

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA

Case No. 8:05-Cr-475-T-27TGW

vs.

THOMAS SPELLISSY

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**ORIGINAL**

SWORN STATEMENT OF: CHARLES SNELLGROVE

TAKEN BY: Defendant

DATE: April 10, 2006

TIME: 10:02 - 10:10 a.m.

PLACE: MacDill Air Force Base

REPORTED BY: Melinda McKenna  
Notary Public  
State of Florida at large

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APPEARANCES:

STEVEN WEIR  
U.S. Air Force  
MacDill Air Force Base  
Tampa, FL

PATRICK DOHERTY, ESQUIRE  
JEFF BROWN, ESQUIRE  
Brown & Doherty, P.A.  
450 Carillon Parkway, #120  
St. Petersburg, FL 33716

Attorney for the Defendant

ALSO PRESENT:

Thomas Spellissy  
Tom Allen

1 CHARLES SNELLGROVE,  
2 the deponent herein, being first duly sworn, was  
3 examined and testified as follows:

4 EXAMINATION

5 BY MR. DOHERTY:

6 Q Please state your name and occupation for the  
7 record.

8 A Charles Snellgrove, and I'm a business and  
9 support liaison for SOCOM Comparative Test Program.

10 Q Are you in the service or are you a  
11 contractor?

12 A I'm a contractor.

13 Q Did you work with Bill Burke for any period of  
14 time?

15 A Yes, I did.

16 Q What period of time?

17 A Bill hired me 4 October 1999, and I worked for  
18 him through his departure June of 2005.

19 Q So about five or six years.

20 A That's correct.

21 Q And you're also a contractor and you have to  
22 wear a contractor's badge?

23 A Yes.

24 Q And is that different from the badges that  
25 other people wear who are in the service for instance?

1 A In what way?

2 Q Does it mark you as a contractor as opposed to  
3 a colonel?

4 A Yes, it does.

5 Q In your role, what did you begin doing? What  
6 did you begin doing here at SOCOM?

7 A Well, I was hired to be an administrative  
8 assistant for the Comparative Test Program to do like  
9 financial records and travel orders and different  
10 administrative duties for the Comparative Test Program.

11 Q And what did the Comparative Test Program do?  
12 Did it compare various pieces of material one to  
13 another?

14 A In certain circumstance, right.

15 Q And would run tests on them and see which ones  
16 met the requirements --

17 A Yes.

18 Q -- and which ones met the requirements better  
19 than others?

20 A Right.

21 Q And did you ever see Mr. Burke make a decision  
22 relative to purchasing any product?

23 A No.

24 Q Did he have capacity to do that?

25 A No, he did not.

1 Q Did he ever have the capacity to render an  
2 opinion on a product?

3 A I guess that everybody is entitled to an  
4 opinion.

5 Q Okay. Did you ever see him make an opinion on  
6 any product that was being offered for sale by Tom  
7 Spellissy?

8 A No.

9 Q Did you ever see him make an opinion that was  
10 not founded on the data? If you know what I mean by  
11 that. Well founded by the data.

12 A Every decision I believe that Bill made and  
13 every opinion that Bill had was founded on data?

14 Q Good data?

15 A Right. Well, it could be good data or bad  
16 data depending -- obviously, if he has an opinion about  
17 something that he did not like it was basically based  
18 on bad data.

19 Q Okay.

20 A If that's what you mean.

21 Q Yes.

22 A I guess I need the definition of the word good  
23 as far as --

24 Q Accurate data?

25 A Accurate data. Yes, that's a better

1 definition.

2 MR. BROWN: Well, could you say that if he  
3 gave an opinion, one, it would be in the year of  
4 execution?

5 THE WITNESS: That's not necessarily true.

6 MR. BROWN: And would it be an opinion on an  
7 approved program?

8 THE WITNESS: That's not necessarily true  
9 either.

10 MR. BROWN: Why not? We'll go to the later  
11 one first. Why would it not be true that the  
12 opinion was just on an approved program?

13 THE WITNESS: I said that it was not just on  
14 an approved program.

15 MR. BROWN: What else would it have been on?

16 THE WITNESS: It could have been on a product  
17 or a service that we decided was not suitably  
18 matched to a requirement. So it doesn't necessarily  
19 mean that his opinions were against a good  
20 requirement or a bad requirement or a good or bad  
21 product. So there wasn't any correlation with his  
22 opinion to whether or not it was an approved project  
23 or not or could have been a good project if that  
24 makes any sense to you. I don't know what questions  
25 you're asking.

1 MR. BROWN: Well, there's a difference between  
2 a program and a project.

3 THE WITNESS: Okay. Right.

4 MR. BROWN: Would he give an opinion then on a  
5 project?

6 THE WITNESS: I don't think that has any  
7 correlation to his opinion.

8 Q (By Mr. Doherty) I guess I'm lost.

9 A I think I'm lost.

10 Q That's okay. Suppose that we're talking about  
11 a project. This is something that everybody up the  
12 chain of command has already decided that we're going  
13 to do this. Is that what a project is? And a proposal  
14 is more like an offer to make a better shovel.

15 A Okay. That's fair.

16 Q And a project would be a decision that, by  
17 golly, we're going to make a better shovel. Go get  
18 bids on that?

19 A Right.

20 Q Which one of those would he have an opinion  
21 on, if any? Would he have an opinion on the proposal?

22 A I think that -- I guess I'm not understanding  
23 the term opinion of what you're asking the definition  
24 of.

25 Q Okay.

1           A       What Bill's job was primarily was not  
2 necessarily what his opinions counted about. I mean,  
3 it wasn't about his opinion. It was about does or does  
4 not this item fill a SOCOM requirement. So his opinion  
5 really didn't matter as far as whether or not that  
6 proposal turned into a project or turned into as part  
7 of a program.

8           Q       It did meet that requirement or didn't?

9           A       It either did or did not. But as far as  
10 actually offering an opinion, in my interpretation of  
11 what I'm hearing you say, was that, did he think that  
12 was a good idea?

13          Q       Uh-huh.

14          A       And sometimes we both agree, yeah, we think  
15 that's a great idea or else we wouldn't pursue it. So  
16 in my interpretation of what you're asking about  
17 opinion is that, yes, we all as humans have opinions.

18                   And if he had in his opinion that he thought  
19 that shovel would do a good job for this soldier to  
20 clear dirt out of his trench then he would, I guess,  
21 validate that as a good proposal and what he felt could  
22 meet SOCOM requirement. But that doesn't necessarily  
23 mean that was -- his opinion didn't influence the fact  
24 whether or not that proposal should be submitted or  
25 not.

1 MR. BROWN: Let me just stay with this shovel.  
2 We're using the shovel as a requirement.

3 THE WITNESS: Okay.

4 MR. BROWN: A proposal comes in and let's  
5 assume that he has a negative opinion of it but it  
6 does meet all of what's required, the requirement.

7 THE WITNESS: I don't think that would ever  
8 happen. My experience with Bill -- I don't see how  
9 his opinion would ever influence a decision to  
10 accept or reject a proposal.

11 MR. BROWN: So if everything is there for this  
12 proposal, it meets all the requirements, but he just  
13 particularly doesn't like the shovel --

14 THE WITNESS: It doesn't matter.

15 MR. BROWN: It doesn't matter.

16 THE WITNESS: It would still be submitted.

17 MR. BROWN: It would still be submitted  
18 because it meets all the requirements.

19 THE WITNESS: Correct.

20 MR. BROWN: So that's pretty much what you're  
21 saying when you say -- we all have them, but it's  
22 really irrelevant?

23 THE WITNESS: Exactly.

24 Q (By Mr. Doherty) Did there ever come a time  
25 in your duties that you saw Mr. Burke order the

1 priority of things that should get funded?

2 A Nope.

3 MR. DOHERTY: I really don't have anything  
4 further to ask you. Could I have the moment?

5 THE WITNESS: Yes.

6 Q (By Mr. Doherty) In your capacity here did  
7 you consider yourself to be a public official?

8 A No.

9 MR. DOHERTY: Thanks. I have nothing further  
10 to ask you. Thanks for coming.

11 THE WITNESS: Thank you.

12 (SWORN STATEMENT CONCLUDED AT 10:10 A.M.)

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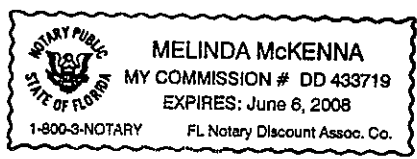
CERTIFICATE OF OATH

STATE OF FLORIDA )  
COUNTY OF PINELLAS )

I, MELINDA MCKENNA, the undersigned authority,  
certify that CHARLES SNELLGROVE personally appeared  
before me and was duly sworn.

WITNESS my hand and official seal this 28th  
day of April, 2006.

*Melinda McKenna*  
MELINDA MCKENNA  
Notary Public - State of Florida  
My Commission No. DD433719  
Expires: 6/6/08



CERTIFICATE OF REPORTER

STATE OF FLORIDA )

COUNTY OF PINELLAS )

I, MELINDA MCKENNA, Court Reporter, certify that I was authorized to and did stenographically report the deposition of CHARLES SNELLGROVE; and that the transcript is a true record of the testimony given by the deponent.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 28th day of April, 2006.

Melinda McKenna
MELINDA MCKENNA