Witness: Roger Content

Date: 2004-09-07

Proceedings held September 7, 2004

Called by: People (prosecution)

Phase: Guilt

Examinations: Direct – Rick Distaso; Cross – Mark Geragos; Redirect – Rick Distaso; Recross – 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: Mr. Content, where do you work?

CONTENT: Robert's Auto Sales.

DISTASO: Were you working there in January of 2003?

CONTENT: Yes.

DISTASO: And what is that? What's Robert's Auto Sales?

CONTENT: Used car operation in Modesto.

DISTASO: And did you sell a car to Mr. Peterson, the defendant in this case?

CONTENT: Yes.

DISTASO: And did he, as part of the sale, did he trade in to you a green 1996 Land Rover Discovery?

CONTENT: Yes.

DISTASO: Let me just show you this document, People's 213, and just see if you recognize this.

CONTENT: Yes.

DISTASO: And are these the business records from your company regarding that particular sale?

CONTENT: Not the complete file, but the computerized version.

GERAGOS: I'm sorry, did you mark that as 213?

DISTASO: Yes. 213.

GERAGOS: Thank you.

Judge Delucchi: What are they? 213.

GERAGOS: Looks like a three page printout.

DISTASO: Right. It's a three page computer printout of the transaction?

CONTENT: Yes.

DISTASO: All right. And just briefly, can you tell the jury what happened?

CONTENT: The gentlemen came in, looked at a vehicle.

DISTASO: What kind of car was it?

CONTENT: A Dodge crew cab Dakota

DISTASO: That's a pickup truck?

CONTENT: Yes.

DISTASO: And that's listed here on the first page of the purchase contract?

CONTENT: That's correct.

DISTASO: Okay. Go ahead.

CONTENT: Looked at the vehicle. Came in my office. Negotiated the transaction. Didn't like the numbers. Left. I couldn't tell you exactly how long, but a couple hours later, came back. I was with another client at the time. He sat in the outer office, waited. Came in and said that he had realized the figures were good and took the transaction. So I finished the paperwork and put him on the page.

DISTASO: Okay. And then you took the Land Rover in as a trade-in?

CONTENT: Correct.

DISTASO: And then he took the Dakota and went on his way?

CONTENT: That's correct.

DISTASO: All right. Nothing further.

Cross Examination by Mark Geragos

GERAGOS: Is this a Dakota truck?

CONTENT: Yes.

GERAGOS: A pickup truck?

CONTENT: Yes, sir.

GERAGOS: Okay. Dodge Dakota?

CONTENT: Yes.

GERAGOS: Okay. The pickup truck you sold to him had how many miles on it?

CONTENT: 35,000.

GERAGOS: How many miles did the Land Rover have on it?

CONTENT: 75 plus.

GERAGOS: And what was the book value of the Land Rover?

CONTENT: From memory, I'd have to say nine to 10,000.

GERAGOS: And you gave him 7500?

CONTENT: Correct.

GERAGOS: So that's about, what, 2500 dollars back to book?

CONTENT: Two to 2500, yes.

GERAGOS: Okay. And is it a fair statement that the -- that the Land Rover was not in the best of condition?

CONTENT: It wasn't in bad condition. It was just a soft piece of merchandise.

GERAGOS: Soft piece of merchandise meaning that there was not much market for it in Modesto?

CONTENT: Right.

GERAGOS: Correct?

CONTENT: Correct.

GERAGOS: You can't get it serviced in Modesto, correct?

CONTENT: No, sir.

GERAGOS: If you want to have the brakes fixed or anything else fixed, you have to take it to either Sacramento or Fresno?

CONTENT: I believe that's correct.

GERAGOS: Okay. And that Land Rover is a closed car, correct?

CONTENT: SUV.

GERAGOS: SUV type?

CONTENT: Uh-huh.

GERAGOS: It's not a pickup style where you can place things into the back of the bed?

CONTENT: Not at all.

GERAGOS: And who was the registered owner of the Land Rover?

CONTENT: Scott Peterson.

GERAGOS: And the time of day on the 29th that he first came in?

CONTENT: Late morning.

GERAGOS: When he came in in the late morning, was he driving a Dodge Dakota?

CONTENT: No.

GERAGOS: Do you know if, was he driving the Land Rover?

CONTENT: I'm sure he was.

GERAGOS: Okay.

CONTENT: He test drove the Dakota

GERAGOS: Okay. So he brought that in, you took a look at it. Did you do -- did you make any markings or do any kind of analysis of the condition of the car?

CONTENT: At that time?

GERAGOS: Yes.

CONTENT: Yes.

GERAGOS: Okay. Where is that document?

CONTENT: Well, that's in the files at work.

GERAGOS: You didn't bring that with you?

CONTENT: No, sir.

GERAGOS: Okay. That would show whether or not the brakes were bad or anything else was bad on that car?

CONTENT: Correct.

GERAGOS: And that document you still have in the file?

CONTENT: Definitely.

GERAGOS: Okay. And if I understand correctly, he gave you the Land Rover; that was the down payment on a used pickup truck, correct?

CONTENT: That is correct.

GERAGOS: And then he financed the rest of the purchase?

CONTENT: That is correct.

GERAGOS: So he put $7500 down, which is, in essence, the Land Rover. The pickup truck cost seventeen five?

CONTENT: Yes, sir.

GERAGOS: So 7500 down, and he finances the 10,000, correct?

CONTENT: Plus tax and license.

GERAGOS: Plus tax and license. You end up financing eleven thousand and change?

CONTENT: Right.

GERAGOS: Thanks. I have no further questions.

Redirect Examination by Rick Distaso

DISTASO: Mr. Content, when you say a soft piece of merchandise, what did you mean by that?

CONTENT: It's a hard piece of merchandise to resell, especially in our area

DISTASO: So that's a market term; is that right?

CONTENT: Correct.

DISTASO: That doesn't describe the condition of the vehicle?

CONTENT: Absolutely not.

DISTASO: Okay. Nothing further.

Recross Examination by Mark Geragos

GERAGOS: One more time. The condition of the vehicle, the best way to determine what the condition of the vehicle is is to take a look at that piece of paper that's in your file back in Modesto?

CONTENT: That's correct, sir.

GERAGOS: Thank you. No further questions.