

1 IN THE DISTRICT COURT FOR MONTGOMERY COUNTY

2
3 CHOO WASHBURN

4 VS

CASE NO. 0602-0010675-2019

5 ROBERT MCCARTHY
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8
9

10 THE ABOVE CAPTIONED CASE CAME ON
11 FOR TRIAL ON JULY 15, 2019
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15

16 BEFORE:

17 THE HONORABLE ERIC NEE
18
19
20

21 APPEARANCES:

22 CHOO WASHBURN

23 (IN PROPER PERSON)

24 ROBERT MCCARTHY, ESQUIRE

25 (IN PROPER PERSON)

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<u>WITNESSES</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
CHOO WASHBURN	3			
ROBERT MCCARTHY	6			

EXHIBITS

P R O C E E D I N G S

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3 COURT: All right, I'm gonna call this next case. Choo
4 Washburn versus Robert McCarthy.

5 MS. WASHBURN: Yes, Your Honor.

6 COURT: Please come forward.

7 MR. MCCARTHY: Good morning, Your Honor Robert McCarthy,
8 respondent.

9 COURT: Mr. McCarthy. Okay, could the parties please
10 raise their right hands to be sworn.

11
12 Whereupon,

13 ALL WHO ARE TO TESTIFY ARE SWORN

14
15 MR. MCCARTHY: I do.

16 MS. WASHBURN: I do.

17 COURT: Okay and Ma'am what is your name?

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19 Whereupon,

20 CHOO WASHBURN

21 was called as a witness on behalf of the
22 Plaintiff, and having been sworn,
23 was examined and testified as follows:

24
25 DIRECT EXAMINATION

1 MS. WASHBURN: My name is Choo Washburn, Your Honor.

2 COURT: Okay and Counsel?

3 MR. MCCARTHY: Robert McCarthy.

4 COURT: Okay and Ms. Washburn I'll review your
5 complaint. I just wanted, okay, this is a replevin action and I
6 just wanted to let you know, Mr. McCarthy is an attorney so that,
7 you know we see each other in court a lot but I don't have any
8 thing -- socially we don't do anything, okay?

9 MS. WASHBURN: He's an attorney but he's not my
10 attorney.

11 COURT: Okay.

12 MS. WASHBURN: In this case he's a very bad guy.

13 COURT: Okay, well let me do this. Everyone have a seat,
14 this is a replevin action. I want to go ahead review what it is
15 that you're seeking, Ma'am.

16 MS. WASHBURN: Your Honor, do you have exhibit one for
17 this?

18 COURT: I just, I'm reviewing the law clerk's notes. Let
19 me go ahead and then I'm gonna look at your complaint. Okay, who
20 is Larry Washburn?

21 MS. WASHBURN: My ex-husband, Your Honor.

22 COURT: Okay, so did you get divorced -- when did you
23 get divorced from him?

24 MS. WASHBURN: On March (unclear) 2017.

25 COURT: I'm sorry, what day?

1 MS. WASHBURN: March (unclear) 2017.

2 COURT: March, March of 2017. All right, so your husband
3 worked for the Federal Government?

4 MS. WASHBURN: He retired.

5 COURT: Retired?

6 MS. WASHBURN: He retired after 42 years, including his
7 military service eight years before he met me. That's why I did
8 not get, I could not get fifty percent of his, my share of annuity
9 -- his annuity.

10 COURT: Okay, so --

11 MS. WASHBURN: Only I got the thirty-six point twenty-
12 eight percent. And also, after he retired --

13 COURT: Mmm-hmm.

14 MS. WASHBURN: He got a job private sector American
15 College of Radiology as a computer information system officer, he
16 retired also.

17 COURT: So, you got part of his annuity in the divorce,
18 correct?

19 MS. WASHBURN: Yes, this entire thing is, I'm beyond my
20 control I became victim of my ex-husband (unclear words)
21 exploitation over my share of marital asset.

22 COURT: How much of his retirement do you get every
23 month? His retirement annuity?

24 MS. WASHBURN: He, you mean his annuity?

25 COURT: Yes, how much are they sending you?

1 MS. WASHBURN: So, if he uses my money that means that
2 is not legal, right?

3 COURT: Well what I ruled was that you don't have
4 authority to get these items from him, okay?

5 MS. WASHBURN: What item are you talking about though?

6 COURT: Your, your OP- --

7 MS. WASHBURN: My storage space and my clothes and my
8 shoes and that kind of thing?

9 COURT: Well, no, okay, okay.

10 MS. WASHBURN: So, he has to keep it, my, my shoes and
11 I, I don't --

12 COURT: Okay, yeah, that's something, that's something
13 if you're not happy with my ruling, Ma'am go down to the second
14 floor, talk to the clerk and you can appeal the case, okay?

15 MR. MCCARTHY: Your Honor and my, my second request I
16 made of you is about the companion case, dismissing the companion
17 case also that's been set for here.

18 COURT: I don't, I don't have that with me and I'm --

19 MR. MCCARTHY: That's fine, thank you.

20 COURT: I'm not gonna --

21 MR. MCCARTHY: Am I excused then, Your Honor?

22 COURT: Yes, have a nice day.

23 MR. MCCARTHY: Thank you, Your Honor.

24 COURT: All right, have a nice day Ms. Washburn, okay?

C E R T I F I C A T E

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3 I, Christina Neufell, official court transcriber for
4 the District Court of Maryland, do hereby certify that the
5 foregoing testimony was taken before Judge Eric Nee, on the 15th
6 day of July, 2019, and that said testimony has been reduced to
7 typewriting by me and that the foregoing transcript is a true and
8 accurate record of the proceedings herein to the best of my
9 knowledge and belief.
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14 Christina Neufell

15 August 26, 2019
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