Witness: Lee Peterson

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Direct Examination by Pat Harris

HARRIS: Good morning, Lee.

PETERSON: Good morning, Pat.

HARRIS: Be comfortable. We are going to be here for a while. I want you to tell the jury a little bit about your background. Actually, I'm going to ask you to tell them a lot about your background. When were you born?

PETERSON: I was born in 1939, May 9th.

HARRIS: Where were you born?

PETERSON: In a little town named Worthington, Minnesota. It was, it's in the southwest corner of Minnesota. Farming community.

HARRIS: Okay. Tell, me what were your parents' names?

PETERSON: My dad's name was Arthur. My mom's name was Marie.

HARRIS: Are they both deceased?

PETERSON: They are both deceased.

HARRIS: When did your mother die?

PETERSON: Mom died in 1970.

HARRIS: Your father?

PETERSON: 1986.

HARRIS: I want to start with your mother. If you would give us a kind of a thumbnail sketch of her background, where she came from, kind of a little bit about her.

PETERSON: Sure. She was the eighth daughter of a family who emigrated from one of the Baltic countries, I believe Lithuania. My grandmother actually made the trip over here from Lithuania on her own, all by herself, at age 15. She came because she had had the promise of a job when she got to Minneapolis, and that's why she came.

HARRIS: Where did your mom grow up, in Minneapolis?

PETERSON: In Minneapolis, on the north side.

HARRIS: Did she grow up wealthy?

PETERSON: No. Farthest thing from it. That's a very lower middle class neighborhood, full of immigrants. And there were eight children. And hearing her talk about it, I recall that it was very tough childhood.

HARRIS: She actually, did she actually work, before she met your father, as a factory worker; is that correct?

PETERSON: Yes. She worked at a Munsingwear plant. They made underclothing, things like that.

HARRIS: What about your father, where was he from?

PETERSON: He was born in Minnesota in another little farming community by the name of Walnut Grove, which just happens to be where the series Little House on the Prairie was set. And he was the last of twelve children, of Norwegian extraction. I believe it was my great grandfather had moved from Norway.

HARRIS: Did he grow up on the farm?

PETERSON: For part of his life, yes.

HARRIS: What did he, as he grew older, what did he chooses to do for a living?

PETERSON: My grandfather had at least two farms, and I guess he wasn't much of a farmer. And finally they moved to the St. Paul area where he could find work. And my dad actually went to work as a Western Union deliveryman. Back in those days, he would tell me the story of he would ride a bike around St. Paul delivering telegrams. That was rapid communication in those days. And he told me stories of being chased by dogs and bit by dogs. Didn't like dogs very much. But that was probably his first job.

HARRIS: And did he go on to do something else after that?

PETERSON: Yeah. He went to work servicing typewriters for Royal typewriter. That was an old manual typewriter in those days. Fairly large company. And he had a job, they would send him out to repair typewriters at various offices around town, I think St. Paul and Minneapolis.

HARRIS: Now, other than I think a brief time we will talk about, that's the job I believe he held for over 40 years?

PETERSON: No. Just until I think his early twenties he went on his own, formed his own business. Not a large business or anything. I think it was just himself, actually. But he would do essentially the same thing. He would repair and sell typewriters.

HARRIS: How did your parents meet?

PETERSON: They met through, met through mutual friends at a dance. That's what we were told.

HARRIS: And at this time was your dad already, was he self-employed by this point, or was he still working for Royal?

PETERSON: He was, I think he was still employed by this typewriter company, Royal Typewriter.

HARRIS: Was he making a lot of money at this business?

PETERSON: No. It was, it was the kind of business where they would, they assigned him a territory, so he had like eastern or western Wisconsin, and he would go over there with my mom and my brother, who was two years older than me, and he would load up his car with typewriter parts and ribbons, and he would go out, and they would rent a like a little house on a motor court, or something. And he would go out every day and go to schools and businesses and see if they had any typewriters that needed repairs or any parts, or ribbons they needed for their

machines. And he told me a good day he would make four or five dollars, and they would eat pretty well that night. If it wasn't such a good day they wouldn't eat so well. So it was kind of a hand-to-mouth existence. But they were happy at that time. They told me they were very happy.

HARRIS: You mentioned you have an older brother?

PETERSON: Yeah.

HARRIS: What's his name?

PETERSON: Joel.

HARRIS: Joel? And how much older?

PETERSON: Two years older.

HARRIS: So do you have any younger siblings?

PETERSON: No. Just the two of us.

HARRIS: Now, for most of your young life, where were you growing up? What city were you at at that point?

PETERSON: I was, I grew up in St. Paul until I was probably eight-years-old, and then we moved to a little, up to called White Bear Lake, just maybe eight to ten miles north of St. Paul.

HARRIS: Did your father continue in his career, or did he do something else at that point?

PETERSON: Well, we moved, because during the war years my dad had a little grocery store on the corner near where we lived, and he sold things like milk and cheese and butter. Called a dairy store in those days. Bread and sodas and candy, that type of thing. Kind of a convenience store nowadays.

HARRIS: Early 7-11?

PETERSON: Yeah, exactly. It was great, because we could bring our friends in once a day and they could have a candy bar, or ice cream, whatever they wanted. I have fond memories of that. During the war years my folks managed to save up some money. And I think they had the store for about four years. And,

HARRIS: I'm sorry, how many years?

PETERSON: About four years. Three or four. And they managed to save some money. And we had a rental, the home where we lived at the time, and the people who owned it, decided they wanted to sell the house that we rented. So my folks decided they would build a house.

HARRIS: What happened to that house?

PETERSON: That's kind of in the, when the family got derailed. My dad went out and bought a lot and hired a contractor. And there wasn't much lumber in those days, because it was right after the war years. And so this contractor encouraged him to go buy an old farm, tear down the barn and the house, and use that lumber to build the new house. And so dad did that. And then they actually did build the house. They dug a foundation. In Minnesota you have basements, so you have to dig down. And unbeknownst to this contractor, there was a very high water table. So when the house was finished and started raining, the basement actually filled up with about three feet of water, and no way to get it out of there. So the house was essentially useless. And they, my folks lost the house. They lost the farm that they had bought for the lumber, and just went totally broke.

HARRIS: They essentially lost everything?

PETERSON: They lost everything, yeah.

HARRIS: How old were you?

PETERSON: I was probably seven or eight.

HARRIS: What happened after, then what did you do?

PETERSON: My dad wasn't working during this period when they were building the house, because he would try to help out in the construction of it. But we were totally broke. So we had to move out of our rental, the house. And we lived in a kind of a series of, oh, for lack of a better word, they were just about shacks. They were old resort homes, cabins. They weren't used during the off season. And they were just, you know, total disrepair and not a place you would want to live. My mom, of course, was very upset about this, having to move out of the home we did have. And she cried a lot. She was very, very unhappy, and made, well, she didn't make everybody unhappy. But I guess everybody was unhappy at that time. It was a very trying time.

HARRIS: These were, when you say shacks, they, these were houses that were, did they even have running water?

PETERSON: No, they didn't. They were tourists, I think they were old tourist resorts that had fallen into disrepair and were then rented to individuals, individual families for a year, or six months, or two weeks, whatever they could negotiate. And we lived there for probably, in this first house probably for three months. And it was during the summer. And my folks finally found another rental home in White Bear Lake, which was small. It was small. Didn't have any indoor plumbing. Had no water. My dad would bring water home in these, I don't know if you folks are old enough to remember them. They are milk cans, metal milk cans, about this big.

JUDGE: Proceed by question and answer.

HARRIS: Sure.

HARRIS: Did your father eventually find employment, or go back to his previous job?

PETERSON: Yeah. He started back in the typewriter business.

HARRIS: And after he started back in the typewriter business, did things get much better?

PETERSON: Not really. We did finally move to a home that had indoor plumbing after a year in the second home. Actually smaller home, but it had a toilet and it had running water.

HARRIS: Now, were you going to school at this time?

PETERSON: Yeah, I was.

HARRIS: And these years were when you were approximately how old?

PETERSON: Probably eight through, or nine through thirteen.

HARRIS: When you think back to those years, and when you think back to growing up, how were you as a student?

PETERSON: I was a good student at first. I wasn't a happy student. I was aware of how poor we were, and,

HARRIS: Did you have problems with other kids?

PETERSON: Yeah. We didn't have nice clothes. We had, we were clean, but we had kind of tattered and worn out clothes. And I felt inferior to the other kids. I wouldn't bring any kids home because of our little house.

HARRIS: You talked about your mother was very sort of upset about the situation. How was your father?

PETERSON: My dad was a sweet man. He was a very nice man, very loving, although not physically. I knew he loved me, my brother and wife, and my mom. But he was, he wasn't overly ambitious. He didn't have much business acumen. He was, I think he thought the family was doing okay because we had a roof and food to eat. And my mom was very dissatisfied, you know,

with her,

HARRIS: At some point did she kind of take matters into her own hands?

PETERSON: Yeah. When I was about 12, she started, she was, just she said she was just tired, couldn't live that way. I remember her and dad would get into spats. And so she started cleaning homes for wealthy people who lived, my dad would drive her to these places. And she would clean the houses for them. Sometimes I would go along. It was a real treat to go along, because particularly one family, there was a boy about my age. And he had tons of toys, all the goodies. And he let me dress up in his cowboy suit, and just experience things I had never seen before.

HARRIS: At some point as you got older, did you start working as well?

PETERSON: Yeah, I did. I remember asking my mom, mom I need a baseball mitt. And she said, well, we don't have any money, you better go make some. I said, how? She said, well, go ask the neighbors if they want their grass cut, or their leaves raked, or whatever you can do. So I did that. And during the summers I was kind of an all around gardener, cutting grass, raking leaves, pulling weeds. In the winter I would shovel snow. It was a good life lesson. It taught me, if you work for things you get your baseball mitt.

HARRIS: This is something you passed on to your own children?

PETERSON: I did. I always tried to teach them the value of work.

HARRIS: As you got older, became a teenager, at some point you saved up enough money for a big purchase?

PETERSON: Yeah, I did. I bought a car. I guess I was 15.

HARRIS: How did this affect your life?

PETERSON: It ruined my grades, because you had, I worked at a supermarket, and I didn't have much time to study, and I didn't have a lot of interest in studying. All I wanted to do was wax that car and keep it running. It was probably a poor choice at that time to buy a car.

HARRIS: Now, your brother was also, he was two years older; is that right?

PETERSON: Yes.

HARRIS: And at some point, what year did you end up graduating from high school?

PETERSON: 57.

HARRIS: Did things improve a little bit as far as financially, your parents with your mother working, and so forth?

PETERSON: Yeah. When my mom started working, after two or three years, my folks were able to be actually buy a home not far from where we had rented. It was a modest home with no garage, but it was new, and we were really proud of it. It was some place we could bring our friends. And the whole family was just really very, very happy about it.

HARRIS: After you graduated from high school, what did you do?

PETERSON: I went in the Navy. I joined the Navy Reserve while I was in high school, and that required going to reserve meetings once a week. And then after high school, I served two years of active duty.

HARRIS: Where did you do that?

PETERSON: Where?

HARRIS: Where?

PETERSON: First they sent me to Great Lakes, Illinois, for boot camp, and then Washington D.C. where they kind of group everybody, and then they figure out where they fit in best. They sent

me to San Diego to meet a ship.

HARRIS: Is that the first time you had been to San Diego?

PETERSON: Yes. And I met this, it was an aircraft carrier, the Hornet. And actually wasn't in port when I got there, so I was assigned all these other temporary duties, like work at the commissary stuffing grocery bags, which I had done in high school.

HARRIS: How long were you in San Diego before the ship came in?

PETERSON: About three months.

HARRIS: Once you got on the ship, what did they have you doing?

PETERSON: They started me out on the deck crew, which is, it's a gunnery division where you essentially chip paint and you repaint everything, and swab decks. Pretty classic idea of a sailor.

HARRIS: At some point did that change?

PETERSON: Yeah. I didn't like that kind of work, so I started looking around. And there was an opening in the Navigation Department, and I was able to get them to take me on.

HARRIS: What did that involve?

PETERSON: It was a very, sort of an elite division in the, aboard ship, because it's a small, probably 15 people in the division, mostly officers, petty officers, and a few Seamen like I was. And we got the ship where it was supposed to go and back again, and did all the special handling for docking and refueling, reprovisioning.

HARRIS: Now, did you stay in the Navy after two years was up?

PETERSON: No, I decided,

HARRIS: Something changed in your life at that point?

PETERSON: I was married by that time.

HARRIS: You got married while you were in the Navy?

PETERSON: I got married about five months before the end of my enlistment, yeah.

HARRIS: Who did you marry?

PETERSON: My high school sweetheart. I had known her for two years in high school. Name was Mary.

HARRIS: Where did she come from?

PETERSON: She came from Sicily. She actually emigrated when she was 11 with her family.

HARRIS: So did you go back to Minnesota to be with her, or what did you do?

PETERSON: Yeah, I couldn't wait to get home after two years in the Navy, and went home started going to school.

HARRIS: What were you going to school for? What were you,

PETERSON: I had an interest in electronics, because in navigation we operated LORAN, which is an, it's a navigational tool, and radar and sonar. It was just kind of neat. So I thought I would try to make a career in electronics. So I enrolled at, called Northwestern University in Minneapolis. It's two years, very condensed electronics course.

HARRIS: Where were you living at this time?

PETERSON: We were living in the, we remodeled the basement of my mother-in-law's home. My dad and some uncles helped remodel it, and made it livable, and they let us move in there.

HARRIS: Was that a good suggestion?

PETERSON: It was good for the rent, but it wasn't so good for the, we were too close to our in-laws. Not that we didn't get along, but it was kind of a tight situation.

HARRIS: Now, I know, and we won't go through them. I know you had a series of jobs in electronics and different things. You were working for Honeywell, is that right, at one point?

PETERSON: Yeah, I worked at a company called Control Data evenings all the time that I was in school. I worked anywhere from four to six to eight hours a night.

HARRIS: You went on to work at 3M?

PETERSON: Yeah. After I graduated, I got a job in the research lab at 3M company in St. Paul.

HARRIS: At some point did you get into the sales business?

PETERSON: Yeah, I did. That was after my stint with my dad in the typewriter business.

HARRIS: What had you done with your dad?

PETERSON: My dad, by that time had an, coincidentally I was working for 3M company. My dad had a contract with 3M company to service their manual typewriters. And the people at 3M actually approached my dad and said they would like him to do the electric typewriters, which were just kind of coming on the scene. And dad didn't know how, and so he approached me with, he thought it might be a good opportunity, so I got some training. And we extended the contract from the manual typewriters to the electrics at 3M company. I started working with my dad for about a year.

HARRIS: You got out of that to get into the trucking, the sales and trucking business?

PETERSON: Yeah. After that I got into the trucking business.

HARRIS: Why did you choose to go into that sort of area? What interested you in that?

PETERSON: I think it was mostly because of the, did a lot of socializing, lots of lunches, a lot of, you could play golf with the, with customers. Go to golf tournaments. Anything to promote business with this trucking firm.

HARRIS: Well, let's talk about that. You mentioned that you got to go play golf with the customers. Was it at this point in your life that golf sort of became an overriding hobby?

PETERSON: Yeah. When I was about 25, I started playing. There was a fellow at 3M who played, and he got me started. It was a kind of an instant love, kind of an instant love. This was a good way to pursue it and still make a living. I didn't just play golf. You know. This was, that was a very small part of it. Mostly it was pounding the pavement looking for people who wanted to ship things, and then you convince them to ship with your trucking firm rather than somebody else's.

HARRIS: So is golf a good social outlet for meeting customers, taking guys out?

PETERSON: It was fun, yeah.

HARRIS: It became your passion?

PETERSON: Golf, yes.

HARRIS: Is that a passion that continues today?

PETERSON: Sure. Not of the last couple of years. Until that time.

HARRIS: Before we talk about what ended up taking you to San Diego, I just want, I know at this point in your life you and your wife had had children; is that right?

PETERSON: Yes.

HARRIS: If you would just list the children, your children's names there in order of when they were born. All right that's good. Now, the first three you listed, Susan, Mark and Joe, the reason

I want you to list this is because when you get into the marriage of Jackie, she also, there are children involved. So you had Susan, Mark and Joe with your first wife; is that correct?

PETERSON: That's right.

HARRIS: Okay. Were they born in close proximity to one another?

PETERSON: Yes. Susan was born in 1960, and Mark in 62, and Joe in 63.

HARRIS: These were all while you were still in Minnesota; is that right?

PETERSON: Yes.

HARRIS: Then Scott is the one child that you had that came from your marriage with Jackie; is that right?

PETERSON: Yes.

HARRIS: At some point did you make the decision to leave Minnesota?

PETERSON: Yeah, in 1967.

HARRIS: Why?

PETERSON: Climate. I thought I could do better for my family out there. Minnesota was very conservative at the time. You didn't get promoted until you were, if I wanted to be a terminal manager at a trucking firm, for example, would probably have to be 40 or 50 years old. I was 27 at the time, and I wanted to move. And it was combination of the weather. We both liked San Diego. We had visited there, my first wife and I, and thought it would be nice to be on our own. Kind of an adventure.

HARRIS: Did you have a job there waiting for you?

PETERSON: I did, with the same trucking firm I worked with in St. Paul.

HARRIS: That work out?

PETERSON: No. When I got here, I found out it was a very small terminal, and there were probably three routes, which means you have three drivers and a manager. And he had a budget. And he decided he couldn't spend the money on a salesman. He decided he would try to do the selling himself.

HARRIS: So what did you do?

PETERSON: I just, I called on all the other trucking firms. I got a job with a major carrier Consolidated Freightways. They were just building a new terminal. It was a much better situation. We had probably a dozen employees, two salesmen. It was kind of a thriving company.

HARRIS: So I want to jump just a little bit to put this in perspective. You moved to San Diego with your family. And if I understand correctly, for the, about the next seven, eight, nine years you are involved in the sales business, or with trucking companies; is that a fair statement?

PETERSON: Yeah.

HARRIS: During that period. Did something, as far as your marriage, change after a couple of years of being in San Diego?

PETERSON: Yeah. We started talking about a divorce. We just weren't getting along. And there was a certain amount of, you know, rancor that spills over on to the kids. And it's not good for, we could see it wasn't good for them to be, you know, witness their parents not getting along. And really was no reason to stay together, so we got divorced.

HARRIS: And after the divorce, did you continue to see your kids?

PETERSON: Yeah, a lot. At that time, I was going to, I started going to school at Mesa College.

HARRIS: This was in addition to your job, you were also going to college taking college courses?

PETERSON: Yeah. I became eligible for the GI Bill due to my time in the service. So I took advantage of that to get a degree in transportation management, which was the field I was in. And this college was maybe three blocks from the kids home, so I would stop there. I went to school probably three nights a week. And just about every night I would stop and see the kids, take them out for a hamburger, or just play in the street with them, throwing a football around. Some way just to see them in addition to the weekends. I had a great deal of guilt over, you know, not being there for them every night tucking them in bed, and that kind of thing. So I tried to make up for it by being there a lot. And I was there a lot.

HARRIS: You mentioned you were at Mesa College; is that right?

PETERSON: Uh-huh.

HARRIS: While you were at Mesa College did you meet somebody?

PETERSON: I met Jackie.

HARRIS: How did that happen?

PETERSON: I was in a history class. We just, we were sitting next to each other. I guess there was some attraction. We started taking coffee breaks together. Eventually wound up getting married in 1971.

HARRIS: Still married today?

PETERSON: Oh, yeah. 33 years.

HARRIS: How would you describe your relationship?

PETERSON: Wonderful. She is the best thing that ever happened to me. She's just a wonderful, sweet woman. Such a great disposition. I'm the grouch, and she's the, she wakes up happy every morning. She's just so pleasant. Just a wonderful person.

HARRIS: At some point did you decide to sort of strike it out on your own a little bit, as far as business wise?

PETERSON: Yeah. In 1975 I started my crating business in San Diego.

HARRIS: What was it called?

PETERSON: San Diego Crating.

HARRIS: What exactly is San Diego Crating? That is a business you still own, right?

PETERSON: Yes.

HARRIS: You started this in 1975?

PETERSON: Uh-huh.

HARRIS: What exactly is San Diego Crating? What does that do?

PETERSON: We build custom wood shipping crates. Typical application might be for a mainframe computer. We'll build a wooden crate with shock mounts so that there is no damage to it, and then interior foam. It's all custom design. Lots of our work is ongoing, you know, with particular companies. They will have three or four different models of units, and we'll provide the shipping crates for them. We'll go on sites and crate things for people that don't have the facilities. We do some household type of things. Rocking chairs, TV sets.

HARRIS: So if I had something like a large valuable vase or something I wanted to send overseas, I would come to you?

PETERSON: I hope you would, sure.

HARRIS: From its inception, well, first of all, did you stop working at the trucking company? Or did you continue to do both?

PETERSON: My last job with the trucking company was as a terminal manager. It was a place called REA Express. I was there for four years, and they went bankrupt. And I could see it coming, because I was the manager, and I was paying the bills from COD, the money which is cash. When something comes in, you take it out on delivery, collect cash. That's the only way we could pay our bills. The main office didn't have any money. We went first to Chapter 11, and then finally went under. And so I bought some tools and a truck, and kind of was, I was looking toward the future. I knew this REA wasn't going to last. And so I kind of had a head start in that way.

HARRIS: Did you decide at some point to totally leave REA, devote your entire time to San Diego Crating?

PETERSON: Yeah. Wasn't my entire time. When I was doing the startup phase I worked full time for another company during the day. I had the kind of hours where I could start early and get off late. Still in the trucking business. And then I would work on my fledgling crating company after my regular job, until it started generating enough money for us to live on.

HARRIS: Did that happen fairly quickly, the crating company?

PETERSON: No. It was a matter of two, two and half years before it really turned the corner and, businesses are hard things. You have to nurture them and be very persistent. But it finally got going, and it did very, very well after the initial three or four years.

HARRIS: Now, when you met Jackie, did she have a dress shop, or was that later on she got the dress shop?

PETERSON: That was later on. That's about the time she was pregnant with Scott. We bought a little dress shop in La Jolla selling ladies, mostly designer samples. We would, we got our stock from the garment district in Los Angeles. We would drive up there about once every two weeks and fill the back end of the car with what we thought were really neat designer dresses ladies would buy. That was the shop.

HARRIS: At some point did she leave the shop and come to work at San Diego Crating with you?

PETERSON: Yes. After a couple years at the dress shop.

HARRIS: What does she do at San Diego Crating?

PETERSON: She was the bookkeeper, took care of receivables, payables, collections, everything. Insurance.

HARRIS: She's continued to do that until this day?

PETERSON: She's not really able to now because of her bronchial condition. She can't be in, there is a lot of sawdust in the air so it's not a healthy atmosphere. But she worked there probably up until four years ago.

HARRIS: You mentioned that eventually the company did sort of take off. When did that happen?

PETERSON: Real early 80s it really took off and did very, very well. We expanded into a larger building, much larger building. We went from probably four thousand square feet to twelve thousand and then fifteen thousand. There was really no trick in it. All you had to do was go out and get the orders and do what you said you would do. Person wanted delivery on Thursday, you delivered it on Thursday. And if they needed something special, you did that for them. And we did very well.

HARRIS: When you married Jackie and the two of you bought a house, did she have a child with her as well?

PETERSON: Yes, John.

HARRIS: What was his name?

PETERSON: John.

HARRIS: Would you just put that on the other side there? How old was John when the two of you were married?

PETERSON: He was three, three and a half.

HARRIS: So you basically raised him; is that a fair statement?

PETERSON: Yes.

HARRIS: Where were you living at the time when you first married?

PETERSON: First married, we lived in San Diego near a golf course. Balboa Park area. We rented a home.

HARRIS: Where did you go from there?

PETERSON: From there we bought a little home in the southeast, kind of the southeast area. Kind of a starter home. It was something we could afford to get started.

HARRIS: Did you eventually move out to Rancho Santa Fe?

PETERSON: Yeah. But there were a few moves in between there too.

HARRIS: You just had a progression of lot of, sort of each one a little nicer than the other?

PETERSON: Yeah, exactly. Rancho Santa Fe was kind of our dream. It's a very nice area north of San Diego. And,

HARRIS: Do you need some water?

JUDGE: Do you want some water?

PETERSON: Thank you.

HARRIS: So if I understand the story right, by the time the mid 80s came around, you had built a very comfortable life for you and your children; is that a fair statement?

PETERSON: Yeah, that's a fair statement.

HARRIS: Did you continue to see your children from your first marriage?

PETERSON: Oh, sure, all the time. We were, as they all grew up I took them to play golf, to the driving range, take golf lessons, went fishing. Went to parks. The whole gamut. The four of us were always doing something. Rancho Santa Fe was a great place to do things. It's a little kind of a little village area full of shops. And the school was right near our home for Scott. And the boys would come over. We had a pool. And all this was, was like a dream come true for us, because Rancho Santa Fe is like, at least, to me, it was like the very pinnacle. You have made it once you got there. And it was just a very nice place to the live to raise kids, to have your family come.

HARRIS: Did your father, Scott's grandfather, eventually come out as well?

PETERSON: Yes.

HARRIS: When did he move?

PETERSON: He moved to San Diego shortly after my mom died.

HARRIS: And when, were you close to him?

PETERSON: Very close, yeah.

HARRIS: Did he actually live with you at some point?

PETERSON: Yes, he did. He lived with us for a year in one home, and then he moved in with us, we had a guest house in Rancho Santa Fe, and he moved in with us. Not for very long, I'm afraid. We moved him in on a Saturday afternoon and took him to his favorite place for dinner. He died that night in his sleep. But it was just a really, you could see he was happy that night. And it was just a very nice way for him to go.

HARRIS: I'm going to get into Scott now, if you want to take the break.

<recess>

HARRIS: I believe when we left off we had talked a lot about your business and about the family as it existed before Scott. When was Scott born?

PETERSON: October 24th, 1972.

HARRIS: So this was about a year or two after you and Jackie had been married?

PETERSON: About a year, a little over a year.

HARRIS: The dynamic at this point is that the three older children, Susan, Mark and Joe are not living with you; is that correct?

PETERSON: That's right.

HARRIS: So John is the one that's actually living at home?

PETERSON: That's right.

HARRIS: And then Scott would be the second child that's actually living at home with you; is that right?

PETERSON: Yes.

HARRIS: What do you remember about the birth of Scott and what happened?

PETERSON: Well, I wasn't in the delivery room, Jackie had a C-Section. So the first time I saw Scott was after I visited Jackie. And at this particular hospital they, they line up all the babies inside of an area, and then there's an outdoor, you're actually outdoors looking through a window at the babies lined up in their little bassinets. And so I went and got the other kids and came back to show them their baby brother. And I remember he was right in the middle of all the other babies and he had a lot of hair, he was very distinctive looking. And my second son, Joe, who didn't talk a whole lot at the time was so proud of Scott that anybody would come by to, to look at their babies, you know, parents and grandparents, Joe would point out Scott and say, "That's my baby brother." And he must have said that, I don't know, three or four times to people. And it was just, it was so amazing to me that Joe was that excited about having a baby brother. All the other kids were too, but Joe in particular.

HARRIS: Shortly after you brought Scott home did he end up contracting pneumonia?

PETERSON: Yeah, he got sick after I think he was about two weeks old.

HARRIS: What happened?

PETERSON: It was pneumonia and we, of course took him to the hospital. And he was very ill. They had him in a, it was some kind of a chamber, a plastic chamber that controlled humidity and I think air pressure to a certain extent. They couldn't use much medications, he was such a small baby. And he was he was very risky. The doctor said, you know, this may not go so well, but he pulled out of it and he lived.

HARRIS: Let me set the context then. You are, at the point Scott is born, you're skill working for REA, is that right, the trucking company?

PETERSON: Yes.

HARRIS: That would have been 1976?

PETERSON: Uh-huh.

HARRIS: You're still there. You're living where at this point, a small house?

PETERSON: We're living at an apartment in La Jolla.

HARRIS: It's about 900 square feet apartment?

PETERSON: Yeah, it was small. It had two little bedrooms, a living area and a kitchen.

HARRIS: When Scott was a young baby what are your memories of being around that house, being around that apartment I should say?

PETERSON: Well, I remember Jackie bathing him in the kitchen sink and when she'd get him all died off and he was all nice and shiny she would take him and dance, she would dance around the kitchen and the living room to entertain us and Scott would have his huge smile on his face. He loved the motion, I guess.

HARRIS: How was he as a baby?

PETERSON: He was, he was perfect. He woke up smiling, he went to bed smiling. Great disposition. You know, usually a mother crying a baby does that, yes.

HARRIS: How did the other kids react?

PETERSON: I'm sorry?

HARRIS: How did the other kids react to him, specifically, let me go through, how did Susan, your oldest daughter, how was she with Scott?

PETERSON: Well, Scott was her new baby, too. She was about 12 at the time and she, I don't think he would have ever learned to walk if she had been living with us all the time because she carried him all the time and she would give him two baths a day at least because she loved doing it. The kids were really happy to have a little brother. He was such a novelty. They had a lot of fun with him.

HARRIS: Were they around a lot, the older three kids were they around Scott a lot since they weren't actually living there?

PETERSON: Yeah, they were practically every weekend, once in a while during the week, so they had a lot of contact with him. I remember Sunday mornings we would, the kids would come over on the weekends and Sunday mornings Susie would put Scott in the stroller and take him to the convenience store and she'd buy bacon, eggs, fruit rolls, whatever else and then we'd all cook and sit outside on the patio. You could actually see the ocean about a half a block away. It was a very pleasant time.

HARRIS: Is it a fair statement to say that Scott's first sort of help heal some of the wounds from the divorce bringing the families a little closer together?

PETERSON: I hadn't considered that, but, yeah, I think it did, you know, more of a, more of a family.

HARRIS: At this point now, I want to make sure I have the time frame, she didn't have the dress shop at this point or did she?

PETERSON: She did.

HARRIS: So when Scott was born she did?

PETERSON: Yes.

HARRIS: What would she do with him as far as daycare?

PETERSON: She would take him to the dress shop. There was a little back room area and she had a crib in there. And then as he started crawling around he would, actually, he had the run of the shop, he would crawl around the shop. It was carpeted. And one day he bit a lady on the toe. She was wearing open-toed shoes. He was under a dress, one of these round dress carousels, and this poor woman, she "gnuh" or something like that and Jackie said, oh, my gosh, and there was Scott underneath, underneath the dresses gnawing on the lady's toe.

HARRIS: As he got older as he became, when I say "older," he became two, three, four years old, how was his disposition, how was he as a child, young man child?

PETERSON: He was just great. Always smiling. He was never whiny or, you know, he didn't want a lot of things. He was happy. He had his little action figures and trucks and he would go out and play by himself for long periods of time. You could pick him up, put him in the car. He was willing to go along with anything. Just very happy and content. A happy kid.

HARRIS: Once you started the crating business did he come to work with you, did he come as a child, did he come visit?

PETERSON: Yeah, after Jackie came aboard full time we had an area for him to play in where all his toys were, it was kind of gated off by one of these, they're like accordion things that spread out, you know, to keep him in. He was there.

HARRIS: Did he enjoy being around there?

PETERSON: He enjoyed everything. I don't care where you put him he was happy.

HARRIS: You used to take him trucking with you to truck deliveries and that kind of thing?

PETERSON: Yeah, sometimes I'd be passing big trucks and if I didn't have too far to go for a delivery or a pickup I would put him in the seat and take him with me, belt him in, give him a toy.

HARRIS: How early did you actually, well, you continued your passion for golf, right?

PETERSON: Yes.

HARRIS: In fact, I assume when you were in a warmer climate it probably increased even more, would you say?

PETERSON: Yeah, it did.

HARRIS: How early did you introduce Scott to golf?

PETERSON: He was probably three.

HARRIS: You gave him a golf club at three?

PETERSON: Yeah, a little sawed-off golf club. That's how all the kids started. We found some inexpensive clubs or something and cut them to size. This particular one we got for Scott was small, it wasn't very big. It wasn't actually a driver, it was like a tree wood and we sawed it off about this big. And we still have it. It's called a slugger and it's got a place in my den, actually.

HARRIS: I want to show you some photographs. Would you take a look and see if they accurately represent.

PETERSON: They do.

JUDGE: What number is that, Mr. Harris?

HARRIS: That's, I apologize, that's 8, D 9 F 8.

JUDGE: 9 F 8?

HARRIS: 9 F 8, yes, Your Honor.

JUDGE: Turn the light off.

HARRIS: A little better. What is that a picture of Lee?

PETERSON: That's me and Scott. I think it's on a course called Sand Piper near Santa Barbara.

HARRIS: How old is he about that time? This picture is a little hard to see.

PETERSON: Ten, nine or ten, I guess. Jackie took the picture.

HARRIS: Maybe that's as clear as we're going to get it. Did he, did he have an early interest in golf? Did he enjoy it?

PETERSON: He loved, yeah.

HARRIS: Did he pick it up quickly?

PETERSON: Yeah, he showed quite an aptitude, actually, and a lot of persistence. He, when he was about that age and the two boys and I would go out and play at a full-size course and take Scott along, we would ask him, he, we, he wanted to play all the latest tees that's considerably shorter and he would insist on playing the men's tees. So he was hitting and running and, you know, it was quite a chore just to keep up but he wanted to play the men's tees. He hit a lot of balls in the water because of that, a lot in the woods.

HARRIS: Do you recognize that picture? I don't know if you can see that very well. Can you tell?

PETERSON: That's Christmas. That's my,

HARRIS: You recognize the Santa Claus?

PETERSON: Yeah, that's me.

JUDGE: What number is that, Mr. Harris?

HARRIS: That's D F 9, D 9 F - 9. Did you often dress up as Santa Claus for Christmas?

PETERSON: I did until he figured out who I was.

HARRIS: How did he do that?

PETERSON: Do you see that watch I'm wearing?

HARRIS: Yeah.

PETERSON: After that particular Christmas he went to his mom and he said, mom, grandpa's got a watch just like dad does. So we figured out he had it figured out by that time.

HARRIS: Did you often have time with your work to be able to sit down at home and read with him?

PETERSON: Yeah, that's one of my favorite things. He had a ton of books and,

HARRIS: I'm sorry, judge, that's D 9 F 1?

JUDGE: D 9 F 1. Okay.

HARRIS: How old is he in that picture?

PETERSON: He looks like he's about three.

HARRIS: And would you read with him frequently?

PETERSON: Yeah. We had a real nice comfortable area where we could sit down in that red chair. He liked to snuggle so he'd come snuggling around with a book. I'd read to him.

HARRIS: Did you get to spend a lot of time with him when he was young or were you just too busy working, how would you try and do that?

PETERSON: No, I spent a lot of time with him. I was home every night by then and of course weekends we did a lot of stuff in the backyard. He would work with me in the backyard if I had gardening to do. He wanted to be right there helping out.

HARRIS: During the period when he was growing up did you have family pets, did you keep family pets around the house?

PETERSON: Yeah, we had quite a menagerie. We had a Scottish Terrier. And then we had, we had a black Lab. At two different times we had black Labs. And then we had huge called Lapsa rabbits. They're immense. They look like small dogs. We had three or four of those running around the backyard. And we had a cockatiel named Willie Nelson because he sang a lot. We had an aviary full of zebra finches. They're very prolific and if you have a pair in a month you've got five pairs. And he had goldfish.

HARRIS: Did he bring animals home?

PETERSON: Yeah, he found a baby rabbit, a wild rabbit in the pool one afternoon and came running inside with it and it was tiny, it was about this big (indicating). And I thought it was dead. And he said, well, what will we do. I said, all we can do is dry him off and try to warm him up. Maybe he'll pull through. So we dried him off and then I told Scott to sit down and pull up his shirt and hold the rabbit against him and he eventually revived and we fed it with a little eye dropper formula we got from the pet shop. It got bigger, it got about this big and it was running around the screen room there and we had a screen room out in back by the pool. And all the kids would sit around and we'd watch him run around the swimming pool of the screen room. His name was Barnabee. But then we decided he was a big rabbit, we should let him go so we turned him loose one day.

HARRIS: Did you take vacations together?

PETERSON: Yes.

HARRIS: Where all would you go?

PETERSON: Catalina Island, Santa Barbara, Monterey, Carmel.

HARRIS: I'm going to show you D 9 F 4, is that one of those vacations?

PETERSON: Yeah, that looks like Santa Barbara.

HARRIS: Who's that next to him?

PETERSON: The hairy guy?

HARRIS: Is that you?

PETERSON: Yeah.

HARRIS: With the fuzzy hair?

PETERSON: Uh-huh.

HARRIS: And how old is he there?

PETERSON: He looks like he's about eight, I would say.

HARRIS: What was it like as far as his schooling, where did you have him in school?

PETERSON: Where?

HARRIS: Where.

PETERSON: His first school was in an area called Scripts Ranch and that's where he went to kindergarten and first grade. And when we moved he was in a middle school called Painted Rock. That was in Poway and,

HARRIS: I'm sorry, go ahead.

PETERSON: Pardon me?

HARRIS: I was going to say how was he as a student.

PETERSON: He was a good student. He got very good grades.

HARRIS: What did the teachers say about him?

PETERSON: We went to all the parent-teacher meetings and they were all unanimously, unanimously they liked Scott. They said he was a good influence, he got good grades, never gave, gave them a problem. We never heard a word from the teachers, except he was a good kid. I mean, never went to the principal, never had a phone call from a teacher.

HARRIS: Never got in any trouble?

PETERSON: Never.

HARRIS: Never had to be disciplined as far as teachers calling you and saying a problem?

PETERSON: Never.

HARRIS: Is that a theme that runs throughout his schooling?

PETERSON: That's right.

HARRIS: So at no point during the entire time he was in school did you ever get that phone call from the principal, teacher?

PETERSON: Never did.

HARRIS: Never heard a bad thing he'd done?

PETERSON: No, and we were active in school and he was a very well-liked student from all the teachers and always had good friends, lots of friends.

HARRIS: I think I'll talk to you just a little bit because I think I know a big part of his life, especially growing up, was this interest in golf. You've said you introduced him at an early age and he had an aptitude for it. Did he continue to play?

PETERSON: Yeah, he played. He started playing junior golf.

HARRIS: What is junior golf, when you say junior golf, what is that?

PETERSON: That's a program where they get all age groups of kids and they divide them into brackets and they put on tournaments. I think the first age bracket is six and six through eight or something like that. So, you know, you're competing at the proper level. And at first he started playing the short courses. They were 80, 90, 100-yard holes because they're little kids. And I remember his first tournament was at a place called Presidio Hills in Old Town, San Diego. And I remember he got thrashed, there were a lot of good players there. But he loved it. He played, even if there was a tournament a week we'd drive him there. And they wouldn't let us walk along, they didn't want that distraction, but we'd wait for him there.

HARRIS: Did he eventually become a good golfer?

PETERSON: In high school he became a very good golfer, yeah.

HARRIS: When you're saying, first of all, how do you become a good golfer, did he work at it?

PETERSON: He worked at it.

HARRIS: How did he work at it?

PETERSON: He hit a lot of golf balls. We got him lessons, just like we did the rest of the kids. If you're going to learn how to play golf you have to take lessons unless you learn a lot of bad habits. So he had lessons probably starting in 6th or 7th, just like the rest of the kids did. And

played the junior golf program, then when he went into high school. He made varsity as a freshman.

HARRIS: Is that unusual?

PETERSON: That's very unusual, yeah. This is a University of San Diego High School.

HARRIS: I'm sorry, what was the name of the school?

PETERSON: I'm sorry, University of San Diego High School.

HARRIS: He made the varsity team as a freshman?

PETERSON: As a freshman, yes.

HARRIS: And did he continue to play on that team?

PETERSON: Yeah, for four years.

HARRIS: When he was a freshman playing golf did he enjoy it?

PETERSON: Oh, he loved it, yeah. One of his teammates was Phil Mickelson.

HARRIS: For those of us who may not know, who is Phil Mickelson?

PETERSON: He is a rather prominent professional. He's made a lot of money in one of the major tournaments. He's upper five, I guess.

HARRIS: He's in the top five golfers in the world; is that fair?

PETERSON: Yeah. Yeah.

HARRIS: So Scott played with Phil Mickelson while he was in school?

PETERSON: I'm sorry?

HARRIS: He played with Mickelson while he was in high school?

PETERSON: Yes, he played on the same team.

HARRIS: And Phil Mickelson was the captain?

PETERSON: For two years and then,

HARRIS: Then Phil left?

PETERSON: Phil left and Scott was captain for two years.

HARRIS: When he was playing golf, when he continued to play golf, was this something he worked at everyday?

PETERSON: Everyday. There were two summers where he would get up and he'd be at the golf course just at the sun came up and start practicing and then later in the day he'd pick up because he work at this golf course, you know, picking up the balls, washing them and putting them back in the baskets and I think he traded that labor for golf lessons with them.

HARRIS: So he essentially paid for his own golf lessons by working at the course?

PETERSON: Some of it, yeah.

HARRIS: Would you ever play with him?

PETERSON: Everyday almost.

HARRIS: What was that like, the two of you?

PETERSON: It was wonderful. By that time the business was going well and I had a good manager and I would come home about 3:00, go to the golf course. Scott's school was right across the street. He would run across the street and I'd have some snacks for him. And we'd play nine holes and we'd practice or do both. And it was really, really very nice. It was just a

wonderful bonding experience. Talk about what he did in school and talk about our golf games and,

HARRIS: So at a very early, by a very early age as a freshman as a very good golfer, did it look like he had a future as a pro golfer in your opinion?

PETERSON: Yeah, it did. He was that good. That's what he wanted. He wanted to play golf professionally.

HARRIS: What happened, what sort of happened, in your opinion?

PETERSON: Well, I think when he got to Arizona State he realized the depth of the ability there. He was with Phil Nicholson again and another Swedish fellow who's playing the tour now and these two guys were just standouts. They were, you know, unbelievably good. And I think Scott said, gee, I don't think I'll ever be that good. I'm not sure that was his thought but,

HARRIS: Did you ever see him as a very competitive person?

PETERSON: Not terribly. I'd say talented, but not really driven. He was driven in the sense that he wanted to practice and do well, but he didn't have a real, I don't know what you call it. He lost several match, matches because he didn't finish the job off. I think, I think he didn't want to hurt the other guy's feelings or something I swear or something.

HARRIS: Did you get to spend a lot of family time on the golf course?

PETERSON: Yeah, not just Scott and I, his mother and brothers.

HARRIS: Did Jackie also play?

PETERSON: Sure.

HARRIS: His brothers?

PETERSON: Uh-huh.

HARRIS: Is that kind of a Peterson way of bonding?

PETERSON: Yeah, I guess so. Uh-huh.

HARRIS: Do it at holidays?

PETERSON: Yeah, even on these. Well, not the last couple years, but when the kids were all married and had their families we would, usually the boys and I would play golf on Thanksgiving morning or Easter morning.

HARRIS: You mentioned, I'm going to go back, but I just want to finish out with this. You mentioned Arizona State, what was the situation as far as Scott going to Arizona State to play golf?

PETERSON: As far as getting him there?

HARRIS: Well, as far as just playing golf there. Was he on scholarship, was he part of the team, what was the situation?

PETERSON: We contacted several good golf schools to see about getting a scholarship and we sent videos of swing around to these schools. And we particularly wanted Arizona State because Phil was there, Phil Nicholson, and so we got a hold of the coach over there and he said, well, come on over and we'll take a look at him. So the three of us flew down there on a weekend and we had a tour of the place and he showed us the golf course and all their facilities and watched Scott play a little bit, hit some balls, and he said, well, I can't give you a scholarship right now, all my scholarship money is spent, but you come here, you've got the grades, we'll get you in school, you play with the team. He, actually, he boarded with the golfers so he was part of the team for a semester. Played, I think he played one match because he was a freshman.

HARRIS: Just so we're clear, you're not saying Phil Nicholson and Scott were good friends, he was somebody he looked up to as a buddy; is that right?

PETERSON: Well, they were friends not,

HARRIS: Close friends?

PETERSON: Good friends, not close friends.

HARRIS: He eventually left Arizona State and came back to San Diego. We'll get more into that. But the only thing I want to ask you right now, did he continue to play golf?

PETERSON: Yes.

HARRIS: And eventually he moved up to Morro Bay area and did he continue to play golf there?

PETERSON: Yeah, he went to a community college, Cuesta College.

HARRIS: Sorry, what's the name of it again.

PETERSON: Cuesta.

HARRIS: How do you spell it?

PETERSON: C-U-E-S-T-A. They had a good golf team there and they welcomed him because he was, you know, a high caliber player and had some good seasons.

HARRIS: Okay. So golfing continued up until the time he went off to college and he still played in college; is that right?

PETERSON: Uh-huh.

HARRIS: Let me go back a little bit. You mentioned your grandfather, excuse me, your father, Scott's grandfather moved out to San Diego, did he develop a relationship with Scott?

PETERSON: Yeah, they had a really nice relationship. Grandpa moved out when Scott was probably eight months and they were good buddies. Grandpa would read to him and, I'm sorry.

HARRIS: No, that's about what I was going to ask. Take a drink. What kind of things would they do together?

PETERSON: They would play with Scott's toys. They would do grandpa things.

JUDGE: Do you want a cough drop?

PETERSON: That might help.

HARRIS: I'm sorry, you were saying the kind of things they would do.

PETERSON: With grandpa, yeah. Grandpa loved to buy him little fuzzy toys, of course. He bought him a little dog that would jump and bark at the same time. Scott would chase it around, around the floor. And then grandpa bought him a, when he was still in a crib, it was a helicopter on a rod. It would go round and round and Scott would sit there and watch that for hours. They were just, they were really good buddies. I think what grandpa needed, my dad needed, because mom had just died a couple months before and it was nice for him to have someone who would hug him, you know, they had a nice relationship.

HARRIS: You talked about early on his disposition, his personality as a child, as he became a teenager and sort of entered the normally rebellious teenager years, did his disposition change?

PETERSON: No.

HARRIS: What was he like as a teenager?

PETERSON: Full of energy, a good student, always willing to please. He was a leader at school. He did charity work at school. He would, they'd go to Tijuana pass out food, clothing. He worked tutoring kids in lower grades. They would go to, there was a group that would go to, it was an

old folks home on Sundays and he would sing to them and just generally mix with them and, you know, bring them some company. Jackie and I went there a couple times to, you know, go to mass and then the kids would get up there and sing. Singing wasn't very good, but they were very, very enthusiastic about it.

HARRIS: Did his grades stay steady in school?

PETERSON: Very good student.

HARRIS: Ever have any disciplinary problems with him at all?

PETERSON: Never.

HARRIS: Was he loud, loud boisterous personality?

PETERSON: No, not around me anyway.

HARRIS: What was his personality like?

PETERSON: He was sunny, but he was, sunny, motivated. He always took care of business. Always had somewhere to go, always had a direction. You wouldn't catch him laying around in bed. He would be up. He used to wake us up with a bugle when he was in his early teen years. Bugle, he'd stand up, play Revelry, get us out of bed.

HARRIS: At some point did your relationship with him begin to evolve from a father-son into a closer relationship?

PETERSON: I suppose, you know, we were, we were great friends.

HARRIS: Does that still continue today?

PETERSON: Yes.

HARRIS: Was there a sense of, I mean, this is obviously the youngest child, was there a sense among the other children of jealousy or sort of a little anger towards Scott growing up?

PETERSON: No, because, you know, I was aware Scott clearly had more advantages because, just because of his timing he came along and we were, we were doing better. I had the business. It was making good money. And so I would explain to the other kids that, hey, you know, I just couldn't do everything I, for you like I did for Scott. I just didn't have the means and he's lucky and, you know, you're getting all I have now, but Scott's timing was better. They, they understood that.

HARRIS: As Scott got older and prepared to, as he went off to college did, was there a sort of, I don't say dramatic event, interesting event in your family where there were additional family members added?

PETERSON: Uh-huh.

HARRIS: Tell us a little about that. Now this was, it had to be Jackie; is that correct?

PETERSON: Yeah, Jackie's two children.

HARRIS: Jackie had given up two children for adoption earlier in her life; is that correct?

PETERSON: Yes.

HARRIS: Now at this point Scott was around 20, they reappeared?

PETERSON: Yes.

HARRIS: They basically looked for their birth mother and came back into your lives; is that right?

PETERSON: Yeah, first Don got a hold of us, got a hold of Jackie and immediately came out to see us and turned out to be just a really wonderful young man. Jackie was so relieved and so

pleased that he was, you could see he was a fine young man. He had a good job and children, nice family. And then Ann, Ann shortly after that.

HARRIS: I'm sorry, Ann?

PETERSON: Ann was,

HARRIS: Go ahead. Would you just take a second, Lee, and write their names on the board. So this was Don and Ann had been Jackie's children she had given up for adoption earlier?

PETERSON: Yes.

HARRIS: And they came back into your lives?

PETERSON: Uh-huh.

HARRIS: Is that right? Did they live with you at that point?

PETERSON: No, they never lived with us. They were adults. Don had a family and Ann wasn't married, but she was living in San Francisco on her own.

HARRIS: She eventually got married and we've heard the name Ann Bird used in this court?

PETERSON: Yes.

HARRIS: Is that who you're referring to?

PETERSON: Yes.

HARRIS: How did Scott accept the fact that he had a brother and sister, half brother, half sister he didn't know about?

PETERSON: I think like the rest of us was we had a bigger family now and they were such nice folks that it was just easy to take them into our family. And we see a lot of Ann or we saw a lot of Ann and we do see a lot of Ann. Don lives back east, we don't see much of him, although, he has traveled out here a couple times. We've been there a couple times. We're well acquainted.

HARRIS: You mentioned Scott went off to Arizona State and then came back, came back to where?

PETERSON: Back to San Diego for a time.

HARRIS: And when he was in San Diego did he start working with you?

PETERSON: Yes.

HARRIS: Crating company?

PETERSON: Yes.

HARRIS: How long did he work there?

PETERSON: Probably six months.

HARRIS: And it was after that period that he then went off to school in Morro Bay, is that, if I got my time right?

PETERSON: San Luis Obispo.

HARRIS: San Luis Obispo?

PETERSON: That's right.

HARRIS: And that's where Cuesta Community College is?

PETERSON: Yes.

HARRIS: Before he left, you had supported him when he went to Arizona State, that is paid his expenses?

PETERSON: Yes.

HARRIS: Paid his tuition?

PETERSON: Uh-huh.

HARRIS: You've been basically supporting him up until that time?

PETERSON: Yeah, we he was very serious about a career in golf and through high school. Other than picking up the balls at the range at the course where we live near. We told him your job is to get good grades and practice your golf and become a professional golfer. If that's what you want, you need to put the time in and basically that's your job.

HARRIS: And is that what you did?

PETERSON: Become the best golfer you can. Yeah, he did.

HARRIS: And you supported him through that?

PETERSON: Sure.

HARRIS: And then you supported him when he went to Arizona State?

PETERSON: Yeah, for the one semester.

HARRIS: And then when he came back he turned 19, did he come to you and talk to you about continuing to support him?

PETERSON: Yeah, this is after he went to Cuesta. And he just, he moved out of the house in Morro Bay where he was staying with us and he said, I'm going to move in with three other roommates. I, you guys have done enough for me. I want to support myself. I'm going to be totally on my own. And he did it.

HARRIS: He paid,

PETERSON: Every inch of the way. He worked at the Pacific Cafe. He worked at golf courses. He went to school.

HARRIS: So he worked more than one job?

PETERSON: Oh, yeah, he went to at least two jobs, sometimes three.

HARRIS: Just so we're clear, Scott goes off to school in San Luis Obispo and San Luis Obispo is close to Morro Bay?

PETERSON: Yeah.

HARRIS: They neighbor each other?

PETERSON: Ten miles, Uh-huh.

HARRIS: Now, you talk about you being there, what is it when you're referring to you being here, what were you doing there?

PETERSON: This period kind of divides up into two periods. We moved there in 1990, Jackie and I.

HARRIS: Previous to that had you had a place in Morro Bay?

PETERSON: No.

HARRIS: So the first time you bought a house in Morro Bay in 1990?

PETERSON: Uh-huh.

HARRIS: And you moved there?

PETERSON: Yes.

HARRIS: Was this a retirement?

PETERSON: Yes, I retired.

HARRIS: You turned over the crating company to whom?

PETERSON: My two sons. And after about two years the business wasn't doing so well so we had to move back to San Diego for about a year, 18 months to get it cranked back up again and during that period is when Scott moved up to Cuesta.

HARRIS: While you were back in San Diego?

PETERSON: Yeah. So he was living in the house and after about 18 months I went up there myself to Morro Bay, Jackie stayed in San Diego, to start this other crating company.

HARRIS: Let's talk about that for just a minute. When you say you decided you were going to start another crating company up in San Luis Obispo?

PETERSON: Uh-huh.

HARRIS: And what made you decide to do that?

PETERSON: I think I missed Scott a lot and then I guess I just wanted another base of income, so I asked Scott if he wanted to go in with me.

HARRIS: And what did you two together to go in, what did you do?

PETERSON: We each put $3,500 in and bought some tools and started making sales calls.

HARRIS: Business successful?

PETERSON: Yeah.

HARRIS: Immediately?

PETERSON: No, it took some time. It didn't take as much time as San Diego. There was less competition.

HARRIS: Looking at photograph D 9 F-5, it's going to be very dark. Well, having you take a look at that, is this a picture of you with Scott at Central Coast Crating?

PETERSON: That's us, Uh-huh. That's our truck.

HARRIS: And was he going to college at this time?

PETERSON: Yes.

HARRIS: Had he started San Luis Obispo or was he still at Cuesta?

PETERSON: He was at Cal Poly by then.

HARRIS: Was he still working at the Pacific Cafe?

PETERSON: Yes.

HARRIS: Was he still working at the golf course?

PETERSON: He was. He was working at one golf course at night, clean up and lock the place up. I remember I'd go out there once in a while and catch him after work and we'd go have dinner just to spend some time together.

HARRIS: Do you have sort of a, you obviously were there, well, let me ask you this question, how long were you with Scott there while at college?

PETERSON: Right through his graduation.

HARRIS: So you were there for several years?

PETERSON: Uh-huh.

HARRIS: And you watched him as he worked his way through college, is that fair?

PETERSON: Yes.

HARRIS: Would you say he worked very hard?

PETERSON: Oh, yeah. He had to. Yeah, he worked hard at school. Did a great job at the crating company.

HARRIS: How many hours a week do you think he was working from what you could tell?

PETERSON: I don't know when he slept. He must have worked 18 hours a day anyway with going to school and job.

HARRIS: Did you have a chance to go see him when he was working at the restaurant?

PETERSON: Yeah, quite often. Uh-huh.

HARRIS: You would go to the restaurant?

PETERSON: Take friends there.

HARRIS: What would he do there? What was his job?

PETERSON: He was a waiter. We always made sure he was our waiter and he always had a joke to tell us. Tell us what the good entrees were for the day. And the owner would come out and talk to us. They had a very nice relationship, Scott and the owner.

HARRIS: What was the owner's name?

PETERSON: Abba Imani.

REPORTER: Can you repeat that, please.

PETERSON: Abba, A-B-B-A, I-M-A-N-I.

HARRIS: At some point while you were living in San Luis did he introduce you to Laci?

PETERSON: Yes.

HARRIS: How did that occur?

PETERSON: Well, I remember there were, I think Susan and her family were there and Joe and her family so there was some kind of a gathering, just a weekend at Morro Bay with us. At any rate, Scott called and he wanted us to meet this girl. So we arranged to meet at the restaurant. And we all drove down there and I think I recall Laci was, you know, she was meeting this huge family and didn't know any of us and she was very, she seemed almost shy, which is totally out of character for Laci because she wasn't a shy person but,

HARRIS: Was this unusual for Scott to introduce you to his girlfriends?

PETERSON: It's the first one he ever introduced me to, yeah.

HARRIS: Do you know about at that time about how long they'd been dating?

PETERSON: I don't know. I don't think very long.

HARRIS: And obviously later on they got married, were you at the wedding?

PETERSON: Sure. I made a foolish speech and we had a great time.

HARRIS: They actually were dating and were married for a time period and lived in San Luis; is that right?

PETERSON: Yes.

HARRIS: And you were there during that time period?

PETERSON: Uh-huh.

HARRIS: Were you with them much, did you get a chance to see them often?

PETERSON: Yeah, we saw them a lot. We saw them, they would come over and wash their clothes at our house because their apartment didn't have a washer. We'd have dinner at our house or go out. A lot of times we'd meet in San Luis Obispo for breakfast. Laci would come over. I know of at least twice she planted flower gardens for us. She wanted to try out some new flowers or new design and she would show up with her flats of flowers and go to work redecorating our yard.

HARRIS: Now when they moved to Modesto were you still at Morro Bay at that point?

PETERSON: No, we were back at San Diego by now.

HARRIS: So you moved back to San Diego?

PETERSON: Uh-huh.

HARRIS: What had happened to the crating company?

PETERSON: I just let Scott have, well, Scott paid off my interest in it, which was just our initial startup money, and I let him take it over.

HARRIS: So did he continue to run it?

PETERSON: He continued to run it, yes.

HARRIS: And at some point did he sell it?

PETERSON: Yeah, he sold it to finance this restaurant that he wanted to get into.

HARRIS: We've heard talk about the restaurant, is this the one called The Shack?

PETERSON: Yes.

HARRIS: By the time, so we have the time frame correct, by the time he bought The Shack he and Laci were married; is that correct?

PETERSON: Yes.

HARRIS: Once they moved to Modesto did you get to see him very often?

PETERSON: Not very often. We would probably visit two or three times a year. Scott and Laci always came down for Thanksgiving. Usually Easter and then we'd have a few days in Carmel before Christmas. That was our Christmas together. And a couple times they might run down during the year to see us. So it wasn't anywhere near the contact we had when we lived in Morro Bay, but, you know, I'd say as much as we could we saw them.

HARRIS: At what point, at some point your wife's health became an issue; is that correct?

PETERSON: Uh-huh.

HARRIS: At what point was that, let me rephrase that question. It's poorly done. It became sort of a major issue in her life. I know there were always points where she had problems as far as breathing; is that right?

PETERSON: Yeah, she had, she had this respiratory problem since childhood, but it just became progressively worse because of lung tissue does not regenerate. In her case she was losing lung tissue. So at one point, probably seven, eight, nine years ago she had to go on oxygen full time.

HARRIS: And is that why you moved to Morro Bay?

PETERSON: I, you know, I don't recall. It probably was, yeah.

HARRIS: Did that affect your lives?

PETERSON: Yeah.

HARRIS: In what way?

PETERSON: Well, it restricts the places you can go for one thing.

HARRIS: And why is that?

PETERSON: She can't go to any altitude say over 1500 feet for any period of time at all. She can't, she can't breath. She can't get enough oxygen. She can't fly anymore.

HARRIS: She can't get on an airplane?

PETERSON: No, well she can, but it's such a major undertaking you have to get them to provide oxygen and it's not worth it. It's easier to drive. But it impacts, you know, it impacts everything because she doesn't have the energy to do what she wants. Two-block walk is about her limit. She hasn't lost her spirit. She's a great lady.

HARRIS: I want to ask you this, you obviously, you were around the family and you were home a lot, were you able to spend a lot of time with Scott? You saw the relationship that Scott had with his mother, how would you describe that?

PETERSON: Very loving. Jackie's a hugger, she loves to hug him and she loves him and he loves her as much as any parents can love a single child.

HARRIS: Would you describe it as a close relationship?

PETERSON: Close, very close.

HARRIS: Jackie, as far as her personality, you've known her for a lot of years, how would you describe how she reacts to adversity?

PETERSON: With stoism, she's very stoic, very cheerful.

HARRIS: Does she cry a lot?

PETERSON: Cry a lot?

HARRIS: Yeah?

PETERSON: Never. Well, I shouldn't say never, but she, she doesn't indulge in self pity, she accepts her circumstances and just goes on and tries to make things pleasant for people around her. She has tons of friends she corresponds with and calls and she just, she's very high-spirited. She has a great heart.

HARRIS: Has her relationship with Scott changed over the years?

PETERSON: No.

HARRIS: How would you describe your own relationship with your son?

PETERSON: I love him very much. I have great respect for him. I just have all these wonderful memories about him as a little guy growing up. I just love him very much.

HARRIS: Are you close?

PETERSON: Yes.

HARRIS: How has this affected your life?

PETERSON: I don't know. I'm frightened, I'm depressed, I guess you'd say, and deeply saddened. Just all the emotions that you might associate with losing, losing someone we loved and now having our son in this kind of jeopardy. It's beyond belief. It's something I never thought I'd have to go through.

HARRIS: Are you an emotional person?

PETERSON: Not on the outside. I have deep feelings, but I don't, I'm pretty stoic. I don't express them. I think it's kind of a Scandinavian trait. I remember my dad and mom sending me off to

the service and they both shook my hand. No hugs. But I knew they loved me, just didn't express it. When something happened you were supposed to pick yourself up, figure out what was wrong and go fix it, just start here and do whatever needed to be done.

HARRIS: I haven't got much further. I think I just have one other thing to get to if you want to take the break.

<recess>

HARRIS: Lee, I think we finally got the projector to work a little better. So I'm going to go through some of these pictures. And if you would just identify them, what they were?

PETERSON: Sure.

HARRIS: The first one, your Honor, D9F-1. What is that a picture of? D9F-1.

PETERSON: That's Scott sitting in my lap in, I guess, our living room in Scripps Ranch. I'm reading to him. He's probably three years old there.

HARRIS: Next one?

PETERSON: That's the Santa Claus, I'm playing Santa Claus. Looks like Scott is objecting, I can't tell.

HARRIS: Is that the watch you were talking about that he recognized?

PETERSON: Yes.

HARRIS: On the wrist? Next one is D9F-8.

PETERSON: Yeah. That's Scott. And he's probably nine or so. And we're playing golf. I think it's at Sandpiper Golf Course near Santa Barbara.

HARRIS: Take a look at D9F-7. How old was Scott there?

PETERSON: I'd say nine again. This is, I think it's in, I think it's in France, actually. We were having dinner at a very nice place in Monte Carlo.

HARRIS: About how old, he was about how old at that point?

PETERSON: About nine.

HARRIS: D9F-6. Obviously quite a bit older here. What is that picture from?

PETERSON: I can't really identify it. Looks like we're having a good time. We have our Hawaiian shirts on.

HARRIS: That's not The Shack, is it, in the restaurant? That's not it, is it?

PETERSON: I don't think so.

HARRIS: D9F-3. What is that a picture of?

PETERSON: That's in our home in Rancho Santa Fe celebrating Scott's birthday.

HARRIS: Do you remember how old he was in that picture?

PETERSON: Nine years old.

HARRIS: What is that a picture of, D9F-2?

PETERSON: That's Scott getting a haircut, cutting his hair.

HARRIS: Did you use usually cut his hair?

PETERSON: No. After the about the second time he wanted to go see a barber. That's outside his, he had a father-son breakfast at the, before he graduated from the 8th grade in Rancho Santa Fe.

HARRIS: That's the an 8th grade picture?

PETERSON: Yes.

JUDGE: Number, Mr.,

HARRIS: D9F-12. D9F-11, what is that a picture of?

PETERSON: That's Laci, Scott and I.

HARRIS: Where is that?

PETERSON: I think that's at the Inn at Pebble Beach.

HARRIS: Is that on one of the trips you took to Carmel?

PETERSON: Yes. That would be one of our, that's how we would celebrate Christmas with the kids. We would get together in Carmel. We probably did that from when Scott first started dating Laci right up through 2002.

HARRIS: That was this an annual ritual?

PETERSON: Yes, it was.

HARRIS: D9F-10. What is that a picture of?

PETERSON: I think that's in Santa Barbara, possibly Catalina. Looks like he's about 12 or 13, maybe.

HARRIS: Lastly you have seen this before. D9F-4.

PETERSON: Yeah. I'm sure that's on the beach in Santa Barbara.

HARRIS: How old was he at this point?

PETERSON: He's about eight there.

HARRIS: Right before lunch we had talked about sort of after Scott moved to Modesto, it was a little harder for you to see him, obviously.

PETERSON: Sure.

HARRIS: See him a few times a year, he would drive down, I think you testified to the, and you would drive up on occasion. Did you also try a couple times a year to go on hunting trips with him?

PETERSON: Yes, we did. We had a place in Lone Pine we would go to, hunting pheasants. Usually with, at least one of his brothers would accompany us. We would meet Scott there.

HARRIS: And I'm not going to, obviously you have testified before about the fishing background. I don't want to go into depth on that. We have heard quite a bit about the fish, Scott's love of fishing, and your sort of growing up with him through that. But would you also once a year, or so, go on a fishing trip with him?

PETERSON: Yeah. Once or twice a year, it was usually instigated by Scott's brother Joe, who loves the mountains, so we would meet in Mammoth. Mammoth Lakes. And we would hike in, hike in to some of the higher elevation lakes and trout fish at least once a year.

HARRIS: So even after they moved to Modesto, you were still seeing Scott a number of times per year?

PETERSON: Yeah. Probably average out to once a month, maybe.

HARRIS: Ten or twelve times a year?

PETERSON: Yeah.

HARRIS: Your other children, Susan, Mark, Joe, John, now do any of them have children?

PETERSON: Yes. They all do.

HARRIS: So these would be Scott nieces and nephews?

PETERSON: Uh-huh.

HARRIS: Have you seen him develop relationships with these children?

PETERSON: Oh, sure. They adore him. They really love their uncle Scott. He would get on the floor with them and play, rough house and play ball, football, soccer, whatever they wanted to do. He had, they had a lot of interaction. So did Laci. The kids really enjoyed Laci, because she was so small, she was almost the same size. And I think we have pictures of the kids carrying her around by the feet and hands. So, yeah, there was tons of interaction.

HARRIS: You had the opportunity, when the verdict was read, you were with several of your nieces and nephews?

PETERSON: Yeah. I had gone back to San Diego. I had some business to attend to, and didn't think the verdict would be in that early. So I was at Susan's house with Joe and J.D.'s families and Susan's families. And five grandchildren were there, and we were all sitting on the couch. As soon as the verdict was read, all five of them burst into tears.

HARRIS: That had a traumatic effect on them?

PETERSON: It sure did. It was just, it didn't stop for, I don't know, half hour. They would come around and hug me and climb on me. And they were just really devastated. Very troubling.

HARRIS: Since Scott's arrest a little over a year and half ago, have you had a chance to go see him in jail?

PETERSON: Many times, yes.

HARRIS: Where was housed originally?

PETERSON: Modesto.

HARRIS: Where, how far is Modesto from San Diego where you live?

PETERSON: It's about 425, 430 miles.

HARRIS: How long does it take you to drive that?

PETERSON: Seven and a half to eight hours.

HARRIS: Were you going up there frequently to see him?

PETERSON: He is allowed two visits a week, and I don't think we ever missed a visit.

HARRIS: And you said your wife can't fly, so you were driving every time; is that correct?

PETERSON: Yes.

HARRIS: When you saw Scott in jail, what was he like? What was his attitude?

PETERSON: He always just he amazed me. He was upbeat. He was, I think he was trying to protect us from worrying too much about him. He tried to keep our spirits up. We were doing likewise. But it was always a positive thing, strange as that may sound. Just to, just to be in close proximity to him, and then, and then realize he was, he wasn't, you know, totally devastated. He was upbeat. Like I said, I think mainly for our benefit, but he was.

HARRIS: Obviously you are aware of why we're here. What effect would having your son put to death have on you?

PETERSON: I don't know. I don't even want to entertain that thought. I just can't imagine anything worse.

HARRIS: I don't have anything else.