

Speaker 0:

Speaker 2: Okay, we're back on the record, docket FP031946-22, Lisa F. Flax versus Glenn H. Hahn. Mr. Hahn, you're still under oath. Ms. Berger, you can continue with the cross-examination.

Speaker 1: Thank you. And, sir, let's go to exhibit 23. And this is your text message to Ms. Flax from 2018, correct?

Speaker 0: No.

Speaker 1: Okay.

Speaker 0: So... You're asking me if I have first-hand knowledge of this? Mm-hmm.

Speaker 1: I honestly do not have a recollection of this. Okay. So you... When was this taken? From October of 2018.

Speaker 0: No, I was suffering from the automobile accident. I do not remember any of this.

Speaker 1: But you were still working in October of 2018, correct?

Speaker 0: No, actually, I was not in the beginning of October. It was the middle of October when I tried to go back, but I wasn't able to.

Speaker 1: Well, you were actually employed all throughout the summer, and were getting paid biweekly, correct? No.

Speaker 0: During the summer of October '18?

Speaker 1: Uh, 2018, up until approximately October of 2018.

Speaker 0: Could we take a look at those? Because as far as I knew, I was not working. I was recovering from the, uh, automobile accident. The automobile accident occurred in March of 2018, correct? Yes, and I was out that entire summer for surgery.

Speaker 1: Okay, and thereafter you started a job with another IT?

Speaker 0: I tried to, but that was a lot later on.

Speaker 1: Okay. In 2018, correct?

Speaker 0: No, 2019.

Speaker 1: Mm-hmm. So you're saying... Do you have any fact records? Sir, are you saying, "I understand and deeply sorry for what I did and know that I need professional help in both mental and physical professionals. I'm so deeply depressed about the situation and lived with it for years, and part of me is relieved that I was caught and the situation came to the surface. I never meant to harm you, but am begging you for your 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 kid's future 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 my kids.". You don't know who wrote those words?

Speaker 0: I'm just saying I do not have any memory of writing those words.

Speaker 1: Okay, so it could have been you. That's all I'm saying. Okay, so it could have been you. You just don't remember.

Speaker 0: I just don't remember.

Speaker 1: Okay, so going through exhibit 25. Do you recall sending a text message on November 16th of 2018, "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.". Where is this again? Exhibit 25.

Speaker 0: I have no idea what you are referring to.

Speaker 1: Okay.

Speaker 0: No, I do not know. Can you identify what phone this came from or anything like that?

Speaker 1: So your identity is Glenn.

Speaker 0: That's not you. That's my name, but I don't know how my name is associated with these words.

Speaker 1: Okay, so you never threatened to call Child Protective Services on Miss Flax?

Speaker 0: I did call Child Protection Services against Miss Flax, but that was for something else.

Speaker 1: During that time frame, you told her no one was allowed to drive the children other than you or Miss Flax, correct? This would have been November of 2018?

Speaker 0: Well, she had a big issue with people driving the kids that were on medicine, so I wanted to make sure that that was consistent across everyone. Okay. Obviously, it wasn't. It was more targeted towards me. Okay.

Speaker 1: And then going to exhibit 31. You had done some posts on Facebook, correct?

Speaker 0: I don't do Facebook.

Speaker 1: Okay, so you're going to say the R2-D2 was not your signal or your little profile photo in November of 2018?

Speaker 0: That?

Speaker 1: That's your R2-D2, correct?

Speaker 0: That is an R2-D2. I'm not saying that that is my R2-D2. Okay. And I don't do social media.

Speaker 1: Okay, so if someone named Glenn Hahn said, "Just to wrap up what I'm dealing with, PSEG gave me a Class 2 violation as one of the flexible pipes had a hole in it from the kitten. They noticed it when they canned out and cleaned the air conditioner coils in the inside unit. PSEG came out twice since then to change the door switch and the soon-to-be ex-wife called in a gas leak in the middle of the night. They came out and found no leak. Her response was, "It is unsafe for the kids to be in the house. I have called PSEG myself and I have advised that there is a violation which means the heater is unsafe. I am at loss as to why you would put our children in such danger.". So part of me does not want PSEG to come out Monday to see the new pipe and remove the violation, moving to page 2, because under her thought, she will never step into the house again, which may be a good thing. Oh well. Have a great Thanksgiving and Black Friday shopping. If anyone is interested in the ongoing saga, I think I can do a great blog on this. Just PM me. That's not your message?

Speaker 0: Listen, I don't think it was.

Speaker 1: Her family has manufactured so much evidence against me.

Speaker 0: I don't know what is something I did, which I don't have any memory of this, or stuff that they have been doing, like I said. You have manufactured evidence against me since the beginning.

Speaker 1: So your testimony is you're not sure if you did this or not.

Speaker 0: You can't remember that. I don't remember it.

Speaker 1: And then the next message says, "Oh, the pipe is one of two that run into the bottom part before the air filter.". Is that correct? You're not sure if you wrote that either.

Speaker 0: I can tell you I didn't write that. And the reason why I can tell you I did not write that, is because I wouldn't know that because I was in a wheelchair in the house.

Speaker 1: Moving to number 33. Again, you're not... Mr. Mount Laurel needs having a difficult time filing for SSI disability and have bad neuropathy and pain. Also, my right foot may need to be removed as the metal is causing pain. If anyone remembers, Christopher reads, "I had the same C1/C2 surgery. I can no longer work and applies for medical marijuana program with state, but paperwork to confirm is missing as well. Any way to continue, if you find it in your heart, I could use food for cats, as I have no income. They like Meow Mix beef tenders, and for treats, they like temptations. Also could use assistance in paying

mortgage and gas/electric. As I mentioned above, all my paperwork was taken. A person who took it refuses to return. Thank you again for reading my post. Hopefully, it will not be deleted.". You don't recall?

Speaker 0: Actually, this message, I can tell you I didn't write it. Sue, a neighbor of ours who was helping me out, she was the one who went this route to try to get some assistance for me in regards to this. As a matter of fact, during cross-examination, Ms. Flax even admitted that she had no idea how to C1/C2 surgery.

Speaker 1: She couldn't even admit to that. So this C1/C2 surgery was actually from 1988?

Speaker 0: '86.

Speaker 1: Okay. And you actually were gainfully employed from 1986 up through your appointment, your accident in March of 2018? No, I was not. Okay. You had multiple positions where you were actually an IT manager, is that correct?

Speaker 0: On and off during that period of time.

Speaker 1: So go into exhibit 34.

Speaker 0: The rehab alone was two years away.

Speaker 1: Sir, I didn't ask any questions.

Speaker 0: I know. Is exhibit 34?

Speaker 1: Yeah, I'm on it. Okay. And your email address is ghpon@comcast.net? Yes. And this email is dated November 16, 2018 at 2.48 p.m.? ?

Speaker 0: Yep.

Speaker 1: And in this email you're saying, and this is an email to Ms. Flax, correct?

Speaker 0: No, actually now I figured out why these emails and so forth are unfamiliar with me, Your Honor.

Speaker 2: Just to answer the question.

Speaker 0: I have no familiarity with these emails. Okay. And I'll explain to the court as to why.

Speaker 1: So when it says Lisa Flax complained that Max could not sleep over because she believes that the carbon monoxide is coming from the heater, not only has the carbon monoxide detector not gone off, but the kids are here during the day while the unit is gone. Once again, her anxieties are getting in the way and proving she is unfit to have custody of the kids and preventing me from ha. I got to let kids overnight as

they may want to stay. PSE and G came out and replaced the switch and said the unit was fine. You don't recall writing those words?

Speaker 0: No. And there's a very good reason why. I'll explain it to her in my redirect.

Speaker 1: I'm going to exhibit 35.

Speaker 0: Now it's all making sense to me now.

Speaker 1: Again, this is an email coming from your email account, ghhon@comcast.net, correct?

Speaker 0: That it came from that account, yes.

Speaker 1: I would agree to that. And the subject is kid status?

Speaker 0: Kid status.

Speaker 1: And the date is November 16th, 2018 at 1/26 AM, correct? Yes. And that's to lisaflaxhon@comcast.net, correct?

Speaker 0: Yep.

Speaker 1: And that email reads attached as a prescription for a blood panel for opiates. Lisa Flax is claiming and spreading rumors that I am addicted to opiates and unsafe in driving my kids. Max has repeatedly asked me to take him to Best Buy and other things. I spoke to the physically trained. opinion is unfounded. I feel that she is ruining my reputation within the community about spreading false rumors. The results will be sent to my attorney to support my case for custody of my children. Also, Lisa Flax, I feel, is putting further harm to my children with their current living conditions. I will be following up with New Jersey Child Protection Services to do an evaluation. Finally, there is another circumstance with one of her relatives to be documented on a separate communication.

Speaker 0: You don't recall writing that? No. Actually, I recall writing this, but I never sent it to Lisa Flax. Okay. And there's an explanation to that as well.

Speaker 1: And it just happens to have her email address on it, correct?

Speaker 0: Yes. And there's an explanation to all this.

Speaker 1: And if you go to Exhibit 38, this is another email coming from your email address. And it's gghan@comcast.net, correct?

Speaker 0: That it came from that email account, yes.

Speaker 1: Okay. And that was at November 20, 2018 at 4 a.m.? ?

Speaker 0: So what is your question?

Speaker 1: Is that 4 a.m.? ?

Speaker 0: At the time of the date? Yeah, it says 4 a.m Okay.

Speaker 1: And it's to lisaflax103@gmail.com, correct?

Speaker 0: Yes.

Speaker 1: And it says thinking about your mom's heater is too old too. She needs to have hers checked as well before the kids can go over her house just to be safe, dot, dot, dot. You don't recall writing those words?

Speaker 0: Oh, no. I can tell you I didn't write it.

Speaker 1: Okay. And then underneath of that, on November 20, 2018 at 1214 a.m., there's an email coming from ghhan@comcast.net wrote things about at that time. we can swap cars as they want my car back and we do not want them around a brother at all since he has threatened me and I do not feel you are making the right decisions for them. If I find that he has been around them, I will report that back to Child Protection Services as I have an open complaint. I guess the house was safe enough for the kids to be here during the day. PSE&G was out twice on Friday and both times they verified the safety of the unit and Friday night they did their gas leaks and carbon monoxide leaks and verified the safety of the unit. Obviously you are using this as an excuse. Once again, no one else should be driving the kids and they need to be notified any time they are sleeping over anyone's house and have to agree to such. You don't recall writing those words?

Speaker 0: No, actually I don't.

Speaker 1: And these are the same words that are in the earlier text messages, correct, referring to Child Protective Services and who can drive the kids, correct?

Speaker 0: Similar words.

Speaker 1: And there is nothing in anything in this email about PSE&G and severe temperatures, correct?

Speaker 0: No, because I did not write it. Okay. And like I said, there is a logical explanation telling this.

Speaker 1: Do you remember telling Ms. Black that you were going to drop her from the insurance?

Speaker 0: No. What insurance?

Speaker 1: The car insurance back in 2018?

Speaker 0: No.

Speaker 1: So if I showed you Exhibit 41 from the email from jhahn@comcast.net on November 22, 2018 at 11.55 a.m., you are going to see 2 lisaflax103@gmail.com saying I am dropping you from the auto insurance on Friday. You are saying that is not your email?

Speaker 0: No, actually that is not my email. Okay.

Speaker 1: And if I turn your attention to Exhibit 43, if I asked you the jhahn@comcast.net email on November 22, 2018 at 3.17 p.m., it says summarize what appears to be 3 of the children as well as lisaflax103@gmail.com is part of this. You say I am removing you as a driver of the 2016 high-doll odyssey and at that point you are not legally able to drive the car. I am no longer making payments on that car, renewing the registration tags on that car. You don't recall.

Speaker 0: Is that correct? And this was sent from the GHHANN Comcast account?

Speaker 1: That is what it says on top.

Speaker 0: Actually, no, I do not remember writing that.

Speaker 1: Okay. And if we go to Exhibit 45.

Speaker 0: And, Your Honor, I am not trying to be facetious, but there is a law to us.

Speaker 2: Well, you will get a chance.

Speaker 0: Yeah, that is what I am saying. I don't want you to think that I am.

Speaker 2: You are just answering her question, sir.

Speaker 0: Yes.

Speaker 1: Is it 45?

Speaker 0: Yeah, I am sorry. I got caught on this one.

Speaker 1: And you are going to say you did not create the GoFundMe page that has Ms. Flax after her cancer as well as a picture of yourself?

Speaker 0: No, I did not, but a neighbor did create it on my behalf. And then I do have emails from them, but I am sure to be hearsay of them is why I instructed them to take it down, Your Honor, once I found out about it.

Speaker 1: So far, somebody must really have it in for you that they are faking text messages, emails, Facebook pages, and a GoFundMe page.

Speaker 0: No, I did not say that. I said someone set up the GoFundMe page thinking that they were helping me sue the neighbor, but unfortunately, when I found out how she did it, I got a hold of GoFundMe

to take them down. In regards to the spurious email and text messages, yes, there is a logical explanation of how all of these came into being.

Speaker 1: All right, sir. And then if we can go to Exhibit 49. Ultimately, Ms. Flax did obtain a restraining order against you in November of 2018, correct?

Speaker 0: Yes, it was discharged, I believe.

Speaker 1: Okay, it resulted in an order for civil restraints, is that correct?

Speaker 0: Yes, that is how you call it.

Speaker 1: Okay, so that is Exhibit 49. And on page 3 of that paragraph 7, there is a prohibition on contact with the plaintiff and defendant. The part of it we use our family wizard as follows. As to the minor children, the communication is limited to the minor children, is that correct?

Speaker 0: What part are you on?

Speaker 1: Page 3, 49.

Speaker 0: And paragraph 7 is at the top. Okay, I understand, yes.

Speaker 1: Okay, so the communication on our family wizard was supposed to be limited to the children, correct? Okay, but it grew out from there. Okay, because you started bringing up things outside of the children, correct?

Speaker 0: And so did she.

Speaker 1: I am going to direct your attention to Exhibit 50.

Speaker 0: Okay.

Speaker 1: Exhibit 50, these are your family letters and messages to Ms. Flax, correct? That is the date.

Speaker 0: Is this in regards to the Benet Mitzvah that Mrs. Flax changed?

Speaker 1: Sir, I did not ask you any other question other than, does it read the first page? 2019, yes or no?

Speaker 0: Yes.

Speaker 1: So you may really be embarrassed as you are afraid I see that car when you drop the safe vehicle for you to be driving our kids. and what us, the safety rating of the car does not, does it have appropriate airbags, et cetera. That is from you? I was concerned about the safety of the car as she was driving. And in that same year, you wanted Ms.

Flax to change her parenting time with Max in order to agree for Morgan to go on a spring break trip, correct?

Speaker 0: I wanted to have some vacation time with my son, yes.

Speaker 1: Okay. So you actually gave Morgan permission and then took that permission?

Speaker 0: No, never gave her the permission for the trip.

Speaker 1: You were not allowed to drive with the children for more than 20 miles, is that correct?

Speaker 0: Yes, which we had later overturned.

Speaker 1: So Ms. Flax, you were going to have her charged with kidnapping if Morgan went on the spring break trip?

Speaker 0: I did not give permission for Morgan to attend the trip. I was concerned about the parents. I had no one have me answer the questions I had about the parents. I had concerns, as any normal parent would.

Speaker 1: So were you concerned about the parents? On page 6 where you say, "Spoke to my brother Steve. He took the divorce order I received from your carrier and also gave him my medical and counselor letters. He took them to a judge as a test since you claimed drug addiction. By the way, thank you for telling everyone I'm a drug addict. Need to mention that at the mediation hearing the judge ruled that you would be responsible for all my legal fees. Just telling you as a heads up to make sure that you are budgeting your money. That's referring directly to the kids, correct?"

Speaker 0: Well, yes. She was falsely accusing me of being a drug addict to everyone in the community. Okay. Everywhere I go people say, "Oh, there's the drug addict.". I couldn't attend Morgan's rehearsal.

Speaker 1: Page 7, you told her, "I would not want you to show any cooperation from when we go back to the courts. My lawyer is no longer billing me as the expectation that you're going to be responsible for all legal fees. I just need to decide if I want to get the money back that I already paid or leave it in the accounts and you would get a lower bill at the end. It has to deal with the children."

Speaker 0: Yes, it does.

Speaker 1: Does it all revolve around the accounting concept? Sorry, there's no other funding question. If you go to page, or exhibit 51, page 3, messages from 2020. Do you agree this is not all of the messages, just some of the messages, correct?

Speaker 0: Yeah, I mean, I realize that you're picking and choosing messages to support your case.

Speaker 1: Sir, message 145 on January 26, 2020, 620 collection.

Speaker 0: Yes.

Speaker 1: And then you said maybe it's not the coin collection in the next email to her?

Speaker 0: Yeah, I'm just letting her know. I think it is, but I could be wrong. I wasn't able to fully get into the attic at the time. I needed to get help from someone.

Speaker 1: But that wasn't the full message of what you were saying. You actually say, not so fast, I'm still waiting for my iPad and going to talk to my lawyer first. I'm not happy the way your brother destroyed the garage, probably looking for this and the damage he caused to the car when he put his fist and put a dent in the car. He starts against me the day we switch, not to mention that I missed their name. Maybe it's not the coin collection after all. I could be wrong. That's your point. Are you claiming? I don't understand what you're saying. Sir, that's your family wizard message to Miss Flax, correct?

Speaker 0: It's a My Family Wizard message, yes, that's correct. I don't understand what you're trying to get out of the content of it.

Speaker 2: Sir, not for you to understand, just answer the question, so please answer the question.

Speaker 1: Okay. That is her, that is your message, correct? That is my message. And this is the coin collection. before it's ordered, you returned to her on multiple occasions, is that correct?

Speaker 0: No, about, actually, when did she first ask for it?

Speaker 1: Sir, did the court order you on multiple occasions to return this coin collection?

Speaker 0: After I found them, yes.

Speaker 1: Okay, and have you done it yet?

Speaker 0: Yes.

Speaker 1: Okay, and when did you do that specifically? What day?

Speaker 0: I don't know, a couple of months ago when you sent a runner out to the house and took the wrong package, and then you sent someone else back out to get the right package.

Speaker 1: And you would agree you sent back a blank box with a bunch of packaging in it?

Speaker 0: Well, you took the wrong, you took an Amazon return off my porch, Miss Burger, let's be fair about that. The box was sitting right

next to it, your runner took the wrong box, and please do not blame that on me.

Speaker 1: Sir, when the runner did come back out, the box that you provided was just an empty box full of packaging, correct?

Speaker 0: What? No. Okay.

Speaker 1: Once again, your runner took the wrong box. How many times does that tell you that? Okay, and sir, going to...

Speaker 0: This is what I'm meaning, your honor.

Speaker 1: ...exhibits 52, sir. Yes.

Speaker 0: Okay, I'm on 52.

Speaker 1: Okay, I'm going, this is sent from the ghhan@concast.net, the same email address from 2018 to the present, correct?

Speaker 0: Where are you referring to my email address?

Speaker 1: Up at the top of the email, sir. When is this? Glenn Hahn? From ghhan@concast.net.

Speaker 0: And what page is this?

Speaker 1: It's claims to exhibit 52. First page, sir.

Speaker 0: Yes, I see it.

Speaker 1: Okay, and that's coming from your ghhan@concast.net email account, correct? Yes. And this is your email, correct?

Speaker 0: That is not correct.

Speaker 1: Okay, so you, where it says subject aggravated assault charges against Lisa Hahn, that's incorrect, correct?

Speaker 0: That is what?

Speaker 1: That's not correct, you didn't write that?

Speaker 0: What, this email? Yes. No, actually, I think I probably did write this email. And in this... Because of all this stuff that I discovered that she sent me.

Speaker 1: Sir, there's nothing pending.

Speaker 0: Yes or no?

Speaker 1: This email says...

Speaker 0: I wrote an email.

Speaker 1: Sir, sir. Yes. I wrote an email. Sir, yes or no? I'm about to ask the question. However, in this case, Lisa has left me no choice. When we meet again on May 6th, I intend to tell the judge they intend to file aggravated assault charges against Lisa, if you're not familiar, according to NJ statute, and then you go on to say aggravated assault can be charged if it was against a family member as opposed to simple assault. Once again, I do not take this step, but I feel Lisa has left me no other option. The penalties that she found guilty are third degree, sentenced to three to five years in prison, and we find up to 15,000. Fourth degree, sentenced up to 18 months in prison and fined up to 10,000. You go on to say, talking about PSEG in this email, and then on page two, you say to summarize, second and third degree aggravated assault, attempt to cause serious bodily injury to another, causing serious bodily injury purposely or knowingly, causing serious bodily injury recklessly under circumstances manifesting extreme indifference to the value of human life. On my death, she would have received \$1.2 million. My decreased health played into her narrative in regards to children's custody. Also, when Max wanted to stay overnight for a weekend, she immediately ran to you to file a temporary restraining order. It was never my goal to have Lisa in criminal court, but after Max has told me she is constantly yelling at him and seeing that he is just like his father, I am concerned about his safety, lose her teaching certificate, not sure what would happen to her pension, as well as the penalties if second degree or third degree really never wanted to have my kid's mother in prison, but I feel she has left me with no choice. Now, the only thing left is your ethical obligation in all of this. That's your email, correct?

Speaker 0: That is my email.

Speaker 1: That's correct. And then, please exhibit 53.

Speaker 0: The next one, sir.

Speaker 1: Yes.

Speaker 0: Okay.

Speaker 1: This is coming from JGHKon@comcast.net on Friday, May 8, 2020 at 4 o'clock p.m., correct?

Speaker 0: Yes.

Speaker 1: And this is referring to the Thursday, May 7, 2020 email coming from your same email address at 4 o'clock p.m., correct?

Speaker 0: Under advice from the prosecutor's office, yes.

Speaker 1: Okay. So, you go, and then we will move down just a little bit. So, we can go back and forth, and I am more than willing to see Lisa face these criminal charges along with her two friends, and I also will plan on mentioning all the people that she told about what she did. My understanding is that through the court process, if Lisa is found

guilty, she would face several years of prison time, as well as fines, et cetera. Also, after I talked to the attorney on Monday, according to someone I spoke with, it would be pretty hard to reverse course at that time. Once she is potentially arrested, I will immediately petition the court to grant me 100 percent custody of the kids and no visitation at all from Lisa, or I could make a one-time offer and we could settle as follows. I have the house. She's primary parent of Morgan. I am primary parent of Max. That \$37,000 would go to cover of Bally's college costs and none of that silly stuff about drama, even limitations, et cetera. She is making more than I am so we not seek any additional childcare expenses from each other. I want that iPad returned immediately. She needs to sign any paperwork regarding the title of the Disney point. I want the funds returned that she got from the roof damage claim. \$1,000 to cover the damage she did to the car. I never cared about her pension. Or she could take the chance with the prosecutor's office along with Beatrice, Kelsey, Manny, Hatch, and her sister and brother. Offer expires at 4 p.m. on Friday, May 8, 2020. And then at the top of that email on May 8, 2020 at 4 o'clock, you say, I guess she wants to take her chances with the prosecutor's office.

Speaker 0: You were threatening her, correct?

Speaker 1: No, not at all. And then we are going to move to...

Speaker 0: Actually, I was trying to settle this whole thing once and for all and get this over and done with.

Speaker 1: Sir, we are going to move to place exhibit 54. These are family wizard messages from 2021, correct?

Speaker 0: They are messages, yes.

Speaker 1: Okay. And they are sent from your or our family wizard, correct?

Speaker 0: Yes. And this is all prior, correct? And the current complaint is on the table?

Speaker 1: Sir, if you go to page 2.

Speaker 0: Yeah.

Speaker 1: We look at July 17th of 2021, 1215 p.m Based on the ruling, you had just been in court, correct?

Speaker 0: Yeah.

Speaker 1: Based on the ruling, I plan on liquidation your father's, and this is a year after that, two years after that previous, our family wizard message, correct? Maybe it was the coin collection. Maybe it wasn't.

Speaker 0: Yeah, like I said, later on, it was.

Speaker 1: Based on the ruling, I plan on liquidation your father's coin collection, the multiple watches, your Grand Morgers, Moggers clock, and three of your photo albums reflecting your pictures growing up. If you want them, number one, no issues from you to take Max to Disney. You're only hurting your relationship with your son. He's already mentioned to me the numerous times you have fought with him, and the messages that I received from his friends when you took away his phone because I took him to Great Adventure. Once he's 18, I doubt you will ever have a relationship with him. Two, I want to cash your check for \$10,000 made out to me. I will give you a deadline of tomorrow at 6 p.m After that time, my conscience is clear to liquidate as I see fit. Please be advised, I have multiple cameras in the front and the back of the house. That's your message to her, correct?

Speaker 0: That's a message, yes.

Speaker 1: Okay, and it's not about the kids, correct?

Speaker 0: No, it is. There's a message about Max. Hold on, sir. Is that your phone, Mr.

Speaker 2: Hahn? You have to shut it off, please. I thought I did, Your Honor. I think it's yours. Please shut it off. Something is coming from your area.

Speaker 0: It's off, sir? Yeah, now. Now that was off, and this was the other phone.

Speaker 2: I know it's off. Okay, Mr. Berger.

Speaker 1: Thank you, Judge. On that same page on page 3, July 18th of 2021 at 7.51 p.m., I will dispose of it as I see fit, correct?

Speaker 0: That's what I was advised I was allowed to do by my lawyer at the time.

Speaker 1: So this all had to do with the kids, correct?

Speaker 0: Yeah, a lot of it had to do with the kids.

Speaker 1: Going to page 6, July 29th, 2021 at 11.31 a.m Listen, I've got the complaint form filled out when I stopped by the police this morning. You've been accessing my Disney Plus account as well as showing unauthorized access from your condo. That was not Max's phone. You were watching WandaVision. Mount Laurel police are forwarded all the evidence to the Burlington County Prosecutor's Office for their review. It said nothing to do with the kids, correct?

Speaker 0: Yes, it did.

Speaker 1: Okay, and moving to the next message. That was July 31st of 2021 at 4.57 p.m Your next message to her was, "I just heard the fantastic news about your cancer.". Sir, the reality is you've been angry with Ms. Flats, correct?

Speaker 0: No.

Speaker 1: Not all the time.

Speaker 0: You don't like Ms. Flats? I'm not a big fan.

Speaker 1: I'm not fond of her. Okay. And you've been letting her know about that for years, correct?

Speaker 0: Not all the things that she's been doing that I've been angry about with her. Did I let her know?

Speaker 1: Okay. And you've continually harassed her despite having an order for civil restraint in place through our founding lawyers, correct?

Speaker 0: No, not at all.

Speaker 1: Okay. And you've also harassed her through sending me emails that were sent to her, correct? No, not at all. Okay. And then you said you wrote all kinds of derogatory, negative things about her all over the house to let her know how much you don't like her, correct?

Speaker 0: No, not at all.

Speaker 1: All right. And the photographs, her photographs, not your photographs, her photographs that were in the ground because none of them were yours, correct? No, that's incorrect as well. Okay. So would you like to go through the bag of photographs?

Speaker 0: Oh, absolutely. Is it here?

Speaker 1: Yes.

Speaker 2: Yeah, I think it is.

Speaker 0: Okay. Well, let's go see what we have. Anthony, in that drawer next to Christelle is a key to the evidence locker. These are photographs that the kids decided that they wanted to put in there. Can you please go in that room?

Speaker 2: And there's a bag on the floor if you can unlock it. And just be careful you don't lock yourself in. And you'll see it on the floor. It's just a plastic bag. Oh, is it? Oh, Anthony, it might be out here. Is it? Do you see it, Ms. Berger? Is it out here at all? Oh, there it is. Oh, sorry, Anthony.

Speaker 0: I didn't realize it was out. Okay. Here's the remnants of an ultrasound that we had for the triplets before they died. I think it was Bailey who put that in there. Here is an old family picture. I have no idea who is contained within the picture. Like I said. Here is something awesome that's empty. Like I said, one of the kids probably picked it out. And these are just in plastic bags, correct? What's this?

Speaker 1: They're just in plastic bags, these photos?

Speaker 0: They were in plastic bags. They were wrapped up and they were inside the container. So I'm watching this with the lid down. So you agree it was in one of those bins? Yeah, it was in a ton of those bins. Everything you saw in the video where there was both the lid and the thing was there, right?

Speaker 1: So in the video that we saw, that was the bin that you placed the stuff in for your time capsule, correct?

Speaker 0: Yes. And if you notice, it wasn't placed deep at all within the ground. A Disney trip. Disney trip.

Speaker 1: So you were able to make out what's in those photos?

Speaker 0: Yeah. Somewhere that I can. This was... Exactly what you're identifying. Yeah, this is coming up on the rides at Disney World, Your Honor.

Speaker 2: I can't make it out, sir. These are family photos?

Speaker 1: Sir, if you could hold them up to the core and identify what's in each photo so we can all see it. Okay.

Speaker 0: The ones that I can, I will.

Speaker 1: I think the court missed that.

Speaker 2: If you want to take that first one, I think, you put down about a Disney trip.

Speaker 1: So these look like they were taken off the log from rides.

Speaker 0: Okay, so if you could hold it up so we can see it. I'm just doing this by mostly memory as well.

Speaker 1: Sir, who's in the photo?

Speaker 0: It'll probably be Lisa and the kids since I don't do logs on rides. Here is a picture. It could be of Max or Morgan that I took. Like I said, these are just duplicates. These are just pictures that the kids found that they wanted to preserve. There was no harm, there was no malicious intent here.

Speaker 1: Sir, we're not asking for commentary.

Speaker 0: I would be the one taking the pictures.

Speaker 1: Okay, good. If you could show us where you are.

Speaker 0: Who, me, physically inside a photograph? Or the kids?

Speaker 1: If you can identify the children in any of those photographs, please show us all.

Speaker 0: Okay. Well, this could be Bailey right here because I kind of remember that photograph.

Speaker 2: I can't make anything out.

Speaker 0: I know it's very hard because they've been in the ground for ten plus years, Your Honor. This is not something I threw in the ground last week. This is something that's been in the ground so long. Like I said, there was no what you caught on this.

Speaker 1: Sir, there's no question pending other than the question.

Speaker 0: Things have an odor to them, don't they, when they decompose. Here's a ballroom. I'm not exactly sure what ballroom it's at. I'm not sure what ballroom it's at.

Speaker 2: I can't make anything out, Mr.

Speaker 0: Hunt. Like I said, these are just pictures that the kids grabbed that we put in the ground as a science experiment, Your Honor. This looks like it was taken outside the Wells Fargo Center, Your Honor. Me and Lisa attended several concerts there.

Speaker 1: Sir, if you could hold it up so we could all try to identify the children.

Speaker 0: Here you go. Okay.

Speaker 1: I can't make out anything. You would agree we had already read a prior family wizard message about Miss...

Speaker 0: Yeah, well, like I said, these have been in the ground for more than ten plus years. And, quite frankly, I really forgot all about it until we tried to move out of the house.

Speaker 2: Thank you, counsel.

Speaker 0: So, Mr. Hahn, do you want to tell me anything?

Speaker 2: This is your chance.

Speaker 0: regarding what... Oh, wait a minute. Trust examinations. Thank you, Your Honor.

Speaker 2: Miss Berger has concluded a cross-examination, so we can't identify what you're holding, sir, other than what you seem to have from your memory. But those pictures look destroyed, and I can't make anything out of them.

Speaker 0: Yeah, like I said, Your Honor, we've been in the ground ten plus years.

Speaker 2: Okay, so, Mr. Hahn, what did you want to say regarding your cross-examination?

Speaker 0: Okay, well, a couple things.

Speaker 2: One... And then we could bring your expert in. Yes, yes.

Speaker 0: Because we're going to break in twenty-five minutes. Okay, yeah, this is not going to take long. The thing in regards to where it said something fantastic news, Your Honor, was, unfortunately, I was told through Max that Mrs. Flax did not have cancer. So, that's why I said I heard about the fantastic news.

Speaker 1: I thought she was cancer-free.

Speaker 0: I'm just congratulating her, Your Honor. Like I said, there's been a lot of stuff that has been done to me through this case that I have not shown what you're calling. I have been, in regards to the prosecutor's office, I've been in numerous contact with them. I knew this about the court in Mount Laurel and the police department. And they well-documented the computer theft, theft of services, and so forth, that has been going on, where she was accessing my account. She was accessing my Disney video account, my Disney Vacation Club account, and so forth. Theft of services. The other big thing, the major thing, is where she was saying that I don't remember my guess, because, Your Honor, we even talked about this in court. I'm sorry, I just have to stand up if you don't mind. We even talked about this in court, Your Honor, in regards to the iPad with data forensics on it. She was actually accessing my emails through that iPad. And very well has been pretending to be me sending out messages. It took me a year and a half to get that iPad back from her. We mentioned the fact about the data forensics on that iPad. I turned it on while we were at my attorney's office, and she was sending and receiving confidential emails through that iPad device. That's why it took me a year and a half to get it back from her.

Speaker 1: That iPad was actually actively being used.

Speaker 0: Now, if I need to, then yes, we'll run another data forensics on it, and they will clearly show that that iPad was used while in her possession multiple times. And quite frankly, Your Honor, as you can see, I don't even know what stuff is still left that she needs to show in videos and so forth. But yes, I have been a victim. Let's see, I know you don't want to hear it, but the whole thing spying on me through Credit Ninja, changing the addresses, getting access to my medical records, constantly accusing me of being a drug addict to the entire community. I mean, I wasn't even able to go to Morgan's Dance Recital because of that. The embarrassment of it, where people go in staring at you because I couldn't even go to my kid's Benay Mitzvah. You know how devastating that was? I was told that I'm not even going to be able to go to my kid's weddings. You know how devastating that is to be constantly being told that? False allegation after allegation after allegation has come from them. Here's the problem. She lies, right? She said that that video, and we'll get to that with the expert witness,

was she walking in the house the first time, but we'll get to that. She lies, then, quite frankly, she writes a motion about it, and then I have to deal with a judge like you who believes whatever she says 100%. So yes, I have been complaining to Trenton in regards to this, and so forth. And I have been complaining to the federal government in regards to all this. And you know something? She has been malicious.

Speaker 2: If we can, do you have a lot more to do?

Speaker 0: What time is now?

Speaker 2: Ten after twelve.

Speaker 0: Yeah, I guess we might as well call him now, but I'd like to take some time to wash my hands.

Speaker 2: We have some hand sanitizer right on there.

Speaker 0: And like I said, this whole thing was a time capsule. This is just a thing that we did. As you notice on the whole, it's not like we buried it deep. There was never any intention that we would ever have water or anything else leak in there. It wasn't buried deep. It was something fun for the kids. It was an activity that we did.

Speaker 1: We put it in there, and that was it. There was never any harm.

Speaker 0: There was never any malicious intent about it. And quite frankly, I'm a little upset that it's being turned into a malicious event. I was told that that video that she had was the first time she walked into the house. Well, let's get to the expert witness on that.

Speaker 2: You know what, Ms. Berger, do you have any recross as a result of what he just testified to? No, Judge. Okay. What's the expert's name, sir?

Speaker 0: Steven Hillary.

Speaker 2: Okay. Officer, can you bring in Mr.

Speaker 0: Hillary, please?

Speaker 2: Yeah, we can move it back. Thank you. You don't have any water, do you? Outside, sir, there may be something. You have soda, right?

Speaker 0: Well, no, but I just needed to take some medicine.

Speaker 1: That's okay.

Speaker 2: Maureen, if you're there, or Alyssa, if you could please bring in a bottle of water for Mr. Hahn. I just need to take some medicine, sir. Thank you. Mr. Hillary, you could come through and make your way around to the witness box, please.

Speaker 0: And be careful of any wires there, sir, so you can come right around. I brought a paper copy of my report. I have it.

Speaker 2: I have a copy, yes.

Speaker 0: Can I just take it real? Yeah, yeah.

Speaker 1: Please raise your right hand.

Speaker 2: Do you swear or affirm that the testimony we're about to give the court will be the truth, the whole truth, and nothing but the truth? Yes. And your name, please. Steve Hillary. This is your witness?

Speaker 0: Yes. Hello, Mr. Hillary.

Speaker 2: And just to understand what you're -- are you calling him as an expert?

Speaker 0: Yes.

Speaker 2: All right, so the rule provides you have to qualify him as an expert. Ms. Berger, do you have any objection to him going into the testimony?

Speaker 0: I do not. Okay, so -- So we don't have to go over the CV.

Speaker 2: I read through your CV, Mr. Hillary, and there's no objection from plaintiff's counsel to qualify you as an expert for purposes of what's contained in your report. Okay, Mr.

Speaker 0: Hahn, go ahead. Okay. Mr. Hillary, can you please go over first what are your methods and methodology in regards to establishing authenticity of videos, photographs, and so forth? Sure. So in any digital forensic investigation, the first step is creating a chain of custody, and that's paperwork as far as what piece of evidence is provided. The next step is to create what's known as a forensic image.

Speaker 1: I create a backup so that in any event, if something happens to the original forensic image, there's a backup that I can rely on.

Speaker 0: So after that, I begin to analyze the evidence. Again, in this case, it was a DVD. Okay, maybe it might make sense if we split the evidence trail between the authentication text message versus the authentication of the video. Might make sense for the court.

Speaker 1: So let's talk about the DVD first.

Speaker 0: So I provided you with a DVD that contained a video file, and that video file you marked as I believe the predicate video? Yes. Okay. And the predicate video was the initial video. That was the tour of the house, correct? That is correct. Now you analyzed that video, okay, and you pulled out certain information from that video, is that correct? That's correct. Okay. Can you please explain to the court so they

understand exactly the types of information you pulled out of the video? So with each file pertains to when a file was copied onto the voice itself. Internal metadata compared to a thumb drive, to a server, or to a DVD. So with the file system metadata, we can see again when it was created on this DVD, when it was saved on this DVD. The internal metadata reveals for this video file when it was actually created. The defendant, or sorry, Ms. Flax testified that the video was actually created on March 30th.

Speaker 1: Objection only because Mr. Hillary would have absolutely no idea what Ms. Flax's testimony on actually her testimony was. She created a series of videos and then created one whole video because it was in pieces. Mr. Hillary would have no personal knowledge and we don't need an expert to have your honor who makes this determination what the testimony was. We don't need his testimony on that. I don't think that's an appropriate question.

Speaker 2: I sustain and if you could rephrase that.

Speaker 0: Yes. She said that she cobbled together different clips and so forth, right? So what is your... I would object... Yeah.

Speaker 1: He can't tell me what Ms.

Speaker 0: Flax said. Right.

Speaker 2: It's just based upon what Ms. Berger is saying in this court. Okay. This witness was not here during the testimony. Okay. So if you could rephrase in a way that you're not saying what that testimony was.

Speaker 0: Right. Sustained. Okay. All the metadata that you were able to pull out of that file, okay, when does it say that the file was actually created? And according to your findings, that was what time on March 31st? Do you need that? Actually, it was 8.30 in the morning. Do you need this to refresh your memory? Yes. Okay. Excuse me. Can you... Thank you. At 8.31 in the morning. Okay. Was there anything unique about that video file that you found? Was there anything unusual about it? It looked like it was... So from your parent, from your expert witness to this, it looks like someone just shot video, paused, shot video, paused, shot video, paused? The same date and time. So for all intents and purposes, then it was created, as far as you know, on March 31st at 8.30 something in the morning. 8.31 in the morning, yes. 8.31 in the morning. And how long was that video file? Do you remember what the size of it was? At a size in Appendix C. I believe that's in bytes, but that probably went off the record. Okay. So, and like I said, you weren't here for her testimony, so you wouldn't know when she claimed that she created the date. All you know is factually that the video was created on March 31st at 8.31 AM. Yes, that's correct. Okay. Okay. Let's move over now to the text messages that you were captured out of the phone.

Speaker 1: Judge, I'm going to object because the text messages are allegedly from Max and that's hearsay.

Speaker 2: So what's the purpose... Sir, I'm sorry, I've got to ask Mr.

Speaker 0: Hunt. What's the purpose of the phone, sir? Okay. Well, the phone was, one, to authenticate statements that Max has made that demonstrate that Ms. Flax was in the house prior to her shooting the video. But the first step is that we need to at least authenticate that I received text messages from a phone number that was assigned to Max. So the first step is, okay, did I receive text messages from a phone number that is from Max's phone? And that's something that you would be able to pull up from your forensic analysis.

Speaker 2: Well, again, if you're trying to introduce statements from Max...

Speaker 0: No, I'm not.

Speaker 2: ...what are you trying to ascertain?

Speaker 0: I'm ascertaining not specific statements from Max but the content. So...

Speaker 2: How would this witness know if it was Max's phone if he didn't have Max's phone?

Speaker 0: Well, let's ask the witness.

Speaker 2: Well, in any event, where are you going with this?

Speaker 0: Where I'm going with this is to further establish the fact that I asked a series of questions to Ms. Flax that she was unable to answer, okay? And she was unable to answer it because she claims that she wasn't in the house prior to her shooting the video. But the content of the messages demonstrates otherwise. So is it fair to assume, okay, that under reasonableness that I received messages from a phone number from an outside phone? I received messages from a certain phone number, correct?

Speaker 2: Yeah, I don't understand with this line of testimony. So... Oh my goodness, I'm not sure what you're trying to prove because Max is the child. He's one of your children. And his statements are not going to be allowed here. He's not here. Of course, he can't be here because of the ruins we've made in the past.

Speaker 0: Right, right, right, so...

Speaker 2: So if Max sent you messages...

Speaker 0: Yes.

Speaker 2: ...are you trying to establish that it was prior to March 31st?

Speaker 0: Yes.

Speaker 2: Okay, do we need the expert to even send it? You could have testified.

Speaker 0: No, well, the expert will testify that I received text messages from a phone number prior to March 31st in regards to the house.

Speaker 2: Ms. Berger, I don't know where this line of questioning is going. Sir, this is not for you, but I don't think we need your testimony for this.

Speaker 1: You don't judge because what he's trying to do, first of all, Mr. Hilliard can't testify to whose phone that belongs to, number one. If the phone belongs to Max, you need Max to identify who the phone is. The only person who can identify and authenticate his phone is Max, number one. Number two is. then you're looking for the content of the messages, then you need the content of the messages, which is hearsay. if Mr. Hahn is trying to make some assumptions about anything. It's hearsay. Yes, it is. He can't authenticate and he can't...

Speaker 0: I sustain.

Speaker 2: I'm not going to allow... Can I ask you one... Oh, sorry, let me just make a ruling. I sustain the objection because this line of questioning, one, is hearsay with regard to what Max purportedly sent to you, and two, because I already ruled that Max can't come into this courtroom and he's not here, of course. So for two reasons, I'm not allowing this line of questioning. Mr. Hahn, if we have anything else for this witness, if not, I'm going to give Ms. Berger the opportunity to cross-examine.

Speaker 0: No, let Ms.

Speaker 2: Berger have the opportunity. Ms. Berger, do

Speaker 1: you have any

Speaker 0: questions for

Speaker 2: Mr. Hillary?

Speaker 1: I do. Okay. So, sir, you gave us two different types of data. We have the file system data, which is the DVD, correct?

Speaker 0: Yes.

Speaker 1: All right. And then we have the actual internal data, which is the actual phone, correct? Where it's actually marked. So an iPhone actually gives you the date and time of everything, correct? Like internally time stamps whenever you put something onto a phone, correct?

Speaker 0: Generally, yes.

Speaker 1: Okay. And that's how you got the information that you compiled in your expert report, correct?

Speaker 0: Correct. From the DVD. Okay. So you were shown a video. Sure.

Speaker 2: So, Alyssa, we're going to wind up losing the Zoom feed while we play the video. And if you'd like, I mean, it's up to you, Ms. Berger, if you want to just show the witness. I've seen it already. It's the same P11, is it?

Speaker 0: It is P11. Yeah. Can you see where it says.

Speaker 1: how now that fat cancer flags cow? You see the paint in the sink. So this is your, that's your file system data, correct? Like if you're showing it on a thumb drive or a DVD.

Speaker 0: That's correct.

Speaker 1: And I'm going to give you the date.

Speaker 0: This says March 30th at 4/10 PM.

Speaker 1: And there's paint in the sink, correct? Well, I checked.

Speaker 2: What's your objection?

Speaker 0: I checked because he didn't find any forensic analysis on that video.

Speaker 2: Well, I understand that, but he has it in front of him now.

Speaker 0: But it's not giving him, he doesn't have to go to look inside the file to read the metadata contained within the file.

Speaker 2: Mr. Hahn, this expert only analyzed a DVD that was produced in evidence.

Speaker 0: Okay?

Speaker 2: And what he analyzed, it says from that DVD, the file was created on March 31st at 8/31 AM. But as Ms. Flax testified, she made multiple videos. And I believe that is what the issue is as to whether or not she made the video when she entered the home on March 30th, which is what this video purports to represent, and what was taken in a final video that your expert analyzed. Well... So this is relevant, I'm allowing it. So go ahead. Overruling your objection.

Speaker 1: Thank you.

Speaker 0: Sir, that video doesn't show you all of it.

Speaker 1: And if I put it on my computer... Your Honor, this is exhibit 62.

Speaker 0: Okay. If I put it on my computer, it then becomes...

Speaker 1: Yes, that's correct. It's the same bathroom, you're looking at the sink, and the same writing on the wall, correct? Once the same, yes. Okay. So then what I would do is, I'm going to right-click onto that to show my properties. Tell me what time it is. Wednesday, March 30th at 4 or 10 p.m., correct?

Speaker 0: On my computer, the actual thumb drive, on Tuesday, June 22. But it's not the full video of what you saw as provided by Mr. Delish on part of damage. It shows part of the damage, yes, and see the internal metadata.

Speaker 1: Okay. But I'm giving you the actual...

Speaker 0: To verify the dates that you're saying. that's on the screen itself, but in order to verify... And where's that feature? It's all online.

Speaker 1: when I was doing research.

Speaker 0: Someone would have to go in and change the settings.

Speaker 1: I don't know, someone would have to be specialized to make that change.

Speaker 0: So you're a forensic expert and you're going to show you another... And Ms. Bergen, do you think you have much more?

Speaker 2: Because I don't know if I need to break for staff for lunch.

Speaker 0: I think you...

Speaker 2: We'll continue with this, okay?

Speaker 0: No problem. So, Mr.

Speaker 2: Hillary, you're still under oath. Please don't discuss your testimony with anyone. And we'll come back at quarter oath too. Okay? Thanks very much.

Speaker 0: Thank you. Judge, you said quarter oath. Quarter oath. I want to give the staff a full hour of lunch.