

# **EXHIBIT G**

**DEFENDANT HOWARD K. STERN'S SUPPLEMENT TO  
MOTION OBJECTING TO PERSONAL JURISDICTION  
AND  
BENCH BRIEF IN SUPPORT OF SPECIAL  
APPEARANCE**

CAUSE NO. 2008-24181

1			
2	VIRGIE ARTHUR,	)	IN THE DISTRICT COURT OF
3	Plaintiff,	)	
4	VS.	)	HARRIS COUNTY, TEXAS
5	HOWARD K. STERN, BONNIE	)	
6	STERN, LYNDAL HARRINGTON,	)	
7	ART HARRIS, NELDA TURNER,	)	
8	TERESA STEPHENS, LARRY	)	
9	BIRKHEAD, HARVEY LEVIN,	)	
	TMZ PRODUCTIONS, INC., AND	)	
	CBS STUDIOS, INC.,	)	
	Defendants.	)	80TH JUDICIAL DISTRICT

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ORAL AND VIDEOTAPED DEPOSITION OF  
NELDA TURNER  
APRIL 2, 2010  
VOLUME 1

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ORAL AND VIDEOTAPED DEPOSITION OF NELDA TURNER,  
produced as a witness at the instance of the PLAINTIFF,  
and duly sworn, was taken in the above-styled and  
-numbered cause on April 2, 2010, from 9:10 a.m. to 3:13  
p.m., via telephone, before Crystal Greer, CSR in and  
for the State of Texas, reported by machine shorthand,  
at Comfort Suites & Inn, 1210 US 259 Business, Kilgore,  
Texas, 75662, pursuant to the Texas Rules of Civil  
Procedure.

A P P E A R A N C E S

FOR THE PLAINTIFF:

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FOR THE DEFENDANT HOWARD K. STERN:

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1 FOR THE DEFENDANTS TMZ PRODUCTION, INC. AND HARVEY  
2 LEVIN:

3 MR. HARRY SUSMAN (Via telephone)  
4 SUSMAN GODFREY, L.L.P.  
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7 HOUSTON, TEXAS 77002  
8 (713) 651-9366

9 ALSO PRESENT:

10 Ms. Kathy Bentley, Videographer  
11 Ms. Kathleen M. Adair, Paralegal for Ms. Hamilton  
12 Mr. Ken Turner  
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20 REPORTER'S NOTE

21 Uh-huh = Yes - Affirmative response

22 Huh-uh = No - Negative response

23 Quotation marks are used for clarity and do not  
24 necessarily indicate a direct quote.  
25

1           A.   Some time fairly after April 1st of 2007 and  
2 continued until about June or July of 2009.  And since  
3 then, it has not been daily.  It has been more like she  
4 would call me a couple of times a week.

5           Q.   When was the most recent time that you spoke  
6 with her on the phone?

7           A.   This week, either -- probably Sunday and  
8 Monday.

9           Q.   Have you had communications with Howard K.  
10 Stern?

11          A.   Not directly, sir.

12          Q.   Well, have you e-mailed him directly?

13          A.   Yes, sir, I did.

14          Q.   And so is it your testimony that he never  
15 e-mailed you directly?

16          A.   That's correct, sir.

17          Q.   Did he communicate with you through someone  
18 else?

19                MS. MARSHALL:  Objection to form.

20                MR. WOOD:  I -- I can't -- I didn't hear  
21 that question.

22                MR. MCCABE:  Sorry.  I leaned back away  
23 from the phone.

24          Q.   (By Mr. McCabe) Did Howard K. Stern ever  
25 communicate with you through a third party?

1 Q. (By Mr. McCabe) What kind of research did you  
2 do?

3 MS. MARSHALL: Objection to form.

4 (Sotto voce discussion off the record.)

5 A. Videos; transcribing videos; pulling -- pulling  
6 scripts from headline news, CNN; taping Geraldo shows,  
7 transcribing those.

8 Q. (By Mr. McCabe) Are you finished?

9 A. That's all I can remember at the moment,  
10 Mr. --

11 Q. And was that -- what you just described, was  
12 that research done for Mr. Stern?

13 MS. MARSHALL: Objection to form.

14 A. Yes, sir. It was all done for Mr. Stern. Some  
15 of it was requested by Gary Stern and some of it by  
16 Bonnie Stern, some of it by Howard K. Stern through  
17 e-mails forwarded to me by Bonnie Stern.

18 MS. MARSHALL: Objection, nonresponsive.

19 MS. HAMILTON: Join in the objection.

20 Q. (By Mr. McCabe) Did Howard Stern have the  
21 ability to tell you the manner and means of providing  
22 the help to him?

23 MS. HAMILTON: Objection to form.

24 MR. WOOD: Neil, you broke up on that one.

25 MR. MCCABE: Yeah.

1 Q. (By Mr. McCabe) Did Howard Stern have the  
2 ability to tell you the manner and means of providing  
3 the help to him that you provided?

4 MS. MARSHALL: Objection --

5 MS. HAMILTON: Objection to form.

6 MS. MARSHALL: -- form.

7 MR. WOOD: Are you asking if Howard Stern  
8 directly did what? I can't hear you.

9 MR. MCCABE: I'm asking -- and I -- here's  
10 the question again.

11 Q. (By Mr. McCabe) Did Howard Stern have the  
12 ability to tell you the manner and means of providing  
13 the help to him that you've testified you provided?

14 MS. MARSHALL: Objection, form.

15 MS. HAMILTON: Join in the objection.

16 MR. WOOD: Did he have the ability to do  
17 so?

18 MR. MCCABE: Yes, Mr. --

19 MR. WOOD: I'm missing -- I'm missing  
20 something here. I mean you -- we're breaking up, Neil.

21 MR. MCCABE: Yes. That's the question, Mr.  
22 -- Mr. Wood.

23 A. The ability, Mr. --

24 Q. (By Mr. McCabe) Yes.

25 A. -- McCabe? Yes, sir. He did have that

1 ability.

2 Q. Do you have any examples of him exercising that  
3 ability?

4 A. I have --

5 MS. MARSHALL: Objection to form.

6 Go ahead. Sorry.

7 A. I have turned over multiple DVD's that have  
8 every e-mail I've ever had forwarded to me, every e-mail  
9 between me and Bonnie Stern and Krista Barth.

10 Q. (By Mr. McCabe) Did Mr. Stern ever tell you  
11 that he wanted a video transcribed rather than sent to  
12 him just as a video?

13 MR. WOOD: Neil, I'm -- I'm losing  
14 something here. You're asking -- you're asking the  
15 question as if this lady has talked to Howard Stern. I  
16 thought she testified she's never spoken to Howard, that  
17 Howard's never directly e-mailed her.

18 (Sotto voce discussion off the record.)

19 MR. WOOD: You keep asking her "Did Howard  
20 Stern do this? Did Howard Stern tell you this?" And I  
21 think it's -- I think it's misleading and it's an  
22 inappropriate form of the question.

23 MR. MCCABE: Which objection is it?

24 MR. WOOD: It's an inappropriate question  
25 to suggest that she has had direct contact with Howard

1 Stern. When you keep saying did Howard Stern ask you or  
2 direct you, she's testified she's never talked with  
3 Howard Stern. He's never e-mailed her directly. And --  
4 and you're suggesting to the contrary of the question.  
5 And I think that makes it improper as to its form.

6 MR. MCCABE: You're not allowed to make  
7 speaking objections. Is it a form objection or a  
8 nonresponsive objection?

9 MR. WOOD: It's a form objection because it  
10 -- it's totally misrepresentative of this woman's  
11 testimony.

12 Q. (By Mr. McCabe) Can you answer the question?  
13 Did he ever tell you to -- that he wanted something  
14 transcribed rather than sent to you -- sent to him in a  
15 video?

16 MS. MARSHALL: Objection, form.

17 MS. HAMILTON: Join in the objection.

18 A. Yes, sir, but always through a third party.

19 Q. (By Mr. McCabe) Thank you.

20 So you did communicate with Mr. Stern,  
21 right?

22 MS. MARSHALL: Objection, form.

23 MR. WOOD: That question didn't -- broke  
24 up, Neil.

25 Q. (By Mr. McCabe) You did communicate with

Nelda Turner  
April 02, 2010

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CHANGES AND SIGNATURE

WITNESS NAME: NELDA TURNER      DATE: APRIL 2, 2010

PAGE LINE      CHANGE      REASON

FOR MISTAKES!  
SPELLING & STATEMENTS TO  
CORRECT RECORD FOR THE WHOLE  
SESSION OF APRIL 2, 2009 SEE  
PAGES 1- BY ATTORNEY

Corrections pages to April 2, 2010 Deposition:

Page 40 line 8 add **“and yesterday April 1, 2010 after the hearing with Judge Weiman”** (Bonnie Stern says I talked to her then but I have no clear recollection however I trust her memory but my memory is that we talked only earlier in that week)  
~~(to correct record)~~

Page 57 line 17 add at the end **“and occasionally via phone calls from Bonnie Stern”**  
(to correct record)

Page 59 line 9 add **“and between Gary Stern and me”** (to correct record)