

INTERVIEW OF:

JOYCE CUSACK

DATE TAKEN: FEBRUARY 10, 2014

TIME: 12:18 P.M. - 1:06 P.M.

PLACE: VOLUSIA COUNTY ADMINISTRATION BUILDING  
123 WEST INDIANA AVENUE  
DELAND, FLORIDA 32720

## 1 APPEARANCES:

2 JONATHAN KANEY, ESQUIRE  
3 Kaney & Olivari, P.L.  
4 55 Seton Trail  
5 Ormond Beach, Florida 32176  
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1 THEREUPON,

2 JOYCE CUSACK

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

5 BY MR. KANEY:

6 Q. Well, hello, Joyce, for the record. And  
7 thank you for coming into --

8 A. Absolutely.

9 Q. -- the conference room.

10 A. Um-hum.

11 Q. And the record should show you're here  
12 totally voluntarily --

13 A. Um-hum.

14 Q. -- cooperating.

15 Have you ever been in a deposition before?

16 A. I don't think so.

17 Q. Good. I'll just give you a little  
18 orientation.

19 A. I don't think so.

20 Q. I'm just going to ask you questions, and  
21 you just answer if you know. And if you don't, you  
22 just say you don't know. The one thing the court  
23 reporter likes is that people answer with words, not  
24 nods --

25 A. Okay.

1 Q. -- because they can't write that down. And  
2 that's really all of the orientation you need, I'm  
3 sure.

4 A. All right.

5 Q. Okay. Now, this -- tell me -- is this your  
6 first term as -- on the county council?

7 A. Yes, it is.

8 Q. And you're at large?

9 A. Yes.

10 Q. Before that, you had been in the house of  
11 representatives for --

12 A. Yes.

13 Q. How many terms was that?

14 A. Four terms, eight years.

15 Q. That's all they let you, huh?

16 A. That's all they let you.

17 Q. Are you -- are you familiar with the  
18 requirements for reporting campaign contributions?

19 A. Yes.

20 Q. What do you understand that to be?

21 A. That everything that you receive financial,  
22 every financial contribution should be reported. And  
23 that there is in-kind contributions that you should  
24 report that also as in-kind.

25 Q. What is an in-kind contribution?

1           A.     That's volunteer work or services that you  
2 do -- someone does for the campaign.

3           Q.     You're elected in 2012 to this seat on the  
4 council; is that right?

5           A.     No, I was elected in 2010.

6           Q.     2010. I'm sorry.

7                     You get elected to so many things, it's  
8 hard to keep up.

9                     When -- when was that election?

10          A.     That election was November 6th, I think,  
11 2010.

12          Q.     And that was -- that was the second  
13 primary, and there was a first?

14          A.     The first primary was in August. I think  
15 August. Or September. But I think it was August.

16          Q.     Okay. Did you have a campaign treasurer?

17          A.     Yes.

18          Q.     Who was that?

19          A.     His name was John Lee.

20          Q.     He probably spells that with an H, doesn't  
21 he?

22          A.     J-o-h-n.

23          Q.     Not everybody knows how to really spell  
24 John.

25          A.     That's right.

1 Q. And did you have campaign headquarters?

2 A. Yes, I had headquarters in -- for my  
3 primary, the headquarters was in my home. 717 South  
4 Boundary Avenue in DeLand. That's my residence. It  
5 was at that time. And then I had -- after the  
6 primary, I had headquarters in Daytona on  
7 International. I don't remember the -- the address,  
8 but it was right between Martin Luther King and the  
9 railroad tracks.

10 Q. All right.

11 A. Now, it's called the Toy Store, but it's a  
12 vacant property.

13 Q. I've got a picture of it. Is that --

14 A. That's it.

15 Q. And that's you in the picture there?

16 A. That's me.

17 Q. Smiling and pointing at your big sign?

18 A. That's right.

19 Q. Okay. I'm going to mark that and just  
20 include it in the --

21 (Exhibit 1 was marked)

22 BY MR. KANEY:

23 Q. How did you get that headquarters?

24 A. The one in Daytona?

25 Q. Yeah.

1 A. Yeah.

2 Q. Well, I know how you got the first one.

3 A. That's right.

4 I got that one in Daytona as a contribution  
5 from Jimmy and Romero.

6 Q. And that would be Jimmy Sotolongo --

7 A. Yes.

8 Q. -- and Ramara Garrett?

9 A. That's correct. I think it was more Jimmy  
10 that made me the offer, but she was there. The two  
11 of them were there.

12 Q. Are you well-acquainted with Jimmy?

13 A. Not -- I thought so. Not well-acquainted,  
14 but I -- I know him. I met him during my campaign.

15 Q. And Ramara?

16 A. Same. I met her during the campaign.

17 Q. Did Jimmy own the building?

18 A. I think he did own the building. He said  
19 to me that he had a building on International, that  
20 it was vacant, and that if I wanted to use it as a  
21 headquarters, I could. And that he thought that the  
22 traffic would be good for the business, that maybe  
23 after I left he could rent it because it was vacant,  
24 and so that's how -- I said, sure.

25 Q. Who made you that nice big sign?

1           A.    The guy who does the signs for them, his  
2   name was -- I think his name is Jimmy.

3           Q.    Did Jimmy Sotolongo give you that sign as  
4   part of the --

5           A.    Yes.

6           Q.    How long were you in that --

7           A.    Location? I think six weeks. It was right  
8   after the primary.

9           Q.    And through the general?

10          A.    Yes, through the general.

11                As a matter of fact, the folk who got the  
12   building that -- the sign that's there now, the Toy  
13   Store, they were waiting for me to move out. I moved  
14   out the day after the election.

15          Q.    Looks like Jimmy had a good idea to expose  
16   that site.

17          A.    He did.

18          Q.    Did you report that as a campaign  
19   contribution?

20          A.    Yes. It's -- I mean, you probably can go  
21   online and find my contribution, but here is the  
22   information you were asking me for as it relates to  
23   how I came up with the in-kind. This is your letter,  
24   and this is what --

25                MR. KANEY: Mark that.



1 (Exhibit 2 was marked.)

2 BY MR. KANEY:

3 Q. This is -- this is an e-mail from Jim Brown  
4 to --

5 A. To me.

6 Q. -- to Joyce Cusack, J. Cusack --

7 A. That's right.

8 Q. -- dated August 17.

9 (Exhibit 3 was marked.)

10 BY MR. KANEY:

11 Q. May I call you Joyce?

12 A. Sure.

13 Q. Everybody does.

14 A. Everybody does.

15 Q. Joyce, on this copy, can you read --  
16 somebody's written on there and it's faint.

17 A. This is probably what the treasurer wrote  
18 as it relates -- you have to put the in-kind or  
19 whatever it is and their occupation. So this would  
20 be signed production, campaign material. And then  
21 the second one says, media campaign material, with  
22 the property it says, property -- I can't make -- Jim  
23 Brown -- that second word out. It says, business  
24 something. And it's Cathlyn (phonetic) Brown is his  
25 business partner. That's what that says, partner.

1 Q. Catarina.

2 A. Catarina.

3 Q. Catarina.

4 A. That's an unusual name.

5 MR. KANEY: Let's put the marker on that  
6 one since she testified about it. Exhibit 2  
7 instead of this one. That's all right. You  
8 made it 3. That's good.

9 BY MR. KANEY:

10 Q. So now we've got three exhibits.

11 A. Okay. This is your letter. That's from  
12 you.

13 Q. Yeah, that's from me. I know what that  
14 says.

15 A. Okay.

16 Q. And this is your copy of that since we put  
17 that --

18 A. All right.

19 Q. You probably don't have enough pictures of  
20 yourself around the house.

21 A. No, I don't. I don't have a picture of  
22 this around the house.

23 Q. Well, it's a nice sign.

24 A. It is. The only thing about it, it didn't  
25 light up at night, but I couldn't complain.

1 Q. Would you mind looking -- this is the  
2 printout of your campaign report.

3 A. Um-hum.

4 Q. And look through here and show me where  
5 that is reported so I can make that clear.

6 A. Where what is, the sign?

7 Q. The bus bench -- all three of these things  
8 that are listed here on the --

9 A. Let me take a look at it. The bus benches,  
10 is that what I'm looking for? It would be on the  
11 in-kind.

12 Q. On the in-kind. And they're all spread in  
13 there together, but if you go down the outside you  
14 can see the in-kind and look backwards from that.

15 A. Is this what we're looking at, the type?

16 Q. Yeah.

17 A. Is this the primary and general?

18 Q. Yeah, that goes all the way back to the  
19 primary.

20 A. Here is one right here.

21 Q. Can I get you a water bottle while I'm up?  
22 Would you like water?

23 A. Oh, no. Thank you.

24 Now, what do you want me to do with this?

25 Q. Well, what we're looking for is where

1 these -- this 4 thousand dollars of in-kind --

2 A. Um-hum.

3 Q. -- is reported. And what I did getting  
4 ready to come over here, I went through and found the  
5 in-kind listings and made a yellow mark on them.  
6 That's what you're looking at?

7 A. That's it right here. I think that -- what  
8 was it, 2005?

9 Q. Well, it's total of 4 thousand.

10 A. You're talking about on that first one.

11 Q. Six thousand for bus bench sign production,  
12 placement --

13 A. What about the other -- the paper, that  
14 one? What's the total on that one? Twenty-five  
15 hundred. This is what this is right here, this  
16 references this.

17 Q. Okay.

18 A. That one would be the first one, this one.

19 Q. This is the first one, this is the second  
20 one?

21 A. Right. But you had her put it kind of  
22 backwards.

23 Q. Yeah, they're --

24 A. That's it.

25 Q. Okay.

1 A. I'll just check through it just to be sure.

2 Q. Yeah, make sure you don't miss anything.

3 A. This one was on here, my new address.

4 That's when I opened up the other account for this  
5 year.

6 Q. I don't remember why I did that.

7 A. Let's change it. My address is different,  
8 that's what I noticed, and you have it -- and you  
9 have it highlighted.

10 Q. Is that a in-kind or --

11 A. No, no. That's my money.

12 Q. Oh, the address of the contributor, I get  
13 it?

14 A. Hundred dollars when I opened the account,  
15 so I was wondering. Okay.

16 Q. Okay. Now, this is -- you've been through  
17 this. This lists all of your campaign contributions  
18 back to the primary --

19 A. Yes.

20 Q. -- right?

21 A. To the best of my knowledge, that would be  
22 correct.

23 MR. KANEY: Okay. Let's mark this as 4.

24 (Exhibit 4 was marked.)

25 BY MR. KANEY:

1 Q. And just to keep the record straight,  
2 you're right, I identified these others in reverse  
3 order.

4 A. Right.

5 Q. So Exhibit 2 is the primary election, and  
6 Exhibit 3 is the general.

7 A. The four thousand is the general.

8 Q. Four thousand is the general. And the 2 --

9 A. Twenty-five hundred is the primary.

10 Q. So they're numbered backwards according to  
11 their time sequence.

12 A. It should have the occupations on that.

13 Q. Yes, it does.

14 A. That will give you the information about  
15 those areas that are not clear.

16 Q. Yes. This lists your occupation as  
17 campaign marketing.

18 A. Campaign marketing. That's me.

19 Q. That's your job.

20 A. That's what that -- that hundred dollars  
21 lists me as, campaign marketing? Where did it go?  
22 No, I'm sorry. That's an expenditure to Bryant  
23 Communications, so that's --

24 Q. All right. That's what they do, I guess,  
25 so --

1 A. That's what they do.

2 Q. Who is Tim Davis?

3 A. Tim Davis is the guy who did the -- the  
4 window. I think that's the guy who did the sign. I  
5 call him Jim, but I think it's Tim.

6 Q. It's listed as Tim in the campaign report.

7 A. Yeah.

8 Q. T?

9 A. I think that's what -- Jim, Tim.

10 Q. Who is the owner of On Time Signs?

11 A. On Time Signs, that would be a part of  
12 the -- I guess the marketing. On Time Signs, that  
13 was in-kind.

14 Q. Sign production?

15 A. Right.

16 Q. I'm just wondering who's the owner of that  
17 company?

18 A. I don't know.

19 Q. Do you know who Jim Brown --

20 A. Yes, I met him once. Um-hum. I wouldn't  
21 say I know -- I met him, yes.

22 Q. And he's employed at -- was at that time  
23 employed by Waverly?

24 A. He -- that's where I met him, at the real  
25 estate office.

1 Q. At the real estate office.

2 MR. KANEY: Off the record.

3 (Off the record discussion was held, after  
4 which the following proceedings were had:)

5 MR. KANEY: Okay. We can go back on.

6 BY MR. KANEY:

7 Q. Well, you've got a lot of support from  
8 Jimmy Sotolongo, and his business affiliates.

9 A. A lot.

10 Q. A lot.

11 Was he your biggest supporter financially?

12 A. I don't know. I didn't keep tally of that,  
13 but he was a pretty good supporter. I think I got  
14 some substantial contributions from the Speedway, and  
15 from Brown & Brown. But as far as in-kind, they were  
16 the largest inasmuch as most of my foot soldiers  
17 were, family --

18 Q. Family.

19 A. -- that did a lot of walking, and phoning.

20 Q. Do you know why Jimmy Sotolongo, and his  
21 associates, were -- gave you so much support?

22 A. Well, you know, I think it was Ramara --

23 Q. Right.

24 A. -- that was the person that contacted me,  
25 and had said that she had watched my career evolve as



1 a legislator, and having run a grassroot campaign,  
2 that she'd like to have a conversation with me. And  
3 so she'd like to help me in my campaign for the  
4 county council. And so we said, well, let's have  
5 lunch together.

6 So my girlfriend and Ramara and I met at  
7 Olive Garden. It was my first time ever meeting her.  
8 And when she came, Jimmy was with her, and that was  
9 my first time meeting him. And that was -- they  
10 wanted to help me, and so that was the beginning and  
11 ending of our -- beginning of our relationship and  
12 friendship. I knew -- I did not know them prior to.  
13 As a matter of fact, I didn't know I'd be able to  
14 identify her when we got to the restaurant because I  
15 didn't know -- I didn't know her.

16 Q. Well, were you able to?

17 A. They identified me. She came up to me --

18 Q. Well, your picture's been all around.

19 A. So --

20 Q. You've got a lot of good people on your  
21 campaign list, contributions.

22 A. Um-hum. It was grassroot. Lots of folk  
23 helped me, ordinary citizens, \$25, \$50, but every  
24 dime was important to me.

25 Q. Sure.

1           You've got some extraordinary citizens on  
2 here, too, like my old friend, Sam Bell. He's not  
3 ordinary.

4           A.    That's my friend, too.

5           Q.    Yeah, I know.

6           A.    He and I walked the streets together in  
7 DeLand when he was running -- when he was going to be  
8 speaker of the house.

9           Q.    Yeah. He didn't quite get it, though.

10          A.    He didn't quite get it, but we certainly  
11 walked together in DeLand.

12          Q.    He was my partner for years.

13          A.    I didn't know that.

14          Q.    Yeah, we were in there together.

15          A.    Every time I see him -- if I called him up  
16 right now, I'd say, "Damn, Sam," and he'll know it's  
17 me. Because we walking and I fell down and hurt my  
18 arm, and I said, "Damn, Sam." So he's been known --  
19 I just received the Sam Bell Award from the  
20 organization in Daytona that -- I think it had to do  
21 with Stewart Marchman.

22          Q.    Yes. I saw that in the paper.

23          A.    He called me.

24          Q.    Good.

25          A.    He's a good guy.

1 Q. He's a good guy. I love him.

2 A. I do, too.

3 (Off the record discussion was held, after  
4 which the following proceedings were had:)

5 BY MR. KANEY:

6 Q. Were you interviewed by the state attorney?

7 A. Yes. His staff, or somebody, came to my  
8 house, interviewed me, and they were from the State  
9 Attorney's Office. I couldn't tell you who they  
10 were, but I know that they interviewed me.

11 Q. What were they looking for? What were they  
12 asking you?

13 A. They were asking me about Jimmy and Ramara,  
14 and our relationship, and did they commit anything to  
15 me, or did I commit anything to them. They didn't  
16 ask me too many questions. That was pretty much --  
17 they wanted to know how I met them, and they talked  
18 about the in-kind contribution. Was that an  
19 indication that it meant something down the road for  
20 them. That -- that kind of stuff, but basically --  
21 that was basically about it.

22 Q. Just a short interview?

23 A. It was short. They came to my house, two  
24 of them. And they had this same report. They showed  
25 it to me and asked me, did I have any comments to

1 make about that. I think that's about it. Did I  
2 give them the number they said. It was pretty -- I  
3 would say pretty -- it wasn't a hard -- I never had  
4 been -- I wasn't subpoenaed either. I think they  
5 just came to -- if I was subpoenaed, they didn't say  
6 that. They asked me could they come and talk to me,  
7 and I said, yes. So I don't know if I was subpoenaed  
8 or not because I didn't have to be sworn in, nobody  
9 came and swore me in like that.

10 Q. All right.

11 A. They just asked me these questions, and I'm  
12 looking around. The first thing when I first met  
13 them, they knocked on the door and didn't ring the  
14 bell. And I asked why would you knock on the door  
15 and not ring the bell because I was in the house.  
16 But it was non-threatening. They were very --

17 Q. I don't know how anybody could threaten  
18 you.

19 A. Well, I like to do what is in the letter of  
20 the law, so I don't have to deal with you guys.

21 Q. Regarding this investigation of the so  
22 called Waverly matter --

23 A. Um-hum.

24 Q. -- I think you voted to do the  
25 investigation.

1 A. Yes.

2 Q. Why did you vote for it?

3 A. Simply because I wanted to clear the air.  
4 That's why.

5 Q. Yeah.

6 A. I didn't want a cloud over the process or  
7 me. That's why I did it. I just thought it was the  
8 right thing to do, this is going to clear the air,  
9 and we can move on with the business of government,  
10 then I'm for that.

11 Q. Do you have any other comments about this  
12 that you want to get on the record?

13 A. No.

14 Q. I'm just -- I think I'm done.

15 A. I think that -- I did talk to Dan Eckert  
16 about this, asked him if he think I needed an  
17 attorney because I'm -- he said, no, he didn't think  
18 so. I said, okay.

19 Q. Well, I'm glad you checked on that because  
20 it wasn't my place to tell you that.

21 A. That's right.

22 Q. But I'm glad you did that.

23 A. The reason I did that because my  
24 daughters -- Momma, you better check to see if you  
25 need to have some representation there. I said,

1       okay. So I asked Dan. And Dan said, no, so I  
2       said -- so they asked me what happened. I said,  
3       well, I talked with the attorney for the county,  
4       and -- and he said I didn't need that, so there's not  
5       going to be -- I'm not going to do anything else, but  
6       go for the deposition. And they said, okay, whatever  
7       you think, Mom.

8           Q. I've just got one more question --

9           A. Sure.

10          Q. -- that came to mind.

11               Yeah, they're putting the campaign  
12       headquarter's rent at 250 dollars a month in this  
13       report. Have you got any idea what the new tenant is  
14       paying?

15          A. There is no tenant, they're gone.

16          Q. You said somebody moved in as you --

17          A. As I left.

18          Q. Yes.

19          A. But they're not there now.

20          Q. All right.

21          A. I watch the place all of the time because  
22       it was the first time I had ever had a headquarters  
23       on a main street. But I don't think they stayed  
24       there no more than about -- maybe a year. And now  
25       it's been empty for -- since then. It was cars. It

1 was toys, they say, like those boats -- not boats,  
2 what they ride on in the water. All kinds of -- it  
3 wasn't just cars, it was all different kinds of cars.  
4 It was boat -- boat things that a man would want.  
5 What they call them, on the water?

6 Q. Jet skis.

7 A. Yes. They had them in there. But they  
8 didn't stay there but about a year.

9 Q. Well, during the times they've come  
10 through, nobody had any money to pay for toys like  
11 that.

12 A. That's right. So now it's empty. It's  
13 been empty since that time. How do I know, because I  
14 watch it all the time just to see what --

15 Q. Well, okay. I appreciate you coming to see  
16 me --

17 A. Sure.

18 Q. And talk to me without a subpoena --

19 A. Um-hum.

20 Q. The record should show -- and we've enjoyed  
21 the visit.

22 A. I've enjoyed the visit, too. I'm really  
23 pleased to get to know you.

24 (WHEREUPON, the interview was concluded.)  
25

CERTIFICATE OF REPORTER OATH

STATE OF FLORIDA )

COUNTY OF VOLUSIA )

I, Shannon Green, Registered Professional  
Reporter, the undersigned authority certify that  
Joyce Cusack named herein personally appeared before  
me and was duly sworn on the 10th day of February,  
2014.

WITNESS my hand and official seal this  
16th day of February, 2014.

---

Shannon Green  
Registered Professional Reporter  
Notary Public - State of Florida  
My Commission No. EE852120  
My Commission Expires 1-8-2017



1 CERTIFICATE OF REPORTER  
2

3 STATE OF FLORIDA )

4 COUNTY OF VOLUSIA )  
5

6 I, Shannon Green, Registered Professional  
7 Reporter, certify that I was authorized to and did  
8 stenographically report the foregoing proceedings;  
9 that a review of the transcript was requested, and  
10 that the transcript is a true and complete record of  
11 my stenographic notes.

12 I FURTHER CERTIFY that I am not a  
13 relative, employee, attorney or counsel of any of  
14 the parties, nor am I a relative or employee of any  
15 of the parties' attorney or counsel connected with  
16 the action, nor am I financially interested in this  
17 action.

18 Dated this 16th day of February, 2014.  
19  
20  
21

22 \_\_\_\_\_  
23 Shannon Green  
24 Registered Professional Reporter  
25

## ERRATA SHEET

INTERVIEW OF: JOYCE CUSACK

## ERRATA

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Under penalties of perjury, I declare that I have  
read the foregoing document and that the facts  
in it are true.

_____	_____
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