

1 UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF FLORIDA

3 CASE NO. 94-2681-CIV-DAVIS
4

5 JORGE MAS CANOSA,)
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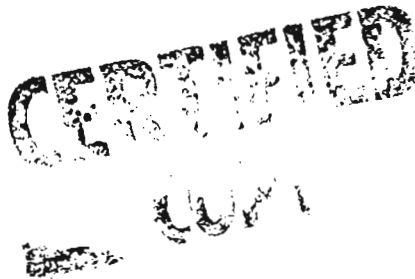
PLAINTIFF,

v.

THE NEW REPUBLIC, INC., and
ANN LOUISE BARDACH,

DEFENDANTS.

x



2699 South Bayshore Drive
Penthouse
Miami, Florida
2:15 P.M. - 5:50 P.M.
Tuesday, June 6, 1996

18 CONTINUED VIDEOTAPE DEPOSITION
19 OF RICARDO MAS

20 Taken before BARRY S. BATTERMAN, RPR,
21 Registered Professional Reporter and Notary Public
22 in and for the State of Florida at Large, pursuant
23 to Notice of Taking Deposition filed in the above
24 cause.

25 MURDICK, WITT, LEVY & CONSOR REPORTING AGENCY, INC.

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APPEARANCES

ON BEHALF OF THE PLAINTIFF

ADORNO & ZEDER, P.A.
2601 South Bayshore Drive
Suite 1600
Miami, Florida 33133
BY: RAOUL G. CANTERO, III, ESQ.

ON BEHALF OF THE DEFENDANTS

ARAGON, BURLINGTON, WEIL & CROCKETT, P.A.
2699 South Bayshore Drive
Penthouse
Miami, Florida 33133
BY: PAUL SCHWIEP, ESQ.
and
BAKER & MCKENZIE
701 Brickell Avenue
Suite 1600
Miami, Florida 33131-2827
BY: RICHARD J. OVELMEN, ESQ.

ALSO PRESENT: ANN LOUISE BARDACH

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WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
RICARDO MAS				
By Mr. Schwiep:	253		389	
By Mr. Cantero:		345		

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1 Thereupon:

2 RICARDO MAS

3 was recalled as a witness and, having been first
4 duly sworn, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. SCHWIEP:

7 Q. Mr. Mas, my name Paul Schwiep. You
8 recall, sir, do you not, that I commenced taking
9 your deposition about a month ago?

10 A. Yes, I do.

11 Q. You understand, sir, that I represent the
12 New Republic, Inc., as well as Ann Bardach in a case
13 that's been brought against those defendants by
14 Jorge Mas Canosa?

15 A. Yes, I do.

16 Q. Jorge Mas Canosa is your brother; is that
17 correct?

18 A. That's correct.

19 Q. Did Jorge Mas Canosa, to your knowledge,
20 have any relationship with an individual known as
21 Tony Cuesta?

22 A. Yes, he did.

23 Q. When did your brother first become
24 acquainted with Mr. Cuesta?

25 A. Early '60s.

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1 Q. Do you recall the nature of their
2 relationship?

3 A. I think that Tony and they were involved
4 in certain organizations that were, you know, doing
5 raids into Cuba and stuff like that.

6 Q. What organizations do you recall that Tony
7 Cuesta was involved in in the early mid '60s?

8 A. RECE, CORU, Commandos L.

9 Q. How did your brother and Mr. Cuesta come
10 to know each other?

11 A. I guess through, you know, they both
12 had -- they were fighting against Fidel Castro. So
13 they might have -- how they met. Exactly, I don't
14 know how they met.

15 Q. Before we go any further, let me ask, you,
16 what is RECE?

17 A. That was an organization that was
18 formed -- it was called Representative In Exile.
19 That's -- That's mostly what it was for, the name.

20 It was to -- they used to put a paper out
21 about -- in the Cuban community here in the '60s,
22 and it was financed by Pepin Bosch, for the Bacardi,
23 from Bacardi. And my -- well, it's not my uncle.
24 It's my aunt's husband. His name is Alberto
25 Miranda, that worked for the Bacardi family in Cuba

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1 for 37 years. And they started the organization;
2 and it was financed by Pepin Bosch and the Bacardi
3 family.

4 Q. Is Pepin Bosch also known as Jose Bosch?

5 A. Yes. Correct.

6 Q. Okay. How did your aunt's husband,
7 Alberto Miranda, happen to have a relationship with
8 the Bacardi family?

9 A. Like I told you, he worked for them in
10 Cuba for 37 years.

11 Q. In what capacity did he --

12 A. He used to manage one of the breweries in
13 Matanzas.

14 Q. How was he involved in the formation of
15 RECE, Alberto Miranda, that is?

16 A. Well, him and Jorge, you know, had this
17 idea and Jose Bosch financed it. They needed the
18 financing and that's how it came about. It was, you
19 know, to fight against Fidel Castro.

20 Q. Do you know about when that was?

21 A. Early '60s, I know that. Not exactly the
22 date, but it's the early '60s.

23 Q. So Mr. Miranda approached Mr. Bosch about
24 Bosch's interest in participating in funding RECE's
25 operations; is that correct?

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1 A. That's correct.

2 Q. What was Jorge's participation or
3 involvement in that?

4 A. He would run the organization.

5 Q. Whose idea was it to form RECE?

6 A. I don't know. I imagine it was
7 combination of, you know, of Jorge and Miranda
8 and --

9 Q. Anyone else?

10 (Discussion off the record.)

11 BY MR. SCHWIEP:

12 Q. Can you recall anyone else that was
13 involved in the formation of RECE?

14 A. No. Not that they were in the building
15 there, at 17th and Flagler.

16 Q. To go back to Mr. Cuesta, and then I'll
17 pick up with Commandos L and CORU later, but what
18 was the first time you recall your seeing your
19 brother with Tony Cuesta?

20 A. In the early '60s.

21 Q. Cuesta was involved in a raid on Cuba in
22 the mid '60s, was he not?

23 A. Yes, he was.

24 Q. What participation did your brother have
25 with that raid?

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1 A. They say that he was the one that
2 organized it and financed it.

3 Q. Do you have any direct information about
4 that?

5 A. No, I don't. Just heard about it.

6 Q. Did you ever hear Jorge Mas Canosa talk
7 about involvement either in planning or financing
8 that raid?

9 A. No.

10 Q. Who have you heard about it from?

11 A. Other people that -- it was just common
12 talk.

13 Q. Do you recall when that occurred?

14 A. Not specifically.

15 Q. That raid was unsuccessful, wasn't it?

16 A. Yes, it was.

17 Q. What do you recall happening during that
18 raid?

19 A. I knew that -- I think they were
20 intercepted by Cuban gunships and a battle ensued
21 and people got killed; and I think Tony Cuesta
22 detonated a grenade and it exploded and left him
23 blind. And quite a few of the people -- I think
24 only two or three of them got picked up.

25 Q. Where were you when you found out that

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1 that raid had been ambushed?

2 A. In Miami, here.

3 Q. Where, specifically, were you?

4 A. I don't recall right now specifically
5 where I was, but I was in Miami.

6 Q. Were you with your brother at any time
7 when he learned that that raid had been
8 unsuccessful?

9 A. Yes, I was. And I knew it was a movement
10 of a boat, that they were trying to get rid of it.

11 Q. Okay. What happened there? Describe
12 that.

13 A. It was a big boat that they were trying to
14 hide after the raid, because the Federal government
15 was looking for it. And it was parked in front of
16 his house, at 4235 Southwest 2nd Terrace. And they
17 were him and some other guy, which I don't have any
18 idea who it was, they were very eager to get the
19 boat and hide it down in the Keys somewhere.

20 Q. How do you know about that?

21 A. Because I was there.

22 Q. That was at Jorge's house?

23 A. That is correct.

24 Q. Was there anyone else there at the time?

25 A. No. Just him and this guy and myself. My

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1 mother was inside the house.

2 Q. Do you recall the name of this individual?

3 A. No, I don't.

4 Q. What, if anything, do you recall Jorge
5 saying about the boat?

6 A. That they had to get rid of this boat, you
7 know, that the Federal -- the Feds were looking for
8 it, and they were going to take it -- trying to get
9 to the Keys to hide it.

10 Q. What did you understand the purpose of
11 having that boat was?

12 A. Well, I knew that the purpose of the boat
13 was that they were doing raids into Cuba.

14 Q. How did you know that?

15 A. Because it was -- it was spoken about and
16 told, you know, said about there.

17 Q. It was spoken about by who?

18 A. By Jorge and this other guy. And it was,
19 you know -- for years those raids had been taking
20 place back and forth.

21 Q. What happened with the boat?

22 A. I don't know. They left and I don't have
23 any idea what happened to the boat.

24 Q. They left with the boat?

25 A. They left with the boat in a trailer,

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1 that's correct.

2 Q. How did they move the boat?

3 A. With a pick up truck.

4 Q. Did Jorge make any other comments to you
5 about that boat?

6 A. No. Not after that.

7 Q. Did you ever ask him what happened to the
8 boat?

9 A. No.

10 Q. Do you know who the boat belonged to?

11 A. No, sir.

12 Q. Was it Tony Cuesta's boat?

13 MR. CANTERO: Objection. Asked and
14 answered.

15 THE WITNESS: I don't have any idea.
16 Really don't.

17 BY MR. SCHWIEP:

18 Q. Do you know how long the boat had been
19 parked in front of Jorge's house?

20 A. Maybe, a day or two.

21 Q. Where was the boat in relation to the
22 house?

23 A. It's -- the house is here and there is a
24 driveway here. It was parked through the driveway.

25 Q. You don't know where it came from?

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1 A. I don't have any idea.

2 Q. Did you understand that that boat was to
3 be used in connection with the specific raid that
4 Tony Cuesta was involved in, and where he was --
5 where the grenade blew up?

6 A. I don't know if that was the boat. They
7 don't -- didn't only have one boat. They had a
8 couple of boats. So you know, I don't know if that
9 was the one or not.

10 Q. How do you know they had a couple of
11 boats?

12 A. Because I used to see, always, you know,
13 the boats, and getting moved from one place to
14 another.

15 Q. From what places would you see boats moved
16 back and forth?

17 A. Usually, from the house to somewhere. And
18 then they would disappear for a month or two and
19 then, you know, it would show up again. So you
20 know -- and the talk among the family was that
21 that's what they were doing, they were doing raids
22 into Cuba. So I imagine that's what they were used
23 for.

24 Q. After this raid, where Tony Cuesta was
25 injured, did you still continue to see the movement

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1 with the boats?

2 A. Not anymore. Not after that.

3 Q. That was the end of it with the boats?

4 A. That's the last I saw of those boats, yes.

5 Q. Tony Cuesta was in prison in Cuba; is that
6 correct?

7 A. That is correct.

8 Q. Do you know how long he was imprisoned in
9 Cuba?

10 A. Quite a few years. I don't recall exactly
11 how many years but I know quite a few.

12 Q. Then, he returned to the United States?

13 A. That is correct.

14 Q. After he returned to the United States,
15 did your brother have any kind of contact with him?

16 A. Oh, sure.

17 Q. Describe the nature of Jorge's contacts
18 with Mr. Cuesta after Cuesta returned from Cuba.

19 A. He used to go by Church and Tower's office
20 a couple of times a week. Sometimes more often.
21 Sometimes less often. But he used to go by there
22 all the time.

23 Q. When was this, if you recall?

24 A. I would say that's in the '80s now, early
25 '80s. Talking off the top of my head. I can't, you

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1 know, pinpoint it. I knew it was after he was
2 released. But when he started coming into the
3 office, I don't know the exact date.

4 Q. For the record, you worked at Church and
5 Tower or with Church and Tower from early '73 until
6 late 1985; is that correct?

7 A. That is correct.

8 Q. So this was during the period that you
9 were at Church and Tower, when you would see Tony
10 Cuesta come to visit?

11 A. Sure.

12 Q. Where was your office in relation to your
13 brother's office at Church and Tower's offices,
14 generally?

15 A. Well, Jorge's office was the first office,
16 the second office was Ricardo Cajigas', and then the
17 third office was mine. Maybe 15, 20 feet.

18 Q. This was all on one wall?

19 A. It was a big hall and it's one office next
20 to the other.

21 Q. When you first started -- I think that you
22 said February '73; is that correct?

23 A. February '73.

24 Q. Were the offices maintained in a trailer?
25 Is that correct?

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1 A. That is correct.

2 Q. When you described that layout, was that
3 at the trailer? Where the --

4 A. No. No. When Tony started coming in we
5 already had the building.

6 Q. When did you have the building?

7 A. It was late '70s.

8 Q. Why did he come by sometimes twice a week
9 when he returned from Cuba?

10 A. He came with a -- he came with one of his
11 uncles and an another guy, and somebody else named
12 Rafael de Valle, which we put to work at the -- at
13 the yard. He used to paint equipment there, at
14 Church and Tower.

15 Q. What was the purpose of Cuesta's visit, or
16 visits?

17 A. I don't have any idea. I guess, just
18 friendly visits.

19 Q. He wasn't employed by Church and Tower?

20 A. No.

21 Q. Do you know if at any time he was ever
22 compensated by Church and Tower?

23 A. There was a check that was on a weekly
24 basis, that was -- he was in Equipment & Personnel's
25 payroll, that was in the name of the uncle that he

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1 used to go with. So that's why usually he would
2 come on Friday to pick up the check.

3 Q. The uncle is Rafael del Valle?

4 A. No. That was another gentleman that
5 worked there, painting the trucks. I don't recall
6 right now the name of the other gentleman.

7 Q. You said these checks were drawn on
8 Equipment & Personnel Services' account?

9 A. That is correct.

10 Q. What services or labor did Tony Cuesta's
11 uncle provide in consideration for the checks that
12 he received?

13 A. None whatsoever.

14 Q. So why was he receiving checks?

15 A. I guess, to help Tony.

16 Q. Did you personally write these checks?

17 A. I was the president of that company, and I
18 signed the payroll every week.

19 Q. So you would have actually signed the
20 check?

21 A. Every week, over 300 checks.

22 Q. But you didn't write out the payee on the
23 check?

24 A. No. The payee, that was done through
25 computer, and then I would sign the payroll on

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1 Thursdays. We pay on Friday. We paid on a weekly
2 basis.

3 Q. As the president of Equipment & Personnel
4 Services, on a weekly basis checks were issued in
5 the late '70s to a guy who's Tony Cuesta's uncle,
6 who did no work for Church and Tower or Equipment &
7 Personnel Services. Why did you sign the checks?

8 A. Why? Because it was for Tony.

9 Q. Did Jorge ask you to pay Tony?

10 A. That is correct.

11 Q. Why was Tony Cuesta not paid directly?

12 A. I don't have any idea.

13 Q. Did Jorge give the instructions about how
14 to structure the payments to Tony?

15 A. That is correct.

16 Q. Do you know how long this went on?

17 A. I'd say for, maybe, two years.

18 Q. When you left in 1985, were checks still
19 being written to Tony Cuesta's uncle?

20 A. Yes.

21 Q. The purpose of those checks was still to
22 bring income to Tony Cuesta?

23 A. That is correct.

24 Q. That's loyalty, I guess.

25 At the time you left, ceased working for

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1 your brother in 1985, was Tony Cuesta still visiting
2 the offices on the same frequency that you described
3 earlier?

4 A. Yes. Or to the last day that I left the
5 office, yes.

6 Q. Have you seen Tony Cuesta recently?

7 A. No. I saw him after that. And then I
8 know he got sick and he died; and I think it was
9 kidney failure or something.

10 Q. You mentioned an organization known as
11 CORU. What was that organization?

12 A. I think that was the political arm of
13 RECE.

14 Q. A political arm?

15 A. I mean, the RECE was a political arm.
16 They were the military arm. I'm sorry.

17 Q. CORU was formed in 1976; is that correct?

18 A. I think it was earlier than that. I might
19 be wrong, but I think it was earlier than that.

20 Q. How much earlier, if you recall?

21 A. Maybe, two or three years.

22 Q. Do you know if an individual named Luis
23 Posada was involved in CORU?

24 A. Yes, he was.

25 Q. Sometimes he's referred to Luis Posada

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1 Carriles?

2 A. Luis Posada Carriles.

3 Q. How about Orlando Bosch, was he involved
4 with CORU?

5 A. Yes.

6 Q. Guillermo and Ignacio Novo?

7 A. Yes, they were.

8 Q. What was the relationship between RECE and
9 CORU?

10 A. Like I said before, one was the political
11 arm, the other one was the military arm and military
12 part of the -- and I guess moneys would go from RECE
13 into CORU operations, and like Commandos L, where
14 Tony was the head of Commandos L.

15 Q. Who was head of Commandos L?

16 A. Tony Cuesta.

17 Q. Tony.

18 How were funds given to CORU through RECE,
19 do you know?

20 A. Probably, all cash. I don't know. I
21 personally don't know. But I imagine it would be
22 cash or checks. I don't know.

23 Q. What information do you have that RECE
24 assisted or helped in funding any operation of CORU?

25 A. Jorge used to talk about it.

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1 Q. Can you recall any specific time that he
2 talked about it?

3 A. Not specifically. Quite a few times, you
4 know. No one specific time.

5 Q. Do you know if in 1975 or '76 RECE
6 assisted CORU by participating financially with
7 CORU, in other words, by providing CORU with
8 financing?

9 A. I don't know that.

10 Q. Did you ever hear your brother talk about,
11 in around 75 or '76, RECE providing CORU with
12 funding, with money?

13 A. I don't -- I don't recall that. I don't
14 think so.

15 Q. Do you know, Mr. Mas Canosa, that Orlando
16 Bosch and Luis Posada Carriles were arrested on
17 charges that they were involved in the bombing of a
18 Cubana airliner in 1976?

19 A. Yes, I do.

20 Q. You're aware of that?

21 A. Yes, sir.

22 Q. They were arrested in Venezuela; do you
23 know that?

24 A. That is correct.

25 Q. Did you ever at any time, at about the

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1 time that Messrs Posada Carriles and Bosch were
2 arrested, hear your brother make any comment
3 relating to their arrest?

4 A. No, I didn't.

5 Q. You're aware, are you not, that Mr. Posada
6 Carriles escaped from prison in Venezuela?

7 A. Yes, I am.

8 Q. What, if any, involvement did your brother
9 have in Mr. Posada Carriles' escape from Venezuelan
10 prison?

11 A. Well, I think in -- I'm talking now,
12 because I don't have the documents in front of me,
13 because I think it was either in March or April of
14 1985 moneys, \$50,000, were brought from Panama to
15 Jorge, which were to be used for the -- to get Luis
16 Posada Carriles out of jail.

17 Q. Describe how \$50,000 was brought from --
18 in cash, I assume?

19 A. That is correct.

20 Q. -- was brought from Panama to Jorge in
21 March or April of 1985 to have Posada released or
22 assist Posada in his escape from prison?

23 A. I brought them.

24 Q. Okay. But tell me in detail what
25 happened.

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1 A. I went to the bank account in Panama;
2 money in \$50,000 were withdrawn and they were
3 brought here and I gave them to Jorge.

4 Q. Who brought the money here?

5 A. I did.

6 Q. You brought the entire 50,000?

7 A. No. Me and Mr. Augustin Rey.

8 Q. How was the cash brought back into the
9 United States?

10 A. In a briefcase.

11 Q. You each carried briefcases of money?

12 A. That is correct. Not only money. With
13 other documents. But the money was inside the
14 briefcase.

15 Q. Right. How much money did you carry and
16 how much money did he carry?

17 A. 25, 25.

18 Q. What account, if any, was that money
19 withdrawn from, to your knowledge?

20 A. It was from -- like I said, I'm talking
21 right off the head -- top of my head right now. If
22 I had the documents in front of me I could be
23 more -- it would be either from the Union Bank of
24 Switzerland or from -- or from Banco de Santander.

25 Q. How was it that there was money in those

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1 accounts? Did Jorge deposit money into either of
2 those accounts?

3 A. He had bank accounts in both those banks.

4 Q. Did you bring money from Miami at any time
5 to Panama to deposit in those accounts for these
6 purposes?

7 A. Many times.

8 Q. Did you at some point bring a \$246,000
9 check to Panama that was then, at least a part of,
10 which was then used for these \$50,000 that was used
11 to spring Posada from prison?

12 A. Right. It wasn't a \$246,000 check. It
13 was three checks that amounted to close to \$246,000.

14 MR. SCHWIEP: I want to take a short break
15 and see if I can find the documents that you're
16 referring to.

17 (Thereupon, a brief recess was
18 taken, after which the following
19 proceedings were had:)

20 BY MR. SCHWIEP:

21 Q. Mr. Mas Canosa, you were subpoenaed to
22 bring documents to your deposition, were you not,
23 sir?

24 A. Yes, I was.

25 Q. I'm going to hand you this stack of

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1 documents. Are these documents documents you are
2 producing pursuant to the subpoena that was served
3 on you?

4 A. Yes, I am.

5 Q. Sir, are the checks that you just
6 described contained within the documents that you're
7 producing pursuant to the subpoena?

8 A. Yes, they are.

9 Q. Okay. I would like for you to locate
10 those.

11 For the record, the witness has produced
12 what looks like to be several manila files that in
13 total amount to about five or six inches of
14 documents.

15 Mr. Cantero, what I'll do is make two sets
16 of copies of all that.

17 MR. CANTERO: Okay. Thank you.

18 BY MR. SCHWIEP:

19 Q. Incidentally, Mr. Mas Canosa, are these
20 documents that you located since the last time that
21 we conducted your deposition.

22 A. Yes, they are.

23 Q. Take your time.

24 A. Here.

25 MR. SCHWIEP: I want to mark this, but I

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1 can't tell you what the next exhibit number is,
2 and we're running consecutive. I'll find that
3 out in a moment.

4 BY MR. SCHWIEP:

5 Q. Okay. The first document you've
6 identified appears to be a single check that is
7 dated March 21st --

8 A. That is correct.

9 Q. -- 1985. And that's consistent with about
10 the time you recall travelling to Panama?

11 A. Right.

12 Q. That's a single check for \$246,060.59?

13 A. That is correct.

14 Q. It's drawn on a Church and Tower account
15 at Republic National Bank. Who is the payee on that
16 check?

17 A. Equipment & Personnel Services, Inc.

18 Q. Can you describe the background of that
19 check?

20 A. This was the \$246,000 that were deposited
21 into the Panamanian bank accounts, and of which
22 \$50,000 were brought back, like we said, for the
23 Luis Posada Carriles.

24 Q. What was the relationship between
25 Equipment & Personnel Services and Church and Tower

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1 in or about March of 1985?

2 A. Equipment & Personnel Services was the
3 major subcontractor of Church and Tower of Florida.

4 Q. Is the fact that Church and Tower of
5 Florida wrote a check to Equipment & Personnel
6 Services in this amount unusual?

7 A. No.

8 Q. Did Church and Tower of Florida, in about
9 the March, 1985 time frame, typically write large
10 checks to Equipment & Personnel Services?

11 A. Yes, they did.

12 Q. How do you ascribe any particular
13 significance to this particular check?

14 A. Because this was a check that was taken
15 down to -- not this particular check. This
16 particular check was deposited in Equipment &
17 Personnel Services, and three other checks were made
18 payable to an account in Panama, which were taken
19 down and put into that account; and then the \$50,000
20 would come back in cash money.

21 Q. So if I understand what you're saying is,
22 Church and Tower wrote a check to Equipment &
23 Personnel Services, which Equipment & Personnel
24 Services deposited in Miami; and then Equipment &
25 Personnel Services sent funds to Panama?

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1 A. Three checks payable to a Panamanian
2 corporation in Panama.

3 Q. Let me ask to you look at the second
4 document you identified, and ask you to describe
5 what that is?

6 A. These are the three checks that pertain to
7 this \$246,000.

8 Q. My first question, though, to you is, the
9 second document that you identified appears to be a
10 bank statement from Republic National Bank to
11 Equipment & Personnel Services; is that correct?

12 A. That is correct.

13 Q. Okay. That's a bank statement for
14 activity, with a statement date of April 3, 1985?

15 A. April 30th, 1985.

16 Q. April 30, 1985. I'm sorry. I'm reading
17 upside down.

18 This is a summary of all, then, Equipment
19 & Personnel Services banking activity in this
20 Republic National Bank account for the month of
21 April?

22 A. I imagine so, yes.

23 Q. Where on this statement do you see three
24 checks to any Panamanian companies?

25 A. Right here. 77,134, 80,562, and \$87,000.

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1 Q. That's on the first few lines of that
2 particular statement?

3 A. That is correct. With incoming collection
4 payment.

5 Q. What is that incoming collection payment?

6 A. That is -- It's been debited from that
7 account.

8 Q. Were actual checks written or was money
9 wire transferred to Panama?

10 A. No. Actual checks were written.

11 Q. They're identified as incoming collection
12 payments?

13 A. That is correct. Because it's coming out
14 of the country.

15 Q. Can you locate any of the documents in the
16 files you produced today that would reflect deposits
17 of those funds in Panamanian accounts?

18 A. I might. I might be able to.

19 Q. I'd like you to do that, if you can.

20 (Discussion off the record.)

21 (The documents referred to were

22 thereupon marked Defendants'

23 Exhibits 126 & 127, respectively,

24 for identification.)

25 MR. SCHWIEP: The Church and Tower of

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1 Florida, Inc., check, No. 21395 is dated March
2 21, '85 is going to be Defendants Exhibit
3 No. 126, and then the Republic National Bank
4 statement for Equipment & Personnel Services,
5 Inc., dated April 30, '85, is Exhibit 127.

6 (Discussion off the record.)

7 BY MR. SCHWIEP:

8 Q. Mr. Mas Canosa, did you attempt to locate
9 the documents that were would reflect the deposits
10 into Panamanian bank accounts of the checks you
11 identified on what's now been marked as Exhibit 127,
12 that is the 77,000, 80,000 and \$87,000?

13 A. That is correct.

14 Q. Were you unable to locate those documents?

15 A. The reason why I'm unable to locate them
16 is because when you deposit checks into those
17 account, you don't get receipts. You get receipts
18 when you pull money out. Not when you put them
19 money in.

20 Q. Can you find any documents that would
21 reflect the withdrawals that included the \$50,000
22 that you testified about was used to --

23 A. That would probably be in here, yes.

24 Q. Okay. I would like you to find that,
25 then.

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(Discussion off the record.)

1
2 BY MR. SCHWIEP:

3 Q. You can't locate a document that reflects
4 the withdrawal?

5 A. No.

6 Q. Describe your recollection of what
7 occurred with respect to a withdrawal of funds from
8 Panamanian accounts.

9 A. Very simple. This checks were put into --
10 into the Panamanian bank account. They were
11 deposited. \$50,000 were extracted from the account,
12 and they were brought here.

13 Q. Do you recall the name of the account
14 holder? Was it one or more than one? Can you
15 recall the names?

16 A. It was either at the Union Bank of
17 Switzerland or either at Banco Santander.

18 Q. Those are the banks. Then, how about the
19 account holder?

20 A. The account holder would be one of the two
21 corporation, either the Yax Till Corporation or
22 River Falls Corporation.

23 Q. Could that have also have been Ultramar?

24 A. I don't think Ultramar was at the time,
25 no. That was a thing in '81, '80, '81.

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1 Q. If I understand correctly, you and
2 Augustin Rey traveled to Panama and withdrew \$50,000
3 from one account; is that correct?

4 A. One account.

5 Q. And it was either the account of the Yax
6 Till or River Falls?

7 A. That is correct.

8 Q. And those companies held accounts at
9 either the Banco Santander or the Union Bank of
10 Switzerland; is that correct?

11 A. I am almost positive it would have been
12 Banco Santander.

13 Q. Banco Santander is a Panamanian bank?

14 A. It's a Spanish bank, from Spain. But it's
15 got branches in Panama, yes.

16 Q. How were you able to withdraw funds from
17 an account in the name of either River Falls or Yax
18 Till Corporation at Banco Santander in April of
19 1985?

20 A. Because I had senior power of attorney to
21 that account. Along with Augustin Rey had power of
22 attorney, also.

23 Q. I know you described generally those
24 companies in your previous deposition. I don't want
25 you to repeat all that here. But those companies

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1 had no active services or business?

2 A. None whatsoever.

3 Q. What was Jorge Mas' involvement in either
4 of those accounts?

5 A. They were set up in 1980, all the way up
6 to 1985. It was his accounts. It was his money.

7 Q. Did you travel to Panama with Augustin
8 Rey?

9 A. On many occasions, yes.

10 Q. For this specific --

11 A. Yes.

12 Q. -- transaction? You traveled together?

13 A. That is correct.

14 Q. You traveled together with instructions to
15 withdraw \$50,000?

16 A. To withdraw \$50,000 and to attend Augustin
17 Rey's son's wedding, Armando Rey, which was getting
18 married in April, '85.

19 Q. What, if anything, did Jorge say to you
20 with respect to the \$50,000?

21 A. That that money was to be used to get
22 Jose -- Jose -- I mean Luis Carriles Posada out of
23 jail.

24 Q. Why did he say he was going to use this
25 money to get Luis Posada Carriles out of jail?

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1 A. He told me. I don't know why he said it.
2 You have to ask him why.

3 Q. For example, Orlando Bosch was also in
4 jail, wasn't he?

5 A. A-huh.

6 Q. Why wasn't any money used to get Orlando
7 Bosch out of jail?

8 A. Well, the thing they were saying is that
9 the guy was, I guess, breaking down; that he wanted
10 to talk. And that's why they had to get him out of
11 jail.

12 Q. That's Posada was breaking down and wanted
13 to talk?

14 A. A-huh.

15 Q. Who said that?

16 A. Jorge.

17 Q. Was that said to you before you traveled
18 to Panama?

19 A. Yes.

20 Q. Where did you have this conversation with
21 Jorge?

22 A. In his office.

23 Q. I don't mean to be redundant, but I just
24 want you, as best you can, to tell me everything you
25 can remember he said about this issue in his office

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1 before your trip the Panama.

2 A. He said that he needed for me to go down,
3 along with Augustin Rey, bring \$50,000 back, that
4 would be used to get Luis Posada Carriles out of
5 jail. And that was the extent of the conversation
6 because, you know, Carriles wanted out; that he
7 might start talking. What he was going to talk
8 about, I don't have any idea.

9 Q. What about with respect to the balance of
10 the amounts that were deposited into one or more
11 Panamanian accounts that are reflected by the total
12 of the 77,000, the 80,000, the \$87,000 checks that
13 are reflected on Exhibit 127? What happened with
14 the balance of that money?

15 A. Well, we would never make the check of the
16 same amount because it would be obvious, it would be
17 easy to track. So let's say you would write a check
18 246,000 and you would write checks for 240 or 244,
19 or 243 or 242, and the remainder of the money would
20 just stay in the account.

21 Q. Is that your recollection of what happened
22 to the balance of the total of this 77,134, 80,562
23 and 87,000?

24 A. Yes.

25 Q. That the balance of it stayed in a

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1 Panamanian account, or did you transfer any of that
2 money to Miami?

3 A. No. All that money got transferred to
4 Miami, to the Republic National Bank.

5 Q. How is that money transferred? Other than
6 the 50,000 which you brought back in cash, how was
7 the balance of it transferred?

8 A. A wire transfer.

9 Q. What do you recall about that, sir?

10 A. It was wire transferred to one of his
11 accounts at Republic. I'm almost positive that was
12 Clouet Investments, Inc.

13 Q. Is that C-L-O-U-D-E-T?

14 A. No. C-L-O-U-E-T, Clouet --

15 Q. Clouet?

16 A. -- Investments.

17 Q. What was Clouet Investments, Inc.

18 A. It's a Netherland Antilles corporation
19 that was formed in Netherland Antilles.

20 Q. What business did it have?

21 A. None whatsoever.

22 Q. What was the purpose of having that
23 corporation?

24 A. Just to transfer funds.

25 Q. Why were the funds that were used to

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1 spring Luis Posada from prison not simply withdrawn
2 from the Clouet Investments, Inc. account rather
3 than carried in cash from Panama?

4 A. So it will not be traceable, I imagine.

5 Q. If I understand correctly, you have
6 \$25,000, Mr. Ray has \$25,000. Do you return from
7 Panama also together?

8 A. No. No. We went down with the check. We
9 attended his son's wedding. We come back with the
10 50,000. We didn't return to Panama. We stay here
11 in Miami.

12 Q. I mean, you returned from Panama?

13 A. That's correct.

14 Q. Did you return from Panama together?

15 A. Yeah. Both of us.

16 Q. Same flight?

17 A. That is correct.

18 Q. Incidentally, how was it that you received
19 this \$50,000 in cash? Describe how that occurred.

20 A. Just go to the bank, sign a \$50,000
21 withdrawal slip and they'll bring -- and they will
22 give you the cash.

23 Q. You both were there together?

24 A. That is correct.

25 Q. You had some briefcase or a bag to put the

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1 money in?

2 A. A briefcase.

3 Q. At that point he carried 25 and you
4 carried 25?

5 A. That is correct.

6 Q. Had you guys decided ahead of time how you
7 would split up who was going to carry what amount?

8 A. No really. Just, you know, "You carry
9 half and I'll carry half."

10 Q. When you came back into Miami you traveled
11 through customs and you were on the same flight?

12 A. That is correct.

13 Q. You did all of that together?

14 A. That is correct.

15 Q. Then what happened with your \$25,000 in
16 cash?

17 A. Then we went to the office, and he gave
18 the money and I gave the \$50,000 to Jorge.

19 Q. Did you go directly to the office from the
20 airport?

21 A. I don't know if it was the same afternoon
22 or it could have been the next day.

23 Q. At that point you gave both briefcases to
24 Jorge, or how did that exchange occur?

25 A. No. It was put in a manila envelope and I

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1 give him the money.

2 Q. What happened with the envelope of money
3 at that point?

4 A. I don't know if it was the same day the
5 money was handed over or the next day. I'm
6 recollecting now. You know, we're going back a lot
7 of years. But I saw Felix Rodriguez come into his
8 office, and they went behind closed doors.

9 Now, that's the extent of that. You know,
10 whether the money was giving given to Felix or to
11 anybody else, I don't know. I don't have any idea.
12 After I gave him the money, I don't know what
13 happened to the money or who took custody of the
14 money.

15 Q. Okay. So Felix Rodriguez visited the
16 office shortly after your return from Panama with
17 the money?

18 A. In that same afternoon or the -- I don't
19 remember if it was that afternoon or the following
20 day, like I said.

21 Q. Is it your impression that Felix Rodriguez
22 was given the money?

23 A. My impression --

24 MR. CANTERO: Objection. Calls for
25 speculation.

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1 THE WITNESS: Like I said, I don't know.
2 It might have been, but I -- he was behind
3 closed doors. I wasn't privy to it so I cannot
4 sit here and tell you yes or no.

5 BY MR. SCHWIEP: .

6 Q. But he did show up very shortly after your
7 return from Panama with the money, either that same
8 afternoon or the next day?

9 A. Oh, yes.

10 Q. Did Jorge make any further comment about
11 what efforts were made to release Posada from
12 prison?

13 A. No. The efforts was that -- that they
14 were going to, you know, try to spring him out. I
15 knew there were -- he make some comments about, you
16 know, some glitches in the operation, that it didn't
17 take place right away. You know, they were trying
18 to make connections, see how they could get him out
19 and, you know, it takes time, I imagine. It just
20 doesn't get done overnight.

21 Q. Posada escaped from Venezuelan prison in
22 August, 1985; is that correct?

23 A. I'm pretty sure that's around the date,
24 yes.

25 Q. Did you hear --

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1 MR. CANTERO: What was that date?

2 MR. SCHWIEP: August '85. August 18th,
3 '85, I believe is the correct date.

4 BY MR. SCHWIEP:

5 Q. Mr. Mas Canosa, Jorge never made any
6 further comment about what glitches or snags, if
7 any, or any comment at all with respect to any
8 effort to spring loose Posada Carriles from prison
9 in 1985?

10 A. Well, they were trying to make the
11 connections, you know, I guess to get to the right
12 people to get him out. But like I said, it doesn't
13 happen overnight and I know -- I heard about some,
14 you know, some glitches that had come in the
15 operation, and that it couldn't be done right away.
16 But that was just, you know -- just small
17 conversation that he would talk about.

18 Q. "He," we're talking about meaning Jorge?

19 A. A-huh. Correct.

20 Q. Let me ask you about Mr. Rodriguez, Felix
21 Rodriguez, generally. Did your brother maintain a
22 relationship with Mr. Rodriguez?

23 A. Yes, he did.

24 Q. Do you know how it came to pass that he
25 began a relationship with Mr. Rodriguez?

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1 A. I think it was during the Iran Contra
2 Affair. It could have been before that, but that's
3 when I started to see Felix Rodriguez often in the
4 office.

5 Q. That would have been when, in '86?

6 A. No. Before that.

7 Q. '85?

8 A. Before that.

9 Q. Well --

10 A. Early '80s.

11 Q. Early '80s.

12 How often, if it followed any pattern,
13 would you see Mr. Rodriguez come into Church and
14 Tower's offices?

15 A. Sometimes he would go maybe once a week,
16 and then he would disappear a couple of weeks; or
17 then he would come maybe in a given week a couple of
18 times. I knew he was flying throughout Central
19 America. I know that. That was common knowledge.
20 And I mean, common knowledge to me.

21 So when he was away on a trip, he wouldn't
22 come by. But when he came back from a trip, he
23 would go by the office.

24 Q. How did you know that he was flying around
25 in Central America at this time? You said, "It was

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1 common knowledge to me." How so?

2 A. Because Jorge and himself who would tell
3 me.

4 Q. Did you know at that time that Felix
5 Rodriguez was involved in assisting the Contras in
6 obtaining supplies in their fight against the
7 Sandanistas?

8 A. I knew that's what he was doing. I didn't
9 know to what -- to what extent. But yes, yes, I
10 knew that.

11 Q. How did you know that he was involved in
12 helping the Contras?

13 A. Because the conversations that took place
14 in Church and Tower.

15 Q. Those are conversations that would have
16 included Mr. Rodriguez himself?

17 A. That's correct. And Jorge.

18 Q. What was the purpose of his visits to
19 Church and Tower's offices and visits with Jorge Mas
20 Canosa during this period?

21 A. To raise funds and keep the pipeline open
22 to the Contras in Nicaragua.

23 Q. Do you know what, if any, involvement
24 Jorge had in terms of raising funds for the Contras
25 or keeping the supply pipeline open?

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1 A. Well, I knew moneys were going back and
2 forth.

3 Q. How do you know that?

4 A. Again, from conversations.

5 Q. Conversations with who?

6 A. Jorge.

7 Q. What did he say with respect to raising
8 funds for Contras or keeping the pipeline for
9 supplies open for the Contras?

10 A. We heard something very -- what do you
11 say, very -- there was nothing, you know, to be
12 ashamed of. I mean, you know, it was trying to
13 help, you know, the Contras to get rid of the
14 Sandanistas. So you know, it was nothing to -- it
15 was something to be proud of. So that's what the
16 extent of that was.

17 Q. Maybe they were referred to as the freedom
18 fighters in the office.

19 Do you know if Felix Rodriguez was
20 actually physically obtaining funds from Jorge
21 during his visits to the office?

22 A. I -- I never saw those transactions take
23 place. But I would imagine that yes, that that
24 would have happened, yes. Because of the
25 conversations.

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1 Q. Okay. Well, again, I don't want you just
2 to imagine things. But if you know something
3 because of a conversation you overhear or
4 participated in, that's what I'm interested in, sir.

5 Did you participate or overhear a
6 conversation whereby Jorge Mas Canosa indicated that
7 he was directly giving funds to Felix Rodriguez,
8 whether those were his own funds or funds he
9 obtained from someone else, for purposes of
10 supplying the Contras?

11 A. Oh, yes.

12 Q. When Felix Rodriguez visited Church and
13 Tower's offices, where did he meet Mr. Mas Canosa,
14 Jorge Mas Canosa?

15 A. In Jorge's office.

16 Q. Would that have been behind closed doors?

17 A. Most of the time. Yes. I'll say most of
18 the time.

19 Q. Did you ever visit with Felix Rodriguez
20 and Jorge Mas Canosa in his office?

21 A. Two or three times, maybe.

22 Q. Were those social visits?

23 A. Social visits and, you know, talking
24 about, again, the Contras and stuff like that.

25 Q. Do you know whether your brother ever

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1 participated in a meeting at the Omni Hotel with
2 Oliver North?

3 A. Yes.

4 Q. What do you know about that, sir?

5 A. That it was a meeting that was at the Omni
6 Hotel on Biscayne Boulevard; that he told me that
7 high level people were coming down, Oliver North, I
8 think. Even back then it was Vice-President Bush
9 who attended that meeting.

10 Q. Do you recall when this was?

11 A. Again, in the '80s. I can't -- early '80s
12 sometime. Specifically, the date, I cannot give it
13 to you.

14 Q. Well, you already said something that you
15 remember about it. But what specifically can you
16 remember Jorge Mas Canosa said about this meeting at
17 the time, at or about the time he made a comment
18 about it?

19 A. That it was a very important meeting with
20 high level -- like I said, again, high level
21 officials from the government, which I know that he
22 told me Oliver North was going to be there and
23 George Bush was going to be there.

24 I wasn't at the meeting. I don't know
25 if -- if they were there or not. That's what he

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1 told me.

2 Q. How about Felix Rodriguez?

3 A. He was to be there, too.

4 Q. Did you see your brother leave for that
5 meeting?

6 A. Yes.

7 Q. When he left, did he leave alone?

8 A. Yes.

9 Q. He wasn't met by Felix at his office and
10 they traveled together?

11 A. No.

12 MR. CANTERO: Objection. Asked and
13 answered.

14 BY MR. SCHWIEP:

15 Q. Were you at the office when he returned
16 from the meeting?

17 A. No. The meeting -- I left -- he left in
18 the afternoon, that meeting, I know, was in the
19 afternoon and I left around 6:00, 6:30, and he
20 hadn't come back. So you know, I didn't see him
21 until the next day.

22 Q. When you saw him the next day did he make
23 any comment about this meeting?

24 A. No. None whatsoever.

25 Q. At any time subsequent to him telling you

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1 that he was going to be attending a meeting at the
2 Omni Hotel with Oliver North, Vice-President Bush
3 and Felix Rodriguez, did he make any comment about
4 it?

5 A. No. They were just high level officials
6 and I know he told me they were going to discuss the
7 Contra -- you know, about the Contras.

8 Q. You never asked him, "How did it go? Did
9 Bush show up?" You never talked to him about it
10 again?

11 A. Not really.

12 Q. Was there any reason why you didn't ask
13 him "How did it go?"

14 A. I'm not a political person. Everything
15 that I'm telling you is because he used to tell me,
16 not because I really care.

17 Q. Well, why did he tell you he was going to
18 a meeting with these high level people?

19 A. Because I'm his brother, I guess. You
20 know, he confided a lot of things in me just like I
21 confined a lot of things in him.

22 Q. I asked you about finances and funding.
23 Do you know if Jorge assisted Felix Rodriguez in
24 actually obtaining supplies of any nature for the
25 Contras?

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1 A. I don't know.

2 Q. How about with respect to medical
3 treatment, do you know if he was involved in
4 providing doctors to treat wounded Contras?

5 A. I heard Jorge talk about, yes, you know,
6 doctors were going -- some Cuban doctors will go and
7 treat the Contras. But I never saw any doctors at
8 the office or anything like that. But yes. But it
9 was mentioned, yes.

10 Q. Do you know if he ever traveled to I think
11 it's pronounce Ilopongo Air Force Base, in Honduras?

12 A. I don't think Ilopongo's in Honduras. I
13 think Ilopongo's in El Salvador.

14 Q. In El Salvador?

15 A. Jorge traveled a lot. Jorge traveled all
16 over the world. So he might have. Sometimes you go
17 for two or three weeks --

18 Q. Again, I don't want you to guess about it.
19 I only want to you tell me about things you know.
20 If he said, "I'm going to this air force base in El
21 Salvador" --

22 A. No, he didn't. He never mentioned it.

23 Q. How about Honduras, do you know if he
24 traveled to Honduras during the Iran Contra Affair?

25 A. He might have.

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1 MR. CANTERO: Objection. Vague as to
2 "during the Iran Contra Affair."

3 MR. SCHWIEP: Yes. That is a well taken
4 objection.

5 BY MR. SCHWIEP:

6 Q. I guess I would limit the question from
7 about '83 to about 1986. Do you know whether during
8 that time period Jorge Mas Canosa traveled to
9 Honduras.

10 A. I know he traveled to Central America. I
11 don't know about Honduras specifically. But yes, he
12 traveled in Central America.

13 Q. Do you know if any of those trips to
14 Central America during that period of time involved
15 keeping the pipeline of supplies open for the
16 Contras or assisting the Contras by financing their
17 operations?

18 A. I don't know.

19 Q. Do you know why at all he traveled in
20 Central America during that period of time?

21 A. I don't have any idea.

22 Q. How would you describe the level of his
23 travels in Central America during the time periods?
24 Was it extensive, infrequent?

25 A. I would say not extensive, but not

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1 frequent either. You know, moderate.

2 Q. How often?

3 A. Three, four months, five months, six
4 months.

5 Q. You mean once --

6 A. A couple of times --

7 Q. Three to six months?

8 A. -- every two or three months, yeah.

9 Q. You have no idea why he was going?

10 A. He never discussed it with me.

11 Q. How long would he be gone when he went, if
12 it followed any typical pattern?

13 A. Two or three days.

14 Q. When he told you about this meeting at the
15 Omni Hotel that involved high level officials,
16 including Oliver North and Vice-President Bush,
17 what, if anything, did he say to you about the
18 purpose of the meeting?

19 A. Again, it was a high level government
20 officials to discuss the Contras. What were they
21 going to discuss, I don't -- he never went into any
22 details. So I don't know.

23 Q. Have you ever met an individual named
24 Orlando Bosch?

25 A. In the early '60s, I saw him a couple of

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1 times. I haven't met him. I saw him. I know who
2 he is.

3 Q. Do you know if your brother maintained any
4 relationship with Mr. Orlando Bosch?

5 A. Yes.

6 Q. How did it come about that your brother
7 began a relationship with Orlando Bosch?

8 A. Well, Jorge and Tony Cuesta and Orlando
9 and all of them were involved in raids to Cuba and
10 trying to overthrow Fidel Castro.

11 Q. Orlando Bosch was part of CORU, was he
12 not?

13 A. That is correct.

14 Q. Do you know if he was ever involved in
15 RECE?

16 A. I don't -- I don't know.

17 Q. Do you know whether in 1975 or '76 your
18 brother maintained, then, at that time, any
19 relationship with Orlando Bosch?

20 A. Yes, he did.

21 Q. Did you ever see Orlando Bosch at Church
22 and Tower's offices?

23 A. No.

24 Q. What was the nature of the relationship
25 during that time period?

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1 A. They would talk about Orlando Bosch, you
2 know, that he was in a great guy, you know, trying
3 to overthrow Castro, just like him and Tony and I
4 guess the majority of the Cubans in this town were
5 trying to do or are still trying to do.

6 Q. What do you recall, if anything, besides
7 your brother saying that Orlando Bosch was somebody
8 who was helpful in trying to overthrow Castro, your
9 brother saying it would reflect he personally he
10 maintained some relationship Orlando Bosch?

11 A. That's about it, what I knew. I heard him
12 talk, you know, about him. So I imagine that he
13 knew him if he was talking about him.

14 Q. Well, I mean --

15 A. I know he knew him.

16 Q. How do you know he knew him? That's what
17 I'm trying to find out.

18 A. Because I saw him a couple of times in the
19 '60s, when I was a young kid, you know, at the house
20 and talking for Jorge and all that. I remember
21 Mr. Bosch. But like I said, I was too young at that
22 time, too, talking, going back into the early '66,
23 '67, '68. I was in high school.

24 Q. I'm trying to focus more on a later time
25 period, however. But you were already working at

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1 Church and Tower. It's now in 1975 or '76. Do you
2 know whether at that period of time if your brother
3 had any relationship with Orlando Bosch?

4 A. If he had any relationship with him, I
5 don't know because he never mention it and I never
6 saw Orlando Bosch at Church and Tower.

7 Q. During that period of time, 1975 and 1976
8 Mr. Mas Canosa, did you have any involvement in
9 transferring funds from any Church and Tower account
10 or Equipment & Personnel Services account to Panama
11 for your brother's personal use?

12 A. 75, '76? No, sir.

13 Q. In 1975 or '76 did you have any
14 involvement or participation in delivering cash to
15 anyone at your brother's direction?

16 A. No, sir.

17 Q. At what time do you recall the accounts of
18 Yax Till Corporation or River Falls Corporation were
19 established?

20 A. '80 and '81.

21 Q. To jump back from that period five years,
22 in other words, 75, '76, do you know if your brother
23 maintained any account that he used for his personal
24 activities, apart from a personal checking account,
25 that would have been funded with Church and Tower

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40

1 moneys?

2 A. Not that I know of.

3 Q. Do you know whether your brother ever
4 assisted in delivering funds to anyone from CORU in
5 '75 or '76?

6 A. No, I don't.

7 Q. Do you know if your brother had any
8 involvement in delivering funds to Orlando Bosch in
9 about that period of time?

10 A. 75, '76? No.

11 Q. Well, I think you already testified that
12 RECE did provide funds to CORU.

13 A. That's word of mouth. I never saw it and,
14 like I said, word of mouth.

15 Q. At any time, have you ever heard your
16 brother make any statement that he had any
17 involvement in delivering funds to Orlando Bosch, at
18 any time?

19 A. At any time? Yes. One time.

20 Q. Tell me about that time.

21 A. That was in 1982.

22 MR. SCHWIEP: I think we've got a document
23 about that. Let's mark this 128.

24 (The document referred to was

25 thereupon marked Defendants' Exhibit

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1 128 for identification.)

2 BY MR. SCHWIEP:

3 Q. Let me hand you what the court reporter
4 has marked as Exhibit 128, and ask you if that
5 letter has any involvement in the transfer of funds
6 that you just described?

7 A. Yes.

8 Q. Tell me what happened in 1982 where funds
9 were delivered to Orlando Bosch.

10 A. This gentleman that was interned near for
11 Orlando Bosch, and he went to the office with one of
12 Orlando Bosch's painting, first painting that he
13 made at the jail, with this letter, and \$25,000 were
14 given to him.

15 Q. Who gave \$25,000 to this gentleman?

16 A. Me and Jorge, in Jorge's office.

17 Q. Was that money given in cash or was it
18 check?

19 A. Cash.

20 Q. Where did the cash come from?

21 A. Same thing, Panamanian bank accounts.

22 Q. That would have been compensation for a
23 painting, is that what happened?

24 A. It was supposed to help the family,
25 whether they were going to use it for to help the

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1 family or for the legal fees or whatever, I don't
2 have any idea. The discussion never took -- never
3 developed into that.

4 Q. What do you recall Jorge saying about this
5 \$25,000 at the time that the cash was given to this
6 gentleman?

7 A. That it was to help Orlando Bosch and his
8 family.

9 Q. This letter that we've marked as
10 Exhibit 128 is in Spanish. And I know you can read
11 Spanish. I would like, sir, to do your best job of
12 interpreting, translating this into English.

13 MR. CANTERO: I object to having an
14 uncertified translator.

15 THE WITNESS: -- translator.

16 BY MR. SCHWIEP:

17 Q. We'll criticize your translation as
18 appropriate. But I'd still like you to give your
19 best effort at translating it.

20 A. Well, with great pleasure. "Here goes
21 this painting, painted in humility to my appreciated
22 friend and old friend of battle Jorge Mas Canosa,
23 along with his lovely wife, Irma, serve itself to as
24 testimony and gratitude and for your insessable and
25 uninterrupted efforts and sacrifices of always

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1 trying to liberate our country of so much crime and
2 oppression."

3 Q. Let me ask you, did you have any knowledge
4 prior to the gentleman arriving -- and I assume the
5 letter and the painting came at the same time?

6 A. That is correct.

7 Q. -- that he would be coming with the
8 painting, and that you would have money ready to
9 deliver to this gentleman?

10 A. That is correct.

11 Q. Do you recall his name?

12 A. No, I don't.

13 Q. So you knew ahead of time. What had you
14 heard ahead of time?

15 A. Jorge told me to prepare \$25,000.
16 Somebody would be coming, you know, with a painting;
17 that it was to be used to help Orlando Bosch and his
18 family.

19 Q. At any time prior to the conversation you
20 just described with your brother Jorge, did Jorge
21 make any comment to you about Orlando Bosch's
22 imprisonment in Venezuela?

23 A. No. But it was common knowledge that he
24 was in prison in Venezuela.

25 Q. Right. Well, what happened after the

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1 \$25,000 was given to this gentleman?

2 A. He left the office and I took control of
3 the picture and the letter; and he told me to keep
4 it, that he didn't want to be associated with the
5 painting or the letter.

6 Q. That's who, Jorge told you to keep it?

7 A. That is correct.

8 Q. Did he explain why he didn't want to be
9 associated with either the letter or the painting?

10 A. Because the guy was a known terrorist. I
11 mean, that's what they call him, a terrorist. You
12 know, we all have -- we might call -- some of us
13 might call him a patriot and others a terrorist.

14 Q. My question is, it's not a memory test
15 but, as best you can recall, what specifically Jorge
16 said about why he wanted you to take possession of
17 the painting or the letter?

18 A. So that it couldn't be traced to him, that
19 he had helped Orlando Bosch.

20 Q. Did he make any comment about why he would
21 not want to have it traced to him, that he had
22 helped Orlando Bosch, which you just said some
23 people might describe as a patriot?

24 A. Right. Because a lot of people have
25 called him all along and up to now a terrorist.

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1 Like I said, there is different opinions in the
2 Cuban community. People that call them terrorists
3 and other people that call them patriots. So you
4 know, I guess at that time Mr. Bush was -- he was in
5 jail. So he didn't want to be associated.

6 Q. You didn't translate the bottom of the
7 letter. But there's a signature, and then after the
8 signature it says January, 1982; is that correct?

9 A. It says Orlando Bosch, January of 1982,
10 and I guess, Cuatenas, a fort, a prison or it's
11 military headquarters, San Carlos de Caracas,
12 Venezuela. It's a military prison.

13 Q. Other than the \$25,000 that you just
14 described, do you have any information, in other
15 words, have you heard anything that would reflect
16 Jorge delivering any moneys or arranging for moneys
17 to be delivered to Orlando Bosch?

18 A. No. That was the only instance.

19 Q. What about with respect to Jorge's either
20 actually delivering funds or having some
21 intermediary deliver funds or arranging for someone
22 to deliver funds to anyone else from CORU?

23 A. No.

24 Q. Other than the \$25,000, which I think you
25 testified was used to go to the family of Bosch

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1 somehow, whether to pay fees or whatever --

2 A. Whatever it was going to be used by the
3 family or -- I don't have any idea.

4 Q. Right.

5 A. I know it was to help Orlando Bosch and
6 the family.

7 Q. Okay. Was there any other occasion at
8 which Jorge delivered funds or had arranged for
9 funds to be delivered to Orlando Bosch --

10 MR. CANTERO: Objection.

11 BY MR. SCHWIEP:

12 Q. -- or Orlando Bosch's family? I'm sorry.

13 A. Not to my knowledge. This was the only
14 one I was involved in.

15 Q. Where is the painting?

16 A. I have it.

17 Q. Is it hanging up somewhere?

18 A. Somewhere.

19 Q. Do you know where it's hanging?

20 A. I know where it's hanging.

21 Q. Okay. Where is that?

22 A. It's in my house.

23 Q. At any time during the period that you
24 worked with Jorge at Church and Tower, that is, from
25 '73 until late 1985, do you know if Jorge ever

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030 2

1 maintained a relationship with an individual named
2 Rafael DeArce?

3 A. Yes, he did.

4 Q. What do you know about that? What do you
5 know about Rafael DeArce and his relationship with
6 your brother?

7 A. He used to come up into the trailer, when
8 we had the trailer there, before we built the
9 offices on the corner of 104th Avenue and 187th
10 Street; and he would come quite often. And they
11 would go in his office behind closed doors. And
12 that's about all I know about that.

13 Q. How often would come by?

14 A. Very often. Two times, a couple of times
15 a week. Sometimes more frequently. Sometimes, like
16 I said, again, you know, in a week or two might go
17 by, he wouldn't come by. It wasn't on a regular
18 basis every day or anything like that.

19 Q. During what period of time did he come by?

20 A. It's almost two years.

21 Q. What are the years?

22 A. I would say '72, '73.

23 Q. Well --

24 A. I'm sorry. '73, '74. I'm sorry.

25 Q. You said earlier you started working there

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--	---	---	--

1 you thought about February.

2 A. '73, '74.

3 Q. Did he come with anyone?

4 A. Yeah. Another gentleman.

5 Q. Was his name Antonio Carnaves?

6 A. Antonio Carnaves. They call him Tony.

7 Q. Did DeArce and Carnaves always come
8 together?

9 A. They -- sometimes they would come
10 separate. Sometimes they would come together.

11 And there was another guy that used to go
12 by the last name of Martinez.

13 Q. That used to be with them sometimes?

14 A. Sometimes.

15 Q. Do you recall his first name?

16 A. It starts with an R, if I'm not mistaken.

17 MS. BARDACH: Raul?

18 THE WITNESS: No, it wasn't Raul. It
19 was -- I'm pretty sure it was with an R. I
20 can't recall it right now.

21 BY MR. SCHWIEP:

22 Q. Okay. Who were DeArce and Carnaves?

23 A. Who were they?

24 Q. Yes. They came by the office on an
25 regular basis.

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1 A. I guess they were friends of Jorge's.
2 Because they used to go and to close doors and talk.
3 I was only a billing clerk at the time. So I never
4 had, you know, partake any -- into any of these
5 conversations.

6 Q. What would happen when they would come by?

7 A. They would go into Jorge's office and
8 close the door, and they would talk and then they
9 would leave after a while.

10 Q. You never asked, "Who are these guys, and
11 why are they here?"

12 A. There were a lot of people coming into
13 that trailer all the time, employees and friends of
14 Jorge's.

15 Q. How did you learn their names?

16 A. Because, you know, they would come in, and
17 after a while you know them. I mean, there were
18 only me, Jorge's secretary and the lady that used --
19 Arina, that used to run the radio, you know, for the
20 trucks. You come in, sometimes Jorge was not
21 available. He say, "Hey, I'm Rafael DeArce." You
22 know, introduce themselves. So you know the guys.

23 Q. You never --

24 A. -- walk into the trailer week after week,
25 month after month, year after year and not say, you

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24 A. -- walk into the trailer week after week,
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1 know, "Who are you?"

2 Q. Well, I'm just wondering, you never asked
3 why they were coming by. You knew who they were
4 because you heard the names, but you never asked
5 "What are they doing here?"

6 A. Never.

7 Q. And Jorge never said anything about it?

8 A. Not to me.

9 Q. Do you have any idea why they were coming
10 by, what his relationship with them --

11 A. What I heard and what his secretary and
12 everybody that, they were building -- they had land
13 in the Keys and they were building apartments in the
14 Keys; and that there was a guy that they always
15 mentioned, too, was Mel Adler. That's about the
16 extent of that.

17 I know they used to come in Cadillacs to
18 come there, to the office. They had Cadillacs.

19 Q. They had a Cadillac they would show up in,
20 or two?

21 A. Two of them. One was white and the other
22 one was like a cream color.

23 Q. Did they ever smoke?

24 A. Cigars.

25 Q. They did smoke cigars?

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1 A. Rafael, yes.

2 Q. Would come with a cigar?

3 A. Big cigar, all the time.

4 MR. CANTERO: I'm going to object to this
5 line of questioning. This has nothing to do
6 with follow-up to the deposition from last time,
7 or anything that's contained in 1988
8 depositions, which was the only questions that
9 you reserved in the last time we were here as
10 follow-up questions.

11 There's nothing about any of these people,
12 including Orlando Bosch or Oliver North or
13 anybody that we've been talking about, with the
14 possible exception of Tony Cuesta, who may have
15 been mentioned in the '88 depositions. I don't
16 remember. But I'm going to object to this
17 continued line of questioning.

18 MR. SCHWIEP: Okay. Subject to the
19 objection.

20 BY MR. SCHWIEP:

21 Q. So you had the impression that Carnaves
22 and DeArce were builders involved in real estate
23 deals in the Keys?

24 A. No, sir. That's what they used to say to
25 everybody.

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1 Q. Well, that's what I was going to ask, how
2 you came to believe that's who these guys were?

3 A. They used to say to Inez and to me and to
4 Arina and to the people that were in the trailer,
5 they were builders in the Keys.

6 Q. What was your brother's involvement, if
7 you know, with respect to their building activities
8 in the Keys?

9 A. I don't know. Because I never went down
10 to the Keys during those times. I don't have any
11 idea. I never discussed it with Jorge.

12 Q. Did there come a period of time when they
13 didn't come by any longer?

14 A. Yes.

15 Q. You think that might have been in about
16 '74, '75?

17 A. Maybe a little later. Maybe a little
18 before that. I don't know.

19 Q. When they stopped coming by, did Jorge
20 ever make any comment about why they were not coming
21 by any longer?

22 A. No.

23 Q. Did you ever ask, "Hey, what ever happened
24 with those guys that used to come by all the time?
25 Now I don't see them anymore"?

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1 A. No. They weren't my friends so I didn't
2 really have an interest to know what had happened
3 and why they had disappeared.

4 Q. And Jorge never made any comment about it?

5 A. No.

6 Q. Was there any another, sometimes you hear
7 office gossip about why they're not coming by or
8 "What happened with those guys?"

9 A. Nothing.

10 Q. Was the name of the other individual who
11 came by Julio Martinez?

12 A. I think it was with an R. But it might be
13 him. I know he's a Martinez. The last name was
14 Martinez. It could be Julio --

15 Q. You later learned, did you not, that these
16 two individuals were in trouble with the law?

17 A. Oh, yeah. Years later.

18 Q. How did you hear that?

19 A. Like I say, gossip and rumor. You know,
20 just, I guess it was said by somebody and it got
21 picked up. I mean, everybody knew.

22 MR. SCHWIEP: Let's mark this as Exhibit
23 129.

24 (The document referred to was
25 thereupon marked Defendants' Exhibit

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1 129 for identification.)

2 BY MR. SCHWIEP:

3 Q. I'm going to hand you what the court
4 reporter's marked as Exhibit 129, which appears to
5 be the continued deposition of Ricardo Mas in case
6 number 87-52896, Ricardo Mas versus Jorge Mas,
7 Church and Tower of Florida, et al. It appears this
8 begins with page 95 and runs through page -- I don't
9 think all the pages are numbered, but it looks like
10 maybe it's a couple of hundred pages, something like
11 that.

12 MR. CANTERO: Could we go off the record
13 for a second?

14 MR. SCHWIEP: Sure.

15 (Thereupon, a brief recess was
16 taken, after which the following
17 proceedings were had:)

18 MR. SCHWIEP: This is Exhibit 129. It is
19 the deposition of Ricardo Mas, in the Ricardo
20 Mas versus Jorge Mas case, which was case number
21 87-52896; and Plaintiff's Counsel has now
22 provided us a complete copy of that deposition.
23 The first volume was taken on August 31, 1988,
24 and the second volume, which begins with
25 September 9, 1988, begins with page 95, which

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1 was taken on that date, September 9, 1988.

2 MR. CANTERO: When you furnish me with the
3 exhibits to this depo, I don't need to get a
4 copy of the whole thing.

5 BY MR. SCHWIEP:

6 Q. Okay. So now that we have a complete copy
7 of the deposition, let me just hand it to you,
8 Mr. Mas Canosa. The only question I have for you
9 about that is whether you recall giving that
10 deposition?

11 A. Yeah. Sure.

12 Q. Mr. Mas Canosa, do you know if your
13 brother was ever involved with an entity called
14 Radio Swan?

15 A. Yes, he was.

16 Q. What is Radio Swan?

17 MR. CANTERO: I'm going to object on the
18 same basis I objected before, that it's not a
19 follow-up to the previous deposition.

20 MR. SCHWIEP: Okay.

21 MR. CANTERO: If you don't want me to keep
22 interrupting you on that, Paul, just have a
23 continued objection.

24 MR. SCHWIEP: I'm prepared to stipulate to
25 a continuing objection, which I guess is to any

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1 question that goes beyond following up on items
2 discussed at the last deposition.

3 MR. CANTERO: Yes. Anything that goes
4 beyond actually what's in the 1988 deposition
5 that you just marked, which is what you reserved
6 in the previous deposition as something that you
7 may have follow-up questions for.

8 MR. SCHWIEP: Okay. I'll enter into that
9 stipulation.

10 BY MR. SCHWIEP:

11 Q. Do you recall the question, what is Radio
12 or was Radio Swan?

13 A. It was a radio station that was used for
14 transmit from Cuba from the Island of Swan.

15 Q. From where?

16 A. The Island of Swan.

17 Q. What was your brother's involvement in
18 Radio Swan?

19 A. He used to transmit through it. I don't
20 know exactly what his involvement was, but he would
21 go on the air on it.

22 Q. How do you know that?

23 A. Because it used to be heard -- I use to
24 hear it. And he always use to say that, you know,
25 it was the Mobil Radio Swan.

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1 Q. Did there come a point in time when he
2 ceased to be involved with Radio Swan?

3 A. Oh, yes.

4 Q. Do you recall when that was?

5 A. No, I don't.

6 Q. Do you know if your brother maintained any
7 relationship with Anastasio Samoza, the Nicaraguan
8 dictator?

9 A. He went to a couple of youth conferences
10 in the late '60s; and I remember seeing a picture
11 that he had taken of himself with Samoza.

12 Q. Where did you see that picture?

13 A. He had it. It was in a file at the
14 office.

15 Q. What kind of file was it in?

16 A. Like this here.

17 Q. In other words, it was just a file of
18 photographs or --

19 A. No. Just a file with two photographs of
20 him and Samoza in it. That was it.

21 Q. Did he show you this photograph?

22 A. Yes. I saw them. I used to go through
23 his file cabinets all the time. I saw at various
24 occasions.

25 Q. Did he ever discuss meeting Mr. Samoza?

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1 A. No. He said that he had gone down to a
2 couple of youth conferences that were held in
3 Nicaragua back then, in the late '60s.

4 Q. Did he ever make any comment about whether
5 he approved or disapproved of Samoza's rule over
6 Nicaragua?

7 A. No.

8 Q. Do you know if he held Samoza in high
9 regard or low regard, what his opinion of Samoza
10 was?

11 A. Not really.

12 Q. In the picture that he had of himself with
13 Samoza, did it appear that he was friendly with
14 Samoza?

15 A. Oh, yes.

16 Q. He wasn't there protesting Samoza and
17 happened to end up in a photo with him; is that
18 correct?

19 MR. CANTERO: Object to form.

20 THE WITNESS: No. Like I said, what he
21 said, it was a youth conference of, you know,
22 youth from different parts of Latin America, and
23 he attended.

24 BY MR. SCHWIEP:

25 Q. Was the photo signed or inscribed in any

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1 way?

2 A. I don't think so.

3 Q. You never heard him make any or did you
4 ever hear him make any comment about Samoza?

5 A. No.

6 Q. What was the purpose of the youth
7 conference?

8 A. I don't have any idea.

9 Q. Who was invited?

10 A. Him and youth, you know, from other Latin
11 American countries.

12 Q. Who hosted the conference?

13 A. Samoza. Nicaragua.

14 Q. Do you know how it came to pass that Jorge
15 was invited to this conference?

16 A. I don't have any idea.

17 Q. Were they holding hands in the photo or
18 did they have arms around each other?

19 A. One of the photos was an arm around each
20 other.

21 Q. Do you know and individual named Rolando
22 Mas Farrer, or --

23 A. Yes.

24 Q. -- did you know?

25 A. Yes.

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1 Q. How did you come to know Rolando Mas
2 Farrer?

3 A. He was a member of the Batista military.

4 Q. While he was a member of Batista's
5 military, did you have any experience with him,
6 exposure to him?

7 A. Yeah. He searched our house one day.

8 Q. Okay. When was that?

9 A. In Santiago.

10 Q. When was that?

11 A. It must have been in -- it was 1958.

12 Q. How did it come about that Rolando Mas
13 Farrer searched your house in about 1958?

14 A. Because Jorge was doing
15 counterrevolutionary work. I mean, you know, he was
16 against the Batista regime. He was trying to.

17 Q. What happened when he searched the house?
18 You must have been a young boy at that time.

19 A. I was only eight years old. But I
20 remember vividly.

21 Q. Okay. What happened?

22 A. They came to the house. They, First
23 thing, circled the house with jeeps and military
24 troops, and they went in the house.

25 Q. Who was inside the house at the time?

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1 A. My mother and my sister and my oldest
2 brother, Ramon.

3 And they ransacked the house totally. I
4 mean, they went through all the closets and all the
5 draws, and trying to see if they could locate
6 counterrevolutionary material.

7 Q. Was Jorge there at the time?

8 A. No.

9 Q. Where was he?

10 A. I think he was at the University at that
11 time.

12 Q. What happened after they ransacked the
13 house?

14 A. They left. They didn't find anything, and
15 they left. And my father was in the military, and
16 they told him that he had 72 hours to get Jorge out
17 of the country or else.

18 Q. Who told him that?

19 A. Mas Farrer and Salas Canizares; Canizares,
20 with a Z.

21 Q. Can you spell it, Canizares?

22 A. C-A-N-I-Z-A-R-E-S.

23 Q. Now, let me ask you. You're eight years
24 old when this happens. How is it that you know
25 these names, Rolando Mas Farrer and Salis Canizares?

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1 A. Because my father told me. You know, we
2 talked about it years after we're here in the
3 States. And he used to just -- your father
4 reminiscent stories and telling you about it.

5 Q. Did your father hold these two men in
6 contempt or hold a grudge against themselves of any
7 kind as a result of them having ransacked his house,
8 with his wife and eight year old son in it?

9 A. I don't think it would be a grudge. I
10 would say it was contempt. I don't know. It was
11 military. I expect he was a major in the military
12 and, you know, he would have expected it would have
13 been done in another way.

14 Q. Did your father express displeasure or
15 anger that this had occurred in 1958?

16 A. Sure.

17 Q. What I'm wondering about is, in your home
18 were these two men talked about as people who were
19 hated or enemies of your family, who had done this
20 to your family in 1958?

21 A. I guess, they had a lot of enemies,
22 especially Mas Farrer. He had -- They used to call
23 him in Santiago a goon squad. They called him the
24 Los Tigres de Mas Farrer, the Tigers of Mas Farrer.
25 They were very dreaded people, you know. People

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1 feared them. So I guess in the majority of the
2 population didn't like them.

3 Q. How did you know they were referred to as
4 Los Tigres de Mas Farrer?

5 A. Because everybody knew that.

6 Q. You knew it even as a kid in Santiago?

7 A. That's right.

8 Q. Now my question is fast forwarded into
9 now, the '60s, and your family's in Miami, and your
10 dad is talking about these two guys who ransacked
11 his house and told him that he had to have his son
12 out of the country in 72 hours or else. And my
13 question is, what, if any, was -- in what regard
14 were they held in your household in Miami?

15 A. No. It was really never -- my father
16 never spoke any more about it, you know. It was put
17 behind. That was never spoken more about it.

18 Q. How about Jorge? These are the people who
19 ordered his father to get him out of the country
20 immediately. Did you ever hear Jorge make any
21 disparaging comments about these two individuals?

22 A. Not really.

23 Q. Did you ever hear him make any comment
24 about these two individuals?

25 A. No.

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1 Q. Were they referred to as enemies of your
2 family?

3 A. I guess they were. Not enemies, you know.
4 They had done something that wasn't right. But you
5 know, that was put behind. So I don't think, you
6 know, nobody -- nobody in the family held a grudge
7 on it. You keep moving in life, you know.

8 Q. You know Mas Farrer ended up in Miami
9 himself?

10 A. That is correct.

11 Q. He was killed in a car bombing; is that
12 correct?

13 A. That's correct.

14 Q. Do you remember when that was?

15 A. '75 or '76, I think.

16 Q. At the time that he was killed in a car
17 bombing, do you recall if your brother made any
18 comment with respect to his passing?

19 A. No.

20 Q. Did you hear any discussion about Mas
21 Farrer's being killed within your family at the time
22 he was killed?

23 A. No really.

24 Q. I'm just wondering if somebody said, "Hey,
25 well, he got what he deserved"?

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1 MR. CANTERO: Objection.

2 BY MR. SCHWIEP:

3 Q. -- the way he lost his life?

4 A. I didn't hear any of that.

5 MR. SCHWIEP: The reason I'm following up
6 is because the witness said "not really."

7 BY MR. SCHWIEP:

8 Q. So I'm wondering if you generally
9 recollect any comments about being made about him?

10 A. No.

11 Q. Did at any time your brother make any
12 comment or any statement that would have reflected
13 his involvement in any capacity with respect to the
14 Mas Farrer bombing?

15 A. Not to me.

16 Q. Do you know if he made a comment to anyone
17 else who might have told you about it?

18 A. No.

19 Q. After Mas Farrer was killed, it seems to
20 me it would have been perfectly natural to discuss
21 it, and to discuss it not in gloating terms but
22 still in terms that reflected, you know, somebody
23 who lives a life of violence and dies in violence,
24 that sometimes that's appropriate. No comment about
25 it in your house?

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1 MR. CANTERO: Objection. Asked and
2 answered.

3 BY MR. SCHWIEP:

4 Q. In your family's house?

5 A. No.

6 Q. Do you recall if anyone was indicted for
7 the Mas Farrer bombing?

8 A. I don't recall anybody getting indicted.

9 Q. Do you know if your brother provided any
10 testimony or statements in regard to the Mas Farrer
11 bombing?

12 A. No, I don't.

13 Q. Did there come a period of time when your
14 brother began a relationship with the Chilean
15 Counsel in Miami?

16 A. Yes, he did.

17 Q. When did the occur?

18 A. '70. '75. Maybe '76. Somewhere in there.

19 Q. Do you recall the individual's name?

20 A. I don't recall the individual's name. I
21 know he was a colonel in the Chilean Consulate here
22 that was a military attache.

23 Q. In a military --

24 A. He mentioned the name back then on various
25 occasions, but I don't recall the name.

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1 Q. He was a colonel you said?

2 A. A colonel.

3 Q. How did it come about that your brother
4 became affiliated or began a relationship with this
5 Chilean colonel who was a military attache in Miami?

6 A. I don't have any idea. He just mentioned
7 it on several occasions, how they got together, I
8 don't know. But I do recall him -- and the colonel
9 telling him that he should visit Chile, and he
10 started to buy Chilean wines and going to Chilean
11 restaurants and stuff like this. That's about all I
12 can tell you about that.

13 Q. Did you see them together, ever, the
14 colonel and --

15 A. No.

16 Q. Did he tell you he would visit with this
17 Chilean colonel?

18 A. Yeah. Downtown, where the Consulate used
19 to be. That's what he used to tell me, "I'm going
20 downtown to visit the colonel at the Consulate."

21 Q. There was a point in time when he broke
22 off this relationship or stopped meeting with him?

23 A. Yeah. About a year or two, I didn't hear
24 any more about -- you know, never talked about the
25 colonel again.

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1 Q. So if I understand, there came a period of
2 time where he became interested in things Chilean,
3 wines and food. He would say he was going to visit
4 with this Chilean colonel. And that went on for a
5 year or two?

6 A. No more than two years. I would say no
7 more than two years.

8 Q. Do you recall, there was any frequency of
9 his going off to visit with the Chilean colonel?

10 A. No really. He just -- he mention, like I
11 said, on two or three occasions and --

12 Q. It's just something that happened to stick
13 with you, that he was visiting this Chilean?

14 A. He told me.

15 Q. Then you were all drinking Chilean wines
16 for a while, right?

17 Do you know if he was invited by the
18 Chilean colonel to visit him at the Counsel's
19 office, or did he -- do you know who, in essence,
20 struck up the relationship?

21 A. I don't know how they struck up the
22 relationship.

23 Q. During that period of time, that was while
24 the Pinochet was the dictator of Chile; is that
25 correct?

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1 A. I'm pretty sure it was, yes.

2 MR. CANTERO: Object to the form.

3 BY MR. SCHWIEP:

4 Q. Did Jorge during that period of time make
5 any comment that would have reflected his opinions
6 about Pinochet during that period of time?

7 A. No.

8 Q. Did he ever?

9 A. None that I can remember.

10 Q. Do you remember him ever expressing
11 disapproval of Pinochet or approval of Pinochet?

12 A. No.

13 Q. He never made any comments one way or
14 another about Pinochet?

15 A. He might have. But I don't remember, to
16 tell you the truth.

17 Q. The case Ricardo Mas versus Jorge Mas
18 Canosa was the second of two lawsuits that have
19 happened between you; is that correct?

20 A. That's correct.

21 Q. The first case that you testified on the
22 first deposition was settled, correct --

23 A. That's correct.

24 Q. -- before trial? And part of the
25 settlement included your receiving \$195,000 in cash

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1 in Panama City, Panama?

2 MR. CANTERO: Objection. Asked and
3 answered.

4 MR. SCHWIEP: I'm just trying to get
5 background.

6 THE WITNESS: Yes.

7 BY MR. SCHWIEP:

8 Q. After that case was settled, and you
9 traveled to Panama for purposes of receiving the
10 \$195,000 settlement payment there, did there come a
11 time when Ramon Mas Canosa, your other brother, made
12 any comment to you about Jorge's feelings about you
13 at about the time that case was settled?

14 A. Yes. My brother Ramon, the one that's
15 older than me, not the oldest one. There's two
16 Ramons.

17 Q. There's two brother Ramons?

18 A. Right.

19 Q. So which one is it?

20 A. Ramon Mas Canosa.

21 Q. The older.

22 A. The Youngest.

23 Q. The youngest?

24 A. Older than me but younger than the other
25 Ramon.

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1 Q. Right. What did he say?

2 A. He said that Jorge had told him that he
3 could have had me killed in Panama. And he told
4 Jorge that he should not even enter his mind that,
5 you know, that he said that he even told him that..

056

6 Q. He said this was because he was angry with
7 you? I mean, Jorge said this to Ramon because he
8 was angry with you?

9 A. Sure.

10 Q. What did you tell Ramon when he told you
11 about the story?

12 A. I told him, "Well, I'm here now. I guess
13 he didn't go through about what he told you."

14 Q. Did he say, "Ramon, I was going to have
15 him killed or I was so mad I could have had him
16 killed?" What he did he say?

17 A. No. He said, "I was going to have him
18 killed when he was in Panama picking up the money."

19 Q. Did Ramon say what he, what Ramon said to
20 Jorge in response to that? I mean you said, "These
21 thoughts shouldn't even cross your mind."

22 A. That's right. "That thought should never
23 even cross your mind. You know, It's pitiful that
24 you have to even tell me this."

25 Q. Why did Ramon tell you about this?

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1 A. It's one conversation one day he told me.

2 Q. Did he tell it to you because he was
3 worried about your safety?

4 A. It's conversation, you know, things that
5 had transpired with the lawsuit and within the
6 family. He told me, "I never wanted to tell you
7 this but I'm going to tell you." And he told me.

8 Q. When did this happen? When did he tell
9 you about it?

10 A. About, I'd say about a month after I had
11 come back from Panama.

12 Q. Does your brother keep, or did he, at
13 least at the time you were working for him, keep a
14 calendar of his appointments?

15 MR. CANTERO: Objection. Asked and
16 answered.

17 THE WITNESS: Yes, he did.

18 MR. SCHWIEP: I did, I think, ask about
19 the calendar.

20 MR. CANTERO: Yes.

21 BY MR. SCHWIEP:

22 Q. What I want the find out about is if there
23 was any record keeping procedure that you followed
24 at the company, whereby he would save the calendars,
25 that you testified at your last deposition that he

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1 kept. Did he have any procedure, any practice to
2 retain old calendars?

3 A. Yes, he did.

4 Q. Describe that.

5 A. Well, when the new year would come, the
6 new calendar would be placed on top of his desk and
7 the old one would be put in the boxes that were kept
8 from the, you know -- from the previous year, and
9 Inez would keep them on her -- on her desk, in the
10 second draw to her left, the bottom draw to her
11 left.

12 Q. She would keep the older calendars?

13 A. She would keep many years there.

14 Q. She kept her own calendar of his
15 appointments, as well?

16 A. That's correct.

17 Q. Do you know if the company maintained a
18 practice whereby Inez would retain her calendar that
19 she kept for Jorge?

20 A. I don't know. I know in the draw down
21 there were Jorge's. I don't know about hers. But
22 everybody in that office had calendars, including
23 myself.

24 Q. How about a phone book, did he keep any
25 kind of a phone book?

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1 A. He always had a phone book with him in his
2 briefcase.

3 Q. What did that look like?

4 A. Just a regular phone book, a through z,
5 pages.

6 Q. Are you familiar a company known as MBL
7 Paving Company?

8 A. Yes, I am.

9 Q. How are you familiar with that company?

10 A. Because I formed that company.

11 Q. What do the initials MBL stand for?

12 A. Mas, Banks and Lorenz.

13 Q. Is Banks Fred Banks?

14 A. Paul Banks.

15 Q. Paul Banks?

16 A. Paul Luther Banks.

17 Q. What was the purpose of forming that
18 company?

19 A. To do minority work for Miami-Dade Water &
20 Sewer Authority.

21 Q. Mr. Paul Banks is an Afro-American; is
22 that correct?

23 A. That is correct.

24 Q. Whose decision was it to form MBL Paving?

25 A. Mine and Jorge's.

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1 Q. That company did, in fact, obtain minority
2 set-aside contracts from Metro-Dade Water & Sewer;
3 is that correct?

4 A. That's correct.

5 Q. It did so under a minority contracting
6 license?

7 A. That is correct.

8 Q. How were the profits from MBL paid and
9 distributed?

10 A. They were all consolidated into financial
11 statements of Church and Tower or Equipment &
12 Personnel.

13 Q. How is Paul Banks compensated?

14 A. Salary and a bonus at the end of the year.

15 Q. Was he a shareholder of MBL Paving?

16 A. No, he was not.

17 Q. What was his position with MBL Paving?

18 A. He was the front man for the company.

19 Q. Did he have active involvement in
20 managerial decisions about the company?

21 A. No.

22 Q. Well, he did perform services for the
23 company?

24 A. He worked for Equipment -- he was on the
25 payroll of MBL, but actually he ran the pole crews,

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1 the telephone pole crews for Equipment & Personnel
2 Services.

3 Q. So what exactly does that mean, he ran the
4 pole crews?

5 A. He didn't have nothing to do with the
6 paving.

7 Q. What specifically did he do, even if it
8 was for Equipment & Personnel?

9 A. He supervised the crews that used to go
10 out and put up the telephone poles.

11 Q. Even during the period of time he was like
12 what you called the front man for MBL Paving, he was
13 performing the service for Equipment & Personnel
14 Services?

15 A. That is correct.

16 Q. Was that the relationship of Paul Banks
17 with MBL Paving at the time that you ceased working
18 with your brother in 1985?

19 A. Yeah. It kept on going. I left them but
20 they kept doing work.

21 Q. Mr. Mas Canosa, do you currently have any
22 concerns for your own personal safety?

23 A. I have always had concern for my own
24 personal safety.

25 Q. You travel in Central America?

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1 A. Yes, I do.

2 Q. How much time do you spend in Central
3 America now?

4 A. A lot.

5 Q. Do you know where Luis Posada Carriles is
6 now?

7 A. This is rumors, of course. They say he
8 travels between El Salvador, Honduras and Guatemala.

9 Q. When you're in Central America, traveling,
10 do you take any precautions to insure your own
11 personal safety?

12 A. Yes, I do.

13 Q. What kind of precautions do you take?

14 A. I have a bodyguard with me all the time.

15 Q. Why do you do that?

16 A. Because I think of things that I know and
17 things that are being said, like right now, that are
18 very sensitive, I imagine, to me.

19 Q. How about when you're in Miami?

20 A. Bodyguards here are too expensive. I got
21 to take care of myself.

22 Q. You have an alarm in your home?

23 A. Yeah.

24 MR. SCHWIEP: Can we take short break.

25 (Thereupon, a brief recess was

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1 taken, after which the following
2 proceedings were had:)

3 BY MR. SCHWIEP:

4 Q. Mr. Mas Canosa, are you aware of any trips
5 that your brother might have taken with Tom Carlos
6 and Steve Clark?

7 A. Yes.

8 Q. What trips do you know, the three of them,
9 those three individuals went on together?

10 A. To Spain.

11 Q. When did they go to Spain together?

12 A. 1980, somewhere. I think it's in my
13 depositions.

14 Q. Who paid for that trip?

15 A. Jorge.

16 Q. What did Jorge pay for?

17 A. Cash.

18 Q. But what did he pay for? Did he pay for
19 the flight? Did he pay for a hotel?

20 A. Airline tickets.

21 Q. Did he pay all of Mr. Clark's expenses on
22 that trip?

23 A. I don't know about the hotel on the food,
24 but I know the airline tickets got paid for.

25 Q. Are you aware of a project in Kendall for

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1 development off of the turnpike extension and 120th
2 Street?

3 A. Yes, I do.

4 Q. What do you know about that project?

5 A. It's a project called Kendall Industrial
6 Park.

7 Q. Was Church and Tower involved in Kendall
8 Industrial Park?

9 A. Yes, it was.

10 Q. What was Church and Tower's involvement in
11 Kendall Industrial Park?

12 A. It was Equipment & Personnel Services that
13 did the infrastructure and all the roads and the
14 sewer and the water lines and the sidewalks and
15 developing the land there.

16 Q. What participation did your brother have
17 in Kendall Industrial Park?

18 A. It was a partnership. That was him and
19 Tom Carlos and a few other people; and he had a big
20 part of the partnership he owned. I think it was
21 called Kendall Industrial Park Partnership Limited
22 or something like that.

23 Q. Do you know if there were any changes that
24 were made either in the placing of the turnpike or
25 in zoning to accommodate that project?

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1 A. Yes. The exit was supposed to go out
2 on -- into I think it was 136th Street, right there
3 where Signature Garden is, and it was moved back to
4 120th Street.

5 Q. . . Why was that done?

6 A. So the exit would exit right into the
7 property.

8 Q. Whose suggestion was it to change the exit
9 from the proposed turnpike extension?

10 A. It was Jorge and Tom.

11 Q. What do you know about how that change was
12 effected?

13 A. He went -- he started with in Planning,
14 and that's when Joaquin Avino was in the Planning
15 Department, along with a Rafael Raon, who worked
16 there, too. And they started to doing all the
17 planning with the County and the State of Florida
18 Department of Transportation.

19 Q. Did your brother or Tom Carlos or both
20 talk with either Joaquin Avino or anyone else in the
21 Planning Department about changing the exit from the
22 turnpike?

23 A. Sure.

24 Q. Did your brother, to your knowledge,
25 compensate Joaquin Avino in return for his efforts

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1 to have the turnpike extension exit moved from 136th
2 Street to 120th Street, for the benefit of this
3 development?

4 A. I don't -- I don't know.

5 Q. Do you know if any bribe was paid to
6 Joaquin Avino --

7 A. No, I don't.

8 Q. -- to persuade him to --

9 A. No, I don't.

10 Q. Do you know if at any time your brother
11 transferred funds, delivered cash, to Joaquin Avino?

12 A. Not of my knowledge.

13 Q. Well, okay. When you put it that way,
14 have you heard that?

15 A. I haven't heard that. But it could have
16 happened.

17 Q. How about with respect to variances? Were
18 there variances that were granted to complete that
19 development?

20 A. I don't think there was -- it was very
21 straightforward. I think it was 49 acres that were
22 out of the 60, that were eleven were commercial and
23 49 were to build warehouses.

24 Q. Did they need Joaquin Avino's assistance
25 to obtain any zoning variance to do the 49 acres of

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1 warehouses or the eleven acres of commercial?

2 A. No, I don't -- I don't know. I don't
3 really know.

4 Q. Did at any time, to your knowledge, your
5 brother make any payment to any Dade County
6 commissioner that you're aware of, other than what
7 you've already described in your previous
8 deposition, for zoning changes?

9 A. What's in the deposition was a better
10 recollection than what I would tell you right now.
11 But everything that's in there, that's what
12 transpired.

13 MR. SCHWIEP: I don't have any additional
14 questions right now.

15 CROSS EXAMINATION

16 BY MR. CANTERO:

17 Q. Mr. Mas, you remember me, right, Raoul
18 Cantero?

19 A. I sure do.

20 Q. Were you involved in RECE?

21 A. No.

22 Q. What personal knowledge do you have that
23 Jorge was involved in RECE?

24 A. From what when I was at the office over
25 there where my aunt's husband was there, and Jorge

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1 would go there very often.

2 Q. To what office?

3 A. The RECE office, on 17th Avenue and
4 Flagler Street.

5 Q. Who was the manager of that office?

6 A. My aunt's husband, Augusto Valdez
7 Miranda.

8 Q. Well, other than Jorge going over to the
9 office, what other knowledge do you have of his
10 involvement in RECE?

11 A. I used to deliver the paper, the monthly
12 paper that they used to put out, I used to go all
13 over town in his car with him to deliver to the
14 grocery stores.

15 Q. What monthly paper are you talking about?

16 A. RECE.

17 Q. They had a monthly paper?

18 A. Monthly paper.

19 Q. What other involvement did he have that
20 you specifically know about?

21 A. What I have talked about here. That's
22 about it.

23 Q. Well, a lot of what you've talked about
24 here, sir, relates to things that you heard. What I
25 want to know is what you personally know?

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1 A. Personally know, in what capacity.

2 MR. SCHWIEP: I'm going to raise an
3 objection.

4 THE WITNESS: That's very broad.

5 MS. BARDACH: He already said he knows.
6 Jorge told him.

7 BY MR. CANTERO:

8 Q. What personal knowledge do you have of
9 Jorge's involvement in RECE, other than his
10 delivering newspapers for RECE?

11 A. Because he used to talk about it.

12 Q. To you?

13 A. To me and to the other people in the
14 family.

15 MR. SCHWIEP: To Congress, as well.

16 MS. BARDACH: Testified in Congress.

17 MR. CANTERO: Objection.

18 MR. SCHWIEP: I'll withdraw that remark.

19 BY MR. CANTERO:

20 Q. How do you know that Tony Cuesta was
21 involved in RECE? What personal knowledge do you
22 have?

23 A. Because I used to see him there.

24 Q. You've seen him at the office --

25 A. Yeah.

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1 Q. -- of RECE?

2 A. A-huh.

3 Q. Other than seeing him at the RECE
4 office -- would you go to the RECE office?

5 A. Yes, I would.

6 Q. But you weren't involved with RECE, even
7 though you would go to RECE office?

8 A. That's correct.

9 Q. What knowledge do you have, other than
10 Tony Cuesta's simply going to the RECE office, that
11 he was involved in RECE?

12 A. Things that were talked while I was
13 present. You know, they were running missions to
14 Cuba and -- and that Tony was involved with other
15 people and Jorge and everybody. That was common
16 knowledge.

17 Q. Would Jorge speak in your presence about
18 running raids to Cuba?

19 A. Yes, he did.

20 Q. How many raids were there, that he spoke
21 about in your presence?

22 A. Well, I don't -- I can't recollect how
23 many. But quite a few.

24 Q. It was more than one?

25 A. It was more than one.

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1 Q. During what period did these raids that
2 occur, that you know about personally from Jorge
3 speaking about them in your presence?

4 A. I would say from around '65, '66, to about
5 '70, '70s. I mean, just we're going back 27 years.
6 I just can't pinpoint exactly.

7 Q. I understand you can't pinpoint exact
8 dates, but to the extent you can't, can you give me
9 approximations? You said '66 to what?

10 A. To '70, late '70s.

11 Q. In each of these, was it about -- was it
12 less than five raids?

13 A. It could have been anywhere from -- I
14 could say between one and ten. Anywhere in there.
15 Five, six, seven. I cannot tell you specifically
16 how many, to a certain number.

17 Q. Did Jorge travel to Cuba for each of these
18 raids?

19 A. No. Jorge didn't travel to Cuba. Jorge
20 did the organization and the planning.

21 Q. The he do fund raising for the missions?

22 A. No. The money came from RECE, through
23 Pepin Bosch. And that was the guy that fund the
24 most of RECE, if not all.

25 Q. He didn't travel to Cuba for '95 of these

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1 . raids, then?

2 A. No.

3 Q. You testified earlier about Tony Cuesta's
4 uncle. Didn't you say that he worked painting
5 trucks at Church and Tower?

6 A. Rafael De Valle painted trucks.

7 Q. Who was Rafael De Valle?

8 A. Somebody that was related to Tony.

9 Q. Was it Tony's uncle?

10 A. It could have been Tony's uncle. I know
11 he was related to him, but I don't know what
12 capacity.

13 Now, there was another older gentleman, I
14 think is del Valles, last name, too. I don't -- I
15 can't recall his first name, which is the check that
16 was given to Tony every Friday for a period of
17 around two years.

18 Q. This check was written to -- what was the
19 name on the check?

20 A. Of this gentleman that, the older
21 gentleman that used to go with Tony, that was his
22 uncle. That gentleman was his uncle. Rafael De
23 Valle I know was related to Tony, but I don't
24 remember the relationship they had.

25 Q. This gentleman you think was also named

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1 Del Valle, but you don't know his first name?

2 A. I don't remember his first name.

3 Q. But it was Del Valle?

4 A. A-huh.

5 Q. I think Paul asked you why a check just
6 wasn't written directly for Tony Cuesta. I don't
7 recall what your testimony was.

8 A. It was to help Tony. Tony came back from
9 Cuba, he was blind and he had his hand missing. So
10 to help Tony. I didn't see anything wrong with
11 that.

12 Q. Why couldn't you just write a check to
13 Tony directly?

14 A. You have to ask that to George. That's
15 how George wanted it set up.

16 Q. Did you ever ask George that question?

17 A. No.

18 Q. What specifically did George talk about
19 CORU to you or in your presence?

20 A. I knew that CORU was the military arm of
21 RECE. I knew that because of conversation, again,
22 that transpired there while RECE and conversations
23 that -- and things that George would tell me, that
24 we talk about.

25 Q. Did you ever see Orlando Bosch at the RECE

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1 office?

2 A. I told you I saw Orlando Bosch a couple of
3 times in the early '60s. I knew it was him, and
4 that was it. I didn't talk to the guy. I didn't
5 hear any of his conversation or anything. But I
6 guess he went there a couple of times.

7 Q. My question was, did you ever see Orlando
8 Bosch at the RECE office?

9 A. Yes, twice.

10 Q. When was that?

11 A. In the '60s. Around '68. Say between
12 '66, '68.

13 Q. You testified before about bringing cash
14 into the country, \$50,000 in cash?

15 A. That's correct.

16 Q. Did you report that cash to Customs when
17 you came in?

18 A. No, I did not.

19 Q. Did Augustin Rey report that cash to
20 Customs?

21 A. No, he did not.

22 Q. Why didn't you report it?

23 A. Because that's how Jorge wanted. We
24 followed Jorge's instructions. We bring the money
25 and don't report anything when you go through

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1 Customs. So that's why it was brought like that.

2 Q. Did you understand it was a Federal crime
3 not to report it?

4 A. Of course.

5 Q. You did it anyway?

6 A. That's correct.

7 Q. You talked about a payment that you took
8 to Panama through different checks of 246,000. Do
9 you recall that?

10 A. Yes.

11 Q. Isn't that the 246,000 that you and Jorge
12 had a dispute about?

13 A. Exactly. That's the same check.

14 Q. Is that the money that you went for
15 Jorge's house to try to work things out?

16 A. No. Not to work things out. To tell
17 Jorge to go to the bank next day and that he will
18 know that the money was deposited back in April; and
19 I don't know why he was bringing this up now in
20 November. I told him, "You go to the bank next day
21 and everything will be resolved."

22 Q. Didn't you go to Jorge's house to settle a
23 dispute surrounding that 246,000?

24 A. I went to Jorge's house with my sister and
25 her husband to tell Jorge exactly what I just told

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1 you.

2 Q. Didn't Jorge accuse you of stealing that
3 \$246,000?

4 A. That's what he accused me of.

5 MR. CANTERO: Now, these documents that
6 you brought today, Paul, you're going to make a
7 copy of those?

8 MR. SCHWIEP: I'll make a copy of them.

9 MR. CANTERO: Can I see those exhibits?

10 BY MR. CANTERO:

11 Q. Mr. Mas, these file folders that you
12 brought today, what are those?

13 A. Documents that I had all the time, that's
14 been in my trials before, all that documents.

15 Q. What kind of documents?

16 A. Kendall Industrial Park, Swiss bank
17 accounts. That's about it.

18 Q. Are these the same documents that you took
19 from Church and Tower when you left?

20 A. That is correct.

21 Q. Are these documents part of the first
22 settlement that you had with Jorge, that you agreed
23 to give back to him?

24 A. I don't know if they are or not. They
25 might be.

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1 Q. Did you ever give those documents back to
2 him?

3 A. Yeah. I gave him all the copies of the
4 originals.

5 Q. Wasn't it part of the agreement that you
6 would not keep any copies, that you would give all
7 the originals back to him and not keep any copies?

8 MR. SCHWIEP: Objection.

9 THE WITNESS: I think that was part of the
10 agreement, but I am not sure.

11 BY MR. CANTERO:

12 Q. You violated that agreement by keeping
13 originals?

14 A. I sure did.

15 Q. Do you remember the date of Augustin Rey's
16 son's wedding?

17 A. It was April of '85. I don't know the
18 exact date.

19 Q. You testified earlier that you gave the
20 \$50,000 in cash to George when up returned from --

21 A. That is correct.

22 Q. -- from Panama. You give it to him in a
23 manila envelope?

24 A. That is correct.

25 Q. How could \$50,000 fit in a manila

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1 envelope?

2 A. Hundred dollar bills? Big --

3 Q. 500 hundred dollar bills will fit in a
4 manila envelope?

5 A. A big manila envelope? Easy. Try it.
6 You'll see.

7 Q. I wish I could.

8 You were questioned about this money that
9 was allegedly funded to Panama, this 246,000.
10 You've been questioned about this at deposition
11 before, haven't you?

12 A. That is correct.

13 Q. Is that question contained in the
14 deposition that's been marked here today --

15 A. I imagine.

16 Q. -- in 1988?

17 A. I imagine so.

18 Q. You never mentioned Luis Posada in that
19 deposition, did you?

20 A. I sure did not.

21 Q. You never mentioned \$50,000 in cash that
22 you were to give to Jorge to get Luis Posada out of
23 jail?

24 A. Never.

25 Q. What personal knowledge do you have that

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1 Jorge was involved in raising funds for the Contras?

2 A. Because he used to tell me and I picked a
3 lot of those checks.

4 Q. What did he used to tell you,
5 specifically?

6 A. That they were raising money for the
7 Contras, to help the Contras.

8 Q. When was this conversation?

9 A. In the '80s.

10 Q. When in the --

11 A. From '80 to about '85, when I left.

12 Q. From '80 to '85?

13 A. (No verbal response.)

14 Q. From '80 to '85 was it legal to help the
15 Contras?

16 A. I don't know if it was legal or not. He
17 was helping them.

18 Q. Was there a policy in the United States
19 from '80 to '85 to give financial assistance to the
20 Contras?

21 MR. SCHWIEP: Objection.

22 THE WITNESS: I imagine. They were
23 funding them, whether it was illegal or not. It
24 came out in Iran-Contra. It depends on how you
25 look at it.

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1 BY MR. CANTERO:

2 Q. My question was, during the period of 1980
3 to '85, did the United States have an official
4 policy of giving financial support to it Contras?

5 A. I don't think it was an official policy.
6 I think it was a covert operation. Because there
7 was a law that restricted moneys used in the Contra
8 affair, if I am not mistaken.

9 Q. Isn't it true, Mr. Mas, that that was a
10 law that was enacted at some point, but it wasn't
11 true during the entire course of the Regan
12 administration?

13 A. I don't know when it was enacted. I knew
14 there was a law that it was illegal to contribute
15 funds to the Contras; and that's why this operation
16 was set up, in order to keep the pipeline open. And
17 that was the word that I used, "keep the pipeline
18 open."

19 Q. Do you know how he would collect money for
20 the Contras?

21 A. Yeah. Contributors here. A lot of people
22 who give checks to help the Contras.

23 Q. Who would they write the checks out to?

24 A. Either the -- mostly to the Cuban American
25 National Foundation.

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1 Q. How would the Cuban American National
2 Foundation get the money to the Contras, if you
3 know?

4 A. I was never involved in the finances of
5 Cuban American National Foundation.

6 Q. So you don't know how that money was given
7 to the Contras?

8 A. No, I don't.

9 Q. In fact, you don't even know if the money
10 was given to the Contras, do you?

11 A. I know that moneys were given to the
12 Contras, yes.

13 Q. How do you know that?

14 A. Because like I said, the checks that I
15 picked to take to Jorge.

16 Q. Those were --

17 A. And I knew they were destined to go to the
18 Contras.

19 Q. Those were checks written to the Cuban
20 American National Foundation, correct?

21 A. That is correct.

22 Q. Do you know for a fact that those moneys
23 made to the Cuban American National Foundation
24 eventually made their way to the Contras?

25 A. I physically did not see the funds go to

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1 Contras. But Jorge told me, "Go pick up this checks
2 and they are to go to the Contras." Now, whether --
3 how they cash it, how it went there, I don't know.
4 Because like I said, I was never involved in the
5 finances of the Cuban American National Foundation.
6 That's what Jorge told me. That's all I can testify
7 to, what he told me.

8 Q. All those checks that you picked up were
9 made out to the Cuban American National Foundation?

10 A. Yes.

11 Q. Other than the fact that Jorge admired
12 Orlando Bosch, what personal knowledge do you have
13 that he had a relationship with Orlando Bosch?

14 A. Just what I testified before.

15 Q. Do you have any personal knowledge that he
16 was friends with Orlando Bosch?

17 A. I know he knew Orlando Bosch, and he told
18 me that --

19 Q. That wasn't my question.

20 MR. SCHWIEP: I think you should let him
21 answer the question. Objection.

22 BY MR. CANTERO:

23 Q. My question was, do you have any personal
24 knowledge that he was friends with Orlando Bosch?

25 A. Personal knowledge from what Jorge told

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1 me, yes.

2 Q. What did Jorge --

3 A. He was a friend of Orlando Bosch.

4 Q. What specifically did Jorge tell you about
5 being a friend of Orlando Bosch?

6 MR. SCHWIEP: Objection.

7 THE WITNESS: They were fighting for the
8 same cause. The liberation of Cuba.

9 BY MR. CANTERO:

10 Q. Other than fighting for the same cause,
11 what other facts did Mr. Mas Canosa, did Jorge tell
12 you that would lead you to conclude he was a friend
13 of Orlando Bosch?

14 A. Nothing else. That's it. From what I
15 just told you.

16 Q. So he was a friend of Orlando Bosch simply
17 because they were fighting for the same cause?

18 A. Yeah.

19 MR. SCHWIEP: Objection.

20 THE WITNESS: And I would think if you
21 give somebody \$25,000 for a picture, for a
22 painting, I think that -- that's being a good
23 friend.

24 BY MR. CANTERO:

25 Q. Okay. So other than the fact he gave

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1 25,000 for a picture, and the fact they were
2 fighting for the same cause, there was no other
3 basis for a friendship?

4 MR. SCHWIEP: Objection.

5 THE WITNESS: Like I said, I saw Orlando
6 Bosch twice from '68 -- from '66 to '68. I
7 never saw him at Church and Tower's office, but
8 I know they that they were friends.

9 BY MR. CANTERO:

10 Q. My question was, the only facts that you
11 know that was a basis for a friendship between Jorge
12 and Orlando Bosch was the fact that he purchased a
13 painting for 25,000 and that they were fighting for
14 the same cause; isn't that correct?

15 A. That is correct.

16 Q. You testified about the painting that
17 Jorge told you that he wanted you to keep the
18 painting; is that correct?

19 A. That is correct. And the letter.

20 Q. And the letter. And Jorge specifically
21 told you that he wanted you to keep it because he
22 did not want to be associated with Orlando Bosch?

23 A. That is correct.

24 Q. Did he tell you because you asked him why
25 or did he just volunteer that information?

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1 A. He volunteered the information.

2 Q. He told you, "Oh, keep this painting. I
3 don't want to be associated with Orlando Bosch"?

4 A. "I don't want to be associated with a
5 known terrorist." Those were his exact -- total
6 words.

7 Q. "With a known terrorist"?

8 A. "With a known terrorist."

9 Q. What year was this in?

10 A. 1982.

11 Q. In 1982 had Orlando Bosch been convicted
12 of the Cubana Airlines bombing of 1976?

13 A. I don't know if he was convicted. I don't
14 think he was convicted, but they had him in jail for
15 a long time and they blame him for it.

16 Q. You testified about a photograph of
17 Anastasio Samoza.

18 A. Two photographs.

19 Q. Two photographs. And one, you said was
20 with -- one had his arm around the other; is that
21 correct?

22 A. No. Jorge had his arm around Samoza.
23 Samoza didn't have his arm around. It's like this.

24 Q. That's what I said, one of them had his
25 arm around the other one.

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1 A. Right, one of them.

2 Q. It was Jorge who had his arm around
3 Samoza?

4 A. That is correct.

5 Q. What year was the picture taken?

6 A. It must have been early '60s, because I
7 remember it was -- God, I was -- first time I saw
8 that picture was, I think Jorge was showing it, I
9 think it was '67, '68.

10 Q. The first time Jorge showed it to you was
11 '67 or '68?

12 A. Yeah. And then he kept it in the office.
13 It was in a file cabinet. Like I said, in one of
14 these file folders, and the two photos were in
15 there. And he had a sticker here that said
16 Conference of Youth, Managua, Nicaragua.

17 Q. Do you recall when that conference of
18 youth occurred?

19 A. In the late '60s, like I said told you.
20 '60 something. I don't recall the exact date.

21 Q. First you said the early '60s. Is that
22 what you mean, the early '60s?

23 A. Yeah, early '60s. '64, '65, '66,
24 somewhere in there. I don't know exactly.

25 Q. Certainly sometime before '67 or '68 when

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1 he showed it to you?

2 A. Yeah.

3 Q. What about this other picture, what was
4 that about?

5 A. It was a picture with other people that
6 were at the conference, like a group picture.

7 Q. Was that the same --

8 A. -- included.

9 Q. I'm sorry. I didn't mean to interrupt
10 you.

11 Was that the same conference?

12 A. Yeah. Same conference.

13 Q. Did you see that picture when you saw the
14 other one?

15 A. Yeah. They were both in the same file.

16 Q. What was it that led Jorge to show you
17 this picture?

18 A. He showed it not only to me. To a lot of
19 people. I guess he was proud of the picture.

20 Q. What were the circumstances of the moment,
21 where he came out and showed this picture to people?

22 A. He didn't show it to people. I mean,
23 like, when we moved offices from the trailer to the
24 main office, you know, we're cleaning out files and
25 he would -- and he pulled it out and he says, Look.

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1 You know this is a pictures that I took with Samoza
2 when the youth conference." And that was it. And
3 it was put there. It wasn't a big thing about it.
4 It was just a couple of pictures.

5 Q. I understand?

6 A. Nothing to brag about or -- you know,
7 something very natural. It wasn't a special
8 occasion, let's put it that way, you know. It was
9 just --

10 Q. You said it was when you were moving
11 offices. What offices were you moving?

12 A. Well, no. That -- that's one of the
13 time -- another time when he showed me the pictures,
14 we were cleaning out file cabinets because we moved
15 into the new office, like in '78. But that picture
16 had been there in the old office since -- since the
17 office started in '68.

18 Q. Well, my question was, what were the
19 circumstances when you saw this photograph?

20 A. When he came back from the conference, he
21 took it home and he showed it to me and my parents
22 and everybody that, you know, was there. That was
23 the first time that I saw the pictures.

24 Q. You saw the pictures right after the
25 conference?

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1 A. Not right after. I imagine, you know,
2 when he got them developed, a week, two weeks later.
3 I don't have an exact date. But I know, you know,
4 he showed the pictures to me and my mother and
5 everybody in the family.

6 Q. You saw them again when you moved to some
7 offices?

8 A. No. They were again -- then he kept them
9 in a file cabinet at the trailer. And then -- they
10 were there. And then, when we moved the offices, we
11 were cleaning out the old files, the pictures came
12 out again, you know, things that were going to kept
13 and were not going to kept; and they were moved to
14 the main office, when the main offices were built.

15 Q. You testified that you were concerned
16 about your personal safety. You're still concerned
17 about your personal safety?

18 A. Yes, I am.

19 Q. To your knowledge, has anyone ever made an
20 attempt on your life?

21 A. Well, I filed a police report a while back
22 with Metro Dade. Yes, they did made -- make
23 threatening calls to my house, that they were going
24 to kill me. This happened during the trial --
25 course of my second litigation. Many threatening

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1 calls to the house; and they were going to kill me,
2 they were going to kill my kids. Yes, I have -- if
3 you receive these kind of calls at 1:00 or two
4 o'clock in morning, I think any parent would be
5 concerned, and one self, too..

6 Q. You made a police report?

7 A. Yes. My attorneys did.

8 Q. Did the police conduct an investigation?

9 A. Yes, they did.

10 Q. What was the result of the investigation?

11 A. They never could find anything about it.

12 It was telephone calls coming from public
13 telephones.

14 Q. Was that something you testified about in
15 your deposition in the second case?

16 A. I might have. I don't know if they're
17 there. I think it is. I don't know. I don't
18 remember.

19 Q. Other than during the pendency of that
20 second case, when you received some threatening
21 phone calls, has there ever been an attempt made on
22 your life?

23 A. An attempt made on my life?

24 Q. Yes.

25 A. Not that I know of.

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1 Q. Not that you know of?

2 A. I'm here.

3 Q. Has somebody unsuccessfully tried to kill
4 you, do you know?

5 A. They might have tried and I haven't even
6 know. I mean, that they come up to me physically to
7 shoot me or stab me, no, they haven't done that.
8 But if they had plans to do it or something, I don't
9 have any idea.

10 Q. What personal knowledge do you have that
11 Jorge spoke to Mr. Avino regarding Kendall
12 Industrial Park?

13 A. Because Jorge told me.

14 Q. Jorge told you he had spoken to Mr. Avino?

15 A. Yeah. About that project. I did that
16 entire project. I was very connected with that
17 project, me, Jorge and Tom Carlos, the Kendall
18 Industrial Park.

19 Q. What did he tell you he had spoken to
20 Mr. Avino about?

21 A. About moving the exit from 136 to 120.
22 Not only to Avino. Also Rafael Raon, who was in the
23 Planning Department. And that they were all working
24 together and to get the exit moved and to get that
25 project finished and done with.

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1 Q. Was that something that could be done
2 administratively, moving the exit?

3 MR. SCHWIEP: Objection.

4 THE WITNESS: I don't know. I don't know
5 the zoning rules or regulations. I don't know.

6 BY MR. CANTERO:

7 Q. Did it go through the commission?

8 A. I don't know if it went through the
9 commission. I think that was being handled.
10 Because it was a State road, I think. That's a
11 State road. It was handled up in Tallahassee with
12 the Department of Transportation.

13 But before the Department of
14 Transportation could allocate the funds to do that
15 exit there and do all the planning, I think it had
16 to be approved at the County level before it went up
17 to the State. So I imagine that it had to be
18 approved by the County Commission, yes.

19 Q. But you don't know?

20 A. I don't know.

21 Q. Looking at Exhibit 126, whose signature is
22 that?

23 A. Jorge's.

24 Q. I'm sorry if Paul asked you this already.
25 Did you speak with Jorge after he was supposed to

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1 meet with Oliver North?

2 A. No. He didn't discuss -- after they went
3 to that meeting, he never mention anything of what
4 happened in that meeting or discuss anything with
5 me.

6 MR. SCHWIEP: Go ahead, Raoul. I'll
7 listen out of one ear.

8 BY MR. CANTERO:

9 Q. Do you know for a fact whether Felix
10 Rodriguez ever attended that meeting?

11 A. Yes. He intended that meeting.

12 Q. Well, you testified that he was supposed
13 to attend, and George told you that he was going to
14 attend, as well. But you never spoke to George
15 after the meeting?

16 A. No.

17 Q. So how do you know in Felix Rodriguez ever
18 went to the meeting?

19 A. Because Jorge told me he was going for
20 meet Felix Rodriguez at the Omni.

21 Q. My question is --

22 A. They were going to this meeting.

23 Q. My question is, do you know for a fact
24 whether, in fact, Felix Rodriguez went to the
25 meeting?

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1 A. No, I don't.

2 Q. You testified when Paul was questioning
3 you that Jorge traveled a lot to Central America --

4 A. Yes.

5 Q. -- is that right?

6 A. A-huh.

7 Q. How do you know that Jorge was travelling
8 to Central America?

9 A. Because he usually would tell me, you
10 know. He would leave the office and tell me, "I'm
11 going to Washington" or "I'm going to Central
12 America," or "I'm going to Spain" or "I'm going to
13 Europe."

14 Q. But I would tell you, "I'm going to
15 Central America," instead of, "I'm going to
16 Guatemala, Costa Rica, Panama"?

17 A. He couldn't go to Panama.

18 Q. Instead of telling you the individual
19 countries, sir, he would just tell you "Central
20 America"?

21 A. Yes. He would tell me, "I'm going to
22 Central America. I will be calling you." And he
23 would call me to see how things with going in the
24 business, in the office and all that when he was out
25 of town.

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1 Q. Would did he tell you, "I'm going to
2 Europe" or "I'm going to Spain"?

3 A. When he went to Spain, he used to tell me,
4 "I'm going to Spain." When he used to go to Europe,
5 he used to go through all of Europe so, you know, he
6 didn't mention specifically any country. But he
7 would leave an itinerary with me, where I knew where
8 he would be that week or what hotel and the
9 telephone number and everything, where he could be
10 located at.

11 Q. Did he leave an itinerary with you when he
12 went to Central America?

13 A. Sometimes he did.

14 Q. What did his itinerary say?

15 A. Honduras. Guatemala. El Salvador.
16 Wherever he traveled in Central America. Nicaragua.
17 He wasn't going for Nicaragua because the
18 Sandanistas were there. But those with three,
19 specifically, three countries he most traveled in
20 Central America. And Costa Rica. He couldn't go --
21 He didn't to Nicaragua. He didn't go to Panama. He
22 couldn't enter Panama. He wasn't going to go with
23 the Sandanistas in Nicaragua.

24 Q. My question simply was, what did his
25 itinerary say when he left you his itinerary, that

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1 he was going to Central America?

2 A. Mostly, Honduras, Guatemala and El
3 Salvador.

4 Q. You testified that you saw Orlando Bosch
5 at the house a couple of times in the 1960's; is
6 that correct?

7 A. A-huh.

8 Q. Who was living at the house when you saw
9 Orlando Bosch at the house?

10 A. Jorge.

11 Q. Who else?

12 A. My mother. Me. That's about it. And my
13 brothers.

14 Q. Who --

15 A. Raoul and Ramon.

16 Q. Who was present at the house when you saw
17 Orlando Bosch there?

18 A. Oh, I don't remember now. It could have
19 been me and the rest of my brothers and my mother.
20 I know he was there, but I don't recall without
21 doubt who was there.

22 Q. You testified earlier that you had heard
23 that Rafael DeArce and Antonio Canaves -- am I
24 saying that right?

25 A. Canaves.

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1 Q. -- had gotten in trouble with the law?

2 A. That's what I always heard after they
3 disappear for a while. That's what everybody knew,
4 that they had gotten in trouble with the law.

5 Q. What had you heard their trouble with the
6 law was?

7 A. Drug trafficking.

8 Q. Drug tracking. Had you heard they were in
9 prison?

10 A. All I heard was that they had got in
11 trouble with the law because of drug trafficking.
12 Whether they were in prison or not, no. That's all
13 I heard.

14 Q. Other than Jorge taking his picture with
15 Samoza in the 1960's, to your knowledge did he have
16 any other relationship with him?

17 A. With Samoza?

18 Q. Yes.

19 A. Not to my knowledge.

20 Q. Do you remember the name of the colonel in
21 the Chilean Consulate?

22 A. I really don't.

23 Q. Do you remember about the time that Jorge
24 developed that relationship with him?

25 A. It was in the middle '70s. Okay? It

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1 could have been from '74 to '76 or '77. It was
2 somewhere in there, in the middle of the '70s.

3 Q. To your knowledge, did Jorge ever travel
4 to Chile?

5 A. I don't think -- not to my knowledge, I
6 don't think he ever traveled to Chile.

7 Q. Did you ever talk to your brother, Ramon
8 Mas Canosa, about your second lawsuit with Jorge?

9 A. Yeah. I guess everybody in the family
10 talked about the lawsuit between me and Jorge.

11 Q. What specifically did you talk about with
12 Ramon?

13 A. Not much. You know, why had I filed a
14 lawsuit. And I said, "You know, the letters that he
15 wrote about me," and just what the lawsuit was
16 about. That's about it.

17 Q. Did you ever talk to Ramon about settling
18 the lawsuit?

19 A. Not that I can recall ever remember
20 talking to him about -- talking to him about
21 settling the lawsuit.

22 Q. I mean, the second lawsuit now?

23 A. Yeah. This one, here.

24 Q. You don't remember talking to him about
25 settling it?

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1 A. I don't think so..

2 Q. What about your other brother Ramon, did
3 you ever speak to him?

4 A. No.

5 Q. Your other brother Ramon Mas Tudela?

6 A. After I left Church and Tower I haven't
7 kept much contact with him. Very few times we've
8 seen each other. Because he still works with Jorge
9 now; and I don't want, you know, to compromise his
10 job with Jorge.

11 Q. My question is, did you ever speak with
12 Ramon Mas Tudela about your second lawsuit with
13 Jorge?

14 A. Not with him. No, sir.

15 Q. You testified earlier about MBL Paving?

16 A. That's correct.

17 Q. How was it that Paul Banks became involved
18 with MBL Paving?

19 A. Because he needed an Afro-American
20 minority contractor, because I think, if I'm not
21 mistaken, with the number was 21% of the contract
22 from Miami-Dade had to be subcontracted out to a --
23 a black minority contractor.

24 Q. How was Paul Banks, specifically -- how
25 did he specifically become involved?

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1 A. .Because me and Jorge discussed it, and we
2 formed MBL Paving and we put him as head of that
3 company.

4 Q. How did you know Paul Banks?

5 A. . He works for us -- Jeez. Paul Banks
6 started working with us in '69 or '70.

7 Q. What do you mean when you say you put him
8 as the head of the company?

9 A. As the front man, the front man for the
10 company. He wasn't owner. He didn't put any money
11 into the company. Just as a figurehead, you know,
12 to appear in the papers that he was the majority
13 stockholder of the corporation and all that.

14 Q. Did he have an officer position at the
15 company --

16 A. Yes.

17 Q. -- with MBL Paving?

18 A. Yes, he did.

19 Q. What was his position?

20 A. He was president.

21 Q. Was it your understanding that it was
22 wrong to have him listed as president of the
23 company?

24 MR. SCHWIEP: Objection.

25 THE WITNESS: It was me and Jorge -- Jorge

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1 decided with me, "Let's put him in front of the
2 corporation," and we put him. I didn't see
3 nothing wrong with that. He agreed to it.

4 BY MR. CANTERO:

5 Q. You didn't see anything wrong with having
6 him as a front man on the company?

7 MR. SCHWIEP: Objection.

8 THE WITNESS: Not me. If Jorge wanted it
9 that way, that was fine with me.

10 BY MR. CANTERO:

11 Q. When you say "if Jorge wanted it that way,
12 it was fine with me," do you mean it didn't matter
13 what Jorge wanted, whether it was legal or illegal,
14 ethical or unethical, if Jorge wanted it, you would
15 do it?

16 MR. SCHWIEP: Objection.

17 THE WITNESS: He used to own the company.
18 So you know, you either did it or you got out.
19 Which is what I decided to do later on, because
20 I didn't feel no longer comfortable with things
21 that were going on.

22 BY MR. CANTERO:

23 Q. For those 12 years before you got out, was
24 it your feeling that whatever Jorge wanted, you
25 would do, regardless of whether it was legal or not?

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1 MR. SCHWIEP: Objection.

2 THE WITNESS: No. No. Because nothing
3 was done illegal until he started with this bank
4 accounts in 1980, in Panama and Switzerland.

5 BY MR. CANTERO:

6 Q. From 1980 to 1985, then --

7 A. To 1985.

8 Q. -- was it your feeling that anything Jorge
9 wanted you to do, you would do, regardless of
10 whether it was legal or illegal?

11 A. Not anything Jorge wanted. Jorge asked me
12 if I could go to Panama because he couldn't travel
13 to Panama. He dropped his skiing. I took the
14 checks down. I put them in the bank account for
15 him. Okay? Because he couldn't travel to Panama.
16 And he told me the only person he trust taking those
17 big sums of money was me.

18 Q. I'm not talking Panama specifically.

19 A. That's the only transaction I done with
20 Jorge, okay, because the money coming back through
21 this other transactions, and that was it. And I
22 didn't feel comfortable with it and that's why I
23 decide to do leave the company in 1985.

24 Q. I'm not talking about Panama specifically,
25 Mr. Mas Canosa. You testified that you didn't think

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1 there was anything wrong with Paul Banks being a
2 front for MBL Paving because that's the way Jorge
3 wanted it. My question was, was it your feeling
4 that whatever Jorge wanted, and wanted you to do,
5 you would do regardless of whether it was legal or
6 illegal, until you left the company in 1985?

7 MR. SCHWIEP: Objection. Form.

8 THE WITNESS: Not really. It was -- I
9 didn't see anything illegal with that. He was
10 getting very well renumerated at the end of the
11 year with a big bonus. He was an African
12 minority. He was a major stockholder of that
13 corporation. There was nothing illegal, in the
14 sense of being illegal.

15 BY MR. CANTERO:

16 Q. I'm not asking you in particular regarding
17 Paul Banks. I'm asking you in general, was it your
18 feeling while you were at Church and Tower, working
19 with Jorge, that whatever he wanted you to do, you
20 would do, regardless of whether it was legal or
21 illegal?

22 A. No. Whatever he wanted me to do, whether
23 it was legal or illegal, I wouldn't do. Because if
24 he told me to jump off the sixth floor, I wouldn't
25 jump off the sixth floor. Okay? I'm not a yes man.

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1 And we had varied discussions about many
2 things I didn't feel comfortable with. And it came
3 time to part company. He had these whole group
4 things. I didn't. I don't consider myself super
5 .ethical. But I do consider myself a very ethical
6 person. Okay?

7 Q. When Jorge wanted you to --

8 MR. SCHWIEP: I think you should let him
9 answer. I'm sorry. Objection.

10 BY MR. CANTERO:

11 Q. But when Jorge wanted you to bring in
12 \$50,000 into the country in cash without reporting
13 it to Customs, in violation of Federal law, you
14 thought it was okay to do it because that's what
15 Jorge wanted you to do; is that correct?

16 A. Yes. But then again --

17 MR. SCHWIEP: Objection.

18 THE WITNESS: -- if Jorge had pulled
19 \$4 million out of the country, which was tax
20 fraud and tax evasion, and breaking the law,
21 too, and he didn't report it, you know, it was
22 his money. It didn't end up in my pocket.

23 BY MR. CANTERO:

24 Q. My question, Mr. Mas Canosa, is --

25 A. And if I did it, it was because he

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1 couldn't travel to Panama and because he was by
2 brother. That's why I did it, okay? Not because of
3 nothing else.

4 Q. So because he was your brother you were
5 willing to commit a Federal crime, because he wanted
6 you to come into the country with \$50,000 worth of
7 cash and not report it to Customs; is that correct?

8 MR. SCHWIEP: Objection.

9 THE WITNESS: That is not what I'm telling
10 you. That is not my answer.

11 BY MR. CANTERO:

12 Q. Didn't you testify --

13 A. If you want to put it in that context, you
14 can put it in that context. But that is not my
15 answer.

16 Q. Didn't you testify before that the reason
17 that you didn't report it to Customs is because
18 Jorge told you not to report it to customs?

19 A. That is correct.

20 Q. So because Jorge told you not to do
21 something that was a Federal crime, you didn't do
22 it?

23 MR. SCHWIEP: Objection. I don't think
24 he's testified that it was the Federal crime.

25 THE WITNESS: I haven't testified to that.

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1 If you want to put in the context, put in the
2 record as your context. That's not my answer.

3 BY MR. CANTERO:

4 Q. What is your answer?

5 A. My answer is that I didn't feel
6 comfortable. I did it because he was my brother.
7 But I didn't feel comfortable with doing it and
8 breaking the law. I know the law well, okay? And
9 after take in or out of the country more than
10 \$10,000, you got to report it to U.S. Customs.
11 Everybody knows that. That's what I'm trying to
12 tell you. Okay?

13 Q. But you did it?

14 MR. SCHWIEP: Objection. Asked and
15 answered.

16 THE WITNESS: I did it because he's my
17 brother, I'm telling you. And he couldn't go to
18 Panama to do it. Because if he could have gone
19 to Panama, he could have gone himself and done
20 it; and I wouldn't have gotten involved in it.

21 BY MR. CANTERO:

22 Q. When you say you did it because he's your
23 brother, it's because you loved him as a brother and
24 that's why?

25 A. I imagine, that I -- yeah, that I loved

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1 him as a brother, sure. Don't you love your
2 brother?

3 Q. I didn't sue my brother twice, sir.

4 A. Well, but that was -- that was after 1985.
5 And that didn't have to do nothing with brotherly
6 love. Let's not get into that, because I think I
7 won that lawsuit and I don't have to answer any of
8 your questions pertaining to that lawsuit. I was in
9 front of a jury. They told me I was the guy that
10 was right. He was told to pay me. And that was the
11 end of that. So I no even going to start discussing
12 my law suit with you because that's over and done
13 with.

14 MR. CANTERO: Move to strike as
15 nonresponsive.

16 BY MR. CANTERO:

17 Q. My question was, you testified that you
18 did things because you loved your brother. Yet you
19 sued him twice for damages, haven't you?

20 A. Yes, I have.

21 Q. You testified that Jorge, Carlos and Steve
22 Clark, Tom Carlos and Steve Clark, went to Spain in
23 1980; is that correct?

24 A. It's in my deposition. I don't recall the
25 exact year.

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1 Q. You testified that today.

2 A. It might be '80. It might be '81. It
3 might be '82. I don't know. If you let me look
4 through the record I'll find it for you. I'll tell
5 you the exact month and year that it was.

6 Q. What was the purpose of that trip, if you
7 know?

8 A. The purpose of that trip was to talk
9 business with Steve Clark, County business, zoning
10 matters.

11 Q. It had to go to Spain in order to talk
12 with Steve Clark?

13 A. That's the way that I guess Steve took --

14 Q. How do you know that the purpose of the
15 trip was to talk zoning matters with Steve Clark?

16 A. Because Jorge told me.

17 Q. What specifically did Jorge tell you?

18 A. He told me that they were going to talk
19 zoning matters that were going to be coming in front
20 of the commission, and that's why they were paying
21 for his trip and they were taking two weeks to
22 Spain.

23 Q. What specifically was coming before the
24 commission?

25 A. I don't have any idea. Zoning matters.

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1 That's what he told me. I wasn't privy to those
2 things.

3 Q. But you don't remember what year it was?

4 A. Like I said, it's in my deposition. If
5 you let me look through it I'll tell you exactly the
6 same thing that is there. That's when it was.

7 Q. You can look through if you want to. I
8 don't think it's in there.

9 MS. BARDACH: What year was Steve Clark
10 mayor? That might help.

11 MR. CANTERO: I don't know.

12 MS. BARDACH: It was in first term.

13 THE WITNESS: It's in one of these
14 depositions. I don't know the exact year, but
15 it's in one of these depositions. Of course,
16 his year came out somewhere in here.

17 MS. BARDACH: Ricardo, when was he mayor,
18 do you remember?

19 This is off the record.

20 MR. CANTERO: I object to --

21 MR. SCHWIEP: Yes.

22 MR. CANTERO: -- her asking questions.

23 I don't think it's in here. Paul, do you
24 remember it being in here?

25 MR. SCHWIEP: I only got that entire

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1 second volume --

2 MR. CANTERO: That's the one he's looking
3 at.

4 THE WITNESS: It might be in another
5 deposition. But I know it's there, the month
6 and the year.

7 BY MR. CANTERO:

8 Q. How many depositions have you given?

9 A. I don't recall now. I was deposed many
10 times in my case. I don't know.

11 Q. Well, you have those two dates that are
12 exhibits in this deposition in the second case.
13 Have you given any other deposition, other than the
14 ones that we've marked as exhibits here?

15 A. I don't -- I don't remember.

16 MR. SCHWIEP: Objection.

17 THE WITNESS: Like I told you, that was
18 years ago, whenever.

19 MR. CANTERO: What's the objection?

20 MR. SCHWIEP: Well, I'll tell you what it
21 is. I think there may be some confusion about
22 deposition versus trial testimony. It may have
23 come up during the trial.

24 BY MR. CANTERO:

25 Q. Do you understand what the difference

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1 between a deposition and a trial is?

2 A. A deposition is this, and a trial, I
3 guess, is what you take down in a trial, right?

4 MS. BARDACH: Yes.

5 THE WITNESS: It may have been there that
6 it came out.

7 BY MR. CANTERO:

8 Q. My question is, do you remember giving any
9 other depositions other than the ones we marked as
10 exhibits today and the ones you've given in this
11 case?

12 A. I cannot sit here and tell you. Maybe
13 that set and maybe there were others. I don't
14 remember how many times I was deposed. I was always
15 in and out of lawyers offices. There might have
16 been some more and that might be it.

17 MR. CANTERO: I don't have any more
18 questions.

19 MR. SCHWIEP: Okay.

20 REDIRECT EXAMINATION

21 BY MR. SCHWIEP:

22 Q. Did Jorge Mas Canosa participate in a
23 radio program on one of the Spanish language radio
24 stations in Miami over the past two weeks, that you
25 overheard?

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1 A. Yes, he did.

2 Q. During that radio program did he make any
3 comments about you?

4 A. Yes.

5 Q. What did you hear him say about you?

6 A. In a very depictive form, "My poor
7 brother." Very depictive form. I mean, everybody
8 has told me, even out in the street. But that's
9 fine. He wants to --

10 MR. CANTERO: Object to this.

11 THE WITNESS: -- fine with me.

12 MR. CANTERO: I'm going to object to this
13 line of questioning, because it's beyond cross,
14 it's beyond direct, it's beyond everything.

15 MR. SCHWIEP: Subject to the objection.

16 BY MR. SCHWIEP:

17 Q. Did you find the remarks he made about you
18 insulting?

19 A. Very insulting.

20 Q. Were they --

21 A. I put it in its context of where it's
22 coming from.

23 Q. What context is that?

24 A. It's coming from him.

25 Q. In your view, were his comments in

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1 violation of your settlement agreement?

2 A. I think so.

3 Q. Did he make any comment about your mother?

4 A. He sure did.

5 Q. What did he say about your mother?

6 A. That my mother, on Mothers Day, had read
7 the article that had come out in the Herald about my
8 first deposition, and that it tore -- tore up her
9 Mothers Day, you know, totally wiped out her Mothers
10 Day.

11 Q. He said it ruined her Mothers Day because
12 she had read this article?

13 A. That is correct.

14 Q. That was the article that came out on
15 Mothers Day that quoted from the first deposition
16 you gave in this case?

17 A. That is correct.

18 Q. What was your reaction to hearing that
19 comment about your mother?

20 A. I got very upset and very mad.

21 Q. Why?

22 A. Because my mother has had alzheimer's for
23 the last seven years and she hasn't recognized
24 anybody in the family for the last six years; much
25 less, read a newspaper. And I think that was a

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1 very, very low blow.

2 Q. Is there any way your mother could have
3 read that Miami Herald article?

4 A. It doesn't even deserve an answer. I just
5 told you.

6 MR. SCHWIEP: I want to mark this as the
7 next exhibit.

8 MR. CANTERO: I object to introducing new
9 exhibits on redirect.

10 MR. SCHWIEP: It relates to something that
11 you asked about.

12 (The document referred to was
13 thereupon marked Defendants' Exhibit
14 130 for identification.)

15 BY MR. SCHWIEP:

16 Q. Did you see your mother on Mothers Day?

17 A. Yes, I did.

18 Q. Where did you see her?

19 A. Jorge's old house.

20 Q. Did you make a trip from your place of
21 business in Honduras to visit with her on Mothers
22 Day?

23 A. I sure did.

24 Q. Do you know if Jorge visited with her on
25 Mothers Day?

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1 A. I don't know. But I don't -- I don't have
2 a way to know it. We don't go there when he's there
3 or while I'm there. I don't know if he did or not.

4 Q. How do you work that out? Does somebody
5 let you know?

6 A. No. Nobody let's me know. Just walk --
7 you know, go there and I don't see his car there, I
8 just go in and spend very few moments. There's
9 nothing to talk about. She doesn't talk, she
10 doesn't recognize us. So it's a matter of going to
11 see how she's doing and leave. And that's it.

12 Q. Who lives with her?

13 A. Family. That's two grown girls that live
14 there. I think they're related to Jorge. I think
15 it's Irma's -- Jorge's wife's brother and his wife.

16 Q. Have you seen what's been marked as
17 Exhibit 130 before?

18 A. Yes, I have.

19 Q. What is that?

20 A. That's the list that Mr. Noriega, from the
21 military intelligence, G-2, in Panama, a list of
22 people here that were not welcome in Panama.

23 Q. What's the date of that?

24 A. October 25th, 1976.

25 Q. It's actually prepared by Manuel Noriega

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1 while he was -- he was already a colonel but --

2 A. Lieutenant Colonel Manuel Antonio Noriega.

3 Q. But his position is with the Panamanian
4 security?

5 A. He was G-2 of the general staff, national
6 guard in Panama.

7 Q. How did you come to be in possession of
8 that list?

9 A. This was taken out of the Miami Panamanian
10 Counsel here in Miami.

11 Q. I want to direct your attention to what's
12 the third page of this exhibit, and ask you to look
13 there. There appears to be about two thirds or
14 three fourths of the way down the page, a comment,
15 "del CORU"? Is it C-O or C-U-R?

16 A. Del CORU. Del CORU.

17 Q. What is that, if you know?

18 A. That's the military arm of RECE.

19 MR. CANTERO: Objection. Asked and
20 answered.

21 BY MR. SCHWIEP:

22 Q. Okay. Is your brother listed on that
23 list?

24 A. Sure is.

25 Q. Is Orlando Bosch on that list?

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1 A. Yes, he is.

2 Q. How about Luis Posada Carriles?

3 A. He sure is there, too.

4 Q. I think the rest of the names speak for
5 themselves.

6 MR. CANTERO: I think all the names would
7 speak for themselves.

8 MR. SCHWIEP: Yes.

9 BY MR. SCHWIEP:

10 Q. The company River Falls --

11 A. Are you through with this?

12 Q. Yes.

13 Are you familiar with an individual named
14 Luis Cespedes?

15 A. He was one of the attorneys for Yax Till
16 or River Falls, one of the two.

17 MR. CANTERO: I object to this questioning
18 as beyond cross.

19 BY MR. SCHWIEP:

20 Q. How about Ricardo Arias?

21 A. An attorney, too.

22 Q. He's a Panamanian attorney?

23 A. A-huh.

24 Q. Did you ever meet Ricardo Arias?

25 A. Sure.

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1 Q. How about Luis Cespedes?

2 A. A-huh.

3 Q. How did you meet them? How did you come
4 to meet them?

5 A. When the corporation was open.

6 Q. Were those Panamanian lawyers listed as
7 the officers of River Falls --

8 A. Yes.

9 Q. -- Corporation?

10 A. Yes.

11 Q. How is it decided that they would be
12 listed as the officers for the corporation?

13 A. Because Jorge didn't want his name
14 appearing near anybody's on the list. Most
15 Panamanian corporations, I think lawyers are the
16 ones that appear as the officers of the corporation.

17 MR. CANTERO: I object, as asked and
18 answered already in the previous day of depo.

19 BY MR. SCHWIEP:

20 Q. Was Hawkeye Holdings, Inc., another phony
21 or ghost company?

22 A. What's the name of it?

23 Q. Hawkeye Holdings, Inc.

24 A. Hawkeye.

25 Q. Hawkeye, like the -- Well, it's H-A-W-K

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1 eye.

2 A. I would never where that comes from. I
3 don't know anything about that one.

4 Q. How about Sociedad Larcay, Inversiones,
5 S.A.?

6 A. Larcay?

7 Q. Yes. L-A-R-C-A-Y. That could be Larcay.

8 A. No.

9 Q. Larcay.

10 Did you ever hear Jorge mention Theodore
11 Shackley?

12 MR. CANTERO: Objection. Beyond cross.

13 THE WITNESS: No.

14 BY MR. SCHWIEP:

15 Q. How about David Atley Philips?

16 MR. CANTERO: Objection. Beyond cross.

17 THE WITNESS: No.

18 BY MR. SCHWIEP:

19 Q. Church and Tower was formerly known as
20 Iglesia y Torres; is that correct?

21 A. That's correct.

22 Q. Did you personally either meet Mr. Iglesia
23 or Mr. Torres?

24 A. Yeah. I met them a few times.

25 Q. Was that at or about the time your brother

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1 acquired the Miami company --

2 A. A-huh.

3 Q. -- Iglesia y Torres?

4 A. a-huh. '69, '70.

5 Q. Who made the decision, incidentally, to
6 change the name to Church and Tower?

7 A. I don't know. I came on board in '73, and
8 that I think that company was formed here on
9 September 19th, 1968.

10 Q. Now, have you ever heard of any affair
11 with Mr. Torres' wife?

12 A. There were rumors, but only -- I never was
13 privy to any of that. Rumors that I, you know,
14 heard, but --

15 Q. What were the rumors that you heard?

16 A. That he was running around with her.

17 MR. CANTERO: Objection as to speculation.

18 BY MR. SCHWIEP:

19 Q. That who, Jorge was running around with
20 her?

21 A. With his wife. But that's it. I never
22 saw them together; and it was just rumors, things
23 that you hear.

24 MR. SCHWIEP: I don't have any further
25 questions.

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1 MR. CANTERO: No questions.

2 MR. SCHWIEP: Okay. Thank you very much.

3 THE WITNESS: You're welcome.

4 THE COURT REPORTER: Do you want to read
5 or waive, sir?

6 MR. SCHWIEP: Well, we went through that
7 last time; and Jeff Marks was here for the last
8 deposition said he wanted to read.

9 (Discussion off the record.)

10 THE COURT REPORTER: For the record, are
11 you ordering, sir?

12 MR. SCHWIEP: Yes.

13 THE COURT REPORTER: Copy, sir?

14 MR. CANTERO: Yes.

15 (Witness excused.)

16 (Thereupon at 5:50 p.m., the
17 deposition was concluded.)

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I, do hereby certify that I have read the foregoing deposition and that the same is a true and accurate transcript of my testimony, except for the attached amendments, if any.

The signature above of
was subscribed and sworn to before me this ___ day
of _____, 1996.

Notary Public
My commission expires

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The State of Florida)
County of Dade)

I, the undersigned authority, certify that
Ricardo Mas personally appeared before me and was
duly sworn.

WITNESS my hand and official seal this 7th
day of June, 1996.



BARRY S. BATTERMAN, RPR
Notary Public - State of Florida
My Commission No. CC 209758
Expires: July 13, 1996

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CERTIFICATE


The State of Florida)
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I, Barry S. Batterman, Registered Professional Reporter, do hereby certify that I was authorized to and did report said deposition in stenotype; and that the foregoing pages, numbered from 250 to 399, inclusive, are a true and correct transcription of my shorthand notes of said deposition.

I further certify that I am not an attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel or party connected with the action, nor am I financially interested in the action.

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