

Excerpts of Deposition of C.J. Kickwood

1 Ms. Jobs: Good morning C.J. I represent the defendant in this case, Coalition
2 Against Football Corruption, or CAFC. Do you know who that is?
3

4 Witness: Yes. I know CAFC. They are the folks that tried to drum up that
5 nonsense about Over Armor.
6

7 Q: I understand. We can talk about that in a few minutes—Do you remember
8 ever meeting gentleman by the name of Peyton Brady?
9

10 A: Yes, I remember distinctly one afternoon on November 14th, there was a
11 ring at the door, I answered it, and s/he introduced herself/himself as some
12 sort of process server about this lawsuit. I explained to her/him that my
13 mother/father [Nellie] did not live at this house but I would be happy to
14 pass along a message for him.
15

16 Q: Do you remember telling him anything about the phone call that your
17 father/mother received from your mother/father [Nellie]?
18

19 A: Yes. There's not a whole lot to say about that, sometimes I just can't tell if
20 my parents are trying to use me to get back to each other. It was not a
21 good divorce. Well, I'm not sure there is such a thing as a good divorce,
22 but you know what I mean. They fought a lot.
23

24 Q: Was this on November 9th?
25

26 A: I don't remember the date. I was pretty tired from being at a concert the
27 night before.
28

29 Q: Wasn't Nellie there the same day the process server came by?
30

31 A: Yeah, so what?
32

33 Q: Is that a yes?
34

35 A: Yes. But s/he [Nellie] left around noon that day.
36

37 Q: Why didn't you tell the process server that your mother/father [Nellie] had
38 just left?
39

40 A: Don't know. I didn't think about it.
41

42 Q: What time did Nellie leave?
43

44 A: Probably around noon.
45

1 Q: Tell me about the phone call between your mother and father, the one you
2 told the process server about.
3

4 A: I remember leaving the house early the Saturday before . . . I guess it was
5 November 1, 2014, I was working on my mother's/father's [Nellie]
6 computer. It had been "broken" for months . . . s/he was always bring it
7 me for me to fix. Anyway, my father/mother stopped me on my way out
8 the door and told me that s/he just received a phone call from mom/dad
9 [Nellie]. S/he said that s/he [Nellie] seemed particularly nervous about
10 some lawsuit because of her report that s/he wrote about the over armor
11 scandal.
12

13 Q: What did Nellie say, exactly?
14

15 A: I don't know exactly, s/he [Nellie] always uses these weird quotes from
16 movies, particularly that old Southern film, "Gone with the Wind."
17 Something about "they'll never find her/him." I don't remember exactly
18 what it was.
19

20 Q: Do you know who "they" are?
21

22 A: I assume she meant Over-Armor
23

24 Q: Did you ever talk to your mother/father [Nellie] about that?
25

26 A: Yeah, I spoke to her/him [Nellie] a few weeks later, and s/he [Nellie] said
27 s/he [Nellie] didn't know what I was talking about.
28

29 Q: Do you believe her/him [Nellie]?
30

31 A: Look, I don't know what you want me to say. S/he's [Nellie] my
32 mother/father. S/he has her moments, but s/he's really a good person. I
33 can't tell you anything about that. I wasn't on the phone.
34

35 Q: I'm curious, then, why wouldn't you tell the process server about the call?
36

37 A: I don't know. I've never dealt with a process server before, and s/he
38 seemed all official.
39

40 Q: When did you speak to your mother last?
41

42 A: A few weeks after the server came by, early December, I guess.
43

44 Q: And before then, when was the last time you spoke to her?
45

1 A: I saw her a few times in November. S/he [Nellie] stopped by the house a
2 few times to get some stuff. S/he [Nellie] had dad's/mom's Mustang
3 while s/he was away for about a week. Before then, sometime in June.
4 S/he [Nellie] went on one of her "trips" . . . s/he would disappear for
5 months. I think s/he said s/he had a trip planned in South America from
6 June to July.
7
8 Q: I'd like to change subjects a little bit and talk to you about your use of
9 social media. Do you have a Facebook account?
10
11 A: Of course, who doesn't?
12
13 Q: What is your username?
14
15 A: BALLER99
16
17 Q: What does that stand for her, if anything?
18
19 A: I listen to a lot of rap growing up. I'm a big fan of Lil' Troy. You know,
20 "I wanna be a Baller, Shot Caller . . . Twenty inch blades . . ." I was born
21 in 1999.
22
23 Q: OK. Do you ever use your mother's/father's [Nellie] account?
24
25 A: Sometimes. I used to help her/him [Nellie] out because s/he wasn't very
26 tech savvy, so I set up all of her/his profiles and passwords.
27
28 Q: How many profiles does your mother/father [Nellie] have? Let me back
29 up, when you say profiles, do you mean Facebook?
30
31 A: Yes, Facebook, s/he has two I believe. KickA\$\$ and KickOverArmorA\$\$.
32
33 Q: Did you set both of them up?
34
35 A: I did. Like I said, s/he [Nellie] is not very tech savvy and s/he needed me
36 to help her with it.
37
38 Q: Do you have the passwords?
39
40 A: I think so. 20inchblades is the password for KickA\$\$, and I believe
41 ShotCaller is the password for KickOverArmorA\$\$.
42
43 Q: Thank you. What is the last time that you logged in to either of the two
44 accounts?
45
46 A: It's been a while, I'm not certain.

1 Q: Have you ever logged into her accounts to post any messages?
2
3 A: Never.
4
5 Q: Did you give your mother/father [Nellie] the passwords?
6
7 A: Yes. I think it was in November, the day after a really big concert. A
8 Sunday, I believe.
9
10 Q: I'm going to show you what I've marked as Exhibit 2, do you recognize
11 this?
12
13 A: This looks like an e-mail I sent my mother/father [Nellie] with her/his new
14 account information.
15
16 Q: Why did you send it?
17
18 A: Because s/he [Nellie] asked me to create new accounts, so I did and I sent
19 her/him the account information.
20
21 Q: Other than this email, did you send any other emails from the
22 kickwood2@kmail.com account?
23
24 A: Nope. Never.
25
26 Q: Are you positive?
27
28 A: Absolutely.
29
30 Q: Back to Exhibit 2, why send the email if you had already given your
31 mother/father [Nellie] the password back in November?
32 A: I think s/he asked me to send it to her/him. I don't remember.
33 Q: Okay, what about your mother's/father's [Nellie] Facebook account, ever
34 use that?
35
36 A: Nope. What s/he [Nellie] does is none of my business.
37
38 Q: Are you sure?
39
40 A: Absolutely.
41
42 Q: I am going to show you what's been marked as Exhibit 4, do you
43 recognize this?
44
45 A: Yes, it's a text from me to my mother/father [Nellie].
46

1 Q: Did you send it?
2
3 A: Yes
4
5 Q: What is the Life is Beautiful Festival?
6
7 A: A concert I went to in November last year. Snoop Dogg was there. Great
8 concert.
9
10 Q: That concert was on November 8, 2014, wasn't it?
11
12 A: If you say so. That night is a little foggy, if you know what I mean.
13
14 Q: But you were there, correct?
15
16 A: I just told you I was.
17
18 Q: Who is Jimmy B?
19
20 A: One of my buddies.
21
22 Q: Were you with Jimmy B at the Snoop Dogg concert on November 8,
23 2014?
24
25 A: I don't know when it was, but, yes, I was with Jimmy B.
26
27 Q: And Suz?
28
29 A: Yeah, she was there.
30
31 Q: Is this the concert you referred to earlier, when you gave your
32 mother/father [Nellie] the password for the new accounts?
33
34 A: Yes.
35
36 Q: I am going to hand you Exhibit 5, ever see this?
37
38 A: No. Ha . . . is this a joke? That looks like a Facebook chat, but I've never
39 seen it. Did you make that up?
40
41 Q: I don't understand, what do you mean?
42
43 A: I see what you're trying to do. You are trying to set me up. I did not post
44 this on Facebook using my mother's/father's [Nellie] profile. Nice try.
45 Look at the date. It says November 10th, but the concert was on
46 November 8th and we were hanging in the morning of the 9th.

1 Q: Please take a look at Exhibit 6. Do you know who wrote the post using
2 KickOverArmorA\$\$ on September 5, 2014, at 11:58 p.m.?
3

4 A: No, I don't. I know that you guys think that I was posting this stuff to try
5 to get my mother/father [Nellie] in trouble, but it's not true, ok?
6 Seriously, s/he's a whack job. Who knows why s/he did it.
7

8 Q: I have no other questions. Thanks.