

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

STATE OF FLORIDA,

Plaintiff,

vs.

CASE NO. 23-02935CF

TOMASZ KOSOWSKI,

Defendant.

_____/

VIRTUAL DEPOSITION OF MICHAEL MONTGOMERY

DATE: August 2nd, 2024

TIME: 1:31 p.m.

PLACE: Various Remote Locations
Via Zoom Video Communications

REPORTER: KIMBERLY L. RENFROE, RPR

VIRTUAL
APPEARANCES:

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Assistant State Attorney
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Clearwater, Florida 33762
For the State

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1 DEPOSITION IN DISCOVERY

2 MICHAEL MONTGOMERY

3 Pursuant to notice duly given, the virtual
4 deposition of MICHAEL MONTGOMERY, called by the
5 Defendant in the above-styled cause, was taken by me, a
6 Notary Public in and for the State of Florida at Large,
7 at the time and place and in the virtual presence of
8 counsel enumerated on Page 2 hereof.

9 Thereupon, it was stipulated and agreed by and
10 between the attorneys for the respective parties, by and
11 with the consent of the said MICHAEL MONTGOMERY, that
12 signature to the said deposition be waived.

13 MR. VONDERHEIDE: Do you need to see his ID or
14 anything? I can identify him.

15 MR. BRUNVAND: No, I don't need to see it. We
16 can stipulate.

17 THE COURT REPORTER: Okay. So both the -- the
18 State Attorney has identified you as -- as Michael
19 Montgomery. My name is Kim; I'm the court
20 reporter. Normally I need to see ID, but everyone
21 here has stipulated, so you don't have to go to
22 that trouble.

23 If you don't mind, if you're ready to be sworn
24 in, raise your right hand and I'll get you sworn.

25 Do you swear or affirm that the testimony

1 you're about to give in this cause will be the
2 truth, so help you God?

3 THE WITNESS: I do.

4 THE COURT REPORTER: Thank you.

5 MICHAEL MONTGOMERY, having been first duly sworn
6 via Zoom Video Communications, upon interrogation in
7 discovery, testified as follows:

8 DIRECT EXAMINATION

9 BY MR. BRUNVAND:

10 Q. My name is Bjorn Brunvand. We're here on
11 State of Florida versus Tom Kosowski.

12 If you could please state your name?

13 A. Michael Montgomery.

14 Q. And, Mr. Montgomery, I am going to be asking
15 you some questions today. It's not my intent to cause
16 you any unnecessary stress or -- or -- or grief, but I
17 do have to ask you some questions, so I hope you
18 understand.

19 I will -- when you answer the questions, it's
20 important that you audibly answer them instead of either
21 shaking your head or nodding your head or answering
22 uh-huh or something like that, because it doesn't read
23 well on the transcript. All right?

24 A. Okay. Makes sense.

25 Q. All right. Very good.

1 Before we start talking about the facts that are
2 relevant to -- to this case, have you ever been
3 arrested?

4 A. I have been arrested, yes.

5 Q. Okay.

6 And what were the circumstances and where was that?

7 A. One was in Tampa, Florida. It was a criminal
8 mischief charge, I believe, that was dismissed. The
9 second was -- I want to say Saint Pete. That was a
10 trespassing charge. That one went to pretrial
11 intervention and then was dismissed.

12 Q. And how long ago was the -- the one that was
13 in Pinellas County that was dismissed pursuant to
14 pretrial intervention?

15 A. 2014.

16 Q. Okay. Very good.

17 That's it, as far as criminal charges?

18 A. Criminal charges; yes, sir.

19 Q. Okay. Very good.

20 How do you know Steven Cozzi?

21 A. Steven was my husband. I'm Steven's widower.

22 Q. Okay.

23 And when did you first meet?

24 A. We met July 13th, 2018.

25 Q. And was -- was he in -- had he graduated from

1 law school at that point in time?

2 A. He had. He graduated from law school in 2016.

3 Q. Okay.

4 And was he -- where was he working when you started
5 dating him?

6 A. I do not recall the name of the law firm; at
7 the time he was practicing family law.

8 Q. Okay. But it -- it was a different law firm
9 than the one he was working in on March 21st, 2023.

10 A. Correct. Yes, sir.

11 Q. Okay.

12 And -- and when did the two of you get married?

13 A. October 17th, 2020.

14 Q. All right.

15 The -- speaking of -- of March 21st, 2023, do you
16 recall seeing Steven leave your home that you shared,
17 that morning?

18 A. I did not see him actually walk out the door;
19 I was still in bed. I did see him within minutes prior
20 of leaving.

21 Q. Oh, okay.

22 And -- and when you saw him prior to leaving, you
23 said you were still in bed. Did you see what he was
24 wearing?

25 A. I did not. I was half asleep.

1 Steven would bring me coffee every morning before
2 he left for work. So he walked in, gave me a kiss on
3 the forehead and left.

4 So I guess I should restate that was the last time
5 I communicated with him. I don't recall if I actually
6 opened my eyes.

7 Q. Okay. Okay.

8 After he left, did he come back to the house at any
9 point in time?

10 A. No, sir.

11 Q. All right.

12 Did you, at some point, view any video footage of
13 him leaving the house?

14 A. I did. Yes, I ended -- I did check the
15 security camera after he had been reported missing.

16 Q. Okay.

17 And when you viewed the security camera, is that
18 like a Ring camera or --

19 A. It's a -- yeah, just a doorbell camera. It
20 senses motion.

21 Q. Okay. All right.

22 And what do you recall him wearing when he left the
23 house?

24 A. I recall -- and I could only see it or I only
25 recall it from his back; but he had a red cardigan of

1 some kind, and then just standard blue jeans.

2 Q. Okay. All right.

3 So you couldn't -- could you see what color shirt
4 or what type of shirt he had under the red cardigan?

5 A. I could not, no; not that I recall.

6 Q. All right.

7 The -- did you have any contact with him that
8 morning after -- after he kissed you goodbye.?

9 A. After he -- after he left the house, I did. I
10 would always -- it was a text message conversation.

11 Q. Okay. So would you sort of text him and say
12 good morning or what -- what -- what do you recall about
13 the text?

14 A. What I recall was pretty standard for what I
15 would send. I would send him five heart emojis. And
16 then he responded and said, I love you, too. And then
17 he followed up and said he couldn't believe how
18 expensive Costco was. And that was the last.

19 Q. Okay. Had -- had he been to Costco that
20 morning?

21 A. He went to Costco the night before.

22 Q. Okay. All right.

23 Had you seen him the night before?

24 A. I had, yes.

25 Q. All right. And -- but did you talk about

1 Costco or is this just something that randomly came to
2 mind and -- when he texted you the next day?

3 A. I believe he had mentioned that it was more
4 expensive, the night before. I -- I can't say for
5 certain, but it -- it's possible he did.

6 Q. All right.

7 So other than the text communication, do you have
8 any other communication that morning?

9 A. That morning as a whole?

10 Q. Right.

11 A. Okay. There was, when he -- as he was
12 leaving, as well, he did say something from downstairs
13 saying he couldn't find his wallet. And I had yelled
14 that to check the countertop. And so he grabbed his
15 wallet before he left.

16 Q. Okay. And I think you may have talked about
17 him sometimes misplacing his wallet and his keys; is
18 that accurate?

19 A. I -- what I would, the way I would actually
20 describe that more, he would sometimes, like, say, lock
21 his keys in the car. I just got in the habit, over the
22 years, of placing his keys and his wallet together so
23 that -- because that's what I do when I'm leaving. So I
24 had done that -- that for him as well, but apparently I
25 didn't do it the night before, so it just wasn't in the

1 place that he typically would find it.

2 Q. Okay. I think -- I think you -- you've
3 described him previously, though, as -- as maybe being a
4 little bit of an airhead and frequently misplacing keys
5 and wallet; is that -- is that accurate, or do you
6 recall?

7 A. I don't recall at this point, just given how
8 long it's been.

9 Q. The -- the phrase that actually I think you
10 may have used with scatterbrain.

11 A. Yeah, I would call him scatterbrain. I just
12 don't remember any specific instances other than
13 March 21st of him misplacing his wallet; but I would --
14 I would say he could be scatterbrained. Yes, he --

15 Q. And --

16 A. -- he was.

17 Go ahead.

18 Q. If you could elaborate on that. When you say
19 that -- that -- that he could be a scatterbrain what do
20 you mean by that?

21 A. He would -- he would, because of how
22 intelligent he was, he would at times get lost in his
23 head a little bit. Just, you know, while he was doing
24 house chores, he might start on one side, not finish
25 what he was doing and then go to the next. So maybe

1 more like A.D.D. would -- may have been a better term.

2 Q. Okay. Okay.

3 When you met, was he in -- was he in -- in recovery
4 at that time, as far as alcohol is concerned?

5 A. He was, yes, sir.

6 Q. Okay.

7 And -- were you also in recovery or no?

8 A. Yes, sir, I was.

9 Q. Okay. Did you meet in AA or --

10 A. No. We actually met through one of the dating
11 apps, I don't remember. Could have been Tinder or
12 Grindr. We just so happened to meet and both be in
13 recovery. But most of our introductory -- introductory
14 messages were on Facebook.

15 Q. Okay.

16 So my understanding that he had been in recovery
17 for about ten years.

18 A. His sobriety date was September 1st, 2013.

19 Q. Okay. All right.

20 And so it was almost ten years, basically, right?

21 A. Almost ten years. Yeah. Correct.

22 Q. And during the time that you knew him, was --
23 was there ever a time where you were concerned that --
24 that -- that he was going to potentially fall off the
25 wagon, as we might say?

1 A. So, through the totality of our relationship?

2 Q. Sure.

3 A. Okay. Okay.

4 I don't recall being concerned that he would ever
5 drink again.

6 Q. Right.

7 A. Or that -- or at any specific moment that he
8 would drink, no.

9 Q. Okay.

10 And did you ever see him drink?

11 A. No, sir.

12 Q. The -- you have -- I believe you have, and
13 others have talked about Steven having panic attacks or
14 anxiety.

15 A. Uh-huh.

16 Q. Could you -- could you tell us about that?

17 A. Yeah. Most of that, if memory serves, was
18 surrounding his 40th birthday back in 2021. You know, I
19 do think naturally, Steven may have -- was a bit of an
20 anxious person. I wouldn't always describe it as like
21 panic attacks. Around his 40th birthday, though, we
22 went on a trip to Georgia. And he was just having panic
23 attacks; more work-related.

24 I wouldn't say that it would be like surrounding
25 anything -- I -- I don't want to describe it as it

1 being, like, horrible. It's just that he had a couple
2 of nights where he woke up and he was just really
3 nervous about some of the cases on his workload. And so
4 we discussed talking to our general -- our -- our doctor
5 about like a low-dose medication just to help him.

6 Q. Okay.

7 And when you say our doctor are you talking
8 about -- is that an internal medicine doctor, or is it a
9 psychologist? What --

10 A. Primary care. Primary care physician.

11 Q. Primary care physician. Okay.

12 All right. And -- and do you know whether or not
13 he was prescribed medication for that then?

14 A. He was prescribed Prozac. I believe it was
15 the low -- not I believe; he told me it was the lowest
16 dosage.

17 Q. Okay. Steven told you that?

18 A. Yes. Uh-huh.

19 Q. Okay.

20 Did -- did you witness panic attacks?

21 A. I guess I'm trying to discern between what's
22 just normal anxiety and like a panic attack. You were
23 referring to, like, hyperventilating or just more his
24 anxiety revs up a bit?

25 Q. I -- I would say something that you would

1 consider a panic attack; whatever that is. And you can
2 describe, you know, what it is that you would think,
3 that maybe it -- you know, maybe it's on the border. I
4 don't know.

5 A. Yeah. The worst that I would say that it got
6 was occasionally again, around 2021, he would wake me up
7 at 2:00 or 3:00 in the morning, just nervous about
8 something going on in a case. I never -- I -- it -- it
9 would be borderline for me to call it a panic attack but
10 it very well could have been. But from my perspective,
11 he just had a lot of anxiety around work and turning 40
12 and all those things.

13 Q. Okay. All right.

14 You had indicated to Detective Compton, I believe,
15 back on March 21st, 2023, that -- that Jake Blanchard
16 sometimes made Steve feel uncomfortable. Can you
17 elaborate on that?

18 A. Yeah. The way that Steve would describe it is
19 on occasion, Jake Blanchard would get frustrated either
20 with other case stuff and he would close his office
21 door, and it was just apparent that Jake was upset about
22 something going on in the firm. And Steve would just
23 pick up on it and it would make him feel uncomfortable.

24 Q. Okay. All right.

25 Anything else?

1 A. Nothing that I recall, no.

2 Q. Okay.

3 What was -- that feeling of -- of -- of -- of -- of
4 discomfort, was that related to the -- the time period
5 around the time when he turned 40, when he would wake up
6 at night and be -- and wake you up at night and be
7 anxious?

8 A. I don't recall. I -- I think with -- or with
9 the Jake Blanchard making him, quote/unquote, feel
10 uncomfortable, that was just sort of an occasional thing
11 throughout his employment. So it wasn't -- I don't
12 remember it being any more or less at that time.

13 Q. Were there times when -- when Steven
14 contemplated not wanting to be an attorney anymore?

15 A. I hesi -- I don't want to use the word -- term
16 contemplate.

17 Q. Okay.

18 A. On -- when he would be a little overwhelmed at
19 work, he would jokingly say, Michael, I don't want to be
20 an attorney anymore. And we would kind of laugh.

21 Q. Okay.

22 A. But he -- he never, that I recall, never
23 seriously considered leaving the profession.

24 Q. Okay.

25 Do you -- do you recall telling Detective Compton

1 that -- that there were times when he would say that he
2 didn't want to be a lawyer anymore?

3 A. I recall contexting it with when he would be
4 frustrated with the case.

5 Q. Okay.

6 When -- when you're meeting with Detective Compton
7 on the 21st, your interview is audio recorded. Would it
8 be fair to say that when you were talking to
9 Detective Compton and he was investigating a missing
10 person report, and the missing person being your
11 husband, that you wanted to give him all the information
12 you could to possibly help him solve the missing person?

13 A. Yes, sir. Absolutely.

14 Q. Okay.

15 And would it be fair to say, while you may have
16 been upset, you know, because he's missing, that the
17 information that you would have provided to the
18 detective would have been truthful to the best of your
19 ability?

20 A. Yes, sir.

21 Q. Okay.

22 Have you listened to that interview? Have you had
23 a chance to listen to it?

24 A. I did not listen to it. No, sir.

25 Q. Okay. All right.

1 But -- but -- but we can agree that you wouldn't
2 have made anything up. I mean, what you said is -- it
3 would have been accurate.

4 A. It would have been accurate. Yes, sir.

5 Q. Okay. All right.

6 So you -- we talked about there were times when --
7 when he might say, because of the stress of the work,
8 that I don't want to be a lawyer. Right?

9 A. Yes, sir.

10 Q. And today you're -- you're saying it was
11 primarily jokingly.

12 Do you recall whether or not you told the detective
13 that it was jokingly or that, you know, that was
14 something that he said, but without putting the jokingly
15 qualifier on it?

16 And if you don't recall, that's fine.

17 A. Yeah, I don't recall. And I -- I will
18 clarify. I -- there were times where he -- he was
19 saying it out of frustration. He wasn't just laughing.
20 So I do want to clarify that. I'm not trying to split
21 from what I initially said from the detectives; but it
22 often just ended in just sort of a laugh because he was
23 frustrated. No more different than in my job when I get
24 frustrated and I don't want to do what I do for that
25 moment.

1 Q. Sure.

2 A. I don't -- if I can clarify it better.

3 Q. Sure. That that's very helpful. Thank you so
4 much.

5 A. You're welcome.

6 Q. And what do you do?

7 A. Currently, I'm a business analyst.

8 Q. Okay. What is that?

9 A. It -- I handle 1099 5498 retirement reporting
10 for a fintech company.

11 Q. Okay. Very good.

12 You -- you also indicated, I believe in the July
13 Arthur Hearing, that Steven also loved being a lawyer.
14 Is that accurate?

15 A. He did love it. Yes.

16 Q. Okay. Why don't you elaborate a little bit on
17 that?

18 A. He loved handling different types of difficult
19 legal situations. He loved doing the research. He
20 loved when he was representing his clients in a hearing
21 and he would get a big win. He just really loved pretty
22 much anything about the job. I mean, obviously like we
23 discussed, it's a -- it's a stressful job, but it
24 brought out passion in him. So I could just see how
25 much he loved it.

1 Q. Okay. So there are good days and bad days;
2 but overall, would you say he loved it more than he
3 hated it?

4 A. Absolutely. I -- I would say 80/20.

5 Q. Okay.

6 A. More often than not he was happy coming home.

7 Q. Okay.

8 Do you recall when you received a phone call or
9 some sort of a message that -- that your husband was
10 missing, that Steven was missing?

11 A. I do recall, yes.

12 Q. When was that?

13 A. Around noon on March 21st.

14 Q. Okay.

15 And was it a phone call?

16 A. It was a Facebook message.

17 Q. Okay. All right.

18 Like Facebook Messenger-type message?

19 A. Correct. Yes, sir.

20 Q. And who was it from?

21 A. It was from Jake Blanchard's assistant, Becca.

22 Q. All right. And do you recall what it said?

23 A. It asked me if I had taken Steven out to
24 lunch.

25 Q. Okay. And do you recall --

1 A. I replied no.

2 Q. And then was -- what was the follow-up?

3 A. I don't recall if there was an additional
4 third message. At some point, very quickly, I spoke to
5 Jake Blanchard on the phone, who had told me that Steven
6 had gotten up to go use the restroom and never came
7 back, and that Steven's phone and wallet and possessions
8 were still at his desk.

9 Q. Okay.

10 Did it initially surprise you that he -- that his
11 wallet and keys would be on his desk?

12 A. That they would be on -- let me clarify. That
13 they would be on his desk, or that they would be on his
14 desk without him at the office?

15 Q. On -- on his desk without him being present.

16 A. It did surprise me, yes.

17 Q. Okay. And I asked that because, you know, the
18 discussion we had about him somehow being somewhat
19 being -- sometimes being a scatterbrain.

20 A. I understand. But it did -- it did surprise
21 me.

22 Q. Okay. All right.

23 And so how long would you say you were on the phone
24 with -- with -- with Jake Blanchard before you go to the
25 office?

1 A. Minutes. Just a couple of minutes.

2 Q. Okay.

3 How far from the office did you guys live?

4 A. Roughly 15 minutes, give or take, with
5 traffic.

6 Q. All right.

7 I think -- I think you had indicated at one point
8 that Steven was uncomfortable walking in the vicinity of
9 the office building. Tell me about that.

10 A. A couple of weeks prior, Steve got a flat tire
11 when he was at Publix, and him and Jake Blanchard got
12 his car to a -- a tire repair shop that was very close
13 to the law firm. And when his car was -- when his tire
14 was fixed and, you know, they got it all taken care of,
15 Steven was uncomfortable with walking down Belcher Road
16 by himself because it's a busier road; which did not
17 surprise me at all. So I went and picked him up at the
18 law firm and brought him the maybe half a mile or
19 quarter of a mile up the road to the tire shop.

20 Q. All right. So he was uncomfortable because
21 Belcher Road is a busy road?

22 A. Correct.

23 Q. All right.

24 Now there's sidewalks -- right? -- on -- on -- on
25 Belcher Road?

1 A. Yes. Yes.

2 Q. What -- did his -- his concerns about walking,
3 did -- did it have anything to do with there being
4 homeless people in the area?

5 A. No.

6 Q. Okay. Strictly the traffic.

7 A. Strictly the traffic.

8 Q. Okay.

9 Do you recall in the Arthur hearing describing
10 Steven Cozzi as being very non-confrontational and maybe
11 unable to defend himself?

12 A. I -- I don't recall stating that, but I would
13 agree with that.

14 Q. Okay. All right.

15 And could you elaborate on -- on why you would
16 agree with that?

17 A. As far -- I'll start with the not being able
18 to defend himself. Steven was five foot eight, was not
19 particularly strong. To the best of my knowledge, he
20 had never taken any type of self-defense class. So
21 that's what I would have meant about unable to defend
22 himself.

23 As far as non-confrontational, he was just not the
24 type of person that would get in your face or try to
25 start a type of shouting match or anything like that.

1 Steven was very good at sitting down and talking things
2 out like grown adults. It's one of the things that made
3 us work so well.

4 Q. Okay. All right.

5 The -- yeah, I think you also indicated to
6 Detective Compton that -- that Steven frequently liked
7 to -- I can't even read my own -- my notes here -- troll
8 political -- what is it? On Twitter? What -- what was
9 that about?

10 A. Oh. So Steven had a Twitter account and one
11 of the things that he liked to do, typically when we
12 were sitting around watching TV, would go find
13 conservative pundits and things, and he would just like
14 to make snarky little comments on their Twitter feed.

15 Q. Okay.

16 A. It was -- it was adorable, actually, to me.

17 Q. Okay.

18 So doesn't sound like he was a Trump supporter.

19 A. No, no.

20 Q. Were you at -- at all aware of -- of any
21 issues with the homeless population in the general
22 vicinity of the office?

23 A. I was not aware of the issues with homeless
24 people in the area until March 21st of 2023.

25 Q. Okay. And how did you become aware at that

1 time?

2 A. I'll preface it: While we were at the vet
3 clinic or the building, I had an individual, I don't
4 know who she was but she may have worked for the vet
5 clinic, who had come up and asked me about if there
6 was -- if I was aware that there was a homeless
7 person -- that's the way she described it -- living or
8 staying in the closet. Apparently they -- they thought
9 they had seen a homeless person or a person in the
10 closet.

11 Q. Okay. And the closet, do you know what --
12 what closet the person was referring to?

13 A. I don't recall, no.

14 Q. Okay. But some closet in that building,
15 presumably.

16 A. Correct. Correct.

17 It was a -- a note in passing. I don't even
18 remember.

19 Q. Sure. Sure.

20 What about -- anything about individuals loitering
21 in the parking lot of 1501 Belcher Road; was that ever
22 reported to you by anyone?

23 A. Not that I recall.

24 Q. Okay.

25 The -- I believe on -- on the July 2023 Arthur

1 Hearing that you had indicated that Steven was attending
2 extra AA meetings; do you recall that?

3 A. I recall mentioning that he had upped his --
4 upped his meeting. He was -- he was going to a new
5 meeting, a men's meeting Saturday mornings.

6 Q. Okay.

7 A. But he --

8 Q. And do you know why he upped his meetings?
9 Could you elaborate on that?

10 A. Absolutely.

11 He upped his meetings because he had a new AA
12 sponsee. And so he was meeting with them Saturday
13 morning so that they could go to the meeting and then
14 sit down and talk.

15 Q. Okay.

16 A. So he was helping somebody with their AA
17 program.

18 Q. Okay. So -- so he would have been the sponsor
19 and -- and another individual was a sponsee; is how they
20 referred to it?

21 A. Correct. That -- that was what he had
22 explained to me.

23 Q. Okay. All right.

24 And I'm assuming you don't know who that is because
25 AA is anonymous, right?

1 A. Correct.

2 Q. Did you guys go to AA meetings together?

3 A. Not often. We kept our programs a bit more
4 separate.

5 Q. Okay. All right.

6 Any particular reason for that or --

7 A. I just don't think he liked the meetings that
8 I went to.

9 Q. Okay.

10 A. So. And that's pretty common in AA that
11 couples -- because going to a meeting with your
12 significant other can distract you from the reason that
13 you're there, which is to help other people.

14 Q. All right.

15 How long have you been going to AA?

16 A. I've been attending AA -- gosh, I don't even
17 remember my first meeting, to be honest. It's been a
18 long time.

19 Q. More than a decade?

20 A. More than a decade, yes.

21 Q. Did you know Jake Pillsbury prior to
22 March 21st, 2023?

23 A. No, sir.

24 Q. Okay. You've never seen him socially?

25 A. Not that I recall.

1 Q. Okay. And you don't recall Steven talking
2 about him or anything like that?

3 A. I do recall around January -- around the time,
4 like January 26th, that time frame, that Steven had
5 mentioned that he was working this case with a --
6 another attorney who was outside of Jake Blanchard's law
7 firm. I -- I did recall a few phone calls. I couldn't
8 actually hear what they were saying, but Steven would
9 tell me, oh, I'm talking to the other attorney, along
10 those lines; but I wasn't really familiar with who he
11 was.

12 Q. Okay. Did it -- did it appear to you to be
13 primarily a business relationship rather than a
14 friendship?

15 A. Yes.

16 Q. Okay.

17 Did -- did you and Steven have any marital issues
18 leading up to March 21st, 2023?

19 A. No, sir.

20 Q. I believe you had indicated, when they were
21 investigating the missing person part of the
22 investigation, that he had been in communication with an
23 ex-boyfriend named Alan. Do you recall that?

24 A. I recall being asked about any ex-boyfriends
25 and informing them of Alan, which was the name that I

1 knew. I don't recall stating that they had been in
2 recent contact, though it's likely they would have been.

3 Q. Okay.

4 Would -- would -- do you recall Alan's last name?

5 A. No, not off the top of my head.

6 Q. Do you know where Alan lives?

7 I mean, I don't need the address necessarily, but
8 does he live in Pinellas County? Does he live --

9 A. No. No, he's -- he's out of state.

10 Q. Out of state. Okay.

11 Is he the same person that he had lived with in
12 New York City, or is that someone different?

13 A. I believe that's somebody different.

14 Q. Okay.

15 A. They may have both lived there, though.

16 Q. Okay.

17 What do you know about the roommate that he lived
18 with in New York City as far as their relationship?

19 A. That one Steven described it as more of a
20 hostile, or -- I don't even want to use the word
21 hostile. I'm trying to think of the right -- volatile
22 relationship.

23 Q. Okay. Okay.

24 Was -- was Steven a victim of domestic violence in
25 that relationship that you know of?

1 A. Based on the descriptions, I would say, yes.

2 Q. Okay. And -- and if you could elaborate a
3 little bit about the descriptions that -- what he told
4 you.

5 A. He -- he said something along the lines of
6 being punched in the face once.

7 Q. Okay.

8 Did he indicate whether or not law enforcement was
9 involved in investigating that?

10 A. He did not, or I do not recall him indicating
11 that.

12 Q. Okay.

13 Do you -- do you -- did he indicate whether or not
14 this incident occurred in close proximity to the time
15 that he decided to leave and -- and then move back with
16 his parents in Virginia?

17 A. I don't recall him saying that. No.

18 Q. Okay.

19 Do you know if he was still in touch with that
20 individual?

21 A. I know that they had a few email conversations
22 shortly after Steven becoming sober, where they had made
23 amends, as Steven described it. He did not go into the
24 details of them, but simply said that they had made
25 amends. And that's the only conversation I recall him

1 mentioning.

2 Q. Is that part of the AA, sort of 12 Steps, to
3 make amends with people that have been in your life?

4 A. It is, yes, sir.

5 Q. Okay. All right.

6 Is that like one of the steps?

7 A. That would be step nine.

8 Q. Step nine. Okay. Thank you.

9 A. Yeah.

10 Q. You had indicated on -- on or about
11 January 26th is when you first, I think, made the
12 connection with Jake Pillsbury and -- and Steven talking
13 to Mr. Pillsbury.

14 What -- what did Steven tell you about January
15 26th, if anything?

16 A. Initially he sent me a text saying something
17 like -- I don't know if I'm allowed to curse here, but
18 I -- like: That fucking doctor called me a scumbag.

19 Q. Okay.

20 A. Later on, after he had come home, what Steven
21 had said was that the doctor had called him a scumbag;
22 something along those lines.

23 I'm obviously paraphrasing. I don't recall it off
24 the top of my head.

25 That the doctor had called him a scumbag and that

1 he would win in the end. And then Steven told him to go
2 to hell and walked out and went back and -- they were
3 having a deposition, I believe, or some kind of lawyer
4 thing.

5 Q. Is that -- for Steven to tell someone to go to
6 hell, is that -- you find that surprising, or is that
7 something that he would say or --

8 A. Honestly, the way that he described it, that
9 he said it as he was walking out of the bathroom, did
10 not surprise me.

11 Q. Okay. Okay.

12 Do you know whether or not the deposition had
13 concluded at the time when -- when these comments were
14 being made or --

15 A. I don't recall.

16 Q. Okay.

17 What else, if anything, did he tell you about
18 Tom Kosowski?

19 A. Throughout our -- like the whole totality of
20 the case?

21 Q. Yes.

22 A. Okay. I just want to clarify, I apologize. I
23 wasn't sure if we were talking about just that day.

24 Q. I'm sorry. And maybe start at the beginning.

25 When did -- when do you first hear anything about

1 Tom Kosowski or someone who you now believe would be
2 Tom Kosowski?

3 A. I don't recall the -- the -- the -- I don't
4 have a good reference on the time frame. Steven and I
5 would talk about his case -- like cases, high level.
6 Obviously he never told me what really they were about.

7 But he would, you know, review his day. Sometime,
8 I would -- I would say within the first -- within the
9 year prior to the event, maybe a bit before that, he
10 would start describing this doctor that was representing
11 himself. And he would just talk about it; sort of that
12 he was -- it was a frustrating situation because Steve
13 perceived that this doctor was a bit aggressive towards
14 him. Steven would talk about being frustrated because
15 apparently the doctor did not know how to use Dropbox,
16 and so it was just causing a lot of issues in the case.

17 Steven had texted me at one point -- I believe it
18 was towards the end of December, that time frame at
19 least -- that the doctor -- and again, that's -- he
20 probably used the term that fucking doctor -- was trying
21 to get him kicked off of the case. And then he told me
22 about January 26th, which we talked about.

23 Q. Right.

24 A. And then we had a conversation the Sunday
25 prior to Steve's murder where I had talked to Steven

1 about my concerns, and then -- then potentially getting
2 some kind of on-site security, something -- you know, I
3 don't know how that works, but just somebody else there
4 if they had to meet with this -- with Dr. Kosowski
5 again.

6 And that is what I can recall in the moment.

7 Q. You -- you had brought up security or he
8 brought up security?

9 A. I had brought up security. His response was
10 that Jake Blanchard said he would never let -- that
11 Dr. Kosowski would never be allowed back in the law
12 firm.

13 Q. Okay. And so therefore, security was not
14 required?

15 A. Correct.

16 Q. Okay. Okay.

17 Do you recall describing the relationship between
18 Steven and Tom Kosowski as semi-confrontational?

19 A. I don't recall using those words.

20 Q. Might those be words that you might have used?

21 A. Yeah, that -- that sounds like the way I would
22 typically phrase something.

23 Q. Okay. And what would that -- what would that
24 mean?

25 Is that -- how -- how would you describe them being

1 semi-confrontational?

2 A. I would -- I would say confrontational would
3 be borderline physical.

4 Q. Right.

5 A. So if I was confrontational with somebody, I
6 was -- I would be looking to physically, you know,
7 potentially have an issue; versus semi-confrontational
8 was a lot of words, a lot of confronting somebody in a
9 bathroom but not actually physically imposing yourself
10 on them.

11 Q. Okay. Very good.

12 When you arrived at the office on March 21st, did
13 Mr. Blanchard suggest that Tom Kosowski had -- had
14 anything to do with the disappearance of -- of Steven
15 Cozzi?

16 A. I don't recall him suggesting Kosowski being
17 the person responsible.

18 Q. Okay.

19 You -- you indicated that, at -- at the Arthur
20 Hearing, that you had checked to see if there was any
21 activity on credit cards or financial accounts the
22 weekend prior to -- I think the Sunday prior to the
23 hearing, I believe if I'm -- if I remember correctly, or
24 at least some time that weekend; and that you didn't see
25 any activity. Is that accurate?

1 A. Correct, yes.

2 Q. Okay.

3 Has there been any communication by email, letters,
4 telephone or any other way from Steven Cozzi since
5 March 21st, 2023?

6 A. No, sir.

7 Q. With you or with anyone else; family members
8 or friends?

9 A. No, sir.

10 Q. Are there credit cards still active that
11 belong to Steven Cozzi or that were joint credit cards
12 between the two of you?

13 A. Whether they're active or not would be a
14 better question for Steven's executor, the estate
15 executor, Lois.

16 Q. Okay.

17 A. To the best of my knowledge, those were all
18 dealt with, with the estate attorney.

19 As far as joint cards, we didn't -- we did not have
20 any joint credit cards. We had our joint bank account,
21 which is still actually active, that I still utilize it.

22 And then would there -- was there a third part to
23 that question? I apologize.

24 Q. No. No, there was --

25 A. Okay.

1 Q. -- not.

2 A. Okay.

3 Q. So -- so the joint credit card -- I mean, the
4 joint bank account, you -- that's still open and it's in
5 both names?

6 A. It is. Yes.

7 Q. Have there been any unexplained withdrawals
8 from -- from the joint accounts?

9 A. No, sir.

10 Q. Do you recall law enforcement contacting you,
11 and updating you about their investigation, where it
12 transitioned from a missing person investigation to a
13 murder investigation?

14 A. I do recall that, yes.

15 Q. And where were you when that happened?

16 A. I was home.

17 Q. Do you recall what time of day or night you
18 were contacted?

19 A. It was very early in the morning. I -- either
20 the 25th or the 26th of March.

21 Q. Okay.

22 And do you recall did someone come to your house?

23 A. I do. Detective Bolton and I believe
24 Detective Hunt, if I recall -- those are the two main
25 detectives I had been discussing -- yes, they came to my

1 house.

2 Q. Okay. Were you -- were you home alone when
3 they came to your house?

4 A. I was home with my stepfather.

5 Q. Okay. Well, your stepfather what -- what's
6 his name?

7 A. It's Bryan.

8 Q. I'm sorry?

9 A. Brian.

10 Q. Brian. Okay.
11 Last name?

12 A. Seggerty.

13 Q. Okay.

14 And what -- what -- what did they tell you when
15 they came to the house?

16 A. They informed me that they had charged
17 somebody with -- with murder. I don't remember if they
18 said first-degree murder, but they said murder. And
19 that they had informed me that they had not located
20 Steven's remains yet.

21 Q. Did they tell you who they had charged with
22 the murder?

23 A. Honestly, I don't recall if they said the
24 specific name. I was in an elevated state of emotions
25 at the time.

1 Q. Understood. Understood.

2 And was -- was your stepfather there when -- when
3 they -- when they conveyed this information to you?

4 A. He was. Yes.

5 Q. And what do you do after they tell you about
6 the status of the case, the arrest?

7 A. I -- once they had left, I called Lois and
8 George. They did -- I do recall, they did inform me
9 that there was going to be a media post or like a, you
10 know, they would update the media. Because that -- just
11 because of obvious reasons. And so I had called George
12 and Lois to come to my house so that I could inform them
13 prior to them hearing about it on the -- on the news.

14 Q. Okay. Okay.

15 And -- and had there been a lot of media leading up
16 to the arrest?

17 A. There had been. Yes.

18 Q. Okay. And that continued after the arrest?

19 A. It did. Yes.

20 Q. Do you -- did anyone ever, from law
21 enforcement, indicate to you what it is that they
22 believe had happened to Steven?

23 A. The most detail that I can recall was that
24 they believed that Steven had been murdered in that
25 bathroom.

1 Q. Okay.

2 Any -- any details about how they believe that he
3 may have been murdered in the bathroom?

4 A. No. I never asked.

5 Q. Okay. Okay.

6 Did -- did -- when you were there -- when you
7 arrived at the office -- and you were there for an
8 extended time period on March 21st; is that correct?

9 A. Yes, sir.

10 Q. Did you enter that bathroom at any time?

11 A. No, sir.

12 Q. Okay.

13 Okay. I believe you also had indicated in the
14 Arthur Hearing that -- that Steven had ended up in a
15 landfill. Do you recall saying that?

16 A. I do, yes.

17 Q. Did someone at some point tell you that he
18 ended up in a landfill?

19 A. Yes. I -- yes. I actually -- I apologize. I
20 was -- sometime in April I was informed by
21 Detective Bolton that that is -- that they had -- they
22 believed that Steven -- Steven's remains were in the
23 landfill.

24 Q. Okay.

25 Do you know if this was before or after they did

1 the exhaustive search of the landfill?

2 A. After.

3 Q. Okay.

4 A. Yeah.

5 Q. Did he tell you that they didn't find any
6 evidence of him being in the landfill?

7 A. No, they did not say that to me. No.

8 MR. BRUNVAND: I am going to take a little
9 break and -- and call my co-counsel, and I'll be
10 right back.

11 And I'll tell you what, I'll pause the
12 recording while I'm doing that as well. So just --

13 (A brief recess was taken at this time.)

14 MR. BRUNVAND: We're good to go?

15 MR. VONDERHEIDE: Yep.

16 MR. BRUNVAND: Okay.

17 Q. (By Mr. Brunvand) All right. Mr. Montgomery,
18 the -- the joint accounts that -- that you and Steven
19 had, what bank were those with?

20 A. Wells Fargo Bank.

21 Q. Okay. All right.

22 Was there -- was there an entry in the -- on the
23 bank records that indicated that Steven had stopped by
24 Dunkin Donuts on March 21st?

25 A. You're on the Wells Fargo statement?

1 Q. Yes. Or on any of the -- any of your
2 accounts; any of the accounts that you reviewed.

3 A. There was a Dunkin Donuts transaction.

4 I apologize. I'm trying to remember what bank it
5 was.

6 Steven had a TD Bank account that was solely in his
7 name that we had linked through -- through another --
8 like through a third-party aggregator.

9 Q. Right.

10 A. And there was a Dunkin Donuts transaction that
11 was either on the Wells Fargo that I would -- that I saw
12 on there, but I believe it was on the TD Bank account
13 that was solely in his name.

14 Q. Okay.

15 A. I don't recall if it was March 21st. Likely
16 would have been days prior to that because that data
17 funnels through slowly.

18 Q. Okay. All right.

19 But whatever the date is in the record, I -- I
20 assume is the date, at least that it -- that it -- that
21 it hit the account; and -- and when the actual
22 transaction took place you don't know?

23 A. I don't. I don't have access to his TD bank
24 statements.

25 Q. Okay.

1 A. So I was using the aggregator. It was a best
2 guess tool.

3 Q. What's -- what's an aggregator?

4 A. It is a -- it was through Rocket Money. We
5 had added all of our different accounts, credit card
6 accounts, debit accounts, things like that to it, so
7 that we could get an aggregate -- like an overall
8 picture of our finances. So that's what I was forced to
9 use to try to see if there were any transactions.

10 Q. Okay.

11 The -- I believe during the break that we took
12 the -- Mr. Vonderheide talked to you about the victim
13 impact statement. And other than talking to you about
14 the fact that in the future, you may be preparing a
15 victim impact statement, is it fair for me to assume
16 that you have not prepared such a statement as of yet?

17 A. Yes. I have nothing written.

18 Q. Okay. And so a victim impact statement may be
19 a statement that you write and you read, or someone else
20 reads it on your behalf, or you could potentially
21 testify. If you were to testify, we may want to talk to
22 you again when we get closer to that point in time.

23 Are you okay with that?

24 A. I'm perfectly fine with it. Yes, sir.

25 Q. Okay.

1 Not specifically to this case, but -- but
2 generally, do you know if Steven had any strong feelings
3 for or against the death penalty?

4 A. Steven and I did not talk about the death
5 penalty, but I recall Lois saying that she believed he
6 was -- he was against it.

7 Q. Okay. Okay.

8 What about you? Have -- have you had, in your,
9 life, strong feelings for -- for or against the death
10 penalty, generally, not specifically as to this case?

11 A. My whole life, prior or before -- after this
12 case?

13 Q. Prior to this.

14 A. Prior to this case, I would say I leaned
15 towards being against it. But it was not a -- I did not
16 have a strong opinion either way.

17 Q. All right.

18 And generally, since this case, has -- has that
19 changed or you're not comfortable answering that at this
20 point?

21 A. I would say it has evolved.

22 Q. Okay.

23 A. I would -- I would describe myself as somebody
24 who still leans a bit more against it, but in certain
25 circumstances, not -- not including this case, my

1 perception has changed. And there are certain
2 circumstances where I would say it is warranted.

3 Q. Okay. Okay.

4 MR. BRUNVAND: I don't think I have any other
5 questions. I -- I appreciate your time. And I'm
6 going to check to see if -- if -- I don't believe
7 my co-counsel has any questions.

8 So, Mr. Vonderheide, do you have any
9 questions?

10 MR. VONDERHEIDE: I don't.

11 MR. BRUNVAND: Okay.

12 So if -- if this is transcribed, you have the
13 option to read or waive. And I think you discussed
14 that with Mr. Vonderheide when we had the break.

15 Do you want to read or do you want to waive?

16 THE WITNESS: I guess I'll waive.

17 MR. BRUNVAND: Okay. Okay. All right.

18 I have no other questions. I appreciate your
19 time. And that's the end of the -- the deposition.

20 THE WITNESS: Wonderful. Thank you very much.

21 MR. VONDERHEIDE: Thanks, Michael.

22 MR. BRUNVAND: All right. Take care.

23 THE WITNESS: You, too. Thank you very much.

24 MR. BRUNVAND: Bye-bye.

25 THE COURT REPORTER: Thank you everyone.

1 MR. BRUNVAND: Have a good weekend.

2 MS. SELLERS: Have a good weekend, everyone.

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4 THEREUPON, the virtual deposition was
5 concluded at 2:34 p.m.
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CERTIFICATE OF OATH

STATE OF FLORIDA

COUNTY OF PINELLAS

I, the undersigned authority, certify that
MICHAEL MONTGOMERY personally appeared before me via
Zoom Video Communications on August 2, 2024 and was duly
sworn.

Witness my hand and official seal this 27th
day of September, 2024.


KIMBERLY L. RENFROE, RPR



Notary Public, State of Florida
Commission No.: HH 80650
Expiration date: 1/31/25

1 REPORTER'S DEPOSITION CERTIFICATE


2 STATE OF FLORIDA

3 COUNTY OF PINELLAS

4 I, KIMBERLY L. RENFROE, Registered Professional
5 Reporter, certify that I was authorized to and did
6 stenographically report the virtual deposition of
7 MICHAEL MONTGOMERY; that a review of the transcript was
8 not requested; and that the transcript is a true and
9 complete record of my stenographic notes.

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

15 Dated this 27th day of September, 2024.

16
17 
18 KIMBERLY L. RENFROE, RPR

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20
21 (Transcript was ordered by Bjorn E. Brunvand,
22 Esquire, on September 11, 2024.)
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24
25