

ALICIA BOWE: Hold on now, we supposed to be here. Y'all supposed to be trying to be on the same side.

JONATHON ASH: We on the same side.

ASP THOMPSON: Alright, so lets clear this up. In your mind when she told you to forgo that payment, that was supposed to be roughly 250,000, your understanding was that was a payment for Mr. Gibson.

JONATHON ASH: I know that was a payment for Minister Gibson.

ROLLE: That's what I'm saying.

ASP THOMPSON: Okay, that's where I need to get clear...

JONATHON ASH: I know that's a payment for Mr. Gibson

ASP THOMPSON: And in your mind you was saying to forgo the payment 'cuz y'all were gonna work him.

DEBORAH BASTIAN: Yeah. No. Let me go back to forgoing. And I explained it to Ash. I said rather than you getting paid for four weeks, you getting paid for three weeks. When Ash called me back that day, Ash told me, "Simon tell me tell you send all of my payments. I ain't forgoing nothing. Send all of my payments to him and he ga pay me."

DEBORAH BASTIAN: I said, "No problem." I was saying, but I can't see them paying him but I ga send it anyhow. I sent all of Ash payments forward to Minister Gibson, Jack Thompson, Simon Wilson and it was paid. So he didn't forgo any payment. He got all of his payments.

ALICIA BOWE: I think it's just the small details that have to be sorted and it's easily verifiable. The thing about it is you don't need to have any harsh feelings or back and forth. She is trying to support what it is that you're saying and vice versa, you're trying to support what she is saying. If you just go back to the meeting, clarifying that issue there with

whether she met you. Mrs. Bastian made some mention of there being a log book.

DEBORAH BASTIAN: Uh huh

ALICIA BOWE: Or something

DEBORAH BASTIAN: Uh huh

ALICIA BOWE: On the counter. Did you have to sign that? Did you sign that?

JONATHON ASH: I didn't remember signing the logbook.

ALICIA BOWE: Okay, sometimes we do forget details. It's not all of the time you're gonna remember every single detail. I think that could easily be verified by going and looking at the logbook...

DEBORAH BASTIAN: And with the secretary, yeah.

ALICIA BOWE: And to see with the secretary, ASP, to see who signed what. I think that'll take care of that. So if it is found that you may have been there before she was or vice versa or whatever, that takes care of that.

DEBORAH BASTIAN: But by Ash...

ALICIA BOWE: So then, we could agree that, "Okay, yeah well, I didn't remember. I thought I came after Ms. Bastian or Ms. Bastian was but I thought...

DEBORAH BASTIAN: By his very own admission he said he was there before me

JONATHON ASH: But, but, but, but I was saying going into a meeting with a stranger.

ALICIA BOWE: NO, but if you're waiting...

JONATHON ASH: General, I wouldn't go into a meeting with a stranger who I don't know.

ALICIA BOWE: No, but Ash if you...

JONATHON ASH: What I gone tell this man? I don't know this man. I don't know if he gone lock me up. I don't know if he gone put me in prison. What I gone tell him?

ALICIA BOWE: No, what I'm simply...

JONATHON ASH: Listen, its like me walking in the Prime Minister office saying, "I come to meet you for the first time, right? I don't know you" I'n ga come...

ALICIA BOWE: No, but Ash, I'm saying we could verify that information

DEBORAH BASTIAN: That is easily verifiable

ALICIA BOWE: Because with a Minister you cannot, I agree, you cannot just walk into an office with a Minister to have a meeting. Someone would've had to have invited you there.

DEBORAH BASTIAN: Yeah.

ALICIA BOWE: So two things we can verify to get over that hurdle. The logbook and the secretary on that day could very well say, if they're still there, "Well when Mr. Ash came in, he said who he was here to see and because Minister Gibson was here we invited or we told him no, wait until because we do know that Mrs. Bastian was supposed to have been in that meeting. We told him to wait, wait until Mrs. Bastian gets here. All I'm simply saying to you is you don't want, we don't need to get frustrated or back and forward with that. That's a small detail. Right? Nothing turns on it. It really adds no value other than the meeting place was where you said that it was and what transpired. The bottom line is that Mr. Gibson was, in fact, paid.

DEBORAH BASTIAN: And just as you said, and I...

ALICIA BOWE: That's really what you want to verify.

DEBORAH BASTIAN: And just as you said...

JONATHON ASH: He got paid.

ALICIA BOWE: He got paid.

DEBORAH BASTIAN: The last time when I met with, um, ASP Thompson, I said to her...

ALICIA BOWE: Am I right? Mr. Rolle, am I right?

RAYMOND ROLLE: I agree.

DEBORAH BASTIAN: You recall I said to you, ASP Thompson, 'cuz he said, but I said, "ASP Thompson, if you go and check the records at Minister Gibson's office, y'all would see that I came to the meeting late and it would've been easily verifiable when we would've signed in, in the book.

ALICIA BOWE: See, I don't think we need to fight about that point.

JONATHON ASH: No, but I understand but I'm just saying Ms. Bastian, I hear that right and I willing to work with whatever they willing to work with, right? But what I'm saying is knowing the type of person I is, I ain't gone go in nobody meeting...

ALICIA BOWE: Well, that's fine.

JONATHON ASH: I don't even see that man like that.

ALICIA BOWE: That's fine but guess what, seeing him is one thing.

ASP THOMPSON: Yeah we're gonna clear that up now, so...

ALICIA BOWE: Yeah, we're gonna clear that up but what we're trying...

JONATHON ASH: What I gone tell him?

ALICIA BOWE: Don't worry about that.

ASP THOMPSON: I just wanna know what the understanding was between the two of y'all with the 250...

ALICIA BOWE: That's all.

ASP THOMPSON: You saying that you told him to forgo a payment. In your mind that forgone payment was for Minister Gibson. That was your understanding.

JONATHON ASH: 250,000

ASP THOMPSON: 250,000

ALICIA BOWE: Yes

ASP THOMPSON: And that was what led to you paying her to pay Minister Gibson and at some point you paid her up to 200,000 and then you start dealing directly with Minister Gibson.

JONATHON ASH: I give him about 80 grand, if I could remember.

ASP THOMPSON: Alright, so those areas in the statements I just clear up and then I'll invite y'all back just to sign because I need y'all to be synchronized with that.

RAYMOND ROLLE: As much as possible.

ASP THOMPSON: As much as possible.

ALICIA BOWE: Cuz she's not saying that, she's not saying that... The fact of the matter is whether she came first, last or you came before or after, a meeting took place. That's just the bottom line. A meeting took place...

RAYMOND ROLLE: That's what's important.

ALICIA BOWE: That is what's important.

DEBORAH BASTIAN: We knew the meeting was going to take place, we know what was going to be said in the meeting because I had already coached him on what to say.

ALICIA BOWE: Right. But you don't have to go into that, coaching him. You don't need to say that.

RAYMOND ROLLE: No, you don't want say that.

ALICIA BOWE: A meeting took place, 'cuz you don't want to get into that part. I think you're gonna open up a can of worms...

RAYMOND ROLLE: Yeah

ALICIA BOWE: Where you start talking about you were coaching him because it means that you two would've been in cahoots, really.

RAYMOND ROLLE: Conspiracy

ALICIA BOWE: Conspiracy and then when you look, entrapment, entrapped the Minister.

DEBORAH BASTIAN: Uh huh

ALICIA BOWE: That's another thing. You don't even want to say that. A meeting took place, um...

RAYMOND ROLLE: This is what was said

ALICIA BOWE: This is what was said. Do you agree?

DEBORAH BASTIAN: What I'm saying is I wouldn't want it in the statement, right, but I have said it among us here.

ALICIA BOWE: Yeah.

DEBORAH BASTIAN: I'm not saying it's in the statement but like I say, Ash and I had this kind of relationship where I would not have allowed Ash to have gone into that meeting and not told him what to say. Because...

ALICIA BOWE: But, don't worry about that, Miss Bastian. We understand that.

DEBORAH BASTIAN: Cuz in Ash mind, he was just hyper because he thought this guy was doing him wrong because of somebody else and I tried to calm him down from that, you know?

ALICIA BOWE: No, but we understand that. I think the understanding is, what ASP and those need to understand, they need to get from the whole crux of the matter is that two things: a meeting took place and in order for him to be paid, he had to pay the Minister. And I think that's the bottom line.

RAYMOND ROLLE: Yeah.

ALICIA BOWE: That's the bottom line. And you agree that it was through you that he made those payments. You agree that because you don't have any real recollection as to the amount, because at some point he got involved, you knew that the figure was supposed to have been about 200-250,000. You can say unequivocally that he could've paid you in excess of 200,000 but you do know it wasn't 250 because had it gotten to 250 you would've told...

DEBORAH BASTIAN: I would've told him

ALICIA BOWE: In addition to that, you do believe within your heart of hearts that he paid way in excess of 250...

DEBORAH BASTIAN: I know he did

ALICIA BOWE: Because he was paying Mr. Gibson directly

RAYMOND ROLLE: By himself

ALICIA BOWE: By himself. And so, lets for argument's sake, say Ash paid him, may have paid you to give to Shane 240,000 because, you know, 240, you ain't reach the 250 mark yet to say well, there's no more. And he's now saying that he gave him 80. When you add 240 and 80...

RAYMOND ROLLE: 320

ALICIA BOWE: That's \$320,000. So he's back to what he's saying. He's saying about 360. Over 300. So it comes right back to the same thing.

DEBORAH BASTIAN: Yeah, but that's what I'm saying

ALICIA BOWE: We need to make it as simple

DEBORAH BASTIAN: I understand that but like I said, I can't verify the amount that he gave and I explained that to Ash. I said, "You started giving him money now I can't say what you owe him from what you ain't owe him because I ain't know what you give."

ALICIA BOWE: Cuz what you don't want to do is get to the stand, and Mr. Rolle you know, and start getting into dark waters. Well, I'm sure you'll come back and say we had a relationship, me and Ash. You don't want...when I say that, friendship I could talk about or "I coached Ash and me and him talked about what we was going to say to Minister Gibson." I think the whole thing must start with the issue of him being owed this money and him expressing his concerns as to why he wasn't being paid and you rendering your assistance in trying to get him paid. And from there, you start with this meeting, kind of situation and you go there. I don't think it needs to be any, you don't need that background with how...

RAYMOND ROLLE: Friendship

ALICIA BOWE: With whatever friendship. Please. You don't need to get into that.

DEBORAH BASTIAN: Uh huh

ALICIA BOWE: Mr. Rolle, what do you...

RAYMOND ROLLE: I agree, I agree.

ALICIA BOWE: You don't need to ... You're gonna find with defense ...

RAYMOND ROLLE: Less is more

ALICIA BOWE: Less is more. You're gonna find the defense, if you start going like that, they'll throw you right under and say you're not a credible witness simply because this woman had a...they will misconstrue what you told us today to mean something very different.

ASP THOMPSON: Like a conspiracy going on

ALICIA BOWE: The fact that somebody could call you to say get a shirt to go to the PLP rally or come spend three hours with you, you don't need to give them any kind of background information.

DEBORAH BASTIAN: No, I wouldn't give them that but I, just or clarification purposes here...

ALICIA BOWE: No, we appreciate that

DEBORAH BASTIAN: I didn't want people to think that, okay, Mr. Ash was not somebody that I knew and was not a friend of mine because like...

ALICIA BOWE: No, but you don't even need to tell them because of the defense...

DEBORAH BASTIAN: No, I'm not talking about that.

JONATHON ASH: She mean, you mean in here you telling us that

DEBORAH BASTIAN: I'm talking about in here. I didn't want that to be...

ALICIA BOWE: No, but he had already told us that

JONATHON ASH: I done tell them you is my friend

DEBORAH BASTIAN: And like I say, if somebody's coming to a hospital and sit down with you and spend three hours just sitting down with you while your child is being attended to, you consider that person a friend. That is not a person who is not a friend.

ALICIA BOWE: Agreed. I agree with you. But like I said, for the purposes of this matter, you don't need to get into – I don't know how you're gonna do it or how ASP, Prosecution is going to approach it. In my humble opinion, I think the matter needs to start with the issue of him complaining...

JONATHON ASH: Just business-related, you mean, right?

ALICIA BOWE: Business-related. The issue of him complaining about not being paid because he told us in his statement that he used to be paid through the Ministry of Works first and then his checks were transferred over to NEMA to be paid, blah, blah, blah. All of that is in his statement and it was at that point...

DEBORAH BASTIAN: Now, lets be careful here.

ALICIA BOWE: Because I think that's how we need to proceed

DEBORAH BASTIAN: Yeah. The Ministry of Works never paid Ash. The Ministry of Works, what they did, what they send Ash bills to me to be paid. Not the Ministry of Works paying it themselves.

JONATHON ASH: Yeah man, they used to give checks.

ALICIA BOWE: They used to give him checks.

JONATHON ASH: Ministry of Works, Rahman... Remember, Rahman? Two checks? And then you...yeah

DEBORAH BASTIAN: Maybe you might have had...because...what happened is maybe initially he may have been one of those people that didn't come to the office and I didn't know. So when Rahman...the people that didn't come to collect their checks, I would give it to

Rahman because I said, "You know the contractors, I don't know them." So they wouldn't come. That was stopped when Simon Wilson sent a directive to me and the treasurer saying that, "Anybody that is receiving these checks must bring their TCC." Remember?

JONATHON ASH: OH yeah, I do know the TCC.

DEBORAH BASTIAN: You remember? Yeah. When the TCC came, you tax compliance certificate.

JONATHON ASH: And then we had to gone to them for our money

DEBORAH BASTIAN: So they would've had to come, bring their tax compliance certificate along with their ID and then they would get their checks.

ALICIA BOWE: And that's when he started collecting from you.

JONATHON ASH: From NEMA. Yeah.

DEBORAH BASTIAN: Yes

ALICIA BOWE: You heard that, ASP? The way how... you remember in Ash statement he was saying that they were paid initially by, through the Ministry of Works

JONATHON ASH: Through the Ministry of Works when I first, first start.

ALICIA BOWE: Ms. Bastian is giving an explanation for that. She said the Ministry of Works never paid them. It was just that they always paid them, NEMA, that is but there were times when the contractors may not have come to collect their checks before she left so she would take it over to Ministry of Works and she would leave it with Rahman.

DEBORAH BASTIAN: You know, Mr. Rahman would come to give me...and it was only the balance of the checks that were left, that the contractors didn't come to pick up. Quite frankly, I wouldn't have known how to call the contractors. I don't have any thing for them. So I don't

know them but Mr. Rahman those would know who they are and they would have phone contacts for those people.

ALICIA BOWE: The first time you made the payment to Mr. Gibson, just a question, what was his response? Or, do you remember how much you gave him the first time?

DEBORAH BASTIAN: Um, I think Mr. Ash may have told me it was 40,000 and I would've given that to him.

ALICIA BOWE: What was his response?

JONATHON ASH: That's a monster (laughs)

ALICIA BOWE: I mean, he didn't ask what was it for?

JONATHON ASH: Well motorbike! Tally, aye! Stop it Tally!

ALICIA BOWE: I mean, somebody who, you know what I mean, Rolle?

JONATHON ASH shouts: WHERE THE REST, WHERE THE REST? (laughs)

DEBORAH BASTIAN: See that's why I try to...

(JONATHON ASH laughs)

ALICIA BOWE: If somebody give me 40,000 I would like to know...

JONATHON ASH: Look here, look here, where the rest...(inaudible)...that's a monster, stay right there!

Rolle MALE VOICE: He's a different kind of animal.

JONATHON ASH: Yeah, he's an animal. Him and Ken Dorsett. Jesus Christ.

DEBORAH BASTIAN: That's why I tried to tell ASP Thompson. When she said she couldn't understand me giving him whatever I gave him and no conversation taking place.

ASP THOMPSON: That's why I ask her that.

DEBORAH BASTIAN: I told her you have to know the nature of the beast and like he said, the word on the street, so you knew. And like I told Ash before, when he ask me...

ALICIA BOWE: So he knew that it was coming from this particular contractor?

DEBORAH BASTIAN: Yes ma'am. He knew because he had just met with him.

JONATHON ASH: Yeah, we just meet that day

ALICIA BOWE: He would've paid him that day

DEBORAH BASTIAN: I can't remember. Ash was saying that day. I can't remember

JONATHON ASH: She might can't say but when I went home...my money

DEBORAH ASH: I can't remember. If Ash said that I wouldn't dispute it. You see what I'm saying? If he's saying that same day, I wouldn't dispute it but I don't think it was that same day.

ALICIA BOWE: And every time you gave him a payment, he knew who it was coming from? Or he asked who it was coming from?

DEBORAH BASTIAN: No, he knew who it was coming from.

JONATHON: Same old Gibson. Y'all need to catch him on the road.

ASP THOMPSON: I have some small areas to clear up in your statement.

DEBORAH BASTIA: Uh huh

ASP THOMPSON: Maybe later today or even tomorrow, early tomorrow, you can come by and sign off on it. I gone take some stuff out of it and then just clear up one or two points

JONATHON ASH: So she would be on our...

ASP THOMPSON: Same thing with you. I ga clear up your statement as well today and...

JONATHON ASH: I can't sign aye because I trying to leave the island today

ASP THOMPSON: You leaving today? What time?

JONATHON ASH: I trying to be to the airport...

ALICIA BOWE: He could go first thing in the morning

JONATHON ASH: No

ASP THOMPSON: Because you could come back. Give me an hour just to clear up your statement. Give me an hour and you could back to, just to clear it up.

JONATHON ASH: Alright

ASP THOMPSON: And I'll clear it up, take out those two areas.

JONATHON ASH: (mutters something) I don't want be nowehere around here. Huh?

ASP THOMPSON: Alright, I think we clear now. Thank you so much, Mr. Rolle, Ms. Bastian, Ms. Bowe, Mr. Ash.

ALICIA BOWE: Y'all two saying the same thing. Its just the end result is the money end up in Mr. Gibson pocket.

ASP THOMPSON: Yeah but see that... Even though that might be the focus, the ambiguity might turn out to be the focus of the trial.

RAYMOND ROLLE: That's what they'll try to do.

ASP THOMPSON: Yeah

RAYMOND ROLLE: They'll try to take the focus off of him having this money rather than focusing on that, they will focus on the minor discrepancies.

ALICIA BOWE: Exactly, that's why I say y'all don't need to get into them little discrepancies.

ASP THOMPSON: Right. That's why I wanna clear that up now. I don't need that in this. And so I'll have it cleared up and um by...

ALICIA BOWE: Even if we start with, and ASP I don't wanna tell you how to do but, even if you start with "We met at." Just where you meet and cut out all them other little extras out. Who say what time the meeting happen, we met at. It was you Ms. Bastian who told him that you had to meet with the Minister right, and where the meeting was right?

DEBORAH BASTIAN: Yeah, I told him.

ALICIA BOWE: Okay so Mrs. Bastian advised that we needed to meet with the Minister and we met and that's it. I wouldn't even go into who got there first...

ASP THOMPSON: Yes, I'm taking all that out. I gone take all of that out. Yeah, that's what I'm doing now.

ALICIA BOWE: Less is more.

ASP THOMPSON: I'm cutting out a lot of that right now and...Cuz he gave a more... his was more detailed because he gave a background from the hurricane when he started working all those job sites that lead up to the dump and the justification as to why he had all those sites and the amount...

JONATHON ASH: So we gatta move all that?

ASP THOMPSON: I gone leave that part in. Its just up to the part with the meeting now where I ga cut out a lot of stuff surrounding that

ALICIA BOWE: Because I could that attorney on the defense going on, "Okay, well you got..." and trying to...They'll spend two days on that

ASP THOMPSON: Where were you when he had this discussion and all that? I ga take a lot of that out, yeah.

ALICIA BOWE: To discredit both of you.

ASP THOMPSON: Just go into where y'all met, like she said, and what was discussed and then all of the payments you made after that. And so, I should be ready in about an hour.

(Inaudible background chatter and laughter)

JONATHON ASH; It ga be alright.

DEBORAH BASTIAN: Uh huh

ALICIA BOWE: Ms. Bastian, it's a pleasure to meet you

DEBORAH BASTIAN: You too

ALICIA BOWE: Y'all do well.... I mean the thing is this, when you on the same team ya can't be...

DEBORAH BASTIAN: And to tell you the truth. I don't care how I feel about Mr. Ash. Maybe sometimes I may be angry with him. It doesn't matter. I can't forget Mr. Ash as a friend. Especially, like I say when he came to the hospital. That seal the deal for me as a friend. I don't need anything else or anyone else telling me what a friend is.

ALICIA BOWE: I don't think that this too would even, it may shake your friendship a little bit but the fact of the matter is that its just unfortunate

that you and him find yourselves in this situation. And you know that people, many times, who are in a position to do certain things, they find the easiest conduit and it happens to the best of us.

(Inaudible chatter)

(Footsteps)

DEBORAH BASTIAN: But what I find interesting, right? They don't have a problem protecting him, to have him in... but they don't care nothing bout me? Yeah, you see what I mean? They don't have any problem. And they don't understand Ash is lie.

MALE: Yeah he is lie. He is a liar.

DEBORAH BASTIAN: Ash is lie.

MALE: He is a gamer.

DEBORAH BASTIAN: He is a gamer

MALE: If you can't see a gamer, something wrong. I look at him saying he in a hurry...

DEBORAH BASTIAN: I telling you. Ash is lie. Ash gave them what they wanted because Ash wanted his money to be released, here. That's all he is. And he gave them exactly what they wanted.

MALE: If she been around for a lil while she should've been able to tell that. I mean I looked at him and I could see, just looking at him. I say this boy gat more tricks.

DEBORAH BASTIAN: You could tell that right?

<u>AUDIO RECORDING NUMBER – VOICE 004.m4a</u> <u>AUDIO LENGTH: 36:16</u>

Deborah Bastian: Put this in your tingum (colloquialism). I don't want to walk in there with this in my hand.

(Background noise)

Male and female voices: Morning, Morning

Male voice: Go out of the door, walk straight down to the open gate then walk to the right. Morning, morning. Through the gate.

Female voice: Thank you.

Male voice: Morning

(Inaudible background conversations)

Female: Hi, can I help the next person please?

Male voice: Everything good? I think she call for you. (laughs)

(Inaudible background conversation)

Male: Morning, everybody.

Male and female voices: Morning

Female calls out: Romelle Brooks, Kamari Shakespeare and Terrence

Dorsett

(Inaudible background chatter)

(Footsteps)

Female: Morning

Male and female voices: Morning

(Inaudible background chatter)

(Baby cries)

Female voice: Morning

Male and female voices: Morning

Male: Everything good?

(Baby cooing)

Male: Morning, morning

Male and female voices in unison: Morning

(Baby crying continues)

Raymond Rolle: We're here to see Ms., uh, ASP (pause)

Female: ASP?

Raymond Rolle: Thompson

Female: Commercial Crimes?

Raymond Rolle: Yeah....I see she came in.

Female: Pardon?

Raymond Rolle: I saw that she came in. ASP Thompson....She didn't say

anything.... Bastian

Different female voice: Good Morning.

Male: Good morning

(Footsteps)

(Inaudible background chatter)

(Footsteps)

(Background noise)

Male: Yeah, yeah we saw her. Hey, hey. What's up?

Another male: Ms. Thompson isn't in.

And the state is the just walked past us.

Another male: OK, ok, ok, ok.

Male: Yeah. Alright, thanks.

Another male: Right here.

Deborah: Let me call Andrew.

Male: Thompson, I gatta be in court 10 o' clock. I ask for, I ask for McCartney, ummm and I gatta be in court. I thought by now we would've dealt with... McCartney never came and the young fella gone bring Deleveaux out the door or whatever (inaudible)

Thompson: You get five minutes? And even Deveaux could've gone in my desk. My door was open. I leave my door unlocked. I leave it unlocked (inaudible)

(Background chatter)

(Footsteps)

Female: Where McCartney?

(Silence)

Male: Morning, morning.

Female: Morning

(Silence)

Female: ...Once the first page. Once those claims were approved by the Ministry of Finance they were sent to Public Treasury.

(Papers shuffling)

(Clears throat)

(Silence)

(Phone rings)

(Female answers phone) - ASI Thompson

Female: Morning. Good Morning (pause) I'm okay (pause) Thank you (pause) I think he took them you know because I know they were in my office but he took them back upstairs (pause) I know he was earlier (pause) but we just came from headquarters. I could transfer you over there to him (pause)

(Pages turning)

(Silence)

(Phone rings)

Female: CDU, how may I help you? Yes (pause) I'm okay (pause) No ma'am, in relation to what? (pause)

(Pages turning)

Female: Okay, okay (pause) okay, okay (pause) okay, alright.

18:20