have tried to offer probably a gambit of services, including credit arrangements or treasury management products, things that banks normally do.

However, like many, many clients -- and I don't know because it's pure speculation in this case -- many clients say, no thanks, I just want to use your bank as a place, basically, to receive wire transfers and to send wire transfers.

And if it's consistent with what you know about the client and the client's activities, it doesn't really raise any red flags. A lot of people with a lot of money frequently do not like to be bothered because they tend to be bothered more than other people.

It's not unusual in this case, and I can only speculate, if somebody tried to reach out to them and they were told, you know, I'm happy with my banking relationship as it is, that's all I want -- but I don't know. And to answer your question, for big, big, big, you know, titanic kinds of clients -- and we're one of the largest banks in the United States -- it's one big fish among many in a big lake.

Q. Did anybody from SunTrust reach out to Mr. Engler?

A. I don't know.

Q. What did SunTrust understand Mr. Engler's business to be?

A. I don't know other than -- I don't know. I don't know. All I know is what I have learned subsequent.

Q. But you can't reveal that information to me?

A. I believe you showed me some information here that is on this document, which is Exhibit No. 7 --

MR. HENDRIX: That's not a SunTrust document. Are you testifying to that?

A. Oh, no. I can only testify what I see on this document and I cannot -- yeah, you're right, because of prior objections I wouldn't be able to talk about any other source, independent source for that kind of information.

Q. So you can't tell me today without revealing that a SAR was issued, or not, whether SunTrust Bank became aware that PCO or Engler was accused of operating a Ponzi scheme?

A. As I told Brett von Borke a year ago, as I said I think elsewhere I know, yes, I can't. I cannot. That's deja vu all over again.

MS. ELLIOTT: Can we go off?

(Off the record.)

Q. (BY MS. ELLIOTT:) Mr. Barry, I believe I

have no more questions for you today, but we're going to hold the deposition open pending resolution of our dispute as to the scope of the SAR privilege.

A. Understood, Counsel.

Q. And with regards to topics that Mr. McDonald appeared today, given that we're running short of time, it doesn't make sense to delve into other things that I may or may not need to get into.

A. I will be able to fill in the gaps that Mr. McDonald left, just for the record.

MS. ELLIOTT: I'm done.

MR. HENDRIX: That's a read.

COURT REPORTER: Ms. Elliott is ordering the original transcripts of Mr. McDonald and Ms. Spalding. And you need those tomorrow, right?

MS. ELLIOTT: To the extent you can get them to me, yes.

COURT REPORTER: Emailed. And are you going to order the original of Mr. Barry?

MS. ELLIOTT: Yes.

COURT REPORTER: And all three are Reads. Mr. Hendrix, do you need a copy?

MR. HENDRIX: Yes.

(Whereupon, the deposition concluded at 4:28 p.m.)

WITNESS'S ERRATA SHEET & SIGNATURE INSTRUCTIONS

The original of the Errata Sheet has been delivered to DAVID HENDRIX, ESQ.

When the Errata Sheet has been completed by the Witness and signed, a copy thereof should be delivered to each party of record and the ORIGINAL delivered to JESSICA ELLIOTT, ESQ., to whom the Original examination transcript was delivered.

INSTRUCTIONS TO DEPONENT

After reading this volume of your examination, indicate any corrections or changes to your testimony and the reasons therefor on the Errata Sheet supplied to you and sign it.

DO NOT make marks or notations on the transcript volume itself.

* * *

REPLACE THIS PAGE OF THE TRANSCRIPT WITH THE COMPLETED AND SIGNED ERRATA SHEET WHEN RECEIVED.

ATTACH TO THE EXAMINATION OF JOHN BARRY

CASE: IN RE: ULRICH FELIX ANTON ENGLER, et al.

I, JOHN BARRY, have read the foregoing examination given by me on February 13, 2012, in Tampa, Florida, and the following corrections, if any, should be made in the transcript:

PAGE	LINE	CORRECTION AND REASON THEREFOR

Subject to the above corrections, if any, my testimony reads as given by me in the foregoing examination.

SIGNED at _____, Florida

This _____ day of _____, 2012

_____

JOHN BARRY

CERTIFICATE OF OATH

STATE OF FLORIDA

COUNTY OF PINELLAS

I, the undersigned authority, certify that the witness personally appeared before me and was duly sworn.

WITNESS my hand and official seal,

DATED this February 13, 2012

Denise O'Hare
Notary Public - State of Florida
My Commission Expires: 08-10-2015
Commission No: EE114958
SCLAFANI WILLIAMS COURT REPORTERS, INC.

REPORTER'S CERTIFICATE

STATE OF FLORIDA

COUNTY OF PINELLAS

I, DENISE O'HARE, Court Reporter and Notary Public in and for the State of Florida hereby certify that the witness appeared before me for the taking of the foregoing examination, and that I was authorized to and did stenographically and electronically report the proceedings herein, and that the transcript is a true and complete record of my stenographic notes and recordings thereof.

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 February 13, 2012

Denise O'Hare
Court Reporter

REPORTER'S CERTIFICATE

STATE OF FLORIDA

COUNTY OF PINELLAS

I, DENISE O'HARE, Court Reporter and Notary Public in and for the State of Florida hereby certify that the witness appeared before me for the taking of the foregoing examination, and that I was authorized to and did stenographically and electronically report the proceedings herein, and that the transcript is a true and complete record of my stenographic notes and recordings thereof.

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DATED this February 13, 2012

Denise O'Hare
Court Reporter

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