DR 071304411
H# 2013-104
Typed By: Mary
Reviewed By / Date:

Charles Merritt (02-17-10) 0:00:00 – 1:30:00

DUGAL: Okay, February 17, 2010, at 1626 hours, I with Detective Susan Fisk and we are interviewing um you go by Chase by your name is Charles?

MERRITT: Correct

DUGAL: Okay we're gonna get all that personal information in just a second, we are in the club house of his ah is this ah is this condominium complex is that?

MERRITT: No its Ap-aparments.

DUGAL: Apartments of his apartment complex in the Rancho Cucamonga area and um-ah

FISK: The water is (inaudible) Church Street, where are we at?

DUGAL: Well

FISK: I have it in my car.

DUGAL: What his address or his

FISK: Its 11 660 so this would be the same address

MERRITT: Yeah

FISK: 11 660 Church Street

DUGAL: Apartment 619 okay let's-let's start with your name, Charles

MERRITT: Charles Ray Merritt, M E R R I T T

DUGAL: Date of birth?

MERRITT: 5-2-57

DUGAL: Do you know your driver's license number?

MERRITT: N 35 35 250

DUGAL: Give me your address again.

MERRITT: I-I don't the street address by heart

FISK: Did we

MERRITT: 1 6 6

FISK: When we talked between 1154 12-18 he told me it was 11 660 Church Street, #619, Rancho Cucamonga, 91730

MERRITT: Correct

DUGAL: You sound almost exactly like your voice, I mean you look almost exactly like your voice which

FISK: Oh really

DUGAL: Yeah

FISK: Kind of what you expected huh, not sure if

DUGAL: What was the zip again?

FISK: Ah 9 1 7 3 0

DUGAL: And your, are you co-owner or do you work for

MERRITT: I work

DUGAL: Joseph

MERRITT: Neither one, um Joseph owns Earth Inspired Products, I own I Design, completely different entities.

DUGAL: Okay so what's your business, I, what's I Design?

MERRITT: I manufacture custom indoor waterfalls.

DUGAL: Okay and it's called I Design, like the letter I

MERRITT: The letter I

DUGAL: I Design

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MERRITT: D E S I G N

DUGAL: And what do you use for an address here, residence?

MERRITT: Yeah um yeah my residence because our shop, the, what we're doing now is manufacturing through another manufacture so or I mean another you know stainless steel shop. I job out every now instead of

DUGAL: So you're a middle man

MERRITT: Pretty much um I mean I still do hands on um I go into the shop and I do all the lighting and they just do all the stainless work and welding and stuff like that.

DUGAL: Okay where, where is your shop, you say there's a shop.

MERRITT: Yeah it's in Azusa.

DUGAL: What's the address there?

MERRITT: You know let me call Dave and find out what the address is there. Just one minute. I-I don't remember his address.

DUGAL: Does Joseph ever visit the shop?

MERRITT: He just visited there

DUGAL: Go ahead and keep calling.

MERRITT: once I believe

DUGAL: Yeah I'm

MERRITT: I can ask him right now how many times Joseph has come down.

DUGAL: (inaudible)

FISK: Even though we're tired, we've been working

MERRITT: Oh I can

FISK: non stop

MERRITT: I can't imagine.

FISK: The case is real important to us 'cause we really would like

MERRITT: Well I appreciate it, it's very important to all of us. Yeah, hey Dave

DAVE: Yeah

MERRITT: what's your address there?

DAVE: Yeah

MERRITT: 5 2 5

FISK: 5 2 5

MERRITT: Clydebank, C L Y D E

FISK: C L Y D E

DUGAL: Yeah I know that ah

MERRITT: Bank Avenue

FISK: B A N K, is that one word

MERRITT: 11 660 Church Street, which is an apartment complex

FISK: Avenue

MERRITT: Um, City is Rancho, or I mean Azusa, yeah the City is Azusa.

FISK: Is it A Z

DUGAL: Ah well

MERRITT: U S A, 917 what

DUGAL: I'm in an interview right now so is there a patrol guy that could swing by?

MERRITT: 9 1 7 0 2

FISK: What's the phone number?

MERRITT: Ah phone number there, 6 2 6 8 1 2 4 4 5 5 yeah I'm sitting with the detectives right now so um they're just getting all the information that they can. Thank you, if I need any other information I'll give you a call. Thanks bud, bye.

FISK: I don't want he's doing to scare you, what's he trying to do right

DUGAL: Okay look take

FISK: Troy you need to explain, I'm gonna explain to him what you're doing so he doesn't think

DUGAL: Okay, oh okay

FISK: I just want to explain to you because

MERRITT: I wasn't even listening to him, I'm sorry.

FISK: Okay wel I first want to assure you, I want to make this absolutely clear you are not under arrest, you understand that.

MERRITT: Oh I appreciate it.

FISK: And we're not here to arrest you because we realize you have a warrant and you were honest with me about that. I just want to make sure we're on

MERRITT: No I appreciate that

FISK: Okay

MERRITT: The more, you know what let me, let me assure you, I decided when I called you back that even if you did make the decision to arrest me that it was worth getting this done in a timely manner

FISK: Okay

MERRITT: so I don't, obviously I don't want it to be

FISK: Right

MERRITT: but I, you know

FISK: Well and I appreciate that, let me just say this again I want to make it absolutely crystal clear, you are not under arrest

MERRITT: I, you know I appreciate it.

FISK: You understand that, right?

MERRITT: Yes of course.

FISK: Okay

MERRITT: And

FISK: And right now what we're doing, I want to explain to you that he's talking about a patrol and if I were in your shoes I'd be afraid

MERRITT: Oh I would be from (inaudible)

FISK: As we were coming up here and we were getting information on um, on Summer's family and what we'd like do is start taking some DNA from some of the family members so if we come up with, if we find anything or anyone we have that to compare to

MERRITT: Yeah

FISK: but we don't have any of that with us so he's trying to make arraignments to get that

MERRITT: Get DNA

FISK: from some people up here.

MERRITT: Yeah

FISK: So if you see someone in uniform I want you

MERRITT: I don't know

FISK: Okay I just want ta

MERRITT: I, I mean my heart might skip, might have skipped a beat and I appreciate you explaining it to me

FISK: Okay

MERRITT: but like I said I mean obviously I don't want to be arrested for that because I'm gonna take care of it tomorrow but I decided when I called you back otherwise I would have, I would have called later on in the afternoon or something and said you know I'm sorry I just can't get, together with you and I'll see you in the morning that's what I would have done.

FISK: And

MERRITT: And I, I, but I my wife and I talked about it and we decided you know what this is just to important to put it off

FISK: Right

MERRITT: even, even if it screws up my life a little bit Joseph's life is-is at stake, its not like it, you know it's not like it's you know a few days in jail or you know whatever it is, his life is at stake and that's a lot more important than my little shit.

FISK: I just, we I tell someone and you're right at time we will not always tell the truth but I do my absolute best, when I can be honest and tell the truth I will and I can assure you I'm not gonna come all the way up to Rancho Cucamonga when I've got a missing, full family missing to arrest some guy who's trying to help me on it.

MERRITT: Well

FISK: You know, and I told you my intention wasn't that so I just want to let you know

MERRITT: I, I really trust me, I really appreciate it.

FISK: Okay

MERRITT: Because I-I know that you're probably even stepping out on a limb by not and I really do appreciate it and I, you know I will be taking care of that tomorrow. That's

FISK: And we, we will follow up to make sure that you do just because I'm

MERRITT: I understand.

FISK: I-I have to do that but I believe you

MERRITT: That's understandable.

DUGAL: Ah we are at the club house of 11 660 Church Street and it's, what's the name of the complex?

MERRITT: Home, Homecoming.

DUGAL: Homecoming, Homecoming

MERRITT: They should if their local they should know where Homecoming is, this is the most popular complex around.

DUGAL: And you're Rancho Cucamonga PD? Oh, oh and you know my sister? Isn't that, that's awesome. Okay

MERRITT: I wrote down some notes before earlier so that I could

FISK: Okay can I, while we're waiting yeah I'd like, thank you for doing that.

MERRITT: Ah I just wanted ta, so that I, while you were talking to me I could

FISK: Last saw Joseph (inaudible) around noon

MERRITT: And that's

FISK: Thursday would have been

MERRITT: The

DUGAL: Ah they can just come to the clubhouse

MERRITT: 4th

DUGAL: and call me and I'll lead 'em down.

MERRITT: Correct

FISK: And that's over, what's ah

MERRITT: Oh I'm sorry I abbreviated that's um Saudi Arabia and Paul Mitchell

DUGAL: I'll make sure

MERRITT: Saudi Arabia and Paul Mitchell job that's, this is one of 'em, this is the Saudi

FISK: Oh you guys are doing waterfalls for

MERRITT: Yeah we

FISK: a company called Saudi Arabia

MERRITT: No in Saudi Arabia

DUGAL: Okay

FISK: In Saudi Arabia

MERRITT: Yeah we're shipping 'em to Saudi Arabia

FISK: Oh my gosh

MERRITT: and we do all the, all the big water features for the Paul Mitchell studios, all of their corporate offices.

FISK: Okay

MERRITT: So we were going over that and we were going

FISK: Where were you guys on Thursday around noon?

DUGAL: Okay what was your name again?

MERRITT: At, Shick, ah Chic-fil-a and he bought lunch there.

FISK: Where's Chic-fil-a?

DUGAL: It's L E N U W

MERRITT: Probably six blocks from here.

FISK: Where is it compare to the Wendy's?

DUGAL: Okay thank you I appreciate it.

FISK: Wendy's, Starbucks, Wendy's

MERRITT: Right in that, right in the same complex.

FISK: In that same complex

MERRITT: Yeah

FISK: Okay

MERRITT: Yea

FISK: How bad (inaudible)

DUGAL: Okay that's it we got we three DNA kits coming.

FISK: Okay

DUGAL: And

FISK: And I explained to him what we were doing

MERRITT: Three DNA kits?

FISK: Three

MERRITT: Oh

FISK: I explained to him what we were doing and I let him know and I don't know if you want to go over it again um

DUGAL: Yeah I do, and I need to just for the tape so, 'cause I'm gonna interview room

MERRITT: Okay

DUGAL: I want you to know and I'm sure she's already to you, we are fully aware of your felony warrant.

MERRITT: Okay

DUGAL: Ah we know that it's a commercial burglary warrant

MERRITT: Yeah

DUGAL: Our interest in contacting you was this missing person case. We have a family of four that's missing and we need to talk to you.

MERRITT: Okay

DUGAL: We talked to you on the phone and we said we want to talk to you and you expressed your fear that oh, I'm afraid that I'm gonna go to jail and bottom line is you eventually need to take care of your warrant.

MERRITT: I'm doing it tomorrow.

DUGAL: Okay

MERRITT: Yeah so

DUGAL: Okay, we are not, we're walking out of here and you need to be a good boy and go take care of your warrant.

MERRITT: It will be taken care of tomorrow.

DUGAL: You're not gonna be arrested by us.

MERRITT: I see

DUGAL: So this conversation is are you are a civilian not under custody, free to walk whenever you want, helping out in our missing person case.

MERRITT: Well I'm here.

DUGAL: Okay

MERRITT: I mean, I-I-I can tell you just like I told her I was scared to death that because as a police officer you have to zero on you know, you have to get this information

DUGAL: Yes

MERRITT: from me and if you were going to arrest me your job would be to probably lie to me anyway to-to get me to sit down with you so I understood that, well you know what I'm talking about, I understood that when I called her back. My wife, and I'll tell you what I told her my wife and I decided that my little bullshit with this felony warrant is a lot less important

DUGAL: It is a lot less

MERRITT: than Joseph and his family.

DUGAL: Right

MERRITT: And that's why I, I called her back and I said I've got'ta, I, I got to see her I can't, I can't put this off 'cause if I put it off for a day and then something that I can tell you could have found him and I found out later that it, that extra day screwed it up

DUGAL: Um-huh

MERRITT: and then I've got to live with it and I'm, I'm not prepared for that so, these, Joseph-Joseph-Joseph was one of my best friends and you know obviously and my business associate and that's not something I want to live with so.

DUGAL: Okay good. Glad we're on the same page. You got the I, I Design.

FISK: Um yes and I'll give that to you. Ah, it's right here. 5 2 5 Clydebank, C L Y D E Bank, Avenue

DUGAL: Clydebank Avenue

FISK: Ah can you give me a (inaudible)

DUGAL: California what's the

FISK: That's office phone

DUGAL: Oh office, thought it was like work

FISK: Sorry its just

MERRITT: I am, I design. Pretty much me entirely. This address is Metro Sheet Metal that's the people that I use to do all, most of my work.

FISK: Okay

MERRITT: Excuse me, just so you know um I mean all the work gets done there you know so ah in answer to your question yes Joseph has been there a couple times. To meet with Dave and once to see one of the big waterfalls that was going out just depend, we, we took pictures and video of it 'cause we take pictures and video before they, each one ships. So, he's been there twice.

DUGAL: Okay

FISK: He all, he also gave me some notes and I was starting to read 'em when you were on the phone so I don't know if want to take a look at, what he made about the incident

DUGAL: Oh and we talked about this.

MERRITT: Yeah and that's why I did it real quick

DUGAL: Last saw Joseph Thursday around noon, Thursday which date?

MERRITT: Thursday the 4th.

DUGAL: Okay went over Saturday, was this Saturday.

MERRITT: No went over, sorry, Saudi Arabia and Paul Mitchell, I abbreviated it because

DUGAL: Oh those are accounts?

MERRITT: That's two-two project that we're in the middle of, we were in the middle of. We had to go over 'em and get, make sure all the specs were right, where the different electrical is coming out and

DUGAL: Where did you see him?

MERRITT: At Chick-fil-a

FISK: In the same complex we used the restroom by the Wendy's.

DUGAL: Okay

MERRITT: He met me at Chick-fil-a and he bought lunch there.

DUGAL: Was ah Mike there?

MERRITT: Mike?

DUGAL: His brother, have you ever met Mike?

MERRITT: The only time I've met Mike is um at the wedding and very briefly at Gianni's I think it was Gianni's birthday party and that was really brief because Summer and him kind of clashed and Summer's or I mean Joseph's mom and Mikey left fairly early in that birthday party because they were ah Summer's, Summer tends to have ah she's very verbal and ah

FISK: No candy coating, you're not the first person who talked with us.

MERRITT: Okay and well Mikey is also verbal.

FISK: Um-huh

MERRITT: She said something about Mikey's wife I think and you know so it was that him meeting him there was even brief. I've talked to him more in the last week then I've ever talked to him I mean I just briefly

FISK: So Summer said something about Mike's wife?

MERRITT: Yeah-yeah and Mikey, Mike is well you met Mikey 'cause he's very

FISK: I've talked to him a couple of times.

MERRITT: Very excitable

DUGAL: You're nice, good.

MERRITT: or that's the way I see it.

FISK: How did you know I've met Mikey?

MERRITT: Well I'm, well I'm sure that you're

FISK: Yeah

MERRITT: your interview, you're interviewing everybody. Yeah Mikey is extremely excitable, extremely. Um, Joseph talks about, talks about him all the time about the fact that him and Summer couldn't get along. Um, and I think the first time Mikey met Summer he called her, starts with an S too, Joseph's ex-wife, called her by Joseph's ex-wives

DUGAL: Heather

MERRITT: Heather, Summer, well it sounded like it anyway.

DUGAL: I've heard the summary.

MERRITT: Okay and

FISK: I think Mike told us that.

DUGAL: Mike told us about it.

MERRITT: Yeah okay so that made my meeting Mike fairly brief because it was at that birthday party I think that that happened and they-they clashed mom and Summer, Joseph's mom and Summer clashed and they left. So I didn't really get, I didn't have any conversations with him, shook his hand and that's about it at the wedding and at the birthday party and I think it was Gianni's birthday party but I'm not, it may have been J's I don't' know.

DUGAL: Let's finish this thing, payments to Metro got checks and went, went over when to write and went over when to write

MERRITT: When to write the checks.

DUGAL: Okay

MERRITT: and then talked

DUGAL: Talked to him about Quick Books

MERRITT: Quick Books

DUGAL: on line decided to delete and start Quick Books Pro 2010

MERRITT: 2010

DUGAL: credit card for purchasing

MERRITT: Quick Books, he gave me, he gave me the credit card number.

DUGAL: Which credit, do you know his credit card number?

MERRITT: I you know I did the Quick Books Pro and I, I threw the credit, all I needed it for was that one

DUGAL: He just wrote it down?

MERRITT: Yeah he just wrote it down so you'll see on one of his whatever credit card 'cause I don't even remember which one it was I think it was I don't think it was Visa I think it was

DUGAL: Do you remember what bank?

MERRITT: I have no idea.

DUGAL: And um

MERRITT: He, he

DUGAL: When did you do that? Was it prior to February 4th?

MERRITT: No-no-no it was two, three, or four days after February 4th that I actually bought the Quick Books. Joseph and I sat down and talked about the Quick Books because Summer um Summer didn't know how much money Joseph actually made and she never did. Um, and one of, one of Summer's biggest problems is credit cards I mean she-she was, she spent a lot of money um she goes to Ross all the time, things like that so it, it was, it's a big thing, it was, it had become a big thing um with Joseph not letting her know exactly how much money he was making because when she knew how much money

DUGAL: How much money does he make ah do you know?

MERRITT: You know I know by what we do, he does very well with-with the custom, I don't know what he does with production waterfalls, I have no idea because I don't do any production waterfalls at all.

DUGAL: What do you know he makes?

MERRITT: Um I'll show you. I made that easy. This is I do virtually all of Joseph's custom waterfalls. So, there is a few of 'em that I don't do but it's, it's pretty rare. One second here. This is Joseph and my sorry for it being so small that's the way it printed. This-this is our um running tab of all of our entire business since the beginning of last year.

DUGAL: Okay

MERRITT: Okay so at the bottom of these, let me see, jobs total $297,000.00 um so 156, about $150,000.00 between him and I in

DUGAL: In profit?

MERRITT: No I would say probably over $100,000.00 of that is profit, more than likely. Yeah he-he buys pumps um some lights and things like that he does the shipping um which cost you know, depends on the waterfall between two and six hundred dollars per waterfall.

DUGAL: Okay

MERRITT: Okay

MERRITT: So, um

DUGAL: So what, so anyway, so

MERRITT: You're talking about

DUGAL: $100,000.00 is profit out of that split between you guys or?

MERRITT: Oh no-no-no-no that was, that's him.

DUGAL: That's his money.

MERRITT: Yeah, I make 65% of, if Joseph sells a waterfall for $10,000.00 he pays me $6,500.00. He keeps $3,500.00.

DUGAL: Okay

MERRITT: He makes $3,500.00 on every, he makes 30, 35% pretty much across the board. Um that's just, that is the way the math comes out. And so

DUGAL: And that's because he's owner of the business, has a website and makes all the contacts and sales.

MERRITT: Contacts and sales and he does all the shipping. So but 35% is it's-it's-it's a pretty big number when you're doing

DUGAL: Because that's pure profit 65% is on you and

MERRITT: Yeah and I got, I got a lot of you know I have to manufacture the waterfall, I have to buy all the stainless and the glass and

DUGAL: So the less your cost the more your profit is basically how, you're

MERRITT: I'm not going say (inaudible)

DUGAL: Well if you have a fix rate of 65% whatever your manufacturing cost is, residual is your profit.

MERRITT: Yeah well basically if, if I make lets say ah a 60, I make $6,500.00 on a $10,000.00 waterfall it will generally cost me matter of fact I just did a bid on one

DUGAL: You don't have to show me in detail.

MERRITT: Well-well I just did a bid on this one right here. This one, this is two waterfalls at $9,500.00 to $10,000.00 okay. It's gonna cost me $2,500.00 to $2,750.00 per waterfall to just-just the basics um to buy

FISK: Materials

MERRITT: Yeah-yeah just the basics and then I have to pay to have it produced. So by the time it's all done a $10,000.00 waterfall gets me, makes me $1,500.00 to $1,800.00 so which is still good for me because now I don't do a whole lot of the hands on stuff. Um I was doing everything, I was building every waterfall, all myself and I was dying you know that's what gave me a heart attack actually it was because we got really busy last year and we were just, we were just cranking.

DUGAL: What's Dan's roll in all this?

MERRITT: Dan is the web master. He actually, to the best of my knowledge he owns part of Earth Inspired Products. Joseph was buying him off um

him and Joseph kind of had ah they weren't real happy together or Joseph wasn't real happy um having to pay him so much um

DUGAL: Do you know what he paid him?

MERRITT: I have no clue. I have no clue. Um, Joseph didn't tell me a whole lot about

DUGAL: And you, Joe, and Dan all lived in the same apartment at one time at the beach? Did you

MERRITT: Oh no I've never met Dan.

DUGAL: Oh you've never met him.

MERRITT: No, no I've never met Dan, I, the only time I've the-the first time I talked to Dan was a week ago or a little less or when all of this started. Dan called me and said hey dude what are we gonna do and I said I don't know, I don't have any access to you know Joseph's emails, I don't have any access to any of his, I can't help him and so Dan said well I can send you any pertanant emails if you can, if you can follow up with them, you know any complaints, any problems with customs can you try to deal with them so that when Joseph comes back you know at least we're, we've made a effort ta you know get this stuff taken care of.

DUGAL: What date was that, do you know?

MERRITT: Ah god, you know all of this is kind of blending in together um if this is a guess but I think it was somewhere 9th or 10th maybe 11th somethin', something like that. I'm not sure.

DUGAL: This is Dugal.

FISK: So on the 9th, 10th, or 11th

DUGAL: What do you need, I'm in the middle of an interview.

FISK: Dan called you?

MERRITT: Did I call Dan, yeah I think he called me.

FISK: Okay or did you call him?

MERRITT: I don't remember calling him and I wouldn't have his number I don't think. You know it's-it's possible that I got his number from, from Joseph's mom but I don't think, she, I don't think she would have had it so he probably called me, I'm, more than likely he called me it's-it's kind of ah I'm not positive. We may, we ended up making contact because Dan was concerned and wanted to know

DUGAL: Sure, it's, its your threes business.

MERRITT: Yeah I mean

DUGAL: Different roles but together you make a business.

MERRITT: Yeah and

DUGAL: Who else works in that business anybody or is it just you three?

MERRITT: Well Joseph runs/owns Earth Inspired Products. Dan runs the website, he owns, Dan I believe owns the website. Joseph was buying the website from him and I know for a fact that Joseph only owed him two more thousand dollars and it was paid off and then he was only going to be paying him to run the website instead of paying him a percentage of sales. Okay, that's the extent that I know about Dan um the as far as my role I met Joseph, he actually contacted me to star building custom waterfalls 21/2, 3 years ago and I started building his custom waterfalls and I'm still doing it now today and I, so I don't have really anything to do with Earth Inspired Products, I have my own, I manufacture waterfalls. You know I was, I had my own line of waterfalls, my own you know everything. Joseph got me more deeply into the custom ones yeah. He-he does all the sales. Basically I mean yeah we're partners in, in getting waterfalls done and you know and we make money but um he owns Earth Inspired Produces, I own I Design and he buys the waterfalls from me, pays me for them and you know that's pretty much the extent um I knew a lot of Joseph's um you know a lot of his finances and stuff because most, I probably made 75% of his income you know and we were, we were working so damn close together I mean ah he would I-I would buy lights and pumps and things like that with his credit cards and um I would I mean just you know we were, we were just kind of comingling with the businesses because you know as a matter of fact this, this spread sheet

DUGAL: You don't have any of his credit cards here?

MERRITT: I do not

DUGAL: Or no access to them?

MERRITT: Oh god no, no

FISK: Do you know what banks he had credit cards through?

DUGAL: This is Dugal.

MERRITT: You know I really don't, I mean when I bought the lights and stuff when he said yeah get those ordered he's the credit card number I'd write his credit card number down and then you know

FISK: Do you have it in records of it anywhere?

MERRITT: I don't because once he always I know, I know this he always used different he-he

DUGAL: Is this in the center of the complex?

MERRITT: Dead, well no-no-no this is right at the front.

DUGAL: Oh this is right at the front.

MERRITT: Yeah there is no other

DUGAL: Hey Susan

FISK: Are you gonna be right back?

DUGAL: Yeah

FISK: I'll just go over whatever we talk about.

DUGAL: (inaudible)

MERRITT: Um

FISK: Let me finish this 'cause we

MERRITT: The credit card thing

FISK: kind of need to figure it out.

MERRITT: Yeah

FISK: Um so he would give you credit cards and you started to tell me he used different banks.

MERRITT: Well he, Joseph had like I don't know I would guess 8 or 10 credit cards that he used back, you know different ones for different things like his PayPal he used for some things um his, he had Visa that he used for some things, a bank, a ah

FISK: You know what

MERRITT: I think a Union bank

FISK: Union Bank Visa, don't know, you just know he may have had a Union Bank account.

MERRITT: Well I know he has a Union Bank account there is no question

FISK: Okay

MERRITT: There is no question about that, there's

FISK: Okay

MERRITT: because all of his checks to me were from Union Bank.

FISK: Okay

MERRITT: So yeah

FISK: So defiantly has a checking, not sure about a credit card.

MERRITT: I don't know about the credit card. I don't know where his credit cards came from.

FISK: Okay any other banks you can remember that he used?

MERRITT: He used to bank with Wells Fargo I think. He switched his to Union Bank I think when he split with his dad 'cause he had a bunch of

accounts with his dad with, they were kind of together with his business at the beginning because Joseph didn't have any credit.

FISK: Why didn't he have any credit?

MERRITT: He just like seven years ago when he started this business or act, I don't even think it was that long um he just didn't, didn't have the credit or you know to get like a PayPal account and you know to get this stuff a merchant account and stuff like that and his dad and him, or he went to his dad to put it together

FISK: Yeah

MERRITT: and then after awhile Joseph's credit got better and better and better and um he eliminated his dad on everything.

FISK: When did he eliminate his dad on everything?

MERRITT: You know it wasn't that long ago I would guess a year um that's-that's my guess but I'm not sure because he was talking about it 'cause matter of a fact he was just talking about his dad calling him about somebody looking to take money from him on Earth Inspired

FISK: Somebody was looking to take money from Joseph?

MERRITT: Joseph's dad

FISK: Okay

MERRITT: And Joseph's dad called Joseph

FISK: (inaudible) someone called Joseph and said your dad

MERRITT: No, no Dan, Joseph's dad called him, I've

FISK: Joseph's dad calls Joseph

MERRITT: 'Cause I was sitting there I know this 'cause and Joseph was talk to me about it afterward. Joseph dad called him and said that he, he has some, there was some kind of bad debt, I don't know what it was, I, he didn't go into that and that their, their taking him to court

FISK: His dad has a bad debt?

MERRITT: Right

FISK: Or Joseph does?

MERRITT: The dad and he's take, he's going to court and they were going to be putting a lien on his accounts and he was pretty sure of it and so he called Joseph because he was afraid that his name was still on some of the ah Earth Inspired Products

FISK: Okay

MERRITT: accounts

FISK: Okay

MERRITT: and he was afraid that they would, because from what I gathered Joseph's dad doesn't have any money so they can't you know you can't squeeze blood out of a turnip.

FISK: Right

MERRITT: But he, his dad was afraid that they would um

FISK: Try to get money from him

MERRITT: try to get money from his accounts, from Joseph's accounts because at one time they were, they were both on the accounts and he was a signer and everything.

FISK: So how recent though do you think that that all went down?

MERRITT: Well, that happened, that was just three or four weeks ago that Joseph talked to his dad about that.

FISK: Okay

MERRITT: But, I think Joseph and his dad separated their business, their business part, I think it was about a year or year and a half ago, maybe right, I remember, I remember him talking about it but you know it wasn't really much of my business so I

FISK: So-so you've done business with Joseph for about two and a half to three years?

MERRITT: Yeah

FISK: Did you know him before you did business with him.

MERRITT: No

FISK: And you met when he called you or was it computer or

MERRITT: Yeah um he actually, yeah he called, he called us and wanted some, he, we were manufacturing the production on (inaudible) we were manufacturing a production waterfall that he was interested in and then he had ah a big V shaped waterfall that he couldn't find anybody else to do and he heard that I am pretty good at the custom work and coming up with ways to make things happen so he ended up calling me from some referral I don't even know who but he called me and from that day on um I started doing a lot of his custom and then we just, just went from there and

FISK: And then the last two and a half to three years I mean obviously you have a business relationship, were you also friends or was it

MERRITT: Very good friends. Um, I think I told you up until the 4th and you can probably even check my, mine and his phone, up until the 4th I don't think that I can't remember a day I mean I sure there has been days that I haven't talked to him but I can't remember a day that I haven't talked to him and almost every day, almost every day, ten to fifteen times. Almost every single day for the last at least two years. I mean he's, Joseph talks a lot and I mean we do, we were on the phone I mean I had thousands of minutes every month. I had to change my phone plan because of, because I talked to him so much. So, ah

DUGAL: And February 4th was the last time you talked

MERRITT: Absolute last time I talked to him, the last time I talked to him was actually, it's on there, the last time I talked to him he left here, went home

DUGAL: Chick-fil-a

MERRITT: Yeah right

FISK: And what time was that?

MERRITT: You know I-I can't remember the exact time but it was middle afternoon or may

FISK: Maybe, were you guys eating lunch or

MERRITT: Yeah, he bought

FISK: Middle day lunch.

MERRITT: Yeah he bought lunch that there.

FISK: Okay

MERRITT: Um, I think we got, he got there sometime just after noon okay. He emailed me from home, I have the email that he emailed me from home I think at 10:30 something.

FISK: On that night?

MERRITT: No that after, or that morning.

FISK: Oh 10:30

DUGAL: I'm gonna go ahead and find 'em.

MERRITT: Yeah

DUGAL: Did he say whether he had talked to Michael at Chick-fil-a earlier?

MERRITT: No he didn't, no. Um, as far as I know the only person that Joseph saw Thursday at Chick-fil-a well I know for a fact the only person he saw at Chick-fil-a is me. There's, there was nobody else.

DUGAL: Did you already ask him that?

FISK: Did Michael say he had lunch with him at Chick-fil-a

DUGAL: Yeah

FISK: on Thursday?

DUGAL: Yeah

FISK: At what time?

DUGAL: Lunch

FISK: Maybe it was before him

DUGAL: Maybe

FISK: Did he eat with you?

MERRITT: No

FISK: Okay tell me how, when you arrived was he there?

MERRITT: No, no

FISK: Did you get there first?

MERRITT: This is down in Rancho Cucamonga

FISK: Correct, when you, who got there first, you or him?

MERRITT: Ah me

FISK: You got there first?

MERRITT: Yeah ‘cause he-he called me and said um where do you want to eat?

FISK: Okay

MERRITT: And I said I like Chick-fil-a

FISK: Okay

MERRITT: just like I was telling you where the, the Starbucks was told him where it was and-and I

FISK: Um-huh

MERRITT: I got there, I went over and got a Starbucks coffee

FISK: Um-huh

MERRITT: and then went to Chick-fil-a.

FISK: Okay

MERRITT: Ten minutes later he, Joseph got there. Mike there's-there's no way Michael or Mikey had lunch with Joseph on, I know that it was the 4th, it was the Thursday.

DUGAL: Why did Joe, why did Joseph come up here?

MERRITT: To go over um Paul Mitchell, Saudi Arabia

DUGAL: That's what you put here.

MERRITT: Right, Paul Mitchell

DUGAL: Saudi Arabia and Paul Mitchell

MERRITT: Paul Mitchell and there was

DUGAL: (inaudible)

MERRITT: and the Famous Demetro and the payments to me, there was, we just had to go over all, all kinds of money stuff and matter of fact this is, this is

DUGAL: Well why did he need the face to face with you? Was it

MERRITT: Be-be

DUGAL: Basically checks or

MERRITT: Yeah they were physical checks that I was giving to matter of fact um Dave the guy I just called he's-he's very concerned now because we gave him the checks back on the 4th or 5th and he was having a-a problem with his checking account

FISK: Who was?

MERRITT: Dave

FISK: What's Dave's last name?

MERRITT: I don't know.

FISK: Okay

MERRITT: I just know him by Dave, sorry.

FISK: That's okay

MERRITT: He owns Metro Sheet Metal so that's

FISK: And where's Metro, is that in Azusa?

MERRITT: That's the address, that's,

DUGAL: But it is so (inaudible)

FISK: Well I want to find out if his checking, checks have gone through that's financial

MERRITT: No

FISK: (inaudible) if they haven't gone through that's important.

MERRITT: No they haven't gone through because he didn't deposit 'em.

FISK: Joe didn't deposit 'em?

MERRITT: Dave didn't deposit, no Joseph was paying Dave

FISK: Oh I got it backwards.

MERRITT: Yeah there is a $1,600.00

DUGAL: That's what I was wondering

MERRITT: There's a 16

FISK: I thought, I thought, okay

MERRITT: no he just, he just voiced concerned to me today 'cause I was at the shop

DUGAL: 'Cause he has checks

MERRITT: He has two checks and I

DUGAL: from Joe

MERRITT: he goes

FISK: That are legitimate

MERRITT: Yeah and he goes oh my god what do I do with these checks and I said excuse me dude, what are you talking about and he's, he said the checks that we got it was a $1,600.00 and some dollar check and a $250.00 check and I said you got those like, you got those like you know the 4th or 5th and he goes oh I haven't deposited 'em he had a stack of bunch of bunch of checks that he hadn't deposited 'cause he was having a problem with the credit card, whatever his account was he was having problem with. He goes what do I do now? And I said, I don't know I said I'll have to talk to when I talk to Joseph's mom I'll have to find out if it's okay for you to deposit those because they, it-it-it, they, it was my opinion that more than likely their gonna put a freeze on, on all of his assets. I said you're not gonna be able to cash those now so I said just hold on to 'em until I talk to Joseph's mom and, and you guys. He's (inaudible) checks, one was $1,600 and something and $250.

DUGAL: And what were they for?

MERRITT: They were for crating um installation of some electrical and lights um plumbing, ah a light bar on one of the waterfalls.

DUGAL: So this is one guys that helps with

MERRITT: This is the guy.

FISK: This is

MERRITT: This is the guy that makes

FISK: This business address that he gave us, he called this Dave guy to get this address.

MERRITT: Yes

FISK: Metro

MERRITT: Right so anyway

FISK: (inaudible)

MERRITT: That's what I met Joseph, let's get back to where we were that's what I met Joseph there for is to get those checks, get checks for me, figure out um how, what-what we were gonna do, when the money was gonna be coming in from Paul Mitchell, when the money you know when the checks are gonna clear, when-when his-his money is gonna be available for me to get money and stuff like that and to figure out where the electrical boxes and stuff goes because um Joseph and I sit down often because I mean we're talking projects that are pretty expensive um the Paul Mitchell one is a 24' long by 10' tall I mean as big as that wall there, a water wall and so there is just enormous amount of stuff and Joseph doesn't manufacture waterfalls, he makes drawings and stuff but he doesn't know how to build 'em, he doesn't know how to-to put them down on paper so that somebody that is building 'em which is Metro can actually make it happen and so we-we get together all the time and go over all of the pictures and all of the

DUGAL: How often would Joseph come up here?

MERRITT: Um once, once or twice a month and I went up there more then he came down here.

DUGAL: Up to Fallbrook?

MERRITT: To Fallbrook.

DUGAL: To his house?

MERRITT: His house yeah

DUGAL: How long has he been in that house?

MERRITT: Four months somewhere, three or four months, I, not too long um I moved his from his house in um San Clemente, I-I the one that actually moved all of his stuff into the big storage units that he, the pods. I

moved everything in his house into there because his, he was sick, he had pretty serious ear problems um he-he couldn't stand up without dizzy and I mean he was having pretty serious problems.

FISK: Joseph was?

MERRITT: Yeah

FISK: Vertigo

MERRITT: Vertigo and he would, he would he was getting sick to his stomach if he was on his feet for very long um he,

FISK: Do you know what he got diagnosed?

MERRITT: He was going to the doctor like all the time, I mean he was going back and forth to the doctor, his mother should yeah I'm almost positive his mother, his mother knows the

FISK: Did he tell you what was going on with him?

MERRITT: He was just very sick

FISK: And how long was that?

MERRITT: Since before he moved from San Clemente so at least a couple months before he moved from San Clemente um he I mean he was always, laying in bed most of the time. Every time I went I went to San Clemente to see him he was laying in his bed with his laptop and he wasn't even getting out of bed so but then off and on he would feel great and he would go play soccer you know so

DUGAL: I was gonna say I thought he was soccer and surfer.

MERRITT: Yeah he hadn't, I don't think he surfed much lately but he's played over the last month before the 4th I know he went and played at least twice I know for a fact because I think the weekend before the 4th I'm positive the weekend before the 4th um I'm pretty sure he went up ''cause we were gonna play paintball and ah paintball pretty much kills him 'cause you'd think soccer would be worse but paintball is pretty touch you got'ta you have to squat down a lot and when he plays paintball he can't, he can't walk the next day because his legs hurt him so bad and stuff so he decided he was going to play pot-play soccer instead.

FISK: Did he play soccer after the 4th?

MERRITT: After the 4th? I don't think we've been over, I haven't talked to him since the 4th so I don't know. That was, I mean I know that they

DUGAL: Excuse me, hello Chase, yeah, on in this case. Um would it be regarding a water feature? A waterfall? Okay it must be the wrong number sorry. All right. Okay. Okay going back to here so we can resolve this letter real quick. So you're at Chick-fil-a 'til about two or three so you were there

MERRITT: We were

DUGAL: awhile.

MERRITT: We were there a couple hours, hour and a half, two hours yeah.

DUGAL: Was that normal?

MERRITT: Oh yeah I mean we, with Joseph that's very short amount of time he

DUGAL: Did he usually meet you at Chick-fil-a or did he usually come to your house or here or?

MERRITT: We either met at Chick-fil-a, my house um where, sometimes we met half way you know we'd

DUGAL: Was his wife with him?

MERRITT: No

DUGAL: And then he called on his way home a couple times?

MERRITT: Yeah

DUGAL: And called from home

MERRITT: He, I'm almost positive now I'm, I'm trying to remember, I was trying to remember earlier when I wrote that down I'm almost positive that he paid for Chick-fil-a with his credit card or ATM or whatever so you'd probably be able to look that up. He-he 'cause he bought lunch he always, he always buys lunch.

DUGAL: And he ate?

MERRITT: So, and he ate yeah, he got food for both of us. So

FISK: So what's the last time you actually, I knew you had seen in on the 4th but

MERRITT: Right the last time I talked to him he was sitting at his desk at home because I needed to talk there was, he, after we went over this stuff there was still a question on the um drew box for the electrical on one of the waterfalls but he had it at home, he had the-the drawings at home so when he got there he called me and we went over that fairly quickly and but he was sitting I know he was sitting at his desk at home and I could hear the kids in the background, just like always they were always screaming but ah that was the last time I talked to him is probably if I were to guess five(ish), five, maybe five thirty(ish) I don't know.

DUGAL: And he never said anything about going anywhere?

MERRITT: Never said

DUGAL: Stressful situations?

MERRITT: When I talked to him at least twice on his way home so and he was just going home. He may have been stopping to get food or something I-I don't remember but he was just going home. So, Joseph never was, he

DUGAL: What did he say about his wife, he love her?

MERRITT: Oh yeah, yeah, he defiantly loved her. Um, he, she's a pain in the butt um he was pussy whipped.

DUGAL: Any domestic violence, did you ever observe

MERRITT: Never

DUGAL: domestic violence.

MERRITT: Joseph was nah, no way um

FISK: What about her towards him?

MERRITT: She was verbal but um I don't, nah. Um she's always verbal. I mean I was I was there a couple of months ago and we-we're, we had gotten pizza and ah sitting down eating pizza and I had my own pizza because I like mushroom and onion and they like other stuff and I opened the box and grabbed piece of pizza you know just a box of pizza, you know it's a pizza what do you do, pick it up and eat it. She went off on me because I was teaching their/her kids bad habits and you know that isn't the way you eat food and you're not gonna eat that way in front of my children and I'm like

DUGAL: What did she want you to do?

MERRITT: To get a plate and use a fork. So I got a plate and used a fork

DUGAL: Did she make a scene about it?

MERRITT: Oh it was, yeah and that same night she was um we were talking about so, corporal punishment ah I don't remember how the subject came up but you saw my little guy and I told her, I was telling actually I wasn't even tell her I was telling Joseph I said yeah I had to finally have a session with him because he's just, he's really hard headed, you know he's-he's the best little boy in the world but sometimes he gets very stubborn. I had asked him to say he was sorry to his sister and he wouldn't do it so I paddled his butt. Sat him down, talked to him, told him I loved him anyway to make a long story short it, it ended up being like a two hour session with him having to spank his butt every five minutes or so and sit him back down and say you-you have to do this, it's not like I'm not and we're just gonna sit here until you do, fin-she and I told Joseph about the session and that, and the fact that since then he does what I ask you know you-you, sometimes you have to be firm. She went off on me and told me that I broke his spirit and you know and I mean she just went off and what kind of father are you and corporal punishment is not something you should ever do and I'm like well I just smacked his butt with my open hand and I really didn't hurt him you know it's like oh you-you can't do, you can't be doing that and you know she, I mean she went off for like five minutes and I was just like okay. Okay, so yeah she's very verbal, extremely verbal but I don't think she's physical.

DUGAL: Do you know about Joseph's other son?

MERRITT: Johan, yeah, yeah I've met him several times. Well a few times.

DUGAL: Does Joseph pick him up often?

MERRITT: Not lately that I know of.

DUGAL: Do you know why?

MERRITT: Um Joseph said that he's-he's getting to the age now where he's kind of being more independent.

DUGAL: How old is he like 12 or 13?

MERRITT: 13

DUGAL: 13

MERRITT: Yeah that's what Joseph said so I-I'm my assumption would be Johan is getting to the age where he doesn't you know he's looking at girls now and you know different things and ah going into high school stuff and you know

DUGAL: But you haven't seen Johan around lately?

MERRITT: No, Johan has not been around that much if any lately that I know of and

DUGAL: What did Summer say about Johan?

MERRITT: From everything that I've ever seen she, she liked Johan she loved him to death I mean she/they, whenever he was there they were always you know

DUGAL: What's Summer's relationship with Heather, the ex-wife?

MERRITT: Don't think there is one but I don't think there is one at all I mean

DUGAL: What about Joseph and his ex-wife?

MERRITT: I don't know. Joseph does not talk about Heather at all so and because of that I would venture to say that he probably doesn't have any kind of relationship with her except for Johan because if he had anything to do with-with ah his ex even remotely I would probably know, he would have talked to me about it 'cause Joseph, I mean, we talk sometimes an hour or two over, you know we just Joseph never stops talking once

you get him on the phone you actually have ta physically sometimes just hang up and say opps sorry you know I mean he talks and talks and talks and talks. So, I don 't think

DUGAL: Summer a jealous person or is Joseph a jealous person?

MERRITT: Joseph's not. Joseph's not. Ah Summer with, again I never saw any kind of jealousies in anything as far as jealousy but again if I were to guess she's, it's in her personality so I mean that's just my, I would, something that I would assume it's not something

DUGAL: What do you think happened to this family? Do you have any

MERRITT: I have

DUGAL: we kick it around at least every hour what could have possibly happened, you must have been doing the same thing.

MERRITT: We have been, I, both my, my wife and I have been talking about it over and over and over again. I've talked to Joseph's mom about it over and over, to Mikey about it, to Dan about it, and Joseph's mom keeps saying well maybe they went to Mexico and caught a plane to you know wherever and I'm like I honestly it is my and I I would stake my life on it, I don't think Joseph would take those kids into Mexico for any reason. Unless, I mean, possibility that it would be into Tijuana maybe you know like you just go over and there's a little square there maybe there, maybe. But, I don't think Joseph would take 'em in there, I-I just simply don't.

DUGAL: So what do you believe (inaudible), I want to know what you believe happened to, not what mom thinks.

MERRITT: I don't believe, I have, I haven't been able to form any opinion because

DUGAL: None?

MERRITT: No because I, Joseph doesn't have any enemies, everybody loves Joseph, everybody. He has no financial problems that I know of I mean him and I you know, I mean things were tight over the last few months because of the economy but stuff has been over the last couple of months things have started picking up and everything was looking really promising and Joseph didn't have that much problem financially anyway. His, I'm, I know for sure that his bills are paid and

DUGAL: You know if anyone has anything to gain by the loss of Joseph or Summer?

MERRITT: No body

DUGAL: Does Summer have life insurance, do you know of?

MERRITT: I have no idea.

DUGAL: How about Joseph?

MERRITT: It's possible. I don't know, I-I mean really don't know but

DUGAL: In their loss there is something wrong you know their not coming back how's that effect you?

MERRITT: I'm, my business is done I mean my/our entire business

DUGAL: You have nothing to gain by the loss.

MERRITT: No-no, I have

DUGAL: You had nothing to do with, any whether it was them going somewhere you didn't help, participate, or

MERRITT: No not even, not in any way shape or form.

DUGAL: Nothing to do with the disappearance whether its good or bad?

MERRITT: Absolutely not no. We have I mean I don't know of anybody that has anything to gain by Joseph being gone, I think everybody that I know has everything to loss, everything. This-this business stems almost solely around Joseph's, he does all of the sales you know. Dan is now, Dan is trying to send me some emails and you know, and try ta you know me to try to salvage some of the, the jobs that are, that are trying to send stuff back you know because they can't get a hold of Joseph, their pissed off, things like that and-and ah projects that people are calling in for saying you know we, we're ready to do them and can-can you get a hold of us and I'm trying to call 'em and trying ta you know, we're, but I can't do what Joseph can do, there is just no way. I manufacture, you know I'm-I'm builder I can't sell.

DUGAL: So in Joseph's absence are you going to be able to maintain the business though?

MERRITT: If-if he's gone permanently?

DUGAL: No for the next six months?

MERRITT: I don't know, I don't know. Dan is coming here, I'm have, I have my doubts, um because there's-there's too much, I mean there is just too much to do. Joseph he was, he did all the drawings, he did, I mean he was on the phone with customers ten hours a day I mean every day, all day long. I don't know of anybody that can step into his shoes and know what he knows. He, all of the, all of the contacts that he has for, for the types of pumps and the lights and the and we just, everything that he knows just isn't there now and I can still build waterfalls and I have you know I'm quite sure that I'll survive you know I mean if I have to go get a job at Home Depot you know I'll survive but I'm not sure that we'll be able to make the waterfall company continue. It-it depends a lot on Dan if-if he can step up and-and get some stuff done and he says he's trying, he says he's working on it, he's trying ta you know get some sales done, I just made, matter of fact this-this one right here I sold this one but-but this one was one that I had already been working on with Joseph so it was easy you know it was nothing. Um, there is another one that Dan sent me that I'm working on right now but

DUGAL: And Dan's in Hawaii.

MERRITT: Dan's flying here today. He'll be here today.

DUGAL: But you're sure he was in Hawaii?

MERRITT: Well I

DUGAL: How long has he been in Hawaii?

MERRITT: As long as I've know Joseph as far as I know.

DUGAL: So two and a half years?

MERRITT: I think so, I've, I've never known him to not be in Hawaii I mean I whenever Joseph talks about him it's

DUGAL: But you met Dan that

MERRITT: I've never met Dan.

DUGAL: Oh you've never met Dan?

MERRITT: I met Mikey.

DUGAL: And you've only talked to Dan on the phone 'cause of business?

MERRITT: And only over the last week, I've never talked this, this happened with Joseph I've never-never talked to Dan ever, didn't even, I mean I knew of his existence, I knew his role in Joseph's business, I knew um that Joseph's was almost had almost paid him off and I think he was paying him $50,000.00 for his part of the business, I think that was the number I'm not even sure about that but I know that he had only $2,000.00 left to pay and Joseph was going to then own Earth Inspired Products and just pay him to run the website then instead of them being partners because up until he paid him off he was gonna be his partner, I know that. Um, Joseph talked about that all the time 'cause Joseph was always afraid six, seven months ago Joseph and Dan had ah spat I don't know exactly what or how, you know how deep it was or anything but it was six or seven months ago I think maybe eight months I don't know but they decided at that time that Joseph was going to pay him for the for his part of the business and for what he had done to build the websites and stuff because apparently Dan is extremely adapted website building and you know he's-he's like a big hacker from what-what I gathered. Um, even from him personally when I talked to him over the last week um I was talking to him the other day and he said, I said something about him knowing the web and he said yeah I'm not a person that you want to piss off on the web, that type of thing and I said yeah I know Joseph told me that you could, there is a lot that you can do you know you can shut the, shut the website down because Joseph was afraid that he was just going to push a button and the website would be gone because that is what Dan's said ah they were, you know when they clashed Dan said look this is what I want and you know I-I don't have to-to continue working this website and so Joseph made a deal with him to buy his part of it because I don't, Dan wasn't making enough money, I don't even know what the, what it was but I know awhile back they decided they were going to buy Joseph was going to buy him out and then he was just going to run the website, that's-that's the extent of that I know of. Um, but Dan is coming here, he's supposed to be here.

DUGAL: I talked to him earlier, he's, he's actually willing to meet with me here.

MERRITT: Oh good

DUGAL: I talked to him on the phone. Who drove which vehicle in Joseph's family?

MERRITT: Summer drove the truck most of the time.

DUGAL: Which truck?

MERRITT: The green Dodge

DUGAL: Okay, pickup truck

MERRITT: Pickup truck and Joseph most of the time drove the little white car.

FISK: Little white car?

MERRITT: Well it was ah the hatchback, I think it's a Trooper or something.

DUGAL: Suzuki

FISK: Okay

MERRITT: Yeah, yeah, he drove that most of the time unless they were going some place together.

DUGAL: What was he driving on the 4th?

MERRITT: The white car.

DUGAL: The white Trooper.

MERRITT: The white Trooper

DUGAL: Nobody with him?

MERRITT: Nobody with him.

DUGAL: Do you know if the child seats were in there? Did you see it?

MERRITT: You know I, no, nah, I didn't see it.

DUGAL: Okay

FISK: Does he have a business vehicle?

MERRITT: That's his two, that's his two cars I, he had, he used to have a BMW but he sold it to one of his soccer buddies.

DUGAL: What about a van or truck that says EIP or Earth somethin' products?

MERRITT: No that I know of, no, I don't think he has, the only two cars he has is those two.

FISK: And Detective Dugal interrupted you, you were about to say when they were together they drove?

MERRITT: The white car

FISK: The white car not the truck.

MERRITT: Right, they always, if they were going any place, any place, grocery store or if they were taking the kids they-they went in the white car.

FISK: Have you ever driven the white vehicle?

MERRITT: Nah

FISK: Have you ever been in it?

MERRITT: Um yeah when the la, the last time I was in it we went to Camp Pendleton, went to, we played paintball, Camp Pendleton.

FISK: How long

MERRITT: Month and a half maybe ah could have been

FISK: And you're front passenger?

MERRITT: Front passenger.

FISK: But never have driven?

MERRITT: Never driven.

FISK: When Summer and Joe were together, who drove?

MERRITT: Usually, I think Joseph ah I don't, I don't ever remember seeing Summer driving yeah I think Joseph.

DUGAL: And you've never been inside of their house?

MERRITT: Oh I've been inside of their house

DUGAL: Oh no you said you helped 'em move.

MERRITT: Besides that I been inside their house lots, I mean I'm the one built the, you know the-the shed where the dogs were.

DUGAL: Yeah

MERRITT: I built that for him, I built, I made the-the wooden platform, I dug all that out 'cause Joseph has been sick. I dug, dug the, dug it out put the platform down, built the, built shed for him um moved most of their stuff in um

DUGAL: Did he pay you to do that?

MERRITT: No, no, he's, he's my best friend, no he-he, he was, he has been sick for awhile and Summer was on his butt about getting the shed done and she wanted it because it was all in the garage and she wanted him, he wanted him to get the garage cleaned out because she wanted the PODS to get there and then and the stuff that was in the PODS a lot of it was gonna end up in the garage because they were still working on the floors and stuff.

DUGAL: Where are the PODS?

MERRITT: I have no idea there, ah I loaded them at the house

DUGAL: San Clemente

MERRITT: In San Clemente and they had ah POD people come and get 'em. I mean, took 'em.

FISK: Do you know what company?

DUGAL: Is it the white

MERRITT: It's a big white

DUGAL: that says PODS

MERRITT: I think it says PODS, yeah it was a big white one and I think it had a world on it, an earth on it I think, but I'm not, I don't remember. And there is two PODS, one 20' I think and one 16' or something like that, pretty big, there's two PODS. I fill 'em both so along with um Summer, Summer's mom, they-they packed a lot of the stuff, packed it in there um but any of the big stuff all the stuff that came out of Joseph's house, out of his garage that went into those PODS I did.

DUGAL: Was Mike there when you were packing?

MERRITT: Mike never helped, no. Ah he

DUGAL: Did you have to repack the POD

MERRITT: Yeah

DUGAL: How come?

MERRITT: Because of Summer

DUGAL: Well how did that go down?

MERRITT: Oh well Summer had left with her mother to go get food

DUGAL: With her mother?

MERRITT: With Summer's mother yes

DUGAL: Summer and her ma, Summer's mother?

MERRITT: Correct, right, Summer and her mother

DUGAL: Do you know what her name is?

MERRITT: You know I don't remember her name ahh I mean I was there for three days helping 'em pack and-and stuff and she was there the whole time

but she wasn't all that memorable you know, I don't remember her name?

DUGAL: Do you think their relationship was mother/daughter, was it good?

MERRITT: Seemed fine yeah, seemed, I mean they were fine. Um, the reason I had to repack the POD is because while they were gone I packed a whole bunch of stuff and I, I mean I filled like a third of the POD at least a third of it and at the end of it um we were just finishing up taking a bunch of stuff out of the garage Summer comes home and as she passing the POD she looks in oh no-no-no-no that's not gonna do. I'm like ya know I mean I can you know I'm not may not be the best packer in the world but I, I packed it pretty-pretty darn tight because they, they had to fix a lot of stuff in those PODS. So, she went off on Joseph about the fact that that's not gonna work and he needs to take everything out and I'm like well 'kay, let them argue, I let them argue about it for about three or four minutes, she was pretty adamant about it was coming out and her and her mother was gonna pack it and show us how ta, how it was gonna be packed right so they argued about it for a couple minutes and finally I was just standing there kind of like okay so finally I just went over and start, I took everything out of the POD and then

DUGAL: Did Summer direct you to do that or were you just saving Joseph?

MERRITT: I was just kind of saving Joseph yeah. No Summer didn't ask me to ah Summer was always very unless she had something like an outburst like the-the thing about the corporal punishment or the pizza she always had little things like that but for the most part I mean, I went over there three days straight all day long every, I mean from 8 o'clock at the latest I got there 'til 8 o'clock at night and I was working my butt off the whole time I mean we moved all of the terracotta pots and the plants and stuff over to his mother's house I mean it was just he had a, he had a lot of stuff. So

DUGAL: How come he left that residence?

MERRITT: Um landlord gave him notice.

DUGAL: How come?

MERRITT: He told me um, oh the next door neighbor was complaining about all the stuff in the driveway. Joseph from, had, like half of the driveway all

the way back to his garage you know I think it's a duplex that he was in, half of his driveway all the way back to the garage was nothing but kids toys and he put up a fence in the driveway itself and-and had that shed there and just, I mean it was just strung with all kinds of stuff, it was a mess. It was, it was a pretty big mess and ah the next, the front lady I believe, I think it's a woman up there she was complaining about all the stuff and everything and they went back and forth with the landlord-landlord a little bit I think and then the landlord just gave 'em notice. Said and at that time Joseph had already been looking for a house anyway so he just said okay fine and the reason I had to go over and help 'em the, that three days in a row because they were planning on packing those PODS over a week or so. The problem was the landlord had given them notice to move and they got it misconstrued they needed to, they got a notice from the court that they were supposed to and Joseph didn't respond, Summer didn't respond and so nobody responded so when they finally looked at the paper it was like three days before they had to be completely out of there. Three or four days and they couldn't go back to court and say can I have more time it was just like so they're Summer was pissed off at Joseph and Joseph was pissed off at Summer about that because they had ta now they had to get these PODS and get them there and-and get, and, and that's why I was there because Joseph couldn't have done it, it was just, it was impossible.

DUGAL: What would say the interior of their residence in San Clemente looked like?

MERRITT: About like the interior of my house most of the time, kids I mean except a lot hairy with their big dog I mean they had hair on the floor.

DUGAL: Would you call it neat and orderly, or messy, or

MERRITT: Ah most of the time it was messy. Most of the time my house is messy so I mean I-I

FISK: Looked pretty clean today.

MERRITT: That's because I spent

DUGAL: Your house is cleaner then what I've seen of the house where their living.

MERRITT: Oh much, it is now. Oh well I, it-it was before I started but I actually spent an half an hour or so cleaning up before you got there because I didn't, you know we had kids toys and stuff and

FISK: It looked pretty clean to me.

MERRITT: Dirty clothes laying around and stuff, I picked up most of our stuff before you got there but um Summer the best that I can remember every time I went over sometimes it would be almost spotless and then the rest, the rest of the time it would be (inaudible) you know um but with kids you know that's just what it is I mean.

FISK: Did they leave food out usually.

MERRITT: No, nah, no she kept the dishes well she, her and him, she did, he did the dishes also. They weren't, it was unsanitary by any means other than the dog hair on the floor but you know how unsanitary is dog hair um it wasn't, it wasn't bad I mean I didn't feel you know I didn't feel like I couldn't sit down or something in their house, it wasn't, it wasn't any big deal. I mean you had to step over some things every once in awhile

DUGAL: And you helped paint down there? Did you help paint and stuff?

MERRITT: His apartment?

DUGAL: No the house wen they moved.

MERRITT: No, no

DUGAL: Oh you haven't, so let's go from February 4th and I'm, I forgot to ask you these questions. From February 4th this incident, telephone calls, when do you next try to contact Joe, or Joey, what do you call him Joseph.

MERRITT: Joseph yeah I've always know him as Joseph.

DUGAL: Okay

MERRITT: I don't call him, I know, I just found out but Mike, Mikey and his mom called him Joey and I know Summer always called him Giuseppe

DUGAL: Um-huh

MERRITT: But I always knew him as Joseph.

DUGAL: Okay

MERRITT: I've never

DUGAL: When was the next time you tried to contact him?

MERRITT: Probably Friday I'm sure, I mean because

DUGAL: The next day.

MERRITT: Yeah, yeah I'm sure of

DUGAL: By telephone?

MERRITT: By telephone yeah.

DUGAL: And did you try again on Saturday?

MERRITT: I'm quite sure that I probably tried almost every day and probably a few times a day, there is no doubt.

DUGAL: And you, when did you go back down there and what inspired you to do that?

MERRITT: Um Monday, Tuesday, I can't remember whether it was Tuesday or Wednesday, I, it may have, I-I don't remember which day it was. Um, Joseph's mom may remember the exact day. I went, I drove up to Joseph's house on Tuesday or Wednesday so it would be the 4th, 5th, 6th, 7th, 9th or 10th I believe. Um, because I hadn't been able to get a hold of Joseph and we've, we've got just tons of you know bids we were working on

DUGAL: Okay let's say, let's say the 9th, you say 9th or 10th is the first time? That would ah Tuesday, February 9th is Tuesday.

MERRITT: Yeah 9th or 10th then.

DUGAL: You went down to the house

MERRITT: To Joseph's house.

DUGAL: And what did you do?

MERRITT: Knocked on the door, rang the doorbell, his white car wasn't there, um dogs were barking, I went back and looked at the dogs.

DUGAL: Did you see any notifications on the door?

MERRITT: Nada, no

DUGAL: No

MERRITT: No

DUGAL: Okay

MERRITT: Um went back into the backyard, looked at the dogs, the water dish and the there was a bag of food just left in the, in the thing or in the shed and there was, their water dish inside the shed was empty. They had no water so I filled the water dish and put it back into

DUGAL: Did it look like that bag was left for long term feeding or was it a bag that the dogs had got to and opened up?

MERRITT: No it, he never kept the dog food in that shed, that's the first I've ever seen the dogs in the shed, ever. They, the dogs stayed in the house, at night they slept in the house. She'd put, she put the puppy up in the laundry room I think, there's ah

DUGAL: Do the dogs only went out to go to the bathroom?

MERRITT: No-no, they were out most of the day almost all day they were outside, they were inside at night, they never kept 'em outside, never.

DUGAL: But where was the dog food kept, do you have any knowledge?

MERRITT: Yeah, I don't know, I, I remember Joseph feeding 'em but I-I don't remember where he, where he got the food.

DUGAL: So, what I'm getting at and help me with this is, I don't them, I don't know this dog.

MERRITT: Okay

DUGAL: But does, if I'm, if I'm his friend and walk into the backyard and I see this shed open with a bag of dog food and an empty water bowl is that normal?

MERRITT: No

DUGAL: Or

MERRITT: No, no that's, it, it was, especially I did not, I couldn't get a hold of Joseph all the way from you know Friday, Saturday, Sunday, Monday, Tuesday, or whatever day it was I went down, finally went down there I was just like you know, I left him messages saying dude you know call me, we've got to get this stuff resolved and he never called me back so I drove up there. When I saw the, the water dish was empty so I filled it up and put it back in the shed

DUGAL: Um-huh

MERRITT: from there I went straight down to his mom's house.

DUGAL: Did you touch the dog food bag?

MERRITT: I don't remember, I, I don't remember touching the, no I don't think so.

DUGAL: And the reason I ask you that is who put it out there, if that's not normal for Joseph, it's not normal for Summer

MERRITT: I wouldn't

DUGAL: who put that out there?

MERRITT: I don't know. I would not see Joseph leaving his dogs outside. Joseph is the one that always brought them in, always. He all, when it got this time of night he would open the door and let the dogs in, that's just, that is just the way he was. The kids would play with the puppy and then after awhile Summer would take the puppy up and put the puppy in the laundry room, that was their kind of routine.

DUGAL: Okay what else did you see around the house?

MERRITT: Well that's it, I-I knocked on the door, water the dog

DUGAL: Did you notice any windows open, any doors unlocked?

MERRITT: Not, not that day on Tuesday, no um I know the doors were, were locked because I tried the, I tried the backdoor and the front door.

DUGAL: Okay

MERRITT: The doors were locked. Um, did not notice any windows or anything open because I wasn't looking on whenever that was, it was either Tuesday or Wednesday. Um, went down, from there I went straight down to his moms and she happened to be home luckly.

DUGAL: Where does she live?

MERRITT: She lives off of Temescal Canyon um ah what's that,

FISK: Is it in Fallbrook?

MERRITT: No-no-no she lives down on the way

FISK: Escondido?

MERRITT: no she lives down, on the way back to my house.

FISK: Give us a city?

MERRITT: I'm trying ta, Temescal Canyon you passed it on the way here.

FISK: Do you have any idea where that is?

MERRITT: Um, what's the name of it, darn, um

DUGAL: Lake Elsinore?

MERRITT: No-no, way this side of Lake Elsinore. It's just above Corona.

DUGAL: Riverside?

MERRITT: No, above Riverside, above Corona. If you're going up the 15 you pass the 91 and you go up about six or seven miles.

DUGAL: Norco

MERRITT: No

DUGAL: Further?

MERRITT: Beyond, beyond Norco, six or seven, eight, eight miles maybe ten you'll hit Temescal Canyon. When you get off on Temescal Canyon you go right and there's ah, there's ah big place Tom's Farms, you know where Tom's Farms is?

DUGAL: Not very good.

MERRITT: Okay that's-that's exit you get off on is Tom's Farms. Um, I knew where she lived because all of Joseph's pots and a lot of stuff from his house went into her garage and all around her house. He had, he had like, well she had like 40 or 50 plants I mean just in pots and all kinds, just tons of terracotta pots and all kinds of stuff. We, when they were moving we took to her house to Joseph's mom's house just kind of strewed 'em all around mixed 'em in, in her plants until Joseph could um pick 'em up after he moved into his house. So, went and talked to her I-I-I I knocked on the door and

DUGAL: This is the first visit, 9th or 10th

MERRITT: Right and I said you have any idea where Joseph is I can't, I can't reach him, I can't, I can't find him, you know and she said no and she hadn't, she said she hadn't ah heard from him either but she said that's not unusual and she goes I'll try to get a hold of him. I said please if you get a hold of him let him, let him to know you know Chase is looking for him. And um we talked for ah a few minutes not a long and ah I just said can you please let me know if you, if you get a hold of him and she was gonna call Mikey to see if he had heard from him and call Summer's number um and

DUGAL: So then when's the next time you go down?

MERRITT: Ah let's see, Tuesday, um Thursday, I think it was Friday and that's when I talked to Mikey.

FISK: That would be the 12th?

DUGAL: The 11th.

FISK: 'Cause if

DUGAL: Oh the 12th you're right.

FISK: Okay

MERRITT: Yeah I think it was Friday I'm, I, its all a little bit of blur but I'm almost positive it was Friday because that's the day that I talked to Mikey

DUGAL: Did you meet Mike?

MERRITT: No, I didn't meet him there then

DUGAL: Okay so you went down there and talked to Mikey, went down to the house.

MERRITT: Right

DUGAL: And what did you do?

MERRITT: Um went, knocked on the door, um went to a couple of the neighbors to see they had seen him but all the damn neighbors were none of 'em were home. Um, went into the backyard that's when and I called Mikey and Joe's mom and said somebody's taking care of the dogs because the water bowl that I filled and put in the, in the shed was now in the backyard underneath the faucet. Somebody had put it under the faucet and had the water dripping into it. Like they were taking care of the dogs.

DUGAL: Um-huh

MERRITT: So I told, I told um Mikey that and I told his mom that and his mom said well if he's having somebody take care of the dogs and I said well somebody is taking care of the dogs I said but I don't know whether he's having somebody take care of the dogs. I said somebody moved the water dish for sure but I said I don't think Joseph would put these dogs out there, I don't think he would leave them outside. I would, I think he would have somebody you know actually I think he would probably put 'em in ah one of those little dog hotels you know.

DUGAL: Yeah

MERRITT: That's-that's they type Joseph is.

DUGAL: So what was the condition of the house though, doors, windows?

MERRITT: Okay that day um I looked, I was looking through the windows trying to see if I could you know see anything because I told Mikey that I would and the Joseph's office window

DUGAL: Um-huh

MERRITT: was part way open on that day and I looked. (Phone call), yes dear, you're going to the bank? Okay. Well we're-we're I don't know how long we're gonna be so whatever that's, a'right bye.

DUGAL: Oh yeah

MERRITT: Um i-I did notice that the-the rear office window was part way open.

DUGAL: Um

MERRITT: Okay

DUGAL: Was the screen off?

MERRITT: Screen was on. Screen was on. I looked through the, through the slats um his desk light was on, that's all I could see I-I could barely see through in from the glass door couldn't really see much. Um, through the window in the front you can see about this much you know there's about , you know the slats were raised about this much so I could see the living room but that's all you know I really couldn't see anything so I told Mikey I said you know you guys should probably come and you know call the police and you know have this checked out you-you guys need to get down here. They didn't that day I went on, I went on back home, they didn't that day um I don't remember

DUGAL: You didn't go in?

MERRITT: No, did not go in, no I'm not gonna I mean I say I'm not going to but I, I actually considered it I was like

DUGAL: Sure

MERRITT: Joseph wouldn't really wouldn't care if I had gone in but I, I just decided you know I'll let Mikey deal with it. Because Mikey said he was gonna come down well I, something I don't know he got tied up at work or

DUGAL: Where's Mikey live?

MERRITT: San Clemente.

DUGAL: Okay

MERRITT: He's half an hour away somewhere.

DUGAL: Okay

MERRITT: Ah yeah San Clemente anyway so he said he was gonna come down, I went home um called him on Saturday I don't even remember what time I think it was in the morning

FISK: Called Mike you said?

MERRITT: Mikey and said are you gonna be going down there, I'll go with you, you know are you gonna call the police and you know I-you need some moral support I'll-I'll be there. I said just, you know because by then everybody is upset.

DUGAL: Um

MERRITT: Including me you know, and I, matter of fact my wife is-is still chewing my ass out about me not calling the police before Mikey and them did but Mikey and his mom kept saying I know Joseph and you know he-he probably just wanted to get some, take some, you know be away for you know, away from the telephone or whatever and their probably on vacation, their gonna be back and then Mikey said well

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