

AFFIDAVIT

**STATE OF FLORIDA
COUNTY OF PINELLAS**

Before me, the undersigned authority, personally appeared Trudy Capone, who being first duly sworn, deposes and says:

1. My name is Trudy Capone, I am over the age of 18 years, and I make this statement on personal knowledge.
2. On Monday, May 7, 2001, Kimberly Takacs ("KRT") interviewed me at my home. What follows is an accurate summary of our conversation:

KRT identified herself as an investigator and provided me with the proper identification. Not knowing what KRT was here to see me for, I said I would call the number on the business card to set up a time to meet and discuss the matter. Immediately KRT indicated that she was there regarding Terri Schiavo. I did indicate that my son advised me to not get involved if anything came up regarding me. I asked if KRT was here on the parents' side or Michael Schiavo's. KRT told me that she was here representing the parents of Terri and that she would really like to speak with me. I indicated that I loved Terri and felt so bad for her.

KRT asked me if Schiavo ever confided in me regarding Terri's care. I told her that Michael confided in me all the time about Terri. I did say, "I will tell you one thing Michael never knew what Terri wanted. He never knew." He would say to me all the time, "I don't know what to do. I don't know that to do with her. I just don't know." I told KRT that if he said anything different he was a liar and that he said to me many times that he had no idea what her wishes were.

I told KRT that Michael and I were close, but were never romantically involved. I informed KRT that I felt the reason we were not romantically involved was because it was so close to settlement time, and I felt he was afraid of having it come out and did not need that at the time.

I tried to remember another girl that Michael was involved with. I told KRT that he was dating a nursing assistant with blonde hair. I am not sure if that was Cindy Brashers or not.

I stated that Michael went crazy on me when I ended our friendship because he

was calling me so much and I needed more space. I informed KRT that one day at the hospital where I was working I was avoiding his calls, and a CNA informed Michael when he kept calling that I had run to McDonald's and was at lunch. Seemingly very upset, Michael told the CNA, "I know she's not at McDonald's, she would not eat there. You're lying." "I am something of a health food nut."

I have heard bits and pieces of what Cindi Brashers stated and it was all true and then some. I did not, however, hear the conversation between Brashers and the radio DJ that had been on the air. I have been trying to avoid listening to it all.

I informed KRT that Michael used to tell me that he would never give away Terri's car and how it was so special to him. I told her that as soon as he received his settlement he went out and purchased a gold Acura (I think that was the make) and drove it to my workplace just to show it to me. All he could talk about was his new car.

I told KRT that I knew that Michael and his new girlfriend/fiancee had a child and that another one was on the way. KRT asked me if I am sure of that, and I told her emphatically yes!! Michael talked about this child with staff members at Palm Gardens where Terri lived.

I stated that if Michael and I went anywhere, he would want to buy me expensive gifts. One day we were at the mall, and I saw a leather jacket and said how nice it was. Michael immediately said "Do you want it?" I told KRT that trial money was everything to him and that something happened to him once he received the settlement. He would say very mean things to me. When we ended our friendship, Michael Schiavo said to me, "You are too old, anyway." I told KRT I am approximately nine years older than he is.

KRT asked me about Terri when she cared for her; specifically if I ever observed any eye movement on Terri's behalf that would indicate Terri was following people who visited with her eyes and if she seems to really know what was going on. I told KRT "Absolutely! Yes, yes. Why do you think Michael would instruct us to give her medication when she was on her period?"

KRT asked me again about the earlier statement that I had made about Terri's wishes. I told KRT, "Kim, I swear to you he never knew what Terri wanted. He would confide in me all the time about how he did not know, and he would ask me what I thought he should do." Michael had no idea what Terri's wishes were; ~~he just wanted her to die quickly to have the money.~~ ^{TV} I told KRT that Michael used to tell me all the time that Terri's parents just don't want him to have the money and that they were mad because he was going to get it all and not them.

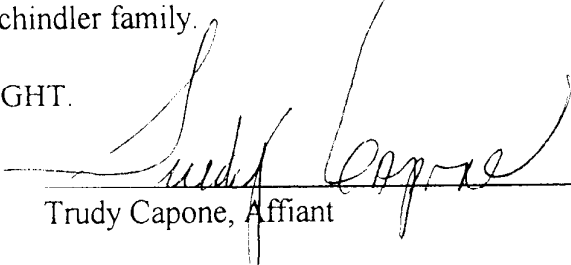
I told KRT that we would speak more formally regarding everything I had told her. I told KRT that I really just wanted to do what was right. I told KRT to give the family my love and that I will tell KRT anything she wanted to know. She also said to KRT, "All I can do is tell you the truth. But again I will tell you Michael had no idea what Terri wanted. If it's one thing I do know it is that he never knew."

At that time KRT asked me to call and schedule a time to sit down and talk about more things. I indicated that as an ~~MD~~ ^{KRT} I took an oath regarding patient confidentiality and did not want to jeopardize my career. I have no problem telling the truth about Michael Schiavo. I just feel that he was very sick and unstable and did not know what he would do.

Michael Schiavo got a job where I worked and sent me roses and made my job very difficult there every day. My co-workers would say to me, "Michael loves you, Trudy." In the beginning I felt like Michael really did love Terri, but after time passed he just wanted his own life and the money. Again before KRT left, I stated that if anything I know it is that Michael lied about Terri's wishes. At that time, KRT left, and I told her that I would call her to set up a time to discuss in more detail.

3 I have tried to avoid reading and listening about any of the Terri Schiavo case, but I feel guilty because I did not want to get involved. I should have sooner, and my heart is sick for the rest of the Schindler family.

FURTHER AFFIANT SAYETH NAUGHT.


Trudy Capone, Affiant 5/9/01

The foregoing instrument was acknowledged before me this 9th day of May, 2001, by TRUDY CAPONE who produced a Florida driver's license as identification.

FL # C150-284-54-806-1


Notary Public 5/9/01

My commission expires:

