldn't control.
16 They were saying six.

17 We thought ours was going to be a lot longer. We were
18 going to use a whole bunch of witnesses, and then Jill and
19 Leslie felt that because their case was falling apart, we don't
20 need nearly as many witnesses to prove our case. And we want to
21 use only the stronger ones.

22 Uhm, so that kind of shortened it up quite a bit. And
23 then also, uh, we had overestimated the case, which I didn't
24 realize when I told you, on purpose to give the judge the
25 impression that it was real long, so that he doesn't rush us in
26 any way, because, otherwise, he might have said, uh -- well, you
27 said your case was going to be over in a month. And what is --
28 it's looking like it's going to be two. I'm not letting this

1 guy in. I'm not letting that guy in. This guy is extraneous.
2 We don't need this guy.

3 We want it to be the other way around, where he's --
4 he's expecting four, and he's kicking back. He's realizing our
5 case is winding down and he's allowing us to put on whoever we
6 want. Uhm, plus he's made rulings that a lot of the experts we
7 felt were going to be able to come on, can't come in. Like he's
8 not going to -- it's clear he's not going to let any expert
9 testify for me that is not a physical doctor.

10 And we were going to have people like, you know, the
11 former Miss America person, Paul Monis -- people that aren't
12 doctors. Uhm, so, you know, that cut out days and days from
13 that, all that stuff. So, essentially, it's been severely
14 shortened. I, frankly, think it's going to be a month and-a-
15 half at least. But, that's what Jilly said.

16 So, uh, we could be done quite soon. It moves along
17 fast, because he -- he doesn't allow you to like say, okay, take
18 a half day off. I mean, he goes, "Next witness. Next witness.
19 Next witness." And, every day from 9:00 to 5:00.

20 So, he can go through a gang of witnesses in just a
21 few days. Although, uh, Pam is under this very mistaken
22 impression that I'm a vulnerable witness. And said she has
23 extensive cross-examination to do on me and I'll have lots of
24 fun. So, that'll be a few days.

25 And, uh, Jill says she doesn't realize what a big a
26 mistake that is. I imagine she will, in like the first six
27 hours -- you know, couple hours. But, we'll see. Anyway, so,
28 yeah, it'll -- it'll be a short case. Real quick.

1 (Pause in conversation.)

2 L I was all worried about this tape of the conversation.
3 You know, the tape of the only interview I had with Detective
4 *** Zoeller. And, uh, the poor guy is just so embarrassed.

5 N You feel sorry for him?

6 L I wouldn't feel sorry for him. What a scumbag. And,
7 uh -- I was just really concerned about the tapes because Mike
8 was -- wanted it to be played the same day as, uh -- he wanted
9 it to play yesterday, because the -- the day was so brilliant
10 for us that, uh -- hey, play this tape and it'll have minimal
11 damage.

12 And I -- I listened to the tapes and I -- and I had
13 the transcripts because I was dying to see -- oh, man, I must
14 have said something bad. This tape was terrific for us. All I
15 do is substantiate everything I've said. And -- and to say
16 nothing else, and that -- which is the kind of person that I am
17 when I'm not with people I'm comfortable with.

18 And, uh, I won't say much. I told Mike, I said, "This
19 is tape is great for us." And, oh, he says, "I know. I know.
20 But, we just don't like, uh, anything to do with Zoeller.
21 Anything to do with your voice. And, uh -- and, obviously, on
22 the tape, he makes you lie again about your alibi. And we don't
23 like that." Uh --

24 N What do you mean he makes you lie?

25 L What?

26 N What do you mean he makes you lie?

27 L Well, he makes me go over my whereabouts again that
28 night. And clearly, I have to say I'm at the movies again.

1 What am I going to say? And, uh -- you know, it's not anything
2 elaborate, but I had to say that I was there. But, Mike doesn't
3 like me lying, you know.

4 And, uh -- but, I -- it's clear -- I substantiate
5 everything else, and then I clearly say that, uh, I got the
6 bodyguards -- that the company got the bodyguards for me, and
7 they were paying for them. They were concerned about my safety.
8 I was being followed. And that the bodyguard told me I was
9 being followed. And he thought it might be the F.B.I., but we
10 weren't sure.

11 And, so, I was concerned. And then eventually, I got
12 less concerned. And I clearly say on the tape, which was
13 amazing why they even want it -- they shouldn't even introduce
14 this tape. It's only going to further help my case. They're so
15 stupid.

16 And I say to them that -- they say, well, maybe it's
17 Mafia this and that. And I say, no, no, no. Uh, I don't think
18 it has anything to do with organized crime, what happened to my
19 parents. And the guy says, "I agree." And the other guy says,
20 "Yeah, and I agree too." Two cops.

21 Yeah, but, a big part of their theme is that I was
22 trying to make it look like it was the Mafia.

23 N What -- where does that all come from? That's not
24 what -- that's not what you told me.

25 L What?

26 N That you said it was the mob.

27 L Uh, I never said it was the mob. It was just -- it
28 was the newspapers, that because my dad had mob connections,

1 immediately figured it was a mob hit, and sensationalized that
2 it was a mob hit. And that -- and, you know, Hard Copy is
3 carrying -- everything they're doing.

4 N Then what did you tell me that night?

5 L What?

6 N That's -- you said are there -- maybe nothing you
7 thought it was, that they think it is. But, that's where I got
8 that from the beginning -- the night we had dinner.

9 L The night we had what?

10 N Dinner.

11 L Oh, they think it's the mob? Wait, what did you say
12 again?

13 N You said, my parents *** I don't know. ***

14 L Go ahead and say what you were saying.

15 N You told me your parents had been killed. And I said,
16 "Oh, that's awful. And what happened?"

17 (Sirens are heard in background.)

18 N I was sitting there and either you or they said it was
19 a Mafia hit.

20 L Yeah. That's -- that's the story that, uh, amongst
21 personal friends, family and so on, was the only story that
22 people believed. And, uh, it was the story created by the
23 newspapers to such an extent that, uh, it was a very easy way
24 out of having to talk about what happened.

25 And, uh, I don't believe that I told you, I think it
26 was the mob, because I wasn't really passing that along to
27 anybody.

28 N You told me that night.

1 L Uhm, well, you said that just now, that you didn't
2 know if I said they think it was mob.

3 N Yeah, you -- it was verbatim. It was either you
4 thought it was or they thought it was. That's one word I'm hung
5 up on. The whole sentence was out that night at dinner.

6 L Yeah, that -- that they think it's the mob.

7 N Yeah.

8 L Well, it's definitely something that -- that I was
9 telling people, because they did.

10 N Well, so what are you saying you didn't say?

11 L What I'm saying is that I wasn't giving the police --
12 which is they say part of my alibi -- the impression that it --
13 that the mob did it.

14 That wasn't something that was -- they're trying to
15 say that part of my plan was to kill my parents and then make it
16 look like the mob did it, by hiring bodyguards, by pointing
17 fingers at the mob, by talking to --

18 N I understand that. I understand that. Well, I'm just
19 wondering why you're saying you never told me this that night.

20 L No, what I'm saying is --

21 N ***

22 L I don't -- I don't remember the conversation. But,
23 what I'm saying is, is that I doubt that I would say to anybody,
24 "I think it was the mob."

25 N No, I said you probably said I or they. I can't
26 remember. I wasn't really --

27 L Right. Well, I -- I don't dispute that I would have
28 said, "They think it's the mob." Because that's -- that's what

1 they think. But, uh, you know, that was clearly what they
2 thought. They spent a million dollars investigating it.

3 And, uh -- and if anybody asks me, I'll -- what --
4 what do they think -- who do they think is responsible, I would
5 have said, "They think it's the mob."

6 N All right. I just don't, you know -- I -- I know what
7 you said to me at dinner.

8 L Uh. Well, I just wanted to make sure that you weren't
9 saying that you -- that, uh, I was saying, "Yeah, it was the
10 mob. It was the mob." Because I wasn't going around doing
11 that. But --

12 N Well, if you read the police report, it says they.
13 Hold on, again.

14 L Yeah, but -- yeah.

15 N What?

16 L Yeah, but, the nice thing was that on tape I -- I
17 tried to dissuade them from organized crime. I told them,
18 "Don't go in that direction. I don't think this is connected to
19 organized crime." And they agreed.

20 And, uh, you know, it's just pretty -- and yet I was
21 saying that I was concerned about being followed and that's why
22 I hired bodyguards. And I meant so. And then it clearly
23 couldn't be that I was hiring bodyguards to give them the
24 impression that I think it's the mob. Why aren't you catching
25 them? I'm scared.

26 That couldn't be, because, you know, I'm telling them,
27 "It's not the mob. And I'm admitting that I do have bodyguards
28 because they say someone's following me, and I'm concerned."

1 And, uh, I mean, it was clearly, you know, I mean, it's clear on
2 the tape. And, uh -- which is very good. It's -- it's -- why
3 they would go ahead with this theory that I -- I hired
4 bodyguards to make the police think it was the mob, and that was
5 what I was pushing.

6 When I'm -- when they have me on tape saying that
7 that's not the case. I mean, it's -- it's really quite
8 extraordinary that they're going to introduce that tape.
9 But, I don't think they know what they're doing. It's clear
10 they don't.

11 You know. And then another one of their theories is
12 that I ransacked the house to make it look like a robbery.
13 Right? Well, you can't have your cake and eat it too. Did I
14 say it was the mob, or did I say it was a robbery?

15 They go ahead and they present their theory, and then
16 they got Zoeller on the stand saying that he asked me the next
17 day if anything was missing, and I say no. You know? I mean,
18 how in the fuck am I going to say -- that they're going to say
19 that I'm trying to push that it was a robbery, and I say
20 nothing's missing. I would have said, yeah, lots of jewelry.
21 And, uh, we had this. And we had that.

22 The place looks terrible. Fucking, you wouldn't
23 believe what was left, obviously, if I'm thinking saying it's a
24 robbery. You know? I don't know. But, this is why their case
25 rests on Ozeal, because independently of this guy, they cannot
26 hold a candle to anything. They're stupid. They're
27 incompetent. They trip on themselves. They're witnesses are
28 liars.

1 And everybody in our case is very organized and very
2 credible, and very nice. And, uh, you know, they picked the
3 wrong family. It's a quite -- very nice family. And, uh --
4 yeah, but this guy bothers me.

5 Well, anyway, but that was nice when I read the
6 transcript about that tape though. I was a little concerned
7 about that. So, I haven't got the list of who my witnesses are
8 going to be. You know, Jill and I talked about me coming and
9 seeing the defense case.

10 The -- you know, that it would be nice when you are
11 here for that eventually, uh, to have all the family here, who
12 is very supportive, vehement against Ozeal, and has a -- a new
13 found confidence now that their case is falling apart. And, uh,
14 they'll be out here in and out, in and out, because they'll all
15 be testifying and watching.

16 I think it would make good sense if my family members
17 and you come to the trial. Uhm, that would be nice. And I'll
18 have you there for support when I testify, which will be a
19 nightmare. Oh, boy.

20 Well, I do need to get more sleep than I get in the
21 L.A. jail. I don't know how you do it. I can't stay up.

22 N I've become kind of a different person after a while.

23 L I imagine. I mean, I can't -- I don't know how you do
24 it. I get no sleep. I get moody. I get fucking irritated.

25 N You think I'm like Miss, uh, Congenial tonight?

26 L No. No, I could tell that right away.

27 N Well, I tried to prevent it over. ***

28 L I understand. And I can see that insomnia would do

1 it. I certainly could see the sickness doing it though, because
2 I have that occasionally. And a newfound bump. You go in for
3 Friday for that?

4 N What's that?

5 L Do you go Friday for that ray? Or tomorrow? Oh,
6 great.

7 N On Friday.

8 L Go in on Friday. Okay. Oh, tomorrow is Friday.
9 Fuck. Jesus. That means the store is coming. I got to get
10 money for stuff. Tomorrow is Friday. That's right. There's a
11 big article in the L.A. Times today about my friend lying his
12 butt off. Poor guy is really -- he won't be able to get a date
13 or a job in any state or in the -- where Court T.V. plays.

14 And, unfortunately, his entire home town was watching
15 it on T.V. Poor guy. And I hear that Princeton University is
16 up in arms because he had said on national T.V. that -- that
17 they teach their students to embellish and sell themselves on
18 their resume. Oh, my God.

19 And he may have a civil suit, so, against him.

20 N I'd be interested to see ***.

21 L Say that again. Oh, wait -- say -- say what?

22 N I would be interested in seeing you in tomorrow
23 proceedings.

24 L Tomorrow's proceedings? Uhm, it's just going to be
25 hearing. Are you talking about Ozeal's actual testimony?

26 N No, what your friend ***

27 L Well, if you want to see it, uh, I should just have
28 Diane tape every day for you, huh?

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-oo0oo-

(Tape turned to Side B.)

L -- called you and you weren't home.
Unfuckingbelievable. And I'll call you tonight. Bye.

-oo0oo-

(Beep is heard.)

N Hello?

(Beep is heard.)

N -- it's not a thing that -- like, it used to be --
it's a two-seat -- not, it's not two seats, it's four seats.
That's right. Uh, a G.S.L. or something.

L Mercedes?

N Yeah, a little -- the little two sport -- the little
-- well, it's usually a two-seater? But this is the older model
with four seats.

L Really?

N Immaculate condition.

L Oh, wow.

N Yeah, it's a really nice one. The only problem is I
got it for a really good price though. I'm taking it the way it
is. It's red. But, everything's perfect in it. It's been --
it's a used one. But, I didn't care, you know, because it's
such a nice shape.

L Well, terrific.

N Huh?

L That's nice.

1 N Yes. I'm really pleased with it.

2 L Get a picture.

3 N Huh?

4 L Get a -- take a picture for me.

5 N Oh, yeah, okay. I will. I'll show you a picture of
6 it. And, eventually, I'm going to, uh, paint it white.

7 L Okay.

8 N But, it has got a brand new paint job, you know. I
9 don't know whether it's a brand new paint job, or it's the
10 original paint, but, uhm, it's -- it's not a speck on it. It's
11 perfect.

12 L Great.

13 N Yeah. So, I'm real pleased.

14 L Great.

15 N So, I was really, you know, I was excited to go and
16 get this while it was still there.

17 L Yeah.

18 N Because it only had came out today in the paper, you
19 know. So, I was --

20 L Oh, I know.

21 N -- I was -- I had to -- I was determined to get it,
22 'cause usually when I see something -- I -- I know what I want
23 right away, you know.

24 L Yeah.

25 N So, that was pretty easy. That was the easy part,
26 knowing what you want.

27 L Right.

28 N So, anyway, did you make a -- did you make some calls

1 and stuff?

2 L Uhm, I should make one now. I -- I've been talking
3 too much today.

4 N Are you -- are you frazzled today?

5 L I'm frazzled today.

6 N Huh?

7 L But, uh --

8 N That bastard Ozeal.

9 L Yeah, so.

10 N I know.

11 L ***. What, uh -- what -- you going to come tomorrow
12 or no?

13 N Yeah, uh, yeah. I'm coming down.

14 L Okay.

15 N Yeah.

16 L What time you going to come -- at 3:00, or 1:00, or
17 3:00 or something?

18 N But, what time do you want me to come?

19 L 3:00 is fine.

20 N 3:00. All right. That's fine with me.

21 L Okay.

22 N Oh, yeah. That's right. Because, uh, at 9:00 I've
23 got to over at that dealership.

24 L Okay.

25 N And that will take a couple of hours, I suppose.

26 L All right then. All right. I'll see --

27 N Well, Paul said hi.

28 U Hi, Lyle.

1 L Hey, Paul.

2 N Okay.

3 L Okay. Well, uh, I -- do you remember what my
4 grandmother's credit card number is?

5 N I can't remember what she said what?

6 L My grandmother's credit card number. Do you remember
7 what that is? You never got that, huh? ***

8 N No, I never ever got that one.

9 L Okay. Well, I think Leanne has it. Call her directly
10 --

11 N Yeah.

12 L -- and, I'll ask her.

13 N Ask her for the --

14 L I'll ask. I'll get it from her. No, just call now on
15 the freeway.

16 N Oh, okay. Now, yeah, okay.

17 L ***

18 N Do you want me to wait with you?

19 L Yeah, because, then -- then I would call her with
20 that.

21 N Yeah, okay then.

22 L I don't want to pay for the call.

23 N All right. So, it's, uh, 303. What's the number
24 again, 569 --

25 L No, it's --

26 N Oh.

27 L It's *23.

28 N Wait a minute. What is it?

1 L *23.
2 N Yeah.
3 L 5134.
4 N Five what?
5 L 5134.
6 N 5124.
7 L 34.
8 N 34?
9 L Yeah.
10 N 5134. Okay. My pen didn't write. Wait a minute.
11 All right. Hold on.
12 Hello? Can you still hear me?
13 L Yeah.
14 N Oh, hold on.
15 -oo0oo-
16
17 U -- say something?
18 L No, I just figured you didn't even really know how
19 much that Norma was really involved.
20 U Yeah, I did.
21 L Oh. Okay. I didn't know you were going to go around
22 calling people and saying thank you.
23 U Well, I had intended at some point several days after
24 this to drop her a line or do something. And it just -- my life
25 kind of got busy. And I, uh, I tried to call her this morning,
26 because I was just out of sorts last night. And I probably
27 wouldn't even have thought of it last night.
28 And I thought of it this morning.

1 L Oh. Oh, if you had mentioned it on the message, I
2 wouldn't have said, hey, she was in a real mood for the car, so
3 I figured this would be a softer time to --

4 U Yeah, but that's really embarrassing, Lyle, to put it
5 out like that, like I wouldn't have said it anyway.

6 L Oh, okay.

7 U You know?

8 L All right.

9 U I'm a big girl. I know when to say my thank you's.

10 L Oh, okay.

11 U So --

12 L Have you tried to call -- uh, you were going to call
13 Diane this morning too, huh?

14 U Yeah, but then I got a phone call from my mom. And
15 various other calls. And I just never got out the door. Uhm --

16 L Well, I got your message.

17 U Yeah, I suppose you did.

18 L And I essentially fell over there again, but, uh --
19 uh, it was quite long and informative and, uh, really
20 unbelievable. It was terrific.

21 U Uh-huh.

22 L I was shocked. I wish I had, uh, as much opportunity
23 to confront some of the evils in my life.

24 U Yeah. Well, I never expected to have it. Uhm, I was
25 feeling that I had to somehow have to write a little something
26 to get it off my chest and send it with all these bills. But,
27 I don't believe I need to do that now.

28 L No, absolutely not. That was perfect.

1 U Yeah.

2 L ***

3 U So --

4 L Well, you know, another day in hell for me. This
5 fucking doctor is driving me crazy.

6 U Well, tell me about it.

7 L Uh, it's -- it's -- there's not much to say, you know.
8 I mean, this guy is just going to go ahead with his bullshit and
9 stick to his plan and try and, uh, come out of this as good as
10 possible and save his own ass -- which is never going to have a
11 chance of saving anyway.

12 It's only a matter of time before he loses his
13 license, and criminal charges. And, uh -- uh, it's just
14 unbelievable. So, in the L.A. Times they had me shaking my head
15 they said in disbelief that Ozeal said what he said. (Laughing
16 is heard.)

17 U Oh.

18 L I like that one. But, uh, I don't know. I don't even
19 -- you know, I don't know if people are going to buy this or
20 not.

21 U How do you feel?

22 L I don't like it. I -- you know, the guy was -- the
23 guy rattled me the first day when he came in. And I guess he
24 shouldn't because I've had the transcript of exactly what he's
25 going to say for a year.

26 But, that sent my balls off. And, uh, I don't know.
27 It was a mistake not to, uh, address him more clearly in the
28 opening statement. I got to get change. It wouldn't have been

1 the same.

2 U What does Michael and Jill say?

3 U What?

4 L It's hard to get Jill's feeling. She buzzes him off
5 all the time. She doesn't like to deal with stuff like that.
6 I don't -- I don't know if she is -- you know, I don't know.
7 She dwells on the defense side of the case so much that I felt
8 that she was sort of unprepared for the -- the D.A.'s side of
9 the case.

10 But, I was obviously wrong when she just dismantled
11 Steven so easily.

12 U Mmnh-mmnh.

13 L And I thought for sure I was in trouble with him. And
14 he turned out to be great for me. So, -- so, I don't know. And
15 she's not -- I guess, she's not worried because it's not her
16 job. It's Michael and Leslie who are handling Ozeal, even
17 though, Jill, obviously, is overseeing the -- the various steps
18 of it.

19 Uhm, and Mike's feeling is, uh, they can discredit the
20 guy. And that his statements on the face are not believable.
21 And, uh, it just doesn't seem to make sense the things that he's
22 saying, and -- and -- and the common sense of the -- of what --
23 of what was going on those two days with him, don't seem to
24 correlate with what's -- what's on this tape, in a common sense
25 way. And so, they're going to all out attack him. And let him
26 go ahead and say everything he can say against me. Bring in
27 everything.

28 And, uh -- although, we did manage to get a lot of the

1 bad stuff excluded today. Uhm, the judge excluded a lot of it.
2 But, uh --

3 U Like what?

4 L Just -- just various statements here and there that
5 were either his opinions or -- coincidences, or just speculation
6 type stuff. Uh, or prejudicial because it seemed to relate to
7 this future crime. He has a lot of stuff in there about perfect
8 crimes, which seems to give the jury the impression that --
9 well, just continue to nig them I guess. And that would be
10 prejudicial, so that's been taken out.

11 Uh, stuff like that. You know, but to me, it doesn't
12 amount to anything. What's the difference? You know. I mean,
13 what are you going to do? Cut out the stuff so much that what
14 he's left with is relatively credible? You know. But what they
15 were trying to do is cut out stuff that they felt was semi-
16 credible, and -- and just have the stuff left that was really
17 like fantasy.

18 U Mmnh-mmnh.

19 L As much as possible. And, uh, they're going to attack
20 him all out. So, we're going to have little hearings on what --
21 how much the judge is going to let us attack him as far as like,
22 you know, his raping his old girlfriend and things like that.
23 What he feels is relevant in the law and all this stuff. It's
24 going to be a battle.

25 Uh, we want to bring it all in -- dirty him up. We
26 think it's relevant. You know, the judge is in a tough spot,
27 because it's -- it is relevant. But, it also is time-consuming.
28 Uh, so I don't know. You know, Jill's gonna just let it play

1 out, and then she's gonna deal with it.

2 U So, it was just hearings today, or was he testify --
3 I mean he testified?

4 L Just hearings. But, he has to testify in the
5 hearings. You know, and verify this. You know, who said this,
6 who said that. Was it only Erik speaking? Was it Lyle
7 speaking? Were they adopting it? And the guy is such a -- you
8 know, he's fucking amazing. It's like, he's saying things that
9 never happened, as if he's revisualizing them with his mind,
10 going, yeah, Erik was nodding through that, and no, actually
11 Erik was not, you know -- or Lyle was adopting that. Or he
12 didn't disagree or -- you know what I mean?

13 And he's like -- this guy is unfuckingbelievable.
14 And, uh -- you know, I mean, it shouldn't phase me too much
15 because I -- I'm very familiar with liars. And I -- and I --
16 and I know myself that, uh, you know, things can be altered and
17 people can lie because that's the way in. I've -- I've seen a
18 couple people on the stand -- and the jury has too -- lie
19 convincingly and then realize that they lied.

20 And this guy's no different. He's not as convincing
21 as he could be, because he's kind of phoney. But, uh, no, it's
22 unbelievable.

23 U So, the difference between a hearing and testifying is
24 there is none. I mean, they just --

25 L The difference is there's no jury when it's a hearing.

26 U Huh?

27 L The jury's not there when it's a hearing.

28 U So, when does he testify?

1 L He testifies Tuesday.

2 U So that's much later? Wasn't he supposed to testify
3 Friday?

4 L Yeah. But there's just too many hearings involving
5 him.

6 U What about the privileged statements?

7 L Well, we've -- I got on the stand today, and Erik and
8 Ozeal, and we all basically supported the fact that it was, uh,
9 also protective of the attorney-client privilege. But the judge
10 wanted to reserved ruling until he heard from the attorney
11 himself as well.

12 He was kind of hostile to us, but Mike said he had a
13 conversation with him, and thinks that the guy will come in and
14 support us. He's not sure. We'll find out. We have to do it
15 Monday.

16 U Now, the attorney is for?

17 L It's an old attorney I had -- Chaleff.

18 U Okay.

19 L Who was my attorney at the time I was seeing this
20 doctor before I got arrested. And, so, uh, we're trying to
21 protect this tape under attorney-client privilege, because
22 there's no exceptions to the privilege, if it's attorney-client
23 privilege.

24 There's no way that the tape could ever come in. No
25 possible way. But, a doctor-patient privilege, there are some
26 exceptions.

27 U Does that override an attorney-client privilege?

28 L No. No. It wouldn't. That's why we're trying to

1 attach that.

2 U Now what is this tape?

3 L I mean, at the -- at the moment, the tape is
4 protected. It's a tape of my brother and my actual voice on it.

5 U Saying?

6 L Just talking about my feelings about what happened,
7 which would show that Ozeal's lying about the -- there's some
8 things that he said we said. But, it's not good enough that I
9 want it in. It's not, uh, good, because we weren't there to
10 talk to him about my family history. I was there to give him a
11 fucking story to keep him relaxed, so that he wouldn't freak out
12 and go to the police with what -- my brother's information.

13 U Your brother said something prior to you --

14 L Yeah.

15 U -- coming in to relax him?

16 L Yeah.

17 U And -- okay.

18 L The guy's way out. I mean, my brother goes in, he
19 confesses, right? I -- the guy calls me. And out of the blue
20 on Halloween and says, "Your brother's in my office. He's told
21 me everything." I said, "What's everything? I'm not coming
22 in." He says, "I think you should come in. Your brother's
23 here. He's told me everything. I don't want to talk about it
24 on the phone." I said, "Well, what the fuck am I going to do?
25 You know. My brother's unstable." I said, "All right. I'll go
26 in."

27 So, I show up and, uh, I come in, I sit down. He
28 goes, "Well, you know, your brother's told me everything." I

1 said, "I don't want to hear what you -- what my brother's told
2 you. I don't want to get into detail. And I don't want to be
3 involved in what he's told you."

4 I was concerned. My feeling is this guy's going to
5 the police tomorrow morning.

6 U Mmnh-mmnh.

7 L And, uh, then he gets into this thing, "Well, Lyle,
8 you look real unhappy about this. You look real angry." And I
9 was. I mean, you know, I don't understand this -- why I should
10 have any other reaction. And I was very upset that my brother
11 would go to him before me, which I felt was a betrayal --

12 U Mmnh-mmnh.

13 L -- of sorts. And also, like, you know, I'm supposed
14 to be closer to him than going to this whacko doctor, who I
15 didn't like in the first place. And, uh -- so, in any case, the
16 meeting was very short, because my brother, after seeing my
17 reaction, immediately ran into the other room crying. And so I
18 ran after him, and I told the doctor, "Listen, let's schedule
19 and appointment for tomorrow, because my brother's kind of
20 whacked out. And I need to talk to him."

21 He said, "Fine. We'll schedule an appointment." You
22 know. So, I'm -- but this guy on tape, has me saying that I
23 came in, and I sat down, and I looked at my brother, and Ozeal
24 says, "Your brother's told me everything that happened." And I
25 said, "Oh, great. Now it's not a perfect murder."

26 U Oh.

27 L You know what I mean? That's the kind of stuff that
28 he says I said. Like I'm really going to sit down there and say

1 that. And, uh -- and that's what he says, right? You know,
2 Lyle sat down and said, "Now, it's not a perfect murder." And
3 then from there, he went on to threaten me. And then from
4 there, he left.

5 And then he has the next session, which is like -- I
6 mean just -- just this fantasy of all these things that I've
7 said, including calling myself a sociopath, and saying that I
8 just can't help but get turned on by perfect murders and perfect
9 crimes, and getting away with it.

10 U Oh.

11 L I couldn't stop myself. All this stuff.

12 U So, he called you a sociopath and a psychopath?

13 L Sociopath, yeah. Uhm, you know, he says that I -- I
14 called myself that. And, uh -- it's really -- it's -- it's --
15 it's really a -- it's a ridiculous story.

16 U Yeah.

17 L And, uh, it's all centered around this perfect crime
18 stuff. How -- how the incentive to the perfect crime. He
19 actually said on the stand that I said that, uh, in so many
20 words, that I was going to kill -- I wanted to kill my dad, that
21 was the goal. But, we had included my mother in the plan and we
22 couldn't figure out -- then we wanted to take my mother out of
23 the plan. But there was no way to -- I couldn't figure out a
24 way to kill my dad without having -- also killing my mother. I
25 just -- I couldn't figure out any visible way to do it.

26 So, I just left her in. It -- and that also taking
27 her out would have altered the plan. And the idea was to have
28 it perfect, so we left it. Otherwise it would have taken away

1 the incentive, which was to commit the perfect murder.

2 U Oh.

3 L And like I sat down and I said this to this guy. And
4 I -- he said -- and he said it with a straight face. Yeah, you
5 were there, and you were, you know, like nodding, and, you know.
6 "Oh my God." Well, you know, if the jury wants to believe that,
7 then just give me the gas chamber now, because I just, you know
8 -- in between flying out before I could go back and get
9 furniture for my condo, I -- I came out for the weekend and
10 decided to do this for no apparent reason.

11 Man, it's very, very extraordinary. But my feeling
12 is, as long as I got to deal with a guy like this, who's a loose
13 cannon, it's better that he makes statements that are outrageous
14 than statements that are believable.

15 U Uh-huh.

16 L He could really fuck me. I mean, if I wanted to fuck
17 somebody, I wouldn't be saying stuff like that. I'd be -- I'd
18 be making it a lot more subtle. I'd just weave it into
19 something that obviously is first degree murder.

20 But, uh, he doesn't do that, you know. He makes up
21 something that you got to be like Jeffrey Dohmer's cousin or
22 something. You know, it's just outrageous that he sits there
23 with a straight face and says this stuff.

24 And the jury's got to be shocked. I mean, mouths
25 straight opened like spare me, because, you know, so -- so far,
26 they've seen me as a very normal nice kid, who apparently got
27 wrapped up in his parents death somehow, and they're waiting to
28 find out why.

1 And, uh, Jill has told them why. And they -- they --
2 that's the way -- they seem to feel that that's an acceptable
3 reason. They can't think of any other reasons that could cause
4 something like this.

5 And this guy's going to tell them this, and they're
6 just going to sit there and go, oh. I don't believe it. It
7 sounds too good to be true for the D.A., doesn't it? You know.
8 I don't know, it's not reasonable. I -- I never did feel like
9 this idea that people could just kill people for a perfect
10 murder incentive.

11 Now, that's just like a serial killer or something
12 like that.

13 U Mmnh-mmnh.

14 L I just don't think that murders happen for those
15 reasons. I -- I mean, just my knowledge of murders in here. I
16 have yet to ever hear of a murder happen because some guy
17 thought he wanted to just do a perfect crime.

18 U Mmnh-mmnh.

19 L And there's nothing -- what's perfect about this?
20 What fifteen shotgun blasts in the middle of Beverly Hills with
21 no alibi, is a -- a perfect murder. I mean, give me a fucking
22 break. It's stupid. But, anyway, that's, you know -- and
23 that's their main witness in their case. I mean, their case re-
24 -- rests on this guy.

25 And, uh, if they believe him, I lose, obviously,
26 because there's no compromise position between him and I. You
27 know, if they don't believe him, then essentially, you know, my
28 case is still -- takes a lot to prove, you know, to get people

1 to buy what I'm saying. But, it's not very difficult to believe
2 what I'm saying. It pretty well substantiates it.

3 Uh, what his -- what he's saying has no substantiation
4 at all. It's straight out just, they told me this. That's --
5 that's my testimony. No substantiation, because the original
6 motive, she destroyed them.

7 U Of course.

8 L And, uh, this is what he's left with -- these tapes.
9 And Michael's theory is very simple. This guy went out and he
10 -- he got this information, he said, hey, this is a big deal.
11 This is exciting. This is one of those guys that's one of those
12 tabloid type of guys. And, uh -- uhm, he's got a history of
13 crazy kind of stuff. And he fucking put his wife in a hotel,
14 and bought shotguns. He upgraded his security system. Puts his
15 wife in a hotel on the weekends, so he can go off and fuck Elon
16 Smith in Arizona.

17 Does he hang out and protect his wife? Is he that
18 scared? No. He uses it as an excuse to go see his girlfriend,
19 and scare her to death, so that she thinks he's real important.
20 He fucks up and scares her too much. He realizes she's going to
21 go the pollice. So, he makes a tape to cover his ass to explain
22 why he told her.

23 And, uh -- and sure enough, she does finally crack and
24 go to the police. And sure enough, uh, these tapes are what he
25 thought was going to help make him look fine about this whole
26 thing.

27 U Now, why did he tell her?

28 L For no reason. Just -- just because, it's pillow

1 talk. It's girlfriend talk.

2 U Right. And he made tapes to cover up that he told?

3 L Yeah, to cover up, because you can't, you can't do
4 that. That's illegal. He'll lose his license. He can't just
5 tell somebody -- somebody what happened in someone's therapy
6 session. You'd lose your license in a -- in a hot second.

7 U So, the -- the tapes are -- are different from what he
8 told her?

9 L Oh, yeah. Yeah. She says he told her all different
10 facts. Yeah. But, uh, what she has to say is worse.

11 U Well, I heard -- this is Dulon?

12 L Yeah.

13 U Yes. I heard parts of it.

14 L And she had said that she actually -- instead of just
15 saying that he told her, half the time she says she actually
16 overheard -- which makes no sense at all because if she
17 overheard things that were worse, he would obviously be saying
18 that, not his story.

19 And, uh -- so, I mean, you know, she's not truthful
20 either. She's a whacko. But, there's no doubt that she -- she
21 was given all kinds of pertinent information that she knew about
22 the gun, uh, being in San Diego. So, he told her facts.

23 U Yeah.

24 L And, uh, you know, it's pillow talk. And -- and he --
25 he -- in order to justify telling her, which you can do if you
26 feel somebody's in direct danger, you can tell them things to
27 try and help them -- warn them.

28 But, we didn't even know who this lady was. How could

1 she be in danger? And his excuse is, well, uh, these guys were
2 such psychopaths -- see, that's why he has to make me out to be
3 a psychopath -- because, uh, these guys are such psychopaths
4 that I felt they should kill anybody associated with me. And
5 since my business had contact with her, since she's in the
6 duplication business, and I sometimes give her my tapes, they
7 could have seen a business card of hers somewhere in the office
8 and gone after her.

9 That's his fucking theory. He actually said that in
10 Superior Court back like two years ago. And, uh, the judge
11 looked at him like he was coming from another planet. And, uh,
12 you know, obviously they're not buying it.

13 But, nevertheless, because of the tapes -- they rolled
14 the -- it's -- it's admissible, and it's an exception because of
15 really -- assuming these tapes are correct, this guy is afraid.
16 They -- they must have threatened him.

17 So, -- so whatever. It's -- and -- and another
18 theory, of course, when they ask him why he made the tapes, he
19 says he made them for life insurance. If he died he wanted
20 these tapes to be out there to screw us. That alone is a motive
21 to show that he may have altered them. But, still, you know.
22 So, anyway -- I mean, you know, I don't know. I'm just going to
23 sit and watch the show, I guess. But it bothers me.

24 U I bet.

25 L I want -- I want to -- I wish we had more on him, you
26 know.

27 U What is your feeling about being in a trial?

28 L What do you mean?

1 U Well, just your feeling?

2 L About what's going to happen?

3 U Mmnh-mmnh.

4 L I don't know. I got to go through the deal first.
5 It's impossible to say at this moment. It's going way better
6 than I ever expected. I mean, at this point, they have no case.
7 They can prove that two people died, that's it.

8 The money motive is history. It damaged their
9 credibility. And, uh, they've proven that in -- they've managed
10 to independently prove themselves that in fact my dad did abuse
11 my brother and I sexually and that that was all a part of the
12 family problem.

13 There's Ana Munroe and Glenn Stevens. So -- and their
14 case is a shambles. But, uh -- but they have this one guy.
15 Like an ace-in-the-hole, you know. And, uh, if I can survive
16 his testimony, then I'll be in -- get a better chance to sway
17 some of the jurors. If they don't survive his testimony,
18 they're in trouble. So --

19 U How much trouble, like?

20 L Well, it depends. If anybody believes him, the --
21 then the jury will hang. If, uh --

22 U And that would do what?

23 L There would be a new trial then. They start over.
24 But, I don't want to start over. I really don't want to start
25 over. And then Jilly did too good a job destroying this guy.
26 I don't know if we can do the same job the second time around,
27 you know.

28 We got a great jury. I'm confident. But, uh --

1 U And if it's not a hung jury and it's a -- this is
2 something other than first degree, what --

3 L Fuck, I don't -- it's got to be manslaughter, or I'm
4 not coming home for a while. If I get second degree murder, I'm
5 going to be doing a whole lot more years. But, I don't -- it
6 shouldn't be second degree murder. It should either be
7 manslaughter or first degree.

8 U Which would be?

9 L First degree is like 25 to life.

10 U Yeah.

11 L You know, manslaughter -- second degree is 15 to life.
12 And I already have like four in. So, uh, it's like another
13 eleven years. But, probably at least I'll be coming out.

14 Uh, but, still it would -- would be very, uh -- it
15 would not be a victory to me in any stretch of the imagination.
16 We need to fall below that.

17 U And that would be?

18 L That would be manslaughter. So, then I don't know
19 want -- how many years that is. From five years down to zero,
20 'cause we have a lot of time in. Probably it would be -- I
21 don't know. I -- I can't say what the judges are going to
22 sentence us to. So, I can't really -- that's all a big
23 speculation.

24 U You have a probably? You want to share it?

25 L What?

26 U You said probably. Do you want to share it?

27 L Probably why?

28 U Uh, I can't say, but probably -- and then you stopped.

1 And I said, can you --

2 L Uh, imagine the last four years -- a year and-a-half,
3 two years, two and-a-half years, three years. I don't know
4 exactly.

5 U If all goes --

6 L If it goes pretty well. You know, they could send me
7 home not guilty, but I don't -- I don't see that happening. And
8 I also don't see anything terrible happening. In between, I
9 can't say.

10 U I just need to know more as you get --

11 L Yeah. I don't know. I can't say because the trial
12 has just started. I mean, if that's -- if we were to rest
13 today, I'd go home not guilty. But, I imagine it's going to get
14 worse from here, because the coroner's going to come in and show
15 a lot of pictures.

16 They're not going to like that probably, maybe -- I
17 don't know. And the doctor's going to come in and say a lot of
18 bullshit. It may go over terrible and he may look like a clown.

19 U ***

20 L Yeah. It may go over great and he may look credible.

21 U Oh, the doctor doctor, okay.

22 L So, I don't -- I don't know. And then I take the
23 stand and if I go -- if I do terrific, they may not -- they may
24 just say, you know what, there's no doubt this kid's telling the
25 truth. What a joke. You know. I don't think I'll do too bad.
26 But, I'll do at least okay.

27 Uh, but, you know, we just have to see. And my case
28 is much better than my brother's. Uh, I think that we're going

1 to have the same results pretty much I think. ***

2 My trial's a real sensitive issue, you know, and it
3 sways day to day. Every day is crucial. Uh, it's hard to
4 predict.

5 U How are you doing?

6 L Uh, I'm okay. You know, I'm not really comfortable
7 with this guy. You know, I want to somehow have more on him.
8 You know, I got to talk to Michael and see what he wants to do
9 tomorrow.

10 Once that's over with though, I can relax a little bit
11 more on my case because it's my witnesses that go up. And it's
12 uncomfortable testifying ***.

13 I'm really tired.

14 U I'll let you go.

15 L I'm gonna sleep this weekend, so --

16 U Yeah.

17 L -- all day if I can. Because I could not stay awake
18 for Ozeal. I fell asleep. I looked back, and I shook my head,
19 and I said wake me --

20 (Beep is heard.)

21 (Sound of door opening and closing is heard.)

22 L I had a fucking bad dream.

23 (Beep is heard.)

24 L Oh, boy, ***

25 U ***

26 L I didn't think they'd be easy. But, I'm not
27 complaining. I feel very sorry if they decide -- for you if
28 this kills me.

1 U I'll be fine. I'm sorry that I -- I told too much.

2 ***

3 L I'm your boyfriend. You share what's happening with
4 me.

5 U Right.

6 L ***. You got to find out what the fuck this bump is.

7 U I know. It bothers me. That really bothers me. I
8 mean, if it were in my toe, or my calf, I'd be like so what.
9 And I just thought of, you know, I keep trying to tell myself,
10 nah, nah, nah, it just hurts, it's nothing, a cyst. I mean,
11 like your body, it's just all fucked up anyway. And then I
12 think about that concept and go, yeah, well, you know.

13 And that's a psychological downfall of -- of a lot of
14 things. You know, nothing really horrible but when you add a
15 bunch of other things on top of it, and -- you know, people get
16 funny things when they're -- something just tipped it over the
17 edge or something. And you're red blood cells kind of encumber.
18 You know, any -- there's all kinds of things.

19 And I just start thinking like that, and then I stop
20 and say, no, don't -- that's not going to happen. Uhm, the
21 ozone layer disappearing and you're more susceptible to this.
22 We're getting zapped by the -- the bad rays, you know. And --
23 and it's crazy. I mean, now, I got this tape from the hospital
24 on E.M.F., Electrical Magnetic Field. You get them from hair
25 dryers, from, uh, power lines. The whole neighborhood --
26 everybody was getting sick.

27 And that's when I first started getting leery about
28 power lines by houses. Same symptoms, same everything. And,

1 uh, just -- I mean, just deteriorating. And I was -- and I want
2 to watch the tape, I have to return it on Monday.

3 And just emits, uh, -- your T.V. does, uhm -- so,
4 people with weak immune systems are ultra susceptible. Uhm,
5 probably funny little vagaries that no one's really aware of.
6 And you just walk around feeling crummy. But, uhm, this is very
7 interesting. It's been fun.

8 L Well, we'll find out soon enough. When do you know?

9 U Well, it has nothing to do with what I just talked
10 about. But, I'm saying, there's so much onslaught to the human
11 body, you're just way lucky you're being someone like you or
12 ***, you know, uh, to live in this world. And I think I'm going
13 to go sit by the beach a while --

14 L All right.

15 U -- and catch the breeze.

16 L Exactly.

17 U The last time I saw Divvy (phonetic), I walked out.
18 And he said, "Now, remember, breath." And I've had a lot of
19 people tell me that. Do you breath? Just continue to talk and
20 talk and talk, and there's no like breath.

21 L (Laughing is heard.)

22 U Or they watch you, and they don't see any like --

23 L I've heard you breath a couple of times. It's been a
24 while though.

25 U Yeah, it has been a while.

26 L (Laughing is heard.)

27 U But, it comes up gasps ***

28 L You definitely breath.

1 U (Laughing is heard.)
2 L I have heard things like a Lamaze pregnancy workout.
3 U (Laughing is heard.) Like, (Breathing sounds are
4 heard.) No. I'm like -- no, I don't get rabid.
5 L Yeah, you do.
6 U Not like that.
7 L You get rabid. It's a little high pitched.
8 U Not exactly.
9 L Uh-huh.
10 U Mmnh-mmnh.
11 L You can't exaggerate those things.
12 U No, I know how I sound.
13 L Yeah.
14 U It sounds like a little puppy who's too hot.
15 L (Laughing is heard.)
16 U How's Lila doing?
17 L She's good. I talked to her today. And told her when
18 you probably were coming in. She said she'd be there the
19 Wednesday before.
20 U Oh, if Ozeal is testifying Tuesday, that's putting
21 things 'til when?
22 L They'll rest Thursday or Friday. Probably Friday.
23 U And that's for sure, or that's subject to --
24 L No. That's -- that's the schedule I think.
25 U There shouldn't be any more things like Ozeal taking
26 up this many days?
27 L It's possible. It's possible.
28 U Yeah.

1 L But, you know, they rest -- if they rested Friday, I
2 imagine we'd have to put on our first witness Friday. But, it
3 could be Monday.

4 U Mmnh-mmnh.

5 L They'll wait for that then.

6 U Huh?

7 L They'll wait 'til before the case is over. Man, it's
8 killing me.

9 U Oh.

10 L It's the anticipation, the dread.

11 U How's your brother doing?

12 L Uh, I keep his spirits up. So, he's doing fine. We
13 laugh a lot. It's funny.

14 U He sent me articles of -- of him. There are no
15 pictures of you.

16 L The guy's getting a lot of exposure.

17 U (Laughing is heard.)

18 L He's always looking back with this sad quizzical face
19 that's lying.

20 U And his striped shirts. Funny.

21 L Yeah, he's funny.

22 U He says, oh, yeah, just a short note to let you know
23 -- you know, just a short note from the hell hole. Uhm, I'm
24 looking foward to seeing you, or something like that. Uh, when
25 you come, there's a couple of articles from Lyle, because Lyle
26 couldn't get in.

27 And, uh, I'm tired of this no emotion stuff that they
28 write about." And then he signs it, me, Erik.

1 L (Laughing is heard.)

2 U My first note from Erik.

3 L Yeah, they said yesterday in the paper that, uh, I
4 looked back while Ozeal was testifying, shook my head with
5 apparent disbelief. And Erik sat there with no emotion.
6 (Laughing is heard.) He hated it.

7 U Oh.

8 L I said, "Don't worry, Erik, as long as I'm shaking my
9 head in disbelief, and you're there with no emotion, you just
10 look stunned.

11 U Mmnh-mmnh.

12 L (Laughing is heard.) Like he can't even evoke
13 emotion.

14 U There was one article about mamma and Marta from the
15 press that somebody, how they never -- saying they showed no
16 emotion, and --

17 L Yeah.

18 U -- how else -- how did mamma deal with all this?

19 L She's doing okay.

20 U Mmnh-mmnh.

21 L So, I'm trying to convince everybody she needs him.
22 It's like all a ruse by the attorneys.

23 U I bet.

24 L Yeah. It's amazing.

25 U So, I just sort of play along with that when I'm out
26 there.

27 L You just don't talk about it. She won't go into with
28 you. There may be some difficulties with the fact that we may

1 not allow her to go to trial. For what?

2 U Mmh. But, I'm supposed to go?

3 L Yeah. But, obviously, she knows you're not like --
4 you're not a family member ***.

5 U So, we didn't get any further with the Jeep with Erik
6 on that?

7 L Oh, I don't know. I have to talk to him about it
8 again. I assumed that he was going to talk to you about it.
9 And he said he was going to call you.

10 U Well, he did that night. And then I left there. And
11 went to Aspen. And then stayed at my parents. So, I haven't
12 been to that place, uhm -- and, uh -- and then your trial
13 started. So, I just assumed that this kind of fell by the
14 wayside.

15 L I'll ask him again, because, obviously, I'm going to
16 need a car and I have to think of something.

17 U Yeah.

18 L Because Erik ***

19 U Yeah.

20 L And that'll be no problem to arrange. ***

21 U Why are you sniffing?

22 L I've got some -- allergy is just terrible.

23 U Tell me what you're eating.

24 L A lot of junk food during the day.

25 U A lot of junk food?

26 L Yeah. And, uh, the morning, cereal, milk. And, uh,
27 today some flakes. (Yawning is heard.)_

28 In the evening, whatever they're serving. I think it

1 was fish and potatoes and sometimes it's chicken. Sometimes
2 it's some processed food.

3 U You've created a lot of allergies I'm sure, 'cause
4 they give you the same things kind of all the time.

5 L Yeah.

6 U Just a little different?

7 L Yes. That's right.

8 U And, uh, then you add some stress and here come the
9 allergies.

10 L A lot of stress, yeah.

11 U So, I need to help you when I can. It's very
12 difficult to be able to get you the proper stuff, 'cause -- but,
13 you need some guidance when you're done with this, to get off
14 the --

15 L When I'm done with this?

16 U -- caca.

17 L Full-time.

18 U Huh?

19 L Full-time love from you when I'm done.

20 U You'll what?

21 L Full-time love from you is what I want when I'm done.

22 U Uh-huh.

23 L Oh, come on.

24 U Just a few brief moments of wanting to have a mood by
25 myself. ***.

26 L I guess on occasion I like to splice through the fog.

27 U I hate it, 'cause then I feel like shit.

28 L You can get in a hell of a mood, though, it's really

1 incredible.

2 U I was really beside myself yesterday. I don't know
3 what was going on. I was really feeling the strain with my
4 sister. She's doing great. She's looking -- God, she looks
5 like a world of difference. And, uh, she's got some new clothes
6 and, uhm -- I looked at her today, and I said, "Did you do
7 something different?" And she had some lipstick on, and some
8 -- she just -- I don't know. I was like, God, I have not seen
9 you look like that.

10 And she's just really -- really doing well. And, uh,
11 --

12 L That's nice.

13 U That is just Lindsey, cruising around -- I mean, it's
14 like chaos in here, from the moment we get up, I have about an
15 -- I get up early now just to have a few of those hours when
16 they get up a couple of hours later. And it's difficult 'cause
17 he is into his terrible twos. Got to see, touch, do,
18 everything. Up and down the stairs, all around the deck, with
19 the dog right -- trying to bite her because she pulls it's tail.
20 And that's just, you know. We've had many a dinner of just sit
21 down -- sit down. Sit down and don't play with your food.

22 L (Laughing is heard.)

23 U I'm getting this stomachache, and I can't even digest
24 my food.

25 L Mmnh.

26 U Can I tell you about this story which I think you'll
27 laugh?

28 L Yeah.

1 U Am I going to waste your time here?

2 L What time is it?

3 U Let me look. Oh, five to 11:00. Never mind. I'll
4 save it.

5 L Five to 11:00 already?

6 U Yeah.

7 L Wow.

8 U Listen, my mother is flying in tomorrow, and, uh, it's
9 Vanna's birthday so we're going to go up to the nursing home,
10 and then I'm going to go in and pick my mom up, and bring her
11 back here. And then Sunday I'm going to start staying at the
12 apartment for the rest of the week, getting ready, uhm -- back
13 and forth up here like during the day or whatever, maybe just
14 for dinner, but, definitely going to take -- stay some time. I
15 talked to Vicky today.

16 You know, I have no idea how the conversation will go.
17 It will just go no matter what, but it's best not to be here,
18 unless she'll probably stay here, but, uhm, that's where I'll
19 be. Except for tomorrow night, I'm going to stay with, well, a
20 friend for all night.

21 Uhm, I don't know. I'll definitely, uh, leave you
22 messages tomorrow, but it would not be good tomorrow night to
23 talk here.

24 L Okay.

25 U I'm sorry.

26 L That's all right.

27 U But, like I say, I'll change the whole deal and go
28 back home 'til I leave, we can definitely talk while I'm there.

1 I'll have a better schedule. I mean, we -- we -- again got done
2 eating at like 25 to 10:00 tonight. And everybody's like, uh,
3 I'm going to bed.

4 So, it's --

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