

1 Mrs Lisa-Raye McCoy Misick get settled first.

2 MRS LISA-RAYE MCCOY MISICK (sworn)

3 SIR ROBIN AULD: Madam, what is the best way for us all to

4 address you?

5 A. What do you mean?

6 SIR ROBIN AULD: Your name is double-barrelled, is it,

7 Mrs McCoy Misick, is that the right way to do it?

8 A. Yes.

9 SIR ROBIN AULD: I just want to know so you feel comfortable

10 with the questions. Now, Mr Fitzgerald, as you know, he

11 appears on behalf of the Premier and we had some

12 discussion yesterday about documents and I am going to

13 ask you, Mr Fitzgerald, to tell me what has happened

14 about the documents.

15 MR FITZGERALD: Yes, they have been disclosed, sir, but

16 I understand you made an order, but you were going to

17 repeat it in open court, because it was -- the documents

18 were then disclosed to Mrs Lisa-Raye McCoy Misick and

19 she has had the opportunity to see the documents, that

20 is to say our statements and the three supporting

21 bundles. But it was on condition that those papers were

22 returned to the Commission.

23 SIR ROBIN AULD: Yes, I understood all that had been

24 committed to writing, had it not?

25 MR FITZGERALD: I don't know, I was asked by my learned

1 friend to raise the matter so that it would be clear.

2 SIR ROBIN AULD: That is clearly the case, and they will be

3 returned and there are some other provisions that

4 I can't remember now but I remember we went through them

5 yesterday.

6 MR FITZGERALD: Fine. It was just to get that on the

7 transcript that there has been an order that those

8 papers be returned to the Commission, that they do not

9 be photocopied and do not be made use of for any other

10 purposes.

11 SIR ROBIN AULD: Yes.

12 MR PRUDHOE: Sir, there was another requirement that they

13 not be marked in any way, and I have only post-it noted

14 them. I have not marked any of the documents.

15 SIR ROBIN AULD: That must be very frustrating.

16 MR PRUDHOE: Extremely.

17 SIR ROBIN AULD: Thank you very much. Mrs McCoy Misick,

18 have you had an opportunity to look at the documents

19 yourself?

20 A. Some, yes.

21 SIR ROBIN AULD: Yes. Mr Milne.

22 Examination-in-chief by MR MILNE

23 MR MILNE: Good morning, Mrs McCoy Misick. I am going to be

24 asking you some questions.

25 I will from time to time be asking you questions

1 which relate to documents. I will try and keep that to
2 a minimum but it may be I will have to ask you to look
3 at some files.

4 First of all, can we just try to put a little
5 historical perspective on the evidence you are going to
6 give to us.

7 You have been, and I think until the decree comes

8 through, technically remain the wife of the Premier,

9 Mr Michael Misick?

10 A. Yes, unfortunately.

11 Q. You were married to him in April of 2006, I think, which

12 is fairly well publicly documented. Can you tell us

13 when it was that you first met Mr Misick?

14 A. In June of 2005, I believe.

15 Q. So that would be about ten months before your marriage?

16 A. Yes.

17 Q. Having been introduced to him, did you form

18 a relationship with him over a period of months?

19 A. Yes.

20 Q. Again, I am dealing with some things which are well

21 documented publicly and will be obvious to everybody

22 here, but you had a career in the US and you are a US

23 citizen.

24 A. I still do have a career in the US.

25 Q. I am not suggesting it has come to an end, but at the

1 time you were working in the US, and I think as
2 an actress and to some extent as a model, is that right?

3 A. I was a star of a successful sitcom called All of Us,
4 produced by Will Smith and his wife Jada Pinkett Smith,
5 and I was a spokesperson and a motivational speaker and
6 a model.

7 SIR ROBIN AULD: I think we are going to have to remember
8 the court reporters here, and I have already forgotten
9 in one respect, and that is there has been a degree of
10 over-talking between counsel and witness. Mr Milne is
11 not the main offender, usually I am or other counsel, so
12 we must all be careful to make sure there is a gap
13 between the question and the answer, and if you can
14 speak a little more slowly and a little more loudly, so
15 that every word can be recorded.

16 A. Sure.

17 SIR ROBIN AULD: Now, let's start again on that matter.

18 MR MILNE: I think Mrs McCoy Misick was essentially setting
19 out that she had been the star of a successful sitcom
20 and that that was produced by Will Smith, who is
21 a well-known Hollywood actor, and his wife, I believe,
22 as well.

23 A. Correct.

24 Q. By the nature of your work, you lived in California, you
25 lived in Los Angeles?

1 A. Yes.

2 Q. Although I think originally you were from Chicago, is

3 that correct?

4 A. Yes.

5 Q. Do you still have family in Chicago?

6 A. Yes.

7 Q. In terms of family prior to your meeting and

8 subsequently marrying Mr Misick, you had a daughter,

9 I believe, from an earlier relationship?

10 A. Yes.

11 Q. Over the months following your meeting, the time that

12 you spent with Mr Misick, did that tend to be in

13 California or the Turks & Caicos Islands or elsewhere?

14 A. We met in Atlanta at the Trumpet Awards and I was

15 introduced to him. A couple of weeks later he met me in

16 Jamaica where I was hosting an event for the weekend and

17 he brought me back to Turks & Caicos for 18 hours. That

18 was my first time here, first time hearing about

19 the island, and thereafter I came back four days later

20 and then I was back and forth on the weekends.

21 Q. It is quite a distance to travel to come simply for

22 a weekend. Would you fly direct?

23 A. In the very beginning I did, and then it became a little

24 taxing because of the layover in Miami and the time

25 difference in which I would get here would only allow us

- 1 maybe a day and a half to be together, so he started
- 2 renting jets for me to come.
- 3 Q. He would rent jets presumably to collect you from
- 4 an airport in the Los Angeles area?
- 5 A. Van Nuys airport in Burbank, California.
- 6 Q. And fly direct to Providenciales?
- 7 A. Yes.
- 8 Q. Would he arrive on the jet to pick you up or would
- 9 the jet simply bring you across?
- 10 A. Sometimes he would arrive and I would come back with him
- 11 and sometimes the plane would bring me along.
- 12 Q. The decision to do that, to spend money on the jets, was
- 13 that your decision or his?
- 14 A. No, it was his decision.
- 15 Q. Did you have any inkling of the likely cost of flying
- 16 a jet back and forth in that fashion?
- 17 A. Not in the very beginning, no.
- 18 Q. Have you learnt since how much it was costing?
- 19 A. Yes.
- 20 Q. How much would it be?
- 21 A. Around 50,000 a trip.
- 22 Q. So \$50,000 for a weekend essentially?
- 23 A. 50,000 one way.
- 24 Q. Right. So 50,000 one way and 50,000 going back as well?
- 25 A. Yes.

1 Q. Can you say now roughly how many times that arrangement

2 was put in place, that you would use private jets during

3 the period before your marriage?

4 A. At least two or three times a month.

5 Q. This is over a period of how many months?

6 A. I am sorry?

7 Q. Forgive me, you said at the outset that you were flying

8 with commercial scheduled airlines, but subsequently he

9 started using private jets. How many months were you

10 flying in private jets back and forth?

11 A. It started maybe a month and a half after we met.

12 SIR ROBIN AULD: The private jets did?

13 A. Yes.

14 MR MILNE: Did that arrangement continue up until the time

15 of your marriage?

16 A. Yes, I jokingly said that I need a plane, we need

17 a plane and he started looking into getting a plane and

18 then eventually we got one and I used that plane.

19 Q. After you were married, which was April 2006, where did

20 you live from that point forward, were you living

21 together or separately?

22 A. Both. I have a house prior to marrying Premier Misick

23 in LA that I owned and then I would come here. We had

24 an older house in Leeward Estates before we moved to the

25 house that we are now.

1 Q. Just so we have some idea of the domestic arrangements,

2 clearly, you had obligations still in California insofar

3 as your work was continuing there on television?

4 A. Yes, I had a contract for five years.

5 Q. So once you were married, was there a different

6 arrangement, would you be spending more time in

7 the Turks & Caicos Islands or was it still a process of

8 commuting back and forth from the USA on a weekly basis?

9 A. I had to commute because I have a contractual agreement

10 with the production company to tape Monday through

11 Friday. So the weekends were only mine. If in course

12 there was not any promotional events that I had to go

13 to.

14 Q. We have been shown copies of documents that relate to

15 a private aeroplane, and I think this may be

16 the document you are referring to. Sir, it is in our

17 bundle 3 for the Premier.

18 I am hoping that you have that in front of you.

19 MR PRUDHOE: Sir, can I clarify in relation to the bundle,

20 the bundle that I have received, documents, it turns out

21 that I have to turn over to the witness, so I should

22 make it clear, it has my post-it notes upon it, though

23 they have not been annotated.

24 SIR ROBIN AULD: Doesn't sound worrying to me, Mr Prudhoe.

25 MR MILNE: I am going to ask you to turn to page 1044.

1 SIR ROBIN AULD: The Premier's bundle 3, tab 4.

2 A. I have it.

3 MR MILNE: I hope what you have in front of you now is

4 a photograph. It is a photocopied photograph so it is

5 not very clear but it is, we understand, a Gulf Stream

6 aeroplane. Do you recognise that?

7 A. Yes.

8 Q. Is that -- obviously you can't see the registration

9 number, but does that appear to be the one that you

10 understood was subsequently acquired?

11 A. Yes.

12 Q. Would you turn over the page from there, please. What

13 we have at page 1045, the following page, is a document

14 headed "Wealth Aviation". It is not the complete

15 document because it is clear from the heading at the top

16 that this is an appendix to perhaps a bigger document

17 but it appears to be a proposal of a sale of

18 a Gulf Stream 3 aircraft, built in 1983, bearing

19 the registration N165G.

20 Over the following page, 1046 there is a document

21 which is similarly Wealth Aviation, headed up "Offer to

22 Purchase", and there are names typed in, I make clear,

23 no signature on this document but it appears to be

24 an offer from somebody called Tai Eason, who gives

25 an address at the Howard Hughes Parkway in Las Vegas to

1 sell the aircraft.

2 The purchaser is typed in as Michael Misick Premier

3 and it gives the government address, Government Square

4 in Grand Turk.

5 Had you ever seen this document before?

6 A. No.

7 Q. The document relates to an aircraft N165G, which is in

8 fact the photograph that we see before. Did you ever

9 come across this aircraft?

10 A. Yes.

11 Q. Did you ever travel in it?

12 A. Yes but let me say this, the first page on 1045,

13 I remember seeing the breakdown of the plane.

14 I remember seeing paperwork on that.

15 Q. Where was it that you saw that paperwork? Where were

16 you at the time, I should say?

17 A. On the plane, one of our trips in home, here in

18 Turks & Caicos.

19 Q. So were you flying in this plane when you saw

20 the paperwork in relation to it?

21 A. Yes.

22 Q. You were being flown from Los Angeles to Turks & Caicos?

23 A. No. We were being flown from Miami.

24 Q. I beg your pardon?

25 A. To Turks & Caicos.

1 Q. From your conversations at the time, what did you
2 understand was the purpose of the documentation, why did
3 you have the documents?

4 A. We were buying the plane. We bought the plane.

5 Q. Did the Premier tell you that you were buying the plane
6 or did you understand that from some other source?

7 A. No he told me.

8 Q. The document we have, again the undated one --

9 the unsigned one is actually dated from March 2007.

10 That may be a prompt, it may not. Does it help you put
11 any sort of timeframe on when it was that you first
12 started using that plane?

13 A. A little.

14 Q. Would it have been around then or do you think it was
15 much earlier, much later than that?

16 A. It would be around then.

17 Q. In the period before the purchase, clearly this is
18 nearly a year after your marriage, had there been any
19 other planes being used?

20 A. Other than the ones that he would rent?

21 Q. Other than the ones he would rent.

22 A. We would utilise one of his friend's planes,

23 Mario Hoffman.

24 Q. So he would borrow a plane from Mr Hoffman?

25 A. Yes.

- 1 Q. And where did you fly in that plane?
- 2 A. One time we flew from here to Miami, Miami to LA.
- 3 SIR ROBIN AULD: What in the same trip?
- 4 A. Same trip. There was one other trip but I can't really
- 5 remember where we were coming from or going to.
- 6 Q. You say that there came a point -- I will come back to
- 7 Mr Hoffman in a short while. You say there came a point
- 8 where you travelled in this plane, N165G, and you
- 9 understood that it was going to be bought. When you
- 10 learnt that, did you do anything about it, did you make
- 11 any arrangements?
- 12 A. Well, my part of it was we wanted to change the inside,
- 13 the interior of the plane, cabinetry, add some TVs,
- 14 telephone, I was going to put the family crest in
- 15 the carpet, that sort of thing.
- 16 Q. We have been shown a document. I think, is it true, you
- 17 had gone to the trouble of having a family crest
- 18 designed?
- 19 A. Yes.
- 20 Q. It says "L and M" on it, I am going to guess that means
- 21 Lisa-Raye and Michael?
- 22 A. Yes.
- 23 Q. In the event, did you discuss this customising, if I can
- 24 call it that, with the Premier?
- 25 A. Yes. Actually we went steps further than that.

1 Actually we went through the plane with a fine toothcomb
2 with our captain, Captain Mike and we pointed out
3 everything that we wanted, colours, fabrics. He was
4 actually sending me swatches, prices. We went through
5 the whole thing. Actually I thought it was being done
6 for some period of time when I did not see the plane for
7 a while.

8 (12.30 pm)

9 Q. I will pause you there for a second. You have referred
10 to Captain Mike. Some of the documents, I needn't
11 trouble you with them now, we see reference to
12 a gentleman called Mike Brassington. Is that the man
13 you knew as Captain Mike?

14 A. I do not recall his last name.

15 Q. Fair enough, I will take it no further.

16 But the process that you were going through, you
17 said: he sent me swatches. Is that Captain Mike sent
18 them or did the Premier send you these?

19 A. They faxed me coloured swatches and then that was not
20 good enough for me, and so as I was waiting for them to
21 send me everything, I asked Michael: where is
22 everything. He said they sent it to Jeffrey Watson,
23 a friend of his. And I said: why would they send it to
24 him when I am the one clearly picking the colours; and
25 he said: he is going to send them to you, he was coming

1 down, he just forgot about them; because I just saw him

2 the weekend before.

3 Q. You had seen Jeffrey Watson the weekend before?

4 A. Mm-hmm. He did not give me anything, so I kind of was

5 like: why did he not give them to me. I kind of felt

6 like they were being held from me.

7 Q. First of all, can I ask you, how often did you meet

8 Jeffrey Watson?

9 A. Quite a bit. He would come to the island. He would

10 stay with us at the house.

11 Q. Was he a family friend?

12 A. He was Michael's friend.

13 Q. We understand that he is a US citizen, is that right?

14 A. Yes.

15 Q. Up to that point, when Jeffrey was mentioned in

16 the context of the plane, did you understand that

17 Jeffrey had any connection at all with the plane?

18 A. No.

19 Q. Having made the plans that you have described and having

20 gone to the trouble you described, in the end did you

21 get the opportunity to do the work that you wanted on

22 the interior of the aircraft?

23 A. No. Some things were fixed on the plane that needed to

24 be fixed in the inspection, but none of the carpentry

25 and the tv ads, none of that was done.

1 Q. Was it ever suggested to you that in fact you didn't own

2 the plane and you had no right to do that?

3 A. Never, no. I never knew that we did not own the plane

4 at all.

5 Q. During the period that you were married to the Premier,

6 and this plane was being used, where did it take you?

7 What sort of trips did you make on it?

8 A. All of our trips. Vacations, we took a trip to Africa

9 for two weeks, two and a half weeks. We would go and

10 visit my daughter in school in Switzerland. Milan,

11 Prague, LA, I was on tour doing a play, so on the

12 weekend the plane could come pick me up and bring me

13 back home and get back to the play on Sunday.

14 Everywhere we travelled.

15 Q. So it was a regular or frequent event that you used this

16 plane?

17 A. Yes. However, let me add this: I actually sometimes

18 like to fly commercial. I think it is a part of my

19 business to allow people to see me, so I like to kind of

20 go through the airports. So I would sometimes say: no,

21 I want to take a commercial flight, it is okay. But

22 I would miss some flights, so he didn't like that, so he

23 would send the plane to get me if I said I was stuck in

24 Miami and I would come in the morning, he would say: no,

25 I am going to send the plane or a plane to come and get

1 you; as if though I could not stay in Miami for whatever
2 reason.

3 Q. On the trips that you were making, particularly

4 the trips overseas, were you ever present when he --

5 your husband appeared to be working?

6 A. We took a trip to Dubai where he spoke on a panel there.

7 Some type of tourist conference.

8 Q. But the other trips that you took to the US, to Europe,

9 to Africa, as far as you were aware, was any of that

10 working time for the Premier or was it vacation time

11 that he was spending with you?

12 A. Well, we -- he didn't have any business in the States so

13 that was personal. Our Africa trip was vacation,

14 personal. We went to London one time and that was

15 business and personal. But majority personal.

16 Q. Leaving that to one side for a minute and looking, as it

17 were, at the bigger picture, your husband clearly was

18 a man who is prepared to spend money. When you first

19 met him, was money discussed between the two of you at

20 all?

21 A. We had a quick romance. We met. I came to

22 Turks & Caicos. Before I really realised who he was,

23 I had committed to come back three days later, which

24 I did with my mother, my daughter, my aunt and my niece.

25 Then after that I was coming back and forth.

1 Michael asked me to marry him a month after that and
2 I was kind of blown away because I had just wrote a list
3 of the type of man that I wanted in my life, and I kind
4 of felt that God kind of sent him to me to take me away
5 like --

6 SIR ROBIN AULD: Please, this witness is entitled to
7 the respect that all witnesses have had in this, and it
8 is very disconcerting when you are giving evidence to
9 try to pay attention to the questions, give truthful and
10 accurate answers, if you are conscious of a feedback
11 from the audience all the time. If there is any more
12 overt noise, I shall clear the room.

13 Yes, Mr Milne.

14 MR MILNE: I think we can reasonably assume it was a happy
15 time in your life and you clearly were, I don't seek to
16 pry, but I assume you were in love?

17 A. I was taken away by the process of finding that man in
18 my life. I did not know who he was actually until after
19 I had that connection and that commitment to come back.
20 I was actually going through the airport when he was
21 putting me on the plane and I saw a picture of him on
22 the wall, and I looked at him and I looked at the
23 picture, and I said: oh my God, I am with the president;
24 and so that is when I kind of knew at that point.

25 When I visited maybe three times after our first

1 meeting, we were actually in the ocean and he said to
2 me: "I just left my attorney's office and he wants you
3 to sign a pre-nup". And I said: "I don't have a problem
4 with signing a pre-nup because I don't even know how
5 much you are worth". And he said: "but I don't want you
6 to"; and I kind of felt like, really? Wow. I had mixed
7 emotions like really? Wow and why, you know?

8 Q. Yes. Did you ever come back to the topic, did you ever
9 discuss his net worth at that stage?

10 A. We did. Actually I had him write out his assets, but it
11 really didn't mean anything to me because I was not
12 familiar with Turks & Caicos, so much of what he said,
13 it just sounded like a lot. I didn't know what it
14 really was.

15 Q. As far as you knew at that stage, did he own property?

16 A. Yes.

17 Q. As in real estate, to be clear?

18 A. Yes.

19 Q. Clearly he was a high-profile individual, he was
20 the Chief Minister or Premier of the Islands and that
21 must have been something that was quite impressive in
22 one sense.

23 A. I didn't really know at the time what a minister of
24 tourism meant, but I did know that being
25 the Chief Minister was the head person in charge. Yes,

1 I knew that.

2 Q. As far as the spending of money was concerned, would it

3 be fair to say that he was generous and open-handed in

4 his spending?

5 A. Very, very sweet, very giving.

6 Q. Did he ever make any comment, other than the discussions

7 for a pre-nup, about his state of affluence?

8 A. There was one thing he would always say constantly: we

9 are rich, you don't have to work any more, I am your

10 stability, I am your rock. Because I was a single

11 parent for 16 years, my personal struggle was kind of

12 hard. So he would always say: you are not alone and you

13 are not in this by yourself, you don't have to work any

14 more, what is yours is yours, what is mine is yours, we

15 are rich; and it is like I got it, I got it, you know?

16 Q. Am I right in thinking, though, that part of the

17 discussion was that he was encouraging you to spend more

18 time with him in the Turks & Caicos and less on your

19 career?

20 A. After a while it did come to be that.

21 Q. Obviously that is a personal discussion between the two

22 of you and it is perhaps in many marriages, I suspect.

23 A. It took me by surprise because he did promise before

24 we got married that I did not have to change anything.

25 I did let him know that I was not finished doing what

1 I wanted to do, branding my name and making my mark in

2 Hollywood. I enjoy acting and I don't want to quit.

3 Q. As far as provision of funds is concerned, clearly

4 because you had a career, you had income from your

5 professional commitments in USA. Did he provide for

6 you, though, in terms of paying bills, covering credit

7 cards, matters of that nature?

8 A. After a while we did sit down and discuss how he was

9 going to take care of me and my businesses. I have

10 a business called My Way Productions.

11 Q. I am going to pause you there a second because that is

12 a name, it is close to a name that we have heard during

13 the course of the Inquiry.

14 Your business, My Way Productions, is that

15 a Turks & Caicos company or a US company?

16 A. A US company.

17 Q. Based, I take it, in California?

18 A. Yes.

19 Q. Was that one of the -- that was one of your companies,

20 I don't need to know about the others but one of your

21 companies in the USA?

22 A. Yes.

23 Q. Because the title of a company we have heard mentioned

24 in this context is My Way Productions 2 Limited?

25 A. Yes.

1 Q. They are separate companies, but with My Way Productions

2 2 in the Turks & Caicos?

3 A. Yes.

4 Q. Is that the set up? Your company in the USA then,

5 My Way Productions, what did you use that company for,

6 what was the purpose?

7 A. For my income from my show, from any performances,

8 motivational speaking or events that I would have,

9 I would contract my make-up artist, my stylist, my staff

10 at my house, my assistant, my staff.

11 Q. Can we take it that that company, based in California,

12 presumably had bank account or bank accounts in

13 California and maybe staff who helped to run it

14 and administer it?

15 A. Yes. I have a business accountant, managers that takes

16 care of my bills and pays them.

17 Q. We are going to come in a few minutes to other accounts

18 that touch on the Turks & Caicos Islands.

19 The topic of some interest has been

20 an American Express card that was used by the Premier,

21 and we have seen that the account with American Express

22 in fact had more than one card, and that one of the

23 cards was in your name, do you recall that?

24 A. Yes.

25 Q. Just for ease, it could be best if you took the bundle 3

1 that you were looking at a moment ago and if you could
2 turn, please, within that to page 1014.

3 I am picking this purely as a sample. It is not
4 the world's best photocopy. It does appear to be a page
5 from a statement of account. The American Express is

6 known as the Centurion card which is a brand name.

7 These entries we see here appear to reflect a period in
8 May of 2007. Do you recognise that? Is that your
9 statement?

10 A. Yes.

11 Q. Or a page from your statements. In fact we can see --

12 I am not going to go into the detail -- but it is clear
13 that there is spending in US, Florida, Illinois,
14 Chicago. I think it reflects also a bit of a trip to
15 London at one point?

16 A. Lausanne, Switzerland, where my daughter was going to
17 school.

18 Q. We see Liberty and Harrods got a look-in on the way.

19 But that was the card that you were provided with. Did
20 you pay that bill or did your husband cover the costs on
21 that bill?

22 A. He paid this bill.

23 Q. Clearly there would be one account although it is
24 separated between cards -- there would be one statement
25 produced. Did those statements ever come to you or did

1 you simply leave it to him to administer that?

2 A. We got very little mail at our house. I didn't see any

3 bills. I would only see the ones that I guess maybe he

4 had some discrepancy about and he would ask me about.

5 Q. The statement that I showed you a moment ago, the single

6 page dates, as I say, from around May. Reflects usage

7 in May 2007. Can you say -- had you had the card for

8 very long before that particular time?

9 A. I can't remember.

10 (12.45 pm)

11 Q. Roughly, I am not seeking to hold you to a precise

12 figure, how much would you say you were spending each

13 month on that card?

14 A. It depends on what -- how much I was travelling and what

15 I had to do. Let me explain. I had to change my

16 wardrobe, so to speak, from my Hollywood lifestyle to

17 the First Lady lifestyle, and so I had to, you know, get

18 hats and gloves and different suits and only wear white,

19 so I am very limited on the things that I wear. And

20 based on my lifestyle in California, there are things

21 that I wear that if I do an event, I can't wear more

22 than once.

23 Q. Right.

24 A. So that depends if I had to do a lot of shopping, and he

25 too, coming into my world, there was a difference in

1 what he had to -- how he had to --

2 Q. Acclimatise perhaps?

3 A. Present himself.

4 SIR ROBIN AULD: Mr Milne is after a figure, it is probably

5 an impossible figure, but what he is after is a very

6 rough indication of how much you might spend, say, over

7 a period of months per month.

8 A. I just know that one time it was \$200,000 and it

9 probably was more than once, but this one time he came

10 to me and he said: you are spending too much money; and

11 I said: let's go through the bill; and we went through

12 the bill and I had to show him, remember this is what

13 you told me to get for this and this was because of

14 that; so I had to break it down to him so he wouldn't

15 think that I was out just saying: let me just buy

16 anything and everything.

17 Q. You described changing your outfits in the sense of

18 having to put on a different wardrobe. Is that

19 something that you felt you had to do or something that

20 he suggested you should do?

21 A. A little bit of both. I wanted to fit the bill. My

22 reputation as an artist in the States is much different

23 than a First Lady and so I was trying to fit in and

24 trying to be embraced and trying to do the right thing.

25 Q. In terms of the spending that you did together, how

- 1 would you describe that?
- 2 A. No limit.
- 3 Q. Right. Did you do a lot of entertaining?
- 4 A. An awful lot.
- 5 Q. Here or abroad?
- 6 A. Here.
- 7 Q. I think there was one occasion where you, together with
- 8 your husband, provided what is known as a wrap party, is
- 9 that right?
- 10 A. Yes.
- 11 Q. Is that the end of a series where there is essentially
- 12 a party for everybody who has worked on the television
- 13 show?
- 14 A. Yes, during the end of your run, your show coming back
- 15 you get the word that you are coming back, you have
- 16 a wrap party in conclusion. It is normally a big to-do
- 17 kind of thing and we wanted to give the best damn wrap
- 18 party in 24 hours.
- 19 Q. Did you manage that?
- 20 A. Yes, we did. We flew the writers, the director,
- 21 the producer and the actors here for 24 hours and showed
- 22 them a good time. I wanted them to see what
- 23 Turks & Caicos had to offer, I wanted them to see
- 24 the waters, I wanted them to be able to experience it so
- 25 when they go back they can tell everybody.

1 SIR ROBIN AULD: When you say he flew them here, do you mean
2 he paid for their air fares and scheduled flights or he
3 ferried them across in a plane or what?
4 A. No, he paid for them on commercial flight and put them
5 up in a hotel.
6 MR MILNE: Simply a year, can you say which year that
7 happened?
8 A. 2006.
9 Q. After your marriage, would that have been?
10 A. No, it was not after my marriage.
11 Q. Before your marriage in 2006. So some time in the early
12 part of that year.
13 A. Mmm hmm.
14 Q. Dealing with the house that the Premier had here, we
15 know that the Premier has a large house at the Leeward
16 end of the island. When you first met him, what was
17 the situation with that house? How far had it got,
18 because it was being built?
19 A. Yes, it wasn't built yet. We were living in a smaller
20 house on the beach on Leeward, in Leeward Estate still,
21 and he had the blueprints for the house and so I came in
22 just enough time to change some of the blueprints. He
23 was building one master bedroom, he said, and so I kind
24 of divided that and made other rooms and made
25 the kitchen a little bit bigger, I like to cook, so --

1 I kind of added my flair, if you will.

2 Q. A case of adding a woman's touch to what would otherwise

3 be a more masculine set-up, I suspect?

4 A. Yes, I am a family person and so -- I am a people

5 person, I love people, so I knew that I wanted more than

6 one bedroom in the house.

7 Q. Such design costs money. Do you know roughly how much

8 was spent on that?

9 A. Not on the house itself, I was here a couple of weeks

10 ago when Michael was in the hearing and I would hear

11 different figures and I now know that the house was

12 8 million but the interior design, we spent well over

13 \$1 million.

14 SIR ROBIN AULD: Over 1 million. Does that include

15 furniture as well?

16 A. Yes.

17 MR MILNE: Where was it that the furniture came from? Was

18 that sourced locally or the US?

19 A. Well, it started when we went on our honeymoon. We went

20 to Israel and Indonesia, Bali, so I always wanted to, in

21 my travels, be able to get furniture from each place and

22 bring it back to the house.

23 So we bought a lot of furniture from Bali and he

24 picked out some patio furniture and some art pieces and

25 we had a container full of stuff that came from there.

1 Actually a friend of his -- of the (inaudible) that owns
2 Parrot Cay, their general manager worked over there, her
3 name is Sheila, and she actually helped us get
4 a container and ship everything and make sure everything
5 was to get here.

6 SIR ROBIN AULD: Can you remember now the order of expense
7 on that furniture that you brought back in the
8 container?

9 A. Not at all, because there was a difference in the money
10 so --

11 SIR ROBIN AULD: That was all part of the million or was on
12 top of the million?

13 A. On top.

14 SIR ROBIN AULD: I have seen a figure somewhere for that or
15 an estimate but I can't remember where.

16 MR MILNE: Certainly the statement, sir. Throughout this
17 period, apart from obviously when you were travelling
18 away with the Premier, you continued to work in
19 television in the USA?

20 A. Yes.

21 Q. Was there ever any discussion of the Premier appearing
22 on television in the USA?

23 A. Yes. We had a contract with Warner Horizon and Lifetime
24 to do a reality show. They wanted to do a reality show
25 of -- a fish out of water type of show, celebrity turned

1 First Lady, and I thought it would be a great idea,
2 I was executive producer, so I thought it would be
3 a great idea to showcase Turks & Caicos. It would be
4 a commercial for us here, so I kind of was thrilled
5 about it.

6 Q. How far did that project get?

7 A. Quite far. The first couple of months before we got
8 a deal, there was so much going on in our life and me
9 coming from television, I felt like we need to get this
10 on film and so he actually paid for the first couple of
11 shootings. I think we paid maybe 100 to 150,000 for
12 the first couple of shoots and we were going to sell
13 that to the production company when they bought
14 the show, and then we landed at Lifetime and then they
15 spent half a million dollars on the pilot alone and
16 the pilot is the first show that you show on television.

17 Q. Was the pilot actually made?

18 A. Yes.

19 Q. It was. But did it ever go beyond pilot?

20 A. No, unfortunately that is when everything started
21 unfolding with the Inquiry and the corruption and
22 the allegations and stuff, and so they were kind of
23 pulled back.

24 Q. Simply -- I am going to take a few points, I hope
25 relatively shortly. I don't wish to lead, sir, but it

1 may be we can cover these in short order.

2 We understand that the Premier, whilst you were
3 married, did help support your daughter who was at
4 college in Europe, is that right?

5 A. Yes, he actually had given financial support to her for
6 school and to her getting a degree, and since we have
7 actually separated, he has pulled back his support and
8 now she has left the University of Buckingham and had to
9 come back to LA with me.

10 Q. We also understood that he supported a lady in Florida

11 who he has told the Commission is the mother of two of

12 his children, a lady called Mildred Rivas. I think you

13 were aware of that at the time?

14 A. Well, I was aware of this a couple of months after
15 I married the Premier of the first child. And then
16 I was looking through paperwork at home and found
17 the credit card and so I questioned that. I did not
18 know about the second child. The second child was born
19 a year after we were married.

20 Q. So his second child with Mildred Rivas was born a year

21 after your marriage?

22 A. Yes.

23 Q. You obviously did become aware at some point that he was
24 paying the credit card for her and helping to support
25 her and presumably the children?

1 A. Yes. When I knew about the first child, there was
2 a hurricane in Florida and her car was messed up and he
3 asked me -- he told me that she wanted him to help her
4 get another car and I said yes because that is your
5 child and that is the mother of your child and she needs
6 to get around; and coming from being a single parent
7 myself, I understand that totally; and then he made
8 aware to me that the condo that she had was in his and
9 her name, and then I asked him to change that and to
10 give that to her so she can have that.

11 Q. Thank you. Sir, I am moving on to a slightly different
12 topic and it may be that is an appropriate point.

13 SIR ROBIN AULD: Yes, I think it is. 2 o'clock.

14 MR MILNE: Thank you very much.

15 (1.00 pm)

16 (The short adjournment)

17 (2.00 pm)

18 SIR ROBIN AULD: Mr Milne.

19 MR MILNE: May it please you, sir. Mrs McCoy Misick, before
20 lunch we were talking about money and the spending of
21 money. Is it right to say that on occasions the Premier
22 had also loaned money to people?

23 A. In the beginning of our marriage we had an agreement
24 that we were not going to loan or give anyone money
25 because we realised that both of us were like a target

1 of people asking, can we have, can you give, that kind
2 of thing, and it was to see how much money we would save
3 within a year of people asking us and us not giving. So
4 we made that agreement up, so we were not supposed to,
5 but as I was here a couple of weeks ago, hearing
6 Michael's testimony that he loaned Piper, Honourable
7 Hanchell \$1 million, I don't know anything about that.
8 Then a couple of other things trickled down and I don't
9 know anything about those loans.

10 Q. Were you aware of your husband borrowing money from
11 other parties?

12 A. No.

13 Q. We have heard about a series of loans, some of them
14 relatively small and by the overall standard fairly
15 modest. \$100,000 here or there. Did he ever mention
16 any of those to you?

17 A. No.

18 Q. Simply while we are on that topic, we have also been
19 told on behalf of the Premier that at the time of your
20 wedding, there were a series of wedding gifts received
21 which were simply cash or wire transfers of money. Were
22 you made aware of those either?

23 A. Not at all, because I had opened up all of the presents,
24 all of the gifts and made notes to send thank-you cards
25 out and -- in my office. So none of that money reached

1 me.

2 Q. Specifically, sir, so it is clear what I am discussing
3 here, Saunders & Co, his former firm, apparently gave
4 him \$50,000 as a wedding gift. Not familiar?

5 A. I knew nothing about that.

6 Q. He has also made a declaration that Minister Hanchell
7 gave him 10,000, Prestigious Properties gave 20,000,
8 Turks & Caicos gave him \$15,000 and the Caicos group
9 a further 15,000. Can we take it that you were not
10 aware of any of those?

11 A. I didn't know that we received any cash. I thought
12 everything was what I opened up the night after we came
13 back from our honeymoon.

14 Q. Those in total just over \$100,000.

15 Dealing if I could -- I will come back to the other
16 loan. In respect of your husband as an individual, you
17 have described him being generous. Did you observe
18 anything else, though, in relation to people's reactions
19 to him? How did you feel he was treated by people that
20 he did business with?

21 A. Respectful. There were several times when we would
22 visit North Caicos where he is from, and people would
23 receive him with open arms and he was very generous. He
24 would even give money to them, you know. I thought that
25 was great.

1 Q. I am sorry, you are saying he would give money to them.
2 First of all, when was it that you recall going to
3 North Caicos with him?
4 A. The first time was during the campaign.
5 Q. Right. That would be the campaign leading up to the
6 2007 election?
7 A. Yes.
8 Q. What did you observe on those occasions?
9 A. We would walk down the streets and kind of people that
10 was outside, we kind of mingled with them, stopped and
11 talked with them. I guess it was his way of kind of
12 introducing me and showing me around North Caicos and
13 you know people would come and ask him, my telephone
14 bill is due, are you going to look out for me this time?
15 And he would, and he would go in his pocket and give
16 them money and I thought that was really great.
17 Q. Did you see him giving people cash on many occasions?
18 A. Yes.
19 Q. What sort of amounts are we talking about? Just a few
20 dollars, hundreds, more?
21 A. Not a lot, a hundred dollar bill here and there.
22 SIR ROBIN AULD: A hundred dollar bill here and there, that
23 sort of thing.
24 MR MILNE: How would he give it to them? Would it be handed
25 out openly?

1 A. Well, not that openly, because there were a lot of other
2 people around, so, you know, if he give a hug, it would
3 be a pat in the hand, and pretty much like how you would
4 tip your bellman or someone at your kerbside services
5 doing your luggage for you.

6 Q. In the lead-up to the election, did you get involved in
7 any way with organising events or contributing to
8 the election campaign?

9 A. I was working at the time so I would fly in on
10 the weekends, and then I knew that he wanted to order
11 some stuff, some T-shirts, some hats, clappers, that
12 kind of stuff and one of my assistants said that they
13 could get it wholesale for him. So he ordered a bunch
14 of stuff from LA and had it sent down.

15 Q. The election was just after Christmas 2007. Were you
16 involved in any way in organising events around that
17 Christmas time? We have heard reference to a carnival
18 for Christmas.

19 A. It was my idea to bring a carnival here, to the country
20 for the kids and I understood it was the first carnival
21 ever. So he gave me a budget in which I could kind of
22 facilitate to the person that I hired to help me, which
23 was a local and it was kind of like my way of kind of
24 introducing myself and doing something for the country,
25 a contribution. And it was a huge success, it was

1 supposed to be an annual thing but the next year after
2 that, I asked him what type of budget could I have for
3 this Christmas, and he said to me that he only did that
4 because of election year and that he was not doing it
5 again. That kind of made me upset because I was saying:
6 you said that it was going to be annual and that I could
7 do this and why would you say that I can do this if now
8 I cannot keep that up.

9 SIR ROBIN AULD: How much was the budget for the carnival
10 that he did give you? Roughly?

11 A. I really can't say, I don't remember.

12 MR MILNE: Do you remember the scale of the carnival? Did
13 it involve many people or was it a small-scale thing in
14 one neighbourhood?

15 A. No, it was nice. It was a Ferris wheel, a slide,
16 jumping beans, music DJ, a dance concert, stuff for
17 small kids, for big kids. It was painting, balloons, it
18 was a hot dogs and cotton candy. It was like a real
19 carnival, you know?

20 Q. Forgive me, I didn't ask where it was held?

21 A. It was held downtown.

22 Q. Downtown Providenciales?

23 A. At the ballpark.

24 Q. Thank you. As far as you knew, where did the budget for
25 that come from? Was that his personal money or was that

1 government money that was funding it?

2 A. It was government money.

3 Q. Did you ask which budget that would be from?

4 A. No. I would not have known to even ask that anyway.

5 SIR ROBIN AULD: How did you know it was government money?

6 A. I was in contact with someone named Barbara for

7 the second year of the carnival, but the person that

8 I hired, which was Llewellyn, that was my partner for

9 the carnival, he handled all of that, which is why I had

10 him do everything, because I didn't know where to go or

11 who to go to. I was just the brainchild behind the idea

12 and cutting the cost and stuff like that.

13 SIR ROBIN AULD: How did that indicate to you that it was

14 government -- who was this person?

15 A. Who was the person?

16 SIR ROBIN AULD: Yes.

17 A. I don't know her title.

18 SIR ROBIN AULD: How did it indicate to you that it was

19 government money? She was in government employ, was

20 she?

21 A. Yes.

22 SIR ROBIN AULD: A woman called Barbara in government

23 employ.

24 A. Barbara was involved in the second carnival. The first

25 carnival, Michael himself told me, let me see what I can

1 do, let me see how much money we have. When he said we,
2 it was not we, he and I, it was we the government.

3 MR MILNE: I am going to come back to government funding in
4 a little while but if we could turn for the moment,
5 please, to a different subject, which is a loan that we
6 have become aware of from a bank in Prague, a bank
7 called the J&T Banka, before the proceedings of the
8 Commission took place; were you familiar with that bank
9 at all?

10 A. A little bit. It is attached to the American Express
11 black card, the Centurion card, and because it was based
12 in Prague and I would use it in the US, sometimes it
13 would be declined, and I would have to call and then
14 they would ask me for the address of where the card went
15 to, and I didn't know any of that, and so I would have
16 to call Michael and have that on record, and that is how
17 I kind of knew.

18 Q. You mentioned in passing at one point that you had been
19 to Prague with him?

20 A. Yes.

21 Q. Had you ever met any bankers there or had any dealings
22 with the bank whilst you were in the city?

23 A. No.

24 Q. That trip, as far as you were concerned, was it purely
25 for holiday purposes, vacation?

1 A. It was vacation, yes.

2 Q. We have been made aware and we have been shown documents

3 which indicate that there came a point when

4 a large-scale loan was taken out of the J&T Banka, which

5 is based in Prague, that loan being for \$6 million.

6 I think you have been shown documents. We have, if it

7 assists, in volume 1, black 1, it is the Michael Misick

8 bundle, this is at page 55 within that bundle.

9 If you turn to page 55 it gives -- it is clearly

10 a detailed technical document relating to a loan. We

11 are probably far more familiar with it now than you

12 would have been, but it does name you on the first page,

13 and it gives your name, your date of birth in Illinois,

14 USA, and indeed a passport number which would be, I take

15 it your US passport?

16 A. Yes.

17 Q. The loan itself is being made by the J&T Banka and it is

18 a loan contract, and if I take this very shortly, if you

19 turn to the top of the following page, page 56, it is

20 a loan up to \$6 million. Which is in the first couple

21 of lines of that document.

22 That money to be paid to a bank account which is in

23 the First Caribbean International Bank. We know now

24 that that is the client account or one of the client

25 accounts of Chal Misick, your former husband's brother.

1 Finally if we turn through to close to the end of
2 the document, page 63, this is where the document is
3 signed, and there are a couple of signatures by
4 officials of the bank on the left-hand side. That is
5 dated as being in Bratislava, which is Slovakia. On
6 the right-hand side in the Turks & Caicos Islands on
7 30th April gives your husband's name and a short
8 signature, but I think we recognise that now as being
9 his regular signature and what appears to be your
10 signature beneath. Do you recognise that?

11 (2.15 pm)

12 A. Yes. I do recognise this but I didn't know this was
13 a -- for a loan or anything at all. I was shown this,
14 but I don't know who these other people are here.
15 Certainly I had -- not been notarised in front of me or
16 anything.

17 I would not believe that we would need a loan for
18 anything because that never came out of his mouth. We
19 never had any money problems. He has always been very,
20 you know, out front about our money situation. I didn't
21 know anything about this.

22 I heard this when I was here a couple of weeks ago,
23 though, and I was surprised of it then.

24 Q. Strictly speaking, reading this document, it makes you
25 jointly liable for \$7.2 million with interest?

1 A. First of all, I would not sign a document of this type
2 of magnitude because I knew that my resources personally
3 could not even cover me getting in this much debt at
4 all.

5 Q. You are slightly ahead of me. I was going to ask would
6 you have signed it, had you known.

7 A. I would not have done that, no.

8 Q. In fact, if we turn over the page, this is at page 64,
9 it seems to be part of the same document because it says
10 "loan contract" at the bottom and it is page 10 of 10.
11 The previous page is 9 of 10. The signature there is
12 not desperately clear, but it is above the name
13 "Stephan Kral". You know of Stephan Kral?

14 A. I do.

15 Q. And you have met him on a number of occasions?

16 A. Yes.

17 Q. Do you recall now having signed a document with him
18 acting as a witness?

19 A. No.

20 Q. Clearly that is a separate page that has been signed
21 there.

22 SIR ROBIN AULD: You are probably going to ask the question
23 I was about to, go ahead.

24 MR MILNE: Doing the best you can, do you remember being
25 asked to sign a document that appeared to be a legal

1 document at any stage?

2 A. No. I do not. But if Michael would have asked me to
3 sign anything, I probably would not have had any problem
4 with signing it, because, my goodness, I have
5 an in-house lawyer that I live with, so I would not
6 have -- and I am his wife, so I would not have thought
7 that he would have tricked me into signing anything.

8 I didn't think that my -- he would need my signature on
9 this because I would not -- I didn't have the money to
10 even do this, and certainly I have not given anyone any
11 of my information to even look into my financial status
12 to be able to apply and to get a loan. I didn't give
13 any records of how much I make or my taxes or any
14 information.

15 Q. Sir, can I make clear for completeness as well,
16 the following document, which is the mortgage over
17 shares which is linked to the loan, did not require
18 Mrs McCoy Misick's signature. It appears nowhere on the
19 document. That is clearly not something that was signed
20 at the same time. That is signed purely by
21 Mr Chal Misick, and although I needn't take
22 the Commission to it right at the minute, there is
23 an extension document in relation to the loan, whereby
24 the period of the loan is extended for an additional
25 year, and again there is no signature from

1 Mrs McCoy Misick on it. It is signed purely by
2 the Premier on his own. I am not going to go trooping
3 through those documents at the moment, but I mention
4 that in case there is any queries raised.

5 A. Wait a minute, does that mean that the loan is more now?

6 MR MILNE: The extension was an extension of the period for
7 repaying it. The document that we have just shown you
8 required repayment within one year. From 2007.
9 The extension extended that period for repayment for
10 an additional year but an ongoing rate of interest.

11 SIR ROBIN AULD: That is the one starting at page 65 in
12 black bundle 1?

13 MR MILNE: 65 in black bundle 1, sir, that is the mortgage.

14 SIR ROBIN AULD: You have mentioned this mortgage to which
15 you say the witness has no concern but to contrast it in
16 some way, you had better just explain what the document
17 at page 65 is.

18 MR MILNE: I will do, sir. If it assists, I am happy for
19 Mrs McCoy Misick to look at this as well. Page 65,
20 which is the following document within the bundle, it is
21 headed "Mortgage Over Shares Between
22 Business Ventures Limited and J&T Banka". I should ask,
23 were you familiar with the name
24 Business Ventures Limited?

25 A. No.

1 Q. This document essentially was an additional document to
2 the loan, as a form of security to the loan, whereby
3 a share in Salt Cay Golf Club held by T Chal Misick was
4 put up as security for the money that was being loaned
5 to your husband. We see T Chal Misick's signature at
6 page 78, at the end of that document?

7 SIR ROBIN AULD: On the face of it, it doesn't affect you at
8 all Mrs McCoy Misick.

9 MR MILNE: There is no requirement on this for, in fairness,
10 either the Premier or Mrs McCoy Misick to sign this,
11 because there is no box for their signature.

12 The document is again purportedly witnessed by
13 Mr Stephan Kral, which is at page 79.

14 In short, you were wholly unaware that this loan
15 existed?

16 A. Unaware.

17 Q. Or that it was necessary, if I follow your evidence
18 correctly?

19 A. I didn't know that we needed a loan at all.

20 Q. Mrs McCoy Misick, it begs the question in a sense,
21 clearly your husband was the Premier, clearly he
22 received a salary from the government; did it ever
23 strike you that the lifestyle that he adopted was rather
24 more lavish than might be reflected by an elected
25 official's salary? Did you think he was earning more

1 than simply his salary for the job?

2 A. Earning more personally?

3 Q. Yes.

4 A. Yes, he shared that with me.

5 Q. Where did you understand his money was coming from?

6 A. Property that he owns, real estate.

7 Q. Did you ever discuss his real estate with him, his real

8 estate holdings?

9 A. Not in depth. He would drive me around the island and

10 say to me, you know: I own that, I own this and I have

11 a per cent in the Alexander hotel, small things and

12 small developments of hotels that he was going to do.

13 Q. Clearly he was a busy man, he had a government to run.

14 Did you ever learn from him who was managing his

15 business affairs if he was not able to do it?

16 A. I knew that Washington had something to do

17 with Prestigious Properties and all of our money

18 dealings had to do with Chal. He would handle

19 everything for us.

20 Q. So was -- as far as Chal was concerned, Chal was

21 the money man, is that right? The money organiser?

22 A. Yes.

23 Q. What did you think Chal did for a living?

24 A. I thought he was an accountant until recently and

25 I heard that he was a lawyer.

1 Q. Did you have many dealings with Chal yourself?

2 A. I would talk to him on the phone, and every entity that

3 I would make up, every company that we were getting

4 ready to do, I would make up the names of the company

5 and I was -- I told Michael, or Michael would tell me to

6 tell Chal, and he would do the paperwork on it.

7 MR MILNE: We will come back to bank accounts in a minute.

8 Whilst we are on the loan, we should perhaps deal with

9 this. We have been told by the Premier that the purpose

10 of the \$6 million loan was at least in part to fund

11 a house in Los Angeles, is that right?

12 A. I don't know if that was what the loan was for because

13 I don't know anything about the loan. I know that we

14 were getting a house built in LA. I know that part,

15 yes.

16 Q. When did you first decide to build a house in LA?

17 A. I really, really never really wanted to build a house in

18 LA. I have a five-bedroom, seven-bathroom house of my

19 own that I love but that was not good enough for him.

20 He wanted a better home, a gated community, a gated home

21 kind of feel, and we were to look for our home together

22 as husband and wife, and so I understood that, and

23 I kind of went along with trying to find this dream

24 house, and we found a piece of property and it was

25 supposed to be, you know, built in key turn kind of

1 situation.

2 Q. Did construction ever begin on it?

3 A. Yes.

4 Q. Roughly when was that, just within a year? Was it

5 shortly after you met, before you were married, after

6 you were married?

7 A. It was a year or so after we married.

8 Q. After you married so it -- around 2007 onwards?

9 A. Yes.

10 Q. How far did the project get?

11 A. They built the second floor.

12 Q. What happened then?

13 A. Well, because at the time we were also building

14 the house here, I had -- went through, and I had never

15 gone through before, of really actually deciding where

16 the electric sockets go. It was a bit much for me

17 dealing with this house down here in the Turks & Caicos,

18 so this house in LA, I wasn't pleased to get a new house

19 because I felt like we weren't going to spend enough

20 time in LA to utilise that house, and my daughter was

21 away at college and I was by myself, and you know,

22 I just felt like we are spending this money for nothing.

23 So every time I went to deal with the house, I kind of

24 got a little depressed, until I went with him and we saw

25 the second floor, and I really just burst into tears

1 because I just did not want to move out of my house.

2 I didn't want the house.

3 Q. So was it decided at that stage you are not going any

4 further with the project?

5 A. Well I think the real estate agent had pulled Michael to

6 the side and said, is she going to be okay? I notice

7 every time that I deal with her she is a little

8 overwhelmed with this. So Michael and I had

9 a discussion that night and I just told him, I said I am

10 not comfortable having an \$8 million home, it is just

11 too much house for me. It is just too big and he said

12 what do you want to do? I said I don't want it, you

13 know.

14 Q. To that point, how much had been paid out for

15 the project?

16 A. 200,000.

17 Q. What happened to that money?

18 A. He let them take it. I mean -- we lost it.

19 Q. Did he ever try to argue for it back or do a deal with

20 them?

21 A. No, actually I wanted to -- something, maybe build us

22 an apartment complex or something that we can rent out

23 and make some money off of instead of just giving them

24 that money, but for him he felt that like it was nothing

25 and he didn't want to deal with the headache and he just

1 kind of, you know, wiped his hands of it.

2 Q. So was the money simply written off and the project

3 abandoned?

4 A. Yes.

5 Q. We touched upon credit cards and forgive me because for

6 completeness, I should have mentioned that

7 the Commission has seen also that you had a Mastercard,

8 a Horizon Mastercard, does that --

9 A. Yes.

10 Q. -- ring any bells. I think that -- so that is at

11 bundle 2. I need not trouble the Commission with

12 turning to the page. We have a number of statements

13 from that. Page 2, page 660 the statements begin.

14 Again, was that a card that was paid for by

15 the Premier?

16 A. Yes.

17 Q. You have mentioned your dealings with Chal. I think

18 reference has already been made to setting up companies.

19 We know that you had My Way Productions, which was your

20 US company for professional purposes. I think you

21 accepted that a second company, deliberately called My

22 Way Productions 2, was set up in Turks & Caicos Islands.

23 When you set it up, what did you anticipate would be

24 the purpose of that company?

25 A. When I first came here, I had a school tour and I asked

1 some of the kids, what would they like to see happen
2 here in Turks & Caicos Islands, and they would say, you
3 know, some basketball camps, some football camps,
4 movies, that sort of thing. We want to see Duway(?)
5 Way. We want to see Shakira or Beyonce. So because
6 I am in Hollywood I have those relationships, I wanted
7 to begin to do concerts for the kids and we brought
8 a welterweight boxing match here, so it was for
9 entertainment.

10 Q. Was that how you saw My Way Productions, that it would
11 promote that sort of concert or sporting event and
12 things of that type?

13 A. And any earnings that I may make here.

14 Q. We know that a bank account was opened. Do you recall
15 who opened that bank account?

16 A. Chal had to open it because he was the only person that
17 I would deal with, with regards money and companies and
18 stuff.

19 Q. As far as formation of the company is concerned, was
20 that also Chal?

21 A. Yes.

22 Q. Did you get the chequebooks or the banking documentation
23 for My Way Productions, or was that left with Chal?

24 A. I never got any cheques but I did get the business
25 certificate.

1 (2.30 pm)

2 Q. What sort of business did you do eventually through

3 My Way Productions? What was it used for as a company?

4 A. I did do -- I brought Sean Paul here for a concert,

5 the Zab Judah fight.

6 Q. Did that generate money for the company?

7 A. No.

8 Q. So it achieved its aim in one sense but not in terms of

9 being a profitable venture for you?

10 A. Right.

11 Q. We have in fact the bank statements which have been

12 kindly provided to us and they can be found -- the My

13 Way Productions 2 Limited, we see those at page 518.

14 That is in bundle 2 of the Michael Misick bundles.

15 A. What page?

16 Q. 518 is the first statement. We can be reasonably

17 confident, sir, we have pretty much a full set of bank

18 statements because the statement at page 518 starts with

19 a zero balance. It is clearly the beginning of a bank

20 account and from this point onwards money is paid in and

21 there are debits and credits throughout. But it would

22 appear that this started, the first deposit ever was

23 made on 3rd August 2006?

24 SIR ROBIN AULD: Which bank is this please?

25 MR MILNE: This is held, I think, with the Belize Bank.

1 I don't know if Mrs McCoy Misick can assist us, did you
2 have any dealings directly with the bank at all in
3 relation to this account, at least in the early stages.

4 A. No.

5 Q. What we see in this account is a series of deposits.

6 Casting your mind back and I realise it is quite a long
7 time since, do you have any recall now as to who was
8 putting money in or indeed why money was being put into
9 this account?

10 A. I thought that this was just my account. I knew that
11 Michael was able to sign on the account and I heard
12 a couple of weeks ago that he had been using
13 the account, but I never received any statements from
14 the account.

15 So I never checked it for anything.

16 Q. The payments in, we have been told, represent a variety
17 of items. The 60,000 that we see on 3rd August, which
18 is at page 518 that you are looking at now, his
19 description of that was that it was fees that you earned
20 from the tourist board, would that be right?

21 A. Yes.

22 Q. Indeed there were two payments, a later one, after
23 the 60,000, a payment of 90,000 but that came
24 the following year in April. In total 150,000.

25 A. Yes.

1 Q. We have seen and accept that there is a contract between
2 yourself and the tourist board. Whilst we are touching
3 on this, whose idea was it that you undertake
4 the contract with the Turks & Caicos tourist board?

5 A. It was Michael's idea to make it legal.

6 Q. Did you have any independent legal advice or anybody
7 representing you or did Michael deal with all of it?

8 A. My first contract with the tourist board was negotiated
9 by my attorney, my entertainment attorney in the States
10 along with Michael, what was the best way to do business
11 here, you know?

12 Q. Sir, I believe the contract has come separately. It may
13 not be in this bundle. I think it came with
14 the statement. My learned friend should have had
15 that --

16 MS MISSICK: We didn't get a contract.

17 MR MILNE: Sir, we will make sure that a copy of that
18 contract is disclosed.

19 SIR ROBIN AULD: Do we need it for the purpose of this
20 witness?

21 MR MILNE: Not for the bank account, sir, no. I think
22 the two parties for this purpose are as one because
23 the evidence of both Mrs McCoy Misick and indeed
24 the Premier's was that she was under contract to the
25 tourist board and that the total of that contract was

1 \$150,000.

2 A. Yes.

3 Q. We see into My Way Productions 2 payments totalling

4 that, being 60,000 and subsequently \$90,000. There is

5 a separate contract, I will come back to in a minute but

6 that is clearly represented by these payments in.

7 There is a further \$100,000 paid into the account.

8 Dealing with the bundle you have in front of you at

9 present, if we turn over to page 521. This is a payment

10 in of \$100,000. The Premier tells us that this was

11 a donation or donations from Caicos Construction

12 Management and Development Limited.

13 A. I don't know who they are.

14 Q. Were you aware he was putting money into the account

15 from political donations?

16 A. No, because for me, I kind of round numbers off so

17 I know what money I am putting in there, so I kind of

18 knew that that money was, you know, a keepsake, just for

19 me to get ready to do business, and I would kind of have

20 a figure in my mind of how much it would balance out to

21 be.

22 Q. If you turn over a number of pages further to 524, this

23 is a payment in the early part of the following year.

24 8th February. There is a payment into the account of

25 just short of \$300,000. \$299,700.

1 A. I could have bought a lot of hats and gloves with that.

2 Q. Do you remember that money coming in?

3 A. No.

4 Q. Have you ever done any work for a company called

5 Kerwin Communications in New York?

6 A. Yes.

7 Q. Were you paid for that work?

8 A. Yes.

9 Q. Into which account was the money paid that you received?

10 A. I can't remember because I didn't take it to the bank

11 myself. Like I said, I would always give it to Michael

12 and Michael would give it to Chal, or I would give it to

13 Chal.

14 Q. Can you remember now how much work you did, was it

15 a lengthy contract, a short-term thing?

16 A. I don't know how long the contract was, it was for

17 the ad campaign and for the art directing. This is what

18 I do, I am a spokesperson, I am a model, so when I first

19 came here and he told me about the campaign which they

20 were doing, I went through books and magazines tearing

21 out advertisements from Jamaica to Bahamas and Bermuda

22 to see what they were doing and to see how we could

23 advertise better than them.

24 Q. So it is implicit in what you are saying, although it

25 has not really been spelt out, the work you were doing

1 through Kerwin was to promote the Turks & Caicos Islands
2 as you understood it?

3 A. Yes, and to be the face that is in the ads for the ad
4 campaign for the Turks & Caicos Islands.

5 Q. When you say the ads was that specifically a US campaign
6 or was that to be on a wider basis?

7 A. Well --

8 Q. We know Kerwin Communications is based in New Jersey but
9 we don't know the extent of its work beyond the USA.

10 Were you expecting to see your picture in, say, European
11 magazines or South American magazines or did you think
12 it would just be North American and the Caribbean?

13 A. You know, I never really took it that far. I was more
14 concerned with the way the campaign looked and to bring
15 the awareness to Turks & Caicos.

16 Q. The evidence that the Premier has given is that this
17 figure, nearly \$300,000, was your earnings from
18 Kerwin Communications. Does that come as a surprise to
19 you?

20 A. Michael negotiated that number. That number was
21 a number that he came up with.

22 SIR ROBIN AULD: As a fee for you?

23 A. Yes.

24 MR MILNE: Can you recall now whose idea it was that you
25 work with Kerwin? Who suggested it.

1 A. It was Michael. I didn't know that they were ready to
2 do a campaign of course until he told me, you know,
3 so ...
4 Q. If we turn over the page again to 525 in the same
5 bundle, there is an additional credit to the bank
6 account of \$300,000. We have had two explanations of
7 this. The Premier's evidence initially was that this
8 was payment from a group called Windsor Investment Group
9 Limited. His brother suggested that he may be wrong
10 about that and it may be a part payment for sale of
11 land. Were you aware of this at all?

12 A. No.

13 Q. Did you get involved in any of his land transactions,
14 purchases or sales?

15 A. No.

16 Q. Over the page again, another 400,000 goes into
17 the account at page 526, again said to be a land
18 transaction involving a company called Solana Land
19 Holdings. Were you aware of this money going in?

20 A. No.

21 Q. Michael seems to have been using this account --

22 A. I see.

23 Q. -- to pass quite large sums of money through. Is there
24 any reason why he would need to use your bank account
25 rather than his own?

1 A. I have no idea. Certainly it was not for land, it was
2 for concerts and business, for entertainment.
3 Q. Over the page again, 527, this in fact he says this is
4 a payment in in the early part of 2007 -- May --
5 \$90,000. He says that that is the remaining part of
6 your Turks & Caicos tourist board contract. I think you
7 agree that that is likely to be right?

8 A. Yes, likely to be right.

9 Q. Over the page again, 529. \$1 million deposited on
10 4th June. \$300,000 deposited on 19th June. Were you
11 aware of either of those?

12 A. No. However, Michael had given me a cheque for
13 \$1 million. Because as we combined everything for him
14 to take care of everything in LA, all of the bills
15 there, he did not take care of My Way Productions so my
16 company was still running. But I was not working, so I
17 was not replenishing back the money into my account.
18 I kept paying out money to my staff and to people and
19 was not working. So he said he would return that money
20 to me and give me my own sort of money so I would not
21 have to keep chasing Chal around. It was awfully hard
22 to get wires to go through in a timely fashion, so
23 I kept saying to him: I need my own money to be able to
24 do things, and while you are out of town I have no way
25 to get anything done; so he gave me a cheque for

1 \$1 million, and we went to Chal's office to open up an
2 account and I don't know what account he put that in,
3 because like I said, Chal would take care of everything
4 so I just assumed that that money was there and in
5 an account when I need it. I would call Chal and have
6 him wire it or make a deposit or credit for me.

7 Q. Up to this point, the balance on the account was --
8 the account My Way Productions was relatively healthy,
9 although it had gone into deficit in May, because of
10 a number of big cheques were drawn on it for \$100,000 at
11 a time or more. So the \$1 million took it from being
12 \$115,000 overdrawn to just short of \$1 million,
13 \$884,000.

14 Were you spending on this account for your business?

15 A. Not at all.

16 Q. So any spending we see on here is not down to you, it
17 would be down to somebody else?

18 A. I would never spend because he said what's mine is mine
19 and what's his is mine. So I was saving my money for my
20 daughter, because I have never gotten a chance to do
21 a piggy bank for her, to leave money for her.

22 Q. So this, although at times it is a relatively active
23 account, it is not your activity we are looking at, it
24 is somebody else's?

25 A. I know there were a couple of times when my mom -- and

1 I take care of my mother -- we would send her money and
2 I don't really know what account he got it out of but it
3 didn't matter to me, if it was this account, or his
4 account or our joint account.

5 Q. The \$1 million that goes in there may prove to be
6 important because it says "credit memo" and that can
7 mean a variety of different things. You think on at
8 least -- on one occasion -- you actually went to Chal's
9 office, handed over a cheque for \$1 million. Chal took
10 it presumably to pay it into a bank account?

11 A. Yes.

12 Q. The Premier's evidence is that this \$1 million, in fact,
13 came from Chal or at least via Chal because this,
14 whether or not you were aware of it, was coming from
15 the loan that had been taken out from J&T Banka.

16 A. I didn't know anything about a loan.

17 (2.45 pm)

18 Q. If in fact this is the same \$1 million, then it is not
19 for the loan because you, as you have told us, were not
20 involved in that and it must be a different \$1 million
21 together?

22 A. If the loan was for \$6 million, where did that

23 \$6 million go?

24 Q. We -- believe me, many days of my life have been spent

25 trying to actually get to the bottom of that, and I am

1 not sure I am there yet.

2 I just want to be clear that on this -- on

3 an occasion there was actually a cheque given to you by

4 the Premier to pay to Chal?

5 A. He gave me a cheque for me so I can open an account and

6 we went to Chal's office and I gave Chal the cheque to

7 open an account for me.

8 Q. That was to open a fresh account, rather than

9 the My Way Production which was already running?

10 A. Yes.

11 Q. Can you say roughly, as precise as you can obviously,

12 when it was that that happened, would it have been 2006,

13 2007?

14 A. 2007.

15 Q. Is there any event that you can link to it that would

16 allow us to be any more precise?

17 A. Yes. I have a company in the States, a hair company,

18 wigs, weaves, ponytails, called Boogie Secrets. It is

19 the guy that has been doing my hair in the last 12 years

20 since I have been in the business, and we were opening

21 up a hair care company called Boogie Secrets and Island

22 Beauty and actually my first model search for the young

23 lady was actually here in Turks & Caicos Islands at

24 Beaches.

25 That was an investment of 150,000 that I asked Chal

1 to send from that \$1 million to Boogie in the States.

2 Q. So the 1 million was paid in and from that money,

3 150,000 went out to Boogie Secrets?

4 A. Yes.

5 SIR ROBIN AULD: This money was for you, for you to have

6 your own account, so that you could have a degree of

7 independence, that was the idea, wasn't it?

8 A. Yes.

9 SIR ROBIN AULD: Why put it into Chal's hands, why not open

10 your own account?

11 A. I have never dealt with a bank here at all and the only

12 thing that I knew to do was to have him handle it, it

13 was much easier and he knew how to do it and he was our

14 money person, so it was much easier for me to have him

15 do it and Michael took me there for him to do it.

16 MR MILNE: The final one of these credits that I would like

17 you to look at, if you would please, you have to go over

18 a number of pages to 532. We have on

19 14th September 2007 a further payment in. It is

20 a curiously precise figure of \$86,098.74 so not a round

21 figure at all. Again, does that mean anything?

22 A. It means nothing to me. I am a round-off girl, kind of

23 girl, I round off my figures. So all of the money I get

24 are 20,000, 60,000 or 90,000, it is never 86,000.98.

25 No.

1 Q. This payment, we are told by the Premier, he says it was
2 paid in by Chal from the loan again, and from that point
3 forward, from September of 2007, in fact it would appear
4 that the account went relatively quiet. It had been
5 overdrawn prior to that. This to some extent paid off
6 the overdraft. It left it slightly in credit.
7 The account for the next few months rolled on with
8 a matter of a few dollars, literally \$100, then
9 overdrawn until page 536 on 15th October 2008, there is
10 a withdrawal of \$50,000.

11 The figure debited is 50,095. We have seen enough
12 of these to suspect that it was 50,000 plus bank
13 charges, but that may well be a wire transfer for which
14 \$95 was charged. Did you ever make a wire transfer out
15 of this account that you can recall?

16 A. Not that I can recall.

17 Q. Or in fact instruct Chal to do that?

18 A. No. Not that much. Like I said, I would take care of
19 my mother and I know there was a time that she was
20 renovating her house and so I was sending money to her
21 but it was never that much in that lump sum at one time.

22 Q. The account, that is essentially the end of the road for
23 that account in that -- I may be giving you the wrong
24 dates because the printing is not very clear on this.
25 That debit, in fact I think may have been slightly

1 earlier in the year, but from there on until the final
2 statement, the account does nothing but accrue a few
3 extra charges and it remains overdrawn to this extent?

4 A. I found out yesterday when I went to the bank, to

5 Belize Bank, that that account is \$50,000 overdrawn.

6 Q. That is our understanding from the statements we have
7 been given.

8 I am afraid I am going to have to take you to some
9 other bank accounts as well. If we go to volume 1 in
10 the Michael Misick bundles. You will find at page 240
11 we have some bank statements. More precisely, it is
12 actually 240.1. We have a series of bank statements

13 which in fact reflect an HSBC account, and this is based

14 in Wiltshire Boulevard, Beverly Hills, clearly near

15 where you live. It is specified to be a joint account

16 between yourself and Michael Misick?

17 A. Yes.

18 Q. Do you recognise this? Is this a bank account that you
19 had dealings with?

20 A. Yes.

21 Q. We are told it was a joint account that you operated for
22 presumably joint expenses in the USA?

23 A. Yes.

24 Q. We have had the opportunity to go through it obviously
25 and we find there are a number of payments in that come

1 in in some cases from Chalmers & Co, in one or two cases
2 from My Way Productions and in one or two cases from
3 Lover Fund. We will come back to Lover Fund in
4 a minute. Were you aware that funds were going into
5 this account from My Way Productions 2 Limited in
6 the Turks & Caicos?

7 A. I can't really recall. I know that Michael would take
8 his time with sending money to pay the bills. He is
9 very leisure at taking care of that type of
10 responsibility here on the island, so I had to
11 understand that here, but in the States after 30 days
12 they don't care who you are, you have to pay your bills.
13 So I did not want to get my credit messed up. I have
14 people who take care of my business as well so I would
15 have to bounce money around to cover certain things and
16 he would repay those things, and I would take them from
17 the joint account back to My Way Production.

18 Q. Did you operate your own personal bank account in the US
19 apart from this?

20 A. No.

21 Q. So this is your US account?

22 A. Yes.

23 Q. We do see on occasions, and I am looking at page 240.8?

24 A. I got it.

25 Q. There are two payments that go out there and they are

1 clearly indicated as debits to North Star Charter LLC.

2 Is that not a hire company, an aviation hire company?

3 A. That is for a jet.

4 Q. These are large payments, \$11,000 in one case, nearly

5 12,000, to North Star Charter. Then I think over 13,000

6 on the next one, both of them for private jets?

7 A. Yes, I have relationships with people in the States and

8 people that we charter planes from, so on my name and

9 reputation, I was able to book a flight and they would

10 send an invoice and after 30 days you would still need

11 to pay that invoice in a timely fashion, and sometimes,

12 you know, we were not able to do so, so I would pay it

13 out of our joint account.

14 Q. If we look at page 251 of the bundle. There is a debit

15 on 21st August 2007. In fact this is a \$30,000 debit

16 and it is clear that that is by way of wire transfer

17 going to Boogie Secrets, which I think was the firm that

18 you mentioned. Is that by way of investment in

19 a company --

20 A. Yes, that was for us to build our website and pictures

21 of the models.

22 Q. But the payment in of \$1 million by Chal, we don't see

23 \$1 million going into this account, so it must be

24 a different account that that went into?

25 A. Yes, it didn't go into the US account.

1 Q. When a new account was being set up with that
2 \$1 million, was that, as far as you understood, under
3 the name of My Way Productions or Lover Fund or any
4 other company?

5 A. I don't really remember even telling him any of that.
6 I think I just said open it up -- open up an account for
7 me. It was not to be a company account. It was
8 supposed to be, you know, my money to be able to finagle
9 and do as I like to sort of have independence from him.

10 Q. Leaving that for one minute. Finally in terms of
11 the TCI Bank accounts, we have been told that you had
12 a joint bank account with your husband at the Turks &
13 Caicos Bank?

14 A. Well, that would only be because when we first got
15 married, he put me on a couple of his accounts.

16 Q. We simply see debits and credits on that account. Was
17 that an account you were aware of in the sense that you
18 used it for your own purposes at all?

19 A. Not really. We did have several different chequebooks
20 at the house, because really I never really dealt with
21 the money or had to pay a bill, so I would not really
22 know which chequebook to use but any time that I asked
23 for money or had to do anything, I would actually ask
24 him or tell him what I had to do, which was only mainly
25 paying our credit at the IGA or something.

1 Q. So small amounts really? Modest amounts?

2 A. Small amount. It depends on what you call small and

3 what I call small.

4 Q. Lover Fund Limited as a company, we understand, was also

5 set up by Chal on your behalf?

6 A. Yes.

7 Q. I think he did acknowledge that he had helped to

8 establish a bank account for it. The company is in your

9 name, you are the sole director in your own name and

10 sole shareholder, I think?

11 A. I am sorry?

12 Q. You are the shareholder of that company, I believe?

13 A. Of Lover Fund?

14 Q. Yes.

15 A. Yes.

16 Q. What was to be the purpose of Lover Fund that was

17 different from My Way Productions?

18 A. Lover Fund, Lover comes from -- I call my daughter

19 Lover, I call her "love thang". So like I said,

20 throughout my career I have actually had -- all

21 the money that I have made had to pay for our lifestyle,

22 so I never got a chance to save a significant amount of

23 money for her. I don't have a will or life insurance

24 policy so I was starting to save money for her and to

25 put it away, sort of to forget about it, so I could tuck

1 it away.

2 Q. With the money going into that account -- so would

3 the money going into that account have been your money

4 or Michael's donations into your account or what?

5 A. It should have been my money but if he would have kindly

6 donated, I kindly would have taken.

7 Q. As far as Lover Fund is concerned, we have a handful of

8 statements. I am afraid we are jumping bundles. This

9 is bundle 3 of Michael Misick's bundles. It is

10 page 1003.

11 We can't say with any confidence -- I think we can

12 say with confidence that we don't have all

13 the statements.

14 The bank account that we have starts really from

15 November 2007. It is clear that the opening balance

16 that we have on these statements is close on a quarter

17 of a million dollars, \$249,980.

18 The statements that we have run through November,

19 December of 2007 into the early part of 2008. It

20 maintains that balance really. It stays around

21 \$200,000/\$227,000 throughout.

22 There are some payments in, 49,946 in November,

23 a further 9,990 in January. 20,000 more in March.

24 But there are debits as well, money drawn out of it.

25 Were you drawing money off this account?

1 (3.00 pm)

2 A. I can't really remember. I know that this came from
3 a contract that I had and I put the money in here. And
4 then I did a play. Every week of that play I performed
5 three nights a week, and I would get 20,000 for that and
6 I will put that in this account as well.

7 Q. Did Michael ever say anything about putting money into
8 it or taking money out?

9 A. No.

10 Q. We know that the company was established in
11 September 2007 and it appears to have been transferred
12 into your name in October, about the end of October 2007
13 on the 26th, which is when you became shareholder and
14 director. Presumably this account had only been
15 running, if this is November 2007, a matter of weeks,
16 possibly only days. Is it possible that a large lump
17 sum was put in to get it started?

18 A. Yes.

19 Q. We see a quarter of a million here. Does that help you
20 remember how much was put?

21 A. It should have been 250.

22 Q. It probably was 250 to start with. Of course we have to
23 make allowance for transfer fees on bank charges. Is it
24 possible that this is effectively the beginning of the
25 activity on this account?

- 1 A. I don't remember.
- 2 Q. Thank you. I will leave that for the moment. Did you
- 3 put a quarter of a million in though?
- 4 A. I put 250,000.
- 5 Q. You put it in --
- 6 A. Not personally but Chal did for me.
- 7 Q. Chal at Michael's request?
- 8 A. At our request.
- 9 Q. Your joint request. Forgive me, there is very little
- 10 more that I need to deal with. I just want to be sure
- 11 we touched upon the main subjects and I think that you
- 12 have covered most of the points that we needed to raise.
- 13 Have you ever been to the Dominican Republic?
- 14 A. Yes.
- 15 Q. Alone or with your husband?
- 16 A. With my husband.
- 17 Q. How often did he go there?
- 18 A. Two or three times.
- 19 Q. Did you go with him on every occasion?
- 20 A. No, I understand that he loves the Dominican Republic.
- 21 SIR ROBIN AULD: Sorry I didn't hear that.
- 22 A. I understand that he loves it in the Dominican Republic.
- 23 SIR ROBIN AULD: But on the two or three times that you went
- 24 with him, went, you went with him?
- 25 A. I am sorry?

1 SIR ROBIN AULD: On the two or three times you went to the

2 Dominican Republic, you went with him, did you?

3 A. The first time I went with him, it was a day trip.

4 The second time was just last year, I think sometime in

5 July. I met him in the Dominican Republic when all of

6 this started going on, the Inquiry and the allegations

7 of rape. We met there to talk about us per se and he

8 asked me, you know, could I settle in

9 the Dominican Republic, and I said no because I don't

10 like it over there, and he said that he thought he was

11 going to settle there because they were hungry for

12 infrastructure and he could provide that, so I asked him

13 then: are you going to retire here. And he said he was

14 thinking about it.

15 MR MILNE: At any stage did you learn of any commitments he

16 had made there? Did he talk about what he was going to

17 do?

18 A. No, more than him just saying that they were hungry for

19 the infrastructure and that he could aid in that.

20 I know that he had met the president a few times over

21 there and he had befriended him but I didn't know what

22 they were talking about or what the business was about

23 or anything.

24 Q. As far as you are aware, have you ever discussed any

25 overseas accounts with your husband? As he discussed

1 holding money overseas?

2 A. No, well, he would explain to me that the Cayman Islands

3 had, you know, those type of accounts. He would try to

4 explain to me how we didn't pay taxes here in

5 Turks & Caicos, but because I am American I am used to

6 paying taxes, so I was trying to understand how that

7 worked but because I guess my mindset was not there,

8 I never could understand what he was saying, so I was

9 not very comfortable with trying to, I guess, know more

10 about it.

11 Q. Before I sit down, there is just one last document

12 I would like you to assist me with and we have been

13 provided with this today by the Premier. I am sure you

14 will be asked further by him but perhaps it is easier if

15 I ask a couple of questions first. We have been shown

16 a document -- forgive me, I don't think you necessarily

17 have it in front of you -- but it is headed "Premarital

18 Agreement". (Handed)

19 A. Yes, this is our pre-nup.

20 Q. Yes, pre-nuptial agreement for essentially division of

21 property in the unhappy event that the marriage doesn't

22 work out?

23 A. Yes.

24 Q. If you could turn to page -- mine are marked at the

25 bottom with large numbers, page 43. There is

1 a reference in the middle of the page, it is
2 paragraph 7.3.2(a), reference to a residence being
3 constructed in Los Angeles, California at a approximate
4 cost of \$6 million and is to be funded solely by Michael
5 from his sole and separate property.

6 Was that correct at the time? This obviously dates
7 from your wedding in April 2006. Was it correct that
8 you were actually building the house at the time? Or
9 did the house come later?

10 A. Let me first say that because I knew that Michael had so
11 much money, I was not comfortable with not signing
12 a pre-nup, so -- I knew that he would change my
13 lifestyle so I didn't want to get stuck in something
14 that I could not handle, so that is why we had this and
15 he came up with all of these numbers. Now that I am
16 looking back at it and it says \$6 million, I don't know
17 how we came to get a house in LA for \$8 million, but go
18 figure.

19 Q. Going on to page 44, do you have that? At the bottom it
20 says under the heading, "Entrepreneurial Ventures":
21 "The parties acknowledge and agree and Michael
22 represents that Michael has acquired certain real
23 property in Turks & Caicos valued at \$10 million through
24 his ownership of a separate property, Limited Liability
25 Corporation, which holds title to said real property.

1 Said \$10 million consists of beachfront property in

2 Turks & Caicos free and clear."

3 Clearly that is information he would have provided.

4 What did you understand was meant by that? Did you know

5 what property he was talking about?

6 A. No I did not know.

7 Q. This obviously was up to date as at -- or should have

8 been up to date as of April 2006. When you married him,

9 did you think he was only worth \$10 million -- forgive

10 me, I said only \$10 million -- but did you think that

11 reflected his actual wealth.

12 A. No, by this time, by the time we got to this, he had

13 written down that list I said earlier of his assets and

14 he had told me that he was worth either \$80 million or

15 \$180 million. So I was not really sure.

16 Q. Finally on this, over the page, page 45, there is

17 an agreement under paragraph 8 that:

18 "Michael agrees that within 60 days following our

19 marriage, he shall transfer to Lisa-Raye's name as her

20 sole and separate property the condominium located in

21 Turks & Caicos with a fair market value of not less than

22 \$1 million. Michael represents that he presently owns

23 said condominium."

24 Did you actually receive a condominium?

25 A. He told me that we owned a condominium in Alexandra and

1 he bought two in North Caicos. Over there.

2 The penthouse and one below.

3 Q. Were they transferred to you or were they simply held as

4 joint property, though?

5 A. No, they were not transferred to me, and what

6 I understand is that this pre-nup is no good here.

7 Since this separation, Michael has not sent any money to

8 me or had been taking care of me, or my family, my

9 daughter and I have not worked in two years so I am kind

10 of in a pickle myself, so all of this has come as a big

11 surprise to me.

12 MR MILNE: I am afraid that is something that another

13 tribunal on another day will have to resolve. For

14 the moment, sir, those are all the questions that I have

15 for Mrs McCoy Misick.

16 SIR ROBIN AULD: Now, Mr Fitzgerald, shall we make a start.

17 Cross-examination by MR FITZGERALD

18 MR FITZGERALD: Yes. Mrs McCoy Misick, can I make it clear

19 on behalf of the Premier that I am not here to criticise

20 you but just to clarify certain facts. Firstly I just

21 want to ask you a few questions about yourself. You

22 have got some media statements that -- you have been

23 shown them by my learned friend, have you? You have

24 given a number of interviews, you have a website and you

25 have been profiled on a number of occasions, is that

1 right? Sir, do you have these? We have made available

2 a copy.

3 A. Yes, since I have been in the business, my life has been

4 public.

5 Q. Would this be fair to describe you: you are a strong,

6 an independent, a beautiful and a successful woman?

7 A. Well, thank you.

8 Q. Would you accept that as a fair description?

9 A. Sometimes I am weak. Sometimes I am not independent.

10 Certainly these last two years I have not been

11 independent, I have not worked and certainly right now

12 I am not independent, because I am waiting on him to

13 take care of me.

14 Q. Can we just take it through and look at the description

15 of yourself in the Essence magazine if you just -- do

16 you recognise this as an interview with you?

17 A. Yes.

18 Q. I really just want you to look down to the bottom of the

19 first page. Do you see there:

20 "As an actress I have put myself out there" --

21 A. Wait, I don't see where you are.

22 Q. Do you see essence.com:

23 "What evidence did you provide that helped you in

24 your case?"

25 SIR ROBIN AULD: Does this have a date to it? Because there

1 is more than one article here of Essence, isn't there?

2 MR FITZGERALD: I think it is very recent. It is last week.

3 You may be able to help us. This was an interview that

4 was published last week.

5 A. On Monday.

6 Q. On Monday, was it?

7 A. A couple of days ago yes.

8 SIR ROBIN AULD: January 2009.

9 MR FITZGERALD: I am simply trying to establish whether this

10 is a correct description. Do you see the third

11 question, essence.com:

12 "What evidence did you provide that helped you in

13 your case?"

14 A. Yes.

15 Q. Do you see this description by you of yourself:

16 "As an actress I have put myself out there as

17 an independent black woman, a single mom, a go-getter,

18 a hustler who is not afraid to survive."

19 Do you see that?

20 A. Yes.

21 Q. You are happy that that is a fair description by

22 yourself of yourself?

23 A. Mmm hmm.

24 Q. If we go on from there to page 3 of the interview,

25 the third question in:

1 "Was it difficult making the transition from
2 Hollywood to a small island?"
3 Do you see there:
4 "I have a responsibility to Lisa-Raye the actress,
5 the host, the motivating speaker, the mother, the model.
6 That woman is still me."
7 A. Yes.
8 Q. Would you again accept that description of yourself,
9 "the actress, the host, the motivating speaker,
10 the mother, the model", a fair description of you by
11 yourself obviously?
12 A. Yes.
13 Q. Then if we can just go on from there to the website. We
14 have just got a small extract from your website.
15 A. God, I have not been to that in so long.
16 Q. You have been to your official website. If you would
17 care to look at it and see -- we have a small extract
18 from there. It is page 1. It is a separate document.
19 A. It is the same page.
20 Q. It has got a gallery, biography, Lisa-Raye's Foundation.
21 Again, if I can just ask you to look. It refers to the
22 fact that you have been described as the sexiest woman
23 of the year for two years in a row and then it says:
24 "The daughter of a successful businessman and
25 a mother who modelled professionally, Lisa-Raye

1 inherited a head for business and a natural beauty for
2 the camera."
3 Again, the description of yourself as inheriting
4 a head for business, you would say that is fair, is it?
5 A. Yes.
6 Q. Obviously this is your official website?
7 A. Mmm hmm.
8 Q. Just one final matter, if we go from there to the Jet
9 interview. I think page 61. It says:
10 "Lisa-Raye, sexy and savvy."
11 Then under the heading, "Hollywood Hustle", it says:
12 "It has been ten years since the freckled beauty
13 kicked her way into Hollywood as Diamond in the movie
14 Player's Card."
15 Then it refers to your starring role as prime-time
16 mum, Neesie James, in All of Us. Then going over
17 the page to page 63, do you see that:
18 "Brains and beauty. Lisa-Raye has impacted
19 the island with her brilliance and business savvy.
20 Already she is set to open the first and only movie
21 theatre and she was instrumental in launching
22 the country's biggest advertising campaign."
23 Do you see that?
24 A. Yes, I do.
25 Q. "As the First Lady and ex-model, Lisa-Raye is featured

1 in exclusive island ads and billboards."

2 Then one has descriptions by Wayne Garland of the
3 successful nature of the new advertisements.

4 A. I do see that.

5 Q. Is this right, that you were instrumental in launching
6 that advertising campaign, that is the Kerwin Media
7 campaign?

8 A. I was the face of the campaign. So I didn't launch it
9 myself. Kerwin Communications launched it.

10 Q. Yes. You were selected by Kerwin Media and you were
11 described as the -- as featured in the exclusive islands
12 ads and billboards?

13 A. I was not selected by Kerwin. When we hired
14 Kerwin Communications, Michael told him that I was going
15 to be the face.

16 Q. You were a former model, that is right? You still do
17 modelling?

18 A. Yes.

19 Q. And Kerwin Media agreed that you should be the face of
20 the Turks & Caicos in the advertising campaign, is that
21 right?

22 A. Along with Michael, yes.

23 Q. And it was negotiated, I think with your personal
24 assistant, a woman by the name of Gallagher, is that
25 right?

1 A. I am sorry?

2 Q. Your personal assistant, somebody called Gallagher

3 negotiated with Mr Kerwin about this?

4 A. No, she is not to negotiate any of my deals. She is

5 just my assistant.

6 Q. I see. The fee of 300,000 was agreed with you, wasn't

7 it?

8 A. That number figure, and I thought it was 295 --

9 Q. I think because there were some bank charges debited, it

10 was 299, et cetera.

11 A. Okay. Well, that fee came from Michael. My attorney

12 did not negotiate that fee. I probably wouldn't even

13 know how much to charge for such a campaign.

14 Q. Are you really saying that you, a savvy businesswoman,

15 who knows your own way, who is the Hollywood hustler, as

16 you say, had no part in the selection of the fee that

17 you were paid for this advertising campaign?

18 A. I actually did not want to get paid at all. I didn't

19 feel it was right for the First Lady to kind of charge

20 the country. I was concerned about how that would look.

21 Q. You accept that that money was paid into your own

22 My Way Productions account, 2 account?

23 A. Yes.

24 Q. You were aware of that?

25 A. Yes.

1 Q. And that that was -- you did, I think, eight days of
2 photoshoots, is that right?

3 A. Perhaps eight days.

4 Q. The reality is, I am not suggesting for any moment that
5 you were not worth every dollar of it, but you
6 negotiated a perfectly reasonable fee with Kerwin Media
7 of 300,000 and became the Turks & Caicos face?

8 A. No, I said that I never negotiated a fee at all, because
9 I didn't know how much to charge at all. I don't come
10 up with my own figures of how much to charge, just like
11 I don't own my contracts for my television or my movies
12 that I do.

13 Q. You say nobody representing you had anything to do with
14 this?

15 A. No. If in case that something came through my office,
16 my assistant Tina Gallagher who you are speaking of
17 would give me whatever tab bits that came through
18 the fax or return phone call from Kerwin Communications
19 when something like that.

20 The first couple of days of that photoshoot,
21 actually the photographer made me more of the focal
22 point in the ads. So when I saw that I didn't like
23 that. I said: this ad is not about me, it is about
24 Turks & Caicos. I just happened to be in there. So
25 that is why it took an extra couple of days to do more

1 shooting because of that.

2 Q. You participated in this cover story, did you?

3 A. Yes, I did.

4 Q. The one that described you as "instrumental in launching

5 the country's biggest advertising campaign"?

6 A. As I said, that I had tore out tear-sheets from Bahamas

7 and Jamaica, and I wanted to kind of see what they were

8 advertising and see how we could be bigger and better

9 than them.

10 Q. It describes over the page, "the entrepreneur's

11 multifaceted career is blossoming"?

12 A. Where are you?

13 Q. You see that interview, that item about yourself, the

14 cover story, page 4, the second full paragraph, "beyond

15 the island, the entrepreneur's multifaceted career is

16 blossoming", do you see that?

17 A. Are you with the Jet? Are you back at Essence?

18 Q. Yes, with Jet. I am with Jet on page 4. It has page 64

19 at the bottom.

20 A. Okay I have it.

21 Q. "The entrepreneur's multifaceted career is blossoming".

22 Fair description of you? An entrepreneur whose career

23 is blossoming?

24 A. Yes.

25 Q. I want to move on from there to what you said about

1 the plane, the jet, the N165G. I think you have very
2 fairly said that during your courtship, Mr Misick used
3 to charter jet planes and visit you in Los Angeles and
4 indeed bring you back to the islands, is that right?

5 A. Yes.

6 Q. His recollection is it was not as frequent as you said

7 but he accepts that he did travel on jet planes,

8 chartered for you, so are you sure how frequent it was?

9 A. Frequent can be two times, could be four times, six

10 times, it depends if you are talking about a month or

11 a year, six months.

12 Q. So you are not really sure how often it was?

13 A. It was frequent.

14 Q. The Gulf Stream 3, N1653 --

15 SIR ROBIN AULD: If you are going on to the Gulf Stream,

16 Mr Fitzgerald -- you will be a little while on

17 the Gulf Stream, will you?

18 MR FITZGERALD: I may be.

19 SIR ROBIN AULD: We will take a 5/10 minute break now.

20 (3.22 pm)

21 (A short break)

22 (3.33 pm)

23 MR FITZGERALD: Mrs McCoy Misick, in fairness to you,

24 I think I should put to you the contents of an email

25 received last night by my instructing attorney,

1 Akierra Missick, from Mr Kerwin about the circumstances
2 in which the fee was agreed on of US\$300,000. Do you
3 have that before you there?
4 A. Yes.
5 Q. Have you had an opportunity to look at it?
6 A. I am looking but I have not had an opportunity to read
7 it.
8 SIR ROBIN AULD: Just take your time and look at it. This
9 was prepared when?
10 MR FITZGERALD: Last night. Received late last night.
11 A. Yes.
12 Q. Just so you know, the key passage is that:
13 "Being that the project was a campaign to
14 promote tourism, our creative team thought Lisa-Raye
15 would be a natural fit as she is a professional
16 actress/model and First Lady of Turks & Caicos. We were
17 contacted by Tina Gallagher, Lisa-Raye's personal
18 assistant and told that the fee to use Lisa-Raye would
19 be approximately US\$300,000 and Ms McCoy Misick's office
20 prepared an invoice for that amount after she had
21 provided all of the agreed upon services."
22 Does that help you recollect what actually happened?
23 A. Yes.
24 Q. So there was in fact a negotiation of a fee by your
25 office --

1 A. No, there was no negotiation. The number came up from
2 Michael and so Michael instructed us to send whatever
3 invoice to Kerwin so I could get paid.

4 Q. So you accept that your personal assistant,
5 Tina Gallagher, billed them for 300,000 and the money
6 was sent?

7 A. I don't remember sending an invoice but if that is what
8 he is saying. I can't really say that I remember that
9 but I got paid, so certainly he had to have an invoice
10 of some sort.

11 Q. So you accept that you were paid after you had billed
12 for your services?

13 A. I accept that I was paid.

14 Q. After you had billed for your services?

15 A. After I did the ad campaign I accept that I was paid.

16 Q. Do you accept now that it was not in fact your husband
17 but your own office and yourself that determined that
18 that would be the appropriate fee?

19 A. No, not at all because my assistant is an assistant, she
20 is not my lawyer and she had not been assisting me long
21 enough to even come up with the figure, nor myself.
22 I have never done a campaign of this magnitude, so
23 I would not have known how much to charge at all.

24 Q. I want to move on now to the Gulf Jet that we were
25 talking about?

1 A. Wait I want to say one other thing.

2 Q. Yes, of course.

3 A. Don't you find it a little strange that if I have

4 appointed people and an entertainment attorney, that my

5 entertainment attorney would have negotiated this

6 contract, seeing as though he negotiated the first one?

7 Q. You accept that you were paid for your services, is that

8 right?

9 A. Mmm hmm.

10 Q. And you accepted that you were paid a fee invoiced by

11 your assistant?

12 A. I didn't say that.

13 SIR ROBIN AULD: The question has been put twice and

14 answered in the same way twice. She accepts the first

15 part but not the second. You will never meet on that

16 I don't think.

17 MR FITZGERALD: I think I will leave the rest to speeches at

18 the end. But if I can just move on to the question of

19 the jet plane.

20 SIR ROBIN AULD: The Gulf Stream 1, is this?

21 MR FITZGERALD: Gulf Stream 3 N165G. You were asked to look

22 at a particular page to see the offer to purchase. In

23 fact, is this right, that you accept that in fact that

24 plane was leased from Indigo Transportation?

25 A. No, I didn't know that.

1 Q. But now you have heard the evidence that was given

2 and --

3 A. I have heard and I can't really attach it to Indigo but

4 I have heard that it was leased. I heard that. I can't

5 really say I know and remember which company.

6 Q. All right, but you know that when you wanted to do

7 the refit it was not in fact done, is that right?

8 A. I can't really say that either because when it went for

9 inspection, that was supposed to be the time in which

10 all of the changes were supposed to be made but

11 I understand that it took time to order these things and

12 you know nine weeks for the carpet and 12 weeks for this

13 and that. So as things were being ready, they were

14 going to be done.

15 Q. Is this right, that, Captain Mike, on your own account,

16 said that the designs would have to be sent to

17 Jeffrey Watson?

18 A. No. He was supposed to send them to me. He and I had

19 conversations about them. What he did tell me when

20 I kind of bagged him in a corner and said: hey, where

21 are the swatches and things? He said that he gave them

22 to Jeffrey Watson and that Jeffrey said that he was

23 going to give them to me because he was coming on a trip

24 down here.

25 Q. Well, you said in your statement at paragraph 8 that you

1 took it up with Captain Mike, the pilot:
2 "... and he said he would send my designs to
3 Jeffrey Watson. Even this did not alert me to the fact
4 that we were not the owners of the plane".
5 Do you accept that Jeffrey Watson of
6 Indigo Transportation was leasing the plane to
7 the government here?
8 A. No, I knew nothing about that.
9 Q. No, but are you disputing it now, given that
10 Jeffrey Watson was the person who had to approve
11 a refurbishment plan?
12 A. I didn't know that he had to accept anything on my
13 behalf. Captain Mike told me that he sent everything to
14 him and I asked him why and he said: you have to ask
15 Premier and I just didn't deal with it and I --
16 Q. Did you ever say: hey, it is our plane, why can
17 Jeffrey Watson say it can't be refurbished?
18 A. No, I didn't say that to him because that was none of
19 his business and I try not to put people in our business
20 like that.
21 Q. Did you ever say to the Premier: hey, this is our plane,
22 I wanted it refurbished?
23 A. I did. I said why did he send the information to
24 Jeffrey and he said to me that, you know, Jeffrey was
25 coming done here and he was supposed to give it to me.

1 "He didn't give it to you?" and I said no, because he
2 had come on a trip and I hadn't received it.
3 Q. The reality is that this was not your own or
4 the Premier's plane, but a plane being leased, isn't
5 that right?
6 A. I never knew that it was leased at all.
7 Q. And that was why, though you wanted it to be
8 refurbished, it was not refurbished?
9 A. No, actually, the ideas for the tv to go into the front
10 and the back was the Premier's idea and to close up
11 the galley was his idea as well. The carpet, the crest,
12 was my idea and some of the carpentry came from
13 Captain Mike pointing it out, letting us know that there
14 was a crack here and that should be replaced and stuff
15 like that.
16 Q. I am just going to try one last time. Do you accept
17 that Mr Jeffrey Watson of Indigo Transportation in fact
18 had a veto on whether it would be refurbished because it
19 was not yours to do with what you wanted?
20 A. No, I didn't know that we were leasing. I knew that
21 Jeffrey was a friend of Michael and a close friend. So
22 if he was to bring it down, I didn't question that, but
23 I just questioned why he didn't give it to me, why I had
24 not had it.
25 Q. Again, you have dealt with the question of lifestyle in

1 your statement. You have given evidence about it, is

2 that right?

3 A. Yes.

4 Q. The question of his wealth, did that arise in

5 the context of the discussion of a pre-nup agreement?

6 A. It came before that.

7 Q. Is this right, that what the Premier said to you

8 constantly was, "we ain't broke" and that was about it?

9 A. He said, "we ain't broke, we rich". That was, you know,

10 our little slogan around the house.

11 Q. Well, he says he certainly recalls saying "we ain't

12 broke". In other words, we can afford this. But no

13 more than -- he never gave you a figure, did he?

14 A. In the beginning, when he wrote down his assets, it

15 was -- he filled the envelope up with stuff and like

16 I said it was not familiar to me because I had just got

17 to Turks & Caicos, so I didn't know. But I recall him

18 saying a figure with an 8 in it. So I didn't know if it

19 was \$80 million or \$180 million.

20 Q. Or 8 or 18?

21 A. Well, because 8 isn't a lot of money. That is rich on

22 someone else's -- but for me, for the way that he was

23 acting and telling me, that I knew that it wasn't 8.

24 Q. You are pretty imprecise, are you not, about the figure?

25 A. I said that it is either 80 million or 180 million.

1 Q. 100 million is quite a difference, isn't it?

2 A. Mmm hmm.

3 Q. And you just can't remember which of it it is?

4 A. Right.

5 Q. You see, I have to suggest that he never put a figure on

6 his wealth to you. Is that right, that he never did put

7 a figure on it and that is why you can't recall

8 a figure?

9 A. Are you saying that you didn't hear what I just said,

10 you want me to repeat it or I don't understand?

11 Q. I can hear. You see, I have to put to you what

12 the Premier says, otherwise we would have him here

13 arguing with you. So I just have to put it to you in

14 fairness to you -- right -- and in fairness to him. So

15 you don't accept that he never put a figure on it?

16 A. He wrote down his assets on an envelope for me and he

17 was letting me know what he owned and how much he was

18 worth and he said to me it was 80 million or

19 180 million, as I recall.

20 Q. Just help us about this pre-nup.

21 A. Okay.

22 Q. You said this afternoon that you were not comfortable

23 with not signing a pre-nup?

24 A. Say that again.

25 Q. You said -- these are your words: "I was not comfortable

1 with not signing a pre-nup."

2 A. Yes.

3 Q. So in other words it was your idea that there should be

4 a pre-nup?

5 A. Yes.

6 Q. You see, as I recall this morning you were saying it was

7 the Premier's idea that he insisted on there being

8 a pre-nup?

9 A. No. We were in the ocean and he said to me: "I just

10 left my Attorney's Office" and I said "yes" and he said,

11 "he wants you to sign a pre-nup" and I said "I have no

12 problem with that, I don't even know how much you're

13 worth". And he said to me, "but I don't want you to"

14 and I kind of felt half and half. I kind of felt like

15 wow, like, really, and the other half was like why, that

16 must mean that I don't have any rights here?

17 I came back to the States and I asked around and

18 I said maybe perhaps I should have one because he is

19 about to change my lifestyle and I don't want to get

20 stuck with all of what I am going through now.

21 Q. Who was it who drafted the pre-nup, your lawyer?

22 A. Yes.

23 Q. So you were not comfortable unless there was a pre-nup,

24 that is right?

25 A. Yes.

1 Q. Your lawyer drafted the pre-nup?

2 A. Mmm hmm.

3 Q. And in the pre-nup it made provision that a house should

4 be built for you in Los Angeles at a cost of some

5 \$6 million, is that right?

6 A. I believe I saw that 6 million, yes.

7 Q. Presumably that was put in by your lawyer?

8 A. Michael had asked me to kind of look for attorneys in LA

9 because I had never had a pre-nup before and never had

10 to deal with that type of attorney. So I asked a couple

11 of my celebrity friends in Hollywood who was a good

12 attorney and I went to him and he kind of -- I didn't

13 know what the first thing to ask for, so he kind of made

14 up things and he spoke with Michael and that is how we

15 came to the conclusion of having the pre-nup.

16 Q. Is this right, that when the house was eventually -- you

17 came to buy it, or you came near to buying it, when that

18 happened the money that was raised from the J&T Banka

19 was to pay for it?

20 A. I didn't know about a loan at all, so I didn't know, you

21 know, how he was going to pay for it. I left all of the

22 money stuff up to him.

23 Q. It is exactly the same sum, isn't it, 6 million and

24 6 million being borrowed for the house?

25 A. Mmm hmm.

1 Q. You signed the document?

2 A. The house was 8 million.

3 Q. No, I think the 8 million was not -- 8 million was not

4 the figure referred to in relation to the LA house. It

5 was 6 million.

6 SIR ROBIN AULD: It was referred to earlier today I thought.

7 Maybe I am wrong.

8 MR FITZGERALD: In the pre-nup --

9 SIR ROBIN AULD: 6 million in the pre-nup but I thought

10 I heard --

11 MR FITZGERALD: The figure is 8 million in relation to the

12 house here. Certainly the pre-nup talks about

13 6 million, all right?

14 A. I think that there is a contract on the house and how

15 much the house was in LA as well.

16 MR PRUDHOE: Sir, an annexure to the witness statement of

17 Mrs McCoy Misick does have in fact the price. It is

18 the second enclosure to her witness statement. If one

19 looks to the right-hand side, it is numbered page 2 in

20 the top right-hand corner and about half way down,

21 purchase price 8 million.

22 SIR ROBIN AULD: I thought I had seen it somewhere.

23 (3.50 pm)

24 MR FITZGERALD: Are you saying the loan had nothing to do

25 with this?

1 A. I never knew about a loan at all.

2 Q. So you signed a document, a loan document, without

3 reading it?

4 A. I thought it was something to do with the house and

5 I knew that I wanted my name on the house but I didn't

6 know it was about a loan.

7 Q. You see, you describe yourself as a savvy businesswoman

8 who can stand up for herself and you are really inviting

9 the Commission to accept that you didn't read what you

10 signed?

11 A. I am a savvy businesswoman in my business, in my world,

12 in my lifestyle, in which I branded Lisa-Raye in

13 entertainment. I know nothing about real estate and so,

14 since I had an in-house lawyer and he was my husband,

15 there has to be a foundation of trust there, so,

16 absolutely, I trusted that.

17 Q. You didn't look at what it said just before that about

18 repayments or anything like that, nothing at all?

19 A. No.

20 Q. You just signed it?

21 A. Mmm hmm.

22 Q. I have to put it to you you knew full well what you were

23 signing when you signed that document?

24 A. That is your opinion.

25 Q. And you don't accept it?

1 A. Not at all.

2 Q. Now, at paragraph 13 you refer to the fact that whenever
3 you wanted money, the Premier would arrange for his
4 brother Chal Misick to wire it to you, is that right?

5 A. I am not sure if every time, you know, that he got it
6 from Chal.

7 Q. Right. Would you accept that some of it came from
8 the Belize Bank?

9 A. I didn't ask. He handled all the money so I didn't
10 know.

11 Q. But money came into your HSBC account in LA at your
12 request from a number of sources, is that right?

13 A. Well, we had already established through my business
14 partners how much the bills were in LA. So Michael knew
15 that and they knew that they had to be paid monthly, so
16 would send money them -- send money.

17 Q. I am just putting to you that it was not just Chal,
18 transfers were also made from the Belize Bank here,
19 transfers were made from My Way Productions 2 Limited to
20 your --

21 A. I don't know what account they would come from or what
22 bank actually they would come from. I just know that
23 Brenda, when she needed business -- who is my business
24 accountant -- if she needed money for the bills to be
25 paid, she would either e-mail Michael or tell me and

1 I would tell Michael and Michael would make
2 the arrangements.

3 Q. So it is not just from Chal's account, it is from
4 a number of accounts, you accept that, do you?

5 A. I am sure. I am sure whatever accounts.

6 Q. In paragraph 14 you talk about your Black Amex card. It
7 is right that you and he shared an Amex account, is that
8 right?

9 A. Yes.

10 Q. He paid the bills on that or he made sure they were
11 paid?

12 A. Yes.

13 Q. And you had nothing to do with the payment of those
14 bills, is that right?

15 A. No.

16 Q. So you can't help us as to how they were paid at all?

17 A. Sometime he would say to me, you know, the bill was
18 a little high.

19 Q. I am not disputing that he may well have said that. But
20 the point is that it was his responsibility to settle
21 those bills and he did?

22 A. Mmm hmm.

23 Q. At paragraph 16 you refer to the cast of your show being
24 flown to TCI for the best ever wrap party. That is
25 the wrap up party is it, at the --

1 A. The best damn wrap party.

2 Q. Now, is this right, that that was something which

3 actually did a great deal to promote the profile of the

4 TCI, your whole sitcom cast turning up in the TCI, is

5 that right?

6 A. Yes.

7 Q. They stayed I think in the Alexandra, is that right?

8 A. There and I think some place else too.

9 Q. As far as you are concerned, that was a good idea with

10 good benefits to the islands, is that right?

11 A. I don't think that I really knew. It was Michael who

12 did that.

13 SIR ROBIN AULD: You have no idea what it cost roughly

14 overall?

15 A. Not at all but I knew that he had ownership in the

16 Alexandra, so I knew he can get some sort of discount or

17 deal. It would be better putting them there as opposed

18 to putting them some place else.

19 MR FITZGERALD: You dealt with the staff at your house here

20 and there is no dispute about the fact that there were

21 staff and that they were paid for by the government

22 here?

23 A. In the beginning he was paying them. When we moved to

24 the -- our own White House, then I knew that he said

25 that he was going to get supplement from the government.

1 Q. You accept his bodyguards had to be paid by
2 the government, didn't they?
3 A. Probably.
4 Q. As to the house here, you weren't aware of the financing
5 of that house, is that right?
6 A. No.
7 Q. You say at paragraph 22 that he was always generous,
8 generous to you and to your daughter?
9 A. Mmm hmm.
10 Q. And indeed to his former partner Mildred Rivas?
11 A. I don't know how generous he was to her. I had found
12 a couple of things around the house that led me to ask
13 questions about child support and then I found out about
14 the second child and obviously knowing that a second
15 child was even around and came in the midst of our
16 marriage, you can imagine it was quite upsetting.
17 Q. You described him as someone who was a soft touch both
18 to lend to other people and to give to other people.
19 That was a good characterisation of his character, is
20 that right?
21 A. That was something that he also asked me to help him
22 change. He didn't like that. He felt that people took
23 advantage of him. So that is why we came up with the
24 agreement of not lending or loaning anyone any money.
25 Q. You went round with him at election times and other

1 times to his constituency in North Caicos East and he
2 got a warm reception from his constituency, is that
3 right?

4 A. A couple of people that we walked down the street and
5 saw in their houses and we walk up to them and talk to
6 them and mingle.

7 Q. You described the fact that he gave out money to help
8 people pay for things, funerals, maybe?

9 A. Mmm hmm.

10 Q. For -- I think you gave one example --

11 A. Phone bills, cellphones.

12 Q. He did that naturally and he helped out the ordinary
13 people whom he represented, is that right?

14 A. Mmm hmm.

15 Q. Now, you dealt --

16 A. I can't really say that he -- I don't know what
17 political party they belonged to. Knowing how it is
18 here now, I can safely say they were probably PNP.

19 Q. He was not saying: "are you PNP?" before he was helping
20 out, was he? You never heard him say, "I am not going
21 to give you anything because you are not PNP"?

22 A. I assumed he knew these people because of the welcome
23 that they gave him.

24 Q. And it was a warm welcome?

25 A. Yes.

1 Q. Now, the carnival you have dealt with at paragraph 31,
2 is this right, that there was a successful carnival in
3 Christmas of 2006? You applied a part in organising
4 that?

5 A. Yes.

6 Q. In fact what he told you in relation to the 2007
7 carnival was that there was no budget for it?

8 A. He told me to get together a small budget, that he was
9 not doing anything as big as the carnival and I said,
10 "Why not, you said that this was going to be an annual
11 thing? You are making me out to look like a liar. This
12 is for the kids". And he said, "I only did that because
13 that was election year". And so that kind of was a slap
14 in my face because of course now I can't produce
15 the carnival and which I said I would do every year.

16 Q. I have to put it to you that he never said that, he
17 simply said that there is no budget for it this year.

18 A. That is not true because that was the time when I was
19 dealing with Barbara and I had faxed over paperwork to
20 her, letting her know on a smaller scale the type of
21 carnival or family fun day that I was trying to have.

22 Q. You described how you then acquired some toys for
23 the children in the area, is that right?

24 A. I flew to Miami to get some.

25 Q. No doubt he paid for those toys?

1 A. No, I paid for that myself.

2 Q. I see, from which account was that?

3 A. I had cash.

4 Q. I see, which account did you draw it from HSBC LA?

5 A. I can't really remember. I keep cash in my house, in my

6 safe, so....

7 Q. I have asked you already about the house in Los Angeles.

8 The only thing I would like to make clear with you,

9 Mrs McCoy Misick, is this, you accept that there was

10 a genuine intention to acquire a property in LA as

11 a joint matrimonial home there?

12 A. Say that again.

13 Q. There was a genuine plan both of you had to acquire

14 a property in Los Angeles for your use there and for him

15 when he visited you, is that right?

16 A. I had actually forgot about the house until I saw it in

17 the pre-nup and until he said he wanted a bigger, better

18 house than the house that I have.

19 Q. That plan continued through 2006 until 2007, that you

20 would purchase a home in LA, a new home in LA?

21 A. I don't know the timeline but --

22 Q. Well, it carried on into the next year when you got cold

23 feet, if I can put it like that.

24 A. I don't know the timeline.

25 (4.00 pm)

1 Q. Can you recall when the money, the 200,000 was
2 forfeited? You can look at your own documents if you
3 like.
4 A. I think we have a document.
5 Q. Yes, I think that will perhaps trigger your memory that
6 it was 2007. Perhaps you can accept it from me that
7 that was the date.
8 MR PRUDHOE: The date is accepted.
9 SIR ROBIN AULD: What precise date is it? If the date is
10 important.
11 MR FITZGERALD: It is cancellation instructions May 8, 2007.
12 A. Okay.
13 Q. I have already asked you questions about the loan
14 documents. I am not going to ask you any more about
15 those. As to the question of the re-negotiation, that
16 is to say getting the date of the repayment of the loan
17 postponed, you had nothing to do with that?
18 A. No.
19 Q. Is this right, that by then it was 18th April, 2008? So
20 by that date your marriage was beginning to break down
21 in April 2008? I think you moved out finally to LA in
22 May, is that right?
23 A. I am not sure of the date but it was around the rape
24 allegations and investigation. It was something that of
25 course we had to deal with but I was still there, you

1 know.

2 Q. But --

3 A. But the house came way before that.

4 Q. I accept that. This is a question of the re-negotiation

5 of the loan.

6 A. I don't know anything about that.

7 Q. You had nothing to do with it and one of the reasons why

8 you had nothing to do with it, I am putting to you, is

9 because in fact your marriage was beginning to break

10 down by then?

11 A. I don't know the timeline on that. But I do remember

12 when the marriage began to break down, the dealings of

13 the house had happened way before that. So in other

14 words I got cold feet before that.

15 Q. The question of the TCI -- I am going to deal with the

16 accounts, if I may, at the end -- Tourist Board, you

17 deal with at paragraph 58 of your statement. Now, is

18 this right, you accept that you were paid 150,000 by

19 the TCI Tourist Board for your promotional appearances?

20 A. Yes.

21 Q. Again, that was because you did a number of promotional

22 appearances in New York, in Miami, in LA and Atlanta?

23 A. Mmm hmm.

24 Q. So it is not a case of you being paid for nothing. You

25 were being paid for giving a series of promotional

1 appearances throughout the US?

2 A. Yes.

3 Q. That money was paid into the My Way Productions 2

4 Limited's bank account, is that right?

5 A. As I see it in the evidence, yes.

6 Q. I have already asked you about the contract with

7 Kerwin Media. I don't want to labour that with you. We

8 disagree, if I can put it that way, on that. But just

9 will you assist on this --

10 A. If I can.

11 Q. You accept that \$300,000, give or take a few cents, was

12 paid into your joint My Way Productions 2 Limited

13 account?

14 A. I don't know which account right off the top of my head

15 it went into, but I accept I got paid.

16 Q. We can look at it at volume 2, page 524 if you want to.

17 Do you see there a credit for \$299,700?

18 A. Yes.

19 Q. So that is being paid in to your joint My Way

20 Productions 2 Limited account by Kerwin Media?

21 A. Yes.

22 Q. That is --

23 A. I don't know if -- yes, it had to be a cheque by

24 Kerwin Communications.

25 Q. I can show you the cheque if necessary, but will you

1 accept it from me that that was the sum you received?

2 A. Sure.

3 Q. You disagree as to whether you negotiated that sum

4 yourself and you disagree as to whether Tina Gallagher

5 negotiated on your behalf, but do you accept this: that

6 there was a photoshoot, I think of six to eight days,

7 for which you were being paid?

8 A. Yes.

9 Q. And is this right, that your face became the face of

10 the TCI advertising campaign as a result of that?

11 A. Yes.

12 Q. And indeed was used worldwide? It was used in America

13 and Europe and everywhere as a result?

14 A. I am not sure about Europe, I do know about the States.

15 Q. Well, your world -- you gave worldwide rights in the use

16 of that --

17 A. As I said I didn't negotiate it so I don't know what the

18 terms of the contract was. Michael did that.

19 Q. Do you accept that that is a perfectly reasonable sum to

20 be paid for a model such as yourself, with a history as

21 an actress for providing those services?

22 A. I have been told since then that it should have been

23 more but for me I didn't want to charge the country,

24 I didn't feel it was right so that is why Michael

25 negotiated that number and came up with it.

1 Q. If anything, Kerwin Media got a good deal and
2 the government of this country got a good deal as
3 a result?

4 A. I think we all benefited from it. I think it was very
5 successful.

6 Q. We have seen the coverage of where the head of the
7 tourist board said that it had been a highly successful
8 campaign, that it had increased tourism to this
9 jurisdiction?

10 A. 41 per cent.

11 Q. Now, I think you were asked some questions about wedding
12 gifts, cash payments to your husband to help pay for
13 the wedding; you would not quarrel with those, would
14 you? You would not say is there anything wrong with
15 that?

16 A. That was my first time hearing that they were donations
17 to pay for the wedding. I didn't know that either.

18 Q. But would you accept it was a very expensive wedding?

19 A. Yes.

20 Q. I think we are talking hundreds of thousands of dollars?

21 A. Yes.

22 Q. Now, you were also asked some questions about

23 the Dominican Republic. It is accepted of course that

24 the Premier likes the Dominican Republic, no doubt about

25 that, and that he goes there quite frequently?

1 A. Yes, I have heard.

2 Q. But he never said, if I can put this to you, that he was
3 intent on moving there?

4 A. What he said is that he wanted to retire there.

5 Q. I see, so retire there at the end of his life?

6 A. Well, actually we had had a conversation about a year
7 and a half ago. He told me that he was ready to retire.
8 He was tired of being scrutinised. I asked him at that
9 point, I said: do we have enough money for you to
10 retire; and he said yes; and I said: for us to live
11 the way that we are living now; and he said yes. So for
12 me that was like, mm, then you must really have a lot of
13 money.

14 Q. I have to respectfully put that he never said that he
15 was planning --

16 A. I am sure that you could say that because you weren't
17 there.

18 SIR ROBIN AULD: Do not talk across each other because it
19 makes it very difficult for the court reporters. Start
20 again, Mr Fitzgerald.

21 MR FITZGERALD: I have to suggest to you that he never said
22 that he was intending to move there to settle
23 permanently.

24 A. I don't see how you could say that when you were not
25 there, but you are entitled to your opinion. I don't

1 like the DR, so it was never my idea to even meet there

2 or nor have a conversation there or anything.

3 MR FITZGERALD: There is just one final topic I want to

4 cover with you, Mrs McCoy Misick. That is the topic of

5 the bank accounts.

6 A. Okay.

7 Q. It is right that you had an account with HSBC in

8 Los Angeles, is that right?

9 A. Our joint account was with HSBC.

10 Q. You also had, of course, a joint account with My Way

11 Productions 2 Limited?

12 A. Yes.

13 Q. That was set up for yourself, that account?

14 A. That account was set up by Chal for myself and Michael

15 was a signatory on there.

16 Q. So you were both co-signatories of it?

17 A. Yes.

18 Q. You were able to draw on funds in the My Way Productions

19 2 account and to have them transferred to HSBC in

20 Los Angeles?

21 A. Mmm hmm.

22 Q. Therefore the money that went in there was money that

23 you were able to draw on in your HSBC account in

24 Los Angeles?

25 A. Say that again.

1 Q. The money that went into My Way Productions 2 Limited

2 account was money that you were able to draw on, you

3 could have it transferred across to the HSBC in LA?

4 A. Yes, I could, but I never would, because I opened that

5 account because I wanted it to be here and that money to

6 be here.

7 Q. Is this right that you would say to Chal or to your

8 husband: I need funds in my account in LA, in the HSBC

9 in LA, you would say that?

10 A. I would reconfirm with Chal if he sent money after

11 Michael had asked him to, because it would take wires

12 a long time to get there and I am a timely person,

13 I want to pay my bills on time, so I would always have

14 to rob Peter to pay Paul, or promise people it is going

15 to be paid and wait, wait, wait one minute, kind of

16 thing.

17 Q. Lo and behold, that money was transferred when you asked

18 for it into your accounts in -- your account with HSBC

19 in LA. The money came, didn't it, when you asked for

20 it?

21 A. I didn't know where the money came from.

22 Q. Exactly. So you are not saying that you know it didn't

23 come from My Way Productions 2. You are just saying it

24 came and all I was concerned about was that I had

25 the money?

1 A. That the bills were paid.

2 Q. Exactly.

3 So just to get this straight, you are not denying
4 that money paid into My Way Productions 2 was
5 transferred for your use to the HSBC account in LA?

6 A. That was not our agreement. Our agreement was that
7 Michael said that what is mine is mine and what is his
8 is mine, so he was to take care of all of the bills and
9 the whole lifestyle and whatever. So he was funding
10 that while I was still funding my other businesses in
11 My Way Productions 1.

12 Q. Of course you were not aware that there was other money
13 being paid into that account, were you?

14 A. No.

15 Q. But that was also available to be drawn on and to be
16 transferred to the HSBC in LA?

17 A. If I didn't know that it was in there, I would not know
18 to even transfer anything.

19 Q. So you are not denying it --

20 SIR ROBIN AULD: This is not a pleading in a civil action,
21 not admitting and not denying; either she knows or she
22 does not. If she does not know, she can't contribute on
23 this.

24 MR FITZGERALD: I apologise if I have over-simplified it.
25 What you are really saying is you don't know where it

1 came from. You just know that money was paid into your
2 HSBC account in LA.
3 A. Yes. It didn't come to me. It came through to my
4 business accountant.
5 Q. Finally, the Lover Fund that we have heard about, is
6 this right, that a sum was paid in there that was earned
7 by you on a poker promotion, is that right?
8 A. Yes.
9 Q. Do you recall that?
10 A. Mmm hmm.
11 Q. What was the sum?
12 A. 250. 250,000.
13 Q. So the mystery that Mr Milne was grappling with of where
14 did this 250,000 come from, is not such a mystery, is
15 it?
16 A. No.
17 Q. It came from your promotion of a poker tournament?
18 A. Mmm hmm.
19 Q. Which is exactly what the Premier said?
20 A. Mmm hmm.
21 Q. And you agree with that?
22 A. Mmm hmm.
23 Q. The Lover Fund account was named after your daughter --
24 named for your daughter, is that right?
25 A. Yes.

1 MR FITZGERALD: I have no further questions, sir. Thank you
2 very much.

3 SIR ROBIN AULD: Thank you, Mr Fitzgerald. Mr Prudhoe, how
4 long do you think you might be.

5 MR PRUDHOE: Less than 30 minutes.

6 (4.15 pm)

7 (A short break)

8 (4.25 pm)

9 Cross-examination by MR PRUDHOE

10 SIR ROBIN AULD: Yes, Mr Prudhoe, you can start.

11 MR PRUDHOE: Thank you.

12 Mrs McCoy Misick, do you attend today because of
13 a summons issued by the Commission?

14 A. Yes.

15 Q. You were present during the hearing of your husband's
16 evidence, so that you are aware the Commission have seen
17 and heard evidence as to your spending habits --

18 A. Yes.

19 Q. -- during the marriage?

20 A. Yes.

21 Q. How would you describe your spending habits prior to the
22 marriage, please?

23 A. I make on my show \$35,000 a week. So I would think that
24 that is relatively successful. I have a house, five
25 bedrooms, 7 bathrooms, a house that is mine, I have

1 three cars that are paid for --

2 SIR ROBIN AULD: You don't have to justify it, he just wants

3 to know --

4 A. I am successful in my own --

5 MR PRUDHOE: I am talking about the spending, what about

6 shopping habits, for instance?

7 A. I can't wear things on the press-line more than once, so

8 I do designer stuff.

9 Q. If I could just ask you about that. So that people

10 understand it, are you suggesting that, as a consequence

11 of what you do for a living, there is a limit as to how

12 often you can use particular pieces of clothes?

13 A. Yes.

14 SIR ROBIN AULD: Given your earnings you are a pretty high

15 spender, is that really what you are saying?

16 A. It depends how much you call high.

17 SIR ROBIN AULD: Everything is relative but you worked hard,

18 you earned good money and you probably spent more than

19 others who didn't earn as well as you did?

20 A. Yes.

21 MR PRUDHOE: Before the Premier became your husband, to what

22 extent was he aware of your spending habits?

23 A. He had visited my house before and he had seen what

24 I have and he was quite taken. My house was actually

25 more modern than the house that we were living in here

1 and he felt that I was successful as well.

2 Q. Mr Milne elegantly described him as being generous and

3 open handed. Was that during the time when you had

4 become romantically involved with your now husband?

5 A. Yes.

6 Q. If I can be a bit more blunt, were you by then already

7 spending his money?

8 A. Yes.

9 Q. From the evidence that you have given to Mr Fitzgerald

10 is it the case that whatever he is spending his money on

11 or whomever he is spending his money on now does not

12 include you?

13 A. Does not include me.

14 Q. Are you able to give approximately the date of the last

15 occasion upon which he provided financial assistance to

16 you?

17 A. August of 2008.

18 Q. When you were still spending his money or when you were

19 still spending money with your husband, whose money did

20 you believe you were spending?

21 A. His.

22 Q. You described your first trip to the Turks & Caicos

23 Islands as having been from Jamaica?

24 A. Yes.

25 Q. What means of transport did you take to make that trip?

1 A. He came and picked me up in a private plane, me and

2 a couple of my friends, and we came back here.

3 Q. You also described in your evidence that for a period of

4 time during your marriage you made heavy use of

5 chartered private aircrafts?

6 A. Yes.

7 Q. Concentrating on the cost of doing that, would you ever

8 consult your husband about doing that?

9 A. When it became known how much the flights were, I had

10 told him that I didn't mind going commercial because

11 I kind of liked going commercial sometimes and I

12 understood why we had to do it sometimes because he

13 would want to see me on the weekend; he didn't feel that

14 it was proper for me to be away for so long, so he

15 wanted to make it convenient for me to be able to come

16 back --

17 SIR ROBIN AULD: You said when it became known that it was

18 costing so much, do you mean when you first discovered

19 or when it became publicly known?

20 A. When I first discovered how much we were actually

21 spending on private jets for the weekend.

22 MR PRUDHOE: I may have missed it but did you deal with the

23 question as to whether or not you sought his permission

24 in advance?

25 A. Always. Except one time --

1 Q. Did that exception to asking permission in advance

2 relate to an allegation made against him that has no

3 bearing on this Commission?

4 A. Yes.

5 Q. Looking now at the plane that you did think was yours,

6 N156G, the Gulf Stream 3, you mentioned some particular

7 trips. One of them was a trip to Africa. How long were

8 you in Africa approximately?

9 A. We were there two weeks and two days, I believe.

10 Q. Did the plane fly you across and then go home, as it

11 were?

12 A. No, it stayed with us and it brought us back from

13 Africa.

14 Q. Well, how many people come with a plane, if you don't

15 mind me asking?

16 SIR ROBIN AULD: You mean passengers, crew or all?

17 MR PRUDHOE: As a crew. What does a private plane flown on

18 your behalf entail in terms of service crew?

19 A. We had two pilots and a stewardess.

20 Q. Your evidence has been today that money sent to your

21 California HSBC account was sometimes used for

22 expenditure that was joint, is that correct?

23 A. Yes.

24 Q. The Commission has heard evidence in relation to

25 payments by the PNP to someone called Youlanda Scott,

1 who we know to be your stylist?

2 A. Yes.

3 Q. Were all the payments made to her or were all

4 the payments made to her in relation to work completed

5 for you and you alone?

6 A. No. She was the stylist for him. He wanted to change

7 his look to compliment mine while we were doing

8 the Hollywood thing and I had to change my appearance

9 for the First Lady thing. So it was for both.

10 SIR ROBIN AULD: So the stylist was for both of you?

11 A. Yes.

12 MR PRUDHOE: Could I just direct your attention please to

13 volume 3 of the documents and to turn to page 1043.

14 (4.33 pm)

15 (Pause due to technical problems)

16 (4.37 pm)

17 MR PRUDHOE: I asked you to turn to page 1043. Do you have

18 that?

19 A. I do.

20 Q. You have had an unexpectedly long time to look at its

21 contents. Are all of the items that appear on that

22 items that relate to female clothes or clothing?

23 A. No, not all of them.

24 Q. Could you just confirm, please, that C&Y Designs by

25 Carla and Youlanda is a reference to Youlanda Scott?

1 A. Yes.

2 Q. Would I be right in thinking that, for instance,

3 the first entry: tuxedo, sandals, dress shoes, blue silk

4 shirt, white linen pants, Dolce & Gabbana suit and tie,

5 they are all male items?

6 A. Yes, they are.

7 Q. Looking a bit further down at the \$16,000 entry: white

8 suit, brown leather blazer, et cetera, are they also

9 male items?

10 A. Yes.

11 Q. We have heard that payments to Youlanda Scott were

12 received from the PNP bank account; did you have any

13 idea that those sorts of payments were being made to

14 her?

15 A. No, I didn't, but I later learned that they were because

16 she told me, once all of this started happening.

17 Q. You were asked earlier in evidence some questions by

18 Mr Milne about My Way Productions in the US. You

19 indicated that you had staff and office expenses to deal

20 with for My Way Productions US?

21 A. Yes.

22 Q. Did your husband have any involvement with

23 My Way Productions in the US?

24 A. No, that was my company before I met him.

25 Q. Did he ever act on its behalf or spend its money or

1 incur liability for it?

2 A. Well, I did find out that the white Phantom Rolls Royce

3 that he bought me for, I think it was either Valentine's

4 Day or my birthday, that he had leased it through my

5 company, how I don't know, so now I am stuck with the

6 liability, I think it is \$6,900 a month that I have to

7 pay for it.

8 SIR ROBIN AULD: He leased a what, a Phantom?

9 MR PRUDHOE: It is a type of Rolls Royce, sir.

10 SIR ROBIN AULD: Did it through your account?

11 A. He did it through my company.

12 SIR ROBIN AULD: Yes, through My Way's bank account?

13 A. Yes.

14 SIR ROBIN AULD: Leased a Phantom Rolls Royce.

15 MR PRUDHOE: You were asked about your housing in Leeward.

16 Before you lived at the house that we have heard a lot

17 about that was built especially for your husband, you

18 lived elsewhere in Leeward, is that correct?

19 A. Yes.

20 Q. In a beach house, I think you described?

21 A. Yes.

22 Q. Are you aware as to who the landlord of that property

23 was?

24 A. He told me it was his house.

25 SIR ROBIN AULD: He told you what?

1 A. He told me it was his house.

2 SIR ROBIN AULD: Beach house in Leeward, yes.

3 MR PRUDHOE: Because you were present to hear your husband's

4 evidence, you have been able to answer questions in

5 relation to the loans that he explained in his evidence.

6 Essentially you didn't know about the fact that he was

7 taking loans.

8 A. I learned a lot from his evidence. I had a notebook and

9 a pen, writing down so much.

10 Q. The Commission heard about other loans when we heard

11 from Mr Chal Misick. Were you aware that Chal Misick,

12 for example, was loaning your husband money?

13 A. Look, Michael told me that he was a very wealthy man, we

14 were rich, so I never thought that he had to borrow or

15 get any loans from anyone.

16 Q. Could I ask you, please, to turn to volume 2 of the

17 documents, within that bundle of documents to page 391

18 please. Do you have that?

19 A. I have it.

20 Q. We have already heard, and I won't take you to again,

21 the J&T Banka loan itself. This is the document that

22 came afterwards to extend the loan. That is accepted as

23 a fact. This is a document to which you were not

24 a signatory. That is also accepted. If you look at

25 page 392, there is nowhere for you to sign?

1 A. Right.

2 Q. Could I ask you please to turn back to 391.

3 Paragraph 1.3, or article 1.3, I think it is. There is

4 reference to some sort of an arrangement in

5 December 18th 2007, which enabled J&T Banka to assign

6 the debt to something called J&T Private Equity. Do you

7 know anything about that at all?

8 A. No, I don't and I would wonder if we did not get

9 the house, why didn't he just return the money?

10 Q. Could I ask you now, please, to turn to volume 3.

11 The J&T Banka documents are all over the place.

12 Volume 3 of the bundle, please. That is some way into

13 the bundle at page 917.

14 A. I have it.

15 Q. Could I ask you, please, to turn to numbered

16 paragraph 3, which is -- well, it is really a question

17 in underlined and then some explanation.

18 If you could just please read the sentence:

19 "The loan to both Michael E Misick and Lisa-Raye

20 McCoy Misick ..."

21 Just read the rest to yourself, please. (Pause)

22 You touched on this in your evidence. I just want

23 to make it clear. You never provided any financial

24 information through a bank in the Czech Republic?

25 A. Never.

1 (4.45 pm)

2 Q. Nobody ever asked you if they could do that on your
3 behalf?

4 A. Not at all.

5 SIR ROBIN AULD: You had better identify the record. Do
6 what on her behalf?

7 MR PRUDHOE: I beg your pardon. Nobody -- you authorised

8 nobody on your behalf to provide details of your

9 personal financial standing to J&T Banka?

10 A. No.

11 Q. Were you aware that your husband maintained an official
12 residence in Grand Turk?

13 A. Yes.

14 Q. Have you ever stayed there?

15 A. No. He has not either since the day I met him.

16 SIR ROBIN AULD: What did you say there, please?

17 A. I said he has not either since the day that I met him.

18 MR PRUDHOE: In relation to Chalmers Misick or

19 Chal Misick -- you were not present for this evidence,

20 but Chal Misick has given evidence that he was your

21 lawyer -- never billed you for any work, is the fact he

22 never billed you correct?

23 A. Well, no, he never billed me because he was not my

24 lawyer. I never signed any contract with him saying he

25 was my lawyer. I didn't even know he was a lawyer until

1 just recently.

2 Q. Is it right that if he believes that you owe him money

3 for legal work, that you would welcome the chance to

4 find out what that legal work was and how much you are

5 supposed to owe him?

6 A. Yes.

7 Q. My Way Productions 2 Limited, the Turks & Caicos Island

8 entity, is \$50,000 overdrawn. Has anybody explained to

9 you how that happened?

10 A. I just found that out yesterday when I went to

11 Belize Bank and they told me that it was \$50,000

12 overdrawn.

13 SIR ROBIN AULD: Racking up interest the while? Is interest

14 accruing on a recurring basis on the loan?

15 A. I don't know, because his friend owns the bank, so for

16 it to be that in arrear, I would probably understand

17 that he probably made a phone call and said pay that.

18 Michael would make a phone call to maybe Andrew or

19 whomever at the bank, and I can't see them letting it be

20 \$50,000 in arrear and not having some type of commitment

21 --

22 SIR ROBIN AULD: When you say he, you are referring to the

23 Premier, are you?

24 A. Yes.

25 MR PRUDHOE: We have heard evidence in relation to somebody

1 called Jim Kerwin. Was he a guest at your wedding?

2 A. Yes.

3 Q. Which of your husband or yourself invited Mr Kerwin to

4 your wedding?

5 A. He, it was his friend, so he invited him to our wedding.

6 Q. In relation to Mr Kerwin, we have heard the evidence

7 that you were to be the face of TCI? Are you aware of

8 the basis upon which you were granted Belongership in

9 2007?

10 A. Yes.

11 Q. Are you aware as to when you were granted Belongership

12 in 2007?

13 A. Not exactly when. I know that it appeared in

14 the newspaper, and then I know that I was supposed to

15 get some type of certificate or something but Michael

16 wouldn't give it to me.

17 Q. Can I ask you to turn to volume 3, please.

18 Could I ask you to turn to page 1104. Do you have

19 that?

20 A. I have it.

21 Q. Is that in fact a minute of Cabinet from 7th March 2007?

22 A. Yes.

23 Q. Detailing the bestowal upon you, amongst others, of

24 Belonger status?

25 A. Yes.

1 Q. Could I ask you, please, to turn a couple of pages

2 forward -- I am afraid the documents are in the bundle

3 in reverse -- to 1102.

4 A. I have it.

5 Q. So we are now over a year later. Do you recognise this

6 as being your Belonger certificate?

7 A. Well, I have never seen it because I only heard --

8 I didn't even know I was supposed to have some sort of

9 certificate or whatever until Michael told me and

10 I asked him where it was and he said he was not going to

11 give it to me.

12 Q. Do you hope that one day your Belonger certificate will

13 be released to you?

14 A. Yes.

15 SIR ROBIN AULD: I should take a copy there while you are at

16 it.

17 A. Yes.

18 MR PRUDHOE: Sir, obtaining copies is not the problem.

19 Finally just in relation to your description of your

20 husband's love for the DR. What particular aspect of

21 the Dominican Republic is your husband so fond of?

22 A. I would need my passport for that. It totally left my

23 head --

24 Q. No, not your passport. You said, I will try and get

25 the quotation right, "I understand that he loves it in

1 the DR". What particular aspect or what about the DR do

2 you think your husband loves?

3 A. Well, he said that they were hungry for infrastructure

4 and that he could aid in that, and I felt like since he

5 had the meetings with the president, that he formed some

6 type of bond, and that he would be able to go over there

7 or, as he said, run over there and be able to live

8 there. He actually has a baby on the way in DR -- no,

9 that is in the Bahamas, sorry.

10 MR PRUDHOE: Sir, those are my questions to this witness.

11 SIR ROBIN AULD: Thank you. Anybody else before Mr Milne?

12 Mr Milne.

13 Re-examination by MR MILNE

14 MR MILNE: Just one point, Mrs McCoy Misick, you touched

15 a few moments ago on the question of the Belize Bank and

16 you made reference to his friend Andrew; who did you

17 mean by that?

18 A. Andrew Ashcroft.

19 Q. How do you know that the two of them are friends?

20 A. He has been to the house several times and we have been

21 out to eat and we have met at Nikki Beach.

22 Q. You understand that Andrew Ashcroft runs

23 the Belize Bank?

24 A. Yes.

25 Q. And that he and your husband would speak?

1 A. Yes.

2 Q. Were you ever party to those conversations?

3 A. Not in a business capacity, no.

4 Q. Were you present when they did speak?

5 A. Yes.

6 Q. What was it that they would be discussing?

7 A. Nothing that I could really speak on that really sticks

8 out in my head. Business that had no business of mine,

9 you know, so I kind of didn't remember.

10 Q. Since you say that he would ring his friend Andrew, was

11 it your understanding that he -- Andrew would make

12 provision for him at the bank in some form or fashion?

13 A. Yes, and not just there, but there was an account at

14 TCI Bank, I believe, and I went to try and get some

15 money from that account and Michael told me that it was

16 in arrear, and I said: how are you getting money from

17 that account; and he said: I am the Premier, so...

18 MR MILNE: Thank you very much. I have no further

19 questions. Do you have any questions?

20 SIR ROBIN AULD: Mrs McCoy Misick, may I ask you about

21 the Dominican Republic too.

22 Does the Premier have any property there to your

23 knowledge?

24 A. Not that I know of.

25 SIR ROBIN AULD: Does he have any bank accounts there to

1 your knowledge?

2 A. Not to my knowledge.

3 SIR ROBIN AULD: When you have been there with him, where do

4 you stay?

5 A. I can't answer that right now because I don't know

6 the name of the hotel.

7 SIR ROBIN AULD: It is a hotel, isn't it?

8 A. It is a hotel. I had my cousin, which is my security,

9 he flew with me there and he may know.

10 SIR ROBIN AULD: Well, I think that is enough really for

11 the purpose. Thank you very much for attending and

12 staying.

13 MR FITZGERALD: Sir, can I just clarify --

14 SIR ROBIN AULD: I am so sorry, I should have asked you if

15 there were any questions arising out of mine. I should

16 have asked you.

17 MR FITZGERALD: Sir, there was an earlier question about

18 a Rolls Royce. I don't imagine it is going to feature

19 in the Commission's --

20 SIR ROBIN AULD: I am sorry I didn't recognise immediately

21 the Phantom was a Rolls Royce.

22 MR FITZGERALD: It was a new point but perhaps in fairness

23 to the Premier I should -- it doesn't seem to have much

24 to do with the subject matter of this Inquiry, but

25 I have just got instructions on it.

1 SIR ROBIN AULD: Yes, of course.

2 MR FITZGERALD: The Rolls Royce you referred to which

3 I think you said was leased through your company and you

4 didn't know anything about it, is that right? Is this

5 right, that you signed the lease for that Rolls Royce?

6 A. I can't remember if I did or not. It was a present, so

7 I was kind of in awe of the whole thing, and if I had to

8 sign something to make it mine, I probably did, and was

9 like yeah.

10 Q. So you did sign the lease on that, then, is that right?

11 A. What, did you not hear me? I said that if I did sign

12 anything, I don't remember signing anything, I was so

13 excited about getting it, I wanted to probably make sure

14 that it was mine if at all that I did sign anything.

15 MR FITZGERALD: Thank you very much.

16 SIR ROBIN AULD: You took it that it was a gift, he was

17 giving you a Rolls Royce?

18 A. Absolutely. He brought it to the set and he put a big

19 red bow on it and everyone from the set came out and it

20 was like, surprise.

21 MR FITZGERALD: Mrs McCoy Misick, the Premier says that you

22 knew it was leased all along and you signed the lease on

23 it, is that fair?

24 A. No, it is not fair. Not at all, sir.

25 MR FITZGERALD: Sir, I don't think it is a central issue for

1 the Commission.

2 SIR ROBIN AULD: It doesn't really matter whether he misled
3 her about this. It is just another piece of expense
4 which may or may not go into the pot, that is all.

5 A. Well, it is an expense for me, because I would not have
6 signed on to have a \$6,900 a month bill. Surely, I have
7 not worked in two years so I don't have that to pay for
8 that car, so I would not have done that either.

9 SIR ROBIN AULD: Thank you very much for attending to give
10 evidence and I am sorry that you have had to stay on so
11 long today.

12 The programme for Monday, it has been changing all
13 day but the position at the moment is that the following
14 witnesses will be called on Monday in this order.

15 The Honourable Floyd Hall will return to give evidence
16 and so also will the Honourable Jeffrey Hall to follow
17 him, and not before 2.00 pm the Honourable
18 Lillian Boyce. I had better not go beyond that, because
19 it will probably change on Monday for the following
20 days.

21 MR PRUDHOE: Sir, there is one matter I could raise very
22 briefly in relation to an undertaking I gave on
23 documents.

24 SIR ROBIN AULD: We have done some work on that over the
25 adjournment. Mr Milne has prepared a written document

1 for you.

2 MR PRUDHOE: I have seen it and it is entirely acceptable in

3 its amended form. There is one aspect that need not

4 form part of a re-draft. I have copies of the J&T Banka

5 documents, which are clearly documents, on the Premier's

6 own case, which are within the ambit of what this

7 witness should be allowed to retain. I have copies

8 because I had to hand over the documents. It makes

9 perfect sense simply to retain those because I am going

10 to get those anyway.

11 SIR ROBIN AULD: I think Mr Fitzgerald is won over.

12 MR FITZGERALD: I have no objection. That was the first

13 thing I offered yesterday was the J&T Banka --

14 MR PRUDHOE: Thank you very much indeed.

15 SIR ROBIN AULD: Thank you, 10.30 Monday morning.

16 (5.00 pm)

17 (The court adjourned until 10.30 am

18 on Monday, 2nd February 2009)

19

20

21

22

23

24

25

1	INDEX	
2	PAGE	
3	MRS GEORGIA DUNN (affirmed)	1
4	Examination-in-chief by MRS DUFF	1
5	Cross-examination by MR STURMAN	21
6	Cross-examination by MR FITZGERALD	48
7	Re-examination by MRS DUFF	58
8	MR MICHAEL DUNN (sworn)	64
9	Examination in chief by MRS DUFF	64
10	Cross-examination by MR STURMAN	65
11	Cross-examination by MR FITZGERALD	68
12	Re-examination by MRS DUFF	71
13	MRS LISA-RAYE MCCOY MISICK (sworn)	73
14	Examination-in-chief by MR MILNE	74
15	Cross-examination by MR FITZGERALD	148
16	Cross-examination by MR PRUDHOE	187
17	Re-examination by MR MILNE	201
18		
19		
20		
21		
22		
23		
24		
25		

