Witness: Thomas Beardsley

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Called by: Defense

Phase: Penalty

Examinations: Direct – Pat Harris

Day 1 of 1 for this witness

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Direct Examination by Pat Harris

HARRIS: Tom, if you would tell just a little bit -- first of all, you knew Scott on a business relationship in the beginning; is that right?

BEARDSLEY: That is correct.

HARRIS: He was a salesman, and you were one of his customers?

BEARDSLEY: Yes.

HARRIS: Let's they get a little background so the jury knows where you are coming from. Where do you the currently live?

BEARDSLEY: Oxnard, California.

HARRIS: What do you do in Oxnard? What's your profession?

BEARDSLEY: I own and operate a small agricultural fertilizer service company.

HARRIS: What does that entail? What kind of work do you do?

BEARDSLEY: We basically contract with growers just in the Oxnard, Ventura County area to apply different types of fertilizer, chemical fertilizer only, dry, liquids. We do the application with our tractors.

HARRIS: If you would just sort of, for the jury's sake, explain how Scott's business what he did ties into what you did.

BEARDSLEY: Let me start by saying what we do with chemical fertilizers, primarily nitrogen phosphorous and potassium. We make our own blends. Buy the raw materials, blend them together, sell them as is. And then Scott's products from TradeCorp were minor elements: Zinc, iron, manganese, copper those type of things. I like to indicate that the major products are like vitamins that humans take. Plants need nitrogen NPK, and Scott's products are the supplements of our industry. It's a new and growing -- I shouldn't say new. It's a growing type of product, because we have been farming and mining all of these minor element for years. So it is a slow growth area at this point.

HARRIS: What was your understanding of what Scott's position in TradeCorp was? What was he doing for TradeCorp?

BEARDSLEY: I had never heard of TradeCorp until I met Scott. And it's a company out of Spain who wanted to be in the market. And when I asked Scott what they were doing, he says we're trying to come into the United States. He had been appointed the National Sales Manager, as I

recall. And he needed to start someplace. And I got elected because I know friends of the family.

HARRIS: Let me go into that. How exactly did you meet Scott?

BEARDSLEY: We were at a family barbecue, James and Shelly Reiman in Fillmore. And James had told me Scott was a salesman with TradeCorp, that I would get to meet him. It was appropriate at that time for me, because our company was looking into these type of minor elements. So when I met Scott, he asked me if I would give him some time when he called and made an appointment. That's pretty unusual in our business. Usually a gathering, somebody will start talking to you about their products. But Scott didn't. He made an appointment. Came over later that month, and we visited about their goals.

HARRIS: Over the course of time, did you get a chance to visit with him on a fairly regular basis?

BEARDSLEY: Yes. He was -- up until the point that he actually hired a saleman -- and that was part of the plan -- he made products available to us, TradeCorp products, on a consignment basis. And that is a win-win situation for a small company like myself, and for TradeCorp, to get their feet in. I thought that was very unusual.

HARRIS: You told me you hit it off with him right away. Why was that?

BEARDSLEY: Scott is very at ease with most people. When I found out that he spent some time at my alma mater, Arizona State, that's a natural. We mentioned couple of mutual acquaintances or names that we knew. It's just when you get rapport it helps a lot. The fact that he knew the family, and, you know, went to Cal Poly, which I didn't. But it's just the ease at which he presents himself. Very easy for me to talk with him.

HARRIS: As you continue to do business with him, how did you find him to be as a business person? Your relationship on a business level?

BEARDSLEY: I'm a very cautious type, show-me kind of guy. And it was -- one product that he talked about that we call organic liquid. That's kind of a mystery juice to some people. But he talked to me about it. And I had had inquiries about it. And I said I don't have a tank to store it in. We were talking four or five thousand gallons. I don't have a tank. He said we'll take care of it. Where do I buy my tanks? I told him. And he would arrange it. Next thing I knew, he's calling me and telling me, "I'll be down tomorrow. There will be a delivery." He said, "I'm bringing the tank myself." And I thought, be careful coming over the grade. And, sure enough, this organic material from China pulls into my yard. And I thought, Scott, where are you? Where is the tank? What are we going to do with it? He must be a mind reader, because the phone went off, and I said, "Where are you?" He says, "I'm turning the corner down the boulevard." He came in and said, "I'll take care of it." I went in the office, and he took care of it. He set the tank up, took the material out of the tank, pumped it out, pumped it into our tank, and came in and said, all setup, see you later. And I have never had anybody do that I have never had any salesman with a new company ever do that. But that's the kind of guy Scott is.

HARRIS: He was willing to do whatever it took?

BEARDSLEY: He's a worker.

HARRIS: You said you had things on consignment, so there was -- I assume there had to be some trust as far as the billing?

BEARDSLEY: Oh, yeah.

HARRIS: Feel like he had integrity in his business dealings?

BEARDSLEY: To be in a brand new company, into the area, and some new products, Scott, I presume, felt that we could inventory their products. And I said I don't have the ability to inventory economically, at least that time of year when cash flow is rather small. He said not a problem, we'll put this on consignment. When you make a sale, have your girl fax me or call me,

I'll invoice you, and you pay it. And that's the way we did it.

HARRIS: Did you ever find him to be difficult person to deal with, an arrogant person to deal with? Is that your experience with him?

BEARDSLEY: Not me. I never -- I never saw that side of him, if he had it. He was always easy. Just -- Scott is a calm person. He has got plans. He knows what he wanted to do, and he executed them.

HARRIS: As far as the type of saleman he was, what type of salesman was he?

BEARDSLEY: What type?

HARRIS: Yeah. High pressure saleman, low pressure?

BEARDSLEY: You mean that area. In our business it's not really a high pressure in the fertilizer business. In the pesticide end of it, which we're not, it is high pressure. No, there is no pressure. Scott doesn't exude that type of personality in any way.

HARRIS: You had mentioned to me a story about how you got him involved in a golf tournament. Would you kind of just relay that story to the jury?

BEARDSLEY: We have a local industry golf tournament that takes place over in Santa Paula, Fillmore area. I sponsor some growers, customers. Very bad golfers generally, including myself, but we do it because it's fun. It's a scramble. And one of the players called me a week before and said, Tom, I can't make it. Okay, I'll find somebody else. And who do I know that can play a decent round of golf? It didn't take long to think of Scott. I think he had probably just been in the week ago before. So I called him and told him of this opportunity to play with a bunch of growers, and he came down. I didn't get to play with Scott. He played with one of the other foursomes. And I had no idea how well he was doing until we finished the tournament, and they came up and they started calling off all these awards. Longest drive, et cetera. And they -- the only one that I remember was low gross. And the awards are either cash or certificates. And, of course, we were tickled to death that our teams won. And he walked up and picked up the envelope. Didn't even look in it. It had the told amount on it. And he turned it back over to the association. And he didn't know what that was for. He just said, give it back to the association. And there was a moment of silence. That doesn't happen in our business. But he did. And as it turned out, I found out where the money goes. It goes into the pot. Unbeknownst to him, it goes for scholarship help for a Cal Poly student.

HARRIS: As you got to know Scott more over your time, did it become more than just a sort of a customer-saleman relationship?

BEARDSLEY: Well, I don't know that I can say more than that, because it was an instant friendship. It just was. It's hard to explain. All of us, I'm sure, have those opportunities in our life to meet somebody that you think this guy is going to make this thing work. Somehow, in spite of some of the things that occurred, he'll make this thing work. It was slow going. And I can't do a whole lot of bragging about it. But --

HARRIS: You have had the opportunity to get to know him as a friend. What effect would the execution of Scott have on you?

BEARDSLEY: Well, I'm sure everybody can sense my anxiety this morning. It's very sad for me. It's just flat sad that somebody that you know and you trusted could be in this predicament. It makes me very angry. I can't complain about the system, because the system is here. But it hurts. It hurts me. I'm very -- I'm hurt. What else can I say?

HARRIS: We know this has been a tragic situation for everyone involved. And I'd asked you last night, given the situation, what we're asking here, which is to have him put in jail for the rest of his life, do you feel like there is still some good that Scott Peterson can do, based on the Scott

Peterson you know?

BEARDSLEY: Absolutely. Absolutely. I don't know anything about what he's been doing since he was locked up. I have tried to avoid all this -- as much media as I care to listen to or read, because it does disturb me. And how can anybody be so good hearted and be in this mess? That's beyond me. I had a thought come to me a couple of weeks ago that, if I may share, tragically it's how I feel, and I was -- I don't know why it came to me when it did. I grew up with two young men in the Oxnard area, that after I moved away from Oxnard both committed murders. I grew up with them. I knew them. I played with them. One of them my mother said, you will not play with those -- that boy again. These were the angriest, meanest little kids that I ever played with. They just were probably out the chute. And why that -- they have both been executed, or one way or the other. Why this thing came into my head I don't know. And I thought how can this be? How can I know somebody that is in the same boat, that doesn't have that behavior? And all of what you have been hearing in this phase of it certainly is nothing compared to what I have witnessed. I don't get it.

HARRIS: Thank you, Tom. I appreciate it.