PLAINTIFFS' EXHIBIT 1

DEPOSITION OF CHRISTOPHER THORPE

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

JANENE THORPE, an individual; CHRISTOPHER THORPE, SR., an individual, CHRISTOPHER THORPE, JR., an individual; CHARLIE THORPE, an individual,

Plaintiffs,

v.

CEDAR HILLS CITY, a government entity; AMERICAN FORK CITY, a government entity; AMERICAN FORK CITY POLICE DEPARTMENT, a government entity; DARREN FALSLEV, in his official capacity and individual capacity as AMERICAN FORK POLICE CHIEF; C. SLATE BLACKBURN, in his official and individual capacities; PHILLIP W.S. CRAIG, in his official and individual capacities; JENNIFER L. NAKAI, in her official and individual capacities, KANDACE N. KONECHNY, in her official and individual capacities; SETH WIATE, in his official and individual capacity; and JOHN or JANE DOES, 1-15, in their individual and/or official capacities,

Defendants.

Case No.
2:23-cv-00242-AMA-DAO
Judge David Barlow
Magistrate Daphne A. Oberg

Hybrid Videoconference
Video-Recorded Deposition
of:
CHRISTOPHER TIMOTHY THORPE
(Volume I)

March 7, 2025
3:20 p.m. to 5:01 p.m.

Witness location:
HEIDEMAN & ASSOCIATES
2696 North University
Avenue, Suite 180
Provo, Utah 84604

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Rossann J. Morgan
- Certified Court Reporter -
- Registered Professional Reporter -
Job No. CRCC7156192

A P P E A R A N C E S

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ALSO PRESENT: Janene Thorpe (via Zoom)
Chandler Goodwin (via Zoom)
McKayla Largin (Videographer)

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March 7, 2025 3:20 p.m.

P R O C E E D I N G S

VIDEOGRAPHER: Good afternoon. We're going on the record at 3:20, on March 7th, 2025. This is Media 1, deposition recording of Christopher Thorpe in the matter of Thorpe, et al. versus American Fork, et al.

Will Counsel state who they represent for the video record.

MR. FORD: Michael Ford for American Fork, its police department and officers.

MR. GUELKER: Gary Guelker also appearing for the American Fork defendants.

MR. BOSSERMAN: Hyrum Bosserman on behalf of the City of Cedar Hills.

MR. PEAT: Norman Peat on behalf of the plaintiffs, the Thorpe family.

VIDEOGRAPHER: Will the court reporter please swear in the witness.

CHRISTOPHER TIMOTHY THORPE, called as a witness by and on behalf of Defendant American Fork, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. FORD:

Q. Thank you. Will you state your name for us.

A. Christopher Timothy Thorpe. And -- and I -- and I just wanted to clarify. My son is not junior, senior; I'm not junior, senior. My name is Christopher Timothy Thorpe; his name is Christopher Taylor Thorpe.

Q. I appreciate that and I -- we will note that. I think we were operating on what was indicated on the complaint, but we will certainly make a note of that. Thank you.

A. That's fine. Just wanted to clarify.

Q. Can I call you "Chris" today? "Christopher"? What would you prefer?

A. That's fine.

Q. Thank you. As I said, my name's Mike Ford. I represent American Fork City and the police department and the officers involved in the case. We're here for your deposition. You have been able to sit through now almost two full days of depositions. So if you don't mind, I'm going to dispense with my usual spiel and just jump right into questions to -- to hopefully make some good progress today and -- and hopefully finish your deposition before the end of the day.

Chris, what do you do for work?

A. I am employed with Alliance Data.

Q. And what do you do for Alliance Data?

A. I do various -- various different tasks;

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technical support, computer support, financial planning. You know, like I said, just various different positions.
Q. All right. And how long have you done that?
A. For four years.
Q. Four, you say?
A. Yes.
Q. Okay. Thank you. What is your education background? What's the highest level of education you've completed?
A. Bachelor's degree.
Q. And what was your degree in?
A. Business management.
Q. And where did you get your degree?
A. Charter University. I mean, I've gone to other universities, as well, to get different education.
Q. Okay. But the highest level is the bachelor's degree?
A. Yes.
Q. All right. And since that time, have you gotten certifications or other things that have -- have enhanced your education background?
A. Yes.
Q. All right.
A. I'm sorry. I didn't hear the question.
Q. Sorry. We've got a little background noise

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that -- I hadn't asked a question yet.
A. Okay.
Q. There was some discussion about some health issues that you may have. Can you help me understand what your health issues are?
A. What are my health conditions?
Q. Right.
A. So I have cancer.
Q. I'm sorry to hear that. What kind of cancer?
A. They call it, technically, "multiple myeloma," but it's basically the same thing as leukemia. It's a bone and blood cancer.
Q. I am very sorry to hear that. I understand you're going in for some extended treatment, inpatient, in hospital; is that right?
A. Yes.
Q. And when -- when will that happen?
A. So I'll be entering the hospital on March 17th.
Q. Okay. And how long do you anticipate you're going to be hospitalized?
A. It's hard to anticipate. It's -- I've been told anywhere from two to four weeks.
Q. Well, I wish you very well with that. I hope that goes very best as possible.

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Let's -- let's jump right into the incident. I understand that it occurred on April 23rd, 2021. Do you remember that incident?
A. Yes.
Q. And do you remember what day of the week it was?
A. You know, actually, I don't recall.
Q. All right. Were you at home that day?
A. Yes.
Q. With your work, do you work from home?
A. Currently I do, yes.
Q. Okay. Were you working from home in April 2021?
A. You know, I -- I don't recall.
Q. Okay.
A. Well, 2021 or 2023? Because I heard the Cedar Hills representatives keep saying 2021 also. This was 2023. I'm sorry. This was April 23rd, 2021. I think that's where we're getting the misconnect -- the disconnect.
Q. Okay. Yeah, I was --
A. It was April 23rd, 2021.
Q. Okay. That was what I had understood. So were you working at home in 2021?
A. I -- I don't recall. I don't remember what

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day of the week it was.
Q. All right. You don't remember that you had been out of the home at work that day?
A. I -- I don't recall, no.
Q. All right. Do you recall that you were asked to go over to a neighbor's house, to Arlene's house, to help her while somebody came to look at some furniture?
A. Yes. That, I absolutely do recall.
Q. And do you remember what time of day you did that?
A. It was early evening. I want to say, like, maybe around 4:00, 4:30, something like that.
Q. All right. So just kind of to state the obvious, you were home for that; you weren't at work early afternoon.
A. That is correct. Usually my hours with work ended at about 3:00.
Q. All right. And do you recall that you had come home while it was still light and your wife remained at Arlene's until after the sun had gone down?
A. Yes, that is correct. We actually had video camera -- camera footage of Janene leaving the home and also Janene coming back home later on that evening.
Q. Okay. Did you review that in preparation for your deposition?

A. No.
Q. Do you happen to remember time stamps on those videos to know when she went over to Arlene's?
A. I -- I remember reviewing the time stamps at the time, like, three, four years ago, but -- because that's when it was pertinent. But not probably within the last three, four years.
Q. Okay. And you've saved those, camera footage?
A. Yes.
Q. All right. I don't think we've seen that. Is that something you provided to your counsel?
A. I provided to the counsel and have provided it to the police department.
MR. FORD: Okay. Counsel, if I could just -- I'll add that to the list of requests for -- for things to make sure we have everything that's been provided.
Q. (BY MR. FORD) I meant to -- to start asking you, what did you do to prepare for your deposition today?
A. Other than listening to the depositions from yesterday and today, nothing.
Q. All right. Have you independently reviewed the body-cam footage in preparation for your deposition?
A. Probably not within the two years.

Q. Okay. Yesterday when we were reviewing it with Taylor, did you have an opportunity to review the footage?
A. In -- in your office, yes.
Q. Okay. All right. And did that help refresh your recollection at all or did it not?
A. I would say yes.
Q. Okay. Did you talk to anyone other than your attorney about preparations for your deposition?
A. No.
Q. So do you remember what time of day it was when you received a knock on your door - or maybe it was ringing the doorbell - on April 23rd, 2021, from the America Fork Police?
A. I believe it was around 9:30. It was later in the evening.
Q. All right. And we don't need to rehash a lot of what is -- is apparent in the -- in the body-cam footage. But do you remember what brought the police to your home that evening?
A. Yes.
Q. And what was that?
A. It was allegations that we had thrown a rock at the Sanchezes.
Q. And did they -- just to kind of speed through

the process, I understand when they first knocked on the door and you opened it, they asked to speak to your wife. You asked them what was -- it was about. They initially didn't want to tell you what it was about. After some additional discussions, they did tell you that it was about allegations of assault. Is that correct?
A. Yes.
Q. All right. And then I think after some more discussion, they disclosed to you that it was about throwing a rock and involving the Sanchezes; is that right?
A. Yes.
Q. Okay. So there -- there's a point in the body-cam footage when you step away from the door to go talk to your wife, it appears. Is that what you recall doing when you stepped away from the door?
A. I don't recall which time you're referring to. I stepped away from the door twice.
Q. Okay. The first time.
A. No, I think I actually just went back -- back and sat down at the couch because they wouldn't tell me what they were wanting to talk to us about.
Q. Okay. So you stepped away from the door, actually closed the door; and then they knocked on the door again, you opened the door. So is that the first

instance you're talking about that's shown on the body cam?
A. Yes.
Q. Okay. So the second time you stepped away, when the door remained open, was that to go talk to Janene?
A. Actually, I believe I spoke to the officer the first time. I said, "Your foot is in my door unlawfully, illegally." I think I talked to the officer first.
Q. Yeah. And I was asking when you stepped away from the door -- I was wondering if you then went and spoke with Janene.
A. I went to go get Janene.
Q. Okay. Did you speak with her as you were away from the door?
A. The words that I spoke were that "The police want to see you."
Q. Okay. And where was she when you said that to her?
A. In the kitchen.
Q. And then did she accompany you to the door?
A. Yes.
Q. All right. And I understand she was behind you as you returned to the door to talk with the officers

again.
A. She was to my side.
Q. Okay. And I've seen the discussions. At some point the officers - I don't know - for lack of a better word, pushed their way into the house. Would you agree with that description?
A. I -- I -- repeat the question because it sounded like you had mixed message in there.
Q. I don't know how to put it into better words. But it appears to me from what I've seen in the video that they, after some discussion, pushed their way into your home. Would you agree with that?
A. I would say yes. They unlawfully forced their way into my home, yes.
Q. All right. When they did that, did the door strike your head?
A. It -- the door did, yes.
Q. And did that knock you back?
A. I -- I would say yes. I mean, it -- it stunned me, yes.
Q. All right. And the officers came in and -- and I believe it was Officer Craig who was first into the home. Is that your recollection?
A. Yes. Officer Craig was the first to enter the home unlawfully without warrant, yes.

Q. And then he went past your son, from what it looks like in the -- in the body-cam footage. And that was Taylor. Is that your understanding?
A. Yes.
Q. And then took hold of your wife's arm; is that correct?
A. Yes.
Q. And was it her left arm that he grabbed at the elbow and at the wrist?
A. I believe so, yes.
Q. And what happened to your wife as he grabbed her arm? Did she go to the ground?
A. I do not believe so, no.
Q. Did she strike her head on anything?
A. Not at -- at that time, no, not that I'm aware of.
Q. Okay. As he held her arm, where were you positioned at -- at that moment as he first grabbed onto her left arm?
A. I was approximately 10 to 15 feet inside the home.
Q. And where was that in relation to her?
A. Probably, roughly, 10 to 15 feet away from her.
Q. All right. And where was Officer Blackburn

at -- at that moment?
A. At the time that Officer Craig was unlawfully detaining Janene, I don't really recall. I know that Officer Craig also had entered the home unlawfully, illegally, and without warrant. And I can't remember if he was behind me or to the side of me --
Q. Do you --
A. -- but I don't believe he was in front of me.
Q. Do you mean Blackburn?
A. I'm sorry. Yes. Blackburn was either behind me or to the side of me.
Q. Okay. And do you recall Officer Blackburn holding a clipboard?
A. Yes.
Q. What did Officer Blackburn do as far as movement after Officer Craig had grabbed your wife by the arm and wrist?
A. So, you know -- you know, I know this sounds weird, but I'm actually going to give an example of both officers, you know, when they moved differently, because your -- your question's about movement. I'm going to kind of give them, I guess you could say, almost the description of insects.
Officer Craig was more like a wolf spider with a quick-quick, rush-rush attack. Officer Blackburn

was more of, like, a praying mantis; walk, walk, walk, grab. Is that kind of the question you were asking?
Q. Yeah. I was just asking for a description, so I really opened myself up to however you felt was the best way to describe that --
A. You -- I'm sorry. We're talking over each other. I'm sorry. Yes, you said "movement." So I wanted to give you an idea of their movement.
Q. Okay. And -- and did Officer Blackburn move closer to your wife as Officer Craig had grabbed her by the -- by the arm?
A. So I guess I'm not making myself clear. So when they both pushed the door open and kicked the door open illegally and unlawfully and came into the home illegally and unlawfully and without warrant, Officer Craig ran quickly and swiftly like a -- like a wolf spider. And I would say he grabbed Janene by the left wrist and arm -- left wrist and upper arm and -- I think you asked how -- how far away was I or...
Q. No. I asked did Officer Blackburn then also move toward her as Officer Craig grabbed her arm?
A. So -- so Officer Blackburn, when he entered the home illegally and unlawfully and without warrant, he moved slower and more cautiously and more covertly. He was more of a slow-moving, nonchalant, less-aggressive

mover.
Q. All right. And that's helpful for me to understand your characterization of how he was moving, but I was wanting to know just directionally. When Officer Blackburn [sic] grabbed your wife by the arm, did Officer Blackburn then move closer to her?
A. Yes. I mean, I -- I kind of lost track of where Officer Blackburn was. My -- my focus and my attention was on Janene and Officer Craig.
Q. Okay. Did you see Officer Blackburn also then grab Janene on the right arm?
A. Yes. At some point, like I said, I lost track of where he was and when -- in the home. He appeared out of nowhere and grabbed on to the other side of Janene, onto her opposite arm. Hold on. Her right arm and wrist. Craig was on the left arm and wrist; Blackburn was on the right arm and wrist.
Q. All right. Do you remember either officer ever reaching for a weapon?
A. You mean, like, such as a gun or a Taser or a night stick? I do not recall.
Q. All right. You don't recall them ever doing that?
A. I don't recall.
Q. Okay.

A. I guess other than the clipboard could be technically used as a weapon. The clipboard was a weapon. So, yes, they actually did reach for a weapon. He had it in his hand the whole time.
Q. Okay. Having it in his hand -- I guess this is just a matter of distinction. He didn't reach for a weapon. He already had the clipboard in his hand throughout; correct?
A. Yes, the weapon throughout the whole encounter.
Q. All right. And did you feel like he was brandishing the clipboard as a weapon?
A. You know, I wouldn't think so. But after reviewing the video footage and seeing in the manner in which he used the weapon against my wife's face and neck, I would say yes, it was absolutely a weapon.
Q. So just describe that for me. What -- what are you -- what did you see that made you feel like he was using the clipboard as a weapon?
A. Well, you know, you guys provided screenshots the other day and the screenshot that I would have selected -- you know, you just used the same video, stopped the camera where you want it. The video that I would have used would have been where Blackburn -- probably, I think, Blackburn's body camera actually shows

where he is jamming it into Janene Thorpe's face and neck. And I believe that that is what, in fact, actually caused Janene to suffer concussion and suffer jaw dislocation.
Q. Okay. Did you see whether that left a mark on her face?
A. I don't recall it leaving a significant mark, no.
Q. All right.
A. But, then, you don't see cancer leaves a mark either.
Q. We looked at some photos of Janene's injuries after the officers had left. By the way, do you recall whether those photos were taken before or after Janene went to the hospital?
A. Which photos are you -- you referring to? Do you want to throw them up on the screen like you did earlier?
Q. Be happy to do that. All right. Do you -- do you see that?
A. Okay. So, yes. Let me clarify. So the -- you guys -- you guys do -- and, again, I'm going to try to make it brief. Yes, I do recall it. And the photos where she is taken with the gray shirt are photos of the same day -- incident on the 23rd; and the scratching on

the lower part of her arm is from Officer Blackburn's fingernails digging into her skin as she does comment on at the door after they have left -- or as they were retreating and have left.
And then the other color shirt, the maroon shirt, are taken a couple of days later. I don't remember exactly, two or three days later. And the -- you know, there were other images that you shot -- you know, you showed, but we'll get to those, I guess, at the -- when you -- when you want to show those.
Q. All right. So I -- I appreciate that. So the first photos that are in Exhibit 6, I think it -- they're marked as Plaintiffs 2 through 6. They were taken at your home before Janene went to the hospital; is that correct?
A. Yes. Yes, that is correct.
Q. All right. And it's your understanding that the scrape that is on her right arm on the -- the underside of her upper arm was caused by Officer Blackburn's fingernails?
A. I believe that to be accurate, yes.
Q. Okay. As opposed to the metal clip on the clipboard?
A. Yes.
Q. Okay. The other photos with her in more of a

purple shirt were taken a few days later in your home?
A. Yes.
Q. All right. There's also, then, a photo -- the last photo is of your wife in a hospital gown. Do you know when that photo was taken?
A. So, yeah. To give you clarification, the first night, on the 23rd, she never was placed in a hospital gown because it was really, really brief. We -- we were both really in shock. We -- we didn't know what to do. The -- the day following or before -- I should say several days following, Janene started throwing up uncontrollably. And she -- we decided that she needed to go to the -- the emergency room again. Actually, the emergency room told us that she might start throwing up and she did for a couple of days; but when she did, they -- they told her -- they told us that we needed to bring her back, and so we did. And then they gowned her up and they -- they took -- they took pictures, X-rays.
Q. You accompanied Janene to the hospital on both occasions?
A. Yes.
Q. And did you provide information to the medical providers on both occasions?
A. Yes.
Q. And you were there to hear what Janene also

reported?
A. Yes. Yes.
Q. Do you remember her reporting that she had injured her lower leg on that first visit?
A. I don't recall. I don't actually believe she did.
Q. And do you recall if you did?
A. I -- I don't recall that she did. I mean, we were in shock. We were both in shock. We couldn't really believe that -- what just happened. It was shocking. And, you know, just kind of like what you see in Saving Private Ryan, you know. You see this guy carrying his own leg; he doesn't even realize what happened. We did not realize what just happened. How in the world did this just happen? We were in shock.
Q. Do you remember her mentioning that her jaw hurt on that first visit?
A. Yes. Actually, yes. The very first day, yes.
Q. I -- I will just represent to you that that initial visit doesn't mention anything about a jaw injury. Do you happen to know any reason why it would not be mentioned in the medical record?
A. You know, I'm not -- I'm not the person that took the report. I'm not the person that wrote down what

they wrote down. And I don't -- no idea why they didn't write it down. My only thought would be -- my only thought would be is that if you don't see an injury, it's kind of like not really there.
MR. PEAT: I know it's a little late, but I was going to object to that on the grounds of speculation.
MR. FORD: Okay. Thank you. No worries.
Q. (BY MR. FORD) One of the other things that is mentioned is that her hair was pulled, pulling her head down and pulling her to the ground. Did you see that in the incident with the officers?
A. Did -- did I see her hair -- so -- so you asked two questions. So did I see her hair being pulled, yes. Did I see her going down to the ground, no.
Q. Okay. And I -- the only reason why I combined those is because that's the way it's said in the record -- in the medical record is that her hair was pulled, forcing her to the ground. And you saw her hair getting pulled but not her getting pulled to the ground?
A. Yes.
Q. All right. Do you recall your wife telling the doctors there at the ER that she was pulled to the ground?
A. I don't recall her telling them that she --

that she was pulled to the ground, no.
Q. All right. And you didn't tell them that?
A. No.
Q. All right. At what point in the altercation with the officers was her hair pulled?
A. I would say maybe even a couple of times. Probably from the initial contact to the middle of the contact, maybe even just prior to them just realizing that they, you know, came into the home illegally and when they finally let her go.
Q. Which officer was it that pulled her hair?
A. Craig -- Officer Craig.
Q. So you saw the body cam and the -- the still photo of him with both of his hands on her left arm; correct?
A. Yes.
Q. Was it after he had grabbed her with both hands on her left arm that he pulled her hair, or was it before he grabbed her arm with both of his hands?
A. I would say incorrect on both accounts. She has long hair. I would say it would be she grabbed -- he grabbed her hair as he was grabbing her arm. Her hair will reach her arm.
Q. And do you remember seeing that in the body-cam footage?

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A. You know, I -- I don't recall. I wasn't actually looking for that.
Q. All right. But it's your understanding that her hair got pulled as Officer Craig was reaching to grab her arm?
A. I believe so, yes.
Q. All right. At any other time are you aware of when her hair got pulled?
A. I -- I believe it was probably pulled multiple times.
Q. So at -- at what other time?
A. I -- I don't know. It was -- again, I don't think it was a physical, "I am grabbing your hair, I am pulling your hair." I believe her hair was pulled throughout the entire interaction. Does that make sense? I don't believe he grabbed her hair. Her hair was within his claw, his hand, his grab. Does that make sense? His grasp on Janene's arm grabbed her hair. And as long as he held that grasp on her arm, he was technically grabbing her hair.
Q. All right. So the -- the description was that she was -- I'll just say what the record says and we can talk about it. It says, "She states as they also pulled her hair and forced her to the ground..." It sounds like what you're describing is that he grabbed her

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arm and also got some of her hair as he was grabbing her arm. Is that -- am I restating what you remember seeing correctly?
A. I saw Officer Craig grabbing her arm and I believe that her hair was intertwined with his hand or -- he grabbed her hair at the same time he grabbed her arm.
Q. All right. And did you see him grab her arm multiple times; or would it have been the entire time he had ahold of her arm, he also had ahold of her hair?
A. You know, I -- I didn't really look to see if he readjusted. I just know he had a -- a death grip on her arm.
Q. All right. Did either officer physically contact you during that altercation?
A. Well, I mean, again, it all was hands-on perspective. If you consider pushing the door and kicking the door and having it crash into my face and kind of stunning me as a contact, then yeah, they had contact with me.
Q. All right. And how about did their body, clothing, footwear come in contact with you?
A. I believe that both officers, as they entered our home illegally and, again, without warrant and without a justifiable cause -- as they both entered the home, they both moved past me and both brushed up against

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me.
Q. All right. We -- we've talk about the contact with the door and how that stunned you and knocked you backward. When they -- when they went past you, did they cause you any harm?
A. Well, physical harm or mental harm?
Q. Physical harm.
A. Lasting physical harm, no.
Q. How about immediate physical harm?
A. Aside from the door crashing into my face and kind of stunning me, I would say with their body and their clothing, no; with the door, yes.
Q. All right. Did you mention that to the hospital personnel?
A. I did not need medical treatment.
Q. Okay. Do you know if Officer Craig's contact with Taylor caused him any physical harm?
A. That would have been a better question to ask him at the time. I do not know.
Q. You don't know one way or another?
A. I do not know.
Q. Okay. That's not something you've ever talked to him about?
A. I have not.
Q. Okay. You understand he did not receive any

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type of medical treatment?
A. I do not know.
Q. Okay. You don't know one way or another?
A. I do not.
Q. Okay. In your review of the body-cam footage, is there anything you're aware of that occurred during that altercation that was not captured in the body cam?
A. Yes.
Q. Tell me about that.
A. I am fully aware that Janene -- you know, I don't know what the officers were thinking. I don't know if they were trying to put her to the ground or if they were trying to keep her up off the ground. I don't know what they were trying to do.
But I do know that they yanked her around like a rag doll. And I do also know that they kept kicking her and kneeing her, and kicking her and kneeing her repeatedly to get her either to submit to the ground or to submit to stay up. But they kept kicking her and repeating [sic] her to cause bruises on her -- on her leg and -- and I -- I -- I know that for sure.
Q. All right. Anything else you remember from the incident that you don't believe was captured on the body cam?

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A. I mean, there was a lot, in my opinion, that was captured on the body camera. So there was a lot -- there was a lot that was captured. I mean, thank goodness for the body cameras. But I -- I think, also, the digging in because I believe that they intentionally tried to invoke harm and pain and suffering to Janene by digging their hands and their fingers into her harm -- into her arms and into her wrists. And I don't believe that was captured on the body camera.

Q. All right. Did you happen to take any additional photos showing Janene's injuries other than what we have gone through?

A. So I have. You know, you already asked about, like, an injury to her -- her face and her jaw. I took a picture of her face, but I didn't even understand why Janene was telling me to take a picture of her face because I didn't actually see any physical injury to her face. Because a camera isn't going to pick up a dislocated jaw. A picture of her face isn't going to pick up a picture of your jaw. So I actually got rid of it. But I do still have the picture of her -- her shin where it is severely bruised, and I have made note from the previous deposition to provide it to Norman and he'll in turn provide it to you.

Q. Okay. And other than --

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MR. PEAT: Hey, Michael.

MR. FORD: Yeah.

MR. PEAT: Sorry -- sorry to interrupt. Can we take a quick break?

MR. FORD: Yep.

MR. PEAT: Thank you.

VIDEOGRAPHER: We're off the record. The time is 4:03.

(Break taken from 4:03 p.m. to 4:11 p.m.)

VIDEOGRAPHER: We're back on the record. The time is 4:11. Counsel may proceed.

Q. (BY MR. FORD) All right. I think we were talking about photos of injuries that -- that you took. I appreciate the information. That evening after the incident had concluded, can you identify for me all of the areas that your wife complained of being injured to you?

A. Of -- "that evening," meaning the 23rd of April?

Q. Kind of 23rd into the 24th. I understand you didn't get home until the wee hours of the morning on the 24th. So any -- anytime that night.

A. You know, I do remember her complaining about her jaw. I didn't see any really physical damages -- like I said earlier, I didn't see any physical damages to her -- her cheek. I did take a picture of it, but I also said that I deleted it because, again, I didn't see anything. I did take multiple pictures of her arm because I couldn't believe that their digging their fingers into Janene's arm could cause so much damage. I was actually -- I'm actually surprised that it drew as much blood as it did.

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Q. All right. Any other parts of her body she complained to you that night?

A. I mean, she said she had a headache, she said her head hurt. I tried to take pictures of her head. She said that her arms hurt. I took pictures of her arms. She didn't really complain about her legs.

Q. All right. Do you remember any other discussions at the ER with the medical personnel there than what we've already discussed?

A. I'm sorry. Repeat the question.

Q. Yeah. I wonder if you just remember anything else being talked about in the hospital other than what we've already discussed.

A. I do. To elaborate, they at first thought it was me that did it. We had to pretty much convince them that it was the police officers -- police officers that did it because I had video footage from our security cameras of the police officers illegally breaking into our home and chasing after Janene and -- and -- and, you know, they could hear me screaming and shouting like, "Hey, hey, get your hands off of her." It's not -- you know, that kind of says, "Okay. I didn't do it." It shows that they did it. And that was discussed at the hospital with the ER.

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Q. Okay. Were you able to show them, like, a Ring camera footage or something like that?

A. Yes.

Q. All right. Any other discussions you recall?

A. At the ER, I don't recall anything else.

Q. I think you did mention earlier that they did tell you that she might expect to get headaches and concussion symptoms in the days that followed.

A. Yes. As I had mentioned, yes.

Q. Okay. And they told you to return if that happened?

A. Yes.

Q. All right. What did she tell you about her jaw pain in the days that followed? Did she describe for you what she was going through?

A. I'm sorry. Repeat the question.

Q. Yeah. Did she describe for you her jaw issues in the days that followed, how -- you know, how was it hurting and how was it affecting her?

A. Well, I mean, as I had mentioned, I -- I did say that she had told me that her jaw hurt that night, and it continued to hurt. And as she had mentioned, it continued to hurt for even another year. So it continued to hurt continuously.

Q. I appreciate that. I was hoping that maybe she gave you a little more elaboration, like, telling you, "It hurts like crazy when I yawn or when I eat" or anything else that gives a sense of how bad it was bothering her.

A. You know, she might have. I don't -- I don't recall.

Q. And how about the headaches?

A. Again, yeah, she -- she might have. I don't -- I don't recall. I mean, unfortunately, you know, as discussed, she had -- she has an inoperable brain tumor, and so unfortunately headaches are kind of standard protocol.

Q. All right. Did she ever complain to you about the lower leg pain?

A. Eventually she did, yes.

Q. Do you remember --

A. And, of course, eventually the bruising showed up too.

Q. Do you remember how long after the accident

she mentioned the lower leg issues?

A. It actually might have been, you know, she complained about the pain the very next day, and I looked and I didn't see anything. And then after I looked and I didn't see anything, then they show up.

Q. All right. And do you have any additional photos of the thigh bruising other than what was shown in the photos?

A. No. You showed two. Those are the two I had.

Q. Okay. All right. And are there -- do you know how many shin photos there are?

A. Actually just one.

Q. All right. And do you know, was it taken around the same time as -- as the others in the purple shirt or was it sometime after that?

A. I think it might have been around the same time as the purple shirt. It wasn't taken the same day because she didn't complain about the leg pain the same day.

Q. All right. Janene talked about going and getting some counseling that you accompanied her on. You recall the counseling sessions you've had with your wife?

A. Yes.

Q. Can you give me a sense of how much of those

counseling sessions involved this incident with the police?

A. Well, I mean, nothing was pertinent to the counseling sessions until after the police incident. And she did have some counseling sessions before and she did have some counseling sessions after. Obviously, everything afterwards definitely included the police.

Q. You say all of the counseling after the police incident included discussions of the police?

A. I would say, yes, every time we went to counseling following April 23rd, 2021, at one point or another the police -- the police incident was mentioned, yes.

Q. All right. I think I indicated to you I have a social security disability record that talks about her counseling with Carol that doesn't make any mention of any counseling regarding the police. It regards disputes with the neighbor. Do -- do you have any understanding about why there might not have been any mention of counseling about the police in -- in those records?

MR. PEAT: Objection. Calls for speculation.

Go ahead and answer.

THE WITNESS: I have no idea why another person wrote what they wrote.

Q. (BY MR. FORD) All right. Do you feel like

you received -- well, maybe the better way to ask it, did you ever establish a counselor-patient relationship with Carol?

A. Yes.

Q. I'll just tell you our office contacted them and asked for anything related to you as a patient and we were told that you are not a patient of theirs. Is that -- that's different than your understanding?

A. No.

Q. So that's consistent with your understanding that -- that you would not be considered a patient of theirs?

A. I was not billed as a patient. I was established as a patient between the therapist and myself. We tried to get them to bill us separately and individually, and they said no. But I was most definitely receiving counseling from Carol Tanner simultaneously with Janene's sessions.

Q. All right. And I'll -- I'll tell you it wasn't -- we didn't ask for billing information. We just asked, "Is he a patient," and we were told, "No, he is not a patient." But that's different than your understanding?

A. That is different than my understanding. I -- I asked -- asked and answered.

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Q. Okay. What kind of things did Carol Tanner counsel with you about?
A. I would say the exact same thing -- the exact same concerns that Janene had. We have had issues with these horrific neighbors, the Sanchezes, and that they have been calling the police on us and repeatedly calling the police on us, making up lies about us. And -- and -- and the biggest problem is, is that everybody's believing them. They never address anything with Janene and I. And then, of course, this ends up happening, the incident on -- the April 23rd incident. And then, of course, after that, it -- it becomes even more intensified.
Q. So what did -- what did Carol Tanner do for you as far as counseling?
A. You know, a lot of what Carol Tanner provided us was basically therapeutic ideas to help destress; therapeutic ways of us being able to vent and get it off our chests; therapeutic ways for us to not get stressed out. Unfortunately, we didn't always listen to, you know, her instructions and -- and we still got stressed out. I mean, we did the best we could.
Q. Do you have an estimate for me how many times you counseled with Carol Tanner following this incident with the police?
A. A number of visits. I -- I don't know. But

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we've gone -- we went to her for -- I -- I thought it was close to a year following the incident.
Q. All right. And -- and you don't remember there being any type of counseling that was directed to you individually; everything was directed to the both of you as a couple?
A. Yes.
Q. Okay. Have you talked with your sons, Taylor and Charlie, about what they went through and -- and dealing with the aftermath of the incident?
A. Yes.
Q. Tell me about those discussions. How many times have you talked with them?
A. Oh, whenever we see them. Almost whenever we see them. I mean, this was a horrific incident. This was very, very traumatizing to all of us. We still talk about it to this day.
Q. I'm sure you heard Charlie when I asked him about that, he said, "Oh, Dad and I don't talk about it. He" -- "he doesn't talk to me about emotional stuff." Do you remember hearing him say that?
A. We, both Janene and I, do shelter the kids as much as we can from having to be affected with, you know, this as a traumatic experience. But I mean, unfortunately, this was a traumatic experience. We will

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express ourselves and we will express about our angst now towards law enforcement, which unfortunately I think would qualify in answering your question.
Q. All right. And how many times do you think you've talked to Taylor about your angst towards law enforcement?
A. Like, a lot. I -- a lot. I mean, like he even said it himself, we've done a lot to secure the home. We've talked to him a lot. Maybe not so much more -- more recently, but a lot.
Q. Would that be the same for Charlie, or more or less?
A. Yes.
Q. Same for Charlie?
A. Yes.
Q. Okay. Have they given you a sense of how they're dealing with it?
A. I believe we all agree we now have a lack of appreciation for law enforcement; whereas, we never had this same feeling before.
Q. Have you had interaction with the American Fork Police Department since that April 23rd, 2021, incident?
A. Yes.
Q. Tell me about the incidents that you recall.

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A. Well, I know that Janene was being treated, of course, by the American Fork Hospital. And out of the blue, Janene received a voicemail from a police officer that says, "Janene, you've got to stop calling the America Fork police" -- or not -- "the American Fork Hospital, and if you keep calling them, we will arrest you."
Q. And do you know who that was?
A. I do not remember the officer's name, no.
Q. And do you remember how long it was after the incident that that call was received?
A. I believe it was within the six months of her treatment.
Q. Do you happen to still have that message?
A. Unfortunately, we do not.
Q. Have you seen the associated medical record from the hospital that describes their interaction with Janene that prompted that?
A. That prompted what?
Q. The request from the police to stop contacting the hospital?
A. No. If anything, it was actually the American Fork Hospital that contacted Janene.
Q. Are you aware that there was a medical record that was prepared documenting their experience with her

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that prompted them to call the police to ask to stop being bothered by Janene?
A. As I understand, the reason that they called Janene -- I don't know if there's -- I don't know of any document. I haven't seen a document. But I understand that the reason that they called Janene was because they wanted to find out, you know, like -- kind of, like, those surveys. They asked Janene how was their medical treatment, and I guess they didn't like the answer. And --
Q. Do you know --
A. -- I think --
Q. -- what the answer was?
A. I'm sorry. Say again.
Q. Do you know what her answer was?
A. What whose answer was?
Q. Janene's answer to their question about how they were doing.
A. Yeah. They -- Janene was not -- Janene was not happy with the -- the medical diagnosis.
Q. And which diagnosis was that?
A. Actually, that was for her gallbladder.
Q. Okay. So it was your understanding that they were not happy with the feedback that she gave?
A. Yes.

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Q. And the next thing you knew was she got a message from the American Fork Police?
A. Yes.
Q. Okay. Any other interactions with the American Fork Police Department following that incident April 23rd, 2021?
A. Yes.
Q. What else?
A. We were also contacted by -- contacted by offer -- Officer -- or I'm sorry, Officer or Detective Konechny.
Q. Okay. Tell me about that.
A. She tried to trump up some phony-baloney charges about how we were prying with a witness or something to that effect.
Q. What time was that?
A. Tampering -- "tampering" with a witness, is what she called it.
Q. What time frame was that?
A. It was right around the -- the time of the steel -- steel gong incident.
Q. And was that after the April 23rd, 2021, incident?
A. Yes.
Q. And do you know what witness she was claiming

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you were tampering with?
A. No.
Q. Tell me more about this interaction. Was it a phone call?
A. Yes. There was a phone call. Actually, I think she may have made a few phone calls. But there was one particular phone call where I was home and she was speaking to Janene and saying something to the effect of -- you know, questioning her and asking her, you know, "Hey, what's the deal with this steel gong in the backyard?" And, honestly, Janene knows nothing about it. That was actually all me.
Q. So when she was speaking to Janene, she was telling her to stop tampering with a witness or accusing her of tampering with a witness?
A. I don't remember the exact dialogue of the conversation. But she was asking lots of questions pertaining to the steel gong; why do we have it, what is it doing there. I mean, just really weird questions. And, I mean, not anything that we had done illegally or unlawfully. And actually Janene even asked, "What" -- "What crime have we broken? Have we broken a crime? Have we committed a crime? Have we broken the law in any way?" And she says, "No. No, no, no, no," multiple times. And then sure enough, we still receive a summons

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in the mail, "You are tampering with a witness" because of the steel gong.
Q. Do you have any understanding of who this witness is that has a relation to the steel gong?
A. I -- I could only assume it's the Sanchezes.
Q. That they were witnesses that were being tampered with?
A. I -- I can only assume so because they're the only people that we've ever had any issues with. And I mean, realistically, they would be the only ones that would be even able to see the steel gong. But, I mean, keep in mind, the steel gong is placed smack dab in the middle of our backyard. It's not up against the fence line. It's like Janene said earlier, it's -- it's several feet away from the fence line, in the middle of our property. And we just -- we just had it there to spray paint and let it dry in the sun. That's really the only reason for it to be there.
Q. I'm really just -- I'm mostly interested in -- in your mention that she was contacting Janene about tampering with a witness.
A. Right. Okay. Again, I -- I have no idea what is going through Officer Konechny's mind. I have no idea why she would charge us the way she charged us. I think it's just, again, like Janene said, it's police

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retaliation.
Q. And did you actually receive a charge of witness tampering in --
A. Yes.
Q. -- the mail? Do you still have a copy of that?
A. I'm sure it's in a report somewhere.
Q. I --I wonder if you have it.
A. I -- I don't.
Q. Do you know whatever came of that?
A. Yes.
Q. What -- what became of that charge for witness tampering?
A. I'll just make it really simple for you. All charges ever have always been dropped, and that should help.
Q. Did you appear for any type of a hearing on witness tampering?
A. Yes.
Q. Is that something different from the stalking injunction?
A. Yes.
Q. The stalking injunction was a civil matter, and the witness tampering was a criminal matter?
A. The stalking injunction was something that

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the Sanchezes opted to do. The civil matter was placed on us by the police department. Totally separate.
Q. Sorry. The witness tampering was?
A. The -- the stalking injunction was placed on us and brought upon us by the Sanchezes, the neighbors. That actually had really nothing to do with the police. The charges are charges placed on us by the American Fork Police Department. Completely unrelated.
Q. All right. And it's your recollection that the charges that were brought against you around that same time were for witness tampering?
A. That's what we were told.
Q. Okay. Any other contact with American Fork Police after the incident?
A. Not that I can recall right now.
Q. All right. Do you have any understanding of whether your wife continues to have any issues that are related to the incident on April 23rd, 2021?
A. Yes.
Q. What are those?
A. Well, PTSD for sure. And I believe she still suffers pain and suffering emotionally. I believe she still -- as she has indicated as well, an emotional distress from the bruising that she has still apparent on her leg.

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I think she actually has mentioned that even the bruise on her leg still is painful. I believe that she still complains about pain and suffering in her foot from the torn ligament in her foot.
I believe that she still complains about pain and suffering about her shoulder -- that is in her shoulder from when the officers grabbed her by the arm, by the upper arm and the wrist.
And -- and I think occasionally she does say that her -- her jaw pops from, like, a TMJ. I don't -- I don't know what the technical scientific word is for it -- but, you know, when -- when your jaw pops. And she says that she feels like that is most definitely attributed to the -- the -- the unlawful interaction on April 23rd, 2021.
Q. You mentioned PTSD. Are you aware of any medical diagnosis she's had -- she's received that she has PTSD?
A. Yes.
Q. Do you know who -- who gave her that diagnosis?
A. Well, I believe honestly that people can also self-diagnose; but yes, Carol Tanner also told her that she had PTSD. I mean, what does "PTSD" stand for? Post-traumatic stress disorder. Ding, ding, ding.

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Q. All right. Do you understand -- and only because your -- of your last response, do you understand that there are diagnostic criteria for making a diagnosis of PTSD?
A. I -- I under the -- I understand that there are medical outlines and I believe that she has met each of those criteria as mentioned by Carol Tanner.
MR. PEAT: Michael, excuse me. Objection. Calls for expert testimony.
MR. FORD: Okay. Yeah. It just kind of sounded like maybe he was offering some opinion testimony there.
THE WITNESS: I did say "Carol Tanner."
Q. (By MR. FORD) And do you understand that that is in any of her treatment records?
A. I don't -- I haven't seen her treatment records.
Q. Okay. But that was something that she told you?
A. Yes.
Q. Has she treated Janene --
A. I'm sorry?
Q. Has she treated Janene specifically for PTSD?
A. I don't know what she does to provide treatment. Norman didn't say it, but I think that that

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would be expert witness.
Q. Well, you were there; right?
A. Yes.
Q. And when she says, "You've got PTSD," does she say then, "I'm going to treat you for that"?
A. I would assume our reason for being there was to be treated. And when she says we have PTSD, I would assume she would be pre -- treating us for PTSD.
Q. That's an assumption. You don't have any knowledge of that?
A. That is my assumption, yes.
Q. Okay. Do you feel like you are still dealing with ongoing consequences of that April 23rd, 2021, incident?
A. Yes.
Q. Anything beyond the feelings toward law enforcement?
A. I believe, yes. And what has led up to the issue of law enforcement being involved, yes.
Q. What do you mean by that? That, and the things that led up to the confrontation.
A. Well, I mean, I believe -- and I've discussed this with my attorney. I believe that the police department was tricked. I believe that the police department was duped. They were misled and lied to by

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the neighbors.
Q. And you feel like that's something that you're dealing with from the incident --
A. I --
Q. -- that happened?
A. Yes. I mean, yes. That -- that has -- that is a -- a part of the puzzle piece.
Q. Other than the counseling you received with your wife with Carol Tanner, have you received any other type of treatment in any way for issues related to the incident?
A. Well, I mean, when you receive treatment from a counselor, they also provide you recommendations of how to self-treat when you go home. Just like when you go to physical therapy, you know, the physical therapist isn't expected to do all the work. We are, you know, told that we -- we are needing to follow her example or follow her guidelines and -- and her recommendations for self-treatment after we leave her office.
Q. Okay. And you've done that? You've followed the -- the treatment recommendations that she's --
A. Yes.
Q. -- given you?
A. As best as possible, yes.
Q. Anything beyond that?

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A. I don't understand what you mean.
Q. Have you treated with anybody else, received any other type of counseling? Really any type of treatment, over-the-counter medications. Really just anything.
A. You know, I -- I believe we've mentioned it to our church clergy; but, I mean, no other professionals, no.
Q. All right. There was some mention of some negative interaction with Officer Nakai that your wife had. Have you had interactions with Officer Nakai?
A. Yes.
Q. What has been your experience with her?
A. All negative.
Q. And how many times have you had interactions with her?
A. I would say multiple.
Q. Okay.
A. I would say that there have been -- I would say that our first experience with working with Officer Nakai was with the dog bite. Two others after that. We actually had also another issue where she was very -- very opinionated, very negative during, we'll call it, the "tree watering" incident.
Then, also, there was another time when she

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was very negative and, again very opinionated, very one-sided when dealing with, we'll call it, a -- a -- a "light" incident on the -- on the -- you know, in the backyard with the property line.
And, actually, there was a fourth incident. Another incident pertaining to the -- the landscape lighting where she said that she came by and took a look and, again, was very opinionated, very one-sided, very unprofessional and already had her own formed, biased opinion. And I think four's quite a bit, and every single one of them was negative.
Q. Is this landscape-lighting issue that you're bringing up different from the -- the one with the lights that hit your house?
A. Okay. Let me clarify. So there was an incident where we were all just minding our own business, our family, minding our own business on the back porch, first level, which is a balcony. And we hear this snap, crackle, pop of someone walking in the bushes down below in -- in the yard area, in the backyard area.
So I -- I actually happened to have a handheld flashlight that I was looking to see if I could see a trespasser, perpetrator. And I was looking with the flashlight in just our backyard and kept the light just on our property and just in our backyard.

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And sure enough, lo and behold, out of the bushes pops Mr. Sanchez and he has his cell phone video in hand and he's pointing it up at us. And he says, "I suggest to you that you turn that off," and I do not say a word. I do not say a word. And he just keeps video recording us with his cell phone and he just stands there, and I just don't move either.

And I would say maybe four, five minutes go by and he's still standing there. Eventually he decides to walk back -- walk back away. And apparently he went into the house or wherever and made a phone call to the police. Sergeant Nakai appears at the front door. And the thing is, this is -- this is so often. This whole issue with the police happens so often that it -- that it's to the point where again -- again the police, again the police. Like, "What do you want this time?"

And so she -- pretty much the first thing she said out of her mouth is -- said, "So you guys will be receiving a summons." And we're like, "A what?" Because we're not used to this talk. We're not used to getting summonses [sic]. We know what they are now, but we weren't at the time.

We're like, "A what?" Like, "You'll be basically getting a citation for shining your light into your neighbor's yard." And we were like, "What? We

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never did such a thing." But, again, I mean, the whole issue, the whole conversation or the whole explanation can last, you know, several -- several minutes. But, again, it was a situation where we did nothing wrong, and yet here you have a sergeant who fails to investigate, fails to hear both sides, fails to be unbiased, fails to be impartial, and fails to listen, to hear what we have to say. And immediately as soon as we open the door and say, "Hello, what can we do for you," she says, "You guys will be issuing [sic] a summons." And I'm like, "Okay."

And after the course of probably a -- I want to say quite some time, probably about a half hour of explaining to her what the situation actually was and how we were doing nothing wrong and how we were minding our own business, she agreed. And she says, "Just don't" -- "Just don't do anything like that again." And we're like, "Okay, whatever. Like, we didn't do anything wrong, but whatever." And she walked away.

We never got any kind of a summons. We never got any summons until - guess what - after the assault, the illegal entrance into our home took place. Then all of these charges, all of these summonses get heaped upon us, like one after the other after the other after the other. And it's, like, trespassing and littering and disorderly conduct and, you know, anything and everything

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under the sun. And, you know, again, it's just retaliation. It's just retaliation.

And, again it's retaliation with the whole issue with -- they're saying that we're tampering with the witness. How is putting up a steel gong in your own backyard tampering with a witness? I mean, it's not a crime. It's not a felony. It's not a misdemeanor. It's not a crime. But yet we get charged for it. We get a summons for it.

And like I said, all -- not -- not all but one, but all of these summonses and all of these charges were dropped.

Q. And did you say they all came after the incident in your home February twenty -- or sorry, April 23rd, 2021?

A. All but -- all -- all of the summonses came after April 23rd, 2021, except for one. And that was another incident that we had with Sergeant Nakai on the tree-watering incident. Now, the tree-watering incident is a whole nother story by itself. But since here we are and here we're getting going, the tree-watering incident was a situation -- like Janene was trying to explain, we have had issues with the neighbors in the past.

And one of the stipulations of the agreement when we had that first suit settled was that we, Janene

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and I, had to have a tree -- actually two trees that were on our property, but because a portion of them were on the property line -- but, like, 99 percent of them were on our property. We had to keep them alive and if we didn't, we would be accused of killing them.

And so here Janene's just trying to water the tree, keep it alive because they're not going to water it. It's on our property. So Janene is trying to keep it alive. She's watering the tree. The neighbors see that Janene is watering the tree and they literally deliberately walk into -- Mr. Sanchez deliberately walks into the overspray of Janene watering the tree on our property. Again, I'm just going to repeat "on our property." Unfortunately, some of the water did overspray onto their property, but it wasn't a lot. And he called the police.

Now, they deliberately -- the Sanchezes deliberately misinformed the police department -- see, I kind -- in a way I kind of feel sorry for the American Fork Police Department. Like -- like, they're being duped. They're being tricked by these -- these people. And they -- they -- these people, the Sanchezes, tell the -- the police officer that, you know, this is what happened, this is what the situation is.

But this is the thing -- and I will tell you

his name was Officer Nordin. I believe the incident was somewhere, like Janene said, in October of 2020. And we actually have obtained the body-camera footage. And I will actually request, also, that you actually look at the body-camera footage of Officer Nordin, October 2020, because when you see that one -- you thought that this first -- this other one was bad -- on April 23rd was bad, this one is pretty bad too.

Officer Nordin goes up to their home. He shakes their hand, he's laughing, he's all buddy-buddy, being chummy, and he's like, "Oh, I've" -- "I've heard about this incident between your family and their family, and" -- "and I've" -- "I've never been called out on it before, but, you know, we've had briefings and we've had meetings." And so, you know, who do you think is in charge of those briefings and meetings? Commanding Officer Sergeant Nakai.

"We've had briefings and we've had meetings about this situation and the entire" -- and this is a quote, "The entire American Fork Police Department is on your side." That's being the Sanchezes' side, and this is on their body-camera footage. "The entire American Fork Police Department is on your side." And how could you tell me that that's not biased and that that's not opinionated and that that's not fair and that

that's not unlawful?

And, I mean, I'm sorry Cedar Hills. I know you're listening. But when you hire American Fork Police Department to do your job for you because we don't have a police department, you're taking on their mistakes. So your questions usually typically start off like, you know, "How are we violating any policy?" Well, when you take them on as your police department, they now are representing you. So that's where you're getting your mistakes. That's where you're getting your -- your -- your concerns and your complaints and your things that you're having against you.

Now, there's more to it than that. There's the whole --

Q. Chris, I've --

A. -- issue --

Q. I've let you go on for a long time --

A. I'm rambling. Go ahead. I got excited.

Q. You are. I apologize I let you run for so long. I was interested in a lot of your comments, but I feel like we're -- we're far afield and it's late in the afternoon. I really think I've covered what I wanted to cover with you. So I'm going to wrap up my questions now and pass you to -- to the other attorneys.

MR. FORD: Unless -- it's 5:00. I don't know

if we want to push on for a little bit. I'll -- I'll end my questions and you guys can decide.

MR. PEAT: Can we go off the record real quick, then?

MR. FORD: Sure.

VIDEOGRAPHER: We're off the record. The time is --

MR. PEAT: Hyrum, how --

VIDEOGRAPHER: -- 4:50.

MR. PEAT: Oh, sorry. I should let the record...

(A brief discussion was held off the record.)

MR. FORD: All right. We're -- we're back on the record after a break. We've discussed among counsel and decided based on what's remaining and it being 5:00, that we're going to continue the deposition to another mutually convenient time, hopefully here very shortly.

Anybody else have anything to add?

MR. BOSSERMAN: Nope.

MR. GUELKER: No.

MR. FORD: Okay.

MR. PEAT: Nothing here.

(Transcript requests were obtained below on the record.)

MR. FORD: Same.

MR. BOSSERMAN: Same.

MR. GUELKER: Yeah, E-trans, please. Thank you.

MR. PEAT: Same, please.

(Signature requested.)

(The deposition adjourned at 5:01 p.m.)

* * *

Original transcript was filed with Mr. Ford.

Reading copy was submitted to:
npeat@heidlaw.com

CERTIFICATE

STATE OF UTAH)
: ss.
COUNTY OF SALT LAKE)

THIS IS TO CERTIFY that the foregoing remote videoconference deposition, in the foregoing cause named, was taken before me, ROSSANN J. MORGAN, Registered Professional Reporter, Certified Court Reporter in and for the State of Utah, residing at West Jordan, Utah.

That the said witness was by me, before examination, duly sworn to testify the truth, the whole truth and nothing but the truth in said cause.

That the testimony of said witness was reported by me in Stenotype and thereafter caused by me to be transcribed into typewriting, and that a full, true and correct transcription of said testimony so taken and transcribed is set forth in the foregoing pages and said witness deposed and said as in the foregoing annexed deposition.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.

WITNESS MY HAND at Salt Lake City, Utah, this 30th day of March, 2025.

ROSSANN J. MORGAN, CCR, RPR

License No.:
4948384-7801

CERTIFICATE

STATE OF _____)
: ss.
COUNTY OF _____)

I HEREBY CERTIFY that I have read the foregoing testimony consisting of 56 pages, numbered from 4 to 59, inclusive, and the same is a true and correct transcription of said testimony, except as to the corrections indicated on the enclosed errata sheet.

_____

CHRISTOPHER TIMOTHY THORPE - (Volume I)

SUBSCRIBED AND SWORN to at _____ this _____ day of _____, 2025.

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NOTARY PUBLIC

My commission expires:

* * *

Norman W. Peat, Jr., Esq.
npeat@heidlaw.com

March 31, 2025

RE: Thorpe v. American Fork
3/7/2025, Christopher Timothy Thorpe (#7156192)

The above-referenced transcript is available for review.

Within the applicable timeframe, the witness should read the testimony to verify its accuracy. If there are any changes, the witness should note those with the reason, on the attached Errata Sheet.

The witness should sign the Acknowledgment of Deponent and Errata and return to the deposing attorney. Copies should be sent to all counsel, and to Veritext at erratas-cs@veritext.com.

Return completed errata within 30 days from receipt of testimony.

If the witness fails to do so within the time allotted, the transcript may be used as if signed.

Yours,
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Thorpe v. American Fork
Christopher Timothy Thorpe (#7156192)

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH - CENTRAL DIVISION

JANENE THORPE, an individual; CHRISTOPHER THORPE, SR., an individual; CHRISTOPHER THORPE, JR., an individual; CHARLIE THORPE, an individual, Plaintiffs, vs. CEDAR HILLS CITY, a government entity; AMERICAN FORK CITY, a government entity; AMERICAN FORK CITY POLICE DEPARTMENT, a government entity; DARREN FALSLEV, in his official capacity as AMERICAN FORK CITY POLICE CHIEF; C. SLATE BLACKBURN, in his official and individual capacities; PHILLIP W.S. CRAIG, in his official and individual capacities; JENNIFER L. NAKAL, in her official and individual capacities; KANDACE N. KONECHNY, in her official and individual capacities; SETH WIATE, in his official and individual capacity, Defendants.	) Deposition of:)) CHRISTOPHER THORPE,) SR.)) Case No.) 2:23-cv-00242)) Judge David Barlow)) Magistrate Judge) Daphne A. Oberg))))))))))))))))

May 15, 2025 * 10:02 a.m.

Videoconference Deposition

Reporter: Lisa Bernardo, CSR, RPR

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PROCEEDINGS

CHRISTOPHER THORPE, SR.,
called as a witness, being first duly sworn,
was examined and testified as follows:

EXAMINATION

BY MR. BOSSERMAN:

Q. Mr. Thorpe, hopefully you can hear me okay.

A. Yeah.

Q. My name is Hyrum Bosserman. As you likely are aware in attending the other depositions in this case, I represent the City of Cedar Hills in this dispute and we are continuing your deposition which we took, I believe, a little over a month ago.

I don't want to have to go over some of the ground rules, but I'll just go over them kind of quickly. I know you have been deposed before, and we'll try to make this quick here. Just a refresher for you, we're trying to get a complete record here, so any sort of nonverbal answers aren't very helpful, right, so nodding or shaking of the head, our court reporter is not going to be able to pick that up. Any time I ask you a question, instead of verbal nods

or shakes or, you know, sometimes when we have conversations, we'll say uh-huh or uh-uh, the better thing to do here is to say yes or no so we can get a clear record. Does that make sense?

A. Yes.

Q. Great. And then if at any time you need a break, feel free to ask. I'm happy to take those breaks whenever you need them. And I will do my best not to talk over you just so we get a complete record and I ask the same of you.

To start, just a real quick question, Mr. Thorpe. Are you currently under any sort of medication that would inhibit your ability to give accurate testimony today?

A. No.

Q. All right. I just want to jump right into it, then. I know you have been questioned before in the past by counsel for American Fork and so I wanted to start with you. I'm just trying to gain a better understanding of what you know with respect specifically to Cedar Hills. So when I talk about Cedar Hills and I ask you about any communications you have had with Cedar Hills or interactions you have had with Cedar Hills, what I mean when I say Cedar Hills is Cedar Hills employees and what I don't

mean is American Fork police officers. Does that make sense?

A. No, of course. Just, I get it. I mean, I would clarify something specifically along the lines of, well, specifically Cedar Hills employees have done this or specifically American Fork has done that.

Q. Perfect. Yeah, that would be really helpful as I'm going through this.

Now, in your last deposition you had testified about some interactions you had with American Fork Police Department officers and I just wanted to ask a couple of follow-up questions on that before we get into some of the allegations related to Cedar Hills.

I'll also, just to be clear on the record, when I talk about the incident, I'm talking about that April 23, 2021 incident with the police officers where they entered into your home. Does that make sense?

A. Okay.

Q. Okay. So I know you had testified previously in your prior deposition about interactions you had had with American Fork police officers. I was curious about before the incident on

April 23, 2021, had you had any interactions with the American Fork Police Department prior to that incident?

A. Yes.

Q. And what were those?

A. There's numerous, numerous. I mean, I don't -- I don't have them all off the top of my head, but, I mean, they're dating back to -- as far back as to when we moved in back in 2016.

Q. Okay. Can you remember any specific incidents that stand out or any interactions that you had?

A. Well, I can give you the best of my recollection.

Q. Great.

A. So -- I'm sorry?

Q. I said great.

A. Oh, okay. I'm sorry. So I'll try to even give them in numerical order. So the very first interaction we had with the American Fork Police Department, and I'm clarifying American Fork Police Department, was with the Detective Garcia. I had never met him before. I don't believe we actually really had any interactions with the American Fork Police Department prior to him. And my wife and I

had, we were working in the backyard and he comes up to our backyard from the neighbor's backyard, from the Sanchez's backyard, if that makes sense, and he comes up to the base of the retaining rock wall we have separating the two properties and just, basically, started accusing us, so why did you kill your neighbor's trees, why did you do this, why did you do that. I mean, so unprofessional, like, he had so clearly already made his mind up of what he was thinking that we were guilty of something that it was to the point where I don't really feel comfortable talking to you. I'll talk to you out of being courteous. But he was very, very unprofessional. Very, very accusatory and just was not very pleasant at all.

Q. Do you know --

A. I have a couple more. I'm sorry?

Q. Sorry. Just to jump in, do you know when that interaction was with Detective Garcia?

A. That was probably -- I'm guessing because this is so long ago. I'm guessing right around 2016, like middle of the summer because the weather was nicer. Yeah. And we were working in the backyard. We wouldn't, obviously, do that during the winter months.

Q. Okay.

A. So that was one of the first incidents. And then we've also had other incidents where the backyard neighbors, the Sanchezes, have accused us multiple times of throwing debris, trash, waste into their yard and we have had multiple police officers come up to our door, and, again, with the same type of demeanor of, like, you know, you guys are, you know, basically being told that you're, you know, we're telling you that you are doing these things because your neighbors are accusing you of doing these things.

And it's, like, okay, you kind of have to listen to what we're saying and you have to, like, understand that, you know, we have our story, as well. And it has been completely one-sided whenever we've actually spoke with the American Fork Police Department. And the reason being is that, like, the Sanchezes will complain. The police department will go and talk to them and whatever the Sanchezes say, obviously, that's what actually happened because they said it happened that way, without ever really talking to us, ever.

There was another incident where we had a detective, Detective Murray, I believe it was, very,

very similar circumstances. You know, we are just tired of always the Sanchezes complaining about anything and everything that we do.

We actually had the neighbors put up lights in their backyard pointing away from their home and pointing to our home and pointing up into our bedroom windows and pointing up into our living space, and we contacted the police department and the police department, actually, for a change, I guess maybe because they listened to us first, actually agreed with what we were saying and we were saying, you know, let's go talk to the Sanchezes, let's go ahead and tell them they need to turn their lights off.

At that point, the Sanchezes are completely argumentative and don't want to turn their lights off, and I guess that turned into, I guess, other multiple visits. And I guess the Sanchezes went to go see this Detective Murray in the office, at the American Fork office, and then after their visit with him, again, he comes and visits with us, and, again, discusses the whole, you know, are you guys, you know, throwing litter into their yard, and, obviously, we're not.

I'm going to say this just goes on and on.

We've actually had, you know, just multiple incidents like that going back and forth. We actually had to contact the police to let the American Fork Police Department know that their -- the Mrs. Sanchez, actually, was calling down to -- or, I guess, calling up to our dog and trying to get our dog to come down to her. And this is actually following a dog bite incident where their dog came to our home and bit my wife, Janene, and so they were really upset about that. Clearly, she's obviously trying to call down our dog to claim that she is possibly going to be biting her, but our dog is well trained and doesn't leave the property. But, again, they should not be contacting us. They should not be talking to us. They certainly shouldn't be contacting our dog.

And then immediately after them talking to our dog, or trying to coax our dog to come down to them, Mrs. Sanchez notices that Janene is in the backyard along with the dog and starts making comments, rude comments to Janene, and at that point we contacted the police department. It was actually Officer Gadara that, I don't believe, actually works for the police department anymore. We showed him the video of Mrs. Sanchez contacting our dog or talking or calling out to our dog and calling out to Janene

and he agreed that is not good and that she shouldn't be doing that. And so he went down to talk to them and, again, that was really the end of it. Obviously, no citations.

And that's the other thing what we've noticed is that when we actually contact the police and make a complaint to the police, nothing ever happens. And, again, I don't remember the dates, but, you know, you asked for incidences.

So the incidences have been where the Sanchezes have actually taken air soft guns and actually shot Janene, my wife, and my mother-in-law, Sheila, with their air soft guns while they were playing down below the retaining wall, Janene and her mother were walking up above the rock wall, had shot them. The police come out. They take the report. They go down and talk to them. Nothing ever happens. No summons, no citations, nothing.

We actually had an issue where Mr. Sanchez was texting both my daughter and myself on our cell phones. We never gave them permission to contact us. We certainly didn't give them our cell phone numbers and here he is texting us and calling us and, you know, we have no idea, you know, who he even is because he doesn't identify himself, and, again, the

police go and talk to him. No summons, no citations, nothing. But then if the Sanchezes call anything on us, we end up getting issued with a summons, with a citation. And at one point, all of these reports ended up being to where there is no summons or citations and then all of a sudden after this incident that took place on March 23rd, 2021, we just get summons after summons after summons. It's like they were holding onto all of these complaints and then all of a sudden we get all of these summons.

I did miss one, though, unfortunately. Like I said, there's so many of them that my mind got lost. There was also an incident where we were just minding our own business on the back porch of our home on the balcony and Mr. Sanchez is making odd noises, strange noises in the backyard, and we hear like a snap of a twig and a snap of a branch. And so we take a flashlight and we literally are looking to see what may have caused this, because, you know, there's wild animals that come down there, too, raccoon, deer, coyote. We've actually had a bobcat.

But, anyway, we want to see what is going on and what's the situation and so we literally bring a spotlight down on our property, clearly making sure that it is not going beyond our property line, and

we're just panning back and forth and all of a sudden Mr. Sanchez comes popping out of the bushes and he's got a cell phone in his hand and he says, I suggest that you better stop that. We actually did not say a single word to him, but we kept the spotlight on our property and he's still complaining to us and talking to us.

Later on that night, we get a knock at the door from Sergeant Nakal, and Sergeant Nakal, literally the first thing out of her mouth, like, literally the first thing out of her mouth is that you guys will be getting a summons. And I honestly didn't even know what a summons was because I had never gotten one before. And I'm like, huh, what? A summons for what?

And so she goes on to explain that we've been shining our light into his yard. I'm like, no, absolutely not, we have not. And she's like, well, no, you have. And I'm like, no, we have not. And we literally went back and forth, back and forth. We finally got to the point where she finally understood that no, we have not. And just because he, Mr. Sanchez, is dinging his cell phone and shooting his camera, cell phone camera up at our balcony and, yeah, there is a light that is coming down from the

balcony, but it is on our property line, doesn't constitute that we have been shining our light into his yard and/or even at him. And so nothing came of that.

But, again, later on, we received a summons after the incident on April 23rd. And, I mean, it just all seems to be completely biased and one-sided from American Fork PD. And it's just all been completely one-sided where any time we ever have an issue, where we have a complaint, we have a concern, nothing ever happens. They have a complaint, they have a concern, we get a summons.

So, I mean, at that point it was we're tired of dealing with the police and clearly the police aren't going to help us.

Q. Okay. There's a lot to unpack. I was going to just back up on some of it. I wrote down some of what I believe were the incidences you have identified at least thus far. Do you remember, you said there was a backyard incident involving throwing debris and trash that the police officers came out on. Do you remember, roughly, the timeline on when that occurred?

A. They came out multiple times. I don't even know the one specific incident. They must have

come out like three or four times about that.

Q. Was that, do you remember enough to know if it was before the incident or after the incident on April 23, 2021?

A. It was before the April 23rd incident, yes.

Q. And were you guys issued any summons --

A. No.

Q. -- having to do with the trash?

Okay. Then there was another one you mentioned that Detective Murray came out on the Sanchezes pointing lights at your home. Do you know when, roughly, the timeline on when that occurred?

A. So, again, these are during the summer months. It was definitely before the March 23rd incident.

Q. But you don't know what year that would be in?

A. If I was to guess, it was maybe a year or two.

Q. Before the incident?

A. Before the incident, yes.

Q. How about you mentioned another incident where Ms. Sanchez was trying to get your dog to come down by the fence and the police were called out, I

think you said Officer --

A. Gadara.

Q. -- Gadara came out. Do you know, roughly, a timeline of when that occurred?

A. So you're referring to, like, dates again, like the --

Q. Yeah. Or even year.

A. I was going to say that was probably before even Detective Murray. So I'm going to say that was like a couple of years ago.

Q. And I know this was a while ago, so.

A. Right.

Q. And then you mentioned an incident on the air soft guns?

A. Right.

Q. Was that also prior to the --

A. Yes.

Q. -- incident?

A. That was actually more like four years ago.

Q. Okay. Or four years prior to the incident or --

A. Yeah. Four years even prior to the incident. I mean, we have been literally having nothing but the neighbors calling the police on us

ever since we moved in.
Q. Okay. And on the air soft gun incident, in that incident you said that you guys called the police; is that correct?
A. Yes.
Q. And they came out and spoke with you?
A. Yes.
Q. And were you aware, did they speak to the Sanchezes, do you know?
A. Yes.
Q. But you don't know whether a summons or citation or anything was issued?
A. Oh, I absolutely know one was not issued because, basically, the officer came back and informed us that they claimed that they didn't do it, their kids would never do such a thing, and that they have their air soft guns tucked up high enough in the closet that the little kids could not get to them. But yet I clearly have video security camera evidence and proof that shows that the kids were playing with the air soft guns. So, I mean, again, this lady is lying to the police, telling the police that my kids would never do such a thing, when I have proof that they have.
Now, I don't have the exact specific

moment where they took aim and shot my wife and my mother-in-law. I don't have that specific video, but I show like multiple, like three or four videos where the kid is literally holding his air soft gun, looking up at our home and, like, trying to see, you know, hey, what's -- what did I hit, you know, maybe did I, you know, did I crack the window. Because we have -- we have -- they're air soft guns, thank goodness. They're not BB guns.
But we have had air soft gun bullets or pellets, or whatever you want to call them, just fall throughout our yard where they have shot them up at our home and they're falling down and into the dirt at the base of our home. And the police, when he came over, he saw some, too. We don't own air soft guns at all, so we would never have a use for something like that. And he says, well, you know, without any actual proof, I can't do anything. And we get that. But when he goes down and talks to them, you know, obviously they're going to deny everything.
It was kind of surprising that they denied that they even were able to use them because I clearly showed they were able to use them. But, again, it's one of those things, nothing is going to

happen, nothing is going to happen. The officer does not have proof, and I get this, he doesn't have proof, so he's not going to issue a summons. The officer doesn't have -- but, actually, here's another incident. I was telling you about the texting and the phone calling.
Q. Yeah.
A. I do have proof of the texting and the phone calling and still the officer does nothing. Does not issue a summons or a citation, nothing. Nothing.
Q. Let's talk about that one.
A. Sure.
Q. Mr. Sanchez's text. I think you mentioned earlier that Mr. Sanchez texted you and your daughter on the same text; is that correct?
A. So, I mean, it's not the same text because it's two different phones, but, I mean, so, basically --
Q. The same text thread or am I --
A. It's not the same text thread because, you know, she had her own phone and I don't think she saved it, but I saved mine, where he's contacting me via text message. There's no reason at all he should have my phone number. I didn't give it to him. When

the officer asked him, why did -- or how did you get Mr. Thorpe's phone number, he basically says, from a good friend. So he's getting it from another source other than from me. He's claiming it to be a good friend. When asked further, later on, he says -- he changed his story and he said that he's getting it from, like, the church LDS tools app from our phones that you go look it up. So he's changing his story.
First, he says it's from a good friend and now he's saying that it is from an app. So the guy is full of -- full of BS. But then I still have the thread and he, basically, is saying that, you know, hey, your daughter is down here in your own backyard making comments, making loud noises, you know, not being very pleasant, maybe -- I don't remember if he said she was swearing or something like that. But, again, you know, she's on her own property. She's in her own backyard. I don't know what she was saying. I wasn't there. I wasn't even at home at the time.
But here he is texting me, telling me that my daughter, who was actually living at the home at the time, is making all of these rude comments. I showed this to the officer. The officer, you know, agreed that this is -- he shouldn't be doing this and it's a violation if you haven't given permission for

him to contact you, he shouldn't be contacting you. But, again, no summons, no citation. Again, it's got to be the Sanchezes, oh, give them a -- give them a free pass every time.

Q. So you, on that -- so, first, to back up, on the Mr. Sanchez texting you about your daughter incident, do you remember, roughly, a timeline on that, a year?

A. I'm going to say that was probably like within the first year we lived there. I'm going to say, roughly, again, 2017.

Q. Okay. And you called the police out after you received those text messages; is that correct?

A. Yes. Yes.

Q. And then your understanding is that the police officer went down and spoke with the Sanchezes?

A. Yes.

Q. But nothing, no citation or summons was issued?

A. No. No.

Q. The next one I wrote down was Mr. Sanchez making noises in the backyard and you having, you know, shining your spotlight on him in the backyard. Do you remember, roughly, when that occurred?

A. That was probably in 2020. Summer months, again, of course.

Q. And it sounds like your understanding is that the Sanchezes called the police on that instance?

A. I know absolutely the Sanchezes called the police.

Q. And then Sergeant Nakal come to your home and spoke with you?

A. Yes.

Q. And what was the outcome of that incident?

A. So as I had mentioned previously, she comes to the door. I answer the door and the first thing she mentions is that, you know, you guys are going to be receiving a summons. I'm like, for what, what did we do? What is a summons? I didn't even know what that was. And then she says, yeah, you guys are, you know, shining your light down there. She says, like, again, you know, just like I said before, if you don't have proof, you don't have proof. You can't do anything if you don't have proof. So her proof was that he has his cell phone camera and he's recording me on my balcony with a flashlight in my hand. And because it's in the direction of him, oh, it's absolutely got to be in

his yard at him.

Well, I have video proof and video evidence that it was absolutely not at him, not in his backyard and not protruding over the property line. Now, of course, there's going to be ambient light because it's completely black at night and there is going to be ambient light that lights up the whole area, but the main source or focal point of the beam of the flashlight does not go into his yard one iota.

Q. What was --

A. And then -- I'm sorry. I didn't -- I want to make sure I answer your question. Your question was what was the end result?

Q. Yeah.

A. The end result was, basically, I discussed the situation with her. I thought that I had convinced her that we hadn't done anything wrong and she leaves that night not issuing any kind of a summons or citation and we didn't get any kind of a summons or citation for months and months and months and then all of a sudden after this April 23rd incident, a summons.

Q. On this issue?

A. Yes.

Q. What was the -- do you know, what was the outcome of that summons?

A. The -- what is it, the district attorney person, I don't know, that works for the city of Cedar Hills or...

Q. Prosecutor?

A. The prosecutor, okay. And I'm not real good with names and terminology like that.

Q. That's fine.

A. Denied. Nothing happened.

Q. Okay. So he didn't bring charges?

A. No charges.

Q. Thanks. That's very helpful. Any other -- I know you said there are multiple and I know I'm trying to jog your memory here on it, but aside from those that we've mentioned here, any other interactions you have had with American Fork police prior to the incident?

A. So I -- again, I apologize, I left one out because there's so many, I mean.

Q. Yeah.

A. It's so many, it's like a book.

Q. Yeah.

A. Anyways, there was another incident where we were working in our backyard. I was working with

the kids and with Janene to put down some brand-new sod in the backyard and we had, you know, what do you call it, worked with the dirt and did everything that we needed to do. We put down the sod. We -- my daughter and I, we went back up to the front yard to go get some more supplies. I had actually mentioned to Janene to water the sod to, what do you call it, to pack it down or make it meld, if you would, or, you know, soak into the dirt so that the dirt from the sod and the dirt from the ground, they glue to each other.

So she had done that and in the meantime, as well, Janene had opted to water a tree that is actually on our property, and, unfortunately, the base of the tree is, I'm going to say, like, not 99 percent on our property and one percent on the Sanchez property. The Sanchezes planted it without realizing they were trespassing and that they were planting plants on our property. We were told that we had to water it to keep it alive, to make sure that it doesn't die and that if it were to die, we would be held responsible for it, and that was a stipulation with another incident with the trees.

And so Janene is watering the tree. The neighbor, Mr. Sanchez, walks into the overspray of

Janene watering the tree, but we're at the -- Janene is above the 15-foot retaining rock wall that also separates our property and then there's another good ten feet beyond the rock wall that goes to the property line. Like I said before, the tree is on the property line. So there's a good distance between above the rock wall and below the rock wall and the point of where this tree is. Janene has the hose. She is watering the tree. She's not getting all of the stream of the water on the base of the tree, she does get the tree wet as well. And so the neighbor, Mr. Sanchez, walks into the path of the overspray that Janene is watering the tree on and he's videotaping the whole incident. Like, I mean, hello, Janene is watering the tree and you guys are, you know, almost like you're playing in the water. I mean, come on, seriously.

They call the police out and they call the police out and they are demanding that there's a charge for disorderly, there's a charge for assault. There's a charge for so many things that, like, he's literally telling the police officer how to do his job. And the officer is like, okay, well, we can't charge them with this, we can't charge them for that. You know, I'll talk to Sergeant Nakal, but we can't

charge them for this. Probably the most we can get them for is disorderly. And he's like, what, you can't charge them with this, and he's like, dude, it is water, okay. You can't charge them with assault. It was water. And he's like, but it was clear and intent. Just, the guy is going off telling the officer how to do his job.

So we did finally receive a summons for that. And we were just to the point at that point, like, you know, we're tired of all the police interaction. We're tired of all the police coming to our home and telling us that we've done something wrong and it's always the neighbors complaining about us that we've done something wrong. We're just tired of it. We are so tired of it.

So the officer comes to our door, and, again, just like the Detective Garcia from the very beginning, just like Nakal from the very beginning, the first words out of his mouth, and this was actually Officer Norton, he says, you guys are going to be receiving a summons and this is what it's for and you can sign it or you don't have to sign it, but I'm just letting you know you're getting a summons and here it is and he places it on the doorstep, and we're like, great, thank you, good bye.

So he leaves and he leaves in a huff because he was all huffed and, you know, bent out of shape because we weren't home, and we, again, have proof that we weren't home, but he thought we were home, and he was, oh, he was very positive that we were home and he's telling us that we're going to get a warrant for our arrest if we don't come to the front door. But, you know, as he's there, we come pulling up in the driveway in the car and kind of -- he had to kind of eat crow because he realized, yeah, I guess they weren't home. So he's all bent out of shape from that and tells us that we're going to get a summons. We get our summons and great.

So literally that was the very first, it was literally the very first paper document that we ever received, ever, was from Janene watering a tree. And, again, the prosecutor does what, he did exactly what he did with all of rest of them. He dropped it and threw it out. Because literally his own video, Mr. Sanchez's own video clearly shows him walking into the water and then he videotapes himself, look, I'm all wet. Well, of course you're all wet because you walked in the water. So that was the very, very, very first summons that we ever got. And that one was, I'm going to say, roughly right about October.

I don't know the date, but in October-ish of 2020, that's when that happened. Again, keep in mind that's the very first summons we ever received.

Q. Okay.

A. March 23rd is the next incident that we had with the police, and, again, we're tired of dealing with the police. And, again, we get this summons and Officer Blackburn comes to our door and says, hey, you guys are, you know, being charged with throwing rocks, or Janene is being charged with throwing rocks at the neighbor. And, again, we're like, how in the world can we be charged with throwing rocks there. Like, wait a second, what is this. And he's like, no, no, no, no. So there were two officers. I'm sorry. Officer Blackburn and Officer Craig. And he says, you know -- so I went to go get Janene, because Janene wasn't at the door. I'm the one that answered the door. I go get Janene and they try to, you know, they try to coax her to come outside so they can have their way --

Q. And, Mr. Thorpe, sorry, I don't want to --

A. No, I'm sorry. I guess, I'm going into a --

Q. No, you're totally fine. I know we covered it. Just for the sake of time, I know we

covered extensively those things in your prior testimony.

A. Okay. I'm sorry. I just wanted to --

Q. No, you're totally fine. I understand. You did say in your testimony it was March 23rd, but I have the incident down as April 23rd --

A. Oh, okay. Yeah. April 23rd.

Q. Does that sound right?

A. Yeah. I'm sorry. I'm sorry.

Q. I just wanted to clarify.

So after the October 2020 incident with the spraying water, the next time you had an interaction with the police department was the April 23, 2021 incident, right?

A. Yes. Where an officer came to the door, yes.

Q. Great. Okay. That's helpful for me. Let's see. I have one -- I think one other that you may have hinted at, but I just wanted to understand, perhaps, the timeline and what happened. Mrs. Thorpe testified earlier about a dog biting incident --

A. Yes.

Q. -- where the police were called. Was that after the -- do you recall, was that after the 2021 incident or before?

A. No. So that happened, you know, I know the wheels of justice turn slow and I don't understand why they turn so slow, but that happened like five years, four or five years before the -- before the April 23rd incident.

Q. Okay.

A. Yeah. And, unfortunately, that's just recently been finalized five years later. Go figure.

Q. And, I guess, did you or your wife call American Fork police after that, the dog bite?

A. So you're referring to specifically the dog bite incident?

Q. Yes.

A. Okay. So I wasn't home, but I, obviously, know the situation fairly well. I wasn't home. The -- my wife and my daughter come home from the store. Their dog has come up to our home from down below the rock wall multiple, multiple, I mean, so many times. I have so many video recordings on my security camera that, like, their dog trips our camera almost like on a daily basis coming up to our home on a daily basis. Well, we've actually even had video security of their doing coming into our garage multiple times. And I don't know. It's, like, thinking that this home is its home and it's not, and I'm not -- I'm not sure

why.

We've told the police. We've told the Sanchezes -- well, we've told the police to tell the Sanchezes to -- again, this is another thing. You know, it's frickin' -- sorry, I didn't mean to swear. The police needed to kind of step up and, like, if you've got your dog that is constantly going over to the neighbor's home almost on a daily basis, keep your dog on a leash and keep it in your own yard and just don't let it out of your yard. Don't let it off the leash. Don't let it go into your neighbor's yard. The neighbors have complained about it constantly.

On this particular day, their dog comes, again, into our home and starts barking. Every time it comes up and he sees one of us, it starts barking again. It thinks it's home, it's its home. So it's barking at us in our own home, in our own garage. And I believe our daughter, Brittany, said, you know what, this is -- this is ridiculous. She goes into the house to go get a leash. I think I'm remembering this right. She goes into the house to go get a leash and we're going to get the dog on a leash and we're going to, you know, give it to the police department and say, hey, again, this dog is always on

our property.
But, unfortunately, in the incident, in the meantime, Janene has, you know, her mother's dog in her arms and -- no, I'm sorry. I take it back. Janene's mother's dog comes out to greet Brittany and Janene as they come home. Their dog came into our garage. Their dog saw Janene's mother's dog, comes into our home even further, like all the way in. Janene picks up the dog and as Janene is picking up the dog, their dog bites Janene. Brittany is actually in the house getting a leash. Brittany sees that there's all of this blood and mayhem going on from their dog coming into our garage, biting Janene, and there's just a lot of ruckus at this point. Brittany decides to close the garage door with their dog in our garage. They corner their dog, leash their dog, and then at that point hand their dog back over to the police department.
But, again, too little too late. Come on, this should have been dealt with months and months ago. But they never did. They never put -- kept their dog on a leash. And, you know, listening to their testimony, they thought that their dog just came up to the backyard and was on our back patio and that we trapped their dog on our back patio, but, no,

it was nothing like that at all. Their dog literally came up above the rock wall, came around to the front of our home, comes into our garage, bites Janene, because their dog was basically attacking our little dog. There's two little dogs having a little dog fight, but bites Janene in the process. Janene gets injured and so we have to file a lawsuit because of a dog bite.
Now, that's finally been settled and that's, thank goodness, that's finally been settled because that's been going on forever. But that was, I'm going to say, like, five, four or five years before April 23rd.
Q. Okay.
A. Way long, long, long before that.
Q. Did officers come out, I guess? Did you or Mrs. --
A. I understand it was actually Officer Nakal that came out. I wasn't there, so I didn't have any interaction with her. And I think there might have been two other Animal Control officers, at least one or two Animal Control officers, that they took the dog away. And, again, as I understand it, because Sergeant Nakal followed back up with us, telling us what the situation was, she saw that they had come

home. Because, again, Officer Nakal doesn't believe that this dog can climb up this retaining wall and we have to prove it to her.
So Nakal comes out to the back porch, back patio, the balcony, and sees that there's this retaining wall. And, again, it's a 15-foot retaining wall, and I guess I kind of -- kind of can understand why she didn't believe it, but we had to show her and we had to prove to her that our -- that their dog has been scaling that wall for many, many months. And she's like, oh, okay, I guess it can climb up that rock wall. So we had to prove it to her by showing her -- or my daughter had to prove it to her by showing her the security cameras of their dog scaling the wall.
And so then when she was out in the back looking at the rock wall, doubting that we're telling the truth, she sees the neighbors have come home and they pulled into their garage, because they obviously left the house with their dog wandering around outside. So she's like, okay, great. I'll go talk to them right now since they just got back home. She goes back around to them. Nobody answers the door. Talk about somebody that doesn't want to answer the door. They don't answer the door. She knocks and

knocks and knocks. They don't answer the door. She leaves a note on the door.
And she, basically, was going to give the dog to them, but since they're not answering the door, she can't give it to them, so she goes and starts heading out to American Fork vet something, Animal Control, vet something, wherever she's going to quarantine this dog for the next couple of weeks or however long she had to because it had bit a human.
And in the meantime of her being at the front door of the Sanchezes knocking and en route to the, we'll just call it the vet, to have it quarantined, she gets a phone call, like, hey, we're wanting to take responsibility now, now that you're gone, we want to take responsibility and we want to get our dog back, and she was like, no, too little too late. You should have answered the door. I'm taking it to the vet now. You can get it back in ten days. They get their dog back in ten days and -- after the quarantine date, and then, hence, we ended up filing charges. Yeah. So it was Officer Nakal that was the, I guess, I'm going to say main officer that dealt with that situation. But, again, I wasn't there, so I didn't really go over there.

Q. Do you know, was a citation issued at all with --
A. The citations were issued. But, again, because it's the Sanchezes, it's -- they get off, they get away with almost everything. So there were three citations that were issued and if my memory serves correctly, it was, gee, they didn't license their dog with the city, dog at large, because, you know, hello, it wandered into the neighbor's yard and how can the dog not be at large if it's wandering into the neighbor's yard and then also biting a human. So three citations. Golly, because there's not enough proof that the dog actually bit somebody, even though they've got blood and we've got the dog in the garage, there's just not enough proof to be able to make that one stick and that was dropped.
Oh, and, gosh, there's not enough proof that their dog was wandering around and their dog could not be at large even though it was in the neighbor's garage, so, nope, that one was dropped too. So you see the pattern here? Sanchezes get away with everything. The only thing that they couldn't get away with is that they didn't have their dog licensed with the city, so, yeah, they got a charge for that. But, I mean, this is what I'm

talking about. Sanchezes get away with murder. They get away with everything. And it just seems all one-sided.
Q. Okay. And you said that, just to be clear, you believe that was four or five years before the incident in April?
A. It was many years before the April 23rd incident. Yes.
Q. Okay.
A. And if you really put me on the spot, I could go home and I could look it up to give you the exact date. I have it. I just don't have it here.
Q. Perfect. Let's see. I wrote down from prior testimony from Janene, I'm just double-checking some incidences that she mentioned with the Sanchezes that may not be on this list that you have created for me here today. There's an incident she mentioned about allegations over killing trees.
A. Yes. And --
Q. Do you remember --
A. Yes. And, like I said, we have had nothing but problems with the Sanchezes ever since we moved into our home. So when we first moved into our home, the Sanchezes -- and I actually did mention it, but I will tie it in. The Sanchezes accused us of

killing their trees because of whatever reason or another. We came to find out in the whole process of the tree lawsuit, they filed a lawsuit against us for killing their trees with no other evidence than we live directly behind them. That's really good evidence. Yeah, that's really good evidence. Not like having their dog in the garage. But, anyway, I digressed.
Well, because we live behind them, we had to be the ones that killed their trees. We actually had a tree expert come out and indicate that the damages to the Sanchezes' trees clearly, obviously, look so old that their damage actually had been done long before we even moved into our home. Okay. That was coming from a tree expert. But in the meantime, how did the police get involved? The Sanchezes called the police. The Sanchezes tell the police that, hey, the Thorpes have killed our trees. The Thorpes have damaged our trees, vandalized our trees. They trespassed onto our property and they're the devil. Okay. The Thorpes are the devil. So, again, Detective Garcia, and this is where I told you Detective Garcia --
Q. Okay.
A. -- comes up into our backyard through the

Sanchezes' yard, comes up to our backyard. We're working in our yard. He comes up from the other people's property. He doesn't come up to our front door and knock like a normal police officer would do, but comes up to our backyard and, basically, says, you know, hey, why are you -- and this is like the first thing he said, why are you guys killing your neighbor's trees, and the first thing I want to say is, like, F-U.
Q. So this is the same -- so that's the same, I guess, the killing trees incident is the same one you mentioned earlier with Detective Garcia coming up to you --
A. Yes.
Q. -- and saying why are you killing your neighbor's trees?
A. Yes. Yes. And I did mention it, so. And that was literally probably the very first American Fork PD interaction that we ever had since we've moved into this home, yes.
Q. You said that was pretty soon after you moved in, so 2016-ish?
A. Yeah. Yes.
Q. Okay. Did you ever receive a summons or anything related to that?

A. You mean other than a lawsuit?
Q. A lawsuit was filed by the Sanchezes. I mean by American Fork.
A. No. No. There was no -- so they actually reassigned the case to another detective and the other detective, basically, was like, this is stupid, we're not going to follow through with this. And, yeah, no summons, no citations, basically, yeah, this is, yeah. And so realistically, the whole thing with the tree lawsuit, again, we were -- I think they said, they used the phrase circumstantial evidence was the only evidence that they had that we had done anything.
Q. Okay.
A. But, I guess, to help tie it in a little bit better, and this is kind of important. I know it is not an American Fork PD issue, but this is the thing. The Sanchezes think they won that lawsuit. They did not. Okay. They may have gotten a little bit of money for it. But what they really are upset about, the Sanchezes are really upset about -- this is why they are weaponizing the American Fork Police Department against us is because they're upset that they lost over 200 square feet of land that they were stealing from their neighbor's, both us, the Thorpe

family, and our next-door neighbor, they were stealing land from multiple people. They lost over 200 square feet. And the Sanchezes love their trees. They lost well over seven trees that they had been planting and trespassing on my -- I might add, trespassed to plant those trees on somebody else's property.

And then I'm pretty doggone sure, I know because the way rock walls have to be built, retaining walls have to be built, they have to be built from the bottom up, not from the top down. They have to be built from the bottom up. So the Sanchezes built this rock wall. And rock walls aren't cheap. You know, they spent a lot of money having this rock wall built. They lost the entire rock wall that they had built and built because they had been thinking that if they built this rock wall, they could have this land be thought of as being theirs, and they were utilizing it like that, had been using it and they put their shed on it and they had been doing all of this stuff on land that didn't belong to them. They lost all of this land.

And then this is the real kicker. When we finally were over and done with that suit, we came to find out that they did get $100,000, and our

homeowners insurance was happy to give them $100,000 just to end it because they didn't want to have to go to trial, and I guess they were like, $100,000 is a drop in the pail in comparison to what they could spend at trial. So they were happy to give them a hundred thousand dollars. They gave them their hundred thousand dollars.

But the Sanchezes' legal fees were $250,000, and we found that out from our other attorney. So in addition to having to give all of the $100,000 to their attorneys, they have to pull out another $150,000 out of their own pocket to pay for the $250,000 that they had to pay for their attorneys, so they're pissed. They're pissed.

Q. So to be clear on this killing tree allegation incident here, it sounds like that lawsuit ultimately settled; is that correct?
A. It has been settled, yes.
Q. And just to be clear, you, by you I mean the Thorpes, made a settlement payment to them; is that correct?
A. We did not, no. We -- we --
Q. Your insurance carrier did?
A. This is the craziest thing. Our insurance didn't even ask us to pay our deductible. They paid

everything. We did not pay a single cent to the Sanchezes at all.
Q. And just to be clear, was it in that lawsuit that you mentioned that the Sanchezes lost 200 square feet of land, they lost their rock wall? Was that part of the resolution to that lawsuit, is they had to --
A. They had no choice. They had to abide by the actual property line. The property line was determined by an engineering company and with that engineering company confirming where the actual property line was -- I'm sorry, I'm using my hands, but I'm talking.
Q. No, you're fine.
A. The property line was determined, they lost tons of land.
Q. Okay.
A. Over 200 square feet that they had been utilizing and that's a lot of land. So let me rephrase to, again, help you, because I'm here really to help you. I really am. That's when the Sanchezes are like, you know what, the Thorpes are throwing stuff into our yard. The Thorpes are doing that. Why would we be upset when we didn't have to pay a single cent? Why would we be upset that we get all

of our land back? Why would we be upset at all?
Q. Okay. So --
A. Like, we're not upset at all. We're actually happy that the truth has finally come out.
Q. Okay.
A. We're happy. I'm sorry.
Q. You're fine. So your understanding is after the settlement of this lawsuit, the Sanchezes believe that you guys are taking retaliation or reacting to the settlement by allegedly doing the things that they claim that you're doing by throwing trash or --
A. So I don't know exactly the way you worded it.
Q. Yeah, that was a poorly-worded question.
A. Yeah. No, no, no. My belief is the Sanchezes are ticked, and that's a nice word. The Sanchezes are ticked they lost all their property and they lost all this land. They had to move their shed off of our property. And, again, to justify and verify that they are ticked is that they literally, they had -- they were required, they had to move their shed off of our property. They moved it as close to being on our property as they possibly could just out of spite.

And, again, just out of spite they're like, you know what, the Thorpes are complaining about our lights and they felt like we were weaponizing the police against them because, again, they're actually violating the quiet time that we agreed to by shining their lights up into our home. Their, like, meeting with Detective Murray is helping them think, you know what, we can basically accuse the Thorpes of throwing diapers, throwing dog poop, throwing trash, throwing litter, throwing whatever into their yard and they just keep calling the police on us, keep calling the police on us, keep calling the police on us. And we're tired of it. We're literally tired of it.

And, I mean, for what? We haven't done anything. We're not upset about anything. If anything, we are glad that we finally got our property back. But when it gets to the point where every time the police come over, it's, like, because the Sanchezes have given them their first spiel, if you would. It's, like, whoever tells the police the story the first -- or I didn't word that right. Whoever gives their story to the police first, the police believe. And because the Sanchezes are calling them out and calling them out and calling

them out, the Sanchezes are now the good guys and the Thorpes are the bad guys.

And, literally, again, I know I'm sounding like I'm being redundant here, but I told you the very, very first summons that we ever got was with Officer Norton and Janene was watering a tree that's literally 99 percent on our property. She's watering a tree. Mr. Sanchez walks into the overspray, and it's actually all on his own video that he walks into the overspray, and we get a summons.

And when the officer goes to the Sanchezes' home, because the Sanchezes called the police out, they got sprayed with water, Officer Norton goes into their home and he's laughing with them and being all chummy with them and he says, ho, ho, ho, I've never been out here before, but I've heard a lot about it, what's going on, and we had meetings in our office. And, you know, obviously, who gives the meetings? It's Sergeant Nakal, and she says the Thorpes are, you know, all having these problems, the Thorpes and the Sanchezes. And he literally, and I kid you not, I quote, you can go back and watch the body cam from Officer Norton in the Sanchez home, as well, "the entire American Fork Police Department is on the Sanchezes' side." How

does someone say that.
Q. Yeah. I think I remember you testifying about that in your last --
A. That's the last thing I said before we closed up the meeting, like, two months ago.
Q. So getting back to -- I'm just trying to make sure I've got a handle on all of these incidents and any time the police came out and anything. Another incident -- so we talked about -- we just finished up talking about the killing of trees and I appreciate your testimony on that. The next one I have written down from Mrs. Thorpe was an incident about a shooting target, a metal gong.
A. Okay.
Q. Were the police called out on that incident, do you know?
A. Okay. Let me give you the detail on that, because I don't really think anybody has ever heard the full story on this. This is ridiculous. Okay. So we have placed steel targets in our backyard a lot. And I actually even have pictures. When -- when -- when we get these issues with the Sanchezes, we get the information in the evidence, that they call it, from the Sanchezes and we actually have pictures of us having steel targets placed up in our

backyard. And the reason why I do that is, or why I used to do that was because that was the portion of the yard that was more secured. Because those targets aren't cheap. They're kind of expensive and I don't want to put them in the front yard and have some kid come along and say, yeah, I like that target, I'm going to take it home. Yeah, they're like a hundred dollars apiece.

And so we've had them put up in our backyard before and we have all different shapes. We've got round ones. We've got silhouette ones. Basically, what they're for is so when we go shooting, we don't leave any litter behind and we just shoot at the steel target and it creates like a little impact spot on the target and it makes it audible, an audible sound when it is struck. So when we come home, I put them in the backyard and I would spray paint them and spray paint both sides so that the sun would be able to get them from early in the day to the end of the day. And I literally put them up in the north to south position so that the sun gets both sides.

And I put them there, gosh, for months before they ever called the police on us. There was an incident where they called the police because we

had spray painted the target. So, you know how you use little orange, or some people do, we do, we use little orange stickers to highlight the center point of where your target is, the center point on your target from a long range. It makes it much more visible. Instead of a black dot, there's an orange dot. So I had placed a target in our backyard that had little red dots of where your focal point should be and I made it look kind of cool so that it had some blood dripping down. They were red dots to make it look like blood was dripping down.

And we had just finished watching the movie with -- I can't remember the movie star's name, Cole Clark, or whatever his name is. I can't remember his name. But he's in the movie called "Here Comes The Boom." And I'm like, that's kind of cool. Plus, also, there's a song, "Here Comes The Boom." And I said -- and I put down on the thing, and it is a steel target, "Here Comes The Boom." You know, we're going to be shooting it. I'm not going to put, "Here Comes The Butterflies." I mean, it's a steel target, "Here Comes The Boom."

And Mr. Sanchez, in his imagination, calls the police up and says they -- they are putting up a sign in their backyard. And I literally have it to

where, like I was explaining, the sign was literally in the middle of our backyard from property line to house, literally smack-dab in the middle of our yard, so you can get the maximum amount of sunlight. And Mr. Sanchez takes it upon himself and with his imagination says, they are threatening us. This is -- this is a sign that is supposed to harass us and intimidate us or scare us in some way, shape, or form, which there was no pending lawsuit at that point. There was nothing. Nothing, except for a dog bite that went on forever.

But there was nothing that had ever happened at that point. We were not in any kind of lawsuit. We had received one summons for watering and then I think it was like a week after this April 23rd incident, I had the sign up and they're like, oh, oh, this is a retaliatory sign towards us, and I'm like, how? It doesn't say Sanchez, here comes the boom. Sanchez, were going to come and get you. Sanchez, this is -- this is you on this target. No, nothing like that at all whatsoever.

So, again, Mr. Sanchez calls the police, speaks with Officer Konechny. No. Detective Konechny. So she's supposed to be smart, but clearly she isn't. Detective Konechny comes up with this

wild idea that we're going to charge them with witness tampering. Witness tampering? Witnesses for what? Yep, we're going to charge them with witness tampering, probably disorderly, and I don't even remember what all the charges were. But, again, just stupid. Just stupid, stupid stuff. And, again, just like all the rest of them, including the watering, the tree watering incident, the prosecutor dropped them all. Dropped all of the charges because it's stupid.

But, again, why in the world would -- oh, and, actually, it was Detective Garcia along with detective -- yeah, I think, yeah, two detectives. Detective Garcia and Detective Konechny came into, again, the neighbor's backyard, took pictures of our target. And I don't know what they were using them for, but they took pictures of our target. And they actually went along further up the path and started taking pictures of our bedroom window, and I'm like, what the heck is that for? They literally took pictures, Detective Garcia took pictures up into our bedroom window, and I have video proof of that.

And, again, what in the world are these officers thinking? I mean, are they clearly one-sided? Are they clearly biased? Did they ever talk

to me? Did they ever talk to any of us? I don't think so. So, bias, bias, bias. One-sided, one-sided, one-sided. Whoever talks to the police first, the police believe them.

MR. PEAT: Hey, Hyrum, before we get into the next question, we've been going for just over an hour. Can we take a bathroom break?

MR. BOSSERMAN: Absolutely.

MR. PEAT: Thank you.

(Break)

Q. (By Mr. Bosserman) So we'll go back on the record. We were talking about this, and you mentioned this issue with the steel targets in the backyard and I think you -- I believe you said it was, roughly, a week after the April 23, 2021 incident?

A. Roughly.

Q. And do you remember, was the summons given to you with respect to that incident?

A. I believe it was a retaliatory summons because of the April 23rd incident, yes.

Q. And I believe Mrs. Thorpe testified about a stalking injunction that was issued in relation to this.

A. Yes.

Q. Are you aware of a stalking injunction?

A. Yes.

Q. And was that filed on behalf of the Sanchezes?

A. Yes.

Q. What was the outcome of that stalking injunction?

A. So, with the stalking -- stalking injunction trial, the judge literally said in his testimony at the end of it, he says, you know what, this is a really hard case to make a decision on because neither party has violated any laws. Neither party has done anything wrong. They've not threatened or intimidated anybody. But, you know what, because of all the charges that they had against us and all of the problems that they have accused us of, I'm still going to go ahead and put a stalking injunction against the Thorpes.

Q. So that was --

A. Even though we've never done anything wrong. Sorry. Go ahead.

Q. No, you're fine. And that was a civil stalking injunction; is that correct?

A. Yes.

Q. And is that still in place?

A. No.

Q. All right. I just want to go through -- thanks for going through those. I think that completes my list here, or at least what I have written down. I just want to real quick go through and just ask on each of these incidents that you identified, whether Cedar Hills employees were involved in any of these incidents. So the first one, the killing the trees incident, were you aware of any Cedar Hills employee being involved in that discussion?

A. You know, I do know that the Sanchezes did complain to the city, but the city never came to us to address the matter.

Q. And how do you know that the Sanchezes complained to Cedar Hills?

A. Because we were told in testimony.

Q. Oh. In one of your lawsuits with the Sanchezes?

A. Yes.

Q. Okay. But the city never contacted you?

A. Never.

Q. And the city on the killing the trees, the city never issued any citation to you --

A. No.

Q. -- with respect to that?

A. No.

Q. The next one I have written down is detective -- sorry, this is the backyard incident of trash and debris being thrown over the fence. Were Cedar Hills employees involved in that incident at all?

A. So I don't know for sure. I can assume so, because they seem to involve them with other things, as well, such as the tree incident, such as the stalking injunction incident. And I don't know if you are aware of this, and I'm going to try to keep it simple, the Sanchezes and the mayor, Denise Andersen, are buddies. They are friends. They've had their children play with each other.

Q. Okay. And I'll ask you more questions about that later. But with particularly on this incident with debris and trash, or the allegations of debris and trash being thrown over on the Sanchezes' property, you don't have any personal knowledge whether the city was -- let me rephrase that -- you never talked to the city about that incident; is that correct?

A. No.

Q. But you assume that the Sanchezes did; is

that correct?
A. Yes. But it is an assumption on that specific incident, yes.
Q. Okay. And did the city issue any citation or warning to you with respect to throwing trash on the Sanchezes' property?
A. So you're wording it the way I would expect you to word it, but, no, they've never issued a citation for trash thrown onto the Sanchezes' property, no.
Q. The next one I have written down, just recapping all of these, you have the one with Detective Murray that came out for lights being pointed up at your home, the Sanchezes' lights being pointed up at your home. Do you remember if any Cedar Hills employees were involved in that incident?
A. Yes.
Q. And tell me about Cedar Hills involvement in that incident.
A. Okay. So originally when we contacted the police, the police clearly saw that the lights were shining up into our home and onto the entire back side of our home and into our windows. They could clearly see and they could clearly see that it was a violation and they actually also did say that if it

was American Fork, it would be a violation of codes and things of that nature. But, I guess, American Fork has different codes. Cedar Hills has different codes. And the American Fork Police Department, then realizing that, hey, you know, we're two different cities, went to, I believe, the code enforcer Jenny Peay. Jenny Peay said, oh, no, no, this is not an infraction. This is not a violation and just blew it off. No, no, not a -- not a problem at all. And they continued to say, yeah, Sanchezes, go ahead, shine your lights up onto their home, do what you're doing.
Q. So have you seen communications between American Fork police and Jenny Peay, or how do you know about those communication?
A. We were told by the American Fork police that they present -- American Fork police told us that they went to Cedar Hills and Cedar Hills blew off the complaint.
Q. Okay. Do you remember ever having any conversations yourself with Cedar Hills employees about this incident?
A. I filed -- what do you call it, you know, when you go to, you know, have a complaint, you can do it online.

Q. Okay.
A. I made a complaint online.
Q. Okay.
A. And they blew that one off, too. Well, they never responded back.
Q. Let me pull up -- I'm going to share my screen with you. And I don't recall. I doubt our court reporter has it. I don't recall the last number of exhibit we had, so we'll just restart the exhibits.
MR. FORD: I'll find that for you if you just don't mark it at this time and we'll mark it in a second.
MR. BOSSERMAN: Thank you, Michael. I appreciate it. Yeah, I won't mark it at this time and then we'll mark it in a few minutes.
Q. (By Mr. Bosserman) So I'm going to share my screen. Let's see if this works here.
Now, Mr. Thorpe, can you see that?
A. No. Oh, yes.
Q. Okay. So this is -- let me know if I need to zoom in on this because I know you're sitting --
MR. PEAT: Can you blow that up a little bit?
MR. BOSSERMAN: Sure. Is that better?

MR. PEAT: Much better. Thank you.
THE WITNESS: There you go. It looks like it's probably my complaint.
Q. (By Mr. Bosserman) Awesome. So do you remember -- this appears to be an email sent on January 6, 2020 --
A. Okay.
Q. -- from you to Jennifer Peay. Do you remember sending an email?
A. I do. I don't remember the contents of it, but it was all generally the same thing.
Q. Okay. It looks like, if I'm reading on that second paragraph, you stated that "they," I assume meaning the Sanchezes, correct?
A. Yes.
Q. "Have installed a series of several Malibu floodlights along their backyard fence line and have them pointed up at the windows on the back of our home."
Do you see that?
A. Yes.
Q. This is the same incident we are talking about here where you spoke with Detective Murray about this?
A. Yes.

Q. Okay. And it looks like you asked her if she can confirm that pointing lights into your neighbor's windows is a violation of the Cedar Hills code and whether a permit is required. Do you see that?
A. Yes.
Q. Do you remember -- I'll just show you here. Do you remember receiving this email back from Jenny Peay, it looks like, on July 9, 2020?
A. Yes. I, basically, see that and remember that she, basically, disagreed with me and blew it off.
Q. Okay. But you do remember her responding to your --
A. Yes.
Q. -- inquiry? Okay. Great. And from your understanding from receiving this email, did you understand that she was interpreting this as not a violation of city code?
A. I understand that was her explanation. I still do believe it is a violation and I believe she just blew it off.
Q. Okay.
A. Because I know it is still a violation.
Q. Okay. Do you know what code it violates?

A. I have it at home.
Q. Okay.
A. I actually have it written down. I just don't have it with me. Actually, I probably could on my phone, but, again.
Q. Okay. Some lighting ordinance or something like that?
A. Yes.
Q. And I'm going --
MR. FORD: The last one was Exhibit 6, so this would be Exhibit 7.
MR. BOSSERMAN: Let's mark this, Lisa, as Exhibit 7.
(EXHIBIT 7 WAS MARKED.)
Q. (By Mr. Bosserman) I'm going to stop sharing that. Okay. Great. Now, the next one I have written down -- so, sorry. Just to put a bow on this incident with the lights, was that your only communications with the city was that interaction you had with Jenny Peay that we just looked at?
A. No.
Q. Okay. What else do you remember or interactions that you had with the city?
A. So this is, again, also, what leads me to believe that the Sanchezes have complained about us

throwing litter into their backyard, because, I believe, also, Jenny Peay says, just like the American Fork Police Department says, well, you have no proof that they have done anything. So they come up with this other complaint, the Sanchezes come up with this other complaint that in this area of the backyard that they lost, that they had taken away from them, the Sanchezes -- and, unfortunately, I'm going to make this story short -- the Sanchezes did not like the fact that they lost as much property as they did. They kept moving property lines and stakes and were altering the information provided by the surveyor.
Like, because, unfortunately, the surveyor puts down a little piece of paper on the ground and puts a stake in the ground and they kept moving the stakes and scraping away the dirt or the paint to show that there was no paint there. They kept moving the stakes and they kept trying to steal their property back. So I got so sick and tired of it, after the third survey, the surveyor actually said, you need to put something in here permanently and you need to, you know, do something so that they can't keep doing it.
So they -- so we put down some posts and

some -- and some fencing material and we got permission and a permit from the city to put in a fence because, you know, we do things the right way. We don't not license our dog. We put in a license for the fence, right.
So we got a fence permit and we put in the permit and then I don't remember what it was, for some reason, and we actually put wood pallets up against the fence -- sorry, I hit the microphone -- we actually put wood pallets up against the fence so that they could not move the fence at all. And then for whatever reason, I don't remember exactly what the situation was, is that some other surveyor had to come out, and it's probably one of their disputing surveyors, and we had to move the wooden material, pallet fencing off of the fence to make it so that they can conduct their survey.
So I hauled up the pallets and put them in the corner of the yard that was below the rock wall and we -- we got a citation from the city, from Jenny Peay, you know, clearly a retaliatory citation, because we had dirt and trash and debris, the pallet fences or the pallet -- the pallets that we were using to hold, you know, the fence markers in place. And so we got a citation from Jenny Peay specifically

that we had debris and trash and all manner of disgustedness that we had to go clean up. And we're like, you know, again, this is so biased. This is so biased against us.

So we cleaned it up. We got rid of the pallets. Instead, we installed security cameras to watch the fence and if they tried to attempt to move the fence, they would -- well, we caught them moving the fence. We caught them doing that.

Q. I'm sorry. Just a clarification. "Them" being the Sanchezes?

A. The Sanchezes hired people, a handyman, and the handyman had a bunch of cronies that he was working with and I caught them on video moving the fence line.

Q. Okay. So this was an interaction that you had with Cedar Hills employees --

A. That was, yes. So you asked if they had given us a citation for throwing things into their yard and I said no.

Q. Okay.

A. But then you also asked did we have ever have anything else. So they issued a citation. Jenny Peay issued a citation for this dirt and debris that we said, whatever, we'll clean it, whatever you

think we need. But, literally, nobody's complaining about anything because it's not anything that you can see from the street. It's not anything you can see from this neighbor or that neighbor. But it's all about the Sanchezes. And, again, keeping in mind, Denise Andersen and the Sanchezes are buddies and Jenny Peay works for Denise Andersen.

Q. Let me share my screen so we can look at -- I think this is what you are talking about here.

A. Yeah.

Q. We'll mark this as Exhibit 8.

(EXHIBIT 8 WAS MARKED.)

THE WITNESS: And blow it up again.

Q. (By Mr. Bosserman) Is that better?

A. Yes.

Q. Do you see this says, "Code Enforcement Courtesy Notice," that was issued on January 18, 2022?

A. Okay.

Q. This says, and I'll scroll down so you can see what we're talking about here.

A. Yeah. Is it like three pages long?

Q. Yeah.

A. Yeah. I remember getting something to that effect. I don't remember if it was a courtesy

notice or whatever. I mean, when you give a deadline, it's, you know, that's, basically, you either do it or else.

Q. Okay. And so your understanding from this, does that sound right, the timeline there, January --

A. Yeah. Yeah. I mean, I'm not going to dispute that. You have got to remember it is so long ago.

Q. Yeah, I understand. I understand that we're talking about things from more than three years ago now.

A. Yeah.

Q. Do you see this first line here where it says, "The City received a complaint regarding the rear area of your property"? Is it your understanding that complaint came from the Sanchezes?

A. Oh, without a doubt.

Q. And this is with respect to what you were talking about, wood pallets and things like that?

A. Yes.

Q. And so I believe your testimony was that in response to receiving this notice, you guys did clean up some of the items that were mentioned in this notice; is that correct?

A. Yes. But, again, we actually cleaned it up, like, right away. We actually received another notice just like this one, and I basically had to put Jenny Peay -- make her eat crow and I said, Jenny, why are you sending this to us, we have already cleaned this up, you know, do your research before you start sending out notices.

Q. So do you remember contacting her after you sent this or after receiving this notice?

A. So we received a second notice.

Q. Okay.

A. And we told her, we had already taken care of it, why are you sending us another notice when this has already been taken care of. And, again, keep in mind, the way we receive these notices is that she doesn't send them via email.

Q. Okay.

A. She actually tapes them to our front door. So she actually is there on-site on the property. She clearly could have looked in the backyard, but she just chose not to, because, I'm sure, the Sanchezes were still complaining.

Q. Do you remember what Jennifer Peay's response to you was when you had --

A. -- called her out. Oh, I'm sorry. I

didn't mean to --
Q. You're totally fine.
A. -- do what the court reporter told me not to do, I just did.
Q. Let me finish here. Do you remember what your response was to Jenny Peay after you received the second notice and contacted her about having -- I believe your testimony was having already taken care of the problem?
A. Yes.
Q. What was her response, do you remember?
A. She apologized. Well, she apologized and she agreed and she saw that we had since taken care of it. So she did her research after the fact. She did her research to confirm that we had already taken care of it, so, yes.
Q. And do you remember, were you ever fined for this?
A. No.
Q. Okay. Thanks. I appreciate that. I'm going to move quickly here because I don't want to keep you too long here. You mentioned, just to double-check, that Cedar Hills wasn't involved in some of these other incidents that you mentioned here. The incident about when you, or, excuse me,

you or somebody at your home contacted the police about Ms. Sanchez trying to get the dog down by the fence and making rude comments, was Cedar Hills involved in that at all?
A. No. I don't believe so, no.
Q. How about the incident with the air soft guns?
A. I don't believe so. So, understand, I know better. Okay. I know who to contact and who not to contact. Air soft guns, I don't believe it's a code violation that Cedar Hills could do anything about. The same with these other things. The only reason I even really went to the city about the lighting was because the American Fork Police Department told me that that is what they did, because that's what they had to do because American Fork is different from Cedar Hills. Cedar Hills, apparently, doesn't agree with what American Fork police saw, and, obviously, told the Sanchezes to turn their lights off, because American Fork's rules are different than Cedar Hills' rules are. They've specifically said that American Fork does have a code and the Sanchezes would be telling -- would be told that they absolutely, positively have to turn their lights off. Cedar Hills apparently doesn't. But I

did research and I saw irrefutably they're doing everything that the code is telling them that they can't do, and for Jenny Peay to say that no problem, bias. One-sided.
Q. And you believe that bias stems from the mayor's relationship with --
A. Absolutely. One hundred percent.
Q. Let's explore that for just a second. Tell me about how you know that the mayor is friends -- I don't know what you said, friends with --
A. They're buddies. So, again, so in our church situation, our church attends churches based on different boundaries of neighborhood boundaries at the time determined by the church. To make it simple, if you know LDS culture, the Sanchezes are in a ward referred to as the 10th Ward. We are in a ward referred to as the 9th Ward. Prior to us moving into our home, the two wards were combined into one. The Sanchezes and the Andersens have mentally-challenged children. Their children play with each other. And then, also, they have a -- the Andersens actually had a daughter that was the same age as the Sanchezes that weren't -- that weren't mentally challenged.

They, you know, they were of the same age, and so because their children -- or this child is playing with this child, this child ends up playing with this child. And as you can see, we've had a lot of history going on with the Sanchezes. We have also talked to other members of our church that the Sanchezes and the Andersens are, like, really good friends. So we had it from testimony from multiple neighbors that the Sanchezes and the Andersens are really good friends.
Q. And so --
A. And, like, literally, it all makes sense now. It all comes together, why we kept getting blown off. Why we kept getting denied.
Q. Okay. So that's helpful. Have you and -- I think you mentioned that it is your belief that Mayor Andersen was giving direction to Jenny Peay?
A. I believe so, yes.
Q. Okay. And do you have any evidence of that?
A. Yeah. I'm sorry. I don't mean to keep assuming what you're going to say.
Q. No, you're generally pretty right on what --
A. I do not have any exact proof other than

she is the code enforcer, she is the mayor. But there is one more incident you've got to -- you've got to -- you've got to call it out, though.
Q. Okay. Yeah. I'm going to go through the rest of these and maybe we'll run into it.
A. Okay.
Q. Text messages with Mr. Sanchez, no Cedar Hills employees involved in that?
A. No. Not that I'm aware of, no.
Q. Mr. Sanchez is in his backyard and you shine your flashlight on him, that incident, Cedar Hills --
A. So hold on. Hold on. Hold on. I did not shine my flashlight on him.
Q. I'm sorry. Yeah. Let me clarify --
A. A technicality. So, yes, okay. So to answer your question, no, I do not believe there was any Cedar Hills city involvement with that incident, no.
Q. Okay. Perfect. Spraying water, the spraying water incident, any Cedar Hills employees that were involved in that?
A. I do not believe so.
Q. The dog biting incident?
A. There were.

Q. Okay.
A. Because, again, based off of the three charges that he got, he, obviously -- well, let me -- based on the three charges he got, he clearly had to be involved with the city because he got charged with not having the dog licensed.
Q. Okay.
A. So in one way or another, he -- there was -- so, obviously, Cedar Hills involvement there.
Q. Okay. So you believe because there were originally a summons or citation issue related to licensing the dog, that there must have been some involvement from Cedar Hills employees' side on the licensure issue?
A. There had to be because he had to go, A, first of all, had to go get his dog licensed. And I'm -- I'm sure that, you know, the topic came up, like, you know, how long have you had this dog, how long have you not licensed this dog. You know, basically you have been breaking the rules. Yeah.
Q. Okay. All right. How about on the allegedly killing trees incident, any Cedar Hills employees involvement?
A. I don't believe so. Actually, no. I take that back. I believe that, again, this is so long

ago, and the trees, honestly, is like the furthest, furthest back of anything, I mean, because that's when we first moved in. I do believe that Jenny Peay, again, the code enforcer came down and asked us, and this was just verbally, did we have any involvement with it. I also know that she came over to their home to look at the damage that was on their trees. How much involved they were in it, I do not know. Okay. I don't really think that they could have been involved a whole lot, because, again, I think this is more of a criminal issue as opposed to a civil issue.
Q. Okay. But certainly Cedar Hills didn't issue any sort of citation?
A. No, nothing -- nothing like that, no.
Q. Let's go next to the steel targets incident.
A. Perfect.
Q. Any Cedar Hills employee involvement in that incident?
A. Absolutely, yes.
Q. Okay. Tell me about that.
A. Absolutely, yes. So, as I stated before, there was absolutely no law broken. There was no anything that -- we literally put a steel target,

spray painted it, cleaned it all up on our own property and did nothing wrong. Broke no laws. The Sanchezes used that steel target as a piece of evidence that the Thorpes are such terrible people, that they're intimidating us and harassing us and, you know, trying to scare us in one way or another that they took us to the civil stalking injunction court. Okay.
Q. Okay.
A. They used the steel gong target as evidence in the civil stalking injunction.
Q. Okay.
A. Denise Andersen, we never have talked to her about anything. We've never had a conversation about anything about this or literally about anything else.
Q. Okay.
A. We kind of don't ever really talk to her in our ward because we know she's buddy-buddies with these people. So without ever talking to Denise Andersen, without ever having any conversation, without her ever discussing this issue or anything about anything, she testified against us in the civil stalking injunction. And I have proof of that.
Q. Okay. When you say she testified, did she

testify in court?
A. Yes.
Q. And she was placed on the stand?
A. Yes. Well, no. Well, this is done kind of via Zoom court and there's nobody, really, on the stand anymore. You're -- she was given an opportunity to express her testimony.
Q. Okay.
A. And this is the thing that was really kind of ridiculous, is that because she is the -- they literally said this in court. Because she is the mayor and her time is so precious, she doesn't want to take up too much time from her mayor responsibilities.
Q. Okay.
A. So she's doing this while she is on the mayor clock and the city's dime and she's testifying against us for, again, doing nothing wrong.
Q. Okay. So this was via Zoom, this was a remote --
A. Yes.
Q. A remote hearing?
A. A remote hearing, yes.
Q. And was she asked questions by the judge or by another attorney?

A. They -- they took her into what, I guess, they call a private room. Again, I don't know how this all works, but they took her into a private room, or they call it a breakout room or something. I don't know.
Q. But was it in front of the judge, do you remember?
A. Yes.
Q. And your understanding is she went into a private room with the judge?
A. Yes.
Q. And your understanding -- were you a member of that private room?
A. No.
Q. So do you know what testimony she gave?
A. I really do not. And, again, I don't know what she would have given because we've never talked to her, ever, not before and not after, ever.
Q. So you assumed that she made statements related to the metal gong in --
A. I didn't assume. They actually said she did. She gave her testimony.
Q. Okay. Who said it, the court or --
A. The judge.
Q. The judge. Okay. The judge said that she

gave testimony?
A. Yes.
Q. Did the judge indicate what she said?
A. I don't -- I don't -- I don't think so.
Q. He just said, I've heard testimony --
A. Yes.
Q. -- from Denise Andersen?
A. Yes. Like, these witnesses, I don't think he -- I don't think he called out Denise Andersen specifically. But this is the thing. She made a big stink about how she had to go -- there was -- they had like ten witnesses or something, all right, and she had to go first. She made a big-to-do about how she had to go first and that she's better than everybody else, that she had to go first and that she's the mayor and that she's got other responsibilities and she has to go first so she can get out of there first, and I was like, whoa, who does she think she is, Trump?
Q. And you heard her say that?
A. I've heard -- I don't think I actually heard her specifically say it. It is like somebody spoke on her behalf. Like, Mayor Andersen is telling us she has to go first, she's got to get out of here. Yeah. Like that.

Q. Do you know whether she was subpoenaed to attend that hearing?
A. I don't know if she was subpoenaed or not. She probably just did it as a favor to the favorite Sanchez people.
Q. Do you understand if a person is subpoenaed that they are ordered by the court to appear in front of them?
A. So, like I said, I don't -- I don't believe she was honestly subpoenaed. I don't think any of their witnesses were subpoenaed. They just were asked to bear testimony for and on behalf of the Sanchezes because this was the Sanchezes complaining about us. I think she just did it as a favor to them, which clearly shows more biasness.
Q. But you aren't aware of what she actually testified about?
A. Unfortunately, I did not hear her testimony, no.
Q. But it is your understanding that the judge heard her testimony?
A. Oh, absolutely. I know he did.
Q. And that's because the judge said, I've heard from these witnesses?
A. Yes.

Q. Other than Denise Andersen appearing at the hearing on the stalking injunction, any other city employee involvement in the steel target incident?
A. No.
Q. Okay. All right. We spoke about that. I only have one more question on these incidents that we didn't talk about because I don't think the police were involved in this incident, but Mrs. Thorpe had given some testimony related to, and I believe you had even mentioned earlier in passing this incident. There was a matter with the shed, the Sanchezes' shed being on -- I believe you testified being on your property. Do you remember that incident with the Sanchezes?
A. I mean, it's kind of a big incident, yeah. I mean, there's a lot involved, yes.
Q. And my understanding from Mrs. Thorpe's testimony was that Cedar Hills was involved in that incident?
A. Yes.
Q. Okay. Can you maybe give me a summary of that incident and then Cedar Hills' involvement?
A. Well, we actually told Cedar Hills, and I think it was Jenny Peay again, we told Cedar Hills

that we have evidence, we have proof that the Sanchezes have stolen property, that they're still continuing to steal property, that they have their shed on our property, that they need to move it off of our property, and that they need to do it right away. It took them over two months -- two months to move their shed off of our property. And even then, when they did finally move the shed off the property, technically, according to the survey, and this is the most recent survey, their shed is actually still on our property, but the city won't do anything about it because they're biased. They said that this is a civil matter, that this is you guys -- you guys have dealt with this and that, you know, this is something regarding a property line. I'm like, yeah, this is exactly about a property line, their shed is still on the property.

And the reason why I say it is still on the property is because this is, again, the narrow-mindedness, biased behavior and thoughts coming from Cedar Hills. They're so narrow-minded that they are looking at the thing, the edge of the shed and they're saying, oh, it's -- it's like one inch off of your property line. But according to city code, the water from the shed and the eaves of

the shed are not supposed to be draining onto your neighbor's property. Their eaves are like three inches long. They're still draining onto our property and all the city can say is, well, we don't know where the property line is. We don't know where the property line is. We don't know anything about this. This is something you're going to have to deal with on your own.

And even though I have shown them the map, I've shown them the survey, I've shown them that the shed is still draining onto the property, because the Sanchezes are such -- they're so angry that they've lost the property that they want to keep that shed as close to the property as possible without actually moving it a fair distance away from the property line. They literally have it butted up within an inch of the property line and the survey clearly shows that because -- how would I describe it?

You know, when you have these engineer people, they do different graphics, like they'll do a line and then a line and then a line like this and then they put a number in the middle and they basically say, so the property line is here, the shed is here, and it's zero point nine inches from the property line. That's less than an inch from the

property line from the wall. So I've shown that to the city. The city just refuses to do anything about it. And I'm like, whatever.

This is the response that we always get from the police. This is the response we always get from the city, and we get it from the city because I strongly believe that Denise Andersen, buddy-buddy with the Sanchezes, basically, has passed it down, don't -- don't work with the Thorpes. The Thorpes just -- whatever the Thorpes do, just don't -- don't -- don't help them.

Q. So you said that, if I can back up in your testimony, it sounds like you -- was it you that had contacted the city about the shed being over the property line originally?
A. Yes.
Q. And it sounds like you said that it took the Sanchezes two months to move that shed; is that correct?
A. Maybe even longer.
Q. Do you know, did Cedar Hills contact the Sanchezes about moving that shed?
A. Yes.
Q. And then you had mentioned that the eaves, after it was moved, that the eaves still abutted or

overhung the property. Is that your testimony?
A. Still to this day, yes.
Q. Are you aware that Cedar Hills contacted them about moving the shed after, after they had originally moved it, about moving it again?
A. They have refused to help any further. I have contacted Cedar Hills for further assistance. They have refused to help any further. I know I -- I know I'm going off subject there, too, as well, and, I'm sorry, Norman, but I even told the city, because the city ordinance for the shed is that they have to have the shed on a solid foundation and on a solid surface. Currently, the Sanchezes, in addition to not having their shed off of our property far enough to have it completely off the property the way it should be to city code, the Sanchezes have their shed on stilts. They literally have taken pavers and have piled pavers on top of pavers to even out the unevenness of the ground, but they literally have their shed on stilts. Not on solid ground. Not on a solid surface. I told the city about that, as well, and the city says, blowing you guys off, I don't -- we're not going to help you any further.
Q. So if I can back up a little bit. One thing you mentioned in your testimony is you said the

most recent survey, is what I have written down. You said the most recent survey says the shed is still encroaching on your property. What is that most recent survey you are talking about?
A. It was done, I'm going to say, right around May 7th of 2020. I don't know that's exactly the day. May. Around the middle of May of 2020.
Q. And this --
A. (Inaudible) I'm sorry. Go ahead. Go ahead. That date, I just don't have the exact date, but it's right around the middle of May.
Q. Okay. And this shed incident we're talking about where you first complained to the city about the Sanchezes' shed, that was back in 2017, correct?
A. Yes.
Q. And why did you obtain a more recent survey in 2020?
A. So, good question. But, again, to reiterate, I did already answer this question. We had to get multiple surveys because they keep moving the property lines. The first surveyor would come out. They would move the property line. The second surveyor comes out. The Sanchezes move the property lines. The third surveyor comes out, the guy said --

the thing is, it's like $3,000 a survey. You don't just -- like, that's not chump change.
Q. Yeah.
A. That's like $9,000 worth of surveying, which shouldn't have been done. So the survey guy suggested putting up the stakes, putting up the fencing. They actually also suggested that because they can't -- because they can't -- they can't move this, they suggested paint a measurement on the rock wall that is clearly on your property. They can't come onto your property anymore and they can't erase the painting on the rock wall of -- from the rock wall to the property line. And I'm probably not explaining that very well, and, hopefully, I am.
Like, so the surveyor guy said, so if your property line is here and the rock wall is here, and I'm trying to get this in the camera, too, so you can see it. So the surveyor guy said, put -- do a measurement and put like 90 inches from here to there. They can't move that. You know, they can't move the painting. And that's another thing that they complained to the detective about, is that I'm putting measurement markings on my own rock wall, and they complained to the officer about that, too. And he literally, basically, tried to make it sound like

I was graffitiing on his rock wall, which, also, makes it kind of more clear that, yeah, they put the rock wall in and yeah.
Q. So how many surveys have been done with respect to this property line?
A. At least three. I know there was one, there was kind of like a -- oh, kind of a -- he didn't really do a good job and he was only like 300 bucks. So he was like the very, very first one that was cheap, cheap, and he was like 300 bucks. There have been at least three done by, specifically, McNeil Engineering, who is the surveyor that we all have to agree to.
Q. And when you say, "we," "we all have to agree to," is that because of the settlement agreement you guys entered into with the Sanchezes?
A. Yes.
Q. So this property line dispute was wrapped up in that same killing trees lawsuit; is that correct?
A. Yes.
Q. And as part of settling that case, you guys agreed to, if I'm understanding correctly, you guys agreed to employ McNeil Engineering to decide what the boundary was?

A. The -- yes. But I just want to differentiate and make sure we're all on the same page. McNeil Engineering is the engineer that we all have to agree to.
Q. Okay. And did McNeil Engineering do that survey that you mentioned, the most recent survey in May of 2020?
A. So as I understand the question, was it McNeil Engineering that did the last survey on May 7, 2020, yes.
Q. Okay. And it is your understanding that is the survey that the parties need to abide by?
A. Yes. It's what we both need to abide by.
Q. Based on your settlement agreement?
A. Yes.
Q. Okay. Now, I just wanted to -- you had mentioned this issue with the eaves. I just wanted to clarify. Do you know whether -- do you, yourself, know whether Cedar Hills reached out and talked to the Sanchezes after you informed Cedar Hills that the eaves were still, I have, crossing over your boundary?
A. I do not believe that they have reached out to them because they literally told me, we are not getting involved anymore, this is nothing that we

can help you with. Too bad, so sad, good bye.
Q. I'm going to share my screen with you. We'll mark this. I apologize. I don't know why it is coming up yellow on my screen. Or kind of a yellow tint to the document here. But can you see that? Is that zoomed in enough, Mr. Thorpe?
A. Yes. I think so.
(EXHIBIT 9 WAS MARKED.)
Q. (By Mr. Bosserman) This is, I will represent, an email chain to Mr. Sanchez from Jenny Peay. Have you seen this correspondence?
A. You're moving it kind of quickly.
Q. Oh, sorry.
A. No, no, you're fine. I don't believe so, no.
Q. This is an email from Jenny Peay to Mr. Sanchez and if you see where I'm putting the cursor here, the second paragraph down, this July 14, 2017 email, it says, "An inspection was conducted on July 14, 2017 in regards to the placement of this shed, attached is a photo at the time and the date of the inspection. It appears that the eaves of this shed is still crossing over property lines. Please adjust this shed in order to prevent any drainage onto neighboring properties. Thank you for your

compliance."
A. Yes.
Q. Were you not aware that Cedar Hills reached out to Mr. Sanchez to tell him to further move his shed?
A. So I am aware of that.
Q. Okay.
A. But he never moved it. And I reached out to Jenny Peay and said he's never moved it. It has never moved. It's still encroaching. Because the thing is, I mean, this is a shed. This is a big, heavy object and it's not just like a doghouse. This is a shed. You can put yard stuff in it, okay? He's never moved it. I would have seen it if he had moved it. There would actually be a footprint in the ground if he had moved it. Plus, as I had stated before, he has his shed on stilts. He would have had to move the stilts. He's never moved the stilts. And, actually, there's, like, rats and mice and cats that go under his shed, because it's like, you know, a good ten inches off the ground. He's got all manner of whatever going underneath that thing. And I have told that to the city, too, and they, basically, say, we're not going to bother with you on this.

Q. Do you recall ever mentioning to Cedar Hills that the property boundary was a disputed issue between the two families?
A. Have I mentioned it to the city that there's a dispute on the property line, yeah. Yes.
Q. Okay. So while they were trying to assess where the shed was, did you understand that Cedar Hills was trying to understand where exactly the boundary of the property was?
A. I understand that they might be maybe at a loss not knowing where the shed -- where the property line was, but when I give them a specific copy of the survey, don't go blind. Don't pretend like you don't know where it is now. It's showing specifically. And I've made sure that those markers have stayed put because of the fence and because of my camera. So those property markers are still in place. They have never moved. And they have never done anything about getting the Sanchezes to move anything. They still play stupid. They still play dumb, like we don't know anything. We don't know anything.
I have given them a map. I've given them a survey and the survey specifically shows that the wall of the shed is 0.9 inches from the property line. There is no -- there is nowhere in this world

that there's an only one-inch eave on any kind of house or shed or doghouse, even. They're clearly draining over onto the Thorpes' property. You can't play -- you can't play like you don't know when I've given you all the evidence and the information to do so, and it's McNeil Engineering at the top of the form.

Q. So just to back up, are you aware that Cedar Hills continued to have discussions with the Sanchezes about the exact marker placement of the boundary line between your property?

A. I know they did at first, but they haven't recently.

Q. Okay. Are you aware that the Sanchezes provided the city with surveying information --

A. The survey -- I'm sorry. Finish.

Q. No, you're fine. You know, demonstrating where they believe the property line was?

A. Yes. We had surveyors that didn't account for anything and it wasn't McNeil.

Q. And that was back in 2017?

A. Yeah.

Q. Let me fast forward it. I think you touched on it a little bit. After -- let me -- it's a clarifying question I have. Do you know when the

parties entered their settlement agreement on the tree lawsuit?

A. So if I understand you correctly, when did we finally -- when did both the Thorpes and the Sanchezes come to a settlement?

Q. Yes.

A. I believe it was March 12th of 2020. I'm sorry. May 12th. May 12, 2020.

Q. Okay. And so was that -- did that settlement agreement occur, and I haven't seen that myself --

A. Okay.

Q. -- but did that settlement agreement include McNeil Engineering's most recent survey that you had mentioned earlier?

A. What do you mean, it included?

Q. Was it an exhibit to the settlement agreement?

A. Yes. Yes.

Q. And so that agreement said this is what we -- this is the boundary line we agree to?

A. Yes.

Q. Okay. And it had an exhibit from McNeil Engineering?

A. Yes.

Q. Following that settlement agreement, did you contact the city about moving the shed?

A. Yes.

Q. When was that?

A. It was right after the settlement. And the city was like, you guys are in a lawsuit about this, you guys are in a civil matter about this, we are not getting involved. And I told them, it's done. It's over. Everything has been finalized. But again, no, no, no, we're got getting involved. We're not getting involved.

Q. Do you remember who you spoke to? Was it --

A. Yes.

Q. Sorry. Go ahead.

A. Jenny Peay.

Q. Jenny Peay. Was it a phone conversation? Was it an email conversation?

A. I believe it was an in-person conversation at the office.

Q. Okay. And you remember after you explained to her that the case has settled, she said to you this is a civil matter between you two?

A. Yes. So as I recall correctly, and I hope you were done, I don't mean to cut you off.

Q. No, that's perfectly fine.

A. When I literally gave her multiple maps, multiple diagrams all from McNeil Engineering, showing specifically where everything was and where everything had been measured out, because McNeil did all the measuring and it clearly showed that their shed was still, like, within an inch from the property line. But, again, the narrow-minded biasness from the city is, like, they come out and they eyeball it. Well, it looks like it's not on their property to me. Okay. Well, that's why we hire engineers, you moron. And then I also showed them that their shed is still on stilts and that that is also a violation of the code of the city, that sheds need to be on a solid surface. Like, a firm, solid surface. On stilts, I've never heard anybody agreeing that a stilt is a solid surface. And it's still like that to this day. I've just kind of given up on it because, again, the city just doesn't do anything.

Q. So in that meeting, I guess this would have been in May of 2020; is that right?

A. Yes.

Q. In that meeting with Jenny Peay, that in-person meeting, she expressed to you we're not

going to do anything because this is a civil matter?
A. Yes.
Q. And nothing has been done to this day on that, correct?
A. Not a thing.
Q. Okay. Have you brought it up with the city again since that May 2020 meeting?
A. I believe I have. And I believe I actually put it into, again, that complaint form that I was telling you about at the beginning of our call, at the beginning of our talk.
Q. Okay.
A. There is a form that you go to to issue a complaint and I issued it to the new code enforcer, and I don't believe I even got a response. Actually, I take it back. I believe I did get a response and all they said is, yeah, we'll look into it, but, again, that's the same as no response.
MR. FORD: Hyrum, if we're at a good point, could we take a ten-minute break? I apologize.
MR. BOSSERMAN: Yes. Absolutely.
MR. FORD: Do you mind? That would be helpful.
MR. BOSSERMAN: No, that's fine. Thank

you.
(Break)
Q. (By Mr. Bosserman) So we had gone through some of these incidences that we had talked about and talked about whether Cedar Hills was involved or not involved in each of them. Are there any other incidences where Cedar Hills was involved that you recall?
A. You know, not that I recall right now. I mean, you've got to understand there's been so much, it's overwhelming, but I can't think of anything else right now.
Q. Okay. All right. I want to just talk really quick about a few things. Oh, real quick. On a number -- you know, we talked on a number of the incidences that only American Fork police were involved in, you know, like the spraying of the water and some of the other ones that we talked about. Do you remember having any conversations with Cedar Hills about the American Fork Police Department and their responses?
A. No. I don't recall anything like that, no.
Q. Now, I'm going to show you what is your Second Amended Complaint. I believe this is an

exhibit already previously marked as Exhibit 3. I'll put that up. Let's see if it lets me.
Can you see that, Mr. Thorpe?
A. Yes.
Q. This is the Second Amended Complaint, Verified and Demand for Jury. I won't go through it all, but have you seen it before?
A. Yes.
Q. I just want to ask some really quick questions on this. If we go down to paragraph 16, you will see there's an allegation on here related to the policies of Cedar Hills. What policies are you aware of that Cedar Hills has that caused you harm?
A. You mean other than not abiding by their policies and being one-sided and biasness?
Q. Okay. What policies do you know, are you aware of that Cedar Hills did not abide by?
A. The ones that we just discussed. The ones by how they're not having the Sanchezes keep their shed on a solid surface and them having them on stilts. By having their shed too close to the property line. I mean, what we just literally discussed.
Q. So what you mean when you say policies is you mean their own laws? Is that what you are

saying, their own ordinances?
A. Yes.
Q. And then you also mentioned being biased?
A. Throughout the whole thing, yes.
Q. And your understanding, or, I guess, your assumption that they are biased stems from their relation or the mayor's relationship with the Sanchezes; is that correct?
A. I believe that's where it stems from, yes.
Q. Okay. Any other policies? You mentioned not enforcing the shed, I think is what you are referring to with it being on stilts, it being over the property line, not enforcing that. Any other ordinances or policies that you don't believe Cedar Hills is abiding by?
A. Well, I mean, no. Yeah. I mean, again, also having their -- their lights shining up against our home. Having their lights shining up into our bedrooms and in our home's windows. I mean, that's three things right there. Did you -- do you -- I mean, it's like literally everything we just discussed.
Q. Okay. So, also, I guess, Cedar Hills' interpretation of their light ordinance?
A. Yes.

Q. Okay. Anything else besides those incidents?
A. I think that's good right there.
Q. Number 19, or, excuse me, let me look at my copy here. Number, yeah, 19. It's alleged that "Policies of AF City and AF Police directly caused the plaintiffs harm."
What policies of American Fork City and American Fork police do you believe caused you harm?
A. Well, I, again, also believe that there's an issue or a problem with their being unbiased. They have literally, every time the Sanchezes give them a call, they hear the first story first and they take their side. Clearly, the prosecutor doesn't agree with the American Fork Police Department, their foot soldiers, and, basically, has said, guys, stop. You know, dropped, dropped, dropped. No, no. No penalty. No penalty. I mean, what are you guys doing? You're making us look stupid by having all of these summonses thrown against the Thorpes and none of them are sticking. I mean, do we need to go put you guys back into, you know, POST again, because you guys clearly don't know what you're doing. But, you know, you would think that they would. And by them not knowing the law themselves and not knowing what

they're supposed to be enforcing.
And that's the other thing that I really find discouraging is, you know, police officers are supposed to be peace officers. Not I take your side officers. Okay. You let the judge decide who's at fault and who's guilty of what. Okay. We are innocent. Innocent until proven guilty. And I think all of that alone, even just by itself, are policies that the American Fork Police Department have broken.
Q. Any other policies that you are aware of that you believe American Fork --
A. Oh, gosh, other than the incident on April 23rd of them breaking into the home without a warrant, assaulting my son, my wife, you know, causing PTSD on all of the four family members that were in the home at the time, literally watching the American Fork police officers attack my wife and their mother just because they wanted a signature. You don't think that's a violation of a policy? That's a violation of the Constitution.
Q. Now, I'm going to go to, let's see, paragraph 60. I'll scroll down here. So in this paragraph 60 of the Second Amended Complaint, it says that "Cedar Hills, AFPD, AFPD officers took on early sides supporting and encouraging the Sanchezes'

actions and actively participating in the Sanchezes' actions against the Thorpes." Do you see that?
A. I do.
Q. My question has to do with Cedar Hills, specifically. What has Cedar Hills done to encourage the Sanchezes' actions?
A. So I believe this is more so along the lines of where Cedar Hills, American Fork PD and American Fork PD officers are all taking sides. Again, I am sorry to be redundant, but just like we've just discussed, they have clearly not handled their ordinances and their codes correctly. They have clearly shook me off and they've blown me off and said, we're not helping you. And the thing is that what people don't understand is that by indirectly not doing anything encourages them to behave poorly, the Sanchezes to continue to behave poorly.
Like, oh, we see that the -- that the entire American Fork Police Department is on our side. Well, we also are seeing that the entire Cedar Hills is on our -- staff, or I don't know what you call them, people, sorry, the Cedar Hills people in the office are clearly on our side, also. So let's continue to issue complaints, issue concerns. We'll

make up some sort of trash complaint in their backyard just to make it look like the Thorpes are the bad guys again. And we'll call them out a second time and have Jenny Peay issue a second complaint. Oh, oh, I'm sorry, you guys have already taken care of it. But, you know, the Sanchezes are complaining, so I'm taking care of it. So there's a lot of biasness. The biasness has literally just got to stop.
And like I've told the American Fork PD, and like I've told the City of Cedar Hills, the employees, is I don't want you to take sides. I just want you to enforce the codes. Do what the code says and everything takes care of itself. Don't take my side. Don't take their side. Enforce the code. The code on the shed. Multiple codes on the shed. I mean, just enforce the codes. Stop being biased.
Q. Okay. If you look at number 65 here, it says, "Cedar Hills, AFPD, AFPD officers never investigated who owned the lower backyard," okay?
A. Okay.
Q. Do you believe that is true, Cedar Hills never investigated who owned the lower backyard?
A. They specifically said they didn't.
Q. Is the lower backyard where the shed is?

A. It's where the shed was. And I guess where the shed is now, yes.
Q. And it's your testimony that Cedar Hills never investigated --
A. I believe at the very, very, very beginning, Jenny Peay said, I will look into it. But then when she looked into it, she's like, no, no, no, I -- this is way above my scope, I can't do anything about it. And I'm like, okay, whatever. But now that I have given you a survey and now that I have given you multiple diagrams and, what do you call it, maps of the survey, from the source that we all have to use, and it clearly shows that she has everything laid out. She doesn't have to do a whole lot, doesn't really have to lift a finger except look at the map. She didn't want to lift a finger. She didn't want to do anything. She's like -- this is like an easy way for her to say, shhh, we're not helping, we're not helping, forget it.
Q. So I guess if I sum up your testimony, it would be that Cedar Hills originally investigated the shed, but since that May 2020 meeting has not investigated who owns the lower backyard?
A. Their -- their initial investigation was piss-poor, and I mean that literally. They literally

came out, took a look at it, walked away. That's not an investigation.
Q. Number 66, if you can see on the screen here. "Cedar Hills, AFPD, AFPD officers threatened the Thorpes with fines, citations, and arrest for the Thorpes' use of their own property."
Do you see that?
A. Yes.
Q. Do you believe that Cedars Hills threatened you with fines?
A. I don't remember if there was a fine per se, but I think that there was a fine of -- on that -- on that letter exhibit that you showed us on where Jenny Peay was issuing the complaint letter, I think it was.
Q. Okay.
A. And I think it said something to the effect of like, if you don't do it within the next number of days, we're going to come in and do it for you.
Q. Okay. So that is what you are referring to there, that you were threatened on that --
A. Yes.
Q. -- incident with the issue in your backyard?

A. Yes. We were threatened with a fine, yes.
Q. Any other times you were threatened with a fine by Cedar Hills?
A. Not that I recall right now.
Q. Let's see. I'm going to move on to paragraph 77.
A. Actually, can I -- can I digress? I want to go back to the last question. I do remember now there was another incident where we were threatened with a fine. We had our trailer that was parked in front of our house on the street close enough to the curb that it was legal. We had -- we had it there less than -- less than six hours and we got threatened, like, you move this or you will be fined.
Q. Okay.
A. That was the second incident. But it was quick and easy and simple. We took care of it again. Again, we just moved it back up onto our driveway. And, as I recall, I think you have to have it there, at the time, I think, was, like, if it is there more than, like, 48 hours. Forty-eight, you'll get in trouble. We literally had it there less than six hours and we already got a thing on our -- like a tag on our trailer. And, again, I'm going to tell you the reason I believe that that was an issue is

because the Sanchezes are friends with the Andersens. The Andersens live up the street. The Andersens live up the street. Denise Andersen drive -- can basically drive by -- the direct line of sight from Denise Andersen to get to work, the mayor's office, goes right past our house every single day. If we had our trailer there for four hours, three hours, six hours, I can see her saying, Jenny, go give the Thorpes a ticket or a tag, and that's -- that's the way it tends to be all the time with Denise Andersen.
Q. Okay.
A. I'm sorry. What was your next question?
Q. No, you're fine. I actually wanted to follow up with a question there. Do you remember when that -- was it like a warning that you got on the trailer?
A. Well, yeah. I mean, they're all warnings. They're all warnings that you're going to get a fine. But you have it was a fine and so, I mean, I think we've gotten like half a dozen of them. I mean, we've got like a half dozen, but we've gotten to the point we just don't park the trailer on the street anymore even though it's legal and lawful. We just don't park it on the street anymore because we're tired of the harassment.

Q. Let me pull this back up here. So just to be clear, do you remember -- so you believe you got half a dozen on the trailer?
A. At least. A half a dozen is six.
Q. Sure.
A. To clarify that. It's not a dozen. It's a half a dozen.
Q. Yeah, I understand. And do you know the time frame of when you got those at all?
A. Again, they're the summer months and they were all right around the same time that we received the other citation for cleanup in the backyard. And, again, it's just -- it's just -- it's so clear and obvious it's retaliatory, it's not even funny.
Q. Okay.
A. Well, and I'll tell you. I know Norman is going to kill me for doing this, but I know that they're retaliatory because my wife and I were like, let's go take a look at some of these other trailers in the neighborhood that are parked. Oh, no citation, no tag there. They've been there a couple of days. Oh, no citation, no tag there. They've been there for a week. Oh, a fully-enclosed trailer, no citation, no tag. So nobody else is getting tags, but the Thorpes are getting tagged. Retaliatory.

Biasness.
Q. Are you aware of the Sanchezes ever being tagged for having a vehicle out in the street?
A. I don't know. I never go down to the Sanchezes' home.
Q. Let's see. I'm going to share my screen real quick here. Mr. Thorpe, have you ever seen this code enforcement, the warning that's been issued to Ed and Maria Sanchez?
A. No. I'm not aware of that.
Q. Would it surprise you to know that Cedar Hills has issued citations to the Sanchezes for parking vehicles in the street?
A. No, not really. And the reason being is because they break every other law. They probably thought they could get away with this one, too. I wouldn't be surprised if they thought they could get away with this one, too.
Q. I'm going to go back to the complaint and finish up real quick here. Let me re-share my screen on that exhibit. Is that blown up big enough for you?
A. Yes.
Q. So we're back at the Second Amended Complaint, looking at paragraph 77. There's a line

that says, "Cedar Hills, AFPD, AFPD officers' responses to Sanchezes allegations by threatening, intimidating and failing to address the Sanchezes' bad acts caused the Thorpes to be unable to use," and then it continues on.

I'm just curious on this line as it relates to Cedar Hills. Has Cedar Hills ever threatened you or your family members or intimidated you or your family members?

A. I mean, other than the fact that they gave us that, what you call it, a fine letter. I mean, I really believe, honestly, that that was a means of retaliation. I think it was a means of retaliation because it was literally after we filed this complaint with -- like, it was filed initially and then it had to be changed. Like, there was an initial complaint that was filed prior to this one and we received that fine threat after we filed that complaint. And, actually, the other attorney, not Norman, not Justin, the other attorney actually had to send some letter to some attorney indicating, hey, you guys are just, you know, threatening my client for really nothing. My client went ahead and took care of, you know, whatever minimal complaint you are talking about. But, again, nobody from the north

could see the problem. Nobody from the south could see the problem. Nobody from the east could see the problem. It was clear in the backyard. It was a means of intimidation and threatening, I believe, yes.
Q. Okay. I'm going to show you, just so I want to make sure I'm clear on the timeline of what you just talked to me about. I'm going to show you, if it ever pops up on my screen -- sorry, here. Okay. Can you see this?
A. Uh-huh.
Q. This is -- I'll represent to you this is your original Complaint.
A. Okay.
Q. And this was filed by Lisa Hancock. Was that your original attorney?
A. It was.
Q. And this represents that it was filed in April 2023. Do you see that?
A. Yes.
Q. Now, I think you testified earlier that -- and, here, I'm actually going to -- there it is, the date it was signed. Do you see that, April 12, 2023?
A. Yeah.
Q. I believe you testified just barely that

you believed that this warning about garbage in your backyard was retaliatory for you filing a lawsuit against the city. Do you recall that the letter that was sent to you regarding the trash was sent to you in January of 2022?

A. I did not recall. Actually, I'm surprised of this date, April 2023. Especially since the incident of April 23rd happened in 2021. This is two years later. I don't -- I don't -- I don't understand the date here. I mean, that's two years later to file a lawsuit. It doesn't sound right.

Q. Do you believe that date is wrong?

A. I don't -- I don't recall. I don't know. I think it might be because it just seemed odd that it would be two years after the incident. But, I mean, again, Lisa was working kind of slow, so that's why we had to get rid of her.

Q. Sure.

A. But --

Q. Sure. I guess my question to you, does that change, if this is, in fact, true, if this date is correct, isn't it true that Cedar Hills wouldn't be retaliating against you for any lawsuit if they brought a notice against you back more than a year earlier before you ever filed this lawsuit?

A. You know, honestly, I would not be surprised if the City of Cedar Hills retaliated against the Thorpes for any manner at all whatsoever. Again, as I've stated numerously, and I apologize if I'm being redundant, but Denise Andersen and the Sanchezes are tight. They're friends. I guarantee you the Sanchezes were fully aware of what took place on April 23rd because the police came back and told them all about it. And I wouldn't be surprised if the Sanchezes felt that that was a time and an opportunity to further weaponize the American Fork Police Department, and I'm going to say weaponize the Cedar Hills city, as well. Because, again, they have an alliance, the mayor in Cedar Hills city, that is their friend. A very powerful alliance. And I wouldn't be surprised -- and an alliance that also testified against us in a civil stalking injunction well before 2023. And I wouldn't be surprised if this is just yet, that letter that was the original exhibit about the complaint about the trash in the backyard, that that was just another, you know, weapon or means to get a further dig into the Thorpes' lives. And, you know, maybe it wasn't retaliatory specifically for the lawsuit, but it was retaliatory for just them being able to do so.

Q. And just to be clear, that's -- you don't have any evidence of that, that's just an assumption based upon your understanding of Mayor Andersen's relationship with the Sanchezes?

A. Oh, I -- I don't believe that's an assumption. I know that to be a fact. They are friends.

Q. Okay.

A. And I know that the Sanchezes have treated us like dirt and if they're friends with Andersen, Andersen's going to do the same.

Q. What I'm saying is your assumptions that Cedar Hills issued this January 18, 2022 courtesy notice to you in retaliation is based upon your understanding that mayor -- or your knowledge that Mayor Andersen and the Sanchezes are close?

A. Yes. Absolutely.

Q. But you don't have any other evidence of -- you're not aware of any communications between Mayor Andersen and --

A. Do I have dialogue, any text, any proof, no. Do I have any dialogue, any proof or any text that she -- I guess, I do have text about her, you know, complaining about us during our civil stalking injunction. I actually do. But, again, it's one of

the situations where, you know, that there's that relationship, and I honestly believe that this would not have happened had the Sanchezes not been friends and buddies with the mayor.

Q. Okay.

A. And, I mean, there's just -- there's just -- it's like one of those things, it's like evidence. Evidence. Evidence. You know, you're not helping us with the property. You're not helping us with the shed. You're not helping us with anything. You're not helping us with the lights. You're not helping us with anything. And then to just make it a little bigger dig, you throw this on top of us, as well. I mean, it's kind of like, what's the expression, like the -- the -- the dots are all lining up. Is that the expression I'm looking for? It's kind of clear and obvious.

Q. Okay. Getting back to this paragraph 77 that's back up on the screen of the Second Amended Complaint. I had asked you about how Cedar Hills has threatened you or your family. You have mentioned threatened us with that notice letter about the trash in your backyard. Any other -- I'm trying to understand any other threats, what you perceive as a threat from Cedar Hills?

A. And the trailer.
Q. And the trailer. Yes. Any others?
A. At this time, only those two.
Q. Okay. All right. I am going to look over to -- turn over to page 14 on this really quick here. So I'll go back up so you can read the -- this is kind of difficult, but if you start on paragraph 95 on page 12, it says, "AFPD, AFPD officers, Chief Falslev allowed AFPD to be tools used by the Sanchezes to claim the Thorpes' lower backyard unlawfully," and there's this long list.
I just want to -- there's one allegation in here related to Cedar Hills that I wanted -- or a couple that I wanted to ask you about really quick. This is on page 14. This is 95, subparagraph (i). It says, "Cedar Hills, AFPD, AFPD officers fully adopted the ideology of the Sanchezes as the good guys and the Thorpes as the bad guys and acted, promoted and created a culture supporting this ideology in their treatment of the Thorpes."
A. Uh-huh.
Q. So I just wanted to ask, what is your factual basis, I guess, supporting this line here? What is your basis for saying that Cedar Hills adopted an ideology and created a culture against the

Thorpes?
A. So you actually just said it yourself. They've created a culture. They've created a pattern. They've created a pattern of how they continually just -- the Sanchezes can do no wrong. The Thorpes keep getting into trouble. The Sanchezes, basically, don't have to move their shed any further. The Sanchezes don't have to, you know, put their shed on a solid surface. The Sanchezes can continue to shine their lights up into our home and into our bedroom windows. The Sanchezes are literally complaining and complaining and complaining. Actually, I would -- I would use the -- I would use the phrase weaponizing Cedar Hills and weaponizing the American Fork Police Department, just like our beloved president was weaponized against -- with the FBI weaponized against him, I believe that Cedar Hills and the police department was weaponized against us with everything that we just literally discussed for the last two hours.
Q. Okay. So if I sum that up, it's just the pattern of how Cedar Hills has interacted with the Thorpes in terms of not enforcing certain ordinances that you believe they should enforce?
A. And the clear and obvious fact that they

are taking sides.
Q. Okay. Did you -- just a quick follow-up on the lights issue, the lights pointing from the Sanchezes up to your property. What was the outcome of that? Did the Sanchezes take those down or are they still up?
A. So they are still up to this day.
Q. Okay. Do they still shine onto your property?
A. Yes, they do. And into the bedroom windows still.
Q. Let's see here. I want to go to paragraph 96 and just ask a quick question. So 96, here, if you see in the Second Amended Complaint, it talks about Cedar Hills, AFPD and the officers, and then you will see down here it talks about falsifying evidence. I want to ask you, what do you know about Cedar Hills falsifying evidence?
A. You know, I would honestly have to say I know for a fact that the American Fork PD has falsified evidence.
Q. Okay.
A. And I'm going to say, honestly, by Cedar Hills supporting, I guess, purchasing the use of American Fork PD' services, they're held accountable.

Q. Okay. So just to be clear, when you talk about falsifying evidence here, you're saying it's AFPD's falsifying evidence, but because Cedar Hills employs AFPD, it is Cedar Hills falsifying the evidence itself?
A. I -- I believe that to be correct, yes.
Q. Okay. And is that -- is falsifying -- I want to understand the falsifying evidence claim. Is that -- I believe I heard testimony from Mrs. Thorpe about a video. Is that what you are referring to, specifically?
A. No.
Q. Okay. What, I guess, explain to me the falsifying evidence by American Fork Police Department.
A. There's so much falsifying of evidence. I mean, we'd be talking for another two hours. I mean, I will briefly touch on one issue.
Q. Okay.
A. And one issue is still falsifying evidence. The officer that received a complaint from Maria Sanchez on April 22nd that Maria Sanchez claimed that Janene threw a rock at her, came out, checked everything out and then lied in his report.
Q. Okay. So this is specifically the report

leading up to the April 23, 2021 incident?
A. That's at least one incident, yes, sir.
Q. And you believe that the officer that filled out that police report misrepresented facts in that police report?
A. Yes.
Q. Okay. Any others that you know of?
A. Other officers have falsified reports, also.
Q. Relating to the incident, the April 23, 2021 incident?
A. Yes.
Q. Anything besides those reports?
A. Not that I can think of right offhand.
Q. Okay. But do you believe there are other instances of falsifying evidence?
A. I -- I -- I'm sure there are. I just can't think of anything right offhand.
Q. Okay. Let's see here. I'm almost done. Promise.
A. Okay.
Q. I appreciate you bearing with me, Mr. Thorpe.
A. You're fine.
Q. Let's see. I think, just let me look at

my notes for -- maybe we could take a two-minute break to let me look at my notes to see if there are any other questions. If not, I'll be done. So jump off the record for just two minutes. Give me one second.

(Off the record)

MR. BOSSERMAN: We'll go back on the record. I don't have any other follow-up questions, Mr. Thorpe. Thank you for your time.

EXAMINATION

BY MR. GUELKER:

Q. Mr. Thorpe, I have a couple brief questions just to confirm some things I think I already know, but I just want to get them on the record. It will just be a couple of minutes.
A. Sure.
Q. My question is focused on your interactions with American Fork police that we talked about before that preceded the April 2021 incident. You remember going over those in pretty --
A. Can I ask a question real quick?
Q. Yes.
A. So the other attorney was representing Cedar Hills. Who do you represent?
Q. Yeah. I'm another attorney representing

American Fork. There's multiple insurance carriers involved, so --
A. Okay. I just wanted to clarify.
Q. No, no. Fair enough.
A. Okay.
Q. So, again, my questions relate to those interactions with American Fork Police prior to the April 2021 incident. It's my understanding that neither you nor any of your family members were ever arrested or taken into custody in connection with any of those incidents, correct?
A. That is correct.
Q. And it's also my understanding that there are only three -- of those incidents, there were only three of them where you and your family members were issued summonses by the police, correct?
A. A...
Q. As I understand it, I have the lighting issue where you were accused of shinning a light at Mr. Sanchez. The incident involving where your wife was accused of spraying water onto Mr. Sanchez or Mrs. Sanchez. I can't remember. And the incident involving the metal gong or the metal targets that you described.
A. That was post, post-April 23rd, the steel

target, gong. Yeah, it's a gong and a target. But we also received summonses for the trash, the debris, the litter that they claim that we threw into their yard. But, yeah, that's still three, but I think we might have actually received multiple citations or summonses for the same incident, but separate dates. I mean, we've received so many summonses that they kind of become a blur.
Q. Well, first of all, let me ask you about the metal gong.
A. Sure.
Q. Did the incident for which you received a summons occur prior to April 2021 and you received a summons afterwards or did the entire incident occur after April 2021? Maybe I misunderstood.
A. So I honestly don't really know what we received a summons for. We had a steel gong in our backyard. It was cleaned up, spray painted. And I say cleaned up because after you shoot it, you have to repaint it. So it was cleaned up probably a week after the 2023 -- or the April 23rd incident and placed in the sun. So everything was after April 23rd that had anything to do with the steel target or the steel gong. Does that help answer your question?
Q. It does, yes.

A. Okay.
Q. My question is really, though, on these instances, I want to know who among your family members received summonses for all of these various --
A. Oh. It's always Janene. It's always Janene Thorpe.
Q. So let's go back and talk about it specifically. The lighting issue where you are accused of shining the light on Mr. Sanchez, did you receive a summons for that?
A. You know, actually, it's a good question. I don't remember if it was me or Janene, but I was the one holding the flashlight.
Q. So you just don't know whether it was you or Janene?
A. I don't.
Q. Fair enough. Did either you or Janene ever actually have to appear in court in connection with that summons?
A. No.
Q. So it's my understanding that it was dropped by the prosecutors before you ever had to appear or do anything in connection with that, correct?

A. Yes.
Q. And you certainly were never required to pay any fine or any other penalty in connection with that?
A. Other than getting your fingers printed and having to pay the ridiculous fine, that you have to go in and get your fingers and your mugshot and pay a fine for all of that when you did nothing wrong.
Q. Did you actually go in and get booked in connection with the lighting incident?
A. Not for the lighting incident, no.
Q. So to go back, just to be clear, you were never required to pay any fine or any other penalty associated with the shinning of the light incident?
A. No.
Q. Let's talk about the spraying of the water incident where your wife was accused of spraying water onto the Sanchezes. Was anybody -- did anybody else, to your knowledge, receive a summons in connection with that incident from your family?
A. No.
Q. And do you know, did your wife ever have to appear in court in connection with that summons?
A. No.

Q. Do you know, was she ever booked, i.e., where she had to go in and get fingerprinted?
A. I believe she was, yes.
Q. But that was -- when I say voluntary, she wasn't taken in by the police?
A. She was not escorted, no.
Q. All right. Did you actually accompany her to that, or do you remember?
A. I don't remember. I think it might have been one of our children that may have brought her in.
Q. But, again, to your knowledge, she never had to go -- the charges were dropped before she ever had to appear in court, correct?
A. Correct.
Q. Similarly, she didn't have to pay a fine or penalty in connection with those, that summons?
A. No. No. And was never convicted. Yes.
Q. Finally, I think you mentioned that you may have received a summons in connection with the allegation of throwing debris over the fence.
A. I believe more than one.
Q. Who received a summons in connection with allegations of throwing trash over the fence?
A. I believe that was Janene again, as well.

Q. Any other family members that you are aware of, either you or your sons?
A. No. I mean, we're all talking prior to April 23rd, correct?
Q. Yes.
A. Yes. Yes, no?
Q. Correct. And do you know, did your wife ever have to go in and get fingerprinted or otherwise get booked with regard to those summonses that related to the debris?
A. I believe she did. So, again, I think it got to the point where, I think, the judge said something to the effect that, you know, she's received, like, I think it was six, seven citations and she had to go in twice, and the judge said, hey, we've already got all the information, she doesn't have to keep going in with all of these other ones. So I think she went in twice and had to pay the 15, $30, whatever, twice and all charges were dropped.
Q. When did -- it is my understanding you never had to go into court in connection with any of these or your wife didn't have to go to court. Do you know when the judge made the statement you are just referencing?
A. I don't. I don't know. I think it might

have been, like, a prehearing of some sort.
Q. Well, do you know, did your wife ever have to go into court in connection with the throwing of debris incident?
A. I don't believe so, no.
Q. All right. Never had to pay any fine in connection with that summons?
A. No. Absolutely not.
Q. And there weren't any summonses or other adverse action taken against any of your family members with respect to those other pre-April 2021 interactions we talked about, correct?
A. Pre-April 2023, yes, that is correct.
Q. Prior to the entry of the home. Did I get the date wrong? My bad.
A. It's okay. April 2023.
Q. Very good. That's all --
A. April 23rd, 2021, just so we're all on the same page.
Q. That was my understanding of the date.
A. Yes. And I'm not trying to be, you know, correcting you or anything like that. I just wanted to make sure that for the record it's the correct date. But, no, nothing prior to that.
Q. I didn't take it that way, sir. But

everything we have been talking about, just in case there's any confusion on the record --
A. Exactly.
Q. -- it is before the entry on your home where it was alleged that --
A. Yes. Nothing.
MR. GUELKER: That's all I have, sir. Thank you.
MR. FORD: No questions.
MR. PEAT: No questions.
MR. BOSSERMAN: No further questions for me.
(Deposition concluded at 1:44 p.m.)
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REPORTER'S CERTIFICATE

STATE OF UTAH)
) ss.
COUNTY OF SALT LAKE)

I, Lisa Bernardo, Registered Professional Reporter and Notary Public in and for the State of Utah, do hereby certify:

That prior to being examined, the witness, CHRISTOPHER THORPE, SR., was by me duly sworn to tell the truth, the whole truth, and nothing but the truth;

That said deposition was taken down by me in stenotype on May 15, 2025, at the place therein named, and was thereafter transcribed and that a true and correct transcription of said testimony is set forth in the preceding pages;

I further certify that, in accordance with Rule 30(e), a request having been made to review the transcript, a reading copy was sent to Mr. Peat for the witness to read and sign and then return to me for filing with Mr. Bosserman.

I further certify that I am not kin or otherwise associated with any of the parties to said cause of action and that I am not interested in the outcome thereof.

WITNESS MY HAND AND OFFICIAL SEAL this 2nd day of June, 2025.

Lisa Bernardo

Lisa Bernardo, CSR, RPR

Norman W. Peat Jr.
npeat@heidlaw.com
June 2nd, 2025
RE: Thorpe, Janene v. Cedar Hills City, Et Al
5/15/2025, Christopher Thorpe, Sr. (#7372276)
The above-referenced transcript is available for review.
Within the applicable timeframe, the witness should read the testimony to verify its accuracy. If there are any changes, the witness should note those with the reason, on the attached Errata Sheet.
The witness should sign the Acknowledgment of Deponent and Errata and return to the deposing attorney. Copies should be sent to all counsel, and to Veritext at (Calendar-utah@veritext.com).
Return completed errata within 30 days from receipt of testimony.
If the witness fails to do so within the time allotted, the transcript may be used as if signed.

Yours,
Veritext Legal Solutions

Thorpe, Janene v. Cedar Hills City, Et Al
Christopher Thorpe, Sr. (#7372276)
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Christopher Thorpe, Sr. Date

Thorpe, Janene v. Cedar Hills City, Et Al
Christopher Thorpe, Sr. (#7372276)
ACKNOWLEDGEMENT OF DEPONENT
I, Christopher Thorpe, Sr., do hereby declare that I have read the foregoing transcript, I have made any corrections, additions, or changes I deemed necessary as noted above to be appended hereto, and that the same is a true, correct and complete transcript of the testimony given by me.

_____ _____
Christopher Thorpe, Sr. Date
*If notary is required
SUBSCRIBED AND SWORN TO BEFORE ME THIS
_____ DAY OF _____, 20___.

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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS

COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted

fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.