Witness: Matt Laolagi

Date: 2004-09-13

Proceedings held September 13, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos

Day 1 of 1 for this witness

Court: San Mateo County Superior Court, Redwood City (People v. Scott Peterson)

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Direct Examination by Rick Distaso

DISTASO: So, Mr. Laolagi, in December of 2002, did you know a woman by the name of Kim McGregor?

LAOLAGI: Yes.

DISTASO: And what was your relationship with her at that time, in December of 2002?

LAOLAGI: Just friends.

DISTASO: Just what?

LAOLAGI: Friends.

DISTASO: Okay. And do you remember when you last saw her in December of 2002?

LAOLAGI: I think it was, it was on a Monday, the 23rd.

DISTASO: Okay. And what was, can you just tell us briefly what the circumstances were when you saw her?

LAOLAGI: Oh, I had a birthday card for her daughter.

DISTASO: Uh-huh.

LAOLAGI: And I wanted to get it to her, and then she came over and then we went to dinner. That was about it.

DISTASO: Okay. What time was it that she came over to your house?

LAOLAGI: Probably around 6:00 and 7:00 p.m.

DISTASO: Okay. And who was present at your house at the time?

LAOLAGI: My two roommates.

DISTASO: And what were their names at the time?

LAOLAGI: My, Gregory Raposo, and Hali Kapea

DISTASO: And are they Hawaiian or Pacific islanders

LAOLAGI: Hawaiian.

DISTASO: descent? Okay. Is that also your ethnic background?

LAOLAGI: Hawaiian/Samoan.

DISTASO: Okay. And can you just briefly tell me, well, how tall are you?

LAOLAGI: About six foot, six one.

DISTASO: And how much do you weigh?

LAOLAGI: About 230.

DISTASO: And what was that, was that about what your size was back in December of 2002?

LAOLAGI: I'm a little bigger now.

DISTASO: A little bigger, okay. And what about your roommates? Were they of a similar size as you?

LAOLAGI: They're actually taller than I am.

DISTASO: Okay. About the same weight?

LAOLAGI: About. And one, one of them, they're about, he's about 250, 260.

DISTASO: Okay. And what about the other one?

LAOLAGI: Probably around 180, 190, somewhere in there.

DISTASO: All right. Did you go to dinner with Ms. McGregor?

LAOLAGI: Yes.

DISTASO: Do you remember where you when?

LAOLAGI: We went to a Mexican restaurant, by the name of La Morenita DISTASO: And how long were you there for?

LAOLAGI: Probably around two hours.

DISTASO: What type of vehicle did you and your roommates drive back on December 23rd, 2002? What kind of car did you have?

LAOLAGI: I have a Ford pickup, a white Ford pickup.

DISTASO: Okay.

LAOLAGI: F-150.

DISTASO: And what about your roommates?

LAOLAGI: And my roommate Gregory has a blue Chevy truck, pickup truck. And a red, he a red 280Z Datsun.

DISTASO: At, when Ms. McGregor came over to your house that night, how long was she there for, before you guys went to dinner?

LAOLAGI: We were there for about ten minutes.

DISTASO: Okay. To your knowledge had she ever met your roommates before?

LAOLAGI: No.

DISTASO: She hadn't?

LAOLAGI: No.

DISTASO: And did you ever meet a woman by the name of Laci Peterson?

LAOLAGI: No.

DISTASO: Had you ever even, had, other than in the news media and what not, had you ever even seen her at any time during the month of December of 2002?

LAOLAGI: No.

DISTASO: And what about the defendant in this case, Scott Peterson?

Other than, other than seeing him in the media, had you ever seen him before?

LAOLAGI: No.

DISTASO: Did you know either of these two people?

LAOLAGI: No.

DISTASO: Had you ever been to their, I take it by your answers you've never been to their house?

LAOLAGI: No.

DISTASO: On the 24th of December, where were you?

LAOLAGI: I was at work that day.

DISTASO: And did I ask you to bring to court with you a copy of your employment records stating you were at work that day?

LAOLAGI: Yes.

DISTASO: Okay. Let me just mark this letter.

JUDGE: 233.

DISTASO: And this 233 is this a letter from your human resource department verifying that you were at work that day?

LAOLAGI: Yes.

DISTASO: Okay. And finally, Mr. Laolagi, I'm just going to ask you this straight out. Did you have anything to do with Laci Peterson's disappearance on December 24th?

LAOLAGI: No.

DISTASO: Nothing further, your Honor.

Cross Examination by Mark Geragos

GERAGOS: Good morning.

LAOLAGI: Good morning.

GERAGOS: Mr. Laolagi, has anybody from either Modesto PD or the DA's office in the month of January 2003, or February of 2003, did they ever come out and personally talk to you?

LAOLAGI: No.

GERAGOS: Did, you had one contact, isn't that correct?

LAOLAGI: Yes.

GERAGOS: And that was a phone call?

LAOLAGI: Yes.

GERAGOS: And that was some officer asking you what day you saw Kim McGregor?

LAOLAGI: Yes.

GERAGOS: And other than that, that officer never asked you about your roommates, correct?

LAOLAGI: Yes.

GERAGOS: And never asked you about what they drove, correct?

LAOLAGI: Correct.

GERAGOS: And never asked you what you drove, correct?

LAOLAGI: Correct.

GERAGOS: Never asked you to come down so they could take a look at you, correct?

LAOLAGI: Correct.

GERAGOS: Never asked you any questions about where you were working that day on the 24th, correct?

LAOLAGI: Correct.

GERAGOS: In fact, you brought, I think Mr. Distaso asked you if he asked you to bring your work records. You brought your work records on your own today; isn't that correct?

LAOLAGI: Yeah. I was supposed to fax that, but I just now found them.

GERAGOS: And specifically you brought records, I show, that there's, you go by the name Matt. Do you also go by the name Warren?

LAOLAGI: That's my brother.

GERAGOS: Okay. Do you have the, there's some time cards here. It shows that Warren was working on the 24th. Is your time card in here?

LAOLAGI: No, I'm management. I am management. Part of the management.

GERAGOS: Okay. Your brother works for you?

LAOLAGI: Yes.

GERAGOS: Okay. The letter that says that you were working that day, that was signed by the H R manager?

LAOLAGI: Yes.

GERAGOS: Okay. Did anybody, to your knowledge, ever contact your HR manager prior to you walking into the courtroom today and handing over this letter?

LAOLAGI: No.

GERAGOS: Okay. As far as you know, did anybody do any investigation as to where you were prior to this trial?

LAOLAGI: I have no idea

GERAGOS: Okay. None you're aware of, correct?

LAOLAGI: No. Correct.

GERAGOS: Now, Mr. Distaso asked you about Ms. McGregor. You went out to eat with her on the 23rd of December, correct?

LAOLAGI: Yes.

GERAGOS: And on the 23rd of December, you remember that day because you were watching Monday Night Football, or something like that?

LAOLAGI: Yes.

GERAGOS: Okay. Did she come over to your house?

LAOLAGI: Yes.

GERAGOS: And when she came over to your house, had she been drinking?

LAOLAGI: I, I have no idea. Like I, I can't tell.

GERAGOS: Okay. When you left the house, did you, the two of you go together? Just the two of you?

LAOLAGI: Yeah.

GERAGOS: Okay. When you went to dinner, you went to, it was a Mexican restaurant you said?

LAOLAGI: Yes.

GERAGOS: And who drove?

LAOLAGI: I did.

GERAGOS: And what car did you drive?

LAOLAGI: I drove my, my truck.

GERAGOS: Okay. And when you went to the restaurant, did she drink that evening?

LAOLAGI: I believe we had a beer.

GERAGOS: Okay. Then how did she leave the restaurant? With you?

LAOLAGI: Yeah, she left with me.

GERAGOS: Okay. And you drove back to your house?

LAOLAGI: Yes.

GERAGOS: And that was approximately what time?

LAOLAGI: Between 9:00 and 10:00, I would say. P.M.

GERAGOS: Okay. And you didn't see her again for that month of December, correct?

LAOLAGI: Yes.

GERAGOS: Okay. "Yes" meaning you didn't see her, right?

LAOLAGI: Yeah, correct.

GERAGOS: Okay. And when you left the restaurant, you're positive that you were driving; she wasn't driving, correct?

LAOLAGI: Yes.

GERAGOS: And you're positive that she left the restaurant with you and came back to your house, correct?

LAOLAGI: Yes.

GERAGOS: And when you got back to the house, did you, did she come inside? Or leave from the car?

LAOLAGI: She, she left.

GERAGOS: She left from the car?

LAOLAGI: Yes.

GERAGOS: Okay. Did you see her drive away in her car?

LAOLAGI: No, I just, after we got back to my house, I just, we said goodbye and I went in, and I assumed she left.

GERAGOS: You said goodbye. You left her in the street, I take it, or somewhere out there?

LAOLAGI: (Nods)

GERAGOS: Is that a yes?

LAOLAGI: Yes.

GERAGOS: Okay. The, could I have just one moment? Judge, the only other area is subject to the 402, which we haven't done, so I just ask he stay on for recall. I have no further questions.

JUDGE: Okay. We'll let you go, Mr. Laolagi, okay? Thank you very much. Subject to recall.