

Speaker 2: You're welcome. Mr. Hana, 3.30, I have another matter. I have to take about 15 minutes. I have to ask you to stretch your legs again, and we're just going to have an adjournment for about 15 more minutes.

Speaker 0: Judge, I'm going to ask to take a witness out of order just only because I don't have to take off. He's very, very short, and I think we can probably get him in before you need to take a break. Also, if I could just take a pause with Ms. Flax, and I'm just going to bring in Mr. Parker, so that I can have him testify quickly about just more of a procedural thing.

Speaker 2: You're going to get whatever time you need to do the cross-examination of all witnesses, but pursuant to rules, we're back on the record.

Speaker 0: In this case, just make sure I have the right docket number.

Speaker 2: FV031946-22, Lisa Hahn versus Glen Hahn. So, pursuant to Rule 611 of New Jersey Rules of Evidence, we're going to switch the mode of the interrogation and order of interrogation. So, we'll keep your testimony in suspension, and we'll bring in...

Speaker 0: Thank you, Your Honor. Scott Kurtz.

Speaker 1: Scott Kurtz. Do you want me to move?

Speaker 0: Then we'll move.

Speaker 2: K-U-R-T-Z?

Speaker 0: K-U-R-T-Z, yes.

Speaker 3: Excuse me, Ms. Parker. Is this number 20 something or other?

Speaker 0: It's going to be 19. It's the video. Oh, okay.

Speaker 2: Hello, Mr. Kurtz. Hello. Hi. You can come through the double gates here and sit right here at the witness box. In the witness box, there's just cables that...just be careful of your step when you're coming around. And thank you for being so patient out there.

Speaker 0: You're welcome.

Speaker 2: Okay, so let me first swear you in, sir, if you could raise your right hand. Do you swear or affirm that the testimony you're about to give the court will be the truth, the whole truth, and nothing but the truth? Yes, I do. Can you please state your name? Scott Kurtz. And that's K-U-R-T-Z, correct? Thank you. Your Honor, witness, Ms.

Speaker 0: Parker. Good afternoon, Mr. Kurtz. Do you know Ms. Black's... Yes, she's my sister-in-law. And you know Mr.

Speaker 2: Hahn as well?

Speaker 0: Former President. So I'm going to direct your attention to April 6th of 2022. Were you at Ms.

Speaker 3: Black's former home at that time?

Speaker 0: Yes, I was. And what was the address? And on that day, can you explain to the court what you did? Well, we had heard that there was something buried in the backyard. Okay. And my wife came to see what we did. And there was a plastic storage container. It wouldn't have seemed odd had we not been looking for something.

Speaker 3: I picked things up and...

Speaker 0: I'm going to show you what's been my claims exhibit 55. Are these the items that you found?

Speaker 2: Yes, they are. And they may be wet, Mr. Kurtz, if you want. I know you have gloves unless you want to present them, but the court saw them already. Yes, yes.

Speaker 0: And they were the items that you found in that home? Yes. Your Honor, at this time, I'd like to enter into evidence. claims exhibit 55.

Speaker 1: Did you video as you were coming out to...

Speaker 3: Yes.

Speaker 0: I'm going to show you what's been marked as claims exhibit 19. Have you reviewed this or this video?

Speaker 3: Not off of there, but I...

Speaker 0: Would you like to play... Sure.

Speaker 2: I'm becoming good at this now, Judge. I hope it... Well, did you pull the...

Speaker 0: I'm going to put it right back in, don't you worry. Oh, my God. It's a big tree. It is rapid. Yes, I got there. I got there on my niece's little pictures or something.

Speaker 1: Everything you put in here, it's ruined.

Speaker 0: And to make my own words, there's a bug in there. Anything else?

Speaker 1: It looks like it... It looks like it came from this container.

Speaker 0: Yeah, maybe it was in there, but it wasn't in there anymore. Wouldn't make sense to put it in a waterproof container if you hadn't heard about it.

Speaker 1: Not a whole lot of water in there.

Speaker 2: All right, I'm going to take this...

Speaker 1: Well, I think that's probably it.

Speaker 0: I don't know. Does that video accurately depict...

Speaker 2: P19. we had entered in for the prior segment, right? Which was the house... That was 11. Oh, it was 11. Yes.

Speaker 1: Thank you.

Speaker 2: So, P19 is... Mr. Hahn, any objection? No, not at all. It's moved into evidence. Okay, Mr. Hahn, do you have any cross-examination questions for Mr.

Speaker 0: Kurtz? Yes.

Speaker 2: So, hello.

Speaker 1: Hello.

Speaker 3: How you doing?

Speaker 0: Not bad.

Speaker 3: Nice to see you again.

Speaker 2: All right, let's just ask questions.

Speaker 0: Yeah, so here's the thing.

Speaker 3: So, here is a picture. Does that look familiar?

Speaker 0: It's a little distant.

Speaker 2: Can I take a look? Officer, can you get that picture and show the witness?

Speaker 3: And that looks like the same location. And this is the picture of the bags. It looks like it was sitting next to the trash container in the living room. Is that correct? Do you see where it says something B-E-A-N? It looks like that was shot on your video as well. Does that look familiar at all?

Speaker 2: Mr. Hahn, what are you trying to identify here? Okay. What is this? What are we a foundation for?

Speaker 3: Okay, my foundation isn't. this container was the time capsule that I have been referring to all this time. That was what was buried in the ground about 10 or 11 years ago, Your Honor, that I did with the children as a project. As a matter of fact, I missed...

Speaker 2: Okay, well, you'll get your ability to testify, but sir, what's the question for?

Speaker 3: Okay, so the question is you said that the hole in the ground matched the lid, right? Approximately, yeah. And the lid would have matched that container?

Speaker 2: I did not put the lid on the container.

Speaker 3: Does it look like it could? Yeah. So it looks like that, realistically, that there was... Is it possible, okay, that the items that you found, right, were once within that container with that particular lid? Is that possible? Yes, it's possible. Okay. Buried into the ground in a hole about the size of the container.

Speaker 0: I'm going to object, Your Honor, because this is pure speculation. His testimony was about what he found. We're now outside of the scope of him to speculate as to all the possibilities of what Mr. Hahn may have done.

Speaker 2: Yeah, I sustain the objection. Mr. Hahn, is that your phone? You'll have to just shut that off, please. Yeah. What I'm saying to you is... But just shut the phone first, please.

Speaker 3: Yeah, I'm sorry. I didn't even know my phone was even on. What I'm saying to you is that you saw the stuff in the backyard, right? You saw a container in the backyard. You saw a lid in the backyard, right? You took the lid out of the hole. Is that correct? Is that what you're saying?

Speaker 2: I took the lid off.

Speaker 3: Okay. I wasn't in the backyard. I didn't dig this thing up. Okay, so that's why I'm asking the question. Someone dug it up for me. So...

Speaker 0: Your Honor, I would object. This is not a question. Never mind.

Speaker 2: I will drop the line of questions. I sustain the objection. Mr. Hahn, you're going to have an opportunity to testify about this. Okay, I will.

Speaker 0: That's fine.

Speaker 2: I have no more questions then. Do you have any redirect, Ms.

Speaker 1: Berger? No, Your Honor.

Speaker 2: All right. Mr. Kurtz, thank you so much. You're excused. Thanks for your patience. You're quite welcome. Have a good day. I'll just leave it there. We have about eight minutes, Ms. Berger. We can continue.

Speaker 0: I can continue.

Speaker 2: Thank you.

Speaker 0: Before we took a break, Ms. Black's, and just so the record's clear, we're back to the testimony of Ms. Black's. in the direct, we were talking about Exhibit 23, which has been entered into evidence. Yes. And just so that... And this was a text that you received on October 29th of 2018. Is that correct? Yes. And in that text, and again, you identified the white spot as Mr. Hahn. Is that correct? Yes. It says, "Yes, I own the situation, and I truly sorry for what I did.". Is that correct? Yes. You said, "Thank you.".

Speaker 1: Yes.

Speaker 0: He states, "I just wish that there was a way we could be a family again. I realize I have a problem and need professional help.". Is that correct? Yes. Did he continue on in that text on the next page?

Speaker 1: Yes.

Speaker 0: "I understand and deeply sorry for what I did and know that I need professional help in both the mental and physical professions. I am so deeply depressed about the situation and lived with it for years.". And it's continued on to the third page. Is that correct? Yes. "And a part of me is relieved that I was caught and the situation came to the surface. I never meant to harm you, but I'm begging you for forgiveness and hoping that you can see it in yourself to help me like anyone who has an illness and find it within yourself not to throw this relationship and the kids' future in mental health and see if we can salvage our relationship and become a family again. I will do whatever it takes and ask for your forgiveness. I truly love you and miss you and the kids.". And that was from Mr. Hahn. Is that correct? Did Mr. Hahn's behavior that you had previously described continue during this time?

Speaker 1: Yes.

Speaker 0: How many times was he trying to contact you?

Speaker 1: Many times.

Speaker 0: And in what ways?

Speaker 1: Mostly texting calls.

Speaker 3: Okay.

Speaker 0: And what were some of the texts like that? he was texting you?

Speaker 1: Kind of threatening, stifling, threatening, different things, trying to get control over whatever, saying that the kids couldn't go to a friend's house without his permission, couldn't sleep at their friend's house, couldn't leave the state for a college tour.

Speaker 0: Was this behavior similar to that when you lived with Mr. Hahn?

Speaker 1: It was escalated at this point.

Speaker 0: And I'm going to show you Exhibits 24 through 29 and ask if you recognize them. Can you look through Exhibits 24 through 29?

Speaker 1: Yes, sir.

Speaker 0: And what do you recognize them to be?

Speaker 1: Their text messages, basically threatening, trying to control different situations with the kids, threatening me about work and having my sister driving the kids.

Speaker 0: And what year were these sent to you? And who sent them to you? Gwen. And I'm going to ask that Exhibits 25 through 29 -- I'm taking 24 out of that, Judge. I'm going to come back to that. Twenty-five through 29 come into evidence, Judge.

Speaker 2: Any objection, Mr.

Speaker 0: Hahn?

Speaker 1: No, not at all. It's fine.

Speaker 2: Okay. So moved.

Speaker 0: And just briefly, if you go to Exhibit 25, in this text, he is the white. Is that correct? Yes. And you're in the dark?

Speaker 1: Yes.

Speaker 0: And in here it says, "If I do not hear from you about the kids by 6 p.m., I need to call Cold Protectio. I know it's going to end your career, but you're giving me no choice.". Is that correct? Yes. What was he threatening to do?

Speaker 1: He's threatening to call DCPD.

Speaker 0: Going to Exhibit 26, how many text messages were sent to you within that time period?

Speaker 1: Five.

Speaker 0: So in less than an hour, he had sent you five text messages. Is that correct? Yes. Were you responding to him?

Speaker 1: No.

Speaker 0: And going back to Exhibit 25, that was from November 26th -- or November 16th of 2018. Is that correct?

Speaker 1: Yes.

Speaker 0: And Exhibit 26 is November 17th of 2018. Is that correct?

Speaker 2: Yes.

Speaker 0: And in there he's saying, "No matter even if you take them, I do not want them to see that movie. I want the income tax and sell paperwork returned tomorrow when we switch cars.". And because of that stunt with Max, tell him that, "I want half your Algiers fund and state retirement money. You can have the other Honda. Tell your lawyer the car is in my name and I want it back.". Were you responding to him? No. Now just to be clear, this was not every text that he was sending you during this time. Is that correct? No. Were you able to print out every single text that he had sent you during this time period? Moving to Number 27, "Sorry, not good enough. I'm calling goodbye. I told him about the financial stuff and the medications. What medicines and the health of Pam is she driving -- if she driving the kids?". Did you know what he was talking about?

Speaker 1: No.

Speaker 0: And then he's moving to Page 2 of that one, "No one can drive the kids by you. I give no permission for anyone else to drive the kids. Your mom is not allowed to drive Max to speech either. You're not allowed to take them to your brother's house or they are not allowed to be around your brother since he threatened me. If you do, it shows you're making poor decisions and putting them at risk and at harm.". Is that correct? Yes. Moving to Exhibit 28. I'm sorry, that was a repeat of 27. So moving to Exhibit 29. Can you tell the court what he had texted you in that particular text?

Speaker 1: This is a text that is a Facebook message that was posted on Facebook.

Speaker 0: So what did Mr. Hahn do that you found out in this?

Speaker 1: He wrote in The Town We Live In in Mount Laurel, "Dear Mount Laurel neighbors, I never thought I'd be writing this. My separated wife, Lisa Flex, refuses to turn over necessary documentation for me to file my SSI disability claim. Even the Mount Laurel police have asked her and she still refuses to turn it over. I desperately need cat food, temptation treats for them, food, cash to help pay mortgage and gas, electric bill. She called police again on me this evening. They really wanted me to go to the hospital as I have a severe case of neuropathy and severe pain and will most likely need to have my right foot removed. Thank you everyone."

Speaker 0: Do you have any idea what he was talking about in this?

Speaker 1: No.

Speaker 0: Were you refusing to turn over anything?

Speaker 1: No.

Speaker 0: What was your concern about him posting this on Facebook?

Speaker 1: I teach in the next town over.

Speaker 0: How long have you been a teacher there?

Speaker 1: Um, like 25 years-ish.

Speaker 0: And what do you teach?

Speaker 1: Special ed.

Speaker 2: Okay. Ms. Berger, I think we just have to take about a 15-minute break.

Speaker 0: Okay, so let's adjourn for 15 minutes.

Speaker 2: I have that other matter.

Speaker 1: Mr.

Speaker 2: Hahn, I have to ask you to please just wait outside, okay?

Speaker 0: You can utilize the chair, sir. Excuse me? You can utilize the chair.

Speaker 3: No, no.

Speaker 1: I can sit in one of the chairs outside.

Speaker 3: We're going to be easier for you. I'm going to have a hard time, you know, wheeling back and forth.

Speaker 2: Maureen, did you print out the order to show cause?

Speaker 0: I'm on my way, Judge.

Speaker 1: Oh, thank you.

Speaker 2: Do you have anything other than that? Okay.