

1 MR. ROTHSCILD: Thank you, Judge, may I proceed?

2 THE COURT: Go ahead, Mr. Rothschild.

3 MR. ROTHSCILD: Go ahead.

4 Q Good afternoon.

5 A Good afternoon.

6 Q Yesterday the District Attorney went over Exhibits
7 1 and 2 with you. So you'll know what we're talking about
8 these are the records of the Pregnancy Consultation Center
9 and Planned Parenthood, may I repeatedly approach the
10 witness without asking?

11 THE COURT: Yes.

12 MR. ROTHSCILD: Thank you.

13 Q Now, I'm going to ask you to take a look at
14 exhibit --

15 THE COURT: Excuse me one second, Mr. Rothschild.

16 Holding cell, Deputy Martin. Thanks we're trying
17 to pull everybody together for this one. Thanks.

18 Go ahead, counsel.

19 MR. ROTHSCILD: Thank you.

20 Q With regard to Exhibit No. 1, I put a -- to speed
21 things up I put a post-it note to guide you, but don't
22 rely on what I say, I would like you to look at the
23 records, and I'm going to ask you if these confirm you
24 went to the Pregnancy Consultation Center in Sacramento on
25 January 2nd, 2003, and again on May 8, 2003, and also
26 going to ask you after that if the printing on these and
27 the signatures on these appear to be yours, in other
28 words, are these the forms you filled out with regard to

1 those two visits on those two dates, if you can look at
2 that, please.

3 A (Witness reviewing the document).

4 THE COURT: Okay. While she's doing that that
5 might be a good time for me to take this very brief matter
6 if --

7 MR. ROTHSCCHILD: Maybe I can tell the witness
8 about the second report, so she can look at those.

9 THE COURT: Perfect. Go ahead.

10 Excuse me a second.

11 MR. ROTHSCCHILD: I'm going to give you Exhibit 1.
12 What you have is Exhibit 2, which are records from Planned
13 Parenthood that show a date of November 4, 2003, and the
14 other one is November 5, 2003, and when we return back on
15 the record I'm going to ask you if these confirm the four
16 dates that you went to a pregnancy clinic for purposes of
17 abortion and for test for STD that you told us about
18 yesterday.

19 So just look at these calmly while we do something
20 else.

21 MR. MOUNT: Excuse me, counsel, I didn't hear the
22 two dates you mentioned?

23 MR. ROTHSCCHILD: 11-4 and 5.

24 MR. MOUNT: Thank you.

25 (Interruption in proceedings)

26 THE COURT: Thank you. Miss Dev, have you had a
27 chance to look through the documents?

28 THE WITNESS: Yes. I'm still going through, can I

1 still have may be one minute?

2 THE COURT: Sure.

3 THE WITNESS: Okay.

4 MR. ROTHSCHILD: I think we're ready, your
5 Honor.

6 THE COURT: Go ahead, please.

7 MR. ROTHSCHILD: Thank you.

8 Q Have you had a chance to look at Exhibits 1 and 2
9 and read them all to yourself at length?

10 A I tried my best to read the whole thing.

11 Q Did you succeed? If you didn't I want you to.
12 Did you?

13 A Could I?

14 Q Did you read all --

15 THE COURT: If you need more time, go ahead.

16 THE WITNESS: The second one I haven't read the
17 whole thing.

18 MR. ROTHSCHILD: May we, please.

19 THE COURT: Go ahead.

20 THE WITNESS: Okay. I'm done.

21 MR. ROTHSCHILD: Thank you.

22 Q Those records show dates of January 2, 2003, and
23 May 8, 2008, with regard to the Pregnancy Consultation
24 Center, correct, excuse me, May 8, 2003, with regard to
25 the Pregnancy Consultation Center, correct?

26 A That's correct.

27 Q And are those the two dates that you went to that
28 clinic?

1 A I believe so. I just couldn't remember at the time
2 which clinic it was.

3 Q I understand. Other than January 2, 2003, and May
4 8, 2003, have you ever been to the Pregnancy Consultation
5 Clinic as reflected in Exhibit 1?

6 A Yes.

7 Q You've been there in addition to those two dates?

8 A Again I don't know if I have been to this one or
9 the Planned Parenthood.

10 Q Okay. We're -- let's go at a different way, I
11 think you don't understand me.

12 The records you've looked at what your -- People's
13 Exhibits 1 and 2 reflect four visits to abortion clinics,
14 correct?

15 A Yes.

16 Q Are those the only -- are those two visits to
17 abortion clinics, regardless of whether it is Planned
18 Parenthood or Pregnancy Consultation Center, the only time
19 you have been to an abortion clinic within the State of
20 California?

21 A Yes.

22 Q Okay. And one of the exhibits has to do with
23 Planned Parenthood, was that Exhibit 2 or Exhibit 1, the
24 labels are on the back. I'll take a look. Let's go at it
25 another way.

26 Exhibit 2 appears to be records of the Pregnancy
27 Consultation Center, and Exhibit 1 appear to be records of
28 Planned Parenthood.

1 Now; you told us yesterday that you had three
2 abortions, were there two at one clinic and one at the
3 other clinic?
4 A One was miscarriage. I had two abortions with the
5 pill.
6 Q Okay. And the miscarriage was the first time you
7 went to the clinic?
8 A Yes.
9 Q So that would be January 2, 2003, correct?
10 A I believe so.
11 Q And that would be to the Pregnancy Consultation
12 Center?
13 A Yes.
14 Q And the second time you went to the pregnancy
15 con -- strike that.
16 And was Mr. Dev with you when you went to that
17 clinic?
18 A Yes.
19 Q And you put down on the paperwork that he was the
20 person that was going to drive you home?
21 A That's right.
22 Q And the clinic did not ask you who the father was
23 of the child, correct?
24 A They did, I didn't tell them.
25 Q Is that verbally when they asked you?
26 A Yes.
27 Q And then you went back again to the Pregnancy
28 Consultation Center on May 8th; is that correct?

1 A May 8th, yes.

2 Q And did Mr. Dev go with you?

3 A Yes.

4 Q And I notice at one of the pages, let's be precise,
5 counsel, it is defense Page 18 on Exhibit 2.

6 I see your signature and the date of 5-8-03; is
7 that your signature?

8 A Yes.

9 Q And then I see a signature for Ajay, a middle
10 initial, Dev, 5-8-03. Did Mr. Dev sign that in your
11 presence?

12 A I believe so.

13 Q Did you write the name Ajay Dev on Page 18 of
14 Exhibit 2?

15 A No.

16 Q That's not your handwriting?

17 A It doesn't look -- look mine.

18 Q You don't recall doing that?

19 A No.

20 Q You recall Mr. Dev signing that in your presence?

21 A He was with me the whole time.

22 Q Was he in the room with you when you filled out
23 forms?

24 A Yes, he actually taught me how to do all of it, he
25 told me what to do.

26 Q He instructed you as to how to fill out each
27 form?

28 A Exactly, yes.

1 Q Did that apply to both Planned Parenthood and the
2 Pregnancy Consultation Center?

3 A Yes.

4 Q So every form that you filled out either at Planned
5 Parenthood or the Pregnancy Consultation Center, Mr. Dev
6 was in the room with you telling you what to put down in
7 answer to the questions?

8 A Yes.

9 Q While you were either at the Pregnancy Consultation
10 Center or Planned Parenthood, did any representative of
11 either organization tell you or Mr. Dev in your presence
12 that you were to fill out those forms alone without
13 anybody else in the room?

14 A No.

15 Q And when you filled out the forms with Mr. Dev
16 showing you what to fill out, was there any representative
17 of either Planned Parenthood or the Pregnancy Consultation
18 in the room when you did that?

19 A No, there were just other people waiting.

20 Q So when you filled out a form, for example, stated
21 that you first had sexual intercourse at age 18, that was
22 Mr. Dev that showed you to put that box?

23 A That's right.

24 Q And when you filled out a form and said that your
25 sexual partner had no other partners, such as a wife or as
26 an example it was Mr. Dev that showed you how to fill out
27 that box?

28 A I'm sorry.

1 Q It was Mr. Dev that showed you how to fill out
2 every answer to every box?

3 A That is right.

4 Q And when the form asked you if you had ever been
5 the subject of sexual abuse or violence or rape, he also
6 showed you to put "no" in the box?

7 A That's right.

8 Q And at some point when you were at the Pregnancy
9 Consultation Center, did you meet alone with a medical or
10 health care personnel of some sort without Mr. Dev in the
11 room or was he there the whole time?

12 A He was there the whole time, but when I was doing
13 the ultrasonic -- ultrasound, I'm sorry, that's when he
14 wasn't there.

15 Q So am I correct that with regard to the January 1,
16 2003, and May 8th, 2003 visits to the Pregnancy
17 Consultation Center, other than when an ultrasound test
18 was administered to you, Mr. Dev was with you, in the room
19 at all times?

20 A Yes.

21 Q And when you went to Planned Parenthood on November
22 4 and November 5, 2003, was Mr. Dev in the room with you
23 at all times during each of those two visits?

24 A Yes.

25 Q The abortion pill that was given to you on two
26 separate occasions, you claim, did that cause you to have
27 a miscarriage?

28 A Yes. Well, my -- I got my period.