

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

DELBERT J. CHARLES as	)	
Independent Administrator	)	
of the Estate of ABNERD	)	
JOSEPH, deceased,	)	
Plaintiff,	)	
vs.	)	No. 2024-L-005346
MESA DEVELOPMENT, LLC,	)	
et al.,	)	
Defendants.	)	
GARRETT M. SMITH,	)	
Plaintiff,	)	
vs.	)	No. 2024-L-010547
DELBERT J. CHARLES, et al.,	)	
Defendants.	)	

The deposition of YADA BEENER taken before
Melanie E. Kubiak, Registered Professional Reporter,
Certified Realtime Reporter, taken pursuant to the
provisions of the Illinois Code of Civil Procedure and
the Rules of the Supreme Court thereof pertaining to the
taking of depositions for the purpose of discovery
remotely via videoconference, commencing at 4:03 p.m. on
the 29th day of April, 2026.

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ALSO PRESENT:
Ms. Loran Cunningham (videographer)

* * * * *

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E X H I B I T S

(NO EXHIBITS MARKED)

1 THE VIDEOGRAPHER: We are now on the record. This
2 begins the video deposition of Yada Beener in the
3 Circuit Court of Cook County, County Department, Law
4 Division, Case Number 2024-L-010547. Today is
5 April 29th, 2026, and the time is 4:03 p.m. Central
6 Standard Time.
7 This deposition is being taken via Zoom at the
8 request of the plaintiff. The videographer is Loran
9 Cunningham of Magna Legal Services. And the court
10 reporter is Melanie Kubiak of Magna Legal Services.
11 Will counsel and all parties present please
12 state their appearances and whom they represent.
13 MR. KING: Maura, you want to start the parade?
14 MS. WHITE: Sure. Maura White on behalf of the
15 plaintiff in the wrongful death matter and the
16 defendants in the defamation matter.
17 MR. KING: Michael King representing Garrett Smith.
18 MS. WENGER: Erin Wenger with Sweeney Scharkey also
19 representing Garrett Smith.
20 MS. ENERSON: Wendy Enerson on behalf of Defendant
21 Sudler and Company, Deborah Romero, and Dominick
22 Tedaldi.
23 MR. NEGA: Michael Nega on behalf of the defendant
24 Andrew Clement from Amundsen Davis.

1 MS. KUS: Lauren Kus from Hinshaw & Culbertson on
 2 behalf of the Legacy Condo Association and Younan
 3 "Jonah" Nena.
 4 MR. VADASY: Richard Vadasy from Best, Vanderlaan &
 5 Harrington on behalf of defendants Robert and Natalie
 6 Bishopp.
 7 THE VIDEOGRAPHER: Thank you. Will the court
 8 reporter please swear in the witness.
 9 (Witness sworn.)
 10 WHEREUPON:
 11 YADA BEENER,
 12 called as a witness herein, having been first duly
 13 sworn, was examined and testified as follows:
 14 EXAMINATION
 15 BY MR. KING:
 16 Q. Would you state your name and spell your last
 17 name, please?
 18 A. Sure. My name is Yada Beener. The last name
 19 is B E E N E R.
 20 Q. And what is your residence address?
 21 A. [REDACTED]
 22 [REDACTED]
 23 Q. And are you now located in Georgia?
 24 A. Yes, I'm in Atlanta right now.

1 Graduate School of Education.
 2 Q. So is this the first job you've had outside of
 3 being the -- on the current path or doing research?
 4 A. Yes. To answer that question specifically,
 5 yes.
 6 Q. What is your educational background?
 7 A. I studied education, Spanish, and history in
 8 undergrad. And then in graduate school, I specified my
 9 studies to special education with a concentration in
 10 teaching mathematics.
 11 Q. Do you have a master's degree?
 12 A. I do.
 13 Q. And when did you get that and from where?
 14 A. In 2022, from Relay Graduate School of
 15 Education.
 16 Q. All right. Where was your undergraduate
 17 degree from?
 18 A. Spelman College in 2009.
 19 Q. Say again, what college?
 20 A. Spelman.
 21 Q. Spelman. Okay.
 22 So have you ever been deposed before?
 23 A. I don't think so.
 24 Q. All right. So let me explain the rules of the

1 Q. Okay. What is your telephone number?
 2 A. [REDACTED]
 3 Q. Do you have an e-mail address?
 4 A. Yes. [REDACTED]
 5 [REDACTED]
 6 Q. What is your business or occupation?
 7 A. A teacher.
 8 Q. What do you teach?
 9 A. Like, everything.
 10 Q. Where are you employed?
 11 A. At a school called SoulShine.
 12 Q. Could you spell that?
 13 A. Yeah. So S O U L S H I N E Academy.
 14 Q. Where is that located?
 15 A. In Atlanta, Georgia.
 16 Q. How long have you been employed there?
 17 A. Since February.
 18 Q. And what grade do you teach?
 19 A. I don't. I teach developmental ages. So
 20 anywhere between six weeks to seven months old.
 21 Q. They probably don't talk back a lot, do they?
 22 A. Oh, they do.
 23 Q. And what was your employment before there?
 24 A. I was doing clinical research with Relay

1 road, if I may. I'm going to ask a series of questions,
 2 none of which are designed to be misleading or tricky or
 3 anything like that. This is not a gotcha game. The
 4 group of us on both sides are just seeking information
 5 to help us better understand the circumstances and what
 6 happened in connection with the issues in this case.
 7 So anytime I ask you a question, if there's
 8 anything about it that you don't understand, either a
 9 word I use or the way I used it or the sequence of the
 10 words or whatever, just say -- give me some indication
 11 that you don't understand what I'm asking and I will try
 12 to rephrase it so we're both on the same page.
 13 Does that work for you?
 14 A. It does.
 15 Q. As I've told you before, if you need a break,
 16 all you have to do is say something and, you know, we're
 17 happy to take a break to conform to your schedule and
 18 your needs there.
 19 A. Thank you.
 20 Q. I've told everybody, as you may have -- well,
 21 you may not realize it, but the others on may recognize
 22 my voice is a little different today. It's not that I'm
 23 reaching maturity. I'm marginally past that. I've been
 24 fighting a cold. If I have to bail out later in the

1 deposition -- hopefully I won't -- but if I do, I've got
2 Erin Wenger who's here and online. She won't
3 participate in this unless I bail out and then she will
4 take over and I'll be out of here.

5 So in connection with this deposition, how did
6 you prepare? Did you talk to anybody? Did you read
7 anything? Did you listen to anything? What's your
8 background in getting prepared for this?

9 A. It's funny that you ask that. I think that I
10 prepared myself maybe all of two hours before this in
11 just reflecting on the life of a friend of mine. Yeah.
12 I just spent intentional time in a reflection. That was
13 my preparation.

14 Q. Were there any documents you read?

15 A. No.

16 Q. Were there any tapes you listened to?

17 A. No.

18 Q. All right. So when did you first meet Abnerd
19 Joseph?

20 A. I met him in 2022, yeah.

21 Q. Where and under what circumstances?

22 A. I met him in the parking lot. I was pulling
23 into the parking lot for work and so was another
24 colleague of ours, and he was walking towards his part

1 guess, were more intentional because the next time I
2 remembered being with him was at a birthday party. So
3 hello, started to see him in Atlanta, oh, like you're a
4 person that exists outside of work. Okay. And then,
5 yeah, birthday party.

6 Q. And could you describe how your relationship
7 morphed over time until such time as he left Atlanta?

8 A. Yeah, I guess the how is an interesting
9 question. Quite easily, to be honest with you. He felt
10 a lot like a familiar person to me within every
11 encounter. He felt very familiar. That's the best way
12 to say it. So yeah, it morphed easily.

13 Q. Did you become friends?

14 A. Yeah.

15 Q. Close friends?

16 THE WITNESS: Here's our arrival. Give me about
17 three minutes.

18 MR. KING: Not a problem.

19 THE WITNESS: Maybe less. Three minutes is
20 probably going to be more like 90 seconds.

21 MR. KING: Not a problem. That's fine.

22 THE WITNESS: Thank you.

23 THE VIDEOGRAPHER: Want to go off the record?

24 MR. KING: Sure, for 90 seconds.

1 of campus and she introduced us to each other.

2 Q. When you say campus, where are we talking
3 about?

4 A. At STRIVE.

5 Q. Were you both students there?

6 A. We were both faculty members.

7 Q. So what were you teaching?

8 A. At the time I was teaching kindergarten.

9 Q. And what was he teaching?

10 A. He was the assistant principal at the middle
11 school side of campus.

12 Q. Was that the Kriss school, Kriss?

13 A. No.

14 Q. So was that in Atlanta?

15 A. Yes.

16 Q. And who introduced you to each other?

17 A. A woman named Lakeesha Ramdhanie. She's the
18 chief school's operator.

19 Q. This was in 2022, correct?

20 A. Yes.

21 Q. How did your relationship develop from there?

22 A. How did it develop? I guess just running into
23 him and acknowledging that I met him. So hellos. And
24 then I ran into him off campus one time. We sort of, I

1 THE VIDEOGRAPHER: Off the record, 4:14 p.m.

2 (A short break was had.)

3 THE VIDEOGRAPHER: Back on the record at 4:14 p.m.

4 MR. KING: Am I ready to resume?

5 THE VIDEOGRAPHER: Yes.

6 MR. KING: Okay.

7 BY MR. KING:

8 Q. So, Ms. Beener --

9 MR. KING: I lost my witness here. Why don't I --
10 why am I not seeing the witness? There she is. Okay.

11 BY MR. KING:

12 Q. So you said your relationship started to
13 develop there. Was it purely friendship?

14 A. Yes.

15 Q. Did it ever become more than occasional
16 friendship?

17 A. For me, yes. What that means because I
18 mentioned the word familiar, is I would trust him to run
19 a quick errand or two for my son with my son. So, yeah,
20 I trusted him around my son.

21 Q. How old was your son at that time?

22 A. 11. Yeah.

23 Q. All right. So was Abnerd close to your son?

24 A. I would say he made attempts to be close to

1 him. I don't think they were close necessarily, yeah,
2 no.

3 Q. Was your relationship -- and just so you
4 understand my questions, I'm not being judgmental at
5 all. I want to understand when I ask you some questions
6 later on your perspective and in understanding your
7 perspective, you know, there are different kinds of
8 friendships, different levels of friendships, some more
9 intense than others. And that's what I'm interesting
10 in. Just so you understand where I'm coming from. All
11 right?

12 A. I understand. That's why I did state that I
13 trusted him around my son. For me to do that around a
14 male means it was a strong friendship.

15 Q. Was it a romantic friendship?

16 A. No.

17 Q. Is it fair to say he tried to mentor your son?

18 A. Yes. It's fair to say he did that with any
19 children in the space, though. He very much was able to
20 turn on his educator persona whenever a child was
21 around.

22 Q. And what -- could you describe the course of
23 your relationship until such time as you were in
24 different locations?

1 you know?

2 A. Maybe two days after the funeral ceremony, he
3 threw a housewarming party. So he texted me an invite.

4 Q. Did you go?

5 A. It was very close to the funeral. I didn't.
6 And I told him that I could not go. That was the end of
7 it. That was the last communication.

8 Q. So when did -- if you know, where was Abnerd
9 working in Atlanta up until the time he left Atlanta?

10 A. He was working at KIPP STRIVE Academy. That's
11 the middle school's name.

12 Q. So that's the academic grouping that you were
13 at as well?

14 A. Yes.

15 Q. Did you teach together or work together in
16 terms of teaching the class or interacting --

17 A. No.

18 Q. You just happened to be at the same
19 institution --

20 A. Yep.

21 Q. -- with each other; is that right?

22 A. Mm-hmm.

23 Q. You have to answer yes -- or you have to
24 answer verbally because the court reporter --

1 A. So he and his roommate would throw apartment
2 parties or karaoke nights. And he would be sure to
3 invite me there. So I would bring some of my friends.
4 There would be a lot of people that we knew and worked
5 with together there. It was really fun. He would do
6 those pretty frequently, whatever that means, like maybe
7 every month and a half. So there were moments when I
8 would be at those events. And looked like perhaps us
9 sneaking conversations at work when we were both passing
10 in the hallway, texting. If we were on the phone, he
11 would ask to speak to my son just a quick hello, how you
12 doing.

13 Q. And who was his roommate at that time?

14 A. Casey.

15 Q. So was Casey a friend of yours as well?

16 A. I wouldn't call him a friend, no.

17 Q. An acquaintance?

18 A. He was an acquaintance, and then we started to
19 grow flirty with each other. But I still would not call
20 him a friend.

21 Q. Has that relationship with Casey continued up
22 to the current time?

23 A. No.

24 Q. When was the last time you spoke to Casey if

1 A. Yes.

2 Q. -- records what you say and it's hard to
3 record a nod or something.

4 A. Yes.

5 Q. I should have said that to start, and my bad
6 and sorry.

7 So would you and Abnerd have open and close
8 conversations or deep conversations where --

9 A. Yes, all the time.

10 Q. And what subjects would those cover?

11 A. One of my favorite conversations that we had
12 was discussing the song Float On by The Floaters. And
13 we spoke about music and its influence on -- I guess we
14 spoke about music from, like, the '70s and '60s and its
15 influence on today's music. So it was always deep. It
16 was always intellectual.

17 Q. Would he tell you issues that he might have,
18 problem issues, or things troubling him or how things
19 were going at school, or were they less personal
20 conversations?

21 A. Yeah. He didn't really tell me things that
22 were troubling him.

23 Q. So these were not look into my soul
24 conversations?

1 A. No.
 2 Q. In either direction?
 3 A. No.
 4 Q. No, they weren't?
 5 A. No, they were not.
 6 Q. Okay. So did you know the
 7 circumstances -- Strike that.
 8 What did Abnerd tell you about his decision to
 9 leave Atlanta?
 10 A. He told me that he couldn't deny the figure
 11 that he was offered. Yeah. That was pretty much it.
 12 Q. Did he tell you that he was having any issues
 13 at the school there?
 14 A. No.
 15 Q. Did you have any awareness of any mental
 16 health issues that he had there?
 17 A. No.
 18 Q. Did you know at the time that he had been
 19 referred for psychiatric evaluation?
 20 A. No.
 21 Q. Did you learn at any time that he had a
 22 breakdown there?
 23 A. No. In Atlanta?
 24 Q. Yes.

1 seemed like a great educator from my perspective. But
 2 more like if someone were to tell me he was taking
 3 Adderall, then yeah. Also, because he's an educator, if
 4 that makes sense. I have a lot of colleagues that take
 5 Adderall.
 6 Q. But did he ever tell you he was taking
 7 Adderall?
 8 A. No.
 9 Q. And did you know that he was taking Adderall?
 10 A. No.
 11 Q. All right. So is it fair to summarize your
 12 testimony of his time in Atlanta during which you knew
 13 each other and were interacting that you saw no
 14 indication that he had mental health issues and was
 15 taking medication for it?
 16 A. No.
 17 Q. Is that a fair statement or ...
 18 A. It is a fair statement.
 19 Q. Then at some time, he left Atlanta; is that
 20 right?
 21 A. Yes.
 22 Q. And is it your understanding that he moved to
 23 Chicago?
 24 A. Yes.

1 A. No.
 2 Q. You did not know that?
 3 A. No.
 4 Q. Were you aware that he was taking any
 5 prescribed medication?
 6 A. No.
 7 Q. Were you aware that he was taking Adderall?
 8 A. No. But I would not have been surprised, but
 9 no.
 10 Q. Why do you say that?
 11 A. Because he -- I feel like education in general
 12 is quite performative, if I may. And he seemed to
 13 interact with people in a way that was very jubilant and
 14 joyful in many moments, yeah.
 15 Q. And you think that that's a consequence of
 16 taking Adderall or that was a reason to take Adderall?
 17 A. A reason to take it. This is coming from my
 18 educator's mind. Yeah.
 19 Q. So were you saying that his personality and
 20 his behavior was somewhere off the middle of the road
 21 and that's what triggers you thinking that maybe he
 22 should have been taking Adderall or you're not surprised
 23 that he was taking Adderall?
 24 A. Yeah, less than should have because it just

1 Q. And what did he tell you about moving to
 2 Chicago other than he got a good offer?
 3 A. That was pretty much it. Because I was giving
 4 him pushback on the move. So I guess what he shared was
 5 the justification for the decision.
 6 Q. So you were not in favor of the move?
 7 A. No.
 8 Q. Why?
 9 A. Going along with his personality and my
 10 perspective of Chicago, I thought that it would be a
 11 dangerous city for him. I actually plainly stated it.
 12 I can say more. He is very kind and dresses
 13 well, in a way that I might say to others, it could be
 14 ostentatious. Yeah, like really well dressed and kind.
 15 I would -- I didn't think he would be safe in Chicago
 16 just based off of those things alone. Very friendly.
 17 Q. Had you spent time in Chicago?
 18 A. I have, but I've only been there for events.
 19 So weekends that are loaded with activities, things like
 20 that.
 21 Q. And how often had you done that?
 22 A. Not often.
 23 Q. When was the most recent time?
 24 A. Maybe 2017. Yeah.

1 Q. 2017?
 2 A. Mm-hmm.
 3 Q. How old would you have been at that time?
 4 A. 29.
 5 Q. Did I -- I don't think I asked you your date
 6 of birth, and I apologize for that. Can you tell us
 7 your date of birth, please?
 8 A. [REDACTED]
 9 Q. So when you said that you had concerns that
 10 Chicago wouldn't be safe for him, can you tell us a
 11 little bit more about what you mean by that?
 12 A. Yeah, no problem. I told him I didn't want
 13 him in any northern city. And I was bringing my own
 14 bias as a New Yorker. But he seemed friendly in a way
 15 that could be gullible. Gullible's probably not the
 16 right word. Just too friendly for the north. I
 17 apologize. But that's really how I felt.
 18 Q. Mr. Joseph was a pretty good-sized gentleman,
 19 wasn't he?
 20 A. Mm-hmm.
 21 Q. You have to answer yes or no.
 22 A. Yes.
 23 Q. And his brother Nick, with whom he worked out
 24 fairly regularly, said that he was about 6, 2 and about

1 much?
 2 A. Not so much.
 3 Q. So then he ultimately moved to Chicago; is
 4 that right?
 5 A. Yes.
 6 Q. And what was your understanding of what he was
 7 going to do in Chicago?
 8 A. I believe that he was going to be an assistant
 9 principal.
 10 Q. What did you understand his responsibilities
 11 were going to be as an assistant principal?
 12 A. I didn't ask any questions. I just assumed
 13 what I know assistant principals to do. So perhaps
 14 coaching other teachers, intervening with behavioral
 15 needs, working with a dean, if there is a dean, things
 16 of that nature, reporting to the principal.
 17 Q. Did you understand he would have academic
 18 responsibilities or more administrative and disciplinary
 19 obligations?
 20 A. The latter.
 21 Q. So after he moved to Chicago, did you have
 22 occasion to visit him?
 23 A. No. I wanted to after I spoke to him. I
 24 actually made plans in my mind to do so after I spoke to

1 240 pounds. Described him as being in very good shape
 2 and basically quite strong.
 3 So were you concerned that somebody was going
 4 to attack him on the street or that he'd get into
 5 inappropriate relationships or dangerous relationships?
 6 A. The former. The former. And I think with
 7 Chicago, I wouldn't picture one person. Yeah. That's
 8 not how I see Chicago. So I wouldn't have worries about
 9 one person attacking him.
 10 Q. Because of his size and conditioning and
 11 things?
 12 A. Probably because of my biases towards gang
 13 violence in the city itself.
 14 Q. So what did he tell you about the job that he
 15 took in Chicago?
 16 A. He told me that he enjoyed working in Atlanta
 17 and it was great, but they offered him a figure that he
 18 couldn't refuse when he compared it to what he was
 19 making in Atlanta.
 20 Q. So did he tell you what he was offered?
 21 A. No, he didn't. I didn't ask either.
 22 Q. Well, I was going to ask you, is that
 23 information that you would have normally expected him to
 24 share with you just based on your relationship or not so

1 him on the unfortunate evening.
 2 Q. Okay.
 3 A. He invited me to come, but I told him no.
 4 Q. And did you tell him no as a matter of
 5 inconvenience or you were concerned? What was the
 6 reason for the no?
 7 A. I just didn't really want to go to Chicago.
 8 Q. So it was the city environment?
 9 A. Yeah. I imagine when I would say no, though,
 10 as well, sir, that I was probably considering childcare
 11 for my child. Or maybe touring the city with my son, I
 12 just wasn't interested in the idea. If I'm going to
 13 take a trip, it wasn't going to be to Chicago.
 14 Q. So not going to Chicago to visit and rejecting
 15 the invitation -- or at least not accepting the
 16 invitation, was that also a way of sort of tempering
 17 where the relationship was going; is that fair?
 18 A. I didn't read it that way, no.
 19 Q. You didn't intend it that way?
 20 A. No, I didn't read that exchange that way. It
 21 didn't feel like that. Even I remember him sort of
 22 taking like -- what I see -- I have a brother. Like a
 23 brotherly tone. So, come on, Chicago's great. It was,
 24 you know, that sort of response.

1 Q. Okay. So did you know other members of his
2 family?

3 A. Yes. But I didn't know this person was a
4 member of his family and I worked with her. We had our
5 own great relationship that we were building at the
6 time.

7 Q. And who was that?

8 A. Her name is Emerald Tyson. And she is the --
9 she has children with one of his brothers -- a family
10 with one of his brothers.

11 Q. Did you know any other members of his family?

12 A. No.

13 Q. Had you ever met them?

14 A. No.

15 Q. I'm talking about the period prior to his
16 death.

17 A. Yes. No, I had never met them.

18 Q. Had you spoken with them on the phone? Did
19 you have their --

20 A. No.

21 Q. -- contact information?

22 A. Well, let me be careful. I would speak to
23 Emerald's partner when he picked up his child from
24 kindergarten. But that was definitely like in passing.

1 Q. And do you recall any of the vacations that he
2 discussed with you?

3 A. I remember one time he showed me a picture of
4 a woman he had met at a party. And he told me he had a
5 great time and she was so beautiful. And he showed me
6 the picture. He was like the music was everything.
7 Yeah.

8 Q. And where was that?

9 A. That was Colombia.

10 Q. And do you remember when it was?

11 A. No.

12 Q. Did he ever discuss with you any drug use?

13 A. Yes.

14 Q. What did he say? And was that in connection
15 with the Colombia trip, or was this separate or both?

16 A. Separate. Yeah. Separate.

17 Q. When was this conversation -- or when was the
18 first?

19 A. Maybe like the spring of 2022.

20 Q. Where were you at the time?

21 A. We were having a face-to-face conversation.
22 One of my friends was there as well. At his apartment.

23 Q. At Abnerd's apartment or the friend's
24 apartment?

1 He's sort of like a quieter person at pickup.

2 Q. But that was the Emerald relationship, right?

3 A. Mm-hmm.

4 Q. All right. So what about relationship with --
5 a separate relationship with any of the other family
6 members?

7 A. That's what I mean when -- I don't know if I
8 said it correctly, but when the father of her children
9 picked up, it didn't involve her. I would be working
10 the pickup door, and I would have seen her there as
11 well. That would be some of the moments I would see him
12 in passing. Because he too would dismiss the children
13 from his side of campus and parents would pick up
14 siblings, so I saw him during those moments as well.

15 And, yeah, so I would speak to him, and he was
16 a quiet person. We didn't really exchange too much.
17 How are you? How's the baby? Things like that.

18 Q. Okay. Did Abnerd ever talk to you about his
19 trips out in the country?

20 A. Yeah.

21 Q. Vacations that he took?

22 A. Mm-hmm.

23 Q. Is that a yes?

24 A. Yes.

1 A. Yes. Abnerd's apartment.

2 Q. And who was your friend?

3 A. Her name is Lola.

4 Q. What's her last name?

5 A. I don't know. Sorry.

6 Q. Is she a teacher as well?

7 A. No, she's not. She used to work for my
8 family's restaurant.

9 Q. That's in Atlanta?

10 A. No. That's in Harlem. It was at the time in
11 Harlem, New York.

12 Q. So what did he say? What was the
13 conversation?

14 A. He was talking to me about a drug called K2.

15 Q. Say it again.

16 A. He was speaking to me about a designer drug
17 called K2.

18 Q. K, as in king?

19 A. Yep, as in king. And he was telling me how it
20 was similar to cocaine, but it was like a diet version.

21 Q. A diet?

22 A. I remember that was the language, yeah, diet
23 version.

24 Q. Do you know whether that was a form of

1 amphetamine?
 2 A. No, I don't know.
 3 Q. So what did he tell you about the K2?
 4 A. Just that.
 5 Q. Did he tell you that was the drug he was
 6 using?
 7 A. No. He was just talking about it.
 8 Q. Was he being knowledgeable about it?
 9 A. I guess if you consider the comparative
 10 statement, yeah.
 11 Q. Was that in the context of somebody trying to
 12 lose weight or that was just in the context of the drug?
 13 A. The context of the drug. There was no mention
 14 of losing weight.
 15 Q. Do you know what color K2 is?
 16 A. No.
 17 Q. Do you recall anything else about that
 18 conversation?
 19 A. Not really. Because that conversation quickly
 20 shifted into us listening to Basa music. Like we
 21 switched into different conversation.
 22 Q. Did you have any other conversations with him
 23 about drugs?
 24 A. No. No.

1 Q. I want to explore that a little bit more. So
 2 let me loop back. I'm going to give you a little
 3 information, and I want to see if that triggers any of
 4 the things that we want it to.
 5 Were you aware that after his death, that the
 6 Chicago Police Department and the coroner's office
 7 commissioned a toxicology report of Abnerd's blood after
 8 his death?
 9 A. No.
 10 Q. So I'm going to tell you that the toxicology
 11 report showed cocaine in his system, Adderall in his
 12 system, two different kinds of THC in his system. So
 13 assume that what I'm saying is correct -- and I'm not
 14 trying to speak for the report -- but do any of those
 15 references that I've just given you trigger any
 16 recollection of conversations you've had about any of
 17 those drugs?
 18 A. Not conversation, no.
 19 Q. What do they trigger?
 20 A. I have seen him use THC.
 21 Q. In what context?
 22 A. I don't know how to answer that question. I
 23 don't know what you mean, "in what context."
 24 Q. Okay. So you said that you were at several

1 parties that he would throw at his apartment. Was there
 2 drug use at those parties?
 3 A. Yes, including alcohol for sure. There was,
 4 you know, shots being taken, things like that.
 5 Q. Well, I was going to get to alcohol a little
 6 bit down the line. But -- so what drugs were in use at
 7 those parties?
 8 A. I saw marijuana and alcohol.
 9 Q. And were you aware that Abnerd used alcohol?
 10 A. Yes.
 11 Q. Do you know what kind?
 12 A. Hmm-mm.
 13 Q. Do you know whether he had a particular
 14 preference for tequila?
 15 A. I'm also very ignorant around alcohol, so no.
 16 Q. During these parties, is it fair to
 17 say -- Strike that.
 18 During these parties, did he get wound up?
 19 MS. WHITE: Objection to the form of the question.
 20 BY MR. KING:
 21 Q. No was your answer?
 22 A. No, not wound up.
 23 Q. High?
 24 A. Yes. Because I just imagine if you have THC,

1 you would get high. That's why I sort of reacted that
 2 way.
 3 Q. Okay.
 4 A. Yeah. But in behavior, it didn't appear to be
 5 high behavior. Yes. Let me be clear.
 6 Q. Is it fair to say that at these parties, that
 7 you never became concerned about his behavior or did
 8 you --
 9 A. No. He was the curator of the entire vibe.
 10 And I remember one of our first conversations in his
 11 apartments, I mentioned that. And he and Casey sort of
 12 went with that, that they were like vibe curators. But,
 13 yeah, he was definitely MC'ing and leading the function.
 14 So ...
 15 Q. Did that include the taking shots?
 16 A. Yeah.
 17 Q. Did he ever complain to you of or comment
 18 about being depressed?
 19 A. No.
 20 Q. Or emotionally distraught?
 21 A. No.
 22 Q. Did he ever mention to you taking any other
 23 drugs other than the THC drugs?
 24 A. We had discussions about how much we both

1 loved caffeine. I don't know if you're considering it a
 2 drug, but it's important to say because it is.
 3 Q. Caffeine is a stimulant, isn't it?
 4 A. (Nodding.)
 5 Q. Is that a yes?
 6 A. Yes. And we discussed just, I guess, having
 7 foreign backgrounds, how coffee was a part of our
 8 culture, like intertwined into how we socialize with
 9 people, and it was helpful as an educator, yeah.
 10 Q. So when you talk about --
 11 A. I had coffee at his house often. It was nice.
 12 Q. What kind of coffee was that?
 13 A. They had a Keurig. So sometimes I would bring
 14 my own creamer because I don't drink dairy. We'd just
 15 have some coffee. He would curate the vibes, again
 16 music, cool lighting. Really fun.
 17 Q. Was there any particular kind of coffee, brand
 18 of coffee?
 19 A. No, I don't remember. I think it was just
 20 like the regular pods that comes with the Keurig. It
 21 wasn't anything special.
 22 Q. Okay.
 23 A. Yeah.
 24 Q. How often did you speak with him when he was

1 in Chicago?
 2 A. At least once every two weeks.
 3 Q. Did you call him, or did he call you?
 4 A. He would call me.
 5 Q. So he would initiate the calls?
 6 A. Mm-hmm.
 7 Q. And what was the nature of the calls?
 8 A. What are you doing? I'm bored.
 9 Q. He was bored in Chicago?
 10 A. Yeah. Yes. He would recap his day. It would
 11 be very calm. Oftentimes, he would be in his robe, sort
 12 of like snugly on the couch. I would be in the same
 13 place, you know, finishing up a show. Very -- yeah.
 14 Q. So when was the last time you spoke to him
 15 prior to his death? Obviously --
 16 A. Minutes before.
 17 Q. -- wouldn't be when did you talk to him after
 18 his death. I'm trying to get some time frame.
 19 A. Minutes before.
 20 Q. And how did that come about?
 21 A. The conversation?
 22 Q. Yes, ma'am.
 23 A. He called me when I was in the parking lot
 24 listening to music and my son was in his tae kwon do

1 class.
 2 Q. And what time of the day or night was that?
 3 A. That was around 5:00-ish.
 4 Q. 5:00 p.m.?
 5 A. Mm-hmm.
 6 Q. 5:00 p.m. your time or 5:00 p.m. Chicago time?
 7 A. Eastern Standard Time.
 8 Q. Eastern.
 9 And how did the conversation start?
 10 A. When I picked up the phone, he immediately
 11 jumped into conversation. And I was just like rapping
 12 over him because I was listening to Kanye West at the
 13 time. So then he chimed in. Remember, he threw karaoke
 14 nights. So he chimed in and sort of rapped some of
 15 Kanye West's music.
 16 And I don't know how we got to this part of
 17 the conversation, but we just started discussing an
 18 entirely Black cast for the Willy Wonka film. We had a
 19 lot of fun casting the characters. It was really cool.
 20 Q. Was there anything unusual about that
 21 conversation?
 22 A. Yeah. So I lived in -- at the time I was in
 23 College Park. That's where I lived, and there's a lot
 24 of dead zones. So once my son was done with his class,

1 he got in the car and I drove to get him a sports drink
 2 maybe two to three blocks away from the dojo. And the
 3 call cut. So -- but at this point, we were on Facetime
 4 the entire time. So the call cut. And before the call
 5 cut, I told him that I was feeling a bit stressed about
 6 planning for my son's birthday and all the things that
 7 he wanted, and I told him my son's birthday and the call
 8 cut. And I got my son the sports drink, got back in the
 9 car, and called him because the Facetime wouldn't pick
 10 up.
 11 And he -- the energy of the conversation
 12 completely switched. And he kept telling me that he
 13 couldn't believe my son's birthday was when it was. And
 14 I was like why?
 15 And he was like, When's your son's birthday?
 16 It was a huge point of focus. I told him my son's
 17 birthday. He was like, You're kidding me. I don't
 18 believe it. And then he was so excited about it that I
 19 told him to call me back. And he was like, No, stay on
 20 the phone with me.
 21 And I was like, Well, I'm driving to the
 22 apartment. Let me call you back when we're back on
 23 Facetime. And then he consented.
 24 And then when I got back in the apartment --

1 in the apartment and called him back on Facetime, he was
2 crying. And he is the type of person that I would just
3 never expect to see cry, period, ever. And, yeah, that
4 was the odd part.

5 Q. Was he speaking quickly?

6 A. No. He was crying like how a -- this is
7 what's coming to mind -- but like how a hot child cries,
8 like (verbally demonstrating.) Like crying in his chest
9 kind of. Yeah, that's what I want to say. And
10 (verbally demonstrating), like those sounds.

11 Q. Did you recognize his voice?

12 A. Yes. And then when I got back into my
13 apartment, we were back on Facetime.

14 Q. And what was he wearing?

15 A. So I saw the crying.

16 A robe. I don't really remember, to be honest
17 with you. A robe. But I don't remember.

18 Q. And what did he say to you and what did you
19 say to him in the apartment phase of the call?

20 A. So I put my phone up and then went to start
21 cooking, and then he asked me to stop. And I was like,
22 Well, I just picked my son up. Let me cook. Let me put
23 something on the stove.

24 He was like No, I don't think you're taking

1 this seriously. I need you. I need your attention.

2 I was like Okay. Which was very different.

3 So I sort of like leaned in at that point. And that's
4 when he started to tell me about -- he told me that he
5 sent me a picture. I didn't look at the picture until
6 we were off the phone. But he told me he sent me a
7 picture explaining why my son's birthday sort of like
8 changed the conversation.

9 Then from there, I was just like allowing him
10 to speak and cry. I didn't try to intervene. I didn't
11 try to calm him down just because I thought he needed to
12 get it out. Again, I had never seen him cry. So I'm
13 like, okay, I'm going to be a safe space. I'm going to
14 be a good friend. Okay. Cool.

15 But then he started telling me how he and my
16 son were very similar, like their life paths. And,
17 yeah, that was really different.

18 Q. Was his voice loud or soft at that time?

19 A. I don't think I would use either description.

20 Q. Agitated?

21 A. It was like sad. But like sad, like a toddler
22 sad. Yeah. Yeah.

23 Q. Were you concerned about him at that point, or
24 did you think this was some short thing in the same

1 sense that, you know, somebody banged their ankle or
2 something and it was -- you know, you had to get them
3 past the immediate pain?

4 A. When he started to compare his life to my
5 child's life, I grew concerned because I felt like he
6 was sharing things -- I felt like he was having
7 reflective conversation about his life. That's the best
8 way I could put it, like reflective language. And I
9 don't think at our young age, we're supposed to be in
10 that type of reflection.

11 Q. Did you -- and I don't want to put words in
12 your mouth. Again, I'm just trying to understand. Did
13 you think that he was in distress at that point?

14 A. I thought that I -- I would not call it
15 distress. I thought that he was approaching the end of
16 his life. It was almost -- this is what I told his
17 family, it was like he was delivering a eulogy of
18 himself.

19 Q. So when did you -- when did you tell his
20 family that?

21 A. I'm sorry. I changed it to my speakerphone.

22 What did you say?

23 Q. When did you tell his family that?

24 A. The next evening. Yeah. I got a call from a

1 brother at like 2:00 in the morning the next -- I guess
2 the following day, the next morning, because they
3 definitely called me at, like, 2:00 in the morning.

4 Q. Okay. So that's the same evening of the call
5 you had just been describing?

6 A. No. So the next day, after the 12:00 o'clock
7 mark that next morning.

8 Q. Okay.

9 A. It definitely sounded like a eulogy, yeah.

10 Q. And what was your reaction to that?

11 A. I started to text Casey.

12 Q. And what were you going to tell Casey and why?

13 A. I texted Casey some -- well, at that point, I
14 was worried because I don't feel like you should have
15 conversations about your life in such a reflective
16 manner unless you're approaching the end.

17 I've had the pleasure to have elders that I
18 spoke to and I could hear how they were talking in their
19 last days, and it sounded like that, Mr. King. Truly.
20 So I texted Casey, like, Someone should check on Nerd.
21 Like, hey, pick up. What's up. Someone should check on
22 Nerd. Yeah.

23 Q. Were you concerned that he might be
24 contemplating suicide?

1 A. Yes, I was.
 2 Q. So that thought came to your mind?
 3 A. Mm-hmm.
 4 Q. That's a yes?
 5 A. Yes. Following what appeared to be overly
 6 reflective conversation. And so after he mentioned
 7 the -- after he did the comparison with my son, he
 8 started to speak about how his family members treated
 9 him.
 10 Q. What did he say?
 11 A. He said that he was seen as the ugly duckling
 12 and how he was told he was ugly for a lot of his life.
 13 And he felt ignored by his mother. Yeah. And we had
 14 never spoken about his family, if that can give you even
 15 more context. How some of his siblings were mean to
 16 him. Yeah.
 17 Q. Were you -- were you an active participant in
 18 this conversation, or were you basically just listening?
 19 A. Basically just listening.
 20 Q. He wasn't asking you for input, was he?
 21 A. No. And it also -- if I'm comparing the cry
 22 to that of a toddler, it felt like he needed to speak,
 23 and I won't interrupt anyone if I read that, you know.
 24 Q. So this was something that was just coming to

1 the surface?
 2 A. Yes.
 3 Q. Did you have concern that he may have taken
 4 drugs and this was a reaction of the drugs? Did that
 5 occur to you?
 6 A. I don't think I had that concern. I genuinely
 7 thought that he was -- so before the thought of suicide,
 8 right, because that was the later thought which caused
 9 me to act in the moment. But I thought that he just
 10 needed to get thoughts out. I thought he was having
 11 like a breakthrough cry.
 12 Q. So this was something he just -- he needed to
 13 get out?
 14 A. That's what I thought, yes.
 15 Q. And was -- again, I don't want to speak for
 16 you, but was it your sense that the good part of
 17 friendship at that point was to just be there and
 18 facilitate this -- getting this out and that maybe it
 19 would calm it down and the situation would pass; is that
 20 fair?
 21 A. Yes. I was perceiving it as word vomit but
 22 truly needing to get words out of the body, like a
 23 revolting moment for him.
 24 Q. This group of conversations, so I -- I take it

1 that those conversations were just completely different
 2 than the conversations you had before talking to him
 3 about music and academics and a variety of other things;
 4 is that fair?
 5 A. Yes.
 6 Q. Is it fair to say you were sort of caught off
 7 guard by this?
 8 A. I was completely caught off guard by the
 9 crying. That was the first indication, that if nothing
 10 else, he was really moved by a moment.
 11 Q. Did he say anything in the conversations --
 12 when I say "conversations," I'm talking about that group
 13 of conversations that evening -- that struck you as --
 14 I'm not sure how to describe it -- erratic or not
 15 rationale?
 16 A. I don't think we were having a rationale
 17 conversation. He told me who I was to him in a former
 18 life. That's when it really got serious for me. And
 19 after comparing his life to my son's life, he was like,
 20 This is why I met you, you were a mother to me in a
 21 former life. And that's when I was like, okay, I think
 22 he's getting close to the end somehow. But I wouldn't
 23 call it erratic. It wasn't rationale. It felt very
 24 spiritual.

1 Q. So when you say "spiritual," I want to
 2 understand what you mean by that. So --
 3 A. Thank you. Him just referencing who I was in
 4 a former life.
 5 Q. Well, that -- So I want to get to your choice
 6 of spiritual as the word. So you could have a spiritual
 7 conversation -- and this is a question mark at the end
 8 of this -- you could have a spiritual conversation
 9 talking about God and the Bible. That could be a
 10 spiritual conversation. Or you could have a spiritual
 11 conversation -- though I wouldn't use the word
 12 spiritual -- that talks about you're a Viking invader
 13 and remember being in a battle with Napoleon or
 14 something. That's not spiritual to me. That's
 15 something different.
 16 A. Oh, I would call them both spiritual.
 17 Q. Okay. So when you say you were having a
 18 spiritual conversation, it wasn't a religious
 19 conversation, it's spiritual in the sense it wasn't of
 20 current living people having current living
 21 relationships?
 22 A. Yes.
 23 Q. Is that fair?
 24 A. Yes.

1 Q. Your son's name is Jose; is that right?
 2 A. Yes.
 3 Q. And how old is he now?
 4 A. 13.
 5 Q. 13. Congratulations.
 6 A. Thank you. 12 was hard. So thank you.
 7 Q. Sorry you didn't have a daughter. Talk about
 8 hard. That's a different issue.
 9 During the conversation, did he -- I know
 10 you've described this sucking crying. Did he sound
 11 angry?
 12 A. No. He sounded sad.
 13 Q. Agitated?
 14 A. No. Sad.
 15 Q. So following your conversation, the testimony
 16 is that he was out in the hallway, you know, pounding on
 17 doors and yelling things, yelling violent comments or
 18 threats about hurting White people or things of that
 19 nature. Assuming that what I've said to you is
 20 accurate, is that consistent with the conversation you
 21 were having or --
 22 A. No.
 23 Q. -- was that stepping up in tone and frantics?
 24 A. That wasn't consistent with our conversation

1 all our gold back?
 2 A. No.
 3 Q. Or that people were listening to him or
 4 listening to his conversations?
 5 A. No.
 6 He said "they're coming" multiple times.
 7 Q. Any indication they were going to break down
 8 his door?
 9 A. No. Just they're coming. And he repeated it
 10 several times. And in my own training, I did not want
 11 to get off of the phone with him. But I knew at that
 12 point, I wasn't getting any responses from Casey. So I
 13 chose to hang up because of the phrase they're coming.
 14 Q. What did you understand that to mean?
 15 A. Well, for me, I just thought that he was going
 16 to be a victim of some sort of violent attack. Someone
 17 was coming. And it's so odd for me to hear that from
 18 him that I took it very literally, especially after the
 19 crying.
 20 Q. So at that point, were -- was it your sense
 21 that he was concerned that he was going to be under
 22 attack?
 23 A. Yeah. And I didn't receive clarity from it.
 24 It was just they're coming.

1 at all.
 2 Q. Are you familiar with the phrase Celestine
 3 Prophecy?
 4 Is that a phrase he used?
 5 A. No.
 6 Q. You don't recall that?
 7 A. No.
 8 Is that something that was used -- may I ask a
 9 question? Is that fair?
 10 Q. No. Actually, the way this works is I'm
 11 supposed to ask the questions.
 12 A. Okay. Okay. Okay.
 13 Q. So let me just stay on.
 14 Do you remember part of a conversation about a
 15 chocolate factory?
 16 A. Yes, for sure. Because we were casting Willy
 17 Wonka, an all Black cast. It was genius.
 18 Q. Was that the same conversation, or was that
 19 different one?
 20 A. That was in front of the dojo studio. So
 21 before I mentioned my son's birthday.
 22 Q. And that's before the conversation switched?
 23 A. Yes.
 24 Q. Do you remember him saying he was going to get

1 Q. So did you think that was literally they were
 2 coming or that he was being paranoid?
 3 A. I'm going to answer honestly here, I
 4 considered both possibilities. I thought that people
 5 could literally be coming for him or that they were
 6 coming to transition him to death, "they" being
 7 spiritual beings. I considered both. Both were scary
 8 to me.
 9 Q. At any time, did he say who was coming?
 10 A. No.
 11 Q. Other than they?
 12 A. No.
 13 Q. And that was while he was in the apartment?
 14 A. Yes.
 15 Q. In his apartment?
 16 A. Yes.
 17 Q. And was he still on the couch at that point?
 18 A. I don't remember him being on the couch.
 19 Q. I thought you said that during part of the
 20 conversation or during the conversation when you were
 21 Facetimeing him, he was sitting on a couch.
 22 A. That was our conversations before when he
 23 moved to Chicago.
 24 Q. Where was he during this conversation, if you

1 know?
 2 A. It looked like he was leaning on a desk kind
 3 of. I don't know what part of the house it was. But
 4 like leaning and talking.
 5 Q. Did he tell you anything about the police were
 6 coming for him?
 7 A. No.
 8 Q. Do you remember him telling you about
 9 helicopters?
 10 A. No.
 11 The first time we were on Facetime, sir, he
 12 was in his car. By the time I was at my apartment and
 13 Facetimed him the second time, he also was at his
 14 apartment.
 15 Q. Do you remember him telling you that the
 16 police were going to kill him?
 17 A. No.
 18 Q. Or that somebody was going to kill him?
 19 A. No. The language was, they're coming.
 20 I want to reach back, Mr. King, just to put my
 21 heater on. Thank you.
 22 Q. Did you -- so you reached out to Casey and
 23 didn't get a response?
 24 A. I was texting multiple times, yeah. That's

1 when I chose to hang up, which I didn't want to do. I'd
 2 rather have had him on the phone but I hung up to call
 3 Casey, yes. I also tried to include Casey on the call,
 4 but he wasn't picking up that way either.
 5 Q. Was there any point in time when you heard
 6 loud noises or a part of the recording that -- other
 7 than your conversation with Abnerd?
 8 A. No.
 9 Q. So you didn't hear anything in the hallway
 10 or --
 11 A. No.
 12 Q. -- pounding or loud voices?
 13 A. No.
 14 Q. Do you know a Jareth Bent?
 15 A. Yes. I know the name because he called me
 16 after.
 17 Q. Mr. Bent --
 18 A. Mm-hmm.
 19 Q. -- called you?
 20 And what did he say to you?
 21 A. He called me maybe a couple of minutes after I
 22 got off the phone with Casey. He was like, hey, what's
 23 going on?
 24 And I told him, I was like, Someone needs to

1 go check on Nerd right away, immediately.
 2 And he was like Okay. I'm only a couple of
 3 minutes away. What's happening?
 4 I was like, I'm not really sure, he was on the
 5 phone crying and comparing his life to my son's life.
 6 I'm worried he may take his own.
 7 Q. And what did Jareth say?
 8 A. That he was on the way.
 9 Q. Prior to your conversation with Jareth, had
 10 you spoken with Casey?
 11 A. Yes.
 12 Q. And did you call him or did he call you? I
 13 think you said he called you at about 2:00 in the
 14 morning.
 15 A. No. That was his brothers -- one brother. I
 16 think it was one of the Jays. Both of them go by the
 17 epithet Jay. And he called me. So I don't know. This
 18 occurred on a Thursday if I'm correct. So this was
 19 Saturday morning 2:00 a.m.
 20 Q. All right. So you spoke to Casey?
 21 A. I did.
 22 Q. Did he get the text and called you as a
 23 consequence?
 24 A. No. He just finally picked up one of the

1 calls.
 2 Q. So you called him several times and you
 3 finally got him?
 4 A. I tried to connect him on three-way, and then
 5 once I hung up the phone, I was able to reach him
 6 afterwards.
 7 Q. Okay. Did you ever connect him on the
 8 three-way?
 9 A. Mm-mm.
 10 Q. So you call him, it rang there, he never
 11 picked up --
 12 A. No.
 13 Q. -- is that right?
 14 A. Yes.
 15 Q. And did you then hang up?
 16 A. Yes.
 17 Q. So you might well -- he might well have still
 18 been connected to the call with Abnerd?
 19 A. Who?
 20 Q. Casey.
 21 A. Casey never picked up while I was on the phone
 22 with Nerd.
 23 Q. Right. He didn't pick up your call, but he
 24 still might have been connected.

1 If I call somebody and I try to patch somebody
2 in, I can't -- I can't hang up on the person I tried to
3 patch into the -- into a three-way conversation. I have
4 to hang up the whole thing and -- at least I do, and
5 then just start over and call the first person.
6 A. No, not on the iPhone.
7 Q. Pardon?
8 A. Not on the iPhone.
9 Q. I may need your number.
10 So what was your conversation with Casey?
11 A. Casey was so casual. He was like, hey, what's
12 up?
13 I was like, No, something's happening with
14 Nerd. Get to him right away.
15 He was like, What's going on?
16 I was like, He's crying. That's first. But I
17 don't want to talk to you right now. Get to Nerd.
18 So it took a couple of exchanges of
19 encouragement. He was like Okay. Okay. I will call my
20 line brother. Yeah.
21 Q. Okay. So if I understand correctly, what
22 you're saying is that you had to convince Casey this is
23 not just an ordinary, hey, what's going on? This
24 was --

1 A. That I learned?
2 Q. Yes, ma'am.
3 A. Casey called me back and told me, perhaps
4 before I spoke to Jareth, that he was sending a line
5 brother, the line brother was on the way. Yeah.
6 Q. Okay. And then what happened? Were you still
7 in the state of high concern?
8 A. Yeah. But I was also in a state of rushing to
9 tend to my child because we went to tae kwon do right
10 after school, and he only had a sports drink. And he
11 was communicating as if he was very hungry for -- during
12 the duration of that conversation. I was sort of
13 shooing him away, like, hey, Nerd is crying. So even he
14 knew it was like a different type of conversation.
15 So I immediately threw in a very simple meal
16 on the stove, and then minutes later called Nerd. But I
17 hesitated with calling him because I didn't want to
18 intercept any calls that needed to get to him. But he
19 didn't pick up the phone.
20 Q. And what was the next thing that you learned?
21 A. Well, I woke up, I went to work, and a
22 colleague that is distant from both of us told me that
23 he had passed.
24 Q. So after your conversation with Casey where he

1 A. Yep.
2 Q. -- something that requires immediate
3 intervention?
4 A. Yes.
5 Q. And you had the same conversation with
6 Mr. Bent?
7 A. Yeah. But he already was demonstrating a
8 sense of urgency. So it seemed like he was just asking
9 me questions to know what he was going to, like,
10 discover upon arrival, like the current state, yeah. I
11 didn't have to convince him that it was serious.
12 Q. So had he already spoken to Casey?
13 A. Yes.
14 Q. Okay.
15 A. Because I had never spoken to him, so I guess
16 Casey gave him my number.
17 Q. Okay. So you had the conversation with Casey,
18 you manage to convince Casey this is an emergency that
19 needs action, and the next thing you know, you get a
20 call from Mr. Bent consistent with that trying to get
21 more information; is that --
22 A. Yes.
23 Q. -- the right sequence?
24 What's the next thing that you learned?

1 say he's going over, the next thing you knew about any
2 of this situation was when the colleague told you that
3 the next day?
4 A. Yeah. It was like after 10:00 a.m.
5 Q. Casey didn't call you back, Jareth didn't call
6 you back?
7 A. No.
8 Q. And who's the next person you spoke with who
9 knew anything about what had happened?
10 A. After the colleague?
11 Q. Yes.
12 A. Well, the principal of the campus gathered
13 everyone who was close to him and sort of tucked us in a
14 room because to know Nerd and to find out he's passed is
15 to immediately mourn for him, and that's what we were
16 doing, yeah.
17 Q. So the first you knew that he had passed was
18 the colleague at your school the next day?
19 A. Yes.
20 Q. So Casey didn't call you and tell you he
21 passed?
22 A. No.
23 Q. None of his family called and told you he
24 passed?

1 A. No. And Emerald didn't come to work that day
2 because obviously she had received word earlier, yeah.

3 Q. So when's the first time you spoke to any
4 family members or friends about it?

5 A. Once I left -- so after the day for us
6 ended -- because we were no longer working, the
7 principal excused all of us -- there was conversation of
8 like a meet-up of people who were close to him just to
9 sort of have a drink, reminisce, talk. On the way to
10 that gathering, I called Emerald.

11 Q. So did the principal tell you the
12 circumstances of his passing?

13 A. The principal is not who told me.

14 Q. The colleague in --

15 A. Yes. His words were that he was killed last
16 night.

17 Q. So did you know anything about the
18 circumstances?

19 A. No. I also couldn't make sense of what was
20 happening at all because I went to bed with the security
21 that his brothers showed up for him. And the language
22 wasn't language I expected at all.

23 Q. So the next morning, you go to school, a
24 colleague says that he passed and that he had been

1 killed --

2 A. Mm-hmm.

3 Q. -- is that right?

4 A. Yes, sir.

5 Q. And then you said that somebody at the school
6 gathered the people who knew him best and basically
7 reiterated that he had passed?

8 A. He wasn't even in the room when I went in the
9 room. It was just a bunch of us crying. He was
10 responding to so many teachers being down.

11 Q. So you don't know that he had any independent
12 information?

13 A. The person who told me?

14 Q. Yes.

15 A. Oh, no.

16 Q. He was responding to, he's got a group of
17 staff, of faculty, that are having a bad time; is that
18 right?

19 A. I imagine that the principal assigned
20 different people to tell people because it was so many
21 of us that were fond of him on campus. So if you could
22 imagine an elementary school and a middle school,
23 teachers dropping like flies, her pulling them from the
24 classroom. And I do know -- she told me why later, and

1 she said she didn't want us to receive a text about the
2 information. So she got assistant principals to come
3 tell us.

4 Q. Okay. So what would happen next?

5 A. So after I left the school building, I called
6 Emerald and I told her like I was talking to Nerd for a
7 lot of the evening, so you should know this. And I can
8 tell you what the conversation was like. I have video.
9 So I sent her a video. And then I went to the gathering
10 where there were a bunch of other fraternity brothers
11 and people who cared for him there. By a bunch, it was
12 maybe like seven of us, eight of us.

13 Q. This was in Atlanta?

14 A. Yes.

15 Q. Okay. And?

16 A. We were just reminiscing on good times, yeah.
17 Conversations like -- I remember Casey saying that he
18 was upset with him for this being the end of his story.
19 And like us being able to empathize without
20 understanding because what an odd way to end his story,
21 truly, outside of age. Like, the age was mentioned but
22 the how, yeah, very disheartening. That was definitely
23 a quiet moment for us.

24 Q. So were you surprised that -- when you first

1 learned that he had passed?

2 A. Yes.

3 Q. Because you thought that --

4 A. I also felt extremely disconnected because in
5 hearing how people were retelling the story and even in
6 your line of questioning, I had never heard anything in
7 the background.

8 Q. Did you learn more of the circumstances of his
9 passing?

10 A. I wouldn't call that learning. I heard what
11 people were saying.

12 Q. What did you -- what were people saying and
13 who were the people who were saying it?

14 A. So the men that were there at the gathering,
15 they were saying things like, oh, I heard -- or they
16 were saying there -- they're saying that he was knocking
17 on people's doors. They were saying that he ran from a
18 neighbor. They were saying that the doorman was on that
19 same floor. Just a lot of disconnected thoughts and
20 stories being tossed around.

21 Q. And who was telling you these things? What
22 was the source of this?

23 A. That's a great question. Because when you
24 asked that, I wasn't prying into the source. I think it

1 was a collection of what they were reading. I wasn't
 2 reading anything at that point.
 3 Q. Are you talking from the newspapers?
 4 A. Yeah, or just, I guess -- just -- yeah, social
 5 media, probably. And what they had heard, yeah.
 6 Q. So did somebody tell you that he had assaulted
 7 people?
 8 A. I heard that he had punched someone in the
 9 face. That's what they said. And I was like no,
 10 impossible.
 11 Q. Did you hear that he had punched two or three
 12 people?
 13 A. I heard one.
 14 Q. Did you hear why he had punched somebody?
 15 A. No. In fact, my response was why. It was
 16 that same question, why? When? I had a lot of when
 17 questions too considering we were on the phone. Like
 18 when?
 19 Q. Did you get an answer?
 20 A. Hmm-mm.
 21 Q. Who did you ask?
 22 A. These people also didn't have the answers.
 23 And they were crying and drinking.
 24 Q. So this was rumors going around a room --

1 Q. Who did you speak to?
 2 A. Well, I called Emerald, like I told you.
 3 Q. Right.
 4 A. And then one of the Jays called me that
 5 weekend.
 6 Q. Do you know which Jay?
 7 A. No.
 8 Q. All right.
 9 A. Yeah. He just wanted to know a bit more about
 10 what happened, so I recalled the story for him. And
 11 then they asked me if I can meet up with them. And that
 12 was about a month later. And I met them and spoke to
 13 them in person.
 14 Q. Okay. Did you take any notes or keep any
 15 diary entries or anything about any of this?
 16 A. No.
 17 MR. KING: All right. I'm going to take a
 18 five-minute break.
 19 THE VIDEOGRAPHER: Off the record, 5:30 p.m.
 20 (A short break was had.)
 21 THE VIDEOGRAPHER: Back on the record at 5:36 p.m.
 22 BY MR. KING:
 23 Q. Ms. Beener, were you aware of any social media
 24 posts in connection with Abnerd's death?

1 A. Yes.
 2 Q. -- being edited as they went?
 3 A. Yes. With questions attached too. We
 4 acknowledged that we didn't know what was happening. No
 5 one was speaking with authority.
 6 Q. Did you later -- did you go to the funeral?
 7 A. I did.
 8 Q. And was anything said around the funeral about
 9 more information or about what had happened?
 10 A. People were supporting me at the funeral. I
 11 wasn't really hearing too many of the conversations.
 12 Yeah.
 13 Q. Were you telling people about your
 14 conversations with him?
 15 A. No.
 16 Q. Were you interviewed by the Chicago Police
 17 Department?
 18 A. I was not.
 19 Q. Have you spoken to any members of the Chicago
 20 Police Department?
 21 A. No.
 22 Q. Have you spoken to any members of the family
 23 about your conversations?
 24 A. Yes.

1 A. Yes, I was aware.
 2 Q. How did you become aware?
 3 A. I think people sent me a couple. I refused to
 4 look at them, though.
 5 Q. I'm assuming -- well, let me ask you, did you
 6 post anything?
 7 A. No.
 8 Q. Why didn't you look at them? Why didn't you
 9 want to look at them?
 10 A. I was following the counsel from my father,
 11 and he told me that if I read anything or looked at
 12 those things, I may lose my own memory of what happened.
 13 So that was the why.
 14 Q. Your father seems like a wise man.
 15 A. He is.
 16 Q. What's his business background?
 17 A. My father was NYPD. He also drove trucks for
 18 a while. And then he ended up laying all the groundwork
 19 for 5G for Verizon for years.
 20 MR. KING: Nice. All right. Well, that's all I
 21 have. Thank you very much. I really appreciate you
 22 taking the time, and I hope Jose gets a nice dinner out
 23 of this.
 24 THE WITNESS: Well, I appreciate you listening to

1 me, truly.

2 MR. KING: All right. So some of the others have
3 an opportunity to ask you any questions.

4 EXAMINATION

5 BY MS. WHITE:

6 Q. Hi, Ms. Beener. My name is Maura White.

7 Thank you so much for your time today.

8 A. No problem. It's Beener.

9 Q. I'm sorry. I apologize.

10 A. It's okay.

11 Q. You had mentioned the conversation that you
12 were having with Abnerd Joseph the night that he died.
13 And is it fair to say -- I don't want to put words in
14 your mouth -- that in addition to the crying, was his --
15 was his demeanor not consistent with the way that you --
16 let me ask it this way: Was his demeanor consistent
17 with your other conversations with Abnerd during the
18 course of your friendship?

19 A. No. It was the opposite of joy. He was very
20 sad in that conversation. And he normally was very
21 joyful, very optimistic, very positive, very light.

22 Q. About how long do you think you -- I know that
23 there was different sort of stages of the conversation,
24 you were on the phone in the car, you eventually went

1 back to your residence when you were cooking and talking
2 to him.

3 About how long would you say start to finish
4 your conversation with Abnerd was that night?

5 A. About or under two hours.

6 Q. When you say it was under two hours, can you
7 give us any more of an approximation in terms of how
8 long it would have been?

9 A. Well, I can tell you the start of the
10 conversation because I was also wondering about what
11 time things occurred. Remember I said I was asking
12 when? He called me a little after 5:00.

13 Q. Okay. And you also mentioned that after this
14 happened, you and your colleagues at the school were
15 talking about what happened. And I think when Mr. King
16 asked you some questions, you said that, you know,
17 people were getting this different places, like social
18 media, newspaper, things like this.

19 A. Yeah.

20 Q. During that conversation, did you have any
21 idea whether or not those accounts were accurate?

22 A. I didn't believe anything that they were
23 saying because I was holding true to what I was of
24 witness to.

1 Q. When you say what you were a witness to, are
2 you talking about your conversation with Abnerd the day
3 prior?

4 A. Yes.

5 Q. Okay. You testified that when someone said
6 that he punched -- that Abnerd punched someone, you
7 thought that was impossible. Can you tell me why you
8 thought that would have been impossible?

9 A. Because he would be the type to run and break
10 up a fight between strangers. This also alludes to why
11 I didn't want him to go to a city like Chicago. He is
12 like an servant to everyone.

13 Q. What do you mean by that?

14 A. Good natured. So I couldn't imagine him
15 punching someone. He would break up a fight between
16 people that he doesn't even know, you know.

17 Q. Had you ever observed him to be violent in the
18 past?

19 A. No.

20 MS. WHITE: That's all I have. Thank you so much.

21 THE WITNESS: Of course, thank you.

22 MR. VADASY: I have some questions for you. I can
23 go next.
24

1 EXAMINATION

2 BY MR. VADASY:

3 Q. Ms. Beener, my name's Richard Vadasy. I
4 represent two of the defendants in this matter.

5 A. Hello.

6 Q. Thank you for being with us this evening and
7 going through this. I know it's not an easy thing to
8 talk about. I'm going to jump around a little bit to
9 try not to go over things that you were already asked.
10 So apologies in advance for the disjointed nature of
11 some of the topics of my questions.

12 A. Okay.

13 Q. You have been referencing throughout an
14 individual named Casey.

15 A. Yes.

16 Q. And is that just one Casey, it's the same --
17 the Casey that you spoke with the night of the shooting
18 is the same Casey that Abnerd was living with in
19 Atlanta?

20 A. Yes.

21 Q. And is that Casey Jostine -- or Jostine?

22 A. Yes, it is.

23 Q. Do you know how long Casey lived with Abnerd
24 for?

1 A. No, I don't.
 2 Q. Were they living together already when you
 3 first met Abnerd?
 4 A. Yes.
 5 Q. You may have answered this, but have you kept
 6 in contact with Casey at all since Abnerd's passing?
 7 A. No, not since the invitation to his
 8 housewarming.
 9 Q. Okay. I do remember you saying. That was a
 10 few days after his funeral, correct?
 11 A. Yes.
 12 Q. The -- you were talking about -- it sounds
 13 like you had a few different phone calls and Facetimes
 14 with Abnerd the night of his death, correct?
 15 A. Yes.
 16 Q. And I want to kind of narrow down the timeline
 17 as best as we can and the number of calls that you had.
 18 So the first time you spoke with him, was that
 19 on Facetime?
 20 A. Yes.
 21 Q. And you said that was a little bit after
 22 5:00 o'clock your time he called you, correct?
 23 A. Yes.
 24 Q. And you were in Atlanta at that time?

1 Q. And then did he mention to you about having
 2 any plans for that evening?
 3 A. I don't remember.
 4 Q. It sounds like during that first Facetime
 5 conversation that you had, you didn't have any concerns
 6 about his behavior that he was exhibiting, correct?
 7 A. Yes.
 8 Q. And it was during that Facetime you mentioned
 9 that you were having a conversation about the Willy
 10 Wonka casting an all-Black Willy Wonka cast?
 11 A. Yeah.
 12 Q. And what else do you recall about that first
 13 conversation about what you discussed?
 14 A. We were talking about how smart Kanye West is.
 15 Smart musically, if I may just to narrow that. Yeah.
 16 Q. That's a good clarification.
 17 A. Yeah, I thought so as well. And it was that
 18 conversation of like artistry and entertainment that led
 19 us to Willy Wonka. I'm not really sure what the exact
 20 transition was, but yeah.
 21 Q. And is there anything else specific about that
 22 first Facetime call that you discussed that you can
 23 recall now?
 24 A. We tossed out the idea of -- this is making me

1 A. I was in College Park.
 2 Q. Oh, where is that at?
 3 A. It's, like, eight minutes outside of Atlanta.
 4 Q. Okay. Eastern time zone, though, right?
 5 A. Yes.
 6 Q. And you were in your car and he was in his own
 7 car?
 8 A. Yes.
 9 Q. Do you know, was Abnerd driving his car at the
 10 time?
 11 A. Yeah. He had told me he just got a haircut.
 12 Q. Okay. And do you know where he was going?
 13 A. No.
 14 Q. And then did he mention who he was with prior
 15 to calling you?
 16 A. The barber shop. That was the mention.
 17 Q. Okay. But he didn't mention any like specific
 18 names or anything?
 19 A. No.
 20 Q. And then did he mention anything else about
 21 what he was doing in the moments leading up to calling
 22 you other than just getting a haircut or being at the
 23 barber shop?
 24 A. What he was doing? No.

1 feel emotional in a light way. But we tossed out the
 2 idea of like Denzel playing Willy Wonka. And I was like
 3 he's not crazy enough. I don't think he can show us
 4 that level of crazy. I was mentioning that if they gave
 5 us Johnny Depp in a remake, then we have to at least
 6 match Johnny Depp in the -- yeah. It was fun. It was a
 7 really smart conversation.
 8 Q. And then as far as like topics of
 9 conversation, other than that, the Willy Wonka cast or
 10 discussing Kanye, any other topics that you recall
 11 discussing with him during that first Facetime?
 12 A. Yeah. I know for sure he asked what was
 13 happening in the dojo studio and just like what my son
 14 was working on, how was my day. He was good to check in
 15 about that, yeah.
 16 Q. And that was the call that dropped
 17 unexpectedly because you had lost service?
 18 A. Yeah. It was expected, though, because I had
 19 driven those streets, yeah, multiple times.
 20 Q. And it had ended, though, because of the loss
 21 of service?
 22 A. Yeah.
 23 Q. And then was there a regular phone call? So
 24 not a Facetime but a regular phone call?

1 A. I tried the Facetime a couple of times, and
2 then that didn't work and he called me with a regular
3 phone call.

4 Q. Okay. And then how long did that conversation
5 last?

6 THE WITNESS: I'm going to cough.

7 (Brief pause)

8 BY THE WITNESS:

9 A. Just long enough for me to buy the Gatorade,
10 get back in the car, and that's when the conversation
11 shifted.

12 Q. And do you recall specifically what you
13 discussed during that conversation?

14 A. Yeah, my son's birthday.

15 Q. That was when that topic came up for the first
16 time?

17 A. Mm-hmm.

18 Q. Before you brought up your son's birthday --

19 A. Let me be clear, I mentioned the birthday and
20 the stress, but it was when I said the birth date that
21 the change occurred, yeah.

22 Q. Okay. That second phone call, was it like --
23 as like an estimate -- less than five minutes?

24 A. Yeah. I wasn't in the store long at all.

1 long.

2 Q. And do you know where Abnerd physically was
3 when he called you back during that second call?

4 A. No. Not the regular call, no.

5 Q. You weren't aware of whether or not he'd made
6 it back to his apartment by that second call?

7 A. No.

8 Q. Do you still have the same phone that you had
9 back in September of 2023?

10 A. I have it, but it doesn't turn on.

11 Q. Okay.

12 A. Yeah. It was an iPhone 13. So it finally
13 just hit the tank.

14 Q. That's fair.

15 And then after that second call, then you had
16 the third call, which was the Facetime --

17 A. Yes.

18 Q. -- when you took the recording?

19 A. Mm-hmm.

20 Q. And then do you know, again, best estimate how
21 much time passed between that second phone call ending
22 and then the third call, which was the Facetime?

23 A. That's what I was describing. That was
24 probably about the five minutes.

1 Q. And that's when you mentioned to him the
2 stress surrounding planning your son's birthday. Then
3 you mentioned your son's birth date, and then that's
4 when his kind of reaction switched?

5 A. Yes.

6 Q. And then do you recall specifically, I guess,
7 what he had said to you when that switch happened?

8 A. You're kidding me. Oh, my gosh. You're
9 kidding me. Are you for real? Like -- yeah.

10 And he repeated those questions. That's when
11 I was like, okay, call me back, yeah.

12 Q. And do you remember how much time passed
13 between when the Facetime call dropped and then you had
14 that second phone call?

15 A. I'm careful when we describe time, right,
16 because we're experiencing it. I had already reached my
17 community and I was driving to the door. And I imagine
18 you guys are hearing it, mom, after school, I went to
19 another activity, then my son asked me to get a sports
20 drink. So I'm sure I like put a bag down, went
21 upstairs, you know, just sort of welcomed myself to the
22 house.

23 If I were to estimate, that could probably
24 have been like five minutes, right? Doesn't take too

1 Q. Oh, okay.

2 A. Between number two and number three.

3 The dropped calls, me trying to Facetime him,
4 that all happened in the store. He was able to reach me
5 in the store. And then I was on the phone from leaving
6 the store to driving to my apartment community, but it's
7 on the same road.

8 Q. Okay. The recording that you took of the
9 Facetime, did you only take one recording?

10 A. Yes.

11 Q. And then do you know how long the recording
12 was?

13 A. Let me check.

14 I think I put it in my favorites. Let me see.
15 Just so I could have quick access. If you give me like
16 90 seconds, I could probably put my hand on it.

17 Q. That's fine, yep.

18 A. Thank you.

19 (Brief pause)

20 BY THE WITNESS:

21 A. 18 minutes and 53 seconds.

22 Q. An audio recording of the Facetime, it's
23 18 minutes long?

24 A. I don't. And I --

1 Q. Or I'm sorry. Let me ask that another way. I
2 phrased that wrong.

3 You have a video recording of the Facetime
4 that's 18 minutes long?

5 A. I do. But it's -- most of the video is not of
6 him because I think he also recorded because I told him,
7 I was like, hey, I don't know how to Facetime record
8 with the sound. I didn't know how to like turn on that
9 feature. So he started recording. So most of the video
10 is just of like the icon with his initials, yeah.

11 Q. Okay. And then have you provided that
12 Facetime recording to anybody?

13 A. No. I sent 35 seconds -- because it's my next
14 video. I sent 35 seconds to Emerald because I couldn't
15 send the whole file. I was like, hey, this is the first
16 35 seconds. This is what it looked like.

17 Q. Okay. So --

18 A. Now, to answer Mr. King's question, he is in a
19 robe. I can see the video. So yes.

20 Q. Okay. So there's one video recording of the
21 Facetime, it's 18 minutes long?

22 A. Yes, and 53 seconds.

23 Q. And then you took a 35-second portion of that
24 recording and sent it to Emerald?

1 A. Yeah. Or rather that when I went to send it,
2 I like shortened it to that in the text message thread.

3 Q. Okay. But you still have the original
4 18 minutes --

5 A. I do.

6 Q. I would ask you hold on to that because we
7 will request that.

8 A. Lovely. I'm grateful to share it.

9 Q. There's no audio recording of it, correct?

10 A. No. I haven't opened it, to be honest with
11 you, if that makes sense. So I don't know. That's the
12 best answer. But I know that there's no visual or audio
13 after a certain point, I believe. I don't know. I
14 haven't looked at it since.

15 Q. Are you able to open it now to see if there's
16 any audio?

17 A. You want me to?

18 Q. If you can. You don't have to watch the whole
19 thing. Obviously, just a couple of seconds.

20 A. No. But he was asking me, are you recording?
21 And I said, I am.

22 Q. Can you just tell that by, like, reading the
23 lips?

24 A. Yeah.

1 Q. And you don't have to keep watching it if --

2 A. Thank you. I appreciate that.

3 Q. And then did you take any audio recordings of
4 any of your conversations of those three calls?

5 A. No.

6 Q. And then you mentioned you received a phone
7 call from one of his brothers at 2:00 a.m. the following
8 morning after his passing, correct?

9 A. Yes.

10 Q. In that conversation, that was when you
11 mentioned to him that you spoke with Abnerd that evening
12 and that you had that recording?

13 A. Yes. But Emerald had already told the family,
14 so it wasn't news to him at that point.

15 Q. And what else do you recall about that
16 conversation?

17 A. He said he was just trying to make sense of
18 what happened and what was said, yeah. Definitely
19 melancholy vibes, obviously.

20 Q. Did he share any information with you about
21 what happened or what he had learned?

22 A. Yeah. I don't remember what he said, but I do
23 remember him saying we learned this and this. I was
24 awakened out of my sleep to have that conversation.

1 Q. Okay.

2 A. Yeah.

3 Q. It wasn't like a preplanned call that you had
4 scheduled?

5 A. No. No. No.

6 Q. Was it just one of his brothers on the phone?

7 A. Yes.

8 Q. You mentioned early in your deposition that
9 after the conversations that you had with Abnerd on the
10 night of his passing, you mentally kind of made some
11 plans about making a trip to Chicago; do you recall
12 that?

13 A. Yes.

14 Q. And what was the reasoning for that?

15 A. To check on him. I had -- I wouldn't think
16 that I would ever see him cry. Yeah.

17 Q. And then also towards the beginning of your
18 deposition, you were asked some questions about your
19 knowledge of Abnerd traveling out of the country. I
20 think you said you were aware he had traveled to
21 Colombia on at least one occasion, correct?

22 A. Yes.

23 Q. Did Abnerd ever discuss any of the details of
24 what he was doing in Colombia?

1 A. No. He only told me about that time at the
2 party because he was really into that woman that he met.
3 Q. Was he seeing a woman?
4 A. I don't think he was seeing her. I think he
5 was just in awe of her beauty, so he like shared a
6 picture.
7 Q. That was someone he had met in Colombia?
8 A. Yes.
9 Q. Do you know what her name was?
10 A. No.
11 Q. Did he show you a -- was it like an Instagram
12 photo or something?
13 A. It was a photo that she had sent him.
14 Q. Do you know if Abnerd was dating anyone while
15 he was living in Chicago?
16 A. What do you mean by dating?
17 Q. If he was in any like romantic relationships
18 with anyone while he was living in Chicago that you're
19 aware of.
20 A. I don't -- I have so much pause because I
21 imagine that he slept with women, but I don't know if he
22 was in romantic relationships, yeah.
23 Q. That's fair.
24 A. Okay.

1 Q. And who was the other person he was speaking
2 with?
3 A. Her name is Brittany.
4 Q. Was this at the same party where you had that
5 conversation about K2 that you were talking about
6 earlier?
7 A. No. And that wasn't a party. That was my
8 friend Lola and I were just over there hanging out.
9 Q. And then that conversation where you overheard
10 him talking with Bri about using cocaine, when did that
11 happen? When did that conversation take place?
12 A. With Brittany? The spring. That's all I
13 really know. So definitely after April because it
14 wasn't his birthday party.
15 Q. The -- of 2022?
16 A. Yes.
17 Q. And then what else do you recall about that
18 conversation? Any specifics other than just generally
19 that they were talking about using cocaine?
20 A. Yeah. It wasn't a conversation I was
21 interested in because I didn't want either one of them
22 to be using cocaine. So ...
23 Q. And then are you aware of how often Abnerd
24 used cocaine?

1 Q. I'm more asking if he was in any sort of like
2 boyfriend-girlfriend long-term relationships with any
3 women --
4 A. No.
5 Q. Do you know -- Strike that.
6 You said Emerald, the woman that you knew is
7 the mother of one of Abnerd's brother's children,
8 correct?
9 A. Yes.
10 Q. And then do you know which brother that is?
11 A. Yeah. His name is Josh. And he also goes by
12 Jay.
13 Q. Are you aware of Abnerd ever using cocaine
14 before?
15 A. Yes.
16 Q. He had told you that he's used cocaine before?
17 A. Yes. I heard it in conversations. He didn't
18 tell me necessarily, but I heard it in conversations.
19 Q. Tell me about what you heard.
20 A. What did I hear? I heard mention of him using
21 cocaine and him discussing it with someone else who I
22 knew who used cocaine. Like the discussion of it. But,
23 again, he wasn't telling me. I was sort of like a
24 third-party to their conversation,

1 A. No.
2 Q. And are you aware of how many times Abnerd had
3 used cocaine?
4 A. No.
5 Q. Other than that conversation between him and
6 Brittany, do you have any other knowledge about Abnerd's
7 use of cocaine?
8 A. No. Drugs weren't really a part of our
9 conversations.
10 Q. Did he ever ask you about where he could get
11 cocaine or anything like that?
12 A. No. I would not be the person to ask because
13 I would have initiated a big lecture. In all honesty,
14 though, it would have struck a conversation like that.
15 Q. Okay. And then had you ever listened to an
16 audio recording that Abnerd captured on his phone of
17 your conversation?
18 A. No.
19 Q. And by conversation, I'm referring to the
20 conversation from the night of his passing.
21 A. Yeah.
22 Q. You're -- you haven't ever listened to that
23 audio?
24 A. No.

1 Q. And then do you have an Instagram account?

2 A. I do.

3 Q. And then would you communicate with Abnerd
4 through Instagram?

5 A. A couple of times. Like, truly a couple of
6 times. One time he fussed at me for not following him
7 on social media. And I asked him, Why would I ever do
8 that when I know you in real life? So it just wasn't
9 our mode of communication.

10 Q. That's fair. I have a similar mentality.

11 What is your Instagram handle?

12 A. It's my first name, Y A D A, and then B E.
13 Yadabe.

14 MR. VADASY: And I'm just looking over my notes. I
15 think I'm about done.

16 Yeah, I think that's all I have for you right
17 now. I will let the other attorneys go ahead and ask
18 whatever questions they have. Thank you again for your
19 time.

20 THE WITNESS: Likewise.

21 EXAMINATION

22 BY MR. NEGA:

23 Q. Just have a few questions for you. Thank you
24 for being here. We appreciate your honesty and

1 everything.

2 A. Thank you.

3 Q. You mentioned before, earlier in this
4 deposition, that you've seen Abnerd wear his robe
5 before; is that correct?

6 A. Yes.

7 Q. How often would you see him wear his robe?

8 A. All the time. That was like what I would see
9 as like my comfort hoodie. He was always in a robe.

10 Q. Would the colors change, or would it remain
11 one color?

12 A. I don't know.

13 Q. So it wasn't out of the ordinary that he would
14 wear this robe. You would see him wear it frequently?

15 A. Yes, for sure. In his building in Atlanta, he
16 lived in a building that was attached to a hotel. And
17 there would be shops and things like that on the first
18 floor, and he would wear his robe there.

19 Q. What about when he moved to Chicago? Whenever
20 you would Facetime him, would you see him wear his robe
21 there too?

22 A. Yeah.

23 MR. NEGA: Okay. That's all I have for you. Thank
24 you.

1 EXAMINATION

2 BY MS. KUS:

3 Q. Hi, Ms. Beener. Thank you for being here
4 today. My name is Lauren Kus. I represent two of the
5 defendants, Legacy Condo Building and the front door
6 associate.

7 Ms. Beener, you mentioned Abnerd was too
8 friendly for the north. What do you mean by that?

9 A. I am from Harlem, New York. I was born and
10 raised there. And we do not casually greet people.
11 We're taught very young not to do that. I grew up in
12 the '90s, so we were definitely taught that in the '90s
13 with the stranger danger campaign. He spoke to
14 everyone. And he would try to include me in those
15 conversations, but I'm very introverted. Yeah. He was
16 very friendly. And I don't think that that is the
17 culture of the north.

18 Q. When did you move from New York to Atlanta?

19 A. I was accepted to Spelman in 2005, so 2005 was
20 when I started school. And I would say I officially --
21 I bought a house in 2007, but I wasn't really living
22 there. I was living at my parents' house. I officially
23 moved there in 2010.

24 Q. In Atlanta, would you say there's less of a

1 stranger danger culture that you described?

2 A. Oh, yeah, for sure. I feel like people fuss
3 at me when I don't speak to them. It's true.

4 Q. Have you been to Chicago before?

5 A. Yes.

6 Q. When was the last time you were in Chicago?

7 A. 2017.

8 Q. You mentioned earlier Abnerd speaking of a
9 diet version of cocaine. Do you recall that testimony?

10 A. Yeah.

11 Q. What does diet version cocaine mean?

12 A. To me? Because I haven't used cocaine.

13 Q. Yes.

14 A. I thought he meant like -- so I see cocaine as
15 an upper. I'm also measuring what it does with rumors.
16 So if people who I went to school with who I had heard
17 use cocaine or like the movie Blow. Like literally that
18 would be my point of reference. So I thought it was the
19 upper that didn't take you so high.

20 Q. Again, that was Abnerd's term, diet version?

21 A. Yes.

22 Q. I may have missed this earlier, but when did
23 you have that conversation with Abnerd about the drug
24 K2?

1 A. See, I don't -- what I'm blanking on, the
2 time, he should have moved that summer of '22, right?
3 That would put him in Chicago for '23. I don't know, to
4 be honest. Or did he move '23? I don't know when we
5 had that conversation.

6 Q. Was it sometime shortly before he moved to
7 Chicago?

8 A. I -- I also have a video from that night, so I
9 can just check.

10 Q. Okay. If you don't mind, if you can check
11 real quick.

12 A. Okay. Lovely. Thank you.

13 Q. Thank you.

14 (Brief pause)

15 BY THE WITNESS:

16 A. That was April 26th, 2022.

17 Q. Where was that party?

18 A. That wasn't a party. That was just me and my
19 friend at his house.

20 Q. The parties that you mentioned with the
21 marijuana and alcohol present, was Abnerd using
22 marijuana at those parties?

23 A. Yes.

24 Q. When were those parties?

1 A. Like every six weeks. It was like people knew
2 that they threw those parties. I was being introduced
3 to those parties.

4 Q. Who was "they" that you're talking about who
5 threw the parties?

6 A. Casey and Nerd.

7 Q. The roommates?

8 A. Mm-hmm.

9 Q. How often did you go to the parties?

10 A. I feel like I went to at least three, yeah.

11 Q. And it would have been in 2022?

12 A. Yes. Yes. Looking at that date, for sure.

13 Q. Did you ever personally see Abnerd using
14 drugs?

15 A. Marijuana.

16 Q. On how many occasions did you see him using
17 the marijuana?

18 A. It was like three or four times.

19 Q. Again, that was in 2022?

20 A. Mm-hmm.

21 Q. Before September 14th, 2023, had you ever
22 recorded a Facetime call before?

23 A. No.

24 Q. Why did you choose to record this Facetime

1 call with Abnerd that night?

2 A. He told me to.

3 Q. Do you know why he told you to?

4 A. No.

5 Q. Do you have any idea why he might have told
6 you to?

7 A. He told me I wasn't taking it seriously. So I
8 knew for him it was serious.

9 Q. When did you send that Facetime call recording
10 to Emerald?

11 A. On the drive, yeah. So that next day, on the
12 drive to the gathering.

13 Q. So after Abnerd had died?

14 A. Yeah.

15 Q. Why did you send that Facetime to Emerald?

16 A. I wanted them to know that I had spoken to him
17 for a long time the day before. And, hey, this is what
18 the -- part of the conversation looked like. You know,
19 just trying to get the family some information because
20 for me to be the person on the call and to not have any
21 information, I imagine it was worse for them.

22 Q. How did Abnerd's brother have your number to
23 call you the next day?

24 A. Emerald.

1 Q. Again, that was Emerald's father of her
2 children?

3 A. Yes.

4 MS. KUS: Okay. Thank you very much, Ms. Beener.

5 THE WITNESS: No problem. Of course. Thank you.

6 MS. ENERSON: I don't have any questions.

7 MR. VADASY: Sorry, Wendy. Didn't mean to cut you
8 off.

9 FURTHER EXAMINATION

10 BY MR. VADASY:

11 Q. I actually have a few very brief follow-ups I
12 forgot to go over.

13 You mentioned that one of the individuals you
14 spoke with the night of Abnerd's passing was Jareth
15 Bent, correct?

16 A. Yes.

17 Q. Did you say you had not spoken with Jareth
18 Bent as far as you're aware prior to that evening?

19 A. No.

20 Q. Have you spoken with Jareth Bent since that
21 evening?

22 A. Yes. I called him once I found out he died.

23 It wasn't that same day, though. And then he was just
24 telling me that by the time he got there, he had

1 already -- it was DOA by the time he got there, yeah.

2 Q. Was that within a few days of his passing?

3 A. Yeah.

4 Q. And is that the only time that you've spoken
5 with Jareth since his passing?

6 A. Mm-hmm. I didn't even meet him at the
7 funeral.

8 Q. That was a yes, just for the record?

9 A. Yes.

10 Q. Sorry. Just so that --

11 A. No, no, for sure.

12 Q. And then are you aware of Abnerd ever using a
13 drug called tusi before?

14 THE COURT REPORTER: I'm sorry. This is the court
15 reporter. Can you repeat the name?

16 MR. VADASY: Tusi, T U S S I [sic].

17 BY THE WITNESS:

18 A. Is it not the same as K2? I might be using
19 the wrong language now that you're saying tusi. And I'm
20 saying K2, meaning tusi. I need to be clear, yeah.
21 Because once you say it -- and the reason why I have
22 clarity with you saying it is because I heard it in a
23 Future song after hearing mention of it, yeah. It's
24 tusi, for the record, yeah.

1 Q. It sounds like your knowledge of it is similar
2 to the extent of my knowledge.

3 A. I knew it was a letter and a two.

4 Q. Yeah.

5 So, I guess, do you know one way or the other
6 then if you had heard of Abnerd discussing using tusi
7 before? I don't want to confuse your memory.

8 A. No, yes. And now it needs to be substituted
9 that's what he called the diet cocaine.

10 Q. The conversation that you talked about
11 earlier?

12 A. Yes.

13 Q. Where you thought it was referred to K2 was
14 actually a conversation about tusi?

15 A. Yes. My apologies to the team. I thought I
16 knew what I was talking about, yeah.

17 Q. That's all right.

18 And then other than that conversation, do you
19 have any other knowledge about Abnerd's use of tusi?

20 A. No.

21 Q. And then had you ever seen him using cocaine
22 or tusi before?

23 A. No.

24 Q. And have you spoken with any of the attorneys

1 representing Abnerd's family in this lawsuit?

2 A. Yes.

3 Q. And when was that?

4 A. I spoke to them last week. I spoke to them
5 maybe like June as well. Yeah, June of -- yeah, June.

6 Q. Of 2023?

7 A. June of last year.

8 Q. Sorry. Yeah. I'm getting my years wrong.
9 June of 2025?

10 A. Yes.

11 Q. Okay. And I'm asking specifically not with
12 any attorney but just any of the attorneys representing
13 his family, that's your understanding of who you were
14 speaking with?

15 A. Yes.

16 Q. And what did you discuss?

17 A. The first conversation was just about Nerd's
18 character, yeah, and how really incredible he was. And
19 then the last conversation I had, his team was just
20 explaining what I can expect, sort of like defining like
21 Mr. King did, yeah.

22 Q. When you say what to expect, you mean --

23 A. In the deposition.

24 Q. And how it was going to go?

1 A. Mm-hmm.

2 Q. Did you discuss your testimony at all?

3 A. Well, I spoke to one of the two people who I
4 was speaking to. So they just asked me similar
5 questions.

6 Q. And then was there any information you shared
7 that you haven't shared today?

8 A. Well, yeah, more like filler conversations.

9 Q. What do you mean?

10 A. I had a conversation with them. Like, they
11 called me conversing as opposed to like giving me a
12 deposition. So, yeah, of course, but just filler
13 conversation.

14 Q. Yeah. I guess I should specify that a little
15 more.

16 Any information that you shared in a
17 conversation with his family's attorneys specifically
18 about Abnerd and your relationship with him that you
19 haven't shared today?

20 A. Yeah. I told them -- I kind of mentioned
21 this, but I told them that it was easy to form a
22 friendship with Nerd because he felt like family. And I
23 think Richard, that's why I was so alarmed by him
24 defining it, because I had never shared that with him.

1 Like, hey, you feel like family. I never said anything
2 like that. So when he was defining it, it was sort of
3 like a connection for me that I should be more worried
4 as well, if that makes sense.

5 Q. Are you talking about when he was -- Or Strike
6 that.

7 Are you talking about during your
8 conversations with him --

9 A. Yeah.

10 Q. -- before his passing?

11 A. Yes. But he very much so felt quickly like a
12 family member. And he even treated me with that sort of
13 compassion and love, yeah.

14 Q. Anything else that you discussed with them
15 that you haven't shared today?

16 A. They asked me the nature of my relationship
17 with Casey, yeah.

18 Q. And what did you tell them?

19 A. I told them that, sort of similar to what I
20 said here, but I said that I felt -- I was being flirty
21 with Casey and that same woman I mentioned to you in
22 your line of questioning, Brittany, was being flirty
23 with Nerd. Sometimes we would spend time that way.
24 Which was odd because then you guys can hear that I was

1 I'm referring to your conversation when he called you
2 before going --

3 A. Oh, yeah, extreme sense of urgency. Yeah. It
4 sounded like he was getting ready and he told me that he
5 was as well.

6 Q. Did either one of them mention that they were
7 going to call or reach out to Abnerd to try to get ahold
8 of him?

9 A. Yes. Casey told me that he was going to try
10 to call Nerd and the line brother when I got him on the
11 phone. And Jareth told me that he had been calling him
12 before he called me.

13 Q. Okay. And then did either one of them tell
14 you that they were able to get in touch with Abnerd?

15 A. No. Casey made me feel a bit calm, which is
16 why I started the cooking, because he told me he got in
17 touch with Jareth and Jareth was on the way. So I
18 didn't know if they had spoken to him at all, but I just
19 knew that help was on the way.

20 MR. VADASY: Okay. All right. I think that's all
21 I have for you. Thank you again for your time. I
22 will -- just for the record, I know you gave us your
23 e-mail at the beginning. I will send an e-mail cc'ing
24 counsel for all parties with a link that you can use to

1 at least flirting with Casey and I thought it was, you
2 know, different that he wouldn't tell me or didn't tell
3 me that he had passed nor have I really spoken to him
4 since. So yeah.

5 Q. You had mentioned when you spoke with Casey on
6 the phone the night of Abnerd's passing that he was kind
7 of nonchalant during the conversation; is that a fair
8 description?

9 A. Yes.

10 Q. Did he give you any indication or information
11 about why he didn't seem to be too worried?

12 A. I didn't ask. I -- especially because I was
13 so close to this, I did way more observing than asking
14 questions. And I'd say until this day. Because I feel
15 like I had such an intimate conversation with him, it
16 was just more telling for me to observe people, yeah.

17 Q. And then when Jareth had called you after your
18 conversation with Casey, did he seem concerned or
19 worried at all?

20 A. He seemed -- remember, it was very close, but
21 he didn't seem concerned or worried. I felt like I was
22 catching him in the middle of his sadness in that
23 conversation.

24 Q. I'm sorry. Maybe I should have specified.

1 upload the full screen recording that you were able to
2 find on your laptop.

3 THE WITNESS: Okay. Nice. How --

4 MS. ENERSON: Ms. Beener, I actually have a few
5 questions now. Sorry. This is Wendy Enerson.

6 THE WITNESS: No problem. Can I ask Richard what I
7 was going to ask him?

8 MS. ENERSON: Sure.

9 THE WITNESS: How can I upload the file? Is it
10 going to be like --

11 MR. VADASY: So it's a ShareFile link. If you
12 click on it, it will pop up with an option to say like
13 drag and drop files, something like that.

14 THE WITNESS: So I have to maybe save it first.
15 Because it's just in my photos now. Is that okay?

16 MR. VADASY: If you pull it up on your phone, you
17 should be able to -- there should be a link where if you
18 click on it, it will -- there will be like a second
19 prompt where it says choose like photos, videos,
20 something like that. If you run into issues, obviously
21 feel free to call. I'm happy to help you.

22 THE WITNESS: Thank you. I appreciate it.

23 MR. VADASY: Yeah, of course.
24

EXAMINATION

BY MS. ENERSON:

Q. Thank you, Ms. --

A. Of course. I apologize, Wendy.

Q. No worries whatsoever.

So you mentioned that you also had a recording of a conversation that you had with Abnerd in the spring of 2022 regarding the drug tusi?

A. No, not a recording about it.

Q. What do you have about that conversation that you looked at during --

A. Oh, I have a picture of us -- like a video of us dancing to a song that night. This small frame seated, just a cute little bop. Yeah. Like a selfie video.

Q. And in that video, is there any discussion about Abnerd's use of tusi?

A. No.

Q. Do you have any audio or video recordings of your communications with Casey?

A. No.

Q. Do you have any audio or video recordings of your communications with Jareth?

A. No.

A. A designer drug.

Q. Do you have any idea what's in it?

A. No.

Q. Okay.

A. I just figured the guys with money use it because Future's rapping about it. That's the whole of my knowledge.

MS. WHITE: Got it. Thanks so much. That's all I have.

THE WITNESS: No problem.

THE VIDEOGRAPHER: Before we go off the record, would --

MS. WENGER: Sorry. Can I just ask one follow-up question. Can we go back on the record real quick?

THE VIDEOGRAPHER: We're still on record.

EXAMINATION

BY MS. WENGER:

Q. Ms. Beener, sorry, I'm not supposed to be participating in this, but I do just have one follow-up question.

You mentioned that you spoke with some counsel from plaintiff's attorney's office last week.

To your knowledge, were they aware that you had moved to Atlanta when you spoke with them?

Q. And same question with respect to any of Abnerd's family members, either Emerald or his brother?

A. No.

MS. ENERSON: Okay. Thank you. That's it.

THE WITNESS: No problem.

FURTHER EXAMINATION

BY MS. KUS:

Q. Ms. Beener, this is Lauren again. I do have one question.

A. Okay.

Q. So anytime we've talked about diet cocaine or K2 tonight, we've been talking about tusi; is that correct?

A. Yes. I'm so embarrassed.

Q. No, you shouldn't be, not at all. I just wanted to clarify that for the record. Thank you very much.

THE WITNESS: Thank you for clarifying.

FURTHER EXAMINATION

BY MS. WHITE:

Q. I just have one other clarification. Yada, I don't want to put words in your mouth, it sounds like -- I just want to ask you, do you know what tusi actually is one way or the other?

A. No, I don't think so. We didn't discuss it.

Q. Okay. Thank you.

A. But also, what do you mean move to Atlanta? Like when?

Q. We were under the impression you lived in the Dominican Republic. Was that not correct?

A. Yeah. I moved out there, and then I actually spoke to the team when they called me in June because I had to immediately move back because someone stole property from me here. So it was no longer a good financial decision to stay in the Dominican Republic.

Q. Was that communicated to the attorneys that you spoke with?

A. No.

Q. Okay.

A. I communicated the theft of property but not the decision to move back.

MS. WENGER: Okay. Thank you.

THE WITNESS: Yeah, no problem.

THE VIDEOGRAPHER: Before we go off the record, would counsel like to order a copy of the transcript or the video?

MS. KUS: Yes, please, for Hinshaw. Both, please.

MS. ENERSON: This is Wendy Enerson. We will go

1 ahead and order the transcript but not the video.

2 MS. WHITE: This is Maura White. We will order the
3 transcript but not the video at this time.

4 MS. WENGER: I will go ahead for Sweeney Scharkey.
5 We will order the transcript as well.

6 MR. VADASY: Richard Vadasy from Best, Vanderlaan.
7 I will also just order the transcript.

8 MR. NEGA: This is Michael from Amundsen Davis. We
9 will just order the transcript, not the video.

10 THE VIDEOGRAPHER: Thank you. This now concludes
11 today's deposition. The time is 6:27 p.m., and we are
12 off the record.

13 (Discussion off the record.)

14 THE VIDEOGRAPHER: One moment.

15 Back on the record at 6:27.

16 MR. KING: Yada, you still there?

17 THE WITNESS: Yes.

18 MR. KING: So the court reporter's going to explain
19 to you that you have the right to get a copy of the
20 transcript sent to you so you can review it and make any
21 changes or corrections if the court reporter got
22 something wrong or there's something. Or you can waive
23 the signature. It's up to you.

24 So, Madam Court Reporter, want to do your

1 thing?

2 THE COURT REPORTER: Yeah, you can just let me know
3 if you want to waive or reserve.

4 THE WITNESS: What would be the benefit of me
5 getting it waived? I guess I'm looking for an
6 explanation.

7 MR. VADASY: I can jump in. If you reserve
8 signature, it gives you a chance to review the
9 transcript before it's officially typed up. You can't
10 change your testimony. It's really just spelling errors
11 or something like that. You can't change like a yes to
12 a no or add explanations to testimony.

13 But it's your right if you want to reserve
14 that right to review it. Or you can say you trust that
15 everything was taken down accurately and waive the
16 signature.

17 THE WITNESS: Thank you. I appreciate that. I
18 will waive the right.

19 (Witness excused.)
20
21
22
23
24

1 STATE OF ILLINOIS)
2) SS.

3 COUNTY OF COOK)
4

5 I, Melanie E. Kubiak, Registered Professional
6 Reporter, Certified Realtime Reporter, do hereby certify
7 that on the 29th day of April, 2026, the deposition of
8 the witness, YADA BEENER, called by the Defendant, was
9 taken before me, reported stenographically, and was
10 thereafter reduced to typewriting under my direction.

11 The said deposition was taken remotely via
12 videoconference; and there were present counsel as
13 previously set forth.

14 The said witness, YADA BEENER, was first duly
15 sworn to tell the truth, the whole truth, and nothing
16 but the truth, and was then examined upon oral
17 interrogatories.

18 I further certify that the foregoing is a
19 true, accurate, and complete record of the questions
20 asked of and answers made by the said witness, YADA
21 BEENER, at the time and place hereinabove referred to.

1 The signature of the witness, YADA BEENER, was
2 waived by agreement of counsel.

3 The undersigned is not interested in the
4 within case, nor of kin or counsel to any of the
5 parties.

6 Witness my official signature in and for Cook
7 County, Illinois, on this 6th of May, 2026.
8
9
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11
12

13 _____
14 MELANIE E. KUBIAK, RPR, CRR
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21 CSR No. 084-004794
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