

1 PRIVILEGED AND CONFIDENTIAL ATTORNEY WORK PRODUCT

2 OFFICE OF THE COMMISSIONER
3 MAJOR LEAGUE BASEBALL
4 350 PARK AVENUE
5 NEW YORK, NEW YORK

6 -----
7 In the Matter of: :
8 Peter Edward Rose, Manager, :
9 Cincinnati Reds Baseball Club :
10 :
11 -----

12 Deposition of DANITA JO MARCUM taken in
13 Cincinnati, Ohio, on April 4, 1989, at 2:30 o'clock p.m.

14 APPEARANCES:

15 JOHN M. DOWD, Esq.
16 Special Counsel for the Commissioner
17 Heron, Burchette, Ruckert & Rothwell
18 Suite 700
19 1025 Thomas Jefferson Street, N.W.
20 Washington, D.C. 20007

21 Gary L. Baldwin
22 Certified Verbatim Reporter/Notary Public
23 P. O. Box 39254
24 Cincinnati, Ohio 45239
25 513-662-1121

PRIVILEGED AND CONFIDENTIAL ATTORNEY WORK PRODUCT

P R O C E E D I N G S

DANITA JO MARCUM

having been first duly sworn, was called as a witness herein, was examined and deposed as follows:

EXAMINATION

BY MR. DOWD:

Q Would you state your entire name for the record, please?

A Danita Jo Marcum.

Q Jo is J-o?

A Yes.

Q And how old are you?

A Twenty-eight.

Q And where were you born?

A In Cincinnati, Ohio.

Q And do you have any brothers and sisters?

A I have one sister.

Q And what does your dad do?

A My dad works for Roadway Trucking Company as a diesel mechanic.

Q And were you raised in the Cincinnati area?

A Yes.

Q Been here all your life?

A Yes.

Q Danita, I've been appointed as Special

1 Counsel for the Commissioner of Baseball to investigate the
2 activities of Peter Edward Rose, who is the Manager of the
3 Cincinnati Reds.

4 Do you understand that?

5 A Yes.

6 Q And I'm going to ask you some questions
7 about your knowledge of Mr. Rose. And the Commissioner is
8 interested in the truth, the whole truth and nothing but
9 the truth. Do you understand that?

10 A Yes.

11 Q Danita, where were you educated?

12 A In Cincinnati at Northwest High School.

13 Q And did you go beyond high school?

14 A No, I quit in the 11th grade.

15 Q So you haven't graduated from high school?

16 A No.

17 Q And how are you presently occupied?

18 A I'm part owner of a company Premiere
19 Sports, which is baseball memorabilia.

20 Q Do you know a fellow named Paul Janszen?

21 A Yes.

22 Q Is he your boyfriend?

23 A Yes.

24 Q And how long have you known him?

25 A This July will be four years.

1 Q Are you giving this testimony to help your
2 boyfriend Paul Janszen or are you giving the testimony
3 because it's what you know to be the truth?

4 A It's what I know to be the truth.

5 Q And are you appearing here voluntarily?

6 A Yes, I am.

7 Q And do you have any agreement or deal with
8 the Commissioner of Baseball?

9 A No, I do not.

10 Q Do you have any deal with me?

11 A No, I do not.

12 Q Have you ever been convicted of a felony?

13 A Yes, I have.

14 Q Of a felony?

15 A Oh, no, I have not. A misdemeanor.

16 Q Traffic tickets?

17 A No. It was shoplifting when I was like 14
18 or 15.

19 Q But any other crimes?

20 A No.

21 Q Have you ever used drugs?

22 A No, I have not.

23 Q I want to direct your attention to the
24 period 1985 and 1986. And did you know Paul Janszen then?

25 A Towards the end of '85.

1 Q And into '86?

2 A Yes.

3 Q Okay. And what were you doing in 1986?
4 what was your occupation?

5 A I was working for a telecommunications
6 company.

7 Q What was the name of the company?

8 A Satellite Business Systems.

9 Q And what were you doing for them?

10 A I was a trouble specialty clerk.

11 Q And what does a trouble specialty clerk do?

12 A I worked on an IBM computer where I took
13 trouble reports from all the customers for long distance
14 service.

15 Q So this was part of servicing customers who
16 had problems with their computers?

17 A That's correct -- or for their telephone
18 lines.

19 Q For their telephone lines?

20 A Right.

21 Q All right. And do you know what Mr.
22 Janszen was doing at that time in 1986?

23 A He was working for a company, Queen City
24 Barrel.

25 Q And are you familiar with a place called

1 Gold's Gym?

2 A Yes.

3 Q And how are you familiar with it?

4 A I met Paul at Gold's Gym.

5 Q Did you go there to workout yourself?

6 A I only went there probably maybe four to
7 five times total.

8 Q Did you know a fellow named Mike Fry?

9 A Yes, I did.

10 Q And did you know a fellow named Don
11 Stenger?

12 A Yes.

13 Q Did you know a fellow named Tommy Gioiosa?

14 A Yes.

15 Q And where did you meet these characters?

16 A From Gold's Gym.

17 Q Okay. And what was their business?

18 A Don Stenger from what I had known was just
19 going into the gym in New Jersey, a Gold's Gym. Mike Fry
20 at the time was the owner of the Gym --

21 Q Gold's Gym?

22 A Gold's Gym.

23 Q All right.

24 A And Tommy Gioiosa was working for Mike Fry
25 at Gold's Gym. But I think, at the time, had a falling out

1 with Mike Fry.

2 Q Were you aware in 1986 that these gentlemen
3 were involved in the distribution and sale of cocaine?

4 A No.

5 Q When did you first become aware of that?

6 A Probably in '87 I had heard stories from
7 different people. Nothing -- it would have been hearsay.
8 Nothing concrete that I would have seen and known for
9 myself.

10 Q Do you know a fellow named Pete Rose?

11 A Yes.

12 Q And is he the Manager of the Cincinnati
13 Reds?

14 A Yes, he is.

15 Q And when did you first meet him?

16 A I met Pete in the end of 1985. Paul had
17 taken me over to Pete's house to watch some games that were
18 on TV.

19 Q And did you become acquainted with Carol
20 Rose, his wife?

21 A Yes, the same day. It was the first time I
22 had met her.

23 Q And after that were your visits to the
24 house and with Pete Rose and his wife more frequent?

25 A Oh, yes.

1 Q Did you ever go on any road trips, card
2 show road trips, with them?

3 A Yes.

4 Q And with Paul?

5 A Yes.

6 Q And did you ever have occasion to overhear
7 or observe any gambling activity on the part of Pete Rose?

8 A Yes.

9 Q And could you tell us what you observed and
10 heard?

11 A If we were sitting at Pete Rose's house,
12 Pete would have a book, a ledger book, hard-bound, and then
13 he would have a legal pad inside of it which he would put
14 down his gambling wins and losses.

15 I know we would go over there and we would
16 sit and we'd be watching the games on TV. Or if we were
17 over there during like the early afternoon, Pete may be
18 looking at the paper, or even late morning, and he would
19 tell Paul who he wanted for that day.

20 Q Now this was in 1986?

21 A '86 and 1987.

22 Q Okay, let's just stick to the last three or
23 four months of 1986.

24 A Okay.

25 Q Did you see Tommy Gioiosa over at the

1 house?

2 A Yes, I did.

3 Q And did you hear he and Pete Rose
4 discussing gambling activity?

5 A No, I did not.

6 Q How about Mike Bertolini?

7 A Mike Bertolini, yes.

8 Q Did you hear them discuss gambling
9 activity?

10 A I heard Mike talking just about teams that
11 he liked and Pete talking about teams that he liked. And
12 Paul discussing it; all three of them.

13 Q And did you see any large amounts of cash
14 at the house?

15 A At Pete's house, yes.

16 Q Did you ever see Pete with large amounts of
17 cash?

18 A Yes.

19 Q And do you recall taking a trip to New York
20 in about December of 1986?

21 A Yes.

22 Q And who did you go with?

23 A I went with Carol and Pete and Paul and
24 myself and Tommy Gioiosa.

25 Q And did anyone meet you at the airport?

1 A There were two -- we went up for a card
2 show and when we had gotten there, there were two
3 limousines. Pete and myself and Carol got into one
4 limousine and Paul and Tommy Gioiosa got into the other
5 limousine. Which Mike Bertolini was there to greet us when
6 we had gotten there.

7 Q Who decided who went in which limousine?

8 A Pete did.

9 Q And do you recall, after the limousines
10 left the airport, Pete Rose making a phone call?

11 A Yes. Carol had said why isn't Paul riding
12 with us. And Pete said, "He's taking care of some business
13 for me."

14 And he said, "Danita knows what that is."
15 And then Pete picked up the phone and called the other
16 limousine and said, "How is it?" Or "how does it look?"

17 Q Did you subsequently learn what he was
18 talking about?

19 A At that time I still did not know what he
20 was talking about.

21 Q But subsequently you learned from Paul
22 Janszen?

23 A Yes, that is correct.

24 Q Did you and Paul become better acquainted
25 with Pete Rose and his wife at the end of 1986 and the

1 beginning of 1987?

2 A Yes.

3 Q Were you invited to their home on several
4 occasions?

5 A Yes.

6 Q Do you recall any particular events?

7 A We were invited over for Christmas, which
8 we had went over. We had went for New Year's, went to the
9 Waterfront with them.

10 Q Did there come a time in the middle or
11 third week of February when you were invited to Florida?

12 A Yes.

13 Q And how did that come about and who was
14 invited?

15 A Pete had asked Paul and I to come down and
16 stay with them for spring training, beings Paul was not
17 working in his other job that he had quit. And we agreed
18 to go down.

19 Q And did you go down?

20 A Yes.

21 Q And where did you stay?

22 A We stayed in a house that Pete had rented.

23 Q Was Pete staying in the house also?

24 A Yes.

25 Q It was a large house?

1 A Yes.

2 Q And how long did you stay?

3 A We stayed there -- we went the middle of
4 February -- or we went the second week after spring
5 training started and we stayed until spring training was
6 over.

7 Q And what activities did you engage in while
8 you were down there?

9 A We went to the horse track; we went to the
10 dog track; we went to baseball games; we went fishing; and
11 worked out.

12 Q Did you ever meet an individual by the name
13 of Steve Chevashore?

14 A Yes.

15 Q And did you meet a fellow named Mario
16 Nunez?

17 A Yes.

18 Q Did you meet a fellow named Howard
19 Bernstein?

20 A Yes.

21 Q And where did you meet them?

22 A I met them at Tampa Bay Downs.

23 Q And you were with Pete?

24 A I was with Pete and Paul.

25 Q And was there any gambling activity either

1 talked about or engaged in at the Downs when you were
2 there?

3 A They had been talking. I didn't hear the
4 whole conversation but I did hear that they were going to
5 go through Stevie on their betting. And that Paul would
6 take care of it.

7 Q So Paul would place bets for himself?

8 A And for Pete and would go through Stevie.

9 Q And what kind of betting activity was this?

10 A This would have been baseball betting.

11 Q Baseball?

12 A Baseball, football, basketball, hockey.

13 Q And during the time you were in Florida did
14 Pete -- did Paul, to your knowledge, place bets for Pete on
15 sporting activity?

16 A Yes, he did.

17 Q And did you overhear Paul and Pete talking
18 about this betting activity while you were in Florida?

19 A Yes, I did.

20 Q Was it every day?

21 A No. Not every day that I heard because I
22 wasn't with them every single --

23 Q But when you were with them, did they
24 discuss gambling activity?

25 A They would if Pete's wife wasn't in the

1 room or if other people weren't in the room.

2 Q Why was that?

3 A I guess because Pete didn't want everyone
4 to know, you know. Meaning like his baby-sitter or
5 whatever. He didn't want them to know about his betting.

6 Q And when you returned to Cincinnati did --
7 by the way, did you place any bets for Pete while you were
8 in Florida?

9 A No, not while I was in Florida.

10 Q When you returned to Cincinnati, did Paul
11 continue to place bets for Pete Rose?

12 A Yes.

13 Q And who did he place the bets with?

14 A At first he would place the bets through
15 Stevie.

16 Q Chevashore?

17 A Chevashore, yes.

18 Q And did he then place them with someone
19 else?

20 A No, just Stevie. And then Stevie would
21 call the bets in to the office, he called it, in New York.

22 Q Do you know the name of the person at that
23 office?

24 A His name was Val.

25 Q And did there come a time when Paul would

1 call Val directly?

2 A Yes.

3 Q And did there come a time when bets were
4 placed with a person by the name of Ron Peters?

5 A Yes.

6 Q Did you ever meet Ron Peters?

7 A Yes.

8 Q Where?

9 A At Jonathan's Cafe, in the parking lot.

10 Q In Franklin, Ohio?

11 A Yes.

12 Q What, did you go with Paul?

13 A I went with Paul one time.

14 Q And do you know what happened at that
15 meeting?

16 A I think Paul had taken a check up to show
17 Ron Peters that Pete had paid his bill that he owed through
18 Tommy Gioiosa. That he had given Tommy Gioiosa a check.

19 Q Were you aware that Gioiosa had placed bets
20 with Peters previously for Pete Rose?

21 A Yes.

22 Q And how are you aware of that?

23 A In the end of 1986 they were betting on
24 football. And Tommy would be at my house, and Paul's
25 house, and he would call the bookie from there and talk

1 about the betting.

2 Q Do you know how long Paul bet for Pete Rose
3 with Chevashore, Val and Peters in 1987?

4 A The total would have been probably until
5 the end of July. I think it was right after the All-Star.

6 Q I'm going to show you some documents under
7 Tab Number 1 and ask if you recognize them. There's three
8 sheets there. Would you just turn them over and take a
9 look at them?

10 Do you recognize those documents?

11 A Yes.

12 Q And they're copies of what document?

13 A They're copies of betting sheets which were
14 obtained from Pete Rose's house.

15 Q And in whose handwriting is that?

16 A Pete Rose.

17 Q And how do you recognize Pete Rose's
18 handwriting?

19 A I recognize it because of being at his
20 house and watching him, in his book, write everything down.

21 Q Now, turn to Tab 2 and I'll ask you if you
22 recognize that document, which consists of about 25 pages.

23 A They're betting sheets of Paul Janszen's,
24 which he kept recording for Pete's betting.

25 Q Now, at any time did you place bets for

1 Pete Rose?

2 A Yes, I did.

3 Q And were you aware that -- did you place
4 bets on baseball games?

5 A Yes.

6 Q And were you aware that he was the Manager
7 of the Cincinnati Reds at the time?

8 A Yes.

9 Q And it was during the period April, May and
10 June of 1987?

11 A Yes.

12 Q And did you ever place bets on the
13 Cincinnati Reds baseball games for Pete Rose while he was
14 Manager of the Cincinnati Reds?

15 A Yes..

16 Q And were you aware that Paul Janszen did
17 the same?

18 A Yes.

19 Q And would you tell me generally what the
20 mechanics were of how that took place?

21 A In most cases Pete would either call or we
22 would call Pete. Pete would give me the teams who he
23 wanted. And then if -- wherever Paul was, if he was not at
24 home, I would call him and tell him who Pete wanted. Then
25 Paul would tell me who he wanted and then I would call Val

1 directly in New York and give the bets to them.

2 Q Okay. And what amounts did Pete bet?

3 A Two thousand every game.

4 Q And what amounts did Paul bet?

5 A Paul would bet anywhere from two to three,
6 four hundred dollars a game.

7 Q And do you remember how many occasions you
8 did this?

9 A Probably five to ten.

10 Q I'm going to show you page 22 of the
11 document under Tab 2 and ask if you recognize any of the
12 handwriting.

13 A Yes. On the date of 5-8 under basketball,
14 there is my handwriting for two teams.

15 Q Can you read them?

16 A Boston and Atlanta.

17 Q And do you recognize the other handwriting
18 on these pages?

19 A Yes, it's Paul Janszen's.

20 Q Do you recall placing any bets on behalf of
21 Pete Rose with Ron Peters?

22 A Yes.

23 Q And do you recall whether these bets
24 involved baseball games?

25 A Yes, they did.

1 Q And did they involve the Cincinnati Reds?

2 A Yes, they did.

3 Q And is there any doubt in your mind that
4 you were doing it at the request of Pete Rose?

5 A I don't understand.

6 Q Did you bet on the Cincinnati Reds baseball
7 team at the request of Pete Rose?

8 A Yes.

9 Q While he was Manager of the Cincinnati Reds
10 baseball team?

11 A Yes.

12 Q And you placed those bets with Ron Peters?

13 A Yes. Not as many times as Val. Just a
14 couple of times with Ron Peters.

15 Q Okay. Were you aware as to whether Paul
16 placed bets for Pete Rose on the Cincinnati Reds with Ron
17 Peters when Rose --

18 A Yes.

19 Q -- was Manager of the Cincinnati Reds?

20 A Yes, he did.

21 Q Is there any question in your mind about
22 that?

23 A No. Because I was there when he made the
24 phone calls.

25 Q On how many occasions did you see Ron

1 Peters or meet him?

2 A I met him twice.

3 Q Where?

4 A One time at Jonathan's Cafe in the parking
5 lot and another time with Paul when the FBI was working
6 with Paul.

7 Q Okay. Danita, did there come a time in
8 March of 1988 when you and Paul visited with Reuven Katz?

9 A Yes.

10 Q Would you tell me what you remember about
11 that conversation?

12 A Paul and I --

13 Q And where it took place.

14 A Paul and I had went to Reuven Katz' office,
15 which is located on Walnut Street if I'm correct. Paul had
16 went to Reuven to try to get his money which Pete owed him.
17 And Reuven asked Paul the nature and Paul had told Reuven
18 that Pete had bet with him and that Paul had lent Pete the
19 money and that Pete was neglecting to pay him back.

20 And Reuven asked Paul if Pete bet on
21 baseball and Paul said yes. And Reuven said, "It's over."

22 And then at that point Reuven said there
23 wasn't much he could do but he would talk to Pete and see
24 what Pete had to say and he would get back with Paul.

25 Q Did he get back with him?

1 A I think a couple of days later either Paul
2 called Reuven or Reuven called Paul and said that he did
3 not want to get involved in it and there wasn't really
4 anything he could do.

5 Q Okay. Did Paul subsequently receive a
6 check from Reuven Katz?

7 A Yes. Before we had met with Reuven, the
8 first time we had met with Reuven, Paul had called Pete.
9 Somewhat they conspired, they talked. And Pete said that he
10 would get Paul some money.

11 Then Paul had called Reuven and Reuven had
12 ten thousand dollars for Paul that he had to pick up from
13 his office.

14 Q Now, going back to when Pete Rose -- you
15 had communications with Pete Rose, I take it, when he
16 wanted you to bet for him?

17 A Yes.

18 Q And do you recall where he was or where you
19 were when you talked about these bets?

20 A Pete would have been at the clubhouse.

21 Q Would you call him or would he call you or
22 both?

23 A Both.

24 Q At one time was your name Danita Gray?

25 A Yes.

1 Q G-r-a-y?

2 A Yes.

3 Q Would you sometimes use that name?

4 A I used Gray until I had my name changed
5 back legally to Marcum.

6 Q Marcum is your maiden name?

7 A That's correct.

8 Q So if Danita Gray showed up on the
9 telephone logs of the Cincinnati Reds, that would probably
10 be you?

11 A Yes. That's correct.

12 Q Are you aware as to whether Paul Janszen
13 paid the gambling debts of Pete Rose?

14 A Yes, he did.

15 Q He used his own money?

16 A Yes. I went to his safety deposit box and
17 I got the money out and I went to Federal Express and I
18 shipped it out myself.

19 Q To who?

20 A To Val in New York.

21 Q On how many occasions?

22 A I would say maybe four to five occasions.

23 Q Okay. Danita, do you understand the
24 seriousness and gravity of your testimony in this case?

25 A Yes, I do.

1 Q Do you understand that the Commissioner has
2 the power to ban Pete Rose from baseball?

3 A Yes, I do.

4 Q For betting on the Cincinnati Reds.

5 A Yes.

6 Q Are you motivated in your testimony by
7 anything other than telling the truth, the whole truth and
8 nothing but the truth?

9 A No.

10 MR. DOWD: Thank you. I have no further
11 questions.

12 (Whereupon, at 2:54 o'clock p.m., the
13 deposition was concluded.)

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C E R T I F I C A T E

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STATE OF OHIO)
) SS.
COUNTY OF HAMILTON)

I, Gary L. Baldwin, the undersigned, a duly qualified and commissioned Notary Public within and for the State of Ohio, do hereby certify that before the giving of her aforesaid deposition the said DANITA JO MARCUM was by me first duly sworn to depose the truth, the whole truth and nothing but the truth; that the foregoing is the deposition given at said time and place by the said DANITA JO MARCUM; that said deposition was taken by me in stenomask and transcribed by me into typewriting; that I am neither relative of nor attorney for any of the parties for this cause, nor relative of nor employee for any of their counsel and have no interest whatever in the result of this action.

IN WITNESS WHEREOF, I hereunto set my hand and official seal of office, at Cincinnati, Ohio, this 5th day of April, 1989.



Gary L. Baldwin
Notary Public, State of Ohio

My Commission expires:
February 26, 1993