

1 THE VIDEOGRAPHER: We are on the record at 9:16.  
2 Today is March 12, 2018. This is the video testimony of Robert  
3 Abrams taken in the matter of *Justin Moskowitz vs. Joseph*  
4 *Nathaniel, et al. (ph.)*, Case Number 17-CV-30522 in District  
5 Court for the City and County of Denver, Colorado. Today we're  
6 located at 110 16th Street, Suite 1400 in Denver. I am the  
7 videographer, Timothy L. Rickmire [ph]. The court reporter is  
8 Devine Facinger [ph]. Will all attorneys please introduce  
9 themself, beginning with the plaintiffs.

10 MR. WERGE: Thomas Werge on behalf of Plaintiff  
11 Justin Moskowitz.

12 MR. ABRAMS: Attorney Robert Abrams, license 37950,  
13 appearing pro se.

14 MR. SULLENBERGER: Neil Sullenberger, attorney  
15 registration 48698, for the firm.

16 THE VIDEOGRAPHER: Will the court reporter please  
17 swear in the deponent.

18 REPORTER: Sir, I'm going to ask you to raise your  
19 right hand.

20 Do you swear or affirm that the testimony you're  
21 about to give will be the truth, the whole truth, and nothing  
22 but the truth, under penalty of law?

23 WHEREUPON,

24 ROBERT ABRAMS,

25 called as a witness, and having been first duly sworn to tell

1 the truth, the whole truth and nothing but the truth, was  
2 examined and testified as follows:

3 EXAMINATION

4 BY MR. WERGE:

5 Q. Good morning, Mr. Abrams. As you know, my name is Tom  
6 Werge. I'm counsel for Plaintiff Justin Moskowitz in this  
7 lawsuit. And do you understand why you've been asked to give  
8 your deposition today?

9 A. No.

10 Q. Are you aware that your firm, Abrams & Associates, is a  
11 defendant in a lawsuit that's going to trial next month?

12 A. Yes.

13 Q. And are you aware that you are a witness regarding the  
14 actions of Abrams & Associates?

15 A. Yes.

16 Q. Have you had your deposition taken before?

17 A. I think so.

18 Q. When have you had your deposition taken before?

19 A. I don't recall.

20 Q. How many times?

21 A. I -- I don't recall.

22 Q. You have -- you're sitting here today under oath. You  
23 have no idea whether you've been deposed before?

24 A. I've answered --

25 MR. SULLENBERGER: Object to form.

1 THE WITNESS: I've answered that question. Object to  
2 form. Move on.

3 BY MR. WERGE:

4 Q. Mr. Abrams, have you been deposed before?

5 MR. SULLENBERGER: Object to form.

6 THE WITNESS: Object to form. Move to certify the  
7 question. If you feel that I haven't answered, then you can  
8 move for a sanction.

9 MR. WERGE: We're going to go ahead and stop the  
10 deposition at this point and dial the special master.

11 THE VIDEOGRAPHER: We are going off the record --

12 MR. WERGE: No, we're staying on the record, please.

13 THE VIDEOGRAPHER: Okay.

14 THE WITNESS: Would you be prepared to read back my  
15 answer to the special master regarding Counsel's questions as  
16 to whether or not I answered that question?

17 WOMAN 1: [Beginning of telephone conversation.]

18 Good morning. Ridley, McGreevy & Winocur.

19 MR. WERGE: Good morning. Could we speak with David  
20 Tenner, please?

21 WOMAN 1: Let me check and see if -- if he's in. May  
22 I ask who's calling?

23 MR. WERGE: Thank you. Yes. These are the parties  
24 from the *Moskowitz vs. Dahlman* matter, and we are in the middle  
25 of a deposition this morning.

1 WOMAN 1: Okay. Hold on just a moment.

2 MR. WERGE: Thank you.

3 WOMAN 1: He is not in the office at the moment. Can  
4 I get a number and have him call you back?

5 MR. WERGE: Yes, that would be great. If you could  
6 please --

7 WOMAN 1: Okay. I'll send him an email right now.

8 MR. WERGE: Appreciate it.

9 WOMAN 1: Uh-huh. You're welcome.

10 MR. WERGE: Bye-bye. [End of telephone  
11 conversation.]

12 BY MR. WERGE:

13 Q. Mr. Abrams --

14 MR. SULLENBERGER: Are we still on the record here?

15 MR. WERGE: Yeah, we're still on the record, yeah.

16 MR. SULLENBERGER: Okay.

17 BY MR. WERGE:

18 Q. Mr. Abrams, I want to ask you one more time. Have you had  
19 your deposition taken before?

20 MR. SULLENBERGER: Object to form.

21 THE WITNESS: Asked and answered. Move on.

22 MR. WERGE: You need to answer the question.

23 THE WITNESS: The question was answered. Excuse me,  
24 have her read it back.

25 MR. SULLENBERGER: Yeah.

1 MR. WERGE: Mr. Abrams, this is not your deposition.

2 THE WITNESS: Please don't harass me.

3 MR. WERGE: No, I'm not harassing you.

4 THE WITNESS: We're going to move for sanctions  
5 against you.

6 MR. WERGE: I'm asking you to answer the questions.

7 THE WITNESS: If you're not going to allow for --

8 MR. SULLENBERGER: He just answered the question.

9 MR. WERGE: He did not answer the question.

10 MR. SULLENBERGER: He just said he did not recall.

11 That's an answer to the question.

12 BY MR. WERGE:

13 Q. So it -- it's your testimony under oath today, Mr. Abrams,  
14 that you do not recall whether or not you've ever been deposed  
15 before?

16 A. Asked and answered. And -- so please read my answer back.

17 Q. You need to answer my questions, Mr. Abrams.

18 THE WITNESS: Please read the answer back.

19 MR. WERGE: No, do not read the answer back. Mr.

20 Abrams --

21 MR. SULLENBERGER: Like -- we'd like the answer to be  
22 read back.

23 MR. WERGE: Let's move on.

24 MR. SULLENBERGER: Okay.

25 BY MR. WERGE:

1 Q. How many times have you been named in a lawsuit in your  
2 individual capacity?

3 A. I can't recall.

4 Q. Have you ever been named in a lawsuit in your individual  
5 capacity?

6 A. I think so.

7 Q. Okay. And when do you think that you were added as a  
8 defendant to a lawsuit in your individual capacity?

9 A. It may have been -- if I get it right, it may have been in  
10 the BB matter.

11 Q. So it's your testimony today you've been  
12 added -- you -- you were a defendant in a lawsuit in one  
13 matter, and that was the BB matter; is that correct?

14 MR. SULLENBERGER: Object to form.

15 A. I think -- I think they added me as an individual  
16 defendant, and they lost the case that went to jury trial. I  
17 think that's my recollection. I don't remember it very well.  
18 The man -- BB attacked me in a stairwell, and -- at my garage.  
19 And I think he named me individually in that suit, and then he  
20 lost that suit. That's my recollection.

21 Q. Let me ask the question again, Mr. Abrams.

22 Is this BB matter that you're referring to the only time  
23 you remember being added as a defendant in a lawsuit?

24 MR. SULLENBERGER: Object to form.

25 A. I -- to my recollection, yes. That's my answer.

1 Q. And you said the other party was named BB?

2 A. Yes.

3 Q. Okay. Could you -- what is the -- what was the other  
4 party's full name?

5 A. Sean Bizuf [ph]. We call him BB. I represented him in a  
6 matter where him and his wife were both arrested for DUI. He  
7 was thrown in a drunk tank for being belligerent, and he sued  
8 the City. And then I put a restraining order on him for nine  
9 months for attacking me in a stairwell. And then he sued -- I  
10 can't remember if he sued me individually, but I think he did.  
11 And then he lost that suit outright at jury verdict.

12 So we're going to move to strike that as irrelevant,  
13 object to form, and that it's going to lead to non-discoverable  
14 evidence. Under the rules of evidence --

15 Q. Mr. Abrams, you are not allowed to --

16 A. Excuse me. You can't interrupt me. You can't --

17 Q. I am allowed to interrupt you. This is my deposition  
18 today, sir.

19 MR. SULLENBERGER: He's -- he's -- he's giving his  
20 answer.

21 MR. WERGE: And you need --

22 THE WITNESS: You can't just claim that, sir. This  
23 is my answer. This is my answer. He --

24 MR. WERGE: It is not -- you are not allowed to put  
25 objections on the record. You are a witness today; and, Mr.

1 Abrams, you are represented by counsel. Your counsel is  
2 allowed to put objections on the record. You are not today.

3 THE WITNESS: I am a lawyer.

4 MR. WERGE: Do you understand that?

5 THE WITNESS: I -- I am a lawyer. I don't need a  
6 lecture from you, who doesn't understand the Rules of Evidence.  
7 Under the Rules of Evidence, the only thing that can come in  
8 under the Rules of Evidence is truthfulness and untruthfulness.  
9 So to the extent that you're trying to disparage me, because  
10 you have me on videotape, and embarrass me for things that you  
11 can't bring in, I'm going to raise, move to strike, find it  
12 objectionable, and then move for sanctions for harassment under  
13 Rule 30(d). You can look it up if you don't know it.

14 MR. WERGE: Mr. Abrams, I feel quite confident that  
15 if any sanctions are entered in this matter, it's going to be  
16 against you --

17 MR. SULLENBERGER: Object to form.

18 MR. WERGE: -- for continuing to obstruct and not  
19 answer any of my questions.

20 THE WITNESS: Objection, objection.

21 MR. SULLENBERGER: Object to form.

22 THE WITNESS: Object to form.

23 MR. WERGE: And you cannot object.

24 THE WITNESS: I just did.

25 MR. WERGE: You cannot.

1 THE WITNESS: I just did. I'm a lawyer, I'm -- I'm a  
2 licensed unblemished member of the bar, unblemished. If you  
3 laugh at me one more time, we're going to walk out of here.

4 MR. SULLENBERGER: We're going to move for 30(d)(3)  
5 sanctions.

6 THE WITNESS: We're going to move for harassment  
7 sanctions against you right now. Okay. You're laughing at us  
8 with the videotape that you published at -- on -- on -- on the  
9 internet about you and your rock band, and you're going to be  
10 laughing at me? And you've moved for sanctions and had them  
11 denied every single time in this matter, and the jury should  
12 see that too. Every single one has led to no sanction.

13 MR. WERGE: Mr. Abrams, are -- are you aware --

14 THE WITNESS: Including the last one where we quashed  
15 all of your subpoenas. And you -- and you ask for attorney's  
16 fees, and you got no sanction.

17 MR. WERGE: Mr. Abrams --

18 THE WITNESS: Let's move on. Do you have a question  
19 for me yet?

20 MR. WERGE: You --

21 THE WITNESS: You sued me -- you sued my firm,  
22 belligerently, under the abuse of your law license, where we  
23 countersued you. We have a counterclaim against you for abuse  
24 of process, for misusing your law license. We -- you sued me  
25 for fraud, civil -- I mean, not civil conspiracy. Conspiracy,

1 which is a criminal act, and so you did that wrong; and aiding  
2 and abetting, which is a criminal act, so you did that wrong.  
3 Ask me questions about that or I'm leaving.

4 MR. WERGE: Mr. Abrams, we are going to be here for a  
5 long time today if you do not answer my questions. I just want  
6 to let you know that right now --

7 MR. SULLENBERGER: Object to form.

8 MR. WERGE: -- and put that on the record.

9 MR. SULLENBERGER: Object to form.

10 MR. WERGE: Mr. Sullenberger, I'm sorry. This is --

11 THE WITNESS: Stop laughing at my lawyer.

12 MR. SULLENBERGER: Yeah -- yeah, I --

13 MR. WERGE: This is bizarre.

14 MR. SULLENBERGER: This is --

15 MR. WERGE: Bizarre.

16 THE WITNESS: Stop laughing at my lawyer and stop  
17 harassing us.

18 MR. WERGE: Listen, let's --

19 THE WITNESS: You brought us down here for fraud, ask  
20 us fraud questions.

21 MR. WERGE: Mr. Abrams...

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