

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

CASE NO.: 23-02935-CF

STATE OF FLORIDA,

Plaintiff,

vs.

TOMASZ KOSOWSKI,

Defendant.

VIDEOCONFERENCE

DEPOSITION OF: MICHELE WEISENSEE

DATE TAKEN: December 5, 2023

TIME: 4:15 p.m. to 4:24 p.m.

PLACE: Via Zoom videoconference

STENOGRAPHICALLY REPORTED BY:

Lori A. Seiden, RPR, FPR-C

Notary Public, State of Florida at Large

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

1 APPEARANCES:  
(Appearing via Zoom videoconference)

2 NATHAN T. VONDERHEIDE, ESQUIRE  
3 eservice@flsa6.gov  
4 ALEXANDRA G. SPADARO, ESQUIRE  
eservice@flsa6.gov  
Office of the State Attorney  
5 County Justice Center, 14250 49th Street North  
Clearwater, Florida 33762  
6 (727) 464-6221

7 Appearing on behalf of the Plaintiff

8  
9 AMANDA POWERS SELLERS, ESQUIRE  
amanda@thepowerdefense.com  
10 Amanda Powers Sellers, P.A.  
6344 Roosevelt Boulevard  
11 Clearwater, Florida 33760  
(727) 531-2926

12 - and -  
BJORN E. BRUNVAND, ESQUIRE  
13 bjorn@acquitter.com  
- and -

14 WILLENGY RAMOS WICKS, ESQUIRE  
willengy@acquitter.com  
15 Brunvand Wise, P.A.  
615 Turner Street  
16 Clearwater, Florida 33756  
(727) 446-7505

17 Appearing on Behalf of the Defendant  
18  
19  
20  
21  
22  
23  
24  
25

C O N T E N T S

TESTIMONY OF MICHELE WEISENSEE	PAGE
DIRECT EXAMINATION BY MS. POWERS SELLERS	4
ERRATA SHEET	13
CERTIFICATE OF OATH	14
CERTIFICATE OF REPORTER	15
WITNESS NOTIFICATION LETTER	16
EXHIBITS	NONE

1           The deposition of MICHELE WEISENSEEE was taken  
2 pursuant to notice by counsel for the Defendant on the  
3 5th day of December, 2023, commencing at 4:15 p.m., via  
4 Zoom videoconference. Said deposition was  
5 stenographically reported by Lori A. Seiden, RPR,  
6 FPR-C, Notary Public, State of Florida at Large.

7                               - - - - -

8                               MICHELE WEISENSEEE,  
9 a witness, having been duly sworn to tell the truth,  
10 was examined and testified upon her oath as follows:

11               THE WITNESS: Yes, I do.

12                               DIRECT EXAMINATION

13 BY MS. POWERS SELLERS:

14           Q. Ms. Weisensee, my name is Amanda Sellers. I  
15 represent Dr. Kosowski. I, along with my colleagues,  
16 will probably be -- may have some questions for you in  
17 addition to mine.

18               Have you ever given a deposition before?

19           A. I have not.

20           Q. Okay. So it's very easy. I'm going to ask you  
21 questions; you're going to tell me the truth. If you  
22 don't know the answer, you're going to say, "I don't  
23 know."

24           A. Yes, ma'am.

25           Q. Can you please state your full name?

1 A. Yes. Michele Weisensee.

2 Q. Where are you employed?

3 A. Ronati.

4 Q. That is the tech company located in the atrium  
5 building; correct?

6 A. No.

7 Q. No. I can't get these buildings.

8 Okay. Tell me the building you are in.

9 A. The address here is 1501 Belcher Road South,  
10 Suite 1B.

11 Q. So it is B.

12 A. Yes.

13 Q. And that's where the main lobby is?

14 A. Correct.

15 Q. Okay. All right. So I don't -- don't try to  
16 confuse me now.

17 A. You said "the atrium building." I used to work  
18 for another company that the building was called The  
19 Atrium.

20 Q. Just so we're clear, this is -- Building B is  
21 the building with the main lobby and there's some  
22 administrative offices that kind of surround that lobby?

23 A. Yeah.

24 Q. An attorney's office?

25 A. Correct.

1 Q. And then some administrative offices for the  
2 vet?

3 A. Yes.

4 Q. Okay. How long have you been working there?

5 A. With Ronati, I've been here a little over three  
6 years.

7 Q. So you've been in that location for about two  
8 and a half?

9 A. Two and a half, yeah.

10 Q. Okay. And are you aware or have you been made  
11 aware of the homeless population in that area and been  
12 advised to use caution or any of -- any of those  
13 warnings?

14 A. Well, I wouldn't say we have much of a  
15 homeless. I haven't seen much.

16 Q. What are your hours of operation?

17 A. So we're open pretty much from 9:00 to 5:00.

18 Q. What time do you usually arrive at work?

19 A. Nowadays it's closer to 9:00, but it was  
20 sometimes between 8:00 and 8:30.

21 Q. And that would have been back in March of this  
22 year?

23 A. Yeah.

24 Q. Do you know about what time you got to work on  
25 March 21st?

1           A.    I would say it was probably closer to 9:00. I  
2 would say maybe ten minutes to 9:00, somewhere in that  
3 vicinity.

4           Q.    How did you enter into your office?

5           A.    So we have a door that faces the parking lot,  
6 that door faces the west side of the building.

7           Q.    Is that how you usually enter and exit?

8           A.    Yes.

9           Q.    Do you have any reason to use the main lobby  
10 exit or entrance?

11          A.    Just to use the bathroom.

12          Q.    Okay. So you're still within the building when  
13 you go to use the restroom?

14          A.    Yes.

15          Q.    Do you exit out that main lobby area ever?

16          A.    That's where the -- our -- our door goes out to  
17 the main lobby to get to the bathroom.

18          Q.    Right.

19                And then to go outside through the lobby doors,  
20 do you ever go outside through the lobby doors?

21          A.    Not normally, no.

22          Q.    Okay. So do you recall going to the restroom  
23 at any time whenever you arrived on the 21st?

24          A.    Probably not till later in the day.

25          Q.    Okay.

1           A.    I don't think I went in the morning.

2           Q.    Did you see anyone there that was not familiar  
3 to you?

4           A.    No.

5           Q.    When I say "there," I mean anywhere inside,  
6 outside of your building.

7           A.    Mm-hmm.

8           Q.    No?

9           A.    There tends to be people here waiting to go  
10 into the vet's office, so you see people either waiting  
11 by their car. Sometimes they drop their pet off and  
12 they're still sitting in their car, but nobody stood out  
13 to me that day. There could have been people in their  
14 cars waiting, which is kind of normal. It's not the  
15 same people each time. It's usually different people.

16          Q.    Did you become aware of or did you have -- did  
17 you notice any smells coming from the bathrooms when you  
18 went?

19          A.    No.

20          Q.    At what point --

21          A.    I wouldn't -- I wouldn't say I went probably  
22 until after lunchtime.

23          Q.    When you went after lunchtime, what did you  
24 observe?

25          A.    At that point, the police had already arrived.



1           So there was -- I think the men's door of the  
2 bathroom was ajar. There was something there. There  
3 was a box -- an empty box there holding the door open,  
4 and somebody sitting in the hallway there kind of  
5 guarding it, in a sense, I guess. Other than that, I  
6 didn't really notice anything else.

7           I think maybe there was some paper towels on  
8 the floor outside the men's room.

9           Q.    So any smells?

10          A.    No, nothing I noticed.

11          Q.    What happened with the AC unit that morning?

12          A.    So it was actually a cool morning. So Celeste,  
13 which is another co-worker of mine, said she wanted to  
14 put the heat on. And she was, like, the monitor on the  
15 wall, it was not -- it was out. So it looked like there  
16 was no power.

17                And I said, "The breaker must have tripped." I  
18 said, "You should go into the break room, see if you can  
19 find the panel on the wall and see which one applies to  
20 that, and see if you can turn it back on." I go, "If  
21 you need help, let me know." She went off by herself to  
22 handle it.

23          Q.    Was she able to handle it?

24          A.    Yeah. She told me later that she turned it  
25 back on, and it came back at this time.

1 Q. Is that normal? I mean, has that happened in  
2 the past?

3 A. Never.

4 Q. You also noticed a vehicle in the parking lot.  
5 And I believe you told law enforcement it was an SUV or  
6 a pickup truck.

7 What stood out to you?

8 A. I believe that was Celeste. That wasn't me.

9 Q. Okay. Oh, yes.

10 So you are telling law enforcement that she  
11 saw?

12 A. She saw, yeah.

13 Q. Okay. Did you see the SUV or the truck?

14 A. No.

15 MS. POWERS SELLERS: I believe that's all I  
16 have.

17 Willengy? Bjorn?

18 BY MR. BRUNVAND:

19 Q. Just one quick question.

20 When asked about the breaker and if that had  
21 ever happened before you said never.

22 How long have you been there?

23 A. Two and a half years.

24 Q. Okay.

25 A. I will clarify. We did trip the breaker once

1 with the microwave. It was a different breaker, but we  
2 had a microwave and a toaster going to the same plug and  
3 we did trip that once. So I don't remember when that  
4 was, but never with the AC.

5 Q. Never with the AC. Okay.

6 A. Yeah, never.

7 MR. BRUNVAND: That's all I have. Thank you.

8 THE WITNESS: You're welcome.

9 MS. POWERS SELLERS: Thank you. So our court  
10 reporter has been taking down everything that you're  
11 saying. We'll probably order a copy of the  
12 transcript.

13 You are free to review what we -- what you have  
14 said today when it's ordered, or you can waive that.  
15 It's completely up to you.

16 THE WITNESS: Okay.

17 MS. POWERS SELLERS: Which one do you want?

18 THE WITNESS: Sure, I can view it, take a look  
19 at it.

20 MS. POWERS SELLERS: If you can just give Lori  
21 your e-mail address.

22 Sorry. I just -- Mr. Vonderheide, did you have  
23 any questions?

24 MR. VONDERHEIDE: No. Thank you for asking. I  
25 don't have any questions.

1           (At 4:24 p.m., no further questions were  
2 propounded to this witness.)  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

## ERRATA SHEET

IN RE: STATE OF FLORIDA vs. TOMASZ KOSOWSKI  
DEPOSITION OF: MICHELE WEISENSEE  
TAKEN: 12/05/2023

DO NOT WRITE ON TRANSCRIPT - ENTER CHANGES HERE

Please sign, date, and return this sheet to our office.  
If additional lines are required for corrections,  
attach additional sheets.

At the time of the reading and signing of the  
deposition the following changes were noted:

PAGE	LINE	CORRECTION	REASON
------	------	------------	--------

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

--	--	--	--

Under penalty 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.

SIGNATURE OF DEPONENT: \_\_\_\_\_

DATE: \_\_\_\_\_

CERTIFICATE OF OATH

STATE OF FLORIDA  
COUNTY OF PINELLAS

I, Lori A. Seiden, RPR, FPR-C, Notary Public,  
State of Florida, certify that MICHELE WEISENSEE  
virtually appeared before me on the 5th day of  
December, 2023, and was duly sworn.

WITNESS my hand this 19th day of September 2024.

*Lori A. Seiden*



Lori A. Seiden, RPR, FPR-C  
Notary Public - State of Florida  
My Commission No.: HH 226917  
My Commission Expires: June 6, 2026

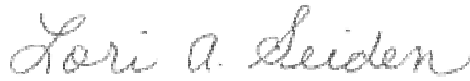
## 1 CERTIFICATE OF REPORTER

2  
3 STATE OF FLORIDA4 COUNTY OF PINELLAS  
5

6 I, Lori A. Seiden, RPR, FPR-C, do hereby certify  
7 that I was authorized to and did stenographically  
8 report the foregoing deposition of MICHELE WEISENSEE;  
9 that a review of the transcript was requested; and that  
10 the foregoing transcript is a true and complete record  
11 of my stenographic notes.

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

17  
18 Dated this 19th day of September, 2024.

19  
20 

21 \_\_\_\_\_  
22 Lori A. Seiden, RPR, FPR-C  
23  
24  
25

September 19, 2024

MICHELE WEISENSEE  
michele.weisensee@ronati.com

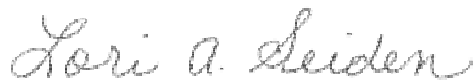
Dear Ms. Weisensee:

Your deposition taken in the case of State of Florida vs. Tomasz Kosowski on December 5, 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, until October 19, 2024.

Please call (863) 682-8737 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,

A handwritten signature in cursive script that reads "Lori A. Seiden".

Lori A. Seiden, RPR, FPR-C