

STATE OF NEW YORK  
LOCAL COURT

COUNTY OF LIVINGSTON  
VILLAGE of CALEDONIA

THE PEOPLE OF THE STATE OF NEW YORK )  
- vs. )  
)  
)  
)  
(Defendant(s) )

SUPPORTING DEPOSITION

STATE OF NEW YORK )  
COUNTY OF LIVINGSTON )  
VILLAGE of CALEDONIA )

ss.

NO MENTION OF ATTEMPTED TOWERING  
ANGELA  
? HOW?  
NOT TRUE  
LOCATION

On	DATE <u>11-6-09</u>	at	TIME STARTED <u>4:20</u> <input type="checkbox"/> a.m. <input checked="" type="checkbox"/> p.m.	I.	FULL NAME <u>MICHELLE G BARBER</u>
	DATE OF BIRTH <u>8-4-62</u>		NO. & STREET <u>3110 MAIN ST</u>		CITY <u>CALEDONIA</u>
					STATE <u>NY</u>

state the following: I AM THE BRANCH MANAGER FOR FIVE STAR BANK IN CALEDONIA NY. AT AROUND 3:15PM TODAY I RECEIVED A NOTE FROM ONE OF MY TELLERS, TAMMY, TELLING ME THAT A CUSTOMER THEY HAVE HAD TROUBLE WITH IN THE PAST WAS AT THE BANK. THE CUSTOMERS NAME WAS STEWART AND THE TELLERS HAVE TOLD ME THAT HE MAKES INAPPROPRIATE COMMENTS TO THEM WHEN HE COMES IN AND IT MAKES THEM UNCOMFORTABLE. AFTER HE HAD COMPLETED HIS TRANSACTION I ASKED STEWART TO STEP IN MY OFFICE SO I COULD ADDRESS THIS PROBLEM WITH HIM. AS SOON AS I DISCUSSED HIS COMMENTS HE WAS MAKING HE BECAME AGITATED AND GOT LOUD. I GOT VERY UNCOMFORTABLE WITH HIM IN MY OFFICE SO I BEGAN TO GET HIM TO LEAVE MY OFFICE AND GO TOWARD THE LOBBY. I STARTED TELLING HIM TO LEAVE THE BANK. STEWART CONTINUED TO ARGUE WITH ME ABOUT HIM DOING BUSINESS AT THE BANK. I CONTINUED TO TELL HIM TO LEAVE. AT ONE POINT ANOTHER CUSTOMER, ERIC SIMMS, SPOKE UP AND TOLD STEWART NOT TO TALK TO ME THAT WAY AND TELLING HIM TO JUST LEAVE. I INSTRUCTED THE TELLERS TO CALL 911. THE PHONE WAS HANDED TO ME AND I WAS SPEAKING WITH 911.

NOTICE  
(Penal Law §210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 6th day of NOVEMBER, 2009

Michelle G Barber  
(SIGNATURE OF DEPONENT)

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

(WITNESS)  
INV JOHN KARASIEWICZ TIME ENDED:  a.m.  p.m.  
(NAME OF PERSON TAKING DEPOSITION)

\* This form need be sworn to only when specifically required by the court.

SUPPORTING DEPOSITION CONTINUATION SHEET

PEOPLE vs.

ALL WITNESSES FIRST NAME

WHILE I WAS TALKING ON THE PHONE I THEN SAW THAT ERIC AND STEWART HAD PUSHED EACH OTHER. I'M NOT SURE WHO PUSHED WHO FIRST. I THEN SAW THAT STEWART HAD PULLED A GUN AND DISPLAYED IT AND WAS POINTING THE GUN AT ERIC AND NEAL WHILE I WAS STANDING JUST TO THE SIDE OF ERIC. I TOLD 911 THAT THE GUY PULLED A GUN AND THEN DROPPED THE PHONE. STEWART HELD THE GUN AND I KEPT TELLING HIM TO LEAVE. FINALLY STEWART PUT THE GUN BACK IN HIS WAIST AREA AND STARTED TO LEAVE. AS HE WALKED OUT OF THE BANK HE SAID OUT LOUD "I HAVE THE GUN TO PROTECT MYSELF". HE WENT OUTSIDE AND GOT INTO A RED TRUCK THAT WAS PARKED TOWARD THE WEST SIDE OF THE PARKING LOT. AFTER HE GOT OUTSIDE I WENT TO LOCK THE FRONT DOOR. SUDDENLY AFTER THAT THE POLICE ARRIVED. THE GUN THAT STEWART PULLED WAS PULLED FROM HIS WAIST AREA IN HIS RIGHT HAND AND IT WAS SILVER AND SMALL. N.B.

REPEATED THEM THAT I NEVER SAID

NOTICE

(Penal Law Sec.210.45)

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Affirmed under penalty of perjury

this 6th day of November, 2009

- OR -

\*Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, YR \_\_\_\_\_.

*Michelle A. Barker*  
(SIGNATURE OF DEPONENT)

(WITNESS)

INV JOHN KARASIEWICZ  
(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED :  am  pm