

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL
CIRCUIT OF FLORIDA, IN AND FOR PINELLAS COUNTY

STATE OF FLORIDA,

Plaintiff,

vs.

Case No.: 2023-02935-CF

TOMASZ KOSOWSKI,

Defendant.

_____/

VIRTUAL DEPOSITION OF CAROLE CELESTE BACHER

DATE TAKEN: SEPTEMBER 13, 2023

TIME: 10:31 a.m. - 11:00 a.m.

Examination of the witness taken virtually before:

Tammy Kelley

Verbatim Court Reporting, Inc.
728 S. New York Avenue, Lakeland, FL 33815 863-500-3603

APPEARANCES

Counsel for the Plaintiff:

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Counsel for the Defendant:

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WILLENGY W. RAMOS WICKS, Esquire
Brunvand & Wise, P.A.
615 Turner Street
Clearwater, Florida 33756

I N D E X

SEPTEMBER 13, 2023

WITNESS

Called by the Defendant:

CAROLE CELESTE BACHER

DIRECT EXAMINATION BY MS. SELLERS..... 4

ERRATA SHEET..... 26

CERTIFICATE OF OATH..... 27

CERTIFICATE OF REPORTER..... 28

SIGNATURE LETTER..... 29

1 THE COURT REPORTER: Would you raise your
2 right hand, please. Do you swear or affirm the
3 testimony you shall give in this cause shall be
4 the truth, the whole truth, and nothing but the
5 truth?

6 THE WITNESS: Yes.

7 CAROLE CELESTE BACHER, called as a witness by
8 the Defendant, having been virtually duly sworn,
9 testified as follows:

10 DIRECT EXAMINATION

11 BY MS. SELLERS:

12 Q Ms. Bacher, I'm going to start by just asking
13 you some preliminary questions and then we'll get into
14 the more detailed questions.

15 First, can you please state your full
16 name.

17 A Carole Celeste Bacher.

18 Q Do you go by any nicknames?

19 A No.

20 Q What is your date of birth?

21 A 10/16/64.

22 Q Have you ever given a deposition before?

23 A No.

24 Q Okay. So you do understand that you were
25 just sworn in, you're under oath, so you must tell the

1 truth?

2 A Yes.

3 Q Have you taken any medications prescribed or
4 otherwise that may affect your ability to understand my
5 questions or affect your ability to answer the
6 questions here today?

7 A No.

8 Q All right. If I ask you a question that you
9 don't understand, just say, Ms. Sellers, you need to
10 repeat that question.

11 A Okay.

12 Q I'm not trying to trick you. We're just
13 trying to get, you know, all of the information that
14 you have so that everybody is on the same page.

15 A Yeah, I understand.

16 Q I'm assuming you currently live in Pinellas
17 County?

18 A Yes.

19 Q Have you ever lived anywhere else?

20 A Yes, 20 years prior.

21 Q And where did you live?

22 A California.

23 Q What part?

24 A Multiple places. Do you want to know my
25 history of where I've lived my whole life?

1 Q No.

2 A Okay.

3 Q That -- actually let me just go ahead and ask
4 you. Have you ever been arrested or convicted of a
5 crime?

6 A No.

7 Q Okay. Did you -- were you prepared for this
8 deposition today?

9 A In what way? Like with somebody else?

10 Q Were you provided a report and did anyone
11 explain to you how this was gonna happen today?

12 A No.

13 Q Okay. Do you have a copy of any of the
14 reports, your statements?

15 A No.

16 Q Okay. All right. On March twenty- -- well,
17 actually where do you work?

18 A Ronati.

19 Q What is that?

20 A It's a software company for the art and
21 antique industry.

22 Q How long have you worked there?

23 A Three years, just about.

24 Q Were you working on March 21st, 2023?

25 A I was.

1 Q Do you remember going into work that morning?

2 A Um-hum.

3 Q What time did you arrive at work?

4 A A little before 9:00. Maybe like 8:45 or
5 8:50. I'm not exactly positive on the time.

6 Q How did you enter your office?

7 A I enter it from the parking lot side not the
8 main entrance, which is the -- we have a communal
9 entrance which is down the side of the row or the
10 middle of the two buildings that we -- you're probably
11 familiar with the space, right. Yeah, so on the
12 parking lot side is where I enter every day.

13 Q Is that a private entrance to your office?

14 A Yes.

15 Q And how far is that from the main entrance?

16 A It's the whole length of -- I guess half the
17 building. It's the length of our office. We have two
18 entrances. One comes in here and one goes into the
19 lobby.

20 Q Okay. So outside of the main entrance there
21 is only one other entrance into Ronati?

22 A Well, yeah. I had to think what your
23 question was. But yes.

24 Q Okay. What did you do once you got to work?

25 A It was unusual because when I walked in

1 Michelle, who I work with, was also here and it was
2 hot, it was a warm day, and our air-condition has
3 never not worked, but we looked and it was like, I
4 don't know, 87 on our thermostat, which is not normal.
5 It's normally in the 70s, because we keep the AC on.

6 So we looked at the thermostat, which I'm
7 looking at now, that's why my eyes moved, and we
8 opened it and it doesn't have any batteries so I knew
9 that electricity had to be tripped somehow. And
10 there's a breaker room that's through the main common
11 area past the bathrooms. So I --

12 Q Let me stop you there for a second.

13 A Sure.

14 Q What time did you get to the office?

15 A I think 8:45.

16 Q And about was it immediately that you were
17 looking at this thermostat?

18 A Within five or so minutes, yeah. Because it
19 was hot. We're like why is it hot in here, that's
20 unusual.

21 Q So then you said you and someone else walked
22 to the breaker room?

23 A I walked by myself.

24 Q Okay.

25 A The two of us were in the office and we were

1 trying to figure out why is it hot in here. So it
2 took us a few minutes to sort that out before I went
3 to the breaker room.

4 Q And describe again where the breaker room is.

5 A You go into the main lobby, you walk
6 straight through the lobby, there's bathrooms. The
7 women's on the left, the men's on the right. You turn
8 left, go past the women's. Which is when I passed by
9 somebody I never seen before.

10 I went to the breaker room, which is around
11 the corner. I opened the breaker room, went inside.
12 And we had had that -- whatever runs the AC, it's very
13 easily labeled in the breaker room, all the breaker
14 boxes. And so that one was tripped. So I turned it
15 back, walked back, went to the women's bathroom, went
16 back in our office and carried on with my day.

17 Q Okay. Let's go back to walking by the
18 individual that you had never seen before.

19 A Um-hum.

20 Q Where exactly were you when you past that
21 individual?

22 A Between walking into the space between the
23 women's and the men's room just before the women's
24 room. So heading around the corner, like almost
25 bumped.

1 Q And where was that individual walking
2 towards?

3 A I don't know because I kept going. I didn't
4 turn around and find out where that person walked
5 after they past me.

6 Q So he walked past you in the other direction?

7 A Yeah. So wherever that person was coming
8 from, whether it was the breaker room or one of the
9 other offices or wherever, he was coming past the
10 women's room and I was going to the opposite direction
11 towards the breaker room past him.

12 Q What did he look like?

13 A I just remember that he had brown hair and
14 was taller than me, medium built. I couldn't say
15 exactly the height or any real specifics. I did --

16 Q How tall are you?

17 A 5'5". So maybe he's 5'10", 5'9", 5'11". I,
18 I wasn't really, you know, needed to know, oh, what
19 did this person look like, you know.

20 Q Right. Do you remember if he had short brown
21 hair or long brown hair?

22 A Short.

23 Q Straight or curly?

24 A I can't answer that one.

25 Q Any gray in his hair?

1 A I wouldn't -- I would say no, but I don't --
2 again, wasn't looking that closely. It was just like,
3 oh, I never seen this person before. And because we
4 had had somebody in the breaker room and I was aiming
5 to the breaker room, I was a little bit like who's
6 that person, you know.

7 But did I clock him as, you know, he had
8 whatever color eyes or, no. It was just somebody I
9 quickly passed and didn't recognize.

10 Q Did you notice if he was of any particular
11 age range? Was he younger like teenage or older,
12 elderly?

13 A Neither of those. I would say middle.

14 Q Okay.

15 A Yeah.

16 Q Do you remember what he was wearing?

17 A I remember his sleeve and I only remember
18 this because the deputy that came in and asked us
19 questions about the day asked this question.

20 You ask me three months later somebody, or
21 six months later, what they were wearing, I wouldn't
22 answer. But I do remember because I answered that day
23 that I had attention on a tan sleeve, a long-sleeve
24 shirt.

25 Because there are a lot of vet's office --

1 there's a vet's hospital here, so people wear scrubs.
2 And this person reminded me more -- I grew up in San
3 Diego closer to a place called the Wild Animal Park
4 and they wore more, like, the Jack Hanna clothes. You
5 know, like the tan long sleeve.

6 And I just felt, oh, that was -- and it was
7 just that. And I only just -- like it was an instant
8 thought.

9 Q Button down or pullover?

10 A If I --

11 Q If you know.

12 A I don't -- I can't say 100 percent.

13 Q Okay.

14 A I would tend to think it was a button down.
15 But it was just because it reminded me of those shirts
16 that I would see growing up.

17 Q And if you had to guess, approximately what
18 time that was?

19 A Around the 9:00 hour.

20 Q After you passed this unknown male, what did
21 you do?

22 A Went to the breaker box, flipped our --
23 found our switch, flipped the switch, and came back,
24 went to the bathroom, because I was out there, and
25 then I went back to my office.

1 Q Going back to the identity of this
2 individual. Do you remember if he had facial hair?

3 A You know, there was something about some
4 facial hair here (indicating). But it was, it was
5 kind of like -- even when they were asking me about it
6 I couldn't definitively say. I just remember seeing
7 some kind of facial hair.

8 Q So not like a full grown beard?

9 A No. No. Whether it was like a mustache or
10 a goatee or -- there was some kind of facial something
11 here (indicating).

12 Q Okay. And you're motioning --

13 A Yeah.

14 Q -- like around the mouth area?

15 A Yeah. But not up here (indicating).

16 Q Okay.

17 A Yeah.

18 Q The -- when you returned to your office if
19 you saw the individual around 9:00, you flipped the
20 breaker, and then you went to the restroom and then you
21 returned to your office, so approximately what time do
22 you think you returned to your office?

23 A Five minutes later.

24 Q And what did you do after you returned to
25 your office?

1 A Carried on working at my computer and then
2 my boss, they had a meeting, a Zoom meeting, that was
3 gonna happen at 11:00. So she needed be to grab
4 something at Circle-K. And I drank a lot of water so
5 I had to go to the bathroom and I wanted to make sure
6 I would be back in time.

7 So I looked at my watch and I specifically,
8 as I walked to the women's room, saw it was 10:30.
9 That's the only timestamp of the day that I can be
10 definitive about. Everything else is roughly. So
11 that was at 10:30.

12 And I smelled a horrible bleach smell. I
13 was wearing a scarf. So I picked up the scarf and I
14 put it over my mouth, was in the bathroom and I was
15 like what on earth are they doing in the building.
16 And then I went back again putting the scarf over my
17 mouth as I walked through the hallway. I drove to
18 Circle-K.

19 When I came back -- let's say that's maybe
20 10:46 or something like that. I don't know how --
21 it's five minutes up the road or three depending on
22 the light. And I saw a vehicle that at first I
23 thought was my boss's husband because he has a black
24 Ford F150. And when I pulled in, I was like, oh,
25 Scott's here and I was like, oh, no, that's not his

1 car, it's not black and it's not, it's not him. And
2 that was literally my only thought.

3 So then I came in the office. And then --

4 Q Let me stop you there.

5 A Sure.

6 Q Where did you see the vehicle?

7 A That's -- I'm a little gray on that one. It
8 was --

9 Q Do you remember --

10 A -- within -- I kind of that day remembered
11 it was either in one of two spaces. It was either
12 right straight across from where -- the first parking
13 place next to the handicapped. So it would be
14 straight out of the walkway that goes between our two
15 buildings. If you went straight, it would be kind of
16 right there. Or it was a couple of spaces down. I'm
17 not 100 percent on that.

18 Q What made this vehicle stand out to you?

19 A Because I thought it was Scott. And I was
20 like, oh, Scott's here. And then I was like, oh, no,
21 it's not Scott.

22 Q And how did you realize it wasn't Scott?

23 A Because it wasn't a black car. It was maybe
24 a dark brown. But it was a similar -- it was like a
25 Ford F150. It was just a large truck. I don't know

1 trucks at all. I just know it wasn't black.

2 Q So it wasn't black and you say it was closer
3 to brown?

4 A Yeah. But not tan.

5 Q So a darker brown?

6 A Darker brown. Yeah.

7 Q So you see the truck and then you go back
8 into the building. How did you enter the building?

9 A Again, from the parking lot.

10 Q So from that private entrance into your
11 office not the --

12 A Um-hum. Not the main entrance.

13 Q Okay.

14 A Yeah.

15 Q What did you do once you got into your
16 office?

17 A Then I worked for a little bit on the
18 computer and then I needed to go grab food for my
19 boss. So that was around 11:00, 10- -- 11:15. And I
20 drove and then got her food, came back.

21 And then when I pulled into the parking lot,
22 I parked. I started walking in and on my way in I saw
23 Jake, who was the lawyer across the way and who I
24 later found out the husband, but I didn't know who the
25 guy was. There was the two of them. And they were

1 looking in around the parking lot, but their face was
2 very intent because I waved and they looked straight
3 through me like they didn't even see me.

4 I walked again into that entrance from the
5 parking lot, the private entrance, brought the food
6 in, because they were in that Zoom meeting. And then
7 I want to say maybe 1:30, 1:15, something like that,
8 Jake and the paralegal, I don't know her name, that
9 worked across, they came in asking if we had seen
10 Steven anywhere. And, because they were looking for
11 him. They said he was missing.

12 Q So back up to when you were walking into the
13 office. You said that you saw Jake and Jake is the
14 attorney that works in the building.

15 A There's two attorneys and a paralegal that
16 work across -- that used to work across the way.

17 Q Who is the individual that you saw with Jake
18 when you walked in the building?

19 A I didn't know him. I hadn't seen him
20 before.

21 Q Just a male?

22 A Yeah.

23 Q Okay. And you said around 1:15 is when Jake
24 and the paralegal who is a female --

25 A (Shakes head negatively.)

1 Q No.

2 A No. When I came back -- oh, when they came
3 in our office saying that he was missing. Yeah. But
4 not when I came back with the food. When I came back
5 with the food, I'm going to say it was around 11:30
6 that they were out, like, looking through the parking.

7 Q And did you know Steven Cozzi well prior to
8 this incident?

9 A No. You know, pass in the hallway.

10 Q Did you know his partner or boss Jake
11 Pillsbury well?

12 A No. Jake helped me with a flat tire one
13 day. That's about -- and, you know, just say hi and
14 when we'd get mail for the office kind of a thing.

15 Q Did you ever enter or exit the main entrance
16 that day?

17 A No. The only time I was in the common area
18 was to go from our office to the women's room or in
19 the morning to the breaker room.

20 Q Going back to when you smelled the bleach.
21 Were you able to determine where that smell was coming
22 from at the time?

23 A I could determine that it was somewhere not
24 the women's side but in the direction from the hallway
25 coming the other way.

1 Q Once you were in the women's restroom, were
2 you able to smell the bleach?

3 A I still smelled it, yes. I again had to
4 have my scarf over my face.

5 Q At some point were you given an opportunity
6 to -- did the officers provide you with photographs to
7 go through and make an identification?

8 A Yes, the following day.

9 Q And what was that process?

10 A They showed me -- I think it was six
11 pictures and I couldn't positively I.D. But one of
12 the two people that came up as possibly being the
13 gentleman I saw was later the person that I seen as
14 Tomasz.

15 Q When you were administered that photopack,
16 did you discuss with the detective your recollection of
17 the individual with the goatee?

18 A Discuss, what do you mean? Like, I said
19 that it could be like -- what I remember saying to
20 them was the first person wasn't him. It was a -- I
21 remember a blonde gentleman. There was something
22 about his eyes that I found they were creepy. That
23 was just the photograph. Sorry if he's not a person
24 of, you know, like -- anyway, it just kind of --

25 Q Okay.

1 A -- struck me the eyes were like something --
2 something struck me about the eyes in that photograph.

3 Second person was definitely not it. Kind
4 of think it was the third. But it might have been the
5 fourth was the dark-haired gentleman. And I said
6 there was something about his cheeks that were very
7 similar.

8 But he didn't have a goatee in the, in the
9 picture that I saw. But they, they said, you know,
10 before it started don't pay attention to hair color,
11 to, you know, facial hair, just look at the
12 individuals and see if this is the person that you
13 saw. And I said that that person looked like it, but
14 I couldn't positively I.D.

15 Because, you know, I'm not gonna say it
16 could be the guy up the street and then now he's in
17 trouble because I said it was him. Which it was
18 just -- it's something about the picture struck me as
19 familiar to the person I saw. But because there was
20 two of them, it was not a positive I.D.

21 And, again, it was very brief interaction of
22 just walking past somebody in a hallway.

23 Q After you walked past him and then you went
24 back to your office, did you have any conversations
25 with anyone about this male in the hallway that you

1 saw?

2 A No. Maybe I said something to Michelle
3 about, gosh, I passed somebody and because I was going
4 there it made me nervous or something. But I actually
5 don't know.

6 Q So --

7 A I don't think so.

8 Q Okay. If at the time you passed this
9 individual you felt threatened or concerned, is that
10 something that you would have told your boss or someone
11 in your office to document or was it just someone in
12 passing that you took note of?

13 A Right. It was someone in passing I took
14 note of.

15 Q Okay. Tell me about that area around your
16 building and the parking lot. Are there usually people
17 loitering in that area or around the area?

18 A No. There's, there's actually a lot of
19 activity there because of the vet's office or the vet
20 hospital.

21 Q Okay.

22 A So you see people dropping dogs off or
23 walking their dog, or. Our cars are pretty similar in
24 our little area. But sometimes people will be --
25 because there's a vet hospital, which is the building

1 A and we're building B, so they mainly park over in
2 front of the building A and that's where the activity
3 is and then in ours it's quieter.

4 But, you know, you'll see somebody taking
5 out the trash or the people that work in the vet
6 office walking back and forth.

7 Q Anywhere, anywhere around that building is it
8 common to see homeless people?

9 A No. We had one incident I would say maybe
10 eight months or -- I don't know, within the last year
11 I think it was. We had one drunk person that fell
12 asleep between the two buildings and we -- the police
13 came out and woke them up and moved them on their way.

14 I don't know, maybe they were drugged.
15 Whatever it was, they were sleeping. But they were
16 not -- they didn't appear homeless.

17 Q So are you able to see people going in and
18 out of the building from where your office is?

19 A Not from where I sit, no.

20 Q So when you see people entering and exiting
21 the building, it's if you're entering or exiting?

22 A It's if I'm entering or exiting or if I go
23 into Michelle's office. She -- her office is right
24 next to the lobby. Can't really see people walking
25 past in the lobby very easily. It's a very small

1 window. It's like, you know, pretty narrow. But you
2 can see, you know, like if one of the vet people walks
3 by you can see it's a vet person.

4 But when I stand in her office and I talk to
5 her, there's a larger window out into the center
6 whatever, walkway, between the two buildings and I see
7 a lot of -- I wouldn't say a lot but it's common to
8 see somebody walking a dog, one of the vet people.
9 The dog has to go to the bathroom, they need to take
10 it out for a walk, whatever the case, you'll see
11 people walking pretty --

12 Q Do you see --

13 A -- regularly there.

14 Q Do you see people carrying their animals in
15 crates or wagons or push carts in and out of the vet?

16 A Yes. I don't know about a push cart. I've
17 seen them carry their animals. I've seen a cat on
18 back of the -- you know, like one of those little
19 things. But it's usually dogs on leash.

20 Q Okay. Give me just a moment. I'm going to
21 review my notes.

22 Do you know anything about the incident on
23 the prior week, the 14th?

24 A Yeah. What I do know is the -- Deb, she
25 works for the vet's office. She came in. I don't

1 remember what time. I want to say morning, but I'm
2 not positive. I really don't know what time it was.

3 She came in and asked if we had a power
4 outage and we said no. And she said, well, there was
5 somebody that she caught in the utility closet, that
6 when she walked into the utility closet there was
7 somebody in there and he -- as he was leaving -- as
8 she was coming or she caught him or whatever, he said
9 that he was there to fix the power outage. She was
10 like we don't have a power outage. So she asked all
11 of the different offices here.

12 And at the time I don't know who, which
13 offices were -- if it was just the lawyers and us or
14 if there was still other people in the other spaces.
15 I think they were gone. Anyway, we didn't have a
16 power outage.

17 Q Did she describe what that individual looked
18 like?

19 A No. But later I asked her if -- after the
20 Tuesday incident with Steven I asked if he had brown
21 hair and she said yes. But that was --

22 Q Did you ask her, did you ask her if he had a
23 goatee?

24 A No.

25 Q Did the two of you discuss the -- whether or

1 not it could have been the same person?

2 A No. Because we didn't really talk much. We
3 have since. But no. I mean I don't think so.

4 MS. SELLERS: I believe that's all I have.

5 Bjorn, Willengy?

6 MS. RAMOS WICKS: I don't have any
7 questions. Thank you.

8 MS. SELLERS: State?

9 MR. VONDERHEIDE: I don't have any
10 questions.

11 MS. SPADARO: No questions.

12 MS. SELLERS: All right. We are all done.

13 You can -- you have the opportunity to read
14 this -- everything that we've done today will
15 be transcribed. You have the opportunity to
16 have them send that to you, you can read over
17 it to make sure that everything that you said
18 is accurate, or you can trust that our court
19 reporter has taken down everything as you said
20 it and waive that right. So that's up to you.

21 What you would like to do?

22 THE WITNESS: I'm sure it's right, but
23 it's probably wise to get a documentation of
24 it.

25 (The deposition was concluded at 11:00 a.m.)

ERRATA SHEET

DO NOT WRITE ON TRANSCRIPT -- ENTER CHANGES HERE

IN RE: STATE OF FLORIDA VERSUS TOMASZ KOSOWSKI

DATE TAKEN: SEPTEMBER 13, 2023

REPORTER: TAMMY KELLEY

PAGE NO.	LINE NO.	CHANGE	REASON
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Under penalties of perjury, I declare that I have read my deposition and that it is true and correct subject to any changes in form or substance entered here.

CAROLE CELESTE BACHER

CERTIFICATE OF OATH

STATE OF FLORIDA)
COUNTY OF POLK)

I, the undersigned authority, certify that
CAROLE CELESTE BACHER, virtually appeared before me
and was duly sworn.

WITNESS my hand and official seal this 20th
day of December 2024.

TAMMY KELLEY
NOTARY PUBLIC - STATE OF FLORIDA
MY COMMISSION NO. HH 216644
EXPIRES: 02/07/26



1 REPORTER'S DEPOSITION CERTIFICATE

2
3 STATE OF FLORIDA)4 COUNTY OF POLK)
5

6 I, TAMMY KELLEY, certify that I was authorized to
7 and did stenographically report the virtual deposition of
8 CAROLE CELESTE BACHER, that a view of the transcript was
9 requested and that the transcript is a true and complete
10 record of my stenographic notes.

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

17 DATED this 20th day of December 2024.

18 
19
20

21 TAMMY KELLEY
22
23
24
25

December 20, 2024

Ms. Carole Celeste Bacher
celeste.bacher@ronati.com

Dear Ms. Bacher:

Your deposition taken in State of Florida versus Tomasz Kosowski on September 13, 2023, has been transcribed. Per your request to review the transcript, it is being held at our office at 728 South New York Avenue, Lakeland, Florida.

Please call (863)500-3603 to make arrangements to do this during our regular business hours of 8:30 a.m. to 5:00 p.m.

Thank you for your prompt attention to this matter.

Sincerely,

