

EXHIBIT A

JACQUELINE MONTANEZ - VOL. II
FEBRUARY 20, 2024

JOB NO. 1450737

<p style="text-align: right;">Page 256</p> <p>1 was -- when my conviction was given and I was given two 2 life sentence -- given a life sentence, I was convicted 3 for the murders of Jimmy Cruz and Hector Reyes. 4 That's why when I pled guilty -- when I pled 5 guilty for the 63 years, I pled guilty for the murders 6 of Jimmy Cruz and Hector Reyes, not accountability, not 7 saying that I didn't kill Jimmy, that I just killed 8 Hector. I was found guilty of both murders. 9 Q. Right. But you never -- you never pled 10 guilty and nothing about that conviction was impacted by 11 your resentencing. They just changed your sentence, 12 right? 13 MR. GRANT: Form, foundation. 14 MR. FLAXMAN: Objection. 15 THE WITNESS: The conviction would still stand. 16 BY MR. SCAHILL: 17 Q. Right. 18 A. The conviction was still standing of the 19 conviction of Jimmy Cruz and Hector Reyes, the murders 20 of both of them. I wasn't convicted of accountability 21 for Jimmy Cruz, I was convicted of the murder. 22 Q. Right. But the State's theory for the Cruz 23 murder at your trial was that you pulled the trigger on 24 Reyes and Mulero pulled the trigger on Cruz? 25 A. A theory --</p>	<p style="text-align: right;">Page 257</p> <p>1 MR. GRANT: Object to form and foundation. 2 THE WITNESS: A theory and the actual charges is 3 two different things. The state's attorneys can go on a 4 theory all they want. I was convicted of the murders. 5 So with that being said, when I got convicted of 6 both murders, not accountability, I got convicted of 7 both murders. That's where my resentencing came in at. 8 BY MR. SCAHILL: 9 Q. All right. Well, let's look at that. 10 Let's see, what are we on, 12 now? 11 THE COURT REPORTER: Yes. 12 BY MR. SCAHILL: 13 Q. Okay. Showing you what has been marked as 14 Defendant's Exhibit 12. 15 (Exhibit No. 12 was marked for 16 identification.) 17 BY MR. SCAHILL: 18 Q. This is a petition for relief from judgment 19 filed on your behalf by Ms. Flom for your resentencing. 20 Do you see that? 21 A. Yes, I do. 22 Q. Okay. This is the document that started 23 the process of getting your resentencing going, right? 24 A. Yes. 25 MR. FLAXMAN: Objection, foundation.</p>
<p style="text-align: right;">Page 258</p> <p>1 BY MR. SCAHILL: 2 Q. Okay. Read for me the very first paragraph 3 on that. 4 MR. GRANT: The numbered paragraph, Tim? 5 MR. SCAHILL: Yeah. Yeah, the numbered 6 paragraph. 7 THE WITNESS: On May 12th, 1992, Jacqueline 8 Montanez, along with two older defendants, participated 9 in the murders of two young men, members of the rival 10 street gang. 11 BY MR. SCAHILL: 12 Q. Okay. Is that true? 13 A. Yeah. 14 MR. GRANT: Object to the form. 15 BY MR. SCAHILL: 16 Q. So as of 2013, when you're getting your -- 17 seeking to have your sentence -- seeking to be 18 resentenced, it is represented on your behalf that you, 19 along with two other co-defendants, participated in the 20 murder of two young men, right? 21 A. Yes. 22 MR. GRANT: Object to the form. 23 BY MR. SCAHILL: 24 Q. And that is what happened, isn't it? 25 MR. GRANT: Object to the form.</p>	<p style="text-align: right;">Page 259</p> <p>1 THE WITNESS: Yes. 2 BY MR. SCAHILL: 3 Q. Okay. Since being released from prison, 4 have you had communications either directly or through 5 intermediaries with either Ms. Mulero or Ms. Mendoza 6 about giving you some financial assistance? 7 A. No. 8 Q. Okay. Has -- have you ever told anyone 9 that one of your co-defendants offered to help you, but 10 it had to be through a third party? 11 A. Yes. 12 Q. Okay. And you're saying that that's not 13 true? 14 A. I never said that's not true. 15 Q. Is that true? 16 A. Yes. 17 Q. Okay. When did that happen? 18 A. Like about -- I'll say six months ago, 19 seven months ago. 20 Q. Okay. Tell me what happened. 21 A. I have an organization. I work with an 22 organization, and Adolfo Davis and Cassandra Geer is in 23 my organization that I work with. Cassandra Geer knows 24 Marilyn Mulero versus Adolfo Davis knows Madeline 25 Mendoza.</p>

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<p style="text-align: right;">Page 260</p> <p>1 And Madeline Mendoza had told Adolfo Davis, I 2 can't talk to Jacqueline because she's still doing these 3 interviews. I have no problem helping her because 4 Adolfo informed her, like, you know, Jackie out here 5 hurting. She's homeless and everything. Like, is y'all 6 going to at least help her? She got -- you know what 7 I'm saying? She got y'all out. Like, she took the 8 whole weight. 9 So she said, I cannot help her because I am 10 involved with the victim's families. So she was like, I 11 have no problem helping her, but it would have to be 12 through somebody else. 13 Q. Got it. And who's this individual who 14 represented that to you? 15 A. Adolfo Davis. 16 Q. Adolfo Davis? 17 A. Yes. He was another juvenile lifer. 18 Q. Okay. So he came to you and said that 19 Ms. Mulero -- 20 A. No, Mendoza. 21 Q. Oh, I'm sorry. Ms. Mendoza wants to help 22 you, but can't do it directly because she's involved 23 with the families? 24 A. Yes. 25 Q. Okay. Did you ever receive any assistance?</p>	<p style="text-align: right;">Page 261</p> <p>1 A. No. 2 Q. Okay. And what about Ms. Mulero? Have you 3 ever had any communications with someone purporting to 4 act on her behalf about assistance to you? 5 A. Yes. 6 Q. Okay. When did that happen? 7 A. I want to say before Mendoza. I want to 8 say, maybe, about eight months ago. And still, last 9 time we had a third-party conversation was like maybe 10 four months ago. 11 Q. You and who? 12 A. Me and Cassandra Geer. Cassandra Geer is 13 associated with Marilyn Mulero. 14 MR. ENGQUIST: I'm sorry. Are you saying Grill 15 or Geer? 16 THE WITNESS: Geer. G-R-E -- Geer, G-E-E-R. 17 BY MR. SCAHILL: 18 Q. Okay. And tell me about that conversation? 19 A. Mendoza and Mulero were invited to one of 20 the events and I was hosting, they didn't want to come. 21 Mulero felt like -- she told Cassandra Geer that 22 I had threatened her, that I had threatened her life, 23 and that she was informed by her attorneys that she 24 could not be around me. 25 Q. Okay. What else was said?</p>
<p style="text-align: right;">Page 262</p> <p>1 A. So when I told Cassandra she's lying, she's 2 lying, I never threatened her. I never once said I was 3 going to do anything to her. She told Cassandra that I 4 said, well, when she gets her money, if I don't get 5 nothing, it's going to be an issue. 6 Never said that. Never threatened her life. 7 Never did none of that. So when Cassandra told her, I 8 said the only thing I had a problem with is, I never got 9 a thank you for taking the blame. I never got a thank 10 you for giving you your freedom. That was my issue. 11 Money was not an issue. I don't care about this 12 money. I'm not getting it. I don't care. So Cassandra 13 spoke to Mulero and Mulero said, I know that I wouldn't 14 be home without her -- without her, you know what I'm 15 saying -- doing what she's doing, and I'm grateful for 16 her. 17 And she did state she said, if I could help her 18 in any way, I will. She never said she was giving me 19 money. She never promised me any money. She just said, 20 if I can help her, I will. That was it. 21 Q. And this is information that's transmitted 22 to you by Ms. Geer? 23 A. Yes. 24 Q. Okay. And when did that happen? 25 A. The latest was four months ago.</p>	<p style="text-align: right;">Page 263</p> <p>1 Q. Okay. And was this a verbal interaction 2 with you and Ms. Geer? 3 A. Yes. 4 Q. Was anyone else present? 5 A. No. 6 Q. Okay. Ms. Geer is involved with what 7 organization? 8 A. We have a -- we have the organization Free 9 All the Guys, and we actually work to help people come 10 out of prison. And I work with -- I volunteer, not 11 work. I volunteer to help the ladies in prison to try 12 to come home. You know what I'm saying? 13 So we're in front of the governors now trying to 14 give up a whole bunch of clemencies to get some people 15 home. 16 Q. And so Ms. Geer is transmitting, or at 17 least she's purporting to transmit communications from 18 Ms. Mulero to you, sort of as an intermediary? 19 A. Yes. 20 Q. And you are telling Ms. Geer things to pass 21 back to Ms. Mulero? 22 A. Yes. 23 Q. Okay. And the same thing occurred with 24 this Adolfo person between you and Ms. Mendoza, correct? 25 A. Yes. But me and -- the difference between</p>

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1 me and Mendoza and me and Mulero, me and Mendoza never
2 passed messages back and forth. Like she's made that
3 comment, that statement, whatever, and that was it.
4 Q. It was just one-way to you?
5 A. Yeah.
6 Q. This is what Ms. Mendoza is saying --
7 A. Yes.
8 Q. -- sort of thing?
9 A. We never had the back and forth thing.
10 Versus Cassandra, she sat there and talked to Mulero and
11 tell Mulero -- like she would tell Mulero this is what's
12 going on with Jackie. She's going through chemo. She's
13 sick. You know what I'm saying? She's going through a
14 homeless situation.
15 She was translating back and forth, and I would
16 give her, like I would tell her too, like tell her, I
17 said, I don't got no hard feelings. You know what I'm
18 saying? Either way it goes, she gets it, she gets it.
19 She don't, she don't. It doesn't benefit me, so I don't
20 care. You know what I'm saying?
21 And she never once busted out, oh, well, I'm
22 going to hit you or I'm going to -- she never did that.
23 So I can't be mad about money that she gets, so it's not
24 my money.
25 So she -- I specifically just told her, I was

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1 A. Yes. Yeah, I'm fine. Thank you.
2 MR. SCAHILL: Okay. All right. So I don't know
3 if you want to, like -- what do we have on time that
4 we're in?
5 THE VIDEOGRAPHER: I've got an hour and 16.
6 MR. SCAHILL: Okay.
7 MR. ENGQUIST: It'd probably be best just to
8 pass the torch to the other side.
9 MR. SCAHILL: Yeah.
10 MR. ENGQUIST: And then we'll get in if we have
11 time at the end. So if you want to do a break --
12 MR. GRANT: Yeah, that's fine. Let's just do a
13 quick break.
14 MR. SCAHILL: Sure.
15 THE VIDEOGRAPHER: This ends Media Unit 2. Now
16 going off record at 12:00 p.m. Central Time.
17 (Recess.)
18 THE VIDEOGRAPHER: This begins Media Unit 3.
19 Now going back on the record at 12:10 p.m. Central Time.
20 EXAMINATION
21 BY MR. GRANT:
22 Q. Hi, Jackie. Could you please introduce
23 yourself to the ladies and gentlemen of the jury,
24 please.
25 A. My name is Jacqueline Montanez.

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1 like, just wish her the best. You know what I'm saying?
2 Do what she got to do. That's on her and Mendoza. That
3 has nothing to do with me.
4 With me, in my situation, I choose not to
5 proceed in the lawsuit against the officers and the
6 State because I'm guilty.
7 Q. Do you feel as if either Ms. Mulero or
8 Ms. Mendoza owe you something?
9 A. Hell yeah.
10 Q. Do you hope that they end up giving you
11 something if they get money from their lawsuit?
12 A. No. I don't care about their money.
13 Because if I take any part of that money, I will feel --
14 that's what -- I could have did it myself. I would feel
15 guilty.
16 Like, is the person that I am today versus the
17 15-year-old kid then, you know what I'm saying? Then, I
18 would have been like, hell yeah. Now I would feel
19 guilty to accept anything surrounding Jimmy Cruz and
20 Hector Reyes.
21 Q. Okay. So, all right. You know, I'm
22 running low on time, so I'm going to give someone else a
23 chance to ask you some questions. But I appreciate --
24 I may have some follow-ups later, but I appreciate your
25 time. Are you doing okay, by the way?

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1 Q. Okay. And we've met before, but my name is
2 Carter Grant, and I represent a plaintiff in this
3 lawsuit by the name of Marilyn Mulero.
4 During the course of your testimony here, would
5 you prefer that I refer to you as Ms. Montanez,
6 Jacqueline, or Jackie?
7 A. Jackie.
8 Q. Okay. And you're here giving a deposition
9 today pursuant to a subpoena that my office issued, is
10 that right?
11 A. Yes, it is.
12 Q. Okay. And my understanding, having spoken
13 to you before, is that you're suffering from an illness,
14 is that right?
15 A. Yes, it is.
16 Q. Okay. And I don't want to pry or get into
17 too many details because I want to be respectful for
18 your privacy, but are you comfortable telling us what
19 you're suffering from?
20 A. Yes, I have cancer.
21 Q. Okay. What kind of cancer?
22 A. I have thyroid cancer spreading to my
23 lungs.
24 Q. Okay. And are you undergoing any
25 treatment?