

DISTRICT COURT, CITY AND COUNTY OF DENVER, STATE OF COLORADO

Case No. 93DV5605

DEPOSITION OF: GARY OLINGER
December 7, 1994

In Re the Marriage of:

TRACEY A. PITMAN,

Petitioner,

and

JOHN M. PITMAN, III,

Respondent.

TAKEN PURSUANT TO SUBPOENA, RESCHEDULED BY AGREEMENT, on behalf of the Respondent at 2323 East Dartmouth Avenue, Englewood, Colorado 80110 at 4:09 p.m. before Theresa A. Coffman, Registered Professional Reporter and Notary Public within Colorado.



Coffman

REPORTING &
LITIGATION
SUPPORT, INC.

APPEARANCES

For the Petitioner: DAVID W. HECKENBACH, ESQ.
 Cross & Heckenbach, P.C.
 2303 East Dartmouth Avenue
 Englewood, Colorado 80110

For the Respondent: DAVID P. KIRSH, ESQ.
 826 Pearl Street
 Boulder, Colorado 80302

Also Present: None

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25EXAMINATION OF GARY OLINGER:
December 7, 1994PAGE

By Mr. Kirsh:

4, 29

By Mr. Heckenbach:

17, 30

DEPOSITION EXHIBITS:INITIAL
REFERENCE

1 Release from Day-Care, January 1992

8

(Retained by counsel.)

CERTIFIED/NOTED PORTIONS OF TESTIMONY:PAGE

(None requested.)

1 WHEREUPON, the within proceedings were taken
2 pursuant to the Colorado Rules of Civil Procedure:

3 (Deposition Exhibit 1 was marked.)

4 GARY OLINGER,
5 having been first duly sworn to state the whole truth, was
6 examined and testified as follows:

7 EXAMINATION

8 BY MR. KIRSH:

9 Q. Would you state your name for the record,
10 please.

11 A. Gary Olinger.

12 Q. Mr. Olinger, have you ever had a deposition
13 taken before?

14 A. No.

15 MR. KIRSH: Okay. Let me stop for a second.
16 For the record, this deposition of Gary Olinger is taken
17 for purposes of use at trial in accordance with the
18 applicable rules of the Supreme Court of the State of
19 Illinois, the Illinois Code of Civil Procedure, and the
20 applicable rules of the Supreme Court of the State of
21 Colorado.

22 Q. (BY MR. KIRSH) All right. Under the rules,
23 sir, I'm going to ask you a series of questions which you
24 are required to answer. If there is an objection made by
25 counsel, he will state his objection on the record, and

1 then you, because this is for use at trial, you will have
2 to give your answer over that objection.

3 If you decline to answer a question, it will
4 be certified and presented to the court for a court to rule
5 on whether you have to answer it or not. Because of the
6 nature of these proceedings, some of these questions are
7 going to be somewhat intimate. They're not made for the
8 purpose of embarrassing you or harassing you, but they are
9 necessary. Do you understand all that?

10 A. Yes.

11 Q. Good. All of your answers have to be oral.
12 Shakes or nods of the head do not transcribe very well.
13 Neither do um-hums.

14 All right. You just gave her an address.
15 Okay. Do you know Tracey Pitman?

16 A. Yes.

17 Q. And when did you meet her?

18 A. I want to say February or March of 1992. That
19 may not be correct, but to the best of my record.

20 Q. Okay. When was the last time you spoke with
21 Tracey Pitman?

22 A. The last time I heard Tracey was on my
23 answering machine in May of 1992.

24 Q. And you have not -- have you had any
25 correspondence or any other contact --

1 A. No.

2 Q. -- with her or from her since then?

3 A. No.

4 Q. Wait till I finish the question. Okay. And
5 what was the nature of your relationship with Tracey
6 Pitman?

7 A. We dated.

8 Q. Okay. And when you say "dated," was your
9 relationship sexual?

10 A. At times.

11 Q. Okay. Obviously not 24 hours a day. Okay.
12 Do you know, had you ever met her son, Burt Pitman?

13 A. Yes.

14 Q. And were the two of you -- when you were with
15 Tracey, was Burt present?

16 A. Yes.

17 Q. Did Tracey tell you during the course of your
18 relationship that she was not married?

19 A. Yes.

20 Q. During the course of your relationship, did
21 you ever observe Tracey using any illegal drugs?

22 A. No.

23 Q. Did you ever see Tracey intoxicated?

24 A. Yes. --

25 MR. HECKENBACH: I'm going to object to the

1 question on a couple of -- I'm going to object on the
2 grounds of no foundation.

3 Q. (BY MR. KIRSH) Okay. Let me ask a follow-up
4 question. Sir, have you ever been intoxicated?

5 A. Yes.

6 Q. Have you seen other people who you knew were
7 intoxicated?

8 A. Yes.

9 Q. And do you think you can tell from your life
10 experience whether or not someone is intoxicated?

11 A. Yes.

12 Q. Now, please answer my first question. Did you
13 ever see Tracey intoxicated?

14 A. Yes.

15 Q. And did you ever see her intoxicated when Burt
16 was present?

17 A. No.

18 Q. Did Tracey and you ever spend an entire night
19 together when Burt was present? Let me rephrase it. When
20 Burt was in Tracey's care?

21 A. Yes.

22 Q. And when was that?

23 A. Her -- she had a house on this same street,
24 Dartmouth, and I stayed over there at times.

25 Q. Do you know how many occasions?

1 A. No. I think it was not very frequent.

2 Q. Less than ten?

3 A. Less than five.

4 Q. Okay. And on each of those, was Burt present?

5 A. He had his bedroom, yes.

6 Q. He was in the house?

7 A. Yes.

8 Q. Okay. Did you and Tracey ever spend the night
9 at Keystone Resort?

10 A. Yes. We spent the weekend at Keystone.

11 Q. Okay. Showing you what's been marked as
12 Olinger Deposition Exhibit No. 1, which I've already shown
13 to counsel, which bears a date of January 1992 at the
14 bottom, could that have been when you spent the night
15 there, that weekend?

16 A. Yes, that is correct.

17 Q. Okay. So when you say you met Tracey in
18 February or March, you met her a little earlier than that?

19 A. It was actually December.

20 Q. December of '91?

21 A. '91, and I saw her until March. February or
22 March.

23 Q. All right. At the bottom of that exhibit
24 there is a signature for the release of Burt from
25 day-care.

1 A. Yes.

2 Q. And that says John Pitman.

3 A. Yes.

4 Q. Did you write that?

5 A. Yes, that's my writing.

6 Q. And who directed you to write John Pitman's
7 signature there?

8 A. Tracey.

9 Q. Okay. Did she tell you why?

10 A. I think there were rules at the day-care at
11 the Keystone Resort that stated both parents must be
12 present, and Tracey was preoccupied, and she asked me to
13 sign John Pitman.

14 Q. Okay. How long was John -- excuse me -- was
15 Burt in day-care?

16 A. Just for one day, probably one-half to
17 three-quarters of a day. We had skied, and then the second
18 day Tracey did not ski. She stayed in the condo with Burt.

19 Q. Okay. So, what, five hours?

20 A. Oh, yeah.

21 Q. About that?

22 A. Yeah.

23 Q. Okay. During that five hours did Tracey ever
24 go check on Burt?

25 A. We both did, many times.

1 Q. All right. And did you ever have occasion to
2 sign John Pitman's name to a credit card statement?

3 A. Yes.

4 Q. And on how many occasions?

5 A. I believe I paid for the ski tickets and one
6 meal. I believe it was two.

7 Q. And that was at Keystone?

8 A. Yes, at Keystone.

9 Q. And who authorized you to sign John's name?

10 A. Tracey told me that the credit cards were in
11 her name, and she did not get new ones, and that I was to
12 take the card and sign the name on the card, that they were
13 in her name.

14 Q. So Tracey told you to sign John's name?

15 A. Yes.

16 Q. Okay. During your -- at any time during this
17 relationship with Tracey, this three months or so, did you
18 ever find out that she was married?

19 A. No.

20 Q. Did she ever mention John Pitman other than
21 the credit card situation?

22 A. Yes. Plastic surgeon, about 12 years older
23 than she was, separated, lived back East, wasn't in Denver.

24 Q. Did she ever make any statements about his
25 treatment of her?

1 A. I can't recall.

2 Q. Okay. Did she ever make any statements about
3 his treatment of Burt?

4 A. I can't recall.

5 Q. In May of 1992 you got this message on your
6 answering machine.

7 A. Yes.

8 Q. Can you recall what was said?

9 A. Yes. She told me that she was leaving town
10 and that she would like the balance of the money that I
11 owed her, and that was it.

12 Q. And was the money you owed her from the
13 purchase of some skis?

14 A. Of some skis, yes.

15 Q. And that was approximately \$400?

16 A. \$400 on the nose.

17 Q. And you paid that back to her?

18 A. Yes.

19 Q. Now, Burt Pitman --

20 A. Yes.

21 Q. -- has apparently described sexual activity
22 beyond what would be expected of a young child, and there's
23 an issue of when or where or how he might have come up with
24 this knowledge. Did Burt ever walk into the room when you
25 and Tracey were having sexual relations?

1 A. I believe yes, but I'm not sure. I'm not
2 certain.

3 Q. Okay. Was he in the same room with you at
4 Keystone?

5 A. No.

6 Q. In his own room?

7 A. Yes.

8 Q. On how many occasions do you believe he walked
9 in?

10 A. It was only once, and I think that Tracey and
11 I were lying on the bed, not engaged in any acts.

12 Q. Okay. Were you both naked?

13 A. No. I'm not sure, but I want to say no.

14 Q. So as far as you know, he never witnessed any
15 act of sexual intercourse?

16 A. Absolutely not.

17 Q. Did Tracey ever rent X-rated movies when the
18 two of you were together?

19 A. No.

20 Q. Did you?

21 A. No.

22 Q. You never watched them together?

23 A. Never.

24 Q. So as far as you know, Burt would have had no
25 opportunity to see those while you were with Tracey?

1 A. That's correct.

2 Q. Did you ever observe Tracey disciplining Burt?

3 A. Yes.

4 Q. Did she ever engage in any discipline that you
5 considered inappropriate?

6 A. Harsh but not -- maybe a little too harsh for
7 a young child.

8 Q. And how old was Burt at this time?

9 A. Two.

10 Q. And when you say "harsh," what was it that she
11 did?

12 A. Loud, pointing fingers, that type of thing.

13 Q. A lot of yelling?

14 A. Yes. Never slapped him or anything.

15 Q. Never striking. And how close would her face
16 be to his when she yelled?

17 A. Distance of around 3 feet.

18 Q. Kind of a little more than arm's length?

19 A. Yes.

20 Q. And did Burt ever seem frightened?

21 A. He was easily -- easily insulted, easily hurt,
22 and he did take offense to her criticisms, but it was very
23 infrequent.

24 Q. And can you recall on any one occasion what it
25 was Burt did that resulted in the yelling and the finger

1 pointing?

2 A. Mostly dropping food off the dinner table,
3 that type of thing.

4 Q. Did Burt ever call you by name?

5 A. No.

6 Q. Never referred to as anyone that you know?

7 A. No. I can't recall whether he was speaking in
8 complete sentences.

9 Q. But he didn't call you Gary or dad or anything
10 like that?

11 A. I think he did call me dad sometimes.

12 Q. Okay. And did Tracey correct him when he did
13 that?

14 A. I can't recall.

15 Q. Did you correct him?

16 A. No.

17 Q. Did you ever have occasion to discipline Burt?

18 A. Never.

19 Q. Are you familiar with an occasion in December
20 1992 where Tracey was the subject of a missing persons
21 report?

22 A. No.

23 Q. Did you ever have occasion to stay with Tracey
24 at the Quality Inn South?

25 A. Never.

1 Q. In May of 1992 when she called you and left
2 the message, did you return the call?

3 A. No, I dropped a check in the mail to her.

4 Q. Okay.

5 A. I also found a note in my mailbox about that
6 same time saying that she would like it if I would pay her,
7 I was a bad guy, you know, that type of thing.

8 Q. Okay. In May of 1992, what kind of a car did
9 you drive?

10 A. Well, I've had a number of cars. I believe I
11 was driving an AMC Eagle.

12 Q. Have you ever owned a Toyota Corolla?

13 A. No.

14 Q. Did Tracey?

15 A. She had a -- it was a Toyota or a Nissan
16 compact.

17 Q. White?

18 A. White, and I drove that to Keystone.

19 Q. And did you ever reside at 4550 East Jewell in
20 Denver?

21 A. No. I've been at my current address since
22 around 1990.

23 Q. Are you aware of any other gentlemen that
24 Tracey dated during the period of time that you knew her?

25 A. I think towards the end I suspected.

1 Q. Do you know who it was?

2 A. No, I've never seen anyone.

3 Q. Okay. Did Tracey ever speak to you about
4 watching X-rated movies?

5 A. I can't recall, but she had a penchant for
6 things in that area, risque type of --

7 Q. How do you know that?

8 A. I found out late in our relationship that she
9 was selling negligees, X-rated type of bedroom attire.

10 MR. HECKENBACH: I'm going to interpose an
11 objection, move -- for the record, we'll make a request
12 that that last answer be stricken on two grounds: One,
13 that it's nonresponsive to the question. The second is
14 that I believe that in the way that he couched the answer
15 that it is really a recitation of some hearsay statements.

16 MR. KIRSH: It is in response -- nonresponsive
17 is the objection of the questioner.

18 MR. HECKENBACH: And hearsay.

19 MR. KIRSH: Okay. Let me address that.

20 Q. (BY MR. KIRSH) How did you find out this
21 information?

22 A. The woman that introduced us was her friend
23 who was a stripper, I believe, a small blond woman.

24 Q. Was her name Lori Smith?

25 A. Lori.

1 Q. And she told you?

2 A. And she told me, yes.

3 MR. KIRSH: I'll agree that it is hearsay.

4 Q. (BY MR. KIRSH) Did you ever observe or see
5 any X-rated videos in her home? Not watch them but see the
6 actual tapes?

7 A. I don't believe so. It just doesn't ring a
8 bell.

9 MR. KIRSH: Okay. No other questions.

10 EXAMINATION

11 BY MR. HECKENBACH:

12 Q. Okay. I have a few questions for you, won't
13 keep you here much longer. Are you married?

14 A. No.

15 Q. Okay. Have you ever been married?

16 A. No.

17 Q. And do you live with anybody presently at the
18 address that you gave?

19 A. No.

20 Q. Okay. I think you gave your address to the
21 court reporter. Is that address 1021 East 9th?

22 A. That is my mailing address.

23 Q. Okay. What's your residence now?

24 A. 41 Emerson.

25 Q. Why do you have two separate addresses?

1 A. I've had problems in the past of people
2 lifting my address off of my license and breaking into my
3 home, that type of thing, so I keep my mailing and my
4 on-record address separate from my residence address.

5 Q. With regard to the money -- apparently your
6 testimony was that you received a message on your answering
7 machine in approximately May of '92?

8 A. Yes.

9 Q. And then a follow-up note in your mailbox?

10 A. Yes.

11 Q. And that was about some money that Tracey
12 claimed you owed to her?

13 A. Yes.

14 Q. And you admit that you owed her that money?

15 A. Yes.

16 Q. Okay. And that money that you owed her was
17 for your purchase of some ski equipment; is that correct?

18 A. My credit card wouldn't take the purchase at
19 that time, so she phoned in the order for the skis, and I
20 was to pay her back for that.

21 Q. And so your testimony -- do you remember where
22 that was, to what company that was?

23 A. Boulder Ski Deals.

24 Q. Okay, Boulder Ski Deals. And when you were
25 with Tracey, when you first met her, did you hold yourself

1 out as a computer expert?

2 A. Yes.

3 Q. Are you a computer expert?

4 A. Yes.

5 Q. And is it your testimony that you made -- or
6 that she made the credit card purchase telephonically with
7 Boulder Ski Deals herself, that she's the one that called
8 in?

9 A. Yes.

10 Q. So you would dispute any testimony indicating
11 that a man is the person who called in over the phone?

12 A. Yes.

13 Q. You were present when she called it in?

14 A. I called her from my work in Boulder and told
15 her that I would like her to do this, and then I was at the
16 place when she did call.

17 Q. Did you ever obtain her credit card number
18 from a credit card slip that was near her computer?

19 A. Never.

20 Q. At that time were you experiencing bad credit
21 problems yourself?

22 A. I was operating a business on my own, a
23 computer business. Certainly up and down, but never
24 anything that I would resort to anything illegal.

25 Q. Was that a point in time in your business,

1 though, that things were difficult financially?

2 A. I don't think so. I had some pretty good
3 contracts going at that time, and -- I'm sorry. I believe
4 I was working in Boulder at that time too.

5 Q. Okay. But your credit card at that time would
6 not hold the \$400 charge?

7 A. Yes.

8 Q. In any event, you have paid her back, correct?

9 A. Yes.

10 Q. Okay. Have you ever been treated or diagnosed
11 for any mental disease or psychological issue?

12 A. No.

13 Q. Are you familiar with the term "paranoid
14 schizophrenic"?

15 A. Yes.

16 Q. Have you ever told Tracey that you were
17 diagnosed as paranoid schizophrenic?

18 A. I don't know if that was the actual
19 diagnosis. If you're talking about my military.

20 Q. Go ahead and tell us about the military, what
21 happened.

22 A. I just wanted out.

23 Q. Okay. As a result of your wanting out, is
24 there a military record that diagnoses you with a mental
25 disorder?

1 A. Not that I'm aware of.

2 Q. What type of discharge did you receive from
3 the armed forces?

4 A. An honorable discharge.

5 Q. But did you get out earlier than otherwise you
6 had contracted for?

7 A. Yes.

8 Q. Did you feign some sort of mental illness in
9 order to accomplish that?

10 A. Possibly.

11 Q. And how did you educate yourself to know how
12 to feign this type of illness?

13 A. I think the situation I was in, that lent
14 itself to certain behaviors.

15 Q. Okay. Just go ahead and elaborate. What
16 happened?

17 A. Well, I was a special forces reconnaissance
18 marine, and the company that I was in had gotten a new
19 commanding officer, and we didn't hit it off.

20 Q. When did you enter the Marine Corps?

21 A. January of 1979, January 20th.

22 Q. And did you enter as an enlisted person?

23 A. Enlisted.

24 Q. And did you complete a period of boot camp,
25 then?

1 A. Yes.

2 Q. Okay. Where was that?

3 A. Camp Pendleton -- or MCOB.

4 Q. And at what point did you enter training for
5 special forces?

6 A. 12 weeks after enlisting.

7 Q. Okay. And when were you discharged from
8 the -- did you have any out-of-the-country duties?

9 A. I was on a ship.

10 Q. When were you discharged?

11 A. January 23rd, 1981, two years to the date
12 after enlisting.

13 Q. And how premature was that?

14 A. One year.

15 Q. One year premature?

16 A. Yes.

17 Q. And what rank did you hold at the time of your
18 discharge?

19 A. E3. That means corporal.

20 Q. And the -- okay. You get a new CO, you don't
21 get along with your CO and you want out. What do you do to
22 accomplish that?

23 A. I go to the medical facility at my camp, and
24 they tell me that there's nothing wrong with me, so I leave
25 and come back because I'm determined, and then they send me

1 to the main hospital for observation, and after eight hours
2 in the main hospital, I'm told that I will be getting out.

3 Q. And your recollection of those -- of your
4 discharge is that either you or someone apparently on your
5 behalf asserted some sort of mental illness as a basis for
6 the early discharge?

7 A. I was -- there was a board of doctors.

8 Q. And did they issue a certification or a
9 written diagnosis?

10 A. Not that I'm aware of.

11 Q. Do you recall any terminology that was used in
12 connection with a diagnosis upon your discharge?

13 A. You'll have to rephrase that.

14 Q. Okay. Like, for example, paranoid
15 schizophrenic, are you familiar with that term?

16 A. Yes.

17 Q. Is that a term that was used in that process
18 where you tried to get out of the service early?

19 A. I believe so, yes.

20 Q. Any other psychological type of terms that you
21 recall that were used in association with your attempt to
22 get out early?

23 A. Narcissistic.

24 Q. Any other terms that you can recall?

25 A. No.

1 Q. Have you ever met John Pitman?

2 A. No. I understand he came to my apartment and
3 was confronted by the apartment manager, and he was
4 described to me. I talked to him at length on the phone.
5 He called me at my office.

6 Q. When was that?

7 A. Towards the beginning of this year.

8 Q. Towards the beginning of 1994?

9 A. I believe so.

10 Q. Okay. Do you recall when you originally
11 received your subpoena to testify at this deposition?

12 A. Yes.

13 Q. When was that?

14 A. It was four days before the actual deposition
15 date.

16 MR. KIRSH: Is it real important?

17 A. I was in Cleveland, Ohio at the time I was to
18 give the deposition. That's my travel schedule for this
19 year, where I was.

20 Q. (BY MR. HECKENBACH) Okay. For the record,
21 you have tendered or at least shown to me -- and I'll make
22 sure that Mr. Kirsh gets a chance to see it -- what appears
23 to be entitled Business Trip Itinerary 1994 for Gary
24 Olinger, and at the top of the list you have listed January
25 19 to January 21, 1994, Cleveland, Ohio?

1 A. Yes.

2 Q. Is that where you believe you were in between
3 those dates?

4 A. That's where I was.

5 Q. Okay. Now, in terms of -- in relationship to
6 your trip to Cleveland, Ohio, when was this lengthy
7 conversation with John Pitman? Before or after your trip
8 to Ohio?

9 A. I can't recall.

10 Q. Was it before or after you received a subpoena
11 to give a deposition?

12 A. After, I believe. I'm not certain, but I
13 believe it was after.

14 Q. But before the deposition was scheduled?

15 A. Yes.

16 Q. Who initiated the telephone call?

17 A. He had called me.

18 Q. And how long did the telephone conversation
19 last?

20 A. Quite a while, in excess of 15 minutes. He
21 called my -- I own an office at Colorado Boulevard and
22 I-25, and the phone number there is 691-3556, and I'm sure
23 the records can be obtained there.

24 Q. And it would have been on his nickel?

25 A. Yes.

1 Q. It's not like he called, left a message and
2 you called him back? Your recollection is he called you
3 and you were there?

4 A. I was at my office. Strike that. I may have
5 called him back. I may have answered his message and
6 called him back. That happens quite a bit.

7 Q. You're just not certain at this point?

8 A. I'm not certain.

9 Q. But in any event, it was before you were
10 scheduled to give your deposition?

11 A. To the best of my recollection, yes.

12 Q. Okay. And the -- what was the substance of
13 the conversation from his perspective? In other words,
14 what did he express to you as his purpose in calling you?

15 A. Well, he had told me that he was indeed still
16 married to Tracey at that time, at the time I was dating
17 her. He had mentioned some credit card charges, and I had
18 told him that I was not aware that the credit card charges
19 were in his name, and I would be happy to pay him for any
20 charges that I may have made in error.

21 He told me that he desperately wanted to get
22 custody of Burt in the custody battle, and that after
23 Tracey had seen me, she evidently went off the deep end and
24 was seeing many men and doing some very risky things.

25 Q. And was -- is that your recollection that he

1 used the word, "desperate," that he desperately wanted to
2 have custody of Burt?

3 A. That he felt it was in Burt's best interests.

4 Q. Have you received any -- what happened with
5 your offer to pay the credit card charges? Did he take you
6 up on that offer or did he simply forgive it?

7 A. He forgave it at that time.

8 Q. Have you received any money, cash, check or
9 otherwise from Mr. Pitman?

10 A. No.

11 Q. Any offers of any money from Mr. Pitman -- or,
12 I'm sorry, Dr. Pitman?

13 A. Absolutely not.

14 Q. Anyone acting on his behalf?

15 A. No.

16 Q. Have you had any conversations with Dr. Pitman
17 since then?

18 A. No.

19 Q. Have you had any conversations with me prior
20 to this date?

21 A. Prior to this date? Just in the courtroom.

22 Q. And was anything about this case discussed?

23 A. No.

24 Q. Okay. Have you had any prior conversations
25 with Mr. Kirsh prior to today's date?

1 A. Conversations, no, only correspondence.

2 Q. Written correspondence and motions and
3 contempt citations and things like that?

4 A. Yes.

5 Q. Okay. I guess I'm a little unclear. Is it
6 your testimony that at the time you were seeing Tracey you
7 didn't know she was still married?

8 A. That's correct.

9 Q. What was your understanding -- and this is the
10 same period of time that you're signing John Pitman's name
11 to day-care and to credit cards, right?

12 A. Yes.

13 Q. Who did you think John Pitman was during that
14 period of time?

15 A. Well, it's pretty explanatory. I thought I
16 made it clear that she told me the credit cards were in her
17 name, and she had an extra card made out for her
18 ex-husband, John Pitman.

19 Q. That didn't strike you as unusual?

20 A. Not after being to her house and hearing that
21 she has the house and that John Pitman no longer lives
22 there.

23 Q. In any event, you knew that John Pitman was
24 Burt's father?

25 A. It stood to reason, yes.

1 Q. Okay. And it was clear that she was not
2 living with John Pitman -- or was it to you, or did you
3 know?

4 A. No, it wasn't, because his diplomas were on
5 the wall, his clothes were in the drawers.

6 Q. Okay. And that didn't strike you as unusual
7 in a relationship of ex-spouses?

8 A. It did.

9 MR. HECKENBACH: I have nothing further.

10 EXAMINATION

11 BY MR. KIRSH:

12 Q. Couple quick ones. Since your discharge from
13 the army --

14 A. I was never in the Army.

15 Q. I'm sorry, Marines. I apologize. Have you
16 ever been treated for any mental illness?

17 A. No.

18 Q. Have you ever been convicted of any crime
19 other than a traffic offense?

20 A. No.

21 Q. Have you ever had to undergo any kind of
22 psychological screening for any job?

23 A. Yes.

24 Q. Did you pass that?

25 A. Yes.

1 Q. Who was that with?

2 A. C4 Network, my present employer. Also Marco
3 International.

4 MR. KIRSH: Okay. I have no other questions.

5 EXAMINATION

6 BY MR. HECKENBACH:

7 Q. What kind of company is C4?

8 A. Area system integrator. We manufacture a
9 large-format color digital printing system. It's a --

10 Q. It's computers?

11 A. It's computers. Computers and digital
12 printing.

13 Q. And what's Marco One?

14 A. And Marco International.

15 Q. I'm sorry. I had an "i" there, and I read it
16 as an one. Go ahead.

17 A. They are a merchant of computer peripherals.

18 MR. HECKENBACH: I have nothing further.

19 MR. KIRSH: Sir, you have the right to review
20 the transcript when she types it up --

21 THE DEPONENT: Okay.

22 MR. KIRSH: -- for accuracy and to make sure
23 there's no errors in there, or you can waive your signature
24 and trust that she will transcribe it accurately. The
25 choice is yours.

1 THE DEPONENT: Okay.

2 MR. KIRSH: And you have to tell her now.

3 THE DEPONENT: Have you -- have you ever had
4 opportunities for error in the past?

5 THE REPORTER: Then I'd like to see the
6 transcripts.

7 WHEREUPON, the within proceedings were
8 concluded at the approximate hour of 5:00 p.m. this 7th day
9 of December, 1994.

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S I G N A T U R E O F W I T N E S S

I, GARY OLINGER, do hereby certify that I have
read the foregoing deposition and that the foregoing
transcript and accompanying change sheets, if any,
constitute a true and complete transcript of my testimony.

GARY OLINGER

____ day of _____ SUBSCRIBED AND SWORN TO before me this
____, ____.

() No changes

() Changes attached

NOTARY PUBLIC

Address: _____

My commission expires: _____

Re: In re the Marriage of Pitman
Date of Deposition: December 7, 1994
Trial Date: None set
Volume: --
Reporter: TC

C E R T I F I C A T I O N

I, THERESA A. COFFMAN, Registered
Professional Reporter, appointed to take the deposition of
GARY OLINGER,
certify that prior to the deposition the individual was
duly sworn by me to testify to the truth; that the
deposition was taken by me at 2303 East Dartmouth Avenue,
Englewood, Colorado 80110 on December 7, 1994; that the
proceedings were then reduced to typewritten form by means
of computer-aided transcription, consisting of 35 pages
herein; that the foregoing is an accurate transcript of the
proceedings at that time.

I further certify that I am not related to any
party herein or their counsel and have no interest in the
result of this litigation.

IN WITNESS WHEREOF, I have hereunto set my
hand this 13th day of December, 1994.



THERESA A. COFFMAN
Registered Professional Reporter

COFFMAN REPORTING & LITIGATION SUPPORT, INC.
3773 Cherry Creek North Drive, Suite 276
Denver, Colorado 80209
(303) 322-4242

December 13, 1994

GARY OLINGER
1021 East 9th Avenue
Denver, Colorado 80218
and
41 Emerson Street
Denver, Colorado 80218

Re: In re the Marriage of Pitman
Deposition of: GARY OLINGER
Date of Deposition: December 7, 1994
Trial Date: None set

GARY OLINGER:

Your deposition has now been prepared and is available for you to read and note any changes or corrections you wish to make before the same is filed in accordance with the Rules of Civil Procedure.

If you prefer to review your deposition, please call to make an appointment, as office hours vary on certain days.

The transcript will be held through January 18, 1995. If we have not heard from you prior to that time, we will assume you have decided not to sign your deposition.

Thank you for your cooperation in this matter.

Sincerely,



COFFMAN & COMPANY

cc: Attending counsel

COFFMAN REPORTING & LITIGATION SUPPORT, INC.
3773 Cherry Creek North Drive, Suite 276
Denver, Colorado 80209
(303) 322-4242

DAVID P. KIRSH, ESQ.
826 Pearl Street
Boulder, Colorado 80302

Re: In re the Marriage of Pitman
Deposition of: GARY OLINGER
Date of Deposition: December 7, 1994
Trial Date: None set

Enclosed is the above original transcript . . .

- _____ Signed without changes.
- _____ Signed with changes, copy enclosed.
- _____ Not signed. Notice duly given December 13, 1994
pursuant to the Rules of Civil Procedure.
- _____ Signature pages and amendment sheets
to be returned to court on trial date.
- _____ ^ Original ^ Copy of deposition and original
signature page sent to deponent with special
instructions. See attached letter.
- _____ Signature waived or not required.

ORIGINAL TRANSCRIPT DELIVERED BY:

CERTIFIED MAIL ON _____

HAND-DELIVERED ON _____

RECEIVED BY _____

COFFMAN & COMPANY

cc: Attending counsel

PAGE	LINE
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