

1 A. Yes.

2 MR. HANEY: Objection as to foundation, your Honor.

3 THE COURT: Overruled.

4 MR. HANEY: Thank you.

5 A. Yes, it is. The players association is a union, yes.

6 Q. Yes. And it's a union for the NBA players, right?

7 A. Correct, and the agents.

8 Q. OK. And you understand, obviously, what the purpose of
9 unions are, right?

10 A. Yes.

11 Q. And the purpose of unions are to protect the union members,
12 right?

13 A. Yes.

14 Q. Sometimes they fight for certain wages, right?

15 A. Correct.

16 Q. And other sort of employment protections, right?

17 A. Correct.

18 Q. Certain benefits that union members might want, right?

19 A. Sure.

20 Q. Now, the NBA players union does a couple of different
21 things, right? Let me be more specific.

22 One of the things of the NBA union does is it
23 certifies agents, correct?

24 A. Yes, it is.

25 Q. And the reason they certify agents is because they want to

1 make sure agents of good character and of good quality are
2 representing NBA players, right?

3 A. Yes.

4 Q. The idea is to keep out shady agents, right?

5 A. Sure.

6 Q. So you have this requirement that you be certified by the
7 NBA so that there is some vetting of the agents, right?

8 A. Yes.

9 Q. Because as, you know from your experience, there are people
10 who are very good agents of high moral character, right?

11 A. There's people of very good agents who get the players
12 paid, yes.

13 Q. My question is not that. My question is you know, based on
14 your experience, there are some agents who are very well
15 qualified and of high moral character, correct?

16 A. Yes.

17 Q. And there are some who are not very well qualified and of
18 lower character, correct?

19 A. Yes.

20 Q. So the idea is to keep out the bad agents and allow the
21 good agents to do their job, right?

22 A. I don't know if that's the idea, but that's your
23 interpretation.

24 Q. Now, the NBA Players Association issued a memo about you,
25 right?

1 A. They did.

2 Q. And they issued that memo to its members, right?

3 A. They did.

4 Q. And that means it issued a memo to all the NBA players,
5 right?

6 A. And agents, yes.

7 Q. And how many NBA players are there?

8 A. Fifteen on each team, 30 teams.

9 Q. So what's that? Do the math for us.

10 A. It's over 300. I don't --

11 Q. So it's fair to say there are 300 players in the NBA, give
12 or take?

13 A. Yes.

14 Q. So all of those 300 or so players got a memo about you that
15 had accused you of dishonesty, correct?

16 MR. HANEY: Objection, your Honor.

17 THE COURT: Overruled.

18 A. Yes, they did.

19 Q. Now, you talked about this a little bit on your direct, but
20 I want to talk about it a little bit more.

21 Now, the memo -- first of all, the memo was issued in
22 May 2017, right?

23 A. I believe so, that's correct.

24 Q. And the memo made several allegations, right?

25 A. The allegation was that a client --

1 Q. My question's yes or no.

2 A. It wasn't several.

3 Q. My question's yes or no.

4 A. No.

5 Q. My question is yes or no.

6 A. That was my understanding.

7 MR. HANEY: Your Honor.

8 THE COURT: Stop talking again.

9 A. I said no. Your question was yes or no. I said no.

10 Q. I'm sorry. I didn't hear you.

11 MR. HANEY: Your Honor, I'm going to object. May I
12 make an objection, or do we need a sidebar?

13 THE COURT: We don't need a sidebar.

14 MR. HANEY: I have an objection. He's clearly being
15 argumentative on a level I haven't seen in a while. Thank you.

16 THE COURT: OK. Overruled.

17 A. No.

18 Q. The memo that was sent to every player in the NBA and,
19 according to you, also agents said the following --

20 MR. HANEY: Your Honor, I would object. May we have a
21 sidebar?

22 THE COURT: OK.

23 MR. HANEY: Thank you.

24 (Continued on next page)

25

1 (At sidebar)

2 MR. HANEY: My objection, this is clearly hearsay. We
3 don't have any stipulation that the memo itself -- we don't
4 have an authenticity stip. We don't have a foundational basis
5 to admit the memo. He can't read the memo. It's a hearsay
6 record.

7 MR. BOONE: Your Honor, I don't intend to read the
8 memo.

9 MR. HANEY: He just did.

10 MR. BOONE: If I could respond, please.

11 I don't intend to read the memo. I can rephrase the
12 question so that's clear. However, if we need to get an NBA
13 Player Association person to certify this as a business record
14 that they normally keep, we can do that, and we will seek to
15 admit it.

16 THE COURT: I think if you just ask questions in a
17 general way concerning what the substance of the allegations
18 were, that would be fine.

19 MR. BOONE: Yes, your Honor.

20 MR. HANEY: He did intend to read the memo. He was
21 reading the memo.

22 MR. BOONE: I don't have the memo. This is my
23 outline.

24 THE COURT: It sounded like you were starting to read
25 the memo. In any event, just sort of characterize whatever the

1 allegations are. Otherwise, this is garden variety
2 cross-examination.

3 MR. HANEY: Thank you, your Honor.

4 (Continued on next page)

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1 (In open court; jury present)

2 MR. BOONE: May I proceed, your Honor?

3 THE COURT: You may.

4 BY MR. BOONE:

5 Q. Mr. Dawkins, do you enjoy using the Uber service?

6 A. I love it. It's very convenient.

7 Q. So the NBA Player Association accused you of using Uber,
8 correct?

9 A. No, they accused me of misappropriating client funds.

10 Q. Yes-or-no answer.

11 A. No.

12 Q. So the NBA Players Association did not accuse you of
13 spending \$42,000 in Uber fees?

14 A. They accused me of misappropriating client funds.

15 Q. Yes or no? Yes or no?

16 Your Honor, I ask his answer be stricken.

17 THE COURT: Answer's stricken.

18 Mr. Dawkins, if you're not able to answer a question
19 yes or no, just let me know that, and I'll have Mr. Boone
20 rephrase, OK?

21 THE WITNESS: OK. Thank you.

22 Q. The NBA Players Association accused you of spending \$42,000
23 in Uber fees, correct?

24 A. Correct.

25 Q. And the NBA Players Association accused you of doing -- of

1 using Uber more than 100 times?

2 A. Correct.

3 MR. HANEY: Your Honor, I would object to hearsay.

4 THE COURT: Overruled.

5 MR. HANEY: Thank you.

6 A. Mr. Boone, I didn't see the --

7 Q. Yes or no?

8 A. I don't know. I didn't see the memo. I didn't read it.

9 Q. OK. Is it fair to say that they accused you of using Uber
10 1,865 times in a year?

11 A. I didn't read the memo.

12 Q. Is it fair to say that they accused you of using Uber by
13 using a client's credit card without that client's permission?

14 THE WITNESS: Your Honor, at this point can I explain
15 what happened?

16 THE COURT: No. Can you answer that question, yes or
17 no?

18 A. Can you repeat the question, sir?

19 Q. Yes. I think we've agreed, at least, that the NBA Players
20 Association accused you of using Uber to the tune of \$42,000,
21 right?

22 A. Correct.

23 Q. And the players association's accusation is that you used
24 Uber without the permission of a client?

25 A. I don't know if that was the accusation.

1 Q. OK. So it's not your understanding that the reason they
2 wrote a memo and sent it to every player in the NBA and their
3 agents was not to inform them of the fact that you had misused
4 a client's credit card to ride Uber 1,865 times in a year that
5 equaled approximately \$42,000 in Uber fees?

6 A. A memo was sent. It outlined --

7 Q. Yes or no?

8 A. Ask the question again, please.

9 Q. Yes. Is it true that the NBA Players Association, which is
10 designed to protect the NBA players --

11 MR. MOORE: Your Honor, objection to Mr. Boone's
12 characterization of what the players association is designed to
13 do.

14 THE COURT: This has already been covered by
15 Mr. Dawkins. The objection's overruled.

16 A. The answer is yes.

17 Q. Let me ask the question, please.

18 Is it true that the NBA Players Association, that is
19 designed to protect the NBA players, sent a memo to all of the
20 NBA players and the NBA agents to inform them that Christian
21 Dawkins spent \$42,000 of a player's money on Uber fees without
22 that player's permission?

23 A. Yes.

24 Q. In your view, that's not true, right?

25 A. You want me to explain now?

1 Q. I just want you to answer yes or no if you think that
2 accusation is correct or not.

3 A. It's not correct, no.

4 Q. And your fraud conviction's not correct either?

5 A. My what?

6 Q. Your fraud conviction from October 2018 that was also in
7 this courtroom, that was also incorrect, right?

8 MR. HANEY: Objection, your Honor, to it was in this
9 courtroom. It wasn't in this courtroom. Mr. Boone wasn't
10 there, apparently.

11 THE COURT: Overruled.

12 A. Yes, I was convicted of fraud.

13 Q. Is it correct or incorrect, that's the question?

14 A. You asked me how do I feel about the fraud conviction.

15 Q. I'm not asking how you feel. I'm asking you -- in some
16 ways I am. I'm asking you, in your view, was that ruling, that
17 judgment by the jury that you engaged in dishonesty, correct?

18 A. No. You cannot defraud the university.

19 Q. That's all.

20 Now, you're obviously here on another trial, right?

21 A. Correct.

22 Q. And you've been accused of fraud again?

23 MR. CHANEY: Your Honor, objection.

24 A. I thought it was --

25 MR. CHANEY: -- the presumption of innocence.

1 THE COURT: Overruled.

2 A. I thought this was a bribery case.

3 Q. Do you want to see the indictment?

4 A. I don't need to see the indictment.

5 Q. OK. You agree that you're on trial, right?

6 A. Yes, yes.

7 Q. And you agree that the government is claiming that you've
8 done several things. I know you don't agree with any of them,
9 but they're claiming you've done several things, right?

10 MR. HANEY: Objection to the form of the question.

11 He's testifying.

12 THE COURT: Sustained as to the form.

13 MR. BOONE: I agree. I'll try to be better.

14 Q. You agree you've been accused of committing bribery,
15 correct?

16 A. I have.

17 Q. And you agree that you've been accused of being dishonest
18 in your dealings with individuals, right?

19 A. In what way?

20 Q. Do you want me to go over the ways of dishonesty in this
21 case?

22 A. Please.

23 Q. You know what? I'll just speed through this a little more
24 quickly. How about this, we'll just get right to the meat of
25 it.

1 Now, just to be clear, you're obviously testifying
2 under penalty of perjury, correct?

3 A. Yes.

4 Q. You understand that means you can be prosecuted for lying?

5 A. Yes.

6 Q. And you understand why that is, right?

7 A. Yes.

8 Q. And that's because it's very serious to testify in a
9 criminal trial?

10 A. Very.

11 Q. It's very serious to lie to jurors in a criminal trial?

12 A. Correct.

13 Q. Your position is you have not lied to the jurors, correct?

14 A. My interpretation of everything has not been a lie.

15 Q. I didn't ask what your interpretation of anything was. I
16 asked you --

17 A. Yes, you did, you said my understanding.

18 MR. BOONE: Your Honor.

19 THE COURT: Wait for him to finish the question,
20 Mr. Dawkins.

21 Q. Is it your testimony that you have not lied to the jurors
22 that are sitting right here?

23 A. My interpretation of everything --

24 Q. Is it your testimony that you have not lied, yes or no --

25 A. Yes.

1 Q. -- to the jurors who are sitting right here?

2 A. Yes.

3 Q. OK. Now, yesterday you talked a lot about this model of
4 paying coaches. You recall that?

5 A. Yes.

6 Q. And you said, and I'm quoting, "Paying coaches was Jeff
7 D'Angelo's idea," and you thought it was idiotic. Is that a
8 fair representation of your view?

9 A. Yes.

10 Q. In fact, you've said that at least, let's say, half a dozen
11 times in this trial, right?

12 A. On the stand and the wiretaps that you guys recorded.

13 Q. On the stand, particularly, to the jury you've told them
14 that you thought this view was idiotic and that it was Jeff
15 D'Angelo's idea, right?

16 A. Yes.

17 Q. Now, if we can -- I want us to take a look -- we're going
18 to take a trip back to South Carolina. If we could take a look
19 at Government Exhibit 501AT.

20 Mr. Dawkins, I'm going to hand you a physical copy of
21 it because I think it actually may be easier to follow that
22 way.

23 Your Honor, may I approach?

24 THE COURT: You may.

25 A. Thank you.