

EXHIBIT A

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

CORY SPENCER, an individual;) Case No.
DIANA MILENA REED, an) 2:16-cv-02129-SJO-RAO
individual; and COASTAL)
PROTECTION RANGERS, INC., a)
California non-profit public)
benefit corporation,)

Plaintiffs,)

v.)

LUNADA BAY BOYS; THE)
INDIVIDUAL MEMBERS OF THE)
LUNADA BAY BOYS, including)
but not limited to SANG LEE,)
BRANT BLAKEMAN, ALAN JOHNSTON)
aka JALIAN JOHNSTON, MICHAEL)
RAE PAPAYANS, ANGELO FERRARA,)
FRANK FERRARA, CHARLIE)
FERRARA and N.F.; CITY OF)
PALOS VERDES ESTATES;)
CHIEF OF POLICE JEFF KEPLEY,)
in his representative)
capacity; and DOES 1-10,)

Defendants.)

DEPOSITION OF CORY ELTON SPENCER
Los Angeles, California
Tuesday, October 11, 2016

Reported by:
Carmen R. Sanchez
CSR No. 5060

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Exhibit A, page 4

1 A Yes.

2 Q Okay.

3 How many times?

4 A I can't recall a specific number, but I
5 can tell you that, of course, you see it in magazines.
6 You want to see it in person; and, you know, you want
7 to go and investigate, I guess, for lack of a better
8 term; so, you just drive up and check it out.

9 Q Are you able to estimate for me how many
10 times you went to Lunada Bay before you turned 20?

11 A Oh, before I turned 20? If I were to
12 give you an estimation, probably four to five times.

13 Q Okay.

14 During any of the four or five times you
15 went there before you turned 20, did you experience
16 anything that made you fearful of Lunada Bay?

17 MR. FRANKLIN: Vague and ambiguous.

18 THE WITNESS: Fearful? Just going there I was
19 in fear. Just driving up the Palos Verdes Peninsula
20 road, you know, or whatever road it is to get up there,
21 you're a little afraid because you've heard stories.

22 MS. HEWITT: Okay.

23 Q During the four or five times you went
24 to Lunada Bay before you turned 20, did you experience
25 anything that made you fearful of Lunada Bay?

1 A Let me back up.
2 Q Sure.
3 A I had my boards each time but ...
4 Q When you were -- before you were 20?
5 A Yes.
6 Q Okay. So you had your boards, but you
7 didn't surf?
8 A Correct.
9 Q That's fine. And between that time and
10 January 2016, did you ever surf at Lunada Bay?
11 A No.
12 Q Okay.
13 Between those four to five times and
14 January 2016, did you go to Lunada Bay?
15 A Yes.
16 Q Okay.
17 About how many times?
18 A Four to five.
19 Q Between the time you were 20 and the
20 time January 2016?
21 A Oh, oh, I'm sorry.
22 Q That's okay.
23 A I thought we were back.
24 Q No.
25 A How many times after I was 20 and, then,

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Exhibit A, page 6

1 up until January of 2016? One time I went on my
2 bicycle. I would say, again, four to five times. I
3 know one was on a bike ride; and the others, one time
4 was working a task force for a DUI. I was in a police
5 car, and it was at night. It would have been after
6 10 p.m.; so not many people there at that time. And I
7 would say probably the two or three extra would just be
8 in my car.

9 Q Okay.

10 In any of those four to five times, did
11 you attempt to surf?

12 A No.

13 Q Okay.

14 During any of those four to five times,
15 were you intimidated?

16 MR. FRANKLIN: Vague and ambiguous.

17 THE WITNESS: I'm -- I wouldn't -- no, I wasn't
18 intimidated.

19 MS. HEWITT: Okay.

20 Q During any of those four to five times,
21 again, that we're talking about right now, did you
22 experience any vandalism?

23 A No vandalism.

24 Q All right. And during those four to
25 five times, did you experience anything that made you

1 A Again, several days after. I'm not
2 exactly sure of the day.

3 Q Well, let me stop you right there only
4 because in the complaint, if you look at the complaint,
5 Mr. Spencer, towards the bottom of page 12, it says
6 (as read):

7 "In February, Spencer returned
8 a second time with Jordan Wright and
9 others"

10 A That would be the day.

11 Q Okay. Just backing up to make sure we
12 cover all of January.

13 A Oh, okay.

14 Q So were there any other instances or
15 incidents in January of 2016 that you can remember?

16 A No.

17 Q Okay.

18 All right. And, then, going back real
19 quickly to the January 29, 2016 visit, did you witness
20 any harassment or violence towards anybody else other
21 than what you've described with regard to the verbal
22 statements and such?

23 MR. FRANKLIN: Vague and ambiguous; misstates
24 prior testimony.

25 THE WITNESS: See, I'm -- I remember an

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1 incident, but I'm not sure now if it's on the
2 January 29th day or the February day. I'm not sure
3 what that second incident was; so. I can't remember
4 if --

5 MS. HEWITT: Okay. We'll --

6 THE WITNESS: I think it was in February.

7 MS. HEWITT: Okay. And I'll make sure to ask
8 you about that.

9 Q Going back to the January visit, I think
10 earlier you said that you did not --

11 A It was -- I'm sorry.

12 Q That's okay. Go ahead.

13 A It was the January day another --
14 another thing.

15 Q Okay. Go ahead and tell me what that
16 is.

17 A That was some interaction -- 'cause I
18 remember I was getting changed; so, I was in the water
19 that day. That was an individual who came up to Chris
20 and started to engage him in some conversation
21 regarding why it is that they -- meaning the Bay Boys
22 -- act the way they do and keep the bay the way they
23 do.

24 Q All right. So, this is this other
25 person telling Chris those things; is that right?

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Exhibit A, page 9

1 A That's correct.

2 Q All right.

3 Did you hear any profanity in that
4 conversation?

5 A Profanity? Yes.

6 Q Okay. So tell me what -- and did you
7 hear any threats in that conversation?

8 A No threats.

9 Q Okay.

10 Did you hear any harassment in that
11 conversation?

12 MR. FRANKLIN: Vague and ambiguous.

13 THE WITNESS: You know, it wasn't directed at
14 me; so, I don't know if he felt harassed or not.

15 BY MS. HEWITT:

16 Q Did he ever tell you -- I'm sorry. I
17 interrupted you. Go ahead.

18 A I know if that line of dialogue was
19 directed to me, I think I would feel harassed.

20 Q Okay. And what dialogue was that?

21 A It was basically -- it was basically an
22 individual -- and I don't know if you want me to
23 identify him now or you want to ask me.

24 Q Sure. If you know who that individual
25 is.

1 A So, I didn't know who it was at the
2 time, but it was Defendant Lee came up to Chris and I,
3 as we were changing out of our wetsuits. I mean, it
4 seemed like he started out basically questioning, you
5 know, why do we keep coming back. It's never going to
6 change here. This is the way it's been for, you know,
7 as long as he's been coming there. This is the way
8 it's been for, you know, years. And, then, he wanted
9 to bring up that incident that I'd mentioned earlier
10 where Chris' family member was assaulted, and I
11 remember Mr. Lee telling kind of his personal story,
12 how he became a Bay Boy to Chris; how -- how it is
13 there; how one works their way into, you know, the
14 little -- the gang they have going. He just kept
15 describing, basically, why they enforce it the way they
16 do; and, you know, Chris really was just trying to -- I
17 remember Chris saying, "Hey, we'll talk another time.
18 We'll talk another time," and he just kept coming at
19 him and coming at him, rehashing the same dialogue. It
20 was like, you know, are you trying to overwhelm or, you
21 know, berate me with this stuff or whatever, but it
22 wasn't directed at me.

23 Q Okay.

24 A I don't know if he felt harassed, going
25 back to your original question.

1 on the board or something like that, and I don't know
2 who that was. From what I remember, I don't think they
3 were currently a member of them, but they used to be.
4 I don't remember who it was.

5 Q Okay.

6 Put that right to the side because I'm
7 going to ask you some more questions about this E-mail.

8 A Which one?

9 Q The one we just looked at. Yeah, put
10 that off, because I'm going to come back to that.
11 Going back real briefly to the complaint on page 13,
12 following the February 2016 visit to Lunada Bay, did
13 you ever return to Lunada Bay and attempt to surf?

14 A No.

15 Q Did you ever return to Lunada Bay and --
16 at all after that time?

17 A I have, yes.

18 Q All right.

19 How many times?

20 A Anywhere from three to five.

21 Q Okay.

22 On each of those visits, did you go down
23 to the beach?

24 A No. Up on the bluff only.

25 Q Okay.

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Exhibit A, page 12

1 A I just -- professional medical
2 treatment?

3 Q Correct.

4 A No.

5 Q None after the incident?

6 A No.

7 Q Can you describe to me Sang Lee, his
8 physical characteristics?

9 A Male; Asian; dark hair; kind of a raspy
10 voice.

11 Q How many times have you seen Sang Lee?

12 A In person?

13 Q In person.

14 A I believe just -- just the once.

15 Q And you're referencing the February
16 incident?

17 A That would be the January incident.

18 Q January 29th?

19 A Correct.

20 Q And was that the first time you saw
21 Sang Lee?

22 A Yes.

23 Q Would you be able to identify Mr. Lee if
24 you saw him here today?

25 A Possibly.

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Exhibit A, page 13

1 Q Why do you say, "possibly"?

2 A It's been a while.

3 Q You mentioned earlier this morning that
4 at the time you didn't know that the individual you now
5 know to be Sang Lee was Sang Lee; is that correct?

6 A That's correct.

7 Q At what point did you become aware that
8 that was Sang Lee?

9 A After I talked to Chris after he got
10 done talking with Sang.

11 Q Have you ever spoken with Sang Lee?

12 A No, we did not speak.

13 Q Has Sang Lee ever threatened you?

14 A Again, I don't know.

15 Q Why do you say, "I don't know"?

16 A Well, it seems to be a coordinated
17 effort up there between members of the Bay Boys; and if
18 they coordinate and one gets assaulted, such as I have
19 -- going back, and I like to clarify something too. If
20 there's a coordinated effort, such as I believe goes on
21 there, with cell phones, others in the past have
22 reported walkie-talkies. I already stated on the
23 record I didn't see the walkie-talkies. Others have
24 reported that. When there's a concerted effort in that
25 regards, when I was assaulted and battered in the

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Exhibit A, page 14

1 water, if they were talking to each other, that's an
2 assault and battery charge on all of them, as far as
3 I'm concerned.

4 Q Has Sang Lee ever physically made
5 physical contact with you?

6 A With me? Physically? With his body to
7 my body?

8 Q Yes, his body to your body.

9 A No.

10 Q Has he ever threatened -- strike that.
11 Going to the January 29th, 2016
12 incident, when was it that Mr. Lee approached
13 Chris Taloa?

14 A Are you looking for a specific hour?
15 Because I don't remember the hour, but it was after we
16 got out of the water.

17 Q How long after?

18 A I can't give you a specific minutes or
19 numbers, but we were out of the water and not surfing;
20 so, from the time it takes you to walk up from the
21 water to the time you get to your car, it was within,
22 you know, within a half an hour, an hour.

23 Q Was it near your car?

24 A It was right at, like, the rear of
25 Chris' car -- Chris Taloa's car.

1 in concert with that, then, I would say it's possible.

2 BY MS. LUTZ:

3 Q Have you seen Mr. Lee ever be on the
4 phone at Lunada Bay?

5 A I have not.

6 Q Have you ever seen Mr. Lee injure anyone
7 at Lunada Bay?

8 A No.

9 Q Have you ever seen Mr. Lee slash
10 anyone's tires?

11 A No.

12 Q Have you ever seen Mr. Lee engage in the
13 destruction of property at Lunada Bay?

14 A No.

15 Q Do you contend that Mr. Lee is involved
16 in drug use?

17 A I don't know his involvement in any drug
18 use.

19 Q Is that a "No"?

20 A I don't know if he's involved in any
21 drug use.

22 Q Do you believe that Mr. Lee is involved
23 in any drug trafficking?

24 A I don't know if he is.

25 Q You have no facts to believe that?

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Exhibit A, page 16