Q. You were the tax matters partner?
A. No.
Q. You weren't?
A. The tax matters partner?
Q. It was your role in NexGen Energy Partners to take care of the tax issues, correct?
A. Not mine personally, no.
Q. But you were involved in that and you were one of the managers?
A. Yes.
Q. And you're the CPA that was the manager?
A. Yes.
Q. So it's fair to say you were the tax matters partner?
A. No. Mendie would have been that partner. Mendie is a CPA.
Q. All right. Well, Mendie was an investor as well, correct?
A. Mendie was a consultant, that's correct.
Q. All right. So why is Mr. Vance listed here and not you or not Ms. Hogan?
A. Because it came to his -- it came to his address in Hazard or Chavies, Kentucky.
Q. But it's there because you told Ms. McKinnon to use his name, correct?
A. No.
Q. Okay. And then Mr. Vance had no signing authority --

signing authority on the NexGen Energy Partners account with the Bank of America, did he?

A. Not that I recall.

Q. And again, he had requested that the Shumard Group take care of any accounting issues in the beginning?

A. In the beginning, he had requested that, yes.

Q. But you chose to still use his account for about six or seven months before opening any NexGen Energy Partners accounts?

A. I don't recall all the conversations specifically about that because that was not the area that I was most engaged in. I think Mendie Hogan would be better qualified to answer that.

know, there would be another phone conversation and then I think Gary would say, you've got to get an account opened, you know. I don't -- I don't think it was all the time.

But it's just -- it was one of those things that just stretched on. We kind of kept thinking they would do it and it ended up stretching on further, longer than we expected.

Q. But you're an accountant, Mr. Chamblee is an accountant.

A. Uh-huh.

Q. Nobody took the initiative on that early on, and the Shumard Group actually had majority ownership in this entity.

A. Uh-huh.

Q. Seems common sense to me that the Shumard side would have taken the initiative there much earlier than ten months.

Was it possible because Mr. Chamblee wanted to hide the logging income?

A. Not at all.

Q. Or he wanted to hide fake sales that he was reporting to Ms. McKinnon?

A. Never.

Q. In the beginning, Mr. Vance actually asked the Shumard people to handle accounting and administrative tasks, right?

A. Yes. That was -- I think I remember seeing an email and the original intent was that we would do the accounting.

Q. So he wanted nothing to do with that role in the business, correct?

A. It appears.

Q. All right. So he was basically wanting to hand that over to you all. So if he was trying to hide something or doing something nefarious, he would have kept that close to him, right? But he tried to give it to you all.

A. That was the original plan, that we would -- I don't know if it was him pushing that or who came up with that idea at first, but originally we were going to do the accounting.

THE COURT: Defense Exhibit 70 is admitted.

(Defense Exhibit 70 was admitted.)

BY MS. LEWIS:

Q. Who is this email from, Mr. Chamblee?

A. The email is from Molly McKinnon.

Q. And you're on the courtesy copy line?

A. Yes.

Q. All right. What is the date of this email?

A. February 14th, 2017. It was addressed to Mendie Hogan.

Q. But you were included on this as well?

A. Yes, as a copy.

Q. All right. And Ms. McKinnon's advising you and Ms. Hogan that she has the EIN number that we just saw?

A. Yes.

Q. So this is about two months after the operating agreement was signed back in December, correct?

A. As I recall, that's correct.

Q. So all along Shumard's depositing any money for NexGen Energy Partners into Mr. Vance's existing business account, correct?

A. That's correct. And we were working to get a new account established.

Q. But best business practice as a CPA is to start that from the beginning of a new entity, correct?

A. I'm sorry, what's your question?

have any money, we're not making any sales, would you have just wrapped up the company at that point?

A. We would have had discussions about it.

Q. Just to be fair, I want to make sure this is clear in my head, although the operating agreement called for a vote before a loan, you all didn't do that?

A. Correct.

Q. And you -- I mean, Mr. Vance was a member of the company. Did you -- given that you didn't vote, I'm guessing you also didn't give him any notice that there was going to be a vote about a loan to the company?

A. You know, I was not involved in any notice to him. I don't know what conversations Gary might have had with him about money.

Q. But certainly you never provided Mr. Vance any written notice of anything like that?

A. Not in -- no. I mean, it was in the books, the company books, it was recorded as loans and recorded as equity. So it was in the books. I don't know --

Q. But it was in the books after it was done?

A. Yes.

A. I do not.

Q. Did you ever receive back anything signed by Molly McKinnon indicating that she acknowledged that these were loans?

A. Probably not. I wouldn't have needed anything signed by her.

Q. Typically wouldn't want a promissory note signed by Molly or somebody on behalf of the company?

A. Well, we would have, but just -- I was just thinking as every advance was made, I didn't need a -- something signed by her.

But we did get loans eventually, and they were signed by Gary Chamblee, who was the manager at that time.

Q. So nothing signed by Molly McKinnon or Doug Vance?

A. True, yes.