

IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

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IN RE:	:	
FAITH ELYZABETH ANTONIO	:	Case No. 8:20-bk-07637-CPM
Debtor	:	Chapter 7
	:	
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DGP PRODUCTS, INC.	:	Adv. No. 8:20-ap-00537-CPM
d/b/a NUMERIC RACING	:	
Plaintiff	:	
vs.	:	
FAITH ELYZABETH ANTONIO	:	
Defendant	:	
	:	
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U.S. Courthouse
801 North Florida Avenue
Tampa, Florida 33602
Held April 25, 2022

TRANSCRIPT OF HEARING

[Re: 8:20-ap-00537]

Trial on Complaint - Day 1 of 6
Entire Hearing

BEFORE THE HONORABLE CATHERINE PEEK MCEWEN
UNITED STATES BANKRUPTCY JUDGE

PROCEEDINGS DIGITALLY RECORDED BY COURT PERSONNEL
FROM IN-PERSON, ZOOM VIDEO CONFERENCE AND/OR TELEPHONE.
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1 things like that. Was he sad? Were there any discussions
2 regarding his ex-wife, Your Honor, because --

3 THE COURT: Well, the discussions about ex-wife is
4 something that I think might be germane. But I'll let you
5 go a little bit on this.

6 But go ahead and answer it. I'm going to overrule
7 your objection. So whatever your first impressions were,
8 say them.

9 MS. ANTONIO: My first impressions, I wouldn't
10 want to date somebody if I had an ill first impression of
11 somebody.

12 BY MS. CRUZ-GARCIA:

13 Q Okay, and what does that mean?

14 A It means I wouldn't want to continue a relationship
15 with somebody who didn't have a positive vibe or I was not
16 attracted to.

17 Q Okay. So between May of 2014 and August of 2014, did
18 you learn that Mr. Geberth had a prescription medication
19 dependency? And I'm asking specifically between May of 2014
20 and August of 2014.

21 A Yes.

22 Q Okay. How did you learn?

23 A When we went to -- when we went to an appointment of
24 mine for a procedure and it was noted by both my mother and
25 Daniel --

1 Q Say that one more time.

2 A -- I'm sorry, of the doctor.

3 Q You went where? I'm sorry.

4 A We went to a medical -- we went to a doctor for a -- I
5 forgot the word.

6 THE COURT: You said "procedure" --

7 MS. ANTONIO: -- for a cosmetic procedure.

8 BY MS. CRUZ-GARCIA:

9 Q For whose cosmetic procedure, yours?

10 A Yeah.

11 Q Okay. So you're saying that you learned that Mr.
12 Geberth had a prescription medication dependency during the
13 time that you went for your own plastic surgery medical
14 procedure?

15 A We went. Me and Daniel.

16 Q "We," meaning Mr. Geberth and you?

17 A Yeah.

18 Q Okay. And you went to have what plastic surgery
19 procedure?

20 MS. ANTONIO: That's not relevant.

21 MS. CRUZ-GARCIA: Absolutely, it's relevant, Your
22 Honor.

23 THE COURT: What's the relevance?

24 MS. CRUZ-GARCIA: The relevancy is that this --
25 all of the plastic surgery that she had was paid for by Mr.

1 Geberth. And while we're not claiming it in our Complaint,
2 it lays the foundation as to what this relationship was like
3 regarding the funds going between Mr. Geberth and her at
4 just three months after meeting.

5 THE COURT: Well, I don't need to know the
6 particulars of what happened. If she had cosmetic surgery,
7 she already said that. Who paid for it?

8 MS. CRUZ-GARCIA: Okay.

9 THE COURT: Who paid for it?

10 MS. ANTONIO: Daniel Geberth.

11 BY MS. CRUZ-GARCIA:

12 Q Okay. And was the total close to \$20,000?

13 A Probably below that, maybe around 14,000.

14 Q Okay. Was this something you could have paid on your
15 own?

16 A I was not the one that suggested a cosmetic surgery.
17 Thank you.

18 Q My question is: Was this something that you could have
19 paid on your own, ma'am?

20 MS. ANTONIO: What does this have to do -- there's
21 not relevancy to this question.

22 THE COURT: Okay, I'm going to sustain that.
23 Because whether she could pay for it on her own is
24 irrelevant. I mean, ever?

25 MS. CRUZ-GARCIA: No, during the time between May

1 of 2014 and August of 2014.

2 MS. ANTONIO: Somebody offered --

3 THE COURT: Let me ask you something: Would you
4 have gone and done that on your own, had you had enough
5 money?

6 MS. ANTONIO: Yes, absolutely.

7 THE COURT: You would have?

8 MS. ANTONIO: Yes.

9 THE COURT: Okay.

10 MS. CRUZ-GARCIA: All right.

11 THE COURT: I'm still waiting to hear how it is
12 that she learned that he was addicted to prescription
13 medicines in concert with her going to a cosmetic surgery.
14 Are we going to get back to that?

15 MS. CRUZ-GARCIA: Yes, Your Honor, that's my next
16 question but -- okay, I'll just ask it now.

17 BY MS. CRUZ-GARCIA:

18 Q How was it then that -- if you learned that he had a
19 prescription medication dependency when you were going for a
20 medical procedure yourself, how was it that you learned?

21 A The doctor referred to Mr. Geberth because he flush-
22 faced and he had drool coming out of his mouth and he had
23 exhibited symptoms from what a doctor knows of --

24 Q Regardless of what other people observed, what did you
25 know? How did you know that he had a prescription

1 medication dependency?

2 THE COURT: She's saying that she learned it from
3 the doctor. So if you'll let her finish what her statement
4 was. What did the doctor say?

5 MS. ANTONIO: The doctor pointed out that Mr.
6 Geberth, in concern, was flushed face. He was talking
7 and exhibiting signs of being under the influence, which
8 includes talking like you have cotton balls in your mouth,
9 mumbles, and he had drool coming out of his mouth.

10 I thought it was from his lack of sleep that he
11 used to tell me that it was nothing but him not being able
12 to sleep and that's why he was tired all the time.

13 BY MS. CRUZ-GARCIA:

14 Q And after the doctor made those observations and
15 brought that to your attention, what discussions did you
16 have with Mr. Geberth regarding his prescription pill
17 dependency?

18 A I don't remember.

19 Q Between August of 2014 and December of 2014, did you
20 have any discussions with Mr. Geberth regarding his
21 prescription pill dependency?

22 A Yes.

23 Q Okay. Tell us about one conversation that you had,
24 between August of 2014 and December of 2014, regarding Mr.
25 Geberth's pill dependency?

1 A I can't tell with specifics but my concern with him,
2 because he was hiding pills throughout the house. His
3 daughter was crying and concerned because he would do
4 actions that would -- such as getting into his vehicle and
5 driving under the influence. And I was concerned that after
6 him losing his -- after Aspen lost her own mother, that she
7 was going to lose her father, as she cried and was concerned
8 with, too.

9 Q Okay. So between August and December of 2014, did you
10 already know that Mr. Geberth's ex-wife had died of a drug
11 overdose?

12 A I guess it was within that time frame.

13 Q Okay. So you had concerns and you addressed the
14 concerns? Is that your testimony? Between August, when you
15 learned for the first time that he had a pill dependency,
16 right?

17 A Right.

18 Q Until December of 2014, correct?

19 A That's correct.

20 Q Did you have any concern about how he was mismanaging
21 his finances between August of 2014 and December of 2014?

22 A I had no -- it was a new relationship. I did not know
23 anything about his finances. That was not my concern. My
24 concern was his health and for him to live through his --
25 and not have Aspen lose another parent. There was no other

1 concern about his finances or money.

2 Q Sure. But although this was a new relationship, he had
3 paid over -- close to \$14,000 for plastic surgery; right?

4 MS. ANTONIO: What's the relevancy?

5 THE COURT: Sustained.

6 BY MS. CRUZ-GARCIA:

7 Q If you were not concerned, if you had no preoccupation
8 about his finances, didn't you find it odd that someone
9 would pay such a high amount of money, just meeting someone,
10 for plastic surgery?

11 A I was concerned. He said, "I can easily make it back."
12 And he's the one that suggested it. He knew how I felt.

13 MS. ANTONIO: There's no relevancy to this
14 questioning. It's way out of line. It's not even pled
15 in anything.

16 MS. CRUZ-GARCIA: Between --

17 THE COURT: It's not part of a claim. It's part
18 of the evidentiary basis of a claim. You don't plead every
19 single item of proof in a Complaint.

20 So go ahead.

21 BY MS. CRUZ-GARCIA:

22 Q Between May of 2014 and August of 2014, before the
23 plastic surgery expense, did Mr. Geberth pay for any of your
24 personal expenses?

25 A I don't remember.