

asking you, and perhaps out of your presence Mr. Schlener, whether or not Mr. Elbery had assaulted you with the beer bottle, and you indicated to Mr. Salloum that the answer was no?

A. Well, with the distance, there's no way he could have got to me with a beer bottle..

MR. ALOISE: Okay. That's all, thank you.

THE COURT: Just so I'll get it straight, the mayhem count still stands on him?

MR. ALOISE: My information is it does. Mr. Salloum indicated that based on his conversation with Schlener and with Mr. King, that he was going to ultimately make that go away.

THE COURT: Well, the only thing I have is the one amendment, that's what I want to make sure.

MR. ALOISE: No, it's there, Judge. That's why I wanted to ask questions about it.

(Witness excused. )

DIRECT EXAMINATION

BY MR. MATHIESON:

Q. Tell the judge your name, please.

A. Jeff Schlener.