

SUPERIOR COURT OF CALIFORNIA, COUNTY OF KERN

METROPOLITAN DIVISION

ROBERT PRATT,)
) Case No. S-1500-CV
) 253264-RJA
)
) Plaintiff,)
)
)
) vs.)
)
) CITY OF BAKERSFIELD; RON FRAZE;)
) GARY HUTTON; ANTHONY GONZALES;)
) BRYAN PERRY; EDWARD WATTS;)
) JOHN WEBER; and DOES 1 through)
) 100, Inclusive,)
)
) Defendants.)

DEPOSITION OF

CARLOS DIAZ GARCIA

WEDNESDAY, APRIL 6, 2005

1:39 P.M.

Reported by: Gloria C. Hass, CSR No. 2772

Gloria C. Hass
Certified Shorthand Reporter
CSR No. 2772
10012 Cinderella Avenue
Bakersfield, California 93311
(661) 664-9021

ORIGINAL

1 since I've known him.

2 Q. Did you know anyone who worked with him when he
3 was a limousine driver?

4 A. I think Raul worked with him a few years ago.
5 He was a driver, also.

6 Q. How long have you known Raul Cepeda?

7 A. Probably about the same amount, about 15 years,
8 I would say, maybe a little longer.

9 Q. To your knowledge, does Mr. Pratt socialize
10 with Raul Cepeda?

11 A. Sure. They worked together; so, yes, they are
12 friends, I'm sure.

13 Q. Do they still socialize, to your knowledge?

14 A. Not to my knowledge.

15 Q. Do you have a nickname by which you call
16 Mr. Pratt?

17 A. No.

18 Q. Have you ever called him by a nickname?

19 A. No.

20 Q. Have you ever called him "Queen"?

21 A. No.

22 Q. Have you ever called him "Bitch"?

23 A. No.

24 Q. To your knowledge, has anyone ever called him
25 "Queen"?

1 A. No.

2 Q. Has anyone ever called him "Bitch"?

3 A. No.

4 Q. Has anyone ever called him "Girl"?

5 A. No.

6 Q. What vacations have the two of you taken?

7 A. Just trips to L.A. or San Diego.

8 Q. Any vacations?

9 A. Just those. San Diego is a vacation to me,
10 getting out of Bakersfield.

11 Q. Any cruises?

12 A. No.

13 Q. To your knowledge, other than the allegations
14 made by Mr. Weber, has anyone else accused Mr. Pratt of
15 being homosexual or bisexual?

16 A. Not to my knowledge, not to me.

17 Q. Has anyone, Mr. Pratt or anyone else, ever
18 discussed with you allegations that Mr. Pratt was
19 homosexual or bisexual? You mentioned Shelly Scudder,
20 Mr. Pratt. Anyone else?

21 A. No.

22 Q. Did you know a gentleman by the name of
23 Reese Dickson?

24 A. Yes, I did.

25 Q. And who was Reese Dickson?

1 A. Just someone that I met in Bakersfield,
2 somebody I'd see out from time to time a few years ago.
3 I haven't heard that name in awhile.

4 Q. Did you have an understanding that Mr. Dickson
5 was homosexual?

6 A. Yes.

7 Q. To your knowledge, was he a homosexual?

8 A. Yes, he was, to my knowledge.

9 Q. Was he a friend of Mr. Pratt?

10 A. I believe so, yeah. I know he knew Robbie.

11 Q. Did the two of them socialize, to your
12 knowledge?

13 A. Yes.

14 Q. And did you see them socialize?

15 A. Yeah, on occasion, I'd seen them talk, I'm
16 sure.

17 Q. And where did they socialize?

18 A. It's been so many years, I don't know. I
19 couldn't tell you. I don't know. But I know they knew
20 each other.

21 Q. Well, besides knowing each other, did they go
22 out to have dinner together or go out and have drinks?

23 A. Possibly. I can't remember, to be honest with
24 you. It's been a few years since I've seen him.

25 Q. Did you ever discuss with Mr. Dickson his

1 relationship with Mr. Pratt?

2 A. No. I knew they knew each other, and I know
3 Mr. Dickson had a crush on him, but --

4 Q. Why do you say that you understood that
5 Mr. Dickson had a crush on Mr. Pratt?

6 A. Because he told me.

7 Q. What did Mr. Dickson say?

8 A. That he had a crush on Robbie, but he knew it
9 wouldn't go anywhere because he was straight.

10 Q. So, where was Mr. Dickson when he told you that
11 he, Mr. Dickson, had a crush on Mr. Pratt?

12 A. Where were Mr. Dickson and I?

13 Q. Yes.

14 A. Probably at a bar. I couldn't tell you which
15 one, but I know I had drinks with him a couple of times.

16 Q. What did Mr. Dickson say?

17 A. That he had a crush on Robbie. He knew Robbie
18 and I were friends, and he would tell me that he had a
19 crush on Robbie, he thought Robbie was an attractive guy,
20 but he knew that Robbie was straight. It was just -- he
21 had a crush.

22 Q. Did Mr. Dickson tell anyone else, to your
23 knowledge, that he had a crush on Mr. Pratt?

24 A. Not to my knowledge.

25 Q. Has Mr. Pratt ever told you that he believes

1 that Mr. Weber's comments regarding his sexuality have
2 impacted his job at the fire department?

3 A. No. Like I said, we didn't go into detail. He
4 told me that he had said that he was gay, but I didn't
5 ask him any more than that. So --

6 Q. Do you know Mr. Weber?

7 A. No.

8 Q. Have you ever seen Mr. Weber?

9 A. Yes.

10 Q. Where did you see Mr. Weber?

11 A. Tahoe Joe's.

12 Q. Was Mr. Weber with someone at the time?

13 A. Yes.

14 Q. With whom?

15 A. Three other people.

16 Q. Who pointed out Mr. Weber to you?

17 A. Robbie and I were there having dinner, and he
18 said, "Oh, there's John Weber."

19 Q. Did Mr. Weber and Mr. Pratt speak on that
20 evening?

21 A. I don't believe so.

22 Q. Do you recall when that was, sir?

23 A. I believe it was like two months ago, maybe
24 three. I'm not sure.

25 Q. Has Mr. Pratt ever discussed with you his

1 thoughts about Mr. Weber?

2 A. No.

3 Q. Has he described him as an enemy or as a friend
4 or in any way?

5 A. No.

6 Q. Do you know of anyone who thinks that Mr. Pratt
7 is homosexual or bisexual?

8 A. No.

9 Q. Has Mr. Pratt ever discussed with you or made
10 reference to a Mr. Bryan Perry?

11 A. No.

12 Q. Has Mr. Pratt ever discussed with you
13 allegations about his activity on Memorial Day weekend
14 down at Station House No. 1 involving Ms. Scudder?

15 A. No.

16 Q. Have you ever heard from any source that
17 allegations were made that Mr. Pratt and Ms. Scudder were
18 involved in conduct unbecoming of a fireman at Station
19 House No. 1 during the Memorial Day weekend of the year
20 2003?

21 A. No.

22 Q. Have you heard from any source that Mr. Pratt
23 was arrested for drunk driving?

24 A. No.

25 Q. Has Mr. Pratt ever told you that he has