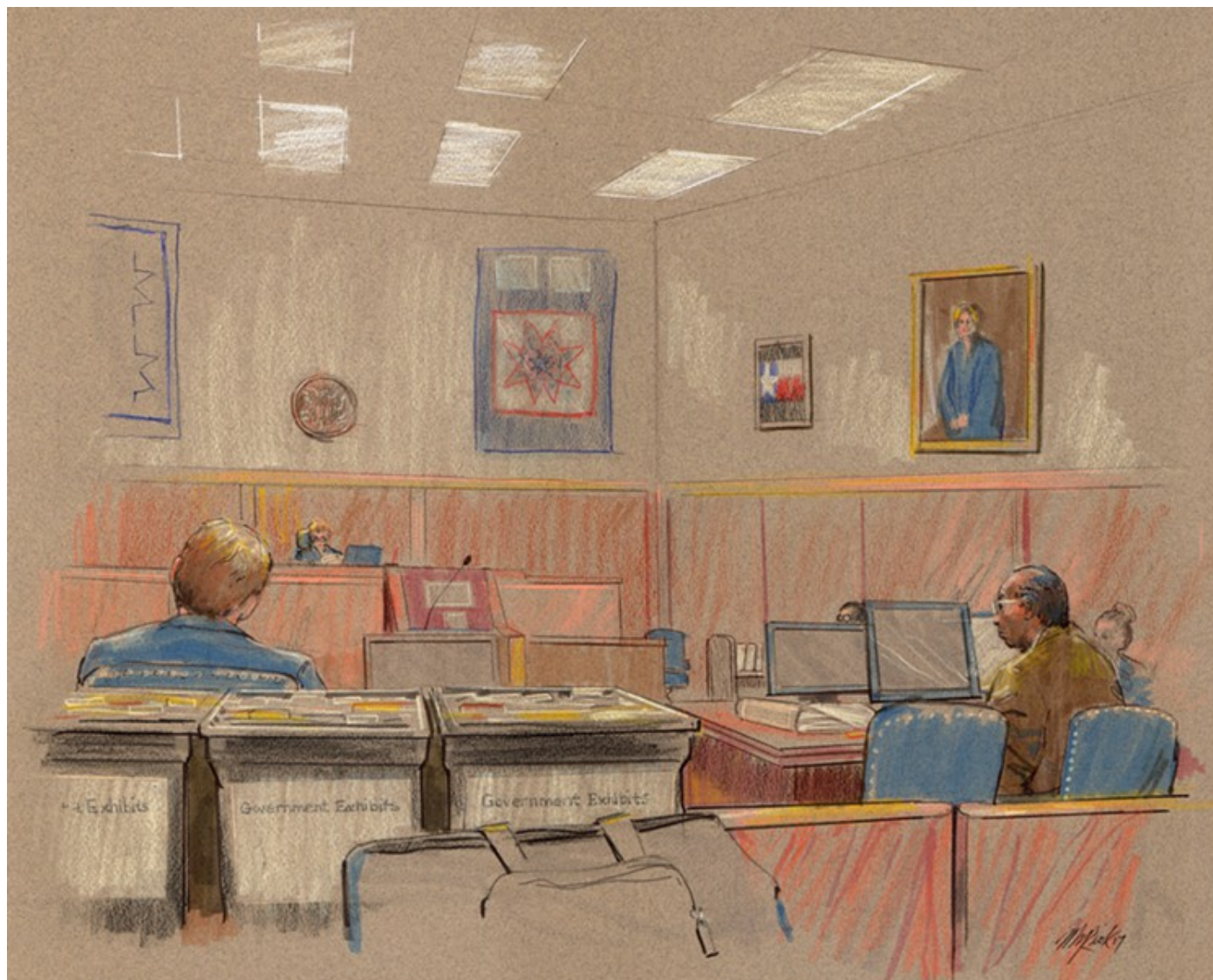


Defense Team Launches Counterattack Against FBI Testimony at JWP Trial

By [Stephen Young](#)



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John Wiley Price (right) sits in Judge Barbara Lynn's federal courtroom.

Gary Myrick

Up until yesterday, the prosecutors in the corruption trial of Dallas County Commissioner John Wiley Price and his chief of staff, Dapheny Fain, controlled the narrative. But on Thursday afternoon, thanks to a strong cross-examination from attorneys Shirley Baccus-Lobel and Marlo Cadeddu, the defense team began to make their own headway.

Their target, on the stand for the second day in a row, was FBI forensic accountant David Garcia. Garcia has been looking at Price's finances since 2005. He's one of the people most responsible for building the mountain of evidence that prosecutors have spent most of the week introducing. He's also, if you listen to Baccus-Lobel, part of a group of U.S. Attorneys and law enforcement officers that's been out to get Price since the investigation began.

When Cadeddu, a former international banker and second vice president at JP Morgan Chase, took to the attorneys' lectern to push Garcia on some of his investigation's finer financial points, the room, and the trial, perked up.

Working from an iPad and wearing a bright red suit that stood in a contrast to dark suits worn by Price, Fain and every other lawyer in the courtroom, Cadeddu quickly and efficiently pushed Garcia on two points. First, she suggested that by only going back only as far as 2005, the prosecutors may not be showing the full relationships between Price and Fain. This logic also applies to Price's financial dealings with Kathy Nealy, a co-defendant who is expected to be tried in a separate trial, the defense argued.

Price could have made loans, Cadeddu suggested, to Nealy or Fain before 2005, loans that they were still repaying when Garcia began looking at the trio's bank records. Those payments only looked like illicit income being shunted Price's way, Cadeddu said, because Garcia didn't have the full context.

Cadeddu also pushed Garcia on a number of transactions between Fain and Price that were not included in the government's \$127,000 tally of over-payments they say Price received from Fain's business.

As she confirmed the transactions with Garcia, Cadeddu listed the totals on a giant legal pad, eventually forcing Garcia to add up the amounts. Cadeddu pointed to this as evidence of loans in 2001, 2005 and 2007 that the government had missed.

Fain finally came to life during Cadeddu questioning, moving from the wall behind the defense table to join her lead attorney Tom Mills at a computer monitor.

On redirect, Assistant U.S. Attorney Katherine Miller said that any of the loan agreements between them that occurred before January 2005 happened before Fain's company, MMS Inc., even had a bank account.

She also had Garcia confirm that it was odd that many of the payments between Fain and Price ended up in a bank account presumably belonging to Price's mother. Price could have been doing that to hide something, Garcia said.

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